

Agenda

Planning Commission - Regular Meeting City and Borough of Juneau Nicole Grewe, Chair

January 26, 2016
Assembly Chambers
7:00 PM

I. ROLL CALL

II. APPROVAL OF MINUTES

A. December 22, 2015 Regular Planning Commission Meeting Minutes

III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

IV. PLANNING COMMISSION LIAISON REPORT

V. RECONSIDERATION OF THE FOLLOWING ITEMS

VI. CONSENT AGENDA

A. STV2015 0002, An extension of Street Vacation STV2013 0001.

VII. CONSIDERATION OF ORDINANCES AND RESOLUTIONS

VIII. UNFINISHED BUSINESS

IX. REGULAR AGENDA

A. USE2015 0012, A Conditional Use Permit for a 60-unit condominium development.

X. BOARD OF ADJUSTMENT

XI. OTHER BUSINESS

A. Alaska Department of Transportation and Public Facilities Verbal Update- Pat Carroll

B. Committee Assignments

XII. DIRECTOR'S REPORT

A. Housing Data Verbal Report - Eric Feldt

XIII. REPORT OF REGULAR AND SPECIAL COMMITTEES

A. October 26, 2015 Public Works and Facilities Committee Meeting

B. November 23, 2015 Lands and Resources Committee Meeting

XIV. PLANNING COMMISSION COMMENTS AND QUESTIONS

XV. ADJOURNMENT

MINUTES
Planning Commission Regular Meeting
CITY AND BOROUGH OF JUNEAU
Mike Satre, Chairman

December 22, 2015

I. ROLL CALL

Mike Satre, Chairman, called the Regular Meeting of the City and Borough of Juneau (CBJ) Planning Commission (PC), held in the Assembly Chambers of the Municipal Building, to order at 7:01 pm.

Commissioners present: Mike Satre, Chairman; Dennis Watson, Vice Chairman; Bill Peters, Michael LeVine, Nicole Grewe, Paul Voelckers,

Commissioners absent: Ben Haight, Matthew Bell, Dan Miller

Staff present: Rob Steedle, Interim Planning Director and Deputy City Manager; Beth McKibben, Planning Manager; Laura Boyce, Senior Planner; Jill Maclean, Senior Planner; Jonathan Lange, Planner II; Greg Chaney, Lands and Resources Manager; Dan Bleidorn, Deputy Lands and Resources Manager

II. APPROVAL OF MINUTES

- November 24, 2015 – Planning Commission Committee of the Whole Meeting
- November 24, 2015 – Regular Planning Commission Meeting
- December 8, 2015 – Regular Planning Commission Meeting

Motion: *By Mr. Peters, to approve the November 24, 2015, Planning Commission Committee of the Whole meeting minutes, the November 24, 2015 Regular Planning Commission meeting minutes, and the December 8, 2015, Regular Planning Commission meeting minutes with any minor corrections by staff or commission members.*

The motion was approved with no objections.

III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS- none

IV. PLANNING COMMISSION LIAISON REPORT- none

V. RECONSIDERATION OF THE FOLLOWING ITEMS-none

VI. CONSENT AGENDA-none

VII. CONSIDERATION OF ORDINANCES AND RESOLUTIONS-none

VIII. UNFINISHED BUSINESS-none

IX. REGULAR AGENDA

AME2015 0015: Review and Recommendation to the Assembly of the 2015 Land Management Plan Update.
 Applicant: City and Borough of Juneau
 Location: Boroughwide

Staff recommends that the Planning Commission recommend to the Assembly that AME2015 0015, 2015 Land Management Plan Update is consistent with Title 49, Title 53, and the 2013 Comprehensive Plan.

Land Management Plan Update

Mr. Chaney told the Commission he'd be providing a swift review of the draft Land Management Plan Update, essentially showing that following requested edits had been incorporated into the draft Plan by staff:

Page Number	Description of change
Page 57 - 59	LND-1011, LND-1020, LND-1089, and LND-1103 changed to retain/dispose for direction of additional housing in the CBJ's Land Holding Table
Page 47	LND-0203 additional text to show land should be managed and protected in a manner that is sensitive to the cultural heritage of the A'ak'w Kwa'an people
Page 72	A summary of zoning capabilities and strategy
Page 93	A general outline of disposal plans for Industrial Land as resources are used
Page 104	Goals for property acquisitions outlined
Page 112	Incorporating new plans as they are adopted into the Land Management Plan

Commission Comments and Questions

Mr. Voelckers asked for an overview relative to the Auke Bay Area Plan with this process. Mr. Chaney responded that the Auke Bay Area Plan has been adopted as a portion of the Comprehensive Plan and will be used to provide direction for land use in that area. The City does not own much property in the area, said Mr. Chaney, the property that they do hold is proposed to be a new town center and the City will participate in the rezone when it occurs as it would be a benefit to the community as a whole.

Mr. Voelckers asked if there was an issue with access to a portion of the Auke Bay school site. Mr. Chaney responded that a trail may be created that links to an adjacent property that is planned for private development, but as discussed at the last meeting the guidance that the Comprehensive Plan provides through the Auke Bay Area Plan is adequate and not necessary to add to the Land Management Plan.

Mr. Voelckers asked when the implementation portion of the Auke Bay Area Plan would be surfacing as it seemed that there were inquiries from other CBJ entities that were waiting on movement regarding land that was related to the Plan. Ms. McKibben responded that the Land Management Plan provides guidance for solely city-owned properties whereas the Auke Bay Area Plan is the vision for the community, including both public and privately owned land. Ms. McKibben explained that the implementation process was taking staff longer than anticipated to provide language for Commission review, but that the Title 49 Committee should see said language within the next few months. Mr. LeVine stated his thanks for staff addressing the Commission's concerns in this way; the process of reviewing the draft Plan as a whole document worked well.

Mr. Watson noted that land may be given to the school district for affordable housing below fair market value and asked how the value of the land is determined. Mr. Chaney responded that an appraisal is done to determine fair market value.

Mr. Voelckers commented that page seven of the draft Plan showed that goal four under Goals and Objects still has a bullet for creating a goals and acquisitions and should be removed per the last Commission discussion. Mr. Chaney stated he would reword the sentence to acknowledge other adopted plans acquisition lists. Mr. Voelckers stressed that, if reworded, it should provide internal consistency.

Motion: *by Mr. Peters, to approve AME2015 0015 to be forwarded to the Assembly with the noted corrections and comments.*

The motion was approved with no objections.

CSP2015 0017:	Planning Commission Review for Proposals to go on the FY2017 CIP.
Applicant:	City and Borough of Juneau
Location:	Boroughwide

Overview

Mr. Lange began the presentation by providing a background of the Capital Improvement Program (CIP). Revised each fiscal year, the CIP guides investment of public funds for maintenance, repair, construction and acquisition of facilities and equipment. Each project is prioritized with a specific criteria list to ensure that ~~all~~ policy makers are responsible to the residents and businesses of the community in respect to the expenditure of public funds. The lists from each CBJ department will be reviewed by the Public Works and Facilities Committee in February, and then forwarded back to the Commission in March for consistency review before final review and adoption by the full Assembly in April.

CBJ Boards and Commission Comments

Staff asked various CBJ boards and commissions to ~~comment~~ make recommendations to be placed on the FY17 list. The first group to provide comments was the Auke Bay Steering Committee, whose ~~concerns~~ project recommendations were as follows:

- ✓ Construction of streets within the core area to promote development,
- ✓ Additional off-street parking,
- ✓ Additional parking at Auke Lake,
- ✓ Pedestrian crossings to the Don D. Statter Harbor,
- ✓ Bike paths and lanes,
- ✓ Pedestrian crossing and improvements at UAS and Mendenhall Loop Road "Back Loop Road",
- ✓ Improvement of Auke Elementary joint use facility trail,
- ✓ Pedestrian friendly lighting on sidewalks,
- ✓ Wayfinding signage, and
- ✓ Gateway treatment upon entering the Auke Bay area.

Staff solicited the Affordable Housing Commission, which is jointly staffed by the Community Development Department and the Lands and Resources Division, for comments on the proposed projects. The Lands and Resources Division had drafted their own recommendations regarding the FY17 CIP list, which has been endorsed by the Affordable Housing Commission.

- ✓ Development of Pederson Hill in various phases,
- ✓ Acquisition of UAS land for Pederson Hill subdivision,

- ✓ Stabblers' rock quarry infrastructure and expansion, and
- ✓ Switzer land development and subdivision in Lemon Creek area.

Additional projects that were mentioned were Willoughby District parking and a future rock quarry.

The Juneau Commission on Sustainability provided a letter to the Commission as well with recommendations that the following encouraging language be incorporated into proposals:

- That projects might reduce cost,
- Lower resource consumption,
- Reduce emissions, and
- Allow for opportunities for energy conservation, efficiency, and renewable resources.

The Commission also provided a list of projects that could be added to the list:

- ✓ Electric vehicles such as busses and fleet vehicles,
- ✓ Development of a district heating pilot project,
- ✓ Cruise ship dock electrification,
- ✓ Purchase of electric vehicle to test for fleet use,
- ✓ Compositing feasibility study, and
- ✓ Projects from the *Non-Motorized Transportation Plan* be included, such as covered crosswalks, intersection improvements, pedestrian connections and bicycle infrastructure throughout the borough.

Commission Comments and Questions

Through the Chair, Mr. Voelckers expressed confusion regarding the process steps and flow of information with proposals. He asked what exactly the Commission's role is. Mr. Lange explained that each department within the city compiles their own priority list for items that could be on the CIP. CDD creates their list by asking each of the Commissions it staffs which projects they wish to include. As the Planning Commission, you may review the proposals provided by each of the boards and commissions and adopted plans, and include those in your recommendations and/or offer your own.

Chair Satre clarified that the Commission's role is to review the final list of projects for consistency with the Comprehensive Plan.

Mr. Voelckers asked Mr. Lange if tonight is the deadline for recommendations or if more time can be provided to create conversation of potential projects. Mr. Lange said that staff was hopeful of a recommendation this evening for the Public Works and Facilities Committee before their review in February. After that discussion, that Committee will create the final list that will come back to the Commission for review and recommendation to the Assembly in April.

Mr. Voelckers remembered in past review that the inclusion of the five-year list of projects was helpful and was not included in this report. Mr. Voelckers did not feel that sufficient background was provided for a recommendation this evening, but the Commission could start a conversation at the least.

Mr. Steedle asked to speak regarding the general CIP process and explained that did not seem to work well at this time. Next year, the Commission will see the proposals much earlier so that more meaningful input can be provided into the process, said Mr. Steedle.

Ms. Grewe asked to review the list from 2014 and do a cross reference of which projects made the final list and which were not, and if not, what was the reason that they were not accommodated. Mr. Lange

said that he was the assigned staff person for this effort last year, and that unfortunately most of the recommendations did not make the final list.

Mr. Watson added that only included item that was for the funding of sub-area plans, noting that the Auke Bay Area Plan was completed. Other than that item, said Mr. Watson, no other recommendations seemed to have made any progress within the program.

Ms. Grewe remembered that in the past that the city department section of the CIP included the Community Development Department's internal needs and asked if this was missing in her packet or if the department did not supply any requests. Mr. Steedle explained that the CDD has been late for several years in adding their requests to the program.

Mr. LeVine thanked Commission Voelckers for asking for clarification of the process. Mr. LeVine then asked what exactly the 2014 list was and who had input in creating it. Mr. Lange explained that it was a list completed by the Planning Commission last year and it was provided this year as an example as to what types of projects the program is looking for.

Mr. LeVine stated the he read through the Commission on Sustainability's bluefolder item, a letter, which discussed an energy savings regarding Eaglecrest improvements and asked where this information had come from. Ms. McKibben answered that she was unfamiliar of where the information had come from, that the Commission had provided it themselves through a study and it was not from the CIP.

Mr. LeVine noted that after seeing both parts of the CIP process that it much easier and helpful to review the CIP as a five-year process to anticipate what may be required by the city and what would be a thoughtful contribution. Chairman Satre concurred that reviewing the program in its entirety is important in forecasting what projects may be added to the list. It seems as though the Commission is not ready at this time to provide staff with a recommendation, but perhaps after more conversation and background information that one could be provided in January. Chairman Satre asked for Mr. Lange to provide the six-year plan to be provided via email to the Commission and then a more detailed discussion can occur at the next meeting.

Chairman Satre also added that he hoped the Commission might recommend including an engineer study of the hazard areas throughout the Borough. He related the topic with the recent Sitka landslides, and that this type of report may be helpful with future CBJ development. Mr. Watson discussed an avalanche plan that was reviewed but not adopted by the Assembly in 1997 and agreed that these reports are essential in identifying viable areas for development. Mr. Chaney added that there were some errors in the study and that funds were not later appropriated for that effort.

Mr. Voelckers added a final note as an aspirational comment through Mr. Steedle that there seems to be an opportunity to approach the CIP review process earlier and encourage lateral communication between CBJ entities.

X. BOARD OF ADJUSTMENT-none

XI. OTHER BUSINESS

Designation of Interim Chair

Chairman Satre clarified with staff that until the next election of officers with the new Commissioners that an Interim Chair is required. Mr. Steedle responded that yes, he was correct, and that it was his understanding that in past practice the person that was designated was with most seniority. Chairman Satre agreed, and asked for nomination for Ms. Grewe from the Commission.

Motion: by Mr. Watson, to nominate Commission Grewe to Interim Chair until the election of officers at the first Planning Commission meeting in January.

The motion was approved with no objections.

XII. DIRECTOR'S REPORT

Mr. Steedle informed the Commission that currently there are not many cases in queue and that staff anticipates the January 12, 2016 meeting may go quickly. With a lighter schedule, said Mr. Steedle, it may be an opportunity for staff to do some planning. For example, legislation pertaining to frontage and access with provided shortly regarding the recently approved Subdivision Ordinance. Staff is also working towards legislation to address Variances and zoning ordinances to partially implement the Auke Bay Area Plan.

Mr. Steedle noted that he had hoped to discuss an upcoming joint meeting with the Assembly but that date has not been set, however he is hopeful for February. He added that the department will be kicking off planning efforts for the Lemon Creek Neighborhood Plan in January and that a Committee of the Whole will be scheduled for January 26, 2016 to discuss marijuana.

Chairman Satre asked for clarification regarding the guidelines for subarea neighborhood plans. Mr. Steedle explained that that item is really an information item and is an internal working document. He thanked the Commission for their feedback and said that in a review of the document with the CBJ Law Department that some verbiage had been changed and direction for citizens to initiate area plans had been added.

Commission Comments and Questions

Ms. Grewe noted that there has not been many Variance applications in the past year and was curious if this is where the emphasis should be at this time. Ms. McKibben noted that there had been several Variance applications filed and concurrently withdrawn with the department recently.

Mr. Voelckers asked Mr. Steedle about a public comment at last night's Assembly meeting relating to the Landscape Alaska Conditional Use Permit and if there was merit in the comment or if language for conditions needs to be clarified. Mr. Steedle said he felt the pivotal question was what it means to substantially conform and this seems to bring forth a lot of "gray" area. Mr. Watson agreed that during his time with the Commission that question had never been solved.

XIII. REPORT OF REGULAR AND SPECIAL COMMITTEES

Chairman Satre provided an update regarding the last Marijuana Committee meeting; the final Title 49 updates were agreed upon and the Commission should be seeing it shortly. The local licensing portion was a split vote and noted that this section will be especially important in the Commissions review. The moratorium ends at the first of the year and that may create a sense of urgency for permitting.

Ms. Grewe added that as the Chair of the Title 49 Committee that the review of the licensing and the draft ordinance for marijuana will be forwarded straight to the Committee of the Whole. She encouraged the Commissioners to review the draft ordinance carefully so that progress can be made quickly at that meeting.

Chairman Satre emphasized the importance of incorporate licensing into the Conditional Use Permitting process to ensure public process is adequately met. Mr. Watson made a follow-up comment that the

public participants for this effort are well informed and come prepared to such meetings, so the Commission should come prepared to address tough questions.

Mr. Peters gave thanks to Commissioners Satre and Watson for their years of service.

Chairman Satre gave thanks to staff and expressed his appreciation for their professionalism. He noted his utmost respect for their efforts. This comes back to the need for an enforcement officer, said Chairman Satre, the inability to enforce code impedes the meaning of the Commission's work. He emphasized that pushing for the support of that position is extremely important and encouraged people to advocate through letters, Assembly meetings, and the CIP.

XIV. PLANNING COMMISSION COMMENTS AND QUESTIONS

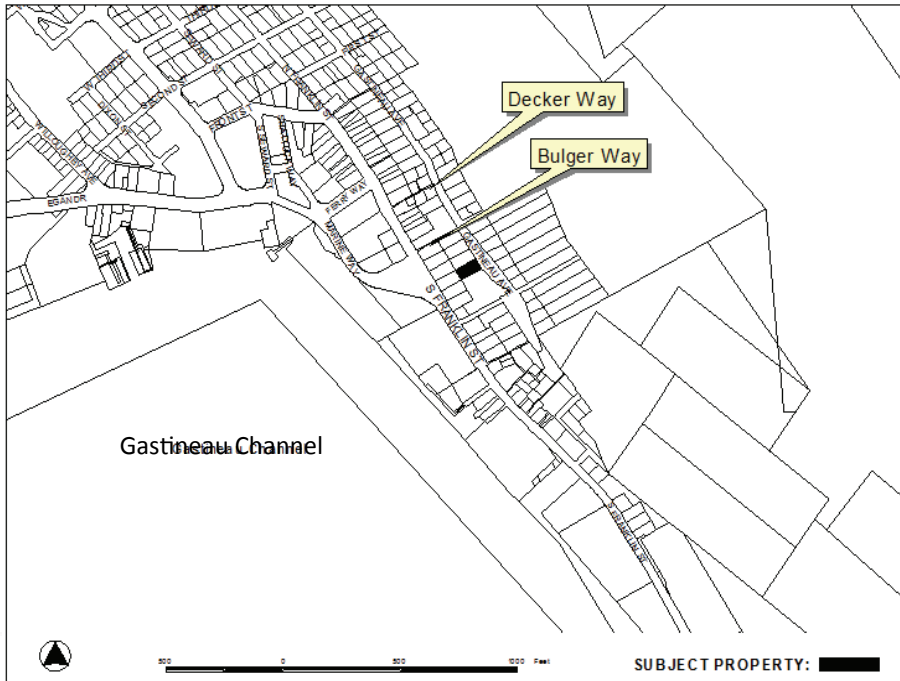
XV. ADJOURNMENT

The meeting was adjourned at 7:57 p.m.

DRAFT



NOTICE OF PUBLIC HEARING



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

SHIP TO:



PROPOSAL: Extension of Street Vacation STV2013 0001.

File No:	STV2015 0002	Applicant:	Owen & Kami Clark
To:	Adjacent Property Owners	Property PCN:	1-C07-0-H02-011-0
Hearing Date:	January 26, 2016	Owner:	Owen & Kami Clark
Hearing Time:	7:00 PM	Size:	346.60 square feet to be vacated
Place:	Assembly Chambers	Zoned:	Mixed Use
	Municipal Building	Site Address:	331 Gastineau Avenue
	155 South Seward Street	Accessed Via:	Gastineau 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 Allison Eddins at Allison.eddins@juneau.org or at 586-0758.



Planning Commission Agendas, Staff Reports and Meeting Results can be viewed at <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: January 15, 2016

TO: Planning Commission

FROM: Allison Eddins, Planner *A Eddins*
Community Development Department

FILE NO.: STV2015 0002

PROPOSAL: Extension request for street vacation STV2013 0001 to vacate a portion of Gastineau Avenue to allow the rebuilding on an 8-plex on an existing foundation.

