



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Planning and Community Development Department

AGENDA ITEM:

Case No: CUP 18-25
Proposal: Request for food truck/outdoor restaurant
Applicant: Jessica Lien Lew
Owner: Ruth Ann Robinson (yet to sign application)
Location: 104 Lake Street
Legal: Lot 2 Block 2 US Survey 1474 (TAX ID 11155000)
Zone: CBD Central Business District
Size: 911 square feet
Parcel ID: TAX ID 11155000
Existing Use: Commercial Office
Adjacent Use: Commercial, retail, restaurant
Utilities: Existing Electric
Access: Sidewalk from Lake Street

KEY POINTS AND CONCERNS:

- Proposed food truck for vending of cooked food dishes
- Currently location is used to support Sitka's visitor center and chamber of commerce
- Located in the Central Business District on private property
- DEC permit will be required
- Fire safety, food safety, and traffic impacts are top concerns
- Burden of proof is on the applicant to prove that any impacts can be mitigated

RECOMMENDATION:

Staff recommends that the Planning Commission approve the conditional use permit request for a food truck/outdoor restaurant at 104 Lake Street subject to conditions of approval.

ATTACHMENTS

Attachment A: Applicant Materials

Attachment B: Staff Materials

BACKGROUND/PROJECT DESCRIPTION

The request is for a food cart/outdoor restaurant at 104 Lake Street. The cart would be located under the outdoor covered patio on a privately owned lot that serves the visitor's center. Typical hours of operation are 6-7 days a week with working hours about 11am to 3pm, but the applicant would like to be open as much as possible. Anticipated customers are tourists and locals. The cart is approximately 40 inches by 9.5 feet.

See applicant's site plan to see layout of proposal.

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: Most customers expected to be pedestrians, locals and tourists. Traffic is to be expected in the Central Business District. There is limited parking on-site. No on-site parking required in the Central Business District. See item g for additional discussion and condition of approval.

b. Amount of noise to be generated and its impacts on surrounding land use: Will applicant use a generator?

c. Odors to be generated by the use and their impacts: Cooking of foods will result in some odors. Food and beverage odors are to be expected in the Central Business District.

d. Hours of operation: Primarily 11-3 pm 6-7 days a week, with option as much as plausible.

e. Location along a major or collector street: Pedestrian and vehicular access from Lake Street, Etolin Way, and Lincoln Street.

f. Potential for users or clients to access the site through residential areas or substandard street creating a cut through traffic scenario: No cut-through concerns anticipated. The Central Business District has numerous vehicular and pedestrian routes.

¹ § 22.24.010.E

g. Effects on vehicular and pedestrian safety: cars stopping or double parking could be an issue. A condition of approval requires that the applicant and any operators enforce no parking or stalling on-site in front of cart.

h. Ability of the police, fire, and EMS personnel to respond to emergency calls on the site: Site is near fire hall and police station.

i. Logic of the internal traffic layout: small parking lot on site for a few cars.

j. Effects of signage on nearby uses: None.

k. Presence of existing or proposed buffers on the site or immediately adjacent the site: No significant structural buffers. CBD zone is compact and close proximity of business is expected and existing. Proposal does not change this.

l. Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan: Conforms to the chapter on Economic Development that supports promoting new entrepreneurial business, supporting the local tourism markets and also locals, while helping to bring more outside money in, and keeping more local money local.

m. Other criteria that surface through public comments or planning commission review: No restrooms proposed. Public restrooms available one block away at the intersection of Lincoln and Lake Streets.

RECOMMENDATION

It is recommended that the Planning Commission approve the conditional use permit request for a food truck at 104 Lake Street subject to conditions of approval.

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Motions in favor of approval:

1) I move to find that:²

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

- a. Be detrimental to the public health, safety, and general welfare *specifically, all public health and safety codes will be strictly applied according to state and city laws;*
- b. Adversely affect the established character of the surrounding vicinity *specifically, it add an additional attractant to the visitor's center and is compatible with the surrounding land uses;* 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, *specifically, waste products will be handled in accordance with municipal utility programs;*
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 the chapter on Economic Development that supports promoting new entrepreneurial business, supporting the local tourism markets and also locals, while helping to bring more outside money in, and keeping more local money local.*
3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced, *specifically that the Planning Commission may review the permit at any time upon receipt of meritorious complaint.*

2) I move to approve the conditional use permit application for a food cart/outdoor restaurant at 104 Lake Street in the Central Business District. The property is known as Lot 2 Block 2, Tax ID, 11155000. The request is filed by Jessica Lien Lew. The owner of record is Ruth Ann Robinson.

Conditions of Approval:

1. All required permits, including but not limited to DEC Food Safety and Sanitation, shall be current at all times that the conditional use permit is utilized.
2. Operations shall not obstruct safe sidewalk passage.
3. The facility shall be operated consistent with the application, narrative, and plans that were submitted with the request.
4. The applicant and any operators shall enforce no illegal parking or stalling on-site or on Lake Street or Etolin Way.
5. 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 issues with the request and mitigating adverse impacts on nearby properties.
6. Permit and use shall comply with all local regulations, including building code, fire and life safety, business registration, and remittance of all applicable taxes.
7. The owner shall sign the conditional use application and agree to be bound by these conditions of approval.
8. No electrical generator shall be used to avoid noise, odor, fire, and exhaust impacts to public health and safety.