

MEMORANDUM

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

DATE: April 18, 2013

TO: Board of Adjustment

FROM: Beth McKibben, Planner
Community Development Department

FILE NO.: VAR2013 0011

PROPOSAL: Variance to lot width and size requirements to allow subdivision with frontage on a minor arterial that does not meet the D-1 lot size to allow a standard lot and bungalow lot.

GENERAL INFORMATION

Applicant: Gary Koehler Jr.

Property Owner: Gary Koehler Jr.

Property Address: North Douglas Highway

Legal Description: USMS 569 TR 1

Parcel Code Number: 6-D06-0-101-001-0

Site Size: 1.4789 acres

Comprehensive Plan Future
Land Use Designation: ULDR(T)MDR

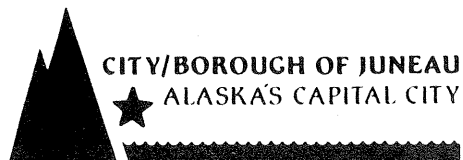
Zoning: D18

Utilities: City Water & Sewer

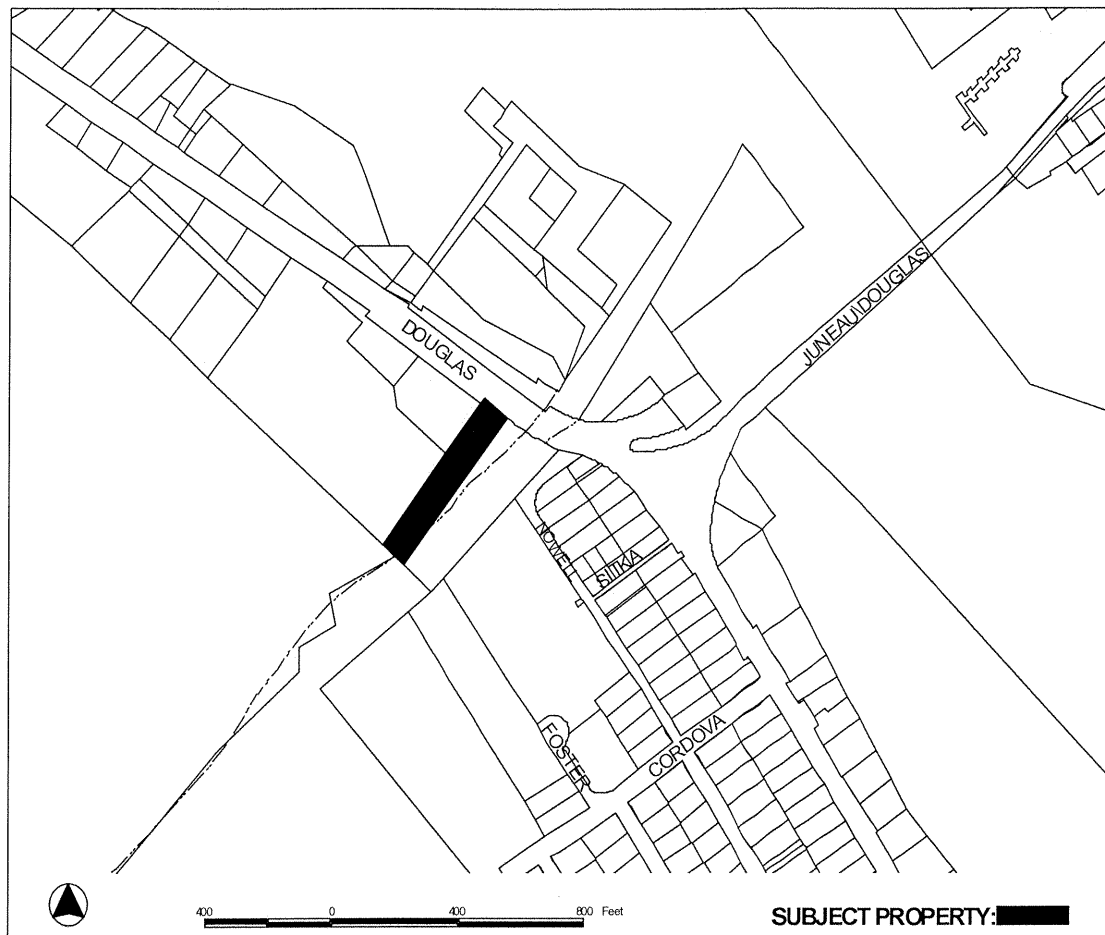
Access: North Douglas Highway

Existing Land Use: Vacant

Surrounding Land Use: North- Gastineau Channel
South- Multi-family, single family; vacant; (D-18)
East- Petro Marine (WI)
West- Vacant (D-18)



VICINITY MAP



ATTACHMENTS

Attachment A – AkDOT Driveway and Approach Permit
Attachment B – CBJ Road Classification Map
Attachment C – AkDOT Functional Classification Map
Attachment D – Excerpts 2009 North Douglas Highway Traffic Impact Analysis

PROJECT DESCRIPTION

The applicant intends to submit a minor subdivision application to create two new lots from one existing parent lot. The proposed lots have frontage on North Douglas Highway which CBJ classifies as a minor arterial street. The lot, in its current configuration, is 63,000 square feet and 120 feet wide. CBJ §49.40.130(b) requires that all resulting lots from a subdivision of land involving frontage directly along a minor arterial street must comply with the D-1 zoning district lot area standards and must prevent back-out parking. The D-1 zoning district lot area standard is 36,000 square feet with a lot width of 150 feet. The applicant proposes one lot of approximately 23,000 square feet and one lot of approximately 40,000 square feet, each with a lot width of 60 feet. The applicant is proposing a shared driveway for the two lots. The drive is designed so as to prevent back-out parking. The applicant has received a driveway permit from the AkDOT (Attachment A).

BACKGROUND

The lot is currently vacant. It was platted in 1982. It was recently transitioned from D3(T)D18 to D18.

ANALYSIS

CBJ§49.40.105 adopts roadway classification maps A-D. This site is found on map D (Attachment B). North Douglas Highway is classified as a minor arterial on this map.

CBJ Land Use Code section §49.40.130(b) states that:

Land involving frontage directly along a minor arterial street may be subdivided so as to allow access directly onto the minor arterial street provided all of the following conditions are met:

- (1) All of the resulting lots must comply with the D-1 zoning district lot area standards;*
- (2) All of the lots must share a common access point and no additional lots may be added;*
- (3) The owner or the developer, as appropriate, must construct a parking area of sufficient size to provide a minimum parking and maneuvering area to prevent back-out parking;*
- (4) The owner or the developer, as appropriate, must provide assurance in the form of an easement, plat note, or other form acceptable to the City and Borough,*

*that the required access will be maintained by the property owners; and
(5) The proposed subdivision must meet all other applicable City and Borough
subdivision standards and requirements.*

This requirement is found in the “Access” section of Title 49. Its intent, while not specifically stated, is to minimize the number of driveways and vehicles accessing the minor arterial. The applicant’s proposed lot design meets the dimensional standards for bungalow lots in the D-1 zoning district. Furthermore, the proposed subdivision would limit the development on the bungalow lot to the requirements of CBJ§49.65 Article VI, Bungalow Lots and Structures. Alternatively, the applicant could create a multi-lot subdivision with an access road or frontage road, with lots meeting the D-18 lot size requirement of 5,000 square feet. The applicant could also, without a subdivision, develop a 27 unit multi-family complex.

As stated above, applicant is seeking a variance to CBJ§49.40.130(b)(1)-(5). The table below shows the dimensional requirements of D18 zoning, D1 zoning and the applicant’s proposal. The lots do meet the dimensional standards for the D-18 zone. The applicant also wishes to add a shared driveway for proposed lots A and B.

	D18	D1	Proposed Lots
Lot Width	50 ft	150 ft	60 ft
Lot Depth	80 ft	150 ft	550 +/- ft
Lot Area	5,000 sq ft	36,000 sq ft	23,000 & 38,000 sq ft

The applicant has obtained a driveway and approach permit from AkDOT (Attachment A). The Alaska Department of Transportation (AkDOT) recently updated their functional classification maps and now classifies North Douglas Highway as an urban collector (Attachment C). This means that currently AkDOT and CBJ have classified North Douglas Highway differently. In the past three years over 125 acres of land accessed by the North Douglas Highway have been rezoned to the D-18 zoning district. AkDOT may have recently downgraded the functional classification of North Douglas Highway, however, CBJ staff anticipates that as this area is developed the AkDOT functional classification will again become an “arterial”.

