

Agenda

Planning Commission - Regular Meeting City and Borough of Juneau Mike Satre, Chairman

January 13, 2015
Assembly Chambers
7:00 PM

I. ROLL CALL

- A. Swear in of new Planning Commission member

II. APPROVAL OF MINUTES

- A. December 9, 2014 Committee of the Whole Meeting
- B. December 9, 2014 Regular Planning Commission Meeting

III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

IV. PLANNING COMMISSION LIAISON REPORT

V. RECONSIDERATION OF THE FOLLOWING ITEMS

VI. CONSENT AGENDA

- A. USE2014 0016
- B. USE2014 0019

VII. CONSIDERATION OF ORDINANCES AND RESOLUTIONS

VIII. UNFINISHED BUSINESS

IX. REGULAR AGENDA

X. BOARD OF ADJUSTMENT

XI. OTHER BUSINESS

- A. Election of Officers and Planning Commission Committee Assignments

XII. DIRECTOR'S REPORT

XIII. REPORT OF REGULAR AND SPECIAL COMMITTEES

XIV. PLANNING COMMISSION COMMENTS AND QUESTIONS

XV. ADJOURNMENT

MINUTES

PLANNING COMMISSION
Committee of the Whole
CITY AND BOROUGH OF JUNEAU
Mike Satre, Chairman

December 9, 2014
Walter Soboleff Center Tour

I. ROLL CALL

Dennis Watson, Vice 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 6:00 pm.

Commissioners present: Dennis Watson, Vice Chairman; Bill Peters, Karen Lawfer, Ben Haight, Dan Miller, Paul Voelckers

Commissioners absent: Mike Satre, Chairman; Gordon Jackson, Nicole Grewe

II. REGULAR AGENDA

Tour of the Walter Soboleff Center.

III. OTHER BUSINESS - None

IV. ADJOURNMENT

The meeting was adjourned at 6:52 p.m.

MINUTES

PLANNING COMMISSION Regular Meeting City and Borough of Juneau Mike Satre, Chairman

December 9, 2014

I. ROLL CALL

Mike Satre, 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 pm.

Commissioners present: Mike Satre, Chairman; Dennis Watson, Vice Chairman; Bill Peters, Karen Lawfer, Ben Haight, Nicole Grewe, (telephonically), Dan Miller, Paul Voelckers

Commissioners absent: Gordon Jackson

Staff present: Hal Hart, Planning Director; Beth McKibben, Senior Planner; Laura Boyce, Senior Planner; Chrissy McNally, Planner I; Jonathan Lange, Planner I; Tim Felstead, Planner I; Allison Eddins, Planner I; Rob Steedle, Deputy City Manager

II. APPROVAL OF MINUTES

- November 13, 2014 – Committee of the Whole Meeting

MOTION: *by Mr. Miller, to approve the November 13, 2014, Planning Commission Committee of the Whole meeting minutes with any minor modifications by any Commission members or by staff.*

The motion was approved with no objection.

III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - None

IV. PLANNING COMMISSION LIAISON REPORT

Assembly Liaison Loren Jones reported there was a status hearing in early December on the Bicknell appeal and that the next status hearing will be on January 28, 2015. Tomorrow night (December 10, 2014) the Human Resources Committee will be interviewing six candidates for the Planning Commission and eight candidates for the Bartlett Regional Hospital board. On December 16, 2014, the Auke Bay Plan will be presented to the Commission. Mr. Jones said he

wanted to thank the staff for all of their hard work on the Auke Bay Plan. In spite of a constant turnover of committee participants for the Auke Bay Plan, the staff did an excellent job of carrying forward a comprehensive plan for Auke Bay to fruition.

V. RECONSIDERATION OF THE FOLLOWING ITEMS - None

VI. CONSENT AGENDA

CSP2014 0021: A City Project Review of Eagles Edge subdivision water system and drainage improvements.
 Applicant: City and Borough of Juneau
 Location: Eagles Edge Subdivision- Gull Way

Staff Recommendation

Based upon the proposed plan (identified as Attachments A and B), and the findings and conclusions stated above, the Community Development Department Director recommends the Planning Commission **RECOMMEND APPROVAL** to the Assembly for the request.

VAR2014 0020: A Variance request to reduce the front yard setback along Glacier Highway to allow construction of a house and garage.
 Applicant: John & Nancy Norman
 Location: 17225 Glacier Highway

Staff Recommendation

Staff recommends the Board of Adjustment adopt the Director's analysis and findings and grant the requested Variance, VAR2014 0020. The Variance permit would allow for construction of a single family home and attached garage up to 5 feet from the front property line with the following conditions:

1. Staff recommends a condition requiring an as-built survey to confirm the 5 foot setback prior to issuance of a certificate of occupancy.

MOTION: *by Mr. Miller, to approve CSP2014 0021 and VAR2014 0020 on the Consent Agenda as read with staff's findings, analyses, recommendations and conditions.*

The motion was approved with no objection.

VII. CONSIDERATION OF ORDINANCES AND RESOLUTIONS - None

VIII. UNFINISHED BUSINESS

AME2014 0004: Amendment to remote subdivision area map to include Hidden Valley Tract B in the upper Lemon Creek Valley.
 Applicant: Zack Worrell & Jim Eliason
 Location: Upper Lemon Creek Valley

Staff is seeking guidance from the Commission on whether the gravel road that the applicant has put on their property still qualifies their parcel to be designated as Remote, explained Mr.

Lange.

The purpose of the Remote Subdivision Ordinance is to provide a waiver for design and improvement requirements related to the requirements of a major subdivision such as access and utilities such as water, said Mr. Lange. Areas defined as remote should be:

- ✓ not near capital improvements
- ✓ not be in a new growth area
- ✓ not be connected to the road system and
- ✓ not be served by right-of-way, water system, fire protection or police protection, or maintained by an agency of government

In May the Commission made the decision to recommend to the Assembly that this parcel of land in Lemon Creek be designated on the map amendment as Remote, said Mr. Lange. Since then, said Mr. Lange, the applicant has installed a road. Mr. Lange said the Department would like a decision from the Commission this evening as to whether this road affects the standing of the land parcel on the map amendment as Remote.

The applicant wants to build a subdivision in that area, explained Mr. Lange, and if the land remains designated as Remote than there would be no road standard or community water system or other utilities required, he explained.

Mr. Lange showed other areas in the Borough that are designated as Remote, such as Spuhn Island, which is accessed only by water. He also showed a map displaying the back of the west side of Douglas Island, which is designated as not Remote.

He added that the applicant has proposed placing a gate separating their access road from the haul road. He said the applicant's road is 12 to 16 feet wide.

Commission Questions and Comments

Mr. Voelckers asked if the staff perhaps working in conjunction with the Law Department had done any further work on the definition of a road. He said this seems to be a key determinant of what this issue hinged upon. More specifically, asked Mr. Voelckers, does the road installed by the applicant meet the City definition of a road.

The 12 to 16 foot width does not meet the standard of a road for subdivisions, said Mr. Lange. It would be more in the realm of the standard of a private driveway, he added. He said a road is required to be approximately 28 feet in width for a Rural Reserve area.

Mr. Miller said he did recall the Commission discussing that there would be some access out to the site whether it be a trail or a rough road of some sort. He said Spuhn Island was mentioned as an example of a Remote designation and the interior of Spuhn Island is riddled with roads. The water access to Spuhn island can be viewed as just a continuation of the road, said Mr. Miller. He said he did not understand why this was before the Commission once again when it was his initial understanding that there would be access to the sites.

Mr. Haight asked what drove the particular statement "should not be connected to the road system" in Title 49 of the code.

Mr. Lange said he did not know the impetus behind that statement in Title 49 regarding the road system. He said in his view this is now something substantially different than what the applicant had proposed before the Commission in May when it approved the Remote map amendment.

Mr. Palmer said the language including “not be connected to the road system” was provided to describe parcels of land that were accessed by salt water, which is why the Spuhn Island example fit well in those circumstances even though there are roads within the island. This fact pattern is one of those hybrids that could or could not fit this circumstance, said Mr. Palmer. It had been suggested that the staff come back to the Planning Commission because there had been discussion at the last meeting about what was connected to the road system or not, said Mr. Palmer.

Mr. Watson said he did recall conversations about trail access to the sites although he did not recall specific width at the time the Commission made its decision in May. He said it would have helped a lot had the applicant been more clear in May as to what their plans were regarding the access and the size of the trail at that time.

Mr. Watson said the only public notice that he viewed regarding this meeting was posted near Home Depot. He asked if there were other locations.

Mr. Lange responded signs were also posted near the end of Anka street and also near where a CBJ sign is posted regarding the Lemon Creek extraction area.

Ms. Grewe said that like Mr. Watson, she recalls there was discussion at the May meeting by the applicant that some sort of trail access would be constructed, but that she did not recall plans for something along the lines of a road being discussed. She said she felt this put the Commission in somewhat of a quandary at this point. Ms. Grewe said she wants to support this subdivision, but at the same time she worries about future Planning Commissions, and how this may affect future Remote-designated properties.

Mr. Voelckers stated that at the previous meeting regarding this issue in May, Capital Fire and Rescue had expressed concerns about health and safety for the subdivision because of access issues. He asked if there had been further comments on this issue from Capital Fire and Rescue. He asked if perhaps their concerns had been increased or decreased because of this semi-road which had been constructed. He asked if perhaps Fire and Rescue felt the expectation may arise that these services be provided if there was a partial road in place.

Mr. Lange responded they have not received any comments from Capital City Fire and Rescue on the project this time around.

Ms. McKibben said when the Fire Department reviews private roads or driveways within a development they require a width minimum of 20 feet, as well as a gravel surface. The existing road in the remote subdivision under discussion would not meet the requirements for service, she said. They would not be able to take a truck down that road, she added.

Chairman Satre said he is not even sure why this issue is before the Commission this evening. The recommendation to approve the Remote Subdivision Area map was approved by the

Commission back in May, he said. The staff told the Commission at the time that the onus would be on the applicant when they came forward with an application for a subdivision to show that they did not have road access, said Chairman Satre. It was only at that time the Commission would need to deal with that issue, he said.

Mr. Palmer responded he did not believe there was an application from the applicant at this time for a subdivision. He said this was before the Commission this evening because the staff believed that there was a substantial change in facts from when this application was initially reviewed by the Commission in May (2014).

Chairman Satre responded there appear to have been some improvements, however there has been nothing filed for any development for any application to come before the Commission. He asked rhetorically if every time someone weed whacks a road out to their private property, if the Commission needs to go through a process to address the fact that there might be access to an area.

Mr. Palmer responded that for the hypothetical situation provided by Chairman Satre, he did not believe that would be necessary to be reviewed by the Commission. He said it is because of the discretionary language in the Remote Subdivision map that provides the Commission with the discretion whether or not a road that reaches a parcel still makes that parcel qualify as Remote or not Remote.

Land Owner Representative

Representative for the land developers Jim Clark said this is before the Commission as a policy question because the issue of a road/no road is discretionary. He said he thought the 2004 Commission decision on Spuhn Island was going to be distributed to the Commission prior to the meeting. That issue was not a road but the fact that Spuhn island was going to have water installed within the development, because the language had said if there was water and sewer installed within a development that it would not qualify as Remote, said Mr. Clark.

At that time the staff said that even though it was the intent to provide water and sewer to the development in the future by way of a private water line it was not specifically prohibited but rather it was suggested that it not be.

The applicant's plan is on constructing a truly back country, rural experience for people who want that type of experience, said Mr. Clark. This would include no electricity, no water and an outhouse, he said. This experience would not be for everyone, said Mr. Clark. They want to provide access to these sites by a rough back country type of road, he said. This type of road can be accessed by four-wheel-drive SUV's and pickup trucks, said Mr. Clark.

The question is, said Mr. Clark, do the benefits of providing road access outweigh the potential detriments and is the Commission comfortable with the interpretation that this is a discretionary item, and is the Commission willing to stand by the Map Amendment decision that it made on May 13, (2014).

There will be deed restrictions required which will maintain the rural aspect of the property such as no water, no sewer and no electricity, said Mr. Clark, which would help protect the City

from being held liable for having to provide those services, he said. If individuals wanted those services they would have to provide for those services themselves, he said.

Commission Questions and Comments

Mr. Watson said their concerns expressed during the presentation in May addressed the concerns of a road. Mr. Watson said he would consider this more of a trail.

There would be access, said Mr. Clark. This access is something that the Commission can decide to allow consistent with a map change to a Remote subdivision, said Mr. Clark.

Mr. Voelckers asked if there is anything about the designation as a Remote subdivision now that locks in an interpretive path in terms of how a future application would be evaluated.

With the Commission's recommendation of the parcel designated as Remote the applicant would then provide a subdivision plat that does not show those design criteria that show what the staff looks for in water systems and sewer systems, said Mr. Lange.

Mr. Voelckers interpreted that the future application would be evaluated upon its merits at the time.

The staff agreed with this interpretation.

Mr. Miller asked what defines being connected to the road system. He said last time he was told a road was defined as having vehicular access and a gutter on both sides. He said he understood this to mean that if the applicant built the road to standard then this would mean it was connected to the road system.

MOTION: *by Mr. Watson, to let the findings stand on AME2014 0004 that the Commission made on May 13, 2014, without any further revisions, and asked for unanimous consent.*

Mr. Haight spoke in support of the motion and said that he felt when the Commission spoke of a road that it was referring to a road that met CBJ standards, not a one lane track or trail.

Mr. Voelckers also spoke in support of the motion, while voicing the concern that a precedent may be set when a more conventional subdivision may be established near the edge of developed land, put in a substandard road, and announce that is all they intended to do.

Chairman Satre said hopefully the Remote Subdivision Area map would address that issue. He said he supports the Commission's decision and that given this parcel's location it made sense to place it within the Remote Subdivision Area map. At the appropriate time there are also the various restrictions which can be placed upon the parcel, added Chairman Satre.

The motion passed by unanimous consent.

Capital Improvement Project (CIP) Project Nominations CSP2014 0020 was moved to later in the agenda to enable those waiting to give public comment on other items on the agenda the opportunity to do so earlier in the evening.

The commission convened as the Board of Adjustment.

VAR2014 0025: Variance to reduce the rear yard setback from 20 feet to 0 feet to place three shipping containers for a commercial hydroponic farm.
 Applicant: Allen & Gerri Butner
 Location: 9220 Lee Smith Drive

Staff Recommendation

Staff recommends that the Board of Adjustment adopt the Director's analysis and findings and **DENY** the requested Variance, VAR2014 0025.

If the Board of Adjustment chooses to approve the Variance the staff recommends a five foot rear yard setback instead of the requested zero foot setback.

The applicant, Mr. Butner, provided supplemental answers to the variance requirements in support of his project which he supplied to the Commission.

Since the Commission had the most problem dealing with the first requirement, Mr. Butner addressed that requirement. He said the authorization of a variance would allow him to place all six vans in the center of the property and toward the back, to minimize disturbances to the neighbors to the side. Without the variance, he would not have room to fit two container vans in the backyard, and would be forced to place them on the east side of his home, which has a five foot setback. This would not be an ideal situation for him, or the neighbors, as the vans would be solidly visible from the road and businesses across the street. Granting this variance would allow him to keep everything in the back, minimizing the impact to the neighborhood, he explained.

Variance requirement Number Three; that the authorization of the variance will not injure nearby property, Mr. Butner justified much like he explained variance requirement Number One. He explained that with the authorization of the variance to allow him to place all six vans in the center of the property toward the back it would minimize disturbances to the neighbors to the side, and without the variance he would not have room to fit two container vans in the backyard, and would be forced to place them on the east side of his house which has a five foot setback. Granting this variance would allow him to keep everything in the back, minimizing the impact to the neighborhood, he explained.

In explaining why he felt that he met Variance Requirement Five (B); that his development was consistent with development in the neighborhood, Mr. Butner said that within a 500 foot circle of his proposed business there are 25 residential homes as well as numerous businesses including a bank, gas station, two large hotels as well as other businesses. He stated that based upon the above data that the neighborhood surrounding his property is predominantly commercial, and that allowing the setback variance is very consistent as to scale, amenities, appearance and features with the existing development in the neighborhood.

In answer to Variance Requirement Number Six; that the variance would result in more benefits than detriments to the neighborhood, Mr. Butner responded that again, the authorization of this variance would allow him to place all six vans in the center of the property and towards the

back, to minimize disturbances to the neighbors to the side. Granting this variance would allow him to keep everything in the back, minimizing the impact to the neighborhood, he stated.

Mr. Voelckers asked Mr. Butner to summarize his proposal again for the Commission and if this involved encroachment onto City property.

They installed a sandbox, said Mr. Butner, and when the neighbors had a survey done they were surprised to see that it encroached onto that property. He said the encroachment involves a pile of sand and not a structure. He said they do not anticipate touching that area.

They plan on placing three container vans side-by-side stacked two containers high. They accept staff's recommendation of a 5 foot rear yard setback. The processing area for the business will be in the remodeled garage of their structure. The lettuce will be loaded in a 15 passenger van and delivered to the local businesses, explained Mr. Butner.

Under questioning from Mr. Voelckers, Mr. Butner indicated on a map where they would plant vegetative screening on the far side of Lee Smith Drive.

MOTION: *by Mr. Miller, to approve VAR2014 0025 with the new findings including the staff recommendation of a five foot rear yard setback instead of the requested zero foot setback.*

In support of his motion Mr. Miller stated that on Number One that the relaxation applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.

Number Two, public safety and welfare, can be preserved with the five foot setback and the fact that it is up against a vacant lot and is not accessible to a road, at the same time affording air, light, and circulation meeting the intent of the title, said Mr. Miller.

