


MEMORANDUM

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

DATE: July 3, 2013

TO: Planning Commission

FROM: Eric Feldt, Planner 
Community Development Department

FILE NO.: USE2013 0021

PROPOSAL: Modify original Sand & Gravel permit to extend truck hauling hours from 7am-5:30pm Monday-Friday and 9am-5:30pm Saturday from July to end of October 2013.

GENERAL INFORMATION

Applicant: Miller Construction Co.

Property Owner: City and Borough of Juneau

Property Address: 13010 Glacier Highway

Legal Description: Fraction of Lot 1 USS 3810

Parcel Code Number: 4-B30-0-102-002-0

Site Size: 310 Acres

Comprehensive Plan Future Land Use Designation: Resource Development

Zoning: Rural Reserve

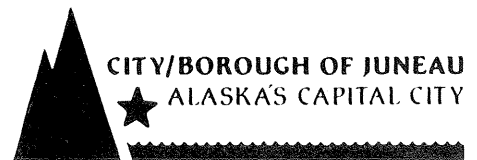
Utilities: City Water; No Waste Water

Access: Glacier Highway

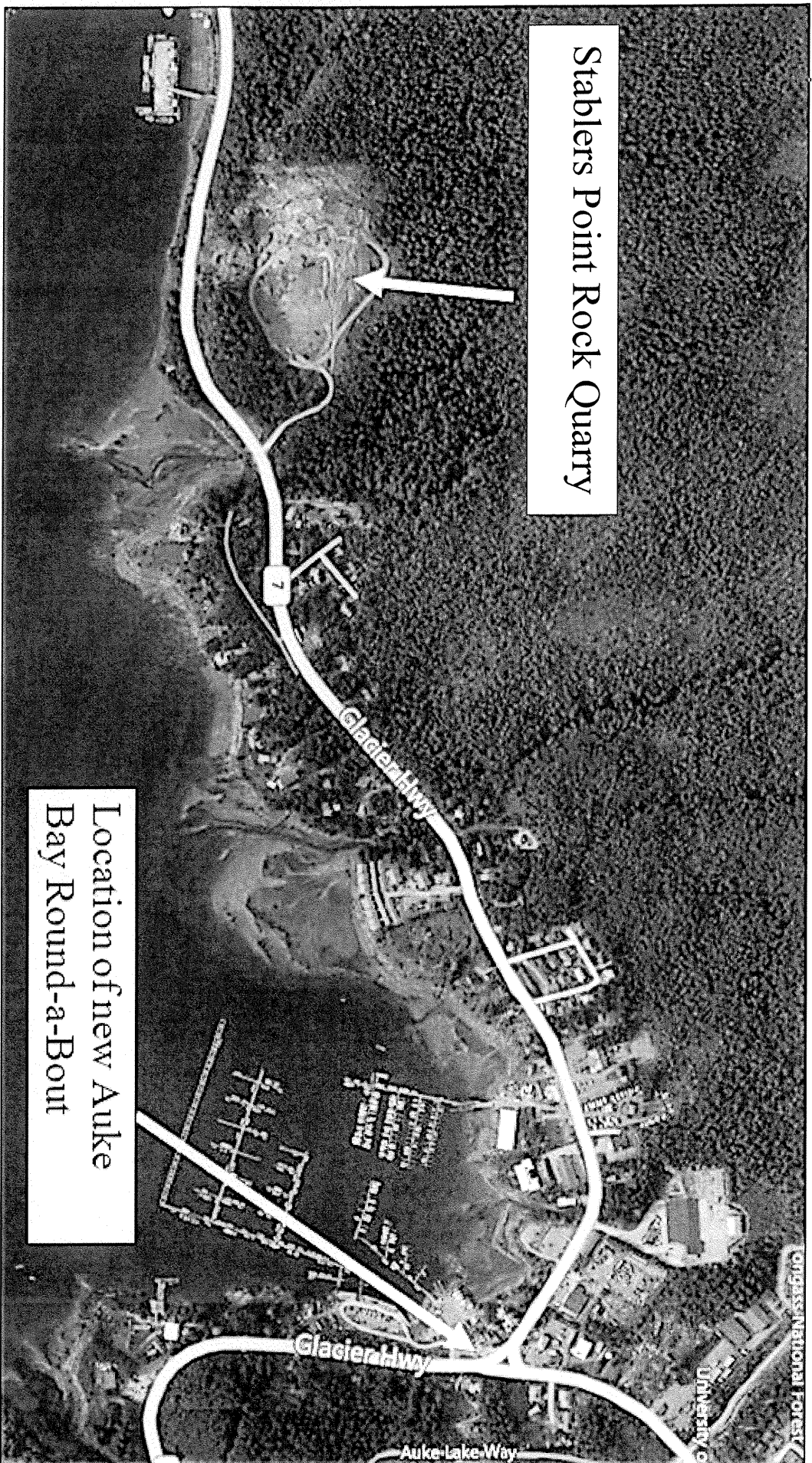
Existing Land Use: Rock Quarry

Surrounding Land Use:

North	- RR; Vacant City Land; Glacier Hwy
South	- D-3; Single-Family Dwelling; Glacier Hwy
East	- D-1; Single-Family Dwelling; Glacier Hwy
West	- RR; Vacant City Land; Glacier Hwy



VICINITY MAP



Planning Commission
File No.: USE2013 0021
July 3, 2013

ATTACHMENTS

Attachment	A	Applicant's Letter
Attachment	B	Auke Bay Round-a-bout Plans
Attachment	C	Public Comments

PROJECT DESCRIPTION

The applicant seeks to extend the truck hauling hours only of the Stablers Point Rock Quarry to supply fill material for the new Auke Bay round-a-bout road reconstruction project. The existing and proposed hours of the quarry's operation are shown below.

Existing

- 8am – 4:30pm, Monday – Friday
- No Weekend Operations

Proposed

- 7am – 5:30pm, Monday - Friday
- 9am – 5:30pm, Saturday
- No Sunday Operations
- During July –October, 2013

The applicant's letter describing the proposed hours is provided under Attachment A. Specific plans of the new Auke Bay round-a-bout are provided under Attachment B. Public comments received as of the date of this memorandum are provided under Attachment C.

BACKGROUND

This summer the Alaska Department of Transportation & Public Facilities (DOT) will start constructing a new round-a-bout at the intersection of Back Loop Road and Glacier Highway in Auke Bay. The applicant will provide large amounts of fill material for the project from Stablers Point Rock Quarry. A total of 28,000 tons of material is needed for the project, according to the applicant. This project is anticipated to be completed by October of this year.

The Stablers Point Rock Quarry has been in operation since the mid-1990s and will eventually cut through a tightly curved hillside to make a segment of Glacier Highway straighter and safer. The quarry is owned and managed by the City & Borough of Juneau (CBJ) but is entirely operated by private companies. Rock material is extracted by blasting, excavating, crushing, and trucked out to various sites in the borough. The quarry is a valuable resource of large, dense rock for construction. Other quarries and gravel pits in the borough provide smaller, refined rock material used for different construction capacities. Having this diverse rock resource is critical for meeting the needs of various construction projects.

Prior to 2001, rock was extracted from Stablers Point Rock quarry for specific projects. A 10-year Sand & Gravel permit was approved in 2001 and again in 2011. Both permits address specific elements of the quarry, such as drainage, slope control, blasting limits, hours of

operations, noise studies, etc. The hours have been expanded and reduced over time depending on neighborhood compatibility and project demands.