CBJ commissioned a Traffic Impact Analysis (TIA) prior to evaluating several rezoning requests on North Douglas in 2009. The TIA Study Area (figure 1) evaluated potential future traffic impacts along the North Douglas Highway from the roundabout to just past Nelson Creek. The TIA notes future driveways and access roads will be subject to the AkDOT permitting process. However, the TIA recommends that access points for new developments should be aggregated to the extent possible, and access roads should be spaced at least one quarter mile from adjacent access roads (Attachment D).

Page 215 of the 2008 Comprehensive Plan discusses the North Douglas Highway. The plan states the highway is a two-lane, paved minor arterial roadway with no sidewalk, separated pedestrian pathway or bicycle lane that is operated and maintained by AkDOT. The plan further notes the road serves as a local access residential street with over 500 private driveways

accessing directly onto the road. The plan says that this creates dangers to the local users and those passing through to recreational destinations.

Staff solicited comments from several State and CBJ agencies. Only the CBJ Engineer, Ron King, responded that Engineering will have concerns with grading. Staff notes that the applicant has submitted a grading permit with CBJ and is working with Engineering.

Variance Requirements

Under CBJ §49.20.250 where hardship and practical difficulties result from an extraordinary situation or unique physical feature affecting only a specific parcel of property or structures lawfully existing thereon and render it difficult to carry out the provisions of Title 49, the Board of Adjustment may grant a Variance in harmony with the general purpose and intent of Title 49. A Variance may vary any requirement or regulation of Title 49 concerning dimensional and other design standards, but not those concerning the use of land or structures, housing density, lot coverage, or those establishing construction standards. A Variance may be granted after the prescribed hearing and after the Board of Adjustment has determined:

- 1. That the relaxation applied for or a lesser relaxation specified by the Board of Adjustment would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.*

The relaxation applied for will give substantial relief to the property owner in that the lot could be subdivided into two lots and a driveway accessing North Douglas Highway. The variance will allow for two lots that are similar in size and scale to a few of the neighboring lots, which already have access to the highway.

This criterion is met.

- 2. That relief can be granted in such a fashion that the intent of this title will be observed and the public safety and welfare be preserved.*

The intent of Title 49 is to ensure that growth and development is in accord with the values of Juneau residents; to identify and secure the beneficial impacts of growth while minimizing negative impacts; to ensure that future growth is of appropriate type, design, and location; to provide adequate open space for light and air; and to recognize the economic value of land and encourage its proper and beneficial use.

Based on the recommendations of the 2009 traffic impact analysis (Attachment D) and the discussion in the 2008 Comprehensive Plan about North Douglas Highway, adding new driveways to the North Douglas Highway will have a negative impact on the public health and safety. However, this lot is vacant and any development will require either a driveway or access road. The intent of CBJ§49.05.100 (4) to promote public health, safety and welfare, as implemented by CBJ§49.40.130(b) to limit access driveways on arterial roads will be met by

limiting the proposed two lots to a single, shared driveway. Without subdividing the property the applicant could develop a 27 dwelling unit complex. Subdividing the lot into two lots, while restricting one of the lots to the requirements of CBJ§49.65 Article VI, Bungalow Lots and Structures also limits the potential number of vehicles accessing the highway.

This criterion is met.

3. *That the authorization of the Variance will not injure nearby property.*

The applicant has received a Driveway and Approach Road Permit from AkDOT. As part of the driveway permitting process AkDOT evaluated the safety of allowing a new driveway to be shared by two lots the authorization of the variance will not injure nearby property. North Douglas Highway is relatively straight and level in this section and sight distance is adequate.

This criterion is met.

4. *That the Variance does not authorize uses not allowed in the district involved.*

The proposed subdivision is in the D-18 zoning district and will not create lots smaller than minimum lot size. The proposed subdivision proposes a bungalow lot and a standard lot. Furthermore, the proposed subdivision would limit the development on the bungalow lot to the requirements of CBJ§49.65 Article VI, Bungalow Lots and Structures. Future uses of the standard lot will be required to comply with the Table of Permissible Uses for the D-18 district.

This criterion is met.

5. *That compliance with the existing standards would:*

(A) Unreasonably prevent the owner from using the property for a permissible principal use;

The existing, un-subdivided lot does not have a developed access. The lot does not need to be further subdivided in order to be used for D-18 uses or densities.

This criterion NOT is met.

(B) Unreasonably prevent the owner from using the property in a manner which is consistent as to scale, amenities, appearance or features, with existing development in the neighborhood of the subject property;

The neighborhood is made up of a variety of residential lots. A few of the neighboring developments are on lots similar in size. However, the many of the surrounding lots are larger than those proposed. Anticipated development on the nearby lots is expected to be more dense than the surrounding area.

This criterion is met.

(C) Be unnecessarily burdensome because unique physical features of the property render compliance with the standards unreasonably expensive;

The lot is sloping, but this is not a unique physical feature of the property. The lot is very long and narrow which limits design options for possible subdivisions. However, a subdivision is not needed in order to develop the property.

This criterion NOT is met.

or

(D) Because of preexisting nonconforming conditions on the subject parcel the grant of the Variance would not result in a net decrease in overall compliance with the Land Use Code, CBJ Title 49, or the building code, CBJ Title 19, or both.

There are no pre-existing nonconformities on this lot. Therefore, this sub-criterion is not applicable.

Not Applicable.

Criterion 5 is met because sub-criteria 5(B) is met.

6. That a grant of the Variance would result in more benefits than detriments to the neighborhood.

Granting of this variance will allow the property owner to subdivide the property into two lots with one shared driveway. It would allow the property owner to develop the smaller lot in compliance with the requirements of CBJ§49.65 Article VI, Bungalow Lots and Structures. It would further allow the property owner to sell the larger of the two lots. This benefits the neighborhood by limiting future development of the lot, which reduces the number of potential vehicles accessing the highway.

This criterion is met.

FINDINGS

1. Is the application for the requested Variance 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.

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

2. Will the proposed development comply with the Juneau Coastal Management Programs?

Yes. According to the previous analysis, the JCMP does not apply to the development

