

Agenda

Planning Commission - Regular Meeting City and Borough of Juneau

June 25, 2019
Assembly Chambers
7:00 PM

I. ROLL CALL

II. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA

III. APPROVAL OF MINUTES

A. May 28, 2019 Draft Minutes, Regular Planning Commission Meeting

IV. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

V. ITEMS FOR RECONSIDERATION

VI. CONSENT AGENDA

A. CSP2019 0005: A review of a State project to install two flashing beacon signs at the intersection of Back Loop Road and Mendenhall Loop Road

B. AME2019 0006: An amendment to Article XII Alternative Development Overlay District (CBJ 49.70.1210), extending the sunset date for downtown Juneau ADOD from August 1, 2019, to August 1, 2020

VII. UNFINISHED BUSINESS

VIII. REGULAR AGENDA

A. USE 2019 0015: A Conditional Use Permit to build a Valley Transit Center with associated Park & Ride facilities

B. CSP2019 0008: A City Project Review to build a Valley Transit Center with associated Park & Ride facilities

C. USE2019 0014: A Conditional Use Permit for an accessory apartment on a substandard-sized lot

IX. BOARD OF ADJUSTMENT

X. OTHER BUSINESS

XI. STAFF REPORTS

XII. COMMITTEE REPORTS

XIII. LIAISON REPORT

XIV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XV. PLANNING COMMISSION COMMENTS AND QUESTIONS

XVI. EXECUTIVE SESSION

XVII. ADJOURNMENT

Agenda
Planning Commission
Regular Meeting
CITY AND BOROUGH OF JUNEAU
Ben Haight, Chairman
May 28, 2019

I. ROLL CALL

Ben Haight, Chairman, called the Regular Meeting of the City and Borough of Juneau (CBJ) Planning Commission (PC), held in the Assembly Chambers of the Municipal Building, to order at 7:00 p.m.

Commissioners present: Ben Haight, Chairman; Paul Voelckers, Vice Chairman; Michael LeVine, Nathaniel Dye, Shannon Crossley, Dan Hickok, Andrew Campbell, Travis Arndt

Commissioners absent: Ken Alper

Staff present: Jill Maclean, CDD Director, Alex Pierce, Planning Manager; Tim Felstead, Planner II; Laurel Christian, Planner I; Jane Mores, Assistant Municipal Attorney

Assembly members: Wade Bryson

II. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA - None

III. APPROVAL OF MINUTES

A. April 23, 2019 DRAFT Minutes – Planning Commission Regular Meeting

MOTION: *by Mr. LeVine, to approve the Planning Commission April 23, 2019, regular meeting minutes with any minor changes by staff or Commission member.*

The motion passed with no objection.

IV. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - None

V. ITEMS FOR RECONSIDERATION - None

VI. CONSENT AGENDA

Items USE2019 0009, PDF 2019 0001, SMP2019 0002 and SMF 2019 were pulled from the consent agenda and placed under the regular agenda.

USE2019 0010: A Conditional Use Permit for an accessory apartment above a detached garage on an undersized lot
Applicant: Ronald Aline & Sandra Garcia-Aline
Location: 19933 Cohen Drive

Both Mr. Voelckers and Mr. Arndt said they may have potential conflicts associated with this item.

Mr. Arndt said he is acquainted with the applicant and that he spoke with them about the project before they knew they needed a Conditional Use Permit.

Neither the Commission or the public voiced any objection to Mr. Arndt remaining on the panel for this item.

Mr. Voelckers said the architect involved with this item is on his staff, but that he has no involvement with this item or any financial interest in the project.

Neither the Commission or the public voiced any objection to Mr. Arndt remaining on the panel for this item.

Staff Recommendation

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use Permit. The permit would allow the development of a 600 square foot accessory apartment above a detached garage.

MOTION: by Mr. LeVine, to accept staff's findings, analysis and recommendations, and approve SMP 2019 0010.

The motion passed with no objection.

VII. UNFINISHED BUSINESS - None

VIII. REGULAR AGENDA

At the suggestion of Mr. LeVine, the Commission agreed to hear items USE2019 0009 and

USE 2019 0013 sequentially as they are both located in the same area and connected through the same developers.

Mr. Arndt left the panel for this item, as he has a conflict of interest.

USE2019 0009: A Conditional Use Permit for a 72 unit condominium development

Applicant: Travis Arndt

Location: Cinema Drive

Staff Recommendation

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use Permit. The permit would allow the development of a 72 unit condominium complex in a D15 zone.

The approval is subject to the following conditions:

1. Sidewalk or a separated walking path along Cinema Drive for the length of the development shall be installed by the Developer. If a separated walking path is chosen, the developer shall record an easement for the public use of that path.
2. The applicant shall submit a revised parking plan including the following information to be reviewed during the building permit process:
 - a. Accessible parking spaces
 - b. Pedestrian paths within the development.
3. Parking spaces shall be striped and signed with required accessible signage prior to the issuance of a Certificate of Occupancy.
4. Prior to the issuance of a Certificate of Occupancy, the Developer shall submit a Homeowner's Association (HOA) Agreement that addresses the following:
 - a. Maintenance of the parking and circulation areas,
 - b. Maintenance of the required vegetative cover, and
 - c. Snow storage and disposal.
5. The applicant shall submit a lighting plan for review by the Department during the building permit process, the lighting shall be designed, located, and installed to minimize off-site glare.
6. The applicant shall submit a detailed drainage and snow storage plan to be reviewed during the building permit process.

Mr. Voelckers wanted to address traffic analysis on this issue. He said that is the primary concern he has with this project.

Ms. Christian told the Commission this development is on almost five acres located on Cinema Drive off the Mendenhall Loop Road. It is zoned D15. It is estimated this development will generate about five vehicle trips per condominium unit a day. That figure would equal about

418 vehicle trips per day generated by the condominium development, said Ms. Christian. When the threshold of trips per day is between 250 and 500 vehicle trips per day, the Director can determine that no Traffic Impact Analysis is required. It has been determined that no Traffic Impact Analysis will be required for this project, said Ms. Christian. They have also requested as a condition of approval that the developer install sidewalks on one side of the street, said Ms. Christian.

Mr. Voelckers said he had never seen saw any input from the DOT regional traffic engineer on this development, even though this was motioned by another DOT representative as being an item in the process.

Ms. Christian apologized for the confusion listed in the report. She said the opinion of DOT that this project would not generate too may average daily trips came out in the pre application conference meetings, where it was of the opinion that a development of this size would not generate the average daily trips to trigger a traffic impact analysis for DOT .

Ms. Maclean stated that this DOT opinion in the preapplication meeting is mentioned in the preconference materials before the Commission.

Mr. LeVine said that the other item on the agenda from the same developer in the same area will be generating its own trips per day. He said it seemed to him the trips generated by each use should be averaged together.

Ms. Maclean said that Mendenhall Loop Road is a DOT right-of-way, not a CBJ right-of-way. Therefor, they are very limited in imposing any conditions on that portion of property.

The Alaska Department of Transportation (DOT) does not think a Traffic Impact Analysis is required, said Ms. Christian. She said that DOT plans on constructing a turn lane from the Mendenhall Loop Road onto Cinema Drive. It also plans on installing a pedestrian light at this intersection. Ms. Christian added that most of the traffic at this intersection is through traffic. She said the one sidewalk or separated path on the side of Cinema Drive, which has no sidewalks today, which they suggest should be upgraded by the developer was a requirement which they could stipulate. They cannot require work along the DOT side of the right-of-way, she added.

Mr. LeVine asked if DOT had considered the cumulative impacts of both proposed developments on Cinema Drive on the traffic.

Ms. Christian said she sent both developments to DOT at the same time, but that she did not know if its traffic analysis addressed each development separately or together in terms of trips per day generated.

Mr. LeVine asked what "level F" service means.

Ms. Maclean said “level F” service is considered as “failing”. She added that DOT has a number of projects planned for the area which will help address current and future traffic issues in the vicinity. She said DOT may be of the opinion that future work for traffic in the area will have a positive effect on this area as well.

Mr. LeVine asked if the Commission’s input on the level of service may have a positive impact on DOT’s traffic work in the area.

Ms. Maclean said she did not believe that a traffic impact analysis for this area would have any effect on DOT’s projected traffic work for the two primary Valley corridors.

Mr. Dye said he did not see any attendance comment from DOT listed in the preapplication materials. He said he wanted to be able to find the statement from DOT regarding the average daily trips being less than 100 for the peak times.

Ms. Maclean said those comments from DOT are on page 21. She said she also consulted with CBJ Engineering and Public Works to see if they thought a TIA (Traffic Impact Analysis) was necessary. They did not think that a Traffic Impact Analysis is necessary, she said. Since they have no right to require work on a DOT right-of-way, they thought it was better to ameliorate the area where they did have a right to see some positive changes made, which is why they listed the work on a Cinema Drive sidewalk as a condition, said Ms. Maclean.

Mr. LeVine said he is bothered that they have a “level F”, and that the response of the CBJ was that they cannot do anything about that level, so its response was to approve more trips for the area. He asked if there is something within the purview of the Commission they can do to not just continue to approve permits for an area already receiving an “F” grade in service.

Ms. Maclean said she would hesitate to go down that path, considering the increasing development on Douglas Island with just one bridge. She said any action the Commission takes now on this permit may have an effect on future decisions regarding traffic.

Applicant

Speaking for the applicants, Mr. Doug Trucano told the Commission that he and his partners have constructed condominiums in Juneau at two different locations: Breezy Street and on Riverside Drive. They are building these condominiums to keep them in the price range where more members of the public can afford them. He said he has not noticed any significant problems resulting from the traffic generated by these developments. He said they chose this site because of its proximation to the movie theater so that children in the proposed development could walk to the movies. He said he has driven through the area both at noon and quitting time, and that neither peak traffic time resulted in very diminished traffic flow in the area.

Public Comment

Mr. Chuck Cohen, the manager of Kodzoff Acres, told the Commission that he was here on another agenda item, and that he was not aware this item would be on this agenda. He said that the two items on the agenda concerning added traffic to Mendenhall Loop road should be considered together when considering the traffic effects. The cumulative effects of the traffic on Mendenhall Loop road will add up to a major issue, he said.

Commission Comments and Questions

Mr. Voelckers asked Ms. Mores (attorney) what the Commission's role is in decisions that may involve vehicular safety. He said on a broad level the Commission is to assure that they do no harm, and that public welfare is protected.

Ms. Maclean said she did not want to give the Commission the impression that they were not interested in public safety. She said she consulted City staff and past decisions of the Commission to come to her determination about traffic in the area.

Ms. Mores said there are jurisdictional issues that are appropriate to be addressed by the Commission. She said she did feel the Commission should be cautious in proceeding in proposing conditions to an individual developer. It would be within the Commission's purview to direct the staff to request a meeting with DOT, or invite them to give a presentation about how traffic and its ramifications are addressed, said Ms. Mores.

Mr. LeVine asked if the decision about whether a TIA is required can be made by the Commission.

Ms. Maclean said the Commission does have the authority to override the Director's conditions. She said the Commission does have the authority to require a TIA.

Mr. Campbell asked the staff if they are aware of planned improvements that DOT will be making in the area.

Ms. Christian said she has some idea, which includes two roundabouts for Mendenhall Loop road, plus a pedestrian beacon on Cinema Drive, a crosswalk on Mendenhall Loop road, and a turn lane onto Cinema Drive.

Mr. Campbell asked if there had been mention about additional lanes.

Ms. Christian said she is not aware of whether or not there had been mention about additional lanes.

Mr. Campbell said he had seen mention in DOT tentative advertising on a planning improvements list generated by DOT that vehicular lanes had been mentioned.

Ms. Christian said she was not aware of that.

Mr. Dye asked if DOT had provided a time table for the Cinema Drive project.

Ms. Christian said she believed the dates may be 2020 or later. She said she thought the Cinema Drive work was bundled with the two roundabouts it had scheduled for 2020.

MOTION: *by Mr. Dye, to approve USE2019 0009 and accept staff's findings, analysis, and recommendations.*

Speaking in favor of his motion, Mr. Dye said that reading over the DOT analysis, that he did not think that a TIA was warranted at this time. He said their comments were that they did not expect a significant negative impact on the area with this anticipated additional traffic on Cinema Drive. Also, said Mr. Dye, the DOT expects to improve traffic flow in this area at a later date. Mr. Dye added that the CBJ cannot do any traffic improvements of its own on DOT right-of-way's.

Speaking in favor of the motion, Mr. Campbell said he feels the Director has done a good job with her analysis, and that he agrees with her decision. It is up to DOT to solve this problem, not the Planning Commission, said Mr. Campbell.

Mr. Voelckers said he would be voting in favor of the motion as well, but with some misgivings. He said he would like to follow up with the suggestion that they have DOT appear before the Commission and give a presentation. He said he would like the Commission to be given the opportunity to at least express its concern about the traffic situation to the DOT. Mr. Voelckers said it is a problem for him to continue to incrementally increase traffic at an intersection already at "level F" for service.

Chairman Haight said he would also support this motion. In its discussion with DOT, Chairman Haight said he felt it would behoove the Commission to also discuss other roads that have a level F status.

Ms. Maclean said that DOT will have a presentation before the Planning Commission on June 11, 2019, for the Stephen Richards, Mendenhall Loop and Floyd Dryden intersections. At that time, they could also be invited to speak more generally about traffic issues within the community.

Mr. LeVine said they will be adding numerous trips to this intersection, which already has a failing grade. He said it appears the Commission is doing this because only DOT can do something about the traffic situation in this area. He said he has significant misgivings about the incremental additions of traffic to an area already deemed substandard for handling its traffic.

Roll Call Vote:

The motion passed by a unanimous vote.

USE2019 0013: A Conditional Use Permit for a 5,000 sq. ft. indoor recreational facility
Applicant: Juneau Condos LLC

Location: Mendenhall Loop Road

Mr. Arndt is recused from participating on the panel for this item as he has a conflict of interest.

Staff Recommendation

It is recommended that the Planning Commission adopt the director's analysis and findings and grant the requested Conditional Use Permit. The permit would allow the development of an approximately 5,000 square foot recreation facility.

The approval is subject to the following conditions:

1. The applicant must submit a lighting plan during the building permit process for review by the Community Development Department; the lighting shall be designed, located, and installed to minimize off-site glare.
2. The applicant shall submit a parking plan during the building permit process for review by the Community Development Department; the parking plan shall include:
 - a. accessible and van-accessible parking spaces
 - b. off-street loading areas
 - c. standard parking spaces
3. The parking spaces shall be striped or wheel stops shall be placed, and spaces shall be signed with required accessible and van-accessible signage prior to the issuance of a Certificate of Occupancy.

Ms. Christian said the proposed 5,000 recreation center for a nonprofit wrestling group is located on Mendenhall Loop road, with access only from Mendenhall Loop Road. Duck Creek, an anadromous waterbody, runs through the parcel. She said the project is expected to generate an estimated 29.2 Average Daily Trips (ADT's). The site is around twenty acres, with a zoning of D15, said Ms. Christian.

She said plans for drainage and grading are typically reviewed under the building permit process. The building will be constructed above the flood plain, in accordance with the existing 2013 flood plain maps, which will be changed soon. This facility is a conditional use within the Table of Permissible Uses, said Ms. Christian.

Commission Comments and Questions

Mr. Voelckers asked if the hard line displayed on the map represents the property line.

Ms. Christian said the hard line represents the base flood elevation transect. It is a coincidence that it is also located near the property line, she added.

Mr. LeVine noted the staff analysis calls for 20 parking spaces, but that the parking plan provided by the applicant is for over twice that many parking spaces. He asked if the staff had given thought to actually requiring more than 20 parking spaces for the facility.

Ms. Christian said the staff had not given thought to requiring more parking spaces.

Ms. Maclean said she wanted to make it clear that the CBJ is not holding up the adoption of the 2018 flood maps. FEMA adopts those maps, and they are late in providing the update, she said. Adoption of the updated plan is probably about a year out, said Ms. Maclean.

Mr. Voelckers said he is frustrated that the drawing shows where the driveway is intended, and that it is relatively close to Cinema Drive. He asked if DOT had expressed any reservations about that location.

Ms. Christian said DOT did not make any comment about the drive location. It was interested in where the curbs would be situated and the appearance of the drive, and how crossing the bike path would look, she added. She said they wanted more information on these items before providing comments on the driveway.

Mr. Voelckers said he did not think it was a typical practice of DOT to allow incremental property driveways at this point.

Ms. Christian said it is her understanding that if a property's only access was on to a DOT highway, that it would issue a driveway permit. Every legal lot can be granted a driveway, she said.

Mr. LeVine asked if the lot fronted Cinema Drive.

Ms. Christian said it did not front Cinema Drive.

Mr. Dye asked if the contour lines on the current map correspond to the new FEMA maps.

Ms. Christian said she was not sure what FEMA used to accomplish its current mapping.

Ms. Maclean said she thought that FEMA used LIDAR for its draft FEMA maps for 2018.

Ms. Mores clarified that even though Mr. Arndt has interests in two items on the agenda, that since he is the primary land owner on this item that he is free to testify before the Commission.

Applicant

Mr. Arndt told the Commission their goal is to build a home for the wrestling club in town. He said it is very difficult to find locations for their club to practice. Gym space in the schools is typically only available late in the evening after the school programs have finished, he said. This

is difficult especially for younger children, and also the parents. Mr. Arndt said there has been some concern of the public over the impact to property values in the area. He said instead the recreational facility should be a boom to property values, which he learned after speaking with numerous appraisers. He handed out a letter to this effect from a local appraiser.

Wrestling club secretary Summer Baxter said the club is a nonprofit entity. She said their club is also a financial support for wrestling in the schools. They utilize many sources of donations, which helps to offset the costs for gear and travel, she said. They had over 80 youth from Kindergarten through 12th grade in their program, she said.

Mr. Arndt said the proposed elevation in the new FEMA maps is actually lower than the elevation on the current map.

Mr. Hickok asked where the current location for the club was located.

Mr. Arndt repeated for Mr. Hickok that they had no club location, which is why they are building their own facility. He said they rent space and sometimes use space at the gymnastics academy.

Mr. Voelckers asked for more information on how they anticipated to use their building.

Mr. Arndt said the facility would not be big enough to host a tournament. They would have to use a larger school space for that, he said. Mr. Arndt said they do want to plan for those occasions when there would be a larger number of participants at the facility, which is why they plan on installing over twice as many of the parking spaces required by the staff.

Ms. Crossley asked if there are also condominiums and mobile homes adjacent to the gymnastics academy.

Mr. Arndt said the gymnastics academy is in an area of single family homes.

Public Comment

Charles VanKirk told the Commission there have been numerous athletes in his family over the years, and that wrestling has served them well. He said it would be wonderful to have their own facility, and that it would help participants when competing in the state.

Ken Brown said he is the previous secretary of the club. He added that he is the former coach for Juneau Douglas High School wrestling, and now coaches middle school students. He said the facility would be a great opportunity for the wrestling club.

Dana Richards told the Commission she is in support of the new wrestling facility, and that wrestling is a great sport for children. She said the new site would make life easier for youth and their parents.

Austin Quintero said he is involved with another club for the grappling arts, and they often share participants with Juneau Youth Wrestling. He said his daughter, who is five, will be starting wrestling next year, and that the recreational facility will be a benefit for the community, and that it is within walking distance for many youth, and is within proximity to several schools.

Janet Lassiter said she is the site manager for Kodzoff Acres Mobile Home Park. She spoke against the location for the facility, stating that they had concerns about the facility being the cause of future flooding, that it would have a negative impact on home value in the area, and that they were also concerned about the additional traffic generated by the facility. She said the postcards sent out about the facility wrongly marked Cinema Drive as its entrance, that posted signs were hidden from residents, that there was no drainage plan, and no green space proposed between Kodzoff Acres and the proposed facility.

Jim Erickson said his son has been involved with the Tornadoes wrestling program for many years. He said this program is composed of dedicated parents and participants. He said there will not be 80 participants at the facility at one time, and that typically there would be 15 to 20 participants.

Mr. Gerald Wilson said he lives on Glacierwood Drive and that this property would be located against his back yard. He said this seems like it is a great program, but that he would like to see a buffer between his property and the proposed facility.

Joe Lassiter said he is in favor of any sports program for the benefit of youth. He added that he feels this is the wrong lot for the facility, as it will take away the drainage area for Kodzoff Acres, and create problems for anyone living next to the creek.

Jan Cummins told the Commission that she is the mother of five children who have wrestled with the club, and that her husband has been a coach in Juneau for a number of years. She said wrestling teaches children self discipline and self control, and that the children are positively guided by physical activity.

Carson Cummins said the facility would give the participants more space and alleviate the odd hours they were often forced to practice due to a lack of space of their own. He said wrestling gives kids a "legal way to roughhouse", and that the proposed facility is in a good location for access by the community.

Club participants Jaeger and Dane Hubert told the Commission they were in favor of the facility. They said they would not need to stay up as late at night to participate in practice, and that there would be adequate parking at the facility as opposed to the gymnastics academy, which has a very small parking space.

Camden Erickson said he has been wrestling for 11 years. He said sometimes they have had to cancel practice due to a lack of space to practice. He said he felt the advantages of the facility outweighed the disadvantages.

Kerra Baxter said this is her third year of wrestling, and that she loves it. She said it teaches participants how to win and lose gracefully.

Stephanie Harvey said she is the vice president of the wrestling club. She said her two children, a first grader and a sixth grader, have participated in wrestling since preschool. She said the sport teaches children good sportsmanship and self confidence, and that the late hours often required so that there would be a space available for practice, turned off parents who would otherwise want to have their children participate in the sport.

Lynn VanKirk said for many years she has ferried children to multiple locations so they could participate in wrestling. She said the recreational center would provide a permanent location, and that there would be adequate parking, unlike the parking at the gymnastics academy.

Ben Ny said he is in favor of the facility. He said he has had two children go though the program. He said building codes are already in place, and that as the property development proceeds, that the questions posed by the neighbors would be answered.

Logan Harvey told the Commission that he has been a coach for youth wrestling for six years. He said if there are concerns by the neighbors regarding the facility, that the parents in the club have many talents in the building trade, and that they would be willing to help out with any problems.

Chad Scussel said he is in favor of the program and the proposed facility location.

Mr. Chuck Cohen said he is the managing member of Kodzoff Acres. He said his concerns are for the residents of the mobile home park. He said they have sent 18 letters against the facility to the Planning Commission. He said he is in support of wrestling, but not at this location, which has no proposed vegetative barrier between the proposed facility and the mobile home park.

Commission Comments and Questions

Mr. Dye asked Mr. Cohen how he would like the use regulated.

Mr. Cohen said there has to be a legal entity identified with the use so that it could be regulated in the future. He said there was no public meeting on this facility, that there had been no opportunities for the neighbors to provide input, and that the application does not have floor plans, elevations, or drainage information supplied. He said the conditions specified in the permit have nothing to do with the actual problems which would be created by the facility.

Mr. Dye clarified that the drainage from the Kodzoff Acres property drains to the property of the proposed facility.

Mr. Cohen verified that it did drain to the proposed property.

Mr. Voelckers asked Mr. Cohen what specific understanding he has about the proposed building site.

Mr. Cohen said the LIDAR data for the 2013 maps was incorrect, and that the surface grades were not correct. He said if the building is placed next to the road of Kodzoff acres, there will be nowhere for the water to drain. He said there is no water provided for the site and there remains the problems of access and buffering. The real problem is drainage, and the conditions specified have nothing to do with the actual problems.

Mr. Dye asked if there is a water collection site on the Kodzoff Acres property.

Mr. Cohen said that there was one on the site.

Mr. Hickok asked if ascertaining if a property is viable for the permit request is not required at the beginning of the process.

Ms. Maclean said this is true, but that if the project is approved there would be further permit requirements. Ms. Maclean apologized that all of the boxes of the application were not checked, but showed that the following pages in the application had all of the information Mr. Cohen claimed was missing.

Adam Messner told the Commission that he has been a wrestling coach for ten years. He said every year the participants pick up garbage from McDonalds to past Kodzoff Acres. He said a third of the garbage they collect comes form the trees near Kodzoff Acres, and that it is needles. He said he felt having the program located at a permanent location in the Valley, and being more accessible to more families, would help with the drug situation in town, by providing youth with a more healthy and positive activity.

Ms. Maclean said the CDD does take public notice very seriously, and that public notice was properly posted for this facility. She said it properly identifies the property in question.

Mr. Arndt said the public notice sign was not just for Kodzoff Acres, but for all of the public. Mr. Arndt added that there is no drainage easement provided by Kodzoff acres between the two properties, and that after listening to Mr. Cohen, it appears that there is an issue of Kodzoff Acres drainage entering their property. He added that Kodzoff Acres has been storing snow on their property. The debris in the buffer area was removed before they purchased the property, said Mr. Arndt. He said the area where Kodzoff Acres wants the buffer is the area where they have been storing their snow.

Mr. Voelckers asked the applicant if they had thought of creating a larger buffer on the Kodzoff Acres side of the property by angling the site, slightly, to provide a little more buffer for the Kodzoff Acres residents.

Mr. Arndt said the area where the debris was removed from the buffer area is greater than the size of the building. They tried to leave a buffer of trees along Mendenhall Loop Road, said Mr. Arndt. If they move the building, it would make less space for the parking area, said Mr. Arndt.

Mr. Dye asked the applicant about the use of a type of pavement where water can go through. He asked if they had thought of that option for this property.

Mr. Arndt said they plan on a gravel parking lot for the foreseeable future, which would allow for water drainage.

Chairman Haight asked what their plans were for providing utilities to the site.

Mr. Arndt said they have several options for utilities, and that connection to the sewer is just down the street.

Chairman Haight asked if they had thought of providing a provision to the existing pathway to Mendenhall Loop Road.

Mr. Arndt said he thought that was a great idea.

Mr. Dye asked if the use of the property was changed if a new Conditional Use Permit would be necessary.

Ms. Maclean said if the facility was sold, that a new permit would not be necessary for the new owners and the current permit could be modified if it was for a similar use. If the use was substantially different, then the new owners would have to acquire a new Conditional Use Permit.

Mr. Campbell asked if the wrestling club could rent their facility to other activities to keep the costs down.

That would be fine if the use was in line with the wrestling club's Conditional Use Permit, said Ms. Mores.

Mr. LeVine said the Commission may want to keep the use for the facility fairly open so that other activities could make use of the facility. He said it seemed to him that a youth facility would suit the purpose.

Mr. Voelckers said there appear to be divergent opinions on the watershed. He asked if the Commission should be addressing the hydrology of the site, or if this was a mechanism taken

care of at a different stage of the development.

Ms. Maclean said if the permit is approved, the applicant will need to apply for a grading permit, and then the engineering staff would review it for drainage, and the staff would evaluate it for the flood plain.

Mr. Voelckers asked if there is a mechanism to sort out the hydrology of the site if the threshold is not met, at 40 yards of fill, for example.

Mr. Campbell said he could guarantee there is no way this project could be accomplished for less than 50 yards of fill.

Ms. Christian said when the building permit is reviewed, that a survey is required in order to receive a certificate of elevation.

MOTION: *by Mr. Levine, to approve USE 2019 0013 and accept staff's findings, analysis and recommendations.*

Speaking in favor of the motion, Mr. Campbell said the applicant has provided documentation that property values would not be negatively affected. There is no proof that there is a drainage issue, he said. They have already discussed the traffic issue which DOT has deemed would not significantly effect the area. There are numerous ways that utilities can be brought to the site, he said. The placement of the building on an awkward corner lot seems to be putting the land to good use, said Mr. Campbell.

Speaking in support of the motion, Mr. Dye said he agrees with the assessment of Mr. Campbell.

Roll Call Vote:

The motion passed by unanimous vote.

PDF2019 0001: Final Plat approval for a major subdivision
Applicant: Roscoe G Bicknell III & Roscoe Bicknell IV
Location: Timberwolf Lane

SMP2019 0002
SMP2019 0001

Ms. Crossley disclosed that she is the first cousin of Mr. Felstead, the staff in charge of these items, but that she has no financial interest in these items.

Neither the Commission or the public voiced any objections to Ms. Crossley remaining on the panel.

Staff Recommendation

Staff recommends that the Planning Commission adopt the Director's analysis and findings and **APPROVE** the requested Final Plat. The permit would allow Final Plat Approval for the subdivision of Lots 5 and 11, Montana Creek West Phase 2B.

Mr. Felstead told the Commission the applicants are proposing to further subdivide two lots into four lots within the Montana Creek West Planned Unit Development (PUD). This would be an amendment to the existing PUD approval, he said.

Mr. LeVine said he felt the conditions could be shortened as the explanations are already in the staff report. He asked if Mr. Felstead would be amenable to shortening some of the conditions.

Mr. Felstead said that would be no problem.

Public Comment

Jared (no legible last name provided) told the Commission that his wife has a disease which makes his wife very sensitive to mold. Their only option is new construction, he said. In order for this to be affordable for them, the lots need to be subdivided, he said. They would then contract with Bicknell Construction, which would build them a house, he said.

Mr. Felstead said they need the final plat preliminary approval and final plat approval on this item.

If they provide these approvals, they can strike all of the conditions from SMTF2019 0002, said Mr. Levine, and from SMF2019 0001, if they do them in order.

Chairman Haight voiced no objection to the suggestion of Mr. LeVine.

Mr. Felstead agreed with Mr. LeVine, and said first the Commission must approve the PUD amendment, then the preliminary plat, and then the final plat.

Mr. LeVine suggested that they change Condition 2 to: *Planned Unit Development, Plat Note 1, shall be amended to accurately reflect the number of dwelling units per lot.* He suggested that Condition 4 be changed to: *Planned Unit Development Plat Number 5 shall be amended to make clear that the restriction to one dwelling unit does not preclude accessory apartments.* The plat note should additionally state: *That accessory apartments may be allowed in accordance with accessory apartments.*

MOTION: *by Mr. LeVine, to accept staff's findings, analysis and recommendations, and approve PDF2019 0001 subject to the small corrections to the conditions named above.*

The motion passed with no objection.