Number Three is met again by staying five feet away from the property line. It does not injure nearby property and the fact that he could go three containers high and not two containers high shows discretion in avoiding the injury to other property owners which could be caused by the three foot high stacking of the container vans, said Mr. Miller.

Number Four is already met. Number Five (B) as stated by the owner in his testimony is land that is surrounded by commercial property and activity, so this activity does fit into the area, said Mr. Miller.

Number Six has more benefits than detriments to the neighborhood, said Mr. Miller. The benefits are really to the entire community. This project fits in with the whole issue of sustainability which the Assembly created years ago. A Local business growing fresh vegetables for the community is exactly what the issue of sustainability is all about, he said.

Mr. Voelckers said he was interested in the condition of the side fence and the narrow trees which had been discussed, and would like to propose that as a potential friendly amendment to the motion.

Chairman Satre clarified with the staff that the screening is already a requirement within the CUP (Conditional Use Permit).

As a friendly amendment, Chairman Satre stated that since they were dealing with just a five foot setback, that he would like a surveyed as-built that there is only a 5 foot encroachment setback before a certificate of occupancy is issued.

Mr. Miller accepted the friendly amendment.

FINAL MOTION: *By Mr. Miller, with friendly amendment by Chairman Satre, to approve VAR2014 0025 with the new findings, including the staff recommendation of a five foot rear yard setback, and that a surveyed as-built be performed indicating there is only a five foot encroachment into the setback area before a certificate of occupancy is issued.*

The motion passed with no objection.

The Board of Adjustment adjourned, and reconvened as the Planning Commission.

IX. REGULAR AGENDA

PDP2014 0001:	Preliminary plan review for a 12 unit Planned Unit Development.
Applicant:	Corvus Design
Location:	5405 North Douglas Highway

Staff Recommendation

Staff recommends that the Planning Commission adopt the Director's analysis and findings and approve the preliminary plan for the North Douglas Planned Unit Development. The approval would allow for the development of the final plan for the North Douglas Planned Unit Development in accordance with CBJ 49.15.640. The approval of the final plan is subject to the following conditions:

1. Prior to final plat approval a plat note will state, "Lot 7B1 is permitted to be developed with twelve single family dwelling units. No additional dwelling units are allowed on the lot beyond what is indicated."
2. Prior to final plat approval a plat note stating "there shall be no disturbance or development within 25 feet of the exterior boundary of the North Douglas PUD."
3. Prior to final plat approval a pedestrian access easement will be noted along the southeast boundary of Lot &A1.
4. Prior to the issuance of a grading permit the developer must submit a Temporary Erosion Control plan.
5. Re-vegetation of disturbed slopes shall be completed within three growing seasons.
6. Prior to the issuance of a grading permit the developer must identify location of at least three fire hydrants and whether the minimum flow of 2,500 GPM (GALLONS PER MINUTE) can be met. Alternatively, if the developer chooses to install a sprinkler system in each unit, which will be reviewed during the building permit review.
7. With the exception of parks and public trails, all development within this PUD must be setback from the exterior boundary of this development at least 25 feet.
8. Unless granted a Variance, the proposed driveway must be redesigned to avoid the 25 foot no development buffer.
9. The articles of incorporation and bylaws of the homeowners' association, required

under AS 34.08 or CBJ 49.15 Article VI, shall be prepared by a lawyer licensed to practice in the state.

10. The association documents shall specify how common facilities shall be operated and maintained. The documents shall require homeowners to pay periodic assessments for the operation, snow removal, maintenance and repair of common facilities. The documents shall require that the governing body of the association adequately maintain common facilities.

~~11. The homeowners' association shall annually retain a licensed engineer to inspect the private utility system and provide a report on its condition to the Engineering Department.~~

12. The project shall incorporate the BMPs from the Manual of Stormwater Best Management Practices, produced by the CBJ in partnership with the USF&WS, 2008.

This item is for a 12 unit planned development along the North Douglas Highway, said Ms. McNally. The proposed development is located about two miles on the North Douglas Highway from the Juneau Douglas bridge, she said. The site encompasses about 2.75 acres, said Ms. McNally. The minimum lot size for this type of development is three acres and since the developer owns the adjacent property he would add some of the adjoining property to meet the required three acres, said Ms. McNally, creating a total of 3.19 acres, she said.

According to Title 49, the Commission is asked to evaluate eight criteria for preliminary plan approval, said Ms. McNally. Of those eight criteria, the common driveway does encroach into the 25 foot buffer, said Ms. McNally. In order to maintain the necessary grade for the driveway, this was necessary for the applicant, so the Commission will see the applicant coming before it with a variance application, she said.

The units are roughly 2,300 square feet, with their own driveway and garage, said Ms. McNally. The units are proposed to be constructed with geothermal heating and a five star energy rating, she said. The 12 units would generate 115 average daily trips, said Ms. McNally.

The staff finds that the application is complete and that the use is appropriate according to the Planned Unit Development Plan approval, said Ms. McNally. The application met all the public notice requirements, and all other requirements for staff approval of the preliminary plan.

Ms. McNally recommended that Condition 11 be eliminated as being too restrictive.

Mr. Miller asked if the driveway to the development was part of the common space calculation.

Ms. McNally answered that it was not part of the common space calculation.

Mr. Watson asked if the pathway had a destination or if it simply ran into the ditch.

Ms. McNally did not mention that it had a specific destination.

Mr. Watson asked why the specification was made that the path ran from someplace to no

place, since the highway could not be accessed.

Ms. McNally replied that the path could be redesigned to follow the driveway but that it would still have to go through the lower lot.

Mr. Watson said he did not recall seeing all of the requirements listed in Title 49. He asked about their origin.

Those requirements were taken from the standard conditions for home owner associations, replied Ms. McNally.

Mr. Voelckers asked why a condition was not placed upon access and vehicular circulation since the 12% figure was higher than the Fire Department would customarily accept at 10 percent.

Without special exceptions the maximum is 10 percent, said Ms. McNally. The Fire Department allows the applicant to submit a code modification stating why that 10 percent figure cannot be met, she said. They are required to have three fire hydrants and that is a separate issue from the grade, said Ms. McNally.

Applicant

Chris Mertl of Corvus Design said they support the conditions as made by the staff as they move into the final permitting process.

Mr. Watson asked if this preliminary permit was approved by the Commission this evening when they anticipated they would be able to begin construction on the project.

Ideally, they would like to begin construction this spring, answered Mr. Mertl.

Mr. Voelckers asked if the applicant could elaborate on the site runoff conditions.

They are constructing a shot rock fill channel, responded Mr. Mertl. It would be the same amount of storm runoff that is currently going into the North Douglas system, he added.

Mr. Miller asked what comprised the square footage they used to determine the common area. Mr. Mertl responded that they did not use the roads to calculate that square footage. They used anything that would be green, open space to calculate open areas, he added.

Mr. Miller asked if they liked where they had installed their pedestrian access pathway.

Mr. Myrtle responded that they liked where they installed their pathway. They had it directed towards town, he said, and also in terms of accessing the open space it made the most sense, he said.

MOTION: *by Mr. Watson, to approve PDP2014 0001 and accept staff's findings and recommendations with the deletion of Number 11, and asked for unanimous consent.*

The motion passed by unanimous consent.

TXT2009 00001: Proposed amendments to Title 49 regarding subdivision requirements.
 Applicant: City and Borough of Juneau
 Location: Borough-wide

Staff Recommendation

Staff recommends that the Planning Commission forward proposed TXT2009-00001 to the Assembly with a recommendation for adoption.

Ms. Boyce told the Commission that at the last Committee of the Whole meeting regarding this Title 49 Subdivision Ordinance the staff was asked to withdraw the proposed change regarding Planning Commission meeting absences. That has subsequently been removed, said Ms. Boyce. That will go to the Title 49 Committee for further consideration, she said.

The staff was asked to clarify the proposed changes to Chapter 70 because they needed more work, she said. Those changes are now included, she said.

Mr. Haight said he felt this was at the point where it should be submitted to the Assembly for approval.

Public Comment

Ms. Gretchen Keiser said she lives in a rural, low density self-contained neighborhood near the end of North Douglas Highway. She said she would like the Commission to consider adding language to the current draft code that allows the Director to approve a privately maintained driveway with a private right-of-way or easement in circumstances which could be limited to driveways with historical uses as access, she suggested.

Her area of multi-acre lots would like a way to secure better access to their lots, she explained. In the letter she handed out to the Commission she also crafted draft language for the code for the Commission's consideration.

Commission Comments and Questions

Mr. Miller clarified that there is an easement shared by all of the lots that leads to the North Douglas Highway.

Mr. Voelckers noted in the Subdivision Ordinance in 49.15.410 he would like the new terms "access driveway" addressed that were serving 13 or fewer lots. He also noted that a few lines later there is a category that should simply be labeled "Design Criteria". Later on in 49.17.410 (B1) there remains the old number of eight lots which he said he believed needs to be raised to 13 lots to be consistent. He said he thought it had been discussed with Mr. Palmer that there was aspirational language that cul-de-sacs should be discouraged. He said that language remained in at least one section. He said he didn't know if that was intentional.

Mr. Voelckers said his final point was that he had asked a few weeks ago what the trigger mechanism was for the evolution of a budding driveway into a larger street. Mr. Voelckers read suggested language.

Chairman Satre asked Mr. Palmer if he had any problems with the with the language suggested by Mr. Voelckers regarding streets.

Mr. Palmer's said he felt the language was reasonable and should be recommended.

Chairman Satre said the assumption is that those changes recommended by Mr. Voelckers would be brought forward.

Regarding the issues raised by Ms. Keiser, Mr. Miller asked if there is a mechanism by which an easement can be turned into a right-of-way.

Mr. Palmer responded that the ultimate question before the Commission is whether or not the Commission wants to allow subdivisions that do not have access to a public right-of-way. Currently the code and the proposed code require that a lot abuts a public right-of-way, said Mr. Palmer. What Ms. Keiser is requesting is that either a public right-of-way be dedicated which would require a platting process, or would require a code change to allow for access to a privately maintained easement that then connects to a right-of-way, said Mr. Palmer.

When they were discussing Hidden Valley, said Mr. Haight, they were talking about property in a Remote subdivision area. This particular property is not, he said.

Ms. Boyce said that Ms. Keiser's property does not have water or sewer access.

While the Keiser property shares similar characteristics it is not in a declared Remote subdivision area as illustrated by the maps, said Mr. Haight. Mr. Haight said he liked the proposed language submitted by Ms. Keiser but that it needed to be vetted through the process. This issue could be addressed as a separate issue to the Assembly, said Mr. Haight.

Mr. Miller asked if when a public right-of-way was created, if public utilities needed to accompany that public right-of-way.

A public right-of-way does not require utilities, said Mr. Palmer.

MOTION: *by Mr. Haight, that the subdivision modifications to the code be moved to the Assembly for approval with the corrections discussed by the Commission this evening.*

The motion passed with no objection.

Chairman Satre said that it is a great credit to the members of the Subdivision Review Committee that after three years of work this is ready to be presented to the Assembly.

CSP2014 0020:	Planning Commission CIP project nomination.
Applicant:	City and Borough of Juneau
Location:	Borough-wide

Please review the list and provide suggestions you may have for projects to be included in the list.

Traffic at the roundabout and the Juneau Douglas bridge is getting to the point where it is time to seriously be considering a second Juneau Douglas crossing, said Mr. Haight. It is not something that can be moved forward quickly but it is time to be starting the process, he said.

Mr. Watson said there are at least two other access points onto Douglas Highway that the Borough needs to review. One of those access points is up off of Cordova Street and the other access point is off of Nowell Street on Douglas.

Ms. Lawfer said she concurred with both the comments Mr. Haight and Mr. Watson. She said she would like to see community planning along the nature of what happened in Auke Bay this year continue in another Juneau community next year.

X. **BOARD OF ADJUSTMENT** - None

XI. **OTHER BUSINESS** - None

XII. **DIRECTOR'S REPORT**

Auke Bay

There are some long discussions between the Auke Bay steering committee and the Department of Transportation on speed issues, said Mr. Hart. There are a lot of paths and trails coming from the center of the Brotherhood Bridge all the way to Auke Bay, said Mr. Hart. Six foot sidewalks will be in place, he said. There are also port and view protection issues, said Mr. Hart. The plan does attempt to address and mollify some of these issues, he said. The port is going to be adding a lot of fill which will change some views, he said.

Commission Training

Ms. McKibben said they have typically invited the City Attorney and the Clerk's office to do some training with the Planning Commission. They would like to set the date of January 27, (2015) for this training. This will be in the form of a Committee of the Whole meeting prior to the regular meeting.

Childcare Information

The staff was planning on presenting information requested by the Commission on child care at the January 13, (2015) meeting, said Ms. McKibben. Since then, proposed amendments on child care have been made to the Assembly, said Ms. McKibben. She said the Commission may end up with an ordinance to review instead. Ms. McKibben wanted to know if the Commission still wanted a white paper on the issue presented as well.

Chairman Satre said he would still like a reference as to what some other communities in Alaska are doing regarding child care to put the issue in perspective for Juneau.

Sign Enforcement Fees

Ms. McKibben said the Historical Resources Advisory Board would like to bring forward an amendment to Title 49 for fees associated with sign enforcement which is currently a \$25 fine.

Mr. Voelckers asked if there had been an analysis done expanding the historic criteria of buildings within the downtown district.

Ms. Boyce said the Historic Resources Advisory Committee has discussed this issue but has not formulated specific language. The Historic Resources Advisory Committee has applied for a grant from the State to update the Preservation Plan that has been in draft status since 1996. They have received a grant to work on the first phase of this plan, said Ms. Boyce, and they will be looking at these types of issues.

XIII. REPORT OF REGULAR AND SPECIAL COMMITTEES

Lands Committee

The Lands Committee met last night, said Ms. Lawfer. They moved the Mt. Roberts Tram lease amendment to the Assembly, as well as the ordinance proposals on changes to childcare, she said. There was also discussion on a motocross facility located above Lena, she said.

Public Works and Facilities Committee

The Public Works and Facilities Committee met on Monday, said Mr. Watson. They are going to be studying downtown parking management again, said Mr. Watson. That is a \$75,000 fund allocation to primarily be studying the kiosk system, he said.

XIV. PLANNING COMMISSION COMMENTS AND QUESTIONS

Mr. Miller said he was reminded during their tour of the Walter Sobeloff building this evening that in order for that building to be constructed that several variances were required. The building speaks for itself, said Mr. Miller.

Mr. Miller said he is absolutely amazed at the amount of work done on the subdivision ordinance passed on to the Assembly this evening. He said there is still work to be done; a little work in the bungalow housing area and perhaps a total rewrite in the cottage housing area. Tonight's PUD was the first one done in eight years, said Mr. Miller. It is a good tool if used in the right situation, said Mr. Miller.

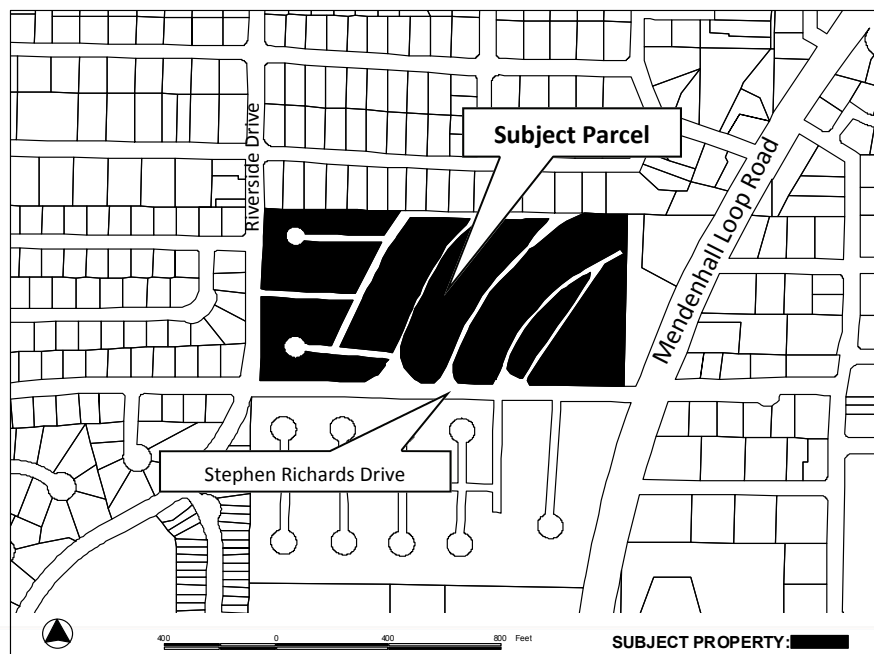
Ms. Lawfer said this will be her last Planning Commission meeting. She said she will attend the Committee of the Whole Meeting next week.

XV. ADJOURNMENT

The meeting was adjourned at 9:50 p.m.



NOTICE OF PUBLIC HEARING



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

SHIP TO:



PROPOSAL: USE2014 0016: Conditional Use for expansion/alteration of Glacier View Mobile Home Park.

VAR2014 0026: A Variance request to the dimensional requirements for two mobile home spaces.

** A Variance request could include the elimination of all dimensional standards.

File No:	USE2014 0016 & VAR2014 0026	Applicant:	Wright Services
To:	Adjacent Property Owners	Property PCN:	5-B21-0-129-000-0
Hearing Date:	January 13, 2015	Owner:	Myron Klein
Hearing Time:	7:00 PM	Size:	17.99 Acres
Place:	Assembly Chambers	Zoned:	D-15
	Municipal Building	Site Address:	9550 Stephen Richards Memorial Dr.
	155 South Seward Street	Accessed Via:	Stephen Richards Memorial Dr.
	Juneau, Alaska 99801		

PROPERTY OWNERS PLEASE NOTE:

You are invited to attend this Public Hearing and present oral testimony. The Planning Commission will also consider written testimony. You are encouraged to submit written material to the Community Development Department 14 days prior to the Public Hearing. Materials received by this deadline are included in the information packet given to the Planning Commission a week before the Public Hearing. Written material received after the deadline will be provided to the Planning Commission at the Public Hearing.

