

# MEMORANDUM

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

**DATE:** July 1, 2013

**TO:** Planning Commission

**FROM:** Jonathan Lange, Planner *JL*  
Community Development Department

**FILE NO.:** CSP2013 0015

**PROPOSAL:** A City project to construct a vehicular swing gate and a pedestrian gate on existing road.

## GENERAL INFORMATION

**Applicant:** City and Borough of Juneau, Engineering Department

**Property Owner:** City and Borough of Juneau

**Property Address:** 5669 Montana Creek Road

**Legal Description:** ASLS 98-6 TR A

**Parcel Code No.:** 4-B29-0-142-001-0

**Site Size:** 851.78 Acres

**Comprehensive Plan Future Land Use Designation:** RS – City and Borough of Juneau Recreational Service Park

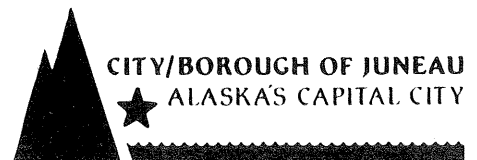
**Zoning:** RR

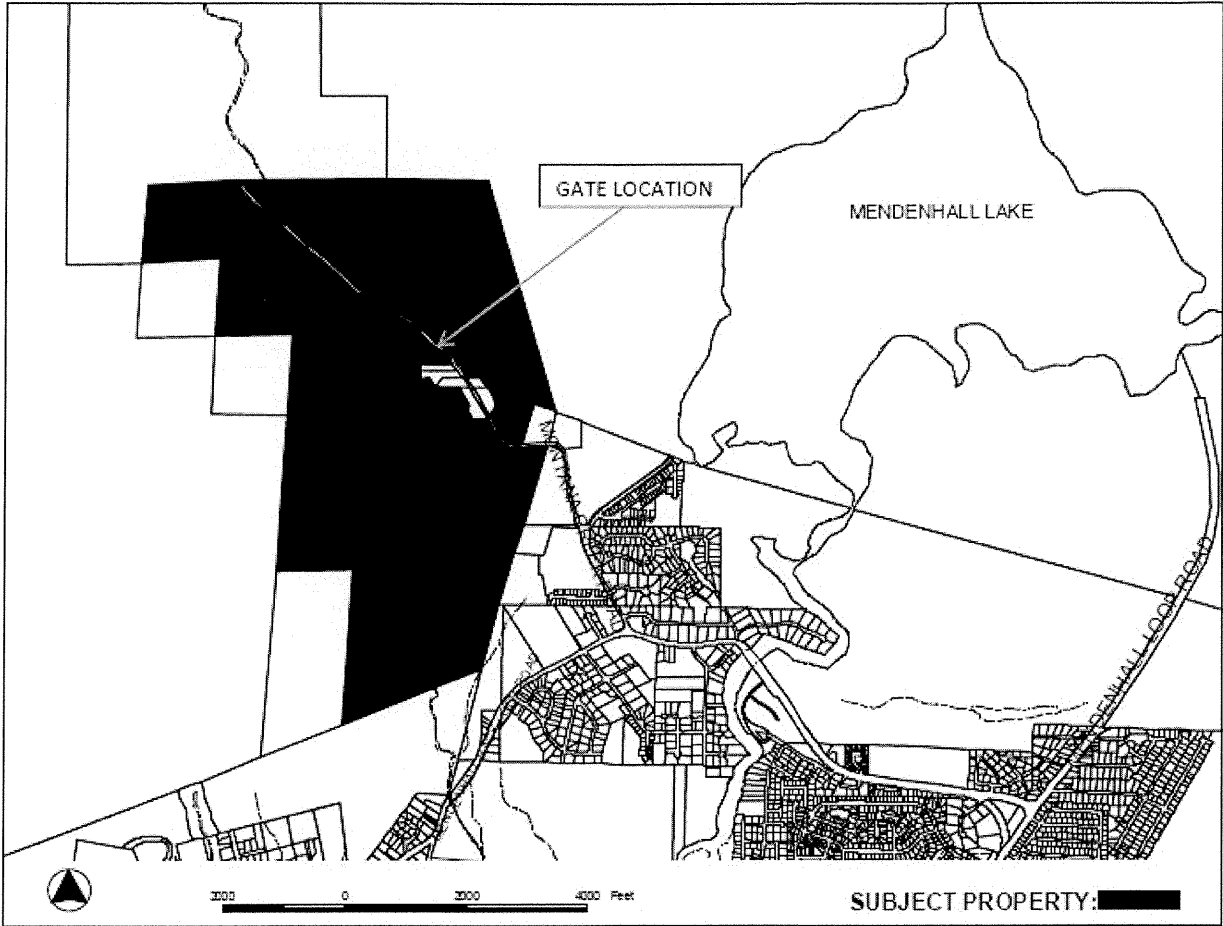
**Utilities:** City sewer and water provided to parcel as a whole

