

**ASSEMBLY STANDING COMMITTEE
LANDS, HOUSING & ECONOMIC DEVELOPMENT COMMITTEE
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

May 2, 2022, 5:00 PM.

Assembly Chambers & Zoom Webinar

5:00pm: Assembly Lands Housing and Economic Development Committee

<https://juneau.zoom.us/j/94215342992> or 1-253-215-8782 Webinar ID: 942 1534 2992

AGENDA

I. CALL TO ORDER

II. LAND ACKNOWLEDGEMENT

III. ROLL CALL

IV. APPROVAL OF AGENDA

V. APPROVAL OF MINUTES

A. April 11, 2022 Draft Minutes

VI. AGENDA TOPICS

A. Reiswig Request to Purchase City Property adjacent to 11260 Douglas Highway

B. Gary Tigar Grant Creek Homes Request to Purchase City Property through a Land Trade

VII.COMMITTEE MEMBER / LIAISON COMMENTS AND QUESTIONS

VIIISTANDING COMMITTEE TOPIC

A. 2022 LHED Committee Goals - Updated

IX. NEXT MEETING DATE - June 6, 2022

X. ADJOURNMENT

ADA accommodations available upon request: Please contact the Clerk's office 36 hours prior to any meeting so arrangements can be made for closed captioning or sign language interpreter services depending on the meeting format. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: city.clerk@juneau.org

**ASSEMBLY STANDING COMMITTEE MINUTES
LANDS HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

April 11, 2022, 5:00 P.M.

I. CALL TO ORDER

II. LAND ACKNOWLEDGEMENT

III. ROLL CALL - Chair Hale called the meeting to order at 5:05 pm.

Members Present: Chair Michelle Hale, Greg Smith, Wade Bryson, Wáahlaal Gíidaak

Members Absent: none

Liaisons Present: Chris Mertl, Parks and Recreation; Mandy Cole, Planning Commission

Liaisons Absent: Lacey Derr, Docks and Harbors

Staff Present: Dan Bleidorn, Lands Manager; Jill Maclean, CDD Director; Michele Elfers, Parks & Recreation Deputy Director; Di Cathcart, Deputy City Clerk

IV. APPROVAL OF AGENDA – The agenda was approved as presented.

V. APPROVAL OF MINUTES – March 7, 2022 Draft Minutes were approved as presented.

VI. AGENDA TOPICS

A. Parise Request to Purchase City Property

Mr. Bleidorn discussed this topic. Mr. Bryson asked if any area of this property is designed to encourage public use. Mr. Bleidorn replied that there is no direct or manicured access to the shoreline. This property was acquired from the State.

Mr. Smith asked if CDD reviewed this before it went to the PRAC and what type of information would we expect from CDD. Mr. Bleidorn replied that the PRAC is the first step and CDD would be involved after initial support to work with the original proposer. Chair Hale noted that we do not have a positive proposal from the PRAC to move this forward, they didn't recommend this proposal and moved that this property was to be retained.

Mr. Mertl commented that he's available as a resource. PRAC spent a fair bit of time talking about this last week and denied it. Back in 2021 Parks and Recreation did send out postcards mailers to the neighborhood and 60 of those that responded said that there should not be an easement granted, this was when the original proposal was for an easement, not for a purchase. The other thing that I want to follow up on is that the department is seeing more applications to purchase parkland and if you look at policy we're supposed to hold lands in public trust and dispose certain lands for private use when disposal serves the public interest. One of the main reasons why we did deny the purchase of the property, keeping in mind that it is part of the larger Auke Bay neighborhood plan, is that there are limited public access points to the waterfront.

Mr. Bryson asked how we can help this citizen correct their driveway problem. Mr. Bleidorn replied that this is a complex question. A few years ago the State DOT worked with the previous owner when they redid the highway. The DOT paid them for the land they needed to fix the property and work on the right-a-way, similar to what they did with the city in Auke Bay. In theory that payment could have gone to correct the driveway access. We're in a situation now where there's some type of non-conforming issue, or a driveway access safety issue, and it is next to vacant city property, which is vacant city open space park property. We want to be careful with the disposal of this property. Since this application has come forward we've heard from the adjacent neighbor because that property just sold and they may be

interesting in trying to acquire part of this property, if the Assembly decides to move forward from it. There's a very similar waterfront access out at Tee Harbor where, if this moves forward, I wouldn't be surprised if we have an application for that as well. When we talk about disposing of property, we should consider the long term effects and the precedent that it could set. I think the answer to your question is I'm not certain that Park property should be the go-to way to resolve driveway accesses from adjacent property owners. That being said, if the Assembly chooses to work with this applicant and dispose of this property, we can go through the process. It's difficult for staff to recommend in favor when the adopted plans recommend against.

Mr. Smith asked that Ms. Maclean speak on the non-confirming issues. Ms. Maclean commented that she's not certain whether it is non-conforming without conducting a non-conforming situation review. Mr. Bleidorn did mention that the previous owner was reimbursed by the DOT, they laid out the improvements that they made to Glacier Highway out there, they would have to meet code and federal highway standards to do so and use the funding that they do to complete that work. I would imagine and trust that that work was done to code. As far as being non-compliant, I can't say, but what I can say is that the access that they have today would most likely be legal, because it existed previously. Where CDD and the land use code runs into trouble is that access for a lot is to be through your frontage, which is what exists today. If they were granted an easement from the other property I don't know that we could legally permit that through the land use code. Right now, with the information I have available it's either to not grant the easement, sell the land, which is against PRAC's recommendation and may not meet the adopted plans, or allow the situation to remain as is, which is the condition in which the current owners purchased the property. I don't see a good way forward with the easement itself. Mr. Smith asked about the backup documents were for an easement and this is now for a disposal and should we consider different things between these two. Ms. Maclean commented that the applicant was wondering if this would be possible and looking at the code for the easement itself I kept running into the roadblock that this needed to be frontage. This initially started as an easement, as that was thought of as the easiest way forward and when that didn't pan out the applicant pivoted to try and purchase the property.

Chair Hale commented to Mr. Bryson's question about what the applicant can do. One question from a PRAC member was why the applicant can't rebuild the garage so that it's a usable garage. Ms. Hale understands that that is a possibility in this situation. Chair Hale did drive by the location and noted that the garage appears to be on pilings because the land is steep, which can be workable toward a solution.

Chair Hale noted there was two options; forward this to CDD to review and come back to the LHED committee or retain the property, which would stop the process. Mr. Bleidorn requested that the committee approach CDD to confirm the proposals meet the land use code.

Planning Commissioner Cole noted that the CBJ comp plan clearly advises against this type of disposal. While still having sympathy for the property owner, this issue is more about the City disposing of lands that don't meet the criteria in the comp plan, which has implications across the community.

Mr. Bryson asked if it would be possible to grant a small easement in the corner of this land if we are not able to dispose of it to allow this individual to make a correction to their driveway. Mr. Bleidorn replied that that is how we got started with this, granting an easement and retaining ownership for its intended purposes and then we started to hit roadblocks on allowing access with adjacent property. If this is the direction we want to go then want to make sure we are following city code.

