

MEMORANDUM

CITY & BOROUGH OF JUNEAU

155 South Seward Street, Juneau, Alaska 99801

DATE: August 6, 2003

TO: Planning Commission

FROM: Nathan Bishop, Planner
Community Development Department



FILE NO.: SUB2003-00029

PROPOSAL: A Final Plat review for the resubdivision of Block 32, Douglas Townsite.

GENERAL INFORMATION

Applicant: CBJ Engineering Department, Tim Montgomery

Property Owner: CBJ, Richard Boehl, WM& Janet League, James McCormik, Kenneth & Cherie Rudolph

Legal Description: Douglas Townsite Millsite Add'n Block 32 lots 19, 20,21,24, 25, & TR.A, & A.T.S. 14

Parcel Code No.: 2-D04-0-T32-009-0; 009-0; thru 012-0 & 2-D04-0-T32-017-0, 016-0

Site Size: 1.34 acres and the remainder of A.T.S 14, which is 89.58 acres

Zoning: Waterfront Industrial

Utilities: City water and Sewer

Access: Front Street

Existing Land Use: Uses include: Vacant, Residential, Storage, Boat Sales and Repairs, CBJ maintenance shop.

Surrounding Land Use:
North - Channel view Apartments
South - Savikko Road and Mayflower School
East - Douglas harbor parking improvements
West - Front Street



CITY & BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

PROJECT DESCRIPTION

The proposal is carve four small pieces of land (under 1/2 acre total) off Alaska Tideland Survey (A.T.S) 14 and consolidate it onto the adjacent parcels in Block 32, Douglas Townsite (Attachement "A"). The subdivision will also record previous quitclaim deed changes that have affected lot configurations. The total area of the modified lots is 1.34 acres, which leaves the remainder of A.T.S 14 with 89.58 acres.

BACKGROUND

During the summer of 2001, the CBJ Docks and Harbors Department signed agreements with several landowners along Front Street in Douglas. These agreements obligated CBJ to fill and grade the land behind the Front Street properties, and deed a portion of the tideland survey to these individuals as compensation for their loss of waterfront as a result of the Douglas harbor upland improvements.

When this subdivision was first submitted on December 17, 2002, the proposal was to have the deeded property be independent lots. As this subdivision would have created new lots without frontage on a publicly maintained right of way (ROW) it did not meet CBJ title 49 platting requirements. Phase four of the harbor expansion will include construction of the necessary ROW, however it is not scheduled to occur for another two years.

In order to expedite the transfer of this land, the affected landowners have agreed to add this deeded property onto the existing lots. By doing this, the subdivision no longer creates any new lots, it only enlarges the existing ones that already have frontage on Front Street.

During the review of this subdivision it was discovered that there have been a number of land transfers (via quitclaim deeds) that affected lot configuration. These transfers were never followed up, or proceed by a formal subdivision. CBJ is the only agency authorized to make changes to property lines within the Borough. As such, changes done by deeds are subject to legal challenges. This subdivision legitimizes the previous boundary changes in the neighborhood by recording them on this plat.

ANALYSIS

Zoning

The subject land is zoned Waterfront Industrial (WI); dimensional standards in this zoning district require a minimum width of 20-feet, a minimum depth of 60-feet, and at least 2,000 square feet of area. As this subdivision increases the size of the pre-existing lots, they all exceed the dimensional standards by a large margin.

Drainage - As part of the upland harbor improvements stormwater catchment basins were installed on Front Street and three area drains were constructed along the rear lot line of the subject lots. The newly filled lots are gently graded towards these drains (Attachment "B").

Conformity with Adopted Plans - The request was reviewed for conformity with adopted plans. The Comprehensive Plan designation for this site is Waterfront Commercial. The land uses within this subdivision conform to this designation better than then that of the Waterfront Industrial stipulated in title 49.

Access- All lots in this subdivision have two access points; the primary access is Front Street, while the Douglas Harbor parking area provides an alternative means for accessing the back of the lots.

Traffic Analysis - As no new lots are being proposed at this time, and as there is an additional access point on the back of the lots, staff doesn't anticipate any traffic impacts.

Pedestrian Access - As Front Street is an unimproved R.O.W pedestrian access is along the roadside. There are sidewalks along portions of the street but the majority of the route has no grade separation. Given the small amount of foot traffic in this area, staff finds that pedestrian improvements need not be a requirement of this subdivision but should be included in plans for reconstructing Front Street when that time comes.

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; and,
2. Whether the proposed use is appropriate according to the Table of Permissible Uses;
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 §49.15.300 (e)(1)(A through C), Review of Director's Determinations, the director makes the following findings on the proposed development:

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

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

Yes. The proposed subdivision is appropriate according to the Table of Permissible Uses. The Conditional Use permit is listed at CBJ §49.25.300, Section 25.1 for the Waterfront Industrial zoning district.

