



# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

*Coast Guard City, USA*

## **Planning and Community Development Department**

Case No: CU 17-23  
Proposal: Church Ministry Homeless Shelter Program  
Applicant: First Presbyterian Church (agent: Kristy Miller)  
Owner: First Presbyterian Church  
Location: 505 Sawmill Creek Road  
Legal Desc.: Lots 10-13 Block 20 US Survey 1474  
Zone: R-2 multi-family residential district  
Size: Approximately 29,500 square feet  
Parcel ID: 1-2920000  
Existing Use: Existing Legal Non-Conforming Use (which happens to be a Church)  
Adjacent Use: Residential, General Commercial, Central Business, School, Grocery, Education, & Non-profit  
Utilities: Existing Municipal Utilities  
Access: SMC and Baranof

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

- The use is an existing legal nonconforming use, which happens to be a Church and that is a religious use. Religious uses and vested legal nonconforming uses have constitutional protections that must be considered.
- Community impacts such as concerns about safety, noise, odor, property value impacts, crime, traffic, loitering must be supported by substantial evidence and not just fears of the concern alone.
- Concerns about impact to residential character can be taken into account; however, the neighborhood is not just residential and also includes general commercial uses and central business district uses (grocery, island institute, school, social lodge, motel, police department), which should also be considered in establishing the character of the neighborhood.
- At each consideration, one suggestion is to consider the proposal against the status quo. For example, will the proposal make traffic safer or less safe than it is right now?

### **RECOMMENDATION:**

It is recommended that the Planning Commission postpone a decision on the nonconforming use permit, but give some general direction to the applicant on feasibility of proposal and suggested policy and procedure considerations.

## **ATTACHMENTS**

- |                         |                     |
|-------------------------|---------------------|
| A. Vicinity Map         | F. Photos           |
| B. Aerial Map           | G. Application      |
| C. Zoning and Flood Map | H. Narrative        |
| D. Floor Plans          | I. Mailing List     |
| E. Plats                | J. Proof of Payment |
|                         | K. Comments         |

## **Project Summary & Background**

**Proposal:** The applicant is proposing a seasonal men's shelter to run from October 1 to March 31 and accommodate up to 20 men from 7pm to 830am. The shelter would utilize the existing dorm hall and facilities of the existing non-conforming use of the First Presbyterian Church. The church would provide showers, laundry, food, and cots with existing infrastructure. It would be staffed by volunteers.

**Community Outreach:** The applicant has had 3 community scoping meetings and also have done walk-arounds with door knocking and letter/info sharing. Staff have worked with the applicant on community outreach and also with neighbors about their concerns. Staff attended all meetings hosted by the applicant. In addition, staff have sent out mailed notices as required by code and also posted this on the Planning Commission agenda via all necessary mediums.

**Nonconforming Use Summary:** A legal nonconforming use is allowed to exist until it is abandoned. This religious church nonconforming use has not been abandoned. Further, an existing legal non-conforming use is allowed reasonable expansion. It is in question whether a ministry program such as a men's shelter is an expansion or whether it is a part of their existing ministry. If a men's shelter is part of their existing ministry, the City would have no authority to approve or deny this proposal.

**Summary of Update from Applicant:** The applicants have been and will continue to work on building a community coalition, developing a policies and procedures, and addressing community concerns. The applicant's do not think they can get the shelter up and running this year. But they want to move forward with developing a community coalition and addressing community concerns and operational requirements.

**Burden Upon Applicant:** The legal burden is not upon staff, but upon the applicant. The applicant has more information to share and the burden, by code, is upon the applicant to present the proposal and to provide evidence that it comports with the zoning code, the Comprehensive Plan, and that it does not

negatively impact the public health, safety, or welfare, nor impact the surrounding properties or the character of the neighborhood.

### **Important Definitions and Considerations**

The following includes definitions that the Planning Director felt were important to include to consider and to compare and contrast. Highlighted are specific areas of importance to draw your attention to key definitions, words, and/or phrases. After these definitions, there is further staff analysis and discussion.

#### **22.16.050 R-2 multifamily residential district.**

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A. Intent. The R-2 residential district is intended to include lands suited by topography and other natural conditions for urban development and which are provided with the full range of public utilities, including sewers, water, electricity, and storm drains or are intended to be provided with such utilities in the near future. This district is intended primarily for single-family and multiple-family residences at moderately high population densities. Structures required to serve governmental, educational, recreational, religious and limited professional office needs are allowed subject to permitted or conditional use restrictions intended to preserve and protect the residential character of the R-2 district.

#### **22.08.167 Church.**

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“Church” means a building or structure generally open to the public and used as a place of gathering for the purpose of religious worship or related activities. The definition of a church shall be dependent upon IRS interpretation and that of the State Assessor’s Office. A standard single-family residence not remodeled for public meetings shall not be considered a church. (Ord. 02-1683 § 4 (part), 2002.)

#### **22.08.840 Use, principal.**

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“Principal use” means the main, primary or principal use of the land, buildings, or structures located on a lot or parcel of land. (Ord. 02-1683 § 4 (part), 2002.)



#### **22.08.830 Use, accessory.**

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“Accessory use” means a use customarily incidental and subordinate to the [principal use](#) of the land, [building](#) or [structure](#) and located on the same [lot](#) or parcel of land. (Ord. 02-1683 § 4 (part), 2002.)

#### **22.08.160 Building, principal or main.**

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“Principal or main building” means a [building](#) which contains the principal or main use of the [lot](#) on which it is situated. In a [residential](#) district, the [principal building](#) shall be the residence. In a [commercial](#) district, the [principal building](#) would be the [commercial](#) use. (Ord. 02-1683 § 4 (part), 2002.)

#### **22.08.190 Commercial.**

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“Commercial” means activities involving sales or rental of any article, substance or commodity and the provision of all [commercial](#) services including financial institutions and [personal services](#). (Ord. 02-1683 § 4 (part), 2002.)

#### **22.08.210 Conditional use.**

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“Conditional use” means a provision which allows for flexibility within the zoning title by permitting certain specified uses in zoning districts where said uses could be considered appropriate, but only after additional conditions and safeguards are applied to insure their compatibility with permitted [principal uses](#). Such conditions might include such things as parking, [signs](#), fences or other sight and sound buffers, protection of natural resources of value to the community or similar public concerns. (Ord. 02-1683 § 4 (part), 2002.)

#### **22.08.360 Family.**

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“Family” means any number of individuals related by blood or marriage; any number of individuals coming under the definition of “handicapped persons” in the Fair Housing Act, with such persons present as reasonable accommodation will require for such handicapped persons to

occupy a [dwelling](#); or an unrelated group of not more than five persons, living together as a single housekeeping unit in a [dwelling unit](#). (Ord. 02-1683 § 4 (part), 2002.)

#### **22.08.455 Hostel.**

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“Hostel” means a place where travelers may stay for a limited duration at low cost in a facility operated by a nonprofit entity that is appropriately recognized by a state or national [hostel](#) organization that may include dormitory-like sleeping accommodations. (Ord. 05-47 § 4(A), 2005.)

#### **22.08.461 Household.**

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“Household” means a housekeeping unit consisting of any number of related persons; eight or fewer nonrelated, nontransient persons; or eight or fewer related and nonrelated nontransient persons, unless a grant of special or reasonable accommodation allows an additional number of persons. (Ord. 02-1683 § 4 (part), 2002.)

#### **22.08.640 Nonconformity.**

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“Nonconformity” means any [lot](#), [structure](#), use of land, use of a [structure](#) or characteristics of such use which does not conform to the terms of this title but which was in lawful and active use on the effective date of the ordinance codified in this title. (Ord. 02-1683 § 4 (part), 2002.)

#### **22.08.710 Quasi-institutional home.**

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“Quasi-institutional home” means 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. This definition shall not include [dwellings](#) intended for use as a [family](#) setting for handicapped persons as defined in the Fair Housing Act. (Ord. 02-1683 § 4 (part), 2002.)



