



# CITY AND BOROUGH OF SITKA

## Meeting Agenda

### Planning Commission

*Chris Spivey, Chair*  
*Darrell Windsor, Vice Chair*  
*Randy Hughey*  
*Richard Parmelee*  
*Taylor Colvin*

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Thursday, April 26, 2018

7:00 PM

Harrigan Centennial Hall

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**I. CALL TO ORDER AND ROLL CALL**

**II. CONSIDERATION OF THE AGENDA**

**III. CONSIDERATION OF THE MINUTES**

**A**     [PM-43](#)     Approval of the April 3, 2018 meeting minutes.

*Attachments:* [4.3.18 draft](#)

**B**     [PM-44](#)     Approval of the April 12, 2018 meeting minutes.

*Attachments:* [4.12.18 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**

**C**     [MISC 18-14](#)     Director's Report - April 26

**VI. REPORTS**

**VII. THE EVENING BUSINESS**

**D**     [P 18-05](#)     Public hearing and consideration of a minor subdivision request to result in two lots for 738 Alice Loop in the WD Waterfront District. The property is also known as Lot 4 Charlie Joseph Subdivision. The request is filed by Chris McGraw for CJS Property LLC. The owner of record is CJS Property LLC.

*Attachments:* [P18-05.738Alice.FinalPlat.Packet.20Apr2018](#)

- E**      [P 17- 07](#)      Public hearing and consideration of a subdivision replat to result in one lot at 1319 and 1321 Sawmill Creek Road. The properties are also known as US Survey 2729 and Lot 3 Burkhart Subdivision Lot Line Adjustment. The request is filed by Vicki Brown. The owner of record is Eagle Bay Inn, LLC.  
*Attachments:* [P17-07.1319.1321SMC.Packet.20Apr2018](#)
- F**      [ZA 18-07](#)      Public hearing and consideration of a proposed amendment to Sitka General Code Title 22 Zoning regarding permitted, conditional, and prohibited uses in the R Recreational District. The request is filed by Ted Laufenberg and Dawn Young.  
*Attachments:* [ZA18-07.RecreationAmendments.Packet.20Apr2018](#)
- G**      [CUP 18-07](#)      Public hearing and consideration of a conditional use permit for a short-term rental at 116 Knutson Drive in the R-2 multifamily residential district. The property is also known as Lot 17A Knutson Subdivision Phase III Lot Line Adjustment. The request is filed by Michael Finn. The owners of record are Michael and Elizabeth Finn.  
*Attachments:* [CUP18-07.116Knutson.STR.Finn.Packet.20Apr2018](#)
- H**      [CUP 18-09](#)      Public hearing and consideration of a conditional use permit for a short-term rental on a boat at Eliason Harbor T4-36, 730 Siginaka Way, in the P Public Zone. The property is also known as Alaska Tideland Survey 1496. The request is filed by Cameo Padilla and Brooks Areson. The owners of record are the City and Borough of Sitka, Cameo Padilla, and Brooks Areson.  
*Attachments:* [CUP18-09.EliasonT4-36.packet.20Apr2018](#)
- I**      [CUP 18-11](#)      Public hearing and consideration of a conditional use permit request for a bed and breakfast at 424 Andrews Street in the R-1 single family and duplex residential district. The property is also known as Lot 12 and Portion of Lot 11 Block 26 Spruce Glen Subdivision. The request is filed by Sheila Finkenbinder. The owner of record is Sheila Finkenbinder.  
*Attachments:* [CUP18-11.424Andrews.packet.20Apr2018](#)
- J**      [CUP 18-12](#)      Public hearing and consideration of a conditional use permit for a short-term rental at 105 Wolff Drive in the R-1 single family and duplex residential district. The property is also known as Lot 2 Block 3 Amended Resubdivision of Lots 1, 2, 3, 4 of Block 3 and Pt of Wolff Drive, Ted Wolff Subdivision. The request is filed by Florence Benton. The owners of record are Bobby and Florence Benton.  
*Attachments:* [CUP18-12.105Wolff.Benton.packet.20Apr2018](#)

- K**      [VAR 18-05](#)      Public hearing and consideration of a variance request for 311 Cascade Street in the R-1 single family and duplex residential district. The request is for the reduction in the front setback from 20 feet to 16 feet and the side setback from 5 feet to 4 feet for the construction of an attached garage with second dwelling unit. The property is also known as Lot 38 Block B Moore Memorial Addition. The request is filed by Alexander Weissberg and Jennifer Klejka. The owners of record are Alexander Weissberg and Jennifer Klejka.

**Attachments:**   [VAR18-05.311Cascade.packet.20Apr2018](#)

## **VIII.      ADJOURNMENT**

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

*Publish: April 18 and 19*



# CITY AND BOROUGH OF SITKA

## Legislation Details

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**File #:** PM-43      **Version:** 1      **Name:**  
**Type:** Planning Minutes      **Status:** AGENDA READY  
**File created:** 4/11/2018      **In control:** Planning Commission  
**On agenda:**      **Final action:**  
**Title:** Approval of the April 3, 2018 meeting minutes.  
**Sponsors:**  
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**Code sections:**  
**Attachments:** [4.3.18 draft](#)

Date	Ver.	Action By	Action	Result
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# CITY AND BOROUGH OF SITKA

## Minutes - Draft

### Planning Commission

*Chris Spivey, Chair*  
*Darrell Windsor, Vice Chair*  
*Randy Hughey*  
*Richard Parmelee*  
*Taylor Colvin*

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Tuesday, April 3, 2018

7:00 PM

Harrigan Centennial Hall

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#### I. CALL TO ORDER AND ROLL CALL

Commissioner Parmelee called the meeting to order at 7:05 PM.

Present: Spivey (phone), Hughey, Parmelee, Colvin, Bean (alternate Assembly liaison)

Absent: Windsor, Knox (Assembly liaison) - excused

Staff: Michael Scarcelli - Planning and Community Development Department Director, Maegan Bosak - Community Affairs Director, Samantha Pierson - Planner I

#### II. CONSIDERATION OF THE AGENDA

#### III. CONSIDERATION OF THE MINUTES

#### IV. PERSONS TO BE HEARD

#### V. PLANNING DIRECTOR'S REPORT

Scarcelli thanked everyone who participated in the 2.5 year comprehensive plan process.

#### VI. REPORTS

#### VII. THE EVENING BUSINESS

##### A [MISC 18-09](#)

Final discussion and recommendation of approval of the Sitka Comprehensive Plan 2030.

Bosak gave an overview of the public review period and introduced the draft comprehensive plan. Bosak has updated the formatting of the plan document. Bosak reviewed the city's mission statement and intent of the comprehensive plan. Uses of the comprehensive plan include land management guidance, grant applications, and decisions of the Planning Commission and Assembly. Updates of the Sitka General Code can be a natural next step after completing and adopting the comprehensive plan. Bosak gave an overview of the public participation that developed the plan.

Bosak reviewed the priority action steps as written in the following chapters: Economic Development; Housing; Historical, Cultural, and Arts Resources; Borough Facilities; Transportation; Parks, Trails, and Recreation; and Land Use. Bosak clarified that priority actions were determined from public input and in consideration of the fiscal climate.

Spivey stated that he liked the new draft and didn't have anything to add. Hughey stated that the plan is good work but stated that demographic trends are a result of the choices the municipality makes. Hughey stated that affordability, particularly with housing, is key in attracting and keeping young families. Hughey stated that Alaskans will have to pay taxes. Parmelee stated that economic development should be prioritized over creating new taxes. Spivey called point of order and stated that taxes are an Assembly decision and not in the Planning Commission's purview. Bean stated that the Assembly will soon be looking and funding sources related to fisheries resources. Bean stated that the Assembly sets its priorities on an annual basis and has concerns with setting these priorities in the comprehensive plan. Colvin stated that attention needs to be paid to updating aging infrastructure, as it undergirds each of the other sections. Parmelee stated that infrastructure can be tied into economic development. Hughey stated that the priority actions are a target and a goal, and it's okay to identify more goals than can be accomplished. Parmelee stated that we have to think big and achieve what we can. Bosak reminded commissioners that the comprehensive plan is a living document with annual reports to the Planning Commission and Assembly and amendments to be made when necessary. Hughey requested that Land Use action LU 6.2 be amended to state that land use conflicts be "reduced." Bean stated concern for "reducing" land use conflict and changing the rules on property owners who bought their lands under previous zoning. Bosak clarified that the current wording is to "prevent," which is future-forward. Scarcelli discussed the rights of legal nonconforming uses and structures when zoning is changed.

Charles Bingham would like to see more focus on agricultural opportunity than provided by Land Use action LU 7.8, and stated that we have a very food insecure community. Bingham stated support for reducing speed limits in Transportation action T 3.3. Bingham would like to see more financial support from the city for public transit. Bingham would like to see steps included to implement the Climate Change Action Plan.

Ted Laufenberg spoke on behalf of the Baranof Warm Springs Property Owners Association. Laufenberg requested that the comprehensive plan not support a hatchery near Baranof Warm Springs, and stated that a hatchery is incompatible with the Recreation Zone. Laufenberg stated that a secondary water supply at Indian River would do "just fine." Laufenberg would like to see more support for transition to electric vehicles, possibly including charging stations.

Kent Barkhau clarified that the technical plan is part of the comprehensive plan, and Bosak stated affirmatively. Barkhau wished the comprehensive plan highlighted the Climate Action Plan more, such as supporting conversion from oil to electric. This conversion would keep more money local and increase revenue to the electric fund. Barkhau stated that he found the comprehensive plan and technical plan to be accessible to the reader.

Parmelee asked about the potential for gardening in the benchlands area. Scarcelli stated that staff are working on code edits related to agriculture and horticulture. Hughey asked about how to handle amendments, such as relating to the Baranof Warm Springs hatchery. Bosak stated that staff are seeking direction from the

commission regarding any changes. Scarcelli stated that the hatchery item came from the Coastal Management Plan, and a change in the Comprehensive Plan could override the prior direction. Bosak gave some background on the recent Baranof Warm Springs hatchery decision.

**Hughey/Spivey moved to strike language describing a hatchery as a compatible use at Baranof Warm Springs. Motion passed 4-0.**

Bosak clarified that the hatchery cited in the Coastal Management Plan is only a potential hatchery resulting from a joint venture of the state and NSRAA. Bosak recommended clarifying language in the technical document. Scarcelli stated that there are important discussions to be had regarding zoning and potential uses of the Recreation Zone. Bean asked about the Coastal Management Zone's citation of only allowing a hatchery run by the state and NSRAA. Bosak clarified that this item pertains to state lands that are out of the city's jurisdiction.

Ted Laufenberg stated that three hatchery proposals have been denied for the area. Laufenberg stated that NSRAA's Hidden Falls hatchery does not have good return, so they would not be interested in another hatchery in the vicinity. Laufenberg stated that water is already limited and the community does not want a hatchery in the bay. Laufenberg would like to see the language stricken. Laufenberg stated that overall, it's a great plan.

Bosak stated that NSRAA has no interest in another hatchery in the vicinity at this time. Colvin stated that he works for NSRAA and wanted to put the disclosure on the record.

Colvin asked if the items CBS is responsible for will be divided by department, and Bosak replied that many departments collaborate on many items as guided by the Assembly.

Bosak announced the Assembly worksession and ordinance hearing. Bean encouraged the commission to come and show their support to the Assembly and communicate their flexibility to make changes.

**Spivey/Huguey moved to recommend approval of the comprehensive plan. Motion passed 4-0.**

## **VIII. ADJOURNMENT**

**Hughey/Colvin moved to adjourn at 8:25 PM. Motion passed 4-0.**

**ATTEST: \_\_\_\_\_**  
**Samantha Pierson, Planner I**



# CITY AND BOROUGH OF SITKA

## Legislation Details

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**File #:** PM-44      **Version:** 1      **Name:**  
**Type:** Planning Minutes      **Status:** AGENDA READY  
**File created:** 4/11/2018      **In control:** Planning Commission  
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**Title:** Approval of the April 12, 2018 meeting minutes.  
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Date	Ver.	Action By	Action	Result
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# CITY AND BOROUGH OF SITKA

## Minutes - Draft

### Planning Commission

*Chris Spivey, Chair*  
*Darrell Windsor, Vice Chair*  
*Randy Hughey*  
*Richard Parmelee*  
*Taylor Colvin*

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Thursday, April 12, 2018

7:00 PM

Harrigan Centennial Hall

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#### I. CALL TO ORDER AND ROLL CALL

Vice-Chair Windsor called the meeting to order at 7:01 PM.

**Present:** Windsor, Hughey, Parmelee

**Absent:** Spivey excused, Colvin - excused, Knox (Assembly liaison) - excused

**Staff:** Michael Scarcelli (Planning and Community Development Department Director), Samantha Pierson (Planner I)

#### II. CONSIDERATION OF THE AGENDA

Scarcelli recommended that items I and J be pulled due to lack of applicant signature and supporting documents. Commissioners agreed to pull the items. Scarcelli stated that public comment has been received on these items, and passed out copies to commissioners. Hughey clarified that interested parties can speak under Persons to be Heard.

#### III. CONSIDERATION OF THE MINUTES

##### A [PM-42](#) Approval of the March 22, 2018 meeting minutes.

Scarcelli presented a list of recommended changes to the minutes on the projector screen.

**Parmelee/Hughey moved to approve the March 22 minutes with the changes recommended by Scarcelli. Motion passed 3-0.**

#### IV. PERSONS TO BE HEARD

No public comment.

#### V. PLANNING DIRECTOR'S REPORT

##### [MISC 18-13](#) Director's Report - April 12

Scarcelli presented a chart showing the increase of short-term planning projects over recent years.

**VI. REPORTS****VII. THE EVENING BUSINESS****B**     [MISC 18-12](#)

Public hearing and consideration of the Sitka Hazard Mitigation Plan, specifically regarding the mitigation strategy action steps.

Consultant Jill Missal gave an overview of the purpose of the hazard mitigation and the process thus far. Action projects have been identified and need to be prioritized. A public comment period will be open when the draft is complete. Missal reviewed the identified projects: stormwater system repair and upgrade, Gavan Hill landslide mitigation, public education campaign, data collection plans and systems, CERT team development, and improving food security for vulnerable populations.

Joel Hanson stated support for prioritizing the food security item, as we're only a few barges away from disaster. Hansen stated that the community has a lack of good topsoil and chips, and the city should consider providing these in piles for interested individuals. Hanson stated that the 2010 plan lacks attention to wildfire risk.

Kent Barkhau stated support for food security prioritization, and likes the idea of a city-sponsored compost site. A secondary benefit of local production is a reduction in fossil fuels expended on transit.

Cindy Thomas asked about plans for medication stockpiling. Missal stated that is addressed through Strategic National Stockpile. Thomas asked about the timeline for getting supplies to Sitka, and stated that she didn't know off-hand but there are regular drills as well as regional plans in place.

Hughey asked about the adequacy of the tsunami warning system, and Missal stated that the system has been upgraded, and the planning team did not believe the need to include any upgrades in the plan.

Adam Chinalski stated interest in early warning systems for landslides and preventing disaster. Chinalski commented that trees are weighing down the hillside. Missal stated that the data collection is the early stage of working toward possible early prediction systems. Missal estimated that data collection and devising a system would likely be roughly a 10 year project. Missal stated that some avalanche-prone jurisdictions have decided not to install diversion infrastructure due to infrastructure. Data collection and study is necessary before determining next steps. Chinalski suggested selective logging as a preventative measure.

Kent Barkhau stated that the whole community is a vulnerable population, as everyone eats.

Cindy Thomas asked what is in place for the sick and elderly who need assistance in the case of community emergency, and stated that she has been informed that this is currently a low priority. Scarcelli stated that we might not have all the answers tonight but we will look at these concerns.

Parmelee stated that long-range planning is looking at buildable areas.

Windsor asked about the next public comment period, and Missal outlined future opportunities for input.

**C**     [P 18-05](#)

Public hearing and consideration of a minor subdivision request to result in two lots for 738 Alice Loop in the WD Waterfront District. The property is also known as Lot 4 Charlie Joseph Subdivision. The request is filed by Chris McGraw for CJS Property LLC. The owner of record is CJS Property LLC.

Pierson gave an overview of the request. Both proposed lots exceed the 6000 square foot minimum lot size and 60 foot minimum lot width requirements. Utilities are provided via two existing easements and one proposed easement. Conditions of approval require that an easement agreement be recorded for the new easement, and that all easements be cited in plat notes. Comprehensive plan discussion has included reducing lot sizes, but these proposed lots sizes are allowable under current Sitka General Code. Staff recommend approval subject to conditions of approval.

McGraw stated that he and his ex-wife own the LLC. She lost a home in the landslide. He proposes to own and build on one lot and she will own and build on the other.

Bob Hunter lives at 721 Alice Loop and has concerns for parking. Scarcelli clarified that on-site parking has to be provided on-site but that concern is out of the purview of subdivision.

Caprice Pratt from 753 Alice Loop thought that the lot was restricted by covenant or rezoned. Scarcelli stated that a rezone was proposed but denied. Scarcelli stated that covenants were recorded, and private covenants are different than public zoning. The Waterfront District allows lot sizes at a minimum of 6000 square feet.

Richard Doland stated that he owns land on Alice Loop and thinks there's a difference in what's legally right and what's morally right. Current owners have invested a lot in their properties but we shouldn't make all of our land into substandard lots. Doland believes this is one of the best subdivisions in town and the proposal would drive down the quality of the neighborhood.

Andy Nye owns adjacent lot 9 and is concerned that the reduced lot size would push structures toward his property, and he purchased the lot as it was.

Travis Vaughan owns Remax Baranof Realty, the listing agency for the vacant lots. Vaughan does not believe this proposal would reduce the value of other lots in the neighborhood, although he understands the concerns of neighbors.

C. Pratt stated that the primary concern isn't for the monetary value but for the lifestyle value.

Steven Morrison stated that he owns a vacant lot on the waterfront and is concerned for increased congestion.

Scarcelli stated that this is not a substandard proposal, and the property owner could build a duplex. Scarcelli stated that morality isn't under the purview of the commission, but the law is being followed. Scarcelli stated that owners have the reasonable expectation to use their lots in line with the law.

A. Nye had questions about eaves over the easement. Scarcelli stated that it depends if the utilities are underground or aboveground. McGraw clarified that the easement is for water and sewer. McGraw stated that he does not intend to ask for any variances. Hughey clarified that the commission would not look favorably upon a variance request.

Hughey stated that he does not see a legal basis for denying the request. Scarcelli clarified that code amendments may result in reduced setback standards.

Charles Morgan stated that their covenants gave the illusion that they were buying into a residential neighborhood. Scarcelli stated that there is a very restrictive covenant on the outside lots, and separate less restrictive covenants on the inside lots.

Hughey stated that he doesn't see anything immoral about a 6000 square foot lot. Parmelee stated that any concerns for illusions should be raised with the developer.

**Hughey/Parmelee moved to approve the preliminary plat for a minor subdivision request to result in two lots for 738 Alice Loop in the WD Waterfront District. The property is also known as Lot 4 Charlie Joseph Subdivision. The request is filed by Chris McGraw for CJS Property LLC. The owner of record is CJS Property LLC.**

**Conditions of Approval.**

- 1. All utilities, including water, sewer, and electricity shall be required to have an approved permit from the municipality; and all utility permits and design shall comply with all applicable code and design polices including, but not limited to 15.04.100, 15.04.110, 15.04.240, and 15.04.250.**
- 2. This subdivision development and the plat, prior to recording, complies with all applicable Sitka General Code.**
- 3. Please note: Minor errors, corrections, and language of plat notes, may be approved by the Planning Director that do not substantially and materially impact the nature of the subdivision.**
- 4. All applicable state, federal, and tribal permits, licenses, regulations, and statutes shall be followed in subdividing this land.**
- 5. Charlie Joseph Subdivision covenants should be cited in a plat note.**
- 6. An easement maintenance agreement for the proposed utility easement along the westerly side of proposed Lot 4B shall be recorded.**
- 7. All easement agreements will be cited via plat notes.**

**Motion passed 3-0.**

**Hughey/Parmelee moved to find that:**

- a. The preliminary plat meets its burden of proof as to access, utilities, and dimensions as proposed;**
- b. That the proposed minor subdivision preliminary plat complies with the Comprehensive Plan Section 2.4.19 by going through the required subdivision process;**
- c. That the proposed minor subdivision preliminary plat does complies with subdivision code; and**
- d. That the minor subdivision preliminary plat is not injurious to the public health, safety, and welfare.**

**Motion passed 3-0.**

**D**      [CUP 18-08](#)

Public hearing and consideration of a conditional use permit for a short-term rental at 110 Sand Dollar Drive in the R-1 single-family and duplex residential district. The property is also known as Lot 2 Sandy Beach Subdivision. The request is filed by Jeremy and Savannah Plank. The owners of record are Jeremy and Savannah Plank.

Pierson described the request for short-term rental of one unit in an owner-occupied duplex. Applicants have addressed garbage, noise, and parking concerns. Primary staff concerns are for the property's classification as being in a moderate risk landslide zone according to the February 2016 Shannon and Wilson report. Staff discussed the possibility of requiring that the owner provide disclosure of this risk to all short-term



tenants, but staff acknowledged that disclosure does not remove the risk to human lives. This is the first conditional use permit request received for the area mapped by the Shannon and Wilson report. Staff recommend that the Planning Commission carefully consider the risk to public health and safety when considering approval of the permit.

Jeremy Plank does not believe this will be a problem for the neighborhood. Plank stated that it is his opinion is that there is not high risk, although he is not qualified to say for sure. Windsor asked about bear management, and Plank stated that garbage will be kept indoors. Parmelee stated that no one really knows when and if landslides will occur. Scarcelli discussed disclosure being written in the rental agreement. Jeremy Plank asked if flood and tsunami risks face the same disclosure requirement, and he believes disclosure could harm marketability of the unit. Parmelee stated that he does not have significant concerns for this particular location. Scarcelli stated that tourists aren't likely to do their due diligence. Plank stated that there are risks everywhere and disclosure requirements are a slippery slope.

Scott McArthur stated that there is no clear definition of what low, medium, and high risk actually means. The applicant's next door neighbor could apply for the same permit in the low risk zone without such scrutiny.

Hughey stated that there is a rational basis for risk under certain conditions. Hughey stated that most days of the year, the property is not at risk. Hughey stated that tsunami risk is greater risk to other properties than the landslide risk to this home. Windsor stated that this neighborhood has been singled out when other properties may be at higher risk but aren't mapped.

**Parmelee/Hughey moved to approve the conditional use permit for a short term rental at 110 Sand Dollar Drive in the R 1 single family and duplex residential district. The property is also known as Lot 2 Sandy Beach Subdivision. The request is filed by Jeremy and Savannah Plank. The owners of record are Jeremy and Savannah Plank.**

**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 every year, 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 has begun 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 bed 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 against the risk and impact of bears from the short term rental, the property owner shall assure all trash is deposited in trash receptacles that are stored in bear proof areas (whether enclosed garage or other bear proof area) and only placed on street for collection after 4 AM on trash collection**

day. Should this condition not be followed the CUP shall be revoked.

8. To mitigate against 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 on-street 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, appropriate access, parking, trash management, noise control, and a general admonition to respect the surrounding residential neighborhood.

12. 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.

13. Failure to comply with any of the above conditions may result in revocation of the conditional use permit.

Motion passed 3-0.

Parmelee/Hughey moved to find that:

1. ...The granting of the proposed conditional use permit will not:

a. Be detrimental to the public health, safety, and general welfare, specifically, policies and procedures will be communicated and enforced to protect the neighborhood;

b. Adversely affect the established character of the surrounding vicinity, specifically, the unit will continue to operate as a duplex, now with on-site management to monitor for behavior that may impact the neighborhood; 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, specifically, the property accesses directly from a public street and provides on-site parking.

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, conforms to Comprehensive Plan Section 2.2.1 which emphasizes supporting "economic activities which contribute to a stable, long-term, local economic base" by allowing local homeowners to launch a small business and participate in the tourism industry and Section 2.6.2(K), which supports "development of facilities to accommodate visitors" that do not negatively impact surrounding residential neighborhoods, by operating a short-term rental with requirements to mitigate concerns for traffic, odors, and noise.

3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced, specifically that on-site owners can monitor for infractions and take necessary action.

Motion passed 3-0.

**E**      [P 18-07](#)

Public hearing and consideration of an easement vacation request filed for Middle Island in the LI Large Island zone. The request would reduce the pedestrian access easement from 50 feet to 25 feet. The property is known as Lots 3, 4, 5 Block 1 Middle Island Subdivision. The request is filed by Michael Coady. The owner of record is Michael Coady.

Parmelee disclosed that he is a nearby property owner but believed he could act fairly.

Pierson described the request for a vacation of 25 feet of a 50 foot public pedestrian access easement along the seaward boundary of lots 3, 4, and 5. This request is related to a lodge conditional use permit granted in late 2017. The house and helicopter pad encroach into portions of the easement on lot 3. The easement is maintained by

Alaska DNR, and the Planning Commission consultation is part of DNR's decision-making process. Scarcelli discussed topography of the easement. Scarcelli stated that all Alaskans own the tidelands and should have access. Staff recommends approval of a vacation of 25 feet of the easement only along the boundary of lot 3, as that is the only lot with encroaching structures.

Denton Pearson represented Mike Coady. Pearson encouraged the commission to approve the application as submitted, with the understanding that the state will have their own input. Pearson stated that they don't want the request nicked and dined. Pearson pointed to the aerial map and stated that public accessing would find the inconsistency of the easement size to be confusing. Pearson stated that 25 feet is sufficient for public access. Pearson argued that the commission's CUP requirement that lots stay in common ownership essentially makes the 3 lots into 1 lot. Mike Coady thanked the commission for their consideration.

Travis Vaughan stated that Coady has done everything that he has been asked to do.

Parmelee stated familiarity with the property and previous owners, and that no one goes there anyway. Scarcelli cited the public trust doctrine, and stated that compromise tends to get to the finish line faster. Scarcelli discussed the idea of offering the existing trail as best alternative means of access. Pearson clarified the area of proposed reduction.

Windsor stated that he didn't see a problem and Parmelee agreed. Hughey stated that 25 feet is wider than a road.

**Hughey/Parmelee to approve the easement vacation request filed for Middle Island. The request would reduce the pedestrian access easement from 50 feet to 25 feet. The property is known as Lots 3, 4, 5 Block 1 Middle Island Subdivision. The request is filed by Michael Coady. The owner of record is Michael Coady.  
Motion passed 3-0.**

**Hughey/Parmelee moved to find that:**

- a. The vacation meets its burden of proof as to access, utilities, and dimensions;**
- b. That the vacation complies with the Comprehensive Plan Section 2.4.19 by going through the required public hearing process;**
- c. That the vacation complies with the subdivision code; and**
- d. That the vacation is not injurious to the public health, safety, and welfare.**

**Motion passed 3-0.**

BREAK 9:00-9:10

**F**      [ZA 18-05](#)

Discussion, direction, and decision regarding proposed amendments to Sitka General Code Title 18 Property Acquisition and Disposal, specifically 18.16.050, 18.16.060, and 18.16.110. These code amendments relate to Planning Department application fees. Discussion will also include recommendation of adoption of an updated fee schedule as outlined in Sitka General Code Title 21 Subdivision Code 21.52 and Title 22 Zoning 22.30. The applicant is the City and Borough of Sitka Planning and Community Development Department.

Pierson gave an overview of the request for fee updates. The current fee schedule used is dated 2000 but some fees are the same as in 1980. Staff reviewed current fees, a conservative estimate of what applications actually cost in staff and public notice costs, and proposed fee updates. Staff presented a comparison of fees across various municipalities in Alaska, noting that Sitka is at the bottom. Zoning and platting fees are approved by the Assembly by simple motion, while leasing fees require an ordinance for a Sitka General Code amendment.

Windsor has concerns for people who don't have money for copies. Parmelee suggested a two-step increase starting with D and progressing to C after a certain amount of time. Scarcelli pointed out that suggested plat fees seem high, but surveyors charge for their services and plats are costly to process.

Adam Chinalski stated that permit fees add to the cost of development, possibly causing deterrents for people to apply for permits. Chinalski stated that he would like the city to get paid for its time but the proposal is a big jump. Chinalski recommended gradual increases.

Larry Edwards stated support for increasing rates and reducing nuisance filings.

Claus Stope asked about the reason that fees haven't been raised in decades. Scarcelli stated that a proposal in recent years was set aside because of an anti-fee increase climate. Phase 1 half of D, phase 2 D, phase 3 average of C and D. Parmelee recommended a fourth step to get to full C.

Hughey stated that in the past we had money from oil, and raised the question of timing. Scarcelli recommended increases on the fiscal year, starting with half of D at the beginning of FY 2019. Hughey recommended rounding to nice numbers.

Larry Edwards recommended accounting for inflation in the four phase plan.

**Hughey/Parmelee moved to recommend approval of a four-phase fee increase, one phase each fiscal year, starting with FY19. Phase 1 half of - option D, phase 2 - option D, phase 3 average of options C and D, and phase 4 - option C. Motion passed 3-0.**

**G**      [ZA 18-08](#)

Discussion, direction, and decision regarding proposed amendments to Sitka General Code Title 21 Subdivision Code and Title 22 Zoning, specifically 21.40.030, 21.40.110, 21.40.120, 21.40.130, 21.40.140, 22.20.030, 22.20.035, 22.20.038, and 22.20.040. The proposal concerns amendments to zoning and subdivision development standards. The request is filed by the City and Borough of Sitka Planning and Community Development Department.

Scarcelli handed out an updated packet including memo and proposed development standards. Scarcelli reviewed maps of nonconforming properties. 83% of Cascade Street properties and 90% of Biorka Street properties are nonconforming. Smart Growth America consultants recommended reducing lot sizes to 6000 square feet. Scarcelli recommended a 2-phase approach to make development standard reductions then conduct further study about possible additional amendments. Scarcelli displayed and discussed site plans of current and proposed development standards. Setback reductions will reduce development costs and allow space for features such as accessory dwelling units. Scarcelli discussed proposed case-by-case exceptions for legal nonconforming lots that don't meet the proposed standards. Hughey stated appreciation for the flexibility proposed for existing properties. Parmelee stated that he liked the idea but would like more time to read the proposal and give some good

thought.

Larry Edwards stated that island rezoning historically was contentious, and he does not recommend reducing island square footage any further. Edwards had concern for increasing height in the Central Business District to 65 feet for viewshed impacts. Parmelee stated that island property typically isn't flat, so more area is needed to provide buildable space.

Scarcelli clarified that Smart Growth America advised a height of 75-100 feet in CBD, and 65 feet was a compromise offering. Scarcelli stated that SGA also recommended certain zoning with 1500-2000 square foot lots. Scarcelli stated that there was comprehensive plan discussion regarding opening up an island property.

Adam Chinalski stated that his daughter bought a home in Washington on a 3500 square foot lot. The property has a house, garage, and yard space. Chinalski stated that there is a market for small homes on small lots. Chinalski stated that he has dreamed about owning an island property but properties are pricey. Chinalski stated interest in smaller island lots that are more affordable.

Hughey stated that staff is on the right track but there's a lot to consider. Scarcelli encouraged commissioners to give any direction and feedback.

**Hughey/Parmelee moved to postpone the item until the next meeting. Motion passed 3-0.**

**H**      [ZA 18-09](#)

Discussion, direction, and decision regarding proposed amendments to Sitka General Code Title 22 Zoning, specifically 22.08.025, 22.16.015, 22.20.035, and 22.20.160. The proposal concerns amendments to accessory dwelling unit standards. The request is filed by the City and Borough of Sitka Planning and Community Development Department.

Scarcelli handed out an updated packet, with one change to require adequate moorage for island properties. Modeled after Vancouver who is doing ADUs best. Increase units for tourist and supply of affordable housing.

Acknowledging the late hour, commissioners discussed postponing the item until the next meeting.

**I**      [ZA 18-10](#)

Discussion, direction, and decision regarding a proposed amendment to the zoning map to rezone 501, 509, and 517 Granite Creek Road, 4702 Halibut Point Road, and an unaddressed parcel uplands of Halibut Point Road from C-2 General Commercial Mobile Home District and R-1 Single Family and Duplex Residential District to I Industrial. The properties are also known as Lot 63 US Survey 3475, Lots 1, 2, and 3 of Granite Creek Quarry Subdivision, and a portion of Lot 1 US Survey 3670. The request is filed by the City and Borough of Sitka Planning and Community Development Department. The owners of record are the City and Borough of Sitka and Roger and Judith Sudnikovich.

Item was pulled.

**J**      [CUP 18-10](#)

PULLED - Public hearing and consideration of a conditional use permit for a quarry at 4660, 4670, and 4702 Halibut Point Road in the Industrial District.

The property is also known as Lot 63 US Survey 3475, Lot 1A USS 3670 Subdivision, and Lots 61A and 62A S&S Subdivision. The request is filed by Roger Sudnikovich. The owners of record are Roger, John, and Judith Sudnikovich.

Item was pulled.

#### **VIII. ADJOURNMENT**

Vice-Chair Windsor adjourned the meeting at 10:14 PM.

**ATTEST:** \_\_\_\_\_  
Samantha Pierson, Planner I



# CITY AND BOROUGH OF SITKA

## Legislation Details

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**File #:** MISC 18-14    **Version:** 1    **Name:**  
**Type:** P&Z Miscellaneous    **Status:** AGENDA READY  
**File created:** 4/11/2018    **In control:** Planning Commission  
**On agenda:**    **Final action:**  
**Title:** Director's Report - April 26  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:**

Date	Ver.	Action By	Action	Result
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# CITY AND BOROUGH OF SITKA

## Legislation Details

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**File #:** P 18- 05      **Version:** 1      **Name:**

**Type:** Subdivision      **Status:** AGENDA READY

**File created:** 3/8/2018      **In control:** Planning Commission

**On agenda:**      **Final action:** 4/12/2018

**Title:** Public hearing and consideration of a minor subdivision request to result in two lots for 738 Alice Loop in the WD Waterfront District. The property is also known as Lot 4 Charlie Joseph Subdivision. The request is filed by Chris McGraw for CJS Property LLC. The owner of record is CJS Property LLC.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [P18-05.738Alice.FinalPlat.Packet.20Apr2018](#)

Date	Ver.	Action By	Action	Result
4/12/2018	1	Planning Commission		
4/12/2018	1	Planning Commission		





# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

*Coast Guard City, USA*

## Planning and Community Development Department

Case No: P 18-05  
Proposal: Final plat – minor subdivision to result in 2 lots  
Applicant: CJS Property LLC  
Owner: CJS Property LLC  
Location: 738 Alice Loop  
Legal Desc.: Lot 4 Charlie Joseph Subdivision  
Zone: WD Waterfront District  
Size: Existing: 12,358 square feet  
Proposed: Lot 4A - 6158 square feet, Lot 4B - 6200 square feet  
Parcel ID: 1-9014-004  
Existing Use: Undeveloped  
Adjacent Use: Residential, Commercial, Undeveloped  
Utilities: From Alice Loop and Easement  
Access: Alice Loop

### **KEY POINTS AND CONCERNS:**

- Lots meet dimensional development standards
- Access directly from public street
- Utilities provided by existing and proposed easements
- Creation of new lots could facilitate additional opportunity for development

**RECOMMENDATION:** Approve the final plat of the minor subdivision of 738 Alice Loop subject to the attached conditions of approval.

**ATTACHMENTS:**

Attachment A: Applicant Materials

Attachment B: Staff Materials

**UPDATE FROM 4/12/18 PRELIMINARY HEARING**

The Planning Commission recommended approval of the preliminary approval on a 3-0 vote. Several neighbors raised concerns for increasing density in the neighborhood and how that might impact community character and property values. Some neighbors asserted that the resulting lots would be substandard, but in fact the lots would not be substandard according to Sitka General Code. The lots are flat and buildable, and the applicant states that he will not seek variances. As a comparison, four neighboring properties (townhomes) are less than the 6000 square foot minimum as allowed by the planned unit development process. In addition, ten neighboring lots have received setback variances. It could be argued that if developed within setbacks as the applicant intends, the proposed lots would be some of the most code-conforming properties in the neighborhood.

Ultimately, the proposal is not a detriment to public health and safety and it complies with Sitka General Code and the Comprehensive Plan. Staff recommend approval.

**BACKGROUND:**

738 Alice Loop was created by Charlie Joseph Subdivision in 2017, recorded as plat 2017-16. The existing lot is 12,358 square feet. The property is currently undeveloped. Access is directly from Alice Loop.

According to the covenants recorded with Charlie Joseph Subdivision, the covenants shall bind future subdivisions of the properties. If this subdivision is approved, these covenants should be cited in a plat note.

**PROJECT DESCRIPTION:**

The proposed minor subdivision is intended to divide Lot 4 of Charlie Joseph Subdivision into two parcels, sized 6158 square feet (Lot 4A) and 6200 square feet (Lot 4B). Minimum lot size for WD is 6000 square feet and minimum width is 60 feet.<sup>1</sup> Both proposed lots meet these requirements. The existing lot is primarily flat and already cleared.

Two easements exist on the property: an 80 square foot utility easement on the front of proposed Lot 4A and a 10 foot utility easement spanning the entire front of proposed Lot 4B. A proposed 10 foot utility easement spans the westerly side of proposed Lot 4B. An easement agreement shall be recorded for the new easement and all easement agreements shall be cited by plat note.

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<sup>1</sup> SGC Table 22.20-1

## **Title 21**

The purposes of the subdivision regulations are: to promote and protect the public, health, safety and welfare; provide for appropriate roads, streets, and access; provide for useful, adequate and convenient open space; provide for means for efficient transportation, mobility, and access; assure adequate utilities; provide for emergency response accessibility; provide adequate recreation, light, and air; avoid population congestion; facilitate orderly development and growth; and accurate surveying.<sup>2</sup>

## **Title 22**

### **22.16.100 WD waterfront district.**

A. Intent. The waterfront district is intended to be applied to lands with direct access or close proximity to navigable tidal waters within the urban area of the city and borough. Uses are intended whenever possible to be water-dependent or water-related with particular emphasis on commerce, tourism, [commercial](#) or [industrial](#) enterprises which derive major economic or social benefit from a waterfront location.

### **Development Standards**

The minimum lot area for the WD District is 6,000 square feet. Minimum lot width is 60 feet.<sup>3</sup> Both lots meet these standards.

### **ANALYSIS:**

**Site:** Proposed lots to be 6158 square feet (Lot 4A) and 6200 square feet (Lot 4B). Both lots exceed the 60 foot width requirement, at 80.1 feet and 82.17 feet.

**Utilities:** Utilities are available from Alice Loop and via existing and proposed easement agreements as designated on the plat. A plat note states that the municipality shall be a party to all easements and no changes shall be made without municipal approval.

**Access, Roads, Transportation, and Mobility:** Both proposed lots would have direct access from Alice Loop, a public street. Applicant should contact Public Works to discuss any required driveway permits.

**Public, Health, Safety and Welfare:** Locations for utilities are planned via proposed platted easements. A condition of approval requires all utility installations to undertake the required permitting processes. No concerns.

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<sup>2</sup> SGC Section 21.04.020

<sup>3</sup> SGC Table 22.20-1

**Rec, Light, Air:** Lots meet development standards. Utility easements will help maintain setbacks. No concerns.

**Orderly and Efficient Layout and Development:** Access and utilities are provided, and proposed lot are similar, albeit somewhat smaller, than nearby lots. The same covenants that were recorded with the prior subdivision will be recorded with this subdivision. No concerns.

**Comprehensive Plan**

The proposed minor subdivision complies with Comprehensive Plan Section 2.4.19 by going through the required subdivision process.



### **Recommendation and Motions**

It is recommended that the Planning Commission adopt the staff analysis and findings and move to approve the minor subdivision final plat subject to conditions of approval.

- 1) **I move to approve** the final plat for a minor subdivision request to result in two lots for 738 Alice Loop in the WD Waterfront District. The property is also known as Lot 4 Charlie Joseph Subdivision. The request is filed by Chris McGraw for CJS Property LLC. The owner of record is CJS Property LLC.
  - a. Conditions of Approval.
    1. All utilities, including water, sewer, and electricity shall be required to have an approved permit from the municipality; and all utility permits and design shall comply with all applicable code and design polices including, but not limited to 15.04.100, 15.04.110, 15.04.240, and 15.04.250.
    2. This subdivision development and the plat, prior to recording, complies with all applicable Sitka General Code.
    3. Please note: Minor errors, corrections, and language of plat notes, may be approved by the Planning Director that do not substantially and materially impact the nature of the subdivision.
    4. All applicable state, federal, and tribal permits, licenses, regulations, and statutes shall be followed in subdividing this land.
    5. Charlie Joseph Subdivision covenants should be cited in a plat note.
    6. An easement maintenance agreement for the proposed utility easement along the westerly side of proposed Lot 4B shall be recorded.
    7. All easement agreements will be cited via plat notes.
- 2) **I move to find that:**
  - a. The final plat meets its burden of proof as to access, utilities, and dimensions as proposed;
  - b. That the proposed minor subdivision final plat complies with the Comprehensive Plan Section 2.4.19 by going through the required subdivision process;
  - c. That the proposed minor subdivision final plat does complies with subdivision code; and
  - d. That the minor subdivision final plat is not injurious to the public health, safety, and welfare.

# Attachment A

## Applicant Materials



**CITY AND BOROUGH OF SITKA**  
PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT  
GENERAL APPLICATION FORM

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

**APPLICATION FOR:**

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

**BRIEF DESCRIPTION OF REQUEST:** Create a minor subdivision of Lot 4 of the Charlie Joseph Sudivision.

**PROPERTY INFORMATION:**

CURRENT ZONING: WD PROPOSED ZONING (if applicable): NA  
CURRENT LAND USE(S): Vacant Land PROPOSED LAND USES (if changing): NA

**APPLICANT INFORMATION:**

PROPERTY OWNER: CJS Property LLC  
PROPERTY OWNER ADDRESS: 1915 Dodge Circle - Sitka, AK 99835  
STREET ADDRESS OF PROPERTY: 738 Alice Loop Road - Sitka, AK 99835  
APPLICANT'S NAME: Chris McGraw for CJS Property LLC  
MAILING ADDRESS: 1915 Dodge Circle - Sitka, AK 99835  
EMAIL ADDRESS: chrismcgraw@gmail.com DAYTIME PHONE: 907-738-9011

**PROPERTY LEGAL DESCRIPTION:**

TAX ID: 1-9014-004 LOT: 4 BLOCK: \_\_\_\_\_ TRACT: \_\_\_\_\_  
SUBDIVISION: Charlie Joseph Subdivision US SURVEY: \_\_\_\_\_

**OFFICE USE ONLY**

COMPLETED APPLICATION		SITE PLAN	
NARRATIVE		CURRENT PLAT	
FEE		PARKING PLAN	

## REQUIRED SUPPLEMENTAL INFORMATION:

### For All Applications:

- ☒ Completed application form
- ☐ Narrative
- ☒ Site Plan showing all existing and proposed structures with dimensions and location of utilities
- ☒ Deed
- ☒ Copy of current plat
- ☐ Proof of filing fee payment

### For Conditional Use Permit:

- ☐ Parking Plan
- ☐ Interior Layout

### For Plat/Subdivision:

- ☒ Three (3) copies of concept plat
- ☒ Topographic information
- ☒ Proof of Flagging
- ☒ Plat Certificate from a title company

### If Pertinent to Application:

- ☐ Drainage and Utility Plan
- ☐ Landscape Plan

## CERTIFICATION:

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

Owner

3-1-2018

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



Current Plat

**CERTIFICATE OF OWNERSHIP AND DEDICATION**  
 WE HEREBY CERTIFY THAT SHEE ATKA HOLDINGS ALICE ISLAND, LLC IS THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH OUR FREE CONSENT AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO THE PUBLIC USES AND PURPOSES.  
 DATE: 10/2/2017

**NOTARY'S ACKNOWLEDGMENT**  
 I, Chris Polson, Notary Public in and for the State of Alaska, do hereby certify that the foregoing is a true and correct copy of the original as presented to me for recording.

U.S. OF AMERICA  
 STATE OF ALASKA  
 CITY AND BOROUGH OF SITKA

THIS IS TO CERTIFY THAT ON THIS 1 DAY OF October, 2017, BEFORE ME, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND AN ACTING ASSISTANT NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED Chris Polson, known to me to be the identical individual(s) who executed the within plat and Chris Polson acknowledged to me that Chris Polson signed the same freely and voluntarily for the uses and purposes therein specified.