**Access:** Montana Creek Road

**Existing Land Use:** Vacant leased land

**Surrounding Land Use:** North - RR; CBJ leased land, Hank Harmon rifle range  
South - RR; CBJ leased land  
East - RR; CBJ vacant land  
West - RR; CBJ vacant land





**ATTACHMENTS**

- Attachment A      Development Permit Application and City/State Project and Land Action Review Application
- Attachment B      Proposed Site Plan
- Attachment C      Abutters Notice
- Attachment D      Photos of Existing Site and Existing Signage

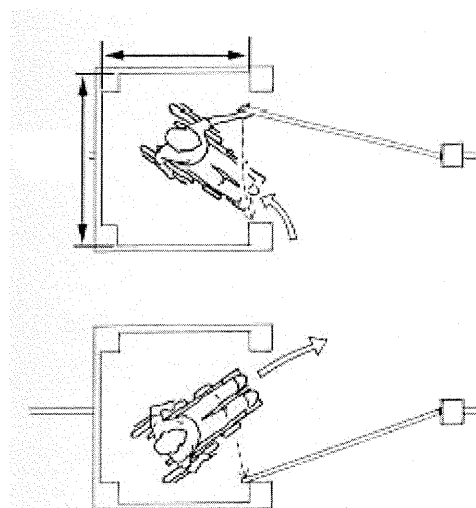
## **BACKGROUND**

The City and Borough of Juneau is proposing CSP2013 0015, a project to construct a vehicular gate and a pedestrian “kissing” gate (see example below for “kissing” gate) on Montana Creek Road. The project will also include construction of a four foot tall chain-link fence on either side of the road, and grading and paving of three new parallel parking spaces on the northeast side of Montana Creek Road.

The proposed gates and fences are in response to illegal dumping of trash and debris that has occurred in the past on Montana Creek Road. The Parks and Recreation Department of the City and Borough of Juneau has had to clean up after illegal dumping has occurred. Two four foot tall chain-link fences will extend southeast from the gates along both sides of the road; one approximately 20 feet on the northeast side and one approximately 40 feet on the southeast side (see Attachment B).

The proposed 13 foot long cantilever swing arm vehicular gate will be located approximately 25 to 30 feet from the entrance to the Hank Harmon Rifle Range. The vehicular gate and pedestrian “kissing” gate will cross the City and Borough of Juneau owned and maintained right-of-way of Montana Creek Road. The vehicular gate is proposed to be closed and locked the same hours as the Hank Harmon Rifle Range, primarily nighttime hours; a sign will be posted at the gate with the hours it will be closed.

The three new parallel parking spaces will be provided as overnight parking. Signage will be posted to inform users of parallel parking.



Example of a pedestrian “kissing” gate

## ANALYSIS

The proposed construction of the fences and the parking spaces comply with standards and regulations in the City and Borough of Juneau's Land Use Code Title 49.

### *CBJ 49.25.430(4)*

*(L)Fences and vegetation. For this section a "traveled way" is defined as the edge of the roadway shoulder or the curb closest to property.*

*(i)The maximum height of a sight obscuring fence or vegetation shall not exceed four feet within 20 feet of the edge of the traveled way....*

The fences on both sides of the road are proposed to be four feet high.

### *CBJ 49.40.210*

*(b)Parking space dimensions.*

*(2)Spaces parallel to the curb shall be no less than 22 feet by 6½ feet.*

The parallel parking space is proposed to be 66 feet long and 10 feet wide. This proposed space would provide parallel parking for a maximum of three spaces.

## Comments

Comments received regarding this project are listed below.

