



City and Borough of Sitka

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Coast Guard City, USA

Planning and Community Development Department

AGENDA ITEM

Case No: VAR 21-05
Proposal: Reduce side setback from 10' to 0'
Applicant: Sitka Salmon Shares
Owner: City and Borough of Sitka
Location: 4690 Sawmill Creek Road
Legal: Lot 4, Block 4, Sawmill Cove Industrial Park Resubdivision No. 1
Zone: GP Gary Paxton Special District
Size: 26,031 square feet
Parcel ID: 6-6400-800
Existing Use: Industrial
Adjacent Use: Industrial
Utilities: Existing
Access: Easement from Sawmill Creek Road

KEY POINTS AND CONCERNS

- The property is located in the GP zone – front setback in zone is 10 feet.
- The proposal is to facilitate the placement of two cooling towers along an existing building, adjacent to a 90' access and utility easement.
- Potential negative impacts to public health and safety, neighborhood harmony, and property values are minimal as fits industrial nature of the area and will not impact the use or access of the easement.

RECOMMENDATION

Staff recommends that the Planning Commission approve the zoning variance for a front setback reduction.

BACKGROUND/PROJECT DESCRIPTION

Project location is on a 26,031 square foot lot at 4690 Sawmill Creek Road in the Gary Paxton Industrial Park. The request is to allow for placement of two cooling towers between the existing building and the northeastern property line adjacent to a 90' access and utility easement. The cooling towers are approximately 10'x10' in dimension.

The proposed site plan is intended to mitigate impacts that may occur in alternative placement of the cooling towers. Though alternative placement locations exist on the site, the applicant feels that their use would hinder operational traffic and do little to mitigate the impact from noise created by the cooling towers, contributing to an unsafe work environment.

ANALYSIS

Setback requirements

The Sitka General Code requires 10-foot front setbacks in the Gary Paxton Special District (GP).

22.20.040 Yards and setbacks.

A. Projections into Required Yards. Where yards are required as setbacks, they shall be open and unobstructed by any structure or portion of a structure from thirty inches above the general ground level of the graded lot upward.

Alaska Statute 29.40.040(b)(3) states that a variance may not be granted solely to relieve financial hardship or inconvenience. A required finding for variances involving major structures or expansions in the Sitka General Code echoes this statement by stating that there must be "...special circumstances to the intended use that do not apply generally to the other properties. Special circumstances may include the shape of the parcel, topography of the lot, the size or dimensions of the parcels, the orientation or placement of existing structures, or other circumstances that are outside the control of the property owner". In this case, the orientation and placement of the existing structure can be viewed as justifications for granting a variance, as it restricts use of the lot.

Potential Impacts

The granting of the variance does not increase traffic, density, or other impacts beyond what is already expected in the area. Therefore, staff believes potential adverse impacts to neighborhood harmony and public health and safety are minimal, and the proposal is consistent with the character of the neighborhood.

Comprehensive Plan Guidance

This proposal is consistent with one of the Economic Development actions in the Sitka Comprehensive Plan 2030; ED 6.3 "Develop a Marine Center at Gary Paxton Industrial Park to

support Sitka’s fishing and marine transportation fleets and businesses”.

RECOMMENDATION

Staff recommends approval of the front setback reduction. Granting of the variance would serve to mitigate potential impacts that would likely occur in the use of alternative locations on the site. The proposal would not restrict or impact the utilization of the 90’ easement.

ATTACHMENTS

- Attachment A: Aerial
- Attachment B: Site Plan
- Attachment C: Cooling Tower Elevation Sketch
- Attachment D: Current Plat
- Attachment E: Photos
- Attachment F: Applicant Materials

MOTIONS TO APPROVE THE ZONING VARIANCE

- 1) I move to approve the zoning variance at 4690 Sawmill Creek Road in the GP Gary Paxton Special District subject to the attached conditions of approval. The property is also known as Lot 4, Block 4 Sawmill Cove Industrial Park Resubdivision No. 1. The request is filed by Sitka Salmon Shares. The owner of record is City and Borough of Sitka.**

Conditions of Approval:

- a. The front setback (north) will be decreased from 10 feet to no less than 0 feet.
- b. Building plans shall remain consistent with the narrative and plans provided by the applicant for this request. Any major changes (as determined by staff) to the plan will require additional Planning Commission review.
- c. Substantial construction progress must be made on the project within one year of the date of the variance approval or the approval becomes void. In the event it can be documented that other substantial progress has been made, a one-year extension may be granted by the Planning Director if a request is filed within eleven months of the initial approval.

- 2) I move to adopt and approve the required findings for variances involving minor expansions, small structures, fences, and signs as listed in the staff report.**

Before any variance is granted, it shall be shown¹:

¹ Section 22.30.160(D)(2)—Required Findings for Minor Variances

- a. The municipality finds that the necessary threshold for granting this variance should be lower than thresholds for variances involving major structures or major expansions;
- b. The granting of the variance is not injurious to nearby properties or improvements;
- c. The granting of the variance furthers an appropriate use of the property.