## **22.24.050 Nonconforming use permit.**

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A. **Purpose.** The purpose of this section is to establish decision criteria and procedures to allow reasonable limited expansion and continuance of nonconformities as defined in Section 22.08.640. Nonconformities including lots of record, buildings, and uses of land require a special degree of control to ensure compliance with applicable regulations and compatibility with the comprehensive plan, adjacent uses and the character of the surrounding areas. Limited exceptions, expansions or changes of use are allowed after approval of a nonconforming use permit by the city or after approval of an administrative nonconforming use permit. Nonconformities which do not comply with the provisions of this section shall be abandoned pursuant to city action.

1. **Nonconforming Use Permit.** Exceptions to the development standards of this title are allowed after approval from the city through a nonconforming use permit. The city may impose such conditions as deemed necessary to ensure proposals conform to the intent of the comprehensive plan and this code.

D. **Nonconforming Uses of Land.** Where, at the time of the passage of the ordinance codified in this title, lawful uses of land existed that would not be permitted under the regulations imposed by this title, the use may be continued so long as it remains otherwise lawful; provided, that:

1. No such nonconforming uses of land shall be enlarged or increased nor extended to occupy a greater area of land than was occupied at the date of the adoption of the ordinance codified in this title.
2. No such nonconforming uses of land shall be moved, in whole or part, to any portion of land or lot or parcel other than that occupied on the date of the adoption of the ordinance codified in this title.
3. If, for any reason whatsoever, the nonconforming use of land ceases for a period of twelve consecutive months or one year, any subsequent use of the land shall conform to the regulations specified in this title for the district in which the land is located.
4. No additional structures not conforming to the requirements of this title shall be erected in connection with such a nonconforming use of land.

F. Extension of Nonconforming Structures and Uses. Substantial alterations, expansions creating a material change in use or impacting adjacent properties, or moving of nonconforming structures or uses shall be subject to the following:

1. Variances are required for extensions of nonconforming single-family structures including mobile/manufactured homes and nonconforming accessory buildings on lots containing single-family structures, when the proposed extensions are within the required setbacks of the zoning district.
2. Conditional use permits are required for all other proposed changes to nonconforming structures and uses not covered in subsection (F)(1) of this section. This applies when a nonconforming use is to be changed to another equally nonconforming use. Conditional use permits granted in accordance with this section shall not change the fact that the use is still nonconforming and subject to the terms and conditions set forth in this title.

#### **22.30.030 Administrator.**

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

- A. **Administrative Interpretation.** Upon request or as determined necessary, the administrator shall interpret the meaning or application of the provisions of said titles and issue a written administrative interpretation. All administrative determinations shall be reported to the planning commission within a reasonable period of time following their issuance.
- B. **Nonconforming use permits.**
- C. **Administrative approvals as set forth in Section 22.30.150.**
- D. **Permit Procedures.** The administrator shall determine the proper procedure for all development applications.

### **Article V. Review and Approval Process**



### **22.30.150 Administrative approvals without notice.**

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A. The administrator may approve, approve with conditions, or deny the following without notice:

6. **Required Findings for Nonconforming Use Permits.** The city shall grant a nonconforming use permit if documentary evidence is provided by the applicant to support the planning commission's findings that:

- a. Granting a nonconforming use permit is necessary to adapt the nonconforming use and associated structures to changes in technology, merchandising, or other generally recognized trends which affect the utility of structures or the applicant's ability to compete;
- b. Granting a nonconforming use permit will not introduce any (additional) hazards or interfere with the potential development of nearby properties in accordance with present zoning regulations;
- c. The nonconforming use and associated structures will comply with the requirements of Section 22.24.050(B);
- d. The applicant's proposal will result in improvements in functionality or safety, or in exterior appearance, screening, access and other features which will make the use or structure more compatible with allowed uses; and
- e. Granting a nonconforming use permit will not detract from the intent of the comprehensive plan and any implementing regulation.

B. Administrator's decisions under this section shall be final on the date issued.

(Ord. 16-28 § 4, 2016; Ord. 04-60 § 4(J), 2004; Ord. 03-1746 § 4 (part), 2003; Ord. 02-1683 § 4 (part), 2002.

### **Summary of Code**

#### **Important to Compare and Contrast Various Definitions**



It is important to compare and contrast the various definitions of the multi-family residential R-2 zone, with definitions of residential, church, nonconforming uses, principal uses, accessory uses, and commercial uses.

### **Current Definition of Church and Family/Household and R-2 zone.**

Under existing code, one could operate a church in one's house with few restrictions and invite any persons into with little limits. More, one could permanently house between 5-8 unrelated 'family' or 'household' members (see definition of Church, family, and household).

### **R-2 Zone and Conditional Use Permit vs. Non-conforming Use Permit**

A church in an R-2 zone requires a conditional use permit. Though this is a Church, since it is existing a Church use does not require a conditional use permit in this case. This is a firm conclusion.

### **What is the proper process? Permitted Existing Nonconforming Use or Conditional Expansion of Non-conforming use**

What this existing nonconforming use may require is still in question. The code grants the Administrator or Planning Director the authority to decide this issue. The decision could be that either:

1. No City approval is needed because a men's shelter could be considered within the principal existing ministry use of the existing legal non-conforming use; or
2. That a non-conforming use permit to be approved by the Director with findings of fact by the Planning Commission. Staff will approach the analysis under this rubric. Though, staff have requested a legal opinion on this decision for further confirmation. Staff will report back next time on this decision.

### **Assuming that a non-conforming use permit is proper, then the following is required:**

- I. The findings of 22.30.150.A.6 are required:

Required Findings for Nonconforming Use Permits. The city shall grant a nonconforming use permit if documentary evidence is provided by the [applicant](#) to support the planning commission's findings that:

- a. Granting a nonconforming use permit is necessary to adapt the nonconforming use and associated [structures](#) to changes in technology, merchandising, or other generally recognized trends which affect the utility of [structures](#) or the applicant's ability to compete;
- b. Granting a nonconforming use permit will not introduce any (additional) hazards or interfere with the potential development of nearby properties in accordance with present zoning regulations;

- c. The nonconforming use and associated [structures](#) will comply with the requirements of Section [22.24.050\(B\)](#);
- d. The applicant's proposal will result in improvements in functionality or safety, or in exterior appearance, screening, access and other features which will make the use or [structure](#) more compatible with allowed uses; and
- e. Granting a nonconforming use permit will not detract from the intent of the [comprehensive plan](#) and any implementing regulation.

II. The following are restrictions or prohibitions upon Non-Conforming Uses:

- 1. No such nonconforming uses of land shall be enlarged or increased nor extended to occupy a greater area of land than was occupied at the date of the adoption of the ordinance codified in this title.
- 2. No such nonconforming uses of land shall be moved, in whole or part, to any portion of land or [lot](#) or parcel other than that occupied on the date of the adoption of the ordinance codified in this title.
- 3. If, for any reason whatsoever, the nonconforming use of land ceases for a period of twelve consecutive months or one year, any subsequent use of the land shall conform to the regulations specified in this title for the district in which the land is located.
- 4. No additional [structures](#) not conforming to the requirements of this title shall be erected in connection with such a nonconforming use of land.

**Neighborhood Character and Negative Impacts**

Through these required findings, it is important to analyze the potential impacts to adjacent properties and character of the neighborhood. Of note, is that the neighborhood consists of an elementary school, a grocery store, single family homes and duplexes, the Island Institute, the Elks Lodge, the Police Department parking lot, Motel 8, and the Salvation Army. Except for the Salvation Army, the rest of the commercial and public institutional uses are across the street in the General Commercial District (C-1) and Central Business District (CBD). Staff would then conclude that the character of the neighborhood is mixed use that includes education and commercial uses as well as residential; though staff recognize that Sawmill Creek Road, for the most part, divides the commercial from residential uses. Staff used 300-400 feet radius from project location to determine neighborhood vicinity. There is no single definition of what constitutes a neighborhood, but typically a variety of factors can decide that such as distance, streets, feel, charm, essence, character, physical features, etc.