WITNESS MY HAND AND NOTARY SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST HEREIN WRITTEN.  
Chris Polson  
 NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA  
 MY COMMISSION EXPIRES March 2018

**CERTIFICATE OF PAYMENT OF TAXES**  
**FIRST JUDICIAL DISTRICTS**

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND AN ACTING ASSISTANT NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DO HEREBY CERTIFY THAT ACCORDING TO THE RECORDS IN MY POSSESSION, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS OF THE CITY AND BOROUGH OF SITKA, IN THE NAME OF Chris Polson, and that according to the records in my possession, all taxes assessed against said lands are paid in full, that current taxes for the year 2017 will be due on or before August 15, 2018, dated this 10 DAY OF Oct, 2017.  
Chris Polson  
 ASSISTANT NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA

**CERTIFICATE OF APPROVAL BY THE PLANNING COMMISSION**

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH OF SITKA PLANNING COMMISSION, AND THAT SAID PLAT HAS BEEN APPROVED BY THE COMMISSION BY PLAT RESOLUTION 10-23 DATED 10-23-2017, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT MAGISTRATE, EX-OFFICIO RECORDER, SITKA, ALASKA.  
Chris Polson  
 CHAIRMAN, PLANNING COMMISSION

**CERTIFICATE OF APPROVAL BY THE ASSEMBLY**

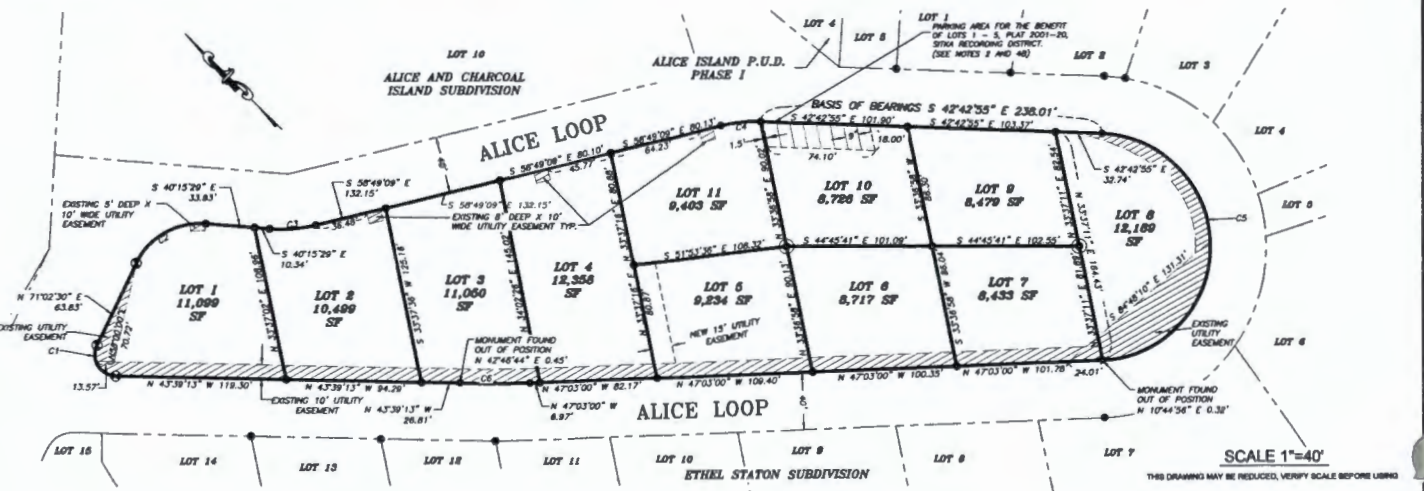
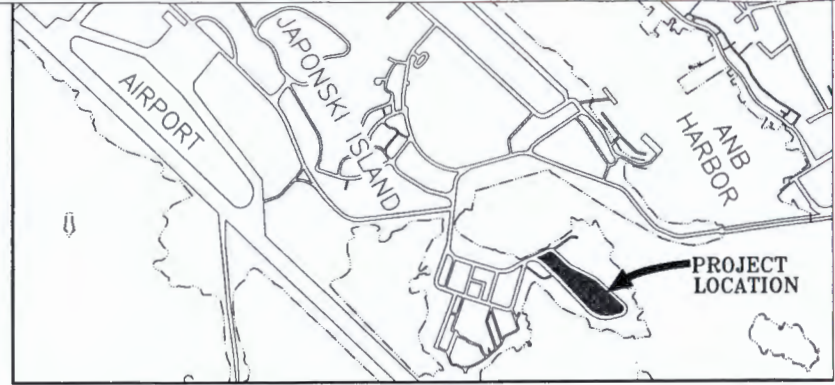
I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH OF SITKA ASSEMBLY, AS RECORDED IN MINUTE BOOK 22, PAGE 300, DATED March 29, 2017, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX-OFFICIO RECORDER, SITKA, ALASKA.  
Chris Polson  
 CLERK, CITY AND BOROUGH OF SITKA

**CERTIFICATE OF PAYMENT OF LOCAL IMPROVEMENT TAXES**

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND AN ACTING FINANCE DIRECTOR FOR THE CITY AND BOROUGH OF SITKA, DO HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS OF THE CITY AND BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE RECORDS IN THE NAME OF Chris Polson, and that according to the records in my possession, all L&S assessed against said lands are paid in full, that current taxes for the year 2017 will be due on or before August 15, 2018, dated this 10 DAY OF Oct, 2017, at SITKA, ALASKA.  
Chris Polson  
 FINANCE DIRECTOR  
 CITY AND BOROUGH OF SITKA

LOT #	EXISTING EASEMENT AREA (SF)	PROPOSED EASEMENT AREA (SF)	TOTAL EASEMENT AREA (SF)
1	1920		1920
2	1023		1023
3	827		827
4	801		801
5	1085	1072	2157
6	1003		1003
7	1049		1049
8	3780		3780
9			0
10		1296	1296
11	80		80

CURVE #	RADIUS	DELTA ANGLE	ARC LENGTH
C1	15.0'	114°41'43"	30.03'
C2	50.0'	86°42'01"	89.85'
C3	100.0'	18°33'40"	32.40'
C4	100.0'	18°08'14"	28.11'
C5	80.0'	175°39'55"	245.38'
C6	823.48'	72°34'47"	48.82'



### PLAT NOTES

- PURPOSE - THE PURPOSE OF THIS PLAT IS TO SUB-DIVIDE LOT 18 OF THE ETHEL STATION SUBDIVISION PLAT #2001-23 SITKA RECORDING DISTRICT.
- THE AREA DESIGNATED WITHIN LOT 10 OF THIS PLAT AS "PARKING AREA" IS HEREBY DEDICATED TO THE PUBLIC AS A PARKING AREA, WITH ALL DEFECTS, KNOWN AND UNKNOWN, TO PROVIDE THE PARKING FOR THE GUESTS OF THE OWNERS OF LOTS 1 - 5, PLAT 2001-20, SITKA RECORDING DISTRICT, FIRST JUDICIAL DISTRICT, STATE OF ALASKA AS DESCRIBED IN NOTE 6 OF SAID PLAT. THE DEDICATION HEREBY MADE OF THE PARKING AREA WITHIN LOT 10 OF THIS PLAT IS IN FULL AND COMPLETE SATISFACTION OF ALL OBLIGATIONS UNDER PLAT 2001-20 OR OTHERWISE TO PROVIDE PARKING.
- THE CITY AND BOROUGH OF SITKA SHALL BE DEEMED A PARTY TO ALL EASEMENTS SHOWN ON THIS PLAT AND THIS PLAT (INCLUDING WITHOUT LIMITATION THIS PLAT NOTE) SHALL NOT BE MODIFIED OR AMENDED WITH REGARD TO SUCH EASEMENTS IN ANY MANNER WITHOUT ITS CONSENT.
- REFERENCE THE FOLLOWING WITHIN THE SITKA RECORDING DISTRICT:
  - PLAT 2007-23 (UTILITY EASEMENTS OF RECORD.)
  - PLAT 2001-20 (PARKING EASEMENT OF RECORD SATISFIED BY THIS PLAT.)
- THE BASIS OF BEARINGS ARE RECORD BEARINGS AND REFERENCED TO THE AC SP3 AND 27 AS OUTLINED ON NOTE 3 OF THE PARKING AREA SUBDIVISION RECORDED AS THE ETHEL STATION SUBDIVISION PLAT 2007-23 SITKA RECORDING DISTRICT. ALL MONUMENTS RECOVERED THIS SURVEY WERE ACCEPTED IN THEIR ORIGINAL POSITIONS, UNLESS OTHERWISE NOTED.
- RESTRICTIVE COVENANTS ARE RECORDED AT THE SITKA RECORDING DISTRICT UNDER SERIAL NUMBER: 2017-00095-2.

### LEGEND

- SECONDARY MONUMENT RECOVERED
- PRIMARY MONUMENT SET THIS SURVEY
- REBAR AND ALUMINUM CAP SET THIS SURVEY
- DATA MEASURED, CALCULATED, AND RECORDED
- EXISTING PROPERTY LINE
- PROPOSED PROPERTY LINE
- PROPOSED EASEMENT
- EXISTING EASEMENT CREATED IN PLAT #2007-23

### SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR, LICENSED IN THE STATE OF ALASKA, AND THAT IN 2007 I WAS 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.

Chris Polson  
 CHRISTOPHER G. POLSON LS 107552  
 DATE: 10/2/2017

2017-16  
 Plat #  
 SITKA  
 Date  
 10-23-2017  
 Time 11:35 A



OWNER: SHEE ATKA HOLDINGS ALICE ISLAND, LLC  
 315 LINCOLN STREET, SUITE 300  
 SITKA, ALASKA 99835-7579  
 DATE: 10/2/17 DRAWN BY: RBK JOB NO: 162340  
 SCALE: 1"=40' APPROVED BY: C.C.P. SHEET 1 OF 1

Revisions	
No.	Description

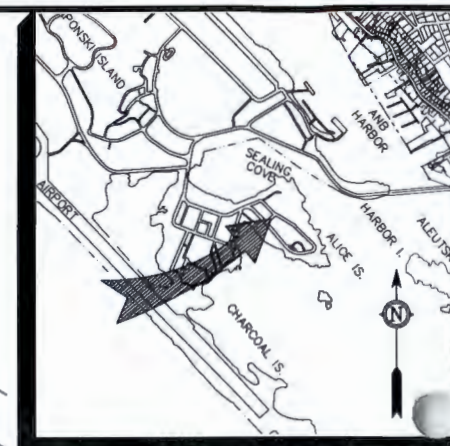
PROJECT: **CHARLIE JOSEPH SUBDIVISION**  
 SUBDIVISION LOT 16 OF THE ETHEL STATION SUBDIVISION

1 METER = 3.280833 U.S. SURVEY FEET  
 1 U.S. ACRE = 8.467 HECTARES  
 SITKA RECORDING DISTRICT

RAM ENGINEERING & SURVEYING, INC.  
 205 Columbia Lane West  
 Sitka, Alaska 99835  
 Phone: (907) 225-7917  
 Fax: (907) 225-3441  
 CRAND OFFICE  
 P.O. BOX 1773  
 CRAND, AK 99821  
 Phone: (907) 636-2394  
 Fax: (907) 229-3441



RECEIVED  
MAR 05 2018



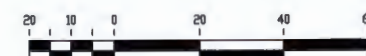
VICINITY MAP  
SCALE 1"=1,000'

# LEGEND

- PRIMARY CONTROL MONUMENT RECOVERED
- 1/4" GOLD PRIMARY BRASS CAP (RECOVERED)
- SECONDARY MONUMENT (SET)
- SECONDARY MONUMENT (RECOVERED)
- RECORDED DATA
- COMPUTED DATA
- MEASURED DATA

# NOTES:

- THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE LOT 4 CHARLIE JOSEPH SUBDIVISION, INTO TWO LOTS.
- THE MUNICIPALITY IS PARTY TO ALL EASEMENTS AND PLAT NOTES. THEY SHALL NOT BE MODIFIED WITHOUT APPROVAL OF THE PLATTING BOARD. THERE SHALL BE NO ENCROACHMENTS ON CITY ASSETS OR EASEMENTS.



SCALE IN FEET  
PRELIMINARY  
SITKA RECORDING DISTRICT

CJ SUBDIVISION

LOT 4 CHARLIE JOSEPH  
SUBDIVISION

CLIENT: CHRIS MCGRAW

## CERTIFICATE OF OWNERSHIP AND DEDICATION

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

DATE \_\_\_\_\_ OWNER \_\_\_\_\_ CO-SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_ OWNER \_\_\_\_\_ CO-SIGNATURE \_\_\_\_\_

## NOTARY'S ACKNOWLEDGMENT

US OF AMERICA  
STATE OF ALASKA  
CITY & BOROUGH OF SITKA

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

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

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

MY COMMISSION EXPIRES: \_\_\_\_\_

NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA

## CERTIFICATE OF PAYMENT OF TAXES (STATE OF ALASKA) (FIRST JUDICIAL DISTRICT)

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

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

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, AT SITKA, ALASKA.

ASSESSOR, CITY AND BOROUGH OF SITKA

## CERTIFICATE OF APPROVAL BY THE BOARD

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

DATE \_\_\_\_\_ CHAIRMAN PLATTING BOARD

SECRETARY

## CERTIFICATE OF PAYMENT OF LOCAL IMPROVEMENT DISTRICT

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

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

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, AT SITKA, ALASKA.

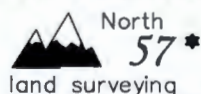
FINANCE DIRECTOR  
CITY & BOROUGH OF SITKA

## CERTIFICATE OF APPROVAL BY THE ASSEMBLY

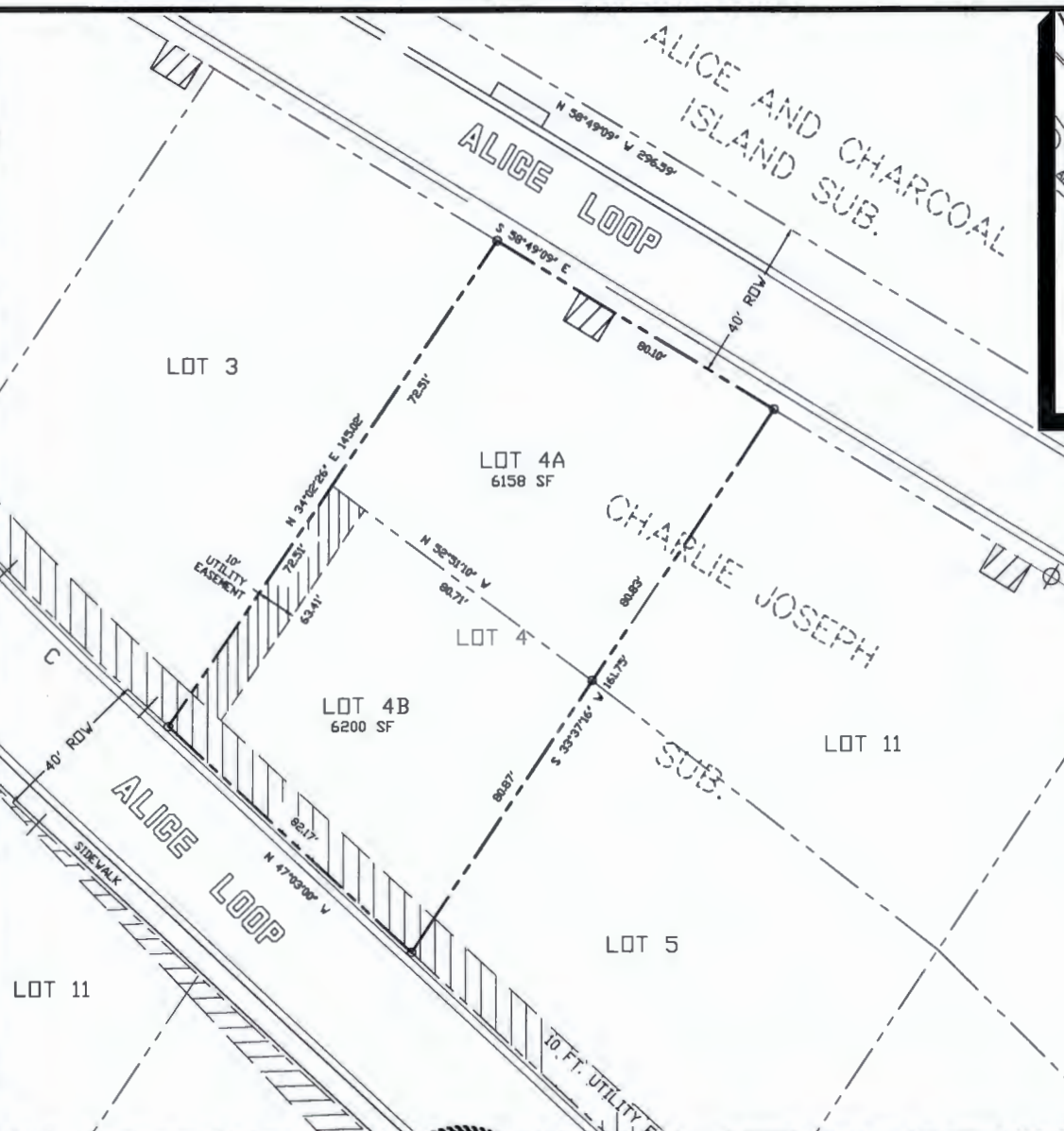
I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA ASSEMBLY AS RECORDED IN MINUTE BOOK \_\_\_\_\_ PAGE \_\_\_\_\_ DATED \_\_\_\_\_, 20\_\_\_\_, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING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

DATE \_\_\_\_\_ MAYOR

CITY AND BOROUGH CLERK



0977 747-6700 1007 CASCADIAN CREEK ROAD, SITKA, AK 99825



BY	DATE	REV.	DESCRIPTION OF CHANGE

RECORD OF REVISIONS



DESIGNED BY: KELLY J. O'NEILL  
CHECKED BY: \_\_\_\_\_  
DATE OF PLAT: FEB. 2, 2018  
SCALE: 1" = 20'  
DRAWING NAME: ALICE-SI  
PROJECT NO. 40106-01

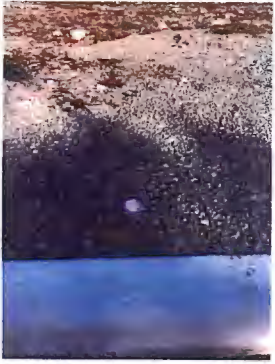
## SURVEYOR'S CERTIFICATE

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

DATE \_\_\_\_\_ KELLY J. O'NEILL, L.S. 49TH







Proof of Flgging

**Attachment B**

**Staff Materials**

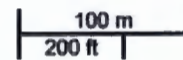




## City & Borough of Sitka, Alaska

**Selected Parcel: 800 Alice Lp ID: 19012016**

Printed 3/5/2018 from <http://www.mainstreetmaps.com/ak/sitka/internal.asp>



This map is for informational purposes only. It is not for appraisal of, description of, or conveyance of land. The City & Borough of Sitka, Alaska and MainStreetGIS, LLC assume no legal responsibility for the information contained herein.





1/1





## City & Borough of Sitka, Alaska

**Selected Parcel:** 800 Alice Lp ID: 19012016

Printed 3/5/2018 from <http://www.mainstreetmaps.com/ak/sitka/internal.asp>

20 m  
100 ft



**MainStreetGIS**  
MainStreetGIS, LLC  
[www.mainstreetgis.com](http://www.mainstreetgis.com)

This map is for informational purposes only. It is not for appraisal of, description of, or conveyance of land. The City & Borough of Sitka, Alaska and MainStreetGIS, LLC assume no legal responsibility for the information contained herein.















# CITY AND BOROUGH OF SITKA

## Legislation Details

---

**File #:** P 17- 07      **Version:** 1      **Name:**

**Type:** Subdivision      **Status:** AGENDA READY

**File created:** 12/18/2017      **In control:** Planning Commission

**On agenda:** 1/16/2018      **Final action:**

**Title:** Public hearing and consideration of a subdivison replat to result in one lot at 1319 and 1321 Sawmill Creek Road. The properties are also known as US Survey 2729 and Lot 3 Burkhart Subdivision Lot Line Adjustment. The request is filed by Vicki Brown. The owner of record is Eagle Bay Inn, LLC.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [P17-07.1319.1321SMC.Packet.20Apr2018](#)

Date	Ver.	Action By	Action	Result
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# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

*Coast Guard City, USA*

## Planning and Community Development Department

Case No: P 17-07  
Proposal: Replat to result in 1 lot  
Applicant: Vicky Brown  
Owner: Eagle Bay Inn LLC  
Location: 1319 and 1321 Sawmill Creek Road  
Legal Desc.: US Survey 2729 and Lot 3 Burkhart Subdivision Lot Line Adjustment  
Zone: C-2 general commercial mobile home district  
Size: Existing: 8706 square feet and 69,300 square feet  
Proposed: 76,833 square feet  
Parcel ID: 30450000, 30447000  
Existing Use: Commercial, Undeveloped  
Adjacent Use: Residential, Commercial, Industrial, Undeveloped  
Utilities: Sawmill Creek Road and Easement  
Access: Sawmill Creek Road, Current Easement

### **KEY POINTS AND CONCERNS:**

- Existing lot 3 currently has development challenges related to its triangular shape
- Proposed lot is within development standards outlined in Sitka General Code
- Subdivision replat can be approved at one hearing of the Planning Commission

**RECOMMENDATION:** Approve the subdivision replat at 1319 and 1321 Sawmill Creek Road.



**ATTACHMENTS:**

Attachment A: Applicant Materials

Attachment B: Staff Materials

**BACKGROUND:**

1321 Sawmill Creek Road (SMC) was created by US Survey 2729 in 1951. The lot is currently developed as a shopping plaza with hotel, marijuana retail and cultivation establishments, restaurant, various retail shops, and professional offices. 1319 SMC was created by Burkhart Subdivision Lot Line Adjustment in 2002. The lot is currently undeveloped.

**PROJECT DESCRIPTION:**

The proposed minor subdivision is intended to join two lots in common ownership into one lot. Existing lot sizes are 8706 square feet and 69,300 square feet, both exceeding the C-2 zone's minimum lot size of 6000 square feet. Proposed lot is larger at 76,833 square feet. Access to 1321 SMC is directly from Sawmill Creek Road. Access for 1319 SMC is currently via access easement.

Lots are flat. 1319 SMC is undeveloped and 1321 SMC is developed as a shopping plaza. The triangular shape of 1319 SMC presents challenges for development. While the replat would result in an odd lot shape, it would render the land currently known as 1319 SMC more usable.

**Title 21**

The purposes of the subdivision regulations are: to promote and protect the public, health, safety and welfare; provide for appropriate roads, streets, and access; provide for useful, adequate and convenient open space; provide for means for efficient transportation, mobility, and access; assure adequate utilities; provide for emergency response accessibility; provide adequate recreation, light, and air; avoid population congestion; facilitate orderly development and growth; and accurate surveying.<sup>1</sup>

**Title 22****22.16.080 C-1 general commercial district or C-2 general commercial mobile home district.**

A. Intent. The general [commercial](#) district is intended to be served by major essential utilities and to include those areas which are heavily dependent upon vehicular access. The district is intended for those areas surrounding major intersections where [personal services](#), convenience goods and auto-related service facilities are desirable and appropriate land uses. The extension of the general [commercial](#) district along the roads in a strip fashion is to be discouraged.

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<sup>1</sup> SGC Section 21.04.020

B. All provisions of the C-1 district apply in the C-2 district, except that permitted uses also include [manufactured homes](#) on single [lots](#) and [manufactured home](#) parks.

### **Development Standards**

The minimum lot area for the C-2 District is 6,000 square feet. Minimum lot width is 60 feet.<sup>2</sup> Proposed lot meets these standards.

### **ANALYSIS:**

**Site:** Proposed lot to be 76,833 square feet. Land is flat. Current lots are triangular and rectangular, and resulting lot would have an odd shape. Proposed lot would be approximately 148 feet at the most narrow width, exceeding the 60 foot minimum.

**Utilities:** Utilities are available from Sawmill Creek Road, Price Street, and existing easements. 1321 SMC is currently developed with utilities. No new easements proposed.

**Access, Roads, Transportation, and Mobility:** Direct access from Sawmill Creek Road.

**Public, Health, Safety and Welfare:** Setbacks and other development standards will apply for any future development. No concerns.

**Rec, Light, Air:** Lots meet development standards and future development must meet standards. No concerns.

**Orderly and Efficient Layout and Development:** Access and utilities are provided, and proposed lot exceeds minimum lot size. While the proposed lot would be an odd shape, it currently may be the best option for optimal utilization of current 1319 SMC. No concerns.

### **Comprehensive Plan**

The proposed minor subdivision complies with Comprehensive Plan Section 2.4.19 by going through the required subdivision process.

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<sup>2</sup> SGC Table 22.20-1

### **Recommendation and Motions**

It is recommended that the Planning Commission adopt the staff analysis and findings and move to approve the subdivision replat.

- 1) **I move to approve** the subdivison replat to result in one lot at 1319 and 1321 Sawmill Creek Road. The properties are also known as US Survey 2729 and Lot 3 Burkhart Subdivision Lot Line Adjustment. The request is filed by Vicki Brown. The owner of record is Eagle Bay Inn, LLC.
- 2) **I move to find that:**
  - a. The replat meets its burden of proof as to access, utilities, and dimensions as proposed;
  - b. That the replat complies with the Comprehensive Plan Section 2.4.19 by going through the required subdivision process;
  - c. That the replat complies with subdivision code; and
  - d. That the replat is not injurious to the public health, safety, and welfare.



# Attachment A

## Applicant Materials



# CITY AND BOROUGH OF SITKA

## PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT GENERAL APPLICATION FORM

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

### APPLICATION FOR:

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

**BRIEF DESCRIPTION OF REQUEST:** Would like to combine Block 1319 (Lot 3) and Block 1321 (Lot 18) into  
one lot for the future purpose of expansion of current building located on Block 1321 (Lot 18)

### PROPERTY INFORMATION:

CURRENT ZONING: C-2 PROPOSED ZONING (if applicable): \_\_\_\_\_

CURRENT LAND USE(S): Lot 3- storage containers PROPOSED LAND USES (if changing): expansion of current building  
located on Lot 18

### APPLICANT INFORMATION:

PROPERTY OWNER: Rudolph Daniel Kelly

PROPERTY OWNER ADDRESS: 346 Verret St., New Orleans, LA 70116

STREET ADDRESS OF PROPERTY: 1321 Sawmill Creek Road and 1319 Sawmill Creek Road

APPLICANT'S NAME: Rudolph Daniel Kelly

MAILING ADDRESS: 346 Verret St., New Orleans, LA 70116

EMAIL ADDRESS: \_\_\_\_\_ DAYTIME PHONE: 1-504-434-8154

### PROPERTY LEGAL DESCRIPTION:

TAX ID: 30450000 LOT: 3 and 18 BLOCK: 1319 & 1321 TRACT: \_\_\_\_\_

SUBDIVISION: Burkhart Subdivision (see attached Quick US SURVEY: 3695  
Claim Deed dated 4-22-2009)

### OFFICE USE ONLY

COMPLETED APPLICATION		SITE PLAN	
NARRATIVE		CURRENT PLAT	
FEE		PARKING PLAN	

## REQUIRED SUPPLEMENTAL INFORMATION:

### For All Applications:

- ☐ Completed application form
- ☐ Narrative
- ☐ Site Plan showing all existing and proposed structures with dimensions and location of utilities
- ☐ Proof of filing fee payment
- ☐ Proof of ownership
- ☐ Copy of current plat

### For Conditional Use Permit:

- ☐ Parking Plan
- ☐ Interior Layout

### For Plat/Subdivision:

- ☐ Three (3) copies of concept plat
- ☐ Plat Certificate from a title company
- ☐ Topographic information
- ☐ Proof of Flagging

### If Pertinent to Application:

- ☐ Landscape Plan
- ☐ Drainage and Utility Plan

## 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 further authorize municipal staff to access the property to conduct site visits as necessary. I authorize the applicant listed on this application to conduct business on my behalf.

Owner

Date

AUGUST 1, 2017

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)

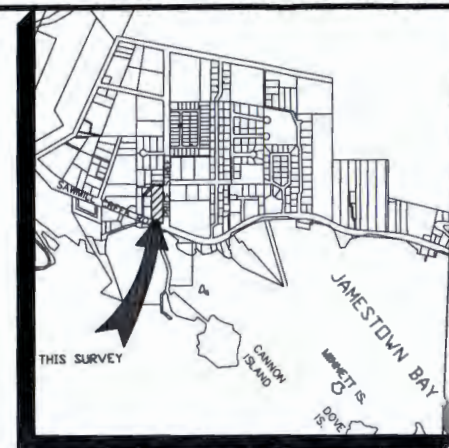
Date

1321 Sawmill Creek Road  
Potential Subdivision of USS 2729 and Lot 3 Burkhardt Subdivision  
Mike Daly for Eagle Bay Inn, LLC

- Intent is to combine lots to facilitate expansion of marijuana cultivation facility.
- Zoned C-2
- Comp Plan 2.4.1: "To guide the orderly and efficient use of private and public land..."
- Comp Plan 2.4.4: "To resolve conflicts, through a public process, between residential, commercial, recreational and industrial land uses."
- Comp Plan 2.4.21: "To consider conditional use permits for commercial uses and high impact residential uses only in the areas served by an adequate road network and not in areas such as neighborhoods where adjacent properties can be adversely impacted."
- Concerns:
  - Odor and other neighborhood impacts
    - Have already received complaints
    - Some residential use nearby
    - Consider likelihood of CUP being granted for expansion
  - Prospective lot
    - Odd-shaped, although not disallowed by code
    - Size in excess of development standards
    - 69,300 ft<sup>2</sup> and 8706 ft<sup>2</sup>
  - No city utilities shown on GIS to be directly impacted
    - Daly's plans show transformer/utilities along building rear
  - Easement to Lot 3 through Lots 1 and 2 of Burkhardt Subdivision
    - Could be amended to stop at Lot 2
  - Fire Department access to addition – need input of Fire Chief
  - Construction to require engineering
  - Parking recalculation required with expansion
  - Potential security issues with reduced access
    - 5 foot setbacks for the triangular parcel
- Recommendation to Daly: Pursue CUP amendment prior to replat
- Would be helpful to see footprint of proposed expansion



RECEIVED APR 19 2018

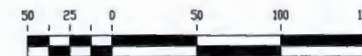


VICINITY MAP  
SCALE 1"=1,000'

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

**NOTES**

1. THE PURPOSE OF THIS PLAT IS TO COMBINE U.S. SURVEY 2729 AND LOT 3 OF THE BURKHART SUBDIVISION INTO ONE LOT.



SCALE IN FEET

SITKA RECORDING DISTRICT

**CERTIFICATE OF OWNERSHIP AND DEDICATION**

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

DATE \_\_\_\_\_ OWNER \_\_\_\_\_ (SIGNATURE) \_\_\_\_\_

DATE \_\_\_\_\_ OWNER \_\_\_\_\_ (SIGNATURE) \_\_\_\_\_

**NOTARY'S ACKNOWLEDGMENT**

US OF AMERICA  
STATE OF ALASKA  
CITY & BOROUGH OF SITKA

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

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

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

MY COMMISSION EXPIRES \_\_\_\_\_

NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA

**CERTIFICATE OF PAYMENT OF TAXES  
(STATE OF ALASKA)  
(FIRST JUDICIAL DISTRICT)**

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

AND THAT ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY & BOROUGH OF SITKA ARE PAID IN FULL; THAT CURRENT TAXES FOR THE YEAR 20\_\_\_\_ WILL BE DUE ON OR BEFORE AUGUST 31, 20\_\_\_\_ DATED THIS DAY OF \_\_\_\_\_

ASSESSOR, CITY AND BOROUGH OF SITKA

**CERTIFICATE OF APPROVAL BY THE BOARD**

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

DATE \_\_\_\_\_ CHAIRMAN, PLATTING BOARD \_\_\_\_\_

SECRETARY \_\_\_\_\_

**CERTIFICATE OF APPROVAL BY THE ASSEMBLY**

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

DATE \_\_\_\_\_ MAYOR \_\_\_\_\_

CITY AND BOROUGH CLERK \_\_\_\_\_

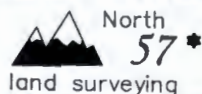
**CERTIFICATE OF PAYMENT OF LOCAL IMPROVEMENT DISTRICT**

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

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

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AT SITKA, ALASKA

FINANCE DIRECTOR  
CITY & BOROUGH OF SITKA



(907) 747-6780 2807 CARCARE CREEK ROAD, SITKA, AK 99825

BY	DATE	REV.	DESCRIPTION OF CHANGE

RECORD OF REVISIONS



DESIGNED BY: K. HOWELL  
DRAWN BY: K. HOWELL  
CHECKED BY: \_\_\_\_\_  
DATE OF PLAT: JULY 2017  
SCALE: 1" = 30'  
DRAWING NAME: ADJUSTMENT  
PROJECT NO.: 40089-01

**SURVEYOR'S CERTIFICATE**

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

DATE \_\_\_\_\_ KELLY HOWELL U.S. 2205

**EAGLE BAY SUBDIVISION**

U.S. SURVEY 2729 AND LOT 3,  
BURKHART SUB. LOT LINE ADJUSTMENT  
CLIENT: EAGLE BAY INN LLC  
P.O. BOX 6036  
NEW ORLEANS, LA 70174

SHEET 1 OF 1



U.S.S. 3695

17-B1

17

20' ACCESS EASEMENT

EAST

150.15'

45.788m

89.37'

25.108m

PRICE STREET

U.S.S. 1947

# 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 AND BOROUGH OF SITKA PLATING BOARD, AND THAT SAID PLAT HAS BEEN APPROVED BY THE BOARD BY PLAT RESOLUTION NO. 77-45 DATED ~~SEPTEMBER 12~~ 12, 1977, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT MAGISTRATE, EX-OFFICIO RECORDER, SITKA, ALASKA.

12-9-77

DATE

CHASMAN PLATTING BOARD

SECRETARY

# CERTIFICATE OF APPROVAL BY THE ASSEMBLY

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH OF SITKA ASSEMBLY AS RECORDED IN MINUTE BOOK 4, PAGE 230, DATED ~~SEPTEMBER 27~~ 27, 1977, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX-OFFICIO RECORDER, SITKA, ALASKA.

12-9-77

DATE

CITY AND BOROUGH CLERK

# 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 FREE CONSENT, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

12-9-77

DATE

OWNER

WITNESS

OWNER

# NOTARY'S ACKNOWLEDGEMENT

STATE OF ALASKA)

FIRST JUDICIAL DISTRICT)

THIS IS TO CERTIFY THAT ON THIS 14 DAY OF DECEMBER, 1977 BEFORE ME, THE UNDERSIGNED A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, PERSONALLY APPEARED ~~William L. Burkhart~~ and ~~Philip S. Davis~~ TO ME TO BE THE PERSONS NAMED IN THE FOREGOING CERTIFICATE OF OWNERSHIP AND DEDICATION AND THAT THEY INDIVIDUALLY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN MENTIONED.

WITNESS MY HAND AND OFFICIAL SEAL THE DAY AND THE YEAR IN THIS CERTIFICATE NAMED FIRST ABOVE.

*Esther M. Davis*  
NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES

6/22/78

# CERTIFICATE STATE OF ALASKA)

FIRST JUDICIAL DISTRICT)

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND AN ACTING ASSESSOR FOR THE CITY AND BOROUGH OF SITKA HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS IN MY POSSESSION THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS OF THE CITY AND BOROUGH OF SITKA IN THE NAME OF:

William L. Burkhart

AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY AND BOROUGH OF SITKA ARE PAID IN FULL; THAT CURRENT TAXES FOR THE YEAR 1978 WILL BE DUE ON OR BEFORE JULY 31, 1978.

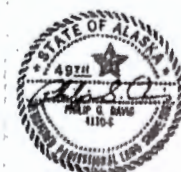
DATED THIS 9<sup>th</sup> DAY OF DECEMBER, 1977

*Philip S. Davis*  
ASSESSOR, CITY AND BOROUGH OF SITKA

# SURVEYOR'S CERTIFICATE

I hereby certify that I am a registered Surveyor licensed in the State of Alaska and that on AUGUST 1977 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.

12-9-77  
DATE *Philip S. Davis*



# BURKHART SUBDIVISION

LOT 18  
U.S. SURVEY 3695

FOR LEE BURKHART  
BOX 114R  
SITKA, ALASKA

DAVIS - SWANSON  
12-9-77

24 AUG. 1977 PHIL DAVIS  
1:500 BD

15282-01-00

Plat No. 77-35 Sheet 10



U.S.S. 2997

U.S.S. 2729

SAWMILL CREEK HIGHWAY  
S69°33'E

VICINITY MAP

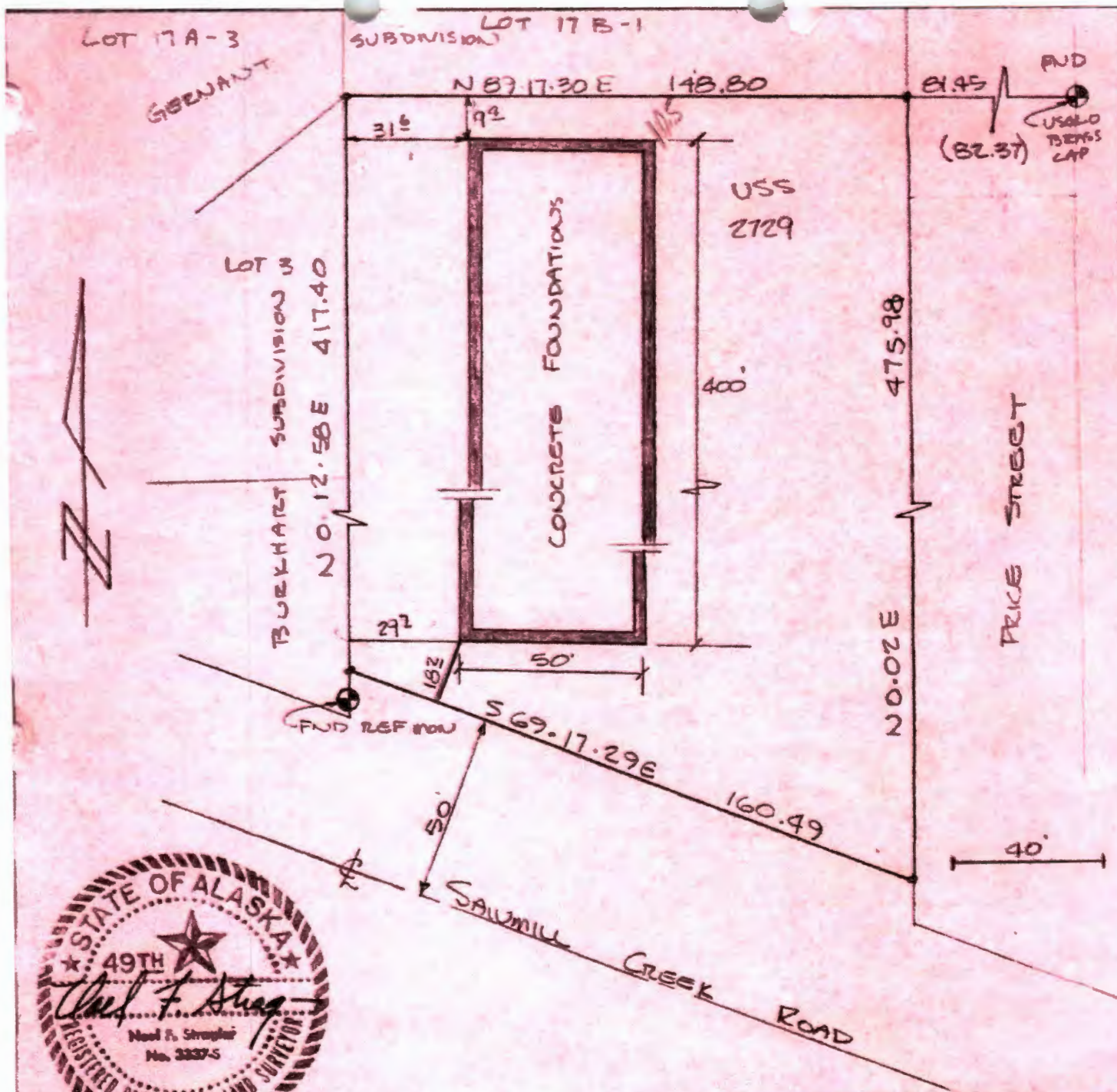
SCALE: 1" = 1 MILE

# LEGEND

- REBAR & PLASTIC CAP (EXISTING)
- BRASS CAP MON. (FOUND)
- REBAR & PLASTIC CAP (SET)







I, NOEL F. STRAGIER, being a Registered Land Surveyor in the State of Alaska, having inspected USS 2729, hereby certify that the improvements located thereon lie wholly within the property lines and that improvements on adjacent properties do not encroach upon the subject property.

### AS-BUILT PLOT PLAN

USS 2729

#### PREPARED FOR:

OMNI-NORTH  
Box 10-573  
ANCHORAGE, ALASKA 99511

#### PREPARED BY:

**STRAGIER  
ENGINEERING SERVICES**

#### DATE:

AUG '83

P.O. Box 4556 Sitka, Alaska 99835  
(907) 747-5833



# **CERTIFICATE OF OWNERSHIP AND DEDICATION**

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

DATE 12-28-2001

OWNER Clyde B. Bright

DATE 12/31/2001

OWNER Clyde B. Bright

## **NOTARY'S ACKNOWLEDGMENT**

STATE OF ALASKA  
CITY & BOROUGH OF SITKA

THIS IS TO CERTIFY THAT ON THIS 28th day of December 2001, before me, the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared Clyde B. Bright known to me to be the individual(s) mentioned and who executed the within plat and acknowledged to me that they signed the same freely and voluntarily for the uses and purposes therein specified.

WITNESSED BY HAND AND NOTARY SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST HEREIN WRITTEN.

Glenn B. Smith  
Notary Public in and for the State of Alaska

My Commission Expires Nov. 18, 2015

## **CERTIFICATE STATE OF ALASKA (FIRST JUDICIAL DISTRICT)**

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND ASSESSOR FOR THE CITY & BOROUGH OF SITKA, HEREBY CERTIFY THAT ACCORDING TO THE RECORDS IN MY POSSESSION, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS OF THE CITY & BOROUGH OF SITKA IN THE NAME OF Clyde B. Bright AND THAT ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY & BOROUGH OF SITKA ARE PAID AND THAT CREDIT SHALL BE MADE ON OR BEFORE AUGUST 31, 2002, IN FULL.

Glenn B. Smith  
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 PLANNING BOARD AND THAT SAID PLAT HAS BEEN APPROVED BY THE BOARD BY PLAT RESOLUTION NO. 1-3-02 DATED 12/31/01 AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT MAGISTRATE, EX-OFFICIO RECORDER, SITKA, ALASKA.

DATE 1-3-02

Glenn B. Smith  
District Magistrate

## **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 AS RECORDED IN KOMATIE BOOK N/A PAGE N/A DATED 12/31/01 AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX-OFFICIO RECORDER, SITKA, ALASKA.

DATE 12/31/01

Glenn B. Smith  
District Court

## **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 Clyde B. Bright AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL LAND ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY & BOROUGH OF SITKA ARE PAID IN FULL.

DATED THIS 28th DAY OF January

Glenn B. Smith  
Finance Director

CITY & BOROUGH OF SITKA

**O'NEILL**

**SURVEYING AND ENGINEERING**

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

BY	DATE	REV.	DESCRIPTION OF CHANGE

RECORD OF REVISIONS



DESIGNED P. O'NEILL  
DRAWN TABANIAN  
CHECKED PRO  
DATE OF PLAT DEC 24, 2001 3:00 PM  
SCALE 1"=50'  
DRAWING NAME 30165-03  
PROJECT NO. 30165-03

## **SURVEYOR'S CERTIFICATE**

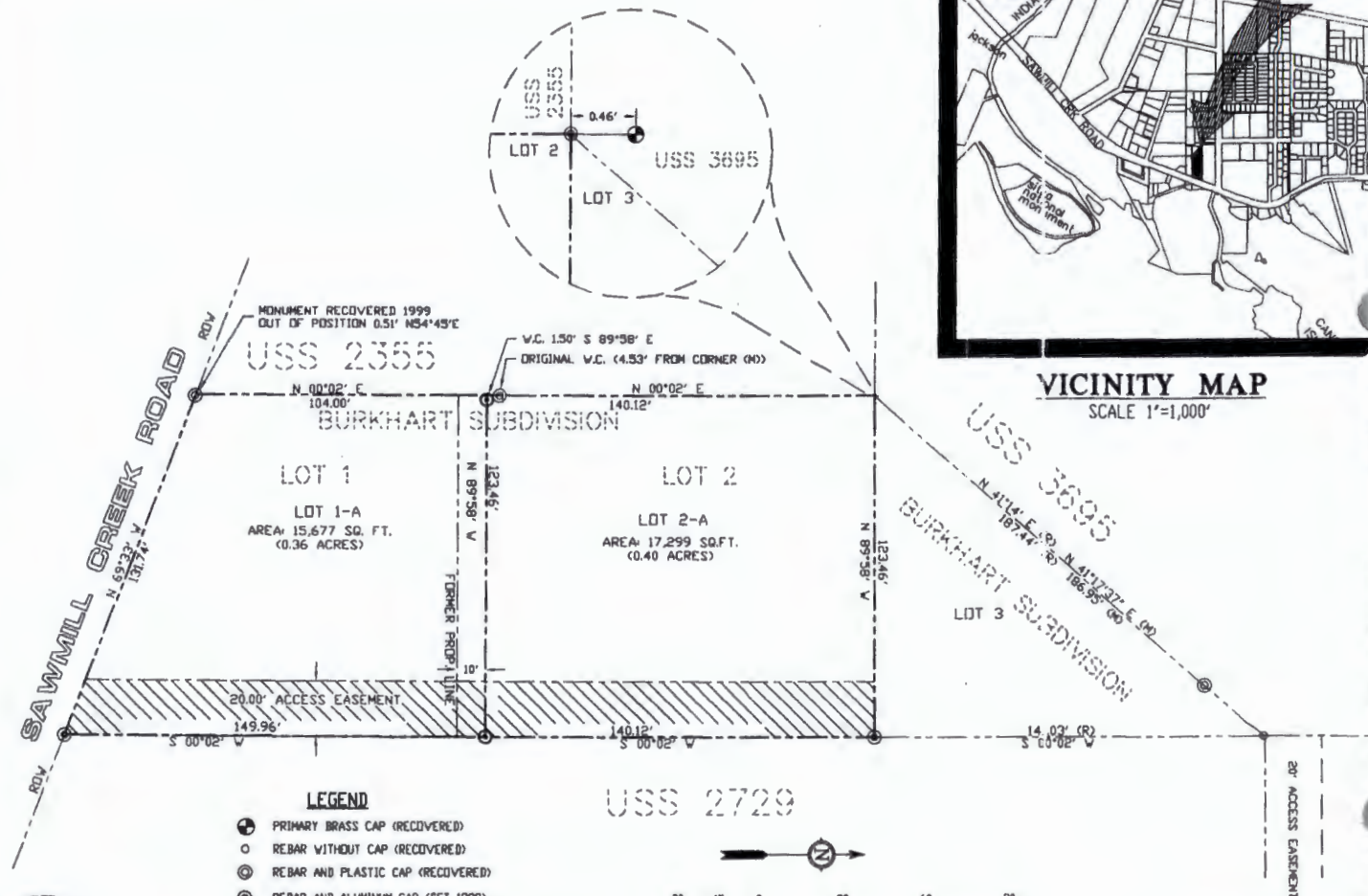
I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR, LICENSED IN THE STATE OF ALASKA, AND THAT IN DEC. 2001, A SURVEY OF THE HEREIN DESCRIBED LANDS WAS CONDUCTED UNDER MY DIRECT SUPERVISION AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THE FIELD NOTES OF SAID SURVEY, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT ACCORDING TO SAID FIELD NOTES.

DATE 12/24/01 P. O'Neill  
PATRICK B. O'NEILL, L.S. 6761

## **BURKHART SUB. LOT LINE ADJUSTMENT**

**LOTS 1 AND 2  
BURKHART SUBDIVISION**

CLIENT: CLYDE BRIGHT, 3406 HALIBUT POINT ROAD, SITKA, AK 99835



## **LEGEND**

- PRIMARY BRASS CAP (RECOVERED)
- REBAR WITHOUT CAP (RECOVERED)
- ⊙ REBAR AND PLASTIC CAP (RECOVERED)
- ⊙ REBAR AND ALUMINUM CAP (SET 1999)
- ⊙ REBAR AND ALUMINUM CAP (SET 2001)
- Ⓜ RECORD DATA
- Ⓢ MEASURED DATA

USS 2729



## **PLAT NOTES**

- THE PURPOSE OF THIS PLAT IS TO MOVE THE PROPERTY LINE BETWEEN LOTS 1 AND 2 TEN FEET PERPENDICULAR TO THE EXISTING LINE IN THE NORTHERLY DIRECTION.

Sitka Recording District  
DATE: 1-3-02  
TIME: 1:32 P  
PLAT # 286  
checked by 286

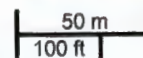




## City & Borough of Sitka, Alaska

Selected Parcel: 1321 SAWMILL CREEK ID: 30450000

Printed 6/1/2017 from <http://www.mainstreetmaps.com/ak/sitka/internal.asp>



**MainStreetGIS**  
MainStreetGIS, LLC  
[www.mainstreetgis.com](http://www.mainstreetgis.com)

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STATE OF ALASKA  
DEPARTMENT OF TRANSPORTATION  
AND PUBLIC FACILITIES

**EASEMENT**  
(Standard/Partial Property)

PROJECT NAME: SIT-SAWMILL CREEK ROAD  
STATE PROJECT #: 68216  
FEDERAL-AID PROJECT #: MGS-STP-0933(021)  
PARCEL #: E-37

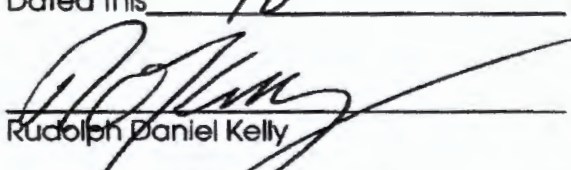
THE GRANTORS, Rudolph Daniel Kelly, P.O. Box 40173 Memphis, TN 38174-0173 for and in consideration of TEN DOLLARS (\$10.00), and other valuable consideration, in hand paid, convey and warrant to the STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES, 6860 Glacier Highway, Juneau, Alaska 99801-7999, its successors or assignees, a perpetual, full and unrestricted easement and right-of-way along, over, under, and across the following-described tract of land located in the State of Alaska:

Being a portion of U.S. Survey 2729, Sitka Recording District, First Judicial District, State of Alaska, Excepting therefrom that portion conveyed to the State of Alaska by right of way deed recorded March 15, 1954 in Book 10, Page 562. Also excepting therefrom any portion within the right of way of Sawmill Creek Road.

The parcel is further delineated on the plat attached hereto and made a part hereof as page 3 of this instrument and designated as Parcel No. E-37. Said parcel, containing 251 (square feet), more or less, in addition to existing right-of-way, is hereby conveyed to the State of Alaska, Department of Transportation and Public Facilities for the purpose(s) of : to establish and maintain a highway, utility and drainage corridor to be constructed and installed, maintained or replaced into perpetuity.

The above-named Grantor hereby covenants with the State of Alaska that said Grantor has good title to the above-described tract of land and covenant that the State of Alaska shall have quiet and peaceable possession thereof; and shall have a free and unrestricted right to maintain said facilities as long as the right-of-way of which this easement area is a part, remains a public way.

Dated this 10<sup>TH</sup> day of JULY, 2006.

