


MEMORANDUM

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

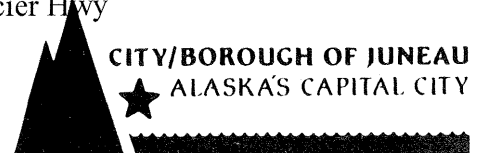
DATE: March 21, 2012
TO: Board of Adjustment
FROM: Eric Feldt, Planner II, CFM 
Community Development Department

FILE NO.: VAR2012 0004

PROPOSAL: A Variance request to encroach 25 feet into the 50-foot habitat setback of Bay Creek for the renovation of Auke Bay Elementary School parking lot.

GENERAL INFORMATION

Applicant: Catherine Wilkins, CBJ Engineering
Property Owner: City and Borough of Juneau
Property Address: 11860 Glacier Highway
Legal Description: Lot 3B1 USS 3820 & Lot 3 USS 2391
Parcel Code No.: 4-B28-0-103-012-1 & 4-B28-0-103-011-0
Site Size: 41.01 acres
Zoning: D-3
Utilities: Public Water and Sewer
Access: Glacier Highway
Existing Land Use: Elementary School; Juneau School District
Surrounding Land Use: North - D-3; University of Alaska Southeast vacant property
South - Waterfront Commercial (WC); City Parking Lot
East - General Commercial (GC); Restaurants, Laundromat, Apartments
West - Light Commercial (LC); Residential; single-family dwelling w/ apartment; Glacier Hwy



ATTACHMENTS

Attachment A	Vicinity Map
Attachment B	Site Plan
Attachment C	Areas of Encroachment
Attachment D	Draft Minutes of Wetland Review Board
Attachment E	Planting Area Map

PROJECT DESCRIPTION

The Auke Bay Elementary School will be renovated in the next several years. This project has been reviewed through a City consistency permit to ensure the project complies with all adopted City plans and regulations; See memorandum CSP2012 0003. Also, the subject variance has been requested to allow the enlarged parking lot to encroach as much as 25 feet into the 50-foot habitat setback of Bay Creek. The parking lot is shown in Attachment B and the two areas of encroachment are shown in Attachment C. Pictures of these areas are provided as Figures 1 & 2.

Development within 50 feet of a listed anadromous stream is prohibited in the Land Use Code; See the code section below. Since the project is out for bid, any changes to the plans at this time would require revising the bid documents and possibly costs, which the applicant wishes not to do, therefore, a variance is needed.

CBJ § 49.70.310 - Habitat.

(a) Development (see definition below) in the following areas is prohibited:

(4) Within 50 feet of the banks of streams designated in Appendix B of the comprehensive plan of the City and Borough of Juneau, 2008 Update

(b) In addition to the above requirements there shall be no disturbance in the following areas:

(1) Within 25 feet of stream designation in Appendix B of the comprehensive plan of the City & Borough of Juneau, 2008 Update.

CBJ § 49.80.120 Definitions.

The three items below are specifically stated under the definition of *Development* and are pertinent to the subject variance.

(6) Removal of substantial vegetative cover; and

(7) Excavation, dredge or fill activity;

(10) Any site work in preparation or anticipation of the above [buildings, structures, etc. over 120 square feet in area].

Preserving anadromous streams is indicated in the 2008 CBJ Comprehensive Plan for ecological, environment, and economical reasons, see below. A list of anadromous streams is provided in Appendix B of the Plan and corresponds to Alaska Department Fish & Game anadromous stream list. Bay Creek is listed as number 111-50-10390 on page 277 of the Comprehensive Plan. The Comprehensive Plan indicates a 50-foot development setback from these streams should be regulated in the Land Use Code. This is provided in Code, as indicated earlier.

Stream Corridors and Lake Shorelines (Page 75, Comprehensive Plan)

Stream courses and lakes possess unique ecological, recreational and scenic values. Portions of the stream corridors also function as floodways and floodplains and protect against erosion of adjacent properties. Development along stream corridors and lake shorelines can destroy their ecological, scenic and recreational values. It also can cause destruction of stream banks, increased runoff, sedimentation and pollution, and increase the danger of flooding to people and property. Carefully designed and sited development that is responsive to the conditions of the site can diminish the potential negative impacts on these ecosystems as well as surrounding land uses, and may be able to actually enhance degraded stream and lake habitat and water quality. (Emphasis added)

POLICY 7.1. IT IS THE POLICY OF THE CBJ TO PROTECT THE REGION'S SCENIC, ENVIRONMENTAL, AND ECONOMICALLY-VALUABLE NATURAL RESOURCES FROM THE ADVERSE IMPACTS OF URBAN DEVELOPMENT. DEVELOPMENT SHALL BE CONTROLLED CAREFULLY AND, IF NECESSARY, PROHIBITED IN NATURALLY HAZARDOUS AND ECOLOGICALLY-PRODUCTIVE OR SENSITIVE AREAS.

BACKGROUND

According to the applicant, the Auke Bay Elementary School was built during 1967-1968. Disturbance to the area that is now grassy, as seen in Figure, 2 likely occurred at that time.

Bay Creek parallels the existing parking lot the Auke Bay Elementary School, running toward Auke Bay. Downstream from Glacier Highway, the stream is very close to the Auke Bay Treatment Plant. This building was allowed to be within the habitat setback of the creek through an approved variance in 1998.



Figure 1. Picture of Auke Bay Elementary parking lot taken at the end of a school day showing high parking demand. Photograph taken by staff on March 15, 2012.

Figure 1 above shows the parking lot at the end of a given school day. Due to the shared parking spaces between school staff and parents plus a high number of private vehicles picking-up students, the parking lot's capacity quickly becomes exceeded. Cars park along both sides of the main entrance driveway and other overflow areas. The private cars sometimes compete with the school buses upon leaving the school.

ANALYSIS

Currently, there is an insufficient number of parking spaces to capture the high parking demand. School staff and parents share the same parking areas, and the parents and school buses share the same drop-off/pick-up lane. Figure 1 shows the high parking demand. The proposed parking plan (See Attachment B) shows 55 parking spaces, however only 34 are required. There are currently 62 spaces. The plan is to provide 21 more spaces than required by the Land Use Code to capture the high parking demand. The proposed parking lot will also create separate parking areas for staff and parents, and separate drop-off/pick-up lanes for parents and buses. This will improve pedestrian safety and automobile circulation. However, this expands the parking lot into the 50-foot habitat setback of Bay Creek.



Figure 2: New driveway will cover grassy area indicated by white dotted oval above, which is within the 50-foot setback from Bay Creek. Picture provided by Google Earth, and used by staff for views of vegetation.