GENERAL INFORMATION

Applicant: Owen and Kami Clark

Property Owner: Owen and Kami Clark

Legal Description: Pacific Coast Addition Block 2 Lot 11

Parcel Code No.: 1-C07-0-H02-011-0

Site Size: 5,000 square feet

**Comprehensive Plan Future
Land Use Designation:** MDR, Medium Density Residential

Zoning: MU, Mixed Use

Utilities: City water & sewer

Access: Gastineau Avenue

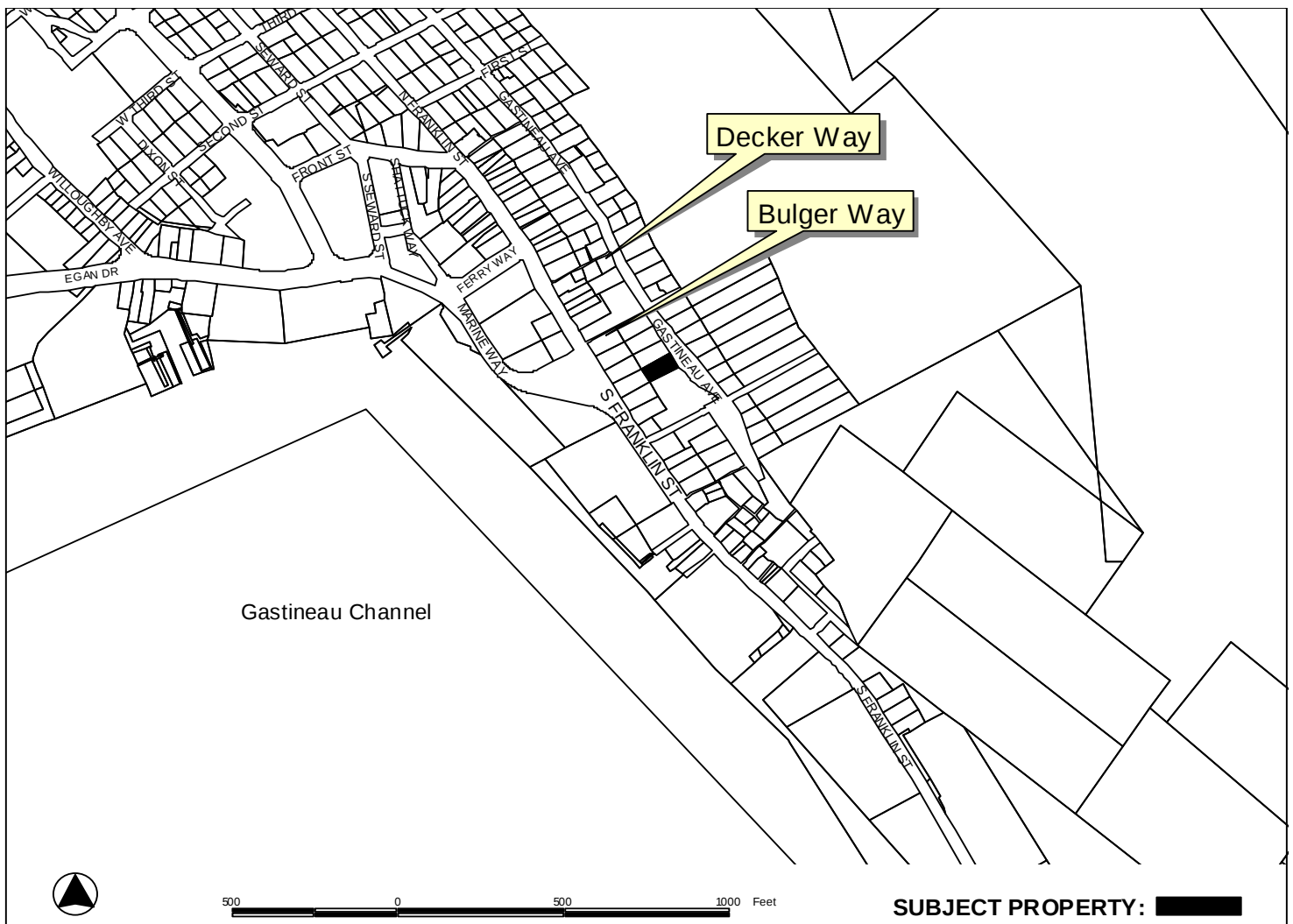
Existing Land Use: Vacant; existing building, excluding foundation, is currently being demolished

Surrounding Land Use: Northeast – (MU), Gastineau Avenue, vacant

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Southeast – (MU), Multifamily
Northwest – (MU), Vacant
West - (MU), Retail/Apartments

Vicinity Map



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ATTACHMENTS

Attachment A: Street Vacation Extension Application and Development Permit Application
Attachment B: Project Narrative
Attachment C: STV2013 0001 Order of Street Vacation
Attachment D: STV2013 0001 Staff Report
Attachment E: As-Built

BACKGROUND

The applicant is seeking an extension of a partial street vacation of approximately 347 square feet of Gastineau Avenue. The extension would allow the applicant to rebuild a severely damaged 8-plex on an existing foundation. The 347 square feet is the area of the foundation that encroaches into the right-of-way.

Although staff recommended denial, the original street vacation (STV2013 0001) was approved by the Planning Commission on July 22, 2014. (See Attachment C) The approval had three conditions: 1) the owner was required to construct a retention wall to protect the building from debris falling from the roadway, 2) a plat was to be recorded for the vacation to be completed, and 3) the recorded plat must show an AELP utility easement. The Planning Commission also added an advisory condition: any structure that provides access to the building from Gastineau Avenue will need to provide safe access to the street and shall not interfere with pedestrian improvements along Gastineau Avenue. At the time this staff report was written, none of the conditions have been met.

For the original street vacation application in 2013, Public Works, General Engineering, and Streets were asked to provide comments. All three departments recommended denial (Attachment D). Staff requested comments from all three departments regarding the extension; no one had anything further to add.

Staff also reached out to AEL&P in 2013. They were not opposed to the street vacation. Their only concern was having a utility easement recorded. Staff also reached out to AEL&P for comments regarding the extension. AEL&P had no additional comments other than to specify that the utility easement should be 10 feet wide and should have the option of going underground if that is ever required in the future.

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ANALYSIS

CBJ 49.15.250 establishes the requirements for development permit extensions, and is discussed below:

- An application to extend a development permit must be submitted at least 30 days before the initial permit is set to expire.
 - The application to extend STV 2013 0001 was submitted on December 18, 2015, 36 days before the initial permit expires.
- The burden of proof for the justification for a permit extension shall rest with the applicant.
 - The applicant provided a brief narrative citing financial hardship as justification for needing the permit extension. According to the applicant, it has been time consuming and financially difficult to get a plat recorded while also working on his other projects. The applicant states in his narrative that once the building is demolished it will be easier to obtain financing for this project. (See Attachment B)
- A maximum of two 18 month extensions are allowed.
 - This is the first extension request for this permit. If the extension is granted, the applicant will be eligible for one more 18 month extension.
- At least ten days prior to the hearing, notice of the extension request must be mailed to adjacent property owners. At least two days prior to the hearing, a general notice shall be printed in the newspaper of general circulation in the municipality.
 - A notice of extension request was mailed to adjacent property owners on January 4, 2016. A general notice was printed in the "Your Municipality" section of the Juneau Empire on January 14th and 25th.
- The Commission shall not delete from, amend or add to the conditions contained in the permit.

Three conditions were placed on the permit: 1) the owner was required to construct a retention wall to protect the building from debris falling from the roadway, 2) a plat was to be recorded for the vacation to be complete, and 3) the recorded plat must show an AEL&P utility easement. The Planning Commission also added an advisory condition: any structure that provides access to the building from Gastineau Avenue will need to provide safe access to the street and shall not interfere with pedestrian improvements along Gastineau Avenue.

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FINDINGS

Per CBJ 49.15.250 Development Permit Extension, the director makes the following findings on the criteria for granting the requested street vacation extension.

1. **Is the application for the requested street vacation extension complete and received on time?**
Yes. The application contains the information necessary to conduct a full review of the permit extension. The application was received on time and the appropriate fees were submitted with the application.
2. **Has the applicant submitted justification for the permit extension?**
Yes. The applicant has submitted a project narrative stating his reasons for requesting an extension.
3. **Is the extension within the allowable number of permit extensions?**
Yes. CBJ 49.15.250 allows no more than two 18 month extensions. This is the first permit extension application for STV 2013 0001.
4. **Have notices of the extension request been mailed to adjacent property owners at least ten (10) days prior to the hearing and has a general notice been printed in the newspaper of general circulation at least two (2) days prior to the hearing?**
Yes. Notices were mailed to adjacent property owners of the subject parcel on January 4, 2016, 22 days prior to the hearing. Public notice for this project was provided in the January 14th and 25th issues of the Juneau Empire's "Your Municipality" section.
5. **Have conditions of the permit been changed?**
No. The conditions of the permit cannot be changed, deleted or added to. The conditions will apply to the extension.

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

6. ***Will the proposed street vacation extension comply with the Juneau Coastal Management Program?***
Not Applicable. The JCMP does not apply to this development.

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RECOMMENDATION

Staff recommends that the Planning Commission adopt the Director's analysis and findings and **approve** the requested Street Vacation Extension. The permit would grant a partial street vacation of approximately 347 square feet to the applicant in order for an 8-plex to be reconstructed on an existing foundation. The 347 square feet is the portion of the foundation that encroaches into the right-of-way. The extension will give the applicant 18 months to record a plat to make the street vacation complete.

The approval is subject to the following conditions:

1. A retention structure shall be constructed to protect the building from debris falling from the road;
2. A plat must be recorded to show the adjusted property line;
3. An AELP utility easement shall be shown on the plat

Advisory Condition:

4. Any structure that provides access to the building from Gastineau Avenue will need to provide safe access to the street and shall not interfere with pedestrian improvements along Gastineau Avenue.

DEVELOPMENT PERMIT APPLICATION

Project Number	CITY and BOROUGH of JUNEAU	Date Received:
Project Name (City Staff to Assign Name) <u>Extension of STV 2013 0001</u>		

INFORMATION	Project Description <u>VACATE Approximately 346.60 Square Feet of Gastineau Ave. to Rebuild 78 Plex on existing concrete foundation.</u>		
	PROPERTY LOCATION		
	Street Address <u>331 GASTINEAU AVE.</u>	City/Zip <u>Juneau, AK. 99801</u>	
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) <u>Pacific Coast Add. Block 2 Lot 11</u>		
	Assessor's Parcel Number(s) <u>1-C07-0-H02-011-0</u>		
	LANDOWNER/ LESSEE		
	Property Owner's Name <u>Owen & Kami Clark</u>	Contact Person: <u>Owen</u>	Work Phone: <u>321-0258</u>
	Mailing Address <u>1775 Dimond Drive Juneau, AK.</u>	Home Phone: <u>321-0258</u>	Fax Number: <u>N/A</u>
	E-mail Address		
	Other Contact Phone Number(s):		
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	<u>Owen Clark</u>	<u>12-17-15</u>
		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 <u>SAME</u>			
Contact Person:			
Work Phone:			
Mailing Address			
Home Phone:			
Fax Number:			
E-mail Address			
Other Contact Phone Number(s):			
X	<u>Owen Clark</u>	<u>12-17-15</u>	
	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)				
		Variance Case (De Minimis and all other Variance case types)				
		Wetlands Permits				
		Zone Change Application				
	(X)	Other (Describe)		<u>12-18-15</u>		
	***Public Notice Sign Form filled out and in the file.					
	Comments: <u>Extension STV 2013 0001</u>					Permit Intake Initials <u>BMK</u>

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

STREET VACATION APPLICATION

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

Project Number	Project Name (15 characters)	Case Number	Date Received
		STV 20150002	12-18-15

NAME OF RIGHT-OF-WAY TO BE VACATED: 346.60 sqft. GASTINEAU AVE.

Dimensions of right-of-way to be vacated:

Width 7 feet Length 50 feet
Total Area 346.60 square feet Total length of parcel lot lines fronting the right-of-way 50 feet

DESCRIBE THE REASON(S) FOR THE STREET VACATION:

to Rebuild on existing concrete Foundation that was Permitted And Inspected By the C.B.J. Extension of STV 20130001

EXISTING USE OF SUBJECT RIGHT-OF-WAY:

AS Above a A'

PROPOSED USE OF SUBJECT RIGHT-OF-WAY:

existing Foundation to Remain AS to provide more Downtown Housing.

APPLICANTS PLEASE NOTE:

Attached is a petition that must be completely filled out in order for the application to be complete. If any information is missing on the petition, the application will not be reviewed by Community Development Staff or scheduled for a Public Hearing.

If the property owners involved in the petition do not own at least 50% of all property fronting the Right-of-Way to be vacated, the application will not be accepted.

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.

SUBDIVISION/PLATTING FEES

Fees	Check No.	Receipt	Date
Application Fees \$ 250			
Pub. Not. Sign Fee \$ 50			
Pub. Not. Sign Deposit \$ 100			
Total Fee \$ 400	059908	600 7457	12/18/15

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

TO BE COMPLETED BY THE APPLICANT

RECEIVED

JAN 11 2016

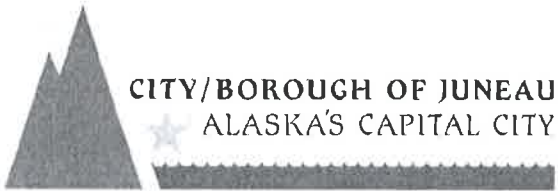
PERMIT CENTER/CDD

The project will not be completed within 18 months as first I tried to get 3 quotes to have a contractor tear it down. When quotes were obtained I determined that I did not have the funds to hire anyone to demolish the building. When I was ready to proceed I had to contact and wait for CBJ parking to clear vehicles that had been abandoned after I requested something be done. They said they couldn't do anything for 45 days. Once this was done and I began working on the project I had a family member from down south pass away which I had to remobilize so that I could attend the funeral.

Because I am a contractor myself when I am working solely by myself to tear down the building I am not earning an income to keep my business licenses, insurances, sales tax, etc. running let alone support my family and those bills. So I have had to work when work was available and when work was not available I've been working on the building. I am not able to get equipment to the building so it has to be hand carried up the hill and dumped into the truck. It's a time consuming project when equipment can't be used to demolish. Although it's not done it's very close considering how the work is being accomplished. Not only does the roof, walls, windows, plumbing, toilets, tubs, sinks and all the items that belonged to the tenants that burned in the fire has to be hauled up by hand which I am doing solely myself. I have done 3 floors out of 5 myself. If I'm not granted an extension especially while I'm not currently working at a paid job then when work is available I will have to steer my attention to my income.

I have not obtained a plat because that will require funds so I will acquire when I have the funds and the surveyor is available.

The city had listed the retention wall in the permit however, it was never determined where it would be and no one has reached out to me to discuss when I've contacted the city. Yet, it's hard to communicate with staff when I am down in the middle of demolishing it. It might be best addressed after demolition completed.



RECEIVED
DEC 18 2015
PERMIT CENTER/CDD

**PLANNING COMMISSION
ORDER OF STREET VACATION**

Date: July 23, 2014

File No.: STV2013 0001

Owen Clark
1775 Dimond Drive
Juneau, AK 99801

Application For: Vacate a portion of Gastineau Ave to allow rebuilding of an 8-plex on existing foundation.

Legal Description: Pacific Coast Addition Block 2 Lot 11

Property Address: 331 Gastineau Avenue

Parcel Code No.: 1-C07-0-H02-011-0

Hearing Date: March 12, 2103

The Planning Commission, at its regular public meeting, adopted the analysis and amended the findings listed in the attached memorandum dated July 8, 2014 as follows:

3. *Will the proposed street vacation materially endanger the public health or safety?*

No. The required retention structure will protect the building from debris from street snow removal and mitigate safety concerns.

4. *Will the proposed street vacation substantially decrease the value of or be out of harmony with property in the neighboring area?*

No. There is no evidence that has been presented that suggests the proposed street vacation will decrease the value or be out of harmony with property in the neighboring area. The building has been in this location at least since 1960. The vacation will allow the reconstruction of a burned out building.

5. *Will the proposed street vacation be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans?*

Yes. The vacation will allow the reconstruction of an eight unit multi-family structure; the residents will likely not have vehicles. The exact alignment of the future road has not yet been determined and could be located elsewhere. The right-a-way is wide enough to accommodate an expansion of the roadway. The vacation of the right-of-way does not prohibit future installation of sidewalks in this area.

MEMORANDUM

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

DATE: March 8, 2013

TO: Planning Commission

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

FILE NO.: STV2013 0001

PROPOSAL: Vacate a portion of Gastineau Ave to allow rebuilding of an 8 plex on existing foundation.

GENERAL INFORMATION

Applicant: Owen K Clark

Property Owner: Owen K Clark

Legal Description: Pacific Coast Addition Block 2 Lot 11

Parcel Code No.: 1-C07-0-H02-011-0

Site Size: 5,000 sq ft

Comprehensive Plan Future Land Use Designation: MU, Mixed Use

Zoning: MU, Mixed Use

Utilities: City water & sewer

Access: Gastineau Avenue

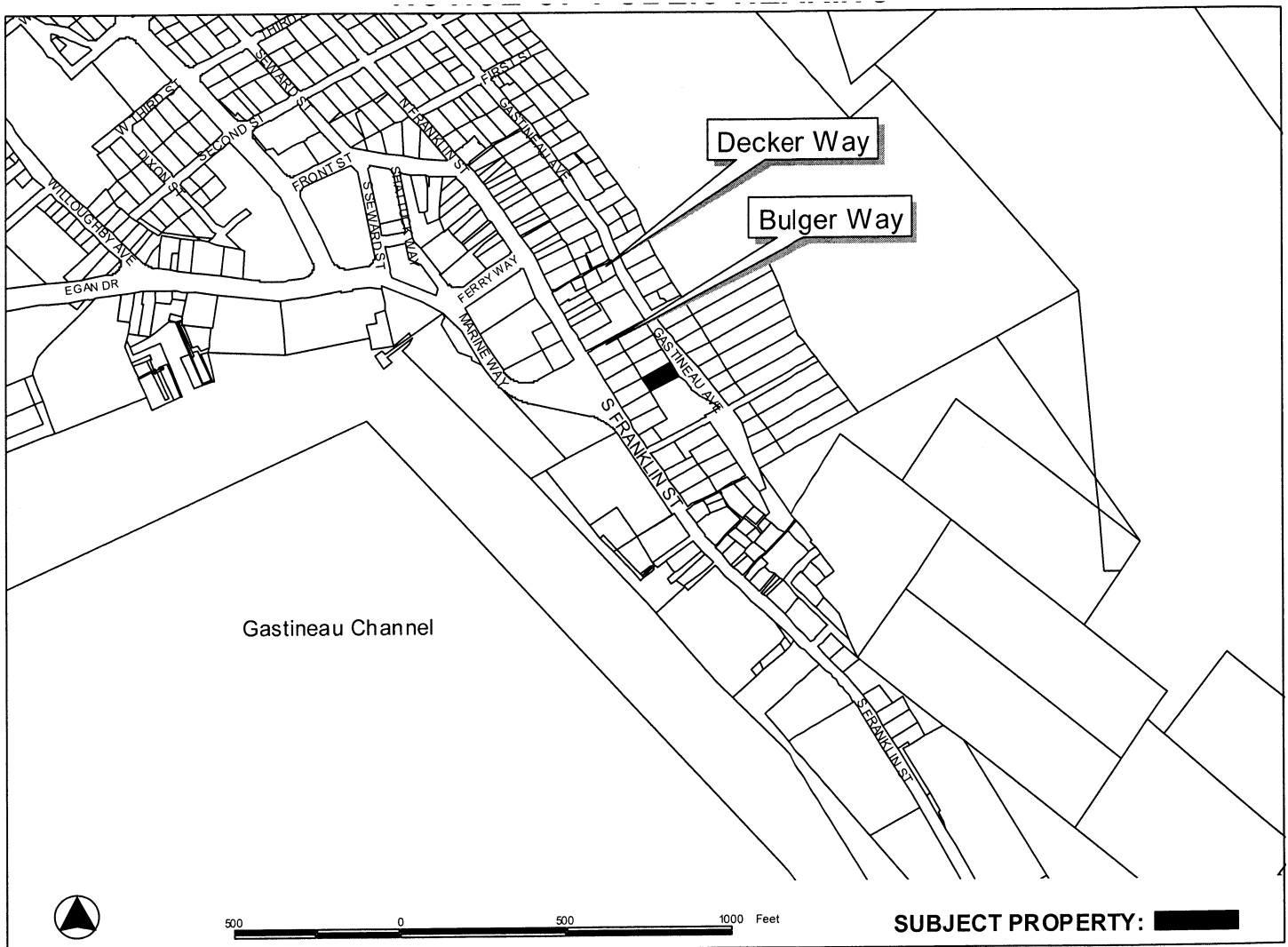
Existing Land Use: Vacant

Surrounding Land Use: Northeast – (MU) Gastineau Ave, vacant
Southeast - (MU) Multifamily
Northwest - (MU) mixed use –retail/apartments
West – (MU) mixed use –retail/apartments



CITY/BOROUGH OF JUNEAU
★ **ALASKA'S CAPITAL CITY**

Planning Commission
File No.: STV2013 0001
March 8, 2013
Page 2 of 8



Planning Commission
File No.: STV2013 0001
March 8, 2013
Page 3 of 8

ATTACHMENTS

A – Email from Dan Jager, Fire Marshall
B – Memo from Kirk Duncan, Director of Public Works
C – Memo from Ron King, General Engineering
D – Email from Darrell Wetherall, AELP
E – 1978 Memo

BACKGROUND

The applicant is seeking the vacation of a small portion of Gastineau Avenue. The area of the requested vacation is 49.51 feet wide by 7 feet for a total area of 346.57. This is the area of the foundation and retaining wall that encroach into the right-of-way.