**Conclusions and Recommendation**

At this time, due to lack of a provided policy and procedures manual from the applicant, staff can't fully analyze the proposal and instead must conclude that more information is needed and

that the applicant has not met their burden. Again, the applicant has the burden to prove the proposal meets the required findings and code regulations and comprehensive plan goals, objectives, policies, and implementation actions. It is important to note that the applicant is making progress on their Policies and Procedures and will continue to work on that, plus continue to work on community outreach and coalition building as well as addressing community concerns.

**Motions:**

1. I move that it is found that the applicant has not met their burden of proof at this time in regards to negative impacts and neighborhood character nor provided enough information on the details of the proposed operation, but is making progress towards that. And it is further found that the applicant has been proceeding in good faith and came before the Commission to give the Commission and Public an opportunity to comment on their work in progress.
2. I move to postpone the public hearing and consideration of an expansion of a nonconforming use permit (church) for a seasonal men's shelter that proposes to operate from October 1 to March 31 from 7 PM to 8:30 AM at 505 Sawmill Creek Road. The postponement is to allow the applicant more time to develop their policies and procedures. In addition, this postponement will benefit the community by giving additional opportunity for input/comment. The property is also known as Lots 10, 11, 12, 13 Block 20 US Survey 1474. The request is filed by First Presbyterian Church. The owner of record is First Presbyterian Church.





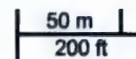




## City & Borough of Sitka, Alaska

**Selected Parcel: 505 Sawmill Creek Rd ID: 12920000**

Printed 11/28/2017 from <http://www.mainstreetmaps.com/ak/sitka/internal.asp>



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





## City & Borough of Sitka, Alaska

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50 m  
200 ft



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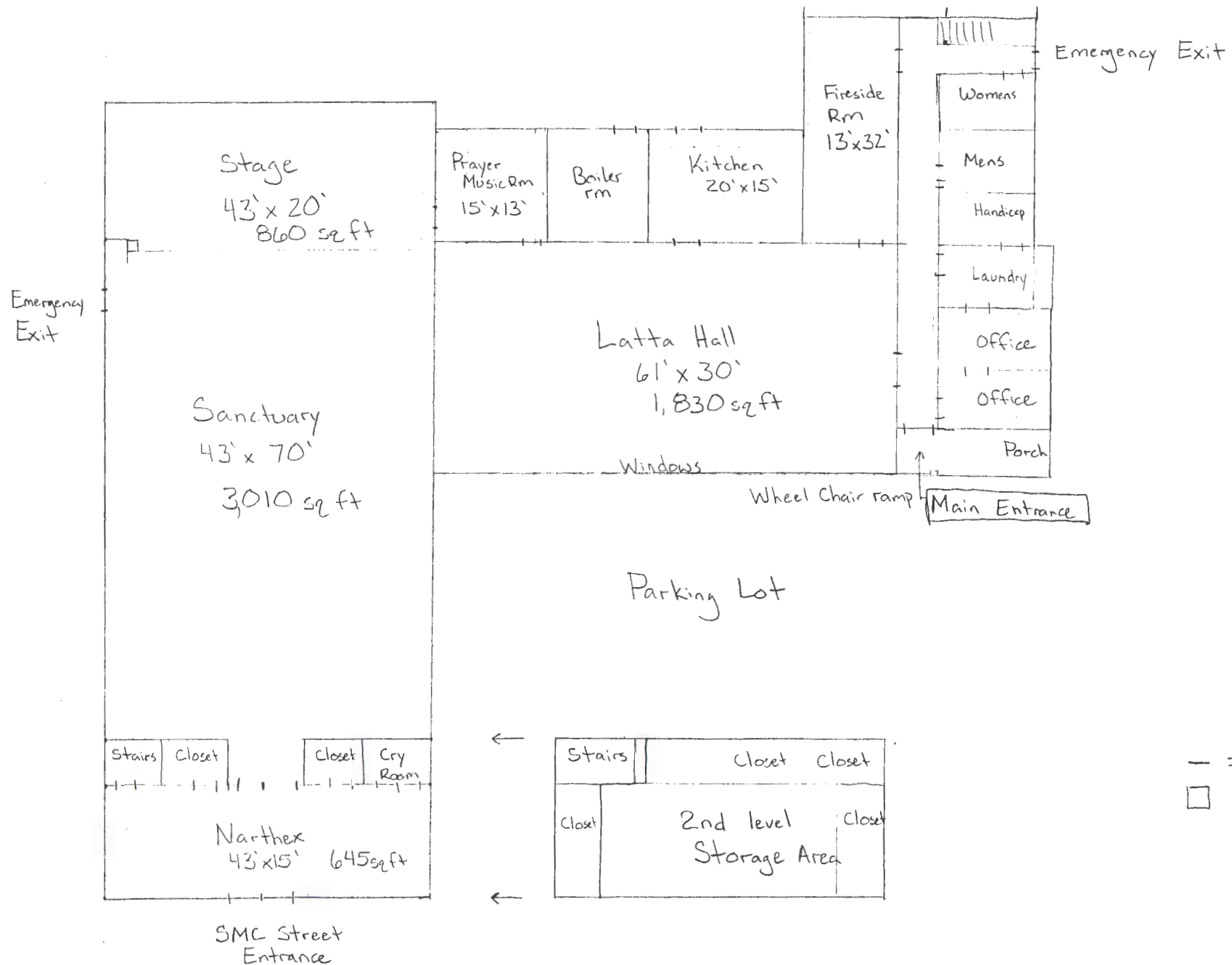
Printed 11/28/2017 from <http://www.mainstreetmaps.com/ak/sitka/internal.asp>

