



CITY AND BOROUGH OF SITKA

A COAST GUARD CITY

Planning and Community Development Department

AGENDA ITEM:

Case No: P 25-01
Proposal: Preliminary plat for a hybrid subdivision
Applicant: Todd Fleming
Owner: Sound Development, LLC
Location: 445 Kramer Avenue
Legal: Lot 3, Somer Subdivision
Zone: R-1 single family and duplex residential district
Size: 40,379
Parcel ID: 2-4910-050
Existing Use: Vacant, undeveloped
Adjacent Use: Residential, undeveloped
Utilities: Kramer Avenue
Access: Kramer Avenue

KEY POINTS AND CONCERNS:

- Proposal is for a hybrid subdivision resulting in five lots.
- Proposed lots meet minimum development standards.
- Property is currently undeveloped.

ATTACHMENTS:

Attachment A: Aerial
Attachment B: Current Plat
Attachment C: Preliminary Plat
Attachment D: Photos
Attachment E: Applicant Materials

BACKGROUND AND PROJECT DESCRIPTION:

The applicant proposes to subdivide the approximately 40,379 sf parcel at 445 Kramer Avenue. Lots A and B in the subdivision make direct contact with Kramer Avenue, a municipal right-of-way, Lots C, D, and E will be served via access and utility easement. The newly created parcels will exceed the development standards for the R-1 zoning district, the minimum lot size in this zone is 6,000 square feet net of access easements. In the proposed subdivision, the lots will have the following sizes:

- Lot A: 8,322 sf, net of easement 7,015 sf
- Lot B: 8,206 sf, net of easement 7,340 sf
- Lot C: 7724 sf, net of easement 7,318 sf
- Lot D: 8015 sf, net of easement 7,433 sf
- Lot E: 8112 sf

Title 21

The purposes of the subdivision regulations are: to promote and protect the public, health, safety and welfare; provide for appropriate roads, streets, and access; provide for useful, adequate and convenient open space; provide for means for efficient transportation, mobility, and access; assure adequate and appropriately placed utilities; provide for emergency response accessibility; provide adequate recreation, light, and air; avoid population congestion; facilitate orderly development and growth; and accurate surveying. These factors are analyzed in the below Analysis section.

Five-Lot Hybrids (SGC 21.25.010 & SGC 21.25.020)

Five-lot hybrid subdivisions have one lot that has access and utility connections directly off of a dedicated street right-of-way that has been accepted for maintenance by the State of Alaska or CBS.

Five-lot hybrids are governed by the minor subdivision process. All standards and review procedures of the minor subdivision process shall apply. Five-lot hybrids shall not be approved if planning commission, with appeal rights to the assembly, is not satisfied that the lot immediately adjacent a dedicated right-of-way is fully served (which staff interprets as being provided with access and utilities) by that right-of-way.

ANALYSIS:

Site: The frontage of the lot is level with the street, with undulating topography throughout. The site is densely vegetated; previous wetland delineation mapping identifies wetlands on the parcel. A plat note regarding wetlands states owners of lots shall contact the Department of the Army to determine the need of a DA permit for work on the lot.

Utilities: The lots in this subdivision will require connection to municipal water and sewer service (i.e. extending the line up Kramer Avenue to serve these lots). The applicant is finalizing the permitting process with the City and Borough of Sitka (CBS) and Department of Environmental Conservation (DEC) to install an 8" sewer main in this section of Kramer Avenue, once approved CBS will be taking ownership of this line once the applicant meets all

the requirements of DEC and gets the Final Approval to Operate (FATO). There is no estimated time on when this ownership transfer will occur.

There is a private water main serving this section of Kramer Avenue. If this subdivision is approved, 14 properties will be connected to the private water main, and the owners are responsible for its maintenance. CBS will be taking ownership of this line once the applicant meets all the requirements of CBS and DEC and gets the FATO. There is no estimated time on when this ownership transfer will occur. Additionally, the applicant has proposed to install a 8” main for water and sewer in the access and utility easement to serve Lots C,D and E, instead of installing separate services to each property from the main in Kramer Avenue.