Noise concerns have been the largest influence in reducing the hours of operation. Due to the low elevation of the quarry floor and high walls, some noise is retained within the quarry. However, noise from truck traffic, loading trucks, and blasting can be heard far away, especially from Fritz Cove Road. The following list of permits show how the quarry's operating hours have changed:

- Permit # USE2000 00045: A Conditional Use permit to operate a rock quarry at this site in conjunction with the CBJ project for the expansion of Statter Harbor and two DOT/ PF projects, the Channel Drive Wayside and Egan Drive improvements.
 - Hours of Operation: 7am – 6pm, Monday – Friday; 8am – 5pm, Sat. and Sun.
- Permit # USE2000 00066: Conditional Use permit for the expansion of the Stablers Point Quarry.
 - Hours of Operation: 7am – 6pm, Monday – Friday; 8am-5pm, Saturday & Sunday
- Permit # USE2001 00022: A Conditional Use permit and City Project review for a proposal to develop and operate a rock quarry at Stablers Point. (10-year permit)
 - Hours of Operation: 8am – 4:30pm, Monday - Friday
- Permit # USE2004 00028: Modification to existing Conditional Use permit, USE2001 00022, to allow hauling operations on Saturdays.
 - Hours of Operation: 8am – 4:30pm, Monday – Friday; 8:30am – 5pm, Saturday
- Permit # USE2005 0020: Modification to USE2004-00028 to extend the hours of operation to be 8:00am – 5:30pm for New High School Site Work and Utilities project.
 - Hours of Operation: 8 am – 5:30pm Monday through Saturday.
- Permit # USE2008 0007: Modification of USE2001-00022 to expand the mining boundary 3 acres; expand the overburden storage area by 1 acre; allow secondary crushing; and to continue the temporary extended hours of operation.
 - Hours of Operation: 8am – 4:30, Monday - Friday (Did not extend hours)
- Permit # USE2011 0017: Renew the 10-year Stablers Point Rock Quarry extraction permit.(10-year permit)
 - Hours of Operation: 8am – 4:30pm, Monday – Friday (**Current Hours**)

The following is a summary of what changed the operating hours between those permits. The hours were reduced in 2001 to lessen noise impacts to the neighborhood and avoid traffic conflicts. Saturday hours for truck hauling only were allowed starting in 2004 due to 1) having established decibel level restrictions, 2) strategically placed overburden to minimize noise

escape, 3) a lower anticipated traffic on Saturdays, and 4) a lack of complaints during previous years of operation. In 2005, the hours for truck hauling on the weekdays only were temporarily extended for the construction of the Thunder Mountain High School. In 2008, these temporarily expanded hours were asked to become permanent but due to neighborhood concerns, were cut back to the USE2001 00022 hours, 8am – 4:30pm, Monday through Friday.

During the review of the USE2011 0017, a neighborhood meeting was held to gather comments. Community Development Department (CDD) staff heard an overall agreement to keep the hours of operation to weekdays only from 8am – 4:30pm. Increasing the hours only for truck traffic was also opposed as it allowed quarry noise to expand beyond the quarry site. With ten years of rock extraction and quarry changes since 2001, a new noise study was completed for this permit (USE2011 0017) which indicated the noise projections from the site toward adjacent residential lands were within the allowed decibel levels of the quarry permit.

For this modification and due to noise complaints along Fritz Cove Road, CDD staff enlarged the minimum public mailing notification distance to reach those residents. This did not occur with most of the earlier Conditional Use permits prior to 2011.

As noted earlier, the Stablers Point Rock Quarry is operating under a Sand & Gravel permit of the Land Use Code. CDD staff has determined that the proposal to temporarily expand the hours of operation is a major modification to the 2011 permit because it would have significant impacts to the public. Therefore, the proposal requires a Conditional Use permit.

ANALYSIS

Project Site

The Stablers Point Rock Quarry is located on the up hill side of Auke Bay between Waydelich Creek and the Alaska Marine Ferry terminal. This quarry is nearly one mile away from the new Auke Bay round-a-bout. Therefore, the delivery distance and time to haul rock from the quarry to the project site is short. The land uses along this stretch of Glacier Highway consist of a mixture of residences, single family detached, apartments, and condominiums. There are commercial businesses such as restaurants, school, post office, boat harbors, etc. located close to the new round-a-bout.

Project Design

The proposal will increase the extraction rate of material from the quarry to meet the demands of the new round-a-bout road project. This will not change what has already been permitted in the latest 2011 Conditional Use permit (USE2011 0017). All extraction will occur within the approved limits of the quarry. The proposed change affects only the hours of operation. Therefore, the subject permit will not change the design of the quarry itself.

Traffic

During the construction of the round-a-bout, quarry truck traffic is expected to significantly increase in this stretch of Glacier Highway. Truck traffic to and from the round-a-bout and the quarry is

expected to remain at a constant level through the hours of the quarry: 8am to 4:30pm, Monday – Friday. The homes and businesses along the stretch of Glacier Highway would be most affected by truck traffic and noise. The speed limit in this stretch of Glacier Highway starts at 35 mph at the intersection of Back Loop Road and Glacier Highway and increases to 45 mph north of Wahdelich Creek. Heading south along Glacier Highway the speed limit is 45 mph north of the quarry entrance.

The applicant's proposed hours from 7am - 5:30pm, truck traffic will coincide with morning and evening rush hours. This may slightly increase commute time through Auke Bay, in addition to the anticipated slowing of traffic for road construction. Truck traffic during the current hours does not coincide with rush hours. Truck traffic during Saturdays is not expected to have a large affect on existing traffic level, as compared to the applicant's proposed weekday hours.

As stated earlier, the applicant obtained the contract to provide fill material for the new round-a-bout. The applicant is aware of the quarry hours and has provided a contract with the State Department of Transportation to fulfill their construction timeline for the round-a-bout project.

Parking and Circulation

The proposal does not create or modify any parking or circulating designs of the quarry. Truck staging in front of the quarry is not allowed. Some truck staging at the road construction site is to be expected and under the control of the State Department of Transportation.

Noise

As stated earlier, expanding the quarry hours has been highly opposed by the neighborhood along Glacier Highway and Fritz Cove Road. The public is very concerned about truck traffic because it generates high noise levels beyond the quarry. Increasing truck hauling hours will add more trucks to the one mile stretch of road between the quarry and new round-a-bout. This will generate a significant increase in noise levels that will be heard by owners and businesses. Expanding the hauling hours of operation to start one hour earlier and end one hour later during the weekdays, as well as add eight and one half hours during Saturday will be noticeable from what currently exists.

Public Health or Safety

The additional quarry truck traffic may slow traffic between the quarry and new round-a-bout but is not expected to be very disruptive. However, during peak hours, truck traffic may significantly impact traffic volume. Overall, normal traffic speeds will be slowed down due to the road construction.

Staff solicited comments from DOT about quarry truck traffic coinciding with morning and evening rush hours. Josh Mahle, DOT Engineering Assistant III, provided the following comments:

“I would be against allowing them to run during the peak hours on the weekdays, with the sight distance issues and the speed limit of 45mph I just don't think it would work out very well. As for the weekend runs I have no real safety issues with that other than some truck crossing signs to let motorists know they will be using that pit more often then

expected, I would suggest that they get local concurrence maybe a public notice to let the residents of that area know that they will be running a bunch of trucks nonstop out there.”

According to DOT’s comments and comparing the applicant’s request, quarry truck traffic would be safer during the weekends than weekday rush hours.

During the review of the USE2011 0017, staff received comments from the public expressing concerns of rocks and debris from the quarry falling on the roadway of Glacier Highway. This can be very dangerous to vehicles and bicyclists. Staff notes that all quarry trucks transporting material shall secure their material to prevent spill onto the road, per CBJ § 36.30.070 *Truck load causing litter*.

Habitat

Expanding the hours of truck hauling for the Stablers Point Rock Quarry will not impact habitat regulated under the Land Use Code.