  
Rudolph Daniel Kelly

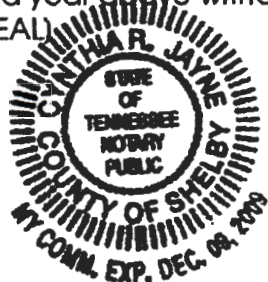
Filed for Record of the  
Request of and Return to:  
State of Alaska  
DOT&PF ROW Section  
6860 Glacier Hwy.  
Juneau, AK 99801-7999  
State Business-No Charge

Tennessee  
STATE OF ALASKA )  
Shelby County :  
FIRST JUDICIAL DISTRICT )

Rudolph Daniel Kelly

On this 10<sup>th</sup> day of July, 2006 before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared JAMES J. GINNATY, known to me to be the identical person who executed the foregoing instrument and who acknowledged to me that he signed the same freely and voluntarily, with full knowledge of its contents, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.  
(NOTARY SEAL)



Cynthia R. Jayne  
Notary Public in and for the State of Alaska  
My Commission Expires: 12/9/2009

ACKNOWLEDGMENT OF GRANTOR  
STATE OF ALASKA )  
FIRST JUDICIAL DISTRICT )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2006 before me, the undersigned, a Notary Public in and for the State of \_\_\_\_\_, personally appeared SHAN R. GINNATY, known to me to be the identical person who executed the foregoing instrument and who acknowledged to me that she signed the same freely and voluntarily, with full knowledge of its contents, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.  
(NOTARY SEAL)

\_\_\_\_\_  
Notary Public in and for the State of \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

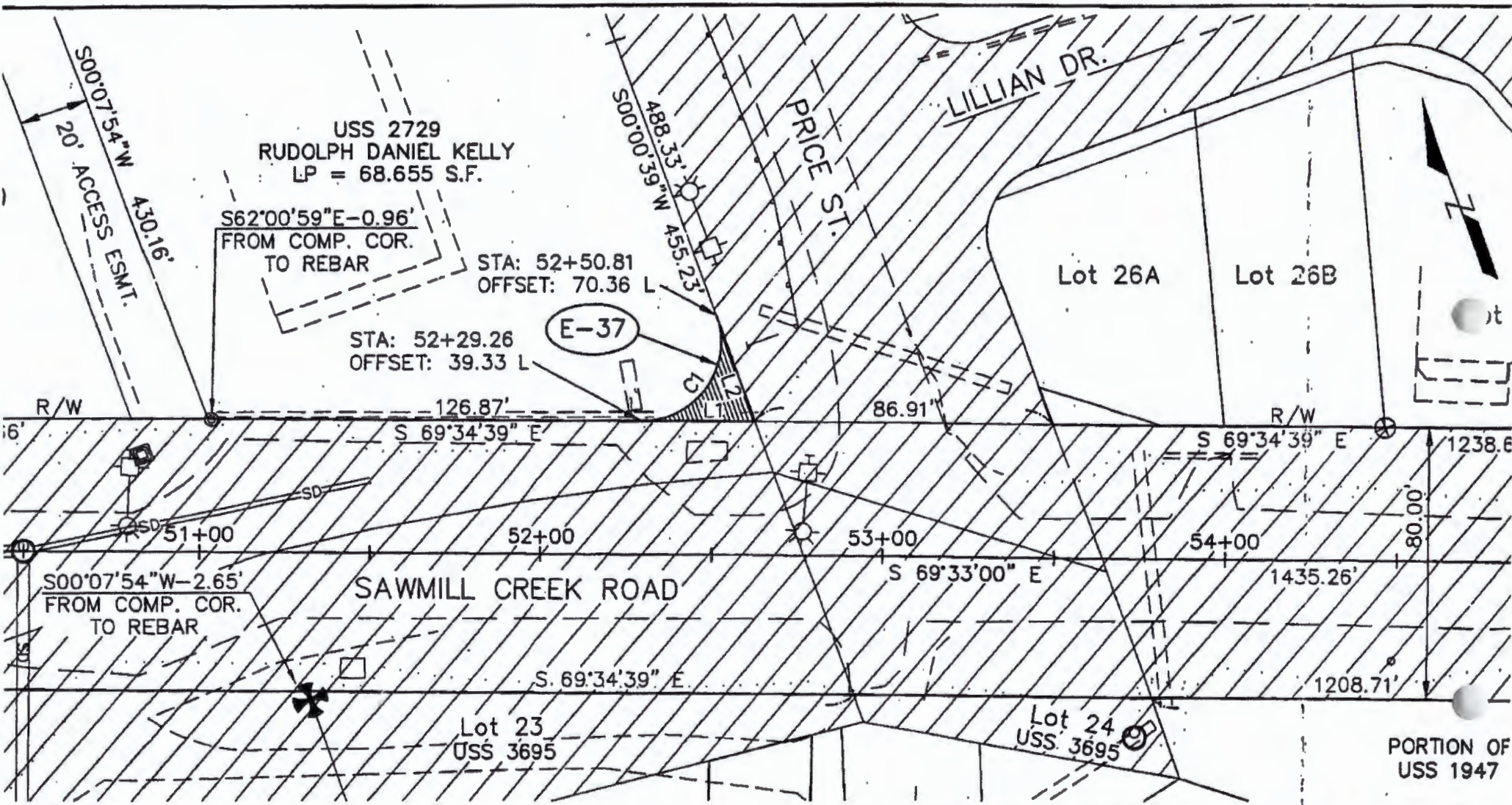
#### CERTIFICATE OF ACCEPTANCE

THIS IS TO CERTIFY that the STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, Grantee herein, acting by and through its Commissioner, hereby accepts for public purposes the real property, or interest therein, described in this instrument and consents to the recordation thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this 11 day of September, 2006.

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES





LINE TABLE

BEARING	LENGTH
S69°34'39"E	33.10'
S00°00'39"W	33.10'

CURVE TABLE

LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
4.32'	23.00'	110°24'42"	N55°13'00"E	37.78'

STATE OF ALASKA  
DEPARTMENT OF TRANSPORTATION  
AND  
PUBLIC FACILITIES

OWNER'S INITIAL: RCB  
 ATTACHED TO: \_\_\_\_\_  
 PAGE \_\_\_\_ OF \_\_\_\_ DATE: \_\_\_\_\_  
 DRAWN BY: ROW CHECKED BY: RL

RIGHT OF WAY REQUIRED FOR  
STP-BR-0933(2) 682  
SITKA  
SAWMILL CREEK ROAD

PARCEL NO. E-37 DATE: 5  
 AREA: 252 S.F. SCALE: 1  
 SHEET 1 OF C

Attachment B

Staff Materials







12/13/2017



## City & Borough of Sitka, Alaska

Selected Parcel: 1321 Sawmill Creek Rd ID: 30450000

Printed 12/13/2017 from <http://www.mainstreetmaps.com/ak/sitka/internal.asp>

100 m  
200 ft



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MainStreetGIS, LLC  
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## City & Borough of Sitka, Alaska

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Printed 12/13/2017 from <http://www.mainstreetmaps.com/ak/sitka/internal.asp>

100 m  
200 ft



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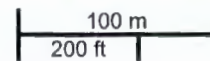




## City & Borough of Sitka, Alaska

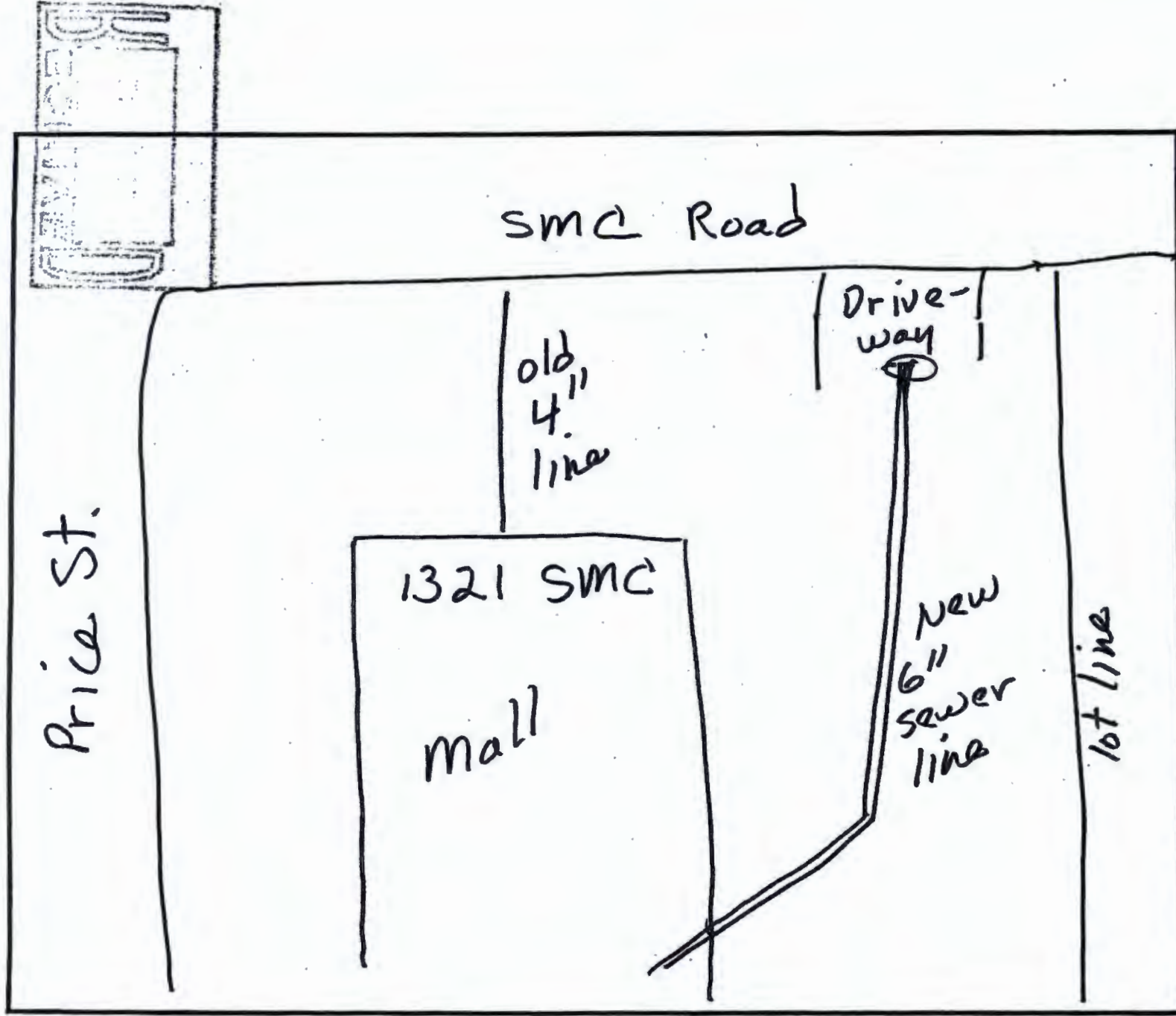
Selected Parcel: 1321 Sawmill Creek Rd ID: 30450000

Printed 12/13/2017 from <http://www.mainstreetmaps.com/ak/sitka/internal.asp>



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SKETCH























# CITY AND BOROUGH OF SITKA

## Legislation Details

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**File #:** ZA 18-07      **Version:** 2      **Name:**

**Type:** Zoning Amendments      **Status:** AGENDA READY

**File created:** 3/26/2018      **In control:** Planning Commission

**On agenda:**      **Final action:**

**Title:** Public hearing and consideration of a proposed amendment to Sitka General Code Title 22 Zoning regarding permitted, conditional, and prohibited uses in the R Recreational District. The request is filed by Ted Laufenberg and Dawn Young.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [ZA18-07.RecreationAmendments.Packet.20Apr2018](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------



# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

*Coast Guard City, USA*

## MEMORANDUM

**To:** Chair Spivey and Members of the Planning Commission  
**From:** Planning and Community Development Department Staff  
**Subject:** Amendment to Sitka General Code Regarding Title 22  
**Date:** April 20, 2018

---

**Project description:** The request is to amend the zoning code to require three permitted uses in the recreation district to become conditional uses subject to Planning Commission review. The proposed three permitted uses are resort, utility facilities, and public water supply facility. This would be an amendment to Tables 22.16.015-2 (Resort) and 22.16.015-4 (Utility Facility and Public Water Supply Facility). Applicant has provided their rationale that is attached in the packet.

---

**Staff analysis:** Below is the current code as it relates to the interpretation of undefined terms, the recreational district, and the three cited uses. After the existing code are the tables that would have to be amended with **highlights** and stricken code ~~struck through~~ and added words underlined.

Staff thinks it is important to note that a lodge is a prohibited use in the Recreation zone, and that a Resort is a permitted use. This does not follow logic or planning practice. As a rule, all uses and critical terms should be defined. Further, staff see a Resort as synonymous with the definition of a Lodge in that it provides some form of hospitality lodging accommodations and typically provide recreational and boarding/food options (with the exception that lodges in Sitka are often smaller scale than resorts in other locales).<sup>1</sup> Interestingly, the definition of resort also compares and contrasts with the nature of Baranof Warm Springs (see footnote for more definitions).

While staff agree with the resort being changed to a conditional use, staff believe there should be an important distinction in regard to a public water supply facility and utility facility: Only large scale public

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<sup>1</sup> Common definition of resort; a place that is a popular destination for vacations or recreation, or which is frequented for a particular purpose; a community or establishment whose purpose or main industry is catering to vacationers. Our code defines lodge as: "Lodge" means a premises that provides lodging (room and board) accommodations during all seasons for use by visitors engaging in recreational activities and includes a variety of related services. Lodges on islands may include satellite small cabins along with the main structure.

facilities should be changed to a conditional use permit requirement. Small scale private utility facilities are already permitted accessory uses and should remain so (see Table 22.16.016-1). This must be distinguished from the request so that accessory use utility facilities are still permitted. Over regulation of a properties ability to be developed could open a claim to a governmental taking. Further, the proposed change for the utility facilities would go against the permitted nature of utility facilities in all other zones.

### Existing Code

#### **22.08.020 Interpretation of unlisted meanings.**

When a word or term is not specifically stated, the city and borough administrator or his designee shall have the authority to interpret the meaning or description most comparable, subject to appeal to the planning commission, then to the assembly. (Ord. [02-1683](#) § 4 (part), 2002.)

#### **22.30.010 Introduction.**

A. Intent. The purpose of this chapter is to combine and consolidate the application, review, and approval procedures for land development in the city and borough of Sitka so that these procedures are clear, concise, and understandable. It is further intended to assist in combining and expediting development review and integrating review procedures.

B. Rules of Interpretation.

1. For the purposes of the development code, all words used in the code shall have their normal and customary meanings, unless specifically defined otherwise in this code.

#### **22.30.030 Administrator.**

The term "administrator" shall mean the city and borough administrator, or an individual operating with his/her express knowledge on his/her behalf. Said individual may include, but is not limited to, the planning director or planning assistant. The administrator is responsible for the administration of this title and shall review and act on the following:

A. Administrative Interpretation. Upon request or as determined necessary, the administrator shall interpret the meaning or application of the provisions of said titles and issue a written administrative interpretation. All administrative determinations shall be reported to the planning commission within a reasonable period of time following their issuance.

#### **22.16.015 Permitted, conditional and prohibited uses.**

The use of a property is defined by the activity for which the [building](#) or [lot](#) is intended, designed, arranged, occupied, or maintained. Each [lot](#) or parcel in single-family and related zones shall contain only one [principal use](#) as defined by the use tables in this chapter. Multifamily and [commercial](#) zones may contain up to three [principal uses](#). Other uses on



the [lot](#) or parcel may be permitted [accessory uses](#) or [conditional uses](#). All applicable requirements of this code, or other applicable state or federal requirements, shall govern a use located in the city and borough of Sitka.

The land use tables contained in this chapter determine whether specific uses are permitted as principal (P) or conditional (C) uses. Each table lists the zoning districts in the vertical columns and the land use activities in the horizontal rows. If no symbol appears in the box at the intersection of a row and column, the use is not allowed and is prohibited unless otherwise noted. In general, prohibited uses shall be as follows:

- A. Any use or [structure](#) not of a character indicated under permitted principal, accessory or [conditional uses](#);
- B. Any use which causes, or may be reasonably expected to cause, an excessive disturbance not in keeping with the character and stated intent of this district. "Excessive" is defined for these purposes as a degree exceeding that generated by uses permitted in the district in their customary manner of operation or to a degree injurious to the public safety, health, welfare or convenience.

If the letter "P" appears in the box, the use is permitted outright subject to the provisions of the code. If the letter "C" appears in the box, the use is a [conditional use](#) subject to review and approval including [site plan](#) approval. If the box contains a number, there will be a corresponding footnote further specifying the conditions applicable to the use in the zone.

With the exception of the Gary Paxton special district or as otherwise provided in this code, if the letter "P," "C," or another notation does not appear in the box, the use is prohibited.

The Gary Paxton special (GP/GPS) district was specifically developed to allow for a wide range of flexible uses on the site. When the site was acquired, it was recognized that a number of appropriate uses may surface that could not be anticipated. Appropriate and inappropriate uses could be regulated through lease agreements and sales agreements that must be approved by the municipality. As a result, the GP/GPS district use tables shall function differently from the manner outlined above.

Any uses, except retail and business uses, at Table 22.16.015-6, as well as natural resource extracting and mining support facilities uses within Table 22.16.015-5, may be approved in the GP/GPS district without a requirement of a zoning amendment in accordance with Section [2.38.080](#).

Retail and business uses in the GP/GPS district that are permitted uses, [conditional uses](#), or prohibited uses on the site are governed by Table 22.16.015-6. [Natural resource extractions](#) and mining support facilities are [conditional uses](#) governed by Table 22.16.015-5 in the GP/GPS district. These use tables are binding on the owners and the

operators in the Gary Paxton [industrial](#) park. No changes to these tables shall be made without a zoning ordinance text amendment that follows the full procedures in Chapter [22.30, Zoning Code](#) Administration.

As outlined in Section [22.16.110](#), the I [industrial](#) zone is intended for [industrial](#) and heavier [commercial](#) uses. The zone also contains a number of heavy public uses as permitted and [conditional uses](#). Additional [conditional uses](#) may be approved by the assembly, through the [conditional use](#) process, even though they may not be specifically listed as permitted or [conditional uses](#) in the following table.

## 22.16.150 R recreation district.



A. Intent. The recreation district is intended to contain both public and private lands to be used for recreation purposes. Lands designated for this district should be evaluated for long-term public benefits to accrue from the protection offered by this designation.

(Ord. [02-1683](#) § 4 (part), 2002.)

**The following is the legal blackline version of the code sections and tables.**

**Table 22.16.015-1  
Residential Land Uses**

Zones	P(1)	SF	SFLD	R-1	R-1 MH	R-1 LDMH	R-2	R-2 MHP	CBD (11, 12)	C-1 (11)	C-2 (11)	WD (2, 11)	I	GI (3, 10)	LI(3)	R	OS	GP (13)
<b>RESIDENTIAL</b>																		
• Single-family detached		P	P	P(4)	P(4)	P(4)	P(4)	P(4)		P	P	P		P	P	P	P	
• Townhouse				C(5)	C(5)	C(5)	C(5)	C(5)	C	P	P	P		C	C			
• Duplex				P	P		P	P		P	P	P		P	P			
• Residential zero lot line				P	P	P	P	P		P	P	P						
• Multiple-family				C(5)	C(5)	C(5)	P(5)	P(5)	P(5,8)	P(5)	P(5)	P(5)		C	C			
• Single manufactured home on an individual lot					P	P		P			P	P		C	C			
• Mobile home park								P			P	P						
• Accessory dwelling unit				P(14) C	C	C	P(14) C	C										
<b>GROUP RESIDENCES</b>																		
• Assisted living	C							C	C					C	C			
• Bunkhouse for transient workers								C	C			C		C				



Zones	P(1)	SF	SFLD	R-1	R-1 MH	R-1 LDMH	R-2	R-2 MHP	CBD (11, 12)	C-1 (11)	C-2 (11)	WD (2, 11)	I	GI (3, 10)	LI(3)	R	OS	GP (13)
• Dormitory	C(4)						C	C										
• Quasi-institutional	C			C	C	C	C	C						C	C			
TEMPORARY LODGING																		
• Hostel							C	C		P	P	P						
• Hotel/motel									P	P	P	P		PU/ CS	C	C		
• Bed and breakfast				C(7)	C(7)	C(7)	C(8)	C(8)	P	P	P	P		P	C			
• Short-term rental	C(15)			C	C	C	C	C	P	P(9)	P(9)	P(9)		P	C	P(9)		
• Rooming house							C	C	C	P	P	P		C	C			
• Lodge										P	P	P		PU/ CS	C			
• Limited storage				C(6)	C(6)	C(6)	C(6)	C(6)						P	C			

**Table 22.16.015-2**  
**Cultural/Recreational Uses**

ZONES	P(1)	SF (7)	SFLD(7)	R-1 (7)	R-1 MH (7)	R-1 LDMH (7)	R-2 (7)	R-2 MHP(7)	CBD	C-1	C-2	WD(2)	I	GI(3)	LI(3)	R	OS	GP (9)
CULTURAL																		
• Library	P								P	P	P			P	P			
• Museum	P								P	P	P			P	P			
• Conference center							C	C	P	P	P			C	C			
• Church		C	C	C	C	C	C	C	P	P	P			PU/CS	C			
• Art gallery	P			C(4)	C(4)	C(4)	C(4)	C(4)	P	P	P	C		C	C			
• Radio station												P						
RECREATIONAL																		
• Park and recreation														P	P			
• Park	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	
• Trails	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	
• Campground	P													C	C		P	
• Resort										P	P			C	C	P.C		
• Marina	P									P	P	P		C	C	C	P	
• Travel trailer/recreational vehicle park	C									P	P	C		C	C			



ZONES	P(1)	SF (7)	SFLD(7)	R-1 (7)	R-1 MH (7)	R-1 LDMH (7)	R-2 (7)	R-2 MHP(7)	CBD	C-1	C-2	WD(2)	I	GI(3)	LI(3)	R	OS	GP (9)
• Ballpark/athletic field	P	C	C	C	C	C	C	C		P	P	P	P	P	C	P		
• Amusement and entertainment														PU/CS	C			
• Theater									P	P	P			C	C			
• Theater, drive-in										P	P			C	C			
• Outdoor amphitheater	P								P	P	P			PU/CS	C		P	
• Bowling center									P	P	P			C	C			
• Sports club and yacht club	C									P	P	P		C	C		C (5)	
• Golf facility	P									P	P			C	C			
• Shooting range—indoor	C									C	C			PU/CS				
• Shooting range—outdoor										C	C			PU/CS				
• Arcades									P	P	P			C	C			
• Community center	C						C	C	P					C	C			
• Personal use docks—accomodating waterborne aircraft		C(6)	C(6)	C(6)	C(6)	C(6)	C(6)	C(6)				P		P(8)	P(8)	P(8)	P(8)	
• Personal use docks—perimeter of dock and float exceed 300 linear feet		C	C	C	C	C	C	C				P		P(8)	P(8)	P(8)	P(8)	
• Personal use docks—one lease slip, float houses permitted in accordance with the Sitka Coastal Management Program, no linear perimeter restriction, allowing liveaboards, and allowing float planes												P		P(8)	P(8)	P(8)	P(8)	
• Personal use docks—no perimeter restrictions, no restrictions on liveaboards and float planes. Float houses allowed if permitted in accordance with Sitka Coastal Management Program										P	P	P	P	P(8)	P(8)	P(8)	P(8)	
• Personal use docks—one nonfee liveaboard		P	P	P	P	P						P		P(8)	P(8)	P(8)	P(8)	
• Personal use docks—liveaboards, no more than 300-foot perimeter							P	P				P		P(8)	P(8)	P(8)	P(8)	
• Community		C	C	C	C	C	C	C				P		P(8)	P(8)	P(8)	P(8)	

Providing for today...preparing for tomorrow

ZONES	P(1)	SF (7)	SFLD(7)	R-1 (7)	R-1 MH (7)	R-1 LDMH (7)	R-2 (7)	R-2 MHP(7)	CBD	C-1	C-2	WD(2)	I	GI(3)	LI(3)	R	OS	GP (9)
personal use docks																		
• Commercial use docks										P	P	P	P	C	C	C	C	

**Table 22.16.015-4**  
**Public Facilities Uses**

ZONES	P(1)	SF	SFLD	R-1	R-1 MH	R-1 LDMH	R-2	R-2 MHP	CBD	C-1	C-2	WD (2)	I	GI(3)	LI(3)	R	OS	GP (6)
GOVERNMENT SERVICES										C								
• Public agency or utility office	P								P	C				PU/CS	C			
• Public agency or utility service yard	P									C		P	P	C	C			
• Public agency warehouse	P									C		P	P	C	C			
PUBLIC SERVICES																		
Courts	P								P					C	C			
Police station	P								P	P	P			C	C			
Fire station	P			C	C	C	C	C	P	P	P	C	C	PU/CS	C	C		
Utility facilities (transformers, pump stations, etc.)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Solid waste transfer facility	C(4)									C	C	C	C	C	C			
Landfill	P												C	C	C	C		
Land clearing landfills	C												C					
Wastewater treatment plant	C									C	C	P	P	C	C			
Public water supply facility	P									P	P	P	P	C	C	P	C	
Public transportation facility/airport	C								C	C	C	P(5)	P	C				
Animal shelter	P									C	C		C	C				
Recycling facility	C																	
Housing support facility (7)								C	C									

P: Public Lands District

SF: Single-Family District

SFLD: Single-Family Low Density District

R-1: Single-Family/Duplex District

R-1 MH: Single-Family/Duplex/Manufactured Home District

R-1 LDMH: Single-Family/Duplex and Single-Family/Manufactured Home

C-1/C-2: General Commercial and General Commercial/ Mobile Home Districts

WD: Waterfront District

I: Industrial District

GI: General Island District

LI: Large Island District

Low Density Districts

R-2: Multifamily District

R-2 MHP: Multifamily/Mobile Home District

CBD: Central Business District

R: Recreational District

OS: Open Space District

GP: Gary Paxton Special District

P—Permitted

C—Conditional Use Permit Required

PU/CS—Permitted on Unsubdivided Islands and Conditional Use on Subdivided Islands

F. Public Facilities Uses Table 22.16.015-4 Footnotes.

1. Public facilities not otherwise identified may be permitted in the public zone subject to planning commission recommendation and assembly approval subject to findings of fact that show the use is in the public interest, all reasonable safeguards are to be employed to protect the surrounding area, and that there are no reasonable alternative locations for the use.
2. All uses in the waterfront district are intended to be water-related or water-dependent except that upland uses may be non-water-related.
3. Uses listed as conditional uses in the GI and LI zones may be considered, but not necessarily approved, on a case-by-case basis.
4. Minimum site area is twenty acres.
5. Ferry terminals, barge freight terminals, docks, and harbor facilities including float plane facilities, fueling piers and tank farms, and other port facilities are permitted principal uses subject to planning commission review and public hearing and assembly approval of a binding site plan.
6. Any uses, except retail and business uses, and natural resource extraction and mining support facilities uses may be approved in accordance with Section 2.38.080.
7. In which the primary purpose of the support facility is to support and maintain housing-related programs in the immediate area.

**Recommendation:** Approve the change to amend the zoning code to make resorts and public water supply facilities conditional uses and leave utility facilities or at the least private individual utility facilities as is.

**Motion:** I move to recommend approval to the City Assembly of a change to the Sitka General Code, Title 22 regarding \_\_\_\_\_ (insert type of use) being changed from permitted to conditional.



# Attachment A

## Applicant Materials



# CITY AND BOROUGH OF SITKA

## PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT GENERAL APPLICATION FORM

1. Request projects at least TWENTY-ONE (21) days in advance of next meeting date.
2. Review guidelines and procedural information.
3. Fill form out completely. No request will be considered without a completed form.
4. Submit all supporting documents and proof of payment.

### APPLICATION FOR:

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

BRIEF DESCRIPTION OF REQUEST: Change "P" to "C" for  
Recreational District uses: "Resort"  
"Utility facilities," and "Public water  
supply facility"

### PROPERTY INFORMATION:

CURRENT ZONING: R PROPOSED ZONING (if applicable): \_\_\_\_\_

CURRENT LAND USE(S): \_\_\_\_\_ PROPOSED LAND USES (if changing): \_\_\_\_\_

### APPLICANT INFORMATION:

PROPERTY OWNER: \_\_\_\_\_

PROPERTY OWNER ADDRESS: \_\_\_\_\_

STREET ADDRESS OF PROPERTY: \_\_\_\_\_

APPLICANT'S NAME: Ted Laufenberg

MAILING ADDRESS: 712 Etolin St. Sitka

EMAIL ADDRESS: tllaufen@gmail.com DAYTIME PHONE: 907 623-7107

DAWN YOUNG 738-3517 dawn@markdawnyoung.com

### PROPERTY LEGAL DESCRIPTION:

TAX ID: \_\_\_\_\_ LOT: \_\_\_\_\_ BLOCK: \_\_\_\_\_ TRACT: \_\_\_\_\_

SUBDIVISION: \_\_\_\_\_ US SURVEY: \_\_\_\_\_

### OFFICE USE ONLY

COMPLETED APPLICATION <u>[initials]</u>	<u>March 13, 2018</u>	SITE PLAN	<u>N/A</u>
NARRATIVE <u>myl</u>	<u>✓</u>	CURRENT PLAT	<u>N/A</u>
FEE <u>100 + 5% S.F.</u>	<u>✓</u>	PARKING PLAN	<u>N/A</u>

## REQUIRED SUPPLEMENTAL INFORMATION:

### For All Applications:

- ☒ Completed application form  
☒ Narrative *Attached*  
*N/A* ☐ Site Plan showing all existing and proposed structures with dimensions and location of utilities  
*N/A* ☐ Deed  
*N/A* ☐ Copy of current plat  
☐ Proof of filing fee payment

### For Conditional Use Permit:

- ☐ Parking Plan  
☐ Interior Layout

### For Plat/Subdivision:

- ☐ Three (3) copies of concept plat  
☐ Topographic information  
☐ Proof of Flagging  
☐ Plat Certificate from a title company

### If Pertinent to Application:

- ☐ Drainage and Utility Plan  
☐ Landscape Plan

## CERTIFICATION:

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

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Date

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.

*[Signature]*  
\_\_\_\_\_  
Applicant (If different than owner)

*3/9/18*  
\_\_\_\_\_  
Date



## Samantha Pierson

---

**From:** Ted Laufenberg <tllaufen@gmail.com>  
**Sent:** Wednesday, March 28, 2018 12:40 PM  
**To:** Michael Scarcelli; Samantha Pierson  
**Cc:** Bridget Kauffman; Dawn Young; John Herchenrider  
**Subject:** Re: Zoning Change Petition

I apologize, The previous message got sent prematurely.

Dear Michael and Samantha,

The attached document was sent and approved by the attached people via an e-mail petition.

Melinda Hofstad <[mhofstad@me.com](mailto:mhofstad@me.com)>,  
Steve Morse <[stephen\\_morse@hotmail.com](mailto:stephen_morse@hotmail.com)>,  
Kari Lundgren and Ron Handerson <[coastal.rentals@yahoo.com](mailto:coastal.rentals@yahoo.com)>,  
Mike and Sally Trotter <[mtrotter@flyfishalaska.com](mailto:mtrotter@flyfishalaska.com)>,  
Mary Stevens <[baranofdogwoodinn@gmail.com](mailto:baranofdogwoodinn@gmail.com)>,  
Herman Martin <[martin.herman@gmail.com](mailto:martin.herman@gmail.com)>,  
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Fred A. Sharpe <[fsharpe@alaskawhalefoundation.org](mailto:fsharpe@alaskawhalefoundation.org)>,  
Dan Evans <[sitkadan@mac.com](mailto:sitkadan@mac.com)>  
Ted Laufenberg <[tllaufen@gmail.com](mailto:tllaufen@gmail.com)>

Regards,  
Ted Laufenberg, PE  
Engineer/Project Management/Inspection  
*Sitka Design/Build*  
907-623-7107

On Wed, Mar 28, 2018 at 12:34 PM, Ted Laufenberg <[tllaufen@gmail.com](mailto:tllaufen@gmail.com)> wrote:

Melinda Hofstad <[mhofstad@me.com](mailto:mhofstad@me.com)>,  
Steve Morse  
<[stephen\\_morse@hotmail.com](mailto:stephen_morse@hotmail.com)>,  
Kari Lundgren and Ron Handerson  
<[coastal.rentals@yahoo.com](mailto:coastal.rentals@yahoo.com)>,  
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<[mtrotter@flyfishalaska.com](mailto:mtrotter@flyfishalaska.com)>,  
Mary Stevens

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Dan Evans <[sitkadan@mac.com](mailto:sitkadan@mac.com)>

Ted Laufenberg <[tllaufen@gmail.com](mailto:tllaufen@gmail.com)>

Regards,  
Ted Laufenberg, PE  
Engineer/Project Management/Inspection  
Sitka Design/Build  
907-623-7107

----- Forwarded message -----

From: **Ted Laufenberg** <[tllaufen@gmail.com](mailto:tllaufen@gmail.com)>

Date: Tue, Mar 13, 2018 at 6:27 PM

Subject: Zoning Change Petition

To: Melinda Hofstad <[mhofstad@me.com](mailto:mhofstad@me.com)>, Steve Morse <[stephen\\_morse@hotmail.com](mailto:stephen_morse@hotmail.com)>, Kari Lundgren and Ron Handerson <[coastal.rentals@yahoo.com](mailto:coastal.rentals@yahoo.com)>, Mike and Sally Trotter <[mtrotter@flyfishalaska.com](mailto:mtrotter@flyfishalaska.com)>, Mary Stevens <[baranofdogwoodinn@gmail.com](mailto:baranofdogwoodinn@gmail.com)>, Herman Martin <[martin.herman@gmail.com](mailto:martin.herman@gmail.com)>, Mark Young <[mark@markdawnyoung.com](mailto:mark@markdawnyoung.com)>, Lani Lani Brennan <[tarkathree@hotmail.com](mailto:tarkathree@hotmail.com)>, Judy Brakel <[judybrakel@gmail.com](mailto:judybrakel@gmail.com)>, John Herchenrider <[johnherch@gmail.com](mailto:johnherch@gmail.com)>, Jim Brennan <[brennanalaska@gmail.com](mailto:brennanalaska@gmail.com)>, Jeanne Stolberg <[sitkajean@gmail.com](mailto:sitkajean@gmail.com)>, Holly Verbeck <[holly@heychef.com](mailto:holly@heychef.com)>, Fenton Allen <[fenton\\_allen@yahoo.com](mailto:fenton_allen@yahoo.com)>, Dawn Young <[dawn@markdawnyoung.com](mailto:dawn@markdawnyoung.com)>, Clyde Shaffer <[sshaffer321@gmail.com](mailto:sshaffer321@gmail.com)>, Christine Lundstedt <[baranof9general@gmail.com](mailto:baranof9general@gmail.com)>, Bridget <[ak.bridget@gmail.com](mailto:ak.bridget@gmail.com)>, Bill Weaver <[wildbillbaranof@gmail.com](mailto:wildbillbaranof@gmail.com)>, Barbara Morse <[morseb9@hotmail.com](mailto:morseb9@hotmail.com)>, Andy Szabo <[andyszabo@gmail.com](mailto:andyszabo@gmail.com)>, "Fred A. Sharpe" <[fsharpe@alaskawhalefoundation.org](mailto:fsharpe@alaskawhalefoundation.org)>, Dan Evans <[sitkadan@mac.com](mailto:sitkadan@mac.com)>

Dear Friends,

Today the BPOA Officers asked Michael Scarcelli, Planning and Community Development Director, to consider a small change in the zoning at Baranof Warm Springs. Three existing lot uses in the Recreational District category are presently **Permitted Uses**. We are advocating that these be changed to **Conditional Uses**.

**Please review the attached petition. We are hoping that each of you agrees with the proposed changes and will signify that by responding back to me in the affirmative!**

**Feel free to call or write me if you have any questions or comments. Thank You**

Regards,

Ted Laufenberg, PE

Engineer/Project Management/Inspection

*Sitka Design/Build*

907-623-7107



## Samantha Pierson

---

**From:** Ted Laufenberg <tllaufen@gmail.com>  
**Sent:** Wednesday, March 28, 2018 12:34 PM  
**To:** Michael Scarcelli; Samantha Pierson  
**Cc:** Bridget Kauffman; Dawn Young; John Herchenrider  
**Subject:** Fwd: Zoning Change Petition  
**Attachments:** Narrative for Zoning Amendment (3).docx

RECEIVED MAR 28 2018

Melinda Hofstad <[mhofstad@me.com](mailto:mhofstad@me.com)>,  
Steve Morse  
<[stephen\\_morse@hotmail.com](mailto:stephen_morse@hotmail.com)>,  
Kari Lundgren and Ron Handerson  
<[coastal.rentals@yahoo.com](mailto:coastal.rentals@yahoo.com)>,  
Mike and Sally Trotter  
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Fred A. Sharpe  
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Dan Evans <[sitkadan@mac.com](mailto:sitkadan@mac.com)>

Ted Laufenberg <[tllaufen@gmail.com](mailto:tllaufen@gmail.com)>

Regards,  
Ted Laufenberg, PE  
Engineer/Project Management/Inspection  
*Sitka Design/Build*  
907-623-7107

----- Forwarded message -----

RECEIVED MAR 28 2018

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Date: Tue, Mar 13, 2018 at 6:27 PM

Subject: Zoning Change Petition

To: Melinda Hofstad <[mhofstad@me.com](mailto:mhofstad@me.com)>, Steve Morse <[stephen\\_morse@hotmail.com](mailto:stephen_morse@hotmail.com)>, Kari Lundgren and Ron Handerson <[coastal.rentals@yahoo.com](mailto:coastal.rentals@yahoo.com)>, Mike and Sally Trotter <[mtrotter@flyfishalaska.com](mailto:mtrotter@flyfishalaska.com)>, Mary Stevens <[baranofdogwoodinn@gmail.com](mailto:baranofdogwoodinn@gmail.com)>, Herman Martin <[martin.herman@gmail.com](mailto:martin.herman@gmail.com)>, Mark Young <[mark@markdawnyoung.com](mailto:mark@markdawnyoung.com)>, Lani Lani Brennan <[tarkathree@hotmail.com](mailto:tarkathree@hotmail.com)>, Judy Brakel <[judybrakel@gmail.com](mailto:judybrakel@gmail.com)>, John Herchenrider <[johnherch@gmail.com](mailto:johnherch@gmail.com)>, Jim Brennan <[brennanalaska@gmail.com](mailto:brennanalaska@gmail.com)>, Jeanne Stolberg <[sitkajean@gmail.com](mailto:sitkajean@gmail.com)>, Holly Verbeck <[holly@heychef.com](mailto:holly@heychef.com)>, Fenton Allen <[fenton\\_allen@yahoo.com](mailto:fenton_allen@yahoo.com)>, Dawn Young <[dawn@markdawnyoung.com](mailto:dawn@markdawnyoung.com)>, Clyde Shaffer <[sshaffer321@gmail.com](mailto:sshaffer321@gmail.com)>, Christine Lundstedt <[baranof9general@gmail.com](mailto:baranof9general@gmail.com)>, Bridget <[ak.bridget@gmail.com](mailto:ak.bridget@gmail.com)>, Bill Weaver <[wildbillbaranof@gmail.com](mailto:wildbillbaranof@gmail.com)>, Barbara Morse <[morseb9@hotmail.com](mailto:morseb9@hotmail.com)>, Andy Szabo <[andyszabo@gmail.com](mailto:andyszabo@gmail.com)>, "Fred A. Sharpe" <[fsharpe@alaskawhalefoundation.org](mailto:fsharpe@alaskawhalefoundation.org)>, Dan Evans <[sitkadan@mac.com](mailto:sitkadan@mac.com)>

Dear Friends,

Today the BPOA Officers asked Michael Scarcelli, Planning and Community Development Director, to consider a small change in the zoning at Baranof Warm Springs. Three existing lot uses in the Recreational District category are presently **Permitted Uses**. We are advocating that these be changed to **Conditional Uses**.

**Please review the attached petition. We are hoping that each of you agrees with the proposed changes and will signify that by responding back to me in the affirmative!**

**Feel free to call or write me if you have any questions or comments. Thank You**

Regards,

Ted Laufenberg, PE

Engineer/Project Management/Inspection

Sitka Design/Build

907-623-7107

Narrative for Zoning Amendment:

March 13, 2018

A petition by Baranof Property Owners Association

Change: Three of the Permitted Uses in the Recreational District (R) to Conditional Uses.**“Resort”, “Utility Facilities”, and “Public Water Supply Facility”**

The rationale for requesting these changes is to assure that property owners in these very rural, undeveloped, recreational settings have full review of any uses that might cause significant changes to the quiet and self-sufficient life enjoyed in such settings. Properties in the Townsite of Baranof Warm Springs and Goddard Hot Springs have this “R” zoning tag.

Present residence owners at Baranof Warm Springs Townsite are in support of retaining the character and mixture represented in our present housing stock. A review of the zoning details in the present Recreational District (R) shows three permitted uses that are outside our present uses. Our general concept is to provide democratic process (public review and input) for any uses that fall outside of the status quo.

**Resort-** This use is *undefined* at present. It conjures up a variety of images that cover the spectrum from ...a small woodland cluster of log cabins to.... a high-rise beach-front glass & steel 40-story tower on a sandy beach. We believe a potential developer should be required to present to the Commission to provide disclosure in a public setting. During that “Conditional Use” hearing, the property/cabin owners would give feedback to the Commission and the Assembly for full review of a possible “resort”.

**Utility Facilities-** During the course of most utility facility installations, property owners should be given the opportunity to know *what is being installed and why*. Will there be noise, smells, ugliness or other aesthetics that will be unpleasant? This review should be made a requirement to reinforce the concept that the utility is meant to serve the residents (...a common purpose for utilities). In this case, we are also keen to avoid the construction/installation/day-to-day costs of the utility if the residents are not in favor of this utility. (i.e. an extension of the “no taxation without representation” principle.)

**Public Water Supply Facility-** The previous comments apply to this use as well. Making this a conditional use will provide the necessary forum for review of the proposed water supply facility.... by those who will be “served” by such a facility.

We look forward to discussing this proposal with you at your earliest convenience.

Respectfully Submitted:

**Ted Laufenberg, President**  
**Baranof Property Owners Association**

cc: **John Herchenrider, Vice-President**  
**Bridget Kauffman, Secretary**  
**Dawn Young, Treasurer**



Narrative for Zoning Amendment:

March 11, 2018

A petition by Baranof Property Owners Association

Change: Three of the Permitted Uses in the Recreational District (R) to Conditional Uses.

**"Resort", "Utility Facilities", and "Public Water Supply Facility"**

The rationale for requesting these changes is to assure that property owners in these very rural, undeveloped, recreational settings have full review of any uses that might cause significant changes to the quiet and self-sufficient life enjoyed in such settings. Properties in the Townsite of Baranof Warm Springs and Goddard Hot Springs have this "R" zoning tag.

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Respectfully Submitted:

  
Ted Laufenberg, President

Baranof Property Owners Association

cc: John Herchenrider, Vice-President

Bridget Kauffman, Secretary

Dawn Young, Treasurer



# CITY AND BOROUGH OF SITKA

## Legislation Details

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**File #:** CUP 18-07    **Version:** 1    **Name:**

**Type:** Conditional Use Permits    **Status:** AGENDA READY

**File created:** 2/28/2018    **In control:** Planning Commission

**On agenda:**    **Final action:**

**Title:** Public hearing and consideration of a conditional use permit for a short-term rental at 116 Knutson Drive in the R-2 multifamily residential district. The property is also known as Lot 17A Knutson Subdivision Phase III Lot Line Adjustment. The request is filed by Michael Finn. The owners of record are Michael and Elizabeth Finn.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [CUP18-07.116Knutson.STR.Finn.Packet.20Apr2018](#)

Date	Ver.	Action By	Action	Result
3/22/2018	1	Planning Commission	POSTPONED	Pass



# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

*Coast Guard City, USA*

## Planning and Community Development Department

### **AGENDA ITEM:**

Case No: CUP 18-07  
Proposal: Request for short-term rental at 116 Knutson Drive  
Applicant: Michael Finn  
Owner: Michael and Elizabeth Finn  
Location: 116 Knutson Drive  
Legal: Lot 17A Knutson Subdivision Phase III Lot Line Adjustment  
Zone: R-2 multifamily residential district  
Size: 17,324 square feet  
Parcel ID: 3-1003-017  
Existing Use: Residential  
Adjacent Use: Residential  
Utilities: Existing  
Access: Knutson Drive and access easement

### **KEY POINTS AND CONCERNS:**

- Rental unit is a four bedroom three bath single-family house
- Sufficient parking on-site – at least 8 spaces shown
- Access via Knutson Drive and easement through one property
- No other short-term rentals on Knutson Drive
- Property exceeds minimum square footage for the zone
- Short-term rentals offer economic opportunity for homeowners but may impact long-term rental rates
- Rental will be professionally managed and will operate year-round
- Burden is on the applicant to prove that the proposal will not negatively impact the neighborhood
- Applicant has been proactive in addressing concerns unrelated to this proposal but related to other long-term rentals, by installing bear resistant trash enclosures.

### **RECOMMENDATION:**

Staff recommends that the Planning Commission approve the conditional use permit request for a short-term rental at 116 Knutson Drive.



## **ATTACHMENTS**

Attachment A: Applicant Materials

Attachment C: Correspondence

Attachment B: Staff Materials

## **BACKGROUND/PROJECT DESCRIPTION**

The request is for a conditional use permit for a year-round short-term rental of a single-family house at 116 Knutson Drive. The house was constructed in 2005. The rental unit is 4 bedroom 3 bathroom house. The applicant proposes that the unit can house approximately 12 people, and reports that there is a need in the market for short-term rentals to house larger groups.

The rental will be professionally managed with policies and procedures in place to manage guests. Access to this lot is from Knutson Drive and an access easement through one lot. There are no other short-term rentals on Knutson Drive.

- Update: Since last meeting, the municipal attorney has opined that private recorded conditions and covenants are private enforcement issues. Private agreements are enforced by private parties – regardless of the reference to a public process. In addition, the applicant has been proactive in addressing concerns unrelated to this proposal, but related to other long-term rentals, by installing bear resistant trash enclosures.

## **ANALYSIS**

### **1. CRITERIA TO BE USED IN DETERMINING THE IMPACT OF CONDITIONAL USES.<sup>1</sup>**

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

Applicant reports that when his family has occupied the house, they generated regular traffic. Applicant states that the short-term rental will result in a decrease in overall traffic from its current use. Staff believe this to be a likely scenario; however, short-term visitors may encounter difficulty finding in the property resulting in impacts to neighbors. If approved, applicant should consider installing small code-compliant signage to assist renters in locating the property and as well as providing renters with detailed turn-by-turn directions.

**b. Amount of noise to be generated and its impacts on surrounding land use:** Vacationers may create noise. Applicants report that their family has regularly hosted lively social events at their house for the last 12 years, and does not believe that renters will “out perform our family functions.” Regardless, the rental agreement should state that excessive noise may be grounds for eviction.

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<sup>1</sup> § 22.24.010.E

**c. Odors to be generated by the use and their impacts:** Improperly managed garbage may attract bears. Applicants have stated that garbage will be stored in the house and/or in the 1-car garage. Storage shall occur indoors until 4 am on garbage pick-up day.

**d. Hours of operation:** Year-round short-term rental.

**e. Location along a major or collector street:** Access from Knutson Drive and an access easement through one lot.

**f. Potential for users or clients to access the site through residential areas or substandard street creating a cut through traffic scenario:** No cut-through scenarios. Renters may have difficulty locating the correct driveway, resulting in accidental use of neighboring driveways.

**g. Effects on vehicular and pedestrian safety:** The easement from Knutson Drive is steep and inside a turn. Knutson Drive does not have sidewalks. The owners may consider installing small code-compliant signage to minimize confusion for visiting motorists.

**h. Ability of the police, fire, and EMS personnel to respond to emergency calls on the site:** Same as if the unit had a long-term inhabitant.

**i. Logic of the internal traffic layout:** Applicants report at least 5 outside parking spaces and 3 garage spaces, exceeding requirements. Applicant estimates that a maximum of 3 parking spaces will be utilized on average. A condition of approval requires all parking to be located on-site.

**j. Effects of signage on nearby uses:** No proposed signage. The applicant may wish to consider small code-compliant signage to help renters find the property.

**k. Presence of existing or proposed buffers on the site or immediately adjacent the site:** Steep topography and setbacks of 61.5 feet, 53.5 feet, 31.5 feet, and 18 feet provide sufficient buffering on 4 of the 5 sides. On the fifth side, the deck eaves extend up to 7 feet of the property line (with an administrative variance), closely approaching the neighbor's garage at a 2 foot side setback (with a variance). As the structure nearest the applicant's deck is a garage, any impacts are expected to be minimal.

**l. Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan:** Conforms to Comprehensive Plan Section 2.2.1 which emphasizes supporting "economic activities which contribute to a stable, long-term, local economic base" by allowing local homeowners to launch a small business and participate in the tourism industry and Section 2.6.2(K), which supports "development of facilities to accommodate visitors" that do not negatively impact surrounding residential neighborhoods, by operating a short-term rental with requirements to mitigate concerns for traffic, odors, and noise.

**m. Other criteria that surface through public comments or planning commission review:** Short-term rentals may cause the increase of long-term rental rates.

### **RECOMMENDATION**

It is recommended that the Planning Commission approve the conditional use permit application for a short-term rental at 116 Knutson Drive.

