



CITY AND BOROUGH OF SITKA

Meeting Agenda - Final

Planning Commission

Wednesday, April 15, 2020

7:00 PM

Harrigan Centennial Hall

I. CALL TO ORDER AND ROLL CALL

II. CONSIDERATION OF THE AGENDA

III. CONSIDERATION OF THE MINUTES

A [PM 20-05](#) Approve the March 4, 2020 minutes.

B [PM 20-06](#) Approve the April 2, 2020 minutes.

IV. PERSONS TO BE HEARD

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

V. PLANNING DIRECTOR'S REPORT

VI. REPORTS

VII. THE EVENING BUSINESS

C [VAR 20-04](#) Public hearing and consideration of a platting variance to create two substandard lots at 746 Alice Loop in the WD waterfront zoning district. The property is also known as Lot 2 Charlie Joseph Subdivision. The request is filed by Kris Karsunky. The owner of record is Jay Stevens.

D [CUP 20-04](#) Public hearing and consideration of a conditional use permit for an accessory dwelling unit at 2202 Sawmill Creek Road in the R1-LDMH single-family, duplex, and manufactured home low density zoning district. The property is also known as Lot 1, Keith Bartow Subdivision. The request is filed by Chris Balovich. The owner of record is Jack 2199, Inc.

E [P 20-01](#) Public hearing and consideration of a final plat for a lot merger for three lots on Middle Island to result in one lot in the Large Island zoning district. The properties are also known as Lots 3, 4, and 5, Block 1, Middle Island Subdivision. The applicant is Michael Coady. The owner of record is Michael Coady.

- F** [CUP 19-16](#) Public hearing and consideration of a conditional use permit for a short-term rental at 3311 Halibut Point Road in the R-2 MHP multifamily and mobile home district. The property is also known as Lot 6, Rodgers Subdivision. The request is filed by Mike and Eileen Chambers. The owners of record are Mike and Eileen Chambers.
- G** [CUP 20-03](#) Public hearing and consideration of a conditional use permit for a short-term rental at 1818 Edgecumbe Drive in the R-1 single family and duplex residential district. The property is also known as Lot 12B, Standerwick Subdivision. The applicant is Sondra Lundvick. The owners of record are James and Sondra Lundvick.
- H** [CUP 20-06](#) Public hearing and consideration of a conditional use permit for a short-term rental at 2625 Halibut Point Road in the R-2 MHP multifamily and mobile home district. The property is also known as Portion No. 3 of Lot L, US Survey No. 2750. The request is filed by David Adams. The owner of record is David Adams.

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. 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 emailed to planning@cityofsitka.org. Joining instructions for the teleconference can be found at <https://www.cityofsitka.com/government/departments/planning/index.html> Those with questions may call (907) 747-1815.

Publish:



CITY AND BOROUGH OF SITKA

Minutes - Draft

Planning Commission

Wednesday, March 4, 2020

7:00 PM

Harrigan Centennial Hall

I. CALL TO ORDER AND ROLL CALL

Present: Chris Spivey (Chair), Darrell Windsor (Vice Chair), Randy Hughey, Victor Weaver, Richard Wein (Assembly Liason).

Absent: Stacy Mudry (Excused)

Staff: Amy Ainslie, Andy Corak

Public: Judith Kell, Anthony Kell, Henry Colt, Richard Doland, Kim Perkins, Robb Garnic, Noah Dougan, Wendy Dougan.

Chair Spivey called the meeting to order at 7:00 PM.

II. CONSIDERATION OF THE AGENDA

III. CONSIDERATION OF THE MINUTES

A. [PM 20-04](#) Approve the February 19, 2020 meeting minutes

Attachments: [03-Feb 19 2020 DRAFT](#)

M-Windsor/S-Weaver moved to approve the February 19, 2020 minutes. Motion passed 4-0 by voice vote.

IV. PERSONS TO BE HEARD

V. PLANNING DIRECTOR'S REPORT

Ainslie began by informing the commission that the new City Administrator John Leach had taken over for Acting Administrator Hugh Bevan. Ainslie noted that the short term rental report would be postponed until the following meeting due to late submissions, but that the delayed report would be more complete. Ainslie noted the affordable housing fair on Saturday, March 7, and stated that she provided the Commission a copy of a special report on a parcel located at 4951 Halibut Point Road, which was part of the No Name Mountain development project.

Brylinsky provided an update on the status of the No Name Mountain/Granite Creek development project, and stated that to date over 25 interviews with knowledgeable stakeholders were completed. The next major meetings were scheduled for April 7th and 8th at the library. Brylinsky noted that drone footage of the project area was posted online. Brylinsky noted that the Tiny Houses ordinance was up for second and final reading at the next meeting.

VI. REPORTS

- B** [MISC 20-03](#) Special Report on 4951 Halibut Point Road

Attachments: [4951 Halibut Point Road Special Report](#)

VII. THE EVENING BUSINESS

- C** [CUP 20-02](#) Public hearing and consideration of a conditional use permit for a short term rental located at 468 Katlian Street in the R-1 single family and duplex residential district. The property is also known as Lot 105, BIHA 2 Subdivision, USS 2542. The request is filed by Judith Kell. The owner of record is Judith Howard (Kell).

Attachments: [CUP-20 Kell 468 Katlian STR Staff Report](#)
 [CUP-20 Kell 468 Katlian STR Density Map](#)
 [CUP-20 Kell 468 Katlian STR - Floor Plan](#)
 [CUP-20 Kell 468 Katlian STR Photos](#)
 [CUP-20 Kell 468 Katlian STR - Plat](#)
 [CUP 20-02 468 Katlian STR Public Comment](#)
 [CUP 20-02 468 Katlian STR Application](#)
 [CUP 20-02 468 Katlian STR Renter Handout](#)

Ainslie described this application for a short term rental, and noted the property was a 2 bedroom/2 bath located on Katlian Avenue, with 2 parking spaces, good access, and close proximity to town. Ainslie described the property as well-buffered, and noted that it would be professionally managed. For these reasons, staff recommended approval.

The applicant, Judith Kell, and her husband Anthony Kell were present. They stated that they wanted to attempt to rent the property as an AirBNB during the summer, with the possibility of converting to a long term rental in the future.

M-Windsor/S-Weaver moved to approve a conditional use permit for a short term rental located at 468 Katlian Street in the R-1 single family and duplex residential district. The property was also known as Lot 105, BIHA 2 Subdivision, USS 2542. The request was filed by Judith Kell. The owner of record was Judith Howard (Kell). The motion passed 4-0 by voice vote.

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

- D** [P 20- 01](#) Public hearing and consideration of a conceptual plat for a lot merger for three lots on Middle Island to result in one lot in the Large Island zoning district. The properties are also known as Lots 3, 4, and 5, Block 1, Middle Island Subdivision. The applicant is Michael Coady. The owner of record is Michael Coady.

Attachments: [P 20-01 Coady Middle Island Lot Merger Staff Report](#)
[P 20-01 Coady Middle Island Lot Merger Aerial](#)
[P 20-01 Coady Middle Island Lot Merger Current Plat](#)
[P 20-01 Coady Middle Island Lot Merger Conceptual Plat](#)
[P 20-01 Coady Middle Island Lot Merger Applicant Materials](#)

Ainslie noted that the applicant presented this plat as a conceptual plat rather than a final plat. Ainslie stated that the lots were located on Middle Island in the Large Island zoning district, and were under a conditional use permit for use as a lodge at the time of application. Ainslie described 3 primary considerations in the lot merger process, the first being that the 3 lots were operating as a single economic unit. Second, one lot was non-conforming, which was remedied in the proposed merger. Finally, Ainslie noted that the change of density of structures across the lots was a consideration, and that while 25% coverage was the maximum for the zoning district before and after the change, the location on the lot where the structure coverage was located could affect buffers. Ainslie noted that pedestrian access easements would not be changed by this merger, and conditional use permitting requirements would remain in place for the lodge. Staff recommended approval.

The applicant Michael Coady was present telephonically. Coady stated that he was hoping to simplify his tax bill from 3 lots to 1, and noted that one of the conditions of use for the lodge was to keep the lots together. Commissioner Windsor asked how the right of way changes with the state went, Coady responded that this had been completed.

M-Hughey/S-Weaver moved to approve a conceptual plat for a lot merger for three lots on Middle Island to result in one lot in the Large Island zoning district. The properties were also known as Lots 3, 4, and 5, Block 1, Middle Island Subdivision. The applicant was Michael Coady. The owner of record was Michael Coady. The motion passed 4-0 by voice vote.

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

E [VAR 20-03](#)

Public hearing and consideration of a variance for a substandard lot at Shotgun Alley, located in the SFLD single-family low density zoning district. The property is also known as a portion of Lot 14, USS 3557. The applicant is the State of Alaska Department of Natural Resources Division of Mining, Land, and Water and North57 Surveying. The owner of record is the State of Alaska.

Attachments: [V 20-03 SoA Platting Variance Shotgun Alley Staff Report](#)
[V 20-03 SoA Platting Variance Shotgun Alley Aerial](#)
[V 20-03 SoA Platting Variance Shotgun Alley Preliminary Plat](#)
[V 20-03 SoA Platting Variance Shotgun Alley Applicant Materials](#)

Ainslie noted that this variance was related to P 20-02, the following agenda item, and addressed three issues including right of way encroachment, created a new residential lot in the neighborhood, and also created a more straightforward means of access and utilities to an existing private lot. Ainslie noted that Shotgun Alley was developed as a right of way differently than it was platted, and that land set aside for the right of way was not developed. Ainslie said the State of Alaska was helping the City of Sitka by dedicating land to the right of way, and in exchange, the state requested permission to

sell the remaining portion of land previously designated for the right of way, but not used as such. Ainslie noted that the private lot ownership north of the project would benefit from owning the land allowing access to their property, but could not receive the land in a "preference sale" unless the lot was substandard, hence the design in this platting variance. Ainslie believed that this variance was in the best interest of the private lot owner, the City of Sitka, and the State of Alaska. Staff recommended approval.

Kelly O'Neill was present on behalf of the State of Alaska and North57 Surveying. Commissioners had no further questions for the applicant.

Member of the public Kim Douglas Perkins was present, and stated that he was the neighbor to the north. He stated that as long as the public access easement allowing access to the water depicted on the preliminary plat remained once the subdivision was finalized, he had no issues with the variance.

M-Hughey/S-Windsor moved to approve a variance for a substandard lot at Shotgun Alley, located in the SFLD single-family low density zoning district. The property was also known as a portion of Lot 14, USS 3557. The applicant was the State of Alaska Department of Natural Resources Division of Mining, Land, and Water and North57 Surveying. The owner of record was the State of Alaska.

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

F [P 20-02](#)

Public hearing and consideration of a preliminary plat for a minor subdivision to result in two lots at Shotgun Alley, located in the SFLD single-family low density zoning district. The property is also known as Lot 14, USS 3557. The applicant is the State of Alaska Department of Natural Resources Division of Mining, Land, and Water and North57 Surveying. The owner of record is the State of Alaska.

Attachments: [P 20-02 SoA Shotgun Alley Subdivision Staff Report](#)
[P 20-02 SoA Shotgun Alley Subdivision Aerial](#)
[P 20-02 SoA Shotgun Alley Subdivision Preliminary Plat](#)
[P 20-02 SoA Shotgun Alley Subdivision Applicant Materials](#)

Ainslie noted this subdivision pertained to the previous item, VAR 20-03, which the commission had covered in detail, and pertained to lot one. Ainslie noted that this subdivision would create Lot 2 which would be available for public auction. She noted this proposed Lot 2 had a scenic view, good access, and was sufficiently sized for the zoning district, and had sewer/water/power access. Ainslie stated that police and fire reviewed the subdivision, and had no issues for access of emergency response. Ainslie stated that the development of the lot via subdivision and auction fit Sitka's goals and master plan, and staff recommended approval.

Kelly O'Neill was present on behalf of the State of Alaska and North57 Surveying.

M-Hughey/S-Weaver moved to approve a preliminary plat for a minor subdivision to result in two lots at Shotgun Alley, located in the SFLD single-family low density zoning district. The property was also known as Lot

14, USS 3557. The applicant was the State of Alaska Department of Natural Resources Division of Mining, Land, and Water and North57 Surveying. The owner of record was the State of Alaska. Motion passed 4-0 by voice vote.

M-Hughey/S-Windso moved to adopt the findings as stated in the staff report. Motion passed 4-0 by voice vote.

G [VAR 20-04](#)

Public hearing and consideration of a platting variance to create 2 substandard lots at 746 Alice Loop in the WD waterfront zoning district. The property is also known as Lot 2 Charlie Joseph Subdivision. The request is filed by Kris Karsunky. The owner of record is Jay Stevens.

Attachments: [V 20-04 Karsunky 746 Alice Platting Variance Staff Report](#)
[V 20-04 Karsunky 746 Alice Platting Variance Aerial](#)
[V 20-04 Karsunky 746 Alice Platting Variance Proposed Plat](#)
[V 20-04 Karsunky 746 Alice Platting Variance Buildable Area Diagram](#)
[V 20-04 Karsunky 746 Alice Platting Variance Applicant Materials](#)
[V 20-04 Karsunky 746 Alice Platting Variance Public Comment](#)

Spviev noted the applicant was not present.

M-Hughey/S-Windsor moved to postpone VAR 20-04 to the March 18th meeting. Motion passed 4-0 by voice vote.

VIII. ADJOURNMENT

Seeing no objection, Chair Spivey adjourned the meeting at 7:40 PM



CITY AND BOROUGH OF SITKA

Minutes - Draft

Planning Commission

Thursday, April 2, 2020

7:00 PM

Harrigan Centennial Hall

I. CALL TO ORDER AND ROLL CALL

Present: Chris Spivey (chair), Randy Hughey, Victor Weaver, Stacy Mudry
Absent: Darrell Windsor, Kevin Mosher (assembly liaison)
Staff: Amy Ainslie (Planning Director), Scott Brylinsky (Special Projects Manager)
Public: None

Chair Spivey called the meeting to order at 7:11 pm.

II. CONSIDERATION OF THE AGENDA

IV. PERSONS TO BE HEARD

VI. REPORTS

A [MISC 20-04](#) 2019 Annual Short-term Rental Report

Attachments: [2019 Annual Short-Term Rental Report](#)
 [2nd Address Report](#)
 [Short-term Rental Distribution Maps](#)
 [Rental Statistics from the Department of Labor](#)

Ainslie presented the findings of the 2019 Annual Short-term Rental Report which received one-hundred percent participation from permit holders from 2019. Ainslie noted the report was completed by March 18th, but Covid-19 concerns prevented the report from being presented until April 2nd. Ainslie discussed the details of the report including permit holder and property data, marketing platforms, community survey results, and potential direction for staff. Ainslie detailed the total number of short-term rentals, bed tax collected, and implied revenue which has increased over the past three years. Ainslie also detailed the community survey results noting the limited number of responses.

Ainslie asked for discussion on how the commission would like to proceed with short-term rental permits given the recent report. Commissioners discussed possible methods of limiting short-term rental permits should the need arise. Hughey expressed concern over the increase in permit numbers and the potential impacts on availability and affordability of long-term rentals. Spivey shared similar concerns but noted that short-term rental density was still within acceptable limits. Brylinsky noted that while short-term rentals may

impact the affordability of long-term rentals, the focus should be to create more affordable choices, not limit short-term rental permits. Brylinsky stated that short-term rentals were important to encourage tourism and help families supplement their incomes. Hughey expressed interest in disallowing long-term rentals to be converted to short-term. Ainslie and Spivey noted the difficulty of determining if a residence had been used as a long-term rental. Mudry asked for clarification on sales tax for residential long-term rentals. Ainslie promised to look into it. Spivey and Hughey acknowledged that the current short-term rental season may be affected by Covid-19 concerns and determined now was not the time to discuss limitations. Ainslie mentioned the need to consider permit extensions should permit holders be unable to find renters due to economic and health concerns.

VII. THE EVENING BUSINESS

- B** [MISC 20-05](#) Discussion/Direction on process forward for the No Name Mountain/Granite Creek Master Plan project.

Attachments: [status report #4 Planning Commission No Name Mtn MP 26Mar20](#)

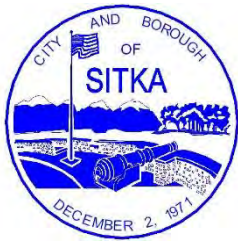
Brylinsky updated the commission on the potential changes to the No Name Mountain/Granite Creek due to Covid-19 regulations and asked for direction on the process forward for the project. Brylinsky summarized the four options and the pros and cons of each option. Staff recommended option number three which included the use of an interactive website in place of public meetings with the contract terms and completion date of June 15th, 2020 to remain intact. Other options included extending the project, putting it on hold, or closing it out. Brylinsky said that the project was on track for the contract completion date and was about halfway complete. Ainslie clarified that budget changes or decisions would go to the Assembly, but staff could answer questions on efficiencies or inefficiencies of each option. Hughey supported option three to keep the project going. He cited the need for projects in town that could bring much needed work. Weaver mentioned the ongoing hospital project that would need rock and noted the potential of a gravel pit with the No Name mountain project. Brylinsky was asked to follow up on the amount of rock needed for the hospital project. Mudry and Spivey expressed concerns about the project continuing without a full landslide report from FEMA. Ainslie explained that once a master plan was in place site-specific landslide surveys would be conducted prior to development. She noted that large-scale landslide mapping was unavailable and potentially too non-specific to be utilized, and would not change the master plan. Spivey voiced concerns that community outreach may be negatively affected with the interactive website in lieu of public meetings. Brylinsky stated the website and subsequent decisions would be advertised the same way public meetings were and office staff were available for questions and website assistance. Hughey suggested they move forward with the website and reevaluate how well the community was involved by mid-May.

M-Hughey/S-Weaver moved to recommend moving forward with the No Name Mountain/Granite Creek Master Plan, using an interactive website in lieu of public meetings and keeping all other contract terms including the completion target of mid-June. This would be re-evaluated in mid-May to gauge the level of public involvement; the project timeline may be extended if the Commission

is unsatisfied with the result. Motion passed 4-0 by roll call vote.

VIII. ADJOURNMENT

Seeing no objection, Chair Spivey adjourned the meeting at 8:22 pm.



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Memorandum

To: Chair Spivey and Planning Commission
From: Amy Ainslie, Director, Planning and Community Development
Subject: **Platting Variance VAR 20-04**
Date: April 10, 2020

On February 6, 2019, the Commission reviewed and approved a proposal for a zero lot line at 746 Alice Loop. Over the last year, the applicant and developer, Kris Karsunky, has concluded that a zero lot line is not the most desirable development for the area, and would prefer to build two, single family or duplex structures.

The minimum square footage for lots in the Waterfront District is 6,000 square feet net of access easements. Were Lot 2 of the Charlie Joseph Subdivision to be subdivided as proposed by the applicant, the resulting lots 2A and 2B would be 5,115 square feet and 5,382 square feet respectively. The applicant is therefore requesting a platting variance to create these substandard lots.

Based on lot analysis done by staff, the smaller lot sizes should not impair the ability for the developer to build single-family or duplex structures within the setbacks. Staff calculates that the proposed Lot 2B would have a buildable area of over 2,700 square feet. Lot depth, rather than width, would be the most limiting factor for design, though not insurmountable. The Waterfront District does not have a maximum coverage area other than the setback areas (14' front, 8' rear, 5'9" side setbacks), and allows for maximum structure height of 40 feet.

Were this platting variance not to be granted, the other residential uses for this lot would include a single family home, a zero lot line, or a multifamily home with up to six dwelling units, along with various commercial uses that are permitted in the Waterfront District.

The granting of this variance could result in greater density than would have otherwise been possible through a zero lot line development. Per SGC 21.24.030 A (1), "*Zero lot line subdivisions shall permit side by side, one-family structures only (no duplex or more per side) and shall have a minimum of twenty-five percent of the total party wall adjoined together as the party wall.*" The applicant would be able to build duplex structures on each lot if this platting variance is approved, resulting in four potential dwelling units as opposed to two. However, this is less than the possible/allowable density of the lot if it was not subdivided.

The neighborhood has expressed strong concerns about increasing density through this platting action. Many residents wish to see the neighborhood have more of a single-family characteristic, with lower density and more open space. Some have expressed concerns for traffic congestion, as on-street parking on Alice Loop is limited, particularly for lots on the inner loop.

Staff agrees that these are valid concerns, and that the covenants put in place at time of the sale for the Ethel Staton Subdivision (the outer loop) are inconsistent with many of the allowable uses in the Waterfront District, which has created conflicts around use and previous platting actions. From a code administration standpoint, the proposed variance does not result in more density or potential for traffic generation than would otherwise be possible given the zoning; when measuring the possible incremental impact, the variance does not create any additional impact to the neighborhood. However, staff agrees that the sentiment from the neighborhood and their lived experience as the neighborhood has been developed is highly relevant to the proposal and should be taken into consideration by the commission.

SGC 21.48.010 Requirements for Platting Variances

A variance from the requirements of this title may be granted only if the planning commission finds that:

- A. The granting of the platting variance will not be detrimental to the public safety, or welfare, or injurious to adjacent property.
- B. The tract to be subdivided is of such unusual size and shape or topographical conditions that the strict application of the requirements of this title will result in undue and substantial hardship to the owner of the property.

There are various examples of lots, both planned and unplanned, that are below 6,000 square feet in size. Many of our downtown residential lots are in the 2,700 – 5,000 square foot range and are still considered highly attractive neighborhoods. The Planned Unit Development on Lillian Drive features 4,500 square foot lots, all of which have been developed and utilized for residential structures. Given the prevalence of other lots this size, staff finds that the granting of this platting variance will not be detrimental to public safety, welfare, or be injurious to adjacent property owners and enables development of otherwise vacant property.

Further, Comprehensive Plan Housing Action H1.1e specifically aims to “*Encourage higher density development.*” Granting this platting variance is a less than 15% reduction in the required lot size in exchange for potentially doubling the density of the development (versus a zero lot line development as previously considered).

In this case, it may be difficult for the applicant to demonstrate “undue or substantial hardship” on the basis of size, shape, or topography. The lot is rectangular and flat and within an established subdivision with city maintained roadways.

Attachments:

Attachment A: Aerial

Attachment B: Proposed Plat

Attachment C: Buildable Area Diagram

Attachment D: Applicant Materials

Attachment E: Public Comment

Recommended Motions:

1. “I move to approve the platting variance to create two substandard lots at 746 Alice Loop in the WD Waterfront District. The property is also known as a Lot 2, Charlie Joseph Subdivision. The request is filed by Kris Karsunky. The owner of record is Jay Stevens.”
2. “I move to adopt the required findings for platting variances.”
 - A. The granting of the platting variance will not be detrimental to the public safety, or welfare, or injurious to adjacent property.
 - B. The tract to be subdivided is of such unusual size and shape or topographical conditions that the strict application of the requirements of this title will result in undue and substantial hardship to the owner of the property.



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 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 BE KNOWN TO BE THE IDENTICAL INDIVIDUALS MENTIONED AND WHO EXECUTED THE VOTED PLAN 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 & BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS IN THE NAME OF _____

AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LAND 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 _____

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 PLAN SHOWN HEREIN HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA PLANNING BOARD, AND THAT SAID PLAN HAS BEEN APPROVED BY THE BOARD BY PLAT RESOLUTION NO. _____ DATED _____, AND THAT THE PLAN SHOWN HEREIN HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT MAGISTRATE, EX-OFFICIO RECORDER, SITKA, ALASKA.

