


# MEMORANDUM

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

**DATE:** August 18, 2011

**TO:** Planning Commission

**FROM:** Eric Feldt, Planner II, CFM   
Community Development Department

**FILE NO.:** USE2011-0015

**PROPOSAL:** To construct a 48-unit apartment complex consisting of 4, two-story buildings.

## GENERAL INFORMATION

**Applicant:** Richard Harris Development

**Property Owner:** RH Development

**Property Address:** Sunset Drive

**Legal Description:** Lot 1 Faith Lutheran

**Parcel Code Number:** 5-B16-0-109-008-1

**Site Size:** 2.67 Acres

**Zoning:** Light Commercial (LC)

**Utilities:** City Water & Sewer

**Access:** Sunset Drive

**Existing Land Use:** Vacant

**Surrounding Land Use:**

|       |  |
|-------|--|
| North | - LC; Mendenhall Mall; Mendenhall Mall Rd        |
| South | - LC; Faith Lutheran Church; Sunset Dr           |
| East  | - LC; Vacant land State of Alaska; Mendenhall Lp |
| West  | - D-15; Single-Family Dwelling; Sunset Dr        |

**ATTACHMENTS**

|            |   |   |
|------------|---|---|
| Attachment | A | Vicinity Map                                    |
| Attachment | B | Site Plan                                       |
| Attachment | C | Site Pictures taken by Staff<br>7/1 & 8/15/2011 |
| Attachment | D | Zoning District Map                             |
| Attachment | E | 2008 Comprehensive Plan<br>Map                  |

**PROJECT DESCRIPTION**

The applicant requests a Conditional Use permit for the development of a 48-unit apartment complex at the end of Sunset Drive in the Mendenhall Valley. This project consists of four, two-story buildings, each having 12 two-bedroom apartments and garages. A new driveway will be created to provide access into the center of the site to a new large parking lot. See Attachment A for vicinity map and Attachment B for building location and parking lot configuration.

**BACKGROUND**

The site is best described as willowwacks, with large bushes and scattered trees near Sunset Drive and a grassy meadow towards the middle and rear of the lot. This property was to be the site of the Spiritual Assembly of the Bahá'í. Recent pictures of the site can be seen in Attachment C.

**ANALYSIS**

**Project Site**

The site is located at the dead-end of Sunset Drive, near the intersection of Riverside Drive and Egan Drive. All of these roads can be seen in Attachment A. There is a foot path at the end of this road connecting to Egan Drive, where it leads to the Mendenhall Mall and other destinations. This footpath provides the most direct link to Egan Drive, whereas, driving from the site requires navigating through several roads to reach Egan Drive.

According to the 1994 Juneau Wetland Management Plan, there are mapped wetlands on the site. The dashed lines on the attached site plan show the limits of the wetlands. The US Army Corps of Engineers confirmed this delineation.

The attached zoning map shows two different districts along Sunset Drive: Light Commercial (LC) district and D-15 multi-family district, respectively (see Attachment D). The site lies in the LC district. The existing development in the neighborhood does not represent the LC or multifamily zoning district. There are single- and two-dwelling units and several common-wall residences in the neighborhood. Several single-family homes were built +30 years ago, while some of the common-

wall homes are less than 10 years old. The large vacant parcel east of the site is State owned, and contains many trees. A 6-plex multifamily building is located at the entrance of Sunset Drive. Across the road from that building is the Faith Lutheran Church with an associated dwelling.

### **Project Design**

The 48-unit apartment proposal consists of four, two-story apartment buildings, each having 2-bedroom dwelling units. On the ground floor and in front of each building are single-car garages. Access into the apartments will be provided from two common external doors that lead up stairs to a common hallway. Each apartment's door is along this hallway.

A new 20-foot wide driveway leading from Sunset Drive will guide vehicles to a large surface parking lot located in the middle of the apartment buildings. The travel lane in the parking lot circles back to the driveway, making a giant loop. Parking spaces will be located in front of each building. In the very middle of the parking lot will be trash dumpsters for the complex.

Each building is located very close to the other and to the required yard setbacks. All yard setbacks along the property lines are labeled. A certain amount of vegetation will likely be left in these areas, but most vegetation will be removed during construction. If approved, staff recommends an advisory condition upon framing of each building requiring the applicant to submit an as-built survey to staff showing the buildings comply with yard setbacks.

### **Traffic**

Sunset Drive is a short, dead-end road that is maintained by the City. This street only connects to Glacier Highway, where traffic is controlled by a stop sign. A small, unmaintained footpath connects Sunset Drive to Egan Drive where a pedestrian crosswalk exists connecting to Riverside Drive and the Mendenhall Mall and various shopping, dining, and working destinations. This path can be seen in the vicinity map. Improvements to this path will likely increase usage and lower automobile dependency.

The proposed development will greatly increase vehicular trips in the neighborhood, especially due to the shortness of the road. The location of the driveway is important to note as it will affect the direction of headlight glare and traffic noise. The entrance is located at the far southwest corner of the site. Looking at the vicinity map, there is a car parked in the area of the proposed driveway. Therefore, traffic from the apartment complex will primarily use the southern half of Sunset Drive. Thus, vehicle trips and noise near the end of the street will likely remain low. To minimize traffic noise on Sunset Drive and headlight glare onto adjacent properties, staff recommends a condition restricting the location of the driveway to the southwestern corner of the site, outside of the mapped wetlands.

According to the 2003 7<sup>th</sup> Edition of the Institute of Transportation Engineers (ITE) manual, the project will generate over 300 vehicular trips. This number of trips does not warrant a traffic study by the Land Use Code or the CDD Director.

Staff solicited comments from the Alaska Department of Transportation/ Public Facilities (DOT/ PF) on this project because Sunset Drive intersects Glacier Highway, which is a DOT jurisdictional road. They did not inform staff of needing a traffic study. Staff does not find that the increase of traffic will result in substantial congestion or an increase in accidents. Though based on the shortness of the road, this development will generate a large increase in noticeable vehicle trips and noise.

