



# CITY AND BOROUGH OF SITKA

A COAST GUARD CITY

## Planning and Community Development Department

### **AGENDA ITEM**

Case No: CUP 23-03  
Proposal: Quasi-institutional  
Applicant: Youth Advocates of Sitka  
Owner: Sitka Makai, LLC  
Location: 1931 Dodge Circle  
Legal: Lot Two (2), Ocean Heights Subdivision, according to Plat number 95-13  
Zone: R-1 - Single-Family/Duplex Residential District  
Size: 3300 square feet  
Parcel ID: 2-4786-002  
Existing Use: Residential  
Adjacent Use: Residential  
Utilities: Existing  
Access: Dodge Circle

### **KEY POINTS AND CONCERNS**

- Quasi-institutional homes are a conditional use in the R-1 zone
- The property is a duplex; the permit request is to utilize both dwelling units
- The facility will be managed by a professional, licensed program
- The extensive operating plan works to protect client and neighborhood peace and privacy

### **ATTACHMENTS**

Attachment A: Aerial  
Attachment B: Floor Plan  
Attachment C: Plat  
Attachment D: Photos  
Attachment E: Applicant Materials  
Attachment F: YAS Letter to Commission  
Attachment G: Senator Murkowski Press Release

## **BACKGROUND/PROJECT DESCRIPTION**

The request is for a conditional use permit for a quasi-institutional group residence at 1931 Dodge Circle to be utilized by Youth Advocates of Sitka (YAS). The property is developed as a duplex; the request is to utilize both dwelling units.

A quasi-institutional home is defined as “*a residential facility located in a residence or living unit, the principal use being to serve as a place for no more than six persons in an R-1 zone and twenty persons in an R-2 or larger zone seeking rehabilitation, counseling, self-help and family environment*” (SGC 22.08.710). Given that the property in question is in an R-1 zone, each dwelling unit within the duplex can serve no more than six persons. Quasi-institutional homes are a conditional use in all R-1 and R-2 zones as a special type of group residence.

YAS would like to purchase this property to run its pilot program, Coastal Haven, which will provide 24-7 residential mental health treatment, clinical services, life skills training, and employment services for youth ages 16-24 who are victims of, or at risk of, human trafficking. The site would be operated with a staff to client ratio of 1 to 6, and all clients will be drug and alcohol free as a requirement for admission to the program. One unit will be for males, and one will be for females. YAS also intends to provide office space for on-site staff, and the large garages for wilderness therapy gear storage.

## **ANALYSIS**

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

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

Clients in the program will be required to attend high school, college, or be employed while in the program, meaning that the residence will likely be empty during the day with the exception of staff which would involve approximately 2-4 cars. Clients are not allowed to have a vehicle while they are in the program, nor bring guests/visitors to the residence which will prevent excess vehicle traffic.

#### **b. Amount of noise to be generated and its impacts on surrounding land use:**

Day use of the facility is limited. In the afternoons and evenings, clients will be engaged with staff in meal preparation, skills training, clinical group therapy, homework, and chores. No outdoor space on the property will be used, with any campfires, picnics, etc. occurring offsite.

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<sup>1</sup> § 22.24.010.E

**c. Odors to be generated by the use and their impacts:**

In line with normal, residential use.

**d. Hours of operation:**

Operated full-time, year-round.

**e. Location along a major or collector street:**

Located on an access easement which connects to Dodge Circle.

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

The access easement is the only way to access the property, there are no other side streets, driveways, or easements that can be utilized.

**g. Effects on vehicular and pedestrian safety:**

Vehicular traffic generated should be in parity with use of the property as a duplex, although there may be more pedestrian traffic. There are no apparent safety hazards based on application description.

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

Site is accessible to emergency services. YAS works closely with law enforcement to ensure client and site safety. Security measures such as door alarms and cameras are utilized.

**i. Logic of the internal traffic layout:**

Parking is available along the eastern side of the property (front of structure and entrances are oriented running parallel along eastern side). The parking requirement for large group homes or institutions is one space for each two beds, resulting in a parking requirement of six spaces which can be provided exclusive of garage space.

**j. Effects of signage on nearby uses:**

No signage or exterior modifications proposed for the privacy and safety of clients.

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

The property is buffered on its sides and rears by mature vegetation. The home on the adjacent property to the east is buffered by a considerable distance and elevation. The home on the adjacent property to the west is closer to the subject property.

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

The Housing section of the Comprehensive Plan states that a key opportunity for the future is to “explore housing options and cooperative programs for at-risk populations”. The Economic Development also states that, “Workforce development and youth engagement is needed to create qualified workers with technical skills to meet the needs of the local economy.” This program creates a housing option for an at-risk population and also provides workforce opportunities and development for youth.

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

The Planning Department has received concerns from owners of neighboring properties regarding this proposal, primarily that the use is commercial in nature, may impact property values, and may cause disturbances in the neighborhood. The zoning code identifies this use as residential rather than commercial in nature, however it is a more intensive use than single-family or duplex housing which is why is most appropriately considered through the conditional use permit process. Given the need to protect the privacy of clients, there should be little visible evidence of the use on the exterior of the structure which should mitigate property value concerns. The use of the property is also highly managed/monitored through a staffed and licensed program, and is drug and alcohol free. These factors serve as strong mitigation on operational concerns. It is notable that the Planning Department (under current direction) has not received complaints from neighbors of other YAS properties or the SAFV shelter which has even more intensive, transient use than the proposed facility. However, this proposal does represent a significant change in the use of the property, and neighborhood concerns should be carefully considered and weighed by Commissioners.

**RECOMMENDATION**

Staff recommends approval of the conditional use permit for a quasi-institutional home for both units of 1931 Dodge Circle.

## **Motions in favor of approval**

1. **“I move to approve the conditional use permit for Quasi-institutional group housing at 1931 Dodge Circle in the R-1-Single-Family/Duplex Residential District subject to the attached conditions of approval. The property is also known as Lot Two (2), Ocean Heights Subdivision, according to Plat number 95-13. The request is filed by Youth Advocates of Sitka. The owners of record are Sitka Makai, LLC.”**

1. The facility shall be operated consistently with the application, narrative, and plans that were submitted with the request.
2. Each dwelling unit within the duplex is limited to use by six (6) clients.
3. The Planning Commission, at its discretion and upon receipt of meritorious complaint, may schedule a public hearing at any time for the purpose of resolving issue with the request and mitigating adverse impacts on nearby property. The permit may be terminated by the Planning Commission if adequate resolution/mitigation cannot be achieved.
4. The applicant will complete a satisfactory fire/life/safety inspection prior to operation and provide documentation to the Planning Department.

2. **“I move to adopt and approve the required findings for conditional use permits as listed in the staff report.”**

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

1. The city may use design standards and other elements in this code to modify the proposal. A conditional use permit may be approved only if all of the following findings can be made regarding the proposal and are supported by the record that the granting of the proposed conditional use permit will not:
  - a. Be detrimental to the public health, safety, and general welfare;
  - b. Adversely affect the established character of the surrounding vicinity; nor
  - c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located: because the operational plan submitted in the application is adequate to prevent, manage, and/or mitigate impacts to public health, safety, and general welfare as well as the character and integrity of surrounding properties.
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: particularly policy direction that encourages housing options for at-risk populations and workforce development and youth engagement.
3. All conditions necessary to lessen any impacts of the proposed use are conditions

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<sup>2</sup> §22.30.160(C)—Required Findings for Conditional Use Permits

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.