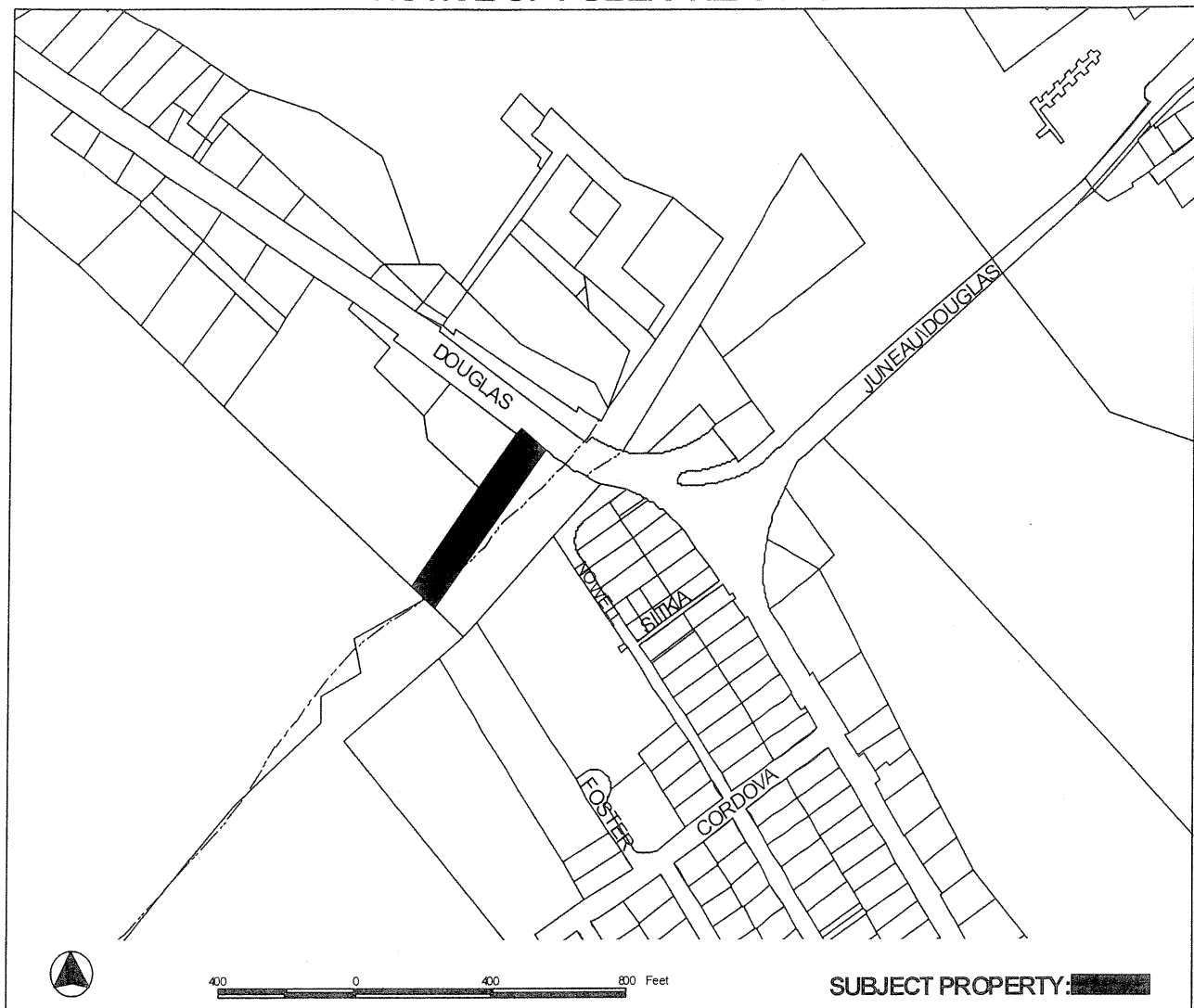
3. Does the variance as requested, meet the criteria of Section 49.20.250, Grounds for Variances?

Yes. Criteria 1, 2, 3, 4, 5 and 6 are met. Based on the analysis above, staff finds that the Variance meets the criteria of CBJ §49.20.250, Grounds for Variances.

RECOMMENDATION

Staff recommends that the Board of Adjustment adopt the Director's analysis and findings and approve the requested Variance, VAR2013 0011. The Variance permit would allow for a reduction to lot width and size requirements to allow subdivision with frontage on a minor arterial that does not meet the D-1 lot size to allow a standard lot and bungalow lot.

NOTICE OF PUBLIC HEARING



PROPOSAL: Variance to lot size requirements to allow subdivision into a standard lot and bungalow lot.

FILE NO: VAR2013 0011	APPLICANT: Gary C Koehler Jr. and Amber M Koehler
TO: Adjacent Property Owners	Property PCN: 6-D06-0-101-001-0
HEARING DATE: Apr 23, 2013	Size: 1.48 acres
HEARING TIME: 7:00pm	Zoned: D18
PLACE: Assembly Chambers Municipal Building 155 South Seward St Juneau, Alaska 99801	Owner(s): Gary C Koehler Jr. and Amber M Koehler
	Site Address: North Douglas Highway
	Accessed via: North Douglas Highway

PROPERTY OWNERS PLEASE NOTE:

You are invited to attend this Public Hearing and present oral testimony. The Planning Commission will also consider written testimony. You are encouraged to submit written material to the Community Development Department no later than 8:30 A.M. on the Wednesday preceding the Public Hearing. Materials received by this deadline are included in the information packet given to the Planning Commission a few days before the Public Hearing. Written material received after the deadline will be provided to the Planning Commission at the Public Hearing.

If you have questions, please contact Beth McKibben at beth_mckibben@ci.juneau.ak.us or at 586-0465.

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

Date notice was printed: April 10, 2013

DEVELOPMENT PERMIT APPLICATION

Project Number	CITY and BOROUGH of JUNEAU	Date Received: <u>3/14/13</u>
Project Name (City Staff to Assign Name)		

PROJECT / APPLICANT INFORMATION	Project Description		
	PROPERTY LOCATION		
	Street Address NHN North Douglas Hwy		City/Zip Juneau 99801
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) 569 TR 1		
	Assessor's Parcel Number(s)		
	LANDOWNER/ LESSEE		
	Property Owner's Name Gary Koehler		Contact Person: Gary Koehler
	Mailing Address 24669 Camille Drive		Work Phone: 313-468-4180
	E-mail Address summerplace@hotmail.com		Home Phone: 586-329-6350
			Fax Number: 313-568-9581
Other Contact Phone Number(s):			
LANDOWNER/ LESSEE CONSENT ****Required for Planning Permits, not needed on Building/ Engineering Permits****			
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows:			
A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.			
B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.			
X		Date <u>3/11/2013</u>	
X _____		Date _____	
Landowner/Lessee Signature			
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.			
APPLICANT If the same as OWNER, write "SAME" and sign and date at X below			
Applicant's Name Same		Contact Person:	
Mailing Address		Work Phone:	
E-mail Address		Home Phone:	
		Fax Number:	
X		Other Contact Phone Number(s):	
Applicant's Signature		Date of Application	

STAFF APPROVALS	OFFICE USE ONLY BELOW THIS LINE			
	<input checked="" type="checkbox"/>	Permit Type	***SIGN	Date Received
		Building/Grading Permit		
		City/State Project Review and City Land Action		
		Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)		
		Mining Case (Small, Large, Rural, Extraction, Exploration)		
		Sign Approval (If more than one, fill in all applicable permit #'s)		
		Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)		
		Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)		
	<input checked="" type="checkbox"/>	Variance Case (De Minimis and all other Variance case types)		<u>3/13/13</u>
		Wetlands		<u>var 13-011</u>
		Permits		
		Zone Change Application		
		Other (Describe)		
	***Public Notice Sign Form filled out and in the file.			
Comments:			Permit Intake Initials	

VARIANCE APPLICATION

Project Number	Project Name (15 characters)	Case Number <i>var 13-011</i>	Date Received <i>3/14/13</i>																				
TYPE OF VARIANCE REQUESTED:																							
<input type="checkbox"/> Variance to the Sign Standard (VSG)		<input checked="" type="checkbox"/> Variance to Dimensional Standards (VDS)																					
<input type="checkbox"/> Variance to Habitat Setbacks (VHB)		<input type="checkbox"/> Variance to Parking Requirements (VPK)																					
<input type="checkbox"/> Variance to Setback Requirements (VSB)		<i>49.40.130 (b)(1)</i>																					
DESCRIPTION OF ACTIVITY WHICH REQUIRES A VARIANCE: Lot 569 TR1 (approx 63000 sq ft) minor subdivision into standard D1 lot and a Bungalow lot Bungalow lot to be approximately 23,000 sq ft and the D1 lot to be approximately 40,000 sq ft Expect immediate sumittal of application to build home<1000 sq ft on proposed bungalow lot																							
Previous Variance Applications? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Date of Filing: _____																							
Previous Case Number(s): _____																							
Was the Variance Granted? <input type="checkbox"/> YES <input type="checkbox"/> NO																							
UNIQUE CHARACTERISTICS OF LAND OR BUILDING(S): _____ It is just under the allowable size for subdividing into two standard D1 lots, which would be allowed with a common access onto a minor arerial such as Douglas Hwy is classified by CBJ																							
UTILITIES AVAILABLE: WATER: <input checked="" type="checkbox"/> Public <input type="checkbox"/> On Site SEWER: <input checked="" type="checkbox"/> Public <input type="checkbox"/> On Site																							
WHY WOULD A VARIANCE BE NEEDED FOR THIS PROPERTY REGARDLESS OF THE OWNER? I would like to subdivide the property and was told that due to access driveway restrictions on a minor arterial that it could only be subdivided if it meets D1 lot standards. A bungalow lot arguably meets same standards for intent of driveway access as would a D1 lot. See my attached letter for additional details.																							
WHAT HARDSHIP WOULD RESULT IF THE VARIANCE WERE NOT GRANTED? I purchased the property based on research and correspondence with CBJ planning staff. I made the purchase based on input from CBJ that indeed the lot could be subdivided into a D1 lot and Bungalow lot. I later after purchase found out from another CBJ planner that I could not unless I applied for and recieved a variance. The hardship is my inability to achieve the full purpose of lot purchase.																							
For more information regarding the permitting process and the submittals required for a complete application, please see the reverse side. If you need any assistance filling out this form, please contact the Permit Center at 586-0770.	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 40%;">VARIANCE FEES</th> <th style="width: 10%;">Fees</th> <th style="width: 15%;">Check No.</th> <th style="width: 15%;">Receipt</th> <th style="width: 20%;">Date</th> </tr> </thead> <tbody> <tr> <td>Application Fees</td> <td>\$ <i>400</i></td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Adjustment</td> <td>\$ _____</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Total Fee</td> <td>\$ <i>400</i></td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> </tbody> </table>			VARIANCE FEES	Fees	Check No.	Receipt	Date	Application Fees	\$ <i>400</i>	_____	_____	_____	Adjustment	\$ _____	_____	_____	_____	Total Fee	\$ <i>400</i>	_____	_____	_____
VARIANCE FEES	Fees	Check No.	Receipt	Date																			
Application Fees	\$ <i>400</i>	_____	_____	_____																			
Adjustment	\$ _____	_____	_____	_____																			
Total Fee	\$ <i>400</i>	_____	_____	_____																			