This area of town was established many years ago. The earliest plat for the area is from 1886, and the most current is dated 1934. According to information from the Assessor's office an eight unit apartment building was built on this site in 1960. Research of the building files show that it was known the building encroached into Gastineau Avenue. There is a copy of a handwritten memorandum from 1978 about issuing a building permit for work on the building, and that CBJ would not issue an encroachment permit but would allow the building to remain in the right-of-way if the owner signs an agreement to remove the building at such a time as the city needs the right-of-way for street purposes (attachment E). Staff did not find this agreement. In 2000 a building permit was issued for foundation repair. In April 2007 the building caught fire and was severely damaged.

The applicant is seeking the street vacation in order to eliminate the encroachment into the right-of-way. Eliminating the encroachment will allow the property owner to rebuild on the existing foundation that was substantially rebuilt in 2000. The lot in its current configuration is 5,000 square feet, which meets the minimum lot size requirements for the MU zoning district. There are no setback requirements in this district.

Water Utility and Waste Water Utility have no comments.

The Fire Marshall has commented that as long as the requested vacation will not affect apparatus access or turn around then they are ok with the proposal. If requested street vacation will narrow the road at all then they are not in favor of this (attachment A). Staff notes the applicant is seeking to vacate a portion of the right-of-way and that the constructed road will remain as it is, without any changes.

Street Department has recommended the vacation not be approved (attachment B). They note the retaining wall is not supporting the roadway and needs to be rebuilt. The encroachment limits reconstruction. They also state the encroachment impedes snow removal, and snow from passing plows could endanger the building and lower level residents, and that the narrow

Planning Commission
 File No.: STV2013 0001
 March 8, 2013
 Page 4 of 8

roadway limits fire response. CBJ Streets Department would like to see the building reconstructed on private property and all encroachments removed.

General Engineering's concerns regarding the retaining wall, snow removal are similar to Streets (attachment C). General Engineering also noted it would be best if the building was reconstructed on private property and all encroachments into the right-of-way removed. General Engineering recommends that if the vacation is approved, the owner be required to construct a retention structure to protect the building from debris falling from the roadway, and that granting the right-of-way vacation without requiring debris catchment and proper lateral support to the roadway is unacceptable.

AELP indicates that they have an overhead transmission and distribution line running through the CBJ ROW within that 7 foot area requested to be vacated. (attachment D). AELP needs their interests protected in any transfer of ownership of this additional 7 feet. AELP did not find any easement in their GIS or easement database, and they are not sure it was permitted through CBJ ROW either. The line most likely pre-dates the current processes. There may be informal prescriptive easements and/or grandfathered utility permits.

AELP indicates they are not necessarily opposed to vacating this ROW, but if vacated, a recorded plat should show that this is utility easement and/or a written easement to the utilities needs to be given.

ANALYSIS

Zoning- The lot is located in the MU (Mixed Use) zoning district. The lot meets the minimum lot size for the district and will exceed it if the vacation is approved. The lot does not meet the minimum lot width, but is legally non-conforming because it was platted before zoning. The MU zoning district has no setback requirements. Rebuilding, on the existing foundation, if the encroachment is eliminated, will comply with setbacks.

According to the Land Use Code, street vacations shall be processed per CBJ § 49.15.450(1)(A-F) with a petition signed by the majority of owners fronting the ROW being vacated. In this case the only property that fronts the portion of the requested to be vacated is the applicant. Public notice is required per CBJ § 49.15.230, and if less than 5 lots are involved it is platted through the minor subdivision process. If this street vacation is approved, the applicant will be required to apply for a minor subdivision permit for platting review.

Drainage- Staff has not been made aware of any drainage issues or concerns. There has been a building in this location since at least the 1960s and the infrastructure has been installed to accommodate it.

Planning Commission
 File No.: STV2013 0001
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Access- Gastineau Avenue is a narrow winding street. With parking on the street there is not enough room for two vehicles to pass. The as-built submitted with the vacation application is unclear as to what the width of the right-of-way is. It does show the road way to 24 feet wide and 20 feet wide in front of this foundation. The current standard for rights-of-way is 60 feet wide.

Traffic Analysis- Gastineau Avenue, as an improved road, ends not far beyond this site. This vacation request, if approved, will not change any current function of Gastineau. However, rebuilding at this site has the potential to increase traffic by adding residential units to the area. It will, however, if the building is reconstructed in a similar configuration to what existed previously, be returning to a level similar to what existed before the building burned down in 2007. However, the MU has no maximum density so there is potential for much higher future traffic in this area, from nearby developments, or if this building was rebuilt with more units than it had originally.

Pedestrian Access- There are no sidewalks in this area. Pedestrians must walk in the road way. The retaining wall and foundation have been in in this location for many years. Allowing the vacation of this portion of Gastineau Avenue will not change current pedestrian access. It will, however, reduce options for installing sidewalks in the future.

Public Health and Safety- The encroachment has been in place since at least 1960 (it is unclear if this is the original construction date or if the original construction date is earlier). The building was used as an eight unit apartment until it burned in 2007. The current street and other modern infrastructure have been installed around the building. If the requested street vacation is approved the applicant will then be able to reconstruct the building on the existing foundation. The reconstruction of the building will eliminate an attractive nuisance from the neighborhood, improve safety and add more residential units to the community. The CBJ Streets Department has indicated that the encroachment impedes snow removal and fire response. Furthermore, the encroachment limits reconstruction of the retaining wall, which is necessary to support the roadway.

Compliance with Adopted Plans- The 2008 Comprehensive Plan recommends (Guidelines and Considerations Subarea 6 #16) "Consider mechanisms to encourage and allow vehicle-less residential development on Gastineau Avenue, that is, uses whose occupants or visitors would travel by walking, bicycling or by public transit." The Plan further recommends (Guidelines and Considerations Subarea 6 #15) an alternative roadway connecting Egan Drive in downtown to Thane Road. Map M shows the potential location in the vicinity of Gastineau Avenue. Staff checked with General Engineering and Map M is what is referred to in their comments about the Comprehensive Plan.

2001 Area Wide Transportation Plan (AWTP) addresses a 20-year transportation framework and provides solutions for transportation problems throughout the borough. In discussing the

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“Downtown/Thane Deficiencies” the plan states that in the Downtown/Thane sub-area, the forecast transportation issues relate to pedestrian circulation and capacity, auto capacity, parking, transit service, and circulation for heavy vehicles and tour buses. The plan recommends considering extending Gastineau Avenue to connect with Thane Road to promote system redundancy.

49.70.900-49.70.1097 COASTAL DEVELOPMENT, HABITAT, AND WETLANDS

N/A. This Street Vacation proposal will not affect wetlands or sensitive habitat.

FINDINGS

The Planning Commission shall review the Director's report to consider:

1. Whether the application is complete; and,
2. Whether the development as proposed will comply with the other requirements of this chapter.

The Commission shall adopt the Director's determination on the two items above unless it finds, by a preponderance of the evidence, that the Director's determination was in error, and states its reasoning for each finding with particularity.

Even if the Commission adopts the Director's determination, it may nonetheless deny or condition the street vacation if it concludes, based upon its own independent review of the information submitted at the public hearing, that the street vacation will more probably than not:

1. Materially endanger the public health or safety;
2. Substantially decrease the value of or be out of harmony with property in the neighboring area; or,
3. Not be in general conformity with the comprehensive plan, thoroughfare plan, or other officially adopted plans.

The Director makes the following findings on the proposed development:

1. Is the application for the requested Street Vacation complete?

Yes. We find 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.

Planning Commission
File No.: STV2013 0001
March 8, 2013
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2. *Will the proposed street vacation comply with the other requirements of this chapter?*

Yes. The proposed street vacation complies with the other requirements of this chapter. Public notice of this project was provided in the March 1st and March 11th issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public Right of Way.

3. *Will the proposed street vacation materially endanger the public health or safety?*

Yes. As discussed above, the encroachment limits reconstruction of the retaining wall which is needed to support the roadway.

4. *Will the proposed street vacation substantially decrease the value of or be out of harmony with property in the neighboring area?*

No. There is no evidence that has been presented that suggests the proposed street vacation will decrease the value or be out of harmony with property in the neighboring area. The building has been in this location at least since 1960.

5. *Will the proposed street vacation be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans?*

No. Approving the encroachment will allow reconstruction of a multi-family building which will likely have inhabitants that are without vehicles. The exact alignment of the future road has not yet be determined and could be located elsewhere. The vacation of the right-of-way will prohibit future installation of sidewalks in this area.

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

6. *Will the proposed street vacation comply with the Juneau Coastal Management Program?*

N/A. As discussed above this proposal does not need to go through the Alaska Coastal Management Program review.

Planning Commission
File No.: STV2013 0001
March 8, 2013
Page 8 of 8

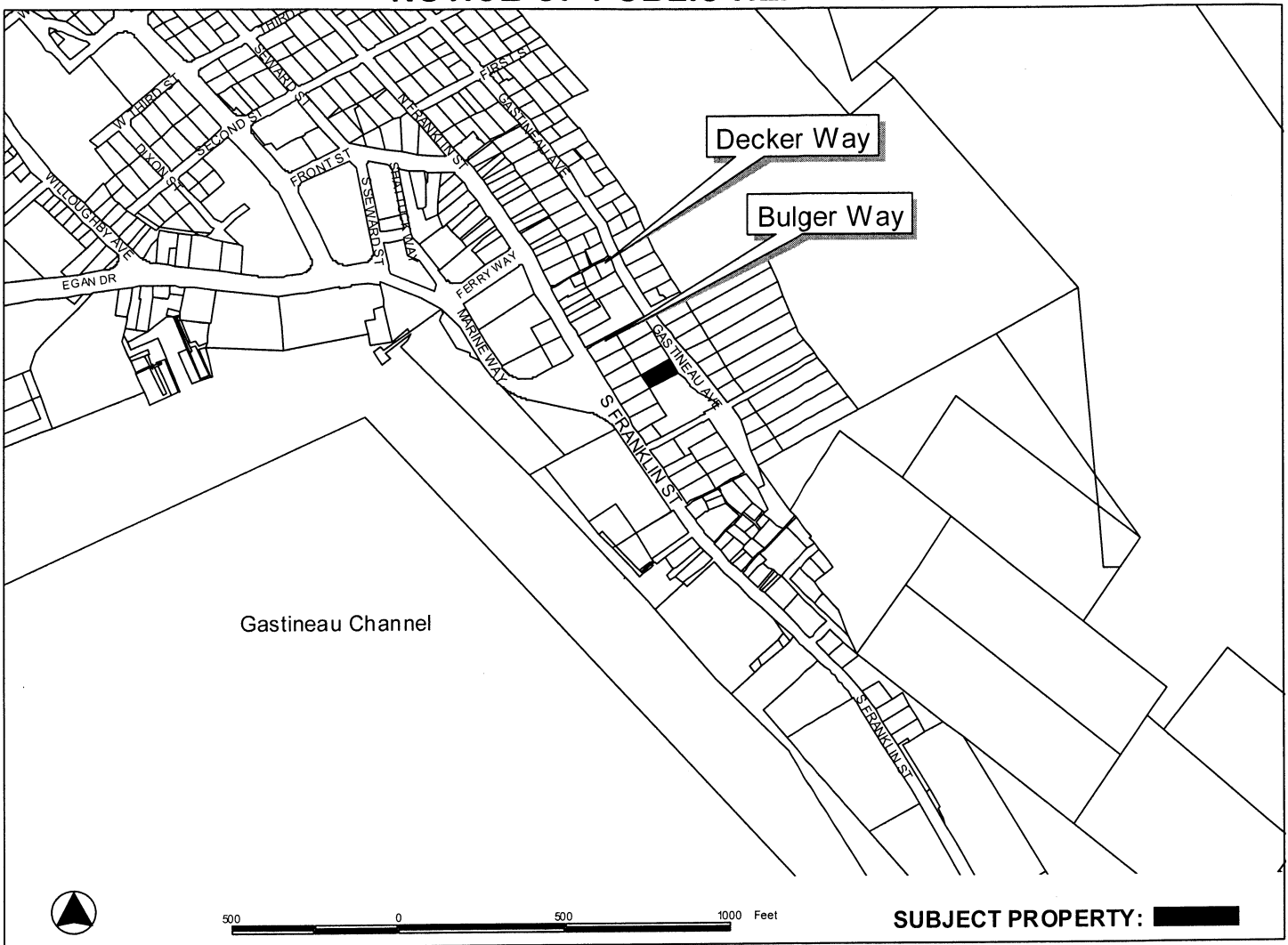
RECOMMENDATION

We recommend that the Planning Commission adopt the Director's analysis and findings and deny the requested Street Vacation permit.

If the Planning Commission elects to amend the findings and approve the requested vacation the following conditions are recommended:

1. The owner is required to construct a retention structure to protect the building from debris falling from the roadway.
2. A plat will need to be recorded for the vacation to be completed.
3. The recorded plat will show the AELP utility easement.

NOTICE OF PUBLIC HEARING



PROPOSAL: Vacate approximately 346.6 sq ft of Gastineau Avenue.

FILE NO: STV2013 0001 TO: Adjacent Property Owners HEARING DATE: March 12, 2013 HEARING TIME: 7:00 PM PLACE: ASSEMBLY CHAMBERS Municipal Building 155 South Seward St Juneau, Alaska 99801	APPLICANT: OWEN K CLARK; KAMI S CLARK Property PCN: 1-C07-0-H02-011-0 Size: 5000 sqft Zoned: MU Owners: OWEN K CLARK & KAMI S CLARK Site Address: 331 GASTINEAU AVE Accessed via: GASTINEAU AVE
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PROPERTY OWNERS PLEASE NOTE:

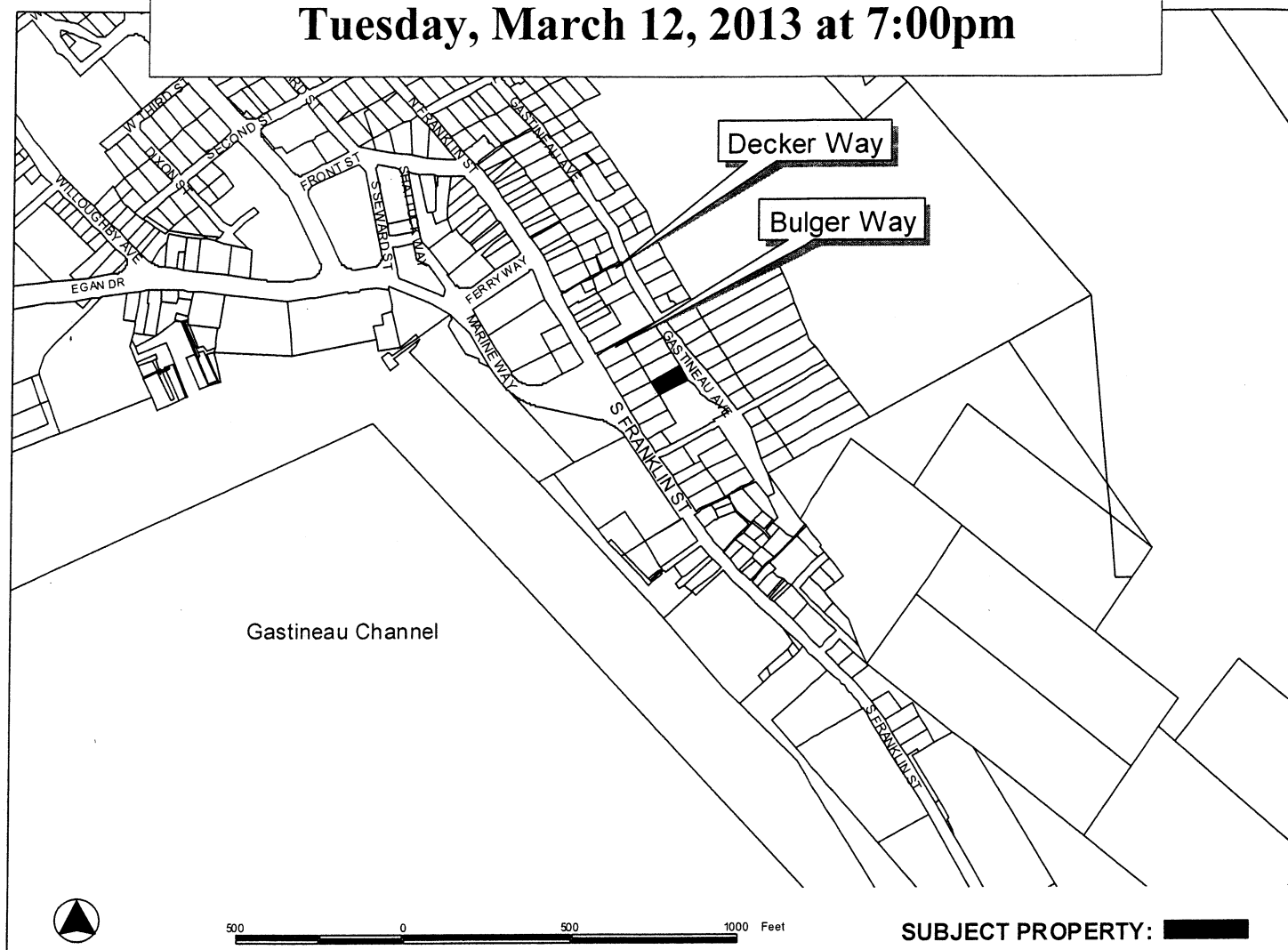
You are invited to attend this Public Hearing and present oral testimony. The Planning Commission will also consider written testimony. You are encouraged to submit written material to the Community Development Department no later than 8:30 A.M. on the Wednesday preceding the Public Hearing. Materials received by this deadline are included in the information packet given to the Planning Commission a few days 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 Beth McKibben at beth_mckibben@ci.juneau.ak.us or at 586-0465.

Planning Commission Agendas, Staff Reports and Meeting Results can be viewed at www.juneau.org/plancomm.

Date notice was printed: February 26, 2013

Postponed: Tentative Reschedule Date is Tuesday, March 12, 2013 at 7:00pm



PROPOSAL: Vacate approximately 346.6 sq ft of Gastineau Avenue.

