


MEMORANDUM

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

DATE: August 18, 2011

TO: Planning Commission

FROM: Nicole Jones, Planner 
Community Development Department

FILE NO.: USE20110018

PROPOSAL: A Conditional Use permit application for a travel trailer to be used as a caretaker's residence.

GENERAL INFORMATION

Applicant: MicroCom

Property Owner: Wright Services

Property Address: 5453 Jenkins Drive

Legal Description: SSG Lot 9

Parcel Code Number: 5-B12-0-102-009-3

Site Size: 17,904 square feet

Zoning: Industrial

Utilities: Public water and sewer

Access: Jenkins Drive

Existing Land Use: Industrial

Surrounding Land Use:

North	– Industrial (I); Shaune Drive, Drive-Thru Espresso
South	– General Commercial (GC); Jenkins Drive, National Bank of Alaska
East	– Industrial (I); Coca-Cola Bottling Company
West	– General Commercial (GC); Anka Street, Gastineau Human Services Residential Care Facility



CITY/BOROUGH OF JUNEAU
★ ALASKA'S CAPITAL CITY

ATTACHMENTS

Attachment A - Photo of site

PROJECT DESCRIPTION

The applicant requests a Conditional Use permit for a travel trailer to be used as a caretaker's residence on an Industrial zoned lot. The applicant currently has a travel trailer on the property (see Attachment A). In the future, the applicant would like to construct an apartment within the existing warehouse and remove the travel trailer.

BACKGROUND

This property is zoned Industrial and currently has a modular home set-up as office space for Wright Services (property owner) and a warehouse which Microcom leases. The applicant for the caretaker's residence is Microcom. The caretaker's residence has been on-site for a few months and was brought to the attention of the Community Development Department through an anonymous complaint. A Building Permit Reminder was issued, resulting in this Conditional Use application.

The applicant requests a caretaker's residence for the site because of set-up and training needs. The travel trailer will be temporary until a more permanent caretaker's unit can be developed within the existing warehouse. Because the applicant intends on constructing a permanent caretaker's unit, staff recommends the following condition:

- Prior to a Certificate of Occupancy for another caretaker residence such as the planned apartment within the warehouse, the travel trailer shall be removed from the property.

Staff solicited comments from CDD Building Department, CBJ Streets, General Engineering, CBJ Assessor's Office, Fire Department, and CBJ Public Works, and the following comments were received:

Jay Srader, Chief Building Inspector:

The building code does not regulate DOT designed RV units. If it is to be used as a long term temporary dwelling the Building Department requires cross connection control devices installed on the water connection, an inspection for the electrical hookup, and smoke and carbon monoxide detectors, all done under a valid building permit. The RV cannot be used permanently; there will need to be a removal date identified and possibly removal bond posted per CBJ temporary buildings policy.

Ed Foster, CBJ Streets Superintendent:

Streets Division has no concerns with this request.

Ron King, Chief Regulatory Surveyor:

The caretaker's residence may not be connected to CBJ Water & Sewer utilities.

Dan Jaeger, Fire Marshall:

There does not appear to be any Fire Dept. issues.

Kirk Duncan, CBJ Public Works Director:

It appears to have no issues from Public Works.

Based on the comments received, staff recommends the following conditions and advisory condition:

1. The travel trailer shall not be connected to CBJ Water or Sewer facilities.
2. The caretaker travel trailer may be replaced in the future in the same location with out additional Planning Commission review. Placement of the travel trailer must be in general conformance with the attached site plan and adhere to building setback requirements.
3. Any replacement of the caretaker's unit with another travel trailer or mobile home will require a building permit.

Advisory Condition:

1. A building permit will be required for the caretaker's residence. Please be advised that the Building Department may limit the use of the caretaker's residence for one year with the possibility of an extension, if requested.

ANALYSIS

Project Site – The project site is a 0.41 acre lot with frontage on Jenkins Drive, Anka Street, and Shaune Drive. The access to the caretaker's residence is off of Jenkins Drive. The applicant's long range plan is to construct a permanent caretaker's residence within the existing warehouse.

Project Design – The caretaker's residence is a small travel trailer. The travel trailer will not be hooked up to city water or sanitary services. The current location of the travel trailer meets all zoning setbacks and required parking spaces.

Traffic – The use of the travel trailer as a caretaker's residence will have little impact to traffic. The use functions as a small single-family residence and therefore generates no more traffic than other uses permitted in the Industrial District.

Habitat- There are no habitat concerns with this proposal. There are no anadromous streams, eagles' nests, wetlands, or other sensitive habitat on or near the site.

Parking and Circulation – The two required parking spaces for this use can easily be met. There are no concerns with parking or circulation for this proposed use on this Industrial lot.

Noise – Noise is not expected to be a concern. A caretaker's residence would not have a negative impact to adjacent General Commercial or Industrial lots.