.....

### **Motions in favor of approval:**

1) I move to approve the conditional use permit application for a short-term rental at 116 Knutson Drive subject to the attached conditions of approval. The property is also known as Lot 17A Knutson Subdivision Phase III Lot Line Adjustment. The request is filed by Michael Finn. The owners of record are Michael and Elizabeth Finn.

#### 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 every year, 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 has begun 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 bed 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 against the risk and impact of bears from the short term rental, the property owner shall assure all trash is deposited in trash receptacles that are stored in bear proof areas (whether enclosed garage or other bear proof area) and only placed on street for collection after 4 AM on trash collection day. Should this condition not be followed the CUP shall be revoked.



8. To mitigate against 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 on-street 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, appropriate access, parking, trash management, noise control, and a general admonition to respect the surrounding residential neighborhood.

12. 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.

13. Failure to comply with any of the above conditions may result in revocation of the conditional use permit.

2) I move to find that:<sup>2</sup>

1. ...The granting of the proposed conditional use permit will not:

- a. Be detrimental to the public health, safety, and general welfare *specifically, garbage will be kept indoors so as to not attract bears;*
- b. Adversely affect the established character of the surrounding vicinity *specifically, a rental overview will be provided to detail proper access and use of the property;* 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, *specifically, the property provides on-site parking.*

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, conforms to Comprehensive Plan Section 2.2.1 which emphasizes supporting "economic activities which contribute to a stable, long-term, local economic base" by allowing local homeowners to launch a small business and participate in the tourism industry and Section 2.6.2(K), which supports "development of facilities to accommodate visitors" that do not negatively impact surrounding residential neighborhoods, by operating a short-term rental with requirements to mitigate concerns for traffic, odors, and noise.*

3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced, *specifically that a rental overview will be provided and violations of rules may be grounds for eviction.*

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<sup>2</sup> § 22.30.160.C – Required Findings for Conditional Use Permits

# Attachment A

## Applicant Materials



# CITY AND BOROUGH OF SITKA

## PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT GENERAL APPLICATION FORM

1. Request projects at least TWENTY-ONE (21) days in advance of next meeting date.
2. Review guidelines and procedural information.
3. Fill form out completely. No request will be considered without a completed form.
4. Submit all supporting documents and proof of payment.

### APPLICATION FOR:

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

BRIEF DESCRIPTION OF REQUEST: Requesting Permit for short term  
rentals (VRBO)

### PROPERTY INFORMATION:

CURRENT ZONING: R-2 PROPOSED ZONING (if applicable): \_\_\_\_\_

CURRENT LAND USE(S): Single family PROPOSED LAND USES (if changing): Short term rental

### APPLICANT INFORMATION:

PROPERTY OWNER: Michael & Elizabeth Finn

PROPERTY OWNER ADDRESS: 116 Knutson Drive

STREET ADDRESS OF PROPERTY: Same

APPLICANT'S NAME: Michael K. Finn

MAILING ADDRESS: 116 Knutson Drive

EMAIL ADDRESS: photo@gci.net DAYTIME PHONE: 907-752-0052

### PROPERTY LEGAL DESCRIPTION:

TAX ID: 3-1003-017 LOT: Lot 17a BLOCK: — TRACT: —

SUBDIVISION: Knutson US SURVEY: 3557

### OFFICE USE ONLY

COMPLETED APPLICATION		SITE PLAN	
NARRATIVE		CURRENT PLAT	
FEE		PARKING PLAN	



## REQUIRED SUPPLEMENTAL INFORMATION:

### For All Applications:

- ☒ Completed application form
- ☒ Narrative
- ☒ Site Plan showing all existing and proposed structures with dimensions and location of utilities
- ☒ Deed
- ☒ Copy of current plat
- ☐ Proof of filing fee payment

### For Conditional Use Permit:

- ☒ Parking Plan
- ☒ Interior Layout

### For Plat/Subdivision:

- ☐ Three (3) copies of concept plat
- ☐ Topographic information
- ☐ Proof of Flagging
- ☐ Plat Certificate from a title company

### If Pertinent to Application:

- ☐ Drainage and Utility Plan
- ☐ Landscape Plan

## 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.

mlkf

Owner

2/20/18

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



To Whom It May Concern:

I wanted to thank you for taking the time to share your concerns in regards to having a vacation rental in your neighborhood. It's only by knowing there's a problem that we have the opportunity to search for solutions. The goal of this letter is not to try and change your mind, but rather to dispel misconceptions about the vacation rental industry in Sitka.

It is my understanding there are concerns in the following areas; 1) concern that there would be a lot of partying and loud noise, 2) more trash than usual, creating a draw for bears, 3) increased traffic and less privacy in the area.

Of course your concerns are valid, having been in business for almost two years now in addition with the previous owners ten plus years experience, we have taken steps to prevent as many problems as possible in all our vacation rentals.

- 1) Partying: Sitka Travel strives to make sure our guests are good neighbors. We post notices in the home to prevent issues in addition to having guests sign a rental agreement (see attached rental agreement) before renting. In such agreement it lets guests know they are renting a house in a residential neighborhood and will be evicted if they cause a disturbance.
- 2) Regarding trash; for the same reasons your concerned, we place notices in the rental in regards to not leaving garbage outside the rental. In addition we have recycling bins in each rental. If at anytime the garbage cans are full, I will call for a midweek pickup.
- 3) Traffic: whether it's a family on vacation with one or two rental cars or the current owners with their two cars, traffic will be about the same.

With all that said, I don't expect to change your mind but rather have you understand my business has zero tolerance in regards to disrupting a neighborhood. My vacation rentals haven't had any complaints from neighbors in regards to noise, garbage or increased traffic in my two years of owning this business. I strive to keep good relationships with neighboring home owners and am always open to working with them to make this situation work for everyone.

Kind Regards,

Christine McGraw

Sitka Travel

RECEIVED APR 18 2018

Sitka Travel Rental Agreement-----

Your reservation total includes; rent, and if applicable; rent (bed) tax of 6% on your home rental, and sales tax (see below) on home rental, tours and services: Tax info and a link to the Sitka City and Borough Tax Code is provided on our website.

RESERVING FOR STAYS 29 nights OR LESS: 35% deposit is required to reserve, with balance due 60 days prior to arrival. Bookings made less than 60 days prior to arrival must be paid in full.

PAYMENT: A credit card or ACH transfer may be used on stays 29 nights or less. On stays 30 nights or longer, you are welcome to pay via electronic check at no charge. A 3% credit card processing fee is required when paying by credit card.

Property Protection Program. Our properties and their contents are valuable and reasonable care should be taken with them during their rental. Our company, including the participating rental property homeowners we represent, is an additionally-insured participant in a Property Protection Program that reimburses certain costs for unintentional accidental damage to our properties during their rental occupancy. With our participation in this Program, except in certain circumstances, we may not collect and hold refundable pet, damage, or security deposits. We charge renters a non-refundable administrative fee to defer our costs for Program participation. If, during a renter's occupancy, the renter or a member of renter's party or renter's guest causes any damage to real or personal property of our rental property as a result of unintentional accidental acts or omissions, the renter must notify our property management office at that time, and before check-out. For rentals that exceed the coverage limits of the Program, we may collect a supplementary refundable (net of any damage reimbursement) security deposit from renter upon check-in. Renter is liable to us for any damages caused by the renter or a member of renter's party or renter's guest that are not reimbursed to us or exceed the maximum per-incident limit of our coverage, and the credit card on file and/or any collected security deposit will be charged. If the renter wishes to pay a refundable (net of any damage reimbursement) damage security deposit, renter must notify us before check-in. Special or large event and/or pet deposits may be charged in certain situations.

CLEANING DEPOSIT: On extended stays 30 nights or longer, a \$500 cleaning deposit is required, from which the departure cleaning will be deducted.



**CANCELLATION:** On Stays cancelled 60 days or greater before arrival will incur a 10% cancellation or change fee. There are no refunds for stays cancelled 59 days or less prior to arrival or after arrival. It is highly suggested you purchase Trip Cancellation and Travel Insurance, either from your preferred agent, or Sitka Travel.

Trip Cancellation and Travel Insurance protection is available with your reservation. Trip Cancellation and Travel Insurance is intended to provide protection to you against losses for certain pre-paid non-refundable expenses due to certain unforeseeable circumstances that may jeopardize your travel investment and force you to incur unplanned additional costs. In addition, Island Property Services dba Sitka Travel cannot refund rental deposit payments due to circumstances beyond our control, including but not limited to tsunami, hurricane or storm-caused evacuations, road closures, inclement weather, or any illness or injury to someone within your traveling party that may cause you to cancel your trip. For these reasons, we recommend that you purchase this valuable protection, which includes benefits such as medical coverage, travel delay benefits, 24/7 emergency services and more (described in full in specific program documentation we will provide you upon request). If you do not wish to purchase this Trip Cancellation and Travel Insurance, please read and understand cancellation policy for this reservation.

**UNAVAILABILITY OF RENTAL:** If for reasons beyond our control the unit reserved becomes unavailable, we reserve the right to move you to a rental of your preference, of equal or better value, or cancel the reservation and return any rental monies paid by you within 10 business days of notice of its unavailability, whichever you prefer. Neither Christine McGraw, dba Island Property Services, nor the rental owner, is responsible for any fees beyond what you have paid for the rental.

**Home Description;** Please read the home's description for all info, but, unless otherwise listed in description, all Sitka Travel's properties are fully-furnished, including all bed and bath linens, as well as a fully-equipped kitchen. Utilities, heat and electric, as well as cable TV and internet are included. Some homes may have limited internet or cable due to location.

Electricity, Heat, Cable TV and Internet, are Very Expensive in Sitka. Movie and Music streaming is discouraged due to Sitka's limited bandwidth and overage costs. Guests are responsible and will be charged for pay per views. We want our Guests to be warm and

comfortable, but keep the heat down when you are out of the house and close the window if the heat is on. If discovered to have heaters going and windows open at same time, a "wasteful utility" charge may be added to cover wasteful utility use.

**ARRIVAL:** If the premises appear dirty or damaged upon Check-in, Guest shall inform Homeowner or Sitka Travel immediately so we can remedy it. Failure to report waives any claim for reimbursement or cleaning.

**ACCESS:** Guest shall allow Homeowner access to the property for purposes of repair and inspection. Homeowner shall exercise this right of access in a reasonable manner and by giving 24 hours, unless the guest contacts us requesting for immediate repair.. For stays 30 days or longer, Sitka Travel or the homeowner shall have the right to inspect once monthly for mold and will give 24 hours notice.

**LOSS OF PERSONAL BELONGINGS:** The Homeowners nor Sitka Travel, are responsible for the loss of personal belongings or valuables of the guest. By accepting this reservation, it is agreed that all guests are expressly assuming the risk of any harm arising from their use of the premises or others whom they invite to use the premise.

**HOUSEKEEPING:** While linens and bath towels are included in the unit, daily maid service is not included in the rental rate. Options will be offered to you on check out should you like to add them, including; daily, weekly, and mid-stay cleaning. You may also call the office to arrange services. We also offer shopping services, if you'd prefer not to spend your vacation time shopping. 24 hours notice is required.

**Re: Fish;** Sitka is a Fishing community and we love our fish. But, **NO FISH PROCESSING** inside the rental; at no time is anyone to bring a fish in for cleaning/processing. Fish processing should be done at the docks, which all have processing sites setup. Failure to heed by this will result in an additional cleaning fee, which can range from \$100 and up, depending on the amount of cleaning needed and how many scales we have to peeled off the wall...

**Re: Cooking of Fish and Crab:** Again, Sitka loves their fish, but, when at all possible, please cook outside.

**PETS:** Pets are allowed only on Select Homes, Only With Prior Approval: Additional deposit may apply.

**SMOKING: WARNING:** All Sitka Travel's Vacation Rentals are Non-Smoking Rentals: If you smoke inside, you WILL forfeit your damage deposit, and/or be charged on your

credit card for; having all bedding, curtains, carpets and walls washed down and disinfected, as well as a minimum of 2 days ozone treatment to remove odors. Average price to be charged is \$600, but depending of size of home may be more. There are designated smoking areas outside with a butt disposal.

**GUEST BEHAVIOR:** Guest agrees to leave room/home in the same condition as found and to return keys (if applicable) upon departure. Most rentals have push button security codes. If your rental has a key, failure to return the key will result in a minimum of \$35 fee for replacement.

**NUMBER OF GUESTS:** The number of Guests shall not exceed the number of Guests on your rental agreement/invoice. People other than those in the Guest party set forth above may not stay overnight in the property without our office, and/or the owner's approval. If more people are found to occupy premises than on the rental agreement, you may be evicted without a refund, or, if allowed to stay, you must agree to pay for the additional people at a rate of \$50 per person, per stay for anyone over 5 years of age. If you exceed the number allowed by the city license, you may be evicted or moved and charged for the higher rental. If evicted, your reservation will not be refunded.

**Disturbance Policy:** We want all of our guests to have a good time, but keep in mind that our homes are in residential areas and as such, behavior should be considerate. If owner or neighbors are disturbed by your behavior, you may be asked to quieten down, or be asked to leave. If asked to leave due to disturbing behavior, you will not receive a refund. This is a family oriented property. If a house party develops, all vacationers will be asked to leave immediately without refund. This policy will be enforced without exception. Groups renting under false pretenses will be evicted without refund. Over occupancy is considered a **SERIOUS VIOLATION** of this lease. Hosting parties, or subletting are not permitted and are Grounds for Eviction.

**HOT TUB:** Some of our rentals have hot tubs. If the one you are renting does, the following rules apply. No children under the age of 12 permitted in hot tub at any time without adult supervision. When using the hot tub, remember there is a certain health risk associated with this facility. Use at your own risk. Our housekeepers sanitize and replenish chemicals in all tubs prior to your arrival; therefore, it may not be warm until later that evening. **DO NOT STAND ON THE HOT TUB COVERS.** Hot tub covers are for insulation purposes and are not designed to support a person or persons. They will break and you **WILL** be charged for replacement. Cost average \$600. Remember when not using the hot tub, leave cover on so hot tub will stay warm.



**WATER ACCESS:** In homes that are located on or near the water, all water-related activities, such as, but not limited to; swimming, kayaking, boating, fishing, walking, wading, beach-combing, is at your own risk. Neither Island Property Services, Sitka Travel nor its' Owners, nor the Home Owner, may be held responsible for harm that may result from these activities.

**BIKES AND KAYAKS:** Some of our rentals offer free use of kayaks and bikes. If the rental you are renting has these available, the following rules apply; No one under the age of 12 may use without adult supervision. Both bikes and kayaks offer certain risk hazards, such as falling and drowning. Use at your own risk. In the event that either is damaged, please be sure to report the damage.

By accepting this reservation, it is agreed that all guests are expressly assuming the risk of any harm arising from their use of the premises or others whom they invite to use the premise.

This agreement shall be governed by the laws of the state of Alaska. Each of the parties irrevocably consents to the exclusive personal jurisdiction of the federal and state courts located in Alaska, as applicable, for any matter arising out of or relating to this Agreement.

Vacation Rentals in Alaska are governed by the Hotel/Motel laws, where a guest is ensconced in a rental, failure to pay on the agreed upon dates may result in eviction with no more than 24 hour notice. Vacation Rentals are considered hotels and are governed as such.

**Your Agreement:** On accepting this agreement: By accepting this rental agreement, you must hereby promise to pay by check, cash, or credit card, in which case, you give permission to charge your credit card for the amounts as agreed upon in the payment schedule. You agree that all rental monies are non-refundable per cancellation policy above. By clicking I agree, you are saying "I have read my rights to purchase travel insurance and have chosen to purchase or not purchase at my own discretion through Sitka Travel or, through an outside vendor."

By signing or accepting this agreement online or in person, you are agreeing to all the rules and regulations as set forth within it.

116 Knutson Drive Short Term Rental 12 Person Conditional Use Permit  
Michael & Elizabeth Finn  
907-752-0052

This note is to address the issues of parking, trash, noise and traffic for the request of a short term rental 12 person permit for 116 Knutson Drive.

**Parking:** Currently we have a 2 car garage and 1 car garage plus parking for 5 vehicles outside of the garages. As stated below we intend to use the 1 car garage for security of our trash cans. It's been my experience with short term rentals or VRBO's that the garage is usually used to store the owners personal property. But as we intend to stay in Sitka this won't be needed and could be used to accommodate vehicles if needed. Having 12 people I don't expect to see more than 3 vehicles at a time but can handle more if needed with the 2 car garage and 3 outside spots located on the opposite side of the house from our neighbor.


**Trash:** Our intention is to keep the trash can or cans inside our 1 car garage with an access door on the inside of the home. This makes it easy for the tenant to access without going outside and give us the ability to move the trash cans on trash day without entering or disturbing the tenants. Having the trash cans inside the garage also prevents bear issues in the neighborhood.

**Noise:** We have had poker, karaoke and corn hole parties almost every weekend for 12 years and also have had two teenage boys during that same time. Although you could have those wild tenants that will need to be dealt with I don't think the level of noise or frequency will out perform our family functions.

**Traffic:** I feel that the frequency of traffic will actually decrease as a result of this change. As stated above we have had two teenage boys during most of the 12 years at this location and between dances, friends coming over and them leaving 10 times a day it won't compare to 2 or 3 tenant vehicles.

Any questions feel free to call me at my cell phone listed above or if you wish to view the property prior to the meeting.

Thanks,

A handwritten signature in purple ink that reads "Michael K. Finn". The signature is stylized, with the first name "Michael" written in a cursive-like script and the last name "K. Finn" in a more formal, blocky style.

Michael K. Finn



# CERTIFICATE OF OWNERSHIP AND DEDICATION

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

DATE 4/13/04 OWNER Michael K. Finn (SIGNATURE)  
DATE 4/13/04 OWNER Elizabeth P. Finn (SIGNATURE)

## NOTARY'S ACKNOWLEDGMENT

US OF AMERICA  
STATE OF ALASKA  
CITY & BOROUGH OF SITKA

THIS IS TO CERTIFY THAT ON THIS 13 DAY OF April, 2004, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED, AND PERSONALLY APPEARED Michael K. Finn and Elizabeth P. Finn

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

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

MY COMMISSION EXPIRES 4-15-07

Sara L. Russell  
NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA



## CERTIFICATE OF PAYMENT OF TAXES STATE OF ALASKA FIRST JUDICIAL DISTRICT

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND ASSESSOR FOR THE CITY & BOROUGH OF SITKA, DO HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS OF THE CITY & BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS OWNED BY Michael K. Finn and Elizabeth P. Finn AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY & BOROUGH OF SITKA ARE PAID IN FULL FOR THE YEAR 2004 WILL BE DUE ON OR BEFORE 8-3-2004.

DATED THIS 13 DAY OF April, 2004, AT SITKA, ALASKA  
Sara L. Russell  
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 PLATTING BOARD, AND THAT SAID PLAT HAS BEEN APPROVED BY THE BOARD BY PLAT RESOLUTION NO. 04-01-1 DATED 4-8-04 AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT REGISTRAR, DISTRICT RECORDS, SITKA, ALASKA.

DATE 4-8-04 CHAIRMAN, PLATTING BOARD  
Sara L. Russell  
SECRETARY

## CERTIFICATE OF APPROVAL BY THE ASSEMBLY

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

DATE 4/12/04 CLERK Elizabeth P. Finn

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 OWNED BY Michael K. Finn and Elizabeth P. Finn 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 13 DAY OF April, 2004, AT SITKA, ALASKA

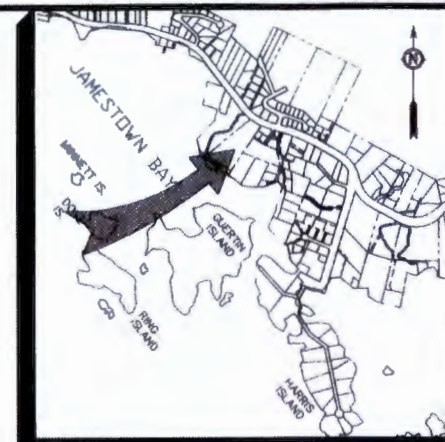
Sara L. Russell  
FINANCE DIRECTOR  
CITY & BOROUGH OF SITKA

## LEGEND

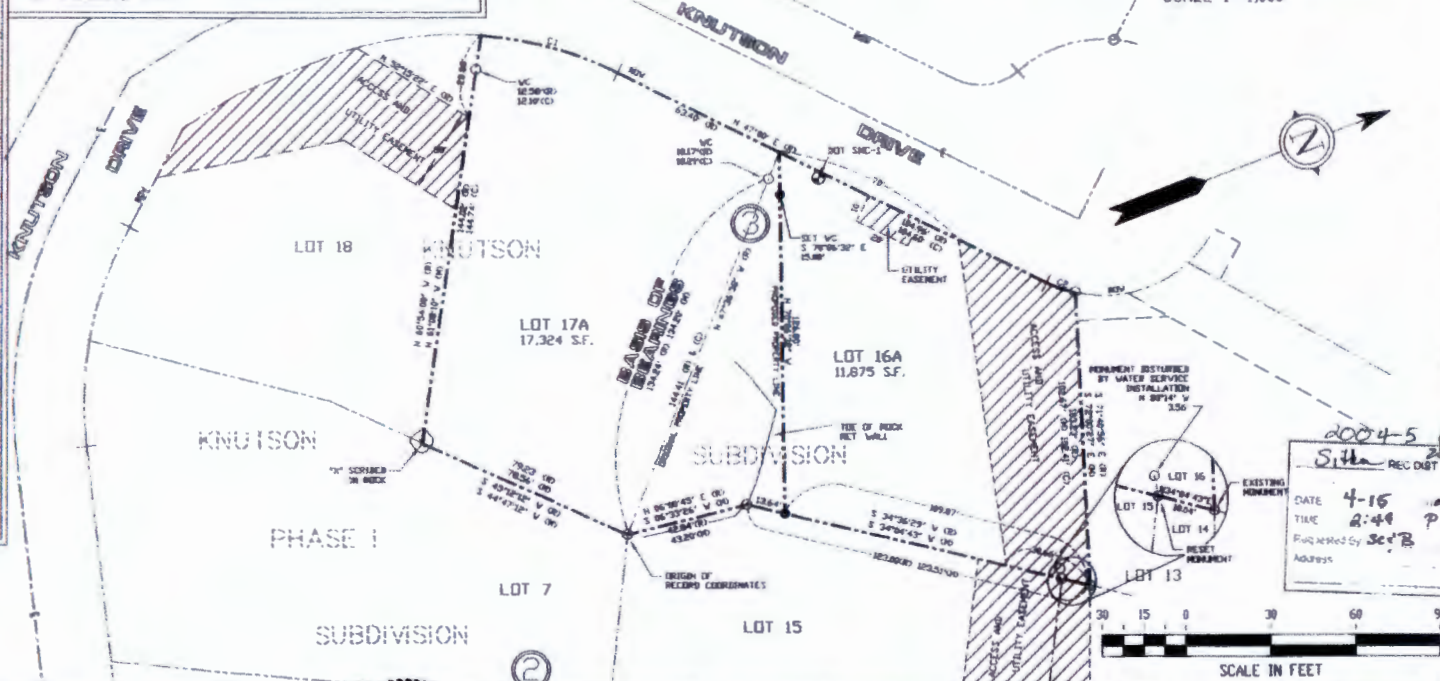
- ⊕ PRIMARY CONTROL MONUMENT RECOVERED (BRASS CAP)
- ⊕ BLN/GLO PRIMARY BRASS CAP (RECOVERED)
- SECONDARY MONUMENT (SET)
- SECONDARY MONUMENT (RECOVERED)
- (R) RECORDED DATA
- (C) COMPUTED DATA
- (M) MEASURED DATA

CALCULATED CURVE DATA					
NUMBER	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD	CHORD BEARINGS
CI	137°50'55"	129.74	49.76	129.74	S 36°00'00" E 49.40
CE	137°27'22"	129.74	49.76	129.74	N 49°13'27" E 49.40

RECORDED CURVE DATA					
NUMBER	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD	CHORD BEARINGS
CI	137°50'55"	129.74	49.76	129.74	S 36°00'00" E 49.40
CE	137°27'22"	129.74	49.76	129.74	N 49°13'27" E 49.40



VICINITY MAP  
SCALE 1"=1,000'



2004-5  
SITKA REC DIST  
DATE 4-15  
TIME 2:48 P  
Requested by Sec B  
Address

O'NEILL

SURVEYING AND ENGINEERING

BOX 1849 SITKA, ALASKA 99835  
PHONE: (907) 947-6700  
FAX: (907) 947-6700  
EMAIL: sitkasurveying@netnet.net

BY	DATE	REV.	DESCRIPTION OF CHANGE

RECORD OF REVISIONS



DESIGNED BY P. O'NEILL  
DRAWN BY W. GILGUS  
CHECKED BY W. GILGUS  
DATE OF PLATING IN FINAL POSITION 4-8-04  
SCALE: 1"=30'  
DRAWING NUMBER: 04-01-1  
PROJECT NO. 30485-01-00

## SURVEYOR'S CERTIFICATE

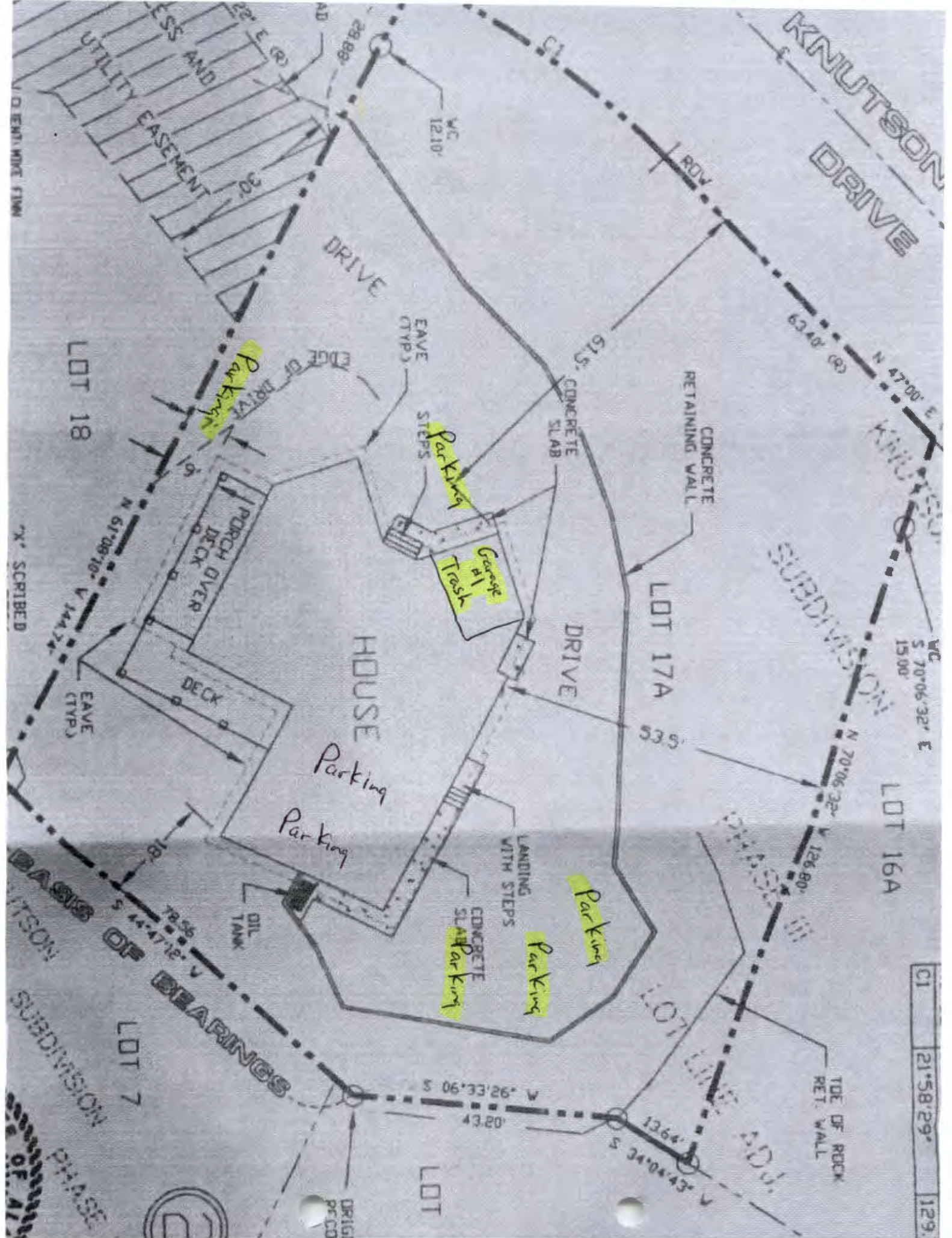
I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR, LICENSED IN THE STATE OF ALASKA, AND THAT IN 2004 A DEPUTY OF THE ALASKA REGISTERED LANDS WAS CONDUCTED UNDER MY DIRECT SUPERVISION AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THE FIELD NOTES OF SAID SURVEY, AND THAT ALL MEASUREMENTS AND OTHER DETAILS ARE CORRECT ACCORDING TO SAID FIELD NOTES.

2-22-04 Patrick K. O'Neill  
DATE SIGNATURE  
PATRICK K. O'NEILL, L.S. 6291

## KNUTSON SUBD. PHASE III LOT LINE ADJUSTMENT

LOT 16 AND 17,  
KNUTSON SUBDIVISION PHASE III  
CLIENT: MIKE AND LIZ FINN

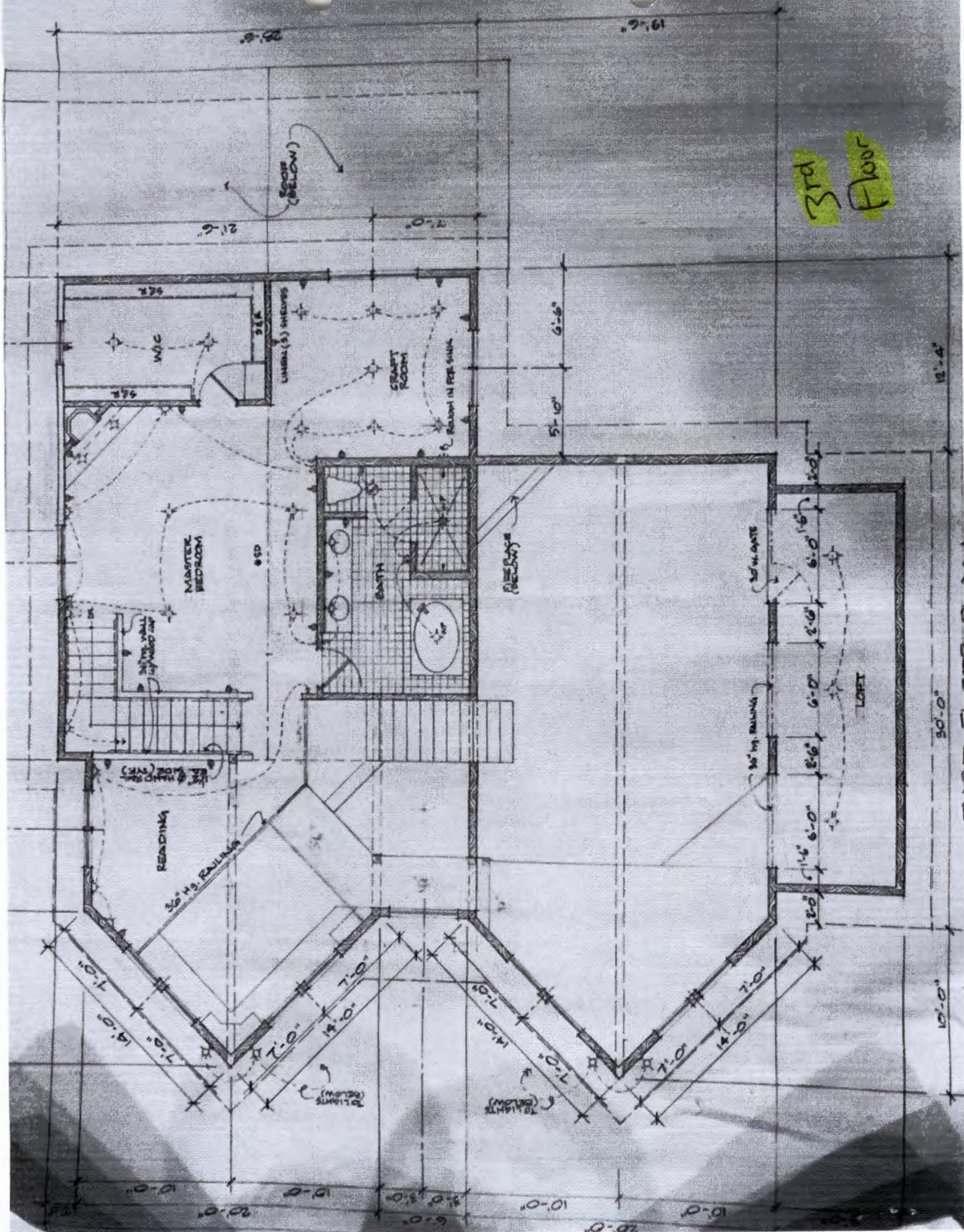




C1	21°58'29"	129
----	-----------	-----

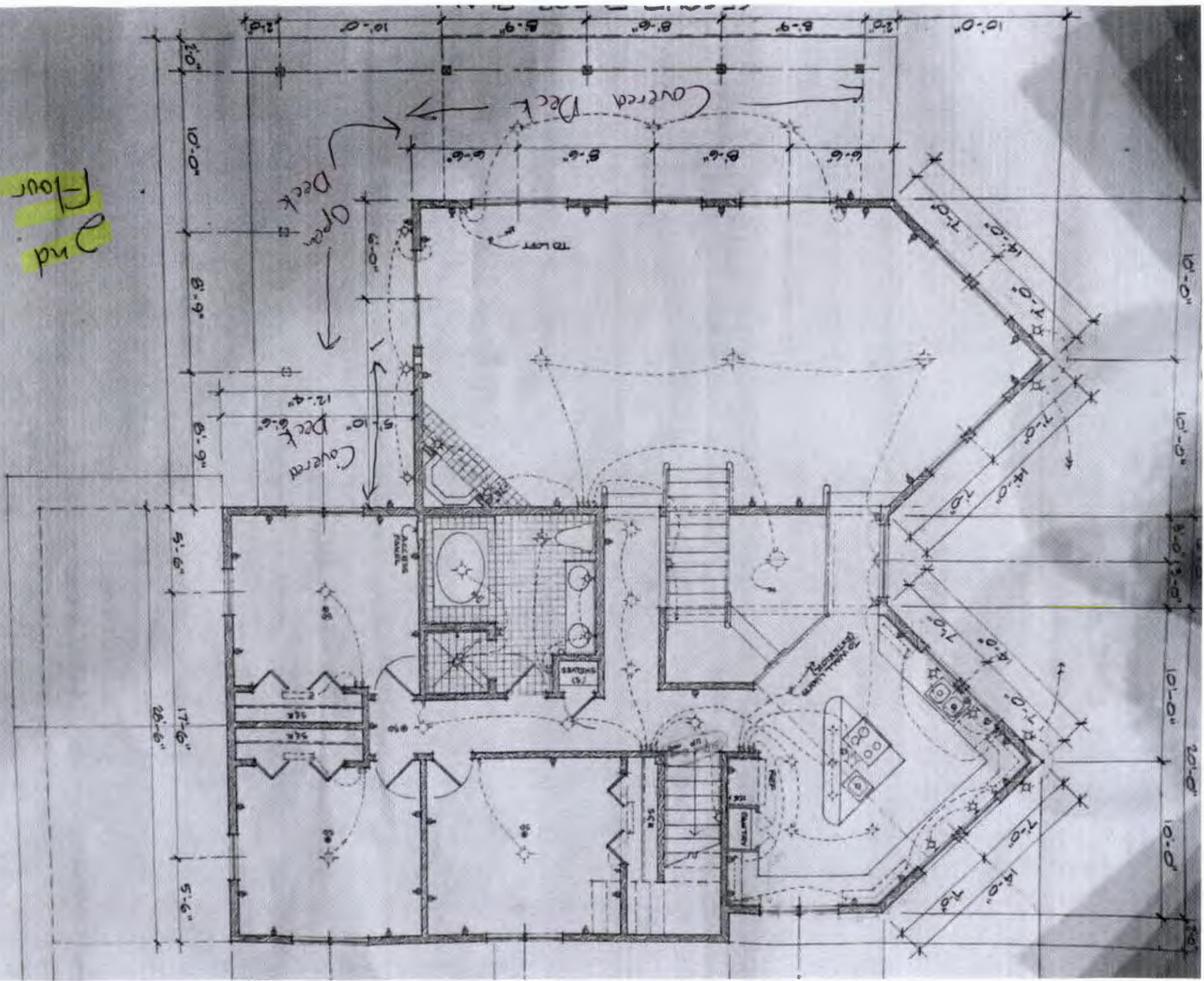


3rd Floor

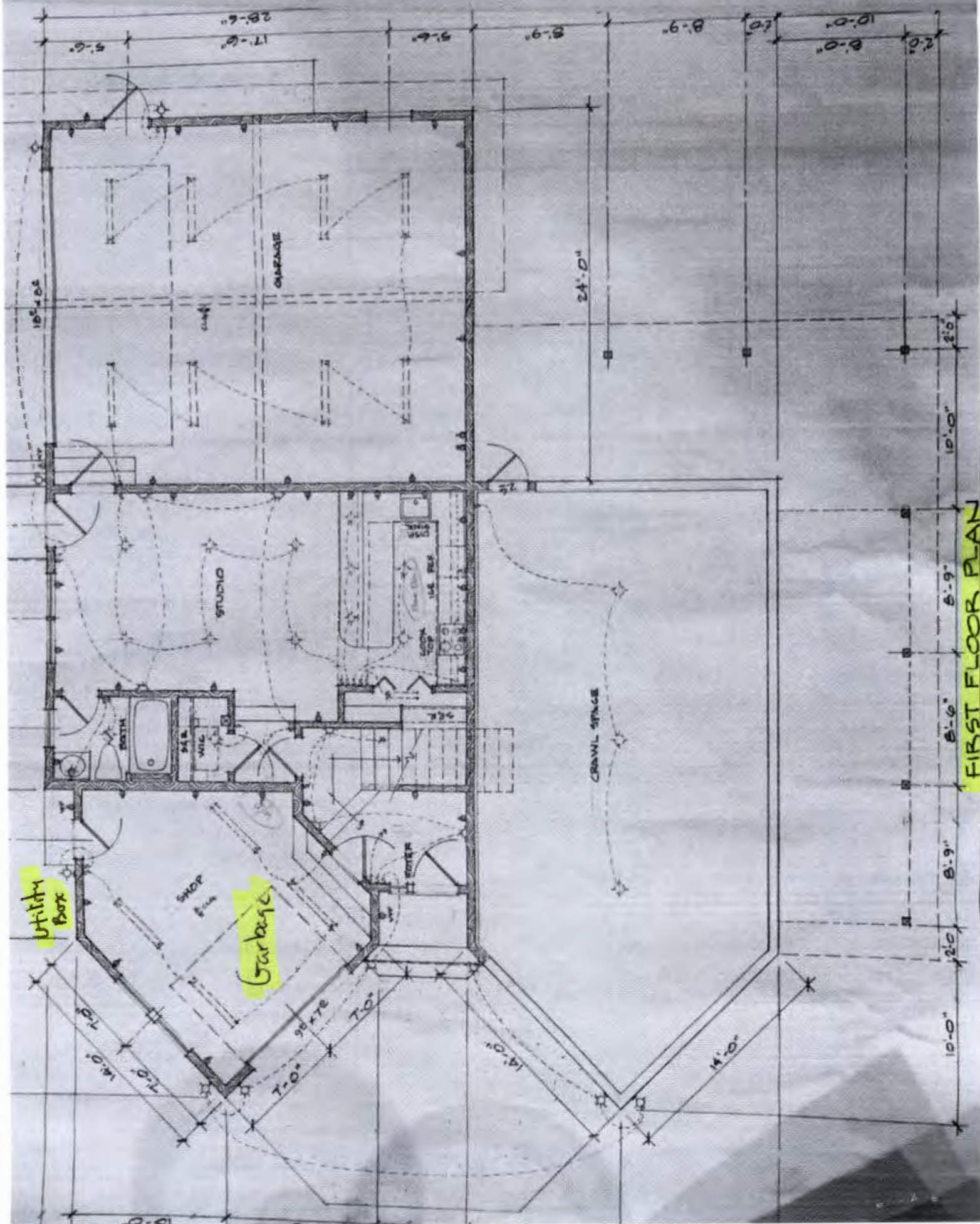




2nd Floor











RECEIVED APR 18 2018

## PUBLIC RECORDS REQUEST FORM

Name: <u>Michael K Finn</u>	Address: <u>116, 110, 108 Knutson Drive</u>
City: <u>Sitka</u>	State: <u>AK</u> Zip: <u>99835</u>
Phone No.: <u>907-752-0052</u>	Cell No.: <u>Same</u>
E-Mail: <u>photo@gci.net</u>	

The employee having custody of public records shall give, on request and pre-payment of the fee established under 1.25.010 or Section 1.25.030 unless pre-payment is waived a copy of the public record. The employee having custody of the public records shall respond within ten (10) working days of the request (do not count day request received, or Saturday, Sunday or CBS holidays). This time frame may be extended by written notification of the need for additional time before expiration of the response period. If the request is denied in whole or in part, you will be notified in writing. You may appeal the denial to the CBS Assembly, if written appeal is filed within ten working days. Your appeal will be heard at the next regular scheduled Assembly meeting. Any appeal from the Assembly's final decision is to Sitka Superior Court as an administrative agency appeal.

Title of Record(s): <u>Noise Complaints</u>
Date of Record(s): <u>4/1/95 - 3/29/18</u>
Description of Record(s): Please provide any additional information that will assist us in locating the record(s) for you as quickly as possible: <u>Looking for any complaints filed on these 3 properties that I own.</u>
Requestor's Signature: <u>[Signature]</u>
Date: <u>3/29/18</u>

\*\*\* Please Note: This form must be completed and returned to the Municipal Clerk's Office for processing. \*\*\*

## FOR OFFICE USE ONLY

• Photocopies	\$ .25 per page + tax	\$ _____
• Assembly Packets	\$ 10.00 each packet + tax	\$ _____
• Audio Copy	\$ 10.00 each + tax	\$ _____
• Video Copy	\$ 25.00 each + tax	\$ _____
• Mylar Copies of Plats	\$ 20.00 per mylar copy + tax	\$ _____
• Certified Copies	\$ 1.25 1 <sup>st</sup> page .25 each additional page	\$ _____
• Copy of Budget	\$ 25.00 each + tax	\$ _____
• Other _____	Price to be determined	\$ _____
• The salary of an employee(s)	\$ _____ labor x _____ hours + tax	\$ _____

(hourly rate plus benefits) filling a request, when retrieval and duplication of the documents requested generate labor in excess of one hour.

The municipality may reduce or waive a fee when the municipality determines that the reduction or waiver is in the public interest. Fee reductions and waivers shall be uniformly applied among persons who are similarly situated. The municipality may waive a fee of five dollars or less if the fee is less than the cost would be to the municipality to arrange for payment.

TAX \$ \_\_\_\_\_  
TOTAL CHARGES \$ \_\_\_\_\_

Date Request Received: \_\_\_\_\_ Completed By or Referred to (check a box below) Name: \_\_\_\_\_

☒ Request for Record(s) Copy(ies) total \$ 0 was received on \_\_\_\_\_ and provided or mailed/emailed on 4-11-18

☐ Record(s) or Information is exempt from disclosure and public access is denied and the requestor was notified on \_\_\_\_\_

☐ Record(s) or Information cannot be located and the requestor was notified on \_\_\_\_\_

☐ Record(s) or Information available online at [www.cityofsitka.com](http://www.cityofsitka.com)

The departments that have a check mark have been copied to assist in filling this records request.

- |  |  |   |  |
|--|--|---|--|
| <input type="checkbox"/> Administration      | <input type="checkbox"/> Finance           | <input type="checkbox"/> IS - Email       | <input type="checkbox"/> Planning Department |
| <input type="checkbox"/> Assessing           | <input type="checkbox"/> Fire Department   | <input type="checkbox"/> Library          | <input type="checkbox"/> Police Department   |
| <input type="checkbox"/> Centennial Building | <input type="checkbox"/> Harbor Department | <input type="checkbox"/> Legal Department | <input type="checkbox"/> Public Works        |
| <input type="checkbox"/> Electric Department | <input type="checkbox"/> Human Resources   | <input type="checkbox"/> Municipal Clerk  | <input type="checkbox"/> Other: _____        |



### CERTIFICATION OF RECORDS

This document is intended to meet the requirements set forth in  
Alaska Rules of Evidence, Rule 803(6), and Sitka General Code. Section 1.25.010.

I swear or affirm that, to the best of my knowledge and belief, each of the following is true regarding the attached records:

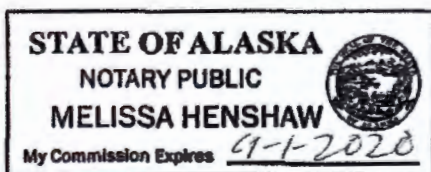
1. I am an employee of the City and Borough of Sitka, Alaska (the "Municipality") and the custodian of the attached records, Bates stamped-pages 001 through 022, or I am an employee familiar with the manner and process in which these records are created and maintained by virtue of my duties and responsibilities;
2. The attached records, Bates stamped-pages 001 through 022, is/are a true and correct copy/ies of records made by staff working for the Municipality at or near the time of, or from an individual with knowledge of, the business activity;
3. All of these records were kept in the course of regularly conducted business activities for the Municipality; and,
4. It was the regular practice of staff working in the Municipality to keep records of this nature in the normal course of business.

4-11-18  
Date

CITY & BOROUGH OF SITKA, ALASKA

Sara Peterson  
By: Sara Peterson  
Its: Municipal Clerk  
100 Lincoln Street  
Sitka, Alaska 99835  
Telephone: 907-747-3294

Subscribed and sworn to before me, a Notary Public, this 11<sup>th</sup> day of April, 2018.



