



CITY AND BOROUGH OF SITKA

Meeting Agenda - Final

Planning Commission

Wednesday, May 15, 2024

7:00 PM

Harrigan Centennial Hall

I. CALL TO ORDER AND ROLL CALL

II. CONSIDERATION OF THE AGENDA

III. CONSIDERATION OF THE MINUTES

A [PM 24-06](#) Approve the May 1, 2024 meeting minutes.

Attachments: [6-May 1 2024 DRAFT](#)

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

B [CUP 24-04](#) Public hearing and consideration of a conditional use permit for an accessory dwelling unit at 1507 Davidoff Street in the R-1 single-family and duplex residential district. The property is also known as Lot 4, Block 10, U.S. Survey No. 3303B, Northwest Addition to the Townsite of Sitka. The request is filled by Peter Weiland. The owner of record is Rebecca Himschoot.

Attachments: [CUP 24-04 Himschoot 1507 Davidoff Street ADU Staff Report](#)
[A_CUP 24-04 Himschoot 1507 Davidoff Street ADU Aerial](#)
[B_CUP 24-04 Himschoot 1507 Davidoff Street ADU U.S. Survey 3303B](#)
[C_CUP 24-04 Himschoot 1507 Davidoff Street ADU Site Plan](#)
[D_CUP 24-04 Himschoot 1507 Davidoff Street ADU Floor Plans](#)
[E_CUP 24-04 Himschoot 1507 Davidoff Street ADU Parking Plan](#)
[F_CUP 24-04 Himschoot 1507 Davidoff Street ADU Design and Elevation Views](#)
[G_CUP 24-04 Himschoot 1507 Davidoff Street ADU Photos](#)
[H_CUP 24-04 Himschoot 1507 Davidoff Street ADU Applicant Materials](#)

- C** [VAR 24-08](#) Public hearing and consideration of a variance request to increase the height of an accessory dwelling unit to 25 feet at 1507 Davidoff Street in the R-1 single-family and duplex residential district. The property is also known as Lot 4, Block 10, U.S. Survey No 3303B, Northwest Addition to the Townsite of Sitka. The request is filed by Peter Weiland. The owner of record is Rebecca Himschoot.

Attachments: [VAR 24-08 Himschoot 1507 Davidoff Street Height Staff Report](#)
[A VAR 24-08 Himschoot 1507 Davidoff Street Height Aerial](#)
[B VAR 24-08 Himschoot 1507 Davidoff Street Height U.S. Survey 3303B](#)
[C VAR 24-08 Himschoot 1507 Davidoff Street Height Site and Floor Plans](#)
[D CUP 24-04 Himschoot 1507 Davidoff Street Height Design and Elevation \](#)
[E CUP 24-04 Himschoot 1507 Davidoff Street Height Photos](#)
[F CUP 24-04 Himschoot 1507 Davidoff Street Height Applicant Materials](#)

- D** [CUP 24-05](#) Public hearing and consideration of a conditional use permit for a short-term rental at 101 Thomas Young Sr Circle in the R-2 MHP multifamily and mobile home district. The property is also known as Lot Five (5), Kaasda Heen Shaak Subdivision. The request is filled by Emily and Casey Demmert. The owners of record are Casey and Emily Demmert Revocable Trust.

Attachments: [CUP 24-05 Demmert 101 Thomas Young Sr. Circle STR Staff Report](#)
[A CUP 24-05 Demmert 101 Thomas Young Sr. Circle STR Aerial](#)
[B CUP 24-05 Demmert 101 Thomas Young Sr. Circle STR Plat](#)
[C CUP 24-05 Demmert 101 Thomas Young Sr. Circle STR Floor Plan](#)
[D CUP 24-05 Demmert 101 Thomas Young Sr. Circle STR Photos](#)
[E CUP 24-05 Demmert 101 Thomas Young Sr. Circle STR Density Map](#)
[F CUP 24-05 Demmert 101 Thomas Young Sr. Circle STR Renter Handout](#)
[G CUP 24-05 Demmert 101 Thomas Young Sr. Circle STR Applicant Materie](#)
[H CUP 24-05 Demmert 101 Thomas Young Sr. Circle STR Affidavit](#)

- E** [MISC 24-06](#) Discussion on interpretations of conditional use permits allowing variances.

Attachments: [Memo Conditional Use Permits with Variances](#)

- F** [MISC 24-08](#) Discussion on waste disposal costs associated with housing development.

Attachments: [Memo Solid Waste & Housing Development](#)
[CBS Disposal Locations and Rates 4-2024](#)

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 or emailed to planning@cityofsitka.org. Those with questions may call (907) 747-1814.

Publish:



CITY AND BOROUGH OF SITKA

Minutes - Draft

Planning Commission

Wednesday, May 1, 2024

7:00 PM

Harrigan Centennial Hall

I. CALL TO ORDER AND ROLL CALL

Present: Darrell Windsor (Chair), Katie Riley, Wendy Alderson, Robin Sherman, Thor Christianson (Assembly liaison)
Excused: Stacy Mudry
Staff: Amy Ainslie, Kim Davis
Public: Wayne Winter, Adam Chinalski, Paddy Hansen, Michael LaGuire, Karen Martinsen, Diana Fulton-Twaddle, Lucienne and Kellan Shoemaker, Andrew Hinton, Ben Kraft, Kathy Ingallinera

Chair Windsor called the meeting to order at 7:02 PM.

II. CONSIDERATION OF THE AGENDA

III. CONSIDERATION OF THE MINUTES

A [PM 24-05](#) Approve the April 17, 2024 meeting minutes.

**M/Alderson-S/Sherman moved to approve the April 17, 2024 meeting minutes.
Motion passed 4-0 by voice vote.**

IV. PERSONS TO BE HEARD

Adam Chinalski had been repairing houses in town and asked the commission if there was any way to reduce costs to the public who wanted to clean up their properties. It was 14 cents per pound to take garbage to the transfer station. The City offered clean up days but he suggested this time period be extended. Windsor asked staff to add this as a discussion item to the next agenda.

V. PLANNING DIRECTOR'S REPORT

Ainslie reported both she and Commissioner Sherman would be providing the Assembly with the housing special report. The Tourism Task Force would be meeting with the Assembly for a special meeting to present their recommendations. Also staff was still aiming to have the short-term rental report at the May 17 meeting but it might be pushed to June 5th.

B [MISC 24-05](#) Vacation of utility easement at Lots 4A and 4B, CJ Subdivision.

Ainslie informed the commission of an utility vacation on Alice Loop. Per the subdivision code, the commission was to be notified in writing of any modifications.

VI. REPORTS**VII. THE EVENING BUSINESS****C** [ZA 24-01](#)

Public hearing and consideration of a request for a zoning map amendment to rezone 201 Price Street from I industrial to C-2 general commercial mobile home district. The property is also known as Lot 1, Breedlove Subdivision. The request is filed by Paddy Hansen. The owner of record is Hansen and Hansen Enterprise, LLC.

Ainslie introduced a request for a zoning map amendment at 201 Price Street. The request was to change from I industrial to C-2 general commercial mobile home district. This was also part of the next agenda item P 24-01 for a minor subdivision to create two lots, one that was to be developed as a mobile home park. This lot was large and had been prepared for development with an existing 6,000 SF building which was currently being used for boat repair. Access and utilities were from Price Street via a private easement.

There were three considerations for zoning map amendments such as spot zoning, district boundaries, and creation of non-conformities. This property was bordered by the C-2 zone on two sides which would not result in a spot zone. This change would better align to the boundary of Price Street. The property was currently being used for boat repair and boat storage, both uses allowed in the C-2 zone. Staff recommended approval.

The applicant Paddy Hansen was present. He was planning to create five mobile home park spaces on the property. Public comment from Wayne Winter was in support, he had staffing problems with his business due to housing issues. Karen Martinsen was in favor of the change but would like to see Price Street paved. Adam Chinalski was in support and stated this area of town had noise and odors property owners should expect in these zones. Commissioners discussion was in support of the zoning change and supportive of more housing options.

M/Riley-S/Sherman moved to recommend approval of the zoning map amendment to rezone 201 Price Street from the I Industrial to C-2 General Commercial Mobile Home District. The property was also known as Lot 1, Breedlove Subdivision. The request was filed by Paddy Hansen. The owner of record was Hansen & Hansen Enterprise, LLC. Motion passed 4-0 by voice vote.

M/Riley-S/Sherman moved to adopt the findings as listed in the staff report. Motion passed 4-0 by voice vote.

D [P 24- 01](#)

Public hearing and consideration of a concept plat for a minor subdivision resulting two lots at 201 Price Street in the I Industrial district. The property is also known as Lot 1, Breedlove Subdivision. The request is filed by Paddy Hansen. The owner of record is Hansen and Hansen Enterprise, LLC.

Ainslie introduced a proposal for a conceptual plat for a minor subdivision at 201 Price Street resulting in two lots. The current lot was 35,895 SF with an improvement

of 6,000 SF. The applicant has two proposed lots; one lot at 15,409 SF and the other lot at 20,423 SF. The conceptual plat currently showed a 10-foot easement, that would need to be adjusted to 20 feet for access and utilities on the preliminary plat. Staff recommend approval.

The applicant Paddy Hansen was present. He had plans to sell one lot with the building and create a mobile home park on the other lot. There was no public comment. Commissioners discussed the conceptual plat and suggested adding a plat note for the mobile home park.

M/Alderson-S/Riley moved to support the conceptual design for a plat of a minor subdivision at 201 Price Street in the C-2 General Commercial Mobile Home District subject to additional review of a preliminary plat. The property was also known as Lot 1, Breedlove Subdivision. The request was filed by Paddy Hansen. The owner of record was Hansen & Hansen Enterprise, LLC. Motion passed 4-0 by voice vote.

E [P 24- 02](#)

Public hearing and consideration of a plat for a lot merger of 605 Merrill Street and 604 Geodetic Way in the R-1 single-family and duplex residential district. The property is also known as Lot 48 and Lot 62 of the Amended Pinehurst Subdivision. The request is filed by Clayton and Ashleigh Stromquist. The owners of record are Clayton and Ashleigh Stromquist.

Ainslie stated the applicant was not present for the request. The item would be postponed to the next meeting.

F [VAR 24-06](#)

Public hearing and consideration of a zoning variance to reduce the front setback from 14' to 7' at 450 Alice Loop in the WD waterfront district. The property is also known as Lot 11A, William Paul Subdivision. The request is filled by Diana Twaddle. The owner of record is Diana Twaddle.

Ainslie introduced a zoning variance request to reduce the west front setback from 14 feet to 7 feet at 450 Alice Loop in the WD waterfront district. The applicant was proposing to build a tri-plex and place the structure on the property to not block the neighboring property's view from their deck. The property fronts a 30' access easement from Alice Loop which serves two other properties. The distance from the access easement to the structure ensured visibility would not be impeded. Staff recommended approval.

The applicant Diana Fulton-Twaddle was present. She was building a tri-plex and didn't want to build in front of the neighbor's rear deck. She was requesting the variance to place the structure out of their view shed and improve neighborhood harmony. A letter read into public comment from Lucienne and Kellan Shoemaker at 440 Alice Loop was in favor of the request as it was their rear deck in question. They didn't see any potential safety issues with the front setback reduction. There was no other public comment. Commissioners discussed the item and were in support.

M/Riley-S/Alderson moved to approve the zoning variance for a reduction to the front setback at 450 Alice Loop in the WD-waterfront district subject to the attached conditions of approval. The property was also known as Lot 11A, William Paul Subdivision. The request was filed by Diana Twaddle. The owner of record was Diana Twaddle. Motion passed 4-0 by voice vote.

M/Riley-S/Alderson moved to adopt and approve the required findings for variances involving major structures or expansions as listed in the staff report. Motion passed 4-0 by voice vote.

G [VAR 24-07](#)

Public hearing and consideration of a zoning variance to reduce the required parking at NHN Jarvis Street in the C-1 general commercial district. The property is also known as the Remainder of Lot Three (3) U.S. Survey 3695. The request is filled by Andrew Hinton. The owner of record is Alaska Mental Health Trust, State of Alaska.

Ainslie introduced a zoning variance request to reduce the required amount of parking at NHN Jarvis Street in the C-1 general commercial district. This was for thirteen dwelling units at a 1.5 per unit calculation, for a total of 20 parking spaces and a 2,000 SF services building at 1 space per 300 SF calculation, for a total of 7 parking spaces. Combined the required parking was for 27 parking spaces and the applicant was requesting a reduction to 7 parking spaces. This was for a permanent supportive housing project for the chronically homeless and to provide behavioral health services, employment services, and individualized support on-site.

The applicant had requested the variance based on similar projects across the state and did not anticipate lowering the parking requirement would result in a lack of parking given their clients generally did not have vehicles. Staff added conditions of approval that if the use changed or structures were added and if the property owner were to lease or sell the property to any entity for uses outside of supportive housing the Planning Department would be notified. Staff recommended approval.

The applicants Andrew Hinton and Ben Kraft were present. Kraft explained some of the other projects across the state and how parking was being used in those locations. Kraft also clarified the fire lane access and staff would review fire access during the building permit process. A letter read into public comment from Kathy Ingallinera was in support. There was no other public comment. Commissioners had no further discussions.

M/Riley-S/Alderson moved to approve the zoning variance for a reduction in parking requirements at NHN Jarvis Street in the C-1-general commercial district subject to the attached conditions of approval. The property was also known as Remainder of Lot Three (3), U.S. Survey 3695. The request was filed by the Sitka Homeless Coalition. The owner of record was Alaska Mental Health Trust, State of Alaska. Motion passed 4-0 by voice vote.

M/Riley-S/Alderson moved to adopt and approve the required findings for variances involving major structures or expansions as listed in the staff report. Motion passed 4-0 by voice vote.

VIII. ADJOURNMENT

Windsor adjourned the meeting at 8:22 PM.



