



CITY AND BOROUGH OF SITKA

Meeting Agenda - Final

Planning Commission

Wednesday, November 3, 2021

7:30 PM

Harrigan Centennial Hall

I. CALL TO ORDER AND ROLL CALL

II. CONSIDERATION OF THE AGENDA

III. CONSIDERATION OF THE MINUTES

A [PM 21-24](#) Approve the October 20, 2021 meeting minutes.

B [PM 21-25](#) Approve the October 20, 2021 special meeting minutes.

IV. PERSONS TO BE HEARD

(Public participation on any item off the agenda. All public testimony is not to exceed 3 minutes for any individual, unless the Chair imposes other time constraints at the beginning of the agenda item.)

V. PLANNING DIRECTOR'S REPORT

VI. REPORTS

VII. THE EVENING BUSINESS

C [VAR 21-15](#) Public hearing and consideration of a zoning variance for a monument sign with direct lighting to exceed the maximum size on 300 Airport Road in the P- Public Lands district. The property is also known as Lot 15G, Japonski Island Subdivision. The request is filed by Southeast Alaska Regional Health Consortium. The owner of record is State of Alaska, Department of Education and Early Development.

D [CUP 21-18](#) Public hearing and consideration of a conditional use permit request for an outdoor amphitheater at 4951 Halibut Point Road in the R - Recreation district. The property is also known as a portion of Lot 1, USS 3670. The request is filed by Shee Atika, Inc. The owner of record is the City and Borough of Sitka.

E [MISC 21-15](#) Discussion lead by Assembly Liaison on Commission structure and opportunities for streamlining Commission duties.

- F [MISC 21-09](#) Discussion/Direction on Short-Term Tourism Plan

VIII. ADJOURNMENT

NOTE: More information on these agenda items can be found at <https://sitka.legistar.com/Calendar.aspx> or by contacting the Planning Office at 100 Lincoln Street. Individuals having concerns or comments on any item are encouraged to provide written comments to the Planning Office or make comments at the Planning Commission meeting. Written comments may be dropped off at the Planning Office in City Hall, emailed to planning@cityofsitka.org, or faxed to (907) 747-6138. Those with questions may call (907) 747-1814.

Publish: October 29, November 1



CITY AND BOROUGH OF SITKA

Minutes - Draft

Planning Commission

Wednesday, October 20, 2021

7:30 PM

Harrigan Centennial Hall

I. CALL TO ORDER AND ROLL CALL

Present: Chris Spivey (Chair), Darrell Windsor, Stacy Mudry, Wendy Alderson, Katie Riley, Thor Christianson (Assembly Liaison)

Absent: None

Staff: Amy Ainslie, Ben Mejia

Public: Lisa Busch, Caroline Storm, Amy Rowe, Mateo Tabachnik, Ellen Frankenstein, Chris McGraw, Kent Barkhau, Bill Foster, John Stein, Jim Michener, Stefania Potrzuski, Emily Wagner, Trish White, Chance Gray, Loren Olsen, Hugh Bevan, Rebecca Himshoot, Gerry Hope, Ariadne Will (Sitka Sentinel)

Chair Spivey called the meeting to order at 7:36pm.

II. CONSIDERATION OF THE AGENDA

The Commission requested that item G be the first new business item heard.

III. CONSIDERATION OF THE MINUTES

A [PM 21-23](#) Approve the October 6, 2021 meeting minutes.

M-Windsor/S-Mudry moved to approve the October 6, 2021 meeting minutes.

Motion passed 5-0 by voice vote.

IV. PERSONS TO BE HEARD

V. PLANNING DIRECTOR'S REPORT

Ainslie reported that staff had attended the Ports and Harbors Commission meeting on October 13th and would attend on November 10th for feedback on tourism planning. Ainslie notified the Commission that all commissions have been asked to consider commission structure and opportunities for efficiencies which would be discussed at the next meeting. Ainslie noted that Alderson would be absent from the November 3rd meeting and requested Commissioners to notify staff of any anticipated absences.

VI. REPORTS

VII. THE EVENING BUSINESS

B [CUP 21-14](#) Public hearing and consideration of a request for a conditional use permit for a veterinary clinic at 805 Halibut Point Road, in the C-1 general

commercial district. The property is also known as Lot 1, Shea Subdivision. The request is filed by Jonathan and Toccoa Wolf. The owners of record are Joyce Robertson.

Ainslie introduced the proposal for a veterinary clinic at 805 Halibut Point Road. Ainslie explained that the proposal would utilize the first floor of the existing three story building, while the remaining two floors would continue to be residential. Ainslie noted that the applicants currently operated Sitka Animal Hospital at 209 Jarvis Street but would like increased space to grow their business.

Ainslie explained that minimal impacts were anticipated from the proposal as the site had adequate on-site parking and the proposal included pet waste stations and medical waste removal as mitigation for odors. The proposal was for regular business hours of 8am-5:30pm with exception for emergencies. Ainslie noted the property was buffered by tidelands and the parking lot setting it back from the right-of-way. Ainslie stated that the proposal was in line with Comprehensive Plan action item LU 3.1. Staff recommended approval.

The applicants, Doctor Toccoa Wolf and Jonathan Wolf, were present. The applicants explained that their current location was only 600 square feet in size and limited their ability to grow.

Windsor asked if the operation would be boarding animals. The applicants replied that there would be no animal boarding and pets that stayed over the night due to emergency care would be monitored by animal hospital staff through the night. Windsor requested that a condition be added to prohibit animal boarding. The applicants accepted this condition.

M-Alderson/S-Mudry moved to approve the conditional use permit for a veterinary clinic at 805 Halibut Point Road in the C-1 general commercial district, subject to the conditions of approval as listed in the staff report with the added condition that no animal boarding take place on the property. The property was also known as Lot 1, Shea Subdivision. The request was filed by Jonathan and Toccoa Wolf. The owners of record were Ernest and Joyce Robertson. Motion passed 5-0 by voice vote.

M-Alderson/S-Mudry moved to adopt and approve the required findings for conditional use permits as listed in the staff report. Motion passed 5-0 by voice vote.

C [CUP 21-15](#)

Public hearing and consideration of a request for a conditional use permit for a short-term rental at 101 Cedar Beach Road, in the R-1 single-family and duplex residential district. The property is also known as Lot 3-B, Amended White Subdivision. The request is filed by Mateo and Alessandra Tabachnik. The owners of record are Mateo and Alessandra Tabachnik.

Ainslie introduced the proposal for a short-term rental in a 6 bedroom, 3 bathroom home at 101 Cedar Beach Road as a second home for the applicants, who would primarily spend their summers in Sitka. Ainslie explained that the applicants would like to rent out the home as a short-term rental when not in use. Ainslie noted that the primary interest in renting would be for the first floor but the proposal was to include the whole home to provide the applicants with flexibility. Ainslie explained that mitigation to potential impacts were that the applicants had indicated a maximum number of guests

as 6 people, prohibited parties and loud music, and identified a local property manager. Ainslie noted that 3 off-street parking spaces were available on the site in addition to garage space and that the site was buffered from surrounding uses by vegetation and elevation. Staff recommended approval.

The applicant, Mateo Tabachnik, was present. Spivey asked the applicant if he would consider long-term rental of the property. Tabachnik responded that he would. The Commissioners asked for more information on how the application would rent the first floor within the single family home if the owners were present. Tabachnik explained that a kitchen or kitchenette would likely be necessary for the space to be used separate from the rest of the house. Alderson and Riley voiced concerns over impacts from short-term rentals on home values, the potential for bear attractants, and the applicants' proposal to rent the home in part and as a whole unit being similar to both a bed and breakfast and short term rental permit.

M-Windsor/S-Mudry moved to approve the conditional use permit for a short-term rental at 101 Cedar Beach Road in the R-1 Single-Family/Duplex District, subject to the conditions of approval as listed in the staff report and amended to add the condition that the rental have a maximum of 4 adults. The property was also known as Lot 3-B, Amended White Subdivision. The request was filed by Mateo and Alessandra Tabachnik. The owners of record were Mateo and Alessandra Tabachnik. Motion passed 3-2 by voice vote.

M-Windsor/S-Mudry moved to adopt and approve the required findings for conditional use permits as listed in the staff report. Motion passed 3-2 by voice vote.

D [CUP 21-16](#)

Public hearing and consideration of a conditional use permit request for an eating and drinking place at 4951 Halibut Point Road in the R - Recreation district. The property is also known as a portion of Lot 1, USS 3670. The request is filed by Shee Atika, Inc. The owner of record is the City and Borough of Sitka.

Ainslie introduced the proposal for an eating and drinking place in the Recreation zone at 4951 Halibut Point Road. Ainslie explained that the proposal was for a salmon feast as part of the applicant's larger tourism and recreation development of the site which was leased from the City. Ainslie provided some background information on the site, and explained that the property had been rezoned to Recreation and the conditional uses of eating and drinking places, amusement and entertainment, and outdoor amphitheater had been added for this intended development.

Ainslie explained that the site had three elements for visitors: cultural tour, salmon feast, and an aerial adventure park with a system of trails throughout the site. Ainslie explained that this permit request was for the salmon feast, which would accommodate approximately 120 guests at a time. The salmon feast would include a presentation on the cultural and subsistence significance of salmon. The site would have a large grill for cooking salmon with limited sides and three small structures would cover the grilling area at 10'x20' and two seating areas at 50'x30'. The site would operate 8am-5:30pm from May to October when ships were in port. Ainslie noted that this was not intended to be a restaurant.

Ainslie explained the potential impacts, that all new uses to the undeveloped lot would result in significant increase in traffic and noise. Ainslie explained that the applicant was working with Department of Transportation to find the ideal driveway placement to

maximize sight lines. Ainslie stated that the site was buffered by all sides with vegetation, topography, and water frontage and would only have a limited operating season which would mitigate potential impacts and their duration.

Ainslie explained that the plan was consistent with Comprehensive Plan action item ED 6.5. Staff recommended approval.

Caroline Storm, who represented the applicant, was present. Spivey asked if the site would be open to local residents or to cruise passengers only. Storm explained that the site would be available for local residents when cruise ships were not in dock, and that the site amenities may be made available if economically feasible. Storm noted that the operation required a lot of staff to maintain.

M-Mudry/S-Alderson moved to approve the conditional use permit for an eating and drinking place at 4951 Halibut Point Road in the Recreation district, subject to conditions of approval as listed in the staff report. The property was also known as a portion of Lot 1, U.S. Survey 3670. The request was filed by Shee Atika, Inc. The owner of record was the City and Borough of Sitka. Motion passed 5-0 by voice vote.

M-Mudry/S-Alderson moved to adopt and approve the required findings for conditional use permits as listed in the staff report. Motion passed 5-0 by voice vote.