Public Health or Safety – There has been no evidence presented to suggest that a travel trailer being used as a caretaker's residence would negatively impact public health or safety.

Property Value or Neighborhood Harmony – It is not expected that the property value or the neighborhood harmony would be negatively affected should this proposal be approved.

Conformity With Adopted Plans – The caretaker's unit conforms to adopted plans. Specifically, this proposal complies with CBJ §49.65.300(3) and the 2008 CBJ Comprehensive Plan, Development Guideline 10.7.DG2.F.

CBJ §49.65.300

Mobile homes may be located on individual lots outside of mobile home parks or mobile home subdivisions only under the following conditions and after issuance of a building permit:

CBJ §49.65.300(3) The commission may issue a conditional use permit for a single mobile home used as an ordinary residence on an individual lot in the RR, rural reserve district, and the D1 and D3, residential districts, or used as a caretaker residence in any district.

2008 CBJ Comprehensive Plan, Development Guideline 10.7.DG2.F

10.7.DG2 When designating land for heavy and light industrial uses on the Comprehensive Plan Land Use Maps and the Land Use Code zoning maps, evaluate the sites based on the following criteria:

- F. Residential uses, *other than caretaker units*, should be discouraged in industrial zones.

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. 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 1.815 for the Industrial 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 August 12, 2011 and August 19, 2011 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. As discussed above, there has been no evidence presented to suggest that this proposal will materially endanger the public health or 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 analysis in the staff report, this proposal will not substantially decrease the value of or be out of harmony with property in the neighboring area.

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

Yes. As noted in the preceding staff report, this project conforms with the CBJ Land Use Code and the 2008 CBJ 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?

Yes. As discussed previously, this project complies with the Juneau 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 caretaker's residence.

The approval is subject to the following conditions:

1. Prior to a Certificate of Occupancy for another caretaker residence such as the planned apartment within the warehouse, the travel trailer shall be removed from the property.
2. The travel trailer shall not be connected to CBJ Water or Sewer facilities.
3. The caretaker travel trailer may be replaced in the future in the same location with out additional Planning Commission review. Placement of the travel trailer must be in general conformance with the attached site plan and adhere to building setback requirements.
4. Any replacement of the caretaker's unit with another travel trailer or mobile home will require a building permit.

Advisory Condition:

1. A building permit will be required for the caretaker's residence. Please be advised that the Building Department may limit the use of the caretaker's residence for one year with the possibility of an extension, if requested.



ATTACHMENT A

DEVELOPMENT PERMIT APPLICATION

Project Number	CITY and BOROUGH of JUNEAU	Date Received: <u>7/08/11</u>
Project Name (City Staff to Assign Name)		

INFORMATION	Project Description <u>Temporary Trailer for Carstaker</u>		
	PROPERTY LOCATION		
	Street Address <u>5753 Jenkins</u>	City/Zip <u>Juneau, AK 99801</u>	
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) <u>SSG 1 L 9</u>		
	Assessor's Parcel Number(s) <u>5B1201020093</u>		
	LANDOWNER/ LESSEE		
	Property Owner's Name <u>WRIGHT SERVICES</u>	Contact Person: <u>Connie</u>	Work Phone: <u>907-780-5454</u>
	Mailing Address <u>5454 Shaune DR.</u>	Home Phone: <u>907-321-0954</u>	Fax Number: <u>907-780-5457</u>
	E-mail Address <u>CARLTONCM@hotmail.com</u>	Other Contact Phone Number(s):	
	LANDOWNER/ LESSEE CONSENT ****Required for Planning Permits; not needed on Building/ Engineering Permits****		
PROJECT / APPLICANT	<p>I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows:</p> <p>A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.</p> <p>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.</p>		
	X	<u>Myron W. Klein, Pres. for</u>	<u>7/8/11</u>
		Landowner/Lessee Signature	Date
	X	<u>Wright Services, Inc.</u>	
		Landowner/Lessee Signature	Date
	NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.		
	APPLICANT If the same as OWNER, write "SAME" and sign and date at X below		
	Applicant's Name <u>Microcom</u>	Contact Person: <u>Ken Schumann</u>	Work Phone: <u>350-3357</u>
	Mailing Address <u>129 W. 53 rd. Ave.</u>	Home Phone:	Fax Number:
	E-mail Address <u>kschumann@microcom.com</u>	Other Contact Phone Number(s): <u>907-264-3474</u>	
X	<u>Ken Schumann for Microcom</u>	<u>7/8/11</u>	
	Applicant's Signature	Date of Application	

OFFICE USE ONLY BELOW THIS LINE						
STAFF APPROVALS	<input checked="" type="checkbox"/>	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)				
	<input checked="" type="checkbox"/>	Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)	X	<u>7/08/11</u>	<u>USE 2011 0018</u>	
		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: <u>Associated w/ ENF 2011 - no enf case was started. BPR was issued.</u>					Permit Intake Initials <u>TC</u>

ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

Project Number	Project Name (15 characters)	Case Number <u>USE20110018</u>	Date Received <u>7/08/11</u>																																			
TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED <input type="checkbox"/> Accessory Apartment*** (AAP) <input type="checkbox"/> Driveway in Right-of-Way (ADW) <input checked="" type="checkbox"/> Use Listed in §49.25.300 (USE) <u>Temporary Use For Tools, Storage, Office, Repair, caretaker</u> Please list the Table of Permissible Uses Category: <u>Replacing Trailer 2x6s + Tires</u> ***An Accessory Apartment Application will also be required.																																						
DESCRIBE THE PROJECT FOR WHICH AN ALLOWABLE OR CONDITIONAL USE APPROVAL IS NEEDED. <u>① Caretaker while repairing equipment, shelving, setting up office, Training Manager. Need for approximately 30 days.</u> <u>② Replacing Trailer running gear, 2x6s, Springs, Tires</u>																																						
IS THIS A MODIFICATION OF AN EXISTING APPROVAL? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES - Case # _____																																						
CURRENT USE OF LAND OR BUILDING(S): <u>Warehouse - Office</u>																																						
PROPOSED USE OF LAND OR BUILDING(S): <u>Warehouse, Office</u>																																						
UTILITIES PROPOSED: WATER: <input type="checkbox"/> Public <input type="checkbox"/> On Site <u>Existing</u> SEWER: <input type="checkbox"/> Public <input checked="" type="checkbox"/> On Site <u>Existing</u>																																						
SITE AND BUILDING SPECIFICS: Total Area of Lot <u>Same</u> square feet Total Area of Existing Structure(s) <u>Same</u> square feet Total Area of Proposed Structure(s) <u>None</u> square feet																																						
EXTERNAL LIGHTING: Existing to remain <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes - Provide fixture information, cutoff sheets, and location of lighting fixtures Proposed <u>Existing</u> <input type="checkbox"/> No <input type="checkbox"/> Yes - Provide fixture information, cutoff sheets, and location of lighting fixtures																																						
PROJECT NARRATIVE AND SUBMITTAL CHECKLIST: <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <input type="checkbox"/> Site Plan <u>Existing</u> <input type="checkbox"/> Floor Plan of proposed buildings <u>Same</u> <input type="checkbox"/> Elevation view of existing and proposed buildings <u>Same</u> <input type="checkbox"/> Proposed Vegetative Cover <u>Same</u> </div> <div style="width: 48%;"> <input type="checkbox"/> Existing and proposed parking areas (including dimensions) and proposed traffic circulation <u>Same</u> <input type="checkbox"/> Existing Physical Features of the site (drainage, habitat, hazard areas, etc.) <u>Same</u> </div> </div>																																						
For more information regarding the permitting process and the submittals required for a complete application, please see the reverse side. If you need any assistance filling out this form, please contact the Permit Center at 586-0770.		<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">ALLOWABLE/CONDITIONAL USE FEES</th> <th style="text-align: center;">Fees</th> <th style="text-align: center;">Check No.</th> <th style="text-align: center;">Receipt</th> <th style="text-align: center;">Date</th> </tr> </thead> <tbody> <tr> <td>Application Fees</td> <td style="text-align: right;">\$ <u>350</u></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Admin. of Guarantee</td> <td style="text-align: right;">\$ _____</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Adjustment</td> <td style="text-align: right;">\$ _____</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Pub. Not. Sign Fee</td> <td style="text-align: right;">\$ <u>50</u></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Pub. Not. Sign Deposit</td> <td style="text-align: right;">\$ <u>100</u></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Total Fee</td> <td style="text-align: right;">\$ <u>500</u></td> <td style="text-align: center;"><u>credit</u></td> <td></td> <td style="text-align: center;"><u>7/8/11</u></td> </tr> </tbody> </table>		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>credit</u>		<u>7/8/11</u>
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Total Fee	\$ <u>500</u>	<u>credit</u>		<u>7/8/11</u>																																		

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

Proved

STATE OF ALASKA

J. W. Bean

J. W. BEAN

No. 3650-S

$\Delta = 89^{\circ} 59' 45''$
 $R = 15.00$
 $T = 15.00$
 $L = 23.56$

6. Anna S. ^{of}

S 89° 53' 45" E - 85.00

JUL 08 2011

PERMIT CENTER/CDD

Re-Bare
w/ wraps
Typical
set this survey Lot 9B

Location of
28, trail

↓ S 89° 53' 45" E ~ 100.00

Bid 3

Lot 9A

PAVED

$N 89^{\circ} 53' 45'' W \sim 85.00$

Gravel

Jenkins Drive

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT PLAT; THAT ALL WALKS, ROADS, EASEMENTS AND IMPROVEMENTS THEREON ARE AS SHOWN AND THAT ALL OVERLAPS AND ENCROACHMENTS ARE AS SHOWN TO THE BEST OF MY KNOWLEDGE.

