



CITY AND BOROUGH OF SITKA

A COAST GUARD CITY

Planning and Community Development Department

AGENDA ITEM:

Case No: P 26-01
Proposal: Preliminary plat for a minor subdivision
Applicant: Randy Hughey
Owner: Sitka Community Development Corporation (now Sitka Community Land Trust)
Location: 1306 Halibut Point Road
Legal: Lot Two (2), Little Critter Highlands Subdivision
Zone: R-2 Multifamily Residential District
Size: 28,266 SF
Parcel ID: 1-47407-001
Existing Use: Vacant, undeveloped, parking for Su's Heeni Shaak Subdivision
Adjacent Use: Residential
Utilities: Mills Street, Halibut Point Road
Access: Mills Street, Halibut Point Road

KEY POINTS AND CONCERNS:

- Proposal is for a minor subdivision resulting three lots.
- Property is currently undeveloped except for some utility easements.
- Applicant wants to create one developable parcel for housing.

ATTACHMENTS:

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

BACKGROUND AND PROJECT DESCRIPTION:

On October 3, 2006, the community voted to sell 1306, 1410, and 1414 Halibut Point Road for the purpose of affordable housing development, not subject to competitive bid. On November 24, 2015, the Assembly voted to transfer 1306 Halibut Point Road to Sitka Community Development Corporation (now Sitka Community Land Trust, or SCLT) for the purpose of promoting permanently affordable home ownership by placing affordable homes on the market. SCLT operates as a land trust, where private owners purchase homes, but SCLT retains ownership of the land. Land is leased to homeowners on long-term agreements. The applicant can describe this model in more detail if desired.

The applicant is proposing to subdivide the 28,266-square-foot (SF) parcel at 1306 Halibut Point Road to result in three lots. The development standards for the R-2 multifamily residential district require lots be 6,000 square feet net of access easements. The sizes of the proposed lots are as follows:

- Lot 2A – 6,109 SF
- Lot 2B – 18,109 SF
- Lot 2C – 4,021 SF

Lot 2A is the parcel that will be developed for housing. The lot makes direct contact with Mills Street, an undeveloped municipal right-of-way (ROW); utilities are available in both Mills Street and Halibut Point Road.

R-2 Zoning, Lot Size and Lot Width

1306 Halibut Point Road is zoned R-2 multifamily residential district. Sitka General Code 22.20-1 requires a minimum lot size of 6,000 square feet and minimum lot width at 80' ft.

A platting variance to reduce the minimum lot width is required for Lot 2A, as it is substandard for the zone at 46.9 feet wide. Additionally, a variance for lot size is required for Lot 2C, which is substandard at 4,021 SF. It could be beneficial for SCLT to integrate Lot 2C into the “unsubdivided remainder” of Lot 8A of Su’s Heeni Shaak Subdivision, as both parcels are used for parking.

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 Analysis section below.

ANALYSIS:

Site: The property contains substantial grade change between the main, northeastern strip and two southwestern portions.

Lot 2A is about 18 to 22 feet higher than the SCLT lots that neighbor the strip to the southwest. A rock retaining wall is located behind the neighboring southwestern lots at 1334, 1330, 1322, and 1314 Halibut Point Road. There is an existing 10-foot drainage easement that also fronts the property at Mills Street, and which drains to Halibut Point Road from Mills Street and Edgumbe Drive. If developed, Lot 2A would provide buildable space for a residential dwelling unit after clearing and grading.

Further, the frontage of the proposed Lot 2A is not level with the developed portion of the Mills Street ROW. Due to the topography of the undeveloped Mills Street ROW, the applicant is proposing an encroachment agreement with the Public Works Department for two parking spaces within the undeveloped Mills Street ROW for the lot. This will require a separate request to the Planning Commission for a variance to remove the two parking spaces required per dwelling unit.

The applicant may instead request a waiver of the requirement stated in Sitka General Code (SGC) 22.20.100 D.1, which states that single- and multifamily dwellings must have parking facilities “located on the same lot or building site as the building they are required to serve.” The Commission will discuss with the applicant how the parking requirements can be met for this proposed parcel during review of the parking variance.

Lot 2B is 18,109 SF and is located mostly above the rock retaining wall. This parcel has unleveled grade changes in the topography and looks like it has been filled with overburden consisting of organic matter. This parcel fronts Halibut Point Road and a section of it has been developed with a parking lot and driveway. Staff is recommending this parcel not be further subdivided.

Lot 2C is 4,021 SF and is currently developed with a driveway from Halibut Point Road. It is used as an open space and parking area by the developed SCLT properties. This parcel could be merged with the unsubdivided remainder of Lot 8 of the Su’S Heeni Shaak Subdivision, which is also used for parking.

Utilities: The lots in this subdivision will require connection to municipal water and sewer. There is electric, water and wastewater in both Mills Street and Halibut Point Road ROWs.