E [CUP 21-17](#)

Public hearing and consideration of a conditional use permit request for an entertainment and amusement facility at 4951 Halibut Point Road in the R - Recreation district. The property is also known as a portion of Lot 1, USS 3670. The request is filed by Shee Atika, Inc. The owner of record is City and Borough of Sitka.

Ainslie introduced the proposal for an amusement and entertainment facility in the Recreation district at 4951 Halibut Point Road as the aerial adventure park that was a component of the same tourism development proposal of the land as CUP 21-16.

Ainslie noted that the proposed site was on the inland southern portion of the lot and would feature custom designed equipment with a safety cable system along ropes, swinging bridges, and obstacles that could hold approximately 20 people every 30 minutes. Operations would take place from 8am-5pm and would be focused on cruise ship passengers. Ainslie explained that security measures would be taken to restrict access to the aerial equipment at the ground level and by gating off the main parking lot. Ainslie noted that the applicants had identified youth programming and occasional rental of the facility during the off season. Ainslie explained the potential impacts, that all new uses to the undeveloped lot would result in significant increase in traffic and noise. Ainslie explained that the applicant was working with Department of Transportation to find the ideal driveway placement to maximize sight lines. Ainslie stated that the site was buffered by all sides with vegetation, topography, and water frontage and would only have a limited operating season which would mitigate potential impacts and their duration.

Ainslie explained that the plan was consistent with Comprehensive Plan action item ED 6.5. Staff recommended approval.

Caroline Storm, who represented the applicant, was present. The Commission voiced concerns regarding security and the possible lack of public access and use. Storm responded that the site designers were advising the applicants on security measures

and that the site would be available for local use if considered financially feasible.

Storm informed the Commission that while the ground level access would be restricted, the aerial equipment would remain in place. Having no further questions, the Commission excused the applicant.

Chair Spivey opened the floor for public comment. Kendra Pountney expressed concerns that the proposal would increase traffic and risk as well as present potential for pedestrian cut-through of private property. Ainslie read public comment from Heather Meuret, who voiced concerns of impacts to the neighborhood and natural surroundings, as well as the rezoning of the property from residential to recreation.

M-Mudry/S-Windsor moved to approve the conditional use permit for an amusement and entertainment development at 4951 Halibut Point Road in the Recreation district, subject to the conditions of approval as listed in the staff report. The property was also known as a portion of Lot 1, U.S. Survey 3670. The request was filed by Shee Atika, Inc. The owner of record was the City and Borough of Sitka. Motion passed 5-0 by voice vote.

M-Mudry/S-Windsor moved to adopt and approve the required findings for conditional use permits as listed in the staff report. Motion passed 5-0 by voice vote.

F [LM 21-02](#)

Public hearing and consideration of a tidelands lease amendment request for municipal tidelands immediately adjacent to 834 Lincoln Street in the R-2 multifamily district. The property is also known as Lot 7, Sheldon Jackson Campus Subdivision and a portion of ATS 15. The request is filed by Sitka Sound Science Center. The owners of record are the Sitka Sound Science Center and the City and Borough of Sitka.

Ainslie introduced the request for an expansion to the tidelands lease related to the hatchery site in use since 1974 and currently operated by Sitka Sound Science Center. The proposal would amend the existing tidelands lease to encompass all of the existing hatchery site which had previously not been included, primarily the raceway and creek. The amendment would add 5,265 square feet to the 32,000 square foot lease. Ainslie explained that the Assembly would have to approve the amendment but that the Planning Commission would provide their recommendation based on land management, the appropriateness or inappropriateness of competitive bid, and neighboring property concerns. Ainslie noted that this was not an expansion of operations but rather a correction to the existing lease. Ainslie noted that the proposal was supported by Comprehensive Plan action items ED 6.7 and LU 3.7. Staff recommended approval.

Lisa Busch and Chance Gray, who represented the applicants, were present. The Commissioners voiced their approval of the application as a correction to documentation of an existing use.

M-Alderson/S-Mudry moved to recommend approval of the request to amend a lease for municipal tidelands located seaward of 834 Lincoln Street. The properties were also known as Lot 7, Sheldon Jackson Campus Subdivision and a portion of ATS 15. The request was filed by the Sitka Sound Science Center. The owners of record were the Sitka Sound Science Center and the City and Borough of Sitka. Motion passed 5-0 by voice vote.

G [MISC 21-09](#)**Discussion/Direction on Short-Term Tourism Plan**

The Commission resumed tourism discussions from the October 20th special meeting. The Commission discussed the recommended options and noted that scheduling and consistency was integral to the success of any scenario. Spivey commented that one way traffic with a median needed to provide enough space for larger vehicles. The Commission discussed impacts to American and Barracks Streets, Ainslie noted that emergency services needed access to the Pioneer Home.

Riley expressed safety concerns of a partial road closure or one way scenario. Spivey expressed concern of impacts to local businesses from full road closures. Riley explained that any closure type would reduce downtown parking availability and the recommendation be contingent upon a parking solution.

Christianson departed at 8:15pm.

M-Windsor/S-Alderson moved to recommend approval for the full closure of Lincoln Street from 10am - 4pm on days with 3,000 or more cruise passengers with the stipulation that efforts to find downtown parking solutions be prioritized. Motion passed 4-1 by voice vote.

VIII. ADJOURNMENT

Seeing no objections, Chair Spivey adjourned the meeting at 9:55pm.



CITY AND BOROUGH OF SITKA

Minutes - Draft

Planning Commission

Wednesday, October 20, 2021

6:30 PM

Harrigan Centennial Hall

****Special Meeting****

I. CALL TO ORDER AND ROLL CALL

Present: Chris Spivey (Chair), Darrell Windsor, Stacy Mudry, Wendy Alderson, Katie Riley, Thor Christianson (Assembly Liaison)

Absent: None

Staff: Amy Ainslie, Ben Mejia

Public: Lisa Busch, Kent Barkhau, Bill Foster, Ralph Jones, John Stein, Jim Michener, Stefania Potrzuski, Emily Wagner, Trish White, Chance Gray, Loren Olsen, Hugh Bevan, Rebecca Himshoot, Gerry Hope, Sabrina Jenkins, Amy Rowe, Ellen Frankstein, Renee Reeve, Ariadne Will (Sitka Sentinel)

Chair Spivey called the meeting to order at 6:30pm.

II. CONSIDERATION OF THE AGENDA

III. PERSONS TO BE HEARD

IV. THE EVENING BUSINESS

A [MISC 21-09](#) Discussion/Direction on Short-Term Tourism Plan

Ainslie presented staff analysis and recommendations for Lincoln Street closure options as well as scenarios that were not recommended. Traffic scenarios that were not recommended included partial closures of Lincoln Street as well as partial and full one-way direction of traffic on Lincoln Street. Ainslie noted that all of these partial measures would likely result in confusion and were intensive to mobilize barricades.

Ainslie then presented recommended options. Option A was to close Lincoln Street to vehicles from the Lake/Lincoln with intersections to the Lincoln/Katlian Intersection Feeder routes (Barracks, American, Maksoutoff, Cathedral, and other unnamed alleys) blocked from entry. Option B would leave Lincoln Street open to vehicular traffic as one-way only headed west from Lake intersection to Katlian intersection. Pedestrians, amenities, and vending could take place in the 'east bound' traffic and parking lanes. "Vehicle crossing designations" would be available for bank drive-thru and pull-in parking spaces designated near churches. A temporary but substantial median would be necessary to separate pedestrians and vehicles. This would be in place all season.

Option C was described as a hybrid of the Options A and B where Lincoln would be closed when needed, but otherwise staged to re-open as Option B with all amenities and potential vending staged in the east bound lane, even when road was fully closed.

The Commission opened the floor for public comment. Jim Michener noted that the projected passengers were approximately three times as many as in 2019. Michener voiced support for Option A, and felt that emergency vehicles could still be allowed through during a road closure. Ralph Jones of the RIDE commented that Lincoln Street closure would disrupt and displace traffic and impact ridership of the RIDE. Kent Barkau advocated for more long-term tourism visioning and planning as well as investigation of how and when to control the number of cruise passengers. Hugh Bevan noted the urgency of ordering supplies now and identifying storage locations. Bevan recommended the City pursue contracting services out for mobilization of barricades through the RFP process and that mass mailing would be necessary to notify the public of road closures. Bevan suggested the City should have a trial run of the closure before the start of the tourist season. John Stein commented that the labor intensive nature of road closures would result in job creation. Bill Foster commented that the closed road should look inviting for pedestrians and voiced support for electric busses, changes to pedestrian crossing cycles at the intersection, and the color used to indicate street parking. Rebecca Himshoot advocated for traffic cops at challenging intersections and crossings. Gerry Hope commented on the willingness of the RIDE to participate in decision making.

Ainslie read public comment from Jim Steffan who advocated for lightering passengers into town from the dock and improving the shuttle bus fleet with preference for electric busses. Steffan suggested the area around the Baranof School playground as suitable for bus drop off.

Commission agreed to resume the discussion in the following regular meeting.

V. ADJOURNMENT

Seeing no objections, Chair Spivey adjourned the meeting at 7:25pm.



City and Borough of Sitka

PROVIDING FOR TODAY...PREPARING FOR TOMORROW

Coast Guard City, USA

Planning and Community Development Department

AGENDA ITEM

Case No: V 21-15
Proposal: Increase maximum size and allow direct lighting for a monument sign
Applicant: Southeast Alaska Regional Health Consortium
Owner: State of Alaska - Department of Education and Early Development
Location: 300 Airport Road
Legal: Lot 15G, Japonski Island Subdivision
Zone: P – Public Lands District
Size: Approximately 8.25 acres
Parcel ID: 1-9210-000
Existing Use: Undeveloped
Adjacent Use: Healthcare Services, Harbor
Utilities: Existing
Access: Airport Road

KEY POINTS AND CONCERNS

- Proposal is for a freestanding monument sign for Mount Edgecumbe Medical Center, with direct and indirect lighting and greater in size than is allowable by the Zoning Code
- The Sitka General Code states that signs in the Public Lands district are only permitted to be lighted indirectly, this sign proposes to use both direct and indirect light sources
- The Sitka General Code restricts the size of monument signs to 20 square feet measured by the smallest rectangle to enclose all letters and symbols, the proposal would be for a sign of approximately 52 square feet

RECOMMENDATION

Staff recommends that the Planning Commission approve the variance to increase maximum size of the sign and the use of direct lighting.

