

Ainslie delivered the staff report, noting that the proposed short-term rental was the lower unit in a two dwelling-unit home, with the owners using the upper dwelling unit as their primary residence. The lower unit was relatively small, with one bedroom. There would likely be one to three guests at any given time. The home was on a large lot with ample parking. The adjacent lot to the north had a densely populated mobile park home, the adjacent lot to the east was vacant/undeveloped, and the neighborhood along Patterson Way was moderately populated. Ainslie stated only one potential concern, which was the size and condition of Patterson Way, but Ainslie felt that with the owners on the premises, they could adequately enforce speed and traffic rules with their guests.

The applicant, Robert Emley, came forward. Emley stated that he and his wife had owned and managed an Air BnB in the past, and felt comfortable doing so again. Emley felt that doing a short-term rental with the lower unit was the most profitable use of the space to help with living expenses, and allowed Emley to retain more control and ownership of the unit (as opposed to renting it out long-term).

M-Weaver/S-Colvin moved to approve the conditional use permit for a short-term rental at 140 Patterson Way in the R-1MH zoning district subject to the attached conditions of approval. The property was also known as Lot 1, Amended Kin-Croft Subdivision. The request was filed by Robert and Ashley Emley. The owners of record were Robert and Ashley Emley. Motion passed 3-0 by voice vote.

M-Weaver/S-Colvin moved to adopt the findings as stated in the staff report. Motion passed 3-0 by voice vote.

F [CUP 19-12](#)

Public hearing and consideration for a conditional use permit for a food stand at 200 Lincoln Street in the Central Business District. 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.

Attachments: [CUP 19-12 Flanagan Food Stand Staff Report](#)
[CUP 19-12 Flanagan Food Stand Aerial](#)
[CUP 19-12 Flanagan Food Stand Site Plan](#)
[CUP 19-12 Flanagan Food Stand Photos](#)
[CUP 19-12 Flanagan Food Stand Plat](#)
[CUP 19-12 Flanagan Food Stand Application](#)

Ainslie gave the staff report for the proposal to run a fry bread stand in an alley way on Lincoln Street. The stand would be operated mostly on cruise ship days from approximately 10am to 3pm, and potentially on some "late night hours" on the weekends from 9pm to midnight. The stand would be comprised of a 8 foot by 8 foot canopy tent, with two tables under the tent (one for the fry station and one for the register), with a generator powering the stand. Ainslie noted that the alley way had a building at the end of it, and did not connect Lincoln Street to Harbor Drive, therefore the stand would not impede foot traffic. Ainslie suggested the Commissioners get clarification from the applicant on the generator to be used, as she had not been provided details about it and there could be potential noise concerns.

The applicant, Colin Flanagan, came forward. Flanagan clarified that he had purchased a 3000 watt enclosed generator to ensure a quieter operation. Flanagan wished to

operate the stand only for the summer months, until the end of September. Flanagan also affirmed he would like to try late-night hours, as a previous food stand in the same location had catered to evening crowds.

Robert Petrie stated his concerns about the diminished aesthetic of the historic downtown area with food stands and tents. Petrie stated that there was rental space available downtown that could be utilized, and wished to see food carts and trucks be concentrated in one area not in the downtown area. The amount of street vending was getting bigger every year, as most alley ways and available sidewalk space were being utilized for this activity; Petrie felt it needed to be addressed before it became unmanagable.

Debbie Petrie had three primary concerns which were noise, trash, and restrooms for the applicant's customers. Petrie also noted that there was downtown space available for rent if the applicant wanted a space to operate his business from, and that there should be a dedicated area not in the central business district for this type of activity to occur.

Colvin stated that since the stand would only be doing fry bread, which was a specialty item rather than a whole meal, it didn't compete as much with downtown restaurants and was therefore in favor of it. Weaver said that he generally agreed with Mr. Petrie and felt that there should be a designated place for this type of activity, but that since a solution had not yet been found and it was too far into the summer season to wait for a such a place to be found and designated, he did not want to deny the request. Hughey echoed Weaver's thoughts, and also felt that the concerns raised in the public comment of this item, as well as the discussion item at the beginning of the meeting, were legitimate and needed be addressed.

M-Colvin/S-Weaver moved to approve the conditional use permit application for a food stand at 200 Lincoln Street subject to the conditions of approval. The property was also known as Lot 6, Block 1, Sitka Townsite. The request was filed by Colin Flanagan. The owners of record were Troy and Vickie Denkinger. Motion passed 3-0 by voice vote.

M-Colvin/S-Weaver moved to adopt the findings as stated in the staff report. Motion passed 3-0 by voice vote.

G [CUP 19-13](#)

Public hearing and consideration for a conditional use permit for a marijuana retail facility at 1210 Beardslee Way in the Industrial District. The property is also known as Lot 1B, Mick's Resubdivision. The request is filed by Marty and Elizabeth Martin, Justin Brown, and AKO Farms, LLC. The owner of record is Martin Enterprises, Inc.