



CITY AND BOROUGH OF SITKA

Minutes - Final

Planning Commission

Wednesday, October 20, 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, Thor Christianson (Assembly Liaison)

Absent: None

Staff: Amy Ainslie, Ben Mejia

Public: Lisa Busch, Caroline Storm, Amy Rowe, Mateo Tabachnik, Ellen Frankenstein, Chris McGraw, Kent Barkhau, Bill Foster, John Stein, Jim Michener, Stefania Potrzuski, Emily Wagner, Trish White, Chance Gray, Loren Olsen, Hugh Bevan, Rebecca Himshoot, Gerry Hope, Ariadne Will (Sitka Sentinel)

Chair Spivey called the meeting to order at 7:36pm.

II. CONSIDERATION OF THE AGENDA

The Commission requested that item G be the first new business item heard.

III. CONSIDERATION OF THE MINUTES

A [PM 21-23](#) Approve the October 6, 2021 meeting minutes.

Attachments: [23-October 6 2021 DRAFT](#)

**M-Windsor/S-Mudry moved to approve the October 6, 2021 meeting minutes.
Motion passed 5-0 by voice vote.**

IV. PERSONS TO BE HEARD

V. PLANNING DIRECTOR'S REPORT

Ainslie reported that staff had attended the Ports and Harbors Commission meeting on October 13th and would attend on November 10th for feedback on tourism planning. Ainslie notified the Commission that all commissions have been asked to consider commission structure and opportunities for efficiencies which would be discussed at the next meeting. Ainslie noted that Alderson would be absent from the November 3rd meeting and requested Commissioners to notify staff of any anticipated absences.

VI. REPORTS

VII. THE EVENING BUSINESS

- B** [CUP 21-14](#) Public hearing and consideration of a request for a conditional use permit for a veterinary clinic at 805 Halibut Point Road, in the C-1 general commercial district. The property is also known as Lot 1, Shea Subdivision. The request is filed by Jonathan and Toccoa Wolf. The owners of record are Joyce Robertson.

Attachments: [CUP 21-14 Wolf 805 Halibut Point Road Veterinary Clinic Staff Report](#)
 [CUP 21-14 Wolf 805 Halibut Point Road Veterinary Clinic Aerial](#)
 [CUP 21-14 Wolf 805 Halibut Point Road Veterinary Clinic Floor Plan and Building Sketch](#)
 [CUP 21-14 Wolf 805 Halibut Point Road Veterinary Clinic Parking Layout](#)
 [CUP 21-14 Wolf 805 Halibut Point Road Veterinary Clinic Plat](#)
 [CUP 21-14 Wolf 805 Halibut Point Road Veterinary Clinic Photos](#)
 [CUP 21-14 Wolf 805 Halibut Point Road Veterinary Clinic Applicant Materials](#)

Ainslie introduced the proposal for a veterinary clinic at 805 Halibut Point Road. Ainslie explained that the proposal would utilize the first floor of the existing three story building, while the remaining two floors would continue to be residential. Ainslie noted that the applicants currently operated Sitka Animal Hospital at 209 Jarvis Street but would like increased space to grow their business.

Ainslie explained that minimal impacts were anticipated from the proposal as the site had adequate on-site parking and the proposal included pet waste stations and medical waste removal as mitigation for odors. The proposal was for regular business hours of 8am-5:30pm with exception for emergencies. Ainslie noted the property was buffered by tidelands and the parking lot setting it back from the right-of-way. Ainslie stated that the proposal was in line with Comprehensive Plan action item LU 3.1. Staff recommended approval.

The applicants, Doctor Toccoa Wolf and Jonathan Wolf, were present. The applicants explained that their current location was only 600 square feet in size and limited their ability to grow.

Windsor asked if the operation would be boarding animals. The applicants replied that there would be no animal boarding and pets that stayed over the night due to emergency care would be monitored by animal hospital staff through the night. Windsor requested that a condition be added to prohibit animal boarding. The applicants accepted this condition.

M-Alderson/S-Mudry moved to approve the conditional use permit for a veterinary clinic at 805 Halibut Point Road in the C-1 general commercial district, subject to the conditions of approval as listed in the staff report with the added condition that no animal boarding take place on the property. The property was also known as Lot 1, Shea Subdivision. The request was filed by Jonathan and Toccoa Wolf. The owners of record were Ernest and Joyce Robertson. Motion passed 5-0 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 5-0 by voice vote.

