

# MEMORANDUM

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

**DATE:** December 5, 2006

**TO:** Planning Commission

**FROM:** Peter Freer, Planner  
Community Development Department

**FILE NO.:** SUB2006-00041(Final); SUB2005-00003 (Preliminary)

**PROPOSAL:** Final plat approval for Erin Manor III Subdivision; an application to subdivide approximately 20 acres into 78 lots.

## GENERAL INFORMATION

**Applicant:** Hugh Grant

**Property Owner:** Hugh Grant

**Legal Description:** USS 1527 & USS 1529 Tr B

**Parcel Code No.:** 5B24-0-149-006-2 & 5-B24-0-149-006-4

**Site Size:** Approximately 20 Acres

**Zoning:** D-5 and D-10 Residential

**Utilities:** City Water and Sewer are available at the property line

**Access:** Keegan Avenue and Grant Street via Mendenhall Loop Road

**Existing Land Use:** Vacant / Subdivision improvements

**Surrounding Land Use:** North - Single-Family/Duplex Residential  
South - Church, Single-Family/Duplex Residential,  
Mobile Home Park  
East - Single-Family/Duplex Residential  
West - Mendenhall Loop Road



## **BACKGROUND**

Preliminary plat approval for this subdivision (SUB2005-00003) took place on April 7, 2006. This Final Plat application is substantially similar to the preliminary plat application, except that 78 lots are proposed where 70 lots were approved previously. The increased number of lots would actually result in a lower number of potential dwelling units in the subdivision, as now only three lots are large enough to allow duplexes.

The major subdivision final plat provisions of the Land Use Code that address submittal requirements, approval procedure and commission action are as follows:

CBJ §49.15.440 FINAL PLAT. After completion of all conditions and Commission acceptance of the preliminary plat in accordance with conditional use permit procedures, the final plat shall be submitted for review and approval according to the following:

(1) Final Plat Submittal. The final plat may constitute only that portion of the approved preliminary layout with the developer proposes to record and develop at the time of submittal, so long as such portion itself meets the requirements of this title without reference to possible future stages. The final plat shall be prepared by a professional land surveyor, registered in the state of Alaska, shall be filed with the department and shall meet the survey, monumentation, and certification requirements established by the Commission by regulation.

(2) Approval Procedure. (A) After acceptance of an application and a final plat the director shall schedule the final plat for commission action. (B) If Commission action on the final plat is scheduled to occur more than twelve months after approval of the preliminary plat, public notice of impending Commission action on the final plat may be required. (C) The director shall make a recommendation to the Commission. The recommendation shall include a description of the manner in which all conditions of the preliminary plat have been met.

(3) Commission Action. The Commission shall approve the final plat if the plat substantially conforms to the approved preliminary plat and all applicable conditions have been satisfactorily completed.

## **ANALYSIS**

Per CBJ §49.15.440 (1), the final plat has been prepared by a professional, registered land surveyor; the plat meets the survey, monumentation and certification requirements of the regulations. Minor changes to the plat to ensure required accuracy standards have been met, may be required prior to recording.

Per CBJ §49.15.440 (2)(A-C), because the preliminary plat was approved on April 12, 2005 and final plat approval is scheduled 19 months later on November 14, 2006, public notice has been required for the approval. Such notice has been provided in the Juneau Empire under "Your Municipality."

The analysis that follows shows the preliminary plat conditions adopted by the Planning Commission for SUB 2005-00003 and a description of how all conditions have been met, or will be met prior to final plat recoding, by the applicant.

The Planning Commission approved a 70-lot subdivision with five conditions. The number of lots is addressed first, then each of the conditions of approval.