Melissa Henshaw  
Notary Public in and for the State of Alaska  
My commission expires: 9-1-2020

3/30/18  
12:07:33

SunGard CAD  
CAD CALL INFORMATION

PAGE 1  
051830062

Call Number: 051830062 Call Type.: 018 DISTURBANCE Police  
Entry Day/Tm: 7/02/05 22:48:33 018 DISTURBANCE Police

CmnN: Agency.....: 001 Sitka Police Depa  
Location...: 116 KNUTSON DR Apt:  
City.....: SITKA Block#: 100 Loc ID: Mapr: 19R1  
Intersectn.: SAWMILL CREEK DEAD END

Caller Name: L: F: M:  
Address...: Apt:  
City/State: Phone#: 747-0501 Source:

Call Taker.: 59 CALDWELL ANDREW DISPL1  
Dispatcher.: 59 CALDWELL ANDREW DISPL1

N A R R A T I V E

Caller reported his neighbor was shooting off fireworks and 22:50:28  
they were exploding right next to his window. 22:51:32  
23:04:47  
Officer FERGUSON responded to the area and spoke with the 23:04:47  
RO of the residence where the fireworks were coming from. 23:04:47  
The RO was given a disorderly conduct warning and he 23:04:47  
agreed not to shoot off any more fireworks. 23:04:47  
23:04:47  
Closed 23:04:47

P E R S O N I N F O

Person Type: SUSP Suspect User ID: DREWC  
Race.: Sex: Age: Hgt: Wgt: Person #: 1  
Weapon: Build.: Hair...: Eyes:  
Hat...: Jacket: Shirt...: Pants:  
Shoes: Facial: Glasses: SSN: 0

Flight Dir: Mode: OL#: /  
Last: FINN F: MICHAEL M:  
DOB: 0  
Addr: 116 KNUTSON DR Apt:  
City: Phone#: ( )  
( )  
Last Changed: 7/02/05 22:53:15

Additional:

A16

Unit Status History Information

7/02/05 22:49:28	4 Dispatched	D	53 FERGUSON, KYL
7/02/05 22:49:28	11 Assigned as Primary	PR	
7/02/05 22:51:35	32 Enroute To Scene	ES	
7/02/05 22:57:31	6 At Scene	AS	
7/02/05 23:04:53	20 Available	AV	

3/30/18  
12:07:33

SunGard CAD  
CAD CALL INFORMATION

PAGE 2  
051830062

## DISPOSITIONS

1 011 NR - No Report

Case# 1 - 00-000000 Unit: A16



3/30/18  
12:10:25SunGard CAD  
CAD CALL INFORMATIONPAGE 1  
100840003Call Number: 100840003 Call Type.: 019 DOMESTIC PROBLEM Police  
Entry Day/Tm: 3/25/10 1:38:20 019 DOMESTIC PROBLEM PoliceCmnN: Agency.....: 001 Sitka Police Depa  
Location....: 110 KNUTSON DR Apt: #A  
City.....: SITKA Block#: 100 Loc ID: Mapr: 19R1  
Intersectn.: SAWMILL CREEK DEAD ENDCaller Name: L: F: M:  
Address....: Apt:  
City/State: Phone#: Source:Call Taker.: 64 SMITH TARA DISPL  
Dispatcher.: 64 SMITH TARA DISPL

## N A R R A T I V E

Caller requested officer assistance after he found another male in bed with his wife. 1:39:56  
Officers responded to the residence and made contact with all parties. 1:40:14  
The male was escorted from the residence and advised not to return while the caller and the female were still married. 1:40:14  
2:02:00  
2:02:00  
2:02:00

## P E R S O N I N F O

Person Type: OTHR Other Person Involved User ID: TARAS  
Race.: Sex: Age: - Hgt: - Wgt: - Person #: 1  
Weapon: Build.: Hair...: Eyes:  
Hat...: Jacket: Shirt...: Pants:  
Shoes: Facial: Glasses: SSN: 0Flight Dir: Mode: OL#: /  
Last: F: M: AARON  
DOB:  
Addr: 0 Apt:  
City: Phone#: - ( )  
- ( )  
Last Changed: 3/25/10 1:41:42

Additional:

Person Type: CMPL Complainant User ID: TARAS  
Race.: Sex: Age: - Hgt: - Wgt: - Person #: 2  
Weapon: Build.: Hair...: Eyes:  
Hat...: Jacket: Shirt...: Pants:  
Shoes: Facial: Glasses: SSN: 0Flight Dir: Mode: OL#: /  
Last: F: M: M  
DOB:  
Addr: 0 Apt:  
City: Phone#: - ( )  
- ( )  
Last Changed: 3/25/10 1:47:17

Additional:

3/30/18  
12:10:25

SunGard CAD  
CAD CALL INFORMATION

PAGE 2  
100840003

Person Type: OTHR Other Person Involved User ID: TARAS  
Race.: Sex: Age: - Hgt: - Wgt: - Person #: 3  
Weapon: Build.: Hair...: Eyes:  
Hat...: Jacket: Shirt...: Pants:  
Shoes: Facial: Glasses: SSN: 0

Flight Dir: Mode: OL#: /  
Last: : F: M: M  
DOB:  
Addr: 0 Apt:  
City: Phone#: - ( )  
- ( )  
Last Changed: 3/25/10 1:50:10  
Additional:

A15 Unit Status History Information

3/25/10	1:40:15	4 Dispatched	D	102 BANDY,BIL
3/25/10	1:40:17	32 Enroute To Scene	ES	
3/25/10	1:42:57	15 Stop Unit Time Check	SP	
3/25/10	1:44:46	6 At Scene	AS	
3/25/10	1:47:20	15 Stop Unit Time Check	SP	
3/25/10	2:02:06	20 Available	AV	

A16 Unit Status History Information

3/25/10	1:38:42	4 Dispatched	D	108 OVERTURF,PAU
3/25/10	1:38:42	11 Assigned as Primary	PR	
3/25/10	1:38:43	32 Enroute To Scene	ES	
3/25/10	1:40:17	32 Enroute To Scene	ES	
3/25/10	1:42:57	15 Stop Unit Time Check	SP	
3/25/10	1:44:46	6 At Scene	AS	
3/25/10	1:47:20	15 Stop Unit Time Check	SP	
3/25/10	2:02:06	20 Available	AV	

DISPOSITIONS

1 011 NR - No Report

Case# 1 - 00-000000 Unit: A16



3/30/18  
12:11:05SunGard CAD  
CAD CALL INFORMATIONPAGE 1  
161640075Call Number: 161640075 Call Type.: 005 ASSAULT Police  
Entry Day/Tm: 6/12/16 23:41:29 003 911 NON-EMERGENCY PoliceCmnN: Agency.....: 001 Sitka Police Depa  
Location...: 108 KNUTSON DR Apt:  
City.....: SITKA Block#: 100 Loc ID: Mapr: 19R1  
Intersectn.: SAWMILL CREEK DEAD ENDCaller Name: L: F: M:  
Address...: DR Apt:  
City/State: SITKA Phone#: Source: 911Call Taker.: 148 KILKEARY KATIE DISP41  
Dispatcher.: 148 KILKEARY KATIE DISP41

## N A R R A T I V E

CLASS: WPH2 TELCO: ATTMO LAT: 057.042174 LON: 135.282168 23:41:29

911 call came in male reported hearing his neighbors 23:43:08  
having an altercation and he can hear someone screaming 23:44:45  
"Ow ow ow" 23:44:45  
Officers responded. 23:44:45  
C stated he could also hear a female banging on a door and 0:29:34  
sobbing. 23:44:45  
Officers made contact at the residence. 23:46:43

Call change from 911 to DOM BY DISP41 P 01 0000000148 23:57:26

was arrested for 0:17:57  
Assault IV-DV. 0:17:57

Call change from DOM to ASS BY DISP41 P 01 0000000148 0:29:13

## P E R S O N I N F O

Person Type: OTHR Other Person Involved User ID: KATIEK  
Race.: Sex: Age: - Hgt: - Wgt: - Person #: 1  
Weapon: Build.: Hair...: Eyes:  
Hat...: Jacket: Shirt...: Pants:  
Shoes: Facial: Glasses: SSN: 0Flight Dir: Mode: OL#: 168962314 /UT  
Last: F: M:  
DOB:  
Addr: 0 Apt:  
City: Phone#: - ( )  
- ( )

Last Changed: 6/12/16 23:54:51

Additional:

Person Type: OTHR Other Person Involved User ID: KATIEK  
Race.: Sex: Age: - Hgt: - Wgt: - Person #: 2  
Weapon: Build.: Hair...: Eyes:  
Hat...: Jacket: Shirt...: Pants:  
Shoes: Facial: Glasses: SSN: 0



3/30/18  
12:11:05

SunGard CAD  
CAD CALL INFORMATION

PAGE 2  
161640075

Flight Dir: Mode: OL#: 192216745 /UT  
Last: F: M:  
DOB:  
Addr: 0 Apt:  
City: Phone#: - ( )  
- ( )  
Last Changed: 6/12/16 23:56:07  
Additional:

\*NONE Unit Status History Information

6/12/16 23:41:27 17 911 Received Time E9 |

A21 Unit Status History Information

6/12/16 23:41:49	4 Dispatched	D	156 CLARK, ISA
6/12/16 23:41:49	11 Assigned as Primary	PR	
6/12/16 23:41:57	32 Enroute To Scene	ES	
6/12/16 23:45:36	6 At Scene	AS	
6/12/16 23:59:25	16 Reset Unit Time Chec	RS	
6/13/16 0:04:20	16 Reset Unit Time Chec	RS	
6/13/16 0:10:04	16 Reset Unit Time Chec	RS	
6/13/16 0:13:31	43 In Custody/Arrested	IC	
6/13/16 0:47:35	20 Available	AV	

A42 Unit Status History Information

6/12/16 23:41:49	4 Dispatched	D	142 ECCLESTON, ERI
6/12/16 23:41:57	32 Enroute To Scene	ES	
6/12/16 23:45:02	6 At Scene	AS	
6/12/16 23:59:25	16 Reset Unit Time Chec	RS	
6/13/16 0:04:20	16 Reset Unit Time Chec	RS	
6/13/16 0:10:04	16 Reset Unit Time Chec	RS	
6/13/16 0:15:54	44 Enroute to Jail	EJ	
6/13/16 0:22:13	45 At Jail	AJ	
6/13/16 0:29:04	20 Available	AV	

A D D I T I O N A L C A L L A D D R E S S E S

1 413 ALICE LOOP RD Apt: EAST  
City: SITKA ST: ZIP: Block#: 400  
Common Name: AT&T TOWER

D I S P O S I T I O N S

1 001 Incident Report Case# 1 - 16-000723 Unit: A21

3/30/18  
12:11:42

SunGard CAD  
CAD CALL INFORMATION

PAGE 1  
131950048

Call Number: 131950048 SI Call Type.: 004 ANIMAL Police  
Entry Day/Tm: 7/14/13 12:36:53 513 TELEPHONE MESSAGE Police

CmnN: Agency.....: 001 Sitka Police Depa  
Location....: 108 KNUITSON DR Apt:  
City.....: SITKA Block#: 100 Loc ID: Mapr: 19R1  
Intersectn.: SAWMILL CREEK DEAD END

Caller Name: L: F: M:  
Address....: DR Apt:  
City/State: Phone#: Source: SI

Call Taker.: 133 DUNLAP MICHAELA DISP1  
Dispatcher.: 133 DUNLAP MICHAELA DISP1

N A R R A T I V E

Caller reported a white dog with brown shorthair, possibly 14:37:03  
Call change from PC to ANIMAL BY DISP1 P 01 0000000133 12:38:52  
a German Shorthair, had approached her residence. The dog 14:38:22  
was no wearing a tag, and the dog went away from her. 14:38:22  
She was advised that if it comes back and she wants to she 14:38:22  
can bring it to the outside pen at the Animal Shelter. 14:38:22  
The owner will be advised of it's last seen location if they 14:38:22  
call looking for it. 14:38:33  
14:38:33  
CC: Dispatch, ACO BUCKMASTER 14:38:33

D1 Unit Status History Information

7/14/13 12:36:53	4 Dispatched	D
7/14/13 12:36:53	6 At Scene	AS
7/14/13 12:36:53	11 Assigned as Primary	PR
7/14/13 12:40:39	20 Available	AV

A D D I T I O N A L C A L L A D D R E S S E S

1 304 LAKE ST Apt:  
City: SITKA ST: ZIP: Block#: 300  
Common Name: SITKA POLICE DEPARTMENT



3/30/18  
12:11:42SunGard CAD  
CAD CALL INFORMATIONPAGE 1  
123150107Call Number: 123150107 SI Call Type.: 011 ASSIST Police  
Entry Day/Tm: 11/10/12 20:42:41 513 TELEPHONE MESSAGE PoliceCmnN: Agency.....: 001 Sitka Police Depa  
Location....: 108 KNUTSON DR Apt:  
City.....: SITKA Block#: 100 Loc ID: Mapr: 19R1  
Intersectn.: SAWMILL CREEK DEAD ENDCaller Name: L: F: M:  
Address....: Apt:  
City/State: Phone#: Source: SICall Taker.: 133 DUNLAP MICHAELA DISP1  
Dispatcher.: 133 DUNLAP MICHAELA DISP1

## N A R R A T I V E

Call change from PC to SUSPA BY DISP1 P 01 0000000133 20:43:22

Caller stated she has an on-going issue with a male stalking 21:19:14  
her. She said he often is seen watching her. She had just 21:21:16  
been told by her father that he saw the male sitting 21:21:16  
outside her home, looking towards it. He had left, she 21:21:16  
said, five minutes prior to the call and she had not seen 21:21:16  
him. Ofc CARRATALA was advised when available and contacted 21:21:16  
the female via phone, advising her of the procedure for 21:39:54

Call change from SUSPA to STALK BY DISP1 P 01 0000000133 21:31:52

getting a Stalking Protective Order. He responded to the 21:39:54  
male subject's residence and spoke with him concerning the 21:40:13  
incident. When asked about it, he said he had had car 23:00:12  
trouble at that location. He agreed to leave the female 23:00:12  
alone. 23:00:12

Call change from STALK to ASSIST BY DISP2 P 01 0000000010 8:32:59

## P E R S O N I N F O

Person Type: OTHR Other Person Involved User ID: MICHAELA  
Race.: Sex: Age: - Hgt: - Wgt: - Person #: 1  
Weapon: Build.: Hair...: Eyes:  
Hat...: Jacket: Shirt...: Pants:  
Shoes: Facial: Glasses: SSN: 0Flight Dir: Mode: OL#: /  
Last: F: I M:  
DOB: 0  
Addr: 0 Apt:  
City: Phone#: - ( )  
- ( )

Additional:

Last Changed: 11/10/12 20:43:13



3/30/18  
12:11:42

SunGard CAD  
CAD CALL INFORMATION

PAGE 2  
123150107

A18

## Unit Status History Information

11/10/12 21:23:51	4 Dispatched	D	135 CARRATALA, RIN
11/10/12 21:23:51	11 Assigned as Primary	PR	
11/10/12 21:24:02	32 Enroute To Scene	ES	
11/10/12 21:25:49	6 At Scene	AS	
11/10/12 21:35:45	20 Available	AV	

## UNIT LOCATIONS

1	719 SAWMILL CREEK	RD	Apt:	11/10/12
	City: SITKA	ST:	Block#:	700 21:24:00
	Common Name:	ZIP:		

D1

## Unit Status History Information

11/10/12 20:42:41	4 Dispatched	D
11/10/12 20:42:41	6 At Scene	AS
11/10/12 20:42:41	11 Assigned as Primary	PR
11/10/12 20:46:10	20 Available	AV

## ADDITIONAL CALL ADDRESSES

1	304 LAKE	ST	Apt:	
	City: SITKA	ST:	Block#:	300
	Common Name: SITKA POLICE DEPARTMENT	ZIP:		

3/30/18  
12:11:42

SunGard CAD  
CAD CALL INFORMATION

PAGE 1  
072210005

Call Number: 072210005      Call Type.: 070 BEAR      Police  
Entry Day/Tm: 8/09/07 0:36:04      070 BEAR      Police

CmnN:      Agency.....: 001 Sitka Police Depa  
Location....: 108      KNUTSON      DR      Apt:  
City.....: SITKA      Block#: 100      Loc ID:      Mapr: 19R1  
Intersectn.: SAWMILL CREEK      DEAD END

Caller Name: L:      F:      M:  
Address....:                Apt:  
City/State:      Phone#:           Source:

Call Taker.: 67 WILLIAMS      JENNIFER      DISPL  
Dispatcher.: 67 WILLIAMS      JENNIFER      DISPL

N A R R A T I V E

COMPLAINANT reported a bear hanging around the stairs to her house. 0:36:20  
COMPLAINANT stated she returned home for the evening and was unable to get out of her vehicle as a bear was outside her residence. 0:38:02  
COMPLAINANT stated she had to call and wake her husband to get him to come out and scare the bear off in order for her to leave her residence. 0:38:02  
COMPLAINANT also stated the bear has been around her residence for about a month now and is continually getting into the garbage in the area. 0:38:02  
COMPLAINANT stated she wanted the information passed on to Fish and Game and Fish and Wildlife. The information was passed on. 0:39:01  
Status: CLOSED 0:39:01  
Cc: F&G & Phill Mooney JW 08/09/07 0:39:01

D1      Unit Status History Information

8/09/07	0:36:06	4 Dispatched	D
8/09/07	0:36:06	11 Assigned as Primary	PR
8/09/07	0:36:07	6 At Scene	AS
8/09/07	0:39:19	20 Available	AV

D I S P O S I T I O N S

1 011 NR - No Report

Case# 1 - 00-000000 Unit: D1

3/30/18  
12:11:42

SunGard CAD  
CAD CALL INFORMATION

PAGE 1  
063460025

Call Number: 063460025 Call Type.: 046 SUSPICIOUS ACTIVITY Police  
Entry Day/Tm: 12/12/06 12:17:21 046 SUSPICIOUS ACTIVITY Police

CmnN: Agency.....: 001 Sitka Police Depa  
Location...: 108 KNUTSON DR Apt:  
City.....: SITKA Block#: 100 Loc ID: Mapr: 19R1  
Intersectn.: SAWMILL CREEK DEAD END

Caller Name: L: F: M:  
Address....: DR Apt:  
City/State: Phone#: Source:

Call Taker.: 10 BLANKENSHIP LYN DISPR  
Dispatcher.: 10 BLANKENSHIP LYN DISPR

N A R R A T I V E

Complainant reported her bank card being used in CA. She 12:17:40  
has already filed a complaint with her bank, but would 12:18:02  
like it documented with the Police Department. 12:18:02  
Sgt. JOHNSON spoke with the complainant and gave her 12:22:43  
the Internet Crime Complaint Center (ICCC). 12:22:43  
12:22:43

A13

Unit Status History Information

12/12/06 12:17:23	4 Dispatched	D	30 JOHNSON, DAV
12/12/06 12:17:23	11 Assigned as Primary	PR	
12/12/06 12:17:25	6 At Scene	AS	
12/12/06 12:22:47	20 Available	AV	

D I S P O S I T I O N S

1 011 NR - No Report

Case# 1 - 00-000000 Unit: A13



3/30/18  
12:11:51SunGard CAD  
CAD CALL INFORMATIONPAGE 1  
051150054Call Number: 051150054 Call Type.: 016 CRIMINAL MISCHIEF Police  
Entry Day/Tm: 4/25/05 20:06:56 016 CRIMINAL MISCHIEF PoliceCmnN: Agency.....: 001 Sitka Police Depa  
Location....: 108 KNUTSON DR Apt:  
City.....: SITKA Block#: 100 Loc ID: Mapr: 19R1  
Intersectn.: SAWMILL CREEK DEAD ENDCaller Name: L: F: M:  
Address....: DR Apt:  
City/State: SITKA AK Phone#: Source:Call Taker.: 59 CALDWELL ANDREW DISPL1  
Dispatcher.: 59 CALDWELL ANDREW DISPL1

## N A R R A T I V E

Caller reported someone broke their windshield. 20:06:56  
See report for details. 21:01:57

## V E H I C L E I N F O

Vehicle Type: INVL Involved  
License# Year: Make: CHEV Model: PK  
State: Type: VIN : Color: BLU/

## \*NONE Unit Status History Information

4/25/05 20:11:20 18 Route Call Time RT |

## A17 Unit Status History Information

4/25/05 20:25:44	4 Dispatched	D	56 WHEELER, BRA
4/25/05 20:25:44	11 Assigned as Primary	PR	
4/25/05 20:25:48	32 Enroute To Scene	ES	
4/25/05 20:42:12	6 At Scene	AS	
4/25/05 21:02:00	20 Available	AV	

## D I S P O S I T I O N S

1	001 Incident Report	Case# 1 - 05-000766 Unit: A17
2	034 End Call	Case# 1 - 00-000000 Unit: A17

3/30/18  
12:11:51

SunGard CAD  
CAD CALL INFORMATION

PAGE 1  
050420006

Call Number: 050420006 Call Type.: 011 ASSIST Police  
Entry Day/Tm: 2/11/05 1:23:47 011 ASSIST Police

CmnN: Agency.....: 001 Sitka Police Depa  
Location...: 108 KNUTSON DR Apt:  
City.....: SITKA Block#: 100 Loc ID: Mapr: 19R1  
Intersectn.: SAWMILL CREEK DEAD END

Caller Name: L: F: M:  
Address...: DR Apt: A  
City/State: Phone#: Source:

Call Taker.: 82 ROBLES ANDREW DISPL1  
Dispatcher.: 82 ROBLES ANDREW DISPL1

N A R R A T I V E

Caller reproted gettiing harassing phone calls from 1:25:49  
1. Complainant is reporting that has the 1:30:55  
complainants cell phone. The complainant claims she has 1:30:55  
several messages from other persons calling the cell phone 1:30:55  
and lettng and know he location of 1:30:55  
officers while they were looking for . She 1:30:55  
stated that she is willing to surrender all of these phone 1:30:55  
messages to police. 1:30:55  
Officer GEORGE went to the complainants residence to make 1:31:29  
a report. 1:31:29  
This will be for informational purposes only. 1:46:41  
1:46:41  
CLOSED 1:46:41

P E R S O N I N F O

Person Type: SUSP Suspect User ID: DREWR  
Race.: Sex: Age: - Hgt: - Wgt: - Person #: 1  
Weapon: Build.: Hair...: Eyes:  
Hat...: Jacket: Shirt...: Pants:  
Shoes: Facial: Glasses: SSN: 0

Flight Dir: Mode: OL#: /  
Last: F: M:  
DOB:  
Addr: Apt:  
City: Phone#: - ( )  
- ( )  
Last Changed: 2/11/05 1:35:42

Additional:

Person Type: ASOC Associate User ID: DREWR  
Race.: Sex: Age: - Hgt: - Wgt: - Person #: 2  
Weapon: Build.: Hair...: Eyes:  
Hat...: Jacket: Shirt...: Pants:  
Shoes: Facial: Glasses: SSN: 0

3/30/18  
12:11:51SunGard CAD  
CAD CALL INFORMATIONPAGE 2  
050420006

Flight Dir: Mode: OL#: /  
Last: F: M:  
DOB:  
Addr: Apt:  
City: Phone#: - ( )  
- ( )  
Last Changed: 2/11/05 1:38:05

Additional:

Person Type: INV My Involvement User ID: DREWR  
Race.: Sex: Age: - Hgt: - Wgt: - Person #: 3  
Weapon: Build.: Hair...: Eyes:  
Hat...: Jacket: Shirt...: Pants:  
Shoes: Facial: Glasses: SSN: 0

Flight Dir: Mode: OL#: /  
Last: F: M:  
DOB:  
Addr: ST Apt:  
City: Phone#: - ( )  
- ( )  
Last Changed: 2/11/05 1:39:36

Additional:

A22

## Unit Status History Information

2/11/05	1:25:28	4 Dispatched	D	81 GEORGE, BRA
2/11/05	1:25:28	11 Assigned as Primary	PR	
2/11/05	1:25:30	32 Enroute To Scene	ES	
2/11/05	1:35:02	6 At Scene	AS	
2/11/05	1:46:44	20 Available	AV	

## DISPOSITIONS

1 011 NR - No Report

Case# 1 - 00-000000 Unit: A22



3/30/18  
12:11:51

SunGard CAD  
CAD CALL INFORMATION

PAGE 1  
051170048

Call Number: 051170048      Call Type.: 011 ASSIST      Police  
Entry Day/Tm: 4/27/05 14:20:30      056 HARASSMENT      Police

CmnN:      Agency.....: 001 Sitka Police Depa  
Location...: 108      KNUTSON      DR      Apt:  
City.....: SITKA      Block#: 100      Loc ID:      Mapr: 19R1  
Intersectn.: SAWMILL CREEK      DEAD END

Caller Name: L:      F:      M:  
Address...:      Apt: A  
City/State:      Phone#:      Source:

Call Taker.: 64 SMITH      TARA      DISPL1  
Dispatcher.: 64 SMITH      TARA      DISPL1

N A R R A T I V E

Caller reported she was threatened by her neighbor after she 14:21:31  
had been playing her music too loud. 14:22:09  
Ofc GEORCE will contact the other party in this incident. 14:22:09  
Officers were unable to contact the neighbor. Information 18:47:07  
was passed onto the on-coming shift. 18:47:07

Call change from HARASS to ASSIST BY DISPL1 P 01 0000000010 7:18:30

P E R S O N      I N F O

Person Type: OTHR      Other Person Involved      User ID: TARAS  
Race.:      Sex:      Age:      Hgt:      Wgt:      Person #: 1  
Weapon:      Build.:      Hair...:      Eyes:  
Hat...:      Jacket:      Shirt...:      Pants:  
Shoes:      Facial:      Glasses:      SSN: 0

Flight Dir:      Mode:      OL#:      /  
Last:      F:      3      M:  
DOB:      Apt: B  
Addr:      Phone#:      (      )  
City:      (      )  
Last Changed: 4/27/05 14:25:03

Additional:

\*NONE      Unit Status History Information

4/27/05 14:24:18      18 Route Call Time      RT      |

A22      Unit Status History Information

4/27/05 14:20:31      4 Dispatched      D      |      81 GEORGE, BRA  
4/27/05 14:20:31      11 Assigned as Primary      PR  
4/27/05 14:24:16      20 Available      AV

3/30/18  
12:11:51

SunGard CAD  
CAD CALL INFORMATION

PAGE 2  
051170048

## D I S P O S I T I O N S

1 011 NR - No Report

Case# 1 - 00-000000 Unit: A22

3/30/18  
12:12:26

SunGard CAD  
CAD CALL INFORMATION

PAGE 1  
051560036

Call Number: 051560036 Call Type.: 020 DRUG ABUSE Police  
Entry Day/Tm: 6/05/05 17:49:48 020 DRUG ABUSE Police

CmnN: Agency.....: 001 Sitka Police Depa  
Location....: 108 KNUTSON DR Apt: #A  
City.....: SITKA Block#: 100 Loc ID: Mapr: 19R1  
Intersectn.: SAWMILL CREEK DEAD END

Caller Name: L: F: M:  
Address....: DR Apt: B  
City/State: SITKA AK Phone#: Source:

Call Taker.: 67 WILLIAMS JENNIFER DISPR  
Dispatcher.: 67 WILLIAMS JENNIFER DISPR

N A R R A T I V E

COMPLAINANT reported smelling marijuana coming from 17:53:52  
their neighbors apartment. COMPLAINANT stated the 17:53:52  
smell was really stong and she wanted officers to 17:53:52  
check out the residence. Due to a higher priority call 17:53:52  
officers were not able to respond at the time of the call 17:53:52  
A while later the owner of the apartment complex, Mike 17:53:52  
FINN, called and also reported the marijuana smell coming 17:53:52  
from the apartment and requested officers assistance. 17:53:52  
Dispatch advised FINN officers were on a higher priority 17:55:04  
call and when one became availble the would be advised of 17:55:04  
the situation. 17:55:04  
Sgt SMITH and Ofc MARTHAUER responded to the scence and 18:17:52  
made contact with a was 18:17:52  
uncooperative about the situation and refused to speak 18:19:58  
to Sgt SMITH. Sgt SMITH advised of the complaint. 18:19:58  
18:19:58  
CLOSED 18:19:58

P E R S O N I N F O

Person Type: OWNR Owner User ID: JENNW  
Race.: Sex: Age: - Hgt: - Wgt: - Person #: 1  
Weapon: Build.: Hair...: Eyes:  
Hat...: Jacket: Shirt...: Pants:  
Shoes: Facial: Glasses: SSN: 0

Flight Dir: Mode: OL#: /  
Last: FINN F: MICHAEL M:  
DOB: 0  
Addr: 0 Apt:  
City: Phone#: - ( )  
- ( )  
Last Changed: 6/05/05 18:11:03

Additional:

Person Type: SUSP Suspect User ID: JENNW  
Race.: Sex: Age: - Hgt: - Wgt: - Person #: 2  
Weapon: Build.: Hair...: Eyes:  
Hat...: Jacket: Shirt...: Pants:  
Shoes: Facial: Glasses: SSN: 0



3/30/18  
12:12:26SunGard CAD  
CAD CALL INFORMATIONPAGE 2  
051560036

Flight Dir: Mode: OL#: /  
Last: F: M:  
DOB: 0  
Addr: 108 KNUTSON DR Apt: A  
City: SITKA AK Phone#: - ( )  
- ( )  
Last Changed: 6/05/05 18:12:10  
Additional:

## A14 Unit Status History Information

6/05/05 17:59:44	4 Dispatched	D	33 SMITH, WAL
6/05/05 17:59:44	11 Assigned as Primary	PR	
6/05/05 17:59:49	32 Enroute To Scene	ES	
6/05/05 18:04:13	6 At Scene	AS	
6/05/05 18:20:03	20 Available	AV	

## A20 Unit Status History Information

6/05/05 17:59:44	4 Dispatched	D	77 MARTHALER, KEL
6/05/05 17:59:49	32 Enroute To Scene	ES	
6/05/05 18:07:40	6 At Scene	AS	
6/05/05 18:20:03	20 Available	AV	

## DISPOSITIONS

1 011 NR - No Report

Case# 1 - 00-000000 Unit: A14

3/30/18  
12:12:27SunGard CAD  
CAD CALL INFORMATIONPAGE 1  
063270026Call Number: 063270026 Call Type.: 048 PARKING Police  
Entry Day/Tm: 11/23/06 20:13:25 048 PARKING PoliceCmnN: Agency.....: 001 Sitka Police Depa  
Location...: 108 KNUTSON DR. Apt: #B  
City.....: SITKA Block#: 100 Loc ID: Mapr: 19R1  
Intersectn.: SAWMILL CREEK DEAD ENDCaller Name: L: F: M:  
Address...: Apt:  
City/State: SITKA AK Phone#: Source:Call Taker.: 64 SMITH TARA DISPL1  
Dispatcher.: 64 SMITH TARA DISPL1

## N A R R A T I V E

Caller reported that a van had parked blocking his driveway. 20:13:38  
Dispatch contacted the owner's residence and spoke to his 20:15:06  
nephew who said he would go check on the van. 20:15:06  
About 30 minutes later the van moved and no further 20:15:06  
assistance was needed. 20:15:06

## V E H I C L E I N F O

Vehicle Type:  
License# Year: 02 Make: GMC Model: SAF  
State: AK Type: VIN : Color: MAR/ MAR

## P E R S O N I N F O

Person Type: OWNR Owner User ID: TARAS  
Race.: Sex: Age: - Hgt: - Wgt: - Person #: 1  
Weapon: Build.: Hair...: Eyes:  
Hat...: Jacket: Shirt...: Pants:  
Shoes: Facial: Glasses: SSN: 0Flight Dir: Mode: OL#: /  
Last: F: M: D  
DOB: 0  
Addr: 0 Apt:  
City: Phone#: - ( )  
- ( )  
Last Changed: 11/23/06 20:15:54  
Additional:

## D I S P O S I T I O N S

1 011 NR - No Report

Case# 0 - 00-000000 Unit: \*NONE

3/30/18  
12:12:27SunGard CAD  
CAD CALL INFORMATIONPAGE 1  
053350022Call Number: 053350022 Call Type.: 012 AGENCY ASSIST Police  
Entry Day/Tm: 12/01/05 6:45:53 012 AGENCY ASSIST PoliceCmnN: Agency.....: 001 Sitka Police Depa  
Location....: 108 KNUTSON DR Apt: B  
City.....: SITKA Block#: 100 Loc ID: Mapr: 19R1  
Intersectn.: SAWMILL CREEK DEAD ENDCaller Name: L: F: - M:  
Address....: DR Apt: A  
City/State: Phone#: Source:Call Taker.: 59 CALDWELL ANDREW DISPL1  
Dispatcher.: 59 CALDWELL ANDREW DISPL1

## N A R R A T I V E

Caller reported a fire alarm going off. 6:55:51  
Fire and an officer responded to the area. It was 6:56:40  
determined that fresh painting had set off the alarm. 6:56:40  
CLOSED 6:56:40

A22

## Unit Status History Information

12/01/05	6:49:35	4 Dispatched	D	81 GEORGE, BRA
12/01/05	6:49:35	11 Assigned as Primary	PR	
12/01/05	6:49:40	32 Enroute To Scene	ES	
12/01/05	6:53:48	6 At Scene	AS	
12/01/05	6:56:55	20 Available	AV	

## A D D I T I O N A L C A L L A D D R E S S E S

1 108 KNUTSON DR Apt: A  
City: SITKA ST: ZIP: Block#: 100  
Common Name:

## D I S P O S I T I O N S

1 011 NR - No Report Case# 1 - 00-000000 Unit: A22



# Attachment B

## Staff Materials

RESTRICTIVE AND PROTECTIVE COVENANTS

PHASE THREE

KNUTSON SUBDIVISION

One adjacent plat identifies this as phase II?

The restrictive and protective covenants as recorded on August 20th, 1993 is herewith amended to make the paragraph 1 to read as follows:

"Land Use and Building type: No lot shall be used for other purposes other than residential. Allowed types are: Duplexes, threeplexes and fourplexes. Any structure shall fall under the scrutiny of public hearings and public covenant hearings. No lot within said plat shall be divided for any purpose save and except for the purpose of increasing the size of the building sites by providing two building sites from three lots. No more than one residence shall be constructed on any lot."

Dated this 22nd day of August 1994.

KNUTSON SUBDIVISION

By: T. E. Thompson, Owner and Developer

STATE OF ALASKA

FIRST JUDICIAL DIVISION) ss.

On this day personally appeared before me THOMAS E. THOMPSON, TO ME KNOWN TO BE THE DEVELOPER OF KNUTSON SUBDIVISION that executed the foregoing instrument to be the free and voluntary act and deed of said developer, for uses and purposes therein mentioned, and that the seal affixed is the seal of the developer.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS 22 day of August 1994.

Notary Public in and for the State of Alaska, residing in Sitka, Alaska.

My commission expires 1-25-96







RESTRICTIVE AND PROTECTIVE COVENANTS  
FOR  
KNUTSON SUBDIVISION

KNUTSON SUBDIVISION, being the developer and owner of the tract of land of the same name, hereby declares and established the restrictions and covenants contained herein as running with the land and buildings upon the future owners and their heirs, successors, and assigns of the KNUTSON SUBDIVISION and all properties and lots within KNUTSON SUBDIVISION shall be subject to the conditions contained herein.

Legal Description. The real estate subject to these Restrictive and Protective Covenants is as follows:

The plat of Knutson Subdivision as recorded in the office of the Sitka Recording District in volume 93-19 of plats, and on page 163.

1. Land Use And Building Type. No lot shall be used for other purpose other than residential. Allowed types are: Modular, duplexes, threeplexes and four-plexes. Any structure shall fall under the scrutiny of public hearings and public covenant hearings. No lot within said plat shall be divided for any purpose save and except for the purpose of increasing the size of the building sites by providing two building sites from three lots. No more than one residence shall be constructed on any lot.
2. Structures To Be Completed Within One Year - Temporary Structures. Any structure built on any lot shall be completed to the extent of completion and painting of exterior walls and roof, including windows and exterior doors, within one (1) year of commencement of construction. No structure of a temporary character shall be used as dwellings, such as trailers during and for the period of construction.
3. Lot Clearing and Landscaping. In most cases in S. E. Alaska, trees over forty feet in height are considered dangerous trees. If they are exposed to prevailing wind and within close proximity of dwellings, it behooves the the owners option to remove. Required landscaping must be completed within one year after completion of construction; however, extensions may be granted by the city of Sitka planning and building officials as well as the local public hearing and covenant process.
4. Lot Division. Lot division is covered by Sitka Planning and Zoning Commission regulations.
5. Minimum Improvement Size: Minimum size is covered by City and Borough of Sitka regulations.
6. Water, Sewer and utilities. Installation to the lot line will be included for each lot, but will be under the control of the City and Borough of Sitka.
7. Businesses. No type business or commercial activity shall be conducted on any lot or within any dwelling or structure that is visible to the public view. No forms of advertising shall be allowed that is visible to the public view. This is covered by City and Borough regulations.
8. Signs. No sign of any kind shall be displayed to the public view on any lot, building or structure, except signs by the building to advertise the property during or after construction or by a homeowner or his or her designated representative advertising for sale or rent. This item is also controlled by City and Borough of Sitka regulations.
9. Fences and Street Visibility. This item is covered by City and Borough of Sitka regulations.
10. Lot use. This item is controlled by City and Borough of Sitka regulations.



Page Two of Restrictive and protective covenants for Knutson Subdivision.

11. Recreational or Commercial Units. No recreational vehicle, trailer, boat or commercial vehicle exceeding one ton classification shall be parked on the owner's lot forward of front foundation lines. Parking of above described units shall be prohibited on the street on a consistant or permanent basis and at no time will the above, as well as automobiles, be parked on pedestrian walkways.
12. Set-back Restrictions. As proveded by City and Borough of Sitka regulations.
13. Outbuildings. As proved by City and Borough of Sitka regulations.
14. Antnnas. As provided by City and Borough of Sitka regulations.
15. Severability. Invalidity of any of thes covenants as determined by a court of competent jurisdiction shall in no way affect any of the other covenants which shall remain in full force and effect.

DATED THIS 20th DAY OF August, 1993.

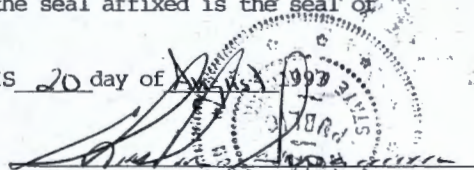
KNUTSON SUBDIVISION

By: T. E. Thompson (owner-developer)

STATE OF ALASKA )  
 ) SS  
FIRST JUDICIAL DISTRICT )

On this day personally appeared before me, THOMAS E. THOMPSON, to me known to be the developer of KNUTSON SUBDIVISION that exectuted the foregoing instrument to be the free and voluntary act and deed of said developer, for uses and purposes therin mentioned, and that the seal affixed is the seal of the development.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS 20 day of August, 1993



Notary Public in and for the State of Alaska, residing in Sitka, Alaska.

My commission Expires 1-25-96

Return to  
T. E. Thompson  
Box 830  
Sitka, ak 99835

93-1832  
1800  
RECORDED-FILED  
SITKA REC.  
DISTRICT  
AUG 25 2 18 PM '93  
REQUESTED BY T.E.  
ADDRESS Thompson

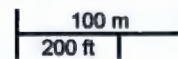




## City & Borough of Sitka, Alaska

Selected Parcel: 116 Knutson Dr ID: 31003017

Printed 2/28/2018 from <http://www.mainstreetmaps.com/ak/sitka/internal.asp>



This map is for informational purposes only. It is not for appraisal of, description of, or conveyance of land. The City & Borough of Sitka, Alaska and MainStreetGIS, LLC assume no legal responsibility for the information contained herein.





















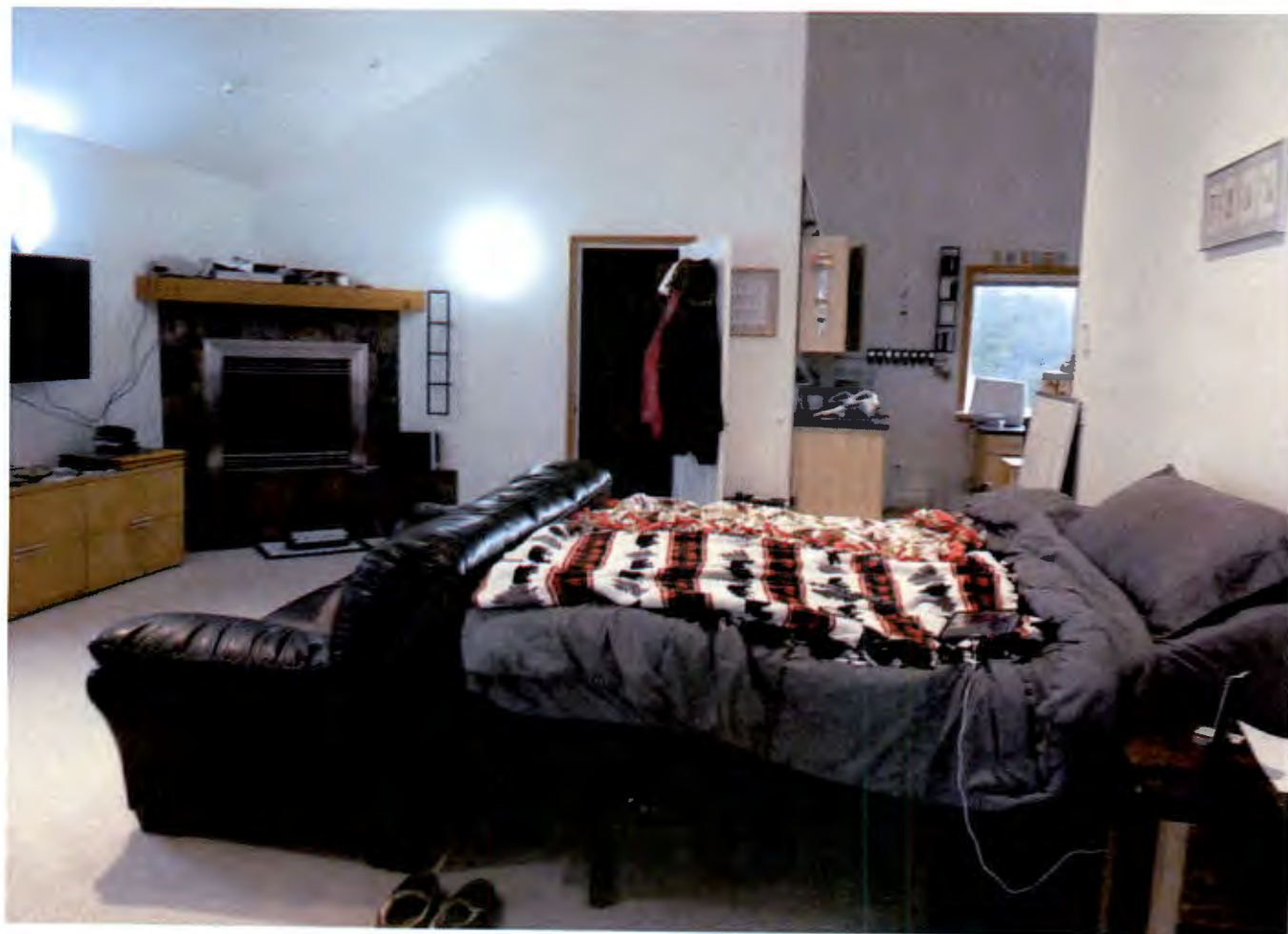




































3066-35 JUL 20, 2004 11:12:34



### SURVEYOR'S CERTIFICATE

DATE 7/20/04

Patrick K O'Neill  
PATRICK K O'NEILL LS 6304



FOUNDATION AS-BUILT SURVEY  
LOT 17A  
KNUTSON PHASE III  
LOT LINE ADJUSTMENT

V 04-26



APR 24, 2001 ■ 11:05:40



### LEGEND

- ## PLAT NOTES

- 

STATE OF ALASKA  
49TH  
PATRICK J. O'NEILL  
#LS 4304  
REGISTERED PROFESSIONAL LAND SURVEYOR

**KNUTSON SUBDIVISION PHASE 3**

DATE 4/24/01

PATRICK K O'NEILL LS 6304

DRAWN BY: GDS/ACAD  
CHECKED BY: PKD  
DATE PLOTTED: 4-23-01  
DATE SURVEYED: 4-20-01  
SCALE: 1"=20'  
SURVEYOR: PATRICK K. O'NEILL  
PROJ NO.: 20309-01-00

V 01-09



# CERTIFICATE OF PAYMENT OF LOCAL IMPROVEMENT DISTRICT

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

Michael K. Finn & Elizabeth P. Finn

AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL L.T.D.'S ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY AND BOROUGH OF SITKA ARE PAID IN FULL.

DATED THIS 20th DAY OF May, 1997  
AT SITKA, ALASKA.

FINANCE DIRECTOR, 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 AND BOROUGH OF SITKA PLATTING BOARD, AND THAT SAID PLAT HAS BEEN APPROVED BY THE BOARD BY PLAT RESOLUTION NO. 97-10 DATED 12-30-97 AND THAT THE PLAT HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX OFFICIO RECORDER, SITKA, ALASKA.

DATE 5/19/97 John Scott  
CHAIRMAN, BOARD

ATTEST:  
Juliusa Barnett Simmons  
SECRETARY  
SEAL

## CERTIFICATE OF APPROVAL BY THE ASSEMBLY

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH OF SITKA, AND THAT SAID PLAT HAS BEEN APPROVED BY THE ASSEMBLY AS RECORDED IN MINUTE BOOK PAGE 10 DATED 12-30-97 AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX OFFICIO RECORDER, SITKA, ALASKA.

DATE 5/2/97 Re. Hallgren  
MAYOR

ATTEST:  
Christina M. Hapgood  
CLERK

## CERTIFICATE

STATE OF ALASKA } SS  
1ST JUDICIAL DISTRICT

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

Michael K. Finn & Elizabeth P. Finn

AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS IN FAVOR OF THE CITY AND BOROUGH OF SITKA WILL BE DUE ON OR BEFORE: August 1, 1997.

DATED THIS 21st DAY OF May, 1997  
AT SITKA, ALASKA.

R. J. Brown  
ASSESSOR, CITY AND BOROUGH OF SITKA

## CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY FREE CONSENT AND DEDICATE ALL PUBLIC STREETS, ALLEYS, WALKS, PARKS, AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

DATE 5/27/97  
OWNER Michael K. Finn & Elizabeth P. Finn

## PLAT PURPOSE

THE PURPOSE OF THIS PLAT IS TO ADJUST THE COMMON LOT LINE BETWEEN LOT 5 & LOT 6, BLOCK 2, KNUTSON PHASE I SUBDIVISION INTO THE CONFORMATION SHOWN HEREON THIS PLAT, BY CREATING LOTS 5A & LOT 6A, BLOCK 2, KNUTSON PHASE I SUBDIVISION.

0 10 20 40  
GRAPHIC SCALE



## SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, AND THAT THIS PLAT REPRESENTS A CORRECT TRUTH TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT ALL MEASUREMENTS AND CALCULATIONS ARE CORRECT.

DATE 5/19/97 Michael K. Finn  
REGISTERED LAND SURVEYOR  
NO. 3337-1



## PREPARED BY:

**STRAGIER ENGINEERING SERVICES, INC.**

CIVIL ENGINEERING  
LAND SURVEYING

804 Bedford St., Sitka, Alaska 99830 (907) 747-0843  
Web: "Stragier" Engineer, P.E., R.L.S., President

## THIS PROJECT



VICINITY MAP  
SCALE 1" = 1000'

As long as structure remains moveable  
and not permanent, site plan approval.

M/S PCDD CBS  
4.13.15

## LEGEND

- 1 1/2" ALUM CAP AND REBAR SET THIS SURVEY
- 1 1/2" ALUM CAP ON REBAR FOUND THIS SURVEY

## THE NOTARY'S ACKNOWLEDGEMENT

UNITED STATES OF AMERICA } SS  
STATE OF ALASKA  
CITY AND BOROUGH OF SITKA

THIS IS TO CERTIFY THAT ON THIS 27 DAY OF May, 1997, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AS SHOWN, PERSONALLY APPEARED Michael K. Finn

Elizabeth P. Finn  
TO ME KNOWN TO BE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND THAT THEY THEY ACKNOWLEDGED TO ME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN SPECIFIED.

WITNESS MY HAND AND NOTARIAL SEAL, THE DAY AND YEAR IN THIS CERTIFICATE FIRST HEREIN WRITTEN.  
Juliusa Barnett Simmons  
NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA.

MY COMMISSION EXPIRES 11-18-2001.

## LOT LINE ADJUSTMENT FOR:

**LOT 5 & LOT 6, BLOCK 2  
KNUTSON PHASE I SUBDIVISION**

THE PURPOSE OF THIS PLAT IS TO ADJUST THE COMMON LOT LINE BETWEEN LOT 5 & LOT 6, BLOCK 2, KNUTSON PHASE I SUBDIVISION.

JOB NO. 2883 CHECKED BY: M/S DATE: 04.22.97  
DRAWN BY: PS SCALE: AS NOTED

## PREPARED FOR

Mr. Michael Finn  
80 Knutson Drive  
Sitka, Alaska 99835



Attachment C

Correspondence

## Samantha Pierson

---

**From:** Mike <photo@gci.net>  
**Sent:** Wednesday, April 18, 2018 5:58 PM  
**To:** Samantha Pierson  
**Subject:** Fwd: Letter for Planning and Zoning meeting  
**Attachments:** Letter for Planning and Zoning meeting.docx

RECEIVED APR 19 2018

I'm at our home in Hoonah now and not near my computer to convert this so I have copied and pasted it below.

"To Whom it may concern,

I have been a tenant of the Finns for the past two years and am now going on my third. I have been extremely impressed with their quick response to any issue that may arise. They are kind and fair to their tenants' needs. I've come to learn they are being scrutinized for some issues involving garbage and noise from former/present tenants and maybe myself. I can say with 100% accuracy our garbage has never been touched by any form of wildlife. My girlfriend and I produce one bag of garbage a week and put it in our bin the day of pickup. We are quiet folks who keep to ourselves and don't have parties. We may have the occasional guest or two over for dinner. Our upstairs neighbors are a quiet couple as well and put their garbage in the bins the day of pickup also. In the time I have lived there I have seen garbage cans from other homes that are not the Finns' properties get hit by wildlife. The folks over the hill from the Finns' properties have their garbage cans sprawled about on the side of the road and have had garbage gotten into. I have only witnessed one occurrence where maybe a can had been rummaged through by wildlife that may have belonged to one of their tenants. In short, it seems to me the Finns are taking all precautions to adhere to any complaints being brought to their attention. I know that they are working on putting in an enclosed area now to avoid any future garbage-related issues. I feel neighbors should be neighbors and if you have an issue, start by going to the source before taking drastic measures. We all want to live peacefully and respectfully on Knutson Dr. I'm sure if they were notified beforehand the problems could have been solved accordingly. I would hope if there was a complaint about you in the neighborhood, you would respect someone coming to you first. It's all about conflict resolution and for those who are business owners in the neighborhood, I would hope you could appreciate that.

