



CITY AND BOROUGH OF SITKA

Minutes - Final

Planning Commission

Wednesday, May 5, 2021

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: None

Staff: Amy Ainslie, Ben Mejia

Public: Kent Bovee, Mike Jacoby, Josh Arnold, David Miller, Danen Vest, Katherine Rose (KCAW), Ariadne Will (Sitka Sentinel)

Chair Spivey called the meeting to order at 7:01pm.

II. CONSIDERATION OF THE AGENDA

III. CONSIDERATION OF THE MINUTES

A [PM 21-07](#) Approve the April 21, 2021 meeting minutes.

Attachments: [7-April 21 2021 DRAFT](#)

M-Windsor/S-Alderson moved to approve the April 21, 2021 meeting minutes.

Motion passed 5-0 by voice vote.

IV. PERSONS TO BE HEARD

V. PLANNING DIRECTOR'S REPORT

Ainslie discussed summer meeting dates and Commissioner availability for the meetings scheduled on May 19th and June 2nd. Ainslie requested that commissioners inform staff of any scheduling conflicts as vacation plans are made.

VI. REPORTS

VII. THE EVENING BUSINESS

B [CUP 21-06](#) Public hearing and consideration of a conditional use permit for multi-family housing at 601 Lincoln Street in the R-1 single-family and duplex district. The property is also known as Lot 3, Gregory Subdivision. The request is filed by Kent Bovee. The owner of record is Bovee Irrevocable Children's Trust.

Attachments: [CUP 21-06 Bovee 601 Lincoln Multifamily Staff Report](#)
[CUP 21-06 Bovee 601 Lincoln Street Multifamily Aerial](#)
[CUP 21-06 Bovee 601 Lincoln Street Multifamily Floor Plan](#)
[CUP 21-06 Bovee 601 Lincoln Street Multifamily Parking Layout](#)
[CUP 21-06 Bovee 601 Lincoln Street Multifamily Plat](#)
[CUP 21-06 Bovee 601 Lincoln Street Multifamily Photos](#)
[CUP 21-06 Bovee 601 Lincoln Street Multifamily Applicant Materials](#)

Ainslie described the proposal for multi-family structure at 601 Lincoln Street, Ainslie explained that the structure was currently a duplex in which the applicants requested dividing one unit to create a third dwelling unit. Ainslie noted that while the site was in the R-1 zoning district, the surrounding area was not a traditional R-1 neighborhood, with proximity to harbors, schools, retail, churches as well as residential.

Ainslie explained that the proposal would leave the 1st floor 2 bed, 1 bath unit unchanged while dividing the upper level 3 bed, 1.75 bath to create a 1 bed, 1 bath studio and a 2 bed one bath apartment. Ainslie noted that while there was currently 5 parking spaces, a condition of approval had been added to have a 6th parking space identified prior to the granting of a building permit.

Ainslie explained that impacts from noise, odor, traffic, and safety were likely to be minimal as the proposal did not add rooms to the house. Ainslie identified the proposal as consistent with the Comprehensive Plan objective of encouraging higher density development. Staff recommended approval.

The applicant, Kent Bovee, was present telephonically. Bovee explained that the apartment was currently used for 3 roommates however it was difficult for the apartment to stay fully rented and the proposal to divide the apartment would allow greater rental flexibility. Riley asked the applicant if they intended to use the unit for short-term rentals (STR). Bovee replied that they would use it for long-term rentals only. Ainslie read public comment from Victoria O'Connell Curran who expressed that she would hope that the proposal would not be used for STR's and that a separate entrance for the dwelling unit ought to be provided. Windsor asked staff if triplexes for R-1 have been requested in the past. Ainslie responded that it was not a common request. The Commission voiced support for the proposal.

