

Agenda

Planning Commission - Regular Meeting City and Borough of Juneau Ben Haight, Vice-Chair

March 8, 2016
Assembly Chambers
7:00 PM

- I. ROLL CALL
- II. APPROVAL OF MINUTES
- III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS
- IV. PLANNING COMMISSION LIAISON REPORT
- V. RECONSIDERATION OF THE FOLLOWING ITEMS
- VI. CONSENT AGENDA
- VII. CONSIDERATION OF ORDINANCES AND RESOLUTIONS
- VIII. UNFINISHED BUSINESS
- IX. REGULAR AGENDA
 - A. AME2015 0016, Text amendment to Title 49 regarding parking requirements for senior housing facilities and assisted living facilities.
 - B. CSP2015 0018, A City Project Review for installation of new bus stops on Yandukin Drive and Davis Avenue
- X. BOARD OF ADJUSTMENT
 - A. VAR2015 0030, A Variance request to the requirement for access on a publicly maintained right-of-way for a proposed minor subdivision. Proposed access is a private easement.
- XI. OTHER BUSINESS
- XII. DIRECTOR'S REPORT
- XIII. REPORT OF REGULAR AND SPECIAL COMMITTEES
 - A. January 4, 2016 Lands and Resources Committee Meeting
 - B. February 2, 2016 Lands and Resources Committee Meeting
 - C. January 4, 2016 Public Works and Facilities Committee Meeting
 - D. February 2, 2016 Public Works and Facilities Committee Meeting
- XIV. PLANNING COMMISSION COMMENTS AND QUESTIONS
- XV. ADJOURNMENT



Community Development

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DATE: February 26, 2016

TO: Planning Commission

FROM: Jill Maclean, Senior Planner
Community Development Department

FILE NO.: AME2015 0016

PROPOSAL: Text amendment to Title 49 regarding parking requirements for senior housing facilities and assisted living facilities.

The City and Borough of Juneau Code states in CBJ 49.10.170(d) that the Commission shall make recommendations to the Assembly on all proposed amendments to this title, zonings and re-zonings, indicating compliance with the provisions of this title and the Comprehensive Plan.

ATTACHMENTS:

- Attachment A: Parking Characteristics
- Attachment B: Parking Generation Senior Housing
- Attachment C: Homerun Variance 2014 0019
- Attachment D: Draft Table of Parking Standards
- Attachment E: Proposed Parking Requirements
- Attachment F: Title 49 Committee Draft Minutes

BACKGROUND

In an effort to update Title 49 in regards specifically to parking requirements, staff reviewed the Table of Minimum Parking Standards (TMP) and the Table of Permissible Uses (TPU), identifying several items in need of updating or revising. These items pertain to classifications that have been removed from the TPU as they are no longer utilized, yet remain in the TMP; or classifications that represent a new use in the TPU, but which are missing from the TMP.

Staff proposes revisions for the need for senior housing and assisted living facility parking requirements. Staff noted that while “assisted living facility” was added to the TPU and Definitions, parking requirements were overlooked. Additionally, staff noted that “senior housing” is not defined, and although it falls under multi-family housing, its parking requirements differ from other multi-family uses, i.e. age-restricted units typically have a lower number of residents in a single unit and therefore less drivers/vehicles per unit.

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DISCUSSION

After conducting research on other communities, staff has determined that senior housing, and assisted living facilities should have parking requirements that more accurately reflect the needs of their use (see Attachments A and B).

Further, staff has reviewed the variance granted to a local affordable senior housing development—Home Run. This project was required to obtain a variance for reduction in parking, and was successful based upon proving their actual parking needs. Home Run (see Attachment C), located on Alpine and Teal Streets, successfully received a variance to reduce the parking from 93 to 62 spaces for a new four-story building with 42 units of affordable senior housing and 8,000 square feet of retail/office space.

Staff has outlined several options for including senior housing and assisted living facilities in the TMP (see Attachments D and E). Additional information is contained in the brief analysis of the parking needs of seniors and individuals in assisted living facilities (Attachment A), which supports staff recommendations for the minimum parking requirements.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The proposed amendments to Title 49 comply with the Comprehensive Plan Chapter 4 Housing Element Policies:

- Policy 4.1 To Facilitate the Provision and Maintenance of Safe, Sanitary and Affordable Housing for CBJ Residents:
 - 4.1—IA7: Facilitate the provision of special needs and adaptive housing and supportive services in residential neighborhoods that are readily accessible to public transit, shopping, public amenities and supportive services.
- Policy 4.2 To Facilitate the Provision of an Adequate Supply of Various Housing Types and Sizes to Accommodate Present and Future Housing Needs for All Economic Groups:
 - 4.2—SOP3 The CBJ government should seek and facilitate new housing production, for all types, at an annual rate that mimics the growth rate of new households in Juneau, in order to maintain adequate choice of residence type, location, and cost.
 - 4.2—SOP4 Explore and develop methods to foster participation by private developers in the creation of affordable and workforce housing.
- Policy 4.6 To Facilitate and Assist in the Development of Affordable Housing:
 - 4.6—DG1 When designing a new affordable dwelling unit, take into consideration life cycle cost savings that consider the first costs of materials and equipment and the recurring operating costs related to home heating, energy consumption and the replacement of building elements such as siding, roofs and windows. Using quality materials and finishes will maximize performance and

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reduce replacement costs. Encourage compact development of multi-dwelling units to make extending utilities, roads and pathways less costly and to maximize the efficient use of buildable land. The location, orientation and design of each unit on the land should maximize daylight and privacy for occupants while facilitating a sense of community among all occupants of the development.

COMPLIANCE WITH THE JUNEAU NON-MOTORIZED TRANSPORTATION PLAN

The proposed amendments to Title 49 comply with the *Juneau Non-Motorized Transportation Plan Chapter 8—Recommended Policies and Implementing Actions, Policy 4 – Private Sector Development*, which states:

- Review design standards in Title 49 to provide opportunities to make subdivision design more context sensitive;
 - o “Roads, sidewalks and related improvements built by the private sector, typically as a part of subdivision design and construction, are subject to the road design standards set in CBJ 49.35 (streets at sections 230-240, sidewalks at section 620, bike paths at section 630) and the CBJ Engineering Standard Details manual. Development standards already allow some consideration of context (e.g. requirements differ if the project is in or out of the urban service area boundary and vary somewhat by zoning density). However, more consideration of neighborhood and roadway context will allow consideration of, for example, hillside and steep slopes, of preexisting sidewalk and path infrastructure, etc. Title 49 standards can be improved so that non-motorized needs are accommodated more effectively.”

COMPLIANCE WITH AREA WIDE TRANSPORTATION PLAN

The proposed amendments to Title 49 comply with the *Area Wide Transportation Plan*, specifically recommendation #5 under Land Use Code Revisions:

- Provide incentives to encourage redevelopment, in-fill development and compact development. Incentives may include reduced permit fees, streamlined review processes, density bonuses, reduced parking and tax adjustments. Review the benefits and detriments of establishing improvement areas, or zoning overlay areas, where specific, articulated requirements and review processes would apply.

COMPLIANCE WITH CBJ LAND USE CODE

The proposed amendment to Title 49 will not create any internal inconsistencies within the Code. The definitions, parking, and TPU requirements have been evaluated for consistency. The proposed change is consistent with Title 49, and brings the TPU and TMP into greater conformance.

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FINDINGS

Based upon the above analysis, staff finds that the proposed text amendment to Title 49 is consistent with the goals and policies in the Comprehensive Plan as well as Title 49. Additionally, this change would not create any internal inconsistencies within adopted Plans or Codes.

TITLE 49 COMMITTEE

The Title 49 Committee met on February 12, 2016 to discuss case AME2015 0016 (see Attachment F - draft minutes). The Committee approved staff recommendations, with minor revisions, which have been addressed in the Staff Recommendation below.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward the following draft text amendments to the Assembly with a recommendation for approval:

- 1) Delete “convalescent home” from the TMP, as it no longer exists as a use in the TPU.
- 2) Add “senior housing” as a term in the Definitions section as, “Dwelling units specifically designed for occupancy by persons of fifty-five (55) years of age or older”.
- 3) Add “senior housing” to the TMP
 - a. Parking requirement is recommended at 0.6 parking spaces per dwelling unit, plus 1 guest parking space for each 10 units, plus 1 parking space per employee.
- 4) Add “assisted living facility” to the TMP, defined in CBJ 49.80.120 as “a facility providing housing and institutional care for people unable to live independently or without assistance. Assisted living includes facilities that provide nursing care services. Assisted living use that occurs within a single family dwelling is regulated as a single family dwelling use”
 - a. Parking requirement is recommended at 0.4 parking spaces per maximum number residents.

SENIOR HOUSING TRIP GENERATION AND PARKING DEMAND CHARACTERISTICS

by

Stephen B. Corcoran, P.E. (M)^a

presented at the
**Institute of Transportation Engineers
66th Annual Meeting**

INTRODUCTION

As the baby boomer generation ages, special housing projects have been developed for them in lieu of the traditional single-family home or apartment. Congregate care facilities, independent living apartments, assisted-care units, and senior apartments are being marketed, developed, and built to handle the needs of older adults.

The changing lifestyle of older adults affects their transportation needs and usage as well. Trip generation and parking demand within this age group vary significantly from traditional residential uses because residents no longer have to be at work, pick up their children, or do their shopping at specific times. Also many senior communities provide on-site services to meet their residents' needs. This paper will present the author's experiences with senior housing and its trip and parking characteristics along with data on projects in suburban Chicago, Illinois and around the United States.

SENIOR HOUSING TYPES

Older adults have many special needs that change over time. Many seniors are clearly independent and need little assistance other than help with major chores or repairs. They are generally active and healthy. As time goes by, however, their needs change and grab bars become important, as well as, other features such as higher electrical outlets, emergency response systems, and lower reach cabinets. Good nutrition, socialization, and access to medical and supportive care also becomes more important. Several distinct types of housing have been developed to accommodate these needs:

Senior Single Family Homes are senior-only subdivisions which have been developed for retirees ages 55 and up in the southeast and southwest sections of the United States. These developments typically include recreational facilities. Many of the residents are retired.

Senior Apartments are traditional apartment complexes with a minimum age requirement of 55 years old. Some amenities include recreational facilities, security, and special design features. Residents are independent and may still be working.

Independent Living Units are cottages or apartments where older adults live independently but without the worries of maintenance or housekeeping. Medical care can be available at the facility or by visiting medical staff. A variety of amenities are provided for the residents depending on the size of the community.

^a Senior Transportation Consultant, Metro Transportation Group, Inc, Hanover Park, Illinois

Assisted-Care Units are for older adults having difficulty managing in an independent living arrangement but who do not need nursing home care. Assisted-care is usually apartment living with additional staff to help with normal daily activities.

Congregate Care Facilities contain a full spectrum of housing types in one development with town homes or cottages, independent living units, assisted-care units, and nursing care. Congregate Care Facilities (CCF) allow the elderly to age in one place with nursing care available if they need it. This is particularly important for elderly couples wishing to stay together with one spouse needing special care. CCFs are in essence self-contained communities. **Table 1** lists the amenities that are typically available at a CCF.

Table 1

Typical Congregate Care Facility On-Site Services and Facilities

Standard Services	Extra Services	Common Facilities
• Main Meal of the Day • 24-Hour Nursing • Daily Check-In • Weekly Laundry • Utilities • Housecleaning • Organized Programs • In Room Food Service • Bus Shuttle • 24-Hour Security • Complete Maintenance • Free Parking • Garbage Collection • Notary Public Service • Supportive Care Nurse • Chaplain	• Breakfast and Lunch • Extended Room Service • Specialized Diets • Guest Meals • Catering • Physician • Podiatrist • Physical/Speech Therapy • Insurance • Chauffeur Service • Garages • Telephone • Cable TV • Photocopying	• Lounge Area • Dining Room • Library • Chapel • Recreation Room • Country Store • Pharmacy • Arts and Crafts Room • Workshop • Cafe • Exercise Room • Beauty/Barber Shop • Bank Branch Office • Solarium • Whirlpool • Outside Patio • Garden Plots

Source: Milwaukee, Wisconsin CCF Brochure

LITERATURE REVIEW

A review was made of available data on senior trip generation and parking demands. Information was obtained from the Institute of Transportation Engineers Trip and Parking Generation Manuals, the author's files, data from other consultants, as well as, information from California, Arizona, and Florida Departments of Transportation. After reviewing the data, it became clear that the amount of data is small and that the definition of senior housing was not consistent among each source. The data did not distinguish between the five categories mentioned previously.

FACTORS AFFECTING TRIP GENERATION AND PARKING

Several factors affect the trip generation and parking demand at any particular facility. These include the number of dwelling units, nursing beds, average age of residents, resident's affluence, number of employees, and available bus shuttle/chauffeur service. More data needs to be collected in order to properly analyze their relationship to trip generation and parking demand. The trip generation rates for individual facilities varied. Insufficient information on all the survey locations made it difficult to statistically draw conclusions on individual impact of those factors.

However, experience has indicated that as the average age of residents increases, the number of trips and parking demand decreases. This is an obvious affect of the aging process. Nursing beds require more staff to service a patient needs than a more independent resident. When the proportion of nursing beds to residential units increases, the amount of traffic and parking generally increase. The economic well being of residents increases the likelihood that they own a car and thus drive and park. Lastly, bus shuttle/chauffeur service will provide an option to the auto for residents keeping traffic and parking rates lower.

DAILY TRAFFIC GENERATION

Information on daily trip ends was obtained from surveys by the California Department of Transportation (Caltrans) and the Florida and Arizona Departments of Transportation. This data generally categorized the facilities as retirement communities but included CCFs, senior apartment complexes, and may have nursing beds. The author's data consisted of one CCF in Pennsylvania. **Table 2** summarizes the trip data and rates. The average trip rate daily varied between 2.78 and 8.91 trips per unit. The variation in rates supports the conclusion that the number of units/beds is not the only variable influencing trip production. The weighted average trip ends were 4.52 trips per unit which included one large development of 3,122 units. Without the 3,122 unit project, the weighted average rate was 5.64 trips per units.

The weighted daily trip generation rate, was 5.64 trip ends a day for senior housing developments. Senior housing generates two-thirds the amount of traffic compared to a typical single-family development. It's closer to other multi-family categories, including apartments (6.47 trips/unit) and condominiums or townhouses (5.86 trips/units). **Table 3** shows the weekly variation in volumes based on one facility. The weekday volumes were consistent. Weekend traffic volumes were slightly lower.

Table 4 illustrates the hourly distribution of traffic throughout an average weekday, Saturday, and Sunday. The peak-hour volumes of the facility occurred at lunch time and mid-afternoon (2:00 to 4:00 PM). Caltrans data indicated that the peak-hour occurred between 11:00 AM and 4:00 PM, depending on the facility. These peak-hour times do not coincide with the peak-hour of adjacent street traffic because the residents do not have or want to travel during the rush hour. Also, the employee shifts are generally off peak. Most facilities are staffed 24 hours a day with a 7:00 AM-3:00 PM, 3:00 PM -11:00 PM, 11:00 PM-7:00 AM shift schedule. Some administrative staff follow a typical 9:00 AM to 5:00 PM shift.

PEAK-HOUR TRIP GENERATION RATES

Table 5 shows the trip generation rates for eight facilities during the morning and evening peak-hour of the adjacent street system. The weighted average trip rate was 0.222 trips per unit/bed in the morning peak and 0.247 trips per unit/bed in the evening peak. Trip rates ranged from 0.085 to 0.450 per unit. The directional splits were 65% inbound and 35% outbound in the morning and 40% inbound and 60% outbound in the evening. Compared to other residential land-uses, senior developments generate significantly less traffic on a per unit basis.

Table 2

Daily Trip Generation Rates for Senior Housing

Source	Number of Dwelling Units	Daily Trips	Trip Rates
Caltrans	3122	9630	3.09
	300	830	2.78
	108	310	2.87
	76	260	3.42
	460	2252	4.90
Florida DOT	366	3262	8.91
	560	1985	3.55
	187	1449	7.75
	120	901	7.51
	127	561	4.42
Arizona DOT	125	972	7.78
	176	855	4.86
	74	447	6.04
	60	285	4.75
	216	1386	6.42
	175	1058	6.05
	129	941	7.30
	112	922	8.23
	106	820	7.74
	89	538	6.05
	81	529	6.53
	60	494	8.23
	59	432	7.30
Penn. CCF	247	1163	4.71
Weighted Average	7135	32282	4.52
Without 3,122 units	4013	22652	5.64
ITE Average Weekday Daily Rates			
Single-Family (Code 210)			9.55
Apartment (Code 220)			6.47
Condo/townhouse (Code 230)			5.86
Congregate Care Facility (Code 251)			2.15

Table 3

Weekly Volume Distribution

Day of the Week	Percentage
Monday	15%
Tuesday	15%
Wednesday	16%
Thursday	17%
Friday	15%
Saturday	12%
Sunday	10%
Total	100%

Table 4

Hourly Traffic Distribution

Start Hour	Average Weekday	Saturday	Sunday
12:00 AM	1.46%	1.45%	2.76%
1:00 AM	0.07%	0.12%	0.26%
2:00 AM	0%	0.00%	0.26%
3:00 AM	0.12%	0.00%	0.00%
4:00 AM	0.46%	0.00%	0.66%
5:00 AM	0.41%	0.60%	0.39%
6:00 AM	1.94%	2.05%	1.71%
7:00 AM	5.74%	5.06%	3.94%
8:00 AM	6.70%	5.06%	4.99%
9:00 AM	6.19%	5.78%	6.17%
10:00 AM	7.20%	9.40%	7.74%
11:00 AM	9.33%	9.04%	8.53%
12:00 PM	7.05%	8.07%	8.01%
1:00 PM	7.44%	6.27%	4.86%
2:00 PM	9.76%	7.59%	8.40%
3:00 PM	9.54%	10.24%	9.84%
4:00 PM	8.39%	9.40%	9.32%
5:00 PM	5.26%	6.14%	6.96%
6:00 PM	3.14%	3.25%	3.54%
7:00 PM	2.90%	2.89%	4.20%
8:00 PM	2.59%	2.05%	2.49%
9:00 PM	1.10%	1.57%	1.31%
10:00 PM	1.24%	1.33%	1.05%
11:00 PM	1.96%	2.65%	2.62%

Table 5

Peak-Hour Trip Generation Rates

Facility	Location	Occupied Units		Total	AM Peak Volume	Rate	PM Peak Volume
		Dwelling Units	Nursing Beds				
Covenant Village	Northbrook, IL	220	151	371	86	.231	133
Friendship Village	Lombard, IL	620	100	720	86	.120	180
Presbyterian Home	Evanston, IL	312	166	478	92	.193	139
Glenview Terrace	Glenview, IL	243		243			21
Good Shephard Manor	Barrington, IL	102		102	18	.180	17
Mayslake	Oakbrook, IL	630		630	67	.106	75
Leisure Village	New Jersey	200		200	65	.325	62
Pennsylvania CCF		210	37	247	78	.316	111
Totals		2537	454	2991	492		738
Weighted Average Trip Rate					.164		.247
Inbound Percentage					65%		40%
Outbound Percentage					35%		60%
<u>Comparison to other ITE Residential Rates</u>							
Single Family Homes (Land Use Code 26)					0.74		1.01
Apartments (Land Use Code 220)					0.51		0.63
Condominiums/Townhouses (Land Use Code 230)					0.44		0.55

PARKING DEMAND SURVEYS

Parking demand characteristics were obtained from a number of surveys conducted in the Chicago metropolitan area. The peak parking demand occurred during the mid-day between 11:00 AM to 3:00 PM corresponding, in part, with the largest employee shift on-site. **Table 6** summarizes those surveys. The peak day of the year is Mother's Day when many facilities run out of visitor parking, according to the on-site staff.

The peak parking demand rates varied between 0.214 and 0.579 vehicles per unit/bed with a weighted average rate of 0.404 vehicles per unit/bed. Employee, resident, and visitor parking is included. This rate is one third to one half the parking rate of other residential uses. Readers should note that the survey sites with the higher parking rates generally have more nursing beds which requires more employees than the residential units.

Table 6

Peak Parking Demand Surveys

Development	Location	Dwelling Units	Nursing Beds	Total Units/Beds	Peak Parking Rate	Peak Parking Demand
Covenant Village	Northbrook, IL	220	151	371	0.490	182
Beacon Hill	Lombard, IL	235	23	258	0.565	146
Friendship Village	Schaumburg, IL	620	100	720	0.390	281
Presbyterian Home	Evanston, IL	312	166	478	0.579	277
Glenview Terrace	Glenview, IL	243		243	0.214	52
Mayslake	Oakbrook, IL	630		630	0.408	257
<u>EJM Engineering Studies</u>						
Lilac Lodge	Waukegan, IL	203		203	0.315	64
Deerfield Place	Deerfield, IL	98		98	0.230	23
<u>ITE Parking Manual, 2nd Ed</u>						
Retirement Community (Land Use Code 250)		500		500	0.270	135
		3061	440	3501		1417
Weighted Average					0.404	
<u>ITE Parking Manual, 2nd Edition</u>						
Low/Mid-Rise Apartments (Land Use Code 221)					1.21	
High-Rise Apartments (Land Use Code 222)					0.88	
Residential Condominium (Land Use Code 230)					1.11	

Conclusions

Based on the analyses and studies for this paper, the following findings were made:

1. The overall category of senior housing should be broken down into at least five categories for trip generation and parking demand purposes. These categories could be:
 - Senior Single-Family Housing
 - Senior Apartments
 - Independent Living Units
 - Assisted-Care Units
 - Congregate Care Facility
2. Several factors affect the trip generation and parking demand at any particular facility. Any new survey should include the number of dwelling units, nursing beds, average age of residents, resident's affluence, number of employees, and available bus shuttle/chauffeur service. More data needs to be collected in order to properly analyze their relationship to trip generation and parking demand.
3. Daily trip generation rates were found to be 4.52 to 5.64 trip ends a day for senior housing developments. Senior housing generates two-thirds the amount of traffic compared to a typical single-family development. It's daily rates are similar to other multi-family categories, including apartments (6.47 trips/unit) and condominiums/townhouses (5.86 trips/units).
4. Trip generation rates during the peak hour of adjacent street traffic are significantly less because most employees arrive/depart during off-peak periods and residents avoid the peak-hour congestion. The peak hour rates are one-half to one-fourth that of other residential land-uses.
5. The peak-hours of site traffic occurs in the late-morning or early afternoon.
6. The peak parking demand at most senior facilities occurred midday with an average peak demand of 0.40 vehicles per dwelling unit for residents, employees, and visitors. Mother's Day is the highest parking day of the year with many facilities short of spaces for that one day.

References

1. Trip Generation Manual, 5th Edition; Institute of Transportation Engineers; January, 1991
2. Parking Generation Manual, 2nd Edition; Institute of Transportation Engineers; August, 1987
3. Parking Requirements for Retirement Centers Requirements and Demands; EJM Engineering; May, 1987
4. 6th Progress Report of Trip Ends Generation Research Counts; California Department of Transportation; 1965-1970
5. Florida Department of Transportation Trip Generation Data
6. Arizona Department of Transportation Trip Generation Data

4th Edition

Parking Generation



Institute of Transportation Engineers

Parking Generation, 4th Edition

An Informational Report of the
Institute of Transportation Engineers

The Institute of Transportation Engineers (ITE) is an international educational and scientific association of transportation professionals who are responsible for meeting mobility and safety needs. ITE facilitates the application of technology and scientific principles to research, planning, functional design, implementation, operation, policy development and management for any mode of ground transportation. Through its products and services, ITE promotes professional development of its members, supports and encourages education, stimulates research, develops public awareness programs and serves as a conduit for the exchange of professional information.

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Land Use: 254 Assisted Living

Description

Assisted living complexes are residential settings that provide either routine general protective oversight or assistance with activities necessary for independent living to mentally or physically limited persons. They commonly have separate living quarters for residents, and services include dining, housekeeping, social and physical activities, medication administration and transportation. Alzheimer's and amyotrophic lateral sclerosis (ALS) care are commonly offered by these facilities, though the living quarters for these patients may be located separately from the other residents. Assisted care commonly bridges the gap between independent living and nursing homes. In some areas of the country, assisted living residences may be called personal care, residential care, or domiciliary care. Staff may be available at an assisted care facility 24 hours a day, but skilled medical care—which is limited in nature—is not required. Continuing care retirement community (Land Use 255) and nursing home (Land Use 620) are related uses.

Database Description

The database consisted of a mix of suburban and urban sites. Parking demand at the urban sites was similar to that of the suburban sites and, therefore, the data were combined and analyzed together.

- Average parking supply ratio: 0.6 spaces per dwelling unit (27 study sites).

The majority of the data were based on the independent variable dwelling units, although some information regarding bedrooms was available. For the sites surveyed, the number of dwelling units was the same as the number of bedrooms and, therefore, the parking demand results were the same.

The following table presents the time-of-day distribution of parking demand for the suburban study sites.

<i>Based on Vehicles per Dwelling Unit</i>	<i>Weekday</i>		<i>Saturday</i>		<i>Sunday</i>	
Hour Beginning	Percent of Peak Period	Number of Data Points*	Percent of Peak Period	Number of Data Points*	Percent of Peak Period	Number of Data Points*
12:00–4:00 a.m.	—	0	—	0	—	0
5:00 a.m.	—	0	—	0	—	0
6:00 a.m.	—	0	—	0	—	0
7:00 a.m.	65	6	—	0	—	0
8:00 a.m.	78	6	—	0	—	0
9:00 a.m.	81	10	87	3	—	0
10:00 a.m.	87	10	100	3	—	0
11:00 a.m.	100	10	81	8	86	10
12:00 p.m.	95	10	82	8	90	10
1:00 p.m.	97	10	78	8	99	10
2:00 p.m.	92	10	61	8	100	10
3:00 p.m.	86	10	53	8	89	10
4:00 p.m.	81	10	54	8	89	8
5:00 p.m.	87	6	48	8	79	8
6:00 p.m.	77	6	43	8	64	8
7:00 p.m.	55	1	—	0	—	0
8:00 p.m.	—	0	—	0	—	0
9:00 p.m.	—	0	—	0	—	0

* Subset of database

Land Use: 254 Assisted Living

Future parking surveys should include the building area, number of dwelling units, occupied dwelling units, bedrooms, beds and employees.

Study Sites/Years

Park Ridge, IL (1988); Arlington County, VA (1989); Petaluma, CA (1998); San Rafael, CA (1998); Fanwood, NJ (2001); Mountainside, NJ (2001); Westfield, NJ (2001); East Northport, NY (2002); Glen Cove, NY (2002); Huntington, NY (2002); Plainview, NY (2002); Westbury, NY (2002); Encinitas, CA (2007); San Diego, CA (2007); Santa Barbara, CA (2007); Cherry Hill, NJ (2008); Mt. Laurel, NJ (2008); Woodbury, NJ (2008); Memphis, TN (2008); Germantown, TN (2008); Haverford Township, PA (2009); Lower Merion Township, PA (2009); Middletown Township, PA (2009); Newtown Township, PA (2009); West Whiteland Township, PA (2009)

4th Edition Source Numbers

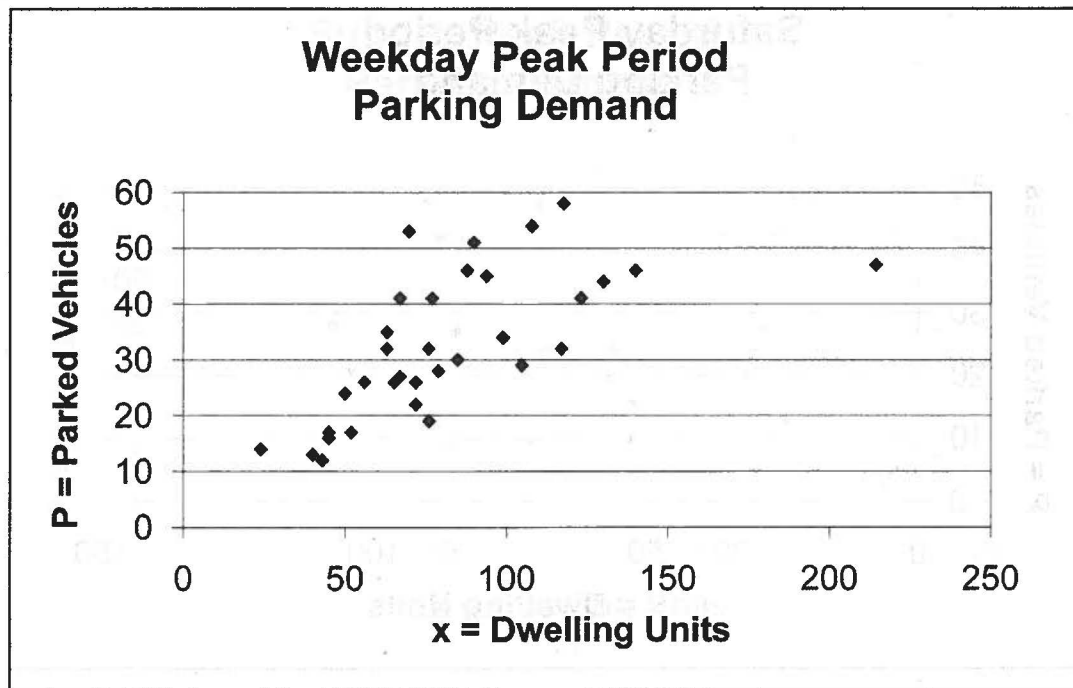
1015, 1100, 1122, 1139, 1151

Source Number	Study Site	Year	Building Area (sq ft)	Number of Units	Occupied Units	Bedrooms	Beds	Employees
1015	Park Ridge, IL	1988	100,000	100	100	100	100	100
1100	Arlington County, VA	1989	100,000	100	100	100	100	100
1122	Petaluma, CA	1998	100,000	100	100	100	100	100
1139	San Rafael, CA	1998	100,000	100	100	100	100	100
1151	Fanwood, NJ	2001	100,000	100	100	100	100	100
1152	Mountainside, NJ	2001	100,000	100	100	100	100	100
1153	Westfield, NJ	2001	100,000	100	100	100	100	100
1154	East Northport, NY	2002	100,000	100	100	100	100	100
1155	Glen Cove, NY	2002	100,000	100	100	100	100	100
1156	Huntington, NY	2002	100,000	100	100	100	100	100
1157	Plainview, NY	2002	100,000	100	100	100	100	100
1158	Westbury, NY	2002	100,000	100	100	100	100	100
1159	Encinitas, CA	2007	100,000	100	100	100	100	100
1160	San Diego, CA	2007	100,000	100	100	100	100	100
1161	Santa Barbara, CA	2007	100,000	100	100	100	100	100
1162	Cherry Hill, NJ	2008	100,000	100	100	100	100	100
1163	Mt. Laurel, NJ	2008	100,000	100	100	100	100	100
1164	Woodbury, NJ	2008	100,000	100	100	100	100	100
1165	Memphis, TN	2008	100,000	100	100	100	100	100
1166	Germantown, TN	2008	100,000	100	100	100	100	100
1167	Haverford Township, PA	2009	100,000	100	100	100	100	100
1168	Lower Merion Township, PA	2009	100,000	100	100	100	100	100
1169	Middletown Township, PA	2009	100,000	100	100	100	100	100
1170	Newtown Township, PA	2009	100,000	100	100	100	100	100
1171	West Whiteland Township, PA	2009	100,000	100	100	100	100	100

Land Use: 254 Assisted Living

Average Peak Period Parking Demand vs. Dwelling Units On a Weekday

Statistic	Peak Period Demand
Peak Period	9:00 a.m.–3:00 p.m.
Number of Study Sites	33
Average Size of Study Sites	82 dwelling units
Average Peak Period Parking Demand	0.41 vehicles per dwelling unit
Standard Deviation	0.12
Coefficient of Variation	29%
95% Confidence Interval	0.37–0.46 vehicles per dwelling unit
Range	0.22–0.76 vehicles per dwelling unit
85th Percentile	0.54 vehicles per dwelling unit
33rd Percentile	0.34 vehicles per dwelling unit

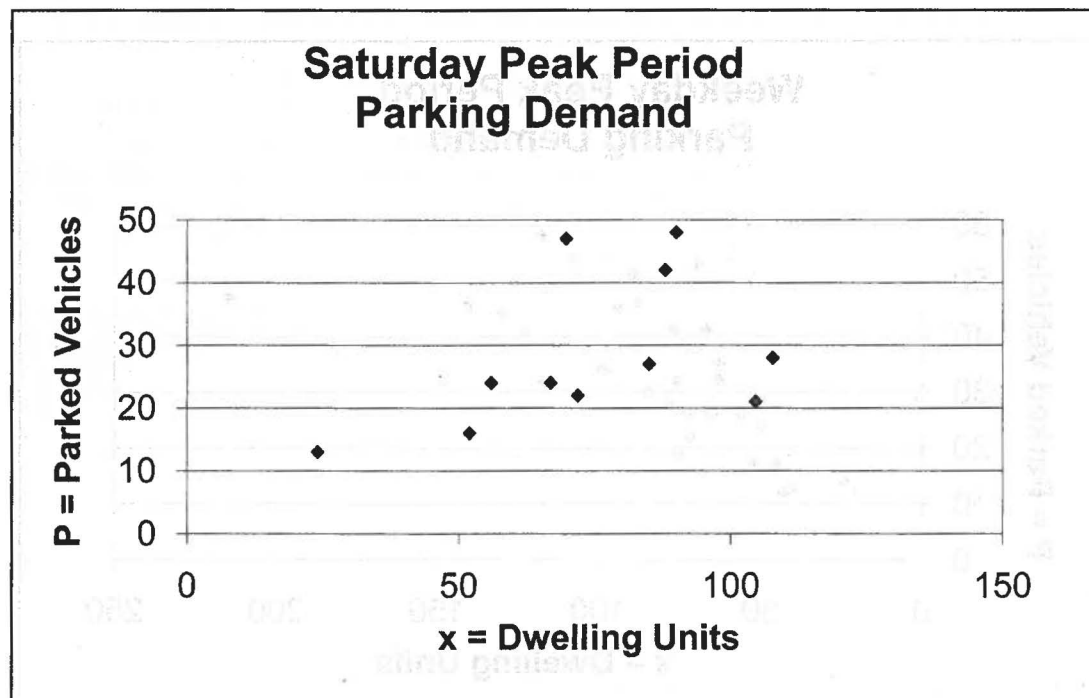


♦ Actual Data Points

Land Use: 254 Assisted Living

Average Peak Period Parking Demand vs. Dwelling Units On a: Saturday

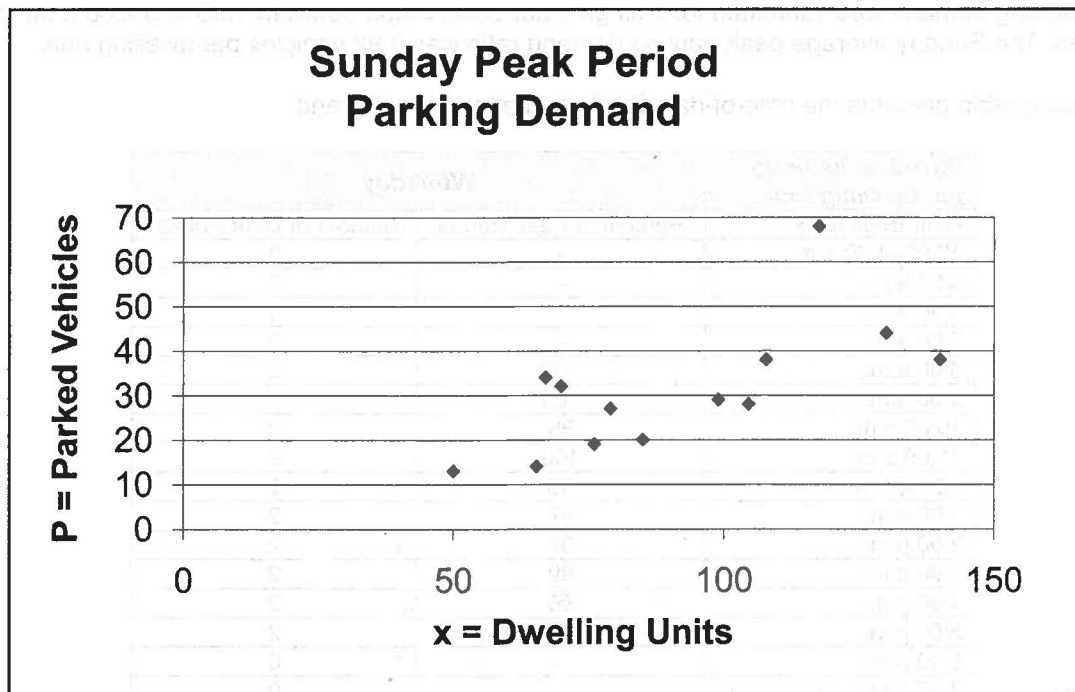
Statistic	Peak Period Demand
Peak Period	9:00–10:00 a.m.
Number of Study Sites	11
Average Size of Study Sites	74 dwelling units
Average Peak Period Parking Demand	0.40 vehicles per dwelling unit
Standard Deviation	0.14
Coefficient of Variation	36%
Range	0.20–0.67 vehicles per dwelling unit
85th Percentile	0.31 vehicles per dwelling unit
33rd Percentile	0.54 vehicles per dwelling unit



Land Use: 254 Assisted Living

Average Peak Period Parking Demand vs. Dwelling Units On a: Sunday

Statistic	Peak Period Demand
Peak Period	11:00 a.m.–5:00 p.m.
Number of Study Sites	13
Average Size of Study Sites	92 dwelling units
Average Peak Period Parking Demand	0.34 vehicles per dwelling unit
Standard Deviation	0.11
Coefficient of Variation	34%
Range	0.21–0.58 vehicles per dwelling unit
85th Percentile	0.47 vehicles per dwelling unit
33rd Percentile	0.27 vehicles per dwelling unit



♦ Actual Data Points

MEMORANDUM

CITY/BOROUGH OF JUNEAU
155 South Seward Street, Juneau, Alaska 99801

DATE: September 11, 2014

TO: Board of Adjustment

FROM: Beth McKibben, Planner *BMC*
Community Development Department

FILE NO: VAR2014 0019

PROPOSAL: A Variance request to reduce the parking from 93 to 62 spaces for a new four-story building with 42 units of affordable senior housing and 8,000 square feet of retail/office space.

GENERAL INFORMATION

Applicant: GMD Development, LLC & St. Vincent de Paul Society

Property Owner: St. Vincent de Paul Society Diocesan Counsel of SE Alaska, Inc.

Property Address: Corner of Alpine and Teal Street

Legal Description: Valley Centre, Block H, Lots 4, 5 Fraction, 6A, 7A, 8A, 9A, 10A, and 11A

Parcel Code Number: 5-B15-0-106-003-0; 5-B15-0-106-004-0; 5-B15-0-106-005-0
5-B15-0-106-006-0; 5-B15-0-106-007-0; 5-B15-0-106-008-0
5-B15-0-106-009-0

Site Size: 59,846 Square Feet

Comprehensive Plan Future Land Use Designation: Commercial, (C) Map G

Zoning: GC

Utilities: City water & sewer

Access: Teal Street & Alpine Avenue

Existing Land Use: Vacant

Surrounding Land Use:

North	- (GC) Glacier Seafoods Value Added Processing
South	- (I) Vacant, Jordan Creek, Yandukin Dr., Airport
East	- (GC) Alpine Ave, St. Vincent de Paul multifamily housing, retail, office
West	- (I) Vacant, Jordan Creek, Yandukin Dr., Airport

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[Date}
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VICINITY MAP



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PROJECT DESCRIPTION

The applicant is requesting a parking variance for the reduction of required parking spaces from 93 spaces to 62 spaces for the development of a new building which will 42 units of affordable senior housing and 8,000 square feet of retail/office space. Staff notes there was a rounding error in the application materials for the retail/office space calculations. A revised public notice was mailed to adjacent property owners with the correct number.

The site is located on the corner of Teal Street and Alpine Avenue. This variance proposal is in conjunction with the Conditional Use application, USE2014 0013.

The project consists of one four story building 43,620 square foot building. The first floor of the building will have 8,000 square feet of retail space which includes office space to support the retail operation and the management of housing, 140 square feet of laundry space, 1,041 square feet of common room area, and 551 square feet of utility space. The second floor will have ten one bedroom units, two of which will be ADA accessible, and four two bedroom units. The third floor will have one studio unit, eight one bedroom units, and four two bedroom units. The fourth floor will have one studio unit, eight one bedroom units, and four two bedroom units. The total area of the building will be 43,620 square feet, with 11,880 square feet on the first floor, 11,600 square feet on the second floor, 10,070 on the third floor, and 10,070 on the fourth floor.

The residential units will be restricted by deed as affordable housing for a minimum of 30 years. They will be made available to low income seniors who earn less than 60% of area median income. The retail space and associated office space will house the St. Vincent de Paul Thrift store which currently is located in the existing St. Vincent de Paul facility on Alpine Avenue.

Staff notes the conditional use proposed cannot be approved as presented unless VAR2014 0019 is approved.

BACKGROUND

In 2005 the St. Vincent de Paul thrift store and non-profit facility received approval by the Planning Commission with USE2005-00026 for this site. They also received a variance to the parking requirements with VAR2005-00052. Those permits expired. The applicant reapplied in 2007 with the same proposal and received approval with USE2007-0010 and VAR2007-0010. These permits have also expired.

They also received a wetland fill permit in 2005 (WET2005-00001). That permit also expired. Since 2005 the CBJ no longer issues wetland fill permits. The applicant has been working with the US Army Corps of Engineers who has since determined the site is not wetlands and no fill permit is required. A copy of this letter is found as Attachment A to staff report USE2014 0013.

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ANALYSIS

Using CBJ49.40.210, Table (a), Minimum Space and Dimensional Standards for Parking, a total of 93 parking spaces are required (see table below). CBJ 49.40.200(2) requires that when two or more uses take place on the same lot the required parking is the sum of the requirements for each use.

	Per Table (a)	Required
Parking Calculations		
Retail/office	1 per 300 square feet of gross floor area	27
Studio apartment	1.5 per unit	3
1 bedroom apartment	1.5 per unit	42
2 bedroom	1.75 per unit	21
Total Parking		93

The applicant is able to provide 62 parking spaces on site four of which will be van accessible, and one loading space. Four van accessible spaces are the number required by the full 93 parking spaces.

Variance Requirements

Under CBJ 49.20.250 where hardship and practical difficulties result from an extraordinary situation or unique physical feature affecting only a specific parcel of property or structures lawfully existing thereon and render it difficult to carry out the provisions of Title 49, the Board of Adjustment may grant a Variance in harmony with the general purpose and intent of Title 49. A Variance may vary any requirement or regulation of Title 49 concerning dimensional and other design standards, but not those concerning the use of land or structures, housing density, lot coverage, or those establishing construction standards. A Variance may be granted after the prescribed hearing and after the Board of Adjustment has determined:

- That the relaxation applied for or a lesser relaxation specified by the Board of Adjustment would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.***

The relaxation requested, for the reduction of required parking spaces, would give substantial relief to the owner of the property involved. The cost of land and the cost of constructing parking spaces is very high. The applicant has stated reducing the footprint of the building will make development of the building economically unviable. The existing St. Vincent de Paul facility on Alpine Avenue received a reduction in the required parking in 1993. Also in 1993 Fireweed Place, a senior affordable multi-family housing development on Willoughby Avenue received a variance to reduce

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the required on-site parking. Therefore granting the variance to parking is consistent to justice to other property owners.

Yes. Staff finds that criterion 1 is met.

2. *That relief can be granted in such a fashion that the intent of this title will be observed and the public safety and welfare be preserved.*

The intent of Title 49 is to ensure that growth and development is in accord with the values of Juneau residents; to identify and secure the beneficial impacts of growth while minimizing negative impacts; to ensure that future growth is of appropriate type, design, and location; to provide adequate open space for light and air; and to recognize the economic value of land and encourage its proper and beneficial use. The requested variance bases the parking requirement on the nature of the use, rather than requiring a parking requirement rate that applies to more general retail uses. This variance meets the purpose and intent of the Land Use Code, specifically 49.05.100(6), to *recognize the economic value of land and encourage its proper and beneficial use*.

Chapter 8 of the 2013 Comprehensive Plan addresses Transportation. Implementing Action 8.5.1A6 lists a variety of actions all aimed towards reducing the demand for “land consuming parking spaces”.

No evidence has been presented indicating that the requested variance will have a negative impact on public safety and welfare.

Yes. Staff finds that criterion 1 is met.

3. *That the authorization of the Variance will not injure nearby property.*

No evidence has been presented showing the granting of the Variance will injure nearby property. A primary function of minimum parking standards is to prevent overflow parking from impacting adjacent property owners. The applicant has provided information that indicates the average parking demand for seniors is less than what CBJ requires. Additionally, other communities provide reduced parking requirements for senior housing based on the reduced demand. This housing will be restricted to low income seniors, who may have an even further reduced need for on-site parking.

Yes. Staff finds that criterion 1 is met.

4. *That the Variance does not authorize uses not allowed in the district involved.*

The proposed use is appropriate according to the Table of Permissible Uses. The proposed uses are listed at CBJ 49.25.300, Section 1.300 and 2.200 for the General Commercial zoning district.

Yes. Staff finds that criterion 1 is met.

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5. That compliance with the existing standards would:

(A) Unreasonably prevent the owner from using the property for a permissible principal use;

The proposed building, a mixed use facility with 42 units of senior housing and 8,000 square feet of retail/office space, is a permitted use in the GC district. The applicant is seeking a Conditional Use permit for the building. The applicant could build a smaller facility that would have a smaller parking demand.

No. Staff finds that sub-criterion 5(A) is not met.

(B) Unreasonably prevent the owner from using the property in a manner which is consistent as to scale, amenities, appearance or features, with existing development in the neighborhood of the subject property;

The subject property is one of the largest sites in the neighborhood; undue restraints apply to this property due to its location along Jordan Creek (50' setback required). It has been typical of properties in the area that variances for parking reductions and off-site parking have been requested and approved.

Yes. Staff finds that sub-criterion 5(B) is met.

(C) Be unnecessarily burdensome because unique physical features of the property render compliance with the standards unreasonably expensive;

The property is subject to setbacks from Jordan Creek. The site plan proposes to develop the site to further protect Jordan Creek by providing green space between the building and the creek. Jordan Creek is identified as an impaired water body. Protecting the creek requires the building to be located away from the creek and leaves less space available for parking. The only choice of the applicant is to construct a parking garage or purchase additional off-site property. Both are very expensive.