The areas of encroachment are shown in Attachment C. Figure 2 shows a white dotted oval that was said to have been disturbed during the construction of the school during the late 1960s, according to the applicant. Grass is the only vegetation growing in this area, as seen in the figure. From the edge of the trees, the land quickly descends toward Bay Creek. As stated earlier, no trees in the habitat setback will be removed with the project. The grassy area is currently used as snow storage and sometimes for overflow of parking.

The existing edge of the driveway in Figure 2 does not have a curb to prevent pollutants from the parking lot running toward Bay Creek. The new driveway will have a curb to prevent this. The applicant says this will result in an improvement over the existing driveway. Further, snow storage will no longer be at this area, thus, further preventing parking lot pollutants from entering Bay Creek.

As seen on sheet A101 of Attachment B, a trash dumpster will be located near the 50-foot setback line of Bay Creek during one of the construction phases. Due to the toxic items in trash receptacles, staff is recommending a condition of approval that the dumpster shall be located outside of the habitat setback. Also, shown on the same sheet is an underground utility corridor within the habitat setback. This is a recommended condition of approval of the subject variance and shall not be closer than 25 from Bay Creek.

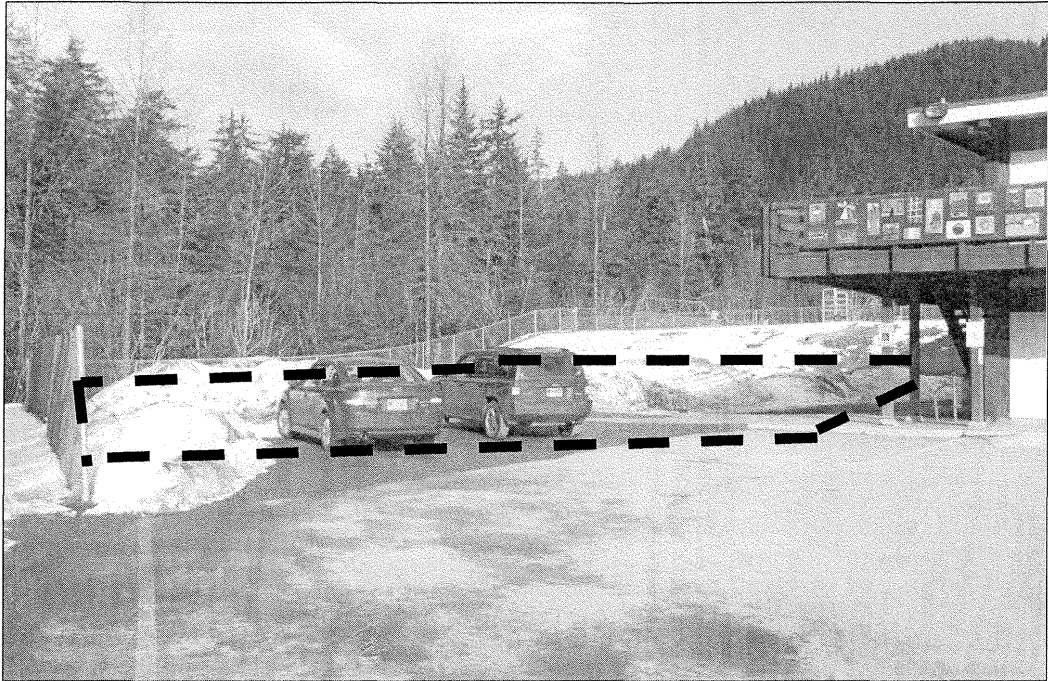


Figure 3: Picture of future staff parking lot marked by dashed black lines next to Auke Bay Elementary School on right. Photograph taken by staff on March 15, 2012

A new staff parking lot has been designed immediately west of the school building, and below the playground. The limits of the parking lot will be within the existing fence line, as seen in Figure 3. This area is currently used as snow storage and parking, and during the summer grass and tall weeds grow here. The new parking lot has been designed to free up other parking spaces for parents and guests. These also will separate users of the parking and will improve overall vehicular circulation. The corner of this parking lot will encroach approximately 15 feet in to the habitat setback, as shown in Attachment C.

Wetland Review Board Review

According to implementing action 7.3.IA10 of the 2008 Comprehensive Plan, the Wetland Review Board (WRB) shall advise the Planning Commission regarding direct and cumulative impacts to riparian functions when variances to stream setback are requested. The WRB discussed the subject variance on March 15, 2012. Their comments are stated below. The draft meeting minutes are attached under Attachment D.

The Wetland Review Board strongly opposes development in the 50' setback of Bay Creek and the Board believes that the applicant needs to make a greater effort to avoid impacting this area. Impacts may be reduced by:

- 1) Eliminating the infringement in the southwest corner of the staff parking lot;
- 2) Relocating the fire hydrant and the access pad outside of the 50' setback;
- 3) Shifting the two-way access driveway to the staff parking to the east by reducing the landscaped areas to the west; and
- 4) Using a retaining wall/system to maximize the fill slope (i.e. make it steeper) and minimize the encroachment to the west of the driveway.

Staff notes that if the applicant carries out these impact reduction tasks, the encroachment into the setback may be significantly less or entirely removed. The conditions listed below are recommended by the WRB if the variance is approved. As noted earlier, if the variance is denied, the applicant must re-design the project to comply with the habitat setback.

Conditions of Approval

1. In the previously disturbed area between the 25' and 50' distances of the setback west of the driveway leading to the staff parking lot, the applicant should plant alders with 75% coverage with a 50% survival rate over two years. The site plan in Attachment E marks the planting area.
2. The applicant should submit an approved maintenance plan for the proposed stormwater stormceptor system¹.
3. The Board is also concerned about the fluids and chemicals used during the geothermal drilling that may enter Bay Creek, as well as any mud or water that is generated. Staff recommends the applicant install a silt fence along the 50-foot habitat setback line prior to the geothermal drilling.
4. Lastly, the Board encourages uses of pervious pavement if possible. Prior to issuance of a Building permit, the applicant shall submit documentation showing if pervious pavement is possible, and if so, drawings of material and location.

The applicant states that both encroachments are needed to expand the parking lot to provide additional parking spaces and separate parking areas that will improve vehicular circulation and pedestrian safety. Further, the expanded parking lot will replace the existing grassy areas that were previously disturbed without removing trees. Snow storage in these encroachments will be discontinued and relocated elsewhere on the site. A new curbed asphalt edge will be designed to prevent water run-off from the parking lot from entering Bay Creek and direct it into a stormceptor to remove pollutants. Though these measures will help minimize affects to Bay Creek, staff finds that the recommended impact reduction measures from the Wetland Review Board may lead to a lesser encroachment or full compliance of the habitat setback, as well as lower construction costs.

