

**MEMORANDUM**  
CITY & BOROUGH OF JUNEAU  
155 South Seward Street, Juneau, Alaska 99801

**DATE:** May 3, 2012

**TO:** Planning Commission

**FROM:** Teri Camery, Senior Planner  
Community Development Department

**FILE NO.:** USE2012 0005

**PROPOSAL:** A Conditional Use Permit for placement of a permanent food vendor providing walk-up restaurant service

**GENERAL INFORMATION**

**Applicant:** Venetia Santana

**Property Owner:** WILL-O LLC

**Property Address:** 10002 Glacier Hwy

**Legal Description:** Willo Lot 2

**Parcel Code Number:** 4-B17-0-102-004-1

**Site Size:** 1.25 acres

**Zoning:** Industrial (Office uses allowed per Ord. No. 2003-41)

**Utilities:** CBJ Water and Sewer

**Access:** Glacier Highway

**Existing Land Use:** Wildmeadow Village Office Complex (State of Alaska Job Service building)

**Surrounding Land Use:**

North	- Glacier Highway ; D-1 Residential (vacant)
South	- Industrial (vacant)
East	- Industrial (vacant)
West	- Industrial; Pavitt Health and Fitness Center



## **ATTACHMENTS**

- Attachment 1 Vicinity Map
- Attachment 2 Development Permit Application
- Attachment 3 Conditional Use Application
- Attachment 4 Project Narrative
- Attachment 5 Food cart layout
- Attachment 6 Site Plan

## **PROJECT DESCRIPTION**

The applicant requests a Conditional Use permit to allow a deli food truck to be permanently parked at the Wildmeadow Office Complex (State of Alaska Job Service building) at 10002 Glacier Highway. The truck will be located on the west side of the building in a grassy area in the rear of the lot, behind the building. The operation is for counter customers only; it is not a drive-through. Customers will park in the large lot and walk to the counter for service. The truck will also provide restaurant service to people who arrive at the office complex by public transit. A smaller vehicle will provide off-site delivery service; the food truck will remain on the property.

The food vendor use is intended to be permanent and stationary, however the truck may occasionally move briefly to provide service at special events. The development will have an electrical hook-up. The owner has a lease agreement with the Wildmeadow Office Complex to use restroom facilities for the development's two employees. The truck has a 40-gallon freshwater tank and 70-gallon wastewater holding tank for other purposes, which will be pumped as needed.

The vendor will be open from approximately 6 a.m to 6 p.m. seven days a week during summer, six days a week during fall and spring, and closed during the winter. Hours may be adjusted according to business needs. Minimal lighting will be provided around the truck.

## **ANALYSIS**

### **Project Site**

The site is bordered to the north by Glacier Highway, to the west by Pavitt Health and Fitness Center, and to the south and east by vacant industrial land. The parking lot is used by tenants and visitors of the Willow Park office building, currently occupied by the State of Alaska Job Service. CBJ Ordinance No. 2003-31 allows office uses in the Industrial Zone in this specific area, which includes 14 lots with direct frontage on the south side of Glacier Highway, west of Industrial Boulevard.

### **Project Design**

The truck is a self-contained unit, 27' x 7.8', and includes a sink, refrigerator, food preparation area,

grill, holding tank, and pick-up window. Employees will use the restroom facilities in the office complex.

### **Traffic, Parking, and Circulation -**

The Willow Park site must accommodate parking for both the office building, "The Grind" coffee stand (approved in 2007 as USE2007-00055), and the proposed food vendor.

The combined requirement is 64.72 parking spaces or rounded to the nearest whole number, 65 spaces (per § 49.40.210):

Number of spaces required for food vendor:  $(210.6 \text{ sq ft}) \times (1/200 \text{ sq ft gross floor area}) = 1.05$

Number of spaces required for coffee stand:  $(144 \text{ sq ft}) \times (1/200 \text{ sq ft gross floor area}) = 0.72$

Number of spaces required for office building:

First three floors, office use:  $(18,565 \text{ sq ft}) \times (1/300 \text{ sq ft gross floor area}) = 61.88^*$

Fourth floor, storage  $(1,069 \text{ sq ft}) \times (1/1000 \text{ sq ft gross floor area}) = 1.07$

*Total number of parking spaces required:* *64.72*

\*This figure is based on square footage provided by the property owner as follows: first floor, 5938 sq ft; second floor, 6185 sq ft. ; third floor, 6442 sq ft.

