



# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

*Coast Guard City, USA*

## MEMORANDUM

**To:** Chair Spivey and Planning Commission  
**CC:** Keith Brady, Municipal Administrator  
Brian Hanson, Municipal Attorney  
**From:** Michael Scarcelli, Director, Planning and Community Development  
**Subject:** Question regarding what is the scope of the existing nonconforming use and/or potential uses that are allowable as permitted and/or conditional uses at 505 Sawmill Creek Road.  
**Date:** August 1, 2018

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Background: 505 Sawmill Creek Road is zoned R-2 (multi-family residential). Today, a church is a conditional use in this zone. Since the First Presbyterian Church use predates the code, no conditional permit was ever needed or pursued because this use is considered a legal, non-conforming use. The question is:

- 1) What is the scope if the existing legal non-conforming use?
  - a. Does this include retail food sales? (Co-op occupied some space there previously)
  - b. Does this include uses similar to Sitka Kitch? (only a business registration approved Sitka Kitch here as a legal nonconforming use)
  - c. Does this include a shelter?
  - d. Does this include a community center?
  - e. Any other uses that have occurred here or that code/law support?

The next question, independent of the above, but related is:

- 2) What conditional uses would support a private owner that wanted to have professional office space, a community center, Sitka Kitch or similar, a retail food outlet, and perhaps some shelter aspects?
  - a. Could this be a quasi-institutional use?
  - b. Could this be a community center?
  - c. Could this be a housing support facility?
  - d. Or a combination of all of the above?

Recommendation: discuss and decide by motion the answer to the above questions.

- 1) I move to conclude that the existing legal non-conforming uses currently operating at 505 SMC Road to include the following type of uses: \_\_\_\_\_.
- 2) I move to conclude that the prospective uses fall within the following conditional uses listed in SGC 22.16: \_\_\_\_\_.

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