



CITY AND BOROUGH OF SITKA

Minutes - Draft

Planning Commission

Wednesday, June 17, 2020

7:00 PM

Harrigan Centennial Hall

I. CALL TO ORDER AND ROLL CALL

Present: Chris Spivey (Chair), Darrell Windsor, Randy Hughey, Victor Weaver, Stacy Mudry
Staff: Amy Ainslie
Public: Travis Vaughn, Ariadne Will

Chair Spivey called the meeting to order at 7:00 PM.

II. CONSIDERATION OF THE AGENDA

III. CONSIDERATION OF THE MINUTES

M-Windsor/S-Weaver moved to approve the June 3, 2020 minutes. Motion passed 5-0 by voice vote.

A [PM 20-10](#) Approve the June 3, 2020 minutes.

Attachments: [09-June 3 2020 DRAFT](#)

IV. PERSONS TO BE HEARD

V. PLANNING DIRECTOR'S REPORT

Ainslie began the report with an update on the No Name Mountain Project. A memo in the packet outlined the key findings from the report and near-term economic development actions that could be pursued in the study area. Ainslie noted Scott Brylinsky was working to close the contract, finalize paperwork, and get final documentation. She mentioned the department was in receipt of the final PDF version of the plan supplied by the consultants. Staff was in discussion with the Administrator, the Assembly, and the Commission to determine what, if any, next steps could be taken. Ainslie took a minute to express her appreciation for the work Brylinsky had done in the department, both in terms of projects and mentorship. Ainslie noted the Planner I recruitment was going well, they hoped to extend an offer within the week and start training as soon as possible. Finally, Ainslie mentioned the potential land sale on Kramer Avenue would be discussed at the Assembly meeting the following week. The Assembly would discuss points that the Commission had previously discussed: if a land sale should move forward, whether to sell a portion or the entire tract, and the sales process.

VI. REPORTS

- B** [MISC 20-11](#) Memo to Commission on No Name Mountain/Granite Creek Master Plan project.

Attachments: [Status report -final-No Name Mtn MP to administrator-assembly-planning 12Jun20](#)

VII. THE EVENING BUSINESS

- C** [VAR 20-05](#) Public hearing and consideration of a variance to reduce a front setback from 14 feet to 7 feet at 1904 Cascade Creek Road in the R-1 single family and duplex residential district. The property is also known as Lot 8B, Shoemaker Subdivision. The request is filed by Travis Vaughn. The owner of record is Mandie Smith.

Attachments: [V 20-05 Vaughn 1904 Cascade Creek Variance Staff Report](#)
[V 20-05 Vaughn 1904 Cascade Creek Variance Aerial](#)
[V 20-05 Vaughn 1904 Cascade Creek Variance As-Built](#)
[V 20-05 Vaughn 1904 Cascade Creek Variance Site Plan](#)
[V 20-05 Vaughn 1904 Cascade Creek Variance Plat](#)
[V 20-05 Vaughn 1904 Cascade Creek Variance Pictures](#)
[V 20-05 Vaughn 1904 Cascade Creek Variance Applicant Materials](#)

Ainslie described the property and the reason for the variance request in her report. She noted the duplex was built in 1977 and was built 13 feet from the property line at that time, causing an existing one-foot encroachment into the setback. Ainslie clarified a deck was needed to enter the duplex and a three-foot minimum width was required for a deck. Thus, due to the existing encroachment and the necessity of 3 feet minimum width for a deck, therefore four of the seven feet requested by the applicant was not optional. Ainslie noted the applicant had requested a seven-foot variance to allow a six-foot deck for easier ingress and egress, especially for renters who needed to move furniture in and out. Ainslie pointed out even with the extra deck width the property had plenty of parking that did not impact traffic on the street. She noted Cascade Creek had originally been platted to connect directly to Edgumbe drive leaving 60 feet for the road and right of way. Because the plan to connect the roads had never been completed the developed road was only 20-30 feet in width with a large right of way between the properties and the road. Staff recommended approval due to the original structure, the need for decks for safe egress and ingress, and the minimal impact on traffic and parking.

The applicant Travis Vaughn was present. He explained the deck that was being replaced was four feet and he was replacing it with a six-foot deck to allow tenants to safely move furniture in and out. The applicant noted the top deck had been installed before he was aware of an encroachment issue. He had measured from the developed road and was unaware of the unused right of way between Edgumbe drive and Cascade Creek Road. He noted the main entrance had originally been on the back of the structure, but due to shady and wet conditions was moved to avoid rot and unsafe conditions.