CITY AND BOROUGH OF SITKA

A COAST GUARD CITY

Planning and Community Development Department

AGENDA ITEM

Case No: CUP 24-04
Proposal: Request for an accessory dwelling unit (ADU)
Applicant: Peter Weiland
Owner: Rebecca Himschoot
Location: 1507 Davidoff Street
Legal: Lot 4, Block 10, U.S. Survey No. 3303B, Northwest Addition to the Townsite of Sitka
Zone: R-1 - Single-Family/Duplex Residential District
Size: 11,200 square feet
Parcel ID: 1-4900-000
Existing Use: Residential
Adjacent Use: Residential
Utilities: Existing
Access: Davidoff Street

KEY POINTS AND CONCERNS

- ADUs are a conditional use in the R-1 zone if the ADU requirements are not met
- Variance to request to increase height, see VAR 24-08 for more information

ATTACHMENTS

Attachment A: Aerial
Attachment B: U.S. Survey 3303B
Attachment C: Site Plan
Attachment D: Floor Plan
Attachment E: Parking Plan
Attachment F: Design and Elevation View
Attachment G: Photos
Attachment H: Applicant Materials

BACKGROUND

The owner is requesting to construct an accessory dwelling unit (ADU) on their property. The lot size is 11,200 square feet (SF) with a 1,798 SF duplex. The main house was approved as a short-term rental (STR) under CUP 15-21 and the apartment was approved as a STR under CUP 12-03. These STR's had been approved before the STR code change. The ADU will have approximately 708 SF of living space with one bedroom, living/dining room, kitchen, bathroom and closet space. Details of the height variance requested can be found under case file VAR 24-08.

PROJECT DESCRIPTION

The proposed structure is a two-story ADU, with a garage on the first floor. The footprint of the new structure is identified as 708 SF with an overall height of 24' 10.5", the second story ADU contains one bedroom, living/dining room, kitchen, bathroom and closet space.

For the R-1 zone a conditional use permit is required for ADUs when it does not meet the requirements listed in SGC 22.20.160(C). Below is an analysis of the requirements met, or not met by the proposal. The requirements this proposal does not meet are #7, parcel contains a duplex, and #14, increase in height over the existing principal dwelling unit.

The way the requirements are written in the zoning code is such that if the requirements are not met, a conditional use permit is needed per SGC 22.20.160(D) which states "*Conditional use permits may be sought if the above requirements cannot be met. Conditional use permit must be in conformance with Chapter 22.25.*" Therefore, not meeting the listed requirements is not grounds to automatically deny an ADU proposal but may be used as a factor in determining whether to grant the conditional use permit.

1. *An ADU is a permitted use, on lots served by a publicly maintained right-of-way in the following residential zoning districts: R-1 and R-2 and related districts exclusive of MH and MHP. An ADU shall not be constructed on lots accessed by access easements. They are also not allowed on lots served by rights-of-way that have not been accepted by the municipality or state of Alaska for maintenance.* Property is served via a municipal developed and maintained right-of-way, Davidoff Street.
2. *ADUs are intended for long-term rental use only. Rental of an ADU for a period of less than ninety consecutive days is prohibited. ADUs shall not be used for short-term vacation rentals and/or bed and breakfast purposes.* To be used by the property owner.
3. *ADUs shall meet all development, design, zoning and building requirements at the time of construction (e.g., setback requirements and lot coverage standards) applicable to the primary dwelling unit, except as otherwise noted.* Provided plans from the applicant indicate the ADU will exceed the height of the primary dwelling unit by 7' 10.5" but not exceed 25'.

4. *The ADU must be located on the same parcel as the primary dwelling unit.* Proposed ADU is on the same parcel.
5. *Only one ADU is allowed per parcel.* Only one ADU proposed.
6. *Mobile homes, travel trailers and recreational vehicles shall not be used as an ADU.* ADU is to be a conventionally built (stick-built) structure. Applicants will be required to obtain a building permit for the structure.
7. *ADUs shall only be located on a parcel in conjunction with a single-family dwelling unit. ADUs shall not be located on parcels that contain a duplex and shall not be located on parcels that contain two or more dwelling units.* Applicant materials identify duplex dwelling unit on the property.
8. *ADUs shall be designed so that the appearance of the structure maintains, to the greatest extent possible, the appearance of a single-family property.* The front view and elevation plan submitted show that the ADU shall be of similar design and appearance.
9. *If a separate external entrance for the ADU is necessary, where possible, it shall be located on the side or rear of the structure. On a corner lot, where there are two entrances visible from either street, where possible, solid screening is required to screen at least one of the entrances from the street.* Entrance to the ADU is planned for the rear of the structure. There will be a door next to the garage door as well.
10. *Exterior stairs shall be located in the side or rear yard wherever possible and must comply with setback and building code requirements.* Building plans are not finalized for exterior stairs at this time.
11. *The maximum size of an ADU shall be eight hundred square feet.* Floor space for the ADU is anticipated to be 708 square feet.
12. The following parking requirements are applicable for ADUs:
 - a. *As part of the application submittal process, the applicant shall submit a parking plan delineating parking space(s) for the ADU and the primary dwelling unit.* The applicant has six parking spaces identified.
 - b. *Where parking is located in any portion of the interior side and/or rear setbacks solid screening is required from adjoining properties:* Property has fence on west side of the property.
 - c. *On-street parking is prohibited.* None is proposed.
 - d. *If additional parking is necessary, new parking space(s) shall utilize existing curb cuts.* Davidoff Street has rolled curbs which do not require curb cuts.

13. *All subdivisions of lots containing ADUs are prohibited unless all minimum lot sizes (exclusive of access easements), setbacks, lot coverage, and other requirements in the zoning and subdivision codes are met.* N/A – subdivision not proposed at this time.

14. *Variances are prohibited on any lot containing an ADU including, but not limited to, variances for setbacks, lot coverage, building height, and off-street parking requirements. A variance is requested for an increased height by 7' 10.5" but will not exceed 25'. The primary duplex dwelling is 17'.*

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: Additional vehicles may increase traffic but should be in-line with normal residential use.

b. Amount of noise to be generated and its impacts on surrounding land use: Noise generated should be in-line with normal residential use.

c. Odors to be generated by the use and their impacts: Odor generated should be in-line with normal residential use. Garbage shall be disposed of in municipal container and in accordance with Sitka General Code requirements. Possible reduction of odors by supplying additional storage space.

d. Hours of operation: Available year-round.

e. Location along a major or collector street: Located on Davidoff Street, a collector street for local traffic and Edgum Drive traffic.

f. Potential for users or clients to access the site through residential areas or substandard street creating a cut-through traffic scenario: Cut through traffic unlikely as property only has vehicular access from Davidoff Street.

g. Effects on vehicular and pedestrian safety: Minimal impact to existing safety conditions, increase in traffic should be 1 to 2 vehicles.

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

¹ § 22.25.010 E.

i. Logic of the internal traffic layout: Parking requirements will be met with areas on the property already developed for parking – the long driveway along southern property line, and the graveled area immediately adjacent to front property line.

j. Effects of signage on nearby uses: Existing sign with business name of the STR's. All signs shall comply with Sitka General Code.

k. Presence of existing or proposed buffers on the site or immediately adjacent to the site:
Fence on south side of property, along with trees and shrubbery.

l. Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan. Expansion of ADUs in Sitka directly supports two Comprehensive Plan Objectives, H1.1a “allow, encourage, and promote ADUs by right in more zones” and H1.1e “encourage higher density”.

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

RECOMMENDATION

Staff recommends approval for the ADU at 1507 Davidoff Street subject to the recommended conditions of approval and VAR 24-08 facts and findings.

MOTIONS IN FAVOR OF APPROVAL

1. **“I move to approve the conditional use permit for an accessory dwelling unit at 1507 Davidoff Street in the R-1 - Single-Family/Duplex Residential District subject to the attached conditions of approval. The property is also known as Lot 4, Block 10, U.S. Survey No. 3303B, Northwest Addition to the Townsite of Sitka. The request is filed by Peter Weiland. The owner of record is Rebecca Himschoot.”**

Conditions of Approval:

- a. Approval of ADU is specific to the site plan included in this application. Any substantial or significant change to the plans would require a new site plan review and approval from the Planning Commission.
 - b. The applicant shall successfully obtain a variance from the Planning Commission for the height increase as requested in the site plan. If granted, the applicant will comply with all conditions associated with the variance.
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 property will retain its use as a residence and the ADU will be monitored by the owner to ensure that there are no resulting impacts or disturbances that would negatively affect the surrounding vicinity.*
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; *specifically, Actions H1.1a, H1.1e and LU 8.2.*
3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced; *with the owner on site, conditions will be monitored and enforced.*

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

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; *no hazardous conditions are expected from development of property with a ADU.*
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; *the property is located on a municipal maintained right-of-way and is served by municipally maintained and operated utilities, no adverse impacts on such facilities or services are expected.*
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; *The applicant has met the burden of proof through information provided in their application packet.*



ORIGINAL

Sheet No. 1
of 2 sheets.

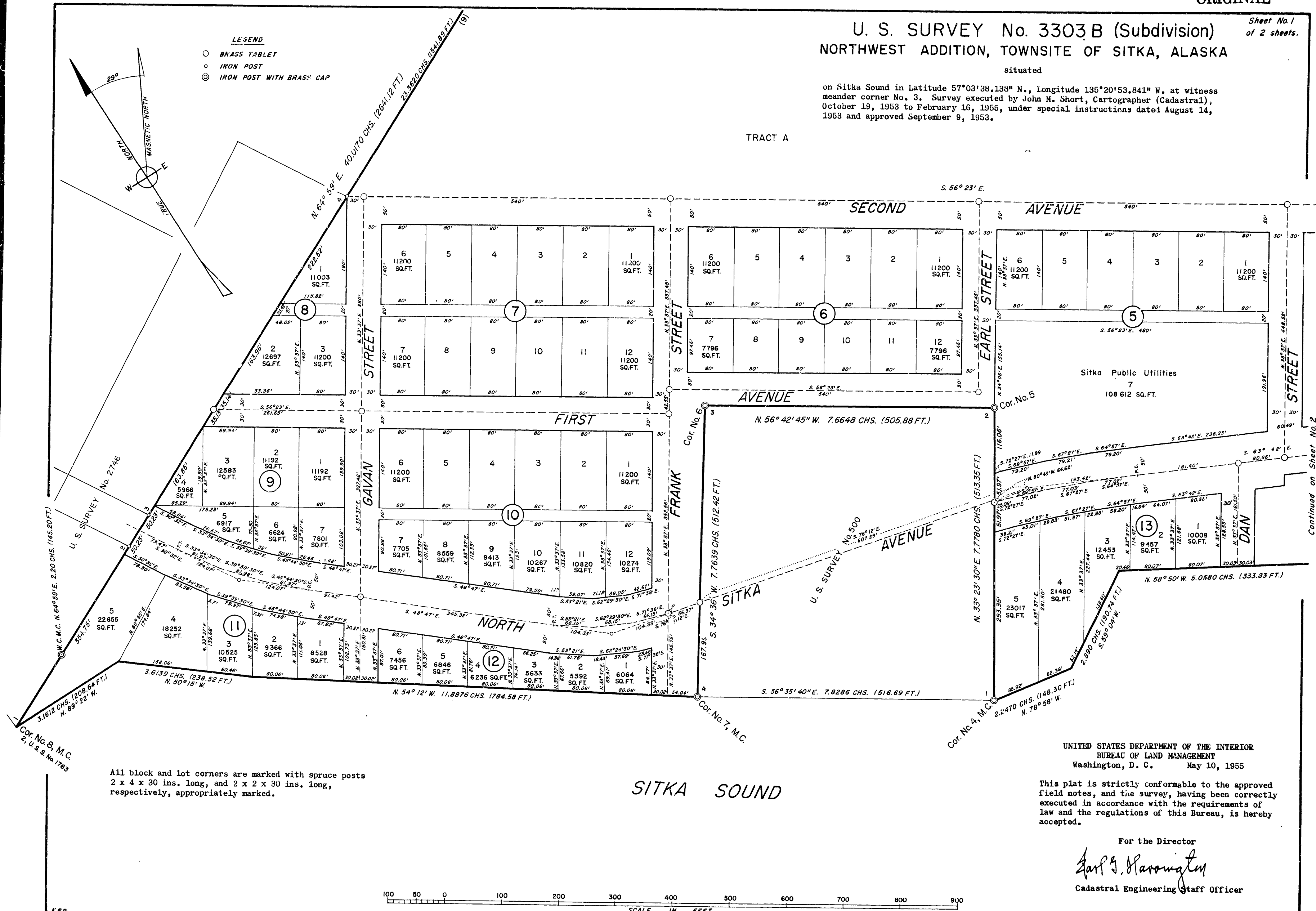
U. S. SURVEY No. 3303 B (Subdivision) NORTHWEST ADDITION, TOWNSITE OF SITKA, ALASKA

