

CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

GENERAL APPLICATION

- 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: _____

PROPERTY INFORMATION:

CURRENT ZONING: _____ PROPOSED ZONING (if applicable): _____

CURRENT LAND USE(S): _____ PROPOSED LAND USES (if changing): _____

APPLICANT INFORMATION:

PROPERTY OWNER: _____

PROPERTY OWNER ADDRESS: _____

STREET ADDRESS OF PROPERTY: _____

APPLICANT'S NAME: _____

MAILING ADDRESS: _____

EMAIL ADDRESS: _____ DAYTIME PHONE: _____

Last Name

Date Submitted

Project Address

REQUIRED SUPPLEMENTAL 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
- ☒ Proof of filing fee payment
- ☐ Other: _____

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.

Please see attached authorization letters

Owner _____

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.

Suzanne Swanson - New Horizons Telecom
Applicant (If different than owner)
Agent for Vertical Bridge

6/30/21
Date

Larson

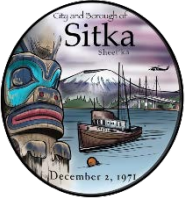
6/30/21

4660 Halibut Point Road

Last Name

Date Submitted

Project Address



CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

SUPPLEMENTAL APPLICATION FORM

VARIANCE

APPLICATION FOR

- ☐ ZONING VARIANCE – MINOR EXPANSIONS, SMALL STRUCTURES, FENCES, SIGNS
- ☐ ZONING VARIANCE – MAJOR STRUCTURES OR EXPANSIONS
- ☐ PLATTING VARIANCE – WHEN SUBDIVIDING

RATIONALE - Alaska Statute 29.40.040(b)3 states that a variance may not be granted solely to relieve financial hardship or inconvenience. Explain why a variance is required for your project.

POTENTIAL IMPACTS (Please address each item in regard to your proposal)

- TRAFFIC

- PARKING

- NOISE

- PUBLIC HEALTH AND SAFETY

- HABITAT

- PROPERTY VALUE/NEIGHBORHOOD HARMONY

- COMPREHENSIVE PLAN

Last Name

Date Submitted

Project Address

REQUIRED FINDINGS (Choose **ONE** applicable type and explain how your project meets these criterion):

Major Zoning Variance (Sitka General Code 22.30.160(D)1)

Required Findings for Variances Involving Major Structures or Expansions. Before any variance is granted, it shall be shown:

a. *That there are special circumstances to the intended use that do not apply generally to the other properties. Special circumstances may include the shape of the parcel, the 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. Explain the special circumstances:*

Please see attached application narrative.

Please see attached application narrative.

b. *The variance is necessary for the preservation and enjoyment of a substantial property right or use possessed by other properties but are denied to this parcel; such uses may include the placement of garages or the expansion of structures that are commonly constructed on other parcels in the vicinity. Explain the use/ enjoyment this variance enables:*

Please see attached application narrative.

c. *The granting of such a variance will not be materially detrimental to the public welfare or injurious to the property, nearby parcels or public infrastructure. Initial Here* SC

Minor Zoning Variance (Sitka General Code 22.30.160(D)2)

Required Findings for Minor Expansions, Small Structures, Fences, and Signs.

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. My request should be considered a minor zoning variance because:*

b. *The granting of the variance furthers an appropriate use of the property. Explain the use or enjoyment this variance enables:*

c. *The granting of the variance is not injurious to nearby properties or improvements.*
Initial Here SC

Platting Variance (Sitka General Code 21.48.010)

- a. A variance from the requirements of this title may be granted only if the planning commission finds that the tract to be subdivided is of such unusual size and shape or topographical conditions that the strict application of the requirements of this title will result in undue and substantial hardship to the owner of the property. Explain the conditions of the lot that warrant a variance: _____

- b. The granting of a platting variance will not be detrimental to the public safety, or welfare, or injurious to adjacent property. Initial Here SL

ANY ADDITIONAL COMMENTS _____

Sitka Larson - New Horizons Telecom
Applicant
Agent For Vertical Bridge

6/30/21

Date

Larson
Last Name

06/30/2021
Date Submitted

4660 Halibut Point Road
Project Address

1.0 INTRODUCTION

Vertical Bridge Development, LLC is proposing construction of a 90-foot antenna structure (85-foot tower and 5-foot lighting rod) at 4660 Halibut Point Road, Sitka, AK.

The tower will allow anchor tenant Verizon to fill a significant gap in cellular communications and wireless broadband to the surrounding area. The proposed facility is located on a parcel of land where utilities are a permitted use. When designing a new area for coverage or capacity, Verizon will first attempt to utilize an existing tower or structure for collocation at the desired antenna height. If an existing tower or structure is not available or not attainable because of space constraints or unreliable structure design, Verizon will propose a new tower.