### Ed Mercer, Captain, Juneau Police Department

The vehicular gate is proposed to be locked during nighttime hours. The Juneau Police Departments (JPD) only concern with gating of this section of road is the ability of JPD's response to afterhours calls or emergencies, and that JPD would have access to the gate. *This concern has been resolved as JPD will have access to the gate through a combination lock.*

### Ed Foster, Streets Superintendent, CBJ Public Works

Three new parallel parking spaces are proposed on the northeast side of the road for nighttime or overnight parking. The Streets Division of the City and Borough of Juneau's Public Works Department's only concern would be obstruction of traffic flow due to vehicles parking diagonally or head-in on the side of the road. *This concern has been resolved as signage will be placed next to the parking spaces stating parallel parking only.*

## **CONFORMITY WITH ADOPTED PLANS**

### **CBJ 2008 Comprehensive Plan**

POLICY 9.3. IT IS THE POLICY OF THE CBJ TO PRESERVE AS PUBLIC NATURAL AREAS THOSE PUBLICLY-OWNED LANDS AND SHORELINE AREAS THAT POSSESS IMPORTANT RECREATIONAL, SCENIC, FISH AND WILDLIFE, AND OTHER ENVIRONMENTAL QUALITIES OR ARE SUBJECT TO NATURAL HAZARDS.

Standard Operating Procedures

9.3.SOP2 Acquire land or regulate its use as necessary to protect the public from natural hazards and to preserve sensitive natural resources.

### **HABITAT**

Staff does not find any habitat issues with the proposed project.

### **FINDINGS**

All evidence indicates that the proposed project complies with the CBJ Land Use Code and applicable plans, including the Comprehensive Plan.

### **RECOMMENDATION**

Staff recommends that the Planning Commission recommend authorization of the project for construction of a vehicular gate, pedestrian "kissing" gate, two four foot tall chain-link fences, and grading/paving for three parallel parking spaces on Montana Creek Road.

# CITY/STATE PROJECT AND LAND ACTION REVIEW APPLICATION

Project Number <u>CSP200130015</u>	Project Name (15 characters)	Case Number <u>CSP</u>	Date Received <u>6/20/13</u>
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**TYPE OF PROJECT REVIEW:**

City Project Review     
  City Land Acquisition /Disposal     
  State Project Review

**DESCRIPTION OF PROJECT** Construct a vehicular gate and pedestrian 'kissing gate' on Montana Creek Road just past the Hank Harmon Rifle Range. The gate is to be closed the same hours as the range, primarily nighttime hours. Parking for three cars will be created on the side of the road for overnight parking. A new sign will be posted at the gate with the hours it will be closed.

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

**CURRENT USE OF LAND OR BUILDING(S):** Road with no gate

**PROPOSED USE OF LAND OR BUILDING(S):** Road with gate

**PROJECT NUMBERS ASSOCIATED WITH PROPOSAL:**

Is this project associated with any other Land Use Permits?  No  Yes Case No.: \_\_\_\_\_

Capital Improvement Program # (CIP) R72-048

Local Improvement District # (LID) \_\_\_\_\_

State Project # \_\_\_\_\_

**ESTIMATED PROJECT COST:** \$ 40,000

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.

**CITY/STATE PROJECT FEES**

	Fees	Check No.	Receipt	Date
Application Fees	\$ <u>0</u>	_____	_____	_____
Total Fee	\$ <u>0</u>	_____	_____	_____

**NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM & EVEN IF THE PROPOSED PROJECT IS ASSOCIATE WITH OTHER LAND USE PERMITS, THIS APPLICATION MUST BE FILLED OUT**

TO BE COMPLETED BY THE APPLICANT

# DEVELOPMENT PERMIT APPLICATION

Project Number <b>CSP 20130015</b>	CITY and BOROUGH of JUNEAU	Date Received: <b>6/20/13</b>
Project Name (City Staff to Assign Name)		

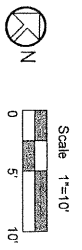
INFORMATION	Project Description <i>Construct a vehicular swing gate + pedestrian kissing gate on Montana Creek Rd just past the Hank Harmon Rifle Range. Parking for three cars will be added to the side of the road.</i>		
	PROPERTY LOCATION		
	Street Address <b>Montana Creek Rd.</b>	City/Zip <b>Juneau 99801</b>	
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) <b>CBJ ROW</b>		
	Assessor's Parcel Number(s) <b>Can't find it 4B2901420010</b>		
	LANDOWNER/ LESSEE		
	Property Owner's Name <b>CBJ</b>	Contact Person: <b>Michele Eifers</b>	Work Phone: <b>586-0931</b>
	Mailing Address <b>155 S. Seward St. Juneau AK 99801</b>	Home Phone:	Fax Number:
	E-mail Address <b>Michele_Eifers@ci.juneau.ak.us</b>	Other Contact Phone Number(s):	
	LANDOWNER/ LESSEE CONSENT <small>****Required for Planning Permits, not needed on Building/ Engineering Permits****</small>		
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><i>Michele Eifers</i></u> Landowner/Lessee Signature		<u><i>6/20/13</i></u> Date	
X _____ Landowner/Lessee Signature		_____ Date	
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.			
APPLICANT <small>If the same as OWNER, write "SAME" and sign and date at X below</small>			
Applicant's Name <b>Same</b>	Contact Person:	Work Phone:	
Mailing Address	Home Phone:	Fax Number:	
E-mail Address	Other Contact Phone Number(s):		
X <u><i>Michele Eifers</i></u> Applicant's Signature		<u><i>6/20/13</i></u> Date of Application	