1. The Planning Commission approved a subdivision of 70 lots.

The applicant has submitted a final plat with 78 lots. The effect of this, due to the smaller size of the lots in the final plat, has been to reduce the number of “duplex lots” from 28 to 4 within the D-5 –zoned portion of the subdivision, hence limit the number of duplexes that might otherwise have been constructed. Dwelling unit calculations are set forth below:

Density Calculation

The preliminary plat had 62 lots in the D-5-zoned portion of the subdivision, 28 of which were sufficiently sized for duplex development. The final plat has 70 lots in the D-5-zoned portion of the subdivision, four of which are sufficiently sized for duplex development.

Staff calculations during preliminary plat approval showed an assumed potential for 99 dwelling units on 70 lots, as follows: 1.75 acres of lot area in the plat is within the D-10 residential zone. At 10 units per acres, this equals a potential for 18 units. Staff also assumed that 17 of the 28 duplex lots would be developed for duplexes (34 units) and 47 lots would be developed for single family homes (47 units), for a total of 99 units.

Because the zoning district boundary between D-10 and D-5 remains the same, the potential number of D-10 units on the final plat remains the same at 18. Four lots in the D-5-zoned area of the plat are large enough for duplexes, so that no more than 8 units of duplex housing can be built. The remaining 66 lots in the D-5-zoned area are sized for single-family dwellings. No calculation has been made for accessory apartments.

The following table displays the total dwelling units presumed with the preliminary and final plats.

	<u>Multi-Family</u>	<u>Duplex</u>	<u>Single-Family</u>	<u>Total</u>
Preliminary Plat	18	34	47	99
Final Plat	18	6	66	90

The reduction in the number of potential dwelling units is the result of a reduction in the number of lots that are 10,500 square foot or larger (duplexes allowed) to less than 10,500 square feet (duplexes not allowed).

The overall dimension of the subdivision, with the exception of the new Lot 16, Block ‘A’, remains the same. Access to and from the subdivision remains the same. Potential density in the subdivision can be expected to be reduced, as there is now a much higher ratio of single-family lots to duplex lots. The character of the neighborhood will be predominantly single-family.

Staff finds that the final plat substantially conforms to the approved preliminary plat and results in a lower density potential for the subdivision.

2. That the final plat include a plat note that prohibits individual lots direct vehicular access onto the Mendenhall Loop Road

The final plat contains this condition as note # 7.

3. That the final plat include a plat note that prohibits direct vehicle access for Lot 1, Block "D" and Lot (now) 25, Block 'C' onto the first 150 feet of Brothers Avenue (to be re-named) extending from the Mendenhall Loop Road.

Brothers Avenue has been re-named Keggan Avenue at this location. The final plat contains a plat note (# 9) that reads, "Direct vehicle access for Lot 1, Block "D" and Lot 25, Block 'C' is prohibited onto the first 150 feet of Keggan Avenue extending from the Mendenhall Loop Road."

4. That a 20-foot-wide buffer be retained along the northern boundary of Lot 4, Block 'D', Erin Manor. If this subject parcel is not developed with a multi-family structure, this restriction will be removed. The exact wording for this condition will be worked out prior to final plat submittal.

The final plat implements this condition with language that states, "A 20-foot buffer shall be retained along the northern boundary of Lot 4, Block 'D'. The buffer may be removed if said lot is developed with a single-family dwelling."

5. That an eight foot paved pathway, with sufficient right-of-way, be constructed from Manor Avenue to Trafalger Avenue. The exact wording for this condition will be worked out prior to final plat submittal.

The final plat shows an 8-foot-wide pedestrian right-of-way connecting Trafalger Avenue and Manor Avenue, located between Lots 1 and 2, Block 'C'. A two-foot-wide no-build easement runs alongside the 8-foot right-of-way in Lot 2, creating a ten-foot-wide connection between Trafalger Avenue and Manor Avenue to accommodate utility and pedestrian access. The connection meets Planning Commission intent to co-locate the sewer utility easement and the pedestrian access within a single 'connection.'

6. **Advisory Condition:** That the drainage concerns raised in discussions with the adjoining property owners and the neighborhood drainage plan be taken into consideration in the detailed drainage and construction plans submitted for the final plat.