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

TO BE COMPLETED BY THE APPLICANT

Gary Koehler

596-329-6350

Variance Narrative Summary

Variance to minimum lot size for lots fronting on minor arterial

Legal Description: USS 569 TR 1

I am requesting to obtain a variance to the minimum lot size for my lot to allow me to subdivide the lot which is 1.45 acres into a standard D1 lot and a Bungalow lot. Prior to purchasing the property I sought the review of the planning department and discussed my plans with the "on call" planner. Following a lengthy discussion of the plans and review of the existing plat, the planning department sent me written correspondence by email telling me that the property could indeed be subdivided into a standard D1 and Bungalow lot as long as the subdivision met the minimum lot sizes and other dimension requirements. I then purchased the property based on information allowing for minor subdivision. I later found out from another planner on call that I could not subdivide and have a bungalow lot because the driveway access was onto a minor arterial which only allows for subdivision if the resultant lots all meet D1 standard.

The lot size 1.45 (approx. 63,000 sq ft) acres is of insufficient size to allow subdivision into two separate standard D1 lots as each would be required to be 36,000 sq ft (totaling 72,000 sq ft). Fortunately CBJ developed new regulations to promote the development of smaller homes on smaller lots and under normal circumstance with this new Bungalow requirement, I would be allowed to subdivide the lot into a standard D1 lot and a Bungalow lot of at least 18,000 sq ft. The current lot dimensions do support this type of minor subdivision. Unfortunately since the current lot fronts N Douglas Highway, a minor arterial classification by CBJ standards (note: AKDOT classifies it as a collector and not a minor arterial), the current law allows the subdivision only if the resultant subdivided lots meet D1 standards. The Title for driveway siting has not been updated to reflect changes with the recent addition of Bungalow lot standards, and therefore this issue has not been consistently addressed for Bungalow lots fronting on minor arterial. What is "safe" for a minor subdivision into two D1 lots on a minor arterial is no less "safe" for a subdivision resulting in a D1 lot and a Bungalow lot. In fact there would likely be more traffic onto the arterial from two D1 lots (larger households/more vehicles) than from my proposed D1 and Bungalow lot.

I believe the approval of the variance follows the intent of CBJ 49.05.100(4) to promote public health, safety and welfare, as implemented by CBJ 49.40.130(b) to limit access driveways on arterial roads, as one driveway is proposed to serve multiple properties and minimize the total number of driveways used in the subdivision. I believe the approval of the variance, which would allow the subdivision and build of a bungalow home in the Juneau area follows the intent and purpose of the new Bungalow regulations, by allowing another smaller more affordable home to the Juneau area.

I propose to design the lots with sufficient area to provide the required minimum parking and to provide sufficient maneuvering so as to prevent back out parking.

Thank you in advance for your consideration.



Legal USS 569 TR 1

SITE PLAN



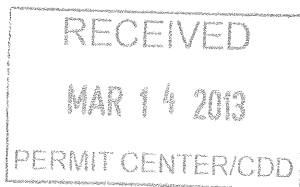
- MINOR SUBDIVISION

Approx

A - Bungalow Lot $\geq 23,000$ sq ft.

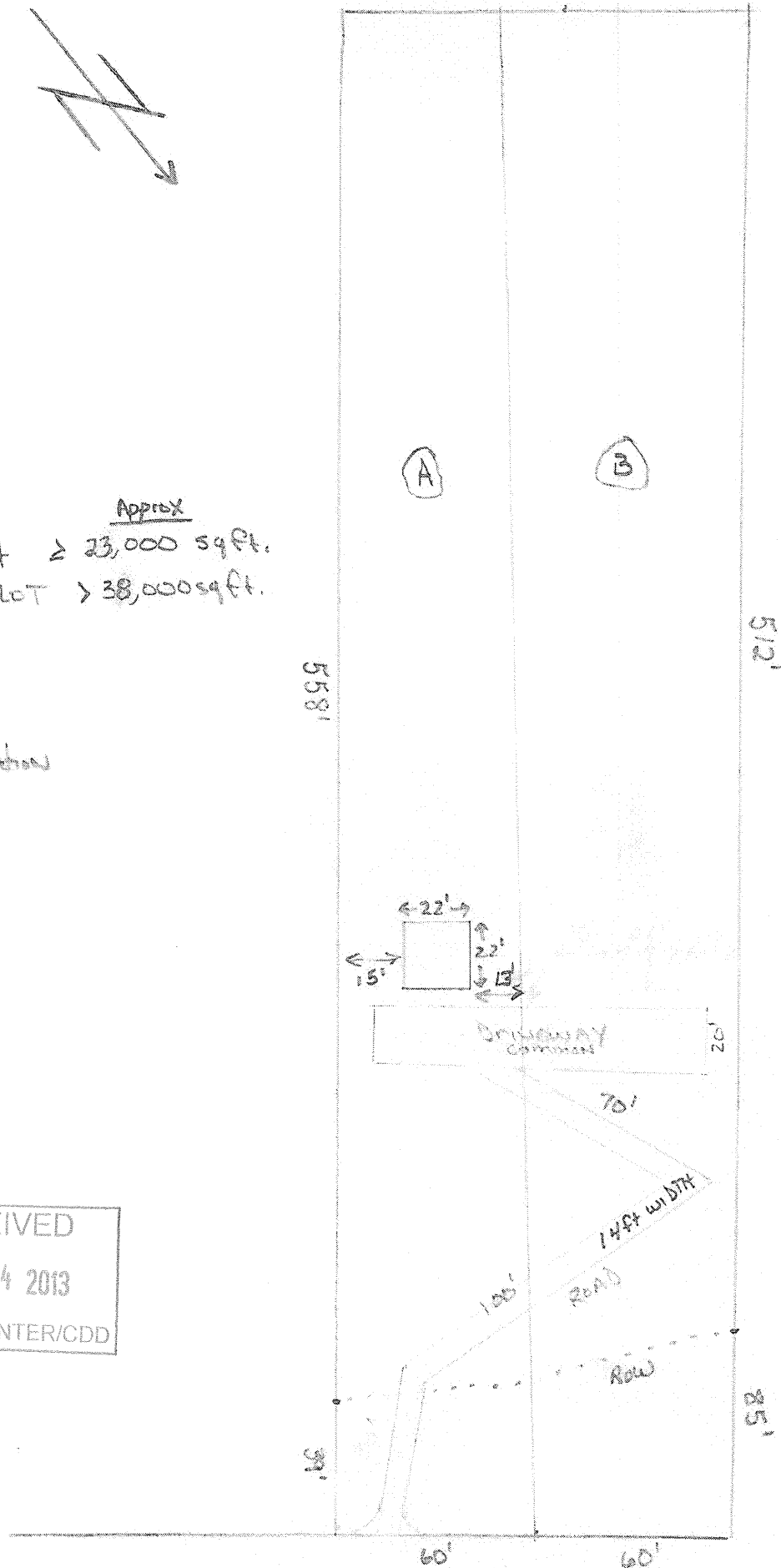
B - standard LOT $> 38,000$ sq ft.

