

Agenda

Planning Commission - Regular Meeting City and Borough of Juneau Ben Haight, Chair

November 28, 2017
Assembly Chambers
7:00 PM

I. ROLL CALL

II. APPROVAL OF MINUTES

- A. October 10, 2017 Draft Minutes - Regular Planning Commission Meeting
- B. October 24, 2017 Draft Minutes - Committee of the Whole
- C. October 24, 2017 Draft Minutes - Regular Planning Commission Meeting

III. WRITTEN AGENCY AND PUBLIC COMMENTS POST DEADLINE

- A. Additional Material Received Post-Deadline

IV. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

V. PLANNING COMMISSION LIAISON REPORT

VI. RECONSIDERATION OF THE FOLLOWING ITEMS

VII. CONSENT AGENDA

- A. USE2017 0020: A Conditional Use permit for a mobile home as a second dwelling on a lot.
- B. USE2017 0023: A Conditional Use permit to allow a second story dormer to be constructed on a legally non-conforming residential structure.
- C. USE2017 0024: A Conditional Use permit to allow a second story dormer to be constructed on a legally non-conforming residential structure.
- D. USE2017 0026: A Conditional Use permit for a seasonal vehicle rental business

VIII. CONSIDERATION OF ORDINANCES AND RESOLUTIONS

IX. UNFINISHED BUSINESS

X. REGULAR AGENDA

XI. BOARD OF ADJUSTMENT

XII. OTHER BUSINESS

XIII. DIRECTOR'S REPORT

- A. Planning Division 2017 Work Plan
- B. Planning Commission CIP Recommendations, 2018-2024

XIV. REPORT OF REGULAR AND SPECIAL COMMITTEES

XV. PLANNING COMMISSION COMMENTS AND QUESTIONS

XVI. ADJOURNMENT

MINUTES
Planning Commission
Regular Meeting
CITY AND BOROUGH OF JUNEAU
Ben Haight, Chairman
October 10, 2017

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 7:03 p.m.

Commissioners present: Ben Haight, Chairman; Paul Voelckers, Vice Chairman; Michael LeVine, Nathaniel Dye, Dan Miller, Dan Hickok, Kirsten Shelton

Commissioners absent: Percy Frisby, Carl Greene

Staff present: Rob Steedle, CDD Director; Laura Boyce, Senior Planner; Jill Maclean, Senior Planner; Greg Chaney, Lands and Resources Manager; Dan Bleidorn, Deputy Lands and Resources Manager; Rachel Friedlander, Lands and Resources Specialist; Robert Palmer, Assistant Municipal Attorney

Assembly members: Debbie White

II. APPROVAL OF MINUTES

September 12, 2017 Draft Minutes - Regular Planning Commission Minutes

MOTION: *by Mr. LeVine, to approve the September 12, 2017, regular Planning Commission meeting minutes with any minor modifications by Commission member or staff.*

The motion was approved with no objection.

III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS – None

IV. PLANNING COMMISSION LIAISON REPORT

Assembly Liaison to the Planning Commission Debbie White thanked the Commission for its hard work and service to the community. She said it is one of the most hard working boards serving the community of Juneau under the Assembly.

V. RECONSIDERATION OF THE FOLLOWING ITEMS - None

VI. CONSENT AGENDA - None

VII. CONSIDERATION OF ORDINANCES AND RESOLUTIONS - None

VIII. UNFINISHED BUSINESS - None

IX. REGULAR AGENDA

SMP2017 0001: A Modification to the Pederson Hill Subdivision Preliminary Plat
Applicant: City and Borough of Juneau
Location: Pederson Hill

Staff Recommendation

Staff recommends that the Planning Commission adopt the Director's analysis and findings and approve the modification to the preliminary plat for Pederson Hill Subdivision. This approval would allow the applicant to submit the final plat application.

Ms. Maclean told the Commission this item is before them again in order to divide the project into three phases; 1A, 1B, and 1C. This way, she explained, the project it is more financially viable for the City. Alternate access would be through the Christ Evangelical Church parking lot, rather than using the equestrian trail as previously intended, she said.

For this development, the lighting plan has been submitted and the fish passage issue has been addressed, said Ms. Maclean. She said there have been no comments received by the Habitat Division of Fish and Game, with a few comments received by the Wildlife Division.

In addition, there have been two comments received from property abutters, said Ms. Maclean. Those comments include the opinion that it would be better for the City to proceed with this project in stages, and concern was expressed about the intersection of Karl Reishus Boulevard and Meadow Lane, she noted. Residents on Frank Maier Drive have requested that as few trees as possible be cut on the southernmost lot which borders the equestrian trail.

The Alaska Department of Fish and Game Wildlife Division has suggested that the development implement bear-proof trash cans, to help mitigate unwanted interactions between bears and humans in this area.

Almost all of the 11 conditions for the project have been met, except for Condition 7, which states that prior to recording the plat, the applicant place a permanent, protected status on Phase 1A Lot 9, and Phase 1B Lot 7.

Applicant (CBJ Lands Division)

Mr. Chaney told the Commission that they have planned for wildlife corridors, but that they can't cover the land the City does not own. He added that the numbering of lots has changed. They propose this development be implemented in three stages to make this as cost effective as possible for the City, said Mr. Chaney. He added that Phase 1 will be the "bones" of the project, in which sewer, water and cable will be brought in.

Emergency vehicles can use the Evangelical Church road if needed in an emergency. There is a hammerhead turnaround constructed in Phase 1, so emergency vehicles can turn around. They have created a loop through the development, so there will be no dead-end road in both phases, said Mr. Chaney.

There are 86 residential lots not including Lot 19, said Mr. Chaney. They do not intend on making Lot 19 available for residential use for some time, he added. Lot 1 will be one of the last lots to be developed, because it is in Phase 3 and is very large, he added. They do have the intention that Lot 1 eventually be developed, said Mr. Chaney.

Commission Comments and Questions

Mr. Voelckers asked Mr. Chaney if he could elaborate more on Lot 19, since it has a private lot next to it on the south side.

Mr. Chaney replied that it will be difficult for the subdivision to be viewed from that private lot due to the line of trees.

Mr. Dye asked if lots six – eight have a street-side setback or a standard setback.

Ms. Maclean responded that those lots will have an alley setback.

MOTION: *by Mr. LeVine, to approve staff's findings, analysis and recommendations and approve SMP2017 0001*

The motion passed with no objection.

X. BOARD OF ADJUSTMENT - None

XI. OTHER BUSINESS - None

XII. DIRECTOR'S REPORT

Commission members Miller, Hickok and Greene will be travelling to Anchorage for the state-wide planning meeting, said Mr. Steedle.

XIII. REPORT OF REGULAR AND SPECIAL COMMITTEES

Mr. Voelckers reported that the Rules Committee is working on coming up with amended rules for Commission meetings. They want to make sure that materials the Commission is to review are ready a week prior to the meetings, said Mr. Voelckers. He said in consultation with the Municipal Assistant Attorney, that they may find it most expedient to start fresh and identify a cleaner model from which to fabricate the rules. He said early November would be the earliest they could bring this before the Commission.

XIV. PLANNING COMMISSION COMMENTS AND QUESTIONS

Mr. Voelckers asked when variances will be back before the Commission for review..

Mr. Steedle said they hope to have it before the Commission in November for a public hearing.

XV. ADJOURNMENT

The meeting was adjourned at 7:39 p.m.

MINUTES
Planning Commission
Committee of the Whole
 CITY AND BOROUGH OF JUNEAU
Ben Haight, Chairman
 October 24, 2017

I. ROLL CALL

Ben Haight, Chairman, called the Committee of the Whole Meeting of the City and Borough of Juneau (CBJ) Planning Commission (PC), held in the Assembly Chambers of the Municipal Building, to order at 5:37 p.m.

Commissioners present: Ben Haight, Chairman; Paul Voelckers, Vice Chairman; Nathaniel Dye, Percy Frisby, Dan Hickok, Kirsten Shelton

Commissioners absent: Dan Miller, Carl Greene, Michael LeVine

Staff present: Beth McKibben, Planning Manager; Jill Maclean, Senior Planner; Roger Healy, Director, Engineering and Public Works

Assembly members: Loren Jones

II. REGULAR AGENDA

Establishing priorities for CSP2017 0021: Recommendations to the Assembly for the FY2019-FY2024 Capital Improvement Program

Ms. McKibben told the Commission that this is the beginning of the process for establishing the priorities for the capital improvement projects (CIP) that might be included in the annual CIP. The Engineering and Public Works Department will be bringing this forward to the Public Works and Facilities Committee in November, said Ms. McKibben.

Mr. Healy said the Engineering and Public Works Department has sent out its annual request for all departments to submit their anticipated capital improvement projects for the following year. This is a six-year plan, he noted.

The passage of the one percent sales tax in the last election has brought approximately \$47 million to the community, he said. He said these funds will reside mostly in the maintenance

realm, such as \$13.5 million for wastewater, \$2 million for water, \$2 million for housing projects, \$5 million for the Augustus Brown pool, and \$4.5 million for Centennial Hall. These funds will change the future allocation of funds which have been identified, he said, within the building maintenance realm for those particular projects.

Mr. Voelckers said he thought the projections in their packet included the funds from the one percent sales tax. He clarified that funds from the one percent sales tax will be added to the existing projections.

Mr. Healy said this was so. This revenue will come in at the amount of approximately \$8.5 million per year, he said. The scheduling of those funds is a different process, he said. In late November, the staff will be bringing a schedule for the allocation of these funds before the Public Works and Facilities Committee, said Mr. Healy.

The priorities within the street sales tax program will probably remain as predicted for the following year, said Mr. Healy. Next year they will be focusing on Birch Lane, he said, as well as repairs within the City of Juneau and Douglas.

Chairman Haight asked how the letter regarding the CIP recommendations from the Planning Commission submitted last year compares with this year's projects. He asked the Commission how it would like to proceed with its recommendation process this year.

Major areas addressed by the Commission in its memo submitted regarding the CIP last year were:

- ✓ Housing
- ✓ Community vitality
- ✓ Transportation
- ✓ Sustainability

Housing

Mr. Healy said the mass wasting study across the downtown area was placed into the CIP, but not within the current time period. Under questioning, Mr. Healy said this would be about \$200,000 in the future. With the passage of the one percent sales tax which will not begin funding until FY 19, these items will be for a four-year period, speculated Mr. Healy.

Mr. Voelckers said that Mr. Steedle had mentioned in his memorandum that there may be the possibility of obtaining a FEMA grant. He said some individuals in the Planning Commission are thinking that items such as the mass wasting and the avalanche areas are pretty much out of date. For example, said Mr. Voelckers, subsequently there are entire chunks of the downtown area that cannot be developed due to avalanche concerns. This makes construction and

financing on some of these lots very difficult to obtain, when perhaps they are actually safe pieces of property on which to build.

Mr. Healy said he believed the most recent modification to the avalanche study that provided a less conservative approach was in the late 1990's. With recent massive damage experienced in various areas of the United States recently, he said the overall approach of FEMA may be even more conservative, as far as allowing buildings in what could possibly be fairly hazardous areas. Insurance for areas that may have been deemed a hazardous area would also be problematic, said Mr. Healy.

Mr. Voelckers said he has noted homes not selling in what is termed an avalanche zone which amounts to a death knell for the property, even though there are huge trees surrounding the property which have obviously not been knocked down by any avalanche activity. He said it is surprising that some of these areas have not undergone further studies to possibly free them up for the market.

Mr. Healy said he felt that the one percent sales tax would broadly assist with the development of a specific incentive program to promote housing development, and also to identify priority projects, which the Commission had also listed under its housing priorities for the CIP.

Community Vitality

The Willoughby District parking deficit identified as the first item the Commission mentioned in its memorandum to the Public Works and Facilities Committee last December was initially earmarked for about \$8 million generally allocated for that purpose, said Mr. Healy. Those funds did not make it onto the ballot, he added. The only allocation currently existing for that project is about \$1.4 million remaining from a state grant for the evaluation of parking proposals benefiting the Willoughby district from both a state federal and local perspective, he said.

The identification of parcels for CBJ land acquisition falls under the Lands Department, said Mr. Healy, stating he did not have much information on that item.

Mr. Healy stated that he felt the Community Development Department has been leading the charge in the general public improvements in the Lemon Creek area, by creating the Lemon Creek Plan, which is the first step towards improving the area with community facilities, and with identification of necessary public amenities like bike paths, parks and pedestrian links. They have just received plans from the State Department of Transportation for reconstruction from the Walmart to Western Auto section of the roadway which includes installation of a sidewalk on the waterside of the road, and a roundabout located at DZ School, said Mr. Healy.

Mr. Voelckers asked if there is any active planning about a fire station located in Lemon Creek.

Mr. Healy said there are currently no active plans for a fire station located in Lemon Creek. The Fire Department has stated that it would very much like to have a station located in Lemon Creek, he added, but funds are not allocated for that project at this time.

Transportation

Mr. Healy noted that the community has certainly noticed the rise in shipping costs. They can study the issues some more, said Mr. Healy, but they are currently dealing with one primary shipper to and from Juneau.

The development and implementation of a seasonal downtown circulator is supposed to be implemented by a private developer who wants to implement electric shuttles in the downtown core area, said Mr. Healy. At this time the City does not want to submit a counter proposal to that of a private developer, said Mr. Healy. He added that he has not received an update on that project for a number of months.

Sustainability

The Commission on Sustainability issued a report in September which they are reviewing, said Mr. Healy. They try to make the best decisions on the facilities that they can, he said, and it is a balance between maintaining the facilities to which they must adhere, he said.

They do have a \$2 million allocation within the one percent sales tax allocated towards prioritization of landfill diversion strategies which will be directed towards Recycle Works, said Mr. Healy. That will be used to hopefully offset future rate increases, and also to evaluate either an expanded facility with the primary goal to improve the diversion away from the existing landfill, he said. They would like to avoid having to ship the community's waste out of town, he added, as other Southeast communities have been forced to do. The drop boxes for recycling installed in various areas of the community have been very helpful in diverting waste from the landfill, he said.

Commission Comments and Questions

Mr. Dye asked if there were budget requests from the Police Department.

Mr. Healy said the Police Department has not yet submitted this year's request, and that the Department does have a long list with no immediate funding attached. He added that the Police Department CIP requests are listed on pages 18 and 19 of the Six Year Department Improvement Plans. He added the CAD (Computer Aided Design) system replacement for \$200,000 is certainly becoming a priority for the department for its computer-aided dispatch program.

Mr. Voelckers asked Mr. Healy if he could elaborate on the \$2 million allocated for housing programs within the one percent sales tax extension.

Mr. Healy said the \$47 million from the one percent sales tax will be allocated at the rate of approximately \$8.5 million a year. Of those funds the staff will select the most easily implemented projects at first, he said. For example, said Mr. Healy, they have two large building renovation projects including Centennial Hall and the Augustus Brown pool. In many of these projects that will be more advantageous to space them out over the years, he said. The housing projects will follow the same scenario, he said, as to where they can best fit in and the best scenario for the implementation. There have been no decisions made as to how the housing funds would actually be allocated, he said.

Ms. McKibben said that Scott Ciambor, the Chief Housing Officer, will be reviewing the Housing Action Plan and identifying which implementation items would be appropriate for funding. He will be presenting a plan to the Affordable Housing Commission, she added. The Commission will see that \$2 million scheduled out through the six year CIP, she said. The Planning Commission will have the opportunity, as is its job, to review the CIP document before it is presented to the Assembly, said Ms. McKibben.

Mr. Voelckers emphasized how it is important for the Commission to provide its input into the CIP process now before its final presentation to the Assembly, when it would be too late to make adjustments at that point. Chairman Haight noted that the memorandum submitted by the Planning Commission to the Assembly regarding its CIP recommendations last year was the first time this has occurred, and that he felt it was providing specific feedback to the Assembly.

Chairman Haight suggested to the Commission that they continue with this format and submit its recommendations in writing to the Assembly this year as well.

Mr. Voelckers said he could not recall if the process last year involved an informal committee to draw up the recommendations, or if it was a formal working group. He said it takes quite a bit of drafting to put it together, and that he felt it would be a good idea to create this document via a committee again this year.

The schedule of the one percent allocation will be presented November 20, (2017) to the Public Works and Facilities Committee, said Mr. Healy. Coming out of that meeting will be a recommendation to the Assembly Finance Committee, he added. The one percent sales tax allocation is separate from the annual CIP process, he noted. If the Commission has specific recommendations that it would like to see implemented in the relative near future, then that recommendation should be made sooner rather than later in the process, said Mr. Healy.

Chairman Haight said this appeared to be a two-stage effort.

Mr. Healy agreed with that statement.

Mr. Dye asked Mr. Healy if he felt that the one percent sales tax allocation for housing was the most important item to deal with first.

Mr. Healy responded that if it was the Planning Commission's recommendation that the housing money should be prioritized in the early years, then the Commission should make that clear to the Assembly in a timely manner.

Mr. Voelckers asked how the language was phrased relative to housing in the one percent sales tax allocation.

Ms. McKibben read:

The affordable housing fund provides funding for housing activities that target families and individuals who earn 120 percent of the area median income and below. The fund can be used by local housing developers, nonprofit agencies and social service agencies for the creation, acquisition, and rehabilitation or preservation of affordable housing. Examples of the types of projects that could utilize the fund include Phase 2 of Housing First, development of a rapid re-housing program, winter or emergency programs, senior housing, and housing targeted for low income and homeless populations.

Chairman Haight recommended that they put together another small committee to work out details for a memo regarding its CIP recommendations, and to bring it back to the Commission prior to submission to the Assembly.

Mr. Voelckers asked if the product of a subcommittee can go directly to the Public Works and Facilities Committee without review by the entire Planning Commission.

Chairman Haight said they need to get to work at developing their response for the CIP recommendations. Since the Planning Commission does not meet until November 28, over a week after the Public Facilities Committee meets, time is an important element to consider, he said.

Chairman Haight nominated Mr. Voelckers, Mr. Dye and Mr. Hickok to serve on the CIP recommendation committee. The committee will meet this week if possible, or next week at the latest, to facilitate the process. The committee will draw up its recommendations, and if necessary another public Planning Commission meeting will be scheduled to approve those recommendations, and if not, they will submit the recommendations directly to the Public Facilities Committee for its November 20, (2017) meeting.

III. OTHER BUSINESS - None

IV. REPORT OF REGULAR AND SPECIAL COMMITTEES - None

V. ADJOURNMENT

The meeting was adjourned at 6:22 p.m.

DRAFT

MINUTES
Planning Commission
Regular Meeting
CITY AND BOROUGH OF JUNEAU
Ben Haight, Chairman
October 24, 2017

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, Percy Frisby, Dan Hickok, Kirsten Shelton, Carl Greene (telephonically)

Commissioners absent: Dan Miller

Staff present: Beth McKibben, Planning Manager; Teri Camery, Senior Planner; Jill Maclean, Senior Planner; Chrissy McNally, Planner II; Allison Eddins, Planner II, Robert Palmer, Assistant Municipal Attorney

Assembly members: Loren Jones

II. APPROVAL OF MINUTES

September 26, 2017 Draft Minutes – Committee of the Whole

September 26, 2017 Draft Minutes - Regular Planning Commission Meeting

MOTION: *by Mr. LeVine, to approve the minutes from the September 26, 2017 Committee of the Whole meeting, and the September 26, 2017 regular Planning Commission meeting, with any minor corrections by Commission members or staff.*

The motion passed with no objection.

III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - None

IV. PLANNING COMMISSION LIAISON REPORT

Reporting for Beth Weldon this evening, Loren Jones said that she will be the new Assembly Liaison to the Planning Commission. Mr. Jones said that he is the chairman of the Public Works and Facilities Committee. Requests to serve on the Bartlett Hospital Board and the Planning Commission are due in the City offices by November 28, (2017). The terms of Planning Commission members Michael LeVine, Paul Voelckers and Kirsten Shelton are the seats which are open this year for application or re-application. On December 6, (2017) the Human Resources Committee will meet as a Committee of the Whole to make appointments to the Planning Commission and to the Hospital Board, he said. The Lands Committee met yesterday and discussed the Title 49 amendment to privately maintained access within the urban service boundary, noted Mr. Jones. They will continue to proceed and develop that ordinance, he said. They also had an update on the Second and Franklin Street lot sale. They have extended that sale to this spring because the company which has the purchase agreement has been invited to participate in an application with the Alaska Housing and Finance Corporation. There is also discussion about some of the history around Indian Point near Auke Bay. They are requesting public comment through December 15, (2017) on the history of that land and its cultural value. The Assembly Committee of the Whole received an update on the Parks and Recreation master plan. Discussion centered on the \$250,000 in the sales tax for the past five years which has been set aside for parks in the Lemon Creek area. They were also informed of the Airport Sustainability Master Plan and they reviewed the Essential Services Ordinance which the Commission has also dealt with, said Mr. Jones. The next regular Assembly meeting is on November 6, (2017) and the next Public Works Committee, Lands and Committee of the Whole is November 20, (2017). The Committee of the Whole meeting scheduled for November 20, (2017) is tentatively scheduled to review the Lemon Creek plan and Recycle Works. December 2, (2017) is the Assembly retreat when the Assembly reviews its priorities and develops its work plan for the next year, said Mr. Jones.

V. RECONSIDERATION OF THE FOLLOWING ITEMS - None

VI. CONSENT AGENDA

USE2017 0010: A Conditional Use Permit to allow marijuana manufacturing in the General Commercial zone.

Applicant: Forget Me Not

Location: 8505 Old Dairy Road

RECOMMENDATION

Staff recommends 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 marijuana manufacturing establishment in the General Commercial zone. The approval is subject to the following conditions:

- 1) All CO2 enrichment processes, plant extraction processes, fumigation, and the use and storage of pesticide, fungicide, miticides and thermal insecticide fogging shall be approved by the Fire Marshal and meet the requirements of the International Fire Code (IFC) and NFPA where applicable.
- 2) The CO2 generator shall have an automatic shut off.
- 3) All waste containing marijuana product shall be stored in a locked enclosure until transported to the CBJ landfill.
- 4) Prior to approval of a CBJ marijuana license, the applicant shall provide an approved driveway permit from the Alaska Department of Transportation and Public Facilities, with plans identical to the parking and circulation plan provided in Attachment 10.
- 5) Prior to approval of a CBJ marijuana license, the applicant shall place all required vegetation and complete striping in accordance with the vegetation and parking plans included in Attachments 10 and 14.
- 6) USE2017 0010 (marijuana manufacturing), USE2017 0011 (marijuana retail) and USE2017 0012 (marijuana cultivation) will each expire on August 22, 2022 unless the Valley Lumber parking agreement (Attachment 12) is renewed or another parking plan which conforms with CBJ Code 49.40.210 and 49.40.220 is accepted, as determined by the CBJ Community Development Department.

USE2017 0011: A Conditional Use Permit to allow marijuana retail in the General Commercial zone.

Applicant: Forget Me Not
Location: 8505 Old Dairy Road

RECOMMENDATION

Staff recommends 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 marijuana retail establishment in the General Commercial zone. The approval is subject to the following conditions:

1. All waste containing marijuana product shall be stored in a locked enclosure until transported to the CBJ landfill.
2. Prior to approval of a CBJ marijuana license, the applicant shall provide an approved driveway permit from the Alaska Department of Transportation and Public Facilities, with plans identical to the parking and circulation plan provided in Attachment 10.

3. Prior to approval of a CBJ marijuana license, the applicant shall place all required vegetation and complete striping in accordance with the vegetation and parking plans included in Attachments 10 and 14.
4. USE2017 0010 (marijuana manufacturing), USE2017 0011 (marijuana retail) and USE2017 0012 (marijuana cultivation) will each expire on August 22, 2022 unless the Valley Lumber parking agreement (Attachment 12) is renewed or another parking plan which conforms with CBJ Code 49.40.210 and 49.40.220 is accepted, as determined by the CBJ Community Development Department.

USE2017 0012: A Conditional Use Permit to allow marijuana cultivation in the General Commercial zone.

Applicant: Forget Me Not
Location: 8505 Old Dairy Road

RECOMMENDATION

Staff recommends 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 marijuana cultivation establishment in the General Commercial zone. The approval is subject to the following conditions:

1. All waste containing marijuana product shall be stored in a locked enclosure until transported to the CBJ landfill.
2. Prior to approval of a CBJ marijuana license, the applicant shall provide an approved driveway permit from the Alaska Department of Transportation and Public Facilities, with plans identical to the parking and circulation plan provided in Attachment 10.
3. Prior to approval of a CBJ marijuana license, the applicant shall place all required vegetation and complete striping in accordance with the vegetation and parking plans included in Attachments 10 and 14.
4. USE2017 0010 (marijuana manufacturing), USE2017 0011 (marijuana retail) and USE2017 0012 (marijuana cultivation) will each expire on August 22, 2022 unless the Valley Lumber parking agreement (Attachment 12) is renewed or another parking plan which conforms with CBJ Code 49.40.210 and 49.40.220 is accepted, as determined by the CBJ Community Development Department.

USE2017 0025: A Request for an Extension to the Conditional Use Permit for Riverview Senior Community.

Applicant: Marathon Development Inc.
Location: Clinton Drive

RECOMMENDATION

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use Permit extension with the following conditions. The permit would allow the development of an 80 unit, 88 bed assisted living and memory care facility.

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 Director of Community Development, according to the requirements at CBJ 49.40.230(d).
2. The lots will be consolidated into one lot, including Lot 31A.
3. All runoff from outside the paved areas, including roof drains, will be directed to the Mendenhall River drainage system.
4. Storm water run-off within the paved areas will be collected and directed into an oil/water separator immediately prior to connecting into the Clinton Street existing storm drain system.
5. A 12" CPP will be allowed from the oil/water separator to the catch basin in Clinton Drive.
6. The catch basin in Clinton Drive will be replaced prior to the project connection.
7. The river bank will be restored and vegetated, if needed.

MOTION: *by Mr. LeVine, to accept staff's findings, analysis and recommendations, and approve the items remaining on the Consent Agenda as read.*

The motion was approved with no objection.

VII. CONSIDERATION OF ORDINANCES AND RESOLUTIONS - None

VIII. UNFINISHED BUSINESS - None

IX. REGULAR AGENDA

At the request of a member of the public, USE2017 022 was pulled from the Consent Agenda and placed under the Regular Agenda.

USE2017 0022: A Conditional Use Permit for a marijuana cultivation facility in the Industrial zone.

Applicant: Always Redeye LLC

Location: 2005 Anka Street

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 marijuana cultivation facility in the Industrial zone

The approval is subject to the following conditions:

1. All waste containing marijuana product shall be stored in a locked enclosure.

Ms. McNally told the Commission that the applicant requests a Conditional Use Permit for the development of a 3,920 square foot marijuana cultivation facility in the Industrial zoning district at 2001 Anka Street. The Comprehensive Plan land use designation for this property is Light Industrial, and it is located on City water and sewer, said Ms. McNally. The site is currently a vacant warehouse, she noted. The site received a variance in 2003 for the 50 foot streamside buffer, noted Ms. McNally. The site is required to provide six parking spaces, one of which is ADA accessible, she said.

The business will use just the two first stories of the three-story building. The first floor will have the vegetation room and a secure office with the trimming and packaging taking place on the second floor, said Ms. McNally. Eleven to 12 outside lights surround the building, with additional interior lighting and surveillance cameras on both the first and second floors, she said. All windows and entries to the building except for one door will be blocked, said Ms. McNally. The applicant has cleaned up what was previously a very cluttered area outside, said Ms. McNally.

Requirements for marijuana establishments will all be met, said Ms. McNally, including those for ventilation and filtration, fungicides and pesticides, security, waste disposal, screening, traffic, and parking and circulation. The applicant intends to compost marijuana waste which must be in a secured area until it is disposed of, said Ms. McNally. The applicant has indicated they will be using carbon scrubbers for their ventilation and filtration. They do intend to use carbon dioxide which will be inspected by the fire Marshall, she noted. There can be no detection of odor off-site of the premises, she added. The operation requires no signage, since it is a marijuana cultivation facility, she said.

The business proposal does conform with the Comprehensive Plan.

They have received two letters in opposition to the proposal, said Ms. McNally. One letter is from residents in a condominium complex across Lemon Creek, and the other letter is from lawyers representing Granite Mountain Properties LLC. These letters expressed concern about odor and noise, said Ms. McNally. Granite Mountain Properties LLC was primarily concerned about property values, she said. She noted that previous input from the CBJ Property Assessor indicates there should be no diminishment of property values due to this business, said Ms. McNally.

The staff found that the application is complete, that the proposed use is appropriate according to the Table of Permissible Uses (TPU), that it will comply with the Comprehensive Plan, it does not materially affect the public health or safety, and it should not substantially decrease the value of or be out of harmony with property in the neighboring area, said Ms. McNally.

Applicant

Greg Smith, the business representative for Always Redeye LLC, said they are meeting all of the local and state rigorous requirements for their business. He said if anything they are driving up the demand for commercial properties in respect to property values, and that they have substantially cleaned up the property which was formerly in poor condition and reflected poorly on the area. Their operation will have no odor, no noise and extremely effective security, said Mr. Smith.

Public Comment

Mr. Todd Araujo of the Simpson-Tillinghast Law Firm, said his firm was representing Granite Mountain Properties, LLC. He said he spoke before the Commission several months ago expressing similar concerns about another operation in the area.

Mr. Araujo said there was no mention in the staff report of how the staff arrived at its conclusion that somehow there would be no diminution of property value. He said he felt the Commission should explore this issue further. These are not just random development operations, noted Mr. Araujo. He said he believed there were nine operations of this type in the queue for the Lemon Creek area alone. Over time the character of the neighborhood will change, he said. There are all kinds of operations in the area, including commercial, retail and industrial uses, he said.

He said the only information provided on the effect of these operations in an area was the result of some "random, sort of googled articles that were strewn together in the eleventh hour to try to supplement the record". His firm put together a valuation report performed by integrated Realty Solutions in Seattle to refute the insubstantial findings of less than ideal anomalies, he said.

In Denver, there were existing blighted or economic and poverty-stricken neighborhoods, said Mr. Araujo. If you put a pig farm in that type of location it would have brought up property value, he said. That is not the instance in Juneau, he said. If all of the forthcoming marijuana operations are approved, they will represent roughly 10 percent of the businesses in the area, he said. He said he felt the Commission should look at this situation in a more comprehensive level as to the effect of these businesses on neighboring property values, rather than just rely on something the Assessor found in the eleventh hour.

They request that the Planning Commission reject this application for a Conditional Use Permit, said Mr. Araujo.

Commission Comments and Questions

Mr. Dye asked Mr. Araujo to show him the location of the property he represents compared to the property requesting the Conditional Use Permit.

The property he represents is a “mere trip and fall” from the proposed development, said Mr. Araujo.

Mr. Dye asked Mr. Araujo if the concern of his client centered on this specific application or if it was with the cumulative effect of businesses of this type multiplying in the area.

Mr. Araujo said if all of the applications which are pending are approved by the Planning Commission the nuance of the neighborhood would change. He said he did not see how property values could not be negatively affected. At a minimum the Planning Commission and CDD staff should study the situation more closely.

Mr. LeVine said the Planning Commission has gone through a very extensive and public process about just where these new types of businesses should be located. He said he was curious if his client participated in that process and objected to the inclusion of Industrial and Light Industrial areas being the locations for these types of facilities.

Mr. Araujo responded that his guess was that his client was not aware of the public process which transpired. In Denver and in other locations they have put a cap on the number of cultivation facilities that will be tolerated. He said this has to do with property values and other issues. There are other commercial and retail businesses in the area and their ability to expand could be limited if the growth of cultivation facilities in the area is unrestricted, he said.

Mr. Voelckers asked if there are any issues within this specific application where there are concerns, such as the odor or noise of the operation, the visuals or the traffic. Or, added Mr. Voelckers, is it only a concern with the aggregate development of these types of facilities.

Mr. Araujo said it is a combination of both of these factors. They are very concerned about the diminution of the land values, as well as potential odors from the facilities, he said. They will not actually know the negative effects until these operations are underway, he said.

Mr. Dye asked Mr. Araujo if he was aware of any odor issues from any current facility in operation.

Mr. Araujo said that he is not aware of any current issues with facilities already in operation. He said there is one noticeable odor in the neighborhood and that is from the landfill.

Applicant

These marijuana businesses in the area will have no visual impact, said Mr. Smith. The public cannot observe anything that is happening inside the facilities, he said. This is not a retail store so there will be little traffic which will be restricted essentially to the employees. There will be a lot more noise coming from automobile repair shops and more odors coming from other types of businesses in the area since their type of business has such stringent controls, said Mr. Smith. He added that he would be interested in seeing where property values have decreased in the community as a result of this type of operation.

Mr. Hickok asked if approved when they expect the facility to be in operation.

Mr. Smith said it would be great if they could be in operation before tourist season arrives next year.

Mr. Dye asked the staff if they had been aware of any issues with odor from facilities already in operation.

Ms. McNally said they have had no complaints.

Mr. Dye asked the staff if they have noticed any assessments going down in the areas surrounding existing operations.

Ms. McNally said they have not noted any reduced assessments around operational facilities.

Mr. Hickok asked if there is a limit placed upon the number of facilities that can operate within specified areas.

Ms. McNally responded that there is no limit on the number of facilities. She added this was an item discussed by the Marijuana Task Force, and it decided not to set a cap on any zoning district.

MOTION: *by Mr. LeVine, to approve USE2017 0022 and accept staff's findings, analysis and recommendations.*

Speaking in favor of his motion, Mr. LeVine said that he is sympathetic to the idea that the Lemon Creek area will undergo change over time. He said he was receptive to the concerns of neighboring property owners, but at the same time the location of these facilities has undergone an extensive review process and they are allowed in this zoning district, and that this application meets all of the requirements for the Conditional Use Permit. They see no evidence at this time to suggest a diminution in property values or any evidence to suggest that there have been negative effects from their existence.

Also speaking in favor of the motion, Mr. Voelckers said that he agreed with the broad statements of Mr. LeVine. In addition, it appears the property is being rehabilitated and looking better than it did prior to this operation, thus adding to the appeal of the neighborhood.

Mr. Dye said he also was in favor of the motion. He said the number of allowable facilities was debated quite a bit. They decided that the free market would dictate how many facilities could prosper.