Former CBJ regulatory engineer John Bowman approved the drainage plan for Erin Manor III in August of 2005. The plans call for 18-inch underground drainage lines tied to 18 catch basins (street drains) on Manor Avenue, Easy Street and Brothers Avenue. Catch basins are located on both sides of the streets between 130 and 450 feet apart. All of the drainage is directed to a large sump on the south side of the Keggan Street entrance to the subdivision, then under Mendenhall Loop Road via a 36" culvert to Duck Creek.

A review of the project file, including e-mails and photographs, and a review of the Planning Commission hearing when the preliminary plat was approved, verifies the existence of drainage problems on Brothers Avenue and Thunder Street. The drainage improvements in Erin Manor III will not address all of the off-site problems, but will manage drainage on-site, and will assist drainage from the lots on Thunder Street that back up to Erin Manor III, where the drainage plan includes an 18-inch underground storm drain and catch basin tied into a ditch between Erin Manor II and III, to collect runoff and direct it into the Erin Manor III storm drain system.

The drainage improvements should also help to improve drainage on Brothers Avenue with the placement of a catch basin at the corner of Brothers and Thunder Street. Valley Streets

Superintendent Scott Gray worked with the applicant to extend an 18-inch underground drainage line to a catch basin at the intersection of Thunder Street and Brother Avenue. Mr. Gray believes that this will be an overall improvement to drainage in the area, and should improve drainage at that location. He stated further that the drainage is so flat in the area of the subdivision, that putting it underground is the best solution.

Regulatory Surveyor Ron King has stated that he has no objection to the approved drainage plan.

### **FINDINGS**

The director makes the following findings for the Erin Manor III Subdivision final plat based on the preceding analysis.

1. The final plat meets the submittal requirements of CBJ §49.15.440 (1).
2. The conditions of the preliminary plat have been satisfactorily met.
3. The final plat substantially conforms to the approved preliminary plat.

### **RECOMMENDATION**

It is recommended that the Planning Commission adopt the Director's analysis and findings and approve the requested Final Plat for Erin Manor III Subdivision. We further recommend that the approval be subject to the following conditions:

1. The 8-foot paved, pedestrian right-of-way between Trafalger Avenue and Manor Avenue must be constructed before building permits are issued for Lot 1 and Lot 2, Block 'C'.

**OWNERSHIP CERTIFICATE**

I, HERBERT GERRY TAYLOR, am the owner of the property shown and described herein and hereby certify that the plat of subdivision and other data shown hereon are correct and true to the best of my knowledge and belief and that I have no other interest in the same.

DATE: \_\_\_\_\_  
OWNER: HERBERT GERRY TAYLOR  
JANUARY, ALASKA 1980

**NOTARY ACKNOWLEDGEMENT**

UNITED STATES OF AMERICA )  
STATE OF ALASKA )  
COUNTY OF JUNEAU )

BEFORE ME, the undersigned authority, on this \_\_\_\_\_ day of \_\_\_\_\_, 1980, personally appeared HERBERT GERRY TAYLOR, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

**PLANNING COMMISSION CERTIFICATE**

I, HERBERT GERRY TAYLOR, the owner of the property shown and described herein, hereby certify that the subdivision shown hereon is in accordance with the planning commission and that said plat has been approved by the planning commission and that the plat shown hereon has been approved for recording in the office of the district recording office, JUNEAU, ALASKA.

