

CITY AND BOROUGH OF SITKA

A COAST GUARD CITY

MEMORANDUM

To: Mayor Eisenbeisz and Assembly Members

Thru: John Leach, Municipal Administrator Sara Poterson, Acting

From: Amy Ainslie, Planning & Community Development Director

Date: March 19, 2025

Subject: Appeal of P 24-04

Background

On February 19, 2025, the Planning Commission heard case file P 24-04, a request by Ryan Nichols ("the appellant") for a preliminary plat of a minor subdivision resulting in two lots at 305 Islander Drive. The specifics of the proposal can be found in the Planning Commission packet materials enclosed.

Staff "narrowly" recommended approval of this request; in making our recommendation, we looked only at the case at hand (not the potential additional/cumulative impact from subsequent subdivision requests), the dimensions of the lots proposed, the legal means of access, and the ability access to utility services. However, staff advised the Commission that other factors such as potential impacts to public safety and/or infrastructure that could result especially in regard to additional, future subdivision requests within the Harris Island Subdivision could be, and were more appropriately made, by the Commission. Approval of this request failed by a 2-1 vote by the Commission.

The aim of this memorandum is to compare the basis of the appeal with procedural and code guidance from staff, as well as with the decision and findings made by the Commission. The basis of the appeal submitted by Mr. Nichols has four primary tenants:

- 1. Planning Commission Guidance & Attendance
- 2. Road Maintenance Agreement
- 3. Zoning Conformance
- 4. Housing & Land Shortage

Analysis

1. Planning Commission Guidance & Attendance

- The appellant noted that when the Commission (four members present) first reviewed the preliminary plat on December 4, 2024, the Commissioners present stated that though they were postponing the decision to give the neighborhood time to discuss forming a maintenance agreement for Islander Drive, they would not require a maintenance agreement to be formed to move the subdivision forward.
- Only three Commissioners were present for the February 19th meeting (a bare quorum), and the appellant argues the case would have been better considered by the full commission.

Staff Response: Commissioners at the December 4th meeting gave their stance at the time, but did not take action as a body and therefore did not bind themselves or other Commissioners not present to that guidance. Additionally, it is possible that Commission discussion/debate, additional information or testimony, etc., could have resulted in a different decision at the February 19th meeting (even for those who initially felt differently in December). Additionally, there was an unplanned absence for the meeting on February 19th. The appellant has been advised that Commission denials for subdivisions are not with prejudice (i.e. where reapplication is not allowed for a period of time), so reapplying and scheduling a hearing with the full Commission was presented by staff as an option prior to submission of the appeal.

2. Road Maintenance Agreement

- The appellant argues that there is no code requirement for a road maintenance agreement, and that passage of his subdivision request should not be dependent on having such an agreement in place.
- The appellant further argues that denial of the subdivision has now incentivized individuals who are opposed to future development on Harris Island to ensure there is not a road maintenance agreement as it will now be viewed as mechanism to stop future development.

Staff Response: The Harris Island Subdivision is nonconforming/substandard; typically in a major subdivision, roads are built to CBS standards, and then adopted by CBS for ownership/maintenance; our records indicate that never took place. Road maintenance agreements are required for minor subdivisions where access is provided via easement. This is an uncommon (though not unique) situation where considerations for maintenance/management responsibilities are appropriate (potentially through denial or additional conditions of approval) though not prescribed in code because of its nonconforming nature. Additionally, other avenues to address maintenance such as a homeowner's association or municipal adoption through a local improvement district (LID) were discussed.

Commission Deliberation & Findings: While much of the conversation/framing during the hearing focused on a maintenance agreement (which is a more commonly used instrument), the Commission's findings were not specific to needing a maintenance agreement – the unknown capacity of access-related infrastructure (the road and bridge) to handle additional density resulting from subdivision(s) and

the lack of management responsibility for said infrastructure were the basis of the findings. Commissioner Alderson did share the concerns of the appellant regarding the neighborhood's willingness to form a maintenance agreement if it was seen as a way to halt development.

3. Zoning Conformance

 The appellant argues that his proposed subdivision complies with zoning requirements as to lot dimensions and intended use, and that attempts by the public to restrict/change zoning requirements should be done at a code-level, not by denying the subdivision request. The appellant further argues that denial in this case amounts to spot zoning.

Staff Response: Spot zoning is the result of rezoning (or otherwise making allowances for uses not usually allowed in the greater zone) for a small area within a greater zone, or "creating an island in a sea". Staff does not find that there is a spot zoning issue in this case.

Commission Findings: In its findings, the Commission agreed that the proposal met the dimensional standards as found in the zoning code; the decision to deny the subdivision was not based on zoning conformance or public testimony regarding a desire to retain larger lot sizes in the neighborhood.

4. Housing & Land Shortage

 The appellant cites Sitka's chronic land and housing shortages which this subdivision proposal would help address, and expressed that the denial was antithetical to addressing these issues.

Commission Findings: In its findings, the Commission agreed that the proposal comported with the Comprehensive Plan (which encourages higher density residential development). Concerns regarding access related infrastructure that the Commission could not come to agreement on drove the denial.

Recommendation

The procedure(s) for the hearing along with time limits are provided in the motion sheet. Unique to subdivision appeals, the Assembly has the option of rehearing the case (i.e. where new evidence can be submitted and the decision is based on the Assembly's judgment of whether to approve or deny the proposal, not necessarily a decision on whether the Planning Commission's decision was in error), or to make its decision only on the record as to evidence (sometimes also called "a closed record hearing") wherein no new evidence can be submitted, and any argument must be based on opposing or supporting the appeal. Staff from Planning, Legal, and the Clerk's Office recommend the latter; a "closed record hearing". Were there to be new evidence available, staff's recommendation is that the Planning Commission as subject-matter-experts should have the opportunity to review and consider such evidence. Additionally, this would

preserve appeal rights for the applicant/appellant to come back before the Assembly (rather than having no other option than taking the issue to superior court) if they felt said new evidence was not properly adjudicated/considered.

Encl: Appellant Materials

Planning Commission Minutes & Packets

February 19, 2025

Planning Commission Minutes & Packet



CITY AND BOROUGH OF SITKA

Minutes - Final

Planning Commission

Wednesday, February 19, 2025

7:00 PM

Harrigan Centennial Hall

CALL TO ORDER AND ROLL CALL

Present: Darrell Windsor (Chair), Wendy Alderson, Robin Sherman

Absent: Thor Christianson (Assembly Liaison), Katie Riley

Excused: Stacy Mudry

Staff: Amy Ainslie, Ariadne Will

Public: Sandra Fontaine, Florence Welsh, Connie Kreiss, Floyd Tomkins, Kord Christianson, Ryan Nichols, Greg and Becky Charlton, Karen Calvin and Bob Woodard, Jay M. Erie, Mary Stensvold, Galen Paine, Carina Nichols, Cynthia

Christianson, Barth Hamberg, Cathy Li (Sitka Sentinel)

Chair Windsor called the meeting to order at 7:01 p.m.

II. CONSIDERATION OF THE AGENDA

III. CONSIDERATION OF THE MINUTES

A PM 25-03 Approve the February 5, 2025 meeting minutes.

M/Sherman-S/Alderson moved to approve the February 5, 2025 meeting minutes. Motion passed 3-0 by voice vote.

IV. PERSONS TO BE HEARD

V. PLANNING DIRECTOR'S REPORT

Ainslie provided the commission with several updates, including that training of the new Planning and Community Development Department employee was continuing and that the department working through a backlog of leases; that the department was continuing to work towards finding and implementing centralized permitting software; that the Tourism Commission was getting underway with its regular meetings; and that work on code changes to be presented to the Planning Commission remained underway.

VI. REPORTS

VII. THE EVENING BUSINESS

B P 24- 04 Public hearing and

Public hearing and consideration of a preliminary plat for a minor subdivision resulting in two lots at 305 Islander Drive in the SFLD single-family low density residential district. The property is also known as Lot Five (5), Harris Island

Subdivision. The request is filed by Ryan Nichols. The owner of record is Randall G. Nichols Revocable Trust.

Ainslie reintroduced a preliminary plat for a minor subdivision resulting in two lots at 305 Islander Drive in the SFLD single-family low density residential district. Ainslie provided an overview of the proposal, which was to subdivide the lot and retain the existing single-family home and detached garage on one, and have the undeveloped portion become its own lot. Ainslie stated that both lots met the dimensional standards for the SFLD district as required by the zoning code, had legal means of access, and could be served by municipal water and power. She also noted that municipal sewer service was not available in to this neighborhood, and that DEC approval would be needed for a septic and/or marine outfall system.

