

MEMORANDUM

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

DATE: June 7, 2011

TO: Planning Commission

FROM: Nicole Jones, Planner
Community Development Department

FILE NO.: STV2011 0001

PROPOSAL: Street Vacation request of approximately 78 square feet of 1st Street.

GENERAL INFORMATION

Applicant: Dale Whitney

Property Owner: Dale Whitney

Legal Description: Kelly Smith Lot 3

Parcel Code No.: 2-D04-0-T46-016-3

Site Size: 5,688 square feet

Zoning: D18

Utilities: Public water & Public sewer

Access: 1st Street

Existing Land Use: Triplex spans across Lot 2 and Lot 3 of Kelly Smith subdivision

Surrounding Land Use: Northwest – D18 Vacant Lot, Gastineau Channel
Southeast – D18 Multi-family
Northeast – Gastineau Channel
Southwest – 1st Street and D Street ROW, D18

ATTACHMENTS

Attachment A	Plats
	1. Douglas Townsite; 1917
	2. Alaska Tidelands Survey No. 14; 1968
	3. Kelly Smith Subdivision; 2001
Attachment B	Setbacks that would apply if Street Vacation is denied
Attachment C	Rough draft As-built
Attachment D	Photo of dock from early 1900's and current photo
Attachment E	Proposed Street Vacation
Attachment F	E Street Vacation
Attachment G	Public Comment

BACKGROUND

The building that currently sits on this property is legally non-conforming and built across two properties and within the 1st Street right-of-way. The lot used to be very small (less than 200 square feet) but through a tidelands addition and a subdivision process the property was increased in size to just over 5,600 square feet (see plats in attachment A 1-3).

The lot has recently been purchased by the applicant. The applicant would like to demolish the structure and rebuild. The indent into Lot 3 would require the applicant to indent the new structure to meet the front yard setback requirement (see attachment B).

The applicant began this process with an inquiry case (INQ2011 0006) received March 31, 2011. The applicant proposed three different street vacation options. The option that seemed the most feasible and least intrusive is the option presented in this application; a street vacation of approximately 78 square feet (see attachment C). None of the options presented in the inquiry case was received favorably by Lands Department, General Engineering, or Public Works. The city departments listed above commented that it is not desirable to vacate City ROW.

The portion of right-of-way requested for vacation appears to be a previous access way to the location of an old dock which has been demolished. From photos, the dock appears to have been directly out from D Street in the channel (see attachment D). The ROW requested to be vacated is approximately 5 feet x 17 feet and the area of vacation requested is approximately 78 square feet (see attachment E).

Another Street Vacation has been approved for this area. The street vacation was approved in 1995 for a portion of E Street, of approximately 150 square feet. The vacation of E Street was platted in 2002 (see attachment F).

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Comments were solicited from CBJ General Engineering, CBJ Lands and Resources, CBJ Public Works, Fire Department, and CBJ Building Department.

Ron King, CBJ General Engineering
Not in support of this Street Vacation application.

Heather Marlow, Lands and Resources
Generally I do not support requests such as this, particularly if it is ROW.

Joe Buck, CBJ Public Works
E-mail sent 4/1/2011

Front Street Douglas is already a substandard street. The CBJ should not consider abandoning or adjusting any existing ROW until the street is upgraded to full CBJ standards. We may need that ROW for structural improvements to the roadbed when it is improved. It is difficult to tell what roadway design features will be required in the future.

E-mail sent 5/27/2011

Vacating ROW's is a very slippery slope. Once you begin to approve ROW vacations to accommodate one property owner, you then become obligated to vacate ROW's for everyone else who believes their project is special and deserves the adjacent public land. It doesn't work that way though. ROW's are for public benefit today and for the future. You cannot predict the public's future need for ROW and therefore should be very wary of considering vacation of any easements or ROW.

This is another case of a dwelling built within the ROW. A long-term agreement for the existing structure may be in order, but demolition and remodel of the building should require the owner to comply with current building and zoning codes for setbacks. The CBJ should not consider ROW vacation to accommodate adjacent property owners.

Dan Jager, Fire Department.

After looking over the paperwork submitted, I do not think there are any real big issues from the Fire Dept. side.

The applicant did a Utilities Locate for the property and there are no utilities within the portion of ROW that is being requested to be vacated.

ANALYSIS

Zoning-

The zoning for this property and surrounding area is D18. This neighborhood is composed primarily of single family residences. This particular lot has a portion of a triplex constructed on it. The structure was built in 1950 prior to current zoning and was constructed across a property line and into the 1st Street ROW. If the Street Vacation is granted, it will not bring the structure into compliance; a portion of the structure will still be within the ROW.

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 area 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.

Access-

This portion of the ROW appears to be a remnant of an old dock access which has been demolished. It appears to be a fragment of D Street but now is a portion of 1st Street. Currently this ROW is not being used for access because the existing structure prevents any use of the ROW for movement of people or vehicles. One block to the north there was previously 150 square feet of E Street which the Planning Commission vacated in 1995. F Street is still a platted ROW. Originally they provided tidewater access but with this access blocked, the intent of these small portions of platted ROW are unclear. They are extensions of the lettered streets, and it does not appear that they were planned to increase the width of 1st Street.

Traffic Analysis-

A letter was received from a neighboring property owner stating that approving the Street Vacation would compromise 1st Street by keeping the street as narrow as it is now (see attachment G). CBJ Public Works also commented on 1st Street being substandard. 1st Street ROW varies in width, but in this area it is approximately 39-49 feet wide (see attachment A1), the minimum width of city streets is 50 feet wide and with sidewalks, 60 feet wide. CBJ Public Works does not want any portion of 1st Street vacated because it may impact future needs of 1st Street.

Existing traffic levels and patterns will not be affected with this street vacation. This vacation request if approved will not change any current function of 1st Street.

Pedestrian Access-

Pedestrians are not currently using the portion of ROW that is requested to be vacated since it is occupied by a structure. No evidence has been presented to suggest that vacating the ROW would restrict pedestrian access in this neighborhood.

Public Health and Safety

This ROW has been used as a triplex and lawn ever since the structure was built. According to the CBJ Assessor's Database, the structure was built in 1950. The applicant is considering reconstructing a new home on this lot which will result in the entire structure being built on the property with no portion of the new building in the ROW. The proposed vacation of approximately 78 square feet will not affect public health or safety.

Compliance with Adopted Plans

The proposal was reviewed against the following plans for conformity: 2008 City & Borough of Juneau Comprehensive Plan, 2001 Area Wide Transportation Plan (AWTP), and the 2009 Non-Motorized Transportation Plan (NMTP).

2008 City & Borough of Juneau Comprehensive Plan

The Comprehensive Plan speaks to Douglas Island traffic with emphasis on improving access to and from Downtown Juneau across the Juneau-Douglas Bridge and the North Douglas Highway. Downtown Douglas is not identified in the 2008 CBJ Comprehensive Plan as a priority for improvements.

2009 Non-Motorized Transportation Plan (NMTP)

The purpose of the Non-Motorized Transportation Plan is to improve the transportation network to promote non-motorized transportation. Currently there is no infrastructure that promotes walking or cycling in the 1st Street neighborhood. The proposed improvements to the NMTP for Douglas Island are not centered around Downtown Douglas. There are no proposed improvements for 1st Street. Approving the street vacation would not affect existing or proposed changes to non-motorized transportation in this area.

2001 Area Wide Transportation Plan (AWTP)

The AWTP addresses a 20-year transportation framework and provides solutions for transportation problems throughout the borough. The deficiencies identified for Douglas Island do not include Downtown Douglas. The priorities are similar to the 2008 CBJ Comprehensive Plan including transportation improvements across the Juneau-Douglas Bridge, North Douglas highway expansion, the Douglas Island Bench Road, and Douglas Highway Pedestrian Improvement. A priority to improve Downtown Douglas has not been identified within the next 20 years.

The 2008 CBJ Comprehensive Plan, the 2009 NMTP, and the 2001 AWTP identify similar themes for Douglas Island. Additionally, there are platted ROWs that have not been constructed in Downtown Douglas and there are no plans to improve them or expand on them for at least the next twenty years.

49.70.900-49.70.1097 COASTAL DEVELOPMENT, HABITAT, AND WETLANDS

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

ALASKA COASTAL MANAGEMENT PROGRAM (ACMP)

Not applicable. This project does not require a state-coordinated ACMP review.

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.

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 June 3, 2011 and June 13, 2011 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?*

No. As discussed in the staff report above, vacating the small portion of 1st Street ROW will not affect the health or safety of the public.

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

No. As discussed above, the proposed street vacation currently has a legally non-conforming structure up to and across the front property line into the 1st Street ROW. Many structures in Douglas are legally non-conforming with some built within the ROW. 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.

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

Yes. As discussed above, the 2008 CBJ Comprehensive Plan, 2001 Area Wide Transportation Plan, and the 2009 Non-Motorized Transportation Plan do not address any changes to Downtown Douglas. The proposed street vacation will be in general conformity with the above mentioned plans.

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

N/A. As discussed above, this project does not require a state-coordinated ACMP review.

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RECOMMENDATION

The permit, if approved, would allow a street vacation of approximately 78 square feet of 1st Street in Douglas.

After review of the Street Vacation application, there does not appear to be a current public need to retain the proposed portion of ROW that is being requested to be vacated. While there are no currently documented plans to upgrade 1st Street, this section of platted ROW may be useful for future municipal projects. Comments received from Joe Buck, Director of Public Works, are very clear that this portion of ROW should not be vacated.

If additional information is presented at the hearing, and the Planning Commission determines that the ROW should be vacated, staff recommends the following condition:

1. The applicant shall complete the minor subdivision platting process per CBJ code.

GASTINEAU CHANNEL

PLAT OF DOUGLAS TOWNSITE ALASKA U.S. SURVEY NO. 1180

Lat: 58°17' N. Long: 134°24' W.
Scale: 1 inch = 60 ft.

AREA SUBDIVIDED: 24.27 ACRES

Survey commenced Nov. 1, 1917.

Survey completed Nov. 30, 1917.

LEGEND

STONE REFERENCE MONUMENTS, sunk in
beneath the surface of the ground, are located
at intersections of center lines of streets where
indicated thus \oplus the point of intersection being
marked by a cross on the stone.