### **Parking and Circulation**

The new driveway will guide vehicles to the large, surface parking lot and garages, as shown in Attachment B. The parking requirement for the project is calculated below.

#### Land Use Code: Parking Table

Multifamily: 1.75 parking spaces per 2 bedroom Dwelling Unit

Project: 48 units x 1.75 = 84 Spaces total, includes 4 Accessible Sp. & 1 Van-Accessible Sp.

The site plan shows a total of 117 parking spaces: 69 spaces outside and 48 single-car garages. This results in 33 extra spaces beyond the minimum parking requirement. The applicant indicates that nine of the shown spaces will be accessible spaces. Only four accessible spaces (one of which must be van-accessible) are required as the minimum by code.

There are a few parking spaces in the east end of the site that lack the minimum access aisle distance, i.e. space between parking spaces or other obstructions. Removing those spaces to meet code, the parking requirement would still be exceeded. The access aisle distances and other parking standards will be further reviewed during the Building permitting process.

Since the overlying zoning district permits small businesses such as offices, art studios, day cares, etc. these garages could be converted to such use. In those cases if the proposals meet other code requirements, there potentially could be sufficient parking spaces outside to still meet the parking requirement. This has become a common development practice in commercial districts where both residential and commercial uses exist. Presently, the applicant is not proposing to convert any of the garages to any other use.

### **Noise**

Most of the noise generated by the project will be vehicular. As shown in the attached site plan, all four apartment buildings face each other, toward the center of the site. Therefore, human noise and noise from vehicles in the parking lot will likely be contained between the buildings. When vehicles leave the site and travel down Sunset Drive, noise levels will then become more noticeable.

Currently, noise levels are very low due to the size of the street and number of dwellings. Most of the noise in the neighborhood can be attributed to Egan Drive and Glacier Highway traffic. The proposed apartment complex will buffer some of Egan Drive noise, but will increase new traffic noise along Sunset Drive. However, the anticipated traffic volume is consistent with levels normally associated with multifamily and Light Commercial zoning.

### **Public Health or Safety**

The increase in traffic on Sunset Drive as a result of the project will not likely produce unsafe traffic driving conditions or other injurious situations. The Juneau Police Department (JPD) and Capital City Fire & Rescue (CCR&F) were solicited for comments on the project. Neither JPD nor CCR&F had any concerns.

### **Property Value or Neighborhood Harmony**

All the properties in the neighborhood are zoned for multifamily dwellings since the mid 1980's. As stated earlier, most properties do not consist of high density housing. There are several common-wall dwellings and single-family dwellings. The proposal of four, two story apartment buildings, each containing 12, two-bedroom apartment units is allowed. However, the scale of each building (160 feet wide x 110 feet) will be much larger than existing development in the neighborhood, and will likely disrupt the visual character of the neighborhood.

If the buildings were less easily seen from the roadway and the adjacent dwelling to the south, this visual disruption may be lessened. Planting trees to buffer the view will not likely be effective for many years to come. Installing a sight-obscuring fence will only be effective in blocking 1<sup>st</sup> story views.

Since the buildings will be setback between 25 and 40 feet from the right-of-way of Sunset Drive, some vegetation will not be removed for construction. This vegetation may soften the appearance of a large, two story building. Looking at the site plan and visiting the site, there are large bushes and tall grasses within the mapped wetlands along Sunset Drive. See Attachment C for current pictures of the site. To ensure this section of vegetation is preserved and is undisturbed for future growth, staff recommends a condition that all vegetation within the mapped wetlands or front yard setback (whichever is greater) along Sunset Drive should not be disturbed. This area shall be staked by the applicant in conjunction with the Community Development Department prior to the issuance of a Building permit.

To help determine this proposal's effect on adjacent property values, staff solicited comments from the City Assessor's Department. They could not find sufficient data to determine that this development would have a negative influence on neighboring property values.

Due to the size and massing of the proposed buildings, the apartment buildings will be of different character and scale than existing development. However, staff does not find this difference significant enough to lead to a decrease in property value in a Light Commercial zone. The harmony of the neighborhood may change for the same reasons, but will not likely be detrimental.

## **Conformity With Adopted Plans**

### 2008 Comprehensive Plan

This plan designates the subject property and others on the east side of Sunset Drive as General Commercial (GC), while those across the street are Medium Density Residential (MDR). See Attachment E. Both land designations are defined below.

*General Commercial:* Lands devoted to retail, office, food service or personal service uses, including neighborhood retail and community commercial centers, such as shopping centers and malls, office complexes or other large employment centers. Mixed retail/residential/office uses are allowed and encouraged. Residential and non-residential uses could be combined within a single structure, including off-street parking. Residential densities ranging from 18- to 60-units per acre are appropriate in this area. Ground floor retail space facing roads with parking behind the retail and housing above would be an appropriate and efficient use of the land.

*Medium Density Residential:* These lands are characterized by urban residential lands for multifamily dwelling units at densities ranging from 5 to 20 units per acre. Any commercial development should be of a scale consistent with a residential neighborhood.

The density range in the GC is 18-60 dwelling units per acre; whereas in the MDR the range is 5-20 dwelling units per acre. The project consists of 48 units on a 2.67 acre site; resulting density per acre is 18 units. This is consistent with the densities of both land designations.

Since the proposal is for a multifamily residential use it is more similar to the MDR designation, than GC, which allows greater commercial uses. However, the project is still at a permissible GC density. Since most properties along Sunset Drive are single- or two-family dwellings, the proposed density is significantly different than currently exists.

The 2008 Comprehensive Plan indicates a need for “in-fill” development, whereby developing upon vacant and underutilized lands within areas served by public water, sewer, streets, and other infrastructure, to encourage denser development, affordable housing, and an increase in efficiency of land. Below is a quote from the Plan describing “in-fill” development.

An efficient development would build to the maximum density allowed by the zoning district within which the property lies, provided that road and intersections serving the new development have adequate capacity and levels of service to accommodate the proposed intensity of development. Buildable lands should be developed as medium- to high density affordable housing or mixed residential and commercial developments wherever possible and practicable. This is particularly true for lands located within walking distance (approximately one-quarter mile) of public transit service.