The preliminary plat had first appeared at the commission's December 4, 2024 meeting, where it was postponed due to concern regarding the lack of a maintenance agreement for the shared bridge and road (Islander Drive) providing residents access to the island. Staff provided the commission with a summary of research they had conducted in the time since the December 4 meeting, including a restrictive covenant for many including the subject property (but not all) of the lots in the Harris Island Subdivision which largely included stipulations regarding architectural standards and retention of trees, as well as the stipulation that each lot subject to the covenant may have only one single-family home; the covenant did not have any stipulations regarding future subdivision or ownership/maintenance of the road or bridge. Ainslie also shared that there was a local improvement district (L.I.D.) established in the early 1980's for infrastructure development. While one version of that L.I.D. initially included municipal water service, improvements to the bridge, and repaving of Islander Drive, it was quickly amended and replaced with a new L.I.D. that only included municipal water service (removing bridge and roadway work from the scope of work and associated property assessments). Staff's conclusion from the research was that Islander Drive was a dedicated right-of-way, but management responsibility was not identified and assumed to rest with private property owners.

Ainslie also reported that on February 18, 2025, the Planning and Community Development Department held a neighborhood meeting as requested by commission and as detailed in a letter to neighbors approved by the body at the February 5 Planning Commission meeting. She said that the meeting allowed a venue for neighbors to learn more about different approaches to road and bridge maintenance, including the creation of a maintenance agreement, homeowners association, or municipal adoption. The meeting also served as a venue for neighbors to discuss some of their concerns about development and density impacts that could result from this and future subdivision actions.

Ainslie further detailed the subdivision was recommended for approval by planning staff because it met quantitative code requirements, including that resultant lots must have legal access, which Ainslie said was the case for the two proposed lots. However, she also stated that some of the additional factors (especially those that are somewhat qualitative in nature) beyond quantitative code requirements, such as those regarding public welfare especially in relation to impacts to infrastructure resulting from increased density and development resulting from this and/or future subdivision actions in this neighborhood, were in the purview of the commission to consider and factor into their decision.

When called to speak, applicant Ryan Nichols said that the subdivision was submitted to split his late father's property in half to divide between himself and his sister.

Several neighbors and property owners--Kord Christianson, Greg and Becky Charlton, Sandra Fontaine, Mary Stensvold, Galen Paine, Connie Kreiss, Barth Hamberg, and Cynthia Christianson--spoke under public comment. K. Christianson, G. and B. Chartlon, Fontaine, Stensvold, and Paine were opposed to the subdivision, stating the subdivision would strain infrastructure and open the door for rampant development. Fontaine also voiced concern about changes to the neighborhood's character that would result from increased development and tree loss. Kreiss and Hamberg spoke in favor of the subdivision, pointing to the need for housing development and the size of the resultant lots. C. Christianson, who owns property on Harris Island, said that she did not want the commission to take action that would impede her from developing her property, but did not explicitly state her standing on the subdivision matter. Carina Nichols, the applicant's sister, also gave public comment and asked the commission approve the subdivision.

After public comment, the applicant again spoke and said that other Islander Drive residents could restrict their deeds to prohibit subdivision if they wished to control development of the neighborhood.

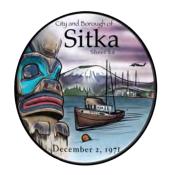
The commission then deliberated on the matter. Sherman said she was concerned about the roadway and bridge, especially given the possibility for additional future subdivision of the island, and given that some of the lots on the island were undeveloped and could be developed by right. Sherman said she felt the commission had a duty to ensure safe and adequate access to the island, and she wasn't sure existing infrastructure--and the absence of a road or maintenance agreement--provided such. Alderson stated that she shared those concerns, but that resolution on a maintenance agreement between property owners would be less likely if it were seen as a way to halt development. Before voting, Alderson and Windsor said they felt the subdivision proposal at hand wouldn't significantly impact infrastructure.

Following the failed motion to approve the subdivision, Chair Windsor called a seven-minute recess at 8:05 p.m. to allow staff time to prepare for a discussion on findings. The meeting was called back into session at 8:12 p.m.

M/Alderson-S/Sherman moved to approve a preliminary plat for a minor subdivision resulting in two lots at 305 Islander Drive in the SFLD single-family low density residential district. The property was also known as Lot Five (5), Harris Island Subdivision. The request was filed by Ryan Nichols. The owner of record was Randall G. Nichols Revocable Trust. Motion failed 2-1 by voice vote.

M/Sherman-S/Alderson moved to approve the following findings: While the proposal was found to comport with the Comprehensive Plan and met dimensional standards as found in the Zoning and Subdivision titles of the Sitka General Code, the Commission could not find that the preliminary plat met its burden of proof as related to access because the Commission did not agree that the access as proposed met the intent of the subdivision code to provide for adequate access-related infrastructure commensurate to the potential for increased density. Additionally, the Commission did not find that the preliminary plat did not negatively impact public health, safety, or welfare because the Commission could not agree that potential for subdivision(s) in this neighborhood would not result in a negative impact on public health, safety, and welfare due to concerns related to the capacity and lack of management responsibility for access-related infrastructure. Motion passed 3-0 by voice vote.

Public hearing and consideration of a replat at 214 Neva Street, 1502 Davidoff Street, 1501 and 1409 Edgecumbe Drive, in the R1 single-family and duplex



CITY AND BOROUGH OF SITKA

A COAST GUARD CITY

Planning and Community Development Department

AGENDA ITEM:

Case No: P 24-04

Proposal: Preliminary plat for a minor subdivision

Applicant: Ryan Nichols

Owners: Randall G Nichols Revocable Trust

Location: 305 Islander Drive

Legal: Lot Five (5), Harris Island Subdivision

Zone: SFLD - Single-Family Low Density Residential District

Size: 35,900 SF
Parcel IDs: 4-9248-000
Existing Use: Residential
Adjacent Use: Residential
Utilities: Existing

Access: Islander Drive

KEY POINTS AND CONCERNS:

- Property has been partially developed.
- Proposed lots meet minimum development standards.
- Current use of property includes a single-family home, detached garage, dock and shed.

ATTACHMENTS:

Attachment A: Aerial

Attachment B: Current Plat
Attachment C: Preliminary Plat

Attachment D: Photos

Attachment E: Applicant Materials

BACKGROUND & PROJECT DESCRIPTION

The applicant is proposing a preliminary plat for a minor subdivision of their property at 305 Islander Drive resulting in two lots. The current lot is 35,900 SF. The applicant has two proposed lots:

Lot 5A: 17,942 SFLot 5B: 17,891 SF

ANALYSIS

Site: Site is partially developed and within a developed neighborhood. This lot has a 1,926 SF single-family home (currently occupied), 780 SF detached garage on the property, dock and shed. The shed would be on Lot 5B and could create a setback encroachment. Staff will require the shed and dimensions to the property lines to be shown on the final plat.

The proposed Lot 5A is developed; where the single-family home, detached garage, and dock are located. The lot is relatively flat and has some visible bedrock. The property slopes down towards the rear and the dock is easily accessible with a well-maintained gravel trail for access. The detached shed is located near the dock. This lot has a driveway easement over a portion of the neighboring property (Lot 3 of the original subdivision). This easement is to allow for the continued encroachment of the gravel driveway to serve Lot 5A. Maintenance and repair is the sole responsibility of Lot 5A. This lot also abuts a shared 10' wide common access easement for boat landing. This easement is for use by owners of Lots 2, 4, 5, 6, 7, 8.

The proposed Lot 5B is undeveloped with trees and vegetation. The rear of the property abuts the water and a bedrock cliff. This property is accessed by and served with water and electricity from Shotgun Alley to Islander Drive, a privately maintained access and utility easement.

A driveway permit will need to be approved by CBS Engineering and separate utility services for the new lot will need to be installed. The preliminary plat shows a pathway to the existing dock from Lot 5 which necessitates the access easement. Wastewater approval from the Alaska Department of Environmental Conservation (DEC) for outflow or septic will be required. A plat note is also required for any properties that border on saltwater stating publicly owned tidelands adjacent to the properties included on this plat may contain important herring habitat and may be used for a variety of recreational, subsistence, customary, and traditional purposes in accordance with State and Federal laws. This will be added to the final plat.

Utilities: CBS water and electric utilities come to the lot (and serve the existing buildings) via Shotgun Alley to Islander Drive, a privately maintained right-of-way which also includes a bridge. Islander Drive has no wastewater service; approval from the DEC will be required to manage sewage.

Access, Roads, Transportation, and Mobility: Properties are accessed from Shotgun Alley, which is a municipal right-of-way to Islander Drive, a privately maintained right-of-way. Staff have found no records of a maintenance agreement for the private right-of-way.

