



CITY AND BOROUGH OF SITKA

A COAST GUARD CITY

Planning and Community Development Department

AGENDA ITEM:

Case No: P 25-02
Proposal: Replat
Applicant: Kris Calvin
Owner: Eric Calvin, Kris Calvin, Leif Calvin, Karen Woodard, The Welsh Family Trust, Christine Harrington, City and Borough of Sitka
Location: 214 Neva Street, 1502 Davidoff Street and 1409, 1501 Edgecumbe Drive
Legal: Lots 5, 6, 7, and 8, Block 6, and Lots 1 and 12A, Block 7, U.S. Survey 3303B
Zone: R-1 - Single-Family/Duplex Residential District
Existing Use: Residential, undeveloped right-of-way
Adjacent Use: Residential
Utilities: None
Access: Davidoff Street and Edgecumbe Drive

KEY POINTS AND CONCERNS:

- This action is related to the vacation of Neva Street, and undeveloped municipal right-of-way (LM 23-03), and also involves several boundary line adjustments and dissolutions.
- There are no municipal utilities in this portion of the right-of-way.
- A 20' wide easement will be reserved down the center of the existing right-of-way to preserve a utility corridor for future development needs.

ATTACHMENTS:

Attachment A: Aerial
Attachment B: U.S. Survey 3303 B
Attachment C: Replat
Attachment D: Photos
Attachment E: Applicant Materials

BACKGROUND

This replat action is related to the request for a vacation of Neva Street, an undeveloped municipal right-of-way as reviewed and recommended for approval by the Planning Commission under case file LM 23-03. The Assembly has also reviewed this request, and in August gave staff direction to move forward with the vacation and related land-sale and replatting actions. There are also several boundary line adjustments/dissolutions that have been included on this replat.

Neva Street Vacation: As previously reviewed, the request for the right-of-way vacation requires a platting action to formalize. The 60' wide vacated right-of-way will attach in equal proportions to the neighboring properties (i.e. 30' of width added to the neighboring properties). A 20' utility easement has been preserved to accommodate potential infrastructure needs in the future. This easement is centered on the existing right-of-way centerline and will encumber 10' on each of the neighboring properties. The vacation process will include:

- Planning Commission review & approval of the replat
- Final square footages from the replat and future legal descriptions used in the sales ordinance to be passed by the Assembly
- Sale prices paid to the municipality, and simultaneous recording of the replat and quit claim deeds from the municipality to the neighboring property owners.

Boundary Line Changes: As the applicant has pursued the right-of-way vacation, there have also been discussions on lot rearrangements needed to facilitate new ownership and development potential for the Calvin's lots. Staff advised the applicant that these changes would be most efficiently accomplished by including them on the replat needed for the right-of-way vacation.

- The boundary line between Lots B&C on the replat has been adjusted to resolve (a Planning Department approved) setback encroachment of the shop on Lot B, and to facilitate placement of a new shared driveway for the two properties (which the applicant has been working with CBS Engineering to permit).
- A lot merger of what are currently Lots 7 & 8 is proposed as the new Lot D on the replat. This merger is proposed to accommodate development potential of the land while protecting view sheds of proposed Lots B & C.
- A slight adjustment of the boundary line between Lots C & D is also proposed on the replat to accommodate space around the existing home on Lot C.

ANALYSIS

Project/Site: The area vacated is now ready for a replat to create new legal descriptions and combine the vacated ROW into the adjoining parcels.

Lot A: 15,400 SF

Lot B: 14,677 SF

Lot C: 13,147 SF

Lot D: 21,090 SF

Lot E: 14,123 SF

The proposed area to be vacated is a section of Neva Street. It has been platted as a 60' wide ROW, and the length of this segment is approximately 337'. This is a municipally owned, but not developed or maintained, ROW. All of the proposed lots exceed the minimum lot standards as required in the R-1 zone.

Traffic: The applicant is obtaining a driveway permit to change the driveway access for Lots B and C at 1409 Edgecumbe Drive from the old driveway that was in Neva Street. Lot A will continue to have access from Edgecumbe Drive and Lots D and E have access from Davidoff Street. Neva Street is only being vacated to the southern boundary line of Lot D, preserving additional turnaround space along Davidoff Street (the portion of Neva Street that extended to the southern boundary line of Lot E will be added to Davidoff Street to retain its designation as a right-of-way).

Parking: There is adequate space for parking on the properties.

Noise: No change in the level of noise is anticipated. Area is zoned R-1 single-family and duplex residential district.

Public Health or Safety: No negative impacts to public health or safety is anticipated. The surrounding properties have access for EMS, police, and fire. Emergency access to Lots B & C will be improved by relocation of the driveway to Edgecumbe Drive rather than the long, narrow driveway that was in Neva Street. Additionally, the placement of the new shared driveway promotes better visibility and ingress/egress safety.

Public Value or Neighborhood Harmony: The City and Borough of Sitka would benefit financially from the sale of undeveloped land, and the addition of property taxes gained by increasing the square footage of adjacent private property. The public value of maintaining a utility easement for potential utility needs in the future will be preserved.

Conformity with Comprehensive Plan: Land Use action LU 1.1.b asks us to "Consider social, cultural, environmental, and economic factors to support decisions to retain or dispose of land." These considerations have been appropriately made and discussed by the Planning Commission, Assembly, municipal staff, and all the surrounding property owners. The proposal also furthers Comprehensive Plan objectives on encouraging housing development by opening underutilized land and making boundary line adjustments that better accommodate the development potential of the area.

RECOMMENDATION

Staff recommends approval of the replat.

RECOMMENDED MOTIONS

- 1) **“I move to approve the replat at 214 Neva Street, 1502 Davidoff Street, and 1409 and 1501 Edgecumbe Drive resulting in the vacation of the Neva Street (formerly known as Frank Street) right-of-way and resulting in five lots in the R-1 single-family and duplex residential district subject to the attached conditions of approval. The properties are also known as Lots 5, 6, 7, and 8, Block 6, and Lots 1 and 12A, Block 7, U.S. Survey 3303B. The request is filed by Kris Calvin. The owners of record are Eric Calvin, Kris Calvin, Leif Calvin, Karen Woodard, The Welsh Family Trust, Christine Harrington, and the City and Borough of Sitka.”**

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.
 - 6) The final plat shall not be recorded until the City & Borough of Sitka Assembly authorizes the right-of-way vacation
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- 2) **“I move to adopt the following findings as listed in the staff report:”**
The Commission makes the following findings:
 - a. The replat 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 replat complies with the Comprehensive Plan *by following a deliberative process regarding municipal land disposal and facilitating residential development on underutilized land;*
 - 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 replat promotes residential development in-line with existing uses in the surrounding neighborhood and allowable uses in the zoning district; additionally, the replat facilitates relocation of driveway access for two of the lots which improves vehicular safety and emergency access.*