Wáahlaal Gíidaak commented that she is leaning toward the idea that this would create a dangerous precedence with these requests and asked if the city grant that offers the ability for people to build an apartment would apply in this situation if they did want to rebuild their garage. Ms. Maclean replied that the accessory apartment grant is specifically to create accessory apartment units and it's about \$6,000, which this garage work would exceed that amount. But the grant is just strictly to build an accessory apartment. Wáahlaal Gíidaak followed up and noted her question wasn't for the applicant to use that grant to build a garage but if he wanted to build an apartment on top of a new garage then he could possibly access this grant. Ms. Maclean confirmed.

Mr. Smith comment on the lack of access now, are there plans from the city to provide that access. Mr. Bleidorn replied that no, this is a DOT right-a-way and we are a neighbor to this property. Mr. Smith replied that he understands this has been marked as retained as parkland access to the beach. Mr. Bleidorn confirmed that it is part of the open space city property and is listed as retained in the land management plan for shoreline access, a street border and the city only has a few dozen of them. Mr. Smith asked if there was some way that the city could require a condition on this lot to provide access to the waterfront if this land were to be disposed of and would this be part of CDD review. Mr. Bleidorn replied that if the assembly gives the approval to negotiate the sale of this property then during those negotiations Lands would work with Parks to try and meet their demands for this property to continue to utilize it, which is why an easement would be added to allow access to the shoreline if the property were to be sold. Mr. Smith commented that if the point of this lot is to provide access to the shoreline but there is no shoreline access then the city could potentially work with the property owner and provide shoreline access.

Smith moved that Staff request that the Lands, Housing and Economic Development Committee forward this proposal to CDD to review the disposal/easement application prior to the LHED providing direction on if to proceed.

Wáahlaal Gíidaak objected and spoke to her objection. She felt we are setting a dangerous precedent, we have the recommendation from the PRAC and what this means to continue to shuffle this down the road if the intent is not to pass it and we are just getting people's hopes up that this is something that we would pass and she would like to see this committee stop this now rather than shuffle this along.

Mr. Bryson objected for a comment, he agrees with the comp plan and city staff is required to go by the operating plan, they do not have a choice and must abide by that, whereas the assembly are asked to rule by common sense and sometimes those two things are contradictory. Mr. Smith helped sway his decision by pointing out that we have land that is not in the plans to be used, doesn't have the access it needs, and is not developed. We have a situation where a private individual wants to use this land, add to the tax rolls, and it's the right thing to do to make his driveway safer and the city would maintain the easement on this land. We do follow recommendations and have denied other land requests but in this situation it is the right thing to vote in favor.

Ms. Cole commented that even if CDD determines the legality of this disposal, there may be an adjacent neighbor who would be interested in this land if it were for sale. I imagine the city in consideration of disposing of this land was careful with public interest, if the land was up for grabs there may be additional steps rather than going to the original proposer. Mr. Bleidorn commented that staff has had 2 phone calls about this property, one from the neighbor and about access points out at Tee Harbor.

Mr. Smith commented that he hopes this is something that CDD would consider and made this motion to give CDD a chance to look at this and could it have another public use, such as room for parking.

Mr. Mertl commented that there is limited public access at Auke Bay. This sliver of land is important and part of the Auke Bay neighborhood plan and believes there is long term plans for some sort of a sea walk. With a large majority of Auke Bay being in private ownership these access points are critical even though they are not developed now. Same with a future road easement that we may have into a steep terrain. We have been able to put in roads and offer new housing in some of these locations. If we give up this right then there are some concerns. Another point is that Mr. Mertl spoke with P&R director Schaaf last week after the PRAC denied this and confirmed that disposal of parkland is unusual and was concerned that we need to retain parkland for public interest.

Chair Hale commented that this is not a recommendation from staff, but from PRAC that this property to be retained. Having lived previously on a staircase, this is not a unique situation and there are a lot of steep places in Juneau. We have seen a picture of a car parked in front of the garage but not in it, so there is a garage at this location with the possibility that the car not be parked illegally on the sidewalk.

Motion vote: Mr. Bryon – yes, Wáahlaal Gíidaak – no, Mr. Smith – yes, Chair Hale – no

Motion fails 2:2

Chair Hale noted that the failed motion leads to a question that now we need to know what happens to this situation. Mr. Bleidorn replied that this would be a great question for the city attorney office. We could also ask the committee if they want this back with more information or try for another motion or to keep it how it is now.

Mr. Smith commented that we should hear what the options for a motion would be and we should hear from attorney's office. Chair Hale replied that there are two options for motions, one would be to retain, which would mean that the city would retain the property and any further action would stop; and the other motion could be that we move this on to the assembly. Mr. Bleidorn replied that the motions would be to retain the property, work with the original proposer on the disposal of this property or to solicit additional bids. If requested to work with the original proposer this is the first step in a long process, we next go to CDD and would we put a big, red notice signs along the property. At that point we might come back to LHED after PC review and determine that we want to work with both property owners if the other adjacent neighbor was interested.

Wáahlaal Gíidaak moved retain the property and do not seek disposal.

Motion vote: Wáahlaal Gíidaak – yes, Mr. Bryson – no, Mr. Smith – no, Chair Hale – yes

Motion fails 2:2

Mr. Bleidorn suggested to table this topic and have staff meet with applicant one more time to gather more information for the committee.

B. Ordinance 2022-23 an Ordinance Temporarily Closing Auke Lake for the 2022 IRONMAN Alaska Triathlon and Providing a Penalty.

Juneau is set to host the first IRONMAN Alaska triathlon on August 7, 2022, with 1,500 race participants. The race's swimming course consists of a 2.4-mile loop around Auke Lake, which is normally open to motorized vessels each day during the summer and other public uses. This ordinance would temporarily close Auke Lake to motorized vessels and other public uses on August 6-7, 2022 to minimize user conflicts related to the race.

Mr. Bryson moved that the Lands, Housing and Economic Development Committee move ordinance 2022-23 temporarily closing Auke Lake for the 2022 IRONMAN Alaska Triathlon. Motion passed, no objections.

C. 35 Mile ORV Riding Park

Michele Elfers discussed this topic. Chair Hale asked about the perched culverts, if that is when a culvert is so high that the salmon can't jump into it to cross the road and that the development of this area would not preclude that action, it might just make certain things more complicated if that comes up in the future. Ms. Elfers confirmed that was a fair assessment.

Mr. Bryson moved that the Lands, Housing and Economic Development Committee make a recommendation of support to the Assembly for the manager to negotiate an agreement with JORA to permit, design, construct, operate and maintain an off road vehicle riding park at 35 mile.

Mr. Smith objected for a comment, to thank staff on their hard work.

Motion passed, not further objections.

D. Draft Travel Juneau MOA for Lands, Housing, and Economic Development Committee Review

Chair Hale asked that the LHED committee review the draft MOA and bring back any suggestions, modification, or comments to this committee.

