



**PLANNING COMMISSION
ORDER OF STREET VACATION**

Date: July 23, 2014

File No.: STV2013 0001

Owen Clark
1775 Dimond Drive
Juneau, AK 99801

Application For: Vacate a portion of Gastineau Ave to allow rebuilding of an 8-plex on existing foundation.

Legal Description: Pacific Coast Addition Block 2 Lot 11

Property Address: 331 Gastineau Avenue

Parcel Code No.: 1-C07-0-H02-011-0

Hearing Date: March 12, 2103

The Planning Commission, at its regular public meeting, adopted the analysis and amended the findings listed in the attached memorandum dated July 8, 2014 as follows:

3. *Will the proposed street vacation materially endanger the public health or safety?*

No. The required retention structure will protect the building from debris from street snow removal and mitigate safety concerns.

4. *Will the proposed street vacation substantially decrease the value of or be out of harmony with property in the neighboring area?*

No. There is no evidence that has been presented that suggests the proposed street vacation will decrease the value or be out of harmony with property in the neighboring area. The building has been in this location at least since 1960. The vacation will allow the reconstruction of a burned out building.

5. *Will the proposed street vacation be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans?*

Yes. The vacation will allow the reconstruction of an eight unit multi-family structure; the residents will likely not have vehicles. The exact alignment of the future road has not yet been determined and could be located elsewhere. The right-a-way is wide enough to accommodate an expansion of the roadway. The vacation of the right-of-way does not prohibit future installation of sidewalks in this area.

The Planning Commission approved the vacation of approximately 346.60 square feet of Gastineau Avenue as described in the project description and project drawings submitted with the application and with the following conditions:

1. The owner is required to construct a retention structure to protect the building from debris falling from the roadway.
2. A plat will need to be recorded for the vacation to be completed.
3. The recorded plat will show the AELP utility easement.

Advisory Condition

4. Any structure in the right-of-way for access to the building will need to provide safe access to Gastineau Avenue and shall not interfere with pedestrian improvements along Gastineau Avenue.


Attachments: July 8, 2014, memorandum from Beth McKibben, Community Development, to the CBJ Planning Commission regarding STV2013 0001.

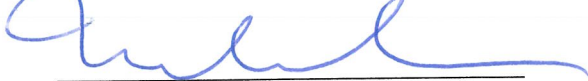
This Order of Street Vacation does not authorize construction activity. Prior to starting any project, it is the applicant's responsibility to obtain the required building permits.

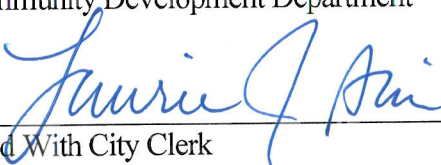
This Order of Street Vacation constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ §01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ §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 order may be reversed on appeal (CBJ §49.20.120).

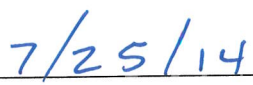
Effective Date: The permit is effective upon approval by the Commission, July 22, 2014.

Expiration Date: The permit will expire 18 months after the effective date, or January 22, 2016, if no Subdivision has been applied for in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.

Project Planner: 
Beth McKibben, Planner
Community Development Department


Michael Satre, Chair
Planning Commission


Filed With City Clerk


Date

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. 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.