MOTION: *by Mr. LeVine, to approve SMP2019 0002 and SMF2019 0001 and accept staff's findings, analysis and recommendations, striking all of the conditions written into the staff report as they are unnecessary.*

The motion passed with no objection.

CSP2018 0012: Planning Commission review of Fiscal Year 2020 Capital Improvement Program

Staff Recommendation

It is recommended that the Planning Commission report to the Assembly that the CIP projects recommended for funding in FY2020 as listed in Resolution 2845(c) conform to the policies of the Juneau Comprehensive Plan.

Mr. Felstead told the Commission that this version of the CIP which will be presented to the Assembly on June 3, 2019, has very few changes to the previous version reviewed by the Commission.

MOTION: *by Mr. Dye, to move CSP2018 0012 favorably to the Assembly with the recommendation that this CIP is in conformance with the Comprehensive Plan.*

The motion passed with no objection.

Mr. LeVine commented that he thinks this CIP process is slowly improving. He said he wanted to note that at least one of the items recommended by the Commission, which is the money to begin the study for the Capital Avenue improvements, has remained in the CIP. He said his neighbors in the Flats have commented on this favorably and he said that he appreciates that it has remained in the CIP.

VIII. BOARD OF ADJUSTMENT - None

IX. OTHER BUSINESS - None

X. STAFF REPORTS

Ms. Maclean reported that May 29, 2019, is the neighborhood meeting for the Auke Bay zoning. She said this is the second to the last meeting.

The Title 49 committee meeting is May 30, 2019, at noon at CDD offices to discuss shared

access. She said that the Title 49 committee may want to consider that accessory apartments on substandard lots do not need a Conditional Use Permit provided they can meet the parking requirements. She said a request of this nature has not yet been turned down by the Commission.

Ms. Maclean said there will be a Committee of the Whole meeting on June 11, 2019, at 5:45 p.m., prior to the regular meeting, to discuss the rules of order.

XI. COMMITTEE REPORTS

Downtown Blueprint Juneau

Mr. Dye reported that Downtown Blueprint Juneau met and decided they need to meet in a larger venue. The main subject at the meeting was the need to identify sub areas early in the

Lands Committee

Mr. Voelckers reported the Lands committee met and identified that the City has a few leased properties up for auction. There was also some discussion about a gravel site across from Skater's cabin dumping some refuse in that area.

Public Works and Facilities

Mr. Campbell reported that the Public works and Facilities committee met on May 20, 2019. They had an update on the Centennial Hall remodel, and a presentation by Michelle Elfers on the playground CIP.

XII. LIAISON REPORTS

Mr. Bryson reported that on May 15, 2019, the Assembly finance committee did pass the City budget for \$375 million. That includes Bartlett Hospital, the airport, and the school district allocations, he said. The Assembly had a Committee of the Whole meeting on May 20, 2019, where they discussed a potential ordinance for nuisance properties. They had an update from the Valley Transit Center. Tax abatement is a forthcoming topic for the Assembly, said Mr. Bryson. Mr. Bryson said he was not sure if it was appropriate to ask the Commission to give its opinion on the topic to the Assembly.

Ms. Mores said she does not see where weighing in on the tax abatement issue really fits the duties assigned to the Commission within Title 49. She said if the Assembly requested an opinion from the Planning Commission, then that would be appropriate.

XIII. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - None

XIV. PLANNING COMMISSION COMMENTS AND QUESTIONS - None

XV. EXECUTIVE SESSION - None

XVI. ADJOURNMENT

The meeting was adjourned at 10:42 p.m.

DRAFT



(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/CDD
155 S. Seward Street • Juneau, AK 99801

DATE: June 13, 2019

TO: Planning Commission

FROM: Amy Liu, Planner I

A handwritten signature in black ink, appearing to read 'Amy Liu', is placed next to the 'FROM:' field.

FILE NO.: CSP2019 0005

PROPOSAL: A State project review for the construction of two (2) flashing beacon signs at the intersection of Back Loop Road and Mendenhall Loop Road

GENERAL INFORMATION

Applicant: State of Alaska Department of Transportation & Public Facilities

Property Owner: State of Alaska

Property Address: Intersection of Back Loop Road and Mendenhall Loop Road

Comprehensive Plan Future Land Use Designation: Urban Low Density Residential (ULDR)

Zoning: D5

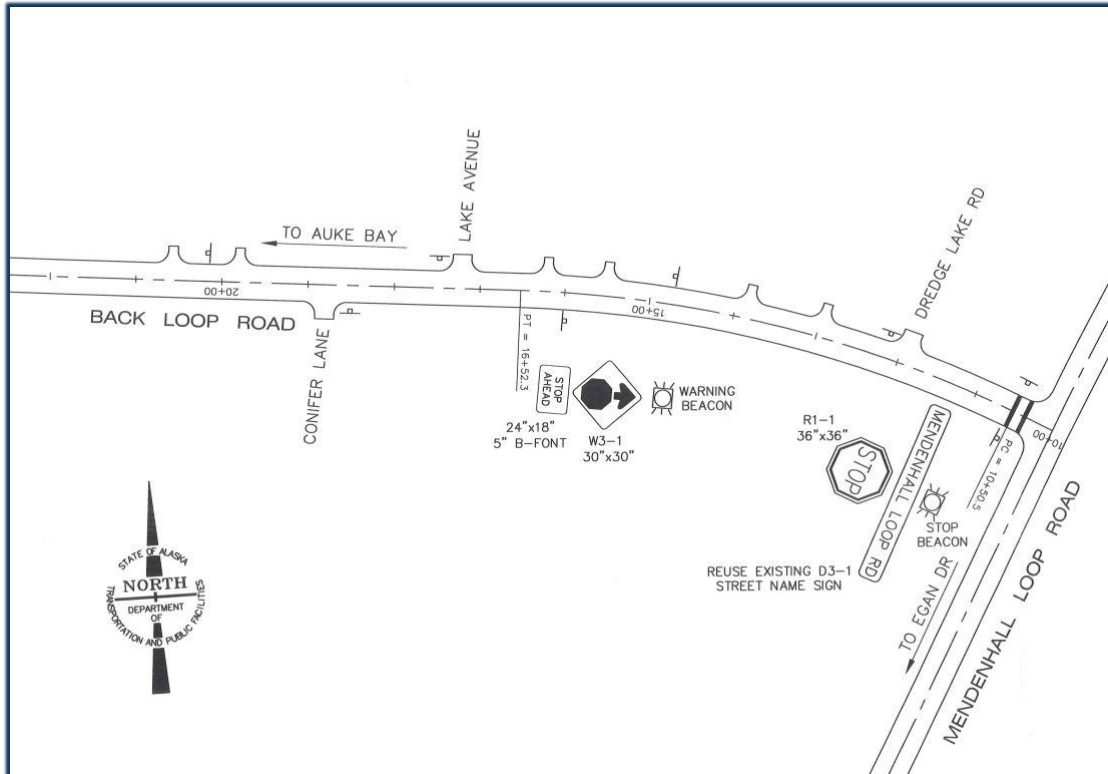
Utilities: Public water and sewer

Surrounding Land Use:

- North - Residential, U.S. Forest Service / Bureau of Land Management
- South - Residential
- East - Residential
- West - Residential

Planning Commission
 File No.: CSP2019 0005
 June 13, 2019
 Page 2 of 5

VICINITY MAP



ATTACHMENT

Attachment A – Application
 Attachment B – Email from applicant

PROPOSAL

The proposal includes two new traffic features near the intersection of Back Loop Road and Mendenhall Loop Road:

- Flashing yellow beacon above a STOP AHEAD warning sign
- Flashing red beacon above a STOP sign

The intent of the project is to provide clear, additional notification to drivers on Back Loop Road on the approach to Mendenhall Loop Road. In addition to the existing STOP AHEAD sign and STOP sign, the lights provide advance warning of an intersection ahead. Advance warning is intended to mitigate motorist accidents and pedestrian accidents.

BACKGROUND

The project site currently does not have beacon lights. Mendenhall Loop Road and Back Loop

Planning Commission
File No.: CSP2019 0005
June 13, 2019
Page 3 of 5

Road are each two lanes, one in each direction. There is a sidewalk on both sides of Mendenhall Loop Road, and a sidewalk on the southerly side of Back Loop Road. There is a bus shelter on Back Loop Road, near the intersection with Mendenhall Loop Road.

Incidents of drivers on Back Loop Road who drive onto private property or fail to stop at the intersection partly prompted the project. The proposed lights were determined to be the most efficient method for mitigating those accidents. Guardrail was considered and then dismissed, because it is not designed to arrest head-on collision. It is intended to deflect traffic into the travel lane, and/or shield a hazard, such as a cliff. Deflection of traffic may be more problematic and there is no hazard.

AGENCY REVIEW

Staff contacted CBJ General Engineering & Public Works, Street Division, and Capitol Transit. Engineering expressed no concern with the project. Staff received no other comment.

PUBLIC COMMENTS

Staff received no public comment.

ANALYSIS

Proposed State capital improvement projects must be reviewed for consistency with the CBJ Land Use code (Title 49), if they are pursuant to CBJ 49.15.580 (b). Title 49 also provides reference to the CBJ Comprehensive Plan and the plans that are officially adopted as part of the Comprehensive Plan.

49.15.580 (b) - State project review: The commission shall review proposed Alaska State capital improvement projects for consistency with this title pursuant to AS 35.30.010 and may impose conditions on and modifications to such projects. If the commission approves or approves with conditions or modifications, a notice of decision shall be issued. A notice of decision becomes final 90 days from the date the project was submitted unless modified or disapproved by the assembly. If the commission disapproves, a notice of recommendation and draft resolution shall be forwarded to the assembly for further action.

Conformity with Adopted Plans

Several adopted plans support project features.

2013 Comprehensive Plan states that the road system must be efficient.

It is critical that the community be served by an efficient roadway system that facilitates traffic flow within and between major population centers, including the Valley, Auke

Planning Commission
 File No.: CSP2019 0005
 June 13, 2019
 Page 4 of 5

Bay, and Douglas Island, as well as to and within downtown Juneau, the community's employment, cultural, and tourist center.

Juneau Non-Motorized Transportation Plan advocates for increasing pedestrian safety. The plan does not specifically address the project site, but the proposed beacon lights drawing attention to the oncoming STOP signs are consistent with the plan's recommendations to better protect pedestrian travel.

*Educate pedestrians, cyclists and motorists so all can use the transportation network safely and efficiently. This will be accomplished in part by **improving signage** and developing programs that encourage residents to choose active modes of transportation through enforcement. (pg. 1) (Emphasis added)*

Area-Wide Transportation Plan (AWTP) considers land use and future development and establishes direction with respect to transportation in Juneau. Although the project site is not mentioned specifically, enhancing signage with the beacon lights that will improve safety for pedestrians and motorists is a guiding principle of the AWTP.

Solution 1.6 – With new construction and reconstruction, evaluate pedestrian and bicycle needs and recommend sidewalks on one or both sides of a street, as appropriate, in all commercial and residential subdivisions.

Forecast transportation deficiencies relate to isolated intersection capacity and/or geometric deficiencies on Glacier Highway at the Industrial Way, Fritz Cove, and the Back Loop intersections. In addition, there is potential for significantly more development to occur in this sub-area. Such development can be more easily accommodated if steps are taken beforehand to preserve right-of-way for transportation links and connections. (pg. 20s)

2012 Juneau Safe Routes to School Plan has several recommendations to improve safety for pedestrians, especially those who are children, commuting between home and school. These demographics are in vicinity of the site due to Mendenhall River Elementary School and Floyd Dryden Middle School being less than one mile from the intersection. The plan does not explicitly mention the project's intersection, but the proposed improvements are in keeping with the general ideas of moderating traffic in order to protect pedestrians.

Habitat

There are no known habitat issues within the project site.

FINDINGS

Staff finds the proposed construction of flashing beacon lights to be consistent with CBJ adopted plans and consistent with Title 49.

Planning Commission
File No.: CSP2019 0005
June 13, 2019
Page 5 of 5

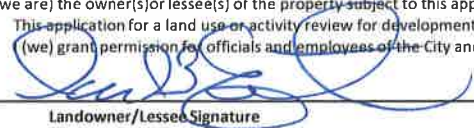
RECOMMENDATION

Staff recommends that the Planning Commission find CSP2019 0005 to be consistent with adopted local plans and polices, as required by CBJ 49.15.580 and **APPROVE** CSP2019 0005 to construct two flashing beacon signs at the intersection of Back Loop Road and Mendenhall Loop Road.



DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications.

To be completed by Applicant	PROPERTY LOCATION		
	Physical Address Back Loop Road approach to Loop Road, sta. 16+00 to sta. 10+00 (see attached)		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot)		
	Parcel Number(s) 0		
	☐ This property located in the downtown historic district ☐ This property located in a mapped hazard area, if so, which _____		
	LANDOWNER/ LESSEE		
	Property Owner State of Alaska	Contact Person David Epstein, P.E.	Phone Number(s) 907-465-4483
	Mailing Address PO Box 112500, Juneau, AK 99811-2500		907-465-4483
	E-mail Address daivd.epstein@alaska.gov		
	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. (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		4/24/19 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"			
Applicant SAME		Contact Person	
Mailing Address		Phone Number(s)	
E-mail Address		4/24/19 Date of Application	
X  Applicant's Signature			

DEPARTMENT USE ONLY BELOW THIS LINE

This form and all documents associated with it are public record once submitted.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Case Number CSP20190005	Intake Initials ANE
	Date Received 4/26/19



CITY/STATE PROJECT AND LAND ACTION REVIEW APPLICATION

See reverse side for more information regarding the permitting process and the materials required for a complete application.

NOTE: Must be accompanied by a DEVELOPMENT PERMIT APPLICATION form.

To be completed by Applicant	PROJECT SUMMARY Construct flashing beacon signs (flashing yellow beacon above a STOP AHEAD warning sign and flashing red beacon above a STOP sign) on Back Loop Road on approach to, and at the intersection with Loop Road.
	TYPE OF PROJECT REVIEW: ☐ City Project Review ☐ City Land Acquisition /Disposal ☒ State Project Review
	PROJECT NUMBERS ASSOCIATED WITH PROPOSAL: Is this project associated with any other Land Use Permits? ☐ YES Case No.: _____ ☒ NO Capital Improvement Program # (CIP) _____ Local Improvement District # (LID) _____ State Project # <u>SFHWY00240</u>
	ESTIMATED PROJECT COST: \$ 68,000
	ALL REQUIRED MATERIALS ATTACHED ☒ Complete application ☐ Pre-Application notes (if applicable) ☐ Narrative including: ☐ Current use of land or building(s) ☐ Proposed use of land or building(s) ☐ How the proposed project complies with the Comprehensive Plan ☐ How the proposed project complies with the Land Use Code (Title 49) ☒ Site Plan (details on page 2)

NOTE: This application is required even if the proposed project is associated with other Land Use permits.

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

CITY/STATE PROJECT FEES	Fees	Check No.	Receipt	Date
Application Fees	\$ <u>0</u>			

This form and all documents associated with it are public record once submitted.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Case Number <u>CS20190005</u>	Date Received <u>4/26/19</u>
----------------------------------	---------------------------------

Attachment A - Application



THE STATE
of **ALASKA**
GOVERNOR MICHAEL J. DUNLEAVY

Department of Transportation and
Public Facilities

Southcoast Region
Preconstruction – Traffic and Safety Section

RECEIVED
CSP 2019 0005
APR 26 2019

P.O. Box 112500
Juneau, AK 99811-2500
Main: 907.465.1763
Fax: 907.465.3506
dot.alaska.gov/sereg

PERMIT CENTER/CDD

April 24, 2019

Re: JNU Back Loop – Mendenhall Loop Intersection Safety Improvements HSIP, DOT&PF
Project no. SFHWY00240

Mr. Ben Haight, P.E.
Chair, CBJ Planning Commission
155 South Seward Street
Juneau, AK 99801

Dear Mr. Haight:

The enclosed plans are submitted for your review and comment, and for determination of compliance with local planning and zoning ordinances. Under AS 35.30.020, the Department must comply with local planning and zoning ordinances and other regulations in the same manner and to the same extent as other landowners. If you believe the Department's construction of this project would result in a violation of planning, zoning, or other regulations generally applicable to landowners, please identify the portions of the project that would be in violation, and the specific planning, zoning, or other regulations that you believe would be violated.

Pursuant to AS 35.30.010, you have 90 days from delivery of the plans to provide comments on the project and to notify the Department whether the project violates any planning, zoning, or other regulations. If comments are not received within this time frame, the Department is authorized to proceed with the project.

Thank you for consideration of this matter.

Sincerely,

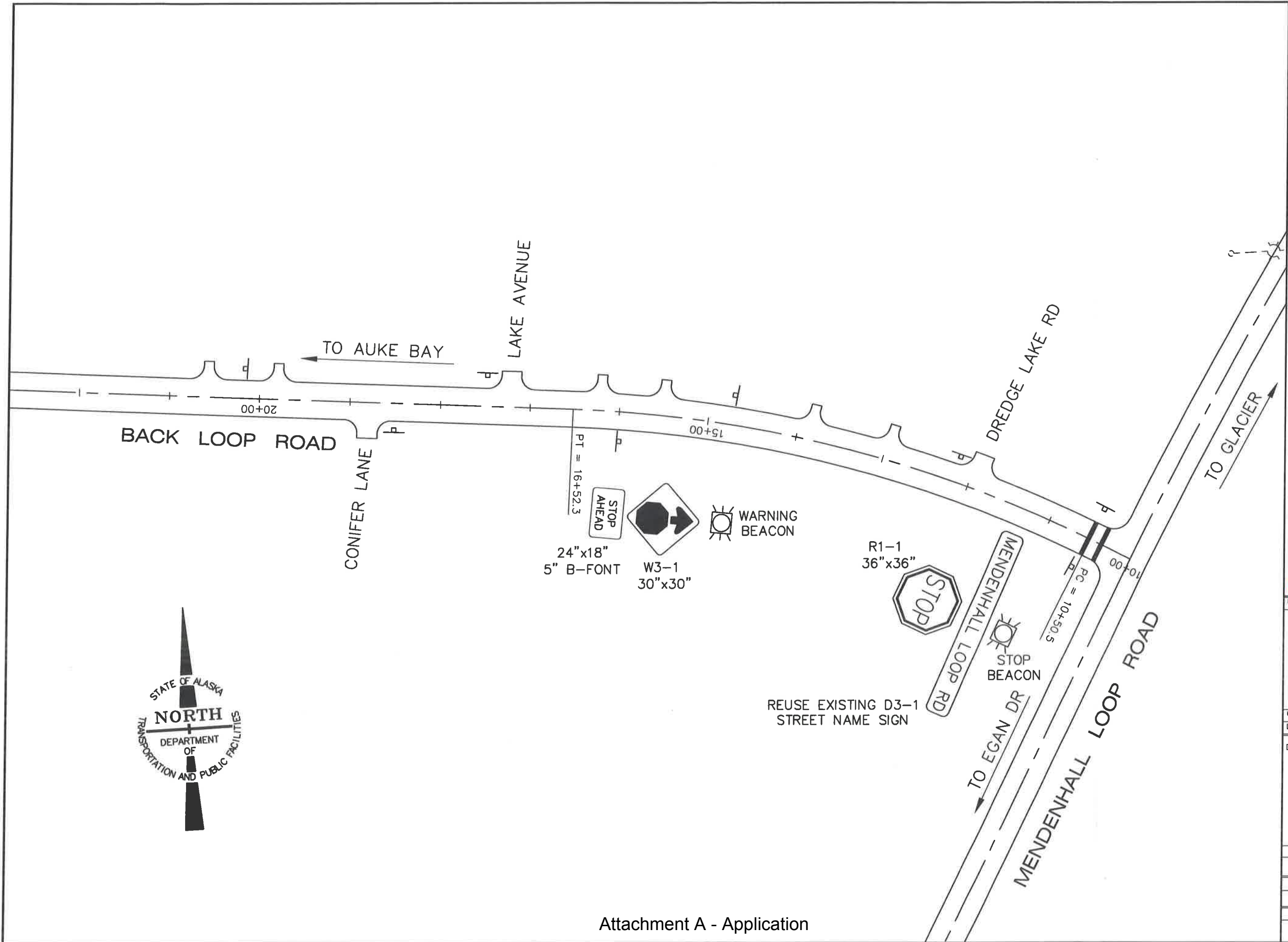
A handwritten signature in blue ink, appearing to read "David B. Epstein".

David B. Epstein, P.E.
DOT&PF Engineering Manager

Enclosure: CBJ CDD application

"Keep Alaska Moving through service and infrastructure."

Attachment A - Application



PATH: I:\Traffic\HSIP\2018 (FFY 17)\T1-4_signplan.d
Wed, 27/Jun/18 08:13AM
PLOT:
PSPACE 1=1(F) OR MSPACE 1=1(F)
TAB: TYPICALS

RECORD OF REVISIONS		
No.	DATE	DESCRIPTION

JNU - BACK LOOP ROAD
MENDENHALL LOOP
INTERSECTION
SAFETY IMPROVEMENTS

PLAN VIEW

CSP80190005

DESIGNED BY: D. EPSTEIN

CHECKED BY: D. EPSTEIN
DRAWN BY: D. STEVENS

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
& PUBLIC FACILITIES
SOUTHCOST REGION

JNU - BACK LOOP ROAD
MENDENHALL LOOP
INTERSECTION
SAFETY IMPROVEMENTS

PLAN VIEW

PROJECT DESIGNATION NUMBER
19SN01

STATE	YEAR
ALASKA	2019

SHEET NUMBER	TOTAL SHEETS
F1	1

From: Epstein, David B (DOT) <david.epstein@alaska.gov>
Sent: Tuesday, June 04, 2019 12:49 PM
To: Amy Liu
Subject: Re: CSP20190005, Beacon Lights

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Amy,

The purpose of this project is to provide clear additional notification to drivers on Back Loop Road on the approach to Mendenhall Loop Road. Advance warning of an intersection ahead and extra-conspicuous notification of the intersection itself.

As you know, there have been incidents of impaired drivers on Back Loop who fail to stop at the Loop Road intersection. Some have ended up in the backyard of a residence, and one of them actually crashed into a house.

The homes on the far side of the intersection (i.e., the imaginary extension of Back Loop Road) are outside the clear zone of Loop Road. The clear zone concept does not pertain to an extension of Back Loop Road. To erect guardrail on the east side of Loop Road to shield traffic that would drive through the intersection would be a misuse of guardrail and a potential hazard to errant drivers. We would be remiss if we installed it there. Guardrail is not meant to arrest head-on traffic but rather to deflect traffic back into the lane of travel and/or shield a hazard alongside Mendenhall Loop Road. But there is no hazard. I mention this because the affected homeowner wanted us to put up guardrail and we did not - for the reasons just provided.

So: we have been clear about what we can't do and wanted to explore what we *could* do. We settled on this project. It will not be effective in the case of a driver impaired or incapacitated to the point of loss of consciousness, however, it may make a difference to less-impaired or -incapacitated drivers. It is a relatively low-cost undertaking that we believe will provide some level of safety enhancement.

In addition to being low-cost, it is also quite simple - two signs, each provisioned with a flashing beacon. One is an advance warning sign and will have a flashing yellow beacon. The other is an oversized stop sign with a flashing red beacon.

Please advise if you have further questions.

Best

David B. Epstein, P.E.

Regional Traffic and Safety Engineer
 Alaska DOT&PF – Southcoast Region
 (907) 465-4483 desk // (907) 209-7995 cell
 Email: david.epstein@alaska.gov



On Jun 4, 2019, at 8:22 AM, Amy Liu <Amy.Liu@juneau.org> wrote:

Hi David,

Could you send me more background information about the project and its stated purpose? I've written briefly about it but am being prompted to provide more details.

Please send your feedback by tomorrow, 6/5 if possible. Thanks, and let me know if you have questions!

Amy Liu | Planner

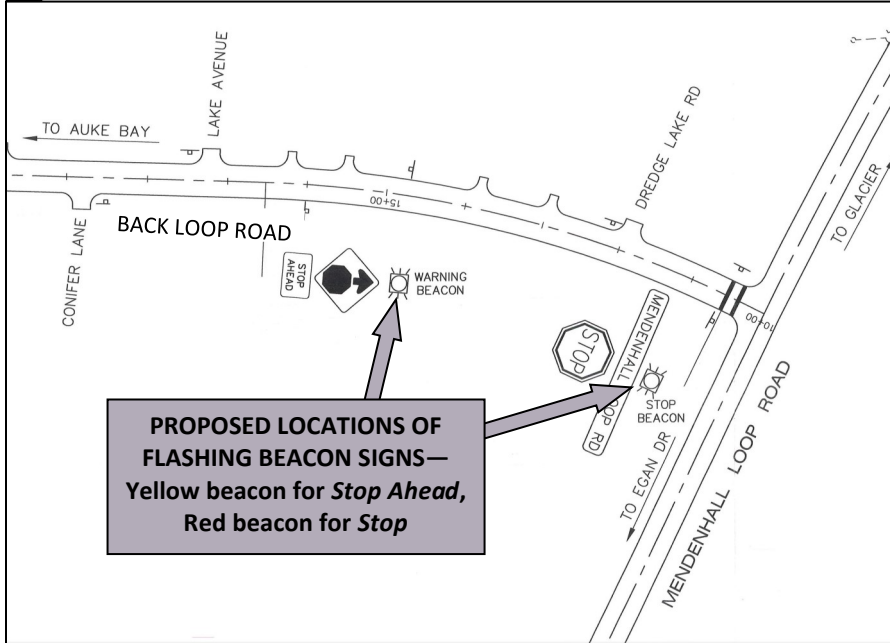
Community Development Department | City & Borough of Juneau, AK

Location: 230 S. Franklin Street, 4th Floor Marine View Building

Office: 907.586.0764

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission
Your Community, Your Voice



COMMUNITY DEVELOPMENT
155 S. Seward Street Juneau, Alaska 99801

TO:

An application has been submitted for consideration and public hearing by the Planning Commission for a **State project** to **install two flashing beacon signs** located at the **intersection of Back Loop Road and Mendenhall Loop Road**.

TIMELINE

Staff Report expected to be posted **Monday, June 17, 2019**, at <https://beta.juneau.org/assembly/assembly-minutes-and-agendas>
Find hearing results, meeting minutes and more here as well.

Now through June 3, 2019

Comments received during this period will be sent to the Planner, **Amy Liu**, to be included in the staff report.

June 4 through 12 noon, June 21

Comments received during this period will be sent directly to Commissioners to read over the weekend in preparation for the hearing.

HEARING DATE & TIME
7:00 pm, June 25, 2019

You may testify and bring up to 2 pages of written material (15 copies) in City Hall's Assembly Chambers, 155 S. Seward St., Juneau.

June 26

The results of the hearing will be posted online.

Phone: **(907)586-0715** ♦ Email: pc_comments@juneau.org
Mail: **Community Development, 155 S. Seward St, Juneau AK 99801**

CSP2019-0005

A State project review for the construction of two (2) flashing beacon signs at the intersection of Back Loop Road and Mendenhall Loop Road

June 25, 2019

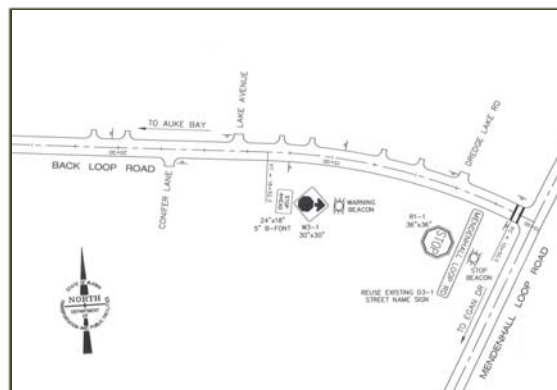


Project Description

The proposal includes **two new traffic features** near the intersection of Back Loop Road and Mendenhall Loop Road:

- **Flashing yellow beacon above a STOP AHEAD warning sign**
- **Flashing red beacon above a STOP sign**

The intent of the project is to provide clear, additional notification to drivers on Back Loop Road on the approach to Mendenhall Loop Road.



Project Background

The project site currently does not have beacon lights.

- Mendenhall Loop Road and Back Loop Road are each two lanes, one in each direction.
- There is a sidewalk on both sides of Mendenhall Loop Road, and a sidewalk on the southerly side of Back Loop Road. There is a bus shelter on Back Loop Road, near the intersection with Mendenhall Loop Road.

Incidents of drivers on Back Loop Road who drive onto private property or fail to stop at the intersection partly prompted the project. The proposed lights were determined to be the most efficient method for mitigating those accidents.

- Guardrail was considered and then dismissed, because it is not designed to arrest head-on collision. It is intended to deflect traffic into the travel lane, and/or shield a hazard, such as a cliff. Deflection of traffic may be more problematic and there is no hazard.



Agency Review and Public Comment

Staff contacted CBJ General Engineering & Public Works, Street Division, and Capitol Transit. Engineering expressed no concern with the project. Staff received no other comment.

A resident wrote a letter commenting on the project after the staff report deadline. The resident expressed that the lights would be ineffective, and recommended a three way stop.

- Staff called the resident and elaborated on the need for further evaluation of the recommendation, for which funding is not available at this time.