Note Changes Bldg Size 5-26970

Per Plat 85-103

J.W. BEAN
PROFESSIONAL SURVEYOR

F.B. 56/46 JOB No 10988

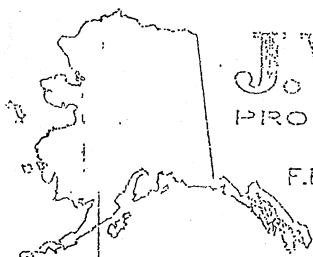
SCALE $1\frac{1}{2}'' = 30'$

DATE 5-20-97

AS-BUILT Survey of LOTS 9B and 9A

S. S. G. Subd.

Exhibit A, page 1 of 2.



$\Delta = 89^\circ 59' 45''$

R = 15.00

L = 23.56

T = 15.00

C = 21.21

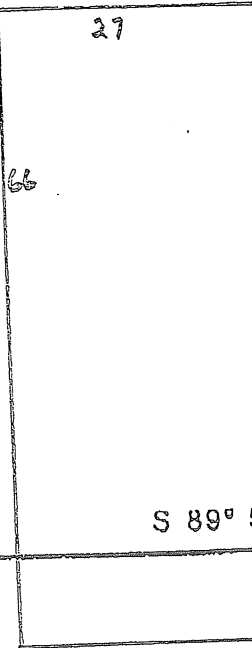
S $89^\circ 53' 45''$ E - 85.00'

ANKA ST.

BASIS OF BEARING N $00^\circ 06' 00''$ E - 150.00'

69.00'

81.00'



LOT 9B

8,352 SQ.FT.

0.192 ACRES

S $89^\circ 53' 45''$ E - 100.00'

not in correct place
should be

LOT 9A

9,552 SQ.FT.

0.219 ACRES

84.00'

S $00^\circ 06' 00''$ W - 180.00'

96.00'

1" = 20'

$\Delta = 89^\circ 59' 45''$

R = 15.00

L = 23.56

T = 15.00

C = 21.21

N $89^\circ 53' 45''$ W - 85.00'

JENKINS DRIVE

Exhibit A, page 2 of 2.

RECEIVED

JUL 08 2011

ENTER/CDD

Parcel #

5B1201020093

Street Address

JENKINS DR 5453

Legal Description 1

SSG 1 L 9

Owner's Name and Address

WRIGHT SERVICES
5454 SHAUNE DR
JUNEAU AK
99801

Legal Description 2**Previous Owner****Site Value****Building PV****Total PV**

\$214800.00

\$203800.00

\$ 418600.00

Use Code**Exempt****Zoning****Tax Year**

Miscellaneous

No Data

Industrial

2011

Number of Units**Year Built****Effective Age****Style**

N/A

1998

N/A

1 STO

Total Rooms**Bedrooms****Baths****Total FIN Sq. Ft.**

005

003

2

001613 sq.ft.

Total Basement**Attic****Attic Area****Garage Type**

N/A

N/A

N/A

N/A

Garage Description**Garage Area****Lot Size****Last Trans**

N/A

N/A

17904 sq. ft.

0

City Water Available**City Sewer Available****Water System****Sewer System**

Yes

Yes

N/A

N/A

Exempt Land**Exempt Building****Exempt Total****Road/No Road**

N/A

N/A

N/A

Roaded

RECEIVED

JUL 08 2011

PERMIT CENTER/CDD

NOTICE OF PUBLIC HEARING



PROPOSAL: A Conditional Use permit for a caretaker's residence.

FILE NO:	USE20110018	APPLICANT:	MICROCOM
TO:	Adjacent Property Owners	Property PCN:	5B1201020093
HEARING DATE:	August 23, 2011	Owner(s):	WRIGHT SERVICES
HEARING TIME:	7:00 PM	Size:	17904 sqft
PLACE:	ASSEMBLY CHAMBERS Municipal Building 155 South Seward St Juneau, Alaska 99801	Zoned:	Industrial
		Site Address:	5453 JENKINS DR
		Accessed via:	JENKINS DR

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 no later than 8:30 A.M. on the Wednesday preceding the Public Hearing. Materials received by this deadline are included in the information packet given to the Planning Commission a few days before the Public Hearing. Written material received after the deadline will be provided to the Planning Commission at the Public Hearing.

If you have questions, please contact Nicole Jones at (907)-586-0218 or e-mail nicole_jones@ci.juneau.ak.us

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

Date notice was printed: August 9, 2011