VII. COMMITTEE MEMBER/LIAISON COMMENTS AND QUESTIONS - None

VIII. STANDING COMMITTEE TOPIC

A. 2022 LHED Committee Goals – No update

IX. NEXT MEETING DATE – May 2, 2022

X. ADJOURNMENT - Chair Hale adjourned the meeting at 6:00 PM.

MEMORANDUM

CITY/BOROUGH OF JUNEAU

Lands and Resources Office
155 S. Seward St., Juneau, Alaska 99801
Dan.Bleidorn@juneau.org
(907) 586-5252

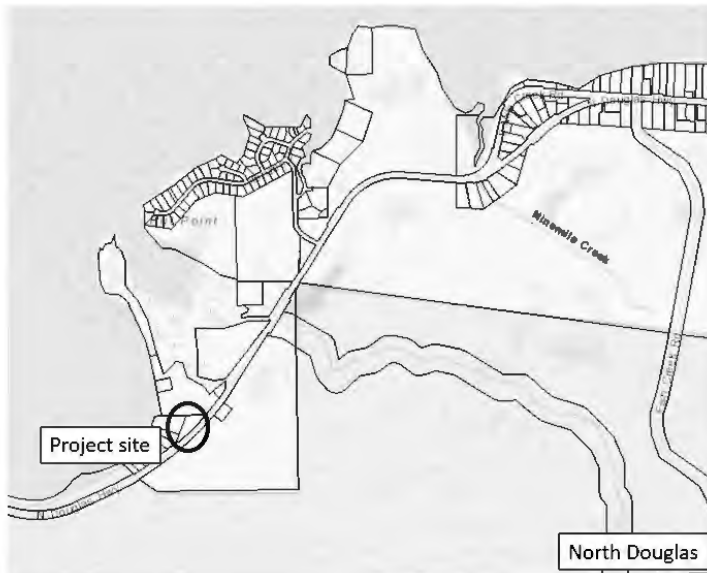
TO: Michelle Hale, Chair of the Assembly Lands Housing and Economic Development Committee

FROM: Dan Bleidorn, Lands and Resources Manager *Daniel Bleidorn*

SUBJECT: Reiswig Request to Purchase City Property adjacent to 11260 Douglas Highway

DATE: April 28, 2022

The Lands Office has received a request to purchase city property from Jon and Susanne Reiswig, the owners of 12260 Douglas Highway. The Reiswigs propose to purchase a fraction of the adjacent City property in order to subdivide their lot. According to the application, there is currently insufficient land to access the highway so they are requesting around 1,400 square feet of City property.



The City property is a large 92-acre parcel transected by Douglas Highway, with the sub-parcel created by the Highway is 1.5 acres. The requested property is managed by Lands and the 2016 Land Management Plan designated this property as retain/dispose. The Plan also states that this property could be utilized for a future residential subdivision. The northern part of the City property has Fish Creek running through it and is designated as retain in the Plan.

53.09.260 - Negotiated sales, leases, and exchanges.

(a) *Application, initial review, assembly authority to negotiate.* Upon application, approval by the manager, and payment of a \$500.00 fee, a person or business entity may submit a written proposal to lease, purchase, exchange, or otherwise acquire City and Borough land for a specified purpose. The proposal shall be reviewed by the assembly for a determination of whether the proposal should be further

considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals. Upon direction of the assembly by motion, the manager may commence negotiations for the lease, sale, exchange, or other disposal of City and Borough land.

The next step in the process is for this application to be forwarded to the Assembly as New Business to make a determination under 53.09.260. In order to dispose of this property, the Assembly must adopt an ordinance authorizing the sale after the Planning Commission has had the opportunity to review it.

Staff request that the Lands, Housing and Economic Development Committee forward this application to the Assembly with a motion of support for disposal of City property to Jon and Susanne Reiswig.

Attachments:

1. Jon and Susanne Reiswig Applicant to Purchase City Property



Application to Purchase City and Borough of Juneau Lands

Applicant Information

Business / Individual *

Jon A. & Susanne L. Reiswig

Address *

11260 north douglas hwy.

Street Address

juneau

City

AK

State / Province / Region

99801

ZIP / Postal Code

Phone *

(907) 586-3821

Email

salmoncreekmedical@gci.net

☐ Add Another Business/Individual

CBJ Land Information

The [CBJ Assessor's Database](#) will provide information regarding site address and legal description. The [CBJ Parcel Viewer](#) tool can provide necessary maps needed to complete this application.

Site Address *

11260 North Douglas Hwy. Mile 8.75

Legal Description *

6D1201120080 USS3559 Lt.2

Provide Brief Description of Your Proposal *

I want to develop lot 2 USS 1369. I need highway access on North Douglas Hwy. I propose purchasing a small segment of city land adjacent to tract D of Entrance Pt. Subdivision. The city land is adjacent to the south side of the present driveway (lot 1 USS 3281. There is insufficient land to access the highway for lot 2

Provide a Map of CBJ Land you wish to Purchase *

No file selected.

Accepted file types: pdf, Max. file size: 50 MB.

Have you mailed the \$500.00 filing fee? *

☒ Yes

☐ Not Yet

Applications can only be processed when the \$500 fee is received. All checks are made out to "The City and Borough of Juneau" and can be sent to:

*The City and Borough of Juneau
Attn: Lands and Resources Division
155 S. Seward St.
Juneau, AK 99081*

Additional Comments for CBJ Staff to Consider

Notify as my representative JW Bean 907723 3610

Upload Supporting Documents (optional)

Drop files here or

SELECT FILES

Accepted file types: pdf, doc, docx, Max. file size: 50 MB.

"By submitting this form, I agree all information is accurate. Submission of this request is NOT approval by the City and Borough of Juneau. I understand that staff will review my application and follow up with questions. Once staff have reviewed my application, ultimate determination of my request to purchase City property will be made by the City Assembly."