DATE _____ CHAIRMAN, PLANNING 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 CARRIED ON THE RECORDS IN THE NAME OF _____

CALL OWNERS OF RECORD, AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL L.L.D.'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

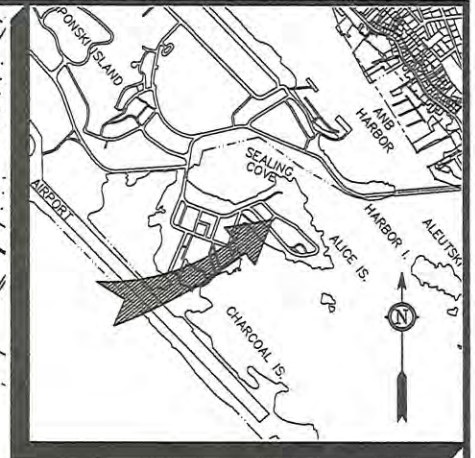
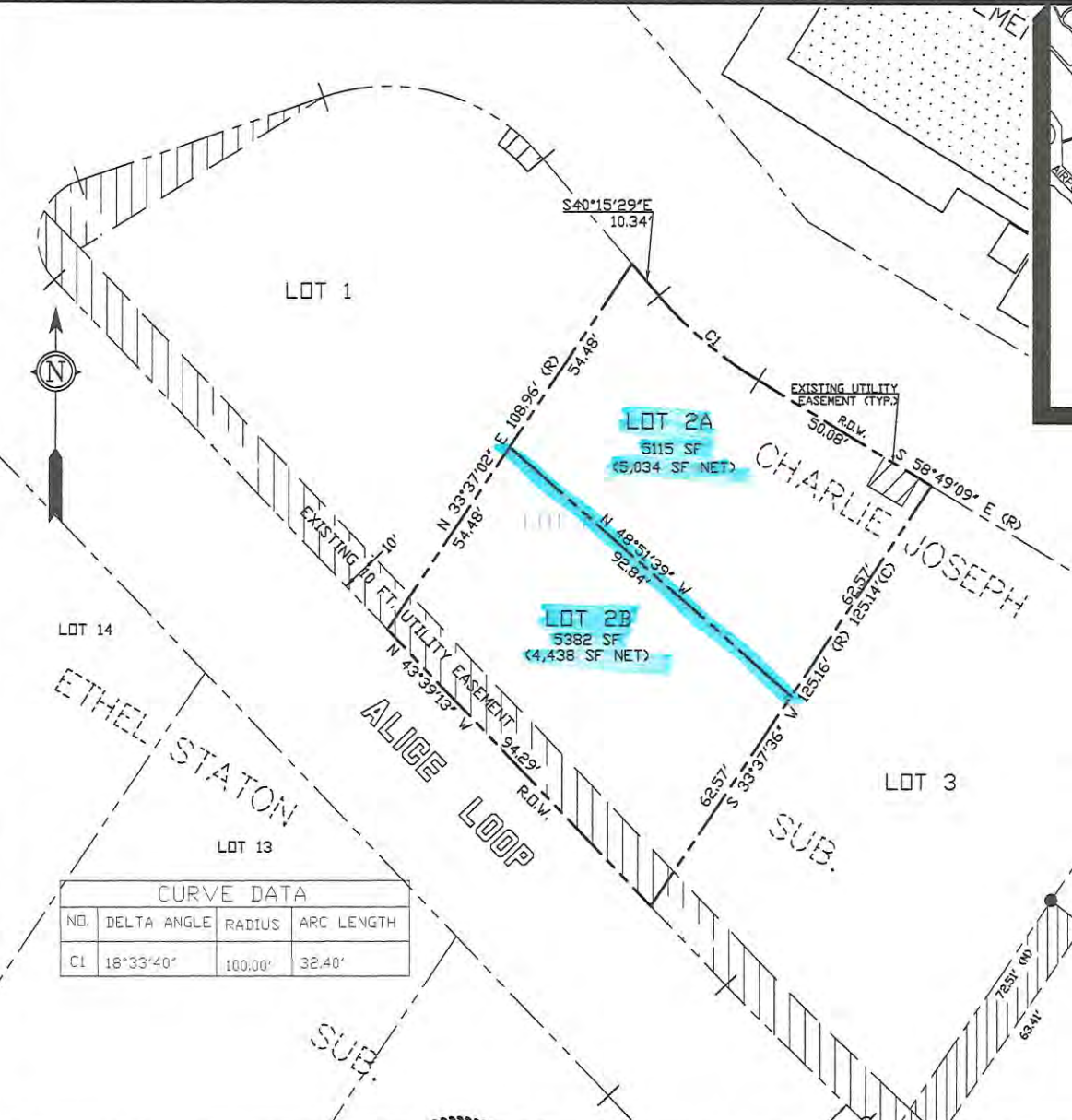
I HEREBY CERTIFY THAT THE SUBDIVISION PLAN SHOWN HEREIN HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA ASSEMBLY AS RECORDED IN MINUTE BOOK _____ PAGE _____ DATED _____, AND THAT THE PLAN SHOWN HEREIN HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT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

DATE _____ MAYOR

CITY AND BOROUGH CLERK

NORTH 57°
LAND SURVEYING

(907) 747-6700 215-F SMITH STREET, SITKA, AK
MAILING ADDRESS - 2007 CASCADE CREEK ROAD, SITKA, AK 99835
EMAIL: north57landsurveying@yahoo.com



VICINITY MAP

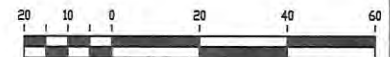
SCALE 1"=1,000'

LEGEND

- ALUMINUM CAP (SET)
- ALUMINUM CAP (RECOVERED)
- (R) RECORDED DATA
- (C) COMPUTED DATA
- (M) MEASURED DATA

NOTES:

- 1) THE PURPOSE OF THIS PLAN IS TO SUBDIVIDE LOT 2, CHARLIE JOSEPH SUBDIVISION, INTO TWO LOTS.
- 2) 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.
- 3) RESTRICTIVE COVENANTS ARE RECORDED IN THE SITKA RECORDING DISTRICT UNDER SERIAL NO. 2017-000985-0.
- 4) REFERENCE PLAT NO. 2007-23 WITHIN THE SITKA RECORDING DISTRICT FOR INFORMATION REGARDING THE EXISTING UTILITY EASEMENTS.



SCALE IN FEET

SITKA RECORDING DISTRICT



DESIGNED: K. O'NEILL
DRAWN: JCH/ACAD
CHECKED: MD
DATE OF PLAT: OCT. 20, 2018 # 10820
SCALE: 1" = 20'
DRAWING NUMBER: 0147-01
PROJECT NO. 40147-01

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 LAND WAS CONDUCTED UNDER MY DIRECT SUPERVISION AND THAT THIS PLAN 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. 15521

LOT 2 CHARLIE JOSEPH
SUBDIVISION

CLIENT: SITKA CONSTRUCTION

BY	DATE	REV.	DESCRIPTION OF CHANGE

RECORD OF REVISIONS

SHEET 1 of 1

Total Lot Area 5,382 square feet

Rear Setback 8'

Side Setback 5'

Side Setback 9'

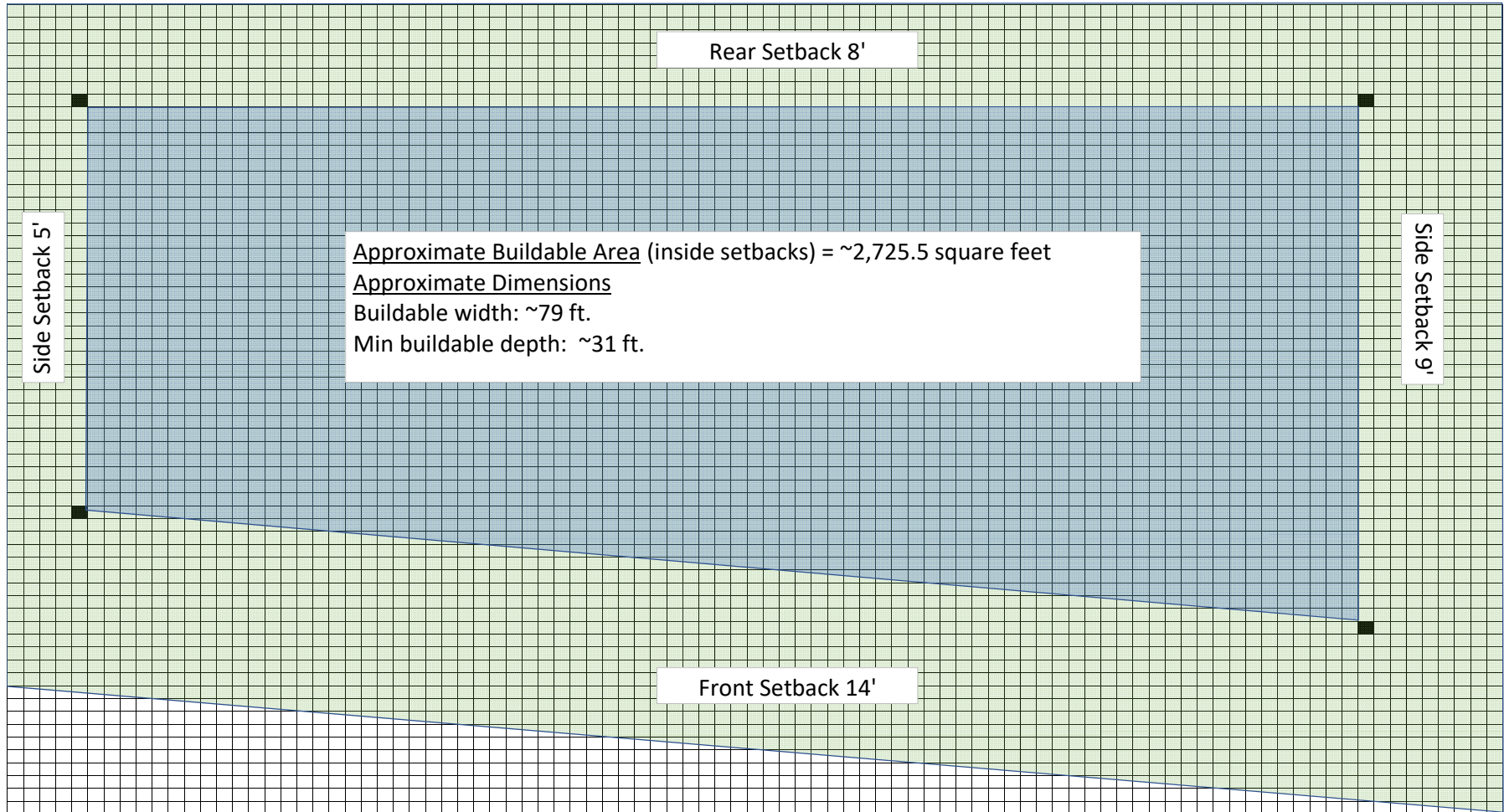
Approximate Buildable Area (inside setbacks) = ~2,725.5 square feet

Approximate Dimensions

Buildable width: ~79 ft.

Min buildable depth: ~31 ft.

Front Setback 14'





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

RECEIVED FEB 19 2020

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

APPLICATION FOR:



VARIANCE



CONDITIONAL USE



ZONING AMENDMENT



PLAT/SUBDIVISION

BRIEF DESCRIPTION OF REQUEST:

We would like to
subdivide lot 2 746 Alice loop into (2) equal halves.

PROPERTY INFORMATION:

CURRENT ZONING: W/D PROPOSED ZONING (if applicable): No change

CURRENT LAND USE(S): Residential - intended PROPOSED LAND USES (if changing): Residential -

APPLICANT INFORMATION:

PROPERTY OWNER: Jay W. Stevens

PROPERTY OWNER ADDRESS: 295 Martha Drive Winchester OR 97495

STREET ADDRESS OF PROPERTY: 746 Alice loop

APPLICANT'S NAME: Kris Karsvick

MAILING ADDRESS: 108 Jewells Ct. Unit E.

EMAIL ADDRESS: sitkaconstruction@gmail.com DAYTIME PHONE: 907-623-0766

PROPERTY LEGAL DESCRIPTION:

TAX ID: 19014002 LOT: 2 BLOCK: 746 Alice loop TRACT: _____

SUBDIVISION: CH50 US SURVEY: 3926

Last Name

Date Submitted

Project Address

REQUIRED INFORMATION:

For All Applications:

- ☒ Completed General Application form
- ☒ Supplemental Application (Variance, CUP, Plat, Zoning Amendment)
- ☒ Site Plan showing all existing and proposed structures with dimensions and location of utilities
- ☐ Floor Plan for all structures and showing use of those structures
- ☐ Copy of Deed (find in purchase documents or at Alaska Recorder's Office website)
- ☒ Copy of current plat (find in purchase documents or at Alaska Recorder's Office website)
- ☐ Site photos showing all angles of structures, property lines, street access, and parking – emailed to planning@cityofsitka.org or printed in color on 8.5" x 11" paper
- ☐ Proof of filing fee payment

For Marijuana Enterprise Conditional Use Permits Only:

- ☐ AMCO Application

For Short-Term Rentals and B&Bs:

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

CERTIFICATION:

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

Jay Warren Stevens
Owner

02-19-2022
Date

[Signature]
Owner

02-19-2020
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)

2/10/20
Date

Karinsky
Last Name

Date Submitted

746 Alice lap
Project Address



CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT SUPPLEMENTAL APPLICATION FORM VARIANCE

APPLICATION FOR

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

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

A variance is required at this time to create (2) equally sized lots out of (1) large lot.

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

- > • **TRAFFIC** We do expect that with the added lot there will be the potential for a small increase in traffic - (2-3) vehicles.
- > • **PARKING** All plans should/shall include the necessary off street parking required.
- > • **NOISE** Only typical residential noises should be expected - except during any type of construction, excavation or paving.
- > • **PUBLIC HEALTH AND SAFETY** We believe this will not hinder the ability for public safety vehicles and persons.
- > • **HABITAT** No impact on local habitat should be made.
- > • **PROPERTY VALUE/NEIGHBORHOOD HARMONY** Should have no impact on neighboring properties.
- > • **COMPREHENSIVE PLAN** Our intention at this time is only to subdivide the lot - install utilities to both sides possibly.

Last Name

Date Submitted

Project Address

746 Mice loop

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

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

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

- a. That there are special circumstances to the intended use that do not apply generally to the other properties. Special circumstances may include the shape of the parcel, the topography of the lot, the size or dimensions of the parcels, the orientation or placement of existing structures, or other circumstances that are outside the control of the property owner, specifically, _____
_____;
- b. The variance is necessary for the preservation and enjoyment of a substantial property right or use possessed by other properties but are denied to this parcel; such uses may include the placement of garages or the expansion of structures that are commonly constructed on other parcels in the vicinity, specifically, _____
_____;
- 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, _____
_____;
- d. That the granting of such a variance will not adversely affect the comprehensive plan, specifically, (cite section and explain) _____

_____.

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

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

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

> **Platting Variance** (Sitka General Code 21.48.010)

A variance from the requirements of this title may be granted only if the planning commission finds that:

- A. The granting of a platting variance will not be detrimental to the public safety, or welfare, or injurious to adjacent property, specifically, - there is access to this
property from the street on both sides - No hindrance -
- B. The tract to be subdivided is of such unusual size and shape or topographical conditions that the strict application of the requirements of this title will result in undue and substantial hardship to the owner of the property, specifically, property to be subdivided is flat
and almost square - we want to create 2 equal halves.

ANY ADDITIONAL COMMENTS At this time we would
only like to subdivide the lot and possibly put
in utilities.

Applicant

Date

Last Name

Date Submitted

Project Address

Amy Ainslie

From: Caprice Pratt <capriceonline@hotmail.com>
Sent: Wednesday, February 26, 2020 9:08 PM
To: Planning Department
Cc: oceanfront@gci.net; Paul Haavig; Jennifer@livingsitka.com; Steven D. Atkinson; Robert Hunter; cpmorgan1@gmail.com; dolandbuilt@yahoo.com; Lynne McGowan-Brandon; gracie48@gmail.com; Travis Hudson; Ron Pratt
Subject: Alice Loop Variance Request - March 4th Meeting
Attachments: 746 Alice Loop Variance Request.pdf

Dear Planning Department,

We are in receipt of a Notice of Application and Public Hearing V 20-04 (attached) regarding a request for a variance for Lot 2 Charlie Joseph Subdivision, USS 3926 with the street address of 746 Alice Loop.

Unfortunately we will be out of town travelling to meet on first grandchild during the scheduled meeting and will not be present. However, we would like to go on record as being against this request. Although we sympathize with the owner, Jay Stevens, there are several reasons we would like to see the City and Borough of Sitka adhere to the existing minimum lot size of 6,000 sq. ft. in a Waterfront District.

The resident's of Alice Loop voiced some of their concerns at the April 12, 2018 Planning Commission meeting. At that meeting we were instructed on the law and the minimum lot size of 6,000 sq. ft. Since that request was within the legal requirements, we were told there was nothing that could be done.

With this request, however, the proposed lot sizes of 5,034 and 4,438 are significantly below the minimum lot size. Additionally, Alice Loop's roadway does not have any on-road parking associated with these center lots - i.e. the street meets the property directly at the curb with no parking lane, bike lane or sidewalks. It is also important to point out that with this winter's heavy snowfall, the passable driving area became significantly restricted because there already isn't anywhere for the city crews to push the snow out of the way and several of the lots do not yet have homes built. How much more constricted are the traffic lanes going to become when the lots are filled? Cramming one more building lot onto a street with limited parking is not going to help.

Thank you for the opportunity to comment.

Sincerely,

Ron and Caprice Pratt
753 Alice Loop Road
Sitka, AK 99835
907-738-7473

Attn: Planning Commission

Re: VAR 20-04, Lot 2 Charlie Joseph Subdivision

I am a fellow property owner in the Charlie Joseph Subdivision. I oppose the requested platting variance, as it directly conflicts with and violates several stated purposes, rules, and regulations that have been set forth in the Sitka General Code. These rules and regulations have been adopted by the City of Sitka to set a standard for orderly development, and the variance in question does not meet the standard. People look to the standards that have been established in the SGC and make land ownership decisions accordingly. Lowering the zoning standards after the fact, for a newly developed subdivision, would be the equivalent of pulling the rug out from under the surrounding neighbors who have purchased property there.

For many, choosing a place to make a home is one of the largest financial and personal decisions they will make in their lifetime. Careful consideration is given when deciding a suitable location to live, and the regulations in place play a major part in the decision making process. This is particularly so when buying a lot to build on in a newly developed subdivision. We look to our local government to establish and implement a set of standards that we can count on to be applied in a fair and equitable manner. The Sitka General Code provides for that. This commission is tasked with the implementation of the rules and regulations as they are currently written, and I ask that you inform your decision accordingly. To allow sub-standard development not only conflicts with the SGC but places a disproportionate burden on the surrounding residents. The proposed variance would create overcrowding, increase street congestion, and set a negative precedent. Being the largest landmass city-borough in the United States, there is no reason to create sub-standard crowded residential development in Sitka.

As is a clearly stated purpose for subdivision of land, per SGC **21.04.020**, *“Subdivision of land becomes a public responsibility in that properly constructed roads and streets must be maintained and various public services customary to urban areas must be provided. The welfare of the entire community is thereby affected in many important aspects. It is therefore in the interest of the public, developers and the owners that subdivisions be conceived, designed, and constructed in accordance with sound rules and proper standards.”* In short, the community is best served when development follows the rules and standards.

The first stated purpose of the SGC zoning regulation **22.04.020 A** is to *“Provide for orderly development;”* The variance requested does not follow an orderly plan for development, which has already been established by zoning and platting when the Charlie Joseph Subdivision was created.

Doubling the density, as is proposed, creates population congestion. This would contradict the intention set in the subdivision code per SGC **21.04.020 H** *“To avoid population congestion;”*

The infrastructure and zoning standards for the subdivision have already been planned out and put in place for Alice Loop. On-street parking is minimal. By creating a higher density

development than is the regulation for this district, potentially doubling the population and number of vehicles in the subdivision, the variance would increase street congestion and cause unnecessary overcrowding. This conflicts with two stated purposes of the zoning ordinance per SGC **22.04.020 B** and **E** to “*Lessen street congestion;*” and “*Prevent overcrowding...*”.

SGC **21.40.040 A** and **B 1** provide for the necessary standard of development that has been defined in the zoning requirements: “*...lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated consistent with minimum lot sizes defined in Title 22, Zoning,*” and “*Lot dimensions shall not be less than the requirements of the zoning ordinance.*” Effectively, lot size shall not be less than the minimum requirement.

Furthermore, section **22.040.030** of the SGC clearly states that conformity with regulations is **required**. Per **22.040.030 A** and **F** respectively, “*No building, structure, land or water area shall hereinafter be used or occupied, and no building, structure, or part thereof shall hereinafter be erected, constructed, reconstructed, moved, repaired or structurally altered except in conformity with the regulations specified in this title for the district in which it is located.*”, “*No yard, open space, space between portions of buildings or structure, or lot existing at the time of the passage of the ordinance codified in this title shall be reduced in dimension or area below the minimum requirements set forth in this title.*” The minimum lot size requirement is 6,000 square feet for the waterfront district in which this proposed variance is located. Neither of the two lots created from this proposal would meet the **required** minimum size.

With respect to the applicant, the requirements for platting variances set forth in the SGC have not been met. Section **21.48.010** requirements for platting variances reads: “*A variance from the requirements of this title may be granted only if the planning commission finds that: A. The granting of a platting variance will not be detrimental to the public safety, or welfare, or injurious to adjacent property. B. The tract to be subdivided is of such unusual size and shape or topographical conditions that the strict application of the requirements of this title will result in undue and substantial hardship to the owner of the property.*”

Granting the platting variance would be injurious to adjacent property owners for previously noted reasons: increased street congestion, overcrowding, and violation of the zoning regulation for minimum lot size of 6,000 square feet in the waterfront district.

The tract in question is not an unusual size or shape, it is in line with the norm for the neighborhood as the subdivision was established. Every person investing in property on Alice Loop had the right to investigate the rules set forth in city code for this district prior to buying a lot here. Additionally, the purchase agreement created by Shee Atika expressly encouraged individuals to do a thorough investigation of the rules for these lots, as they come with additional covenants and a history on the land. The zoning requirements for this district are clear, 6,000 sq

ft lot size minimum. Therefore no undue or substantial hardship to the property owner would result from adhering to the SGC.

The examples given in the staff report of sub-standard lot sizes that have previously existed around town, are not relevant to the Sitka General Code as is currently adopted. While these examples may sound pleasing anecdotally, they do not represent the waterfront district zoning standards that apply to the Charlie Joseph Subdivision, and importantly, they do not direct the law that is currently adopted by the City of Sitka. Moreover, residents who choose to live in an area with sub-standard lots would generally be aware of what they are buying into if the subdivision or district in which it is located had been planned out in that manner. Changing the standard of a newly developed subdivision, after people have purchased the lots according to the layout as it was designed, does not implement orderly development.

The variance request in this case places the desire and benefit of an individual above the rules and regulation set forth in city code. Approval of this variance would be a harmful action to the surrounding neighbors, who have abided by the rules and regulation of the SGC, building their homes accordingly. It would also be damaging to the community as a whole, as it would undermine the rule of law established in the SGC. It is expected that the rules which have been put in place and adopted by the City of Sitka will be followed and implemented in a consistent manner. This commission has the opportunity to strengthen the morale and confidence of Sitkans in their local government. I urge you to serve the people in a fair and equitable way by maintaining the orderly zoning standards established by the Sitka General Code. Please vote no on Platting Variance VAR 20-04. Thank you for your time, and your service to the community.

Wendy Dougan
102 Toivo Circle
Sitka, AK 99835
971.341.7265

From: [Lynne McGowan-Brandon](#)
To: [Planning Department](#)
Subject: Alice Loop Platting Variance Request VAR 20-04, March 4, 2020 Meeting
Date: Wednesday, March 4, 2020 3:07:07 PM

Dear Planning Commission Members:

I apologize for the lateness of my letter regarding the variance for Alice Loop property but have been out of town for the last two weeks.

I am in agreement with the letter from Wendy Dougan. I understand the benefit of small lots for small homes but it is important to follow the established zoning ordinance for minimum lot size, in particular, for those of us who purchased our properties with the established, legal lot size for waterfront property. We reluctantly agreed to the conditions and platted lot sizes Shee Attika proposed two years ago for the inside of the loop but maintained concerns about the lack of adequate parking and increased traffic and other impacts to neighborhood. None of us agreed to a plat with thirteen lots.

As Wendy summarizes:

"The variance request in this case places the desire and benefit of **an individual** above the rules and regulation set forth in city code. Approval of this variance would be a harmful action to the surrounding neighbors, who have abided by the rules and regulation of the SGC, building their homes accordingly. It would also be damaging to the community as a whole, as it would undermine the rule of law established in the SGC. It is expected that the rules which have been put in place and adopted by the City of Sitka will be followed and implemented in a consistent manner. This commission has the opportunity to strengthen the morale and confidence of Sitkans in their local government. I urge you to serve the people in a fair and equitable way by maintaining the **orderly** zoning standards established by the Sitka General Code. Please vote no on Platting Variance VAR 20-04."

Thank you for your service and consideration of input from the neighbors.

Best,
Lynne Brandon

Amy Ainslie

From: Rich Doland <dolandbuilt@yahoo.com>
Sent: Monday, March 30, 2020 8:53 AM
To: Planning Department; Chris Spivey; dwindsor@gci.net; Randy Hughey; Victor Weaver; Stacy Mudry; Kevin Mosher (Assembly); Kevin Knox (Assembly)
Subject: Pre Written Testimony V20-04

Dear Planning Director, and Planning Commission Board Members, City and Borough of Sitka,

My name is Richard Doland. My wife, Debbie and I own 709 Alice Loop. We would like to make some comments on variance request V20-04.

Alice Loop is arguably the nicest developed subdivision in Sitka. All the homes on the outside of the loop are upscale. There is real pride in the neighborhood, covenants are in place to protect each property owners interest. Now, a new plan is developing. Buy existing lots, which are nicely developed, sub divide them, sell each lot for almost as much as the whole lot costs originally, and walk away with a pile of money. Great for investor, horrible for neighborhood. Chris McGraw did this exact thing a couple years back, against the wishes of most everyone in the neighborhood. I testified at that meeting that this action would lower the standard for lots, and drive up the price per square foot. Thats exactly what happened.

The planning commission has already reduced the minimum lot size from 8,000 to 6,000 square feet. Why would anyone want to reduce lot size further? The variance request V20-04 does not meet minimum lot size. A single family home, duplex, or zero lot line structure can be built with the lot just as it is (full size, not divided.) There is access from both sides of the lot. The owner of the lot was well notified of what he was buying. No secrets, all was obvious, and stated. There is no on street parking with this lot, further creating a reason to not allow this variance.

We are 100% apposed to this variance. It's one thing to create a planned development, at the wishes of the citizens of the town, it's an entirely different thing to buy into an existing, upscale neighborhood, and chop up lots with the sole purpose to make a pile of money. This creates friction and congestion that none of us need.

Please vote against this variance!

Richard and Debbie Doland
709 Alice Loop
Sitka 747-7567

Amy Ainslie

From: haavig@gci.net
Sent: Wednesday, April 01, 2020 10:09 AM
To: Planning Department
Cc: Paul Haavig
Subject: Variance Request V20-04

Hello, my name is Paul Haavig and resident of 745 Alice Loop Road. I'm out of town and can't travel back due to COVID-19. I do want to be on record however in opposition of the variance request V20-04. I know you have heard from many other residents of Alice Loop with opposition so I won't restate all the good reasons already given. The infrastructure in the area where these requests are being applied for do not support these lot sizes. We are already seeing cars parking in the street at a residence that has a seasonal efficiency apartment in it. This will only get worse by allowing these variances to continue. Please turn down this request and keep our neighborhood safe and congestion free.

Respectfully,
Paul Haavig

Amy Ainslie

From: Charlie Morgan <cpmorgan51@gmail.com>
Sent: Tuesday, March 31, 2020 3:00 PM
To: Amy Ainslie
Subject: Alice Loop variance

To the Sitka Planning Commission,

I am a resident of Alice Loop. I am writing to express my opposition to the request to subdivide a lot in our neighborhood coming before the commission on April 15. Initially, I was open to the request thinking more density may lower the cost of buying land; however this does not seem to be the case. When lots have been divided the cost per square foot has increased.

Subdividing the lot will create congestion and result in significant parking problems which has been raised by other residents.

As a resident of several years in this neighborhood I have seen the erosion of what seemed to be one of the initial selling points of living there, which was to be in a space protected by a covenant. The planning commission has allowed that stated intention to become an illusion and if this request is granted continue to allow that erosion to worsen.

Charles P. Morgan, Ph.D.