Conformity With Adopted Plans

- 2013 Comprehensive Plan states that the road system must be efficient.
- **Juneau Non-Motorized Transportation Plan** advocates for increasing pedestrian safety. The plan does not specifically address the project site, but the proposed beacon lights drawing attention to the oncoming STOP signs are consistent with the plan's recommendations to better protect pedestrian travel.
- **Area-Wide Transportation Plan (AWTP)** considers land use and future development and establishes direction with respect to transportation in Juneau. Although the project site is not mentioned specifically, enhancing signage with the beacon lights that will improve safety for pedestrians and motorists is a guiding principle of the AWTP.
- **2012 Juneau Safe Routes to School Plan** has several recommendations to improve safety for pedestrians, especially those who are children, commuting between home and school. These demographics are in vicinity of the site due to Mendenhall River Elementary School and Floyd Dryden Middle School being less than one mile from the intersection. The plan does not explicitly mention the project's intersection, but the proposed improvements are in keeping with the general ideas of moderating traffic in order to protect pedestrians.



Findings and Recommendation

Staff finds the proposed construction of flashing beacon lights to be consistent with CBJ adopted plans and consistent with Title 49.

Staff recommends that the Planning Commission find CSP2019 0005 to be consistent with adopted local plans and policies, as required by CBJ 49.15.580 and APPROVE CSP2019 0005 to construct two flashing beacon signs at the intersection of Back Loop Road and Mendenhall Loop Road.





(907) 586-0715
 CDD_Admin@juneau.org
 www.juneau.org/CDD
 155 S. Seward Street • Juneau, AK 99801

DATE: June 17, 2019
TO: Planning Commission
FROM: Alexandra Pierce, Planning Manager
 Community Development Department

CASE NO.: AME2019 0006

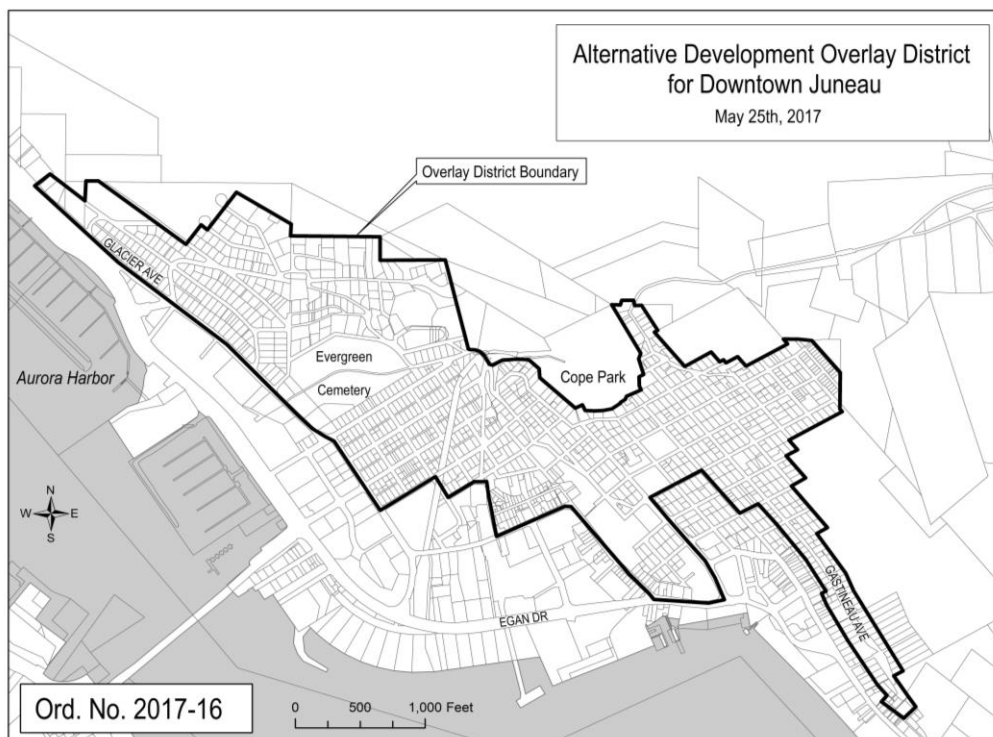
PROPOSAL: An amendment to Article XII Alternative Development Overlay District (CBJ 49.70.1210), extending the sunset date for downtown Juneau ADOD from August 1, 2019, to August 1, 2020

The City and Borough of Juneau Code states in CBJ 49.10.170(d) that the Commission shall make recommendations to the Assembly on all proposed amendments to this title, zonings and re-zonings, indicating compliance with the provisions of this title and the Comprehensive Plan.

Applicant: City and Borough of Juneau

Legal Description: Downtown Juneau Alternative Development Overlay District (ADOD)

VICINITY MAP



Planning Commission
Case No.: AME2019 0006
June 17, 2019
Page 2 of 2

BACKGROUND

This is an amendment to Article XII. - Alternative Development Overlay District (CBJ 49.70.1210), extending the sunset date for the downtown Juneau ADOD from August 1, 2019, to August 1, 2020.

The purpose of the ADOD is to provide adequate minimum standards and procedures for the construction of new residential buildings and the expansion, restoration, or repair of existing residential buildings, while providing time to implement new zoning regulations. This extension provides adequate time for the review and adoption of new zoning for the downtown neighborhoods. CDD staff has been working with the Title 49 Committee to develop regulations that bring a significant number of currently nonconforming properties into conformance and work with the existing neighborhoods in downtown Juneau.

On April 11, 2019, the Title 49 Committee reviewed staff's proposed text and map amendments to Title 49 regarding downtown Juneau residential zonings. The Committee asked staff to consider sliding setbacks or another alternative that would bring more lots into conformity. Staff is currently reviewing alternatives to Euclidean Zoning and will present these findings to the Title 49 Committee at a meeting in the near future.

The proposed ordinance (extension of Ord. 2017-16) would rezone certain areas of downtown Juneau. Downtown Juneau, as well as the rest of the borough, was rezoned in 1987. Suburban-type zoning districts were applied to the established urban neighborhoods of downtown Juneau and downtown Douglas. At this time, staff is not seeking an extension to the downtown Douglas ADOD, which expires in August 2020.

The Assembly will hear this amendment for first reading on June 24, 2019, and will hear the amendment for second reading and determination on July 22, 2019.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission make a recommendation to the Assembly to **extend** the downtown Juneau ADOD from August 1, 2019, to August 1, 2020.



Planning Commission

(907) 586-0715
PC_Comments@juneau.org
www.juneau.org/plancomm
155 S. Seward Street • Juneau, AK 99801

PLANNING COMMISSION NOTICE OF RECOMMENDATION

Date: July 3, 2019

Case No.: AME2019 0006

City and Borough of Juneau
City and Borough Assembly
155 South Seward Street
Juneau, AK 99801

Proposal: Planning Commission recommendation to the City and Borough Assembly regarding an amendment to Article XII Alternative Development Overlay District (CBJ 49.70.1210), extending the sunset date for downtown Juneau ADOD from August 1, 2019, to August 1, 2020.

Project Location: Refer to map adopted with Ordinance 2017-16

Hearing Date: June 25, 2019

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated June 17, 2019, and recommended that the City and Borough Assembly adopt staff's recommendation for an amendment to Article XII Alternative Development Overlay District (CBJ 49.70.1210), extending the sunset date for downtown Juneau ADOD from August 1, 2019, to August 1, 2020.

Attachments: June 17, 2019 memorandum from Alexandra Pierce, Planning Manager, Community Development, to the CBJ Planning Commission regarding AME2019 0006.

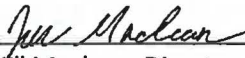
This Notice of Recommendation constitutes a recommendation of the CBJ Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of CBJ 01.50.020 (b).

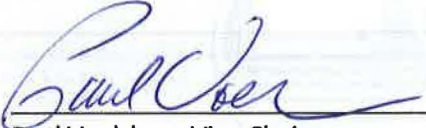
City and Borough Assembly

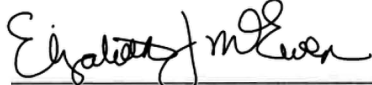
Case No.: AME2019 0006

July 3, 2019

Page 2 of 2

Project Planner: 
Jill Maclean, Director
Community Development Department


Paul Voelckers, Vice-Chair
Planning Commission


Filed With Municipal Clerk

7/9/2019
Date

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this recommended text amendment. ADA regulations have access requirements above and beyond CBJ - adopted regulations. 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.



(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/CDD
155 S. Seward Street • Juneau, AK 99801

DATE: June 17, 2019

TO: Planning Commission

FROM: Tim Felstead, Planner 
Community Development Department

CASE NO.: USE2019 0015/CSP2019 0008

PROPOSAL: Conditional Use Permit to build a Valley Transit Center with associated Park and Ride facilities

Consistency review to build a Valley Transit Center with associated Park and Ride facilities

GENERAL INFORMATION

Applicant: CBJ Department of Engineering and Public Works

Property Owner: Tower Legacy I LLC

Property Address: 9101 Mendenhall Mall Road

Legal Description: USS 381 Mendenhall Mall TR M3

Parcel Code Number: 5B1601380030

Site Size: 64,783 square feet (1.57 acres)

Comprehensive Plan Future Land Use Designation: Traditional Town Center (TTC)

Zoning: Light Commercial

Utilities: Public water/public sewer

Access: Riverside Drive or Mendenhall Loop Road onto Mendenhall Mall Road (private road)

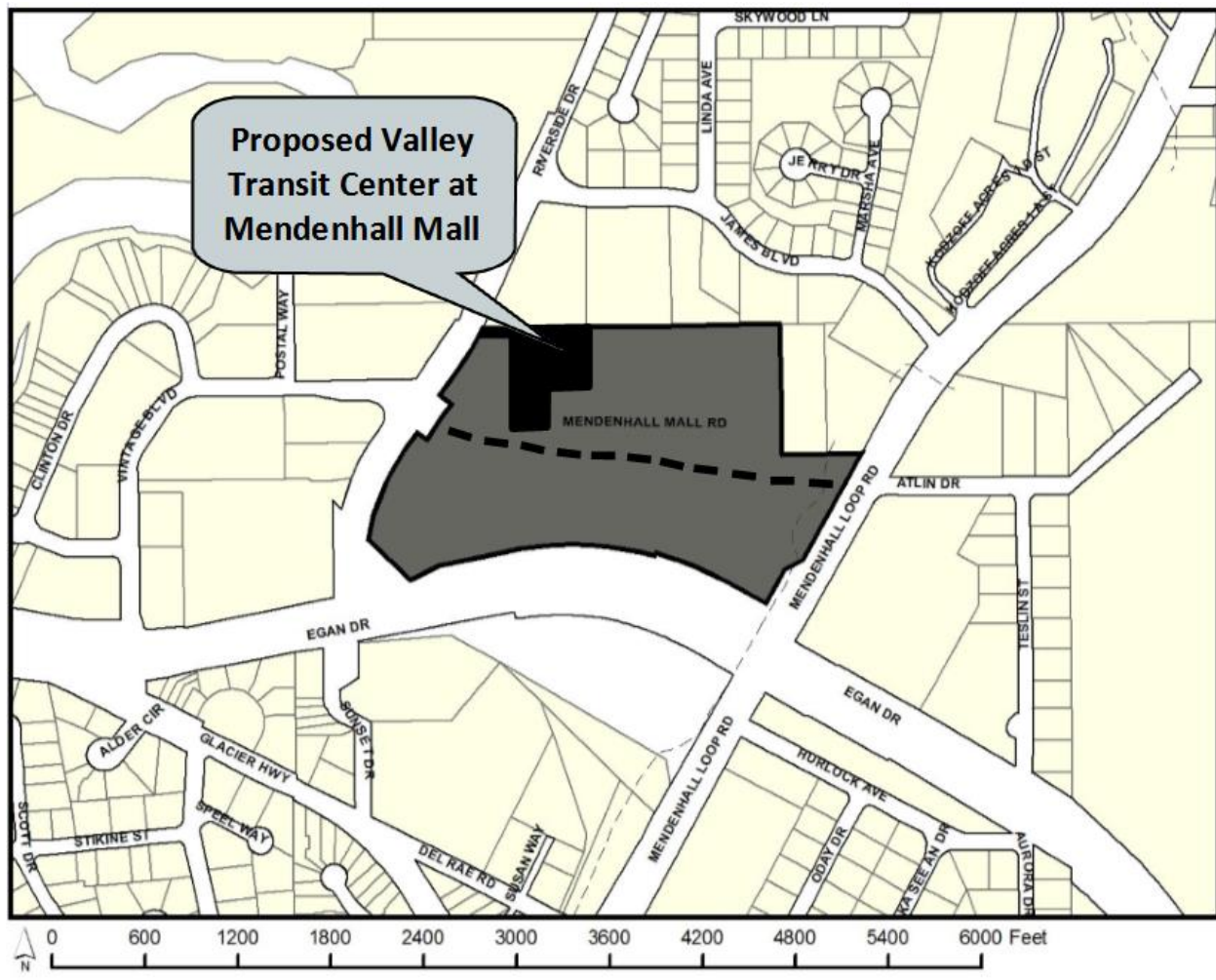
Planning Commission
Case No.: USE 2019 0015/CSP2019 0008
June 17, 2019
Page 2 of 18

Existing Land Use: Specific site is vacant. Mall site includes offices, retail, restaurants, auto repair, and service station.

Surrounding Land Use:

North	-	Exercise facility (LC)
South	-	Private Mendenhall Road (LC), Mendenhall Mall (LC)
East	-	Retail; Restaurant (LC)
West	-	Restaurant (LC); Riverside Drive Right-of-Way

VICINITY MAP



ATTACHMENTS

Attachment A – Application including narrative and site plan

Planning Commission
Case No.: USE 2019 0015/CSP2019 0008
June 17, 2019
Page 3 of 18

PROJECT DESCRIPTION

The applicant requests a Conditional Use Permit for the development of a public transit center and associated park and ride facility for Capital Transit.

BACKGROUND

Capital Transit has been examining amendments to its routes and timings for a number of years, since the Assembly adopted the 2014 CBJ Transit Development Plan (Resolution 2685). Significant service changes were recommended in the plan that include adding service to Riverside Drive and providing earlier service start and later service stop times. A major goal of the plan was eliminating or reducing the number of missed timed transfers at the Mendenhall Valley Transfer station currently located in the Mallard Street right-of-way at the rear of Nugget Mall. The Plan was guided by the following goals:

- 1. Ensure that routes have adequate time to operate on schedule.**
2. Provide service to new residential and employment areas including Riverside Drive, the Lemon Creek industrial/employment area, Juneau International Airport and the AMHS Ferry Terminal.
- 3. Maintain timed transfers to the greatest extent possible, and provide convenient and comfortable transfer locations.**
4. Operate all downtown service to, from, or via the Downtown Transit Center.
5. Match service levels with ridership demand to ensure resources are being used as efficiently as possible.
6. Ensure that service design, marketing information, buses, and other elements of the service are as legible and easy to understand as possible.

During the development of new bus schedules recommended by the plan, Capital Transit realized that the route segment times used for the development of the original plan were inaccurate, and that the proposed timed transfers at Mallard Street behind the Nugget Mall were not feasible. CSP2014 0019 reviewed the possibility of relocating the Valley Transfer location further north, adjacent to the Pipeline Skate Park. A number of timetable changes were also recommended. However, a number of the proposed route and timetable recommendations proved unpopular and the Assembly directed Capital Transit to develop alternatives.

The current timetable and routes were developed in 2015 (reviewed CSP2015 0013) and did not require the Skate Park to be used as a transfer location, which remained at Nugget Mall.

The Nugget Mall transfer point has operational issues associated with it. There is no breakroom or public rest room facilities in the immediate facilities and the operators of Nugget Mall

Planning Commission
Case No.: USE 2019 0015/CSP2019 0008
June 17, 2019
Page 4 of 18

discourage transit users from using their bathroom facilities. There are no off-street parking spaces for use by Capital Transit to facilitate driver changes (a Capital Transit car is used to take the driver to the bus). Surrounding private parking lot ownership limits CBJ's efforts to provide a dedicated Park and Ride site. The transfer location is also remote from the main population centers in the Valley.

Two sites were preliminarily explored for the new Valley Transit Center (VTC) location: one in Vintage Park and the other on a vacant portion of Mendenhall Mall, which the owners would subdivide and sell to CBJ.

The preferred option subject to this review is the location within the Mendenhall Mall property. Capital Transit have been developing new timetables, which would work with each location.

Funding for the project will come from a Federal Transit Authority (FTA) grant with a grant match of ~\$1M from CBJ.

ANALYSIS

The proposed development is required to be subject to a Conditional Use Permit review, because it meets the definition of a 'transit center' rather than a 'transit station'. The CBJ land use code (see CBJ 49.80.120) defines a transit center as:

Transit center means a building or facility adjacent to an area where two or more transit vehicles stop for the purposes of layover, transfer, or route termination. A transit center will typically include one or more of the following: information kiosk, vending, snack shop, break room, police substation, bike storage lockers or racks, indoor waiting area, covered platform, private restrooms, public restrooms, and other amenities supporting transit operations.

Transit station means a building or facility within or adjacent to the right-of-way where two or more transit vehicles stop for the purposes of transfer, or route termination. A transit station will typically include one or more of the following: information kiosk, vending, bike storage lockers or racks, covered platform.

Based on the proposed design for the VTC it is only the provision of a breakroom, private bathroom, and possible public bathroom that elevate the proposal to needing a Conditional Use Permit. A transit station would not require a Conditional Use Permit.

It should be noted that the applicant's site plan changed after the application was first submitted and there are minor discrepancies between their narrative and the latest site plan. These differences do not impact the analysis in this staff report.

Planning Commission

Case No.: USE 2019 0015/CSP2019 0008

June 17, 2019

Page 5 of 18

Project Site – The project site is a vacant part of the Mendenhall Mall site. Mendenhall Mall is one large, privately owned lot. While public traffic does pass through the site between Mendenhall Loop Road and Riverside Drive public rights-of-way (ROW), Mendenhall Mall Road is actually a private road that is maintained by the owners of Mendenhall Mall. Within the Mendenhall Mall site is the main mall building itself on the south side of Mendenhall Mall Road, with uses including retail stores, a supermarket, offices, bars, and restaurants. On the north side are a number of standalone buildings, which are under private ownership, but lease the land under and surrounding their stores.

A 1990 site plan, submitted when an addition was being added to link the mall to an adjacent office annex, identifies the proposed VTC site for future retail expansion, as well as providing an area for snow storage for the rest of the mall site. In 2015, CBJ undertook a review of required parking for the Mendenhall Mall site using updated parking requirements. This review reduced the number of required spaces. The 1990 site plan showed that 657 spaces were available on property that was not leased to other businesses nor included in the proposed VTC location. The revised parking count for the mall building is 524 parking spaces with 6 loading zones. This means that the mall has surplus space to use for snow storage if the VTC area is removed from the site.

The proposed VTC lot is 64,783 square feet. The immediate boundaries of the new lot are surrounded by commercial uses.

The proposed subdivision that would allow the subject site to be separated from the rest of the mall property would be a minor subdivision, which would require Director approval only. The proposed lot lines would ensure the lot had direct and practical access on Riverside Drive and the required 20 feet of lot width and frontage on a publically maintained ROW.

Project Design – The proposed design would provide a looped bus staging area for buses only with space for six bus stalls. The looped design means walking, transferring passengers do not have to walk along a line of buses to find their next service. A separated parking area for 59 Park and Ride or dedicated Capital Transit parking spaces is proposed.

The site will include a building for a breakroom for Capital Transit Staff, including a bathroom and potentially a public bathroom. Setbacks in Light Commercial are shown in the table below – all buildings (including shelters) on the lot meet the minimum setback requirements.

Setback	Distance (feet)
Front	25
Street side	17
Side	10
Rear	10

Planning Commission
Case No.: USE 2019 0015/CSP2019 0008
June 17, 2019
Page 6 of 18

The project will not cost more than \$5M, so it will not trigger a need to meet LEED Certification. However, there are elements of the breakroom and restroom design that should incorporate sustainable elements such as the heating and water fixtures (see comments on 'Juneau Climate Action and Implementation Plan' under 'Consistency with Adopted Plans' below).

Traffic – According to the Institute of Transportation Engineers (ITE) Trip Generation manual (9th Edition) each Park and Ride space will generate 4.5 trips (range of 3.90 and 7.06 trips per space). Based on 59 parking spaces this would result in 265.5 trips per day. This trip number probably reflects both the bus services and multiple use of the spaces. It should be noted that bus services already use the Mendenhall Road and should be considered as an existing condition. Per CBJ 49.40.300(a)(3), the Director has discretion to require a Traffic Impact Analysis (TIA) if the project will generate between 250 and 499 Average Daily Trips. The Director, in consultation with CBJ Engineering, has determined that a TIA is not required. Contributing factors for this decision were:

- Some of the traffic expected is actually already present as buses already run through the area.
- The Park and Ride will be a commuter Park and Ride, which is expected to have a lower trip generation than 4.5 trips per parking space. The lower number from the ITE studies would not generate enough trips to trigger a TIA.
- Existing Level of Service (LOS) B at the intersections of Mendenhall Mall Road with Mendenhall Loop Road (no LOS data was available for Riverside Drive).
- The number of additional trips is only 3.7% of the 7,153 daily trips on Mendenhall Mall Road (DOT&PF 2017 Average Annual Daily Traffic Counts).
- John Bohan with CBJ Engineering has stated that given the existing traffic control at either end of Mendenhall Mall Road, there are no other control options that could improve the LOS.
- Park and Ride is intended to have broader benefits to LOS at the intersections on Egan Drive.

DOT&PF were contacted for comment given the VTC's proximity to DOT&PF managed streets. Their only concerns were regarding implications for Riverside Drive with the right turn only exit and interactions with the Juneau Racquet Club's parking lot access. DOT&PF do note that since they do not manage Riverside Drive it should be treated as advice only. The separation of the Riverside Drive exit does meet CBJ Standard details 103B for driveway design

Parking and Circulation – As mentioned above, the Park and Ride lot will have 59 spaces. The access into the bus loop would be from Mendenhall Mall Road. There will be a separate access for the Park and Ride area: one two-way ingress/egress onto Mendenhall Mall Road and one right turn only exit onto Riverside Drive.

For the CSP recommendation, it is recommended that Capital Transit should have a formal

Planning Commission
Case No.: USE 2019 0015/CSP2019 0008
June 17, 2019
Page 7 of 18

access easement agreement with the owners of the mall for use of Mendenhall Mall Road for the Valley Transit Center buses and users.

Per CBJ 49.40.220(b), parking plans for major developments are required to be prepared by a professional engineer or architect. The submitted site plan is stamped by a State Licensed Engineer. The parking spaces meet or exceed the minimum width of 8.5 feet wide x 17 feet deep. Access aisle widths meet or exceed the minimums required.

CBJ49.40.210(b)(3) requires 1 accessible parking space to be included in each 25 parking spaces provided. The parking lot would be required to provide 3 accessible parking spaces, one of which should be van accessible. The design provides 2 van accessible spaces and 2 standard accessible spaces and so exceeds the Land Use Code requirements. The access aisles have access directly onto the internal sidewalk.

The Land Use Code does not require right-of-way intersection standard markings and signage at access points to rights-of-way.

Transit centers do not come with a Park and Ride requirement. The only parking spaces required are calculated based on the size of the bus driver breakroom and bathroom facilities. Based upon the proposed breakroom size of 15 feet x 20 feet, there is no use specified in the parking minimum standards table in CBJ 49.40.210. CBJ 49.40.200(3) allows the most comparable use to be used to determine the parking requirement. The breakroom is most similar to a restaurant (1 space per 200 square feet) or office space (1 space per 300 square feet). The parking lot can accommodate these required spaces.

While not mentioned in the application narrative, it is planned to install some electric charging stations for private vehicles. Level I and Level II chargers would be appropriate for vehicles that will typically park for longer durations. While not dedicated to Park and Ride use, it might be a suitable location for CBJ to provide a DC fast charger location in the Valley. However, there are cost implications to upgrading circuits to handle fast chargers and electricity tariff implications, as it would likely trigger a demand charge. The placement of a fast charger in the Downtown Transit Center (DTC) made sense because an electricity demand charge is already triggered for many months of the year. This is due to other uses on the circuit (i.e. DTC parking structure lighting, police sub-station, Capital Transit breakroom and waiting facilities, and the sidewalk and parking structure ramp heating).

The VTC might also be used for short 'during trip' charging for the electric buses that are expected to be introduced to the Capital Transit fleet by 2019. This is still to be determined and plans to provide conduit and space for bus charging infrastructure will be included in the design.

The owners of the mall have indicated to the applicant that they would participate in a joint use

Planning Commission
Case No.: USE 2019 0015/CSP2019 0008
June 17, 2019
Page 8 of 18

or shared use parking agreement that could accommodate future overspill of the Park and Ride. Based on the above-mentioned review of required parking spaces for the mall, there would be some surplus spaces that could be used in the mall parking lot.

Per CBJ 49.40.200, any joint use parking (i.e. a primarily daytime use and primarily nighttime use sharing parking spaces) requires Planning Commission approval and the Commission would have to determine the appropriate reduction. The applicant does not have sufficient information at this time to know that a joint use agreement would be required. They would need to amend this Conditional Use Permit, if approved, to get approval for joint use parking. A shared parking situation would be when surplus parking spaces on a lot are made available to a use on a different lot. This would only need an agreement between the two lot owners, however, CDD would like to review any agreement to verify that the spaces were in fact surplus and there was still sufficient snow storage area.

Vegetative Cover and Landscaping – CBJ 49.50.110 requires that Light Commercial lots have a minimum of 15% vegetative cover. In addition, the Land Use Code requires parking and circulation areas to be ‘attractively landscaped’ (CBJ 49.40.230(a)). CBJ 49.40.230(c)(1) states parking areas ‘shall be landscaped in accordance with design review standards’. However, Title 3 of the CBJ Administrative Code no longer includes design review standards for parking lot design. Staff can only subjectively assess whether the parking lot design is ‘attractive’.

The Land Use Code does however define ‘Landscape’ (CBJ 49.80.120) as:

(2) To add lawns, trees, plants, or other natural and decorative features to land.

The applicant’s site plan shows that 17.1% of the lot area will be vegetation. The current proposal shows an existing vegetated swale along the north property line will be retained and it is hoped to retain existing trees along the west property line. Landscaping will also be provided around the bus-staging loop and the perimeter around heritage coffee.

Drainage and Snow Storage – The applicants propose to use a drainage swale along the north property line and area drains within the paved area. A building permit will be required for the development. The drainage will be designed and reviewed in more detail at that time under the requirement of the CBJ Building Code (Title 19) and to ensure conformity with 2010 CBJ Stormwater Manual of Best Management Practices. CBJ General Engineering will review the drainage and have no issues with the site being able to provide suitable drainage. Snow storage has not been addressed, but since there is no minimum parking space requirement, it is possible that a number of the Park and Ride spaces could be used as snow storage if needed.

Lighting – Although there is no objective minimum illumination standard required, per 49.40.230(d), all parking areas shall be suitably lit and shall use full cut-off lighting to prevent glare onto neighboring properties. The applicant’s narrative states that they will use full cut-off

Planning Commission
Case No.: USE 2019 0015/CSP2019 0008
June 17, 2019
Page 9 of 18

lighting, but no specifications of the fixtures or lighting are shown on the site plan.

It is recommended as a condition of approval of the Conditional Use Permit, that prior to issuance of a Building Permit, the applicant shall submit a lighting plan illustrating the location and type of exterior lighting proposed for the development. Exterior lighting shall be designed, located, and installed to minimize offsite glare. Approval of the plan shall be at the discretion of the Community Development Department Director, according to the requirements per CBJ 49.40.230(d).

The applicant has stated that all lighting will be LED lighting. A streetlight is currently located 50 feet from the Riverside Drive exit and overhead power lines could make placing a full-height street light directly at the exit difficult. A smaller pedestrian scale light should be considered instead. Pedestrian scale lighting is encouraged throughout the facility. There are no streetlights lining Mendenhall Mall Road.

It is recommended as a condition of approval of the Conditional Use permit, that prior to issuance of a Building Permit, an approved lighting plan shall include lighting immediately adjacent to the driveway exits onto both Mendenhall Mall Road and Riverside Drive.

Waiting facilities – There are no provisions in CBJ plans that describe minimum requirements for restrooms. The type of waiting facilities and provision of public restroom facilities has been something discussed by Staff during the design process. The proposed site plan includes covered shelters and bathrooms. While heated, fully enclosed shelters would be desirable, experience with issues of loitering in the DTC waiting area has understandably caused concern of the same issues occurring at the VTC. The provision of covered shelters is the minimum that should be expected of a Park and Ride and a transit hub where passengers may be expected to wait up to 5 minutes for their transfer. Providing no heated shelter may have an impact on the popularity of the Park and Ride during the winter months, or encourage people to sit in idling cars until their bus arrives.

A private restroom for the drivers is a certainty and one of a number of attractions for Capital Transit, as their drivers have limited opportunities for restroom breaks. The provision of public restrooms at the VTC is also something that has been the subject of discussion. The provision of restroom facilities is something that has been provided on an informal basis at Nugget Mall. Not providing a restroom will likely serve as a barrier to users, or force them to use restrooms in local businesses. Local businesses may react by locking their own bathrooms, or giving a key or access code to patrons only – this would add an indirect cost to the use of the bus system.

There is nothing in adopted plans that give Staff guidance on required provisions of restrooms at transit facilities.