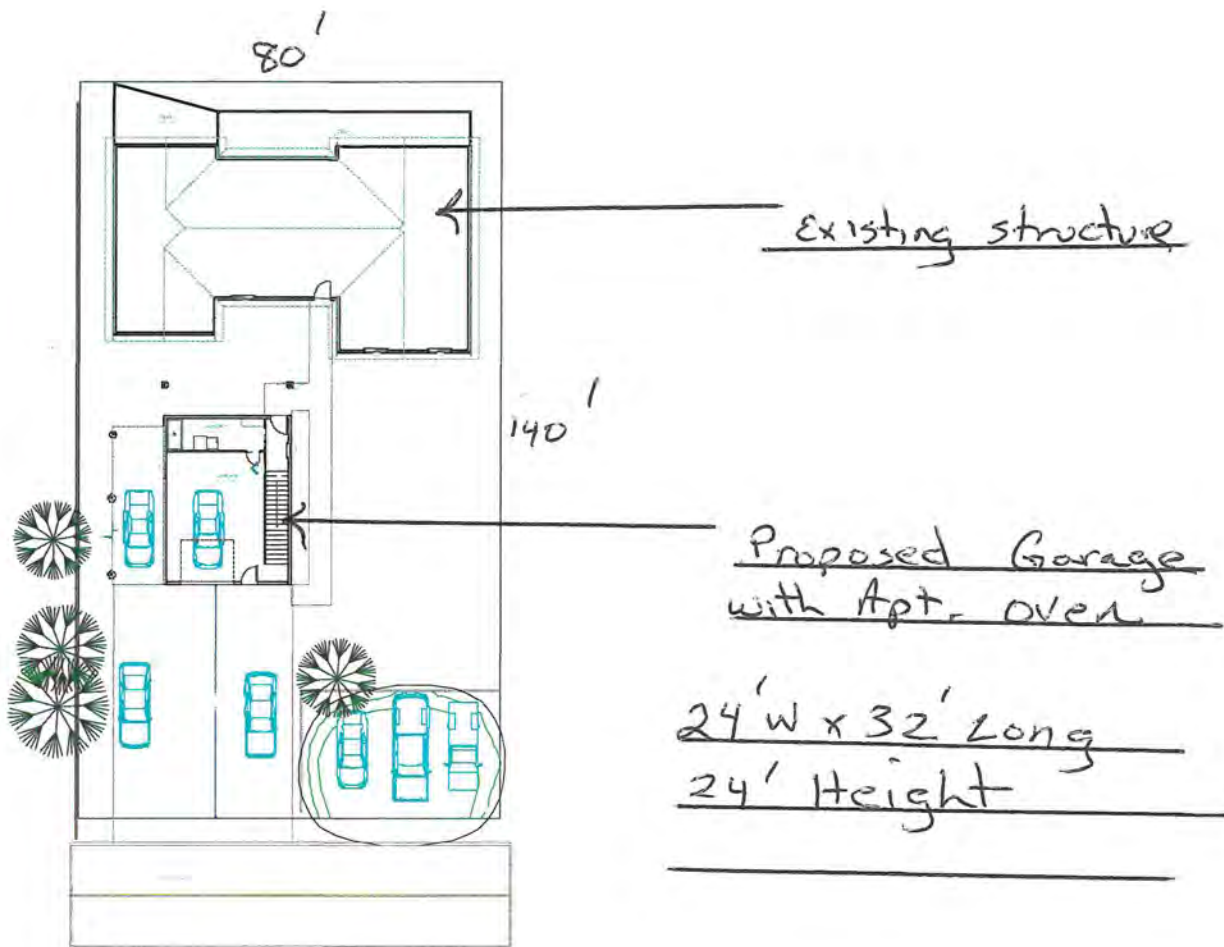
situated

on Sitka Sound in Latitude 57°03'38.138" N., Longitude 135°20'53.841" W. at witness meander corner No. 3. Survey executed by John M. Short, Cartographer (Cadastral), October 19, 1953 to February 16, 1955, under special instructions dated August 14, 1953 and approved September 9, 1953.

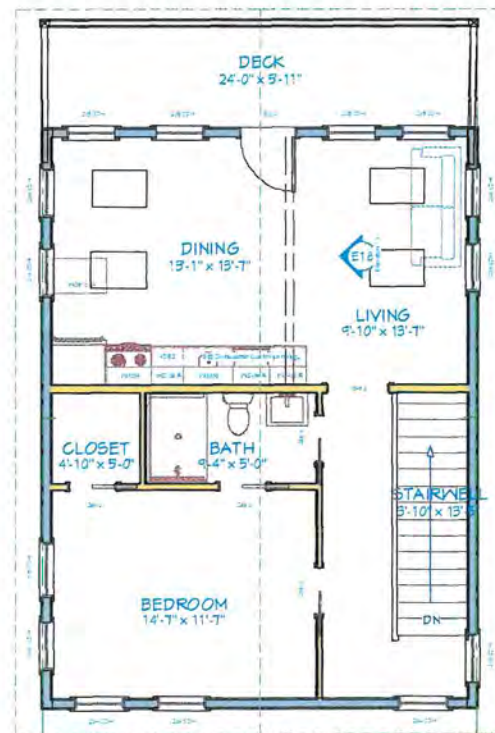
TRACT A

- LEGEND**
- BRASS TABLET
 - IRON POST
 - ⊙ IRON POST WITH BRASS CAP



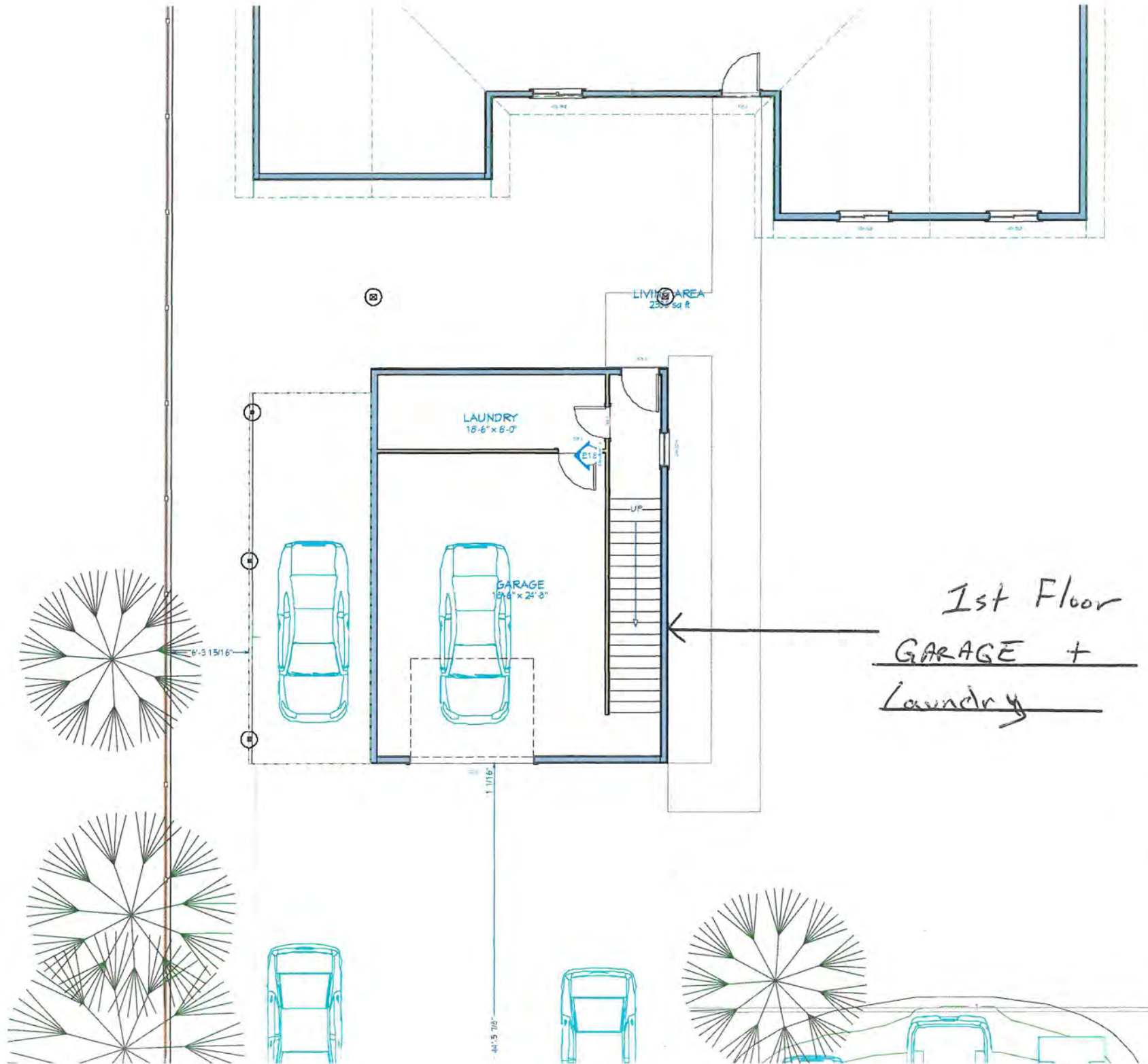


Lot at 1507 Davidoff St



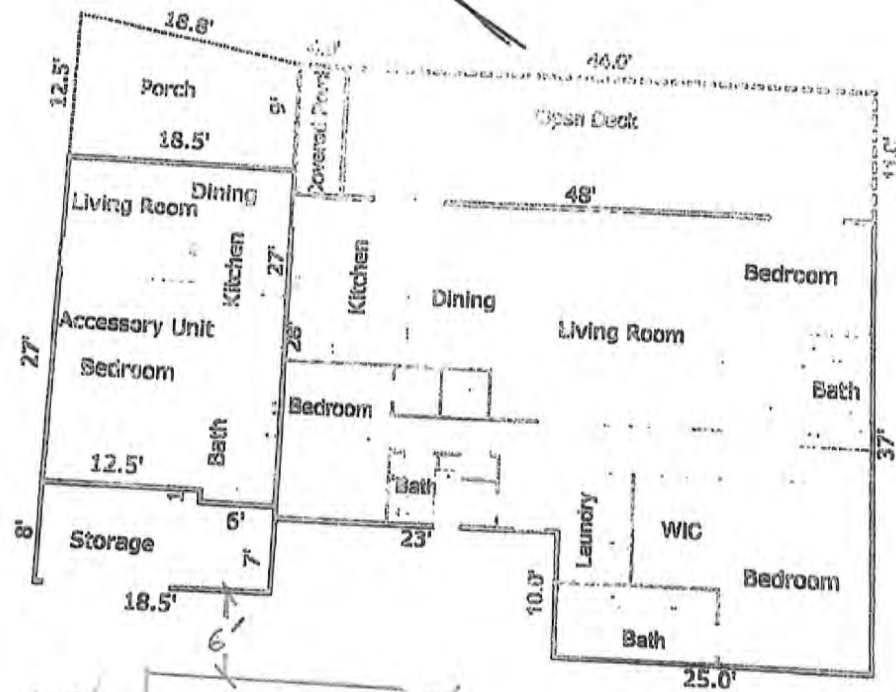
LIVING AREA
708 sq ft

2nd Floor Apt.

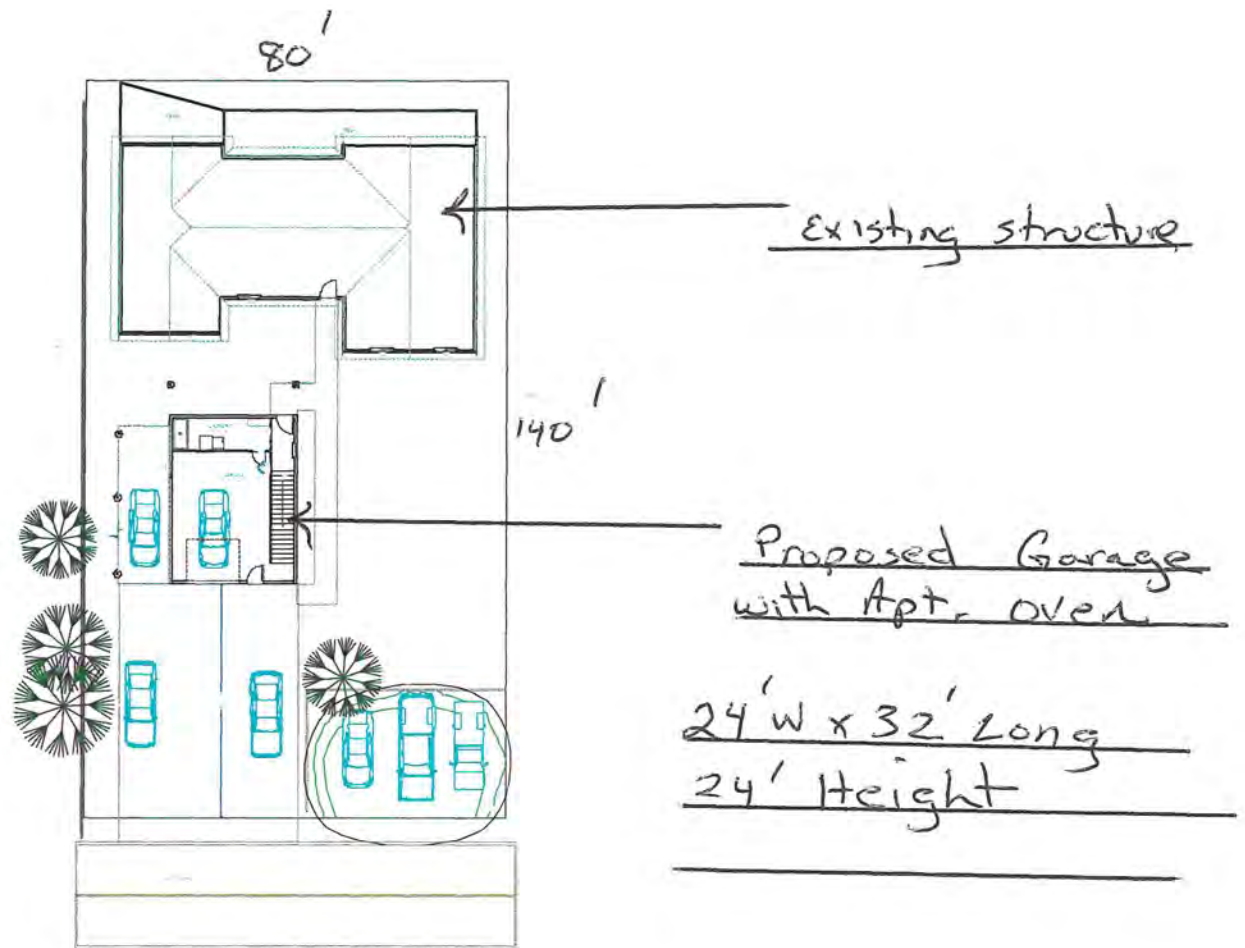


Building Sketch

Borrower	Rebecca J Himschoot	City	Silva	Ref. No.	08835
Property Address	1807 Davidoff St	City	Silva		
Lender/Client	First Bank				



Proposed
Garage +
apt.