Legal Representative of Business / Individual *

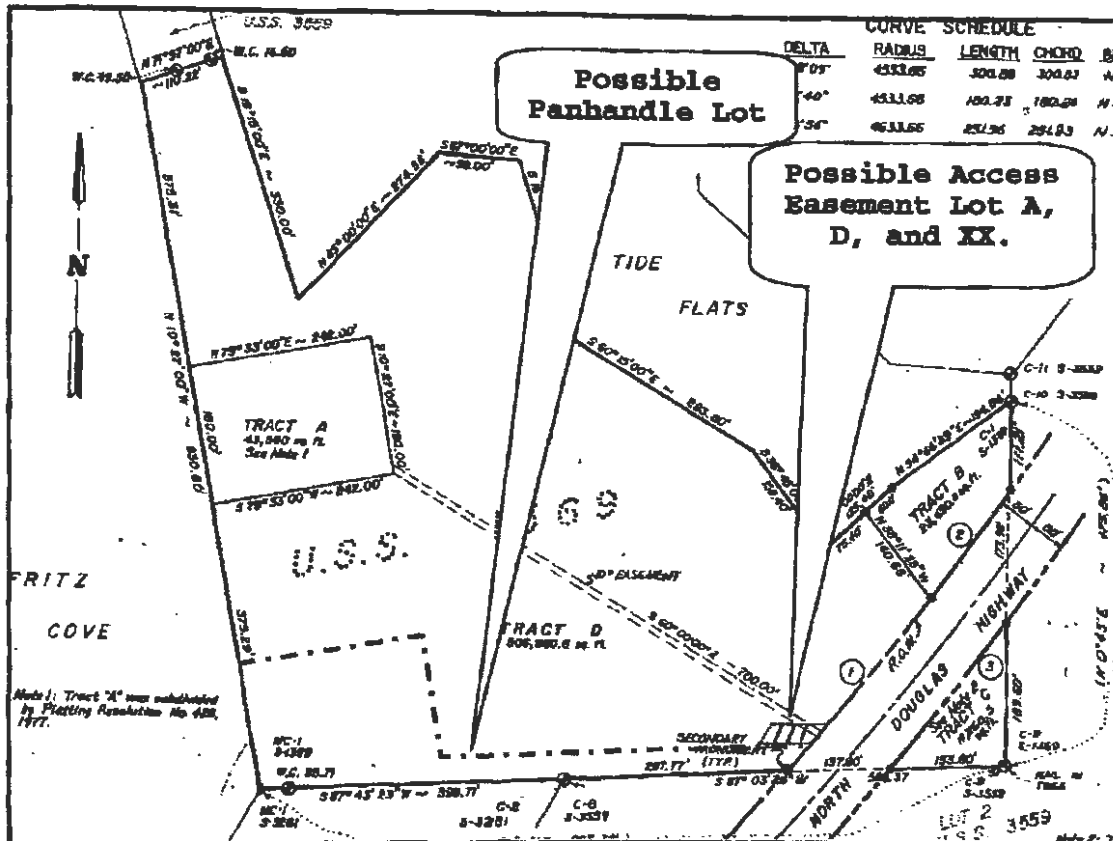
Jon
First
Reiswig
Last

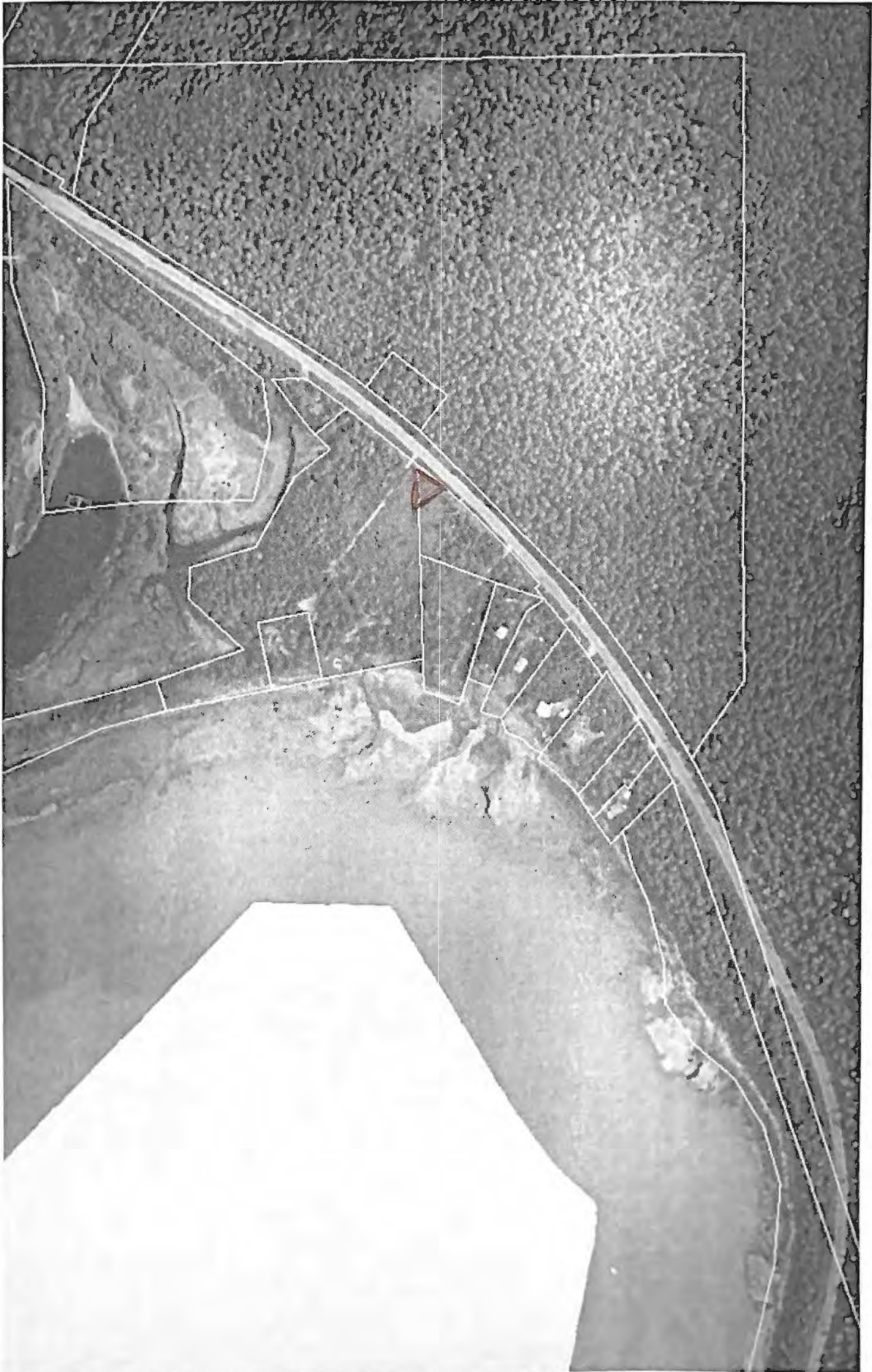
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SUBMIT





MEMORANDUM

CITY/BOROUGH OF JUNEAU

Lands and Resources Office
155 S. Seward St., Juneau, Alaska 99801
Dan.Bleidorn@juneau.org
(907) 586-5252

TO: Michelle Hale, Chair of the Assembly Lands Housing and Economic Development Committee

FROM: Dan Bleidorn, Lands and Resources Manager *Daniel Bleidorn*

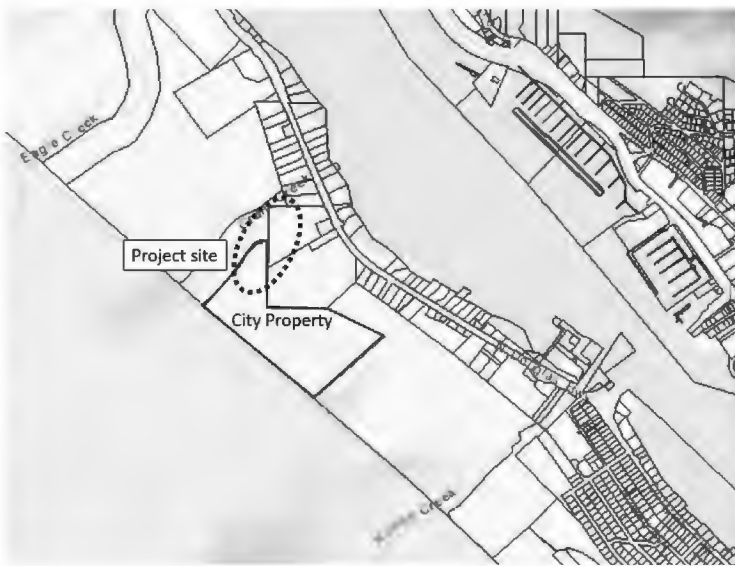
SUBJECT: Gary Tigar Grant Creek Homes Request to Purchase City Property through a Land Trade

DATE: April 28, 2022

The Lands Office has received a request for a land trade from Gary Tigar and Grant Creek Homes. The applicant is requesting to sell the City a 105,347 square foot area of property that is within the floodplain and buy a City owned 140,394 square foot uplands parcel. Both values would be determined by appraisal. The application states that the newly configured property would be subdivided into small single family lots.

