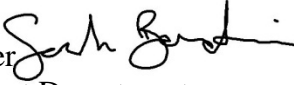


MEMORANDUM

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

DATE: May 15, 2014

TO: Planning Commission

FROM: Sarah Bronstein, Planner 
Community Development Department

FILE NO.: CSP2014 0010

PROPOSAL: Application for a private easement on CBJ-owned property in order for an adjacent property owner to construct a driveway.

GENERAL INFORMATION

Applicant: James Stedman

Property Owner: City and Borough of Juneau

Legal Description: USS 3261 Lot 45

Parcel Code No.: 4-B18-0-106-007-0

Site Size: 0.67 acres

Comprehensive Plan Future Land Use Designation: Rural Low Density Residential (RLDR)

Zoning: D-1

Utilities: Public water, on-site wastewater

Access: Fritz Cove Road

Existing Land Use: Vacant

Surrounding Land Use: North - D1, Single family homes
South - D1, Single family homes
East - RR, Vacant
West - D1, Single family homes



VICINITY MAP



ATTACHMENTS

Attachment A – Development Permit Application
Attachment B – Abutters’ Notice
Attachment C – Modified site plan, submitted May 12, 2014

BACKGROUND AND PROJECT DESCRIPTION

The applicant, James Stedman, owns Lot 44 of USS 3261, on Fritz Cove Road, immediately to the southeast of the subject parcel, Lot 45 of USS 3261. Stedman’s parcel, Lot 44, is accessed by a driveway off of Fritz Cove Road. He would like to extend the driveway to the upper portion of the lot. The lot is extremely steep, and in order to meet grading and drainage requirements, the applicant will need to route the driveway across the adjacent subject parcel, Lot 45, which is owned by the City and Borough of Juneau. The applicant has proposed an easement across the CBJ-owned property, Lot 45, to allow for the construction and maintenance of a private driveway. The easement would cut across the lot twice, allowing for two sets of switchbacks (see Attachment C).

ANALYSIS

The purpose of Staff and the Planning Commission’s review of this project is to assess the consistency of this project with adopted plans and policies. The applicant will not complete a detailed engineering plan for a driveway with an exact alignment for the easement, until this CSP case is approved.

Lot 45 of USS 3261 is designated in the CBJ Land Management Plan (1999) as an “undeveloped access road from Fritz Cove Road to Lot 1, USS 3817.” The Lands Department stated in an email dated May 8, 2014, that the creation of this easement will not hinder future use of the lot for this purpose, as a driveway stub from the upper portion of the right of way could be created if the lot were ever developed as a public right of way to access Lot 1. Additionally, there are numerous other options available for providing access to Lot 1, making this particular access route less critical.

Additional feedback from other CBJ departments, as well as AEL&P, was solicited on April 17th. While the General Engineering Department expressed concerns that the driveway design would need to meet grading and drainage requirements, these design issues will be reviewed when the applicant applies for a grading permit to construct the driveway in the easement.

CONFORMITY WITH ADOPTED PLANS

The policies in the *Comprehensive Plan* which most directly relate to this project proposal are within Chapter 17: Community Development.

**POLICY 17.2. TO HOLD CERTAIN LANDS IN THE PUBLIC TRUST,
AND TO DISPOSE OF CERTAIN LANDS FOR PRIVATE USE WHEN
DISPOSAL SERVES THE PUBLIC INTEREST.**

17.2 - SOP1 Evaluate the use and development potential of all CBJ-owned lands and incorporate appropriate plans for those lands into the *CBJ Land Management Plan* and Land Disposal Program, which is to be consistent with the *Comprehensive Plan*. The *Land Management Plan* serves as the major means of implementing policies and guiding management, development and disposition of selected CBJ-owned lands.

17.2 - SOP5 Evaluate land not scheduled for immediate disposal for possible interim uses prior to private development.

The easement will be non-exclusive, and the interim use of this lot for a private access easement will not affect the city's ability to use it as a public right of way to access CBJ land to the east at a later date.

HABITAT

Staff identified no habitat issues associated with this proposal. There are no mapped wetlands and no anadromous fish bearing streams in or near the proposed easement site. An eagle nest was surveyed near the property by the US Fish and Wildlife Service in 1994 (nest ID 30914). However, this nest was catalogued as gone when it was resurveyed in 2005.

FINDINGS

Staff finds this project proposal, for a private access easement across Lot 45 of USS 3261, to be consistent with Title 49 and adopted plans therein.