Property Value or Neighborhood Harmony

As stated earlier, the construction of the new round-a-bout will start this summer and finish at the end of October of this year. High truck traffic and noise increases during construction will be temporary and therefore is not expected to impact property values.

The neighborhood harmony will likely be temporarily disrupted during construction and with increased quarry truck noise. Starting at 7am and ending at 5:30pm during the weekdays may not be substantially disruptive to adjacent owners since it will coincide with normal business hours. Generally, workers are preparing for the work day around 7am and returning home around 5:30pm. During the weekends, the expected hours will likely cause a greater disruption to nearby owners who have enjoyed quiet weekends with the quarry closed. With the road construction likely to occur during the weekends, construction noise will become noticeable. As noted earlier, the applicant’s proposed Saturday hours are 9am – 5:30pm. Starting quarry traffic at 9am on a day that most residents expect to be quiet will be disruptive. Having a later morning start may be less disruptive. Continuing up to 5:30pm would last the majority of the day. Residents would easily hear quarry trucks throughout the day. Having the hours end earlier in the day would allow residents a more peaceful afternoon.

Conformity with Adopted Plans

The 2008 Comprehensive Plan designates this area as ‘Resource Development’, which is defined as “Land to be managed primarily to identify and conserve natural resources until specific lands are identified and developed. Such specific uses may include, where appropriate, resource extraction and development, recreational and visitor-oriented facilities, and residential uses”.

The most germane policies of the Comprehensive Plan are stated below.

POLICY 5.9 IT IS THE POLICY OF THE CBJ TO SUPPORT THE EXTRACTION AND PROCESSING OF MINERAL RESOURCES IN AN

ENVIRONMENTALLY-SOUND MANNER, GIVING PROPER RECOGNITION TO THE UNIQUE VALUES OF THIS COMMUNITY.

7.16.DG2 Companies that transport gravel and rock products should be required to travel on roads with adequate heavy load-carrying capacity. Vehicles carrying rock and gravel are required to cover their loads so that the material remains in the vehicle and does not escape to break windshields or harm pedestrians or bicyclists.

POLICY 10.4 IT IS THE POLICY OF THE CBJ TO MINIMIZE CONFLICTS BETWEEN RESIDENTIAL AREAS AND NEARBY RECREATIONAL, COMMERCIAL, OR INDUSTRIAL USES THAT WOULD GENERATE ADVERSE IMPACTS TO EXISTING RESIDENTIAL AREAS THROUGH APPROPRIATE LAND USE LOCATIONAL DECISIONS AND REGULATORY MEASURES.

The 2008 Comprehensive Plan discusses noise and gravel quarrying on page 89, stating “An increasing problem in the CBJ, the most significant sources of noise are the airport, flightseeing operations throughout the CBJ, gravel quarrying, and vehicle traffic, although the sustained sound of stationary commercial equipment, such as machine motors, and of people partying, car alarms and barking dogs can be annoying”. (emphasis added)

Also, the 2008 Comprehensive Plan discusses gravel resources on page 99, and states “Gravel resources, essential to construction, are limited to relatively small areas in the CBJ that are also frequently subject to development pressures. Growth and development in the CBJ area have increased demand for sand, gravel and quarry rock”. (emphasis added)

As noted earlier, the Planning Commission determined with approval of USE2011 0017 that the existing hours of operations would allow the quarry to operate without detrimental effects to property values and neighborhood harmony. Increasing these hours to the applicant’s proposal will go against this determination. However, recognizing the proposal is temporary in nature and finding a balance with the applicant’s proposed hours and neighborhood harmony may allow the proposal to be consistent with the 2008 Comprehensive Plan. Staff recommends the proposed increase in truck hauling hours be lessened to lower impacts to the neighborhood. The revised hours discussed under Title 49, Land Use Code.

Title 49, Land Use Code

In general, the purpose of the Land Use Code is to ensure development is:

- In accord with the values of the community;
- Achieving goals and policies with adopted plans;
- An appropriate use of economically valuable land;
- Appropriate in type, design, location, and
- Served by adequate utilities.

As stated earlier, Stablers Point Rock Quarry provides important rock material for development projects throughout the borough. Although the quarry is located in an urban area near residential property, it is also close to many project sites and offers short delivery times. Getting the necessary hard rock from the quarry is an asset to the community at large. Finding a balance between the industrial nature of the quarry and the nearby residential uses continues to be a challenge.

The applicant's requested hours of operation is expected to cause a temporary disruption to neighborhood harmony, as will the road construction. Based on DOT's comments about quarry traffic coinciding with rush hours, traffic safety may be lowered. If the permit is approved, the applicant and other contractors would enjoy four months of longer work, increased pay, earlier project finish dates, etc. If the permit is denied, the quarry contractors would continue working the same hours as permitted since August 2011. To lessen impacts to the neighborhood while also recognizing the permit is temporary, staff recommends for quarry truck traffic be extended only during Saturdays from 10am to 4pm. The weekday hours would not change.

FINDINGS

CBJ §49.15.330 (e)(1), Review of Director's Determinations, states that the Planning Commission shall review the Director's report to consider:

1. Whether the application is complete;
2. Whether the proposed use is appropriate according to the Table of Permissible Uses;
and,
3. Whether the development as proposed will comply with the other requirements of this chapter.

The Commission shall adopt the Director's determination on the three items above unless it finds, by a preponderance of the evidence, that the Director's determination was in error, and states its reasoning for each finding with particularity.

CBJ §49.15.330 (f), Commission Determinations, states that even if the Commission adopts the Director's determination, it may nonetheless deny or condition the permit if it concludes, based upon its own independent review of the information submitted at the public hearing, that the development will more probably than not:

1. Materially endanger the public health or safety;
2. Substantially decrease the value of or be out of harmony with property in the neighboring area;
or,
3. Not be in general conformity with the comprehensive plan, thoroughfare plan, or other officially adopted plans.

Per CBJ §49.15.330 (e) & (f), Review of Director's & Commission's Determinations, the Director makes the following findings on the proposed development:

1. Is the application for the requested conditional use permit complete?

Yes. We find the application contains the information necessary to conduct full review of the proposed operations. The application submittal by the applicant, including the appropriate fees, substantially conforms to the requirements of CBJ Chapter 49.15.

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

Yes. The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ §49.25.300, Section 14.500 for the Rural Reserve zoning district.

3. Will the proposed development comply with the other requirements of this chapter?

Yes. The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in the June 28 and July 8, 2013 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.

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

No. As stated earlier, DOT finds that the applicant's requested weekday morning and afternoon hours will lower traffic safety. In recognizing the temporary nature of the applicant's request and the lower traffic volume during Saturdays, staff's recommended Saturday's hours will not result in the extended hours to materially endanger the public health or safety.

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

No. As noted earlier, the applicant's request is temporary and will not substantially decrease property value of adjacent owners. Staff's recommended extended hours attempts to balance the disruption of harmony within the neighborhood and construction pressures. Therefore, allowing staff's revised Saturday hours will allow the quarry's contractors to enjoy a temporary increase in operating hours while also not substantially decreasing the neighborhood harmony.

6. Will the proposed development be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans?

Yes. As stated earlier, due to the urban location of the Stablers Point Rock quarry makes finding a balance in the quarry's operations and its impact to the neighborhood challenging. With staff's

recommended hours, the proposal will be consistent with the 2008 Comprehensive Plan and Land Use Code.

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

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

N/A. The Juneau Coastal Management Program is not germane to the proposal.