CHAIRMAN CITY AND BOROUGH OF JUNEAU PLANNING COMMISSION  
ATTEST: \_\_\_\_\_  
CLERK, CITY AND BOROUGH OF JUNEAU PLANNING COMMISSION

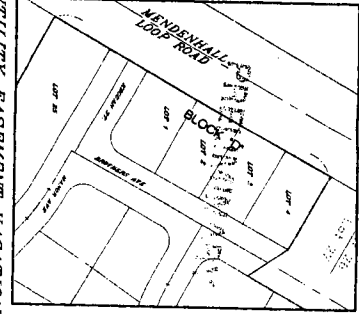
**NOTES:**

1. ALL PLAT BEARINGS SHOWN IN THIS RECORDING ARE ORIENTED TO THE BASIS OF BEARINGS AND DISTANCES.
2. ENCLOSED BEARINGS AND / OR DISTANCES ARE SHOWN WITHOUT PARENTHESIS OR COMPUTED BEARINGS AND / OR DISTANCES ARE SHOWN WITH PARENTHESIS.
3. THE BASIS OF BEARING FOR THIS PLAT IS A LINE OF SIGHT BETWEEN TWO POINTS IN 1981. THE LOCATION OF WHICH WERE SET BY TEAM ENGINEERING (E-S-1410) 23 ERN MANOR SUBDIVISION, NO. 2, PLAT NO. 81-52 W/4, BEARINGS AND DISTANCE OF N 89°57'00" W - 1,121.98'
4. TOTAL AREA OF PARENT PARCEL IS 878,757.55 SQ. FT. 20,196 AC.
5. COMMON CORNER TO U.S.S. 1521, 1522, 1523 WAS SEARCHED FOR BUT NOT FOUND.
6. LIST OF PLATS OR DRAWINGS REFERENCED:  
U.S.S. NO. 82-088(8) 1973-1979  
ERIN MANOR SUBDIVISION, NO. 1, PLAT NO. 74-13  
ERIN MANOR SUBDIVISION, NO. 2, PLAT NO. 81-52  
MARINE SUBDIVISION, LOT 4 AND U.S.S. 1527, TRACT A, PLAT NO. 84-83  
THUNDER MOUNTAIN SUBDIVISION, PLAT NO. 334  
THUNDER MOUNTAIN PARK, PLAT NO. 52-28  
THUNDER MOUNTAIN PARK, NO. 2, PLAT NO. 98-56  
A PLAT OF TRACT A AND TRACT B W/4, 1974-75  
INDIVIDUAL LOTS ARE PROHIBITED FROM HAVING DIRECT REGULAR ACCESS ONTO MENDENHALL LOOP ROAD.
7. THESE ADJUSTMENTS WERE RECORDED IN THEIR ORIGINAL LOCATION DURING THE REPERTURE SURVEY FOR THE SUBDIVISION BEING SET UP BY THE MONUMENTS CONSTRUCTION OF THIS SUBDIVISION. NEW ADJUSTMENTS WERE SET IN THEIR ORIGINAL LOCATION.
8. DIRECT VEHICLE ACCESS FOR LOT 1, BLOCK 'D' AND 'O'; BLOCK 'C' IS PROHIBITED ONTO THE FIRST 150 FEET OF MORGAN AVENUE EXTENDING FROM THE MENDENHALL LOOP ROAD.

