



# CITY AND BOROUGH OF SITKA

## Minutes - Final

### Planning Commission

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Wednesday, April 7, 2021

7:00 PM

Harrigan Centennial Hall

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#### I. CALL TO ORDER AND ROLL CALL

Present: Chris Spivey (Chair), Darrell Windsor, Stacy Mudry, Katie Riley, Wendy Alderson, Thor Christianson (assembly liaison)  
Absent: None  
Staff: Amy Ainslie, Ben Mejia  
Public: David Oen, Connie Oen, Terry Babb, Kim Babb, Dan Kirsch, Jenny Liljedahl, Ariadne Will (Sitka Sentinel)

**Chair Spivey called the meeting to order at 7:02pm.**

#### II. CONSIDERATION OF THE AGENDA

**Chair Spivey requested that item B be heard after items C and D.**

#### III. CONSIDERATION OF THE MINUTES

**A** [PM 21-05](#) Approve the March 17th, 2021 minutes.

**Attachments:** [5-March 17 2021 DRAFT](#)

**M-Windsor/S-Alderson moved to approve the March 17th, 2021 minutes.**

#### IV. PERSONS TO BE HEARD

#### V. PLANNING DIRECTOR'S REPORT

Ainslie reminded the Commission of the upcoming joint work session with the Assembly on tourism planning to take place on Tuesday, March 13th at 5pm. Ainslie noted that dinner would be provided.

Alderson discussed the results from the 2020 Alaska Residential Rental Survey which had yielded a high vacancy rate likely due to a limited survey size of approximately 200 long-term rental units.

#### VI. REPORTS

#### VII. THE EVENING BUSINESS

**B** [MISC 21-06](#) Public hearing and consideration of an amendment to CUP 05-15 for landfill activities at Upper Granite Creek in the Industrial district. The

property is also known as a Portion of USS 5530 and a Portion of Lot 1, USS 3670. The request is filed by the City and Borough of Sitka, Public Works Department. The owner of record is the City and Borough of Sitka.

**Attachments:**     [MISC 21-06 Amendment to CUP 05-15 Staff Memo](#)  
                          [MISC 21-06 Amendment to CUP 05-15 Aerial](#)  
                          [MISC 21-06 Amendment to CUP 05-15 Operational Plans](#)  
                          [MISC 21-06 Amendment to CUP 05-15 Original CUP Information](#)  
                          [MISC 21-06 Amendment to CUP 05-15 Applications](#)

Ainslie introduced the item as an amendment to CUP 05-15 which had been approved by the Planning Commission and Assembly in February of 2006 when Kimsham landfill was closing and Granite Creek was considered the best location for an alternative landfill site. Ainslie detailed the proposed changes to the permit. Ainslie explained that the original permit did not specify overburden use and the amendment would explicitly state the use of the site for overburden. Ainslie stated that the operating hours were proposed to expand from 9am-3pm to 7am-7pm with availability for the public from 8am-4pm. Ainslie explained that operational requirements were specific to operation by municipal staff and since the site operations had been leased out, the amendment would provide flexibility for the lease holder to continue operations.

Ainslie explained that location, access, and traffic would remain the same as would adverse impacts noise, odor, as well as health and safety concerns. Ainslie identified this as in keeping with the intended use for the Granite Creek area in the No Name Mountain master plan. Ainslie expressed the importance of having an overburden site for local development and noted that the use was in keeping with the character of the area with minimal impact increases from the existing use. Staff recommended approval.

Commissioners expressed concern over the increase in operation hours and its potential impact on nearby residential use. Windsor asked if nearby residents received buffer mailings. Ainslie explained that the previously limited operation hours were likely due to staff limitations and not for impact concerns but that the buffer area for mailings had been expanded to include the trailer park on Granite Creek Road. Windsor asked who would manage the contract, Ainslie responded that the Public Works Department would. Riley and Alderson asked what waste materials would be accepted and if the site would take asbestos. Ainslie responded that the original permit allowed for solid waste, bio-solids, and construction debris.

