



CITY AND BOROUGH OF SITKA

Minutes - Final

Planning Commission

Wednesday, February 16, 2022

7:00 PM

Harrigan Centennial Hall

I. CALL TO ORDER AND ROLL CALL

Present: Darrell Windsor (Acting Chair), Stacy Mudry, Wendy Alderson, Katie Riley

Absent: Chris Spivey (Excused)

Staff: Amy Ainslie, Ben Mejia

Public: Joy Shaw, Troy Shaw, Ben Timby, Owen Kindig, Clint Farr, Lonny Greenough, David Allen, Barth Hamberg, Davey Lubin, Frances Brann, Ariadne Will (Sitka Sentinel)

Chair Windsor called the meeting to order at 7:00pm.

II. CONSIDERATION OF THE AGENDA

III. CONSIDERATION OF THE MINUTES

A [PM 22-04](#) Approve the February 2, 2022 meeting minutes.

Attachments: [2-February 2 2022 DRAFT](#)

**M- Mudry/S-Riley moved to approve the February 2, 2022 meeting minutes.
Motion passed 4-0 by voice vote.**

IV. PERSONS TO BE HEARD

V. PLANNING DIRECTOR'S REPORT

Ainslie reported the Assembly approval of the Short-Term Tourism Plan on February 8th. Ainslie updated the Commission on the 2021 Short Term Rental Annual Report, the deadline of which had passed and staff had issued a final notice for permit holders to submit. Ainslie notified the Commission that officer elections would be held at the next meeting. City Hall would be closed Monday February 21st in observance of President's Day.

VI. REPORTS

VII. THE EVENING BUSINESS

B [VAR 22-05](#) Public hearing and consideration of a variance request for a reduction to the parking requirement for professional office use at 831 Lincoln Street in the R-2- Multifamily district. The property is also known as Lot 3, Sheldon Jackson Campus Subdivision. The request is filed by State of

Alaska, Department of Education and Early Development. The owner of record is State of Alaska, Department of Education and Early Development.

Attachments: [V 22-05 AKDEED 831 Lincoln Street Parking Variance Staff Report](#)
[V 22-05 AKDEED 831 Lincoln Street Offices Aerial](#)
[V 22-05 AKDEED 831 Lincoln Street Parking Parking Plan](#)
[V 22-05 AKDEED 831 Lincoln Street Offices Floor Plans](#)
[V 22-05 AKDEED 831 Lincoln Street Parking Plat](#)
[V 22-05 AKDEED 831 Lincoln Street Parking Photos](#)
[V 22-05 AKDEED 831 Lincoln Street Parking Applicant Materials](#)

Ainslie introduced the request for a variance in the parking requirement in connection to the following item, CUP 22-02, requesting the use of the building for professional offices. Ainslie explained that the building was currently a legal non-conformity in its historic use as a library for the Sheldon Jackson Campus which is zoned R-2. Ainslie noted Code requirements for parking of professional offices were 1 space per 300 sq.ft. of gross floor area. The proposal identified approximately 5,649 sq. ft. of rental space which would require 19 parking spaces. The applicant proposed to use the remaining floor area for storage primarily used by the Sheldon Jackson Museum. Ainslie explained that the parking requirement for the remaining floor area could be calculated as storage, which would require 3 additional spaces, or under the non-public library/museum use, which had no parking requirement. Ainslie noted that the existing parking could accommodate 16 spaces based on staff measurements. Ainslie explained that to meet the parking requirement would mean reducing buffers to surrounding residential uses and that given its downtown location, walking and biking to the site may help offset parking needs. Staff recommended approval.

Alderson asked staff if a buffer letter had been sent to the adjacent Sitka Fine Arts Camp. Ainslie confirmed that it had been sent. Windsor asked if the parking on College Drive could be used as parking for the property. Ainslie explained that the parking on College Drive was owned by Sitka Fine Arts Camp.