BACKGROUND/PROJECT DESCRIPTION

The request is for an approximately 6'8"x 21' monument sign, calculated per SGC 22.20.090(E)(11)(b) guidelines as approximately 52 square feet (as the code measures maximum sign size based on the smallest rectangle to enclose all letters and symbols), with direct and indirect lighting at 300 Airport Road for Mt. Edgecumbe Medical Center. The maximum allowable size of signs identifying multiple-family dwellings, apartments, condominiums, hotels, clubs, lodges, hospitals and other public or quasi-public places is 20 square feet per SGC 22.20.090(E)(3). While indirect lighting of signs is allowed in all zones, directly lit signs are restricted to CBD, C-1, C-2, and I zones. It is for these reasons that the applicant requests a variance for size and lighting.

In addition to indirect lighting provided by flood lighting centered on the sign, the sign will feature direct illumination with push-through of letters and logos. This is not a changing message center sign or digital display.

The conditions of approval would allow a sign no larger than 55 square feet (additional square footage is requested for margin of error) and allow for direct lighting as described above.

ANALYSIS

The Sitka General Code has thorough guidance on appropriate signage and limits the maximum allowable size of signs identifying multiple-family dwellings, apartments, condominiums, hotels, clubs, lodges, hospitals and other public or quasi-public places to 20 square feet¹. Monument signs are calculated by the smallest rectangular area to encompass all letters and symbols².

SGC 22.20.090(E)(15)(a) states that signs outside of CBD, C-1, C-2, and I zones are to be lit only through indirect lighting source. While definitions for illumination types are not provided in the Zoning Code, The American Planning Association's "A Glossary of Zoning, Development, and Planning Terms" defines indirect illumination is defined as having the light source external to the sign, with light cast on the sign, while direct illumination has the light source internal to the sign.

SGC 22.20.090(E)(6) sheds some light on the intention for restricting signage size and type, stating "The assembly of the city and borough has determined that the size and type of advertising signs usual in other localities does not fit the circumstances of Sitka with its short, closed type of road system. Signs designed in large size or specifically designed to attract the motoring public are unnecessary and are prohibited." The code prevents the aesthetic impact of large, brightly illuminated signs competing for the attention of motorists and pedestrians. However, given the unique circumstances of this proposal, both removed from more densely developed areas and set back from the drivable surface of the road, the lighting and size of the sign could be appropriate for clear visibility and to prevent potential confusion of where a critical service is located.

¹ SGC 22.20.090(E)(3)

² SGC 22.20.090(E)(11)(b)

Alaska Statute 29.40.040(b)(3) states that a variance may not be granted solely to relieve financial hardship or inconvenience. In this case, as the medical center expands its' scope to become a regional medical hub, the applicant's ability to provide clear signage is integral to its use.

Potential Impacts

Granting of this variance is likely to result in minimal impact to surrounding uses. While sign illumination can cause a distraction to passing motorists, in this case the increased size and lighting of the sign would likely increase visibility and provide additional directional signage for health and emergency services.

Comprehensive Plan Guidance

The proposal is in line with the Comprehensive Plan economic development chapter's overall objective to support the growth of businesses. Granting of this variance would work toward the growth of Sitka as regional medical hub.

RECOMMENDATION

The Planning Department recommends approval of the request for an increase to the allowable size and direct illumination of a sign at 300 Airport Road. Potential impacts are minimal and the proposal will provide clarification of locational information for health and emergency services.

ATTACHMENTS

Attachment A: Aerial

Attachment B: Site Plan and Electrical Plan

Attachment C: Front Elevation

Attachment D: Plat

Attachment E: Photos

Attachment F: Applicant Materials

MOTIONS IN FAVOR OF APPROVAL

- 1) **“I move to approve the zoning variance for a sign at 300 Airport Road in the P – Public Lands district subject to the attached conditions of approval. The property is also known as Lot 15G, Japonski Island Subdivision. The request is filed by Southeast Alaska Regional Health Consortium. The owner of record is State of Alaska - Department of Education and Early Development.”**

Conditions:

1. The size of the sign shall not exceed 55 square feet as calculated by SGC 22.20.090(E)(11)(b).
2. Direct illumination of this sign shall be allowed.
3. Sign plans shall remain consistent with the narrative and plans provided by the applicant for this request. Any substantive changes to the plan will require additional Planning Commission review.
4. The Planning Commission, at its discretion, may schedule a public hearing at any time for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties upon receipt of meritorious complaint or evidence of violation of conditions of approval.
5. 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.

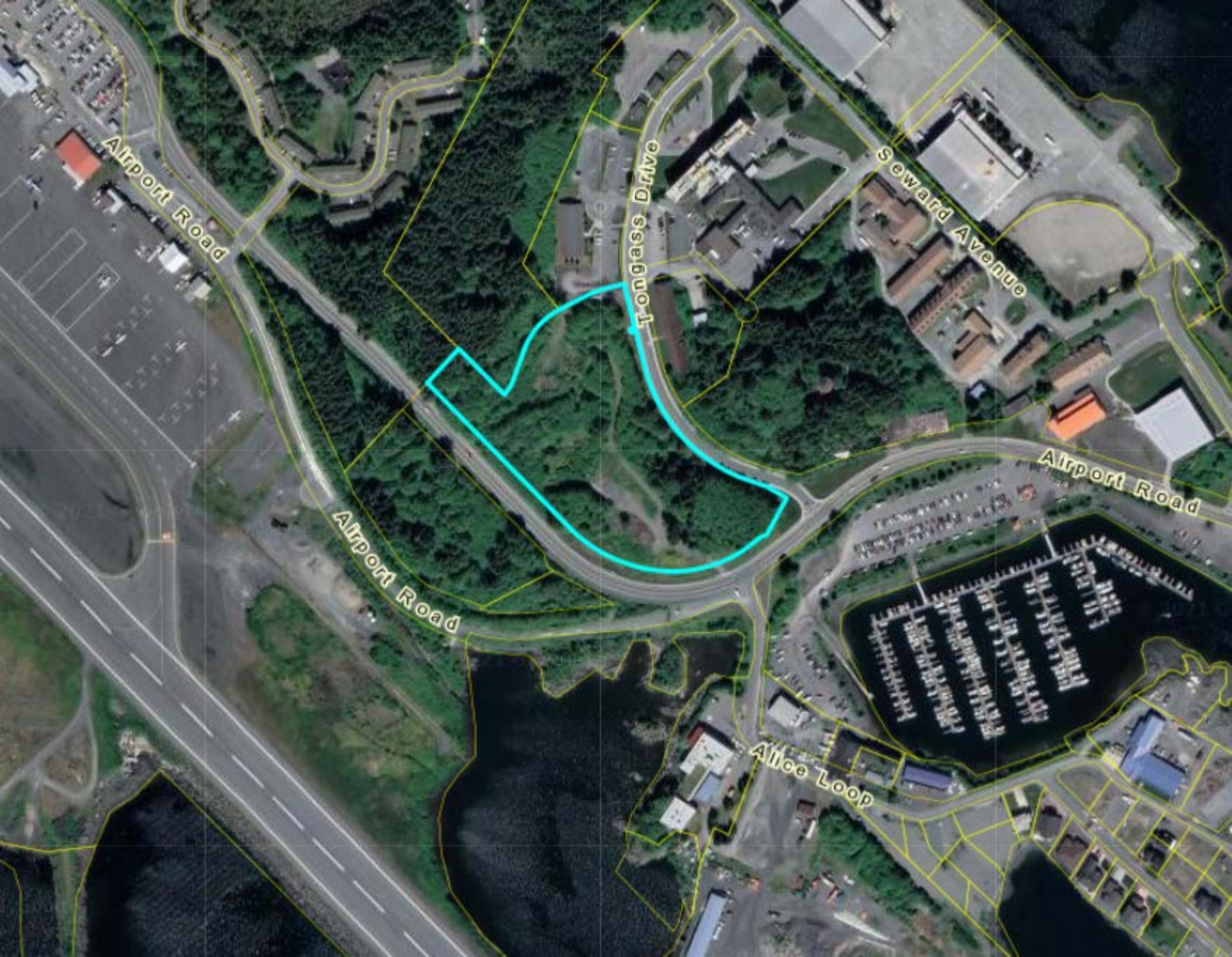
- 2) **“I move to adopt and approve the required findings for variances involving minor structures or expansions as listed in the staff report.”**

Before any variance is granted, it shall be shown³:

Required Findings for Minor Expansions, Small Structures, Fences, and Signs:

- a. The municipality finds that the necessary threshold for granting this variance should be lower than thresholds for variances involving major structures or major expansions;
- b. The granting of the variance is not injurious to nearby properties or improvements;
- c. The granting of the variance furthers an appropriate use of the property.