The site plan, included as Attachment Six, indicates that 66 spaces are available on the lot where 65 are required, so the proposed development complies with code parking regulations.

DOT was consulted during the agency review period and stated that they had no concerns regarding traffic or circulation. CBJ Engineering and other CBJ agencies had no concerns.

### **Noise -**

The development is surrounded on three sides by industrial-zoned land and on one side by Glacier Highway. The truck will have electrical service, so a generator will not be needed. The proposed development will generate significantly less noise than other allowed industrial uses, therefore noise is not expected to be a significant concern.

### **Public Health or Safety -**

No evidence indicates that there are any public health or safety impacts from the proposed development. CBJ Engineering and DOT reviewed the traffic and circulation proposal without comment.

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

The development is surrounded by industrial and vacant land adjacent to Glacier Highway, and is a low-impact use which will primarily provide service to adjacent businesses. No evidence indicates

that the development would negatively impact property value or neighborhood harmony.

### **Conformity with Adopted Plans**

The development complies with the 2008 CBJ Comprehensive Plan policy 5.8 as follows:

*It is the policy of the CBJ to encourage the location and growth of locally-based basic sector industries that provide year-round, full-time employment and provide tax revenues that support public services.*

The proposed development is a permanent, small-scale local business with two employees in an industrial area, which supports the intention of this policy.

### **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.** CDD finds that 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 8.050 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 April 26, 2012 and May 4, 2012 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 in the staff report, the project is located in Industrial zone on a large lot with adequate room for circulation. No evidence indicates that the proposed development will materially endanger 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.** As discussed in the staff analysis, the project is located in an Industrial Zone and is surrounded by vacant land and office and commercial uses. As discussed in the previous analysis, no evidence indicates that the proposed development will substantially decrease the value of or be out of harmony with property in the neighboring area.

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

**Yes.** The development is in general conformity with the 2008 CBJ Comprehensive Plan, specifically policy 5.8 regarding local industries.