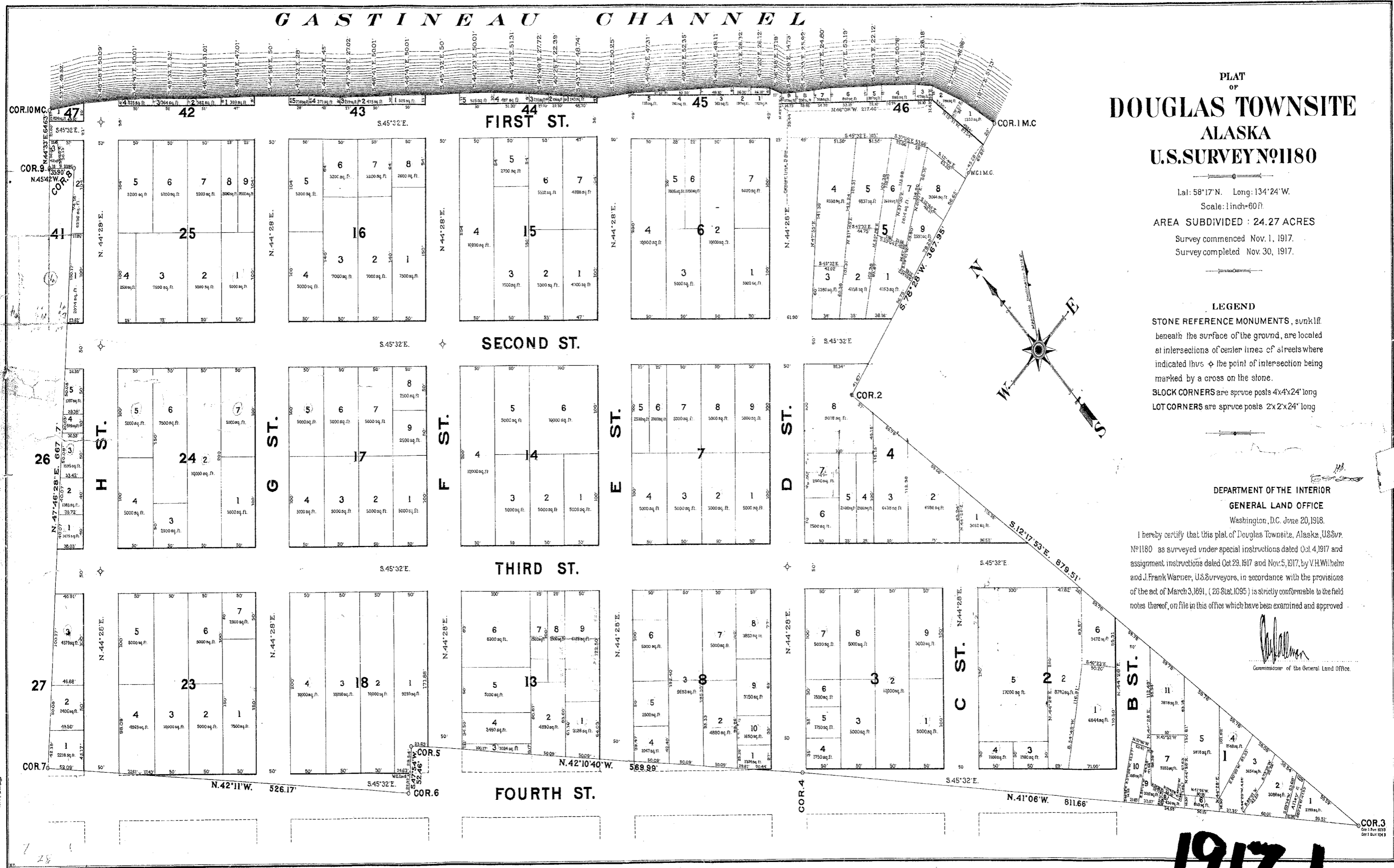
BLOCK CORNERS are spruce posts 4x4x24" long
LOT CORNERS are spruce posts 2x2x24" long

DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE

Washington, D.C. June 20, 1918.

I hereby certify that this plat of Douglas Townsite, Alaska, U.S. Survey
No. 1180 as surveyed under special instructions dated Oct. 4, 1917 and
assignment instructions dated Oct. 29, 1917 and Nov. 5, 1917, by V.H. Wilhelm
and J. Frank Warner, U.S. Surveyors, in accordance with the provisions
of the act of March 3, 1891, (26 Stat. 1095) is strictly conformable to the field
notes thereof, on file in this office which have been examined and approved

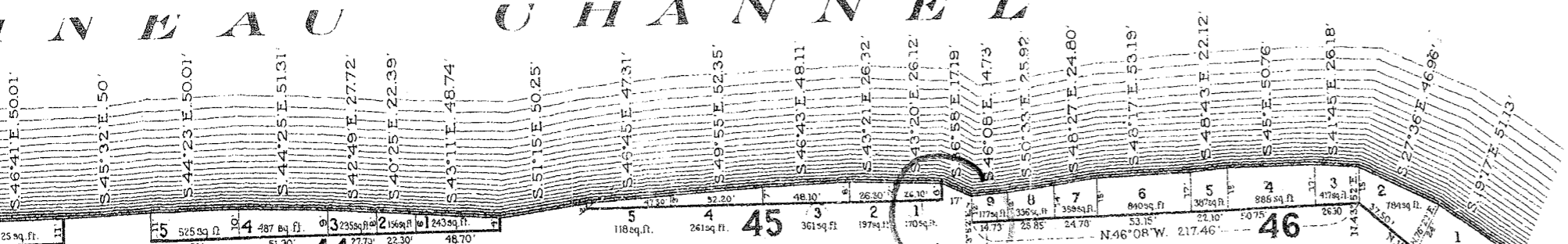
[Signature]
Commissioner of the General Land Office.



ATTACHMENT A1

1917-1

NEAU CHANNEL



DOUGLA

U.S.SU

Lat: 58°

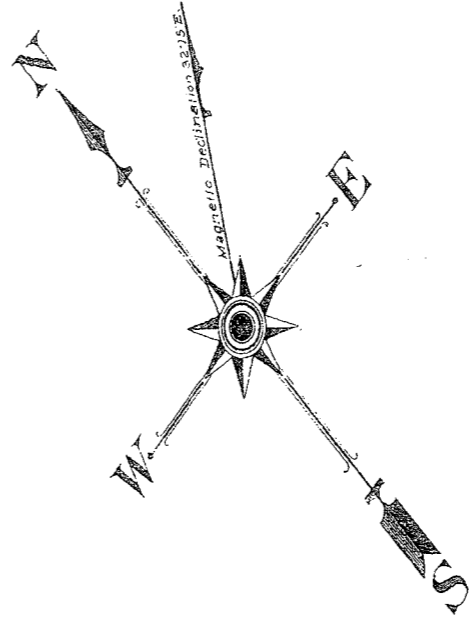
AREA SUB

Survey c

Survey c

FIRST ST.

Section of ROW in question

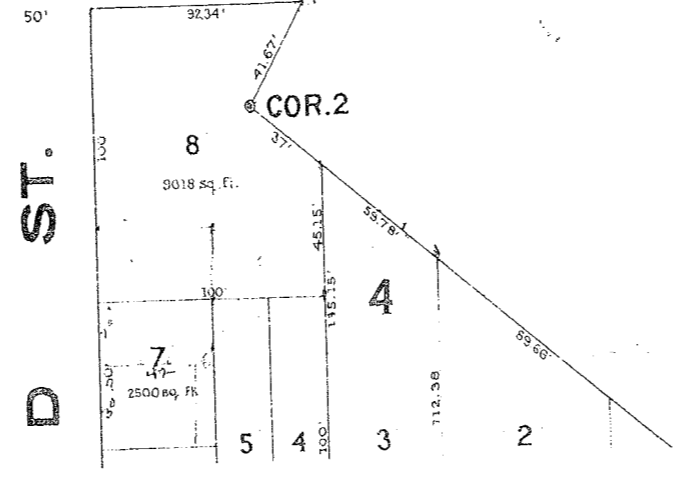
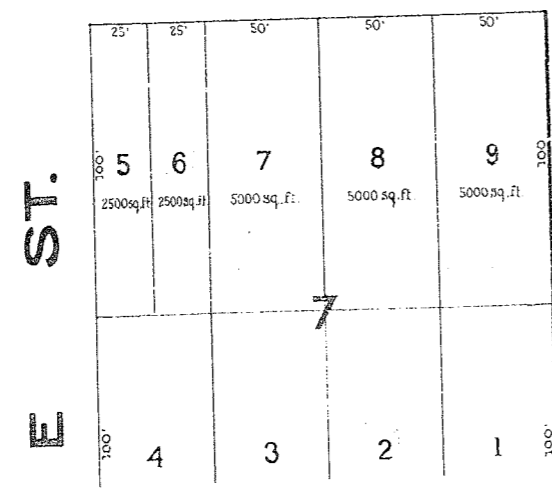
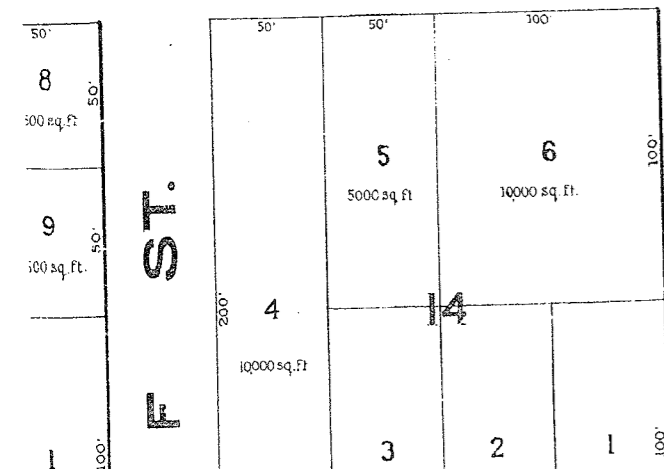
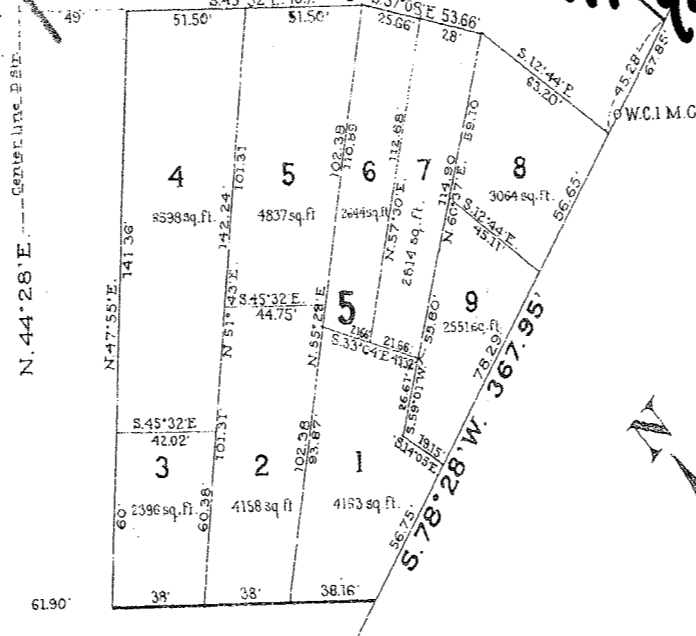
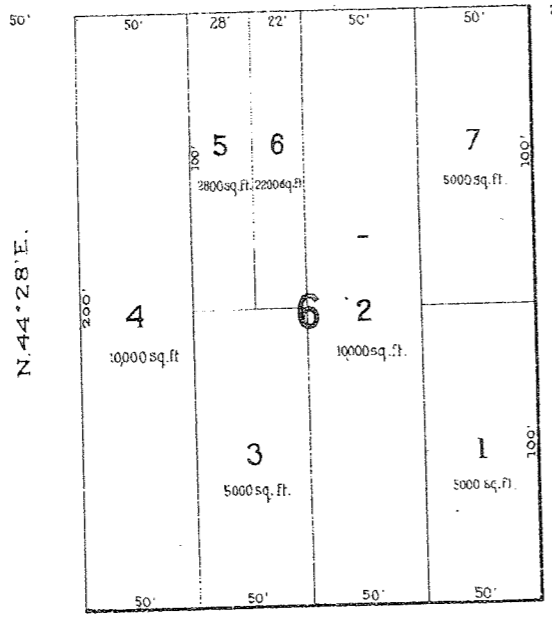
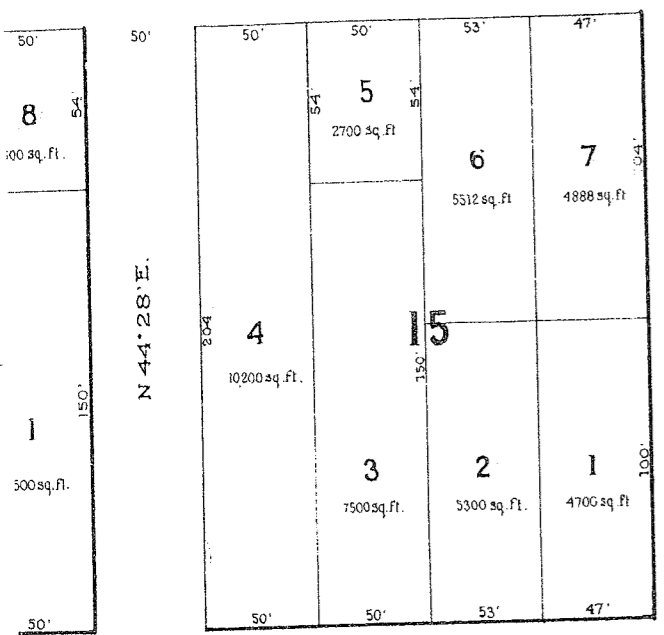