Planning Commission
Case No.: USE 2019 0015/CSP2019 0008
June 17, 2019
Page 10 of 18

Non-motorized transportation – The applicant intends to use some of the open paved space in the staging loop to contain bike lockers and covered bike racks; although, none are shown on the site plan at this early stage in the project design. CBJ has no minimum number of bike spaces per number of parking spaces. Since the bikes are likely to be long-term parkers, i.e. more than an hour, secure lockers would be more attractive to ‘Bike and Ride’ users, though some covered bicycle racks would also be recommended. CBJ busses also have racks to carry bikes on the front of them. An 8-foot pedestrian and bicycle shared path is also proposed to run alongside the direct access to Riverside Drive. Unfortunately, Mendenhall Mall Road has poor pedestrian and cycle infrastructure with no sidewalks or bike lanes. The new owners of Mendenhall Mall hope to improve Mendenhall Mall Road in the future as part of their wider development plans.

CBJ 49.40.230(b)(5) requires that sidewalks be at least 4 feet wide with a raised curb of at least 6 inches; where wheel stops are not used to prevent vehicles overhanging the sidewalk, the sidewalk must be 6 feet wide. The site plan does not show wheel stops but the width of the sidewalk from curb face to the edge of sidewalk is measured at ~8 feet.

The Juneau Non-motorized Transportation Plan calls for bike racks to have to points of contact on which to rest a bike and they allow for the frame of the bike to lock to the rack with a U-lock.

It is recommended as a condition of approval of the Conditional Use Permit, that any bike racks shall be permanently affixed to the ground, building, or other permanent fixture, and shall be located so that parked bicycles do not encroach into a pedestrian walkway or vehicle area. Covered bicycle racks shall, at a minimum, be designed in accordance with the standards listed in the Juneau Non-Motorized Transportation Plan. [2009 edition, page 44]

While the DTC has heated sidewalks for snow clearance, this is not planned for the VTC.

Noise – Operational noise from the development will not be out of keeping with the existing uses in the Mendenhall Mall area. The nearest residential dwelling is ~300 feet from the perimeter of the bus-staging or parking area. One public comment was received stating concern about construction noise. Construction noise could result from any development of this lot, including uses that would not require a Conditional Use Permit.

Public Health or Safety - The structures meet all zoning requirements for height and setbacks and they will need to meet all applicable building code construction requirements.

Habitat – There are no habitats regulated by the CBJ Land Use Code that would be impacted by the development.

Planning Commission
Case No.: USE 2019 0015/CSP2019 0008
June 17, 2019
Page 11 of 18

Property Value or Neighborhood Harmony – The CBJ Assessor has stated:

“...the impact will be positive if anything. Definitely no negative impact on the area and it will provide vast improvement on commute traffic for employees working downtown and those wanting to travel without taking their personal vehicle.”

One member of the public who lives on James Boulevard commented that they are concerned the development will increase the number of pedestrians in their neighborhood. James Boulevard is the street to the north of the subject site.

Conformity with Adopted Plans –

CBJ Comprehensive Plan 2013

The proposed development is in an area identified in the Comprehensive Plan Land Use Maps as Traditional Town Center (TTC).

These lands are characterized by high density residential and non-residential land uses in downtown areas and around shopping centers, the University, major employment centers and public transit corridors, as well as other areas suitable for a mixture of retail, office, general commercial, and high density residential uses at densities at 18 or more residential units per acre. Residential and non-residential uses could be combined within a single structure, including off-street parking. Ground floor retail space facing roads with parking behind the retail and housing above would be an appropriate and efficient use of the land.

The CBJ Comprehensive Plan is supportive of the transit orientated development and Park and Ride.

POLICY 8.5 TO PROMOTE A BALANCED, WELL-INTEGRATED LOCAL MULTI-MODAL SURFACE TRANSPORTATION SYSTEM THAT PROVIDES SAFE, CONVENIENT AND ENERGY-EFFICIENT ACCESS AND TRANSPORT FOR PEOPLE AND COMMODITIES.

Standard Operating Procedures

8.5 - SOP1 Provide a safe, convenient, reliable and low-cost public transit and rapid transit system within the Urban Service Area to ensure that within that area, everyone has the ability to access work, school, services, shopping and leisure activities by public transit, with stops located so as to be within ½ mile of each other along routes.

Planning Commission

Case No.: USE 2019 0015/CSP2019 0008

June 17, 2019

Page 12 of 18

8.5 - SOP3 Provide public transit services to low- and moderate-income neighborhoods and support supplementary transit service for the elderly, handicapped and homeless residents seeking work or medical or social services.

Implementing Actions

8.5 - IA3 Update, adopt and implement the Capital Transit Development Plan...

8.5 - IA8 Construct or complete the improvements and planning documents called for in the Area Wide Transportation Plan as funding becomes available. Where there is a public need for those improvements in the immediate future, actively pursue the funding needed to complete those improvements.

POLICY 8.6. TO PROMOTE AND FACILITATE TRANSPORTATION ALTERNATIVES TO PRIVATE VEHICLES AS A MEANS OF REDUCING TRAFFIC CONGESTION, AIR POLLUTION AND THE CONSUMPTION OF FOSSIL FUELS, AND TO PROVIDE SAFE AND HEALTHY MEANS OF TRANSPORTATION TO ALL PEOPLE.

The Comprehensive Plan also notes that ‘*Park and Ride facilities at transfer locations*’ and ‘*Secure storage for bicycles at transit stops...*’ should be a feature of a Transit First policy (p.113).

Use of a dedicated Park and Ride site close to Egan Drive, Mendenhall Loop Road, and Riverside Drive is expected to result in reduced parking demand in the downtown area.

Capital Transit Development Plan (CTDP) (2014)

The CTDP provided recommendations for route changes to the transit system. The existing Nugget Mall transfer location has operational issues for Capital Transit from both a timetabling and facilities perspective. Based on provisional timetabling studies, Capital Transit believe the relocation of the Valley Transfer location from Nugget Mall to the proposed VTC will enable services to better coordinate transfers while delivering a more reliable system. Other advantages are improved break facilities for drivers and transit hub closer to the main valley population center. Capital Transit have stressed that future route changes will not remove service from Nugget Mall. Capital Transit plan extensive public outreach during review of new timetables.

Park and Ride was also discussed in the plan to a limited extent (p. 3-10). It was recommended to use existing parking lots, where possible, when creating formal Park and Ride locations. While the VTC will provide some parking on a lot owned by CBJ, the proximity to the Mendenhall Mall parking lot, which has land and surplus spaces, provides potential for Park and Ride to expand in the immediate proximity of the VTC.

Planning Commission
 Case No.: USE 2019 0015/CSP2019 0008
 June 17, 2019
 Page 13 of 18

As stated in the CTDP (page 1-2):

All of the recommendations are based on the following service goals:

1. Ensure that routes have adequate time to operate on-schedule.
2. Better match service levels with ridership demand to ensure resources are being used in the most efficient way possible.
3. *Evaluate requests and demand for service to new areas, including:*
 - *Riverside Drive*
 - *Lemon Creek industrial/employment area*
 - *Ferry Terminal*
4. Strive to ensure high-quality and convenient service, so that:
 - When a transfer is required, make it convenient and comfortable with wait times as short as possible.
 - Service is provided for commuter needs during peak periods as well as riders using the service during non-peak times and on weekends.
 - *Some service continues to operate through the core of downtown (Franklin, Fourth, and Main Streets).*
5. *Ensure that service design, marketing information, buses, and other elements of the service are as legible and easy-to-understand as possible. [Emphasis added]*

More specifically, the 2014 plan notes the Nugget Mall Transfer currently has very basic facilities that belies its importance as a hub and one of the most highly used stops on the Capital Transit system (p. 5-2). It recommends the Transfer stop be upgraded to at least a 'superstop'. The VTC will exceed that upgrade, although the level of comfort of the waiting facilities is still a topic for discussion.

Use of bike lockers was also something recommended as part of capital improvements for the Capital Transit system in general. This is being delivered at the VTC with space for expansion of bike lockers, should they prove popular.

Juneau Non-motorized Transportation Plan (2009)

The following policies are relevant to the proposed development.

POLICY 3 - MUNICIPAL PROJECTS. IMPROVE THE PROCESS FOR PLANNING COMMISSION REVIEW OF CBJ PROJECTS TO ALLOW TIMELY COMMENT ON NON-MOTORIZED INFRASTRUCTURE AND ROUTES. PROJECT MANAGERS WILL USE A CONTEXT SENSITIVE APPROACH IN THE DESIGN OF CITY PROJECTS TO ACHIEVE A COMPLETE STREETS NETWORK.

Planning Commission
Case No.: USE 2019 0015/CSP2019 0008
June 17, 2019
Page 14 of 18

The project is being reviewed relatively early in the design process, and therefore changes recommended by the Commission will be able to be incorporated into the design. The Juneau Non-Motorized Transportation Plan does not call for specific improvements relevant to the VTC.

The provision of bike lockers and racks is something that is supported by the Juneau Non-motorized Transportation Plan.

POLICY 10 - BICYCLE RACKS. Provide more bicycle racks.

Biking destinations in Juneau often lack adequate bike parking facilities. Existing bike racks often do not have enough space to accommodate the number of cyclists using the facility. Secure, covered, well designed bike racks help encourage residents to take more trips by bicycle and are required for the development of a complete non-motorized network. Bike racks should be located at schools, commercial buildings, apartments, parks, transit stops and hubs, malls, recreation areas and on buses. [Emphasis added] p. 73

Juneau Renewable Energy Strategy (JRES) (2018)

As one of four strategy areas, the Juneau Renewable Energy Strategy (JRES) calls for a reduced dependence on fossil fuels for transportation. The strategy also has a community objective for 80% of community energy use to be from renewable sources by 2045. Facilities that encourage increased transit use as part of a multi-modal system will help achieve this goal. Provision of electric vehicle charge facilities will also encourage increased use of local renewable electricity for transportation.

Efficient LED lighting will contribute to both the community objective and toward improvements in the energy efficiency of CBJ buildings and operations. Nothing is mentioned regarding heating and water fixtures in the breakroom and restrooms – this is not unexpected, given it is a 35% design at this stage of review. Recommendations on these aspects are discussed below.

This project is consistent with JRES goals.

Juneau Climate Action and Implementation Plan (2011)

The Juneau Climate Action and Implementation Plan (JCAIP) identifies a number of aspects of CBJ facilities that should be addressed to reduce energy use and greenhouse gas emissions. These include energy efficiency standards, water use, recycling, and alternative transportation facilities. The enclosed building footprint is small. Any public restrooms will likely be segregated and would need their own heat source.

Energy – The JCAIP recommends that CBJ should establish a minimum for energy efficiency for

Planning Commission
 Case No.: USE 2019 0015/CSP2019 0008
 June 17, 2019
 Page 15 of 18

CBJ buildings, giving an example of 10 BTU per square foot of heated floor area.

Strategy B1-A. Set energy efficiency standards for all new local government buildings, leased space, and equipment.

Strategy B1-B. Reduce energy consumed and GHG emissions produced by local government buildings.

The JCAIP recommends that CBJ should establish a minimum energy efficiency standard for buildings. JCAIP recommends using “specific standards that exceed the minimum baselines of such standards as the American Society of Heating, Refrigeration and Air-Conditioning Engineers Energy Efficiency Standard (ASHRAE 90.1 or 90.2), for example, the 10 BTUs per square foot of heated floor area standard”. This has not been established as a required standard for CBJ. The JCAIP also recommends new CBJ buildings should aim to halve their energy use per square foot compared to existing buildings.

Building commissioning and life cycle analysis was also recommended as a requirement for all CBJ Buildings – this may not be appropriate for the VTC considering it is such a small building with limited space to house space heating equipment.

JCAIP also recommends that CBJ should have a system to track energy and water use. The VTC will have its own electricity and water meters and be capable of being billed separately from other Capital Transit facilities.

Water – JCAIP notes that while water itself is not in short supply in Juneau, facilities to treat and pump the water around the Borough require electricity. Reducing the amount of water used therefore frees up renewable electricity for use elsewhere to replace fossil fuels used for transportation or heating. An action under the relevant strategy is to “upgrade and retrofit CBJ plumbing systems with water conserving technology”. It would make sense for this to be extended as a requirement for new CBJ construction. Plumbing fixtures were not addressed in the application. The Environmental Protection Agency (EPA) uses WaterSense as a certification standard.

Strategy U3-B. Carry out ongoing maintenance and repairs to minimize leaks in the water system.

It is recommended that all plumbing fixtures meet a recognized water efficiency standard.

Recycling – JCAIP also recommends that all CBJ facilities should provide waste recycling.

Strategy U5-B. Reduce waste associated with local government facilities and operations

It is recommended that recycling receptacles be used at the VTC.

Planning Commission
Case No.: USE 2019 0015/CSP2019 0008
June 17, 2019
Page 16 of 18

Transit Use – JCAIP has a goal to increase Capital Transit ridership with the following strategy:

Strategy T2-A. Expand transit service using most energy efficient vehicles practical (p.40)

Electric Vehicle Charging Infrastructure – Provision of electric vehicle charging infrastructure is identified as a short-term action for CBJ.

Strategy T3-B Encourage the use of low-carbon emitting vehicles (p.40)

Bicycling - JCAIP identifies a need for increased encouragement of bicycling and walking which includes provision of *“bicycle racks, showers, and other amenities at city facilities to promote bicycle use by agency employees and visitors”*.

Strategy T4-B. Use public education and incentives to encourage residents to walk and cycle. (p.41)

Reducing Vehicle Miles Driven – While Park and Ride is not identified as a specific action to be pursued it will assist in delivering ‘*Goal T-5 Reduce Vehicle Miles Driven*’. (p.42)

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,

Planning Commission
Case No.: USE 2019 0015/CSP2019 0008
June 17, 2019
Page 17 of 18

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. Staff finds 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 15.610 for the Light Commercial 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 14, 2019 and June 23, 2019 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. Based on the above analysis, the proposed development, with conditions, will not endanger the public health and safety.

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

No. Based on the above analysis the use, with conditions, will maintain values and will be in harmony with the neighboring area.

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

Yes. Based on the preceding analysis and with the recommended conditions and recommendations, the project is in general conformity with adopted plans.

Planning Commission
Case No.: USE 2019 0015/CSP2019 0008
June 17, 2019
Page 18 of 18

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

CONDITIONAL USE PERMIT RECOMMENDATION

It is recommended that the Planning Commission adopt the Director's analysis and findings and **APPROVE** the requested Conditional Use Permit. The permit would allow the development of a transit center with driver break facilities and possibly a public bathroom, along with the associated Park and Ride on a future lot within the current Mendenhall Mall lot in a Light Commercial zoning district.

The approval is subject to the following conditions:

1. Prior to issuance of a Building Permit, the applicant shall submit a lighting plan illustrating the location and type of exterior lighting proposed for the development. Exterior lighting shall be designed, located, and installed to minimize offsite glare. Approval of the plan shall be at the discretion of the Community Development Department Director, according to the requirements per CBJ 49.40.230(d).
2. The approved lighting plan shall include lighting immediately adjacent to the driveway exits onto both Mendenhall Mall Road and Riverside Drive.
3. Any bike racks shall be permanently affixed to the ground, building, or other permanent fixture, and shall be located so that parked bicycles do not encroach into a pedestrian walkway or vehicle area. Bicycle racks shall, at a minimum, be designed in accordance with the standards listed in the Juneau Non-Motorized Transportation Plan. [2009 edition, page 44]
4. Prior to issuance of a Building Permit, Capital Transit shall have a recorded access easement agreement with the owners of the mall for use of Mendenhall Mall Road for the Valley Transit Center buses and users.

CITY PROJECT REVIEW RECOMMENDATION

Staff recommends that the Planning Commission recommend the Assembly **APPROVE** CSP2019 0008, the development of the Valley Transit Center and associated Park and Ride lot.

It is further recommended that:

1. All plumbing fixtures meet a recognized water efficiency standard beyond the minimum required by the CBJ Building Code (e.g. EPA WaterSense standard).
2. It is recommended that public recycling receptacles be used at the VTC.



DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications.

To be completed by Applicant	PROPERTY LOCATION		
	Physical Address 9101 Mendenhall Mall Road		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) USS 381 Mendenhall Mall TR M3		
	Parcel Number(s) 5B1601380030		
	☐ This property located in the downtown historic district ☐ This property located in a mapped hazard area, If so, which _____		
	LANDOWNER/LESSEE		
	Property Owner GARRETT SCHONBERGER/PAUL SIMPSON	Contact Person (ALASKA LEGACY PARTNERS)	
	Mailing Address PO BOX 34033 JUNEAU, AK 99801	Phone Number(s) (602) 790-6144	
	E-mail Address garrett@alaskalegacypartners.com		
	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 <u>Baatt Schonger</u> Landowner/Lessee Signature		5/8/19 Date	
X <u>Paul Simpson</u> Landowner/Lessee Signature		5/8/19 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"			
Applicant CBJ Capital Transit/Engineering	Contact Person Lori Sowa		
Mailing Address 155 S. Seward Street	Phone Number(s) 586-0875		
E-mail Address lori.sowa@juneau.org			
X <u>Lori Sowa</u> Applicant's Signature		5/9/2019 Date of Application	

DEPARTMENT USE ONLY BELOW THIS LINE

This form and all documents associated with it are public record once submitted.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

I:\FORMS\PLANFORM\DPA.docx

Attachment A - Application

Case Number USB 2090015 CSR20190008	Intake Initials TJR
	Date Received 5/10/19

Updated 2017 - Page 1 of 1



CITY/STATE PROJECT AND LAND ACTION REVIEW APPLICATION

See reverse side for more information regarding the permitting process and the materials required for a complete application.

NOTE: Must be accompanied by a DEVELOPMENT PERMIT APPLICATION form.

To be completed by Applicant	PROJECT SUMMARY CBJ intends to build a Valley Transit Center (VTC) with associated Park and Ride facilities at the Mendenhall Mall.
	TYPE OF PROJECT REVIEW: ☒ City Project Review ☒ City Land Acquisition /Disposal ☐ State Project Review
	PROJECT NUMBERS ASSOCIATED WITH PROPOSAL: Is this project associated with any other Land Use Permits? ☐ YES Case No.: _____ ☐ NO Capital Improvement Program # (CIP) <u>D71-089</u> Local Improvement District # (LID) _____ State Project # _____
	ESTIMATED PROJECT COST: \$ 2.3 million
	ALL REQUIRED MATERIALS ATTACHED ☒ Complete application ☒ Pre-Application notes (if applicable) ☒ Narrative including: ☒ Current use of land or building(s) ☒ Proposed use of land or building(s) ☒ How the proposed project complies with the Comprehensive Plan ☒ How the proposed project complies with the Land Use Code (Title 49) ☒ Site Plan (details on page 2)

NOTE: This application is required even if the proposed project is associated with other Land Use permits.

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

CITY/STATE PROJECT FEES	Fees	Check No.	Receipt	Date
Application Fees	\$ <u> </u>			

This form and all documents associated with it are public record once submitted.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Attachment A - Application

Case Number <u>CSP20190008</u>	Date Received <u>5/10/19</u>
-----------------------------------	---------------------------------



ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

See reverse side for more information regarding the permitting process and the materials required for a complete application.

NOTE: Must be accompanied by a DEVELOPMENT PERMIT APPLICATION form.

To be completed by Applicant

PROJECT SUMMARY

CBJ intends to build a Valley Transit Center (VTC) with associated Park and Ride facilities at the Mendenhall Mall.

TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED

- ☐ Accessory Apartment – Accessory Apartment Application (AAP)
☒ Use Listed in 49.25.300 – Table of Permissible Uses (USE)
 Table of Permissible Uses Category: 15.610 Transit Center

IS THIS A MODIFICATION or EXTENSION OF AN EXISTING APPROVAL?

☐ YES – Case # _____ ☒ NO

UTILITIES PROPOSED

WATER: ☒ Public ☐ On Site

SEWER: ☒ Public ☐ On Site

SITE AND BUILDING SPECIFICS

Total Area of Lot 63743 square feet Total Area of Existing Structure(s) 0 square feet
 Total Area of Proposed Structure(s) 300 square feet

EXTERNAL LIGHTING

Existing to remain ☐ No ☐ Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures
 Proposed ☐ No ☒ Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures

ALL REQUIRED DOCUMENTS ATTACHED

☒ Narrative including:

- ☒ Current use of land or building(s)
- ☒ Description of project, project site, circulation, traffic etc.
- ☒ Proposed use of land or building(s)
- ☒ How the proposed use complies with the Comprehensive Plan

If this is a modification or extension include:

- ☐ Notice of Decision and case number
- ☐ Justification for the modification or extension
- ☐ Application submitted at least 30 days before expiration date

☒ Plans including:

- ☒ Site plan
- ☐ Floor plan(s)
- ☐ Elevation view of existing and proposed buildings
- ☒ Proposed vegetative cover
- ☒ Existing and proposed parking areas and proposed traffic circulation
- ☒ Existing physical features of the site (e.g.: drainage, habitat, and hazard areas)

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

ALLOWABLE/CONDITIONAL USE FEES		Check No.	Receipt	Date
	Fees			
Application Fees	\$ <u>750</u>			
Admin. of Guarantee	\$ _____			
Adjustment	\$ _____			
Pub. Not. Sign Fee	\$ <u>50</u>			
Pub. Not. Sign Deposit	\$ <u>100</u>			
Total Fee	\$ <u>900</u>			

This form and all documents associated with it are public record once submitted.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Case Number	Date Received
<u>USE 20190015</u>	<u>5/10/19</u>

Project Narrative: Valley Transit Center/Park and Ride

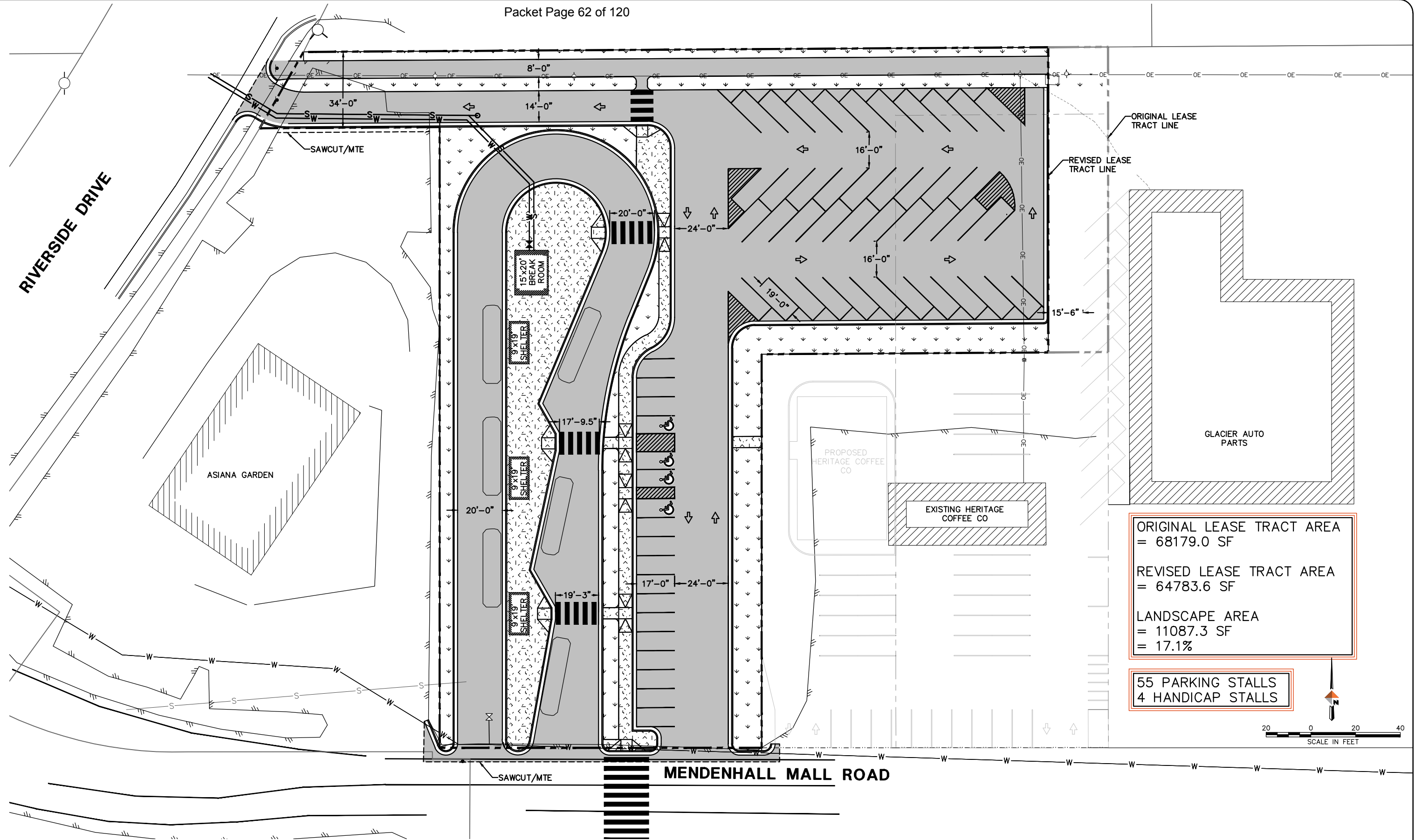
In the effort to boost transit ridership and reduce overall parking demands downtown, staff has been working toward development of a transit center with associated park and ride facilities in the Vintage/Mendenhall Mall area. The Nugget Mall site (the current transfer station in the Valley) is not suitable for the VTC and is removed enough from Valley commuters and walkers to discourage transit use. With assistance from DOWL, staff evaluated several conceptual designs for the VTC at two sites: Vintage Park and the Mendenhall Mall. The preferred option is located within the Mendenhall Mall property near Heritage Coffee. This property is currently under contract to be sold, and staff has been working with the potential new owners on plans for building the VTC.

The Mendenhall Mall parcel is zoned for light commercial use and is currently vacant. The VTC is proposed to be developed with the following amenities:

- Pull-through bus stop with staging for up to seven busses
- Covered bus shelters for passengers waiting for the bus
- Driver break-room building with kitchen area and bathroom
- Bike racks and/or lockers
- Parking lot with 95 standard stalls (8.5'x17') and 4 ADA stalls (1 van accessible)
- Sidewalk for pedestrian/bicyclists to access the facility from Riverside Drive
- New LED, full cutoff lighting (fixtures have not been chosen yet, but lighting will be designed by an electrical engineer). Care will be taken to make sure glare is not an issue for neighboring properties.
- 15% of the total area will have vegetative cover.
- All sidewalks, ramps, and bathrooms will be ADA compliant

A 35% design has been completed for the preferred alternative (see attached site plan). Preliminary drainage is included – the drainage and snow removal plan for the site will be further developed through the design process. No drainage will be allowed to discharge onto neighboring properties, and snow storage/ease of removal considerations will be included in the final design.

Staff also had an appraisal completed for the hypothetical (subdivided) lot to determine fair market value for the property. Once the sale of the Mendenhall Mall property is complete, the new owners will begin the process to subdivide the lot. The potential new owners have already had a pre-application meeting with CDD staff (notes included) and do not anticipate any issues with the subdivision process. The potential new owners anticipate the sale will be complete by the end of February 2019. Once the lot is subdivided, CBJ can purchase the property and begin development of the VTC and park and ride facilities. Construction is projected to begin in the summer of 2020.

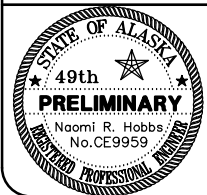


ORIGINAL LEASE TRACT AREA
= 68179.0 SF

REVISED LEASE TRACT AREA
= 64783.6 SF

LANDSCAPE AREA
= 11087.3 SF
= 17.1%

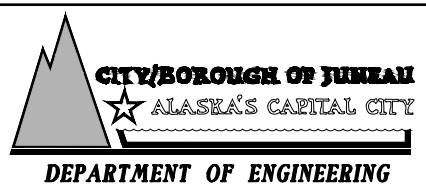
55 PARKING STALLS
4 HANDICAP STALLS



DOWL
Consulting Engineers • Land Surveyors • Construction Administration

PLANS DEVELOPED BY:
DOWL
5368 COMMERCIAL BOULEVARD
JUNEAU, ALASKA 99801
907-780-3533
AECL848

JOB No. J71014.01 DRAWN BY: STAFF DESIGNED BY: STAFF CHECKED BY: STAFF DATE: JUNE 2019



**CAPITAL TRANSIT
VALLEY TRANSIT CENTER**

**SITE PLAN
PRELIMINARY**

SHEET NO.
1
of
1



(907) 586-0715
 CDD_Admin@juneau.org
 www.juneau.org/CDD
 155 S. Seward Street • Juneau, AK 99801

Valley Transit Center

Case Number: PAC2019 0006
 Applicant: Lori Sowa, CBJ Engineering
 Property Owner: Glacier Village Supermarket Inc
 Property Address: 9101 Mendenhall Mall Road
 Parcel Code Number: 5B1601380030
 Site Size: 63,743 Square Feet
 Zoning: Light Commercial
 Existing Land Use: Vacant (part of Mendenhall Mall)

Conference Date:	1/30/19
Report Issued:	<u>Reissued 4/9/19 – Corrected Item 19 - Utilities</u>

List of attendees

Note: Copies of the Pre-Application Conference Report will be emailed, instead of mailed, to participants who have provided their email address below.

Name	Title	Email address
Lori Sowa	Applicant	Lori.sowa@juneau.org
Tim Felstead	Planning	tim.felstead@juneau.org
John Young	Building	john.young@juneau.org
Mark Millay	General Engineering	mark.millay@juneau.org

Pre-Application Conference Final Report

Conference Summary

Questions/issues/agreements identified at the conference that weren't identified in the attached reports.

The following is a list of issues, comments and proposed actions, and requested technical submittal items that were discussed at the pre-application conference.

Planning Division:

1. **Zoning** – Zoned Light Commercial. The proposed use is determined to be a Transit Center which requires a Conditional Use permit if the size of development is over 1 acre in size. The subject area is proposed to be subdivided from the existing area of the Mendenhall Mall lot. This subdivision was reviewed in PAC20180069. The area proposed for the Transit Center is over one acre in size and so requires a Conditional Use permit. This can be done at the same time as the City State Project review for consistency with Title 49 and the Comprehensive Plan. The transit center will have a drivers break room and bathroom, an additional public bathroom may also be provided. Waiting facilities are planned to be basic unheated bus shelters.