If you have questions, please contact Beth McKibben at beth.mckibben@juneau.org or at 586-0465.



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



Community Development

City & Borough of Juneau • Community Development
 155 S. Seward Street • Juneau, AK 99801
 (907) 586-0715 Phone • (907) 586-4529 Fax

From: Beth McKibben, Planner *BMM*
 Community Development Department

To: Planning Commission

File No.: USE2014 0016

Date: January 8, 2015

Proposal: A Conditional Use Permit to modify and expand Glacierview Mobile Home Park.

Applicant: Kyle Eyre

Property Owner: Myron Klein, Wright Services

Property Address: 9950 Stephen Richards Drive

Legal Description: USS 2486 Field Acres Block A FR

Parcel Code Number: 5-B21-0-129-000-0

Site Size: 17.99 acres

Comprehensive Plan Future Land Use Designation: MDR (map G)

Zoning: D-15

Utilities: City water & sewer

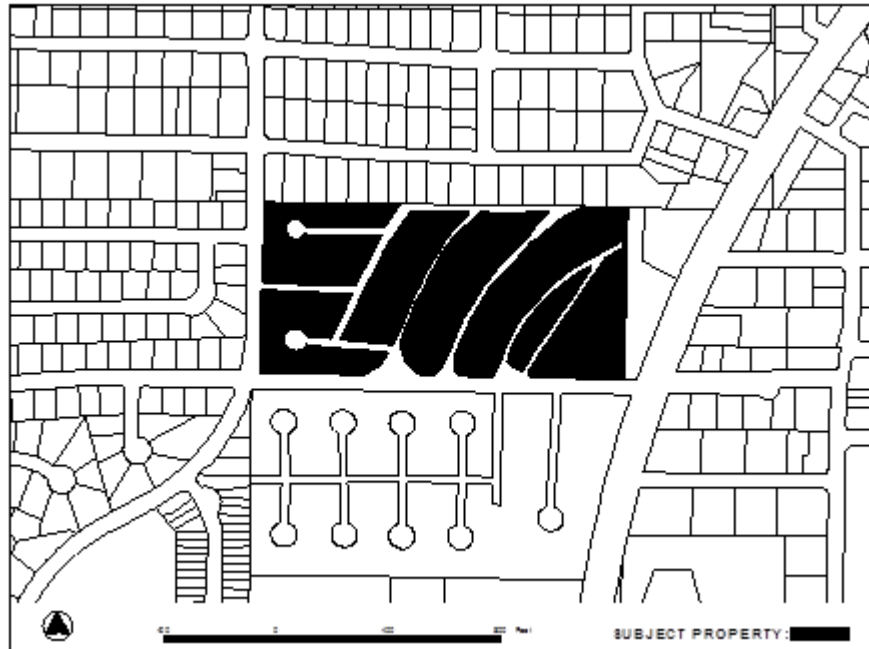
Access: Stephen Richards Drive/Riverside Drive

Existing Land Use: 129 space (approved) mobile home park

Surrounding Land Use:

North	- (D5) single family/duplex
South	- (D15) Sprucewood Mobile Home Park
East	- (D5) single family/duplex
West	- (D5) single family/duplex

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 File No.: USE2014 0016
 January 8, 2015
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ATTACHMENTS

- A – email from Rachel Myron
- B – email from Dave Crabtree, CBJ Utilities
- C – email from Ron King, CBJ Engineering
- D – email from Greg Chaney, CBJ Lands
- E – email from Darrell Wetherall, AELP
- F – Ordinance 70-28

PROJECT DESCRIPTION

The applicant requests a Conditional Use Permit to expand and modify Glaciereview Mobile Home Park. The proposed changes are described in detail in the analysis section of this report.

BACKGROUND

Glaciereview Mobile Home Park was originally developed some time before 1971, prior to adoption of the mobile home standards and Conditional Use Permit requirement. In 1971 CU8-71 was

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submitted and appears to have been approved, allowing the expansion of the Glacierview Mobile Home Park by 18 spaces. Documents indicate that prior to the approved expansion there were 55 spaces. In 1977 CU13-77 was approved to allow for a second expansion of the park allowing 56 additional spaces. There were several conditions of approval:

- Dimensions of each lot (mobile home space) be shown on the plans;
- Plans for location and distribution of electrical systems be shown;
- Plans showing the maximum size of mobile homes that can be placed on each lot; and,
- That occupancy of the proposed expansion not be allowed until landscaping or fencing has been installed along Stephan Richards Drive and Riverside Drive to the satisfaction of the Commission.

In total 129 of the mobile home spaces have been approved. Over the course of time building permits have been issued for homes that have been located on spaces that were not permitted. Furthermore, some homes had been placed on site differently than what had been approved.

The applicant, the current manager, wishes to bring the mobile home park into compliance, correcting these oversights as well as having some new spaces approved.

Public Comments

At the time of the writing of this staff report, one email had been received (attachment A). The email identifies concerns with the water pressure. CDD staff did receive four phone calls from residents of Glacierview Mobile Home Park, all seeking clarification about the application.

Agency Comments

Staff solicited input from various agencies, both within CBJ and outside. The comments received are as follows:

CBJ Utilities – application indicates park is on well and this is incorrect. The park is served by City water. CBJ Utilities requests an updated unit count served.

CBJ General Engineering – drainage is deficient and allowing more trailers does not make sense.

CBJ Lands – No comments, questions whether new spaces will respect park setbacks.

AELP – all secondary voltage conductors and poles inside the park are maintained and owned by the park.

ANALYSIS

CBJ 49.65.310 establishes standards for mobile home parks. It also exempts mobile home parks existing on September 5, 1981 from the provisions of subsections (b)(2)-(5), except that if expanded the entire park shall be made to substantially conform with the requirements for new

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parks except those establishing street width and space layout. The code is not clear as to what “space layout” means. CBJ 49.65.310(b)(1)(D) establishes standards for mobile home lots within mobile home parks, creating minimum lot size, establishing maximum lot coverage and separation requirements between mobile homes, and restricts the use of a mobile home lot to no more than one mobile home. There is no section of CBJ 49.65.310 that specifically states “space layout” meaning it is not clear which space layout requirements do not apply to pre-1981 mobile home parks. Prior to 1987 the zoning code did not have a minimum lot size for mobile home lots. Instead there were design requirements that required lots within mobile home parks to be of sufficient size to allow the following setbacks:

- o Front yard 10 feet
- o Rear yard 10 feet
- o A minimum of 15 feet side yard shall be maintained between mobile homes including wannigans and other structures on the lot. No structures may be located in any yard.

Project Site - The site is 17.99 acres and is zoned D-15. It is primarily flat. Access is from Stephen Richards Drive and Riverside Drive.

Project Design – As mentioned above, 129 spaces have been permitted over the years for Glacerveiw Mobile Home Park. However, more than 129 mobile homes have been placed in the park. The maximum number of mobile home spaces the applicant would like permitted is 139. In the spring of 2014 CDD staff conducted a site visit and counted 133 mobile homes in the park.

Below is a summary of the proposal:

- Previously permitted space 63 would become playground space. Site circulation was changed since this site was originally permitted and it is no longer viable as a mobile home space. It will provide 2,500 square feet of playground space.
- Playground space adjacent to space 88 and 89 will be converted to two mobile home park spaces. Space 88B will be 4,050 square feet (45x90) and 89A will have 3,600 square feet in area (40x90) both of which meet the minimum space requirement of 3,000 square feet for a single wide mobile home. Neither is large enough to permit a double wide mobile home. In order to comply with the requirement of CBJ 49.65.310(b)(1)(C) staff recommends the following condition: *mobile homes on space 88B and 89A shall have a setback from the exterior lot line of 15 feet.*
- Adjacent to space 77 is a playground space. The mobile home on space 77 is placed at an angle and uses a portion of the playground space. The applicant proposes to convert the playground space to a 3,000 square foot mobile home space 77B. The owner of the mobile home on current space 77 will have the option to rent 77B at a reduced rate or move the mobile home to be completely on space 77. At which time a new single wide mobile home could be placed on new space 77B.
- Current space 44 is 80 feet wide. It is adjacent to a 48 foot wide playground, part of which is encumbered by a driveway to access what is referred to as space 43-1. The applicant

proposes to reduce the playground to 28 feet wide (28x92) or 2,548 square feet. The remaining 20 feet would be combined with 46 feet from current space 44, creating new space 44B (4,232 square feet). Space 44 would be reduced in size to become 34 feet wide, with a total area of 3,128 square feet. The width of space 44B and the playground could be adjusted. *However, in no case can either space be less than 3,000 square feet in area. Furthermore, in no case can the playground be reduced to be less than 2,500 square feet in area (CBJ 49.65.310(b)(3)).*

- Space 43 has two mobile homes on site. This is prohibited by CBJ 49.65.310(b)(1)(D)(i). Furthermore, at no time did these homes meet the pre-1987 design requirements for mobile homes. The applicant's narrative indicates the condition of the homes is poor. *When the homes are removed a single mobile home will be placed on space 43 to be in compliance with both the requirements of minimum lot area per mobile home and no more than one mobile home per space.*
- Space 70 is 4,576 square feet in area (52x88). When CU8-71 was approved this was a street. At some point the internal circulation of the park was changed and this was converted to a space. By including it now it will be a properly permitted space and will be able to continue housing a mobile home.
- Space 29 held a pump house that was removed and a mobile home placed. It is 3,996 square feet in area (54x74). By including it now it will be a properly permitted space and will be able to continue housing a mobile home.
- Adjacent to space 29 is a "pump house" that now serves as a storage building. It is in poor condition and its useful life is limited. This space would become mobile home space 29B, with 3,108 square feet (42x74).
- Adjacent to what will become space 29B is a mobile home that was placed at some time in the past. This has been called space 29A. This space is 3,108 square feet (42x74). By including it now it will become a properly permitted space and continue housing a mobile home.
- Spaces 110, 111 and 112 have been in existence for some time, but were never included in the approval of CU13-77. CU13-77 shows one large oversized lot 30. The building files clearly indicate mobile homes were in place on these sites before 1985. From reviewing the building permit files it appears that the placement of three homes were permitted in accordance with the design requirements that were in place prior to the adoption of the 1987 zoning code. They do not meet the current minimum lot size requirement, but would have met the requirements in place when the park was approved. The lots are 2,250, 2,250 and 2,500 square feet in area. Staff recommends they be acknowledged as mobile home spaces.
- Spaces 26-1, 26-2, 27-1 and 27-2 are located in the portion of Glacierview that was in place prior to the approval of CU8-71. There is a shared driveway located between 26-1 & 2 and 27-1 & 2. Building permit files indicate homes have been located on these sites for many years. From reviewing the building permit files it appears that the placement the four homes were permitted in accordance with the design requirements that were in effect

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prior to the adoption of the 1987 zoning code. They do not meet the current minimum lot size requirement, but would have met the requirements in place when the park was approved. The lots are 2,072 square feet in area. Staff recommends they be acknowledged as mobile home spaces.

CBJ 49.65.310(b)(3) requires a minimum of 200 square feet of playground in the mobile home park for each mobile home space. A mobile home park of 139 spaces requires 27,800 square feet. According to the applicant there is currently more than 30,000 square feet of "playground area." However, the playground spaces are not developed with equipment. The code does not specify how the playgrounds should be developed. Neither CU8-71 or CU13-77 have conditions specifying how the playgrounds must be developed. CBJ 49.65.310(b)(3)) does require that each playground space must have a minimum area of 2,500 square feet. All existing playground spaces meet this requirement. Proposed new playground spaces, and proposed modifications to existing playground space will also meet this minimum requirement.

According to the site plan submitted, the new mobile home spaces will meet the dimensional standards required by CBJ 49.65.310 (b)(1)(D)(ii) with the exception of spaces 26-1, 26-2, 27-1, 27-2, 110, 111 and 112. As mentioned above, staff recommends these sites be acknowledged as mobile home sites as they were developed in accordance with the requirements that were in place prior to 1987. With the exception of these lots, all other mobile home lots discussed will meet the minimum lot size requirement of the current zoning ordinance. The requirements for separation of mobile homes and maximum lot coverage will be evaluated when building permits are applied for prior to locating mobile homes in these spaces. There are no transient camper spaces or sales lots in Glacierview and therefore these standards are not applicable. Sales lots are for where unoccupied trailers are displayed for sale.

Traffic - The proposed expansion of the mobile home park will not have a significant impact to traffic in the mobile home park or the neighborhood surrounding it. There will not be any changes to internal circulation or access to and from the park and the increase in spaces is minimal.

Parking and Circulation - No changes are proposed to circulation within the mobile home park. No concerns were raised by the Fire Marshall. These lots provide sufficient area for the required off street parking requirements per CBJ 49.65.310(b)(2)(C), which is two per dwelling unit.

Noise - Noise is not expected to be of concern with proposed expansion within the existing mobile home park.

Public Health or Safety Adding mobile home spaces to a developed mobile home park will provide opportunity for new affordable housing units, which also benefits public health and safety. Furthermore, properly permitted existing spaces will also benefit public health and safety.

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Property Value or Neighborhood Harmony - All proposed new spaces are within the existing mobile home park. They are in harmony with the surrounding neighborhood. Most of the screening required with CU13-77 is in place. However, recently the space that abuts the intersection of Stephen Richards and Riverside removed both a fence and a significant amount of vegetation and is no longer screened. *Staff recommends that screening be re-established within 24 months of approval of this conditional use permit.*

Conformity With Adopted Plans - Chapter 4 of the 2013 Comprehensive Plan addresses Housing. Policy 4.1 states:

"To facilitate the provision and maintenance of safe, sanitary and affordable housing for CBJ residents."

Policy 4.2 states:

"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."

Expanding an existing mobile home park implements these two policies.

49.70.900-49.70.1097 COASTAL DEVELOPMENT, HABITAT, AND WETLANDS

Not applicable.

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

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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. We find 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 1.820 for the D-15 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 January 2, 2015 and January 12, 2015 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public Right of Way.

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

No. Based on the above analysis the proposed development, with conditions, will enhance the public health and safety.

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

No. Based on the above analysis the use will maintain 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.

7. Will the proposed development comply with the Alaska Coastal Management Program?

Not applicable.

RECOMMENDATION

Staff recommends that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use Permit to modify and expand Glacierview Mobile Home Park to remove space 63, add spaces 26-1, 26-2, 27-1, 27-2, 29, 29A, 29B, 88B, 89A, 77B, 44B, 70, 29B, 110, 111 and 112. Staff further recommends the following conditions:

1. For proposed modifications to space 44B in no case can either space 44 or 44B be less than 3,000 square feet in area. Furthermore, in no case can the playground be reduced to be less than 2,500 square feet in area (CBJ 49.65.310(b)(3)). These dimensions must be verified prior to the issuance of a building permit to locate a mobile home on space 44B.
2. Space 43 will be returned to one single wide mobile home space, in compliance with the approved plans and CBJ 49.65.310 when the existing homes are beyond their useful life and removed from the park.
3. Mobile homes placed on space 88B and 89A will maintain a minimum setback of 15 feet from the exterior lot line of the mobile home park. The setback shall be verified prior to the issuance of temporary certificates of occupancy for homes placed on these lots.
4. Screening from Riverside Drive and Stephen Richards Drive shall be re-established for space 108 within 24 months of approval of this Conditional Use Permit.
5. Provide CDD with an updated site plan of the mobile home park, showing
 - a. All sites as approved and numbered;
 - b. Dimensions of each mobile home site; and,
 - c. Location and dimensions of each playground space

Advisory Condition

1. Provide CJB Utilities an updated count as to how many mobile homes are served by city water.

COMPLETED BY THE APPLICANT

Page 1 of 2

DEVELOPMENT PERMIT APPLICATION

Packet Page 29 of 77

Project Number	CITY and BOROUGH of JUNEAU	Date Received:
Project Name (City Staff to Assign Name)		
Project Description		
PROPERTY LOCATION		
Street Address 9950 STEPHEN RICHARDS	City/Zip JUNEAU AK 99801	
Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot)		
Assessor's Parcel Number(s) 5B2101290000		
LANDOWNER/ LESSEE		
Property Owner's Name Wright SERVICES	Contact Person: Kyle Eyre	Work Phone: 209-0019
Mailing Address 5454 Shame Drive	Home Phone:	Fax Number:
E-mail Address	Other Contact Phone Number(s):	
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 Myron H. Klein	Oct. 30, 2014	
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 SAME	Contact Person:	Work Phone:
Mailing Address	Home Phone:	Fax Number:
E-mail Address eco soils@hotmail.com	Other Contact Phone Number(s):	
X		
Applicant's Signature	Date of Application	

OFFICE USE ONLY BELOW THIS LINE						
STAFF APPROVALS	☒	Permit Type	Revision	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)		10/30	USE 14-046	
		Variance Case (De Minimis and all other Variance case types)		10/30	VAR 14-026	
		Wetlands Permits				
		Zone Change Application				
		Other (Describe)				
	***Public Notice Sign Form filled out and in the file.					
	Comments:					Permit Intake Initials TC

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

Submittal Requirements Responses

- A. The area and dimensions of the whole parcel are shown on US Survey Plat NO. 3144.
- B. The number, location and size of all lots with the required yard setbacks are shown on the plat.
- C. Water and sewer lines are shown on the plat.
- D. We ask that the lot lines be established prior to buildings being placed. Once the lot lines have been established, adequate setbacks can be followed.
- E. Arrow Refuse is the local company which provides refuse service. Residents are required to establish service agreements with Arrow Refuse.
- F. Electrical lines are shown on the plat.
- G. Heating fuel containers will be placed according to the limitations of each of the buildings, and will be shown on the individual home plats which will be submitted during the building permit application.
- H. Location and size of playground areas are shown on existing submitted plats.