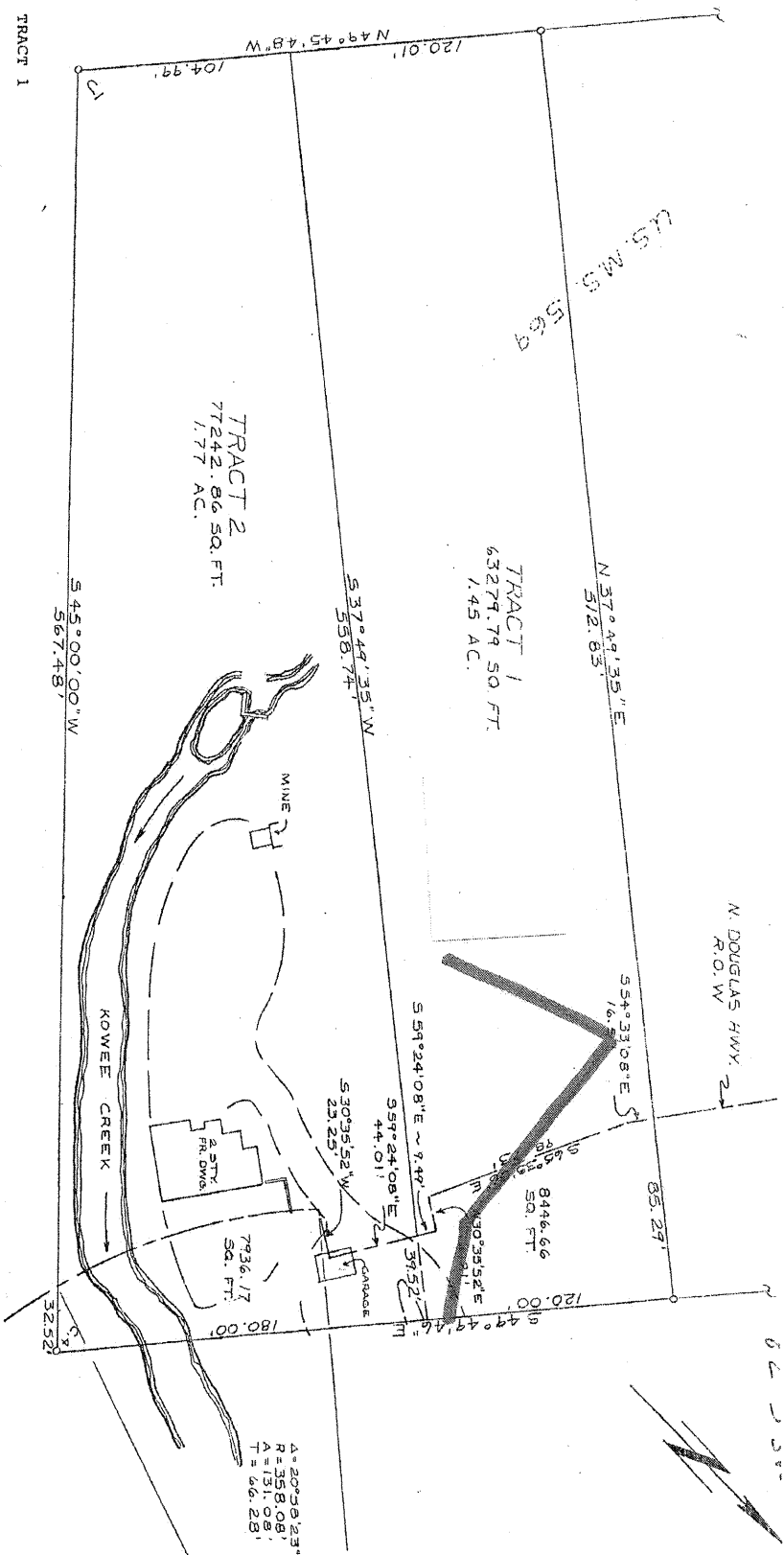
Leave MIN 30% vegetation



GARY KOCHLER
summerplace@hotmail.com
586-329-6350

N. DOUGLAS Highway





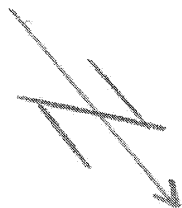
TRACT 1
Beginning at Cor. No. 1 of U.S.M.S. 569, said corner being the most southerly corner of said survey; thence N 49°45'48" W, 104.99 ft. along line 1-2 of U.S.M.S. 569 to the most southerly corner of Tract 1 and the true Point of Beginning; thence N 49°45'48" W, 120.01 ft. along line 1-2 of said survey; thence N 37°49'35" E, 512.83 ft., more or less, to the southerly R.O.W. line of the North Douglas Highway; thence along said R.O.W. S 54°33'08" E, 16.51 ft. more or less; thence S 65°35'06" E, 98.73 ft. more or less; thence N 30°35'52" E, 16.21 ft. more or less; thence S 59°24'08" E, 9.49 ft. more or less; thence, leaving said R.O.W., S 37°49'35" W, 558.74 ft., more or less, to the true Point of Beginning, containing in all 1.45 acres more or less.

TRACT 2
Beginning at Cor. No. 1 of U.S.M.S. 569, said corner being the most southerly corner of said survey; thence N 49°45'48" W, 104.99 ft. along line 1-2 of U.S.M.S. 569 to the most southerly corner of Tract 1; thence N 37°49'35" E, 558.74 ft., more or less, to the southerly R.O.W. line of the North Douglas Highway; thence along said R.O.W. S 59°24'08" E, 23.23 ft. more or less; thence S 30°35'52" W, 23.23 ft. more or less; thence along a curve to the left, having a central angle (A) of 20°58'23" and a radius of 358.08 ft., 131.08 ft. more or less; thence along line 4-1 of U.S.M.S. 569 N 45°00'00" W, 567.48 ft. more or less to the point of beginning, containing in all 1.77 acres, more or less.

82-33W

Legal USS 569 TR 1

SITE PLAN



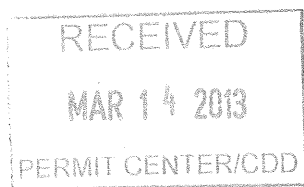
- minor subdivision

Approx

A - Bungalow Lot $\geq 23,000$ sq ft.

B - standard Lot $> 38,000$ sq ft.