Yes. Staff finds that sub-criterion 5(C) is met.

OR

(D) Because of preexisting nonconforming conditions on the subject parcel the grant of the Variance would not result in a net decrease in overall compliance with the Land Use Code, CBJ Title 49, or the building code, CBJ Title 19, or both.

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There are no non-conforming conditions associated with this site.

N/A

Criteria B and C are met, therefore Criterion 5 is met.

6. *That a grant of the Variance would result in more benefits than detriments to the neighborhood.*

The granting of this Variance will allow the project to be constructed as proposed, bringing development with a mixture of housing and retail/office uses to area. In granting this Variance, it will allow for the development of 42 units of low income senior housing, which is a well-documented need in Juneau. Furthermore, it would allow for the expansion of the St. Vincent de Paul thrift store, which helps to fund other non-profit organizations, as well as provides jobs and training for the community. Reduced parking allows for more green space, providing a more vegetated buffer between the parking lot and Jordan Creek, and reducing the impervious cover of the lot, both of which protect the creek from parking lot runoff. This development conforms to the existing uses of the neighborhood.

Yes. Staff finds that criterion 6 is met.

FINDINGS

1. *Is the application for the requested Variance complete?*

Yes. Staff finds the application contains the information necessary to conduct full review of the proposed operations. The application submittal by the applicant, including the appropriate fees, substantially conforms to the requirements of CBJ Chapter 49.15.

Per CBJ §49.70.900 (b)(3), General Provisions, the Director makes the following Juneau Coastal Management Program consistency determination:

2. *Will the proposed development comply with the Juneau Coastal Management Programs?*

N/A. The JCMP does not apply to the development.

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3. *Does the variance as requested, meet the criteria of Section 49.20.250, Grounds for Variances?*

Yes. Based on the analysis above, staff has determined that the applicant has presented an argument that justifies the grounds for this Variance.

Criterion 1, 2, 3, 4, 5 and 6 are met.

RECOMMENDATION

Staff recommends that the Board of Adjustment adopt the Director's analysis and findings and approve the requested Variance, VAR2014 0019. The Variance permit would allow for the reduction in required parking spaces from 93 to 62 for 42 units of low income senior housing and 8,000 square feet of retail/office space.

DEVELOPMENT PERMIT APPLICATION

Project Number	CITY and BOROUGH of JUNEAU	Date Received: 8/8/14
Project Name (City Staff to Assign Name)		

INFORMATION	Project Description Proposed 40 unit residential senior units and 8,000 SF		
	PROPERTY LOCATION		
	Street Address Corner of Alpine and Teal Streets	City/Zip Juneau / 99801	
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) see attached		
	Assessor's Parcel Number(s) see attached 581501060030 - 90		
	LANDOWNER/ LESSEE		
	Property Owner's Name St Vincent de Paul Society Diocesan Council of SE Alaska Inc.	Contact Person: Dan Austin	Work Phone: 907-789-5535
	Mailing Address 8617 Teal St, Juneau AK 99801	Home Phone:	Fax Number:
	E-mail Address st.vincentdepaul.juneau@gei.net	Other Contact Phone Number(s): (907) 321-5222 mobile	
	PROJECT / APPLICANT	LANDOWNER/ LESSEE CONSENT ***Required for Planning Permits, not needed on Building/ Engineering Permits***	
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.			
X			7/29/14
		Landowner/Lessee Signature	Date
X			
		Landowner/Lessee Signature	Date
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.			
APPLICANT If the same as OWNER, write "SAME" and sign and date at X below			
Applicant's Name GMD Development LLC & St Vincent de Paul Society		Contact Person: Emily Breidenbach	Work Phone: 206-745-3698
Mailing Address 1601 Second Ave, Suite 1080		Home Phone:	Fax Number:
E-mail Address emily@gmddev.net	Other Contact Phone Number(s): (260) 399-7526 mobile		
X		7/29/14	
	Applicant's Signature	Date of Application	

-----OFFICE USE ONLY BELOW THIS LINE-----					
STAFF APPROVALS	☒	Permit Type	**SIGN	Date Received	Application Number(s)
		Building/Grading Permit			
		City/State Project Review and City Land Action			
		Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)			
		Mining Case (Small, Large, Rural, Extraction, Exploration)			
		Sign Approval (If more than one, fill in all applicable permit #'s)			
		Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)			
		Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)			
	X	Variance Case (De Minimis and all other Variance case types)		8/8/14	var 14-019
		Wetlands Permits			
	Zone Change Application				
	Other (Describe)				
***Public Notice Sign Form filled out and in the file.					
Comments:				Permit Intake Initials	

NOTE: DEVELOPMENT PERMIT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATIONS

VARIANCE APPLICATION

Project Number	Project Name (15 characters)	Case Number <i>Var 14-019</i>	Date Received <i>8/8/14</i>																				
TYPE OF VARIANCE REQUESTED: ☐ Variance to the Sign Standard (VSG) ☐ Variance to Habitat Setbacks (VHB) ☐ Variance to Setback Requirements (VSB) ☐ Variance to Dimensional Standards (VDS) ☒ Variance to Parking Requirements (VPK)																							
DESCRIPTION OF ACTIVITY WHICH REQUIRES A VARIANCE: <i>See attached</i>																							
Previous Variance Applications? ☐ YES ☒ NO Date of Filing: _____ Previous Case Number(s): _____ Was the Variance Granted? ☐ YES ☐ NO																							
UNIQUE CHARACTERISTICS OF LAND OR BUILDING(S): <i>See attached</i>																							
UTILITIES AVAILABLE: WATER: ☒ Public ☒ On Site <i>street</i> SEWER: ☒ Public ☒ On Site <i>street</i>																							
WHY WOULD A VARIANCE BE NEEDED FOR THIS PROPERTY REGARDLESS OF THE OWNER? <i>See attached</i>																							
WHAT HARDSHIP WOULD RESULT IF THE VARIANCE WERE NOT GRANTED? <i>See attached</i>																							
For more information regarding the permitting process and the submittals required for a complete application, please see the reverse side. If you need any assistance filling out this form, please contact the Permit Center at 586-0770.	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">VARIANCE FEES</th> <th style="text-align: center;">Fees</th> <th style="text-align: center;">Check No.</th> <th style="text-align: center;">Receipt</th> <th style="text-align: center;">Date</th> </tr> </thead> <tbody> <tr> <td>Application Fees</td> <td style="text-align: center;">\$ <i>400</i></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Adjustment</td> <td style="text-align: center;">\$ _____</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Total Fee</td> <td style="text-align: center;">\$ <i>400</i></td> <td style="text-align: center;"><i>05387</i></td> <td style="text-align: center;"><i>6/15/586</i></td> <td style="text-align: center;"><i>8/8/14</i></td> </tr> </tbody> </table>			VARIANCE FEES	Fees	Check No.	Receipt	Date	Application Fees	\$ <i>400</i>				Adjustment	\$ _____				Total Fee	\$ <i>400</i>	<i>05387</i>	<i>6/15/586</i>	<i>8/8/14</i>
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Total Fee	\$ <i>400</i>	<i>05387</i>	<i>6/15/586</i>	<i>8/8/14</i>																			

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

VARIANCE APPLICATION INFORMATION

For:

Home Run

An affordable housing development located at the SE corner of Teal Street and Alpine Avenue

Description of the activity which requires a variance:

Proposed development of 42 affordable, senior housing units and 8,000 square feet of commercial retail space in a single building on 1.37 acres. Upon completion of the proposed development, the property will be deed restricted as affordable housing for a minimum of 30 years. The residential units, which will occupy the top three floors of the building, will be a mix of studio, one and two bedroom units, available to low income seniors who earn less than 60% of area median income. The ground floor retail space will house a thrift store operated by St Vincent de Paul which is currently located across Alpine Street.

The proposed development requires 92 parking spaces per CBJ Title 49. The applicant is requesting a parking variance that will allow for the development of 62 spaces.

CBJ parking standards for this property are higher than that of the downtown Juneau and Douglas core. However, based on experience with other similar senior housing projects, the applicant expects a much lower parking demand.

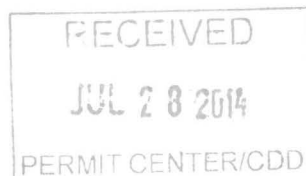
In 2007 Stephen Corcoran of the Institute of Transportation Planners published a document called Senior Housing Trip Generation and Parking Demand Characteristics. It concluded that the average parking demand for seniors was 0.404 spaces per unit as opposed to the 1.21 required for a standard low rise multi-family complex. The population studied was in suburban Illinois. Though the specific relief varies, as populations around the country age, many municipalities are adopting lower parking requirements for senior housing developments. The State of Pennsylvania, for example, recommends 0.4 spaces per resident, while Pasadena and Los Angeles require 0.5 spaces per resident. Other jurisdictions provide a defined percentage reduction for senior housing.

The 2012 Juneau Housing Needs Assessment estimates that between 2010 and 2030 the number of households aged 60+ in Juneau will almost double, from 4,532 to 8,769. At their February 2014 Housing Forum, CBJ noted the need for senior independent living facilities. The 42 units provided by this proposed development will only just begin to address that demand. It is the housing that is in short supply, not the parking.

Unique characteristics of land or building:

The property is uniquely situated between commercial, multi-family residential, and protected open space. Due to the nature of its location at the intersection of three different land uses, the proposed mixed-use development is an appropriate transition. The residential units have been pulled up above the street level offering views of Jordon Creek, while the ground-floor retail space is compatible with adjacent commercial uses across Teal Street.

Unlike so many of the undeveloped land parcels in Juneau encumbered by slopes, wetlands, and other cost-prohibitive development challenges, this property is flat rendering it ideal for immediate development. Furthermore the parcel is well located to nearby goods and services as well as public transit.



Why would this variance be needed for this property regardless of the owner?

In an effort to maximize the property's development potential, a parking variance is the primary tool available when considering appropriate density for a mixed-use development. The CBJ comprehensive plan policy promotes compact development within and adjacent to existing urban areas to insure efficient utilization of land resources and facilitate economic provision of urban facilities and services. That policy directly supports a higher density development which is only attainable through the granting of a parking variance.

What hardship would result if the variance were not granted?

Not granting the variance represents a missed opportunity for the City of Juneau to address the demand for much needed affordable, senior housing by supporting a proposed development appropriate to the context.

In addition, the current St Vincent de Paul thrift store has outgrown its current facility. The subject property was purchased by St Vincent de Paul in 2007 with the primary goal of constructing a new thrift store that will allow it to meet the needs of the community. In addition to providing a symbiotic relationship, the co-development of the commercial and affordable, senior units creates the economic feasibility for St. Vincent de Paul to recognize its goals in relocating the thrift store. If the parking variance is not granted, and the number of residential units are reduced to meet the parking requirements, the economic feasibility for the thrift store development is eliminated. In order to accommodate both residential and commercial parking on-site per code, 30 parking spots would need to be eliminated. That represents 20 one-bedroom units. If those units were eliminated, St Vincent de Paul could not develop the site at this time, continuing to strain current operations, and leaving the parcel undeveloped.

For twenty years the commercial success of the Thrift Store has supported the housing and charitable activities of the St. Vincent de Paul Society. The store and housing are inextricably linked. Income from the retail operations has successfully funded the family homeless shelter and the permanent affordable housing projects of the St. Vincent de Paul Society.

VARIANCE APPROVAL CRITERIA

1. **The relaxation applied for or a lesser relaxation specified by the board of adjustment would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners;**

The primary justification for granting the parking variance is that evidence has shown low income seniors are less likely to own a car and drive than the general population. An allowable use permit was granted for the development of Fireweed Place, a senior affordable multi-family property on Willoughby Avenue, in 1993 with a parking variance that provided 52 spaces for the 67-unit property. 42 of those spaces are dedicated for resident use, and 10 remain for visitors. Justification provided to reduce the parking standards was Applicant provided data that similar developments located elsewhere, as well as senior citizen facilities in Juneau similarly require less parking.

Based on the Staff Report, it appears the required parking at that time was 77 spaces. Presuming that is accurate, a 32% relief was grants. Home Run, by comparison, is asking for a 33% parking total relief. A reduction for the subject property would be consistent with the relief granted to Fireweed Place, and others.



See attached letter from Fireweed Place, noting that reduced parking has been sufficient for the needs of the residents.

2. Relief can be granted in such a fashion that the intent of this title will be observed and the public safety and welfare preserved;

The intent of this title is both observed and supported by the parking reduction requested. Purpose 1 of Title 49 is “to achieve the goals and objectives, implement the policies, of the Juneau comprehensive plan, and coastal management plan;”. There are many policies within the Comprehensive Plan that support a dense, mixed-use development of this site with commercial and affordable housing.

Policy 5.1 of the Comprehensive Plan reads “It is the policy of the City and Borough of Juneau to encourage and facilitate provision of a variety of housing opportunities in sufficient quantities and at affordable prices, to meet the housing needs of its residents. Provision of an adequate supply of housing for low and moderate income families is a top priority.” The 42 units of affordable housing proposed for this site directly reflect meeting that priority. They will be deed restricted for a minimum of 30 years, so the use will benefit Juneau for many years to come.

Purpose 6 of Title 49 is “to recognize the economic value of land and encourage its proper and beneficial use”. The subject property is a flat piece of property, close to goods, services and transit. Juneau has increasingly few of these parcels; the relief granted in the parking variance will allow the applicant to leverage the development of the parcel, maximizing the long-term benefit to Juneau by providing additional needed, affordable senior housing units.

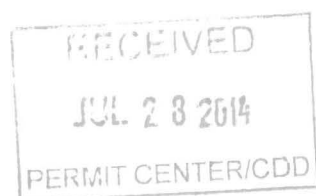
The relief granted by this parking variance enhances public safety and welfare by providing affordable senior apartments, and providing additional opportunities for job training and employment at an enlarged Thrift Store, expanding the St. Vincent de Paul mission. Further, while it is not anticipated that the demand for parking would create a need for off-site parking, Applicant anticipates working with CBJ on street improvements along Alpine and Teal Streets that would improve pedestrian safety and formalize street parking and accessibility.

3. The authorization of the variance will not injure nearby property;

There are two primary nearby property owners, with the balance of the site bounded by public land.

To the east are the Smith Hall apartments in one building, and the St Vincent de Paul homeless shelter and Thrift Store in another. The St Vincent de Paul purchase of the subject property across the street was a strategic move to improve and expand the services provided in its current location. The granting of the variance would support the goal for the strategic vision, providing a better commercial location for the Thrift Store and the development additional housing units on the subject property.

The property to the north is part of the Mendenhall Auto Mall, and is home to Stanley Ford. The “front” of these properties abuts Alpine and Mallard Streets, the “back” of these properties face the subject property across Teal Street. The “back” of the Stanley Ford property is primarily used



as a parking lot and informal storage, both paved and unpaved. The additional development enabled by the parking variance will not injure these lots or uses.

The property to the west and south is city-owned Jordon Creek. This is a creek/wetland that will not be developed. Development on the subject property will not injure or interfere with Jordon Creek in any way. Applicant has mapped the required stream buffer, and has included additional setback.

4. The variance does not authorize uses not allowed in this district;

The variance request is for parking and does not facilitate the development of any uses not allowable by the current land use designation.

5. Compliance with the existing standards would:

a. Unreasonably prevent the owner from using the property for permissible principle use.

The commercial and residential uses proposed for the site are both permissible uses, however, there are limited funding opportunities for its development. Without the variance, St. Vincent de Paul will be unable to leverage the development potential of the site through the additional residential units which ultimately provides a path for development of the Thrift Store.

b. Unreasonably prevent the owner from using the property in a manner which is consistent as to scale, amenities, appearance or features, with existing development in the neighborhood of the subject property;

Compliance with the existing standards would unreasonable prevent the Applicant from using the property in a manner which is consistent to the scale of the neighborhood, because as CBJ staff noted in a 2007 Variance Request Report for this site, it has been typical of properties in the area to request variances for parking reductions and off-site parking due to the proximity to Jordon Creek and wetlands.

c. Be unnecessarily burdensome because unique physical features of the property render compliance with standards unreasonable expensive; or

Compliance with the existing standards would be unnecessarily burdensome because the subject property backs up to Jordon Creek and it's protected green space. In trying to maintain a setback from Jordon Creek and minimize development impact on that green space, Applicant is left with less land for parking. Building a parking garage or purchasing additional land for off-site parking is cost prohibitive and unnecessarily burdensome.

d. Because preexisting nonconforming conditions on the subject parcel, the grant of the variance would not result in a net decrease in the overall compliance with the land use code, title 49, or the building code, title 19 or both; and

n/a, see (c)

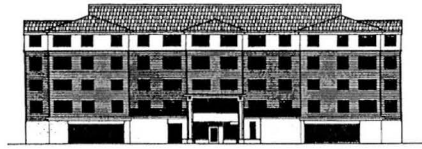
6. A grant of the variance would result in more benefits to the neighborhood.

The addition of these housing units and commercial space are a benefit to the neighborhood. The resident and retail shoppers will support the demand for public services already in the



neighborhood, such as transit. An approved variance would bring needed affordable housing for seniors plus increased capacity for the Thrift Store to provide added jobs, training and services to the community. An approved variance would add vibrancy and economic activity to the neighborhood a more attractive alternative than undeveloped land.





Fireweed Place

Tlingit-Haida Regional Housing Authority
"Housing Designed by Seniors for Seniors"
415 Willoughby Avenue Juneau, Alaska 99801
(907) 586-5000 • Fax (907) 586-5001

July 23, 2014

To Whom It May Concern:

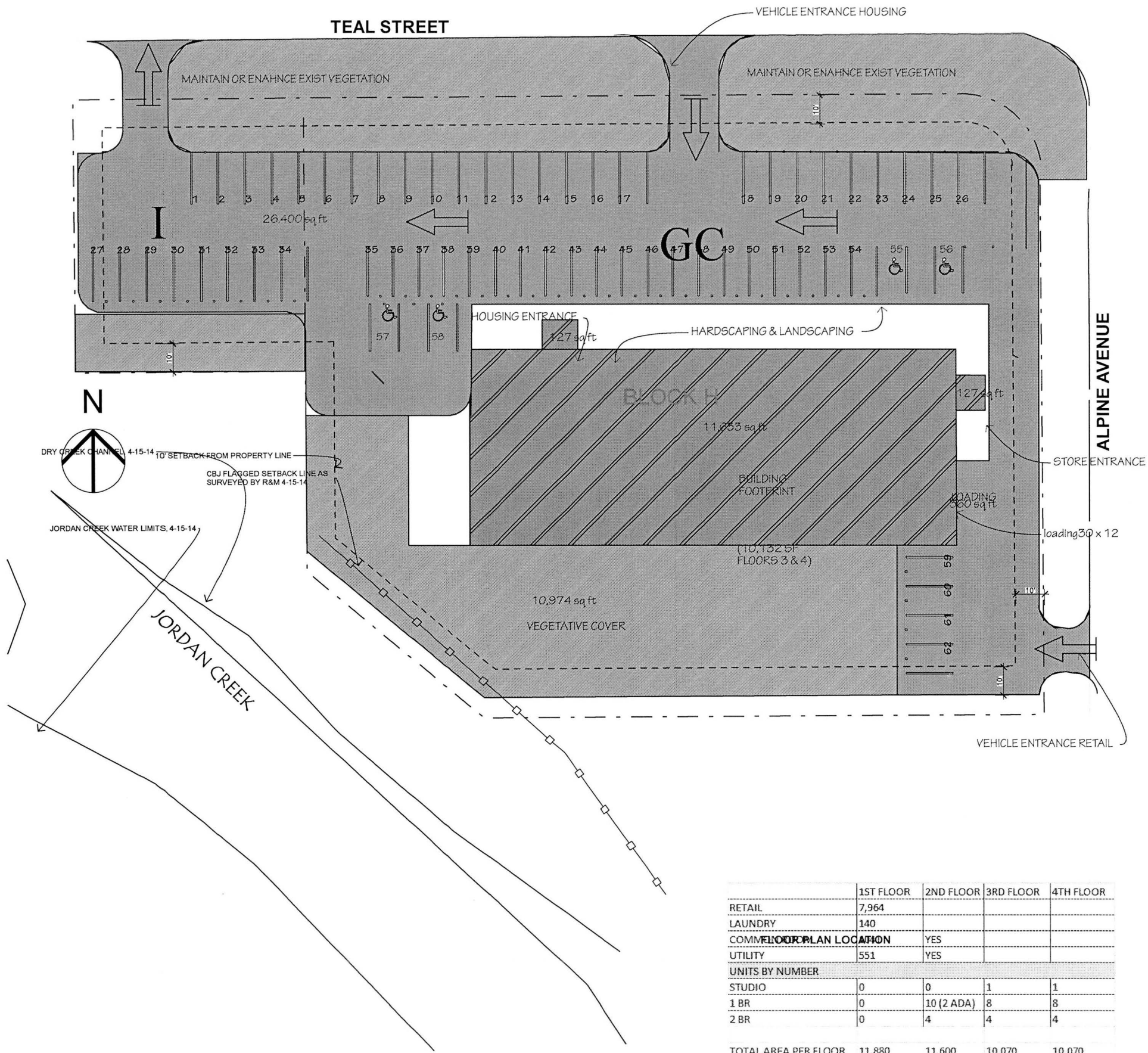
Fireweed Place, located at 415 Willoughby Avenue, Juneau, Alaska was built in 1994 and 1995. It opened for occupancy in August of 1995. It is a Senior Housing Apartment Complex for Seniors 60 years of age or older.

Fireweed Place has 67 apartments and has parking available for 40 vehicles plus an additional 9 parking spaces for visitor parking. The 40 tenant parking spaces are individually assigned to those living full time at Fireweed Place. These 40 parking spaces have in the past 19 years of occupancy been more than adequate to meet the parking requirements of our tenants.

Sincerely,
Fireweed Place

Lorilyn E. Swanson, Manager





	1ST FLOOR	2ND FLOOR	3RD FLOOR	4TH FLOOR
RETAIL	7,964			
LAUNDRY	140			
COMMERCIAL		YES		
UTILITY	551	YES		
UNITS BY NUMBER				
STUDIO	0	0	1	1
1 BR	0	10 (2 ADA)	8	8
2 BR	0	4	4	4
TOTAL AREA PER FLOOR	11,880	11,600	10,070	10,070
TOTAL AREA	43,620			

INDUSTRIAL | 7,600 sq ft / 0.17 acres
GENERAL COMMERCIAL | 52,219 sq ft / 1.2 acr
TOTAL 59,819 SF

ZONING

49.25.300 TABLE OF PERMISSABLE USES
GC 1.300 Multifamily Dwellings, allowed with notes 1, 3

[If minor development, note 1 applies, if major, note 3]

Note 1: Department approval requires department of community development approval only.

Note 3: Conditional use permit requires planning commission approval.

49.25.400 TABLE OF DIMENSIONAL STANDARDS

Height:
GC 55'
I Unlimited

Maximum lot coverage permissible/ conditional use:
GC None

Front Setback
GC 10'

Side Setback
GC 10'

Rear Setback
GC 10'
I

49.25.500 DENSITY
GC 50 units per acre

49.40.210 PARKING SPACES REQ'D/OFF-STREET LOADING

(a) - Multifamily units parking spaces required in geographic area Juneau or Douglas:

1.5 per one bedroom
1.75 per two bedroom
2.25 per three or four bedrooms

- Retail commercial:

1 per 300 square feet of gross floor area

(c) - Each off-street loading space shall be not less than 30'x12', shall have an unobstructed height of 14'-6" and be permanently available for loading.

PARKING	
TOTAL REQUIRED - 92 PARKING STALLS PER TITLE 49	
TOTAL PROPOSED - 62 PARKING SPACES	
REQ'D PARKING PER PROPOSAL OF 39 DWELLING UNITS	
(2) STUDIO X 1.5	3 PKG
(28) 1 BEDROOM X 1.5	42 PKG
(12) 2 BEDROOM X 1.75	21 PKG
SUBTTOTAL	= 66 PARKING STALLS PER TITLE 49
REQ'D PARKING PER PROPOSAL 8,000 SF RETAIL SPACE	
1 PER 300 GRS FLOOR AREA	26 PKG
SUBTOTAL	= 26 PARKING STALLS PER TITLE 49

49.40.300 TRAFFIC IMPACT

(a), (2) - A development projected to generate fewer than 250 average daily trips (ADT) shall not be required to have a traffic impact analysis (TIA).

49.50.300 MINIMUM VEGETATIVE COVER

GC 10% 5,982 SF

49.70.310 HABITAT

(a), (4) - Development restricted within 50' of the bank of streams....
(b), (1) - No disturbance within 25' of bank of stream....



IF THE ABOVE DIMENSION DOES NOT MEASURE ONE INCH (1") EXACTLY, THIS DRAWING WILL HAVE BEEN ENLARGED OR REDUCED, AFFECTING ALL LABELED SCALES.

Home Run Complex St. Vincent de Paul

*NWA 1405
#Site City, #Site State

SHEET TITLE:
SITE PLAN 4
STORY

DATE** DATE OF ISSUE **

REVISION:

CHECKED BY:

DRAWN:

SHEET #

G05

PLOT DATE: 7/22/2014

ATTACHMENT D

- 49.40.210 - Minimum space and dimensional standards for parking and off-street loading.

(a) *Table of minimum parking standards.* The minimum number of off-street parking spaces required shall be as set forth in the following table. The number of spaces shall be calculated to the nearest whole number:

Use	Spaces Required
Single-family and duplex	2 per each dwelling unit
Multifamily units	Geographic area Juneau or Douglas
	1.0 per one bedroom
	1.5 per two bedrooms
	2.0 per three or four bedrooms
	All other geographic areas
	1.5 per one bedroom
	1.75 per two bedrooms
	2.25 per three or four bedrooms
Rooming houses, boardinghouses, single-room occupancies with shared facilities, bed and breakfasts, halfway houses, and group homes	Geographic area Juneau or Douglas
	1 per 2 bedrooms
	All other geographic areas
	1 per bedroom
Single-room occupancies with private facilities	1 per each single-room occupancy plus 1 additional per each increment of four single-room occupancies with private facilities
Accessory apartments	1
Motels	1 per each unit in the motel
Hotels	1 per each four units
Hospitals, nursing, and convalescent homes	2 per bed or one per 400 square feet of gross floor area

Comment [JM1]: Delete Convalescent Home – previously removed from TPU

ATTACHMENT D

- 49.40.210 - Minimum space and dimensional standards for parking and off-street loading.**

(a) *Table of minimum parking standards.* The minimum number of off-street parking spaces required shall be as set forth in the following table. The number of spaces shall be calculated to the nearest whole number:

<u>Senior Housing</u>	
<u>Assisted Living Facility</u>	
Theaters	1 for each four seats
Churches, auditoriums, and similar enclosed places of assembly	1 for each four seats in the auditorium
Bowling alleys	3 per alley
Banks and offices	1 per 300 square feet of gross floor area
Medical or dental clinics	1 per 200 square feet of gross floor area
Mortuaries	1 per six seats based on maximum seating capacity in main auditorium
Warehouses, storage, and wholesale businesses	1 per 1,000 square feet of gross floor area
Restaurants and alcoholic beverage dispensaries	1 per 200 square feet of gross floor area
Swimming pools serving general public	1 per four persons based on pool capacity
Retail commercial	1 per 300 square feet of gross floor area
Shopping centers and malls	1 per 300 square feet of gross leasable floor area
Convenience stores	1 per 250 square feet of gross floor areas or as provided at 49.65.540(b)
Pleasure craft moorages	1 per three moorage stalls
Manufacturing uses; research, testing and processing, assembling, all industries	1 per 1,000 square feet gross floor area except that office space shall provide parking as required for offices
Libraries and museums	1 per 600 square feet gross floor area
Schools, elementary	2 per classroom
Middle school or junior high	1.5 per classroom

ATTACHMENT D

- **49.40.210 - Minimum space and dimensional standards for parking and off-street loading.**

(a) *Table of minimum parking standards.* The minimum number of off-street parking spaces required shall be as set forth in the following table. The number of spaces shall be calculated to the nearest whole number:

High school	A minimum of 15 spaces per school; where auditorium or general assembly area is available, one per four seats; one additional space per classroom
College, main campus	1 per 500 square feet of gross floor area of an enclosed area, or, where auditorium or general assembly area is available, one per four seats, whichever is greater
College, satellite facilities	1 per 300 square feet of gross floor area of an enclosed area, or, where auditorium or general assembly area is available, one per four seats, whichever is greater
Repair/service station	5 spaces per bay. For facilities with two or more bays, up to 60% of the required parking spaces may be in a stacked parking configuration
Post office	1 per 200 square feet gross floor area

ATTACHMENT E

SENIOR HOUSING & ASSISTED LIVING PROJECTS:

- 0.4 parking spaces for each dwelling unit (Arlington, Mass., pop. 42, 389)
- 0.5 spaces per unit (Kearney, Nebr., pop. 27, 431; St. Charles, Ill., pop. 27, 896)
- 0.6 of a parking space for each unit (Fairfield, Conn., pop. 57,340)
- 1 space per 1,000 square feet of gross floor area (Spartanburg, S.C., pop. 39, 673)
- 1 space per dwelling unit (Mesa, Ariz., pop. 396, 375)
- 1 per each dwelling unit, plus 1 per every 3 employees (Royal Oak, Mich., pop. 60, 062)
- 1 for each 3 beds (Ewing Township, N.J., pop. 57,564)
- 1 per 2 units, plus 1 per each employee @ peak time (Issaquah, WA, pop. 30,434)

ASSISTED LIVING FACILITIES:

- 0.3 per resident (Pennsylvania residential living standards)
- 1 per 4 bedrooms, plus 1 per each 2 employees (Auburn, WA pop. 74,860)
- 1 space for each 2 units, plus 1 per each employee @ max. shift (Issaquah, WA, pop. 30,434)

TITLE 49 COMMITTEE

PLANNING COMMISSION, CITY AND BOROUGH OF JUNEAU

FEBRUARY 12, 2016 MEETING, 11:30 AM – 12:30 PM

COMMUNITY DEVELOPMENT DEPARTMENT (CDD) CONFERENCE ROOM

DRAFT MEETING MINUTES



Committee Members Present:

Michael LeVine (Acting Chair), Bill Peters, Nathaniel Dye

Committee Members Absent:

Paul Voelckers

Staff Present:

Jill Maclean, Senior Planner, Community Development Department (CDD)

Laura Boyce, Senior Planner, Community Development Department (CDD)

Public:

Sean Boily, NorthWind Architects

Susan Douglas, SSSI

Evelyn Rousso, NorthWind Architects

Emily Breidenbach, GMD Development

Approval of Minutes

- No minutes were approved.

Reading of Agenda

- The agenda was a single item regarding case AME2015 0016 text amendment to Title 49 regarding parking requirements for senior housing facilities and assisted living facilities.

Agenda Topic – AME2015 0016 Text Amendment

- Jill Maclean, Senior Planner, Community Development Department, presented an over-view of the proposed amendments to Title 49. Ms. Maclean stated that in an effort to update Title 49 in regards specifically to parking requirements, staff reviewed the Table of Minimum Parking Standards (TMP) and the Table of Permissible Uses (TPU), identifying several items in need of updating or revising. These items pertain to classifications that have been removed from the TPU as they are no longer utilized, yet remain in the TMP; or classifications that represent a new use in the TPU, but which are missing from the TMP.
- Ms. Maclean stated that the proposed revision is to address the need for senior housing and assisted living facility parking requirements. Staff noted that while “assisted living facility” was added to the TPU and Definitions, parking requirements were overlooked. Additionally, staff noted that “senior housing” is not defined, and although it falls under multi-family housing, its parking requirements differ from other multi-family uses, i.e. age-restricted units typically have a lower number of residents in a single unit and therefore less drivers/vehicles per unit.
- Based on research which may be found in the staff report, Ms. Maclean stated that staff proposes the following revisions:
 1. Deleting “nursing, convalescent home” from the TMP, as it no longer exists as a use in the TPU;
 2. Adding “senior housing” as a term in the Definitions section as, “Dwelling units specifically designed for occupancy by persons of fifty-five (55) years of age or older”.
 3. Adding “senior housing” to the TMP;

- Parking requirement is recommended as 0.6 space per dwelling unit, plus 1 guest parking for each 10 units, plus 1 space per employee.
- 4. Adding “assisted living facility” to the TMP, defined in CBJ 49.80.120 as “a facility providing housing and institutional care for people unable to live independently or without assistance. Assisted living includes facilities that provide nursing care services. Assisted living use that occurs within a single family dwelling is regulated as a single family dwelling use”;
 - Parking requirement is recommended as 0.4 per resident (accommodate visitor and employee parking).
- Commissioner Peters noted that under recommendation #1, the word “nursing” should be deleted as it is remaining in the TPU and TMP.
- Mr. Boily stated that he would prefer the assisted living parking requirement be based upon square footage rather than by residents or beds. The Committee discussed this item, and determined that the parking requirement for assisted living facilities should be 0.4 spaces per maximum number of residents.
- The Committee took up each recommendation separately and made the following recommendations:
 1. Delete “convalescent home” from the TMP, as it no longer exists as a use in the TPU;
 2. Add “senior housing” as a term in the Definitions section as, “Dwelling units specifically designed for occupancy by persons of fifty-five (55) years of age or older”.
 3. Add “senior housing” to the TMP;
 - Parking requirement is recommended at 0.6 parking spaces per dwelling unit, plus 1 guest parking space for each 10 units, plus 1 parking space per employee.
 4. Add “assisted living facility” to the TMP, defined in CBJ 49.80.120 as “a facility providing housing and institutional care for people unable to live independently or without assistance. Assisted living includes facilities that provide nursing care services. Assisted living use that occurs within a single family dwelling is regulated as a single family dwelling use”;
 - Parking requirement is recommended at 0.4 parking spaces per maximum number residents.

Meeting adjourned at 12:30 PM



**PLANNING COMMISSION
NOTICE OF RECOMMENDATION**

Date: March 11, 2016

File No.: AME2015 0016

City and Borough of Juneau
City and Borough Assembly
155 South Seward Street
Juneau, AK 99801

Application For: Planning Commission Recommendation to the City and Borough Assembly regarding text amendment to Title 49 regarding parking requirements for senior housing facilities and assisted living facilities.

Legal Description: Borough-wide

Hearing Date: March 8, 2016

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated February 26, 2016, and recommended that the City and Borough Assembly adopt staff's recommendation for a text amendment to Title 49 regarding parking requirements for senior housing facilities and assisted living facilities.

Attachments: February 26, 2016 memorandum from Jill Maclean, Community Development, to the CBJ Planning Commission regarding AME2015 0016.

This Notice of Recommendation constitutes a recommendation of the CBJ Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of CBJ §0150.020 (b).

Project Planner: *Jill Maclean*
Jill Maclean, Planner
Community Development Department

Benjamin Haight
Benjamin Haight, Chair
Planning Commission

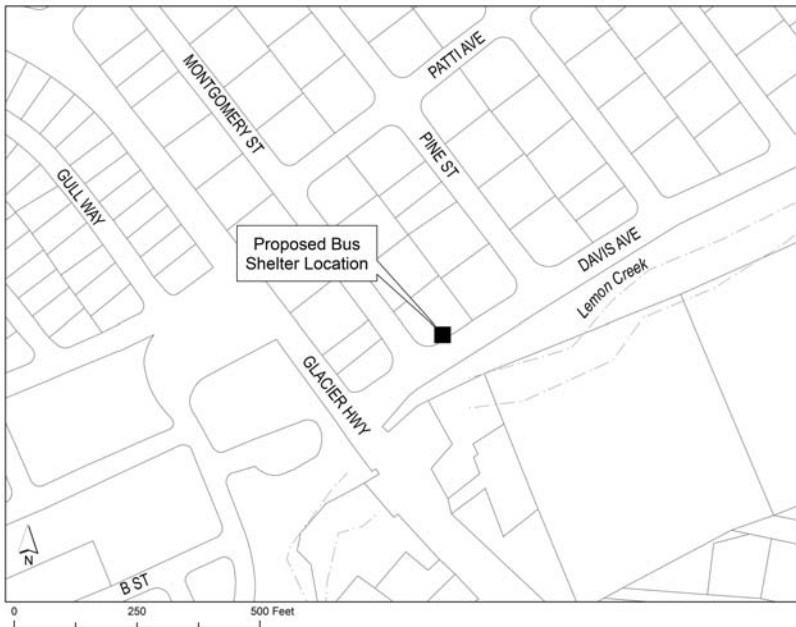
E. J. [Signature] 3/11/2016
Filed With City Clerk Date

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this recommended text amendment. ADA regulations have access requirements above and beyond CBJ - adopted regulations. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.



NOTICE OF PUBLIC HEARING



City & Borough of Juneau
Community Development Department
155 S Seward Street • Juneau, Alaska 99801

SHIP TO:



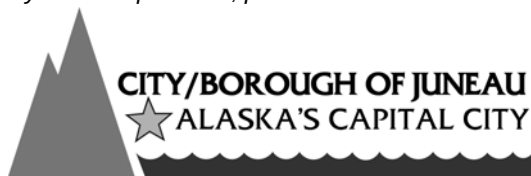
PROPOSAL: A City Project Review for installation of new bus stops on Yandukin Drive and Davis Avenue.

File No:	CSP2015 0018	Applicant:	CBJ Engineering Department
To:	Adjacent Property Owners	Property PCN:	N/A
Hearing Date:	February 9, 2016	Owner:	City and Borough of Juneau
Hearing Time:	7:00 PM	Size:	N/A
Place:	Assembly Chambers	Zoned:	D- 5
	Municipal Building	Site Address:	Davis Avenue at Montgomery Street
	155 South Seward Street	Accessed Via:	Davis Avenue
	Juneau, Alaska 99801		

PROPERTY OWNERS PLEASE NOTE:

You are invited to attend this Public Hearing and present oral testimony. The Planning Commission will also consider written testimony. You are encouraged to submit written material to the Community Development Department 14 days prior to the Public Hearing. Materials received by this deadline are included in the information packet given to the Planning Commission a week before the Public Hearing. Written material received after the deadline will be provided to the Planning Commission at the Public Hearing.

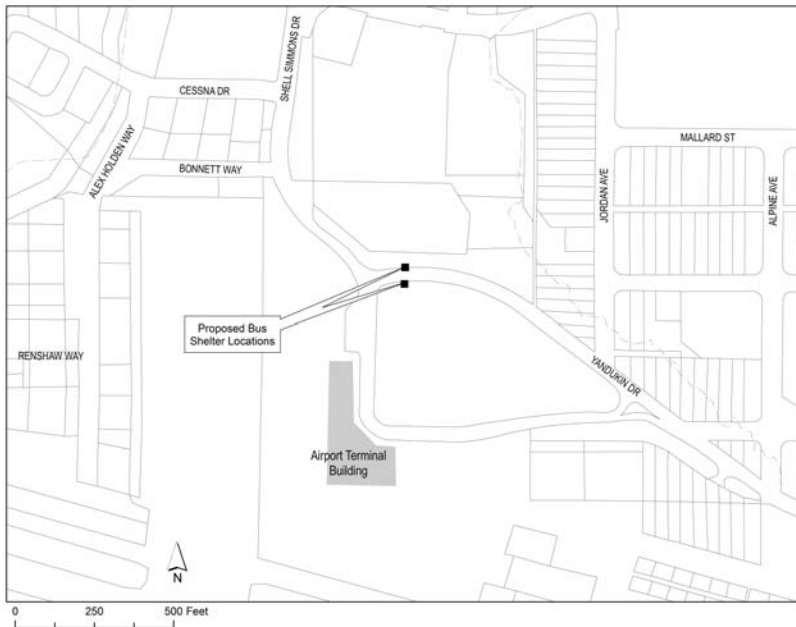
If you have questions, please contact Jonathan Lange at Jonathan.Lange@juneau.org or 586-0218.



Planning Commission Agendas, Staff Reports and Meeting Results can be viewed at <http://www.juneau.org/assembly/novus.php>



NOTICE OF PUBLIC HEARING



City & Borough of Juneau
Community Development Department
155 S Seward Street • Juneau, Alaska 99801

SHIP TO:



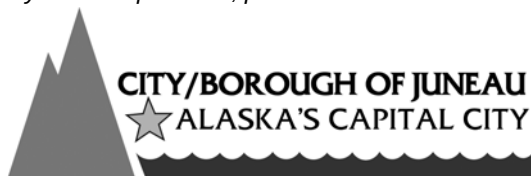
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Hearing Time:	7:00 PM	Size:	N/A
Place:	Assembly Chambers Municipal Building 155 South Seward Street Juneau, Alaska 99801	Zoned:	I - Industrial
		Site Address:	Yandukin Dr. at Shell Simmons Dr.
		Accessed Via:	Yandukin Dr.

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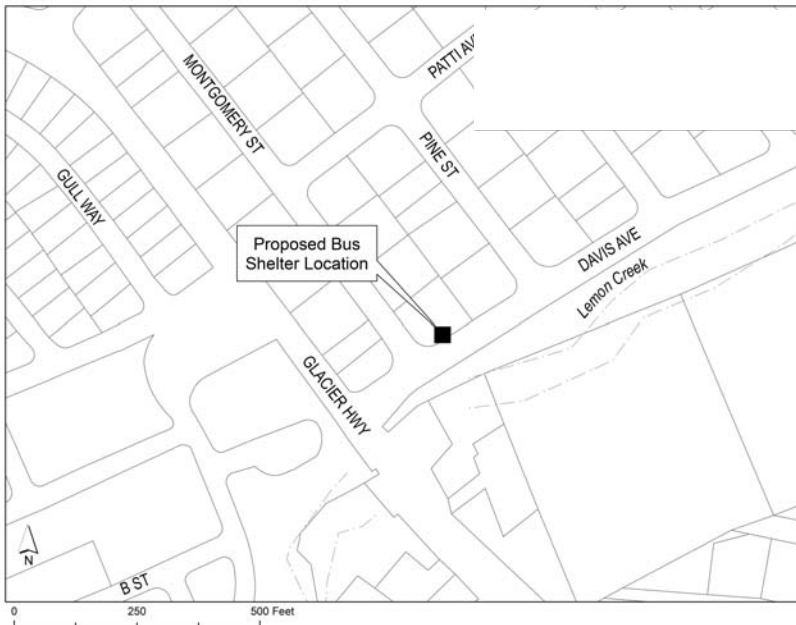
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City & Borough of Juneau
Community Development Department
155 S Seward Street • Juneau, Alaska 99801

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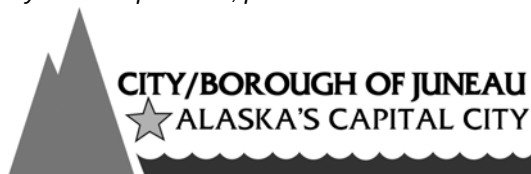
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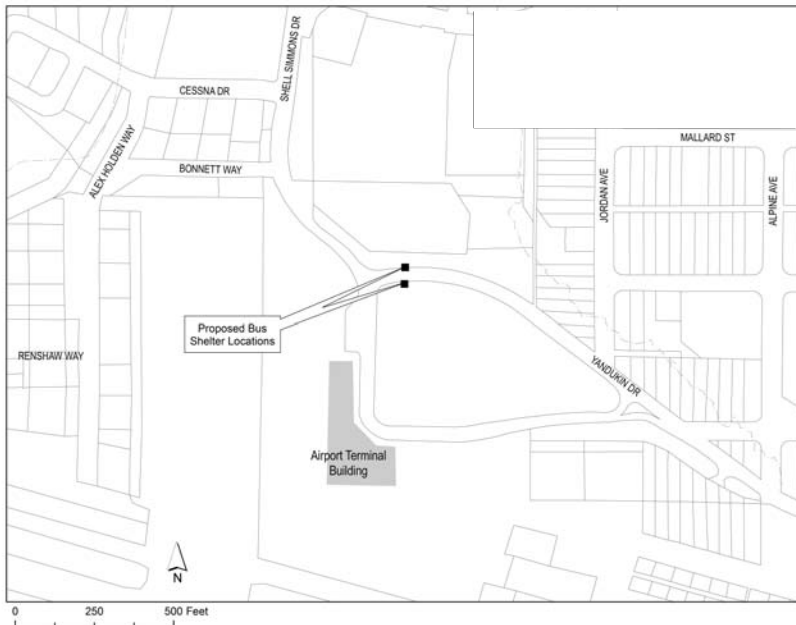
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Community Development Department
155 S Seward Street • Juneau, Alaska 99801

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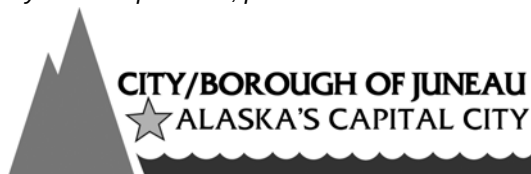
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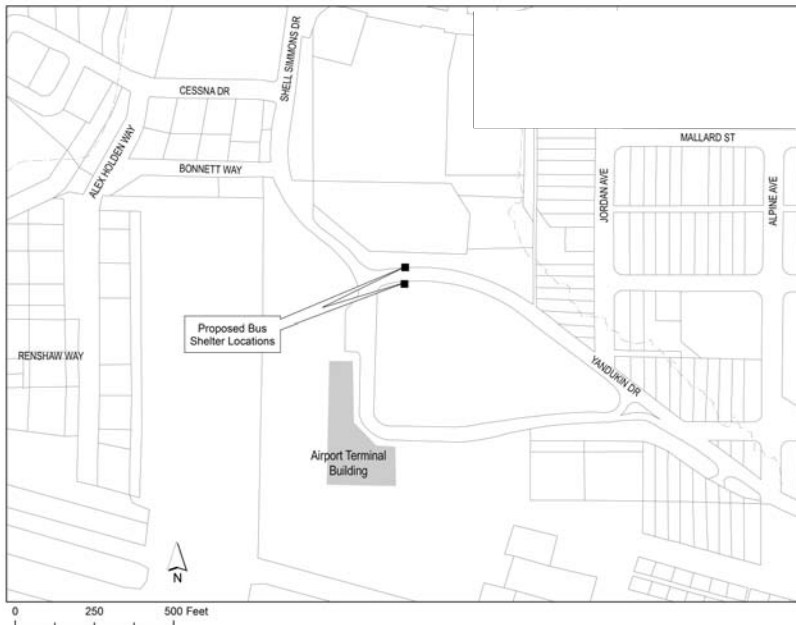
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Community Development Department
155 S Seward Street • Juneau, Alaska 99801

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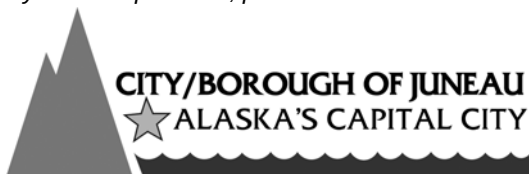
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		Accessed Via:	Yandukin Dr.