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

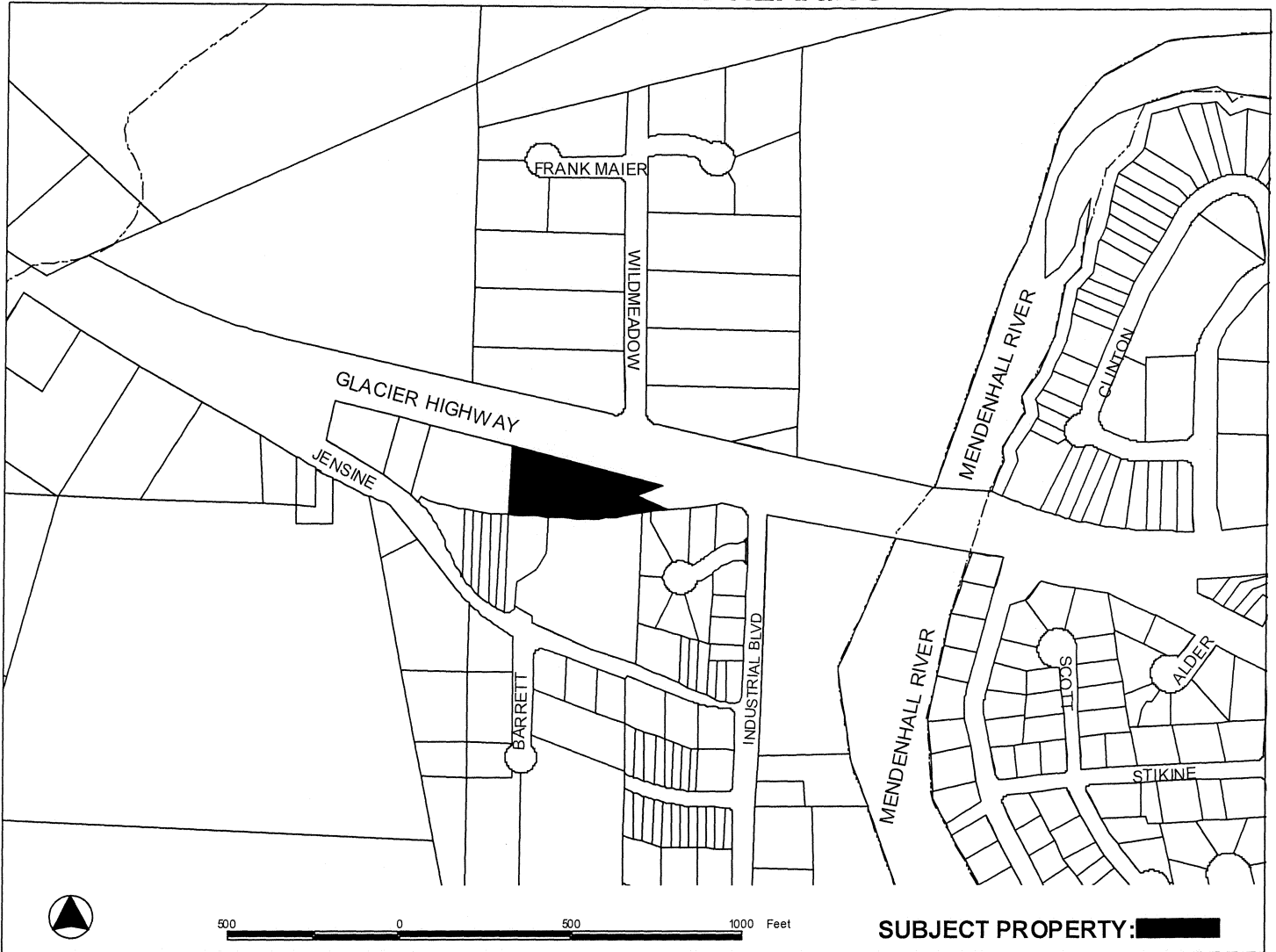
**7. *Will the proposed development comply with the Juneau Coastal Management Program?***

**Not applicable.** The project does not affect any sensitive habitat.

**RECOMMENDATION**

Staff recommends that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use permit. The permit would allow the placement of a permanent food vendor to provide walk-up restaurant service on the west side of the Wildmeadow Office Complex at 10002 Glacier Highway.

# NOTICE OF PUBLIC HEARING



**PROPOSAL:** A Conditional Use Permit for a permanent food vendor operating from a truck

<p><b>FILE NO:</b> USE2012 0005</p> <p><b>TO:</b> Adjacent Property Owners</p> <p><b>HEARING DATE:</b> May 08, 2012</p> <p><b>HEARING TIME:</b> 7:00 PM</p> <p><b>PLACE:</b> <b>ASSEMBLY CHAMBERS</b> Municipal Building 155 South Seward St Juneau, Alaska 99801</p>	<p><b>APPLICANT:</b> VENIETIA M SANTANA</p> <p><b>Property PCN:</b> 4-B17-0-102-004-1</p> <p><b>Owner(s):</b> WILL-O LLC</p> <p><b>Parcel Size:</b> 1.25 acres</p> <p><b>Zoned:</b> Industrial</p> <p><b>Site Address:</b> 10002 GLACIER HWY</p> <p><b>Accessed via:</b> GLACIER HWY</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 Teri Camery at 586-0755 or email [teri\\_camery@ci.juneau.ak.us](mailto:teri_camery@ci.juneau.ak.us)

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

## ATTACHMENT 1

Date notice was printed: April 25, 2012

# DEVELOPMENT PERMIT APPLICATION

Project Number	<b>CITY and BOROUGH of JUNEAU</b>	Date Received: <u>3/27/12</u>
Project Name (City Staff to Assign Name)		