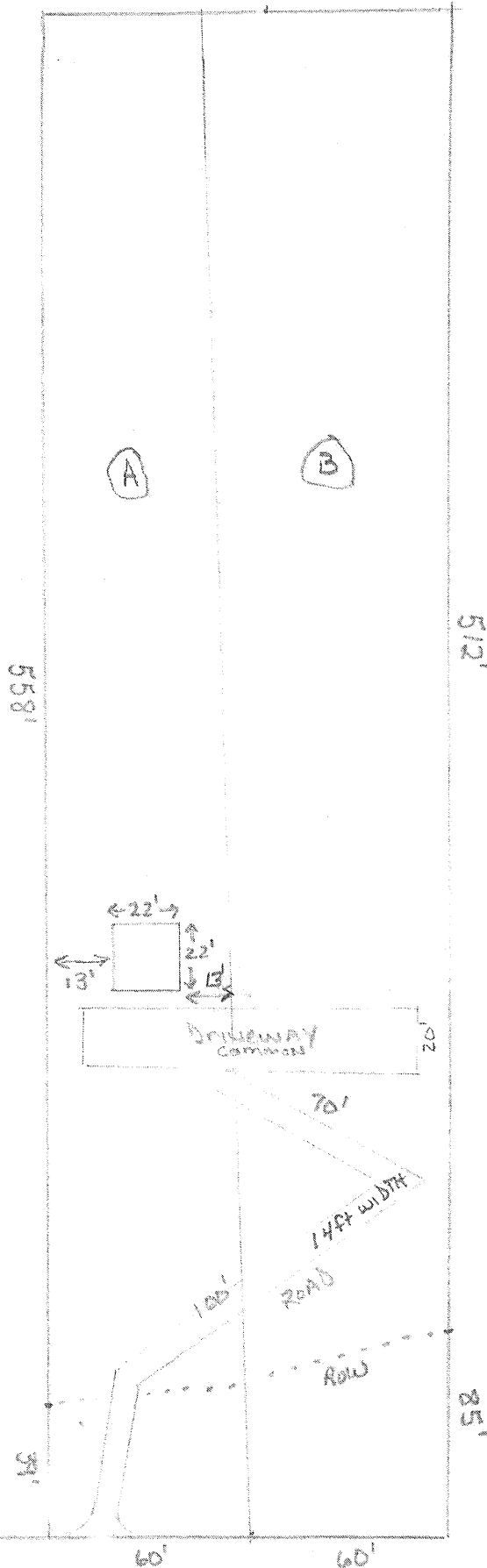
Leave min 30% vegetation



GARY KOEHLER
summerplace@hotmail.com
586-329-6350

N. DOUGLAS

Highway



LEGAL USS 569 TR1

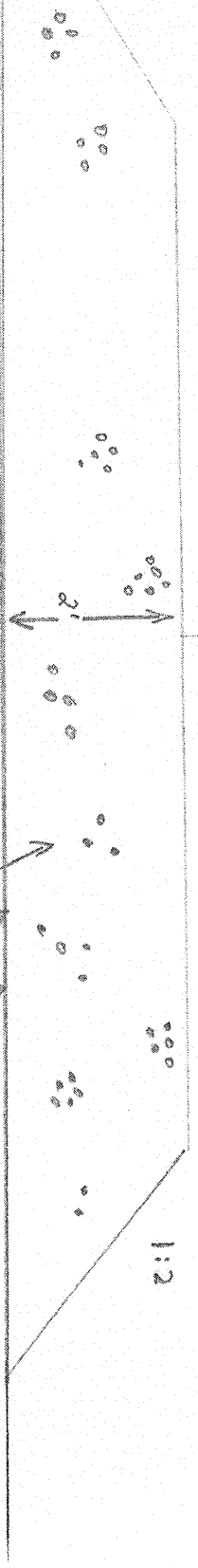
7' 7'

RECEIVED
MAR 14 2013
PERMIT CENTER/CDD

Driveway Plan

GARY KOELLER
Summerplace@hotmail.com
(586) 329 6350

2' 1:2
Prepared Ground
Geotextile Barrier
Fill Gravel Rock



State of Alaska
Department of Transportation and Public Facilities

Driveway and Approach Road Permit

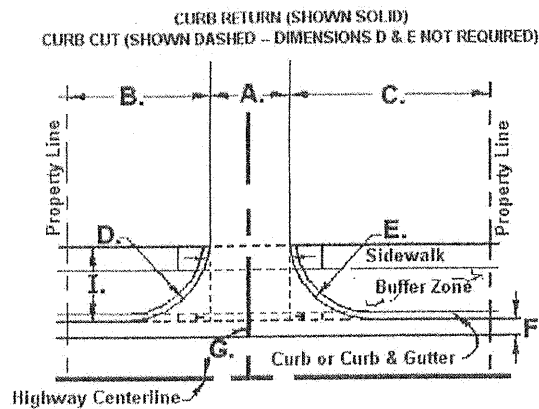
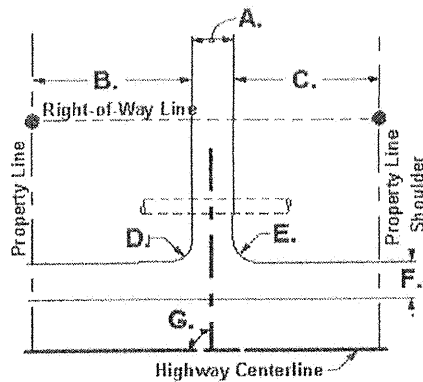
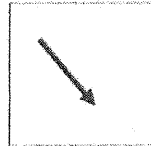
This permit allows the permittee to construct and maintain a driveway or approach road within a State owned highway Right of Way.

<input checked="" type="checkbox"/> Residential/Private <input type="checkbox"/> Commercial <input type="checkbox"/> Government Agency	
Applicant:	Gary Koehler
Mailing Address:	24669 Camille Drive Harrison Township, MI 48045
Contact Name:	Gary Koehler
E-mail Address:	sumnerplace@hotmail.com
Phone:	(586) 329-6350 Fax: _____
Driveway or Approach Road location (highway, subdivision, legal description milepost, etc.) Lot and proposed driveway is across the street from Petro Marine. It will eventually become a common-use driveway to serve two adjoining properties once subdivided. The adjacent property to south has driveway which encroaches on the Lot and I wish to utilize as much of the encroachment for my driveway landing area.	
Proposed or Existing:	Anticipated Completion Date:
PROPOSED	06/30/2013
Number of lots served:	Max. number of vehicles in any 1 hour:
2	2
Zoning Designation:	Proposed Land Use:
CBJ D18	Home

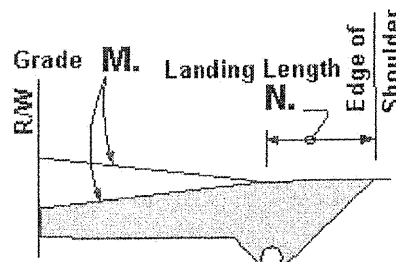
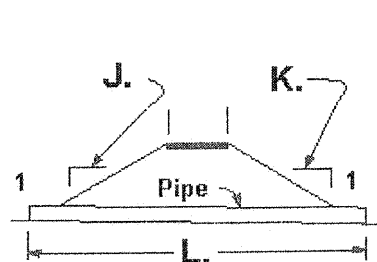
Driveway Specifications

Page 1 of 7

Direction of North in relation to the drawing.



- | | | | |
|----|---------------------------|------|---------|
| A. | Driveway width | 14 | feet |
| B. | Left edge clearance | 20 | feet |
| C. | Right edge clearance | 105 | feet |
| D. | Left return radius | 20 | feet |
| E. | Right return radius | 20 | feet |
| F. | Shoulder width | 4 | feet |
| G. | Approach angle | 90 | degrees |
| H. | Curb type | None | |
| I. | Curb to sidewalk distance | | feet |



- | | | | |
|----|--------------------------|---------|---------|
| J. | Left driveway foreslope | 4 | :1 |
| K. | Right driveway foreslope | 4 | :1 |
| L. | Culvert length | 30 | Feet |
| M. | Landing grade | 2 | Percent |
| N. | Landing length | 15 | Feet |
| O. | Culvert size | 18 | inches |
| P. | Culvert type | Plastic | |
| Q. | Ditch depth | 2 | feet |
| R. | Shoulder type | Paved | |
| S. | Pavement type | Paved | |
| T. | Driveway surface type | Asphalt | |

Permittee upon signing this permit acknowledges and agrees to the following provisions:

This permit applies only to the State right of way.

This permit grants permission for a driveway allowing access to and from your property onto a State maintained highway. It does not permit the following within the right of way or within that portion of a driveway that is within the right of way: (1) Parking of vehicles "for sale"; (2) Obstructions of any kind (i.e. logs, cables, fencing, etc.); (3) Advertising signs or banners/flags; (4) Parking vehicles with signs/advertising on the side.

A driveway or approach road constructed under permit within a highway right-of-way is the property of the State, but all cost and liability arising from the construction, operation, or maintenance of a driveway or approach road is at the sole expense of those lands served. The Department is not obligated to change its maintenance practices to accommodate a driveway or approach road constructed under a permit, or to incur any additional expense removing snow berms or other obstructions from a driveway or approach road within a right of way resulting from the Department's activities, or activities under a permit issued under 17 AAC 15.

Permittee is responsible for adjusting or relocating the driveway or approach road without cost or liability to the Department if the use or safety of the highway requires that the driveway or approach road be adjusted or relocated.

This permit is not a property right but a temporary authorization, revocable by the State upon violation of any permit terms or conditions, or for other reasons. All reasonable attorney's fees and costs associated with legal or enforcement actions related to the terms and conditions of this permit will be borne by the Permittee.

Any survey monument or monument accessory that is disturbed or destroyed during construction or maintenance of the driveway will be restored or replaced by a Land Surveyor licensed in the State of Alaska.

The Permittee will be responsible for all necessary Federal, State, and Municipal permits and licenses required by law, pay all taxes and special assessments lawfully imposed upon the permitted area, and pay other fees and charges assessed under applicable law.