Dan Kirsch, who represented the applicant, was present. Kirsch replied that he believed asbestos would be accepted. Having no further questions, the Commission excused the applicant.

**M-Alderson/S-Windsor moved to approve the amendment to CUP 05-15 to include land clearing landfill operations to the approved uses for the Upper Granite Creek site in the Industrial district subject to the attached conditions of approval. The property is also known as a Portion of USS 5530 and a Portion of Lot 1, USS 3670. The request was filed by the City and Borough of Sitka, Public Works Department. The owner of record was the City and Borough of Sitka. Motion passed 5-0 by voice vote.**

**M-Alderson/S-Windsor moved to adopt the required findings of fact for**

conditional use permits for this amendment as listed in the staff report. Motion passed 5-0 by voice vote.

**C**     [VAR 21-02](#)

Public hearing and consideration of a variance to reduce the front setback from 10 feet to 1 foot and rear setback from 8 feet to 3 feet at 4305 Halibut Point Road in the C-2 General Commercial and Mobile Home District. The property is also known as Lot 2 of Myron Oen lot line adjustment. The request is filed by David and Connie Oen. The owner of record is David and Connie Oen.

**Attachments:**     [V 21-02 Oen 4305 Halibut Point Rd Setback Variance Staff Report](#)  
[V 21-02 Oen 4305 Halibut Point Rd Setback Variance Aerial](#)  
[V 21-02 Oen 4305 Halibut Point Rd Setback Variance As-built and Site Plan](#)  
[V 21-02 Oen 4305 Halibut Point Rd Setback Variance Exterior Sketch](#)  
[V 21-02 Oen 4305 Halibut Point Rd Setback Variance Current Plat](#)  
[V 21-02 Oen 4305 Halibut Point Rd Setback Variance Photos](#)  
[V 21-02 Oen 4305 Halibut Point Rd Setback Variance Applicant Materials](#)

Ainslie introduced the proposal for a front setback reduction from 10 feet to 1 foot and rear setback from 8 feet to 3 feet at 4305 Halibut Point Road to facilitate placement of a greenhouse. Ainslie identified property characteristics as a triangular shape that lacked depth, abutted the tidelands at the rear of the property, with a steep grade change from the road to the property. Ainslie noted that access was granted by means of an easement across the adjacent property to the north. Ainslie explained that the proposed site was identified to take advantage of the open space and natural light on the lot. Ainslie stated that there were no foreseeable visual, traffic, or other adverse impacts due to the grade difference from the road and the lack of direct access and the adjacent tidelands meant there were no crowding or fire separation concerns.

Ainslie concluded that due to the unique circumstances of the lot, minimal impact on neighbors, and as a proposal in keeping with the Comprehensive Plan objective to allow more urban horticulture, staff recommended approval.

The applicant, David Oen, was present. Having no further questions, the Commission excused the applicant.

**M-Mudry/S-Windsor moved to approve the zoning variance for reductions in the front and rear setbacks at 4305 Halibut Point Road in the C-2 general commercial and mobile home district subject to the attached conditions of approval. The property was also known as Lot 2 of the Myron Oen lot line adjustment. The request was filed by David and Connie Oen. The owners of record were David and Connie Oen. Motion passed 5-0 by voice vote.**

**M-Mudry/S-Windsor moved to adopt and approve the required findings for variances involving minor expansions, small structures, fences, and signs as listed in the staff report. Motion passed 5-0 by voice vote.**

**D**     [CUP 21-04](#)

Public hearing and consideration of a conditional use permit for a short-term rental at 2950 Sawmill Creek Road in the R-1 LD single-family and duplex low density district. The property is also known as Lot 1,

Amended Silver Bay Subdivision. The request is filed by Kimberly Babb. The owner of record is Terrence and Kimberly Babb.