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. Advertising notice was provided in the Juneau Empire under "Your Municipality". Public notice sign was posted on the site at least 14 days prior to the meeting and notice was mailed to owners of record for all property within 500 feet of the subject property

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

No, as per the previous analysis the proposed subdivision will not endanger the public health or safety.

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

No, as per previous analysis the proposed development will most likely increase the value of the neighboring area and resolve potential boundary conflicts.

6. *Will the proposed development not be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans?*

No, as per previous analysis the proposed development complies with all officially adopted plans

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

N/A. The Enforceable Policies of the JCMP have been reviewed and staff has found them not to be relevant to this development.

RECOMMENDATION

We recommend that the Planning Commission adopt the Director's analysis and findings and grant the requested final plat approval. The approval is for a subdivision that would change the boundaries of the lots within Block 32, Douglas Townsite and A.T.S 14.

SUBDIVISION OR PLATTING APPLICATION

(APPLICANT PLEASE FILL IN SHADED AREAS AS A MINIMUM)

Project Number	Project Name (15 characters) RESUB BLOCK 32 DOUGLAS	Case Number SUB03-29	Hearing Date	Date Received 7/29/03
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LEGAL DESCRIPTION OF PROPERTY WHICH WILL BE SUBDIVIDED OR PLATTED:
DOUGLAS TOWNSITE, BLOCK 32

Number of Existing Parcels 11 Total Land Area _____ Resulting Lots or Parcels 15

TYPE OF SUBDIVISION OR PLATTING APPROVAL REQUESTED

(please see submittal requirements on reverse)

- | | |
|--|--|
| <p style="text-align: center;">MINOR SUBDIVISION
(Changing or creating 4 or fewer lots)</p> <p><input type="checkbox"/> Zero Lot Line (Common Wall)</p> <p><input type="checkbox"/> "Panhandle" Subdivision</p> <p><input type="checkbox"/> Accretion Survey</p> <p><input type="checkbox"/> Boundary Adjustment</p> <p><input type="checkbox"/> Lot Consolidation</p> <p><input type="checkbox"/> Subdivision resulting in 4 or fewer lots</p> <p><input type="checkbox"/> Other _____</p> | <p style="text-align: center;">MAJOR SUBDIVISION
(Changing or creating greater than 4 lots)</p> <p><input type="checkbox"/> Preliminary Plat</p> <p><input checked="" type="checkbox"/> Final Plat</p> <p><input type="checkbox"/> Plat Amendment</p> <p><input type="checkbox"/> Planned Unit Development - Preliminary Plan Approval</p> <p><input type="checkbox"/> Planned Unit Development - Final Plan Approval</p> <p><input type="checkbox"/> Other _____</p> <p><input type="checkbox"/> Public Notice Sign Required</p> |
|--|--|

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

PREVIOUS USE OF LAND OR BUILDING(S):
MARINE INDUSTRIAL / RES.

CURRENT BUILDING(S) OR STRUCTURES ON THE LAND: YES NO
 If Yes, provide a site plan drawn to scale showing all improvements on the lot. An As-Built Survey may be required.

CURRENT USE OF LAND OR BUILDING(S):
MARINE IND / RES

PROPOSED USE OF LAND OR BUILDING(S):
MARINE IND / RES

UTILITIES AVAILABLE WATER: Public On Site SEWER: Public On Site

UNIQUE CHARACTERISTICS OF LAND OR BUILDING:

REVIEW APPROVALS

	Initials	Date
Buildings	_____	_____
Engineering	_____	_____
Planning	_____	_____

SUBDIVISION/PLATTING/PUD FEES

	Fees	Check No.	Receipt	Date
Application Fees	\$300.00	_____	_____	_____
Admin. of Guarantee	\$	_____	_____	_____
Adjustment	\$	_____	_____	_____
Pub. Not. Sign Lease	\$	_____	_____	_____
Total Fee	\$300.00	TRANSFER 110523	8/4/03	_____

DEVELOPMENT PERMIT APPLICATION

(APPLICANT - PLEASE FILL IN THE PROJECT/APPLICANT INFORMATION)

Project Number: **CITY and BOROUGH of JUNEAU** Date Received: **7/29/03**
 Project Name (City Staff to assign name): **Resub Block 32 DOUGLAS**

* = PRIMARY PARCEL INFORMATION

Project Description
RESUBDIVISION OF BLOCK 32 DOUGLAS

PROPERTY LOCATION
 Street Address: **FRONT ST.** City / Zip: **DOUGLAS 99824**
 Subdivision (if known): **DOUGLAS TOWNSITE** Survey (if known): **MILLSITE ADDN.** Block / Tract (if known): **32** Lot (if known): **2.5A**
 Assessor's Parcel Number (if known): **20040T320170, 20040T320060***

LANDOWNER/LESSEE CONSENT (Required for Planning permits not needed on Building/Engineer permits)

I am (we are) the owner(s) or Lessee 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 [Signature] 13 NOV 02
 Landowner/Lessee Signature Date
 X _____ 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 and/or the Design Review Board may visit the property and may do so during the weekend before the scheduled public hearing date.