¹ A stormceptor is an underground stormwater filtration unit that can separate oils, grease, sand, and other sediment from stormwater runoff. Many companies make stormceptor systems. Details on a stormceptor can be read at the following website: www.stormceptor.com

Variance Requirements

Under CBJ §49.20.250 where hardship and practical difficulties result from an extraordinary situation or unique physical feature affecting only a specific parcel of property or structures lawfully existing thereon and render it difficult to carry out the provisions of Title 49, the Board of Adjustment may grant a Variance in harmony with the general purpose and intent of Title 49. A Variance may vary any requirement or regulation of Title 49 concerning dimensional and other design standards, but not those concerning the use of land or structures, housing density, lot coverage, or those establishing construction standards. A Variance may be granted after the prescribed hearing and after the Board of Adjustment has determined:

1. ***That the relaxation applied for or a lesser relaxation specified by the Board of Adjustment would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.***

As stated earlier, the City was granted a variance to build a treatment plant building in the Bay Creek habitat setback downstream of Glacier Highway. The subject variance would allow a part of a parking lot to encroach into the setback.

Therefore, granting this variance will be more consistent with justice to other property owners in the neighborhood.

Therefore, this criterion is met.

2. ***That relief can be granted in such a fashion that the intent of this title will be observed and the public safety and welfare be preserved.***

As stated earlier, the Comprehensive Plan indicates that the intent of the 50-foot habitat is to preserve ecological, recreational, and scenic values along stream corridors. Development near streams can harm these important values. Therefore, the encroachment into the habitat setback of the driveway and parking lot does not preserve the intent of this title.

The areas of encroachment will only remove grassy areas in an area that was previously disturbed during the construction of the school. There will not be any trees removed in the areas of encroachment. If the recommendations by the Wetland Review Board are incorporated, the encroachment may be entirely removed, and thus, the intent of the title would be observed.

As stated earlier, the parking lot will be expanded with more parking spaces and separated parking areas to increased safety and circulation. Therefore, the safety and welfare of the public will be preserved with the granting of this variance.

Therefore, this criterion is met.

3. *That the authorization of the Variance will not injure nearby property.*

The areas of encroachment are not close to any neighboring structures. Therefore, nearby property will not be injured with the approval of this variance.

Therefore, this criterion is met.

4. *That the Variance does not authorize uses not allowed in the district involved.*

The variance is requested to allow the expansion of a parking lot used by school staff, parents, and school buses. The parking lot meets the parking requirement of the Auke Bay Elementary School. Schools are permitted uses in this district. Therefore, the variance is not for a use not allowed in the district.

Therefore, this criterion is met.

5. *That compliance with the existing standards would:*

(A) *Unreasonably prevent the owner from using the property for a permissible principal use;*

Due to the high parking demand of this school and the need for separated parking and drop-off/ pick-up areas, parts of the parking lot will encroach into the habitat setback. The parking lot could be re-designed outside of the setback with fewer parking spaces without affecting the parking requirement. Therefore, denying the variance will not prevent the owner from using the school.

Therefore, this criterion is **not** met.

(B) *Unreasonably prevent the owner from using the property in a manner which is consistent as to scale, amenities, appearance or features, with existing development in the neighborhood of the subject property;*

As stated in the subject memorandum, denying the variance would require the applicant to redesign the limits of the parking lot to comply with the habitat setback, which would result in a smaller parking lot. This would not result in the use being more consistent as to scale, amenity, appearance or feature with existing development in the neighborhood.

Therefore, this criterion is **not** met.

(C) *Be unnecessarily burdensome because unique physical features of the property render compliance with the standards unreasonably expensive;*

As stated earlier, no unique features present are creating a burden of complying with habitat setbacks that would render compliance more expensive.

Therefore, this criterion is **not** met.

Or

(D) *Because of preexisting nonconforming conditions on the subject parcel the grant of the Variance would not result in a net decrease in overall compliance with the Land Use Code, CBJ Title 49, or the building code, CBJ Title 19, or both.*

As stated earlier, parts of the encroachment areas were said to be disturbed during the construction of the school. At that time, the habitat setback was not established. This activity created a pre-existing nonconforming condition because development occurred in an area where it is now prohibited. The limits of the proposed parking lot do not extend beyond the areas previously disturbed. Therefore, the nonconforming limits of past disturbance would not be aggravated to result in a net decrease in overall compliance with the Land Use Code.

Therefore, this criterion is met.

Since Criterion 5 (D) is met, Criteria 5 is met.

6. *That a grant of the Variance would result in more benefits than detriments to the neighborhood.*

As indicated earlier, the granting of the variance will allow for a larger parking lot that will put more vehicles in designated parking spaces, which will reduce circulation congestion. If the variance is denied, some cars may continue to park along the driveway that may become hazardous to cars turning into the driveway. Therefore, having more cars in designated parking spaces will result in more benefits to the neighborhood.

Therefore, this criterion is met.

FINDINGS

1. *Is the application for the requested Variance 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.

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

2. *Will the proposed development comply with the Juneau Coastal Management Programs?*

Yes. Based on the analysis above, the development complies with the Juneau Coastal Management Program.

3. *Does the variance as requested, meet the criteria of Section 49.20.250, Grounds for Variances?*

Yes. Based on the analysis above and recommended impact reduction measures of the Wetland Review Board, staff finds that the proposal does meet the criteria of CBJ §49.20.250, *Grounds for Variance*.

RECOMMENDATION

Staff recommends that the Board of Adjustment adopt the Director's analysis and findings and approve the requested Variance, VAR2012 0004. The Variance permit would allow the proposed parking lot to encroach up to 25 feet into the habitat setback of Bay Creek.

Staff's Recommended Conditions of Approval

- 1) Prior to issuance of a Building permit, the applicant shall submit a site plan showing the location of the trash dumpster outside of 50-foot habitat setback.
- 2) Prior to issuance of a Building permit, the applicant shall submit a site plan showing the location of the underground utilities are not closer than 25 feet from Bay Creek.

The Wetland Review Board recommends the impact reduction measures and conditions of approval listed below:

Recommended Impact Reduction Measures:

- 1) Eliminate the infringement in the southwest corner of the staff parking lot;
- 2) Relocate the fire hydrant and the access pad outside of the 50' setback;
- 3) Shift the two-way access driveway to the staff parking to the east by reducing the landscaped areas to the west; and
- 4) Use a retaining wall system to maximize the fill slope (i.e. make it steeper) and minimize the encroachment to the west of the driveway.