The City owned property being requested in this application is a fraction of a 654-acre parcel in North Douglas. The location is southeast of Bonnie Brae Subdivision and Falls Creek, 4-mile North Douglas Highway, Eagle Creek and Grant Creek run through this property. The

Land Management Plan designates this property as retain/dispose, and it is managed by the Lands Office.



53.09.260 - Negotiated sales, leases, and exchanges.

(a) *Application, initial review, assembly authority to negotiate.* Upon application, approval by the manager, and payment of a \$500.00 fee, a person or business entity may submit a written proposal to lease, purchase, exchange, or otherwise acquire City and Borough land for a specified purpose. The proposal shall be

reviewed by the assembly for a determination of whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals. Upon direction of the

assembly by motion, the manager may commence negotiations for the lease, sale, exchange, or other disposal of City and Borough land.

If approved by the LHED Committee, this application will be forwarded to the Assembly as New Business to make a determination under 53.09.260 (a). In order to dispose of this property, the Assembly must adopt an ordinance authorizing the sale after the Planning Commission has had the opportunity to review it.

The Applicant is concurrently working through permitting process for the proposed subdivision. A pre-application meeting has already taken place and Lands, CDD and the Applicant were able to discuss the proposal, ask questions and provide direction on how to proceed. Based on the outcome of the subdivision review and subsequent negotiations the actual square footage and property boundaries of the proposed land trade would likely change if this proceeds.

Staff request that the Lands, Housing and Economic Development Committee forward this application to the Assembly with a motion of support for disposal of City property to Gary Tigar and Grant Creek Homes through a negotiated disposal or land trade.

Attachments:

1. Gary Tigar Grant Creek Homes Application to Purchase City Property
2. Draft Report from the Subdivision Pre-application Meeting

Applicant Information

Business / Individual *

Gary Tigar, Grant Creek Homes

Address *

1765 Palo Verde Blvd. S.

Street Address

Lake Havasu City

City

AZ

State / Province / Region

86403

ZIP / Postal Code

Phone *

(928) 566-4007

Email

garytigar@sbcglobal.net

☒ Add Another Business/Individual

Business / Individual - 2 *

Murray Walsh, Walsh Planning & Development Services

Address *

2974 Foster ave

Street Address

Juneau

City

AK

State / Province / Region

99801

ZIP / Postal Code

Phone *

(907) 723-8444

Email

murray@acsalaska.net

CBJ Land Information

The [CBJ Assessor's Database](#) will provide information regarding site address and legal description. The [CBJ Parcel Viewer](#) tool can provide necessary maps needed to complete this application.

Site Address *

4305 North Douglas Highway and the 8 acre parcel to the south

Legal Description *

USS 2135 TR 1 TR A

Provide Brief Description of Your Proposal *

To trade a portion of the Applicant's property to the CBJ in exchange for a portion of CBJ-owned land above USS 2135 TR 1 TR A as shown on the attached drawing. The newly configured property will then be subdivided for small single family homes on small lots.

Provide a Map of CBJ Land you wish to Purchase *

[Grant-Crk-Ph-III-7142021-TradeMap.pdf](#)  

Have you mailed the \$500.00 filing fee? *

- ☒ Yes
☐ Not Yet

Applications can only be processed when the \$500 fee is received. All checks are made out to "The City and Borough of Juneau" and can be sent to:

*The City and Borough of Juneau
Attn: Lands and Resources Division
155 S. Seward St.
Juneau, AK 99081*

"By submitting this form, I agree all information is accurate. Submission of this request is NOT approval by the City and Borough of Juneau. I understand that staff will review my application and follow up with questions. Once staff have reviewed my application, ultimate determination of my request to purchase City property will be made by the City Assembly."

Legal Representative of Business / Individual *

Gary

First

WTigar

Last

Legal Representative of Business / Individual -2 *

Murray

First

Walsh

Last

9/03/2020 1:43:08 PM AST
E:\GDM\VALSH\GRANT CREEK\GRANT CRK PH-I&II-7142021.DWG



**A PLAT
FOR PROPOSED LAND TRADE
BETWEEN GRANT CREEK HOMES
AND THE CITY AND BOROUGH OF
JUNEAU, ALASKA**

DRAWN BY: GDM GRAPHICS DATE: 9/03/2021

PAGE 1 of 1

WALSH PLANNING & DEVELOPMENT



(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/CDD
155 S. Seward Street • Juneau, AK 99801

Grant Creek Major Subdivision

Case Number: PAC2022 0018

Applicant: Murray Walsh

Property Owner: Grant Creek Homes, LLC

Property Address: Unassigned

Parcel Code Number: 6D060111002

Site Size: 8.78 acres or 382,457 Square Feet

Zoning: D18

Existing Land Use: Vacant

Conference Date: March 18, 2022

Report Issued: (Insert Today's Date)

DISCLAIMER: Pre-application conferences are conducted for purposes of providing applicants with a preliminary review of a project and timeline. Pre-application conferences are not based on a complete application, and are not a guarantee of final project approval.

List of Attendees

Note: Copies of the Pre-Application Conference Report will be emailed, instead of mailed, to participants who have provided their email address below.

Name	Title	Email address
Murray Walsh	Applicant	murray@acsalaska.net
Beth McKibben, AICP David Peterson Scott Ciambor	Senior Planner Planner 2/Plat Reviewer Planning Manager	beth.mckibben@juneau.org David.Peterson@juneau.org Scott.ciambor@juneau.org
	Building	xxx.xxx@juneau.org
	General Engineering	xxx.xxx@juneau.org
Dan Bleidorn	Lands Manager	Dan.Bleidorn@juneau.org
	Permit Tech	

Revised 5/07/2021

Conference Summary

Questions/issues/agreements identified at the conference that weren't identified in the attached reports.

The following is a list of issues, comments and proposed actions, and requested technical submittal items that were discussed at the pre-application conference.

Project Overview

The applicant seeks to subdivide an 8.78 acre parcel into 63 lots in the D18 zoning district. The applicant also seeks a land trade with CBJ. Attachment A shows the conceptual land trade. The land trade would have to precede the proposed subdivision. To pursue the proposed land trade the applicant will have to apply to acquire CBJ property through a negotiated land trade. (more here based on DB notes).

A major subdivision application is required for the proposed subdivision. A major subdivision is a two-step process – the preliminary plat and the final plat. Both steps require a public hearing and approval by the Planning Commission. Due to the overall potential number of dwelling units on the parcel and the trips generated, a Traffic Impact Analysis will be needed and is required with submittal of the preliminary plat.

Requirements for the preliminary plat are listed at CBJ 49.25.411 and final plat requirements are at CBJ 49.25.412. Because this project is projected to be part of a major subdivision development, pursuant to CBJ 49.15.401(a) (1) (A), a major subdivision must be applied for.

Because the property is zoned D-18, uses would need to be consistent with the Table of Permissible Uses, CBJ 49.25.300. The lots would need to be consistent with the Table of Dimensional Standards, CBJ 49.25.400. Conceptual subdivision shows 22 pairs of panhandle lots and 19 standard lots.