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 20-04
Proposal: Request for an Accessory Dwelling Unit (ADU)
Applicant: Chris Balovich
Owner: Robert and Debbie Petrie of Jack 2199, Inc.
Location: 2202 Sawmill Creek Road
Legal: Lot 1, Keith Bartow Subdivision
Zone: R-1 LDMH single family, duplex, and manufactured home low density district
Size: 284,447 square feet
Parcel ID: 3-123-5004
Existing Use: Residential
Adjacent Use: Single-family and multi-family housing
Utilities: Existing
Access: Sawmill Creek and access easement

KEY POINTS AND CONCERNS

- Neighborhood is residential, including single-family and multi-family dwellings.
- ADUs are a conditional use in the R-1MH, R-1 LDMH, and R-2 MHP zones
- The ADU would be built where an existing carport is placed. The owners wish to upgrade the carport which currently encroaches into the easement to a garage with an apartment on the second floor.
- Building of ADU is consistent with Comprehensive Plan goals H1.1a and H1.1e
- The neighborhood has pre-existing use conflicts regarding Bart Island, an island zoned GI that is connected via bridge to 2202 SMC.

RECOMMENDATION

Staff recommends that the Planning Commission approve the accessory dwelling unit at 2202 Sawmill Creek Road subject to the recommended conditions of approval. However, if the Commission feels that Bart Island issues should be resolved prior to the granting of a conditional use permit for an ADU, staff recommends postponement of formal consideration until a neighborhood meeting can be facilitated.

BACKGROUND

Existing lot is a very large lot, approximately 6.5 acres in a low density, low development level subdivision. The lot also has waterfront access. The property currently contains a single-family home.

The property also provides access to Bart Island, a small island in the adjacent cove. Bart Island, zoned General Island, operates commercial activity (short-term rentals and a dock that has been described by neighbors as commercial in its use though not its permitting through the State), both of which are allowed per the zoning. 2202 SMC provides parking to the island and land access, which has created conflict in the area in terms of easement use, parking, and garbage disposal. Please reference Appendix A: Background Information on Bart Island.

In considering this ADU request, staff felt it was not appropriate to hold a decision/consideration for the request for an ADU on one property based on a use conflict on another property. Even though the properties are in common ownership, they are separate properties; the ADU request and request for resolution regarding Bart Island use were therefore viewed as separate issues for the purpose of the staff report. However, there is shared access and parking between the properties; the Commission may view this as reason enough to consider Bart Island issues in relation to the ADU request. Neighborhood issues raised are valid; many of the concerns raised by neighbors would violate standard conditions of approval on short-term rental permits. If the Commission believes use conflict on Bart Island should be addressed (and hopefully resolved) prior to the issuance of an ADU permit, staff will work to facilitate a neighborhood meeting and prepare potential administrative solutions.

PROJECT DESCRIPTION

The current structure in place is a carport and is currently in use with a car stored under it. The property owners would like to use this opportunity to build an enclosed garage, with the addition a dwelling unit above the garage in the process.

Unlike the R-1 and R-2 zones, the R-1 LDMH zone requires a conditional use permit regardless of whether or not the request can meet the ADU requirements listed in SGC 22.20.160(C). Below is an analysis of the requirements met, or not met by the proposal. The way the requirements are written in the zoning code is such that if the requirements are not met, a conditional use permit is needed per SGC 22.20.160(D). Not meeting the listed requirements is not automatic grounds to deny an ADU proposal, but may be used as a factor in determining whether to grant the conditional use permit.

1. An ADU is a permitted use, on lots served by a publicly maintained right-of-way in the following residential zoning districts: R-1 and R-2 and related districts exclusive of MH and MHP. An ADU

shall not be constructed on lots accessed by access easements. They are also not allowed on lots served by rights-of-way that have not been accepted by the municipality or state of Alaska for maintenance. Property is served via access easement, ADU traffic would utilize this easement. The grantor of the easement is the property in question (i.e. the ADU does not add users on to an easement granted by a third party). However, there are concerns about overuse of the easement, especially due to commercial activity on Bart Island.

2. *ADUs are intended for long-term rental use only. Rental of an ADU for a period of less than ninety consecutive days is prohibited. ADUs shall not be used for short-term vacation rentals and/or bed and breakfast purposes.* Staff is unaware at this time of any plans to use the ADU for short-term rentals. Such use would require a separate action (conditional use permit) through this commission.

3. *ADUs shall meet all development, design, zoning and building requirements at the time of construction (e.g., setback requirements and lot coverage standards) applicable to the primary dwelling unit, except as otherwise noted.* Site plan indicates the structure will be built within the setbacks and eliminate an existing encroachment into the access easement. Structure is two stories which should be built within 25' height limit. Given large size of lot, exceeding 35% lot coverage (approximately 99,500 square feet of building coverage) is highly unlikely.

4. *The ADU must be located on the same parcel as the primary dwelling unit.* Proposed ADU is on the same parcel.

5. *Only one ADU is allowed per parcel.* Only one ADU proposed.

6. *Mobile homes, travel trailers and recreational vehicles shall not be used as an ADU.* ADU is to be a conventionally built (stick-built) structure. Applicant would be required to obtain a building permit for the structure.

7. *ADUs shall only be located on a parcel in conjunction with a single-family dwelling unit. ADUs shall not be located on parcels that contain a duplex and shall not be located on parcels that contain two or more dwelling units.* Staff is aware of only one dwelling unit on the property.

8. *ADUs shall be designed so that the appearance of the structure maintains, to the greatest extent possible, the appearance of a single-family property.* Will be reviewed during building permit process; plan is to build an attractive structure that blends in with the appearance of existing structures.

9. *If a separate external entrance for the ADU is necessary, where possible, it shall be located on the side or rear of the structure. On a corner lot, where there are two entrances visible from either street, where possible, solid screening is required to screen at least one of the entrances from the*

street. Entrance is planned for front of structure to provide internal staircase to access dwelling space above the garage. However, front of structure is angled towards the rear of the property

10. *Exterior stairs shall be located in the side or rear yard wherever possible and must comply with setback and building code requirements.* N/A, stairs are internal.

11. *The maximum size of an ADU shall be eight hundred square feet.* Unit is slightly larger at approximately 848 square feet to accommodate garage space for two vehicles and interior stairs.

12. The following parking requirements are applicable for ADUs:

a. *As part of the application submittal process, the applicant shall submit a parking plan delineating parking space(s) for the ADU and the primary dwelling unit.* Parking identified across easement or in garage. Some additional spaces proximate to ADU are available. A large parking area is identified on the west side of the property that can accommodate 8 to 9 parking spaces.

b. *Where parking is located in any portion of the interior side and/or rear setbacks solid screening is required from adjoining properties.* Parking does not take place within setbacks.

c. *On-street parking is prohibited.* N/A – on street parking not available. Parking to take place on the property.

d. *If additional parking is necessary, new parking space(s) shall utilize existing curb cuts.* N/A, not accessed from paved ROW.

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

14. *Variances are prohibited on any lot containing an ADU including, but not limited to, variances for setbacks, lot coverage, building height, and off-street parking requirements.* N/A – no variances are requested at this time.

ANALYSIS

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

a. Amount of vehicular traffic to be generated and impacts of the traffic on nearby land uses: Traffic is expected to increase – likely by one car, although two additional vehicles are possible and planned for. Access easement is gravel and steep in some places. Renters will need to be informed

¹ § 22.24.010.E

of how to properly access the unit without creating cut-through traffic. Property owners should contribute to maintenance costs per their private agreement.

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

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

d. Hours of operation: Available year round

e. Location along a major or collector street: Easement to Sawmill Creek Road

f. Potential for users or clients to access the site through residential areas or substandard street creating a cut-through traffic scenario: Cut through traffic is possible given the connection of the easements through 2202 Sawmill Creek Road and 2110 Sawmill Creek Road as shown on an aerial map. Renters would need to be informed on how to properly utilize the access easements.

g. Effects on vehicular and pedestrian safety: No significant changes expected, increase in traffic should be 1 to 2 vehicles.

h. Ability of the police, fire, and EMS personnel to respond to emergency calls on the site: Easement is used to access at least 4 properties, change from the current ability of emergency services personnel to access the site is not anticipated to change.

i. Logic of the internal traffic layout: First story of the unit would have a two car garage with internal staircase up to dwelling space, second story contains 2 bedrooms, 1 bathroom, and kitchen/living/dining facilities.

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

k. Presence of existing or proposed buffers on the site or immediately adjacent the site: Natural buffers of bushes and trees are on the site, as well as sparse/low density development of the area.

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

m. Other criteria that surface through public comments or planning commission review: There are interrelated issues regarding uses and traffic generation of Bart Island, however, to fully

resolve those issues would require action outside of, or in addition to, the decision on this item. The parking plan presented with this proposal, if abided by, should provide adequate parking for all the needs of 2202 Sawmill Creek and Bart Island.

RECOMMENDATION

In isolation as an ADU request on this property, staff recommends approval. The lot is large, the placement of the ADU is where there is an existing structure (lowering the incremental impact of an expanded development), and it adds long-term rental stock.

However, the use conflict surrounding Bart Island has raised valid concerns that warrant consideration; whether that consideration should take place as a part of this ADU request or as a separate action needs to be determined by the Commission.

If the Commission believes it should be a part of the ADU consideration, staff recommends a motion of postponement until an in-person meeting can take place between Planning staff and the neighbors, and staff reports back to the Commission any findings from a formal inquiry of Bart Island activities and any resolution.

If the Commission believes Bart Island issues should be considered in a separate action, staff recommends an additional motion directing staff to make a formal inquiry as to the use of Bart Island, facilitate a neighborhood meeting to see if resolution can be found, determine what administrative solutions can be applied, and report this information back to the Commission.

.....

ATTACHMENTS

- Attachment A: Background Information on Bart Island
- Attachment B: Aerials
- Attachment C: Site Plan
- Attachment D: Floor Plan
- Attachment E: Parking Plan
- Attachment F: Plat
- Attachment G: Photos
- Attachment H: Applicant Materials
- Attachment I: Public Comment

POSSIBLE MOTIONS

A. If the Commission feels Bart Island issues should be resolved first:

- 1) **“I move to postpone consideration of the request for a conditional use permit for an accessory dwelling unit at 2202 Sawmill Creek Road until staff initiates a formal inquiry as to the use of Bart Island, facilitates a neighborhood meeting to see if resolution can be reached, determines what administrative solutions can be applied, and reports this information back to the Commission.”**

B. If the Commission feels Bart Island issues should be considered separately:

- 1) **“I move to approve the conditional use permit for an accessory dwelling unit at 2202 Sawmill Creek Road in the R-1 LDMH single family, duplex, and manufactured home low density zoning district subject to the conditions of approval. The property is also known as Lot 1, Keith Bartow Subdivision. The request is filed by Chris Balovich. The owner of record is Jack 2199, Inc.”**

Conditions of Approval:

1. Approval of ADU is specific to the site plan included in this application. Any substantial/significant change to the plans would require a new site plan review and approval from the Planning Commission.
2. Submission of the foundation permit for this project shall include an elevation plan to show the aesthetic characteristics of the ADU.
3. The property owners will work in good faith with staff and neighbors to resolve the impacts due to the use of Bart Island.

- 2) **“I move to adopt and approve the required findings for conditional use permits.”**

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

1. The city may use design standards and other elements in this code to modify the proposal. A conditional use permit may be approved only if all of the following findings can be made regarding the proposal and are supported by the record that the granting of the proposed conditional use permit will not:
 - a. Be detrimental to the public health, safety, and general welfare;
 - b. Adversely affect the established character of the surrounding vicinity; nor

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

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

3) “I move to direct staff to initiate a formal inquiry as to the use of Bart Island, facilitate a neighborhood meeting to see if resolution can be reached, determine what administrative solutions can be applied, and report this information back to the Commission.”

Background Information on Bart Island



Access

- Currently, 5 lots utilize the access easement that runs through 2202 SMC: 2200, 2202, 2204, and 2206, and Bart Island. This is one additional lot than would otherwise be allowed through the minor subdivision process. 2202 SMC and Bart Island are in common ownership.
- Bart Island was given parking and access easements (including use of the main access easement connecting to Sawmill Creek) via 2202 SMC in 2012 – prior to the current owner's purchase of the properties. Bart Island was not a part of the original easement agreement that was created in 1990.
- The 1990 agreement reserved the right for the owner of the Clarence Kramer Resubdivision (from which 2202 SMC originates) to grant access along the easement to other users. Were this to occur, the new users would become responsible for an equal share of maintenance expenses.
- Based on feedback from the neighborhood, it does not appear that Bart Island has become a contributor to easement maintenance. If this is the case, it is a civil issue which should be addressed by the property owners.
- Staff's interpretation of design standards in SGC Title 21, Subdivision Code, is that they apply proactively while undergoing the subdivision process. It is not clear if and how standards could be applied retroactively; this is evidenced by the lack of enforcement provisions such as those present in the Zoning code. This is not a commonly experienced issue and lacks clear code or policy directive that could be utilized to address it.

Conclusion: Staff agrees that access to Bart Island, especially given that it has different zoning than the rest of the neighborhood (see below), is not ideal and has created user conflict.

However, staff is presently unaware of any provision in code that would give CBS the authority to restrict a property owner granting access through their own property to another property owner outside of the subdivision process. More research will be needed to understand any administrative remedy (if any).

Zoning & Use

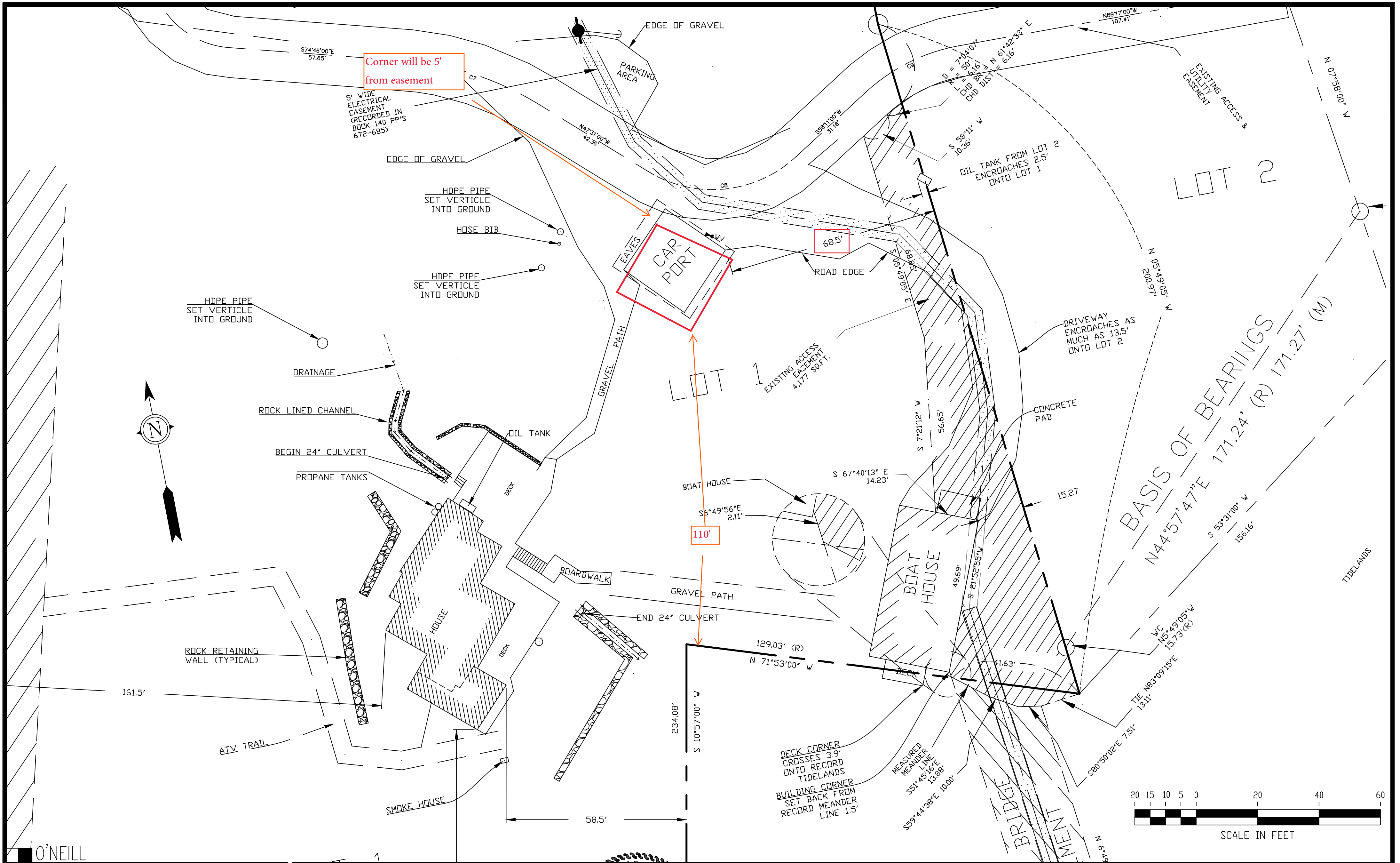
Note: The following zoning and use information pertains to Bart Island and its use for short-term rental/lodge activity. In considering CUP 20-06, staff felt it was not appropriate to factor in a use conflict on one property with the request for an ADU on another. Even though the properties are in common ownership, they are separate properties; the ADU request and request for resolution regarding Bart Island use were therefore viewed as separate issues for the purpose of the staff report. However, there is shared access and parking between the properties; the Commission may view this as reason enough to consider Bart Island issues in relation to the ADU request. Neighborhood issues raised are valid; many of the concerns raised by neighbors would violate standard conditions of approval on short-term rental permits. The information provided below is intended to give clarification on the zoning regulations relevant to the properties in question, respond to issues raised by neighbors, and chart some possibilities for resolution.

- 2200 – 2206 SMC are zoned R-1 LDMH, and Bart Island is zoned General Island (GI). Short-term rentals are a conditional use in the R-1 LDMH zone.
- GI provisions for short-term rentals/lodges
 - In the General Island zone, many uses are classified as permitted on unsubdivided islands and conditional uses on subdivided islands.
 - Short-term rentals accommodating up to six guests are allowed uses in the GI zone on both subdivided and unsubdivided islands.
 - In the GI zone, lodges accommodating up to six guests are allowed on unsubdivided island and are a conditional use on subdivided islands.
 - Lodges and short-term rentals accommodating more than six guests are a conditional use (for both subdivided and unsubdivided islands)
- Staff thinks it's appropriate, in a separate action, to request an assessment of the total capacity of Bart Island and what limitations are imposed on short-term rental guests from the property owners in order to determine whether or not a conditional use permit is required.
- The Commission could also make a determination on whether or not Bart Island is a subdivided island. SGC 22.08.465 Island, Subdivided states: *"Subdivided island" shall include all islands that have been divided into two or more lots or which are connected with an adjacent island at mean low tide.*" The provision regarding an island's connection to another land mass could be extended to the bridge connection between Bart Island, therefore making Bart Island a subdivided island in the eyes of the zoning code.
- If Bart Island was considered a subdivided island, short-term rentals of less than six would still be allowed by right. Lodges of any size would require a conditional use permit.
 - SGC 22.08.485 Lodge: *...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.*

- SGC 22.08.735 Short-term rentals: *...rentals of single dwelling units for less than fourteen consecutive days for money or other valuable consideration by one party which then occupies the dwelling.*
- A general principle of land management is that governments cannot rezone a property without the express consent of the property owner, or require a property owner to obtain a conditional use permit for an allowed use within their zoning district.
- More time for information gathering and research is needed to fully understand any possible administrative remedies. Staff would also like to facilitate a neighborhood meeting to see if resolution among the neighbors is possible.



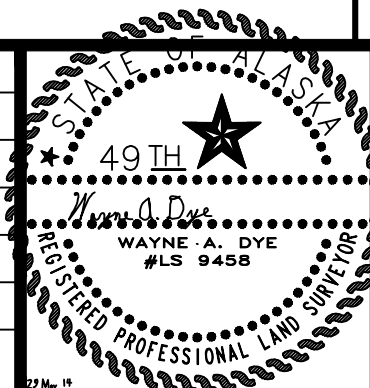




O'NEILL
SURVEYING AND ENGINEERING

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

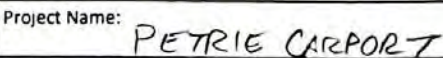
BY	DATE	REV.	DESCRIPTION OF CHANGE
RECORD OF REVISIONS			



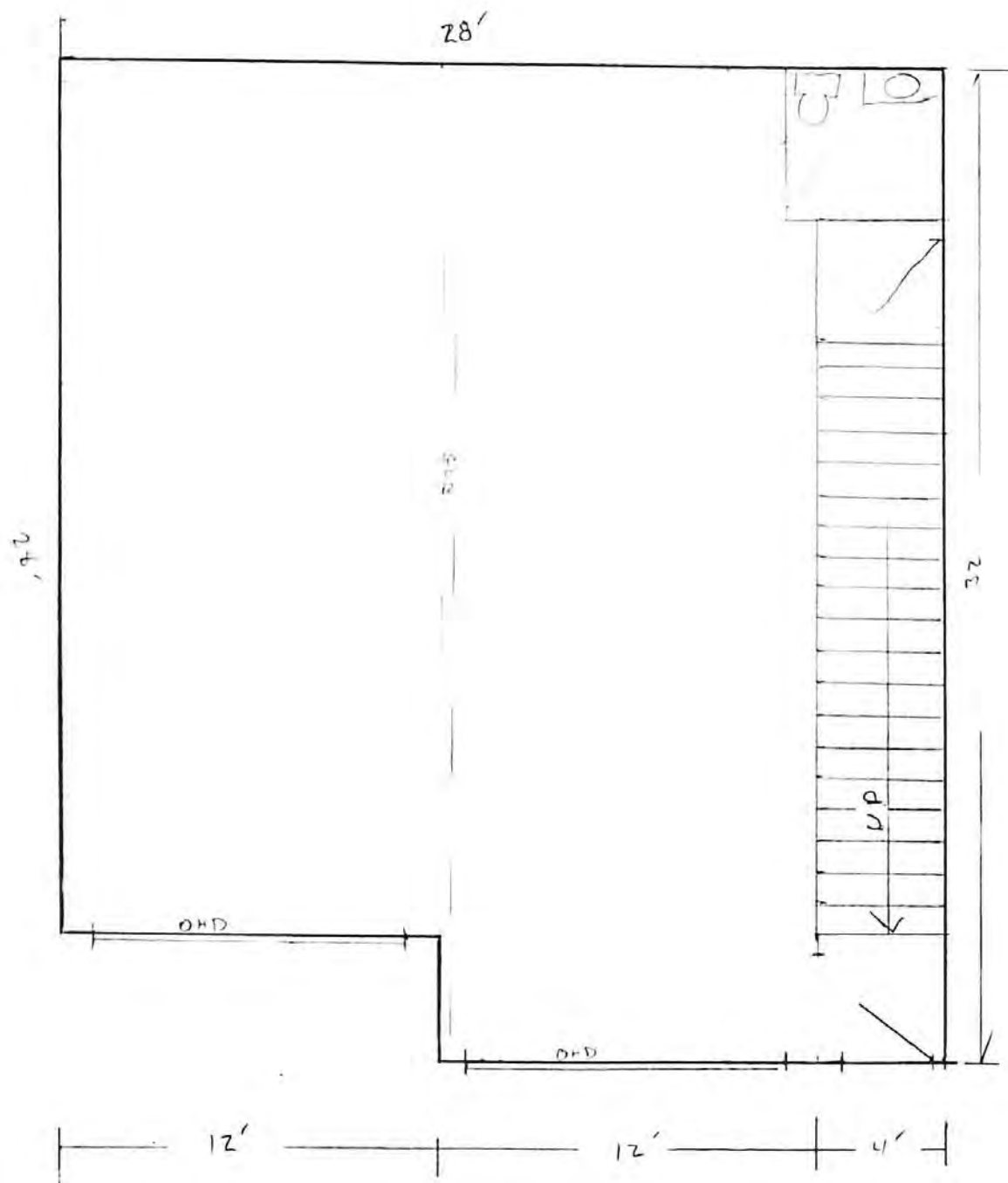
DESIGNED: P. O'NEILL
DRAWN: WAD/ACAD
CHECKED: PKD
DATE OF PLAT: 19 MAY 2014
SCALE: 1" = 20'
DRAWING NAME: 30440-05
PROJECT NO. 30440-05

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 UNDER EXISTING STRUCTURES AND PLATTED LOT LINES OR EASEMENTS. UNDER NO CIRCUMSTANCES SHOULD THE DATA HEREIN 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. (I CURS. SET.)
WAYNE A. DYE
#LS 9458

AS-BUILT
LOT 1
KEITH BARTOW SUBDIVISION
CLIENT: KEITH BARTOW
2202 SAWMILL CREEK ROAD
SITKA, ALASKA 99835

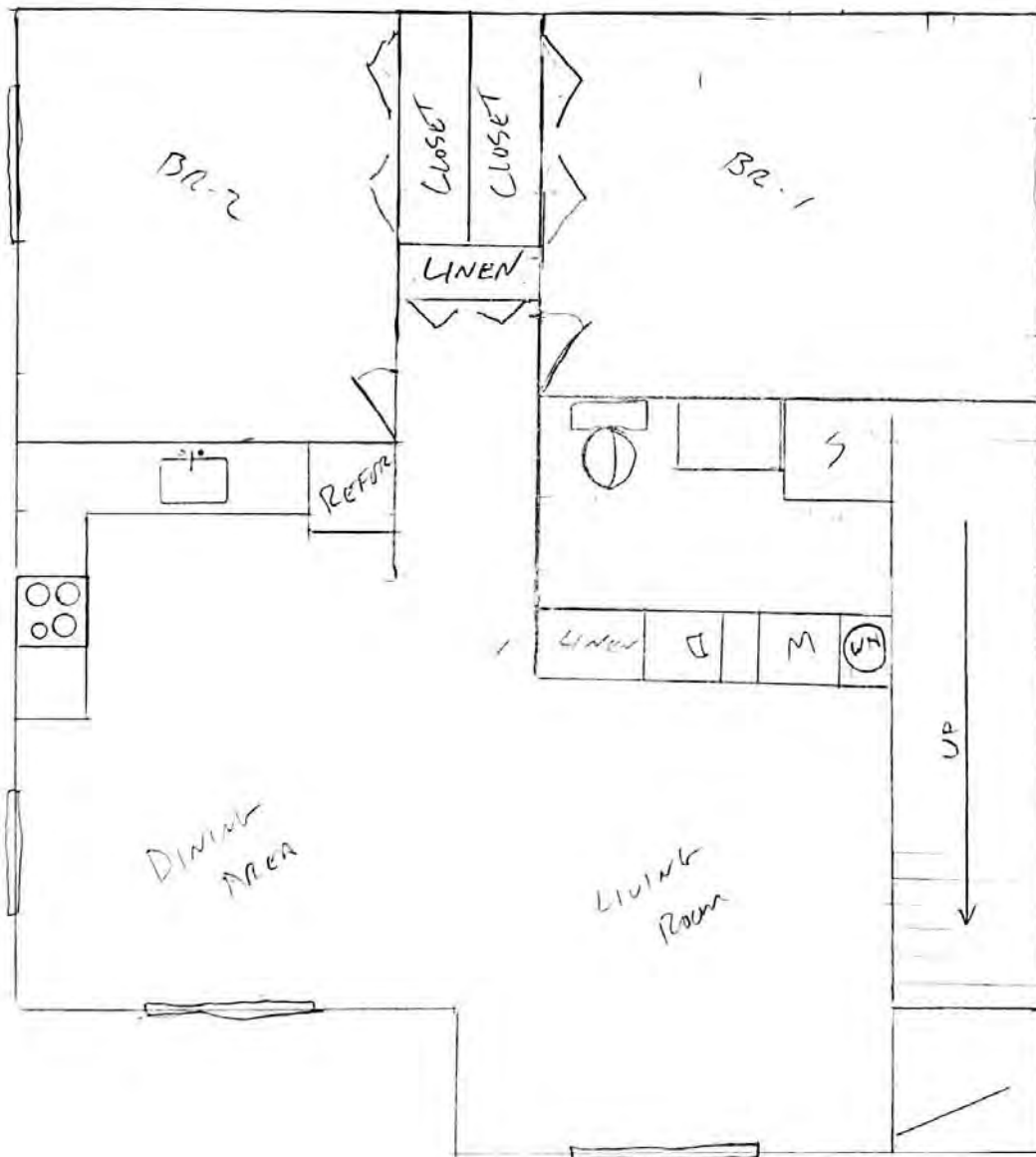


1 st Floor		Project#:	
Client Name: PETRIE		Sheet <u>1</u> of <u>2</u>	
Prepared by: CAB	Date 2/16	Checked by:	Date



2 ND Floor		Project#:
Client Name: PETRIE		Sheet <u>2</u> of <u>2</u>
Prepared by: CHS	Date 2/26	Checked by: Date

Project Name: PETRIE LARPORT



CERTIFICATE OF OWNERSHIP AND DEDICATION

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 David W. Moore and Lisa Marie Moore, Marjorie Larson, Keith S. Bartow, Edward J. Conway and Patricia Conway, 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.