PROPERTY OWNERS PLEASE NOTE:

You are invited to attend this Public Hearing and present oral testimony. The Planning Commission will also consider written testimony. You are encouraged to submit written material to the Community Development Department 14 days prior to the Public Hearing. Materials received by this deadline are included in the information packet given to the Planning Commission a week before the Public Hearing. Written material received after the deadline will be provided to the Planning Commission at the Public Hearing.

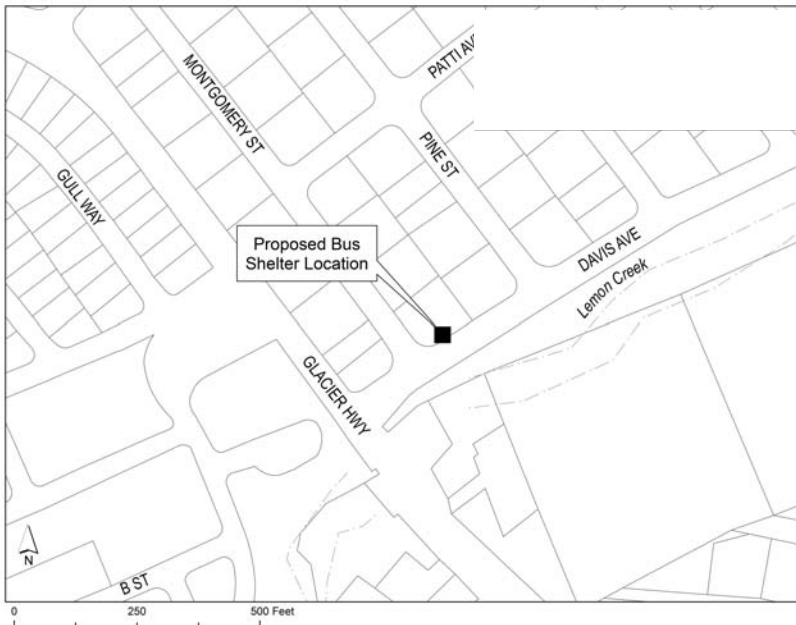
If you have questions, please contact Jonathan Lange at Jonathan.Lange@juneau.org or 586-0218.



Planning Commission Agendas, Staff Reports and Meeting Results can be viewed at
<http://www.juneau.org/assembly/novus.php>



NOTICE OF PUBLIC HEARING



City & Borough of Juneau
Community Development Department
155 S Seward Street • Juneau, Alaska 99801

SHIP TO:



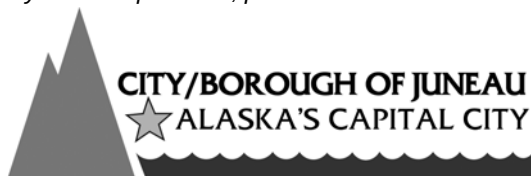
PROPOSAL: A City Project Review for installation of new bus stops on Yandukin Drive and Davis Avenue.

File No:	CSP2015 0018	Applicant:	CBJ Engineering Department
To:	Adjacent Property Owners	Property PCN:	N/A
Hearing Date:	February 23, 2016	Owner:	City and Borough of Juneau
Hearing Time:	**7:00 PM**	Size:	N/A
Place:	Assembly Chambers	Zoned:	D- 5
	Municipal Building	Site Address:	Davis Avenue at Montgomery Street
	155 South Seward Street	Accessed Via:	Davis Avenue
	Juneau, Alaska 99801		

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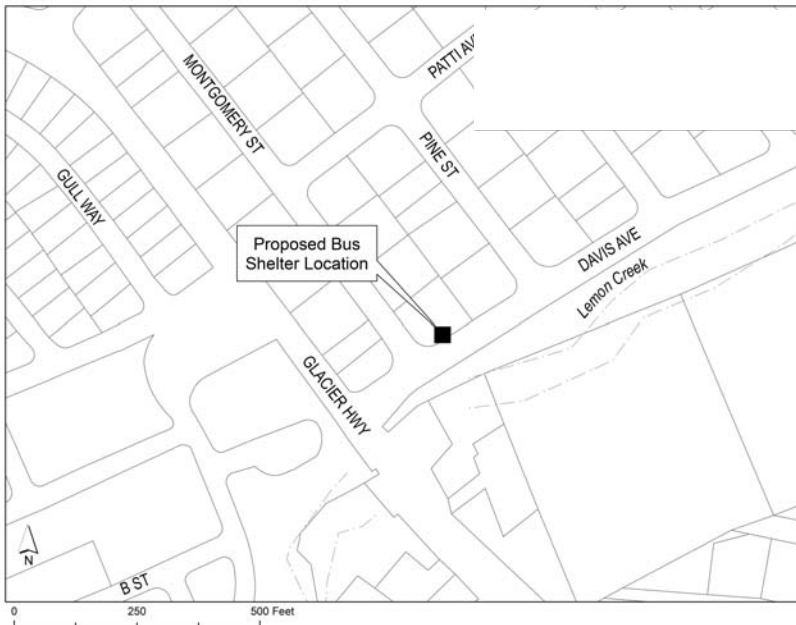
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NOTICE OF PUBLIC HEARING



City & Borough of Juneau
Community Development Department
155 S Seward Street • Juneau, Alaska 99801

SHIP TO:



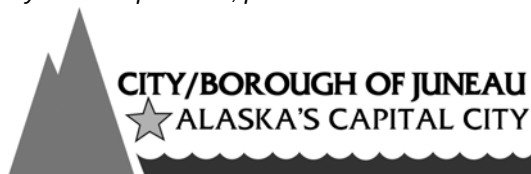
PROPOSAL: A City Project Review for installation of new bus stops on Yandukin Drive and Davis Avenue.

File No:	CSP2015 0018	Applicant:	CBJ Engineering Department
To:	Adjacent Property Owners	Property PCN:	N/A
Hearing Date:	March 8, 2016	Owner:	City and Borough of Juneau
Hearing Time:	**7:00 PM**	Size:	N/A
Place:	Assembly Chambers	Zoned:	D- 5
	Municipal Building	Site Address:	Davis Avenue at Montgomery Street
	155 South Seward Street	Accessed Via:	Davis Avenue
	Juneau, Alaska 99801		

PROPERTY OWNERS PLEASE NOTE:

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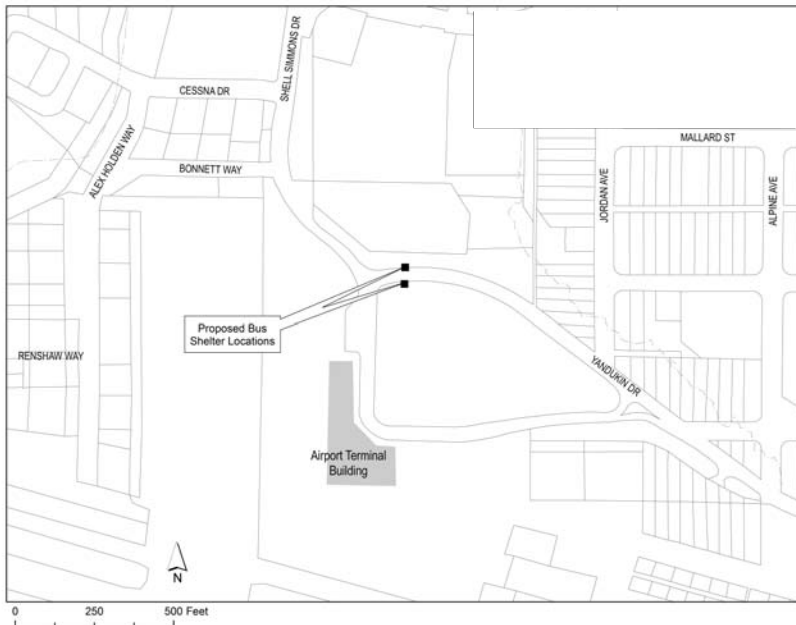
If you have questions, please contact Jonathan Lange at Jonathan.Lange@juneau.org or 586-0218.



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NOTICE OF PUBLIC HEARING



City & Borough of Juneau
Community Development Department
155 S Seward Street • Juneau, Alaska 99801

SHIP TO:



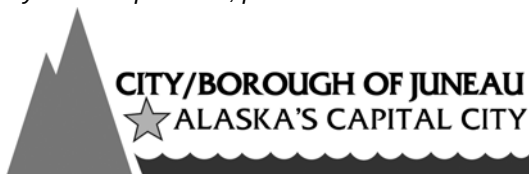
PROPOSAL: A City Project Review for installation of new bus stops on Yandukin Drive and Davis Avenue.

File No:	CSP2015 0018	Applicant:	CBJ Engineering Department
To:	Adjacent Property Owners	Property PCN:	N/A
Hearing Date:	March 8, 2016	Owner:	City and Borough of Juneau
Hearing Time:	**7:00 PM**	Size:	N/A
Place:	Assembly Chambers Municipal Building 155 South Seward Street Juneau, Alaska 99801	Zoned:	I - Industrial
		Site Address:	Yandukin Dr. at Shell Simmons Dr.
		Accessed Via:	Yandukin Dr.

PROPERTY OWNERS PLEASE NOTE:

You are invited to attend this Public Hearing and present oral testimony. The Planning Commission will also consider written testimony. You are encouraged to submit written material to the Community Development Department 14 days prior to the Public Hearing. Materials received by this deadline are included in the information packet given to the Planning Commission a week before the Public Hearing. Written material received after the deadline will be provided to the Planning Commission at the Public Hearing.

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<http://www.juneau.org/assembly/novus.php>



Community Development

City & Borough of Juneau • Community Development
155 S. Seward Street • Juneau, AK 99801
(907) 586-0715 Phone • (907) 586-4529 Fax

DATE: February 16, 2016

TO: Planning Commission

FROM: Jonathan Lange, Planner *Jonathan Lange*
Community Development Department

FILE NO.: CSP2015 0018

PROPOSAL: A City Project Review for installation of new bus stops on Yandukin Drive and Davis Avenue.

GENERAL INFORMATION

Applicant: City and Borough of Juneau

Property Owner: City and Borough of Juneau

Property Address: Yandukin Drive and Davis Avenue, Rights-of-Way

Comprehensive Plan Future Land Use Designation: Yandukin Drive = IPU – Institutional Public Use
Davis Avenue = ULDR – Urban Low Density Residential

Zoning: Yandukin Drive, Industrial; Davis Avenue, D5

ATTACHMENTS

Attachment A: Application and Narrative

Attachment B: Public Notice

Attachment C: Agency and Public Comments

Attachment D: Site Pictures

PROPOSAL

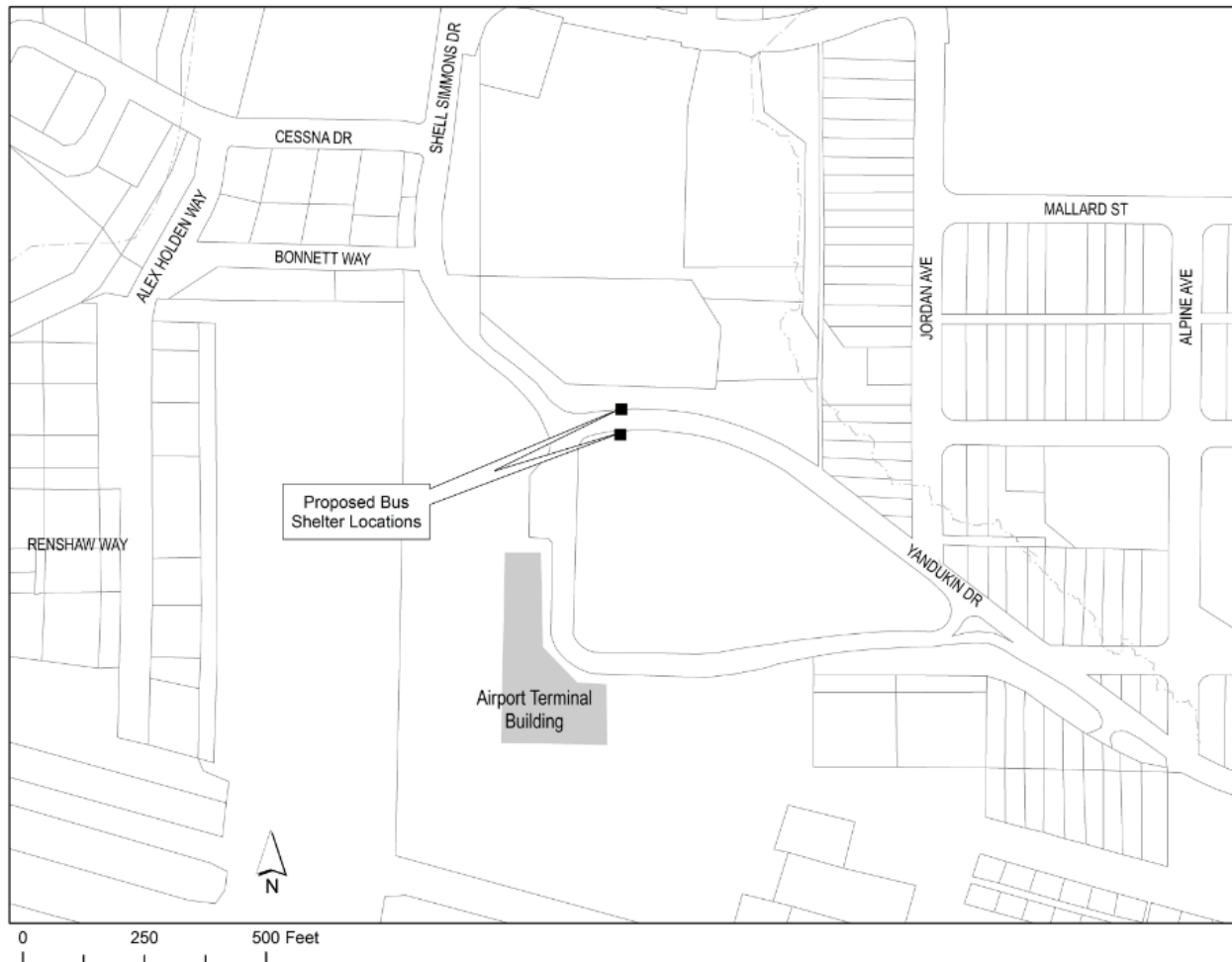
The Public Works/Engineering Department for the City and Borough of Juneau have submitted a City Project Review application for installation of two new bus stops and shelters on Yandukin Drive, north of the airport parking lot, and relocation of one bus stop/shelter on Davis Avenue from its current location to one block further from the intersection of Davis Avenue and Glacier Highway (See Attachment A for application or below for maps).

Planning Commission
File No.: CSP2015 0018
February 16, 2016
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Yandukin Drive Proposed New Bus Stops:

Surrounding Land Use:

- North - GC, Extended Stay Hotel
- South - Industrial, airport parking
- East - Industrial, vacant and Jordan Creek
- West - Industrial, Juneau International Airport



Currently, the bus stop is located at the main airport terminal, just before the main entrance, prior to the drop off and pick up area. The bus takes the loop past the airport on Shell Simmons Drive, when traveling to downtown and to the valley. Two new bus stops are proposed for the area around the airport, just north of the long-term airport parking. This would allow for buses to drop passengers off for the airport, but continue on Yandukin north or south without having to loop through the airport on Shell Simmons Dr.

Planning Commission
File No.: CSP2015 0018
February 16, 2016
Page 3 of 9

The application narrative states, “Looping through the airport terminal area slows the inbound and outward bound buses down considerably, particularly during peak times associated with inbound and outbound flight schedules. We are proposing two new bus stop locations on Yandukin Drive approximately 120 feet south of the intersection of Yandukin Drive and Shell Simmons Drive. Both new bus stop locations will be located outside of the driving lane on the inbound side and outbound side of Yandukin Drive. The locations of the new bus stop are designed to serve both the airport and the adjacent hotel.”

The Planning Commission, at their September 8th, 2015 Regular Meeting, recommended approval of CSP2015 0013, a Planning Commission Review of and Recommendation to the Assembly regarding the 2015 Capital Transit Schedule and Route Revision. At that time, the Planning Commission recommended moving the bus stop at the airport main terminal to north of the airport, to improve bus schedule and route times.

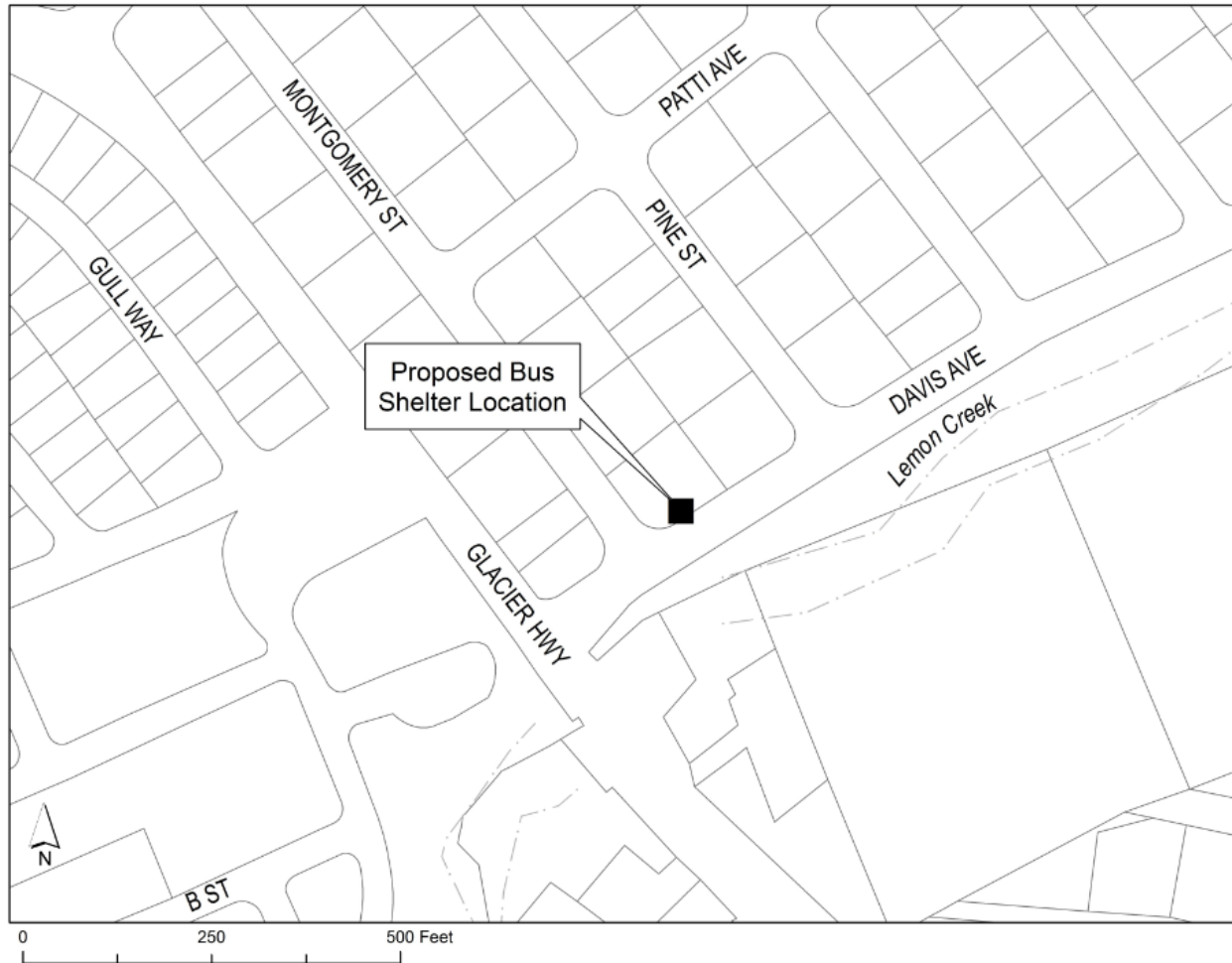
Analysis – Yandukin Drive:

The proposed two new bus stops and shelters on Yandukin Drive would provide for the bus system to meet its time schedule in a more efficient manner. As mentioned below in Agency Comments and in Conformity with Adopted Plans pedestrian safety is of the highest concern. The intersection of Yandukin Drive and Shell Simmons Drive does not contain crosswalks, and the area proposed for the new bus shelters is not connected by sidewalks to the airport facilities or adjacent sidewalks in the area. Sidewalks and crosswalks should be installed in the area of the new bus shelters. Lighting of the proposed area and proposed shelters should be required.

Planning Commission
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February 16, 2016
Page 4 of 9

Davis Avenue Relocated Bus Stop:

Surrounding Land Use: North - D5, single-family residential neighborhood
 South - RR, Lemon Creek stream corridor



The application narrative explains, “Currently it is difficult for Capital Transit drivers to pull into the left turn lane from the bus stop when traveling into town. In doing so the bus does not have enough room to completely square up in the left turn lane, thus blocking the right turn lane and preventing anyone else from exiting Davis Ave. until it’s clear to make the left turn onto Glacier Hwy. During high traffic volumes it is particularly difficult making it hard for the drivers to complete the route in the allotted time.”

The bus stop on Davis Avenue is being proposed to be moved approximately 130 feet farther from the intersection of Davis Avenue and Glacier Highway, near the intersection of Montgomery Street and Davis Avenue. This would allow for the bus to more easily move from the side of the street and right lane to the middle lane of Davis Avenue to make the left-hand

Planning Commission
 File No.: CSP2015 0018
 February 16, 2016
 Page 5 of 9

turn onto Glacier Highway.

Analysis – Davis Avenue:

The proposed relocation of the existing bus shelter on Davis Avenue would allow for the bus to have more space and distance to maneuver into the left turning lane, to turn left onto Glacier Highway at the intersection of Davis Avenue and Glacier Highway, and would prevent buses from blocking traffic at the intersection.

AGENCY AND PUBLIC COMMENT

Yandukin Drive:

The Alaska State Department of Transportation and Public Facilities (DOT&PF) commented on the proposal. DOT&PF does not have any jurisdiction over either of the proposed bus stop locations, but wanted to provide comments as “constructive advice only” (see Attachment C). DOT&PF’s main comments were addressing the two proposed new bus stops and shelters on Yandukin Drive near the Juneau International Airport. They had concerns that the new location would be a reduction in service to bus passengers, because it was located farther from the airport than the current stop. People going to and from the airport usually have their luggage with them, and would have to go a longer distance with their luggage than before. DOT&PF were also concerned with the need for ADA compliance, crosswalks, sidewalks, and illumination for safety. They also suggested that bus cut-outs be considered on both sides of Yandukin Drive, so that buses might pull out of the travel lane to load and unload passengers. DOT&PF also brought up the issue of people camped out in the wooded buffer between Yandukin Drive and the hotel, and that the issue should be addressed with “remedies such as clearing brush, formalizing a trail to the airport, adding illumination, etc.”

Juneau International Airport Manager Patricia deLaBruere commented on the proposed new bus shelters on Yandukin Drive near the airport (see Attachment C). She stated she did not like the location, but does not have an alternative at this time. Her concern is that the area proposed does not have any crosswalks or sidewalks for pedestrians to safely access the bus shelters, as there is “extremely heavy traffic at times” in the area. She states, “Ideally, I would love to move to an intermodal transit center in the parking area of the airport (multi-level)”. There is a long-term possibility for a parking garage and multi-modal transit center when funding becomes available.

Community Development Department and Capital Transit staff met on Thursday, January 21st, 2015 with the Airport Manager and design and maintenance staff from the airport about the proposal. The main concerns commented on were in regard to safety for pedestrians in the form of good walkways/sidewalks and visible crosswalks. Airport staff also suggested traffic signage that alerted motorists to crosswalks. They discussed the flashing pedestrian signage

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 February 16, 2016
 Page 6 of 9

that is used on Riverside Drive as a great example that helps slow traffic down. They stated that the shelters should be well lit for passenger safety. They also suggested better signage in the airport terminal directing passengers to the bus stop and shelters. The long-term goal of the airport is to have a multi-modal transit center, as mentioned above, that would allow for passengers coming to and from the airport to have a sheltered and covered walkway from the main airport terminal to a close in proximity area to catch a public bus.

Davis Avenue:

Staff received public comment from Ms. Mukhya Khalsa of 1710 Davis Avenue in opposition to the proposed bus stop on Davis Avenue, proposed to be placed in front of her home. The comment addresses concerns of possible increased noise and trash in front of their home; it talks about “emergencies and illicit activities” that might happen at a bus stop; and discusses the possible devaluation of their home with the bus stop being in front of it. Please see Attachment C for the comment.

CONFORMITY WITH ADOPTED PLANS

The following sections of adopted plans relate to both the Yandukin Drive and Davis Avenue proposals, and may be site specific where indicated.

Capital Transit Development Plan (2014)

As stated in the CTDP (page 1-2):

It is important to reiterate that the context for all recommendations is a goal to minimize the need for increased local financial support for transit.

All of the recommendations are based on the following service goals:

1. Ensure that routes have adequate time to operate on-schedule.
2. Better match service levels with ridership demand to ensure resources are being used in the most efficient way possible.
3. Evaluate requests and demand for service to new areas, including:
 - Riverside Drive
 - Lemon Creek industrial/employment area
 - Ferry Terminal
4. Strive to ensure high-quality and convenient service, so that:
 - When a transfer is required, make it is as convenient and comfortable as possible and wait times as short as possible.
 - Service is provided for commuter needs during peak periods as well as riders using the service during non-peak times and on weekends.

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February 16, 2016
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- Some service continues to operate through the core of downtown (Franklin, Fourth, and Main Streets).
5. Ensure that service design, marketing information, buses, and other elements of the service are as legible and easy-to-understand as possible.

Also outlined in the CTDTP are major objectives of the plan:

- **Improve on-time performance**
- **Maintain timed-transfers**
- **Provide service along Riverside Drive**
- **Maintain service to Back Loop**
- **Provide service to Lemon Creek Industrial Area**
- **Provide service to Auke Bay Ferry Terminal**
- **Implement a Downtown Circulator route**
- **Provide earlier service for workers with early work start times**
- **Provide later Express service between UAS and downtown**
- **Implement technology improvements to improve operations and passenger information**
- **Make service simpler and easier to understand**

Capital Improvement Plan: Provide Shelter Lighting

Many of Capital Transit's bus stops are located in unlit or poorly lit locations, which can make waiting uncomfortable. It also makes it difficult for bus operators to see waiting passengers. One lighting solution would be to install solar powered lighting, which can be done for approximately \$1,000 per shelter. It is recommended that Capital Transit undertake a program to install solar powered lighting at shelters in unlit and poorly lit locations as part of its ongoing stop improvement program, at a cost of approximately \$10,000 per year.

Analysis - The proposal would help to meet the goal of Capital Transit in ensuring adequate time to meet the time schedule. Pedestrian infrastructure needs to be developed on Yandukin Drive to help meet the goal of high-quality and convenient service. The infrastructure should be clear year round from snow and debris, and should be well lite and safe for pedestrians using the bus system to and from the airport.

Comprehensive Plan (2013)

POLICY 8.5. TO PROMOTE A BALANCED, WELL-INTEGRATED LOCAL MULTI-MODAL SURFACE TRANSPORTATION SYSTEM THAT PROVIDES SAFE, CONVENIENT AND ENERGY-EFFICIENT ACCESS AND TRANSPORT FOR PEOPLE AND COMMODITIES.

POLICY 8.6. TO PROMOTE AND FACILITATE TRANSPORTATION ALTERNATIVES TO PRIVATE VEHICLES AS A MEANS OF REDUCING TRAFFIC CONGESTION, AIR POLLUTION AND THE CONSUMPTION OF FOSSIL FUELS, AND TO PROVIDE SAFE AND HEALTHY MEANS OF TRANSPORTATION TO ALL PEOPLE.

Planning Commission
File No.: CSP2015 0018
February 16, 2016
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Juneau Non-Motorized Transportation Plan (2009)

Chapter 6 – Design Standards

6.2 Sidewalk Standards

Sidewalks should be a minimum of 5 feet wide and meet the requirements of the American Disabilities Association for providing barrier free access.

6.7 Safe Crossings and Intersections

Safe road crossings for bicyclists and pedestrians are very important for non-motorized transportation. Below are a few of the outlined alterations or crossing treatments that increase safety at intersections:

- Additional street lights to increase visibility of pedestrians and bicyclists.
- Signs warning motorists of the presence of pedestrians.
- Crosswalks that are easy to see and last a long time. Continental or ladder style crosswalks are marked with thick white lines perpendicular to the direction of travel, are easy to see and long lasting.

POLICY 3 – MUNICIPAL PROJECTS. Improve the process for Planning Commission review of CBJ projects to allow timely comment on non-motorized infrastructure and routes. Project managers will use a context sensitive approach in the design of City projects to achieve a Complete Streets network.

POLICY 5 – TRANSPORTATION PLANNING. Integrate motorized and non-motorized transportation planning.

Analysis - In providing bus shelters at the airport, there needs to be non-motorized transportation facilities, such as sidewalks and crosswalks, to get bus passengers from the bus stop and to the airport, or vice versa.

POLICY & - MAINTENANCE. Develop a realistic maintenance program for non-motorized facilities and commit to it.

Analysis - Snow removal is a concern for the new sidewalks to and from the airport and the airport bus shelters. People usually have luggage with them and transporting items would be difficult if sidewalks were not cleared and maintained properly.

Airport Sustainability Master Plan (draft, 2015)

Draft Environmental Initiative: Transport

N5.2 Facilitate multi-modal transportation for employees and travelers.

1. Increase use of Capital Transit to and from Airport.

Planning Commission
 File No.: CSP2015 0018
 February 16, 2016
 Page 9 of 9

- a. Identify and provide incentives for travelers and employees to utilize public transportation to access the airport
- b. Improve bus stops with covered shelters to encourage use.

FINDINGS

The proposed two new bus stops and shelters on Yandukin Drive and the relocation of the bus shelter on Davis Avenue are intended to implement the recommendations of the 2014 Capital Transit Development Plan and to make the bus schedule more efficient and on-time. Staff finds that the proposal is consistent with the 2013 Comprehensive Plan and other associated plans mentioned herein.

RECOMMENDATION

Staff recommends that the Planning Commission recommend to the Assembly that CSP2015 0018, City Project Review for installation of new bus stops on Yandukin Drive and Davis Avenue is consistent with Title 49 and the 2013 Comprehensive Plan, with the following recommendations:

1. Yandukin Drive: Sidewalks, crosswalks, and signage shall be installed on Yandukin Drive and Shell Simmons Drive to connect the airport and sidewalk facilities to the proposed bus shelters so that pedestrians may access the airport and transportation system in a safe manner.
2. Yandukin Drive and Davis Avenue: Bus shelters shall be illuminated for bus passenger safety.

DEVELOPMENT PERMIT APPLICATION

Project Number	CITY and BOROUGH of JUNEAU	Date Received: 12/8/15
Project Name (City Staff to Assign Name)		

INFORMATION	Project Description Install two new bus stops on Yandukin Drive and relocate one bus stop on Davis Ave.		
	PROPERTY LOCATION		
	Street Address Yandukin Drive and Davis Ave..		City/Zip 99801
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) N/A		
	Assessor's Parcel Number(s) N/A		
	LANDOWNER/ LESSEE		
	Property Owner's Name City and Borough of Juneau		Contact Person: Paul Beck
	Mailing Address 155 south Seward Street, Juneau, Alaska 99801		Work Phone: 907 586-0882
	E-mail Address Paul.Beck@juneau.org		Home Phone: N/A
			Fax Number: 907 463-2606
PROJECT / APPLICANT	LANDOWNER/ LESSEE CONSENT ****Required for Planning Permits, not needed on Building/ Engineering Permits****		
	I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows:		
	A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.		
	B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.		
	X	Landowner/Lessee Signature	Date 12/8/15
	X	Landowner/Lessee Signature	Date
	NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.		
	APPLICANT If the same as OWNER, write "SAME" and sign and date at X below		
	Applicant's Name Same as above		Contact Person:
	Mailing Address		Work Phone:
E-mail Address		Home Phone:	
		Fax Number:	
		Other Contact Phone Number(s):	
X	Applicant's Signature	Date of Application 12/8/15	

-----OFFICE USE ONLY BELOW THIS LINE-----					
STAFF APPROVALS	☒	Permit Type	***SIGN	Date Received	Application Number(s)
		Building/Grading Permit			
	X	City/State Project Review and City Land Action		12/8/15	CSP 15-018
		Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)			
		Mining Case (Small, Large, Rural, Extraction, Exploration)			
		Sign Approval (If more than one, fill in all applicable permit #'s)			
		Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)			
		Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)			
		Variance Case (De Minimis and all other Variance case types)			
		Wetlands Permits			
		Zone Change Application			
		Other (Describe)			
	***Public Notice Sign Form filled out and in the file.				
	Comments:				Permit Intake Initials
					BM

CITY/STATE PROJECT AND LAND ACTION REVIEW APPLICATION

Project Number	Project Name (15 characters)	Case Number CSP <u>15-018</u>	Date Received <u>12/8/15</u>
----------------	------------------------------	----------------------------------	---------------------------------

TYPE OF PROJECT REVIEW:

☒ City Project Review
 ☐ City Land Acquisition /Disposal
 ☐ State Project Review

DESCRIPTION OF PROJECT

Install two new bus stops with shelters on Yandukin Drive. Additionally relocate one existing bus stop on Davis Avenue from its current location to one block further down Davis Avenue away from the intersection.

Please attach a cover letter to fully explain the project if there is not adequate space on this form.

CURRENT USE OF LAND OR BUILDING(S): _____

CBJ right of way - Capital Transit bus routes

PROPOSED USE OF LAND OR BUILDING(S): _____

CBJ right of way - Capital Transit bus routes

PROJECT NUMBERS ASSOCIATED WITH PROPOSAL:

Is this project associated with any other Land Use Permits? ☒ No ☐ Yes Case No.: _____

Capital Improvement Program # (CIP) 404900101 710530120

Local Improvement District # (LID) _____

State Project # _____

ESTIMATED PROJECT COST: \$ unknown

For more information regarding the permitting process and the submittals required for a complete application, please see the reverse side. If you need any assistance filling out this form, please contact the Permit Center at 586-0770.	CITY/STATE PROJECT FEES				
		Fees	Check No.	Receipt	Date
	Application Fees	\$ <u>9</u>	_____	_____	_____
Total Fee	\$ _____	_____	_____	_____	

**NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM
&
EVEN IF THE PROPOSED PROJECT IS ASSOCIATE WITH OTHER LAND USE PERMITS, THIS
APPLICATION MUST BE FILLED OUT**

Edward Quito

From: Beth McKibben
Sent: Tuesday, December 08, 2015 3:35 PM
To: Edward Quito
Subject: FW: Davis Ave and Airport Bus Stop - CSP
Attachments: Davis Ave Bus Shelter CSP.pdf; Airport Bus Stop Relocations CSP narrative.docx; Airport CSP Shelter Location.pdf; Davis Ave Bus Stop Relocation CSP narrative.docx

Please intake
Thanks

Beth McKibben, AICP
Planning Manager, CDD
City & Borough of Juneau
907.586.0465



Please consider the environment before printing this email.

From: Rob Steedle
Sent: Monday, December 07, 2015 4:49 PM
To: Beth McKibben
Subject: FW: Davis Ave and Airport Bus Stop - CSP

Please assign.

From: Paul Beck
Sent: Monday, December 7, 2015 4:01 PM
To: Rob Steedle; Rorie Watt
Subject: Davis Ave and Airport Bus Stop - CSP

Rob / Rorie,

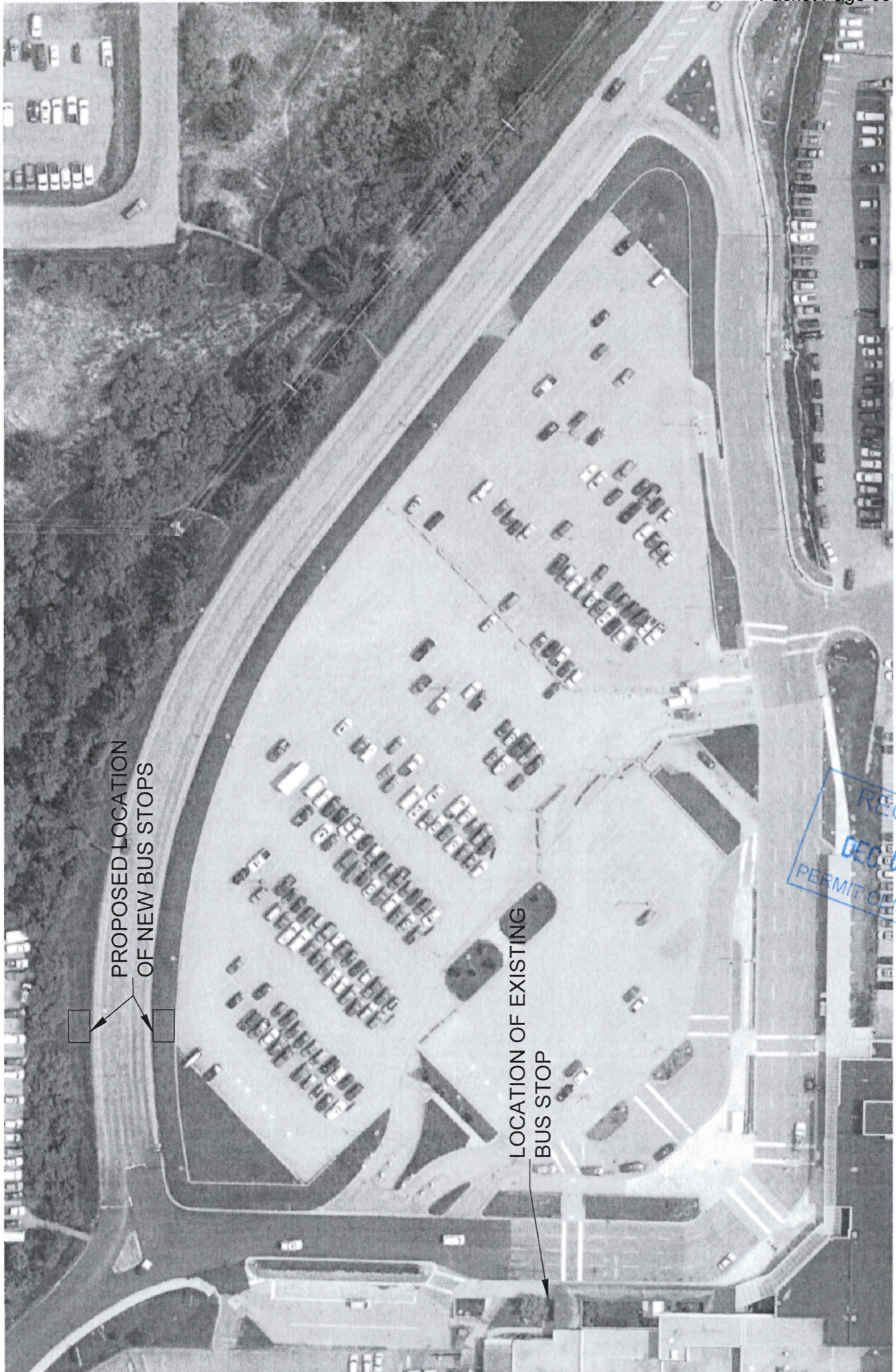
Attached are drawings and narrative two separate bus stop projects. Although the costs of these projects do not meet the criteria of a CSP, the location of these stops and how they might affect the public these projects should go through the public process. Thanks.



AIRPORT BUS STOPS

Currently there is only one bus stop at the airport. The stop is located just before the main entrance to the main terminal prior to the drop off and pick up area. All Capital Transit routes whether they are inbound or out bound stop at this one stop. This requires all outward bound buses to make a left turn from Yandukin Drive onto Shell Simmons Drive to access the stop then loop around Shell Simmons Drive and make another left turn onto Yandukin Drive and then turn right onto Shell Simmons Drive to complete the rest of the route. Looping through the airport terminal area slows the inbound and outward bound buses down considerably, particularly during peak times associated with inbound and outbound flight schedules. We are proposing two new bus stop locations on Yandukin Drive approximately 120 feet south of the intersection of Yandukin Drive and Shell Simmons Drive. Both new bus stop locations will be located outside of the driving lane on the inbound side and outbound side of Yandukin Drive. The locations of the new bus stop are designed to serve both airport and the adjacent hotel.



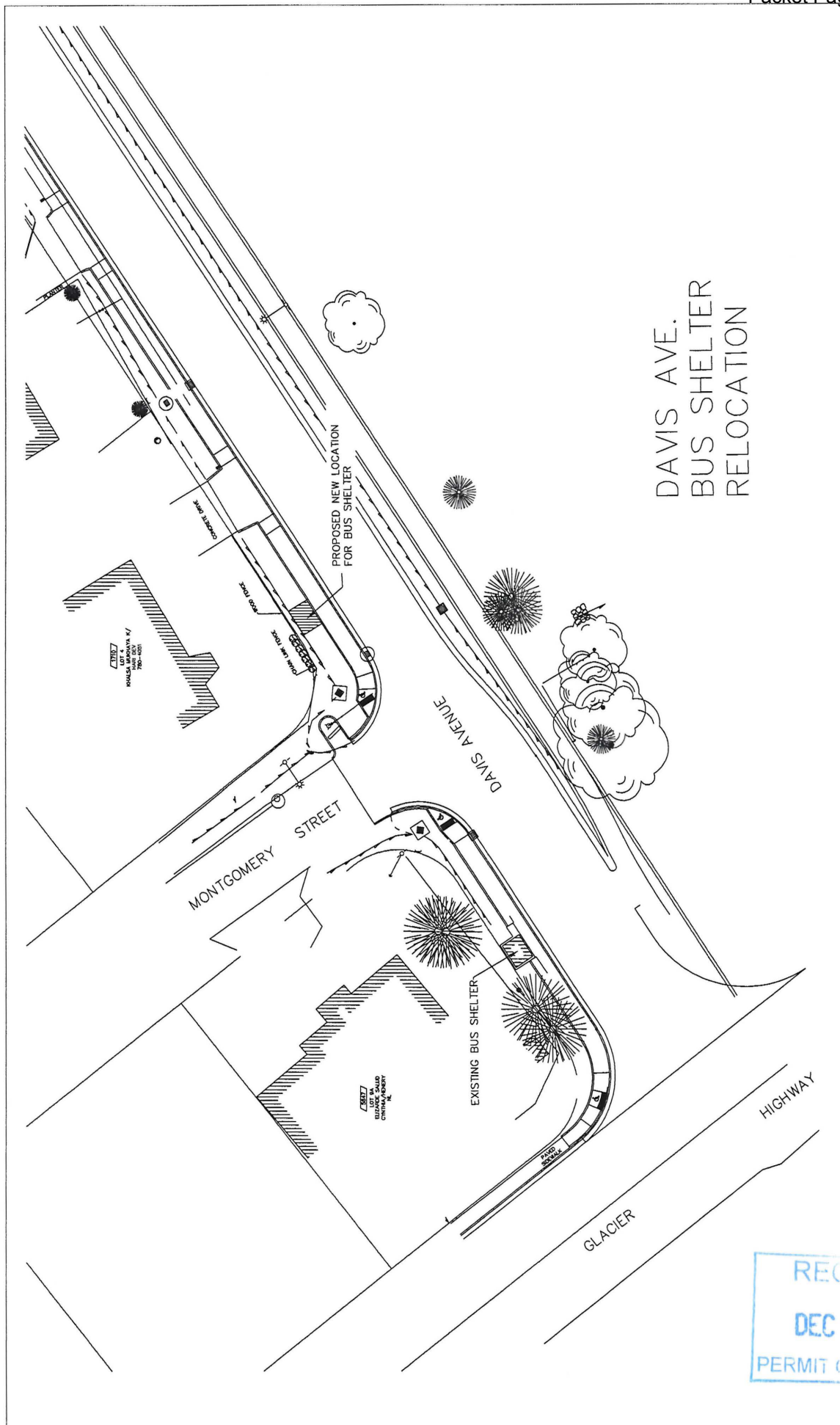


ATTACHMENT A

DAVIS AVENUE

We are proposing to relocate the Davis Ave Bus shelter from the current location near the corner of Davis Ave and Glacier Highway to a position approximately 130 feet further back down Davis Ave near the intersection of Montgomery Street and Davis Ave. Currently it is difficult for Capital Transit drivers to pull into the left turn lane from the bus stop when traveling into town. In doing so the bus does not have enough room to completely square up in the left turn lane, thus blocking the right turn lane and preventing anyone else from exiting Davis Ave. until it's clear to make the left turn onto Glacier Hwy. During high traffic volumes it is particularly difficult making it hard for the drivers to complete the route in the allotted time. There are proposals for a traffic light at this intersection in the future that will help alleviate the problem. However, the bus stop will still need to be moved farther away from the intersection.



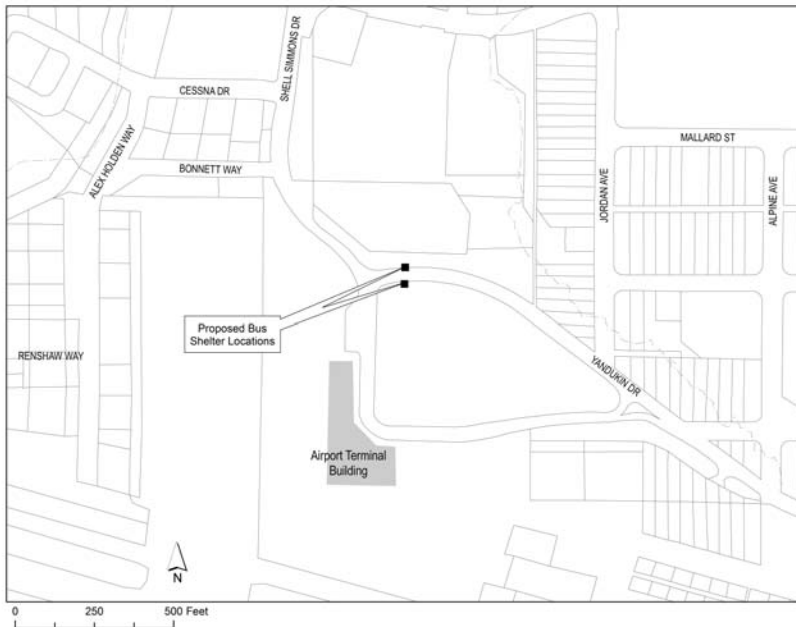


REC'D
DEC 08 2015
PERMIT

ATTACHMENT A



NOTICE OF PUBLIC HEARING



City & Borough of Juneau
Community Development Department
155 S Seward Street • Juneau, Alaska 99801

SHIP TO:



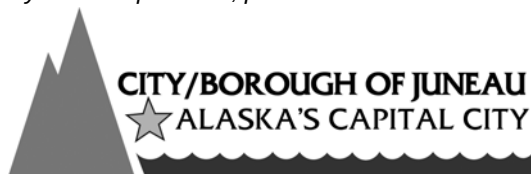
PROPOSAL: A City Project Review for installation of new bus stops on Yandukin Drive and Davis Avenue.