During the pre-application conference the applicant mentioned the project may be phased. CBJ 49.15.411(f)(3)(D) states that if phasing is proposed then the boundaries and number of each phase, sequential lot numbering, and a subdivision name consistent with previous phases shall be shown.

Planning Division

1. **Zoning** –D-18 (18 du/acre) with a maximum density of 158 dwelling units (8.78 acres X 18 du/acre)
2. **Subdivision** – (if a subdivision, provide lot dimensions)

Dimension	Minimum	Commonwall	Bungalow
Lot size, square feet	5,000	2,500	2,500
Lot width, feet	50 feet	20	25

Additionally:

CBJ 49.15.421 establishes dimensional standards specific to lots fronting a cul-de-sac or similar curved ROW – the Commission (for major subdivisions) makes a determination that meeting minimum lot width at the front building line in accordance with the TPU is impractical, may be reduced as necessary to achieve a reasonable lot configuration.

CBJ 49.15.423(a)(1) establishes dimensional standards specific to panhandle lots as follows:

(1)Dimensional requirements.

- A) The front and panhandle lots must meet all the dimensional and area requirements of this title.
- (B) No part of the panhandle portion of the lot shall be less than 20 feet wide.
- (C) The panhandle portion of the lot shall not be longer than 300 feet.
- (D) No buildings are allowed to be built or placed in the panhandle portion of the lot.
- (E) In a D-1 zoning district, 30 feet of the width of the panhandle of the rear lot may be used in determining the width of the front lot.
- (F) The lot width for the panhandle lot shall be the distance between its side lot lines measured behind the back lot line of the front lot.

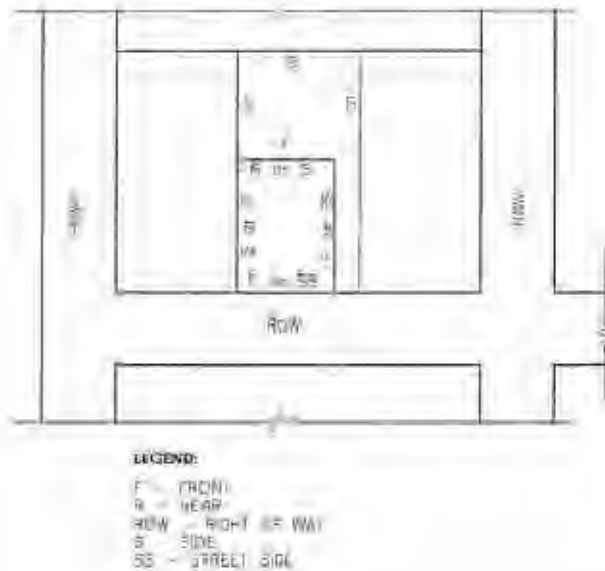
3. Setbacks –

- a. **Front:** 20 feet
- b. **Side:** 5 feet (commonwall 0' and 5')
- c. **Street side:** 13 feet
- d. **Rear:** 10 feet

CBJ 49.25.400 (TPU) note 3 – where one district abuts another, the greater of the two setbacks is required for both uses on the common property line. A portion of the site of the proposed project abuts a D3 zone. Setbacks for the D3 zone are as follows:

- a. **Front:** 25 feet
- b. **Side:** 10 feet
- c. **Street side:** 17 feet
- d. **Rear:** 25 feet

The image below indicates where setbacks are measured on panhandle lots.



4. Height –

- a. **Permissible use:** 35 feet
 - b. **Accessory use:** 25 feet
5. **Access** – via a new public right-of-way from Douglas Highway. AKDOT permits will be required for access to the state road.

Proposed access within the subdivision is shown as a 60-foot wide public right-of-way, ending in a cul-de-sac.

CBJ 49.35.240 Improvement Standards (Attachment G). Of note related to the proposal:

- CBJ 49.35.240(d)(1) requires grades on streets other than arterials must not exceed 12%. Fire Department requires no more than 10% w/out approval by the Fire Department.
- CBJ 49.35.240(d)(3) requires the minimum cross slope on all streets is 3%.
- CBJ 49.35.240(g) limits the length of streets designed to be have one end permanently closed to *no more than 600 feet in length*. Concept submitted for preapplication conference shows a cul-de-sac in excess of 600 feet. CBJ 49.35.240(g) (1) the Commission (for major subdivisions) may authorize a longer or shorter cul-de-sac if it is found that unique characteristics of the site warrant modifications.
- Additionally, CBJ 49.35.120(a) requires the developer must install all of the required improvements within the boundaries of the development, and may be required to make improvements beyond the development boundary in order for all of the improvements to function properly. In addition, *improvements must be designed and constructed to provide for future extension to adjoining lands*.
- *CBJ Lands Division indicated access to adjoining CBJ land from the proposed subdivision would be needed to gain support for the requested land trade.*
- CBJ 49.35.240(g)(2) Temporary cul-de-sac may be allowed where a street can be practically be extended to provide for connecting streets into adjoining undeveloped land. CBJ 49.35.240 requires a minimum diameter 120 feet for temporary cul-de-sacs. Temporary cul-de-sac may be permitted if all of the following are met per CBJ 49.35.240(g)(2):
 - (A) The temporary portions of the cul-de-sac shall be easements on the plat rather than as dedicated right-of-way. Such easements shall allow for public access and maintenance as if it were dedicated right-of-way until such time the easements are vacated. The easements shall not contribute towards lot area.
 - (B) All of the cul-de-sac must be constructed to permanent street construction standards except as noted in (G) below.
 - (C) The CBJ will record a release of the easements for the temporary portions of the cul-de-sac at the state recorder's office at Juneau at the time the cul-de-sac is removed and the street improvements have been extended.
 - (D) Easement lines for the temporary cul-de-sac will be considered front property lines for determining building setbacks.
 - (E) All improvements, including utilities and private driveways, must be designed to accommodate the eventual extension of the street and reversion of the temporary cul-de-sac to adjoining properties. The construction plans shall demonstrate those improvements connecting through a temporary cul-de-sac will still comply with CBJ standards after the temporary cul-de-sac is removed.
 - (F) Temporary cul-de-sacs must provide required access and minimum frontage on a publically maintained right-of-way to all lots using the cul-de-sac as access. If the cul-de-sac is not extended to the adjoining property, the maximum length of an unconstructed right-of-way

between the temporary cul-de-sac and the adjoining property shall be the minimum lot width for the zoning district. If the right-of-way is located in more than one zoning district, the shortest minimum lot width shall be used. The right-of-way between the constructed temporary cul-de-sac and the adjoining property shall be subject to the stub street requirements of this Title (See Figure 3). Attachment B

<https://mcclibrary.blob.core.usgovcloudapi.net/codecontent/13307/398872/49.35.240.g.2.png>

- (G)The temporary cul-de-sac may be located on property within the subdivision intended for future subdivision phases in conjunction with a platted right-of-way. It may also be located outside the subdivision boundary entirely within an easement (See Figure 4). If the temporary cul-de-sac is constructed on property outside of the subdivision boundary, then curb, gutter, and sidewalks are not required for the temporary cul-de-sac. Figure 4 Attachment C

<https://mcclibrary.blob.core.usgovcloudapi.net/codecontent/13307/398872/49.35.240.g.2.g.png>

- (H)The plat shall include the following note "Temporary cul-de-sac easement shall be vacated upon extension of street unless the director determines all or a portion of the cul-de-sac may remain."
- (I)When the developer of adjoining property is required to connect to the temporary cul-de-sac, the temporary portions of the cul-de-sac shall be removed. The director, after considering public safety, costs, and recommendations of the director of engineering and public works department and of the fire marshal, shall determine if the developer may leave all or part of the temporary portions of the cul-de-sac. If any temporary cul-de-sac portion is removed, then the resulting constructed right-of-way shall conform to CBJ standards.
- (3)Hammerhead turnarounds. Hammerhead turnarounds may be built in lieu of a temporary cul-de-sac, upon approval by the director of engineering and public works.