50 m  
200 ft

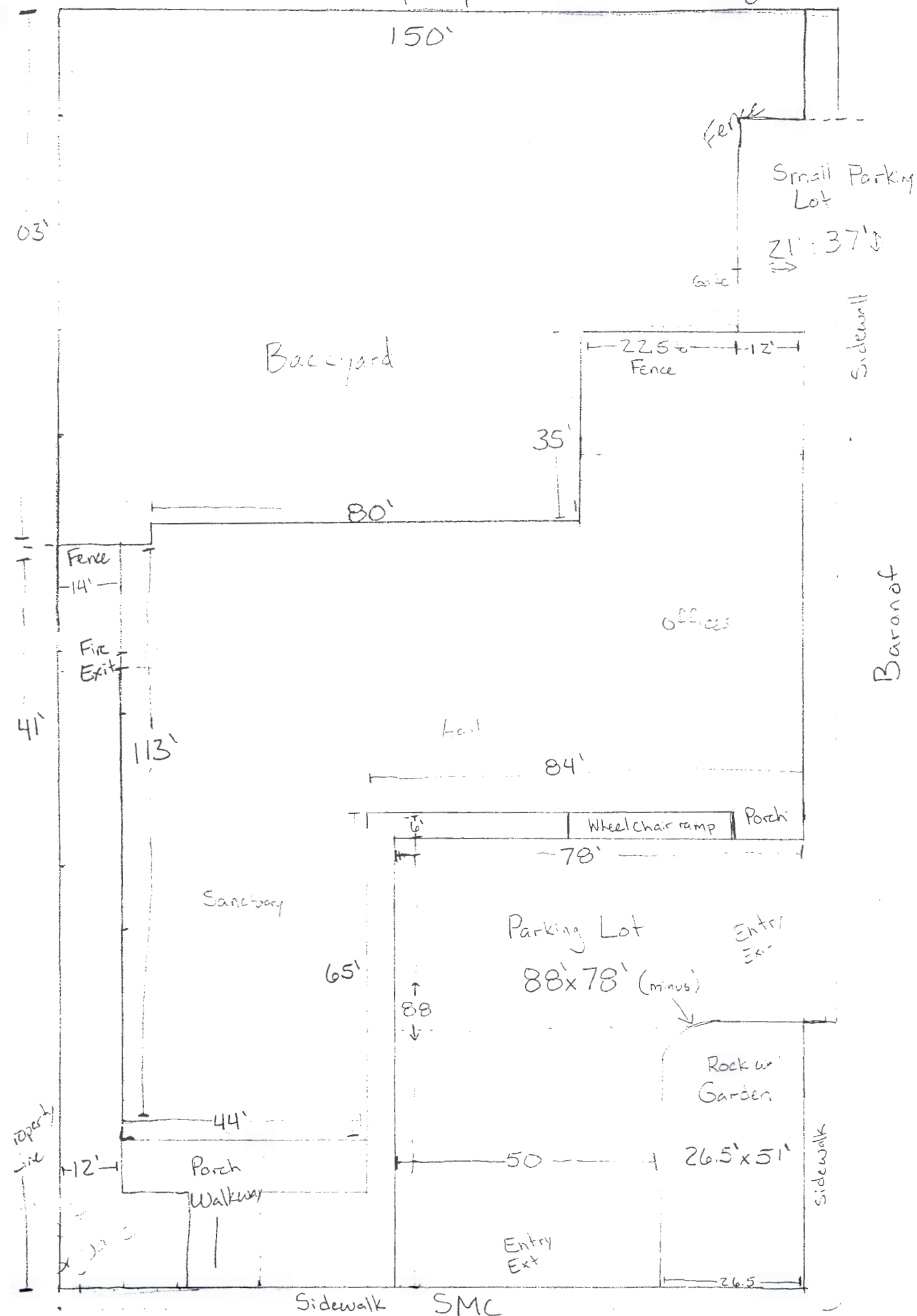


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— 4 ft<sup>1/2</sup>  
□ 16 sq ft





— = 2 ft

□ = 4 sq ft

⊗ Locks during Shelter operation (5 new locks)

⊠ Locks already in place

■ Shelter Space

— Exit Routes Shelter

⊙ Security Cameras - (Pkg. 12 camera set)

Memoirs Winter Night Shelter  
Oct 1 thru March 31  
8pm to 8:30AM

Backyard

Gate →

Gate

Sanctuary  
Stage

43' x 20'

860 sq ft

Prayer  
Music rm

15' x 13'

195 sq ft

Boiler  
Rm

Kitchen

20' x 15'

240 sq ft

Fireside

13' x 32'

416 sq ft

Rm 1

12' x 17'

upstairs  
motion  
Alarm

4 ft

4 ft

8 ft

Exit

Spring

WB

13' x 8'

2 Lvs

Z stalls

1 stall

MB

13' x 8'

2 Lvs

Junk closet

1 shower

HB

13' x 7'

13' x 7'

Laundry

HB Entrance

15' x 8'

Pastor  
Office

15' x 8'

Church Admin  
Office

15' x 8'

Porch

Full

Full

Full

Full

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Latta Hall

61' x 30'

1,830 sq ft

Windows

Parking Lot

Emergency  
Exit

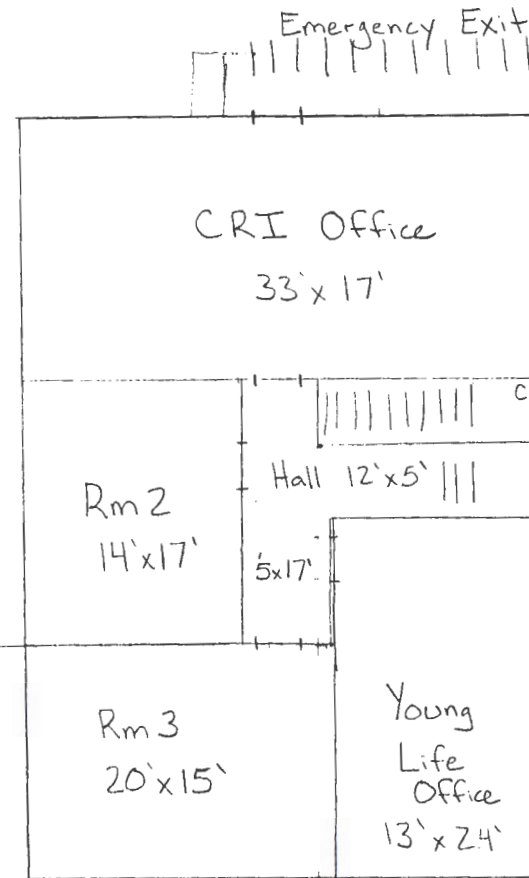
# 2nd Level

— = 2 ft  
□ = 4 sq ft.

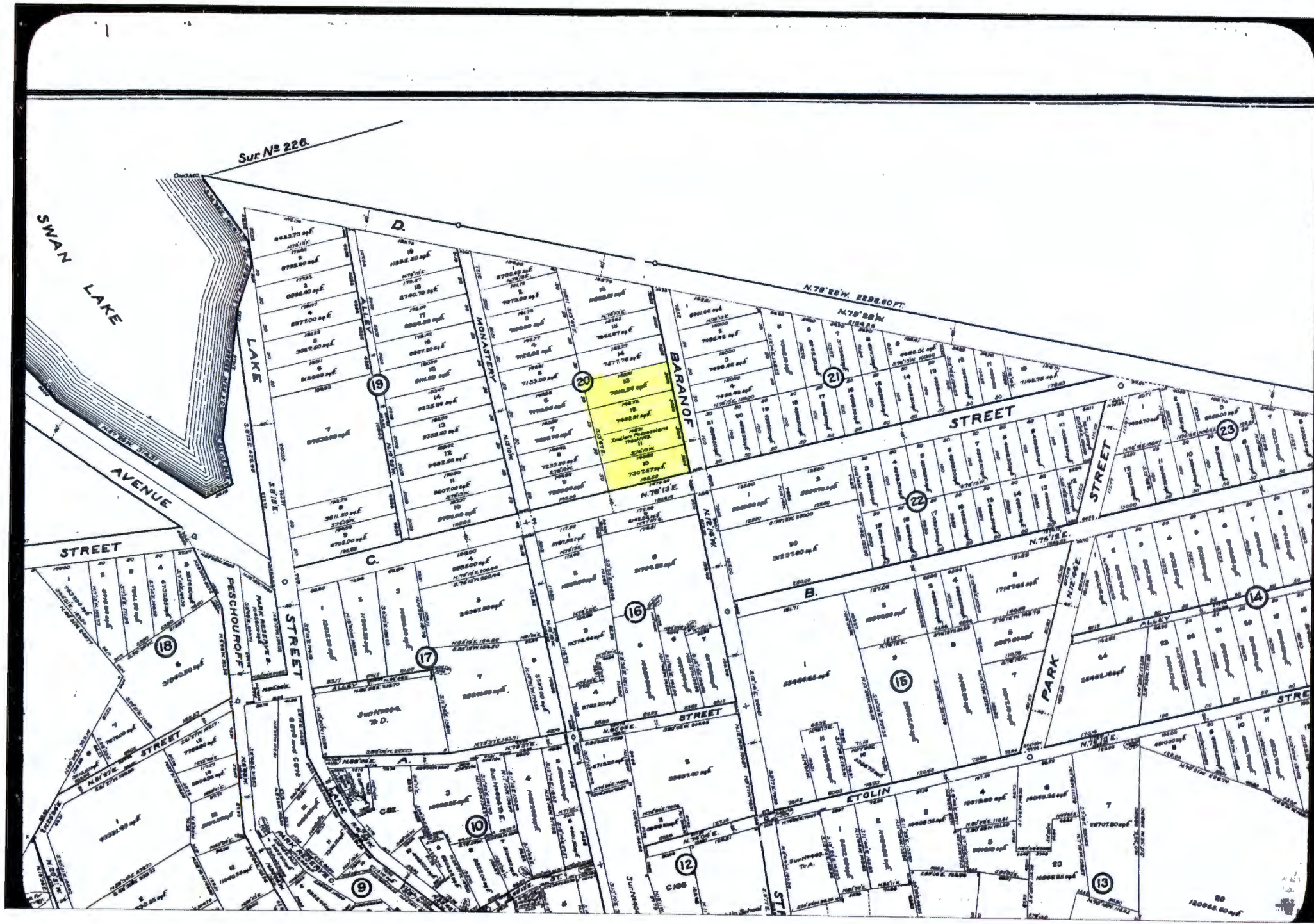
Sanctuary  
Roof

Flat Roof

Window  
Roof  
Access



Baranof Street

























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# CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT  
GENERAL APPLICATION FORM