Public Health, Safety, and Welfare: Islander Drive is a well-established, residential neighborhood that has largely functioned through cooperative efforts to maintain the shared private right-of-way and bridge. As these improvements age, more intensive maintenance/repair/replacement may be needed to maintain vehicular access both for the residents and for services. Consideration should be made to formalize and memorialize shared maintenance responsibility, though that does not necessarily place the impetus to do so on this subdivision action. Additionally, health and safety regulations such as utility permits, DEC approval for handling of sewage, and driveway permits also serve to protect the public health, safety, and welfare.

Orderly and Efficient Layout and Development: The property is large enough to create two lots that both exceed the district minimums for development standards for the SFLD single-family low density residential district, a minimum lot size of 15,000 square feet and lot width of 80 feet. The new lot appears to have a viable building area and driveway location.

Comprehensive Plan: The proposed minor subdivision complies with Comprehensive Plan Section on Housing by "expanding the range, affordability, and quality of housing in Sitka while maintaining attractive, livable neighborhoods."

RECOMMENDATION:

Staff recommend approval of the preliminary plat for a minor subdivision of 305 Islander Drive.

RECOMMENDED MOTIONS

1) "I move to approve the preliminary plat of a minor subdivision at 305 Islander Drive resulting in two lots in the SFLD single-family low density residential district subject to the attached conditions of approval. The property is also known as Lot Five (5), Harris Island Subdivision. The request is filed by Ryan Nichols. The owner of record is Randall G Nichols Revocable Trust."

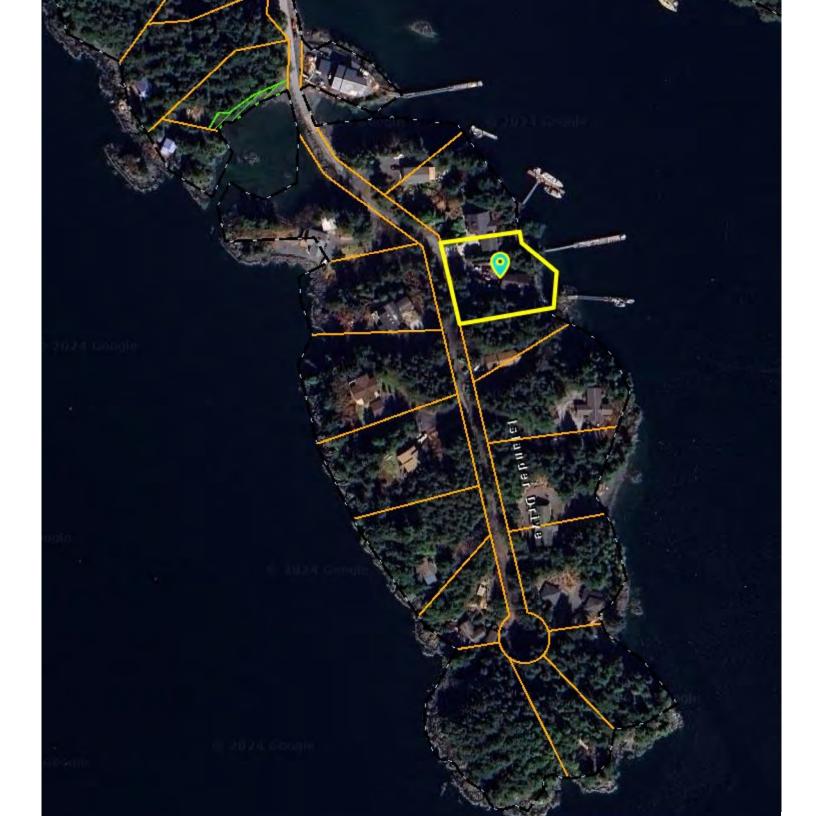
Conditions of Approval

- 1) All utilities, including water, sewer, and electricity shall be required to have an approved permit from the municipality; and all utility permits and design shall comply with all applicable code and design polices including, but not limited to 15.05, 15.10, 15.20, and 15.30.
- 2) This subdivision development and the plat, prior to recording, complies with all applicable Sitka General Code.
- 3) All applicable state, federal, and tribal permits, licenses, regulations, and statutes shall be followed in subdividing this land.
- 4) Easement maintenance agreements for any access and utility easements shall be developed and recorded before final plat recording.
- 5) All easement agreements will be cited via plat notes. The City and Borough of Sitka is a party to all easements.

2) "I move to adopt the following findings as listed in the staff report:"

The Commission makes the following findings:

- a. The preliminary plat meets its burden of proof as to access, utilities, and dimensions as proposed *through submission of a plat prepared by a licensed surveyor and information regarding access and utilities provided in the application*;
- b. The preliminary plat complies with the Comprehensive Plan by encouraging higher residential development on a underutilized lot and contributing to an attractive and livable neighborhood;
- c. The proposed preliminary plat complies with the subdivision code; and
- d. The preliminary plat is not injurious to the public health, safety, and welfare because the minor subdivision promotes residential development in-line with existing uses in the surrounding neighborhood and allowable uses in the zoning district; additionally, the conditions of approval protect the public's health, safety, and welfare by requiring compliance with health and safety regulations.



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CHANNEL

CERTIFICATE STATE OF ALASKA)

First Judical District)

1947. Dated this 26 day of Toly ___ , 1967 of Silka, Alaska. Jac X Cart les

CERTIFICATION OF APPROVAL BY THE BOARD Learning cell by that the Studiestics Plat shown between has been found to comply with the Studiestics Plat shown between has been found to comply with the Studiestics Regulations of the Garouph Platting Board, and that sold Plat has been approved by the Board, and that the Plat shown berean has being approved for recording in the Office of the Ostrick May state, Ex office Recorder, Site, Abasia.

Tasil Wa Am

CERTIFICATION OF APPROVAL BY THE ASSEMBLY I hareby certify that the Subdivision Plat is shown hereon has been found to comply with the Subdivision Regulations of the Greater Sitka Barough, and that said Plat has been approved by the Sasembly or seconded in Minutus Book 2., ppp 3-32, dated Assembly or seconded in Minutus Book 2., ppp 3-32, dated Assembly or seconded in the Office of the District Magistrate, Ex-office Recorder, Sitka, Alaska.

July 25, 1967 Thomas R. Stein

ATTEST: Lataska C. Smith Borough-Clork-Transurer

Scale; I"= I mi

Vicinity Map

CERTIFICATE OF OWNERSHIP AND DEDICATION
I (We) hereby certify that I am (we are) the owner(s) of the property
shown and described hereon and that I (we) hereby adopt this plan of
subdivision with my four) free consent, and dedicate all streets, alleys, walks, parks and other open spaces to public or private use as noted.

June 16, 1967

NOTARY'S ACKNOWLEDGEMENT
Subscribed and sworn to before me this 14

Worna Radach Notary for Alaska

CERTIFICATE OF REGISTERED ENGINEER
I hereby certify that I am registered to practice kind surveying in
Alaska and that this plat represents a survey made by me or under
my direct supervision, and that the manuments shown thereon

actually exist as located, and that all dimensional and other details

June 12, 1967

JUL 3 1 1967 >> }

BITKA 67-747

LEGEND

HARRIS ISLAND SUBDIVISION

THIS PLAT COVERS ALL OF LOT 164, U.S. SURVEY NO. 3926 DATED: June 12, 1967 | SCALE: 1"= 100"