INITIAL ALL THAT MAY APPLY	
APPLICATION TYPE	OWNER'S INITIALS
ALLOWABLE USE	
CONDITIONAL USE	
VARIANCE	
DESIGN REVIEW	
SUBDIVISION	✓
OTHER	

APPLICANT (If same as OWNER, write "SAME" and sign and date at X below)

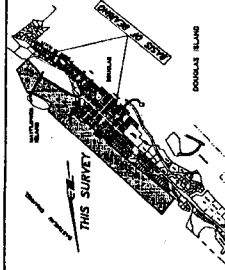
Applicant's Name: **THA KOLBOMER** Contact by E-Mail: _____ Contact Person: _____ Work Phone No.: **586-0874**
 Mailing Address: **155 S. SEWARD ENGINEERING** Home Phone No.: _____ FAX No.: _____
 X [Signature] X 10/1/02
 Applicant's Signature Date of Application

(OFFICE USE ONLY BELOW THIS LINE)

STAFF APPROVALS

C K	PERMIT TYPE	SIGN	DATE RECEIVED	APPLICATION NO.	C K	PERMIT TYPE	DATE RECEIVED	APPLICATION NO.
	ALLOWABLE USE APPROVAL					WATER PERMIT		
	CONDITIONAL USE APPROVAL					SEWER PERMIT		
	VARIANCE					GRADING PERMIT		
	DESIGN REVIEW APPROVAL					DRIVEWAY PERMIT		
X	SUBDIVISION	X	7/29/03	SUB03-29		RIGHT-OF-WAY PERMIT		
	STREET VACATION					PUB. FAC. TRANSMISS. & EXCAV. PERMIT		
	SIGN APPROVAL					OTHER - (Describe)		
	BUILDING PERMIT					Permit Intake Initials		PJT
	Zone	Total Lot Area	Required Setbacks					
			Front	Back	Side	Other		

COMMENTS:

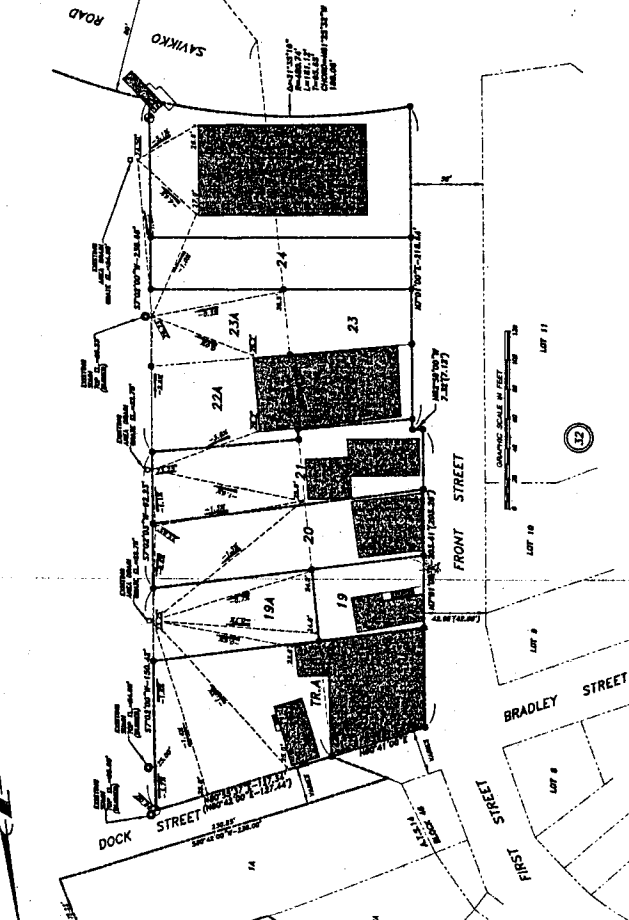


LOCATION MAP "DOUGLAS"
SOURCE: C.E. BROWN
SCALE: 1" = 2,000'

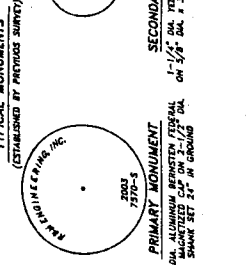
- LEGEND**
- U.S. LOCATION MONUMENT (RECOVERED THIS SURVEY)
 - 410-S PRIMARY MONUMENT (RECOVERED THIS SURVEY)
 - 777-E PRIMARY MONUMENT (RECOVERED THIS SURVEY)
 - 7370-S PRIMARY MONUMENT (ESTABLISHED THIS SURVEY)
 - 7370-S SECONDARY MONUMENT (ESTABLISHED THIS SURVEY)
 - BOUNDARY/PROPERTY LINE
 - GRAVEL AND DIRECTION ARROW
 - 24.5' EXTENDING SPOT ELEVATION (SEE NOTE 9)
 - 24.5' PROPOSED SPOT ELEVATION

