

MEMORANDUM

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

DATE: April 24, 2014

TO: Planning Commission

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

FILE NO.: SMF2014 0001

PROPOSAL: Final Plat Approval for a Major Subdivision creating 1 regular lot and 2 Bungalow lots on Garnet St. in the Northeast Mendenhall Valley.

BACKGROUND

At the April 8, 2014 Regular Planning Commission Meeting the Commission approved SMP2014 0002, a Preliminary Plat for the subject major subdivision, with the following conditions:

1. Prior to recording of the Final Plat the applicant will be required to remove the mobile home from the parcel.
2. Prior to building on the proposed lots the applicant will be required to obtain a Grading and Drainage permit through the CDD and General Engineering departments.
3. Prior to Final Plat recording, the applicant will be required to install improvements for public water and sewer to all proposed lots, or shall bond for improvements.
4. Prior to Final Plat Approval, the applicant shall submit a joint use and maintenance agreement for the access and utility easement to be recorded with the plat.

FINDINGS

The applicant has applied for and received a demolition permit and a grading and drainage permit for the subject parcel. The demolition permit to remove the mobile home from the parcel; and the grading and drainage permit to create house pads for the proposed development on the parcel. The applicant has bonded for utility improvements on the subject parcel. Please see attachment C for the applicants Common Access Easement, Maintenance, and Hold Harmless Agreement for the proposed subdivision.

Staff finds that the above conditions of approval have been met.

RECOMMENDATION

Staff **RECOMMENDS** that the Planning Commission adopt the Director's analysis and findings and **APPROVE** the requested Final Plat. Approval would allow the applicant to print their plat to mylar and record their proposed plat.



ATTACHMENTS

Attachment A – Major Subdivision and Development Permit Applications

Attachment B – Proposed Final Plat

Attachment C – Common Access Easement, Maintenance, and Hold Harmless Agreement

Attachment D – Notice of Decision for SMP2014 0002

MAJOR SUBDIVISION OR PLATTING APPLICATION

(CHANGING OR CREATING 5 OR MORE LOTS)

Project Number SMF20140001	Project Name (15 characters)	Case Number	Date Received 04/18/14	
TYPE OF MAJOR SUBDIVISION OR PLATTING APPROVAL REQUESTED (please see submittal requirements on reverse)				
<div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> Preliminary Plat (SMP)</div><div><input checked="" type="checkbox"/> Final Plat (SMF)</div></div> <div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> Planned Unit Development- Preliminary Plan Approval (PDP)</div><div><input type="checkbox"/> Planned Unit Development - Final Plan Approval (PDF)</div></div> <div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> Other _____</div><div></div></div>				
Please attach a cover letter to fully explain the project if there is not adequate space on this form.				
LEGAL DESCRIPTION(S) OF PROPERTY TO BE SUBDIVIDED OR PLATTED: <u>lot 1, Block 3, Pleasant Garden Sub.</u>				
Number of Existing Parcels <u>1</u> Total Land Area <u>20,500</u> Number of Resulting Lots or Parcels <u>3</u>				
EXISTING BUILDING(S) OR STRUCTURES ON THE LAND: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO				
CURRENT USE OF LAND OR BUILDING(S): <u>small garage</u>				
PROPOSED USE OF LAND OR BUILDING(S): <u>2 bungalows & a duplex</u>				
UTILITIES AVAILABLE: WATER: <input checked="" type="checkbox"/> Public <input type="checkbox"/> On Site SEWER: <input checked="" type="checkbox"/> Public <input type="checkbox"/> On Site				
UNIQUE CHARACTERISTICS OF LAND OR BUILDING(S): <u>none</u>				
<p>For more information regarding the permitting process and the submittals required for a complete application, please see the reverse side.</p> <p>If you need any assistance filling out this form, please contact the Permit Center at 586-0770.</p>	SUBDIVISION/PLATTING/PUD FEES			
	Fees	Check No.	Receipt	Date
	Application Fees	\$ <u>400.00</u>	_____	_____
	Admin. of Guarantee	\$ _____	_____	_____
	Adjustment	\$ _____	_____	_____
	Pub. Not. Sign Fee	\$ _____	_____	_____
	Pub. Not. Sign Deposit	\$ _____	_____	_____
	Total Fee	\$ <u>400.00</u>	<u>035814</u>	<u>CDD5040</u> <u>04/18/14</u>

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

ATTACHMENT A

DEVELOPMENT PERMIT APPLICATION

Project Number SMF 20140001	CITY and BOROUGH of JUNEAU	Date Received: 04/18/14
Project Name (City Staff to Assign Name)		