Clint Farr was present as applicant representative. Alderson asked if the parking lot could be striped or improved to ensure efficient use of the space. Farr replied that it was possible, however as a state entity all budgetary operations would need to be approved and he could not commit to any project expenditures prior to state budgetary approval. The Commission voiced their understanding. Mudry asked how many offices were intended for the site. Farr responded that a specific number of offices had not been set but that the square footage of the leasable area and the parking availability would limit the total number of offices that could fit. Riley asked who the applicant would rent to. Farr responded that there was no renter confirmed however as the Department of Education and Early Development, they would like the office use to align with its educational mission.

The Commission opened the floor for public comment.

Ainslie read comment from Lisa Busch on behalf of Sitka Sound Science Center. Busch expressed support for the parking variance and conditional use permit for professional office use, although acknowledged that introduction of a new organization to the area may add additional strain on parking.

Ainslie read comment from Roger Schmidt on behalf of Sitka Fine Arts Camp. Schmidt asked that the Commission consider postponing the item to allow time for the Fine Arts Camp board of directors to review and work with the applicant on any potential issues. Schmidt identified potential issues for parking density in the area, front door access to the building on the opposite side of the property's parking lot, and concern that renters would not be compatible with the educational, historical, and cultural uses of the campus.

Alderson expressed her concern that the request would add additional parking strains to the area. The Commission considered possible conditions. Riley asked if it could be encouraged that the applicant rent to existing adjacent businesses. Alderson asked if a regulation existed to require the educational use of the Sheldon Jackson Campus. Ainslie responded that there was no regulation in place, however such uses of the campus were supported in the Comprehensive Plan.

The Commission voiced their approval of the request.

M-Mudry/S-Riley moved to approve the variance to decrease required parking associated with a proposed professional office use at 831 Lincoln Street in the R-2 Multifamily district subject to the conditions of approval as listed in the staff report. The property was also known as Lot 3, Sheldon Jackson Campus Subdivision. The request was filed by the Alaska Department of Education and Early Development. The owner of record was Alaska Department of Education and Early Development. Motion passed 4-0 by voice vote.

M-Mudry/S-Riley moved to adopt and approve the required findings for variances involving minor structures or expansions as listed in the staff report. Motion passed 4-0 by voice vote.

C [CUP 22-02](#)

Public hearing and consideration of a conditional use permit request for professional offices at 831 Lincoln Street in the R-2- Multifamily district. The property is also known as Lot 3, Sheldon Jackson Campus Subdivision. The request is filed by State of Alaska, Department of Education and Early Development. The owner of record is State of Alaska, Department of Education and Early Development.

- Attachments:** [CUP 22-02 AKDEED 831 Lincoln Street Offices Staff Report](#)
 [CUP 22-02 AKDEED 831 Lincoln Street Offices Aerial](#)
 [CUP 22-02 AKDEED 831 Lincoln Street Offices Floor Plans](#)
 [CUP 22-02 AKDEED 831 Lincoln Street Offices Plat](#)
 [CUP 22-02 AKDEED 831 Lincoln Street Offices Photos](#)
 [CUP 22-02 AKDEED 831 Lincoln Street Offices Applicant Materials](#)

Ainslie introduced the request for professional offices at 831 Lincoln Street. Ainslie provided a definition for professional office and noted that retail use, industrial use, or places of amusement or assembly were excluded from the definition. Ainslie explained that the proposal was generally compatible with the surrounding area, noting that many of the former Sheldon Jackson campus buildings contain offices. Ainslie explained that the proposal was unlikely to cause noise or odor disturbances that would impact surrounding residential uses. Ainslie noted that potential impacts to traffic and parking were discussed in the parking variance though reiterated that an increase to traffic and

parking would increase from current use as the building primarily sat empty, though its downtown location along Lincoln Street was accustomed to heavy traffic.

Ainslie cited Comprehensive Plan actions items HCA 4.1c and LU 3.2 in support of the proposal. Staff recommended approval.

