


MEMORANDUM

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

DATE: April 16, 2013

TO: Planning Commission

FROM: Jonathan Lange, Planner 
Community Development Department

FILE NO.: USE2013 0009

PROPOSAL: Place temporary 5th wheel trailer on site as caretaker residence during construction of new church.

GENERAL INFORMATION

Applicant: Bethany Baptist Church, Reverend Dean C. Blood

Property Owner: Bethany Baptist Church

Property Address: 4395 Riverside Drive

Legal Description: Riverview Acres Lot 14A

Parcel Code Number: 5-B25-0-151-002-1

Site Size: 2.67 acres or 116,136 square feet

Comprehensive Plan Future Land Use Designation: MDR – Medium Density Residential

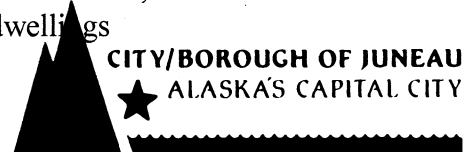
Zoning: D-15

Utilities: City water and sewer.

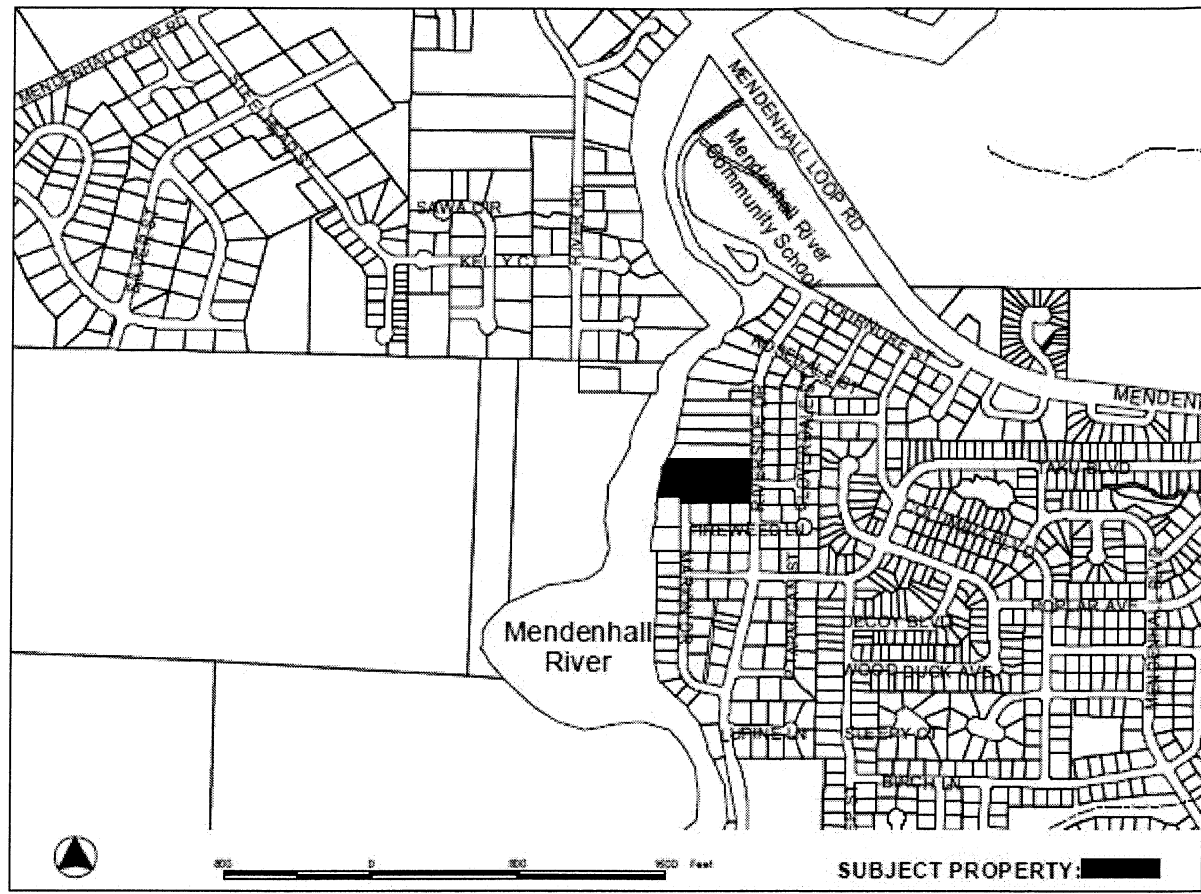
Access: Riverside Drive

Existing Land Use: Vacant

Surrounding Land Use: North - D-15, Vacant
South - D-5, 3 Single-family dwellings and a Duplex
East - Mendenhall River; D-1 across river, CBJ Park
West - D-15, 2 Single-family dwellings



Vicinity Map



ATTACHMENTS

- Attachment A – Notice of Public Hearing
Attachment B – Conditional Use Permit and Development Permit Application
Attachment C – Site Plan
Attachment D – Pictures of Existing Site

PROJECT DESCRIPTION

The applicant requests a Conditional Use Permit to place a fifth wheel trailer on-site at 4395 Riverside Drive, to be a temporary caretaker residence from May 15, 2013 to October 30, 2013, during construction of the new Bethany Baptist Church. The site is currently vacant, construction is expected to begin soon and the temporary caretaker residence would be on-site as a security precaution.