³ Section 22.30.160(D)(2)—Required Findings for Minor Variances



Airport Road

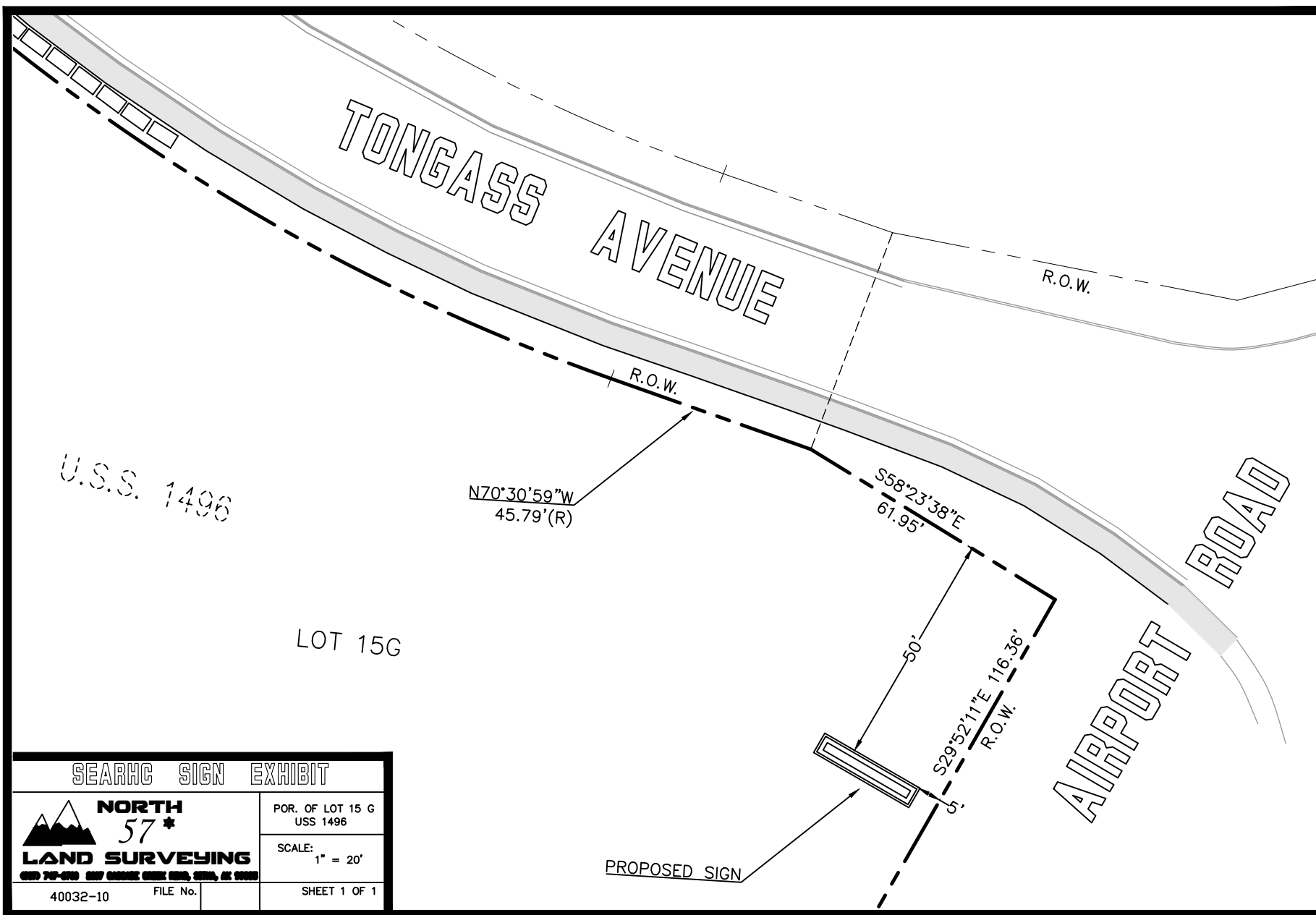
Tongass Drive

Seward Avenue

Airport Road

Airport Road

Alice Loop



SEARCH SIGN EXHIBIT



NORTH
57*
LAND SURVEYING

400 749-0740 400 640000 0000 0000, AL 30000

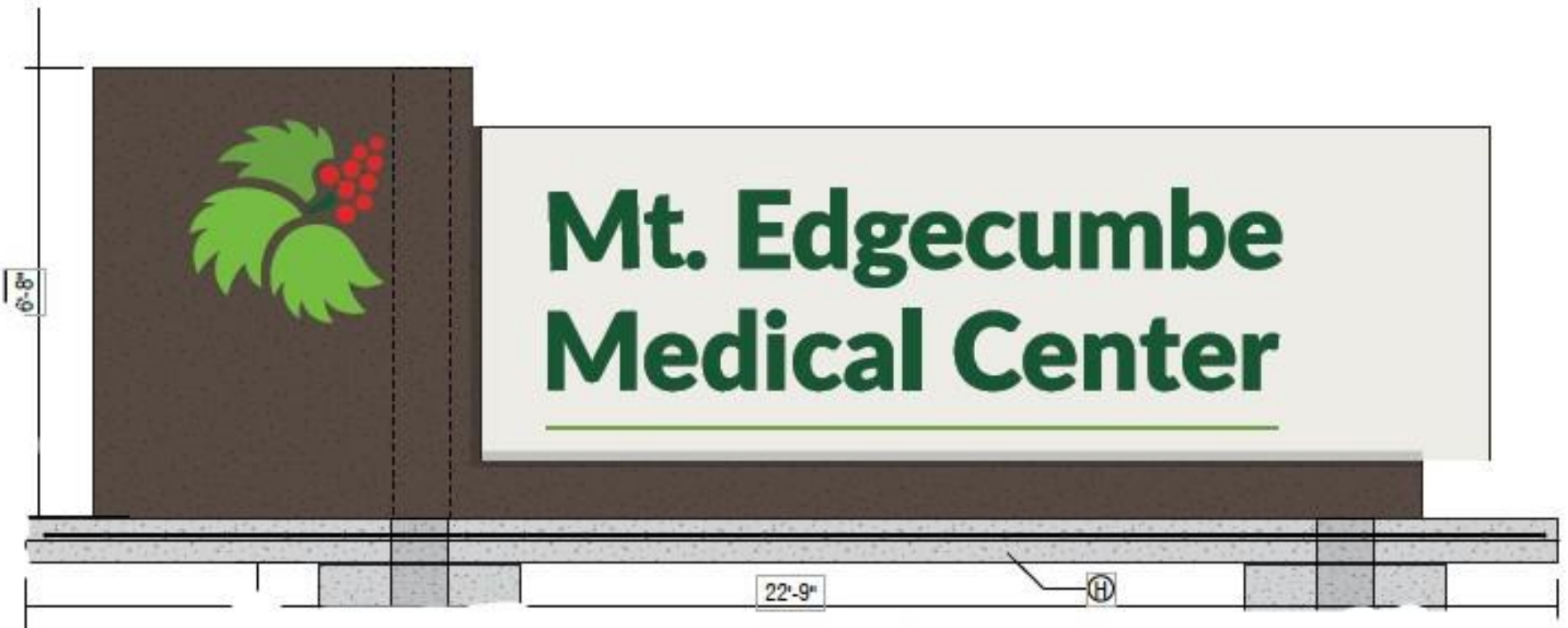
40032-10

FILE No.

POR. OF LOT 15 G
USS 1496

SCALE:
1" = 20'

SHEET 1 OF 1



HORIZONTAL CONTROL

The Basis of Bearing for this project is the State Plane grid bearing of S43-02'-50"E from the recovered Sitka Airport runway Centerline Monument No. 110, a 2" aluminum cap grouted into the threshold of runway 11 to the recovered runway Centerline Monument No. 107, a 2" brass cap grouted into the threshold of runway 29.

CERTIFICATE OF OWNERSHIP AND DEDICATION

I (we) hereby certify that I (we) am (are)(is) the owner(s) of the property shown and described hereon and that I (we) (it) hereby adopt this plan of subdivision with my (our) (its) free consent, and dedicate all streets, alleys, walks, parks, and other open spaces to public or private use as referenced on DOT & PF R.O.W. Project No. 68187 Sitka-Airport Access Improvements.

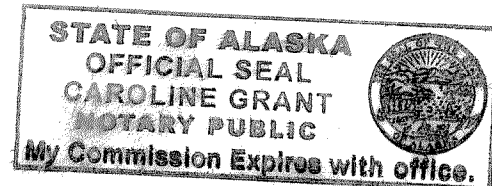
Owner(s) / Company Name
Date

NOTARY ACKNOWLEDGEMENT

First Judicial District
State of Alaska
This is to certify that on this day of 2007, before the undersigned, a notary public in and for the State of Alaska, duly commissioned and sworn, appeared to me known to me to be the person described in and who executed the foregoing instrument, and acknowledged to me that she signed and sealed the same freely and voluntarily for the uses and purposes therein mentioned.

Witness my hand and official seal the day and year in this certificate first above written.

Notary Public for Alaska
My Commission Expires:



CERTIFICATE OF PAYMENT OF TAXES

STATE OF ALASKA
FIRST JUDICIAL DISTRICT
I, the undersigned, being duly appointed and qualified, and acting assessor for the City and Borough of Sitka, do hereby certify that, according to the records of the City and Borough of Sitka, the following described property is carried on the tax records in the name of: Alaska Department of Education (all owners of record), and that, according to the records in my possession, all taxes assessed against said lands and in favor of the City and Borough of Sitka are paid in full; that current taxes for the year 2007 will be due on or before.

DATED this 27 day of April, 2007
at Sitka, Alaska

Assessor
City and Borough of Sitka

CERTIFICATION OF APPROVAL BY THE PLANNING COMMISSION

I hereby certify that the subdivision plat shown hereon has been found to comply with the subdivision regulations of the City and Borough Planning Commission, and that said plat has been approved by the board by Plat Resolution No. 106-17, dated 04/27/2007, and that the plat shown hereon has been approved for recording in the office of the district court, ex officio recorder, Sitka, Alaska.

Date

ATTEST:
Secretary

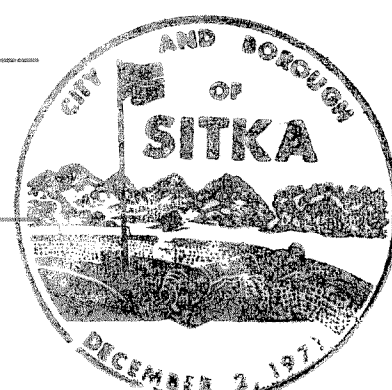
CERTIFICATE OF APPROVAL BY THE ASSEMBLY

I hereby certify that the subdivision plat shown hereon has been found to comply with the subdivision regulations of the City and Borough of Sitka, and that said plat has been approved by the Assembly as recorded in Minute Book Page dated 4-26-7, and that the plat shown hereon has been approved for recording in the office of the district court, ex officio recorder, Sitka, Alaska.

Date

ATTEST:

Municipal Clerk

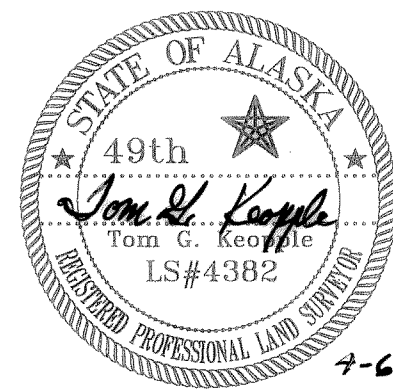


CERTIFICATE OF PAYMENT OF LOCAL IMPROVEMENT DISTRICT

I, the undersigned, being duly appointed and qualified, and acting finance director for the City and Borough of Sitka, do hereby certify that, according to the records of the City and Borough of Sitka, the following described property is carried on the records in the name of: Alaska Department of Education (all 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 and Borough of Sitka are paid in full.

