



# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

*Coast Guard City, USA*

## **Planning and Community Development Department**

### **AGENDA ITEM:**

Case No: P 20-05  
Proposal: Final Plat for a Lot Merger  
Applicant: Krystina Scheller  
Owner: Barth Hamberg, Frances Brann, Krystina Scheller  
Location: 207 Shotgun Alley and 2116 Sawmill Creek Road  
Legal: Lot 4, Cedars Subdivision and Lot 27, USS 3302  
Zone: SFLD and R-1 LDMH  
Size: Current: 207 Shotgun: 28,568 square feet, 2116 SMC: 180,949 square feet  
Proposed: 209,517 square feet  
Parcel IDs: 3-1203-000 and 3-1250-000  
Existing Use: Residential, Undeveloped  
Adjacent Use: Residential, Undeveloped  
Utilities: Private utilities  
Access: Shotgun Alley and Sawmill Creek Road

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

1. This item is directly related to MISC 20-14 – please see this file for more information.
2. The proposed lot merger enables the sale of land to a neighboring property with the goal of conserving natural landscape and minimizing development impacts.
3. The proposed replat complies with the Sitka General Code Titles 21 and 22 by creating a single, large lot that far exceeds the minimum standards for the district.
4. Platting of lots as single lot should not change impact on neighborhood outside of current use.

### **RECOMMENDATION:**

Staff recommends approval of the final plat for a lot merger for 207 Shotgun Alley and 2116 Sawmill Creek Road.

## **ATTACHMENTS:**

Attachment A: Aerial

Attachment B: Zoning Map

Attachment C: Current Plats

Attachment D: Proposed Plat

Attachment E: Applicant Materials

Attachment F: Public Comments

## **BACKGROUND & PROJECT DESCRIPTION**

This proposed lot merger involves two lots with different ownership. Barth Hamberg is the owner of 207 Shotgun Alley. Frances Brann and Krystina Scheller own 2116 Sawmill Creek Road. If this lot merger is approved, Hamberg intends to sell 207 Shotgun to Brann/Scheller. Once owned by Brann/Scheller, the lot merger will be recorded.

**Information on 207 Shotgun Alley:** 207 Shotgun Alley is part of the Cedars Subdivision which was created in 2017. It remains undeveloped. Access to and development of this lot are challenging due to the topography of the area (there is a creek running through a ravine) in the middle of 205 Shotgun Alley (Lot 3 Cedars Subdivision) and 207 Shotgun. Currently, access comes from an access easement granted by 205 Shotgun, spanning over 300 feet between the ROW and the lot. Buildable area of the lot is primarily on the east side of the lot, which, if developed, would have a high impact on buffer/vegetation for 2116 SMC (and potentially 215 Shotgun Alley).

**Information on 2116 Sawmill Creek Road:** 2116 SMC is a developed residential lot. It has 2 dwelling units on it, and an active conditional use permit for short-term rentals. It is located proximate to the Kramer Subdivision and Keith Bartow Subdivision, which share complex access and utility easements.

**Sale of the property:** Both parties would like the sale of 207 Shotgun Alley to Brann/Scheller to take place. Hamberg (in a later action) would like to vacate the access easement to 207 Shotgun in order to alleviate the impact the easement has on buildable space for 205 Shotgun. Given that the easements for the USS 3302/Kramer/Keith Bartow Subdivisions already serve a multitude of lots (which some residents feel are over utilized/burdened as is), staff does not recommend approval of adding access to 207 Shotgun via Sawmill Creek Road through this area. As Brann/Scheller are primarily interested in 207 Shotgun in order to conserve it, a lot merger is the best way to accommodate both the buyer's and seller's desired outcomes from the transaction. The property will need to be transferred to Brann/Scheller, and then the lot merger can be recorded.

During discussion of item MISC 20-14, the Commission will be asked to make a determination on the zoning of the resulting lot merger were it to be approved. 207 Shotgun is zoned as single-family low density (SFLD), and 2116 SMC is zoned as single-family, duplex, or manufactured home low density (R-1 LDMH). In short, staff recommends that zoning for the resulting lot be R-1 LDMH, as the developments and uses of 2116 are in-line with R-1 LDMH zoning, and 207 Shotgun is undeveloped, therefore avoiding the creation of non-conforming uses. For a full discussion of the zoning issues, please see the staff report for MISC 20-14.

## **ANALYSIS**

**Project/Site:** Both lots are large and wooded, and have uneven/sloping topography. 207 Shotgun is undeveloped. 2116 SMC is developed with 2 dwelling units on the southern end of the lot (the seaward portions of the lot).

**Density:** 207 Shotgun is undeveloped, and therefore has less density than currently allowed per its zoning (one dwelling unit). 2116 SMC has two dwelling units, the maximum allowed per its zoning without a conditional use permit. The lot merger will not result in higher allowed density, nor (if it becomes R-1 LDMH) would the conditional use permit process that would be required to add more dwelling units to the area be waived or otherwise nullified.

**Traffic:** Traffic increases as a result of this lot merger are not anticipated. Traffic on Shotgun Alley should be decreased, as 207 Shotgun will no longer be an individual, buildable lot that would generate more traffic. Traffic on the easements through the USS 3302/Kramer/Keith Bartow neighborhood should not be impacted either, as no additional dwelling units (or the possibility of a new one) are being created through this lot merger.

**Parking:** Parking requirements will not be changed or impacted by the lot merger. Parking requirements are calculated based on the size and type of developments on the lot.

**Noise:** No increase in noise anticipated, the lot merger should result in less noise than developing 207 Shotgun for a new single-family home would.

**Public Health or Safety:** No concerns.

**Habitat:** No concerns, the lot merger should preserve/conserve more habitat than developing 207 Shotgun for a new single-family home would.

**Property Value or Neighborhood Harmony:** The proposed lot merger should contribute to more neighborhood harmony as it allows Hamberg to receive value for his property, and neighboring properties to benefit from conserved vegetation/buffer/undeveloped area.

**Comprehensive Plan:** While this action decreases available land for housing development (the increase of which is a goal as stated in the comprehensive plan), the development of this land would likely come at the expense of neighborhood harmony and natural setting. Overall, this lot merger does contribute to the goal of maintaining attractive, livable neighborhoods which is also a stated goal/intention in the Comprehensive Plan.

## **RECOMMENDED MOTIONS**

- 1) **“I move to approve the final plat for a lot merger of 207 Shotgun Alley and 2116 Sawmill Creek Road subject to the conditions of approval. The zoning of the lot created through this merger, once recorded, shall be R-1 LDMH (single-family, duplex, or manufactured home low density zoning district). The properties are also known as Lot 4, Cedars Subdivision and Lot 27, USS 3302. The request is filed by Krystina Scheller. The owners of record are Barth Hamberg, Frances Brann, and Krystina Scheller.**

**Conditions of Approval:**

- a. Proof of ownership via a deed will be provided to the Planning Department prior to recording of the plat that ownership of 207 Shotgun Alley (Lot 4, Cedars Subdivision) has transferred ownership to the owners of 2116 Sawmill Creek Road (Lot 27, USS 3302).

- 2) **“I move to adopt the findings as listed in the staff report.”**

Staff recommends the following findings:

- a. The final plat meets its burden of proof as to access, utilities, and dimensions as proposed;
- b. The proposed final plat complies with the Comprehensive Plan by following the subdivision process, and supports attractive, livable, harmonious neighborhoods.
- c. The proposed final plat complies with the subdivision code; and
- d. The 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.