STONE REFERENCE
beneath the surface
at intersections
indicated thus
marked by a circle
BLOCK CORNER
LOT CORNERS

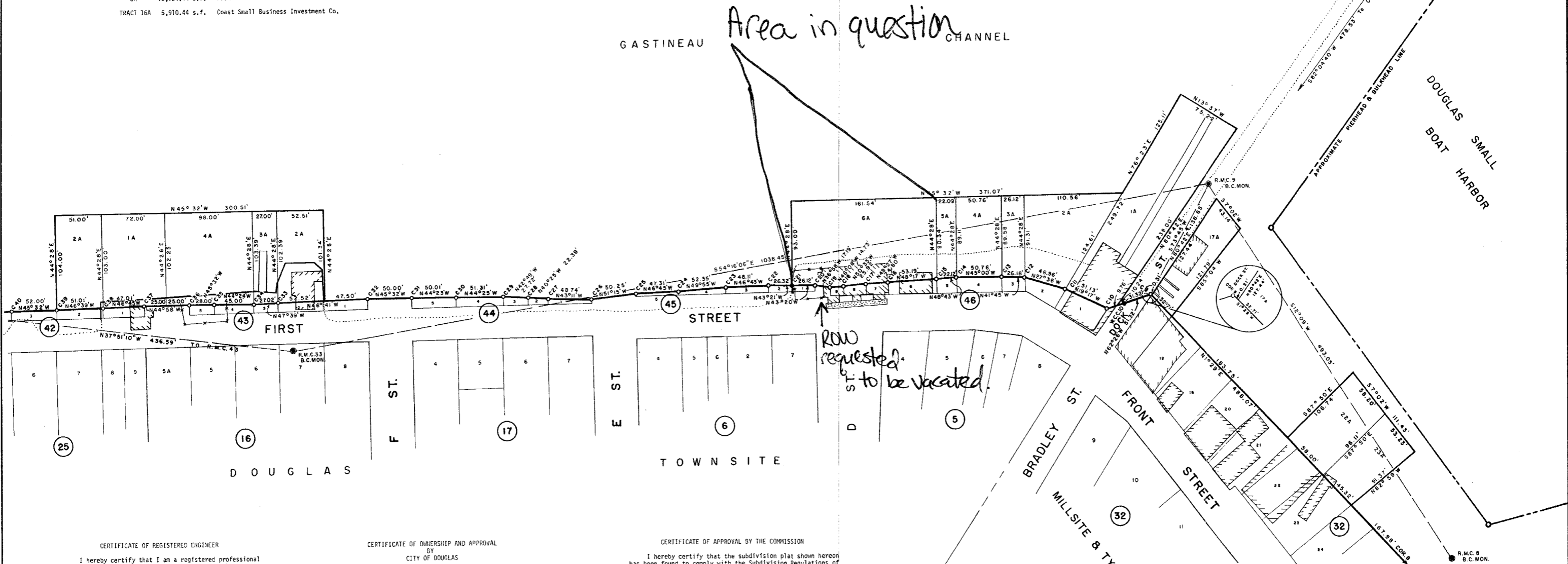
SECOND ST.

COR. 2

ATTACHMENT A1



LOT & BLOCK	AREA	OCCUPANT
BLOCK 32		
17A	4,617.84 s.f.	Lyle C & Kirsten Orbin
22A	5,736.07 s.f.	Robert Johnson & James McCormick
23A	4,609.39 s.f.	Hjalmar Savikko
BLOCK 42		
1A	7,370.63 s.f.	Aarup, Jens & Brown, Dota
2A	5,278.50 s.f.	Bessie Jimmie
BLOCK 43		
2A	5,348.93 s.f.	Sante Degan
3A	2,778.03 s.f.	Jens Aarup & Ted Bayer
4A	10,060.87 s.f.	Jens Aarup
BLOCK 46		
1A	16,252.39 s.f.	William Boehl
2A	7,827.71 s.f.	William Boehl
3A	2,352.42 s.f.	William Boehl
4A	4,535.15 s.f.	William Boehl
5A	1,982.03 s.f.	Gross Enterprises
6A	15,124.44 s.f.	Frank & Mina Tonkovich
TRACT 16A	5,910.44 s.f.	Coast Small Business Investment Co.



CERTIFICATE OF REGISTERED ENGINEER

I hereby certify that I am a registered professional civil engineer, and that this plat represents the survey made by me or under my direct supervision, and that all dimensional and other details are correct to the best of my knowledge.

March 23, 1968



CERTIFICATE OF OWNERSHIP AND APPROVAL BY CITY OF DOUGLAS

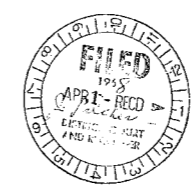
I hereby certify that the City of Douglas is the owner of the property shown and described hereon and that the common council of the City of Douglas, sitting as a platting authority, has approved the plan of subdivision shown hereon, and that said plat has been approved by resolution No. 386 dated March 25, 1968.

March 25, 1968 CITY OF DOUGLAS
 Attest: *Virginia B. Post*
 City Clerk

CERTIFICATE OF APPROVAL BY THE COMMISSION

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations of the Greater Juneau Borough Planning Commission and that said plat has been approved by Plat Resolution No. 137 dated March 25, 1968, and that the plat shown hereon has been approved for recording in the office of the District Judge.

Attest: *Glenn A. Prince*
 Clerk



Plat # 515

Note: Survey executed in 1962

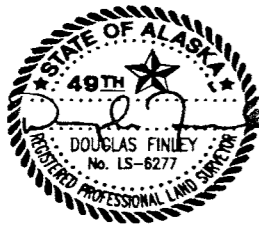
JUNEAU Serial No. 68-519

CITY OF DOUGLAS
 SUBDIVISION OF
ALASKA TIDELANDS SURVEY NO. 14
 TIDELANDS ADDITION TO THE CITY OF DOUGLAS, ALASKA
 SCALE: 1"=50' MARCH 22, 1968
TONER & NORDLING REGISTERED ENGINEERS JUNEAU, ALASKA

CERTIFICATE OF REGISTERED LAND SURVEYOR

I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, REGISTERED IN THE STATE OF ALASKA, AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE ACCURACY OF THE SURVEY IS WITHIN THE LIMITS REQUIRED BY TITLE 4, COMMUNITY DEVELOPMENT REGULATIONS AND TITLE 49 OF THE CODE OF THE CITY AND BOROUGH OF JUNEAU, THAT ALL DIMENSIONAL AND RELATIVE BEARINGS ARE CORRECT AND THAT MONUMENTS ARE SET IN PLACE AND NOTED UPON THIS PLAT AS PRESENTED.

Douglas Finley
DOUGLAS FINLEY LS-6277
DATE: 4-13-01



CERTIFICATE OF APPROVAL CITY & BOROUGH OF JUNEAU, DEPARTMENT OF COMMUNITY DEVELOPMENT

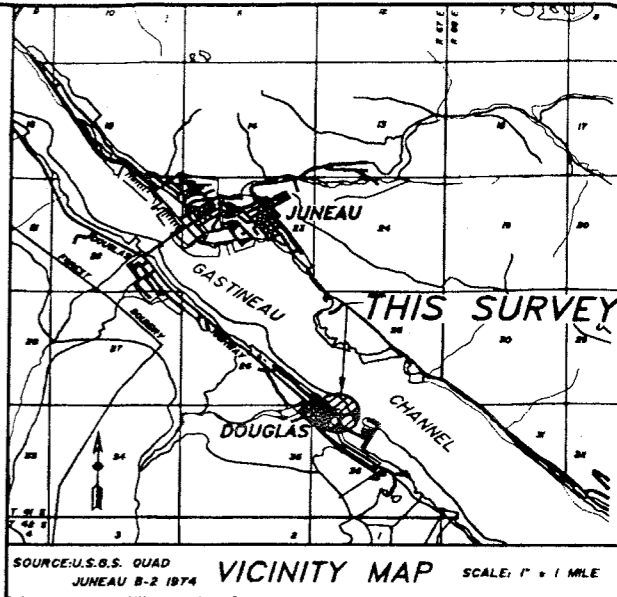
I HEREBY CERTIFY THAT THE PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH TITLE 4 COMMUNITY DEVELOPMENT REGULATIONS AND TITLE 49 OF THE CODE OF THE CITY AND BOROUGH OF JUNEAU, AND IS APPROVED BY THE CITY AND BOROUGH OF JUNEAU DEPARTMENT OF COMMUNITY DEVELOPMENT FOR RECORDING IN THE OFFICE OF THE JUNEAU RECORDING DISTRICT, JUNEAU, ALASKA.

DATED: 5/29/01

NOTE
LOT 1 SUBJECT TO RECORDED
FIRE PROTECTION AGREEMENT

Janie J. Sia
DIRECTOR, CITY & BOROUGH OF JUNEAU
DEPARTMENT OF COMMUNITY DEVELOPMENT

WITNESS: CLERK, CITY AND BOROUGH OF JUNEAU
PLANNING COMMISSION



TYPICAL MONUMENTS
SET THIS SURVEY:

REBAR & CAP



1 1/4" PLASTIC CAP
ON 42" X 5/8" REBAR

STATEMENT OF OWNERSHIP:

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADOPT THIS PLAT OF SUBDIVISION WITH MY (OUR) FREE CONSENT, AND THAT I (WE) DEDICATE ALL STREETS, ALLEYS, WALLS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS INDICATED.

DATE: MAY 25, 2001
WITNESS _____ OWNER: *Brendan Kelly*
WITNESS _____ OWNER _____

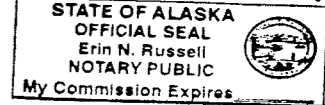
NOTARY'S ACKNOWLEDGMENTS:

UNITED STATES OF AMERICA
STATE OF ALASKA I S.S.
THIS IS TO CERTIFY THAT ON THIS 25th DAY OF MAY, 2001
BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED:
Brendan Kelly

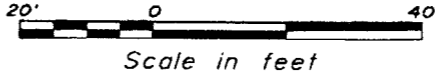
KNOWN TO ME TO BE THE PERSON (PERSONS) DESCRIBED IN AND WHO EXECUTED THE ABOVE AND FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE (SHE) (THEY) SIGNED AND SEALED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN MENTIONED.