GENERAL NOTES:

- THE BASIS OF RECORD FOR THIS SURVEY WAS THE RECORD FOR BLOCK 32, DOUGLAS TOWNSHIP, CITY & BOROUGH OF JUNEAU, ALASKA, A.T.S. 14 AND THE SOUTHWEST CORNER MONUMENT FOR RECORD, JUNEAU TOWNSHIP, CITY & BOROUGH OF JUNEAU, ALASKA, A.T.S. 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.
- WHERE RECORD SURVEY COURSES (BEARINGS AND/OR DISTANCES) DIFFER FROM THAT OF ACTUAL MEASURED AND/OR COMPUTED SURVEY COURSES (BEARINGS AND/OR DISTANCES) WITHIN THIS SURVEY, THE ACTUAL MEASURED AND/OR COMPUTED SURVEY COURSES ARE SHOWN WITHOUT APERTURES.
- THE RIGHT-OF-WAY LINES DEVOTED FOR "SAVAKO ROAD" ARE SHOWN ON SHEETS 15, 16 AND 17 OF THIS CITY & BOROUGH OF JUNEAU, ALASKA, DOUGLAS TOWNSHIP, CITY & BOROUGH OF JUNEAU, ALASKA, A.T.S. 14 UNDER SMALL NO. 73-2552 AND TITLED "ROBERT SAVAKO PARK AND RECREATION AREA".
- WHERE BOUNDARY ADJUSTMENTS WERE MADE TO THE MONUMENT POSITIONS AND UTILITY LOCATIONS, THE ADJUSTMENTS ARE SHOWN WITH DOTTED LINES.
- EXTINGUISH ELEVATIONS REPORTED BY THIS PLAT ARE AS SHOWN ON SHEETS 15, 16 AND 17 OF THIS CITY & BOROUGH OF JUNEAU, ALASKA, DOUGLAS TOWNSHIP, CITY & BOROUGH OF JUNEAU, ALASKA, A.T.S. 14, DATED FEB. 14, 2001. THESE ELEVATIONS WERE OBTAINED BY MEANS OF A LEICA DISTANCE MEASUREMENT SYSTEM (DMS) WITH A REFLECTORLESS RANGING INSTRUMENT (RLR) FOR USE IN DEVELOPMENT OF THIS DRAINAGE PLAN.



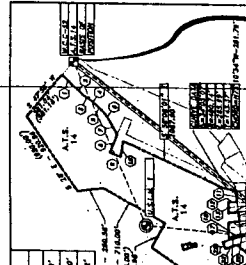
ATTACHMENT B



TYPICAL MONUMENTS (ESTABLISHED BY PREVIOUS SURVEYS)

PRIMARY MONUMENT
3" DIA. ALUMINUM MONUMENT 1/2" DIA. SHANK SET 3/4" IN GROUND

SECONDARY MONUMENT
1" DIA. ALUMINUM MONUMENT 1/2" DIA. SHANK SET 3/4" IN GROUND



PLAT	BEARING & DISTANCE
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SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM PROBABLY AND VALIDLY LICENSED TO PRACTICE AS A SURVEYOR IN THE STATE OF ALASKA AND THAT THE PLAT HEREON IS UNDER MY CARE AND SUPERVISION, THAT WITHIN THE LIMITS REQUIRED BY THE ALASKA SURVEYING ACT AND THE ALASKA SURVEYING REGULATIONS AND TITLE 45 OF THE CODE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA, I HAVE CONDUCTED THE SURVEYING OPERATIONS AND THAT THE PLAT IS ACCURATE AND CORRECT AND THAT THE INFORMATION CONTAINED THEREIN IS TRUE AND CORRECT AND NOTED UPON THE PLAT AS PRESENTED.

PROPOSED DRAINAGE PLAN FOR FUTURE DEVELOPMENT ACTIVITIES
JUNEAU RECORDING DISTRICT
A PLAT DENOTING
A SUBDIVISION OF FRACTIONS OF ALASKA TIDELANDS SURVEY No. 14
AND
BLOCK 32, DOUGLAS TOWNSHIP
WITHIN
CITY & BOROUGH OF JUNEAU, ALASKA
CITY & BOROUGH OF JUNEAU
JUNEAU, ALASKA 99801
GENERAL ALASKA SURVEY
PLAT No. 73-2552
SHEET 1 of 1
DATE: MAY, 2001
R&M ENGR. NO. 021728