PROJECT / APPLICANT INFORMATION	Project Description <u>Please see attached description</u>		
	<b>PROPERTY LOCATION</b>		
	Street Address <u>10002 Glacier Hwy</u>	City/Zip <u>Juneau AK 99801</u>	
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) <u>WILCO LOT 2</u>		
	Assessor's Parcel Number(s) <u>413170102.0046</u>		
	<b>LANDOWNER/ LESSEE</b>		
	Property Owner's Name <u>Venietia Santana Vs Grinders LLC</u>	Contact Person: <u>Same</u>	Work Phone: <u>907 723 2762</u>
	Mailing Address <u>P.O. Box 32714 Juneau AK 99803</u>	Home Phone: <u>723 2762</u>	Fax Number:
	E-mail Address <u>jsvmc@hotmail.com</u>	Other Contact Phone Number(s):	
	<b>LANDOWNER/ LESSEE CONSENT</b> ****Required for Planning Permits, not needed on Building/ Engineering Permits****		
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.			
X <u>Venietia Santana</u> Landowner/Lessee Signature		Date <u>3/27/12</u>	
X _____ Landowner/Lessee Signature		Date _____	
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.			
<b>APPLICANT</b> If the same as OWNER, write "SAME" and sign and date at X below			
Applicant's Name <u>Venietia Santana</u>	Contact Person: <u>Same</u>	Work Phone: <u>723 2762</u>	
Mailing Address <u>P.O. Box 32714 Juneau AK 99803</u>	Home Phone: <u>723 2762</u>	Fax Number:	
E-mail Address	Other Contact Phone Number(s):		
X <u>Venietia Santana</u> Applicant's Signature		Date of Application <u>3/27/12</u>	

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

STAFF APPROVALS	<input checked="" type="checkbox"/>	<b>Permit Type</b>	***SIGN	Date Received	Application Number(s)	
		Building/Grading Permit				
		City/State Project Review and City Land Action				
		Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)				
		Mining Case (Small, Large, Rural, Extraction, Exploration)				
		Sign Approval (If more than one, fill in all applicable permit #'s)				
		Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)				
		Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)		<u>3/27/12</u>	<u>use 12-005</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:					Permit Intake Initials <u>JSVMC</u>

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

## ATTACHMENT 2



# ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

Project Number	Project Name (15 characters)	Case Number	Date Received
		USE 12-005	3/27/12

## 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: 8,050

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

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

Deli Food truck

IS THIS A MODIFICATION OF AN EXISTING APPROVAL?     NO     YES - Case # \_\_\_\_\_

CURRENT USE OF LAND OR BUILDING(S): Parking lot

PROPOSED USE OF LAND OR BUILDING(S): site for food truck

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

## SITE AND BUILDING SPECIFICS:

Total Area of Lot 84,573 square feet    Total Area of Existing Structure(s) 0 square feet  
 Total Area of Proposed Structure(s) 27 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 checked="" type="checkbox"/> Existing Physical Features of the site (drainage, habitat, hazard areas, etc.)              |
| <input type="checkbox"/> Elevation view of existing and proposed buildings |   |
| <input 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 \$ <u>5000</u>	_____	_____	_____
Admin. of Guarantee \$ _____	_____	_____	_____
Adjustment \$ _____	_____	_____	_____
Pub. Not. Sign Fee \$ <u>50</u>	_____	_____	_____
Pub. Not. Sign Deposit \$ <u>1000</u>	_____	_____	_____
Total Fee \$ <u>6500</u>	<u>0469C</u>	<u>CD 2579</u>	<u>3/27/12</u>