There are existing wooden poles staged along Halibut Point road at various points that are used by GCI. However, the height of the structures do not allow collocation of antennas by others. Transmitting antennas are typically placed a minimum of 10 meters above the ground to be excluded from additional RF compliance studies. Additionally, wooden pole structures do not have the capacity to allow collocations.

A suitable alternative to a new tower build was unable to be found that would provide the required coverage. The proposed Old Sitka site project is the least intrusive alternative to fill the significant gap in Verizon's coverage in the area. Verizon antennas are placed at 80 foot elevation to optimize coverage.

The attached Exhibit B (Propagation Maps) outline and explain the predicted coverage that the construction of this site will allow.

Sitka Code limits principal structure height in this zoning district (I - Industrial) at 40 ft. The proposed height of 90 feet will require a height variance.

The below narrative describes the proposed tower project in detail and responds to elements of Sitka Code (Section 5.0) and the City and Borough of Sitka Supplemental Application Form for a Variance (Section 4.0)

2.0 TOWER AND SITE DESIGN

The proposed structure is a 85-foot self-support lattice tower (w/ 5-foot lightning rod). The final structure height will be 90 feet. The proposed tower will be constructed within a previously developed gravel pit currently used by Alaska Marine Lines/Lynden. The tower will be located within a 50'x50' fenced compound at the northwest side of the parcel, adjacent to Halibut Point Road. The tower site will be designed to allow future collocations by others.

The tower is located within an industrial zoning district. The parcel has large dense growth of trees on either side and will help to minimize any visual impacts of the tower.

The National Park Service National Register of Historic Places (NRHP) was reviewed for any historic properties within 0.5-mile radius of the proposed tower location. The database review showed no historical sites within 0.5 mile radius of the site.

3.0 TOWER ILLUMINATION

Illumination is typically only installed when instructed by the FAA for the health and safety of aviators or when otherwise required by federal and state agencies. The FAA has determined that no marking or lighting is required for this tower location (FAA Determination of No Hazard). Documentation is attached to this application as Exhibit C. The document can also be searched and downloaded from the FAA's website using Aeronautical Study Number 2021-AAL-211-OE. Vertical Bridge will not install aviator illumination on this tower.

As part of the agreement between Vertical Bridge and Alaska Marine Lines, VB has agreed to allow AML to install security lighting and security cameras on the tower between 30 and 40 ft. tower elevation.

4.0 SITKA SUPPLEMENTAL APPLICATION FORM – VARIANCE

Portions of the City & Borough of Sitka Supplemental Application Form for a Zoning Variance, requires addressing elements of potential impacts that may arise from the proposal of the site build. Below please find responses to each element of potential impacts:

Traffic Impacts – No impacts to traffic are expected to arise from the construction of this site. During construction there may be an increase of crew trucks and equipment in the general area but that is expected to be temporary in nature and no long-term traffic impacts will arise from construction of this site.

Parking – No impacts to public parking are expected to arise from the construction of this site. There is ample area on the parcel for parking during site construction. Once the site is built, access will be minimal and generally consist of maintenance activities. There is possibility of future collocations on the tower. But this activity will not impact public parking.

Noise – Any noise impacts that will arise from the construction of the site will be temporary in nature and will only occur during standard work hours. Construction of the tower is expected to take eight (8) weeks. Once constructed the site generates no noise with the exception of backup generators which will generate noise during exercising and during power outages. The site is also located in an industrial location where heavy equipment, trucking and construction activity occur.

Public Health & Safety – The proposed tower will protect the public health, safety, and welfare by providing cellular and wireless broadband services to a currently underserved area, impacting both area households and residents and transient customers seeking to access this technology from roadways and public spaces in the area.

Habitat – No impacts to habitat are expected to occur from the construction of this site. The location selected for this site built is within an already developed area. The site was previously a gravel pit. No clearing of trees is required.

Property Value/Neighborhood Harmony – No impacts to property value or neighborhood harmony are expected to occur from construction of this site. The location selected for the site build is located in an industrial zoning district. Ample tree coverage exists to screen the site from surrounding properties.

Comprehensive Plan – No negative impacts to the City of Sitka Comprehensive Plan are expected. One of the goals of the Comprehensive Plan is to invest in increasing Sitka's internet capacity. The construction of this cell tower will help to provide increased coverage to the citizens of Sitka and provide alternative options for wireless carriers.

5.0 SITKA GENERAL CODE REVIEW FOR HEIGHT VARIANCE

Chapter 22.16 DISTRICT REGULATIONS

22.16.015 Permitted, conditional and prohibited uses.

VB Response: Anchor Tenant (Verizon Wireless) as a utility, is a permitted use in the industrial zoning district. See partial table 22.16.015-4.

