



CITY AND BOROUGH OF SITKA

Minutes - Final

Planning Commission

Wednesday, May 4, 2022

7:00 PM

Harrigan Centennial Hall

I. CALL TO ORDER AND ROLL CALL

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

Absent: Thor Christianson (Assembly liaison - excused)

Staff: Amy Ainslie

Public: Ron Davison, Jon Martin, Dave Miller, Ariadne Will (Sitka Sentinel)

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

II. CONSIDERATION OF THE AGENDA

III. CONSIDERATION OF THE MINUTES

A [PM 22-09](#) Approve the April 20, 2022 meeting minutes.

**M-Windsor/S-Mudry moved to approve the April 20, 2022 meeting minutes.
Motion passed 5-0 by voice vote.**

IV. PERSONS TO BE HEARD

V. PLANNING DIRECTOR'S REPORT

Ainslie reported that the Planner I position would be re-advertised the following day as open until filled. She also provided an update on department scheduling and availability. The first closure of Lincoln Street as directed by the Short-Term Tourism Plan would take place on Saturday, May 7th shortly followed by another closure on Monday, May 9th.

VI. REPORTS

VII. THE EVENING BUSINESS

B [VAR 22-11](#) Public hearing and consideration of a platting variance to exceed the number of lots to be served via easements for access and utilities within a minor subdivision at 107 Mary's Court in the C-1 general commercial district. The request is filed by Ron Davison. The owners of record are Ron and Christine Davison.

Ainslie explained that this platting variance was related to the next agenda item, case file P 22-03 which was a request for a minor subdivision at 107 Mary's Court to result in

two lots. As Mary's Court was an access and utility easement, Ainslie described the limitations SGC 21.40 placed on easements; access easements and utility easements could serve no more than four lots. At the time of the request, five lots were served by the utility easement (meaning the subdivision action would bring the total to six lots) and four lots were served by the access easement (subdivision action would bring total to five lots). This was why a platting variance was necessary. On utilities, while CBS could not guarantee the condition or reliability of private utility lines, they were built to an appropriate size such to accept another lot. On access, Mary's Court was not of a size or standard to be accepted by CBS for maintenance, but it was expected that it could handle traffic of an additional lot. Given that CBS would not be accepting the Mary's Court utility system or road for maintenance and the difficulty of developing the Haley Way right-of-way (by either CBS or the applicant) for alternative access and/or utility connection, Ainslie agreed that the variance was justified and recommended approval.

The applicant, Ron Davison, came forward. Commissioners had no questions for Davison and excused the applicant. Commissioners felt the request was justified and agreed the variance was appropriate.

M-Alderson/S-Windsor moved to approve the platting variance to serve six lots by a private utility easement and five lots with an access easement at 107 Mary's Court in the C-1 general commercial district. The property was also known as Lot 11A, Davison Subdivision. The request was filed by Ron Davison. The owners of record were Ron and Christine Davison. Motion passed 5-0 by voice vote.

M-Alderson/S-Windsor moved to adopt the required findings for platting variances. Motion passed 5-0 by voice vote.

C [P 22-03](#)

Public hearing and consideration of a preliminary plat for a minor subdivision to result in two lots at 107 Mary's Court in the C-1 general commercial district. The property is also known as Lot 11A, Davison Subdivision. The request is filed by Ron Davison. The owners of record are Ron and Christine Davison.

As access and utilities for the subdivision had been covered in the previous item, Ainslie provided specifics about the new lot to be created. It would be approximately 6,698 square feet in size and over 130 feet wide, meeting the dimensional standards for the district. The proposed lot was already developed with a house; the new lot lines observed the setback requirements for the district so no non-conformities would result from the subdivision action and the Fire Marshal had affirmed that the distances to property lines were appropriate to meet fire separation distances. The lot would be located at the top of Mary's Court and had lots of light and a fair amount of open space on the east side of the lot. Staff recommended approval.

The applicant, Ron Davison came forward. Commissioners had no questions for the applicant.

M-Alderson/S-Windsor moved to approve the preliminary plat for a minor subdivision to result in two lots at 107 Mary's Court in the C-1 general commercial district subject to the attached conditions of approval. The property was also known as Lot 11A, Davison Subdivision. The request was filed by Ron Davison. The owners of record were Ron and Christine Davison. Motion passed 5-0 by voice vote.

M-Alderson/S-Windsor moved to adopt the findings as listed the staff report. Motion passed 5-0 by voice vote.

D [CUP 22-16](#)

Public hearing and consideration of a conditional use permit for a short-term rental at 108 Nancy Court in the R-1 single family and duplex residential district. The property is also known as Lot 3 Briggs Subdivision. The owners of record are Jon and Amanda Martin. The request is filed by Jon Martin.

Ainslie explained that the property was developed with a single-family home that was approximately 2,580 square feet with four bedroom and three bathrooms, and the request was to have the home available for use as a short-term rental. There were two other short-term rentals in the neighborhood. While the lot was large, topography constraints rendered the front of the lot as the usable space. This was the only developed property on Nancy's Court, and the other homes on Versa Place were buffered by elevation difference and distance. While the property was accessible via Nancy's Court, Ainslie noted that it was steep (particularly compared to what visitors may be accustomed to) and may be somewhat difficult to find. The applicant-provided renter handout limited the rental to no more than eight guests, designated 9:00 PM to 8:00 AM as quiet hours, and instructed applicants to utilize the locking garbage can located within the garage in order to minimize bear attractants. The applicants would be managing the rental. Staff recommended approval.

The applicant, Jon Martin came forward. Commissioners requested clarification as to where the applicants would be during rental occupancy as the property was the residence of the applicants. Martin stated that they planned to use it next summer when he and his wife would be traveling. Ainslie clarified that conditional use permits for short-term rentals lapsed if they were not used for a twelve-month period; Martin acknowledged this and stated he would use it within twelve months. Riley asked who would be managing the rental when Martin was out of town; Martin stated that he had management support for the rental through his other business endeavors and would supply the Planning Department with a secondary contact.

M-Mudry/S-Windsor moved to approve the conditional use permit for a short-term rental at 108 Nancy Court in the R-1 single-family and duplex residential district subject to the attached conditions of approval. The property was also known as Lot 3, Briggs Subdivision. The request was filed by Jon Martin. The owners of record were Jon and Amanda Martin. Motion passed 5-0 by voice vote.

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

VIII. ADJOURNMENT

Seeing no objections, Chair Spivey adjourned the meeting at 7:32 PM.