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

TO BE COMPLETED BY THE APPLICANT



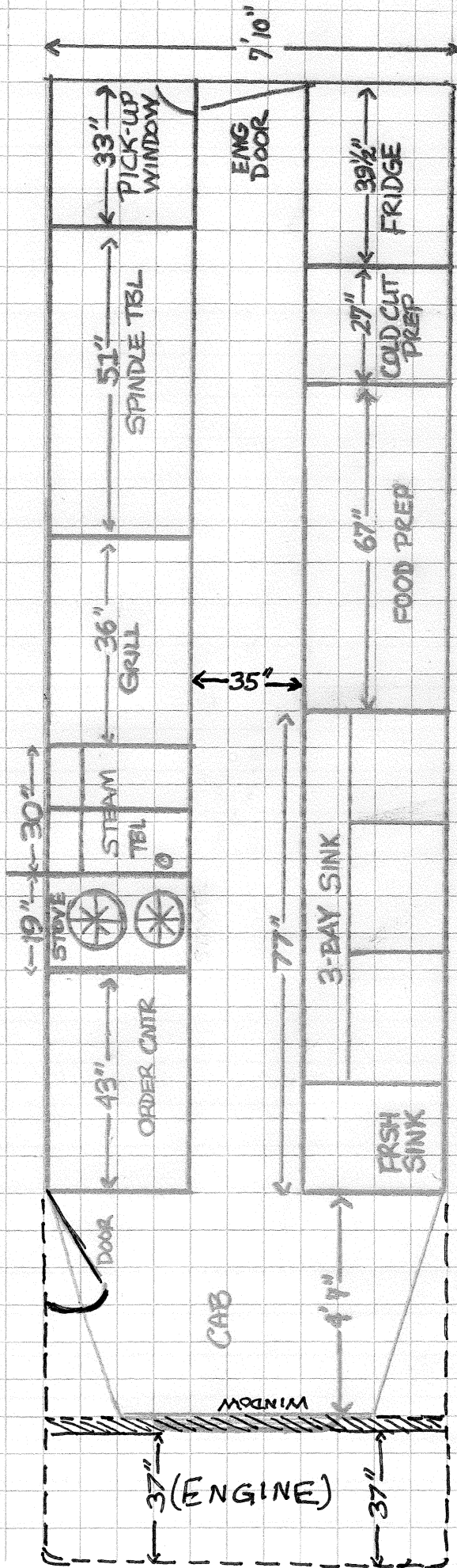
Venietia Santana  
P.O. Box 32714  
Juneau, AK 99803  
907-723-2762

### V's Grinders

My grinder truck will be located at 10002 Glacier Highway on the right side back corner of the Job Center building. The truck will take up space that was not large enough to be parking spaces. There is more than adequate parking spaces for my customers and for the adjacent Job Center building. The flow of traffic will come from the left hand entrance of the Willow Park building and proceed along the driving path to the right side of the building. There is enough room for through traffic and for customers to approach the truck in a safe walking path.

All utilities will be provided within code. Electricity for the truck will have enough clearance for traffic and pedestrians. Septic will be pumped and the truck will be stationary. There will be a delivery vehicle for lunch service to businesses within a five to ten mile radius.





INSIDE HEIGHT

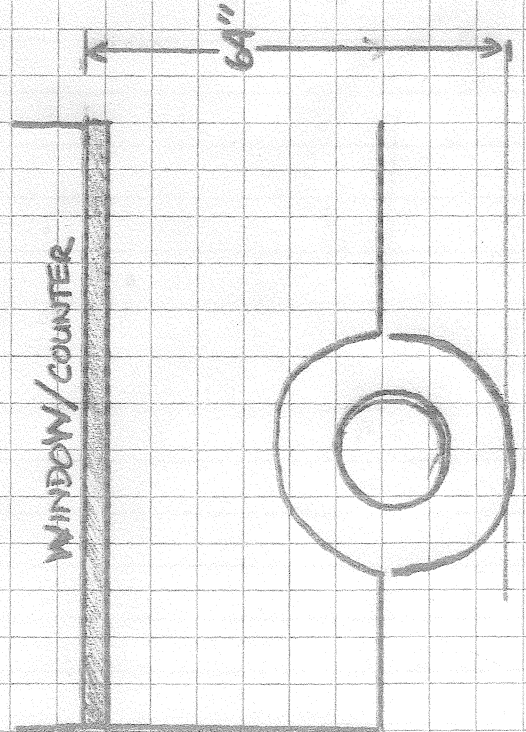
GRILL CTR = 38 1/2"

STEAM TBL = 35 3/4"

PREP CNTR = 37"

3-BAY SINK = 37"

SPINDLE TBL = 32"