**Attachments:** [CUP 21-04 Babb 2950 Sawmill Creek Rd STR Staff Report](#)  
[CUP 21-04 Babb 2950 Sawmill Creek Rd STR Aerial](#)  
[CUP 21-04 Babb 2950 Sawmill Creek Rd STR STR Density](#)  
[CUP 21-04 Babb 2950 Sawmill Creek Rd STR Floor Plan](#)  
[CUP 21-04 Babb 2950 Sawmill Creek Rd STR As-built and Parking layout](#)  
[CUP 21-04 Babb 2950 Sawmill Creek Rd STR Photos](#)  
[CUP 21-04 Babb 2950 Sawmill Creek Rd STR Plat](#)  
[CUP 21-04 Babb 2950 Sawmill Creek Rd STR Renter Handout](#)  
[CUP 21-04 Babb 2950 Sawmill Creek Rd STR Applicant Materials](#)

Ainslie introduced the request for a short-term rental (STR) for a 4 bedroom, 4 bathroom apartment within the primary residence of the applicants. Ainslie described the site as within the residential low density district with ample space and vegetation to provide a buffer between neighboring properties. Ainslie explained that the house was set down and away from the road along with water frontage. Ainslie indicated that the property was adjacent to Whale Park. Ainslie explained that there were no permitted and active STRs in the vicinity. Ainslie explained that there was space for at least 6 parking spots on the property. Ainslie noted that the apartment was fitted with a kitchenette which might reduce the property's prospects on the long-term rental market and explained the owners lived on-site would mitigate any adverse impacts. Staff recommended approval.

The applicants, Terry and Kim Babb, were present. Alderson asked if the applicants had considered long-term rental of the apartment. T. Babb explained that they would consider the possibility of renting long-term especially during the winter season. Having no further questions, the Commission excused the applicants.

Christianson excused himself at 7:50pm. The Commission took recess from 7:50pm to 8:04pm.

**M-Windsor/S-Mudry moved to approve the conditional use permit for a short-term rental at 2950 Sawmill Creek Road in the R-1 LD Single-Family/Duplex Low Density District, subject to the attached conditions of approval. The property was also known as Lot 1 of Amended Silver Bay Subdivision. The request was filed by Kimberly Babb. The owners of record were Terrence and Kimberly Babb. Motion passed 5-0 by voice vote.**

**M-Windsor/S-Mudry moved to adopt and approve the required findings for conditional use permits as listed in the staff report. Motion passed 5-0 by voice vote.**

E [MISC 21-02](#) 2021 Commission Visioning and Comprehensive Plan Review Session

**Attachments:** [MISC 21-02 Visioning and Comp Plan Review Staff Memo](#)  
[MISC 21-02 Comp Plan Actions Short-List Ver After 3.17.21](#)  
[MISC 21-02 Visioning and Comp Plan Review Comp Plan Actions Only](#)

The Commission reviewed the 13 Comprehensive Plan action items they had previously determined as potential priority actions and identified 5 priority actions to address over the year. The Commission discussed steps that could be taken to establish a community garden through the lease of municipal land. Windsor expressed interest in facilitating the subdivision of trailer courts. Ainslie explained that the PUD process might be appropriate for such a subdivision, though she noted the potential concern of meeting road and utility standards possibly alleviated by a local improvement district. The Commission identified the following as priority actions for the year: H1.1c, H1.1e PTR 2.1g, PTR 6.1, LU 7.8.

**No action taken.**

**F**     [MISC 21-03](#)     Review of Use Tables in SGC 22.16.015

**Attachments:**     [Table 22.16.015-1 Residential Uses](#)  
                              [Table 22.16.015-2 Cultural & Recreational Uses](#)

Commissioners reviewed the Temporary Lodging section of Residential Use Table (SGC 22.16.015-1) and the dock uses in the Cultural/Recreational Use Table (SGC 22.16.015-2) and discussed each item listed in the table. Staff made notes on possible additions, changes, and clarifications. The Commission discussed appropriate zones for hostels. Ainslie provided details on the differences between dock uses.

**No action taken.**

**VIII. ADJOURNMENT**

**Seeing no objection, Chair Spivey adjourned the meeting at 9:30pm.**