



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 20-11
Proposal: Request for dwelling unit on first floor
Applicant: Eugene Solovyov
Owner: Sitka Art Realty Association, LLC.
Location: 419 Lincoln St.
Legal: Portion of Tract F, USS 404/Portion of Lot 6, Block 11, USS 1474, Tract A
Zone: CBD Central Business District
Size: 7,749 square feet
Parcel ID: 1-1195-000
Existing Use: Retail space
Adjacent Use: Retail, restaurant, harbor, museum, offices
Utilities: Existing
Access: Lincoln Street and Monastery Street

KEY POINTS AND CONCERNS:

- Dwelling units on the first/ground level of a structure in the Central Business District is a conditional use in the zoning code
- Proposal is to convert previous retail/personal services space into a residential dwelling
- Location is away from main shopping/highly visible areas

RECOMMENDATION:

Staff recommends that the Planning Commission approve the conditional use permit request for a dwelling unit on the first floor of a structure in the Central Business District at 419 Lincoln Street subject to conditions of approval.

BACKGROUND/PROJECT DESCRIPTION

Footnote 12 to Table 22.16.015-1 Residential Land Uses states “*Single or multiple apartments shall only be permitted on the first floor of structures in the CBD if approved through the conditional use process. Single and multiple apartments are permitted uses on upper floors of structures in the CBD.*” Staff’s interpretation of the intent of this code provision is to preserve commercial and retail space in the central business district, particularly those on the first floor that is accessible and visible.

The request is to turn a portion of the structure at 419 Lincoln Street into a 1 bedroom apartment, approximately 350-400 square feet in size. The space was previously used for retail and spa services. This portion of the building is not easily visible from Lincoln Street, and is more likely to be accessed from Monastery Street. This reduces the visual impact to shoppers and visitors.

Given the available commercial and retail space in the downtown area, it would not seem that removing this unit from commercial inventory would have a significant impact on downtown retail space supply. Further, this is a good candidate for conversion to a residential unit, as it is not a storefront with store windows facing streets and sidewalks.

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:

Conversion from retail to residential should decrease the amount of generated traffic in the area. Moderate to heavy vehicular and foot traffic is to be expected in the Central Business District.

b. Amount of noise to be generated and its impacts on surrounding land use: Noise impact should be minimal – living space is a small studio that would likely house a single person, perhaps up to 2 people.

c. Odors to be generated by the use and their impacts: None anticipated – should be in line with normal residential use

d. Hours of operation: N/A

e. Location along a major or collector street: Pedestrian access from Lincoln Street and Monastery Street Harbor Drive, vehicular access from Monastery Street only.

¹ § 22.24.010.E

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 for at least one car (perhaps two) is available. Parking requirements do not pertain to the Central Business District.

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.

i. Logic of the internal traffic layout: One bedroom apartment – kitchen/living, bedroom, bathroom.

j. Effects of signage on nearby uses: None.

k. Presence of existing or proposed buffers on the site or immediately adjacent the site: Building is set far back from Lincoln Street, garden and walking path to the structure. Fencing and hedges on the corner of Lincoln and Monastery.

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 housing goals to expand the range, affordability, and quality of housing in Sitka by offering housing in the desirable downtown area.

m. Other criteria that surface through public comments or planning commission review: None at this time.

RECOMMENDATION

Staff recommends that the Planning Commission approve the conditional use permit request for a dwelling unit on the first floor of a structure in the Central Business District at 419 Lincoln Street subject to conditions of approval.

ATTACHMENTS

Attachment A: Aerial

Attachment B: Floor Plan

Attachment C: Photos

Attachment C: Applicant Materials

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Motions in favor of approval:

- 1) I move to approve the conditional use permit application for a dwelling unit on the first floor of a structure in the Central Business District located at 419 Lincoln Street. The property is also known as a Portion of Tract F, USS 404/Portion of Lot 6, Block 11, USS 1474, Tract A. The request is filed by Eugene Solovyov. The owner of record is Sitka Art Realty Association, LLC.**

Conditions of Approval:

1. The structure shall be used consistent with the application, narrative, and plans that were submitted with the request.
2. 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.
3. 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 adopt the required findings for conditional use permits: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