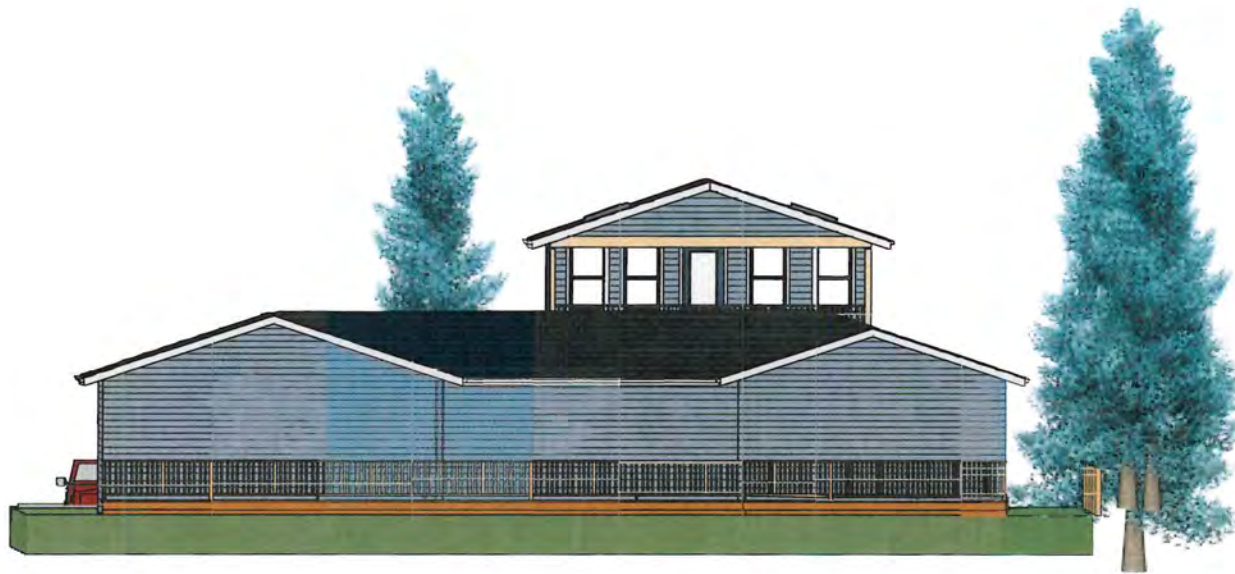
Lot at 1507 Davidoff St



North elevation



East Elevation



\$. West elevation (water)



South Elevation



Elevation to Peak
1507 Davidoff St
Rebecca Himschoot

Proposed
Garage + Apt.







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:

Home owner wishes to build a

garage with 2nd floor apartment over it

PROPERTY INFORMATION:

CURRENT ZONING: R1 PROPOSED ZONING (if applicable): _____

CURRENT LAND USE(S): Residence PROPOSED LAND USES (if changing): _____

APPLICANT INFORMATION:

PROPERTY OWNER: Rebecca Himsch

PROPERTY OWNER ADDRESS: 1507 Davidoff St.

STREET ADDRESS OF PROPERTY: 1507 Davidoff St.

APPLICANT'S NAME: Peter Weiland

MAILING ADDRESS: 625 Davidoff St. Sitka AK 99833

EMAIL ADDRESS: Weiland@sitka.ak.us DAYTIME PHONE: 907 966 2000

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.)
- ☐ Documentation establishing property as primary residence (motor vehicle registration, voter registration, etc.)
- ☐ Signed Affidavit of Primary Residence for Short-term Rental Conditional Use Permit

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.

Rebecca Himschoot
(Himschoot, Rebecca (Apr 13, 2024 17:35 NEDT))

Owner

13/04/24

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.

Peter Weiland
Applicant (if different than owner)

4/11/24
Date

Last Name

Date Submitted

Project Address






General Applicant Himschoot

Final Audit Report

2024-04-14

Created:	2024-04-12
By:	Erika Knox (weilandconstruction@gci.net)
Status:	Signed
Transaction ID:	CBJCHBCAABAAMJ5DgRT7BFutDwF7hklUgDPvHnyuuU20

"General Applicant Himschoot" History

-  Document created by Erika Knox (weilandconstruction@gci.net)
2024-04-12 - 4:56:45 PM GMT- IP address: 24.237.119.187
-  Document emailed to Rebecca Himschoot (rhimschoot@hotmail.com) for signature
2024-04-12 - 4:56:49 PM GMT
-  Email viewed by Rebecca Himschoot (rhimschoot@hotmail.com)
2024-04-14 - 1:33:01 AM GMT- IP address: 216.67.32.166
-  Document e-signed by Rebecca Himschoot (rhimschoot@hotmail.com)
Signature Date: 2024-04-14 - 1:35:44 AM GMT - Time Source: server- IP address: 216.67.32.166
-  Agreement completed.
2024-04-14 - 1:35:44 AM GMT





CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT SUPPLEMENTAL APPLICATION FORM CONDITIONAL USE PERMIT

APPLICATION FOR ALL OTHER CONDITIONAL USE PERMITS (EXCLUDING SHORT-TERM RENTAL AND BED & BREAKFAST)

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

- Hours of operation: Provide Rebecca with a place to stay
when she's not traveling
- Location along a major or collector street: street is not a thru
Road
- Amount of vehicular traffic to be generated and impacts of the traffic on nearby land uses:
normal traffic for the addition of one car
and normal amount of extra visitors
- Potential for users or clients to access the site through residential areas or substandard street creating a cut through traffic scenario: lot is large and has off street parking
in the front of the property just off the road
- Effects on vehicular and pedestrian safety: no adverse effect
no obstructions to line of sight
- Ability of the police, fire, and EMS personnel to respond to emergency calls on the site: no adverse effect
- Describe the parking plan & layout: 6 spots (3 spots in a
gravel area adjacent to road) (1 carport) (2 in driveway)
- Proposed signage: no new signs

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

There is a fence between lots on the upland side of property

- Amount of noise to be generated and its impacts on neighbors: no extra noise

- 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?)

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 <u>conditional use</u> permit is consistent and compatible with the intent of the goals, objectives and policies of the <u>comprehensive plan</u> 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 <u>conditional use</u> 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 <u>applicant</u> has the burden of proving that the proposed <u>conditional use</u> meets all of the criteria in subsection B of this section.	

ANY ADDITIONAL COMMENTS _____

Applicant

Date



CITY AND BOROUGH OF SITKA

A COAST GUARD CITY

Planning and Community Development Department

AGENDA ITEM

Case No: VAR 24-08
Proposal: Variance to increase height for accessory dwelling unit (ADU) by 8'
Applicant: Peter Weiland
Owner : Rebecca Himschoot
Location: 1507 Davidoff Street
Legal: Lot 4, Block 10, U.S. Survey No. 3303B, Northwest Addition to the Townsite of Sitka
Zone: R-1 - Single-Family/Duplex Residential District
Size: 11,200 square feet
Parcel ID: 1-4900-000
Existing Use: Residential
Adjacent Use: Residential
Utilities: Existing
Access: Davidoff Street

KEY POINTS AND CONCERNS

- Owner/applicant are currently in the design phase.
- Conceptual plans identify the primary dwelling structure as 17' and the ADU as 25' making the ADU 8' taller than the primary dwelling unit.
- See case file CUP 24-04 for more information on the ADU.

ATTACHMENTS

Attachment A: Aerial
Attachment B: U.S. Survey 3303B
Attachment C: Site and Floor Plans
Attachment D: Design and Elevation View
Attachment E: Photos
Attachment F: Applicant Materials

BACKGROUND/PROJECT DESCRIPTION

The owner is requesting to construct an ADU on their property that is higher than the primary dwelling. The lot size is 11,200 square feet (SF) with a 1,798 SF duplex. The ADU will have approximately 708 SF of living space with one bedroom, living/dining room, kitchen, bathroom and closet space. Details of the conditional use permit can be found under case file CUP 24-04.

ANALYSIS

Height Increase

Footnote 18 to SGC Table 22.20-1 states that, “*Accessory dwelling units in residential zones shall be limited to a maximum height of twenty-five feet or the height of the existing principal dwelling unit on the property whichever is less.*” The height of the primary structure is 17’ below the district maximum height of 35’. The ADU building is designed to be two stories with a garage on the first floor. The footprint of the new structure is identified as 708 SF with an overall height of 25’. The second story ADU contains one bedroom, living/dining room, kitchen, bathroom and closet space. The property has direct access from Davidoff Street. View impact/obstruction is not anticipated through the granting of the height increase as the front of the property abuts Davidoff Street. Adjacent properties are to the sides of this property and across Davidoff Street at higher elevations.

Justification

Alaska Statute 29.40.040(b)(3) states that a variance may not be granted solely to relieve financial hardship or inconvenience. A required finding for variances involving major structures or expansions in the Sitka General Code echoes this statement by stating that there must be “...special circumstances to the intended use that do not apply generally to the other properties. Special circumstances may include the shape of the parcel, topography of the lot, the size or dimensions of the parcels, the orientation or placement of existing structures, or other circumstances that are outside the control of the property owner”. It also must be shown that the variance is necessary for the preservation and enjoyment of a substantial property right, one specific example included in the code is the placement of garages.

Through analysis of this case, it is evident that there are special circumstances that apply; including the orientation or placement of existing structures and the variance would be necessary for normal enjoyment of the property, i.e. a garage/ADU, and the applicants have provided a creative and attractive design to accomplish these conditions.

Accessory dwelling units are permitted in this zone but become conditional use in this zone if the outlined SGC 22.20.160(D) “Accessory Dwelling Unit Requirements” are not met. One of the evaluation criteria for ADUs is whether variances are needed to construct it. The Commission may find that the special circumstances surrounding the property make it an unsuitable location for an

ADU. It is staff's recommendation that, from a practical standpoint, an ADU could be accommodated in this location. There is parking available with adequate distance from the right-of-way to maintain good sightlines/visibility, and the ROW is equipped to handle moderate volume of traffic. The granting of this variance allows for efficient development of this property for both a garage and an ADU, maximizing the "vertical" building space available.

Comprehensive Plan Guidance

The comprehensive plan encourages development of ADUs (H 1.1a), increases in housing density (H 1.1e), and reconsideration of development standards such as setbacks, height, and parking requirements to promote affordable development (LU 8.2). This request is consistent with the above comprehensive plan objectives.

RECOMMENDATION

Staff recommends approval of the height variance.

MOTIONS TO APPROVE THE ZONING VARIANCE

- 1. "I move to approve the zoning variance for increased height of an accessory dwelling unit at 1507 Davidoff Street in the R-1 - Single-Family/Duplex Residential District subject to the attached conditions of approval. The property is also known as Lot 4, Block 10, U.S. Survey No. 3303B, Northwest Addition to the Townsite of Sitka. The request is filed by Peter Weiland. The owner of record is Rebecca Himschoot."**

Conditions of Approval

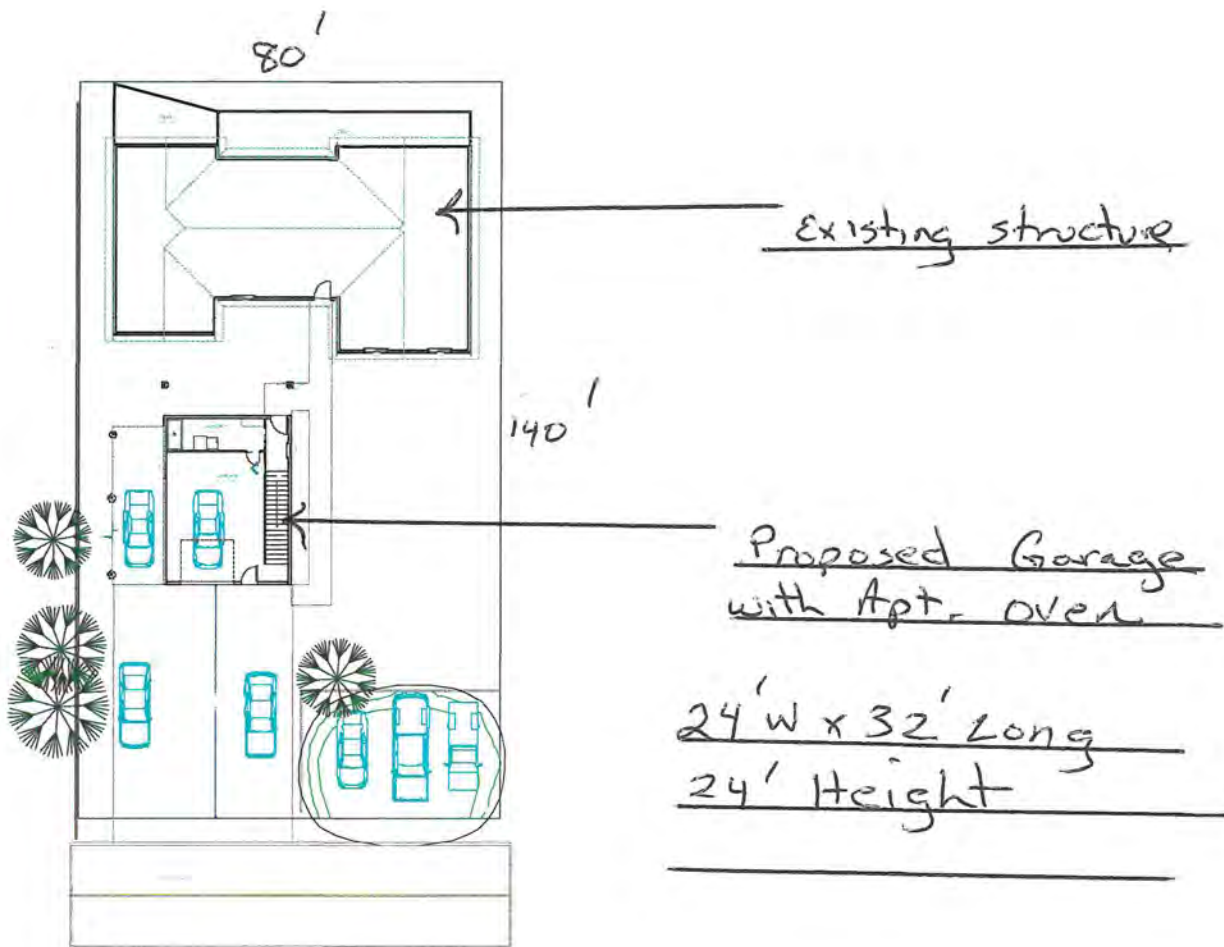
- a. The maximum allowable height for an ADU shall be increased by 8' above the height of the existing, principal structure. The maximum allowable height for the ADU is therefore increased to 25'.
 - b. Building plans shall remain consistent with the narrative and plans provided by the applicant for this request. Any major changes (as determined by staff) to the plan will require additional Planning Commission review.
 - c. Substantial construction progress must be made on the project within one year of the date of the variance approval or the approval becomes void. In the event it can be documented that other substantial progress has been made, a one-year extension may be granted by the Planning Director if a request is filed within eleven months of the initial approval.
- 2. "I move to adopt and approve the required findings for variances involving major structures or expansions as listed in the staff report."**

