



CITY AND BOROUGH OF SITKA

A COAST GUARD CITY

MEMORANDUM

To: Chair Spivey and Planning Commission Members

Thru: Amy Ainslie, Planning and Community Development Director

From: Coral Crenna, Planning Manager

Date: July 12, 2023

Subject: Vacation of Utility Easement at 738 Alice Loop

Christine McGraw, owner of 738 Alice Loop (Lot 4B, CJ Subdivision), requested a vacation of the utility easement running parallel to the boundary line between Lot 4B and the adjacent lot to the northwest, 742 Alice Loop (Lot 3, Charlie Joseph Subdivision), labeled on Plat 2018-11 as "New 10' Utility Easement" ("Easement"). The Easement was created when Lot 4 was subdivided into Lot 4A and Lot 4B, it was intended to burden Lot 4A and benefit Lot 4B. The owner reported that each lot (4A and 4B) has utilities from the previously platted utility easements that run along the respective fronts of the lots, abutting Alice Loop. Following the request from the property owner, staff completed a review request to the Electric, Water and Wastewater Departments and received confirmation that the Easement does not contain any City and Borough of Sitka (CBS) infrastructure and is not providing any services to Lot 4B; therefore, CBS had no objection to vacating the Easement. Neighboring property owners of Lot 4B agreed with the request to vacate.

SGC 21.20.060 states, "*Modifications of easements on plats approved after the effective date of this code shall be made in accordance with procedures established by the municipality. All beneficiaries of the easements shall approve the modification prior to municipal review. Modification procedures may, or may not, include formal planning commission or assembly review. In the event planning commission review is not considered necessary, the board shall still be notified in writing of any modifications.*"

Given that this easement modification did not affect the access or utility services of either property, it was agreed upon by both property owners, and CBS had no infrastructure or interest in the Easement, formal review was not considered necessary. This memo is provided to the Commission to served as the written notice.

Attached: Plat 2018-11