Sincerely,  
Ernie Engelman and Dawn Male  
110B Knutson Dr."

Thanks for your help  
Mike  
~Stereon Electronics Store, Sitka  
~Stereon Electronics Store, Hoonah  
DBA Cabin Cache  
~Northern Lights LED Distributor  
~Bear Country Coffee  
~Northern Lights Tanning Salon  
~Artesian Spa Dealer



~Tidal Fit Swim Pool Dealer  
~Wallas Stove & Heater Dealer  
Sitka, Alaska  
[907-752-0052](tel:907-752-0052) cell phone

Begin forwarded message:

**From:** Ernie Engelman <[eengelman@alaskandreamcruises.com](mailto:eengelman@alaskandreamcruises.com)>  
**Date:** April 18, 2018 at 5:44:20 PM AKDT  
**To:** "[photo@gci.net](mailto:photo@gci.net)" <[photo@gci.net](mailto:photo@gci.net)>  
**Subject:** Letter for Planning and Zoning meeting

Hi Mike,

Here is my letter for the meeting. If you think I should do a little wordsmithing I can certainly tweak it somemore.

Ernie Engelman  
Senior Hotel Manager  
Alaskan Dream Cruises  
Ph: (907)747-8133  
Fax: (907) 747-8874  
E-Mail- [eengelman@alaskandreamcruises.com](mailto:eengelman@alaskandreamcruises.com)  
[www.alaskandreamcruises.com](http://www.alaskandreamcruises.com)

RECEIVED APR 18 2018

To whom it may concern,

We have lived at 110 Knutson A since December 1<sup>st</sup> 2015. There was one incident that a bear had gotten into our trash cans on September 19<sup>th</sup> (The Morning of garbage collection day) The mess was promptly cleaned up and there has never been an issue since. During the time of year when bears are present we take our trash to the dump. During the rest of the year, organic trash is kept in a collection unit on our deck 15 feet above the ground and not transferred to the cans until Monday morning. In the 2.5 years we have been there, we have only seen a bear one time on our street and that was the same day the one decided to feast on our trash. Since then there has not been one sighting or incident with bears getting into the trash of ours or our neighbors.

Kind Regards,

Joseph List and Lisa Langenfeld



To Whom it may concern,

I am writing this letter in response to Venneberg's and Michener's letters that were enclosed at the last Sitka planning and zoning meeting. As a resident of Sitka for 37 years and living on Knutson drive for 23 of those I find it hard to believe that my neighbors can't approach me about issues. Especially someone like Mike Venneberg who I have know since my sophomore year in high school, purchased my business and personal insurance with for 27 years and have been a neighbor of for 23 years. Mike Venneberg states that they have been "patience" neighbors leaving us to assume we have been horrible neighbors to them and yet they don't take the time to even contact us until we apply for a short term permit. I have never had a bad word with Mike or his family and in fact have plowed his driveway in heavy snow years more times than I can count. Michener's, Arnold's and Campbell's that were at the last meeting to speak haven't been around for a heavy snow years yet and have no idea that me and the boys plow every driveway and snow berm on Knutson drive. The boys when younger even used to shovel the walkways of the older folks while I did their driveway in the quad. I was also the one that got the paving project going for Knutson and worked on it from start to finish with the help of city staff. I spent many hours getting this done because I cared about making a difference in our neighborhood and being a good neighbor. Most never knew that two property owners attempted to sue us because they didn't want it done and tried going after us for starting it.

I took it upon myself to have the Sitka Police Dept look up any complaints filed against me from 1995-2018 at 116 Knutson and our tenants at 110 and 108 Knutson. I knew of the one time my kids at age 5 and 10 were lighting off fireworks with my permission and officers came by so we stopped and never had an issue again. When filing this request I decided I would present it to the planning and zoning board no matter what the results showed as I have nothing to hide in this process. I didn't know what I would find but since no names are used I have enclosed the full report good or bad. Amazingly I don't find one call regarding trash, noise, traffic or parking in which both letters especially Venneberg's address as a constant problem. I have further taken steps to address the trash issue that Micheners have brought up and would have done this long ago had I known. I still don't feel it's a problem because we are very picky about who we put in these units out of respect for our neighbors. As shown by the police report they take very good care in dealing with the trash, noise and parking. Even so I will be spending the money to put in a bear protection bin that will hold all 4 trash cans to help contain any trash that is getting on to their property. This trash bin was just approved by city staff on Tuesday April 17th so we will be moving forward with that when I fly back from Hoonah for this meeting. In our application from the last meeting we addressed every issue the city requested us to: trash, parking, noise and traffic and feel that we have a design/plan that will not impact any of our neighbors. We are also hiring a Sitka Travels a professional agent that addresses these same issues in the contracts and makes it a point to make sure there is no impact on neighbors. I feel that this board should move forward with approving this short term permit which I believe would make both parties happy. One it gets me the permit I need to start our business and two it gets me out of the neighborhood where some of my neighbors feel our family is an issue. Our family has always tried to be helpful and considerate of our neighbors but when false rumors get spread I feel the need to defend our family and our tenants who we consider our friends.

Mike, Liz, Brandon, Casey and Simba.

116 Knutson Drive  
Sitka, AK. 99835

## Samantha Pierson

---

**From:** Pat Swedeen  
**Sent:** Wednesday, March 28, 2018 4:09 PM  
**To:** Samantha Pierson  
**Subject:** RE: Bear Mitigation - Trash Concerns

If it is under 120 square feet, has no plumbing or electrical, and is not attached to an existing structure a building permit is not required.

## Pat Swedeen

Building Inspector, City of Sitka Bldg Dept.  
100 Lincoln St., Sitka, AK 99835  
907-747-1832

**From:** Samantha Pierson  
**Sent:** Wednesday, March 28, 2018 3:13 PM  
**To:** Pat Swedeen <pat.swedeen@cityofsitka.org>  
**Subject:** FW: Bear Mitigation - Trash Concerns

Pat,

Under what circumstances would something like this require a building permit?

*Sam*

Samantha Pierson  
Planner I  
City and Borough of Sitka  
100 Lincoln Street  
Sitka, AK 99835  
(907) 747-1814

**From:** Michael Scarcelli  
**Sent:** Friday, March 23, 2018 1:25 PM  
**To:** [photo@gci.net](mailto:photo@gci.net)  
**Cc:** Samantha Pierson <[samantha.pierson@cityofsitka.org](mailto:samantha.pierson@cityofsitka.org)>  
**Subject:** Bear Mitigation - Trash Concerns

Hello Michael and Elizabeth,

Overall, I am really flexible on what you propose. No need for overkill. But something like this, is something I can agree and make a recommendation to the Planning Commission that I feel it adequately and reasonably mitigates any potential impact from bears/birds/trash due to STR.

Some copied images from internet (images may be subject to copyright)



DBA Cabin Cache  
~Northern Lights LED Distributor  
~Bear Country Coffee  
~Northern Lights Tanning Salon  
~Artesian Spa Dealer  
~Tidal Fit Swim Pool Dealer  
~Wallas Stove & Heater Dealer  
Sitka, Alaska  
[907-752-0052](tel:907-752-0052) cell phone

On Mar 23, 2018, at 1:25 PM, Michael Scarcelli <[michael.scarcelli@cityofsitka.org](mailto:michael.scarcelli@cityofsitka.org)> wrote:

Hello Michael and Elizabeth,

Overall, I am really flexible on what you propose. No need for overkill. But something like this, is something I can agree and make a recommendation to the Planning Commission that I feel it adequately and reasonably mitigates any potential impact from bears/birds/trash due to STR.

Some copied images from internet (images may be subject to copyright)

<image001.jpg>

Or

<image003.jpg>

Or

<image002.jpg>

Michael Scarcelli, J.D.  
Planning and Community Development Director  
100 Lincoln Street, Room 109  
Sitka, AK 99835  
(907) 747-1815  
[michael.scarcelli@cityofsitka.org](mailto:michael.scarcelli@cityofsitka.org)



Or



Or



Michael Scarcelli, J.D.  
Planning and Community Development Director  
100 Lincoln Street, Room 109  
Sitka, AK 99835  
(907) 747-1815  
[michael.scarcelli@cityofsitka.org](mailto:michael.scarcelli@cityofsitka.org)



## Samantha Pierson

---

**From:** Michael Scarcelli  
**Sent:** Friday, March 23, 2018 3:18 PM  
**To:** Samantha Pierson  
**Subject:** FW: Bear Mitigation - Trash Concerns

FYI for file.

**From:** Mike [mailto:photo@gci.net]  
**Sent:** Friday, March 23, 2018 2:07 PM  
**To:** Michael Scarcelli <michael.scarcelli@cityofsitka.org>  
**Subject:** Re: Bear Mitigation - Trash Concerns

Mike,

Ok I will look at possible places to put this would I need a city permit to build one of these in the 20' setback on the front of my property by the road? Here is a picture of Mr. Micheners trash cans this morning at the top of his driveway...with two in the ditch and I'm the problem 😊👍



Thanks again for your help,

Mike  
~Stereon Electronics Store, Sitka  
~Stereon Electronics Store, Hoonah

## Samantha Pierson

---

**From:** Michael Scarcelli  
**Sent:** Friday, March 23, 2018 1:25 PM  
**To:** photo@gci.net  
**Cc:** Samantha Pierson  
**Subject:** Bear Mitigation - Trash Concerns

Hello Michael and Elizabeth,

Overall, I am really flexible on what you propose. No need for overkill. But something like this, is something I can agree and make a recommendation to the Planning Commission that I feel it adequately and reasonably mitigates any potential impact from bears/birds/trash due to STR.

Some copied images from internet (Images may be subject to copyright)



Or



Or





Michael Scarcelli, J.D.  
Planning and Community Development Director  
100 Lincoln Street, Room 109  
Sitka, AK 99835  
(907) 747-1815  
[michael.scarcelli@cityofsitka.org](mailto:michael.scarcelli@cityofsitka.org)

Samantha,

RECEIVED MAR 23 2018

I would like this email added into the record for CUP 18-07.

My name is Jim Michener. My wife Darcy and I are the owners/residents at 105 Knutson Dr. I would like to express a couple of concerns about the proposed conditional use permit under consideration for 116 Knutson Drive.

While I am a firm believer that property owners have the right to use their property for financial gain it should not come with a cost to their neighbors.

My two major concerns are with 1) parking and 2) garbage. If both of these concerns are addressed with a defined and enforceable set of requirements, I will withdraw my objection to this application.

**PARKING -** If there is adequate parking available on site as stated on the application there should be no reason to have street parking on Knutson Dr. I would ask that the permit prohibit any street parking on Knutson Dr. for rental occupants or their guests. This needs to have some sort of teeth to make it enforceable.

**GARBAGE -** This is an issue that we feel strongly about. We have lived in our current residence for 13 years and have had trouble with bears on a regular basis, every year that we have lived here. We routinely have bags of garbage dragged into our backyard by bears. We had a bear come on to our back porch last summer while we were 12 feet away on the porch. The root cause is always garbage. The intensity of our bear visits can be correlated directly to the care of the neighborhoods adherence to the statutes on file for garbage disposal. Some years are better than others and a longer length of residency seems to help. Longer term residents seem to understand the necessity of keeping garbage secure better than new or short term residents.

The Finn's own 5 long term rental properties adjacent to the top of our driveway. The renters of those properties have habitually not obeyed CBS garbage ordinances. 3 - 5 times per year we spend hours collecting all of the garbage that has been strewn by bears and wind onto both our, and our neighbors property. The average collection is 2 - 35 gallon garbage bags of strewn refuse. My property today has over 50 pieces of garbage on it that have originated from those properties in the last two weeks.

We have had the same trouble with 109 and 115 Knutson Dr. when new renters begin occupancy. Those addresses share our driveway and garbage can pick up area. Action by the home owners has been helpful in rectifying the situation.

With the trouble that we have had with long term renters on Knutson Dr., I have deeper concerns about short term rental occupants. Short term visitors will be less aware of



the bear issues, unknowing of other safe places to take smelly garbage and less likely to obey the designated 4am day of pick up ordinance.

I bring all of this up in detail not to derail the Finn's application process but to assure that all of these concerns be addressed before the process continues.

I would hope that there would be at minimum:

A written plan for parking and garbage that would be part of the CUP and clearly posted for the renters in the residence and reviewed with the renters by the owner/agent during check in.

A plan for garbage removal from the property by the Finn's or their agent at the end of every tenant's stay and on garbage collection days.

Garbage storage, fish coolers and other attractants be stored in garage or other locked space.

The CUP be reviewed for renewal after one year with public notice of neighboring properties.

Thank you for your time and consideration of this matter,

Jim Michener  
105 Knutson Dr.  
Sitka, AK

## Samantha Pierson

---

**From:** James Michener <michener@gci.net>  
**Sent:** Thursday, March 22, 2018 6:27 PM  
**To:** Samantha Pierson  
**Subject:** 116 Knutson Dr CUP 18-07

Samantha,

I would like this email added into the record for CUP 18-07.

My name is Jim Michener. My wife Darcy and I are the owners/residents at 105 Knutson Dr. I would like to express a couple of concerns about the proposed conditional use permit under consideration for 116 Knutson Drive.

While I am a firm believer that property owners have the right to use their property for financial gain it should not come with a cost to their neighbors.

My two major concerns are with 1) parking and 2) garbage. If both of these concerns are addressed with a defined and enforceable set of requirements, I will withdraw my objection to this application.

**PARKING -** If there is adequate parking available on site as stated on the application there should be no reason to have street parking on Knutson Dr. I would ask that the permit prohibit any street parking on Knutson Dr. for rental occupants or their guests. This needs to have some sort of teeth to make it enforceable.

**GARBAGE -** This is an issue that we feel strongly about. We have lived in our current residence for 13 years and have had trouble with bears on a regular basis, every year that we have lived here. We routinely have bags of garbage dragged into our backyard by bears. We had a bear come on to our back porch last summer while we were 12 feet away on the porch. The root cause is always garbage. The intensity of our bear visits can be correlated directly to the care of the neighborhoods adherence to the statutes on file for garbage disposal. Some years are better than others and a longer length of residency seems to help. Longer term residents seem to understand the necessity of keeping garbage secure better than new or short term residents.

The Finn's own 5 long term rental properties adjacent to the top of our driveway. The renters of those properties have habitually not obeyed CBS garbage ordinances. 3 - 5 times per year we spend hours collecting all of the garbage that has been strewn by bears and wind onto both our, and our neighbors property. The average collection is 2 - 35 gallon garbage bags of strewn refuse.

We have had the same trouble with 109 and 115 Knutson Dr. when new renters begin occupancy. Those addresses share our driveway and garbage can pick up area. Action by the home owners has been helpful in rectifying the situation.

With the trouble that we have had with long term renters, I have deeper concerns about short term rental occupants. Short term visitors will be less aware of the bear issues, unknowing of other safe places to take smelly garbage and less likely to obey the designated 4am day of pick up ordinance.

I bring all of this up in detail not to derail the Finn's application process but to assure that all of these concerns be addressed before the process continues.

I would hope that there would be at minimum:



A written plan for parking and garbage that would be part of the CUP and clearly posted for the renters in the residence and reviewed with the renters by the owner/agent during check in.

A plan for garbage removal from the property by the Finn's or their agent at the end of every tenant's stay and on garbage collection days.

Garbage storage, fish coolers and other attractants be stored in garage or other locked space.

The CUP be reviewed for renewal after one year with public notice of neighboring properties.

Thank you for your time and consideration of this matter,

Jim Michener  
105 Knutson Dr.  
Sitka, AK

## Samantha Pierson

---

**From:** Mike Venneberg <mike@venneberginsurance.com>  
**Sent:** Thursday, March 22, 2018 9:15 AM  
**To:** Michael Scarcelli  
**Cc:** tdvenneberg@gmail.com; Samantha Pierson  
**Subject:** Re: Short Term Rental - Knutson Drive

Thanks Michael. Here are my concerns.

Our family has lived at 125 Knutson Drive for the last 23 years. I do not remember anyone ever requesting a short term rental, as the neighborhood is not conducive to this activity.

I do have specific concerns with this proposal.

1. Parking. The applicant has a history of guests parking on the street below the access drive. The drive is not designed for multiple vehicles transiting and parking at the site. It seems unlikely that people unfamiliar with the drive will find the arrangement workable.
2. Hazards of the Access Drive. The drive exits onto uphill traffic. While those familiar with the site have become accustom to this, guests driving up and down this drive would create a safety hazard to traffic and pedestrians.
3. Noise. We have been patient neighbors, as the applicant does have a history of social gatherings. I would anticipate more disruption from a 12 person rental.
4. Garbage. The applicant does have good plans to keep garbage containers in the garage. Unfortunately, with their long term rentals on Knutson Drive, this has not been followed. These properties have a history of cans being left out and tipped over. This has contributing to a bear problem in the neighborhood.

The layout of property on Knutson Drive does not allow for short term rentals to work without impacting neighbors. I encourage the planning commission to deny this request.

Thank you for your consideration.

Mike Venneberg  
Cell (907)738-6017

> On Mar 22, 2018, at 9:40 AM, Michael Scarcelli <michael.scarcelli@cityofsitka.org> wrote:

>

> Hello Mike,

>

> You can send it here and I will enter it on the record tonight.

>

> Thank you,

>

>

> Michael Scarcelli, J.D.

> Planning and Community Development Director

> 100 Lincoln Street, Room 109

> Sitka, AK 99835



> (907) 747-1815  
> michael.scarcelli@cityofsitka.org  
>  
>  
>  
> -----Original Message-----  
> From: Mike Venneberg [mailto:mike@venneberginsurance.com]  
> Sent: Thursday, March 22, 2018 4:30 AM  
> To: Michael Scarcelli <michael.scarcelli@cityofsitka.org>  
> Cc: tdvenneberg@gmail.com  
> Subject: Short Term Rental - Knutson Drive  
>  
>  
> Michael,  
>  
> I am away from Sitka this week and unable to attend the planning commission meeting.  
>  
> I would like to send my written concerns to this request. Can you please confirm the best email to use.  
>  
> Thank you,  
>  
> Mike Venneberg  
> Cell (907)738-6017



# CITY AND BOROUGH OF SITKA

## Legislation Details

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**File #:** CUP 18-09    **Version:** 1    **Name:**

**Type:** Conditional Use Permits    **Status:** AGENDA READY

**File created:** 3/30/2018    **In control:** Planning Commission

**On agenda:**    **Final action:**

**Title:** Public hearing and consideration of a conditional use permit for a short-term rental on a boat at Eliason Harbor T4-36, 730 Siginaka Way, in the P Public Zone. The property is also known as Alaska Tideland Survey 1496. The request is filed by Cameo Padilla and Brooks Areson. The owners of record are the City and Borough of Sitka, Cameo Padilla, and Brooks Areson.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [CUP18-09.EliasonT4-36.packet.20Apr2018](#)

Date	Ver.	Action By	Action	Result
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# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

*Coast Guard City, USA*

## Planning and Community Development Department

### **AGENDA ITEM:**

Case No: CUP 18-09  
Proposal: Request for short-term rental at Eliason Harbor Stall T4-36  
Applicant: Cameo Padilla/Brooks Areson  
Owner: Cameo Padilla/Brooks Areson  
Location: Eliason Harbor Stall T4-36  
Legal: ATS 1496  
Zone: P – Public Lands District  
Size: vessel/stall  
Parcel ID: 1-5409-000  
Existing Use: Commercial/Marine  
Adjacent Use: Commercial/Marine/Liveaboards  
Utilities: Sewer pump out, vessel utilities, municipal electric and water  
Access: Dock – Eliason & Thomsen Harbor Parking Lot

### **KEY POINTS AND CONCERNS:**

- Conditional use permits runs with the location and the boat. Any change to either and the permit is void. In addition, the Danasea was operating as the second (non-CUP STR), should the Morning Glass CUP at T4-36 be approved and activated, as a condition of approval (and current harbor policy that limits each Harbor to 2 STR) the Danasea's STR will be voided. Further, to clarify, should the F/V Morning Glass be sold, the CUP will expire since the boat will have to be moved per harbor policy.
- Port and Harbors recommend approval subject to additional conditions of approval regarding honoring the limit of 2 rentals per harbor policy.

### **RECOMMENDATION:**

Staff recommends that the Planning Commission find the proposal to be consistent with Sitka General Code Title 22 and the Comprehensive Plan and to approve the conditional use permit application for a short-term rental on a boat at Eliason Harbor T4-36.



# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

*Coast Guard City, USA*

## **ATTACHMENTS**

Attachment A: Applicant Materials

Attachment B: Staff Materials

Attachment C: Correspondence

## **BACKGROUND/PROJECT DESCRIPTION**

The request is for a conditional use permit for a short-term rental on a boat at slip T4-36 in Eliason Harbor on the F/V Morning Glass. This is a commercial vessel that could accommodate up to 4 people for STR purposes. Applicant did not provide a floor plan or sketch, but did provide pictures that show the layout and a detailed written description (see attached). Owners have operated a STR in the Danasea. The Danasea and the Adak are the current 2 allowable STRs (both did not require a CUP as zone did not require a CUP).

### **Timeline:**

September through December 2015 - Staff recommend to deny the zoning change due to concerns regarding public health and safety. December 2015, the Planning Commission denies the request 5-0.

February 2016 - Administration directs reconsideration. Staff present the proposal again. The Planning Commission supports the zoning text change 4-0.

May 2016 - The CBS Assembly voted to list boat short term rentals as a conditional use in the Public Zone.

October 12, 2016 - Port and Harbors Commission (P&H) requested that short-term rental on boats applications go through P&H for recommendation before Planning Commission considers approval. As a result, staff recommend that the Commission postpone this item until Port and Harbors has considered the proposal and made a recommendation.

December 2016 - Port and Harbors Commission and Planning Commission discussed a short-term rentals on boats plan at a joint work session.

February 8, 2017 - Port and Harbors Commission approved the short-term rentals on boats plan.

April 2018- Port and Harbors Commission recommended approval of the conditional use permit subject to making sure that only the Morning Glass or the Danasea have a total sum of 1 CUP, depending on the final plan. In addition, the sale of the Morning Glass would void the CUP due to



policy to move location. And that all Harbor Policy be followed including limits of STR in each Harbor (2 max).

### **22.16.020 Public Lands District**

The P zoning district may allow short-term rentals in harbors as a conditional use subject to the ability to mitigate any adverse effects to nonexistent or minimal and reasonable for the zone and in harmony with surrounding land uses.<sup>1</sup>

### **ANALYSIS**

#### **1. CRITERIA TO BE USED IN DETERMINING THE IMPACT OF CONDITIONAL USES.<sup>2</sup>**

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

The boat is a smaller vessel that will accommodate up to 4 people. The location is at the end of the dock and would require a long walk. Public parking could be taken up, impacting residents and commercial uses.

**b. Amount of noise to be generated and its impacts on surrounding land use:** Same amount of noise to slightly more as owner-occupied, but visitors/guests will be on vacation and it is common that hotel or other transient guests can be louder than long-term renters.

**c. Odors to be generated by the use and their impacts:** Waste in sewage tanks may create odor; however, all boats with holding tanks may create the same issue.

**d. Hours of operation:** Year-round.

**e. Location along a major or collector street:** Boat accessed at Eliason Harbor.

**f. Potential for users or clients to access the site through residential areas or substandard street creating a cut through traffic scenario:** No concerns.

**g. Effects on vehicular and pedestrian safety:** Renters may be unfamiliar with the harbor/boating environment. Potential impacts can be mitigated by the owners providing safety orientation, walk through, and careful selection of tenants.

**h. Ability of the police, fire, and EMS personnel to respond to emergency calls on the site:** Same ability as if the boat was owner-occupied.

**i. Logic of the internal traffic layout:** Not applicable.

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<sup>1</sup> Table 22.16.015-1

<sup>2</sup> § 22.24.010.E

**j. Effects of signage on nearby uses:** No proposed signage.

**k. Presence of existing or proposed buffers on the site or immediately adjacent the site:** No buffers. Adjacent uses could be impacted.

**l. Relationship of the proposed conditional use to the goals, policies, and objectives of the Comprehensive Plan:** Conforms to Comprehensive Plan Section 2.6.2(K), which supports facilities to accommodate visitors that do not impact surrounding residential neighborhoods any more than typical residential uses. Proposal also complies with Section 2.8.1, which emphasizes the “encouragement of sightseeing and non-consumptive tourism” by providing a unique experience for visitors. In addition, by adding short-term rentals to boats, this will take some of the demand off the stick-built housing market.

**m. Other criteria that surface through public comments or planning commission review:** The Harbormaster has indicated that waste must be disposed of properly. Renters may be noisy, which could be bothersome to other harbor users. In addition, this harbor is a working harbor that may be noisy for the tenants.

The Planning Commission has previously discussed concern that short-term rentals may reduce the availability and affordability of long-term rentals.

#### **RECOMMENDATION**

It is recommended that the Planning Commission adopt the staff analysis and required findings as found in the staff report and grant the requested conditional use permit subject to attached conditions of approval.

.....

#### **Recommended Motions:** (two motions - read and voted upon separately)

- 1) I move to approve the conditional use permit for a short term rental located on the F/V Morning Glass in Eliason Harbor T4-36, ATS 1496, in the P Public zone. The property is also known as a portion of ATS 1496. The application is filed by Brooks Areson and Cameo Padilla. The owner of record of the tidelands is the City and Borough of Sitka. The owner of record of the F/V Morning Glass is Brooks T. Areson.

#### **Conditions of Approval:**

1. Notification of renter on board vessel to Port and Harbor Department
2. Must pay live aboard harbor fees
3. \$100 Port and Harbors Annual short term rental fee



4. The facility shall be operated in compliance with harbor regulations concerning sewage disposal and all other matters.
5. The facility shall be operated consistent with the application and plans that were submitted with the request.
6. The facility shall be operated in accordance with the narrative that was submitted with the application.
7. The applicant shall submit an annual report every year to the Planning Commission and the Port and Harbors Commission, summarizing the number of nights the facility has been rented over the ~~twelve-month~~ period starting with the date the facility has begun operation. ~~The report is due within thirty days following the end of the reporting period.~~ Revised reporting procedures have been initiated. Annual reports will be due February 15 of each year.
8. The Planning Commission and/or the Port and Harbors Commission, at their discretion and upon receipt of a meritorious complaint, may schedule a public hearing at any time for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties.
9. Failure to comply with all applicable tax laws, including but not limited to remittance of all sales and bed tax, shall be grounds for revocation of the conditional use permit.
10. The property owner shall register for a sales account prior to the Conditional Use Permit becoming valid.
11. The property owner shall provide orientation information to all renters, which shall cover boat and water safety, ingress and egress, and proper waste disposal.
12. The boat must be approved by the CBS Harbor Department as a live aboard, and appropriate live aboard fees must be paid.
13. Shall comply with all applicable United States Coast Guard regulations regarding pleasure craft.
14. Permit to be reviewed by the Planning Commission after 6 months to address any impacts, concerns, and to allow Port and Harbors Commission the opportunity to review and comment on the permit.
15. Occupancy shall be limited to a maximum of 4 guests.
16. The Morning Glass CUP shall be valid only as long as the Danasea is not operated as a STR. Further, if the Morning Glass is sold, harbor policy dictates the vessel must be moved. The CUP runs with the vessel and the stall. IF either change, the CUP is not valid for another vessel or location.
17. Failure to comply with any of the above conditions may result in revocation of the conditional use permit.

2) I move to adopt the following findings that the proposal, as conditioned:

- a. Will not be detrimental to the public health, safety, and general welfare due to protecting against safety and environmental impacts.
- b. Will not adversely affect the surrounding area as it is a working harbor.
- c. Will not be any more injurious to surrounding uses as the current commercial and residential use that the vessel was prior to this proposal.
- d. That the proposal is line with the existing and draft comprehensive plans by providing lodging for transient populations. This increased supply of Boat STRs will help tourism and will also add STR supply to the overall market lessening the impacts of STR on stick built rentals.
- e. All the conditions are conditions that could be enforced and monitored with adequate staff and support to seek enforcement.
- f. As conditioned, the proposal will not introduce hazards or affect public infrastructure.



# Attachment A

## Applicant Materials



# CITY AND BOROUGH OF SITKA

## PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT GENERAL APPLICATION FORM

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

**APPLICATION FOR:**☐ VARIANCE☒ CONDITIONAL USE☐ ZONING AMENDMENT☐ PLAT/SUBDIVISION

**BRIEF DESCRIPTION OF REQUEST:** Transfer Condistional Use permit for Cameo Padilla and Brooks Areson  
from the F/V Danasea to the F/V Morning Glass

**PROPERTY INFORMATION:**

CURRENT ZONING: Public Zone PROPOSED ZONING (if applicable): \_\_\_\_\_

CURRENT LAND USE(S): \_\_\_\_\_ PROPOSED LAND USES (if changing): \_\_\_\_\_

**APPLICANT INFORMATION:**

PROPERTY OWNER: Brooks Areson and Cameo Padilla

PROPERTY OWNER ADDRESS: T3-08 Eliason Harbor, Sitka, AK 99835

STREET ADDRESS OF PROPERTY: T4-36 Eliason Harbor, Sitka, AK 99835

APPLICANT'S NAME: Cameo Padilla

MAILING ADDRESS: PO Box 1356, Sitka, AK 99835

EMAIL ADDRESS: cameodawn@gmail.com DAYTIME PHONE: 907-738-4736

**PROPERTY LEGAL DESCRIPTION:**

TAX ID: \_\_\_\_\_ LOT: \_\_\_\_\_ BLOCK: \_\_\_\_\_ TRACT: \_\_\_\_\_

SUBDIVISION: \_\_\_\_\_ US SURVEY: \_\_\_\_\_

**OFFICE USE ONLY**

COMPLETED APPLICATION		SITE PLAN	
NARRATIVE		CURRENT PLAT	
FEE		PARKING PLAN	

RECEIVED MAR 16 2018



## REQUIRED SUPPLEMENTAL INFORMATION:

### For All Applications:

- ☒ Completed application form
- ☒ Narrative
- ☐ Site Plan showing all existing and proposed structures with dimensions and location of utilities
- ☒ Deed - *Certificate of Documentation*
- ☐ Copy of current plat
- ☐ Proof of filing fee payment

### For Conditional Use Permit:

- ☐ Parking Plan
- ☐ Interior Layout

### For Plat/Subdivision:

- ☐ Three (3) copies of concept plat
- ☐ Topographic Information
- ☐ Proof of Flagging
- ☐ Plat Certificate from a title company

### If Pertinent to Application:

- ☐ Drainage and Utility Plan
- ☐ Landscape Plan

## CERTIFICATION:

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



Owner

*3/15/18*

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)

*3.16.18*

Date

RECEIVED MAR 16 2018

# Morning Glass Short-Term Rental Plan

**Morning Glass O/N 684206**

**Owners: Brooks Areson and Cameo Padilla**

**PO Box 1356, Sitka AK 99835**

**907-738-4736, cameodawn@gmail.com**

**Eliason Harbor: T4-36**

## Property Description:

The vessel is arranged as follows: foremost below decks is a small forecabin with a short, raised single berth to Port and two tiered single berths to Starboard, stowage beneath the lower; overhead is a skylight hatch. Aft to Port is a former enclosed head with a sink in cabinetry outboard, currently in use as a wet locker. Up four steps is the deckhouse, with the helm to Starboard, aft a helm seat, a locker beneath, aft a galley counter, accommodating a single basin sink, the cook stove, and aft a cabinet with UHMW plastic top and an under-counter refrigerator, with integral stowage in drawers and lockers. To Port is a raised dinette that converts to a double berth, with stowage in seat lockers, aft is a small locker, inboard are two cabin heaters. Access to the engine compartment is by way of flush hatches in the cabin sole.

Aft, through a hinged watertight aluminum door in an aluminum scuttle is the main deck, with a large raised trunk cabin at center. Below is an aft stateroom, an enclosed head with small sink, toilet and shower forward to Port. Aft is a double berth with stowage beneath, aft are shelves and lockers. To Starboard is the entry ladder, outboard a cabin heater, aft a settee that makes into two tiered berths, stowage beneath, aft are shelves and lockers and a small table with hanging locker.

Aft of this cabin is a small stern deck with a watertight hatch for access to the lazarette, the steering apparatus and tank void. Furthest aft is the stern. Atop the deckhouse is a flybridge with full controls, protected by an FRP canopy attached to the A-frame rigging, aft a fiberglass seat and propane locker, aft an enclosed portable generator. Access is by way of a ladder from the main deck.

## Basic Operations:

**Date to Begin Operations: May 1, 2018**

- Advertise Vessel on Airbnb, entire boat, no more than one group per stay, 4 person max, 2 day minimum stay
  - o Vessel will remain at dock and lodgers will not have ability to start engine
  - o Hatches to engine compartment will be locked
  - o Door to the V-berth area will be locked
  - o All pumps, except emergency bilge pumps, will be disengaged while vessel is at dock
- Maintenance, cleaning, upkeep provided by owners



- Business License under jointly held LLC by owners
- Owners intend to continue to utilize the vessel for personal recreational use on a weekly basis
- Parking will be in the public lot at the top of the dock, but we anticipate most of our clientele will not require a vehicle given the proximity to downtown

### Short-Term Rental Requirements:

#### **Vessel Inspection: April 2018**

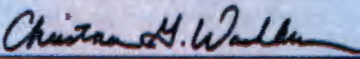
- Vessel Safety Items to update:
  - o Smoke, Carbon Monoxide Detectors
  - o Test fire extinguishers

#### **Business License with State: April 2018**

#### **Business License with City: April 2018**

- Quarterly Sales Tax
- Bed Tax

**UNITED STATES OF AMERICA****DEPARTMENT OF HOMELAND SECURITY  
UNITED STATES COAST GUARD****NATIONAL VESSEL DOCUMENTATION CENTER*****CERTIFICATE OF DOCUMENTATION***

VESSEL NAME MORNING GLASS		OFFICIAL NUMBER 684206	IMO OR OTHER NUMBER SVA36003A585	YEAR COMPLETED 1985	
HAILING PORT LONG NOOK BEACH AK		HULL MATERIAL FRP (FIBERGLASS)		MECHANICAL PROPULSION YES	
GROSS TONNAGE  19 GRT	NET TONNAGE  15 NRT	LENGTH  36.0	BREADTH  13.0	DEPTH  6.0	
PLACE BUILT  AUBURN WA					
OWNERS BROOKS T ARESON		OPERATIONAL ENDORSEMENTS FISHERY REGISTRY COASTWISE			
MANAGING OWNER BROOKS T ARESON 4-36 ELIASON HARBOR PO BOX 1356 SITKA AK 99835					
RESTRICTIONS NONE					
ENTITLEMENTS NONE					
REMARKS NONE					
ISSUE DATE MARCH 02, 2017		 DIRECTOR, NATIONAL VESSEL DOCUMENTATION CENTER			
THIS CERTIFICATE EXPIRES MARCH 31, 2018					



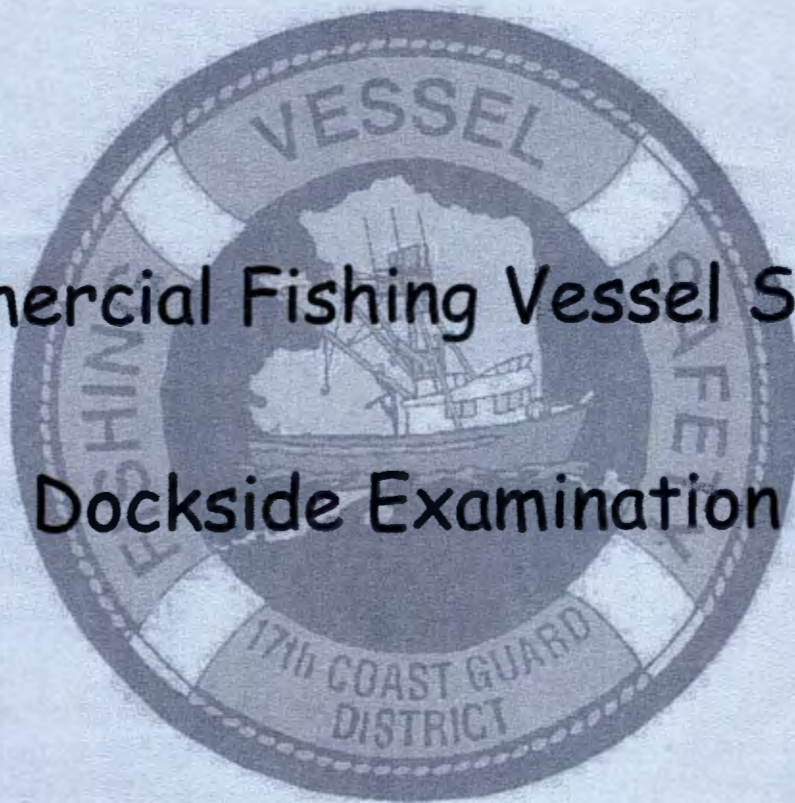
RECEIVED MAR 16 2018



# **U.S. Coast Guard 17<sup>th</sup> Coast Guard District**

**Commercial Fishing Vessel Safety**

**Dockside Examination**



DECAL # 219783

DEC 10, 2014

***Safety through prevention and partnership***

*Updated June 2012*



**SEVENTEENTH COAST GUARD DISTRICT COMMERCIAL  
FISHING VESSEL SAFETY DOCKSIDE EXAMINATION**

<b>VESEL NAME</b> <u>MORNING GLASS</u>		<b>NUMBER</b> <u>684206</u>	
<b>Call Sign:</b> <u>WDN 7313</u>	<b>ADF&amp;G Number:</b> <u>77528</u>	<b>Date:</b> <u>DEC 9, 2014</u>	
<b>Hull Color:</b> <u>WHT</u>	<b>Trim Color:</b> <u>WHT</u>	<b>Superstructure Color:</b> <u>WHT</u>	
<b>Length:</b> <u>36.0</u>	<b>Gross Tons:</b> <u>19</u>	<b>Year Built:</b> <u>1985</u>	<b>Year Converted:</b> <u>      </u>
<b>Vessel Type:</b>  <input checked="" type="checkbox"/> FV <input type="checkbox"/> FTV <input type="checkbox"/> FPV	<b>Fishing Equipment: (Check all that apply)</b>  <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Long Line  <input type="checkbox"/> Pot  <input type="checkbox"/> Trap  <input type="checkbox"/> Seine           </div> <div> <input checked="" type="checkbox"/> Troll  <input type="checkbox"/> Trawl  <input type="checkbox"/> Gill Net  <input type="checkbox"/> Other: <u>      </u> </div> </div>		<b>Hull Material: (circle)</b> Aluminum    Concrete Steel        Wood <u>FRP</u>
			<b>Number of POB:</b> <u>2</u>
<b>Propulsion:</b> <input checked="" type="checkbox"/> Inboard <input type="checkbox"/> Outboard <input type="checkbox"/> Inboard/Outboard <input type="checkbox"/> Sail <b>Horsepower:</b> <u>250</u>	<b>Fuel:</b> <input type="checkbox"/> Gasoline <input checked="" type="checkbox"/> Diesel Other: <u>      </u> <b>Lube Oil Capacity:</b> <u>12</u> <b>Hyd. Oil Capacity:</b> <u>3</u>	<b># of Fuel Tanks:</b> <u>2</u> <b>Capacity:</b> <u>600</u> <b>Tank Material:</b> <u>ALUM</u> <b>Location:</b> <u>SPLIT AFT</u>	<b>Fuel Tank Type</b>  <input type="checkbox"/> Portable <input checked="" type="checkbox"/> Fixed (Vented)
<b>DECAL INFORMATION:</b> Is this an Initial Issue? <u>Y</u> / <u>N</u> Is this a Renewal? <u>Y</u> / <u>N</u> Previous Decal # <u>      </u>			
<b>ROUTE (Choose one)</b>  <input type="checkbox"/> Waters inside Coastal Waters (opening to the sea less than 2 nm) <input checked="" type="checkbox"/> Coastal Waters and beyond	<b>Boundary Line: (Choose one)</b> Inside Boundary: <u>      </u> OR <u>      </u> Outside the Boundary: <input type="checkbox"/> within 3 nm <input type="checkbox"/> within 3 nm <input type="checkbox"/> within 12 nm <input checked="" type="checkbox"/> within 12 nm <input type="checkbox"/> within 20 nm <input type="checkbox"/> within 50 nm <input type="checkbox"/> within 100 nm <input type="checkbox"/> beyond 100 nm <b>Fishery Type:</b> <u>      </u>		<b>Does vessel operate beyond 3nm from the territorial sea baseline of the U.S.?</b>  <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Owner Name:</b> <u>BROOKS T ARNOLD</u> <b>Address:</b> <u>PO BOX 1356</u> <u>SITKA, AK 99835</u> <b>Phone:</b> <u>(907) 738-4738</u> <b>Vessel Cell:</b> ( ) <u>SAME</u>		<b>Contact Person:</b> <u>SASAN PADILLA</u> <b>Address:</b> <u>      </u> <b>Phone:</b> <u>(907) 747-6576</u>	
<b>Drill Conductor Card#</b> <u>110017</u>	<b>Issued By:</b> <u>AMSEA</u>	<b>Date:</b> <u>10-6-14</u>	
A voluntary dockside examination has been completed on this vessel. However a Commercial Fishing Vessel Safety Decal cannot be issued due to the following deficiencies (note deficiencies by item number, with an explanation, and identify any particularly hazardous condition): <u>1. INSTALL VISIBCE BIGGE ALARM INDICATOR</u> <u>2. PROVIDE SOUND PRODUCING DEVICE</u> <u>3. PROVIDE NEW HRU FOR EPIRB.</u>			
<b>CORRECT HAILING PORT AT NEXT DOCUMENT RENEWAL</b> When these deficiencies are corrected, please call the number below to schedule a re-examination.			
<b>Examiner Name:</b> <u>STEVE RAMP</u>		<b>Phone:</b> <u>(907) 966-5620</u>	
<b>Examiner's Unit:</b> <u>CG MSD SITKA</u>		<b>Location of Exam:</b> <u>ELIASON SLIP 6-20</u>	
<b>CONGRATULATIONS!</b> Your vessel has been examined and is in compliance with all applicable safety regulations. Commercial Fishing Vessel Safety Decal Number <u>219783</u> has been issued. The decal is valid for 2 years provided the vessel safety equipment remains serviceable and the operating conditions described above are not exceeded. Remove the decal if the vessel is sold. Please keep this form on board your vessel and show it to the Coast Guard if the vessel is boarded.			
<b>Issuing Examiner Signature:</b> <u>Steve R. Ramp</u>		<b>Date of Issue:</b> <u>DEC 10, 2014</u>	
<b>Vessel Representative Signature:</b> <u>      </u>			

10 DEC 14: FOLLOW UP EXAM. ALL DEFICIENCIES CORRECTED



VESSEL NAME		NUMBER
REQUIREMENTS FOR ALL VESSELS		
1	Registration/ Certificate of Documentation - Expiration Date: <u>3-31-15</u>	(Y) (N) (N/A)
2	Document Endorsements: <u>FISH/REGISTRY/COASTW</u> Hull Markings (Y)(N)	(Y) (N) (N/A)
3	Tonnage Certificate for undocumented vessel under 5 Net Tons (see job aid)	(Y) (N) (N/A)
4	FCC Ship Station License Expiration Date <u>11-1-2014</u>	(Y) (N) (N/A)
5	Injury Placard All vessels	(Y) (N) (N/A)
6	Oil Pollution Placard Vessels ≥26'	(Y) (N) (N/A)
7	MARPOL (Garbage) Placard Vessels ≥26'	(Y) (N) (N/A)
8	Waste Management Plan Ocean going vessels ≥40'	(Y) (N) (N/A)
9	Load Line Certificate Fish Tenders or Fish Processors (See Job Aid)	(Y) (N) (N/A)
10	Licensing / Manning Masters, Mates & Chief Eng. on ≥200GT Citizenship—75% US / 25% Foreign	(Y) (N) (N/A) (Y) (N) (N/A)
11	Automated Identification System: Commercial Vessels over 65 feet must have AIS when operating in the vicinity of a VTS. Fishing vessels are currently exempt EXCEPT fishing vessels that have ever operated or continue to operate (full or part-time) as a fish tender.	(Y) (N) (N/A)
12	Navigation Lights / Sound Producing Device / Day shapes <input checked="" type="checkbox"/> Side Lights 112.5° deg, W / Black Screens <input checked="" type="checkbox"/> All Around Mast Light - 360° for vessels ≥50 meters <input type="checkbox"/> Stern Light - 135° <u>N/A</u> <input type="checkbox"/> Red over White (Green over White - Trawling) - 360° <u>N/A</u> <input type="checkbox"/> Day shape <u>N/A</u> <input type="checkbox"/> Sound Producing Devices: <u>MP</u> Vessels <12m (39.4') Whistle or Air Horn, No Bell required Vessels 12m - 20m (39.4' - 65.6') Audible 1/2 Mile, Whistle & 7.9" Bell Vessels 20m - 100m (65.6' - 328.1') Audible 1 mile, Whistle & 11.8" Bell	(Y) (N) (N/A)
13	Alcohol Test Kit (If more than 2 hours from port) Expiration Date <u>6-15</u>	(Y) (N) (N/A)
14	Visual Distress Signals - (Indicate # of each type; red handheld, orange smoke, parachute) <u>3+6+3</u>	(Y) (N) (N/A)
15	Immersion Suits / PFDs (Circle type on board) <input checked="" type="checkbox"/> Markings (Name and Retro-Tape) PML (Battery Exp.) <u>9-15</u> # on board <u>2</u> <input checked="" type="checkbox"/> Properly Maintained	(Y) (N) (N/A)
16	Ring Life Buoys / Cushions / Life Sling (must have mechanical means to retrieve MOB) <input checked="" type="checkbox"/> Retro-Tape <input checked="" type="checkbox"/> Markings <input checked="" type="checkbox"/> Line # on Board: <u>1</u>	(Y) (N) (N/A)
17	Survival Craft/ Stowage / Equipment <u>INFLATABLE SKIFF</u> <input type="checkbox"/> Float Free Capacity: _____ Hydro Release exp: _____ <input type="checkbox"/> Proper Storage Pack Type: SOLAS A or SOLAS B or Coastal <input type="checkbox"/> Hydro Release Next service Date _____ Waiver Letter date <u>11-25-14</u>	(Y) (N) (N/A)
18	Emergency Position Indicating Radio Beacon (EPIRB) All vessels on high seas (beyond 3NM) <input checked="" type="checkbox"/> NOAA Registration Decal Expires <u>3-25-16</u> <36° Cat. 1 or Cat. 2 406 MHz <input checked="" type="checkbox"/> Vessel Name (Matches Vessel) ≥36° Cat. 1 406 MHz Master/Crew demonstrates Testing EPIRB Hexadecimal code: <u>20CC662BFCEFFBFF</u>	(Y) (N) (N/A) Make: <u>McMurdo</u> Type: <u>CAT 1</u> Battery Exp: <u>3-20</u> Hydro Exp: <u>  </u>
19	Portable Fire Extinguishing Equipment No fixed system With fixed system (note 1) <26' - 1 Type B-I <26' - None 26' <40' - 2 Type B-I 26' <40' - 1 Type B-I 40' <65' - 3 Type B-I 40' <65' - 2 Type B-I See 46 CFR 28.155 for vessels 65' or greater Note 1: Fixed CO2 system per NFPA or properly sized/serviced Halon pre-engineered	(Y) (N) (N/A)
20	Escape Routes Unobstructed	(Y) (N) (N/A)
21	Flame Arrestor / Ventilation - Gas powered only	(Y) (N) (N/A)
22	Marine Sanitation Device (circle one) Type 1 Type 2 Type 3	(Y) (N) (N/A)
EXAMINER COMMENTS:		