The applicant's proposal maximizes the density of the property, and the site is approximately ¼ mile away from the Capital City bus stop on Mendenhall Mall Road. The proposed dwelling units are all two-bedroom rental units. With the current housing shortage and lack of affordable housing options, the Plan encourages creating additional small-size dwelling units and high density development located within areas served by city water and sewer as ways to resolve these issues.

The following policies of the Comprehensive Plan are germane to the proposal:

**POLICY 3.1. IT IS THE POLICY OF THE CBJ TO BALANCE AVAILABILITY OF SUFFICIENT LAND WITHIN THE DESIGNATED URBAN SERVICE AREA BOUNDARY THAT IS SUITABLY LOCATED AND PROVIDED WITH THE APPROPRIATE PUBLIC SERVICES AND FACILITIES TO MEET THE COMMUNITY'S FUTURE GROWTH NEEDS AND THE PROTECTION OF NATURAL RESOURCES, FISH AND WILDLIFE HABITAT AND SCENIC CORRIDORS.**

**POLICY 3.2. IT IS THE POLICY OF THE CBJ TO PROMOTE COMPACT URBAN DEVELOPMENT WITHIN THE DESIGNATED URBAN SERVICE AREA TO ENSURE EFFICIENT UTILIZATION OF LAND RESOURCES AND TO FACILITATE COST EFFECTIVE PROVISION OF COMMUNITY SERVICES AND FACILITIES WHILE BALANCING PROTECTION OF NATURAL RESOURCES, FISH AND WILDLIFE HABITAT AND SCENIC CORRIDORS.**

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

**POLICY 10.3 IT IS THE POLICY OF THE CBJ TO FACILITATE RESIDENTIAL DEVELOPMENTS OF VARIOUS TYPES AND DENSITIES THAT ARE APPROPRIATELY LOCATED IN RELATION TO SITE CONDITIONS, SURROUNDING LAND USES, AND CAPACITY OF PUBLIC FACILITIES AND TRANSPORTATION SYSTEMS.**

Staff is unaware if the proposed dwelling units will be rented above/ below market price. Nevertheless, the development will add housing to an existing shortage. With the Kensington Mine opening over a year ago, additional workers have relocated to Juneau to find housing; thus, keeping the housing demand high. This apartment complex may not 'soften' the most desired housing type or overall price, but it will provide new choices for Juneau residents.

The property is located in a high density zoning district, approximately ¼ mile away from a bus transit stop, close to the Mendenhall Mall (consisting Super Bear grocery store, CBJ Library, laundry mat, and other uses), Safe Way, Post Office, public trails, and is served by city water, sewer, and a city maintained street. Future residents of the proposed complex will be able to take advantage of

these nearby resources and destinations without being dependent on automobiles.

Overall, the project is consistent with the policies and goals of the 2008 Comprehensive Plan.

#### Title 49, Land Use Code

In general, the purpose of the Land Use Code is to ensure development is:

- In accord with the values of the community;
- Achieving goals and policies with adopted plans;
- An appropriate use of economically valuable land;
- Appropriate in type, design, location, and
- Served by adequate utilities

Each of the bulleted items is addressed in the following paragraph. The value of housing for the Juneau community is to provide additional housing options by increasing choices in the market leading to more affordable housing. The project will provide new rental housing in an area currently served by city water and sewer utilities, private telecommunication connections, i.e. internet. This site is also within walking distance to a transit stop, shopping, dining, postal and working destinations. As stated earlier, an unmaintained footpath exists at the end of Sunset Drive that connects this neighborhood to the Egan Drive intersection. From that point, pedestrians can access various destinations. Those elements make the site valuable for future residents. Maximizing development on the site with multifamily dwellings in an area served by those elements is economical. The development is consistent with the policies and land designation of the 2008 Comprehensive Plan.

Though the development complies with basic code regulations, such as parking requirement, yard setbacks, building height, etc., determining the appropriateness of the type, design and location of the development can be challenging. The type of development is a multi-building apartment complex with a surface parking lot. The development is designed as four 2-story apartment buildings facing inward toward a parking lot on a 2.67 acre site. With the buildings surrounding the parking lot, headlight glare and noise will be mostly contained within the site. Most of the wetlands are within yard setbacks, and therefore, preserved. The site is located near shopping, dining, and working destinations. Overall, the project maximizes the development potential with high-density housing on a site that can accommodate the intensity in an area that can serve compact development.

The property is located in the Light Commercial (LC) zoning district, as are the rest of the properties on the east side of Sunset Drive. On the west side of the street, those properties are zoned D-15. These two zoning districts are defined below.

*Light Commercial:* The LC, light commercial district, is intended to accommodate commercial development that is less intensive than that permitted in the general commercial district. Light commercial districts are primarily located adjacent to existing residential areas. Although many of the uses allowed in this district are also allowed in the GC, General Commercial district, they are listed as Conditional Uses in this district and therefore require commission



review to determine compatibility with surrounding land uses. A lower level of intensity of development is also achieved by stringent height and setback restrictions. [Per CBJ 49.25.500 *Density*. The maximum density per acre is 18 dwelling units in the Light Commercial district.]

*D-15*: The D-10 and D-15, residential districts, are intended to accommodate primarily multifamily residential development at ten and 15 units per acre respectively. These are relatively low-density multifamily districts.

As stated earlier, the project consists of 48 units on 2.67 acres of land, at a density of 18 dwelling units per acre. This is the maximum density allowed in the LC district on the site. The project is located in a LC district and, so it is in compliance with the district since multifamily dwellings are permitted.

Under the LC definition, the Code states a need for review of 'compatibility' between uses requiring Conditional Use permits and surrounding uses. This presumes future uses will likely be commercial and more intense than surrounding uses. Further, the definition also indicates by having stringent building heights and yard setbacks a lower intensity can be achieved. The intensity of the proposal lies in the number of dwelling units that will result in increased traffic and noise levels in the neighborhood. The size and massing of these buildings are significantly different with surrounding dwellings.