File No:	CSP2015 0018	Applicant:	CBJ Engineering Department
To:	Adjacent Property Owners	Property PCN:	N/A
Hearing Date:	February 9, 2016	Owner:	City and Borough of Juneau
Hearing Time:	7:00 PM	Size:	N/A
Place:	Assembly Chambers	Zoned:	I - Industrial
	Municipal Building	Site Address:	Yandukin Dr. at Shell Simmons Dr.
	155 South Seward Street	Accessed Via:	Yandukin Dr.
	Juneau, Alaska 99801		

PROPERTY OWNERS PLEASE NOTE:

You are invited to attend this Public Hearing and present oral testimony. The Planning Commission will also consider written testimony. You are encouraged to submit written material to the Community Development Department 14 days prior to the Public Hearing. Materials received by this deadline are included in the information packet given to the Planning Commission a week before the Public Hearing. Written material received after the deadline will be provided to the Planning Commission at the Public Hearing.

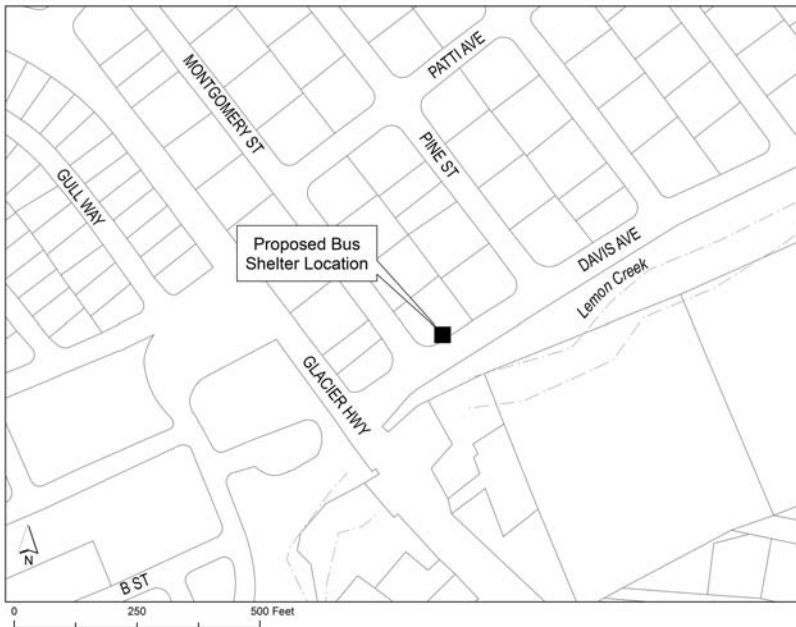
If you have questions, please contact Jonathan Lange at Jonathan.Lange@juneau.org or 586-0218.



Planning Commission Agendas, Staff Reports and Meeting Results can be viewed at <http://www.juneau.org/assembly/novus.php>



NOTICE OF PUBLIC HEARING



City & Borough of Juneau
Community Development Department
155 S Seward Street • Juneau, Alaska 99801

SHIP TO:



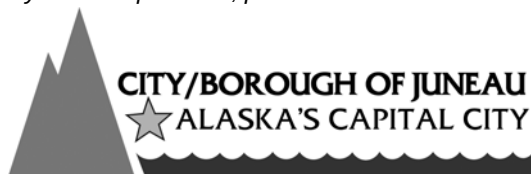
PROPOSAL: A City Project Review for installation of new bus stops on Yandukin Drive and Davis Avenue.

File No:	CSP2015 0018	Applicant:	CBJ Engineering Department
To:	Adjacent Property Owners	Property PCN:	N/A
Hearing Date:	February 9, 2016	Owner:	City and Borough of Juneau
Hearing Time:	7:00 PM	Size:	N/A
Place:	Assembly Chambers	Zoned:	D- 5
	Municipal Building	Site Address:	Davis Avenue at Montgomery Street
	155 South Seward Street	Accessed Via:	Davis Avenue
	Juneau, Alaska 99801		

PROPERTY OWNERS PLEASE NOTE:

You are invited to attend this Public Hearing and present oral testimony. The Planning Commission will also consider written testimony. You are encouraged to submit written material to the Community Development Department 14 days prior to the Public Hearing. Materials received by this deadline are included in the information packet given to the Planning Commission a week before the Public Hearing. Written material received after the deadline will be provided to the Planning Commission at the Public Hearing.

If you have questions, please contact Jonathan Lange at Jonathan.Lange@juneau.org or 586-0218.



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ATTACHMENT B

Date notice was printed: January 13, 2016

Jonathan Lange

From: Ed Mercer
Sent: Wednesday, December 30, 2015 2:18 PM
To: Jonathan Lange
Subject: RE: Request for Review Comments CSP2015 0018 - New Bus Stops

JPD does not have any issues with this.

Thanks

From: Jonathan Lange
Sent: Wednesday, December 23, 2015 3:43 PM
To: Ed Foster; Ed Mercer; Dan Jager; Sven Pearson; Patricia deLaBruere; marie.heidemann@alaska.gov; Charlie Ford; Ron King
Subject: Request for Review Comments CSP2015 0018 - New Bus Stops

Subject: Please review attached documents related to a City project review application for two new bus stops on Yandukin Drive and relocation of one bus stop on Davis Avenue.
File: CSP2015 0018
Location: Yandukin Drive (Airport) and Davis Avenue (Lemon Creek) – See Proposed Changes Attached

Airport Bus Stops -

Two new bus stops are proposed for the area around the airport. This would allow for buses to drop passengers off for the airport, but continue on Yandukin north or south without having to do the loop through the airport on Shell Simmons Dr.

Jonathan Lange

From: Patricia deLaBruere
Sent: Wednesday, January 13, 2016 12:11 PM
To: Jonathan Lange
Subject: RE: Request for Review Comments CSP2015 0018 - New Bus Stops

Hi Jonathan.

Sorry for the delay in answering this. I want to get together with staff about this new location and haven't had time. I don't think this is a good location, but don't have an alternative proposal at this time. It is certainly better than on the west side of the triangle intersection. I am concerned about people getting to these areas without crosswalks, sidewalks, etc which have some extremely heavy traffic at times. I certainly understand the bus routes trying to get out of the fray from the front of the terminal to meet schedules. Ideally, I would love to move to an intermodal transit center in the parking area of the airport (multi level). Eligible for TIGER grant??
Patty

Patricia deLaBruere
Airport Manager
Juneau International Airport
(907) 789-7821

NOTE NEW EMAIL: PdeLaBruere@jnuairport.com



From: Jonathan Lange
Sent: Wednesday, January 13, 2016 8:32 AM
To: Patricia deLaBruere
Subject: FW: Request for Review Comments CSP2015 0018 - New Bus Stops
Importance: High

Good Morning,
I just wanted to follow up and see if you, or anyone in your staff, had any comments on the below proposed new bus shelters near the airport?
I will be writing my staff report to the Planning Commission this week and wanted to have comments from you that I may include in the report.
Please provide comments, concerns, or questions to me as soon as possible.
Thank you for your assistance.
Have a good day.

Jonathan Lange, CFM
Planner II, Community Development Dept.
City & Borough of Juneau, Alaska
155 S. Seward St. Juneau, AK 99801
Ph (907)586-0218
Jonathan.Lange@juneau.org

Jonathan Lange

From: Heidemann, Marie E (DOT) <marie.heidemann@alaska.gov>
Sent: Friday, January 15, 2016 1:53 PM
To: Jonathan Lange
Subject: RE: Request for Review Comments CSP2015 0018 - New Bus Stops

Jonathan,

The DOT&PF does not have jurisdiction over either of these locations, therefore offers comments as constructive advice only.

Airport/Yandukin Bus Stop: Southcoast Region staff have concerns that the move of the airport bus stop is a reduction in service to bus passengers wishing to access the airport. We recommend the proposal be circulated for public review and comment. Folks headed to/from the airport often have luggage and will no longer enjoy a covered area in which to wait and will need to walk farther. Furthermore, the proposed location of the bus stop is near a semi-controlled intersection that does not have crosswalks. If the proposal does move forward ADA compliance will need to be insured. As well, bus cut-outs should be considered on both sides of Yandukin with associated illumination. Finally, we understand that there have been issues with people camped out in the wooded buffer between Yandukin and the hotel. This issue should be considered and addressed with remedies such as clearing brush, formalizing a trail to the airport, adding illumination, etc.

Davis Ave: No comments or objections.

Thank you and, again, apologies for the late return.

Marie

From: Jonathan Lange [<mailto:Jonathan.Lange@juneau.org>]
Sent: Friday, January 15, 2016 12:59 PM
To: Heidemann, Marie E (DOT)
Subject: RE: Request for Review Comments CSP2015 0018 - New Bus Stops

Yes, please submit comments to me, it's not too late.
Thanks.

Jonathan Lange, CFM
Planner II, Community Development Dept.
City & Borough of Juneau, Alaska
155 S. Seward St. Juneau, AK 99801
Ph (907)586-0218
Jonathan.Lange@juneau.org



Jonathan Lange

From: Robin Potter
Sent: Tuesday, February 09, 2016 4:30 PM
To: Jonathan Lange
Subject: Impact on property value for a bus stop located in front of a property

I received a call this afternoon with a request to provide an opinion in the case of a local property owner in Juneau who has concern for their property value being negatively impacted by the relocation of a bus stop from a somewhat dangerous location to further down the street, in front of their property.

Due to the short notice and without knowing the location, whether the stop is for a City Bus, or a School Bus, there will be a shelter installed, or simply a pickup spot, I am unable to provide any studies or reference material.

There are specific influences that can have a negative impact on property values, particularly "peaceful, quiet enjoyment" rights of the property owner.

The categories are as follow;

- Noise – loud, objectionable noises, particularly after certain hours of the day.
- Odor – Noxious, objectionable odors that may or may not be unsafe.
- Visual blight – Includes junk, garbage, or other items.
- Increased traffic – Provides both noise, odor and visual impacts to the property, including access issues.
- Criminal activity – Anything that causes an increase in criminal activity can have a negative impact on property value.

In the case of a bus stop, as long as the location does not inhibit adequate egress to and from the property, the bus runs at reasonable hours and does not create odor or noise issues, I do not see where moving the stop location will have a negative impact. Particularly in regard for the safety of the passengers.

I realizes I have a bus stop in front of my home shortly after I moved in two years ago. The bus is for picking up special needs students and stops during the school season.
 The stop has no impact on my property value whatsoever.

Thank you,

Robin

Robin Potter ACAA III
 Assessor, Finance Department
 City & Borough of Juneau
 155 S. Seward Street
 Juneau, AK 99801
 907.586.0333
http://www.juneau.org/financeftp/assessor_main.php

RE: Proposed move of covered bus stop from the corner of Old Glacier Highway and Davis Avenue to 1710 Davis Avenue (AKA my front yard).

File Number: CSP2015 0018

There is an old saying that community members might approve of a new installation as long as it is 'not in my backyard'. In this case the change is in my front yard where my grand children play and the noises from the front easily travel through my windows.

The problem for the buses is getting from their parked position at the bus stop to the left hand turn lane with very little run up. This problem only occurs between 3:30 p.m. and approximately 4:30 p.m. because of the increased traffic created by the prison guards changing shifts at that time.

I ask you to consider the list of problems this creates for my family and the family next door:

1. Increased noise and trash.
 - a. As a Switzer Creek resident comments on the one near her house: "Horrible, trashy, disgusting mess all year round. I wouldn't buy a house that had one in front.
 - b. My neighbor, who will also be affected by this change, has a profoundly autistic child that is sensitive to noise and change. Her father works at night and sleeps during the day.
 - c. Abusive, obscene, and threatening language very late at night and sometimes into the early hours of the morning. I can hear it from my house already and I don't want it to feel like it is in my front yard.
2. Bringing emergencies and illicit activity closer to my house.
 - a. The covered bus stop is a meeting place for drunks and drug dealers.
 - b. More unconscious bodies in the ditch which means the noise and lights from police cars and ambulances come through my windows where I am relaxing at night.
3. Devaluation of our homes:
 - a. Real Estate agents have told me that a covered bus stop will decrease the number of people willing to buy the house.
 - b. Other agents have said it would decrease the value.

The Lemon Creek area does not seem to have been planned nor does it seem to have a current comprehensive plan. It is a mix of families and industrial enterprises. Over the years, I have seen plans and postcards from the city that have mentioned increasing both in this area. This includes a plan from a few months ago that mentioned a new road and bridge over Lemon Creek to increase the residencies in this area. I wonder if it wouldn't be appropriate to actually finish a comprehensive plan before going through the expense of moving a bus stop.

The Old Glacier Highway/Davis Avenue intersection has been acknowledge by both the City and State engineers as needing to be fixed. It is a very busy corner with no stop

light and both engineers said solutions have been discussed. Maybe fixing the intersection could be part of the solution to the bus stop problem.

Before the assembly votes I would like to know what alternatives have been considered. I have some suggestions of my own which I have discussed with the City engineer but was not told why they wouldn't work:

1. Rerouting the bus so it doesn't have to pull over to the curb right before turning at that particular corner.
2. Moving the bus stop to the other side of the street where there are no houses.
3. Building a sound/trash barrier if you just have to move it in front of my house.
4. Moving the stop to a corner where it is not directly in front of a house.
5. Re-incorporating the bus stop on Old Glacier Highway right before the turn.

The City engineer would have me believe that there are other homes in the City that have covered bus stops directly in front of their front yards. I drove all the routes and found that was not the case, this would be the first house in the city where this would be the case.

Would you buy a house in Lemon Creek with a bus stop in front?

Thank you,

Mukhya Khalsa



Current Bus Stop at Airport Terminal



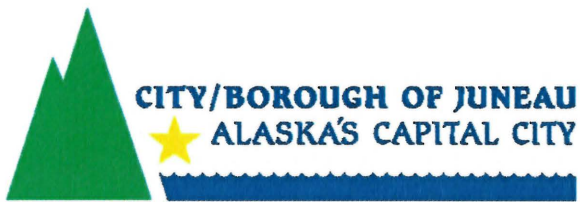
Intersection of Shell Simmons Drive and Yandukin Drive, north of Airport Terminal



Proposed Bus Stop Locations on Yandukin Drive



Proposed Bus Stop Location on Davis Avenue



**PLANNING COMMISSION
NOTICE OF RECOMMENDATION**

Date: March 11, 2016

File No.: CSP2015 0018

City and Borough of Juneau
CBJ Assembly Members
155 S Seward Street
Juneau, AK 99801

Application For: Planning Commission Recommendation to the City and Borough Assembly regarding CSP2015 0018, A City Project Review for installation of new bus stops on Yandukin Drive and Davis Avenue.

Legal Description
or ROW name: Yandukin Drive and Davis Avenue, Rights-of-Way

Hearing Date: March 8th, 2016

The Planning Commission, at their regular public meeting, adopted the analysis and findings listed in the attached memorandum dated February 16th, 2016 in reference to the proposed bus shelters on Yandukin Drive, and recommended that the City Manager direct CBJ staff to design and build the proposed bus shelters on Yandukin Drive in accordance with the following recommendations:

1. Yandukin Drive: Sidewalks, crosswalks, and signage shall be installed on Yandukin Drive and Shell Simmons Drive to connect the airport and sidewalk facilities to the proposed bus shelters so that pedestrians may access the airport and transportation system in a safe manner.
2. Yandukin Drive: Bus shelters shall be illuminated for bus passenger safety.

The Planning Commission recommended that the Assembly take no action at this time for the Davis Avenue proposed bus shelter location change, until the City has a chance to coordinate with the State of Alaska Department of Transportation on the timeline of construction of bus pull-outs along Glacier Highway near Davis Avenue. The following recommendation is given for improvements to Davis Avenue:

1. Davis Avenue: Bus shelters shall be illuminated for bus passenger safety.

Attachments: February 16th, 2016 memorandum from Jonathan Lange, Community Development, to the CBJ Planning Commission regarding CSP2015 0018.

City and Borough of Juneau
CBJ Assembly
File No.: CSP2015 0018
March 11, 2016
Page 2 of 2

This Notice of Recommendation constitutes a recommendation of the CBJ Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of CBJ §01.50.020(b).

Project Planner: Jonathan Lange Ben Haight
Jonathan Lange, Planner Ben Haight, Chair
Community Development Department Planning Commission

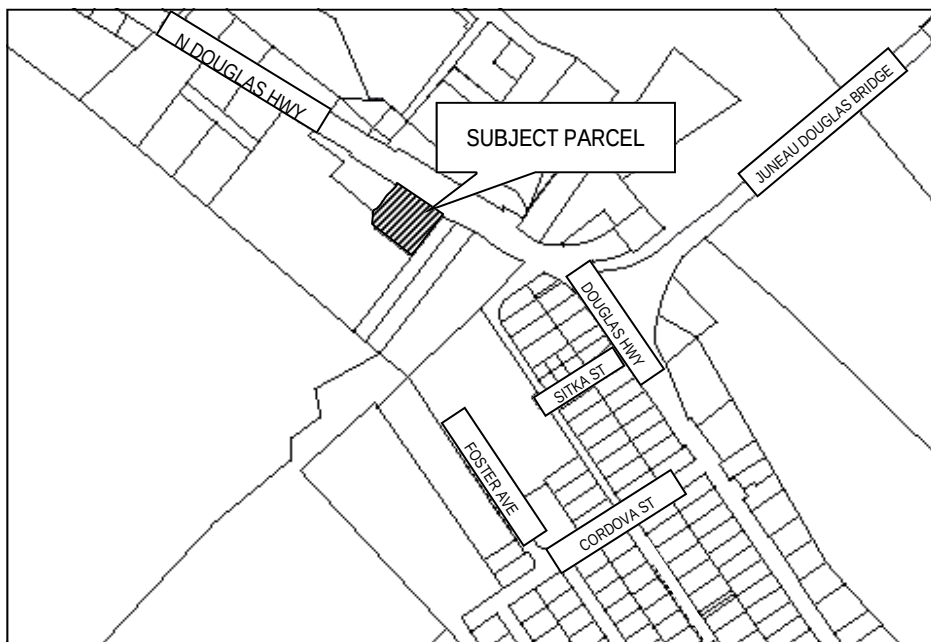
Eizabeth McEwen 3/11/2016
Filed With City Clerk Date

cc: Plan Review
Rorie Watt, Engineering and Public Works Director
Ed Foster, Capital Transit and Streets Superintendent

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ - adopted regulations. The CBJ and project designers are responsible for compliance with ADA. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.



NOTICE OF PUBLIC HEARING



City & Borough of Juneau
Community Development Department
155 S Seward Street • Juneau, Alaska 99801

SHIP TO:



PROPOSAL: A Variance request to the requirement for access on a publicly maintained right-of-way for a proposed minor subdivision. Proposed access is a private easement.

File No:	VAR2015 0030	Applicant:	Olmo, LLC.
To:	Adjacent Property Owners	Property PCN:	6-D06-0-101-004-0
Hearing Date:	February 23, 2016	Owner:	Olmo, LLC.
Hearing Time:	7:00 PM	Size:	0.753 Acres
Place:	Assembly Chambers	Zoned:	D-18
	Municipal Building	Site Address:	North Douglas Highway
	155 South Seward Street	Accessed Via:	North Douglas Highway
	Juneau, Alaska 99801		

PROPERTY OWNERS PLEASE NOTE:

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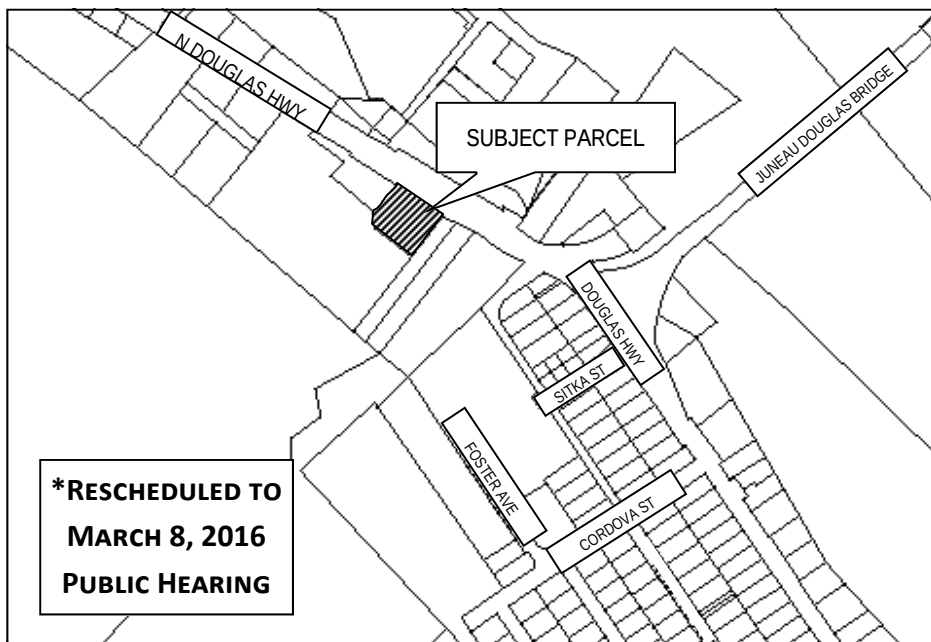
If you have questions, please contact Laura Boyce at Laura.Boyce@juneau.org or 586-0753.



Planning Commission Agendas, Staff Reports and Meeting Results can be viewed at <http://www.juneau.org/assembly/novus.php>



NOTICE OF PUBLIC HEARING



City & Borough of Juneau
Community Development Department
155 S Seward Street • Juneau, Alaska 99801

SHIP TO:



PROPOSAL: A Variance request to the requirement for access on a publicly maintained right-of-way for a proposed minor subdivision. Proposed access is a private easement.

File No:	VAR2015 0030	Applicant:	Olmo, LLC.
To:	Adjacent Property Owners	Property PCN:	6-D06-0-101-004-0
Hearing Date:	*March 8, 2016	Owner:	Olmo, LLC.
Hearing Time:	7:00 PM	Size:	0.753 Acres
Place:	Assembly Chambers Municipal Building 155 South Seward Street Juneau, Alaska 99801	Zoned:	D-18
		Site Address:	North Douglas Highway
		Accessed Via:	North Douglas Highway

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If you have questions, please contact Laura Boyce at Laura.Boyce@juneau.org or 586-0753.



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Community Development

City & Borough of Juneau • Community Development
155 S. Seward Street • Juneau, AK 99801
(907) 586-0715 Phone • (907) 586-4529 Fax

DATE: March 3, 2016

TO: Board of Adjustment

FROM: Laura A. Boyce, AICP, Senior Planner *Laura A Boyce*
Community Development Department

FILE NO.: VAR2015 0030

PROPOSAL: A Variance request to the requirement for direct access on a publicly maintained right-of-way for a proposed minor subdivision. Proposed access is a private driveway easement.

GENERAL INFORMATION

Applicant: Olmo, LLC.

Property Owner: Olmo, LLC.

Legal Description: USMS 569 Tract 2

Parcel Code No.: 6-D06-0-101-004-0

Site Size: 32,801 square feet (0.753 Acres)

Comprehensive Plan Future Land Use Designation: MDR (Medium Density Residential, 5 to 20 dwelling units/acre)

Zoning: D-18 (Multifamily, 18 dwelling units per acre)

Utilities: CBJ Water and Sewer

Access: North Douglas Highway via a private easement

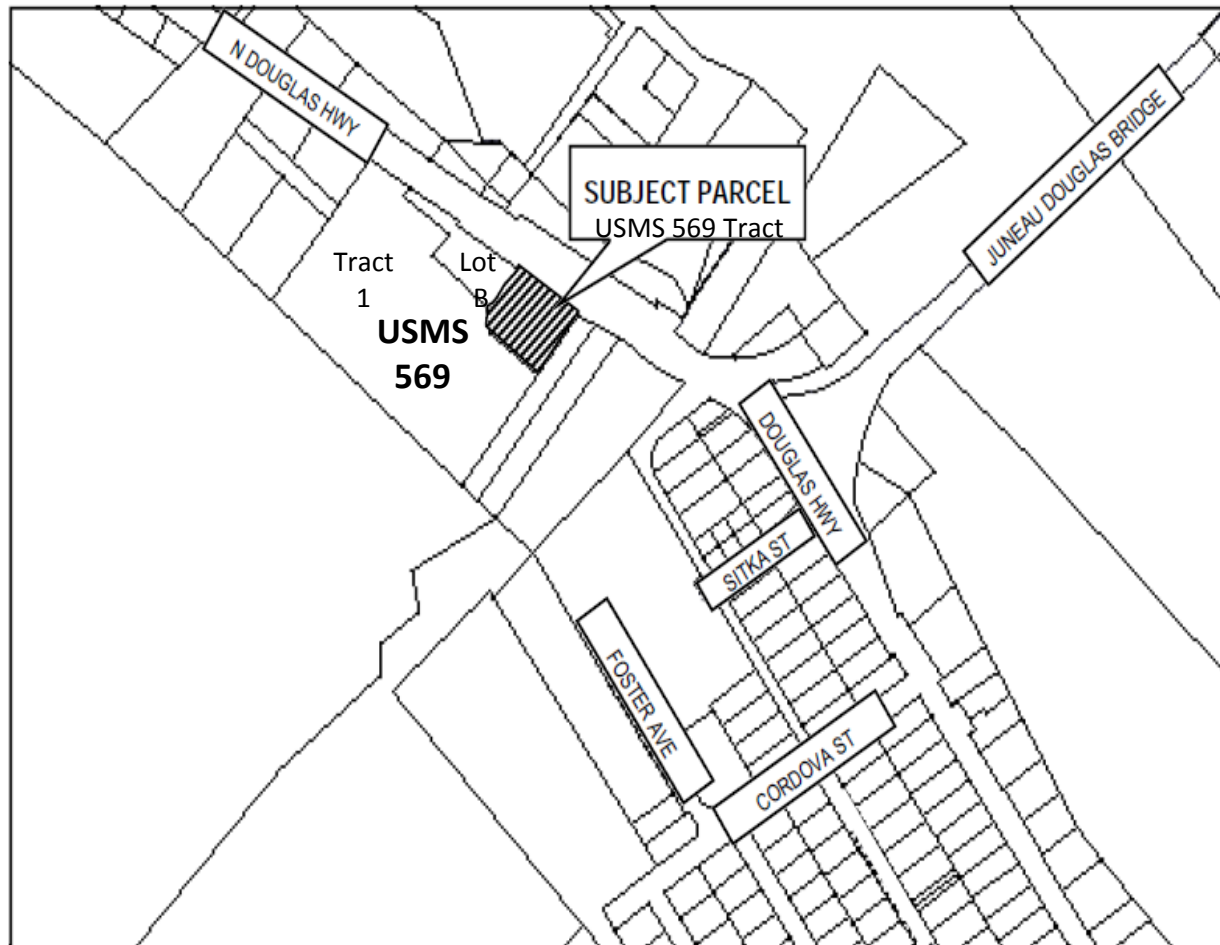
Existing Land Use: Vacant

Surrounding Land Use: North – (WI) North Douglas Highway, Trucano Bulk Fuel Facility
South – (D-18) Vacant

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File No.: VAR2015 0030
March 3, 2016
Page 2 of 14

East – (D-18) Bungalow, Vacant
West – (D-18) Single-family with apartment

Vicinity Map



ATTACHMENTS

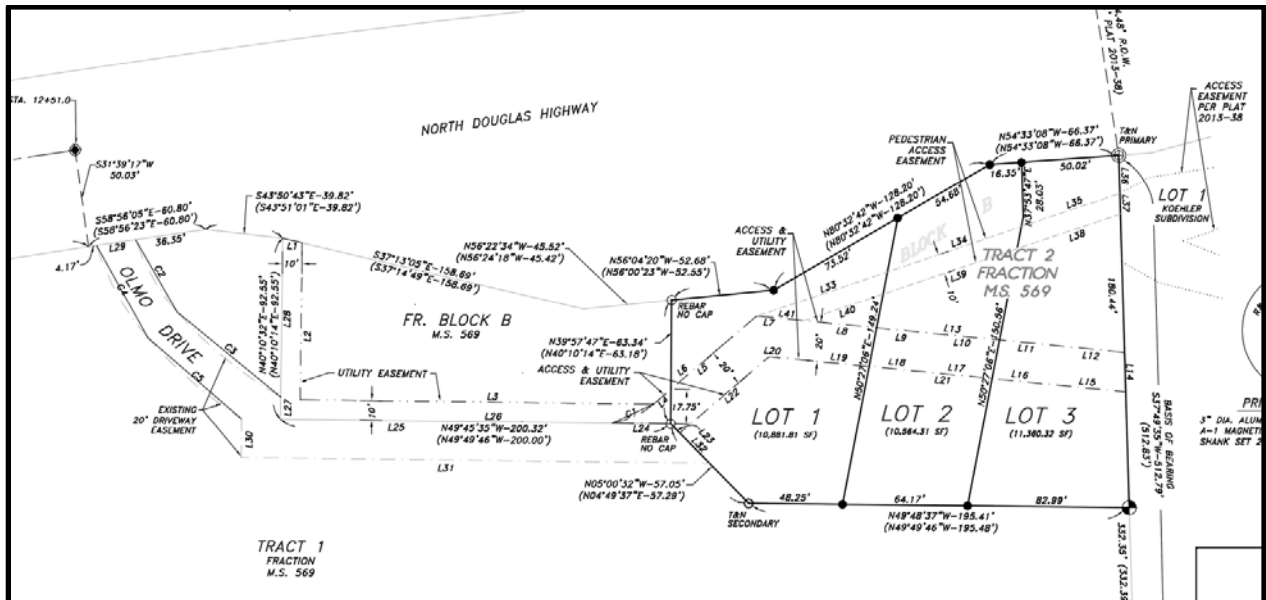
Attachment A	Application and Proposed Subdivision Plan
Attachment B	DOT&PF Driveway and Approach Permit
Attachment C	1982 Plat Waiver, Staff Report, and Planning Commission Minutes
Attachment D	Shared Access Memo to Assembly, Assembly COW Meeting Minutes
Attachment E	Review Comments

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File No.: VAR2015 0030
March 3, 2016
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PROJECT DESCRIPTION

The applicant requests relief from the requirement for direct and practical access to a publicly maintained right-of-way for a proposed minor subdivision. The subject parcel has frontage on and abuts a maintained right-of-way, North Douglas Highway. The legal access to the property is currently through a 20 foot wide easement on an adjacent property. Title 49, the Land Use Code, requires that all lots have direct and practical access to a maintained street (CBJ 49.15.424).

This variance is in conjunction with a proposed three-lot subdivision that is intended by the applicant to result in six common wall lots. If the common wall units are constructed, the lots will need to be further subdivided as required by CBJ 49.65.720. The applicant proposes a total of six lots ranging in area of approximately 5,013 square feet to 5,869 square feet that meet the minimum lot standards for the D-18 zone district. None of the proposed lots will have direct access from North Douglas Highway. If the variance is approved, the subject property will have shared driveway access on an existing access easement through the two neighboring properties, as shown below; no new access is proposed as part of this subdivision request. The proposed lots and the driveway are designed so as to prevent back-out parking onto North Douglas Highway. The applicant has received a driveway permit from the Department of Transportation (ADOT&PF) (Attachment B).



BACKGROUND

Parcel creation history

The subject parcel, United States Mineral Survey (USMS) 569 Tract 2, was created in 1982 from

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the subdivision of USMS 569 into Tracts 1 and 2 by Platting Waiver (Platting Resolution No. W-16-82, Plat No. 82-56W). Subdivisions could only be approved through the platting waiver procedure if each resulting parcel or tract would have adequate access to a public highway or street and if no dedication of a street, alley, thoroughfare, park or other public area was needed for the subdivision (See Attachment C). North Douglas Highway was classified by the CBJ as an arterial street then, as it is now.

The development rules that applied at the time of the 1982 subdivision did not allow direct access from the subject parcel to North Douglas Highway, an arterial road. Staff recommended, and the Planning Commission approved, that access to the subject parcel should be through a shared 20' existing driveway easement on the remainder parcel, USMS 569 Tract 1. That easement also served – and still serves – USMS Lot B, another adjacent lot with frontage on North Douglas Highway that contains a single-family home with an accessory apartment. Staff's recommendation was *"...access to the proposed Tract 2, can be restricted to the existing driveway easement which services the existing lot and dwelling directly to the northwest. This will limit the number of access points to the highway and, if a public right-of-way is ever provided to develop the larger tract [Tract 1], these driveways could then tie in."* (Attachment C).

In August of 2015, the Assembly amended the subdivision sections of Title 49 and codified new street construction standards that continue to require direct and practical access. However, the Assembly explicitly left the direct and practical access provision, CBJ 49.15.424, under a design standard classification (for now) so it could be subject to a variance that was consistent with past practice (See Attachment D). The Assembly directed CDD to work on a subdivision amendment regarding new frontage and access standards because it did not want frontage and access to remain subject to variances. CDD has worked with the Subdivision Review Committee and Planning Commission Committee of the Whole and expects to present the proposed ordinance to the Planning Commission soon. As described in more detail below, this variance would not comply with the proposed ordinance because the proposed driveway – the subject of this variance request would serve more lots than the draft ordinance would allow. Thus, if this variance was approved, it could erode the distinction between a driveway and a street. The draft ordinance for shared driveway access allows shared driveways in the following instances only:

- when no more than three lots will share access,
- a minimum of a 20 foot wide gravel driveway would be in a 50 foot wide easement,
- would only apply for single-family zone districts, and
- other requirements.

This proposed variance for shared access is not consistent with the proposed ordinance for shared access. (See Attachment D for memo to the Assembly regarding shared access, as well as meeting minutes).

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Zoning history

At the time of lot creation in 1982, the 0.753 acre parcel was zoned RML (Low Density Multi-family) which allowed a maximum of 26 dwelling units on this parcel based on the lot area. The subject parcel has been vacant since it was created. When the Land Use Code was updated in 1987, the property was rezoned from RML (as described above) to D-3(T)D-18 (Residential, 3 dwelling units per acre transitioning to D-18, Multifamily 18 units per acre). This lowered the density of the subject parcel, as well as limited uses to a single-family home or a duplex until such time that city services, such as water and sewer, were extended to the property. In 2011, the property transitioned to the D-18 zone district because sewer was extended along North Douglas Highway. Since water service was already available to serve the properties, once sewer was extended, the properties were eligible to transition to the higher multifamily zone district (D-18).

Under the current D-18 zone district standards, the subject parcel could have a maximum of 14 dwelling units, twelve units less than what the 1982 zone district designation maximum allowed when this parcel was created. Page 14 of the Comprehensive Plan states the following: *"Land within the USAB [Urban Service Area Boundary] should be efficiently developed before its boundaries are extended to properties outside of the USAB. An efficient development would build to the maximum density allowed by the zoning district within which the property lies, provided that road and intersections serving the new development have adequate capacity and levels of service to accommodate the proposed intensity of development. Buildable lands should be developed as medium- to high-density affordable housing or mixed residential and commercial developments wherever possible and practicable. This is particularly true for lands located within walking distance (approximately one-quarter mile) of public transit service."*

Subdivision Design and Access

As stated by the applicant, the proposed subdivision is designed so that each lot abuts the right-of-way, direct access to each lot is not practical due to the steepness of the lot from North Douglas Highway and this variance is requested to deviate from the direct access requirement. The property itself is a flat bench above North Douglas Highway. The current access to the property is through the shared driveway that was approved by the plat waiver in 1982. The applicant has also secured an additional easement to cross the property to the south and is proposing a secondary pedestrian access to the properties through the adjacent property to North Douglas Highway.

It is the act of subdivision that triggers the need for access to a street. This property could be developed with 8 multifamily units with approval of a building permit, and the building permit review may require improvements to the existing driveway. Since the applicant is proposing six lots with three two-unit common wall structures that requires subdivision to create the fee-simple lots, that triggers the need for either direct access from each lot to a maintained right-of-way (North Douglas Highway) or for a street to be constructed and dedicated to serve the

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seven lots (the proposed six lots, along with the existing lot (USMS Lot B) that shares the existing driveway).

The applicant could construct the same project – three two-unit buildings – without a subdivision. Direct access to a street would not be required because there would not be a subdivision. However, Engineering and Fire would need to determine if the existing driveway satisfied the access requirements for that type of use and development.

Previously Scheduled Public Hearings

Previously, three applications had been filed related to the proposed subdivision: a major subdivision application (SMF2015 0004) and two variance applications (VAR2015 0019 and VAR2015 0030). One variance (VAR2015 0019) was for relief from the requirement for resulting lots along an arterial to meet the D-1 zone district lot size standards (CBJ 49.35.210(b)). CDD intends to provide a supplement to this staff report addressing the application of CBJ 49.35.210(b).

Review Comments

CDD staff solicited review comments from CBJ departments. (See Attachment E). The Fire Department reviewed the proposal as submitted by the applicant. The applicant agrees to sprinkler each individual building. Because of this, there are no fire code issues with the proposal. The Streets and Fleet Division reviewed the proposal and have no issues with it. The General Engineering Division supports the proposed subdivision as designed. Ron King, CBJ Regulatory Surveyor, for CBJ Engineering provided the following comment: *“The access as eased for this subdivision is the only practical route for serving the development. Due to the slope of the embankment on Douglas Hwy there is no practical, direct route for access from the right-of-way as the gradient would be too steep and unacceptable.”* As stated previously, the Alaska Department of Transportation and Public Facilities had no comments about this proposal other than to require a driveway and approach permit, which has been approved for seven (7) lots. (See Attachment E).

ANALYSIS

The following Title 49, the Land Use Code, sections apply to all subdivisions generally, and are particularly germane to the proposed subdivision as designed:

CBJ 49.15.424 Access

(a) *Principal access to the subdivision.* Except as provided below, the department shall designate one right-of-way as principal access to the entire subdivision. Such access, if not already accepted for public maintenance, shall be improved to the applicable standards for public acceptance and maintenance. It shall be the responsibility of the subdivider to pay the cost of the right-of-way improvements.

...

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via a stairway or even a driveway. These options would require considerable money spent for construction and approval by ADOT&PF. However, ADOT&PF is limiting access to North Douglas Highway and is requiring shared driveways/access points when possible. Even if direct vehicular access to this project could be physically provided, ADOT&PF would likely not permit it for safety reasons.

Existing Access to the Property

As stated previously, when the subject parcel was created, staff recommended and the Planning Commission approved limiting access to the parcel from North Douglas Highway through a shared 20' driveway easement. This driveway easement is shared currently by three lots; the subject parcel is one of them and the larger tract is still undeveloped. It was envisioned that when the larger tract, Tract 1, was developed a street right-of-way could connect with the existing driveways such that the existing driveways would no longer directly connect to North Douglas Highway. This would be in keeping with limiting access to North Douglas Highway, an arterial roadway. When Tract 1 was rezoned to D-18 in 2009 (MAP2008-00004), a specific condition was in the Notice of Decision regarding access to North Douglas Highway: *"Access points for new development should be aggregated to the extent possible, and access roads should be spaced at least one quarter mile from adjacent access roads"*. The Traffic Impact Analysis that was completed prior to the rezone recommended that access points also be aggregated. Since the existing access to the subject parcel and Lot B are through easements on Tract 1, these three properties will have to coordinate combined access.

Access and Frontage Requirements

Basic subdivision design requires that all lots have direct access to a maintained street (CBJ 49.15.424). The primary purpose of road frontage is to guarantee vehicular access to each lot. Additionally, direct access to a public street provides for access to the property by emergency responders. Direct access to a public street can minimize easement disputes between neighbors. These requirements exist for public health, safety, and welfare purposes. The CBJ Land Use Code requires that all lots have frontage (front) on a maintained right-of-way. CBJ 49.80.120 defines frontage as *"that side of lot abutting a street; the front lot line."* Abut is also defined in Title 49 as *"to physically touch, border upon, or to share a common property line with."* As described earlier, consistent with the Assembly's direction upon considering Ordinance 2015-03, the forthcoming shared driveway access amendment is anticipated to describe when a shared driveway may be considered as a development option.

Title 49, the Land Use Code, limits access to minor arterials and arterial highways. North Douglas Highway is designated as a minor arterial roadway by CBJ, but it is a state-maintained road. Both the CBJ and ADOT&PF restrict access to North Douglas Highway for safety and efficient transportation purposes. Accordingly, no new access point is proposed with this subdivision. The development would use the existing access easement, which is consistent with the overarching safety and efficient transportation policies for roads like North Douglas

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Highway.

The applicant has obtained a driveway and approach permit from the Alaska Department of Transportation (ADOT&PF) (Attachment B). In 2011, ADOT&PF updated their functional classification maps and now classifies North Douglas Highway as a minor collector. This means that currently ADOT&PF and CBJ have classified North Douglas Highway differently. For CBJ land use decisions, we have to use the adopted Roadway Classification Map for this street which is classified as a minor arterial.

As stated above, CBJ commissioned a Traffic Impact Analysis (TIA) prior to evaluating several rezoning requests on North Douglas in 2009. The TIA Study Area evaluated potential future traffic impacts along the North Douglas Highway from the roundabout to just past Nelson Creek. The TIA notes future driveways and access roads will be subject to the ADOT&PF permitting process. However, the TIA recommends that access points for new developments should be aggregated to the extent possible, and access points should be spaced at least one quarter mile from adjacent access roads.

Page 190 of the 2013 Comprehensive Plan discusses the North Douglas Highway. The Plan states the highway is a two-lane, paved minor arterial roadway with no sidewalk, separated pedestrian pathway or bicycle lane that is operated and maintained by ADOT&PF. The Plan further notes the road serves as a local access residential street with over 500 private driveways accessing directly onto the road. This creates dangers to the local users and those passing through to recreational destinations. Any subdivision that does not create a public road will aggravate the existing safety problems. The solution for North Douglas is to plat and construct right-of-ways, which provide direct access to existing and future lots.

Variance Requirements

CBJ 49.20.250 governs variances. Under CBJ 49.20.250, an applicant must demonstrate hardship and practical difficulties resulting from an extraordinary situation or unique physical feature affecting only a specific parcel of property or structures lawfully existing thereon and render it difficult to carry out the provisions of Title 49, the Board of Adjustment may grant a Variance in harmony with the general purpose and intent of Title 49.

A Variance may vary any requirement or regulation of Title 49 concerning dimensional and other design standards, but not those concerning the use of land or structures, housing density, lot coverage, or those establishing construction standards. The purpose and intent of Title 49 requirements are listed below.

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CBJ 49.05.100 Purpose and intent.

The several purposes of this title are:

- (1) To achieve the goals and objectives, and implement the policies, of the Juneau comprehensive plan, and coastal management program;*
- (2) To ensure that future growth and development in the City and Borough is in accord with the values of its residents;*
- (3) To identify and secure, for present and future residents, the beneficial impacts of growth while minimizing the negative impacts;*
- (4) To ensure that future growth is of the appropriate type, design and location, and is served by a proper range of public services and facilities such as water, sewage, and electrical distribution systems, transportation, schools, parks and other public requirements, and in general to promote public health, safety and general welfare;*
- (5) To provide adequate open space for light and air; and*
- (6) To recognize the economic value of land and encourage its proper and beneficial use.*

A Variance may be granted after the prescribed hearing and after the Board of Adjustment has determined:

- 1. That the relaxation applied for or a lesser relaxation specified by the Board of Adjustment would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.***

If approved, the relaxation would give substantial relief to the applicant because a road would not have to be platted nor constructed to serve the proposed subdivision from North Douglas Highway. However, the relaxation would not be consistent with justice to other property owners in that new subdivisions are required to obtain direct and practical access on a dedicated right-of-way.

Relaxation to the requirement for direct physical access to a dedicated street would result in the applicant being able to use the existing access for vehicular access. The 20 foot wide driveway easement would serve as access to the subdivision rather than a street or another access point being constructed from the subject parcel to North Douglas Highway. This would enable the applicant to create fee-simple lots.

No, this is not met.

- 2. That relief can be granted in such a fashion that the intent of this title will be observed and the public safety and welfare be preserved.***

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As stated in CBJ 49.05.120, *Standards*, “The standards established by this title are declared to be the minimum required in the interest of public health, safety and general welfare.” Title 49 was recently amended regarding subdivision requirements, including reducing the requirements for public streets. Those changes went into effect September 30, 2015. The narrowest roadway approved to serve subdivisions within the Urban Service Area, which this property is located within, is a minimum of a 22’ foot wide paved roadway within a 60 foot right-of-way. This type of road can serve up to 211 average daily trips (ADT), or approximately 13 single-family lots. The applicant proposes to use the existing gravel private driveway located within a 20 foot wide easement with grades at 14% to serve the proposed six-lot subdivision. The minimum roadway allowed by Code is a privately maintained right-of-way located in a public right-of-way which is only allowed outside of the Urban Service Area as it is a rural type of road. It is a minimum of 20 foot wide gravel road, or the minimum as determined by the International Fire Code (IFC), and located within a 60 foot wide public right-of-way. All owners of lots along the privately maintained road are required to maintain the street. These street types were determined to be the minimum public safety and welfare standards for subdivision development. This project does not meet those standards.

The existing driveway easement width of 20 feet does not meet IFC requirements because 20 feet of driveway (travel way) cannot fit within the easement. The Fire Department is requiring that each dwelling unit have sprinklers installed and that a fire hydrant be installed to serve the development. Because the buildings will be sprinklered, an emergency vehicle turnaround is not required although there is area enough for turnaround in the proposed design. The grade of the driveway will not exceed 14%. Fifteen percent grade is the maximum allowed by Title 49 (CBJ 49.15.423).