C [CUP 21-15](#) Public hearing and consideration of a request for a conditional use permit for a short-term rental at 101 Cedar Beach Road, in the R-1 single-family and duplex residential district. The property is also known as Lot 3-B, Amended White Subdivision. The request is filed by Mateo and Alessandra Tabachnik. The owners of record are Mateo and Alessandra Tabachnik.

- Attachments:** [CUP 21-15 Tabachnik 101 Cedar Beach Road STR Staff Report](#)
 [CUP 21-15 Tabachnik 101 Cedar Beach Road STR Aerial](#)
 [CUP 21-15 Tabachnik 101 Cedar Beach Road STR Floor Plan](#)
 [CUP 21-15 Tabachnik 101 Cedar Beach Road STR Parking Layout](#)
 [CUP 21-15 Tabachnik 101 Cedar Beach Road STR Photos](#)
 [CUP 21-15 Tabachnik 101 Cedar Beach Road STR Renter Handout](#)
 [CUP 21-15 Tabachnik 101 Cedar Beach Road STR As-Built](#)
 [CUP 21-15 Tabachnik 101 Cedar Beach Road STR Plat](#)
 [CUP 21-15 Tabachnik 101 Cedar Beach Rd STR STR Density](#)
 [CUP 21-15 Tabachnik 101 Cedar Beach Rd STR Applicant Materials](#)

Ainslie introduced the proposal for a short-term rental in a 6 bedroom, 3 bathroom home at 101 Cedar Beach Road as a second home for the applicants, who would primarily spend their summers in Sitka. Ainslie explained that the applicants would like to rent out the home as a short-term rental when not in use. Ainslie noted that the primary interest in renting would be for the first floor but the proposal was to include the whole home to provide the applicants with flexibility. Ainslie explained that mitigation to potential impacts were that the applicants had indicated a maximum number of guests as 6 people, prohibited parties and loud music, and identified a local property manager. Ainslie noted that 3 off-street parking spaces were available on the site in addition to garage space and that the site was buffered from surrounding uses by vegetation and elevation. Staff recommended approval.

The applicant, Mateo Tabachnik, was present. Spivey asked the applicant if he would consider long-term rental of the property. Tabachnik responded that he would. The Commissioners asked for more information on how the application would rent the first floor within the single family home if the owners were present. Tabachnik explained that a kitchen or kitchenette would likely be necessary for the space to be used separate from the rest of the house. Alderson and Riley voiced concerns over impacts from short-term rentals on home values, the potential for bear attractants, and the applicants' proposal to rent the home in part and as a whole unit being similar to both a bed and breakfast and short term rental permit.

M-Windsor/S-Mudry moved to approve the conditional use permit for a short-term rental at 101 Cedar Beach Road in the R-1 Single-Family/Duplex District, subject to the conditions of approval as listed in the staff report and amended to add the condition that the rental have a maximum of 4 adults. The property was also known as Lot 3-B, Amended White Subdivision. The request was filed by Mateo and Alessandra Tabachnik. The owners of record were Mateo and Alessandra Tabachnik. Motion passed 3-2 by voice vote.

M-Windsor/S-Mudry moved to adopt and approve the required findings for

conditional use permits as listed in the staff report. Motion passed 3-2 by voice vote.

D [CUP 21-16](#)

Public hearing and consideration of a conditional use permit request for an eating and drinking place at 4951 Halibut Point Road in the R - Recreation district. The property is also known as a portion of Lot 1, USS 3670. The request is filed by Shee Atika, Inc. The owner of record is the City and Borough of Sitka.

Attachments: [CUP 21-16 Shee Atika 4951 Halibut Point Road Eating and Drinking Place Staff Report](#)
[CUP 21-16 Shee Atika 4951 Halibut Point Road Eating and Drinking Place Aerial](#)
[CUP 21-16 Shee Atika 4951 Halibut Point Road Eating and Drinking Place Site Plan](#)
[CUP 21-16 Shee Atika 4951 Halibut Point Road Eating and Drinking Place Structure Elevation](#)
[CUP 21-16 Shee Atika 4951 Halibut Point Road Eating and Drinking Place Operational Plan](#)
[CUP 21-16 Shee Atika 4951 Halibut Point Road Eating and Drinking Place Photos](#)
[CUP 21-16 Shee Atika 4951 Halibut Point Road Eating and Drinking Place Applicant Materials](#)

Ainslie introduced the proposal for an eating and drinking place in the Recreation zone at 4951 Halibut Point Road. Ainslie explained that the proposal was for a salmon feast as part of the applicant's larger tourism and recreation development of the site which was leased from the City. Ainslie provided some background information on the site, and explained that the property had been rezoned to Recreation and the conditional uses of eating and drinking places, amusement and entertainment, and outdoor amphitheater had been added for this intended development.