-----OFFICE USE ONLY BELOW THIS LINE-----

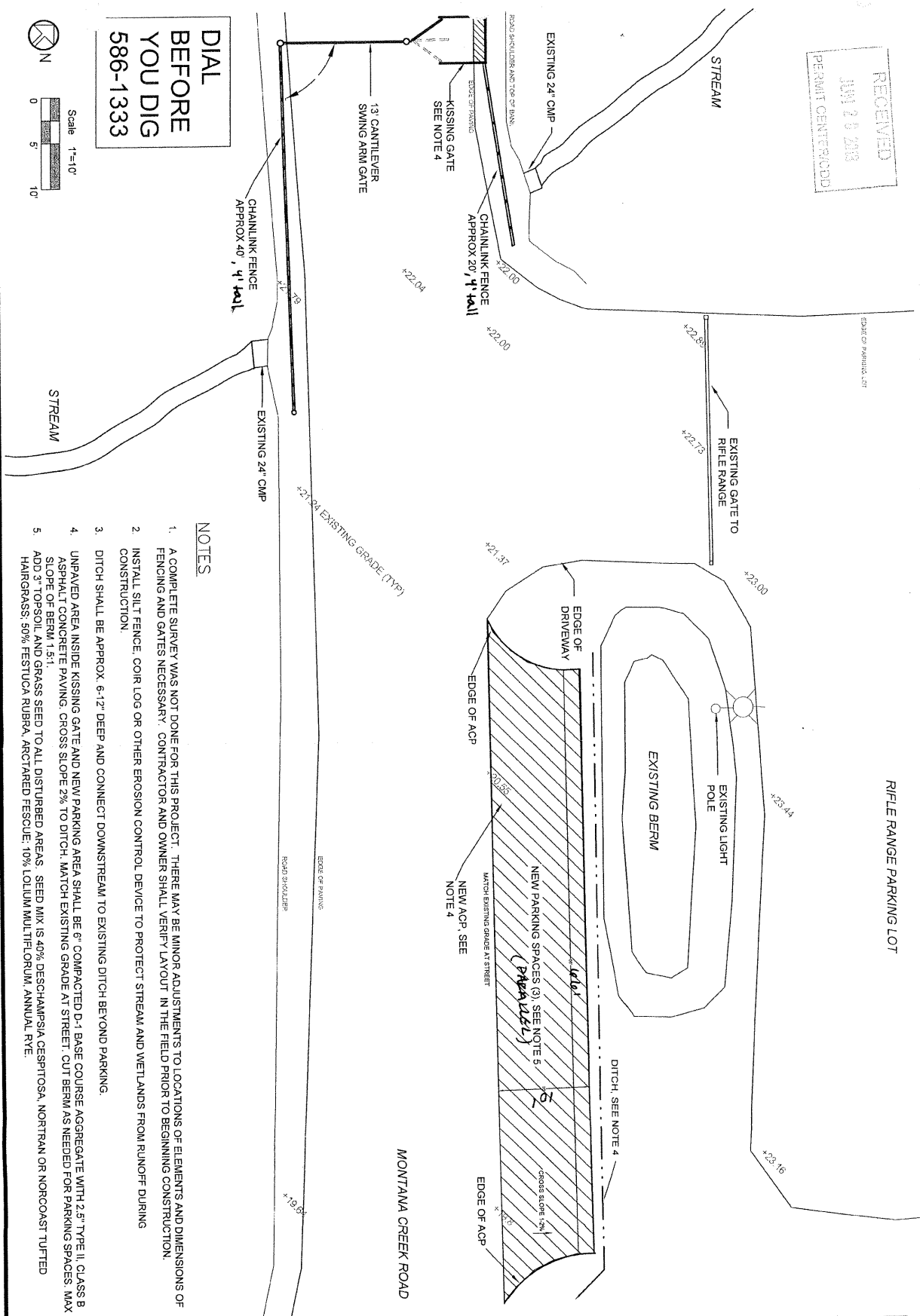
STAFF APPROVALS	✓	Permit Type	***SIGN	Date Received	Application Number(s)	
		Building/Grading Permit				
	✓	City/State Project Review and City Land Action		<b>6/20/13</b>	<b>CSP 20130015</b>	
		Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)				
		Mining Case (Small, Large, Rural, Extraction, 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)				
		Variance Case (De Minimis and all other Variance case types)				
		Wetlands Permits				
		Zone Change Application				
		Other (Describe)				
	<small>***Public Notice Sign Form filled out and in the file.</small>					
	Comments:				Permit Intake Initials <b>JKL</b>	