OWNER: Janice Conway (SIGNATURE)

OWNER: David W. Moore (SIGNATURE)

OWNER: Edward J. Conway (SIGNATURE)

OWNER: Keith S. Bartow (SIGNATURE)

OWNER: Marjorie Larson (SIGNATURE)

OWNER: Lisa S. Moore (SIGNATURE)

OWNER: (SIGNATURE)

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 David W. Moore and Lisa Marie Moore, Marjorie Larson, Keith S. Bartow, Edward J. Conway and Patricia Conway, 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 12th DAY OF April, 2004, AT SITKA, ALASKA.

FINANCE DIRECTOR
CITY & BOROUGH OF SITKA

NOTARY'S ACKNOWLEDGMENT

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 David W. Moore and Lisa Marie Moore, Marjorie Larson, Keith S. Bartow, Edward J. Conway and Patricia Conway, 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.

NOTARY PUBLIC
STATE OF ALASKA
SARAL RUSSELL
NOTARY PUBLIC
STATE OF ALASKA
EXPIRES 4-15-07

CERTIFICATE STATE OF ALASKA (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 CARRIED ON THE RECORDS IN THE NAME OF David W. Moore and Lisa Marie Moore, Marjorie Larson, Keith S. Bartow, Edward J. Conway and Patricia Conway, 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.

DATE OF APRIL, 2004

CERTIFICATE OF APPROVAL BY THE BOARD

THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO CONFORM TO THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA PLATTING ACT AND HAS BEEN APPROVED BY THE BOARD BY PLAT RESOLUTION NO. 20, DATED 20, AND THAT THE PLAT SHOWN HEREON IS APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT CLERK, SITKA, ALASKA.

CHAIRMAN, PLATTING BOARD

CERTIFICATE OF APPROVAL BY THE ASSEMBLY

THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO CONFORM TO THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA PLATTING ACT AND HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT CLERK, SITKA, ALASKA.

CLERK

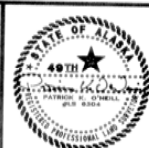


ENGINEERING

SITKA, ALASKA 99835
747-6700
www.sitka.net

BY	DATE	REV	DESCRIPTION OF CHANGE

RECORD OF REVISIONS

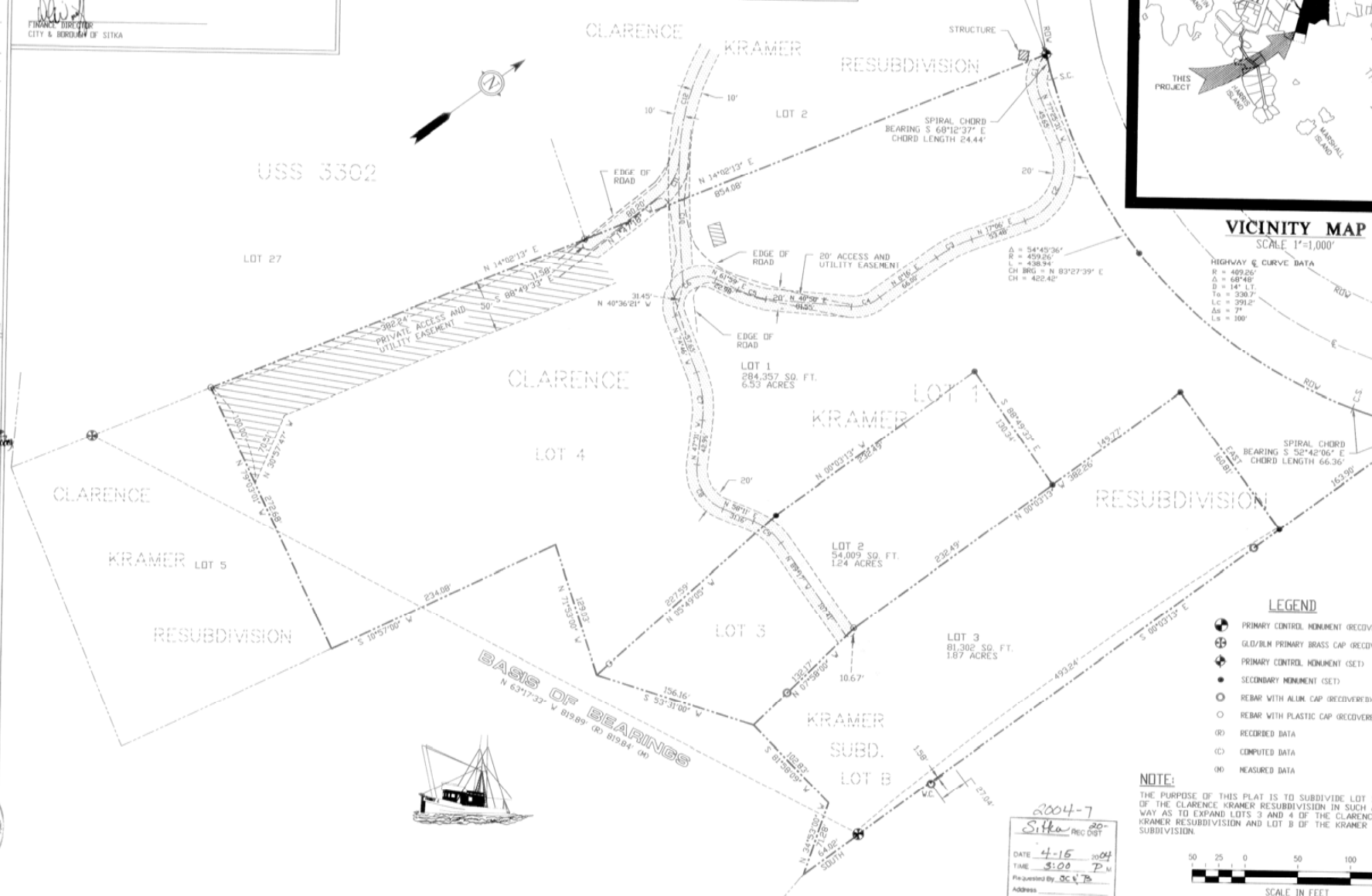


DESIGNED: P. O'NEILL
DRAWN: K. O'NEILL
CHECKED: P. O'NEILL
DATE OF PLAT: MAR. 11, 2004 * 12:10:45
SCALE: 1" = 50'
DRAWING NAME: 30440-01
PROJECT NO.: 30440-01-00

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR, LICENSED IN THE STATE OF ALASKA, AND THAT IN 2004, A 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 REPRESENTATIONS AND DETAILS ARE CORRECT ACCORDING TO SAID FIELD NOTES.

KEITH BARTOW SUBDIVISION
LOTS 1, 3 AND 4, CLARENCE KRAMER RESUB. AND LOT 8, KRAMER SUBDIVISION
CLIENTS: BARTOW, CONWAY, AND MOORE

NUMBER	DELTA ANGLE	CHORD DIRECTION	RADIUS	ARC LENGTH	CHORD LENGTH
C1	50°02'45"	N 48°53'15" W	43.79	43.62	41.84
C2	154°31'31"	E 30°09'49" E	95.88	106.71	106.71
C3	16°50'00"	N 00°41'00" E	128.10	37.64	37.50
C4	46°34'00"	S 17°32'54" W	36.01	29.27	28.47
C5	15°09'00"	E 54°54'30" W	106.81	26.24	26.16
C6	136°45'00"	N 00°23'15" E	28.00	66.83	52.86
C7	27°15'00"	S 61°08'32" E	95.60	45.51	45.00
C8	74°08'00"	N 04°40'00" E	40.00	51.87	48.31
C9	32°32'30"	N 74°54'51" E	60.00	34.67	33.61
C10	5°35'25"	N 55°58'07" W	112.40	116.27	116.22
C11	50°14'45"	N 20°54'52" W	49.90	43.84	42.44
C12	20°12'49"	N 30°53'26" W	125.67	111.17	110.87



VICINITY MAP
SCALE 1"=1,000'
HIGHWAY 6 CURVE DATA
R = 409.26'
Δ = 68°40'
D = 14' L.I.
Ta = 330.21'
LC = 391.25'
As = 7'
Ls = 100'

- LEGEND
- PRIMARY CONTROL, MONUMENT (RECOVERED)
 - GLO/BLM PRIMARY BRASS CAP (RECOVERED)
 - PRIMARY CONTROL, MONUMENT (SET)
 - SECONDARY MONUMENT (SET)
 - REBAR WITH ALUM. CAP (RECOVERED)
 - REBAR WITH PLASTIC CAP (RECOVERED)
 - RECORDED DATA
 - COMPUTED DATA
 - MEASURED DATA

NOTE:
THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE LOT 1 OF THE CLARENCE KRAMER RESUBDIVISION IN SUCH A WAY AS TO EXPAND LOTS 3 AND 4 OF THE CLARENCE KRAMER RESUBDIVISION AND LOT 8 OF THE KRAMER SUBDIVISION.

2004-7
Sitka REC 001
DATE: 4-15-2004
TIME: 3:00 P.M.
Prepared By: KCV/TS
Address: _____











CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT GENERAL APPLICATION FORM

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

APPLICATION FOR:☐

VARIANCE

☒

CONDITIONAL USE

☐

ZONING AMENDMENT

☐

PLAT/SUBDIVISION

BRIEF DESCRIPTION OF REQUEST: We would like to demolish an existing carport and
construct a vehicle garage with an accessory dwelling for a caretaker above.

PROPERTY INFORMATION:CURRENT ZONING: R1-LDMH

PROPOSED ZONING (if applicable): _____

CURRENT LAND USE(S): CarportPROPOSED LAND USES (if changing): Garage with apartment**APPLICANT INFORMATION:**PROPERTY OWNER: Robert and Debbie PetriePROPERTY OWNER ADDRESS: 7217 Charlene Ct. Azle, TX. 76020STREET ADDRESS OF PROPERTY: Sitka, AK. 99835APPLICANT'S NAME: Chris BalovichMAILING ADDRESS: P.O. Box 6133 Sitka, AK. 99835EMAIL ADDRESS: chris@cbcalaska.com DAYTIME PHONE: 907-738-0075**PROPERTY LEGAL DESCRIPTION:**TAX ID: _____ LOT: 1 BLOCK: _____ TRACT: _____SUBDIVISION: keith bartow subdivision US SURVEY: _____02/27/202202 SMC Rd.

Last Name

Date Submitted

Project Address

REQUIRED INFORMATION:

For All Applications:

- ☒ Completed General Application form
- ☒ Supplemental Application (Variance, CUP, Plat, Zoning Amendment)
- ☒ Site Plan showing all existing and proposed structures with dimensions and location of utilities
- ☒ Floor Plan for all structures and showing use of those structures
- ☐ Copy of Deed (find in purchase documents or at Alaska Recorder's Office website)
- ☒ Copy of current plat (find in purchase documents or at Alaska Recorder's Office website)
- ☐ Site photos showing all angles of structures, property lines, street access, and parking – emailed to planning@cityofsitka.org or printed in color on 8.5" x 11" paper
- ☐ Proof of filing fee payment

For Marijuana Enterprise Conditional Use Permits Only:

- ☐ AMCO Application

For Short-Term Rentals and B&Bs:

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

CERTIFICATION:

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

Owner

Date

Owner

Date

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


Applicant (If different than owner)

(CHRIS BALOUCH)

02/27/2020

Date

2202 SMC Rd.

Last Name

Date Submitted

Project Address



CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT SUPPLEMENTAL APPLICATION FORM CONDITIONAL USE PERMIT

APPLICATION FOR

☐

MARIJUANA ENTERPRISE

☐

SHORT-TERM RENTAL OR BED AND BREAKFAST

☒

OTHER: Accessory Dwelling Unit

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:

Unchanged from current use

- Amount of noise to be generated and its impacts on surrounding land use: _____

No more that is currently being generated

- Odors to be generated by the use and their impacts: _____

None

- Hours of operation: _____

Same as the current usage

- Location along a major or collector street: _____

Private Driveway

- Potential for users or clients to access the site through residential areas or substandard street creating a cut through traffic scenario: _____

Unchanged from current use

- Effects on vehicular and pedestrian safety: _____

None - Unchanged from current use

2-29-20

2202 SMC RD

- Ability of the police, fire, and EMS personnel to respond to emergency calls on the site: _____

Unchanged from current access

- Logic of the internal traffic layout: _____

Unchanged from current use

- Effects of signage on nearby uses: _____

None

- Presence of existing or proposed buffers on the site or immediately adjacent the site: _____

Utility easement , Wooded Hillside and distance to neighbors

- 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): _____

H1.1 (encourage ADU's) H1.1e (encourage higher density development)

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

None that we can foresee

REQUIRED FINDINGS (SGC 22.30.160(C):

1. ...The granting of the proposed conditional use permit will not:
 - a. Be detrimental to the public health, safety, and general welfare because the new structure will be constructed to current code and setback requirements;
 - b. Adversely affect the established character of the surrounding vicinity, because The new structure will be built to match the existing house; 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, it is in the same footprint as the existing structure and the use will be similar;
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 _____ which states _____
H1.1 (encourage ADU) H1.1e Encourage higher density development
because the proposal This project will create more affordable housing and increase the property tax base and utility income for the city of Sitka;
3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced, because they will be adhered to in the design phase and
will be sent in for a building permit application and can be verified prior to issuance of the permit.

ANY ADDITIONAL COMMENTS current structure infringes on the setback for the right of way. The current structure has substandard wiring. The current structure is in poor shape and is a potential safety hazard.

Applicant

2-29-20

Date _____

2-29-20

Date Submitted

2202 SMC RD

Project Address

David Sidle
PO Box 2614
2200 Sawmill Creek Road
Sitka, AK 99835
davidside58@gmail.com

March 25, 2020

Planning & Community Development Department
Attention: Amy
100 Lincoln Street
Sitka, AK 99835

RE: CUP 20-04 I 2202 Sawmill Creek Road / Additional Dwelling Unit

Dear Amy,

Thanks for your response regarding the correct project description. Having reviewed all of the info on-line a few items stand out.

The staff recommendation should be changed as it recommends approval for a short term rental.

Also, I appreciate that they see the need for a resolution for the parking, traffic, road maintenance and garbage associated with the commercial use on Bart Island.

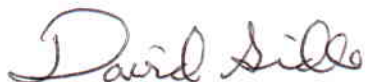
These mitigations should be resolved before the approval of the ADU.

Where is the actual deeded access located for Bart Island? The signage says Petrie Family Parking. Though, it is actually Bart Island Parking. It currently directs rental traffic through the 2110 access road parking in the widened utility/easement per the aerial photo #2. There is no Bart Island signage. The road maintenance has not been addressed by the owners the last three years. The majority of the traffic using the dock and working on the island use the cut through access returning to Sawmill Creek creating a washboard affect in this steep area. Mitigation should be annual grading at a minimum, possible paving in some areas.

The garbage issue is serious and needs to be addressed before more bears are attracted and killed or someone is harmed. Some sort of bear proof container at a minimum. Short term renters can not be educated about the situation that quick.

Please help resolve the Bart Island issues as part of the requested ADU conditional use permit.
Thank you!

Sincerely,

A handwritten signature in dark ink that reads "David Sidle". The signature is written in a cursive, flowing style.

David Sidle



current Bart Island TRAFFIC AND PARKING. SIGNAGE SAYS PETRIE FAMILY PARKING.
 We are at the end of the Road. so the tenants often end up at our place
 Looking for Bart Island.

Amy Ainslie

From: Victoria OConnell <victoria.oconnell@gmail.com>
Sent: Wednesday, March 18, 2020 11:43 AM
To: Planning Department
Subject: Re: I oppose CUP 20-04

Thanks,
Hope you all cancel your meetings for the time being and stay well

On Tue, Mar 17, 2020 at 11:35 AM Planning Department <planning@cityofsitka.org> wrote:

Hello Ms. Curran,

Thank you for writing into the Planning Department. We apologize for the confusion our buffer mailing created; the request is just for an accessory dwelling unit (ADU), not a short-term rental. Accessory dwelling units cannot be used for short-term rentals, so that would not be an allowable use of this new structure were it to be approved by the Planning Commission.

Given the emergency declaration and closure of city buildings, we're operating in quite a bit of gray about when our next Planning Commission meeting will take place, and in what format. However, I can assure you that a new mailing will be sent out to the adjacent property owners, notice put in the newspaper, etc., when a new meeting for this item is scheduled. We will also clarify in that letter that the request is only for an ADU, not a short-term rental as well.

Thank you,

Amy Ainslie

Planning Director

City and Borough of Sitka

100 Lincoln Street

Sitka, AK 99835

(907) 747-1815

amy.ainslie@cityofsitka.org

From: Victoria OConnell <victoria.oconnell@gmail.com>
Sent: Tuesday, March 17, 2020 8:21 AM
To: Planning Department <planning@cityofsitka.org>
Subject: I oppose CUP 20-04

Hello

We own three properties adjacent to 2202 Sawmill Creek Road.

I oppose the application for an additional dwelling unit at 2202 Sawmill Creek Road. The Petries already have multiple short-term rentals there. I think there should be a limit on how many short term rentals that can be placed on any specific property and also this town is in terrible need of long term rentals. Short term rentals have saturated the market, leaving residents without affordable housing.

Also, this property has had a consistent problem with garbage attracting bears - any short term rental that is approved should be required to have a bear proof structure for the large amount of garbage these vacation rentals tend to generate.

thank you

Victoria Curran

Date: 31 March 2020

From: David and Lisa Moore
2206 SMC, PO Box 2943
Sitka, AK 99835
747-5534

MaryAnne Maxson
2206 SMC, PO Box 2863
Sitka, AK 99835
747-4769

To: 1. City and Borough of Sitka (CBS) Planning and Development Department
2. CBS Planning Commission
3. CBS City Administrator

Subj: 2nd response to Revised Notice of Application and Public Hearing CUP-20-04

1. The purpose of this letter is to voice our **STRONGEST OPPOSITION** to a "conditional use permit for an Additional Dwelling Unit at 2202 Sawmill Creek Road."

2. **Character of the Neighborhood:**

A. Character of the Neighborhood is used many times in CBS land use Ordinances and is clearly held in high regard by the Assembly when they enacted the Ordinances. Within those writings, the Planning Commission has been given wide authority, after appropriate Public Process, to waive portions of the Ordinances. This includes ones written with terms like SHALL and MUST, even including PROHIBITED. The Ordinances charge the Planning Commission to give consideration to Character of the Neighborhood in their decisions. There is no provision for the Planning Commission to waive Character of the Neighborhood.

B. This subdivision contains waterfront properties with a large forest buffer between the homes and SMC road. One side is bordered by the Calvin conservation easement. It is a very quiet, private setting accessed by a steep winding gravel road.

C. **The six lots that make up this neighborhood have the addresses of 2110, 2116, 2200, 2202, 2204 and 2206 Sawmill Creek Road.** There is a single point of road access. All utilities (water, electrical, cable, sewer) come through that single point of access. Police and Fire access the neighborhood through this single point, as does UPS, FEDEX, etc. Garbage collection for these homes all happens at that single point of access. The homes share in the cost of maintaining the gravel road and water line. All neighbors use the various routes within the neighborhood depending on road construction, snow condition, trees down and oncoming traffic. **This defines this minor subdivision/neighborhood.**

D. When Verle Kramer (who with her husband built and lived in 2202 SMC) passed, Bartow purchased 2202 SMC and undeveloped Bart Island (no bridge, no structures). The first threat to the Character of the Neighborhood came when the Kramer Estate was trying to sell the property uphill of the 2202/2204/2206 SMC.

Following the old real estate saying that: **If you want to control it - own it -** In 2003 the property owners at 2202/2204/2206 SMC combined our funds and purchased and divided that property. **We spoke once for our LOVE of this neighborhood first with our home purchases. We SHOUTED it again with the purchase of this additional land.**

E. Protection from inappropriate use of property that you do not own is provided by being part of an organized community with Ordinances and Zoning. We bought our homes and the additional property believing that CBS had the appropriate rules/regulations in place - **And** that we would have a voice through public process to protect the Character of our Neighborhood.

F. **At this point we feel let down by CBS in protecting our property rights. This minor subdivision (Chapter 21.12) has six lots, two lots more than are permitted.** CBS has allowed this to occur despite visits and letters to the three prior Planners. The Planning Commission (**Chapter 21.52.010.c.2**) "may waive any of all improvement and requirements **EXCEPT** for a minor subdivision that would create no more than four parcels". **We do not believe that this subdivision with more than 4 parcels has ever come before the Planning Commission.** We, the property owners at 2206 SMC have never been given notice nor have been given the ability of Public Process to address this issue. **Enclosure (1) is a letter to CBS reporting this violation in 2015. There has been no action and no written response to this letter.**

G. The addition of Bart Island changing from housing for friends/family to a **Short Term Rental (without the benefit of Public Process) accessing through this subdivision can be argued to make the number of lots seven. ENOUGH IS ENOUGH.** Private and quiet are not the same as when we purchased our home or when we purchased the additional property. Example of this that happens time after time is when the short term renters on Bart Island drag their roller bags over the grated bridge at 4:30 in the morning and then shout back to the folks on the island to hurry. Sound carries over water and even neighbors as far away as Blueberry Lane are affected. With a 5 bedroom main house and 4 bedrooms on Bart Island, this purpose of the ADU is clearly another money making opportunity by a part time neighbor that impacts this neighborhood made up of full time residents. **This would be the second commercial enterprise from 2202 SMC that impacts the Character of the Neighborhood.**

H. **A strong argument can be made that Bart Island Rental is a defacto Additional Dwelling unit to 2202 SMC.**

Bart Island uses water and electricity through our Neighborhood Easement.
Bart Island uses parking through our Neighborhood Easement.
Bart Island uses garbage service within our Neighborhood.

Bart Island is accessed solely through our Neighborhood Easement, even though it is not included in that Easement.

The short term rental on the island can not be accessed via the dock because it was approved by the Army Corps of Engineers as a Private, non-Commercial Dock.

Conclusion: Bart Island acts far more like an additional lot in the subdivision than it does as an Island lot.

There are other similar "Island Subdivisions" that are no longer Zoned as Island Properties. Two examples near Bart Island include Cannon Island and Harris Island.

The Status of Bart Island HAS to be addressed BEFORE the ADU can be addressed!

3. Request that this item be pulled from the agenda until such time as:

A. The status of the applicant's Bart Island and the Short Term Rental be brought before the Planning Commission.

Section 22.04.070 of Sitka General Code addresses this specific situation. "whenever the requirements of this title are at variance with the requirements of any other lawfully adopted rule, regulation or ordinance, the **MOST RESTRICTIVE** of those imposing higher standards shall apply. Bart Island is zoned G-1 and our subdivision is zoned R-1 LDMH. R-1 LDMH has the Most Restrictive of the two zoning standards. This should be sufficient cause to make the Planning Commission agenda.

When the bridge was built, Bart Island had no structures on it. Access to the island by the adjacent upland owner (Bartow) was not an issue. Next Bartow built the two bed home on the island, which we know from personal knowledge, was used for friends and family. Next a structure containing two hotel type rooms was built. When Bartow put the properties (2202 and Bart Island) up for sale, Bart Island was listed as a lodge with money making opportunities. Bartow then admitted to us that he had been using it as a Short Term rental for a few years. When the properties were sold, the new owner went all out with advertising, web page, etc to promote and use the Bart Island as a short term rental. This really made it an issue for the neighborhood.