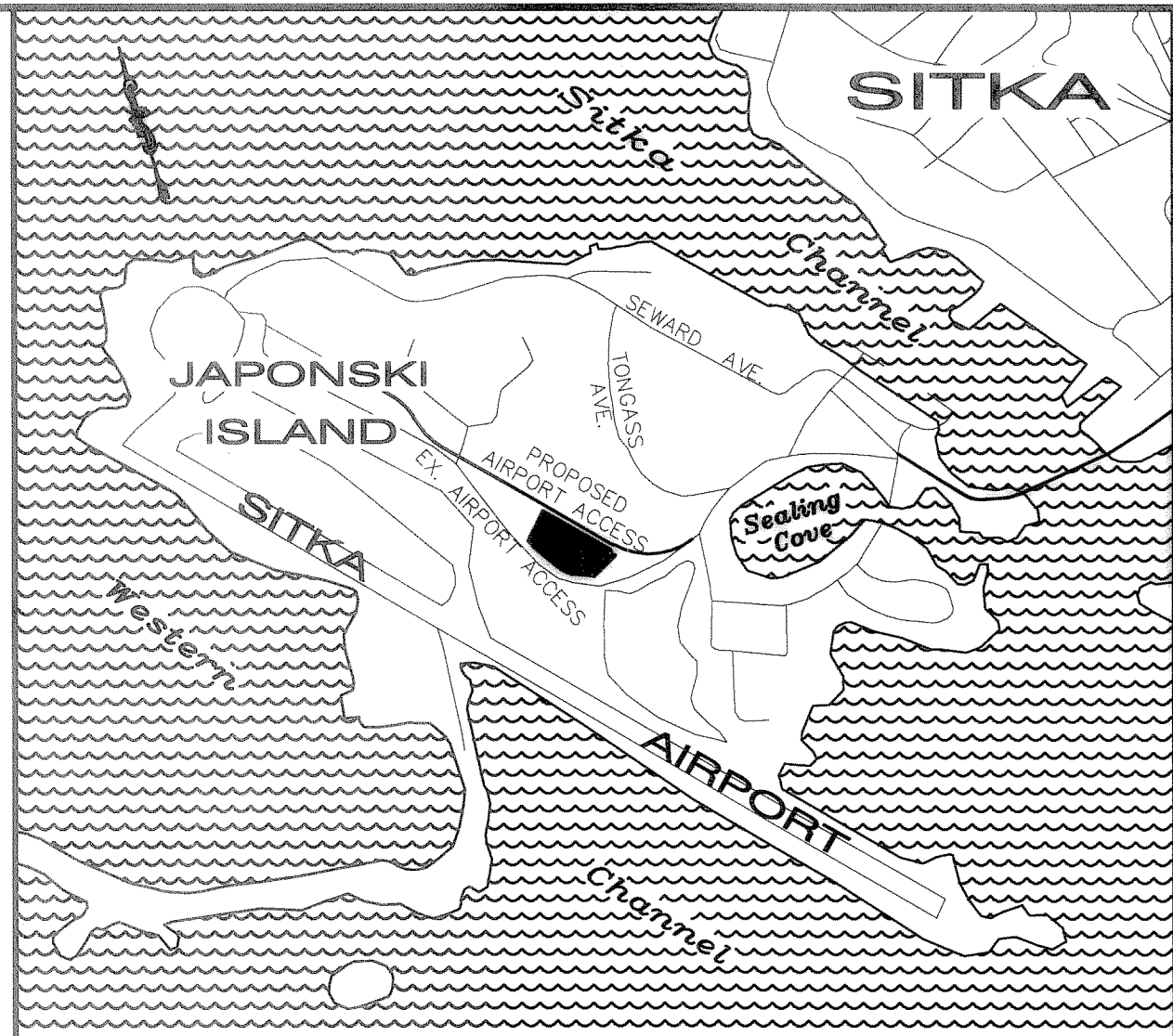
Dated this 17th day of April, 2007, at Sitka, Alaska.

Finance Director
City and Borough of Sitka



CERTIFICATE OF SURVEYOR

I, Tom G. Keagle, certify that I am a registered land surveyor in the State of Alaska, that this plat is a true and correct representation of lands surveyed by me or under my direct supervision; that the distances and bearings are shown correctly and the error of closure for field traverses does not exceed one part in 5,000; and that all permanent exterior control monuments, all other monuments, and lot corners have been set and staked.



VICINITY MAP
(NOT TO SCALE)

GENERAL NOTES

- The purpose of this plat is to subdivide Lot 15E into Lot 15F and 15G US Survey 1496.
- All bearings shown on this plat are true bearings as oriented to the basis of bearing.
- All distances shown on this plat have been reduced to horizontal field distances.
- Where record survey courses differ from field measured and/or computed courses, the record course is shown in parenthesis.
- The Right of Way plan preparation was directly supervised by the Department of Transportation and Public Facilities (DOT/PF) Senior Right of Way Engineer, Southeast Region. The location of the existing Right of Way corridor was computed from record information and adjusted to recovered survey monuments as shown and described. The ownership as shown is accurate as of the date of plat preparation. The land title information was supplied by a contract title insurance company and was reviewed and approved by Right of Way personnel.
- Additional information for the Right of Way of Tongass and Seward streets, as well as drainage & utility easements, can be found on DOT & PF R.O.W. project Japonski Island Streets Utilities, Project No STP-0003(072)- 67985.
- Additional information for the subdivision of Lot 15 US Survey 1496 into Lots 15A, 15B, 15C, 15D & 15E, can be found on Japonski Island Subdivision/Seward & Tongass Improvements as recorded plat # 2007-7.
- Additional information for the Right of Way of Sitka Airport Access Road Improvements can be found on DOT & PF R.O.W project NH-099-3(5) # 68187.
- Alaska Department of Highways Right of Way Project F-099-3(10) Sitka Airport Access road was approved February 20, 1973. Alaska Department of Highways Right of Way Project F-M-0935(8)-69272: Sitka Airport Access road was approved July 1993.
- An existing sewer force main right of way (AA-40276) granted to the City and Borough of Sitka from the United States of America by Patent 50-90-0267 (Book 89, Page 647) being two pipes 10" and 16" in diameter. Width of right of way is 10 feet, 5 feet each side centerline of pipes. The legal description on the plat not locatable, sewer right of way shown on sheet 2 is approximate.
- The flow of water in any creek, stream, or intermittent drainage shall not be blocked. The flow may be relocated or culverted by the property owner as long as adjacent properties or right of ways are not adversely impacted by the modification.

JAPONSKI ISLAND SUBDIVISION
SITKA AIRPORT IMPROVEMENTS
68187

SUBDIVISION OF
U.S.S. 1496, LOT 15E INTO
LOT 15F & LOT 15G

City & Borough of Sitka, Alaska
Sitka Recording District

SURVEYOR: State of Alaska D.O.T./P.F. Southeast Region

OWNERS:

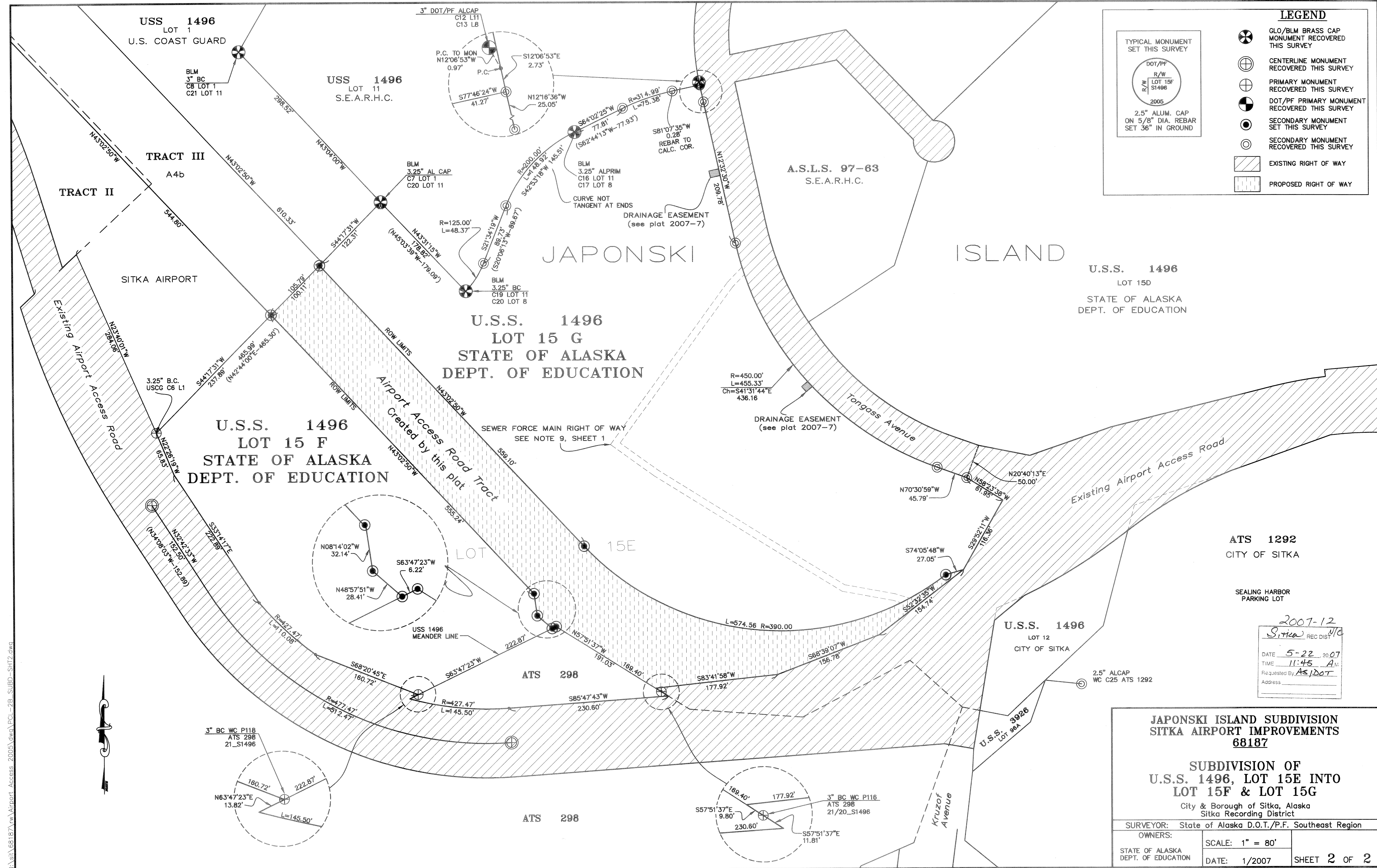
STATE OF ALASKA
DEPT. OF EDUCATION

SCALE: 1" = 200'

DATE: 1/2007

SHEET 1 OF 2

SITKA 2007-12







SPEED
LIMIT
20

WELCOME
TO
SEARHC



YOUR
PARTNER
IN
HEALTH



CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
GENERAL APPLICATION

- Applications must be deemed complete at least TWENTY-ONE (21) days in advance of next meeting date.
- Review guidelines and procedural information.
- Fill form out completely. No request will be considered without a completed form.
- Submit all supporting documents and proof of payment.

APPLICATION FOR:



VARIANCE



CONDITIONAL USE



ZONING AMENDMENT



PLAT/SUBDIVISION

BRIEF DESCRIPTION OF REQUEST: Replacement of Mt. Edgecumbe
Medical Center monument sign. Variance request to
permit size and lighting.