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

**APPLICATION FOR:**

☐ VARIANCE

☒ CONDITIONAL USE CHURCH

☐ ZONING AMENDMENT

☐ PLAT/SUBDIVISION

**BRIEF DESCRIPTION OF REQUEST:** Men's winter night shelter  
Oct 1 - March 31<sup>st</sup>, 7pm - 830AM. See attachment for  
more details.

**PROPERTY INFORMATION:**

CURRENT ZONING: R-2 multi-family PROPOSED ZONING (if applicable): NA

CURRENT LAND USE(S): Resid/church PROPOSED LAND USES (if changing): N/A

**APPLICANT INFORMATION:**

PROPERTY OWNER: First Presbyterian Church Sitka

PROPERTY OWNER ADDRESS: 505 Sawmill Creek Road

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

APPLICANT'S NAME: \_\_\_\_\_

MAILING ADDRESS: 505 Sawmill Creek Road

EMAIL ADDRESS: millerkris.50@gmail DAYTIME PHONE: 541-231-2725

**PROPERTY LEGAL DESCRIPTION:** STAFF

TAX ID: 1-2920-000 LOT: 10, 11, 12, 13 BLOCK: 20 TRACT: \_\_\_\_\_

SUBDIVISION: \_\_\_\_\_ US SURVEY: 1474

**OFFICE USE ONLY**

COMPLETED APPLICATION		SITE PLAN	
NARRATIVE		CURRENT PLAT	
FEE		PARKING PLAN	



## REQUIRED SUPPLEMENTAL INFORMATION:

### For All Applications:

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

### For Conditional Use Permit:

- ☐ Parking Plan (Site Plan)
- ☐ Interior Layout

Space:  
(9'x18')

### For Plat/Subdivision:

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

### If Pertinent to Application:

- ☐ Landscape Plan
- ☐ Drainage and Utility Plan

## CERTIFICATION:

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



Owner

~~000~~ 11-20-2017

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)

11/20/17

Date

**First Presbyterian Church of Sitka (FPC)**  
**505 Sawmill Creek Road**  
**Sitka, AK 99835**  
**907-747-3356**  
**millerkris50@gmail.com**

**Residential Zone 2**  
**Land Use Church**  
**Block 20**  
**Lots 10 and 11**  
**USS 1474, Tract A**  
**Subdivision??**

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**Men's Winter Night Shelter / Watches of the Night Ministry**

**Mission/Objective**

To provide a safe, structured winter night shelter for men, to ensure safety and compliance of volunteers and guests and the safety and respect of our neighbors.

**2ndary Mission/Objective**

To connect shelter guests with other needed resources available in Sitka

**To Operate as a Ministry under:**

First Presbyterian Church of Sitka, AK a Non-Profit Corporation  
Insurance recognizes as a ministry of the church, not a separate entity

**To Function under:**

The authority and guidance of the FPC Session.  
The Pastor and Elders=elected leaders and governing body of the church

**Planning/Decision Making/Action**

By a coalition team of FPC members, other identified key players from other churches, local organizations, and Sitka community.

**To be Accomplished in Partnership**

With Presbytery of the Northwest Coast (Regional Presbyterian Church authority),  
other local churches, local organizations, Sitka community,

## **Men's Winter Night Shelter Plan**

### **1. Demographic (Who are we seeking to serve)**

Age: 18+

Gender: Male only

Sobriety: Sober enough to comply with shelter rules and expectations

Cognitive State: Stable enough to comply with shelter rules and expectations

For the safety staff, volunteers, and guests and self, and feasibly provide a men's winter night shelter.

### **2. Time Frame**

a. Winter only. October 1 thru March 31

b. Night only

i. Doors open at 7/8pm??? (can we keep general. Will depend on volunteer availability)

ii. Lockdown at 10pm. No one allowed in after lockdown, (unless escorted in by Sitka Police).

If they are there prior and leave, not allowed back in.

iii. Shelter closes at 830 AM. No one allowed on property after closure and encouraged to not loiter in area or near school. Coordinating with Baranof Elementary School, which starts at 8:05AM. Students are not allowed on school property until 745AM 830 AM shelter closure allows adequate time for student arrivals to be completed prior to shelter closure and all guests leaving.

iv. If found loitering on the premises or reported to be causing problems in the general neighborhood during the day will lose privilege to stay. Respect both our neighbors and school in area.

### **3. Number of people accommodated = 20 (as per R2 zone)**

to all sleep in one large room, Latta Hall. 1,830 sq ft

Can we have 20 people all in that large space? We want the maximum we can accommodate in the one large hall space, without needing to put up barriers and partitions, which create blind spots.

### **4. Space Used (noted on attached floor plan)**

a. Latta Hall would be used for the sleeping space with access to matts that can be stored away during the day and easily accessed and rolled out at night.

b. Kitchen would be used by volunteers only. Used to prepare and distribute food. Coffee and water would be accessible from Latta Hall.

c. Hallway to bathrooms. Bathrooms will be the designated area for people to change clothes.



- d. The Fireside room would be used by overnight volunteer staff to occupy and use during their shift. Guests may visit with volunteers. Both doors would be left open to assist in supervising movement of guests.
- e. To secure rest of facility
  - i. **Locks** installed and controlled by certain church members and volunteers running the shelter.
    - The Sanctuary door, sliding screen and prayer room will have locks to secure the sanctuary. If there is a church event in the sanctuary that overlaps the shelter opening, then designated members, at the close of that event would do a walk through to ensure no one was in that part of the building and then lock it down for the night.
    - After the close of the shelter at 830AM, designated volunteers will walk through the building to ensure no one was still in the building, and unlock the doors to the sanctuary, sliding partition and prayer room.
    - Stairway, barrier. Cannot impinge on the two groups using the upstairs offices. Will see if security camera is sufficient.

- ii. **Security cameras** would be installed to help ensure no unwanted behavior occurs and for the safety of both volunteers and guests. Are consulting a professional on placement and installation. Video coverage would be viewable by night awake volunteers during shift, and accessible after in the event of an incident.

*Working at*

- Latta Hall
  - Hallway
  - Front entrance
  - Back yard
  - Side Baranof street and backyard gate entrances
  - Middle landing of stairway. Both camera and motion sensor alert. To secure no access to the upstairs while leaving it accessible to the Young Life and Christ the Rock Ministries who have permanent office space upstairs, as well as other guests who utilize the upstairs at random times in the day and night.
- iii. **Minimum two male night awakes**, (volunteers from churches and community) will act as night awakes to help ensure no unwanted behavior occurs and for the safety and compliance of shelter rules and expectations those using the facility.
    - Policy and Procedure handbooks will be accessible to volunteers and guests
    - Chain of command in the event of an incident
    - Volunteers will receive training and orientation

## **5. General weekly use and flow of the facility**

### **a. Church**

- i. Sunday Service. Church opens about 930am.  
Service of about 20 on average attending members starts at 11am in the fireside room.
- ii. Manna Mission / soup kitchen
  - preparation begins Sunday morning by qualified church volunteers.
  - Meal served at 1pm
  - People eating ranges from 20 on average up to 40.
  - People begin to show up when doors open and hang out in the Latta Hall area until meal ends between 2 or 3pm when facility is locked down and checked to ensure no one is still in the building.
- iii. Other church events (vary)
  - Friday a small casual dinner (Times vary)
  - Friday evening 6-9pm (praise and worship practice/service)
    - Would overlap with shelter, but ok with praise team.
  - Other random events to be expected from prayer groups, study groups. Shifting schedule.
  - Leadership meetings occur once a month as scheduled. Usually in the fireside room at 530pm.

