

**CITY OF SEWARD, ALASKA
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 98-14**

A RESOLUTION OF THE SEWARD PLANNING AND ZONING COMMISSION, GRANTING FRANK IRICK A CONDITIONAL USE PERMIT TO DEVELOP A HOTEL ON LOTS 15A AND 15B, JESSE LEE HEIGHTS SUBDIVISION, ADDITION NO. 4 WITHIN THE MULTI-FAMILY RESIDENTIAL ZONING DISTRICT

WHEREAS, on July 13, 1998 Frank Irick submitted an application for a Conditional Use Permit (CUP) to develop a hotel within the historic Jesse Lee Home located on Lots 15A and 15B, Jesse Lee Heights Subdivision, Addition No. 4; and

WHEREAS, the Land Use Plan and Zoning designation for Lots 15A and 15B, Jesse Lee Heights Subdivision, Addition No. 4 is Multi-Family Residential (R3); and

WHEREAS, according to the Zoning Code, Land Uses Allowed Table 15.10.225, hotels and motels are allowed in the R3 Zoning District by CUP; and

WHEREAS, the Seward Planning and Zoning Commission held a public hearing on August 18, 1998;

NOW, THEREFORE, BE IT RESOLVED by the Seward Planning and Zoning Commission that:

Section 1. In accordance with SCC § 15.10.320 (D), the Planning and Zoning Commission has reviewed the applicant's request for a CUP to develop a hotel in the R3 Zoning District and identified the following findings of fact and conclusions:

- A. The use is consistent with the purpose of this chapter and the purposes of the zoning district.** The property is zoned Multi-Family Residential (R3). The R3 district is intended to provide opportunities for a higher density residential setting with a mix of housing units which are predominately multi-family units close to concentrations of public services, employment and/or recreation. This district may provide a transition between more intensive districts and lower density residential areas if sufficient screening and design features are provided to protect multi-family residences from undesirable effects. According to the Seward Zoning Code, Land Uses Allowed Table, hotels and motels are allowed in the R3 district by CUP.

Setbacks: The R3 district requires the following setbacks: 20 foot front; 10 side; 10 side to a street; 10 rear. It appears that the existing building footprint meets all of the required setbacks.

Building Height: Although elevation drawings were not provided, by measuring with a clinometer, it appears that the existing buildings are at or near the allowable 34 foot height. If the height is found to exceed the maximum building height of 34 feet, the structures would be considered nonconforming and allowed to remain.

Parking: According to the Zoning Code, hotels and motels require one parking space per guest unit. The site plan states that there will be 60 guest rooms, and identifies 69 parking spaces. Where a hotel or motel has other principal uses such as restaurants, bar and meeting rooms located on the premises, the principal use requiring the greatest amount of parking shall provide 100% of the required parking spaces and the other uses shall provide, in addition, at least 70% of the parking spaces which would be required if these were stand-alone uses (SCC §15.10.220.P.2). A commercial business also needs to consider pickup and delivery of freight. City code does not allow this space to infringe on required parking spaces. The site plan should identify loading areas for the development.

- B. The value of adjoining property will not be significantly impaired.** The Jesse Lee Home has been available for development since it was deeded to the city in 1966. Several proposals have been accepted by the city over the past 30 years. None have made it past the proposal stages. The building shells are nearing the end of their usable life, are considered a public nuisance in their existing state and may need to be razed if mitigating measures are not implemented.

The proposed development is surrounded by single and multi-family residential uses. Seward is a city filled with mixed uses with a finite amount of available land for development. Large custom homes can be found next door to modest residences, residential uses are found next to commercial and multi-residential uses. The CUP process exists so that negative impacts can be lessened or mitigated when certain developments which would benefit the community are proposed. The renovation of the buildings with well conceived and executed design, uses, parking, access, signage, screening and management could be an asset to the community and the neighborhood.

- C. The proposed use is in harmony with the Seward Comprehensive Plan.** The proposal is in harmony with the Seward 2010 Comprehensive Plan as follows:

The 2010 Comprehensive Plan notes Seward as a city known for its high standards of community appearance which are evidenced by its:

- * Beautiful Landscaping
- * Cleanliness
- * Showcase of Historic Alaskan Structures
- * Tremendously High Level of Community Pride

A restored Jesse Lee Home with well maintained grounds overlooking the city and Resurrection Bay would definitely showcase Seward's largest historic Alaskan structure.

