



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Memorandum

To: Chair Spivey and Planning Commission
From: Amy Ainslie, Planner I, Planning and Community Development
Subject: Amendment to CUP 19-12
Date: October 11, 2019

CUP 19-12, a conditional use permit for a food stand in the Central Business District (CBD) at 200 Lincoln Street was approved by the Planning Commission on June 5, 2019 (minutes attached). The proposal was for a food stand serving fry bread during the summer season. The stand itself was to consist of an 8' x 8' canopy tent which would shelter the fry station and register. The permit holder, Colin Flanagan utilized this permit during the 2019 summer season in accordance with the narrative and conditions of approval.

Mr. Flanagan, wishing to continue operations next season, is considering improvements to his business plan. In partnership with Sitka High School, Flanagan would like to purchase an 8' by 8' shed built through the school's shop program and utilize it for the fry bread business.

Factors changed/impacted from original permit approval:

1. The site plan for the conditional use permit when issued was for a pop-up type canopy that was assembled and disassembled on a daily basis. The placement of a shed/shack/kiosk in the alley is a different aesthetic impact than the original proposal. Some may feel this is an improvement, but given the subjective nature of such impacts, a public hearing is appropriate to help weigh aesthetic considerations.
2. Though the placement of the structure is not permanent, it would require a forklift to place and/or move the structure. The Commission should consider whether or not it will be a requirement to remove the structure in the "off season", and if such a requirement ought to be a condition of approval for the permit.
3. Accessibility for fire and emergency services may be impacted – applicant is working with city staff on a plan for size and placement to meet safety needs. Applicant is willing to work on design changes (potentially a 6' x 10' design) if needed. Securing sign-off from the Building and Fire Departments for the placement of the shed is a condition of approval.

Factors NOT changed/impacted from original permit approval:

1. Vehicular and pedestrian traffic un-impacted: The alley does not connect through to Harbor Drive, therefore the placement of the shed will not impede a thoroughfare.
2. No additional noise or odor impacts are expected, applicants plan to use the same equipment.
3. Hours of operation are the same as previously proposed (~10am – 3pm on cruise ship days, some after hours on weekends from 9pm to midnight).

Attachments:

Attachment A: Aerial

Attachment B: Application & Narrative

Attachment C: Site Plan & Drawings

Attachment D: Minutes

Attachment E: Original CUP Information

Recommended Motions:

“I move to approve the proposed amendment to CUP 19-12, a conditional use permit for a food stand in the central business district subject to the attached conditions of approval. The property is also known as 200 Lincoln Street. The request is filed by Colin Flanagan. The owners of record are Troy and Vickie Denkinger.”

Conditions of approval:

1. Placement of the shed must be approved by the CBS Building Department and Fire Department.
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.