Looking at ways to lower the intensity of the proposed use, staff measured the height of the buildings and distances of each building to adjacent property lines. The height of all of the two-story apartment buildings is the same, at approximately 26 feet to the mid-point of the highest gable roof. This is the measuring method stated in CBJ 49.25.420 of the Code. Measuring to the peak, the buildings are approximately 30 feet tall. The maximum height in the LC district is 35 feet, which is 9 feet higher than the height of the buildings. The maximum height would permit a third story. Each apartment building will only be two stories in height.

Measuring the distances of each building to adjacent property lines, all yard setbacks are met or exceeded. The setbacks are only exceeded along Sunset Drive. Since the height of the buildings is lower than the maximum allowed and the yard setbacks are exceeded in some areas, some amount of intensity is inherently lowered. However, this does not necessarily bring the project into greater compatibility with surrounding uses.

Staff's recommended condition of preserving growth along Sunset Drive will filter pedestrian level views of the apartment buildings and some views from the dwellings across the street. Second story level views, however, will remain unobstructed, as well as views from the apartments to the existing dwellings. These elevated views will be very difficult to minimize. Though the scale of the apartment buildings may be very dissimilar with surrounding buildings, the views will not be detrimental to cause a decrease in property values or harmony.

With the recommended conditions, staff finds that the project meets the purpose of, and is in general conformance with, the Title 49, Land Use Code and, is consistent with the 2008 Comprehensive Plan.

#### **49.70.900-49.70.1097 COASTAL DEVELOPMENT, HABITAT, AND WETLANDS**

There are category 'C' wetlands mapped on the site, shown as dashed lines on the attached site plan. One wetland area located in the future parking lot will likely be the only wetland affected by this development, whereas the second area located along Sunset Drive and Egan Drive is much larger and will likely be unaffected. With the recommended conditions the larger wetland and its vegetation would be entirely preserved.

At this time, the City temporarily has no jurisdiction over any categorical wetlands, and therefore, the applicant has submitted a wetland fill permit to the U.S. Army Corps of Engineers (COE). In the near future, this jurisdiction will likely be given back to the City. If the COE determines that the mapped wetlands located in the new parking lot cannot be filled, the applicant shall be required to submit a revised parking and circulation plan to the Community Development Department for further review to determine if a revised Conditional Use permit is required. Staff recommends this as a condition of the permit.

#### **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 1.300 for the Light Commercial zoning district.

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

**Yes.** The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in the August 12<sup>th</sup> and 22<sup>nd</sup> 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 mentioned in the report above, neither JPD or CCF&R had concerns with the project. Staff does not find any evidence that this project would endanger the public's 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.** As discussed earlier, the scale and massing of the proposed apartment buildings is very different than existing development in the neighborhood. However, with the recommended conditions, the project 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 previously outlined in the report, the property is located in a high density zoning district, an existing footpath nearby affords a short walk to various destinations such a transit stop, the Mendenhall Mall, Post Office, public trails, and other uses. The development would be served by water, sewer, and telecommunication utilities. Encouraging "in-fill" development is strongly supported by the Comp Plan to make more efficient use of property served by utilities. Overall, the

project is consistent with the policies and goals of the 2008 Comprehensive Plan, and with the recommended conditions, is consistent with the Land Use Code.

**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.** Since there are mapped wetlands on the site in an area of development, the applicant will need consent from the COE prior to filling the wetlands. If the wetlands in the area of development are not able to be filled, the applicant is required to submit a revised site plan to the Community Development Department for further review. Staff has recommended this as a condition of the permit.

**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 48-unit apartment complex. The approval is subject to the following conditions:

1. Prior to framing, the applicant shall submit an as-built survey to the Community Development Department to verify compliance with yard setbacks.
2. Prior to the issuance of a Building permit, the applicant and CDD shall stake a 'Do Not Disturb' line along the wetlands or front yard setback (whichever is greater) near the right-of-way of Sunset Drive and Egan Drive. This area shall be preserved indefinitely, unless otherwise stated by the Commission.
3. The driveway shall be restricted to the southwest corner of the site, away from the mapped wetlands as shown on the attached site plan. This shall be shown on a future site plan or grading plan prior to the issuance of a Building permit.
4. If the mapped wetlands located in the new parking lot cannot be filled, the applicant shall submit a revised parking and circulation plan to the Community Development Department for further review to determine if a revised Conditional Use permit is required.

# ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

|                |                              |                                     |                                 |
|----------------|------------------------------|-------------------------------------|---------------------------------|
| Project Number | Project Name (15 characters) | Case Number<br><i>USE 2011 0015</i> | Date Received<br><i>6/15/11</i> |
|----------------|------------------------------|-------------------------------------|---------------------------------|

**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: 1.300 Multi-Family Dwellings

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

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

**48 Unit Apartment Complex**

**IS THIS A MODIFICATION OF AN EXISTING APPROVAL?**

- NO     YES - Case # \_\_\_\_\_

**CURRENT USE OF LAND OR BUILDING(S):**

**Vacant**

**PROPOSED USE OF LAND OR BUILDING(S):**

**Apartment Complex**

**UTILITIES PROPOSED:**

**WATER:**

- Public     On Site

**SEWER:**

- Public     On Site

**SITE AND BUILDING SPECIFICS:**

Total Area of Lot 116,199 square feet

Total Area of Existing Structure(s) 0 square feet

Total Area of Proposed Structure(s) 69,520 square feet

**EXTERNAL LIGHTING:**

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

**PROJECT NARRATIVE AND SUBMITTAL CHECKLIST:**

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Site Plan   | <input checked="" type="checkbox"/> Existing and proposed parking areas (including dimensions) and proposed traffic circulation |
| <input checked="" type="checkbox"/> Floor Plan of proposed buildings                  | <input type="checkbox"/> Existing Physical Features of the site (drainage, habitat, hazard areas, etc.)                         |
| <input checked="" type="checkbox"/> Elevation view of existing and proposed buildings |   |
| <input checked="" type="checkbox"/> Proposed Vegetative Cover                         |   |

