



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





CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT GENERAL APPLICATION FORM

- Applications must be deemed complete at least TWENTY-ONE (21) days in advance of next meeting date.
- Review guidelines and procedural information.
- Fill form out completely. No request will be considered without a completed form.
- Submit all supporting documents and proof of payment.

APPLICATION FOR:

☐

VARIANCE

☒

CONDITIONAL USE

☐

ZONING AMENDMENT

☐

PLAT/SUBDIVISION

BRIEF DESCRIPTION OF REQUEST: Looking to get the Conditional use permit to sell fry bread to raise money for college for a recent Mt. Edgecombe graduate.

PROPERTY INFORMATION:

CURRENT ZONING: CBD PROPOSED ZONING (if applicable): N/A

CURRENT LAND USE(S): Retail, eat & drink establishment PROPOSED LAND USES (if changing): N/A

APPLICANT INFORMATION:

PROPERTY OWNER: Troy & Vickie Denlinger

PROPERTY OWNER ADDRESS: (mailing) 203 Harbor Dr

STREET ADDRESS OF PROPERTY: Sitka, AK 99835

APPLICANT'S NAME: Colin Flanagan

MAILING ADDRESS: 415 Vesteria Ave Unit B

EMAIL ADDRESS: Colinmatthew65@gmail.com DAYTIME PHONE: 630-659-5923

PROPERTY LEGAL DESCRIPTION:

TAX ID: _____ LOT: _____ BLOCK: _____ TRACT: _____

SUBDIVISION: _____ US SURVEY: _____

Last Name

Date Submitted

Project Address

REQUIRED INFORMATION:

For All Applications:

- ☒ Completed General Application form
- ☒ Supplemental Application (Variance, CUP, Plat, Zoning Amendment)
- ☒ Site Plan showing all existing and proposed structures with dimensions and location of utilities
- ☒ Floor Plan for all structures and showing use of those structures
- ☐ Copy of Deed (find in purchase documents or at Alaska Recorder's Office website)
- ☐ Copy of current plat (find in purchase documents or at Alaska Recorder's Office website)
- ☐ Site photos showing all angles of structures, property lines, street access, and parking – emailed to planning@cityofsitka.org or printed in color on 8.5" x 11" paper
- ☐ Proof of filing fee payment

For Marijuana Enterprise Conditional Use Permits Only:

- ☐ AMCO Application

For Short-Term Rentals and B&Bs:

- ☐ Renter Informational Handout (directions to rental, garbage instructions, etc.)

CERTIFICATION:

I hereby certify that I am the owner of the property described above and that I desire a planning action in conformance with Sitka General Code and hereby state that all of the above statements are true. I certify that this application meets SCG requirements to the best of my knowledge, belief, and professional ability. I acknowledge that payment of the review fee is non-refundable, is to cover costs associated with the processing of this application, and does not ensure approval of the request. I understand that public notice will be mailed to neighboring property owners and published in the Daily Sitka Sentinel. I understand that attendance at the Planning Commission meeting is required for the application to be considered for approval. I further authorize municipal staff to access the property to conduct site visits as necessary. I authorize the applicant listed on this application to conduct business on my behalf.

Vicki K
Owner

5.15.2019
Date

Owner

Date

I certify that I desire a planning action in conformance with Sitka General Code and hereby state that all of the above statements are true. I certify that this application meets SCG requirements to the best of my knowledge, belief, and professional ability. I acknowledge that payment of the review fee is non-refundable, is to cover costs associated with the processing of this application, and does not ensure approval of the request.

Cole R. Langston
Applicant (If different than owner)

5.15.2019
Date

Last Name

Date Submitted

Project Address



CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
SUPPLEMENTAL APPLICATION FORM
CONDITIONAL USE PERMIT

APPLICATION FOR

- ☐ MARIJUANA ENTERPRISE
☐ SHORT-TERM RENTAL OR BED AND BREAKFAST
☒ OTHER: Food Cart

CRITERIA TO DETERMINE IMPACT – SGC 22.24.010(E) (Please address each item in regard to your proposal)

- Amount of vehicular traffic to be generated and impacts of the traffic on nearby land uses:

Minimal

- Amount of noise to be generated and its impacts on surrounding land use: Minimal noise.

We will use a generator meant for silence. We
will keep generator in the far back of alley.

- Odors to be generated by the use and their impacts: Just the sweet smell
of fry bread.

- Hours of operation: Cruise ship days around 10am - 3pm
Possibly weekends. After hours from 9pm - Midnight.

- Location along a major or collector street: Downtown tucked away on Harbor Dr.

- Potential for users or clients to access the site through residential areas or substandard street creating a cut through traffic scenario: No traffic issues will be disturbed.

- Effects on vehicular and pedestrian safety: No effects on either

Last Name

Date Submitted

Project Address

- Ability of the police, fire, and EMS personnel to respond to emergency calls on the site: Very fast
- Logic of the internal traffic layout: Easy traffic flow. Will not disturb local foot traffic.
- Effects of signage on nearby uses: Minimal signage
- Presence of existing or proposed buffers on the site or immediately adjacent the site: None
- Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan (CITE SPECIFIC SECTION AND EXPLAIN): ED.6.7
- Other criteria that surface through public comments or planning commission review (odor, security, safety, waste management, etc.):

Last Name

Date Submitted

Project Address

REQUIRED FINDINGS (SGC 22.30.160(C),

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

- a. Be detrimental to the public health, safety, and general welfare because it is a safe and well managed site/business;
- b. Adversely affect the established character of the surrounding vicinity, because it will be clean and responsible; 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, because, it has a minimal impact on surrounding area and will be well maintained;

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 Comprehensive Plan Section ED 6.7 which states Supports the growth of manufacturing businesses that add value to sustainability because the proposal will bring in tax revenue and help a student go to college.;

3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced, because it is most important that the community is safe and healthy. The business can be monitored but will be a benefit to sitka.

ANY ADDITIONAL COMMENTS Please help Ann and I get the conditional use permit so we can raise money for her to go to Whitworth University in Spokane. She is very short and we need to start raising money through Frybredd.

Ch. Rahayan
Applicant

5.15.2019
Date

Last Name

Date Submitted

Project Address