



# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

*Coast Guard City, USA*

## **Planning and Community Development Department**

Case No: P 19-04  
Proposal: Final Plat – minor subdivision to result in 2 lots  
Applicant: David Lubin and Lisa Busch  
Owner: David Lubin and Lisa Busch  
Location: 213 Shotgun Alley  
Legal Desc.: Lot 1A Johnstone Subdivision Replat  
Zone: SFLD: single-family low density  
Size: Existing: 39,752 square feet  
Proposed: Lot 1A – 15,732 square feet, Lot 2 – 21,627 square feet  
Parcel ID: 3-1200-001  
Existing Use: Residential  
Adjacent Use: Residential, Undeveloped  
Utilities: Shotgun Alley  
Access: Shotgun Alley

### **KEY POINTS AND CONCERNS:**

- Lots will meet dimensional development standards of 15,000 square feet net of access easements.
- Vehicular and utility access from Shotgun Alley.
- Existing easements in place to provide parking, access, and utilities. Parking easement will require expansion, and easement agreements will require updating before final plat recording to reflect new grantor/grantees.
- Creation of new lot facilitates additional opportunity for residential development
- Given previous concerns of neighborhood, new lot corners were flagged.

### **RECOMMENDATION:**

Approve the final plat of the minor subdivision of 213 Shotgun Alley subject to the attached conditions of approval.

### **ATTACHMENTS:**

Attachment A: Aerial Photos  
Attachment B: Final Plat  
Attachment C: Photos  
Attachment D: Applicant Materials

## **BACKGROUND:**

The properties at 213 and 215 Shotgun are in common ownership of David Lubin and Lisa Busch. The applicants have previously brought a conceptual plat to the Planning Commission for a minor subdivision of the two lots to result in four lots. However, due to the need for parking and access easements, the lots would not meet dimensional standards and would therefore require several platting variances (and potentially development variances when building dwelling units due to the shape and topography of the lot). The applicants have decided upon a simpler plan for subdivision and residential development of the area. The proposal is now to subdivide only 213 Shotgun Alley into two lots. The creation of the new lot enables development of buildable land that would otherwise remain vacant. The preliminary plat was reviewed and approved by the Planning Commission on June 19, 2019.

## **PROJECT DESCRIPTION:**

The proposed minor subdivision is intended to divide Lot 1A of the Johnstone Subdivision Replat into two parcels. The newly created parcel would meet development standards for the SFLD district, minimum size 15,000 square feet. The lot would provide buildable space for a residential dwelling unit. Historically, there was a cottage on the newly proposed lot. The owners intend to use the hardened pad to build a new dwelling unit.

Currently, 213 Shotgun Alley (Lot 1A) provides parking, pedestrian access, and utilities to 215 Shotgun Alley (Lot 2A) from Shotgun Alley. 213 and 215 are in common ownership. The newly created lot will continue to serve 213 and 215. There will be no changes for 215. In practice and use, there will be no changes for 213; legally 213 will become a grantee, rather than a grantor, of the parking and access easements.

## **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 utilities; provide for emergency response accessibility; provide adequate recreation, light, and air; avoid population congestion; facilitate orderly development and growth; and accurate surveying.<sup>1</sup> These factors are analyzed in the below Analysis section.

## **Development Standards**

The minimum lot area for the SFLD District is 15,000 square feet. Both resulting lots will meet these minimums.

## **ANALYSIS:**

**Site:** Proposed Lot 1 will be 17,415 square feet, 15,732 square feet net of easements. Lot will retain and expand parking easement for existing lots 1A and 2A. Site had a historical cottage and

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<sup>1</sup> SGC Section 21.04.020

still has a hardened area ready for a foundation. Lot 2 will be 22,325 square feet, 21,627 square feet net of easements.

**Utilities:** Utilities are available from Shotgun Alley, proposed lot provides utilities to home at 215 Shotgun Alley. Easement is retained; plat note cites the agreement.

**Access, Roads, Transportation, and Mobility:** Lot is directly accessed from Shotgun Alley. Updates to Parking and Pedestrian Path easements will be made, recorded, and referenced on the plat notes to retain rights for 213 and 215 Shotgun Alley.

**Public, Health, Safety and Welfare:** Locations for utilities are planned via proposed platted easements. A condition of approval requires all utility installations to undertake the required permitting processes. Creates developable, waterfront lot in a residential neighborhood.

**Orderly and Efficient Layout and Development:** Development for a new home will take place on an existing pad. Property is directly accessed from a right-of-way and parking and pedestrian path easements are already in place and currently utilized (slight expansion of parking easement was needed and platted).

### **COMPREHENSIVE PLAN**

The proposed minor subdivision is consistent with Comprehensive Plan Housing goal H1.1e “Encourage higher density development.”

### **RECOMMENDED MOTION**

**1. I move to approve** the final plat for a minor subdivision at 213 Shotgun Alley in the SFLD zoning district subject to the listed conditions of approval. The property is also known as Lot 1A, Johnstone Subdivision Replat. The applicants are David Lubin and Lisa Busch. The owners of record are David Lubin and Lisa Busch.

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 15.04.100, 15.04.110, 15.04.240, and 15.04.250.
- 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 the parking, pedestrian access, and utility easements shall be 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:**

- a. The final plat meets its burden of proof as to access, utilities, and dimensions as proposed;
- b. The proposed minor subdivision final plat complies with the Comprehensive Plan Section on Housing by “expanding the range, affordability, and quality of housing in Sitka while maintaining attractive, livable neighborhoods”;
- c. The minor subdivision final plat complies with the subdivision code; and
- d. The minor subdivision final 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.