Table 22.16.015-4
Public Facilities Uses

ZONES	P(1)	SF	SFLD	R-1	R-1 MH	R-1 LDMH	R-2	R-2 MHP	CBD	C-1	C-2	WD (2)	I	GI(3)	LI(3)	R	OS	GP (6)	C (8)
Utility facilities (transformers, pump stations, etc.)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		

Chapter 22.20 SUPPLEMENTAL DISTRICT REGULATIONS AND DEVELOPMENT STANDARDS

22.20.055 Communications antennas and towers.

Communications [antennas](#) and towers are permitted [accessory uses](#) within the R-1, R-1 MH, R-1 LDMH, R-2 and R-2 MHP zoning districts as long as the tower or [antenna](#) does not exceed the allowable height of [structures](#) allowed within the specific district. If ground-mounted, guy wires shall not exceed the property on which the antenna/tower is located. In all cases, towers and [antennas](#) shall be structurally sound and properly constructed. Any request for a tower or [antenna](#) exceeding the height limits of the zoning district shall require a [variance](#). (Ord. [02-1683](#) § 4 (part), 2002.)

VB Response: Height variance required for anchor tenant to provide service in area of significant gap coverage. Refer to Exhibit B for propagation maps. In Table 22.20-1 Principal Structure height is limited to 40 ft. Vertical Bridge tower height with lightning rod is proposed at 90 ft.

**Table 22.20-1
Development Standards⁽²⁾**

	MINIMUM <u>LOT</u> REQUIREMENTS		MINIMUM <u>SETBACKS</u>			MAXIMUM HEIGHTS ⁽¹⁸⁾		MAXIMUM BUILDING COVERAGE	MAXIMUM <u>DENSITY</u>
ZONES	Width	Area ^(1, 17)	Front ⁽³⁾	Rear	Side	Principal <u>Structures</u>	Accessory <u>Structures</u>		
I	100 ft.	15,000 s.f.	20 ft. ⁽⁸⁾	10 ft.	5 ft.	40 ft.	16 ft.	50% ⁽¹³⁾	
LI	None	1 acre ⁽¹⁴⁾	None ⁽¹⁵⁾	None ⁽¹⁵⁾	None ⁽¹⁵⁾	35 ft.	35 ft.	25%	
GI	None	1 acre	None ⁽¹⁵⁾	None ⁽¹⁵⁾	None ⁽¹⁵⁾	35 ft.	35 ft.	None	
R			20 ft.	10 ft.	5 ft.	35 ft.	20 ft.	50%	
OS	None	1 acre	None ⁽¹⁵⁾	None ⁽¹⁵⁾	None ⁽¹⁵⁾	35 ft.	35 ft.	None ⁽¹⁵⁾	
C	None	None	15 ft.	10 ft.	10 ft.	35 ft.	35 ft.	None, except for <u>setback</u> areas	

22.24.020 Variances.

The purpose of this section is to provide a means of altering the requirements of this code in specific instances where the strict application of those requirements would deprive a property of privileges enjoyed by other properties with the identical regulatory zone because of special features or constraints unique to the property involved. The city shall have the authority to grant a [variance](#) from the provisions of this code when, in the opinion of the planning commission, the conditions as set forth in Section [22.30.160\(D\)](#) have been found to exist. In such cases a [variance](#) may be granted which is in harmony with the general purpose and intent of this code so that the spirit of this code shall be observed, public safety and welfare secured, and substantial justice done.

A. Application Requirements. The application shall contain the following data:

1. Legal description of the property affected;

VB Response: The legal description of the property affected by this variance request is as follows: LOT 61A, S.&S. MINOR SUBDIVISION, ACCORDING TO PLAT 83-18, SITKA RECORDING DISTRICT, FIRST JUDICIAL DISTRICT, STATE OF ALASKA

***EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE HALIBUT POINT
HIGHWAY RIGHT-OF-WAY.***

2. Plot plan showing the location of all existing and proposed [buildings](#) or [alterations](#) of such [buildings](#), dimensions to the property lines on all sides from the building(s) and clearly showing the specific relief requested in accordance with the provisions of Chapter [22.30, Zoning Code](#) Administration.

VB Response: Refer to Exhibit A – Preliminary Site Plan attached.

22.30.160 Planning commission review and decision.

D. Required Findings for [Variances](#).

1. Required Findings for [Variances](#) Involving Major [Structures](#) or Expansions. Before any [variance](#) is granted, it shall be shown:
 - a. That there are special circumstances to the intended use that do not apply generally to the other properties. Special circumstances may include the shape of the parcel, the 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;
 - b. The [variance](#) is necessary for the preservation and enjoyment of a substantial property right or use possessed by other properties but are denied to this parcel; such uses may include the placement of [garages](#) or the expansion of [structures](#) that are commonly constructed on other parcels in the vicinity;

VB Response (items a&b): Height variance requested to fill significant gap in the anchor tenant's (Verizon Wireless) coverage.