PROPERTY INFORMATION:

CURRENT ZONING: P PROPOSED ZONING (if applicable): N/A

CURRENT LAND USE(S): VACANT - storage PROPOSED LAND USES (if changing): N/A

APPLICANT INFORMATION:

PROPERTY OWNER: State of Alaska - DOE

PROPERTY OWNER ADDRESS: 1330 Seward Avenue, Sitka, AK 99835

STREET ADDRESS OF PROPERTY: 300 Airport Access Road.

APPLICANT'S NAME: SEARHC

MAILING ADDRESS: 222 Tongass Drive Sitka, AK 99835

EMAIL ADDRESS: maeganb@searhc.org DAYTIME PHONE: 907.966.8942

SEARHC

Last Name

10/11/21

Date Submitted

300 Airport Access Rd.

Project Address

REQUIRED SUPPLEMENTAL INFORMATION:

For All Applications:

- ☒ Completed General Application form
- ☒ Supplemental Application (Variance, CUP, Plat, Zoning Amendment)
- ☒ Site Plan showing all existing and proposed structures with dimensions and location of utilities
- ☒ Floor Plan for all structures and showing use of those structures
- ☒ Proof of filing fee payment
- ☐ Other: _____

For Marijuana Enterprise Conditional Use Permits Only:

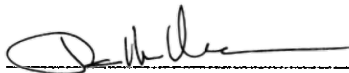
- ☐ AMCO Application

For Short-Term Rentals and B&Bs:

- ☐ Renter Informational Handout (directions to rental, garbage instructions, etc.)

CERTIFICATION:

I hereby certify that I am the owner of the property described above and that I desire a planning action in conformance with Sitka General Code and hereby state that all of the above statements are true. I certify that this application meets SCG requirements to the best of my knowledge, belief, and professional ability. I acknowledge that payment of the review fee is non-refundable, is to cover costs associated with the processing of this application and does not ensure approval of the request. I understand that public notice will be mailed to neighboring property owners and published in the Daily Sitka Sentinel. I understand that attendance at the Planning Commission meeting is required for the application to be considered for approval. I further authorize municipal staff to access the property to conduct site visits as necessary. I authorize the applicant listed on this application to conduct business on my behalf.



Superintendent-Director

10-12-2021

Owner

Date

Owner

Date

I certify that I desire a planning action in conformance with Sitka General Code and hereby state that all of the above statements are true. I certify that this application meets SCG requirements to the best of my knowledge, belief, and professional ability. I acknowledge that payment of the review fee is non-refundable, is to cover costs associated with the processing of this application and does not ensure approval of the request.

Margen Bosa - SEARHC Representative

Applicant (If different than owner)

10/11/21

Date

SEARHC

10/11/21

300 Airport Access Rd.

Last Name

Date Submitted

Project Address



CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT SUPPLEMENTAL APPLICATION FORM VARIANCE

APPLICATION FOR

- ☒ ZONING VARIANCE – MINOR EXPANSIONS, SMALL STRUCTURES, FENCES, SIGNS
☐ ZONING VARIANCE – MAJOR STRUCTURES OR EXPANSIONS
☐ PLATTING VARIANCE – WHEN SUBDIVIDING

RATIONALE - Alaska Statute 29.40.040(b)3 states that a variance may not be granted solely to relieve financial hardship or inconvenience. Explain why a variance is required for your project.

variance is required for size of new SEARHC monument
sign. New sign will replace/Remove existing sign. New sign measures 6x21.

POTENTIAL IMPACTS (Please address each item in regard to your proposal)

- TRAFFIC No impacts. Sign meets setback requirements.
DOT has extended right of way area and SEARHC has cut trees allowing for enhanced visibility.
- PARKING No impact
- NOISE No impact.
- PUBLIC HEALTH AND SAFETY Provides additional directional signage
for health and emergency services.
- HABITAT No impact.
- PROPERTY VALUE/NEIGHBORHOOD HARMONY No impact.
- COMPREHENSIVE PLAN ^{Fits} Economic Chapter objective of support and grow
existing businesses. Position the community as a regional healthcare hub.

SEARHC
Last Name

10/11/21
Date Submitted

300 Airport Access Rd.
Project Address

REQUIRED FINDINGS (Choose ONE applicable type and explain how your project meets these criterion):

Major Zoning Variance (Sitka General Code 22.30.160(D)1)

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

a. That there are special circumstances to the intended use that do not apply generally to the other properties. Special circumstances may include the shape of the parcel, the topography of the lot, the size or dimensions of the parcels, the orientation or placement of existing structures, or other circumstances that are outside the control of the property owner. Explain the special circumstances:

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. Explain the use/ enjoyment this variance enables: _____

c. 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. Initial Here _____

Minor Zoning Variance (Sitka General Code 22.30.160(D)2)

Required Findings for Minor Expansions, Small Structures, Fences, and Signs.

a. The municipality finds that the necessary threshold for granting this variance should be lower than thresholds for variances involving major structures or major expansions. My request should be considered a minor zoning variance because: replacement of existing sign to

provide more visible directional signage so people will know where to

b. The granting of the variance furthers an appropriate use of the property. Explain the use or enjoyment this variance enables: Appropriate use of property is for

healthcare services. This sign furthers the use.

c. The granting of the variance is not injurious to nearby properties or improvements.

Initial Here MB

SEARHC

Last Name

10/11/21

Date Submitted

300 Airport Access Rd.

Project Address

Platting Variance (Sitka General Code 21.48.010)

- a. A variance from the requirements of this title may be granted only if the planning commission finds that the tract to be subdivided is of such unusual size and shape or topographical conditions that the strict application of the requirements of this title will result in undue and substantial hardship to the owner of the property. Explain the conditions of the lot that warrant a variance: _____

- b. The granting of a platting variance will not be detrimental to the public safety, or welfare, or injurious to adjacent property. Initial Here _____

ANY ADDITIONAL COMMENTS AK DOE has approved lease of property
to SEARHC including the placement of the new monument
sign in the proposed location. New sign will be 6'8 (h) ft
by 21 ft. (L).

Magn BOZAK - SEARHC Representative
Applicant

10/11/21
Date

SEARHC
Last Name

10/11/21
Date Submitted

300 Airport Access Rd.
Project Address



CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT SUPPLEMENTAL APPLICATION FORM VARIANCE

APPLICATION FOR

- ☒ ZONING VARIANCE – MINOR EXPANSIONS, SMALL STRUCTURES, FENCES, SIGNS
☐ ZONING VARIANCE – MAJOR STRUCTURES OR EXPANSIONS
☐ PLATTING VARIANCE – WHEN SUBDIVIDING

RATIONALE - Alaska Statute 29.40.040(b)3 states that a variance may not be granted solely to relieve financial hardship or inconvenience. Explain why a variance is required for your project.

Variance is required for lighting of new SEARHC monument sign. Sign will have both direct and indirect lighting for increased visibility.

POTENTIAL IMPACTS (Please address each item in regard to your proposal)

- TRAFFIC No impact.
- PARKING No impact.
- NOISE No impact.
- PUBLIC HEALTH AND SAFETY Increased visibility to direct residents to healthcare services.
- HABITAT No impact.
- PROPERTY VALUE/NEIGHBORHOOD HARMONY No impact.
- COMPREHENSIVE PLAN Fits economic chapter of support and grow existing businesses, and position the community as a regional healthcare hub.

SEARHC

Last Name

10/11/21

Date Submitted

300 Airport Access Rd.

Project Address

REQUIRED FINDINGS (Choose ONE applicable type and explain how your project meets these criterion):

Major Zoning Variance (Sitka General Code 22.30.160(D)1)

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

a. That there are special circumstances to the intended use that do not apply generally to the other properties. Special circumstances may include the shape of the parcel, the topography of the lot, the size or dimensions of the parcels, the orientation or placement of existing structures, or other circumstances that are outside the control of the property owner. Explain the special circumstances:

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. Explain the use/ enjoyment this variance enables: _____

c. 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. Initial Here _____

Minor Zoning Variance (Sitka General Code 22.30.160(D)2)

Required Findings for Minor Expansions, Small Structures, Fences, and Signs.

a. The municipality finds that the necessary threshold for granting this variance should be lower than thresholds for variances involving major structures or major expansions. My request should be considered a minor zoning variance because: healthcare is a community service that should be visible to all. Additional lighting for increased visibility in dark weather.

b. The granting of the variance furthers an appropriate use of the property. Explain the use or enjoyment this variance enables: healthcare is the current use of adjacent properties. This sign furthers the use.

c. The granting of the variance is not injurious to nearby properties or improvements.
Initial Here MB

SEARHC

Last Name

10/11/21

Date Submitted

300 Airport Access Rd.

Project Address

Platting Variance (Sitka General Code 21.48.010)

- a. A variance from the requirements of this title may be granted only if the planning commission finds that the tract to be subdivided is of such unusual size and shape or topographical conditions that the strict application of the requirements of this title will result in undue and substantial hardship to the owner of the property. Explain the conditions of the lot that warrant a variance: _____

- b. The granting of a platting variance will not be detrimental to the public safety, or welfare, or injurious to adjacent property. Initial Here _____

ANY ADDITIONAL COMMENTS Indirect lighting is allowed.

This sign variance is to request that the letters on the
sign are illuminated for additional visibility.

Magn Bazak

Applicant

10/11/21

Date

SEARHC

Last Name

10/11/21

Date Submitted

300 Airport Access Rd.

Project Address



City and Borough of Sitka

PROVIDING FOR TODAY...PREPARING FOR TOMORROW

A Coast Guard City

Planning and Community Development Department

AGENDA ITEM

Case No: CUP 21-18
Proposal: Outdoor Amphitheater
Applicant: Shee Atika, Inc.
Owner: City and Borough of Sitka
Location: 4951 Halibut Point Road
Legal: A portion of Lot 1, US Survey 3670
Zone: R Recreation district
Size: Approx. 17.1 acres
Parcel ID: 2-5390-000
Existing Use: Vacant
Adjacent Use: Residential, Recreation, Commercial
Utilities: Available from HPR & Adjacent Tidelands
Access: Halibut Point Road

KEY POINTS AND CONCERNS

- Property was recently rezoned from R-1 single family and duplex residential district to the Recreation district. Three new conditional uses were also added to this zone including outdoor amphitheater.
- Property is owned by CBS and leased to the applicants.
- Development of this property is in-line with previously reviewed proposal in the No Name Mountain/Granite Creek Master Plan as well as the Request for Proposals issued for this property.
- Conditional use permits for an Eating & Drinking Place and Amusement & Entertainment were approved by the Commission on October 20, 2021.

RECOMMENDATION

Staff recommends that the Planning Commission approve the conditional use permit for an outdoor amphitheater at 4951 Halibut Point Road subject to the recommended conditions of approval.