M-Mudry/S-Windsor moved to approve the conditional use permit for a multiple-family structure at 601 Lincoln Street in the R-1 single-family and duplex residential district, subject to conditions of approval as listed in the staff report. The property was also known as Lot 3, Gregory Subdivision. The request was filed by Kent Bovee. The owner of record was the Bovee Irrevocable Children's Trust. Motion passed 5-0 by voice vote.

M-Mudry/S-Windsor 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.

C [VAR 21-04](#)

Public hearing and consideration of a variance to reduce the side setback from 15 feet to 8 feet and increase maximum height of accessory structures from 16 feet to 24 feet at 106 Shotgun Alley in the R-1 LDMH Single-Family/Manufactured Home Low Density District. The

property is also known as Lot 1, Tom Williamson Subdivision. The request is filed by Josh Arnold. The owners of record are Josh and Dayna Arnold.

Attachments: [V 21-04 Arnold 106 Shotgun Alley Setback and Height Variance Staff Report](#)
[V 21-04 Arnold 106 Shotgun Alley Setback and Height Variance Aerial](#)
[V 21-04 Arnold 106 Shotgun Alley Setback and Height Variance Current Plat](#)
[V 21-04 Arnold 106 Shotgun Alley Setback and Height Variance Site Plan](#)
[V 21-04 Arnold 106 Shotgun Alley Setback and Height Variance Floor Plans](#)
[V 21-04 Arnold 106 Shotgun Alley Setback and Height Variance Elevation sketch](#)
[V 21-04 Arnold 106 Shotgun Alley Setback and Height Variance Photos](#)
[V 21-04 Arnold 106 Shotgun Alley Setback and Height Variance Applicant Materials](#)

Ainslie described the proposal as a variance to reduce the side setback and increase the maximum allowable height of an accessory structure to facilitate the placement of a detached 2-story garage at 106 Shotgun Alley. Ainslie explained that while the lot was large, the slope and grade change throughout the lot greatly reduced appropriate and logical placement for the structure.

Ainslie explained that while the zoning R-1 LDMH required 15' side setbacks, staff felt the requested reduction to 8' was reasonable given the natural topographic and vegetative buffers. Staff recommended approval.

Ainslie explained that staff a neutral position on the requested height variance and deferred to the Commission on the appropriateness of the request.

The applicant, Josh Arnold, was present. Arnold explained that he had communicated his proposal to his neighbors, who were in support of the proposal. Arnold explained that he no interest in using the second story of the garage for rentals or in converting it to a dwelling.

Staff read public comment from Mike Jacoby, who voiced his support for the proposal as a neighbor of the applicant. The Commission voiced their support for the proposal.

M-Riley/ S-Alderson moved to approve the zoning variance at 106 Shotgun Alley in the R-1 LDMH Single-Family/Manufactured Home Low Density District subject to the conditions of approval, as listed in the staff report. The property was also known as Lot 1, Tom Williamson Subdivision. The request was filed by Josh Arnold. The owners of record were Josh and Dayna Arnold. Motion passed 5-0 by voice vote.

M-Riley/S-Alderson moved to adopt and approve the required findings for variances involving major structures or expansions as listed in the staff report. Motion passed 5-0 by voice vote.

[VAR 21-05](#)

Public hearing and consideration of a variance to reduce the front setback from 10' to 0' at 4690 Sawmill Creek Road in the GP Gary

Paxton Special District. The property is also known as Lot 4, Block 4, Sawmill Cove Industrial Park Resubdivision No. 1. The request is filed by Sitka Salmon Shares. The owner of record is City and Borough of Sitka.