RECOMMENDATION

It is recommended that the Planning Commission adopt the Director's analysis and findings and approve the requested Conditional Use permit with a modification that only allow truck hauling to occur on Saturdays only between 10am and 4pm. This approval would make the following change to the ten-year permit (USE2011 0017):

Modification to USE2011 0017 Condition 3:

- Condition 3: The hours, days and dates of operation shall be 8am – 4:30pm, Monday through Friday, all year and, **truck hauling 10am – 4pm on Saturdays only from July – October, 31, 2013 is allowed** except State holidays.

ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

Project Number USE 20130021	Project Name (15 characters)	Case Number USE 2011-0017	Date Received 05/29/13	
TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED				
<input type="checkbox"/> Accessory Apartment*** (AAP) <input type="checkbox"/> Driveway in Right-of-Way (ADW) <input checked="" type="checkbox"/> Use Listed in §49.25.300 (USE) (Table of Permissible Uses) Please list the Table of Permissible Uses Category: 14.500 Sand & Gravel				
***An Accessory Apartment Application will also be required.				
DESCRIBE THE PROJECT FOR WHICH AN ALLOWABLE OR CONDITIONAL USE APPROVAL IS NEEDED. Continued operation of an existing permitted rock quarry at Stabler Point				
IS THIS A MODIFICATION OF AN EXISTING APPROVAL? NO <input checked="" type="checkbox"/> YES - Case # USE 2011-0017				
CURRENT USE OF LAND OR BUILDING(S): Rock Quarry				
PROPOSED USE OF LAND OR BUILDING(S): Same				
UTILITIES PROPOSED:				
WATER: <input type="checkbox"/> Public <input checked="" type="checkbox"/> On Site SEWER: <input type="checkbox"/> Public <input type="checkbox"/> On Site				
SITE AND BUILDING SPECIFICS:				
Total Area of Lot 22 acres square feet Total Area of Existing Structure(s) N/A square feet Total Area of Proposed Structure(s) N/A square feet				
EXTERNAL LIGHTING:				
Existing to remain NA <input type="checkbox"/> No <input type="checkbox"/> Yes - Provide fixture information, cutoff sheets, and location of lighting fixtures Proposed <input type="checkbox"/> No <input type="checkbox"/> Yes - Provide fixture information, cutoff sheets, and location of lighting fixtures				
PROJECT NARRATIVE AND SUBMITTAL CHECKLIST:				
<input checked="" type="checkbox"/> Site Plan <input type="checkbox"/> Existing and proposed parking areas (including dimensions) and proposed traffic circulation <input type="checkbox"/> Floor Plan of proposed buildings <input checked="" type="checkbox"/> Existing Physical Features of the site (drainage, habitat, hazard areas, etc.) <input type="checkbox"/> Elevation view of existing and proposed buildings <input checked="" type="checkbox"/> Proposed Vegetative Cover				
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.	ALLOWABLE/CONDITIONAL USE FEES			
	Fees	Check No.	Receipt	Date
	Application Fees \$ 1000.00			
	Admin. of Guarantee \$			
	Adjustment \$			
	Pub. Not. Sign Fee \$ 50.00			
Pub. Not. Sign Deposit \$ 100.00				
Total Fee \$ 1150.00	005396	CDD3749	05/29/13	

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

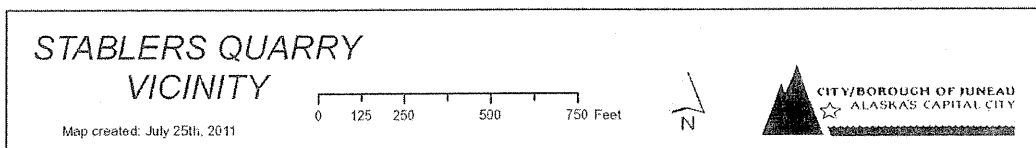
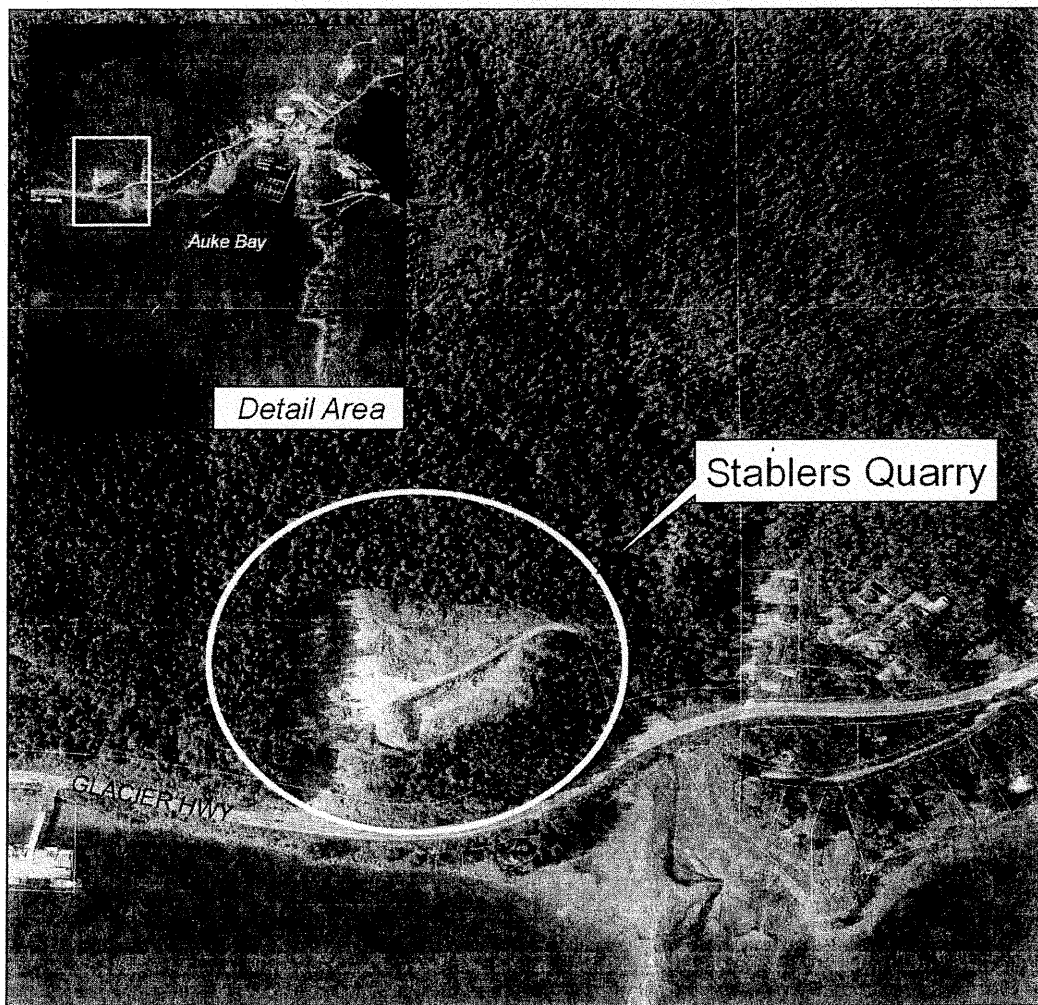
DEVELOPMENT PERMIT APPLICATION

Project Number USE20130021	CITY and BOROUGH of JUNEAU	Date Received: 05/29/13
Project Name (City Staff to Assign Name)		