### **b. Sitka Kitch (Community Kitchen)**

- i. Schedule varies with use
- ii. Common day time users like 4H and Simple Pleasures would not be impacted by shelter.
- iii. Evening classes would be adjusted. Group has been and continues to seek another location and is aware that if shelter starts, would impact their evening classes in winter.
- iv. General class size is 10 to 12.

### **c. Young Life**

- i. Permanent office upstairs
- ii. Random hours and use from daytime and nighttime.

### **d. Christ the Rock Ministries**

- i. Permanent office upstairs
- ii. Random hours and use from daytime and nighttime.

### **e. Everything Organic**

- i. Thursdays only from 10am to 630pm. Would not be impacted by shelter.



- f. If Night Shelter Approved
- i. 1/2 hour prior to opening, minimum 2 Trained Volunteers arrive for set up or to assist in transition to shelter opening.
  - ii. 7/8pm shelter opens, using main parking lot entrance.
  - iii. First time guests fill out intake form
  - iv. All guests sign in.
  - v. All guests receive bag and body check to ensure no drugs, alcohol, or weapons are brought in. A general cognitive and sobriety assessment will be done to assess if a danger to self or others and ability to stay at the shelter for the night.
  - vi. Once having entered front door, if need to go outside for smoke break, can exit kitchen door to backyard to designated area.
  - vii. If desired, can sign up for shower and laundry schedule rotation. At this time, one shower and set of laundry machines available for use from opening to 10pm lights out and lock down.
  - viii. All guests are responsible to set up own matt and bedding with supplies provided.
  - ix. If soup/meal/snacks available, served to those coming in.
  - x. At 930pm lights out warning given. All showers, smoke breaks, being outside of the facility must be done by lights out at 10pm.
  - xi. Changing of clothes must be done in the bathrooms.  
All guests must wear pants/shorts and shirt of some kind when not in the bathroom.
  - xii. 10pm lights out and lockdown. No more leaving and entering the building. Guests expected to be in their bed. Access to bathrooms allowed as needed, but no loitering, wandering the facility, or disturbing other guests.
  - xiii. 6 AM, guest may be up to shower, finish laundry, eat breakfast if available. Guests will be responsible to put bedding in appropriate laundry bins. Trained volunteers will do remainder of cleaning to help ensure safety and sanitation.
  - xiv. Shelter closes 830 AM, Coordinate with Baranof Elementary School. Guests are free to leave whenever they want. However, once leave, at any point, cannot reenter.
  - xv. No loitering on property during the day. If reports of loitering on property or causing problems in the immediate neighborhood will loose guest privilege.
  - xvi. Automatic loss of privilege rules will be outlined such as:
    - Threat of violence to self or others
    - Possession of drugs or alcohol
    - Dealing drugs
    - Vandalism to property or neighboring area
    - Possession of any weapons, overt or makeshift

6. **All people** involved in running the shelter will be **trained, orientated** to, and have access to **policy and procedure** as well as a **chain of command** in the event of an incident. **Guests** will also be given a **policy and procedure** manual that will be reviewed on first use and as needed.

The orientation, policy and procedure and chain of command in the event of an incident will be done in partnership with the Sitka Police Department, which has confirmed their support and involvement with this project.



Parcel ID: 1-1990-000  
Hames Corporation  
208 Lake St, Ste B  
Sitka AK 99835

Parcel ID: 1-2150-000  
City and Borough of Sitka  
100 Lincoln St  
Sitka AK 99835

Parcel ID: 1-2175-000  
Damico, Victoria, L  
P.O. Box 2191  
Sitka AK 99835-2191

Parcel ID: 1-2185-000  
Herforth, Colin  
Jones, Christie  
308 Monastery St  
Sitka AK 99835

Parcel ID: 1-2190-000  
Hackett, Mark, W  
500 Lincoln St, #B4  
Sitka AK 99835

Parcel ID: 1-2195-000  
Westover, Marlene, J  
c/o Dianne Graveline  
2455 Melrose Loop  
Eugene OR 97402

Parcel ID: 1-2370-000  
BPO Elks  
412 Sawmill Creek Rd  
Sitka AK 99835

Parcel ID: 1-2380-000  
City and Borough of Sitka  
100 Lincoln  
Sitka AK 99835

Parcel ID: 1-2390-000  
City and Borough of Sitka  
100 Lincoln St  
Sitka AK 99835

Parcel ID: 1-2737-000  
Klein, Zachery  
Klein, Rachel  
409 Sawmill Creek Rd, #A  
Sitka AK 99835

Parcel ID: 1-2740-000  
Sitka Heritage Properties, LLC  
1 Maksoutoff St  
Sitka AK 99835

Parcel ID: 1-2745-000  
Gorman, James  
137 Riggs Rd  
Sitka AK 99835

Parcel ID: 1-2750-000  
Osborne, Douglas  
Osborne, Jami  
404 Hollywood Way  
Sitka AK 99835

Parcel ID: 1-2755-001  
Filler, Maybelle, F  
Filler, Jr, Stanley, J  
406 Hollywood Way  
Sitka AK 99835

Parcel ID: 1-2755-002  
Cox, Lillian, S  
534 E Crestview St  
Springfield MO 65807

Parcel ID: 1-2765-000  
Colliver, Mary, L  
Colliver, Robert  
409 Monastery St  
Sitka AK 99835

Parcel ID: 1-2770-000  
LaGuire, Jacqueline  
LaGuire, Michael, W  
P.O. Box 6369  
Sitka AK 99835-6369

Parcel ID: 1-2775-000  
Baranof Island Housing Authority  
245 Katlian Ave  
Sitka AK 99835

Parcel ID: 1-2805-000  
Wallace, Georjeana  
Wallace, Gregory, S  
417 Monastery St  
Sitka AK 99835

Parcel ID: 1-2850-000  
Boland, Loretta, Diane  
Woods, Melvina  
3227 D 7/8 Road  
Clifton CO 81520

Parcel ID: 1-2870-001  
Bacon, Thomas, R  
Bacon, LaNelle, W  
P.O. Box 6073  
Sitka AK 99835-6073

Parcel ID: 1-2870-002  
Parker, Karen, S  
204 Katlian Ave  
Sitka AK 99835

Parcel ID: 1-2870-003  
Gangle, Judith  
414 Monastery St  
Sitka AK 99835

Parcel ID: 1-2870-004  
Houp, Randy, L and Dayna, L  
Myron, Rachel and Lewis, Stephen  
412 Monastery St  
Sitka AK 99835

Parcel ID: 1-2870-005  
Adams, Gus, M  
500 DeGroff St  
Sitka AK 99835

Parcel ID: 1-2870-006  
Hughes, Ellen  
P.O. Box 6594  
Sitka AK 99835

Parcel ID: 1-2870-007  
Cottrell, Carl, M  
Cottrell, Bonnie, A  
504 Degroff St  
Sitka AK 99835

Parcel ID: 1-2870-008  
Henricksen, Melissa, A  
Lara, Thaddeus, J  
506 DeGroff St  
Sitka AK 99835