Ms. Shelton said she is also in favor of the motion, and that she agrees with all of the comments of her fellow commissioners. She said these facilities must undergo very rigorous processes through both the State and the City.

Chairman Haight said he echoed the sentiments of the other commissioners. He said he was in favor of the motion and that as with any new type of business, they would need to continue to monitor their effect on the neighborhoods with respect to odor and appearance and effect on property values.

Roll Call Vote

Yeas: Hickok, Shelton, Greene, Frisby, Dye, Voelckers, LeVine, Haight

Nays: None

The motion passed by unanimous vote.

AME2016 0016: A Text Amendment to adopt the Lemon Creek Area Plan as part of the CBJ Comprehensive Plan

Applicant: City and Borough of Juneau

Location: Lemon Creek Area

Steering Committee Members		
Stephen Johnson, Chair Michael Lukshin, Vice Chair Tom Chard Daniel Collison	Wayne Coogan Sandra Coon Susan Erben Dave Hanna	Mark Pusich Patrick Quigley Michael Short Paul Voelckers, (Planning Commission Liaison)

Ms. Maclean said that the Lemon Creek area is one of the areas identified in the Comprehensive Plan which should be a step in the Borough strategy for influencing positive change within the community. This area includes Lemon Creek, Switzer Creek, and Salmon

Creek. This plan will form the basis for defining the vision of projects for the Lemon Creek area over the next 20 years, she said.

To begin this process, they conducted an open house at DZ Middle School on March 10, 2016, said Ms. Maclean. They solicited interest from the community and asked them to indicate what boundaries they believed the Lemon Creek area to encompass, and what they thought its strengths, weaknesses, challenges and opportunities were, she said. They also sought volunteers to serve on the Lemon Creek Steering Committee, said Ms. Maclean. On April 12, 2016, the Planning Commission appointed the Steering Committee, which includes residents, property and business owners within the Lemon Creek area, said Ms. Maclean.

In June, 2016, CDD conducted six focus group meetings, said Ms. Maclean. They were comprised of business and transportation, natural resources and recreation, business and economic development, human services, history and natural resources and City departments. In September, 2016, the Steering Committee began holding regular public meetings spaced about three weeks apart. The committee was presented with information on the Comprehensive Plan and other relevant CBJ plans, said Ms. Maclean. They were also presented with information on zoning and land use, housing needs, along with feedback received from the open house and focus group meetings, she said.

Based upon all of the information it received from the CDD staff and other relevant City divisions, the committee developed goals and actions for each chapter of the plan, explained Ms. Maclean.

The northern boundary of this area extends to the end of Glacier Highway past Fred Meyer, and it extends to Hidden Valley and comes down around the Pioneer home near Vanderbilt Road, explained Ms. Maclean. Since Walmart had recently closed and was the primary shopping area for Lemon Creek, the public felt it was important to include Fred Meyer within its boundaries, she said.

Public testimony was also taken at each Steering Committee meeting and considered as decisions were voted upon, said Ms. Maclean. The Steering Committee approved each goal and action through a consensus building process, she noted. These resulted in a majority vote of the Committee.

On February 4, 2017, a workshop was held to receive public input primarily on recreation and bike path connectivity throughout Lemon Creek, said Ms. Maclean. MRV Architects worked with the CBJ staff to conduct the workshop. They led the public through the design process which resulted in an overarching design concept with the area plan design goals, said Ms. Maclean. The area plan design goals illustrate the community's vision of how the area should develop over the next 20 years, she added. Features include the preservation of the Switzer Creek area, various paths connecting Lemon Creek from downtown to the Valley and also trails

connecting to the Mendenhall State Game Refuge, said Ms. Maclean. It also identified potential new streets in the industrial and commercial areas, she added.

This is a high level vision of what the community would like to see in the Lemon Creek area, said Ms. Maclean. For example, said Ms. Maclean, there was a lot of discussion focusing on a park for the area which they listed, but they did not identify the specific location of the park. The actions would then direct the staff and the funding to specific sites, she said.

The draft of the Lemon Creek Area Plan is the culmination of this year-long process, said Ms. Maclean. The draft was distributed for a two-week public comment period, she noted. The staff compiled the comments and made recommendations to the Lemon Creek Steering Committee.

Ms. Maclean listed the top 10 actions of the Lemon Creek Plan:

- Ensure that land use decisions and transportation projects promote neighborhoods and create or enhance buffers between different land uses and/or zoning districts (Chapter 2: History and Community Character).
- Identify an appropriate future location(s) for the landfill or transfer facility (Chapter 3: Land Use).
- Improve Capital Transit bus schedules and routes through Lemon Flats and near anchor businesses that support shift work schedules (Chapter 7: Economic Development).
- Pursue and foster projects that “knit” the Lemon Creek area together such as greenways, pedestrian bridges over Lemon Creek, and the creation of public parks (Chapter 2: History and Community Character).
- Create a strong sense of place and local identity – a “mid-town” with quality of life, safe neighborhoods, quality housing, and educational opportunities.
- Enhance the area’s competitiveness as a commercial service and industrial center, with a balanced retail sector and a broad mix of attractions and employment – a place to work and entertain.
- Sustain and protect the area’s natural and cultural resources – a place to respect and celebrate.
- Expand and open up the area’s recreational resources, with increased pedestrian and bicycle friendly amenities – a place to play and connect.

The staff has compiled the comments and suggestions derived from the Planning Commission COW on September 26, (2017). Those comments from the Commission and any other changes will be added as an addendum to the draft Lemon Creek Area Plan for its submission to the Assembly, said Ms. Maclean. Once the Assembly approves the final document, all edits and changes will be incorporated into that document, she said.

The staff recommends the approval of the Lemon Creek Area Plan for its submission to the Assembly for final approval, and its subsequent adoption as an addendum to the Comprehensive Plan, said Ms. Maclean.

Commission Comments and Questions

Mr. Dye asked if the three missing public comments could be printed and submitted to the Commission this evening so that it could move on the Lemon Creek Area Plan.

These comments were gathered and printed for the Commission to study during a brief recess.

Public Comment

Doug Harris, the chief integrated service officer with Juneau Alliance for Mental Health (JAHMI), said he is particularly passionate about the Lemon Creek Area Plan as soon two thirds of JAHMI's services will be located within the Lemon Creek area. The new JAHMI health and wellness midtown clinic will be located in the Housing First building in Lemon Creek, said Mr. Harris. This will be a healthcare facility open to the public, he said. JAHMI will no longer be focusing solely on mental health. It will be focusing on whole person health, he said.

The Capital Transit Plan for the Lemon Creek area will also be a critical piece, he said. Currently, the two big-box stores located in Lemon Creek are quite a long walk from the closest bus stop, he said. Improved public transportation will also make the new JAHMI healthcare facility more accessible to the public, he said.

Commission Comments and Questions

Mr. Voelckers asked if JAHMI would be offering dental services as well at the clinic.

Mr. Harris said they would be offering dental services.

Lemon Creek Steering Committee member Daniel Collison thanked both the Planning Commission and the Assembly for initiating the process to put together these area plans for the community. He thanked the staff for all of the assistance they provided the Committee as well. Mr. Collison said he sees the work of these committees as a roadmap for communities to come together and to participate in the process of making their neighborhoods a better place to live. They now have goals to move forward with to create the better neighborhood that they have envisioned, he said.

Mr. Hickok asked Mr. Collison how he felt about the marijuana cultivation facilities in Lemon Creek.

Without answering the question, Mr. Collison said that he felt he was being put on the spot.

Lemon Creek Steering Committee member Steve Johnson said much of the work they did involved looking at the Lemon Creek area for 20 years down the road. He said it was not the Steering Committee's goal necessarily to retain the landfill site within Lemon Creek. He said when he moved to Lemon Creek there was no "mountain" within the landfill site.

Lemon Creek resident Beth McEwen thanked the CDD staff, the Planning Commission and the Lemon Creek Steering Committee for all of its hard work on this project. She said since this is a 20 year plan, that she would like to see more input from the Fire Department regarding construction of a fire department facility within the Lemon Creek area. The lighting of pedestrian areas is addressed within the plan, and Ms. McEwen said she wanted to emphasize the importance of this. More lighting for the area is necessary for Juneau's dark winter months, and it is very difficult to see pedestrians along Glacier Highway and the bus paths, said Ms. McEwen. She said she hoped this could be accomplished with the improvement of the transit and pedestrian corridors. She said that she felt additional lighting at Fun Place Park was also necessary. She added that she really loved the idea of a community gardening area for the residents.

Lemon Creek resident and Steering Committee member Sandra Coon said she has lived in the Lemon Creek area for 40 years. She said it did make her uncomfortable to think that there may be nine marijuana cultivation facilities within the Lemon Creek area. She said that while some people may have a negative impression of Lemon Creek because the jail is located in that area, that she felt it was still a wonderful place to live and raise a family. Ms. Coon said that three generations of her family reside in the Lemon Creek area. She said the recent City clean-up in Lemon Creek was a wonderful success.

Commission Comments and Questions

Mr. LeVine said he wanted to note for the record that the three items not originally printed for the Commission were three very brief comments, one of them expressing support for moving forward with the Lemon Creek Area Plan, and two items which are likely transcendental to the action the Commission will most probably be taking this evening, he said.

Mr. Voelckers said the second of the three letters in which an individual addressed the issue of FEMA is in fact one of the Committee's priority points.

Ms. Maclean said this item is addressed in Chapter 6 under Natural Resources and Recreation within the Action Plan.

Mr. Hickok asked how the City could raise its standards regarding clean-up of the community.

Ms. Maclean said that the CBJ has a code enforcement officer. His job is to address areas which are not compliant with the code which would include certain clean-up issues, she said. He has been working on the particular nuisance property which Mr. Hickok referenced, she said.

Mr. Dye referenced the changes which are proposed to be made to the draft plan.

Ms. Maclean repeated that those changes will be incorporated into the final draft once the draft plan is approved by the Assembly.

MOTION: *by Mr. LeVine, to approve AME2016 0016, the Lemon Creek Area Plan, accepting staff's findings, analysis and recommendations with amendments.*

Suggested amendments by Mr. Dye:

Page 76, Goal 2 Action 2

Action: Decrease reliance on a landfill by implementing a mandatory borough-wide recycling program.

Mr. Dye said if this is a neighborhood plan then the above action should not be a mandatory borough-wide item. He recommended removing "mandatory" from the above action.

Speaking against the amendment, Mr. Voelckers said there was the sense of individuals on the Steering Committee that if this item was not mandatory, that it would be less likely to be implemented.

Mr. LeVine also spoke against the amendment, stating that he felt the word "mandatory" made this a more powerful recommendation, and also that removing the word "mandatory" did not address the concern of Mr. Dye that this was overreaching the Lemon Creek area and moving into the Borough.

Mr. Dye withdrew his amendment to remove the word "mandatory" from Goal 2, Action 2, on page 76.

Page 77, Goal 3, Action 4

Action: Monitor and enforce compliance with applicable building and health codes to ensure a safe and attractive housing stock.

Mr. Dye stated that he felt the wording of this action implies that the Borough does not monitor and enforce compliance with applicable building and health codes anywhere else within the borough. He added that with this verbiage referring only to Lemon Creek, that meant that the Borough's only code enforcement officer would then give it preferential treatment over other areas within the Borough.

Ms. Maclean said she felt the purpose of this action was because the Steering Committee wanted to emphasize that these codes be enforced within Lemon Creek. There is a need for

this in the area, and the Steering Committee wanted to draw attention to this fact, said Ms. Maclean.

Mr. Dye said in his opinion the emphasis on building and health code monitoring and enforcement should be applied to all communities within Juneau.

Mr. Voelckers said he would agree with this amendment proposed by Mr. Dye. Mr. Voelckers said in this particular case he felt the action was so broad and general that it did not really contribute to the Lemon Creek Plan.

Mr. Hickok said he was in favor of retaining this goal, because he felt that Lemon Creek did have more need for monitoring and enforcement than other areas within the borough.

Roll Call Vote on the Amendment proposed by Mr. Dye

Yeas: Shelton, Greene, Dye, LeVine, Voelckers,

Nays: Frisby, Hickok, Haight

The motion to remove Goal 3, Action 4, on page 77 of the Lemon Creek Area Plan passed.

Ms. Maclean clarified that the Action Plan will be updated to be contemporaneous with current activity within the Borough, such as the Housing First Project.

Page 82, Goal 4, Action 2

Action: Reduce impacts of dust on surrounding uses, bicyclists, and pedestrians by requiring and enforcing dust control methods on industrial and commercial vehicles

Mr. Dye said he felt they had decided to remove the JPD from a lead responsible party and insert "Manager's Office" instead. There is no dust control required on roads currently, said Mr. Dye.

Ms. Maclean said she recalled that the Director said that JPD should be named here and that the other two responsible parties should be removed. She said she would double check this item and verify that it was correctly listed.

Page 84, Goal 2, Action 2

Action: Mitigate the impacts of resource extraction and eliminate unnecessary water pollution and erosion.

Mr. Dye said he did not like the word "unnecessary". He said that word implied that at other times water pollution and erosion are necessary.

Mr. Dye liked the verbiage of Mr. Voelckers: "... provide greater scrutiny with compliance of water standards and erosion". This would be inserted after the word "extraction", and "eliminate unnecessary water pollution and erosion" would be deleted.

Mr. Voelckers said he thought this action was entered because there have been instances where a truckload was mandated as "covered", for example, and was not covered, with detritus subsequently blowing around the area.

The Commission agreed to leave the Manager's Office as the responsible party.

Page 76, Goal 1, Action 1

Action: Promote mixed-use zoning as a business and neighborhood development tool for underutilized sites; i.e. the former Walmart location and Grant's Plaza.

Mr. Dye said he thought they were going to change the word "zoning" to "development".

Ms. Maclean said the discussion on this item by the Steering Committee was that it wanted different types of developments to mingle within the district such as retail, commercial and industrial uses, it did not mean to have the district zoned as a "mixed-use" zone, she said.

The Commission agreed to supplant the word "zone" with the word "development" in the above action.

Mr. Dye requested again that before this document goes to final printing that a list of acronyms be provided within the document for reference.

The motion to approve the Lemon Creek Plan with amendments passed with no objection.

IX. BOARD OF ADJUSTMENT - None

X. OTHER BUSINESS

Chairman Haight recommended that the authorized CIP small committee proceed with the CIP letter which they can direct to the Public Works chair. He said he felt the letter written last year provided a good solid guideline in addition to the discussion amongst the Commission on the CIP process at its recent COW meeting.

Mr. LeVine said he felt this was a good route to follow.

Mr. Voelckers asked if the draft letter drawn up by the committee could be circulated to commissioners for comment, or if this would constitute a "meeting", to which certain rules

must adhere.

Mr. Palmer said that would create problems with the meeting. He said he felt the best way to proceed would be as recommended by Chairman Haight: the subcommittee can meet, discuss this item, and offer a memo to the Assembly Public Works Committee. He said he realizes this diverges from regular practice, but that with the time constraints involved he said he felt this would be the best route to follow.

Mr. LeVine asked if there would be a corollary program problem if for example, the chair decided that Mr. Voelckers should pen that letter and in draft form distributed it to the group for review.

Mr. Palmer said documents can be reviewed amongst committee members. The core issue is that whatever the committee works on this document, it must be publicly noticed with the information available to the public.

Hearing no objections, Chairman Haight said they would proceed with the small committee to draft the CIP memo to be submitted to the Public Works and Facility Chairman.

XI. DIRECTOR'S REPORT

New CDD Employees

Ms. McKibben introduced the new planner for the CDD, Amy Liu. She also introduced Nate Watts, the Code Compliance Officer for the Borough.

Lemon Creek Clean-up

Mr. Watts and Ms. Eddins were the primary forces behind the Lemon Creek clean-up, said Ms. McKibben. She said that Mr. Watts went the extra mile and actually went into the dumpsters, putting in a lot of extra time and effort on his own.

Sustainability Meeting

Ms. McKibben said there is a sustainability session on October 25, (2017) at 5:30 p.m. The topic of the meeting is urban agriculture, she said. This deals primarily with the keeping of various urban livestock, she said.

XII. REPORT OF REGULAR AND SPECIAL COMMITTEES

Mr. Voelckers said a Title 49 meeting was held and discussed nonconformance issues. He said he felt the committee was getting close to developing a document.

Ms. McKibben said she understood she was to finesse the language and send the document to

Mr. Palmer to add the necessary legal language. The document would then come back to the Title 49 Committee for review, she said.

XIII. PLANNING COMMISSION COMMENTS AND QUESTIONS

Mr. Dye asked when the Rules Committee would be meeting.

Mr. Palmer said he did not know when they would again meet. He said Mr. Steedle would organize that schedule.

XIV. ADJOURNMENT

The meeting was adjourned at 9:12 p.m.

DRAFT

Additional Materials

Regular Planning Commission Meeting

Assembly Chambers

7:00pm

Meeting Date: November 28, 2017

1. USE2017 0026:

- a. Memo from Jill Maclean re: Accessible Parking Location Modification



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

DATE: November 22, 2017

TO: Planning Commission

FROM: Jill Maclean, AICP, Senior Planner
Community Development Department

A handwritten signature in black ink, reading 'Jill Maclean', is positioned to the right of the 'FROM:' field.

CASE NO.: USE2017 0026

PROJECT PROPOSAL: A Conditional Use Permit for a Seasonal (April - October) Vehicle Rental Business

RE: Accessible Parking Location Modification

Please note a revision to the staff report in the *Analysis - Accessible Parking Space* section that is found on page 4 (of the report not the packet). The staff report states:

Accessible Parking Space

Per CBJ 49.40.210 (b)(3) Accessible parking spaces, one ADA space is required for lots containing 1 to 25 parking spaces. This requirement may be met by an alternative off-site accessible space, public or private, if the alternative space is determined by Community Development Department to be of adequate capacity and proximity (CBJ 49.40.210 (b)(3)(B)). The pick-up location for the rentals is located approximately 400 feet across South Franklin Street from a CBJ-owned public parking lot containing two van accessible parking spaces and this site is found to be of adequate capacity and proximity.

After further review by CBJ Docks and Harbors, we were informed that the ADA spaces in the parking area referenced, which are managed by Docks and Harbors, have a time limit. Due to this information, we recommend the following condition be added to the Conditional Use Permit:

- Prior to beginning operations, the applicant must find a suitable ADA space that meets the requirement of CBJ 49.40.210(b)(3)(B) and must provide evidence of such to the Community Development Department.



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155 S. Seward Street • Juneau, AK 99801

DATE: October 23, 2017

TO: Planning Commission

FROM: Tim Felstead, Planner 
Community Development Department

FILE NO.: USE2017 0020

PROPOSAL: Conditional Use Permit for a mobile home as a second dwelling on lot.

GENERAL INFORMATION

Applicant: Robert Barker

Property Owner: Kelda S. Denton

Property Address: 23500 Glacier Highway

Legal Description: Tract 1, USS 1466

Parcel Code Number: 3B4001000090

Site Size: 197,762 sq. ft. (4.54 acres)

Comprehensive Plan Future Land Use Designation: Rural Dispersed Residential (RDR)

Zoning: D1

Utilities: Private water/Private sewer

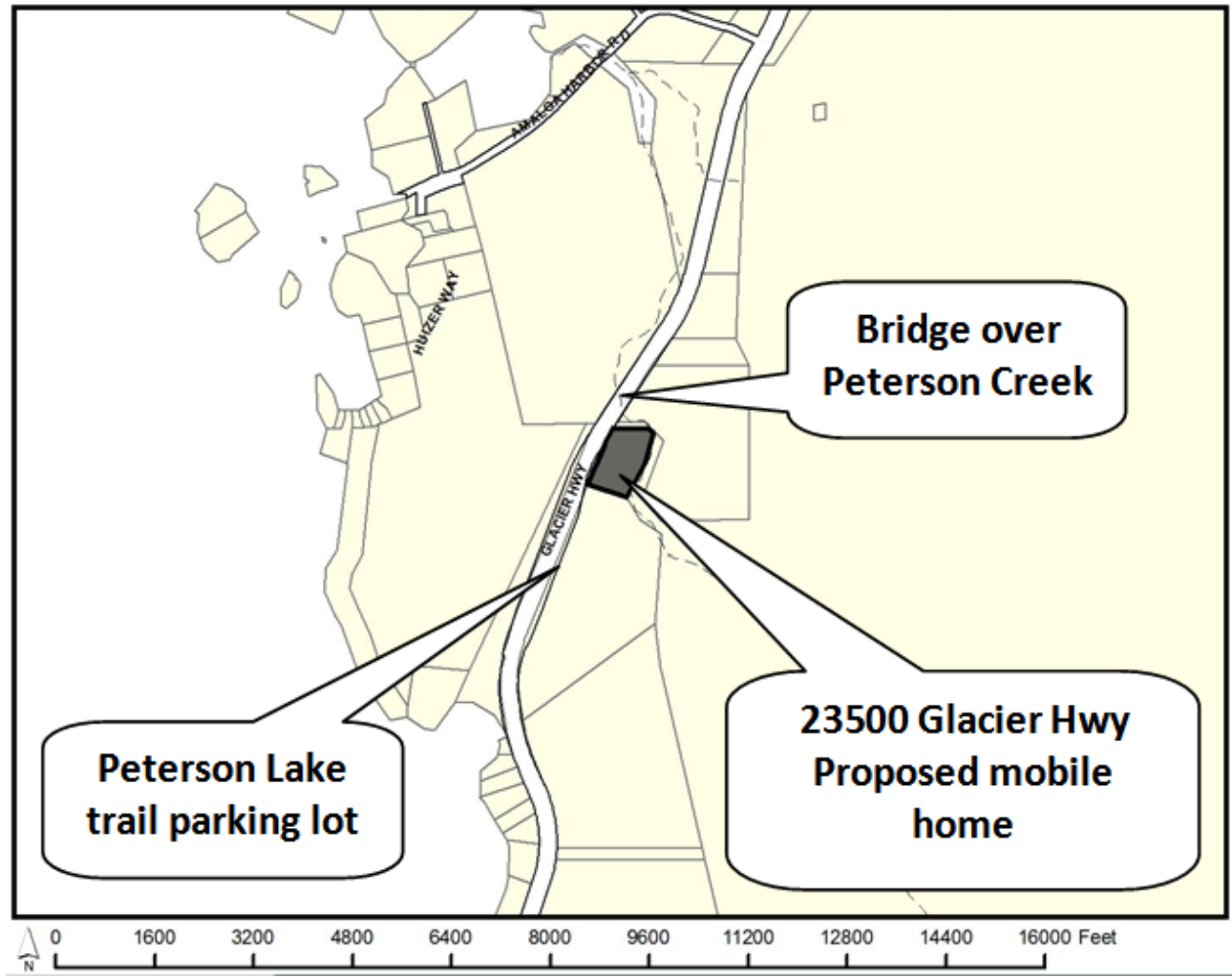
Access: Glacier Highway

Existing Land Use: Single family residence

Surrounding Land Use:

North	-	Peterson Creek, Vacant (RR)
South	-	Vacant (D1)
East	-	Peterson Creek/ Vacant (RR)
West	-	Glacier Highway, Vacant (RR)

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ATTACHMENTS

Attachment A	Application including narrative and site plan
Attachment B	Public notice
Attachment C	Site photos
Attachment D	Email from Robin Potter, CBJ Assessor

PROJECT DESCRIPTION

The applicant requests a Conditional Use permit for the use of a mobile home on a residential lot as a second dwelling unit. The mobile home is already on the site and has been connected to utilities.

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BACKGROUND

A mobile home was placed on the lot by the applicant prior to August 2016. Utility connections have been made to the mobile home and so this adds an additional dwelling unit to the lot. The lot has only been permitted for a single family dwelling and an enforcement case was opened by CDD in order to work with the property owner and make the mobile home legitimate under CBJ Land Use and Building Codes.

The lot was first platted in 1984 (SUB W83-54). This was a subdivision of part of the Peterson homestead. Peterson Creek and a connecting drainage channel running parallel to Glacier Highway are identified in the Alaska Department of Fish and Game (ADFG) Anadromous Stream catalogue. During the Planning Commission deliberations regarding the subdivision the location of a buildable site, the existence of wetlands and the potential impact on the creek were discussed.

The subdivision was approved subject to conditions related to:

1. approval by Alaska Department of Environmental Conservation (ADEC) of on-site water and waste water systems
2. identifying a buildable site outside of the required 50 foot stream side buffer
3. approval by ADFG for a bridge across the anadromous stream to provide access to the lot
4. there being no further subdivision of the lot

The Planning Commission meeting minutes suggest this last condition was related to minimizing impacts on the stream and being able to meet ADEC requirements on the buildable area of the lot.

The existing dwelling was issued a Building Permit (BLD-0641601) in 1991 and the permit closed with a certificate of occupancy in 1993. The existing detached garage was issued a Building Permit in 2001 (BLD2001 00196) but this is still to be closed. Photos of these two buildings are in Attachment C.

ANALYSIS

The Table of Permissible Uses (CBJ49.25.300) and Table of Dimensional Standards (CBJ49.25.400) allows for a second dwelling on lots over 72,000 square feet in the D1 zoning district. However, both the Table of Permissible Uses and CBJ49.65.300(3) require mobile homes, used as single family dwellings, located on residential lots in the RR, D1, or D3 zoning

districts to have a Conditional Use Permit. The purpose of a Conditional Use Permit is outlined in the CBJ Land Use Code

49.15.330 Conditional Use Permit

(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 of surrounding uses. ...

The subject structure meets the definition of a mobile home:

Mobile home means a detached residential dwelling unit designed for transportation, after fabrication, on streets or highways on its own wheels or on a truck or trailer, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for minor and incidental unpacking and assembly operations, location on jacks or other temporary or permanent foundations, connections to utilities, and the like, and includes recreational vehicles used outside of a recreational vehicle park as living quarters, other than as temporary living quarters for recreational, camping, or travel purposes.

A conventionally constructed building as a second dwelling unit is allowed with only Building Permit approval. The requirement for the approved conditional use permit is because the second dwelling is a mobile home.

Project Site – The minimum lot size for a D1 zoning district is 36,000 square feet. For two single family dwellings to be placed on a D1 lot, the minimum lot size is 72,000 square feet. The subject lot is 197,762 square feet. The lot meets the minimum lot size for two dwelling units.

The minimum setbacks for the lot are listed in the table below. All existing buildings, including the location of the mobile home, meet the minimum setback requirements (see Site Plan in Attachment A).

Yard Setback	Distance from property line
Front	25 feet
Rear	25 feet
Side	15 feet

Project Design – The mobile home is a one bedroom, 11 foot by 40 foot unit with a total square footage of 446 square feet (see floor plan in Attachment A and photo in Attachment C). The

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developed area of the lot is surrounded by a relatively thick stand of vegetation but the mobile home is visible from the road. The built on area is centered on the lot. The site uses on-site water and waste water treatment.

The applicant proposes to leave the mobile home on its wheeled chassis with additional supports. Anchoring has been added to the mobile home and this has been determined by the CBJ Building Official to meet flood zone construction standards (see Public Health and Safety below). Skirting will be added around the space underneath the mobile home.

Traffic – The additional traffic generated by a second dwelling unit is not expected to be any different than any other single family dwelling. A traffic impact analysis per 49.40.300 is not required. Access across the slough connecting to Peterson Creek (which is part of the ADFG anadromous stream catalogue) is already provided by a bridge.

Parking and Circulation – An additional two parking spaces are required for a second dwelling unit. There is sufficient space on the lot for an additional two cars. Back out parking will not be necessary.

Noise – The mobile home will result in no greater noise than would be expected from a second single family dwelling. Electricity will be provided from the existing supply to the lot.

Public Health or Safety – A building permit will be required before a certificate of occupancy will be issued. The mobile home is already connected to utilities.

The site uses a well for water and on-site wastewater treatment.

The existing dwelling and the subject mobile home each have a separate on-site wastewater treatment systems. The applicant states the system used for the existing dwelling has 'grandfathered approval' by ADEC. However, an identical system serving the mobile home has not been approved by ADEC. An approved on-site wastewater system will be required for a building permit to be closed with a certificate of occupancy. This would be an issue addressed by the building permit if this were a conventional construction.

Based on the applicant's site plan the mobile home is located in a mapped flood hazard area (AE Flood Zone). The Land Use Code requires flood hazard provisions to be added as conditions of approval of a building permit. In particular the mobile home will have to be suitably anchored to prevent it floating in the event of a flood event, and elevated to, or above, the base flood elevation. Based on the existing grade and elevation of the mobile home chassis on supports and wheels it appears the mobile home will be above the base flood elevation. These aspects will be addressed as mandatory conditions of the required building permit.

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CBJ Building Division has no issues with the application. CBJ Fire has also commented that they have no issues with application. CBJ General Engineering highlighted that ADEC approval is required for on-site water and waste water.

Habitat – According to the ADFG the lot is bordered on three sides by an anadromous stream. The CBJ Land Use Code requires a 50 foot no development buffer and 25 foot no disturbance buffer from anadromous streams. There is already a bridge crossing the section of stream separating the site from Glacier Highway. The mobile home does not encroach into the required buffers. No comments were received from ADFG nor ADEC.

Property Value or Neighborhood Harmony – The subject lot is zoned D1. CBJ 49.25.210 states that residential zoning districts...

‘...are established to provide a healthy, safe and pleasant environment for residential living protected from incompatible uses.’

D1 zoning districts are described in 49.25.210(a) as:

Intended to accommodate primarily single family and duplex residential development in areas outside the urban service areas outside the urban service boundary at a density of dwelling unit per acre...

One reason mobile homes require conditional use permits is to ensure they do not negatively impact neighborhood aesthetics in that mobile homes may appear to be different from neighboring homes. The exterior of this mobile home has the appearance of wooden siding (see Attachment C) and the applicant has stated that they intend to place skirting around the building.

The mobile home is approximately 170 feet from Glacier Highway. The area between the mobile home and the highway is heavily vegetated obscuring views of the trailer from Glacier Highway. The mobile home is not in the sightline of other dwellings.

Robin Potter, CBJ Assessor, has noted that it would be difficult to determine if the mobile home would have any impact on value (see Attachment D) because:

- The location is relatively remote and surround by government owned land. The use of a mobile home is not atypical of the property.
- There is no market indicator to suggest the type of structure impacts land value in less dense areas ‘out the road’ such as that surrounding the subject lot.

There have been no comments received from neighbors at the time of writing this memorandum (there are no buildings within the 500ft public notification radius).

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Conformity with Adopted Plans –

POLICY 3.3 OUTSIDE OF THE URBAN SERVICE AREA, PERMIT APPROPRIATE LOW-INTENSITY, LOW-IMPACT DEVELOPMENT THAT PROVIDES AN OVERALL PUBLIC BENEFIT IN RURAL AREAS, WHILE ASSURING THE PROTECTION OF NATURAL RESOURCES, FISH AND WILDLIFE HABITAT, WATERSHED, SCENIC CORRIDORS, PUBLIC ACCESS TO THE SHORELINE AND INLAND WATER BODIES, AND RECREATIONAL OPPORTUNITIES.

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

POLICY 4.2 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.

POLICY 4.6 TO FACILITATE AND ASSIST IN THE DEVELOPMENT OF AFFORDABLE HOUSING.

POLICY 4.8. TO BALANCE THE PROTECTION AND PRESERVATION OF THE CHARACTER AND QUALITY OF LIFE OF EXISTING NEIGHBORHOODS WITHIN THE URBAN SERVICE AREA WHILE PROVIDING OPPORTUNITIES FOR A MIXTURE OF NEW HOUSING TYPES.

The proposed development meets the intent of the above policies by providing additional housing in the community and being consistent with development in the neighborhood.

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.

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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 1.810 for the D1 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 November 17, 2017 and November 27, 2017 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 analysis above there is no evidence that the use of a mobile home as a second dwelling will endanger the public health or safety provided the appropriate building permit has been approved and closed.

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

No. As discussed above, the proposed use will not decrease values and will be in harmony with the neighboring area.

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

Yes. As discussed above, the proposed development is in general conformity with the land use 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 **APPROVE** the requested Conditional Use permit. The permit would allow the use of a mobile home as a second dwelling unit on a D1 zoned lot.

DEVELOPMENT PERMIT APPLICATION

Project Number <u>USE 2017 0020</u>	CITY and BOROUGH of JUNEAU	Date Received: <u>08/17/2017</u>
Project Name (City Staff to Assign Name)		

INFORMATION	Project Description <u>Detached Accessory Apartment</u> <u>(mobile home)</u>		
	PROPERTY LOCATION		
	Street Address <u>23500 Glacier Hwy</u>	City/Zip <u>Juneau 99801</u>	
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) <u>USS 1466 TR1</u>		
	Assessor's Parcel Number(s) <u>3B 4001000090</u>		
	LANDOWNER/ LESSEE		
	Property Owner's Name <u>Kelda S Denton</u>	Contact Person:	Work Phone:
	Mailing Address <u>23500 Glacier Hwy</u>	Home Phone: <u>789 1478</u>	Fax Number:
	E-mail Address <u>Kelda.Denton@hotmail.com</u>	Other Contact Phone Number(s):	
	PROJECT / APPLICANT	LANDOWNER/ LESSEE CONSENT ****Required for Planning Permits, not needed on Building/ Engineering Permits****	
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows:			
A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.			
B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.			
X		Landowner/Lessee Signature	Date
X		Landowner/Lessee Signature	Date
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.			
APPLICANT If the same as OWNER, write "SAME" and sign and date at X below			
Applicant's Name <u>Robert Barker</u>		Contact Person:	Work Phone: <u>790 7202</u>
Mailing Address <u>23500 Glacier Hwy</u>		Home Phone:	Fax Number: <u>801 340 4883</u>
E-mail Address <u>wired36@hughes.net</u>	Other Contact Phone Number(s): <u>907 723 4226</u>		
X	<u>B. Barker</u> Applicant's Signature	<u>8/16/17</u> Date of Application	

STAFF APPROVALS	OFFICE USE ONLY BELOW THIS LINE			
	☒	Permit Type	***SIGN	Date Received
		Building/Grading Permit		
		City/State Project Review and City Land Action		
		Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)		
		Mining Case (Small, Large, Rural, Extraction, Exploration)		
		Sign Approval (If more than one, fill in all applicable permit #'s)		
		Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)		
	☒	Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)		<u>08/17/2017</u> <u>USE 2017 0020</u>
		Variance Case (De Minimis and all other Variance case types)		
	Wetlands Permits			
	Zone Change Application			
	Other (Describe)			
Comments:				Permit Intake Initials <u>JM</u>

NOTE: DEVELOPMENT PERMIT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATIONS
 I:\FORMS\2010 Applications Revised November 2009

Attachment A

TO BE COMPLETED BY THE APPLICANT

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

Narrative for Conditional Use Permit Application

Introduction

The lot located at 23500 Glacier Hwy measures roughly four acres. It's zoned D1. The original house was constructed in 1991 and is 1,532 square feet

Summary of Project

We are proposing to add an accessory apartment to the property. The accessory apartment will measure 397 square feet and will not be physically attached to the main house. It will consist of a Creekside Cabin Park Model number 210KC12341R purchased from Fleetwood Homes in Oregon. The unit measures 134 inches wide and 408 inches long. The unit will be constructed in Oregon and shipped to Juneau by truck and barge. It will be installed on a pad of two-inch rock approximately 100 feet from the main house, near the garage.