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

NOTARY PUBLIC FOR ALASKA: *Erin N. Russell*
MY COMMISSION EXPIRES: 04/20/2004



LINE	BEARING	DISTANCE
L1	N36°58'00"W	17.19'
L2	N43°52'00"E	12.00'



OWNERS

BRENDAN KELLY & APRIL SMITH
2160 FRITZ COVE ROAD
JUNEAU, AK 99801

LEGEND

- REBAR & CAP MON. SET THIS SURVEY D FINLEY LS 6277
- REBAR & CAP MON. RECOVERED THIS SURVEY D FINLEY LS 6277

CRUI FILE COPY
The official recorded copy of this document is on file at the office of the Juneau Recording District, as Plat No. 2001-36 recorded on 5-29-01
SUB2001-00016

A PLAT OF
KELLY / SMITH SUBDIVISION
A RESUBDIVISION OF LOT 1, BLOCK 45, LOTS 6-9, BLOCK 46, DOUGLAS TOWNSITE, AND LOT 6A, A.T.S. 14
LOCATED ON DOUGLAS ISLAND, IN THE CITY & BOROUGH OF JUNEAU, ALASKA
JUNEAU RECORDING DISTRICT

DOUGLAS FINLEY LAND SURVEYING
820 6TH STREET - JUNEAU, ALASKA (907) 586-4253
DATE: 4/11/01 PROJ. No.: 00-322-C333 SCALE: 1"=20'

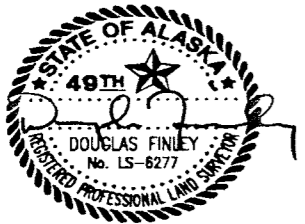
SHEET 1 OF 1

SUBJECT TO EASEMENTS & RESTRICTIONS OF RECORD

CERTIFICATE OF REGISTERED LAND SURVEYOR

I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, REGISTERED IN THE STATE OF ALASKA, AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE ACCURACY OF THE SURVEY IS WITHIN THE LIMITS REQUIRED BY TITLE 4, COMMUNITY DEVELOPMENT REGULATIONS AND TITLE 49 OF THE CODE OF THE CITY AND BOROUGH OF JUNEAU, THAT ALL DIMENSIONAL AND RELATIVE BEARINGS ARE CORRECT AND THAT MONUMENTS ARE SET IN PLACE AND NOTED UPON THIS PLAT AS PRESENTED.

Douglas Finley
DOUGLAS FINLEY LS-6277
4-13-01
DATE



CERTIFICATE OF APPROVAL CITY & BOROUGH OF JUNEAU, DEPARTMENT OF COMMUNITY DEVELOPMENT

I HEREBY CERTIFY THAT THE PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH TITLE 4 COMMUNITY DEVELOPMENT REGULATIONS AND TITLE 49 OF THE CODE OF THE CITY AND BOROUGH OF JUNEAU, AND IS APPROVED BY THE CITY AND BOROUGH OF JUNEAU DEPARTMENT OF COMMUNITY DEVELOPMENT FOR RECORDING IN THE OFFICE OF THE JUNEAU RECORDING DISTRICT, JUNEAU, ALASKA.

DATED: 5/29/01

NOTE
LOT 1 SUBJECT TO RECORDED
FIRE PROTECTION AGREEMENT

Jauri J. Sia
DIRECTOR, CITY & BOROUGH OF JUNEAU
DEPARTMENT OF COMMUNITY DEVELOPMENT

WITNESSES: *Jauri J. Sia*
CLERK, CITY AND BOROUGH OF JUNEAU
PLANNING COMMISSION

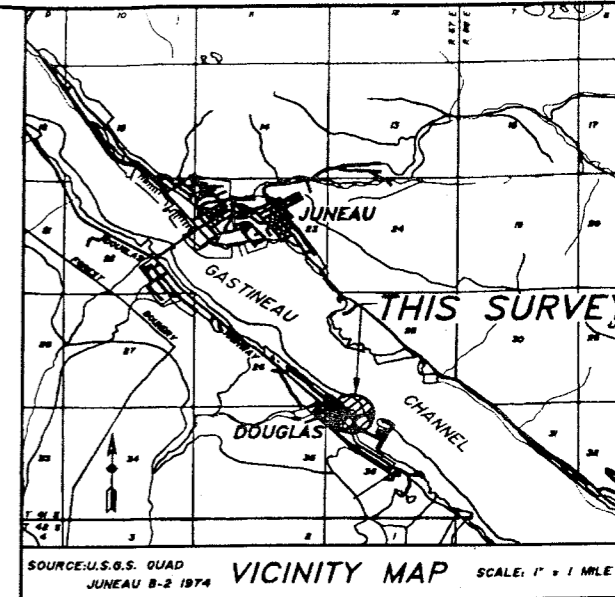


TYPICAL MONUMENTS
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1 1/4" PLASTIC CAP
ON 42" X 5/8" REBAR



STATEMENT OF OWNERSHIP:

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) (WE) HEREBY ADOPT THIS PLAT OF SUBDIVISION WITH MY (OUR) FREE CONSENT, AND THAT (WE) DEDICATE ALL STREETS, ALLEYS, WALLS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS INDICATED.

DATE: MAY 25, 2001

WITNESS _____ OWNER Brendan Kelly
WITNESS _____ OWNER _____

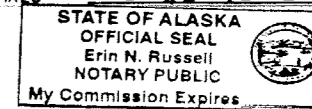
NOTARY'S ACKNOWLEDGMENTS:

UNITED STATES OF AMERICA)
STATE OF ALASKA) S.S.
THIS IS TO CERTIFY THAT ON THIS 25th DAY OF MAY, 2001
BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED;
Brendan Kelly

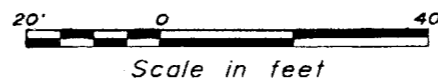
KNOWN TO ME TO BE THE PERSON (PERSONS) DESCRIBED IN AND WHO EXECUTED THE ABOVE AND FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE (SHE) (THEY) SIGNED AND SEALED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN MENTIONED.

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

NOTARY PUBLIC FOR ALASKA Erin N. Russell
MY COMMISSION EXPIRES 04/20/2004



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N36°58'00"W	17.19'
L2	N43°52'00"E	12.00'



OWNERS

BRENDAN KELLY & APRIL SMITH
2160 FRITZ COVE ROAD
JUNEAU, AK 99801

LEGEND

- REBAR & CAP MON. SET THIS SURVEY D FINLEY LS 6277
- ⊕ REBAR & CAP MON. RECOVERED THIS SURVEY D FINLEY LS 6277

CRIFILE COPY
The official recorded copy of this document is on file at the office of the Juneau Recording District, as Plat No. 2001-36 recorded on 5-29-01
Sub 2001-00016

SUBJECT TO EASEMENTS & RESTRICTIONS OF RECORD

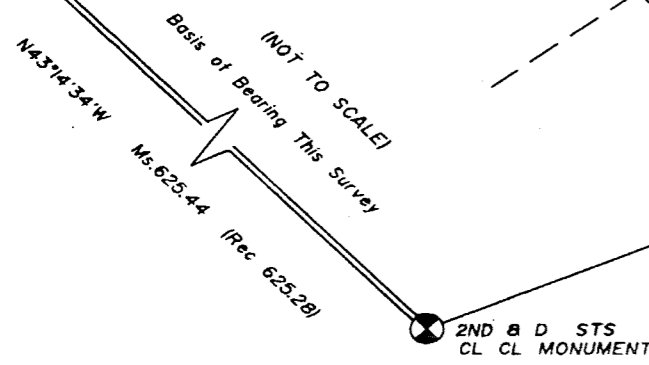
A PLAT OF
KELLY / SMITH SUBDIVISION
A RESUBDIVISION OF LOT 1, BLOCK 45, LOTS 6-9, BLOCK 46, DOUGLAS TOWNSITE, AND LOT 6A, A.T.S. 14
LOCATED ON DOUGLAS ISLAND, IN THE CITY & BOROUGH OF JUNEAU, ALASKA
JUNEAU RECORDING DISTRICT

DOUGLAS FINLEY LAND SURVEYING 820 6TH STREET - JUNEAU, ALASKA (907) 586-4253 DATE: 4/11/01	PROJ. No.: 00-322-C333	SCALE: 1"=20'	SHEET 1 OF 1
---	------------------------	---------------	------------------------

Required front yard setback for new structure if street vacation is denied.

D. FINLEY
REBAR & CAP MON.
LT 2 / LT 3 / BLK. 16
2ND ST

D.S.



2001-036 111.1
D. FINLEY LS 6277
2001-36
SUB 2001-00016

ATTACHMENT B

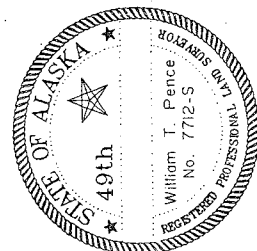
NOTES

- 1) ALL DISTANCES ARE MEASURED IN U.S. SURVEY FEET.
- 2) RECORD INFORMATION DERIVED FROM
- 3) WHERE DIFFERENT FROM MEASURED OR CALCULATED, RECORDED DIMENSIONS ARE SHOWN IN PARENTHESES.
- 4) SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

*option #1 ...
option #2 ---*

*demolish structure on lot 2 & 3
start rebuild this summer
corp application for fill this summer*

BASIS OF BEARING
THE BASIS OF BEARING FOR THIS PLAT IS THE RECORD BEARING OF S44°28'00"W BETWEEN FOUND 6277 REBAR & CAP PROPERTY MONUMENTS.



CERTIFICATE OF REGISTERED LAND SURVEYOR

I HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION OF THE FOLLOWING DESCRIBED PROPERTY:
LOTS 2 & 3, KELLY/SMITH SUBDIVISION, U.S. SURVEY XXXX, AND THAT ALL WALKS, ROADS, IMPROVEMENTS, ENCROACHMENTS AND OVERLAPS ARE SHOWN CORRECTLY TO THE BEST OF MY KNOWLEDGE.