LAURENCE C. STRATTON, CIVIL ENGINEER SITKA, ALASKA

Drawer #5

No. 75



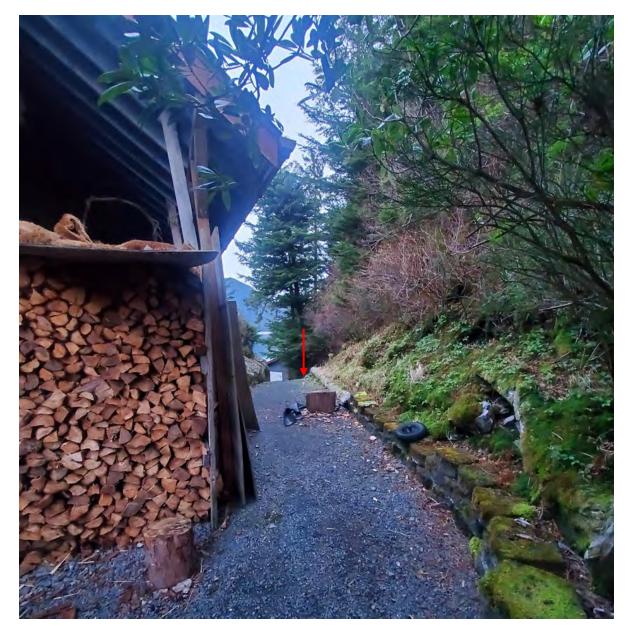
CERTIFICATE OF OWNERSHIP AND DEDICATION	CERTIFICATE OF PAYMENT OF LOCAL IMPROVEMENT DISTRICT		
WE HEREBY CERTIFY THAT WE ARE THE DWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH OUR FREE CONSENT AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.	I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND FINANCE DIRECTOR FOR THE CITY & BORDUGH OF SITKA, DO HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS OF THE CITY & BORDUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE RECORDS IN THE NAME OF:		
DATE OWNER (SIGNATURE)	(ALL OWNERS OF RECORD), AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL L.I.D.'S ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY & BORDUGH OF SITKA ARE PAID IN FULL.		
DATE OWNER (SIGNATURE)	20, AT SITKA, ALASKA.		
NOTARY'S ACKNOWLEDGMENT US OF AMERICA STATE OF ALASKA CITY & BOROUGH OF SITKA NOTARY'S ACKNOWLEDGMENT HEREIN WRITTEN. MY COMMISSION EXPIRES	FINANCE DIRECTOR, CITY AND BOROUGH OF SITKA		
THIS IS TO CERTIFY THAT ON THISDAY OF, 20, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED	ASPHALT ROAD		N STATE OF THE PARTY OF THE PAR
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MY COMMISSION EXPIRES	IRRIS ISLA	WOOD FENCE	VICINITY MAP
NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA	SUBDIVIO GARDEN GARDEN TO EASEMENT	FOR BOAT LANDING S 8°54' E 25.76' (R)	SCALE 1"=1,000'
CERTIFICATE OF PAYMENT OF TAXES (STATE OF ALASKA)	N 82 57	1ENT OPT	
(FIRST JUDICIAL DISTRICT) I THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND ASSESSOR FOR THE CITY & BORDUGH OF SITKA, HEREBY CERTIFY THAT ACCORDING TO THE RECORDS IN MY POSSESSION, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS OF THE CITY & BORDUGH OF SITKA, IN THE NAME OF	DF PE N 83°	1SITION	LEGEND PRIMARY BRASS CAP (RECOVERED) REBAR AND PLASTIC CAP (RECOVERED)
AND THAT ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY & BORDUGH OF SITKA ARE PAID IN FULL; THAT CURRENT TAXES FOR THE YEAR 20 WILL BE DUE ON OR BEFORE AUGUST 31, 20 DATED THIS DAY OF	10 0 LOT	17,942 S.F. (0.41 ACRES) S 83'8'41" E 40.18' \$ 22'45'30"	HUB AND TACK (RECOVERED) (R) RECORD DATA (C) COMPUTED DATA
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CERTIFICATE OF APPROVAL BY THE BOARD		LOT 5B	
I HEREBY CERTIFY THAT THE SUBDIVISIONS PORTARISM HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA PLATTING BOARD, AND THAT SAID PLAT HAS BEEN APPROVED BY THE BOARD BY PLAT RESOLUTION NO. DATED 20, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT MAGISTRATE, EX-OFFICIO RECORDER, SITKA, ALASKA.	LOT 4 40.00' S 79°53'10" W	17,891 S.F. (0.41 ACRES) 3" X 3" HUB FOUND 7	
DATE CHAIRMAN, PLATTING BOARD		5 79 33 11-	
CERTIFICATE OF APPROVAL BY THE ASSEMBLY			
I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BORDUGH OF SITKA ASSEMBLY AS RECORDED IN MINUTE BOOK PAGE DATED 20, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX OFFICIO RECORDER, SITKA, ALASKA.		LOT 7	
DATE MAYOR	LOT 6	LOT 9	40 20 0 40 80 120
CITY AND BORDUGH CLERK			SCALE IN FEET
			SITKA RECORDING DISTRICT
NORTH 57*		DESIGNED: K. D'NEILL SURVEYDR'S CERTIFICATE I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYDR, LICENSED IN THE	NICHOLS SUBDIVISION
LAND SURVEYING	* 49 <u>TH</u>	STATE OF ALASKA, AND THAT IN A SURVEY OF THE HEREIN DESCRIBED LANDS WAS CONDUCTED UNDER MY DIRECT SUPERVISION AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THE	
(907) 747-6700 215-F SMITH STREET, SITKA, AK	REV. DESCRIPTION OF CHANGE	FIELD NOTES OF SAID SURVEY, AND THAT ALL DIMENSIONS AND OTHER SCALE: 1" = 20' DETAILS ARE CORRECT ACCORDING TO SAID FIELD NOTES.	LOT 5, HARRIS ISLAND SUBDIVISION (PLAT# , SITKA, AK REC. DISTRICT)
MAILING ADDRESS - 2007 CASCADE CREEK ROAD, SITKA, AK 99835 EMAIL: north57landsurveying@yahoo.com	RECORD OF REVISIONS RECORD OF REVISIONS	DRAWING NAME:40518-01 PROJECT NO. 40518-01-00 DATE KELLY D'NEILL LS 13321	CLIENT: RYAN NICHOLS

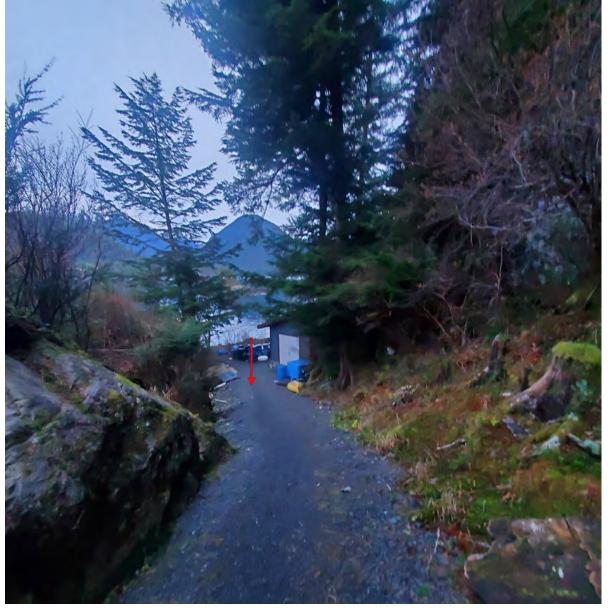


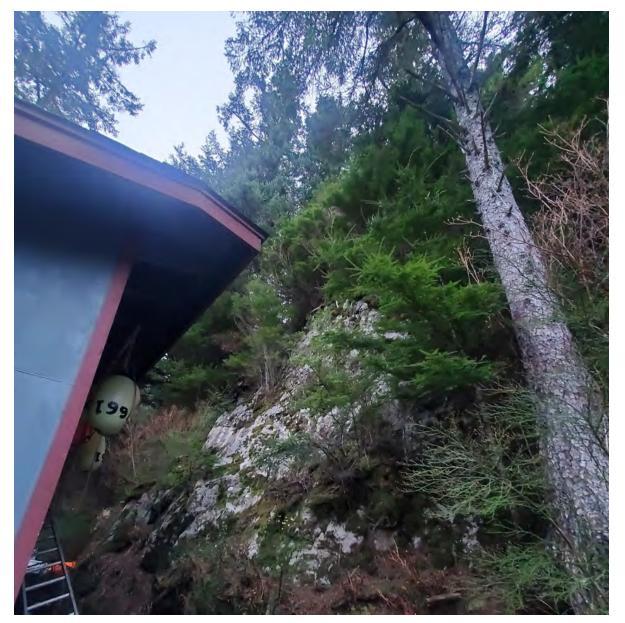
















Nichols

Last Name

CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT GENERAL APPLICATION

Applications must be deemed complete at least TWENTY-ONE (21) days in advance of next meeting date. Review guidelines and procedural information. Fill form out completely. No request will be considered without a completed form. Submit all supporting documents and proof of payment. APPLICATION FOR: VARIANCE ☐ CONDITIONAL USE ZONING AMENDMENT PLAT/SUBDIVISION BRIEF DESCRIPTION OF REQUEST: Wanting PROPERTY INFORMATION: CURRENT ZONING: Low density PROPOSED ZONING (if applicable): CURRENT LAND USE(S): Residential PROPOSED LAND USES (if changing): APPLICANT INFORMATION: Islander Dr. PROPERTY OWNER ADDRESS: Islander Dra 305 STREET ADDRESS OF PROPERTY: APPLICANT'S NAME: Sitha 99835 907 -623-8568 Funeuton @gno, 1. com DAYTIME PHONE:

Date Submitted

Project Address

REQUIRED SUPPLEMENTAL INFORMATION:

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conformance with Sitka General SCG requirements to the best of non-refundable, is to cover costs understand that public notice w that attendance at the Planning	Code and hereby state that all of the above st my knowledge, belief, and professional ability s associated with the processing of this applica ill be mailed to neighboring property owners a Commission meeting is required for the applicates the property to conduct site visits as neces	escribed above and that I desire a planning action in tatements are true. I certify that this application me y. I acknowledge that payment of the review fee is ation and does not ensure approval of the request. and published in the Daily Sitka Sentinel. I understation to be considered for approval. I further essary. I authorize the applicant listed on this
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Other:		
Proof of filing fee paym	ent	
Floor Plan for all structu	ares and showing use of those structures	
Site Plan showing all ex	sting and proposed structures with dimension	ns and location of utilities
Supplemental Applicati	on (Variance, CUP, Plat, Zoning Amendment)	
Completed General Ap	silication form	
Completed General App	Handley Com.	



CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT SUPPLEMENTAL APPLICATION FORM PLAT APPLICATION

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Amy Ainslie

From: Cynthia Pickering Christianson <cpchristianson@gmail.com>

Sent: Wednesday, February 19, 2025 4:49 PM

To: Planning Department Cc: Kord Christianson

Subject: Comments on Harris Island: Subdivision of Lot 5; Road and Bridge Maintenance

[You don't often get email from cpchristianson@gmail.com. Learn why this is important at https://us-west-2.protection.sophos.com?d=aka.ms&u=aHR0cHM6Ly9ha2EubXMvTGVhcm5BYm91dFNlbmRlcklkZW50aWZpY2F0aW9u&p=m&i=NjVjMjc3MTgzY2lyZGM3Zml4Yjl2OTc4&t=Z1Zub0hhRkV3Sm1iSStvaTc0bnRmNzhMVDhjS0xFZFM1WkFFNG9QWXJzOD0=&h=9bbb6955239f4da78bbf4b8af44c871b&s=AVNPUEhUT0NFTkNSWVBUSVazbk8_jwimZnhIHyFhSKC_JTEsRXmSwlJo1YNGXaYGjQ]

To Sitka Planning Commission,

This letter follows up on several calls I had recently with the Planning Dept, as well as my attendance at the Harris Island lot owners meeting the Planning Department hosted February 18, 2025, concerning Ryan NIchols' application for a minor subdivision resulting in 2 lots at 305 Islander Drive, which also involved the issue of Harris Island road and bridge maintenance.

I own two undeveloped lots on the south end of Harris Island, which I inherited from my late husband Cabot Christianson--- Lot 15 (315 Islander Drive), and Lot 14A (314 Islander Drive). I co-own the latter with Kord Christianson, my brother-in-law. These are highly valuable lots.

I believe the pending Nichols' matter (Lot 5) is the first time the Planning Commission has considered subdivision of a lot on Harris Island, since the Harris Island Subdivision was created in 1967. Subdivision would result in an additional homesite on one of the original Harris Island lots.

It is my understanding the Planning Department considers the 1967 Building Restrictions for Harris Island valid, and that while it will not enforce them directly, it will not take action in contravention of them. The Harris Island subdivision, as platted, contains large lots in terms of square footage. Para. 8 says "There shall be no more than a (sic) one family dwelling on each lot." Even the smallest lot is significantly larger than the SFLD zoning minimum of 15,000sf.

The intent of the Building Restrictions was to ensure the homes were thoughtfully designed, of significant value, and that the landscaping preserved privacy and the natural setting, e.g. Para 9 states "Each lot shall retain at least forty percent (40%) of the healthy timber on it" In short, Harris Island as originally envisioned was to be a place with beautiful homes, on large forested lots. Para. 10 says "No mobile homes or trailers shall be be allowed.. . . .": . The Restrictions apply by their terms to all lots except 2, 14 and 16. (Lot 2 was the site of the old sawmill; Lots 14 and 16 contained, or were adjacent to, Warren Christianson's Aframe cabin.).

"Enforcement" of the Restrictions may be by "granters, their heirs and assigns", with injunctive relief available for any deviation; reversion of title "to granters, heirs and assigns" is the remedy for for "substantial deviation". In addition, "Any two owners" have right of enforcement of any deviation. The Christianson family clearly heirs of the granters, and I believe as owner of two lots I qualify as "two owners" who can enforce the restrictions. These are powerful remedies, thus the Restrictions were clearly intended to have teeth.

1. I would like assurance the Planning Commission will not take any action with respect to the Nichols' application, or adopt a rationale for decision, which would impair my ability to develop my lots to the same degree as the Nichols family

and the other Harris Island owners have developed their lots, or to sell my lots for development if that is what I choose to do with them.

- 2. I request CBS take over the road and bridge, or at least the bridge. I have heard that the City could take over the Bridge if it were rebuilt. However, the bridge was rebuilt before. I am not sure why the City did not take it over then.
- 3. I contacted a title company to get a copy of the Building Restrictions, because I couldn't find a copy in my files. It took the title examiner awhile to find them, but he eventually found them when looking at Lot 2. He did not check the chains of title for all the lots. However, in the interest of everyone having the full story, I request that CBS check title on each of the Harris Island lots, because who knows what other covenants may be out there. Or whether the 1967 Restrictions have been amended.
- 4. I have heard some lot owners may oppose any additional development on Harris Island the grounds that it would make road use too great. I do hope that CBS keeps in mind that such an approach would lead to a "taking" of my property.

Cynthia Christianson 907-230-8571

February 16, 2025

To: Planning Commission, CBS

RE: Subdivision of Lot Five, Harris Island Subdivision and background on SFLD that is pertinent to the discussion about Harris Island.

Dear Planning Commission,

I'm writing to encourage the Commission to approve the proposed subdivision of Lot Five, Harris Is. Subdivision. I recently walked Lot Five and concluded that the undeveloped lot that would be created by the subdivision will make an excellent site for a single-family home. The lot requires minimal site work, is separated from neighboring lots by substantial rock cliffs and forest and would be barely visible from Islander Drive. If the utilities are sufficient, I see no reason to disapprove the proposal.

I would like to share some history on the Single-Family Low Density (SFLD) Zone that I'm in a good position to convey because I was the person that proposed the SFLD to the Planning Commission at the time, worked out its details, and gathered neighborhood input that led to its approval.

The SFLD zone was created from lands previously in the R1-LDMH zone. The R1-LDMH zone allowed duplexes, mobile homes, zero-lot lines, and had a minimum lot size of 15,000 SF. The SFLD zone that was created kept the same minimum lot size but removed the allowance for duplexes, mobile homes, and zero-lot lines—features that were considered out of character for the established neighborhood. It was *never intended* to restrict reasonable single-family detached development on 15,000 SF lots. Furthermore, it did not prohibit Accessory Dwelling Units (ADUs), which were not common at the time but, in my view, are fully in keeping with the zone as a Conditional Use.

The title of the zone, Single Family Low Density, is a bit of a misnomer because the minimum lot size is the same 15,000 SF as other zones nearby. Perhaps this has led some residents of SFLD and neighboring areas to misunderstand the SFLD standards, believing that larger lots should be required or that development should be halted altogether. This was *never* part of the SFLD proposal. Had it been, I would not have brought it forward, and I don't believe the neighborhood would have supported it.

While disagreements between neighbors are part of the planning process, the Commission's decisions should be based on the merits of the case, not grievances that are unsupported by the Zoning Ordinance.

Harris Island and Islander Drive face unique challenges not shared by the rest of the SFLD zone on Shotgun Alley, such as utility sufficiency and ownership, maintenance of the bridge, survey irregularities, and restrictive covenants—issues that were never discussed when the SFLD zone was created, and which complicate matters. Considering these complexities, the Commission might consider dividing the zone into two separate zones or sub-zones, allowing for more

flexibility in future planning decisions between the Shotgun Alley portion and the Islander Drive portion.

Sincerely,

Barth Hamberg, Jackie Hamberg, Charlie Hamberg Sitka

December 4, 2024

Planning Commission Minutes & Packet

D P 24- 04

Public hearing and consideration of a preliminary plat for a minor subdivision resulting in two lots at 305 Islander Drive in the SFLD single-family low density residential district. The property is also known as Lot Five (5), Harris Island Subdivision. The request is filed by Ryan Nichols. The owner of record is Randall G. Nichols Revocable Trust.

Ainslie introduced a preliminary plat for a minor subdivision resulting in two lots at 305 Islander Drive in the SFLD single-family low density residential district. The proposed resultant lots were both just shy of 18,000 square feet, well above the 15,000 square feet required of lots in the district. A 1,926 SF single-family house, 780 SF detached garage and dock were already on the proposed Lot Five A (5A). A small shed, located on the proposed Lot Five B (5B) was not included in the existing plat and would encroach on a setback resulting from the subdivision. A driveway needed to be constructed. DEC approval was necessary to install a septic system.