Placement of fill material in waters of the U.S., including wetlands and streams, requires prior authorization from the U.S. Army Corps of Engineers. It is the responsibility of the owner to contact the Corps before filling activities take place.

The Permittee shall construct and maintain a driveway in such a manner that the highway, and all of the highway's appurtenances or facilities, including drainage facilities, pipes, culverts, ditches, traffic control devices, street lights, pathways, and sidewalks are not impaired or endangered in any way by the construction or maintenance. (17 AAC 10.020(b) If you damage any improvements within the State owned right of way, you will be responsible for returning them to their previous condition. The Department will inspect and approve the restored improvements. (17 AAC 10.065)

Permittee shall indemnify, defend and hold harmless the State, and its officers, employees, and contractors, from any and all claims or actions resulting from injury, death, loss, or damage sustained by any person or personal property resulting directly or indirectly from Permittee's use of or activities in the permitted area.

Landings from all paved roads must be paved and maintained from edge of the road to the length of the landing as stipulated in this permit.

If a culvert is required by this driveway permit, culvert ends must be installed at the time of installation and maintained continuously by the owner.

No person shall place, leave or deposit upon any street, avenue, alley, sidewalk or other public right of way any snow or ice which has been removed from a private driveway, private parking area, or the adjacent property. Permittee is responsible for his snow removal contractor's actions concerning placement of snow from Permittee's property.

If driveway construction or maintenance interferes with the public's safety and/or use of facilities within State owned right of way, you will be directed to stop work until adjustments are made.

While doing construction or maintenance activities do not park equipment or stockpile material on the shoulder during non-working hours.

Permittee is responsible for sight distance clearing of brush and obstructions adjacent to their property.

Driveway landings as stipulated in the permit must be paved and maintained from pavement edge on all paved roads.

Please contact the Department for information about acceptable driveway markers (i.e., size, materials, distance, etc.) for placement within the right of way.

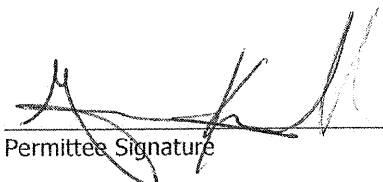
The State will not change its maintenance practices to accommodate your driveway or incur additional expense to clear snow berms or other obstacles resulting from the Department's activities.

Attachments included as part of this permit are:


REQUIRED for ALL DRIVEWAYS:

- ☒ Plat including notes of the placement of the driveway.
- ☒ Site plan.
- ☒ Proof of ownership.
- ☒ Traffic control plan.

I, **Gary Koehler**, acknowledge that I am acting on behalf of the above named organization with the full authority to do so. I further acknowledge and accept that I shall comply with all the provisions and conditions that the Department of Transportation and Public Facilities has included as a condition of issuing this permit.

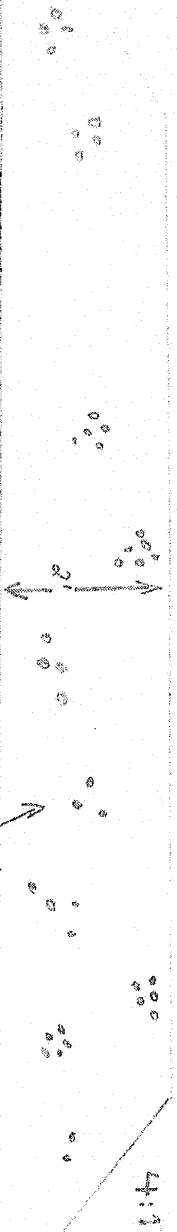

Permittee Signature

02 APR 13
Date


DOT&PF Signature

3-27-13
Date

7' 7' 7'



DRIVEWAY PLAN
GARY KOEHLER
Summerplace@hotmail.com
(586) 329 6350

Repaired Ground
Geotextile Barrier
Fill GRAVEL ROCK

LEGAL USS 569 TR 1

SITE PLAN

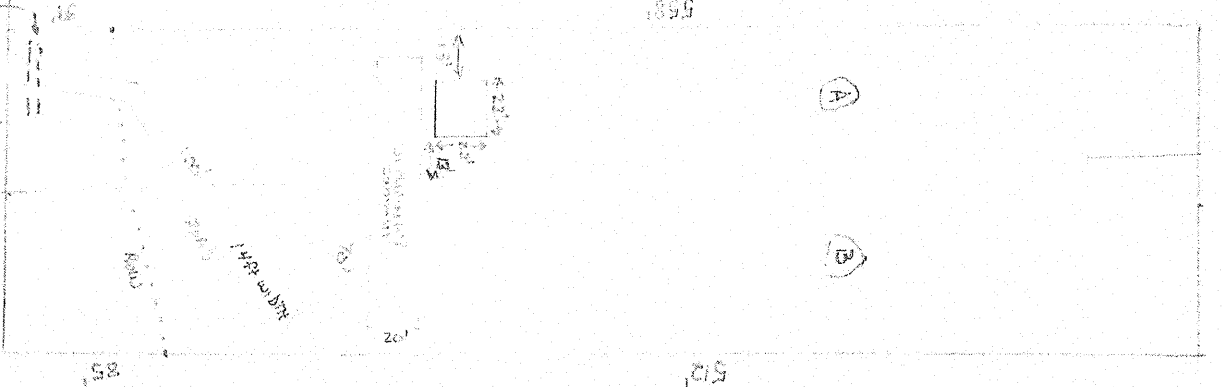


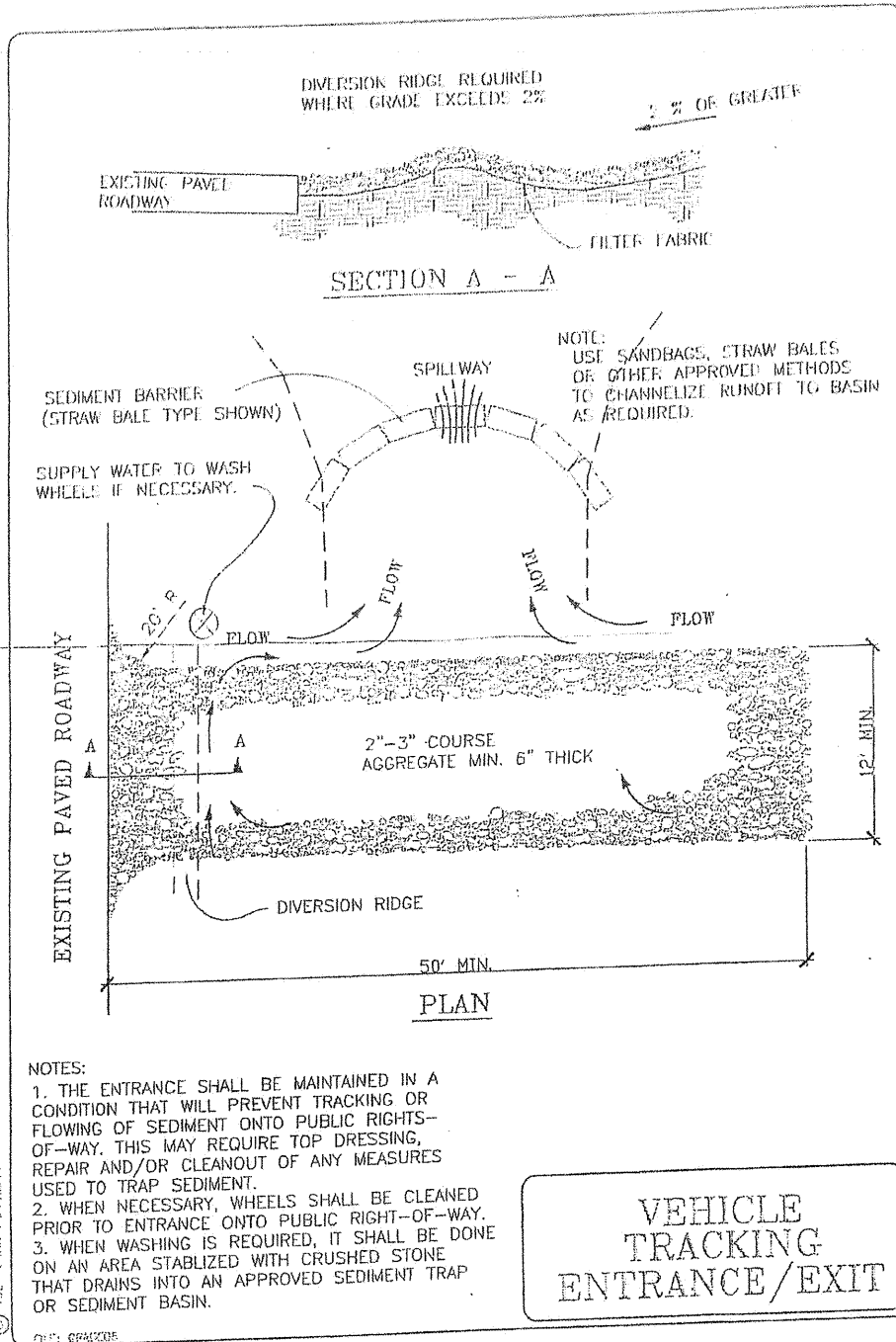
- MINOR SUBDIVISION
- APPROX
- A - 3 parcels Lot 2 23,000 sq ft.
- B - 4 parcels Lot 3 38,000 sq ft.