DATED: MAY 2009

VICINITY MAP
SCALE: N.T.S.
SOURCE: CBJ BASEMAP SERIES

LINE	BEARING	DISTANCE
L1	1	1
L2	1	1
L3	1	1

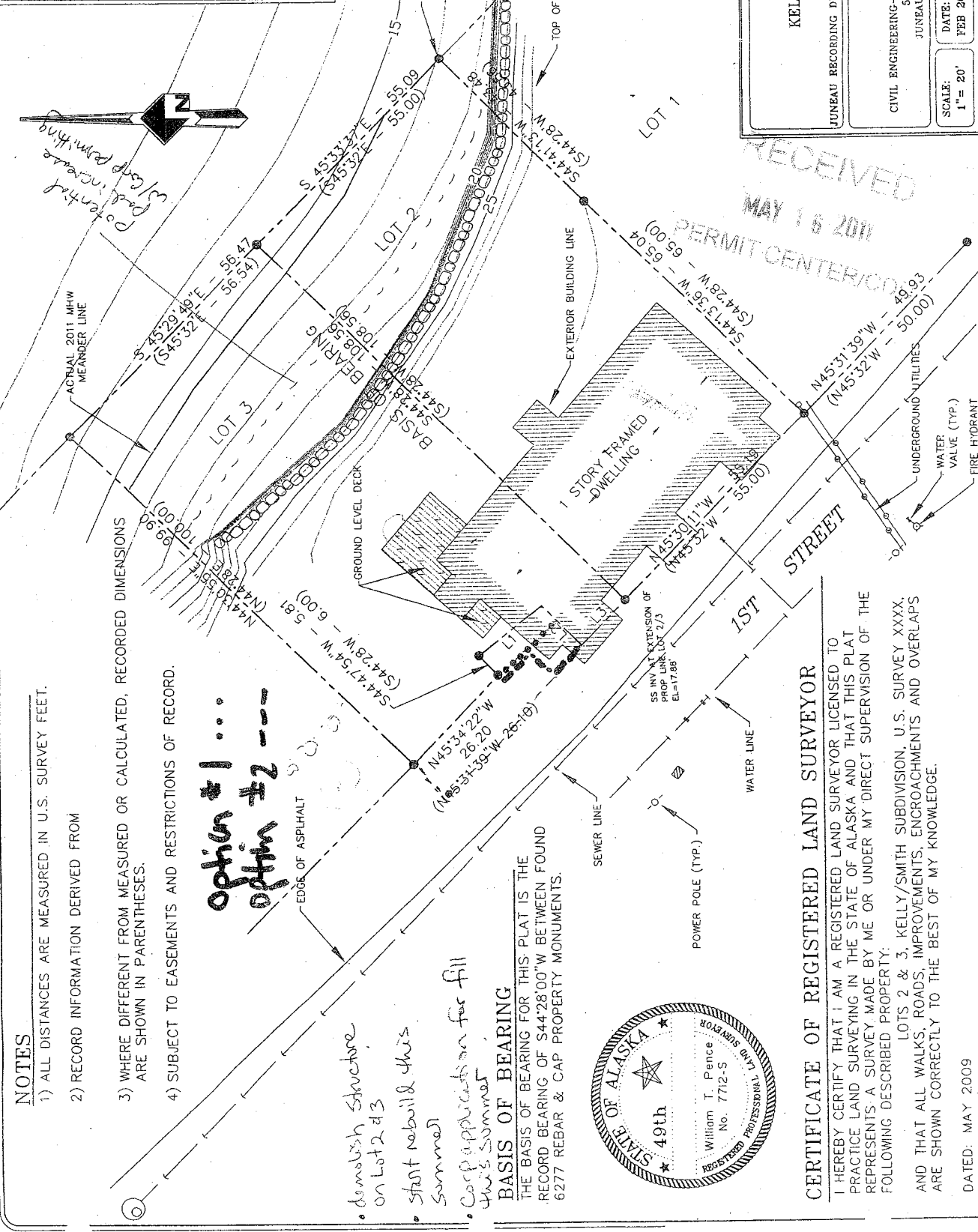
LOCATION SURVEY
LOTS 2 & 3
KELLY/SMITH SUBDIVISION

JUNEAU RECORDING DISTRICT, CITY AND BOROUGH OF JUNEAU, ALASKA

DOWL HKM

CIVIL ENGINEERING-LAND SURVEYING-CONSTRUCTION MANAGEMENT
5368 COMMERCIAL BOULEVARD
JUNEAU ALASKA 99801 907-780-3553

SCALE: 1" = 20'
DATE: FEB 2011
PROJECT NO: J70404
SHEET NO: 1 OF 1



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MAY 15 2011
PERMIT CENTER

COMMENTS
RE: [unclear]

Good morning Nicole, I do not think Sven or myself will be able to make the meeting this morning. After looking over the paperwork submitted, I do not think there is any real big issues from the fire dept. side. Let me know if you or the applicant need anything else.

Dan

I'm confused. Is this ROW or is it something else, like previously vacated ROW? I think it is currently ROW. Generally I do not support requests such as this, particularly if it is ROW. If it's in a different ownership status I can take a closer look, but the time, expense and bother associated with a land sale would lead me to recommend against it.
Heather

Ron King, General Engineering

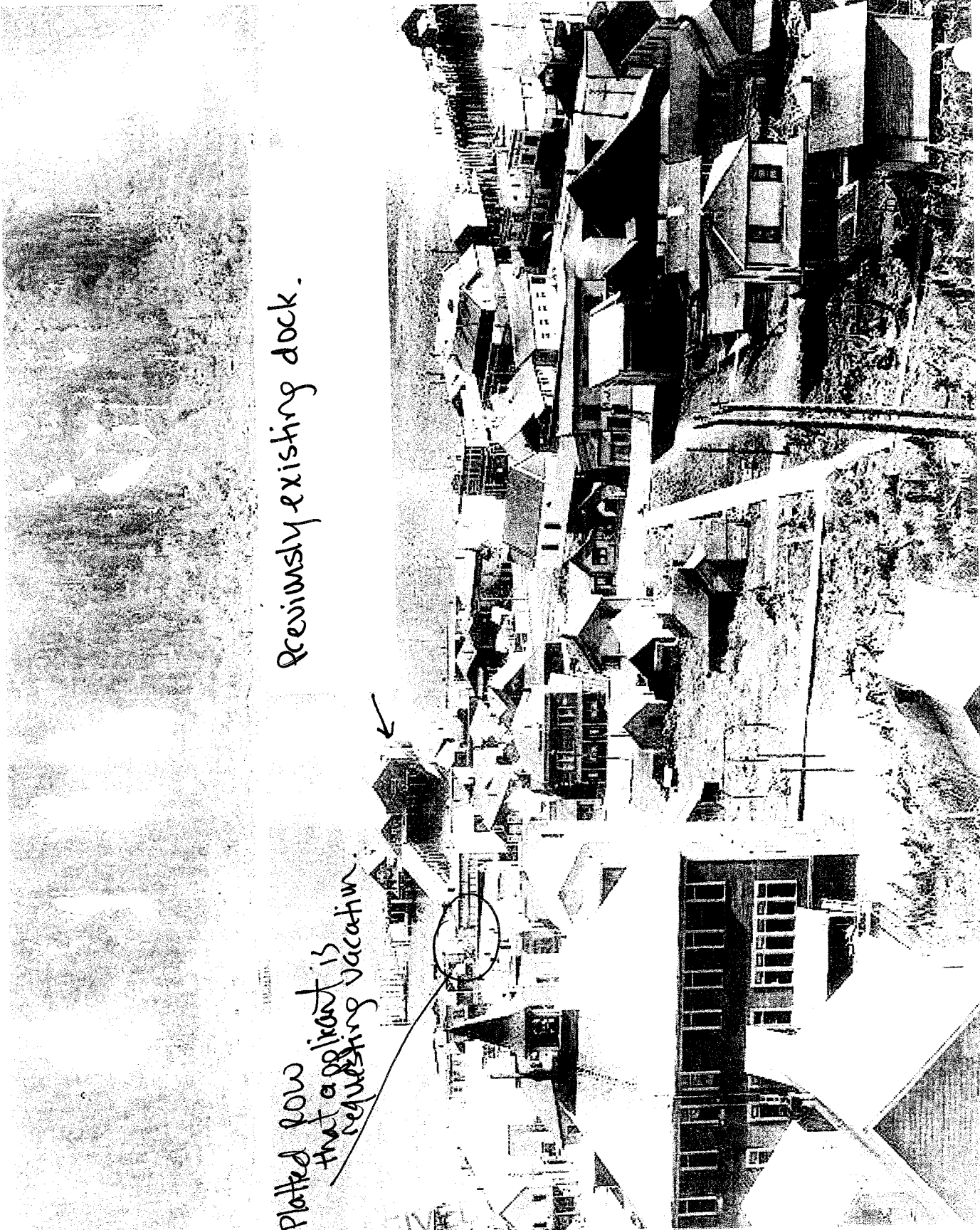
I would recommend against. What does Lands think? This would be a direct sale of vacated right of way. Standard survey rules for Vacation would not apply in this case. The parcel may be found on the Douglas Townsite map.

Nicole,

Front Street Douglas is already a substandard street. The CBJ should not consider abandoning or adjusting any existing ROW until the street is upgraded to full CBJ standards. We may need that ROW for structural improvements to the roadbed when it is improved. It is difficult to tell what roadway design features will be required in the future.

Joe Buck PE

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MAY 18 2011
PERMIT CENTER/ODD



Previously existing dock.

Platted low
that applicant is
requesting vacation



2011
AMERICDD

RECEIVED
MAY 16 2011
PERMIT CENTER/CDD

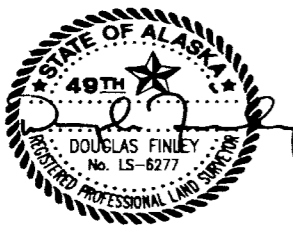
Photo taken by applicant 4/2011.
Photo taken from rear lot line of
Kelly Smith Lot 3

CERTIFICATE OF REGISTERED LAND SURVEYOR

I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, REGISTERED IN THE STATE OF ALASKA, AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE ACCURACY OF THE SURVEY IS WITHIN THE LIMITS REQUIRED BY TITLE 4, COMMUNITY DEVELOPMENT REGULATIONS AND TITLE 49 OF THE CODE OF THE CITY AND BOROUGH OF JUNEAU, THAT ALL DIMENSIONAL AND RELATIVE BEARINGS ARE CORRECT AND THAT MONUMENTS ARE SET IN PLACE AND NOTED UPON THIS PLAT AS PRESENTED.

Douglas Finley
DOUGLAS FINLEY LS-6277

4-13-01
DATE



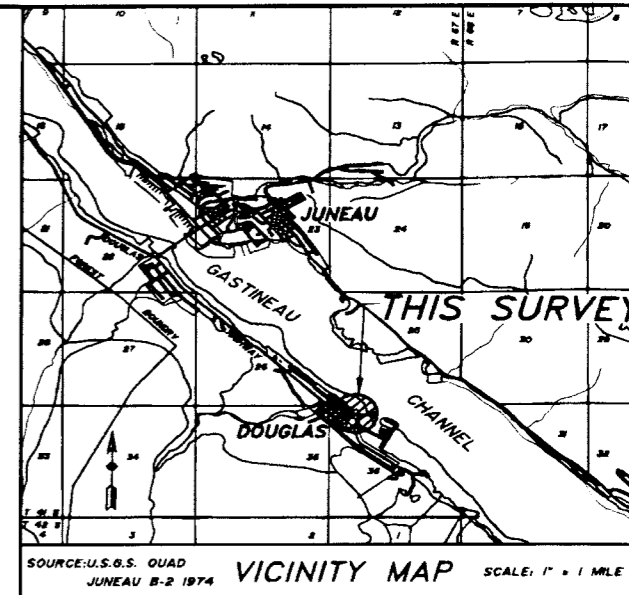
CERTIFICATE OF APPROVAL CITY & BOROUGH OF JUNEAU, DEPARTMENT OF COMMUNITY DEVELOPMENT

I HEREBY CERTIFY THAT THE PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH TITLE 4 COMMUNITY DEVELOPMENT REGULATIONS AND TITLE 49 OF THE CODE OF THE CITY AND BOROUGH OF JUNEAU, AND IS APPROVED BY THE CITY AND BOROUGH OF JUNEAU DEPARTMENT OF COMMUNITY DEVELOPMENT FOR RECORDING IN THE OFFICE OF THE JUNEAU RECORDING DISTRICT, JUNEAU, ALASKA.

DATED: 5/29/01

Janice J. Sia
DIRECTOR, CITY & BOROUGH OF JUNEAU
DEPARTMENT OF COMMUNITY DEVELOPMENT

WITNESS: CLERK, CITY AND BOROUGH OF JUNEAU
PLANNING COMMISSION



NOTE
LOT 1 SUBJECT TO RECORDED
FIRE PROTECTION AGREEMENT

TYPICAL MONUMENTS
SET THIS SURVEY:

REBAR & CAP



1 1/4" PLASTIC CAP
ON 42" X 5/8" REBAR

STATEMENT OF OWNERSHIP:

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADOPT THIS PLAT OF SUBDIVISION WITH MY (OUR) FREE CONSENT, AND THAT I (WE) DEDICATE ALL STREETS, ALLEYS, WALLS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS INDICATED.

DATE MAY 25, 2001

WITNESS _____ OWNER Brendan Kelly
WITNESS _____ OWNER _____

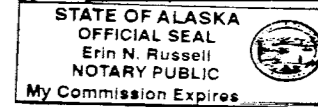
NOTARY'S ACKNOWLEDGMENTS:

UNITED STATES OF AMERICA)
STATE OF ALASKA) S.S.
THIS IS TO CERTIFY THAT ON THIS 25th DAY OF MAY, 2001
BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED;
Brendan Kelly

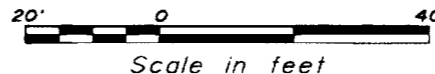
KNOWN TO ME TO BE THE PERSON (PERSONS) DESCRIBED IN AND WHO EXECUTED THE ABOVE AND FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE (SHE) (THEY) SIGNED AND SEALED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN MENTIONED.