Before any variance is granted, it shall be shown¹:

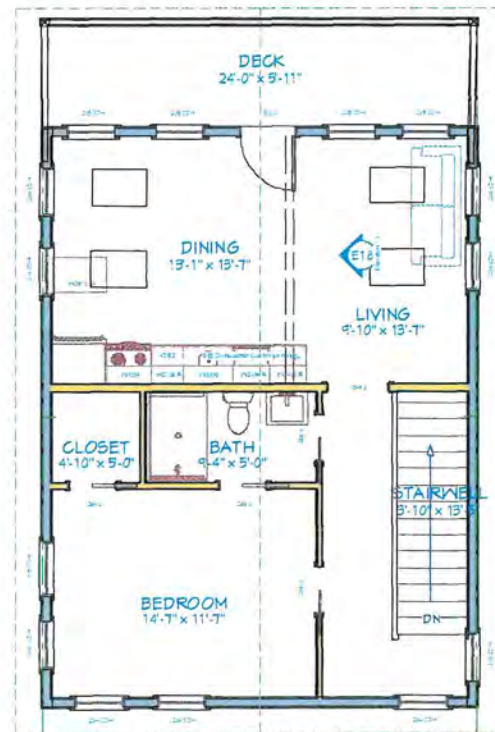
- a. That there are special circumstances to the intended use that do not apply generally to the other properties. Special circumstances may include the shape of the parcel, the topography of the lot, the size or dimensions of the parcels, the orientation or placement of existing structures, or other circumstances that are outside the control of the property owner; *in this case the orientation or placement of existing structures.*
- b. The variance is necessary for the preservation and enjoyment of a substantial property right or use possessed by other properties but are denied to this parcel; such uses may include the placement of garages or the expansion of structures that are commonly constructed on other parcels in the vicinity; *the variance would be necessary for normal enjoyment of the property, i.e. a garage/ADU.*
- c. That the granting of such a variance will not be materially detrimental to the public welfare or injurious to the property, nearby parcels or public infrastructure; *the property is located on a municipal maintained right-of-way and is served by municipally maintained and operated utilities, no adverse impacts on such facilities or services are expected. Additionally, negative impacts such as those to viewsheds are not expected by the granting of this variance.*
- d. That the granting of such a variance will not adversely affect the comprehensive plan; *conversely, the proposal supports the Comprehensive Plan, specifically, Actions H1.1a, H1.1e and LU 8.2.*

¹ Section 22.10.160(D)(1)—Required Findings for Major Variances



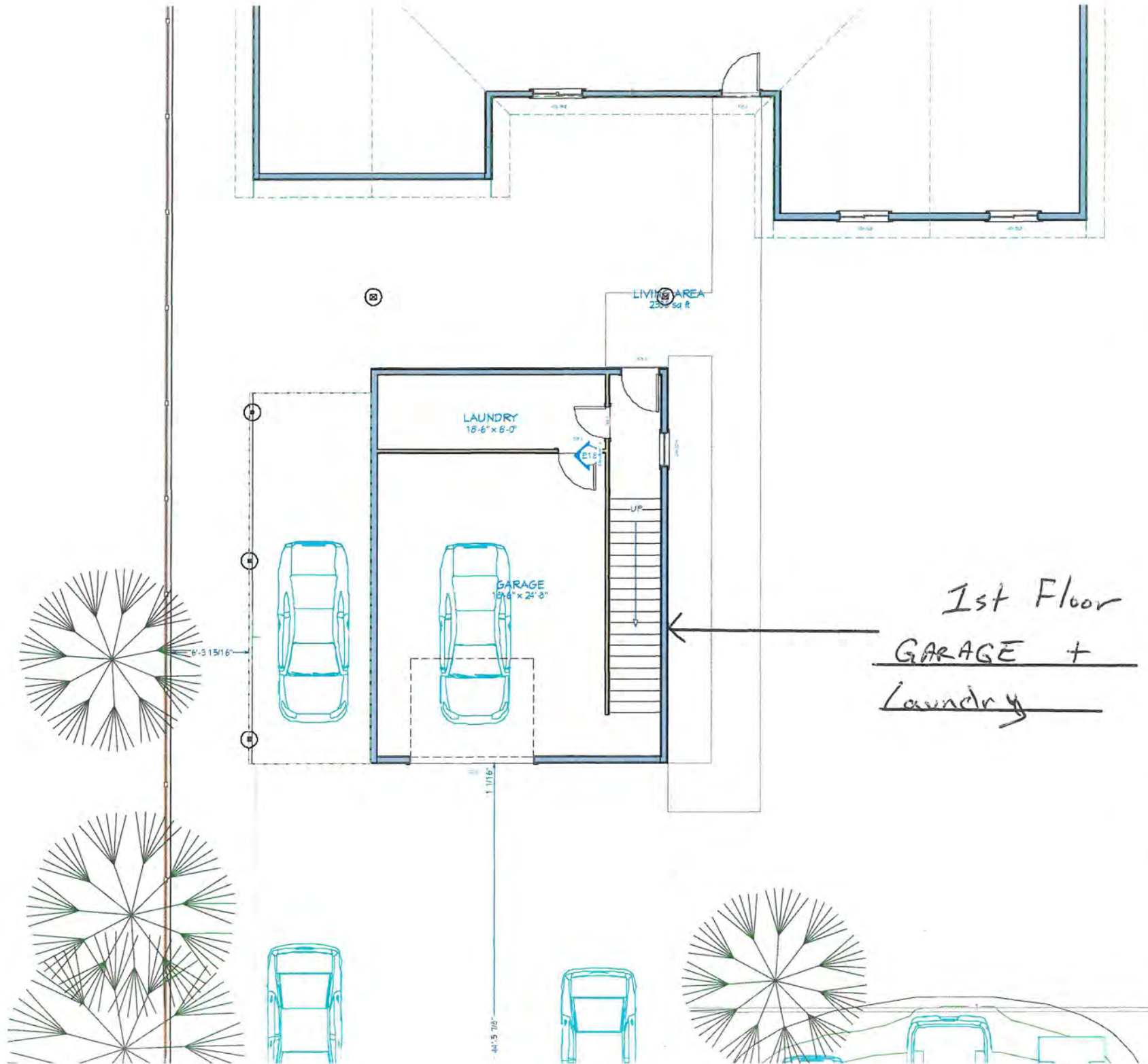


Lot at 1507 Davidoff St



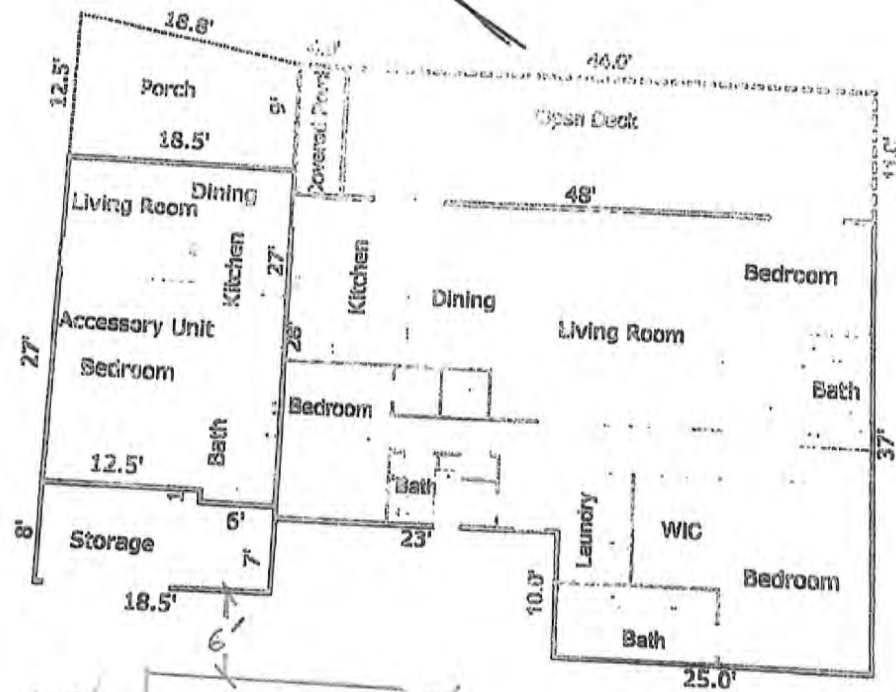
LIVING AREA
708 sq ft

2nd Floor Apt.



Building Sketch

Borrower	Rebecca J Himschoot	City	Silva
Property Address	1807 Davidoff St	County	Silva
City	Silva	State	OK
Lender/Client	First Bank	Phone	88835



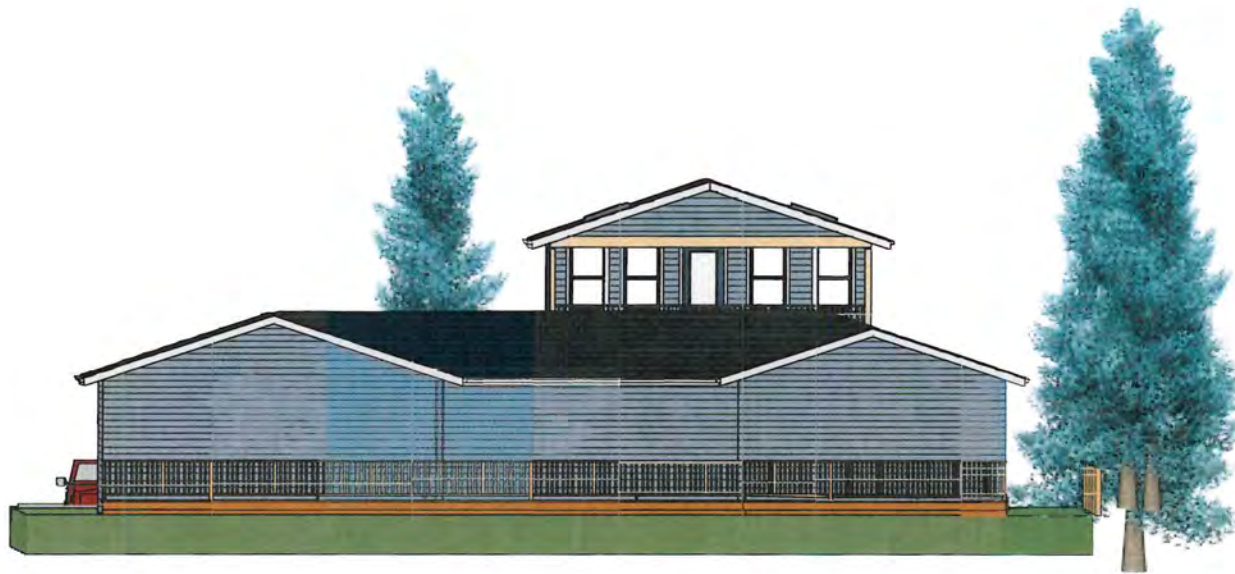
Proposed
Garage +
apt.



North elevation



East Elevation



\$. West elevation (water)



South Elevation



Elevation to Peak
1507 Davidoff St
Rebecca Himschoot

Proposed
Garage + Apt.









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: The height of existing primary residence is 17'. The proposed garage with apartment over it will be 24'10". Roughly 7' higher.

PROPERTY INFORMATION:

CURRENT ZONING: R1 PROPOSED ZONING (if applicable): _____

CURRENT LAND USE(S): _____ PROPOSED LAND USES (if changing): _____

APPLICANT INFORMATION:

PROPERTY OWNER: Rebecca Himschoot

PROPERTY OWNER ADDRESS: 1507 Davidoff St.

STREET ADDRESS OF PROPERTY: 1507 Davidoff St.

APPLICANT'S NAME: Peter Weiland

MAILING ADDRESS: 625 Degroff St

EMAIL ADDRESS: Weilandconstruction@6CI.Net DAYTIME PHONE: 907-966-3315

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.)
- ☐ Documentation establishing property as primary residence (motor vehicle registration, voter registration, etc.)
- ☐ Signed Affidavit of Primary Residence for Short-term Rental Conditional Use Permit

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.

Rebecca J Himschoot

Rebecca J Himschoot (May 6, 2024 21:12 AKDT)

Owner

May 6, 2024

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.

Peter Weiland

Applicant (If different than owner)

4/12/24

Date

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.

owner at 1507 Davidoft st. would like to build a garage with Apt. over. New structure would be 24'10" Roughly 10' higher than existing structure

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

- TRAFFIC No Impact
- PARKING Extra spaces. Plenty of space for six cars.
- NOISE no impact
- PUBLIC HEALTH AND SAFETY no impact
- HABITAT no impact
- PROPERTY VALUE/NEIGHBORHOOD HARMONY no impact
Does not block views of water
- COMPREHENSIVE PLAN

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:**

Owner would like a garage and a view of Edgcombe from her apt.