Public comment from Greg Charlton expressed concern about the subdivision changing the character of the highly restrictive SFLD zoning designation. Additional concerns were mentioned by Connie Kreiss, Floyd Tomkins, and Ross Marley, who talked about the zone's restriction of accessory dwelling units and the condition of the roadway on Islander Drive, which was privately maintained but not tied to any known maintenance agreement.

Staff suggested a condition of approval requiring the development of a maintenance agreement and clarified that the commission's role was to ensure the infrastructure met certain criteria, but that it was not the body's responsibility to enforce such agreements. Staff recommended postponing the item to the February 5, 2025 meeting to allow for further discussion with neighbors about the possibility of a maintenance agreement.

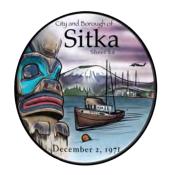
Commissioners discussed the concerns raised during public comment and said that their decision in February will not require the maintenance agreement. They agreed to postpone the item to the February 5, 2025 meeting.

M/Riley-S/Alderson moved to postpone to the February 5, 2025 Planning Commission meeting the hearing and consideration of a preliminary plat for a minor subdivision resulting in two lots at 305 Islander Drive in the SFLD single-family low density residential district. The property was also known as Lot Five (5), Harris Island Subdivision. The request was filed by Ryan Nichols. The owner of record was Randall G. Nichols Revocable Trust. Motion passed 4-0 by voice vote.

E P 24- 03

Public hearing and consideration of a final plat for a minor subdivision resulting two lots at 2030 Halibut Point Road in the R-1 MH single-family, duplex and manufactured home zoning district. The property is also know as Lot Three (3) and the southeast one-half of Lot Four (4), Subdivision of Lot 6A, U.S. Survey 2747. The request is filed by Marty Martin. The owners of record are Martin Revocable Living Trust.

Davis introduced a final plat for a minor subdivision. The applicant proposed to divide a lot resulting in two lots. The preexisting lot was 42,415 SF. The resulting Lot A was 14,595 SF and Lot B was 28,760 SF. A drainage plan was completed and included a



CITY AND BOROUGH OF SITKA

A COAST GUARD CITY

Planning and Community Development Department

AGENDA ITEM:

Case No: P 24-04

Proposal: Preliminary plat for a minor subdivision

Applicant: Ryan Nichols

Owners: Randall G Nichols Revocable Trust

Location: 305 Islander Drive

Legal: Lot Five (5), Harris Island Subdivision

Zone: SFLD - Single-Family Low Density Residential District

Size: 35,900 SF
Parcel IDs: 4-9248-000
Existing Use: Residential
Adjacent Use: Residential
Utilities: Existing

Access: Islander Drive

KEY POINTS AND CONCERNS:

- Property has been partially developed.
- Proposed lots meet minimum development standards.
- Current use of property includes a single-family home, detached garage, dock and shed.

ATTACHMENTS:

Attachment A: Aerial

Attachment B: Current Plat
Attachment C: Preliminary Plat

Attachment D: Photos

Attachment E: Applicant Materials

BACKGROUND & PROJECT DESCRIPTION

The applicant is proposing a preliminary plat for a minor subdivision of their property at 305 Islander Drive resulting in two lots. The current lot is 35,900 SF. The applicant has two proposed lots:

Lot 5A: 17,942 SFLot 5B: 17,891 SF

ANALYSIS

Site: Site is partially developed and within a developed neighborhood. This lot has an 1,926 SF single-family home (currently occupied), 780 SF detached garage on the property, dock and shed. The shed would be on Lot 5B and could create an setback encroachment. Staff will require the shed and dimensions to the property lines to be shown on the final plat.

The proposed Lot 5A is developed; where the single-family home, detached garage, and dock are located. The lot is relatively flat and has some visible bedrock. The property slopes down towards the rear and the dock is easily accessible with a well-maintained gravel trail for access. The detached shed is located near the dock. This lot has a driveway easement over a portion of the neighboring property (Lot 3 of the original subdivision). This easement is to allow for the continued encroachment of the gravel driveway to serve Lot 5A. Maintenance and repair is the sole responsibility of Lot 5A. This lot also abuts a shared 10' wide common access easement for boat landing. This easement is for use by owners of Lots 2, 4, 5, 6, 7, 8.

The proposed Lot 5B is undeveloped with trees and vegetation. The rear of the property abuts the water and a bedrock cliff. This property is accessed by and served with water and electricity from Shotgun Alley to Islander Drive, a privately maintained access and utility easement.

A driveway permit will need to be approved by CBS Engineering and separate utility services for the new lot will need to be installed. The preliminary plat shows a pathway to the existing dock from Lot 5 which necessitates the access easement. Wastewater approval from the Alaska Department of Environmental Conservation (DEC) for outflow or septic will be required. A plat note is also required for any properties that borders on saltwater stating publicly owned tidelands adjacent to the properties included on this plat may contain important herring habitat and may be used for a variety of recreational, subsistence, customary, and traditional purposes in accordance with State and Federal laws. This will be added to the final plat.

Utilities: CBS water and electric utilities come to the lot (and serve the existing buildings) via Shotgun Alley to Islander Drive, a privately maintained right-of-way which also includes a bridge. Islander Drive has no wastewater service; approval from the DEC will be required to manage sewage.

Access, Roads, Transportation, and Mobility: Properties are accessed from Shotgun Alley which is a municipal right-of-way to Islander Drive, a privately maintained right-of-way. Staff have found no records of a maintenance agreement for the private right-of-way.

Public Health, Safety, and Welfare: Islander Drive is a well-established, residential neighborhood that has largely functioned through cooperative efforts to maintain the shared private right-of-way and bridge. As these improvements age, more intensive maintenance/repair/replacement may be needed to maintain vehicular access both for the residents and for services. Consideration should be made to formalize and memorialize shared maintenance responsibility, though that does not necessarily place the impetus to do so on this subdivision action. Additionally, health and safety regulations such as utility permits, DEC approval for handling of sewage, and driveway permits also serve to protect the public health, safety, and welfare.

Orderly and Efficient Layout and Development: The property is large enough to create two lots that both exceed the district minimums for development standards for the SFLD single-family low density residential district, a minimum lot size of 15,000 square feet and lot width of 80 feet. The new lot appears to have a viable building area and driveway location.

Comprehensive Plan: The proposed minor subdivision complies with Comprehensive Plan Section on Housing by "expanding the range, affordability, and quality of housing in Sitka while maintaining attractive, livable neighborhoods."

RECOMMENDATION:

Staff recommend approval of the preliminary plat for a minor subdivision of 305 Islander Drive.

RECOMMENDED MOTIONS

1) "I move to approve the preliminary plat of a minor subdivision at 305 Islander Drive resulting in two lots in the SFLD single-family low density residential district subject to the attached conditions of approval. The property is also known as Lot Five (5), Harris Island Subdivision. The request is filed by Ryan Nichols. The owner of record is Randall G Nichols Revocable Trust."

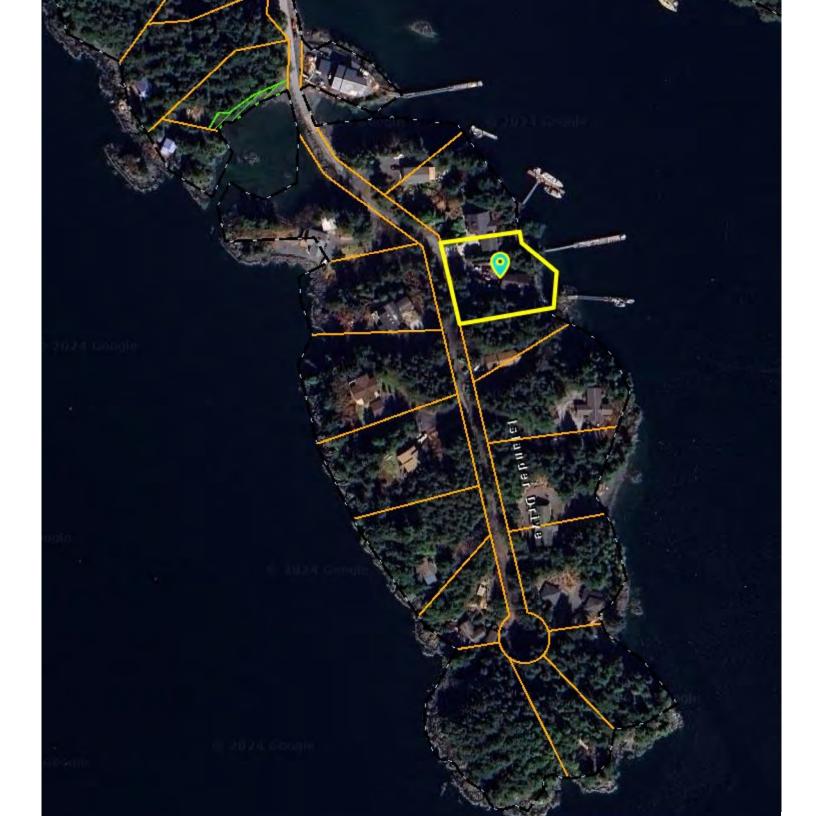
Conditions of Approval

- 1) All utilities, including water, sewer, and electricity shall be required to have an approved permit from the municipality; and all utility permits and design shall comply with all applicable code and design polices including, but not limited to 15.05, 15.10, 15.20, and 15.30.
- 2) This subdivision development and the plat, prior to recording, complies with all applicable Sitka General Code.
- 3) All applicable state, federal, and tribal permits, licenses, regulations, and statutes shall be followed in subdividing this land.
- 4) Easement maintenance agreements for any access and utility easements shall be developed and recorded before final plat recording.
- 5) All easement agreements will be cited via plat notes. The City and Borough of Sitka is a party to all easements.