RECOMMENDATION

Staff recommends that the Planning Commission make a recommendation to the Assembly to approve this project proposal as described in the development application.

CITY/STATE PROJECT AND LAND ACTION REVIEW APPLICATION

Project Number	Project Name (15 characters)	Case Number CSP20140010	Date Received 4/4/2014
----------------	------------------------------	----------------------------	---------------------------

TYPE OF PROJECT REVIEW:

☒ City Project Review
 ☐ City Land Acquisition /Disposal
 ☐ State Project Review

DESCRIPTION OF PROJECT

The owner of the adjacent lot has applied for an easement through the City owned property in order to provide access to his lot. If the easement is granted, the applicant will clear trees and brush and place fill on this lot in order to build a driveway.

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):

Currently the City lot is vacant

PROPOSED USE OF LAND OR BUILDING(S):

The City owned lot could potentially be used in the future for access to a large tract of City land behind these properties.

PROJECT NUMBERS ASSOCIATED WITH PROPOSAL:

Is this project associated with any other Land Use Permits? ☒ No ☐ Yes Case No.: _____

Capital Improvement Program # (CIP) _____

Local Improvement District # (LID) _____

State Project # _____

ESTIMATED PROJECT COST: \$ 25,000

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>25,000</u>	_____	_____	_____
Total Fee	\$ _____	_____	_____	_____

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 / APPLICANT	<div style="display: flex; justify-content: space-between;"> <div> Project Number CSP20140010 </div> <div> CITY and BOROUGH of JUNEAU </div> <div> Date Received: 4/4/2014 </div> </div> <div style="margin-top: 5px;"> Project Name (City Staff to Assign Name) </div>																																																																								
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	X <u><i>James M. Stedman</i></u> Date: <u>02/26/14</u> Landowner/Lessee Signature																																																																								
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	APPLICANT If the same as OWNER, write "SAME" and sign and date at X below <div style="display: flex; justify-content: space-between;"> <div> Applicant's Name James M. Stedman Mailing Address P.O. Box 32932 Juneau, Alaska 99803 E-mail Address jmatst@alaska.com </div> <div> Contact Person: James Home Phone: 907-209-2442 Other Contact Phone Number(s): </div> </div>																																																																								
X _____ Date of Application: <u>2/25/14</u> Applicant's Signature																																																																									
STAFF APPROVALS	<div style="text-align: center; border-top: 1px solid black; border-bottom: 1px solid black;"> OFFICE USE ONLY BELOW THIS LINE </div> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:40%;">Type</th> <th style="width:10%;">***ON</th> <th style="width:20%;">Date Received</th> <th style="width:30%;">Application Number(s)</th> </tr> </thead> <tbody> <tr> <td>Grading</td> <td style="background-color: black;"></td> <td></td> <td></td> </tr> <tr> <td>For Review and City Land Action</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Case</td> <td></td> <td></td> <td></td> </tr> <tr> <td>or In Lieu, Letter of ZC, Use Not Listed</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Case</td> <td></td> <td></td> <td></td> </tr> <tr> <td>and/or Large, Rural, Extraction, Exploration)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Approval</td> <td></td> <td></td> <td></td> </tr> <tr> <td>more than one, fill in all applicable permit #'s)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Decision</td> <td></td> <td></td> <td></td> </tr> <tr> <td>or, Major, PUD, St. Vacation, St. Name Change)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Case</td> <td></td> <td></td> <td></td> </tr> <tr> <td>or (Allowable, Conditional, Cottage Housing, or Home Parks, Accessory Apartment)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Case</td> <td></td> <td></td> <td></td> </tr> <tr> <td>fill in all other Variance case types)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Case</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Approval</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Decision</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Type	***ON	Date Received	Application Number(s)	Grading				For Review and City Land Action				Case				or In Lieu, Letter of ZC, Use Not Listed				Case				and/or Large, Rural, Extraction, Exploration)				Approval				more than one, fill in all applicable permit #'s)				Decision				or, Major, PUD, St. Vacation, St. Name Change)				Case				or (Allowable, Conditional, Cottage Housing, or Home Parks, Accessory Apartment)				Case				fill in all other Variance case types)				Case				Approval				Decision			
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DEVELOPMENT PERMIT APPLICATION

Project Number CSP20140010	CITY and BOROUGH of JUNEAU	Date Received: 4/4/2014
Project Name (City Staff to Assign Name)		