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

NOTARY PUBLIC FOR ALASKA Erin N. Russell
MY COMMISSION EXPIRES 04/20/2004



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N36°58'00"W	17.19'
L2	N43°52'00"E	12.00'



OWNERS

BRENDAN KELLY & APRIL SMITH
2160 FRITZ COVE ROAD
JUNEAU, AK 99801

LEGEND

- REBAR & CAP MON.
SET THIS SURVEY
D FINLEY LS 6277
- ⊕ REBAR & CAP MON.
RECOVERED THIS
SURVEY
D FINLEY LS 6277

CB FILE COPY
The official recorded copy of this document is on file at the office of the Juneau Recording District, as Plat No. 2001-36 recorded on 5-29-01
Sub 2001-00016

SUBJECT TO EASEMENTS & RESTRICTIONS OF RECORD

A PLAT OF
KELLY/ SMITH SUBDIVISION
A RESUBDIVISION OF LOT 1, BLOCK 45, LOTS 6-9, BLOCK 46, DOUGLAS TOWNSITE, AND LOT 6A, A.T.S. 14
LOCATED ON DOUGLAS ISLAND, IN THE CITY & BOROUGH OF JUNEAU, ALASKA
JUNEAU RECORDING DISTRICT

DOUGLAS FINLEY LAND SURVEYING
820 6TH STREET - JUNEAU, ALASKA (907) 586-4253
DATE: 4/11/01 PROJ. No.: 00-322-C333 SCALE: 1"=20'

SHEET
1 OF 1

JUNEAU RECORDING DISTRICT
BEFORE THE CITY AND BOROUGH OF JUNEAU
PLANNING COMMISSION

In the matter of the petition of Armon C. McDole
The Vacation of a portion of Certain Right-Of-Way, E STREET
A portion SOUTHEAST OF BLOCK 44 AND NORTHWEST OF BLOCK 45, DOUGLAS TOWNSITE, DOUGLAS,
ALASKA.
Juneau, Alaska
File No. SV 05-95

ORDER OF STREET VACATION

WHEREAS, the petition of Armon C. McDole, 1003 1st Street, Douglas, Alaska, 99801, for the vacation of a portion of a certain right-of-way known as E STREET, ON THE SOUTHEAST SIDE OF LOT 1, BLOCK 44 AND THE NORTHWEST SIDE OF LOT 5, BLOCK 45, DOUGLAS TOWNSITE, DOUGLAS, ALASKA, City and Borough of Juneau, Alaska, First Judicial District, State of Alaska; more particularly described as follows;

Beginning at the southeasterly corner of lot 1, block 44, Douglas Townsite, a point on the mean high water line of Gastineau Channel and being the northeasterly most corner of E Street; thence along the mean high water line of Gastineau Channel S51°15'00"E-50.25' to the northeasterly most corner of lot 5, block 45, Douglas Townsite; thence departing the mean high water line of Gastineau Channel along the northerly limits of said lot 5, block 45 S44°28'00"W-2.01' to the northwesterly most corner of said lot 5, block 45; thence departing the northerly limits of lot 5, block 45 crossing E Street right-of-way N53°30'11"W-50.49' to the southwesterly most corner of lot 1, block 44 hereinbefore described; thence along the southerly limits of said lot 1, block 44 N44°28'00"E-4.00' to the true point and place of beginning. Containing 150 square feet, more or less.

Was considered by the Planning Commission of the City and Borough of Juneau, at public Hearing on September 12, 1995 and

WHEREAS, upon conclusion of the hearing, it was found and determined that vacation of the aforesaid portion of right-of-way should be granted, now, therefore,

IT IS HEREBY ORDERED that the above described right-of-way be vacated, as shown on the approved plat known as A RESUBDIVISION OF LOT 1, BLOCK 44 AND LOT 5, BLOCK 45, DOUGLAS TOWNSITE INTO LOT 1A, BLOCK 44 AND LOT 5A, BLOCK 45, DOUGLAS TOWNSITE, DOUGLAS, ALASKA, File No. SUB 2002-00018, accompanying this Order and

IT IS FUTHER ORDERED that upon filing of this Order and the accompanying plat in the office of the Juneau District Recorder, the plat of resubdivision shall be the lawful plat of the land area affected.

Dated at Juneau, Alaska, the 17th day of October, 2002

CITY AND BOROUGH OF JUNEAU
PLANNING COMMISSION

BY Johan W. Sybilall
Chairperson

BY Jarri G. Sim
Clerk

NOTARY'S ACKNOWLEDGEMENT

UNITED STATES OF AMERICA)
STATE OF ALASKA)ss.

THIS IS TO CERTIFY THAT ON THIS 16th DAY OF October, 2002, BEFORE THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, APPEARED

Armon Clay McDole
TO ME KNOWN AND KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE SIGNED AND SEALED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN MENTIONED.

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

Erin N Russell
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES: 04/20/04

CERTIFICATE OF OWNERSHIP

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADOPT THIS PLAT OF SUBDIVISION WITH MY (OUR) FREE CONSENT, AND DEDICATE ALL STREETS, ALLEY'S, WALKS, PARKS, AND OTHER OPEN SPACES TO PUBLIC AND PRIVATE USE AS NOTED.

DATE 16 OCT, 2002

WITNESS Armon Clay McDole OWNER Armon Clay McDole

WITNESS _____ OWNER _____

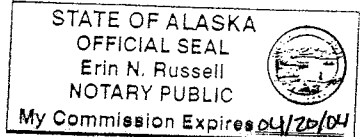
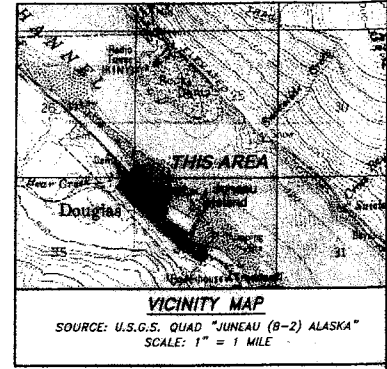
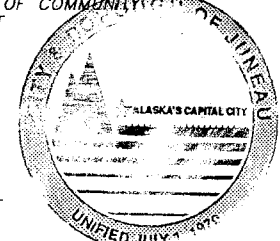
CERTIFICATE OF PLAT APPROVAL

I HEREBY CERTIFY THAT THE PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE TITLE 4 COMMUNITY DEVELOPMENT REGULATIONS AND TITLE 49 OF THE CODE OF THE CITY AND BOROUGH OF JUNEAU, AND IS APPROVED BY THE CITY AND BOROUGH OF JUNEAU, DEPARTMENT OF COMMUNITY DEVELOPMENT, FOR RECORDING IN THE OFFICE OF THE JUNEAU RECORDING DISTRICT, JUNEAU, ALASKA.

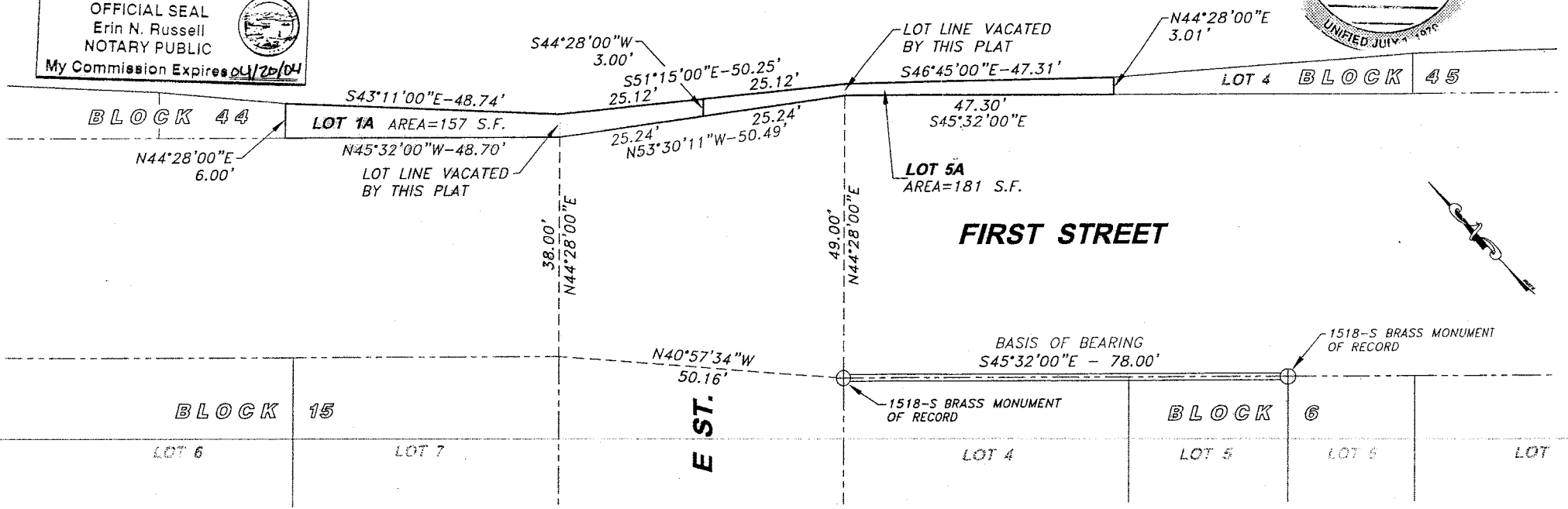
DATED: October 17, 20 02

Dale Pennula
DIRECTOR
CITY AND BOROUGH OF JUNEAU
DEPARTMENT OF COMMUNITY DEVELOPMENT

ATTEST:
Jaurin J Sea
CLERK
CITY AND BOROUGH OF JUNEAU

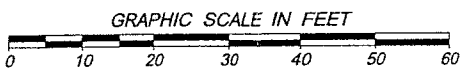
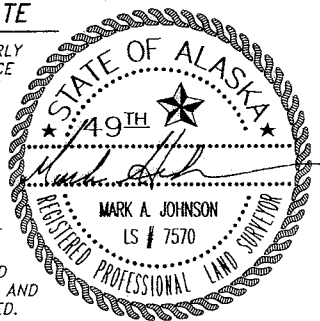


GASTINEAU CHANNEL



SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE ACCURACY OF THE SURVEY IS WITHIN THE LIMITS REQUIRED BY TITLE 4 COMMUNITY DEVELOPMENT REGULATIONS AND TITLE 49 OF THE CODE OF THE CITY AND BOROUGH OF JUNEAU, THAT ALL DIMENSIONAL AND RELATIVE BEARINGS ARE CORRECT AND THAT MONUMENTS ARE SET IN PLACE AND NOTED UPON THIS PLAT AS PRESENTED.



2002-46
Juneau REC DIST
DATE 10/21, 20 02
TIME 11:26 AM
Requested By CBJ
Address _____

JUNEAU RECORDING DISTRICT
A PLAT OF
A RESUBDIVISION OF
LOT 1, BLOCK 44 AND LOT 5, BLOCK 45,
DOUGLAS TOWNSITE INTO
LOT 1A, BLOCK 44 AND
LOT 5A, BLOCK 45,
DOUGLAS TOWNSITE, DOUGLAS, ALASKA

CLIENT: ARMON C. McDOLE
1003 1st STREET
DOUGLAS, ALASKA 99801
DATE: AUGUST, 2002
SURVEYOR: R & M ENGINEERING, INC.
P.O. BOX 34278
JUNEAU, ALASKA 99803
SHEET 1 of 1
R & M PROJ. No. 021785

2002\021786\021786sb.dwg PLOT: October 15, 2002 at 3:28pm

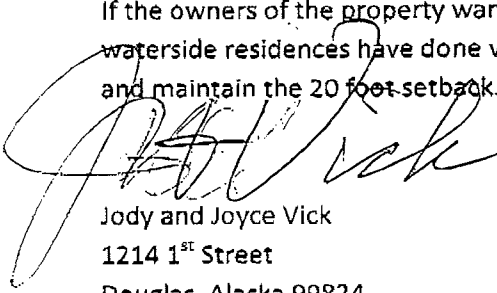
Planning and Zoning Commission Members,

I am out of town traveling for my job but wanted to let you know I am completely against the 1st Street road vacation.