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: Lot 2A (the primary/building lot) in the subdivision makes direct contact with Mills Street, an underdeveloped ROW that has not been adopted by the city for maintenance. An access easement agreement is in place for Lots 10, 11, and 12 of the Winnop Subdivision (Plat 95-17) for use of the sixty-foot-wide Mills Street ROW. This agreement would likely need to be updated to include Lot 2A. Such an update is the most

challenging aspect of this subdivision proposal; while Mills Street is platted as a right-of-way, it is essentially used as a private driveway. The housing density proposed on the new lot and associated parking requirements (whether standard or modified) must take the limitations of Mills Street into consideration.

The CBS Public Works Department will also require a geotechnical report and engineered plans for work within the Mills Street ROW. This could include but is not limited to construction of rock walls, placement of fill, and modifications to existing drainage systems. Such modifications will be necessary to protect the public infrastructure from possible damage by private development within the ROW.

There is also potentially access to Lot 2A from Halibut Point Road. Were parking for Lot 2A to be designated within the existing SCLT development, the easement on Lot 2C could be redesignated as a pedestrian access easement as well as utility easement. In this case, staff would recommend Lot 2C not be subdivided as its own lot, but rather incorporated into Lot 8A (the unsubdivided remainder of the Su'S Heeni Shaak Subdivision which was Phase II of the SCLT development) and affirmed through an additional condition of approval.

Public Health, Safety and Welfare: The proposed subdivision aligns with existing residential use of adjacent lots and allows for further development. Substantive conditions of approval regarding a drainage plan, a draft grading plan, and geotechnical analysis have been added to ensure that development of Lot 2A for residential use is feasible without negative impacts to people, property, and/or public infrastructure.

Orderly and Efficient Layout and Development: One of proposed lots does not meet minimum development standards but is an efficient use of space for neighborhood access, parking, and trash collection. Should this proposal move forward with parking granted via Mills Street, serious consideration for managing parking and traffic on Mills Street is needed.

Comprehensive Plan: This subdivision action supports Comprehensive Plan's housing goal to "Expand the range, affordability, and quality of housing in Sitka while maintaining attractive, livable neighborhoods" by adding an additional building lot to a developed residential neighborhood dedicated to delivering affordable home ownership opportunities. The subdivision further supports Housing Action H1.1e, "Encourage higher density development," by allowing subdivision of residentially zoned property with slight reductions to district standards.

RECOMMENDATION:

Staff recommends approval of the preliminary plat subject to the conditions of approval with particular care to those addressing drainage, access, impacts to existing utility infrastructure, and grading/slope stability. Additionally, staff recommends that the subdivision result in 2 lots rather than 3, as Lot 2C should be merged with the neighboring Lot 8A. Depending on the outcome of the parking variance decision, an additional conditions of approval may be needed.

RECOMMENDED MOTIONS

- 1) “I move to approve the preliminary plat for a minor subdivision to result in two lots at 1306 Halibut Point Road in the R-2 multifamily residential district subject to the attached conditions of approval. The property is also known as Lot Two (2), Little Critter Highlands Subdivision. The request is filed by Randy Hughey for Sitka Community Land Trust. The owner of record is Sitka Community Development Corporation (Sitka Community Land Trust).”**

CONDITIONS OF APPROVAL

- a. A comprehensive drainage plan, to include a draft grading plan for Lot 2A and any other access and utility improvements needed for its development as a residential lot, prepared by a licensed professional engineer shall be developed and accepted by the Municipal Engineer prior to final plat submission. 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.
- b. The draft grading plan as referenced above shall demonstrate that Lot 2A can be developed with a code-compliant building pad, appropriate setbacks and fire separation distances, and all required easements.
- c. Any work within the Mills Street right-of-way and/or the utility easements from Halibut Point Road to Mills Street must be approved by the Public Works Department. No fill or structures shall be placed over CBS utilities without written approval from the Public Works Director. The applicant shall provide geotechnical reports and engineered plans for work within the Mills Street right-of-way as required by SGC and/or if deemed necessary by the Public Works Department to ensure safety of people, property, and/or public infrastructure.
- d. 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.
- e. The final plat shall include any utility and/or access easements as required by SGC and CBS standard specifications.
- f. This subdivision development and the plat, prior to recording, must comply with all applicable Sitka General Code provisions.
- g. All applicable state, federal, and tribal permits, licenses, regulations, and statutes shall be followed in subdividing this land.
- h. Easement maintenance agreements for any access and utility easements added prior to final plat review shall be developed and recorded before final plat recording.
- i. All easement agreements will be cited via plat notes. The City and Borough of Sitka is party to all easements.
- j. Development of the property must be appropriately permitted via the grading, foundation, and building permit process through the City and Borough of Sitka Building Department. Please direct any questions regarding grading and construction requirements and/or permitting to the Sitka Building Department. Separate permits are required for individual properties and structures.
- k. Roads and access drives must be appropriately constructed to maintain fire apparatus access in accordance with the International Fire Code.

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, *particularly the housing goal to “Expand the range, affordability, and quality of housing in Sitka while maintaining attractive, livable neighborhoods” by adding an additional building lot to a developed residential neighborhood dedicated to delivering affordable home ownership opportunities. The plat further supports Housing Action H1.1e, “Encourage higher density development,” by allowing subdivision of residentially zoned property with slight reductions to district standards.*
- c. The preliminary plat is not injurious to the public health, safety, and welfare *because the subdivision is 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.*