INFORMATION	Project Description The owner of the adjacent lot has applied for an easement through the City owned property in order to provide access to his lot. If the easement is granted, the applicant will clear trees and brush and place fill on this lot in order to build a driveway.		
	PROPERTY LOCATION		
	Street Address 2765 FRITZ COVE RD (applicant's lot)		City/Zip Juneau 99801
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) USS 3261 Lot 44 (applicant's lot) USS 3261 Lot 45 (City lot)		
	Assessor's Parcel Number(s) 4B1801060070 (applicant's lot) 4B1801060060 (City lot)		
	LANDOWNER/ LESSEE		
	Property Owner's Name City & Borough of Juneau, Div. of Lands & Resources		Contact Person: Dan Bleidorn
	Mailing Address 155 S. Seward Street		Work Phone: 907-586-0224
	E-mail Address dan_bleidorn@ci.juneau.ak.us		Home Phone: Fax Number:
	Other Contact Phone Number(s): 907-586-5252		
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 _____ Landowner/Lessee Signature		_____ 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 James M. Stedman		Contact Person: James
	Mailing Address P.O. Box 32732 Juneau Alaska 99803		Work Phone: Fax Number:
	E-mail Address jmattstedman@gmail.com		Home Phone: 907-209-2442
	Other Contact Phone Number(s):		
X _____ 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		
	<input checked="" type="checkbox"/>	City/State Project Review and City Land Action		4/4/14
		Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)		CSP20140010
		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)		
	***Public Notice Sign Form filled out and in the file.			
	Comments:			Permit Intake Initials JL

APPLICATION TO USE LANDS OWNED BY THE CITY AND BOROUGH OF JUNEAU

Application No. CSP20140010

Assessor's No. 4B180K00070 / 0060

Type of Use: EASEMENT - ACCESS

(Lease, Easement, Use Permit, Purchase)

Legal name of applicant (s) James M. Steadman
Mailing address: P.O. Box 32732 Juneau, AK 99803

1. Legal description of property (attach map):
SS 3261 Lot 45
2. Existing parcel size:
Square feet: 29185 Acres: 0.67
3. Existing utilities:
Water: On site ☐ Public ☐
Sewer: On site ☐ Public ☐
4. Access: Fritz Cove Road
5. Proposed term of usage: Perpetual
6. Development plan (attach background materials):
Purpose: access to buildable site on top of lot 44
Use, value, and nature of proposed improvements to the land: Driveway
The proposed type of construction: clearing trees and overbushes, bringing in rock to build the driveway
Date construction would begin: Summer 2014
Date construction would be completed: _____
7. Comprehensive plan designation for property: _____
8. Zoning designation: D1(T)03

I HEREBY CERTIFY THAT all of the statements made in this application and its incorporated attachments

U. S. SURVEY
No. 3261, ALASKA

and

DEFINITE BOUNDARIES OF PORTIONS OF ADJACENT
U. S. SURVEYS NOS. 2112, 2281 AND 2546

Situated

on the Fritz Cove Road on Mendocino Peninsula
approximately 12 1/2 miles northwest of Sitka, Alaska

Area: 23.15 Acres

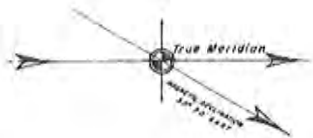
Latitude 59° 27' 31" N. Longitude 134° 28' 22" W.
At Corner No. 1

Surveyed By

John M. Short, Cartographer (Civilian)
June 15 to 24, 1953
Under Special Instructions Dated
December 29, 1952 and Approved
January 15, 1953

NOTE:
For bearings and distances along the boundary
of Lot 63 (Fritz Cove Road) which are not shown
see field notes.