If it was a side lot I would care less but what the land owners are asking for is keeping 1st Street as narrow as it is now. The lot the land owners are building on is one of the largest lots on 1st Street Douglas and there is no reason they should not maintain the 20 foot setback as all house built in the past 30 years have done. The Tri-plex located at the bottom of the hill and the intersection for all people traveling on 1st and D Street has been a major hazard to say the least.

The past owners of the property have used the road in front of their tri-plex to park which makes the road narrow beyond safe walking and driving conditions. The snow is plowed on that side of the street making the street even narrower than street requirements mandated by the CBJ Building Codes.

If the owners of the property want to build on the large lot they might have to consider pilings as all waterside residences have done when building the past 20 years. Please no encroachment on the road and maintain the 20 foot setback.



Jody and Joyce Vick
1214 1st Street
Douglas, Alaska 99824

DEVELOPMENT PERMIT APPLICATION

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

INFORMATION

Project Description			
PROPERTY LOCATION			
Street Address <u>926 1st St</u>	City/Zip <u>Douglas</u>		
Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) <u>Lot 3, Kelly Smith Subdivision</u>			
Assessor's Parcel Number(s) <u>2D040T460163</u>			
LANDOWNER/LESSEE			
Property Owner's Name <u>Dale Whitney</u>	Contact Person <u>Dale Whitney</u>	Work Phone <u>521-3504</u>	
Mailing Address <u>4515 Glacier Spur Rd, JNO</u>	Home Phone:	Fax Number:	
E-mail Address <u>dwhitney@yci.net</u>	Other Contact Phone Number(s):		
LANDOWNER/LESSEE CONSENT			
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>Dale Whitney</u> Landowner/Lessee Signature	<u>5/3/11</u> Date	
X			
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			
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>Dale Whitney</u> Applicant's Signature	<u>5/3/11</u> Date of Application	

OFFICE USE ONLY BELOW THIS LINE

STAFF APPROVALS

	Permit Type	Date Received	Application Number(s)
<input checked="" type="checkbox"/>	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)		
<input checked="" type="checkbox"/>	Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)	<u>5/16/11</u>	<u>STV-11-001</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/Track Initials
	<u>WJ</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 11-001	Date Received 5/17/11
----------------	------------------------------	---------------------------	--------------------------

NAME OF RIGHT-OF-WAY TO BE VACATED: _____

Dimensions of right-of-way to be vacated:

Width 6 feet Length 13 feet

Total Area 52 square feet Total length of parcel lot lines fronting the right-of-way 13 feet

DESCRIBE THE REASON(S) FOR THE STREET VACATION:

Demolish existing building in right of way, allow room for new building observing legal set backs.

EXISTING USE OF SUBJECT RIGHT-OF-WAY:

Existing building, access to front door.

PROPOSED USE OF SUBJECT RIGHT-OF-WAY:

driveway and front yard

RECEIVED
MAY 16 2011
PERMIT CENTER/CDD

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	\$ <u>500.00</u>	_____	_____	_____
Pub. Not. Sign Fee	\$ _____	_____	_____	_____
Pub. Not. Sign Deposit	\$ _____	_____	_____	_____
Total Fee	\$ <u>500.00</u>	<u>2530573</u>	<u>CD1459</u>	<u>5/17/11</u>

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

TO BE COMPLETED BY THE APPLICANT

PROPERTY 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.

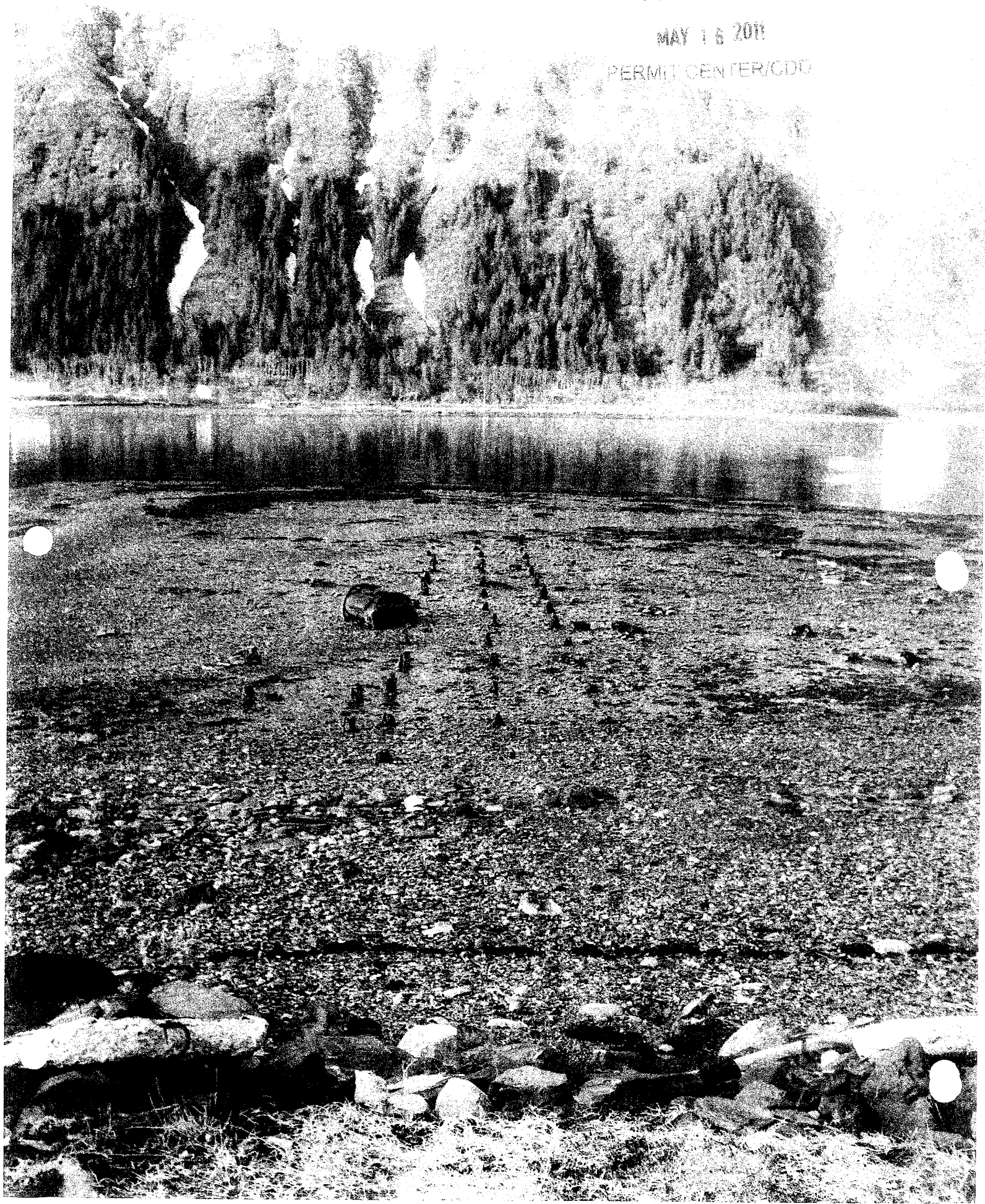
Landowner's Signature	Landowner's Name (Printed)	Street Address	Length of Frontage Along Right-of-Way	Percentage of Total Frontage
<i>MA - There are no adjacent landowners</i>			<i>other than applicant</i>	
<i>[Signature]</i>	<i>Dale Whitney</i>	<i>926 1st St Douglas AK (walking: 4515 Glacier Spur Rd)</i>	<i>13'</i>	<i>100</i>
Total Percent of Frontage along Right-of-Way Proposed to be Vacated by this Petition				