The new Transit Center will also operate as a Park and Ride facility.

2. **Setbacks** – Setbacks in LC are as follows

Front	25 ft
Street side	17 ft
Rear	10 ft
Side	10 ft

There do not appear to be any setback issues based on the site plan.

3. **Height** – Maximum allowed height are 45 feet for permissible uses and 35 feet for accessory uses.
4. **Access** – The site is proposed to have a main access from Mendenhall Mall Road. This is currently a private road and CBJ should ensure there is an access easement in place. A second exit only access is proposed for access from Riverside Drive is also proposed for use by cars only. The site will also be used as a park and ride facility with 99 spaces in the parking lot. This falls under the threshold for requiring a deceleration lane for the development (required for developments with 100 or more parking spaces).

Even if more than 100 spaces were required the low speed and short distance of this road of this road makes a deceleration lane a little redundant but there are no variances to this standard as it sits in Chapter 35 of the Land Use Code.

5. **Parking** – There is no define parking requirement in the Land Use code for a Transit Center or a parking and ride facility use. The parking area appears to meet the dimensional standards for parking spaces and access aisles width. One space will be need to be dedicated to the breakroom (useful for Capital Transit vehicle or janitorial vehicles).

Sidewalk standards require 4 ft wide sidewalks minimum. These should be 6 ft if curb stops or similar devices are not installed as vehicles would instead over hang the sidewalk. Paths should be separated by from the driving area by a 6 inch curb. Crossing areas should be raised but this requirement is usually waived – pedestrian routes through the parking area should be clearly marked. ADA clear path requirements will apply ramps, sidewalk widths etc. See CBJ 49.40.220 for more information on parking and circulation requirements.

6. **Lot Coverage** – There is no maximum lot coverage.
7. **Vegetative Coverage** – The lot must have 15% of vegetative cover. The parking and circulation section of the Land Use Code requires that parking areas be 'attractively landscaped'. There are no other standards

Pre-Application Conference Final Report

than that CDD Staff can draw on so the determination by CDD is relatively subjective but landscaping in the surrounding area and guidance from the Comprehensive Plan is used.

Vegetated stormwater facilities can also count toward vegetated cover – see Drainage below.

8. **Lighting** – The Land Use Code requires parking areas should be ‘adequately lit’. There is no minimum foot candle or similar standard. Parking and lighting plans should be designed by a professional engineer or architect. All lighting should be full cut-off and no glare should project onto neighboring property.
9. **Noise** – There will be an additional concentrations of buses as this will be a transfer point. This is not expected to result in significant noise impacts. There are no residential developments immediately adjacent.
10. **Flood** – Not in flood hazard zone.
11. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – Not applicable
12. **Wetlands** – Does appear to be wetlands on any CBJ maps
13. **Habitat** – NA
14. **Plat or Covenant Restrictions** – None found on plats in CBJ files. Mall is subject to numerous Conditional Use permits but this portion is vacant.

Building Division:

15. **Building** – Has to be one restroom for the driver’s break room. Can be unisex. Does not appear to be any requirement for public bathroom under building code. There may be FTA requirements tied to the funding. Any bathrooms have to be ADA compliant. Sidewalks should be ADA compliant including ramps to interior pedestrian ways.
16. **Outstanding Permits** – There likely are some but non relevant to this site since it is vacant.

General Engineering/Public Works:

17. **Engineering** – NA
18. **Drainage** – No drainage onto neighboring properties following subdivision. If drainage is underground consider connecting to catch basin on Riverside. Any catch basins in the development will need to record a maintenance schedule agreement (private developers are being required to do this). Use of green drainage infrastructure which can also provide snow storage areas is recommended.
19. **Utilities** – (water, power, sewer, etc.) – The water line running through Mendenhall Mall Road is a ~~CBJ~~ private water line according to CBJ Water. Easements should be considered for any portion outside of CBJ owned property or public Right of Way.

Fire Marshal:

20. **Fire Items/Access** – CCFR have reviewed the site plan and aerial of location. They do not believe there are any fire concerns that would not be addressed during the building permit review.

Other Applicable Agency Review:

21. **DOT&PF Transit Office** - Check FTA requirements for new transit facilities through either the State or FTA directly. ADA compliance will be required. It is also suggested that the Juneau Coordinated Transportation Coalition are included in Agency review.

Pre-Application Conference Final Report

List of required applications

Based upon the information submitted for pre-application review, the following list of applications must be submitted in order for the project to receive a thorough and speedy review.

1. **Conditional Use Permit Application including complete site plan and narrative**
2. **City State Project review application form**
3. **Development Permit application**

Additional submittal requirements:

Submittal of additional information, given the specifics of the development proposal and site, are listed below. These items will be required in order for the application to be determined Counter Complete.

1. **A copy of this pre-application conference report.**
2. **Site plans and new route information that summarizes the service frequency changes when the new Transit Center begins running.**

Exceptions to submittal requirements:

Submittal requirements staff has determined **not** to be applicable or **not** required, given the specifics of the development proposal, are listed below. These items will **not** be required in order for the application to be reviewed.

Fee estimates

The preliminary plan review fees listed below can be found in the CBJ code section 49.85.

Based upon the project plan submitted for pre-application review, staff has attempted to provide an accurate estimate for the permits and permit fees which will be triggered by your proposal.

1. **Conditional Use Permit application – Class III Use \$750**
2. **Public Notice Sign - \$50 plus \$100 deposit refunded on return of sign.**
3. **NO CSP FEES IF UNDER \$2.5M**

For informational handouts with submittal requirements for development applications, please visit our website at www.juneau.org/cdd.

Submit your completed application

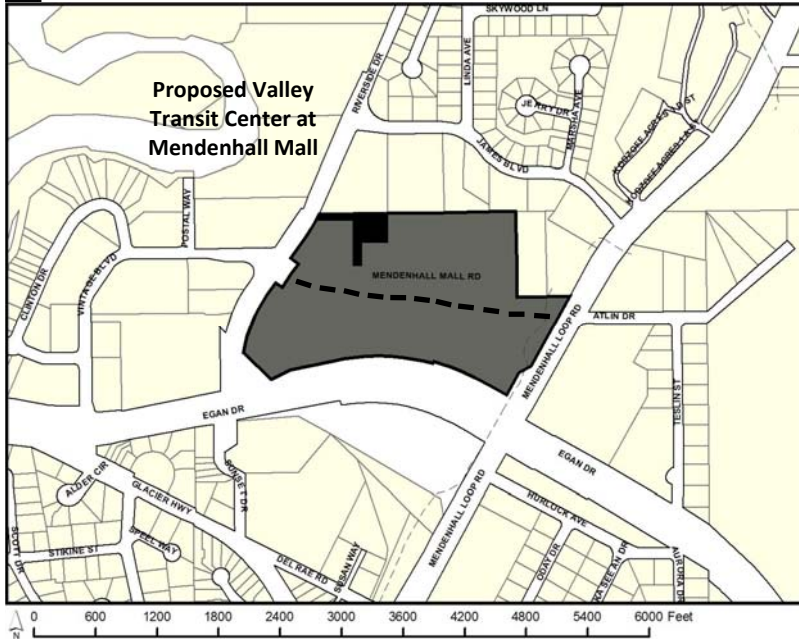
You must submit your application(s) in person with payment to:

City/Borough of Juneau
Permit Center
230 S. Franklin Street,
Fourth Floor Marine View Center
Juneau, AK 99801

Phone: (907) 586-0715
Fax: (907) 586-4529
Web: www.juneau.org/cdd

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission
Your Community, Your Voice



155 S. Seward Street Juneau, Alaska 99801

TO:

An application has been submitted for consideration and public hearing by the Planning Commission for a **Conditional Use Permit & City Project Review** to **build a Valley Transit Center with associated Park & Ride facilities** located at the **Mendenhall Mall** in a **Light Commercial Zone**.

TIMELINE

Staff Report expected to be posted **Monday, June 17, 2019** at <https://beta.juneau.org/assembly/assembly-minutes-and-agendas>
Find hearing results, meeting minutes and more here as well.

Now through June 3, 2019

Comments received during this period will be sent to the Planner, **Tim Felstead**, to be included in the staff report.

June 4 through 12 noon, June 21

Comments received during this period will be sent directly to Commissioners to read over the weekend in preparation for the hearing.

HEARING DATE & TIME
7:00 pm, June 25, 2019

You may testify and bring up to 2 pages of written material (15 copies) in City Hall's Assembly Chambers, 155 S. Seward St., Juneau.

June 26

The results of the hearing will be posted online.

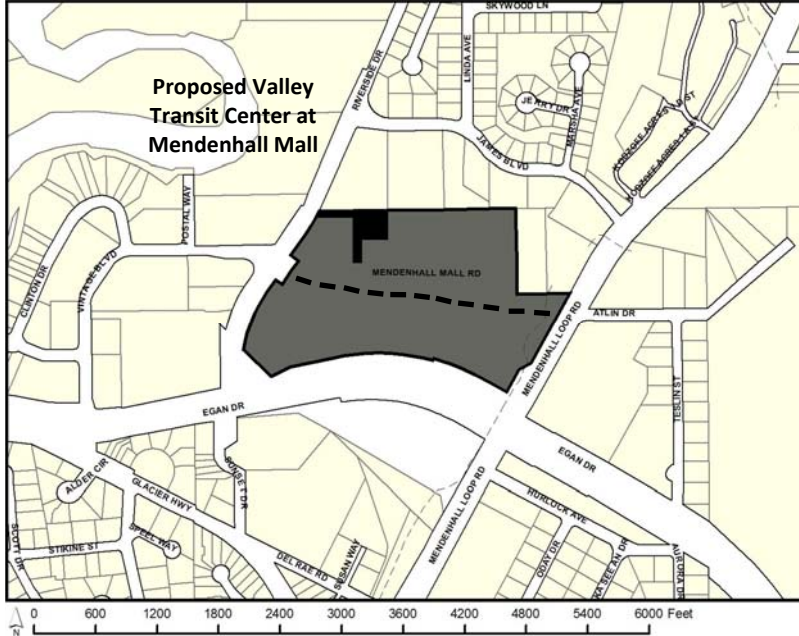
Phone: **(907)586-0715** ♦ Email: **pc_comments@juneau.org**
Mail: **Community Development, 155 S. Seward St, Juneau AK 99801**

Case No.: USE2019 0015 & CSP2019 0008
Parcel No.: 5B1601380030
CBJ Parcel Viewer: <http://epv.juneau.org>

Please see case USE2019 0015 to see the staff report associated with this case, as the cases are linked.

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission
Your Community, Your Voice



155 S. Seward Street Juneau, Alaska 99801

TO:

An application has been submitted for consideration and public hearing by the Planning Commission for a **Conditional Use Permit & City Project Review** to **build a Valley Transit Center with associated Park & Ride facilities** located at the **Mendenhall Mall** in a **Light Commercial Zone**.

TIMELINE

Staff Report expected to be posted **Monday, June 17, 2019** at <https://beta.juneau.org/assembly/assembly-minutes-and-agendas>
Find hearing results, meeting minutes and more here as well.

Now through June 3, 2019

Comments received during this period will be sent to the Planner, **Tim Felstead**, to be included in the staff report.

June 4 through 12 noon, June 21

Comments received during this period will be sent directly to Commissioners to read over the weekend in preparation for the hearing.

HEARING DATE & TIME
7:00 pm, June 25, 2019

You may testify and bring up to 2 pages of written material (15 copies) in City Hall's Assembly Chambers, 155 S. Seward St., Juneau.

June 26

The results of the hearing will be posted online.

Phone: **(907)586-0715** ♦ Email: **pc_comments@juneau.org**
Mail: **Community Development, 155 S. Seward St, Juneau AK 99801**

Case No.: USE2019 0015 & CSP2019 0008
Parcel No.: 5B1601380030
CBJ Parcel Viewer: <http://epv.juneau.org>

CSP2019-0008

Consistency review for Valley Transit Center with associated Park and Ride facilities

**Planning Commission Meeting
June 25, 2019**



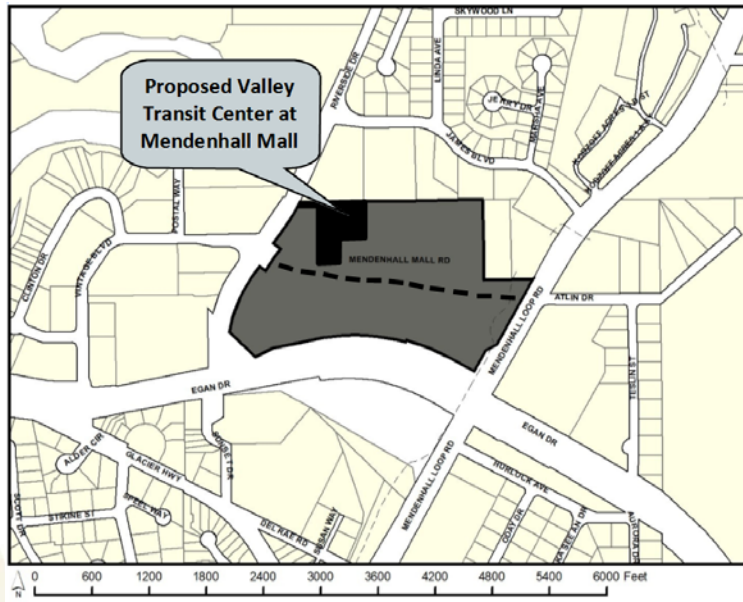
CSP2019-0008 Conditional Use permit – purpose

49.15.330(a) *Purpose*. A conditional use is a use that may or may not be appropriate in a particular zoning district according to the character, intensity, or size of that or surrounding uses. The conditional use permit procedure is intended to afford the commission the flexibility necessary to make determinations appropriate to individual sites. The commission may attach to the permit those conditions listed in subsection (g) of this section as well as any further conditions necessary to mitigate external adverse impacts. If the commission determines that these impacts cannot be satisfactorily overcome, the permit shall be denied.



CSP2019-0008

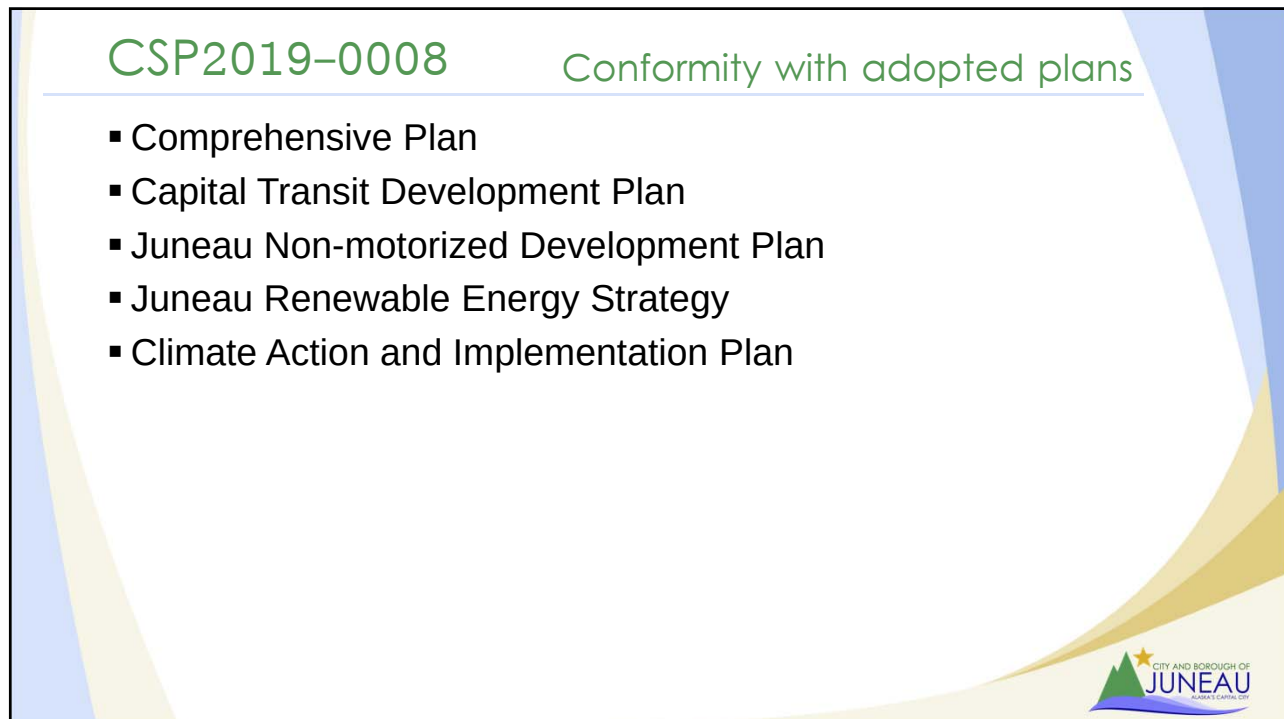
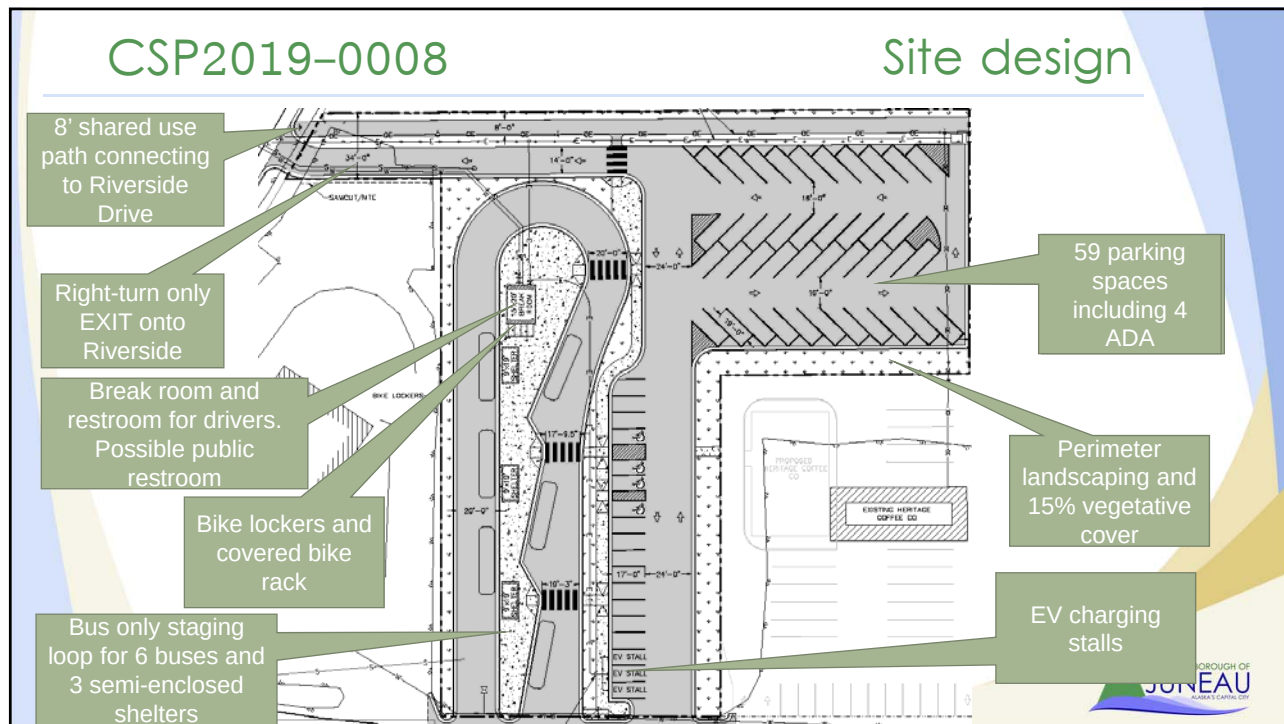
Vicinity



CSP2019-0008

Vicinity





CSP2019-0008 Conditional Use Recommendation (1)

Staff recommends that the Planning Commission recommend the Assembly APPROVE CSP2019 0008, the development of the Valley Transit Center and associated Park and Ride lot with driver break facilities and public restroom, along with the associated Park and Ride on a future lot within the current Mendenhall Mall lot in a Light Commercial zoning district.

The approval is subject to the following conditions:

1. Prior to issuance of a Building Permit, the applicant shall submit a lighting plan illustrating the location and type of exterior lighting proposed for the development. Exterior lighting shall be designed, located, and installed to minimize offsite glare. Approval of the plan shall be at the discretion of the Community Development Department Director, according to the requirements per CBJ 49.40.230(d).



CSP2019-0008 Conditional Use Recommendation (2)

2. The approved lighting plan shall include lighting immediately adjacent to the driveway exits onto both Mendenhall Mall Road and Riverside Drive.
3. Any bike racks shall be permanently affixed to the ground, building, or other permanent fixture, and shall be located so that parked bicycles do not encroach into a pedestrian walkway or vehicle area. Bicycle racks shall, at a minimum, be designed in accordance with the standards listed in the Juneau Non-Motorized Transportation Plan. [2009 edition, page 44]
4. Prior to issuance of a Building Permit, Capital Transit shall have a recorded access easement agreement with the owners of the mall for use of Mendenhall Mall Road for the Valley Transit Center buses and users.



CSP2019-0008 CSP Recommendation to Assembly

5. All plumbing fixtures meet a recognized water efficiency standard beyond the minimum required by the CBJ Building Code (e.g. EPA WaterSense standard).
6. It is recommended that public recycling receptacles be used at the VTC.





Planning Commission

(907) 586-0715
PC_Comments@juneau.org
www.juneau.org/plancomm
155 S. Seward Street • Juneau, AK 99801

PLANNING COMMISSION NOTICE OF RECOMMENDATION

Date: July 1, 2019

File No.: CSP2019 0008

City and Borough of Juneau
CBJ Assembly Members
155 S Seward Street
Juneau, AK 99801

Proposal: Consistency review to build a Valley Transit Center with associated Park and Ride facilities

Property Address: 9101 Mendenhall Mall Road

Legal Description
or ROW name: USS 381 Mendenhall Mall TR M3

Parcel Code No.: 5B1601380030

Hearing Date: June 25, 2019

The Planning Commission, at a regular public meeting, adopted the analysis and findings listed in the attached memorandum dated June 17, 2019, and recommended that the City Manager direct CBJ staff to design and build the project in accordance with the following recommendations as amended by the Planning Commission:

1. All plumbing fixtures meet a recognized water efficiency standard beyond the minimum required by the CBJ Building Code (e.g. EPA WaterSense standard).
2. Public recycling receptacles be used at the VTC.
3. The design of the transit center take into account growing commerce and the needs of the community, and the Planning Commission recommends that the Assembly take note of the four conditions staff recommended in the analysis of the associated Conditional Use Permit, USE2019 0015 (June 17, 2019, memorandum). These conditions were:
 1. Prior to issuance of a Building Permit, the applicant shall submit a lighting plan illustrating the location and type of exterior lighting proposed for the development. Exterior lighting shall be designed, located, and installed to minimize offsite glare. Approval of the plan shall be at the discretion of the Community Development Department Director, according to the requirements per CBJ 49.40.230(d).

City and Borough of Juneau
 CBJ Assembly
 File No.: CSP2019 0008
 July 1, 2019
 Page 2 of 2

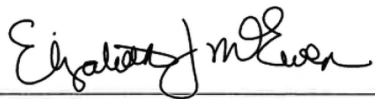
2. The approved lighting plan shall include lighting immediately adjacent to the driveway exits onto both Mendenhall Mall Road and Riverside Drive.
3. Any bike racks shall be permanently affixed to the ground, building, or other permanent fixture, and shall be located so that parked bicycles do not encroach into a pedestrian walkway or vehicle area. Bicycle racks shall, at a minimum, be designed in accordance with the standards listed in the Juneau Non-Motorized Transportation Plan. [2009 edition, page 44]
4. Prior to issuance of a Building Permit, Capital Transit shall have a recorded access easement agreement with the owners of the mall for use of Mendenhall Mall Road for the Valley Transit Center buses and users.

NOTE: The associated Conditional Use Permit, USE2019 0015, was removed from the June 25, 2019, Planning Commission meeting agenda, and no action was taken on that item.

Attachments: June 17, 2019 memorandum from Tim Felstead, Community Development, to the CBJ Planning Commission regarding CSP2019 0008.

This Notice of Recommendation constitutes a recommendation of the CBJ Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of CBJ 01.50.020(b).

Project Planner:	 _____ Tim Felstead, Planner Community Development Department	 _____ Paul Voelckers, Vice-Chair Planning Commission
------------------	---	--

 _____ Elizabeth M. Egan Filed With Municipal Clerk	7/9/2019 _____ 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. The CBJ and project 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.



(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/CDD
155 S. Seward Street • Juneau, AK 99801

DATE: June 13, 2019

TO: Planning Commission

FROM: Tim Felstead, Planner
Community Development Department

CASE NO.: USE2019 0014

PROPOSAL: A Conditional Use Permit for an accessory apartment on a substandard-sized lot

GENERAL INFORMATION

Applicant: Northern Lights Development Inc.

Property Owner: Roscoe Bicknell III

Property Address: Glacier Bear Boulevard

Legal Description: Montana Creek West 2B Lot 7A

Parcel Code Number: 4B2901160417

Site Size: 6,925 square feet (0.1560 acres)

Comprehensive Plan Future Land Use Designation: Urban Low Density Residential (ULDR)

Zoning: D3

Utilities: Public Water/Public Sewer

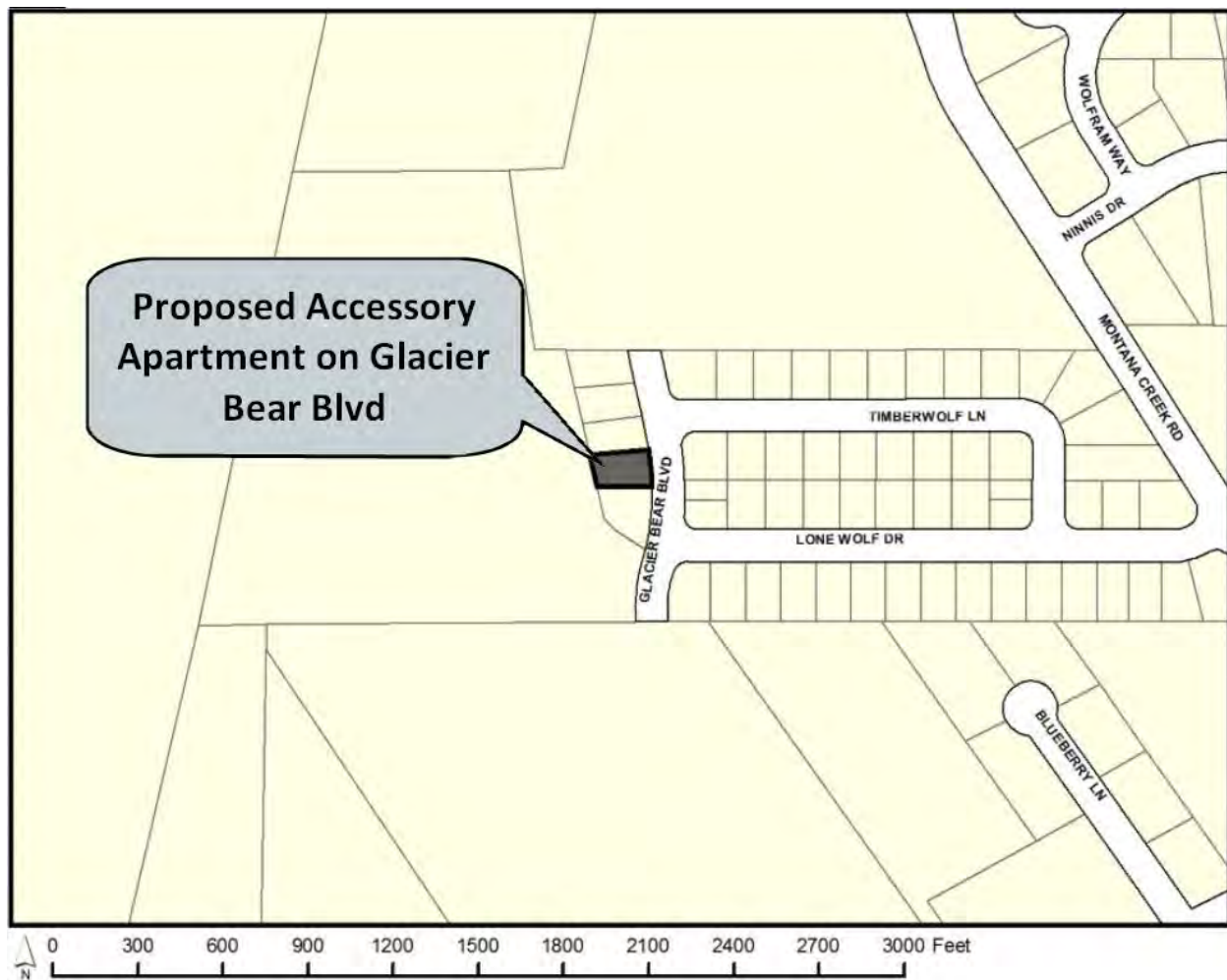
Access: Glacier Bear Boulevard

Existing Land Use: Vacant

Planning Commission
Case No.: USE 2019 0014
June 13, 2019
Page 2 of 9

Surrounding Land Use:	North	-	Vacant (D3)
	South	-	Vacant (D3)
	East	-	Glacier Bear Boulevard ROW; Vacant lot (D3)
	West	-	Common Open Space for Montana Creek West Planned Unit Development (D3)

VICINITY MAP



ATTACHMENTS

Attachment A – Application including site plan and floor plans

Attachment B – Public comment

Attachment C – Notice of Decision for SUB2005-00048

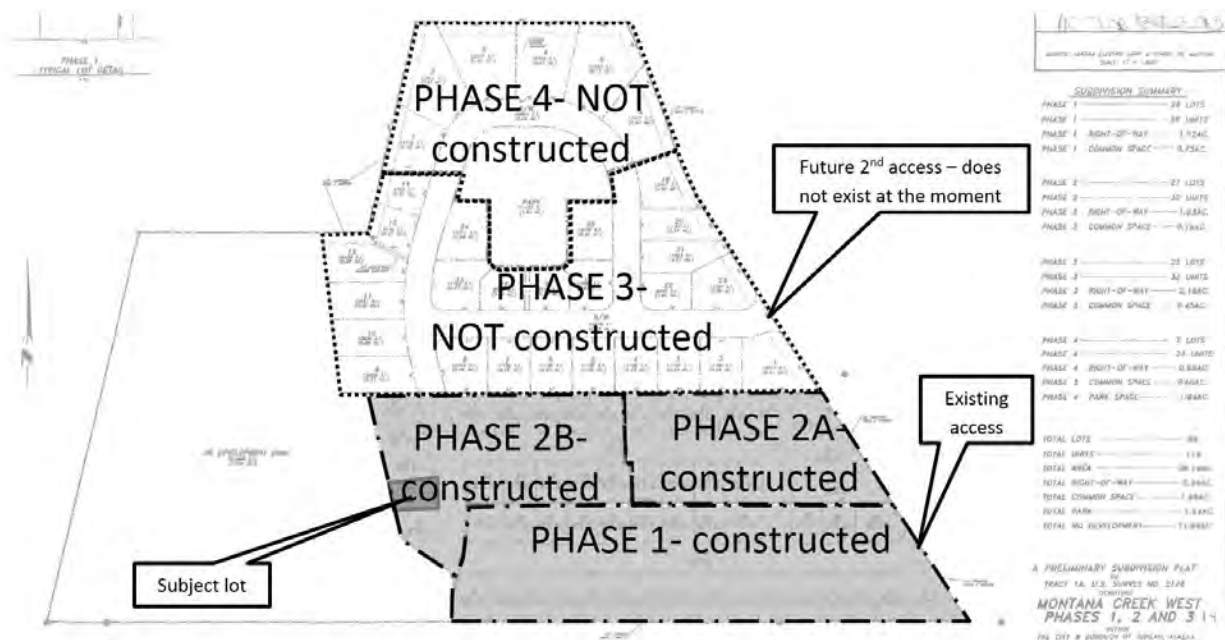
Planning Commission
Case No.: USE 2019 0014
June 13, 2019
Page 3 of 9

PROJECT DESCRIPTION

The applicant requests a Conditional Use Permit for the development of an attached 600 square foot accessory apartment on an undersized lot within the Montana Creek West Planned Unit Development (Phase 2B). The accessory apartment would be part of a two story, single-family dwelling.