B. The applicant has submitted a complete and accurate application.

(1) The application indicates that "the current structure is in poor shape and is a potential safety hazard. Staff report echos this by saying in **KEY POINTS** "Carport is in disrepair." Again in Project Description staff states "the condition of the carport necessitates major repair or demolition." While the condition of the

existing carport does not directly relate to the application of the ADU. The fact that this information (**which we believe is FALSE** and for which there is **no basis** submitted) sets the tone of urgency to protect the citizens of Sitka from this hazard - - and by the way could be resolved by approval of an ADU. **I would like the application to be complete and accurate so that Staff, citizens and Planning Commission can make informed comments/decisions based on true accurate information.**

(2) The application contradicts itself from other sections of the application. In additional comments it states "current structure infringes on the setback for the right of way." In section 1.a. it states "the new structure will be constructed to current code and setback requirements. Yet in section 1.c it states that it will be built "in the same footprint as the existing structure.

(3) The application contains statements that are obviously incorrect.

Example 1: Amount of traffic to be generated and impacts on nearby land users - "Unchanged from Current Use". The road is for the most part one lane unimproved, twisty, hilly with poor sight lines. It is not safe to pass an oncoming car for most of the road. Drivers unfamiliar with the etiquette of this road present a problem. It is not Lincoln Street. Adding an additional housing unit creates additional traffic, additional wear on the road. This becomes a much greater issues during winter when the road gets slick.

Example 2: Effects on vehicular and pedestrian safety - "None - Unchanged from current use". We use the road many times daily to walk our dog. One lane road and pedestrians do not mix well. Past history of renters at Bart Island not following Garbage rules has had a negative impact on pedestrian safety - subject addressed previously in this letter.

Example 3: Use of the structure will be similar - Comparing an open carport to an enclosed garage with a two bedroom housing unit is LUDICROUS.

It appears that the applicant put little thought into the application in hopes that CBC Planning Staff and the Planning Commission would follow suit. The application statement that they expect no public comments "none that we can foresee" indicates that they did not ask nor inform the neighborhood of this project. This type of action by the applicant is consistent with his application for a dock on Bart Island where he only listed the neighbor at 2200 SMC on the application. That person was also the contractor for the dock. The rest of the neighbors heard of this after the deadline. We were able to reopen the comment period after hearing of this via a third party. Those comments were key to having the dock designated for Private Use. **(Enclosures 2 + 3)**

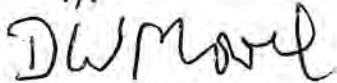
C. Request that the CBS Planning and Development Department revise their Staff Report based on a new application.

(1) Current Staff Report contains discrepancies such as Bart Island having a Commercial Dock. It has a **Private Use Dock. See US Army Corp of Engineers letter of 20 April 2015. (Enclosure 2).** State of Alaska DNR email of 25 March 2015 states that island docks "used for residential purposes are considered generally allowed use. ... **docks on state owned tide lands that support a commercial use are required to have authorization (generally a lease)**". No such lease has been applied for nor is in force. (Enclosure 3). As such, **it can not be used to access the property for Short Term Rental. This leaves only the bridge as an access point.**

(2) The Staff Report does not contain all the information about the neighborhood: There is currently a short term rental, approved by a conditional use permit, in the neighborhood.

4. In closing, you can see by the length and the tone of this letter that we are very passionately opposed to this proposal. We feel let down by CBS allowing this unimproved minor subdivision get out of control without the Public Process that is required by 21.12. I appeal to the Planning Commission to stop this by denying or delaying CUP-20-04 until the status of Bart Island is addressed.

v/r



David W. Moore



Lisa S. Moore



MaryAnne Maxson

Enclosure:

1. Report of a Zoning Violation to CBS planning staff 16 Jun 2015
2. US Army Corp of Engineers ltr dated 20 April 2015
3. Email from Alaska DNR dated 25 March 2015

Date: 16 June 2015

From: David Moore 907 747 5534
PO Box 2943, 2206 Sawmill Creek Road
Sitka, AK
99835

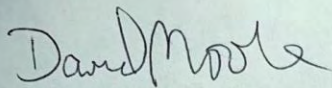
To: Megan Bosak
Planning Department
100 Lincoln Street
Sitka, AK
99835

Subj: Bart Island Short Term Rental

1. The purpose of this letter is to report the zoning violation of using Bart Island for Short Term Rental, according to Sitka General Code. Second purpose is to request a short and long term solution to the zoning conundrum with regards to Bartow Subdivision and Bart Island.
2. Bart Island is currently being used as a short-term rental. Bart Island is zoned G1. Short-term rental is an authorized use in G1. Housing is on Bart Island, but access to that housing is from vehicle into the Bartow Subdivision, then foot traffic across the Bartow Subdivision onto the footbridge to Bart Island. There is no other access to Bart Island beside through the Bartow Subdivision. Bartow Subdivision is zoned R1 LDMH. Short-term rentals are authorized only with a condition use permit in R1 LDMH. Use of the Bartow Subdivision is an essential part of the short term rental occurring on Bart Island. Section 22.04.070 of the Sitka General Code addresses this specific situation. "Whenever the requirements of this title are at variance with the requirements of any other lawfully adopted rule, regulation or ordinance, the MOST RESTRICTIVE or those imposing higher standards shall apply." The most restrictive standard in this case is zoning standard of the R1 LDMH. Therefore the Bart Island short-term rental is clearly in violation of the zoning standards of the Sitka General Code.
3. Short term solution: Request that the C&B of Sitka take steps necessary to have the short-term rental on Bart Island shut down until such time as they go through the public process of getting a conditional use permit for use of the Bartow Subdivision as an essential part of the Bart Island short-term rental. (The Sitka Travel website is still taking reservations for the short-term rental.) The commercial use of the Bartow Subdivision has already had a negative impact the character of the neighborhood. There has been increased noise from guests on the footbridge and increased traffic in the subdivision, including vehicle traffic at my house at the dead end of the driveway.

4. Long term solution: Request that the C&B of Sitka review the zoning of Bart Island. Once the bridge to the island was built, the island lost the character that defines the General Island (G1) zoning. There is precedence to this throughout Sitka, including Harris Island, Cannon Islands, Alice Island and Charcoal Island.

v/r

A handwritten signature in dark ink, appearing to read "David Moore". The signature is fluid and cursive, with the first name "David" and last name "Moore" clearly distinguishable.

David Moore

Copy to: City Administrator
Planning and Zoning Commission



DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, ALASKA
REGULATORY DIVISION
SITKA FIELD OFFICE
POST OFFICE BOX 16
SITKA, AK 99835

APRIL 20, 2015

Regulatory Division
POA-2014-0538

Mr. Robert Petrie
2202 Sawmill Creek Road
Sitka, Alaska 99835

Dear Mr. Petrie:

Enclosed is the signed Letter of Permission, file number POA-2014-0538, Jamestown Bay, authorizing the construction of a boat dock for personal vessel moorage. The project site is located within Section 5, T. 56 S., R. 64 E., Copper River Meridian; USGS Quad Map Sitka A-4; Latitude 57.03726° N., Longitude 135.27145° W.; located on Bart Island in Sitka, Alaska.. Also enclosed is a Notice of Authorization which should be posted in a prominent location near the authorized work.

If changes to the plans or location of the work are necessary for any reason, plans must be submitted to us immediately. Federal law requires approval of any changes before construction begins.

Nothing in this letter excuses you from compliance with other Federal, State, or local statutes, ordinances, or regulations.


Additionally, we have enclosed a Notification of Administrative Appeals Options and Process and Request for Appeal form regarding this Department of the Army Letter of Permission (see section labeled "Initial Proffered Permit").

You may contact me via email at linda.speerstra@usace.army.mil, by mail at the address above, or by phone at (907) 747-0658 if you have questions. For additional information about our Regulatory Program, visit our web site at <http://www.poa.usace.army.mil/Missions/Regulatory.aspx>.

Sincerely,

Linda Speerstra
Chief, Southeast Section

Enclosures
Letter of Permission
Appeal Form
Notice of Authorization

From: Sanvik, Douglas T (DNR) doug.sanvik@alaska.gov 
Subject: FW: Bart Island Lodge & Easement ADL 106281

Date: March 25, 2015 at 2:55 PM

To: swift98b@aol.com

Cc: Winker, Steve C (DNR) steve.winker@alaska.gov, Johnson, Anne L (DNR) anne.johnson1@alaska.gov

DS

Hi David,

Thanks for the call today regarding the Bart Island Lodge. I have attached a copy of the recorded easement for a footbridge across state owned land (see development plan drawing on page 7). The easement was recently assigned from the former owner, Keith S. Bartow, to Jack 2199, Inc.

You noted that the lodge also has a dock. Docks that are constructed within the projected sidelines of the upland owner's property and used for residential purposes are considered a generally allowed use. They don't require an authorization from DNR. In most cases, docks on state owned tide and submerged lands that support a commercial use are required to have an authorization from the Alaska Department of Natural Resources (generally a lease). In Southeast Alaska DNR makes an exception for commercial fishermen using a dock in front of their property to moor their commercial fishing boat. As for B&B's, our office will need to evaluate this case before deciding whether to require Jack 2199, Inc. to apply for a lease for their dock.

Any information you could provide us regarding the use of the dock would be welcome.

Sincerely,

Doug Sanvik
Natural Resource Specialist
(907) 465-3513



2006 ADL
106281...py.pdf

March 30, 2020

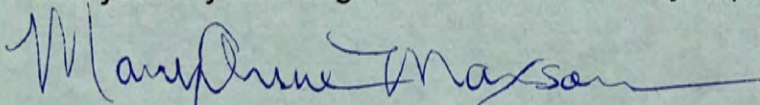
To the City and Borough of Sitka Planning and Development Department, Planning Commission and City Administrator.

I am a long time resident of Sitka and have lived at 2206 Sawmill Creek Road for nearly thirty years.

I am writing this to express my objection to the construction of an additional short term rental structure as proposed by the owner of 2202 Sawmill Creek. This individual, who is not a Sitka resident and lives in another state, has no regard for the concern and caring for the beauty and solitude valued by others living in this neighborhood. The 2202 owner already operates multiple short term rentals on adjacent Bart Island. Clearly, the proposed structure is for his additional monetary gain and without regard for the local residents.

This property and its setting is not suitable for (even more) structures of this nature as thoroughly described and outlined by Dave Moore. We value our property and its location and treat the surroundings and the wild life with great respect. I believe the the City and Borough of Sitka would be remiss if they again allowed another money making enterprise in this neighborhood of full time residents. I trust the CBS will wisely reject the proposal of yet another short term rental on this subdivision.

Thank you for your thoughtful consideration of my request.



MaryAnne Maxson

Amy Ainslie

From: David Sidle <davidsidle58@gmail.com>
Sent: Wednesday, April 08, 2020 9:36 AM
To: Planning Department
Subject: Re: Comments CUP 20-04

Hi Amy,

Thanks for your earlier response. I am in the loop with the comments from Dave Moore and others. It seems to me that this issue could possibly be resolved by having a meeting of the owners within the subdivision including the applicant. I believe we could work out the issues, road, trash, signage, etc.. along with the applicant assuring everyone that it will be used for a caretaker that will handle the garbage etc... We do not want to be left with the enforcement of the long term rental along with the other issues.

Unfortunately, the timing with the situation in the world right now is not good. I would request that you postpone ruling on the CUP until travel is resumed and we can all meet to work this out. Otherwise, I can see this turning into a very bad neighborhood situation.

It would be nice if we could have a positive response from the owners towards some of our concerns.

Thank You,
David Sidle

On Fri, Mar 27, 2020 at 5:06 PM Planning Department <planning@cityofsitka.org> wrote:

Hi Mr. Sidle,

Thank you for your comments. I fixed my wording in the recommendation and added your comments to the packet for the Planning Commission to review.

Best,

Amy Ainslie

Planning Director

City and Borough of Sitka

100 Lincoln Street

Sitka, AK 99835

(907) 747-1815



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Planning and Community Development Department

AGENDA ITEM:

Case No: P 20-01
Proposal: Final Plat for a Lot Merger
Applicant: Michael Coady
Owner: Michael Coady
Location: Middle Island
Legal: Lots 3, 4, and 5, Block 1, Middle Island Subdivision
Zone: LI – Large island district
Size: Current: Lot 3: 1.82 acres, Lot 4: .89 acres, Lot 5: 1.29 acres
Proposed: 4.00 acres
Parcel ID: 4-920-1003, 4-920-1004, 4-920-005
Existing Use: Lodge
Adjacent Use: Recreational residential, undeveloped
Utilities: Private utilities
Access: Water

KEY POINTS AND CONCERNS:

1. The Commission reviewed and approved a conceptual plat of this proposal on March 4, 2020.
2. The applicant owns all three lots in question and is functionally utilizing the properties for a single purpose (lodge – granted through conditional use). Lot merger allows applicant to use lot more flexibly for structure placement.
3. The proposed replat complies with the Sitka General Code Titles 21 and 22 by moving the property toward code conformance; one of the existing lots is substandard for the district.
4. Platting of lots as single lot should not change impact on neighborhood outside of current use.

RECOMMENDATION:

Staff recommends approval of the final plat for a lot merger for Lots 3, 4 and 5, Block 1, Middle Island Subdivision.

ATTACHMENTS:

Attachment A: Aerial

Attachment B: Current Plat

Attachment C: Final Plat

Attachment D: Applicant Materials

BACKGROUND

This property consists of three lots held between a common owner, Michael Coady. Mr. Coady purchased the lots in order to run a lodge operation utilizing all three lots. A conditional use permit was granted to Mr. Coady by the Planning Commission in December of 2017 for this use. An outstanding condition of approval at the time was for Mr. Coady to resolve the encroachment of a structure on the State's public access easement, which Mr. Coady has since completed. Mr. Coady continues to work in good faith with the Building and Planning Departments on his development of the lots.

PROJECT DESCRIPTION

This request is to replat the three lots into one lot. Mr. Coady is functionally using all three lots as a single unit to run the lodge operation, as recognized by the fact that the conditional use permit spans all three lots. SGC 22.20 outlines the development standards for the Large Island (LI) district. In island zones, including LI, there is a required 15 ft. setback along common property lines. The merging of these three lots provides the owner more flexibility to develop the area without as many restrictions regarding setbacks and encroachments over the property lines. It would also be more efficient for Mr. Coady to have one property tax bill rather than three separate bills.

Staff recommends approval of the lot merger from both a code administration standpoint, and a practical standpoint. One of the lots, Lot 4, is currently a non-conforming lot, as it is .89 acres which does not meet the district minimum of 1 acre. The lot merger would address this nonconformity. From a practical standpoint, the investment in the integrated infrastructure needed to run the property as a lodge means these lots would have limited marketability as individual lots, and if sold, would most likely transfer ownership together. The lot merger is therefore a recognition of the lots interconnected nature and status as a single economic unit.

ANALYSIS

Project/Site: A large house structure is located on Lot 3 along with several out-buildings including the bunkhouse, 2 guest cabins, a smokehouse, shed, and garage/barn structure. Lot 4 has one guest cabin, and Lot 5 is sparsely developed.

Density: The proposed lot merger does not waive or alter any density or coverage standards for the properties, so the lot merger could not result in a denser development overall than is currently permitted. However, the lot coverage maximum is 25% of the lot as listed in SGC Table 22.20-1 Development Standards for the LI district. Therefore, denser development could occur in one area (one lot) than previously permitted, however, a total of 3.0 acres would still need to be preserved as open space.

Traffic: The replat would not change existing boat/pedestrian traffic patterns.

Parking: N/A

Noise: No concerns, as the proposed land use does not differ from the current use.

Public Health or Safety: No concerns.

Habitat: No concerns.

Property Value or Neighborhood Harmony: As the use will not change, impact to the neighborhood beyond current use is not anticipated. The properties are interdependent due to centralized lodge infrastructure, and therefore already operate as an economic unit. The proposed lot merger is a better reflection of the current use and future value of the lots.

Comprehensive Plan: The proposal supports the Comprehensive Plan Economic Development Action ED 6.5 which aims to “Support growth of Sitka’s independent, cruise-related, and heritage tourism work and enterprises” by giving the owner the ability to more flexibly and creatively develop his lodge operation while still preserving open space.

RECOMMENDED MOTIONS

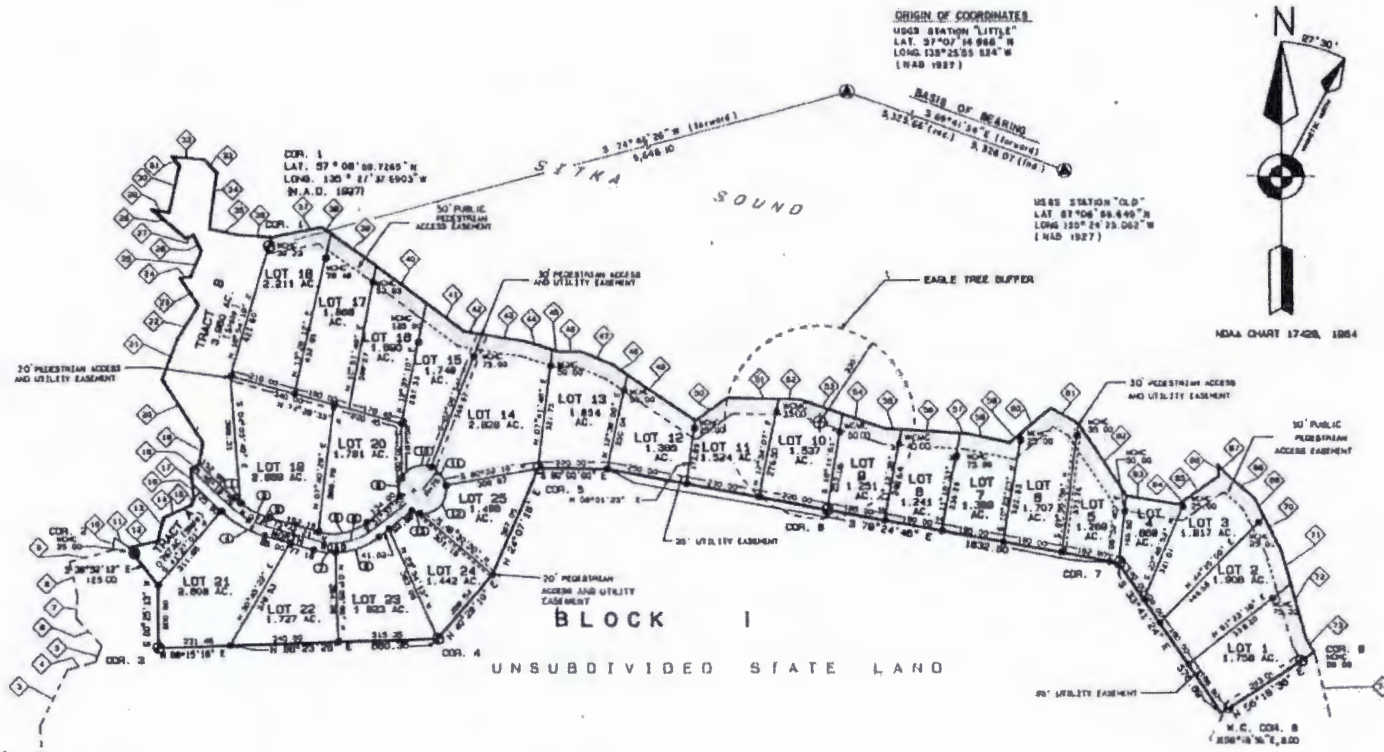
1) “I move to approve the final plat for a lot merger of Lots 3, 4, and 5, Block 1, Middle Island Subdivision in the LI Large Island district. The request is filed by Michael Coady. The owner of record is Michael Coady.”

2) “I move to adopt the findings as listed in the staff report.”

Staff recommends the following findings:

- a. That the final plat of the lot merger complies with the Comprehensive Plan and Sitka General Code Titles 21 and 22 by moving the properties toward code conformance, and;
- b. That the final plat of the lot merger is not be injurious to public health, safety, and welfare.





THIS PLAT



VICINITY MAP
USGS QUAD SITKA A-5, 1927
1" = 1 MILE

BEARING TREE TABLE
MIDDLE ISLAND SUBDIVISION
A.S.L.S. 87-129
BLOCK NO. 1

NO.	BEARING	DISTANCE	REMARKS
1	N 30° 27' 38" E	266.95	
2	N 02° 48' 51" W	350.29	
3	N 28° 33' 54" E	203.29	
4	N 74° 28' 29" E	88.41	
5	N 01° 46' 05" E	82.86	
6	N 11° 38' 11" E	120.42	
7	N 04° 08' 04" E	89.18	
8	N 12° 48' 15" W	119.83	
9	N 75° 03' 59" E	144.33	
10	N 27° 27' 30" E	46.33	
11	N 56° 15' 25" E	84.09	
12	N 77° 08' 18" E	60.20	
13	N 14° 05' 33" E	77.65	
14	N 68° 02' 19" E	88.40	
15	N 28° 30' 54" E	138.39	
16	N 06° 45' 26" W	46.83	
17	N 08° 45' 26" W	46.89	
18	N 38° 14' 11" E	31.09	
19	N 18° 48' 28" E	88.43	
20	N 33° 41' 24" W	224.26	
21	N 71° 48' 05" E	124.63	
22	N 38° 41' 34" E	128.19	
23	N 38° 19' 08" W	124.54	
24	N 81° 52' 13" E	36.88	
25	N 22° 27' 48" E	87.30	
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42	N 38° 41' 34" E	128.19	
43	N 38° 19' 08" W	124.54	
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47	N 08° 45' 26" W	46.89	
48	N 38° 14' 11" E	31.09	
49	N 18° 48' 28" E	88.43	
50	N 33° 41' 24" W	224.26	
51	N 71° 48' 05" E	124.63	
52	N 38° 41' 34" E	128.19	
53	N 38° 19' 08" W	124.54	
54	N 81° 52' 13" E	36.88	
55	N 22° 27' 48" E	87.30	
56	N 08° 45' 26" W	46.83	
57	N 08° 45' 26" W	46.89	
58	N 38° 14' 11" E	31.09	
59	N 18° 48' 28" E	88.43	
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72	N 38° 41' 34" E	128.19	
73	N 38° 19' 08" W	124.54	
74	N 81° 52' 13" E	36.88	

CURVE DATA
R.O.W. CURVE COURSE

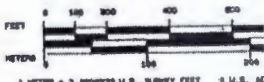
CURVE	BEARING	DISTANCE	REMARKS
1	N 30° 27' 38" E	266.95	
2	N 02° 48' 51" W	350.29	
3	N 28° 33' 54" E	203.29	
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72	N 38° 41' 34" E	128.19	
73	N 38° 19' 08" W	124.54	
74	N 81° 52' 13" E	36.88	

LEGEND

- USGS TRIANGULATION STATION RECOVERED
- PRIMARY MONUMENT SET THIS SURVEY
- SECONDARY MONUMENT SET THIS SURVEY
- WITNESS CORNER MEANDER CORNER
- WITNESS DISTANCE
- MEANDER COURSE
- CURVE DATA

89-22
RECORDED, FILED
SITKA
JULY 22, 1987
1:25
SITKA
SITKA
SITKA

AMENDED
SCALE: 1"



DATE OF SURVEY: MAY 8, 1987
SURVEYOR: J. B. STANLEY
STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF LAND & WATER
ANCHORAGE, ALASKA
ASLS 87-1
MIDDLE ISLAND SUBDIVISION
SECTION 2, 6, 17, 18, 19 & 20, T. 8 N., R. 12 E., S. 14
DRAWN BY: CAJ
DATE: 8/87
SCALE: 1"=200'
CHECKED: H.F.S.
FILE

SITKA PLAT 89-22 88-17

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.

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 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 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 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

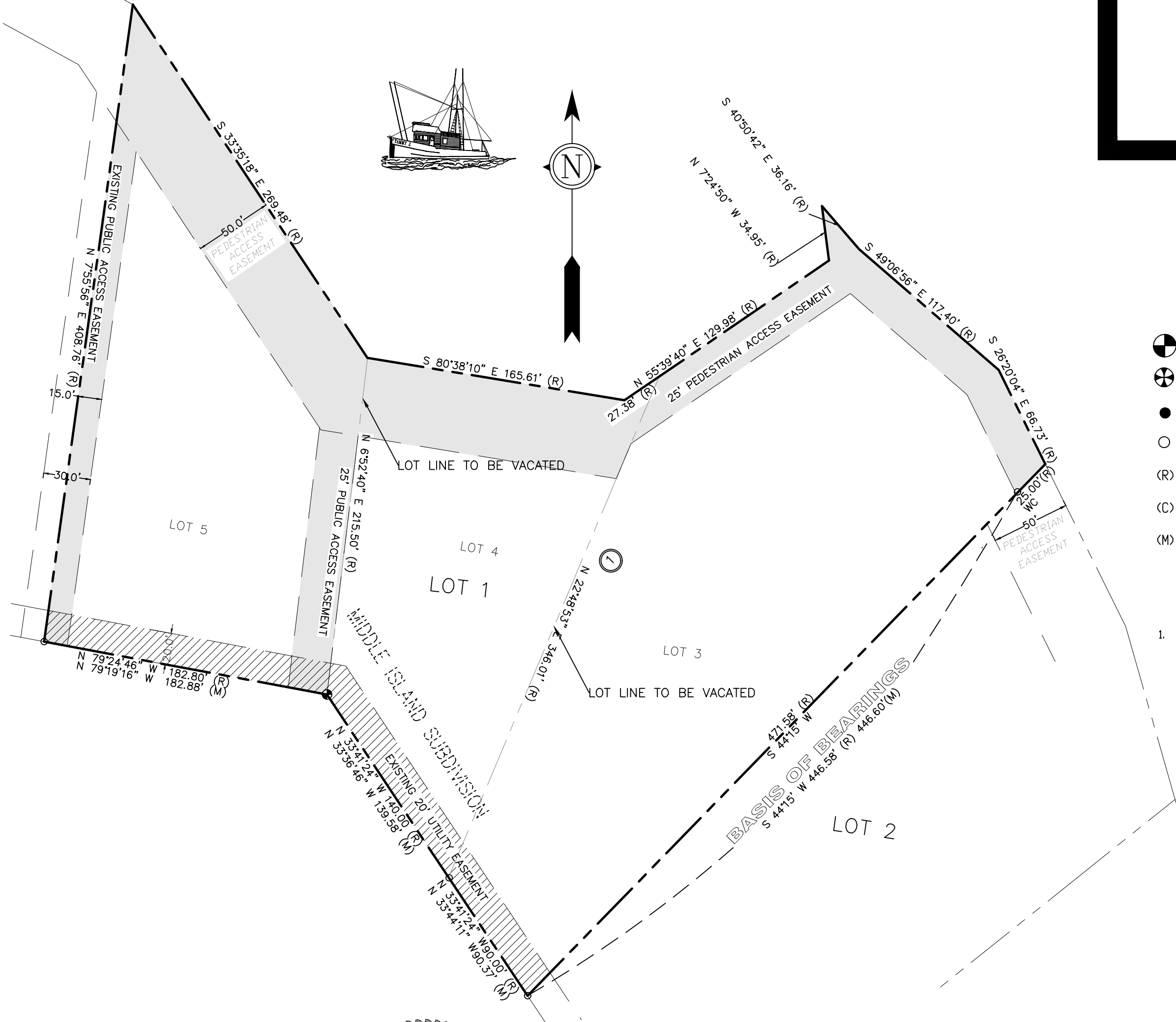
CERTIFICATE OF PAYMENT OF LOCAL IMPROVEMENT DISTRICT

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: _____

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

DATED THIS _____ DAY OF _____
20____, AT SITKA, ALASKA.