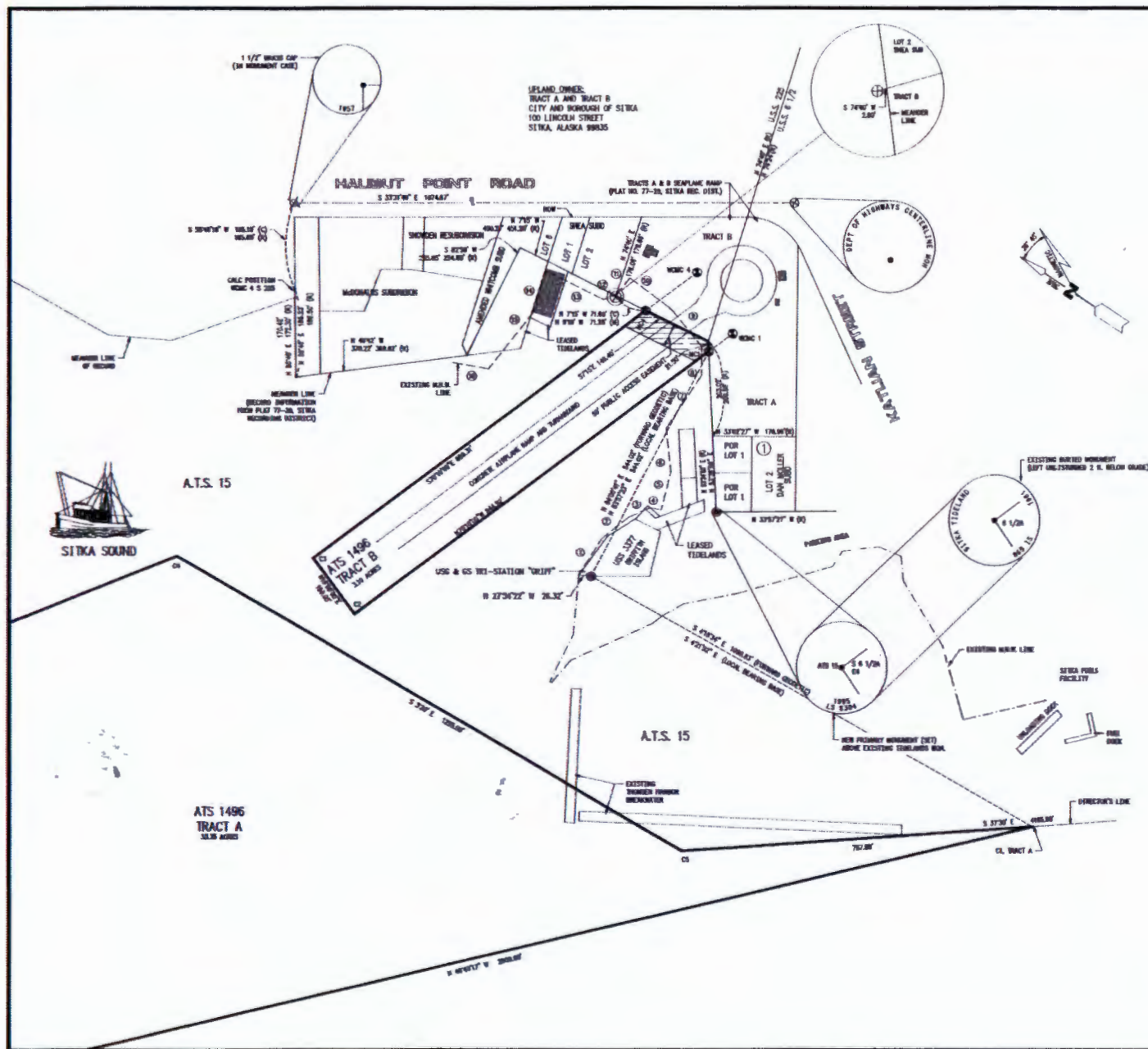


VESSEL NAME		NUMBER
ADDITIONAL REQUIREMENTS FOR DOCUMENTED VESSELS OPERATING BEYOND THE BOUNDARY LINE OR WITH MORE THAN 16 PERSONS ON BOARD		
23	<b>First Aid Equipment &amp; Training</b> 3-16 POB = 1*    17-49 POB = 2*    ≥50 POB = 4* <input type="checkbox"/> First Aid Training* <input type="checkbox"/> CPR Certification* <input checked="" type="checkbox"/> First Aid Kit/Medicine Chest <input checked="" type="checkbox"/> First Aid Manual	(Y) (N) (N/A)
24	<b>Navigation Information</b> <input checked="" type="checkbox"/> Charts for Safe Navigation <input checked="" type="checkbox"/> CG Light List <input checked="" type="checkbox"/> Tide Tables <input checked="" type="checkbox"/> U.S. Coast Pilot <input checked="" type="checkbox"/> Tidal Current Tables	(Y) (N) (N/A)
25	<b>Crew Contracts</b> Vessels ≥20 GT info only, not required to be maintained on board	(Y) (N) (N/A)
26	<b>Magnetic Compass with Deviation Table</b>	(Y) (N) (N/A)
27	<b>Communication Equipment</b> <input checked="" type="checkbox"/> All vessels: (VHF) 156-162 MHz    Identify # and type <input checked="" type="checkbox"/> 20-100 Miles: 2 - 4 MHz    VHF <u>2</u> <input type="checkbox"/> >100 Miles: 2 - 27.5MHz    SSB <u>2</u> HF _____ AIS _____ <input checked="" type="checkbox"/> 3-Hour Emergency Source of Electrical Power <u>2</u> Cell-Phone <u>0</u>	(Y) (N) (N/A)
28	<b>Electronic Position Fixing Devices</b> Vessels ≥79' GPS or SATNAV or OTHER	(Y) (N) (N/A)
29	<b>General Alarm System</b> <input type="checkbox"/> Tested <input type="checkbox"/> 1/2 Inch Red Lettering <input type="checkbox"/> Flashing red light in engine room	(Y) (N) (N/A)
30	<b>High Water Alarms - Vessels &gt;36'</b> <input checked="" type="checkbox"/> Tested in all floodable spaces <input checked="" type="checkbox"/> Audible Alarm <input checked="" type="checkbox"/> Visual Alarm(s) <u>NO</u>	(Y) (N) (N/A)
31	<b>Emergency Instructions - Must be posted on vessels with ≥4 POB</b>	(Y) (N) (N/A)
32	<b>Instructions, Drills &amp; Safety Orientation:</b> (Note: Not required to be logged, but examiner must be satisfied that drills are performed as required) <input checked="" type="checkbox"/> Drills last conducted within 30 days of decal issuance - Date: _____ <input checked="" type="checkbox"/> Safety Orientation Performed	(Y) (N) (N/A)
33	<b>Drug Testing Program - Vessels &gt;200 GT</b>	(Y) (N) (N/A)
34	<input checked="" type="checkbox"/> Radar Reflector - Non-Metallic Hulls: Signal 6 NM <input checked="" type="checkbox"/> Anchor - Suitable size Anchor with Line and Chain	(Y) (N) (N/A)
35	<b>Fireman's Outfits if &gt;49 POB</b> (SCBA, lifeline, flashlight, ridged helmet, boots, gloves, protective clothing, ax)	(Y) (N) (N/A)
36	<b>SCBAs - Vessels with ammonia refrigerant -</b> # on board _____ # spare bottles _____ MSHA / NIOSH	(Y) (N) (N/A)
37	<b>Guards for Exposed Hazards - Rotating machinery &amp; equipment, exhaust lagging</b>	(Y) (N) (N/A)
38	<b>Bilge Pumps / Dewatering System</b> <input checked="" type="checkbox"/> Tested pumps and supply pump interlock    # of pumps <u>6</u>	(Y) (N) (N/A)
<b>MISCELLANEOUS</b>		
39	<b>GMDSS Requirements</b> Vessels ≥300 GT (Some exemptions - See NVIC) <input type="checkbox"/> Radio Operators License <input type="checkbox"/> NAVTEX receiver <input type="checkbox"/> DSC equipped VHF, MF & HF radios <input type="checkbox"/> 406 MHz EPIRB in addition to requirement of 46 CFR 28.150 <input type="checkbox"/> SART <input type="checkbox"/> GPS Interfaced with radios	(Y) (N) (N/A)
40	<b>Safe Boarding Ladder</b> Vessels with >4' freeboard when fishing in Federal waters	(Y) (N) (N/A)
41	<b>Constructed or Had a Major Conversion after 15 SEP 91 &amp; Carry More Than 16 POB</b> (If YES, use prior edition of exam form supplement 2)	(Y) (N) (N/A)
42	<b>Vessel Has Capacity to Carry ≥ 10,500 Gallons (250 BBL) of Oil or Hazardous Materials</b> (If YES, use supplement 2)	(Y) (N) (N/A)
43	<b>Fish Processor</b> <input type="checkbox"/> Must have a Certificate of Compliance issued by class society or CG approved 3rd party <input type="checkbox"/> If built or undergoes major conversion after 27 July 1990 must be classed	(Y) (N) (N/A)
44	<b>STCW Requirements - Fish processors &gt;200 GT</b>	(Y) (N) (N/A)
<b>EXAMINER COMMENTS:</b>		









MONUMENT ACCESSORY TABLE

CORNER	DESCRIPTION
MON 1	MON 1-1/2" CAP ON 5/8" BAR BEARS SURVEY 20.88 FEET
MON 2	MON 2-1/2" CAP ON 5/8" BAR BEARS SURVEY 20.88 FEET
MON 3	MON 3-1/2" CAP ON 5/8" BAR BEARS SURVEY 13.30 FEET
MON 4	MON 4-1/2" CAP ON 5/8" BAR BEARS SURVEY 16.84 FEET
MON 5	MON 5-1/2" CAP ON 5/8" BAR BEARS SURVEY 16.84 FEET
MON 6	MON 6-1/2" CAP ON 5/8" BAR BEARS SURVEY 16.84 FEET
MON 7	MON 7-1/2" CAP ON 5/8" BAR BEARS SURVEY 16.84 FEET
MON 8	MON 8-1/2" CAP ON 5/8" BAR BEARS SURVEY 16.84 FEET

FLAG	BEARING	DISTANCE
1	N 89°57'30" E	85.35
2	S 71°50'30" E	72.84
3	S 89°00'15" E	48.82
4	S 12°50'45" E	24.87
5	N 70°50'45" E	84.57
6	N 89°00'15" E	83.46
7	N 89°00'15" E	136.17
8	N 89°00'15" E	80.72
9	N 17°50'30" E	97.28
10	N 27°50'30" E	105.81
11	N 89°00'15" W	45.35
12	N 89°00'15" W	30.35
13	N 71°50'30" W	136.37
14	S 12°50'45" W	84.84
15	N 84°47'30" W	151.91
16	N 27°50'30" W	74.47



BAR SCALE  
1 METR = 3.28083 U.S. SURVEY FEET  
1 U.S. ACRE = 0.404686 HECTARE

DATE OF SURVEY: 7-8-85  
BY: S. H. H. H.  
DRAWN BY: S. H. H. H.  
DATE PREPARED: 7-8-85  
SCALE: 1"=100'

NAME OF SURVEYOR: S. H. H. H.  
BY: S. H. H. H.  
STATE OF ALASKA  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF LAND  
ANCHORAGE, ALASKA  
ALASKA TIDELAND SURVEY NO. 1496  
NEITHER PROBATIONED SECTION 26, T. 55 N. R. 13 E., OR, ALASKA SITKA RECORDING DISTRICT

APPROVAL: S. H. H. H.  
DATE: 10-8-85  
FILE NO.: A.T.S. 1496

95-78  
S.H.H.  
10-8-85  
3:10 P.M.  
A.H.H.





**Attachment B**

**Staff Materials**





# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

*Coast Guard City, USA*

## **Short-term Rentals on Boats**

### **Joint planning by the Port & Harbor Commission and the Planning Commission**

The purpose of this plan is to create a framework of approval for short term rentals in boats. In 2015, an interested citizen approached the Planning Department with a zoning text change application to allow short term rentals in the P public zone and more specifically in the municipal harbors. After discussion, the Planning Commission recommended approval to the Assembly and the Assembly approved the ordinance.

Since taking effect, there have been two applications for short term rental on a boat. Both have been in Crescent Harbor however the type and size of the vessels have varied.

Upon adjudicating, it became clear that more definition on the process of approval, collaboration on permitting with the United States Coast Guard, notification procedures, etc. was needed.

This plan is a result of a joint worksession between the Port and Harbor Commission and the Planning Commission.

The goal of the plan is to clearly state the review process so applicants can be aware prior to submitting.

#### **Attachments:**

Zoning Text Change Application

Planning Commission Minutes

Assembly Ordinance and Minutes

## **Review Process**

1. Consultation with Planning Department on application requirements.
2. Consultation with USCG and inspection. Dockside Courtesy Exam would be completed to address fire, bilge, smoke and carbon monoxide, and sewer.  
Vessel then falls into one of the three USCG classifications; 1) Bare Boat Charters, 2) Uninspected Passenger Vessel with Captain on Board at all times or 3) COI- Certificate of Inspection.
3. Completed application is submitted to the Planning Department. Fee is collected.
4. Short term rental on boats plan is consulted to ensure application meets all requirements.
5. Application is forward to Port and Harbor Department for review.
6. Port and Harbor Department scheduled review by the Port and Harbor Commission at their next regularly scheduled meeting.
7. If approved by Port and Harbor Commission, application will be scheduled for review by the Planning Commission at their next regularly scheduled meeting.
8. If approved applicant must fill out paperwork for business license and bed tax.
9. Short term rental Annual Report will be required and submitted to the Planning Department annual.
10. Any meritorious complaints will be addressed at a regularly scheduled Port and Harbor Commission meeting. Should the Commission feel the applicant is not in compliance with Port and Harbor Regulations and/or conditions associated with the permit approval, the Commission has the authority to revoke the short term rental on boats permit.

## **Notification Process**

The public notification process will be increased from current SGC standards due to the harbor environment.

Notification for both the Port and Harbor Commission and Planning Commission meetings for approval will include:

- 1.) Newspaper agenda notification
- 2.) E-gov email notification to subscribers of Port and Harbor Department or Planning Department
- 3.) Harbor bulletin board notification
- 4.) Notification posted on vessel
- 5.) Mail notification to all float renters



## Conditions of Approval

1. Notification of renter on board vessel to Port and Harbor Department
2. Must pay live aboard harbor fees
3. \$100 Port and Harbors Annual short term rental fee
4. The facility shall be operated in compliance with harbor regulations concerning sewage disposal and all other matters.
5. The facility shall be operated consistent with the application and plans that were submitted with the request.
6. The facility shall be operated in accordance with the narrative that was submitted with the application.
7. The applicant shall submit an annual report every year to the Planning Commission and the **Port and Harbors Commission**, summarizing the number of nights the facility has been rented over the twelve month period starting with the date the facility has begun operation. The report is due within thirty days following the end of the reporting period.
8. The Planning Commission and/or the **Port and Harbors Commission**, at their discretion and upon receipt of a meritorious complaint, may schedule a public hearing at any time for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties.
9. Failure to comply with all applicable tax laws, including but not limited to remittance of all sales and bed tax, shall be grounds for revocation of the conditional use permit.
10. The property owner shall register for a sales account prior to the Conditional Use Permit becoming valid.
11. The property owner shall provide orientation information to all renters, which shall cover boat and water safety, ingress and egress, and proper waste disposal.
12. The boat must be approved by the CBS Harbor Department as a live aboard, and appropriate live aboard fees must be paid.
13. ~~The boat shall meet all Fire Marshal requirements, including but not limited to smoke alarms, carbon monoxide alarms, fire extinguishers, ventilation, emergency lighting, and emergency escape openings.~~ ***"Pursuant to SGC, Section 22.24.010(C)(2)(C), "Upon filing for sales tax and bed tax accounts, an owner shall obtain a life and safety inspection by the building department and shall comply with the requirements proposed by the department."***
14. Shall comply with all applicable United States Coast Guard regulations regarding pleasure craft.
15. ~~Shall receive review and recommendations to Planning Commission from the Port and Harbors Commission.)~~ ***"Permit to be reviewed by the Planning Commission after 6 months to address any impacts, concerns, and to allow Port and Harbors Commission the opportunity to review and comment on the permit."***
16. Failure to comply with any of the above conditions may result in revocation of the conditional use permit.

### **Number of Short Term Rentals on Boats**

Harbormaster Stan Eliason is recommending that there be a limit of 2 short term rentals on boats per harbor resulting in a total of no more than 10 short term rentals on boats.

This number may change based on a recommendation from the Port and Harbor Commission.

Should the need arise, a waitlist will be developed and kept at the Port and Harbor Office.





## City & Borough of Sitka, Alaska

**Selected Parcel:** 617 Katlian Ave ID: 15408000

Printed 3/21/2018 from <http://www.mainstreetmaps.com/ak/sitka/internal.asp>

200 m  
1000 ft



**MainStreetGIS**  
MainStreetGIS, LLC  
[www.mainstreetgis.com](http://www.mainstreetgis.com)

This map is for informational purposes only. It is not for appraisal of, description of, or conveyance of land. The City & Borough of Sitka, Alaska and MainStreetGIS, LLC assume no legal responsibility for the information contained herein.







# Sitka Port and Harbors Commission Agenda

April 11<sup>th</sup>, 2018

6:15 PM

Harrigan Centennial Hall

## Commission Members:

Josh Arnold, Ken Creamer, Melissa Greenhalgh,  
Dave Gordon, Brendan Jones, Michael Nurco, Shauna Thornton,  
Assembly Liaison: Aaron Bean

### I. CALL TO ORDER

### II. ROLL CALL

### III. CORRESPONDENCE

### IV. AGENDA CHANGES

### V. PERSONS TO BE HEARD

*Public participation on any item off the agenda – time limit not to exceed 3 minutes for any individual.*

### VI. APPROVAL OF MINUTES

Approval of the February 28<sup>th</sup> 2018 meeting minutes

### VII. REPORTS

- 1) Harbormaster
- 2) City Staff
- 3) Chair
- 4) Assembly Liaison
- 5) Other(s)

### VIII. UNFINISHED BUSINESS

- 1) Dock Carts-update
- 2) Long Liner Lodge tidelands permit 485 Katlian St.
- 3)

### IX. NEW BUSINESS

- 1) Sea Plane Base update
- 2) Short term rental, Eliason Harbor, float 4, stall 36
- 3) Baranof Warm Springs update

W/ Conrad. That  
2 per harbor only  
- Flv M/G same spot for car  
- either down or M/G

### X. SET NEXT MEETING DATE AND AGENDA ITEMS

- 1) Agenda items for the next regular meeting of Wednesday, May 9<sup>th</sup>, 2018

### XI. ADJOURNMENT



New World Systems  
4/11/18

W -Change Legal Description-----LB0185S1-

LB0100S1

Jurisdiction: S Sitka, AK  
Reset:     
Type option, press Enter.  
2=Change 4=Delete 5=Displ  
10=Legal 14=Buildings 15=0

Opt	Address
724	SIGINAKA WAY
724	SIGINAKA WAY
725	SIGINAKA WAY
725	SIGINAKA WAY
725	SIGINAKA WAY
725	SIGINAKA WAY
726	SIGINAKA WAY
726	SIGINAKA WAY
726	SIGINAKA WAY
10	730 SIGINAKA WAY
	SILVER BAY

F3=Exit F4=Prompt F6=Add

Jurisdiction : S Sitka, AK  
Property # : 1-5409-000-000-0000  
Primary Owner: CITY & BOROUGH OF SITKA

Legal Description:  
ATS 1496 (ELIASON HARBOR)  
PLAT 95-28

Bottom

-F3=Exit F6=Insert Line F22=More Keys-----



Attachment C

Correspondence

## Samantha Pierson

---

**From:** RCNelson <sea2sea@gci.net>  
**Sent:** Thursday, April 19, 2018 9:20 AM  
**To:** Planning Department  
**Subject:** Comments to Notice of Public Hearing CUP 18-09

Hello

These are our written comments regarding a notice of public hearing concerning an application for a short term rental on a boat in Eliason Harbor at T4-36 made by Cameo Padilla and Brooks Areson.

My wife and I moor our boat on T4-39, so are just a few slips away. We do not support short term rentals in this area for the following reasons:

1. Security at the far end of the dock is almost non-existent and we do not want additional foot traffic that is unmonitored.
2. Our harbor personnel are already stretched, so how will they be able to ensure harbor policy is enforced regarding short term rentals?
3. Holding tanks will be required for black and grey water. Who will ensure this requirement is met?
4. In closing, we do not believe the harbor staff is adequate to manage short term boat rentals. These rentals should not be sprinkled through out the harbors in Sitka, but should be concentrated in one harbor area for purposes of efficiency of management, and to ensure the occupants (who are likely non-mariners and unaware of the workings of a public dock) are safe and do not add liabilities to the City of Sitka and thus our taxpayers.

Richard and Cheryl Nelson  
907 414 0556





# CITY AND BOROUGH OF SITKA

## Legislation Details

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**File #:** CUP 18-11    **Version:** 1    **Name:**

**Type:** Conditional Use Permits    **Status:** AGENDA READY

**File created:** 4/11/2018    **In control:** Planning Commission

**On agenda:**    **Final action:**

**Title:** Public hearing and consideration of a conditional use permit request for a bed and breakfast at 424 Andrews Street in the R-1 single family and duplex residential district. The property is also known as Lot 12 and Portion of Lot 11 Block 26 Spruce Glen Subdivision. The request is filed by Sheila Finkenbinder. The owner of record is Sheila Finkenbinder.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [CUP18-11.424Andrews.packet.20Apr2018](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------



# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

*Coast Guard City, USA*

## Planning and Community Development Department

### **AGENDA ITEM:**

Case No: CUP 18-11  
Proposal: Request for bed and breakfast at 424 Andrews Street  
Applicant: Sheila Finkenbinder  
Owner: Sheila Finkenbinder  
Location: 424 Andrews Street  
Legal: Lot 12 and Portion of Lot 11 Block 26 Spruce Glen Subdivision  
Zone: R-1 single-family and duplex residential district  
Size: 8576 square feet  
Parcel ID: 13635000  
Existing Use: Residential  
Adjacent Use: Residential  
Utilities: Existing  
Access: Andrews Street

### **KEY POINTS AND CONCERNS:**

- Rental unit is a hide-a-bed in an owner-occupied accessory dwelling unit (ADU)
- In addition to ADU, duplex exists on lot
- ADU and duplex access from different streets
- Sufficient parking on-site
- Access from public street – Andrews Street
- No other known vacation rentals in the neighborhood
  - One unit of the duplex previously had a hide-a-bed B&B which has been abandoned
- Property is approximately 500 square feet above the minimum lot square footage for the zone
- Multi-family housing is nearby in the neighborhood
- Vacation rentals offer economic opportunity for homeowners but may impact long-term rental rates
- Burden is on the applicant to prove that the proposal will not have negative impacts

### **RECOMMENDATION:**

Staff recommends that the Planning Commission approve the conditional use permit request for a bed and breakfast at 424 Andrews Street.



## **ATTACHMENTS**

Attachment A: Applicant Materials

Attachment B: Staff Materials

## **BACKGROUND/PROJECT DESCRIPTION**

The request is for a bed and breakfast rental of an owner-occupied ADU at 424 Andrews Street. The property also has a duplex fronting DeArmond Street. The applicant previously operated a B&B in the owner occupied portion of the duplex, but has now abandoned that permit.

The unit will have a hide-a-bed available for “one female guest at a time.” Upon reviewing Sitka General Code’s Title 24 Nondiscrimination, staff believe that the proposal complies these local regulations, as she is renting out a portion of the home that she occupies. A code section is pasted below for reference. Nevertheless, a condition of approval requires the applicant to comply with all local, state, and federal laws regarding nondiscrimination, and staff recommend that the applicant consult.

### **24.05.060 Lawful practices.**

B. The provisions of Section 24.05.040(A)(3) shall not apply to rental of a room or rooms in a dwelling unit actually occupied by the owner or lessee as the owner’s or lessee’s residence, or actually occupied by a member of the owner’s or lessee’s immediate family as the family member’s residence. For purposes of this section, “immediate family member” means the owner’s or lessee’s spouse, minor child, dependent, or a regular member of the owner’s or lessee’s household; provided, that the owner or lessee rents not more than three rooms within the residence.

## **ANALYSIS**

### **1. CRITERIA TO BE USED IN DETERMINING THE IMPACT OF CONDITIONAL USES.<sup>1</sup>**

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

Property is currently developed as a duplex with ADU. The addition of a short-term renter could increase traffic to the ADU; however, the location is very walkable so renters may not bring vehicles.

**b. Amount of noise to be generated and its impacts on surrounding land use:** Short-term renters may create noise. The owner occupies the unit, so she has an interest in keeping the property quiet. No concerns for this proposal.

**c. Odors to be generated by the use and their impacts:** Owner is on-site to ensure that garbage is managed in accordance with Sitka General Code.

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<sup>1</sup> § 22.24.010.E

**d. Hours of operation:** Year-round bed and breakfast.

**e. Location along a major or collector street:** Access from Andrews Street.

**f. Potential for users or clients to access the site through residential areas or substandard street creating a cut through traffic scenario:** The neighborhood is often cut through by motorists. Proposal is not likely to increase this. Owner/manager should provide detailed directions to renters.

**g. Effects on vehicular and pedestrian safety:** Vehicles are likely to back onto Andrews Street, but the speed limit is low. No concerns.

**h. Ability of the police, fire, and EMS personnel to respond to emergency calls on the site:** Additional short-term resident does not impact emergency response.

**i. Logic of the internal traffic layout:** Four required parking spaces are provided for the unit, although only three are required. Four parking spaces for the duplex are located on the DeArmond Street frontage. A condition of approval requires all parking to be located on-site.

**j. Effects of signage on nearby uses:** None proposed. Any signage must comply with Sitka General Code requirements.

**k. Presence of existing or proposed buffers on the site or immediately adjacent the site:** Solid fencing provides a buffer to adjacent properties.

**l. Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan:** Conforms to Comprehensive Plan Section 2.2.1 which emphasizes supporting “economic activities which contribute to a stable, long-term, local economic base” by allowing local homeowners to launch a small business and participate in the tourism industry and Section 2.6.2(K), which supports “development of facilities to accommodate visitors” that do not negatively impact surrounding residential neighborhoods, by operating an owner-occupied bed and breakfast with requirements to mitigate concerns for traffic, odors, and noise.

**m. Other criteria that surface through public comments or planning commission review:** Short-term rentals may cause the increase of long-term rental rates. In this case, the unit is being occupied long-term by the owner, so the rental is not causing the unit to be removed from the market.



## **RECOMMENDATION**

It is recommended that the Planning Commission approve the conditional use permit application for a bed and breakfast at 424 Andrews Street.

.....

### **Motions in favor of approval:**

1) I move to approve the conditional use permit request for a bed and breakfast at 424 Andrews Street in the R-1 single family and duplex residential district subject to conditions of approval. The property is also known as Lot 12 and Portion of Lot 11 Block 26 Spruce Glen Subdivision. The request is filed by Sheila Finkenbinder. The owner of record is Sheila Finkenbinder.

#### **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 every year, 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 has begun 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 bed 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 against the risk and impact of bears, the property owner shall assure all trash is deposited in trash receptacles that are stored in bear proof areas (whether enclosed garage or other bear proof area) and only placed on street for collection after 4 AM on trash collection day. Should this condition not be followed the CUP shall be revoked.

8. To mitigate against 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 on-street 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, appropriate access, parking, trash management, noise control, and a general admonition to respect the surrounding residential neighborhood.

12. The property owner shall communicate to renters that a violation of these conditions of approval will be grounds for eviction of the renters.

13. Failure to comply with any of the above conditions may result in revocation of the conditional use permit.

14. The applicant shall comply with all local, state, and federal laws regarding nondiscrimination.

2) I move to find that:<sup>2</sup>

1. ...The granting of the proposed conditional use permit will not:
  - a. Be detrimental to the public health, safety, and general welfare *specifically, on-site parking is provided;*
  - b. Adversely affect the established character of the surrounding vicinity *specifically, the neighborhood is already established with higher density and temporary housing;* 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, *specifically, the property is accessed directly from a public street and has public utilities.*
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, conforms to Comprehensive Plan Section 2.2.1 which emphasizes supporting "economic activities which contribute to a stable, long-term, local economic base" by allowing local homeowners to launch a small business and participate in the tourism industry and Section 2.6.2(K), which supports "development of facilities to accommodate visitors" that do not negatively impact surrounding residential neighborhoods, by operating an owner-occupied bed and breakfast with requirements to mitigate concerns for traffic, odors, and noise.*
3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced, *specifically that the owner lives on-site and can monitor for infractions and take action as warranted.*

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<sup>2</sup> § 22.30.160.C – Required Findings for Conditional Use Permits



# Attachment A

## Applicant Materials



# CITY AND BOROUGH OF SITKA

## PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT GENERAL APPLICATION FORM

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

**APPLICATION FOR:**

VARIANCE

☒ CONDITIONAL USE

ZONING AMENDMENT

PLAT/SUBDIVISION

**BRIEF DESCRIPTION OF REQUEST:** I would like to host one female  
guest at a time in my new bungalow (800 sqft.)  
The guest will sleep on a hide-a-bed in my great room.

**PROPERTY INFORMATION:**CURRENT ZONING: R1 PROPOSED ZONING (if applicable): n/aCURRENT LAND USE(S): Residential PROPOSED LAND USES (if changing): n/a**APPLICANT INFORMATION:**PROPERTY OWNER: Sheila FinkenbinderPROPERTY OWNER ADDRESS: 415 DeArmond St. (mailing)STREET ADDRESS OF PROPERTY: 424 Andrews St.APPLICANT'S NAME: Sheila FinkenbinderMAILING ADDRESS: 415 DeArmond St.EMAIL ADDRESS: sitka-sheila@gmail.com DAYTIME PHONE: 907-738-3098**PROPERTY LEGAL DESCRIPTION:**TAX ID: 13635000 LOT: 12/portland 11 BLOCK: - TRACT: -SUBDIVISION: Spruce Glen US SURVEY: -**OFFICE USE ONLY**

COMPLETED APPLICATION		SITE PLAN	
NARRATIVE		CURRENT PLAT	
FEE		PARKING PLAN	



## REQUIRED SUPPLEMENTAL INFORMATION:

### For All Applications:

- ☒ Completed application form
- ☒ Narrative
- ☐ Site Plan showing all existing and proposed structures with dimensions and location of utilities
- ☒ Deed
- ☒ Copy of current plat
- ☐ Proof of filing fee payment

### For Conditional Use Permit:

- ☒ Parking Plan
- ☒ Interior Layout

### For Plat/Subdivision:

- ☐ Three (3) copies of concept plat
- ☐ Topographic information
- ☐ Proof of Flagging
- ☐ Plat Certificate from a title company

### If Pertinent to Application:

- ☐ Drainage and Utility Plan
- ☐ Landscape Plan

## CERTIFICATION:

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



Owner

April 2, 2018

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

# CERTIFICATE OF OWNERSHIP AND DEDICATION

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent, and dedicate all streets, alleys, walks, parks and other open spaces to public or private use as noted.

March 3, 1934

Date

Witnessed by

*John D. Ballard*

Witness

*Chas. Thompson*

Witness

O-500

# CERTIFICATE OF REGISTERED ENGINEER OR SURVEYOR

I hereby certify that I am a registered professional civil engineer/land surveyor and that this Plan represents the survey made by me or under my direct supervision, and the and the monuments shown thereat actually exist as located, and that all dimensional and other details are correct.

March 3, 1934

Date

Registered Engineer or Surveyor

SEAL

# CERTIFICATION OF APPROVAL BY THE BOARD

I hereby certify that the Subdivision Plan shown hereon has been found to comply with the Subdivision Regulations of the City of Sitka, and that said Plan has been approved by the Board by Resolution No. 1166, dated March 21, 1934, and that the Plan shown hereon has been approved for recording in the office of the United States Commissioner, Ex-Officio Recorder, Sitka, Alaska.

March 21, 1934

Date

Chairman, Planning Board

ATTEST:

*James E. Liden*

Secretary

SEAL

# CERTIFICATION OF APPROVAL BY THE COUNCIL

I hereby certify that the Subdivision Plan shown hereon has been found to comply with the Subdivision Regulations of the City of Sitka, and that said Plan has been approved by the Common Council as recorded in Minutes Book, page 1166, dated March 21, 1934, and that the Plan shown hereon has been approved for recording in the office of the United States Commissioner, ex-officio Recorder, Sitka, Alaska.

Date

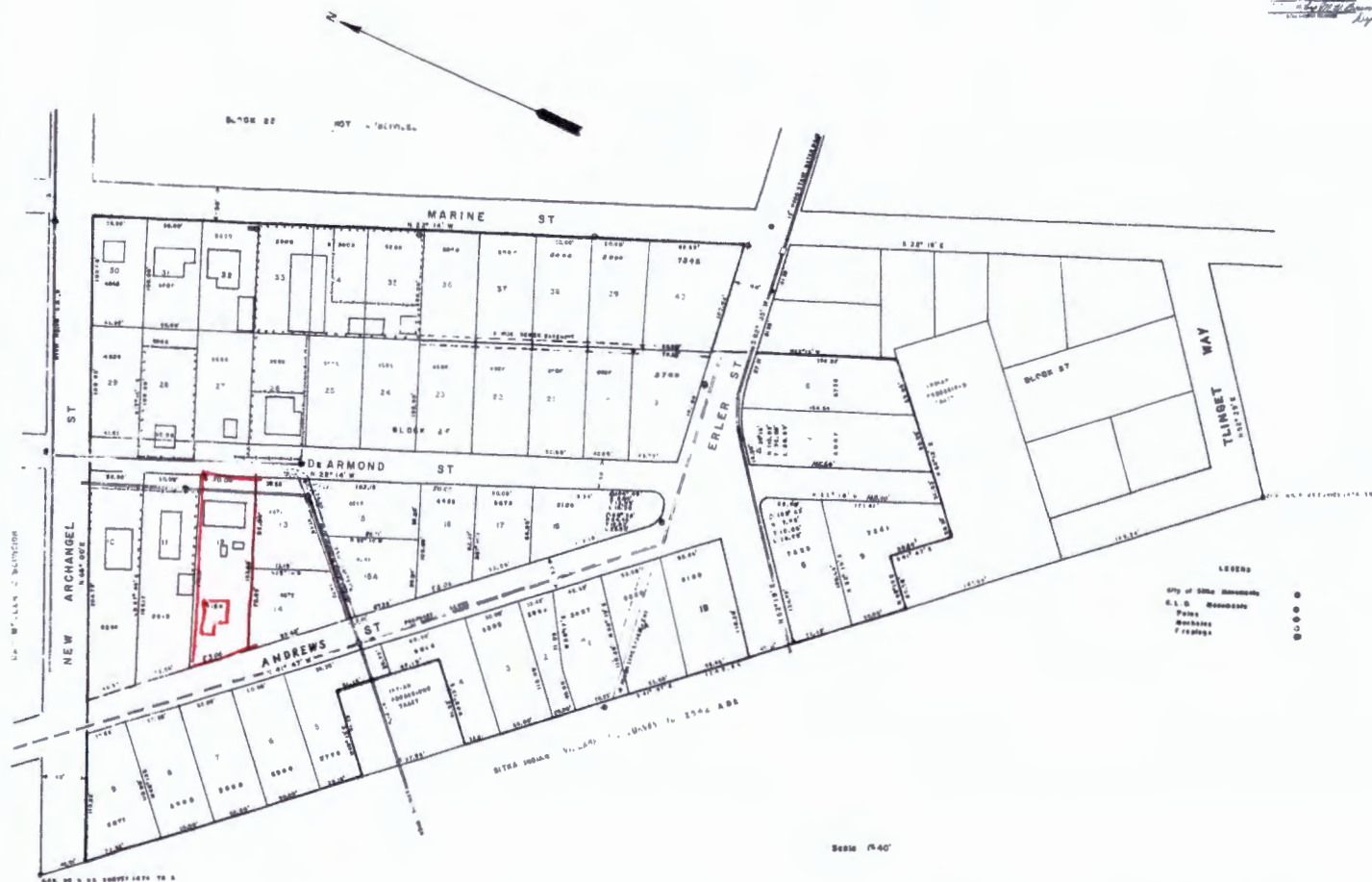
Mayor

ATTEST:

*James E. Liden*

City Clerk

SEAL



- LEGEND
- City of Sitka boundaries
  - U.S. Government
  - Parks
  - Highways
  - Waterways

## SPRUCE GLEN SUBDIVISION

Block 26 and part of Block 27, U.S. Survey 1474 1st 6th  
 Owner Land A. Beadlin  
 Surveyed by John C. Fox and John D. Ballard  
 Showing Survey Easements and Relocation of Erler Street

*James E. Liden*  
*Survey No. #2*

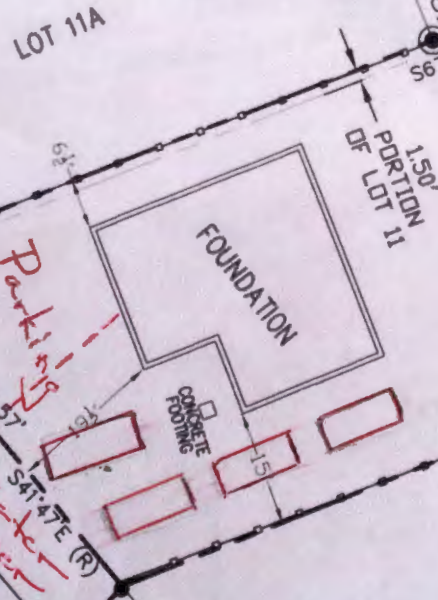


SPRUCE GLEN SUBDIVISION  
 PORTION LOT 10  
 BASIS OF BEARINGS  
 N 67°46'E 189.55' (R) 189.62' (M)  
 PORTION LOT 10

BRIGHT ZERO LOT LINE SUB.

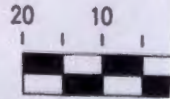
DEARMOND STREET  
 N22°14'W (R)  
 30.00  
 51.42'  
 R.O.W.

ANDREWS STREET  
 51.39' (R)  
 R.O.W.  
 30'  
 EDGE OF ASPHALT  
 MALBODIES  
 54.57'  
 54°47'E (R)  
 15'



LOT 11A  
 0.36' WC  
 S67°46'W  
 172.36' (R)  
 EXISTING SHED EAVES  
 COVERED WALKWAY  
 EXISTING HOUSE EAVES  
 FENCE ENCROACHES 0.4'

LOT 12 + SOUTHERLY 1.50' LOT 11  
 N67°46'E 154.10' (R)



- REB
- (R) REC
- (C) COM
- (M) ME

1. OFFSET DISTANCE THE PROPERTY LI
2. THIS PLAT DOES SURVEYS, AS SET LAND SURVEYORS
3. THIS PLAT IS NE
4. UNDERGROUND UT

CLIENT: KEITH CUSTOM CONSTRUCTION  
 KEITHCUSTOMEROUTLOOK.COM

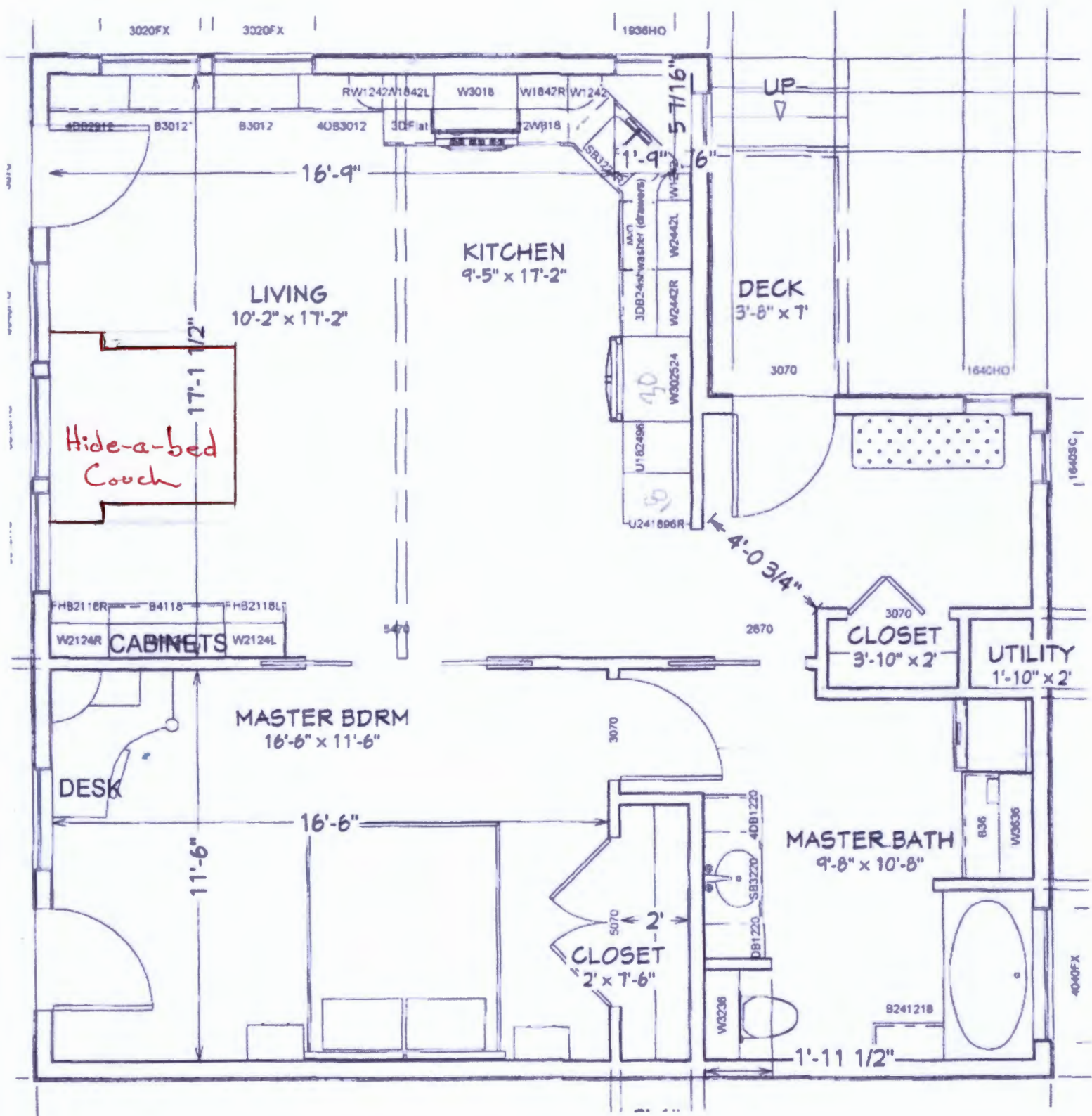
**NORTH 57\***  
**LAND SURVEYING**

**SURVEYOR'S CERTIFICATE**  
 I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED ON THIS PLAT. I DECLARE THAT IMPROVEMENTS AND VISIBLE ENCROACHMENTS HAVE BEEN ESTABLISHED TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF. THIS SURVEY IS FOR THE USE OF LENDING INSTITUTIONS SPECIFICALLY TO SHOW ANY CONFLICTS BETWEEN EXISTING STRUCTURES AND PLATTED LOT LINES OR EASEMENTS. UNDER NO CIRCUMSTANCES SHOULD THE DATA HEREON BE USED FOR POSITIONING ADDITIONAL STRUCTURES, BUILDING FENCES, OR LOCATING BOUNDARY LINES. IT IS THE RESPONSIBILITY OF THE OWNER TO VERIFY THAT IMPROVEMENTS SITUATED ON THIS PARCEL MEET ALL SUBDIVISION COVENANTS AND ZONING ORDINANCES, IF ANY, SET.



PL  
 F  
 C  
 B  
 TDAU















# Attachment B

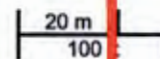
## Staff Materials



## City & Borough of Sitka, Alaska

**Selected Parcel:** 415 DeArmond St ID: 13635000

Printed 4/12/2018 from <http://www.mainstreetmaps.com/ak/sitka/internal.asp>



This map is for informational purposes only. It is not for appraisal of, description of, or conveyance of land. The City & Borough of Sitka, Alaska and MainStreetGIS, LLC assume no legal responsibility for the information contained herein.













# CITY AND BOROUGH OF SITKA

## Legislation Details

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**File #:** CUP 18-12    **Version:** 1    **Name:**

**Type:** Conditional Use Permits    **Status:** AGENDA READY

**File created:** 4/11/2018    **In control:** Planning Commission

**On agenda:**    **Final action:**

**Title:** Public hearing and consideration of a conditional use permit for a short-term rental at 105 Wolff Drive in the R-1 single family and duplex residential district. The property is also known as Lot 2 Block 3 Amended Resubdivision of Lots 1, 2, 3, 4 of Block 3 and Pt of Wolff Drive, Ted Wolff Subdivision. The request is filed by Florence Benton. The owners of record are Bobby and Florence Benton.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [CUP18-12.105Wolff.Benton.packet.20Apr2018](#)

Date	Ver.	Action By	Action	Result
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# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

*Coast Guard City, USA*

## Planning and Community Development Department

### **AGENDA ITEM:**

Case No: CUP 18-12  
Proposal: Request for short-term rental at 105 Wolff Drive  
Applicant: Florence Benton  
Owner: Bobby & Florence Benton  
Location: 105 Wolff Drive  
Legal: Lot 2 Block 3 Amended Resubdivision of Lots 1, 2, 3, 4 of Block 3 and Pt of Wolff Drive, Ted Wolff Subdivision  
Zone: R-1 single-family and duplex residential district  
Size: 7427 square feet  
Parcel ID: 30672002  
Existing Use: Residential  
Adjacent Use: Residential  
Utilities: Existing  
Access: Wolff Drive

### **KEY POINTS AND CONCERNS:**

- Rental unit is an efficiency unit of a duplex
- Sufficient parking on-site
- Access from public street, Wolff Drive
- No other known rentals in the neighborhood
- Owner lives in other unit of the duplex
- Property is approximately 500 square feet below the minimum lot square footage for the zone
- Short-term rentals offer economic opportunity for homeowners but may impact long-term rental rates
- Burden is on the applicant to prove that the proposal will not negatively impact the neighborhood

### **RECOMMENDATION:**

Staff recommends that the Planning Commission approve the conditional use permit request for a short-term rental at 105 Wolff Drive.



## **ATTACHMENTS**

Attachment A: Applicant Materials

Attachment B: Staff Materials

## **BACKGROUND/PROJECT DESCRIPTION**

The request is for a conditional use permit for a short-term rental of one unit of a duplex at 105 Wolff Drive. The house was constructed in 1977. The rental unit is located toward the front of the property with the owner-occupied unit toward the rear. The rental unit is an efficiency unit with kitchen, living area, bed, bathroom, and laundry facilities.

The rental will be owner managed with policies and procedures in place to manage guests. Applicant addressed noise, odors, garbage, and safety in the application. Applicant states that eviction may occur if violations necessitate.

Access to this lot is from Wolff Drive, a public street. This property is toward the beginning of the street, which should minimize traffic to the majority of the neighborhood. No approved short-term rentals are in the neighborhood.

Renovations are currently underway to update the external access for the unit. All construction must comply with building code requirements and Sitka General Code development standards. Safety of the structures will be addressed during the life safety inspection, which is a condition of approval.

## **ANALYSIS**

### **1. CRITERIA TO BE USED IN DETERMINING THE IMPACT OF CONDITIONAL USES.<sup>1</sup>**

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

Property is currently developed as a duplex. Short-term renters will likely generate less traffic than long-term renters. Property is located toward the beginning of Wolff Drive. No concerns.

**b. Amount of noise to be generated and its impacts on surrounding land use:** Short-term renters may create noise. The rental unit is accessed toward the front of the property, near the street. The owner lives on-site and can monitor for noise. Residents of this neighborhood have lodged complaints of the commercial noise from loading large trucks on commercial properties adjacent to this subdivision. No concerns for this proposal.

**c. Odors to be generated by the use and their impacts:** Applicant states that Wolff Drive does not have a bear problem, but states that garbage will be kept in sealed containers and rolled out to the curb in accordance to Sitka General Code.

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<sup>1</sup> § 22.24.010.E

**d. Hours of operation:** Year-round short-term rental.

**e. Location along a major or collector street:** Access from Sawmill Creek Road to Wolff Drive.

**f. Potential for users or clients to access the site through residential areas or substandard street creating a cut through traffic scenario:** No cut-through scenarios. Renters may have difficulty locating the correct house, resulting in roaming motorists. Owner/manager should provide detailed directions to renters.

**g. Effects on vehicular and pedestrian safety:** Wolff Drive does not have sidewalks. Renters will be unlikely to walk from the property to destinations. Applicant proposes to install a code-compliant sign to help renters find the property.

**h. Ability of the police, fire, and EMS personnel to respond to emergency calls on the site:** Same as if the unit had a long-term inhabitant.

**i. Logic of the internal traffic layout:** The four required parking spaces are provided at the front of the property. A condition of approval requires all parking to be located on-site.

**j. Effects of signage on nearby uses:** Applicant proposes a small code-compliant sign to help renters find the property.

**k. Presence of existing or proposed buffers on the site or immediately adjacent the site:** Currently there is not a buffer between the property and the neighboring property, but applicant has considered it. Acknowledging that there must be two entrances as required by building code, staff recommend that the applicant encourages primary use of the entrance furthest away from the neighboring property for regular non-emergency use.