Recommended Conditions of Approval

- 1) In the previously disturbed area between the 25' and 50' distances of the setback west of the driveway leading to the staff parking lot, the applicant should plant alders with 75% coverage with a 50% survival rate over two years. The site plan in Attachment E marks the planting area. The applicant shall submit documentation indicating where the alders will be planted prior to the issuance of a Building permit.
- 2) The applicant shall submit an approved maintenance plan for the stormceptor system prior to the issuance of a Building permit.
- 3) The applicant shall install a silt fence along the 50-foot habitat setback line prior to the geothermal drilling. Prior to the issuance of a Building permit, the applicant shall submit a site plan indicating where the geothermal drilling will take place and where the silt fence will be installed and other appropriate measures to keep fluids, chemicals, mud or water used for, and as a result of, drilling out of Bay Creek.
- 4) The applicant shall contact CDD staff to conduct an inspection when the silt fence and other measures have been installed prior to the drilling operation.
- 5) The Board encourages uses of pervious pavement if possible. Prior to issuance of a Building permit, the applicant shall submit to CDD staff documentation showing if pervious pavement is possible, and if so, drawings of material and location.
- 6) Prior to issuance of a final Certificate of Occupancy (CO), CDD staff shall verify 50% survival of alders planted as specified in Condition 1. If survival is less than 50%, the applicant shall replaced dead alders prior to CO.

DEVELOPMENT PERMIT APPLICATION

Project Number	CITY and BOROUGH of JUNEAU	Date Received: 3/5/12
Project Name <small>(City Staff to Assign Name)</small>		

PROJECT / APPLICANT INFORMATION	Project Description Auke Bay Elementary School renovation and additional of geothermal loop well field		
	PROPERTY LOCATION		
	Street Address 11869 Glacier Highway	City/Zip Auke Bay, AK 99835	
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) USS 3820 L 3B1		
	Assessor's Parcel Number(s) 4B2801030121		
	LANDOWNER/ LESSEE		
	Property Owner's Name City & Borough of Juneau	Contact Person: Catherine Wilkins	Work Phone: 586-0888
	Mailing Address 155 S. Seward Street, Juneau AK 99801	Home Phone:	Fax Number: 463-2606
	E-mail Address Catherine_Wilkins@ci.juneau.ak.us	Other Contact Phone Number(s):	
	LANDOWNER/ LESSEE CONSENT <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: 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		3/2/12	
X	_____	_____	
<small>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.</small>			
APPLICANT <small>If the same as OWNER, write "SAME" and sign and date at X below</small>			
Applicant's Name City & Borough of Juneau	Contact Person: Catherine Wilkins	Work Phone: 586-0888	
Mailing Address 155 S. Seward Street, Juneau, AK 99801	Home Phone:	Fax Number: 463-2606	
E-mail Address Catherine_Wilkins@ci.juneau.ak.us	Other Contact Phone Number(s):		
X	_____	_____	
<small>Applicant's Signature</small> <small>Date of Application</small>			

OFFICE USE ONLY BELOW THIS LINE					
STAFF APPROVALS	<input checked="" type="checkbox"/>	Permit Type	***SIGN	Date Received	Application Number(s)
	<input type="checkbox"/>	Building/Grading Permit			
	<input type="checkbox"/>	City/State Project Review and City Land Action			
	<input type="checkbox"/>	Inquiry Case <small>(Fee In Lieu, Letter of ZC, Use Not Listed)</small>			
	<input type="checkbox"/>	Mining Case <small>(Small, Large, Rural, Extraction, Exploration)</small>			
	<input type="checkbox"/>	Sign Approval <small>(If more than one, fill in all applicable permit #'s)</small>			
	<input type="checkbox"/>	Subdivision <small>(Minor, Major, PUD, St. Vacation, St. Name Change)</small>			
	<input type="checkbox"/>	Use Approval <small>(Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)</small>			
	<input checked="" type="checkbox"/>	Variance Case <small>(De Minimis and all other Variance case types)</small>		3/5/12	VAR 12-004
	<input type="checkbox"/>	Wetlands Permits			
<input type="checkbox"/>	Zone Change Application				
<input type="checkbox"/>	Other <small>(Describe)</small>				
<small>***Public Notice Sign Form filled out and in the file.</small>					
Comments:				Permit Intake Initials	
_____				EWF	

VARIANCE APPLICATION

Project Number	Project Name (15 characters)	Case Number <i>VAR 12-004</i>	Date Received <i>3/5/12</i>
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TYPE OF VARIANCE REQUESTED:

<input type="checkbox"/> Variance to the Sign Standard (VSG)	<input type="checkbox"/> Variance to Dimensional Standards (VDS)
<input checked="" type="checkbox"/> Variance to Habitat Setbacks (VHB)	<input type="checkbox"/> Variance to Parking Requirements (VPK)
<input type="checkbox"/> Variance to Setback Requirements (VSB)	

DESCRIPTION OF ACTIVITY WHICH REQUIRES A VARIANCE:

Concrete curb and asphalt paving of parking area partially encroaches into 50' setback from Bay Creek.

Previous Variance Applications? YES NO Date of Filing: _____

Previous Case Number(s): _____

Was the Variance Granted? YES NO

UNIQUE CHARACTERISTICS OF LAND OR BUILDING(S): _____

This is the only public elementary school in Auke Bay, serving over 400 students. This building has served as an important focal point for the community of Auke Bay for over 40 years.

UTILITIES AVAILABLE: WATER: Public On Site SEWER: Public On Site

WHY WOULD A VARIANCE BE NEEDED FOR THIS PROPERTY REGARDLESS OF THE OWNER?

The parking area is designed to keep bus and parent drop-off traffic separate, to ensure safety for children. Additionally it is often used as overflow parking for the Harbor. These design parameters have led to a large paved area.

WHAT HARDSHIP WOULD RESULT IF THE VARIANCE WERE NOT GRANTED?

If the parking area had to be re-designed it would be more constricted, leading to less efficient traffic flow and more congestion at peak times.

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.