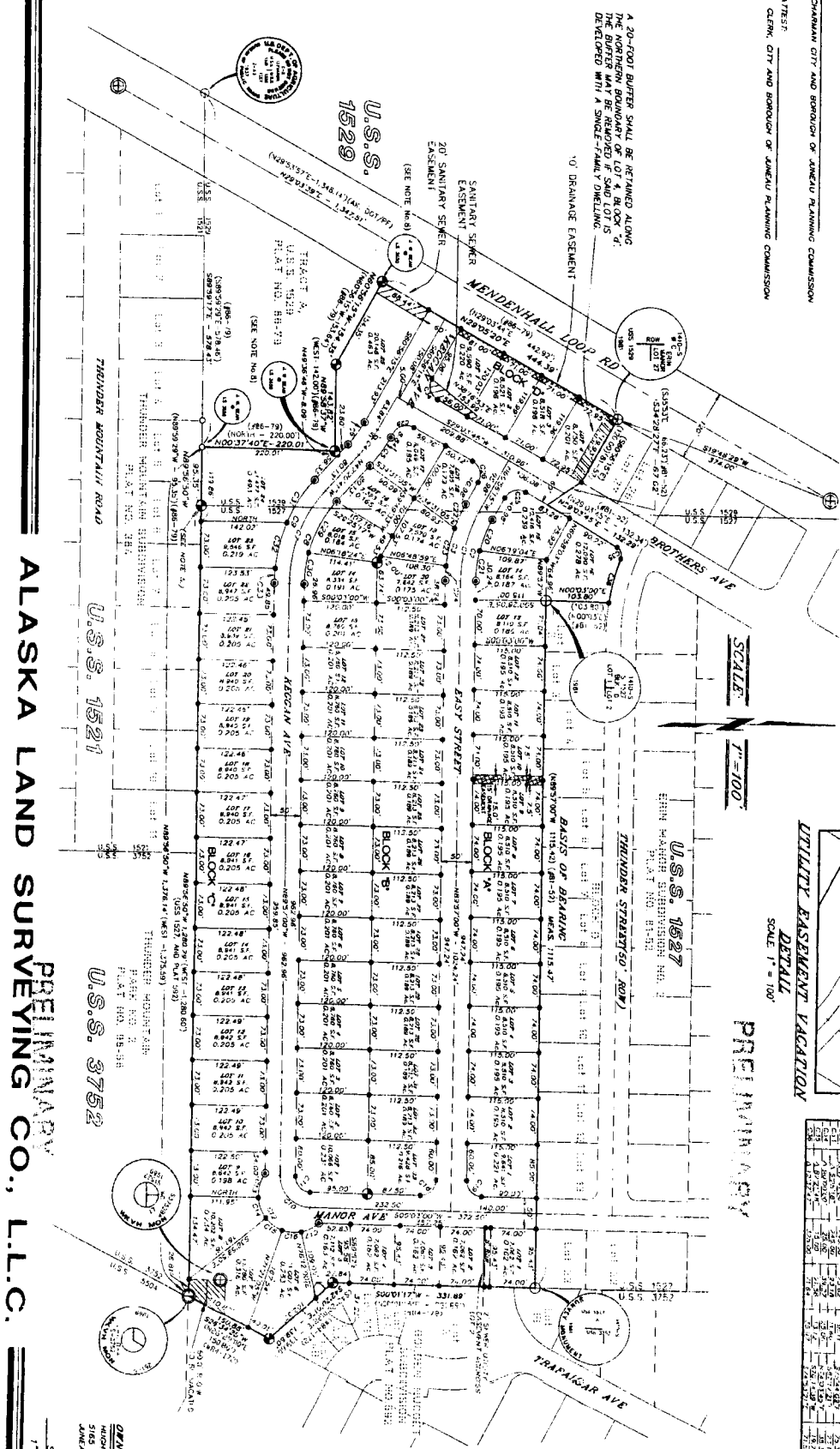
**SURVEYOR'S CERTIFICATE**

I, HERBERT GERRY TAYLOR, a professional land surveyor, hereby certify that I am a professional land surveyor and that I am duly licensed under the laws of the State of Alaska. I am the author of the survey shown on this plat and I am satisfied that the same is correct and true to the best of my knowledge and belief and that I have no other interest in the same.

DATE: \_\_\_\_\_  
SURVEYOR: HERBERT GERRY TAYLOR  
JANUARY, ALASKA 1980



LOT NO.	AREA (SQ. FT.)	AREA (AC.)	BEARING	DISTANCE
1	10,000	0.23	N 89°57'00" W	1,121.98'
2	10,000	0.23	N 89°57'00" W	1,121.98'
3	10,000	0.23	N 89°57'00" W	1,121.98'
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100	10,000	0.23	N 89°57'00" W	1,121.98'



ALASKA LAND SURVEYING CO., L.L.C.  
PRELIMINARY  
U.S.S. 1521  
U.S.S. 3752