FINANCE DIRECTOR
CITY & BOROUGH OF SITKA



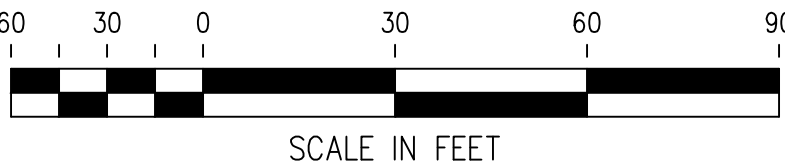
VICINITY MAP
SCALE 1"=1,000'

LEGEND

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

NOTES

- THE PURPOSE OF THIS PLAT IS TO CONSOLIDATE LOTS 3, 4 AND 5 OF THE MIDDLE ISLAND SUBDIVISION INTO ONE 4 ACRE LOT.



SITKA RECORDING DISTRICT

NORTH 57
LAND SURVEYING
(907) 747-6700 2007 CASCADE CREEK ROAD, SITKA, AK 99835

BY	DATE	REV.	DESCRIPTION OF CHANGE
RECORD OF REVISIONS			



DESIGNED: K. O'NEILL
DRAWN: JCH/ACAD
CHECKED: KO
DATE OF PLAT: MARCH 11, 2020
SCALE: 1" = 60'
DRAWING NAME: 40224-01
PROJECT NO. 40224-01

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 O'NEILL LS 13321

COADY SUBDIVISION
CONSOLIDATION OF LOTS 3, 4, AND 5
MIDDLE ISLAND SUBDIVISION

CLIENT: MICHAEL COADY



CITY AND BOROUGH OF SITKA
PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
SUPPLEMENTAL APPLICATION FORM
PLAT APPLICATION

APPLICATION FOR

- ☐ MAJOR SUBDIVISION/PLANNED UNIT DEVELOPMENT
☐ MINOR SUBDIVISION/HYBRID SUBDIVISION
☒ SUBDIVISION REPLAT LOT MERGER/BASEMENT AMENDMENT
☐ BOUNDARY LINE ADJUSTMENT

ANALYSIS: *(Please address each item in regard to your proposal)*

- SITE/DIMENSIONS/TOPOGRAPHY: "TOPO" Heavily wooded. LOTS 4-5
Lot 3 - cleared.
- EXISTING UTILITIES AND UTILITY ROUTES: NA
- PROPOSED UTILITIES AND UTILITY ROUTES: NA
- ACCESS, ROADS, TRANSPORTATION, AND MOBILITY: NA
- IMPACT OF PROPOSAL ON ANY EXISTING EASEMENTS: NONE
- PUBLIC HEALTH, SAFETY, AND WELFARE: NONE
- ACCESS TO LIGHT AND AIR: NONE.

COADY

Last Name

1-29-20

Date Submitted

LOT 3-4-5 Block 1

Project Address

• ORDERLY AND EFFICIENT LAYOUT AND DEVELOPMENT: NA

• DESCRIBE ALL EXISTING STRUCTURES, THEIR USE, AND PROXIMITY TO PROPOSED PROPERTY LINES:

• EXISTENCE OF ANY ENCROACHMENTS: NONE

• AVAILABILITY OF REQUIRED PARKING: NA

• SUMMARY OF PROPOSED EASEMENT AGREEMENTS OR COVENANTS:

ANY ADDITIONAL COMMENTS Consolidation of lots 3-4-5 Block 1
into 1 Large lot

Michael COADY
Applicant

1-29-20
Date

COADY
Last Name

1-29-20
Date Submitted

LOT-3-4-5 Block 1
Project Address



CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT GENERAL APPLICATION FORM

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

APPLICATION FOR:

☐

VARIANCE

☐

CONDITIONAL USE

☐

ZONING AMENDMENT

☒

PLAT/SUBDIVISION

BRIEF DESCRIPTION OF REQUEST: Consolidation of lots 3-4-5 Block 1
into "1" LOT

PROPERTY INFORMATION:

CURRENT ZONING: Large Island PROPOSED ZONING (if applicable): _____

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

APPLICANT INFORMATION:

PROPERTY OWNER: Michael Coady

PROPERTY OWNER ADDRESS: 251 Windy Ln Rockwell TX 75087

STREET ADDRESS OF PROPERTY: LOT 3-4-5 Block 1

APPLICANT'S NAME: Michael Coady

MAILING ADDRESS: 251 Windy Ln Rockwell TX 75087

EMAIL ADDRESS: MC Coady@yahoo.com DAYTIME PHONE: 972 989 9025

PROPERTY LEGAL DESCRIPTION:

TAX ID: 49201003 LOT: 3-4-5 BLOCK: 1 TRACT: /

SUBDIVISION: Middle Island US SURVEY: _____

Coady
Last Name

1-29-20
Date Submitted

LOT 3-4-5 Block 1
Project Address

REQUIRED INFORMATION:

For All Applications:

- ☐ Completed General Application form
- ☐ Supplemental Application (Variance, CUP, Plat, Zoning Amendment)
- ☐ Site Plan showing all existing and proposed structures with dimensions and location of utilities
- ☐ Floor Plan for all structures and showing use of those structures
- ☐ Copy of Deed (find in purchase documents or at Alaska Recorder's Office website)
- ☐ Copy of current plat (find in purchase documents or at Alaska Recorder's Office website)
- ☐ Site photos showing all angles of structures, property lines, street access, and parking – emailed to planning@cityofsitka.org or printed in color on 8.5" x 11" paper
- ☐ Proof of filing fee payment

For Marijuana Enterprise Conditional Use Permits Only:

- ☐ AMCO Application

For Short-Term Rentals and B&Bs:

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

CERTIFICATION:

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

Michael Coady
Owner

1-29-20
Date

Owner

Date

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

Applicant (If different than owner)

Date

Coady
Last Name

1-29-20
Date Submitted

Lot 3-4-5 Block 1
Project Address



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 19-16
Proposal: Request for short-term rental at 3311 Halibut Point Road
Applicant: Mike and Eileen Chambers
Owner: Mike and Eileen Chambers
Location: 3311 Halibut Point Road
Legal: Lot 6, Rodgers Subdivision
Zone: R-2 MHP multifamily and mobile home district
Size: 13,700 SF
Parcel ID: 2-5497-000
Existing Use: Residential
Adjacent Use: Single-family housing
Utilities: Existing
Access: Halibut Point Road

KEY POINTS AND CONCERNS

- Neighborhood appears to be primarily residential uses including single-family and duplex dwellings.
- The short-term rental is in a structure with one dwelling unit, 3 bed/3 bath
- The home is currently the primary dwelling for the applicants. Applicants wish to rent out their home as they are travelling frequently for care of extended family out of town.
- The renter information handout shall comply with conditions of approval, specifically regarding access, parking, quiet hours, trash management, transportation, and respect for the neighborhood.
- Short-term rentals have impacts to long-term rentals and home values. This is important to note regarding this specific proposal and STRs at large.

RECOMMENDATION

Staff recommends that the Planning Commission approve the short-term rental at 3311 Halibut Point Road subject to the recommended conditions of approval.

BACKGROUND/PROJECT DESCRIPTION

The following request is for a conditional use permit for short-term rental (STR) for a single-family home structure. The home to be rented is 1,664 square feet with 3 bedrooms and 3 bathrooms. The home is equipped as a functioning, full-time residence with adequate space and facilities for eating, cooking, sleeping, and bathing as well as a garage. The rental is to be managed by a property manager, Ellen Leuders. The home is adjacent to single-family dwellings and duplex dwellings.

ANALYSIS

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

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

Applicant does not anticipate significant increase in vehicular traffic nor impact from proposed use as there is parking on-site, meeting the Sitka General Code requirement to afford space for two vehicles per dwelling unit. The applicant plans to also provide parking space within the two-car garage.

b. Amount of noise to be generated and its impacts on surrounding land use: Short term rentals have the potential to create noise from transient guests, however a property manager will be available to address noise issues. Owners also plan to maintain a dwelling unit on the property and should be able to monitor noise.

c. Odors to be generated by the use and their impacts: Potential odor impacts are minimal and in line with similar residential uses. Garbage shall be disposed of in a municipal container and in accordance with Sitka General Code requirements.

d. Hours of operation: Available year-round.

e. Location along a major or collector street: Accessed from state highway, Halibut Point Road.

f. Potential for users or clients to access the site through residential areas or substandard street creating a cut-through traffic scenario: There is only one way to access the property, potential for cut-through traffic does not exist.

g. Effects on vehicular and pedestrian safety: No significant changes expected, minimal traffic with one or two cars utilized for the rental.

¹ § 22.24.010.E

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

Residence has reasonable access from Halibut Point Road. Applicant does not anticipate a change from the current ability of emergency services personnel to access the site.

i. Logic of the internal traffic layout:

The rental unit is a single dwelling unit with two stories. The first story has a kitchen, living room, dining room, and bathroom. The second story has 3 bedrooms and two bathrooms. There is also a two-car garage.

j. Effects of signage on nearby uses:

No signage proposed. All signs shall comply with Sitka General Code.

k. Presence of existing or proposed buffers on the site or immediately adjacent the site:

There is some vegetation between neighboring properties, property is adjacent to waterfront on one side.

l. Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan:

An STR can help support the existing and growing tourism industry by providing transient guests with short-term housing options that allow the potential for more visitors to visit Sitka, bringing in money and creating opportunities for job creation and economic development. STRs also increase the affordability of housing for owners by offsetting housing costs with rental income. However, STRs correlate with negative impacts to available housing stock for residents, long-term rental rates, and increased purchase prices for housing.

m. Other criteria that surface through public comments or planning commission review:

None.

RECOMMENDATION

The Planning Department recommends that the Planning Commission approve the conditional use permit application for a short-term rental at 3311 Halibut Point Road subject to the recommended conditions of approval.

.....

ATTACHMENTS

Attachment A: Aerial

Attachment B: STR Density

Attachment C: Floor Plan

Attachment D: Photos

Attachment E: Plat

Attachment F: Renter Handout

Attachment G: Application

CONDITIONS OF APPROVAL

1. Contingent upon a completed satisfactory life safety inspection.
2. The facility shall be operated consistent with the application, narrative, and plans that were submitted with the request.
3. The applicant shall submit an annual report beginning in 2021, covering the information on the form prepared by the Municipality, summarizing the number of nights the facility has been rented over the twelve month period starting with the date the facility began operation, bed tax remitted, any violations, concerns, and solutions implemented. The report is due within thirty days following the end of the reporting period.
4. The Planning Commission, at its discretion, may schedule a public hearing at any time for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties upon receipt of meritorious complaint or evidence of violation of conditions of approval.
5. Failure to comply with all applicable tax laws, including but not limited to remittance of all sales and 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 the impact of odor from the short term rental and comply with bear attraction nuisance requirements, the property owner shall assure all trash is deposited in trash receptacles and only placed on street for collection after 4:00 a.m. on trash collection day.
8. To mitigate parking and traffic impacts, property owner shall provide detailed parking and traffic rules, and shall ensure all parking for all uses (residential or short-term rental) shall occur off-street, on-site, and further that should off-site parking occur at any time, the conditional use permit shall be revoked.
9. Any signs must comply with Sitka General Code 22.20.090.
10. A detailed rental overview shall be provided to renters detailing directions to the unit, transportation options, appropriate access, parking, trash management, noise control/quiet hours, and a general condition to respect the surrounding residential neighborhood. The renter handout shall include an advisory note to tenants to be mindful of vehicle and especially pedestrian traffic in the area, and to exercise caution coming and going from the property in motor vehicles.
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.

Motions in favor of approval

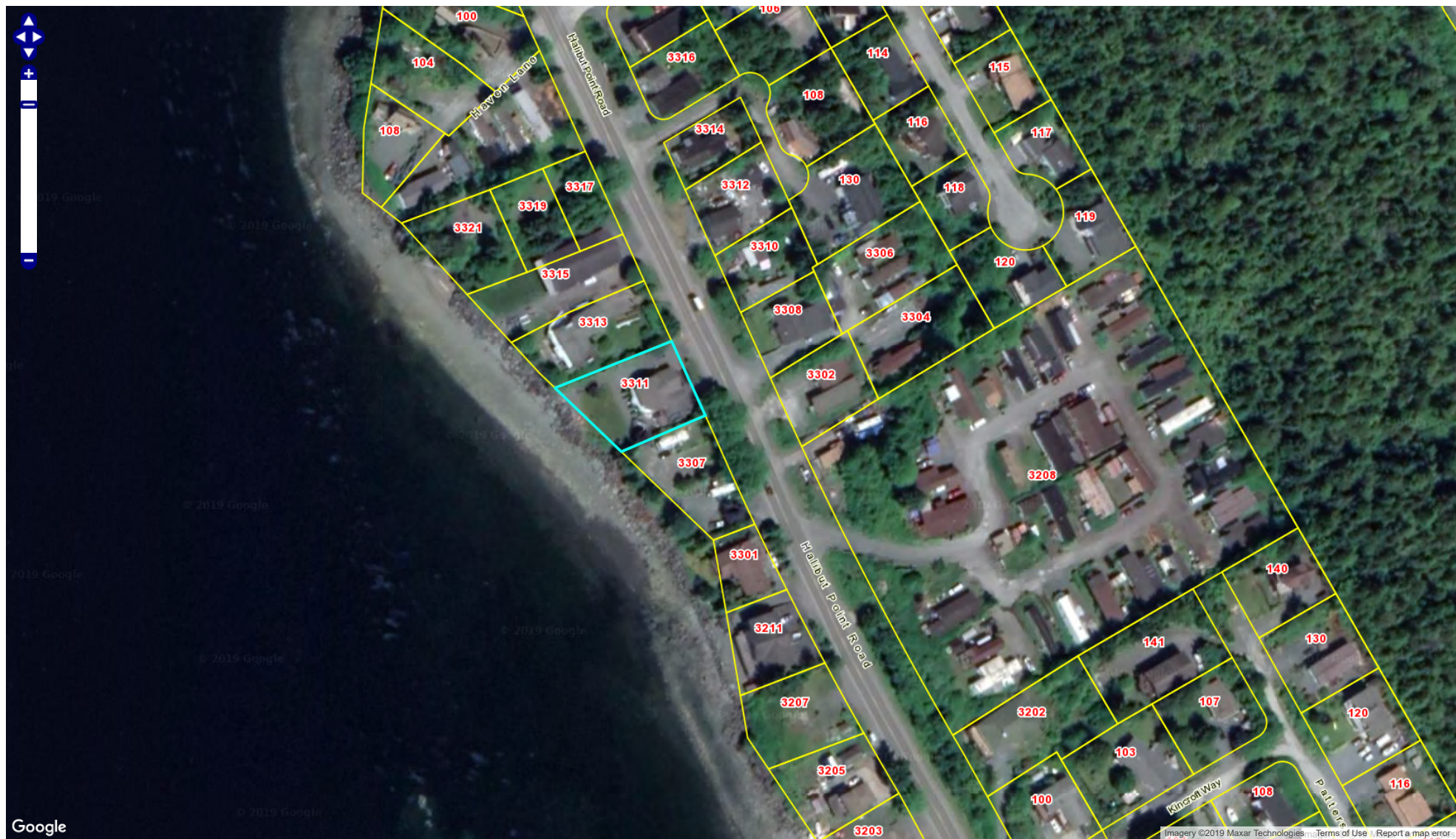
- 1) “I move to approve the conditional use permit for a short-term rental at 3311 Halibut Point Road in the R-2 MHP single-family, duplex, and manufactured home district subject to the attached conditions of approval. The property is also known as Lot 6, Rodgers Subdivision. The request is filed by Mike and Eileen Chambers. The owners of record are Mike and Eileen Chambers.”
- 2) “I move to adopt the required findings for conditional use permits.”

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

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

- a. Be detrimental to the public health, safety, and general welfare; *specifically, conditions of approval require responsible management of garbage, noise, traffic, and parking, which will be monitored and enforced by the applicant.***
 - b. Adversely affect the established character of the surrounding vicinity; *specifically, the rental makes use of an already developed single-family home with owner/manager monitoring the property.***
 - c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site in which the proposed use is to be located; *specifically, by the enforcement of mitigation for potential impacts including traffic, odor, noise, and 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, to help sustain the existing and growing tourism industry in support of economic development goals and objectives to increase employment and attract new business.***
- 3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced; *specifically, the applicant will monitor the property to enforce conditions 24/7. Violation of the rules provided in the rental overview may be grounds for eviction.***

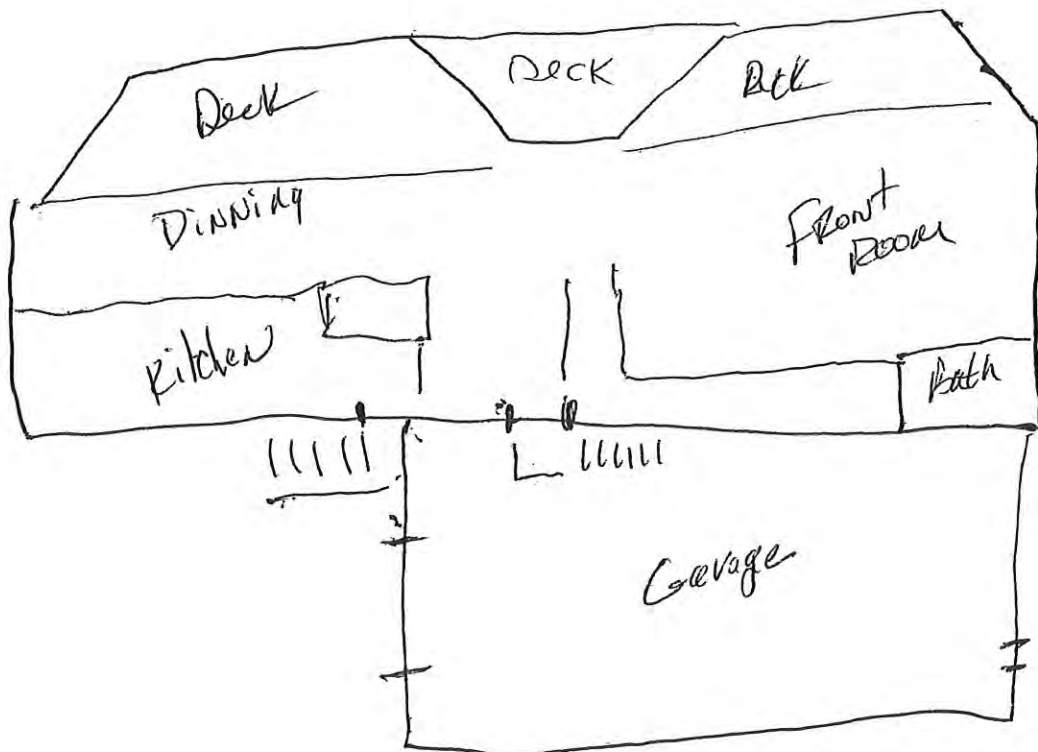
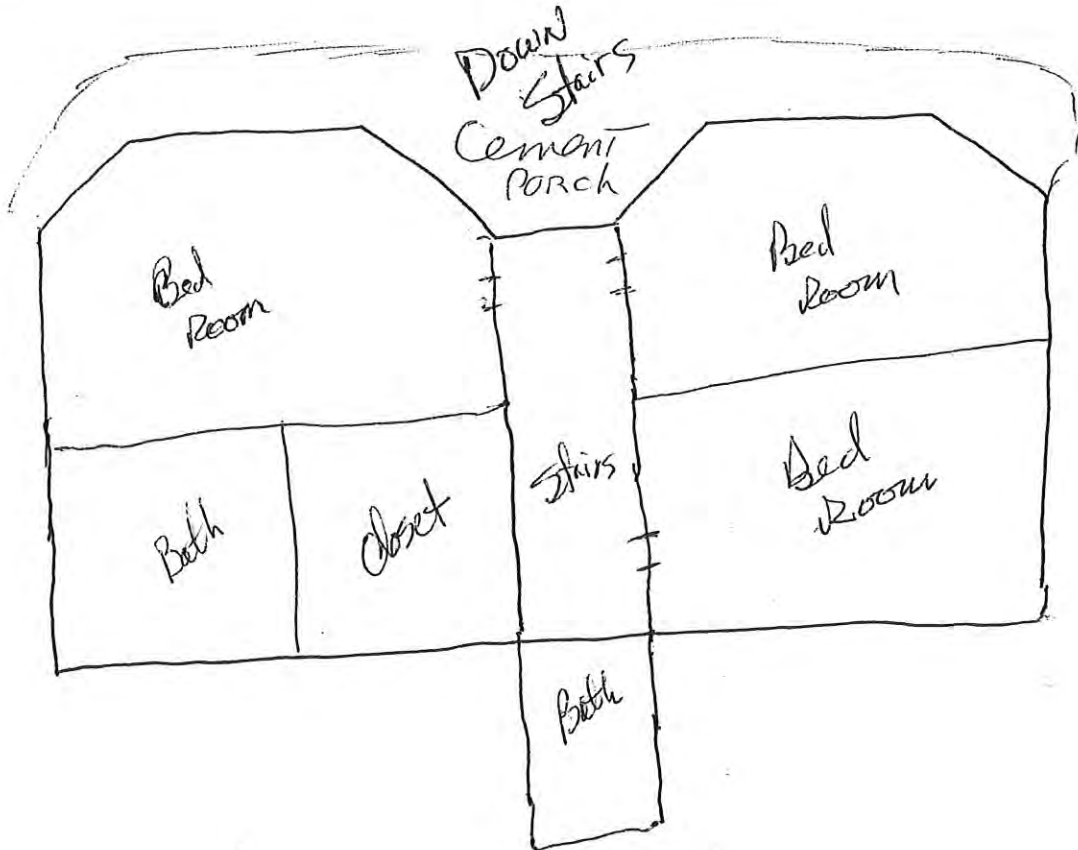
² §22.30.160(C)—Required Findings for Conditional Use Permits



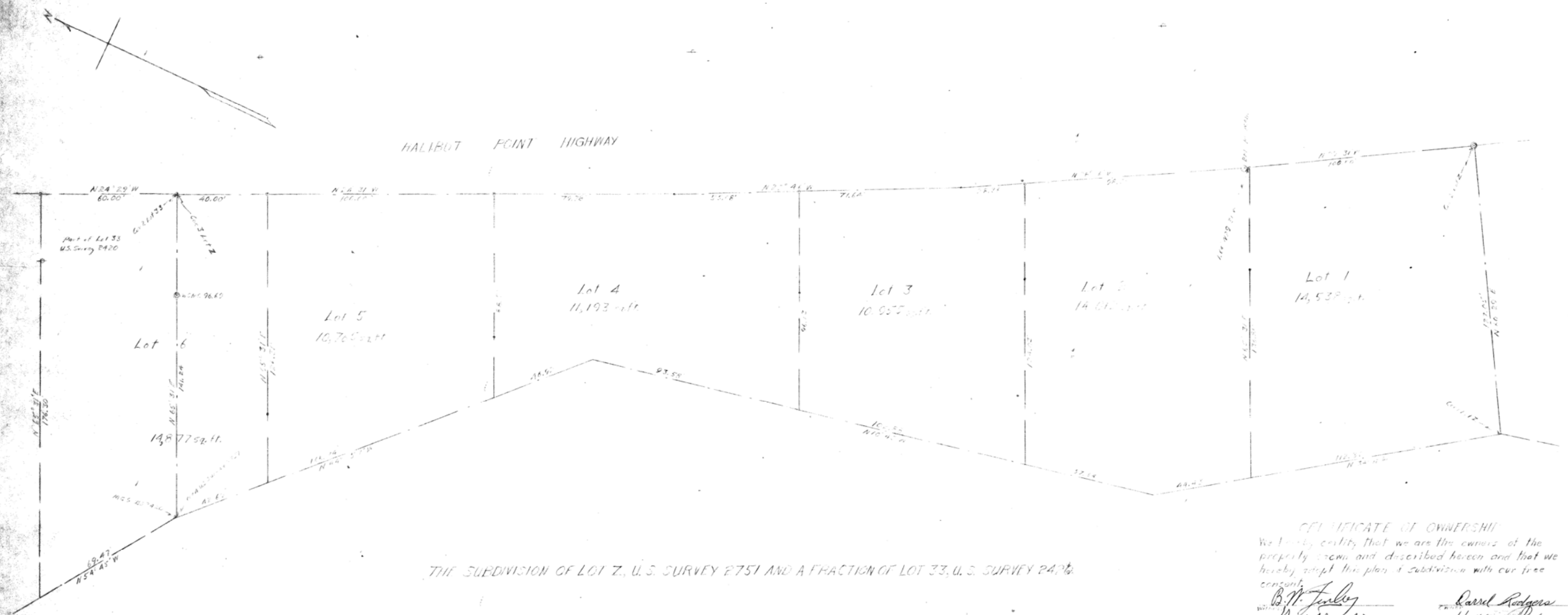


3311 Nalibu Point Road

SITKA SOUND







Legend

Bears Monument

Lot Corner Stake with iron Stake

Without Mark, to Lot Line

Boundary Lot Z

Power Lines

THE SUBDIVISION OF LOT Z, U.S. SURVEY 2751 AND A FRACTION OF LOT 33, U.S. SURVEY 2420.