RECEIVED
OCT 30 2014
PERMIT CENTER/CDD

Narrative

Allowable Conditional Use Permit

Members of the CBJ Planning Commission,

On October 30th, 2014 a application to renew / acquire a conditional use permit was received by the CBJ Permit Center from Wright Services. We are in the process of installing several new spaces within the confines of the existing mobile home park. Currently 142 spaces is allowed within the park and there are currently 136 units installed. Over the years and several different owners some homes have been installed that may have been inappropriately permitted or installed. Years have taken its toll on some of these structures and Wright services are working diligently to bring the park into compliance with the CBJ standards.

These proposed changes will be taken in turn below. This request is simply for the installation of rearranged spaces within the confines of the existing mobile home park. Separate permits will be applied for upon installation of new homes.

- Adjacent to lot 64 is a small parcel that is already an existing space. This space will remain unused and left as play area. Play area will be taken from across the street and a new space will be installed and listed as 88B. The area of this new space is 4050 Sq. Feet. (45'X90') This nspace is listed as existing on the 1977 plat on file with the CBJ.
- Directly behind the new space 88B will be a new space installed that will be listed as 89A. The area of this new space is 3600 Sq. Feet. (40'X90')
- Currently on lot 77 is a mobile home that is setting across two lots and it is our intent to move the home to set on its own lot or allow the owner of the mobile home to rent the second lot at a reduced rate. If the owner wants to move the home we will install a new space and list it as Lot 77B. The area of this new space would be 3000 Sq. Feet.
- The play area adjacent to lot 44 has all the utilities on it for a space. This will be considered a new space listed as 44A. The area of this space is 3600 Sq. Feet. (40'X90')
- Currently lot 43 has two mobile homes setting on the space sideways. The condition of the homes is poor and it is not anticipated that the homes have a long life ahead of them. As they are removed new homes will be installed in a manner that brings the space into compliance with CBJ standards.
- Adjacent to space 29 is a "pump house" that eventually will be disposed of and a home will be installed creating a new space listed as 29B. the area of this space will be 3600 Sq. Feet (40'X90')

This is currently the scope of work to be performed. Any additional adjustments will be done by addendum to the permit upon approval from the CBJ planning commission. Thank You for your time.

RECEIVED

DEC 08 2014

PERMIT CENTER/CDD

FILE NO. _____

DATE OF APPLICATION _____

RECEIPT NO. _____ FEE _____

DATE OF HEARING _____

Existing Zone

PROPOSED CONDITIONAL USE

RML

Mobile Home Park

NAME OF APPLICANT Glacierview Trailer Court Inc.PHONE 789-9115ADDRESS Route 6 Box 4104 Juneau, Alaska 99803WHO HOLDS TITLE TO THE PROPERTY? Applicant

IF YOU DO NOT HOLD TITLE TO THE PROPERTY, WHAT IS YOUR INTEREST? _____

LOCATION OF THE PROPERTY

House Number

Street

City

U.S. SURVEY NO. 2486 SUBDIVISION _____

LOT _____ BLOCK _____ RESOLUTION NO. _____

DIMENSIONS OF PROPERTY: WIDTH 625 LENGTH 500 TOTAL SQ. FT. 312500STATE SPECIFIC CONDITIONAL USE Extension of existing mobile home park (57 additional spaces).

NUMBER OF PEOPLE TO USE WATER & SANITARY FACILITIES 200 +SOURCE OF WATER WellSQUARE FEET DRAINAGE AREA AVAILABLE Not applicable - public sewer.TYPE OF EXISTING STRUCTURES None

SIZE OF EXISTING STRUCTURES: WIDTH _____ LENGTH _____

T() SQUARE FEET _____

USE OF EXISTING STRUCTURES: _____

TYPE OF PROPOSED STRUCTURES: 1 mobile home per lot.

SIZE OF PROPOSED STRUCTURES: _____ WIDTH _____ LENGTH _____ TOTAL SQ. FT. _____

USE OF PROPOSED STRUCTURES _____

FUTURE EXPANSIONS PLANS _____

PARKING PROVISIONS: SQ. FT. AVAILABLE _____

PROPOSED CONDITIONS OF PARKING AREA: GRAVELED _____ PAVED _____

DATE _____ STAFF: _____



 SIGNATURE OF APPLICANT

DATE OF PLANNING COMMISSION MEETING _____

RECEIVED

OCT 30 2014

PERMIT CENTER/CDD

NO. 3144
LU-RE-CO SUB

SEWER

POWER

WATER

U.S. SURVEY NO. 3144
LU-RE-CO SUB.

North

MOBILE HOME PLACEMENT SCHEDULE

LOT NO.	MAX. MOBILE HOME
1 THRU 7	24' 65" OR 144' 65"
8	24' x 60' OR 14' x 60'
9	24' x 70' - 14' x 70'
10	24' x 60' - 14' x 70'
11 THRU 20	24' x 70' - 14' x 70'
21	24' x 65" - 14' x 70'
22	24' x 70' - 14' x 70'
23	24' x 70' - 14' x 70'
24 THRU 29	24' x 70' - 14' x 70'
30	24' x 70' - 14' x 70'
31	24' x 70' - 14' x 70'
32	24' x 70' - 14' x 70'
33	24' x 70' - 14' x 70'
34	24' x 70' - 14' x 70'
35 THRU 56	24' x 70' - 14' x 70'

U.S. SURVEY NO. 4598

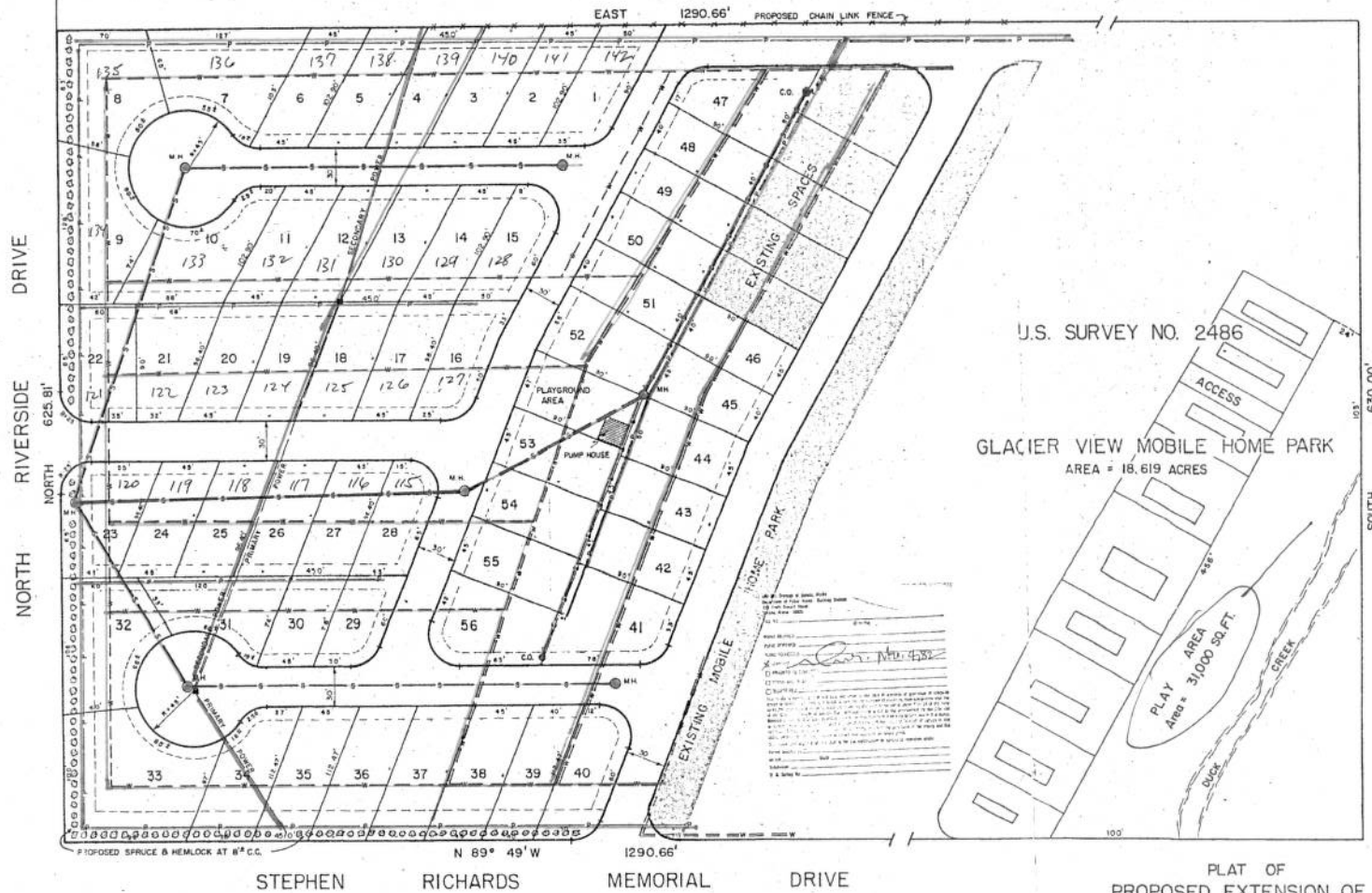
LEGEND:

- EXISTING WATERLINE
- PROPOSED WATERLINE
- EXISTING SEWER
- PROPOSED SEWER
- EXISTING POWER
- PROPOSED POWER
- SETBACK LINE
- MANHOLE
- CLEANOUT
- PRIMARY POWER TRANSFORMER BY A.E.L. S.F.C.O.

PERMIT CENTER/CDD

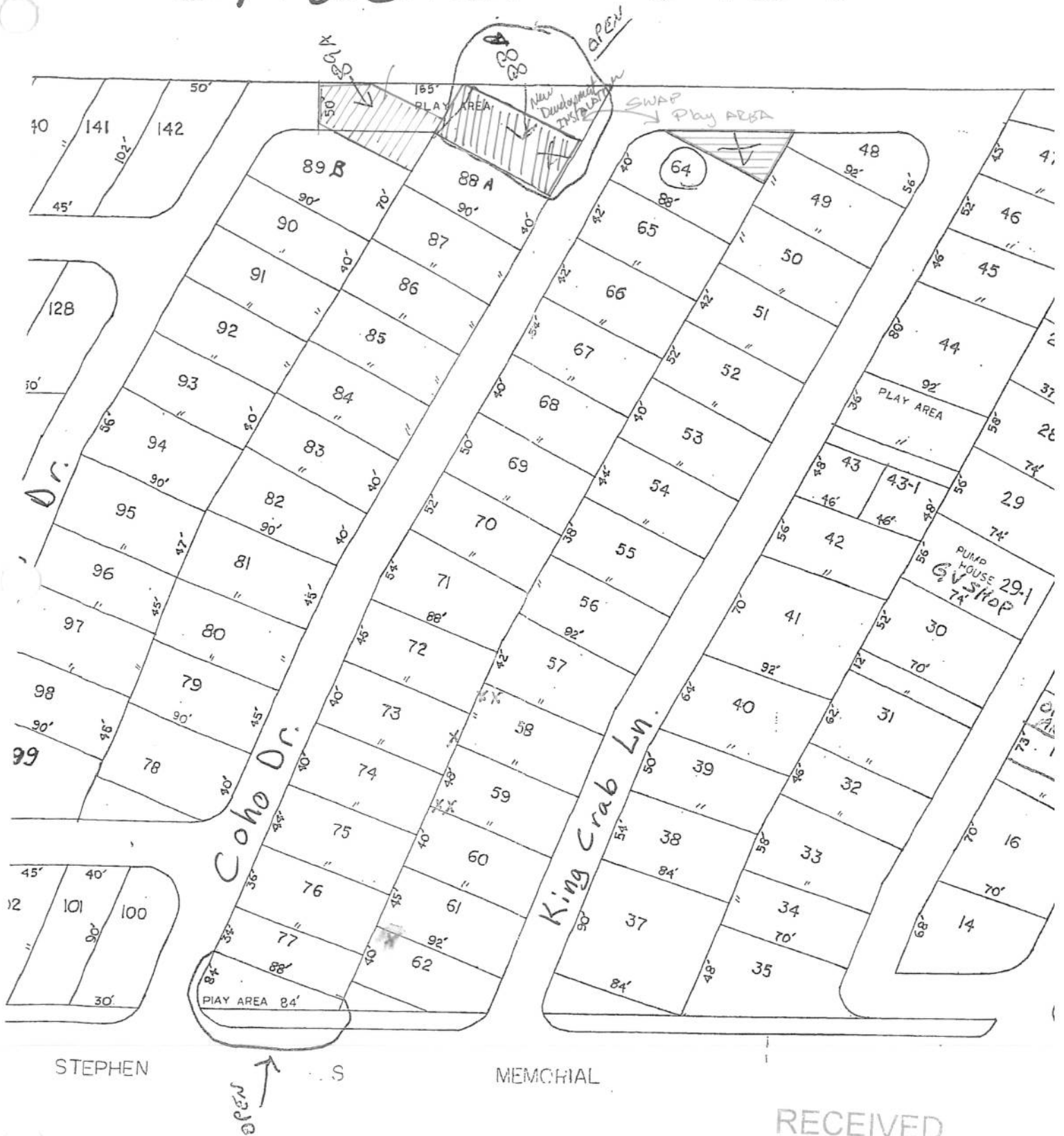
OCT 30 2014

RECEIVED



PLAT OF
PROPOSED EXTENSION OF
GLACIER VIEW MOBILE HOME PARK
U.S. SURVEY NO. 2486
JUNEAU - ALASKA

Glacier View Park



RECEIVED
CLEAN OUTS = X
OCT 30 2014
PERMIT CENTER/CDD

View Park



MEMORIAL

Cleanouts = X

RECEIVED

OCT 30 2014

PERMIT CENTER/CDD

Response to January 5, 2015 Email

Space

- Number: 44 The play area adjacent to space number 44 is approximately 30' X 92' = 2760 sq ft
- 47A Is on a lot that measures 40' X 92' = 3680 sq ft.
- 63 Is an angular lot with approximately 3496 sq ft.
- 70 The lot size is approximately 45' X 92' = 4140 sq ft.
- 77 The total size of the lot is 135' X 92'. The mobile home can be repositioned onto a 45' X 92', leaving a 90' X 92' = play area.
- 110 The lot size is approximately 45' X 50' = 2250 sq ft.
- 112 The lot size is approximately 45' X 60' = 2700 sq ft.

3. That certain easement, including the terms and provisions thereof, in favor of State of Alaska for drainage facilities created by instrument recorded January 12, 1977, in Book 128 at Page 749.
71, 1970 in Deed Book 49 at Page 481.

Packet Page 37 of 77



GLACIER VIEW MOUNTAIN VIEW PARK
3555 MENDEHALL LOOP ROAD
JUNEAU ALASKA 99801
(907) 788-2627

RECEIVED
OCT 30 2014
PERMIT CENTER/CDD

1-27 1961 x 57-75 1971 x (418)
28-50 1965 x 76-102 1974 x (+77)
6942 1971-74 - Avenues side

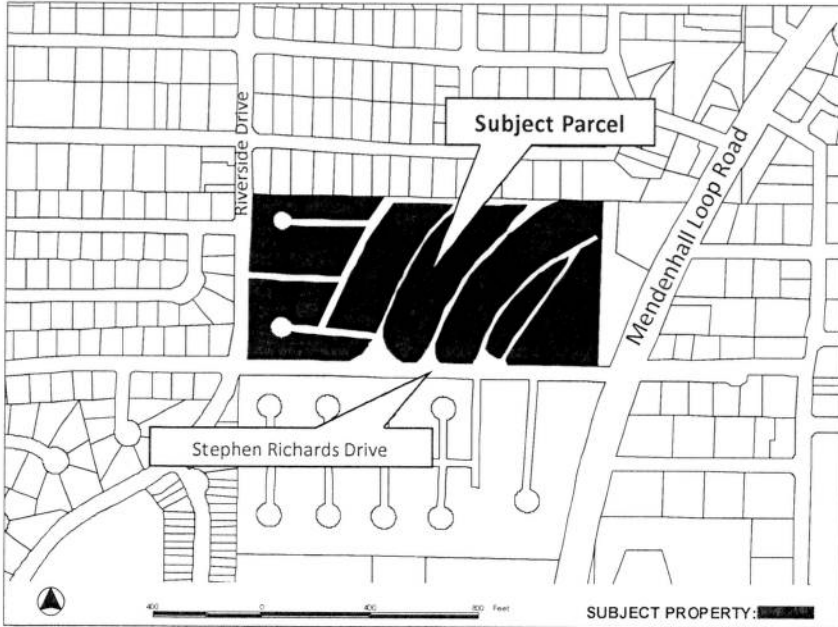
35

1969-50

5-D-1-0-121

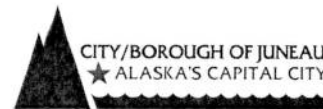


NOTICE OF PUBLIC HEARING



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

SHIP TO:



PROPOSAL: USE2014 0016: Conditional Use for expansion/alteration of Glacier View Mobile Home Park.

VAR2014 0026: A Variance request to the dimensional requirements for two mobile home spaces.

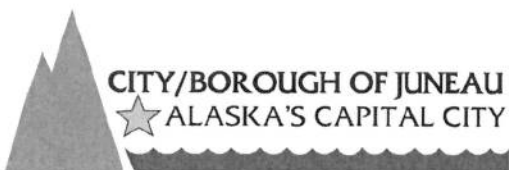
** A Variance request could include the elimination of all dimensional standards.

