



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 19-12
Proposal: Request for food stand/outdoor restaurant
Applicant: Colin Flanagan
Owner: Troy and Vickie Denkinger
Location: 200 Lincoln 130 Lincoln St.
Legal: Lot 6, Block 1, Sitka Townsite
Zone: CBD Central Business District
Size: 9,419 square feet
Parcel ID: 1-0062-000
Existing Use: Retail establishment
Adjacent Use: Commercial, retail, restaurant
Utilities: Existing
Access: Lincoln Street, alley adjacent to building

KEY POINTS AND CONCERNS:

- Proposed food stand for making of and selling fry bread
- Located in the Central Business District on private property
- Given nearby apartments, late night hours may be problematic
- DEC permit not needed

RECOMMENDATION:

Staff recommends that the Planning Commission approve the conditional use permit request for a food stand at 200 Lincoln Street subject to conditions of approval.

BACKGROUND/PROJECT DESCRIPTION

The request is for a food stand at 200 Lincoln Street. The cart would be located an alley adjacent to the main building, The Cellar, on Lincoln Street. Typical hours of operation are primarily on cruise ship days from 10am - 3pm, possibly weekends, and after hours from 9pm to midnight. Anticipated customers are pedestrians, tourists and locals alike. The fry station and register will be situated under an 8 foot by 8 foot canopy tent.

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 are expected to be pedestrians, both locals and tourists. Traffic, and foot traffic, is to be expected in the Central Business District. There is only street-parking adjacent to proposed site, however, no on-site parking is 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: Plans include utilizing a quiet generator - applicant to clarify model type and expected noise level.

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: Typical hours include 10am - 3pm, and after hours from 9pm to midnight. Given nearby apartments and previous operations in this alley, late night hours may be problematic. Commissioners may consider amended hours as a condition of approval.

e. Location along a major or collector street: Access from Lincoln Street only

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 vehicular traffic anticipated. The Central Business District has numerous vehicular and pedestrian routes.

g. Effects on vehicular and pedestrian safety: Parking is available nearby, and cart will likely attract pedestrians primarily. 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.

¹ § 22.24.010.E

i. Logic of the internal traffic layout: 8 ft. by 8 ft. canopy tent with fry station and register underneath. No seating proposed.

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. Restrooms available in surrounding establishments.

RECOMMENDATION

It is recommended that the Planning Commission approve the conditional use permit request for a food stand at 200 Lincoln Street subject to conditions of approval.

ATTACHMENTS

Attachment A: Aerial

Attachment B: Site Plan

Attachment C: Photos

Attachment D: Plat

Attachment E: Application

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Motions in favor of approval:

1) I move to approve the conditional use permit application for a food stand at 200 Lincoln Street subject to the conditions of approval. The property is also known as Lot 6, Block 1, Sitka Townsite. The request is filed by Colin Flanagan. The owners of record are Troy and Vickie Denkinger.

Conditions of Approval:

1. All required permits 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 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.

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
 - 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.

² § 22.30.160.C – Required Findings for Conditional Use Permits