CERTIFICATE OF OWNERSHIP

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.

B. M. Finley
Quinn
Harrel Rodgers
Hettie Rodgers

Notary's Acknowledgment: *S. E. Knute District Magistrate*
 My Commission Expires: _____

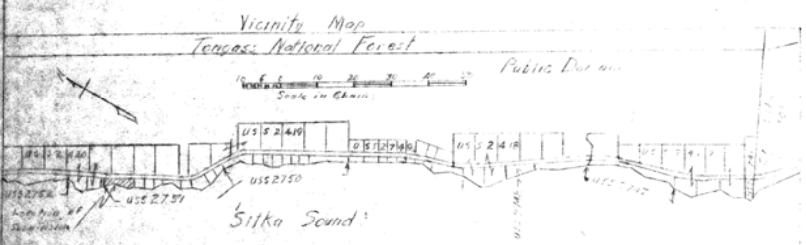
CERTIFICATE OF REGISTERED ENGINEER

I hereby certify that I am a registered professional engineer and that this Plot represents the survey made by me, and the monuments shown thereof actually exist as locates, and that all dimensional and other details are correct.

July 18, 1962

John D. Ballard
 Registered Professional Engineer

RECORDED FILED
 JUL 25 1962
 DATE 7-25-1962
 TIME 4:30 P.M.
 REGISTERED BY *Harrel Rodgers*
 DRAWN BY *John D. Ballard*



SITKA.
 Serial No. 62-44

Drawer # 1

No 23

Galt

filed 7-26-62

File # 23

Sub-Div. of Lot 'Z'
18 survey 2751

and Fraction of Lot 33
18 survey 2420

3311 HPR

FOR OUR GUESTS

#1 ENJOY OUR LOVELY TOWN OF SITKA: HISTORY
CULTURE
BEAUTY

MAP INCLUDED TOGETHER WITH BROCHURE PROVIDED BY CITY OF SITKA

TO ACCESS OUR HOME, BOTH GARAGE DOOR OPENER AND HOUSE KEYS PROVIDED AT TIME OF ARRIVAL

KEYS FOR AUTO (IF YOU DECIDE TO USE) ALSO PROVIDED UPON ARRIVAL

IN CASE OF EMERGENCY PLEASE CONTACT ELLEN LEUDERS, CELL# 907 623 0957

PLEASE BE THOUGHTFUL OF ALL NEIGHBORS, NO EXCESSIVE NOISE AFTER 9/ 10PM SOME OF YOUR NEIGHBORS ARE FISHERMAN AND WAKE AT 4 AM IF NOT SOONER. THANK YOU FOR YOUR UNDERSTANDING.

GARBAGE PICK UP IS EVERY FRIDAY. PLEASE: GARBAGE CAN IS TAKEN TO STREET NO EARLIER THAN 4AM. DO NOT TAKE CONTAINER THE NIGHT BEFOR DUE TO THE CURIOSITY OF THE "BEARS"

THANK YOU FOR ENJOYING OUR HOSPITALITY. IF THERE IS SOMETHING WE HAVE FORGOTTEN TO MAKE YOUR STAY MORE ENJOYABLE DON'T HESITATE TO ADVISE US.

HAVE A WONDERFUL TIME

3311 HAR



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

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

APPLICATION FOR:

☐

VARIANCE

☐

CONDITIONAL USE

☐

ZONING AMENDMENT

☐

PLAT/SUBDIVISION

BRIEF DESCRIPTION OF REQUEST:

looking to do short term rental

PROPERTY INFORMATION:

CURRENT ZONING: R-2 MHP PROPOSED ZONING (if applicable): residential

CURRENT LAND USE(S): residential PROPOSED LAND USES (if changing): same

APPLICANT INFORMATION:

PROPERTY OWNER: Mike & Eileen Chambers

PROPERTY OWNER ADDRESS: 3311 Halibut Point Road

STREET ADDRESS OF PROPERTY: 3311 Halibut Point Road

APPLICANT'S NAME: Mike & Eileen Chambers

MAILING ADDRESS: above

EMAIL ADDRESS: chmbrsmuc@aol.com DAYTIME PHONE: 208-291-6420

PROPERTY LEGAL DESCRIPTION:

TAX ID: 2.5497 LOT: 4 BLOCK: _____ TRACT: _____

SUBDIVISION: Rodgers US SURVEY: 2751 & portion of lot 22
US Survey 2920

REQUIRED INFORMATION:

For All Applications:

- ☐ Completed General Application form
- ☐ Supplemental Application (Variance, CUP, Plat, Zoning Amendment)
- ☐ Site Plan showing all existing and proposed structures with dimensions and location of utilities
- ☐ Floor Plan for all structures and showing use of those structures
- ☐ Copy of Deed (find in purchase documents or at Alaska Recorder's Office website)
- ☐ Copy of current plat (find in purchase documents or at Alaska Recorder's Office website)
- ☐ Site photos showing all angles of structures, property lines, street access, and parking – emailed to planning@cityofsitka.org or printed in color on 8.5" x 11" paper
- ☒ Proof of filing fee payment \$100 + tax

For Marijuana Enterprise Conditional Use Permits Only:

- ☐ AMCO Application

For Short-Term Rentals and B&Bs:

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

CERTIFICATION:

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

Michael E Chambers
Owner
[Signature]
Owner

8-28-19
Date
8-28-19
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

CHAMBERS
Last Name

8-28-19
Date Submitted

100 Kahala Drive
3311 Halibut Pt Rd
Project Address



CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
SUPPLEMENTAL APPLICATION FORM
CONDITIONAL USE PERMIT

APPLICATION FOR

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

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:
No change
- Amount of noise to be generated and its impacts on surrounding land use: No change
- Odors to be generated by the use and their impacts: No change
- Hours of operation: NORMAL / VARIES
- Location along a major or collector street: yes -
- Potential for users or clients to access the site through residential areas or substandard street creating a cut through traffic scenario: NO
- Effects on vehicular and pedestrian safety: NONE

CHAMBERS
Last Name

8-28-2018
Date Submitted

100 Kuhnle Drive
Project Address SITKA
3311 Halibut Pt Rd
SITKA

- Ability of the police, fire, and EMS personnel to respond to emergency calls on the site: Excellent
- Logic of the internal traffic layout: SAME / NO change
- Effects of signage on nearby uses: NONE
- Presence of existing or proposed buffers on the site or immediately adjacent the site: NONE
- 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):
No changes -
- Other criteria that surface through public comments or planning commission review (odor, security, safety, waste management, etc.):
No changes -

CHAMBERS
Last Name

8-28-2019
Date Submitted

100 Kuhalo Drive
Project Address SITKA
3311 Halibut Pt Rd.
SITKA AK

REQUIRED FINDINGS (SGC 22.30.160(C):

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

a. Be detrimental to the public health, safety, and general welfare because _____

No changes to existing property or adjacent properties

b. Adversely affect the established character of the surrounding vicinity, because _____

No changes; 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, No changes

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 ED 1.6.5 which states Support growth
of Sitka independent cause related & heritage related
because the proposal offering more places to stay & a true
feel of Sitka

3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and

enforced, because we are cooperative and agreeable to

any suggestions reasonable

ANY ADDITIONAL COMMENTS _____

Mike and Eileen
Applicant

8-28-2019
Date

Chambers
Last Name

8-28-2019
Date Submitted

100 Kahalo Drive
3311 Halibut Pt. Rd.
Sitka AK
Project Address



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 20-03
Proposal: Request for short-term rental at 1818 Edgecumbe Drive
Applicant: Sondra Lundvick
Owner: James & Sondra Lundvick
Location: 1818 Edgecumbe Drive
Legal: Lot 12B, Standerwick Subdivision, USS 3806
Zone: R-1 single-family and duplex residential district
Size: 12,284 square feet
Parcel ID: 24555002
Existing Use: Residential
Adjacent Use: Single-family housing
Utilities: Existing
Access: Edgecumbe Drive

KEY POINTS AND CONCERNS

- Neighborhood is residential, including single-family and multi-family dwellings.
- The short-term rental is in a standalone structure housing one dwelling unit.
- The renter information handout shall comply with conditions of approval, specifically regarding access, parking, quiet hours, trash management, transportation, and respect for the neighborhood.
- Short-term rentals have impacts to long-term rentals and home values. This is important to note regarding this specific proposal and STRs at large.
- Short-term rental approved next door at 1820 Edgecumbe was rented for 58 nights in 2019. Proposed 1818 rental is for June/July only, neither is a year-round, high frequency occupation. No other short-term rentals are in the vicinity.

RECOMMENDATION

Staff recommends that the Planning Commission approve the short-term rental at 1818 Edgecumbe Drive subject to the recommended conditions of approval.

BACKGROUND/PROJECT DESCRIPTION

This request is for a conditional use permit for short-term rental (STR) for a 3 bedroom, 2 ½ bath single dwelling unit building. The owner intends to have the unit available for short term rental during the months of June and July while they travel.

ANALYSIS

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

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

Applicant does not anticipate significant increase in vehicular traffic nor impact from proposed use as there is parking on-site, namely space for at least two cars. This meets the Sitka General Code requirement to afford space for two vehicles per dwelling unit.

b. Amount of noise to be generated and its impacts on surrounding land use: Short term rentals have the potential to create noise from transient guests. Professional management will be a point of contact for issues/complaints.

c. Odors to be generated by the use and their impacts: Potential odor impacts are minimal and in line with similar residential uses. Garbage shall be disposed of in municipal container and in accordance with Sitka General Code requirements.

d. Hours of operation: The proposal is to book rentals during June and July.

e. Location along a major or collector street: Easement to Edgecumbe Drive.

f. Potential for users or clients to access the site through residential areas or substandard street creating a cut-through traffic scenario: Property is adjacent to Edgecumbe Drive and is accessed via easement. There is no access to other streets from the property.

g. Effects on vehicular and pedestrian safety: No significant changes expected, minimal increase in traffic.

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

Residence has reasonable access off Edgecumbe Drive. Applicant does not anticipate a change from the current ability of emergency services personnel to access the site.

i. Logic of the internal traffic layout: The rental unit is a two-story single-family residence without shared common spaces.

¹ § 22.24.010.E

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

k. Presence of existing or proposed buffers on the site or immediately adjacent the site: Natural buffers of bushes and trees on the site, as well as buffering due to elevation, a rock wall, and a fence.

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

m. Other criteria that surface through public comments or planning commission review: Not applicable at this time.

RECOMMENDATION

The Planning Department recommends that the Planning Commission approve the conditional use permit application for a short-term rental at 1818 Edgumbe Drive subject to the recommended conditions of approval.

.....

ATTACHMENTS

Attachment A: Aerial

Attachment B: STR Density

Attachment C: Floor Plan

Attachment D: Photos

Attachment E: Renter Handout

Attachment F: Applicant Materials

CONDITIONS OF APPROVAL

1. Contingent upon a completed satisfactory life safety inspection.
2. The facility shall be operated consistent with the application, narrative, and plans that were submitted with the request.
3. The applicant shall submit an annual report beginning in 2021, covering the information on the form prepared by the Municipality, summarizing the number of nights the facility has been rented over the twelve month period starting with the date the facility began operation, bed tax remitted, any violations, concerns, and solutions implemented. The report is due within thirty days following the end of the reporting period.
4. The Planning Commission, at its discretion, may schedule a public hearing at any time for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties upon receipt of meritorious complaint or evidence of violation of conditions of approval.
5. Failure to comply with all applicable tax laws, including but not limited to remittance of all sales and 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 the impact of odor from the short-term rental and comply with bear attraction nuisance requirements, the property owner shall assure all trash is deposited in trash receptacles and only placed on street for collection after 4:00 a.m. on trash collection day.
8. To mitigate parking and traffic impacts, property owner shall provide detailed parking and traffic rules, and shall ensure all parking for all uses (residential or short-term rental) shall occur off-street, on-site, and further that should off-site parking occur at any time, the conditional use permit shall be revoked.
9. Any signs must comply with Sitka General Code 22.20.090.
10. A detailed rental overview shall be provided to renters detailing directions to the unit, transportation options, appropriate access, parking, trash management, noise control/quiet hours, and a general condition to respect the surrounding residential neighborhood. The renter handout shall include an advisory note to tenants to be mindful of vehicle and especially pedestrian traffic in the area, and to exercise caution coming and going from the property in motor vehicles.
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.

Motions in favor of approval

- 1) I move to approve the conditional use permit for a short-term rental at 1818 Edgecumbe Drive in the R-1 single family and duplex residential zoning district, subject to the attached conditions of approval. The property is also known as Lot 12B, Standerwick Subdivision. The request is filed by Sondra Lundvick. The owners of record are James and Sondra Lundvick.
- 2) I move to adopt and approve the required findings for conditional use permits. The Planning Commission shall not approve a proposed development unless it first makes the following findings and conclusions:²

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

- a. **Be detrimental to the public health, safety, and general welfare; specifically, conditions of approval require responsible management of garbage, noise, traffic, and parking, which will be monitored and enforced by the applicant.**
 - b. **Adversely affect the established character of the surrounding vicinity; specifically, the rental makes use of an already developed single-family home.**
 - c. **Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site in which the proposed use is to be located; specifically, by the enforcement of mitigation for potential impacts including traffic, odor, noise, and 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, to help sustain the existing and growing tourism industry in support of economic development goals and objectives to increase employment and attract new business.**
 3. **All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced; specifically, the applicant will monitor the property to enforce conditions 24/7. Violation of the rules provided in the rental overview may be grounds for eviction.**

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



Dodge Circle

Cascade Creek Road

Edgecumbe Drive

1921

1910

1905

1903

211

1900

1860

1840

1906

205

1919

1904

1830

201

206

1905

Dodge Circle

204

1907

1903

1816

1818

1820

1822

1901

1815

115

200

107

111

114

1812

1814

1810

116

1809

105

112

118

1806

1808

1804

108

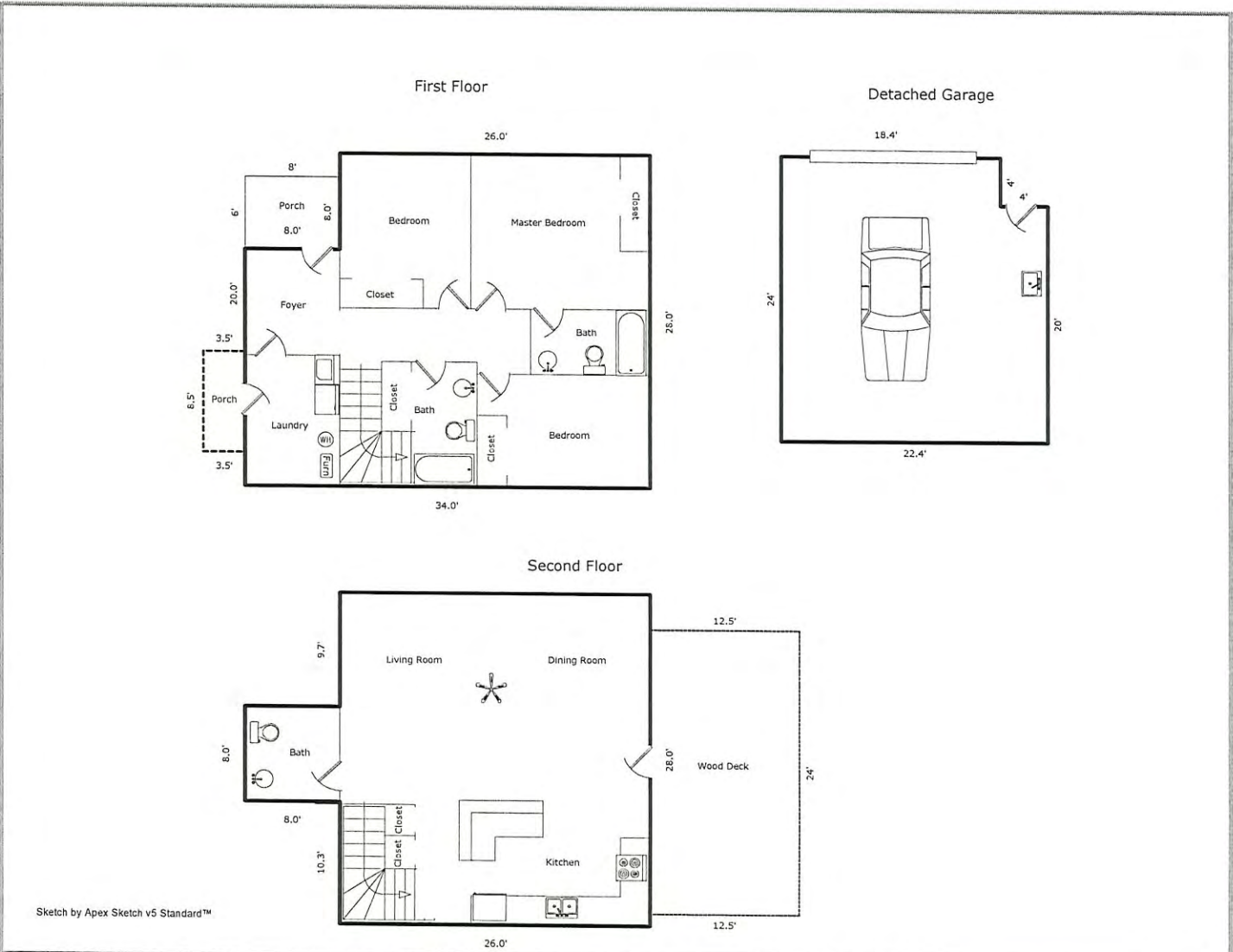
305

1802



Building Sketch

Borrower	Lundvick, James				
Property Address	1818 Edgecumbe Dr				
City	Sitka	County	Sitka	State	AK
				Zip Code	99835
Lender/Client	Homestreet Bank/VA				



Sketch by Apex Sketch v5 Standard™

Comments: Note: Interior walls are not to scale.All program calculations are approximate.

AREA CALCULATIONS SUMMARY			
Code	Description	Net Size	Net Totals
GLA1	First Floor	888.00	888.00
GLA2	Second Floor	792.00	792.00
GAR	Garage	521.60	521.60
P/P	Porch	48.00	
	Porch	29.75	
	Deck	300.00	377.75

LIVING AREA BREAKDOWN			
Breakdown			Subtotals
First Floor			
8.0	x	26.0	208.00
20.0	x	34.0	680.00
Second Floor			
9.7	x	26.0	251.42
10.3	x	26.0	268.58
8.0	x	34.0	272.00

Net LIVABLE Area

(rounded)

1680

5 Items

(rounded)

1680

Subject Photos

Borrower	Lundvick, James				
Property Address	1818 Edgcumbe Dr				
City	Sitka	County	Sitka	State	AK
Lender/Client	Homestreet Bank/VA	Zip Code	99835		



Subject Front
1818 Edgcumbe Dr



Subject Rear



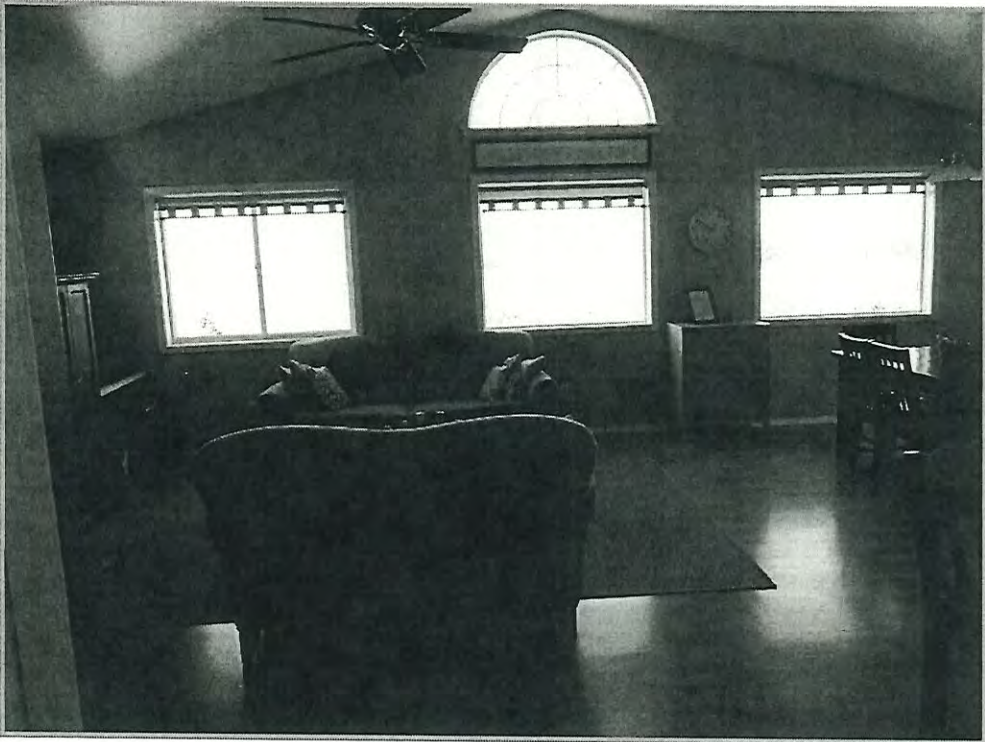
Subject Street

Photograph Addendum

Borrower	Lundvick, James				
Property Address	1818 Edgecumbe Dr				
City	Sitka	County	Sitka	State	AK
Lender/Client	Homestreet Bank/VA	Zip Code	99835		



Detached Garage



Main Living Area



Kitchen



James and Sondra Lundvick

1818 Edgecumbe Drive

Sitka, Ak. 99835

Directions-From the airport: Cross the bridge into town. Go straight through the stop light and proceed to the roundabout. Take the third right onto Halibut Point road. Turn right onto Cascade Creek road. Turn right onto Edgecumbe Drive. Turn left onto gravel drive (1818 Edgecumbe Drive) and take the second drive to the right next to rock wall.

Parking-After pulling up the driveway next to the rock wall, park straight in at the end of the driveway (2 spaces)

Garbage-There is a garbage can located outside on the second story deck, store garbage in the can with the cover on. Do not put trash any where else on the property as there are bears in the area. Garbage day is Thursday, and the can next to the garage should be loaded and left on Edgecumbe Drive on the right side of the driveway

Problems or Questions- Contact Christine McGraw at (907)-738-0176



CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT GENERAL APPLICATION FORM

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

APPLICATION FOR:

☐

VARIANCE

☒

CONDITIONAL USE

☐

ZONING AMENDMENT

☐

PLAT/SUBDIVISION

BRIEF DESCRIPTION OF REQUEST: WE WOULD LIKE TO MAKE
OUR HOUSE A SHORT TERM RENTAL PROPERTY
DURING THE SUMMER MONTHS

PROPERTY INFORMATION:

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

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

APPLICANT INFORMATION:

PROPERTY OWNER: JAMES, SONORA LUNDVICK

PROPERTY OWNER ADDRESS: 1818 EDGE CUMBE DRIVE

STREET ADDRESS OF PROPERTY: 1818 EDGE CUMBE DRIVE

APPLICANT'S NAME: SONORA LUNDVICK

MAILING ADDRESS: 1818 EDGE CUMBE DR. SITKA, AK. 99835

EMAIL ADDRESS: SLUNDVICK@HOTMAIL.COM DAYTIME PHONE: (907) 752-4904

PROPERTY LEGAL DESCRIPTION:

PLAT 98-17

TAX ID: _____ LOT: 12B BLOCK: _____ TRACT: _____

SUBDIVISION: STANDERWICK US SURVEY: _____

REQUIRED INFORMATION:

For All Applications:

- ☐ Completed General Application form
- ☐ Supplemental Application (Variance, CUP, Plat, Zoning Amendment)
- ☐ Site Plan showing all existing and proposed structures with dimensions and location of utilities
- ☐ Floor Plan for all structures and showing use of those structures
- ☐ Copy of Deed (find in purchase documents or at Alaska Recorder's Office website)
- ☐ Copy of current plat (find in purchase documents or at Alaska Recorder's Office website)
- ☐ Site photos showing all angles of structures, property lines, street access, and parking – emailed to planning@cityofsitka.org or printed in color on 8.5" x 11" paper
- ☐ Proof of filing fee payment

For Marijuana Enterprise Conditional Use Permits Only:

- ☐ AMCO Application

For Short-Term Rentals and B&Bs:

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

CERTIFICATION:

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

Owner

Date

Owner

Date

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

Applicant (If different than owner)

Date

Last Name

Date Submitted

Project Address



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 20-06
Proposal: Request for short-term rental at 2625 Halibut Point Road
Applicant: David Adams
Owner: David Adams
Location: 2625 Halibut Point Road
Legal: Portion No. 3 of Lot L, US Survey No. 2750
Zone: R-2 MHP Multifamily and mobile home district
Size: 22,800 square feet
Parcel ID: 25410000
Existing Use: Residential
Adjacent Use: Mobile/manufactured home park, single-family housing
Utilities: Existing
Access: Halibut Point Road

KEY POINTS AND CONCERNS

- Neighborhood is residential, including mobile/manufactured homes and some single-family homes.
- The short-term rental is a renovated bus that has been registered as a recreational vehicle (RV). The unit cannot be used for long-term residential occupancy (greater than 180 days per year) per building code requirement.
- The renter information handout shall comply with conditions of approval, specifically regarding access, parking, quiet hours, trash management, transportation, and respect for the neighborhood.
- Short-term rentals have impacts to long-term rentals and home values. This is important to note regarding STRs at large. However, this particular unit cannot be used for long-term habitation (owner-occupied or rental) for more than 180 days, so its impact on long-term housing is different than that of a traditional dwelling unit.

RECOMMENDATION

Staff recommends that the Planning Commission approve the short-term rental at 2625 Halibut Point Road subject to the recommended conditions of approval.