INFORMATION	Project Description <i>Extend hours of operation for truck hauling: 7AM-5:30PM Monday-Friday 9AM-5:30PM Saturday</i>		
	PROPERTY LOCATION		
	Street Address <i>MP 13 Veterans Memorial Hwy</i>		City/Zip <i>Juneau AK 99801</i>
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) <i>USS 3810 Lot 1</i>		
	Assessor's Parcel Number(s) <i>4B3001020020</i>		
	LANDOWNER/ LESSEE		
	Property Owner's Name <i>CBS</i>		Contact Person: <i>Alan Steffer</i>
	Mailing Address <i>155 S Seward St Juneau</i>		Work Phone: <i>x 0481</i>
	E-mail Address		Home Phone: <i>789-4743</i>
			Other Contact Phone Number(s):
PROJECT / APPLICANT	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 <i>Greg P. Chaney</i> Landowner/Lessee Signature		<i>May 28 2013</i> 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 If the same as OWNER, write "SAME" and sign and date at X below		
	Applicant's Name <i>Miller Construction Co</i>		Contact Person: <i>Pandy Sufak</i>
	Mailing Address <i>PO Box 32638 Juneau AK</i>		Work Phone: _____
E-mail Address <i>mactd@cci.net</i>		Home Phone: _____	
		Other Contact Phone Number(s):	
X <i>HSKaife</i> Applicant's Signature		<i>5.16.2013</i> Date of Application	

OFFICE USE ONLY BELOW THIS LINE					
STAFF APPROVALS	<input checked="" type="checkbox"/>	Permit Type	***SIGN	Date Received	Application Number(s)
		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)			
	X	Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)		<i>05/29/13</i>	<i>USE20130021</i>
		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 Intake Initials <i>ESF</i>

NOTICE OF PUBLIC HEARING



PROPOSAL: Permit to modify USE2011 0017 to extend hours of operation for truck hauling 7:00am - 5:30pm Monday - Friday; and 9:00am - 5:30pm Saturday.

File No:	USE2013 0021	Applicant:	Miller Construction Co
To:	Adjacent Property Owners	Property PCN:	4-B30-0-102-002-0
Hearing Date:	July 9, 2013	Owner:	CBJ
Hearing Time:	7:00 PM	Size:	310 Acres
Place:	Assembly Chambers Municipal Building 155 South Seward Street Juneau, Alaska 99801	Zoned:	Rural Reserve
		Site Address:	13010 Glacier Hwy
		Accessed Via:	Glacier Hwy

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 Eric Feldt at eric_feldt@ci.juneau.ak.us or at 586-0764.

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

Date notice was printed: June 27, 2013

Miller Construction Co. Ltd.

May 16, 2013

City & Borough of Juneau
Planning Commission
155 S Seward St.
Juneau, AK 99801

Re: Stabler's Quarry – Temporary Extension for Allowable Hours of Operation

To Whom It May Concern,

Miller Construction Co., Ltd (MCC) is writing this letter to request consideration for extended hours of operation at Stabler's Quarry (MP 13 Veteran's Highway). This quarry is currently in operation under permit # USE2001-0017. The current hours of operation are Monday-Friday 8:00AM-4:30PM. The hours have been restricted due to concerns regarding the impact operational noise levels have on residents in the area.

Project Scope:

MCC has recently been awarded the State of Alaska DOT&PF (State), Juneau – Glacier Highway and Back Loop Road Intersection Safety Improvements Project (#69003) which is valued at just over \$5,000,000.00. This project is slated to occur between the months of June 2013 and November 2013 with final completion date to take place no later than October 31, 2013. This is a large scale project with an accelerated project schedule. The project schedule has been accelerated in order to avoid potential accidents resulting from an incomplete roundabout situated in a highly traversed area throughout the winter months. Should the project remain unfinished, road maintenance will become unduly challenging and the likelihood of vehicle accidents in the area will increase.

The project consists of, in summary, the installation of sidewalks, widening of the roadway, and the installation of a roundabout. The project site is situated in the location where Glacier Highway forks with Back Loop Road. The beginning of the project is located just before the Auke Bay Harbor entrance and the project end sites are located at the entrance of Auke Bay Elementary School and the Back Loop Road entrance to the University of Alaska S.E. The project requires an estimated 28,000 tons of borrow material that will be placed throughout the length and duration of the project until the final layer of paving begins.

The project site is peppered with residents and businesses throughout the entire length of the project. Consequently, this is a highly traversed area, thus the perceived need for sidewalks and a roundabout. The traffic in this area is increased during the summer months with the influx of tourist traffic, boats utilizing Auke Bay Harbor, and residents participating in recreational activities along the Glacier Highway roadway.

Scope of the Modification Request:

MCC is requesting a temporary modification to condition 3 of the Conditional Use Permit for Stabler's Quarry. We are requesting this modification for the duration of the project described only, to end on November 1, 2013. MCC is requesting the hours of operation be modified to 7:00AM – 5:30PM Monday – Friday and 9:00AM – 5:30 PM on Saturday. We are requesting this modification apply only to the hauling portion of the quarry operations. We are not requesting extended hours for blasting or crushing operations. Because there is no realistic option for limiting the extension to MCC or this specific project, MCC recognizes the extension will be applicable to all companies utilizing the quarry. However, in order to mitigate some of the traffic resulting from this extension, MCC will plan our schedule to minimize weekend use whenever possible. MCC will notify the quarry manager in advance when Saturday access is not needed.

Alternative Aggregate Sites:

MCC has provided consideration to alternative sources prior to submitting this request. Options considered include Hidden Valley Quarry, Stabler's Quarry, and the stockpile owned by MCC at the 35 mile post of Glacier Highway. MCC settled on submitting this request for use of Stabler's Quarry as we will already be conducting construction within the affected zone of travel. Using the Hidden Valley / 35 Milepost aggregate sources causes a greater area of the Juneau community to be affected by the material haul and does not provide any relief to the community around Stabler's Quarry. This is so because the trucks are bringing the material to the project site located within Stabler's Quarry area. We cannot reduce the impact on this portion of the community but we can eliminate the impact on the rest of the community. This area of the community will be impacted by the required construction efforts regardless of what aggregate source we use. Because this is unavoidable, MCC is attempting to restrict the affected area of the community to the 2 mile radius that encompasses the project site.

In addition to these issues, making use of these alternative sites increases truck traffic throughout the whole community (including the Auke Bay area) because each load of rock will require an increased amount of travel time due to distance. For example, to fulfill a material need of 500 tons on one day of construction, 20 loads will be required. In order to achieve that requirement from Stabler's, we can put three trucks in rotation and they will each take roughly 4 hours to deliver the material. If we pull from an outside source it will require 4 trucks and six hauling hours each. The ability to restrict the area affected limits the number of trucks on the road and the total number of hours they will need to be in route.

Alternative Construction Methods:

MCC has considered alternative construction options prior to submitting this request for temporary modification to the use permit as well. In some circumstances (as in the Juneau Airport Runway Improvements project) MCC was able to haul additional material during the slated hours of quarry operation and stockpile the material on the project site. In these cases, we utilize the stockpiled material during the non-operational quarry hours so that the limited hours provided do not inhibit construction needs. This method is not an option for this particular project as the project does not provide for an area to stockpile aggregate material. Additionally, as this project is situated on an open public roadway, creating mountainous stockpiles of material along the roadside is hazardous for through traffic. This method also creates a requirement for truck scales to be installed on the site as well as additional heavy equipment to reload the material into the trucks after stockpiling. There simply isn't enough room in such a highly congested work area to implement this concept nor would it be considered the safest option in light of the limited and highly traversed work area.

MCC has additionally considered the option of adding trucks to rotation in order to expedite material to the site. This option provides two problems. First, the project does not allow for areas to

May 28, 2013

Page 3

stockpile material (as discussed) and the material needs of the project, while large, do not require excessive amounts be placed all at once. Secondly, adding trucks to the rotation will increase congestion at the project site as the trucks stack up awaiting their turn to dump their loads. This will obstruct the flow of traffic and prevent regular commerce and residents from uninhibited access. Additionally, excessive trucks in the roadway can be particularly hazardous especially since there are two schools and a very active harbor in the affected zone of travel.