**l. Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan:** Conforms to Comprehensive Plan Section 2.2.1 which emphasizes supporting “economic activities which contribute to a stable, long-term, local economic base” by allowing local homeowners to launch a small business and participate in the tourism industry and Section 2.6.2(K), which supports “development of facilities to accommodate visitors” that do not negatively impact surrounding residential neighborhoods, by operating a short-term rental with requirements to mitigate concerns for traffic, odors, and noise.

**m. Other criteria that surface through public comments or planning commission review:** Short-term rentals may cause the increase of long-term rental rates.



## **RECOMMENDATION**

It is recommended that the Planning Commission approve the conditional use permit application for a short-term rental at 105 Wolff Drive.

.....

### **Motions in favor of approval:**

1) I move to approve the conditional use permit for a short-term rental at 105 Wolff Drive in the R-1 single family and duplex residential district subject to conditions of approval. The property is also known as Lot 2 Block 3 Amended Resubdivision of Lots 1, 2, 3, 4 of Block 3 and Pt of Wolff Drive, Ted Wolff Subdivision. The request is filed by Florence Benton. The owners of record are Bobby and Florence Benton.

#### **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 every year, 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 has begun 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 bed 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 against the risk and impact of bears from the short term rental, the property owner shall assure all trash is deposited in trash receptacles that are stored in bear proof areas (whether enclosed garage or other bear proof area) and only placed on street for collection after 4 AM on trash collection day. Should this condition not be followed the CUP shall be revoked.

8. To mitigate against 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 on-street 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, appropriate access, parking, trash management, noise control, and a general admonition to respect the surrounding residential neighborhood.

12. 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.

13. Failure to comply with any of the above conditions may result in revocation of the conditional use permit.

2) I move to find that:<sup>2</sup>

1. ...The granting of the proposed conditional use permit will not:

- a. Be detrimental to the public health, safety, and general welfare *specifically, conditions of approval require responsible garbage management and noise monitoring;*
- b. Adversely affect the established character of the surrounding vicinity *specifically, signage will help the renters find the property;* 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, *specifically, access is from a public street and on-site parking is provided.*

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, conforms to Comprehensive Plan Section 2.2.1 which emphasizes supporting "economic activities which contribute to a stable, long-term, local economic base" by allowing local homeowners to launch a small business and participate in the tourism industry and Section 2.6.2(K), which supports "development of facilities to accommodate visitors" that do not negatively impact surrounding residential neighborhoods, by operating a short-term rental with requirements to mitigate concerns for traffic, odors, and noise.*

3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced, *specifically that the owner lives on-site and can monitor for infractions and take action as warranted.*

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<sup>2</sup> § 22.30.160.C – Required Findings for Conditional Use Permits



# Attachment A

## Applicant Materials



# CITY AND BOROUGH OF SITKA

## PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT GENERAL APPLICATION FORM

1. Request projects at least TWENTY-ONE (21) days in advance of next meeting date.
2. Review guidelines and procedural information.
3. Fill form out completely. No request will be considered without a completed form.
4. Submit all supporting documents and proof of payment.

### APPLICATION FOR:

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

### BRIEF DESCRIPTION OF REQUEST:

Request to start a  
VRBO (vacation rental by owner) at  
105 Wolff Drive A.

### PROPERTY INFORMATION:

CURRENT ZONING: R1 PROPOSED ZONING (if applicable): N/A

CURRENT LAND USE(S): Residential PROPOSED LAND USES (if changing): same

### APPLICANT INFORMATION:

PROPERTY OWNER: Florence Benton

PROPERTY OWNER ADDRESS: 105 Wolff Drive

STREET ADDRESS OF PROPERTY: 105 Wolff Drive

APPLICANT'S NAME: Florence Benton

MAILING ADDRESS: PO Box 1635, Sitka, AK 99835

EMAIL ADDRESS: Floey21@hotmail.com DAYTIME PHONE: 907-752-8549

### PROPERTY LEGAL DESCRIPTION:

TAX ID: 30672002 LOT: 2 BLOCK: 3 TRACT: \_\_\_\_\_

SUBDIVISION: Ted Wolff Subdivision US SURVEY: \_\_\_\_\_

### OFFICE USE ONLY

COMPLETED APPLICATION		SITE PLAN	
NARRATIVE		CURRENT PLAT	
FEE		PARKING PLAN	



## REQUIRED SUPPLEMENTAL INFORMATION:

### For All Applications:

- ☒ Completed application form
- ☒ Narrative
- ☒ Site Plan showing all existing and proposed structures with dimensions and location of utilities
- ☒ Deed
- ☒ Copy of current plat
- ☐ Proof of filing fee payment

### For Conditional Use Permit:

- ☒ Parking Plan
- ☒ Interior Layout

### For Plat/Subdivision:

- ☐ Three (3) copies of concept plat
- ☐ Topographic information
- ☐ Proof of Flagging
- ☐ Plat Certificate from a title company

### If Pertinent to Application:

- ☐ Drainage and Utility Plan
- ☐ Landscape Plan

## 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.

Florence E. Benton

Owner

4/2/18

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



# CITY AND BOROUGH OF SITKA

## PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT SUPPLEMENTAL APPLICATION FORM CONDITIONAL USE PERMIT

### APPLICATION FOR

☐ MARIJUANA ENTERPRISE

☒ SHORT-TERM RENTAL OR BED AND BREAKFAST

☐ OTHER: \_\_\_\_\_

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

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

The amount of traffic will only be increased minutely. Generated traffic is expected to be similar to other properties surrounding unit.

- Amount of noise to be generated and its impacts on surrounding land use: I'm not expecting negative noise; the guests will enter rental unit through a front door by parking lot. Should they violate rules on noise it could result in eviction if necessary. Front access more private.
- Odors to be generated by the use and their impacts:

There shouldn't be odor problems, and we don't have a been problem on Wolff drive; garbage is in sealed garbage containers until 4am on garbage pick up days when it is rolled out to curb.

- Hours of operation:

This is a year-round short term rental.

- Location along a major or collector street: N/A

- Potential for users or clients to access the site through residential areas or substandard street creating a cut through traffic scenario: N/A

- Effects on vehicular and pedestrian safety: I don't foresee any <sup>traffic or pedestrian</sup> safety hazards.

There will be a sign signifying the VRBO's name (Wolff Den) so it will be easy to find.

Benton  
Last Name

4/5/18  
Date Submitted

105 Wolff Drive  
Project Address



- Ability of the police, fire, and EMT personnel to respond to emergency calls on the site: Same as if the unit had a long-term rental.
- Logic of the internal traffic layout: We have at least 4 parking spaces if not more on-site. (40'w by 35'l) We will have appropriate gravel where needed in parking area.
- Effects of signage on nearby uses: I will have signage to help identify the unit. "Wolff Den".
- Presence of existing or proposed buffers on the site or immediately adjacent the site: Presently there are no buffers facing other dwellings. A foliage buffer between dwellings at private entrance is a possibility.
- Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan (CITE SPECIFIC SECTION AND EXPLAIN): The objective for this VRBO is to launch a small business to participate in tourism industry that develops facilities to accommodate visitors and does not negatively impact surrounding neighbors with traffic, odor or noise concerns.
- Other criteria that surface through public comments or planning commission review (odor, security, safety, waste management, etc.): We don't have bear problems but are cognizant of keeping garbage in a safe container until garbage pick-up day.

**REQUIRED FINDINGS (SGC 22 J.160(C):**

1. ...The granting of the proposed conditional use permit will not:

- a. Be detrimental to the public health, safety, and general welfare because we will keep  
garbage safely contained; we supply smoke detectors and fire extinguishers
- b. Adversely affect the established character of the surrounding vicinity, because we have  
sufficient parking on-site; 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, access is developed and  
managed in \_\_\_\_\_;

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,

conforms to Comprehensive Plan Section 2.2.1 which states supporting  
economic development activities which contribute to a  
long-term local economic base.  
because the proposal allows local home owners to launch a small

business and participate in the tourism industry that don't  
negatively impact neighbors by operating a short-term rental with

3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and

enforced, because provision of a detailed rental overview can address  
potential concerns as soon as tenant arrives to property and note  
that any violations may be grounds for eviction

**ANY ADDITIONAL COMMENTS** The rental unit is a self contained  
efficiency apt. with a floor plan to accommodate 4  
people comfortably including: queen bed; hide a bed (full size)  
1 bath unit; washer & dryer; full kitchen w/ stove, refrigerator  
and microwave. The entrance will have an exterior locking  
French door with decking down to parking lot. 634 sq. feet.

Florence E. Benton  
Applicant

4/5/18  
Date

Benton  
Last Name

4/5/18  
Date Submitted

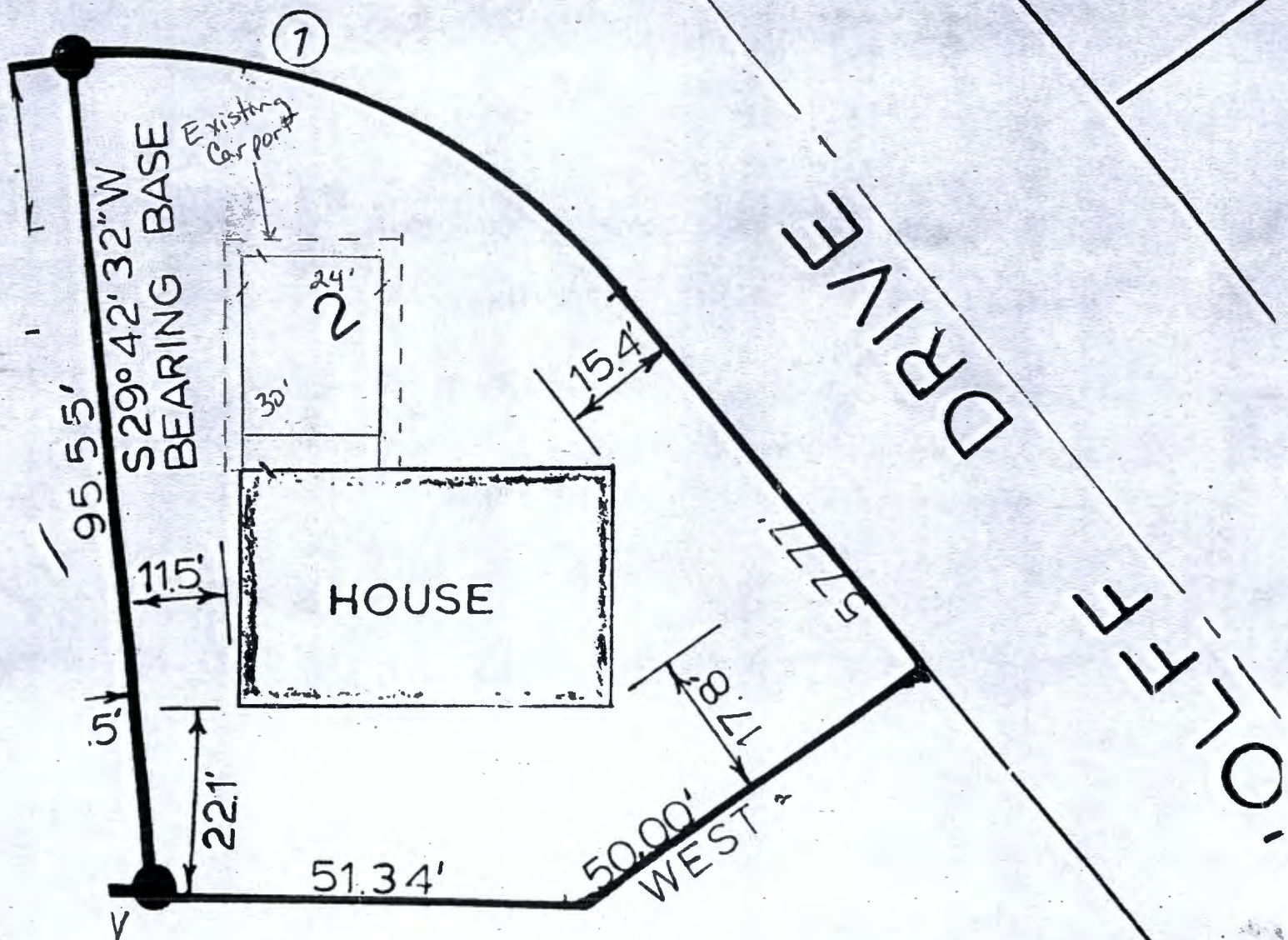
105 Wolff Drive  
Project Address

me & instruments to mitigate concerns for  
traffic, odors and noise.







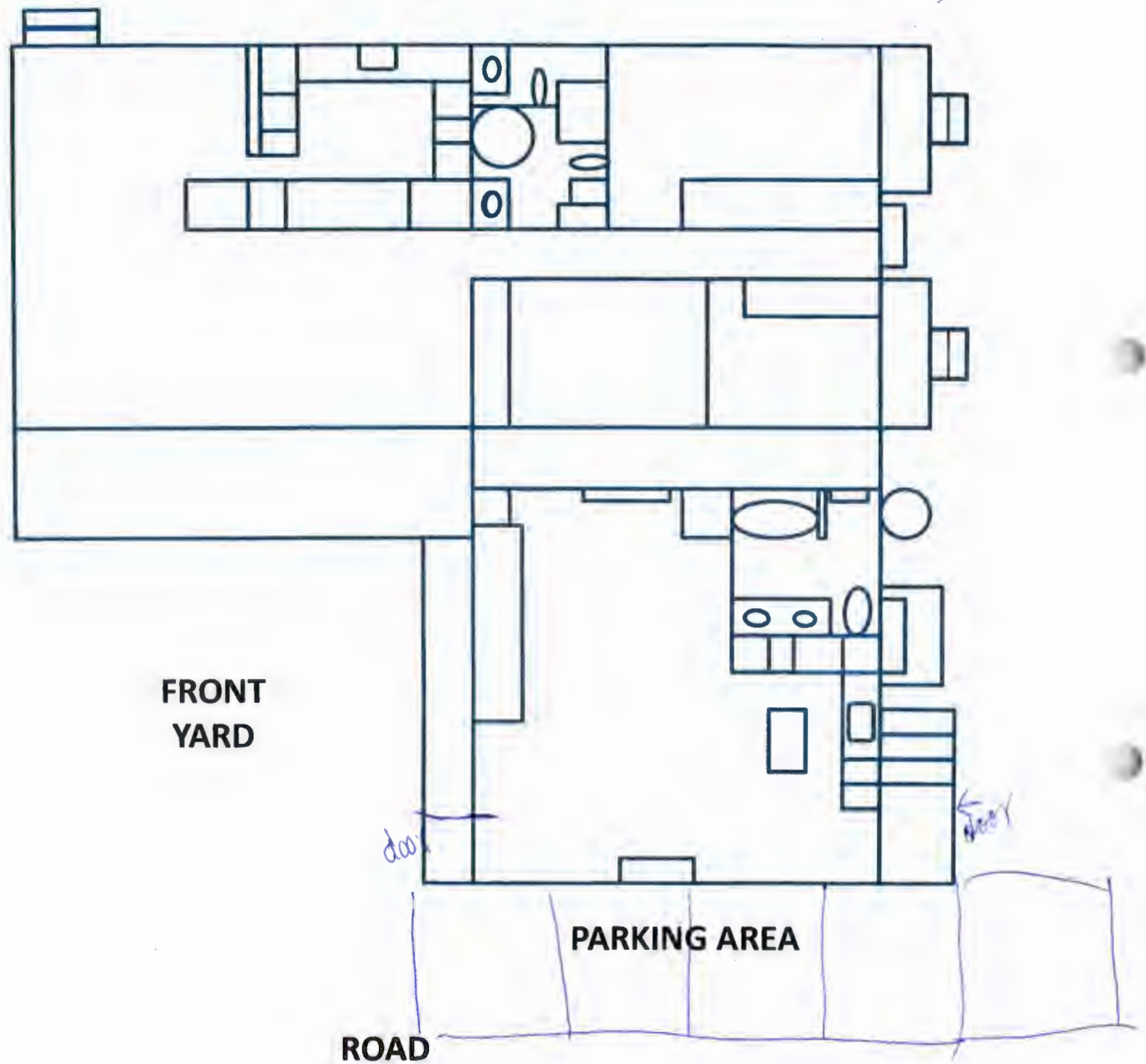




WOLFF  
DRAVE



AS-BUILT PLOT PLAN	
LOT 2, BLOCK 3 TED WOLFF, AMENDED RESUBDIVISION OF LOT 1 & 2, BLOCK 1 TED WOLFF SUBDIVISION	
PREPARED FOR:	ALASKA FEDERAL S&L Box 1610 SITKA, ALASKA
PREPARED BY:	STRAGIER ENGINEERING SERVICES 20X 4558 SITKA, AK 99635 (907) 747-5833
DATE:	JUNE 84





# Attachment B

## Staff Materials



## City & Borough of Sitka, Alaska

Selected Parcel: 105 Wolff Dr ID: 30672002

Printed 4/12/2018 from <http://www.mainstreetmaps.com/ak/sitka/internal.asp>

20 m |  
100 ft



**MainStreetGIS**  
MainStreetGIS, LLC  
[www.mainstreetgis.com](http://www.mainstreetgis.com)

This map is for informational purposes only. It is not for appraisal of, description of, or conveyance of land. The City & Borough of Sitka, Alaska and MainStreetGIS, LLC assume no legal responsibility for the information contained herein.































# CITY AND BOROUGH OF SITKA

## Legislation Details

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**File #:** VAR 18-05      **Version:** 1      **Name:**

**Type:** Variances      **Status:** AGENDA READY

**File created:** 4/11/2018      **In control:** Planning Commission

**On agenda:**      **Final action:**

**Title:** Public hearing and consideration of a variance request for 311 Cascade Street in the R-1 single family and duplex residential district. The request is for the reduction in the front setback from 20 feet to 16 feet and the side setback from 5 feet to 4 feet for the construction of an attached garage with second dwelling unit. The property is also known as Lot 38 Block B Moore Memorial Addition. The request is filed by Alexander Weissberg and Jennifer Klejka. The owners of record are Alexander Weissberg and Jennifer Klejka.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [VAR18-05.311Cascade.packet.20Apr2018](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------





# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

*Coast Guard City, USA*

## Planning and Community Development Department

### **AGENDA ITEM:**

Case No: VAR 18-05  
Proposal: Request for reduction in the front setback from 20 to 16 feet and side from 5 feet to 4 feet  
Applicant: Alexander Weissberg and Jennifer Klejka  
Owner: Alexander Weissberg and Jennifer Klejka  
Location: 311 Cascade Street  
Legal: Lot 38 Block B Moore Memorial Addition  
Zone: R-1 single family and duplex residential district  
Size: 11,504 square feet  
Parcel ID: 14398000  
Existing Use: Residential  
Adjacent Use: Residential  
Utilities: Existing  
Access: Cascade Street

### **KEY POINTS AND CONCERNS:**

- Neighborhood harmony:
  - Sitka General Code requires a 20 foot front setback and 5 foot side setback (with the 60' width)
  - Decreased setbacks are common in the neighborhood
- Existing constraints:
  - Drainage issues and sloping rear of lot makes rear construction more difficult
  - Primary structure is already developed
- Reduced setback beyond 5 feet may result in additional building code requirements for fire separation

### **RECOMMENDATION:**

Approve the variance request for the reduction in the front setback from 20 feet to 16 feet and the side setback from 5 feet to 4 feet for the construction of an attached garage with second dwelling unit at 311 Cascade Street.

## **ATTACHMENTS**

Attachment A: Applicant Attachments

Attachment B: Staff Attachments

## **BACKGROUND**

The existing lot at 311 Cascade Street was created in 1959 with the recording of the Amended Plat of Moore Memorial Addition. According to municipal records, the existing structure was built in 1959. The existing structure is a single-family house. The property does not currently have a garage.

## **PROJECT DESCRIPTION**

The proposal is for the reduction in the front setback from 20 feet to 16 feet and the side setback from 5 feet to 4 feet for the construction of an attached garage with second dwelling unit on the second story. The new structure would be attached to the existing structure.

## **ANALYSIS**

**Project / Site:** The lot is 11,504 square feet. The lot is substandard according to current Sitka General Code requirements, as the lot is 60 feet wide and the current R-1 minimum width is 80 feet. The lot was legally platted in 1959. According to Sitka General Code Table 22.20-1, the side setback is automatically reduced from 8 feet to 5 feet as a result of the 60 foot width.

The front portion of the lot is largely flat, but the rear slopes steeply downward. Applicants report drainage problems in the rear in the past, guiding their proposal to expand the house toward the front. The existing house is situated at a slight angle, which shifts the proposed addition toward the side property line.

The proposal would require four parking spaces, two per each unit. The site plan does not include four parking spaces. Staff and applicants have discussed options for providing the required parking, including grading the front yard or securing an easement to provide access for rear parking. The easement route would require a replat to be approved by the Planning Commission. A condition of approval requires that the required parking is provided prior to construction.

Other setback variances granted in the neighborhood include front setbacks to 2', 5', 10', 12', and 15'; side setbacks to 3' and 4'; and rear setbacks to 7'. An aerial study of the neighborhood suggests that the proposal is in line with the character of the neighborhood. The requested front setback reduction is in line with proposed development standard amendments discussed by the



Planning Commission and the Comprehensive Plan update process. The requested side setback reduction could be approved administratively.

**Zone: R-1:** Intent. This zone is intended to provide for primarily for single-family and duplex residences at moderate densities.<sup>1</sup>

**Traffic:** In this situation, the setback reductions are unlikely to impact motorist visibility. The addition of a dwelling unit will add traffic, but the zone is intended to allow duplexes.

**Parking:** Four spaces are required but not currently developed. Options include grading the front yard or securing an easement to provide access for rear parking. A condition of approval requires that the required parking is provided prior to construction.

**Noise:** Reduced setbacks have the potential to increase noise by decreasing the buffer between structures. In this case, expansion is toward the neighbor's garage. Impacts should be minimal.

**Public Health or Safety:** Setbacks below 5 feet may trigger additional building code requirements to ensure proper fire separation. This will be addressed in the building permit process.

**Habitat:** Location of the addition to the front of the property helps to avoid development in the swampy rear. No concerns.

**Property Value or Neighborhood Harmony:** Variances are a deviation from code, and result in an inconsistency between this property and nearby properties. In this case, an aerial review of the neighborhood and perusal of the variance permit log suggests that the proposal is consistent with other nearby properties.

**Alaska Statute 29.40.040(b)3** states that a variance may not be granted solely to relieve financial hardship or inconvenience.

**Recommended Motions:** (two motions - read and voted upon separately)

1) I move to approve the variance request for 311 Cascade Street in the R-1 single family and duplex residential district with the condition that the code-required parking spaces be provided prior to construction. The request is for the reduction in the front setback from 20 feet to 16 feet and the side setback from 5 feet to 4 feet for the construction of an attached garage with second dwelling unit. The property is also known as Lot 38 Block B Moore Memorial Addition. The request is filed by Alexander Weissberg and Jennifer Klejka. The owners of record are Alexander Weissberg and Jennifer Klejka.

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<sup>1</sup> Section 22.16.040—R-1 District

2) I move to adopt and approve the required findings for major structures or expansions. Before any variance is granted, it shall be shown:<sup>2</sup>

- a) That there are special circumstances to the intended use that do not apply generally to the other properties, *here the steep rear topography*;
- b) The variance is necessary for the preservation and enjoyment of a substantial property right of use possessed by other properties but are denied to this parcel, *here, the economical development of a garage with second dwelling unit on an R-1 lot*;
- c) That the granting of such a variance will not be materially detrimental to the public welfare or injurious to the property, nearby parcels, or public infrastructure, *specifically, that the request is consistent with development of other parcels in the neighborhood*;
- d) That the granting of such will not adversely affect the Comprehensive Plan: *specifically, the variance is in line with Comprehensive Plan Section 2.4.1 which states, "To guide the orderly and efficient use of private and public land in a manner which maintains a small-town atmosphere, encourages a rural lifestyle, recognizes the natural environment, and enhances the quality of life for present and future generations,"* by allowing for the cost-effective development of a garage with second dwelling unit in the R-1 zone while avoiding development in potential wetlands.

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<sup>2</sup> Section 22.30.160(D)(1)—Required Findings for Major Variances



# Attachment A

## Applicant Materials



## CITY AND BOROUGH OF SITKA

### PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT GENERAL APPLICATION FORM

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

**APPLICATION FOR:**☒ VARIANCE☐ CONDITIONAL USE☐ ZONING AMENDMENT☐ PLAT/SUBDIVISION

**BRIEF DESCRIPTION OF REQUEST:** We are requesting a variance to change the front setback from 20 ft to 16 feet and the east side setback from 5 ft to 4 ft.

**PROPERTY INFORMATION:**

CURRENT ZONING: R-1 PROPOSED ZONING (if applicable): N/A

CURRENT LAND USE(S): SFR PROPOSED LAND USES (if changing): \_\_\_\_\_

**APPLICANT INFORMATION:**

PROPERTY OWNER: Alex Weissberg and Jennifer Klejka

PROPERTY OWNER ADDRESS: 311 Cascade St.

STREET ADDRESS OF PROPERTY: 311 Cascade St.

APPLICANT'S NAME: Alex Weissberg

MAILING ADDRESS: 311 Cascade St.

EMAIL ADDRESS: Alexanderweissberg@gmail.com DAYTIME PHONE: 907-623-7485

**PROPERTY LEGAL DESCRIPTION:**

TAX ID: \_\_\_\_\_ LOT: \_\_\_\_\_ BLOCK: \_\_\_\_\_ TRACT: \_\_\_\_\_

SUBDIVISION: \_\_\_\_\_ US SURVEY: \_\_\_\_\_

**OFFICE USE ONLY**

COMPLETED APPLICATION		SITE PLAN	
NARRATIVE		CURRENT PLAT	
FEE		PARKING PLAN	



## REQUIRED SUPPLEMENTAL INFORMATION:

### For All Applications:

- ☐ Completed application form
- ☐ Narrative
- ☐ Site Plan showing all existing and proposed structures with dimensions and location of utilities
- ☐ Proof of filing fee payment
- ☐ Proof of ownership
- ☐ Copy of current plat

### For Conditional Use Permit:

- ☐ Parking Plan
- ☐ Interior Layout

### For Plat/Subdivision:

- ☐ Three (3) copies of concept plat
- ☐ Plat Certificate from a title company
- ☐ Topographic information
- ☐ Proof of Flagging

### If Pertinent to Application:

- ☐ Landscape Plan
- ☐ Drainage and Utility Plan

## 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 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.

Alex Wessberg  
Owner

4/5/18  
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

To Whom It May Concern,

This proposal letter is to request and substantiate a variance for the residence at 311 Cascade. We are asking for two variances to build an attached garage/apartment in front of our home. The first variance would be a reduced setback on the car port side our property. The car port is currently 5 feet from the property line and we would like to build to 4 feet from the property line. Additionally, our house is built at an angle to the property line and is four feet closer to the street on the west side of the house. For this reason, we would like a second variance to change the front setback from 20 feet to 16 feet on the west corner of the proposed garage.

As a commercial fisherman, I'm constantly working on projects that require a substantial amount of enclosed space. We would also like to the make the garage large enough to build an adequate apartment on the second floor. Although we have property in the backyard, it inaccessible and next to a steep embankment that would require a cost prohibitive retaining wall. Furthermore, we don't have enough room to build a garage that would allow us to back a trailer in.

We currently have 13 feet between the eaves of our house and the eaves our neighbors 313 Cascade house. Reducing the distance by a foot would still leave plenty of room between the two houses. I also don't believe this proposed garage would create any unsafe conditions for pedestrians or drivers because it is a straight, slow traffic street in front of our house. There is also another 4 feet of space from the front of our property line to the sidewalk, and so our building would still be 20 feet away from the sidewalk leaving plenty of distance from the road and a clear line of sight for drivers.

Thank you for your time,

Alex Weissberg



# 11  
10/16/59

Plats  
SITKA DISTRICT RECORDER A. H. SHAW

# CERTIFICATE OF APPROVAL BY THE COUNCIL

I hereby certify the Amended Subdivision Plat shown hereon has been found to comply with the Subdivision Regulations of the City of Sitka, and that said Amended Plat has been approved by the Common Council as recorded in Minutes Book 5, page 225, dated 10-13-59, and that the Amended Plat shown hereon has been approved for recording in the office of the United States Commissioner, ex-officio Recorder, Sitka, Alaska

Date 10-13-59  
Attest: [Signature] Mayor  
[Signature] City Clerk  
SEAL

United States of America  
State of Washington

This is to Certify that on this 15<sup>th</sup> day of September 1959, before me, the undersigned, Notary Public in and for the State of Washington, duly commissioned and sworn as such, personally came Edgar Zukerman, President, and Daniel J. Dorrell, Secretary of The Sitka Housing Development Co., and they acknowledge, severally, that they have authority to sign for said Company.

Witness my hand and notarial seal the day and year last above written.

[Signature]  
Notary Public in and for State of Washington.

My Commission Expires Oct. 13 1959



## CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of the property shown revised and described hereon, and that we hereby adopt this plan of subdivision with our free consent, and dedicate all streets, alleys, walks, parks and other open spaces to public or private use as noted.

Date: Sept. 15, 1959  
SITKA HOUSING DEVELOPMENT CO.  
311 AMERICAN BUILDING, SEATTLE 4, WASH.  
Owners

Witnessed by: [Signature] President  
[Signature] Secretary  
Witness



Sheet 1 of 2 Sheets

## CERTIFICATE OF REGISTERED ENGINEER

I hereby certify that I am a registered Professional Civil Engineer and that this Amended Plat represents the revised lot survey made by me or under my direct supervision, and the monuments shown thereon actually exist as located, and that all dimensional details are correct.

Date: Sept. 15, 1959  
[Signature]  
Harold H. Waller  
Registered Engineer No. 62E



## AMENDED PLAT MOORE MEMORIAL ADDITION SITKA, ALASKA

THIS PLAT COVERS REVISED LOTS 11, 12, 13, 14, 15, 16, 18, 29, 30, 31, 32, 33, 34, 35, 36, & 37, BLOCK B ALSO REVISED LOTS 1A-B-C, 2, 3, 4, 5, 6, 12, 13, 14, 15, 16, 17, 18, BLOCK C All owned by Sitka Housing Development Co.

Dated: SEPT. 15, 1959 Scale: 1" = 100'  
Prepared by: **HUBBELL & WALLER ENGINEERING CORP.**  
416 QUEEN ANNE AVENUE  
SEATTLE 9, WASHINGTON  
Surveyed by: K. R. B. Traced by: E. C. P. 9-15-59  
Field Book No. 58-3 Checked by: K. R. B. 59  
Drawn by: K. R. B. Approved by: H. H. W. 59

Owner #1 No. 11

### NOTE:

- 3" Iron Pipe Monument
- U.S.G.L. Monument
- Sanitary Sewer Easement Lot 6, Block D
- Domestic Water Line Easement Lot 6, Block D
- Sewer Pipe Line
- Sewer Manhole
- Water Pipe Line

## 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 Sitka Platting Board, and that said Plat has been approved by the Board by Plat Resolution No. Oct. 15, 1959, and that the Plat shown hereon has been approved for recording in the office of the United States Commissioner, Ex-officio Recorder, Sitka

Date Oct. 15, 1959  
Attest: [Signature] Chairman, Platting Board  
[Signature] Secretary  
SEAL

SEAL

U.S. SURVEY NO. 225  
U.S. SURVEY NO. 61A  
CORNER NO. 1

N

S

U.S. SURVEY NO. 225  
CORNER NO. 6

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CORNER NO. 7

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CORNER NO. 8

U.S. SURVEY NO. 225  
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CORNER NO. 89

U.S. SURVEY NO. 225  
CORNER NO. 90

U.S. SURVEY NO. 225  
CORNER NO. 91

U.S. SURVEY NO. 225  
CORNER NO. 92

U.S. SURVEY NO. 225  
CORNER NO. 93

U.S. SURVEY NO. 225  
CORNER NO. 94

U.S. SURVEY NO. 225  
CORNER NO. 95

U.S. SURVEY NO. 225  
CORNER NO. 96

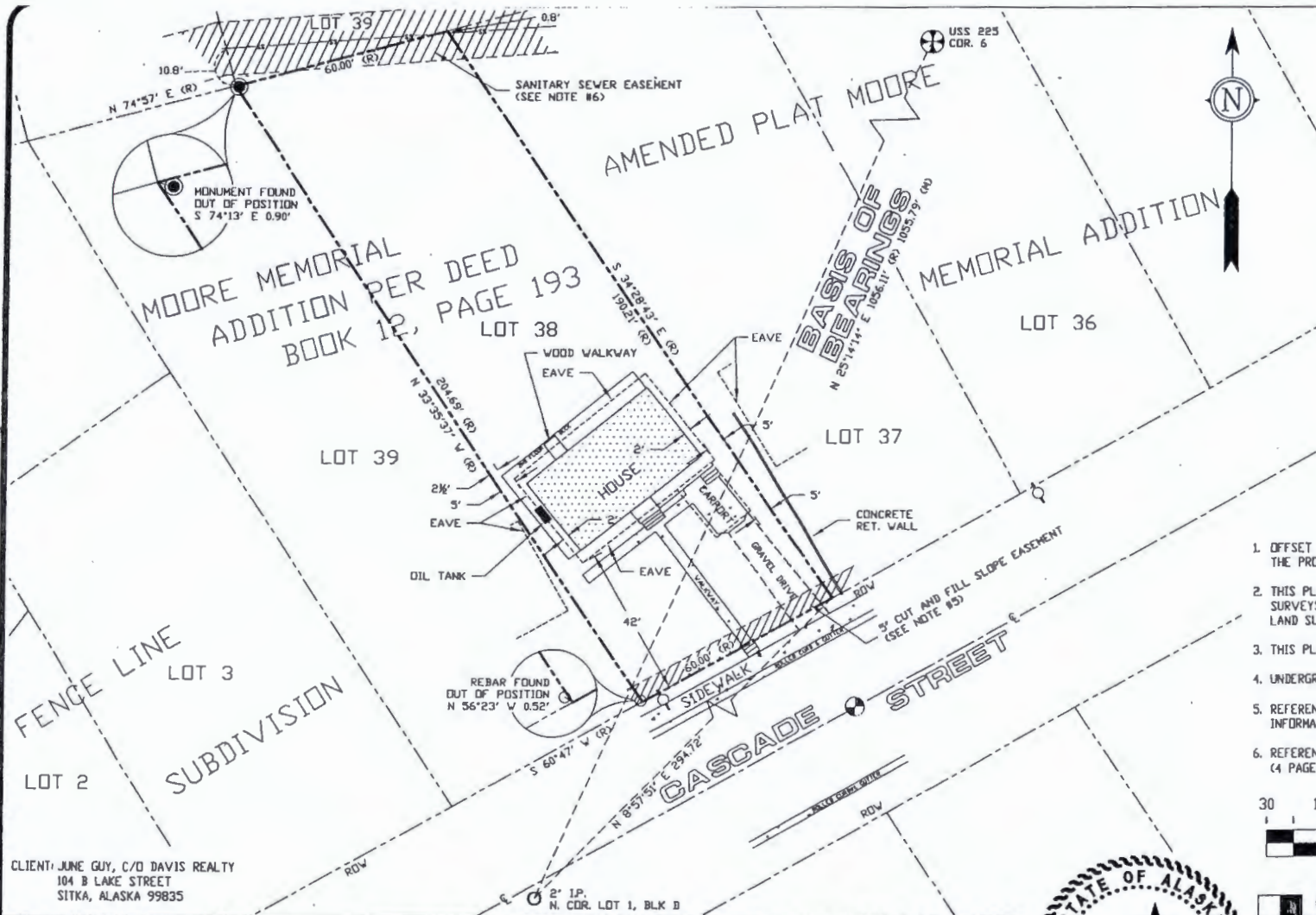
U.S. SURVEY NO. 225  
CORNER NO. 97

U.S. SURVEY NO. 225  
CORNER NO. 98

U.S. SURVEY NO. 225  
CORNER NO. 99

U.S. SURVEY NO. 225  
CORNER NO. 100

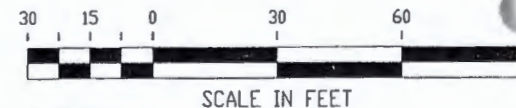




- LEGEND**
- ⊕ GLO/BLM BRASS CAP (RECOVERED)
  - ⊙ PRIMARY BRASS CAP (RECOVERED)
  - ⊙ REBAR AND ALUMINUM CAP (RECOVERED)
  - (R) RECORD DATA
  - (C) COMPUTED DATA
  - (M) MEASURED DATA

**PLAT NOTES**

1. OFFSET DISTANCES ARE SHOWN TO THE NEAREST ONE HALF FOOT FROM THE PROPERTY LINE TO THE IMPROVEMENT.
2. THIS PLAT DOES NOT MEET MINIMUM STANDARDS FOR BOUNDARY SURVEYS, AS SET FORTH BY THE ALASKA SOCIETY OF PROFESSIONAL LAND SURVEYORS. (A.S.P.L.S.)
3. THIS PLAT IS NOT TO BE SCALED FROM, USE GIVEN DIMENSIONS ONLY.
4. UNDERGROUND UTILITIES, IF ANY, ARE NOT SHOWN ON THIS PLAT.
5. REFERENCE BOOK 37, PAGE 478, SITKA RECORDING DISTRICT FOR EASEMENT INFORMATION.
6. REFERENCE SITKA RECORDING DISTRICT SERIAL NO. 2006-000239-0 (4 PAGES) FOR EASEMENT INFORMATION.



CLIENT: JUNE GUY, C/O DAVIS REALTY  
104 B LAKE STREET  
SITKA, ALASKA 99835

DRAWN BY: KD/ACAD  
CHECKED BY: PKD  
DATE PLATTED: 8/18/11  
DATE SURVEYED: 8/17/11  
SCALE: 1" = 30'  
SURVEYOR: PATRICK K. O'NEILL  
PROJ NO: 30766-01-00

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED ON THIS PLAT. I DECLARE THAT IMPROVEMENTS AND VISIBLE ENCROACHMENTS HAVE BEEN ESTABLISHED TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF. THIS SURVEY IS FOR THE USE OF LENDING INSTITUTIONS SPECIFICALLY TO SHOW ANY CONFLICTS BETWEEN EXISTING STRUCTURES AND PLATTED LOT LINES OR EASEMENTS. UNDER NO CIRCUMSTANCES SHOULD THE DATA HEREON BE USED FOR POSITIONING ADDITIONAL STRUCTURES, BUILDING FENCES, OR LOCATING BOUNDARY LINES. IT IS THE RESPONSIBILITY OF THE OWNER TO VERIFY THAT IMPROVEMENTS SITUATED ON THIS PARCEL MEET ALL SUBDIVISION COVENANTS AND ZONING ORDINANCES. 0 CORRS. SET.

8/22/11  
DATE

*Patrick K. O'Neill*  
PATRICK K O'NEILL LS 6304



**O'NEILL**  
**SURVEYING AND ENGINEERING**  
P.O. BOX 1849 SITKA, ALASKA 99835  
**AS-BUILT SURVEY**  
**LOT 38 - REVISED LOTS 33 THRU 44, MOORE**  
**MEMORIAL ADDITION PER DEED BOOK**  
**12, PAGE 193 (SITKA RECORDING DISTRICT)**



ON



9342843-E  
19021

LOT 39

204.69  
N 39°35'37" W

LOT 37

CONCRETE  
RET. WALL

ROW  
5' CUT AND FILL  
SLOPE EASEMENT

STREET

S 60° 47' W

SIDEWALK

0-516-5

Plot Plan 1 in = 20 ft



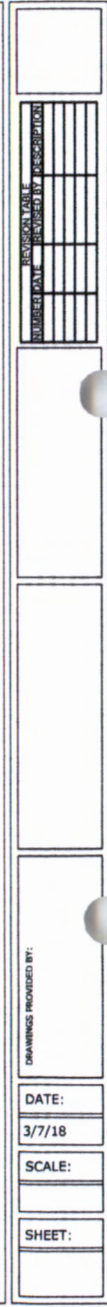
DRAWINGS PROVIDED BY:

DATE:

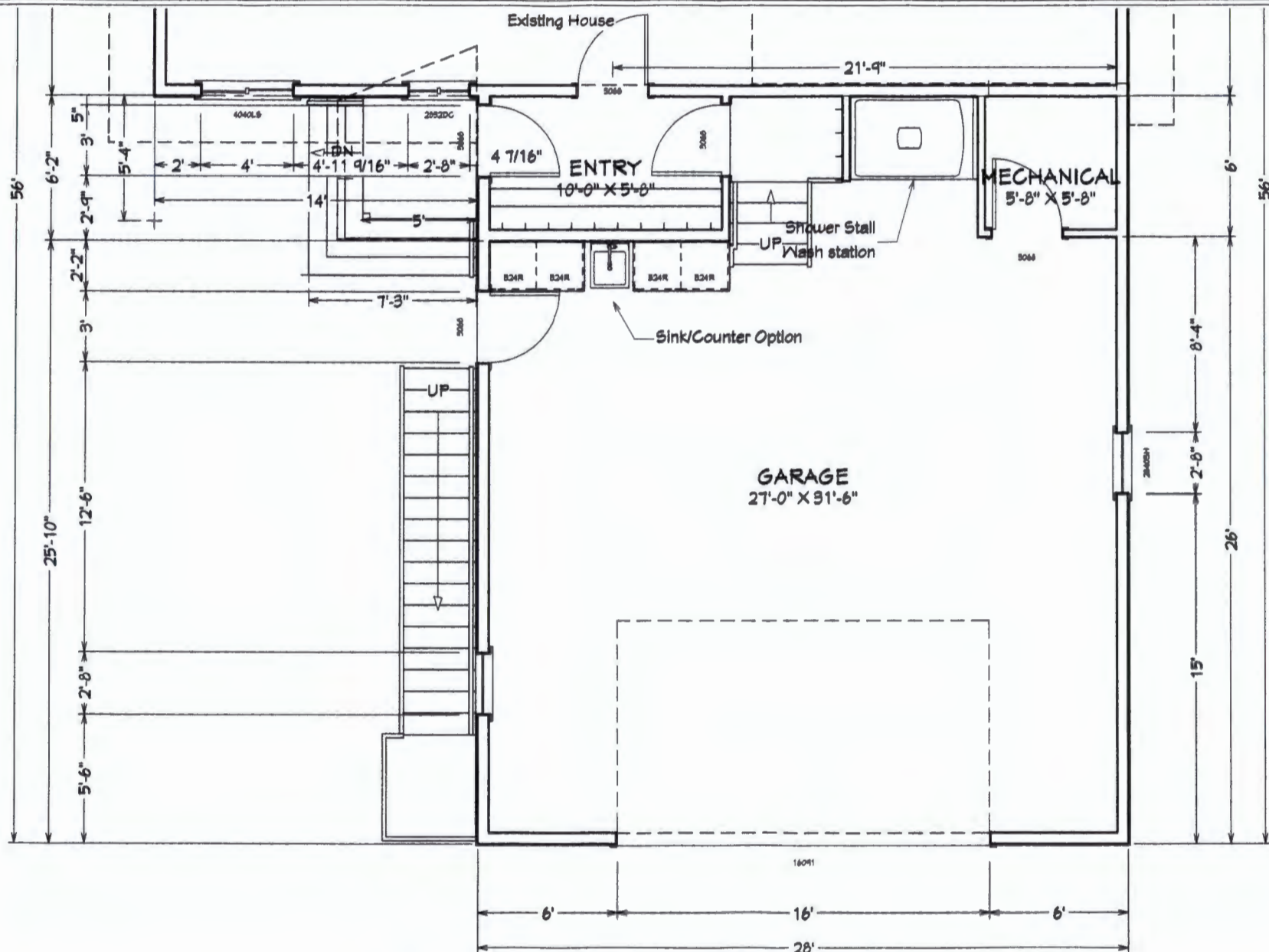
3/7/18

**SCALE:**

**SHEET:**







Garage/Entry Addition 1/4 in = 1 ft

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DATE	3/7/18
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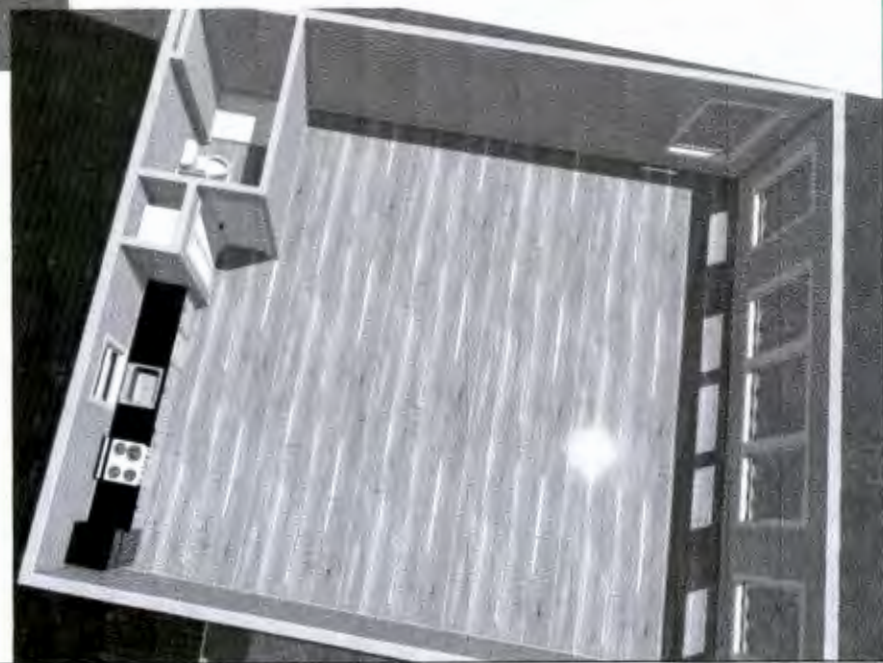
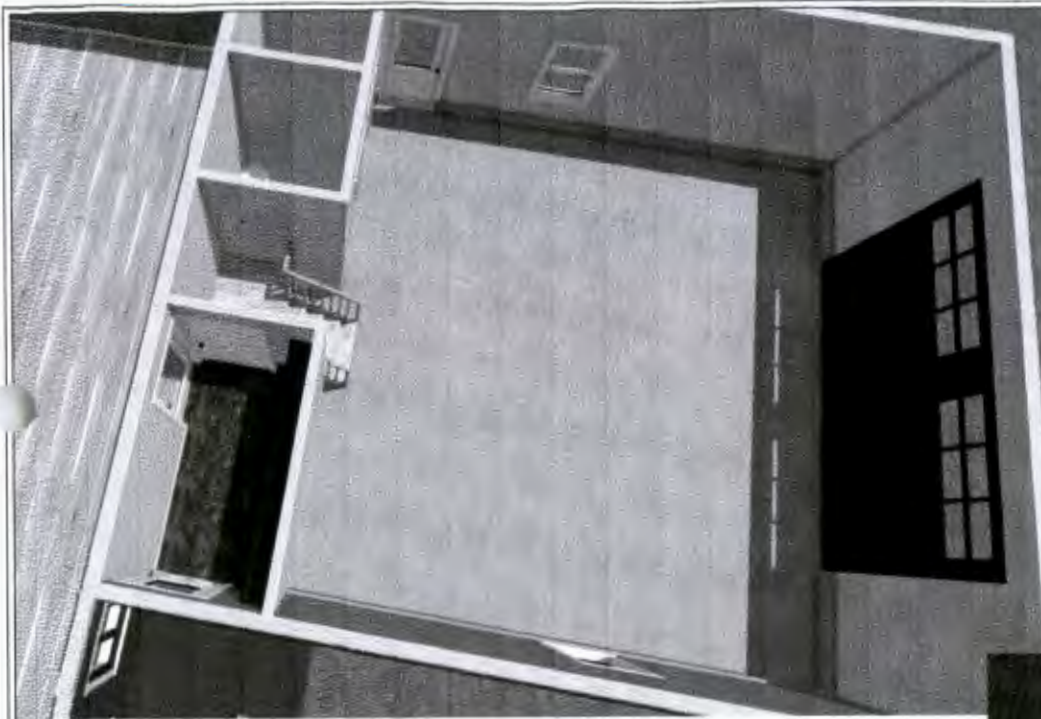
DATE:	3/7/18
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SCALE:	
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SHEET:	
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P-1
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REVISION	DATE	BY	DESCRIPTION

Drawings provided by:

DATE:

3/7/18

SCALE:

SHEET:



Attachment B

Staff Materials



## City & Borough of Sitka, Alaska

Selected Parcel: 311 Cascade St ID: 14398000

Printed 4/12/2018 from <http://www.mainstreetmaps.com/ak/sitka/internal.asp>

50 m  
100 ft



**MainStreetGIS**  
MainStreetGIS, LLC  
[www.mainstreetgis.com](http://www.mainstreetgis.com)

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