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:** Other houses in the

area are two stories

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** fw

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:** _____

b. The granting of the variance furthers an appropriate use of the property. **Explain the use or enjoyment this variance enables:** _____

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

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 _____

Applicant

Date

Last Name

Date Submitted

Project Address



CITY AND BOROUGH OF SITKA

A COAST GUARD CITY

Planning and Community Development Department

AGENDA ITEM

Case No: CUP 24-05
Proposal: Short-term rental
Applicants: Casey and Emily Demmert
Owners: Casey and Emily Demmert Revocable Trust
Location: 101 Thomas Young Sr. Circle
Legal: Lot Five (5), Kaasda Heen Shaak Subdivision
Zone: R-2 MHP Multifamily and Mobile Home District
Size: 9,233 square feet
Parcel ID: 1-8574-005
Existing Use: Residential
Adjacent Use: Residential
Utilities: Existing
Access: Thomas Young Sr. Circle

KEY POINTS AND CONCERNS

- Applicant is requesting to rent out a one-bedroom apartment in their duplex.
- Parking is available on the property.
- Rental will be owner operated, owner lives on site.

ATTACHMENTS

Attachment A: Aerial
Attachment B: Plat
Attachment C: Floor Plan
Attachment D: Photos
Attachment E: Density Map
Attachment F: Renter Handout
Attachment G: Applicant Materials
Attachment H: Affidavit

BACKGROUND/PROJECT DESCRIPTION

The owners/applicants would like to utilize their primary residence at 101 Thomas Young Sr. Circle as a short-term rental (STR). The home is located in the R-2 MHP multifamily and mobile home district on a 9,233 square foot (SF) lot with 2,432 SF duplex. The applicant is requesting the STR for the one-bedroom apartment above the garage with a maximum capacity of 2 guests. This property is a corner lot and is well buffered by vegetation on the property. There is adequate parking for four vehicles in the driveway and access to the property is from Thomas Young Sr. Circle.

ANALYSIS

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

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

Applicant does not anticipate any significant increase in vehicular traffic versus long-term residential use.

b. Amount of noise to be generated and its impacts on surrounding land use: Short-term rentals have the potential to create noise from transient guests. As the maximum capacity is set at two guests, there is potential for increased noise. It is anticipated that noise generated by guests would be minimal. Quiet hours are set from 10pm-7am.

c. Odors to be generated by the use and their impacts: Potential odor impacts are in line with similar residential uses. Renters are instructed on garbage handling. Applicants will keep garbage inside the garage each night. Garbage shall be disposed of in municipal containers and in accordance with Sitka General Code requirements.

d. Hours of operation: Applicant will use the second dwelling intermittently throughout the year and will live onsite in the other unit.

e. Location along a major or collector street: Accessed from Thomas Young Sr. Circle.

f. Potential for users or clients to access the site through residential areas or substandard street creating a cut-through traffic scenario: Access is on Thomas Young Sr. Circle from Indian River Road via Sawmill Creek Road. These routes are on State or municipally maintained streets intended for moderate to high traffic.

g. Effects on vehicular and pedestrian safety: Visitors will be unfamiliar/less experienced with the road which can have mixed results (some may be more cautious, others less aware). However, this property is located on a developed street that is intended to handle moderate traffic.

¹ § 22.25.010.E

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

i. Logic of the internal traffic layout: The property has a large driveway with parking available for multiple vehicles. Applicant anticipates one rental car with a two-guest max.

j. Effects of signage on nearby uses: Applicant has signage proposed marking the rental unit. All signs shall comply with Sitka General Code.

k. Presence of existing or proposed buffers on the site or immediately adjacent the site: The property is well buffered by vegetation on the property.

l. Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan: A STR can help support the existing and growing tourism industry by providing transient guests with short-term housing options that allow the potential for more visitors to visit Sitka, bringing in money and creating opportunities for job creation and economic development. STRs also encourage housing redevelopment with the incentive of short-term rental income. However, STRs correlate with negative impacts to available housing stock for residents, long-term rental rates, and increased purchase prices for housing.

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

RECOMMENDATION

Staff recommends approval of the request for a short-term rental at 101 Thomas Young Sr. Circle.

CONDITIONS OF APPROVAL

1. Contingent upon a completed satisfactory life safety inspection.
2. The facility shall be operated consistent with the application, narrative, and plans that were submitted with the request.
3. The applicant shall submit an annual report beginning in 2025, covering the information on the form prepared by the Municipality, summarizing the number of nights the facility has been rented over the twelve-month period starting with the date the facility began operation, bed tax remitted, any violations, concerns, and solutions implemented. The report is due within thirty days following the end of the reporting period.
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. Failure to comply with all applicable tax laws, including but not limited to remittance of all sales and transient lodging tax, shall be grounds for revocation of the conditional use permit.
6. The property owner shall register for a sales account prior to the Conditional Use Permit becoming valid.
7. To mitigate the impact of odor from the short-term rental and comply with bear attraction nuisance requirements, the property owner shall assure all trash is deposited in appropriately secured trash receptacles and only placed on street for collection after 4:00 a.m. on trash collection day.
8. To mitigate parking and traffic impacts, property owner shall provide detailed parking and traffic rules, and shall ensure all parking for all uses (residential or short-term rental) shall occur off-street, on-site, and further that should off-site parking occur at any time, the conditional use permit shall be revoked.
9. Any signs must comply with Sitka General Code 22.20.090.
10. A detailed rental overview shall be provided to renters detailing directions to the unit, transportation options, appropriate access, parking, trash management, noise control/quiet hours, and a general condition to respect the surrounding residential neighborhood. The renter handout shall include an advisory note to tenants to be mindful of vehicle and especially pedestrian traffic in the area, and to exercise caution coming and going from the property in motor vehicles.
11. The property owner shall communicate to renters that a violation of these conditions of approval will be grounds for eviction of the short-term renters.
12. Failure to comply with any of the above conditions may result in revocation of the conditional use permit.

Motions in favor of approval

1. **“I move to approve the conditional use permit for a short-term rental at 101 Thomas Young Sr. Circle in the R-2 MHP multifamily and mobile home district subject to the attached conditions of approval. The property is also known as Lot Five (5), Kaasda Heen Shaak Subdivision. The request is filed by Casey and Emily Demmert. The owners of record are Casey and Emily Demmert Revocable Trust.”**
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 property will retain its primary use as a residence and be monitored by the property owner to ensure that there are no resulting impacts or disturbances that would negatively affect health, safety, welfare, neighborhood character, or properties in the surrounding vicinity.*
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; *specifically, Action ED 6.5 and goals to promote housing affordability, in this case, for the homeowner.*
3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced; *because the property will be monitored by the property owner to ensure that there are no resulting impacts, and opportunities for redress to the Planning Department and/or 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 no hazardous conditions are expected from the use of the property as a short-term rental.*
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; *because the property is located on a municipal right-of-way and is served by municipally maintained and operated utilities, no adverse impacts on such facilities or services are expected.*
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 §22.10.160(C)—Required Findings for Conditional Use Permits



CERTIFICATE OF OWNERSHIP AND DEDICATION

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

DATE: 5-15-03 OWNER: Wm. M. Adams Director
Bureau of Land Management

DATE: _____ OWNER: _____

NOTARY'S ACKNOWLEDGMENT

US OF AMERICA
STATE OF ALASKA
CITY & BOROUGH OF SITKA

THIS IS TO CERTIFY THAT ON THIS 15 DAY OF May, 2003, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DANIEL M. O'NEILL, A NOTARY PUBLIC, APPROVED BY Wm. M. Adams, Director of Bureau of Land Management and Barbara J. Adams, Director of Alaska Department of Fish and Game, and that said plan has been approved by the BOARD OF PLATING, and that the plat shown hereon has been approved for recording in the office of the DISTRICT COURT, EX-OFFICIO RECORDER, SITKA, ALASKA.

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

NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA
MY COMMISSION EXPIRES: 4-15-04

CERTIFICATE OF PAYMENT OF TAXES

STATE OF ALASKA
FIRST JUDICIAL DISTRICT

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND 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: Barbara J. Adams, Director
Bureau of Land Management

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 & BOROUGH OF SITKA ARE PAID IN FULL.

DATED THIS 15 DAY OF May, 2003, AT SITKA, ALASKA.

ASSESSOR: CITY AND BOROUGH OF SITKA

CERTIFICATE OF APPROVAL BY THE BOARD

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA PLATING BOARD AND THAT SAID PLAN HAS BEEN APPROVED BY THE BOARD BY PLAT RESOLUTION NO. 77-19 DATED 5-12-2003, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT MAGISTRATE, EX-OFFICIO RECORDER, SITKA, ALASKA.

DATE: 5-12-03 CHAIRMAN PLATING BOARD: Wm. M. Adams

SECRETARY: Barbara J. Adams

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 & BOROUGH OF SITKA ASSEMBLY AS RECORDED IN MINUTE BOOK _____ PAGE _____ DATED _____ AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX-OFFICIO RECORDER, SITKA, ALASKA.

DATE: 5/15/03 MAYOR: John Smith

CITY AND BOROUGH CLERK: _____

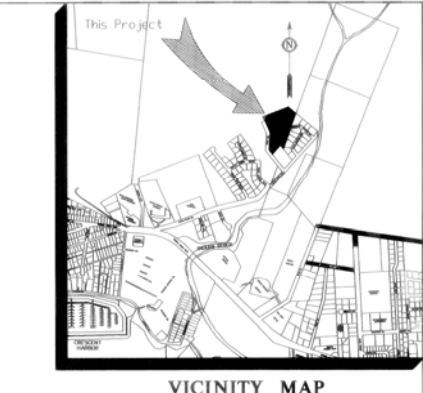
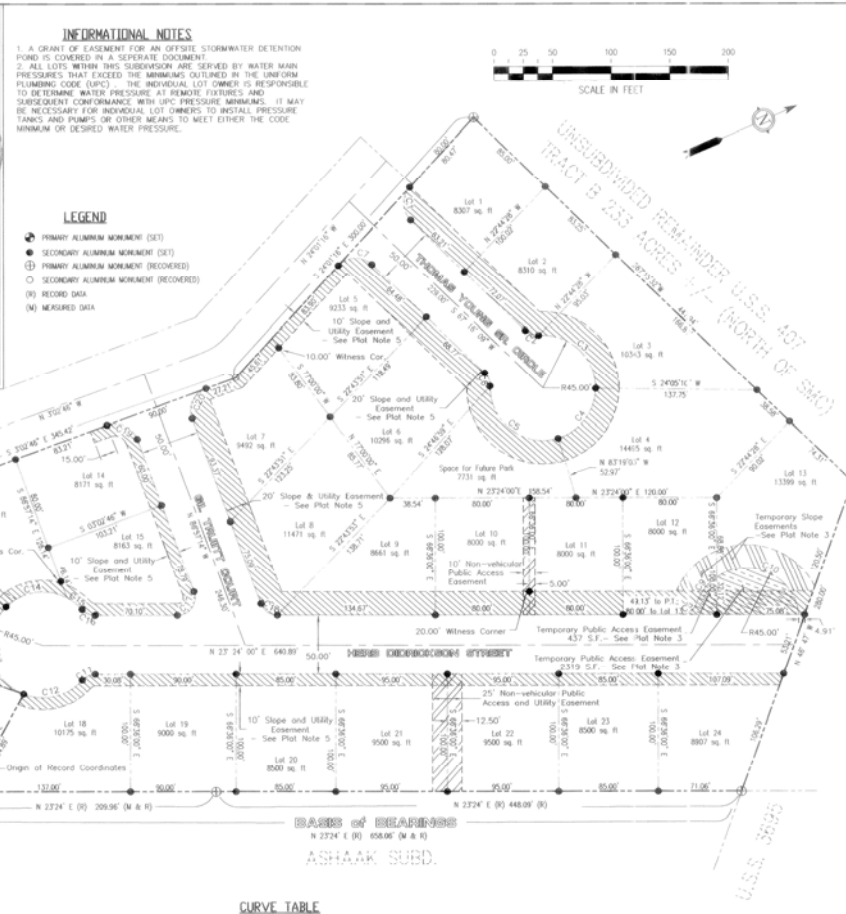
CERTIFICATE OF PAYMENT OF LOCAL IMPROVEMENT DISTRICT

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND FINANCE DIRECTOR FOR THE CITY & BOROUGH OF SITKA, DO HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS OF THE CITY & BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE RECORDS IN THE NAME OF: Barbara J. Adams, Director
Bureau of Land Management

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 & BOROUGH OF SITKA ARE PAID IN FULL.

DATED THIS 15 DAY OF May, 2003, AT SITKA, ALASKA.

