



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 SF
- Lot 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.*