Attachments: [V 21-05 Sitka Salmon Shares 4690 Sawmill Creek Rd Setback Variance Staff Report](#)
[V 21-05 Sitka Salmon Shares 4690 Sawmill Creek Rd Setback Variance Aerial](#)
[V 21-05 Sitka Salmon Shares 4690 Sawmill Creek Rd Setback Variance Site Plan](#)
[V 21-05 Sitka Salmon Shares 4690 Sawmill Creek Rd Setback Variance Cooling Tower Elevation Sketch](#)
[V 21-05 Sitka Salmon Shares 4690 Sawmill Creek Rd Setback Variance Current Plat](#)
[V 21-05 Sitka Salmon Shares 4690 Sawmill Creek Rd Setback Variance Photos](#)
[V 21-05 Sitka Salmon Shares 4690 Sawmill Creek Rd Setback Variance Applicant Materials](#)

Ainslie described the proposal to reduce the front setback from 10' to 0' at 4690 Sawmill Creek Road in the Gary Paxton Special District. Ainslie explained that the lot had fronts with access easements along the northwest and northeast sides of the property. Ainslie noted that the request was to facilitate in the placement of two approximately 10'x10'x10' cooling towers. Ainslie explained that the proposed placement kept the structures out of the way of internal traffic on the lot and reduced the impact from noise. Ainslie stated that given the 90' width of the adjacent access easement, staff did not anticipate any impact to traffic or safety. Staff recommended approval.

Danen Vest, who represented the applicant, was present. Vest explained that the structures were pre-manufactured and were necessary for the proposed use as an ice plant to load fishing ships. Having no further questions, the applicant was dismissed. The Commission voiced support for the placement of the structures.

M-Alderson/S-Windsor moved to approve the zoning variance at 4690 Sawmill Creek Road in the GP Gary Paxton Special District subject to the conditions of approval, as listed in the staff report. The property was also known as Lot 4, Block 4 Sawmill Cove Industrial Park Resubdivision No. 1. The request was filed by Sitka Salmon Shares. The owner of record was City and Borough of Sitka. Motion passed 5-0 by voice vote.

M-Alderson/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.

E [MISC 21-10](#)

Discussion/Direction on potential changes to SGC Title 22 as it relates to short-term rentals.

Attachments: [MISC 21-10_STR Discussion_ Staff Memo](#)
[Current Code Provisions](#)
[2019 Annual Short-Term Rental Report](#)
[2020 Annual Short-Term Rental Report](#)
[STR Density Maps 5.5.21](#)
[2nd Address Report](#)
[2005 ORD 05-09](#)
[2006 ORD 2006-09](#)

Ainslie introduced the item for discussion and direction on STRs, as requested by the Commission at the previous meeting. Ainslie explained that staff had provided a synopsis of the current zoning code on STRs, explained the process of changing the code, and provided resources of STR information to facilitate the discussion.

Staff read public comment from Tory O'Connell Curran, Chandler O'Connell, Adrienne Wilber, Andrew Jylkka, Jackson Matthew, Krystina Scheller, Maureen O'Hanlon, Tracy Sylvester, Elizabeth Borneman, and Leigh Engel who expressed concern over STRs and their impact on housing availability and affordability in Sitka. Dave Miller provided public comment, voicing his personal interest in using STRs to add flexibility in the use of his apartment.

The Commission discussed the current STR regulations. Riley and Alderson expressed their concern that current zoning did not provide any code basis for the Commission to deny a permit request, despite their concerns of impacts to long-term rental availability and housing affordability. The Commission discussed appropriate permit requirements. Discussion included the addition of conditions of approval to ensure that the property is the primary residence of the applicant and permits being made void in the event of the sale of the property.

Ainslie noted that the current zoning code allowed for the denial of a permit request based on the impact to the surrounding neighborhood or that granting the permit would be in conflict to the goals of the Comprehensive Plan.

The Commission discussed the ability for STRs to give homeowners flexibility and provide additional income streams. The Commission considered increased restrictions and the inclusion of a variance or means of accommodating for extenuating circumstances.

The Commission requested that staff survey the community to provide public opinion, as well as data on rental and housing prices and STRs in Sitka to aid in further discussion.

No action taken.

VIII. ADJOURNMENT

Seeing no objections, Chair Spivey adjourned the meeting at 9:02pm.