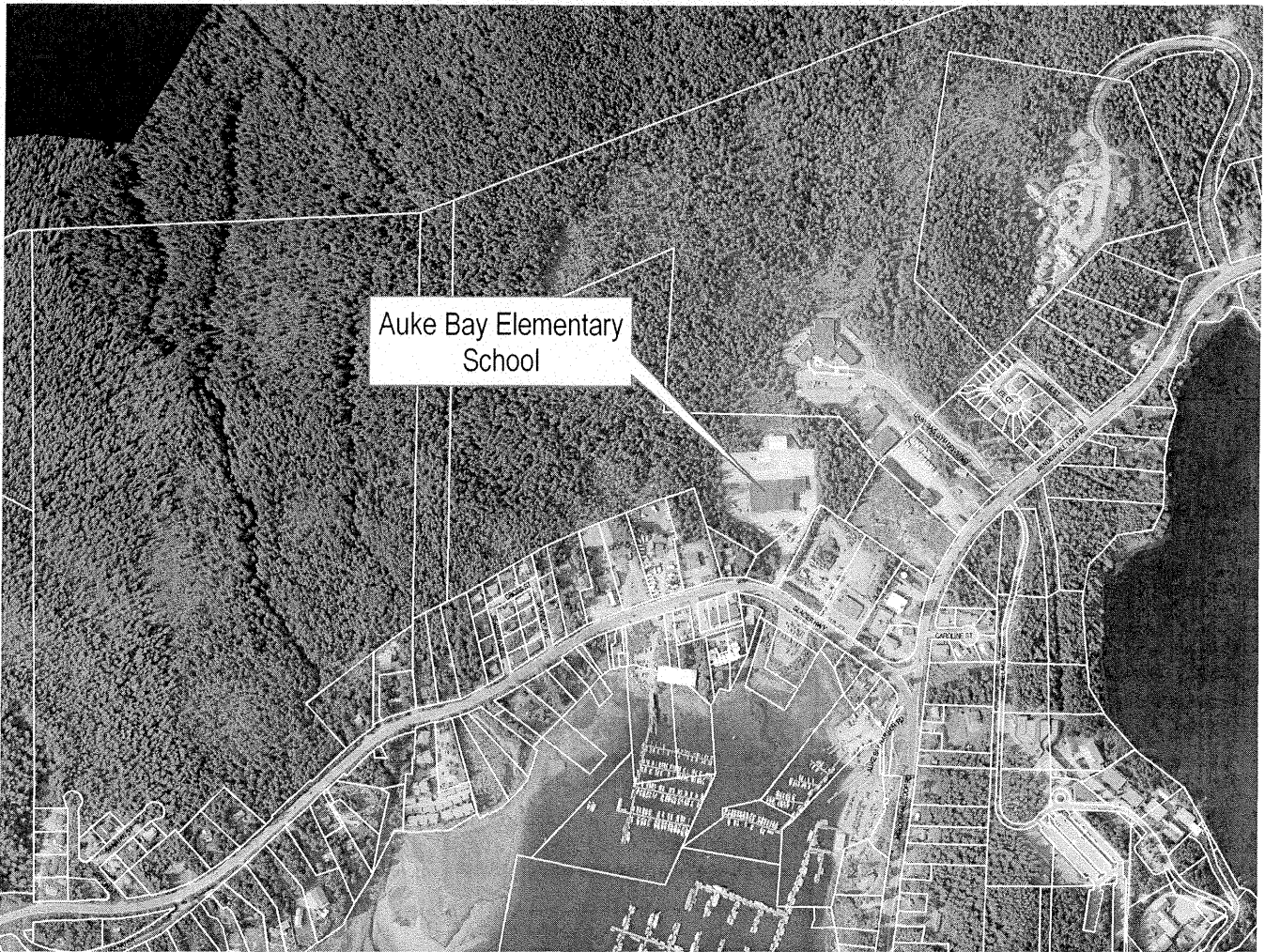
VARIANCE FEES

	Fees	Check No.	Receipt	Date
Application Fees	\$ <u>400.00</u>	_____	_____	_____
Adjustment	\$ _____	_____	_____	_____
Total Fee	\$ <u>400.00</u>	<u>paid by pnc</u>	_____	_____

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

TO BE COMPLETED BY THE APPLICANT

NOTICE OF PUBLIC HEARING



PROPOSAL: CSP2012 0003: A City Consistency Permit for the renovation of the Auke Bay Elementary School
 VAR2012 0004: A Variance request to encroach 25 feet into the 50-foot habitat setback of Bay Creek for the renovation of Auke Bay Elementary School.

<p>FILE NO: CSP2012 0003 & VAR2012 0004</p> <p>TO: Adjacent Property Owners</p> <p>HEARING DATE: March 27, 2012</p> <p>HEARING TIME: 7:00 PM</p> <p>PLACE: ASSEMBLY CHAMBERS Municipal Building 155 South Seward St Juneau, Alaska 99801</p>	<p>APPLICANT: City & Borough of Juneau</p> <p>Property PCN: 4-B28-0-103-012-1 & 4-B28-0-103-011-0</p> <p>Size: 41.01 acres</p> <p>Zoned: D3 & General Commercial</p> <p>Owner(s): City & Borough of Juneau</p> <p>Site Address: 11860 Glacier Highway</p> <p>Accessed via: Glacier Highway</p>
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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 at 586-0764 or via email at eric_feldt@ci.juneau.ak.us

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

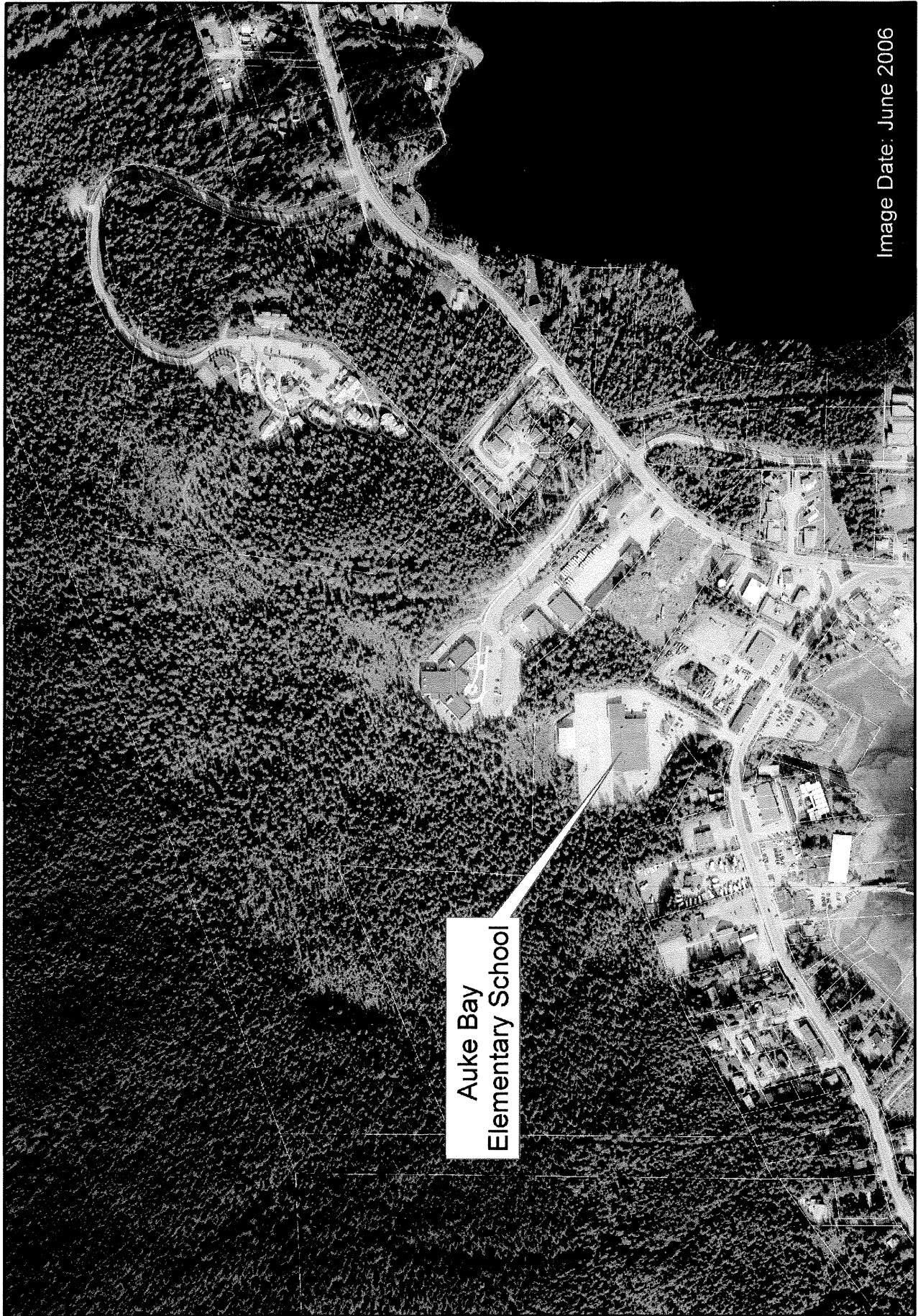
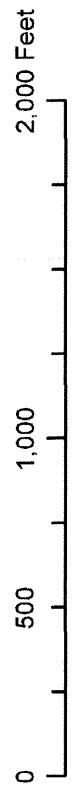