Ainslie explained that the site had three elements for visitors: cultural tour, salmon feast, and an aerial adventure park with a system of trails throughout the site. Ainslie explained that this permit request was for the salmon feast, which would accommodate approximately 120 guests at a time. The salmon feast would include a presentation on the cultural and subsistence significance of salmon. The site would have a large grill for cooking salmon with limited sides and three small structures would cover the grilling area at 10'x20' and two seating areas at 50'x30'. The site would operate 8am-5:30pm from May to October when ships were in port. Ainslie noted that this was not intended to be a restaurant.

Ainslie explained the potential impacts, that all new uses to the undeveloped lot would result in significant increase in traffic and noise. Ainslie explained that the applicant was working with Department of Transportation to find the ideal driveway placement to maximize sight lines. Ainslie stated that the site was buffered by all sides with vegetation, topography, and water frontage and would only have a limited operating season which would mitigate potential impacts and their duration.

Ainslie explained that the plan was consistent with Comprehensive Plan action item ED 6.5. Staff recommended approval.

Caroline Storm, who represented the applicant, was present. Spivey asked if the site would be open to local residents or to cruise passengers only. Storm explained that the site would be available for local residents when cruise ships were not in dock, and

that the site amenities may be made available if economically feasible, Storm noted that the operation required a lot of staff to maintain.

M-Mudry/S-Alderson moved to approve the conditional use permit for an eating and drinking place at 4951 Halibut Point Road in the Recreation district, subject to conditions of approval as listed in the staff report. The property was also known as a portion of Lot 1, U.S. Survey 3670. The request was filed by Shee Atika, Inc. The owner of record was the City and Borough of Sitka. Motion passed 5-0 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 5-0 by voice vote.

E [CUP 21-17](#)

Public hearing and consideration of a conditional use permit request for an entertainment and amusement facility at 4951 Halibut Point Road in the R - Recreation district. The property is also known as a portion of Lot 1, USS 3670. The request is filed by Shee Atika, Inc. The owner of record is City and Borough of Sitka.

- Attachments:** [CUP 21-17 Shee Atika 4951 Halibut Point Road Amusement Staff Report](#)
 [CUP 21-17 Shee Atika 4951 Halibut Point Road Amusement Aerial](#)
 [CUP 21-17 Shee Atika 4951 Halibut Point Road Amusement Site Plan](#)
 [CUP 21-17 Shee Atika 4951 Halibut Point Road Amusement Example Equipment](#)
 [CUP 21-17 Shee Atika 4951 Halibut Point Road Amusement Operational Plan](#)
 [CUP 21-17 Shee Atika 4951 Halibut Point Road Amusement Photos](#)
 [CUP 21-17 Shee Atika 4951 Halibut Point Road Amusement Applicant Materials](#)

Ainslie introduced the proposal for an amusement and entertainment facility in the Recreation district at 4951 Halibut Point Road as the aerial adventure park that was a component of the same tourism development proposal of the land as CUP 21-16.

Ainslie noted that the proposed site was on the inland southern portion of the lot and would feature custom designed equipment with a safety cable system along ropes, swinging bridges, and obstacles that could hold approximately 20 people every 30 minutes. Operations would take place from 8am-5pm and would be focused on cruise ship passengers. Ainslie explained that security measures would be taken to restrict access to the aerial equipment at the ground level and by gating off the main parking lot. Ainslie noted that the applicants had identified youth programming and occasional rental of the facility during the off season. Ainslie explained the potential impacts, that all new uses to the undeveloped lot would result in significant increase in traffic and noise. Ainslie explained that the applicant was working with Department of Transportation to find the ideal driveway placement to maximize sight lines. Ainslie stated that the site was buffered by all sides with vegetation, topography, and water frontage and would only have a limited operating season which would mitigate potential impacts and their duration.

Ainslie explained that the plan was consistent with Comprehensive Plan action item ED 6.5. Staff recommended approval.