FILE NO:	STV2013 0001	APPLICANT:	OWEN K CLARK; KAMI S CLARK
TO:	Adjacent Property Owners	Property PCN:	1-C07-0-H02-011-0
HEARING DATE:	Feb 26, 2013	Size:	5000 sqft
HEARING TIME:	7:00 PM	Zoned:	MU
PLACE:	ASSEMBLY CHAMBERS Municipal Building 155 South Seward St Juneau, Alaska 99801	Owners:	OWEN K CLARK & KAMI S CLARK
		Site Address:	331 GASTINEAU AVE
		Accessed via:	GASTINEAU AVE

PROPERTY OWNERS PLEASE NOTE:

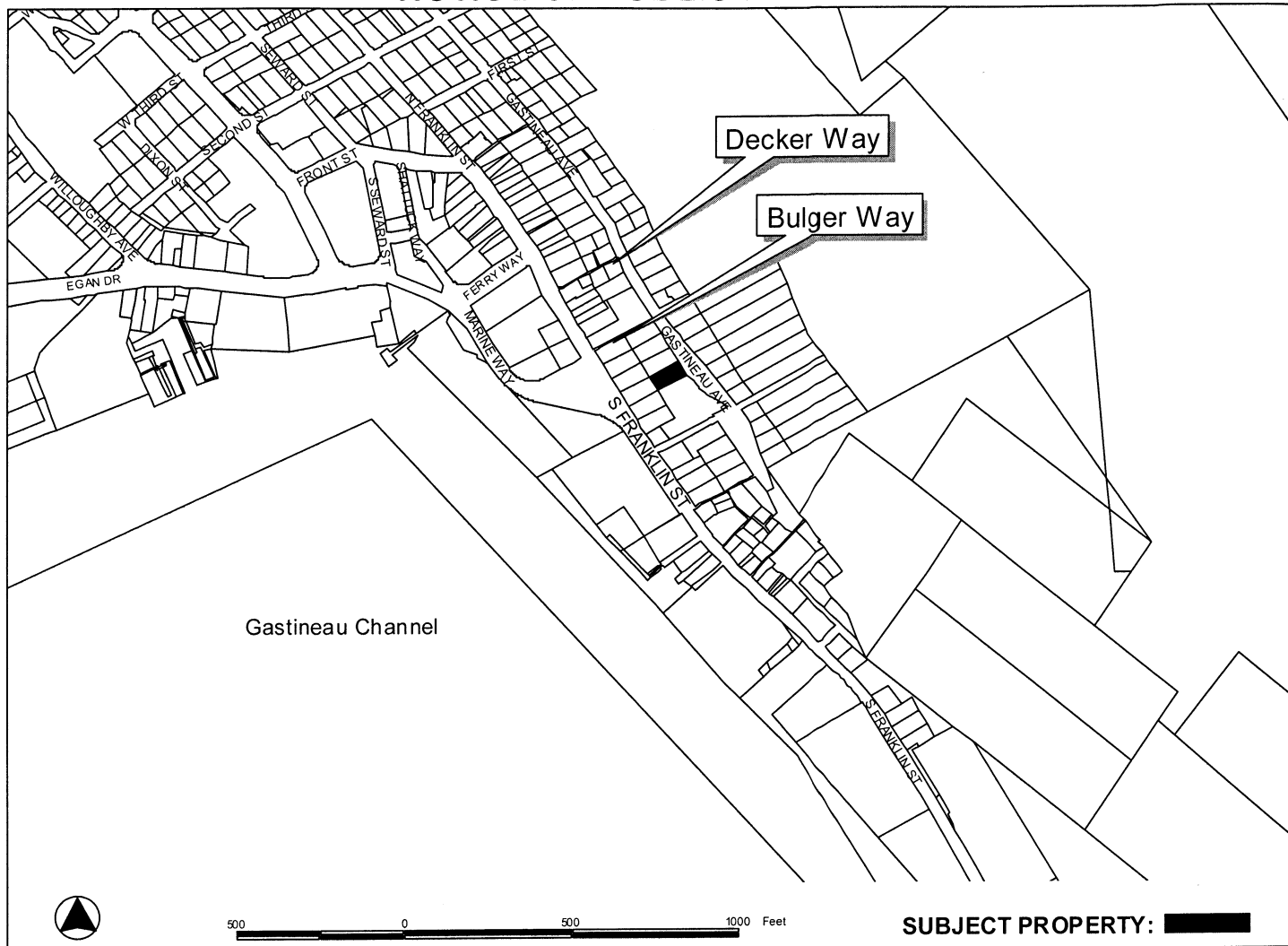
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Planning Commission Agendas, Staff Reports and Meeting Results can be viewed at www.juneau.org/plancomm.

Date notice was printed: February 12, 2013

DEVELOPMENT PERMIT APPLICATION

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Project Number	CITY and BOROUGH of JUNEAU	Date Received: <u>1/16/13</u>
Project Name (City Staff to Assign Name)		

INFORMATION

Project Description
Rebuild Building At 331 Gastineau Ave. That was damaged by fire.

PROPERTY LOCATION

Street Address: 331 GASTINEAU AVE. City/Zip: JUNEAU AK, 99801

Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot): PACIFIC COAST BLOCK 2 LOT 11

Assessor's Parcel Number(s):

LANDOWNER/ LESSEE

Property Owner's Name: Owen & Kam Clark Contact Person: Owen Work Phone: 321-0258

Mailing Address: 1775 Diamond Dr. JUNEAU, AK Home Phone: 321-0258 Fax Number: NP

E-mail Address: Other Contact Phone Number(s):

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 Owen Clark owner 1-15-13
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: SAME Contact Person: Work Phone:

Mailing Address: Home Phone: Fax Number:

E-mail Address: Other Contact Phone Number(s):

X Owen Clark 1-15-13
Applicant's Signature Date of Application

OFFICE USE ONLY BELOW THIS LINE				
STAFF APPROVALS	☒	Permit Type	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)		
	X	Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)	<u>1/16/13</u>	<u>STV13-001</u>
		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 <u>GPC</u>	

STREET VACATION APPLICATION

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

Project Number	Project Name (15 characters)	Case Number STV 13-ed	Date Received 1/16/13																														
NAME OF RIGHT-OF-WAY TO BE VACATED: <u>B 331 GASTINEAU Ave. Road Front</u>																																	
Dimensions of right-of-way to be vacated:																																	
Width <u>7</u> feet		Length <u>49.51</u> feet																															
Total Area <u>350</u> square feet		Total length of parcel lot lines fronting the right-of-way <u>49.51</u> feet																															
DESCRIBE THE REASON(S) FOR THE STREET VACATION:																																	
<u>to Be ABle to Rebuild off existing C.B.J. Approved Foundation, An 8 Plex Apt. that was Damaged IN Fire.</u>																																	
EXISTING USE OF SUBJECT RIGHT-OF-WAY:																																	
<u>the SAME Holding The Foundation For Fire Damaged 8 Plex Building.</u>																																	
PROPOSED USE OF SUBJECT RIGHT-OF-WAY:																																	
<u>SAME AS Above. to Be ABle to Rebuild Fire Damaged 8 Plex Apt. OFF existing approved C.B.J. Foundation</u>																																	
APPLICANTS PLEASE NOTE:																																	
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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 colspan="2">SUBDIVISION/PLATTING FEES</th> <th>Check No.</th> <th>Receipt</th> <th>Date</th> </tr> <tr> <th></th> <th>Fees</th> <th></th> <th></th> <th></th> </tr> </thead> <tbody> <tr> <td>Application Fees</td> <td>\$ <u>500⁰⁰</u></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Pub. Not. Sign Fee</td> <td>\$ <u>50</u></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Pub. Not. Sign Deposit</td> <td>\$ <u>100</u></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Total Fee</td> <td>\$ <u>650</u></td> <td><u>015878</u></td> <td><u>012328</u></td> <td><u>1/16/13</u></td> </tr> </tbody> </table>			SUBDIVISION/PLATTING FEES		Check No.	Receipt	Date		Fees				Application Fees	\$ <u>500⁰⁰</u>				Pub. Not. Sign Fee	\$ <u>50</u>				Pub. Not. Sign Deposit	\$ <u>100</u>				Total Fee	\$ <u>650</u>	<u>015878</u>	<u>012328</u>	<u>1/16/13</u>
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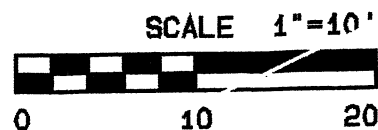
NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

PROPER / OWNERS ADJACENT TO PROPERTY TO BE VACATED

I am (we are) the owner(s) of the property subject to this application and I (we) consent as follows:

- A. This application for a Street Vacation review adjacent to my (our) property is made with my (our) 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.

Landowner's Signature	Landowner's Name (Printed)	Street Address	Length of Frontage Along Right-of-Way	Percentage of Total Frontage
Total Percent of Frontage along Right-of-Way Proposed to be Vacated by this Petition				



PACIFIC COAST
BLOCK 2 LOT 12

RECEIVED
JAN 16 2013
PERMIT CENTER/CDD

100.00' N60°31'00"E
6.19'

45.0'

CLARK & KAMI OWEN
BLOCK 2 LOT 11

FOUNDATION
OF A
BURN-OUT

40.0'

45.0'

2.48'

99.69' N61°41'45"E

98.16' S61°41'45"W
BASIS OF
PLAT
2001-60

REBAR W\ CAP
RECOVERED

REBAR W\ CAP
RECOVERED

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT PLAT; THAT ALL
WALKS, ROADS, EASEMENTS AND IMPROVEMENTS THEREON ARE AS SHOWN
AND THAT ALL OVERLAPS AND ENCROACHMENTS ARE AS SHOWN TO THE
BEST OF MY KNOWLEDGE.

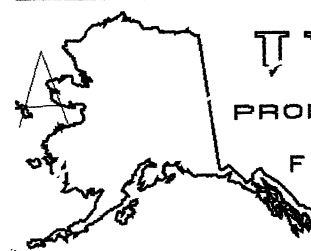


PACIFIC COAST

BLOCK 2 LOT 4

47.46' N30°38'18"W

LOT 84



J W BEAN

PROFESSIONAL SURVEYOR

TDS 12187

F.B. 26/53 JOB No. 13159

SCALE AS-SHOWN

DATE 5-29-2012

AS-BUILT SURVEY OF

LOT 11, BLOCK 2

PACIFIC COAST SBUD.

ADDITION TO JUNEAU TOWNSITE

Beth McKibben

From: Dan Jager
Sent: Tuesday, March 05, 2013 3:51 PM
To: Beth McKibben
Subject: Re: review requested....STV2013 0001- 346.6 sq ft of Gastineau Ave

As long as this will not effect apparatus access or turn around then we are ok. If this will narrow the road at all then we are not in favor of this.

Dan

Sent from my iPhone

On Mar 5, 2013, at 12:46 PM, "Beth McKibben" <Beth_McKibben@ci.juneau.ak.us> wrote:

Dan

I don't have final comments from you. Streets comments include that the dead end street doesn't allow for fire apparatus to turn around.

The vacation is to allow the existing foundation to stay. I need to finish up ASAP. Thanks

From: Dan Jager
Sent: Friday, February 01, 2013 4:41 PM
To: Beth McKibben
Subject: RE: review requested....STV2013 0001- 346.6 sq ft of Gastineau Ave

Beth, what exactly are they wanting vacated? If it is to reduce the width of the street, we can not support that. I wasn't sure if it was vacating the street part or the land next to the street. Thanks.
 Dan

From: Beth McKibben
Sent: Thursday, January 31, 2013 4:16 PM
To: Ron King; Ed Foster; Heather Marlow; Brent Fischer; John Kern; Dan Jager; "Timothy, Jackie L (DFG)" (jackie.timothy@alaska.gov); 'Steve Brockmann@fws.gov'; Charlie Ford; Dave Crabtree; Tom Trego; 'Good, Sheila D (DOT)' (sheila.good@alaska.gov); 'Epstein, David B (DOT)' (david.epstein@alaska.gov); 'Sally Wanstall, DEC' (sally.wanstall@alaska.gov)
Subject: review requested....STV2013 0001- 346.6 sq ft of Gastineau Ave

Please review the attached information and return any comments/questions/concerns you might have by Friday February 15.

The applicant is request to vacate a portion of Gastineau Avenue in order to allow an existing foundation to remain.

Beth McKibben, AICP
 Senior Planner, CDD
 City & Borough of Juneau
 (907)586-0465 phone
 (907)5863365 FAX



Please consider the environment before printing this email.

MEMORANDUM

CITY/BOROUGH OF JUNEAU

155 South Seward Street, Juneau, Alaska 99801

TO: Beth McKibben, CDD

DATE: February 26, 2013

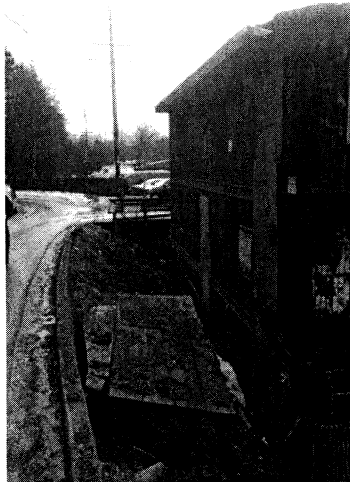
FROM: Kirk Duncan, CBJ Public Works Department

FILE: STV20130001

GASTINEAU AVENUE STREET VACATION REQUEST

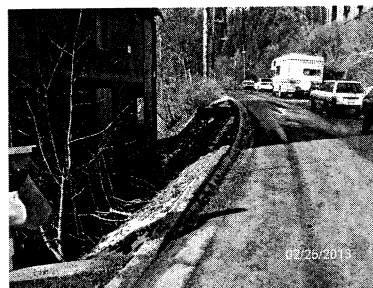
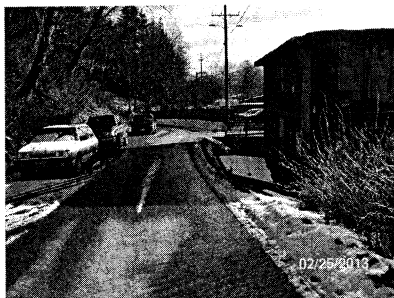
Ed Foster and Kit Watts, CBJ Street Department conducted a site visit today to determine the impact of the requested vacation of a portion of Gastineau Ave.

The existing wall between the structure and the building is failing providing little support to Gastineau Ave. The existing roadway is very narrow, in danger of failing and the curb is being undermined. The street needs to be reconstructed but the building encroachment into the Gastineau Ave right of way aligns as a major issue that limits reconstruction and blocks any future widening.



Due to the encroachment of the building the snow removal operations are severely hampered. The possibility of snow rolling down the bank onto the building is dangerous for anyone living below street level. The possibility of damage to the building and windows below the street side requires extensive maneuvering by the CBJ Street Department to protect life and property below the road.

The Comprehensive Plan delineates the future extension and widening of Gastineau Ave. The existing dead end does not allow the fire apparatus to turn around and the narrow roadway limits fire response time and effort.



March 5, 2013

The CBJ Public Works Department would prefer the vacation of Gastineau be **DENIED**.

Finally, the Street Department would like to see the building reconstructed on private property and remove all right of way encroachments.

MEMORANDUM

CITY/BOROUGH OF JUNEAU

155 South Seward Street, Juneau, Alaska 99801

TO: Beth Mckibben, CDD

DATE: March 4, 2013

FROM: Ron King, General Engineering

FILE: STV20130001

GASTINEAU AVENUE STREET VACATION REQUEST

I conducted a site visit with Ed Foster and Kit Watts, CBJ Street Department to determine the impact of the requested vacation of a portion of Gastineau Ave.

The existing wall between the structure and the building on Gastineau Ave is failing. The wall, within the right-of-way, cuts into the hillside at the building foundation level below the road. As constructed the failing wall provides very little lateral support to the roadway.



Gastineau Avenue is very narrow and the curb is being undermined at the northerly limits of this property. The existing encroachment into the Gastineau Ave right of way already aligns as a major issue that limits reconstruction and blocks any future widening.

Due to the encroachment of the building and the narrow right of way limits, the snow removal operations are severely hampered. The possibility of snow rolling down the bank onto the building is a problem for anyone living below street level. The possibility of damage to the building and windows below the street side requires extensive maneuvering by the CBJ Street Department to protect life and property below the road.

The Comprehensive Plan delineates the future extension and widening of Gastineau Ave. The existing dead end does not allow the fire apparatus to turn around and the narrow roadway limits fire response time and effort.

It is the combined opinion of Streets and Engineering that it would be best for the building to be reconstructed on private property and remove all right of way encroachments.

If the building is to remain in the current location and right-of-way is vacated, then the owner should be required to construct a retention structure that would protect the building from debris falling from the roadway. Currently, there is no break in the slope from the road to the building. Granting a vacation without requiring debris catchment and proper lateral support to the roadway is unacceptable.

Beth McKibben

From: Darrell Wetherall <Darrell.Wetherall@aelp.com>
Sent: Tuesday, February 19, 2013 3:59 PM
To: Beth McKibben
Subject: RE: review requested....STV2013 0001- 346.6 sq ft of Gastineau Ave
Attachments: 331GastineauAve.jpg

We have a transmission and distribution line running through the CBJ ROW within that 7' vacation area identified in your drawing. Our facility is shown as OHE. See photo attached. We need our interests protected in any transfer of ownership of this additional 7'. I don't see any kind of easement in our GIS or easement database, and I'm not sure it was permitted under CBJ ROW either. I'm sure the line pre-dates much of our current processes. There would be informal prescriptive easements and/or grandfathered utility permits I would think unless CBJ has some historic documentation.

We are not necessarily opposed to vacating this ROW, but if vacated, a recorded plat should show that this is utility easement and/or a written easement to the utilities needs to be given.

Also, secondary to the vacation request, probably part of building permit review, any new structure must maintain NESC clearances (separation) from the power lines.

Darrell Wetherall

Assistant Transmission & Distribution Engineer
 Alaska Electric Light & Power
 5601 Tonsgard Court
 Juneau, AK 99801
 (907) 463-6316 Office
 (907) 723-2602 Cell
 (907) 463-4833 Fax
Darrell.Wetherall@aelp.com

From: Beth McKibben [mailto:Beth_McKibben@ci.juneau.ak.us]
Sent: Tuesday, February 19, 2013 2:32 PM
To: Ed Foster; Tom Trego; Dave Crabtree; Darrell Wetherall
Subject: FW: review requested....STV2013 0001- 346.6 sq ft of Gastineau Ave

Ed, Tom and Dave

I need to finish up my staff report and I don't see that I have any comments from any of you about the proposed ROW vacation. If you could take a minute and look it over I would very much appreciate it.

Darrell – I didn't send this to you the first time. If could take a look it would be great. I do need to finish up in the next couple days so ASAP. Should we include you in our request for agency review? Thanks!

From: Beth McKibben
Sent: Thursday, January 31, 2013 4:16 PM
To: Ron King; Ed Foster; Heather Marlow; Brent Fischer; John Kern; Dan Jager; 'Timothy, Jackie L (DFG)' (jackie.timothy@alaska.gov); 'Steve Brockmann@fws.gov'; Charlie Ford; Dave Crabtree; Tom Trego; 'Good, Sheila D (DOT)' (sheila.good@alaska.gov); 'Epstein, David B (DOT)' (david.epstein@alaska.gov); 'Sally Wanstall, DEC' (sally.wanstall@alaska.gov)
Subject: review requested....STV2013 0001- 346.6 sq ft of Gastineau Ave

CJ-103

CITY & BOROUGH OF JUNEAU

1ST SO. SEWARD ST.

JUNEAU, ALASKA 99901

TO: Art Morrison / George Porter SUBJECT: F&L Apts. - Gustafson Ave.