NOTE: DEVELOPMENT PERMIT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATIONS  
I:\FORMS\2010 Applications Revised November 2009

RECEIVED  
JUN 28 2013  
PERMIT CENTER/PODD



**DIAL  
BEFORE  
YOU DIG  
586-1333**



**NOTES**

1. A COMPLETE SURVEY WAS NOT DONE FOR THIS PROJECT. THERE MAY BE MINOR ADJUSTMENTS TO LOCATIONS OF ELEMENTS AND DIMENSIONS OF FENCING AND GATES NECESSARY. CONTRACTOR AND OWNER SHALL VERIFY LAYOUT IN THE FIELD PRIOR TO BEGINNING CONSTRUCTION.
2. INSTALL SILT FENCE. COIR LOG OR OTHER EROSION CONTROL DEVICE TO PROTECT STREAM AND WETLANDS FROM RUNOFF DURING CONSTRUCTION.
3. DITCH SHALL BE APPROX. 6'-12" DEEP AND CONNECT DOWNSTREAM TO EXISTING DITCH BEYOND PARKING.
4. UNPAVED AREA INSIDE KISSING GATE AND NEW PARKING AREA SHALL BE 6" COMPACTED D-4 BASE COURSE AGGREGATE WITH 2.5" TYPE II CLASS B ASPHALT CONCRETE PAVING. CROSS SLOPE 2% TO DITCH. MATCH EXISTING GRADE AT STREET. CUT BERMS AS NEEDED FOR PARKING SPACES. MAX SLOPE OF BERM 1.5:1.
5. ADD 3" TOPSOIL AND GRASS SEED TO ALL DISTURBED AREAS. SEED MIX IS 40% DESCHAMPSIA CESPITOSA, NORTTRAN OR NORCOAST TUFTED HAIRGRASS, 50% FESTUCA RUBRA, AROTORAED FESCUE, 10% LOLIUM MULTIFLORUM, ANNUAL RYE.