The Community Appearance Goal of the Comprehensive Plan is to: *Improve the appearance of the entire community through increased landscaping, beautification and litter control efforts, through more attention to sign control and through promoting the preservation of Seward's historic architecture.* The Plan recommends continuing to require landscaping plans as a condition of CUPs where feasible (page 17). The Plan states that Seward derives part of its unique character from its historic architecture; this character must be saved.

The Plan encourages continued support for tourism and promoting Seward's Alaska history and marine history to a broad range of visitors.

The Transportation Facilities Goal of the Comprehensive Plan is to: *Maintain Seward's Transportation Plan as the primary local tool to ensure safe and convenient transportation facilities that address the needs of Seward residents, businesses and visitors to the year 2010.* The Plan encourages the maintenance of safe and efficient vehicular traffic flow to all existing and future development areas in Seward.

- D. Public Services and facilities are adequate to serve the proposed site.** It appears that adequate water, sewer, and power are available to the property, as well as adequate police and solid waste disposal services. There are two fire hydrants in the immediate vicinity. One is located near the southwest corner of the site, and the other is near the northwest corner. The applicant may be required to install an additional hydrant. City code requires that every business within the City must provide containers suitable for refuse collection (SCC § 14.05). Construction waste and debris must be removed weekly and upon completion of construction.
- E. The proposed use will not be harmful to the public safety, health or welfare.** There is concern that the proposed development will dramatically impact the traffic flow in and out of Gateway Subdivision as presently routed. This development plan places all of the hotel traffic on Phoenix Road which curves around the west side of the Jesse Lee Home property, and has no sidewalks or paved shoulder for pedestrians. Phoenix Road provides the only access to Gateway Subdivision which is improved with 52 single-family homes. The site plan identifies a one-way entrance to the property off of Phoenix Road at the southwest corner of the parcel, and an entrance/exit off of Phoenix Road at the northwest corner of the lot.

Developing the platted but unimproved Benson Drive to a maintainable level would provide an alternate access/exit to the hotel, and assist in diverting some of the hotel traffic off of Phoenix Road. Improving the access off of Benson would increase traffic through the Jesse Lee Heights Subdivision to the east.

Constructing a sidewalk or bike path within the 10 foot bike path easement that runs along the entire north boundary of both parcels and extends south 117.68 feet along Phoenix Road would provide a safe route around the hotel project for hotel guests and residents in the surrounding area, particularly children traveling to and from: school; surrounding residential neighborhoods; and commercial areas of town. The pedestrian path would connect with the existing bike path which runs along Swetmann Avenue, and continues to the Lagoon, along the waterfront and downtown.

F. Any and all specific conditions deemed necessary by the commission to fulfill the above-mentioned conditions shall be met by the applicant. These may include but are not limited to measures relative to access, screening, site development, building design, operation of the use and other similar aspects to the proposed use. Based on the above findings and conclusions, approval of the CUP shall be subject to the following conditions:

1. The permittee must develop Benson Drive, between Swetmann Avenue and Lot 15B, at least to a 24 foot maintainable gravel surface in order to provide an alternate means of access to and exit from the property;
2. Permittee must extend the parking lot and driveway in order to provide an alternate access to and exit from the property via Benson Drive;
3. The permittee must develop a concrete sidewalk or asphalt bike path within the 10 foot bike path easement located on Lots 15A and 15B;
4. A solid waste dumpster will be provided on the property in a location approved by the City contractor for solid waste collection, and screened from public view;
5. All areas not devoted to buildings, structures, drives, walks, off-street parking facilities or other authorized installations shall be covered with one or more of the following: lawn grass, shrubbery, trees, or other suitable ground cover materials.
6. Permittee shall coordinate with the Alaska State Historic Preservation Office to maintain the home's National Register of Historic Places status;

Section 2. Based on the findings and conclusions specified in Section 1 above, the Planning and Zoning Commission hereby grants Frank Irick a Conditional Use Permit to develop a hotel in the historic Jesse Lee Home on Lots 15A and 15B, Jesse Lee Heights Subdivision, Addition No. 4, subject to the conditions listed in Section 1, Subsection F.

Section 3. This resolution shall take effect 10 days following adoption.

PASSED AND APPROVED by the Seward Planning and Zoning Commission this 18th day of August, 1998.

THE CITY OF SEWARD, ALASKA



Ron Niebrugge, Vice Chairman

AYES: Darling, Larson, Martin, Niebrugge, Smith
NOES: None
ABSENT: Carpenter, Griswold
ABSTAIN: None

ATTEST:



Patrick Reilly
City Clerk

(City Seal)