PROJECT / APPLICANT INFORMATION	Project Description Major Subdivision		
	PROPERTY LOCATION		
	Street Address 8287 Garnet St	City/Zip Juneau / 99601	
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) Pleasant Garden Sub, Block 3, Lot 1		
	Assessor's Parcel Number(s) 5B 240134 0110		
	LANDOWNER/LESSEE		
	Property Owner's Name Shawn Kantola	Contact Person: 2093900	Work Phone:
	Mailing Address 16470 Ocean View Dr.	Home Phone:	Fax Number:
	E-mail Address shawn.kantola@yahoo.com	Other Contact Phone Number(s):	
	LANDOWNER/LESSEE CONSENT		
<p>I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows:</p> <p>A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.</p> <p>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.</p> <p>X 4-18-14 Date</p> <p>Landowner/Lessee Signature</p> <p>X _____ Landowner/Lessee Signature Date</p> <p>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.</p>			
APPLICANT			
<p>Applicant's Name Same</p> <p>Contact Person: _____ Work Phone: _____</p> <p>Mailing Address _____ Home Phone: _____ Fax Number: _____</p> <p>E-mail Address _____ Other Contact Phone Number(s): _____</p> <p>X 4-18-14 Date of Application</p> <p>Applicant's Signature</p>			

OFFICE USE ONLY BELOW THIS LINE				
STAFF APPROVALS	✓	Permit Type Building/Grading Permit	Date Received	Application Number(s)
		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)	04/18/14	SMF 20140001
		Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)		
		Variance Case (De Minimis and all other Variance case types)		
		Wetlands Permits		
		Zone Change Application		
		Other (Describe)		
	***Public Notice Sign Form filled out and in the file.			
	Comments:			Permit/Make Initials

LEGEND

- ⊕ PRIMARY MONUMENT RECOVERED THIS SURVEY SET BY WKVH
- ⊕ PRIMARY RECOVERED THIS SURVEY 2 1/2" BRASS CAP, UNKNOWN
- ⊙ SECONDARY MONUMENT RECOVERED THIS SURVEY REBAR & CAP, SET BY J.W. BEAN
- SECONDARY MONUMENT RECOVERED THIS SURVEY REBAR & CAP, SET BY 7075-S
- SECONDARY MONUMENT SET THIS SURVEY BY J.W. BEAN

— SURVEYED
--- UNSURVEYED
--- CENTERLINE
--- SURVEY TIE
--- EASEMENT
--- EASEMENT

TYPICAL SECONDARY MON.
2" ALUMINUM CAP
5/8" REBAR, 36" LONG

(R) = AS PER PLAT NO. 2007-69
(R1) = AS PER PLAT NO. 623
(R2) = AS PER PLAT NO. 246

BASIS OF BEARING

BASIS OF BEARING FOR THIS PLAT IS THE RECORD BEARING OF S00°00'30"W FROM A FOUND REBAR & CAP BEING THE NORTHEAST LOT OF LOT 7A, PLEASANT GARDEN SUBDIVISION TO A FOUND BRASS CAP BEING THE NORTHWEST CORNER OF LOT 5, GOLDEN NUGGET SUBDIVISION AS SHOWN ON RECORD PLAT NO. 2007-69.

STATEMENT OF OWNERSHIP:

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAT OF SUBDIVISION WITH MY FREE CONSENT, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

Date _____, 2014

Owner _____
SHAWN KANTOLA

NOTARY ACKNOWLEDGMENT:

UNITED STATES OF AMERICA)
) S.S.
STATE OF ALASKA)

THIS IS TO CERTIFY THAT ON THIS _____ DAY OF _____, 2014 BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED SHAWN KANTOLA TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE ABOVE AND FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE SIGNED AND SEALED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN MENTIONED.

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

Notary Public for Alaska _____

My Commission Expires _____

PLANNING COMMISSION CERTIFICATE OF APPROVAL

I HEREBY CERTIFY THAT THE PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH OF JUNEAU, ALASKA SAID PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION BY PLAT RESOLUTION NO. _____ DATED: _____, 2014, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT RECORDING OFFICE, JUNEAU, ALASKA.

DATED: _____, 2014.

ATTEST:

CHAIRMAN
CITY & BOROUGH OF JUNEAU
PLANNING COMMISSION

CLERK
CITY & BOROUGH OF JUNEAU

CERTIFICATE OF REGISTERED LAND SURVEYOR

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

Date _____

GLADSTONE STREET

BLOCK 3

LOT 9A

LOT 7A

C.B.J. PARK

BASIS OF BEARING

PLAT ORIGIN

2 1/2" BRASS CAP

LOT 5
BLOCK F

GOLDEN NUGGET SUBD.
(PLAT 623)

PLEASANT GARDEN SUBD.
(PLAT 246)

PLEASANT GARDEN SUBD.
(PLAT 2007-69)

LOT 2

LOT 1B
12,941 S.F.
(0.30 AC.)