The Electric Utility Department will require the applicant to provide and install all underground electrical facilities including, “primary, secondary, transformers, termination cabinets, pull boxes, etc. per SGC 15.20.050. Utility easements may need to be developed to provide effective access for the Electric Utility to operate and maintain all installed infrastructure that CBS is charged with maintaining.

Access, Roads, Transportation, and Mobility: Lots A and B in the subdivision make direct contact with Kramer Avenue, a municipal right-of-way, Lots C, D, and E will be served by a 20’ access and utility easement. Roads and access drives must be appropriately constructed to maintain fire apparatus access in accordance with the International Fire Code.

Public Health, Safety and Welfare: The surrounding area has known landslide history and significant drainage courses. A condition of approval has been added that a comprehensive drainage plan prepared by a licensed, professional engineer shall be developed and accepted by the Municipal Engineer prior to submission of the final plat to the Planning Commission. Plat notes have been added stating all parcels within this subdivision are impacted by naturally occurring offsite drainage flows. The owners of the parcels may not divert the offsite flows from entering the parcels and are required to discharge the flows at the same location as naturally occurring or into a public drainage facility specifically designed to collect the flows. Runoff exceeding the pre-development flows of a one-hour storm event shall not cross property lines, or alternatively, the drainage plan may identify runoff to an offsite collection point and via drainage easements if approved by the municipal engineer and affected property owners (if applicable). The property owner(s) who ultimately develop the lots will be responsible for showing that there are no negative downstream impacts when they seek grading permits from the municipality.

Orderly and Efficient Layout and Development: The proposed lots meet minimum development standards. None of the resultant lots could be further subdivided.

Comprehensive Plan: This subdivision action supports the Comprehensive Plan Housing goal: *Expand the range, affordability, and quality of housing in Sitka while maintaining attractive, livable neighborhoods*; by enabling development of land in a residentially zoned area.

RECOMMENDATION:

Staff recommends approval of the preliminary plat of the hybrid subdivision of 445 Kramer Avenue subject to the attached conditions of approval.

RECOMMENDED MOTIONS

1) “I move to approve the preliminary plat for a hybrid subdivision to result in five lots at 445 Kramer Avenue in the R-1 single family and duplex residential district subject to the attached conditions of approval. The property is also known as Lot 3, Somer Subdivision. The request is filed by Todd Fleming. The owner of record is Sound Development, LLC. “

Conditions of Approval

- 1) Before final plat approval, all utilities mains in Kramer Avenue including water and sewer shall be constructed, receive a Final Approval to Operate from DEC, and be adopted by the municipality.
- 2) A comprehensive drainage plan prepared by a licensed, professional engineer shall be developed and accepted by the municipal engineer. Any easements or necessary plat restrictions resulting from the approved drainage plan shall be incorporated on the plat prior to submission of the final plat to the Planning Commission.
- 3) 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, 15.15, 15.20, 15.30.
- 4) This subdivision development and the plat, prior to recording, complies with all applicable Sitka General Code.
- 5) All applicable state, federal, and tribal permits, licenses, regulations, and statutes shall be followed in subdividing this land.
- 6) Easement maintenance agreements for any access and utility easements added prior to final plat review shall be developed and recorded before final plat recording.
- 7) 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:”

- 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 proposed hybrid subdivision preliminary plat complies with the Comprehensive Plan by following the subdivision process and enables residential development of otherwise vacant land and expands the range, affordability, and quality of housing in Sitka; *by facilitating higher density development and contributing to an attractive and livable neighborhood;*
- c. The proposed hybrid subdivision preliminary plat complies with the subdivision code; and

- d. The hybrid subdivision preliminary plat is not injurious to the public health, safety, and welfare and further that the proposed plat notes and conditions of approval protect the harmony of use and the public's health, safety, and welfare *because the subdivision promotes development in-line with existing uses in the surrounding neighborhoods and allowable using in the zoning district; additionally, the conditions of approval protect the public's health, safety, and welfare by requiring compliance with heath and safety regulations.*