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       | \$ _____                 | _____              | _____                 |
| Admin. of Guarantee    | \$ _____                 | _____              | _____                 |
| Adjustment             | \$ _____                 | _____              | _____                 |
| Pub. Not. Sign Fee     | \$ _____                 | _____              | _____                 |
| Pub. Not. Sign Deposit | \$ _____                 | _____              | _____                 |
| <b>Total Fee</b>       | <b>\$ <u>1190.00</u></b> | <b><u>1595</u></b> | <b><u>6/15/11</u></b> |

**NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM**

TO BE COMPLETED BY THE APPLICANT

# DEVELOPMENT PERMIT APPLICATION

|   |                                   |                               |
|---|-----------------------------------|-------------------------------|
| Project Number                              | <b>CITY and BOROUGH of JUNEAU</b> | Date Received: <u>6/15/11</u> |
| Project Name<br>(City Staff to Assign Name) |                                   |                               |

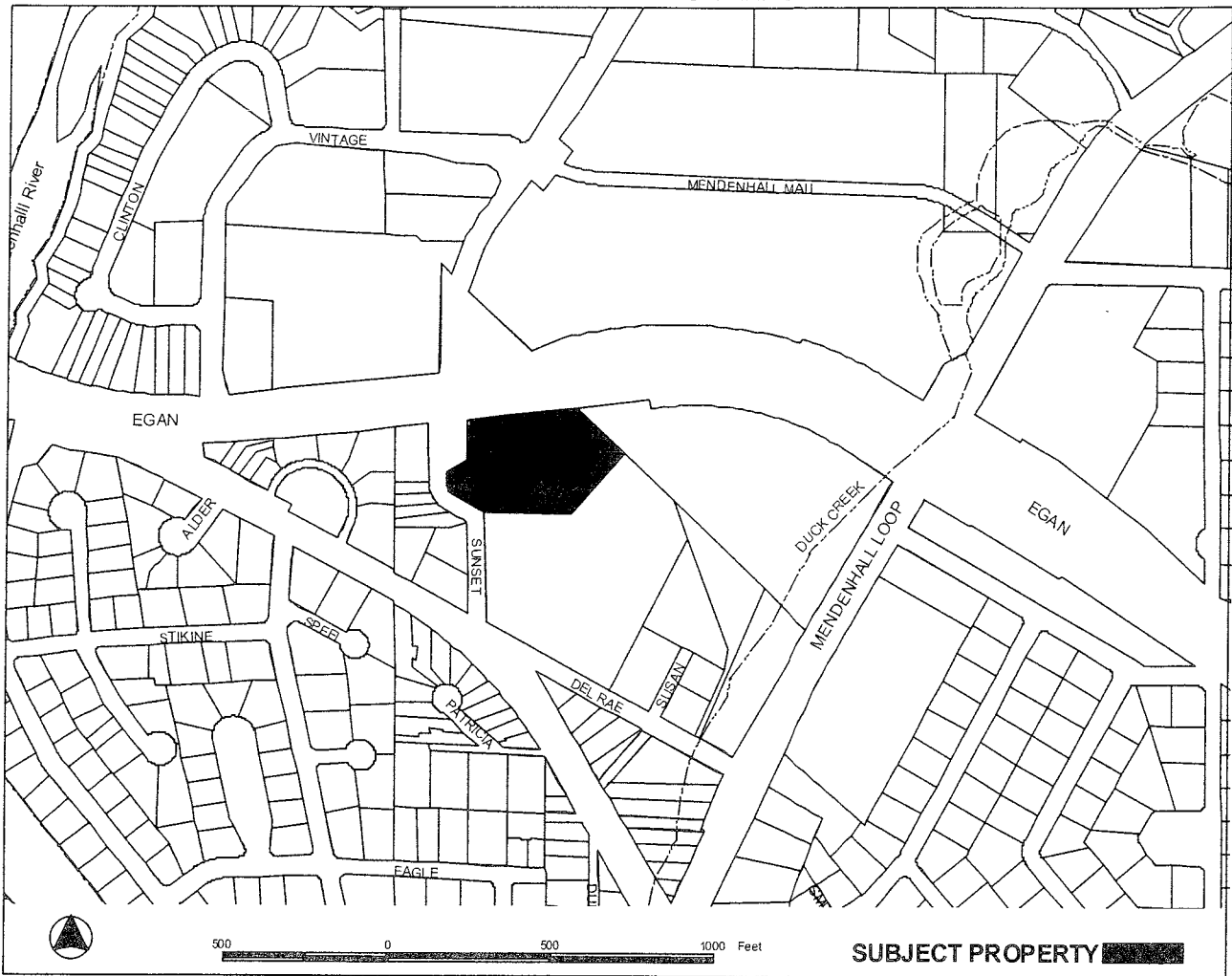
|  |  |                                   |                         |
|--|--|-----------------------------------|-------------------------|
| INFORMATION  | Project Description<br>Construct 48 apartment units in four 12 unit buildings.   |                                   |                         |
|  | <b>PROPERTY LOCATION</b>   |                                   |                         |
|  | Street Address<br>0 Sunset Drive   | City/Zip<br>Juneau 99801          |                         |
|  | Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot)<br>Faith Lutheran Lot 1                               |                                   |                         |
|  | Assessor's Parcel Number(s)<br>5B1601090081  |                                   |                         |
|  | <b>LANDOWNER/ LESSEE</b>   |                                   |                         |
|  | Property Owner's Name<br>RH Development  | Contact Person:<br>Richard Harris | Work Phone:<br>790-4146 |
|  | Mailing Address<br>P.O. Box 32403  | Home Phone:                       | Fax Number:<br>790-4147 |
|  | E-mail Address<br>RHDevelopment@gci.net  | Other Contact Phone Number(s):    |                         |
|  | <b>LANDOWNER/ LESSEE CONSENT</b> <small>***Required for Planning Permits, not needed on Building/ Engineering Permits***</small> |                                   |                         |
| I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows:<br>A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.<br>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  | <br>Landowner/Lessee Signature   | <u>6/9/11</u><br>Date             |                         |
| X  | <br>Landowner/Lessee Signature   | <br>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.   |  |                                   |                         |
| <b>APPLICANT</b> <small>(If the same as OWNER, write "SAME" and sign and date at X below)</small>  |  |                                   |                         |
| Applicant's Name<br>RH Development   | Contact Person:<br>Murray Walsh  | Work Phone:<br>586-4083           |                         |
| Mailing Address<br>2974 Foster Ave., Juneau, AK, 99801   | Home Phone:<br>586-1106  | Fax Number:<br>586-4093           |                         |
| E-mail Address<br>murray@acsalaska.net   | Other Contact Phone Number(s):<br>Cel: 723-8444  |                                   |                         |
| X  | <br>Applicant's Signature  | <br>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)                                 |        |                |                            |
|   | X                                   | Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment) |        | <u>6/15/11</u> | <u>USE20110015</u>         |
|   |                                     | Variance Case (De Minimis and all other Variance case types)                                   |        |                |                            |
|   |                                     | Wetlands Permits   |        |                |                            |
|   | Zone Change Application             |  |        |                |                            |
|   | Other (Describe)                    |  |        |                |                            |
| Comments:<br>***Public Notice Sign Form filled out and in the file. |                                     |  |        |                | Permit Intake Initials<br> |