Parcel ID: 1-2870-009  
Vosburg, Susan, E  
3955 Innsbruck Ct  
Reno NV 89519-0637

Parcel ID: 1-2870-010  
Common Area Monastery St Townhomes  
Monastery St  
Sitka AK 99835

Parcel ID: 1-2880-000  
Agne, Nora, F  
Agne, Teofilo  
410 Monastery St  
Sitka AK 99835

Parcel ID: 1-2890-000  
Ballesteroz, Monica, M  
P.O. Box 6625  
Sitka AK 99835-6625

Parcel ID: 1-2900-000  
Young, Jennifer, C  
406 Monastery St, #B  
Sitka AK 99835-7407

Parcel ID: 1-2905-000  
Schoenfeld, Edward S  
Longenbaugh, Sarah E  
319 B Street  
Douglas AK 99824-5550

Parcel ID: 1-2910-000  
Salo, Katherine  
Swanson, Lonnie  
P.O. Box 552  
Sitka AK 99835-0552

Parcel ID: 1-2920-000  
First Presbyterian Church  
505 Sawmill Creek Rd  
Sitka AK 99835

Parcel ID: 1-2980-000  
First Presbyterian Church  
505 Sawmill Creek Rd  
Sitka AK 99835

Parcel ID: 1-2990-000  
Carpenter, Ryan, P  
Decker, Elizabeth, A  
413 Baranof St  
Sitka AK 99835

Parcel ID: 1-3000-000  
Bahrt, Erik, L  
Bahrt, Erica, M  
P.O. Box 1654  
Sitka AK 99835-1654

Parcel ID: 1-3010-000  
Dunsing Trust, Daniel D and Lura Mae  
P.O. Box 12  
Sitka AK 99835-0012

Parcel ID: 1-3012-000  
Lawton, Anna, C  
Lawton, Sandra, L  
604 Degroff St  
Sitka AK 99835

Parcel ID: 1-3015-000  
Lawton, Anna, C  
Lawton, Sandra, L  
408 Baranof St  
Sitka AK 99835

Parcel ID: 1-3025-000  
Audette, Juli, A  
406 Baranof St  
Sitka AK 99835

Parcel ID: 1-3030-000  
Enloe-Stewart, Merle, E  
204 Seward St  
Sitka AK 99835

Parcel ID: 1-3035-000  
Petraborg, Jacquelyn, A  
606 Degroff St  
Sitka AK 99835

Parcel ID: 1-3040-000  
Callahan, Shannon, C  
608 Degroff St  
Sitka AK 99835

Parcel ID: 1-3052-000  
Love, Matthew, G  
Sarmiento, Diana  
1503 Davidoff St  
Sitka AK 99835

Parcel ID: 1-3105-000  
Welch, Bridget, L  
P.O. Box 6613  
Sitka AK 99835-6613

Parcel ID: 1-3110-000  
Smith, Donald, H  
135 NE 59th St  
Seattle WA 98105

Parcel ID: 1-3115-000  
Main, Doris, A  
605 Sawmill Creek Rd  
Sitka AK 99835

Parcel ID: 1-3120-000  
Barker, Patrick, H  
Mercurief-Barker, Joyce  
603 Sawmill Creek Rd  
Sitka AK 99835

Parcel ID: 1-3130-000  
Strand, Marcia, J  
P.O. Box 795  
Sitka AK 99835-0795

Parcel ID: 1-3135-000  
LaGuire, Jacqueline  
LaGuire, Michael  
P.O. Box 6369  
Sitka AK 99835

Parcel ID: 1-3150-000  
City and Borough of Sitka  
100 Lincoln St  
Sitka AK 99835

Parcel ID: 1-3160-000  
McConnell, Mildred, L  
McConnell, Michael, D  
606 Sawmill Creek Rd  
Sitka AK 99835

Parcel ID: 1-3170-000  
McNally Revocable Trust  
McNally, William and Mary (Trustees)  
608 Sawmill Creek Rd  
Sitka AK 99835

Parcel ID: 1-3260-000  
Armstrong, Theodore, A  
Ferguson Armstrong, Lana  
1613 6th St  
Daphne AL 36526

Parcel ID: 1-3275-000  
Thielke, John  
Thielke, Karen  
19518 NW 147th Ave  
Shoreline WA 98177-2702

Parcel ID: 1-3280-000  
Romar Holdings LLC  
208 Lake St, Ste B  
Sitka AK 99835

Parcel ID: 1-3283-000  
Romar Holdings LLC  
208 Lake St, Ste B  
Sitka AK 99835



Parcel ID: 1-3285-000  
**Romar Holdings LLC**  
208 Lake St, Ste B  
Sitka AK 99835

Parcel ID: 1-3290-000  
Nasseri, Dalila  
607 Biorka St  
Sitka AK 99835

Parcel ID: 1-7150-000  
Castillo, Avelina, P  
Dumlao, Thelma  
P.O. Box 1256  
Sitka AK 99835

Parcel ID: 1-7152-000  
Staton, Ethel, L  
P.O. Box 829  
Sitka AK 99835

Parcel ID: 1-7175-000  
**Marilyn Ungudruk 3rd Party Trust**  
505 DeGroff St  
Sitka AK 99835

Parcel ID: 1-7185-000  
Young, Lillian  
Young, Kyle  
503 DEGROFF ST  
Sitka AK 99835

Parcel ID: 1-8000-000  
**Dunsing Trust, Daniel D and Lura Mae**  
P.O. Box 12  
Sitka AK 99835

Parcel ID: 1-8005-000  
Davis, Sr, Herman, K  
Davis, Vida, S  
P.O. Box 395  
Sitka AK 99835

Parcel ID: 1-8010-000  
**Alvine Living Trust, Franklin, G**  
6311 S Calico R1  
Sioux Falls SD 57108

Parcel ID: 1-8015-000  
Foss, Jeanette, M  
Foss, Jr, Scott, A  
P.O. Box 2125  
Sitka AK 99835-2125

Parcel ID: 1-8020-000  
Osbakken, Dorothy, J  
P.O. Box 354  
Sitka AK 99835

Parcel ID: 1-8025-000  
Osbakken, Dorothy, Jean  
P.O. Box 354  
Sitka AK 99835-0354

Parcel ID: 1-8230-000  
Forrey, Jill, S  
Forrey, John, P  
604 Merrill St  
Sitka AK 99835

Parcel ID: 1-8235-000  
Howard, Glenn, G  
Howard, Elizabeth, A  
602 Merrill St  
Sitka AK 99835

Parcel ID: 1-8240-000  
Rouse, Sr, John, M  
Rouse, Kathleen, R  
504 Baranof St  
Sitka AK 99835

**P&Z Mailing**  
December 8, 2017

**PAID**

NOV 20 2017

CITY & BOROUGH OF SITKA

INVOICE

CITY AND BOROUGH OF SITKA

100 LINCOLN STREET, SITKA ALASKA 99835

DATE: 11/20/2017

To: 1st Presbyterian Church  
505 SMC Rd  
Sitka AK 99835

ACCOUNT # 100-300-320-3201.002  
PLANNING & ZONING

Variance.....	
Conditional Use Permit.....	100.00
Minor Subdivision.....	
Major Subdivision.....	
Zoning Map Change.....	
Zoning Text Change.....	
Lot Merger.....	
Boundary Line Adjustment.....	
General Permit.....	
Appeal of Enforcement Action (Pending).....	
Other.....	
Sales Tax.....	5%
	\$105.00
TOTAL.....	<del>100.00</del>

Thank you



## Samantha Pierson

---

**From:** Michael Scarcelli  
**Sent:** Monday, December 11, 2017 8:19 AM  
**To:** Samantha Pierson  
**Subject:** FW: Homeless Shelter

For file ...