Caroline Storm, who represented the applicant, was present. The Commission voiced concerns regarding security and the possible lack of public access and use. Storm responded that the site designers were advising the applicants on security measures and that the site would be available for local use if considered financially feasible.

Storm informed the Commission that while the ground level access would be restricted, the aerial equipment would remain in place. Having no further questions, the Commission excused the applicant.

Chair Spivey opened the floor for public comment. Kendra Pountney expressed concerns that the proposal would increase traffic and risk as well as present potential for pedestrian cut-through of private property. Ainslie read public comment from Heather Meuret, who voiced concerns of impacts to the neighborhood and natural surroundings, as well as the rezoning of the property from residential to recreation.

M-Mudry/S-Windsor moved to approve the conditional use permit for an amusement and entertainment development at 4951 Halibut Point Road in the Recreation district, subject to the conditions of approval as listed in the staff report. The property was also known as a portion of Lot 1, U.S. Survey 3670. The request was filed by Shee Atika, Inc. The owner of record was the City and Borough of Sitka. 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.

F [LM 21-02](#)

Public hearing and consideration of a tidelands lease amendment request for municipal tidelands immediately adjacent to 834 Lincoln Street in the R-2 multifamily district. The property is also known as Lot 7, Sheldon Jackson Campus Subdivision and a portion of ATS 15. The request is filed by Sitka Sound Science Center. The owners of record are the Sitka Sound Science Center and the City and Borough of Sitka.

Attachments: [LM 21-02 SSSC 834 Lincoln St Lease Amendment Staff Report](#)
[LM 21-02 SSSC 834 Lincoln St Lease Amendment Aerial](#)
[LM 21-02 SSSC 834 Lincoln St Lease Amendment Lease Area](#)
[LM 21-02 SSSC 834 Lincoln St Lease Amendment Navigation Chart](#)
[LM 21-02 SSSC 834 Lincoln St Lease Amendment Photos](#)
[LM 21-02 SSSC 834 Lincoln St Lease Amendment Applicant Materials](#)

Ainslie introduced the request for an expansion to the tidelands lease related to the hatchery site in use since 1974 and currently operated by Sitka Sound Science Center. The proposal would amend the existing tidelands lease to encompass all of the existing hatchery site which had previously not been included, primarily the raceway and creek. The amendment would add 5,265 square feet to the 32,000 square foot lease. Ainslie explained that the Assembly would have to approve the amendment but that the Planning Commission would provide their recommendation based on land management, the appropriateness or inappropriateness of competitive bid, and neighboring property concerns. Ainslie noted that this was not an expansion of operations but rather a correction to the existing lease. Ainslie noted that the proposal was supported by Comprehensive Plan action items ED 6.7 and LU 3.7. Staff

recommended approval.

Lisa Busch and Chance Gray, who represented the applicants, were present. The Commissioners voiced their approval of the application as a correction to documentation of an existing use.

M-Alderson/S-Mudry moved to recommend approval of the request to amend a lease for municipal tidelands located seaward of 834 Lincoln Street. The properties were also known as Lot 7, Sheldon Jackson Campus Subdivision and a portion of ATS 15. The request was filed by the Sitka Sound Science Center. The owners of record were the Sitka Sound Science Center and the City and Borough of Sitka. Motion passed 5-0 by voice vote.

G [MISC 21-09](#)

Discussion/Direction on Short-Term Tourism Plan

Attachments: [MISC 21-09 Tourism Plan Staff Memo](#)

The Commission resumed tourism discussions from the October 20th special meeting. The Commission discussed the recommended options and noted that scheduling and consistency was integral to the success of any scenario. Spivey commented that one way traffic with a median needed to provide enough space for larger vehicles. The Commission discussed impacts to American and Barracks Streets, Ainslie noted that emergency services needed access to the Pioneer Home.

Riley expressed safety concerns of a partial road closure or one way scenario. Spivey expressed concern of impacts to local businesses from full road closures. Riley explained that any closure type would reduce downtown parking availability and the recommendation be contingent upon a parking solution.

Christianson departed at 8:15pm.

M-Windsor/S-Alderson moved to recommend approval for the full closure of Lincoln Street from 10am - 4pm on days with 3,000 or more cruise passengers with the stipulation that efforts to find downtown parking solutions be prioritized. Motion passed 4-1 by voice vote.

VIII. ADJOURNMENT

Seeing no objections, Chair Spivey adjourned the meeting at 9:55pm.