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

# NOTICE OF PUBLIC HEARING



**PROPOSAL:** A Conditional Use permit for an apartment complex of four 2-story buildings.

|  |   |
|--|---|
| <p><b>FILE NO:</b> USE20110015</p> <p><b>TO:</b> Adjacent Property Owners</p> <p><b>HEARING DATE:</b> Aug 23, 2011</p> <p><b>HEARING TIME:</b> 7:00 PM</p> <p><b>PLACE:</b> <b>ASSEMBLY CHAMBERS</b><br/>Municipal Building<br/>155 South Seward St<br/>Juneau, Alaska 99801</p> | <p><b>APPLICANT:</b> MURRAY WALSH</p> <p><b>Property PCN:</b> 5-B16-0-109-008-1</p> <p><b>Owner(s):</b> RH DEVELOPMENT LLC</p> <p><b>Size:</b> 2.67 acres</p> <p><b>Zoned:</b> Light Commercial</p> <p><b>Site Address:</b> SUNSET DR</p> <p><b>Accessed via:</b> SUNSET DR</p> |
|--|---|

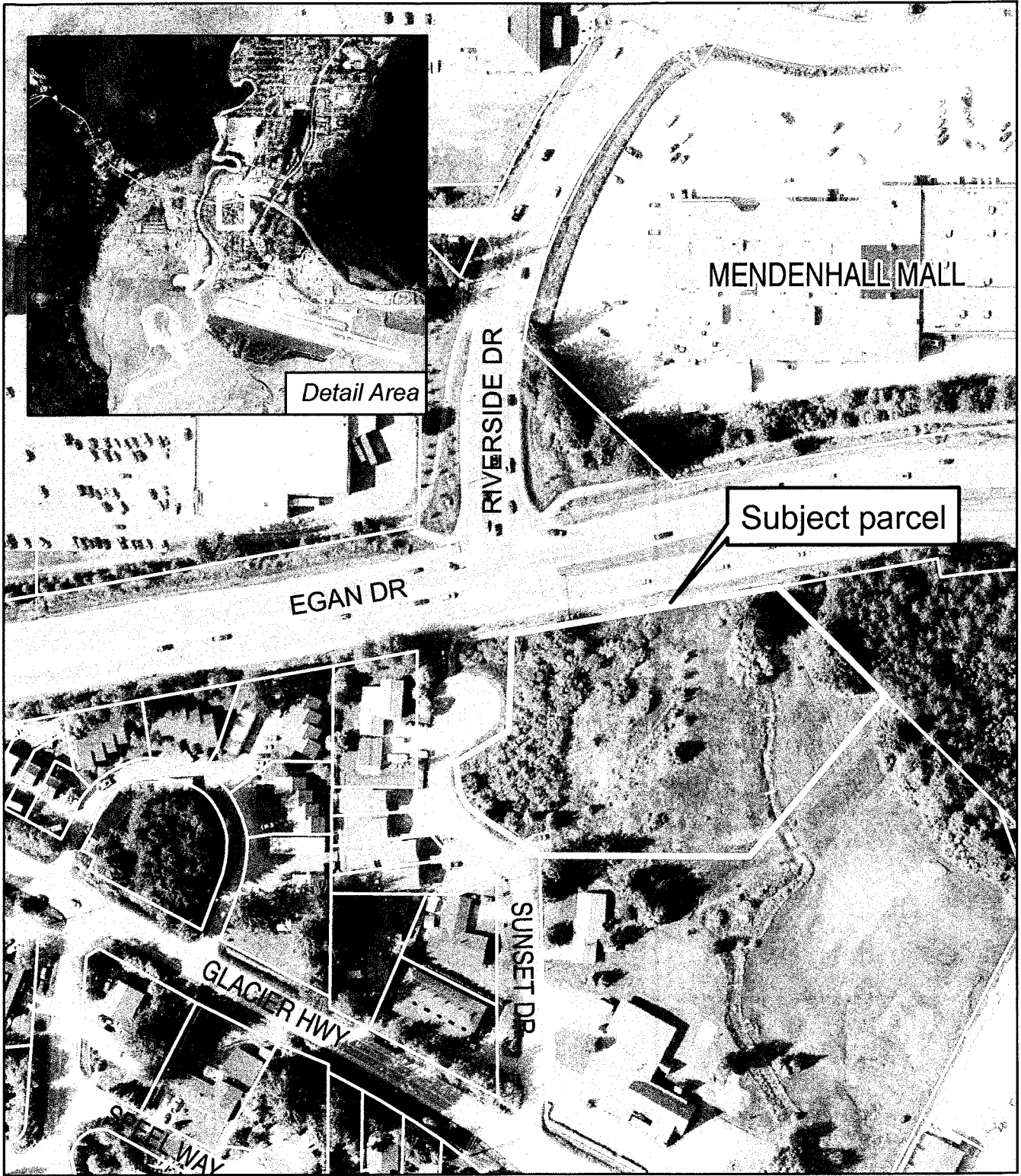
**PROPERTY OWNERS PLEASE NOTE:**

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 Eric Feldt, 586- 0764 ERIC\_FELDT@CI.JUNEAU.AK.US

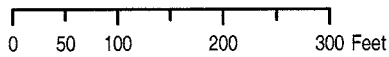
Planning Commission Agendas, Staff Reports and Meeting Results can be viewed at [www.juneau.org/plancomm](http://www.juneau.org/plancomm).