Clint Farr was present as applicant representative. Riley asked if Farr had spoken with neighboring businesses. Farr responded that they had spoken with the Science Center but had not had a chance to speak with Sitka Fine Arts Camp about their proposal. Riley asked if the applicant were willing to speak to Fine Arts Camp to potentially mitigate their concerns. Farr confirmed that he would. Farr suggested that appropriate parking signage may resolve concerns. Alderson added that improvements to the parking lot could ensure efficient use of the existing parking and a pathway to the front door may prevent confusion and requested that a condition be made that the applicant consider these improvements. Riley added that applicant should communicate with Sitka Fine Arts Camp, and requested that a condition be made that the applicant work in good faith with the Fine Arts Camp to resolve concerns. The Commission voiced their approval of the amendments.

M-Alderson/S-Mudry moved to make an amendment to the conditions of approval that the applicant shall take all reasonable efforts to improve the property with a paved and striped parking lot and a pathway between the parking lot and front door. Motion passed 4-0 by voice vote.

M-Riley/S-Alderson moved to make an amendment to the conditions of approval that the applicant shall work in good faith with surrounding property owners to manage parking concerns. Motion passed 4-0 by voice vote.

M-Mudry/S-Alderson moved to approve the request for professional offices at 831 Lincoln Street in the R-2 Multifamily district subject to the conditions of approval as listed in the staff report and amended. The property was also known as Lot 3, Sheldon Jackson Campus Subdivision. The request was filed by the Alaska Department of Education and Early Development. The owner of record was Alaska Department of Education and Early Development. Motion passed 4-0 by voice vote.

M-Mudry/S-Alderson moved to adopt the required findings for conditional use permits as listed in the staff report. Motion passed 4-0 by voice vote.

D [CUP 22-03](#)

Public hearing and consideration of a conditional use permit request for a short-term rental at 1908 Sawmill Creek Road in the R-2- Multifamily district. The property is also known as Lot 3B, Soderberg Resubdivision. The request is filed by David Allen. The owner of record is Misty Fjords Rentals, LLC.

- Attachments:** [CUP 22-03 Allen 1908 Sawmill Creek Road STR Staff Report](#)
[CUP 22-03 Allen 1908 Sawmill Creek Road STR Aerial](#)
[CUP 22-03 Allen 1908 Sawmill Creek Road STR Floor Plan](#)
[CUP 22-03 Allen 1908 Sawmill Creek Road STR Photos](#)
[CUP 22-03 Allen 1908 Sawmill Creek Road STR Renter Handout](#)
[CUP 22-03 Allen 1908 Sawmill Creek Road STR As-Built](#)
[CUP 22-03 Allen 1908 Sawmill Creek Road STR Plat](#)
[CUP 22-03 Allen 1908 Sawmill Creek Road STR Applicant Materials](#)

Ainslie introduced the request for a short-term rental of a 3 bedroom, 2.5 bathroom single-family home at 1908 Sawmill Creek Road, accessed via a paved easement from Sawmill Creek Road. Ainslie noted that the lot was over an acre and that properties in the area were under common ownership of the applicant. Ainslie explained that the property owner lived in the area and would be able to monitor use of the rental property. Ainslie noted the ample parking on-site and the substantial buffers from the property's water frontage and the significant grade change to the adjacent uses on Knutson Drive. Staff recommended approval.

Windsor asked for clarification on the difference between a lodge and a short-term rental. Ainslie explained that lodges were associated with a recreational activity and typically rented by room whereas short-term rental was rental of an entire dwelling unit.

The applicant, David Allen, was present with Lonny Greenough. Allen explained that the property was his parent's home until their passing and using the property for short-term rental would help with maintenance costs and schedules. Alderson asked if a long-term rental might be possible. Allen explained that the high rental cost would be prohibitive and would make maintenance of the property more difficult. Riley asked what considerations would be made for use during the off-season. Allen responded that property maintenance would take place during the off-season.