The applicant also proposes a pedestrian access through the subdivision and through the neighboring parcel to the south. This would provide a secondary means of access for residents. ADOT&PF limits the amount of vehicular accesses onto North Douglas Highway and supports the shared access.

The Comprehensive Plan, as discussed previously, discusses limiting access points to North Douglas Highway for safety purposes as well. However, if the shared driveway is not maintained in the winter, exiting vehicles from the subdivision may slide into cars in the shared access or into North Douglas Highway, which present substantial safety hazards. By limiting the maximum number of vehicle trips along the driveway, there are fewer chances for safety issues to occur.

No, this is not met.

3. That the authorization of the Variance will not injure nearby property.

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The requested variance would allow for the lot to be subdivided into six lots, as proposed by the applicant. Since the lot is already zoned D-18, as many as 14 multifamily dwelling units could be developed on the property without subdividing, although nine or more units would require a conditional use permit. Up to eight multifamily units could be built with a building permit approval. Multifamily development does not require dedication and construction of a street and the existing driveway could serve the development. However, the existing driveway may need to be improved if a multifamily development was proposed. Additionally, a multifamily development would likely result in a substantial increase of traffic along the existing driveway, which would likely cause increased noise, dust, and road maintenance. Because of the existing development potential on the property that could use the driveway, staff finds that approval of this variance would not likely injure nearby property.

Yes, this is met.

4. *That the Variance does not authorize uses not allowed in the district involved.*

This variance request does not authorize uses not allowed in the district. The proposed common wall dwelling units are uses allowed in the D-18 zone district, a multifamily district (CBJ 49.25.300, Line 1.900, *Common Wall Development*).

Yes, this is met.

This element will be addressed in the supplemental staff report.

5. *That compliance with the existing standards would:*

(A) *Unreasonably prevent the owner from using the property for a permissible principal use;*

The property can be developed without subdivision of the land. A single family residence can be constructed. A maximum of 14 multifamily units could also be constructed on the property with approval of a Conditional Use permit (CUP). Up to eight multifamily units may be constructed with approval of only a building permit. Multifamily developments do not trigger the need for direct physical access to a dedicated street for development to occur like a subdivision does. The applicant is proposing six lots with a common wall dwelling unit on each lot. The applicant could also develop the property as proposed, with three two-unit buildings, but not subdivide the property.

No, this is not met.

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- (B) *Unreasonably prevent the owner from using the property in a manner which is consistent as to scale, amenities, appearance or features, with existing development in the neighborhood of the subject property;***

Larger tracts of land in the area were transitioned from the D-3 zone district to the D-18 zone district in 2009. Other smaller properties, such as the subject property, followed in 2011. The Comprehensive Plan designation of this area is Medium Density Residential (MDR) providing for densities between 5 and 20 units per acre. Development such as what is proposed has not yet occurred in the immediate area. The Hemlock Hills subdivision (3915 North Douglas Highway) is the closest development similar in density. However, subdivision does not need to occur for development to happen on this property. As noted above, up to eight multifamily units may be constructed with building permit approval.

No, this is not met.

- (C) *Be unnecessarily burdensome because unique physical features of the property render compliance with the standards unreasonably expensive;***

Direct access to the property is limited due to the existing topography of the lot making construction of a street directly from the lot to North Douglas Highway expensive. Access is proposed through a shared driveway on the adjacent parcels that have less topographical constraints. However, other smaller subdivisions have had to comply with the street standard requirements.

No, this is not met.

or

- (D) *Because of preexisting nonconforming conditions on the subject parcel the grant of the Variance would not result in a net decrease in overall compliance with the Land Use Code, CBJ Title 49, or the building code, CBJ Title 19, or both.***

The existing access to the lot is legally nonconforming in that in 1982 the Planning Commission approved the current lot with frontage on a right-of-way, but indirect access to the publicly maintained right-of-way is through a shared easement on a neighboring property. The grant of the variance would result in a net decrease in overall compliance with Title 49 in that the applicant is proposing up to six lots that would not meet the requirement for direct and practical access to a publically maintained right-of-way.

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No, this is not met.

No, Criterion 5 is not met.

6. *That a grant of the Variance would result in more benefits than detriments to the neighborhood.*

The grant of this variance could cause a detriment to adjacent property owners or their successors because this development could increase the use of the existing substandard access that is located on two adjacent parcels. Additionally, the increased development may result in detriments to users of North Douglas Highway because the existing access may cause traffic impacts on North Douglas Highway.

No, this is not met.

FINDINGS

1. *Is the application for the requested Variance complete?*

Yes. Staff finds the application contains the information necessary to conduct full review of the proposed request.

Per CBJ 49.70.900 (b)(3), General Provisions, the Director makes the following Juneau Coastal Management Program consistency determination:

2. *Will the proposed development comply with the Juneau Coastal Management Programs?*

Not applicable.

3. *Does the variance as requested, meet the criteria of Section 49.20.250, Grounds for Variances?*

No. Based upon the above analysis, the proposed variance, does not meet the criteria, Grounds for Variances. Specifically, criteria 1, 2, 5, and 6 are not met.

RECOMMENDATION

Staff recommends that the Board of Adjustment adopt the Director's analysis and findings and **DENY** the requested Variance, VAR2015 0030.

ATTACHMENT A - APPLICATION VARIANCE APPLICATION

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Project Number	Project Name (15 characters)	Case Number	Date Received
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TYPE OF VARIANCE REQUESTED:

☐ Variance to the Sign Standard (VSG)

☐ Variance to Dimensional Standards (VDS)

☐ Variance to Setback Requirements (VSB)

DESCRIPTION OF ACTIVITY WHICH REQUIRES A VARIANCE:

The proposed OLMO subdivision would require direct and practical access to a public right-of-way per CBJ 49.15.424.

The landowner requests a variance to the public access requirements before applying to subdivide.

Previous Variance Applications? ☒ YES ☐ NO Date of Filing: _____

Previous Case Number(s): _____

Was the Variance Granted? ☐ YES ☐ NO

UNIQUE CHARACTERISTICS OF LAND OR BUILDING(S): _____

The proposed subdivision is west of the North Douglas Highway. A natural bench in the hillside is proposed as the site for building three common-wall dwellings. Access to the existing lot is provided by an existing easement which has been in use for 34 years.

Direct access to the highway is not possible due to topographical constraints. See attached letter for explanation justifying this variance request.

UTILITIES AVAILABLE: **WATER:** ☒ Public ☐ On Site **SEWER:** ☒ Public ☐ On Site

WHY WOULD A VARIANCE BE NEEDED FOR THIS PROPERTY REGARDLESS OF THE OWNER?

Direct and practical access to a public ROW are design requirements for a subdivision, regardless of landownership.

WHAT HARDSHIP WOULD RESULT IF THE VARIANCE WERE NOT GRANTED?

The landowner would be unable to proceed with a minor subdivision. Financial hardships would result if the land cannot be developed.

Constructing a public street to the lots is not financially feasible, and the street would have to pass through an adjacent lot that the developer does not own.

For more information regarding the permitting process and the submittals required for a complete application, please see the reverse side. If you need any assistance filling out this form, please contact the Permit Center at 586-0770.	<table style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="5" style="text-align: left; padding: 5px;">VARIANCE FEES</th> </tr> <tr> <th style="width: 40%;"></th> <th style="width: 15%;">Fees</th> <th style="width: 15%;">Check No.</th> <th style="width: 15%;">Receipt</th> <th style="width: 15%;">Date</th> </tr> <tr> <td style="padding: 5px;">Application Fees</td> <td style="padding: 5px;">\$ _____</td> <td style="padding: 5px;">_____</td> <td style="padding: 5px;">_____</td> <td style="padding: 5px;">_____</td> </tr> <tr> <td style="padding: 5px;">Adjustment</td> <td style="padding: 5px;">\$ _____</td> <td style="padding: 5px;">_____</td> <td style="padding: 5px;">_____</td> <td style="padding: 5px;">_____</td> </tr> <tr> <td style="padding: 5px;">Total Fee</td> <td style="padding: 5px;">\$ _____</td> <td style="padding: 5px;">_____</td> <td style="padding: 5px;">_____</td> <td style="padding: 5px;">_____</td> </tr> </table>	VARIANCE FEES						Fees	Check No.	Receipt	Date	Application Fees	\$ _____	_____	_____	_____	Adjustment	\$ _____	_____	_____	_____	Total Fee	\$ _____	_____	_____	_____
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Adjustment	\$ _____	_____	_____	_____																						
Total Fee	\$ _____	_____	_____	_____																						

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

R&M ENGINEERING, INC.
ENGINEERS
GEOLOGISTS
SURVEYORS

6205 GLACIER HWY. «» JUNEAU, ALASKA 99801
PHONE: 907-780-6060 «» FAX: 907-780-4611
EMAIL: rmengineering@rmjuneau.com

January 28, 2016

City and Borough of Juneau
155 South Seward Street
Juneau, Alaska 99801

Sent VIA Email

Attn: Ms. Laura Boyce
CBJ CCD Senior Planner

Re: OLMO Subdivision
Request for Variance to the Practical Access to a Public Right of Way
R&M Project No. 141740

Dear Ms. Boyce,

On behalf of OLMO LLC (property owner and developer), R&M Engineering, Inc. (R&M), has prepared a CBJ variance application for the project access to the development. This letter provides background and an explanation for a variance request by OLMO LLC for the minor subdivision to create six (6) common wall lots on Tract 2, Fraction U.S.M.S. 569.

Background:

OLMO LLC and R&M have shared correspondence with CBJ for more than a year regarding the development of Tract 2, Fraction U.S.M.S. 569. Two preliminary plat meetings have been held to discuss the development of the said lot into six common-wall lots. It was agreed at these meetings and in staff's planning commission packet, dated July 1st, 2015, that an existing access easement could be extended to provide access to each lot. In the time since correspondence began with CBJ, a lot of time and money has been invested into the project for permits, utility design and utility construction. A driveway and utility permit was obtained from the State of Alaska D.O.T. for the project. Water and sanitary sewer connections were approved by D.O.T. and CBJ and installed by the developer in the Fall of 2014. During the CBJ plan review of the project the Fire Marshal ruled that there was inadequate fire apparatus turn around room so the developer offered to sprinkler each dwelling unit to provide fire protection. This was acceptable to the CBJ Fire Marshal.

The subdivision was scheduled for the July 14th, 2015 CBJ Planning Commission meeting. Four days before the meeting, we were informed that the CBJ legal department had issues with the access to the subdivision. OLMO Subdivision was removed from the agenda on July 13th. A written explanation of the decision to pull the project was received from CBJ on July 20th. Two sections of the CBJ Land Use Code were cited in the explanation:

CBJ 49.14.460(5)(D) – Design:

The department shall designate one right-of-way as principal access to the entire subdivision. Such access, if not already accepted for public maintenance, shall be improved to the applicable standards for public acceptance and maintenance.

CBJ 49.40.120 – Streets:

Each lot shall abut and be physically accessible from a dedicated street.

This variance application requests that North Douglas Highway be accepted as the principal access to the entire subdivision via an existing access easement to Tract 2, Fraction U.S.M.S. 569 which has been in use for 34 years. If the developer is required to construct a street as CBJ has suggested, than this project as proposed will no longer be feasible due to the increased costs; the permitting and utility work done to date will be a loss. The applicant asks for fair consideration of this variance and suggests that approval will be in the best interest of the community in providing much needed housing. We believe that the existing privately-maintained driveway that exists with a private easement was created with the very intention of providing direct and practical access to North Douglas Highway, and would be the best solution for providing direct and practical access to each lot in the proposed subdivision.

Variance Criteria:

The following discussion summarizes how this variance meets each of the six criteria established by the City and Borough of Juneau.

1. *The relaxation applied for or a lesser relaxation specified by the board of adjustment would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.*

Response: Yes. Previous variances have been approved for using private driveway easements to access lots in subdivisions. In a letter dated July 23rd, 2015 from Laura Boyce, AICP, to the Assembly Committee of the Whole, eleven projects are cited that have common access easements. In all cases, the easements were considered safe and practical access to the lots.

The safest and most practical access to the lots in OLMO subdivision is by the existing access easement. The topography of the site simply does not allow more direct and practical access to the lots. CBJ 49.15.460(3) states that 'Consideration shall be given to design limitations imposed and opportunities presented by slopes, waterways and other topographic features.' By relaxing the code interpretation that requires a public street to each lot, the project can move forward as planned without severe delays and undue financial hardship to the developer.

Furthermore, it is not considered practical to build a new public access when an adequate driveway already exists. If the variance is not approved, the minor subdivision will not occur, resulting in reduced market value of the property for the landowner and lower property assessments that affect CBJ's tax revenues.

2. *Relief can be granted in such a fashion that the intent of this title will be observed and the public safety and welfare preserved.*
- **Response:** Yes. It is safest to minimize the number of driveways accessing North Douglas Highway. The existing driveway would provide access to all six lots with one

entry point on the highway, making it the most safe and practical option. As a private driveway, it will not be used by the public and so cannot affect public safety.

3. *The authorization of the variance will not injure nearby property.*

Response: Yes. The proposed variance will not adversely affect adjacent property. The 20'-wide shared driveway is large enough to allow passing of vehicles and widening of the driveway approach to North Douglas Highway will increase the safety of the existing access. Since the existing easement passes through the neighboring parcel, dedicating right-of-way and building a public street could not be done without purchasing land from the neighboring landowner. This purchase would be an unnecessary burden to the developer when an existing driveway is already constructed and in use.

4. *The variance does not authorize uses not allowed in the district involved.*

Response: Yes. The access easement would be considered acceptable if the same property was used to build 16 condo units; it is only the act of subdividing that gives rise to the publically maintained street requirements. So it would not be outside the allowable use for the area. CBJ is already requiring that a joint use and maintenance agreement be made part of OLMO Subdivision for the access easement. A dedicated street is a financial burden to CBJ whereas a driveway would be maintained jointly by the property owners. The owners and developer of the OLMO subdivision should not be held financially responsible for constructing a street across someone else's land when a practical access easement already exists to serve the same purpose. Consideration should be given to the size of the development when determining the appropriate size of the access.

5. *Compliance with the existing standards would:*

- D. *Because of preexisting nonconforming conditions on the subject parcel, the grant of the variance would not result in a net decrease in overall compliance with the land use code, title 49, or the building code, title 19, or both.*

Response: Yes. An access easement was created in 1982 to serve Tract 2 due to the site topography. Now that there is a proposal to subdivide Tract 2, we find that the same access easement is the safest and most practical way to reach the lots in this proposal.

6. *A grant of the variance would result in more benefits than detriments to the neighborhood.*

Response: Yes. The proposed variance will allow for development of Tract 2 with an access road proportional to the subdivision's size. The road improvements required by the D.O.T. driveway permit will make it safer for all vehicles on the highway which would be a benefit to the neighborhood.

Additional Comments:

In the written explanation from CBJ citing the reasons for requiring a street, 'the lots are not *directly* accessed from the dedicated street' (North Douglas Highway being the nearest street). Nowhere in the two code sections referenced in the explanation appears the word 'direct'. Direct access is only required per CBJ 49.15.460(4)(A) when compliance with minimum dimensional standards is impractical. OLMO Subdivision meets all of the dimensional standards for D-18 zoning.

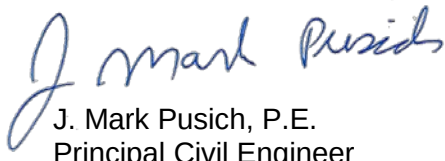
Each lot abuts North Douglas Highway with at least 30' of lot frontage and physical access is obtained with the access easement, so the requirements of CBJ 49.40.120 as cited above are met.

Conclusion:

The proposed variance requests that the requirements of CBJ 49.15.460(5)(D) be relaxed to allow for use of a shared access easement rather than a dedicated street. Six total lots will be subdivided from Tract 2 and we ask that the shared access easement be considered acceptable for all six lots at the time of preliminary plat approval. If the variance is not granted, the construction of an alternative public access constructed to CBJ Street Standards will not occur because it is neither practicable or desirable. We believe that the approval of the variance, which would allow the existing access easement to provide access to the subdivision, follows the intent and purpose of the CBJ regulations by making development more affordable while maintaining public safety.

We appreciate your time in reviewing this variance application request and should you have any questions, please do not hesitate to contact me at your convenience.

Sincerely,
R&M Engineering, Inc.

A handwritten signature in blue ink that reads "J. Mark Pusich". The signature is fluid and cursive, with the first name "J." and last name "Pusich" clearly legible.

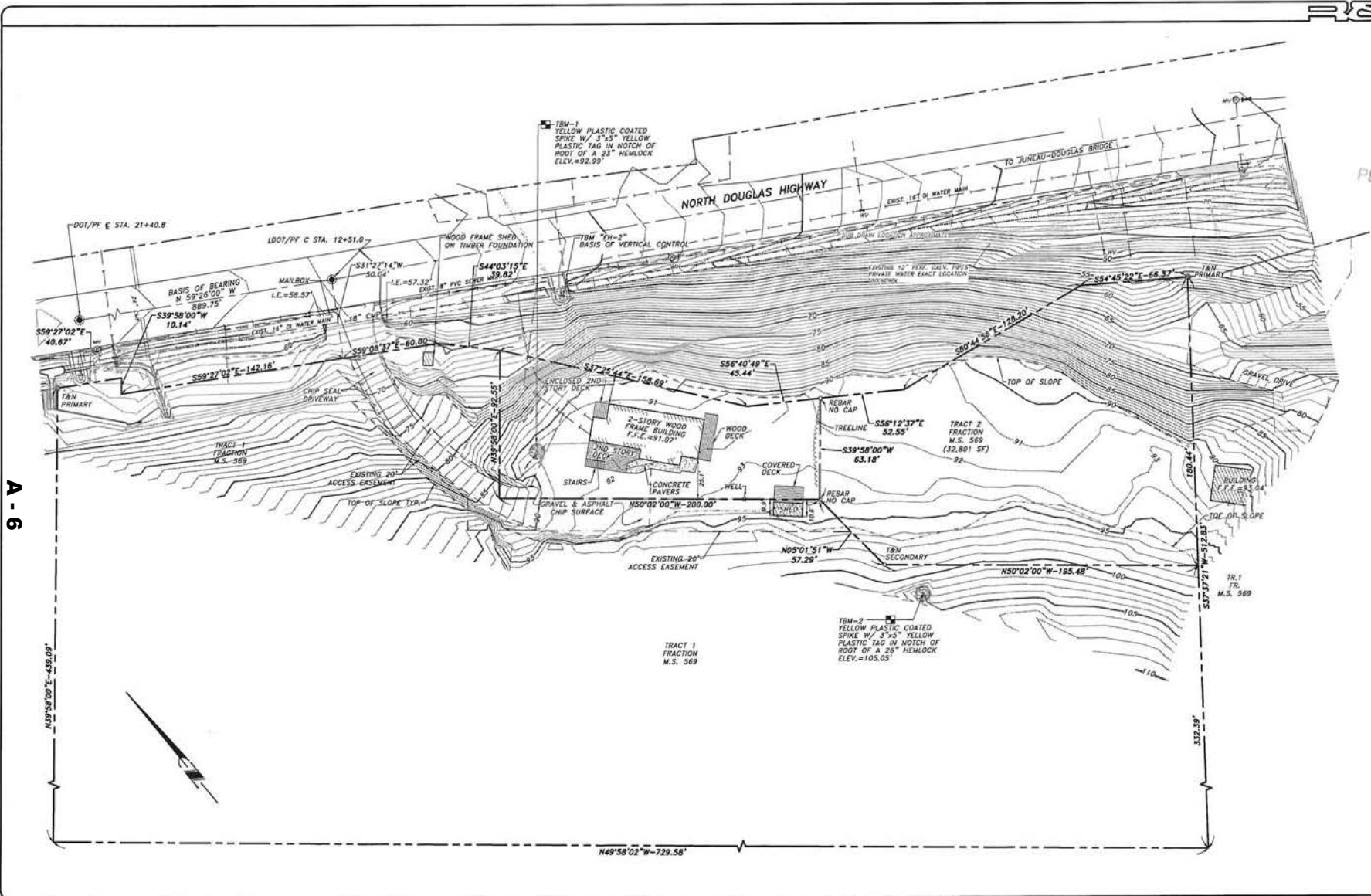
J. Mark Pusich, P.E.
Principal Civil Engineer

cc: Haifa Sadighi

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APR 29 2015
PERMIT CENTER/CDD

ATTACHMENT A - APPLICATION



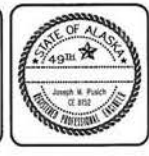
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APPROVED	JMP				
FILE:					
No.	DATE	REVISION	BY	APPRD.	

EXISTING TOPOGRAPHIC CONDITIONS

CONTOUR INTERVAL = 1'

SCALE: 1" = 30'

0' 1.5' 30' 60' 120'



R & M ENGINEERING, INC.
ENGINEERS GEOLOGISTS SURVEYORS
6205 GLACIER HIGHWAY
JUNEAU, AK. 99801
Phone 907-780-6060
Fax 907-780-4611
rmengineering@rmjuneau.com

OLMO SUBDIVISION
SITE IMPROVEMENTS
CITY AND BOROUGH OF JUNEAU, ALASKA

DATE: APR 29, 2015
RAW NO.: 141740
SHEET: 103
Page 103 of 177

GENERAL NOTES

1. THE BASIS OF BEARING FOR THIS SURVEY IS THE RECORD BEARING OF N37°49'35"E BETWEEN THE NORTHEAST CORNER OF TRACT 2 AND THE SOUTHEAST CORNER OF TRACT 1, WITHIN U.S.M.S. 569, PER PLAT 82-56W.
2. THE BASIS OF COORDINATES FOR THIS SURVEY IS THE RECOVERED TONER NORDLING PRIMARY MONUMENT AT THE NORTHEAST CORNER OF TRACT 1, M.S. 569.
3. RECORD INFORMATION DENOTED BY THIS PLAT WAS DERIVED FROM PLAT NO. 82-56W, ON FILE IN THE JUNEAU RECORDING DISTRICT OFFICE.
4. ALL BEARINGS SHOWN ARE WITH REFERENCE TO THE BASIS OF BEARING. ALL DISTANCES DENOTED HAVE BEEN REDUCED TO HORIZONTAL DISTANCES.
5. THIS SURVEY WAS CONDUCTED UTILIZING A TOPCON 3000 SERIES TOTAL STATION AND STANDARD PRISM RANGING METHODS, ON MAY 6 & 7, 2014.
6. PUBLIC WATER AND SANITARY SEWER DISPOSAL IS PROVIDED BY THE CITY AND BOROUGH OF JUNEAU PUBLIC UTILITIES, TO TRACT 2, FRACTION M.S. 569.

CORPORATE OWNERSHIP CERTIFICATE

I HEREBY CERTIFY THAT OLMO, LLC IS THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I AS CUSTODIAN AND MANAGER HEREBY ADOPT THIS PLAT OF SUBDIVISION WITH MY FREE CONSENT, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED:

DATE 2015

OLMO, LLC

HAIFA SADIGHI,
CUSTODIAN & MANAGER

NOTARY ACKNOWLEDGMENT

UNITED STATES OF AMERICA } ss.
STATE OF ALASKA }

THIS IS TO CERTIFY THAT ON THIS DAY OF 2015, BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED HAIFA SADIGHI, CUSTODIAN AND MANAGER FOR OLMO, LLC TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE ABOVE AND FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT SHE SIGNED AND SEALED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN MENTIONED.

WITNESS MY HAND AND OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES: _____

CERTIFICATE OF PLAT APPROVAL

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH OF JUNEAU, ALASKA AND THAT SAID PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION BY PLAT RESOLUTION NO. _____, 2015, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT RECORDING OFFICE, JUNEAU, ALASKA.
DATED: _____, 2015

CHAIRMAN
CITY AND BOROUGH OF JUNEAU
PLANNING COMMISSION

ATTEST:

CLERK CITY

STORMWATER RUNOFF

THE ON LOT STORMWATER RUNOFF DRAINAGE IS ACCEPTABLE AS EXISTS BETWEEN THE PLATTED LOTS OF THIS SUBDIVISION AND MAY NOT BE MODIFIED UNLESS PERMITTED BY CBJ ENGINEERING PURSUANT TO CHAPTER 19.12.120.1 BEST MANAGEMENT PRACTICES.

EXISTING DRIVEWAY EASEMENT NOTE

ACCESS TO LOTS 1 - 3 IS RESTRICTED TO THE 20' ACCESS AND UTILITY EASEMENT ESTABLISHED BY BOOK 203, PAGE 835 OF THE JUNEAU RECORDING DISTRICT.

UTILITY EASEMENT NOTE

THE UTILITY EASEMENT IN FAVOR OF LOTS 1, 2, & 3, IS TO BE 10 FEET IN WIDTH.

ACCESS & UTILITY EASEMENT NOTE

THE ACCESS AND UTILITY EASEMENT IN FAVOR OF LOTS 1, 2, & 3, IS TO BE 20 FEET IN WIDTH. THIS EASEMENT IS FOR USE AS A SHARED AND COMMON DRIVE FOR SAID LOTS.

VICINITY MAP

SOURCE: CBJ PROPERTY ATLAS

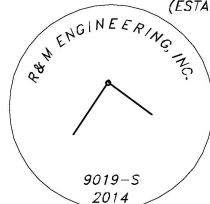
SCALE: 1"=200 ±

LEGEND

- DOT/PP PRIMARY MONUMENT (RECOVERED)
- T&N PRIMARY MONUMENT (RECOVERED THIS SURVEY)
- SECONDARY MONUMENT (RECOVERED THIS SURVEY)
- 9019-S PRIMARY MONUMENT (ESTABLISHED THIS SURVEY)
- 9019-S SECONDARY MONUMENT (ESTABLISHED THIS SURVEY)
- BOUNDARY / PROPERTY LINE
- PROPERTY LINE TO BE ESTABLISHED UPON COMPLETION OF COMMONWALL DWELLINGS
- UNSURVEYED LOT LINE
- CENTERLINE
- ACCESS & UTILITY EASEMENT
- UTILITY EASEMENT

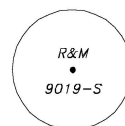
TYPICAL MONUMENTS

(ESTABLISHED THIS SURVEY)



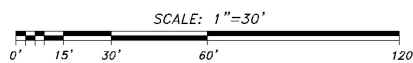
PRIMARY MONUMENT

3" DIA. ALUMINUM BERNSTEN FEDERAL A-1 MAGNETIZED CAP ON 2-1/2" DIA. SHANK SET 24" IN GROUND



SECONDARY MONUMENT

1-1/4" DIA. YELLOW PLASTIC SURV-CAP ON 5/8" DIA. x 36" IRON PIN EXPOSED 2"



A PLAT OF
OLMO SUBDIVISION
A SUBDIVISION OF
TRACT 2, BLOCK B
FRACTION OF
U.S.M.S. No. 569

WITHIN THE
CITY & BOROUGH OF JUNEAU, ALASKA
JUNEAU RECORDING DISTRICT

OWNER:
OLMO, LLC
P.O. BOX 35513
JUNEAU, ALASKA 99803

SURVEYOR:
R&M ENGINEERING, INC.
6205 GLACIER HIGHWAY
JUNEAU, ALASKA 99801

DATE: JUNE 26, 2015

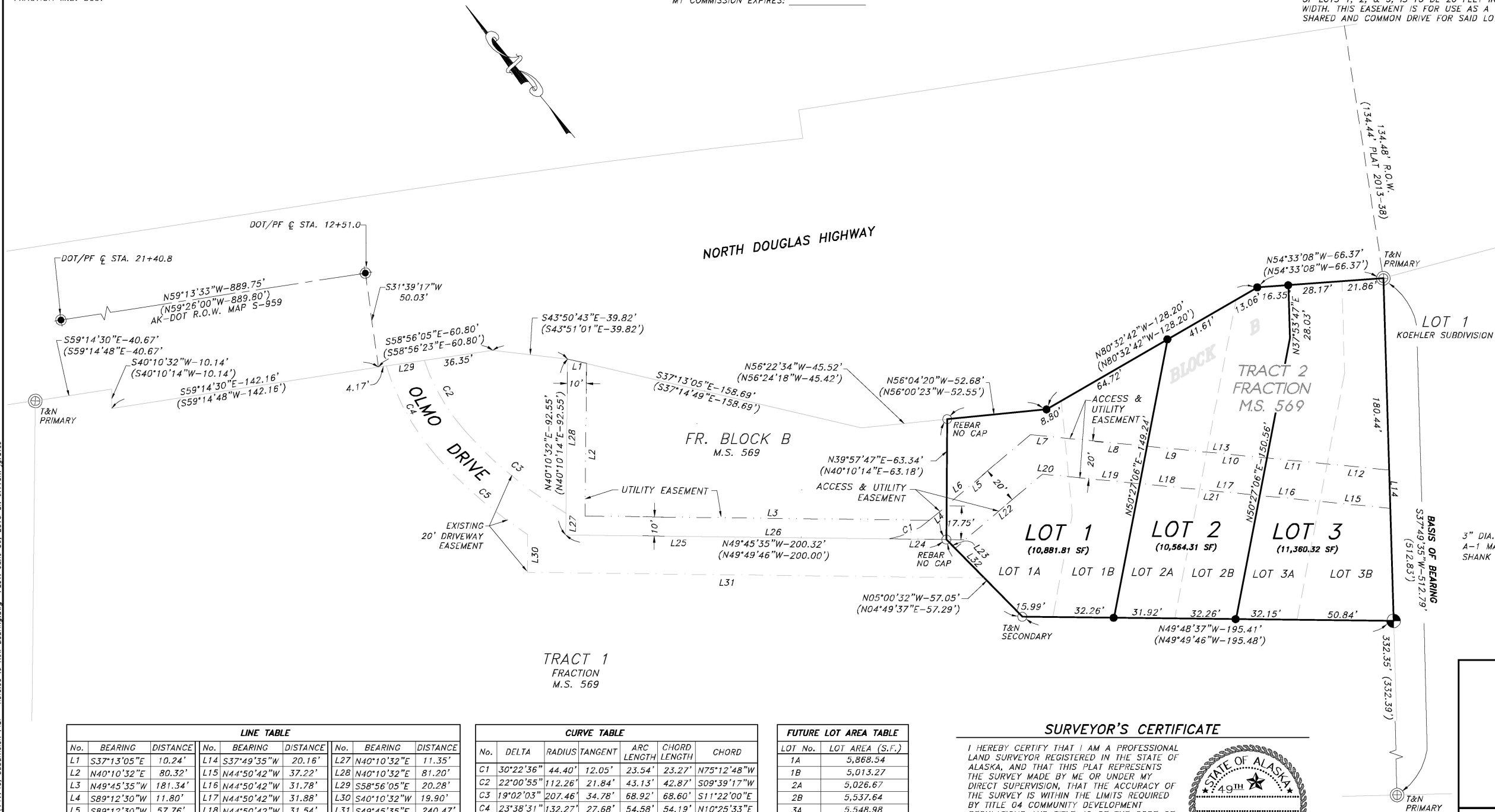
R&M PROJ. No. 141740

SCALE: 1"=30'

SHEET 1 OF 1



R & M ENGINEERING, INC.
ENGINEERS GEOLOGISTS SURVEYORS



LINE TABLE

No.	BEARING	DISTANCE	No.	BEARING	DISTANCE	No.	BEARING	DISTANCE
L1	S37°13'05"E	10.24'	L14	S37°49'35"W	20.16'	L27	N40°10'32"E	11.35'
L2	N40°10'32"E	80.32'	L15	N44°50'42"W	37.22'	L28	N40°10'32"E	81.20'
L3	N49°45'35"W	181.34'	L16	N44°50'42"W	31.78'	L29	S58°56'05"E	20.28'
L4	S89°12'30"W	11.80'	L17	N44°50'42"W	31.88'	L30	S40°10'32"W	19.90'
L5	S89°12'30"W	57.76'	L18	N44°50'42"W	31.54'	L31	S49°45'35"E	240.47'
L6	S89°12'30"W	69.56'	L19	N44°50'42"W	37.67'	L32	N05°00'32"W	21.85'
L7	S44°50'42"E	18.33'	L20	N44°50'42"W	13.88'			
L8	S44°50'42"E	43.47'	L21	N44°50'42"W	183.97'			
L9	S44°50'42"E	31.54'	L22	S89°09'37"W	60.33'			
L10	S44°50'42"E	31.88'	L23	S05°00'32"E	6.56'			
L11	S44°50'42"E	31.78'	L24	N49°45'35"W	30.00'			
L12	S44°50'42"E	32.80'	L25	N49°45'35"W	170.32'			
L13	S44°50'42"E	189.80'	L26	N49°45'35"W	200.32'			

CURVE TABLE

No.	DELTA	RADIUS	TANGENT	ARC LENGTH	CHORD LENGTH	CHORD
C1	30°22'36"	44.40'	12.05'	23.54'	23.27'	N75°12'48"W
C2	22°00'55"	112.26'	21.84'	43.13'	42.87'	S09°39'17"W
C3	19°02'03"	207.46'	34.78'	68.92'	68.60'	S11°22'00"E
C4	23°38'31"	132.27'	27.68'	54.58'	54.19'	N10°25'33"E
C5	15°48'35"	230.68'	32.03'	63.65'	63.45'	N09°51'29"W

FUTURE LOT AREA TABLE

LOT No.	LOT AREA (S.F.)
1A	5,868.54
1B	5,013.27
2A	5,026.67
2B	5,537.64
3A	5,548.98
3B	5,811.35

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF ALASKA, AND THAT THIS PLAT REPRESENTS THE SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE ACCURACY OF THE SURVEY IS WITHIN THE LIMITS REQUIRED BY TITLE 04 COMMUNITY DEVELOPMENT REGULATIONS AND TITLE 49 OF THE CODE OF THE CITY AND BOROUGH OF JUNEAU, THAT ALL DIMENSIONAL AND RELATIVE BEARINGS ARE CORRECT AND THAT MONUMENTS ARE SET IN PLACE AND NOTED UPON THIS PLAT AS PRESENTED.

DATE: _____



GENERAL NOTES

1. THE BASIS OF BEARING FOR THIS SURVEY IS THE RECORD BEARING OF N37°49'35"E BETWEEN THE NORTHEAST CORNER OF TRACT 2 AND THE SOUTHEAST CORNER OF TRACT 1, WITHIN U.S.M.S. 569, PER PLAT 82-56W.
2. THE BASIS OF COORDINATES FOR THIS SURVEY IS THE RECOVERED TONER NORDLING PRIMARY MONUMENT AT THE NORTHEAST CORNER OF TRACT 1, M.S. 569.
3. RECORD INFORMATION DENOTED BY THIS PLAT WAS DERIVED FROM PLAT NO. 82-56W, ON FILE IN THE JUNEAU RECORDING DISTRICT OFFICE.
4. ALL BEARINGS SHOWN ARE WITH REFERENCE TO THE BASIS OF BEARING. ALL DISTANCES DENOTED HAVE BEEN REDUCED TO HORIZONTAL DISTANCES.
5. THIS SURVEY WAS CONDUCTED UTILIZING A TOPCON 3000 SERIES TOTAL STATION AND STANDARD PRISM RANGING METHODS, ON MAY 6 & 7, 2014.
6. PUBLIC WATER AND SANITARY SEWER DISPOSAL IS PROVIDED BY THE CITY AND BOROUGH OF JUNEAU PUBLIC UTILITIES, TO TRACT 2, FRACTION M.S. 569.

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CORPORATE OWNERSHIP CERTIFICATE

I HEREBY CERTIFY THAT OLMO, LLC IS THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I AS CUSTODIAN AND MANAGER HEREBY ADOPT THIS PLAT OF SUBDIVISION WITH MY FREE CONSENT, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED:

DATE 2015

OLMO, LLC

HAIFA SADIGHI,
CUSTODIAN & MANAGER

NOTARY ACKNOWLEDGMENT

UNITED STATES OF AMERICA } ss.
STATE OF ALASKA }

THIS IS TO CERTIFY THAT ON THIS DAY OF 2015, BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED HAIFA SADIGHI, CUSTODIAN AND MANAGER FOR OLMO, LLC TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE ABOVE AND FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT SHE SIGNED AND SEALED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN MENTIONED.

WITNESS MY HAND AND OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES: _____

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DATED: _____, 2015

CHAIRMAN
CITY AND BOROUGH OF JUNEAU
PLANNING COMMISSION

ATTEST:

CLERK CITY

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PEDESTRIAN ACCESS EASEMENT NOTE

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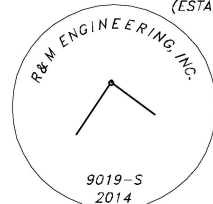
VICINITY MAP
SOURCE: CBJ PROPERTY ATLAS
SCALE: 1"=200 ±

LEGEND

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- CENTERLINE
- ACCESS & UTILITY EASEMENT
- UTILITY EASEMENT
- ACCESS EASEMENT PER PLAT 2013-38
- PEDESTRIAN ACCESS EASEMENT

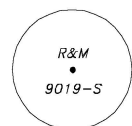
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(ESTABLISHED THIS SURVEY)



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SECONDARY MONUMENT

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SCALE: 1"=30'

A PLAT OF
OLMO SUBDIVISION
A SUBDIVISION OF
TRACT 2, BLOCK B
FRACTION OF
U.S.M.S. No. 569
WITHIN THE
CITY & BOROUGH OF JUNEAU, ALASKA
JUNEAU RECORDING DISTRICT

OWNER:
OLMO, LLC
P.O. BOX 35513
JUNEAU, ALASKA 99803

DATE: AUGUST 19, 2015

SCALE: 1"=30'

SURVEYOR:
R&M ENGINEERING, INC.
6205 GLACIER HIGHWAY
JUNEAU, ALASKA 99801

R&M PROJ. No. 141740

SHEET 1 OF 1



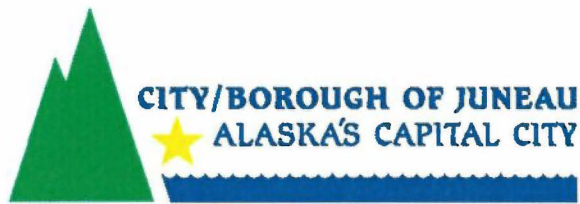
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DATE: _____





July 17, 2015

R&M Engineering, Inc.
Attn.: Mark Pusich, P.E.
6205 Glacier Highway
Juneau, Alaska 99801

Dear Mr. Pusich,

As you know, the proposed six-lot common wall Major Subdivision application and the associated Variance for the Olmo, LLC. property were removed from the Planning Commission/Board of Adjustment meeting scheduled for Tuesday, July 14, 2015. A determination was made that a street is required for the proposed six-lot subdivision pursuant to the following CBJ Title 49, Land Use Code, requirements:

CBJ 49.15.460(5)(D) - Design:

The department shall designate one right-of-way as principal access to the entire subdivision. Such access, if not already accepted for public maintenance, shall be improved to the applicable standards for public acceptance and maintenance.

CBJ 49.40.120 – Streets:

Each lot shall abut and be physically accessible from a dedicated street.

Although the proposed lots are designed to provide the required minimum of 30 feet of frontage on a dedicated right-of-way (CBJ 49.15.460(4)(A)), the lots must also be able to access North Douglas Highway (the dedicated right-of-way on which they have frontage) directly from the lot. Although the driveway in the 20-foot wide easement provides the physical access *from* the proposed lots to the dedicated street, because the lots are not *directly* accessed from the dedicated street, the intent of the above subdivision access requirements are not met. It is the act of subdividing the land that triggers the need for right-of-way to be dedicated and a street to be constructed to CBJ standards. Unless right-of-way is dedicated and a street is built, the subdivision may not occur.

In order to subdivide the property, one of the following street construction options must be provided from Douglas Highway directly to the subject property:

- Dedicate a minimum of 50 feet of right-of-way; provide a 28 foot wide paved road, construct sidewalks on both sides; provide underground drainage; and provide curbs and gutters, and streetlights, or
- Dedicate a minimum of 60 feet of right-way; provide a 28-foot wide paved road; construct sidewalks on both sides; provide curbs and gutter; provide a storm drainage system, whether surface, subsurface, or both; and streetlights. (CBJ 49.35.240)

Without subdividing the lot, there are options to develop the property without the need to dedicate right-of-way and construct a road. The lot is zoned D-18 which is a multi-family district. Based upon the

size of the lot, a maximum of 16 dwelling units may be constructed. Up to eight (8) dwelling units may be built on the lot with building permit approval. Construction of more than 8 dwelling units requires a Conditional Use permit approval from the Planning Commission. Additionally, the six units may be built as proposed and designed as long as subdivision does not occur. A condominium plat may be filed with the State Recorder's office that allows the individual dwellings to be sold while the common space is held in common ownership by a homeowner's association. Dedication of a right-of-way and construction of a street are not required for these kinds of development since subdivision won't occur.

In light of this recent determination, CBJ staff will update the Assembly about this issue during the upcoming proposed subdivision ordinance meetings and propose changes that could allow subdivisions accessed from shared driveways to be approved in certain cases. The outcome of these recommendations is uncertain. Providing safe and practical access is paramount to the CBJ protecting its citizens' health, safety, and welfare.

We understand your frustration and we hope to have a resolution that will provide your client with options as well as ensure that those future residents can have safe and practical access to their homes.

Please call me with any questions or concerns at (907)586-0715.

Sincerely,

A handwritten signature in black ink, appearing to read "Hal H. Hart" with a stylized flourish at the end.

Hal H. Hart, Director
Community Development Department

Cc: File

Jacob Graves, Civil Engineer

Laura Boyce

From: Jake Graves <jgraves@rmjuneau.com>
Sent: Wednesday, July 22, 2015 1:13 PM
To: Laura Boyce
Cc: Mark Pusich; Haifa Sadighi; Toki Express Sadighi
Subject: RE: Olmo Subdivision project follow up

Follow Up Flag: Follow up
Flag Status: Flagged

Laura,

With respect to the recent decision by CBJ to remove the OLMO Subdivision from the CBJ Planning Commission meeting agenda of July 14, 2015 we want to know if a variance is still an option to keep the existing driveway rather than dedicating right-of-way and building a street for the development. There are many points in favor of a driveway:

- DOT has reviewed the traffic impact and approved the driveway plan for the proposed six new lots. DOT does not consider the proposed driveway to be a safety issue on North Douglas Highway. Six dwelling units are a lot less than the eighteen allowed, so the traffic impacts are small.
- A driveway easement already exists to provide practical and reasonable access to the subdivision. Direct access to the Highway from each lot is not possible due to topographical conditions. CBJ 49.15.460(3) states that 'Consideration shall be given to design limitations imposed and opportunities presented by slopes, waterways and other topographic features.' The slopes from the proposed lots to the R.O.W. is approximately 50%-60%, making direct access impossible.
- It is safest to minimize the number of driveways accessing the highway. The proposed driveway would provide access to all six lots with one entry point on the highway, making it a safe and practical.
- The size and cost of a street is not feasible for several reasons: the developer does not own the property needed to dedicate a 50' or 60' R.O.W. Although negotiations may be possible to obtain more land, this option poses severe delays and undue financial hardships to the developer.
- A dedicated street is a financial burden to CBJ whereas a driveway would be maintained jointly by the property owners. Should future development on adjacent property require that a street be constructed, this potentially large development should be viewed separately. The owners and developer of the OLMO subdivision should not be held financially responsible for constructing a street across someone else's land when a practical access easement already exists to serve the same purpose. Consideration should be given to the size of the development when determining the appropriate size of the access.
- Fire truck access is not needed for this subdivision since the buildings will have fire sprinklers.
- CBJ 49.40.120 states that 'each lot shall abut and be physically accessible from a dedicated street'. In the proposed subdivision each lot abuts and is physically accessible from the Douglas Highway by an existing access easement that was originally created to serve this very purpose. Topographical features do not allow for any alternative access configurations.

Please let us know if a variance for the driveway is still an option as the developer has been delayed by the CBJ's decision to remove this from the Planning Commission agenda.

Thanks,

- Jacob Graves
R&M Engineering

From: Laura Boyce [<mailto:Laura.Boyce@juneau.org>]
Sent: Friday, July 17, 2015 2:33 PM
To: Mark Pusich

Cc: Beth McKibben; Hal Hart; jgraves@rmjuneau.com

Subject: Olmo Subdivision project follow up

Good afternoon, Mr. Pusich,

Attached, please find a letter explaining the reason for pulling the proposed subdivision from the Planning Commission meeting agenda this week.

Please call me with any questions at 586-0753.

Thank you,

Laura

Laura A. Boyce, AICP
Senior Planner

City and Borough of Juneau
907.586.0753

laura.boyce@juneau.org

State of Alaska
Department of Transportation and Public Facilities

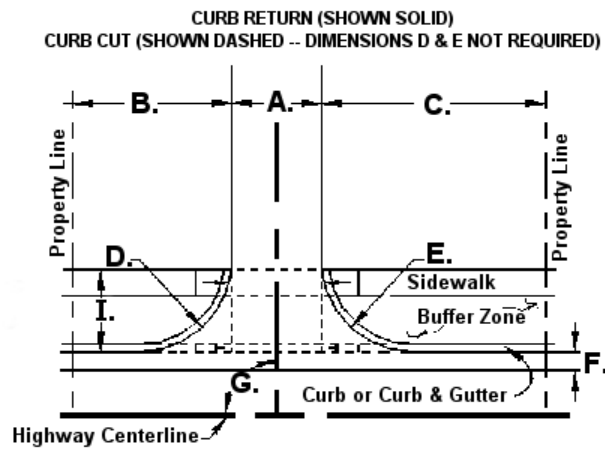
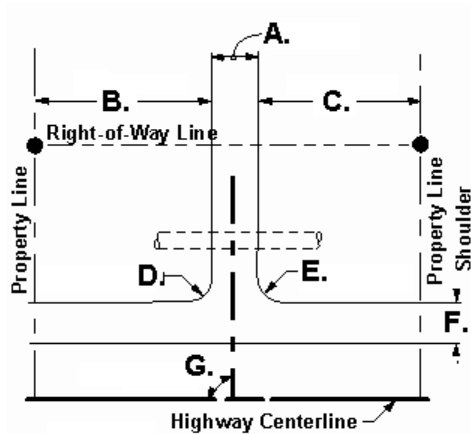
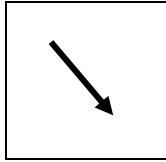
**Driveway and Approach Road
Permit**

This permit allows the Permittee to construct and maintain a driveway or approach road within a State-owned highway Right of Way.