The location of the new building will be approximately 50 feet north of the existing garage.

Installation will take only a few hours and we do not anticipate any disruption or disturbance of the environment nor our neighbors. The project will be virtually silent and only visible from the highway in the winter time.

To address the concerns raised in the Pre-Application Conference Summary emailed by Tim Felstead on August 31, 2017:

5. Landscaping - the lot is required to have 20% vegetative cover. The lot has far more than 20% vegetative cover. I would estimate the vegetative cover at closer to 90% or more.

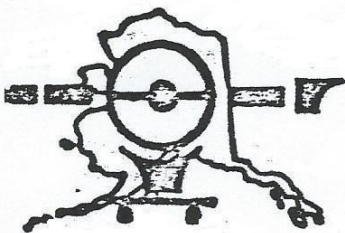
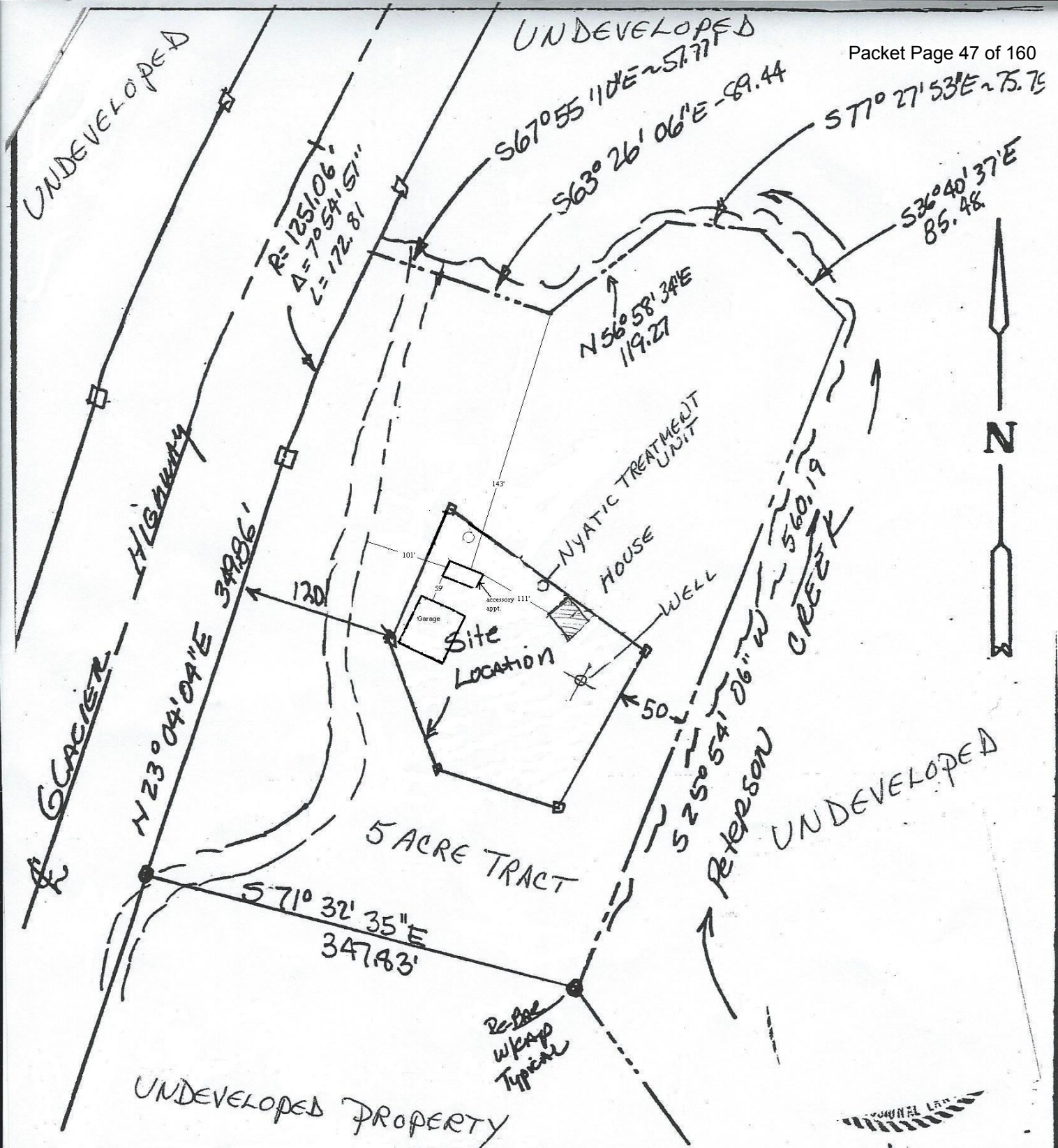
6. Lighting- No glare from lighting should go onto the highway or neighboring property. There will be very little exterior lighting, only a porch light near each door. No glare from lighting will be visible outside of the property.

7. Building- Mention the type of foundation and if skirting will be used. The building will remain on its wheels and be stabilized with concrete cinder blocks and will be skirted down to the ground with either wood or metal to coordinate attractively with the colors of the building. The building will not be visible from any dwellings on neighboring property.

10. Noise- Noise is in keeping with residential use. The mobile home is intended for residential use.

14. Habitat – The lot has Peterson Creek on three sides. 50 ft stream side setback is required. The property has Peterson Creek on two sides. There is a drainage ditch on the side toward the highway which is crossed by an access bridge. That ditch drains into Peterson Creek, but I am not aware that the ditch is classified as an anadromous fish stream. In any case, the building site is 112 feet from that drainage ditch and 191 feet from the closest bank of Peterson Creek.

16. Flood. Part of the lot is in mapped flood zone. The location is at the same elevation as the original house.



J.W. BEAN

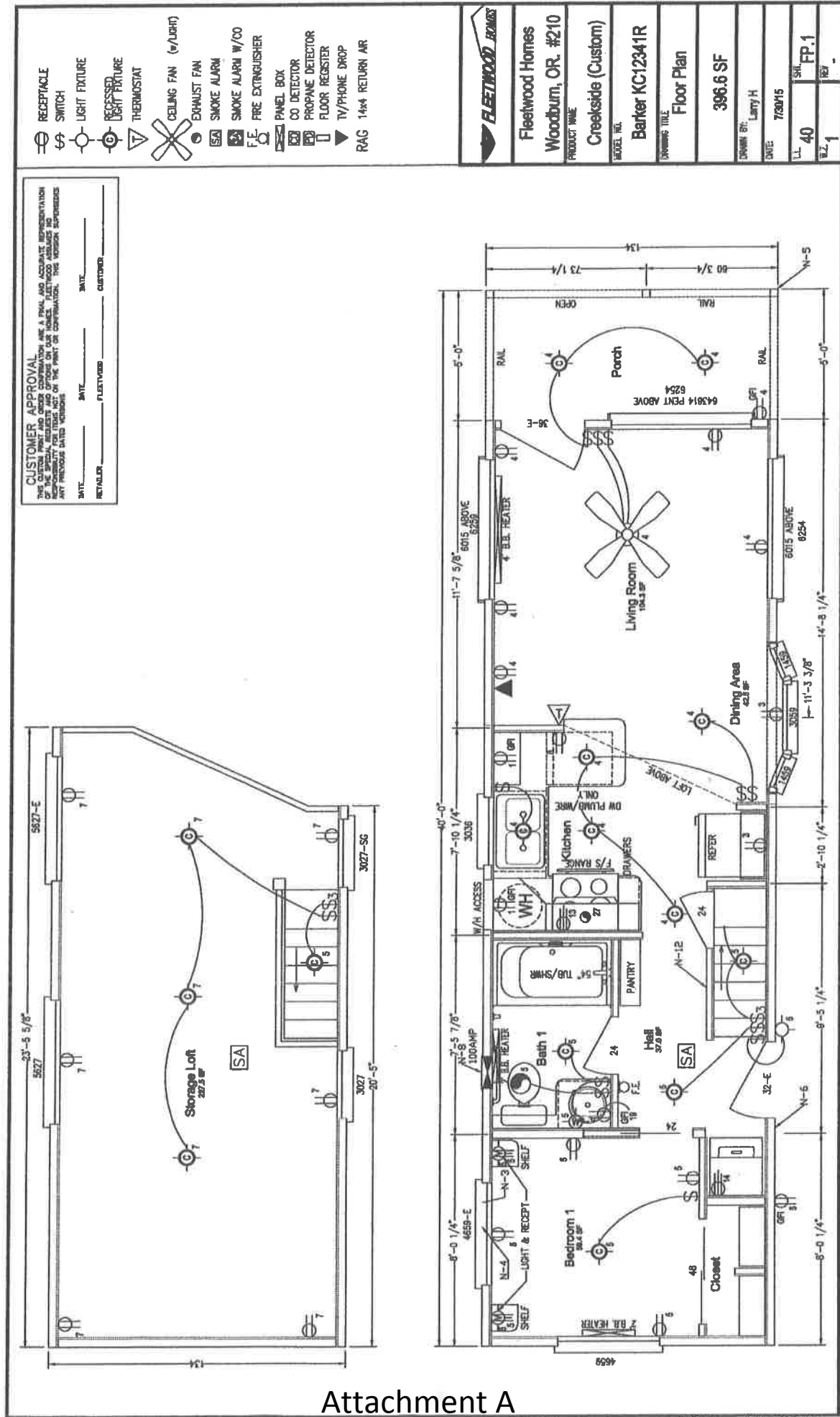
PROFESSIONAL SURVEYOR
2865 MENDENHALL LOOP RD
JAREAL, ALASKA
907-789-0590
SURVEYOR - PLANNER

Sketch PLAT OF:
Site Location ON
TRACT 1, U.S.S. 1466

DESIGN: J.W.B.	JOB NO: 9857	SCALE: 1" = 100'
DATE: 5/4/36	DATE: 12-2-84	SHEET: 1 OF 1



Attachment A



Attachment A



**State of Alaska
Department of Environmental Conservation**

**PUBLIC DRINKING WATER SYSTEM
OR
DOMESTIC WASTEWATER SYSTEM
OWNER'S STATEMENT**

*This information is required by 18 AAC 15.030.
Please type or print all non-signature items in ink:*

Department Completion Only
Project No. _____
Date Received: _____

Project Name: BARKER AS-BURTT LOT 69A, TRACT 1 USS 1466

I submit the enclosed items concerning the above referenced proposed project for review. By my signature, I certify that the project is (check one):

- ☒ privately owned and that I am the owner.
- ☐ owned by a sole proprietorship and that I am the proprietor.
- ☐ owned by a partnership of which I am a general partner.
- ☐ owned by a corporation of which I am a principal executive officer of at least the level of vice-president, or a duly authorized representative responsible for the overall management of this project.
- ☐ owned by a municipal, state, federal, or other public agency of which I am a principal executive officer, ranking elected official, or other duly authorized employee.

[Signature]
Signature (please sign in ink)

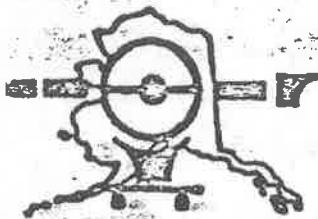
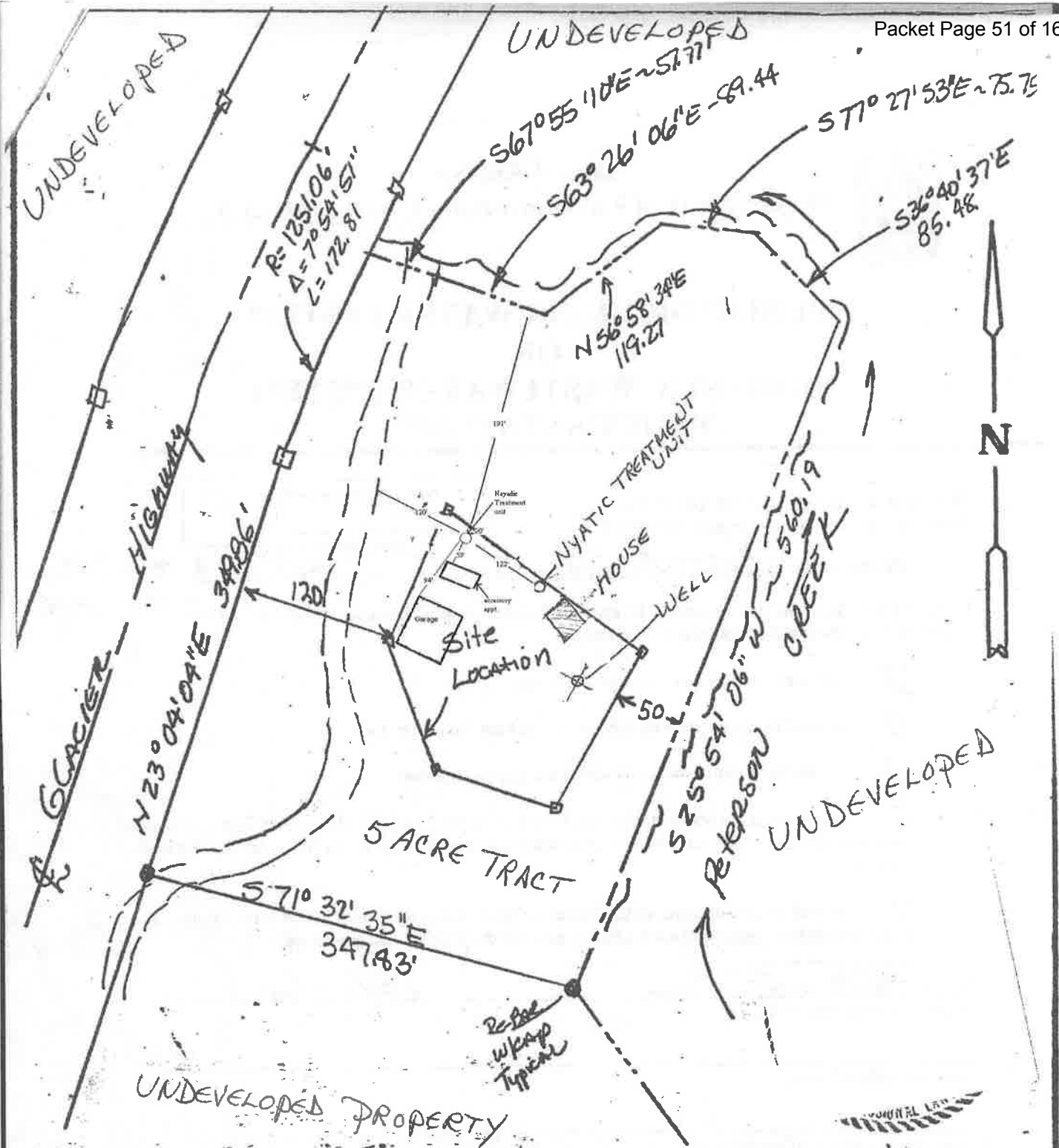
10/14/16
Date

Name and Official Title

Company or Agency (if applicable)

18. AAC 15.030. SIGNING OF APPLICATIONS: All permit or approval applications must be signed as follows:
- (1) in the case of corporations, by the principal executive officer of at least the level of vice-president or his duly authorized representative, if the representative is responsible for the overall management of the project or operation;
 - (2) in the case of a partnership, by a general partner;
 - (3) in the case of a sole proprietorship, by the proprietor; and
 - (4) in the case of municipal, state, federal, or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee. (Eff. 11/25/77, Register 64)

Authority: AS 46.03.020(10), AS 46.03.090, AS 46.03.100, AS 46.03.110, AS 46.03.160, AS 46.03.330, AS 46.03.720



J.W. BEAN

PROFESSIONAL SURVEYOR
2865 MENDENHALL LOOP RD
JUNEAU, ALASKA
907-789-0590
SURVEYOR - PLANNER

Sketch Plat of:
Site Location on
Tract 1, U.S.S. 1466

DESIGN J.W.B.	JOB NO. 9857	SCALE 1" = 100'
FILE 54136	DATE 12-2-84	SHEET 1 OF 1

PROJECT REVIEW FACT SHEET

Project Description, and Narrative

approved by the department if the department requires a person to obtain approval under 18 AAC 72.200. The permit or approval must be obtained before beginning construction of a domestic wastewater treatment and disposal system. ..."

It is the owner's responsibility to obtain all required approvals.

The contact for plan review in Southeast is the following:

Mr. Rob Kimble, M. Eng.
Engineering Associate
Division of Water – Wastewater Engineering Support and Plan Review
Alaska Department of Environmental Conservation
410 Willoughby Avenue Suite 303
Juneau, Alaska 99801-7195

phone: 465-5167
e-mail: rob.kimble@alaska.gov

State of Alaska - ADEC Plan Review Fee

The State of Alaska charges for its review of plans. The fee is based on design flow quantity. The owner may contact Sylvia Bach at ADEC to arrange for this payment. Her e-mail is sylvia.bach@alaska.gov and her telephone number is 465-5180.

PROJECT REVIEW FACT SHEET

Project Description, and Narrative

The next ADEC regulation provision to evaluate is:

18 AAC 72.205. Submittal requirements. (f) A person proposing to discharge domestic wastewater onto the surface of the land must provide documentation that

- (1) the person owns the land treatment area or has written authorization from the landowner to discharge domestic wastewater onto the land;
- (2) the land treatment area is protected against public access;
- (3) the topography, hydrology, geology, and soil characteristics of the land treatment area are adequate to protect existing and potential water and land uses outside the land treatment area, including subsistence, housing, education, industry, recreation, and agriculture; and
- (4) the method of discharge prevents disease transmission.

Analysis and conclusion pertaining to these requirements are as follows:

- #1 Number one criteria has been documented and is compliant.
- #2 There are no restrictions against public access to the discharge point. There is no fence or posting relating to the discharge. Therefore, criteria two is not met.
- #3 The topography, hydrology, geology, and soil characteristics are documented in this presentation. It is concluded that there are no measures protecting water uses outside the discharge area.
- #4 The discharge is not disinfected and there is no measure to protect disease transmission.



December 14, 2016

Advisory Notifications

ADEC Plan Review

The State of Alaska Department of Environmental Conservation regulations 18AAC 72.010 requires the following:

"...18 AAC 72.010. Permit and plan approval requirements. (a) A person who disposes of domestic wastewater into or onto land, surface water, or groundwater must have a permit from the department, if the department requires a permit under 18 AAC 72.215 or under 18 AAC 83, and a plan

EA²

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(907) 789-7293

ENGINEERING ANALYSIS --- 5 APPLICATIONS

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akea2@me.com

PROJECT REVIEW FACT SHEET

Project Description, and Narrative

operating as expected. Aerator was operational. Tank appeared level. Liquid level was as expected. Operational elements are protected from the weather. The tank is anchored and has been in operation over a one year time period without problems.

Wastewater Disposal

The secondary treated wastewater effluent is discharged through a 4 inch PVC line approximately 22 feet from the STP. The discharge elevation is approximately four feet lower than the building pad. The discharge is to the ground surface.

The ground surface was inspected and there was no indication of excessive bacterial growth as indicated by discoloration. There was no apparent odor.

Special Provisions - ADEC Regulation Review & Summary

Minimum Treatment

The minimum treatment of 18 AAC 72.050 regulation requires "...for a discharge of waters of the United States, a person may discharge domestic wastewater into or onto water or land if the discharge... (2) to surface land has received secondary treatment, and if the discharge is a potential health hazard, the discharge had been disinfected...". This regulation establishes three evaluation criteria for surface discharges.

#1. The first criteria is the secondary treatment requirement. The discharge from this sewage treatment plant, Nayadic M6A, is NSF standard 40 certified and the treatment plant is capable of meeting the definition of secondary treatment.

#2. The next evaluation required is "potential health hazard". The point of discharge is in a very remote section of Juneau. The downstream human water uses are for fishing and recreation. There are no water intakes. The location of the discharge is such that it is very unlikely that the general public will come in contact with the discharge point. There is public fishing and recreational use downstream. The likely contact vectors are the residents of the two houses and any domestic animals. Secondary treated wastewater contains bacteria and pathogens. There is a limited "potential health hazard".

#3. The next criteria is the requirement for disinfection if there is a "potential health hazard". Criteria #2 indicates there is a limited "potential health hazard". The discharge from this wastewater system is not disinfected and, therefore, does not meet this criterion.

It is concluded that the wastewater discharge onto the ground surface at Lot 69A does not meet the ADEC minimum treatment requirements.

PROJECT REVIEW FACT SHEET

Project Description, and Narrative

The sewage treatment plant is 122 feet to the west of an older sewage treatment plant which serves the "main house".

Refer to the drawing attached to this document set for the location of all structures and the wastewater treatment unit and disposal area. This drawing was prepared by the owner and confirmed to be an accurate representation of the fixtures as-built.

Separation distance

This sewage treatment plant is located approximately 211 feet from Peterson Creek. The discharge of the effluent from the STP is into a slough approximately 20 feet to the north of the STP. The slough is approximately 4 feet lower than the building pad.

At the time of the on-site inspections [October 14, 2016] the slough did not contain standing water. The ground was saturated. The slough area appears to fill with water during heavy rain fall events.

While this system is located more than 100 feet from the adjacent stream, Peterson Creek, the discharge is into an intermittent flooded area. There are no downstream structures or drinking water systems.

Existing System:

Structures

1. Main house is three (3) bedroom & served by an existing Nyadic M6A sewage treatment plant.
2. A one bedroom manufactured home using another newly installed Nyadic M6A sewage treatment plant.

Estimated flow

$$150 \text{ gpd/Bedroom} \times 1 \text{ Bedrooms} = 150 \text{ gpd}$$

Wastewater Treatment

Sewage Treatment Plant by Consolidated Treatment Systems, Inc. model Nayadic M-6A rated to treat 450 gpd was installed. The Nayadic STP has associated air supply systems, controls, and alarms installed according to the manufacture's guidance.

This package system meets NSF Certification Standard 40 – indicating compliance with USEPA's standard of secondary treatment.

The plant appears to have been installed and operated according manufacture's installation manual, and drawings. The plant was inspected and appears to be

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ENGINEERING ANALYSIS --- APPLICATIONS

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PROJECT REVIEW FACT SHEET

Project Description, and Narrative

2. Project Design Fact Sheet
3. As-built drawing
4. Signed ADEC ownership form

Project Fact Sheet was e-mailed to client 12.14.16.

Site Conditions:

Lot size

4.0 acres
approximately 347' x 525'

Utilities

The drinking water source for this property is a roof rain catchment water system. The tank is inside an adjacent metal building and appears in good operational condition. The water service line is greater than 10 feet from the existing wastewater system. The wastewater treatment system does not impact the drinking water source.

Adjacent lots

The development on Tract 1 is at mile 23 Glacier Highway and in a rural area of CBJ. The property is a large parcel. There are no other developed lots next to Tract 1.

Soils

Grading development work on Lot 69A is complete. The topography is level. Imported select fill was placed in lower areas to bring the lot up to the same elevation. The resulting soil profile for the subsurface disposal area location will be:

- § 0 to 36" Clay
- § 36 " to 46" Peat – high moisture content
- § 46" to 190" Clay

- § This native soil profile matrix is poorly draining with low permeability. Resulting surface water flows are along the ground surface and eventually flows overland into Peterson Creek.

- § Ground water is at a depth of approximately four (4) feet.

System location:

The sewage treatment plant and disposal area is located to the north side of the lot. The sewage treatment plant is approximately 120 ft. set back from the highway right-of-way and approximately 270 feet from the northern property line.

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ENGINEERING ANALYSIS --- 2 APPLICATIONS

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Auke Bay, Alaska 99821
akea2@me.com

PROJECT REVIEW FACT SHEET

Project Description, and Narrative

Version No. 2
12.14.16

Permit Applicant - Property Owner:

Kelda Denton & Robert Barker
23500 Glacier Highway
Juneau, Alaska 99801

790-7202 wired36@hughes.net

Project:

On-Site Wastewater Treatment & Disposal As-built Documentation

Requested Engineering Services Scope:

The main house on tract 1, is served by an older wastewater system [a Nyadic M6A] permitted in 1991 by ADEC permit 91A160761. No evaluation of this system was made.

The client requested documentation of an August 2015 wastewater system installation. The 2015 system serves a manufactured home, which is on wheels. The unit was also placed on the property in 2015. The purpose of this report is to document the as-built condition of the second wastewater system. Design of the wastewater system was not included in the scope of work.

Wastewater System Overview:

- Serving one (1) bedroom of manufactured home
- Treatment capacity of 450 gpd with STP - Nyadic model M 6A.
- Disposal – effluent discharges onto the ground in a slough off Peterson Creek.

Property Reference:

LT 69A, Tract 1 of USS 1466
Juneau, Alaska

CBJ Parcel No. 3B4001000090

Lat. N 58 29.158"
Lon. W 134 46.711'
Ref. WGS 84 UTM/UPS

Review Documentation Elements:

1. ADEC Plan Intake Form

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ENGINEERING ANALYSIS --- APPLICATIONS
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mobile no. 209-6466

Auke Bay, Alaska 99821
akea2@me.com

Submittal Instructions

General Instructions:

- Plans must be sealed, signed and dated by a professional engineer licensed by the State of Alaska
- Plans submitted in hardcopy must be submitted on 11 by 17 inch or 8.5 by 11 inch paper, whichever is most legible
- Plans submitted electronically must comply with electronic submittal guidance available at:
 - http://dec.alaska.gov/water/wwdp/onsite/www_planreview-cklist.htm
- Plans are reviewed within 30 days of receipt of a complete plan submittal
- Plans should be submitted to the ESPR regional office having jurisdiction of the project location, available at:
 - <http://dec.alaska.gov/water/wwdp/onsite/areaOffices.html>
- **NOTE: Engineering plan checklists are for reference only and shall not be included with the submittal**

Domestic Wastewater Engineering Plan Submittal:

1. The following forms/documents are required for domestic wastewater engineering plan submittal, arranged in the following order:
 - This completed form
 - A Plan Review Invoice with payment (see invoice for instructions)
 - A completed Owner's Statement form
 - Engineering plans sealed in accordance with 12 AAC 36.185-36.245
 - Cover letter and/or engineers report describing project, sealed
 - Other supporting documents
 - Performance Certification as needed (for Private Residential Marine Outfalls only)
2. Upon successful review of the submittal ESPR will issue to the Project Manager and Owner:
 - An Approval to Construct Letter
 - A Construction and Operation Certificate with the Approval to Construct section signed
3. The system is constructed.
 - Major design changes require prior written approval and issuance of a Change Order
 - Interim Approval to Operate is granted to domestic wastewater systems automatically along with the Approval to Construct for 90 days after system construction
4. The Project Manager requests Final Approval to Operate once the system is constructed and operational
 - **Final Approval to Operate is the Owner's only document that demonstrates the wastewater system has been properly documented and should be stored with the facility's important papers like O&M manuals, permits and surveys**
 - Project Manager submits a completed Certification of Construction form
 - The Owner must sign the form
 - The Contractor or person who conducted the installation work under supervision must sign the form
 - The Certifying Engineer must sign the form
 - Additional documents which were specified, if any, in the Approval to Construct must be included
 - If modifications of the submitted design were made, record documents accurately depicting the installed system must be submitted bearing the seal of the Certifying Engineer
5. ESPR will issue an Approval to Operate once all documents are received
 - ESPR may issue conditions on the Approval to Operate such as maintenance requirements, sampling or renewal time limits
 - Unless otherwise conditioned, an Approval to Operate is valid indefinitely
 - Modification of the system without prior approval of ESPR invalidates the Approval to Operate

Non-domestic Wastewater Engineering Plan Review:

This intake form is required for non-domestic engineering plan submittal. The Approval to Construct and Approval to Operate two-step process is **not applicable** for non-domestic plan review. The engineering plan requirements for non-domestic engineering plans is different from the above domestic requirements. For non-domestic engineering plan requirements, see 18 AAC 72.600(c).

NOTE: If printing the form, the Submittal Instruction Page is not required to be printed or submitted.



Engineering Support and Plan Review (ESPR) Engineering Plan Intake Form

Use of this form is mandatory for submittal of an engineering plan to ESPR for review.

Items in bold are required. Submittal instructions are on the following page.

Project Name: <i>How you will refer to this project</i>	Kelda Denton & Robert Barker As-built Review	
Property Legal Description: <i>Subdivision Lot Block - OR - Survey and Tract - OR - Township, Range, Section, Meridian, and Tax Lot</i>	Lot 69A, Tract 1 of USS 1466 CBI tax # 3B4001000090	
Property Street Address: <i>Street Address, City, State, Zip Code</i>	23500 Glacier Highway, Juneau, AK	
Wastewater System Location Coordinates: <i>Latitude in decimals of a degree DATUM (select one)</i> <i>Longitude in decimals of a degree</i>	N 58 29.158' W 134 46.711'	WGS-84
Community system is installed (select one): <i>Or nearest community</i>	Juneau	
Owner's Name: <i>First and Last name</i>	Kelda Denton & Robert Barker	
Owner's Telephone: <i>(###) ###-####</i>	(907) 790-7202	
Owner's Address: <i>Street Address, City, State, Zip Code</i> <i>If same as above, enter Same</i>	23500 Glacier Highway, Juneau, AK 99801	
Owner's e-mail Address:	wired36@hughes.net	
Submitting Design Engineer's Name: <i>First and Last name</i>	Gary L. Hayden -- note: did not perform design, scope restricted to as-built doc	
Submitting Design Engineer's Telephone: <i>(###) ###-####</i>	(907) 209-6466	
Submitting Design Engineer's Firm:	EA2	
Submitting Design Engineer's e-mail Address:	akea2@me.com	
Project Type (select one):	Package Plant <1500 Gal per day	
Discharge Type (select one):	Surface Land	
Wastewater Type (select one):	Domestic	
Design Flow in Gallons Per Day:	450	
Water System Designation (select one):	Private	
If applicant is seeking general permit coverage for this discharge, enter the permit number here:	akea2@me.com	

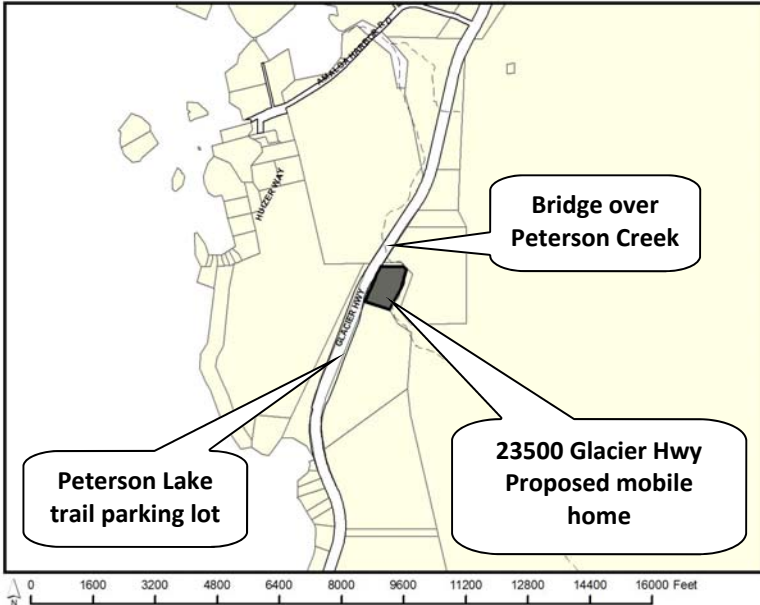
CONTACT INFORMATION

ESPR will communicate primarily with the below identified Project Manager and copy the identified owner of the project on all correspondence. E-mail is the primary means of communication. The Project Manager will serve as the focal point for information requests. The Project Manager may be the same as the Design Engineer, and if no project manager information is provided, the submitting Design Engineer will be the default Project Manager.

Engineer Responsible for Construction Oversight and Record Drawing Submittal: <i>enter "Same as Design Engineer" OR Name, Telephone, Company Name, Address and e-mail</i>	Gary Hayden - As-built project description only no construction oversight
Project Manager <i>enter "Same as Design Engineer" OR "Same as Engineer Responsible for Construction Oversight and Record Drawings" OR Name, Telephone, Company Name, Address and e-mail</i>	Robert Barker - client same as above

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 a **mobile home** as a **second dwelling on lot** located at **23500 Glacier Highway** in a **D1 zone**.

TIMELINE

Follow the case (staff report, hearing results, meeting minutes) at <http://www.juneau.org/assembly/novus.php>

Now through Oct. 23, 2017

Your comments to the Planner, **Tim Felstead**, will be included in the staff report.

Oct. 23 through 3 pm, Nov. 14, 2017

Your comments will be sent to Commissioners to read along with the staff report in preparation for the hearing.

HEARING DATE & TIME
7:00 pm, Nov. 14, 2017

You may testify at the hearing in City Hall's Assembly Chambers, 155 S. Seward St., Juneau.

Nov. 15, 2017

The results of the hearing will be posted online.