A Conditional Use Permit is required per the Table of Permissible Uses in the City and Borough of Juneau's Land Use Code, CBJ 49.25.300 1.815 for a D-15 zoned lot to have a caretaker mobile home on an individual lot.

ANALYSIS

Project Site and Design - The site is located in a D-15 residential zoning district on a lot that borders the Mendenhall River and is accessed off of Riverside Drive. The lot is 116,136 square feet which far exceeds the 5,000 square foot minimum lot size for the D-15 zoning district.

The applicant has proposed to place the fifth wheel trailer at the back of the proposed construction area. See Attachment C for site plan. Usually a mobile home is used as a caretaker residence and would need to be hooked up to the city utilities, i.e. water and sewer. In this case the applicant is proposing to use a fifth wheel trailer as the caretaker residence. The fifth wheel trailer is a recreation vehicle pulled behind a truck and has a contained sewer and water system. The applicant has stated that the fifth wheel would be taken to an RV waste water disposal to dispose of the waste and water in the contained system.

Traffic, Parking, and Circulation - The parking requirement for the caretaker residence is two spaces. The site has ample space to park for the caretaker residence. The property is served by access off of Riverside Drive. The proposed project has adequate space for parking and meets the parking requirement for a caretaker residence.

Noise - The proposed caretaker residence will not generate significant noise.

Public Health or Safety - There are no anticipated public health or safety issues associated with this proposed caretaker residence.

Habitat - The lot is partially within an A flood zone with a base flood elevation of 38 feet. Please see Attachment C for the site plan. The plan shows and takes in account the mapped flood plain and the requirement for a 50 foot setback from the Mendenhall river which is an anadromous stream (per CBJ 49.70.310(a)(4)). The proposed caretaker residence is far from the flood zone and the 50 foot setback from the river.

Property Value or Neighborhood Harmony - No available evidence indicates that the proposed caretaker residence will have a negative impact on the property value or neighborhood harmony.

Conformity with Adopted Plans – CBJ 49.65.300(3) allows for the use of a mobile home on an individual lot for a caretaker's residence within any district, with the issuance of a Conditional Use Permit.

Staff recommends the following as a condition of approval:

1. The fifth wheel trailer, used as a caretaker residence, shall be removed prior to issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for the church.

FINDINGS

CBJ §49.15.330 (e)(1), Review of Director's Determinations, states that the Planning Commission shall review the Director's report to consider:

1. Whether the application is complete;
2. Whether the proposed use is appropriate according to the Table of Permissible Uses;
and,
3. Whether the development as proposed will comply with the other requirements of this chapter.

The Commission shall adopt the Director's determination on the three items above unless it finds, by a preponderance of the evidence, that the Director's determination was in error, and states its reasoning for each finding with particularity.

CBJ §49.15.330 (f), Commission Determinations, states that even if the Commission adopts the Director's determination, it may nonetheless deny or condition the permit if it concludes, based upon its own independent review of the information submitted at the public hearing, that the development will more probably than not:

1. Materially endanger the public health or safety;
2. Substantially decrease the value of or be out of harmony with property in the neighboring area;
or,
3. Not be in general conformity with the comprehensive plan, thoroughfare plan, or other officially adopted plans.

Per CBJ §49.15.330 (e) & (f), Review of Director's & Commission's Determinations, the Director makes the following findings on the proposed development:

1. Is the application for the requested conditional use permit complete?

Yes. We find the application contains the information necessary to conduct full review of the proposed operations. The application submittal by the applicant, including the appropriate fees,

substantially conforms to the requirements of CBJ Chapter 49.15.

2. Is the proposed use appropriate according to the Table of Permissible Uses?

Yes. The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ §49.25.300, Section 1.815 for the D-15 zoning district.

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

Yes. The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in the April 12, 2013 and April 22, 2013 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 described in the preceding analysis, available evidence indicates that the proposed development will not materially endanger the public health or safety.

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

No. Based upon the preceding staff analysis, having a caretaker residence on this site during construction of the new church can provide a security measure for the site. No evidence has been found to indicate that the temporary caretaker residence would substantially decrease the value of or be out of harmony with property in the neighboring area.