File No:	USE2014 0016 & VAR2014 0026	Applicant:	Wright Services
To:	Adjacent Property Owners	Property PCN:	5-B21-0-129-000-0
Hearing Date:	January 13, 2015	Owner:	Myron Klein
Hearing Time:	7:00 PM	Size:	17.99 Acres
Place:	Assembly Chambers	Zoned:	D-15
	Municipal Building	Site Address:	9550 Stephen Richards Memorial Dr.
	155 South Seward Street	Accessed Via:	Stephen Richards Memorial Dr.
	Juneau, Alaska 99801		

PROPERTY OWNERS PLEASE NOTE:

You are invited to attend this Public Hearing and present oral testimony. The Planning Commission will also consider written testimony. You are encouraged to submit written material to the Community Development Department 14 days prior to the Public Hearing. Materials received by this deadline are included in the information packet given to the Planning Commission a week before the Public Hearing. Written material received after the deadline will be provided to the Planning Commission at the Public Hearing.

If you have questions, please contact Beth McKibben at beth.mckibben@juneau.org or at 586-0465.



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

Date notice was printed: December 15, 2014

Beth McKibben

From: Steve Lewis and/or Rachel Myron <tenakeetwo@yahoo.com>
Sent: Monday, December 29, 2014 10:21 PM
To: Beth McKibben
Subject: Re: Glacierview Mobile Home Park

Dear Ms. McKibben,

Thank you for forwarding the two documents regarding Glacier View Trailer Park to me. I applaud the applicant, Myron Klein, for his concern regarding affordable housing in Juneau. It is rare. And much needed.

There is one specific limiting factor that I would hope could be considered. And that is that water pressure in the court - particularly as I know it in the Duck Creek Loop - is marginal at best. I can imagine that additional homes in the park will put a further strain on an already marginal system, and I do hope the Planning Commission, the council and the property owner will give that due consideration.

Thank you for the opportunity to comment,
 Rachel Myron

From: Beth McKibben <Beth.McKibben@juneau.org>
To: "'tenakeetwo@yahoo.com'" <tenakeetwo@yahoo.com>
Sent: Monday, December 22, 2014 4:45 PM
Subject: FW: Glacierview Mobile Home Park

Beth McKibben, AICP
 Senior Planner, CDD
 City & Borough of Juneau
 907.586.0465



Please consider the environment before printing this email.

From: Beth McKibben
Sent: Monday, December 22, 2014 4:42 PM
To: 'tenakeetwo@yahoo.com'
Subject: Glacierview Mobile Home Park

Beth McKibben, AICP
 Senior Planner, CDD
 City & Borough of Juneau
 907.586.0465



Please consider the environment before printing this email.

Attachment A

Beth McKibben

From: Dave Crabtree
Sent: Monday, November 17, 2014 4:12 PM
To: Beth McKibben
Subject: RE: Review Requested USE 2014 0016 & VAR2014 0026

Hi Beth,

Page 4 states that they are on well water which is not correct, they are on CBJ water.

The CBJ Utilities would like to request an updated count on units served from the park owner once this is either approved or denied

Thank you,

David Crabtree
Utility Superintendent
CBJ Water Utility
Phone 907-780-6888
Fax 907-780-4637

From: Beth McKibben
Sent: Monday, November 17, 2014 4:00 PM
To: Dan Jager; Ron King; Charlie Ford; Brent Fischer; Kyan Reeve; Ed Foster; Dave Crabtree; Samantha Stoughtenger; Page W. Decker; Patricia deLaBruere; Heidemann, Marie E (DOT) (marie.heidemann@alaska.gov); Darrell Wetherall (Darrell.Wetherall@aelp.com); eric.eriksen@aelp.com
Subject: Review Requested USE 2014 0016 & VAR2014 0026

Hello all

Please find attached the applications for a conditional use permit and a variance request.

The conditional use permit is to modify and expand a CU for a mobile home park – Glacierview Mobile Home Park
The associated variance is allow for mobile home spaces that smaller than what is currently allowed

Please return any comments or concerns you have by the end of the day Monday December 1, 2014.

Thanks

Beth McKibben, AICP
Senior Planner, CDD
City & Borough of Juneau
907.586.0465

Attachment B

Beth McKibben

From: Ron King
Sent: Monday, November 17, 2014 4:15 PM
To: Beth McKibben; Dan Jager; Charlie Ford; Brent Fischer; Ed Foster; Dave Crabtree; Samantha Stoughtenger
Subject: RE: Review Requested USE 2014 0016 & VAR2014 0026

The drainage in this trailer park is deficient. Does not make sense to allow more trailers when the surface drainage is very poor.

Ron King PLS

General Engineering
907-586-0881

Please note new email address

ron.king@juneau.org

From: Beth McKibben
Sent: Monday, November 17, 2014 4:00 PM
To: Dan Jager; Ron King; Charlie Ford; Brent Fischer; Kyan Reeve; Ed Foster; Dave Crabtree; Samantha Stoughtenger; Page W. Decker; Patricia deLaBruere; Heidemann, Marie E (DOT) (marie.heidemann@alaska.gov); Darrell Wetherall (Darrell.Wetherall@aelp.com); eric.eriksen@aelp.com
Subject: Review Requested USE 2014 0016 & VAR2014 0026

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Thanks

Beth McKibben, AICP
Senior Planner, CDD
City & Borough of Juneau
907.586.0465



Please consider the environment before printing this email.

Beth McKibben

From: Greg Chaney
Sent: Tuesday, November 18, 2014 5:57 PM
To: Beth McKibben
Subject: RE: Review Requested USE 2014 0016 & VAR2014 0026

Hi Beth,

The Lands and Resources Division has no comments related to the proposed expansion of this mobile home park.

I couldn't figure out if the new spaces were in compliance with the mobile home park perimeter setback requirement.

Cheers,

- Greg

From: Beth McKibben
Sent: Monday, November 17, 2014 4:03 PM
To: Greg Chaney
Subject: FW: Review Requested USE 2014 0016 & VAR2014 0026

Beth McKibben, AICP
Senior Planner, CDD
City & Borough of Juneau
907.586.0465



Please consider the environment before printing this email.

From: Beth McKibben
Sent: Monday, November 17, 2014 4:00 PM
To: Dan Jager; Ron King; Charlie Ford; Brent Fischer; Kyan Reeve; Ed Foster; Dave Crabtree; Samantha Stoughtenger; Page W. Decker; Patricia deLaBruere; Heidemann, Marie E (DOT) (marie.heidemann@alaska.gov); Darrell Wetherall (Darrell.Wetherall@aelp.com); eric.eriksen@aelp.com
Subject: Review Requested USE 2014 0016 & VAR2014 0026

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Please return any comments or concerns you have by the end of the day Monday December 1, 2014.

Thanks

Beth McKibben, AICP
Senior Planner, CDD
City & Borough of Juneau
907.586.0465

Beth McKibben

From: Darrell Wetherall <Darrell.Wetherall@aelp.com>
Sent: Monday, November 17, 2014 4:20 PM
To: Beth McKibben
Subject: RE: Review Requested USE 2014 0016 & VAR2014 0026

All secondary voltage conductors and poles inside the park are owned and maintained by the park. AELP only owns/maintains the primary 7.2KV cables and the transformers. Just an FYI.

Darrell Wetherall, PE
Asst. T&D Engineer
Alaska Electric Light & Power
5601 Tongard Court
Juneau, AK 99801
(907) 780-2222 Main
(907) 463-6316 Direct
(907) 723-2602 Cell
Darrell.Wetherall@aelp.com

From: Beth McKibben [<mailto:Beth.McKibben@juneau.org>]
Sent: Monday, November 17, 2014 4:04 PM
To: Dan Jager; Ron King; Charlie Ford; Brent Fischer; Kyan Reeve; Ed Foster; Dave Crabtree; Samantha Stoughtenger; Page W. Decker; Patricia deLaBruere; Heidemann, Marie E (DOT) (marie.heidemann@alaska.gov); Darrell Wetherall; Eric Eriksen
Subject: Review Requested USE 2014 0016 & VAR2014 0026

Hello all

Please find attached the applications for a conditional use permit and a variance request.

The conditional use permit is to modify and expand a CU for a mobile home park – Glacierview Mobile Home Park

The associated variance is allow for mobile home spaces that smaller than what is currently allowed

Please return any comments or concerns you have by the end of the day Monday December 1, 2014.

Thanks

Beth McKibben, AICP
Senior Planner, CDD
City & Borough of Juneau
907.586.0465



Please consider the environment before printing this email.

Presented by: Liaison Committee
Referred: Liaison committee
Introduced:
Public Hearing: December 3, 1970

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 70-28

AN ORDINANCE PROVIDING FOR THE UNIFORM
REGULATION OF THE ESTABLISHMENT AND
OPERATION OF MOBILE HOMES AND MOBILE HOME
PARKS FOR THE PROTECTION OF THE PUBLIC
HEALTH, SAFETY AND WELFARE AND FOR THE
ORDERLY DEVELOPMENT OF LAND WITHIN THE
CITY AND BOROUGH.

Sec. 1. Classification. This ordinance is of a general
and permanent nature and shall become a part of the City and
Borough Code.

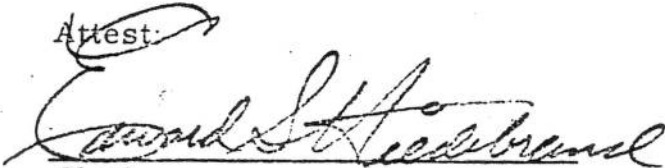
Sec. 2. Severability. If any provision of this ordinance
or any application thereof to any person or circumstance is held
invalid, the remainder of this ordinance and the application to
other persons or circumstances shall not be affected thereby.

Sec. 3. Adoption of Sections. The following annexed
sections, Sec. 49.30.010 through Sec. 49.30.150, inclusive,
are hereby adopted as a part of this ordinance and Title 49 of
the Code of Ordinances of the City and Borough of Juneau, Alaska.

Adopted December 3, 1970


Mayor

Attest:


Clerk

Sec. 49.30.010. Compliance. No person shall establish, maintain, expand, alter, modify, reconstruct or operate a mobile home park, or expand a mobile home park existing at the time this ordinance becomes effective unless he holds a valid permit issued hereunder.

Mobile home parks existing or for which a valid subsisting permit exists on the effective date of the ordinance are exempt from the provisions of Section II hereof except that if such an exempted park is expanded the entire park shall be made to conform substantially with the requirements for new parks except as to street widths and mobile home space layout. The remaining sections of this ordinance are applicable to such existing parks.

Sec. 49.30.020. Establishment. Mobile home parks may be established only in zones where such parks are a permitted use whether outright or on a conditional use basis.

- A. Application. All applications for establishment of a mobile home park shall be made on forms procured from the Planning and Zoning Department of the City and Borough of Juneau.
- B. Preliminary Review. A preliminary plat is encouraged to be submitted for concept review by the Planning Department and Planning Commission provided that the design standards as set forth in this ordinance have been met. The preliminary plat does not require complete engineering drawings but should be sufficiently complete to allow for review of all design standards and criteria.

Sec. 49.30.030. Design Requirements.

1. Dimensional site standards.
 - a. Minimum mobile home park area. Two (2) acres.
 - b. Minimum set back from public streets: Twenty-five (25) feet.
 - c. Minimum side and rear yard setback (exterior lot line): fifteen (15) feet.
 - d. Within the mobile home park lots shall be of sufficient size to allow the following setbacks: Front yard ten (10) feet, rear yard ten (10) feet, a minimum of fifteen (15) feet side yard area shall be maintained between mobile homes including wannigans and other structures on the lot. No structures may be located in any yard area.
2. Road and Parking Standards.
 - a. More than two (2) driveway entrances will be permitted to serve a mobile home park when spaced not less than 200 feet apart. The driveway entrances shall be at right angles to the public road from which they are served for a distance of at least one hundred (100) feet.

Sec. 49.30.040. Final Approval. Final plans must be submitted to and approved by the Planning Commission in compliance with all sections of this code. Final plans must be approved by the Planning Commission before a permit to construct is applied for. Final plan application shall contain the following information:

1. Name, address and interest in the property of applicant.
2. Location and legal description of mobile home park.
3. Complete engineering plans and specifications for the proposed mobile home park including but not limited to the following:
 - a. Area and dimensions of tract of land.
 - b. Number, location and size of all lots with the required yard setback designated on each lot.
 - c. Location, width and surfacing of access streets and walkways.
 - d. Location of water and sewer lines.
 - e. Location, type and size of sewage disposal facilities.
 - f. Location of water source.
 - g. Location and size of any buildings existing or proposed for construction within the mobile home park.
 - h. Plan for refuse disposal.
 - i. Location and distribution of electrical systems.
 - j. Location and storage of heating fuel.
 - k. Location and size of playground areas.

Sec. 49.30.050. Building Permit. It shall be unlawful for any person to construct, alter or extend any mobile home park unless he holds a valid building permit. The permit is issued by the Building Official on forms provided for this purpose. Said permit shall not be issued until the plans and specifications have been approved by the Planning Commission and the State Department of Health and Welfare.

Sec. 49.30.060. Expiration of Permits. Any final approval by the Planning Commission, conditional use permit issued hereunder, and building permit issued hereunder unless construction is commenced shall expire one (1) year from date of issuance unless during said year an extension for a definite time not to exceed one (1) year from any expiration date, or from any extended expiration date, is granted by the Planning Commission.

Sec. 49.30.070. Operation Permit. A permit shall be required for operation of any mobile home park within the City and Borough. The permit for operation of mobile home parks will be issued on a yearly basis after examination of the park by an inspection team consisting of the Building Official, Zoning Administrator, and the Sanitarian. The inspection will be made for the purpose of examining the park for

Sec. 49.30.100. Responsibilities of Park Occupants.

- a. The park occupant shall comply with all applicable requirements of this ordinance and shall maintain his mobile home lot, its facilities and equipment in good repair and in a clean and sanitary condition.
- b. The park occupant shall be responsible for proper placement of his mobile home on its mobile home stand and proper installation of all utility connections in accordance with the instructions of the park management.
- c. Porches, awnings, and other additions shall be installed only if permitted and approved by the park management. When installed they shall be maintained in good repair. The space immediately underneath a mobile home shall be used for storage only if permitted by the park management. If permitted, the following conditions shall be satisfied:
 1. The storage area shall be provided with a base of impervious material.
 2. Stored items shall be located so as not to interfere with the underneath inspection of the mobile home.
 3. The storage area shall be enclosed by skirting.
- d. The park occupant shall store and dispose of all his rubbish and garbage in a clean, sanitary and safe manner. The garbage container shall be rodentproof, insectproof and water tight.
- e. First aid fire extinguishers for Class B and C fires shall be kept at the premises and maintained in working condition.

Sec. 49.30.110. Exceptions. Where hardship and practical difficulties resulting from peculiarities of the property render it difficult to carry out the provisions of this ordinance the Planning Commission may grant an exception in harmony with the general purpose and intent of the ordinance.

Sec. 49.30.120. General Provisions.

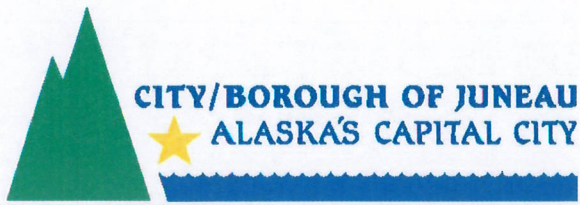
A. Definitions.

1. Access Roads. Means a private road which affords principal means of access to individual mobile home lots or auxillary buildings and does not extend beyond the boundaries of said mobile home park.

Sec. 49.30.130. Conflict of Ordinance. In any case where a provision of this ordinance is found to be in conflict with the provisions of any other ordinance or code of the City and Borough of Juneau, Alaska, the provision which establishes the higher standard for the promotion of the protection of the health and safety of the people shall prevail. It is specifically intended that the provisions of the City of Juneau Code and Douglas City Code regulating mobile home parks within the respective territories of former cities are not repealed hereby.

Sec. 49.30.140. Penalty. Any person, firm, co-partnership, corporation violating any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$300.00. Each day of violation shall constitute a separate offense.

Sec. 49.30.150. Repealer. Greater Juneau Borough Ordinance 49.20.602(B)(C)(D)(E) and (F) is hereby repealed.



**PLANNING COMMISSION
NOTICE OF DECISION**

Date: January 14, 2015

File No.: USE2014 0016

Kyle Eyre
Wright Services
5454 Shaune Drive
Juneau, AK 99801

Application For: A Conditional Use Permit to modify and expand Glacierview Mobile Home Park.
Legal Description: USS 2486 Field Acres Block A FR
Property Address: 9950 Stephen Richards Memorial Drive
Parcel Code No.: 5-B21-0-129-000-0
Hearing Date: January 13, 2015

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated January 8, 2015, and approved the modification and expansion of Glacier View Mobile Home Park to remove space 63, add spaces 26-1, 26-2, 27-1, 27-2, 29, 29A, 29B, 88B, 89A, 77B, 44B, 70, 29B, 110, 111 and 112 to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

1. For proposed modifications to space 44B in no case can either space 44 or 44B be less than 3,000 square feet in area. Furthermore, in no case can the playground be reduced to be less than 2,500 square feet in area (CBJ 49.65.310(b)(3)). These dimensions must be verified prior to the issuance of a building permit to locate a mobile home on space 44B.
2. Space 43 will be returned to one single wide mobile home space, in compliance with the approved plans and CBJ 49.65.310 when the existing homes are beyond their useful life and removed from the park.
3. Mobile homes placed on space 88B and 89A will maintain a minimum setback of 15 feet from the exterior lot line of the mobile home park. The setback shall be verified prior to the issuance of temporary certificates of occupancy for homes placed on these lots.
4. Screening from Riverside Drive and Stephen Richards Memorial Drive shall be re-established for space 108 within 24 months of approval of this Conditional Use Permit.
5. Provide CDD with an updated site plan of the mobile home park, showing
 - a. All sites as approved and numbered;
 - b. Dimensions of each mobile home site; and,
 - c. Location and dimensions of each playground space
6. Mobile homes placed on space 77B will maintain a minimum setback of 25 feet from the exterior lot line of the mobile home park. The setback shall be verified prior to the issuance of temporary certificates of occupancy for homes placed on these lots.