0 INDICATES AN IRON NAIL OR NAIL 15/16 IN.



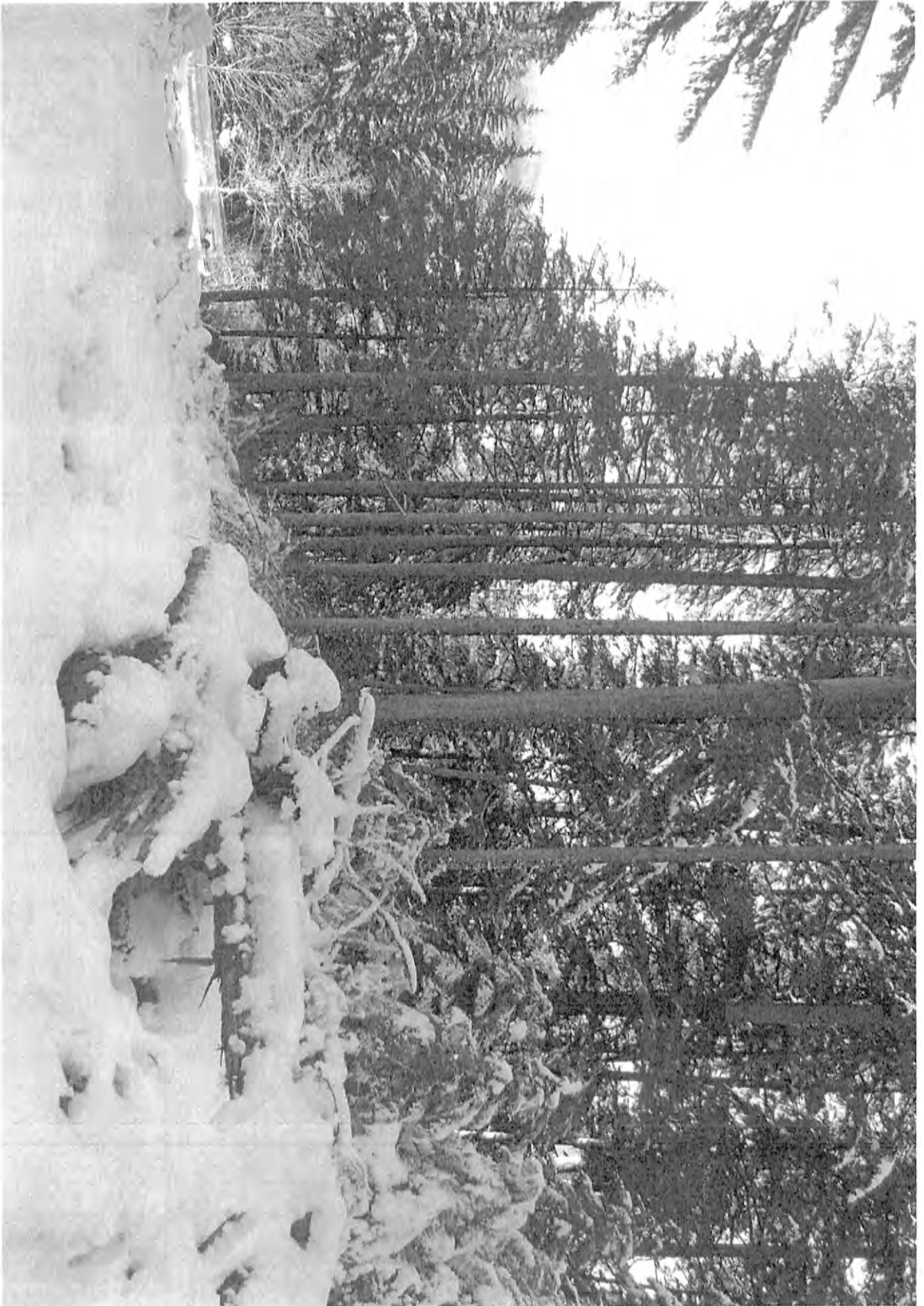
SCALE IN CHAINS
0 1 2 3 4 5 6 7 8

For the Director

John M. Short
Assistant Chief, Division of
Cadastral Engineering

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Washington, D. C., April 22, 1954

This plat is verified conformable to the approved
field notes, and the survey, having been correctly
executed in accordance with the requirements of law and
the regulations of this Bureau, is hereby accepted.