FROM: THE OFFICE OF THE

DATE: 6-23-78

MESSAGE:

Roe Guter will issue a bldg. permit for additional work on the apt. bldg. if the Public Works Dept. informs him that the encroachment into the Rld is acknowledged and no action will be taken.

Mrs. Page, city atty., informs the City will not issue an encroachment permit but would allow the bldg. to remain on the Rld if the owner signs an agreement to remove the bldg. at such time the City needs the Rld for street purposes. Mrs. Page seems to agree that the stairway and ramp may be treated as a driveway and a permit could be issued for their construction.

PLEASE REPLY IN AREA BELOW

SIGNED: Terry Bremner

REPLY:

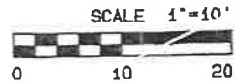
REPLY DATE:

SIGNED:

RECEIVED

DEC 18 2015

PERMIT CENTER/CDD



PACIFIC COAST
BLOCK 2 LOT 12

RECEIVED
JAN 10 2013
PERMIT CENTER/CDD

CLARK & KAMI OWEN
BLOCK 2 LOT 11

FOUNDATION
OF A
BURN-OUT

REBAR W\ CAP
RECOVERED



I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT PLAT; THAT ALL
WALKS, ROADS, EASEMENTS AND IMPROVEMENTS THEREON ARE AS SHOWN
AND THAT ALL OVERLAPS AND ENCROACHMENTS ARE AS SHOWN TO THE
BEST OF MY KNOWLEDGE.



T W W R T A N
PROFESSIONAL SURVEYOR
TDS 12187
F.B. 26/53 JOB No. 13159
SCALE AS-SHOWN
DATE 5-29-2012

AS-BUILT SURVEY OF
LOT 11, BLOCK 2
PACIFIC COAST SBUD.
ADDITION TO JUNEAU TOWNSITE

REBAR W\ CAP
RECOVERED

LOT 8

98.16' S61°41'45"W
BASIS OF BEARING
PLAT 2001-60

99.69' N61°41'45"E

2.48'

45.0'

40.0'

100.00' N60°31'00"E
6.19'

45.0'

4.72'

49.51'

S30°12'29"E
40.0'

P=300.00
L=43.22
TAN=21.55
DELTA=208.14

PT

PG

23+50

23+60.12

S28°59'07"E

24

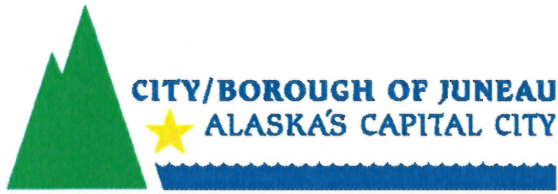
24+00

PC

PACIFIC COAST
BLOCK 2 LOT 4

47.46' N30°38'18"W

Attachment E



**PLANNING COMMISSION
ORDER OF STREET VACATION**

Date: January 28, 2016

File No.: STV2015 0002

Owen and Kami Clark
1775 Dimond Drive
Juneau, AK 99801

Application For: Street Vacation Extension
Legal Description: Pacific Coast Addition Block 2 Lot 11
Property Address: 331 Gastineau Avenue
Parcel Code No.: 1-C07-0-H02-011-0
Hearing Date: January 26, 2016

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated January 15, 2016, and approved the extension request for street vacation STV2013 0001 to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

1. A plat must be recorded to show the adjusted property line. The plat must be recorded before the permit expires on July 26, 2017.
2. A retention structure shall be constructed to protect the building at 331 Gastineau Avenue from debris falling from the road.
3. An AEL&P utility easement shall be shown on the recorded plat.

Attachments: January 15, 2016 memorandum from Allison Eddins, Planner, Community Development, to the CBJ Planning Commission regarding STV2015 0002.

This Order of Street Vacation does not authorize construction activity. Prior to starting any project, it is the applicant's responsibility to obtain the required building permits.

This Order of Street Vacation constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ §01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ §01.50.030 (c). Any action by the applicant in reliance on the decision of the Planning Commission shall be at the risk that the order may be reversed on appeal (CBJ §49.20.120).

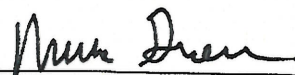
Effective Date: The permit is effective upon approval by the Commission, January 26, 2016.

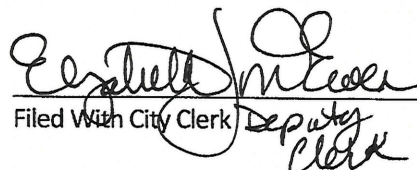
Expiration Date: The permit will expire 18 months after the effective date, or July 26, 2017, if no Subdivision has been applied for in accordance with the plans for which the

Owen and Kami Clark
File No.: STV2015 0002
January 29, 2016
Page 2 of 2

development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.

Project Planner: 
Allison Eddins, Planner
Community Development Department


Nicole Grewe, Chair
Planning Commission


Filed With City Clerk Deputy Clerk

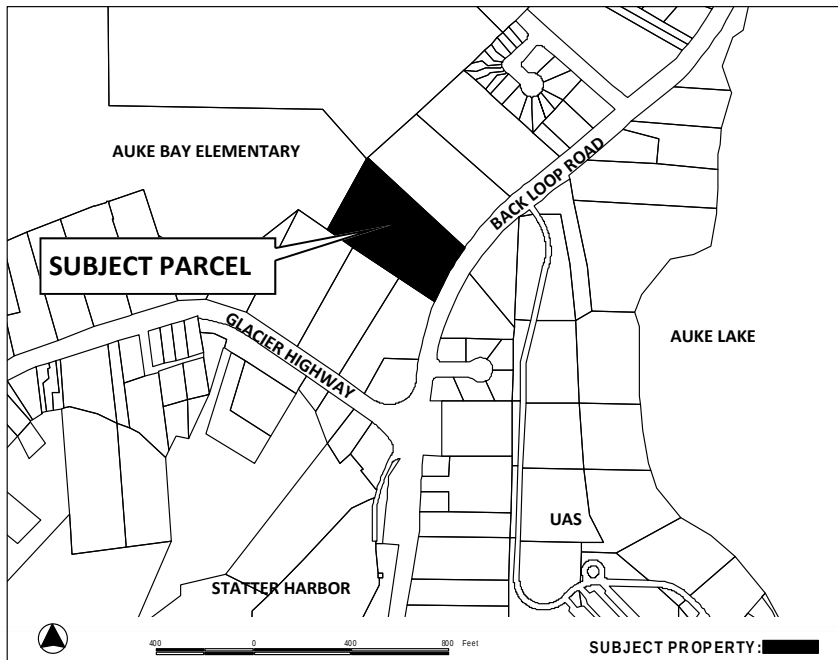
1/29/2016
Date

cc: Plan Review

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. Owners and 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: Conditional Use Permit for a 60-unit condominium development.

File No:	USE2015 0012	Applicant:	PK2M, LLC
To:	Adjacent Property Owners	Property PCN:	4-B28-0-103-007-0
Hearing Date:	January 26, 2016	Owner:	PK2M, LLC
Hearing Time:	7:00 PM	Size:	3.43 Acres
Place:	Assembly Chambers Municipal Building 155 South Seward Street Juneau, Alaska 99801	Zoned:	Light Commercial
		Site Address:	12410 Mendenhall Loop Road
		Accessed Via:	Mendenhall Loop Road

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 Eric Feldt at eric.feldt@juneau.org or at 586-0764.



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

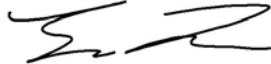


Community Development

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

DATE: January 19, 2016

TO: Board of Adjustment

FROM: Eric Feldt, Planner II, AICP, CFM 
Community Development Department

FILE NO.: USE2015 0012

PROPOSAL: A Conditional Use permit for a 60-unit condominium development in the Auke Bay area.

GENERAL INFORMATION

Applicant: PK2M, LLC

Property Owner: PK2M, LLC

Property Address: 12410 Mendenhall Loop Road

Legal Description: USS 2391 Lot U

Parcel Code Number: 4-B28-0-103-007-0

Site Size: 3.43 Acres

Comprehensive Plan Future Land Use Designation: Traditional Town Center (TTC)

Zoning: Light Commercial (LC)

Utilities: Public Water and Sewer

Access: Mendenhall Loop Road (Back Loop Road)

Existing Land Use: Storage of Construction Material

Surrounding Land Use:	North	- LC; Back Lp Rd; Bus Barn
	South	- GC; Back Lp Rd; AEL&P Electrical Substation
	East	- D-5; Back Lp Rd; UAS
	West	- D-3; Glacier Hwy; Auke Bay Elementary School

Vicinity Map



Planning Commission
 File No.: USE2015 0012
 January 19, 2016
 Page 3 of 13

ATTACHMENTS

ATTACHMENT	A	Applicant's Project Letter
ATTACHMENT	B	Site Plan
ATTACHMENT	C	Building plans
ATTACHMENT	D	Application USE2015 0012
ATTACHMENT	E	Public Notice

PROJECT DESCRIPTION

The applicant seeks a Conditional Use permit for 60 dwelling units and related storage units in Auke Bay. Most of the dwellings will be above their ground-floor storage spaces; however, some storage units may be independent.

BACKGROUND

The property is vacant and has been used as a construction storage yard for the past several years. See Figure 1 below. A long time ago, large amounts of overburden and soils were placed on the site to facilitate construction of projects at the nearby University of Alaska Southeast campus.



Figure 1: The site is demarcated by the two intersecting white arrows. Much of the site continues to be used as a construction storage yard. The sidewalk is shown along Back Loop Road fronting the site. Picture taken by staff on January 10, 2016.

ANALYSIS

Project Site

The 3.43 acre site is located in the Auke Bay area and fronts Back Loop Road near the round-a-bout. It is relatively flat with a steep drop near the back lot line. The site is bordered by the Juneau school district bus storage lot (Bus Barn) to the north, Back Loop Road to the east, Auke Bay Elementary School to the west, and the AEL&P electrical station, Squires Restaurant building, and the UAS bookstore to the south. The site is one of the few vacant lots in Auke Bay.

Project Design

The applicant's building and site plans are provided under Attachment C. The proposal consists of 60 condominium dwelling units and ground-floor garages. There are a few storage units that could be owned by the condominium tenants or general public. These are Units G1-G8 shown on Attachment C. The dwelling units consist of a mix of bedroom options from efficiencies to three bedrooms. The applicant is uncertain about the market demand for the bedroom options.

The site layout consists of three rows of buildings, each separated by paved driving lanes. The top row (Buildings A, B & C) will be three stories; the middle row will be two-stories, and the bottom row (Building F) will be one-story with a daylight basement. The development will access Back Loop Road via one driveway, as limited and permitted by Alaska Department of Transportation/ Public Facilities (AKDOT/ PF).

The applicant will provide snow storage areas at the west (back) end of the site. These are labeled on the plans under Attachment C. To ensure snow is not plowed onto adjacent property nor melts toward adjacent property, staff recommends a condition that snow storage areas will be designed and maintained to prevent runoff onto adjacent properties. If CBJ permits snow melt from these snow storage areas on CBJ land, this condition is unnecessary and staff's recommends it to be inapplicable. Further, during construction, on-site material such as dirt, rock, mud, etc. may unintentionally be pushed downhill toward the back of the site and onto CBJ land. Silt fencing shall be used during construction to prevent this. Staff recommends the installation of silt fences as a condition of approval during construction.

The property is in the Light Commercial (LC) zoning district and permits multifamily dwelling units, i.e. condominiums and apartments, as well as storage units (49.25.300 *Table of Permissible Uses*). The allowed density of the LC district is 30 units per acre; therefore, the 3.43 acre site is allowed to have a maximum of 102.9 units, rounded up to 103 units. The project consists of 60 units, which results in a density of 17 units per acre. The project meets the LC yard setbacks: 25 feet along the front (Back Loop Road right-of-way), 10 feet along both sides (north and south), and 10 feet along the rear (west). All proposed buildings are below the 45-

Planning Commission
 File No.: USE2015 0012
 January 19, 2016
 Page 5 of 13

foot allowed height maximum. There will be perimeter vegetation around the site to meet the minimum vegetation cover of 15% (22,411 square feet).

In addition to the Conditional Use permit, the applicant will subdivide the property into two lots, whereby Building F will be on a separate lot. The proposed property line will run in the middle of the driveway between Building F and Buildings D, E, and G. An access and maintenance easement and agreement will be recorded to allow shared access. This subdivision is independent of the Conditional Use permit and will be submitted at a future time for review and recordation.

Traffic

The development projects to generate 349 car trips per day. Staff calculated this by using the latest Institute of Transportation Engineers (ITE) manual (9th Edition, 2012) to calculate the total car trips per unit (5.81) multiplied by the total units (60). According to 49.40.300(a)(3), when the total expected trips fall between 250 and 500, the Community Development Department (CDD) Director has the discretion of requiring a Traffic Impact Analysis (TIA). Based on development conditions and use of storage units, the CDD Director did not find a TIA was warranted. Further, the AKDOT/ PF may require a TIA when the total trips during peak hour exceed 100. The estimated peak trip hour is 55.94. Therefore, AKDOT/ PF will not require a TIA.

Parking and Circulation

Vehicles will enter the site from Back Loop Road and circulate through the site on a paved driveway. This driveway will be maintained by the condominium association. Cars and pedestrians will be expected to share the driveway to reach Back Loop Road.

Each dwelling unit's garage is designed to accommodate at least one car. The space between the rows of buildings is 50 feet. This is wide enough to accommodate a parallel parking space in front of each garage and a 24-foot wide access aisle for 2-way traffic. This parking configuration is shown in the applicant's building plans (Attachment C).

The parking requirement for the entire development is 113 spaces. Staff's calculations are provided below.

Dwelling Unit Parking Calculation: 105 Spaces Required

The parking requirement for the development is based on the number of units and their number of bedrooms plus the independent storage units in Building G. The proposal of 60 dwelling units is considered multifamily and the associated parking requirement is based on the number of bedrooms per unit. The proposal consists of 60 dwelling units with a mix of one- to three-bedroom units. The applicant is unsure of how many number of bedrooms will be in demand, but there will likely be a total of 120 bedrooms. If the total number of units' bedrooms average to two-bedrooms, then the parking requirement is 1.75 per unit. 60 units x 1.75 space per unit = 105 spaces. Buildings

Planning Commission
File No.: USE2015 0012
January 19, 2016
Page 6 of 13

A, B, E, and D have garages that can accommodate two stacked cars for a total of 68 spaces. Building F's garages can only accommodate one car (23 spaces). Therefore, 91 parking spaces can be provided in garages. Cars can parallel park in front of all buildings, which will accommodate at least 14 spaces to meet the 105 parking requirement.

Storage Unit Parking Calculation: 8 Spaces Required

Since the storage units in Building G can be owned separate from the dwelling units, their parking requirement has been calculated independently. Each storage unit is 600 square feet in size and provides garage space to accommodate a vehicle. The parking requirement for indoor storage is one space per 1,000 square feet (49.40.210). Each storage unit's parking requirement is 0.6 spaces; rounded up to 1 space. Therefore, each storage space shall have one parking space. Staff has used the interior storage space to meet the parking requirement. Thus, all independent storage units meet their parking requirement.

Since the property will be held in common ownership under a condominium association, the 113 requirement parking spaces may be re-allocated throughout the site, while maintaining parking standards.

Noise

Noise generated by the project will mainly be from cars entering/ exiting the site and general site circulation. Much of the noise will be contained within the site by the buildings. Existing street noise and nearby bus traffic is expected to exceed most noise from the subject site. The project will likely add some traffic noise along Back Loop Road but will be relatively insignificant compared to existing traffic noise levels in the area.

Alaska Electric Light & Power (AEL&P) has a substation immediately south and downhill of the subject site. See Figure 2 below. The substation consists of a large building housing two generators for back-up power and a 120,000 gallon diesel tank for the generators. This station plays a critical role in ensuring back-up power to many areas of the community. CDD staff spoke with the late Scott Willis, Vice President and General Engineer, and Eric Ericksen, AEL&P Engineer, about the noise the substation emits. Mr. Willis said that you can hear a faint hum during normal operations. During power outages and monthly maintenance, the generators are in use and noise levels are louder. AEL&P often receives complaints about noise from residents along Caroline Street (approximately 180 feet away). AEL&P affirms the need for noise attenuating material in the proposed building closest to AELP's site (Building F). Building F will be as close to AEL&P's generation building as some homes along Caroline Street (approx. 170 feet). Due to the close proximity, the noise from AEL&P's generators may be annoying or disturbing to the tenants of the condominiums. To lessen this, CDD staff recommends a condition of approval that the applicant install noise buffering along the back exterior wall of the dwelling space along Building F.



Figures 2 & 3. Pictures of the nearby AEL&P's building containing back-up generators. The condominium proposal is to the right of the picture approximately 170 feet away from this generator building. Pictures taken by staff on January 10, 2016.

Public Health or Safety

The health and safety of the public will be preserved by many ways with the approval of the project. Each dwelling unit and garage space will be designed and built to meet current CBJ life and safety building codes. The applicant will install a new fire hydrant and adequate water lines for fire safety. The site's access is limited to one driveway to ensure safe traffic conditions. The grades of the site will be designed to ensure surface water and snow storage areas do not run onto adjacent property. Pedestrians will be able to walk on the paved driveway to reach the existing sidewalk along Back Loop Road.

Habitat

Wetlands may exist immediately west and downhill of the site on the adjacent Auke Bay Elementary School property. The proposed snow storage areas are immediately uphill of the potential wetlands. With the conditions recommended by staff to prohibit run-off, the wetlands will be protected. Therefore, no habitat will be negatively affected by the proposal.

Property Value or Neighborhood Harmony

The proposal consists of 60 dwelling units on a +3 acres site in Auke Bay. There is a mix of zoning districts in Auke Bay. The site is zoned Light Commercial and is bordered by four different districts: General Commercial (GC), D-15, D-3, and D-5. The GC and D-15 districts are located to the south and north of the site and allow multifamily developments. The Auke Bay Elementary School is

Planning Commission
 File No.: USE2015 0012
 January 19, 2016
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located in a D-3 district. Across Back Loop Road is a D-5 district where there are vacant lots. All of these zoning districts are recommended to be changed to a mixed use district by the Auke Bay Area Plan.

Based on the commercial uses adjacent to subject site, nearby commercial districts, and recommended changes in zoning to mixed use by the Auke Bay Area Plan, the proposal will have no negative affect to property value or neighborhood harmony.

Conformity with Adopted Plans

Comprehensive Plan

The Comprehensive Plan provides a logical, consistent, and purposeful approach to managing community growth and development. This is accomplished through recommended land designations and associated mapping. Auke Bay recently underwent a Comprehensive Plan map update with the adoption of the Auke Bay Area Plan (Ordinance 2015-13). The subject site was previously mapped as Marine/ Mixed Use and is now Traditional Town Center (TTC) in order to facilitate a town center-like development for Auke Bay. The TTC land use designation was chosen because it directs a zoning change that enables mixing uses and high densities to support commerce, transit, and housing types (apartments/ condominiums) appropriate for a town center environment.

Traditional Town Center

These lands are characterized by high density residential and non-residential land uses in downtown areas and around shopping centers, the University, major employment centers and public transit corridors, as well as other areas suitable for a mixture of retail, office, general commercial, and high density residential uses at densities at 18 or more residential units per acre. Residential and non-residential uses could be combined within a single structure, including off-street parking. Ground floor retail space facing roads with parking behind the retail and housing above would be an appropriate and efficient use of the land.

The proposal consists of 60 condominium units with associated storage. Although the project's density of 17 units/ acre is less than the TTC's targeted density of 18 unit/ acre, there is no land use regulation in place at this time requiring a minimum density. Because of the guiding and non-regulatory-nature of the Comprehensive Plan, the TTC's density is not a requirement. Despite the proposed lower density, the project will attract future multifamily in the Auke Bay area. This in turn will create a higher residential environment for Auke Bay. The applicant did not propose retail because they felt the residential market is stronger and more certain at this time. The absence of retail in the project does not make the proposal less consistent with the TTC designation. With that said, the proposal of 60 units does meet the intent of the TTC.