Date notice was printed: August 9, 2011



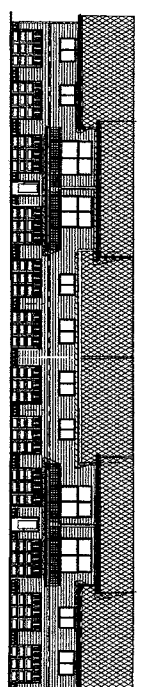
# SUNSET DR VICINITY

Map created: July 12th, 2011

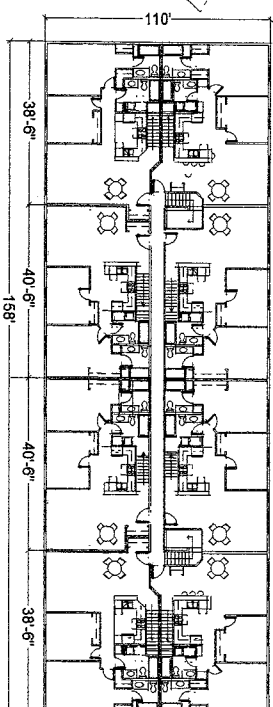




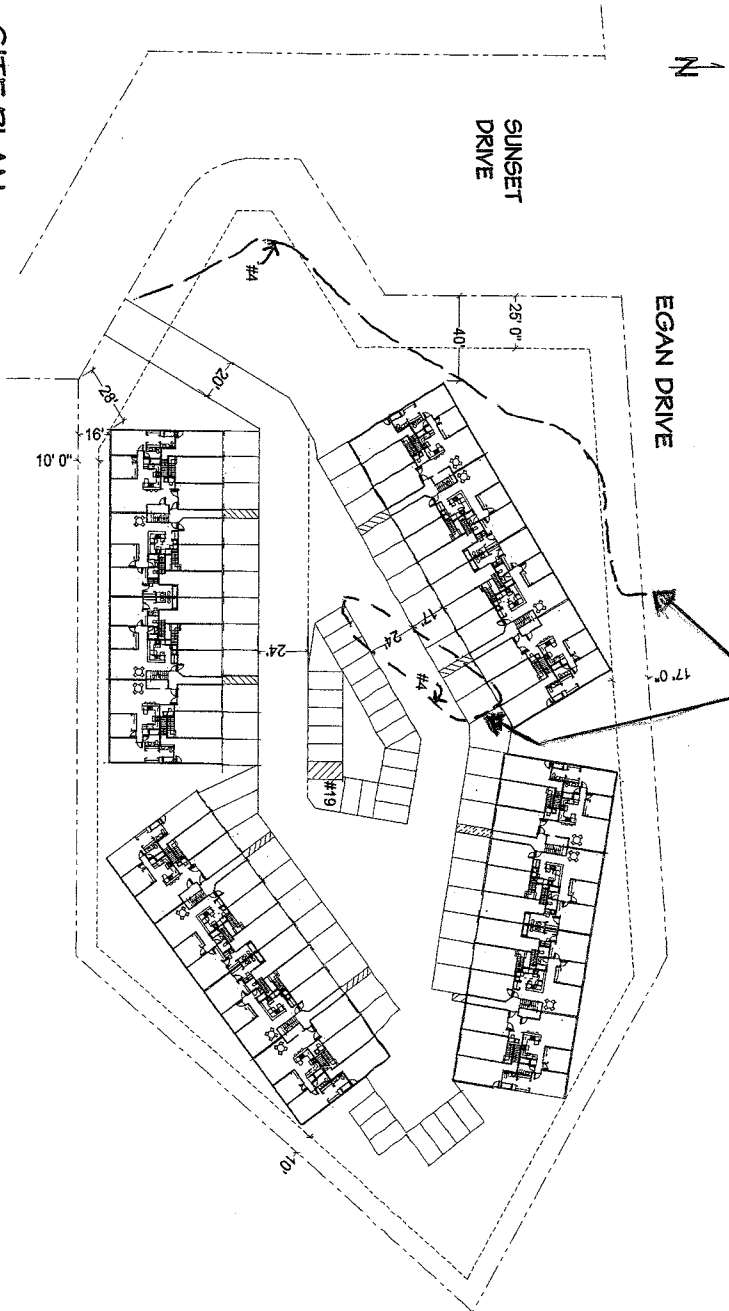
# ATTACHMENT B



FRONT ELEVATION 1"=30'



SECOND FLOOR PLAN 1"=30'

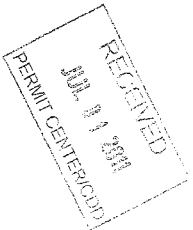


SITE PLAN 1"=60'

- PROPOSE DEVELOPMENT**
- #1. 48 UNIT APARTMENT COMPLEX
  - #2. Site Location .LOT 1 FAITH FAITH LUTHERAN SUBDIVISION
  - #3 LOT Size. 116,199sf (2.67 Acres)
  - #4. Wetlands. YES -SEE PLAN & J.W. BEAM & SURVEYOR
  - #5. Zoning LC
  - #6. Setbacks- 25' Front Yard, 17'Min Street Side Yard- 10' Min Side Yard & Rear Yard
  - #7. Building Height Proposed 33'
  - #8. Building Height Allowed 35'
  - #9. Vegetative Coverage proposed 42,243 sf
  - Vegetative Coverage required 15% x116,199sf= 17,430 sf
  - #9. Development Proposed. 2 STORY APARTMENT UNITS
  - Allowable use. REQUIRES CONDITIONAL USE PERMIT - WETLAND PERMIT