Wright Services
File No.: USE2014 0016
January 14, 2015
Page 2 of 2

Advisory Condition

1. Provide CBJ Utilities an updated count as to how many mobile homes are served by city water.

Attachments: January 8, 2015 memorandum from Beth McKibben, Community Development, to the CBJ Planning Commission regarding USE2014 0016.

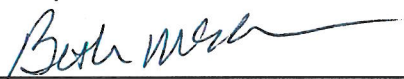
This Notice of Decision does not authorize construction activity. Prior to starting any project, it is the applicant's responsibility to obtain the required building permits.

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, January 13, 2015.

Expiration Date: The permit will expire 18 months after the effective date, or July 13, 2016, 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:


Beth McKibben, Planner
Community Development Department


Michael Satre, Chair
Planning Commission


Filed With City Clerk


Date

cc: Plan Review

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



Community Development

City & Borough of Juneau • Community Development
155 S. Seward Street • Juneau, AK 99801
(907) 586-0715 Phone • (907) 586-4529 Fax

Date: December 31, 2014

From: Tim Felstead, Planner *Tim Felstead*
Community Development Department

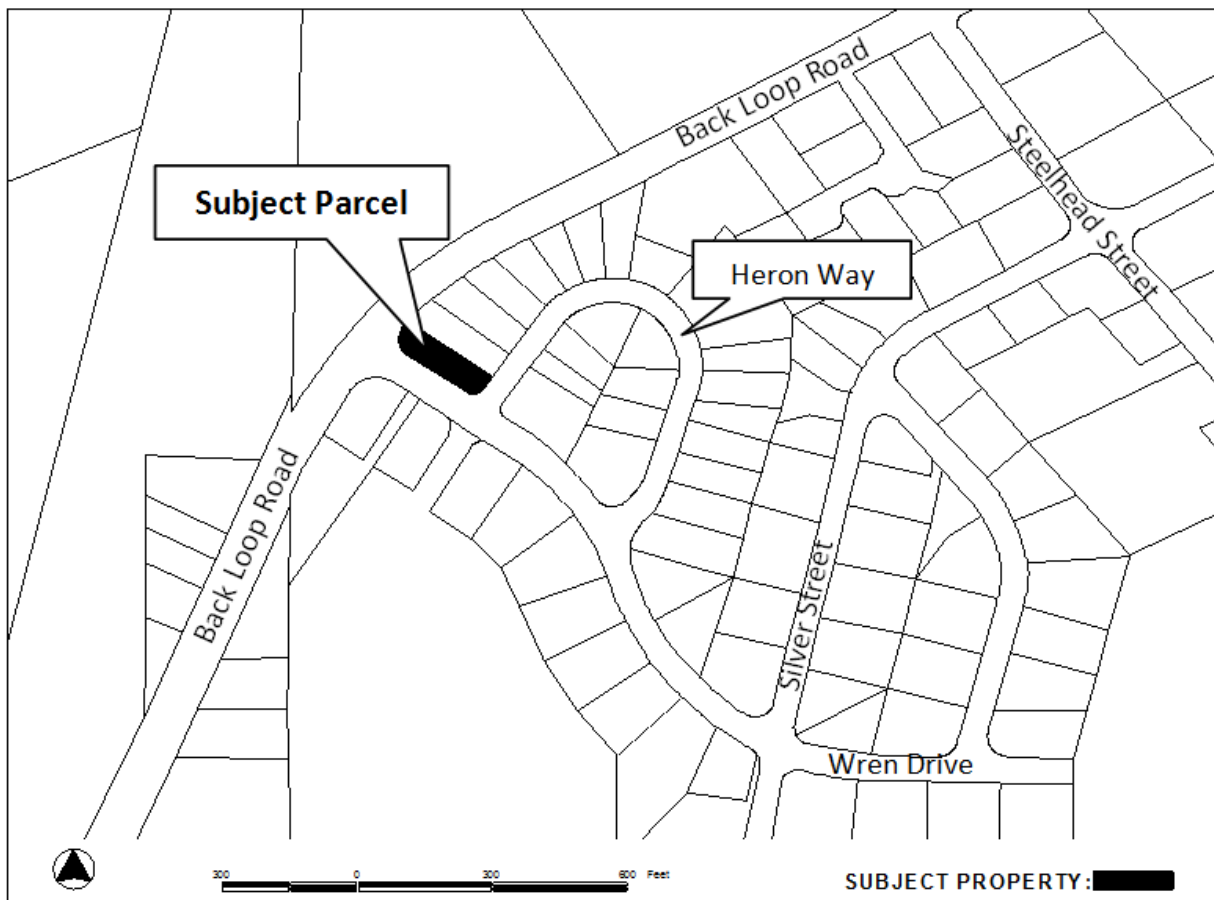
To: Planning Commission

Re: Conditional Use Permit to allow a State of Alaska licensed childcare group home providing care for up to 12 children.

GENERAL INFORMATION

Applicant:	Rogelio & Ana Christina Rodriguez								
Property Owner:	Rogelio & Ana Christina Rodriguez								
Property Address:	10200 Heron Way								
Legal Description:	McGinnis 4 Block D Lot 1A								
Parcel Code Number:	4-B26-0-107-001-0								
Site Size:	14,362 sq. ft.								
Comprehensive Plan Future Land Use Designation:	Urban Low Density Residential (ULDR) Map E								
Zoning:	D3								
Utilities:	City water and sewer								
Access:	Heron Way								
Existing Land Use:	Single family home with State licensed Day Care Home								
Surrounding Land Use:	<table border="0"> <tr> <td>North</td> <td>- (D3) Residential: Common Wall single family dwelling</td> </tr> <tr> <td>South</td> <td>- (D3) Residential: Single Family, Wren Drive and potential Right Of Way to access undeveloped D5 lot</td> </tr> <tr> <td>East</td> <td>- (D3) Residential: Single family, Wren Drive</td> </tr> <tr> <td>West</td> <td>- (D3) Intersection of Wren Drive/Back Loop Road and (D1) Corner of Spruce Meadow RV Park</td> </tr> </table>	North	- (D3) Residential: Common Wall single family dwelling	South	- (D3) Residential: Single Family, Wren Drive and potential Right Of Way to access undeveloped D5 lot	East	- (D3) Residential: Single family, Wren Drive	West	- (D3) Intersection of Wren Drive/Back Loop Road and (D1) Corner of Spruce Meadow RV Park
North	- (D3) Residential: Common Wall single family dwelling								
South	- (D3) Residential: Single Family, Wren Drive and potential Right Of Way to access undeveloped D5 lot								
East	- (D3) Residential: Single family, Wren Drive								
West	- (D3) Intersection of Wren Drive/Back Loop Road and (D1) Corner of Spruce Meadow RV Park								

VICINITY MAP



ATTACHMENTS

- Attachment A: Development Permit Application/Conditional Use Permit Application
- Attachment B: Email regarding initial inquiry for Conditional Use Permit
- Attachment C: Plat #82-133W
- Attachment D: Plan drawing including parking area and floor plan of residence
- Attachment E: Photo of front exterior of residence
- Attachment F: Current Chiquilladas Childcare Home Handbook
- Attachment G: Email clarifying hours of operation and parking
- Attachment H: Public Notice
- Attachment I: Map of Child Care homes and facilities in Juneau

PROJECT DESCRIPTION

The applicant requests a Conditional Use Permit to increase the use of their residence as a Child Daycare Group Home to allow up to 12 children under the age of 12 years. According to the CBJ §49.25.300 *Table of Permissible Uses*, an in home day care for nine to twelve children under the age of 12 is allowed with an approved Conditional Use permit in the D3 zoning district.

BACKGROUND

The applicant has been operating a State Licensed Day Care Home for up to 8 children under the age of 12 years since 2009. This use is allowed in this zoning district although a building permit is required in order for a fire inspection to be carried out as per State Licensing regarding child care homes. A similar Building Permit will be required if this Conditional Use is granted.

ANALYSIS

Project Site - The single family residence 10200 Heron Way is a common wall dwelling on two levels. The lot was originally platted in 1981 and subdivided in 1982 as part of the common wall development (See Attachment C). The property was built in 1982. In 1993, connection was made with City sewer. In 2002, the garage door was removed and replaced with an entrance door and the garage area was converted into a 'hobby room'.

The project is located on the corner of Wren Drive and Heron Way with the rear of the property on Back Loop Road. Driveway access to the property is via Heron Way approximately 20 yards from the Wren Drive/Heron Way intersection.

The immediate surrounding area East, South and West is made up of D3 zoned single family dwellings. To the West is a large undeveloped lot which is zoned D3 with an access for Right of Way onto Wren Drive opposite Heron Way. The D3 zoning district is bounded by Back Loop Road with D1 and D5 zoning districts immediately on the opposite side of this road.

When constructed in 1982, the minimum lot size was 12,000 square feet. The subject lot is 14,362 square feet.

Project Design - The 1,686 square foot residence has 2 bedrooms, 2 bathrooms and a large living room and hobby area in the 1st floor. The rear yard is fully enclosed with a 5foot high wooden fence. This area may be used during designated outdoor playtimes. Granting of the Conditional Use Permit would allow an additional 4 children to the current situation of 8 children.

Traffic - Hours of operation are expected to be between 7:00am and 5:00pm. Children will be dropped off and collected at varying times throughout the day (see Attachment G). Assuming all children arrive in separate cars and there are 12 children maximum throughout the day, there would be a total of 24 car trips. This is an additional eight trips on the current situation. Further trips may be added through the day as extra vehicles may be required for outings etc.

Parking and Circulation – A condition of increasing the number of allowed children up to 12 is that a total of two care givers are required - only one is required for the current situation of 8 children. Staff would normally recommend a requirement for an additional parking space for the additional care giver however, as the additional care giver is also a current resident, this additional space requirement is unnecessary.

Parking will be on-site, in front of the building. The property is required to have two spaces based on its use as a single family residence.

The varying times of drop off and collection will mitigate the chance of congestion around the applicant's driveway. The driveway holds 4 cars whilst still allowing movement of vehicles already parked. The

applicant indicates that there is currently enough space in the driveway and no drop offs occur from cars parked in the road.

There are currently two lights lighting the driveway.

The applicant has stated that they currently clear the driveway of snow with their own snow machine or sometimes pay for a snow plow. They also apply salt and gravel to clear ice.

Alaska DOT&PF have no objections to the proposed Conditional Use Permit and no comments have been received from CBJ Streets.

Noise - Potential noise from the increase in the day care capacity may result from additional vehicle traffic during pick-up and drop-off as well as the children playing outside. Outdoor play occurs up to twice daily for approximately 1 hour each time. The addition of 4 children to the 8 that currently attend the daycare is unlikely to create significant additional noise over that currently produced.

Public Health or Safety - There is no evidence to suggest that the increase to 12 children from 8 will affect public health or safety. Capital City Fire and Rescue and the CBJ Building Official were solicited for comments on the proposed use and did not have any concerns. Further, the state licensing agency will require a fire inspection upon approval of this Conditional Use permit.

Habitat - No habitat regulated by the Land Use Code will be affected by the applicant's proposal.

Property Value or Neighborhood Harmony – There is no evidence to suggest that an increase in the capacity of a day care from 8 children to 12 children will have an impact on property values or neighborhood harmony. There are no other child care facilities within the immediate vicinity with the nearest childcare 0.6 miles away (Appendix I). Increasing the number of children will assist child care options for the neighborhood.

Conformity with Adopted Plans - The proposed development is located in Subarea 4 of 2013 Comprehensive Plan maps and has a land use designation of Urban Low Density Residential (ULDR). The plan describes ULDR as;

"These lands are characterized by urban or suburban residential lands with detached single-family units, duplex, cottage or bungalow housing, zero-lot-line dwelling units and manufactured homes on permanent foundations at densities of one to six units per acre. Any commercial development should be of a scale consistent with a single-family residential neighborhood, as regulated in the Table of Permissible Uses (CBJ 49.25.300)."

Families with children are likely to live within this style of neighborhood. Therefore, the use proposed is consistent with the needs of such a neighborhood.

The 2013 Comprehensive Plan specifically addresses the need for quality child care in the City and Borough of Juneau. Chapter 14 of the plan states;

"There is a critical child care shortage in Juneau, and that lack of quality child care makes Juneau a less than attractive place – and even an untenable home – for young families."

Chapter 14 goes on to state policies and procedures to encourage an adequate supply of child care in the City and Borough of Juneau;

POLICY 14.3. TO SUPPORT THE PROVISION OF QUALITY CHILD CARE IN A SAFE LEARNING ENVIRONMENT BY WELL-TRAINED EDUCATORS AND CHILD CARE PROVIDERS.

14.3 – SOP1 Work with child care providers, advocates, and other stakeholders to ensure that regulatory or permitting requirements do not unduly restrict the availability of affordable, quality child care in Juneau.

14.4 – SOP2 Provide support of child care providers as needed to ensure an adequate supply of available affordable, quality child care opportunities.

There are 23 child care facilities in the Mendenhall Valley with a total capacity of 232 children. According to 2010 US Census data, there were 1,024 children under the age of 5 living in the Mendenhall Valley (Appendix I). An increased capacity of four children at this in-home day care will assist to alleviate a current child care shortage in Juneau and support the goals of the 2013 Comprehensive Plan.

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 1.520 for the D3 zoning district.

3. *Will the proposed development comply with the other requirements of this chapter?*

Yes. The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in the January 2nd, 2015 and January 12th, 2015 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public Right of Way.

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

No. Based on the above analysis the proposed development will not endanger the public health and safety.

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

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

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

Yes. As discussed above, the proposed development is in general conformity with the land use plan 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. This proposal will not impact habitat regulated by the Alaska Coastal Management Program.

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 The permit would allow the development of a State of Alaska licensed daycare group home providing care for up to 12 children in the D3 zoning district.

ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION Packet Page 57 of 77

Project Number	Project Name (15 characters)	Case Number USE20140019	Date Received 12/08/14
----------------	------------------------------	-----------------------------------	----------------------------------

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: 1.520

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

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

change child care home to group home from 8 children in care to 12 children in care

IS THIS A MODIFICATION OF AN EXISTING APPROVAL?

☐ NO ☒ YES - Case # _____

CURRENT USE OF LAND OR BUILDING(S): *Part of home is used for child care.*

PROPOSED USE OF LAND OR BUILDING(S): *To change to Group home*

UTILITIES PROPOSED:

WATER: ☒ Public ☐ On Site

SEWER: ☒ Public ☐ On Site

SITE AND BUILDING SPECIFICS:

Total Area of Lot 14,362 square feet

Total Area of Existing Structure(s) 1,800 square feet

Total Area of Proposed Structure(s) _____ square feet *No addition to Structure*

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>350</u>	_____	_____	_____
Admin. of Guarantee	\$ _____	_____	_____	_____
Adjustment	\$ _____	_____	_____	_____
Pub. Not. Sign Fee	\$ <u>50</u>	_____	_____	_____
Pub. Not. Sign Deposit	\$ <u>100</u>	_____	_____	_____
Total Fee	\$ <u>500</u>	<u>—</u>	<u>CDD6022</u>	<u>12/8/14</u>

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

DEVELOPMENT PERMIT APPLICATION

Project Number USE20140019	CITY and BOROUGH of JUNEAU	Date Received: 12/8/14
Project Name (City Staff to Assign Name)		

INFORMATION

PROJECT / APPLICANT

Project Description change childcare home to group home		
PROPERTY LOCATION		
Street Address 10200 Heronway	City/Zip Juneau 99801	
Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) the part of Lot 1, Block "O", McGinnis N#4 SUBD according to Plat 81-77.		
Assessor's Parcel Number(s) delineated as Lot 1A on Platting waiver 82-133W, Filed Dec 13-1982.		
LANDOWNER/ LESSEE		
Property Owner's Name Rogelio & Ana Cristina Rodriguez	Contact Person:	Work Phone:
Mailing Address 10200 Heronway	Home Phone: 723-3088	Fax Number:
E-mail Address	Other Contact Phone Number(s):	
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 Ana Cristina Rodriguez	12-03-2014	Date
Landowner/Lessee Signature		
X Rogelio Rodriguez	12-03-2014	Date
Landowner/Lessee Signature		
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	Contact Person:	Work Phone:
Mailing Address Same	Home Phone:	Fax Number:
E-mail Address	Other Contact Phone Number(s):	
X Ana Cristina Rodriguez	12-03-14.	Date of Application
Applicant's Signature		

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)		12/08/14	USE20140019
	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 JKL

Edward Quinto

From: ivette lugo <lugoivette@yahoo.com>
Sent: Thursday, November 13, 2014 1:11 PM
To: Edward Quinto
Subject: Conditional Use Permit

Follow Up Flag: Follow up
Flag Status: Completed

Hello Mr Quinto,

I left a message on your voice mail a couple of days ago.
 My name is Myrna Lugo, writing on behalf of Ana Cristina Rodriguez.
 Ana is a child care provider in Juneau.and would like to apply for a conditional use permit to fulfill her Group Home application through the SOA.