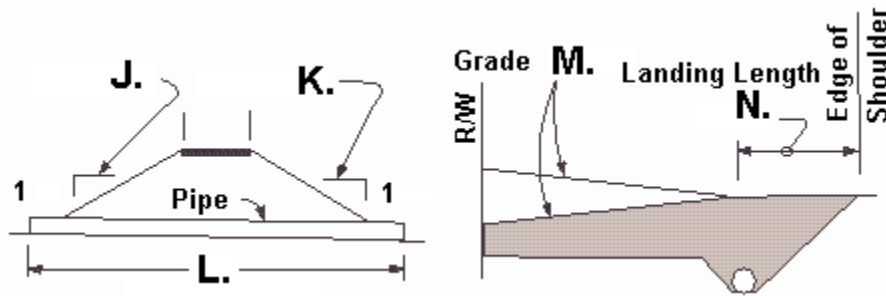
☒ Residential/Private	☐ Commercial	☐ Government Agency
Applicant:	Olmo, LLC	
Mailing Address:	PO Box 23076 Juneau, AK 99802	
Contact Name:	Haifa Sadighi	
E-mail Address:	haifa4@gmail.com	
Phone:	(907) 209-4038	
Driveway or Approach Road location (highway, subdivision, legal description milepost, etc.) 3655 North Douglas Highway Juneau 99801 569 Tract 2 B Sadighi Copper River 82-56W 6D06010100		
Proposed or Existing:	Anticipated Completion Date:	
EXISTING (modification)	09/30/2015	
Number of lots served:	Max. number of vehicles in any 1 hour:	
7	7	
Zoning Designation:	Proposed Land Use:	
City & Borough of Juneau	Residential	

Driveway Specifications

Direction of North in relation to the drawing.



A.	Driveway width	20	feet
B.	Left edge clearance	78	feet
C.	Right edge clearance	187	feet
D.	Left return radius	20	feet
E.	Right return radius	20	feet
F.	Shoulder width	2	feet
G.	Approach angle	83	degrees
H.	Curb type	n/a	
I.	Curb to sidewalk distance	n/a	



J.	Left driveway foreslope	4 :1
K.	Right driveway foreslope	4 :1
L.	Culvert length	40 Feet
M.	Landing grade	-2 Percent
N.	Landing length	10 Feet
O.	Culvert size	18 inches
P.	Culvert type	Aluminum/Steel
Q.	Ditch depth	3 feet
R.	Shoulder type	Paved
S.	Pavement type	Paved
T.	Driveway surface type	Asphalt

Permittee upon signing this permit acknowledges and agrees to the following provisions:

This permit applies only to the State right of way.

This permit grants permission for a driveway allowing access to and from your property onto a State-maintained highway. It does not permit the following within the right of way or within that portion of a driveway that is within the right of way: (1) Parking of vehicles "for sale"; (2) Obstructions of any kind (i.e. logs, cables, fencing, etc.); (3) Advertising signs or banners/flags; (4) Parking vehicles with signs/advertising on the side.

A driveway or approach road constructed under permit within a highway right of way is the property of the State, but all cost and liability arising from the construction, operation, or maintenance of a driveway or approach road is at the sole expense of those lands served. The Department is not obligated to change its maintenance practices to accommodate a driveway or approach road constructed under a permit, or to incur any additional expense removing snow berms or other obstructions from a driveway or approach road within a right of way resulting from the Department's activities, or activities under a permit issued under 17 AAC 15.

Permittee is responsible for adjusting or relocating the driveway or approach road without cost or liability to the Department if the use or safety of the highway requires that the driveway or approach road be adjusted or relocated.

This permit is not a property right but a temporary authorization, revocable by the State upon violation of any permit terms or conditions, or for other reasons. All reasonable attorney's fees and costs associated with legal or enforcement actions related to the terms and conditions of this permit will be borne by the Permittee.

Any survey monument or monument accessory that is disturbed or destroyed during construction or maintenance of the driveway will be restored or replaced by a Land Surveyor licensed in the State of Alaska.

The Permittee will be responsible for all necessary Federal, State, and Municipal permits and licenses required by law, pay all taxes and special assessments lawfully imposed upon the permitted area, and pay other fees and charges assessed under applicable law.

Placement of fill material in waters of the U.S., including wetlands and streams, requires prior authorization from the U.S. Army Corps of Engineers. It is the responsibility of the owner to contact the Corps before filling activities take place.

The Permittee shall construct and maintain a driveway in such a manner that the highway, and all of the highway's appurtenances or facilities, including drainage facilities, pipes, culverts, ditches, traffic control devices, street lights, pathways, and sidewalks are not impaired or endangered in any way by the construction or maintenance. (17 AAC 10.020(b) If you damage any improvements within the State owned right of way, you will be responsible for returning them to their previous condition. The Department will inspect and approve the restored improvements. (17 AAC 10.065)

Permittee shall indemnify, defend and hold harmless the State, and its officers, employees, and contractors, from any and all claims or actions resulting from injury, death, loss, or damage sustained by any person or personal property resulting directly or indirectly from Permittee's use of or activities in the permitted area.

Landings from all paved roads must be paved and maintained from edge of the road to the length of the landing as stipulated in this permit.

If a culvert is required by this driveway permit, culvert ends must be installed at the time of installation and maintained continuously by the owner.

No person shall place, leave or deposit upon any street, avenue, alley, sidewalk or other public right of way any snow or ice which has been removed from a private driveway, private parking area, or the adjacent property. Permittee is responsible for his snow removal contractor's actions concerning placement of snow from Permittee's property.

If driveway construction or maintenance interferes with the public's safety and/or use of facilities within State-owned right of way, you will be directed to stop work until adjustments are made.

While doing construction or maintenance activities, do not park equipment or stockpile material on the shoulder during non-working hours.

Permittee is responsible for sight distance clearing of brush and obstructions adjacent to their property.

Driveway landings as stipulated in the permit must be paved and maintained from pavement edge on all paved roads.

Please contact the Department for information about acceptable driveway markers (i.e., size, materials, distance, etc.) for placement within the right of way.

The State will not change its maintenance practices to accommodate your driveway or incur additional expense to clear snow berms or other obstacles resulting from the Department's activities.

An inspection is required prior to reimbursement of your performance deposit. Please contact the Department for an inspection appointment after final construction of your driveway.

Attachments included as part of this permit are:

- ☒ Plat including notes of the placement of the driveway.
- ☒ Site plan.
- ☒ Proof of ownership.
- ☒ Traffic control plan.

I, _____, acknowledge that I am acting on behalf of the above named organization with the full authority to do so. I further acknowledge and accept that _____ shall comply with all the provisions and conditions that the Department of Transportation and Public Facilities has included as a condition of issuing this permit.

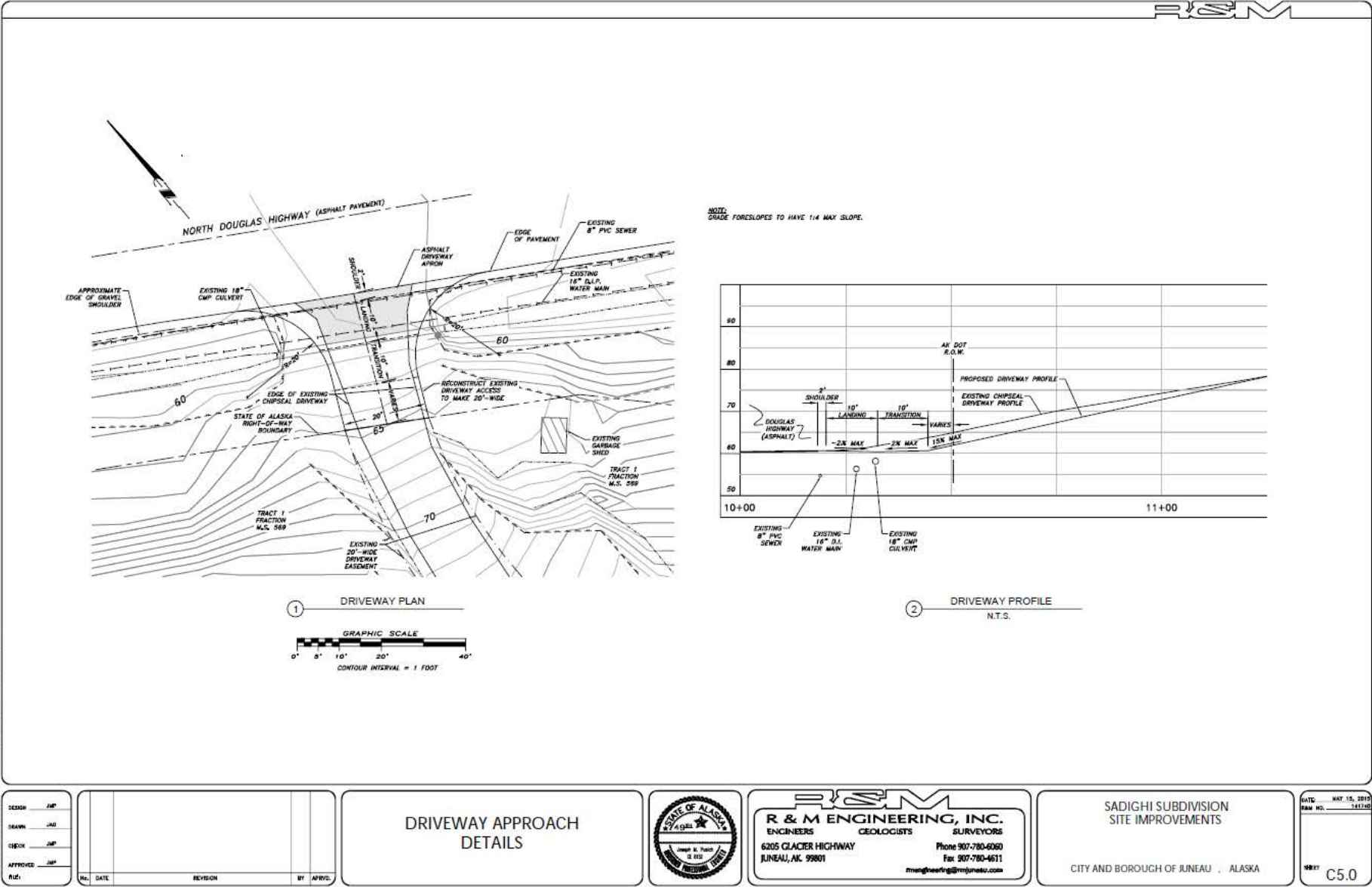
Permittee Signature

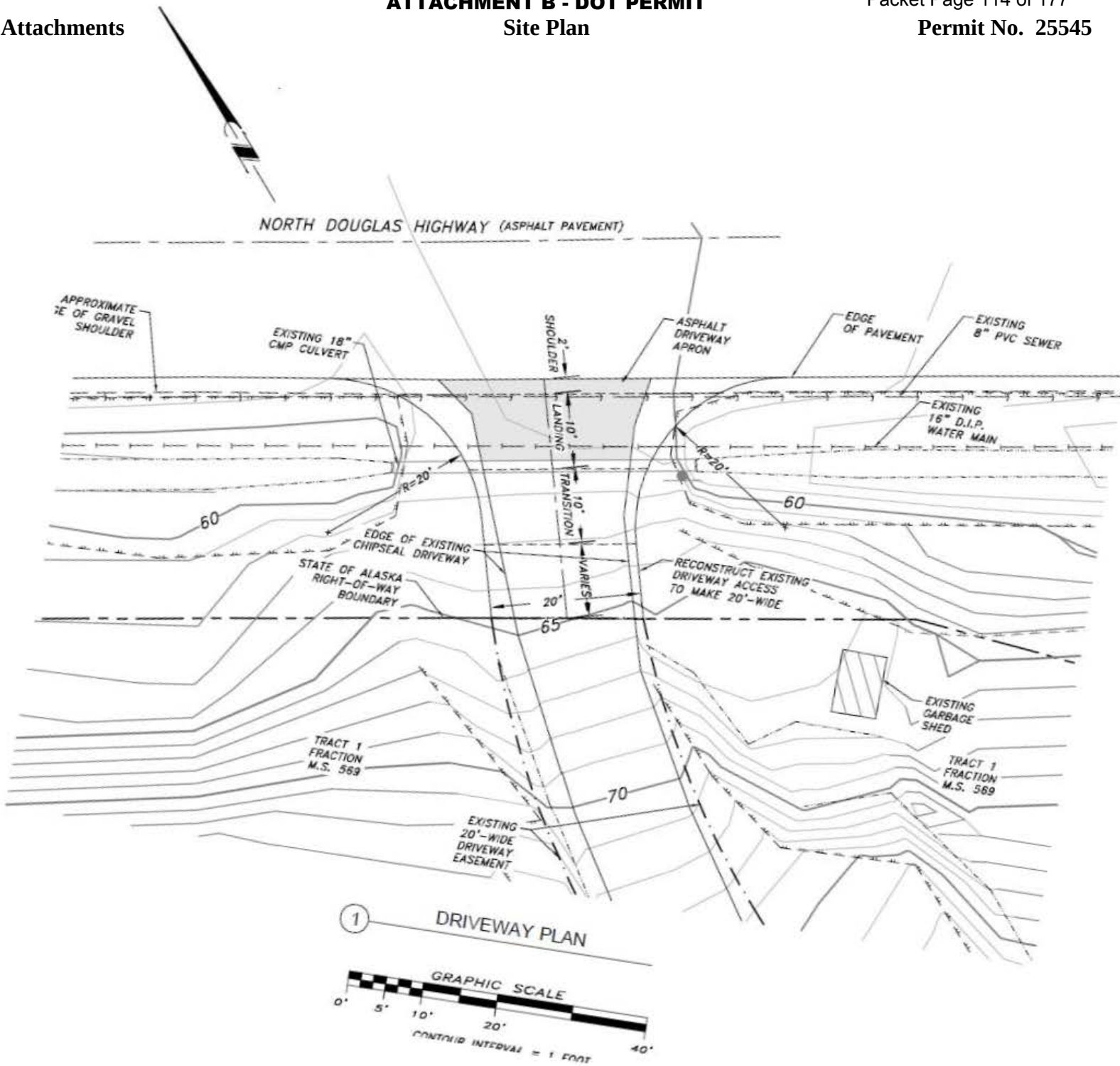
Date

DOT&PF Signature

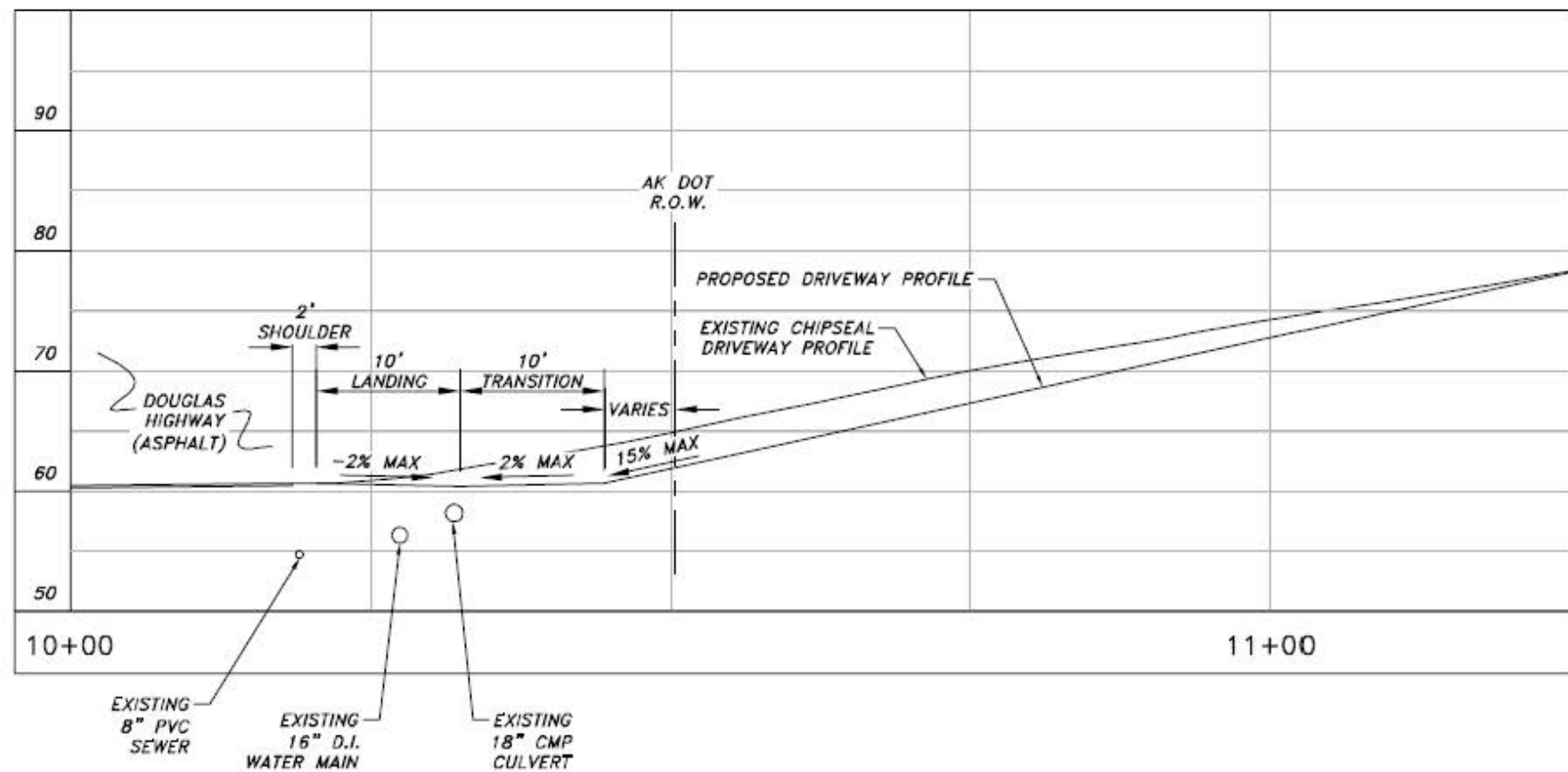
Date

\\s01a\11742\Drawings\11742-00 Planning - RUCS May 15, 2015 at 1:08pm.lwp





NOTE:
GRADE FORESLOPES TO HAVE 1:4 MAX SLOPE.



② — DRIVEWAY PROFILE
N.T.S.

DESCRIPTION OF TRACT 1

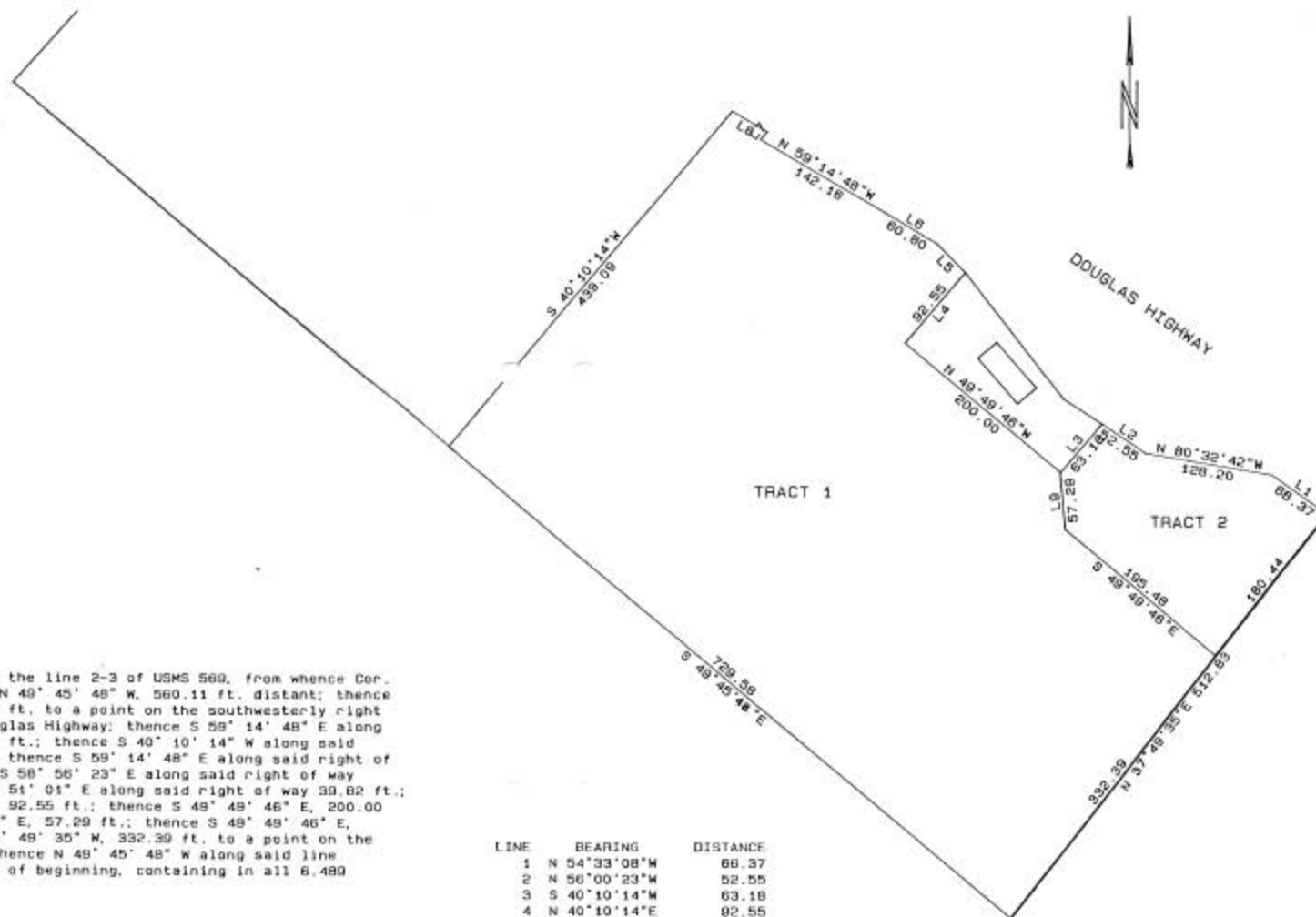
Beginning at a point on the line 2-3 of USMS 569, from whence Cor. 3 of said survey bears N 49° 45' 48" W, 560.11 ft. distant; thence N 40° 10' 14" E, 439.09 ft. to a point on the southwesterly right of way of the North Douglas Highway; thence S 58° 14' 48" E along said right of way 40.67 ft.; thence S 40° 10' 14" W along said right of way 10.14 ft.; thence S 59° 14' 48" E along said right of way 142.16 ft.; thence S 58° 56' 23" E along said right of way 80.80 ft.; thence S 43° 51' 01" E along said right of way 39.82 ft.; thence S 40° 10' 14" W, 92.55 ft.; thence S 49° 49' 46" E, 200.00 ft.; thence S 4° 49' 37" E, 57.29 ft.; thence S 49° 49' 46" E, 195.48 ft.; thence S 37° 49' 35" W, 332.39 ft. to a point on the line 2-3 of USMS 569; thence N 49° 45' 48" W along said line 729.58 ft. to the point of beginning, containing in all 6.489 acres, more or less.

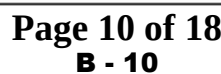
DESCRIPTION OF TRACT 2

Beginning at a point on the line 2-3 of USMS 569 from whence Cor. 3 of said survey bears N 49° 45' 48" W, 1,289.69 ft. distant; thence N 37° 49' 35" E, 332.39 ft. to the true point of beginning; thence N 49° 49' 46" W, 195.48 ft.; thence N 4° 49' 37" W, 57.29 ft.; thence N 40° 10' 14" E, 63.18 ft. to a point on the southwesterly right of way of the North Douglas Highway; thence S 58° 00' 23" E, along said right of way 52.55 ft.; thence S 80° 32' 42" E along said right of way 128.20 ft.; thence S 54° 33' 08" E, along said right of way 66.37 ft.; thence S 37° 49' 35" W, 180.44 ft. to the true point of beginning, containing in all 0.753 acres, more or less.

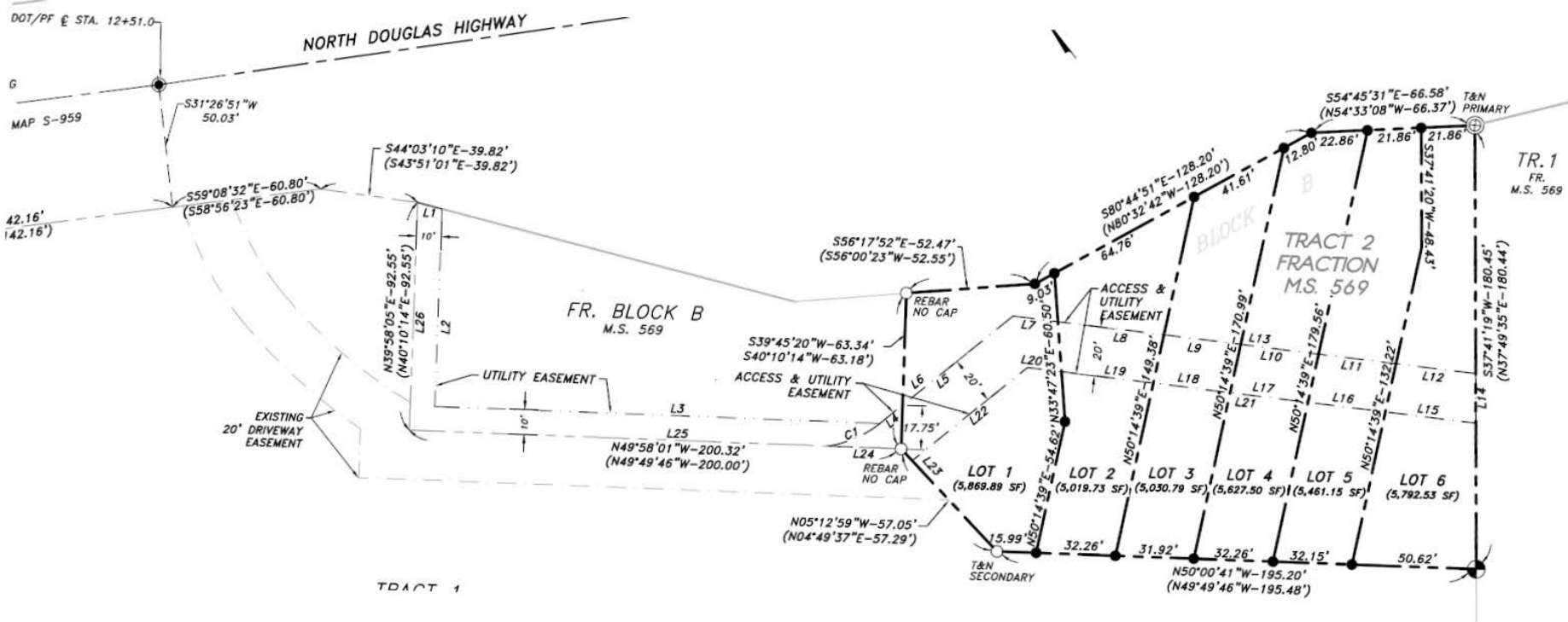
LINE	BEARING	DISTANCE
1	N 54°33'08"W	66.37
2	N 56°00'23"W	52.55
3	S 40°10'14"W	63.18
4	N 40°10'14"E	92.55
5	N 43°51'01"W	39.82
6	N 58°56'23"W	60.80
7	N 40°10'14"E	10.14
8	N 59°14'48"W	40.67
9	S 04°49'37"E	57.29

SKETCH TO ACCOMPANY
PLATTING WAIVER APPLICATION FOR
A FRACTION OF USMS 569
SCALE: 1"=100' APRIL 1982





ATTACHMENT B - DOT PERMIT
Plat



A
L
A
S
K
A

2014-003665-0

Recording District 101 Juneau

08/15/2014 03:21 PM Page 1 of 2

**QUITCLAIM DEED**

The Grantor, **HAIFA SADIGHI FOROUGHI**, an unmarried woman, who acquired title as Haifa F. Sadighi, of P.O. Box 23076, Juneau, Alaska, 99802, for and in consideration of one dollar (\$1.00) and other valuable consideration, in hand paid, conveys and quitclaims to the Grantee, **OLMO LLC, an Alaska limited liability company**, of P.O. Box 23076, Juneau, Alaska, 99802, any and all interest in the following described real estate, located in the Juneau Recording District, First Judicial District, State of Alaska:

A tract of land in U. S. Mineral Survey 569, Juneau Recording District, First Judicial District, State of Alaska, described as:

Beginning at a point on the line 2-3 of U.S. MINERAL SURVEY 569 from whence Cor. 3 of said survey bears N 49° 45' 48" W. 1,289.69 ft. distant; thence N 37° 49' 35" E. 332.39 ft. to the true point of beginning; thence N 49° 49' 46" W. 195.48 ft.; thence N 4° 49' 37" W. 57.29 ft.; thence N 40° 10' 14" E. 63.18 ft. to a point on the southwesterly right of way of the North Douglas Highway; thence S 56° 00' 23" E. along said right of way 52.55 ft.; thence S 80° 32' 42" E along said right of way 128.20 ft.; thence S 54° 33' 08" E. along said right of way 66.37 ft.; thence S 37° 49' 35" W 180.44 ft. to the true point of beginning.

Also described as Tract 2, U. S. Mineral Survey 569, according to Platting Waiver 82-56W, Juneau Recording District, First Judicial District, State of Alaska.

Dated this 1st day of ^{August} ~~July~~ 2014.


Haifa Sadighi Foroughi

NEW YORK

NEW YORK

)
) ss.
)

THIS IS TO CERTIFY that on this 1st day of ^{August} ~~July~~ 2014, before me, the undersigned, a notary public in and for STATE OF NEW YORK, duly commissioned and sworn, personally appeared **Haifa Sadighi Foroughi**, to me known and known to me to be the person named in and who executed the within and foregoing instrument; and she acknowledged to me that she signed the same freely and voluntarily for the uses and purposes therein mentioned.

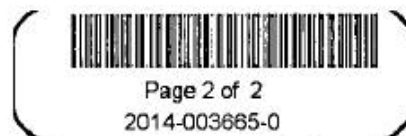
WITNESS my hand and official seal the day and year in this certificate first above written.




Notary Public, YEHUDAH A BISS
My commission expires: MAY 19, 2018

After recording, return to:

Baxter Bruce & Sullivan P.C.
P.O. Box 32819
Juneau, Alaska 99803



203 from 335
of the total

AGREEMENT FOR AND CONVEYANCE OF DRIVEWAY EASEMENT

AGREEMENT made this 21st day of OCTOBER, 1982,
by and between FELIX J. TONER and MARY V. TONER, husband and
wife, of P. O. Box 570, Juneau, Alaska 99802 and ROBERT A.
BRYANT, of 2244 Green Tree Drive #106, Sparks, Nevada 89431,
hereinafter referred to as Grantors, and C. R. NORDLING and
BETTY LOU NORDLING, husband and wife, of P. O. Box 197, Auke
Bay, Alaska 99801, hereinafter referred to as Grantees:

RECITALS

WHEREAS, the Grantors are the fee simple owners of
the following described real estate which is situated in the
Juneau Recording District, First Judicial District, State of
Alaska: TRACT 1

Beginning at a point on the line 2-3 of USMS 569,
from whence Cor. 3 of said survey bears N 49° 45'
48" W, 560.11 ft. distant; thence N 40° 10' 14" E,
439.89 ft. to a point on the southwesterly right of
way of the North Douglas Highway; thence S 59° 14'
48" E along said right of way 40.67 ft.; thence S
40° 10' 14" W along said right of way 10.14 ft.;
thence S 59° 14' 48" E along said right of way
142.16 ft.; thence S 58° 56' 23" E along said right
of way 60.80 ft.; thence S 43° 51' 01" E along said
right of way 39.82 ft.; thence S 40° 10' 14" W,
92.55 ft.; thence S 49° 49' 46" E, 200.00 ft.;
thence S 4° 49' 37" E, 57.29 ft.; thence S 49° 49'
46" E, 195.48 ft.; thence S 37° 49' 35" W, 332.39
ft. to a point on the line 2-3 of USMS 569; thence
N 49° 45' 48" W along said line 729.58 ft. to the
point of beginning, containing in all 6.489 acres,
more or less.

WHEREAS, the Grantees are the fee simple owners of
the following described real estate which is situated in
the Juneau Recording District, First Judicial District,
State of Alaska: TRACT 2

Beginning at a point on the line 2-3 of USMS 569
from whence Cor. 3 of said survey bears N 49° 45'
48" W, 1,285.69 ft. distant; thence N 37° 49' 35"
E, 332.39 ft. to the true point of beginning;
thence N 49° 49' 48" W, 195.48 ft.; thence N 4° 49'
37" W, 57.29 ft.; thence N 40° 10' 14" E, 63.16 ft.

ROBERTSON, MONAGLE, EASTAUGH & BRADLEY
A PROFESSIONAL CORPORATION
SOUTHWAY, SUITE 200
P.O. BOX 1211, JUNEAU, ALASKA 99801

203. 836

to a point on the southwesterly right of way of the North Douglas Highway; thence S 56° 00' 23" E. along said right of way 52.55 ft.; thence S 80° 3' 42" E along said right of way 128.20 ft.; then S 54° 33' 08" E. along said right of way 66.37 ft.; thence S 37° 49' 35" W. 180.44 ft. to the true point of beginning, containing in all 0.751 ac. s, more or less.

WHEREAS, the Grantors' and Grantees' properties herein described are adjacent properties; and

WHEREAS, Grantees do not at present have legal access to their property from North Douglas Highway a designated street in the City and Borough of Juneau, Alaska.

NOW THEREFORE, the parties agree as follows:

1. Grantors hereby agreed to and do hereby grant and convey to Grantees a nonexclusive easement for access through, over and across the property owned by Grantors as described above, such easement to be limited to and be on and over the existing twenty foot wide driveway connecting the North Douglas Highway to the tract of land upon which the Steve Silver residence is located; thence along the northwesterly and southwesterly boundary of said Silver tract to the tract owned by the Grantees (the "Nordling tract"), said easement to be twenty feet wide. The Steve Silver tract is described as follows:

A tract of land in U.S. Mineral Survey 569, Juneau Recording District, First Judicial District, State of Alaska, described as: BEGIN at the North corner of said survey, run thence S 52°35' E, on the Northeast line of said survey 775.00 feet; thence Southwesterly at right angles to said Northeast line 25.00 feet to the true point of beginning; thence continuing Southwesterly, on an extension of the last course, 200.00 feet; thence S 52°35' E 200.00 feet; thence Northeasterly, at right angles to the Northeast line of said survey; 200.00 feet; thence N 52°35' W 200.00 feet to the true point of beginning, EXCEPT THEREFROM that part Northeast of the southwest line of North Douglas Highway as established by deed recorded December 18, 1957 in Deed Book 52 at Page 136 and By Deed recorded June 5, 1976 in Book 123 at Page 813.

203 837

2. "Access purposes" as used in this agreement means all lawful purposes of ingress and egress.

3. The easement described above shall be constructed and maintained in good repair by the Grantees at their sole cost and expense.

4. It is understood and agreed that this easement is for the benefit of and appurtenant to the Grantees' land as described above. This easement shall run with the land and shall be binding on and shall inure to the benefit and burden of the parties hereto their heirs, successors or assigns.

5. The Grantors, their heirs, successors or assigns reserve the right to extinguish this easement at any time in the future by providing the Grantees, their heirs, successors or assigns, accesses to the North Douglas Highway from the said Nordling tract by means of a roadway system constructed as part of the development of the property adjacent to the Nordling tract, located in U. S. Mineral Survey 509 and held by the Grantors.

6. The parties acknowledge that this easement is granted for and in consideration of \$10.00 and other good and valuable considerations received by Grantors therefore.

IN WITNESS WHEREOF the parties have executed this agreement at the places and on the date opposite their names below:

GRANTORS

DATED: OCT. 21 1982
PLACE: JUNEAU AK

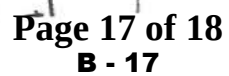
FELIX J. TONER

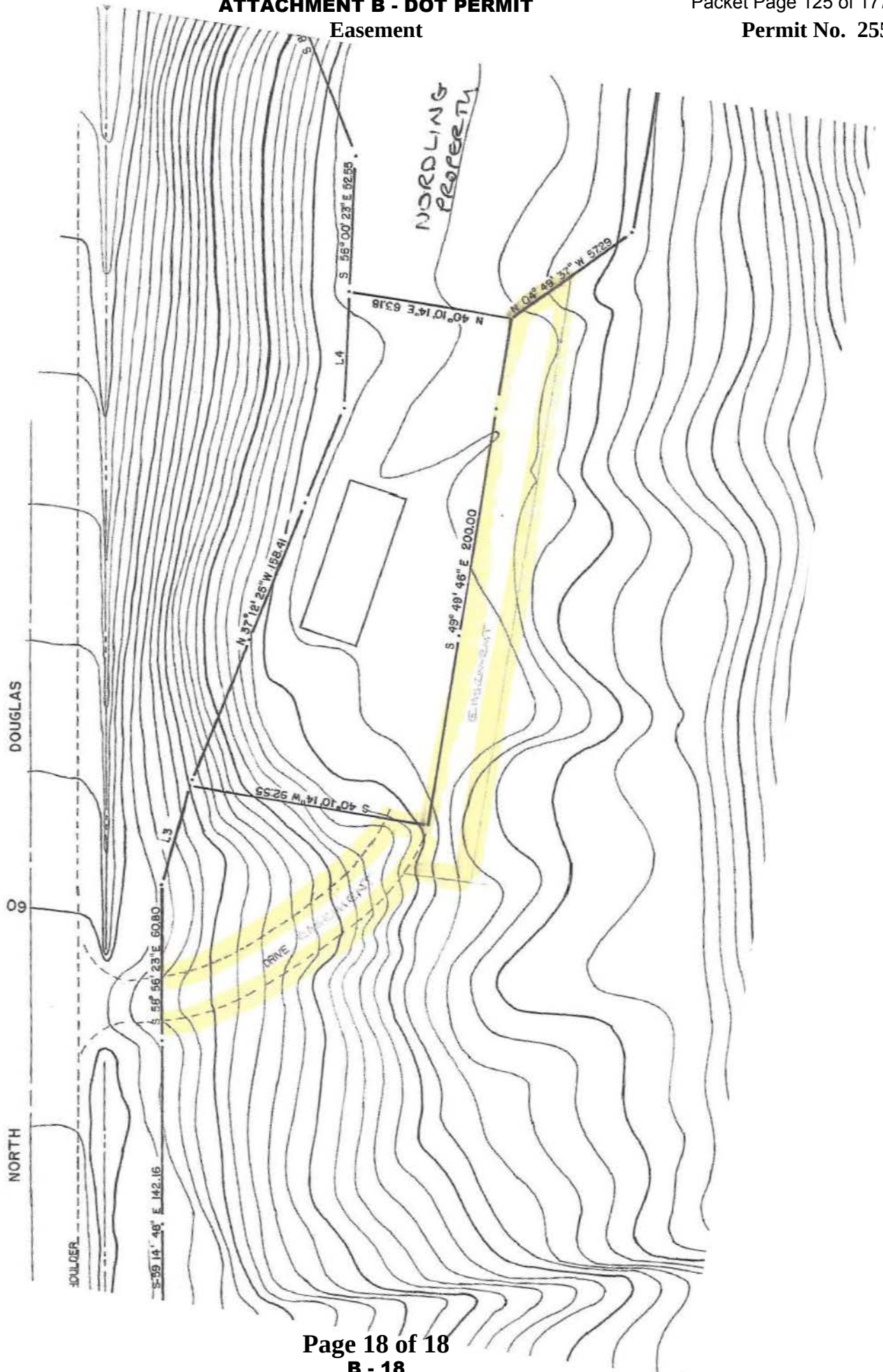
DATED: . . .
PLACE: . . .

MARY V. TONER

DATED: OCT 26, 1982
PLACE: REED, ALASKA

ROBERT A. BRYANT





CITY AND BOROUGH OF JUNEAU, ALASKA

PLATTING RESOLUTION NO. W-16-82WHEREAS, C.R. Nordling, Felix J. Toner & Robert
Applicant(s) Bryant

has applied to the City and Borough of Juneau Planning Commission
in proper form for a waiver of platting requirements of the subdivi-
sion of the following described real property:

Fraction of U.S.M.S. 569 into Tract 1 and Tract 2, U.S.M.S.
569.

according to the attached plat, sketch or diagram.

WHEREAS, the Commission finds that the proposed conveyance:
(a) is not being made for the purpose of or in connection with a
present or projected subdivision development; (b) is an isolated
transaction which does not fall within the general intent of Title
40, Chapter 15, Alaska Statutes; and (c) does not involve or require
any dedication of a street, alley thoroughfare, park or other public
area.

BE IT RESOLVED BY THE CITY AND BOROUGH PLANNING COMMISSION AS
THE PLATTING AUTHORITY FOR THE CITY AND BOROUGH OF JUNEAU, ALASKA:

The said application for a statutory waiver of plat and record-
ing requirements to a proposed conveyance of the above-described
property is hereby granted.

Dated July 13, 1982

CITY AND BOROUGH OF JUNEAU, ALASKA
PLANNING COMMISSION

By: Richard H. Nichols
Chairman

Attest

Mark Prozier
Clerk

MEMORANDUM

THE CITY AND BOROUGH OF JUNEAU

CAPITAL OF ALASKA

155 SOUTH SEWARD ST. JUNEAU, ALASKA 99801

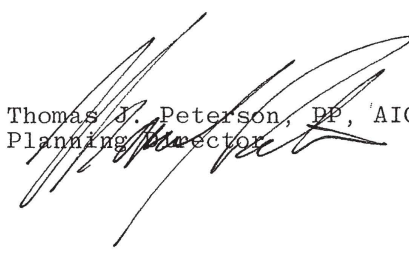
TO: Planning Commission

DATE: May 7, 1982

FILE NO. W-16-82

SUBJECT: Fraction of U.S.M.S. 569

FROM:


Thomas J. Peterson, DP, AICP
Planning Director

Lot Size: Tract 1 - 6.489 acres
Tract 2 - .753 acres

Zoning: RML Low Density Multi-Family

Land Use: Vacant

Proposal: To subdivide a .753 acre tract from the larger
parcel, for a single family dwelling.

Discussion: There is some question as to whether this
large tract of land is unsubdivided as shown on the
sketch plat or is divided into the numerous parcels
and right-of-way as shown on the City and Borough
base maps.

If the platted right-of-ways do not exist, then
the only access to proposed Tract 2 will be directly
to the North Douglas Highway. This is not allowed
by the platting ordinance.

Recommendation: Continued Action

Staff recommends action be continued until such time
that a determination is made on the status of the
plat. This has been referred to the Attorney's
Office.

MEMORANDUM

THE CITY AND BOROUGH OF JUNEAU

CAPITAL OF ALASKA

155 SOUTH SEWARD ST. JUNEAU, ALASKA 99801

TO: Planning Commission

DATE: July 8, 1982

FILE NO. W-16-82

FROM: Thomas J. Peterson, PP, AICP
Planning DirectorSUBJECT: Fraction of U.S.M.S. 569
1 Mile North Douglas Highway
C.R. Nordling, Felix Toner,
and Robert Bryant

Lot Size: Tract 1 - 6.489 acres
Tract 2 - .753 acres

Zoning: RML Low Density Multi-Family

Proposal: To subdivide a .753 acre tract from the larger parcel. This parcel is currently under joint ownership and the subdivision will allow for a separation of ownership and construction of a single family dwelling.

Discussion:

The Planning Commission continued action on this item at the meeting of May 11, 1982. At that time, it was unclear as to whether the large tract of land had been previously divided into numerous smaller lots and right-of-ways as shown on the base map.

The platted status of the property would effect how the proposed lot split could be treated. If the property had been subdivided, that portion of the plat would have to be vacated with one-half of each right-of-way attaching to adjacent lots. Proposed Tract 2 would still have frontage on the remaining platted right-of-ways other than North Douglas Highway.

If the property was unsubdivided, no vacation of lot lines would be required but the only access to proposed Tract 2 would be on the North Douglas Highway. According to the platting ordinance, a lot is not allowed to have access directly onto an arterial highway.

The CBJ attorney has indicated that no record of the original subdivision can be found. Therefore, the property can be considered as one unsubdivided tract.

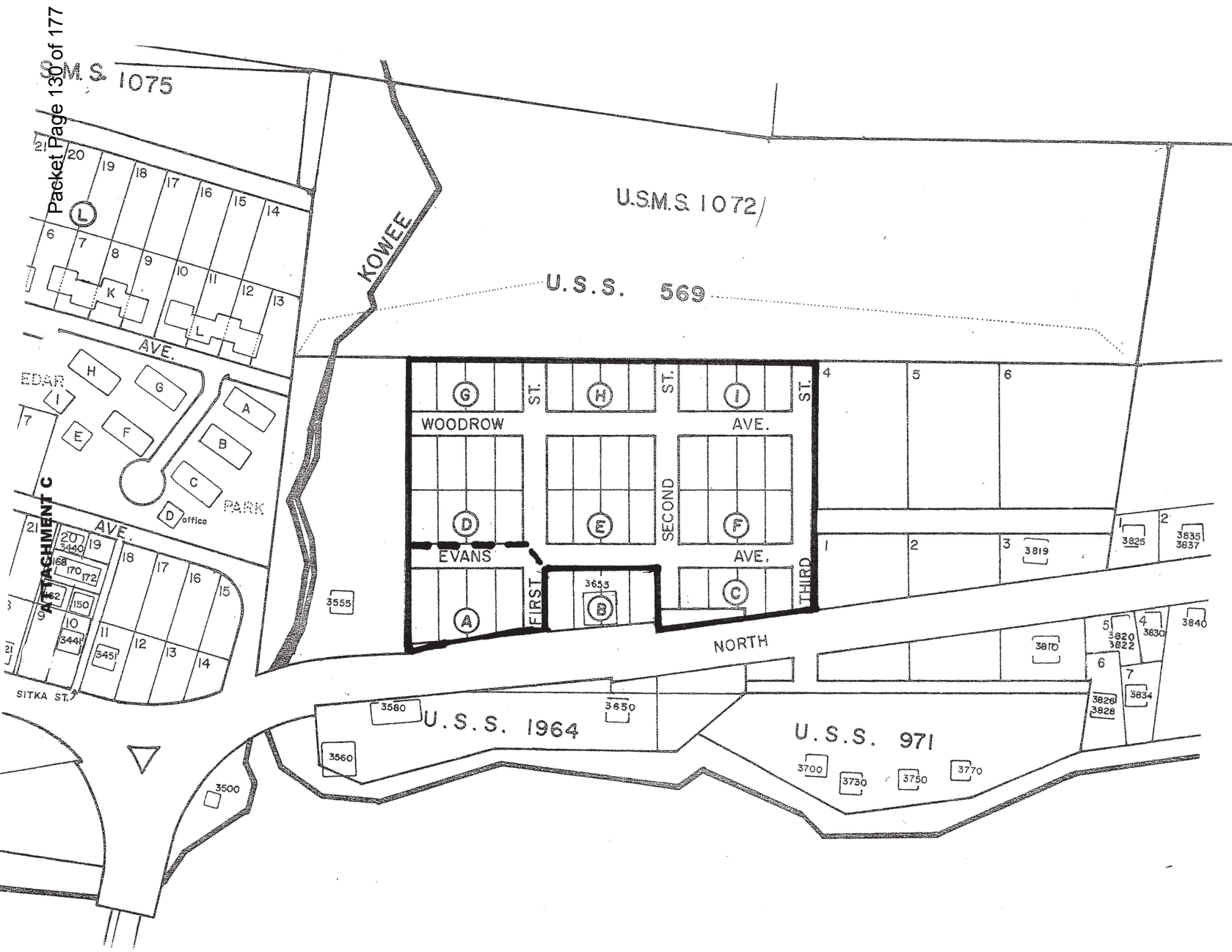
Staff Recommendation:

Staff recommends that as a possible alternative to having direct access to the North Douglas Highway, access to proposed Tract 2, can be restricted to the existing driveway easement which services the existing lot and dwelling directly to the northwest. This will limit the number of

Memo - Planning Commission
July 8, 1982
Page Two

access points to the highway and, if a public right-of-way is ever provided to develop the larger tract (Tract 1), these driveways could then tie in.