LOT 1

LOT 1C

3,114 S.F.
(0.09 AC.)

LOT 1A
3,809 S.F.
(0.09 AC.)

LOT 10

BLOCK 3

GARNET STREET

LOT 11

LOT 10

LOT 1

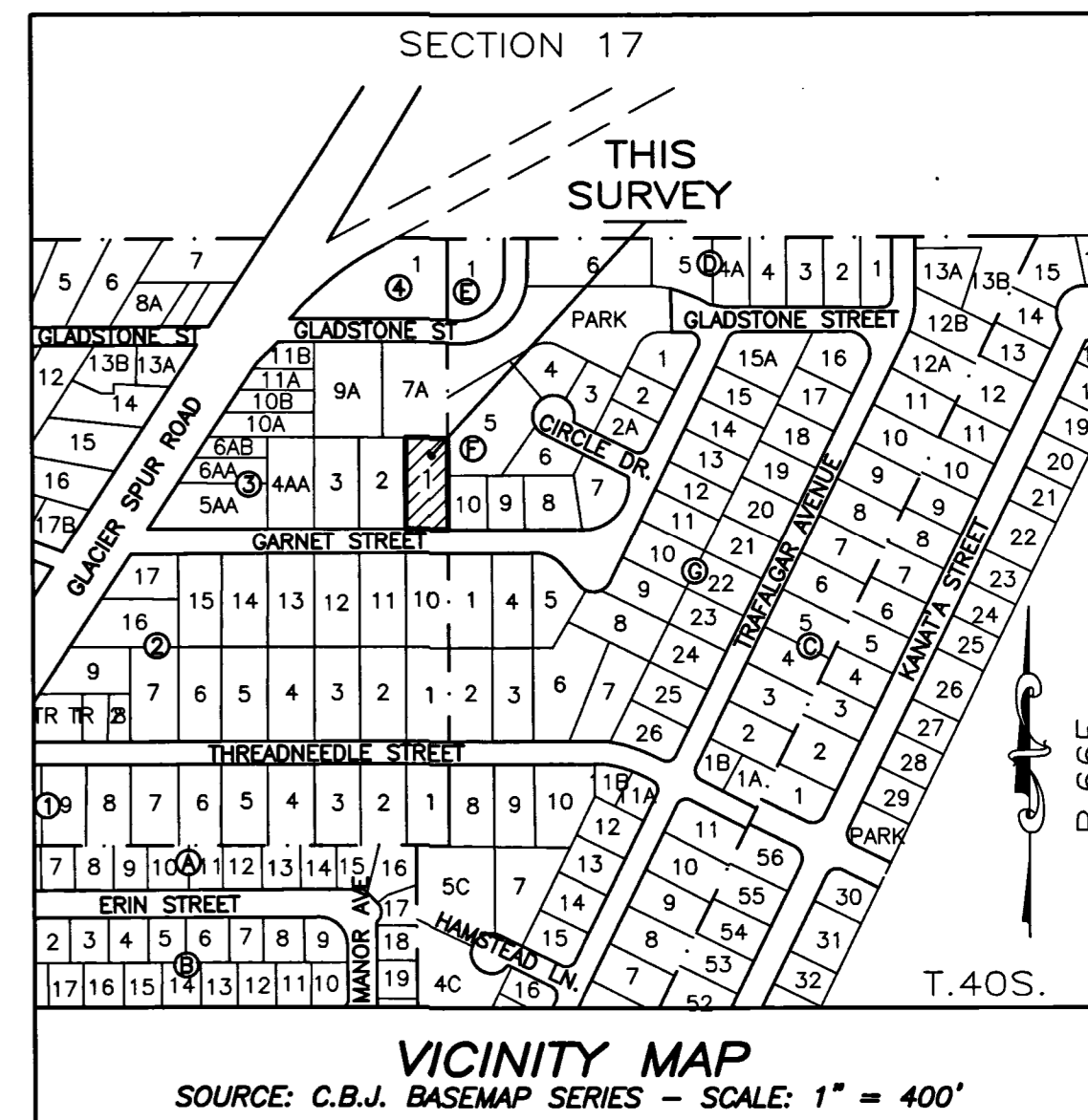
BLOCK 2

BLOCK G

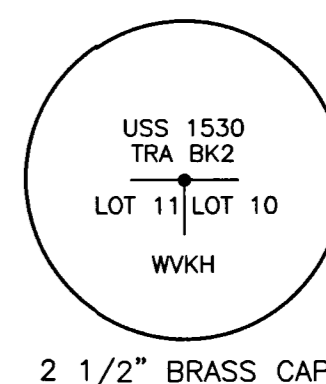
NOTES:

- ALL PLAT BEARINGS SHOWN ARE TRUE BEARINGS AS ORIENTED TO THE BASIS OF BEARINGS.
- ALL DISTANCES SHOWN ARE REDUCED TO HORIZONTAL.
- DOMESTIC WATER AND SANITARY SEWER DISPOSAL PROVIDED BY THE CITY AND BOROUGH OF JUNEAU PUBLIC UTILITIES
- RECORD DIMENSIONS DIFFERENT FROM MEASURED OR CALCULATED DIMENSIONS ARE SHOWN IN PARENTHESIS.
- THE ON LOT STORMWATER RUNOFF DRAINAGE IS ACCEPTABLE AS EXISTS BETWEEN THE PLATTED LOTS OF THIS SUBDIVISION AND MAY NOT BE MODIFIED UNLESS PERMITTED BY CBJ ENGINEERING PURSUANT TO CHAPTER 19.12.120.1 BEST MANAGEMENT PRACTICES.
- RESTRICTED ACCESS FOR LOTS TO ONE DRIVEWAY WITHIN EASMENT TO GARNET STREET.
- BUNGALOW LOTS 1A & 1C LIMITED TO ONE 1,000 SQUARE FOOT DETACHED SINGLE-FAMILY RESIDENCE PER LOT.

ATTACHMENT B



VICINITY MAP
SOURCE: C.B.J. BASEMAP SERIES - SCALE: 1" = 400'

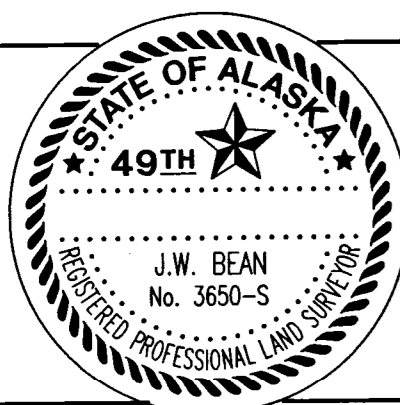


DETAIL A

RECEIVED

APR 13 2014

PERMIT CENTER/CDD



J.W. BEAN INC.
PROFESSIONAL SURVEYOR
1070 ARCTIC CIRCLE
JUNEAU - ALASKA
(907) 789-0590
SURVEYOR - PLANNER
PROJ: 8767-PLEASANT-LOT1

PLAT OF
GLACIERS EDGE SUBDIVISION
A SUBDIVISION OF
LOT 1, BLOCK 3
PLEASANT GARDEN SUBDIVISION
WITHIN U.S. SURVEY NO. 1530
WITHIN CITY & BOROUGH OF JUNEAU, ALASKA
JUNEAU RECORDING DISTRICT

OWNER:
SHAWN KANTOLA
16470 OCEANVIEW DRIVE
JUNEAU, ALASKA 99801

SURVEYOR:
JW BEAN, INC.
PROFESSIONAL SURVEYOR
1070 ARCTIC CIRCLE
JUNEAU, ALASKA 99801

DATE: 4-17-2014 SCALE: 1"=30' SHEET 1 OF 1

COMMON ACCESS EASEMENT, MAINTENANCE AND HOLD HARMLESS AGREEMENT

I, Shawn Kantola, whose address is 16470 Oceanview Drive, Juneau, Alaska; warrant that I am the owner and tenant by the entirety of:

Lots 1A, 1B and Lot 1C, Glaciers Edge Subdivision within the City and Borough of Juneau, Juneau Recording District, First Judicial District, State of Alaska;

As the owners of LOTS 1A, 1B & 1C we acknowledge an understanding that we are the owners of a certain Common Access Easement containing a common access driveway, drainage and utility easement that is jointly used by LOTS 1A, 1B & 1C, that exists as shown Plat of Glaciers Edge Subdivision and We assume jointly and severally, all risk and responsibility for future, maintenance, snowplowing, reconstruction, dismantling and repairs of any kind to the common access driveway, drainage and utility easement. The Common Access Easement is that which extends from the Garnet Street right of way to the back of lots 1A & 1C.