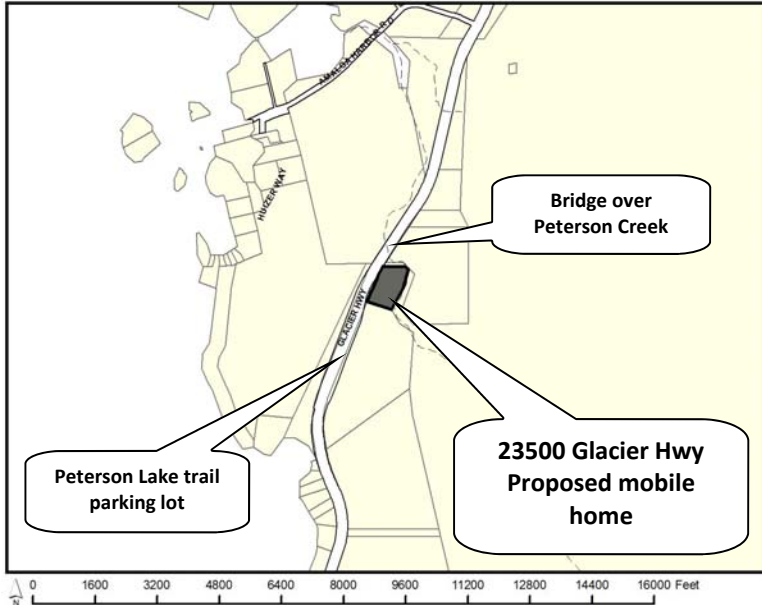
Phone: (907) 586-0715 ♦ Email: pc_comments@juneau.org
Mail: Community Development, 155 S. Seward St, Juneau AK 99801

Case No.: USE2017 0020
Parcel No.: 3B4001000090
CBJ Parcel Viewer: <http://epv.juneau.org>
Date notice was printed: October 10, 2017

Attachment B

Invitation to Comment

PLEASE NOTE: The date of this hearing by the Planning Commission has been changed to November 28, therefore you are receiving a second notice.



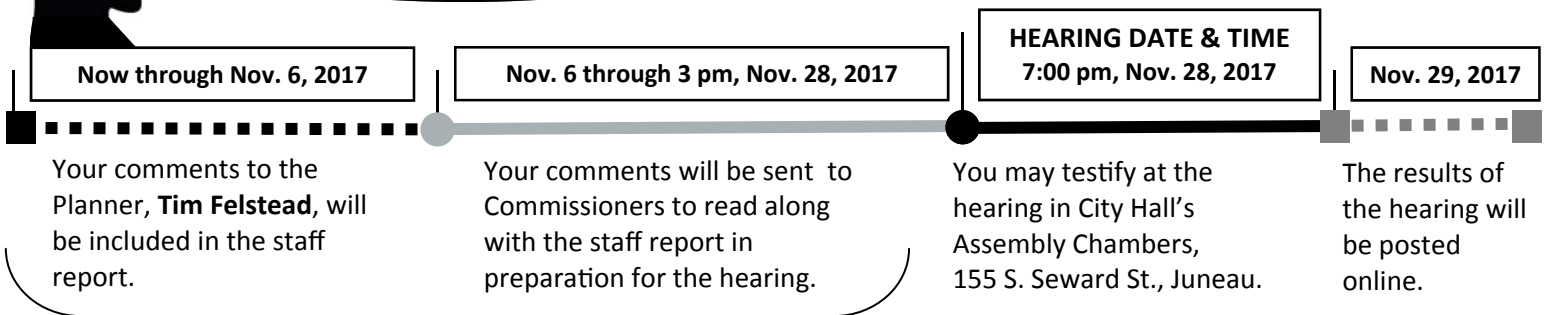
155 S. Seward Street Juneau, Alaska 99801

TO:

An application has been submitted for consideration and public hearing by the Planning Commission for a **Conditional Use permit for a mobile home as a second dwelling on lot** located at **23500 Glacier Highway** in a **D1 zone**.

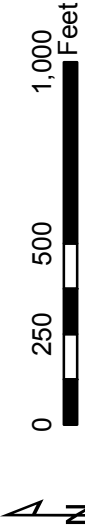
TIMELINE

Follow the case (staff report, hearing results, meeting minutes) at <http://www.juneau.org/assembly/novus.php>



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

Case No.: USE2017 0020
Parcel No.: 3B4001000090
CBJ Parcel Viewer: <http://epv.juneau.org>
Date notice was printed: October 20, 2017



Attachment C





Attachment C





Attachment C







Attachment C

Tim Felstead

From: Robin Potter
Sent: Wednesday, October 04, 2017 1:31 PM
To: Tim Felstead
Subject: RE: USE20170020: Conditional Use permit for mobile home as second dwelling on residential lot

Tim,

It would be difficult to determine this addition will have any impact on value for a couple of reasons.

- **Location** - is considered off the grid although on the road system and is surrounded by government owned land. Due to the diversity of structure type, size and quality for the area, adding a mobile home would not be atypical use of the property. (If the property were in an neighborhood with higher quality residential properties, smaller lots or waterfront type sites, I would have more concern for potential impact).
- **Parcel size** – being an acreage parcel of significant size, valuation of the land out the road is based on a per acre value of both improved and vacant land. There is no market indicator denoting the structure type having any effect on the land value.
- **RV Park Model** – is a newly constructed 372 SF park model structure. Due to the dimensions and size, for assessment purposes, I do not consider this to be a mobile or manufactured home, but rather built to ANSI A119.5 recreational standards and valued as such. Being less than 400SF I don't think they can get FHA financing nor will they likely be removing the axles. According to the manufacturer construction is to current building codes which are vastly improved of mobile homes built say 20 years ago. Regarding value, I don't see this addition as being a positive or a negative influence on the property value, but more as a legal way to allow someone to live in an RV on the property long term. I will assess it according to the model price from the dealership and depreciate it over time.

One question I have for you in this regard. Are you seeing any trend toward people here gravitating toward the tiny home concept and if so, how they will be able to get permits to allow say, several of these tiny homes on one parcel, without calling it a mobile home park, etc. I get interest for this type of communal living all the time.

Robin

Robin Potter ACAA III

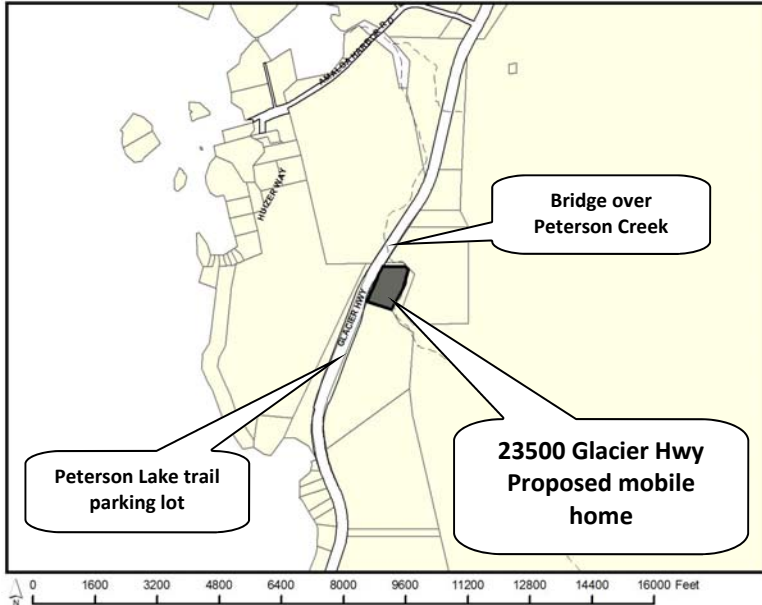
Assessor, Finance Department
 City & Borough of Juneau3b40
 155 S. Seward Street
 Juneau, AK 99801
 907.586.0333

http://www.juneau.org/financeftp/assessor_main.php



Invitation to Comment

PLEASE NOTE: The date of this hearing by the Planning Commission has been changed to November 28, therefore you are receiving a second notice.



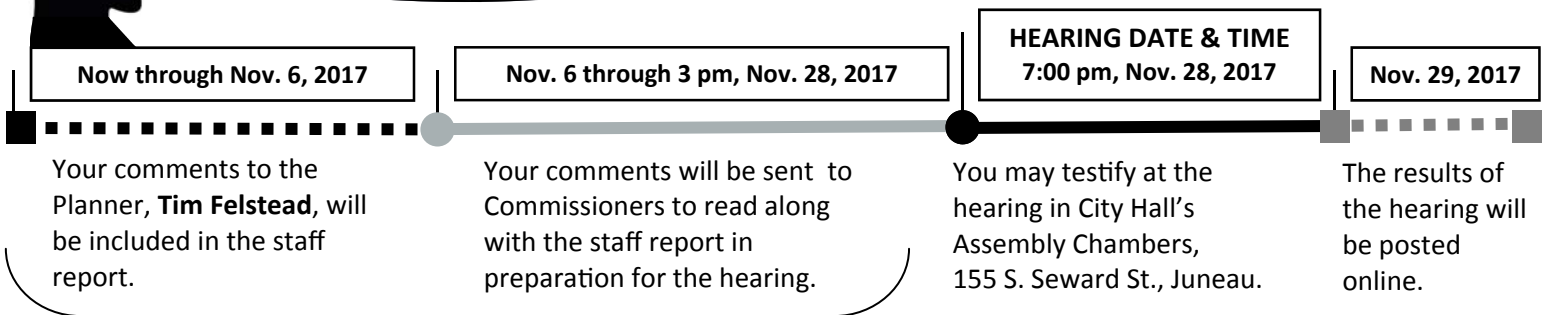
155 S. Seward Street Juneau, Alaska 99801

TO:

An application has been submitted for consideration and public hearing by the Planning Commission for a **Conditional Use permit for a mobile home as a second dwelling on lot** located at **23500 Glacier Highway** in a **D1 zone**.

TIMELINE

Follow the case (staff report, hearing results, meeting minutes) at <http://www.juneau.org/assembly/novus.php>

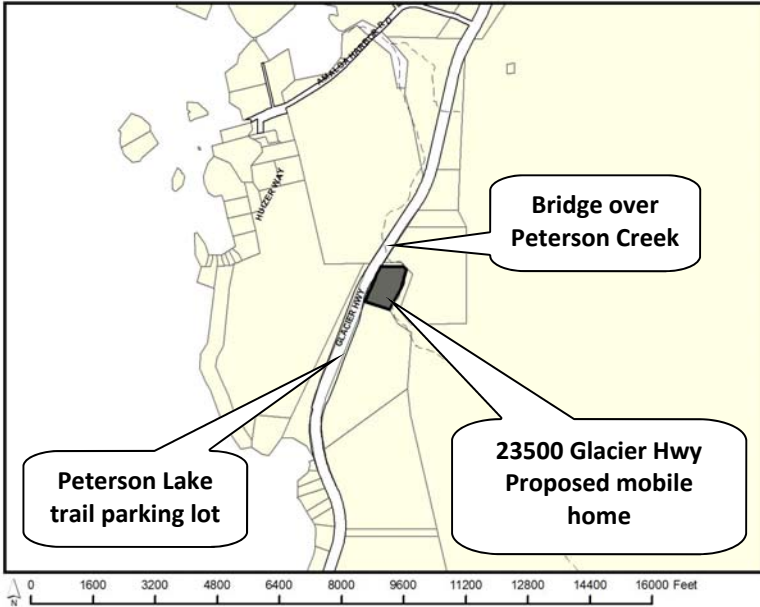


Phone: (907) 586-0715 ♦ Email: pc_comments@juneau.org
Mail: Community Development, 155 S. Seward St, Juneau AK 99801

Case No.: USE2017 0020
Parcel No.: 3B4001000090
CBJ Parcel Viewer: <http://epv.juneau.org>
Date notice was printed: October 20, 2017

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 a **mobile home** as a **second dwelling on lot** located at **23500 Glacier Highway** in a **D1 zone**.

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Case No.: USE2017 0020
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USE2017 0020
Conditional Use Permit for a mobile home
as a second dwelling on lot.

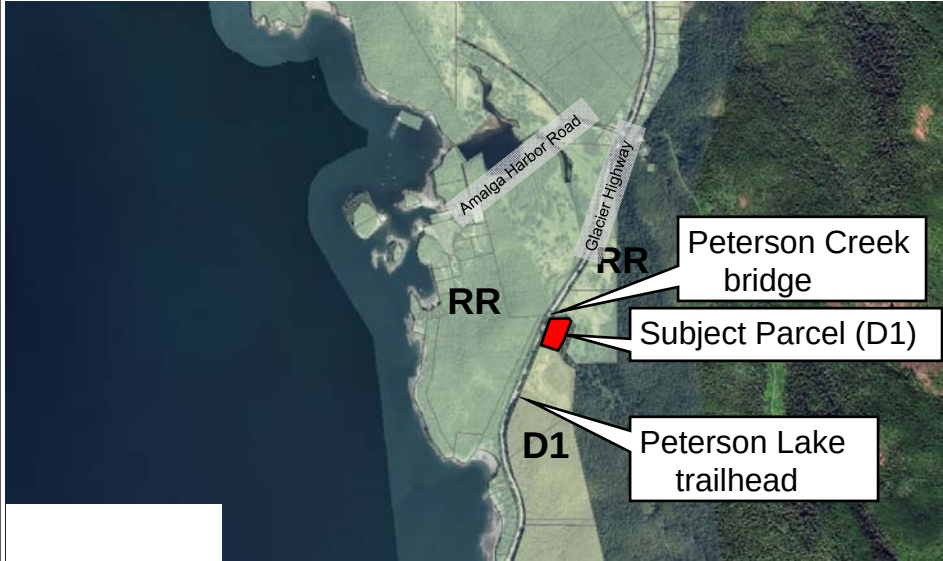


USE17-20

Project Proposal

- Use of a 11' x 40' mobile home on a residential lot as a second dwelling unit.
- The mobile home is already on the site and has been connected to utilities.

USE17-20	Conditional Use Permit purpose
<i>49.15.330 Conditional Use Permit</i> <i>(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 of surrounding uses. ...</i>	

USE17-20	Location
	

USE17-20

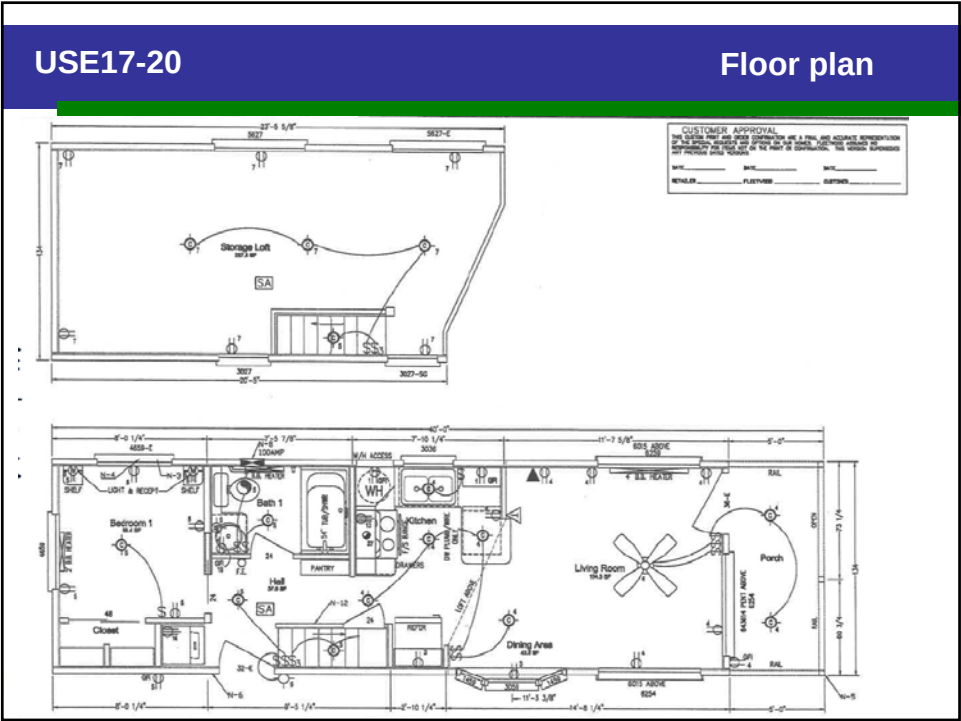
Site Photo – Existing garage



USE17-20

Site Photo – Mobile home





USE17-20	Property value or Neighborhood harmony
CBJ Assessors: • The location is relatively remote and surround by government owned land. The use of a mobile home is not atypical of the property. • There is no market indicator to suggest the type of structure impacts land value in less dense areas 'out the road' such as that surrounding the subject lot.	

USE17-20	Findings (1)
1. <i>Is the application for the requested conditional use permit complete?</i> 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. <i>Is the proposed use appropriate according to the Table of Permissible Uses?</i> Yes. The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ 49.25.300, Section 1.810 for the D1 zoning district. 3. <i>Will the proposed development comply with the other requirements of this chapter?</i> Yes. The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in the November 17, 2017 and November 27, 2017 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.	

USE17-20	Findings (1)
	4. Will the proposed development materially endanger the public health or safety? No. Based on the analysis above there is no evidence that the use of a mobile home as a second dwelling will endanger the public health or safety provided the appropriate building permit has been approved and closed. 5. Will the proposed development substantially decrease the value of or be out of harmony with property in the neighboring area? No. As discussed above, the proposed use will not decrease 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. As discussed above, the proposed development is in general conformity with the land use plan. 7. Will the proposed development comply with the Juneau Coastal Management Program? Not applicable.

USE17-20	Staff 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 use of a mobile home as a second dwelling unit on a D1 zoned lot.



Community Development

(907) 586-0715

PC_Comments@juneau.org

www.juneau.org/plancomm

155 S. Seward Street • Juneau, AK 99801

PLANNING COMMISSION NOTICE OF DECISION

Date: November 28, 2017

File No.: USE2017 0020

Robert Barker
23500 Glacier Highway
Juneau, AK 99801

Proposal: Conditional Use Permit for a mobile home as a second dwelling on lot

Property Address: 23500 Glacier Highway

Legal Description: USS 1466 TR 1

Parcel Code No.: 3B4001000090

Hearing Date: November 28, 2017

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated October 23, 2017, and **APPROVED** the Conditional Use Permit for an 11 x 40 foot mobile home as a second dwelling on lot to be conducted as described in the project description and project drawings submitted with the application.

Attachments: October 23, 2017, memorandum from Tim Felstead, Community Development, to the CBJ Planning Commission regarding USE2017 0020.

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).

Robert Barker
File No.: USE2017 0020
November 28, 2017
Page 2 of 2

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, November 28, 2017.

Expiration Date: The permit will expire 18 months after the effective date, or May 28, 2019, 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



Benjamin Haight, Chair
Planning Commission



Filed With City Clerk

November 30, 2017

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.



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

DATE: November 15, 2017

TO: Planning Commission

FROM: Allison Eddins, Planner
Community Development Department

A handwritten signature in black ink, appearing to read 'A. Eddins', is written over the printed name and title.

FILE NO.: USE2017 0023 & USE2017 0024

PROPOSAL: Conditional Use Permits to allow for the construction of a second story dormer to be constructed on a lawfully non-conforming structure:

USE2017 0023: To allow an encroachment into the street side yard setback along an unnamed alley

USE2017 0024: To allow an encroachment into the side setback

GENERAL INFORMATION

Applicant: Nancy Cooperrider & John T. Moore

Property Owner: Nancy Cooperrider & John T. Moore

Property Address: 1117 A Street

Legal Description: Casey Shattuck, Block 205, Lot 4

Parcel Code Number: 1C030C050040

Site Size: 3,600 sq. ft.

Comprehensive Plan Future Land Use Designation: Medium Density Residential (MDR)

Zoning: (D18) Multi-family

Utilities: City water and sewer

Access: A Street

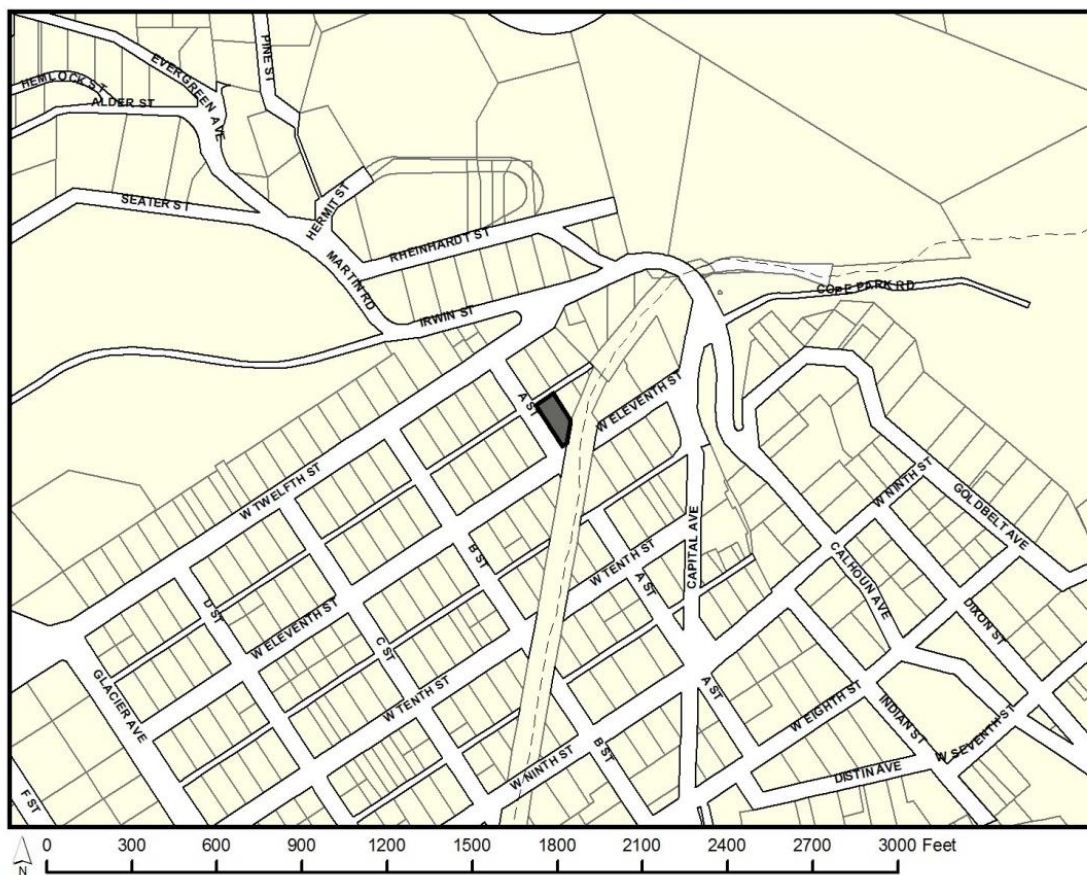
Planning Commission
 File No.: USE2017 0023 & USE2017 0024
 November 15, 2017
 Page 2 of 9

Existing Land Use: Single-family dwelling

Surrounding Land Use:

- North - (D18) Multi family
- South - (D5) Single family/duplex
- East - (D18) Multi family
- West - (D5) Single family/duplex

VICINITY MAP



ATTACHMENTS

Attachment A – Development and Conditional Use Permit Applications
 Attachment B – 2017 Site Plan and Construction Drawings
 Attachment C – Public Notice

Planning Commission
File No.: USE2017 0023 & USE2017 0024
November 15, 2017
Page 3 of 9

PROJECT DESCRIPTION

The applicant requests a Conditional Use Permit for the development of a 242 square foot, second story addition on top of a nonconforming, single-family home. Due to existing setback encroachments, the single story home is considered a legally nonconforming structure.

The D18 zoning district has a required street side setback of 13 feet and a side yard setback of five feet. The Land Use Code allows for certain setback reductions that will be discussed in the Project Site portion of this report. The exterior walls of the home are 1.07 feet from the street side lot line and 0.33 feet from the side lot line. The second story addition would be 5.29 feet from the street side lot line and 4.47 feet from the side lot line.

A second story addition on a nonconforming structure may be allowed with an approved Conditional Use Permit per CBJ 49.25.430 (4) (M).

BACKGROUND

According to the CBJ Assessor data, the 820 square foot home was built in 1914. The lot was platted in 1913 as part of the Casey-Shattuck Addition. The lot is 40 feet wide by 90 feet deep and 3,600 square feet.

ANALYSIS

The Land Use Code provides for construction of additional stories above or below an existing structure which projects into the required setbacks if the structure is either lawfully nonconforming or if a variance has previously been granted (CBJ 49.25.430 (4) (M)).

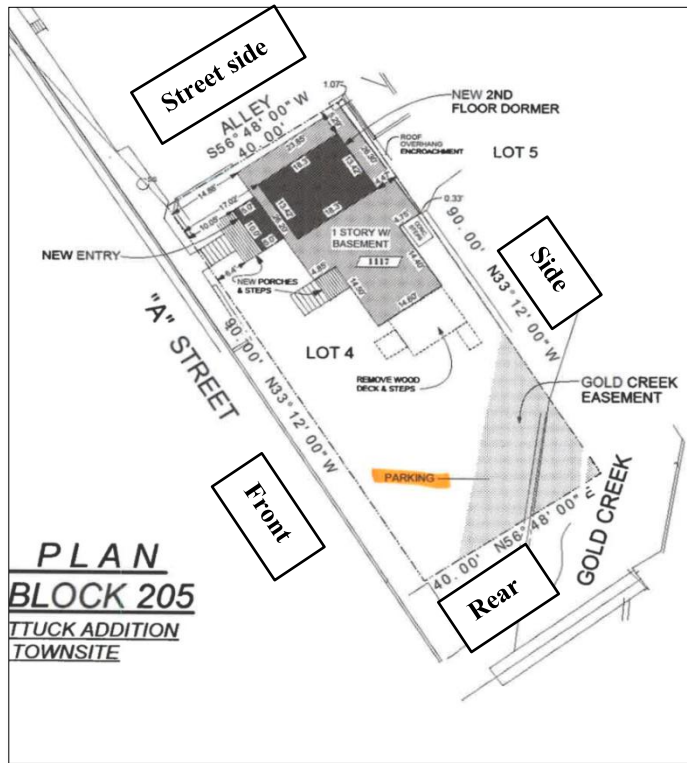
Additional stories. The commission, through the conditional use permit process, may allow the addition of a second or third story atop or below an existing enclosed structure which projects into a required yard setback if the structure is either lawfully nonconforming or if a variance was previously granted for the structure. The commission may deny such request if it finds that the structure, with the addition, would result in excessive blockage of views, excessive restriction of light and air, or other deleterious impacts.

Project Site –The dimensional standards in D18 require a minimum lot width of 50 feet, a minimum lot depth of 80 feet, and a minimum lot size of 5,000 square feet. According to a 2017 site plan (below and Attachment B), the subject lot is 40 feet wide, 90 feet deep and 3,600 square feet in area. The subject lot was platted in 1913 and is a legally nonconforming lot.

The existing house is 1.07 feet from the street side lot line abutting the unnamed alley and 0.33 feet from the side lot line abutting the neighboring property. The roof eave along the side lot

Planning Commission
 File No.: USE2017 0023 & USE2017 0024
 November 15, 2017
 Page 4 of 9

line encroaches slightly onto Lot 5, which is also owned by the applicants of this Conditional Use Permit.



The standard setbacks in D18 are 20 feet for the front yard, 10 feet for the rear, **13 feet for the street side yard and five feet for the side yard.** The second story addition would be 5.29 feet from the street side lot line and 4.47 feet from the side yard lot line.

CBJ 49.25.430 (k) allows for front and street side yard setbacks to be reduced by averaging the existing corresponding setbacks of conforming or legally nonconforming structures on the three closest lots. By doing this, the front yard setback along A Street and the street side yard setback along the alley can both be reduced to 10 feet. The second story addition would be 17.02 feet from the front yard lot line and 5.29 feet from the street side yard.

CBJ 49.80.120 defines a rear lot line as *the property line opposite and most distant from the front lot line, except in the case of a corner lot*. CBJ 49.25.430 (3) addresses setbacks for corner lots.

CBJ 49.25.430 (3) Multiple Frontage Lots. *On undeveloped corner lots or corner lots on which existing buildings conform to required setbacks, the owner may establish the rear yard opposite either right-of-way frontage. The remaining yards not fronting on a street right of way will be considered a side yard.*

With the applicable setback reductions, the setbacks for this lot are 10 feet for the front, rear and street side, and five feet for the side yard. The requested second story addition would be 5.29 feet from the street side lot line and 4.49 feet from the side lot line.

Project Design – The second story addition would add 242 square feet of living space to the existing 820 square foot home. The additional living space includes a master bedroom, a master bath, closet space, and storage space. The project also includes a covered entryway and staircase that will comply with the reduced front yard setback.

Planning Commission
 File No.: USE2017 0023 & USE2017 0024
 November 15, 2017
 Page 5 of 9

The maximum height restriction in a D18 zoning district is 35 feet. The plans indicate that the home, with the second story addition, would be approximately 25 feet in height. It is not uncommon for small, older homes in this neighborhood to have a second story and even a third story. Additionally, the site meets the 20 percent vegetative cover and 50 percent lot coverage requirements.

As a condition of approval, staff is recommending that prior to the issuance of a Temporary Certificate of Occupancy for the addition, an as-built survey be provided and approved by CDD staff.

View from alley



View from side



View from A Street



View from rear



Traffic, Parking and Circulation- The existing site will continue to provide two required on-site parking spaces. No additional parking spaces are required. The use of the building and the addition will continue to be a single family home therefore no increase in traffic is anticipated. The second story addition will not decrease the line of sight for traffic traveling down A Street or the alley since it will be set back further from the right-of-way than the existing home.

Planning Commission
 File No.: USE2017 0023 & USE2017 0024
 November 15, 2017
 Page 6 of 9

Noise – There is no evidence that the proposed addition would generate noise that would be out of harmony with the surrounding residential neighborhood.

Public Health or Safety – An approved building permit will be required prior to the construction of the addition. During that process, CBJ Building and General Engineering Departments and Capital City Fire and Rescue will review the building plans and will ensure that all current building and fire standards will be met. They have no issues with the addition as it is currently proposed.

Habitat – There are no mapped habitats regulated by the CBJ Land Use Code in the area of the proposed second story addition.

Property Value or Neighborhood Harmony – The proposed appearance of the second story addition would be in harmony with the character of the surrounding neighborhood. Public notice of this CUP request was sent to all property owners within 500 feet of the subject property and a sign was placed at the subject property. At the time this report was written, no public comment had been received.

Based on the above analysis there is no evidence that neighboring property values or neighborhood harmony would be negatively affected by the proposal. In particular, there is no evidence that there would be excessive blockage of views, restriction of light and air, or other negative impacts to the abutting properties.

Conformity with Adopted Plans - Policy 10.6 of the 2013 Comprehensive Plan update states that site design for residential developments should provide for light, air, and privacy. Setbacks are a tool to provide for this. The public hearing process provides an opportunity for public scrutiny of any negative impacts of constructing above a nonconforming building within the standard setback. The lack of public comment as well as site visits by staff indicate there would be no issues regarding provision of light, air, and privacy if the application for the proposed second story addition is approved.

POLICY 10.6. TO REQUIRE NEW RESIDENTIAL DEVELOPMENTS TO MEET MINIMUM CRITERIA FOR OVERALL SITE DESIGN INCLUDING PROVISION OF LIGHT, AIR AND PRIVACY. (P. 134)

The Comprehensive Plan also recommends that older housing stock in the downtown Juneau neighborhoods be retained. The proposed addition will be in keeping with the scale of the existing neighborhood.

Guidelines and Considerations for Subarea 6 (Juneau):

1. Preserve the scale and densities of the older single family neighborhoods in the downtown area, including the Casey-Shattuck “flats” and Star Hill historic districts, Chicken Ridge, Basin Road, Mt. Maria, the Highlands, and the higher

Planning Commission
 File No.: USE2017 0023 & USE2017 0024
 November 15, 2017
 Page 7 of 9

density apartments and homes in the vicinity of the Federal Building. (P. 184)
 (emphasis added)

FINDINGS

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

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

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

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

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

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

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

Yes. 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 1.110 for the D18 zoning district.

Planning Commission
 File No.: USE2017 0023 & USE2017 0024
 November 15, 2017
 Page 8 of 9

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 November 17, 2017, and November 27, 2017, 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. As discussed above, the proposed development will also comply with the provisions regarding light, air and privacy.

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

No. Based on the above analysis, there is no evidence that the development would decrease the value or be out of harmony with property in the neighborhood.

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 analysis above, there is no evidence that the development would 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. As discussed above, the proposed development is in general conformity with the land use plan.

7. Will the proposed addition result in excessive blockage of views, excessive restriction of light and air, or other deleterious impacts. This finding is added to specifically address the requirements of CBJ 49.25.430(4)(M).

No. As discussed above, there is no evidence that the proposed addition will result in an excessive blockage of views, excessive restriction of light and air, or other deleterious impacts on surrounding properties.

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

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

Not applicable.

Planning Commission
File No.: USE2017 0023 & USE2017 0024
November 15, 2017
Page 9 of 9

RECOMMENDATION

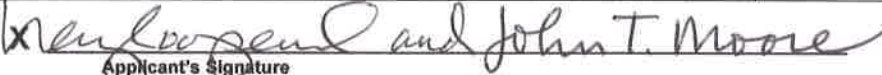
It is recommended that the Planning Commission adopt the Director's analysis and findings and **APPROVE** the requested Conditional Use Permit. The permit would allow the development of a second story addition above an existing nonconforming single-family home, 4.47 feet from the side yard lot line and 5.29 feet from the street side lot line along an un-named alley.

The approval is subject to the following conditions:

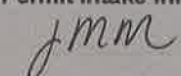
1. Prior to the issuance of a Temporary Certificate of Occupancy for the associated building permit, an as-built survey of the completed addition is provided to the Community Development Department.