BACKGROUND

The Montana Creek West Planned Unit Development (PUD) was first approved in 2005 (see Attachment C, Notice of Decision for SUB2005-00048). The PUD was split into 4 phases of development – Phases 1 to 4. Phase 2 was split into two sub-phases – Phase 2A and 2B. The subject development is within Phase 2B. Phases 3 and 4 have yet to be reviewed by the Planning Commission.



While the Montana Creek West PUD is zoned D3, the lot sizes within the Phases to date are less than the D3 minimum lot size of 12,000 square feet. This reduction in lot size was approved by the Planning Commission with the original PUD approval in 2005. It allows the same number of dwelling units that would have been able to fit onto the entire PUD site to be located on a smaller portion of the PUD site.

The PUD was designed to preserve wetlands and shift development away from a flood hazard

Planning Commission
Case No.: USE 2019 0014
June 13, 2019
Page 4 of 9

zone. The requirement that there be no development where wetlands and flood hazard areas exist was a requirement of a rezone of a large area of land in the Montana Creek Road and Back Loop Road vicinity from D1 to D3 (MAP2005-00005). The extent of these areas was mapped as part of a rezone ordinance based on wetlands delineations and the mapped flood hazard zone. The wetland limit determined the extent of the 'no development' zone. Lot 29 of Phase 1 of the PUD was set aside to this end while also providing common open space dedicated to residents of the PUD. The dwellings that could have been located in the area covered by Lot 29 were instead shifted to the remaining portion of the PUD through a mix of smaller lot sizes and the allowance of multi-family dwellings.

Plat note regarding number of dwelling units – The Phase 2B plat has a plat note that limits the number of dwelling units per lot. This plat note was a requirement of the 2005 PUD approval. After reviewing the staff report and minutes regarding the preliminary PUD approval, staff has determined that the intention of these two plat notes was to track the number of dwelling units within the entire PUD as the phases were approved. This was done to ensure the allowed density for the PUD was not exceeded. There were no other concerns that lead to number of dwelling units plat note. Accessory apartments are considered accessory uses to a primary dwelling unit and, as such, are not considered to count towards dwelling density limits.

ANALYSIS

Project Site – The subject lot is located on the western extent of the developable area within the Montana Creek West subdivision. This is adjacent to an area within the PUD that was set aside to preserve wetlands and to ensure there was limited development in a known flood zone.

The PUD has setback and lot coverage requirements that are more akin to a D5 subdivision (see table below). While the lot size of 6,925 square feet is less than that expected for a standard D3 lot, in the context of other lot sizes in Phases 1, 2A, and 2B, the lot size is fairly typical. It is 75 square feet smaller than the D5 minimum lot size.

	PUD	D3	D5
Minimum lot size (square feet)	None	12,000sf	7,000
Minimum lot depth (feet)	None	100	85
Minimum lot width (feet)	None	100	70
Front yard (feet)	20	25	20
Rear yard (feet)	15	25	20
Side yard (feet)	5	10	5
Lot coverage (%)	50	35	50

Planning Commission
Case No.: USE 2019 0014
June 13, 2019
Page 5 of 9

The subject lot is in a mapped flood hazard area, although the PUD developer has added fill to raise the lot above the Base Flood Elevation (BFE) (i.e. the height at which it would not be impacted by a 100-year flood event). The PUD developer is currently going through the process of having the area removed from the flood hazard maps through the Federal Emergency Management Agency (FEMA) Letter of Map Amendment (LOMA) process. While this is not necessary for CBJ to approve construction of a dwelling with an accessory apartment in the flood zone, the amendment would mean the applicant would not have to provide an 'Elevation Certificate' to demonstrate that they had constructed the lowest floor above the BFE. However until this is approved by FEMA, the location is considered to be subject to the Land Use Code requirements for construction in a flood hazard area (CBJ 49.70.400), and the plans submitted for a building permit should demonstrate that it meets CBJ flood hazard area construction requirements. While this is a requirement of building permit approval for a building on the lot, it has not been demonstrated in the plans submitted for this Conditional Use Permit.

It is recommended as a condition of approval that prior to issuance of a building permit, the construction plans demonstrate the necessary compliance with the flood hazard area construction requirements in CBJ 49.70.400. A LOMA for the construction site would satisfy this condition.

Project Design – The applicants intend to use part of the second floor of this structure for an accessory apartment that is 600 square feet in size. The primary single-family dwelling will be ~2,200 square feet of living area (excluding garage and storage room).

The net floor area (i.e. the floor area within the surrounding walls) of the apartment is written on the floor plan submitted with the application, but the accessory apartment may not exceed 600 square feet.

The apartment will be accessed via a door on the north side of the building with the access staircase and landing located 5 feet from the side property line (outside of the required 5 foot setback). The main dwelling will be accessed from the front of the building.

The relevant section of the CBJ Land Use Code (CBJ 49.25.510) has a number of requirements for accessory apartment approval. The development must:

- Meet minimum building setbacks.
- Not exceed maximum lot coverage limits.
- Meet vegetative cover requirements.
- Meet parking requirements.
- Be connected to public sewer or have adequate on-site wastewater disposal.

The application meets all the above requirements. Per the applicant's site plan, the building complies with the required setbacks. Lot coverage will be ~25% with the maximum lot coverage

Planning Commission
Case No.: USE 2019 0014
June 13, 2019
Page 6 of 9

for the PUD zoning district being 50%. Conformance with vegetative cover is possible and is discussed below.

Conformance with parking requirements are discussed below. The building will be connected to public sewer.

Traffic – According to the Institute of Transportation Engineers ‘Trip Generation Manual’, an accessory apartment (Land Use 221 – Low Rise apartment) would generate an additional 6.59 trips per day from the development. A traffic impact analysis is not required for a development of this size.

Parking and Circulation – Per 49.40210, the single-family dwelling requires two parking spaces and the accessory apartment requires one parking space. The applicant’s site plan demonstrates that three parking spaces that are at least 8.5 feet wide and 17 feet deep can be accommodated on the lot. This does not include two spaces in the garage. The shown spaces would require back-out parking. Per CBJ 49.40.230, back-out parking for single family dwellings is allowed into the public right-of-way upon approval by the Director or Planning Commission provide they determine that it would not unreasonably interfere with public health and safety of the area and the adjacent right-of-way traffic. Based on a site visit as well as speed and level of traffic in the neighborhood, back-out parking is acceptable.

Vegetative Cover and Landscaping – Per CBJ 49.50.300, the lot must have 20% vegetative cover. The D3 zoning district requires a minimum of 20% vegetative cover. This was not altered as part of the PUD approval. The site plan indicates that there is plenty of space to meet this requirement, but it is not shown on the site plan.

It is recommended as a condition of approval that prior to issuance of a building permit, the applicant shall show on a site plan how the development will meet the minimum vegetative cover requirements.

Drainage and Snow Storage – The drainage will be reviewed in greater detail during the building permit application. The applicant has demonstrated that non-concentrated drainage will be directed either towards the street or to the wetland area at the rear of the property. As part of the PUD approval, drainage easements exist along the common property lines within the subdivision. Concentrated drainage from roofs etc. will be required to be directed to a storm drain stub out. The inclusion of an accessory apartment within the single-family dwelling will not create any drainage concerns.

Non-motorized transportation – Not applicable.

Noise – The proposed use as an accessory apartment will be in keeping with a residential neighborhood.

Planning Commission
Case No.: USE 2019 0014
June 13, 2019
Page 7 of 9

Public Health or Safety - The structure meets all zoning requirements for height and setbacks and will need to meet all applicable building code requirements. CBJ Fire Department and both CBJ General Engineering and CBJ Building divisions have stated they have no issues with the application.

Habitat – No habitat regulated by the CBJ will be impacted by the development. The PUD demonstrated the wetland boundary does not overlap with this lot.

Property Value or Neighborhood Harmony – The CBJ Assessor has responded to say that they have no concerns with the application. One member of the public has commented that they believe the lot size is too small to be able to have an accessory apartment and that there would be insufficient space for the additional parking. It should be noted that the applicant could build a much larger house on the lot with or without an accessory apartment.

Conformity with Adopted Plans –

2013 Comprehensive Plan - The project substantially conforms to the 2013 Juneau Comprehensive Plan Policy 4.1 and 4.2 as follows:

POLICY 4.1 TO FACILITATE THE PROVISION AND MAINTENANCE OF SAFE, SANITARY, AND AFFORDABLE HOUSING FOR ITS RESIDENTS.

POLICY 4.2 IT IS THE POLICY OF THE CBJ TO FACILITATE THE PROVISION OF AN ADEQUATE SUPPLY OF VARIOUS HOUSING TYPES AND SIZES TO ACCOMMODATE PRESENT AND FUTURE HOUSING NEEDS FOR ALL ECONOMIC GROUPS.

The proposed development meets the intent of these policies by providing additional housing in the community.

2016 Housing Action Plan - The 2016 Housing Action Plan identifies a need for various housing types in Juneau. An action item identified in the plan to help solve this problem is to *create housing for workforce, seniors, and young families*. The proposal is consistent with the Plan in that it adds an additional dwelling unit.

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,

Planning Commission
Case No.: USE 2019 0014
June 13, 2019
Page 8 of 9

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. Staff finds 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 1.130 for the D3 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 14, 2019, and June 23, 2019, 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. There is no evidence that the proposed development will materially endanger the public health or safety.

Planning Commission
Case No.: USE 2019 0014
June 13, 2019
Page 9 of 9

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

No. There is no evidence that the proposed development will substantially decrease the value of or be out of harmony with property in the neighboring area.

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

Yes. The proposed development is found to comply with Title 49 and CBJ adopted plans, specifically with the 2013 CBJ Comprehensive Plan and the 2016 Housing Action Plan.

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?*

Not applicable.

RECOMMENDATION

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use Permit. The permit would allow the development of an accessory apartment of up to 600 square feet net floor area on a substandard lot in the Montana Creek West Planned Unit Development in a D3 zoning district.

The approval is subject to the following conditions:

1. Prior to issuance of building permit, the square footage of the accessory apartment, which shall not exceed 600 square feet in net floor area, shall be written on the floor plan.
2. Prior to issuance of a building permit, the construction plans shall demonstrate the necessary compliance with the flood hazard area construction requirements in CBJ 49.70.400. A LOMA for the construction site would satisfy this condition.
3. Prior to issuance of a building permit, 1,385 square feet of vegetative cover (at a minimum) shall be provided and shown on a site plan reviewed and approved by CDD staff.



DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications.

To be completed by Applicant	PROPERTY LOCATION		
	Physical Address Glacier Bear BLVD.		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) MONTANA CREEK WEST 2B LT 7A		
	Parcel Number(s) 4B2901160417		
	☐ This property located in the downtown historic district ☐ This property located in a mapped hazard area, if so, which _____		
	LANDOWNER/ LESSEE		
	Property Owner Roscoe Bicknell	Contact Person Troy Mayer	Phone Number(s) 9077237778
	Mailing Address 1750 Anka St. Juneau, Alaska 99801		
	E-mail Address NorthernLights@gci.net		
	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		5/14/19 Date	
X _____ Landowner/Lessee Signature		5/14/19 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"			
Applicant Northern Lights Dev.	Contact Person Troy Mayer	Phone Number(s) 9077237778	
Mailing Address 1750 Anka St. Juneau, Alaska 99801			
E-mail Address Northernlights@GCI.net			
X _____ Applicant's Signature		5/14/19 Date of Application	

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

This form and all documents associated with it are public record once submitted.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Attachment A - Application

Case Number 13619-14	Intake Initials ANE
	Date Received 5/16/19

Tim Felstead

From: David Blommer <dblommer@bicknellinc.com>
Sent: Wednesday, May 22, 2019 11:43 AM
To: Tim Felstead
Subject: Conditional Use permit

Hi Tim,

We give permission to Troy Mayer to apply for the accessory apartment on Lot 7 MCW2B.

Let me know if you need anything else.

Thanks,
David



ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

See reverse side for more information regarding the permitting process and the materials required for a complete application.

NOTE: Must be accompanied by a DEVELOPMENT PERMIT APPLICATION form.

To be completed by Applicant

PROJECT SUMMARY

New single-family home with 500 square ft. accessory apartment.

TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED

- ☒ Accessory Apartment – Accessory Apartment Application (AAP)
☐ Use Listed in 49.25.300 – Table of Permissible Uses (USE)

Table of Permissible Uses Category: _____

IS THIS A MODIFICATION or EXTENSION OF AN EXISTING APPROVAL?

☐ YES – Case # _____ ☒ NO

UTILITIES PROPOSED

WATER: ☒ Public ☐ On Site

SEWER: ☒ Public ☐ On Site

SITE AND BUILDING SPECIFICS

Total Area of Lot 6,925 square feet Total Area of Existing Structure(s) 0 square feet

Total Area of Proposed Structure(s) 1,962 square feet

EXTERNAL LIGHTING

Existing to remain
Proposed

☒ No
☐ No

☐ Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures
☒ Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures

ALL REQUIRED DOCUMENTS ATTACHED

☐ Narrative including:

- ☒ Current use of land or building(s)
☐ Description of project, project site, circulation, traffic etc.
☐ Proposed use of land or building(s)
☐ How the proposed use complies with the Comprehensive Plan

If this is a modification or extension include:

- ☐ Notice of Decision and case number
☐ Justification for the modification or extension
☐ Application submitted at least 30 days before expiration date

☐ Plans including:

- ☒ Site plan
☒ Floor plan(s)
☒ Elevation view of existing and proposed buildings
☐ Proposed vegetative cover
☒ Existing and proposed parking areas and proposed traffic circulation
☒ Existing physical features of the site (e.g.: drainage, habitat, and hazard areas)

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

ALLOWABLE/CONDITIONAL USE FEES		Check No.	Receipt	Date
	Fees			
Application Fees	\$ <u>350</u>			
Admin. of Guarantee	\$ <u>-</u>			
Adjustment	\$ <u>-</u>			
Pub. Not. Sign Fee	\$ <u>50</u>			
Pub. Not. Sign Deposit	\$ <u>100</u>			
Total Fee	\$ <u>500</u>			

This form and all documents associated with it are public record once submitted.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Case Number

USE 1A-14

Date Received

5/16/19

Attachment A - Application

Allowable/Conditional Use Permit Application Instructions

Allowable Use permits are outlined in CBJ 49.15.320, Conditional Use permits are outline in CBJ 49.15.330

Pre-Application Conference: A pre-application conference is required prior to submitting an application. There is no fee for a pre-application conference. The applicant will meet with City & Borough of Juneau and Agency staff to discuss the proposed development, the permit procedure, and to determine the application fees. To schedule a pre-application conference, please contact the Permit Center at 586-0770 or via e-mail at permits@juneau.org.

Application: An application for an Allowable/Conditional Use Permit will not be accepted by the Community Development Department until it is determined to be complete. The items needed for a complete application are:

1. **Forms:** Completed Allowable/Conditional Use Permit Application and Development Permit Application forms.
2. **Fees:** Fees generally range from \$350 to \$1,600. Any development, work, or use done without a permit issued will be subject to double fees. All fees are subject to change.
3. **Project Narrative:** A detailed narrative describing the project.
4. **Plans:** All plans are to be drawn to scale and clearly show the items listed below:
 - A. Site plan, floor plan and elevation views of existing and proposed structures
 - B. Existing and proposed parking areas, including dimensions of the spaces, aisle width and driveway entrances
 - C. Proposed traffic circulation within the site including access/egress points and traffic control devices
 - D. Existing and proposed lighting (including cut sheets for each type of lighting)
 - E. Existing and proposed vegetation with location, area, height and type of plantings
 - F. Existing physical features of the site (i.e. drainage, eagle trees, hazard areas, salmon streams, wetlands, etc.)

Document Format: All materials submitted as part of an application shall be submitted in either of the following formats:

1. Electronic copies in the following formats: .doc, .txt, .xls, .bmp, .pdf, .jpg, .gif, .xlm, .rtf (other formats may be preapproved by the Community Development Department).
2. Paper copies 11" X 17" or smaller (larger paper size may be preapproved by the Community Development Department).

Application Review & Hearing Procedure: Once the application is determined to be complete, the Community Development Department will initiate the review and scheduling of the application. This process includes:

Review: As part of the review process the Community Development Department will evaluate the application for consistency with all applicable City & Borough of Juneau codes and adopted plans. Depending on unique characteristics of the permit request the application may be required to be reviewed by other municipal boards and committees. During this review period, the Community Development Department also sends all applications out for a 15-day agency review period. Review comments may require the applicant to provide additional information, clarification, or submit modifications/alterations for the proposed project.

Hearing: All Allowable/Conditional Use Permit Applications must be reviewed by the Planning Commission for vote. Once an application has been deemed complete and has been reviewed by all applicable parties the Community Development Department will schedule the requested permit for the next appropriate meeting.

Public Notice Responsibilities: Allowable/Conditional Use requests must be given proper public notice as outlined in CBJ 49.15.230:

The Community Development Department will give notice of the pending Planning Commission meeting and its agenda in the local newspaper a minimum of 10-days prior to the meeting. Furthermore, CDD will mail notices to all property owners within 500-feet of the project site.

The Applicant will post a sign on the site at least 14 days prior to the meeting. The sign shall be visible from a public right-of-way or where determined appropriate by CDD. Signs may be produced by the Community Development Department for a preparation fee of \$50, and a \$100 deposit that will be refunded in full if the sign is returned within seven days of the scheduled hearing date. If the sign is returned between eight and 14 days of the scheduled hearing \$50 may be refunded. The Applicant may make and erect their own sign. Please contact the Community Development Department for more information.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED



ACCESSORY APARTMENT APPLICATION

See reverse side for more information regarding the permitting process and the materials required for a complete application.

NOTE: Must be accompanied by a DEVELOPMENT PERMIT APPLICATION form.

To be completed by Applicant	PROJECT SUMMARY: New single-family home with a 500 square ft. accessory apartment.	
	ACCESSORY APARTMENT DESIGN ☒ Attached to or Within a Single-Family Dwelling ☐ Within a Two-Unit Common-Wall Dwelling ☐ Associated With a Detached Garage ☐ Not Affiliated with Another Structure (Stand alone)	
	AREA OF APARTMENT Net Floor Area <u>500</u> square feet Areas common to more than one dwelling unit including entry ways, furnace rooms, laundry rooms, and interior stairways are not be included in the computation of net floor area.	
	PARKING Existing Spaces <u>0</u> Total Proposed Spaces <u>3</u> <i>for entire development</i> (Parking dimensions must be a minimum of 8.5' X 17', and each parking space must be drawn to scale on the site plan.)	

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

SITE INFORMATION				
ZONING DISTRICT <u>D3</u>		UTILITIES AVAILABLE		
MINIMUM LOT SIZE (49.25.400) <u>PUD</u>		WATER: ☒ Public ☐ On Site		
ACTUAL LOT SIZE <u>6,925</u>		SEWER: ☒ Public ☐ On Site		
Permitting Process: ☐ Departmental Review ☒ Planning Commission ☒ Pre-Application Conference held ☒ Narrative and Pre-App notes attached				
Fees (Departmental Approval)	Fees	Check No.	Receipt No.	Date
Application Fees	<u>See Building Permit</u>			
Fees (Conditional Use Permit)				
Application Fee	\$ _____			
Public Notice Sign Fee	\$ _____			
Public Notice Sign Deposit	\$ _____			
Total	\$ _____			

This form and all documents associated with it are public record once submitted.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Case Number	Date Received
<u>AAP-19-09</u>	

Attachment A - Application

Accessory Apartment Application Information

Accessory Apartments are outlined in CBJ 49.25.510(k)

For more information about Accessory Apartments see the Accessory Apartment handout in the Permit Center.

If the Actual Lot Size is less than the Minimum Lot Size required, the application must be reviewed through the Conditional Use Permitting Process.

Application: An application for an Accessory Apartment Permit will not be accepted by the Community Development Department until it is determined to be complete. The items needed for a complete application are:

1. **Forms:** Completed Accessory Apartment Permit Application and Development Permit Application forms.
2. **Fees:** All Accessory Apartment Application's must pay Building permit fees. If it is determined that the apartment needs to be reviewed under the Conditional Use process, additional fees will apply. Any development, work or use done without an issued permit will be subject to double fees.
3. **Project Narrative:** A detailed narrative describing the project.
4. **Plans:** All plans are to be drawn to scale and must clearly show the items listed below:
 - A. Site plan, drawn to scale and dimensioned indicating all required parking, minimum setbacks and entrances for both dwelling units.
 - B. A floor plan drawn to scale and dimensioned indicating both dwelling units including each room labeled as to use.
 - C. Existing physical features of the site (i.e. drainage, eagle trees, hazard areas, salmon streams, wetlands, etc.).

Document Format: All materials submitted as part of an application shall be submitted in either of the following formats:

1. Electronic copies in the following formats: .doc, .txt, .xls, .bmp, .pdf, .jpg, .gif, .xlm, .rtf (other formats may be preapproved by the Community Development Department).
2. Paper copies 11" X 17" or smaller (larger paper size may be preapproved by the Community Development Department).

Please consult with the Community Development Department to discuss whether additional information may be required for your application. During business hours the "Planner-On-Call" can be reached by contacting the Permit Center at 586-0770 or via e-mail at permits@juneau.org.

Minimum Lot Size: If the property meets or exceeds the minimum lot size required in the Table of Dimensional Standards and is served by public sewer, the application will be reviewed by Community Development Department Staff. If the property has an on-site waste disposal system, written verification from the Alaska Department of Environmental Conservation that the disposal system has the capacity to service an additional dwelling unit and inspection are required.

Conditional Use Process: An Accessory Apartment Permit will be required to be reviewed through the Conditional Use permitting process if the lot upon which the accessory apartment is proposed is smaller than the Minimum Lot Size for Permissible Uses listed in the Table of Dimensional Standards, CBJ 49.25.400. **If this is the case, a Conditional Use permit review fee will be required in addition to building permit fees.**

Application Review Procedure: Once the application is determined to be complete, the Community Development Department will initiate the review of the application. As part of the review process the Community Development Department will evaluate the application for consistency with all applicable City & Borough of Juneau codes and adopted plans. Depending on unique characteristics of the Accessory Apartment Application request, the application may be required to be reviewed by other municipal boards and committees. During this review period, the Community Development Department will coordinate the review of this application by other agencies, as necessary. **Review comments may require the applicant to provide additional information, clarification, or submit modifications/alterations for the proposed project.**

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED



(907) 586-0715
 CDD_Admin@juneau.org
 www.juneau.org/CDD
 155 S. Seward Street • Juneau, AK 99801

Accessory apartment on undersized lot in Montana Creek West Subdivision

Case Number: PAC20190029

Applicant: Troy Mayer

Property Owner: Roscoe Bicknell III

Property Address: Glacier Bear BLVD

Parcel Code Number: 4B2901160417

Site Size: 6,925 Square Feet

Zoning: D3

Existing Land Use: Vacant

Conference Date: 5/1/2019 @ 10:30 am

Report Issued: 5/8/2019

List of attendees

Note: Copies of the Pre-Application Conference Report will be emailed, instead of mailed, to participants who have provided their email address below.

Name	Title	Email address
Troy Mayer	Applicant	NorthernLights@gci.net
Tim Felstead	Planning	Tim.Felstead@juneau.org
Kyle Paw	Permit Tech	Kyle.Paw@juneau.org

Pre-Application Conference Final Report

Conference Summary

Questions/issues/agreements identified at the conference that weren't identified in the attached reports.

The following is a list of issues, comments and proposed actions, and requested technical submittal items that were discussed at the pre-application conference.

Planning Division:

1. **Zoning** – Zoned D3. Minimum lot size of 12,000 square feet.
 - a. This is in a Planned Unit Development (PUD) that has been allowed to have smaller lot sizes in order to preserve the density that would have been allowed for the PUD site. There is also a note on the plat restricting lots in the PUD to one dwelling unit only. Accessory apartment regulations have changed since the Montana Creek West subdivision was first approved. It is understood the intention of the note was to ensure the approved number of dwellings for the entire PUD was not exceeded. Accessory apartments do not count towards housing density even though they meet the definition of a dwelling.

The possibility of Accessory Apartments was reviewed by the Subdivision Review Committee

2. **Setbacks** – Setbacks are specific for the PUD and are as follows

Front	20 feet
Rear	15 feet
Side	5 feet
Street side	13 feet

Based on the site plan the building and stairs will be close enough to the setbacks to require an as-built survey.

3. **Height** – Maximum height is 35 feet. Proposed plans are less than this.
4. **Access** – Glacier Bear Boulevard is the access to the lot
5. **Parking & Circulation** – 2 parking spaces required for the single family dwelling plus one for the accessory unit
6. **Lot Coverage** – Maximum lot coverage (anything with a roof) is ~~35%~~ 50%. Proposed building is less than 35%. *50% per 2007 Montana Creek West sub. amending PUD.*
7. **Vegetative Coverage** – Minimum vegetative cover on the lot is 20%
8. **Lighting** – Lighting should not shine directly into or glare on neighboring properties.
9. **Noise** – No more than expected from a single family dwelling.
10. **Flood** – Part of lot is located in AE flood zone and special construction requirements apply. It is understood property owners are going through a FEMA Letter of Map Amendment (LOMA) at the moment. If fill elevates building above the Base Flood Elevation (BFE) then flood zone construction requirements do not apply. No useable space should be below the BFE (e.g. no basement).
11. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – N/A
12. **Wetlands** – Is outside the delineated wetlands identified in the Montana Creek West PUD approval. Lot 29 is dedicated open space to preserve the wetlands.
13. **Habitat** – (Eagle – remind applicant to check with Feds; Riparian, etc.) – No habitat regulated by the CBJ land use code is present.

Pre-Application Conference Final Report

14. **Plat or Covenant Restrictions** – There are a number of plat notes relating to the PUD. Dwelling unit restriction can be addressed by the Planning Commission during the Conditional Use permit review. Intention of the note seems to be based on tracking dwelling units not to prevent accessory apartments.

15. **Traffic** – No TIA required.

Building Division:

16. **Building** – 1 hour fire and sound separation required between apartment and main dwelling unit.
17. **Outstanding Permits** – N/A

General Engineering/Public Works:

18. **Engineering** – Driveway will need to be addressed as part of building permit review.
19. **Drainage** – Montana Creek West Phase 2B plat has a drainage easement note. 5 feet either side of common property lines is a drainage easement. Concentrated drainage should be directed to the storm drain stub out. Drainage at the rear of the lot may be directed toward the wetlands. Underground storm water system stub outs should be used for buildings down spouts.
20. **Utilities** – Single water line with meter required.

Fire Marshal:

21. **Fire Items/Access** – No additional fire access requirements.

Other Applicable Agency Review:

22. **DOT&PF / Alcohol Beverage Control Board / Army Corps / DEC (wastewater) / DNR / USF&W / F&G / FAA / Corrections...** – NA but may be contacted for comment especially given proximity to wetlands.

