



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Memorandum

To: Chair Spivey and Planning Commission
From: Amy Ainslie, Director, Planning and Community Development
Subject: **Platting Variance VAR 20-04**
Date: April 10, 2020

On February 6, 2019, the Commission reviewed and approved a proposal for a zero lot line at 746 Alice Loop. Over the last year, the applicant and developer, Kris Karsunky, has concluded that a zero lot line is not the most desirable development for the area, and would prefer to build two, single family or duplex structures.

The minimum square footage for lots in the Waterfront District is 6,000 square feet net of access easements. Were Lot 2 of the Charlie Joseph Subdivision to be subdivided as proposed by the applicant, the resulting lots 2A and 2B would be 5,115 square feet and 5,382 square feet respectively. The applicant is therefore requesting a platting variance to create these substandard lots.

Based on lot analysis done by staff, the smaller lot sizes should not impair the ability for the developer to build single-family or duplex structures within the setbacks. Staff calculates that the proposed Lot 2B would have a buildable area of over 2,700 square feet. Lot depth, rather than width, would be the most limiting factor for design, though not insurmountable. The Waterfront District does not have a maximum coverage area other than the setback areas (14' front, 8' rear, 5'9" side setbacks), and allows for maximum structure height of 40 feet.

Were this platting variance not to be granted, the other residential uses for this lot would include a single family home, a zero lot line, or a multifamily home with up to six dwelling units, along with various commercial uses that are permitted in the Waterfront District.

The granting of this variance could result in greater density than would have otherwise been possible through a zero lot line development. Per SGC 21.24.030 A (1), "*Zero lot line subdivisions shall permit side by side, one-family structures only (no duplex or more per side) and shall have a minimum of twenty-five percent of the total party wall adjoined together as the party wall.*" The applicant would be able to build duplex structures on each lot if this platting variance is approved, resulting in four potential dwelling units as opposed to two. However, this is less than the possible/allowable density of the lot if it was not subdivided.

The neighborhood has expressed strong concerns about increasing density through this platting action. Many residents wish to see the neighborhood have more of a single-family characteristic, with lower density and more open space. Some have expressed concerns for traffic congestion, as on-street parking on Alice Loop is limited, particularly for lots on the inner loop.

Staff agrees that these are valid concerns, and that the covenants put in place at time of the sale for the Ethel Staton Subdivision (the outer loop) are inconsistent with many of the allowable uses in the Waterfront District, which has created conflicts around use and previous platting actions. From a code administration standpoint, the proposed variance does not result in more density or potential for traffic generation than would otherwise be possible given the zoning; when measuring the possible incremental impact, the variance does not create any additional impact to the neighborhood. However, staff agrees that the sentiment from the neighborhood and their lived experience as the neighborhood has been developed is highly relevant to the proposal and should be taken into consideration by the commission.

SGC 21.48.010 Requirements for Platting Variances

A variance from the requirements of this title may be granted only if the planning commission finds that:

- A. The granting of the platting variance will not be detrimental to the public safety, or welfare, or injurious to adjacent property.
- B. The tract to be subdivided is of such unusual size and shape or topographical conditions that the strict application of the requirements of this title will result in undue and substantial hardship to the owner of the property.

There are various examples of lots, both planned and unplanned, that are below 6,000 square feet in size. Many of our downtown residential lots are in the 2,700 – 5,000 square foot range and are still considered highly attractive neighborhoods. The Planned Unit Development on Lillian Drive features 4,500 square foot lots, all of which have been developed and utilized for residential structures. Given the prevalence of other lots this size, staff finds that the granting of this platting variance will not be detrimental to public safety, welfare, or be injurious to adjacent property owners and enables development of otherwise vacant property.

Further, Comprehensive Plan Housing Action H1.1e specifically aims to “*Encourage higher density development.*” Granting this platting variance is a less than 15% reduction in the required lot size in exchange for potentially doubling the density of the development (versus a zero lot line development as previously considered).

In this case, it may be difficult for the applicant to demonstrate “undue or substantial hardship” on the basis of size, shape, or topography. The lot is rectangular and flat and within an established subdivision with city maintained roadways.

Attachments:

Attachment A: Aerial

Attachment B: Proposed Plat

Attachment C: Buildable Area Diagram

Attachment D: Applicant Materials

Attachment E: Public Comment

Recommended Motions:

1. “I move to approve the platting variance to create two substandard lots at 746 Alice Loop in the WD Waterfront District. The property is also known as a Lot 2, Charlie Joseph Subdivision. The request is filed by Kris Karsunky. The owner of record is Jay Stevens.”
2. “I move to adopt the required findings for platting variances.”
 - A. The granting of the platting variance will not be detrimental to the public safety, or welfare, or injurious to adjacent property.
 - B. The tract to be subdivided is of such unusual size and shape or topographical conditions that the strict application of the requirements of this title will result in undue and substantial hardship to the owner of the property.