BACKGROUND/PROJECT DESCRIPTION

In the No Name Mountain/Granite Creek Master Plan, future uses identified for this particular property included either commercial recreation or high-end residential development. At the conclusion of the plan, the Assembly directed staff to issue a Request for Information (summer 2020) to gauge the market interest in how the land should be developed. After analyzing the responses, the Assembly directed staff to issue a Request for Proposals (winter 2020-2021) for the sale or lease of the property with an open call for development ideas. CBS received one response to that RFP from Shee Atika, Inc. and its partner, Adventure Sitka, LLC with a proposal to develop the site for commercial recreation. The Assembly approved a lease of the land to Shee Atika in late August, as well as the associated rezoning of the property and zoning text amendments to the Recreation district. Shee Atika is now pursuing the conditional use permits necessary for the intended development.

The site has largely three elements; the cultural tour, the aerial adventure park, and the salmon feast (with the cultural tour being the subject of this permit request). For the cultural tour, groups of 150 guests will be seated in the outdoor amphitheater (referred to as “the Welcome Center” by the applicant and on the submitted site plan and operating plan) and provided a presentation on various cultural aspects of the indigenous people of Southeast Alaska. After the presentation, guests will be split into smaller groups and taken on walking tours of the site via the constructed trails. The outdoor amphitheater may also be utilized for tour programs that partner with local organizations such as the Alaska Raptor Center or the Sitka Sound Science Center.

Operation of the cultural tour is targeted towards cruise ship visitors. The activity will be operation from May through October while cruise ships are in port (generally 8am to 5pm). Some off-season rental use may be utilized, but would generally be during those same daytime hours.

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: As the property is currently vacant, any development will result in a significant increase in traffic to the site than is experienced now. However, given the proximity of this property to the private cruise ship dock, the Starrigavan recreation area, and the ferry terminal, heavy traffic (particularly in the summer months) is experienced in the area. Given that proposal is primarily focused on using this facility in a tour/excursion capacity rather than a year-round, walk-in type facility, traffic to be generated is primarily bus traffic. Buses will loop from the site to the cruise terminal to transport passengers. The applicant is working with ADOT to local ideal driveway locations taking line-of-sight into account.

b. Amount of noise to be generated and its impacts on surrounding land use: Additional noise generation is expected, primarily amplified presentation narration and conversation. Given the size

¹ § 22.24.010.E

and nature of the property (topography, vegetation), sound should be somewhat buffered/muffled. Hours of operation should also limit noise disturbance for surrounding properties.

c. Odors to be generated by the use and their impacts: The applicants will be expected to properly manage waste so as not to attract bears or other wildlife to the site. No particularly strong odor generation is expected from this proposal.

d. Hours of operation: Generally 8am – 5pm when cruise ships are in port May through October. For off-season utilization, operating hours should also be in the general 8am-5pm window.

e. Location along a major or collector street: Located along Halibut Point Road.

f. Potential for users or clients to access the site through residential areas or substandard street creating a cut-through traffic scenario: Cut-through scenarios are unlikely, Halibut Point Road is the only road access to the site.

g. Effects on vehicular and pedestrian safety: Siting for driveway cuts will be chosen to maximize visibility, as this is the most apparent risk to vehicular and pedestrian safety.

h. Ability of the police, fire, and EMS personnel to respond to emergency calls on the site: Property has adequate access from Halibut Point Road for emergency services.

i. Logic of the internal traffic layout: Parking is proposed near the right-of-way, a loop down to a lower parking lot (with additional parking and a bus loop), as well as a parking lot on the northern end of the site to accommodate public parking for use of the walking trails.

j. Effects of signage on nearby uses: All signage shall comply with Sitka General Code.

k. Presence of existing or proposed buffers on the site or immediately adjacent the site: Property is buffered by Sitka Sound on its seaward side. Site has rolling topography and is heavily vegetated. Development plans for the site state a preference to preserve as much vegetation/the natural setting as possible.

l. Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan: Economic Development Action 6.5 states, “Support growth of Sitka’s independent, cruise-related, and heritage tourism work and enterprises.” The development of this property provides another attraction/dispersion point for visitors.

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

RECOMMENDATION

The Planning Department recommends that the Planning Commission approve the conditional use permit application for an outdoor amphitheater at 4951 Halibut Point Road subject to the recommended conditions of approval.

ATTACHMENTS

Attachment A: Aerial

Attachment B: Site Plan

Attachment C: Building Plan

Attachment D: Operational Plan

Attachment E: Photos

Attachment F: Applicant Materials

Motions in favor of approval

- 1) **“I move to approve the conditional use permit for an outdoor amphitheater at 4951 Halibut Point Road in the Recreation district, subject to the attached conditions of approval. The property is also known as a portion of Lot 1, U.S. Survey 3670. The request is filed by Shee Atika, Inc. The owner of record is the City and Borough of Sitka.**

Conditions of Approval:

1. The proposal and associated structures shall be operated consistently with the application, narrative, and plans that were submitted with the request. This includes the operational plan and hours/season of operation.
2. The Planning Commission, at its discretion and upon receipt of meritorious complaint, may schedule a public hearing at any time for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties.
3. Permit and use shall comply with all local regulations, including building code, fire and life safety, business registration, and remittance of all applicable taxes.

- 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 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;

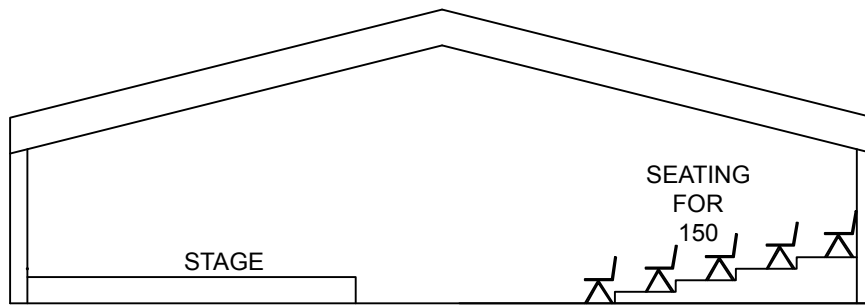
² §22.30.160(C)—Required Findings for Conditional Use Permits

- c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site in which the proposed use is to be located.
- 2. The granting of the proposed conditional use permit is consistent and compatible with the intent of the goals, objectives, and policies of the comprehensive plan and any implementing regulation.
- 3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced.
- 4. The proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety and welfare of the community from such hazard.
- 5. The conditional use will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any adverse impacts on such facilities and services.
- 6. Burden of Proof. The applicant has the burden of proving that the proposed conditional use meets all of the criteria in subsection B of this section.

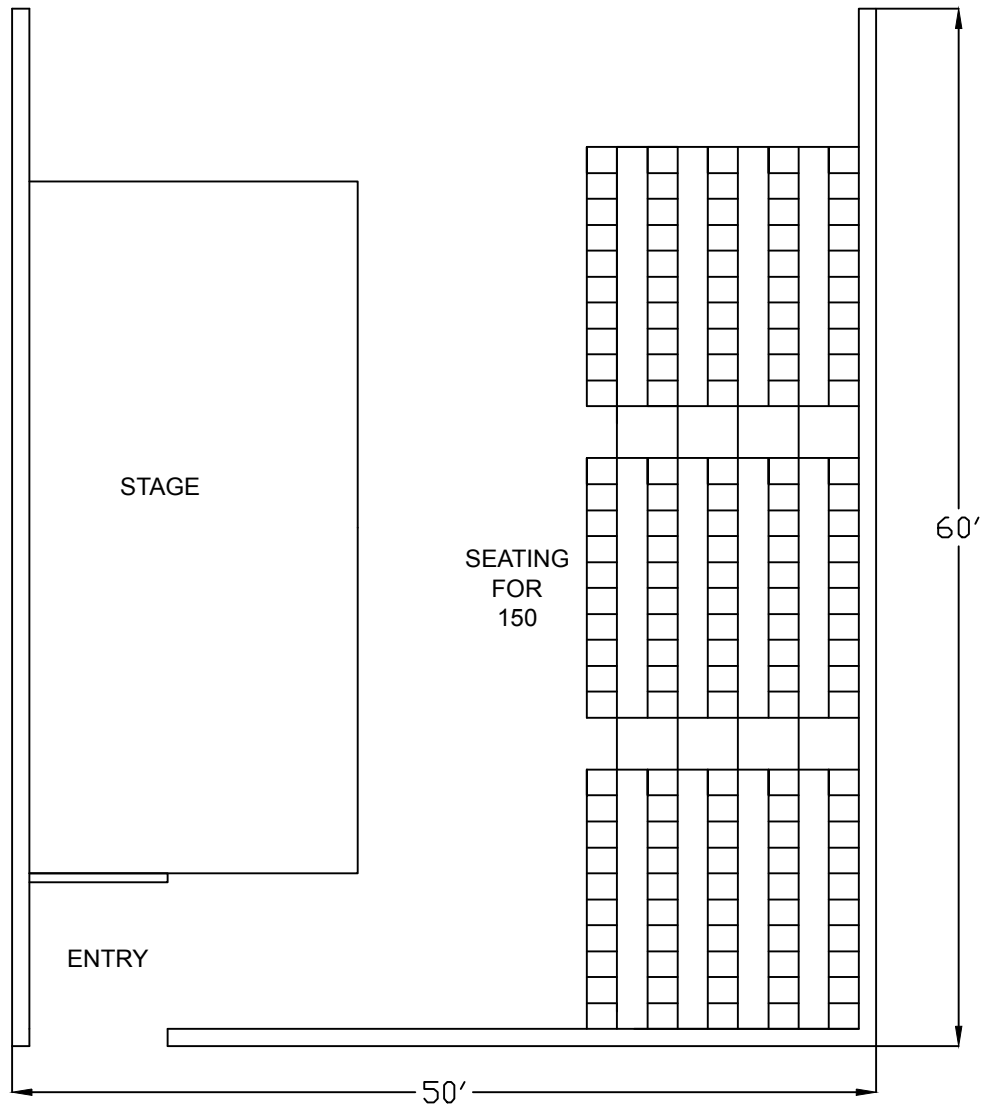




Harbor Point -Site Plan



SECTION VIEW



PLAN VIEW

Harbor Point -Welcome Center Structure

Operating Plan

Aerial Adventure Park

Description: A series of platforms and obstacles will be constructed in the tree canopy to create an aerial adventure park in which guest will begin on the first obstacles and work their way through the course. The participants will be secured to a safety cable system to prevent falling from the obstacles. The course will be designed to accommodate up to 20 participants starting every 30 minutes.

Hours of Operation: This attraction will be targeted towards cruise ship visitors. The activity will be operational from May through October during cruise ship season. Most ships are in port from 8 am to 5 pm. It is anticipated that the tour will operate during these hours.