**From:** Bob Potrzuski (Assembly)  
**Sent:** Monday, December 11, 2017 8:13 AM  
**To:** Catherine Parker <cmparker53@gmail.com>; Michael Scarcelli <michael.scarcelli@cityofsitka.org>  
**Subject:** Re: Homeless Shelter

Ms. Parker-

Thank you for your note. I appreciate all of your concerns, as does the church. One factual error, which I understand is a common misconception is the statement that the city sends folks 'to another community' at the city's expense. This is simply not true.

As one who has a difficult time with cigarette smoke, I also understand this concern. I have appreciated the church's willingness to work with the neighborhood on these issues. I hope that they can be resolved in some manner so we can, in our nastiest seasons, get these folks off of the streets and out of the woods.

Thanks for your long service at the library.

Respectfully yours,

Bob Potrzuski

---

**From:** Catherine Parker <cmparker53@gmail.com>  
**Sent:** Monday, December 11, 2017 12:27:33 AM  
**To:** Michael Scarcelli; Assembly  
**Subject:** Homeless Shelter

Catherine Parker  
PO Box 1424  
Sitka, AK 99835  
(907) 747-5564 [cmparker53@gmail.com](mailto:cmparker53@gmail.com)

12/10/2017  
Michael Scarcelli, Development Director  
Planning Department  
City & Borough of Sitka [michael.scarcelli@cityofsitka.org](mailto:michael.scarcelli@cityofsitka.org)

To whom it may concern:

In regards to the proposal by the Presbyterian Church to turn their facility into a shelter for the homeless, I have some concerns. I did not attend the first meeting called by the church with an invitation to the neighbors of adjoining properties and the City's Planning Department, but the meeting was brought to my attention. I do have concerns with this proposal and will expand on those concerns now.

I do understand the need for sheltering the homeless. It is a challenge and dilemma that no community no matter how large or small is immune to. I do know that the Sitka Presbyterian Church has undertaken as part of their

extended mission work, to open a soup kitchen to serve this particular population in our community. This is a noble if not moral cause that most churches undertake. Working for over thirty years in our public library, I was made very aware of the homeless population that exists in our community. It is a population that cannot be simply categorized as each person is an individual and has specific circumstances that have put them in this vulnerable position. A number of these citizens have at one time held jobs, but for whatever reason have not worked for years, live in the woods or with friends and quietly find their way to the library to spend time reading etc. Others however often display symptoms of mental problems or substance abuse whereby outside assistance often is necessary...to the point where many are shipped off to another community at the City's expense ... a very sad situation. What I'm trying to convey here is that housing the homeless should be considered a very serious and not casual situation by this Church or the City. There certainly must be City if not Alaska Statutes that regulate these types of facilities for the safety and health of the individuals living in these dwellings and for the adjoining neighborhoods. As this Church is an older building, it would be their responsibility to renovate the entire structure in order to bring it up to code. I would think it necessary if not required that the Church hire attendants to be on site just as you would with a daycare, motel or school dormitory for the safety of the residents and for the building itself. Churches often like to keep their doors open, but the last time St. Peter's did this...someone lit candles in all the windows and the place nearly burned down. I worry that property values will decrease for home owners in the area. People are raising families and this is a concern to have transient people in the neighborhood, plus there is an elementary school nearby. I have driven by the church and seen the homeless waiting outside the door smoking up a storm. I have been told that the church will set up a "smoke shack." This is not good enough. If the Church and City give consent to this proposal, then the Church and the City are responsible for the safety of the community seeking this shelter and the safety of the residents in the neighborhood. I hope the Church and City take these concerns seriously as it is a huge undertaking that needs to be very carefully thought out and regulated so that all will be safe. Thank you for your thoughts towards this matter.

Catherine Parker



## **Samantha Pierson**

---

**From:** Betsy Longenbaugh <belongenbaugh@gmail.com>  
**Sent:** Tuesday, December 12, 2017 11:31 AM  
**To:** Planning Department  
**Cc:** Ed Schoenfeld  
**Subject:** support church project

Dear staff,

My husband, Edward Schoenfeld, and I are adjacent property owners to the Presbyterian Church in Sitka. We are in full support of their offering shelter for homeless men during the winter months. Please feel free to contact us if you have questions.

Best wishes,

Sarah Longenbaugh  
Cell: 907-500-4656

Erik Bahrt  
415 Baranof Street  
P.O.Box 1272  
Sitka, AK 99835

December 13th, 2017

Planning and Community Development Department  
100 Lincoln Street  
Sitka, AK 99835

**In regards to the proposed conditional use permit at 505 Sawmill Creek Road, the applicant being First Presbyterian Church**

To Whom it May Concern:

While the applicant intends to operate as a ministry, they will also be operating as a homeless shelter, and these two classifications of use are not mutually exclusive of each other. A seasonal men's shelter (or "homeless shelter") is beyond the scope of an expansion of a nonconforming use (church) and should be treated as a completely separate non-conforming use. In doing so, considering the approval of a seasonal men's shelter at the applicant's location is no different than considering the approval of a nonconforming use permit for a seasonal men's shelter on any other R-2 zoned property in Sitka. The applicant's current non-conforming use permit and role as a church should have no influence in the consideration of the applicant's request.

Independent of whether the above statement is deemed valid, three reasons the applicant's request should be denied are as follows:

**1. The proposed conditional use permit will be detrimental to public safety (See Sitka General Code Section 22.30.160 (C)).**

The applicant's proximity to an elementary school creates an increased risk to public safety inherent with the agglomeration of these two different user groups (elementary age school children and those seeking or utilizing a night shelter).

Hours of operation are an insufficient means of mitigating this concern as they are unenforceable restrictions. Shelter users will be free to leave at any time and their departure onto public sidewalks cannot be regulated or enforced.



When living in an R-2 multifamily residential district there is a reasonable expectation that the safety of children in public spaces (e.g. sidewalks) will be accommodated. This reasonable expectation of safety is integral to the established residential character of the surrounding vicinity.

The applicant's interference with public safety in a R-2 zone can only be remedied by permitting night shelters exclusively in CBD, C-1 or C-2 zones.

**2. The proposed conditional use permit will adversely affect the established character of the surrounding vicinity (See Sitka General Code Section 22.30.160 (C)).**

A seasonal men's shelter (or "homeless shelter") has the same residential impact as any large scale commercial operation. The application for this conditional use permit illustrates how this form of short term housing requires increased levels of security, staffing, police involvement, police training, and police presence. Any possible disruptions to neighbors will occur exclusively during night time hours, and as a result these disruptions are unable to be reduced in any meaningful way that would protect the residential character of the R-2 district.

Because conditional use restrictions cannot be imposed which preserve and protect the residential character of the R-2 district, the permitting of any night shelter should only be allowed in CBD, C-1, and C-2 zones which accommodate for general impacts to a higher level and degree (See Sitka General Code Section 22.16.015 (C)).

**3. The proposed conditional use permit will be injurious to the uses, property, and improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located (See Sitka General Code Section 22.30.160 (C)).**

The decreased desire to live in a residential neighborhood with this style of incongruous and disruptive short term housing affects the ability for a property owner in a R-2 district to use their house as intended, be it as a primary residence or residential rental. It is an unfortunate fact that this decreased desirability will affect market valuations. While these market forces are largely beyond control, a property owner in a R-2 district should not be subjected to this kind of damage when the source is a non-conforming use permit issued within their zoning district.

All issues pertaining to the proposed conditional use permit stem from the residential setting of the applicant. The issues associated with permitting a night shelter can only be addressed by permitting night shelters exclusively in CBD, C-1, and C-2 zones where owners of residential uses in these zones must be accepting of uses which are disruptive to residents to a higher degree (See Sitka General Code Section 22.16.015 (C)).

Sincerely,

A handwritten signature in black ink, reading "Erik L. Bahrt". The signature is written in a cursive style with a large, stylized "E" and a long, sweeping underline.

Erik Bahrt  
415 Baranof Street  
738-8587