FINANCE DIRECTOR: John Smith
CITY & BOROUGH OF SITKA



VICINITY MAP
SCALE: 1"=1,000'

PLAT NOTES

1. THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE LOT 1, SJC-BHA SUBDIVISION INTO 24 LOTS.
2. NONE OF THE LOTS CREATED IN THIS SUBDIVISION SHALL HAVE DIRECT VEHICULAR ACCESS ONTO YAW DRIVE.
3. IN THE EVENT THAT HERB DORNSTROM STREET IS NOT EXTENDED TO THE NORTH WITHIN 10 YEARS, THE PUBLIC ACCESS EASEMENTS ON LOTS 12 AND 13 SHALL BECOME A PERMANENT PART OF THE HERB DORNSTROM STREET RIGHT OF WAY. THE TEMPORARY SLOPE EASEMENTS OF 20 FEET ALONG THE ACCESS EASEMENTS SHALL ALSO BECOME PERMANENT. IF HERB DORNSTROM STREET IS EXTENDED, THE PUBLIC ACCESS EASEMENTS ON LOTS 12 AND 13 AS WELL AS THE ADJACENT TEMPORARY SLOPE EASEMENTS SHALL BE VACATED. THE CONTINUATION OF THE STRAIGHT 20' PERMANENT SLOPE EASEMENTS CROSSING LOTS 12 AND 13 IS PERMANENT.
4. THE EXISTING 50' AND 10' WIDE ACCESS EASEMENTS AT THE INTERSECTION OF YAW DRIVE AND INDIAN RIVER ROAD, OWNED BY THE CITY AND BOROUGH OF SITKA ARE TO BE CONVERTED INTO DEDICATED RIGHT-OF-WAY BY THE ADOPTION OF THIS PLAT.
5. TWENTY FOOT SLOPE AND UTILITY EASEMENTS APPLY TO LOTS 1-6 AND THE FUTURE PARK AREA WHERE THEY FRONT THOMAS YOUNG SENIOR CENTER, AS WELL AS LOTS 7 & 8 WHERE THEY FRONT OIL TRUETT COURT AND LOTS 9-13 ALONG HERB DORNSTROM STREET. TEN FOOT SLOPE AND UTILITY EASEMENTS APPLY TO LOTS 14 & 15 ALONG THE OIL TRUETT COURT RIGHT OF WAY AS WELL AS TO LOTS 15-24 ALONG THE HERB DORNSTROM STREET RIGHT OF WAY AND TO LOTS 5, 7, AND A PORTION OF LOT 14 ALONG THE YAW DRIVE RIGHT-OF-WAY.
6. THE LOT DESIGNATED "SPACE FOR FUTURE PARK" SHALL BE CLEARED AND SEEDS WITH GRASS PRIOR TO THE ISSUANCE OF ANY CERTIFICATES OF OCCUPANCY IN THIS SUBDIVISION.
7. THERE SHALL NOT BE ANY CONSTRUCTION WITHIN THE SLOPE/UTILITY EASEMENTS WITHOUT APPROVAL OF THE MUNICIPALITY.

CERTIFICATE OF OWNERSHIP AND DEDICATION

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED AS THE ADMINISTRATOR OF THE CITY AND BOROUGH OF SITKA, DO HEREBY CERTIFY THAT THE CITY AND BOROUGH OF SITKA IS THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND DO HEREBY ADOPT THIS PLAN OF THE SUBDIVISION WITH MY FREE CONSENT AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

DATE: 5 MAY 03 CITY CLERK: John Smith

NOTARY'S ACKNOWLEDGMENT

US OF AMERICA
STATE OF ALASKA
CITY & BOROUGH OF SITKA

THIS IS TO CERTIFY THAT ON THIS 15 DAY OF May, 2003, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DANIEL M. O'NEILL, A NOTARY PUBLIC, APPROVED BY Wm. M. Adams, Director of Bureau of Land Management and Barbara J. Adams, Director of Alaska Department of Fish and Game, and that said plan has been approved by the BOARD OF PLATING, and that the plat shown hereon has been approved for recording in the office of the DISTRICT MAGISTRATE, EX-OFFICIO RECORDER, SITKA, ALASKA.

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

NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA
MY COMMISSION EXPIRES: 4-15-04

TABLE OF ACCESSORIES

CORNER	DESCRIPTION	BEARING	DISTANCE
20' W.C. SW L16 & W L17	1" HEMLOCK	N 45°33' E	14.40'
	FIRE HYDRANT	S 29°22' W	77.04'
	STREET LIGHT	S 48°00' W	70.72'
	15" HEMLOCK	N 14°19' W	45.43'
WEST COR L1	20" SPRUCE	S 62°30' E	5.7'
	16" HEMLOCK	N 39°00' W	31.80'
	11" HEMLOCK	N 21°00' W	11.85'

CURVE TABLE

NUMBER	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	88°42'35"	20.00	30.97	S 68°22'34" E	27.96
C2	48°11'24"	15.00	12.62	N 43°10'27" E	12.25
C3	09°00'25"	45.00	74.62	S 66°34'59" W	66.36
C4	72°35'46"	45.00	57.02	N 29°36'56" W	53.28
C5	108°46'52"	45.00	85.44	N 61°04'06" E	73.17
C6	48°11'23"	15.00	12.62	N 88°38'10" W	12.25
C7	91°17'25"	20.00	31.87	S 21°37'26" W	28.60
C8	70°31'44"	15.00	18.46	N 11°51'52" W	17.32
C9	36°05'47"	45.00	28.35	S 29°04'50" E	27.88
C10	118°03'11"	45.00	92.72	S 47°59'39" W	77.17

CURVE TABLE

NUMBER	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD DIRECTION	CHORD LENGTH
C11	48°11'28"	15.00	12.62	S 00°41'44" E	12.25
C12	69°30'45"	45.00	54.60	N 09°57'55" E	51.31
C13	114°27'23"	45.00	89.90	S 78°03'00" E	75.68
C14	71°41'54"	45.00	56.31	N 15°01'38" E	52.71
C15	20°42'52"	45.00	16.27	S 61°14'01" W	15.18
C16	48°11'28"	15.00	12.62	N 47°29'44" E	12.25
C17	110°21'14"	15.00	28.89	N 31°46'37" W	24.63
C18	69°38'46"	15.00	18.23	N 58°13'23" E	17.13
C19	90°00'00"	20.00	31.42	S 48°02'46" W	25.28
C20	90°00'00"	20.00	31.42	S 41°57'14" E	23.28

O'NEILL
SURVEYING AND ENGINEERING

BOX 1849 SITKA, ALASKA 99835
PHONE: (907) 747-6700
FAX: (907) 747-7590
EMAIL: sitkasurveyingworldnet.att.net

RECORD OF REVISIONS

BY	DATE	REV	DESCRIPTION OF CHANGE

DESIGNED BY: O'NEILL
DRAWN: TAB/ACAB
DATE OF PLAT: MAY 08, 2003 - 08:42:28
SCALE: 1"=40'
DRAWING NAME: Kaasda Heen Shaak Subd. 2 (P2)
PROJECT NO: 30008-11

SURVEYOR'S CERTIFICATE

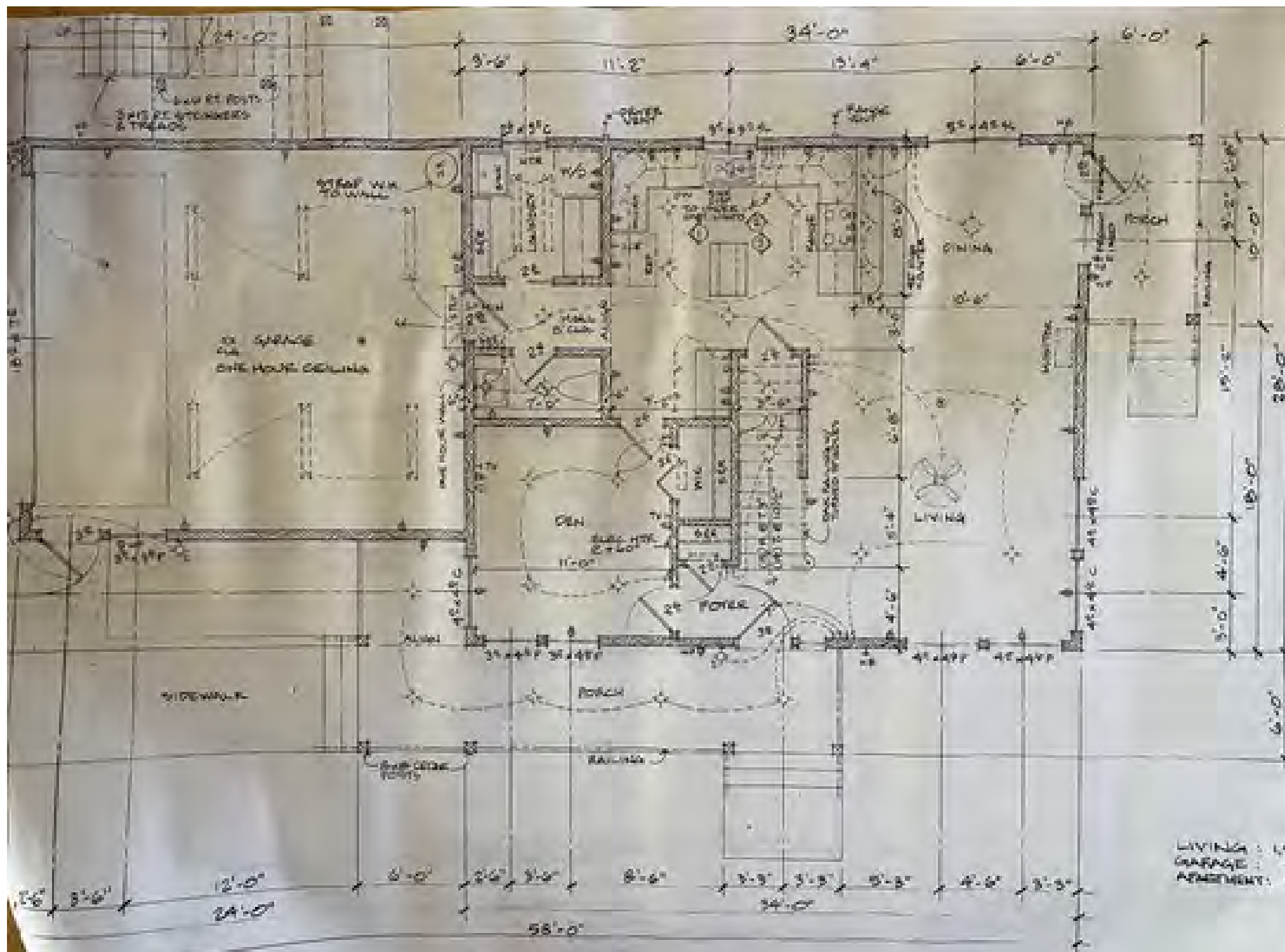
I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR, LICENSED IN THE STATE OF ALASKA, AND THAT IN Annex May, 2003, A SURVEY OF THE HEREIN DESCRIBED LANDS WAS CONDUCTED UNDER MY DIRECT SUPERVISION AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THE FIELD NOTES OF SAID SURVEY, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT ACCORDING TO SAID FIELD NOTES.

DATE: 5-8-03
Signature: Daniel M. O'Neill
PAID: R. O'NEILL L.S. 6384

KAASDA HEEN SHAAK SUBDIVISION

A SUBDIVISION OF LOT 1 OF THE SJC-BHA SUBD. AND THE DEDICATION OF RIGHT-OF-WAY CROSSING A PORTION OF LOT 2, USS 3695

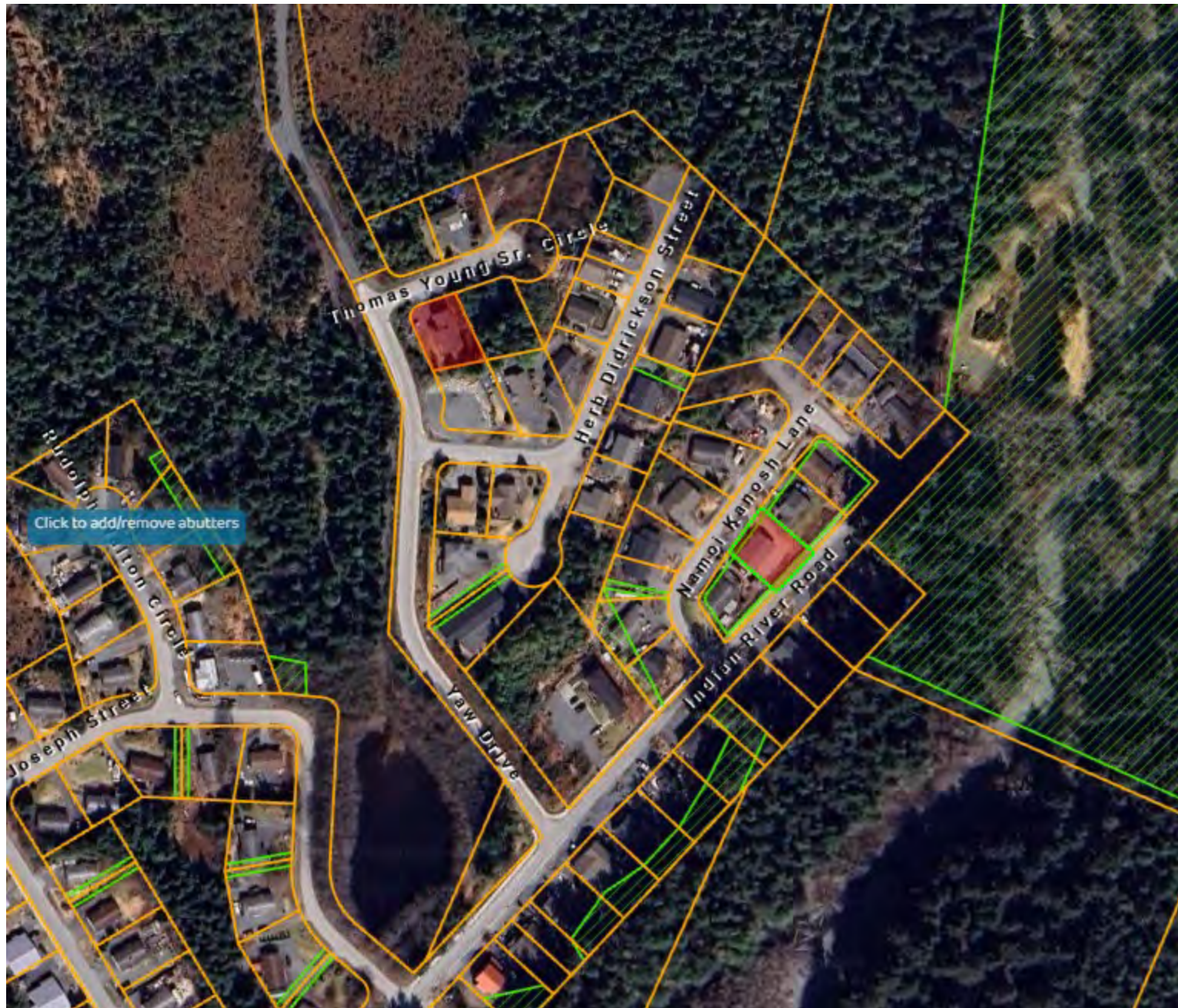
CLIENT: D.G. JONES AND ASSOC., PO BOX 2196, SITKA AK 99835











Cross Trail Vacation Getaway: Apartment B

Enjoy the comforts of home in Sitka!