RECEIVED
MAY 16 2011
PERMIT CENTER/CDD

RECEIVED

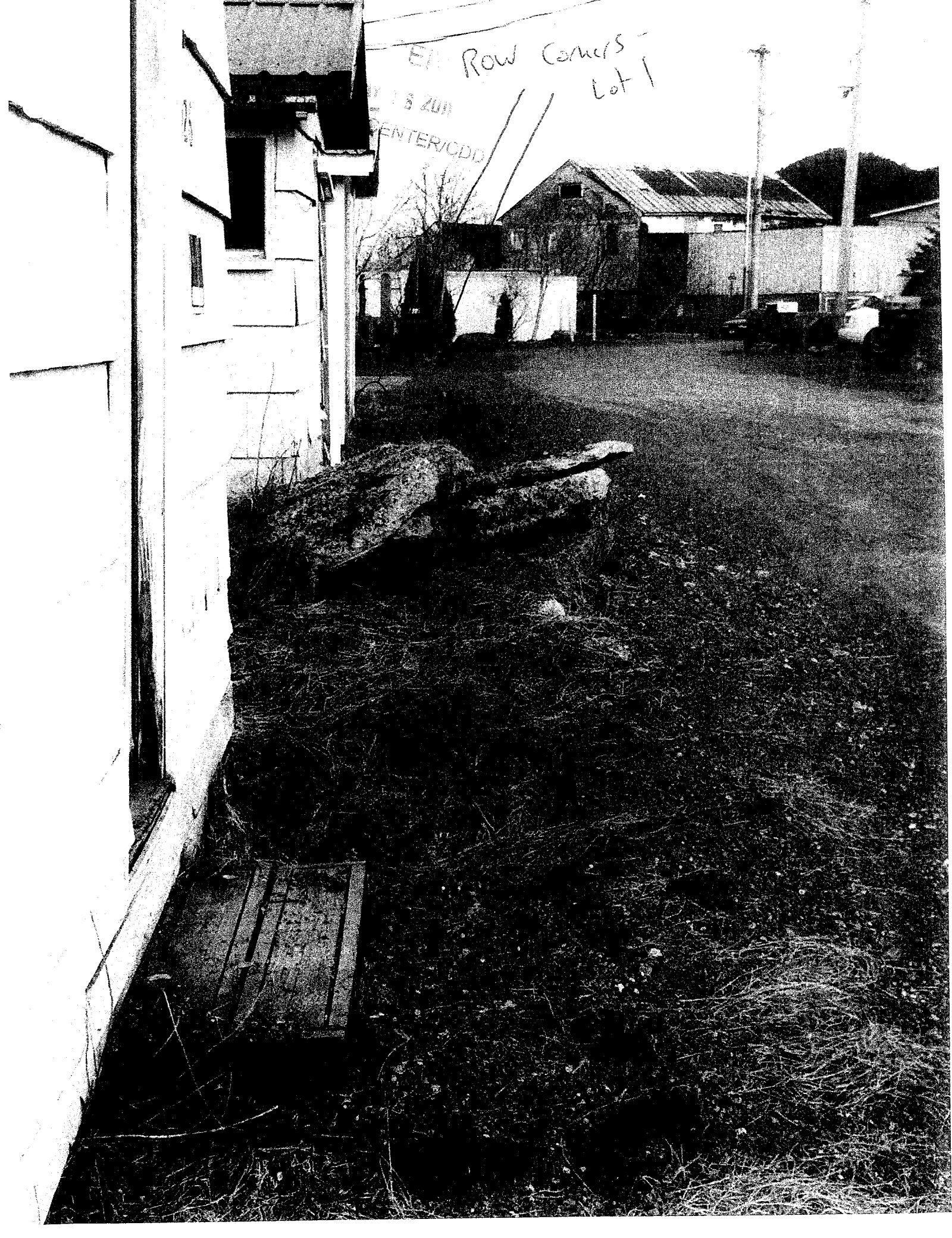
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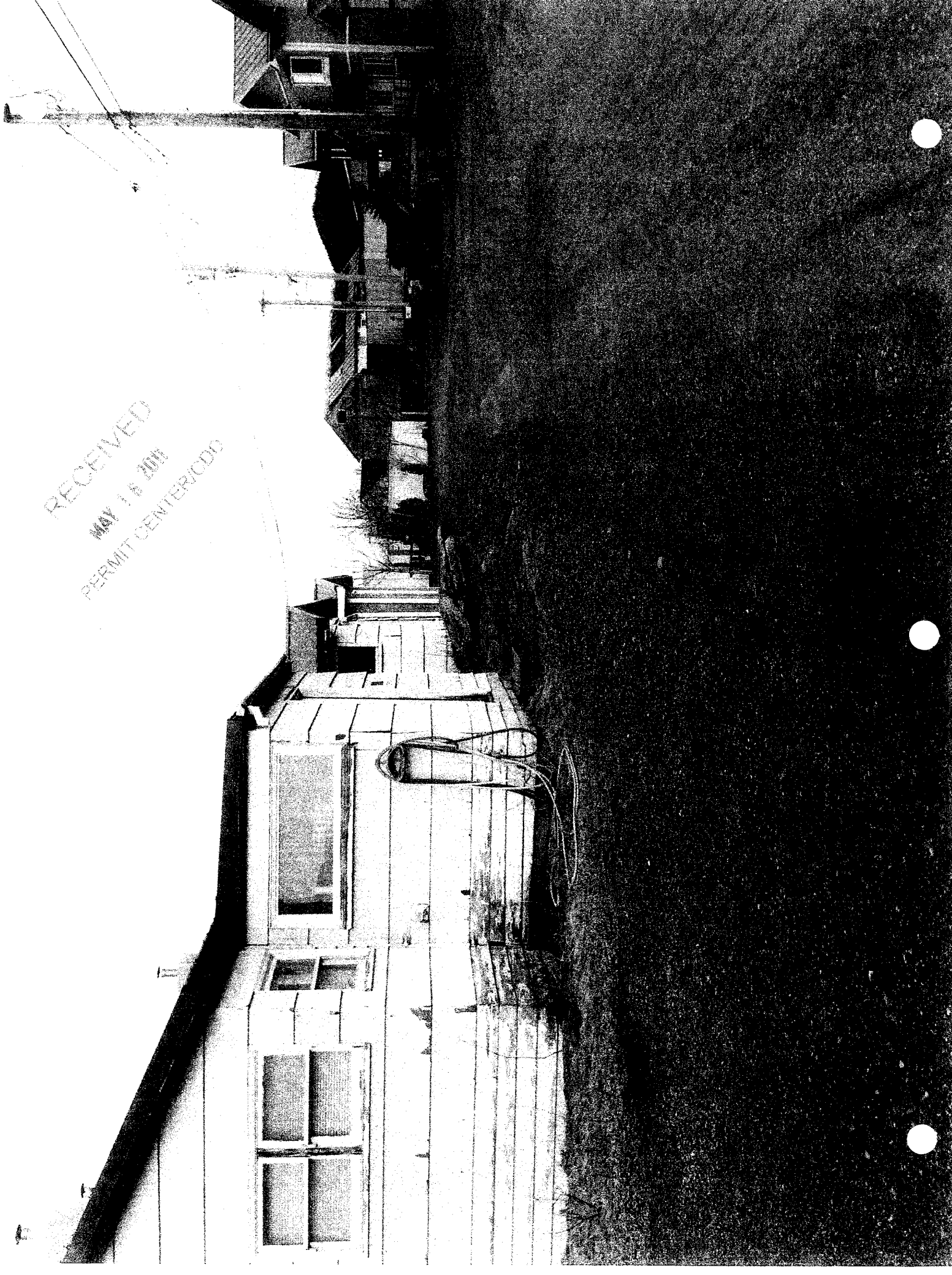


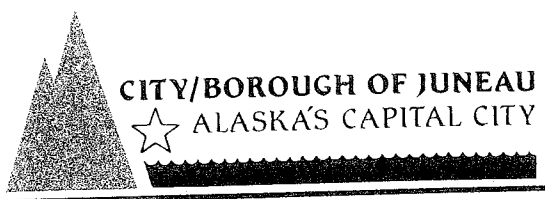
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CITY/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

May 2, 2011

Case No.: INQ20110006
Parcel No.: 2-D04-0-T46-016-2
Address: 926 1st Street
Douglas, AK 99824

Dale Whitney
4515 Glacier Spur Road
Juneau, AK 99801

RE: Inquiry regarding several street vacation options for the portion of 1st Street that abuts 926 1st Street, Douglas

Dear Mr. Whitney,

Thank you for your inquiry request regarding a potential street vacation of 1st Street in Douglas. The proposed street vacation options were provided to CBJ General Engineering, CBJ Streets Division, CBJ Lands Division, CBJ Fire Department, and CDD Building Department. The response from the majority of these departments was not favorable.

Dan Jager, Fire Department
No concerns with ROW (right-of-way) vacation.

Ron King, General Engineering
Not in favor of this ROW vacation.

Heather Marlow, Lands Division
Generally I do not support requests such as this, particularly if it is ROW.

Joe Buck, Public Works
Front Street Douglas is already a substandard street. The CBJ should not consider abandoning or adjusting any existing ROW until the street is upgraded to full CBJ standards. We may need that ROW for structural improvements to the roadbed when it is improved. It is difficult to tell what roadway design features will be required in the future.

CBJ General Engineering suggested that a utility locate be completed for the proposed street vacation area. An e-mail from you dated April 26, 2011 explains that the utility

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locate was completed and no utilities were found in the area discussed for a street vacation.

While the responses received from CBJ Departments through the process of the inquiry case were not favorable, applying for a Street Vacation is still an option. The decision to approve or deny a Street Vacation is made by the Planning Commission, not CBJ staff. If you would like to pursue the street vacation please submit a Street Vacation application along with a Development Permit Application and we will process your request.

Please contact me if you need additional information.

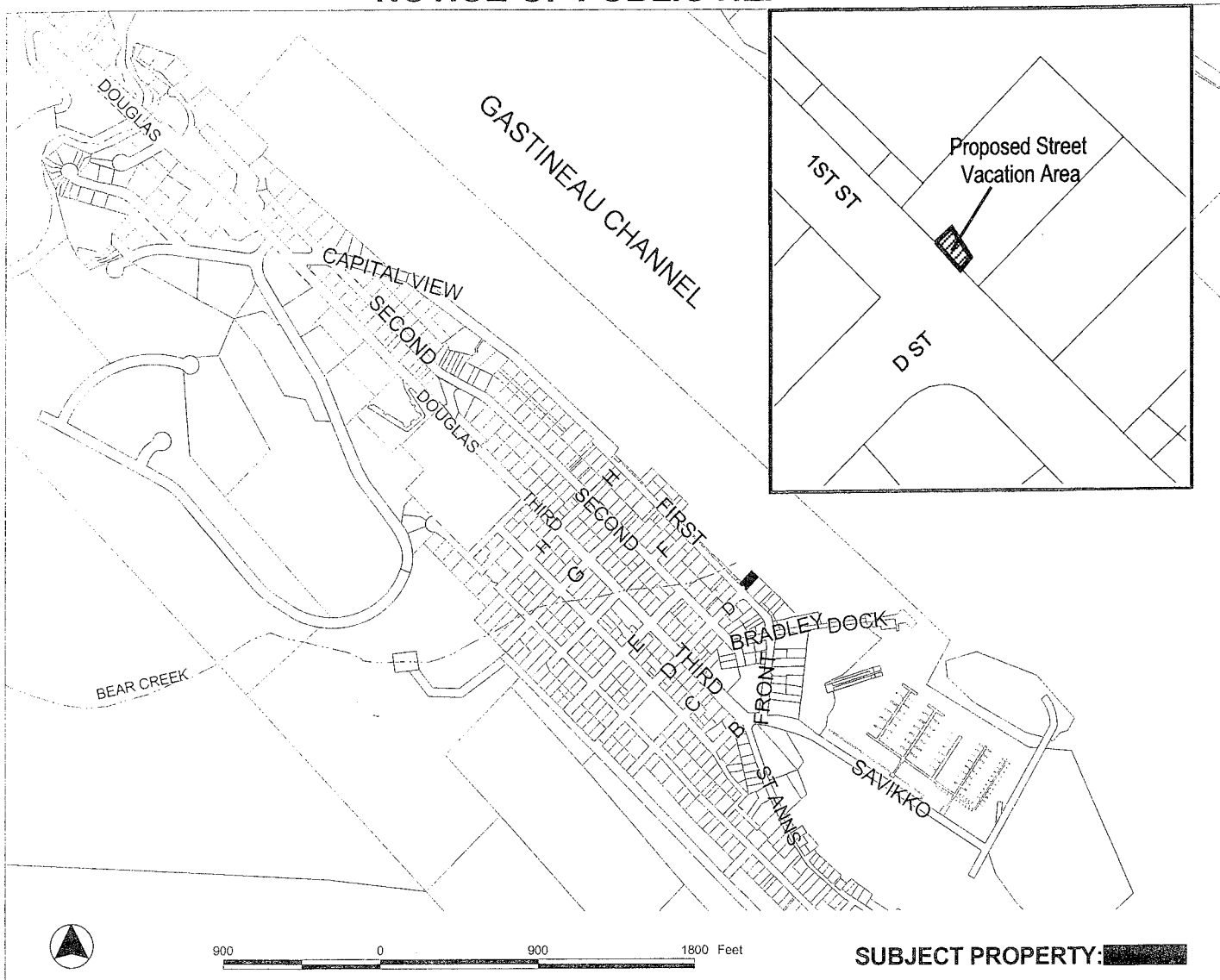
Sincerely,



Nicole Jones, Planner
Community Development
Tel: (907)-586-0218
Fax: (907)-586-3365
Nicole_jones@ci.juneau.ak.us

CC: Ron King, Chief Regulatory Surveyor
Heather Marlow, Lands & Resources Manager
Joe Buck, Public Works Director
Charlie Ford, Building Codes Official
Dan Jager, Fire Marshal
Ed Foster, Public Works, Streets Superintendent

NOTICE OF PUBLIC HEARING



PROPOSAL: Street vacation of approximately 78 square feet of 1st Street.

<p>FILE NO: STV20110001</p> <p>TO: Adjacent Property Owners</p> <p>HEARING DATE: Jun 14, 2011</p> <p>HEARING TIME: 7:00 PM</p> <p>PLACE: ASSEMBLY CHAMBERS Municipal Building 155 South Seward St Juneau, Alaska 99801</p>	<p>APPLICANT: DALE WHITNEY</p> <p>Property PCN: 2-D04-0-T46-016-3</p> <p>Owner(s): DALE WHITNEY</p> <p>Size: 5688 sqft</p> <p>Zoned: D18</p> <p>Site Address: 1ST ST</p> <p>Accessed via: 1ST ST</p>
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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

NICOLE JONES 586-0218 NICOLE_JONES@CI.JUNEAU.AK.US

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