BACKGROUND/PROJECT DESCRIPTION

This request is for a conditional use permit for short-term rental (STR) for a renovated bus that has been registered with the DMV as an RV. It has a full sized bed and a couch/bunk, along with a galley style kitchen, couch/rec area, and bathroom. The owner of the RV uses it intermittently in the summer while he fishes, and wishes to rent it out when it would otherwise be vacant.

The zoning code does not specifically address using RVs as short-term rentals. However, SGC 22.24.010(C)(2)(e) states “*Short-term rentals may only be approved for mobile homes that are located along streets maintained by the city and borough or the state of Alaska.*” Staff has historically interpreted this to mean that dwellings such as mobile homes, manufactured homes, and RVs cannot be used as short-term rentals if they are within a mobile home park that relies on a common access drive in. While this RV is technically in a mobile home park, vehicular access comes in from Halibut Point Road, a State maintained ROW. The Commission should consider this in their deliberation.

ANALYSIS

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

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

Applicant does not anticipate significant increase in vehicular traffic nor impact from proposed use as there is parking on-site, namely space for at least two cars. This meets the Sitka General Code requirement to afford space for two vehicles per dwelling unit.

b. Amount of noise to be generated and its impacts on surrounding land use: Short term rentals have the potential to create noise from transient guests. The owner has indicated that there is family nearby to help manage the rental.

c. Odors to be generated by the use and their impacts: Potential odor impacts are minimal and in line with similar residential uses. Garbage shall be disposed of in municipal container and in accordance with Sitka General Code requirements.

d. Hours of operation: Available May – September

e. Location along a major or collector street: Halibut Point Road, State of Alaska Highway

¹ § 22.24.010.E

f. Potential for users or clients to access the site through residential areas or substandard street creating a cut-through traffic scenario: Property is located directly off Halibut Point Road, there is no ability to access the property with a vehicle from any other route.

g. Effects on vehicular and pedestrian safety: No significant changes expected, minimal increase in traffic ingress and egress from the property.

h. Ability of the police, fire, and EMS personnel to respond to emergency calls on the site: Residence has reasonable access from Halibut Point Road. Applicant does not anticipate a change from the current ability of emergency services personnel to access the site.

i. Logic of the internal traffic layout: Converted bus to RV. Open layout with a couch/bunk, full size bed in back, galley kitchen, living space, and bathroom.

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

k. Presence of existing or proposed buffers on the site or immediately adjacent the site: Natural buffers of bushes and trees on the site, as well as buffering due to elevation, and proximity to ocean frontage.

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

m. Other criteria that surface through public comments or planning commission review: Not applicable at this time.

RECOMMENDATION

The Planning Department recommends that the Planning Commission approve the conditional use permit application for a short-term rental at 2625 Halibut Point Road subject to the recommended conditions of approval.

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ATTACHMENTS

Attachment A: Aerial

Attachment B: STR Density

Attachment C: Floor Plan
Attachment D: Photos
Attachment E: Renter Handout
Attachment F: Applicant Materials

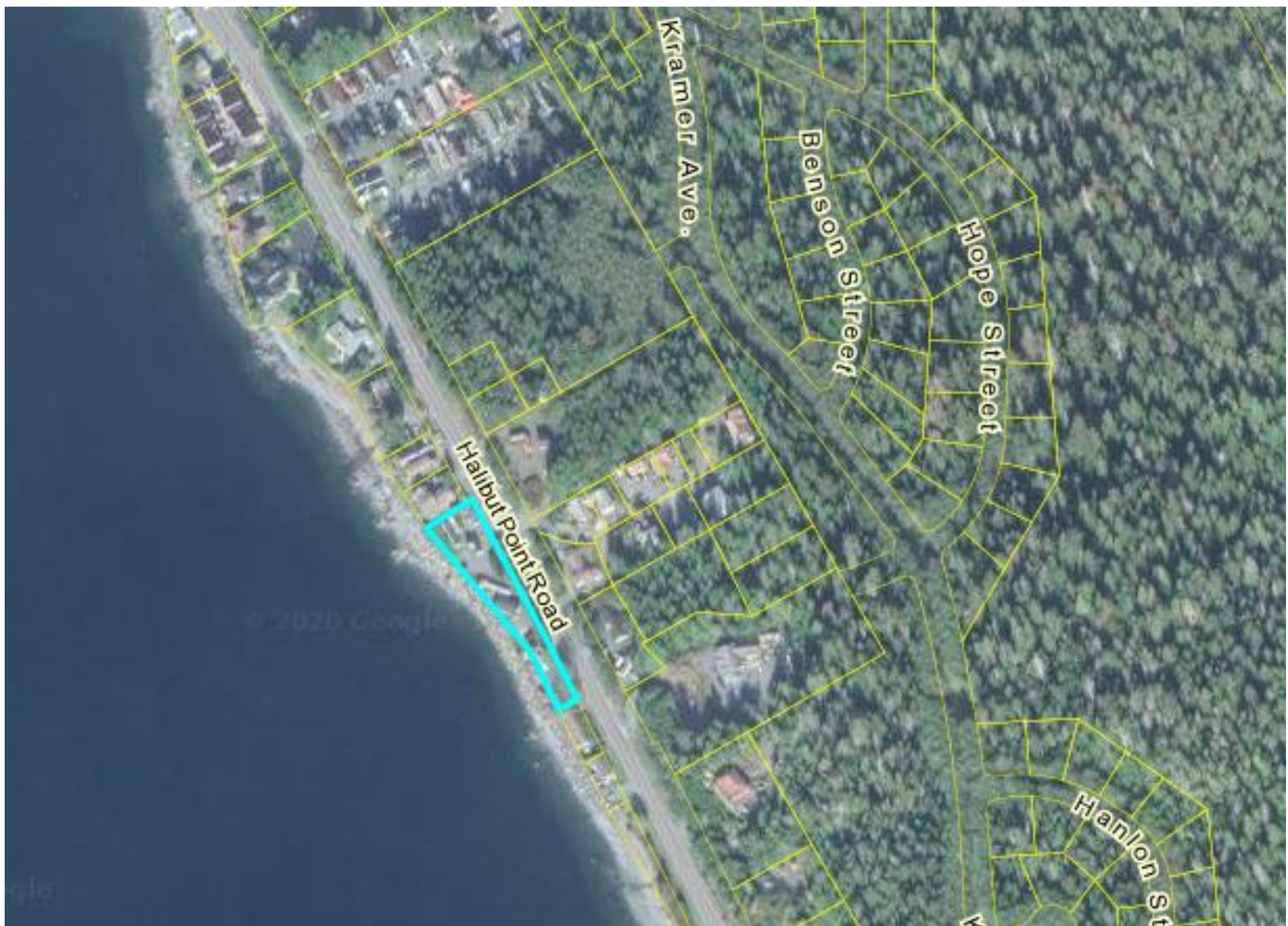
CONDITIONS OF APPROVAL

1. Contingent upon a completed satisfactory life safety inspection.
2. The facility shall be operated consistent with the application, narrative, and plans that were submitted with the request.
3. The applicant shall submit an annual report beginning in 2021, covering the information on the form prepared by the Municipality, summarizing the number of nights the facility has been rented over the twelve month period starting with the date the facility began operation, bed tax remitted, any violations, concerns, and solutions implemented. The report is due within thirty days following the end of the reporting period.
4. The Planning Commission, at its discretion, may schedule a public hearing at any time for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties upon receipt of meritorious complaint or evidence of violation of conditions of approval.
5. Failure to comply with all applicable tax laws, including but not limited to remittance of all sales and 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 the impact of odor from the short-term rental and comply with bear attraction nuisance requirements, the property owner shall assure all trash is deposited in trash receptacles and only placed on street for collection after 4:00 a.m. on trash collection day.
8. To mitigate parking and traffic impacts, property owner shall provide detailed parking and traffic rules, and shall ensure all parking for all uses (residential or short-term rental) shall occur off-street, on-site, and further that should off-site parking occur at any time, the conditional use permit shall be revoked.
9. Any signs must comply with Sitka General Code 22.20.090.
10. A detailed rental overview shall be provided to renters detailing directions to the unit, transportation options, appropriate access, parking, trash management, noise control/quiet hours, and a general condition to respect the surrounding residential neighborhood. The renter handout shall include an advisory note to tenants to be mindful of vehicle and especially pedestrian traffic in the area, and to exercise caution coming and going from the property in motor vehicles.
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.

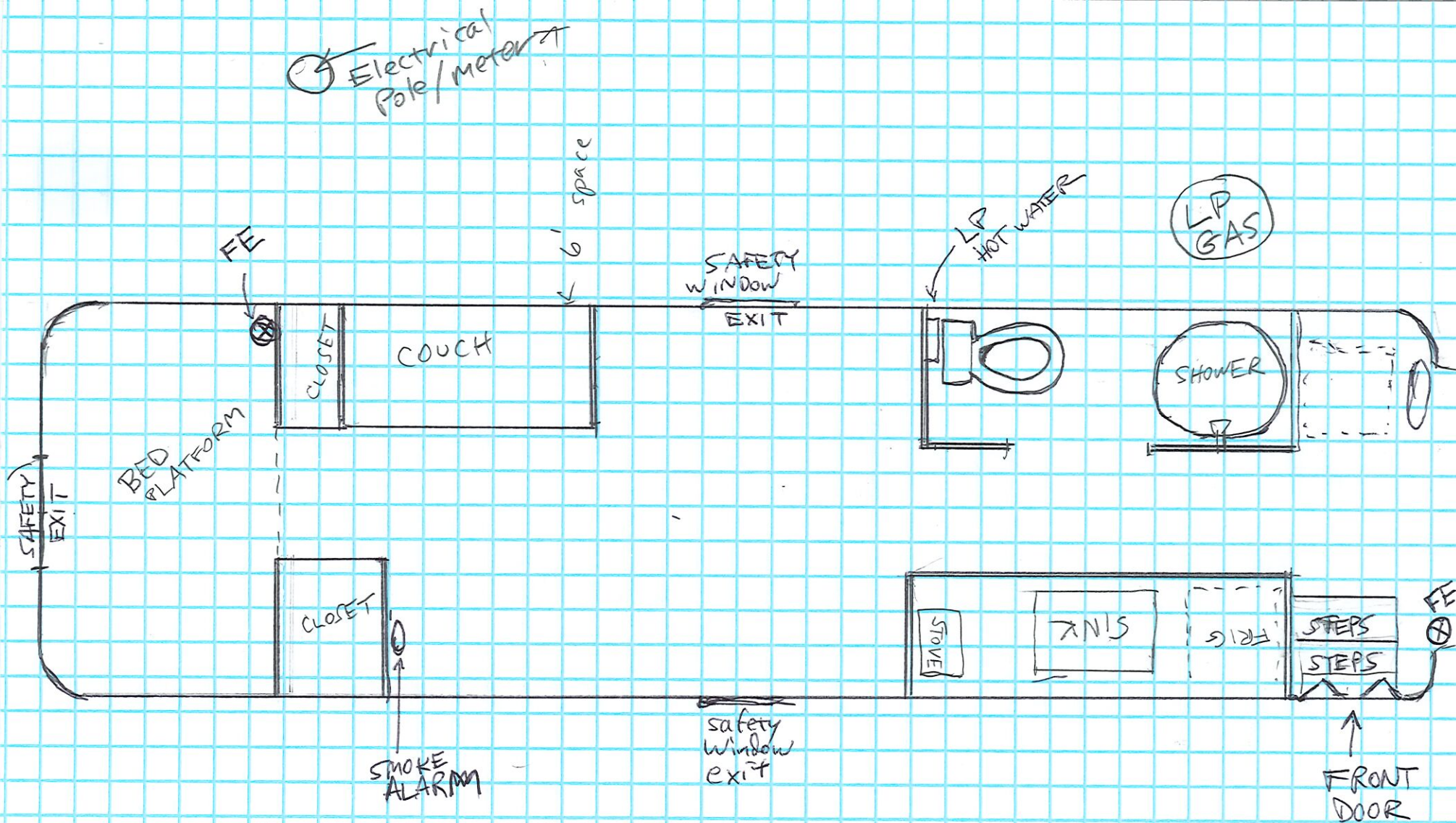
Motions in favor of approval

- 1) **I move to approve the conditional use permit for a short-term rental at 2625 Halibut Point Road in the R-2 MHP multifamily and mobile home district subject to the attached conditions of approval. The property is also known as Portion No. 3 of Lot L, US Survey 2750. The request is filed by David Adams. The owner of record is David Adams.**
- 2) **I move to adopt and approve the required findings for conditional use permits. The Planning Commission shall not approve a proposed development unless it first makes the following findings and conclusions:²**
 1. ...The granting of the proposed conditional use permit will not:
 - a. **Be detrimental to the public health, safety, and general welfare; *specifically, conditions of approval require responsible management of garbage, noise, traffic, and parking, which will be monitored and enforced by the applicant.***
 - b. **Adversely affect the established character of the surrounding vicinity; *specifically, the rental makes use of an already developed single-family home.***
 - c. **Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site in which the proposed use is to be located; *specifically, by the enforcement of mitigation for potential impacts including traffic, odor, noise, and 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, to help sustain the existing and growing tourism industry in support of economic development goals and objectives to increase employment and attract new business.***
 3. **All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced; *specifically, the applicant will monitor the property to enforce conditions 24/7. Violation of the rules provided in the rental overview may be grounds for eviction.***

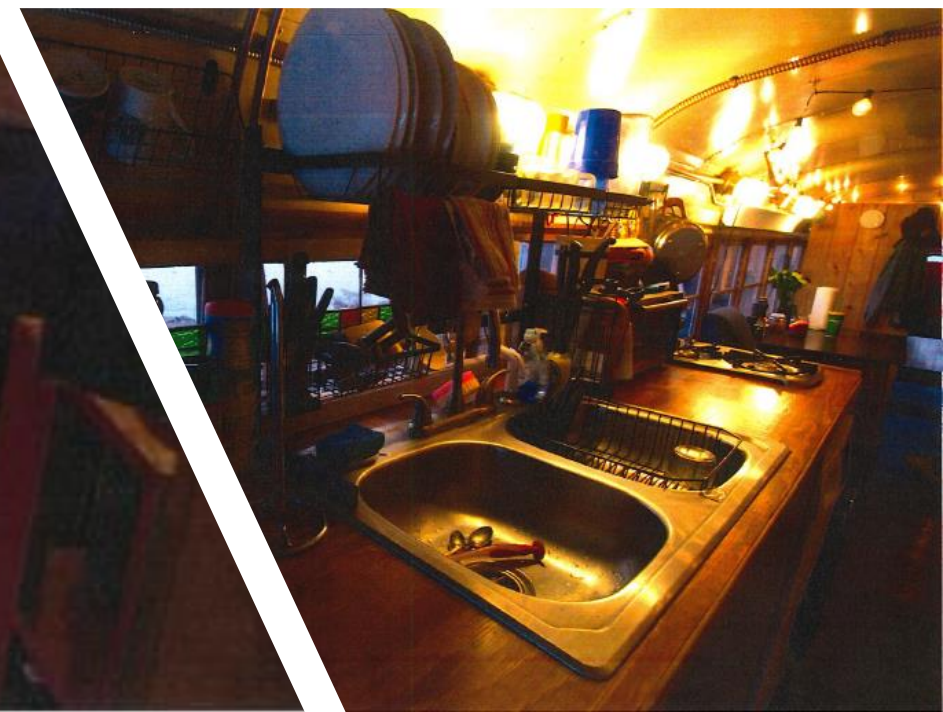
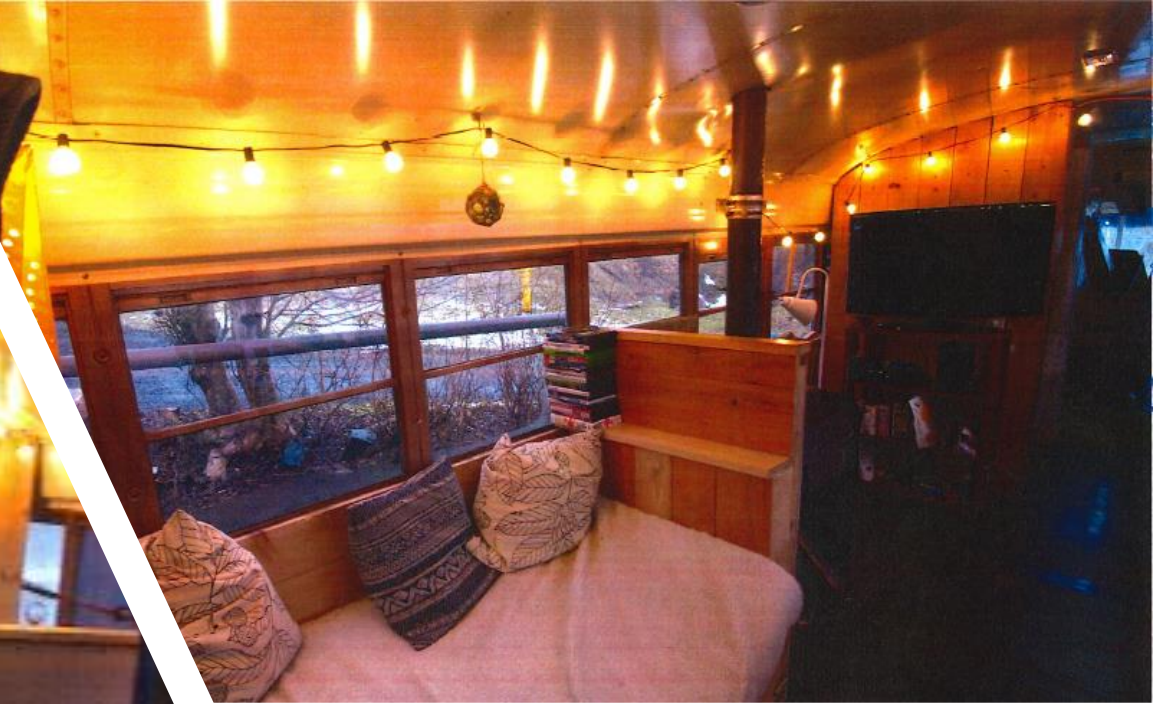
² §22.30.160(C)—Required Findings for Conditional Use Permits







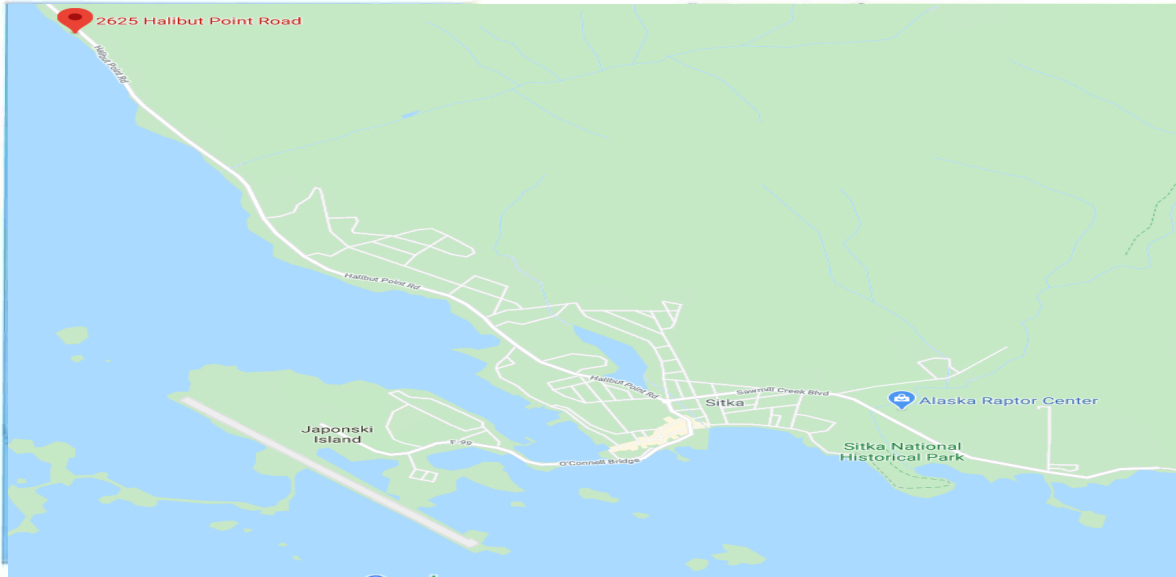




Directions:

2625 Halibut Point Road

From the Airport: Cross the bridge into town. Go straight through the stop light and find the roundabout. Take the third right onto Halibut Point Road. The entrance will be three miles out the road on the left. It is a light blue bus.



Garbage:

Bears make garbage and garbage takeout a huge issue in Southeast Alaska. You will have a clearly marked garbage receptacle in the rental. Please dispose of garbage in residence and I will remove the garbage to the road on Wednesday morning.

Parking:

There is parking for two cars available in front of the rental close to the ocean.

Transportation:

Bus: The Ride runs three routes, Red line (Halibut Point Rd.), Blue line (Sawmill Creek Rd), and Green Line (Japonski Island and Indian River). The bus stop is less than 400 yards away. www.ridessitka.com

Rental Car: Avis Rental Car service: 907-960-2404 or www.avis.com

Cab Service: Hanks Cab Service: 907-747-8888

Other things to Note:

We do not allow pets at this time.

The rental is located in a residential area and it's important that while you are enjoying your time in Sitka, to be respectful of noise and other disturbances to neighbors.

My home is a few blocks away and I can be available to answer any questions.

Enjoy your Stay,
David Adams (907) - 738 - 6021



CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT GENERAL APPLICATION FORM

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

APPLICATION FOR:

☐

VARIANCE

☒

CONDITIONAL USE

☐

ZONING AMENDMENT

☐

PLAT/SUBDIVISION

BRIEF DESCRIPTION OF REQUEST: Permitting to turn my bus into a short term term rental for the summer months. I am away much fo the summer as a commercial fisherman and could use the additional income to support my family.

PROPERTY INFORMATION:

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

CURRENT LAND USE(S): R2MH2 PROPOSED LAND USES (if changing): _____

APPLICANT INFORMATION:

PROPERTY OWNER: David Adams

PROPERTY OWNER ADDRESS: 825 South Diomedes Palmer Alaska 99645

STREET ADDRESS OF PROPERTY: 2625 Halibut Point Road

APPLICANT'S NAME: David Adams

MAILING ADDRESS: 825 South Diomedes Palmer Alaska 99645

EMAIL ADDRESS: david.t.adams@gmail.com DAYTIME PHONE: 9077386021

PROPERTY LEGAL DESCRIPTION:

TAX ID: 25410000 LOT: _____ BLOCK: _____ TRACT: _____

SUBDIVISION: Whitcomb US SURVEY: _____

Adams
Last Name

03/04/2020
Date Submitted

2625 HPR
Project Address

REQUIRED INFORMATION:

For All Applications:

- ☒ Completed General Application form
- ☒ Supplemental Application (Variance, CUP, Plat, Zoning Amendment)
- ☒ Site Plan showing all existing and proposed structures with dimensions and location of utilities
- ☒ Floor Plan for all structures and showing use of those structures
- ☒ Copy of Deed (find in purchase documents or at Alaska Recorder's Office website)
- ☒ Copy of current plat (find in purchase documents or at Alaska Recorder's Office website)
- ☒ Site photos showing all angles of structures, property lines, street access, and parking – emailed to planning@cityofsitka.org or printed in color on 8.5" x 11" paper
- ☒ Proof of filing fee payment

For Marijuana Enterprise Conditional Use Permits Only:

- ☐ AMCO Application

For Short-Term Rentals and B&Bs:

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

CERTIFICATION:

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

David Adams

Owner

03/04/2020

Date

Owner

Date

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

Applicant (If different than owner)

Date

Adams

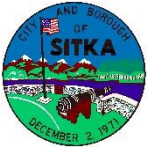
Last Name

03/04/2020

Date Submitted

2625 HPR

Project Address



CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
SUPPLEMENTAL APPLICATION FORM
CONDITIONAL USE PERMIT

APPLICATION FOR

☐

MARIJUANA ENTERPRISE

☒

SHORT-TERM RENTAL OR BED AND BREAKFAST

☐

OTHER: _____

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:

One to two vehicles per day pulling into driveway directly from
Halibut Point Road. Parking is located off of the street.

- Amount of noise to be generated and its impacts on surrounding land use: _____

No extra noise should be generated other than typical
interactions at a conversational level

- Odors to be generated by the use and their impacts: None other than typical
residential cooking.

- Hours of operation: continuous May-Sept

- Location along a major or collector street: Driveway is directly off of
Halibut Point Road.

- Potential for users or clients to access the site through residential areas or substandard street creating a cut through traffic scenario: None

- Effects on vehicular and pedestrian safety: Slight increase in traffic
pulling in and out of the property.

Adams

Last Name

03/04/2019

Date Submitted

2625 HPR

Project Address

- Ability of the police, fire, and EMS personnel to respond to emergency calls on the site: _____

Easy access from Halibut Point Road

- Logic of the internal traffic layout: Renters will pull directly onto property
from Halibut Point Road

- Effects of signage on nearby uses: _____
No signage will be used.

- Presence of existing or proposed buffers on the site or immediately adjacent the site: _____
No existing or proposed buffers

- 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): ED 6.5 Support growth of Sitka ' s in
dependent, cruise-related, and heritage tourism work and enterprises.

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

Adams

Last Name

03/04/2020

Date Submitted

2625 HPR

Project Address

REQUIRED FINDINGS (SGC 22.30.160(C):

1. ...The granting of the proposed conditional use permit will not:
- a. Be detrimental to the public health, safety, and general welfare because it will be used similarly to a long term residence at same location;
 - b. Adversely affect the established character of the surrounding vicinity, because nothing will change to structures or property, parking off street; nor
 - c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located, because, the residence is self contained and strain on property will be minimal;
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 ED 6.5 which states Support growth of Sitka ' s independent, cruise-related, and heritage tourism work and enterprises.
- because the proposal provides a unique and affordable lodging opportunity with direct access to Sitka's unique maritime environment ;
3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced, because the property is easily visible and accessible from road.

ANY ADDITIONAL COMMENTS Thank you for reviewing this application. I am happy and willing to provide any additional documentation. I live and work in Sitka in the Summer as a commercial fisherman. I am an Alaskan teacher.

David Adams

Applicant

David Adams

03/04/2020

Date

Adams

Last Name

03/04/2020

Date Submitted

2626 HPR

Project Address