Compliance Monitoring:

MCC is aware that the quarry manager maintains work hours that prevent him from monitoring the quarry during these hours. In order to avoid additional cost to the City resulting from this extension, MCC will maintain responsibility for monitoring the compliance of the extension. Provided we are awarded this request, we will assign a specific employee who will be tasked with inspecting the roadway at the end of each business day to ensure no rock or debris has been left behind. As well, MCC is aware that Goldbelt Security maintains responsibility for locking the access gates each evening. MCC will absorb the costs resulting from adding Saturday to their schedule.

Conclusion:

MCC recognizes the inconvenience of construction noises occurring during the hours requested. However, regardless of quarry access, MCC will be conducting construction efforts in the vicinity during these requested hours in order to complete the project within the accelerated schedule. In light of the fact that construction noise will be ongoing regardless, the increased hours of operation will prevent traffic congestion in the area and increase road safety, and the end product will greatly benefit the affected residents, MCC is requesting consideration be provided for our request to temporarily expand the hours of operation from June 1, 2013 to November 1, 2013. We recognize the impact on the Juneau residents is a significant factor when considering our request. By allowing for extended hours in the Stabler's Quarry for this short period of time, the Planning Commission is minimizing the impact on a greater percentage of residents than the time extension is impacting. We are certain that the benefits of allowing for this modification will greatly outweigh the inconvenience for this short duration of time.

Sincerely,

Timothy A. Miller
General Manager
907-789-9514

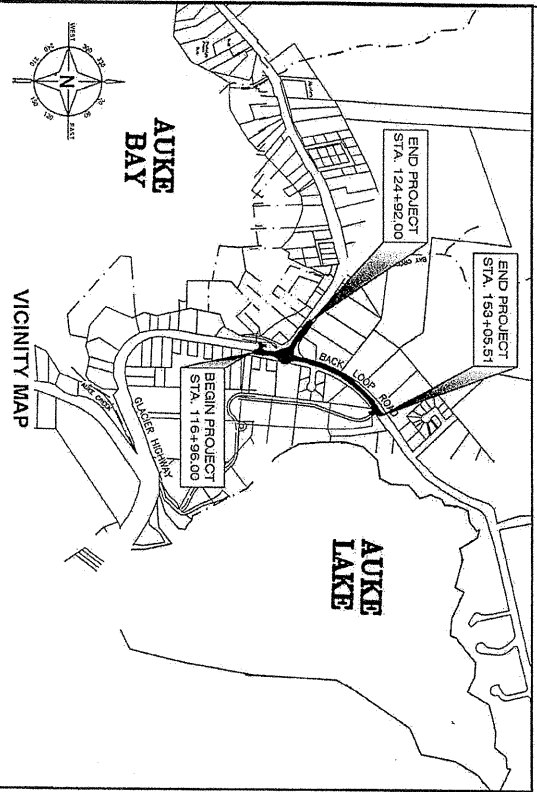
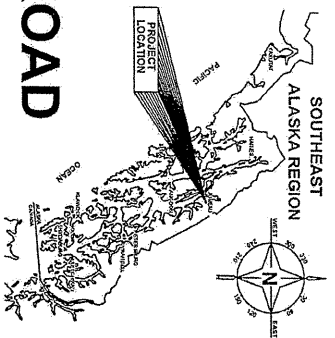
MCC LTD.

State of Alaska

Department of Transportation
and Public Facilities

Southeast Region

JUNEAU, ALASKA GLACIER HIGHWAY AND BACK LOOP ROAD INTERSECTION SAFETY IMPROVEMENTS PROJECT No. 69003



DESIGN DESIGNATION BACK LOOP ROAD

V
A.D.T. 2009 = 30 MPH FOR ROUNDABOUT INTERSECTION
A.D.T. 2014 = 35 MPH FOR EASTBOUND ROUNDABOUT APPROACH LEG
A.D.T. 2014 = 35 MPH FOR WESTBOUND ROUNDABOUT APPROACH LEG
D.H.V. 2014 = 3000
TRUCKS % = 11.5%
E.A.L. = 1,800,000

DESIGN DESIGNATION GLACIER HIGHWAY

V
A.D.T. 2009 = 40 MPH
A.D.T. 2014 = 8720
D.H.V. 2014 = 1,050
TRUCKS % = 11.5%
E.A.L. = 1,800,000

PROJECT SUMMARY GLACIER HIGHWAY

CDS ROUTE NO. = 996401
CDS MILEPOINT = 3.764 TO 3.983
LENGTH OF GRADING = 0.37 MILES
LENGTH OF PAVING = 0.37 MILES
LENGTH OF PROJECT = 0.37 MILES

DESIGN CRITERIA RECONSTRUCTION

THE FOLLOWING STANDARD DRAWINGS APPLY TO THIS PROJECT:

A-1	C-03.10	C-04.12	D-05.20	D-01.02	D-04.21
D-20.03	D-22.01	D-23.01	D-24.00	D-25.00	D-26.02
D-35.00	E-13.00	F-01.01	G-00.02	G-04.06S	G-09.04S
G-10.01	G-46.11	I-22.02	I-20.14	I-21.02	L-03.10
L-23.01	L-24.00	L-30.10	L-30.10	M-01.00	M-20.12
M-23.12	S-00.11	S-05.01	S-20.10	S-23.00	S-30.03
T-20.03	T-21.03	T-22.03	T-23.00		

THE FOLLOWING CBU STANDARD DRAWINGS APPLY TO THIS PROJECT:

1004	203	205	209	210	213
215	218	310	403	405	406A
407	412	414A	414B		

INDEX

SHEET NO.	DESCRIPTION
A1	TITLE SHEET
A2	SURVEY CONTROL
A3	PROJECT ALIGNMENT AND SHEET LAYOUT PLAN
B1-B3	TYPICAL SECTIONS
C1	ESTIMATE OF QUANTITIES
D1-D5	SUMMARY TABLES
E1-E6	DETAILS
F1-F4	ROADWAY PLANS
F5-F7	ROADWAY PROFILES
G1-G11	GRADING PLANS AND POINT TABLES
H1-H7	SIGNING, STRIPING AND ILLUMINATION
J1-J4	DEPARTS ACCESS EXPANSION
L1-L2	LANDSCAPING PLANS
M1-M2	GRAVITY BLOCK WALL
P1-P4	EROSION AND SEDIMENT CONTROL PLAN
T1-T5	TRAFFIC CONTROL PLAN
U1-U14	STORM DRAIN PLAN AND PROFILE
U15-U21	WATER PLAN AND PROFILE
U22	SANITARY SEWER SERVICE REPLACEMENT

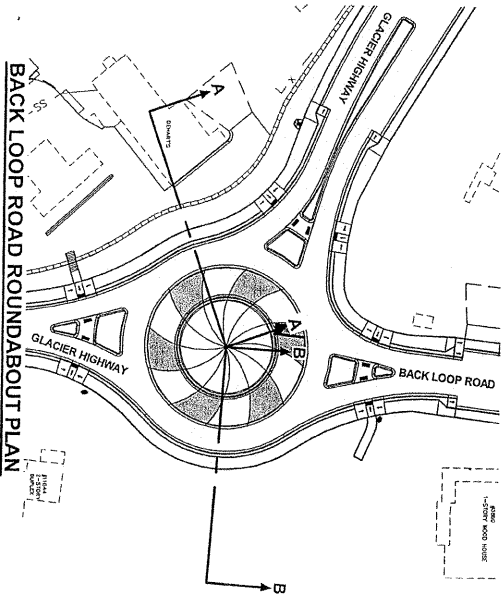
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STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
& PUBLIC FACILITIES