Staff voiced their approval of the request.

M-Alderson/S-Mudry moved to approve the conditional use permit for a short-term rental at 1908 Sawmill Creek Road in the R-2 Multifamily District, subject to the conditions of approval as listed in the staff report. The property is also known as Lot 3B, Soderberg Resubdivision. The request was filed by David Allen. The owner of record was Misty Fjord Rentals, LLC. Motion passed 4-0 by voice vote.

M-Alderson/S-Mudry moved to adopt and approve the required findings for conditional use permits as listed in the staff report. Motion passed 4-0 by voice vote.

- E** [CUP 22-04](#) Public hearing and consideration of a conditional use permit request for a short-term rental at 717 Sawmill Creek Road in the R-1 single-family and duplex residential district. The property is also known as Portion of Lot 25, Pinehurst Addition. The request is filed by Benjamin Timby. The owners of record are Benjamin Timby and Tiffany Justice.

Attachments: [CUP 22-04 Timby 717 Sawmill Creek Road STR Staff Report](#)
[CUP 22-04 Timby 717 Sawmill Creek Road STR Aerial](#)
[CUP 22-04 Timby 717 Sawmill Creek Road STR Floor Plan](#)
[CUP 22-04 Timby 717 Sawmill Creek Road STR Parking Plan](#)
[CUP 22-04 Timby 717 Sawmill Creek Road STR Photos](#)
[CUP 22-04 Timby 717 Sawmill Creek Road STR Renter Handout](#)
[CUP 22-04 Timby 717 Sawmill Creek Road STR STR Density](#)
[CUP 22-04 Timby 717 Sawmill Creek Road STR SMC Project](#)
[CUP 22-04 Timby 717 Sawmill Creek Road STR Applicant Materials](#)

Ainslie introduced the proposal for short-term rental of a 3 bed, 2 bath single-family home on a non-conforming lot at 717 Sawmill Creek Road. Ainslie reminded the Commission that the applicant's request had been denied by the Commission as CUP 21-19, which the applicant appealed and the Assembly denied without prejudice with the understanding that the applicant would reapply and resolve Commission concerns.

Ainslie explained that the lot was 2,504 sq.ft. and currently had no off-street parking on the lot. Ainslie explained that in response to the limitations of the site, the applicant has limited the total occupancy to 6 total individuals including children, one car per booking, will provide 6 bicycles, and will lease a parking space from a nearby property owner to be dedicated for renter use. Ainslie explained that all these provision had been included in the conditions of the permit. Ainslie explained that the property would be professionally managed. Staff recommended approval.

The applicant, Ben Timby, was present. Timby explained that the lease of the parking space was in response to Commission concerns about parking and hoped that they mitigated potential impacts.

The Commission opened the floor for public comment. Owen Kindig voiced support for the application and spoke on the character of the applicants.

The Commission voiced their support of the provisions proposed by the applicant.

M-Mudry/S-Alderson moved to approve the conditional use permit for a short-term rental at 717 Sawmill Creek Road in the R-1 Single-Family/Duplex District, subject to the conditions of approval as listed in the staff report. The property was also known as a portion of Lot 25, Pinehurst Addition. The request was filed by Benjamin Timby. The owners of record were Benjamin Timby and Tiffany Justice. Motion passed 4-0 by voice vote.

M-Mudry/S-Alderson moved to adopt and approve the required findings for conditional use permits as listed in the staff report. Motion passed 4-0 by voice vote.

F [ZA 22-01](#)

Public hearing and consideration of a request for a zoning map amendment to rezone 205 Shotgun Alley from SFLD single-family low density district to R-1 LDMH single-family, duplex, manufactured home low density residential district. The property is also known as Lot 3, Cedars Subdivision. The request is filed by Barth Hamberg. The owner of record is Barth Hamberg.