Lease with 30% improvement

GARY KOEHLER
Sunnyvale, CA
586-329-6350

N. Douglas Highway
30' x 18" Culvert





PAGE ____ of ____

Vehicle Tracking Entrance/Exit

Alaska SWPPP

Effective October 1, 2001




PAGE 7 of 7

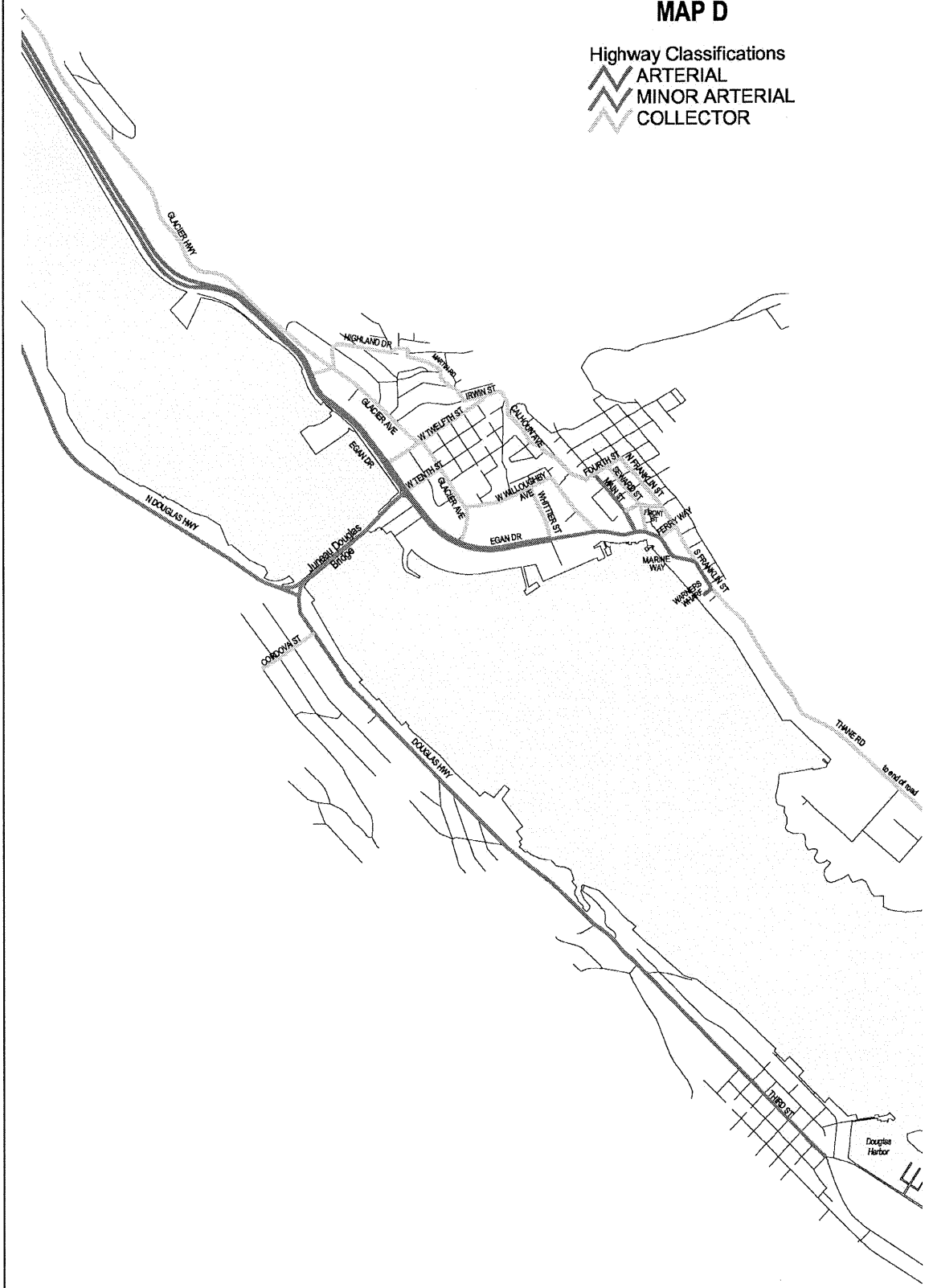
ROADWAY CLASSIFICATION MAP
Juneau

1000 0 1000 Feet



MAP D

- Highway Classifications
-  ARTERIAL
 -  MINOR ARTERIAL
 -  COLLECTOR



DOT&PF Functional Classification Update Project

Southeast Region

Downtown Juneau

Final Functional Classification

Juneau/Ketchikan Mapbook 1
February 2011



Functional Classification

- | | | |
|-------------|--------------------------|--------------------------|
| LOCAL ROADS | RURAL MINOR COLLECTOR | URBAN COLLECTOR |
| | RURAL MAJOR COLLECTOR | URBAN MINOR ARTERIAL |
| | RURAL MINOR ARTERIAL | URBAN PRINCIPAL ARTERIAL |
| | RURAL PRINCIPAL ARTERIAL | URBAN INTERSTATE |
| | RURAL INTERSTATE | FERRY ROUTES |



CITY AND BOROUGH OF JUNEAU
TRAFFIC IMPACT ANALYSIS
NORTH DOUGLAS HIGHWAY REZONE
Juneau, Alaska

August 2009

Prepared for:
City and Borough of Juneau
155 S Seward Street
Juneau, Alaska 99801

Prepared by:
USKH
SHARED VISION. UNIFIED APPROACH.
3031 Clinton Drive
Juneau, Alaska 99801
Phone (907) 790-2901
Fax (907) 790-3901

USKH WO# 978801

SUMMARY

The City and Borough of Juneau is anticipating the re-zoning of land along North Douglas Highway. The re-zoning is allowed under the 2008 update of the City and Borough of Juneau Comprehensive Plan. The City and Borough of Juneau is extending the sanitary sewer system along North Douglas Highway, which removes a significant impediment to development. Housing growth is expected to include both the development of vacant land and subdivision of existing, developed parcels.

This Traffic Impact Analysis includes estimates of projected growth along this corridor and the analysis of impacts to traffic conditions at the Douglas roundabout and at the Egan Drive and 10th Street intersection. Level of service and capacity at these intersections will be negatively impacted by development along North Douglas Highway. The rezoning action will not generate traffic, but as development occurs over time, capacity improvements will eventually be required to meet minimum traffic standards.

4 CONCLUSIONS

The development of land along NDH has the potential to accommodate much of Juneau's population growth for the next 20 years. The traffic generated by this development will negatively impact the LOS at the Douglas roundabout and the intersection of Egan Drive and 10th Street. Eventually, improvements to these intersections may be warranted to allow this growth to occur. Mitigation of impacts to pedestrian and bicycle facilities and safety are not likely to be warranted.

The re-zoning action will not cause impacts to traffic, but does increase the opportunity and potential for growth in the study area. Mitigation of these future impacts is not required for the rezoning action. As the development occurs over time, the impacts are projected to increase to the point that improvements at the subject intersections will be necessary.