Image Date: June 2006

This is not a survey. Property lines are approximate



Auke Bay
Elementary School

ATTACHMENT A

SHEET NOTES SITE PHASING

① PHASE 1

- AREA OF WORK
- 1a WEST PARKING LOT:
EXCAVATE & FILL FOR WEST PARKING LOT
INSTALL GROUND SOURCE HEAT WELLS & PIPING
INSTALL SUBSURFACE DRAINAGE PIPING
INSTALL UTILITIES
PREPARE GRAVEL SURFACE WITH 95% COMPACTION FOR PARKING DURING PHASE 2
OWNER TO OCCUPY WEST PARKING LOT DURING PHASE 2.
- 1b TRENCHING DEMOLITION & INSTALLATION OF UTILITIES AS REQ.
PATCH SURFACE WITH COMPACTED GRAVEL FLUSH WITH PAVING FOR OWNER USE
DURING PHASE 2. TYP WHERE SHOWN.
- 1c EXCAVATION, GRADING, FILLING SUB BASE PREP FOR PHASE 3 SITE WORK
- 1d CONSTRUCTION OF RETAINING WALL
- 1e CONSTRUCTION OF ROAD (EXCEPT PAVING)
- 1f SUBSURFACE DRAINAGE

② PHASE 2

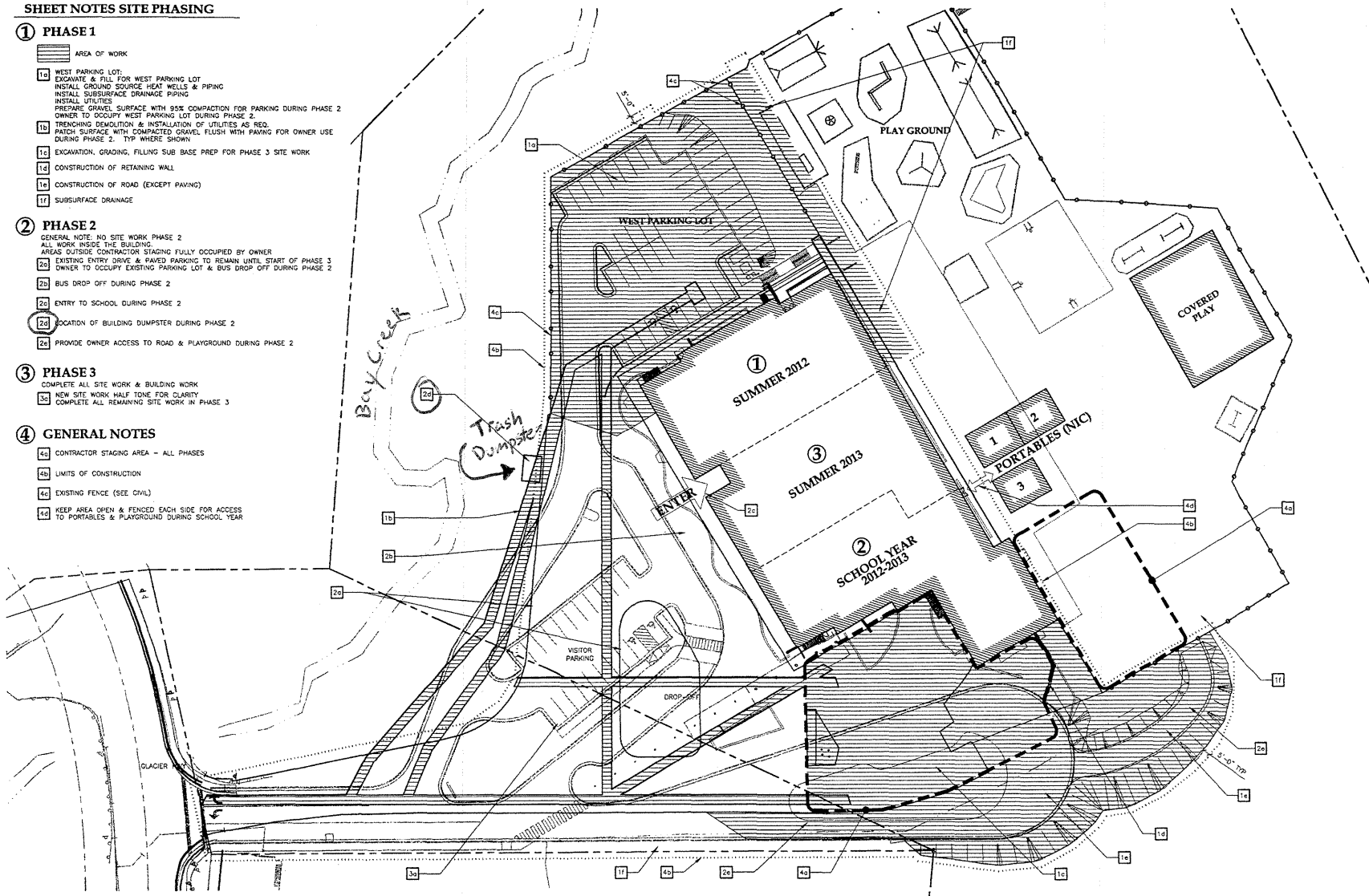
- GENERAL NOTE: NO SITE WORK PHASE 2
- ALL WORK INSIDE THE BUILDING
- AREAS OUTSIDE CONTRACTOR STAGING FULLY OCCUPIED BY OWNER
- 2a EXISTING ENTRY DRIVE & PAVED PARKING TO REMAIN UNTIL START OF PHASE 3
OWNER TO OCCUPY EXISTING PARKING LOT & BUS DROP OFF DURING PHASE 2
- 2b BUS DROP OFF DURING PHASE 2
- 2c ENTRY TO SCHOOL DURING PHASE 2
- 2d LOCATION OF BUILDING DUMPSTER DURING PHASE 2
- 2e PROVIDE OWNER ACCESS TO ROAD & PLAYGROUND DURING PHASE 2