Attachments: [ZA 22-01 Hamberg 205 Shotgun Alley ZMA Staff Report](#)
[ZA 22-01 Hamberg 205 Shotgun Alley ZMA Aerial](#)
[ZA 22-01 Hamberg 205 Shotgun Alley ZMA Zoning Map](#)
[ZA 22-01 Hamberg 205 Shotgun Alley ZMA Plat](#)
[ZA 22-01 Hamberg 205 Shotgun Alley ZMA Deed](#)
[ZA 22-01 Hamberg 205 Shotgun Alley ZMA Photos](#)
[ZA 22-01 Hamberg 205 Shotgun Alley ZMA Applicant Materials](#)
[ZA 22-01 Hamberg 205 Shotgun Alley ZMA Public Comment](#)

Ainslie introduced the proposal to rezone the property at 205 Shotgun Alley from SFLD to R-1 LDMH which it neighbors on three sides. Ainslie explained that the zoning change would allow a duplex or manufactured home by right and multi-family, ADU, and STR/B&B uses through conditional use permits. Ainslie explained that the applicant pursued this zoning map amendment to allow for an ADU on the property but that all possibilities must be considered in making this determination.

Ainslie explained the Shotgun Alley is unique as the only SFLD neighborhood in Sitka and that the lot was large at approximately 80,000 sq. ft. though further subdivision was prohibited by deed restriction. Ainslie provided analysis of surrounding property density and found that the surrounding area had one dwelling unit per 18,353 sq. ft. and that if the lot were developed with two dwelling units would have 40,398 sq ft. per unit.

Ainslie cited Comprehensive Plan support in H1.1e to encourage higher density development. Ainslie explained that the Commission would need to determine whether the proposal would constitute spot zoning, as it connected to the proposed zoning district but access to the lot was provided by the SFLD zoned Shotgun Alley and would surround 201 Shotgun Alley which would remain SFLD. Ainslie noted that neighborhood harmony was another consideration to make in this decision. Staff made no recommendation on this item and deferred to the judgement of the Commission whether they would like to recommend approval to the Assembly.

Mudry asked whether the property was recently subdivided. Ainslie explained that the lot had been subdivided in 2017. Riley asked for the history of the SFLD zone. Ainslie responded that it was community driven from the neighbors.

The applicant, Barth Hamberg, was present. Hamberg explained that approximately 50% of the lot abutted R-1 LDMH zoning and that the density from the proposal would be in keeping with the neighborhood. Hamberg provided context on the original zoning change to SFLD, where the community wanted to preserve large lots and low density.

Hamberg explained that the development costs of the lot were high and that an additional dwelling would assist in recuperating costs. Riley asked what the intended use would be. Hamberg responded that it would be long-term rental.

The Commission opened the floor for public comment. Joy Shaw spoke in opposition of the plan and stated that the increased density would impact the neighborhood and not address housing affordability. Davey Lubin spoke in opposition of the proposal and stated that it would change the nature of the area. Lubin added that the deed restriction on the lot which limited subdivision to four lots was done so with the understanding that the zoning was SFLD and therefore only four houses would be built. Ainslie read public comment from Andrea Thomas and Feliverto Estrada. Thomas expressed concerns

about spot zoning. Estrada expressed concerns that the proposal would increase density which the SFLD zoning was intended to prevent.

The Commission recognized the community opposition of the proposal. Alderson suggested a text change to allow ADUs in SFLD. Riley voiced support. The Commission discussed postponing the item to allow a zoning text amendment to be considered that would allow ADUs in SFLD zoning through conditional use permit. Hamberg agreed.

M-Riley/S-Alderson moved to postpone the item indefinitely. Motion passed 4-0 by voice vote.

M-Riley/S-Alderson moved to explore a zoning text amendment to allow accessory dwelling units in the SFLD zoning district as a conditional use. Motion passed 4-0 by voice vote.

VIII. ADJOURNMENT

Seeing no objections, Chair Windsor adjourned the meeting at 8:57pm.