2) "I move to adopt the following findings as listed in the staff report:"

The Commission makes the following findings:

- a. The preliminary plat meets its burden of proof as to access, utilities, and dimensions as proposed *through submission of a plat prepared by a licensed surveyor and information regarding access and utilities provided in the application*;
- b. The preliminary plat complies with the Comprehensive Plan by encouraging higher residential development on a underutilized lot and contributing to an attractive and livable neighborhood;
- c. The proposed preliminary plat complies with the subdivision code; and
- d. The preliminary plat is not injurious to the public health, safety, and welfare because the minor subdivision promotes residential development in-line with existing uses in the surrounding neighborhood and allowable uses in the zoning district; additionally, the conditions of approval protect the public's health, safety, and welfare by requiring compliance with health and safety regulations.



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First Judical District)

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Tasil Wa Am

CERTIFICATION OF APPROVAL BY THE ASSEMBLY I hareby certify that the Subdivision Plat is shown hereon has been found to comply with the Subdivision Regulations of the Greater Sitka Barough, and that said Plat has been approved by the Assembly or seconded in Minutes Book 2., page 342, dated Assembly or seconded in Minutes Book 2., page 342, dated Assembly or seconded in the Office of the District Magistrate, Ex-office Recorder, Sitka, Alaska.

July 25, 1967 Thomas R. Stein

ATTEST: Lataska C. Smith Borough-Clork-Transurer

Scale; I"= I mi

Vicinity Map

CERTIFICATE OF OWNERSHIP AND DEDICATION
I (We) hereby certify that I am (we are) the owner(s) of the property
shown and described hereon and that I (we) hereby adopt this plan of
subdivision with my four) free consent, and dedicate all streets, alleys, walks, parks and other open spaces to public or private use as noted.

June 16, 1967

NOTARY'S ACKNOWLEDGEMENT
Subscribed and sworn to before me this 14

Worna Radach Notary for Alaska

CERTIFICATE OF REGISTERED ENGINEER
I hereby certify that I am registered to practice kind surveying in
Alaska and that this plat represents a survey made by me or under
my direct supervision, and that the manuments shown thereon

actually exist as located, and that all dimensional and other details

June 12, 1967

JUL 3 1 1967 >> }

BITKA 67-747

LEGEND

HARRIS ISLAND SUBDIVISION

THIS PLAT COVERS ALL OF LOT 164, U.S. SURVEY NO. 3926 DATED: June 12, 1967 | SCALE: 1"= 100"

LAURENCE C. STRATTON, CIVIL ENGINEER SITKA, ALASKA

Drawer #5

No. 75



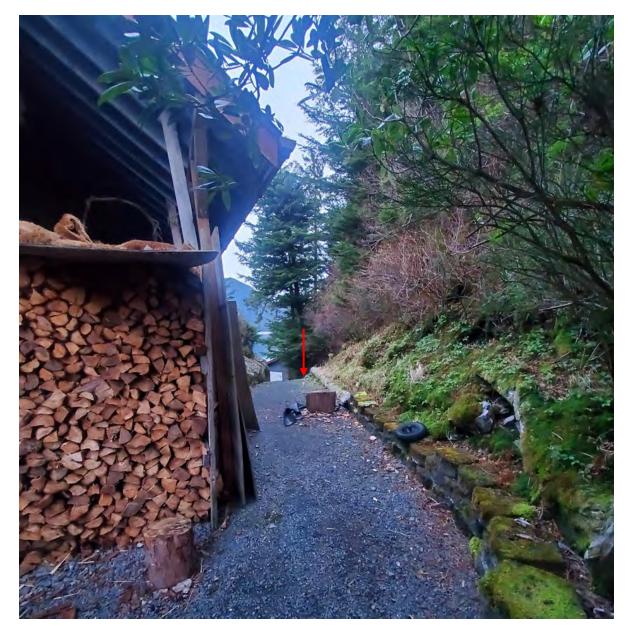
CERTIFICATE OF OWNERSHIP AND DEDICATION	CERTIFICATE OF PAYMENT OF LOCAL IMPROVEMENT DISTRICT		
WE HEREBY CERTIFY THAT WE ARE THE DWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH OUR FREE CONSENT AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.	I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND FINANCE DIRECTOR FOR THE CITY & BORDUGH OF SITKA, DO HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS OF THE CITY & BORDUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE RECORDS IN THE NAME OF:		
DATE OWNER (SIGNATURE)	(ALL OWNERS OF RECORD), AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL L.I.D.'S ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY & BORDUGH OF SITKA ARE PAID IN FULL.		
DATE OWNER (SIGNATURE)	20, AT SITKA, ALASKA.		
NOTARY'S ACKNOWLEDGMENT US OF AMERICA STATE OF ALASKA CITY & BOROUGH OF SITKA NOTARY'S ACKNOWLEDGMENT HEREIN WRITTEN. MY COMMISSION EXPIRES	FINANCE DIRECTOR, CITY AND BOROUGH OF SITKA		
THIS IS TO CERTIFY THAT ON THISDAY OF, 20, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED	ASPHALT ROAD		N STATE OF THE PARTY OF THE PAR
TO ME KNOWN TO BE THE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND ACKNOWLEDGED TO ME THAT SIGNED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN SPECIFIED.	LOT 3		
WITNESS MY HAND AND NOTARY SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST HEREIN WRITTEN.	STAND STANDER		
MY COMMISSION EXPIRES	IRRIS ISLA	WOOD FENCE	VICINITY MAP
NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA	SUBDIVIO GARDEN GARDEN TO EASEMENT	FOR BOAT LANDING S 8°54' E 25.76' (R)	SCALE 1"=1,000'
CERTIFICATE OF PAYMENT OF TAXES (STATE OF ALASKA)	N 82 57	1ENT OPT	
(FIRST JUDICIAL DISTRICT) I THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND ASSESSOR FOR THE CITY & BORDUGH OF SITKA, HEREBY CERTIFY THAT ACCORDING TO THE RECORDS IN MY POSSESSION, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS OF THE CITY & BORDUGH OF SITKA, IN THE NAME OF	DF PE N 83°	1SITION	LEGEND PRIMARY BRASS CAP (RECOVERED) REBAR AND PLASTIC CAP (RECOVERED)
AND THAT ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY & BORDUGH OF SITKA ARE PAID IN FULL; THAT CURRENT TAXES FOR THE YEAR 20 WILL BE DUE ON OR BEFORE AUGUST 31, 20 DATED THIS DAY OF	10 0 LOT	17,942 S.F. (0.41 ACRES) S 83'8'41" E 40.18' \$ 22'45'30"	HUB AND TACK (RECOVERED) (R) RECORD DATA (C) COMPUTED DATA
ASSESSOR, CITY AND BORDUGH OF SITKA	CHOP	BLOCK - 100 00 00 00 00 00 00 00 00 00 00 00 00	(M) MEASURED DATA
CERTIFICATE OF APPROVAL BY THE BOARD		LOT 5B	
I HEREBY CERTIFY THAT THE SUBDIVISIONS PORTARISM HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA PLATTING BOARD, AND THAT SAID PLAT HAS BEEN APPROVED BY THE BOARD BY PLAT RESOLUTION NO. DATED 20, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT MAGISTRATE, EX-OFFICIO RECORDER, SITKA, ALASKA.	LOT 4 40.00' S 79°53'10" W	17,891 S.F. (0.41 ACRES) 3" X 3" HUB FOUND 7	
DATE CHAIRMAN, PLATTING BOARD		5 79 33 11-	
CERTIFICATE OF APPROVAL BY THE ASSEMBLY			
I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BORDUGH OF SITKA ASSEMBLY AS RECORDED IN MINUTE BOOK PAGE DATED 20, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX OFFICIO RECORDER, SITKA, ALASKA.		LOT 7	
DATE MAYOR	LOT 6	LOT 9	40 20 0 40 80 120
CITY AND BORDUGH CLERK			SCALE IN FEET
			SITKA RECORDING DISTRICT
NORTH 57*		DESIGNED: K. D'NEILL SURVEYDR'S CERTIFICATE I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYDR, LICENSED IN THE	NICHOLS SUBDIVISION
LAND SURVEYING	* 49 <u>TH</u>	STATE OF ALASKA, AND THAT IN A SURVEY OF THE HEREIN DESCRIBED LANDS WAS CONDUCTED UNDER MY DIRECT SUPERVISION AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THE	
(907) 747-6700 215-F SMITH STREET, SITKA, AK	REV. DESCRIPTION OF CHANGE	FIELD NOTES OF SAID SURVEY, AND THAT ALL DIMENSIONS AND OTHER SCALE: 1" = 20' DETAILS ARE CORRECT ACCORDING TO SAID FIELD NOTES.	LOT 5, HARRIS ISLAND SUBDIVISION (PLAT# , SITKA, AK REC. DISTRICT)
MAILING ADDRESS - 2007 CASCADE CREEK ROAD, SITKA, AK 99835 EMAIL: north57landsurveying@yahoo.com	RECORD OF REVISIONS RECORD OF REVISIONS	DRAWING NAME:40518-01 PROJECT NO. 40518-01-00 DATE KELLY D'NEILL LS 13321	CLIENT: RYAN NICHOLS