This is a cozy one bedroom apartment attached to our home, located in a quiet area near town and the beautiful Cross Trail. There is a full kitchen in the apartment, as well as a comfortably proportioned bathroom and a washer and dryer.

The space

Apartment B is located on the second story of the property above the garage. The full kitchen has all the items you will need to cook as you desire. Large windows in the kitchen, living space, and bedroom provide views of the surrounding mountains. You will be across the street from miles of some of the best trails in Sitka. Basic toiletries, linens, and laundry soap is provided.

Guest access

There is a private entrance to the apartment and a parking spot just for you. A code for the door will be provided the day of your arrival.

Getting around

Taxis can be hard to come by in Sitka year round and car rentals at the airport are very expensive, so renting a bike and walking are great options as we only have 14 miles of road in Sitka. The brewery complex is very convenient to popular downtown attractions such as the Russian Church, locally owned and operated shops, and delicious seafood chowder.

Walking: Downtown is a 20 minute walk from Apartment B.

Taxis: Sitka does have taxis, but not enough to serve the community, so there may be long waits when calling for a taxi.

Lyft/Uber: Sitka does not allow Lyft or Uber to operate here.

Public Transportation: Sitka's The Ride is our public transportation and you will see bus stops around town, on Japonski Island, and along our two main roads (Sawmill Creek Road and Halibut Point Road). The buses are often not running as scheduled due to mechanical issues or staffing problems.

House rules

You'll be staying in someone's home, so please treat it with care and respect.

Checking in and out

Check-in after 3:00 PM

Checkout before 11:00 AM

Self check-in with keypad

During your stay

2 guests maximum

No pets

Quiet hours

9:00 PM - 8:00 AM

No parties or events

No commercial photography

No smoking

Before you leave

Gather used towels

Throw trash away in the garbage can on the opposite side of the garage door.

Safety & property

Avoid surprises by looking over these important details about your Host's property.

Safety devices

Exterior security cameras on property

“The security cameras monitor the parking lots and the exterior of the building, there are no cameras in the apartments or aimed towards the apartments.”

Carbon monoxide alarm installed

Smoke alarm installed

Property info

Pet(s) live on property

Potential for noise

Must climb stairs

Free Cancellation up to 24 hours before your trip begins.



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: We would like to short term rent the apartment that is attached to our single family home.

PROPERTY INFORMATION:

CURRENT ZONING: Residential PROPOSED ZONING (if applicable): _____

CURRENT LAND USE(S): _____ PROPOSED LAND USES (if changing): _____

APPLICANT INFORMATION:

PROPERTY OWNER: Casey and Emily Demmert

PROPERTY OWNER ADDRESS: 101 Thomas Young Circle, Sitka, AK 99835

STREET ADDRESS OF PROPERTY: 101 Thomas Young Circle

APPLICANT'S NAME: Casey and Emily Demmert

MAILING ADDRESS: 101 Thomas Young Circle, Sitka, AK 99835

EMAIL ADDRESS: demmert5@gmail.com DAYTIME PHONE: 9077520353

Demmert

Last Name

4/17/24

Date Submitted

101 Thomas Young Circle

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.)
- ☒ Documentation establishing property as primary residence (motor vehicle registration, voter registration, etc.)
- ☒ Signed Affidavit of Primary Residence for Short-term Rental Conditional Use Permit

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.

C. D. - [Signature]
Owner

4/9/24
Date

Emily Demmert
Owner

4/9/24
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.

Applicant (If different than owner)

Date

Demmert

4/17/24

101 Thomas Young Circle

Last Name

Date Submitted

Project Address



CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
SUPPLEMENTAL APPLICATION FORM
CONDITIONAL USE PERMIT

APPLICATION FOR SHORT-TERM RENTALS AND B&B'S

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

- Hours of operation & quiet hours: 10PM - 7AM
- Number of guests: 2
- Location along a major or collector street: NO - it's on a cul-de-sac
- Amount of vehicular traffic to be generated and impacts of the traffic on nearby land uses: One parking spot so not much traffic.
- Potential for users or clients to access the site through residential areas or substandard street creating a cut through traffic scenario: No
- Effects on vehicular and pedestrian safety: nothing out of the ordinary
- Ability of the police, fire, and EMS personnel to respond to emergency calls on the site: normal residential housing - clear signage for apartment
- Describe the parking plan & layout: See attached drawing
- Proposed signage: Will have clear signage marking the short term rental access & parking

Demmet
Last Name

4/17/24
Date Submitted

101 B Thomas Young Circle
Project Address

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

none

- Amount of noise to be generated and its impacts on neighbors:

none to very little

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

Garbage will be pulled inside a garage
each night. Apartment will house 1-3 guests
so minimal impact

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

Will have enforced quiet hours and
one car per guests staying. Garbage will be
disposed of & kept in garage to ensure bear
safety

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;	YES
b. Adversely affect the established character of the surrounding vicinity; nor	YES
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.	YES
2. The granting of the proposed <u>conditional use permit</u> is consistent and compatible with the intent of the goals, objectives and policies of the <u>comprehensive plan</u> and any implementing regulation.	YES
3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced.	YES
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.	YES
5. The <u>conditional use</u> 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.	YES
6. Burden of Proof. The <u>applicant</u> has the burden of proving that the proposed <u>conditional use</u> meets all of the criteria in subsection B of this section.	YES

ANY ADDITIONAL COMMENTS _____

Applicant

Date

Last Name

Date Submitted

Project Address



CITY AND BOROUGH OF SITKA

A COAST GUARD CITY

AFFIDAVIT OF APPLICANT RE PRIMARY RESIDENCE FOR SHORT-TERM RENTAL CONDITIONAL USE PERMIT

My full name is: Casey Demmer. The location of my primary residence in the City and Borough of Sitka, Alaska is: 101 Thomas Young Circle (the "Property"). I swear or affirm the following facts are true to the best of my knowledge and belief:

1. This is an affidavit concerning my primary residence for my application for a short-term rental conditional use permit.
2. I have resided and/or will reside upon the Property for at least 180 days of the current calendar year.
3. I do not and will not claim any other property as my primary residence for any other local, state, or federal purposes, including tax exemptions.
4. I intend to continue utilizing the Property as my primary residence for at least 180 days of subsequent calendar years.
5. I understand that my permit, if granted, shall automatically become void if the Property is no longer my primary residence for at least 180 days of a subsequent calendar year.
6. I understand that my permit, if granted, is non-transferable as to persons and locations, and that the permit shall become void immediately upon sale or transfer of the Property.

C-7-D-8
Signature

4/10/24
Date

demmertc907@gmail.com
Email

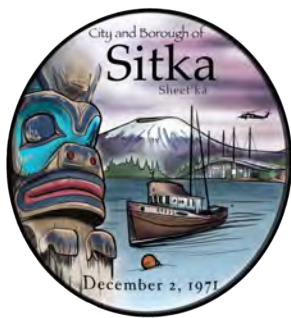
907 752 0352
Phone

STATE OF ALASKA)
) ss:
FIRST JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this 10th day of April, 2024, by Dawn Georgia.



Dawn Georgia
Notary Public in and for the State of Alaska
My commission expires: January 19, 2026




CITY AND BOROUGH OF SITKA

A COAST GUARD CITY

MEMORANDUM

To: Chair Windsor and Planning Commission Members

From: Amy Ainslie, Planning & Community Development Director 

Date: May 10, 2024

Subject: Interpretations of Conditional Use Permits Allowing Variances

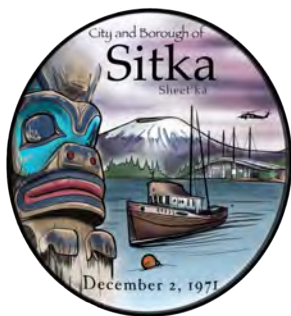
Often, conditional use permit requests are accompanied by variance requests for items such as parking, setbacks, or allowable height. Historically, the Planning Department has brought these as separate requests to the Planning Commission (though usually at the same meeting). The reports and hearing proceedings for these items tend to be repetitive.

SGC 22.10.160.C, "Required Findings for Conditional Use Permits" states, "*The city may approve, approve with conditions, modify, modify with conditions, or deny the conditional use permit. The city may reduce or modify bulk requirements, off-street parking requirements, and use design standards to lessen impacts, as a condition of the granting of the conditional use permit.*"

The provision for off-street parking requirements is clear and staff have been including this in conditional use permits as of late, however, the meaning of "bulk requirements", or "use design standards", is not defined in SGC. Staff would like to create an interpretation of these terms, and we are seeking input from the Commission. Most importantly, staff would like to know what types of variances, if any, the Commission would like to see as a part of a conditional use permit request, and what types, if any, the Commission would like to consider separately.

Most broadly, "bulk requirements" or "use design standards" could include the following variance types found in SGC Chapter 22.20, Supplemental District Regulations and Development Standards:

- Setbacks
- Heights
- Building coverage
- Density (dwelling units per lot)
- Sign code provisions (size, setbacks, illumination)



CITY AND BOROUGH OF SITKA

A COAST GUARD CITY

MEMORANDUM

To: Chair Windsor and Planning Commission Members

From: Amy Ainslie, Planning & Community Development Director 

Date: May 10, 2024

Subject: Waste Disposal for Housing Development

A public comment was made at the May 1st Commission meeting regarding the cost of waste disposal associated with rehabilitating, renovating, and demolishing homes. The Commission asked that this be added as a discussion item at the May 15th meeting.

Municipal solid waste is a utility managed as an enterprise fund, meaning that it has a separate account within the budget, and revenues are intended for debt retirement, construction, acquisition, operations, maintenance, repair, and capital improvements of the enterprise. In essence, enterprise funds are intended to be independent, self-sustaining operations. Rates (or fees) for enterprise funds such as solid waste are set annually by the Assembly based on the operating costs, equipment/supply purchases, and capital projects such as major repairs, replacements, or upgrades. In setting rates, there is a balance needed between offering services at the lowest rates possible for citizens and ensuring that the service is financially sustainable. A copy of the current disposal locations and rates is attached for reference.

This time is available for the Commission to discuss this particular use of solid waste services and rates. Staff will answer as many questions as possible about solid waste operations, rates, limitations, and budgetary processes. Depending on the questions received or interest in new proposals from the Commission, follow-up at a later meeting may be needed.

City and Borough of Sitka - Disposal Locations and Rates 2024

For Questions, call Public Works (907)747-1804

Recycle Center: 802 Sawmill Creek Road

Plastic bottles #1, colored plastic #2 and #5
Metal cans (rinsed, paper removed)
Aluminum cans and scrap aluminum

Cardboard – corrugated ONLY & Newspaper
Glass – Large pieces call 747-4041 for apt.

Transfer Station: 205 Jarvis St. Ph. 747-8644

Monday – Saturday, 8:00 a.m. – 4:00 p.m. 200 lbs per month FREE to residential customers only.

If over 200 lbs = \$0.1552/lb (Charged to your Utility Bill)

Blue board
Cell phones
Clothes
Dead animals
Electrical conduit
Fiberglass (large pieces)
Fiberglass insulation
Foam
Furniture/Mattresses
Heavy plastic
Hot tub – cut up preferably

Household Garbage
Lumber
Pallets
Plastic (light duty – trash bags, vis-queen, tarps, plastic toys & household wrapping)
Plywood, Roofing
Electronic Waste
Sheetrock, Styrofoam
Tires without Rims or small vehicle tires
Televisions, Monitors, Microwaves, Printers
Household Batteries – not lithium

Gary Paxton Industrial Park Scrap Yard: 4655 Sawmill Creek Rd. Ph. 747-0549

Tuesday – Saturday, 8:00 a.m. - 4:00 p.m.

(\$0.1218/lb unless indicated otherwise) (Charged to your Utility Bill. Please bring your Utility Bill with you.)

Boat engines
Computer towers and laptop
Copper, steel & tin
Computer Towers and Laptop Computers
Fluorescent Tubes - \$.50 per tube
Freezers and/or Refrigerators - \$26.80 each
Gasoline (please call to coordinate first)
Tires with rims (heavy equipment - \$34.11/each)

Iron (sorted scrap) - \$0.0666/lb
Lithium batteries from camera or computers
Microwaves
Mobile home frames/trailers
Paint/Coolant/Tarnish
Propane containers and water heaters
Stoves/washer/dryer - \$0.0835/lb
Tires with rims – small vehicle

Fuel Tanks - must be drained completely and cleaned (if over 500gal must be cut into pieces less than 5' x 12')
Fuel from Fuel Tank must be put into a separate container and can be brought out (Please call to coordinate first)

Junk Vehicles need a Title or a Notarized DMV Form 849 – Notice of Intent to Dismantle or Junk Vehicle
Vehicles and small trucks ¾ ton or smaller (\$0.0488/lb) Trucks/Vans larger than ¾ ton (\$0.0858/lb)

Granite Creek Overburden/Waste Site: 401 Granite Creek Road; contact: Marble Island, LLC (907) 623-0760

New location at Granite Creek. See PSA on City Website, under Departments/Public Works.

Monday – Saturday, Winter hours are 8:00 a.m. to 4:00 p.m./Summer hours are 7:00 a.m. to 5:00 p.m.

Please deposit overburden and then sign in at the little shack. Marble Island LLC will send you an invoice. **Base rate \$4.80 / Cubic Yard (minimum charge of \$12.00).** This site is for: Brush, Overburden, Stumps, Green Waste, Yard Waste, Tree Limbs

Vehicle batteries – NAPA Sitka Motor Supply (free of charge)

Sitka Landfill - Construction Debris: (By appointment only: Call 747-4041)

Asbestos - \$71.93/cubic yard (By appointment only)
Asphalt - \$15.88/cubic yard
Boats - Dependent on size (Please call 747-4041 for more information)
Concrete - \$15.88/cubic yard
Construction Debris - \$12/cubic yard (must be approved by Public Works Director and by appointment only)