List of required applications

Based upon the information submitted for pre-application review, the following list of applications must be submitted in order for the project to receive a thorough and speedy review.

1. Development permit application
2. Accessory apartment application including site plan showing parking spaces and vegetative cover, preliminary construction plans.

Additional submittal requirements:

Submittal of additional information, given the specifics of the development proposal and site, are listed below. These items will be required in order for the application to be determined Counter Complete.

1. A copy of this pre-application conference report.
2. Flood zone Letter of Map Amendment confirmation if received.

Fee estimates

The preliminary plan review fees listed below can be found in the CBJ code section 49.85.

Based upon the project plan submitted for pre-application review, staff has attempted to provide an accurate estimate for the permits and permit fees which will be triggered by your proposal.

1. Conditional Use permit – Class I development – \$350
2. Public notice sign – \$150 – \$100 is refundable on return of sign. Needs to be up 2 weeks before hearing date.

Pre-Application Conference Final Report

For informational handouts with submittal requirements for development applications, please visit our website at www.juneau.org/cdd.

Submit your completed application

You must submit your application(s) in person with payment to:

City/Borough of Juneau
Permit Center
230 S. Franklin Street,
Fourth Floor Marine View Center
Juneau, AK 99801

Phone: (907) 586-0715
Fax: (907) 586-4529
Web: www.juneau.org/cdd

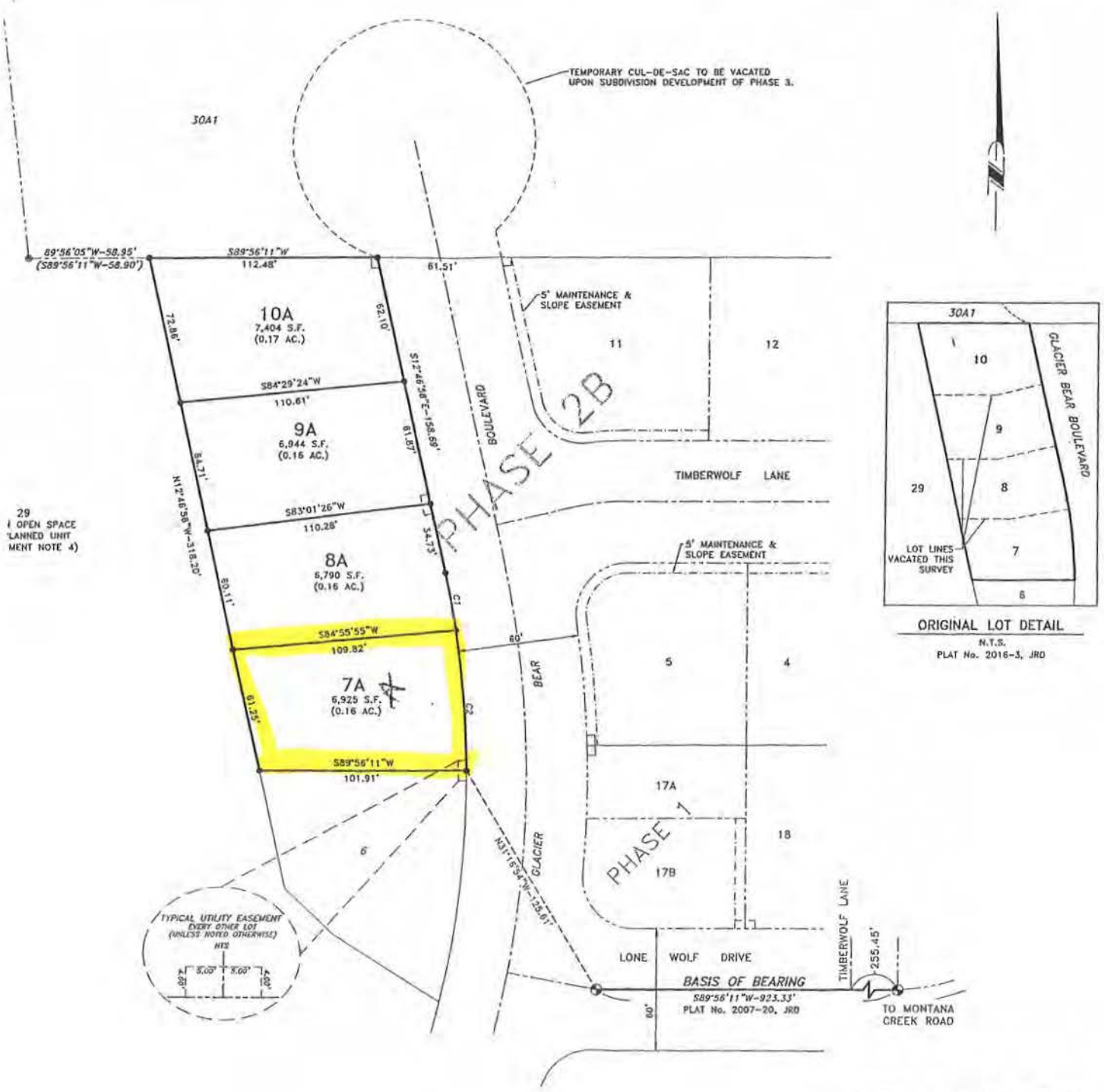


TABLE OF CURVES						
NUMBER	DELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD DIRECTION	CHORD LENGTH
1	03°32'01"	470.00'	28.99'	14.50'	N11°00'57"W	28.98'
2	08°29'28"	470.00'	69.65'	34.89'	N05°00'13"W	69.59'

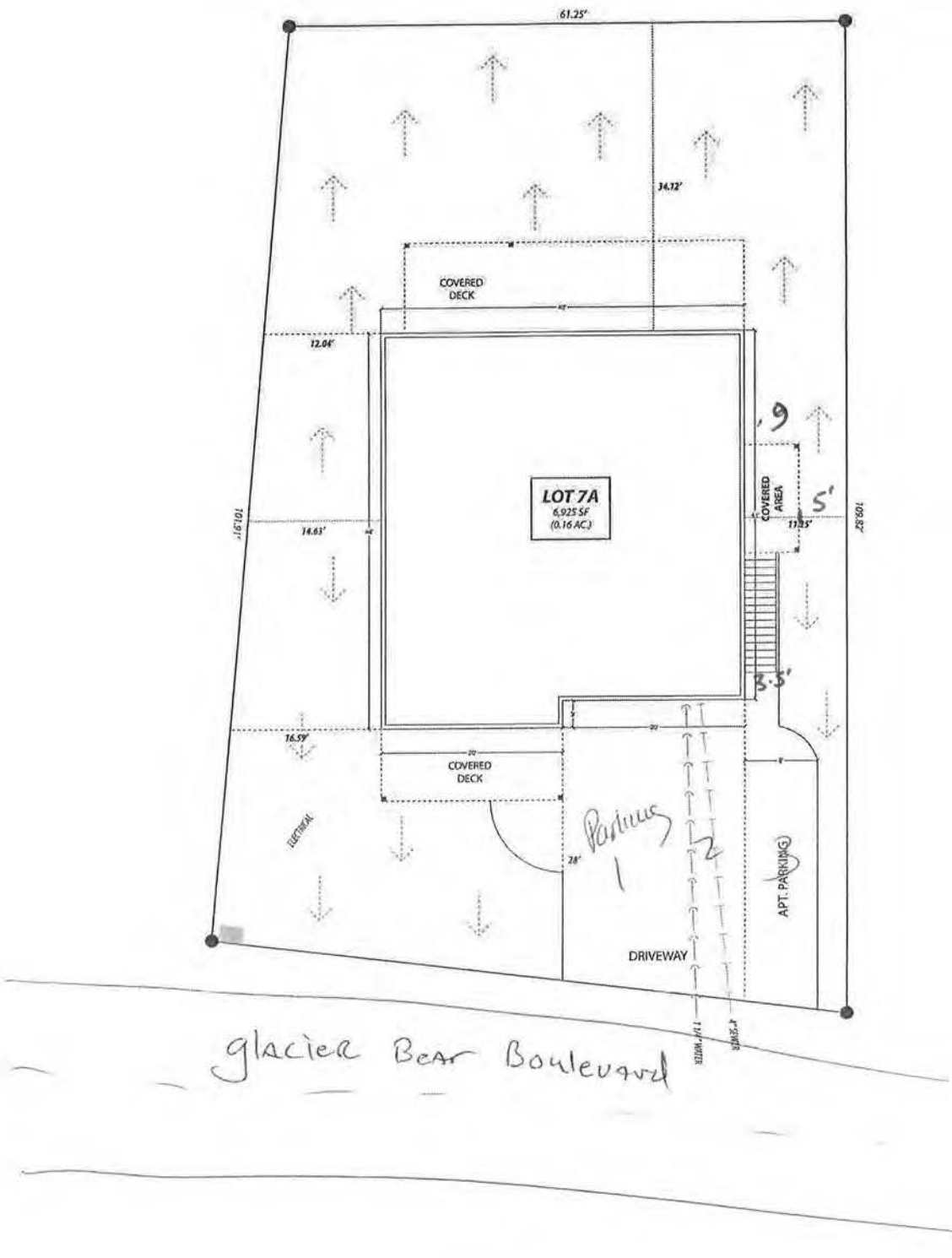
CERTIFICATE OF PLAT APPROVAL

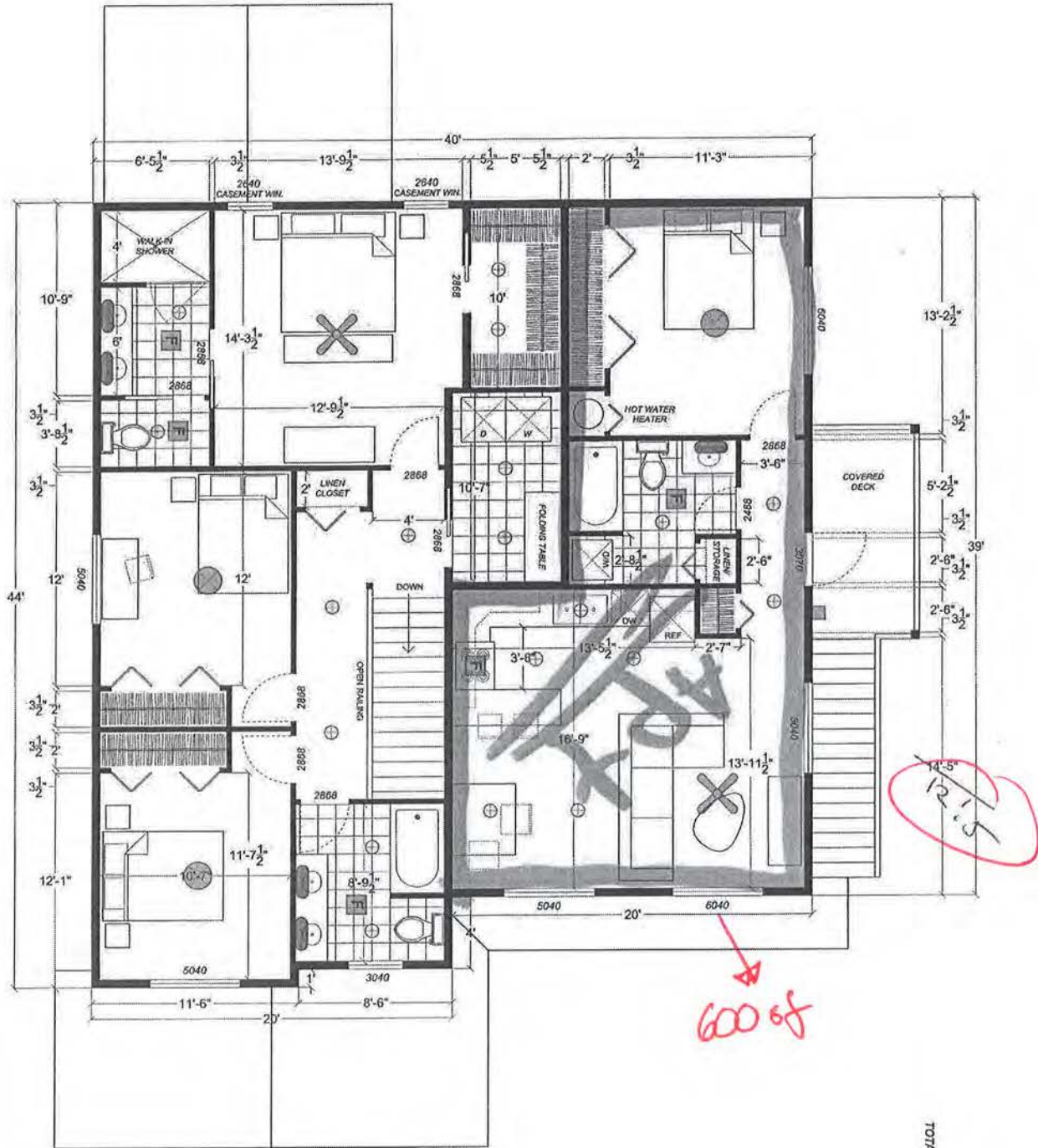
I HEREBY CERTIFY THAT THE PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH TITLE 49 OF THE CODE OF THE CITY AND BOROUGH OF JUNEAU AND IS APPROVED BY THE CITY AND BOROUGH OF JUNEAU DEPARTMENT OF COMMUNITY DEVELOPMENT FOR RECORDING IN THE OFFICE OF THE JUNEAU RECORDING DISTRICT, JUNEAU, ALASKA

DATED 2017

ROB STEEDLE, DIRECTOR
COMMUNITY DEVELOPMENT DEPARTMENT
CITY AND BOROUGH OF JUNEAU
ATTEST: CLERK, CITY AND BOROUGH







- LED PACK LIGHT
 - OVERHEAD LIGHT + FAN
 - EXTERIOR LIGHT
 - BATH/HOOD FAN
 - WALL-MOUNTED LIGHT
 - SURFACE LIGHT
- SCALE: 3/16" = 1'-0"

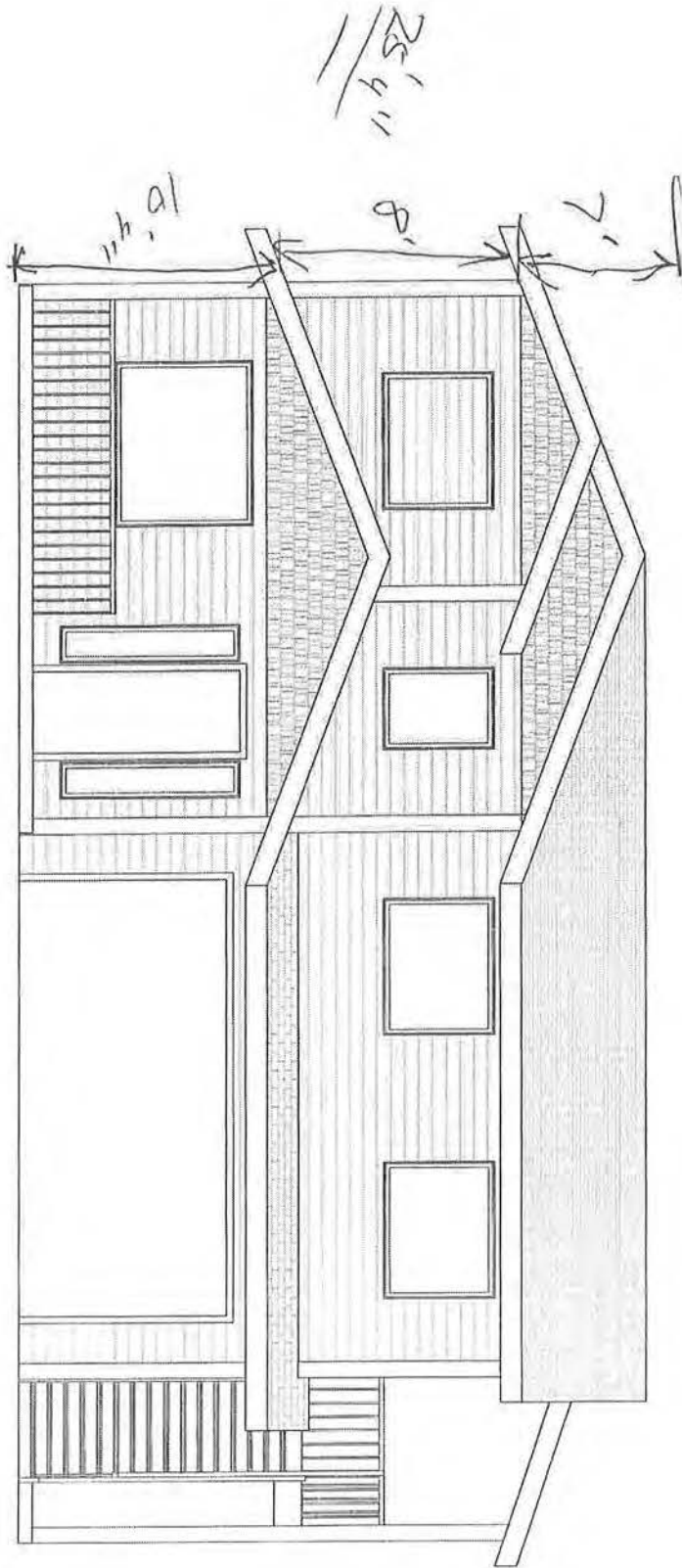
LIVING SPACE - 963 SF
APARTMENT - 640 SF
TOTAL LIVING SPACE (MAIN HOUSE) - 2138 SF

SECOND FLOOR PLAN	
DATE:	4/25/2019
DRAWN:	DJA
CHECKED:	
REVISIONS	
BY	

HOUSE W/ APT
(LOT 7A)

NORTHERN LIGHTS DEVELOPMENT
1750 Anka Street
Juneau, Alaska 99801
907.780.6300

PAGE 7 OF 9
B-2

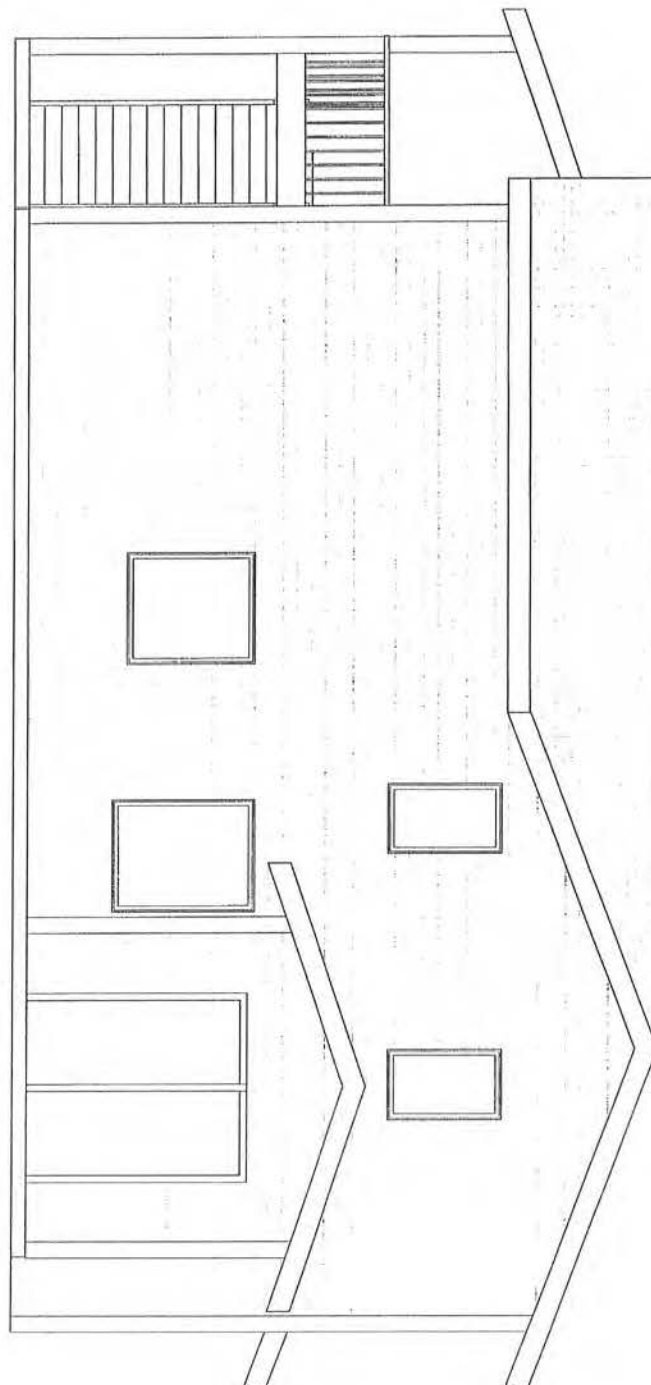


SCALE: MTS

	REVISIONS	BY	FRONT VIEW		HOUSE W/ APT (LOT 7A)	NORTHERN LIGHTS DEVELOPMENT 1750 Anka Street Juneau, Alaska 99801 907.780.6300
			DATE:	4/26/2019		
			DRAWN:	DJA		
			CHECKED:			

PAGE 2 OF 9

A-2



SCALE: NTS

[illegible]

BACK VIEW

DATE: 4/26/2019

DRAWN: DJA

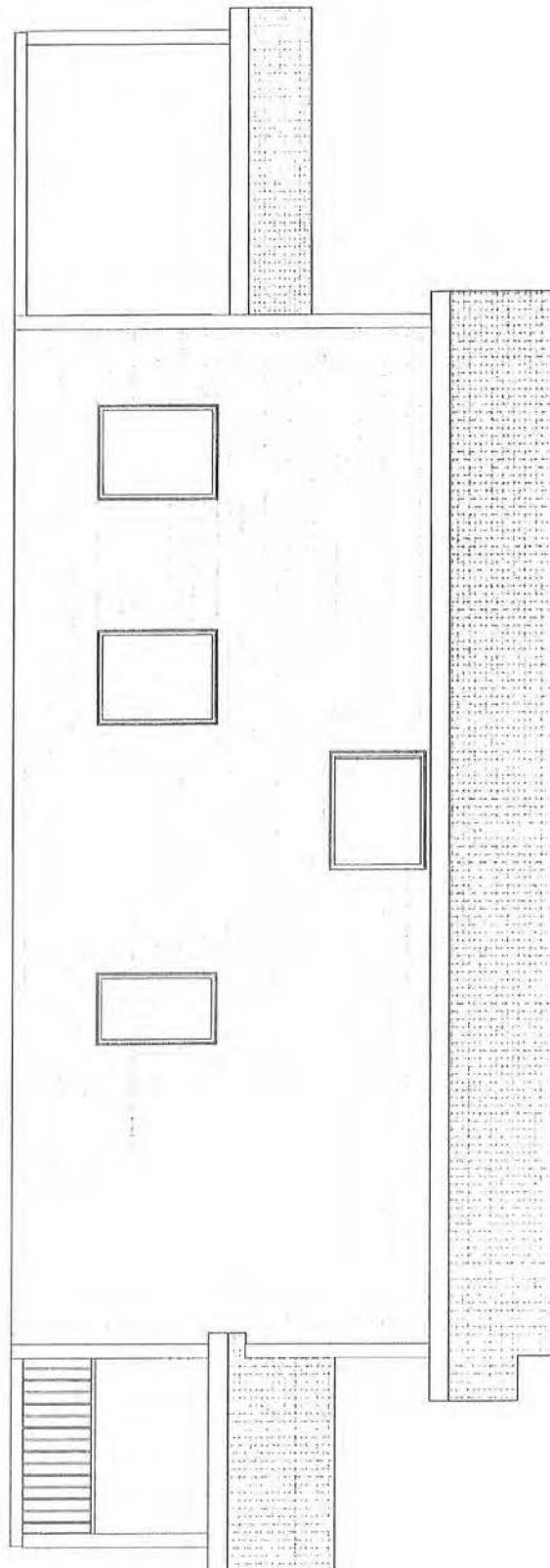
CHECKED:

HOUSE W/ APT
(LOT 7A)

NORTHERN LIGHTS DEVELOPMENT
1750 Anka Street
Juneau, Alaska 99801
907.780.6300

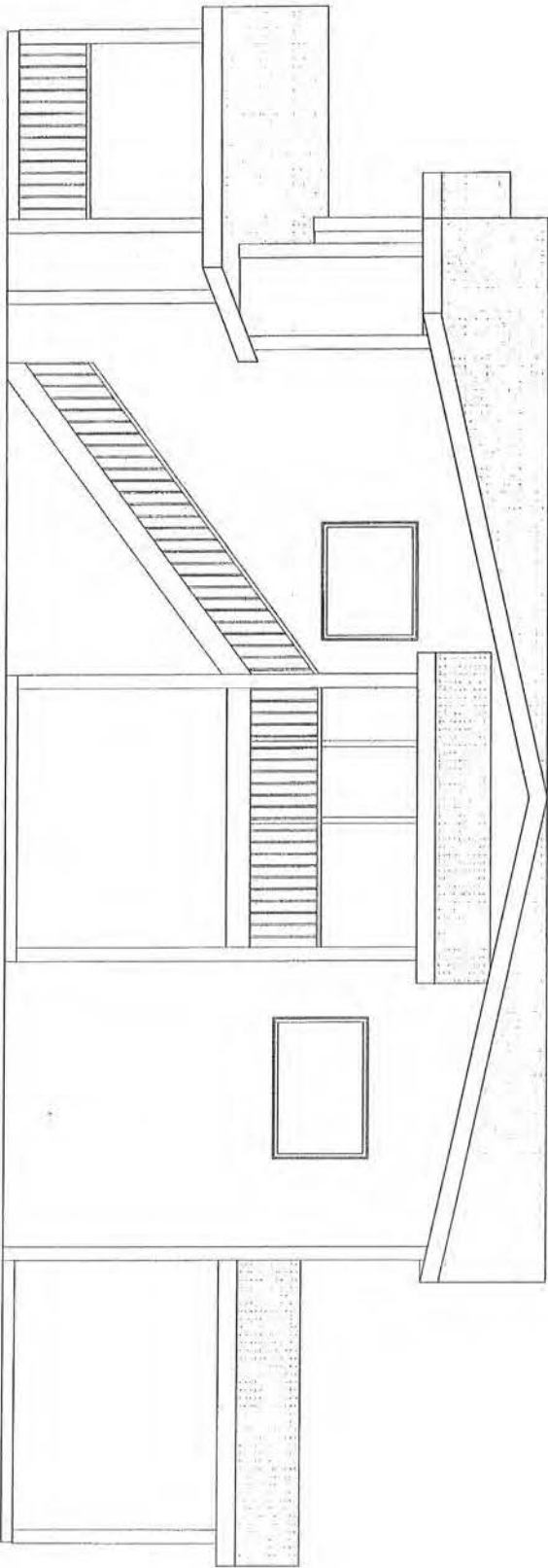
PAGE 3 OF 9

A-3



SCALE: NTS

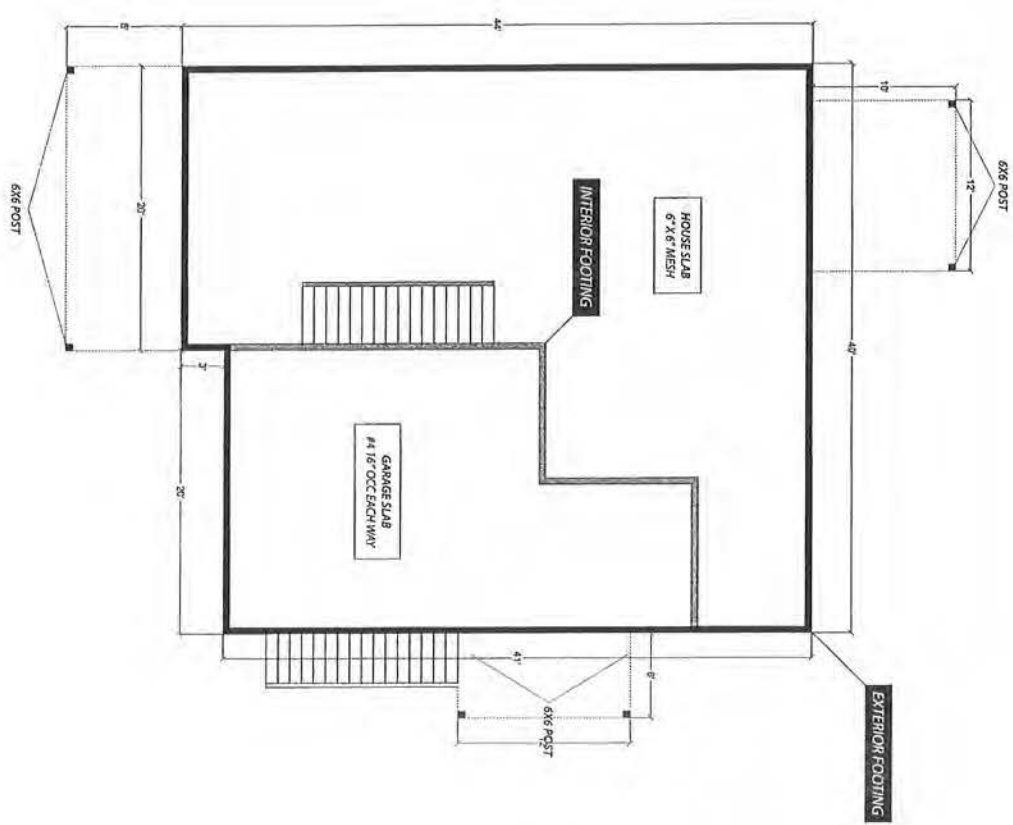
[illegible]