③ PHASE 3

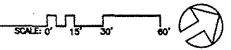
- COMPLETE ALL SITE WORK & BUILDING WORK
- 3a NEW SITE WORK HALF TONE FOR CLARITY
COMPLETE ALL REMAINING SITE WORK IN PHASE 3

④ GENERAL NOTES

- 4a CONTRACTOR STAGING AREA - ALL PHASES
- 4b LIMITS OF CONSTRUCTION
- 4c EXISTING FENCE (SEE CIVIL)
- 4d KEEP AREA OPEN & FENCED EACH SIDE FOR ACCESS
TO PORTABLES & PLAYGROUND DURING SCHOOL YEAR



1 PHASING PLAN



Jensen Yorba Lott Inc.
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 Juneau, Alaska 99801
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 fax 907-586-3959
 jensenyorbaltot.com



City and Borough of Juneau - Juneau School District
Auke Bay Elementary School Renovation
 CBJ Project No. E12-042
 Juneau, Alaska

REVISIONS

SHEET TITLE
SITE PHASING & CONSTRUCTION STAGING

DATE: December 21, 2011
 FILE: 10036

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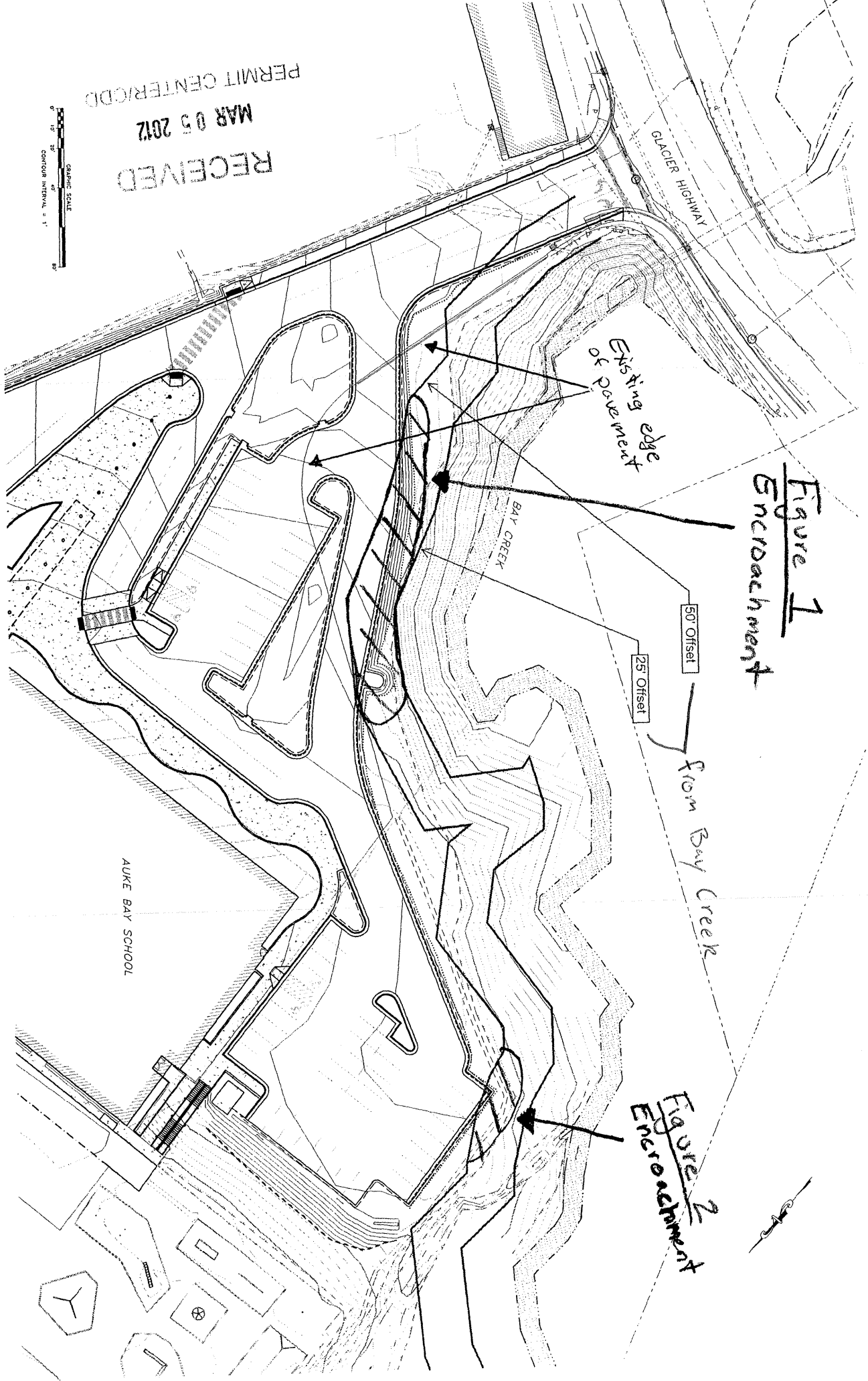
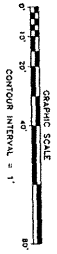


Figure 1
Encroachment

Figure 2
Encroachment

ATTACHMENT C

DRAFT MINUTES
WETLANDS REVIEW BOARD
REGULAR MEETING
March 15, 2012, 5:15 p.m. City Hall Room 224

Meeting Summary

Board Members Present: K Koski, Hal Geiger, Lisa Hoferkamp, Ron Berg, Dan Miller, Andrew Campbell, Brenda Wright, Jerry Medina

Board Members Absent: Mike Mauseth

A quorum was present.