DEVELOPMENT PERMIT APPLICATION

Project Number <u>USE20170023-24</u>	CITY and BOROUGH of JUNEAU	Date Received: <u>09/12/2017</u>
Project Name (City Staff to Assign Name)		

INFORMATION	Project Description Construction of a second story dormer on a legally non-conforming residential structure. The proposed dormer will have a 5.29 foot street-side setback from the alley and 4.47 foot side-yard setback to the neighboring property line with 1119A Street. Legal egress windows will be added to two bedrooms in the basement.		
	PROPERTY LOCATION		
	Street Address 1117 A Street	City/Zip Juneau / 99801	
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) Casey Shattuck, Block 205, Lot 4		
	Assessor's Parcel Number(s) 1C030C050040		
	LANDOWNER/ LESSEE		
	Property Owner's Name Nancy Cooperrider and John (Tim) Moore	Contact Person: Nancy	Work Phone: 321-8020
	Mailing Address 1117 A Street, Juneau, AK 999801	Home Phone: 321-8020	Fax Number:
	E-mail Address nancycoop@alaska.net	Other Contact Phone Number(s): 321-1302 (Tim)	
	PROJECT / APPLICANT	LANDOWNER/ LESSEE CONSENT ****Required for Planning Permits, not needed on Building/ Engineering Permits****	
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.			
X			Date <u>9/11/2017</u>
X			Date <u>9/11/2017</u>
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.			
APPLICANT If the same as OWNER, write "SAME" and sign and date at X below			
Applicant's Name same		Contact Person: same	Work Phone: same
Mailing Address same		Home Phone:	Fax Number:
E-mail Address same		Other Contact Phone Number(s): same	
			
Date of Application <u>9/11/2017</u>			

OFFICE USE ONLY BELOW THIS LINE

STAFF APPROVALS	☒	Permit Type	***SIGN	Date Received	Application Number(s)	
		Building/Grading Permit				
		City/State Project Review and City Land Action				
		Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)				
		Mining Case (Small, Large, Rural, Extraction, Exploration)				
		Sign Approval (If more than one, fill in all applicable permit #'s)				
		Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)				
	✓	Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)		09/12/2017	USE20170023 - 24	
		Variance Case (De Minimis and all other Variance case types)				
		Wetlands Permits				
		Zone Change Application				
		Other (Describe)				
	***Public Notice Sign Form filled out and in the file.					
	Comments:					Permit Intake Initials 

NOTE: DEVELOPMENT PERMIT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATIONS

I:\FORMS\2010 Applications

Attachment A - Application

Revised November 2009

ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

Project Number	Project Name (15 characters)	Case Number <u>USE20170023</u>	Date Received <u>09/12/2017</u>																																			
TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED ☐ Accessory Apartment*** (AAP) ☐ Driveway in Right-of-Way (ADW) ☒ Use Listed in §49.25.300 (USE) (Table of Permissible Uses) Please list the Table of Permissible Uses Category: <u>1.110 single family detached, one dwelling on per lot</u> ***An Accessory Apartment Application will also be required.																																						
DESCRIBE THE PROJECT FOR WHICH AN ALLOWABLE OR CONDITIONAL USE APPROVAL IS NEEDED. Construct second floor dormer atop a lawfully nonconforming structure at Lot 4, Block 205 Casey Shattuck Addition. The proposed dormer will have a 4.47 foot side-yard setback from the neighboring property line with Lot 5, Block 205.																																						
IS THIS A MODIFICATION OF AN EXISTING APPROVAL? ☒ NO ☐ YES - Case # _____																																						
CURRENT USE OF LAND OR BUILDING(S): <u>single-family residential</u>																																						
PROPOSED USE OF LAND OR BUILDING(S): <u>single-family residential</u>																																						
UTILITIES PROPOSED: WATER: ☒ Public ☐ On Site SEWER: ☒ Public ☐ On Site																																						
SITE AND BUILDING SPECIFICS: Total Area of Lot <u>3092</u> square feet Total Area of Existing Structure(s) <u>820 (excl 624 sf basement)</u> square feet Total Area of Proposed Structure(s) <u>1688</u> square feet (Including 624 sf finished basement and 244 sf dormer)																																						
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																																						
PROJECT NARRATIVE AND SUBMITTAL CHECKLIST: ☒ Site Plan ☐ Floor Plan of proposed buildings ☐ Elevation view of existing and proposed buildings ☐ Proposed Vegetative Cover ☐ Existing and proposed parking areas (including dimensions) and proposed traffic circulation ☐ Existing Physical Features of the site (drainage, habitat, hazard areas, etc.)																																						
For more information regarding the permitting process and the submittals required for a complete application, please see the reverse side. If you need any assistance filling out this form, please contact the Permit Center at 586-0770.	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">ALLOWABLE/CONDITIONAL USE FEES</th> <th style="text-align: center;">Fees</th> <th style="text-align: center;">Check No.</th> <th style="text-align: center;">Receipt</th> <th style="text-align: center;">Date</th> </tr> </thead> <tbody> <tr> <td>Application Fees</td> <td style="text-align: right;">\$ <u>350.⁰⁰</u></td> <td>_____</td> <td>_____</td> <td style="text-align: center;"><u>09/12/20</u></td> </tr> <tr> <td>Admin. of Guarantee</td> <td style="text-align: right;">\$ _____</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Adjustment</td> <td style="text-align: right;">\$ _____</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Pub. Not. Sign Fee</td> <td style="text-align: right;">\$ <u>150.⁰⁰</u></td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Pub. Not. Sign Deposit</td> <td style="text-align: right;">\$ _____</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Total Fee</td> <td style="text-align: right;">\$ _____</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> </tbody> </table>			ALLOWABLE/CONDITIONAL USE FEES	Fees	Check No.	Receipt	Date	Application Fees	\$ <u>350.⁰⁰</u>	_____	_____	<u>09/12/20</u>	Admin. of Guarantee	\$ _____	_____	_____	_____	Adjustment	\$ _____	_____	_____	_____	Pub. Not. Sign Fee	\$ <u>150.⁰⁰</u>	_____	_____	_____	Pub. Not. Sign Deposit	\$ _____	_____	_____	_____	Total Fee	\$ _____	_____	_____	_____
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TO BE COMPLETED BY THE APPLICANT

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

TO BE COMPLETED BY THE APPLICANT

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

Conditional Use Permit Narrative
 Nancy Cooperrider and John (Tim) Moore
 1117 A Street, Juneau, Alaska
 Lot 4, Block 205 Casey Shattuck

This narrative is to provide supplementary information for two “upfill” conditional use permits related to the property at 1117 A Street in the Casey-Shattuck subdivision (D18 zone).

Lawfully Non-Conforming Structure. We are seeking approval through CBJ 49.25.430(4)(M) to allow the addition of a 245 sf second story dormer with new bedroom and bath atop of a lawfully non-conforming structure. According to the CBJ Assessor’s database, our house was built in 1914. The existing structure is nonconforming because it encroaches into the required street side and side yard setbacks. The existing house is snuggled tight against the back corner of the lot with a 1.07’ setback to the alley and 0.33’ setback to the neighboring property line with 1119 A Street. The minimum lot size for D18 zone is 5,000 square feet. Lot 4 is laid out with a 90-foot frontage on A Street and 40-foot frontage along the alley. The southeast corner of the lot is cut off by Gold Creek and its easement, resulting in a total lot area of 3092 square feet. The placement of the house makes the most of the small lot size.

Further encroachment into setbacks does not occur as the result of this proposed project. The eaves of the new dormer are set further back from the property lines than the wall and eaves of the existing non-conforming structure. Specifically, the new second story dormer will be 5.29 feet away from the alley and 4.47 feet from the property line with 1119 A Street. All other required setbacks will be met.

Vegetative Cover. The required minimum 30% vegetative cover is satisfied by the existing lawn and garden.

Traffic, Parking. The site plan indicates existing off-street parking for two vehicles. No increase in traffic volume is anticipated.

Habitat. Lot 4 is in a developed area downtown. The site is already developed with a single-family residence. No sensitive wildlife area or habitat are known to exist.

Exterior Lighting. Any exterior lights shall not disturb neighbors.

Noise. Additional space in the setbacks will not result in increased noise. Construction noise will be controlled.

Drainage. The existing foundation drain and roof gutters will be expanded to direct water to approved drainage.

Utilities. The need for a larger water supply line will be addressed during the building permit process.

View, Light and Air Quality. The only house that directly abuts 1117 A Street is 1119 A Street which is situated directly behind on the alley. We are the property owners and occupants of 1119 A Street and can attest that there are no deleterious impacts to our views, light or air quality at 1119 A Street as a result of this project.

The distance between the 1117 A Street and 1119 A Street is 11 feet. There are three existing windows on the walls facing each other and the new dormer will have a window facing 1119 A Street. If necessary, a perpetual no-build agreement can be recorded that will run with the property and insure a minimum 10-foot separation between structures.

Property Value and Neighborhood Harmony. Our project is in keeping with the recommendations of the Comprehensive Plan to retain older housing stock in the Casey-Shattuck flats districts. We believe the project preserves the desirable scale and density of the Casey-Shattuck neighborhood.

As noted above, we are the owners and occupants of 1119 A Street and are arguably most impacted by the dormer addition at 1117 A Street. We do not see any potential negative impacts to us. Copies of this Conditional Use Permit Application packet have been left with property owners of Lots 1 and 2, Block 205 Casey Shattuck located across the alley.

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Attachment B - Site Plan

Due to the nature of remodeling work, not all aspects of construction can be streamlined. These plans and specifications are to be transmitted only a guide, and they do not purport to predict every component necessary for the completion of the project. All construction work conforms to the 2006 International Residential Code and other applicable codes and regulations adopted by the City & County of Denver. All engineered components, systems, and other manufactured items and equipment shall be installed according to the manufacturer's specifications.

Circuit an engineer in all nations where physical changes in the plant are contemplated, or where existing conditions must be reflected in the plant.

Active construction begins, a building permit is applied for, all materials are ordered, the building estimator, as designated by the owner, shall review the drawings with the designer. The designer's liability due to errors or omissions is discontinued upon these drawings and he is credited to the reviewing or measuring of the plan to address the situation.

These designs and drawings are protected by the Federal Copyright Laws and may not be copied, reproduced, modified, distributed or sold in any other way without the specific written consent of Rust Tube-Beam also Design-Works, Inc. copyright 1994.

COOPERRIDER/MOORE
REMODEL & RENOVATION
1117 A ST. JUNEAU AK

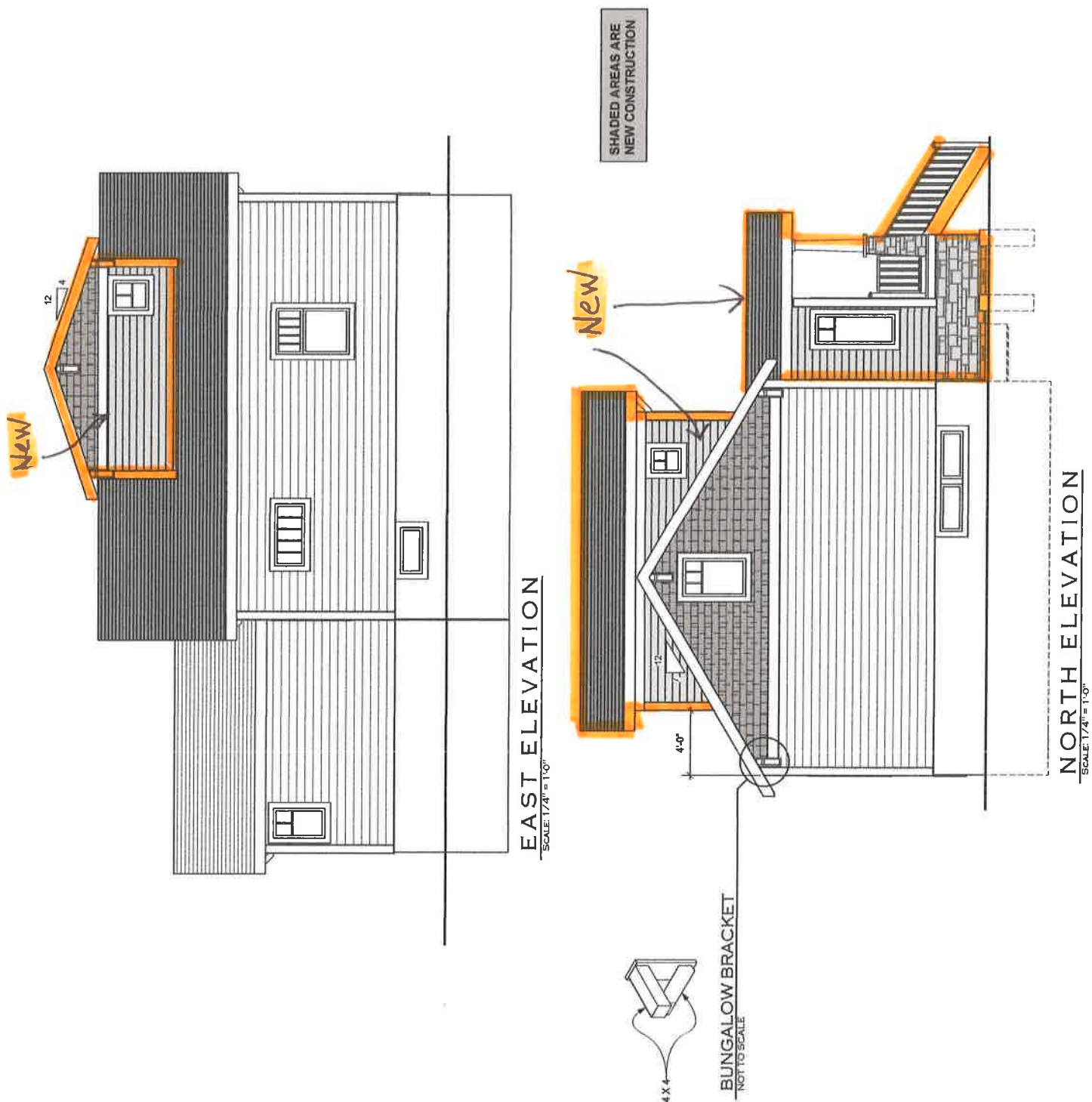
SHEET TITLE:
ELEVATIONS

DRAWN BY: CRICK THIBODEAU
907.789.2897

DATE: July 26, 2017

© 2017 ALL RIGHTS RESERVED

of 160



f 160



1. SAFETY GLASS
2. EXISTING WINDOW
3. EGRESS WINDOW
4. 7'-0" HEAD HEIGHT

Invitation to Comment

PLEASE NOTE: The date of this hearing by the Planning Commission has been changed to November 28, therefore you are receiving a second notice.



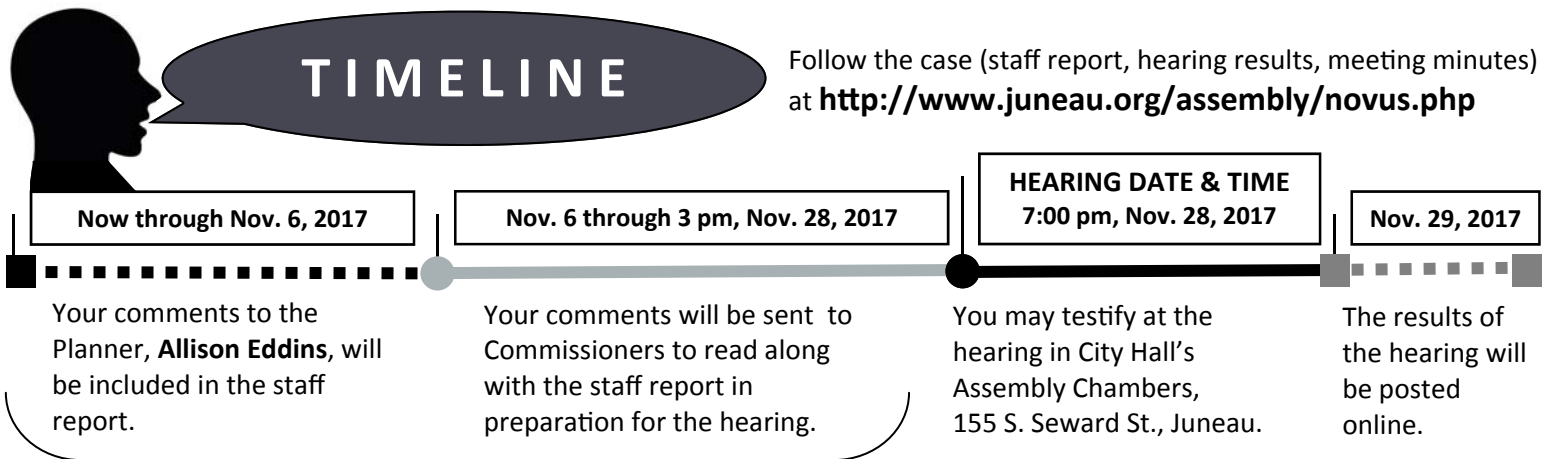
155 S. Seward Street Juneau, Alaska 99801

TO:

Two applications have been submitted for consideration and public hearing by the Planning Commission for **Conditional Use permits to allow a 2nd story dormer to be constructed on a legally non-conforming residential structure at 117 A Street in a D18 zone.**

TIMELINE

Follow the case (staff report, hearing results, meeting minutes) at <http://www.juneau.org/assembly/novus.php>



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

Attachment C - Public Notice

Case No.: USE2017 0023 & USE2017 0024
Parcel No.: 1C030C050040
CBJ Parcel Viewer: <http://epv.juneau.org>
Date notice was printed: October 20, 2017

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:

Two applications have been submitted for consideration and public hearing by the Planning Commission for **Conditional Use permits to allow a 2nd story dormer to be constructed on a legally non-conforming residential structure at 117 A Street in a D18 zone.**

TIMELINE

Follow the case (staff report, hearing results, meeting minutes) at <http://www.juneau.org/assembly/novus.php>

Now through Oct. 23, 2017

Your comments to the Planner, **Allison Eddins**, will be included in the staff report.

Oct. 23 through 3 pm, Nov. 14, 2017

Your comments will be sent to Commissioners to read along with the staff report in preparation for the hearing.

HEARING DATE & TIME
7:00 pm, Nov. 14, 2017

You may testify at the hearing in City Hall's Assembly Chambers, 155 S. Seward St., Juneau.

Nov. 15, 2017

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.: USE2017 0023 & USE2017 0024
Parcel No.: 1C030C050040
CBJ Parcel Viewer: <http://epv.juneau.org>
Date notice was printed: October 16, 2017

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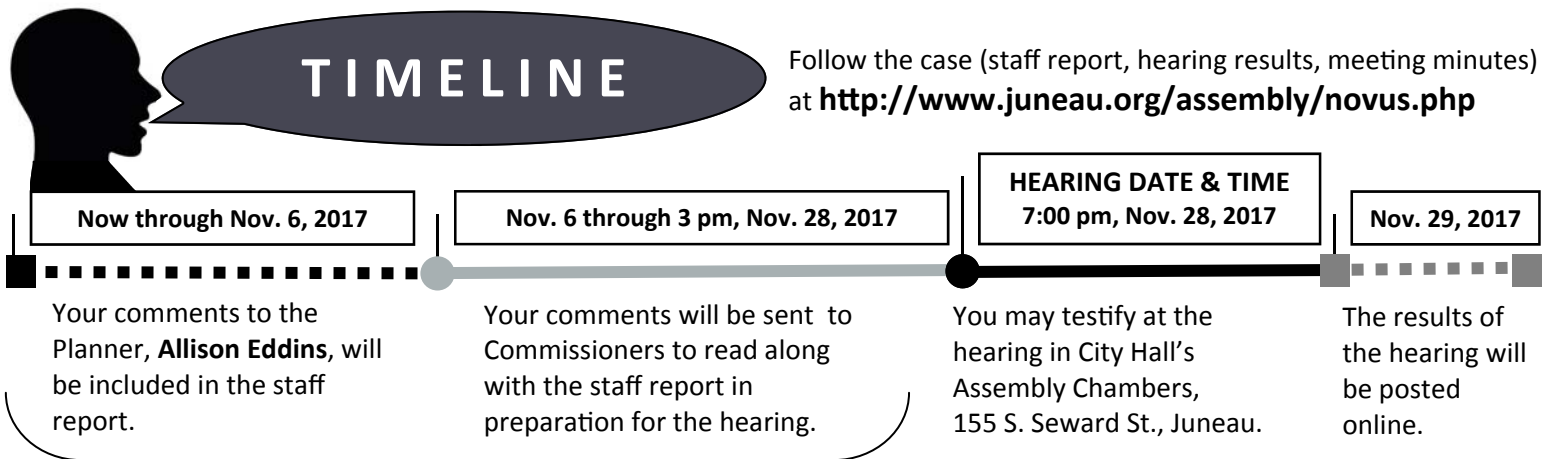
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Phone: (907)586-0715 ♦ Email: pc_comments@juneau.org
Mail: Community Development, 155 S. Seward St, Juneau AK 99801

Case No.: USE2017 0023 & USE2017 0024
Parcel No.: 1C030C050040
CBJ Parcel Viewer: <http://epv.juneau.org>
Date notice was printed: October 20, 2017

USE2017-0023 & USE2017-0024
Conditional Use Permits for a second story
addition atop a nonconforming structure.



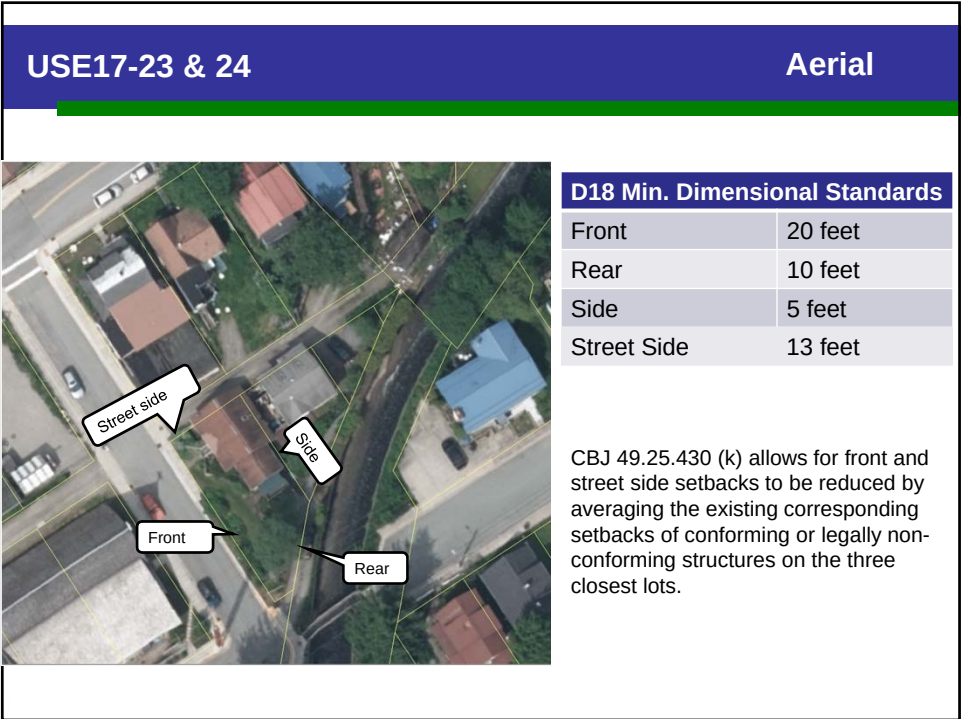
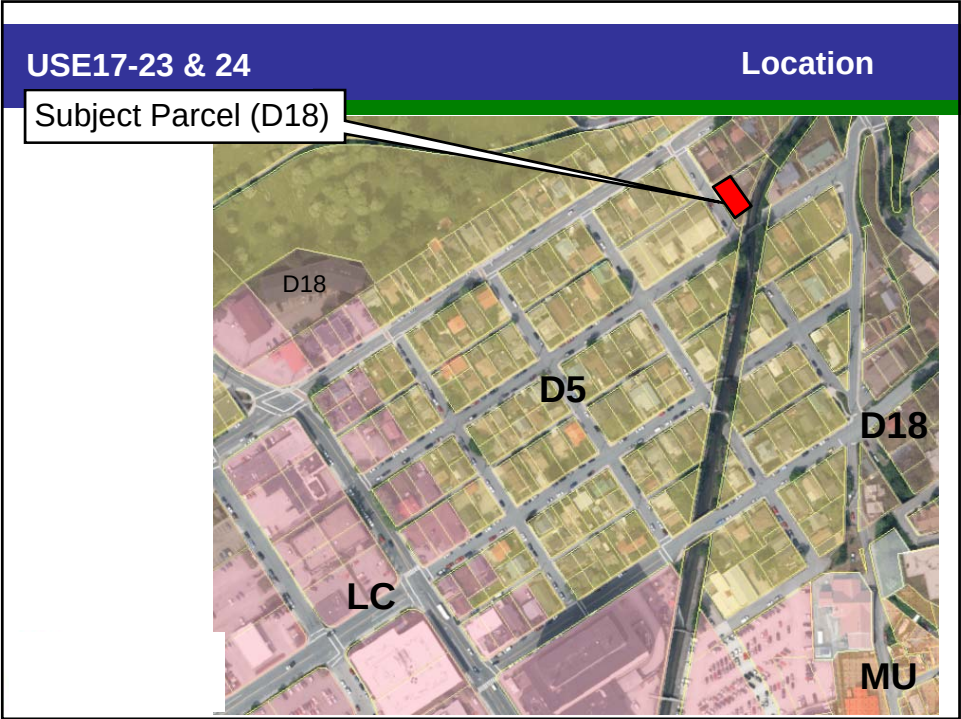
USE17-23 & 24

Project Proposal

- USE2017-0023: To allow an encroachment into the street side yard setback along an unnamed alley
- USE2017-0024: To allow an encroachment into the side yard setback

USE17-23 & 24	General Information
• Applicant/Owner: • Property Address: • Legal Description: • Site Size: • Zoning: • LU Designation: • Access:	Nancy Cooperrider & John T. Moore 1117 A Street Casey Shattuck, Block 205, Lot 4 3,600 square feet D18 (multi-family) Medium Density Residential A Street

USE17-23 & 24	'Uppill' Conditional Use Permit
49.25.430(4)(N) Additional stories.	<i>The commission, through the conditional use permit process, may allow the addition of a second or third story atop or below an existing enclosed structure which projects into a required yard setback if the structure is either lawfully nonconforming or if a variance was previously granted for the structure. <u>The commission may deny such request if it finds that the structure, with the addition, would result in excessive blockage of views, excessive restriction of light and air, or other deleterious impacts.</u></i>



USE17-23 & 24

Aerial

Reduced Setbacks	
Front	10 feet
Rear	10 feet
Side	5 feet
Street Side	10 feet

The existing home is 1.07 feet from the street side and 0.33 feet from the side lot line.

The second story addition would be 5.29 feet from the street side and 4.47 feet from the side lot line.

USE17-23 & 24

Construction Plans

View from alley

NORTH ELEVATION

View from side

EAST ELEVATION

View from A Street

WEST ELEVATION

View from rear

SOUTH ELEVATION

USE17-23 & 24

**Site Photo – View of property from
A Street and alley**



USE17-23 & 24

Findings (1)

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 1.110 for the D18 zoning district.

USE17-23 & 24

Findings (2)

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 November 17, 2017 and November 27, 2017 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.

The proposed addition will be constructed with approved building permits, and lot coverage, height, vegetative cover, and on-site parking as well as all other setback requirements will be met.

USE17-23 & 24

Findings (3)

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

No. Based on the analysis, no health or safety concerns have been identified related to the proposed addition.

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 analysis, there is no evidence that the development would decrease the value of or be out of harmony with property in the neighboring area.

USE17-23 & 24

Findings (4)

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 in general conformity with the land use plan.

POLICY 10.6. TO REQUIRE NEW RESIDENTIAL DEVELOPMENTS TO MEET MINIMUM CRITERIA FOR OVERALL SITE DESIGN INCLUDING PROVISION OF LIGHT, AIR AND PRIVACY. (P. 134)

The Comprehensive Plan also recommends that older housing stock in the older downtown Juneau neighborhoods be retained. *Guidelines and Considerations for Subarea 6 (Juneau):*

Preserve the scale and densities of the older single family neighborhoods in the downtown area, including the Casey-Shattuck "flats" and Star Hill historic districts, Chicken Ridge, Basin Road, the Highlands, and the higher density apartments and homes in the of the Federal Building. (P. 184) (emphasis added)

USE17-23 & 24

Findings (5)

7. Will the proposed addition result in excessive blockage of views, excessive restriction of light and air, or other deleterious impacts. This finding is added to specifically address the requirements of CBJ 49.25.430(4)(N).

No. There is no evidence that the proposed addition will result in an excessive blockage of views, excessive restriction of light and air, or other deleterious impacts on surrounding properties.

USE17-23 & 24	Staff 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 second story addition above an existing nonconforming single-family home, 4.47 feet from the side yard lot line and 5.29 feet from the street side lot line. The approval is subject to the following condition: 1. Prior to the issuance of a Temporary Certificate of Occupancy for the associated building permit, an as-built survey of the completed addition is provided to the Community Development Department.

USE17-23 & 24	END
	QUESTIONS?



Community Development

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

PLANNING COMMISSION NOTICE OF DECISION

Date: November 28, 2017
File No.: USE2017 0023 & USE2017 0024

Nancy Cooperrider & John T. Moore
1117 A Street
Juneau, AK 99801

Proposal: Conditional Use Permits to allow for the construction of a second floor dormer atop a lawfully non-conforming structure:

USE2017 0023: To allow for a 4.47 foot side-yard setback from the neighboring property line.

USE2017 0024: To allow for a 5.29 foot street-side setback to the alley.

Property Address: 1117 A Street
Legal Description: Casey Shattuck, Block 205, Lot 4
Parcel Code No.: 1C030C050040
Hearing Date: November 28, 2017

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated November 15, 2017, and approved the two conditional use permits to be conducted as described in the project description and project drawings submitted with the application and with the following condition:

1. Prior to the issuance of a Temporary Certificate of Occupancy for the associated building permit, an as-built survey of the completed addition is provided to the Community Development Department.

Nancy Cooperrider & John T. Moore
 File No.: USE2017 0023 & USE2017 0024
 November 28, 2017
 Page 2 of 2

Attachments: November 15, 2017 memorandum from Allison Eddins, Community Development, to the CBJ Planning Commission regarding USE2017 0023 and USE2017 0024.

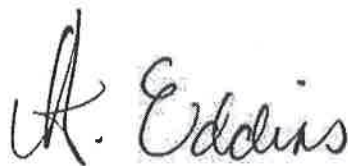
This Notice of Decision does not authorize construction activity. Prior to starting any project, it is the applicant's responsibility to obtain the required building permits.

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, November 28, 2017.

Expiration Date: The permit will expire 18 months after the effective date, or May 2019, 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:



Allison Eddins, Planner
 Community Development Department



Benjamin Haight, Chair
 Planning Commission



Filed With City Clerk

November 30, 2017

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.



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

DATE: November 16, 2017

TO: Planning Commission

FROM: Allison Eddins, Planner
Community Development Department

A handwritten signature in black ink, appearing to read 'A. Eddins', is positioned to the right of the 'FROM:' field.

FILE NOs.: USE2017 0023 & USE2017 0024

PROPOSAL: Conditional Use Permits to allow for the construction of a second story dormer to be constructed on a lawfully non-conforming structure:

USE2017 0023: To allow an encroachment into the street side yard setback along an unnamed alley

USE2017 0024: To allow an encroachment into the side setback

THE STAFF REPORT FOR USE2017 0024 IS COMBINED WITH USE2017 0023 AND CAN BE FOUND AS AN ATTACHMENT TO THAT CASE.

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:

Two applications have been submitted for consideration and public hearing by the Planning Commission for **Conditional Use permits to allow a 2nd story dormer to be constructed on a legally non-conforming residential structure at 117 A Street in a D18 zone.**

TIMELINE

Follow the case (staff report, hearing results, meeting minutes) at <http://www.juneau.org/assembly/novus.php>

Now through Oct. 23, 2017

Your comments to the Planner, **Allison Eddins**, will be included in the staff report.

Oct. 23 through 3 pm, Nov. 14, 2017

Your comments will be sent to Commissioners to read along with the staff report in preparation for the hearing.

HEARING DATE & TIME
7:00 pm, Nov. 14, 2017

You may testify at the hearing in City Hall's Assembly Chambers, 155 S. Seward St., Juneau.

Nov. 15, 2017

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.: USE2017 0023 & USE2017 0024
Parcel No.: 1C030C050040
CBJ Parcel Viewer: <http://epv.juneau.org>
Date notice was printed: October 16, 2017

Invitation to Comment

PLEASE NOTE: The date of this hearing by the Planning Commission has been changed to November 28, therefore you are receiving a second notice.



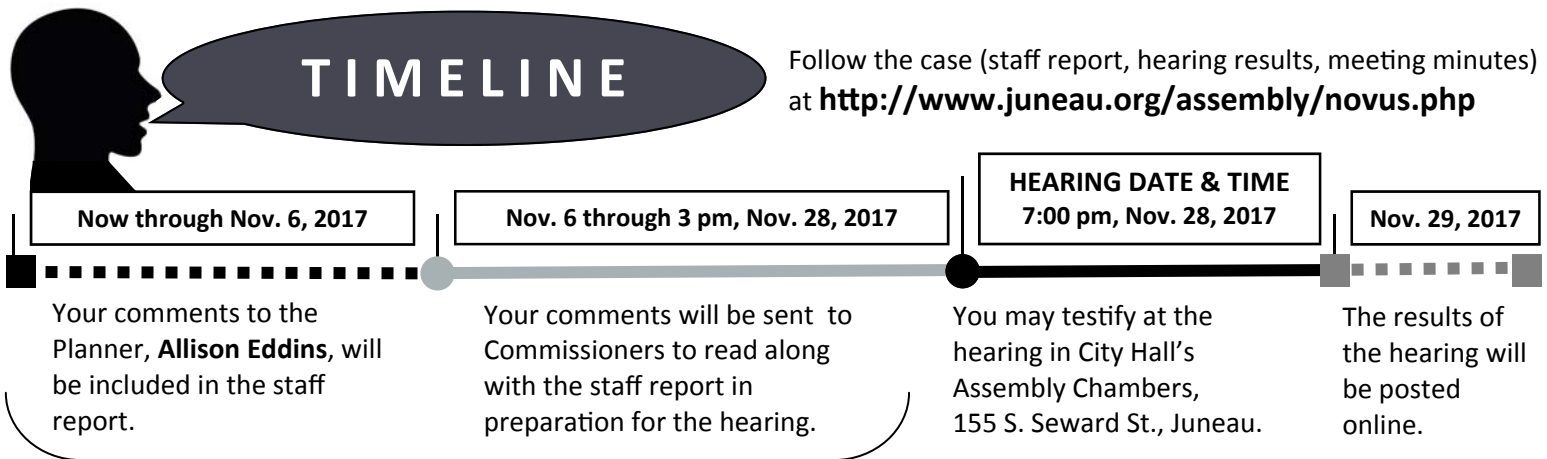
155 S. Seward Street Juneau, Alaska 99801

TO:

Two applications have been submitted for consideration and public hearing by the Planning Commission for **Conditional Use permits to allow a 2nd story dormer to be constructed on a legally non-conforming residential structure at 117 A Street in a D18 zone.**

TIMELINE

Follow the case (staff report, hearing results, meeting minutes) at <http://www.juneau.org/assembly/novus.php>



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

Case No.: USE2017 0023 & USE2017 0024
Parcel No.: 1C030C050040
CBJ Parcel Viewer: <http://epv.juneau.org>
Date notice was printed: October 20, 2017



Community Development

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

PLANNING COMMISSION NOTICE OF DECISION

Date: November 28, 2017
File No.: USE2017 0023 & USE2017 0024

Nancy Cooperrider & John T. Moore
1117 A Street
Juneau, AK 99801

Proposal: Conditional Use Permits to allow for the construction of a second floor dormer atop a lawfully non-conforming structure:

USE2017 0023: To allow for a 4.47 foot side-yard setback from the neighboring property line.