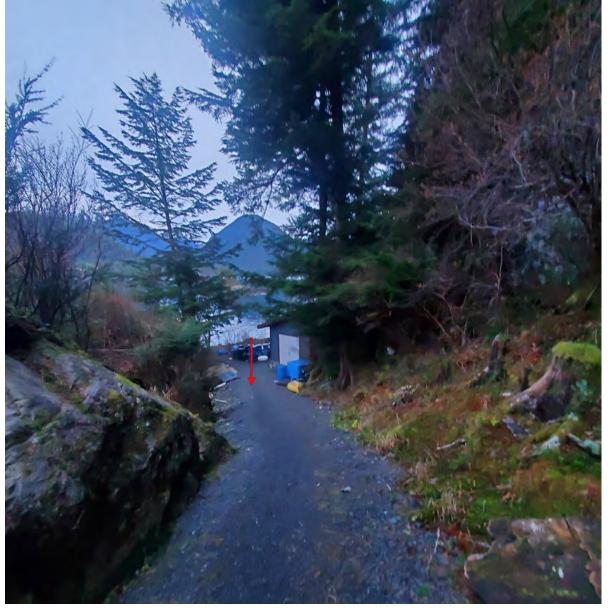


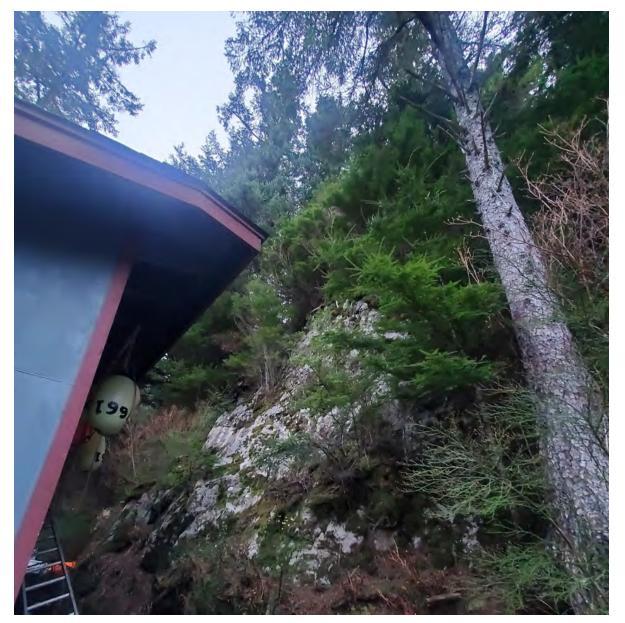
















Nichols

Last Name

CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT GENERAL APPLICATION

Applications must be deemed complete at least TWENTY-ONE (21) days in advance of next meeting date. Review guidelines and procedural information. Fill form out completely. No request will be considered without a completed form. Submit all supporting documents and proof of payment. APPLICATION FOR: VARIANCE ☐ CONDITIONAL USE ZONING AMENDMENT PLAT/SUBDIVISION BRIEF DESCRIPTION OF REQUEST: Wanting PROPERTY INFORMATION: CURRENT ZONING: Low density PROPOSED ZONING (if applicable): CURRENT LAND USE(S): Residential PROPOSED LAND USES (if changing): APPLICANT INFORMATION: Islander Dr. PROPERTY OWNER ADDRESS: Islander Dra 305 STREET ADDRESS OF PROPERTY: APPLICANT'S NAME: Sitha 99835 907 -623-8568 Funeuton @gno, 1. com DAYTIME PHONE:

Date Submitted

Project Address

REQUIRED SUPPLEMENTAL INFORMATION:

그림을 많이 하다 그들은 같이 없었다. 그렇게 하면 그런 그를 선생하셨다면	f the request.	osts associated with the processing of this application
acknowledge that payment of the and does not ensure approval o	f the request.	
acknowledge that payment of the		osts associated with the processing of this application
그러게 다른 이렇게 하게 계획하는 그렇게 이렇게 그를 하고싶어야고 그리죠?	action in conformance with Sitka General Cod on meets SCG requirements to the best of my l	de and hereby state that all of the above statements knowledge, belief, and professional ability. I
Owner		Date
Carina I lish	>	10/13/24
Owner 1		Date
Lyn Nicht		10/13/24
conformance with Sitka General SCG requirements to the best of non-refundable, is to cover costs understand that public notice w that attendance at the Planning	Code and hereby state that all of the above st my knowledge, belief, and professional ability s associated with the processing of this applica ill be mailed to neighboring property owners a Commission meeting is required for the applicates the property to conduct site visits as neces	escribed above and that I desire a planning action in tatements are true. I certify that this application me y. I acknowledge that payment of the review fee is ation and does not ensure approval of the request. and published in the Daily Sitka Sentinel. I understation to be considered for approval. I further essary. I authorize the applicant listed on this
	nary Residence for Short-term Rental Conditio	
	andout (directions to rental, garbage instructions in the contractions are contracted in the contract of the c	
		ALUAN V
For Short-Term Rentals and B	R.Re-	
AMCO Application	ditional use Pertities Only.	
For Marijuana Enterprise Con	ditional Use Permits Only	
Other:		
Proof of filing fee paym	ent	
Floor Plan for all structu	ares and showing use of those structures	
Site Plan showing all ex	sting and proposed structures with dimension	ns and location of utilities
Supplemental Applicati	on (Variance, CUP, Plat, Zoning Amendment)	
Completed General Ap	silication form	
Completed General App	Handley Com.	



CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT SUPPLEMENTAL APPLICATION FORM PLAT APPLICATION

A	PPLICATION FOR	MINOR SUBDIVISI	ON/PLANNED UNIT DEVEL ON/HYBRID SUBDIVISION LAT/LOT MERGER/EASEME		
A1.		dress each item in reg	ard to your proposal)	92 Feet ×	7 208 Feet
		ND UTILITY ROUTES: _		utilities	to the 305
		AND UTILITY ROUTES:	1 . 1		the Supply to lo Island mp Apperty Fer
٠	ACCESS, ROADS, TRA	NSPORTATION, AND N	OBILITY: Han	ris Island	Road
0	IMPACT OF PROPOSA	L ON ANY EXISTING EAS	EMENTS:	IONE	
٠	PUBLIC HEALTH, SAF	ETY, AND WELFARE:	Outflow	sever	
	ACCESS TO LIGHT AN	D AIR:	Good		
Las	Wichols st Name	Date 9	Submitted	Prois	ect Address

ORDERLY A	ND EFFICIENT	LAYOUT AND	DEVELOPMEN	T:	Should F	BC Simp	nle
					TO PROPOSED P		IES:
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to	the sou	th is	the 3	07 (Foste	r) Reside	nce	and distribution of the second
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Kym	Nalits	Carma	Dichers		9/26.	124	
Nichols							
st Name		1	Date Submitted		Pro	ject Address	