Staff Members Present: Nicole Jones, Teri Camery, Eric Feldt CBJ Planners

Public Present: Catherine Wilkins, CBJ Engineering; Joann Lott and Aaron McDonald, Jensen Yorba Lott

Meeting called to order at 5:18 p.m.

- II. December 8, 2011 Regular Meeting minutes were approved.
- III. Agenda was approved.
- IV. No public participation on non-agenda items.

V. Board Comments

Dr. Koski passed out information regarding the successful restoration of a floodplain along Johnson Creek, a tributary of the Willamette River in Portland, Oregon.

VI. Agenda Items

VAR2012 0004. The Board reviewed VAR2012 0004, a Variance review to encroach into the 50' setback of Bay Creek for parking and circulation improvements at Auke Bay Elementary School. Applicant, CBJ.

Ms. Camery explained the Board's scientific advisory role and the review process.

Staff Presentation

Mr. Feldt provided an overview of the proposal, the two areas of encroachment into the Bay Creek setback, and described the applicant's reasons for developing within the setback: 1) to allow separation of parking areas; and 2) for improved safety and vehicular circulation. Mr. Feldt stated that 34 parking spaces are required by CBJ Code, while 55 spaces are proposed. Mr. Feldt explained that there are no trees within the impacted area of the setback, only grasses and weeds. A Variance is required because grading is not allowed within the setback according to the Code

ATTACHMENT D

definition of development. Mr. Feldt stated that pollutants currently run directly into the creek. The applicant has designed a curb to prevent water runoff from the parking lot from entering the creek, and the setback area will no longer be used as snow storage.

Applicant presentation

Ms. Wilkins stated that the purpose of the project is to separate the buses and parent drop-off areas. She said that the new drainage system will have “storm ceptors” which will remove contaminants to a much smaller level than a traditional oil-water separator. The west staff parking lot covers and protects the ground-source heat pump/geothermal loop. Mr. McDonald reviewed the alternatives that project managers looked at, and the problems with each design. He said that the final design provides the most efficient traffic and the most safety. He said that they explored options early in the process but that it was not possible to reduce the impact to Bay Creek without cutting parking spaces. Ms. Lott noted that the project stays within the boundaries of what has already been impacted.

No Public Testimony

Board/Staff Discussion

Board members stated that the Board’s role is to protect the stream. Members expressed anger over the statement that the applicant does not wish to redesign the project due to time and financial constraints. Members noted that the stream is a valuable asset to the school and an excellent educational opportunity. Members stated the importance of regular maintenance of the storm ceptors, and the need for a schedule. Members questioned the need and the safety benefit of having 20 parking spaces beyond the code requirement. Ms. Lott explained that the parking requirement is not adequate according to the school district. Mr. McDonald explained that less parking leads to more congestion which leads to more hazards such as double parking and visual blocks, and providing more parking capacity improves safety.

The Board discussed the use of the parking lot by boaters as overflow parking from the Statter Harbor boat launch. Members were concerned that the tight turns of the parking lot would not allow for a truck and trailer to turn and stay within the driving aisle. The proposed parking lot may result in trucks and trailers driving over the curb and into the 50-foot setback from Bay Creek.

The Board suggested several different approaches for minimizing the impact, such as reducing the two-way traffic to one-way. The applicant indicated that this would not be possible because the traffic needs to be separated. One board member was skeptical that adding more parking would change behavior, and said that the application needs an analysis of the pros and cons of each alternative, and alternatives must be exhausted before applying for a variance. Another board member had sympathy with project budgets and a tight schedule, appreciated the project design and safety concerns, but felt that more effort was needed to reduce impacts within the setback. Another board member expressed frustration with city projects and the expectation that city projects will be granted variances while tighter standards are expected of private citizens. The member stated that as the largest landholder, the city should be able to stay out of the streamside setbacks. The member agreed with the safety concern, but said that the project needs

mitigation for the remaining setback area. Members noted that removing the fence would be an improvement for setback functions.

The Board concluded that the applicant did not utilize available options to reduce the impact to the stream, and that additional protective measures are needed to address construction impacts, reduce contaminants, and restore the remaining setback area.

The Board unanimously passed the following motion:

The Board strongly opposes development in the 50' setback of Bay Creek and the Board believes that the applicant needs to make a greater effort to avoid impacting this area. Impacts may be reduced by:

- 1) *eliminating the infringement in the southwest corner of the staff parking lot;*
- 2) *relocating the fire hydrant and the access pad outside of the 50' setback;*
- 3) *shifting the two-way access driveway to the staff parking to the east by reducing the landscaped areas to the west;*
- 4) *using a retainage system to maximize the fill slope (i.e. make it steeper) and minimize the encroachment to the west of the driveway.*

In the previously disturbed area, to the west of the driveway leading to the staff parking lot within the 50' setback, the applicant should plant alders with 75% coverage with a 50% survival rate over two years. The applicant should submit an approved maintenance plan addressing the storm cepter system. The Board is also concerned about the impact of the geothermal drilling on the Bay Creek habitat and request special attention to this operation to ensure that no contamination occurs. Lastly, the Board encourages uses of pervious pavement if possible.

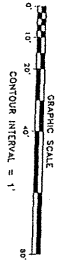
Pending Permits and Updates

1. **CIAP Habitat Mapping Project/Juneau Wetlands Management Plan Update.** Ms. Camery announced that though CBJ has the final award from the federal agency, the project is now stalled at the state level because the state must develop the grant agreement before CBJ can appropriate the funds and proceed with the project. LiDAR and imagery are delayed until 2013, however staff hopes to begin the wetland methodology phase of the project this summer if a grant agreement is received by May.
2. **CBJ/DOT Ditch Maintenance.** Board members suggested that staff re-send the letter to DOT and CBJ staff again to encourage a continuing dialogue on this issue. The Board needs to see DOT and CBJ's maintenance schedule to see where they'll be working, and also invite CBJ and DOT maintenance staff to a future WRB meeting.
3. **Spring/summer airport site visit.** The Board will schedule an airport site visit after the Jordan Creek area is complete and re-vegetated.
4. **Southeast Alaska Watershed Council conference update.** Staff and the two board members who attended this conference described the theme of cooperation and collaboration in watershed management, and noted that it's difficult to replace the function in functioning wetlands.

Next meeting: April 26, 2012, 5:15 p.m. City Hall Conference room #224

The meeting was adjourned at approximately 7:10 p.m.

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Areas of recommended plantings of Alders

*Existing edge
of pavement*

50' Offset

25' Offset

BAY CREEK

AUKE BAY SCHOOL

ATTACHMENT E