USE2017 0024: To allow for a 5.29 foot street-side setback to the alley.

Property Address: 1117 A Street
Legal Description: Casey Shattuck, Block 205, Lot 4
Parcel Code No.: 1C030C050040
Hearing Date: November 28, 2017

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated November 15, 2017, and approved the two conditional use permits to be conducted as described in the project description and project drawings submitted with the application and with the following condition:

1. Prior to the issuance of a Temporary Certificate of Occupancy for the associated building permit, an as-built survey of the completed addition is provided to the Community Development Department.

Nancy Cooperrider & John T. Moore
 File No.: USE2017 0023 & USE2017 0024
 November 28, 2017
 Page 2 of 2

Attachments: November 15, 2017 memorandum from Allison Eddins, Community Development, to the CBJ Planning Commission regarding USE2017 0023 and USE2017 0024.

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, November 28, 2017.

Expiration Date: The permit will expire 18 months after the effective date, or May 2019, 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.

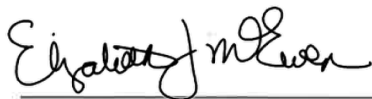
Project Planner:



Allison Eddins, Planner
 Community Development Department



Benjamin Haight, Chair
 Planning Commission



Filed With City Clerk

November 30, 2017

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.



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

DATE: November 13, 2017

TO: Planning Commission

FROM: Jill Maclean, AICP, Senior Planner *Jill Maclean*
Community Development Department

CASE NO.: USE2017 0026

PROPOSAL: A Conditional Use Permit for a Seasonal (April - October) Vehicle Rental Business

GENERAL INFORMATION

Applicant: Dr. Taylor A. Brown

Property Owner: Jim Michael Keen, William Harris, Lillian A Harris, AJT/AEL&P

Property Address: South Franklin Street

Legal Description: 7 A Addition Block 7 Lots 3, 4, 5, & 6; and EP & FR BH T X Millsite

Parcel Code Number: 1C100I070020, 1C100I070030, 1C100I070040, and 1C100I070050; and 1C100I070060

Site Size: Approximately 2.8 acres total; parking area approximately 7,888 sq. ft.

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

Zoning: Mixed Use (MU) Zoning

Utilities: No Water / No Sewer

Access: South Franklin Street and gravel AEL&P private road

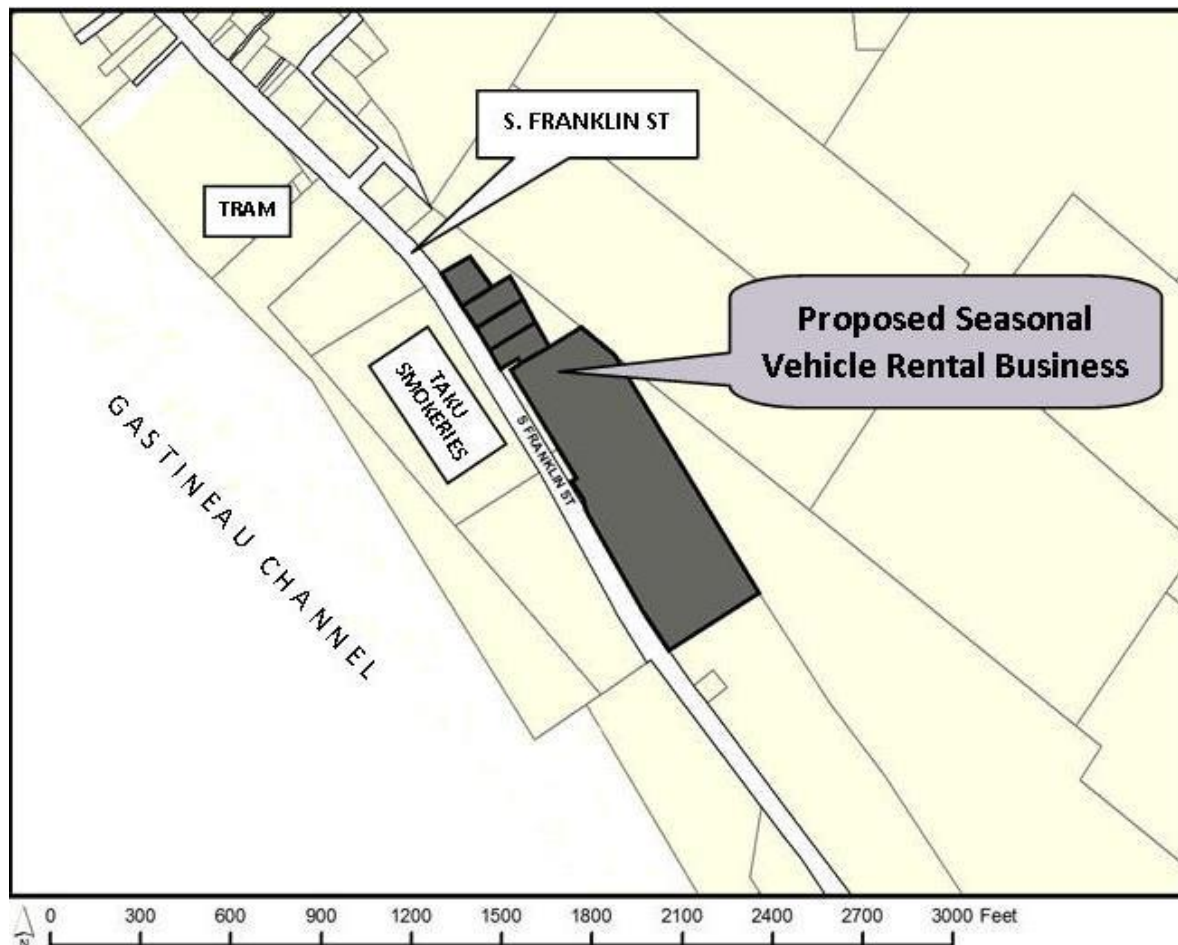
Existing Land Use: Vacant

Planning Commission
Case No.: USE2017 0026
November 13, 2017
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Surrounding Land Use:

North	- Vacant (MU)
South	- AEL&P Vacant Building (MU)
East	- Vacant (Rural Reserve)
West	- Taku Smokeries, Surface Parking Lots (Waterfront Industrial)

VICINITY MAP



ATTACHMENTS

Attachment A - Application and Narrative
Attachment B - Public Notification
Attachment C - Site Plan and Description
Attachment D - Hut and Lighting Specifications
Attachment E - Plat Depicting DOT Easements and Ownership

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Case No.: USE2017 0026
November 13, 2017
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PROJECT DESCRIPTION

The applicant requests a Conditional Use Permit for the development of a seasonal vehicle rental business, with a maximum of 15 vehicles, operating yearly from April through October in a Mixed Use (MU) zoning district (see Attachments A and C). The applicant anticipates employing six to eight employees. The hours of operations are variable and based upon the cruise ship schedule.

BACKGROUND

The proposed use, motor vehicle rental, is permissible through a Conditional Use Permit in a Mixed Use zoning district. Currently, the lots are all vacant, with a private gravel road accessing the upper lot owned by AEL&P. The applicant has an option to purchase Lots 3, 4, 5, and 6 and lease the upper lot (parking area) from AEL&P if the Conditional Use Permit is approved.

ANALYSIS

Project Site –

The project site consists of five lots, totaling approximately 2.8 acres, accessed via South Franklin Street in a MU zoning district. The minimum lot size in a MU zoning district is 4,000 square feet. Setbacks in the MU zoning district are zero feet in the front, rear, and side yards. The site abuts South Franklin Street and vacant undeveloped lots, and Taku Smokeries is across South Franklin Street (see Attachment C for more details).

Project Design –

AEL&P will install six light poles in the upper lot for the parking/storage area of the rental vehicles for security purposes. An 8' x 10' hut will accommodate staff while greeting and conducting transactions with clients. AEL&P will install an electric box on Lot 6 for the hut in order to support operations, such as computers for handling client transactions (see Attachment D for specifications). No permanent structures are proposed for the site. No car washing will take place on any of the lots associated with this use.

Traffic –

The business caters to cruise ship passengers and the applicant does not anticipate clients driving to the site. Cruise ship passengers will walk from the docks to the hut. The business will employ six to eight people. The clients will rent vehicles for daily use, with a maximum of 15 vehicles available for rent each day. Given the maximum number of rentals available and low number of employees, the business is not anticipated to overly burden traffic along South

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Case No.: USE2017 0026
November 13, 2017
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Franklin Street. CBJ 49.40.300 states that a traffic impact analysis is not required if a development is projected to generate fewer than 250 average daily trips.

Parking and Circulation – (see Attachment C)

Off-Street Parking Spaces

Although the applicant is not requesting a reduction to parking, it is noted that the site is located within the Fee-In-Lieu Parking District. The proposed use, operating seasonally and not having an associated building with gross floor area to determine the parking ratio, is found to fall under “Uses not specified” in CBJ 49.40.200 (3), which states that the off-street parking requirement would be based upon the most comparable use. However, the uses most comparable – warehouses, storage, and wholesale businesses or retail commercial – are also based upon gross floor area. Additionally, the Code does not provide an alternative formula to determine off-street parking requirements when there is no structure, and therefore, no gross floor area to apply. It is determined that given known parking spaces needed – 15 for the rental vehicles, one for the security vehicle, and up to eight employees – the parking area on the upper lot should have 22 parking spaces, plus the two “valet” parking spaces on the lower lot for client pick up and drop off. These two valet spaces may not be used for permanent parking and may not block access along the gravel road. Based upon the above evaluation, staff recommends 22 parking spaces in the upper lot to accommodate the 15 rental vehicles, plus an additional seven spaces for employees at any given time.

Accessible Parking Space

Per CBJ 49.40.210 (b)(3) Accessible parking spaces, one ADA space is required for lots containing 1 to 25 parking spaces. This requirement may be met by an alternative off-site accessible space, public or private, if the alternative space is determined by Community Development Department to be of adequate capacity and proximity (CBJ 49.40.210 (b)(3)(B)). The pick-up location for the rentals is located approximately 400 feet across South Franklin Street from a CBJ-owned public parking lot containing two van accessible parking spaces and this site is found to be of adequate capacity and proximity.

Traffic Circulation

There is an existing private gravel road native to the property measuring 150 feet in length and 13.4 feet in width. The grade of the road is 24.74%. A guardrail exists on the South Franklin Street side of the private road. On the upper lot, a 19 foot wide, 210 foot long gravel road will be built from the start of the AEL&P lot to the proposed parking lot. The proposed parking lot will have 22 parking spaces and a 19 foot wide, two-lane aisle between the parking space sections. The parking lot measures 93.5 feet x 53 feet with 120 feet x 90 feet for a vehicle turn-around.

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Staff will drive vehicles from the upper lot to the lower lot where the hut will be located. Two off-street parking spaces will be provided on the lower lot – one space for clients picking up the rental vehicle and one parking space for clients returning the rental vehicle. Staff will drive the rental vehicles back to the upper lot for storage. The two valet parking spaces on the lower lot/private road are for valet purposes only, they may not be permanent, and they may not block the use of the private gravel road.

Noise –

The use is not expected to generate noise beyond that of uses allowed outright in the Mixed Use zoning district.

Public Health or Safety -

A security guard will be on site overnight to secure the vehicles. No car washing is allowed on the site. No evidence indicates that there are any public health or safety impacts from the proposed use. The structures (hut and light towers) will meet building and fire code requirements.

Property Value or Neighborhood Harmony –

The use is surrounded by Mixed Use zoned land consisting of undeveloped parcels, a vacant structure owned by AEL&P, and the Taku Smokeries. The proposed use is in harmony with the surrounding uses, which largely cater to seasonal visitors.

Habitat -

There are no mapped habitats located on the proposed site that are regulated by Title 49.

Hillside Development –

The proposed use does not meet the threshold for a Hillside Development Permit at this time. Should the use expand or change, a permit may be required in the future. Potential thresholds may include removal of vegetative cover, excavation of any slope in excess of 18 percent, or creation of a new slope in excess of 18 percent for a vertical distance of at least five feet (CBJ 49.70.210).

Conformity with Adopted Plans -

2013 Comprehensive Plan

As stated above, the Comprehensive Plan Land Use Maps designate this area as Traditional Town Center (TTC). The designation supports higher density housing located in shopping centers, with access to public transportation. The project site is located in MU zoning district.

Chapter 10 Land Use – Policy 10.9 is to *“Encourage and strengthen Juneau’s position as an international visitor destination by protecting the resources and assets that make it attractive to*

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Case No.: USE2017 0026
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visitors, including its natural environment, scenic beauty, cultural diversity, historic resources, and diversity of activities and experiences. Visitor destinations should convey authentic Juneau wilderness, recreation, history and cultural arts experiences while protecting those resources from overuse and depletion”.

Development Guideline 10.9 – DG1 *“When reviewing permits for visitor destinations and related tourism industry activities, identify and seek to mitigate off-site impacts”.*

Implementing Actions 10.9 – IA3 *“The CBJ should support citizen initiatives investigating ways to revitalize the downtown Juneau area”.*

The proposed use conforms to the Comprehensive Plan Land Use Maps and Chapter 10.9 policy stated above.

AGENCY REVIEW

The following agencies provided comments on the proposed use.

Capital City Fire/Rescue:

It is understood that the intent of the applicant is to have vehicle rentals parked on an open lot that is accessible by South Franklin Street. That access road exceeds fire apparatus access road requirements, however, the staff will be the only ones accessing the parking lot, there will be no permanent structures built on the lot, and the vehicles will be left there over night with some sort of security oversight.

With all of that being said, the fire dept. does have a concern with accessibility to the parking lot. There are two main reasons, one is the fact that the staff could have a medical emergency and we need to get an ambulance up there. The second one is the fact that vehicles left out of sight could potentially be a target for vandalism including arson, which would be difficult at best for our apparatus to safely and adequately extinguish any fires.

The key in all of this is that the fire code requires compliance when it is a road that has three or more structures built upon it and the access entrance exceeded 150 feet in length. Since this is not open to the public, there are no structures planned to be built, and there is going to be some sort of human presence to watch over the vehicles, we are ok with not meeting the fire code requirements for apparatus accessibility. It is suggested that we see how things go next summer and if or when issues come up that we address them with the applicant.

Juneau Police Department

JPD’s concerns are limited to accessibility as outlined by the Fire Marshal. JPD vehicles are smaller than CCFR vehicles and our accessibility will not be as problematic as CCFR. While JPD

Planning Commission
Case No.: USE2017 0026
November 13, 2017
Page 7 of 9

does have some concerns, they are not sufficient to the point of stopping the project.

CBJ General Engineering:

Based on the response from the Fire Marshal, the use of the extremely steep driveway access with gradient over 24% for the Jeep Rental project would not be denied.

CBJ Building:

No issues at this time.

CBJ Docks and Harbor:

No comments received.

Alaska Department of Transportation & Public Facilities:

The DOT easement (E-3A) was obtained to address drainage and stability, and has a storm drain located within it. A revised site plan must depict that the proposed uses are not within the DOT acquired right-of-way (Parcel 3). The temporary hut may be sited within or partially within the DOT triangular easement (E-3A) with an approval from DOT in the form of a Letter of Non-Objection with stipulations regarding the use, providing that the hut is not permanent and does not affect the easement interest (see Attachment E - Plat depicting easements and ownership).

PUBLIC COMMENT

No public comments were received.

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:

Planning Commission
Case No.: USE2017 0026
November 13, 2017
Page 8 of 9

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 9.050 for the Mixed Use 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 November 17, 2017, and November 27, 2017, 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. Additionally, expansion of the use and/or construction of structures would require a new Conditional Use Permit, and such expansion and/or construction may trigger the need for a Hillside Development Permit.

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

No. As discussed in the above analysis, the proposal is located in a mixed use zoning district on approximately 2.8 acres of land with adequate room for parking and circulation and will operate seasonally April through October. No evidence indicates that the proposed development will materially endanger public health or safety. Changing or expanding the use, such as constructing permanent structures, may necessitate improvements to the private access road in order to meet fire code standards.

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

No. As discussed in the above analysis, the proposal is located in a Mixed Use zoning district

Planning Commission
Case No.: USE2017 0026
November 13, 2017
Page 9 of 9

and is surrounded by vacant parcels, surface parking lots, and other mixed uses. No evidence indicates 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 development is in general conformity with Title 49, and the 2013 Comprehensive 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?

N/A.

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 seasonal vehicle rental business, with the following conditions:

1. Rental maximum of 15 vehicles;
2. Operate April through October with hours of operation dependent on the cruise ship schedule;
3. 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 at CBJ 49.40.230(d).
4. On site car washing is not allowed;
5. Provide 22 off-street parking spaces in the upper lot;
6. Valet parking spaces may not be used as permanent off-street parking spaces and may not block access to the private road;
7. Employees must park their vehicles in the upper lot designated for parking unless using an ADA parking space;
8. Security must be on site each night that vehicles are stored on the site in order to address public safety concerns;
9. Signage associated with the business must obtain proper permits.

DEVELOPMENT PERMIT APPLICATION

Project Number	CITY and BOROUGH of JUNEAU	Date Received: 10/19/17
Project Name (City Staff to Assign Name)		

INFORMATION	Project Description CUP permit for Eagle Bluffs, LLC to conduct business a vehicle rental business on 7 A ADDITION BL 7 LT 6, 5, 4, 3. Temporary seasonal hut on Lot 6 during cruise ship season (April-October); use of private road native to the property.		
	PROPERTY LOCATION		
	Street Address S Franklin St 0		City/Zip 99802
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) 7 A ADDITION BL 7 LT 6, 5, 4, 3		
	Assessor's Parcel Number(s) 1C1001070050; 1C1001070040; 1C1001070030; 1C1001070020		
	LANDOWNER/ LESSEE		
	Property Owner's Name Jim Michael Keen; William Harris; Lillian A Harris		Contact Person:
	Mailing Address PO BOX 022673 JUNEAU AK 99802		Work Phone:
	E-mail Address		Home Phone:
			Fax Number:
PROJECT / APPLICANT	LANDOWNER/ LESSEE CONSENT ****Required for Planning Permits, not needed on Building/ Engineering Permits****		
	I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows:		
	A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.		
	B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.		
	X	<u>Jim M Keen</u> Landowner/Lessee Signature	10/14/17 Date
	X	<u>Lillian A Harris</u> Landowner/Lessee Signature	10/14/17 Date
	NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.		
	APPLICANT If the same as OWNER, write "SAME" and sign and date at X below.		
	Applicant's Name Dr. Taylor A Brown		Contact Person:
	Mailing Address 8825 Aberdeen Drive, Leawood, KS 66206		Work Phone: 660-815-2602
E-mail Address doctab1234@gmail.com		Home Phone: 660-815-2602	
		Fax Number:	
X <u>TAYLOR BROWN</u> Applicant's Signature		10/11/17 Date of Application	

STAFF APPROVALS	OFFICE USE ONLY BELOW THIS LINE			
	☒	Permit Type	***SIGN	Date Received
		Building/Grading Permit		
		City/State		
		Project Review and City Land Action		
		Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)		
		Mining Case (Small, Large, Rural, Extraction, Exploration)		
		Sign Approval (If more than one, fill in all applicable permit #'s)		
		Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)		
	X	Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)		10/19/17
		Variance Case (De Minimis and all other Variance case types)		use 17-026
		Wetlands		
		Permits		
		Zone Change		
		Application		
	Other (Describe)			
Comments:				
***Public Notice Sign Form filled out and in the file.			Permit Intake Initials CAS	

NOTE: DEVELOPMENT PERMIT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATIONS

FORMS\2010 Applications

Attachment A - Application

Revised November 2009

DEVELOPMENT PERMIT APPLICATION cket Page 127 of 160

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

INFORMATION	Project Description DPA for AJT/AELP parcel for gravel road and parking lot. A gravel road native to legal address S Franklin St 0 (7 A ADDITION BL 7 LT 6, LT 5, LT 4, LT 3) will be extended to AJT/AELP parcel (E P & FR B H T X MILLSITE). A 7,888 sq. ft. area on the AJT/AELP parcel will be used to lay a gravel parking. Please see CUP for layout.		
	PROPERTY LOCATION		
	Street Address S Frankling St 0	City/Zip 99801	
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) E P & FR B H T X MILLSITE		
	Assessor's Parcel Number(s) 1C100I070102		
	LANDOWNER/ LESSEE		
	Property Owner's Name AJT Mining Properties, Inc.	Contact Person: Alec Mesdag	Work Phone: 907-463-6303
	Mailing Address 5601 Tonsgard Ct, Juneau, AK 99801	Home Phone:	Fax Number:
	E-mail Address alec.mesdag@aelp.com	Other Contact Phone Number(s):	
	PROJECT / APPLICANT	LANDOWNER/ LESSEE CONSENT ****Required for Planning Permits, not needed on Building/ Engineering Permits****	
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.			
X		10/24/2017	
Landowner/Lessee Signature		Date	
X			
Landowner/Lessee Signature		Date	
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.			
APPLICANT If the same as OWNER, write "SAME" and sign and date at X below			
Applicant's Name Dr. Taylor A Brown		Contact Person: SAME	Work Phone: 660-815-2602
Mailing Address 8825 Aberdeen Drive, Leawood, KS 66206		Home Phone: 660-815-2602	Fax Number:
E-mail Address doctab1234@gmail.com		Other Contact Phone Number(s):	
X	10/23/2017		
Applicant's Signature	Date of Application		

-----OFFICE USE ONLY BELOW THIS LINE-----

STAFF APPROVALS	☒	Permit Type	***SIGN	Date Received	Application Number(s)	
		Building/Grading Permit				
		City/State Project Review and City Land Action				
		Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)				
		Mining Case (Small, Large, Rural, Extraction, Exploration)				
		Sign Approval (If more than one, fill in all applicable permit #'s)				
		Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)				
		Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)				
		Variance Case (De Minimis and all other Variance case types)				
		Wetlands Permits				
		Zone Change Application				
		Other (Describe)				
	***Public Notice Sign Form filled out and in the file.					
	Comments:					Permit Intake Initials

ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

Project Number	Project Name (15 characters)	Case Number <u>652 17-026</u>	Date Received <u>10/19/17</u>
----------------	------------------------------	----------------------------------	----------------------------------

TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED

☐ Accessory Apartment*** (AAP) ☐ Driveway in Right-of-Way (ADW)
☒ Use Listed in §49.25.300 (USE)
 (Table of Permissible Uses)

Please list the Table of Permissible Uses Category: 9.050

***An Accessory Apartment Application will also be required.

DESCRIBE THE PROJECT FOR WHICH AN ALLOWABLE OR CONDITIONAL USE APPROVAL IS NEEDED.

CUP approval is needed for Eagle Bluffs, LLC to conduct a vehicle rental service at 7 A ADDITION BL 7 LT 6, 5, 4, 3 at address S Franklin Street 0. No permanent structures will be built.

see narrative/site plans for detailed use

IS THIS A MODIFICATION OF AN EXISTING APPROVAL? ☒ NO ☐ YES – Case # _____

CURRENT USE OF LAND OR BUILDING(S): vacant, mixed used; no current structures are present

PROPOSED USE OF LAND OR BUILDING(S): _____

The land will be used for a seasonal Jeep rental vehicle business during the cruise ship season (April-October). No permanent structures will be constructed.

The native road on the property will be used. No water is needed on the property. Electricity will be installed at the temporary hut.

UTILITIES PROPOSED: **WATER:** ☐ Public ☐ On Site **SEWER:** ☐ Public ☐ On Site

SITE AND BUILDING SPECIFICS:

Total Area of Lot 16,139 square feet Total Area of Existing Structure(s) 0 square feet

Total Area of Proposed Structure(s) 80 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

PROJECT NARRATIVE AND SUBMITTAL CHECKLIST:

☒ Site Plan ☒ Floor Plan of proposed buildings ☒ Elevation view of existing and proposed buildings ☒ Proposed Vegetative Cover	☒ Existing and proposed parking areas (including dimensions) and proposed traffic circulation ☒ Existing Physical Features of the site (drainage, habitat, hazard areas, etc.)
---	---

For more information regarding the permitting process and the submittals required for a complete application, please see the reverse side. If you need any assistance filling out this form, please contact the Permit Center at 586-0770.	ALLOWABLE/CONDITIONAL USE FEES				
		Fees	Check No.	Receipt	Date
	Application Fees	\$ <u>500</u>	_____	_____	_____
	Admin. of Guarantee	\$ _____	_____	_____	_____
	Adjustment	\$ _____	_____	_____	_____
	Pub. Not. Sign Fee	\$ <u>90</u>	_____	_____	_____
	Pub. Not. Sign Deposit	\$ <u>100</u>	_____	_____	_____
Total Fee	\$ <u>650</u>	_____	_____	_____	

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

Conditional Use Permit
Eagle Bluffs, LLC
11OCT2017

RECEIVED
OCT 19 2017
PERMIT CENTER/CDD

Eagle Bluffs, LLC is a recreational company that will provide a unique and independent opportunity for tourists to explore Juneau and the surrounding borough via Jeep Wrangler vehicles with the aid of a custom, proprietary iPad application. The application provides voice-over navigation and historical, cultural, and geographical information for points of interest.

The company will conduct business at S Franklin Street 0 across from Taku Smokeries. A detailed plan of use follows.

Site Plan:

Eagle Bluffs, LLC will operate from legal parcel description 7 A ADDITION BL 7 Lots 6, 5, 4, 3 on S Franklin Street. Please see attachment for aerial photos of the parcels provided by the CBJ GIS Property Map website.

A driveway curb from S Franklin Street is present on Lot 6 and a continuous, private road with no attached easements traverses through the lots. The private road leads to the AJT Mining Properties, Inc parcel (legal description USMS 982B).

As depicted in the attached aerial photo, a temporary 10'x8' hut will be stationed on Lot 6, which is the lot that is on the S Franklin Street entrance.

The AJT Mining Properties, Inc parcel is the site where the 15 Jeep rental vehicles and employee vehicles will be parked. No customers will be permitted past Lot 6. As depicted in the aerial, six mobile light towers will be at the site where the vehicles are parked for the security guard. An electric box will be installed at Lot 6 and a temporary electrical line will go from there to the parking lot.

Per the attached aerial photo, customer loading and unloading will occur at Lot 6. Employees will turn the vehicle around and park the vehicles at the AJT Mining Properties parcel per proposed lease agreement.

No water utilities are needed on the property. The vehicles will be washed off-site at a local car wash to mitigate the potential for negative environmental impacts.

Floor Plan:

No permanent structures will be on any parcel. A temporary, seasonal hut (10'x8') will be stationed on Lot 6 as detailed in the attached photo. The hut will easily be accessible to fire personnel in the event of a fire.

Elevation View of Existing and Proposed Buildings:

Not applicable: no existing structures are present on the property.

Proposed Vegetative Cover:

The current plants will remain on the property. The goal is to keep the property in its natural state with little to no permanent commercialization. The tree line will not be interrupted between S Franklin Street and the property. Little to no vegetation will be removed/interrupted except to keep the private roadway free and clear in the event of a fallen tree or excess vegetative growth.

Existing and Proposed Parking Areas:

The parcels currently do not have designated parking areas for consumers. The only vehicles that will be parked on the property are employee vehicles and the Jeep rental vehicles as outlined in the Site Plan above. Eagle Bluffs anticipates that it will need 6-8 employees. A 6000 square feet area will be for parking on the AJT Mining Properties parcel as outlined previously. This will be adequate space for Jeep rental parking, employee parking, and vehicle turn-arounds.

Consumers will arrive to Lot 6 by foot. In the event that a consumer cannot walk or be assisted to the property due to a disability, every legal means will be made by Eagle Bluffs to accommodate.

Existing Physical Features of the Property:

The property is a vacant, undeveloped, mixed-used property with no structures. An easement-free private drive with an associated drainage ditch and guard-rail is present. A retaining wall is present between the property and S Franklin Street. The property is accessible from S Franklin Street via ramped curb.

No known eagle nests have been identified on the property.

Impact on native plants and wildlife will be minimal.

The Jeep rental vehicles are brand new and it is not anticipated that they will have fluid leaks: in the event of a vehicle fluid leak, collection pans and absorbent material will be present to minimize contamination.

No fuel will be stored on the property. The vehicles will be refueled during the business off-hours at Delta Western, which is less than 0.7 miles from the property.

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OCT 19 2017
PERMIT CENTER/CDD



5 ft.

RECEIVED
OCT 19 2017
PERMIT CENTER/CDD



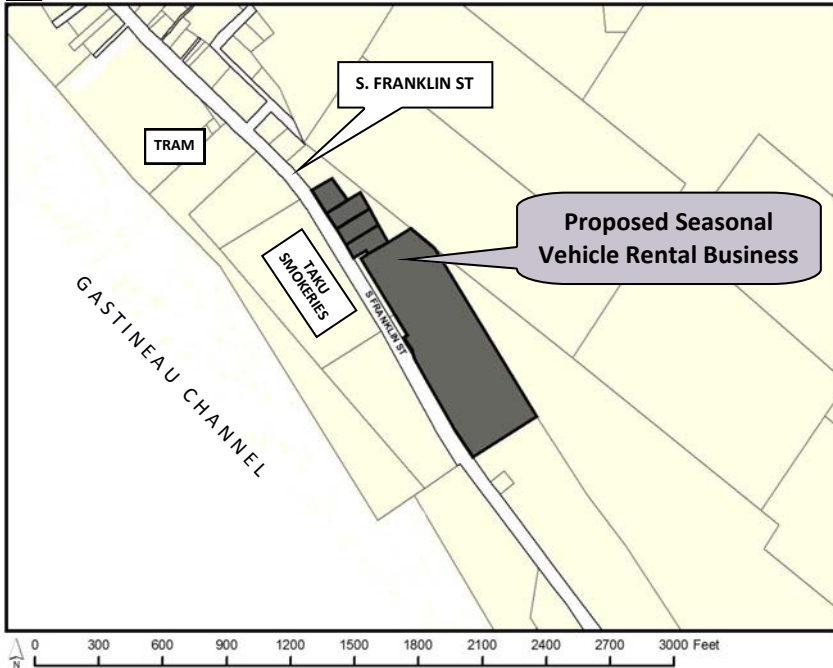
RECEIVED

OCT 19 2017

PERMIT CENTER/CDD

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 **Conditional Use Permit** for a **seasonal vehicle rental business** located on **South Franklin Street** in a **Mixed Use zone**.

TIMELINE

Follow the case (staff report, hearing results, meeting minutes) at <http://www.juneau.org/assembly/novus.php>

Now through November 9, 2017

Your comments to the Planner, **Jill Maclean**, will be included in the staff report.

November 10 through 3 pm, November 28

Your comments will be sent to Commissioners to read along with the staff report in preparation for the hearing.

HEARING DATE & TIME
7:00 pm, November 28, 2017

You may testify at the hearing in City Hall's Assembly Chambers, 155 S. Seward St., Juneau.

November 29

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

Attachment B - Public Notification

Case No.: USE2017 0026
Parcel Nos.: 1C10010700-20, -30, -40, -50, -60
CBJ Parcel Viewer: <http://epv.juneau.org>
Date notice was printed: November 1, 2017

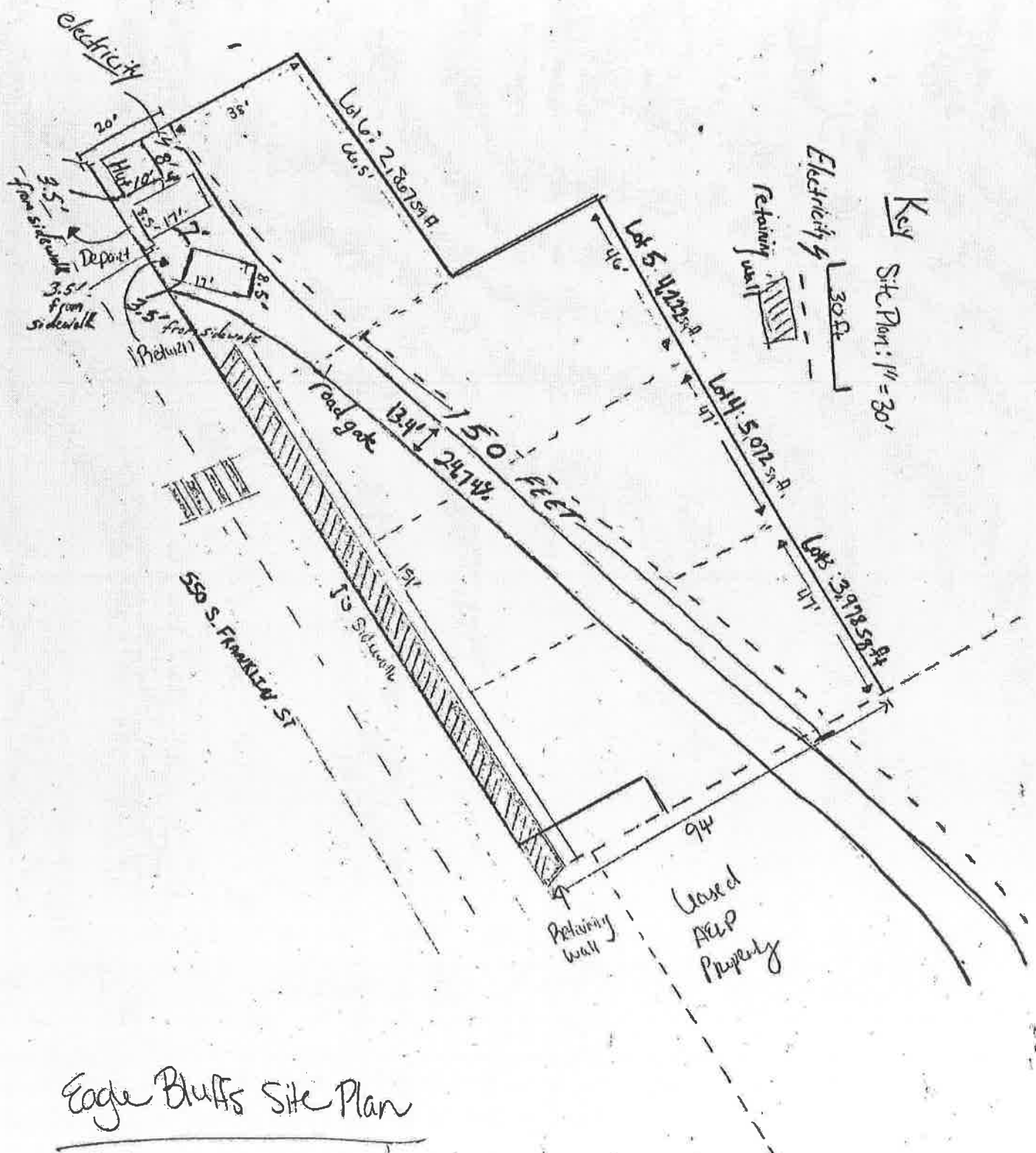
Site Plan Eagle Bluffs

Lot 6: A hut (8'L x 10'W x 10'H) with electricity: AELP will place an electric box at this site and run electricity to the AELP lease for the lights (depicted by dashed lines). Hut is flush with the sidewalk (0 ft setback): there is room to move it away from the sidewalk if needed. Two "parking spaces" with 8.5'x 17' dimensions are on lot 6: these are for passenger loading and unloading: vehicles will not be backed out onto S Franklin St. ADA parking spaces are available across S Franklin St in the CBJ parking lot. Photo of hut attached.

