



# CITY AND BOROUGH OF SITKA

## Minutes - Final

### Planning Commission

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Wednesday, May 6, 2020

7:00 PM

Harrigan Centennial Hall

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

Present: Chris Spivey (Chair), Darrell Windsor, Randy Hughey, Stacy Mudry  
Absent: Victor Weaver, Kevin Mosher (assembly liaison)  
Staff: Amy Ainslie  
Public: Shannon Haughland (Sitka Sentinel), Jeremy Plank, Savannah Plank, Klaudia Leccese, Michael Leccese, Kevin McNamee

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

#### II. CONSIDERATION OF THE AGENDA

#### III. CONSIDERATION OF THE MINUTES

A [PM 20-07](#) Approve the April 15, 2020 minutes.

**Attachments:** [06-April 15 2020 DRAFT](#)

**M-Windsor/ S-Hughey moved to approve the April 15, 2020 minutes. Motion passed 4-0 by roll call vote.**

#### IV. PERSONS TO BE HEARD

#### V. PLANNING DIRECTOR'S REPORT

Ainslie gave a report on the website for the No Name Mountain project which launched on Wednesday April 29th. She detailed the media campaign to get the word out which included ads in the newspaper, social media, the Sitka Soup, on the radio, and a buffer mailing sent to 200 adjacent properties. She stated the website had already received 46 survey responses, and she would continue to monitor and advertise to keep the numbers growing. The Planner I position would be advertised the following week and would stay open for applications through May. Ainslie reported that the City offices might open the following week, dependent on the Assembly's decision on the hunker down resolution. If the resolution expired, she expected to be back in the Planning office by May 13th. Ainslie noted the department might be available only by appointment, phone, or email to abide by guidelines from the State, CDC, and OSHA, but was confident that the planning needs of the community could be met through those avenues.

#### VI. REPORTS

**VII. THE EVENING BUSINESS**

- B**     [CUP 20-07](#)     Public hearing and consideration of a conditional use permit for bulk retail at 311 Price Street in the Industrial zoning district. The property is also known as Lot 2, Vern Heights Subdivision. The request is filed by Jeremy and Savannah Plank. The owners of record are Jeremy and Savannah Plank.

**Attachments:**     [CUP 20-07 Plank 311 Price Bulk Retail Staff Report](#)  
                          [CUP 20-07 Plank 311 Price Bulk Retail Aerial](#)  
                          [CUP 20-07 Plank 311 Price Bulk Retail Site Plan](#)  
                          [CUP 20-07 Plank 311 Price Bulk Retail Floor Plan](#)  
                          [CUP 20-07 Plank 311 Price Bulk Retail Photos](#)  
                          [CUP 20-07 Plank 311 Price Bulk Retail Plat](#)  
                          [CUP 20-07 Plank 311 Price Bulk Retail Applicant Materials](#)

Ainslie noted in the staff report that the zoning code had recently been changed to allow for bulk retail as a conditional use in industrial districts. The code change defined bulk retail as sales of large volumes, generally done in a warehouse setting, and large single-categorized items all together. Ainslie pointed out that the applicants had worked in good faith with the City and the Planning Department to find a solution when they realized the zoning wasn't compatible with the use. Ainslie described the property as well suited for bulk retail with parking exceeding requirements and a large sales area with sufficient shelving and space for pallets. Ainslie noted the retail space was currently open two days a week, but the permit application requested six days a week during normal business hours. Ainslie stated that the traffic generated would be low to moderate and would have minimal impact the area or other businesses. Staff recommended approval.

The applicants, Jeremy and Savannah Plank, were present telephonically and stated that they hoped to run the bulk retail operation in the building they had purchased rather than a typical commercial space because the warehouse setting better enabled the offloading of bulk retail pallets from containers. Plank noted they brought in a container of goods every 3-4 weeks. Commissioners had no further questions for the applicant.

**M-Windsor/S-Mudry moved to approve a conditional use permit for bulk retail at 311 Price Street in the Industrial zoning district. The property was also known as Lot 2, Vern Heights Subdivision. The request was filed by Jeremy and Savannah Plank. The owners of record were Jeremy and Savannah Plank. Motion passed 4-0 by roll call vote.**

**M-Windsor/S-Mudry moved to adopt the findings as listed in the staff report. Motion passed 4-0 by roll call vote.**

- C**     [CUP 20-08](#)     Public hearing and consideration of a conditional use permit for a short-term rental at 118B Cascade Street in the R-1 single family and duplex residential district. The property is also known as Lot 3-C Owens Subdivision. The request is filed by Klaudia and Michael Leccese. The owners of record are Klaudia and Michael Leccese.

**Attachments:**     [CUP 20-08 Leccese 118B Cascade Creek STR Staff Report](#)  
[CUP 20-08 Leccese 118B Cascade Creek STR Aerial](#)  
[CUP 20-08 Leccese 118B Cascade Creek STR Density Map](#)  
[CUP 20-08 Leccese 118B Cascade Creek STR Floor Plan](#)  
[CUP 20-08 Leccese 118B Cascade Creek STR Site Plan](#)  
[CUP 20-08 Leccese 118B Cascade Creek STR Photos](#)  
[CUP 20-08 Leccese 118B Cascade Creek STR Plat](#)  
[CUP 20-08 Leccese 118B Cascade Creek STR Renter Handout](#)  
[CUP 20-08 Leccese 118B Cascade Creek STR Applicant Materials](#)

Ainslie described the property as a one bedroom, one-bathroom mother-in-law apartment attached to the primary residence of the applicant. The unit was on the first floor of the structure and had a separate entrance. The property was large (over 15,000 square feet), which provided ample parking for at least two cars for the rental unit, as well as natural buffers including elevation and foliage. With the owners residing on the premise, Ainslie felt that any potential disturbances to the neighborhood could be sufficiently monitored and mitigated.