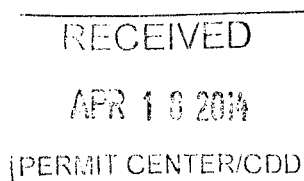
We also agree, severally, to indemnify, defend and hold harmless the City and Borough of Juneau, its officers, agents, and employees, from all suits, claims, actions, losses, costs, penalties, and damages, including attorney's fees arising out of the existence, location and/or use of said common driveway, drainage and utility easement, within the Garnet St. right of way and other properties.

It is understood that the City and Borough of Juneau is not responsible in any manner whatsoever for the common driveway access.

It is understood that no repair or replacement that requires excavation within the public right-of-way, shall be done without obtaining the appropriate permits from the City and Borough of Juneau and other appropriate agencies.

This agreement shall run with the land, and be binding on all present and future owners, their heirs and assigns of said LOTS 1A, 1B & 1C, Glaciers Edge Subdivision.

Page 1 of 2



ATTACHMENT C

IN WITNESS WHEREOF, the party hereto has executed this agreement as of the _____ day of _____, 2014.

By: _____ Dated: _____, 2014
Shawn Kantola

NOTARY ACKNOWLEDGEMENT

STATE OF ALASKA

SS:

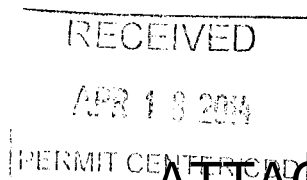
FRIST JUDICIAL DISTRICT

THIS IS TO CERTIFY that on the ____ day of _____, 2014, before me, the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared Shawn Kantola to me known to be the individual described in and who executed the foregoing instrument, and acknowledged to me that he signed and sealed the same freely and voluntarily for the uses and purposes therein mentioned.

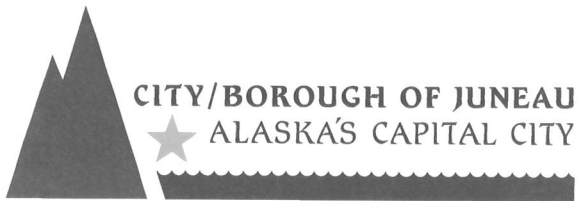
WITNESS my hand and official seal the day and year in this certificate above written.

Notary Public for the State of Alaska
My Commission Expires: _____

Page 2 of 2



ATTACHMENT C



**PLANNING COMMISSION
NOTICE OF DECISION**

Date: April 9, 2014
File No.: SMP2014 0002

Shawn Kantola
16470 Oceanview Drive
Juneau, AK 99801

Application For: A Major Subdivision creating 1 regular lot and 2 Bungalow lots on Garnet St. in the northeast Mendenhall Valley.

Legal Description: Pleasant Garden Block 3 Lot 1

Property Address: 8287 Garnet Street

Parcel Code No.: 5-B24-0-134-011-0

Hearing Date: April 8, 2014

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated March 25, 2014, and approved the preliminary plat to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

1. Prior to recording of the Final Plat the applicant will be required to remove the mobile home from the parcel.
2. Prior to building on the proposed lots the applicant will be required to obtain a Grading and Drainage permit through the CDD and General Engineering departments.
3. Prior to Final Plat recording, the applicant will be required to install improvements for public water and sewer to all proposed lots, or shall bond for improvements.
4. Prior to Final Plat Approval, the applicant shall submit a joint use and maintenance agreement for the access and utility easement to be recorded with the plat.

Attachment: March 25, 2014 memorandum from Jonathan Lange, Community Development, to the CBJ Planning Commission regarding SMP2014 0002.

This Notice of Decision does not authorize any construction. Prior to starting any project, it is the applicant's responsibility to obtain the required building permits.

This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance to CBJ §01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ §01.50.030 (c). Any action by the applicant in reliance on the decision of the Planning Commission shall be at the risk that the decision may be reversed on appeal (CBJ §49.20.120).

Shawn Kantola
File No.: SMP2014 0002
April 9, 2014
Page 2 of 2

Effective Date: The permit is effective upon approval by the Commission, April 8, 2014.

Expiration Date: The permit will expire 18 months after the effective date, or October 8, 2015, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the subdivision permit was authorized or no final plat has been approved. Application for permit extension must be submitted thirty days prior to the expiration date.

Project Planner: Jonathan Lange
Jonathan Lange, Planner
Community Development Department

Dennis Watson
Dennis Watson, Vice-Chair
Planning Commission

Jamie J. An
Filed With City Clerk

4/10/14
Date

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this subdivision. ADA regulations have access requirements above and beyond CBJ - adopted regulations. Owners and designers are responsible for compliance with ADA. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.