Lot 5, 4, 3: The private, non-easement road native to the property measures 150' in length and 13.4' in width. The grade is 24.74% going up the hill. A guard-rail exists on the S. Franklin side of the private road.

AELP lot: A 19' wide, 210' long gravel road will be built from the start of the AELP lot to the parking lot. The parking lot has 22 parking spaces measuring 8.5'x17' and a 19' 2-lane aisle between the parking space sections. The parking lot measures 93.5'x 53' with 120' x 90' for vehicle turn-around. 6 dark sky friendly light towers will illuminate the parking lot at night as depicted in the site plan. The nightly security guard will either drive his own vehicle up to the lot or use a Jeep to stay out of the weather. Light tower photo attached: they will be 10' tall and on a 3" diameter black, metal pole.

No sewer or water will be on the property.



Edge Bluffs Site Plan

1" = 30'
30'

Page 1 of 2

EAGLE BLUFFS

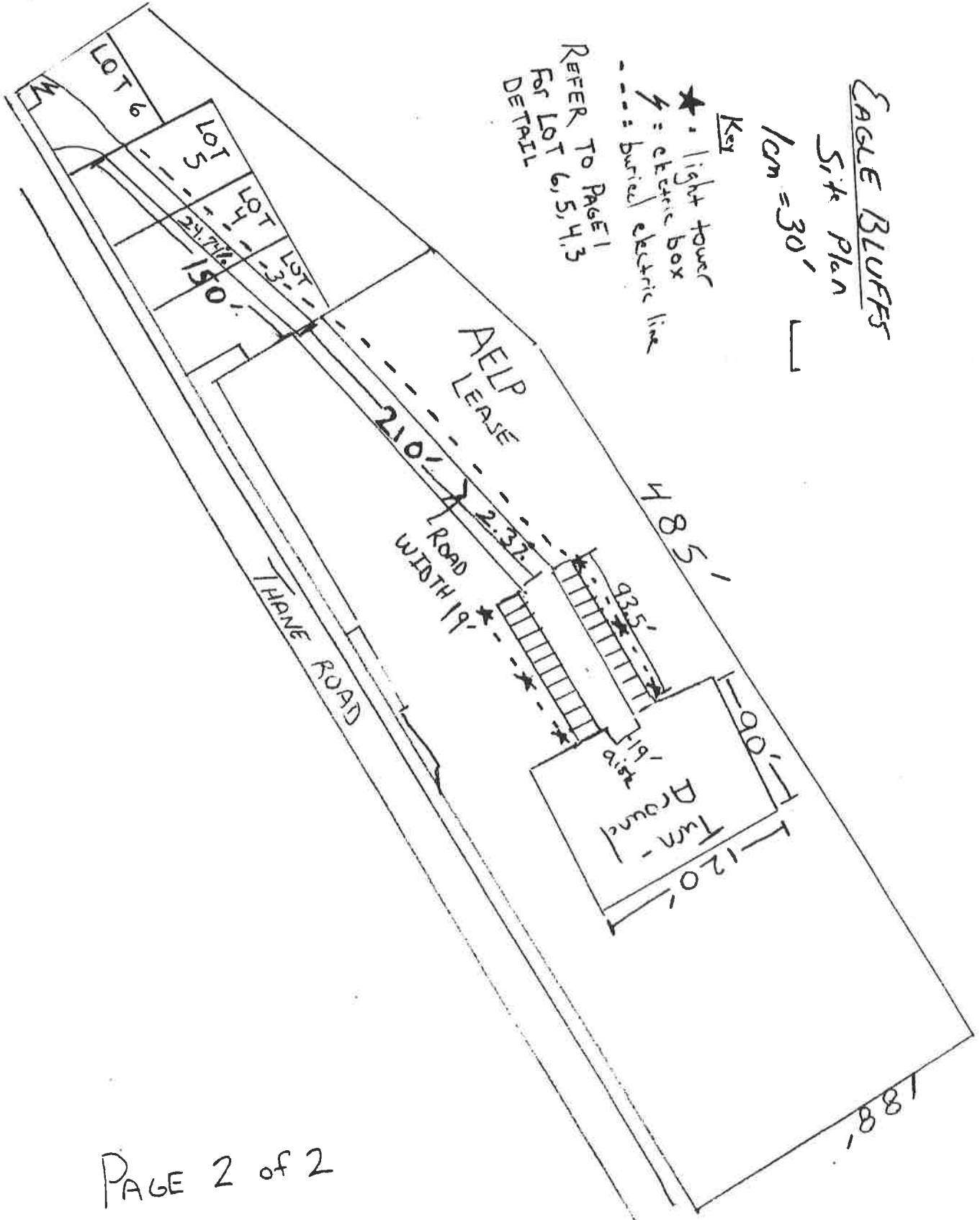
Site Plan

1cm = 30'

Key

- ★ light tower
- ⚡ electric box
- - - buried electric line

REFER TO PAGE 1
FOR LOT 6, 5, 4, 3
DETAIL



Kick™ – KM5 Kick Mini Medium Scale

TYPE

FEATURES

- Integral Motion Sensor
- wiScape enabled
- IDA approved
- 20kV/10kA surge protection
- ANSI C136.41 receptacle
- IES Type II, III and IV distributions
- 3000K , 4000K, 5000K CCT
- Integral thermal protection
- 0-10V dimming ready
- IP66 optical system
- 120-277, 347 and 480VAC input
- ANSI C136.31-2010 4G Rated



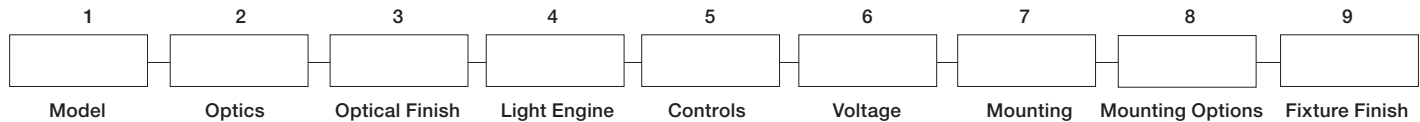
IK10



3000K and warmer CCTs only
MO-XX30 configurations only



ORDERING CODE



1. MODEL

5" wide luminaire
KM51 Single fixture
KM52 Two fixtures 180° apart
KM53 Three fixtures 90° apart
KM54 Four fixtures 90° apart

2. OPTICS

Distribution Type, see "Luminaire Performance" on page 3
T2 IES Type II
T3 IES Type III
T4 IES Type IV

3. OPTICAL FINISH

Standard white or may choose one. See 'Luminaire Performance' on page 3 for detail.
MO Optics in Matte Black finish
FO Optics in fixture finish

4. LIGHT ENGINE

Lumen package, see 'Luminaire Performance' on page 3 for detail

7050 5000K CCT, CRI 70, 70watts
7040 4000K CCT, CRI 70, 70 watts
7030 3000K CCT, CRI 70, 70 watts
5050 5000K CCT, CRI 70, 50 watts
5040 4000K CCT, CRI 70, 50 watts
5030 3000K CCT, CRI 70, 50 watts

560nm monochromatic amber and or custom lumen package available by request. ¹

5. CONTROL

May choose one
MCPCR 7-Position Receptacle
WIR wiScape connectivity
WIRSC wiScape + motion sensor
SCP Motion Sensor + Photocell ⁴

SCPREMOTE Handheld commissioning tool ⁴

6. VOLTAGE

120-277VAC input standard or may choose one
347 347VAC input
480 480VAC input

7. MOUNTING

Integral Pole
Square Straight Aluminum, 10.5"Ø Bolt Circle
PS510-188 10' luminaire height.
PS512-188 12' luminaire height.
PS514-188 14' luminaire height.
PS516-188 16' luminaire height.
PS518-188 18' luminaire height.
PS520-188 20' luminaire height.

Tenon Mount

TA23 Slips over a 2 3/8" / 60mm
Ø x 4" / 102mm tall tenon

Side Mount

SMK Mounts to the side of a square pole, KM51 only

Wall Mount

WMK K51 only

8. MOUNTING OPTIONS

Twin mount at staggered heights

Mounting holes for a fixture at 180°, KM51-...
PS5... only, may choose one

TS8 8' from bottom
TS10 10' from bottom
TS12 12' from bottom
TS14 14' from bottom
TS16 16' from bottom
TS18 18' from bottom

Pole Accessories

May choose one
GFI GFCI Receptacle
RBC Duplex receptacle box with clear cover, wiring device(s) not included.

9. FIXTURE FINISH

Standard Color

AGN Antique Green
BL Black
BLT Matte Black
CRT Corten
DB Dark Bronze
DGN Dark Green
GT Graphite
LG Light Grey
MAL Matte Aluminum
MDB Bronze Metallic
MG Medium Grey
TT Titanium
WH Arctic White
WDB Weathered Bronze
VBU Verde Blue

Premium Color

SHK Shamrock
SPP Salt and Pepper
SFM Seafoam
WCP Weathered Copper
RAL RAL 4 digit Color
CUSTOM Custom Color

¹ Contact factory

⁴ Handheld commissioning tool is required to separately configure or adjust any number of SCP sensors



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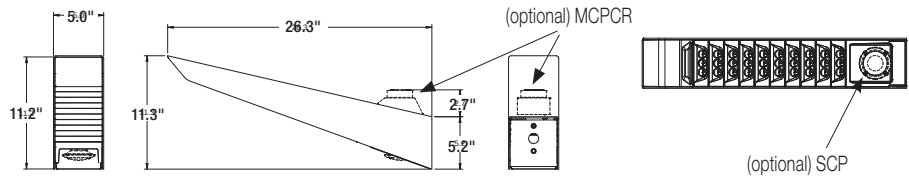
JOB _____
TYPE _____
NOTES _____

Kick™ – KM5 Kick Mini Medium Scale

TYPE

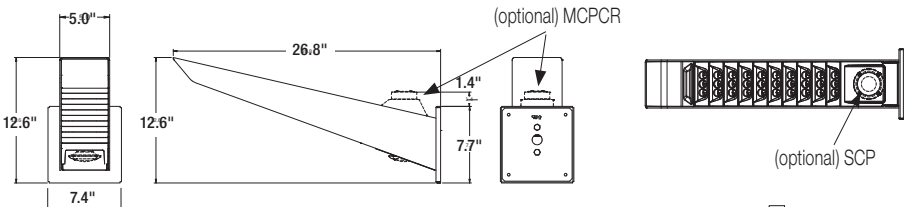
Side Mounted Luminaire(s)

MODEL	KM5X-...-SMK
OVERALL HEIGHT	11.3" / 287mm
OVERALL LENGTH	26.3" / 668mm
OVERALL WIDTH	5" / 127mm
WEIGHT	13.25 lbs.
EPA	0.75



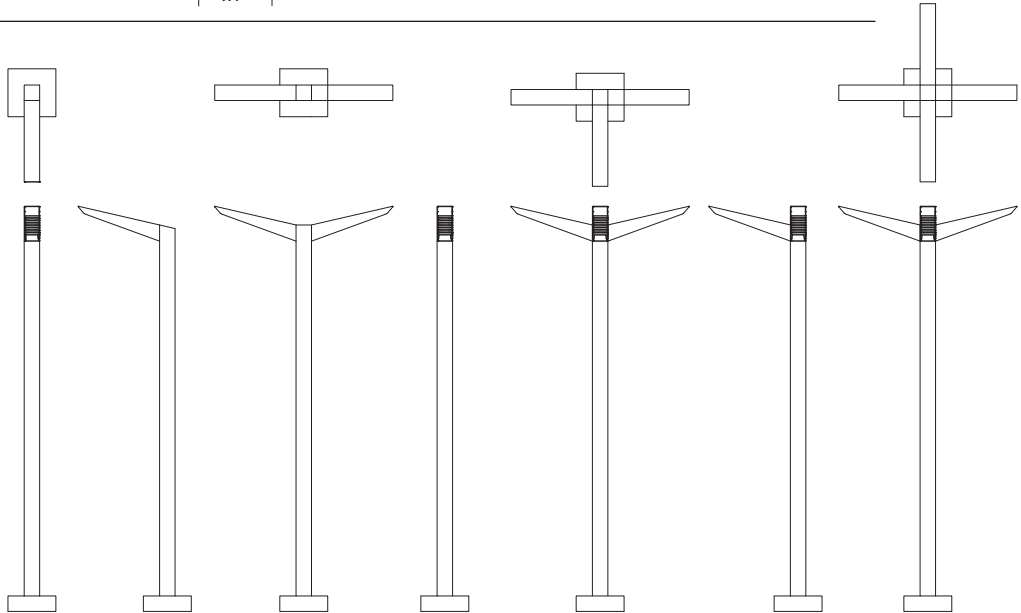
Wall Mounted Luminaire(s)

MODEL	KM51-...-WMK
OVERALL HEIGHT	12.6" / 320mm
OVERALL LENGTH	26.8" / 681mm
OVERALL WIDTH	7.4" / 188mm
WEIGHT	15 lbs.



Integral Pole Luminaire

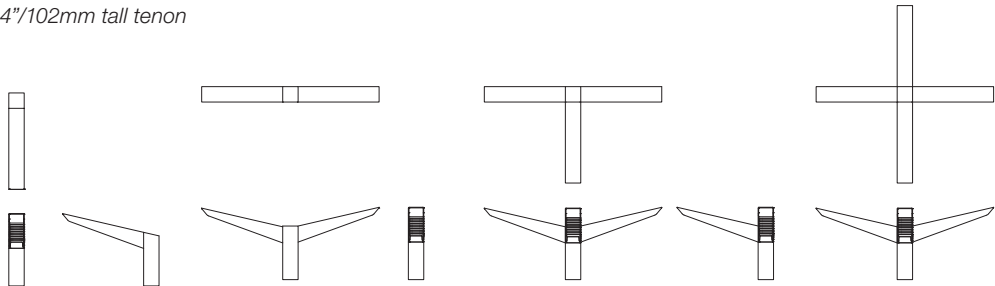
See page 6 for height and mounting detail
* Weight and EPA for fixtures only



MODEL	KM51-...-PS5XX-188	KM52-...-PS5XX-188	KM53-...-PS5XX-188	KM54-...-PS5XX-188
OVERALL LENGTH	31.3" / 795mm	15.5" / 394mm	31.3" / 795mm	57.6" / 1463mm
OVERALL WIDTH	15.5" / 394mm	57.6" / 1463mm	57.6" / 1463mm	57.6" / 1463mm
WEIGHT	13.25 lbs.	13.25 lbs.	13.25 lbs.	13.25 lbs.
EPA*	.75	1.5	2	2

Tenon Mount Luminaire

Slips over a 2 3/8"/60mm diameter by 4"/102mm tall tenon



MODEL	KM51-...-TA23	KM52-...-TA23	KM53-...-TA23	KM54-...-TA23
OVERALL HEIGHT	17.4" / 442mm	17.4" / 442mm	17.4" / 442mm	17.4" / 442mm
OVERALL LENGTH	31.3" / 795mm	5" / 127mm	31.3" / 795mm	57.6" / 1463mm
OVERALL WIDTH	5" / 127mm	57.6" / 1463mm	57.6" / 1463mm	57.6" / 1463mm
WEIGHT	13.25 lbs.	13.25 lbs.	13.25 lbs.	13.25 lbs.
EPA	1.14	1.89	2.4	2.4



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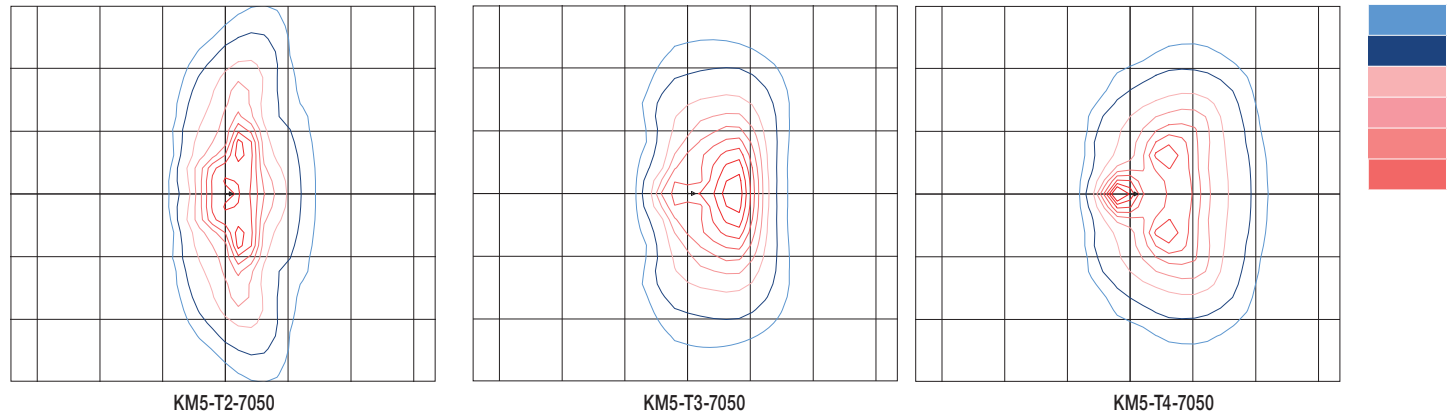
JOB _____
TYPE _____
NOTES _____

LUMINAIRE PERFORMANCE

Configuration				Ordering Code														
Light Engine	Optical Finish	Distribution	Ordering Code	Bright White (5000K)					Neutral White (4000K)					Warm White (3000K)				
				Delivered Lumens	Efficacy (Lm/W)	BUG Rating			Delivered Lumens	Efficacy (Lm/W)	BUG Rating			Delivered Lumens	Efficacy (Lm/W)	BUG Rating		
				7050					7040					7030				
7000 SERIES	Standard	Type II	T2	7365	105	2	2	2	7408	106	2	2	2	6976	100	2	2	2
		Type III	T3	7620	109	2	2	1	7664	109	2	2	1	7218	103	2	2	1
		Type IV	T4	7893	113	2	2	2	7939	113	2	2	2	7476	107	2	2	1
	Fixture Finish	Type II	T2-FO	5972	85	2	2	2	6007	86	2	2	2	5657	81	2	2	2
		Type III	T3-FO	6038	86	2	2	1	6073	87	2	2	1	5719	82	2	2	1
		Type IV	T4-FO	6800	97	2	2	2	6840	98	2	2	2	6441	92	2	2	1
	Matte Optics	Type II	T2-MO	5972	85	2	0	1	6007	86	2	0	1	5657	81	2	0	1
		Type III	T3-MO	6038	86	1	0	1	6073	87	1	0	1	5719	82	1	0	1
		Type IV	T4-MO	6800	97	2	0	1	6840	98	2	0	1	6441	92	2	0	1
				5050					5040					5030				
5000 SERIES	Standard	Type II	T2	5614	112	2	2	1	5647	113	2	2	1	5317	106	2	2	1
		Type III	T3	5808	116	1	2	1	5842	117	1	2	1	5502	110	1	2	1
		Type IV	T4	6016	120	1	2	1	6052	121	1	2	1	5699	114	1	2	1
	Fixture Finish	Type II	T2-FO	4552	91	2	2	1	4579	92	2	2	1	5312	106	2	2	1
		Type III	T3-FO	4602	92	1	2	1	4629	93	1	2	1	4359	87	1	2	1
		Type IV	T4-FO	5183	104	1	2	1	5214	104	1	2	1	4910	98	1	2	1
	Matte Optics	Type II	T2-MO	4552	91	1	0	1	4579	92	1	0	1	4312	86	1	0	1
		Type III	T3-MO	4602	92	1	0	1	4629	93	1	0	1	4359	87	1	0	1
		Type IV	T4-MO	5183	104	1	0	1	5214	104	1	0	1	4910	98	1	0	1

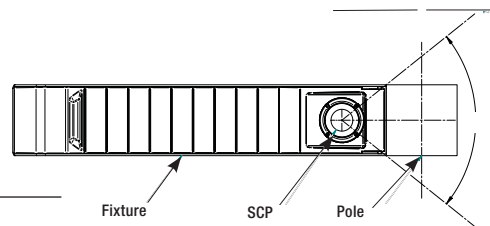
-MO.ies files should be used for -FO configurations in application layouts.

ISOLINE TEMPLATES 16' Mounting Height, 16' Grid Spacing



SENSOR DETECTION RANGE

COVERAGE DIAMETER	SCP	20'	25'	30'	35'	40'	45'	50'	1:2.5		
		16'	20'	24'	28'	32'	36'	40'	1:2		



ELECTRICAL CHARACTERISTICS

Ordering Code	LED Current (mA)	System Wattage (W)	Line Input		Input				Min. Power Factor	Max THD (%)	Driver Operating Temp. Range	Inrush Current Peak				Dimming	
					Amps AC							(A)		T@50% (µs)		Dimming Range (V)	Source/ Sink Current (mA)
			VAC	HZ	120	277	347V	480V				120	277	120	277		
70XX	700	70	120-277, 347, 480	50 / 60	0.3	0.1	0.2	0.2	0.9	20	-40°C-55°C	15	32	100	0-10	1	
50XX	500	50	120-277, 347, 480		0.2	0.1	0.1	0.1									



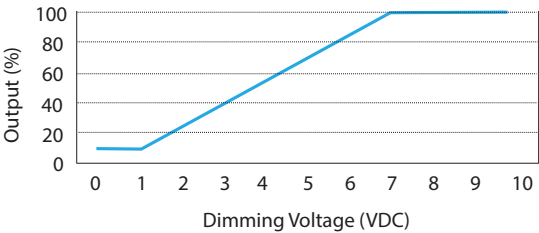
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JOB _____
 TYPE _____
 NOTES _____

TM-21 LIFETIME CALCULATION

25	98%	95%	94%	93%	90%	>60Khrs.
40	98%	96%	95%	93%	90%	

DIMMING CURVE



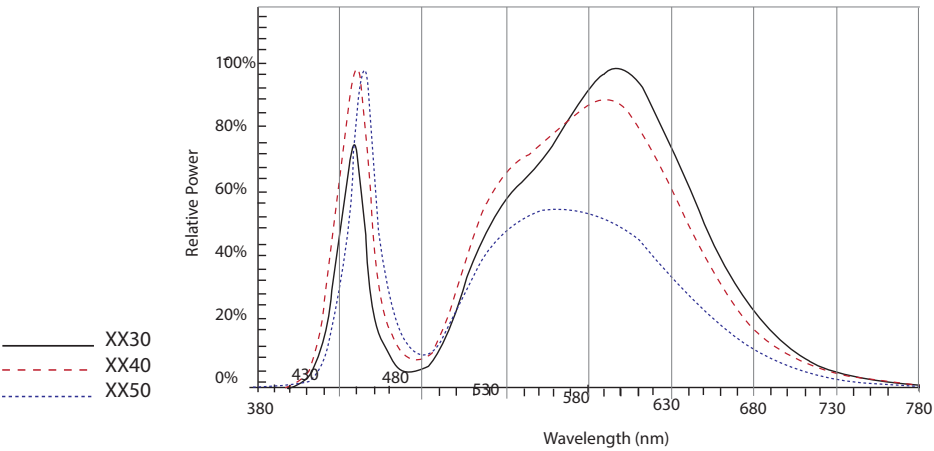
Note: Fixture does not dim to off, fixture dims to 10% minimum output.

COLOR CHARACTERISTICS

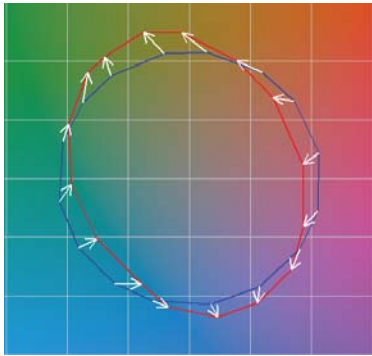
Rf	69	69	71
Rg	99	99	98
CCT(K)	3122	3852	5020
Duv	0.001	0.0004	0.0005
CIE Ra	74	73	74

Note: TM-30 reported at the discrete LED level, not fixture level.

SPECTRAL POWER DISTRIBUTION COMPARISON

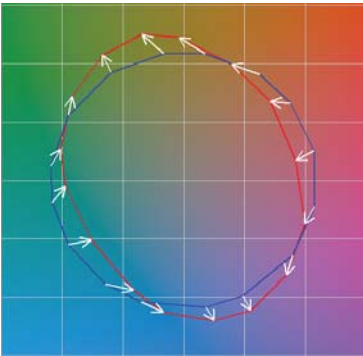


COLOR VECTOR GRAPHIC



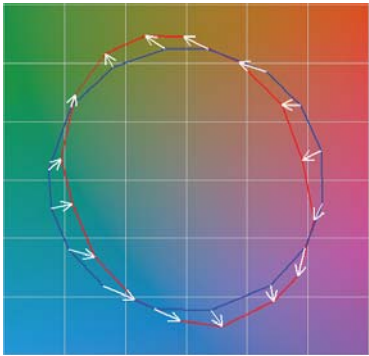
Reference Illuminant Test Source Series1 Series2 Series3 Series4 Series5 Series6 Series7 Series8 Series9 Series10

XX30



Reference Illuminant Test Source Series1 Series2 Series3 Series4 Series5 Series6 Series7 Series8 Series9 Series10

XX40



Reference Illuminant Test Source Series1 Series2 Series3 Series4 Series5 Series6 Series7 Series8 Series9 Series10

XX50



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JOB _____
TYPE _____
NOTES _____

SPECIFICATIONS

HOUSING

- Housing shroud shall be of fabricated 5052-H32 aluminum alloy with a rear mounting interface that shall be of fabricated 304 stainless steel.
- Housing mounting interface shall have a stamped silicone gasket.
- Luminaire housing shall be free of any visible heat fins, hardware or fasteners.
- Bracketry and hardware shall be stainless steel.

OPTICAL ARRAY

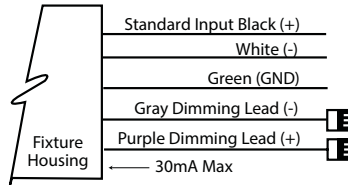
- LEDs shall be mounted to a metal printed circuit board assembly (MCPCB) with a uniform conformal coating over the panel surface and electrical features.
- Optical lenses shall be clear injection molded PMMA acrylic.
- Each MCPCB and optic shall be sealed to an extruded 6063-T6 aluminum alloy heat spreader and sealed with a continuous one piece injection molded silicone rubber gasket. IP66.
- Patent Pending design of optical array shall independently shield each LED optic across the length of the aperture.
- Optical surfaces shall be painted white unless the optional fixture finish (FO) or matte black finish (MO) is selected.
- Optional matte black finish optics (MO) are required to meet UO classification with zero percent uplight.
- Optional fixture finish optical surfaces (FO) shall not exceed BUG ratings of the standard white finish and shall be greater than or equal to the delivered lumens of the optional matte black optical surface finish (MO).

ELECTRICAL

- Drivers shall be in direct contact with the aluminum housing across the entire surface area of the widest face for maximum thermal transfer.
- Luminaires shall have integral surge protection that shall be U.L. recognized and have a surge current rating of 10,000 Amps using the industry standard 8/20uSec wave and surge rating of 372J. Surge protection device shall be wired in series.
- Drivers shall be U.L. recognized.
- Drivers shall not be compatible with current sourcing dimmers, consult factory for current list of known compatible dimming systems approved dimmers include Lutron Diva AVTV, Lutron Nova NDTV and NTFTV.
- Luminaire shall be capable of operating at 100% brightness in a 40°C environment.

Both driver and optical array shall have integral thermal protection that will dim the luminaire upon detection of temperatures in excess of 85°C.

- Luminaires not configured with a control system or ANSI C136 receptacle option shall be provided with 0-10 purple and gray dimming leads.



CONTROLS

- Wireless enabled fixtures shall support bi-directional radio frequency (RF) communications utilizing IEEE 802.15.4 operating in the 2.4GHz ISM band.
- Up to 1000' wireless range may be reduced by physical obstructions between lighting fixtures.
- Motion Sensor shall use passive infrared (PIR) sensing technology that reacts to changes in infrared energy (moving body heat) within the coverage area. Careful consideration must be given to obstructions that may block the sensor's line of sight.
- Factory default settings for SCP option shall be:
 - High mode: 10V
 - Low mode: 1V
 - Ramp-up rate: disabled
 - Fade-down rate: disabled
 - Photocell: Off
 - Sensitivity: Full
 - Time Delay: Fade to low: 5 minutes
 - Time Delay: Fade to off: 1 hour

MOUNTING AND INSTALLATION

- Integral pole mount luminaires shall require

assembly of fixture(s) to the pole, mounting hardware, anchor bolts and anchor bolt template shall be included. *See page 6 for additional considerations specific to the integral pole.*

- Tenon mount luminaires shall require assembly of fixture(s) to the tenon adapter, mounting hardware shall be included. Tenon adapter shall be secured to the tenon with eight 5/16-18 stainless steel set screws.
- Side mount luminaires shall be supplied with hardware compatible with AAL mountings.
- Twin mounted staggered height fixtures shall be configured separately.
- Wall mount luminaires shall require assembly of fixture to mounting plate.

SERVICING

- Service access to the optical array and driver assembly shall be via a tool-less internal latch and have an audible click.
- Optical array shall be able to hang freely in an open service position for inspection of internal wire connections. Once in service position, the optical array shall be able to be removed for service by lifting the assembly up off the rear hinge and disconnecting the wiring plugs.
- Driver assembly shall be mounted to a prewired internal tray with quick disconnects for removal.

FINISH

- Luminaire finish shall consist of a five stage pretreatment regimen with a polymer primer sealer, oven dry off, and top coated with a thermoset super TGIC polyester powder coat finish.
- Luminaire finish shall meet the AAMA 605.2 performance specification which includes passing a 3000 hour salt spray test for corrosion resistance.

CERTIFICATION

- Luminaire shall be listed with UL for outdoor, wet location use, UL1598, UL 8750 and Canadian CSA Std. C22.2 no.250.
- ANSI C136.31-2010 4G Vibration tested and compliant.
- IEC 66262 Mechanical Impact Code IK10
- IDA approved, 3000K and warmer CCTs only.

WARRANTY / TERMS AND CONDITIONS OF SALE

Download:
<http://www.hubbellighting.com/resources/warranty/>



ARCHITECTURAL AREA LIGHTING
 ARCHITECTURAL AREA LIGHTING
 17760 Rowland Street | City of Industry | CA 91748
 P 626.968.5666 | F 626.369.2695 | www.aal.net
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JOB _____
 TYPE _____
 NOTES _____

SPECIFICATIONS

Integral Pole

MODEL	HEIGHT		SHAFT		MAXIMUM ALLOWABLE EPA (MPH)			
	OVERALL	POLE	SECTION	WT	70	80	90	100
KM5X-PS510-188	10' 9" / 3.28m	10'	5" SQ X .188"	61 lbs	32.2	24.5	18.0	14.5
KM5X-PS512-188	12' 9" / 3.89m	12'	5" SQ X .188"	69 lbs	29.0	21.5	15.7	12.5
KM5X-PS514-188	14' 9" / 4.50m	14'	5" SQ X .188"	78 lbs	25.0	18.5	13.5	10.5
KM5X-PS516-188	16' 9" / 5.10m	16'	5" SQ X .188"	86 lbs	21.7	15.7	11.3	8.5
KM5X-PS518-188	18' 9" / 5.71m	18'	5" SQ X .188"	95 lbs	18.5	12.8	9.0	6.5
KM5X-PS520-188	20' 9" / 6.32m	20'	5" SQ X .188"	103 lbs	15.0	9.7	6.5	4.2

CONSTRUCTION

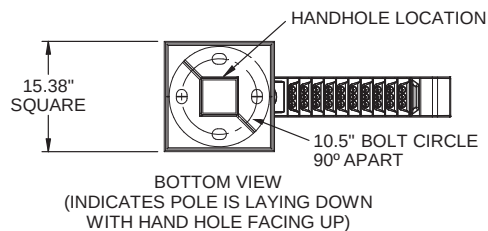
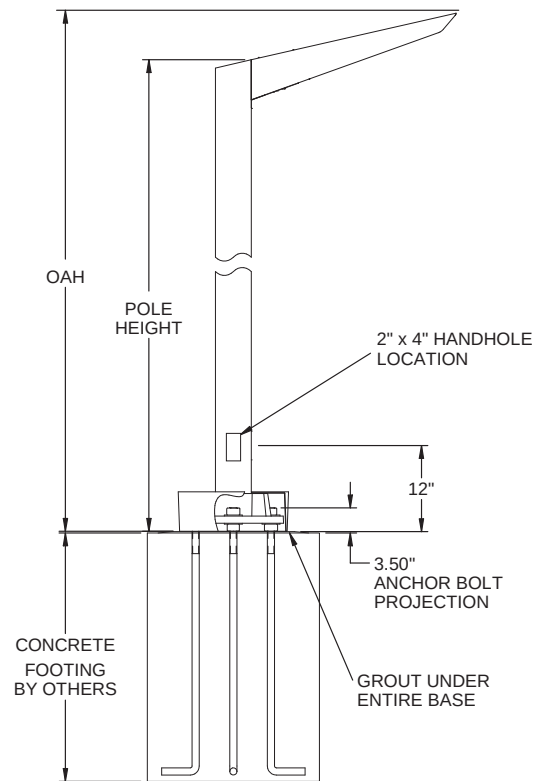
- Base shall be cast aluminum #356 alloy and be heat treated to a T-6 condition.
- Shaft shall be extruded aluminum 6061 alloy and heat treated to a T-6 condition.
- Anchor bolts shall be hot dip galvanized steel. Eight galvanized hex nuts and flat washers, and a bolt circle template shall be provided. Anchor bolt for poles are 1" x 36" x 4".