Further, the Comprehensive Plan recommends guidelines for sub areas of Juneau, including Auke

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Bay. On page 178, the Plan states the following guideline that is germane to the subject site:

3. Encourage high-density, transit-oriented residential and/or mixed use developments in the Auke Bay “village” area and around the University, particularly for student and faculty affordable housing.

The site is located in the Auke Bay village area, is near the University of Alaska Southeast, and is adjacent to CBJ Capital Transit stops. The proposal of 60 dwelling units complements these uses.

Auke Bay Area Plan (ABAP)

The CBJ Comprehensive Plan recommends the creation of a neighborhood plan for the Auke Bay area. In early 2015, such plan was adopted: Auke Bay Area Plan (ABAP). This plan recommends revising land use regulations and creating new street designs and site development standards to create a new Town Center in the core of Auke Bay that consists of a mix use of commercial and low- to mid-rise residential (condominiums and apartments). This Town Center idea is similar to a downtown environment but less intense. The Auke Bay area currently has a mix of commercial and residential developments, and public facilities such as the Auke Bay Elementary School and Statter Harbor.

To evaluate how the project meets the recommendations of the ABAP, staff reviewed the listed policies. The following policies are germane to the proposal:

Chapter 1: Land Use & Facilities

Policy 8.3 New development should be evaluated for its impact on the view points shown on the map.

The ABAP contains a viewshed map of nine specific view sheds with pictures. Most of these views are across public lands, but some overlap private property. View shed number three is along Back Loop Road looking southward toward Auke Bay. Part of this area overlaps a small section of the subject property. Because much of this view is afforded by the Back Loop Road right-of-way, the proposed buildings will have a minimal effect to the viewshed.

Chapter 2: Natural Resources, Habitats, and Hazards

Policy 1.2 Utilize the CBJ Manual of Stormwater Best Management Practices.

This policy will be complied with during the Building permit review process and site inspections by CBJ Engineering Department.

Policy 1.5 Ensure that future development enhances pedestrian access.

As stated earlier, there is an existing sidewalk in front of the site along Back Loop Road. This will

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provide pedestrian access throughout Auke Bay..

Chapter 4: Recreation

Policy 5.2 Incentivize private sector development to provide art within the Auke Bay area.

CBJ has not yet created an incentivizing art program for private development.

Chapter 5: Transportation

Policy 4.1a Encourage safe routes between businesses, recreation, scenic viewpoints, residential neighborhoods and public or private schools.

Policy 4.6 Work closely with both public and private institutions and not-for-profit groups to develop a partnership to plan, construction, and where appropriate, maintain trail connections across City, State, and Federal properties.

CBJ staff is looking into funding sources for a future pedestrian connection on CBJ land that would link the subject site to the Auke Bay Elementary School site. This link would allow kids, teachers, parents, and other patrons of the school to walk to their home if they lived on the subject site instead of walking or driving around to Back Loop Road and then onto Glacier Hwy.

The project is consistent with the Auke Bay Area Plan because it provides high density housing which supports transit, existing and future commercial businesses, and pedestrian connections. CDD staff is currently drafting new zoning districts, site development standards, and street designs to help direct development to create the future Town Center. The new district and standards are in draft form; expected adoption this summer.

Non-Motorized Transportation Plan (NMTP)

The Juneau Non-Motorized Transportation Plan sets forth a plan to promote active transportation choices throughout the community by recommending installing safe and well-planned pedestrian and bicycle infrastructure. The improvements largely affect CBJ and AKDOT/ PF rights-of-way. The subject site is located along Back Loop Road. There is an existing sidewalk along the site which facilitates pedestrian connection around Auke Bay. There is also a shoulder along the road to facilitate bicycle connection, as well. In the area of the subject site, the NMTP recommends the following improvements along Back Loop Road right-of-way: 1) a new separated path, 2) shoulder lane, and 3) Sidewalk improvements (opposite side of street). These improvements will increase non-motorized use by creating more user-friendly infrastructure. Since the Back Loop Road is under the jurisdiction of DOT/ PF, these improvements will be recommended to be installed during future reconstruction projects. CDD staff asked DOT/ PF about any near-term improvements planned along Back Loop Road in Auke Bay. DOT/ PF said none were planned at this time.

Despite the recommended improvements in the NMTP, the existing sidewalk and wide shoulder

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should accommodate pedestrian and bicycle connections throughout Auke Bay and the community. Therefore, the existing infrastructure meets the intent of the NMTP.

FINDINGS

CBJ §49.15.330 (e)(1), Review of Director's Determinations, states that the Planning Commission shall review the Director's report to consider:

1. Whether the application is complete;
2. Whether the proposed use is appropriate according to the Table of Permissible Uses;
and,
3. Whether the development as proposed will comply with the other requirements of this chapter.

The Commission shall adopt the Director's determination on the three items above unless it finds, by a preponderance of the evidence, that the Director's determination was in error, and states its reasoning for each finding with particularity.

CBJ § 49.15.330 (f), Commission Determinations, states that even if the Commission adopts the Director's determination, it may nonetheless deny or condition the permit if it concludes, based upon its own independent review of the information submitted at the public hearing, that the development will more probably than not:

1. Materially endanger the public health or safety;
2. Substantially decrease the value of or be out of harmony with property in the neighboring area;
or,
3. Not be in general conformity with the comprehensive plan, thoroughfare plan, or other officially adopted plans.

Per CBJ § 49.15.330 (e) & (f), Review of Director's & Commission's Determinations, the Director makes the following findings on the proposed development:

1. Is the application for the requested conditional use permit 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.

2. Is the proposed use appropriate according to the Table of Permissible Uses?

Yes. The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ 49.25.300, Section 1.300 for the Light Commercial zoning district.

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3. *Will the proposed development comply with the other requirements of this chapter?*

Yes. The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in the January 22nd and 25th issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public Right of Way.

4. *Will the proposed development materially endanger the public health or safety?*

No. The buildings will be built to meet current CBJ building codes. Vehicular and pedestrian traffic will be accommodated on site and have

5. *Will the proposed development substantially decrease the value of or be out of harmony with property in the neighboring area?*

No. The proposal of 60 condominium units will not decrease the value of or be out of harmony with property in the area because there is a mix of commercial and multifamily zoning districts in the neighborhood and future up zone changes for greater mix of use is recommended with the implementation of the Auke Bay Area Plan.

6. *Will the proposed development be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans?*

Yes. The project is in general conformity with the Land Use Code, Comprehensive Plan, Auke Bay Area Plan, and Non-Motorized Transportation Plan.

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

7. *Will the proposed development comply with the Juneau Coastal Management Program?*

Yes. With staff's recommended condition to protect the adjacent wetlands, the proposed development will comply with the Juneau Coastal Management Program.

RECOMMENDATION

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use permit. The permit would allow the development of a 60-unit condominium development. The approval is subject to the following conditions:

Planning Commission
File No.: USE2015 0012
January 19, 2016
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1. Prior to issuing a Building Permit, the applicant must submit a plan which ensures snow storage and plowing are maintained and done in a manner as to not impact adjacent property, unless permission is granted on adjacent CBJ land.
2. Prior to issuing a Building Permit, the applicant must submit a plan which ensures material during construction does not impact adjacent property by use of installing silt fences or other measures.
3. Prior to issuing a Building Permit of Building F, the applicant shall design noise buffers along the back exterior wall of the dwelling space of Building F. The chosen material shall be coordinated with the Community Development Department.

PK2M, LLC
PO BOX 20807
Juneau, AK 99802

RECEIVED
DEC 30 2015
PERMIT CENTER/CDD

USE 20150012

December 18, 2015

Eric Feldt, Planner II
City and Borough of Juneau
Community Development Department
155 S. Seward St.
Juneau, AK 99801

Dear Eric:

Attached is a revised conditional use permit and associated drawings for 3.43 acres of undeveloped land in Auke Bay, Alaska. The property address is 12410 Mendenhall Loop Road (MLR). The property abuts the south property line of the school bus center. The name of this new subdivision is Auke Bay Station.

PK2M plans to develop the land by initially subdividing the property into two lots and then constructing a condominium subdivision with up to 60 dwelling/storage units.

Auke Bay Station subdivision overview:

Utilities:

Water and Sewer are currently stubbed out to the property and there will not be a need to disturb the recently paved MLR or adjoining sidewalks. Electrical is available onsite and the power will be distributed via an underground conduit system. Public utilities will be designed and constructed in compliance with CBJ standards.

Drainage:

Drainage will be accomplished with a ditch along the north property line to capture sheet drainage from the Bus Barn property abutting to the north. That ditch will drain to the road Right of Way and towards west into a creek near the Auke Bay School utility road. This is how the drainage is currently accommodated. The remaining drainage that our property would collect would be captured by an underground piping system and delivered to the road right of way ditch. Preliminary hydrologic analysis indicates the roadway system could accommodate this drainage, a full analysis will be completed during design development.

Geotechnical:

A geotechnical program was completed in 1997; additional test holes were dug in 2013 and 2015. Approximately 15,000 CY of excavation is expected to be encountered that may have to be disposed of offsite. The development team has agreed to work closely with the CDD department and the School district to perhaps use that excess fill on the property that abuts the west side of the property between

Auke Bay Elementary School for construction of a park that has been described as a need in the ABAP. The development team has agreed to stockpile excess earthen materials on the site for as long as possible (and if it does not impede progress on the subdivision) while the process for establishing a park is underway.

Traffic:

According to the Institute of Traffic Engineers (ITE) Manual a single condominium unit will generate 5.81 trips per day with a PM peak of .52 trips per day. With 60 units the Average Daily Trips for this project is 349 and the PM peak is 31. Per the latest (2012) traffic counts, MLR accommodates an Average Daily Traffic volume of 3,065 at this location. A typical two lane highway can accommodate about 14,000 vehicles per day so the traffic generated by this development will have negligible impact on the capacity of MLR.

Per the ITE manual, Traffic Impact Analyses (TIA) are generally not required if a development has less than 750 trips per day or a peak hour volume of less than 100 trips.

Lighting:

Lighting for the common areas will be provided by individual unit porch lights that are hard wired into the electrical panel and are controlled by a photocell. The community's HOA will maintain the lights.

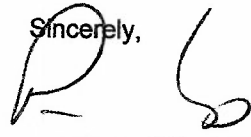
Roadway right of way width and setback requirements:

All setbacks from adjoining rights of way and private property will be in accordance with applicable code.

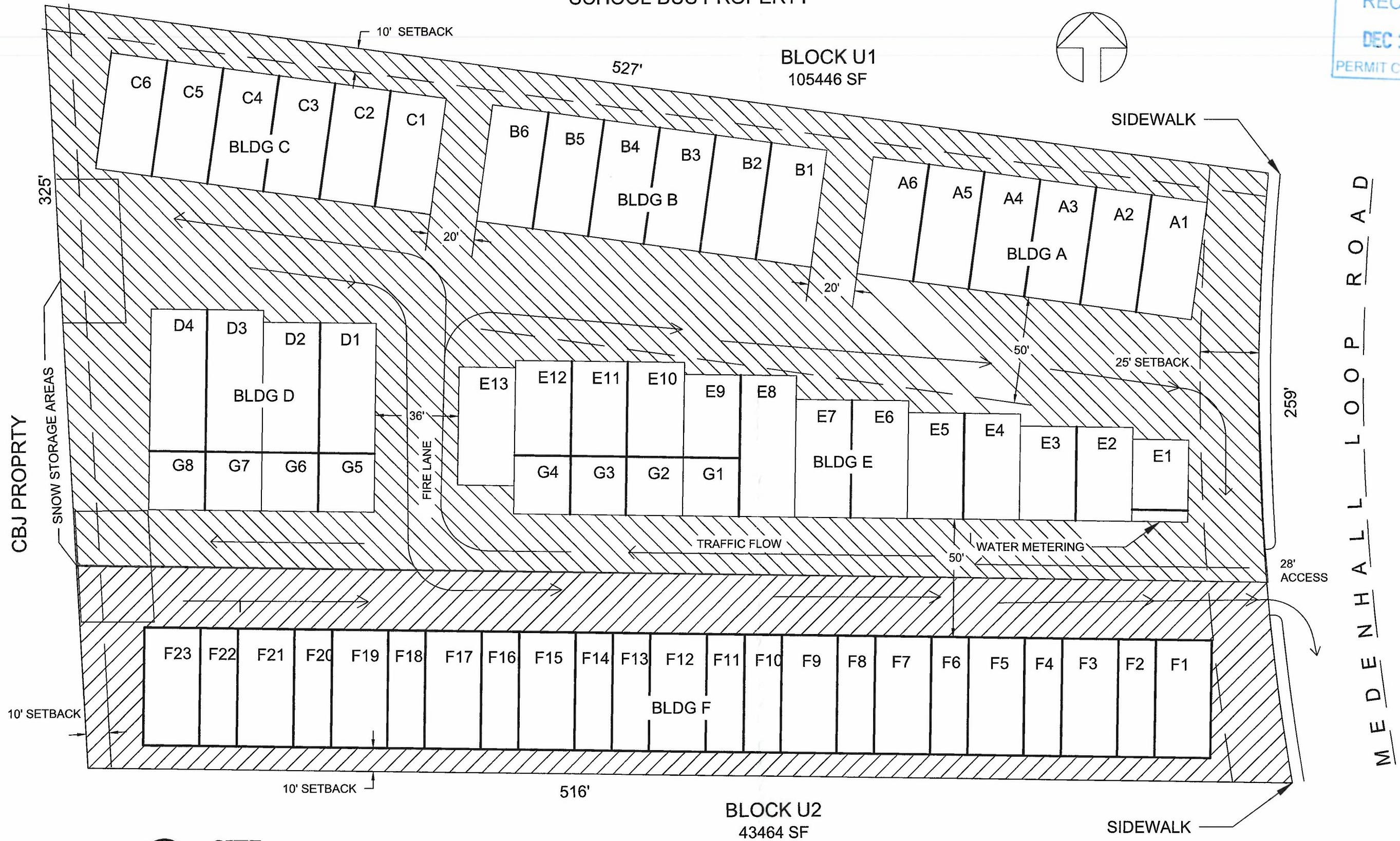
Common area features:

The common area between buildings will be paved with a slight grade down to the midpoint to accommodate drainage. Snow storage areas will be bermed to prevent melt going anywhere except to the drainage system. All setback areas will be seeded as well as several other areas depicted on the attached plan sheet. Each unit will have a garage that will accommodate vehicles. The common area will also accommodate vehicular parking. Fire hydrants will be installed according to fire code criteria.

If you have any questions please do not hesitate to call.