To approve the subdivision as proposed, a variance would have to be granted to the section of the ordinance which prohibits frontage on an arterial highway.



Staff Report

Staff recommendation is denial. The amended plat still does not provide Lot 20 with the minimum width requirement of 45 feet for each lot. The minimum width is not carried through the lots, creating two odd shaped parcels. The Commission did approve zero-lot line buildings for these lots if they could bring those into compliance with the standards. They attempted to widen Lot 20 but also trying to keep the square footage of Lot 21A they had to put that sharp angle into the lot.

Public Participation

Rita Hamilton stated that when they brought this in previously, they were told that there had to be 45 feet across the front of the lots but were not told anything about the lot line having to be straight so they units were built as shown. She stated that they feel they have done what was requested by the Commission and staff. She stated that the building is completed and both sides have been sold.

Commission Action

MOTION - by Triplette, seconded by Williamson, to approve the waiver. There being no objection, the motion passed by unanimous consent.

Mr. Menzies resumed his seat at this time.

- (7) Waiver, Fraction of U.S. Survey 569, 1 Mile, North Douglas Highway.

Applicant: Toner, Nordling, and Bryant

Staff Report

Staff recommends continued action on this item. The reasoning is that staff is still looking into the status of the subdivision that is shown on the base map and trying to make a determination on whether that is a valid plat or not and that will affect how the proposed subdivision is treated.

Public Participation

No one appeared at this time.

Planning & Zoning Commission
May 11, 1982
Page 22

Commission Action

MOTION - by Minch, seconded by Brody, to continue this item until staff obtains the necessary information. There being no objection, it was so ordered.

IX. PLANNING DIRECTOR'S REPORT

None.

X. COMMISSION COMMENTS AND QUESTIONS

Mr. Menzies commented that he objects to the special time of the meeting without consulting the Commission.

Mr. Menzies stated that he objects to the new schedule of plat fees for preliminary and final plats and requested that the staff justify these fees. He stated he would like to know what the City gets for the fee, what effort they put into the fee, a checklist of the items of work they do, and a rationale for the present staff utilization in the budget with regard to property taxes, building permits, grading and drainage fees.

MOTION - by Menzies, seconded by Williamson, to ask the staff to come up with the figures requested by Mr. Menzies. There being no objection, it was so ordered.

Mr. Menzies also commented that he would prefer to receive his packet for the meetings on Friday, rather than Monday or Tuesday, so that he will have time to look at them during the weekend.

Mr. Menzies asked when McDonalds is going to put in the third lane per their bonding. He asked that this information be available for the next meeting.

Mr. Menzies reported that the sand and gravel ordinance was before the Assembly at their May 6 meeting and was referred to the Committee of the Whole so they could meet with the Planning Commission.

Mr. Menzies also commented that the zero-lot line ordinance was passed by the Assembly with the requirement for common driveways deleted and direction to the staff to review taking over the Alaska Department of Environmental Conservation on-site waste disposal review.

Planning & Zoning Commission
May 11, 1982
Page 23

AMENDMENT - by Brody, seconded by Minch, to change the amount of the vacation to three (3) feet adjacent to the property line.

Mr. Menzies felt the applicant should be satisfied with a three-foot vacation rather than risking the City turning down the twenty-five (25) foot proposed vacation. Mr. Triplette was of the opinion that if the twenty-five (25) foot vacation were granted, the land would be improved, whereas if denied the land would just sit there, unimproved. Mr. Cashen pointed out that the street has a steep incline, like a cliff. Mr. Minch mentioned the possible future need for access to the beach below. Mr. Menzies said he agreed with Mr. Minch and Mr. Triplette, but he still felt that the City attorney might appeal and the applicant could lose the whole thing.

AMENDMENT - by Davidson, seconded by Triplette, to amend the amendment changing the amount of the vacation from three (3) feet to ten (10) feet.

ROLL CALL (on the second amendment):

Yeas: Cashen, Davidson, Menzies, Triplette,
Williamson

Nays: Brody, Minch, Diebels

The amendment passed 5-3.

Mr. Peterson requested clarification on giving the City an easement of that ten (10) foot vacation.

AMENDMENT - by Williamson, seconded by Minch, to make the easement to the City be seven (7) feet of the ten (10) foot vacation.

There being no objection, the amendment passed.

There being no objection to the motion as amended, it was so ordered.

(4) Waiver, Fraction of U.S.M.S. 569, 1 Mile North Douglas Highway

Applicant: C.R. Nordling, Felix Toner,
and Robert Bryant

Staff Report

The staff recommended that as a possible alternative to

Planning & Zoning Commission
July 13, 1982
Page 17

having direct access to the North Douglas Highway, access to proposed Tract 2, can be restricted to the existing driveway easement which services the existing lot and dwelling directly to the northwest. This will limit the number of access points to the highway and, if a public right-of-way is ever provided to develop the larger tract (Tract 1), these driveways could then tie in.

Public Hearing

Rod Nordling clarified that this was not a proposed subdivision. He stated that the property to the southeast of this was granted a waiver to split up into two tracts and he felt this was a common thing, done all the time. He felt it was unreasonable to require him to build and maintain a 400 foot driveway. He also stated he thought the other owners would not be willing to grant an easement across it.

Mr. Davidson asked for a description of the topography. Mr. Nordling showed on a map how it sloped. Mr. Minch asked if it was the intention for this land to remain one large lot. Mr. Nordling replied he had no present intention of subdividing this, but stated he would not be the owner forever and did not know what the intentions of future owners. He stated it was the only really practical access to the entire tract.

Steve Silver, owner of the adjoining property to the north, stated he supported Mr. Nordling. He had some additional reasons. One was, the maintenance of the proposed driveway by the City staff would be a winter nightmare. Second, from a planning standpoint, he stated the area from his driveway to the McCaughly's driveway was 800 feet, in that same amount of space on North Douglas Highway and West Juneau, you would find a lot more entrances to the arterial highway. Third, he felt the staff recommendation almost pre-determines the development of the remaining tract and reduces the owner's ability to properly plan what they want to do with the tract.

Commission Action

Ms. Brody asked the staff where the existing driveway was that they had recommended access be

Planning & Zoning Commission
July 13, 1982
Page 18

restricted to. Mr. Peterson replied it would be where Second Street was.

MOTION - by Menzies, seconded by Triplette, to approve the subdivision.

Mr. Williamson asked the staff if it would be reasonable to get half the width of a right-of-way, in the form of an easement, at the end property line, so as to provide two means of access to the rear tract of land and not necessarily entirely from the other piece. Staff replied that it would be very difficult to have a right-of-way on that hillside because of the grade.

Ms. Diebels asked for a definition of subdivision. Mr. Maguire stated that in this case, this is a subdivision in the sense that they are dividing the property. In the past access to Douglas Highway was restricted to combined access when property was subdivided.

Mr. Minch pointed out that the smaller portion being subdivided was a little over two hundred (200) feet, about the same as the average lot on North Douglas Highway and that the total width of the property was about eight hundred (800) feet. He mentioned that combined access, in the past, was usually required when the total lot width was a couple hundred feet.

Mr. Davidson felt that the Commission has usually granted waivers unless it was convenient for double access. He felt the applicant was not asking for anything unusual and that his request was the only reasonable approach to access on his property.

ROLL CALL:

Yeas: Cashen, Davidson, Menzies, Minch, Triplette

Nays: Brody, Williamson, Diebels

The motion passed 5-3.

(5) Waiver, Tract 2, Fraction of U.S.M.S. 609, Lemon Creek.

Applicant: C.E. Porter

Planning & Zoning Commission
July 13, 1982
Page 19



Community Development

City & Borough of Juneau • Community Development
155 S. Seward Street • Juneau, AK 99801
(907) 586-0715 Phone • (907) 586-4529 Fax

DATE: July 23, 2015

TO: Assembly Committee of the Whole

FROM: Laura A. Boyce, AICP, Planner *Laura A. Boyce*
Community Development Department

SUBJECT: Consideration of shared access driveways/private roads in easements.

The proposed subdivision ordinance does not include the option for shared access driveways or private roads in private easements for subdivisions. The current subdivision draft does include an option for privately maintained access roads in public rights-of-way for subdivisions generating 250 average daily trips (ADT) or fewer. The Community Development Department's practice has been to approve, in some cases, subdivisions that share access through a driveway in a private easement when practical access directly from the lot is not feasible, due to topography for instance, or when access points to the street are required to be consolidated, by the CBJ or DOT&PF, for example. If this practice to approve subdivisions that share driveways in private easements is to continue, the proposed subdivision ordinance will need to be amended to provide this additional access option.

Background

Recently, a proposed subdivision along North Douglas Highway highlighted the fact that some subdivisions are approved when the physical access to the proposed lots is from a shared driveway easement rather than by a dedicated and constructed street. These subdivisions meet the requirement for lots to provide a minimum of 30 feet of frontage on a dedicated right-of-way, but instead of each lot directly accessing the dedicated right-of-way, access is through a shared easement to that right-of-way. The figure below illustrates a subdivision in which all lots share a common driveway in a private easement (Figure 1).

The requirement for lots fronting onto maintained rights-of-way exists for public safety purposes; safe and continued access to properties is of paramount importance for ambulance, fire, and police access. Current Title 49 subdivision requirements include that each lot must be designed to provide a minimum of 30 feet of frontage on a dedicated right-of-way and that each lot must abut and be physically accessed from a street. The Community Development Department's practice has been to consider and sometimes approve subdivisions when practical access can't be met from the proposed lots. While the minimum frontage

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requirements on a dedicated right-of-way are met for the proposed lots, and the lots abut a street, the physical access *from* the lots *to* the street might be *through* an easement. In some subdivision cases, the “practical access” to the maintained right-of-way is not the most direct access. While the lot design requirement for frontage on a dedicated right-of-way may be met with a proposed subdivision, direct access from those lots to the right-of-way may not be practical, such as due to topography. The practical access to the right-of-way may be through a shared easement instead.

FIGURE 1 – ATWATER ESTATES ON DOUGLAS HIGHWAY

Access is from Douglas Highway through a shared driveway easement on adjacent property to the four common wall dwelling units and to single-family lots beyond



CBJ staff met with the Subdivision Review Committee (SRC) on Wednesday, July 22, 2015, in order to discuss shared access driveways and solicit input as to whether this subdivision option should be continued. Three of the five SRC members attended the meeting, with one of the absent members sending in his comments prior to the meeting. A representative from DOT&PF attended, as well as CBJ staff from the Manager's office, CDD, and the Law Department.

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The Subdivision Review Committee members unanimously agreed that this subdivision option should be continued. They believe this is an opportunity to provide additional development options for parcels that may not be able to be subdivided otherwise. Also, in these cases, many times the public welfare is better served by providing an alternate access. While direct and practical access from each lot to a dedicated street is ideal, due to site constraints, such as topography or limited access points to the roadway, it may not be practical. Practical access to subdivided lots can be achieved through shared driveways in private easements while also ensuring that the public's health, safety, and welfare are protected. The SRC would like to see this practice continued, but with limitations. Their suggested limitations include the following:

- Shared driveways in private easements are only available for residential subdivisions;
- The subdivision can generate no more than 70 ADT which is approximately four lots assuming one single-family lot with one accessory apartment for each lot;
- The subdivision cannot create a landlocked parcel;
- If there is foreseeable future development beyond the proposed subdivision, as determined by the director, this option isn't available;
- Lots won't be required to provide frontage on a dedicated right-of-way;
- The driveway grade cannot exceed 15%;
- The CBJ must consider the driveway safe for access;
- An owner's association must provide for continued maintenance of the driveway;
- The minimum width of the driveway is 20 feet or as determined by the Fire Department; and
- The width of the easement should be 50 feet, but can be reduced by 20 feet when approved by the Director;

For these smaller subdivisions, dedicating right-of-way and constructing a street isn't financially feasible and the SRC felt that unless a "relief valve" such as this shared driveway easement option is made available, subdivision would not occur on these smaller properties and additional housing wouldn't be provided. With the rezoning to higher density zone districts occurring as water and sewer have been extended, utilization of those services won't be realized as planned unless additional subdivision options are available. The topography of many remaining vacant properties makes it difficult to construct a connecting street system, shared parking area easements and stairways to properties might be the most practical access for some of these lots. The SRC believes that the health, safety, and welfare of the owners of those lots could be assured with this access option. They cited many examples where shared driveways already work.

Conclusion

Allowing these types of subdivisions with access through shared driveway access easements in certain instances has been common practice. Available "flat" land is scarce and the remaining

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properties that can be developed have topographical issues or other constraints that make development less practical. Furthermore, DOT&PF has been restricting driveway access onto other streets as average daily trips increases. Do we want to continue the practice of allowing alternate subdivision scenarios that are practical for that site? If so, the current subdivision ordinance draft needs to be amended to include the option of subdivision through shared driveway easements. In the proposed ordinance, other than for panhandle subdivisions, right-of-way must be dedicated and streets constructed (whether privately maintained or built to CBJ standards) for subdivision to occur when the right-of-way can't be physically accessed from the proposed lots.

For reference, below is a partial list of subdivisions that have been approved with shared access instead of dedication and construction of a street. Examples include:

- Thane Landing – 7 waterfront lots at the end of Thane Road that share a common driveway. (Plat. No. 96-99)
- Atwater Estates – Four common wall lots accessed through a shared easement on the adjacent property. (Plat No. 2007-63)
- Glacier's Edge Subdivision – 3 total lots sharing an access easement (two bungalow lots and one regular lot). (Plat No. 2014-28).
- Auke Lake Ridge Subdivision – 6 residential lots sharing a 60 foot shared access, utilities, and drainage easement. (Plat No. 2013-29)
- Ferry Heights Subdivision No. 3 – 5 residential lots sharing access from Glacier Highway. (Plat No. 2013-29)
- Mansfield Crossing Subdivision – 5 residential lots, 3 of the lots share an access driveway, and the other two share one as well. (Plat No. 2010-34)
- Point Lena View Subdivision No. 4 – A four-lot subdivision, three of the lots share a driveway from Island View Drive. (Plat No. 2010-11)
- Belleview Subdivision – Common wall lots accessed through an easement on the adjacent property. (Plat No. 97-64) (Plat No. 99-42)
- Andsoh Subdivision – 9 total lots, 8 of which are accessed through shared easements. All lots provide the minimum amount of frontage on a maintained street. (Plat No. 2015-04).
- Forest Edge Condos – a 32-unit condo development (not a subdivision) that the entire development is accessed through another property
- North Douglas PUD – the entire 12-unit development is accessed through another property. A two-lot subdivision created the PUD parcel as well as the adjacent parcel through which the PUD has access to North Douglas Highway.

**ASSEMBLY STANDING COMMITTEE
COMMITTEE OF THE WHOLE
THE CITY AND BOROUGH OF JUNEAU, ALASKA
MINUTES**

July 27, 2015, 5:00 PM.
City Hall Assembly Chambers

Assembly Worksession - No public testimony

I. ROLL CALL

Deputy Mayor Mary Becker called the meeting to order at 5:00 p.m. in the Assembly Chambers.

Assemblymembers Present: Mary Becker, Karen Crane, Maria Gladziszewski, Loren Jones, Jesse Kiehl, Jerry Nankervis (teleconference), Merrill Sanford, Kate Troll and Debbie White.

Assemblymembers Absent:None.

Staff present: Kim Kiefer, City Manager; Amy Mead, City Attorney, Rob Steedle, Deputy City Manager; Laurie Sica, Municipal Clerk; Hal Hart, Community Development Director; Laura Boyce, Senior Planner.

II. APPROVAL OF AGENDA

Hearing no objection, the agenda was approved as presented.

III. APPROVAL OF MINUTES

A. July 13, 2015 Committee of the Whole DRAFT Minutes

Hearing no objection, the minutes of July 13, 2015 were approved with grammatical and spelling corrections.

IV. AGENDA TOPICS

A. Ordinance 2015-03 (b) - An Ordinance Amending the Land Use Code (related to Subdivisions)

Hal Hart, Community Development Director, said that main changes to Subdivisions included: changing the definition of a minor subdivision from 1-4 lots to 1 - 13 lots, the requirements for public notice of subdivisions, the criteria for major subdivisions, how appeals of decisions regarding subdivisions would be handled, defining the purpose and intent of a public use lot and right of way acquisition lots, street construction standards for new subdivisions, privately maintained access roads in public rights of way, and defining remote subdivisions. These changes were intended to affect the cost of housing and they tied into who paid for costs of infrastructure - developer, property owner or municipality. He said that he and Senior Planner Laura Boyce were available to answer questions.

Ms. Boyce pointed out a second memo addressing private easements and private roads. There is a basic design requirement of subdivisions that each lot must provide a minimum of 30 feet of frontage on a maintained right-of-way, and depending on the zone, for example, 20 feet in an industrial zone. Ideally the access from the lot is direct to the street, but in some circumstances, that is not practical, and the access has been through an easement through other lots to a maintained driveway. Ms. Boyce said there were roughly six subdivisions pending that had shared access as a element proposed in the subdivision. She said in one case, DOT preferred to limit

driveways directly on to the right of way and preferred that the subdivision use the existing driveway on another adjacent lot. Ordinance 2015-03(b), a right of way must be dedicated and streets constructed (whether privately maintained or built to CBJ standards) for subdivision to occur when the right of way can't be physically accessed from the proposed lots, with the exception of panhandle subdivisions. She said a question for the Assembly was whether it would like to continue the practice of allowing alternate subdivision scenarios that are practical for the specific site. If so, Ordinance 2015-03(b) needed to be amended to include the option of subdivision through shared driveway easements. The Subdivision Review Committee met on July 22 and suggested ten criteria to allow, but limit the practice, as outlined in her memo dated July 23.

Ms. Mead said that in the new ordinance, the only time private easements would be allowed to act in lieu of a public right of way was in the case of the new roaded remote subdivisions. The current code requires 30 feet of frontage and direct and practical access, and the frontage is obtained by being on a public right of way, in 49.15.424. The Assembly needed to make policy calls: to determine it is no longer to require the frontage or read frontage separately from the direct and practical access requirement, or read direct and practical access in a way that is different that it has been historically understood to be vehicular access, or decide to keep the current proposed language and not move forward. The concepts in the memo had not been vetted and she did not know if it meshed well with the rest of the proposed ordinance. It was a significant issue and she asked for Assembly guidance.

Ms. Mead said another main issue left at the last Committee of the Whole meeting was regarding the privately maintained public roads on a public right of way. Because of the Accessory Apartment code change, the ADT (Average Daily Trips) currently in the proposed table no longer makes sense, and would allow privately maintained access roads in major subdivisions. The choice was to lower the ADT or eliminate the requirement that that privately maintained access roads could only be allowed in minor subdivisions.

Ms. Crane and Mr. Kiehl suggested getting feedback from the Planning Commission.

Ms. White said that private roads, and shared driveways in easements were very common in many other places and supported anything that could facilitate development of buildable lots.

Ms. Troll supported moving forward the shared driveway concept and was a practical application, and would like to hear from the Planning Commission.

Mayor Sanford agreed with Ms. Troll and Ms. White and said he did want to hear from the Planning Commission.

MOTION, by Sanford, to forward Ordinance 2015-03 for Assembly consideration.

Ms. Crane said she favored much of the ordinance but was concerned about removing the CDD Director's consideration of "neighborhood harmony" in his review of minor subdivisions. She was concerned about a lack of notice regarding minor subdivisions. She said she was unclear about the process for appeals with minor subdivisions.

Ms. Boyce said minor subdivisions would be approved by the Director, and Director's decisions were appealable to the Planning Commission, and subsequently to the Assembly. The Director could not deny an appeal.

Ms. Boyce said the subdivisions referred to in the proposed ordinance were those that complied with the zoning district within which the property was located, without special uses such as Planned Unit Developments or Cottage Housing Developments which would go before the Planning Commission. If the subdivision abutted a differently zoned district, the greater of the two setbacks would apply, allowing a greater buffer. The Director had discretion to add conditions.

Mr. Hart said that as the department conducted neighborhood plans, there was discussion up front with the community before applications came in so the issue of neighborhood harmony would be addressed "up front."

Ms. Troll said that the Assembly had done significant upzoning without neighborhood plans in place, so thought neighborhood harmony was an important consideration.

Ms. Mead said that neighborhood harmony applied in the case of a use of a property, and in subdivisions, it was a zoning issue and the time that neighborhood harmony came under consideration was when considering an increase in density. The subdivision of land would be done in accordance with the uses and configurations within the specific zoning district of the proposed subdivision.

The Assembly discussed the public notice requirements.

MOTION, by Gladziszewski, to amend Ordinance 2015-03(b) to require the following public notice of subdivision proposals: minor subdivision of 1-4 lots = abutting owners only, minor subdivision of 5-13 lots = property owners within 500 feet, and major subdivision of 14 lots or more = property owners within 500 feet.

Roll call:

Aye: Becker, Crane, Jones, Gladziszewski, Kiehl, Troll, Sanford.

Nay: Nankervis, White

Motion passed, 7 ayes, 2 nays.

Ms. Mead would review the code for consistency with the proposed change.

The Assembly discussed 49.15.230 Public Notice, regarding posting signs.

MOTION, by Kiehl, to amend Ordinance 2015-03(b) to delete the words in 49.15.230 (d), "if the proposed development in on the road system, the" and keep "The sign shall be visible from a public right-of-way."

Roll call:

Aye: Becker, Crane, Jones, Gladziszewski, Kiehl, Troll, Sanford

Nay: Nankervis, White.

Motion passed, 7 ayes, 2 nays.

Ms. Troll said she had a concern, shared by Mr. Jones, about lowering the standards for sidewalks and paved streets, and asked if this only set up the CBJ for bearing those costs in the future. She said those amenities improved neighborhood safety as well.

Mayor Sanford said the LID policy and code had to be amended to go hand in hand with the adoption of this ordinance. The Assembly had done some LID work for older subdivisions but it was time to revise the LID program. Ms. Gladziszewski and Mr. Nankervis said they supported reducing the up front development costs through lower infrastructure requirements but would like to see some setting of expectations of when public services could be requested or expected. Ms. White supported keeping some areas free of pavement and lights. The Assembly continued discussion on LID's and building to reduced standards.

Ms. Mead said Ordinance 2015-03(b) allowed for substandard streets to be built without any obligation for CBJ to improve those streets, but if amending to include a revised LID process, that would lead to some future expectation, and that would likely fall to the property owner, the CBJ and not the developer at a future date.

There was discussion about the changes to street standards, including street lighting. Ms. White and Ms. Gladziszewski expressed a preference to reduce the street lighting standards. Ms. Mead

said she would discuss the matter with Mr. Watt, as requirements were based on engineering standards.

Mayor Sanford referred to the issue regarding smaller subdivision and ADT. Ms. Mead referred to the table on page 52 of the Ordinance and explained how the last line in the table was no longer correct due to the changes in the accessory apartment code and the calculation of ADT.

Mr. Kiehl asked to shift the discussion to whether or not that privately maintained access road should be allowed. He did not support the concept as drafted in this ordinance, on page 31 of the ordinance, called, "Division 4. Privately Maintained Access in Rights-of-Way." The ordinance in 49.15.434, outlines the "Access Agreement," and he asked what would happen if the agreement ceased to perform its required functions. Ms. Mead said CBJ would need to sue individual homeowners to enforce the provisions of the ordinance, it would be an enforcement action. He said that seemed unlikely, and there would likely be residents that would want the street plowed and would ask the city to do that. Ms. Mead said that was an issue and the liability exposure was difficult to quantify. CBJ was not required to maintain all streets and can allocate resources. But when in this case maintenance is dictated to occur and if it is done negligently, it potentially exposes CBJ to liability. CBJ may find itself of needing to do the maintenance and address the issue after the fact. Ms. Mead said she spoke with brokers about availability of insurance to homeowners associations to cover the roadway and they believe it is available, but were unsure of the cost. It would only be available to a homeowners association, but she could not get clarity on whether there was a guarantee that it could be obtained.

Ms. Boyce said the concept came from the Housing Matrix generated from the discussion on housing and developers seeking ways to make development less expensive to get more affordable housing on the market.

Mayor Sanford said there were at least ten subdivisions that have these types of private access agreements, but those agreements are not standardized. This brings the discussion back to ADT and a need to figure out how and who will be responsible for road development in the future, when growth continues and further subdivisions occur adjacent to these type of subdivisions with access agreements. This was one step in an effort to move forward for positive changes and reiterated that the LID process needed to be updated along with the subdivision code.

The Assembly discussed the scenario outlined in 49.15.343(a)(10) regarding when a development increases ADT beyond the limit for minor subdivisions, how shared costs of right-of-way upgrades would be apportioned. Mr. Palmer explained how "proportionate share" was based on the percentage increase in ADT. Mr. Palmer said the definition was a compromise between the first development and subsequent developments for determining share of the cost. Ms. Mead drew a diagram on the board for illustrative purposes.

The Assembly discussed the issue of when a roadway would be accepted as a publicly maintained road, and Ms. Mead said it was when the road was developed to CBJ maintenance standards. Mr. Jones said the ordinance as written did not clearly state that. Ms. Mead said that if the Assembly promoted a policy that the CBJ would eventually help pay for improvements, this section would need to be reworked. Either the homeowners would pay, or an LID could be requested and imposed. Ms. Mead said that subdivisions with privately maintained access roads could not create landlocked parcels and there must be alternative access to surrounding parcels in order for the subdivision with a privately maintained access to be allowed.

Mr. Hart said that these type of developments had been anticipated to potentially occur in the North Douglas area and he spoke about potential bench road development opening up land.

Ms. Boyce referred the Assembly to her June 12 memo, page 6, regarding a comparison of current street standards to proposed street standards, and the Assembly discussed this and asked for information on costs of paving / lighting.

Mr. Nankervis asked if CBJ was requiring anyone to create a privately maintained access road in a right-of-way and Ms. Boyce said it was an option. He asked how if the development on Back Loop Road last year with "hockey stick" shaped lots with one driveway to access the road was developed. Ms. Boyce said that subdivision was designed so that each lot fronted on Back Loop Road, but the six lots shared an easement with a required homeowners association as a condition of the subdivision, sharing maintenance. He asked how many such developments have asked for their situations to be improved or upgraded by CBJ. Ms. Boyce said she was not aware of any. Mr. Nankervis said he did not want perfect to be the enemy of good in getting long anticipated changes made. Mayor Sanford said he had seen issues regarding rights-of-way arise in the past.

Mr. Kiehl referred to packet page 21 and asked about streets standards outside of the urban service boundary. Ms. Boyce said that under current code there were options for gravel roads outside of the urban service boundary, and with the proposed ordinance it would call for either paving or creating a privately maintained access road. Ms. Mead said the gravel roadways currently allowed were publicly maintained and with the proposed ordinance there was no longer the urban/rural distinction, the standards were based on AD.

Ms. White reviewed a scenario of the Crow Hill Condos, phases 1,2 & 3, which was zoned D-18, and would currently allow for 33 units, however there were 78 units in existence. If built today, they would be more costly to build due to current building codes, and although this ordinance needed work, the Assembly needed to move forward to provide for more housing development.

Hearing no objection, the Committee requested that this matter be continued to its next meeting on Monday, August 3. Ms. Kiefer encouraged the members to save their printed materials for the next meeting.

V. COMMITTEE MEMBER / LIAISON COMMENTS AND QUESTIONS

Hearing no objection, the Assembly agreed to cancel the August 10 Human Resources Committee and reschedule to August 17, at 5:15 p.m., to be followed by the Full Assembly sitting as the Human Resources Committee at 6 p.m. for interviews for a Docks and Harbors board seat, immediately followed by a Special Assembly meeting to make the board appointments.

VI. ADJOURNMENT

There being no further business before the committee, the meeting adjourned at 8 p.m

Submitted by Laurie Sica, Municipal Clerk

**ASSEMBLY STANDING COMMITTEE
COMMITTEE OF THE WHOLE
THE CITY AND BOROUGH OF JUNEAU, ALASKA
MINUTES**

August 3, 2015, 5:00 PM.
City Hall Assembly Chambers

Assembly Worksession - No Public Testimony

I. ROLL CALL

Deputy Mayor Mary Becker called the meeting to order at 5:00 p.m. in the Assembly Chambers.

Assemblymembers Present: Mary Becker, Karen Crane, Loren Jones, Jesse Kiehl, Jerry Nankervis, Merrill Sanford, Kate Troll and Debbie White.

Assemblymembers Absent: Maria Gladziszewski.

Staff present: Kim Kiefer, City Manager; Amy Mead, City Attorney, Rob Steedle, Deputy City Manager; Laurie Sica, Municipal Clerk; Hal Hart, Community Development Director; Laura Boyce, Senior Planner; Robert Palmer, Assistant Attorney.

II. APPROVAL OF AGENDA

Hearing no objection, the agenda was approved as presented.

III. APPROVAL OF MINUTES

A. July 27, 2015 Committee of the Whole Draft Minutes

Hearing no objection, the minutes of the July 27, 2015 Committee of the Whole meeting were approved.

IV. AGENDA TOPICS

A. Executive Session - Update from BRH Regarding Joint Commission Audit

MOTION, by Kiehl, to enter into executive session to discuss topics, the immediate knowledge of which could be harmful to the finances of the City and Borough of Juneau, specifically the Bartlett Regional Hospital Joint Commission Audit. Hearing no objection, the Assembly entered into executive session at 5:03 p.m. and returned to regular session at 5:31 p.m.

Mr. Kiehl said that during executive session, the committee heard a report from Bartlett Regional Hospital regarding its Joint Commission Audit and the staff, including Chuck Bill, CEO, and several BRH Board members present, answered questions.

B. Draft Letter to State Marijuana Control Board on Set 2, Proposed Regulations

Mr. Kiehl said the Marijuana Committee recommended the draft letter provided by Ms. Mead. The goal is greater local control and we are hoping this is reflected in the final state recommendations. The main points of the letter were to request that the State Marijuana Control Board leave the following issues to the municipalities to regulate: the setting of buffers, the size and location of signs advertising the establishment and the decision to permit, or not, consumption on licensed premises. The letter also requested the Board adopt a regulation that requires notice to the local

governing body of applications for licenses, and supported the deference to local government's expertise in the matter of a protest of a license.

Mr. Jones said he was appointed to the State Marijuana Control Board and he had some conversation regarding any potential conflict of interest regarding his position as an Assemblymember. He reviewed the matters with Ms. Mead and based on the discussion he believed he did not have a conflict of interest in his role as an Assemblymember, and would follow the advice of the CBJ attorney. Ms. Mead said for purposes of sitting on the Assembly there was no conflict. As far as sitting on the board as an Assemblymember, testifying as an Assemblymember - this is the issue the state attorney to the board is looking at. Mr. Jones said that the Assembly is different than a private organization. If there eventually is a review of a local marijuana license, as a member of the Marijuana Control Board, he would recuse himself locally.

Ms. Becker asked if the state board had made any recommendation regarding the decision to permit, or not, the consumption on licensed premises. Mr. Jones said no. The Board had until November 27 to adopt regulations in total, and he thought the Board would act November 20. Ms. Becker said she did not support consumption on licensed premises or smoking parlors for marijuana. If the state did not allow this but if the city wants to have the option, which would take precedence? Mr. Jones said the initiative did not specifically address or allow consumption on premises. Until a change in state statutes, the regulations were leaning against it. Ms. Mead said the initiative was silent on marijuana smoking clubs. A few clubs in Anchorage state they are private clubs, they do not sell marijuana, they sell private memberships, marijuana is free for the members and that members of the public are not allowed. The state has not taken a position regarding whether this is an establishment that is open to the public. The second set of regulations prohibit consumption at a retail store. Currently there is no license for a marijuana smoking facility and she did not know if the Board could regulate that without further direction from the legislature. Currently, the only way a local government could allow that would be in a private club setting, and this is something that the initiative contemplated it would be left to the municipalities to decide. Municipalities could not conflict with state law and if state law said there was no consumption on any licensed premise, that would not address the private smoking club, and would be left up to the locality to regulate. It would prohibit someone consuming on a licensed premise.

Ms. Becker asked how the current smoking ordinance interfaced. Ms. Mead said the CBJ smoking ordinance prohibited smoking in any establishment that was licensed to sell food or alcohol, and did not prohibit smoking in a private club where food and alcohol were not for sale. The private club could not have more than four employees. A smoking club was allowed currently under the ordinance, within those parameters.

MOTION, by Troll, to forward the letter to the Marijuana Control Board. Hearing no objection, it was so ordered.

C. Ordinance 2015-03 (b) - An Ordinance Amending the Land Use Code (related to Subdivisions)

Mr. Steedle said that many years of work had gone into this ordinance. Last Monday, we identified a major defect in the ordinance before the Assembly in that it doesn't allow access to new subdivisions through private easements and private streets. Staff appreciated that the Assembly was receptive to considering this and requesting input from the Planning Commission. He said it would best serve the public to adopt this ordinance and not wait the 2-4 months for the Planning Commission's recommendations on that topic as it could be amended in the future.

Mr. Jones said that CDD was currently processing subdivisions in that manner contrary to this proposed ordinance and current code. Mr. Steedle said CDD would not process that type of subdivision access until the code was changed.

Ms. Mead said staff had taken the direction from the Assembly to facilitate development and housing through a rather restrictive code, and one of the ways was through a broad reading of

variances. We have many land use decisions that don't necessarily read well together, where we have used variances to make things happen, but it makes it difficult to make consistent, defensible decisions. We use variances very frequently, when they are supposed to be the exception. A variance for design was allowed, but a variance to construction standards was not allowed, and the distinction between the two has not been clear. This proposed code include access and frontage to a right-of-way are considered design standards and not construction standards, and the Assembly needed to determine if this was the course it wished to take. She recommended that access and frontage should be construction standards and to accommodate development, the standards required should be made easier to accomplish to facilitate development. This would allow more consistent and reliable guidance to the public.

Ms. Mead said there were two main issues that the Assembly needed to address: frontage requirements on a right of way, and whether lots need direct and practical access to a street. Did the Assembly want the standards imposed to be minimum standards or to be able to be varied. The current record of decisions were not consistent and equal protection challenges could be based upon one permit.

Ms. White asked what type of variances would no longer allowed and Ms. Mead said a variance to construction standards, which included streets standards. Setbacks were design standards and could be varied. Construction standards were the improvements one put in to a subdivision. Currently lots must have frontage to a right-of-way, which was a construction standard. Parking requirements were a construction standard. Ms. Mead said that frontage and direct and practical access can be read together to facilitate development, or separately, and this is the main question - what are the minimum standards that you want to require.

Ms. Boyce explained a drawing Mr. Palmer's provided of the conflict of frontage and direct and practical access. Mr. Steedle said staff would like to propose construction standards that make sense and are clear. He referred to the "hockey stick" subdivision off of Mendenhall Loop Road to illustrate that the requirement for road frontage did not always make sense.

Ms. Mead said she believed the frontage and direct and practical access issues needed to be vetted before the Planning Commission. This ordinance has been under review for so long, and the staff has turned over, the goals of the Assembly have become clear for housing and development, and we can bring back this issue after adoption of this ordinance. One issue to resolve before leaving this meeting would be to get direction from the Assembly on the variance question - should frontage and right-of-way requirement be able to be varied or is right-of-way frontage required until a change to the code is made. This should be a change to the proposed ordinance - whether or not to move this out of the design section.

Ms. Troll said she preferred that the private maintenance of public roads should be the exception rather than the rule. Ms. Mead said that was a huge issue that staff had discussed. Does the Assembly want to allow privately maintained access roads or not or should this be worked on further? If the Assembly is comfortable with a broad interpretation of the code through variances, that could continue. Alternatively, the Assembly could say that right-of-way frontage and the requirement for direct and practical access via a street is required as a minimum construction standard that cannot be varied. This proposed ordinance could move forward with that decision and future amendments could be made.

Ms. White said she supported being as flexible as possible to allow development, until her other questions could be answered and addressed.

Mr. Kiehl said he shared Ms. White's concern because these issues were not part of his thinking. He wished to maintain status quo until further consideration could be made.

Ms. Mead said based on Ms. White's and Mr. Kiehl's statement, that would allow leaving the frontage and direct and practice requirements in the design section in the proposed code and allowing variances to those, which was a change to current code, but not to current practice.

Ms. Becker agreed with this approach.

MOTION, by Sanford, to direct staff, as a high priority, to return this issue to the Assembly as soon as possible, regarding frontage, direct and practical access and variances. Hearing no objection it was so ordered.

Mr. Steedle said he understood that if the Assembly chooses to adopt this ordinance, variances will work, because they are in a section called design, which is a change to current code, but not to current practice.

Mr. Nankervis expressed his frustration with the "rabbit hole" of this issue, and Ms. Mead said it was a product of the "patchwork quilt" nature of this ordinance.

Mr. Kiehl asked why it was a good idea in street standards to erase the inside and outside the urban service boundary. We have built to this designation to date and why is that a good change.

Ms. Boyce said the street standards proposed were based on traffic and the measure of average daily trips. When and if the urban service boundary line moves, then there were conflicts. Mr. Hart said the key of the urban service boundary is where we invest for sewer and water. Encouraging development in neighborhoods which already have sewer and water was a key policy.

Mr. Kiehl said the character and nature of neighborhoods could be defined by the development. We keep discussing the cost of development, and if it should be done up front, later, or much later. Erasing the boundary doesn't make sense. Within the urban service boundary, people want a safe community, a walkable community. Outside of the urban service boundary I don't hear those demands, I hear people say they want dark night skies.

MOTION, by Kiehl, to amend the proposed ordinance to require paving outside of the urban service boundary only when the ADT exceeds 500 ADT.

Following discussion, Mr. Nankervis objected.

Roll call:

Aye: Crane, Kiehl, White

Nay: Becker, Jones, Nankervis, Troll, Sanford

Motion failed, 3 ayes, 5 nays.

MOTION, by Kiehl, to permit unpaved privately maintained access roads only outside of the urban service boundary.

Mr. Kiehl said this gets to the question of how costs are born and how neighborhoods would look. When neighborhoods ask for LID's, CBJ used everyone's taxes to subsidize the inexpensive home the original buyer bought. CBJ was paying for the infrastructure that should have been constructed originally. He was willing to allow privately maintained gravel roads outside of the urban service boundary. Within the urban service boundary, the CBJ would continue to receive requests for services from homeowners. CBJ had tried to create neighborhoods and encourage people to live in the more dense areas where it has invested in services. He was not requiring a sidewalk on every street but was reducing the impact on the treasury is important.

Following discussion, Mayor Sanford objected because the Average Daily Trip standard was sufficient.

Roll call:

Aye: Crane, Jones, Kiehl, Troll, White

Nay: Becker, Nankervis, Sanford.

Motion passed, 5 ayes, 3 nays.

Following a recess in the meeting, Ms. White asked for clarification of the action taken by the last motion. Ms. Mead said that the committee added a requirement to the table on page 52 of the

proposed ordinance that privately maintained access roads would be allowed only outside of the urban service boundary. Ms. Mead said this would not change road standards in the valley, where gravel roads were not allowed due to air quality standards.

Mr. Steedle asked for clarification. He said he understood that when the Assembly passed the ordinance, 30 days after, those subdivisions which people sought variances for because they did not have direct and practical access would be allowed to move forward through the process. Parallel to that, the Planning Commission would take up a proposal from staff on how to move away from variances, toward having criteria under which subdivisions can be considered for lots which do not have direct and practical access. There was no objection to that from the Assembly.

Mr. Jones said given the significant changes and as people get used to the changes, he hoped part of the analysis of individual subdivisions would be review and approval by law. Ms. Mead said that the Law Department did not vet the subdivisions or any development permits now.

Mr. Nankervis expressed his appreciation of the work of staff and the Planning Commission and if this was passed there would be a number of reductions of issues that needed to go before the Planning Commission.

V. COMMITTEE MEMBER / LIAISON COMMENTS AND QUESTIONS

None.

VI. ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 7:35 p.m.

Submitted by Laurie Sica, Municipal Clerk

Laura Boyce

From: Dan Jager
Sent: Friday, June 26, 2015 9:36 AM
To: Laura Boyce; Sven Pearson
Cc: Beth McKibben
Subject: RE: Request for comments for a proposed six-lot (three two-unit common walls) subdivision on North Douglas Highway - Parcel #6D0601010040

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning Laura. I agree with the requirements and the applicant meeting the IFC requirements by installing fire sprinkler systems in each structure that is built. Since they agree to doing this as stated in the letter from Mr. Pusich, this subdivision is good to go as far as IFC goes. If the applicant does not install the systems as required, then there will be fire code issues that must be dealt with. Hope this helps.

Dan

Daniel M. Jager EFO, IAAI-CFI
Fire Marshal



Capital City Fire Rescue
820 Glacier Avenue
Juneau, Alaska 99801
907-586-0260 (Office)
907-586-8323 (Fax)

*"If it is predictable, then it is preventable.
If it is preventable then it is not an accident".*

From: Laura Boyce
Sent: Friday, June 26, 2015 8:32 AM
To: Sven Pearson; Dan Jager
Cc: Beth McKibben
Subject: FW: Request for comments for a proposed six-lot (three two-unit common walls) subdivision on North Douglas Highway - Parcel #6D0601010040
Importance: High

Good morning,

I'm sorry to bother you again, but I really need a response from Fire about this subdivision, preferably today. Monday would be the absolute latest that I can incorporate your comments into the staff report.

Thank you!

Laura

From: Laura Boyce
Sent: Wednesday, June 24, 2015 3:03 PM
To: Sven Pearson; Dan Jager
Subject: FW: Request for comments for a proposed six-lot (three two-unit common walls) subdivision on North Douglas Highway - Parcel #6D0601010040
Importance: High

Good afternoon,

Can you please provide comments about this project as soon as you can? According to their application, they state that they have approval from fire to only have a 20 foot wide easement to access these six lots (three two-unit common wall buildings) but they will sprinkle the buildings.

I'm trying to wrap up the staff report for the Planning commission this week. It's a major subdivision request.

Thank you!

Laura

From: Laura Boyce
Sent: Thursday, May 14, 2015 11:37 AM
To: Ron King; Dan Jager; Sven Pearson; Quinn Tracy; Heidemann, Marie E (DOT) (marie.heidemann@alaska.gov); 'Eric Eriksen (eric.eriksen@aelp.com)' (eric.eriksen@aelp.com); Ed Foster; Samantha Stoughtenger; Charlie Ford
Cc: Allison Eddins
Subject: Request for comments for a proposed six-lot (three two-unit common walls) subdivision on North Douglas Highway - Parcel #6D0601010040

Good morning,

Attached please find the application materials for a proposed six-lot major subdivision that will ultimately have three two-unit common walls constructed. The total six lots will be reviewed now, but initially the three "master parcels" will be created. Those three parcels will be subdivided when the common wall development is completed. The proposed plat is located on the last page of the application package.

Access to the parcel is through an existing access easement.

Please provide comments to me by Tuesday, May 26th. If you need additional information from the applicant for your review, please let me know as soon as possible.

Please contact me directly with any questions.

Laura A. Boyce, AICP
Senior Planner

City and Borough of Juneau
907.586.0753

laura.boyce@juneau.org

Laura Boyce

From: Dan Jager
Sent: Monday, June 29, 2015 1:19 PM
To: Ron King
Cc: Laura Boyce; Sven Pearson; Hal Hart; John Bohan
Subject: Re: RE:
Attachments: image004.png; image005.png; image006.jpg; image007.png

Follow Up Flag: Follow up
Flag Status: Flagged

If the road is serving three or more structures, or if it more than 150 feet in length then it must be minimum of 20 feet wide. If there are less than three structures currently then the road requirements and turn around do not kick in until a third structure is built. Does this help?

Dan

Sent from my iPhone

On Jun 29, 2015, at 1:04 PM, Ron King <Ron.King@juneau.org> wrote:

Under the NO it states: Fire apparatus road not required, however road width must be 20 ft. The CBJ Engineering Specifications and Standard Details do not have minimum width requirement for driveways. Are you referring to the road that connects to the driveway or are you saying the driveway must be 20ft minimum?



Ron King PLS

General Engineering
907-586-0881

From: Dan Jager
Sent: Monday, June 29, 2015 9:54 AM
To: Laura Boyce
Cc: Ron King; Sven Pearson
Subject: FW:

Good morning Laura. Here is a basic info sheet that Sven Pearson, Deputy Fire marshal created. It gives the requirements for apparatus access roads and signage etc. Let me know if this is what you are looking for or if there is something else I can provide to help with your report? Thanks!