Sheet #: 1 OF 2

Date: JUNE 17, 2013

Project Manager: M. Ehlers  
CSP 20130615

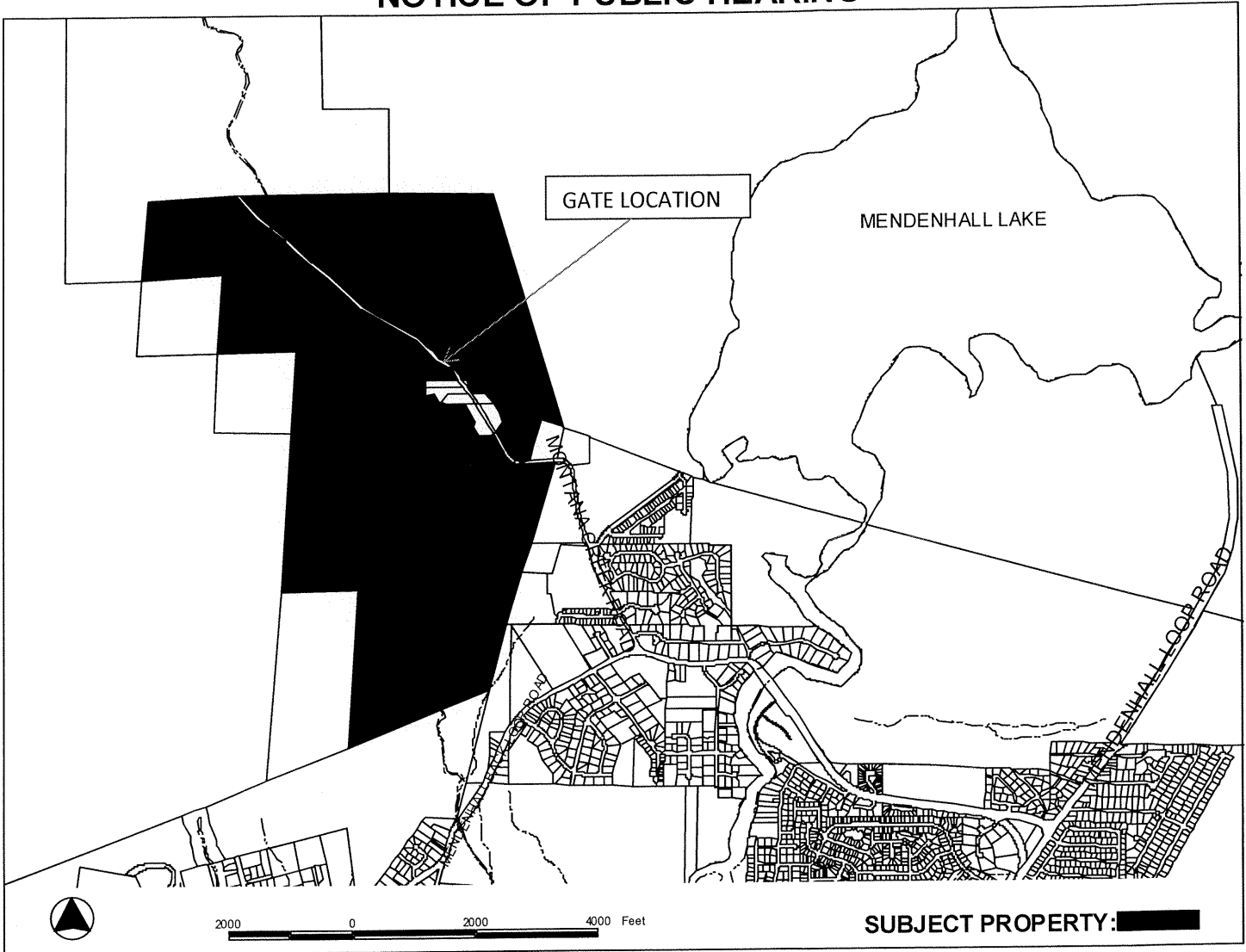
Sheet Title: Site Plan

**MONTANA CREEK ROAD GATE AND PARKING**

CITY/BOROUGH OF JUNEAU Alaska's Capital City



# NOTICE OF PUBLIC HEARING



**PROPOSAL:** A City project to construct a vehicular swing gate and a pedestrian gate on existing road.

<p><b>FILE NO:</b> CSP2013 0015</p> <p><b>TO:</b> Adjacent Property Owners</p> <p><b>HEARING DATE:</b> July 9, 2013</p> <p><b>HEARING TIME:</b> 7:00 PM</p> <p><b>PLACE:</b> <b>ASSEMBLY CHAMBERS</b> Municipal Building 155 South Seward St Juneau, Alaska 99801</p>	<p><b>APPLICANT:</b> CITY AND BOROUGH OF JUNEAU</p> <p><b>Property PCN:</b> 4-B29-0-142-001-0</p> <p><b>Owner(s):</b> CITY AND BOROUGH OF JUNEAU</p> <p><b>Size:</b> 851.78 ACRES</p> <p><b>Zoned:</b> RR</p> <p><b>Site Address:</b> 5669 MONTANA CREEK RD</p> <p><b>Accessed via:</b> MONTANA CREEK RD</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 Jonathan Lange at [jonathan\\_lange@ci.juneau.ak.us](mailto:jonathan_lange@ci.juneau.ak.us) or at 586-0218,

Planning Commission Agendas, Staff Reports and Meeting Results can be viewed at [www.juneau.org/plancomm](http://www.juneau.org/plancomm).

## ATTACHMENT C

Date notice was printed: June 26, 2013



**ATTACHMENT D**



**ATTACHMENT D**

Welcome to  
Montana Creek

- Dumping of garbage and other wastels prohibited  
(CBJ Code 197N, § 91-06-060.)

- Do not drive motor vehicles and ATV's into the creek and adjoining side streams  
(AS 18-05-87N, AS 18-05-100)

- A permit is required to build new trails (AS 38-07-800)



*Please keep Montana Creek healthy and full of salmon.*

To report violations, please call the Alaska Wildlife Troopers at 466-4700 or the CBJ at 388-3226

**NO  
DUMPING  
\$1000 FENALTY**

CBJ 38.30.010, AS 46.06.080



CITY OF ANCHORAGE  
★ ALASKA'S CAPITAL CITY

**ATTACHMENT D**