Sincerely,

 Pat Kemp, Member

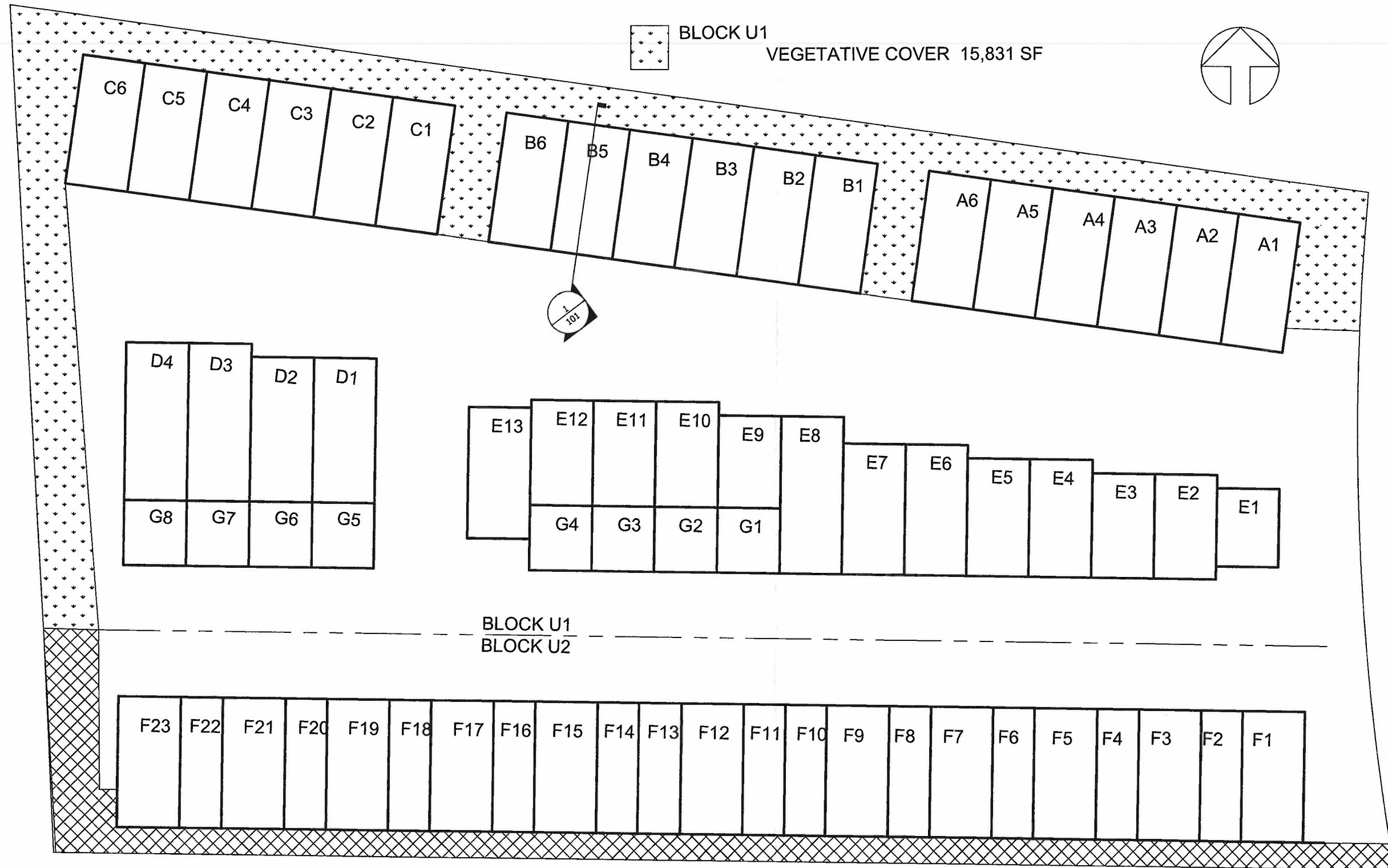
SCHOOL BUS PROPERTY



1 SITE
Scale: 1"=40'

UNIVERSITY PROPERTY

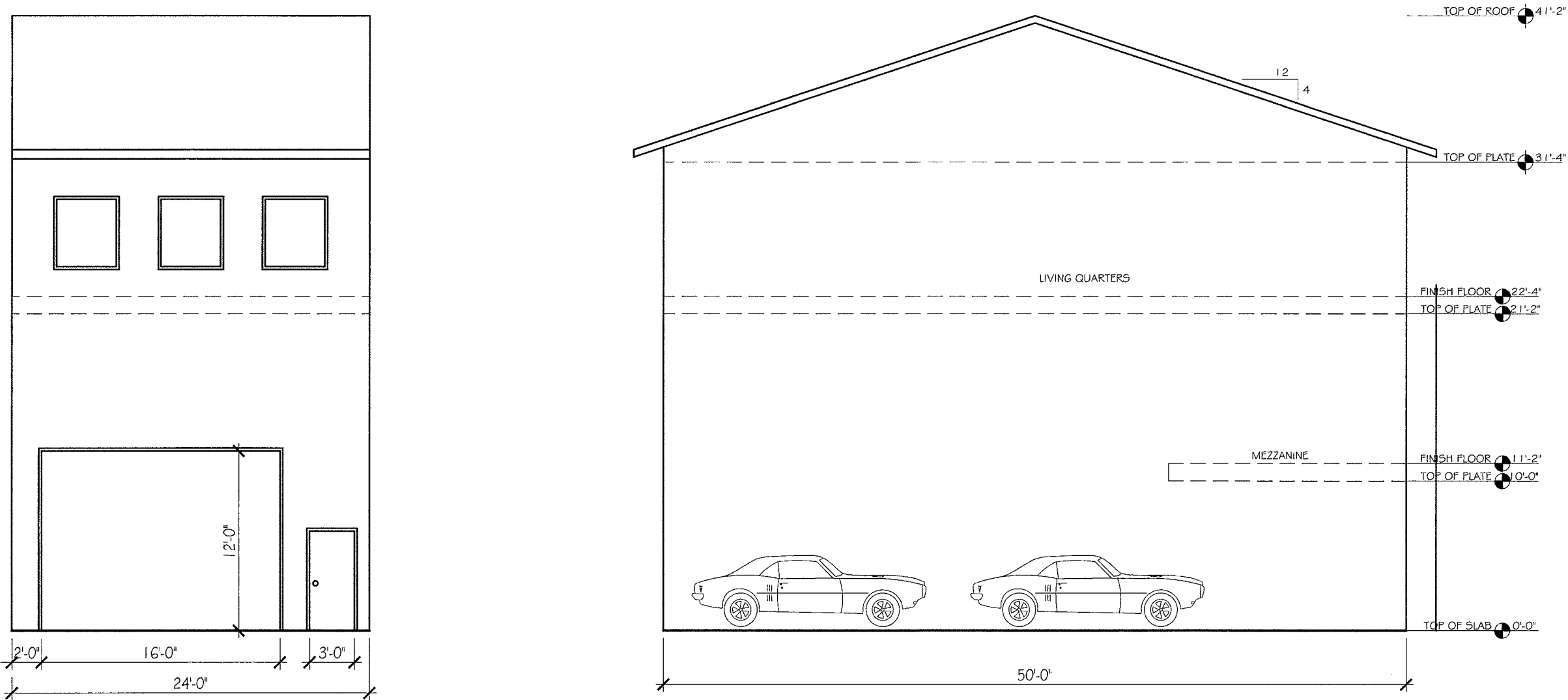
AELP PROPERTY



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DEC 30 2015
PERM 101

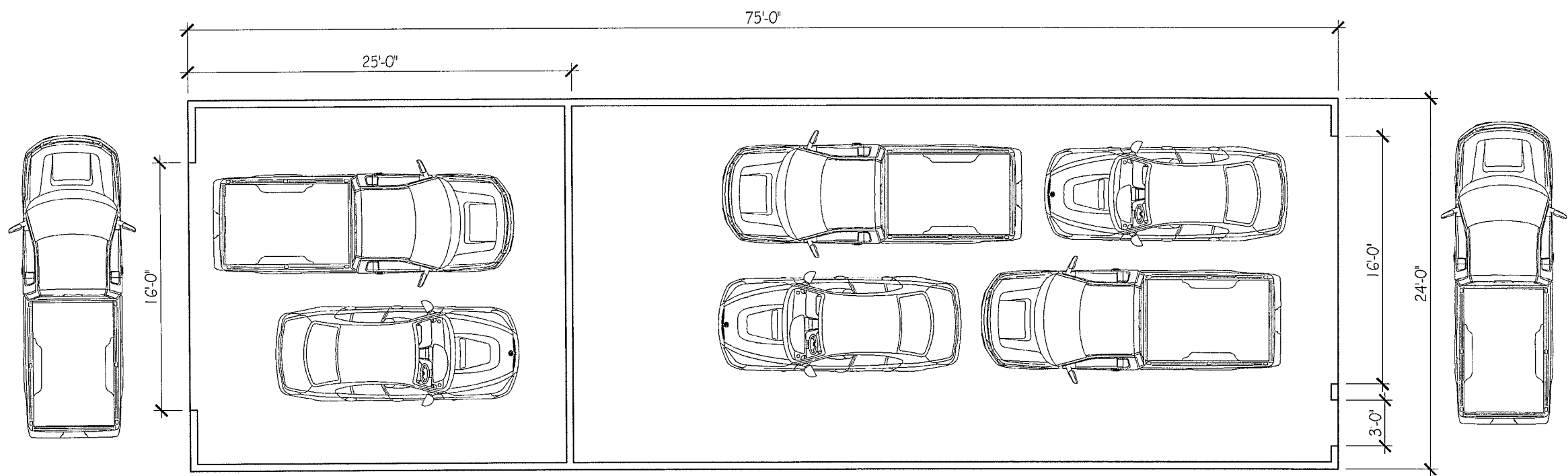
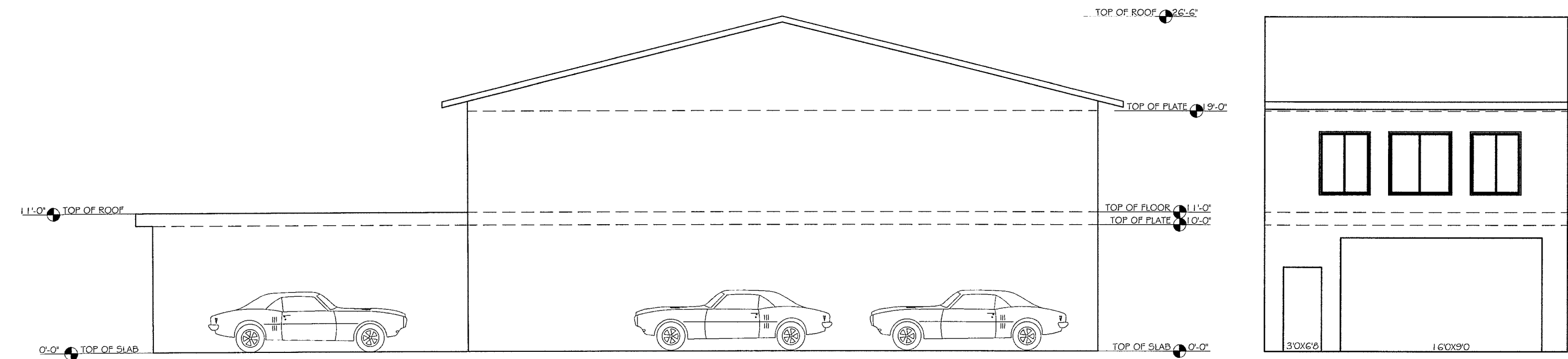
1 VEGETATIVE COVERAGE
Scale: 1"=40'

BLOCK U2
VEGETATION COVER 6707 SF



BUILDINGS "B", "C", & "A"
PARKING PLAN
BUILDING CROSS SECTION
FRONT ELEVATION

AUKE BAY STATION



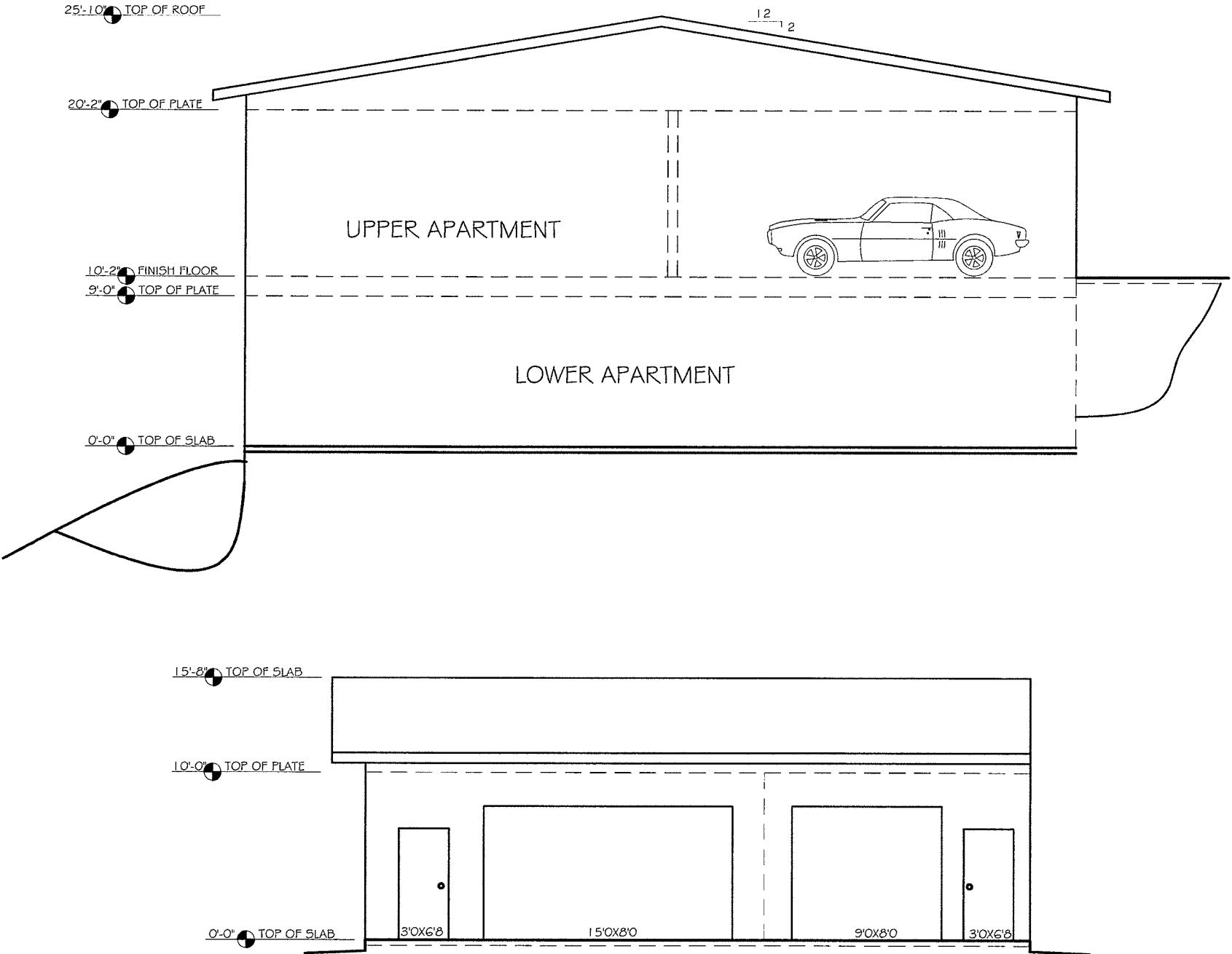
BUILDING "G"

PARKING PLAN
BUILDING CROSS SECTION

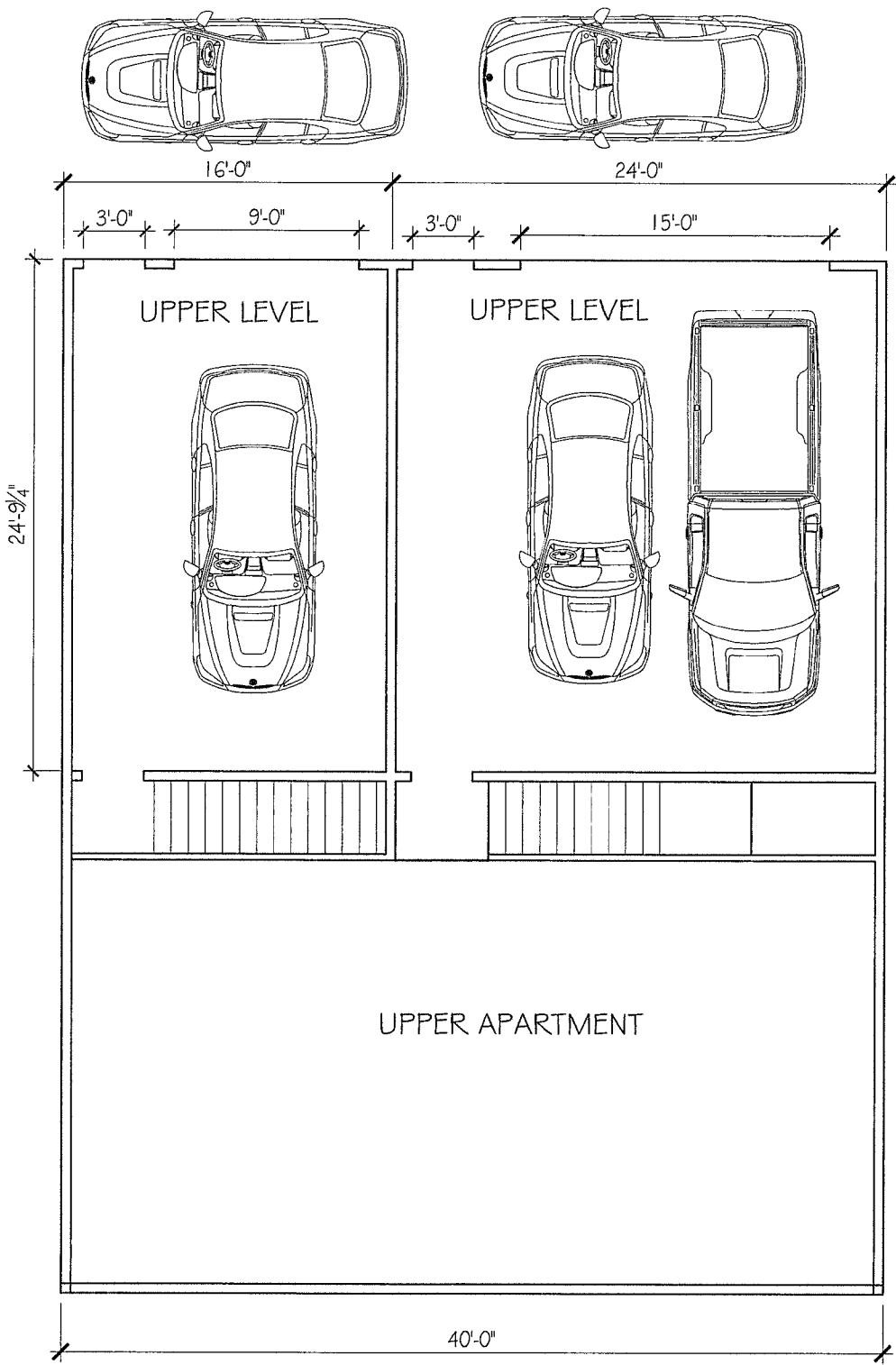
BUILDING "D"

PARKING PLAN
BUILDING CROSS SECTION
FRONT ELEVATION

AUKE BAY STATION



BUILDING "F"
PARKING PLAN
BUILDING CROSS SECTION
FRONT ELEVATION



AUKE BAY STATION"

DEVELOPMENT PERMIT APPLICATION

Packet Page 65 of 79

Project Number	CITY and BOROUGH of JUNEAU	Date Received: 12/30/15
Project Name (City Staff to Assign Name)		

PROJECT / APPLICANT INFORMATION	Project Description TO DEVELOP 3.4 ACRES OF LAND INTO A BOAT/STORAGE CONDOMINIUM DEVELOPMENT.		
	PROPERTY LOCATION		
	Street Address 12410 MENDENHALL LOOP RD	City/Zip JUNEAU	
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) USS 2391 LT U		
	Assessor's Parcel Number(s) 4B2801030070		
	LANDOWNER/ LESSEE		
	Property Owner's Name PK2M, LLC	Contact Person: PAT KEMP	Work Phone: 723-4674
	Mailing Address PO Box 20807	Home Phone: 586-3813	Fax Number:
	E-mail Address PKEMP@GCI.NET	Other Contact Phone Number(s):	
	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 <u>[Signature]</u> Landowner/Lessee Signature Date <u>12/30/15</u> X <u>[Signature]</u> Landowner/Lessee Signature Date <u>12/30/15</u> 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	Contact Person:	Work Phone:	
Mailing Address	Home Phone:	Fax Number:	
E-mail Address	Other Contact Phone Number(s):		
X <u>[Signature]</u> Applicant's Signature	Date of Application <u>12/30/15</u>		

STAFF APPROVALS	OFFICE USE ONLY BELOW THIS LINE			
	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)		12/30/15	USE20150012
	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 <u>[Signature]</u> ESE

ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

Project Number	Project Name (15 characters) <u>AUKLE BAY STATION</u>	Case Number <u>USE20150012</u>	Date Received <u>12/30/15</u>
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TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED

☐ Accessory Apartment*** (AAP) ☐ Driveway in Right-of-Way (ADW)
☐ Use Listed in §49.25.300 (Table of Permissible Uses) **(USE)**

Please list the Table of Permissible Uses Category: _____

***An Accessory Apartment Application will also be required.

DESCRIBE THE PROJECT FOR WHICH AN ALLOWABLE OR CONDITIONAL USE APPROVAL IS NEEDED.

CREATION OF A CONDOMINIUM SUBDIVISION WITH UP TO 60 UNITS ON 3.4 ACRES OF LAND. SEE TRANSMITTAL LETTER FOR ADDITIONAL INFORMATION.

IS THIS A MODIFICATION OF AN EXISTING APPROVAL? ☒ NO ☐ YES - Case # _____

CURRENT USE OF LAND OR BUILDING(S): VACANT LAND

PROPOSED USE OF LAND OR BUILDING(S): CONDOMINIUM SUBDIVISION WITH UNITS CONSTRUCTED TO SUPPORT BOAT USERS, LARGE GARAGE FOR POSSIBLE STORAGE

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

SITE AND BUILDING SPECIFICS:

Total Area of Lot 148,104 square feet Total Area of Existing Structure(s) 0 square feet

Total Area of Proposed Structure(s) 69,000 square feet (UP TO), (FOOTPRINT AREA)

EXTERNAL LIGHTING:

Existing to remain ☐ No ☐ Yes - Provide fixture information, cutoff sheets, and location of lighting fixtures

Proposed ☐ No ☐ Yes - Provide fixture information, cutoff sheets, and location of lighting fixtures

PROJECT NARRATIVE AND SUBMITTAL CHECKLIST:

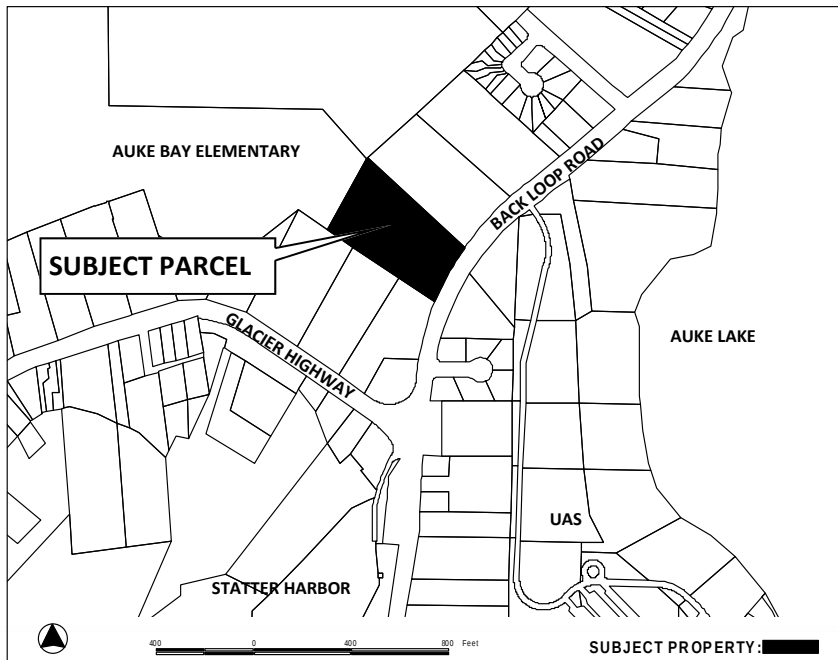
☒ Site Plan ☒ Floor Plan of proposed buildings ☒ Elevation view of existing and proposed buildings ☒ Proposed Vegetative Cover	☒ Existing and proposed parking areas (including dimensions) and proposed traffic circulation ☒ Existing Physical Features of the site (drainage, habitat, hazard areas, etc.)
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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.	ALLOWABLE/CONDITIONAL USE FEES				
		Fees	Check No.	Receipt	Date
	Application Fees	\$ <u>1600</u>	<u>1004</u>	<u>CDD7477</u>	<u>12/30/15</u>
	Admin. of Guarantee	\$ _____	_____	_____	_____
	Adjustment	\$ _____	_____	_____	_____
	Pub. Not. Sign Fee	\$ <u>30.00</u>	"	"	"
Pub. Not. Sign Deposit	\$ <u>50</u>	"	"	"	
Total Fee	\$ <u>1750</u>	"	"	"	

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM



NOTICE OF PUBLIC HEARING



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

SHIP TO:



PROPOSAL: Conditional Use Permit for a 60-unit condominium development.