RECEIVED  
 MAR 27 2012  
 PERMIT CENTER/CDD



**MRV ARCHITECTS**

907-586-1371  
FAX 907-463-5544  
mrv@mrvarchitects.com

800 GLACIER AVENUE #A  
JUNEAU, ALASKA 99801

MRV # 0716

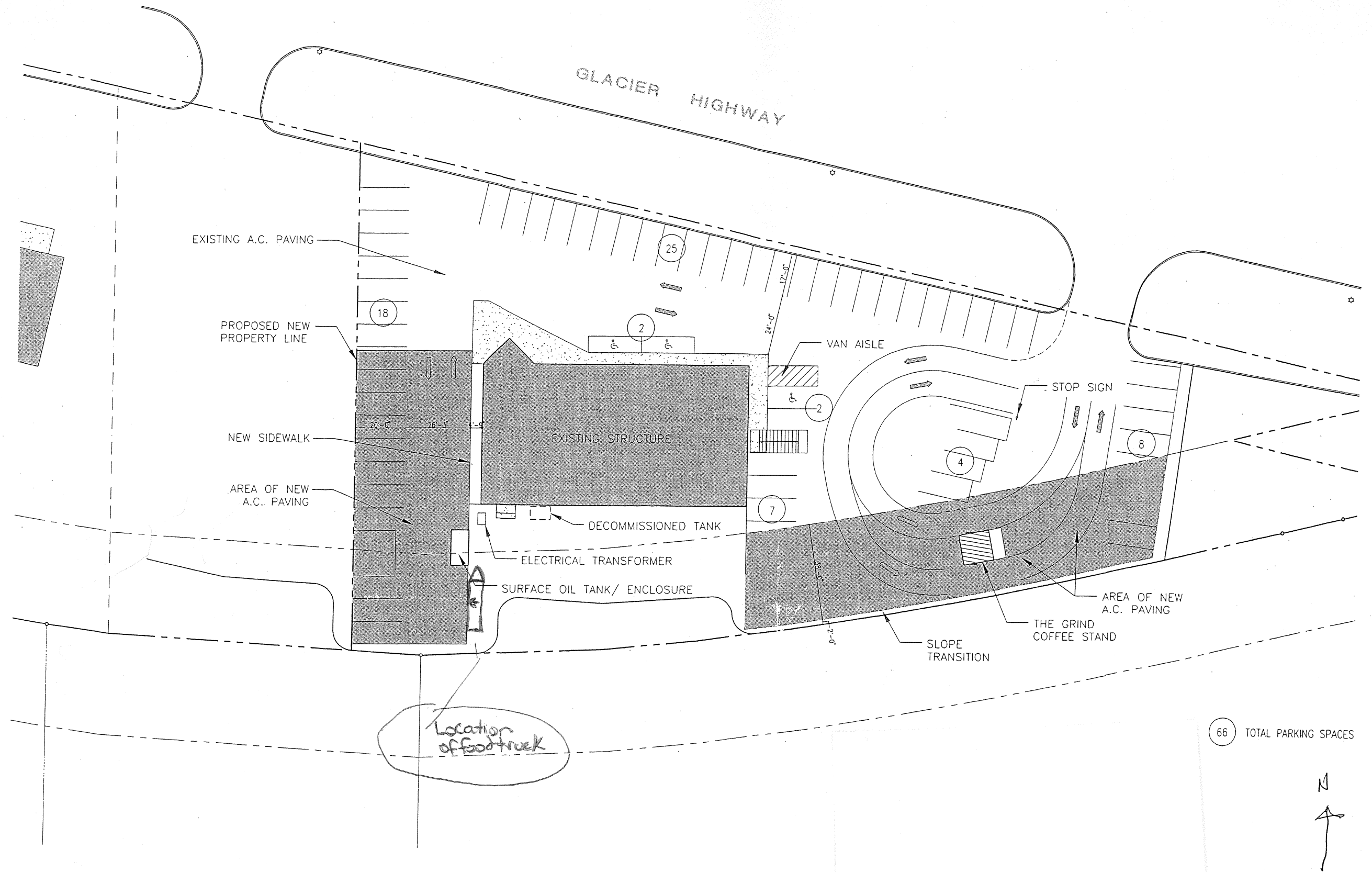
**SITE DEVELOPMENT PLAN  
WILLOW PARK**

**JUNEAU, ALASKA**

SHEET TITLE:  
SITE PLAN

DATE: NOVEMBER 13, 2007  
SCALE: AS NOTED  
DRAWN: AL

**ATTACHMENT 6  
A100**



**1 MODIFIED SITE PLAN**  
Scale: 1"=40'-0"

10002 Glacier Hwy.  
USS 1042 FR  
4-B17-0-102-004-0