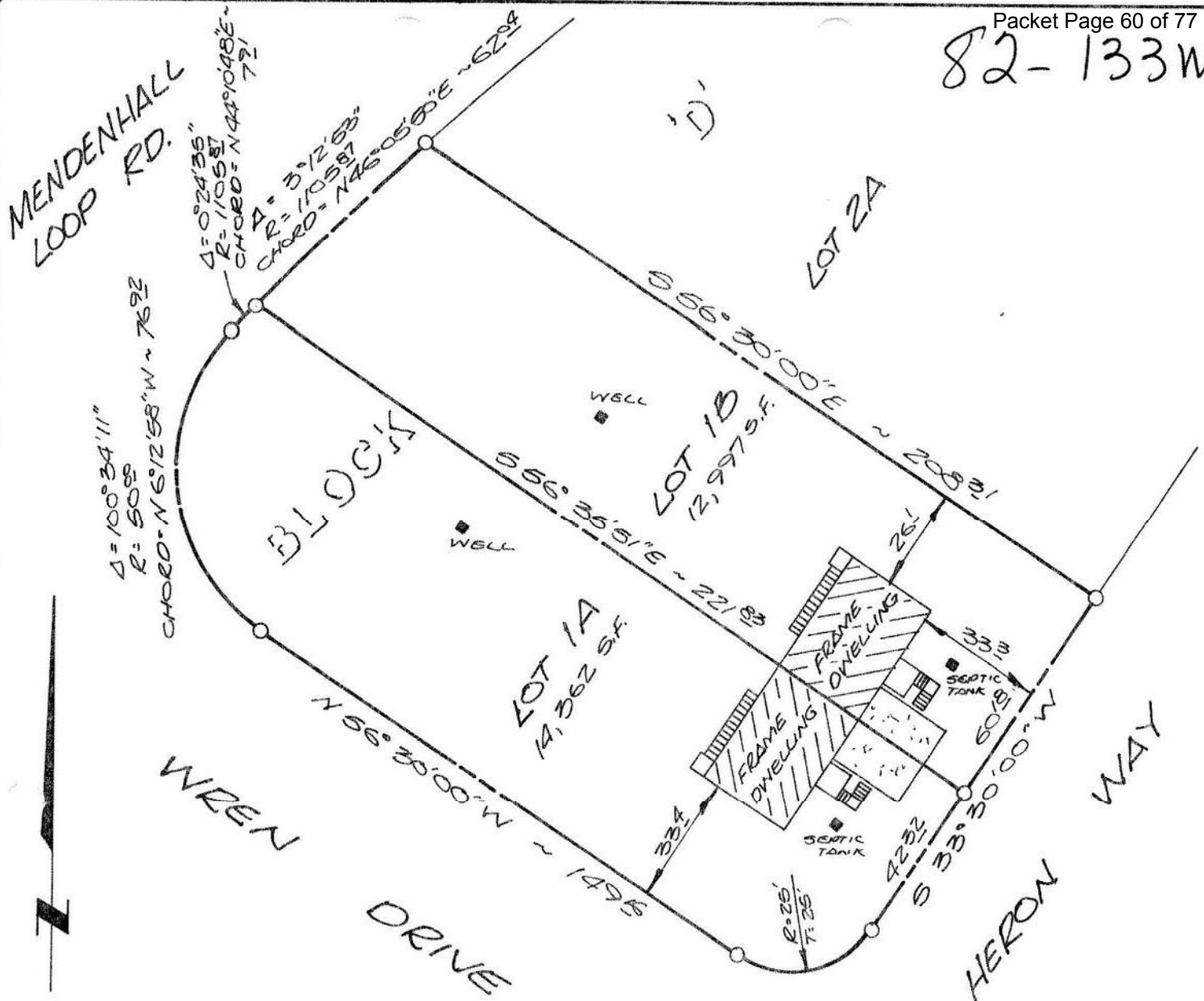
Please let me know what does she need to do or what do you need from her to complete this process.

Thank you

Myrna Lugo



82-133W



SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM PROPERLY LICENSED AND REGISTERED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, THAT THIS IS A TRUE AND CORRECT DRAWING, THAT ALL WALKS, ROADS, EASEMENTS AND IMPROVEMENTS ON THE LAND ARE AS SHOWN AND THAT THERE ARE NO ENCROACHMENTS OR OVERLAPS, EXCEPT AS SHOWN, TO THE BEST OF MY KNOWLEDGE.

Attachment C

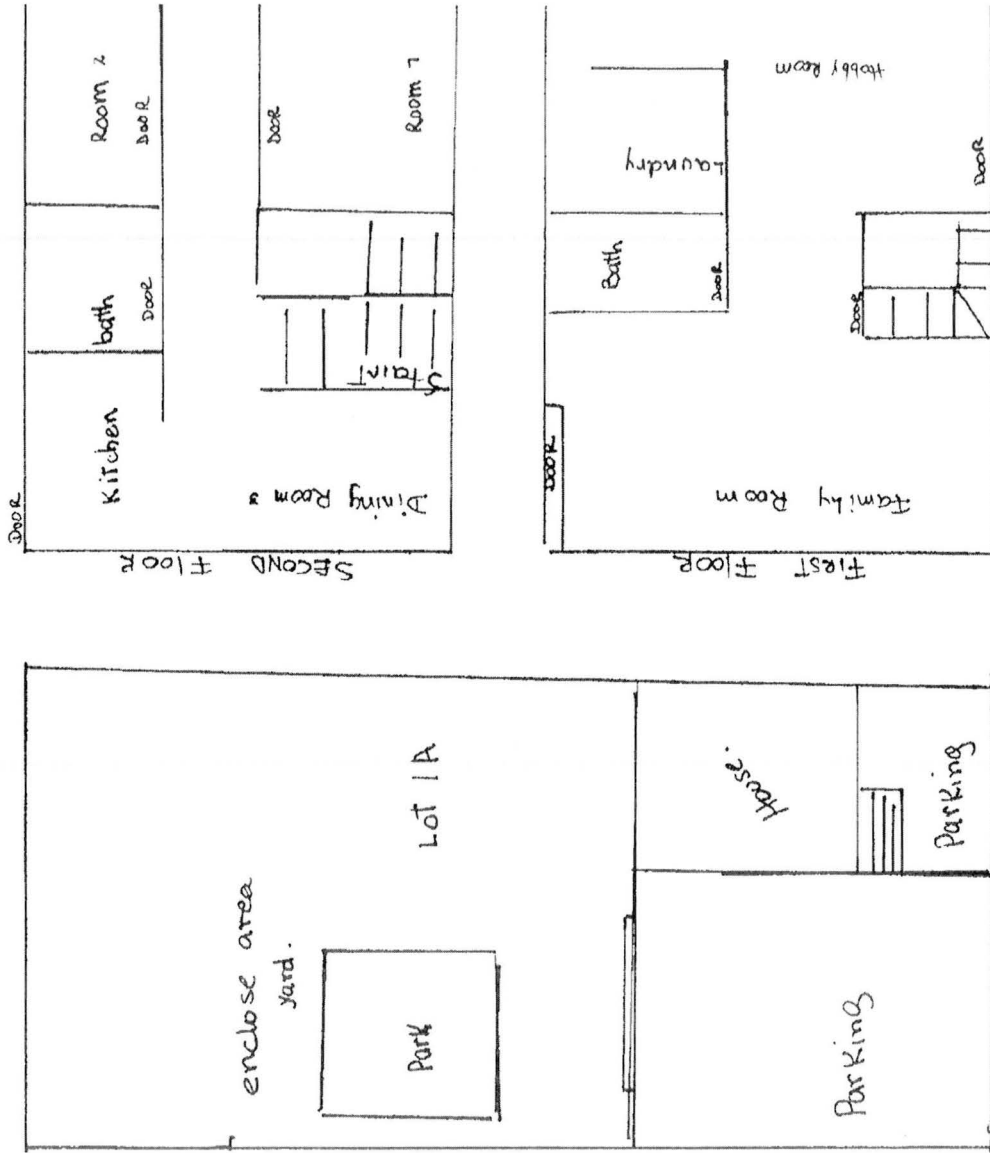
DATE 11-12-82



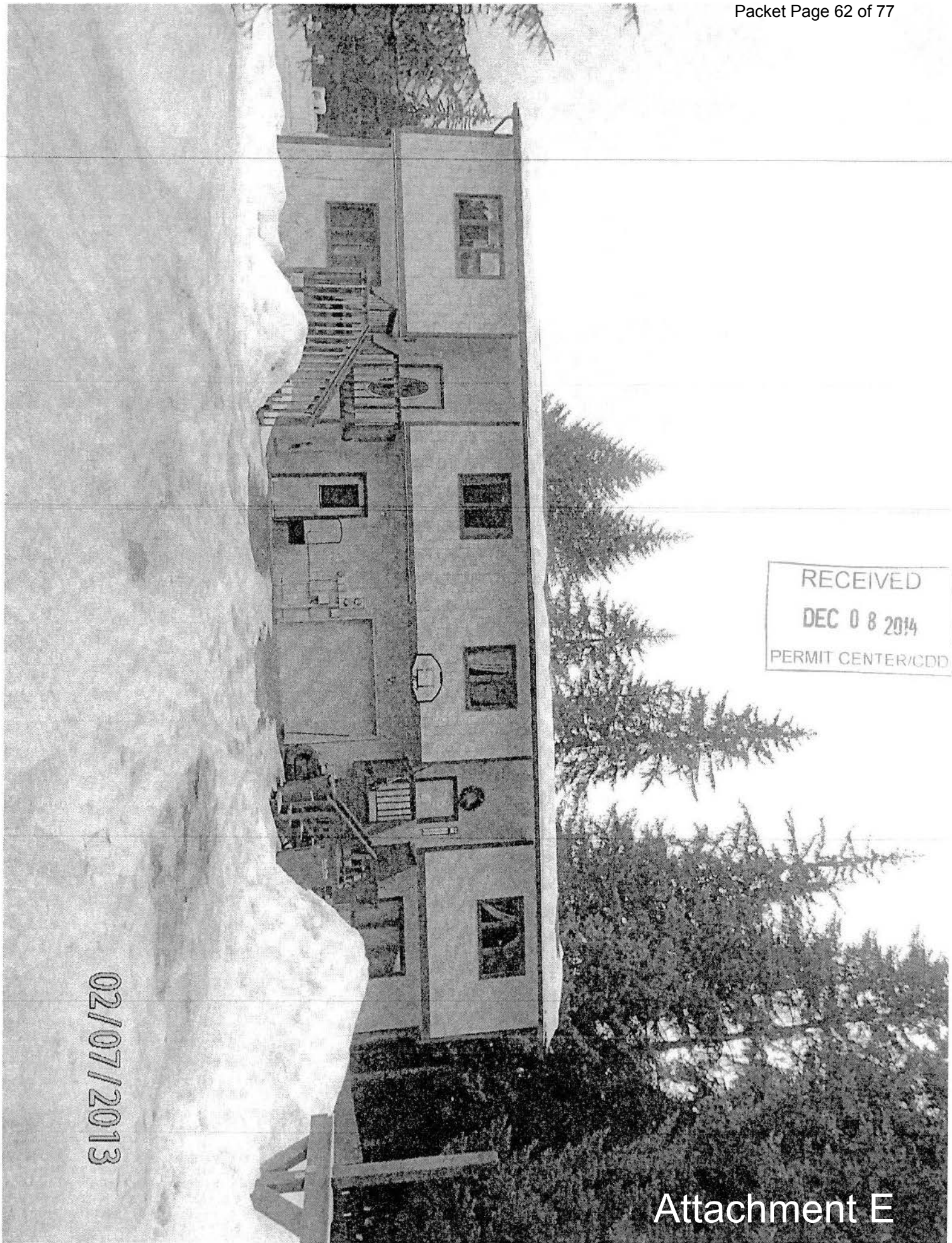
ALASKA TECHNICAL SERVICES LAND SURVEYORS		A PLANIMETRIC PLAT OF IMPROVEMENTS ON LOTS 1A & 1B, BLOCK 'D' MEGINNIS No 4 SUBD.	
BOX 3080 JUNEAU 99803 789-0565		CITY & BOROUGH OF JUNEAU, ALASKA	
DATE	11-11-82	DRAWN	M.S.
SCALE	1"=40'	PROJECT	1229-03

EDWARD QUINTO

PERMIT CENTER/CDD
DEC 08 2014



10200 Heron way
Ana Cristina Rodriguez
chiquilladas child care.



RECEIVED
DEC 08 2014
PERMIT CENTER/CDD

02/07/2013

Attachment E

THE CHIQUILLADAS CHILD CARE POLICIES/HANDBOOK

Effective November 2014

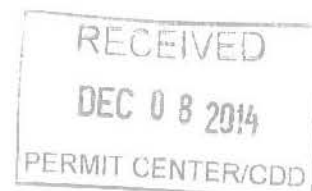
Ana Cristina Rodriguez

10200 Heron Way

Juneau, AK 99801

Phone (907)723-3088

Rev 11/14



Attachment F

ABOUT MY DAY CARE

Thank you for choosing The Chiquilladas Child Care. Please feel free to ask me any questions that are not answered in this handbook.

I am from Barranquilla, Colombia. I have a degree in Social Work and worked as a Social Worker for ten years. I taught preschool for ten years in a Special Needs Educational Center.

Together with my husband, Rojelio, we will care for 12 children from 0 to 144-months on a full or part time basis. I provide childcare Monday thru Friday during the hours of 7:30 a.m. to 5:00 p.m. The children are served breakfast, lunch and a snack daily unless other arrangements have been made.

Communication is important to me. I always like to take some time during the day, whether it is during drop off time, pick up time, or just a phone call from parents to discuss the day's events. I like to let the parent know what their children do during the day.

The Chiquilladas Child Care is a drug free, pet free, non-smoking facility.

FIREARMS AND AMMUNITION ARE NOT PRESENT IN THIS FACILITY.

THIS FACILITY DOES NOT HAVE POISONOUS PLANTS.

If either of us takes ill and we have more than eight children in care, we will close the childcare.

In case of an emergency, my husband will be my substitute

As part my childcare program, I believe in helping each child reach his/her full potential. My policy is to try to empower the children to be the best they can be by always being positive and giving them positive compliments during their work and play. Your child's comforts and needs are always a priority. I welcome your questions, comments and input.

Thank you for choosing The Chiquilladas Child Care. If you have any questions or comments or would like to schedule an interview you may reach me at 723-3088

ENROLLMENT POLICY

All necessary forms must be completed and returned to me before I will assume the responsibility of caring for your child. All forms must be updated as required by the state.

Cold Weather Policy

Children will not be required to play outside if I think it is too cold for them (about 20 degrees wind-chill). Children should be dressed to fit weather conditions.

Field Trips

Field trips are usually to the park, around the neighborhood and to the library. I will be asking you for permission for such trips and may ask you for your child's car seat.

Sample Daily Schedule

INFANTS Infants make their own schedule. Meals and snacks are per parent instruction. They are given loves and comfort as often as needed throughout the day. They are sang to and spoken to often. They are given time to explore their environment and play on the floor. Diapers are checked and changed often. Infants are allowed to sleep as long as they need or per parent instructions.	<u>Pre-School Children & Toddlers</u> 7:30-8:15 Welcome with music & free play 8:15-8:30 Wash hands prepare for breakfast 8:30-9:00 Breakfast 9:00-9:15 Teeth brushing 9:15-9:45 Teacher directed projects arts and crafts 9:45-10+ Books Reading 10:-11:00 Outside play, walking 11-00-11:30 manipulatives prepare for lunch hand washing 11:30-12:00 Lunch 12:00-12:30 Free play 12:30 -2:30 Nap 2:30-3:00 Teacher directed. Painting, clay, etc 3:00-3:15 Snack 3:15-4:30 Large motor, dancing or outside 4:30-500 Tv, movies and prepare to go home.	SAME AS TODDLERS AND PRESCHOOL
---	--	--

Change in Policies

Parents will be notified at least 30 days in advance of any change in our policies and procedures.

Forms and Information I Need

Signed "The Chiquilladas Child Care Contract Agreement"

Signed Emergency Child Record

Signed Consent for Emergency Medical or Surgical Care

Alaska Immunization records. The State of Alaska regulations require that immunizations be up-to-date before your child may be admitted to childcare.

USDA Food Program Enrollment Form

TRIAL PERIOD

The first two weeks of your child's enrollment will be a trial period. If a problem should arise during those two weeks that we (either parent or The Chiquilladas Child Care) cannot resolve, you or The Chiquilladas Child Care Daycare may immediately terminate my services without further comment.

TERMINATION

I reserve the right to terminate any child or family from the program who either does not abide by the policies set forth in the policy handbook; or for any situation or behavior which proves a health and safety risk to children or staff.

A two-week written notice is required by either party to terminate care, though payment is still required for those two weeks.

The provider may terminate without two weeks notice for:

Non-payment of tuition or habitual lateness in payment of tuition.

Uncorrectable behavior on the part of the child which may endanger other children.

Payment Schedule:

I contract with you to provide care for your child on a monthly basis. I expect payment in advance unless other arrangements have been made. Payment is due on the 1st of the month and is late if not received by the 5th of the month. There is a \$50.00 charge if payment is late.

Child Care Assistance

Payment through Child Care Assistance is welcome. I do need to verify your eligibility and receive a copy of the authorization before I provide care. You are responsible for your part of the payment and it must be made in advance.

Absences and Deduction in Fees

Please call me before 9:00a.m. if your child will be late or not attending that day. If you do not call, you may find that I am out walking in the neighborhood or at the park. It is also very important for meal planning.

There will be no deductions in fees unless it is an unscheduled emergency closure of more than 1 or 2 days.