File No:	USE2015 0012	Applicant:	PK2M, LLC
To:	Adjacent Property Owners	Property PCN:	4-B28-0-103-007-0
Hearing Date:	January 26, 2016	Owner:	PK2M, LLC
Hearing Time:	7:00 PM	Size:	3.43 Acres
Place:	Assembly Chambers	Zoned:	Light Commercial
	Municipal Building	Site Address:	12410 Mendenhall Loop Road
	155 South Seward Street	Accessed Via:	Mendenhall Loop Road
	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 Eric Feldt at eric.feldt@juneau.org or at 586-0764.



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



**PLANNING COMMISSION
NOTICE OF DECISION**

Date: January 29, 2016

File No.: USE2015 0012

PK2M, LLC
Attn.: Pat Kemp
PO Box 20807
Juneau, Alaska 99802

Application For: A Conditional Use permit for a 60-unit condominium development in the Auke Bay area.

Legal Description: USS 2391 Lot U

Property Address: 12410 Mendenhall Loop Road

Parcel Code No.: 4-B28-0-103-007-0

Hearing Date: January 26, 2016

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated January 14, 2016, and approved the 60-unit condominium development to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

1. Prior to issuing a Building Permit, the applicant must submit a plan which ensures snow storage and plowing are maintained and done in a manner as to not impact adjacent property, unless permission is granted on adjacent CBJ land.
2. Prior to issuing a Building Permit, the applicant must submit a plan which ensures material during construction does not impact adjacent property by use of installing silt fences or other measures.
3. Prior to issuing a Building Permit of Building F, the applicant shall design noise buffers along the back exterior wall of the dwelling space of Building F. The chosen material shall be coordinated with the Community Development Department.

Attachments: January 14, 2016, memorandum from Eric Feldt, Community Development, to the CBJ Planning Commission regarding USE2015 00012.

This Notice of Decision does not authorize construction activity. Prior to starting any project, it is the applicant's responsibility to obtain the required building permits.

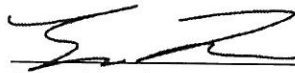
PK2M, LLC
 File No.: USE2015 0012
 January 29, 2016
 Page 2 of 2

This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ §01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ §01.50.030 (c). Any action by the applicant in reliance on the decision of the Planning Commission shall be at the risk that the decision may be reversed on appeal (CBJ §49.20.120).

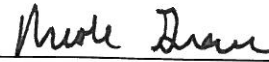
Effective Date: The permit is effective upon approval by the Commission, January 26, 2016.

Expiration Date: The permit will expire 18 months after the effective date, or July 26, 2017, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.

Project Planner:



Eric Feldt, Planner
 Community Development Department



Nicole Grewe, Chair
 Planning Commission

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 development project. ADA regulations have access requirements above and beyond CBJ-adopted regulations. Owners and 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.

Planning Commission Committee Assignments:

Subdivision Review Committee

- Four members, one alternate
- Meets on the fourth Tuesday of each month before the Regular Planning Commission Meeting
- Current Members: Paul Voelckers (Chair), Michael LeVine, Matthew Bell

Title 49 Committee

- Four members
- Meets on the second Friday of each month
- Current Members: Nicole Grewe (chair), Bill Peters, Michael LeVine, Paul Voelckers

Public Works & Facilities Committee

- One member
- Meets Mondays, as scheduled by the CBJ Engineering Department
- Current Member: Vacant

Lands Committee

- One member
- Meetings Mondays as scheduled by the Lands and Resources Division
- Current Member: Bill Peters

Juneau Commission on Sustainability

- One Member
- Regular meetings second Wednesday of each month
- Worksessions fourth Wednesday of each month
- Current Member: Ben Haight

Wetlands Review Board

- Two members
- Meet once per month on the third Thursday
- Current Member: Ben Haight

**Assembly Standing Committee
Public Works & Facilities Committee Meeting
October 26, 2015, 12:00 – 1:00 p.m.
City Hall, Assembly Chambers**

Members Present: Jerry Nankervis, Chair, Karen Crane, Mary Becker, Loren Jones

Planning Commission Representative: Dennis Watson

Staff Present: Mayor Greg Fisk, Former Mayor Merrill Sanford, Kim Kiefer, City Manager, Rob Steedle, Deputy City Manager, Rorie Watt, John Bohan, Michele Elfers, Ron King, Greg Smith, Tina Brown, Beth McKibben, Jim Penor, Samantha Stoughtenger, Brent Fischer.

I. Call to Order

Meeting called to order at 12:00 p.m.

II. Approval of Minutes

September 28, 2015 - approved as corrected.

III. Public Participation on Non-Agenda Items

None.

IV. Items for Action

A. Auke Lake Sewer CIP Funds Transfer

Mr. Watt discussed the transfer request of \$5,000 from the West Mendenhall Sewer, Pederson Hill Phase, to the Auke Lake Sewer CIP. These funds are necessary to compensate the contractor for final quantity overruns and allow us to close out the project.

Ms. Becker moved to forward the transfer of \$5,000 from the West Mendenhall Sewer, Pederson Hill Phase, to the Auke Lake Sewer CIP to the full Assembly for approval.

Hearing no objections, the motion passed.

B. West Mendenhall Valley Sewer Expansion – DEC Grand 44591 De-Appropriation

Mr. Watt discussed the de-appropriation of the West Mendenhall Valley Sewer Expansion – ADEC Grant #44591. The project was complete and did not expend the full amount of the grant. The full grant was for \$1.6million. \$1.3million of grant funding remains unspent. Re-appropriation of this grant through ADEC Municipal Grants and Loans and the Legislature were attempted but not successful.

Discussion ensued.

Ms. Becker moved to forward the request to de-appropriate the remaining \$1.3 million West Mendenhall Valley Sewer Expansion ADEC Grant #44591 to the full Assembly for approval.

Hearing no objections, the motion passed.

V. Information Items

A. Franklin and Front Street Reconstruction

Mr. Watt and Ms. Elfers, Project Manager for the Franklin and Front Street project, provided information on the first phase of the Franklin and Front Street Reconstruction project, which has already included public outreach and the conceptual design phase of the project. The results are provided in the attached Franklin and Front Street Concept Design Report dated August 2015. One of the public's concerns is area lighting, public access and not losing parking spaces. Ms. Elfers spoke on canopy issues in relation to lighting and public access by widening walkways. Ms. Elfers also presented an inventory of the Public Restrooms in the downtown area, which was requested by the Assembly. There is a hole in the middle of the downtown area near Front St. and Franklin, where there are no restrooms available to the public. There are areas in the downtown that will need water and sewer work, Staff is working on assessing the areas of need and calculating cost estimates. Art was also a concern in the public outreach, so we have set up a citizen art committee. This group is looking at how to look at art comprehensively in the downtown area.

We are going to develop a phasing strategy for the road improvement work. The next public meeting is planned for December 9th at 6 p.m. at the Baranof Hotel. Information can be found on the project website at www.juneau.org/engineering_ftp/franklinandfrontstreet. The PWFC members had many questions, concerns and comments, which were addressed by Ms. Elfers.

Discussion ensued.

B. Gastineau Apartments Demolition

Mr. Watt gave an update on the Gastineau Apartments Demolition. The Assembly awarded the bid to CBC Construction at the last Assembly meeting. The Contract Office is processing the award. CBC Construction is going to start demolition and abatement in a few weeks. We will notify the public on what to expect as work on the demolition moves forward.

Discussion ensued.

C. Whittier Street Reconstruction

Mr. Watt said that in this year's CIP we funded the start of the Whittier Street Reconstruction project. This is one of our worst roads in the downtown area, we are expediting the design and permitting, and will be coming to the Planning Commission shortly for approval. Our goal is to put this out to bid early to get construction started this

spring, before the next fiscal year. There will be an associated transfer related to this early startup to move funds. The goal is to combine this work with the SLAM project. There will be a public meeting November 12th on the Whittier Street Reconstruction.

Discussion ensued.

VI. Contracts Division Activity Report

September 23, 2015 – October 23, 2015

Discussion ensued.

VII. Other Discussion Items

Mr. Watt spoke on parking management. Understanding that the Assembly had previously rejected the request for funding for a parking coordinator in Parks & Recreation and had also rejected privatizing parking management, he asked the committee to consider enhancing our existing contract services as a possible solution. There was a discussion about the need to have both flexibility in enforcement and the retention of municipal control of the level of enforcement. He noted that a blend of the approaches could potentially allow CBJ to better achieve its goals. DBA is planning to survey its members about their opinions on how parking should be managed. Mr. Nankervis asked for an ADOT update at the next meeting.

VIII. Adjournment – Next Meeting Scheduled

Next meeting is scheduled for November 23, 2015.

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

November 23, 2015 5:00 PM.
Assembly Chambers

I. ROLL CALL

Jesse Kiehl, Chair, called the meeting to order at 5:01pm.

Members Present: Chair Kiehl; Assembly members: Mary Becker, Jerry Nankervis, and Jesse Kiehl

Liaisons Present: Christopher Mertl

Liaisons Absent: Mike Peterson, Bill Peters

Staff Present: Greg Chaney, Lands Manager; Teri Camery, Senior Planner; Beth McKibben, Planning Manager; Rob Steedle, Deputy City Manager; Gary Gillette, Port Engineer; Greg Fisk, Mayor

II. APPROVAL OF AGENDA

There were no agenda changes.

III. APPROVAL OF MINUTES

A. October 26th, 2015

The minutes of the October 26th, 2015 Lands Committee meeting were approved as amended.

IV. PUBLIC PARTICIPATION

There was no public participation on non-agenda items.

V. AGENDA TOPICS

A. Auke Bay Boatyard Lease Amendment

Mr. Gillette said Auke Bay boatyard was being moved from Statter Harbor to the loading facility, and that they already have Conditional Use and SWPP permits. The boatyard will be under the corporate umbrella of Harri Plumbing, also known as Harri Commercial Marine, he said. The former lease at DeHart's property in 2006 had a provision that if the City were to build a new haul out, Harri Commercial Marine would have the first right of refusal. Mr. Gillette commented that the better use for boatyard property at Statter Harbor is to help address congestion.

Mr. Mertl put on the record that he is on the design team for the Statter Harbor Project.

Ms. Becker moved that Lands recommend accepting the boatyard lease agreement.

Before making the motion, Mr. Kiehl wanted clarity on who uses the lift and what the use pattern of the boat lift was. Mr. Gillette responded that Docks and Harbors staff uses the lift to pull boats and then store them. The Harbor Master doesn't desire to continue that business, said Mr. Gillette, who also mentioned that the lift would be an asset to the harbor. This is a different type of boat lift since Docks and Harbors can't bring the current one over to the new location so the department is providing it for the lessee, said Mr. Gillette.

Mr. Kiehl asked if it was a federal grant that provided the lift, and if there would be any problems if it was leased by the operator to use it. Mr. Gillette confirmed it would not be a problem.

Ms. Becker asked if the City charges people to use the lift and what the changes incurred might be. Mr. Gillette responded that there is a fee to pull a boat out and prepare it for storage, and that there is also a storage fee, which will now be determined by the operator. It will be up to the operator how much they will charge; Docks and Harbor was charging less than what the commercial entities were using so that the City was not in competition with other businesses, said Mr. Gillette. Ms. Becker commented that this might be a loss for fishermen. She then asked for more information on the impact this will have on the lifting of nets into boats. Mr. Gillette responded that the boat lift wouldn't lift nets and that this would still be done at the drive down float with the cranes. Nets are still under Docks and Harbors purview. Harri Commercial Marine is only taking over boat lift and washdown pad. Ms. Becker then asked if the storage lot above Statter Harbor will be included in the move. Mr. Gillette responded that north of the Auke Bay loading facility driveway will be the boatyard and everything else is under Docks and Harbors purview. Ms. Becker asked if the City has charged people to use that lot, Mr. Gillette responded that Harbors has charged for this service in the past and that this will stay the same. Harri's will not do general storage of items like crab pots, but they will store boats, said Mr. Gillette. Docks and Harbors will store crab pots on their property.

Mr. Nankervis asked for clarification on Mr. Gillette's statement that the City charges less so that they aren't in competition with other operators, and if he meant "charges more". Mr. Gillette confirmed Mr. Nankervis' suggestion.

Mr. Kiehl asked if the move from the current to the new boatyard is currently in process. Mr. Gillette said yes, and that the operator is essentially in control but that the paperwork did not get done before it was desired for the operator to move out there. Docks and Harbors is still planning to do some facilities work for them, which will not be completed until spring. The covered area to work on boats, other storage, and the shop in Auke Bay are all owned by the

City, but are in bad repair; the City will not move these items to the new facility and will instead construct new facilities.

Mr. Kiehl asked what the interim plan was until the next phase has funding for the area being vacated. Mr. Gillette responded that Docks and Harbors is moving forward with updating the master plan to not have the boat yard there. The existing master plan has the boat yard, float, and bus station for the commercial-charter community and since the boat yard will be moved out, the department will be moving forward with consultants to help with the design of the next phase. There would be some interim period for parking and staging until the department gets it constructed, said Mr. Gillette.

The Lands Committee moved forward the Auke Bay boatyard lease agreement to the Assembly with a motion of approval.

B. Preliminary Draft Juneau Wetlands Management Plan Update

Ms. Camery had CDD comments to bring before the Lands Committee and is seeking the Lands Committee's support for the key elements requesting revision. The top three items are:

- 1) A new implementation chapter that includes Goals and Objectives and wetland categorization options for future research
- 2) A new section that specifically addresses how to interpret fish habitat scores and a table of wetland areas with the most valuable anadromous stream habitat
- 3) A new section that addresses the "scientific lifespan" of the wetlands assessments and specific wetland functions addressed in those assessments, to ensure the long term scientific integrity of the document and to determine when the plan needs to be updated.

Ms. Camery said CDD is pleased with Bosworth Botanical Consulting's work on the assessment, and the next draft is due February 2016. The draft will go before the Wetlands Review Board, the Planning Commission, the Assembly, and the Lands Committee, and then move to get final approval of plan. The basic approach is to approve the document as a resource inventory, with a formal approval then expanding the assessment with the goals and objectives.

Mr. Nankervis asked how "scientific lifespan" will be defined. Ms. Camery replied that she wants to know how long the scientific validity of the assessments can be trusted before they need to be redone due to environmental factors. Mr. Nankervis followed up with how the City gets that included will be important, and Ms. Camery replied an answer may not be possible and instead there will be a fallback option.

Ms. Becker asked if the results of this update will give better clarity of what wetlands can be used for and for what purpose. Ms. Camery confirmed Ms. Becker's question and said that the priority areas were chosen on development potential and that the assessment will identify high value and low value wetlands for development. Ms. Becker replied if the goal is to get more useable wetlands and Ms. Camery confirmed yes.

Mr. Mertl inquired what was to happen as the assessment involves a management aspect to it, and what the proposed schedule for review would be. Ms. Camery replied that it will flow out of the goals and policies of the assessment, which the next draft will have. Mr. Mertl then asked if there is a schedule based on the grant, or if it is only inventory and assessment. Ms. Camery replied that the grant needs a plan, which is why goals and objectives were added. The grant expires in June, with the next draft due in February. The grant tasks call for another round of public presentations, and after the grant ends, CDD will finish out the plan.

Mr. Kiehl asked if the City was able to come up with a method for property that weren't carefully studied in the assessment, and that since there was an intensive study on all these parcels, if this method could be used for unsurveyed lands. Mr. Kiehl also asked if it will take the same intensive level of study of LIDAR and scientific tests to assess unsurveyed lands. Ms. Camery replied that the general goal is to show the utility of the wetland assessment process on City land so private property owners can see the usefulness of this approach. Any property owner can come to the City and request LIDAR data. In terms of how the City might work with wetland information on private properties, in the future the City can look for more grant funding to expand private property assessments.

Mr. Chaney said so much of the ground work has already been laid out for future assessments adjacent to what CBJ has already assessed. The City has LIDAR, which is helpful for topography and vegetation, so if a private property owner went to a consultant and had their property assessed for wetlands, the City has all this hard work done, so it will make it much more efficient and less expensive, said Mr. Chaney.

Mr. Mertl said a private developer would still have to hire someone on the ground to do a wetlands inventory and delineation, and that they still have to meet Corps and local requirements. Ms. Camery confirmed this as correct.

Mr. Kiehl said he would look out for, and appreciate knowledge concerning, if it is getting easier or harder to get permits for wetland development as the assessment is moved to the management phase.

The Lands Committee moved to support the three key elements in the Juneau wetlands assessment that needed revisions.

VI. STAFF REPORTS

Mr. Chaney outlined the below projects to the Lands Committee:

- Stabler's Point Quarry has been mined of almost all the easily reachable rock so the City has to decide either to blast down or go further back into the mountain for more rock. Lands does not have permission from the Planning Commission to do either so Lands is putting in a new conditional use permit request to expand the quarry and is just beginning to work on the parameters of what that permit might be.
- The Lands Management Plan is at the Planning Commission level. The Commission had a lot of discussion internally and wants to do a very detailed review of the plan, which may take up to 4 months.
- Renninger subdivision has been recorded so it is a real subdivision now. CBJ could actually sell property now that there are lots. CBJ awarded the bid for the road, which will be built this spring. There is an appraisal being completed to establish the fair market value. Lands has been approached by nonprofits to purchase lots for less than fair market value price. The question is: what will the disposal process look like? Sealed competitive bid was an effective model for Lena but there may be some other ways of going at it, especially if there is a nonprofit with a compelling mission statement. Next Lands Committee we will have the proposal and fair market value. For the development of the Renninger subdivision, R&M projected the cost per dwelling unit to be \$29,000 with the potential for 49 units being built. Instead of this number, the project is coming in at \$6,000 per unit with the potential for 189 units being built. In most cases, projects cost more than predicted. This is good.
- For the road to West Douglas, Lands is toying with different ideas of how to avoid the "end of the road syndrome" and the things that end up happening at the end of the road where no one is there to police it. Mr. Chaney will present more ideas at the next Lands Committee meeting.

Mr. Nankervis asked what size road is being developed for the Renninger subdivision. Mr Chaney replied that it will be constructed as a standard street with sidewalks on both sides, 26 feet of pavement, and curb, gutter and power stubbed to each property with street lights, and safe routes to schools. Mr. Nankervis replied that he had concerns since the code revision specifies putting in narrower streets to get people to use their driveways. Mr. Chaney replied that when planning for Renninger started, it was before

the subdivision code got revised so the standards that were in place at that time were used.

Mr. Kiehl asked if there is a significant difference in cost per unit of rock for Stablers Point quarry blasting down as opposed to going back into the mountain. Mr. Kiehl commented that the City should end up with flat land instead of a pit. Mr. Chaney replied that it's more expensive going down. There is less room to work in the bottom since as the quarry gets deeper the floor gets smaller, making the process complicated and more expensive. There are a lot of reasons why going back into the mountain would be more efficient, said Mr. Chaney. It also creates more room for people to work on the floor, and its safer. Unfortunately if the City does go straight down, the quarry will be mined out in the next year or two.

VII. COMMITTEE MEMBER / LIAISON COMMENTS AND QUESTIONS

There were no liaison reports.

VIII. ADJOURNMENT

The meeting was adjourned at 5:45pm