



# 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 19-08  
Proposal: Request for food truck/outdoor restaurant  
Applicant: Nina Vizcarrondo and Brittany Dumag  
Owner: Leslie and Evelyn Kinnear  
Location: Fortress of the Bear  
Legal: Lot 2, Block 3, Sawmill Cove Industrial Park Resubdivision No. 1  
Zone: Gary Paxton Industrial Park  
Parcel ID: 6-7000-200  
Existing Use: Animal sanctuary, visitor attraction  
Adjacent Use: Industrial/Commercial  
Utilities: Existing  
Access: Sawmill Creek Road

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

- Proposed food truck for vending of cooked food dishes
- Located in the GPIIP zoning district at a frequented visitor attraction
- Will require DEC permit and approval from local Fire Marshall

### **RECOMMENDATION:**

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

## **BACKGROUND/PROJECT DESCRIPTION**

The request is for a food cart/outdoor restaurant at Fortress of the Bear. The cart would be located next to the main office. Proposed hours of operation are 8am-6pm, however the applicants would like to be able to scale-up operating hours in the future. Anticipated customers are tourists and workers from Fortress of the Bear and Silver Bay Seafoods. The cart is approximately 6 feet by 12 feet.

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

## **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:**

Most customers are expected to be visitors to the Fortress of the Bear, or workers in nearby buildings. Visitors are brought in by bus – no major increase in vehicular traffic is expected as a result of the proposal. Nearby workers will need to cross the road. Visibility is generally good along the road to facilitate safe crossing. Some nearby parking is available at the Fortress of the Bear and the Blue Lake trailhead.

**b. Amount of noise to be generated and its impacts on surrounding land use:** Expected to utilize power from Fortress of the Bear, minimal noise expected.

**c. Odors to be generated by the use and their impacts:** Cooking of food will result in some odors.

**d. Hours of operation:** Typical hours of operation are 6-7 days a week, 8am-6pm, with option to operate as much as possible/practical.

**e. Location along a major or collector street:** Access from 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:** No cut-through concerns for traffic; site is only accessible from Sawmill Creek Road.

**g. Effects on vehicular and pedestrian safety:** Parking is available nearby, and cart will likely attract pedestrians already in the area, bussed in or working nearby. Minimal impact expected.

**h. Ability of the police, fire, and EMS personnel to respond to emergency calls on the site:** Site is accessible for police, fire, and EMS response.

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<sup>1</sup> § 22.24.010.E

**i. Logic of the internal traffic layout:** Site regularly handles visitor bus and foot traffic, cart will be next to main office.

**j. Effects of signage on nearby uses:** None.

**k. Presence of existing or proposed buffers on the site or immediately adjacent the site:** Large structures, fencing, and vegetation on site.

**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:**  
Public restrooms available at Fortress of the Bear.

### **RECOMMENDATION**

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

### **ATTACHMENTS**

Attachment A: Aerial

Attachment B: Floor Plan

Attachment C: Applicant Materials

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### **Motions in favor of approval:**

**1) I move to approve** the conditional use permit application for a food cart/outdoor restaurant at Fortress of the Bear. The property is also known as Lot 2, Block 3, Sawmill Cove Industrial Park Resubdivision No. 1. The request is filed by Nina Vizcarrondo and Brittany Dumag. The owners are Leslie and Evelyn Kinnear.

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 pedestrian paths within the parking lot.
3. The facility shall be operated consistent with the application, narrative, and plans that were submitted with the request.
4. 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.

5. Permit and use shall comply with all local regulations, including building code, fire and life safety, business registration, and remittance of all applicable taxes.

6. The applicant shall receive approval from the local Fire Marshal to ensure the cart meets safety requirements.

**1) I move to find that:**<sup>2</sup>

1. ...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.
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.

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<sup>2</sup> § 22.30.160.C – Required Findings for Conditional Use Permits