Security: Vehicle access to the site will be restricted with a gate that will be closed during non-operating hours. In addition, all the access points to the tree platforms will be gated to prevent individuals from accessing the platforms. In addition, signage will be posted at the entry to the site along with at each platform providing notice of the danger and potential risk of unauthorized access to the aerial platforms.

In addition to the physical security measures, we plan to operate youth programs for the aerial adventure park that would bring in students from the schools in the spring and the fall to familiarize them with facility and educate them on the dangers of the facility while allowing them to safely experience the various obstacles that the park has to offer. This will help to reduce the curiosity that the youth may have in the facility and minimize any potential trespassing on the course.

Cultural Tour

Description: A cultural tour is planned in which groups of up to 150 guests will be seated in the welcome center and provided a presentation on various cultural aspects of the indigenous people of southeast Alaska and how they utilized the land and sea in their daily lives. After the presentation, guests will be split up into smaller groups and taken on a walking tour of the site on walking trails constructed. The walking tour will highlight specific plants, trees, beach foods, etc. that were discussed in the presentation. The welcome center may also be utilized for tour programs that partner with local organizations such as the Alaska Raptor Rehabilitation center or the Sitka Sound Science Center.

Hours of Operation: This attraction will be targeted towards cruise ship visitors. The activity will be operational from May through October during cruise ship season. Most ships are in port from 8 am to 5 pm. It is anticipated that the tour will operate during these hours.

Security: Vehicle access to the site will be restricted with a gate that will be closed during non-operating hours. The welcome center will have locking doors that will prevent access to its interior. The walking trails will remain open to the public during non-operating hours, with a parking lot located outside the gate, along Halibut Point Road.

Salmon Feast

Description: A Salmon Feast is planned that will accommodate up to 120 guests in which they will watch a presentation that includes cultural information on the role salmon played in the lives of the Tlingit people and how Tlingit prepared salmon. A large grill will be set up under a 10ft x 20ft cooking shelter where salmon will be grilled and served to guests along with possible side dishes and beverages after the presentation. Guest will be able to explore the site walking trails for up to 30 minutes after the meal is served.

Hours of Operation: This attraction will be targeted towards cruise ship visitors. The activity will be operational from May through October during cruise ship season. Most ships are in port from 8 am to 5 pm. It is anticipated that the tour will operate during these hours.

Security: Vehicle access to the site will be restricted with a gate that will be closed during non-operating hours. The walking trails will remain open to the public during non-operating hours, with a parking lot located outside the gate, along Halibut Point Road.

Southern End & Lot Interior



Shore



Road Frontage & Northern End





CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT GENERAL APPLICATION

- Applications must be deemed complete at least **TWENTY-ONE (21)** days in advance of next meeting date.
- Review guidelines and procedural information.
- Fill form out completely. No request will be considered without a completed form.
- Submit all supporting documents and proof of payment.

APPLICATION FOR:

☐ VARIANCE☒ CONDITIONAL USE☐ ZONING AMENDMENT☐ PLAT/SUBDIVISION

BRIEF DESCRIPTION OF REQUEST: Property was rezoned from Residential to Recreation on 9/14/21

to facilitate this development. As part of the rezone, CBS, Shee Atika and Adventure Sitka agreed to include

"Amphitheater" as a conditional use withing a Recreation Zone.

The tourism development being proposed contains a "Welcome Pavilion" which can be considered similar to an Amphitheater.

PROPERTY INFORMATION:

CURRENT ZONING: Recreation PROPOSED ZONING (if applicable): N/A

CURRENT LAND USE(S): Undeveloped PROPOSED LAND USES (if changing): Tourism activities:

Cultural Tour; Welcome Pavillion; Salmon Bake; Aerial Adventure Park

APPLICANT INFORMATION:

PROPERTY OWNER: City and Borough of Sitka

PROPERTY OWNER ADDRESS: 100 Lincoln Street, Sitka, AK 99835

STREET ADDRESS OF PROPERTY: 4951 Harbor Point Rd.

APPLICANT'S NAME: Shee Atika

MAILING ADDRESS: 315 Lincoln Street, Suite 300, Sitka, AK 99835

EMAIL ADDRESS: karl@sheeatika.com DAYTIME PHONE: 907.747.3534

Last Name

Date Submitted

Project Address

REQUIRED SUPPLEMENTAL INFORMATION:

For All Applications:

- ☒ Completed General Application form
- ☒ Supplemental Application (Variance, CUP, Plat, Zoning Amendment)
- ☒ Site Plan showing all existing and proposed structures with dimensions and location of utilities
- ☒ Floor Plan for all structures and showing use of those structures
- ☒ Proof of filing fee payment
- ☐ Other: _____

For Marijuana Enterprise Conditional Use Permits Only:

- ☐ AMCO Application

For Short-Term Rentals and B&Bs:

- ☐ Renter Informational Handout (directions to rental, garbage instructions, etc.)

CERTIFICATION:

I hereby certify that I am the owner of the property described above and that I desire a planning action in conformance with Sitka General Code and hereby state that all of the above statements are true. I certify that this application meets SCG requirements to the best of my knowledge, belief, and professional ability. I acknowledge that payment of the review fee is non-refundable, is to cover costs associated with the processing of this application and does not ensure approval of the request. I understand that public notice will be mailed to neighboring property owners and published in the Daily Sitka Sentinel. I understand that attendance at the Planning Commission meeting is required for the application to be considered for approval. I further authorize municipal staff to access the property to conduct site visits as necessary. I authorize the applicant listed on this application to conduct business on my behalf.

Owner

Date

Owner

Date

I certify that I desire a planning action in conformance with Sitka General Code and hereby state that all of the above statements are true. I certify that this application meets SCG requirements to the best of my knowledge, belief, and professional ability. I acknowledge that payment of the review fee is non-refundable, is to cover costs associated with the processing of this application and does not ensure approval of the request.



10/19/2021

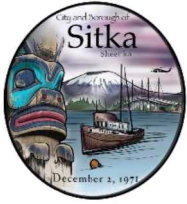
Applicant (If different than owner)

Date

Last Name

Date Submitted

Project Address



CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT SUPPLEMENTAL APPLICATION FORM CONDITIONAL USE PERMIT

APPLICATION FOR

- ☐ MARIJUANA ENTERPRISE
- ☐ SHORT-TERM RENTAL OR BED AND BREAKFAST
- ☐ OTHER: Amphitheater

CRITERIA TO DETERMINE IMPACT – SGC 22.24.010(E) *(Please address each item in regard to your proposal)*

- **Hours of operation:** 9 am - 4:30 pm when cruise ships are in port, or for private use.
- **Location along a major or collector street:** 4951 Harbor Point Rd
- **Amount of vehicular traffic to be generated and impacts of the traffic on nearby land uses:**
Shuttles will transport passengers the 1/2 mile from the cruise ship terminal to the site, & from the site to town
at regular 2 hour intervals throughout the day. The amount of traffic generated will not be greater than already exists from cruise ships in port.
- **Potential for users or clients to access the site through residential areas or substandard street creating a cut through traffic scenario:** There are no other streets adjacent to the property.
- **Effects on vehicular and pedestrian safety:** A DOT driveway permit is required. The proposed driveway to the site is located at a point on HPR that offers the longest site line along HPR in either direction.
- **Ability of the police, fire, and EMS personnel to respond to emergency calls on the site:** Driveway will have an unobstructed circular turnaround designed for a 45' bus.
- **Describe the parking plan & layout:** Parking for 40 vehicles is provided at the end of the driveway, layed out as a single aisle with angled spaces on either side and a one-way exit lane.
- **Proposed signage:** There will be one small monument sign at the driveway entrance, and one small "trailhead" type sign where the proposed cross-trail tie-in will occur.

- **Presence of existing or proposed buffers (ie. Fences, boundary walls, natural barriers, etc.) on the site or immediately adjacent the site:**

No man-made buffers will be constructed. The goal is to retain the naturally occurring berm along HPR so that the site development will remain hidden from regular HPR traffic.

- **Amount of noise to be generated and its impacts on neighbors:** There is only one residential neighbor currently
adjacent to the site. The majority of vehicular traffic noise, and Amphitheater noise will
occur between 9am-4:30pm on days cruise ships are in port. Noise will only be the human
voice, occasionally amplified for presentations. +

- **Other criteria that surface through public comments or planning commission review (odor, security, safety, waste management, etc):**

- **Mitigation/ Management Plan (How will site be managed to ensure low/no impact on neighbors?)**

See attached operations plan.

Other than the shuttle traffic that is concentrated to one area adjacent to the road, and behind a naturally occurring hill from the residential neighbor.

The Amphitheater will have no visual impact on the neighbor. The occasional loud human vocals will still be less intrusive than the regular and constant traffic noise from HPR.

REQUIRED FINDINGS (SGC 22.30.160(C):

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:

Initial

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.	
2. The granting of the proposed conditional use permit is consistent and compatible with the intent of the goals, objectives and policies of the comprehensive plan and any implementing regulation.	
3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced.	
4. The proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety and welfare of the community from such hazard.	
5. The conditional use will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any adverse impacts on such facilities and services.	
6. Burden of Proof. The applicant has the burden of proving that the proposed conditional use meets all of the criteria in subsection B of this section.	

ANY ADDITIONAL COMMENTS The premise for this development
has been debated at length by the Assembly and deemed a sound
contribution to the community of Sitka.



Applicant

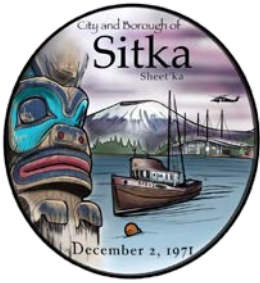
10/19/2021

Date

Last Name

Date Submitted

Project Address



City and Borough of Sitka

PROVIDING FOR TODAY...PREPARING FOR TOMORROW

Coast Guard City, USA

MEMORANDUM

To: Chair Spivey and Planning Commission Members

From: Amy Ainslie, Planning Director

Date: October 29, 2021

Subject: **Tourism Planning**

While staff continues to work on the traffic and staging plan for Harrigan Centennial Hall (HCH), we would like to move into the Infrastructure & Future Needs portion of the plan. Note: To finalize the HCH section, we would like to take the staff analysis and recommendations to the Ports and Harbors Commission on 11/10 and back to the Planning Commission on 11/17 for final recommendations.

Infrastructure & Future Needs:

This session will be focused on “Direct-Use Infrastructure”. These are items such as restrooms, water stations, signage, benches, trash cans, etc. We will capture comments and suggested locations/quantities for these items, and afterwards, compile a map depicting those suggestions to be included in the plan.

Next session on 11/17, we will be mapping out suggestions for Indirect-Use Infrastructure and future planning needs.