CBJ 49.35.240(I)(2) The Commission (for major subdivisions) may waive full construction of a roadway w/in a ROW that is required to provide access to a bordering property, and does not provide required access to any lot w/in the subdivision. Developer is required to demonstrate a stub street can be reasonably constructed to CBJ standards in the ROW. The Commission may require provision of a roadbed, utility line extensions, or other appropriate improvements.

With an Average Daily Trip (ADT) of more than 500 ADT the public ROW will require sidewalks on both sides, a 26 foot wide travel way width, street lights at all intersections, a 60 foot public ROW, paved and publically maintained.

6. **Parking & Circulation**– CBJ 49.15.423(3) addresses parking for panhandle lots as follows:

(3)Access and parking.

- (A)Access for the lots shall be located in the panhandle. A lot fronting a right-of-way may have a separate and additional access if approved by the government entity that controls rights-of-way. Access to each lot shall be designated on the plat in the form of an easement.
- (B)Off-street parking shall be provided in an amount sufficient to meet the requirements of CBJ 49.40, article II.
- (C)A driveway and parking plan that shows the feasibility of off-street parking shall be submitted and approved by the director prior to recording the plat.
- (D)Back out parking is prohibited unless approved by the director.

- (E)The applicant must provide assurance in the form of an easement, plat note referencing the maintenance agreement, and a maintenance agreement that is recorded with the subdivision, on forms acceptable to the director, ensuring the required access and parking areas will be constructed and maintained by all future property owners.
 - (F)Any portion of a driveway not located in a public right-of-way shall comply with emergency service access as required by CBJ 19.10. A profile of the proposed driveway centerline shall be submitted as part of the plat application, and must meet Alaska Department of Transportation and Public Facilities or CBJ driveway standards, as appropriate based on ownership of the right-of-way.
 - (G)Existing driveways and access points not meeting the requirements of this section must be abandoned, and improvements thereto removed and relocated prior to plat recordation.
 - (H)The portion of the driveway in the right-of-way or the first 20 feet from the edge of the public roadway shall be paved, whichever length is greater.
7. **Lot Coverage** – maximum lot coverage is 50%
 8. **Vegetative Coverage** – minimum vegetative cover is 30%
 9. **Lighting** – With an estimated Average Daily Trips (ADT) of more than 500 ADT street lights will be required at all intersections.
 10. **Noise** –N/A
 11. **Flood** – FIRM panel 02110C1562E - A portion of the project site is in the A flood zone. It is also in the area of land the applicant proposes to trade to CBJ. Any development within the flood zone would require a Floodplain Development Permit from CDD. CBJ 49.70 Article IV – Flood Hazard Areas (attachment E) Issuance of a Floodplain Development Permit requires certification from the applicant that all required state and federal permits have been obtained for the development. This would include obtaining the Corps of Engineers permit to fill the area. Depending on area of the land swap –if the proposed subdivision includes areas within the flood zone the following plat note will be required:

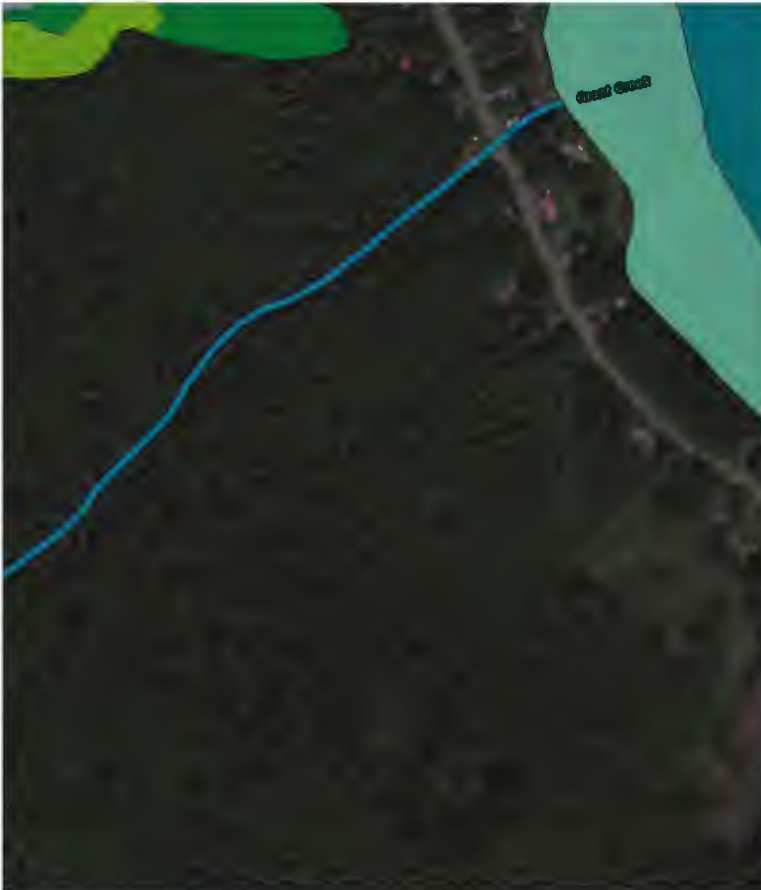
PARTS OF THIS SUBDIVISION ARE LOCATED IN A SPECIAL FLOOD HAZARD AREA ACCORDING TO THE EFFECTIVE CITY AND BOROUGH OF JUNEAU FLOOD INSURANCE RATE MAPS (FIRM) COMMUNITY PANEL #XXXXXXXXX, DATED XXXXXX X, AND XXXX. SPECIAL REGULATIONS MAY APPLY, INCLUDING DEVELOPMENT STANDARDS IN CITY AND BOROUGH OF JUNEAU TITLE 49, LAND USE CODE.



12. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – Some portions of the site may exceed 18% slope. A Hillside Endorsement may be required. A plat note may be required. Attachment D - CBJ 49.70 Article II, Hillside Endorsement.



13. **Wetlands** – According to the US Fish & Wildlife Service National Wetlands Inventory no wetlands are mapped on the site.



14. **Habitat** –

- a. **Anadromous waterbodies:** Grant Creek, which runs through the property, is an anadromous waterway and will require a 50 foot buffer from the Ordinary High Water Mark (OHWM). The area required for the 50 foot anadromous water body buffer is in the area proposed for trade with the CBJ.
- b. **Eagle Nests:** Check with the U.S. Fish and Wildlife on the presence of eagle nests in the area. The presence of eagle nests may impact construction scheduling.