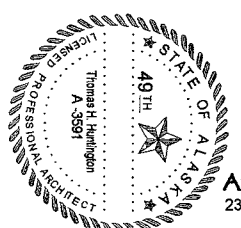
- #11. Typical Building Concept
- (12) UNITS -2-BR UNITS = (12) GARAGES
- #12. Number of buildings proposed = 4
- Number allowed= NOT REGULATED #5
- #13. Density Proposal (148) 2BR APARTMENT UNITS
- Density Allowed = 18 UNITS/ACRE x 2.67 ACRES= 48 UNIT
- #14. Parking Proposal= 116 SPACES (COUNTING GARAGE PARKING)
- Parking Required= BEDROOM FACTOR x # OF UNITS = 1.75 SPACES x 48 = 84 SPACES REOD
- #15. Parking Standards
- 90 SPACES 8.5' WIDE x17' DEPTH
- 24' BACK OUT FOR 2 WAY TRAFFIC
- #16. Accessible Space Proposed 9 Required 5
- Size 8'x17' + 5' AISLE FOR VAN 8' WIDE AISLE
- #17. Water & Sewer CBU
- #18. Fire Access -SEE PLAN
- #19. Trash +DUMPSTER + SCREEN

48 UNITS APARTMENT COMPLEX  
RH DEVELOPMENT  
JUNEAU, ALASKA



1 of 1  
5-28-1011  
7-1-1011 rev

ARCHITECTURA CONCEPTS  
© ABCTHOMAS HUNTINGTON 7/1/011



ABC/ THOMAS HUNTINGTON, ARCHITECT  
2314 Douglas Highway- Douglas, AK 99824-907-364-3636 & fax

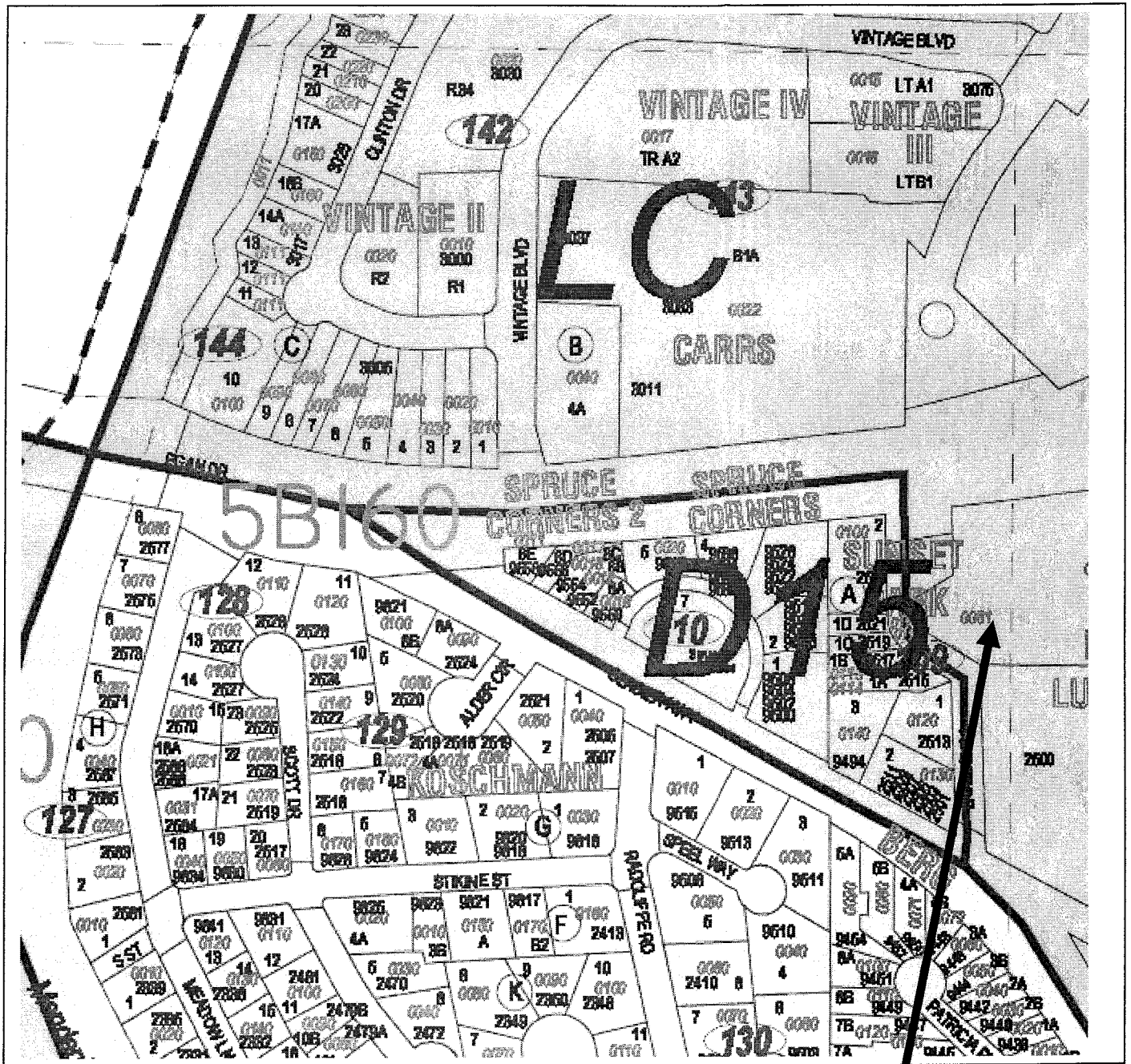


**ATTACHMENT C**





# Zoning Map



Subject site is located in the Light Commercial (LC) district

# 2008 Comprehensive Plan Land Designation Map

Site located in the General Commercial area

