



CITY AND BOROUGH OF SITKA

Minutes - Final

Planning Commission

Wednesday, June 2, 2021

7:30 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 (excused)

Staff: Amy Ainslie, Ben Mejia

Public: Lenise Henderson-Fontenot, David Levesque, Ariadne Will (Sitka Sentinel)

Chair Spivey called the meeting to order at 7:32pm.

II. CONSIDERATION OF THE AGENDA

III. CONSIDERATION OF THE MINUTES

A [PM 21-10](#) Approve the May 19, 2021 minutes.

Attachments: [10-May 19 2021 DRAFT](#)

M-Alderson/S-Windsor moved to approve the May 19, 2021 minutes. Motion passed 5-0 by voice vote.

IV. PERSONS TO BE HEARD

V. PLANNING DIRECTOR'S REPORT

Ainslie reminded the Commission that the downtown business forum for the short-term tourism plan was 7:00pm on June 3rd. Ainslie reported that the community survey on short-term rentals had closed with a total 291 responses. Staff would present the finding on July 21st. Ainslie noted that Riley would not be attending the June 16 and July 7 meetings and Commissioners to inform staff of any planned absences.

VI. REPORTS

VII. THE EVENING BUSINESS

B [CUP 21-08](#) Public hearing and consideration of a conditional use permit for a dwelling unit on the first floor within the Central Business District located at 302 Monastery Street. The property is also known as a Portion of Lot 3, Block 16, USS 1474 Tract A. The request is filed by Lenise Henderson-Fontenot. The owner of record is Lenise

Henderson-Fontenot.

Attachments: [CUP 21-08 Fontenot 302 Monastery Apt Staff Report](#)
[CUP 21-08 Fontenot 302 Monastery Apt Aerial](#)
[CUP 21-08 Fontenot 302 Monastery Apt Floor Plan](#)
[CUP 21-08 Fontenot 302 Monastery Apt Photos](#)
[CUP 21-08 Fontenot 302 Monastery Apt Applicant Materials](#)

Ainslie described the proposal for an apartment dwelling on the ground floor in the Central Business District (CBD) at 302 Monastery Street. Ainslie described the neighborhood as atypical of the CBD, with primarily residential uses that would be considered legal non-conforming. Ainslie explained that the proposal was to demolish the existing garage and to replace it with a new structure with garage space, studio apartment with 1 bathroom and laundry, and office space with half bath. Ainslie explained that there was minimal anticipated impact from the proposal, with a slight impact to traffic and odor no greater than can be expected in typical residential use. Ainslie noted that the CBD had no setback requirements, however both the house and the garage were set back from the street and a fence provided a buffer between the property and its neighbors as well as Baranof Elementary School at the rear. Ainslie identified the proposal as in keeping with the Comprehensive Plan's goal to expand housing options. Staff recommended approval.

Windsor asked if the proposal would not be covered under the legal non-conforming use status of the property. Ainslie responded that as it would be a new structure, it would not be appropriate to consider the proposal a legal non-conforming use and would therefore require a conditional use permit.

The applicant, Lenise Henderson-Fontenot, was present. Henderson-Fontenot explained that the current structure was on an uneven foundation with a dirt floor and demolition was necessary.

The Commission opened the floor for public comment. Ainslie read written public comment from Jack Navitsky of 300 Monastery Street. Navitsky voiced concern about the proposal, specifically the concern that the project may encounter sub-surface oil contamination as well as concern for the placement of an oil tank for the proposed structure. Navitsky requested that any oil tank be placed on the north side of the proposed structure.

Henderson-Fontenot explained that she had spoken with Navitsky about his concerns and was considering a contamination mitigation methods such as a vapor barrier and monolithic slab, and saw no issue with the suggested placement of an oil tank if oil were used for heat. The Commission discussed adding a condition of approval to address the placement of the oil tank.

M-Windsor/S-Riley moved to amend the conditions of approval, adding a condition that the oil tank be moved to the north side of the structure should the proposed structure use oil. Motion passed 5-0 by voice vote.

M-Alderson/S-Riley moved to approve the conditional use permit application for a dwelling unit on the first floor of a structure in the Central Business District located at 302 Monastery Street in the Central Business District subject to the conditions of approval as listed in the staff report and amended by the Commission. The property was also known as A Portion of Lot 3, Block 16, US Survey 1474, Tract A. The request was filed by Lenise Henderson-Fontenot. The

owner of record was Lenise Henderson-Fontenot. Motion passed 5-0 by voice vote.

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

C [VAR 21-06](#)

Public hearing and consideration of a variance to reduce the rear setback from 8 feet to 0 feet at 1421 Halibut Point Road in the R-1 Single-Family and Duplex residential district. The property is also known as Lot 1B of a minor subdivision of Lot 1 of Hager Subdivision. The request is filed by David and Mary Levesque. The owners of record are David and Mary Levesque.

Attachments: [V 21-06 Levesque 1421 Halibut Point Road Setback Variance Staff Report](#)
[V 21-06 Levesque 1421 Halibut Point Road Setback Variance Aerial](#)
[V 21-06 Levesque 1421 Halibut Point Road Setback Variance Site Plan](#)
[V 21-06 Levesque 1421 Halibut Point Road Setback Variance Elevation Sketch](#)
[V 21-06 Levesque 1421 Halibut Point Road Setback Variance Floor Plan](#)
[V 21-06 Levesque 1421 Halibut Point Road Setback Variance Plat](#)
[V 21-06 Levesque 1421 Halibut Point Road Setback Variance Photos](#)
[V 21-06 Levesque 1421 Halibut Point Road Setback Variance Applicant Materials](#)

Ainslie introduced the proposal was for a rear setback reduction from 8 feet to 0 feet to build a new single-family home with a mother-in-law apartment and garage at 1421 Halibut Point Road in the R-1 zone. Ainslie explained that there was previously a home on the lot that had been demolished by the applicants due to its condition. Ainslie noted that access was served via an easement through 1419 Halibut Point Road. The proposal would allow for the placement of the structure to be farther from the front of the property, thereby increasing accessibility of the lot, given topographical challenges.

Ainslie explained that the proposal would have the home placed about 5 feet from the property line, with an uncovered deck spanning the remainder of the distance to the property line. Ainslie noted that the property line was approximately 40 feet from the water's edge. Ainslie stated that the proposal increases lot access, safety, and was consistent with the Comprehensive Plan objectives of encouraging infill development and housing stock rehabilitation. Staff recommended approval.

The applicant, David Levesque, was present. Levesque reiterated that the proposal would improve access, he explained that he had assisted former residents in being towed out of their garage due to the grade change.

Having no further questions, the Commission dismissed the applicant.

M-Mudry/S-Riley moved to approve the zoning variance for reductions in the front and rear setbacks at 1421 Halibut Point Road in the R-1 single-family and duplex residential district subject to the attached conditions of approval. The property is also known as Lot 1B, of a Minor Subdivision of Lot 1 of Hager Subdivision. The request was filed by David and Mary Levesque. The owners

of record were David and Mary Levesque. Motion passed 5-0 by voice vote.

M-Mudry/S-Riley 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.

D [MISC 21-09](#) Discussion/Direction on Short-Term Tourism Plan

Attachments: [Background Information Review Staff Memo](#)
[Sitka Gateway Plan](#)
[Sign Transit Services OSD to HCH 2020](#)
[CPET Information](#)
[Cruise Calendar 2022](#)

The Commission had nothing further to discuss on this item.

No action taken.

VIII. ADJOURNMENT

Seeing no objections, Chair Spivey adjourned the meeting at 8:00pm.