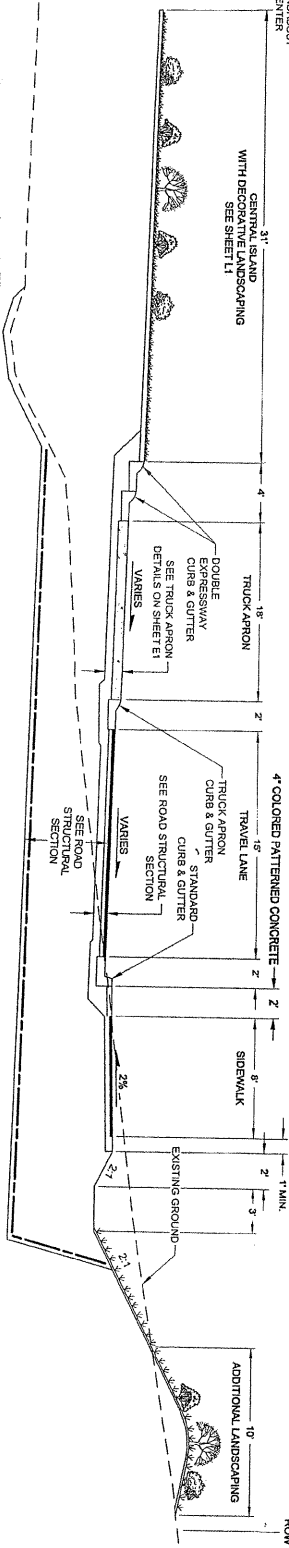
APPROVED: *Mark Green* 4/10/13
REGIONAL PRE CONSTRUCTION ENGINEER
CHUCK CORNELL, P.E.
APPROVED: *Pat Clough* 4/10/13
DIRECTOR, SOUTHEAST REGION
ALBERT H. CLOUGH, CRG
CERTIFIED TRUE & CORRECT AS BUILT OF ACTUAL FIELD
CONDITION.

CONSTRUCTION PROJECT MANAGER	DATE
ALASKA	69003
YEAR	2013
SHEET NO.	A1
TOTAL SHEETS	82

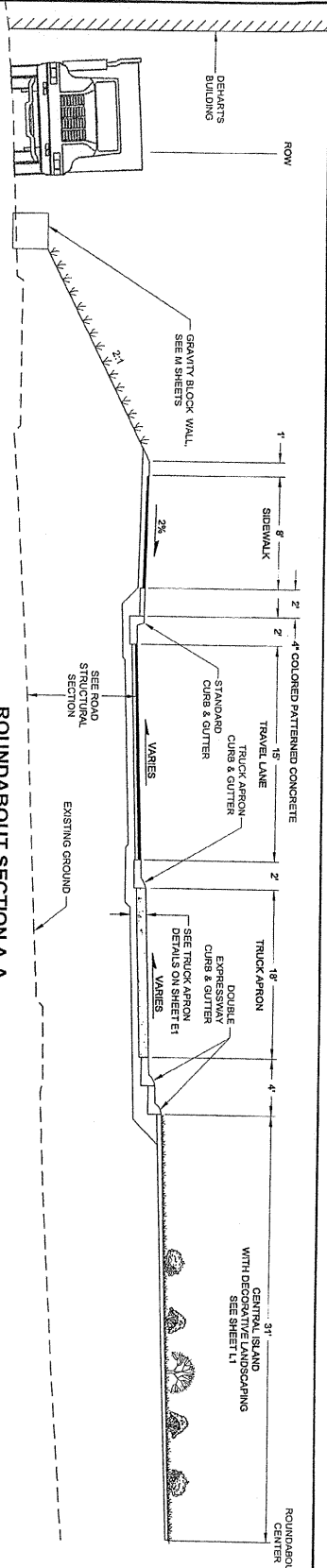


BACK LOOP ROAD ROUNDABOUT PLAN

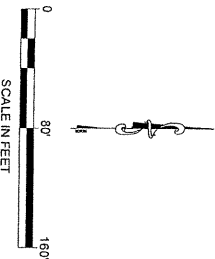
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NTS



ROUNDABOUT SECTION A-A
NTS



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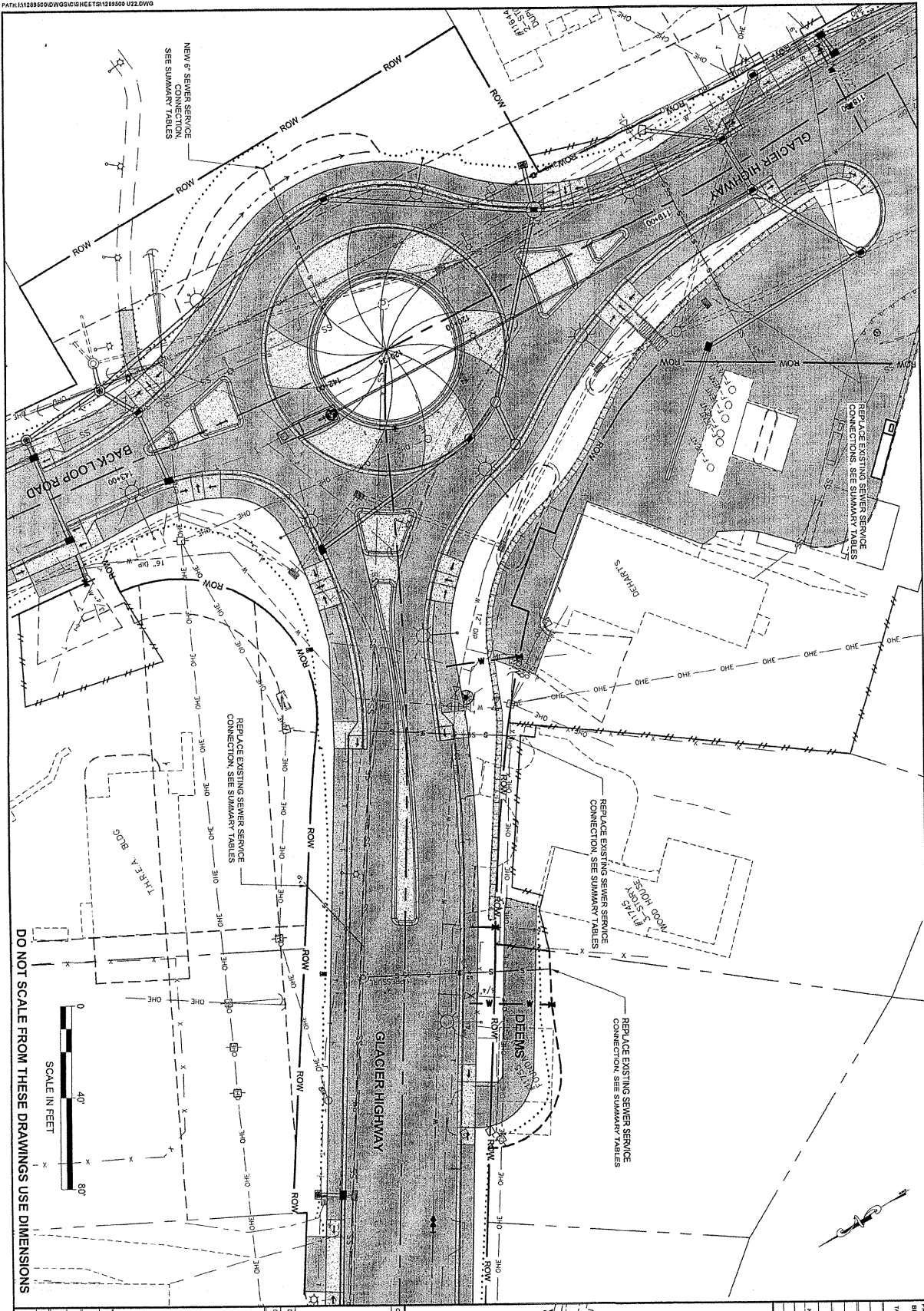
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TAXES		VGA	
ALASKA		2013	
SHEET NUMBER		TOTAL SHEETS	
B2		82	