Dan

From: Sven Pearson
Sent: Monday, June 29, 2015 9:51 AM
To: Dan Jager
Subject:

<http://www.juneau.org/ccfr/Apparatusaccesshydrantsignage.htm>

Sven J. Pearson
Deputy Fire Marshal



Capital City Fire/Rescue
820 Glacier Avenue
Juneau, Alaska 99801
(907) 586-0642 (Office)
(907) 586-8323 (Fax)

Visit us on the web at:

<http://www.juneau.org/ccfr/firemarshalsoffice>



<103A.pdf>

Laura Boyce

From: Ed Foster
Sent: Wednesday, May 27, 2015 6:35 PM
To: Laura Boyce
Subject: RE: Request for comments for a proposed six-lot (three two-unit common walls) subdivision on North Douglas Highway - Parcel #6D0601010040

Streets and Fleet Division has no issue with this proposal.

Ed

From: Laura Boyce
Sent: Wednesday, May 27, 2015 4:45 PM
To: Ron King; Dan Jager; Sven Pearson; Marie Heidemann (mariewendel@gmail.com); 'Eric Eriksen (eric.eriksen@aelp.com)' (eric.eriksen@aelp.com); Ed Foster; Samantha Stoughtenger; Charlie Ford
Cc: Allison Eddins
Subject: FW: Request for comments for a proposed six-lot (three two-unit common walls) subdivision on North Douglas Highway - Parcel #6D0601010040
Importance: High

Good afternoon,

If you have comments about this proposed subdivision located on North Douglas, please let me know as soon as possible. Access to the proposed six lots will be through an access easement through two other properties.

If you require additional information or have questions, please let me know as soon as possible.

Thank you,

Laura

From: Laura Boyce
Sent: Thursday, May 14, 2015 11:37 AM
To: Ron King; Dan Jager; Sven Pearson; Quinn Tracy; Heidemann, Marie E (DOT) (marie.heidemann@alaska.gov); 'Eric Eriksen (eric.eriksen@aelp.com)' (eric.eriksen@aelp.com); Ed Foster; Samantha Stoughtenger; Charlie Ford
Cc: Allison Eddins
Subject: Request for comments for a proposed six-lot (three two-unit common walls) subdivision on North Douglas Highway - Parcel #6D0601010040

Good morning,

Attached please find the application materials for a proposed six-lot major subdivision that will ultimately have three two-unit common walls constructed. The total six lots will be reviewed now, but initially the three "master parcels" will be created. Those three parcels will be subdivided when the common wall development is completed. The proposed plat is located on the last page of the application package.

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Please provide comments to me by Tuesday, May 26th. If you need additional information from the applicant for your review, please let me know as soon as possible.

Please contact me directly with any questions.

Laura A. Boyce, AICP
Senior Planner

City and Borough of Juneau
907.586.0753

laura.boyce@juneau.org

Laura Boyce

From: Heidemann, Marie E (DOT) <marie.heidemann@alaska.gov>
Sent: Monday, June 01, 2015 11:29 AM
To: Laura Boyce
Subject: FW: Request for comments for a proposed six-lot (three two-unit common walls) subdivision on North Douglas Highway - Parcel #6D0601010040
Attachments: Driveway Approach Details, REV. 5-15-2015.pdf

Laura,

I haven't received many comments from anyone here. Only that they should have an issued driveway permit prior to construction.

Thanks,
Marie

From: Haynes, Emily R (DOT)
Sent: Thursday, May 28, 2015 9:24 AM
To: Heidemann, Marie E (DOT); Trousil, Robert E (DOT); Carroll, Lawrence P (DOT); Epstein, David B (DOT); Schmidt, Joanne M (DOT); Buck, Joseph T (DOT); Hughes, Andrew N (DOT); Gray, Scott J (DOT)
Subject: RE: Request for comments for a proposed six-lot (three two-unit common walls) subdivision on North Douglas Highway - Parcel #6D0601010040

Also, sheet C-5 has been changed (per our requirements). Here is the updated driveway plan.

Emily

From: Haynes, Emily R (DOT)
Sent: Thursday, May 28, 2015 9:23 AM
To: Heidemann, Marie E (DOT); Trousil, Robert E (DOT); Carroll, Lawrence P (DOT); Epstein, David B (DOT); Schmidt, Joanne M (DOT); Buck, Joseph T (DOT); Hughes, Andrew N (DOT); Gray, Scott J (DOT)
Subject: RE: Request for comments for a proposed six-lot (three two-unit common walls) subdivision on North Douglas Highway - Parcel #6D0601010040

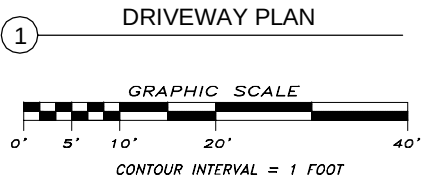
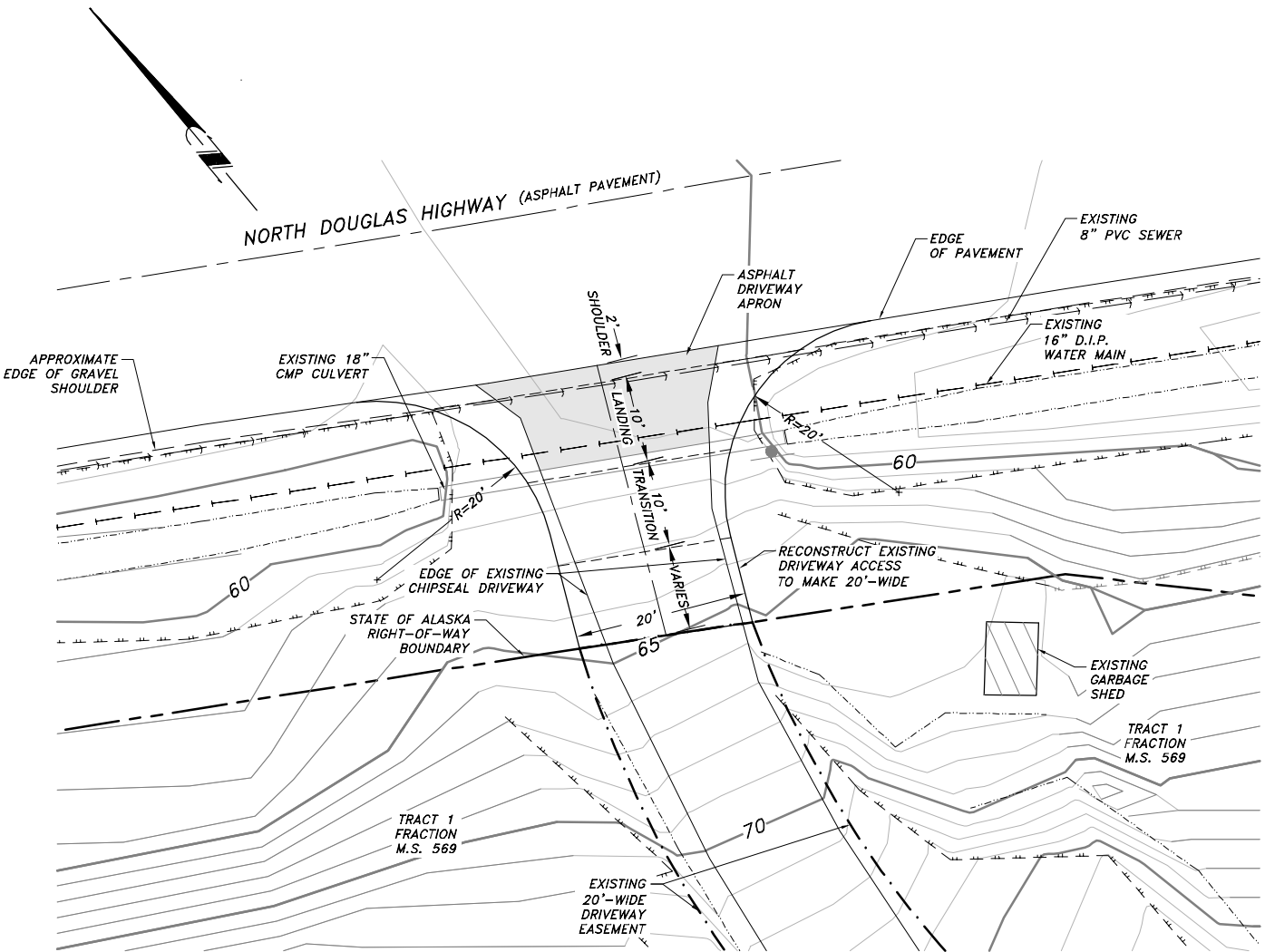
Marie,

I completed a driveway permit for this project last week (am waiting on the retainer and signatures). My only comment would be that they receive an issued permit from us for the driveway prior to construction.

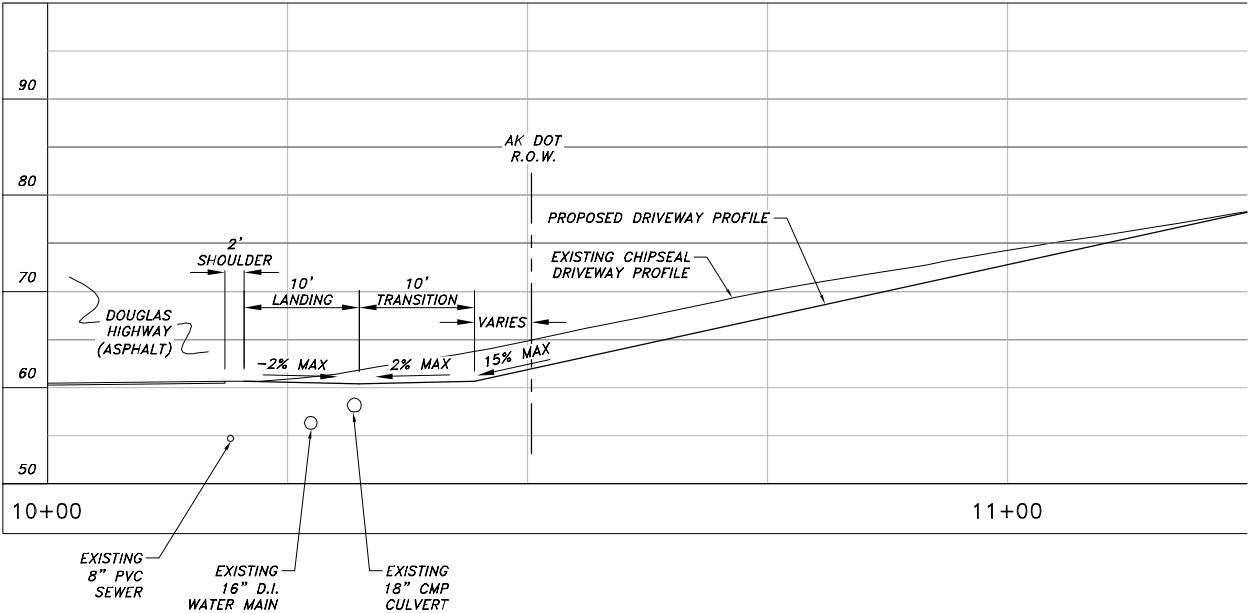
I also now understand why they were so opposed to our requests to widen the driveway...

Emily

From: Heidemann, Marie E (DOT)
Sent: Thursday, May 28, 2015 8:47 AM
To: Haynes, Emily R (DOT); Trousil, Robert E (DOT); Carroll, Lawrence P (DOT); Epstein, David B (DOT); Schmidt, Joanne M (DOT); Buck, Joseph T (DOT); Hughes, Andrew N (DOT); Gray, Scott J (DOT)
Subject: Request for comments for a proposed six-lot (three two-unit common walls) subdivision on North Douglas Highway - Parcel #6D0601010040



NOTE:
GRADE FORESLOPES TO HAVE 1:4 MAX SLOPE.

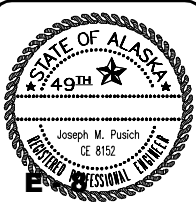


2 DRIVEWAY PROFILE
N.T.S.

DESIGN JMP
DRAWN JAG
CHECK JMP
APPROVED JMP
FILE:

No.	DATE	REVISION	BY	APRVD.

DRIVEWAY APPROACH
DETAILS



R & M ENGINEERING, INC.
ENGINEERS GEOLOGISTS SURVEYORS
6205 GLACIER HIGHWAY Phone 907-780-6060
JUNEAU, AK. 99801 Fax 907-780-4611
rmengineering@rmjuneau.com

SADMECH SUBDIVISION
SITE IMPROVEMENTS

CITY AND BOROUGH OF JUNEAU , ALASKA

DATE: MAY 15, 2015
R&M NO. 141740
SHEET C5.0

Please send comments my way, as soon as possible. Her original email kicked back so we never got it in time. I'll try to send her comments tomorrow afternoon if I get responses back quickly enough.

Thanks much.

Good morning,

Attached please find the application materials for a proposed six-lot major subdivision that will ultimately have three two-unit common walls constructed. The total six lots will be reviewed now, but initially the three "master parcels" will be created. Those three parcels will be subdivided when the common wall development is completed. The proposed plat is located on the last page of the application package.

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Please contact me directly with any questions.

Laura A. Boyce, AICP

Senior Planner

City and Borough of Juneau

[907.586.0753](tel:907.586.0753)

Marie Heidemann
Transportation Planner
Southcoast Region, ADOT&PF
465-1775

Laura Boyce

From: Ron King
Sent: Thursday, September 10, 2015 12:23 PM
To: Laura Boyce
Subject: OLMO Subdivision

Laura, I fully support the OLMO Subdivision and I encourage Planning Commission Approval. The access as eased for this subdivision is the only practical route for serving the development. Due to the slope of the embankment on Douglas Hwy there is no practical, direct route for access from the right of way as the gradient would be too steep and unacceptable.

I sincerely hope the Planning Commission understands the need to allow a practical common access especially if the CBJ intends on developing hillside properties in an affordable manner or at all.

Ron King PLS

General Engineering
907-586-0881

**ASSEMBLY STANDING COMMITTEE MINUTES
LANDS AND RESOURCES COMMITTEE
THE CITY AND BOROUGH OF JUNEAU, ALASKA
MINUTES**

January 4th, 2016 5:00 PM.
Assembly Chambers

I. ROLL CALL

Jesse Kiehl, Chair, called the meeting to order at 5:01pm.

Members Present: Chair Jesse Kiehl; Assembly members: Mayor Mary Becker, Jerry Nankervis, and Kate Troll

Liaisons Present: Christopher Mertl

Liaisons Absent: Bob Janes, Bill Peters

Staff Present: Greg Chaney, Lands Manager; Rachel Friedlander, Lands Specialist; Kim Kiefer, City Manager; Mila Cosgrove, Deputy City Manager; Rob Steedle, CDD Director

II. APPROVAL OF AGENDA

'Renninger Subdivision Appraisal' was added as supplemental material underneath Agenda Topics, section A. The agenda was then approved as amended.

III. APPROVAL OF MINUTES

A. November 23rd, 2015

The minutes of the November 23rd, 2015 Lands Committee meeting were approved as amended.

IV. PUBLIC PARTICIPATION

There was no public participation on non-agenda items.

V. AGENDA TOPICS

A. Renninger Subdivision

Mr. Chaney said working on Renninger subdivision has taken some time due to wetlands issues. The recorded plat of Renninger subdivision was used by Mr. Chaney to demonstrate the Jackie Street location, which should be built by Admiralty Construction June 2016. The plat shows 7 lots, but only 6 lots will be developed since lot 7 goes all the way to Lemon Creek, said Mr. Chaney. The appraisal values for the 6 lots were then revealed as being increased by 10% above the property values shown in the draft appraisal that was distributed to the Committee. This was because the appraiser had incorporated additional information that modified the draft appraisal estimates originally distributed in the Renninger Subdivision supplemental information memo. Mr. Chaney then quickly reviewed some of the benefits to each lot. Mr. Chaney emphasized that it costs

the City a lot of money to develop these lots, and that the returns made from these land sales will go towards helping the City develop future projects. Mr. Chaney reviewed a letter sent by Juneau Housing Trust, and stated that the City has given land at less than fair market value in the past. Mr. Chaney then requested that the Assembly provide the Lands and Resources Division with further direction on disposing of these properties. A brief overview of the CBJ land disposal process, outlined in the supplemental material, was presented by Mr. Chaney.

Mr. Nankervis said he likes the sealed competitive bid process and asked if the JSD & UAS Home Builder Project requested a specific lot, and if so, how much property. Mr. Chaney replied that Lot 3 had been selected and it is roughly an acre and they were considering building 5 or 6 single family homes in a semi-circle for cottage style housing.

Ms. Troll said she was interested in pursuing further discussions with groups like Pacific Development Group, and that she doesn't want to hold onto land but also wants the City to be creative with disposal options. Ms. Troll mentioned a discussion she had with Mayor Becker and Mr. Mark Lewis of the Pacific Development Group regarding a Renninger development idea to build 50 units and create a private-public partnership while doing so. Ms. Troll said there is an opportunity to use public land as an incentive to develop a unique affordable housing unit with different mechanisms at play, and wants to know what local developers want to do. Ms. Troll requested guidance from staff on how to proceed with the Renninger land disposal without closing the door on other opportunities. Mr. Chaney replied that CBJ could do a request for proposals (RFP) so multiple developers could provide different options. Mr. Chaney said he wanted to make sure the City doesn't look like it's willing to sell for less than fair market value when disposing of property.

Mr. Mertl asked why there was a 10% increase with the appraised values and Mr. Chaney replied the appraiser had still been gathering information from developers when the original draft was submitted. Mr. Mertl also asked if the trail easements and lots are still being maintained and Mr. Chaney said yes and by the City. Mr. Mertl followed up by saying his preference was sealed competitive bid as a start off and if there are any parcels that aren't claimed, then a negotiated bid.

Mayor Becker asked about the factors contributing to the price per square foot and inquired if lot 2 and 3 would be the better parcels since they had the highest value per square foot, and Mr. Chaney replied yes because these lots would be the easiest to develop.

Chair Kiehl discussed RFPs and former Mayor Fisk's interest in City partnerships with developers so that land becomes an incentive, and asked if Mr. Chaney discussed this with former Mayor Fisk. Mr. Chaney replied yes but nothing

specific was discussed. Chair Kiehl followed up that a partnership could be created to work with a developer so that the developer pays for the lot after development finishes. Chair Kiehl asked if that would be something that happens through an RFP and Mr. Chaney replied it would be a negotiated sale.

Mr. Nankervis proposed changing the name of Jackie Street to pay tribute to an officer who passed away in the line of duty, and wanted to know the process for doing so. Mr. Chaney replied the Planning Commission is in charge of naming streets and that the plat is already recorded with Jackie Street. Pederson Hill subdivision is coming up however and will need street names, which could also serve this purpose, said Mr. Chaney. Mr. Nankervis agreed that Pederson Hill was a good idea.

Mr. Chaney reaffirmed the need for further guidance from the committee on the Renninger Subdivision land disposal. Mr. Nankervis made a motion of support for the sealed competitive bid process while reserving the option to hold one lot aside for the high school build group. Mayor Becker had concerns over lot 3 being given to the high school build group since it's such a high value property and Mr. Nankervis reaffirmed that his motion is not guaranteeing, only "reserving the option." Mr. Chaney offered clarification that the full Assembly would have to approve this as a whole, and that he is only asking for further direction to assist the Lands and Resources Division.

Ms. Troll vocalized again that she did not want this to preclude a potential negotiated sale agreement with private developers, and that she understands the sealed competitive bid process but does not want that to be the only option.

Mr. Mertl asked when the City disposes of land via sealed competitive bid process, are there lots left over and Mr. Chaney replied that Lands' experience is that there are a few left over and wouldn't be surprised if that happened again. Mr. Chaney also gave clarification that selling property to the school building program for 40% of fair market value is not a standard arrangement. Chair Kiehl added that the school district has been given foreclosed lots at no cost and Mr. Chaney replied that City was reimbursed for back taxes owed on the property.

Mr. Mertl vocalized again the importance of the sealed competitive bid process and if there are lots left over, to use other options.

Chair Kiehl responded that his concern with a sealed competitive bid is that only the most expensive and least developable lots will be left over for any public purpose or public-private partnership and does not want to reserve the worst for a public-private partnership. Chair Kiehl said his own interest was in disposing of some properties with sealed competitive bid while exploring options for partnerships.

Ms. Troll was in favor of Chair Kiehl's suggestion, and asked if this could happen concurrently, where Mr. Chaney could have discussions with the school district and the developer. Ms. Troll said she wants proposals, and if the City can get a novel 50 unit development out there with rent at less than fair market value, the City should get that development out there.

Mr. Chaney stated that he is asking for this guidance so Lands can bring something back to the committee. If Lands is directed to look at sealed competitive bid, Lands will get a draft sealed competitive bid packet ready that can be used to evaluate other proposals that come through in the meantime. Mr. Chaney said he's trying to move this along because Admiralty Construction has indicated that while they are building Jackie Street, they would be willing to build additional infrastructure at a lower price because they would already be present and mobilized. Mr. Chaney then asked if it would be acceptable to prepare packets for the sealed competitive bid process for the committee.

Chair Kiehl asked for clarification, and Mr. Chaney replied that he will supply a sealed competitive bid packet, which will be an informational list of each lot, the fair market value, and the pros and cons of each property. Chair Kiehl asked for the outlines of an RFP for a public private-partnership or other creative avenues.

Ms. Troll asked if this would include follow up discussions with UAS/JSD if there are specific proposals.

Chair Kiehl finished by asking if Mr. Chaney had what he needed to bring something back for the next meeting or if he needed a motion and Mr. Chaney replied that he understood the desires of the committee.

B. West Douglas Remote Subdivision

Mr. Chaney offered an early discussion about the City extending the road on West Douglas. He used a map to demonstrate the proposed road development. It's a pioneer road, said Mr. Chaney, and if someone were to put one end of the proposed road at the airport, it would reach Backloop Road. This narrow, pioneer road will be 14 feet wide, all weather surface gravel, and the proposal is to put a gate of some sort at the beginning of the road. The CBJ does not own any water front property, only uplands, and there is no use of the road as of now. The West Douglas Master Plan has outlined development nodes at the end of the coastline, like a deep water port for the area. This is all on Goldbelt property though so the City cannot control development, only have a plan for it, said Mr. Chaney. The reason why Goldbelt did not have the road built on their property was because of their experience with vandalism at the end of the road in north Juneau. As Lands Manager, the Lands Division will be responsible for cleaning up the potential problem, said Mr. Chaney. This area will be great for recreational use, but beyond that Mr. Chaney is not sure. Illicit activities will most likely happen so Mr. Chaney proposed a remote subdivision for developing recreational properties so

there will be eyes on the area. If local property owners are using the road, they will report inappropriate events before things get out of hand. This will be unique in Juneau because it will be recreational property accessible from the road system. Mr. Chaney then discussed the remote subdivision ordinance and the West Douglas Master Plan in relation to the road development. Mr. Chaney then asked the committee if they would like Lands to explore this topic further.

Ms. Troll asked what would happen to the gate in the front of the road if the remote subdivision was developed and Mr. Chaney replied it would remain there to control traffic since the road is not a maintained right-of-way. Ms. Troll followed up by asking if the City would make arrangements for someone wanting to build a cabin on their land and Mr. Chaney answered potentially yes.

Mayor Becker then asked how many years in the future this road may be extended further and Mr. Chaney replied that this would be a multi-million dollar development node probably built in partnership with Goldbelt for the future. Deep water ports are really expensive, said Mr. Chaney.

Mr. Nankervis said he was not interested in looking at this further for a number of reasons and eluded to Hidden valley. Another reason is it sounds like the City is trying to design something that serves its own purpose, said Mr. Nankervis, who is hoping sooner rather than later that this isn't remote and that development happens. Mr. Nankervis was concerned about where the City was going to be at if it rushes to develop.

Mr. Mertl said he echoes Mr. Nankervis' sentiment. With budget issues, there doesn't seem to be the need to build the road, said Mr. Mertl.

Chair Kiehl also echoed Mr. Nankervis' comments, and said his highest priority is to identify the development node as an industrial road.

Mr. Chaney clarified that the road is going to be built and will be a road without a use.

Ms. Troll said she appreciates that staff is trying to be creative and think of solutions before problems occur, but that she has come down to same thinking as Mr. Nankervis.

C. Stabler's Point Quarry Expansion

Mr. Chaney used a map to show what Stabler's Point quarry currently looks like. Mr. Chaney said Stabler is an important material source for construction projects, and that it is established to provide rock for City and State projects and then private projects. At this point, with this summer's efforts at Statter Harbor, the City has mined to the outer limits of what was approved in the City's conditional

use permit, said Mr. Chaney. There are two options: go down and remove less rock, or expand the quarry limits. Mr. Chaney proposed expanding the quarry uphill because there is more rock in the mountain. Mr. Chaney then went on to discuss the map and a couple options for expansion.

Mr. Nankervis said he's in favor of expanding the quarry, and brought up concerns from citizens at Fritz Cove Road about the noise. Mr. Nankervis said it's been found that the noise coming from Statter Harbor is louder than the quarry.

Mr. Merti said he agrees with Mr. Nankervis about expanding the quarry and added his concern about the quarry's visual impact, since that's what the ferry passengers will see. Mr. Chaney said when one looks back from the Alaska Marine Highway or when one is driving on the road, the quarry cannot be seen. The only time the quarry can be seen is from Statter Harbor, Mr. Chaney said, and that the visual impacts are more long distance than up-close. Mr. Chaney then asked if Lands has direction to continue in this way and Chair Kiehl confirmed it so.

VI. STAFF REPORTS

Mr. Chaney let the committee know that the Planning Commission recommended approval of the draft Land Management Plan, and the draft Land Management Plan will be before the Assembly, Committee of the Whole, on February 1st.

VII. COMMITTEE MEMBER / LIAISON COMMENTS AND QUESTIONS

Mr. Nankervis thanked the Lands staff for their hard work.

VIII. ADJOURNMENT

The meeting was adjourned at 5:57pm

**ASSEMBLY STANDING COMMITTEE MINUTES
LANDS AND RESOURCES COMMITTEE
THE CITY AND BOROUGH OF JUNEAU, ALASKA
MINUTES**

February 1, 2016 5:00 PM
Assembly Chambers

I. ROLL CALL

Kate Troll, Chair, called the meeting to order at 5:00pm.

Members Present: Chair Kate Troll; Assembly members: Mayor Mary Becker, Jerry Nankervis, and Debbie White

Liaisons Present: Christopher Mertl, Carl Greene (telephonic participation)

Liaisons Absent: Bob Janes

Staff Present: Greg Chaney, Lands Manager; Dan Bleidorn, Deputy Lands Manager; Rachel Friedlander, Lands and Resources Specialist; Kim Kiefer, City Manager; Mila Cosgrove, Deputy City Manager; Rob Steedle, CDD Director; Jesse Kiehl, Deputy Mayor; Amy Mead, Municipal Attorney

II. APPROVAL OF AGENDA

There were no agenda changes.

III. APPROVAL OF MINUTES

A. January 1st, 2016

The minutes of the January 1st, 2016 Lands Committee meeting were approved as amended.

IV. PUBLIC PARTICIPATION

There was no public participation on non-agenda items.

V. AGENDA TOPICS

A. Tlingit Haida Regional Housing Authority Pederson Hill Partnership

Mr. Chaney gave a broad overview of Pederson Hill, and briefly explained each development phase associated with the project. Emphasis was placed on phase I, discussing the balance between “what can you afford versus what’s out there”. Phase I was broken down into 3 sub-phases, where A) would be the access road, B) build a loop road to access 41 lots and C) construct another loop to add another 45 lots. Total lots for Phase I combined would be 86. Mr. Chaney then discussed the price associated with each sub-phase, where A) would be \$1 million, B) \$3.4 million, and C)\$3.3 million along with a Corps mitigation fee of \$300,000, bringing the estimated total to \$8 million dollars. If only Phase IA and IB were completed, the price per lot would be \$119,000 due to the road construction costs, but if Phases 1A, B, and C were completed at the same time, the cost per lot would drop to \$95,000, said Mr. Chaney. Mr. Chaney then asked the Assembly for direction on where that funding source could come from, and introduced the idea of a partnership between Tlingit Haida Regional Housing Authority (THRHA) and the City, where THRHA would receive 38 lots and the City would receive 48, with a proportional cost associated with the partnership. Mr. Chaney then invited THRHA CEO Ricardo Worl to speak about the organization’s interest.

Ms. White asked where money for the development of each lot was going to and stated that if she were a private developer facing those market value costs just to build on the land, it would

not be worth subdividing the property. Mr. Chaney replied that is why Lands tried to find a partner to participate at this level to bring the costs down, and that the costs per lot are inclusive of a 30% contingency fee. The project costs include water, sewer, sidewalks, paving, and prepping the lots to make them buildable.

Mr. Nankervis mentioned a project brought up at a Docks and Harbors meeting with a 10% contingency fee, and asked what the difference would be between Docks and Harbors and Engineering for contingency fees. Mr. Chaney replied he wasn't certain which project Mr. Nankervis was referring to but assumed it was the new dock referred to as "16B". Mr. Chaney guessed that since the project had been thoroughly reviewed and worked through, Docks and Harbors was comfortable with the cost projections. Lands is further out from the development of Pederson, which is why Engineering wanted to place this contingency fee. Chair Troll said she actually sees a 45% contingency fee proposed, with 15% coming from the Lands and Resources Division and CBJ Engineering contributing a 30% contingency, emphasizing that there is a cushion built in to the development costs.

Mr. Worl, president and CEO of THRHA, introduced himself and said the Housing Authority would be interested in this project because it targets building workforce homes for moderate income families in Juneau and that the Housing Authority's role would only be a financial contribution to create cost savings, and that the Housing Authority would not have to manage the workload associated with the subdivision construction.

Mr. Nankervis asked what were the cons associated with THRHA's involvement in the project and Mr. Worl replied that their access to HUD and government funds have regulatory compliance requirements, so the Housing Authority would have to take out a private loan and pay interest on the loan until the units are developed. THRHA's interest in the project is that the lots will be under full homeownership and do not intend for them to be rental units. Mr. Chaney said that the inclusion of this item on the agenda was to get the general approval from the Committee to pursue this partnership. An advantage THRHA has is their access to funds not available to the average population, and their participation can help bring the cost per lot down, said Mr. Chaney.

Mayor Becker asked what condition and level of production THRHA expects the lots to be in after development and Mr. Worl replied THRHA's expectations would be that the lots are "build ready" and that the Housing Authority would have to begin work on foundation, hooking up water and sewer, initiating construction, and that all the infrastructure like sidewalks and roads would be in place.

Mr. Mertl said that the partnership makes sense, he is supportive of the range of housing types, he wants to explore this partnership further conceptually, and has no objections.

Mayor Becker made a motion for a conceptual approval of the direction Lands is headed with the THRHA partnership. Mr. Chaney added that Lands will seek additional partnership ideas. Mr. Nankervis said that he appreciated the slide depicting Pederson Hill in 3-D form.

B. North Franklin Parking Lot Status Update

Mr. Chaney gave a general overview of the North Franklin parking lot and the history associated with its development. A long term lease for the site became an option for development since it

would give the City more control over what happens on the land, said Mr. Chaney. Mr. Chaney gave a disclaimer that the RFP and ground lease documents included in the Assembly packet are only drafts and the goal is to come back before the committee with a draft RFP that has the options of both a lease to develop or purchase with a reversion clause, and then go out to the public and see who would want to invest. Tonight's goal is to give an overview and seek further direction that Lands and Resources should take with the lot, said Mr. Chaney.

Ms. Tracey Ricker emphasized the documents are preliminary but the idea is to provide control and additional revenue. It is not a new model, and the Heritage Land Bank is exercising these lease hold interests in addition to the Alaska Mental Health Trust, said Ms. Ricker.

Mayor Becker asked if the original person who proposed purchasing the land would be interested in a lease and Mr. Chaney replied that the problem with his proposal is that it had a reversion clause which did not allow him to get financing. Mayor Becker said that she did not recall asking Lands to still consider some way to dispose of the property and wasn't sure if it's still in the City's interest, and Mr. Chaney replied that the Assembly directed Lands to develop an RFP, go out for proposals, and only one was received. Each proposal was evaluated on how it provided housing, parking, and commercial space. When Lands came back to the Assembly to share that the bidder who submitted the first RFP was having trouble getting financing due to the reversion clause, the Assembly directed Lands to go out with another RFP, which showed Lands that the Assembly was still interested in having someone develop housing on the site.

Mr. Nankervis asked what constitutes a long term lease. Ms. Ricker replied as much as 50 years, some are 99 years, but that she wasn't sure what CBJ ordinances state and that it could be 20 years maximum. A sample of those types of lease scenarios is KTOO, where they pay 8%, which is reevaluated every 5 years at fair market value, they have CPI adjustments annually, and all of the real estate taxes are paid by the lessee, said Ms. Ricker. For the Mental Health Trust in that situation, it is lucrative and does not make sense to dispose of the property, said Ms. Ricker. Mr. Nankervis followed up by asking how short Ms. Ricker has seen a long term lease and Ms. Ricker replied "you do not want it to be shorter than the amortization schedule of the bank" so typically 20 to 30 years.

Chair Troll asked if the City was to proceed with a sale option, would there be another alternative than the reversion clause, and Mr. Chaney said there are different flavors of a reversion clause and would work with Law to discuss those. Mr. Chaney said there is no way to know what a lender would find acceptable and that is why Ms. Ricker was consulted because she has experience with this.

Ms. Ricker said she believes the City can create the controls it feels comfortable with for performance, and between the purchase sale agreement and the security of the bank, the City could bypass the reversionary clause as an issue and still get what the City would like in the first place, said Ms. Ricker. Ms. Ricker said she wasn't sure why there is such a concern with performance with so many investors involved.

Ms. Troll asked Ms. Ricker about her experience in Anchorage and if there are certain parcels of land from a City standpoint that are better for a lease route versus sale route. Ms. Ricker replied yes, and that it's basically what the highest and best use is and what the greatest return is.

Ms. Troll asked what the will of the Committee was, and Mr. Chaney offered that the Lands Division also has the option of partnering with the State of Alaska since the State has a parking structure right next to the North Franklin lot. Mr. Chaney then asked if it's appropriate for Lands to continue looking into the lease option for the lot, or would the Committee prefer that Lands steer back to a sale option.

Mr. Nankervis said the Assembly had looked at this situation with a reversion clause and that it didn't work, and that the dilemma was parking versus housing downtown. Mr. Nankervis then asked if there was a way to tailor the long term lease agreement to get both. Mr. Chaney discussed the history of the lot, how it was originally purchased with the intention for parking, and said that the original RFP for the lot valued a bid that included parking and housing. Mr. Nankervis followed up asking if there would be a way to craft this in a lease agreement, and if there would be any takers. Mr. Chaney replied yes, there is a way to craft an RFP with housing and parking stipulated, however was uncertain if there would be any takers. The benefit of having a lease is that it allows the developer to have more upfront capital that otherwise would have gone to purchasing the land, said Mr. Chaney.

Ms. White asked Mr. Chaney to verify that the City has spent \$1.2 million on this project and Mr. Chaney said he believed it was \$1.3 million. Ms. White then said the value of the property is \$540,000 so the City couldn't sell it for more than that, but with a lease option the City could recoup the money it has put into the property. Ms. White also said that commercial leases are common in the Valley, and couldn't see why the City wouldn't want to pursue a lease with North Franklin.

Chair Troll said she would like Lands to continue investigating the possibility of a lease and the potential partnership with the State.

Ms. Mead said she had not had a chance to speak with Mr. Chaney about the North Franklin lease, that Law has not drafted a reversionary clause or any protective language yet for the proposal, and that the lease could have similar problems that the original sale agreement of the lot had, and for that reason it's not sale versus lease as there are other points to consider.

Ms. White made the motion that Lands staff is directed to explore the long term lease alternative for the disposal of the North Franklin lot and consider a potential partnership with the State, and that Law review the standards of practice for commercial leases used in Juneau.

VI. STAFF REPORTS

Mr. Chaney wanted to make it clear that Law has not reviewed the North Franklin draft lease, and also added that the price the City paid for the lot included demolishing buildings in addition to purchasing the land and building a parking lot.

VII. COMMITTEE MEMBER / LIAISON COMMENTS AND QUESTIONS

Chair Troll let the committee know the next Lands committee meeting will be focused on the Renninger subdivision.

VIII. ADJOURNMENT

The meeting was adjourned at 5:49pm

PUBLIC WORKS & FACILITIES COMMITTEE
Regular Meeting – Monday, January 4, 2016
12:00 – 1:00 PM - Assembly Chambers
MINUTES

I. Call to Order

The meeting was called to order at 12:02 PM.

Committee Members Present: Chair - Mr. Nankervis, Mr. Jones, Mayor Becker and Ms. Crane

Staff Present: Mr. Watt, Mr. Bartholomew, Ms. Boyle, Ms. Sanbei, Mr. Bohan, Mr. Smith, Mr. Ritter, Ms. Elfers, Ms. Kiefer, Mr. King, Mr. Steedle, Ms. Stoughtenger, and Mr. Uchytel.

II. Approval of Minutes

A. November 23, 2015 – Regular Meeting

Mr. Nankervis and Ms. Crane have a few changes written down that will be given to the Secretary after the meeting.

Minutes approved with changes.

III. Public Participation on Non-Agenda Items

None.

IV. Items for Action

A. Harbor Grant Funding Support Resolution

Mr. Watt gave a short synopsis of the memo within the packet provided by Mr. Uchytel, Port Director.

Ms. Crane stated there is a typo in the first “Whereas” paragraph...the word “where” should be “were”. The last “Whereas” paragraph on the first page...she would like the word “all” removed.

Ms. Crane moved to forward the resolution to the Assembly for adoption.

Motion passed.

B. Transfer Request – Crow Hill Reservoir Fill Line Improvements

Mr. Watt gave a brief explanation of the memo provided in the packet.

Mr. Nankervis clarified the funds are left-over funds from the bridge project.

Mr. Bohan confirmed the funds are left-over funds from the completed bridge project.

Mayor Becker moved to forward the transfer request to the Assembly for Approval.

Motion passed.

C. ADEC Loans Resolutions and Appropriations

Mr. Watt explained there is a process for applying for loans through ADEC. All of these projects will go before the Assembly for final approval and appropriation. But, in order to keep the money process moving, Staff is looking to move this memo forward to the Assembly so the application may go forward. Loans being discussed were Biosolids Treatment and Disposal for \$10M and Juneau Waste Water Plant Upgrades for \$2M, pending Assembly approval of the biosolids project.

Discussion ensued.

Ms. Crane moved to forward a resolution authorizing the City Manager to apply, receive, and abide by the term of a loan from ADEC, and that it be forwarded to the full Assembly for approval.

V. Information Items

A. Engineering & Public Works Dept. – Year in Review

Mr. Watt desired the Committee to be aware of how things have progressed over the past year after combining the two departments. He stated that there have been several changes in how some of the divisions are managed and that some have been combined under one manager. There have been some staff promotions from within the department and things seem to be going well. There have been a few things that haven't gone so well and changes are being made to improve those deficiencies.

Discussion ensued.

B. Gastineau Apartments Demolition Update

Mr. Watt gave a short synopsis of how the Gastineau Apartments Demolition project is going. He showed a visual presentation explaining the process for bringing down the building. The demolition is very methodical and detailed. Monitoring of adjacent buildings for vibration and movement will be ongoing throughout the project.

Discussion ensued.

C. Front/Franklin Planning

Mr. Watt gave a short explanation of the planning process for the downtown corridor plan.

Ms. Elfers reported that public outreach and planning has been completed.

Discussion ensued.

D. Waste Management Landfill Update

Mr. Watt gave a brief explanation as to the reasons for the increased odor from the landfill.

Discussion ensued.

VI. Contracts Division Activity Report

Mr. Nankervis asked for clarification as to what section of Stephen Richards Dr. was being reconstructed and was informed it was the segment between Riverside Drive and the river.

VII. Adjournment – Next Meeting is scheduled for:

Meeting adjourned at 12:58 PM. The next meeting will be February 1, 2016.

PUBLIC WORKS & FACILITIES COMMITTEE
Regular Meeting – February 1, 2016
12:00 – 1:00 PM – Assembly Chambers
MINUTES

I. ROLL CALL

Meeting was called to order at 12:00 noon.

Members Present: Mayor Becker, Chair - Ms. Gladyszewski, Mr. Bell, Mr. Jones

Assembly Members Present: Mr. Nankervis

Staff Present: Kim Kiefer, Mila Cosgrove, Kirk Duncan, Bob Bartholomew, Rorie Watt, Gary Gillette, Janet Sanbei, Greg Smith, Carl Uchytel, Skye Stekoll, Greg Chaney, Laura Boyce, Rich Ritter, Rob Steedle, John Bohan, Samantha Stoughtenger, Brent Fischer, Bob Dilley, Myia Wahto

II. APPROVAL OF AGENDA

Agenda Approved

III. APPROVAL OF MINUTES

Mr. Nankervis asked that “Ms. Becker” be changed to “Mayor Becker.” He also asked for changes to be made to Items for Action, Item “C”. He would like a break-down of the different projects and grants pertaining to this discussion.

Minutes approved with changes.

IV. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

V. ITEMS FOR ACTION

A. Capital Transit Bus Barn Renovation Funding

Mr. Watt explained the reason the Engineering Department is asking for early funding of this project in order to start earlier. This will allow more favorable bids. He also explained the process for paying back this early funding.

Discussion.

Mayor Becker moved to forward an ordinance authorizing a Central Treasury Loan of \$2.75M for this project to the full Assembly for consideration.

No objections. Motion passed.

B. Transfer Request – Whittier Street Reconstruction

Mr. Watt gave a short explanation of the purpose for the transfer request, to accelerate the construction schedule to try and get the roadwork completed near the opening of the SLAM project. He noted that waiting for the budget cycle would delay the start of the project until the middle of the summer.

Discussion.

Mr. Jones moved to approve the requested transfer be forwarded to the full Assembly with a recommendation to approve the transfer.

No objections. Motion passed.

C. Old Douglas Harbor Phase III Funding

Mr. Watt gave a short description of the grant request by the Port Office.

Discussion.

Mayor Becker moved to forward to the full Assembly the approval of the appropriation ordinance to accept the ADOT Municipal Harbor Grant in the amount of \$2,044,230, and ask for unanimous consent.

Mr. Jones asked to correct the motion to include the \$1.3M Harbor Funds Fund Balance Appropriation as well.

Mayor Becker asked that this be added to the motion in order to consider the entire request.

Corrected Motion: Mayor Becker moved to forward to the full Assembly the approval of the appropriation ordinance to accept the ADOT Municipal Harbor Grant in the amount of \$2,044,230 and appropriate \$1.3M from the Harbor Fund Balance for the same purpose, and ask for unanimous consent.

No objections. Motion passed.

D. Appropriation Ordinance – Cruise Ship Berths

Mr. Watt gave a short explanation for the need of the appropriation.

Mr. Gillette gave some history about this appropriation and discussion about project contingencies.

Discussion.

Mr. Jones moved to forward the proposed ordinance to the Assembly for appropriation of Port Development Fees of \$2.5M and Dock Funds Fund Balance of \$1.5M, and ask for unanimous consent.

No objections. Motion passed.

E. Parking Management

Mr. Watt gave a short description of the inefficiencies of the current parking management system. He explained that he would like to go before the Assembly COW in order to hear how the Assembly feels the City should move forward in obtaining a better management system.

Discussion.

Mr. Jones moved to ask Mr. Watt to flush out a little bit better concept to bring to the Committee of the Whole, with the idea that after and if the COW gives direction, then follow the other parts of his recommendation soliciting comments from affected groups like the DBA, the DIG, the Planning Commission and affected CBJ Departments.

Discussion ensued; the Committee was not generally convinced that the framework laid out was a good idea. Mr. Watt suggested that the approach was proposed to create a less complicated, more flexible management structure that would be able to adapt to CBJ's management goals. The Assembly discussed the idea that the first step should be defining the parking policies. Mr. Watt suggested that policy definition could lead to purchase of new parking kiosks that may or not be widely popular once in place.

Mayor Becker prefers the comments not be solicited from the groups first, but to bring this back to the Assembly first. But she does not object to the motion.

No objections. Motion passed.

VI. INFORMATION ITEMS

A. Planning Commission Review for Proposals to go on the FY2017 CIP

B. Draft – FY2017-FY2022 Capital Improvement Program

Mr. Watt asked to address A and B together. He is bringing this before the Committee just as information at this time. It is the Draft CIP for the next year, and also the 6-year plan. There is no action needed today. This will be discussed at the next PWFC meeting...where action will be requested.

C. Front & Franklin Street Reconstruction Update

Mr. Watt explained the extensive participation of this project with the public. An update was requested by the Committee at the last PWFC meeting. Minimal work & lighting required. A small amount of water and sewer piping work.

D. Roll Off Trucks

Mr. Watt explained the PWFC asked for information on the roll off trucks. These trucks are being used for several uses and possibly will be used more once the recycling drop-off boxes begin to appear throughout the borough.

E. Valley Snow Storage

Mr. Watt explained the current snow storage location was supported by the prior Visitor's Center Staff. According to USFS rules, CBJ was guided to a short-term arrangement for storage of snow that could be renewed at a later date. However, the current Visitor's Center Staff is less in favor of using this site for snow storage and the USFS is pursuing a master planning effort. CBJ staff is following that effort and is concerned about the future loss of the use of the snow storage site. Everyone acknowledged that there are few good snow storage opportunities in the Valley.

F. Project Labor Agreement Update

Mr. Watt explained the purpose and need for Project Labor Agreements (PLA). He also explained that there are guidelines for determining which projects will be suited for a PLA. He listed two upcoming projects that will be utilizing a PLA for 2016 – the Gold Creek to Bridge Park Seawalk Phase II and the Capital Transit Renovation project. He also stated that staff did not find reason to place a PLA on the Douglas Harbor Renovation project.

Ms. Becker asked how the Douglas project was different from the Aurora project. Mr. Watt advised that the dollar amount, the amount of labor and the complexity were all much lower in Douglas project.

Mr. Nankervis asked if the Assembly policy was clear direction for staff. Mr. Watt acknowledged that the topic of PLAs could be controversial and subject to long debate. He also advised that in his opinion the current policy provided staff with clear direction.

VII. CONTRACTS DIVISION ACTIVITY REPORT

Mr. Jones needed clarification of where the Corrosion Repair Project is taking place. Mr. Gillette advised that it was combination of the Docks facilities around Steamship Wharf and the Brickyard (aka Marine Park Deckover) as well as the piling under the Marine Park Parking Garage and Library. He advised that it was joint project between Engineering (representing Parks & Rec's CIP needs) and Docks & Harbors.

VIII. ADJOURNMENT – NEXT MEETING IS SCHEDULED FOR:

Next meeting will be February 22, 2016. Meeting adjourned at 1:00 PM.