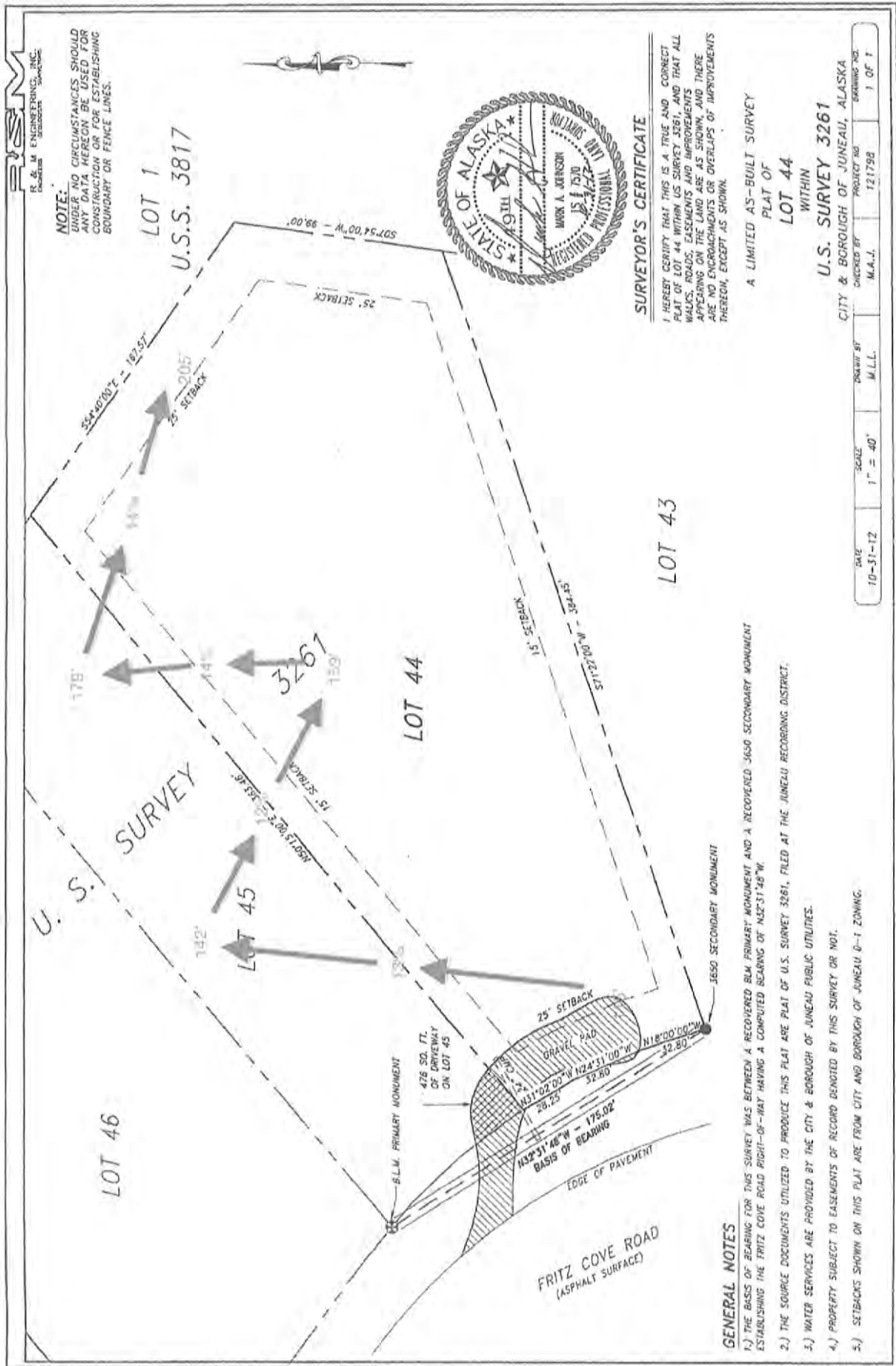
AT ELEVATION 175' FACING WEST FROM LOT 44 ONTO LOT 45



AT ELEVATION 175' FACING NORTHWEST FROM LOT 44 ONTO LOT 45



AT ELEVATION 175' FACING NORTH FROM LOT 44 LOOKING ONTO LOT 45





NOTICE OF PUBLIC HEARING



City & Borough of Juneau
Community Development Department
155 S Seward Street • Juneau, Alaska 99801

SHIP TO:



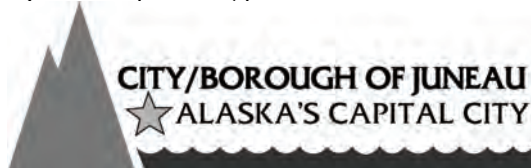
PROPOSAL: Application for a private easement on CBJ-owned property in order for an adjacent property owner to construct a driveway.

File No:	CSP2014 0010	Applicant:	James Stedman
To:	Adjacent Property Owners	Property PCN:	4-B18-0-106-007-0 (CBJ Parcel) 4-B18-0-106-006-0 (Private Parcel)
Hearing Date:	May 27, 2014	Owner:	City and Borough of Juneau James Stedman
Hearing Time:	7:00 PM	Easement Size:	5,528 square feet
Place:	Assembly Chambers Municipal Building 155 South Seward Street Juneau, Alaska 99801	Zoned:	D-1
		Site Address:	2765 Fritz Cove Road
		Accessed Via:	Fritz Cove Road

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 14 days prior to 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 Sarah Bronstein at sarah_bronstein@ci.juneau.ak.us or at 586-0466.



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

ATTACHMENT B

Date notice was printed: April 24, 2014