The applicants, Klaudia and Michael Leccese, spoke telephonically of their wish to use the space for family and friends to use, but also generate income when it is convenient for them. The owners stated the apartment had not been rented as a long-term rental in over a year because they used the space for personal visitors. Commissioners had no further questions for the applicants.

**M-Hughey/S-Windsor moved to approve a conditional use permit for a short-term rental at 118B Cascade Creek Road in the R-1 single family and duplex residential district. The property was also known as Lot 3-C Owens Subdivision. The request was filed by Klaudia and Michael Leccese. The owners of record were Klaudia and Michael Leccese. Motion passed 4-0 by roll call vote.**

**M-Hughey/S-Windsor moved to adopt the findings as listed in the staff report. Motion passed 4-0 by roll call vote.**

- D**     [CUP 20-09](#)     Public hearing and consideration of a conditional use permit for manufacturing of food products (seafood processing) at 4403 Halibut Point Road in the C-2 general commercial and mobile home district. The property is also known as Lot 1 McNamee Subdivision. The request is filed by Kevin McNamee. The owner of record is McNamee Ventures LLC.

**Attachments:** [CUP 20-09 McNamee 4403 HPR Seafood Processing Staff Report](#)  
[CUP 20-09 McNamee 4403 HPR Seafood Processing Aerial](#)  
[CUP 20-09 McNamee 4403 HPR Seafood Processing Site Plan](#)  
[CUP 20-09 McNamee 4403 HPR Seafood Processing Floor Plan](#)  
[CUP 20-09 McNamee 4403 HPR Seafood Processing Photos](#)  
[CUP 20-09 McNamee 4403 HPR Seafood Processing Plat](#)  
[CUP 20-09 McNamee 4403 HPR Seafood Processing Applicant Materials](#)

Ainslie explained in the staff report that the lodge operation already used an outbuilding to process and package seafood for charter fishing guests. Ainslie clarified the conditional use permit would allow the applicant to process commercial catch as well, a use she noted that was complementary to the comprehensive plan's economic development action to encourage development of local manufacturing and locally sourced products. The packing room was approximately 580 square feet. The floor plan was open with processing tables, sinks, and walk-in freezers. The processing room was situated in the middle of the lodge property, and had buffers surrounding it including elevation difference from the road, lots of natural foliage, and the tidelands on the rear of the property. Ample parking was available, and the packaging would take place primarily during business hours. Ainslie noted the impacts would be similar to the status quo because the usage would not change significantly from its current use. Staff recommended approval.

Applicant, Kevin McNamee, addressed the Commission telephonically. He noted the packaging room had been in use since 2005, processing sport catch for charter clients. Due to COVID-19 restrictions and concerns, the number of charter clients was likely to decrease dramatically for the 2020 season. McNamee stated that he was looking for a way to supplement the lost income by processing fish from his own commercial vessel and a few other vessels. He noted that a few things would have to be added, such as a hand washing sink and automatic doors to meet DEC regulations, but the overall impact of the facility would not change. Hughey expressed concern over the steep entrance if the applicant planned to pursue retail sales. McNamee clarified the fish would not be sold on site, only processed and packaged then sent via air freight or Fedex. A neighbor, Larry McCrehin, wrote a letter voicing his support of the permit.

**M-Mudry/S-Windsor moved to approve a conditional use permit for manufacturing of food products (seafood processing) at 4403 Halibut Point Road in the C-2 general commercial and mobile home district. The property was also known as Lot 1 McNamee Subdivision. The request was filed by Kevin McNamee. The owner of record was McNamee Ventures LLC. Motion passed 4-0 by roll call vote.**

**M-Mudry/S-Windsor moved to adopt the findings as listed in the staff report. Motion passed 4-0 by roll call vote.**

**E**     [MISC 20-06](#)     Discussion/Direction on short-term rental void periods.

**Attachments:**     [MISC 20-06 STR Void Periods Staff Memo](#)

Ainslie reported that the impacts of COVID-19 on the summer visitor season would affect permit holders for short-term rentals. She noted that, per the General Code,

conditional use permits for short-term rentals are void if not used in a year. Staff had been contacted by concerned permit holders, but been unable to provide clear guidance as to whether or not they would have to re-apply for their conditional use permits if they were unable to secure renters this season. Ainslie asked for direction from the commission on how to proceed. Staff recommended two possible motions, one to direct staff to excuse permit holders from the void requirements, the other to direct staff to evaluate void period requirement exceptions for permit holders on a case-by-case basis.

Hughey asked if there would be any circumstance that an extension would not be granted, to which Ainslie felt the answer should be no; the impacts on the community were such that any current permit holder who could show that they had been affected by the pandemic should be granted the extension. Spivey expressed concern about previous permit holders, whose permits had lapsed before the COVID crisis, applying for an extension in spite of the expired permit. Ainslie noted that exemptions could apply only to active permit holders from this year's Annual Short-term Rental Report and recent applicants. Windsor asked if the Commission's recommendation would need to be heard by the Assembly. Ainslie stated that the next step, after receiving approval from the commission, was to meet with the City Clerk and City Attorney to determine what the next step would be. She noted that permit enforcement is usually conducted administratively but would take the recommendation to the Assembly if need be.

**M-Hughey/S-Windsor moved to direct staff to excuse permit holders from the void period requirements for the short-term rental conditional use permits for the 2020 calendar year in light of COVID-19 travel restrictions and other related impacts. Motion passed 4-0 by roll call vote.**

## VIII. ADJOURNMENT

Seeing no objection, Chair Spivey adjourned the meeting at 7:40 PM.