RATE SCHEDULE

Age Range	Infant	Toddler	Pre-School	School Age
Monthly Full Time	Infants 0-18 mos	19-36 mos	3-4 yrs	5-12 yrs
5-10 hours	900	\$790	\$730.00	650.00
Part Time 0-5 hours	580.00	560.00	560.00	550.00
Daily Full Time	60.00	50.00	50.00	50.00
Part/time	30.00	30.00	30.00	30.00
Hourly	14.00	14.00	14.00	14.00

Payment is due by 5th of the month. There will be a late fee of \$30 if it is late. There is also a late fee of \$2.00 per minute for the first 10 minutes and one thereafter if your child is not picked up by the contracted time. If children need to be transported to school there will be a \$100.00 charge per month.

Holidays and Vacations

I work very hard to take the best care possible of your children and do need to take 2 weeks paid vacation in order to spiritually and mentally recuperate during the year. I may also take time out for child care conferences and workshops.

The following are paid holidays and vacation on which The Chiquilladas Child CareDay care will be closed: **All State and Federal Holidays.**

I plan to also take a vacation during the year. Advance notice of no less than 4 weeks will be given as to specific dates.

I charge regular rates for all holidays and vacations.

ITEMS YOU NEED TO FURNISH

At least 1 complete change of clothing

Proper play outer wear

Rain boots and coat for rainy weather

All above must be clearly labeled

Personal care Items

Diapers (disposable) and wipes if your child is not potty trained.

Any other necessary care articles that you wish.

When to Keep Your Child Home

Please do not bring your child if he/she is sick. In order to prevent spread of communicable diseases please keep your child home if he has:

Body rash with fever

Fever and sore throat, vomiting, diarrhea, earache or confusion (fever 100 F. or higher taken under arm) Child needs to be fever free for 24 hours before returning.

Severe coughing

Runny nose with colored discharge indicating infection

Discharge from eyes or ears or pink eye

Communicable diseases: Chicken pox, roseola, conjunctivitis, impetigo, head lice, strep throat, influenza, hand foot mouth disease, etc)

If your child develops any of these symptoms while in my care, you will be required to pick him/her up immediately. Before returning childcare you child must be free of ALL symptoms for 24 hours or have a doctor's note.

If I am unavailable due to illness, I will give you as much notices as possible. You will be responsible for finding alternate care.

Medications

Each time your child is taking medication please fill out the Authorization to Administer Medication form. All prescription medication must remain in the original container with a label showing your child's name, date, physician and physician's phone number. Over the counter medication that you provide must also be in the original container and labeled with your child's name. You may give me verbal authorization over the phone to administer over the counter medication.

To avoid accidental poisonings, please do not leave medicine in diaper bag, instead give it directly to me when you drop off your child so we can store it properly.

Nap & Quiet Time

Nap space is provided if your child is accustomed to a nap. Children who do not take naps will spend nap time in some kind of quiet activity.

Television

Television viewing is limited to 1.5 hours per day if we watch TV at all (this includes movies). Only educational videos or TV programs, such as Dora, Barney or other PBS children's shows will be shown.

Discipline

My guidance and discipline is preventive – not punishing. There will be no physical discipline. Infants are given lots of hugs and loves. Methods of discipline may include separation from the activity, discussion of the behavior, redirection to another activity or time out. I use a lot of praise with the children in my care. I always use positive words when disciplining the children, and always discuss the behavior with them. I work in cooperation with the parents.

Communication and Parent Access

To provide the best possible care, the parent and the provider are encouraged to keep lines of communication open. This includes any discussions about changing behavior of the child. It is only through parent/provider interaction that a goal of quality, nurturing care can be achieved. Parents are welcome and encouraged to visit at any time during the day. I encourage drop in visits and phone calls. Parents are free to visit their child at any time

The Chiquilladas Child Care Contract Agreement

I/We _____ have received and read the Policy Handbook and will comply to all provisions herein, and shall at the time enter into agreement with The Chiquilladas Child Care Day Care for the care of my/our child _____

I/We agree that in case of an accident or injury, emergency medical/dental treatment may be obtained for my child.

Contracted hours for our child _____ will be

	From AM	To PM
Monday		
Tuesday		
Wednesday		
Thursday		
Friday		

r

Additional hours, when approved, will be \$6.00 per hour.

Payment schedule: Care will be provided beginning on _____. Payment for childcare will be paid at the rate of \$_____ per month beginning on _____. Payments thereafter will be due every 1st of the month. Payment shall be made by _____ (responsible adult). Payment is due and expected for all days that you have contracted for.

If receiving assistance for child care payments a copy of your authorization is required. Please indicate the percentage paid by parent and the percentage paid by the assistance program. _____

A late fee of \$50.00 will be assessed for payment not received by the 5th of the month your child will be subject to withdraw from the program until the outstanding balance is paid unless other arrangements have been previously made.

Payment may be made in cash or check. The parent agrees to pay a \$20.00 service fee for NSF checks and any of the fees incurred due to the returned check. I reserve the right to require subsequent payments in cash.

All parents that have child care assistance are responsible for making sure all paper work is in order. If your paperwork is not in order, you are responsible for payment. You are also responsible for the amount your child care assistance does not cover.

I have read the policies given to me with the contract agreement this agreement carefully and I agree it is legal and binding , and I agree to abide by its contents. Written reasonable notice of 2 weeks shall be expected by both parties to terminate this agreement. The provider may amend the policies by giving the parents/legal guardians a copy of the new policies at least 30 days before they go into effect.

This agreement will be effective _____

Mother/Legal Guardian's Signature & Date

Father/Legal Guardian's Signature & Date

Provider's Signature & Date

Tim Felstead

From: ivette lugo <lugoivette@yahoo.com>
Sent: Thursday, December 18, 2014 9:47 AM
To: Tim Felstead
Subject: Re: Chiquiladas Child Care Application with City of Juneau.

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Mr Tim,

Below are the answers.

Ana will draw the floor plan to show you the parking area and I will submit it on a separate email.

i) Children are dropped off and picked up at different time ex 7:30, 8:30 9:30 am. Some of the children attending Chiquiladas are full time and some are part time. Some children go to school (preschool, K and 1st grade). There are one parent who picks up their 4 children at 3:30. 2 children leave at 4 together and another children leaves at 4:30. The parking space itself fits 4 cars at the time, street parking fits more than 5 cars, this last option never occurs, the driveway is enough for all vehicles.

ii) Ms Rodriguez stated that her husband, Mr Rodriguez clears the snow with shovel, snow machine or sometimes she pays a snow plow truck to clear it. She also pours salt and gravel on the driveway.

iii) Yes, there are 2 lights on the driveway area

iv) Yes, Chiquiladas hours of operation are from 7:30 am - 5:00 pm

Thank you

Myrna
 523-2942

On Wednesday, December 17, 2014 3:27 PM, Tim Felstead <Tim.Felstead@juneau.org> wrote:

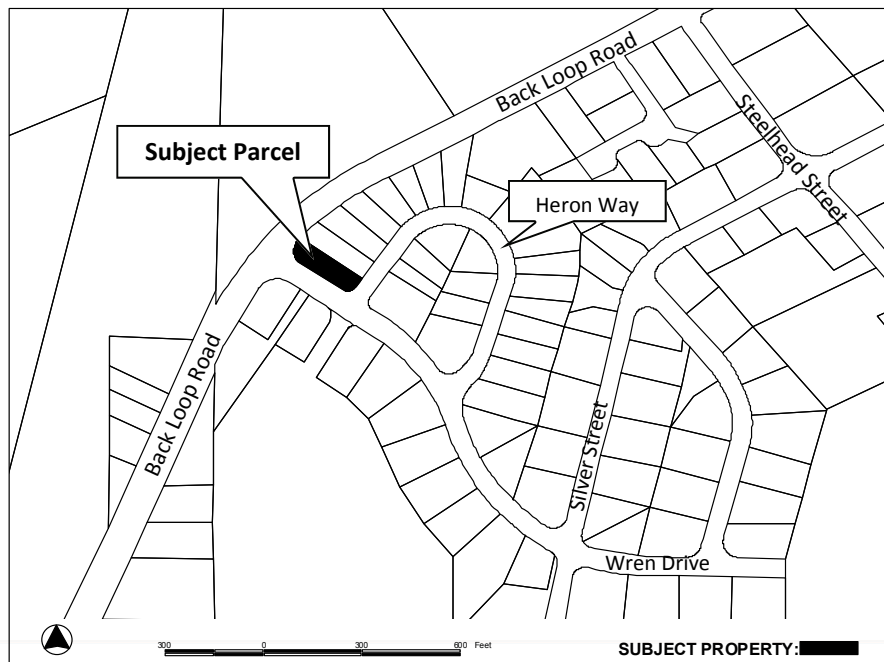
Dear Myrna,

I am handling Ana Christina's application to increase the number of children at her Child Care. Ana Cristina suggested I send my questions to you so you could pass it on to her. I have a couple of additional questions so I can complete my report and give it the best chance to be approved by the Planning Commission.

- i) Please describe how children will be dropped off/collected. Draw on the floor plan sheet how the vehicles will be parked.
- ii) Please describe how the parking area is cleared of snow and ice in the winter.
- iii) Is there any lighting outside on the drive?
- iv) Please confirm that the hours of operation will be between 7am and 5pm.



NOTICE OF PUBLIC HEARING



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

SHIP TO:



PROPOSAL: Conditional Use Permit to expand an existing daycare from 8 to 12 children.

File No:	USE2014 0019	Applicant:	Rogelio & Ana Rodriguez
To:	Adjacent Property Owners	Property PCN:	4-B26-0-107-001-0
Hearing Date:	January 13, 2015	Owner:	Rogelio & Ana Rodriguez
Hearing Time:	7:00 PM	Size:	0.33 Acres
Place:	Assembly Chambers	Zoned:	D-3
	Municipal Building	Site Address:	10200 Heron Way
	155 South Seward Street	Accessed Via:	Heron Way
	Juneau, Alaska 99801		

PROPERTY OWNERS PLEASE NOTE:

You are invited to attend this Public Hearing and present oral testimony. The Planning Commission will also consider written testimony. You are encouraged to submit written material to the Community Development Department 14 days prior to the Public Hearing. Materials received by this deadline are included in the information packet given to the Planning Commission a week before the Public Hearing. Written material received after the deadline will be provided to the Planning Commission at the Public Hearing.

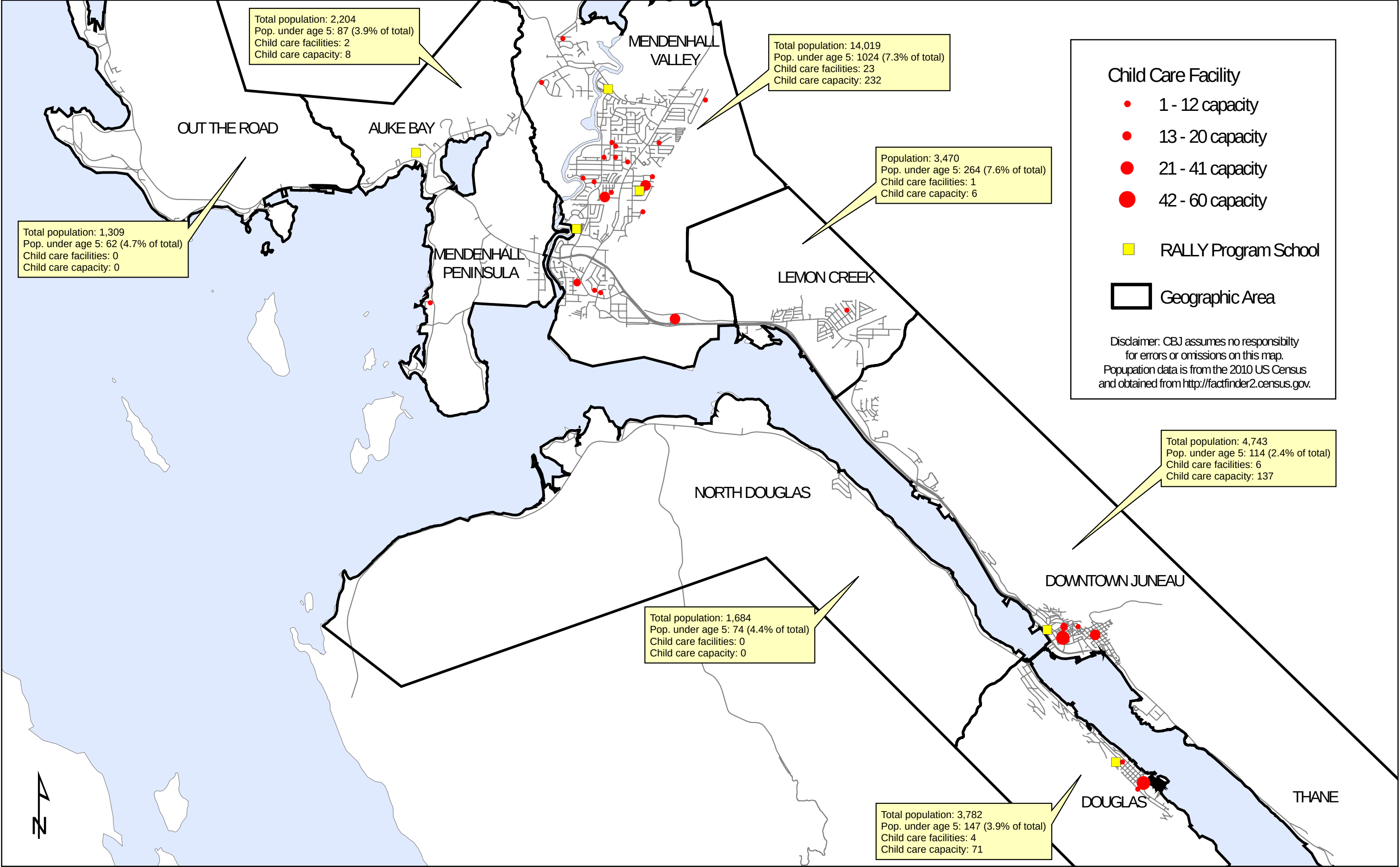
If you have questions, please contact Tim Felstead at tim.felstead@juneau.org or at 586-0466.



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

Attachment H

Date notice was printed: December 12, 2014





Community Development

City & Borough of Juneau • Community Development

155 S. Seward Street • Juneau, AK 99801

Date: January 5, 2015

From: Tim Felstead, Planner 
Community Development Department

To: Planning Commission

Re: Conditional Use Permit to allow a State of Alaska licensed childcare group home providing care for up to 12 children.

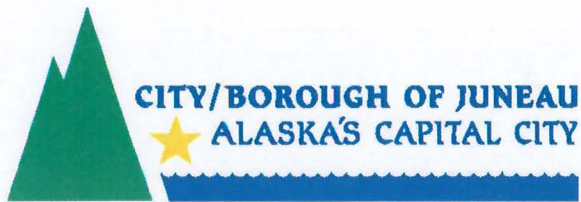
Supplemental Staff Report

As a result of the public notice sign, one neighboring resident has raised concerns that currently, not all cars dropping off children in the morning park in the driveway. It was stated that this impedes collection of school children by the School Bus which stops directly opposite the applicant's residence. It was also stated that this results in some instances of cars having only one lane of traffic to share with oncoming traffic. Such instances raise safety concerns for users of the Daycare as well as other pedestrians and motorists in the vicinity. The situation described by the neighboring resident contradicts information provided to staff by the applicant.

Recommendations

Further to the staff's recommendation of approval of the Conditional Use Permit to allow a daycare group home, staff recommends the following condition:

- No vehicles shall be parked in the public right-of-way when dropping off or collecting children as part of operations of the daycare. **All parking must take place on-site.** This should be written as a policy under a specific parking section in a revised Chiquilladas Child Care Policies/Handbook (Attachment F). As such, it is part of the agreement parents sign up to upon enrollment of their children in the daycare.



**PLANNING COMMISSION
NOTICE OF DECISION**

Date: January 14, 2015
File No.: USE2014 0019

Rogelio & Ana Christina Rodriguez
10200 Heron Way
Juneau, Alaska 99801

Application For: Conditional Use Permit to allow a State of Alaska licensed childcare group home providing care for up to 12 children.
Legal Description: McGinnis 4 Block D Lot 1A
Property Address: 10200 Heron Way
Parcel Code No.: 4-B26-0-107-001-0
Hearing Date: January 13, 2015

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandums dated December 31, 2014 and January 5, 2014, and **approved the Conditional Use Permit to allow a State of Alaska licensed childcare group home providing care for up to 12 children** to be conducted as described in the project description and project drawings submitted with the application and with the following condition:

1. No vehicles shall be parked in the public right-of-way when dropping off or collecting children as part of operations of the daycare. All parking must take place on-site. This should be written as a policy under a specific parking section in a revised Chiquilladas Child Care Policies/Handbook. As such, it is part of the agreement parents sign up to upon enrollment of their children in the daycare.

Attachments: December 31, 2014, memorandum from Tim Felstead, Community Development, to the CBJ Planning Commission regarding USE2014 0019.
January 5, 2014, memorandum from Tim Felstead, Community Development, to the CBJ Planning Commission regarding USE2014 0019

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, January 13, 2015.

Expiration Date: The permit will expire 18 months after the effective date, or July 13, 2016, if no Building Permit has been issued and substantial construction progress has not been made in accordance

Rogelio & Ana Christina Rodriguez

File No.: USE2014 0019

January 14, 2015

Page 2 of 2

with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.

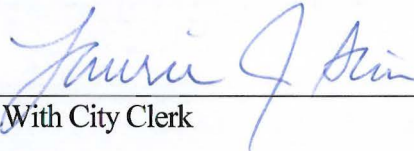
Project Planner:



Tim Felstead, Planner
Community Development Department



Michael Satre, Chair
Planning Commission



Filed With City Clerk

1/16/15

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.