



# City and Borough of Sitka

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*Coast Guard City, USA*

## **Planning and Community Development Department**

### **AGENDA ITEM:**

Case No: P 21-01  
Proposal: Final plat for a minor subdivision  
Applicant: Jill Hirai  
Owner: Jerome and Sarah Mahoskey  
Location: 708 Indian River Road  
Legal: Lot 6, Indian River Land Subdivision  
Zone: R-2 MHP multifamily and mobile home zoning district  
Size: 9,600 square feet  
Parcel ID: 1-8575-006  
Existing Use: Vacant  
Adjacent Use: Residential – single family, multifamily, zero lot line, manufactured homes  
Utilities: Existing  
Access: Indian River Road

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

1. The applicant would like to create two, small lots that do not meet the district minimum lot size and width. The applicant has requested and obtained a platting variance – see VAR 21-01 for more details.
2. Lot is located in a developed subdivision with direct access to a municipal right of way and utility infrastructure.

### **RECOMMENDATION:**

Staff recommends approval of the final plat for a minor subdivision at 708 Indian River Road.

### **ATTACHMENTS:**

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

## **BACKGROUND & PROJECT DESCRIPTION**

The applicant, Jill Hirai, is interested in purchasing the subject property located at 708 Indian River Road in order to build a small home for a family member. The smaller lot subdivision would allow use of the land for more residential development, but minimize the cost that would have to be incurred to build a zero lot line or multifamily home.

The minimum square footage for lots in the R-2 MHP District is 6,000 square feet net of access easements. Were 708 Indian River to be subdivided as proposed by the applicant, the resulting lots 6A and 6B would be 4,800 square feet each. The applicant therefore requested a platting variance to create these substandard lots (see item VAR 21-01). This platting variance request was reviewed and approved by the Commission at their January 20, 2021 meeting.

When this subdivision was originally done in 2008, the Army Corps of Engineers (ACOE) required the drainage/no development easement at the rear of the property to protect mature trees and wetlands in the area. Anyone undertaking development on this lot/resulting lots will need to ensure that work complies with ACOE regulations. While the easement does restrict a substantial portion of the lot/lots from development, it does preserve the required open space as the R-2 MHP district allows only 50% lot coverage.

### **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 R-2 MHP District is 6,000 square feet and 80' minimum lot width. Per the requested platting variance, the lots to be created through this subdivision would not meet the district minimum.

### **ANALYSIS:**

**Site:** Site is largely flattened and cleared (excepting the easement area).

**Utilities:** Utilities are available from Indian River Road.

**Access, Roads, Transportation, and Mobility:** Lots are directly accessed from Indian River Road which is a wide, municipally maintained right of way. 9' side setbacks ensure adequate space for parking which will be confirmed during the building permit process.

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<sup>1</sup> SGC Section 21.04.020

**Public, Health, Safety and Welfare:** The subdivision of this property does not enable any additional density than would otherwise be allowed on the lot given its current platting configuration and zoning. Subdivision creates single-family/duplex development opportunity for two families/buyers in a developed residential/multi-use neighborhood. Staff added a condition of approval to ensure that the plat note regarding the drainage/no development easement and associated ACOE permit for the original subdivision is carried over to this new plat.

**Orderly and Efficient Layout and Development:** Creates development opportunity with similar layout and impact as a zero-lot line or multifamily development. A plat note has been added (and was also included as a condition of approval) that no setback variances will be granted to the lots for future development, so the lots will comply with all other development standards outside of the lot size.

### **COMPREHENSIVE PLAN**

The proposed minor subdivision final plat complies with the Comprehensive Plan by utilizing smaller lot sizes for more housing opportunities.

### **RECOMMENDED MOTION**

**1. I move to approve** the final plat for a minor subdivision to result in two lots at 708 Indian River Road in the R-2 MHP multifamily and mobile home district subject to the attached conditions of approval. The property is also known as Lot 6, Indian River Land Subdivision. The request is filed by Jill Hirai. The owners of record are Jerome and Sarah Mahoskey.

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 any access and utility easements added prior to final plat review shall be developed and 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.
- 6) Fire separation of any structures to be built on the lots after final plat recording will be to the satisfaction of the Building Official.
- 7) The plat shall bear a plat note stating, “No setback variances will be given for future development of these lots.”

- 8) The plat shall bear a plat note referencing the Army Corps of Engineers permit that was recorded along with the original subdivision.

**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 (excepting any standards waived through the platting variance process);
- b. The proposed minor subdivision final plat complies with the Comprehensive Plan by following the subdivision process and enables creative development of residential property;
- c. The proposed 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.