15. **Plat or Covenant Restrictions** – N/A

16. **Traffic** – A single-family dwelling creates 9.52 average daily trips (ADTs). Based on the proposed subdivision, the applicant is seeking to create 63 individual lots for an estimated 599 ADT for the subdivision. *CBJ 49.40.300 requires a Traffic Impact Analysis (TIA) for developments projected to generate 500 or more ADT.* (Attachment F)

17. **Nonconforming situations** – None noted.

Building Division

18. **Building** –

19. **Outstanding Permits** –

General Engineering/Public Works

20. **Engineering** –

21. **Drainage** –

22. **Utilities** – (water, power, sewer, etc.)

Fire Marshal

23. **Fire Items/Access** –

Other Applicable Agency Review

24. AKDOT&PF

25. U.S. Army Corps of Engineers – (907) 753-2689

26. U.S. Fish & Wildlife

List of required applications

Based upon the information submitted for pre-application review, the following list of applications must be submitted in order for the project to receive a thorough and speedy review.

1. Development Permit Application
2. Subdivision Application
3. Preliminary Plat Check List

Additional Submittal Requirements

Submittal of additional information, given the specifics of the development proposal and site, are listed below. These items will be required in order for the application to be determined Counter Complete.

1. A copy of this pre-application conference report.

Pre-Application Conference Final Report

2. Traffic Impact Analysis in accordance with CBJ 49.40.300 (attachment F)
3. Preliminary drainage plan
4. Preliminary water and sewer plan
5. A driveway and parking plan that shows the feasibility of off-street parking for panhandle lots.
6. Draft maintenance agreement ensuring the required access and parking areas will be constructed and maintained by all future property owners for panhandle lots.
7. Applicable items listed under the General Engineering section of this report
- 8.

Exceptions to Submittal Requirements

Submittal requirements staff has determined **not** to be applicable or **not** required, given the specifics of the development proposal, are listed below. These items will **not** be required in order for the application to be reviewed.

1. None

Fee Estimates

The preliminary plan review fees listed below can be found in the CBJ code section 49.85.

Based upon the project plan submitted for pre-application review, staff has attempted to provide an accurate estimate for the permits and permit fees which will be triggered by your proposal.

1. Major Subdivision Preliminary Plat - \$110.00 per lot
2. Major Subdivision Final Plat - \$70.00 per lot
3. Public Notice Sign Fee - \$50.00 plus \$100.00 refundable deposit (x2). (one for the preliminary plat and one for the final plat)
- 4.

For informational handouts with submittal requirements for development applications, please visit our website at www.juneau.org/community-development.

Submit your Completed Application

You may submit your application(s) online via email to permits@juneau.org

OR in person with payment made to:

City & Borough of Juneau, Permit Center
 230 South Franklin Street
 Fourth Floor Marine View Center
 Juneau, AK 99801

Phone: (907) 586-0715

Web: www.juneau.org/community-development

Attachments:

- A – Proposed Land Trade
- B – Figure 3 –temporary cul-de-sac
- C – Figure 4 – temporary cul-de-sac
- D – 49.70 Article II Hillside Development
- E - 49.70 Article IV Flood Hazard Areas

F- 49.40 Article III Traffic

G- 49.35.240 Improvement Standards

H- 49.15.423 Panhandle Lots

Assembly Goals 2022

Assembly Goals set at
December 4, 2021 retreat

1. Housing - Assure adequate and affordable housing for all CBJ residents

AA*	Implementing Actions	Responsibility	Notes:
A	P	Revise and improve Title 49 to facilitate housing	Assembly, Planning Commission, Manager's Office, CDD
B	P/F	Implement projects & strategies that advance the goals of the Housing Action Plan	Assembly, Manager's Office Sold the remaining Pederson Hill lots
C	P/F/O	Continue a robust use of the Affordable Housing Fund and its sustainability	Assembly, Manager's Office
D	P/F	Reduce barriers to downtown housing development	Assembly, Manager's Office, CDD

2. Economic Development - Assure Juneau has a vibrant, diverse local economy

AA*	Implementing Actions	Responsibility	Notes:
A	F/O	Update the Comprehensive Plan	Assembly, Planning Commission, Manager's Office, CDD
B	O	Adopt and implement strategies developed by the Visitor Industry Task Force to mitigate impacts & increase economic benefits of tourism	Assembly, Manager's Office, Docks & Harbors
C	P/F/O	Examine options for a tourism governing structure that mitigates impacts & increases economic benefits of tourism	Assembly, Manager's Office, Docks & Harbors
D	P/F/O/S	Implement project strategy for Juneau Economic Plan, including revitalizing downtown, with regular updates	Assembly, Manager's Office Disposed of CBJ property to Franklin Foods Finalized the former HHW property disposal to AKBrewing
E	F	Explore financing for the Capital Civic Center	Assembly, Manager's Office, Finance
F	P/F/S	Support Eaglecrest Summer Operations Task Force & self-sufficiency of Eaglecrest	Assembly, Manager's Office, Eaglecrest
G	P/F	Pursue and plan for West Douglas and Channel Crossing	Assembly, CDD, Planning Commission, Manager's Office

3. Sustainable Budget and Organization - Assure CBJ is able to deliver services in a cost efficient and effective manner that meets the needs of the community

AA*	Implementing Actions	Responsibility	Notes:
A	P/F	Develop strategy for fund balance and protect restricted budget reserve	Assembly, Manager's Office, Finance
B	P/F	Continue to evaluate sales tax structure including equity and evaluate removing sales tax on food	Assembly, Manager's Office, Finance
C	P	Long term strategic planning for CIPs	Assembly, Manager's Office, EPW
D	P/F	Reduce mil rate as appropriate	Assembly, Manager's Office, Finance
E	F/O	Allocate resources to implement Assembly goals	Assembly, Manager's Office, Finance
F	F/O	Maintain Assembly focus on deferred maintenance including BRH and JSD.	Assembly, Manager's Office, EPW, all operating departments with facilities

*Assembly Action to Move Forward: P = Policy Development, F = Funding, S = Support, O = Operational Issue

Assembly Goals 2022

Assembly Goals set at
December 4, 2021 retreat

4. Community, Wellness, and Public Safety - Juneau is safe and welcoming for all citizens

	AA*	Implementing Actions	Responsibility	Notes:
A	P/O/S	Acknowledge and honor Juneau's indigenous culture, place names, naming policy, and recognize Elizabeth Peratrovich Day	Assembly, Manager's Office	
B	P/S	Explore government to government relations with tribes	Assembly, Manager's Office	
C	P/F/O	Examine social service funding levels and process	Assembly, Manager's Office	

5. Sustainable Community - Juneau will maintain a resilient social, economic, and environmental habitat for existing population and future generations.

	AA*	Implementing Actions	Responsibility	Notes:
A	P/O	Develop a zero waste or waste reduction plan	Assembly, Manager's Office, EPW, Finance	
B	P/O	Develop strategy to measure, track and reduce energy consumption.	Assembly, Manager's Office, all departments	
C	P/O/F	Implement projects and strategies that advance the goal of reliance on 80% of renewable energy sources by 2045	Assembly, Manager's Office, all departments	
D	P/F	Develop a climate change adaptation plan	Assembly, Manager's Office	
E	P/O/F	Develop strategy to reduce abandoned/junked vehicles	Assembly, Manager's Office, EPW, Law, P&R, D&H	

*Assembly Action to Move Forward: P = Policy Development, F = Funding , S = Support, O = Operational Issue