



# CITY AND BOROUGH OF SITKA

A COAST GUARD CITY

## Planning and Community Development Department

### AGENDA ITEM

Case No: V 24-10  
Proposal: Reduction of required parking and increase in density  
Applicant: Tripp Larose  
Owner: Patrick and Kristen Wilkinson  
Location: 408 Lake Street  
Legal: A portion of Lot Six (6), Block Nineteen (19), U.S. Survey 1474, Tract A, Townsite of Sitka  
Zone: R-2 - Multifamily Residential District  
Size: 4,511  
Parcel ID: 1-2650-000  
Existing Use: Residential  
Adjacent Use: Residential, Professional Offices  
Utilities: Lake Street  
Access: Lake Street

### KEY POINTS AND CONCERNS

- The proposal is to increase the density to legalize use as a tri-plex and reduce parking by 1 space.
- 2 parking spaces are required per dwelling unit.
- Minimum lot area per dwelling unit is 6,000 square feet for one- and two-family dwellings with an additional 1,000 square feet for each additional dwelling unit.

### ATTACHMENTS

Attachment A: Aerial  
Attachment B: U.S. Survey 1474  
Attachment C: Site Plan  
Attachment D: Parking Plan  
Attachment E: Floor Plans  
Attachment F: Photos  
Attachment G: Applicant Materials

## **BACKGROUND/PROJECT DESCRIPTION**

The applicant/owner is proposing to reduce the required amount of parking from six parking spaces to five parking spaces and to increase the density on a nonconforming lot of record to allow for use as a triplex. The property is 4,511 square feet (SF), and the existing structure has 3,026 SF of floor area with approximately 2,035 SF of building coverage on the lot. A building permit was issued for a duplex in 1977 and at some point, a third dwelling unit was added but no building permits were issued in the time since 1977 to establish a code-complaint third dwelling on the property.

The new owners of the property are seeking to remodel the building and establish a code-complaint third dwelling unit. There would be two units on the first floor, one that is approximately 600 SF with 2 beds/1bath, and one that is approximately 750 SF with 3 beds/2 bath. There is one unit on the second floor that is approximately 1200 SF with 3 bed/1 bath.

In an R-2 zone, the minimum lot size for the first two units is 6,000 SF, plus an additional 1,000 SF for each additional unit – a tri-plex would require a minimum lot size of 7,000 SF. SGC 22.25.050(C) allows single family homes and duplexes to be built on nonconforming lots of record which means that the existing duplex on this substandard lot is an allowable use, but a triplex requires a variance.

## **ANALYSIS**

SGC 22.20-1 Development Standards:

*Minimum lot area per dwelling unit shall be 6,000 square feet for one- and two-family dwellings with an additional 1,000 square feet for each additional dwelling unit.*

SGC 22.20.100:

*G. 1. Residential Uses. For each dwelling unit up to and including four-family buildings: two parking spaces per unit.*

Alaska Statute 29.40.040(b)(3) states that a variance may not be granted solely to relieve financial hardship or inconvenience. A required finding for variances involving major structures or expansions in the Sitka General Code echoes this statement by stating that there must be "...special circumstances to the intended use that do not apply generally to the other properties. Special circumstances may include the shape of the parcel, topography of the lot, the size or dimensions of the parcels, the orientation or placement of existing structures, or other circumstances that are outside the control of the property owner".

### *Justification*

In this case, the size of the parcel and the placement of the existing structure on the lot limiting the area for parking spaces should be considered a special circumstance warranting the variance on parking. The special circumstances regarding the increase in density include the size of the parcel and its historic (though not code compliant) use as a triplex.

### *Potential Impacts*

**Parking:** Generally, the potential impacts resulting from a lack of parking would be longer walks between distant parking spaces and destinations, the propensity of drivers to find other parking nearby that may be suboptimal (along streets, “creating” parking where there is open space), or to utilize parking on nearby/neighborhood properties. However, this property is close to the downtown area which may attract tenants without vehicles, and two of the units are of modest size that may be suited to one-car households. Additionally, there is on-street parking formally designated on this section of Lake Street that would be suitable for guests.

**Density:** This property abuts the Swan Lake Terrace apartments, a 19-unit senior living building. BIHA also owns and operates multi-family apartment buildings on the adjacent Hollywood Way. This proposal would be consistent with the higher-density character of surrounding area, and is unlikely to result in any noticeable/appreciable impact. Additionally, while not code compliant, this property has been used as a triplex for several years and therefore this proposal does not necessarily have any additional impact over the status quo.

### *Comprehensive Plan Guidance*

This proposal is consistent with housing actions H 1.1e, “Encourage higher density development” and H 2.4, “Encourage housing stock rehabilitation” of the Comprehensive Plan.

### **RECOMMENDATION**

Staff recommends approval of the variance to increase the allowable density and the reduction of one required parking space.

**Motions to approve the zoning variance**

- 1. “I move to approve the zoning variance for a reduction in parking requirements and to increase density at 408 Lake street in the R-2 - Multifamily Residential District subject to the attached conditions of approval. The property is also known as A portion of Lot Six (6), Block Nineteen (19), U.S. Survey 1474, Tract A, Townsite of Sitka. The request is filed by Trip Larose. The owners of record are Patrick and Kristen Wilkinson.”**

Conditions of Approval:

- a. There shall be no fewer than five parking spaces provided on the property.
- b. Building plans shall remain consistent with the narrative and plans provided by the applicant for this request. Any major changes (as determined by staff) to the plan will require additional Planning Commission review.
- c. Substantial construction progress must be made on the project within one year of the date of the variance approval or the approval becomes void. In the event it can be documented that other substantial progress has been made, a one-year extension may be granted by the Planning Director if a request is filed within eleven months of the initial approval.

- 1) “I move to adopt and approve the required findings for variances involving major structures or expansions as listed in the staff report.”**

Before any variance is granted, it shall be shown<sup>1</sup>:

- a. That there are special circumstances to the intended use that do not apply generally to the other properties. Special circumstances may include the shape of the parcel, the topography of the lot, the size or dimensions of the parcels, the orientation or placement of existing structures, or other circumstances that are outside the control of the property owner; *in this case, the size of the lot, placement of the existing structure, and historical use are special circumstances that warrant the granting of a variance.*
- b. The variance is necessary for the preservation and enjoyment of a substantial property right or use possessed by other properties but are denied to this parcel; such uses may include the placement of garages or the expansion of structures that are commonly constructed on other parcels in the vicinity *because the granting of this variance is necessary for the expansion of structures (i.e. density of use) commonly constructed in the vicinity.*
- c. That the granting of such a variance will not be materially detrimental to the public welfare or injurious to the property, nearby parcels or public infrastructure *because the proposal furthers an appropriate use of the property per the zoning, character of the surrounding area, and with regards to public infrastructure in the area.*
- d. That the granting of such a variance will not adversely affect the comprehensive plan *because it encourages higher density development and housing stock rehabilitation.*

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<sup>1</sup> Section 22.10.160(D)(1)—Required Findings for Major Variances