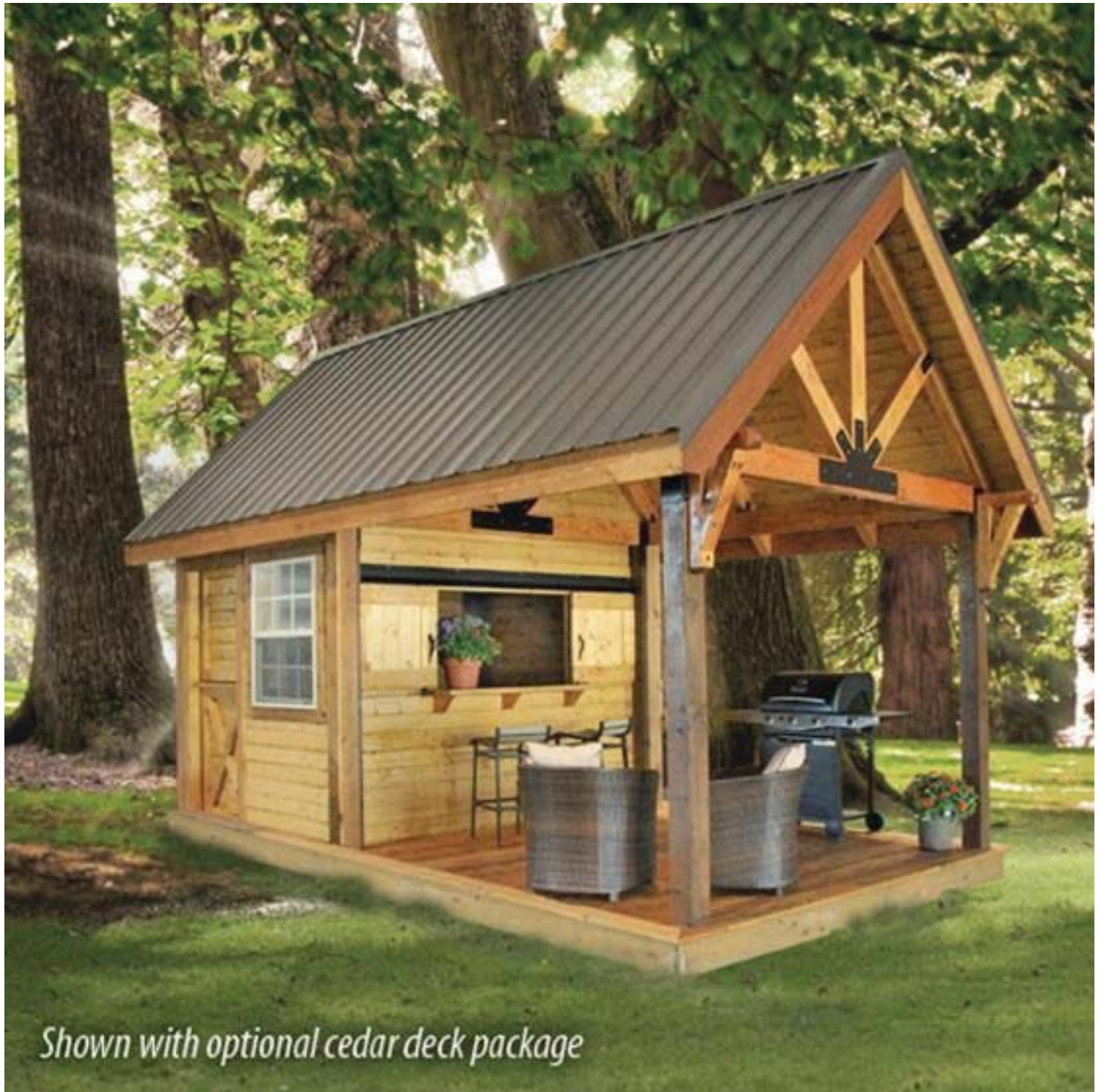
WARNINGS

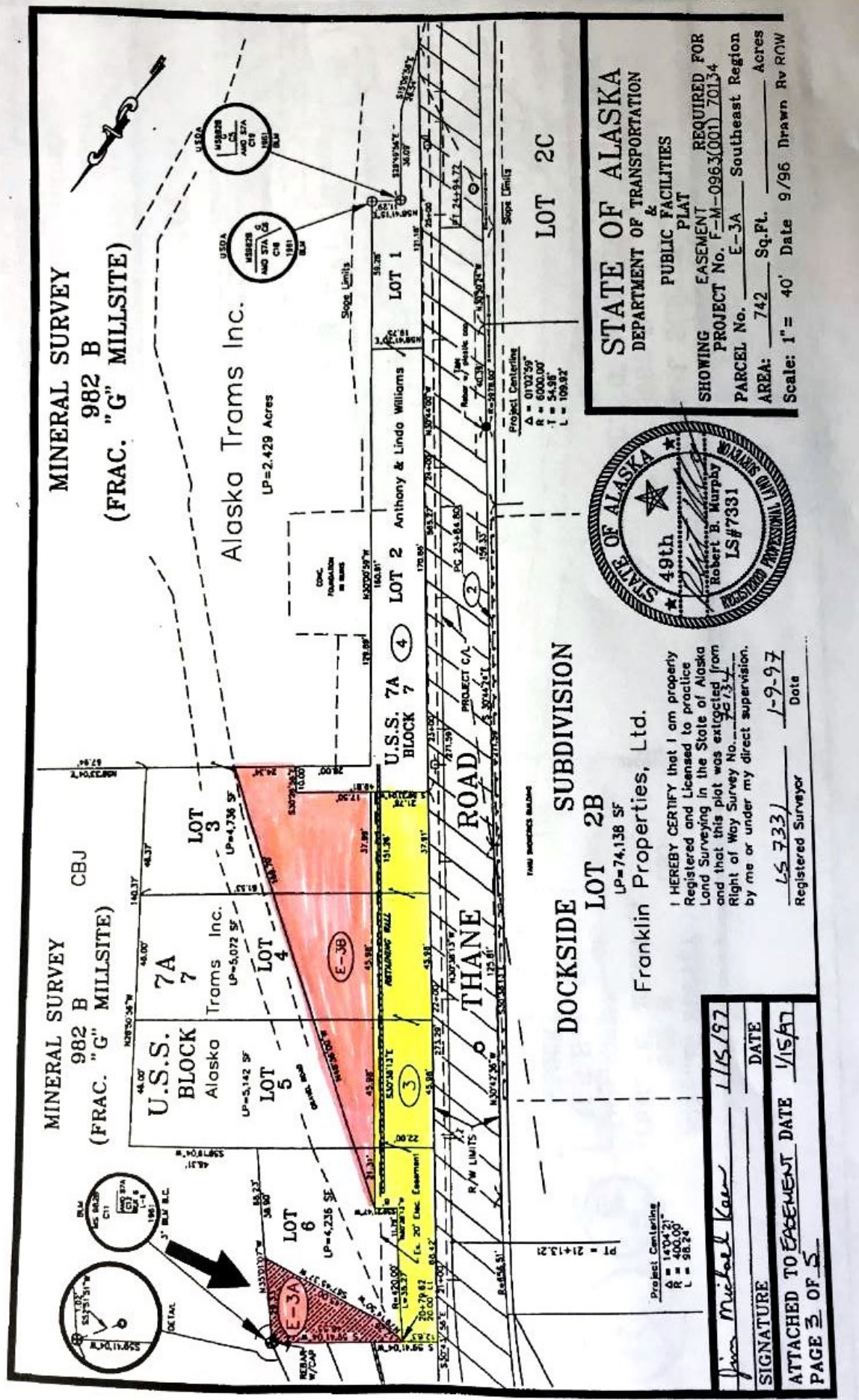
- Caution must be exercised in the selection of a design wind speed when the pole is to be installed in a special wind region (as indicated by the wind map) or in an area where wind speed is unpredictable.
- AAL recommends consulting a local engineer when the pole is to be installed in an area that may be subject to vibration, oscillations, and other fatigue effects which are not covered by the AAL warranty.
- The use of banners or other appendages can severely affect the loading of a pole. No banner or other appendage may be attached to an AAL pole unless approved by AAL.
- If the products are to be used on an existing foundation or on other structures, the customer assumes all responsibility for the structural integrity of the existing foundation, anchorage or structures and all the consequences arising there from.

CAUTION

- Poles should never be erected without the luminaire installed. Warranty is voided if the pole is erected without the luminaire.

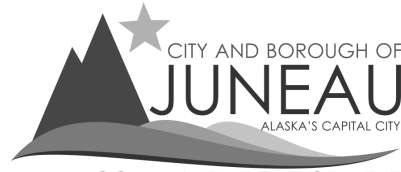
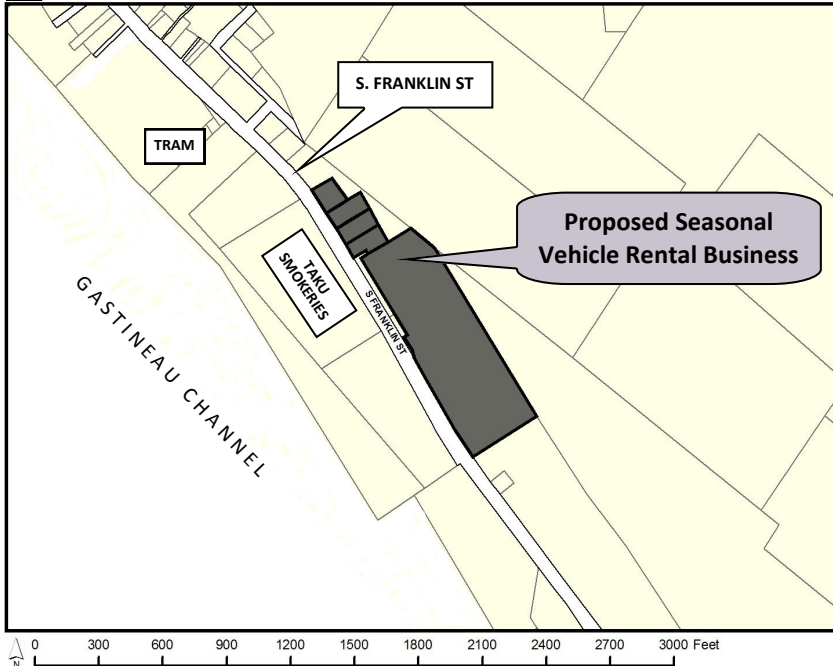






Invitation to Comment

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 **Conditional Use Permit** for a **seasonal vehicle rental business** located on **South Franklin Street** in a **Mixed Use zone**.

TIMELINE

Follow the case (staff report, hearing results, meeting minutes) at <http://www.juneau.org/assembly/novus.php>

Now through November 9, 2017

Your comments to the Planner, **Jill Maclean**, will be included in the staff report.

November 10 through 3 pm, November 28

Your comments will be sent to Commissioners to read along with the staff report in preparation for the hearing.

HEARING DATE & TIME
7:00 pm, November 28, 2017

You may testify at the hearing in City Hall's Assembly Chambers, 155 S. Seward St., Juneau.

November 29

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.: USE2017 0026

Parcel Nos.: 1C10010700-20, -30, -40, -50, -60

CBJ Parcel Viewer: <http://epv.juneau.org>

Date notice was printed: November 1, 2017

USE2017 0026

A Conditional Use Permit for a Seasonal (April - October) Vehicle Rental Business

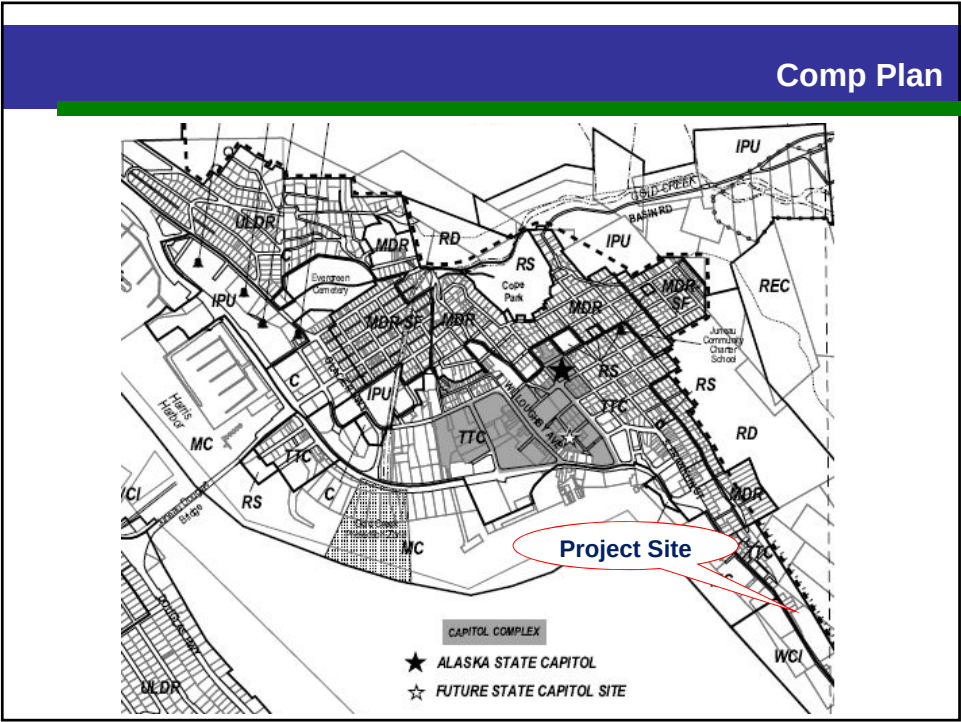
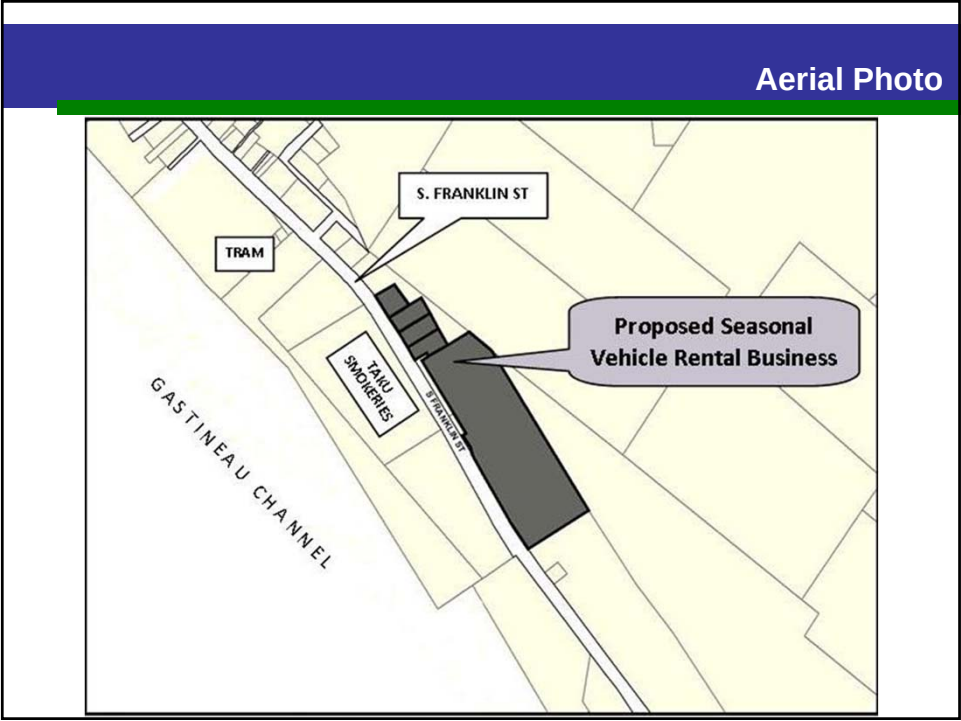
Regular Planning Commission Hearing

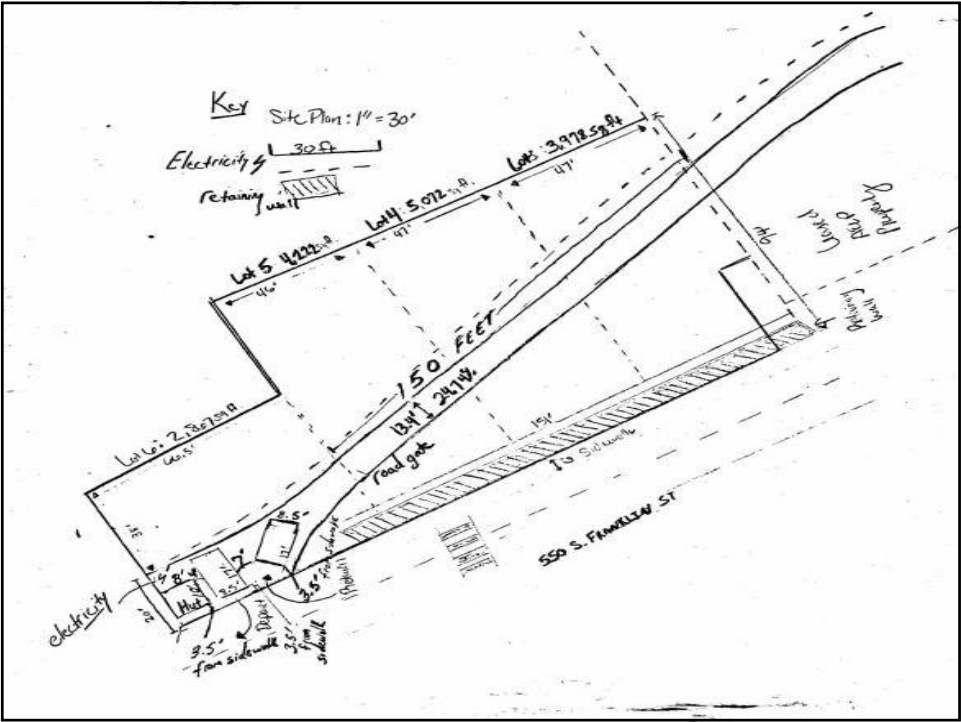
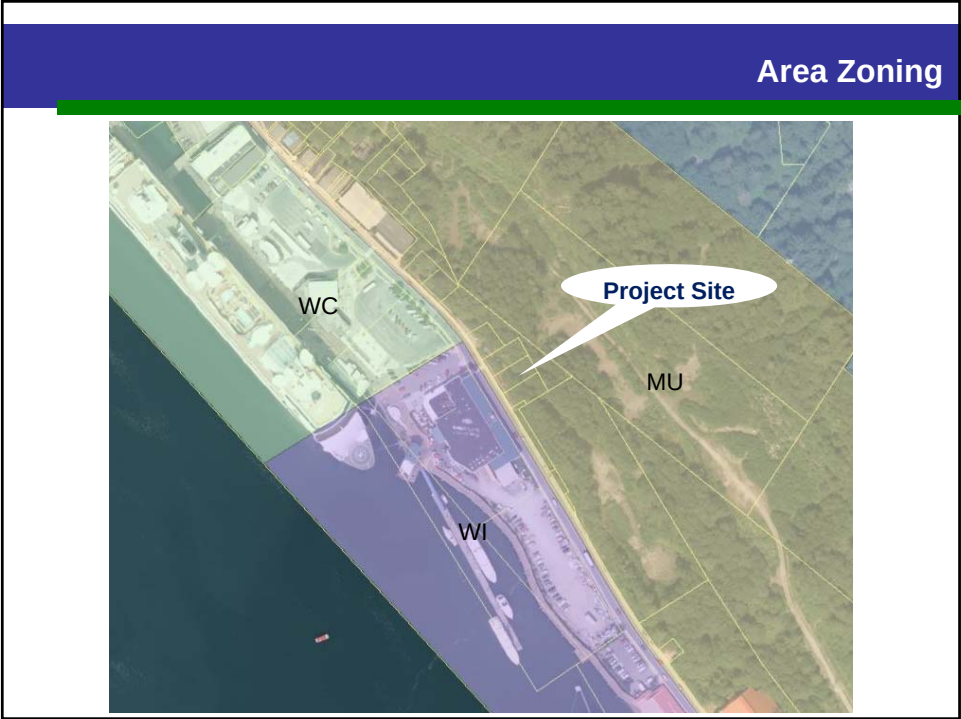
November 28, 2107



USE2017 0026

Applicant: Dr. Taylor A. Brown	Current Owners: Jim Michael Keen, William Harris, Lillian A Harris, AJT/AEL&P
Property Address: South Franklin Street	Existing Land Use: Vacant
Site Size: Approx. 2.8 acres total; parking area approx. 7,888 sq. ft.	Surrounding Land Use: North: Vacant (MU) South: AEL&P Vacant Building (MU) East: Vacant (Rural Reserve) West: Taku Smokeries, Surface Parking Lots (Waterfront Industrial)
Comp Plan Designation: Traditional Town Center (TTC)	
Zoning: Mixed Use	







Specs



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 seasonal vehicle rental business, with the following conditions:

1. Rental maximum of 15 vehicles;
2. Operate April through October with hours of operation dependent on the cruise ship schedule;
3. 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 at CBJ 49.40.230(d).
4. On site car washing is not allowed;
5. Provide 22 off-street parking spaces in the upper lot;
6. Valet parking spaces may not be used as permanent off-street parking spaces and may not block access to the private road;
7. Employees must park their vehicles in the upper lot designated for parking unless using an ADA parking space;
8. Security must be on site each night that vehicles are stored on the site in order to address public safety concerns;
9. Signage associated with the business must obtain proper permits;
10. Prior to beginning operations, the applicant must find a suitable ADA space that meets the requirement of CBJ 49.40.210(b)(3)(B) and must provide evidence of such to the Community Development Department.

USE2017 0026

**A Conditional Use Permit for a Seasonal (April -
October) Vehicle Rental Business**

QUESTIONS?





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: November 29, 2017
Case No.: USE2017 0026

Dr. Taylor A. Brown
8825 Aberdeen Drive
Leawood, KS 66206

Proposal: A Conditional Use Permit for a Seasonal (April - October) Vehicle Rental Business

Property Address: South Franklin Street

Legal Description: 7 A Addition, Block 7, Lots 3, 4, 5, & 6; and EP & FR BH T X Millsite

Parcel Code No.: 1C100I070020, 1C100I070030, 1C100I070040, and 1C100I070050; and
1C100I070060

Hearing Date: November 28, 2017

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated November 13, 2017, and approved the seasonal (April - October) vehicle rental business to be conducted as described in the project description and project drawings submitted with the application and with the following modified conditions:

1. Rental maximum of 15 vehicles;
2. Operate April through October with hours of operation dependent on the cruise ship schedule;
3. 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 at CBJ 49.40.230(d).

Dr. Taylor A. Brown
Case No.: USE2017 0026
November 29, 2017
Page 2 of 3

4. On site car washing is not allowed;
5. Provide 22 off-street parking spaces in the upper lot;
6. Valet parking spaces may not be used as permanent off-street parking spaces and may not block access to the private road;
7. Employees must park their vehicles in the upper lot designated for parking unless using an ADA parking space;
8. Security must be on site each night that vehicles are stored on the site in order to address public safety concerns;
9. Signage associated with the business must obtain proper permits;
10. Prior to beginning operations, the applicant must find a suitable ADA space that meets the requirement of CBJ 49.40.210(b)(3)(B) and must provide evidence of such to the Community Development Department;
11. The temporary hut may be on site for use from April through October yearly and must be removed at the end of the cruise ship season;
12. The business owner must develop an emergency operation plan with Capital City Fire Rescue, and the approved emergency plan must be submitted to the Community Development Department prior to beginning operations in April, 2018. The business owner must have the emergency plan reviewed by Capital City Fire Rescue annually to ensure compliance and evidence of such must be submitted in writing to the Community Development Department.

Attachments: November 13, 2017, memorandum from Jill Maclean, AICP, Senior Planner, Community Development, to the CBJ Planning Commission regarding USE2017 0026.

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, November 28, 2017.

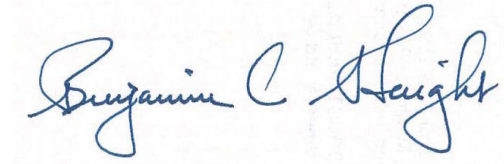
Expiration Date: The permit will expire 18 months after the effective date, or May 28, 2019, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was

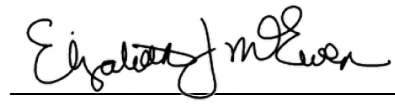
Dr. Taylor A. Brown
Case No.: USE2017 0026
November 29, 2017
Page 3 of 3

authorized. Application for permit extension must be submitted thirty days prior to the expiration date.

Project Planner:


Jill Maclean, AICP, Senior Planner
Community Development Department


Benjamin Haight, Chair
Planning Commission


Filed With City Clerk

November 30, 2017
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.



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

Date: November 18, 2017
To: Planning Commission
From: Beth McKibben, AICP, Planning Manager
Community Development Department
Subject: Planning Division 2017 Work Plan

This memo outlines the major work that Community Development's Planning Division proposes to undertake in 2018 for land use code amendments and for planning.

Code Amendments Currently Underway

Planning Commission Committees and staff have worked on several Title 49 updates over the past year which will be brought before you over the next few months. These updates are:

Variances: This has been extensively reviewed by the Title 49 Committee and the Committee of the Whole.

Streamside Buffers: This code update is intended to provide flexibility and reduce variance requests for development adjacent to anadromous streams.

Privately Maintained Access in a Right of Way within the Urban Service Area: This is an update to 49.35.270 that would allow this access option within the urban service area. This would create more consistency with the requirements for shared private access, though this access option can serve up to 13 lots, nine more than shared private access.

Nonconformities: This has been extensively reviewed by the Title 49 Committee. It would repeal the current code and enact a new section, providing clarity, and provide for the addition of a new non-conforming situation, non-conforming density.

Urban Agriculture: The proposed amendment would clean up an unintended mistake made when personal use agriculture was added to the Table of Permissible Uses (TPU) in 2010. Additionally, the comprehensive plan identifies the need for food security. Members of the community have strongly expressed a desire for personal use livestock beyond the current six hens the TPU allows. A subcommittee of the Juneau Commission on Sustainability (JCOS) has been working with members of

the community and Community Development Department (CDD) staff to develop a new section of code that seeks to balance the desire of the community for more personal use livestock options while more clearly mitigating impacts to neighbors, and protecting public health and safety.

Waste Management: The proposed amendment would cleanup inconsistencies in the Table of Permissible Uses treatment of recycling, salvage yards, and landfills.

Staff Recommendations for Near-term Code Amendments Priorities

There are many areas of Title 49 that merit review and possible update. CDD staff recommends that these text amendments be prioritized in the coming year:

CSP Rewrite: The criteria for requiring Planning Commission review of city and state projects should be reexamined to ensure meaningful review continues, while eliminating review for maintenance projects.

Tiny Houses: There is great interest in the community for “tiny houses.” T49 does not define what a tiny house is and in what zoning districts they will be allowed under what circumstances.

Canopies: The proposed amendment would better account for canopy heights on grades.

Process for Amending the Comprehensive Plan: The Comprehensive Plan identifies a need for a process for comprehensive plan text and map updates. The proposed ordinance would create such process.

Auke Bay zoning/incentives: The implementation of the Auke Bay plan requires the creation of at least one new zoning district type.

Downtown residential zoning: The zoning for downtown residential districts needs to be redefined before the Alternative Development Overlay District (ADOD) sunsets in 2019.

Staff Recommendations for Mid-term Code Amendments Priorities

As noted earlier, there are many other areas in Title 49 that merit attention, including:

- signs
- parking
- planned unit developments
- cottage housing
- street names and addressing
- cell towers
- drone regulation

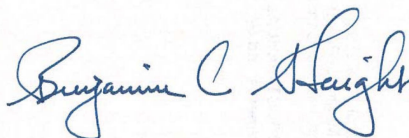
Planning

- Downtown Plan
- Comprehensive Plan Update
- Wetlands Plan



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

Date: November 15, 2017

From: Ben Haight, Chair
Planning Commission 

To: Roger Healey, Director of Engineering
Assembly Public Works and Facilities Committee

RE: Planning Commission CIP Recommendations, 2018-2024

Background: Each year, the Planning Commission is tasked with reviewing and recommending to the Assembly whether to approve the Borough's six-year Capital Improvement Program (CIP). The Commission understands that this review is intended to ensure that the CIP is consistent with the Comprehensive Plan and other City and Borough plans, such as the Land Use Master Plan, Juneau Economic Development Plan, and Climate Action and Implementation Plan.

Over the last two years, in coordination with the CBJ Manager's Office and CDD Director, an effort has been made to make Planning Commission review of the CIP list more meaningful by allowing for an early recommendation of Planning Commission priorities in addition to final review before formal Assembly adoption. Planning Commission review of the draft CIP document early in the review process allows more timely recommendations for use by the Manager's Office and Borough Assembly as the CIP list is assembled.

It is intended that the Planning Commission's annual review will continue to follow the general format established here, allowing subsequent reviews to track progress on these goals as a way to help foster consistency and achieve results.

Planning Commission review has been structured to include both a summary of general Policy Recommendations that fall under the Planning Commission's purview, as well as a list of recommended Specific Projects that follow from the general recommendations. These recommendations are offered to help ensure that the Borough's broad development and planning needs are met.

A. POLICY RECOMMENDATIONS: The Planning Commission has identified three general categories that are relevant to its review authority and that should inform an evaluation of the consistency of potential capital improvements with the Comprehensive Plan: Housing, Community Vitality, and Sustainability. The following general goals reflect those priorities and draw from current City and Borough plans:

Public Works & Facilities Committee
 CIP Recommendations, 2018-2024
 CDD Case No.: CSP2017 0016
 November 16, 2017
 Page 2 of 3

Housing:

1. Develop incentive programs to promote desired housing development. Such programs should be derived from recommendations of the CBJ Housing Officer, Affordable Housing Commission, Economic Development Plan, and the Housing Action Plan.
2. Focus housing initiatives in the near-term on Downtown, which the Commission identifies as under-served by CBJ efforts to improve and increase housing stock Borough-wide.
3. Explore public/private mechanisms to help create new or renovated housing inventory, with a focus on under-utilized facilities.

Community Vitality:

1. Continue to focus on Willoughby District improvements, including parking garage, waterfront and sea walk development, and integrated seasonal visitation opportunities.
2. Strengthen the CBJ Land Management Plan including by working across CBJ departmental land designations to prioritize parcels for acquisition or disposal relative to CBJ and community needs, including housing, infrastructure, and recreation.
3. Initiate goals and actions from the Lemon Creek Area Plan to address the fact that Lemon Creek carries a disproportionate share of community industrial and service needs, with a deficit of public amenities like recreational areas, parks, trails, and community facilities.

Sustainability:

1. Prioritize and enact recommendations from the Climate Action and Implementation Plan and Juneau Commission on Sustainability annual report.
2. Prioritize recycling and landfill diversion strategies, such as organic waste composting, and work toward waste volume reduction while long-term waste solutions are studied.

B. SPECIFIC PROJECTS: The following detailed projects would implement Planning Commission priorities from the general policy goals above, and are recommended for CBJ action:

- (Housing) Initiate a new mass wasting study across the downtown area. A new study would have several benefits, including the potential to increase the inventory of developable land and to remove financing barriers where regulatory and development ambiguity exists. A study would have the benefit of providing a better understanding CBJ liability and establishing a more accurate risk assessment.

Public Works & Facilities Committee
 CIP Recommendations, 2018-2024
 CDD Case No.: CSP2017 0016
 November 16, 2017
 Page 3 of 3

- (Housing) Fund and maintain the accessory apartment incentive grant program and implement a similar grant incentive program for the creation of apartments in larger mixed-use facilities, in either new or renovated units. Recent 1% Sales Tax funds may be an appropriate funding source.
- (Housing) Develop a home energy efficiency program with incentives to reduce electrical costs and improve housing affordability in Juneau. Many housing units rely on inefficient and costly electric resistance baseboards for heat. A program to provide assistance and incentives for homeowners and landlords to improve energy efficiency and to convert from electric resistance to alternate sources would provide benefits to AEL&P, homeowners, and renters.
- (Community Vitality) Adopt recommendations of the Lemon Creek Area Plan and implement a capital program to add recommended improvements. Of these improvements, a multi-modal trail linking Dzantik'i Heeni Middle School and Switzer Creek to the Pinewood Neighborhood is seen as an important initial priority because it would create better neighborhood function and encourage on-going citizen involvement with a visible first step.
- (Community Vitality) Develop and implement a seasonal downtown circulator with simple on/off transit nodes that link primary pedestrian areas, including a specific emphasis on the Willoughby District. This step should help lessen traffic congestion in the downtown core, particularly South Franklin Street.
- (Sustainability) Develop an Electric Vehicle charging plan for CBJ-managed facilities and streets. All CBJ construction and street projects should plan for and incorporate EV charging infrastructure.
- (Sustainability) Adopt procedures and tracking software to monitor and report CBJ energy use and costs consistently across all departments and facilities. This action is recommended in the Comprehensive Plan, the Juneau Climate Action and Implementation Plan (2011), the draft Juneau Renewable Energy Strategy (2017), and the Juneau Commission on Sustainability's Annual Reports and CIP Recommendations for 2016 and 2017.
- (Sustainability) Initiate a study of opportunities for organic waste composting.