SCALE: NTS

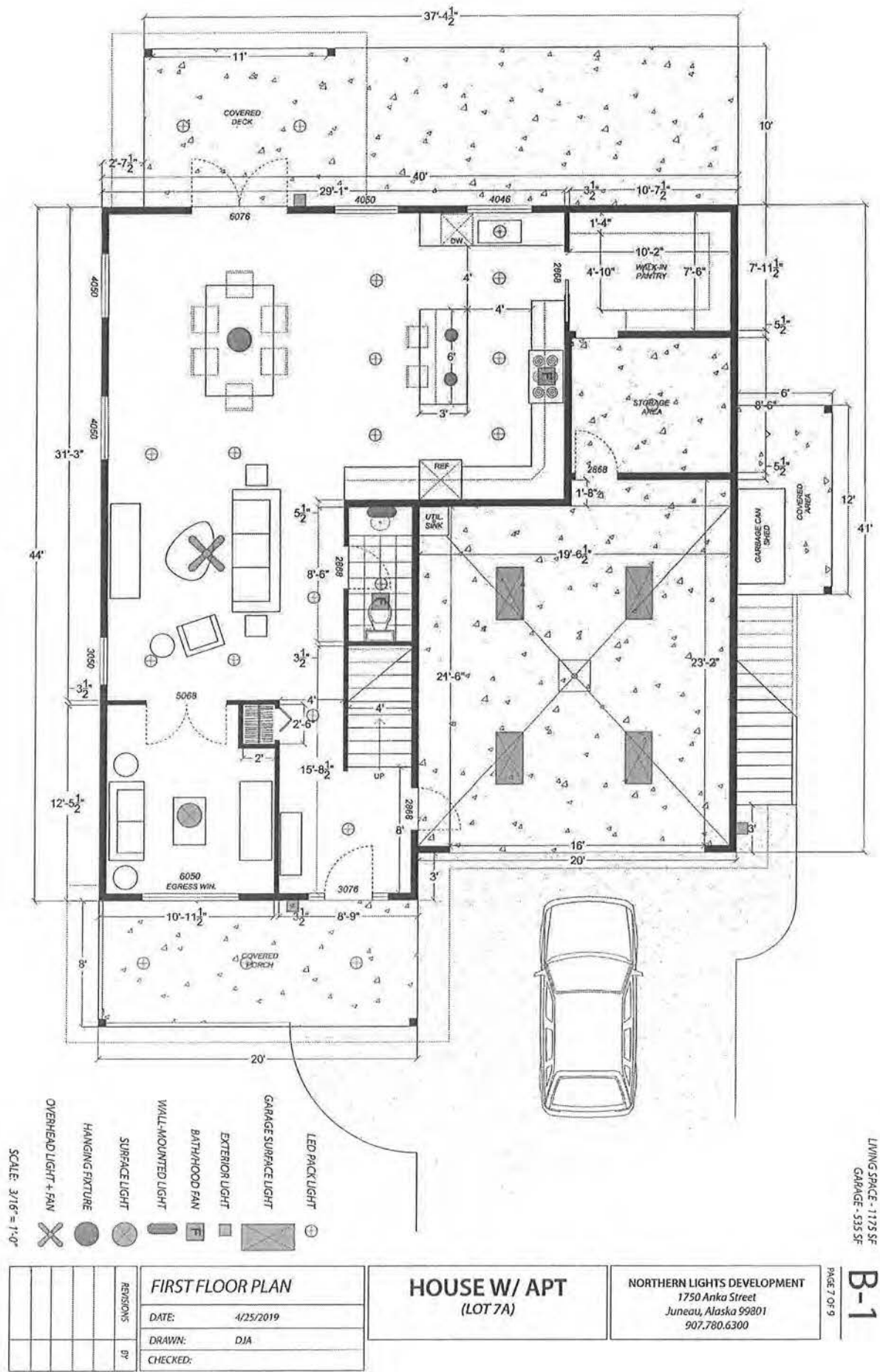
																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																				</
--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	----

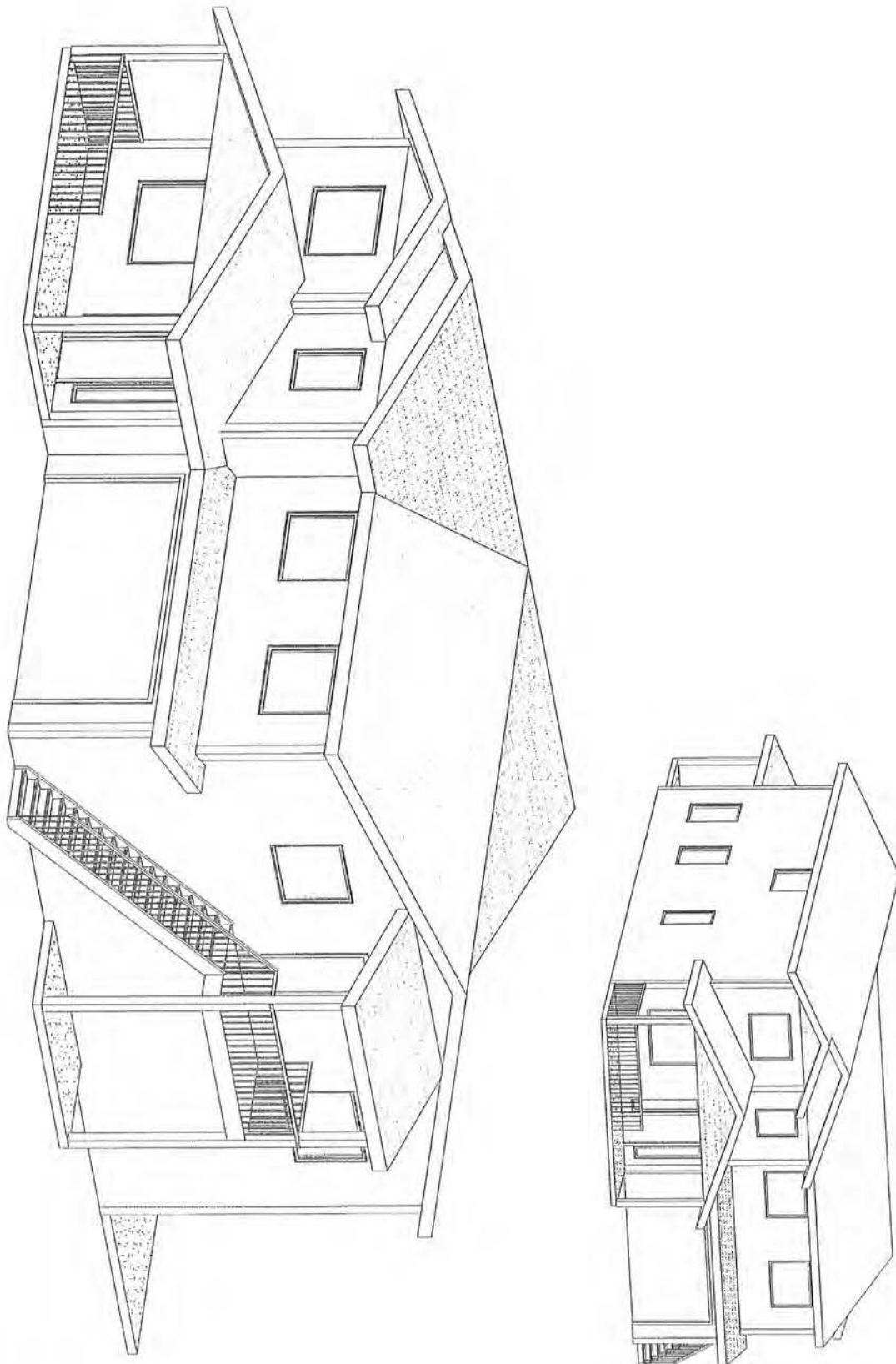
A-5
PAGE 5 OF 9



SCALE: 1/8" = 1'-0"

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--





SCALE: NTS

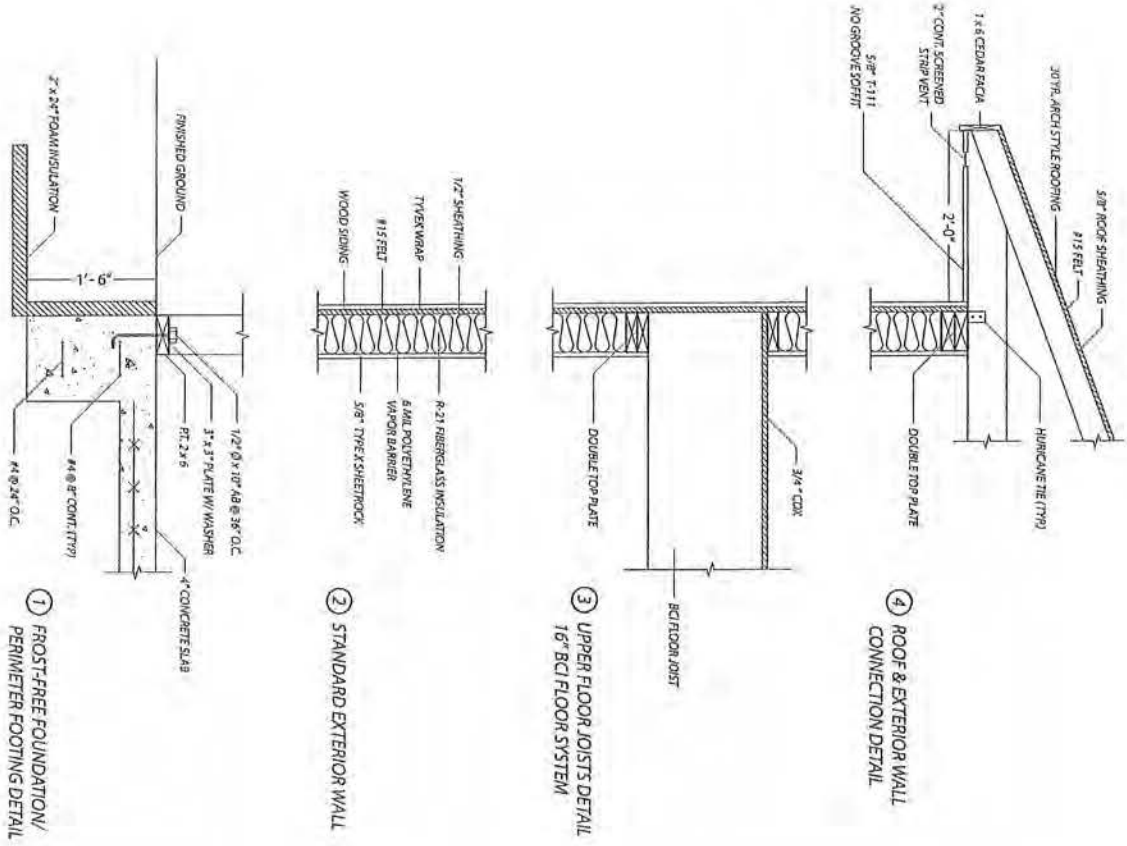
		REVISIONS BY	3D VIEW
			DATE: 4/25/2019
			DRAWN: DJA
			CHECKED:

HOUSE W/ APT
(LOT 7A)

NORTHERN LIGHTS DEVELOPMENT
1750 Anka Street
Juneau, Alaska 99801
907.780.6300

PAGE 1 OF 9

A-1



- NOTES:
- 1. BOUNDARY SHEAR WALL NAILING SPACING SHALL BE 3" O.C.
 - 2. ALL OTHERS 6" O.C. WITH INTERIOR 8" SPACING.
 - 3. BLOCKING REQUIRED ON ALL SHEAR PANEL EDGES.
 - 4. USE ONLY 100 WALLS UNLESS OTHERWISE STATED.
 - 5. CENTER SHEAR WALL TO BE FRAMED TO THE INTD ROOF SHEATHING.
 - 6. USE DOUBLE TOP PLATE WITH 12d NAILS @ 2'-1/2" C.C. SPACING.
 - 7. LAP SPLICES TO CONFORM TO U.B.C.

SCALE: 3/4" = 1'-0"

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

From: Derek Listberger <littlelisty11@hotmail.com>
Sent: Monday, June 03, 2019 7:36 PM
To: PC_Comments
Subject: Case #USE2019 0014

Hi,

Im writing this email because I am a concerned neighbor about this lot that is proposing to have an accessory apartment on a substandard-sized lot. I live right next door to this lot. I don't believe you should be able to have an apartment in this neighborhood. None of the other houses in the subdivision have apartments. The lot sizes are too small for such a thing. If you look at all the other houses in this area the driveways are barely big enough for 2 cars. So adding an apartment will make at least 3 minimum in this driveway. This lot is just over 7000 sq ft. It's the smallest lot on this side of the subdivision that backs to the greenbelt also. It would make more sense if these lot sizes were doubled in size. Plus it's that much more traffic in the area. Im sure I can speak for most of the neighbors in this area as well. Hopefully you guys really consider my lots. Thanks

File No.: SUB2005-00048

Attachment C - Notice of Decision

Roscoe Bicknell
 File No.: SUB2005-00048
 February 16, 2006
 Page 2 of 5

6. An easement in favor of the residents of Montana Creek West PUD shall be dedicated on all common open spaces, and the purpose of such easement shall be to provide access for recreational uses, and allow for the development of hiking/walking trails.
7. Final plat shall contain a note stipulating the requirements of Condition #6
8. Final Plat shall show the floodplain boundary.
9. A 10-foot maintenance easement shall be dedicated on the lot adjacent to the lot whereon structures are situated on the common lot line; such easement shall extend the length of the lot.
10. Final plat shall show and describe maintenance easement required by Condition #9.
11. Final Plat shall not be approved until temporary cul-de-sacs are provided, where necessary (as determined by CBJ Community Development) for each phase of the development.
12. Final Plat shall not be approved until a ROW is dedicated to the adjacent Barrett parcel to the south as shown in Submittal dated January 11, 2006, or until an easement over parcel "A" in favor of CBJ for the construction of Rights of Way is recorded.
13. Prior to issuance of a grading permit or PFT, the developer must submit a drainage plan and construction drawings illustrating all public improvements. Such plans must include provisions for addressing stormwater runoff during construction, and be approved by the CBJ Engineering Department.
14. Proposed building envelope shall be shown on the final plat for each lot within the PUD.
15. Final plat shall contain a note indicating, "No additional dwelling units are allowed on lots beyond what is indicated."
16. With the exception of parks and public trails, all development within this PUD must be setback from the exterior boundary of this development at least 25-feet.
17. Building setbacks for proposed development shall be those recommended by staff in this report.
18. Required building setbacks shall be noted on the final plat.
19. Prior to Final Plat approval the developer must:
 - a. Verify the existing contents and depths of the pond to the satisfaction of the CBJ Engineering Department - prior to any more filling.
 - b. All existing organics must be removed from the ponds prior to the commencement of any filling.

Roscoe Bicknell
 File No.: SUB2005-00048
 February 16, 2006
 Page 3 of 5

- c. The developer must submit engineered plans for filling the dredge ponds; such plans must be approved by the Engineering Department and include calculations that address liquefaction in a seismic event, as well as static loading. Recommended methods for achieving consolidation may include surcharging, vibroflotation, and or other methods proposed by the developers Engineer and approved by the CBJ Engineering Department.
 - d. All fill must be placed in accordance with such engineered plan.
 - e. The developers Engineer must verify consolidation at all depths after filling efforts are complete, and identify methods for such.
 - f. An appropriate bond and inspection fee will be required to guarantee for the satisfactory completion of such fill.
20. The restoration plan submitted with USE1999-00016 shall remain a permit requirement until such time that the applicant provides the necessary engineered drawings for the filling of the dredge ponds, and provides the necessary bonding to guarantee for such.
21. Advisory: the applicant is required to submit a stormwater and pollution prevention plan with the Alaska Department of Environmental Conservation.
22. Prior to final plat approval for Phase 3, Parcel "A" (no development zone), shall have a conservation easement placed on it and such parcel shall be deeded to a non-profit organization of the developers choice, as approved by the director of CDD.
23. CBJ Parks and Recreation department must approve park design that will be built by developer and dedicated to CBJ.

JCMP Recommended Conditions

- 1. The applicant shall utilize Best Management Practices listed below for installation of required subdivision improvements:
 - A. Diverted or construction-related water shall not be directed into receiving waters unless sediment retention structures and water quality control devices are used prior to discharge.
 - B. The duration and area of exposed soil shall be minimized to reduce erosion potential. Re-vegetation shall be completed within one growing season.
 - C. Soils or fill shall not be placed near stream banks where it may be transported into the watercourse.

Roscoe Bicknell
File No.: SUB2005-00048
February 16, 2006
Page 4 of 5

- D. Runoff from the site after project completion shall not contribute to the impairment of water quality.
- E. Erosion and sedimentation control devices shall be installed between construction areas and streams prior to grading and maintained throughout the construction period.
- F. Equipment shall not be serviced or washed within 100 feet from streams.
- G. Spill containment and cleanup supplies shall be stored within a 15-minute transport time to construction sites.
- H. Storage of excavated or fill materials must be placed at least 25 feet from streams.
- I. Sediment traps or stilling basins shall be installed to prevent untreated sediment and runoff from entering streams.
- J. Construction runoff will be filtered through silt fences before reentering streams.

Attachment: February 9th & 14th, 2006 memorandums from Nathan Bishop Community Development to the CBJ Planning Commission regarding SUB2005-00048.

This Notice of Decision 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).

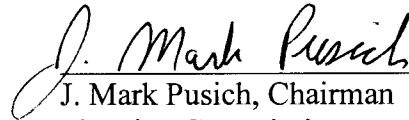
Effective Date: The permit is effective upon approval by the Commission
February 14, 2006.

Expiration Date: The permit will expire 18 months after the effective date, or August 14, 2007, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized; or if no plat has been issued 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:

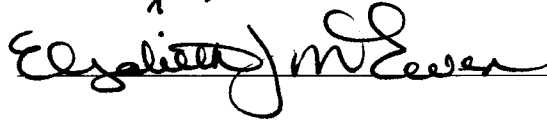

Nathan Bishop, Planner

Roscoe Bicknell
File No.: SUB2005-00048
February 16, 2006
Page 5 of 5



J. Mark Pusich, Chairman
Planning Commission

Filed With ^{deputy} City Clerk



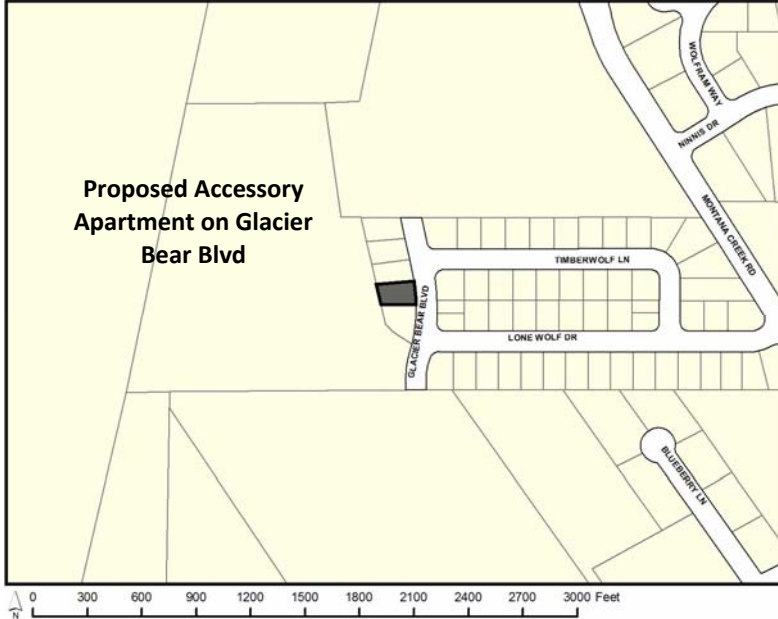
Feb. 16, 2006

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 1 (800) 949-4232, or fax (360) 438-3208.

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission
Your Community, Your Voice



155 S. Seward Street Juneau, Alaska 99801

TO:

An application has been submitted for consideration and public hearing by the Planning Commission for a **Conditional Use Permit** for an accessory apartment on a substandard-sized lot located on **Glacier Bear Boulevard** in a **D3 Zone**.

TIMELINE

Staff Report expected to be posted **Monday, June 17, 2019** at <https://beta.juneau.org/assembly/assembly-minutes-and-agendas>
Find hearing results, meeting minutes and more here as well.

Now through June 3, 2019

Comments received during this period will be sent to the Planner, **Tim Felstead**, to be included in the staff report.

June 4 through 12 noon, June 21

Comments received during this period will be sent directly to Commissioners to read over the weekend in preparation for the hearing.

HEARING DATE & TIME
7:00 pm, June 25, 2019

You may testify and bring up to 2 pages of written material (15 copies) in City Hall's Assembly Chambers, 155 S. Seward St., Juneau.

June 26

The results of the hearing will be posted online.

Phone: **(907)586-0715** ♦ Email: pc_comments@juneau.org
Mail: **Community Development, 155 S. Seward St, Juneau AK 99801**

Case No.: USE2019 0014
Parcel No.: 4B2901160417
CBJ Parcel Viewer: <http://epv.juneau.org>

USE2019-0014

A Conditional Use Permit for an accessory apartment on a substandard-sized lot

**Planning Commission Meeting
June 25, 2019**



USE2019-0014 Conditional Use permit – purpose

49.15.330(a) *Purpose.* A conditional use is a use that may or may not be appropriate in a particular zoning district according to the character, intensity, or size of that or surrounding uses. The conditional use permit procedure is intended to afford the commission the flexibility necessary to make determinations appropriate to individual sites. The commission may attach to the permit those conditions listed in subsection (g) of this section as well as any further conditions necessary to mitigate external adverse impacts. If the commission determines that these impacts cannot be satisfactorily overcome, the permit shall be denied.



USE2019-0014

Vicinity





USE2019-0014

Current photo of site

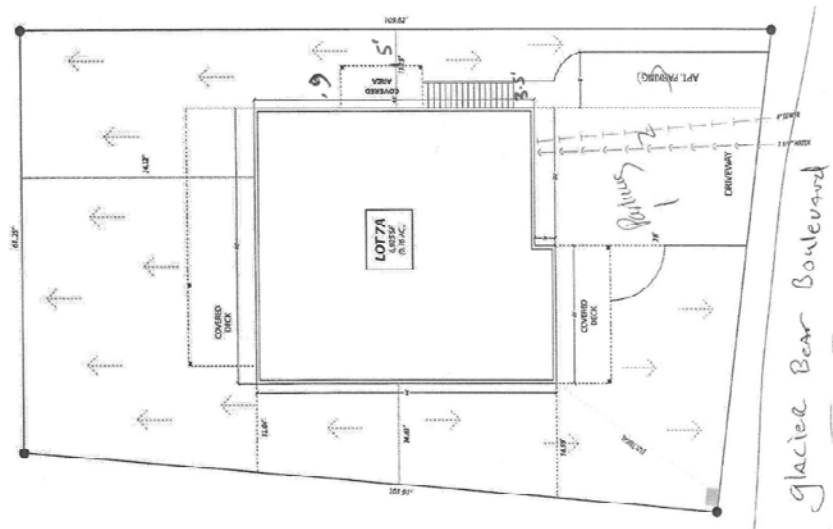






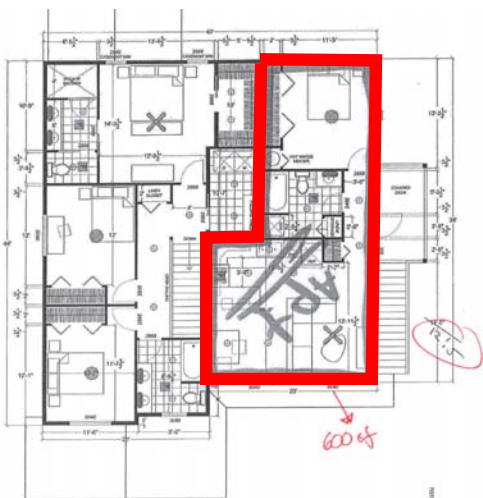
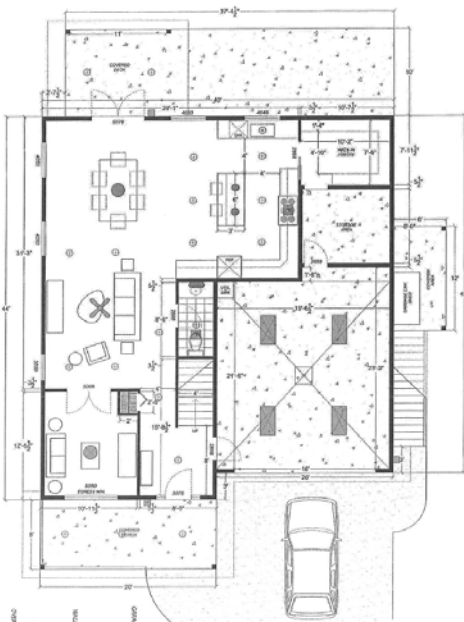
USE2019-0014

Site design



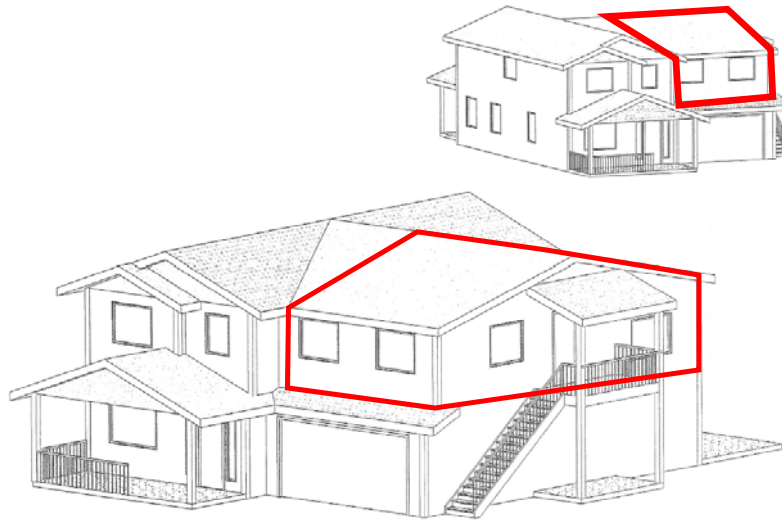
USE2019-0014

Floor Plan



USE2019-0014

Elevation Sketch



USE2019-0014

Conformity with adopted plans

- Comprehensive Plan
- Housing Action Plan



USE2019-0014**Conditional Use Recommendation (1)**

It is recommended that the Planning Commission adopt the Director's analysis and findings and **APPROVE** the requested Conditional Use Permit. The permit would allow the development of an accessory apartment of up to 600 square feet net floor area on a substandard lot in the Montana Creek West Planned Unit Development in a D3 zoning district.

The approval is subject to the following conditions:

**USE2019-0014****Conditional Use Recommendation (2)**

1. Prior to issuance of building permit, the square footage of the accessory apartment, which shall not exceed 600 square feet in net floor area, shall be written on the floor plan.
2. Prior to issuance of a building permit, the construction plans shall demonstrate the necessary compliance with the flood hazard area construction requirements in CBJ 49.70.400. A LOMA for the construction site would satisfy this condition.
3. Prior to issuance of a building permit, 1,385 square feet of vegetative cover (at a minimum) shall be shown on a site plan to be reviewed and approved by CDD staff.





Planning Commission

(907) 586-0715
PC_Comments@juneau.org
www.juneau.org/plancomm
155 S. Seward Street • Juneau, AK 99801

PLANNING COMMISSION NOTICE OF DECISION

Date: July 1, 2019
Case No.: USE2019 0014

Northern Lights Development
ATTN: Troy Mayer
1750 Anka Street
Juneau, AK 99801

Proposal: A Conditional Use Permit for an accessory apartment on a substandard-sized lot

Property Address: No Assigned Number

Legal Description: Montana Creek West 2B Lot 7A

Parcel Code No.: 4B2901160417

Hearing Date: June 25, 2019

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated June 13, 2019, and **APPROVED** the development of an attached 600 square foot accessory apartment on an undersized lot within the Montana Creek West Planned Unit Development (Phase 2B), to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

1. Prior to issuance of building permit, the square footage of the accessory apartment, which shall not exceed 600 square feet in net floor area, shall be written on the floor plan.
2. Prior to issuance of a building permit, the construction plans shall demonstrate the necessary compliance with the flood hazard area construction requirements in CBJ 49.70.400. A LOMA for the construction site would satisfy this condition.

Northern Lights Development
Case No.: USE2019 0014
July 1, 2019
Page 2 of 2

3. Prior to issuance of a building permit, 1,385 square feet of vegetative cover (at a minimum) shall be provided and shown on a site plan reviewed and approved by CDD staff.

Attachments: June 13, 2019, memorandum from Tim Felstead, Community Development, to the CBJ Planning Commission regarding USE2019 0014.

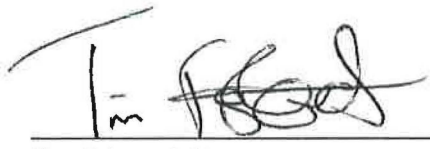
This Notice of Decision does not authorize construction activity. Prior to starting any project, it is the applicant's responsibility to obtain the required building permits.

This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance 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 decision may be reversed on appeal (CBJ 49.20.120).

Effective Date: The permit is effective upon approval by the Commission, June 25, 2019.

Expiration Date: The permit will expire 18 months after the effective date, or December 25, 2020, if no Building Permit has been issued and substantial construction progress has not been made 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.

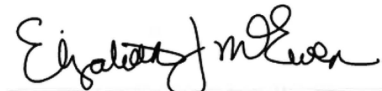
Project Planner:



Tim Felstead, Planner
Community Development Department



Paul Voelckers, Vice-Chair
Planning Commission



Filed With Municipal Clerk

7/9/2019
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.