- c. That the granting of such a [variance](#) will not be materially detrimental to the public welfare or injurious to the property, nearby parcels or public infrastructure;

VB Response: The tower is located in an industrial zoned area. The granting of a height variance for the tower build will not be materially detrimental to the public welfare or injurious to the property, nearby parcels or public infrastructure.

- d. That the granting of such a [variance](#) will not adversely affect the [comprehensive plan](#).

VB Response: The granting of a height variance for this tower will not adversely affect the Sitka Comprehensive Plan. The tower will benefit the community by providing increased telecom service coverage options.

6.0 CONCLUSION

Anchor Tenant Verizon's Sitka network includes a significant gap in coverage in the proposed site vicinity as depicted in attached propagation studies in Exhibit B. After a search of available sites which could meet the technical requirements necessary to fill this coverage gap, Verizon has identified 4660 Halibut Point Road, Sitka, Alaska as the location which will allow for construction meeting network requirements. As described in this application, this tower location is the least intrusive and most appropriate option to meet the significant gap in Verizon coverage, which can only be met through placement of a new tower. Therefore, Vertical Bridge/Verizon respectfully requests that the Sitka Planning Commission grant the Height Variance.

7.0 EXHIBITS

Exhibit A: Preliminary Site Plan

Exhibit B: Anchor Tenant (Verizon Wireless) Propagation Maps

Exhibit C: FAA Determination

4607 HALIBUT PT. ROAD, SITKA, LLC
18000 International Blvd., Suite 800
Seattle, WA 98188

June 30, 2021

City and Borough of Sitka
Planning and Community Development Department
Attn: Amy Ainslie, Planning Director
100 Lincoln Street
Sitka, AK 99835

Re: General and Variance Applications for New Cell Tower Located at 4660 Halibut Point Rd.
Applicant: Vertical Bridge Development, LLC (Site ID # US-AK-5269)
Property Owner: 4607 Halibut Pt. Road, Sitka, LLC

Dear Ms. Ainslie and Sitka Planning Department:

Enclosed you will find General and Variance Applications for a proposed new cell tower located at 4660 Halibut Point Rd. along with a detailed narrative explaining the project.

Please note as Property Owner, we have entered into an agreement with the Applicant, Vertical Bridge Development, LLC, for the proposed cell tower and authorize the Applicant to pursue the required zoning approvals and building permits from the City and Borough of Sitka for the proposed cell tower at 4660 Halibut Point Rd.

Please consider this letter as the Property Owner's authorization to process the applications as submitted and signed by New Horizons Telecom, Inc. New Horizons Telecom, Inc. is acting as the agent of Applicant and will reply to information or clarification requests.

Respectfully,



Stephanie Littleton
Manager
4607 Halibut Pt. Road, Sitka, LLC
18000 International Blvd., Suite 800
Seattle, WA 98188
206.439.5540
Email: StephL@Lynden.com

cc Steve Hedges, Vertical Bridge Development, LLC
cc Sherrie Greenshields, New Horizons Telecom, Inc.
cc Sierra Larson, New Horizons Telecom, Inc.



Vertical Bridge REIT, LLC

750 Park of Commerce Drive, Suite 200
Boca Raton, FL 33487
+1 (561) 948 - 6367
VerticalBridge.com

June 30, 2021

City and Borough of Sitka
Planning and Community Development Department
Attn: Amy Ainslie, Planning Director
100 Lincoln Street
Sitka, AK 99835

Re: General and Variance Applications for new cell tower at 4660 Halibut Point Rd
Applicant: Vertical Bridge Development, LLC (Site ID # US-AK-5269)

Dear Ms. Ainslie and Sitka Planning Department:

Enclosed you will find General and Variance Applications for a proposed new cell tower located at 4660 Halibut Point Rd, along with a detailed narrative explaining the project.

New Horizons Telecom, Inc. is acting as our agent and will reply to information or clarification requests.

Please consider this letter as the Applicant's authorization to process the applications, as submitted and signed by New Horizons Telecom, Inc.

Respectfully,

A handwritten signature in blue ink that reads "Steve Hedges".

Steve Hedges, Project Manager
Vertical Bridge Development, LLC
750 Park of Commerce Drive, Suite 200
Boca Raton, FL 33487
773.988.1715 mobile
SHedges@verticalbridge.com email

cc Sherrie Greenshields, New Horizons Telecom, Inc.
cc Sierra Larson, New Horizons Telecom, Inc.