Spivey asked what the actual distance was from the developed road to the foundation. Staff clarified it was difficult to determine without a clearly drawn plat because of the end of the pavement is unclear and varied. Staff and applicant estimated there was at least 25 feet from the foundation to the pavement. Weaver asked if the applicant could move parking to the rear of the duplex if the right of way were ever developed according to the plat. Applicant stated it would be doable because of the depth of the lot and he was looking to make more usable space on the back of the lot in the future.

M-Mudry/S-Windsor moved to approve a variance to reduce a front setback from 14 feet to 7 feet at 1904 Cascade Creek Road in the R-1 single family and duplex residential district. The property was also known as Lot 8B, Shoemaker Subdivision. The request was filed by Travis Vaughn. The owner of record was Mandie Smith. Motion passed 5-0 by voice vote.

M-Mudry/S-Windsor moved to adopt the findings as listed in the staff report. Motion passed 5-0 by voice vote.

D [MISC 20-09](#)

Discussion/direction on permitted and conditional uses in the commercial and industrial zoning districts.

Attachments: [MISC 20-09 Permitted and Conditional Uses in Commercial and Industrial Zones Staff Memo](#)
[Use Tables](#)

Ainslie introduced the topic which had been earmarked based on previous discussions and questions. Staff wanted to review and discuss to see if changes needed to be made to allow the use tables to be more accessible and understandable. Ainslie noted that motions were not required following the discussion, but could occur if appropriate. Ainslie showed the commission use tables which indicated which uses were allowed, prohibited, or conditionally allowed in different zones. It was noted that zones C1 and C2 were almost identical. Commissioners discussed the differences including C2 allowing mobile or manufactured homes/mobile home parks and government services (public agency or utilities offices, yards and warehouses) being conditional in C1 and prohibited in C2. Commissioners discussed merging the two zones into one and whether it would cause issues with mobile home or tiny home placements. Ainslie suggested the zones could be merged on the tables into one general commercial area and utilize footnotes to indicate small differences. She supported simplification of the tables that would allow for easier reading and understanding of the tables. She mentioned any zone changes would go before the assembly as zoning code action. Commissioners discussed the residential nature of several commercially zoned areas of town. Windsor asked if predominantly residential areas should be changed to residential zoning with existing commercial ventures grandfathered in. Spivey expressed concern with this suggestion because if commercial zones were limited and changed to only residential zones it would limit future potential for business ventures. Ainslie noted that lodges are a popular commercial use in heavily residential commercial zones and that use was compatible with residential use. Ainslie also pointed out that grandfathering was difficult to keep track of over the years. Spivey was concerned about the difficulty a bulk retail venture had to go through in spite of the compatibility with industrial use. He hoped to reduce barriers for those looking to start businesses in the commercial and industrial zones. Hughey expressed concern about residential creep taking over commercial zones and asked if any limits could be added to preserve the zone for commercial use. Commissioners discussed how best to address the varied concerns regarding the zones and uses. Spivey suggested the commission take time each meeting to focus on one or two sections of the use tables to make suggestions of changes. No motion was made.

- E [MISC 20-10](#) Discussion/direction on changing setbacks from property lines adjacent to filled, intertidal, or submerged tidelands in all zoning districts.

Attachments: [MISC 20-10 Setbacks to Tidelands Staff Memo](#)
 [Development Standards Table](#)

Ainslie introduced the topic for discussion. She explained that properties which were adjacent to filled, intertidal, or submerged tidelands were allowed 0-foot setbacks, but only in the Waterfront District and the Gary Paxton Industrial Park. Properties which fit that description in the other zones were still subject to the setbacks appropriate to the zoning. She mentioned the commission had reviewed a variance application earlier in the year to allow a home in another zone to build up to the property line adjacent to tidelands. The applicant had planned the home close to the property line because he had thought the exception applied to all zones, not just Waterfront and Gary Paxton Industrial. Ainslie noted at the time of the application review there had been interest within the commission to expand the exception to more districts. She explained the justification of setbacks was to preserve open space, reinforce fire separations, provide buffer between properties, and allow legal egress and ingress, all things that did not apply to properties lines adjacent to tidelands. Commissioners discussed possible reasons the exception might not have been applied to the other zones including erosion dangers and accidental encroachment. Weaver asked if there were any legal, state or federal, reasons for the setbacks. Ainslie replied staff was unaware of any statutory reason for setbacks as other agencies would only be involved once the property line was breached. She allowed that there might be compelling reasons to keep the setbacks, but regulations were likely not one. The commission determined that more research, including contacting the Department of Natural Resources, should be done before any further discussion occurred. No motion was made.

Seeing no objection, Chair Spivey adjourned the meeting at 8:08 PM.

VIII. ADJOURNMENT