ATTACHMENT NUMBER		RECORD OF REVISION	
DATE		DESCRIPTION	

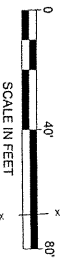
DESIGNED BY: R. KRAEMER, W. ABB		DRAWN BY: M. MONTAGLO, B. JACOBSON	
STATE OF ALASKA		DEPARTMENT OF TRANSPORTATION	
SOUTHWEST REGION		GLACIER HWY & BACK LOOP	
		ROAD INTERSECTION SAFETY	
		IMPROVEMENTS	

CHECKED BY: N. LEE			

REVISIONS			



DO NOT SCALE FROM THESE DRAWINGS USE DIMENSIONS



PROJECT: 150H
BILL MADDOCK
TAB 122

ADDITIONAL NUMBER
ATTACHMENT NUMBER
RECORD OF REVISIONS
DATE DESCRIPTION

STATE: ALASKA
YEAR: 2013
SHEET NUMBER: U22
TOTAL SHEETS: 82

**SANITARY SEWER
SERVICE
REPLACEMENT**

PROJECT IDENTIFICATION
69003

DESIGNER: G. LARSEN & MADDOCK
DRAWN BY: B. MADDOCK
DATE: 10/14/2013
PROJECT: 150H
SHEET: 82

GLACIER HWY & BACK LOOP
ROAD INTERSECTION SAFETY
IMPROVEMENTS

PLAN LEGEND

June 28, 2013

Stabler Point Quarry Comments on proposed changes to hours of operation 2013

As residents of Oxford Street we would like to again recommend the Stabler point Rock Quarry hours of operation not be modified.

From what we understand the extension of operating hours request came from Miller Construction with their justification being the Auke Bay Round About project timeline which is to be completed by October 31, 2013. Miller Construction is contending that because of the short construction timeline, they will need to access the quarry more frequently and for longer periods during the day. Miller Construction received the Letter of Award/Notice to Proceed dated May 30, 2013, however aside from a few days of survey, and installation of the Work Zone signage, Miller Construction has not started construction to date. We do not feel that their inability to start this project with a known short timeline in a timely manner is justification for an extension of hours.

When my husband and I purchased our house on Oxford Street in 2006 we were fully aware of the neighboring quarry. At that time it was operating under a ten year permit and with what we felt were reasonable working hours of operation. We felt that under the permit conditions the existence of the rock quarry would not devalue our home or diminish our right to enjoy the quiet time our small neighborhood has to offer. However since then the permit has been extended for another ten year term and multiple extension of hours request have been made.

When the conditional use permit was originally granted, the request was based on:

This site is being requested for a rock quarry operation for a number of reasons:

- *First, rock is a needed material within the community of Juneau for public improvement projects.*
- *Second, the site is an accessible and thus economical rock source.*
- *Third, as noted above, the existing alignment of Veterans Memorial Highway contains a sharp curve with limited site distance, which creates a dangerous driving condition (proven historically by the number of accidents at this location).*
- *Fourth, an agreement between the State of Alaska DOT/PF and the CBJ was made conveying a future right-of-way to the State of Alaska for the purpose of addressing these needs and concerns (see Exhibit D).*

And a portion of the justification analysis was:

- *1) The hours, days, and times of year of operation;*
- *The proposed hours of operation for the quarry is Monday through Friday all year. Hours of operation will be from 8 AM to 4:30 PM.*
- *The purpose of these limited hours of operation is to increase compatibility with the surrounding development and to avoid conflicts with traffic. The dates of operation will also be limited by restrictions placed on development within 330 feet of an eagle nest tree.*

- We recommend that the Commission approve the requested hours, days and dates of operation.

And based on this restriction in regards to neighboring area:

- *5. Will the proposed development substantially decrease the value of or be out of harmony with property in the neighboring area?*
- No. Based upon the analysis above and recommended conditions, the proposed development will be separated from adjacent development by natural areas, addresses visual and noise impacts, truck traffic is limited to Glacier Highway which is classified as a principal arterial, and the **hours and days of operation are limited**. The proposed development is therefore not anticipated to decrease the value of or be out of harmony with property in the neighboring area.

With regards to traffic conflicts and safety concerns; the average daily traffic counts for this corridor increase sharply between 7AM and 8AM and between 4:30PM and 5:30PM. The hour between 7AM and 8:00 AM is the highest morning vehicle count with a daily average of 350 vehicles, and the hour between 4:30 and 5:30, again the highest daily vehicle count hours are between 4:30PM to 6PM with a daily average of 869 vehicles. This creates a potential conflict increase of over 1200 vehicles.

With regards to the harmony with the neighboring area, even if the use is limited to trucking, this in itself is very disruptive. The trucks are incredibly noisy when they decelerate and accelerate as well as when the brake on the steep quarry hill. On a normal week day it's the truck traffic that we hear the loudest, not the quarry noise. Some days it's like living in an industrial area.

As you can see the hours of operation were written into this permit for clearly defined reasons and as such the conditions of the permit should be upheld unless a truly compelling reason presents itself. Improper planning should not be considered a compelling enough reason.

I have also included my comments from the 2011 hour of operation extension request. Since this time there have been improvements I would like to acknowledge and yet some of these areas of concern are still an ongoing problem. The gate to the quarry is now being managed by Goldbelt Security and has eliminated the activity outside of the operational hours. I would like to thank CBJ for this; it has made the neighborhood a much quieter place to live! The ongoing problems are the littered material on the road and the staging of equipment along Glacier Highway, both of which are in direct violation of the operators' permitted activities. Again, I feel that if the operators do not comply with the existing conditions of the permit, why we would expect them to comply with the extended hours of operation?

Again, thank you for the opportunity to comment.

Sheila Good
James Papoi
3707 Oxford St.
Juneau, AK 99801

From: Sheila Good <sheilas_good>
To: igallion@dowlhkm.com
Cc: james.papoi
Sent: Tuesday, May 31, 2011 2:13 PM
Subject: Comment on Stable Point

Stabler Point Quarry Comments on proposed changes to hours of operation.

As a resident of Oxford Street since 2006, I would like to recommend the Stabler Point Rock Quarry hours of operation not be modified for the following reasons:

1- The Planning Commission Notice of Decision USE2008-00007 –Referencing The modification to the conditional use permit USE2001-00022 clearly denied extending the hours of operations. Compelling reasons for overturning this denial have not been supplied.

2- As the pit has increased in size, so has the noise and disturbance from the operations. I would like to see current noise reading taken before any expansion is even considered.

3- I do not believe that the contractors using the pit should be allowed to operate before 8:00 AM or on Saturday as they continually violate following existing permit conditions:

1- Unsecured loads are a common occurrence.

3- Have witnessed truck traffic after 4:30 PM as well as Saturdays.

#4- Have witnessed blasting occurring after 3:00 PM, the latest was the end of April.

#8- The operators do not obtain traffic control permits from DOT & PF, nor are they in the habit of following the ones that are provided for them.

#15- The road is littered with material from the pit and spilled from the trucks and no effort is put forth to clean it up.

#31- Contractors continually stage their crushers and lowboys along Glacier Highway even after multiple notifications of this violation.

If the contractors will not comply with the existing conditions how are we to expect they will comply with the extended hours conditions?

Thank you for the opportunity to comment

Sincerely,

Sheila Good

3707 Oxford St.

Juneau, AK 99821

907-789-0705