To insure that the proposed temporary caretaker residence does not substantially decrease the value of or be out of harmony with the property in the neighboring area staff recommends the following condition of approval:

1. The fifth wheel trailer, used as a caretaker residence, shall be removed prior to issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for the church.

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

Yes. Based upon the preceding staff analysis, it is found that the proposed development is in general conformity with City and Borough of Juneau's Land Use plan.

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

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

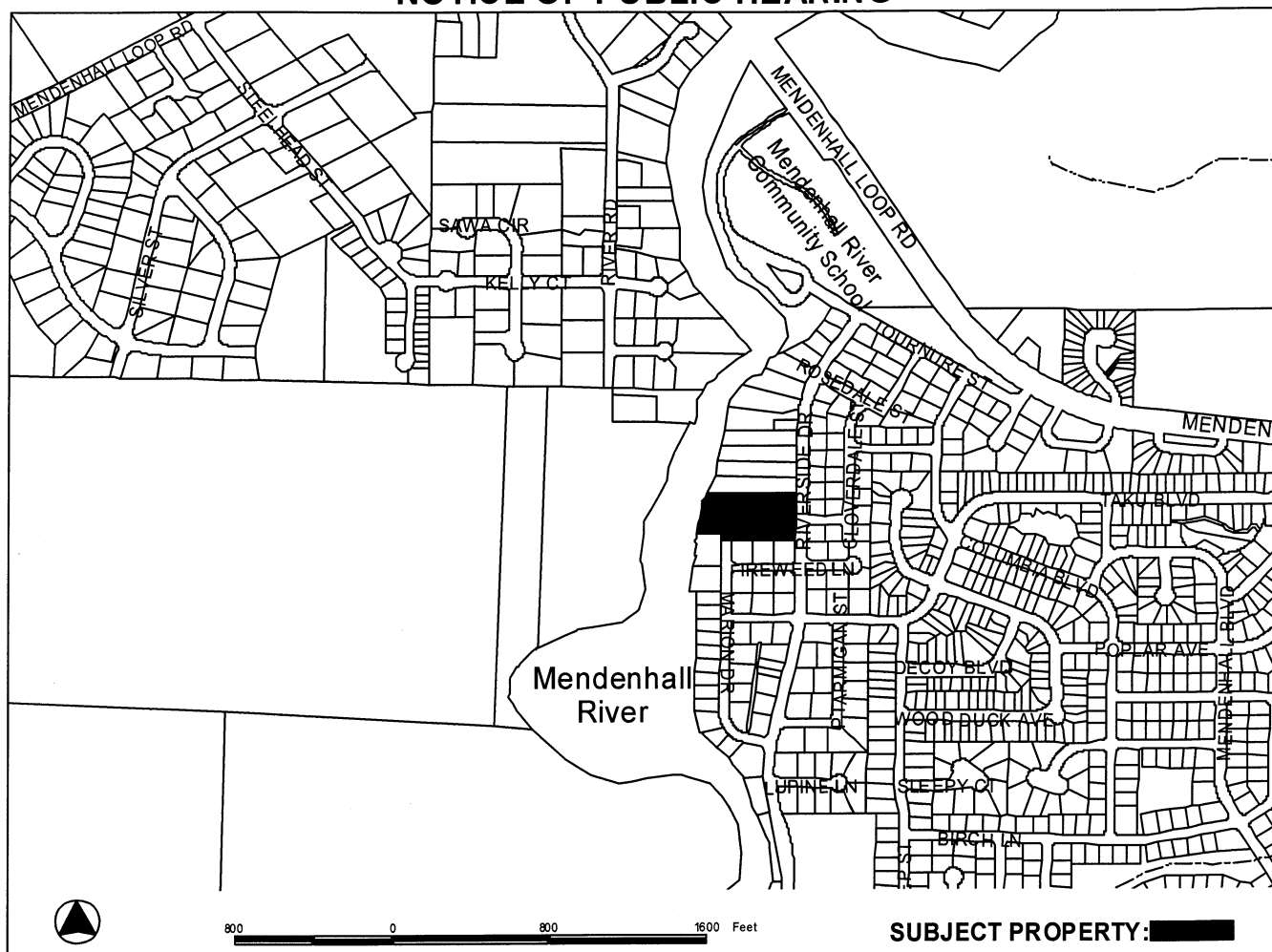
Not applicable.

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 for a caretaker residence in the D-15 zoning district, at 4395 Riverside Drive, for security measures, from May 15, 2013 through October 30, 2013. The approval is subject to the following condition:

1. The fifth wheel trailer, used as a caretaker residence, shall be removed prior to issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for the church.

NOTICE OF PUBLIC HEARING



SUBJECT PROPERTY: [REDACTED]

PROPOSAL: Conditional Use Permit for a temporary 5th wheel trailer placed on site as a caretaker residence during construction of new church.

FILE NO:	USE2013 0009	APPLICANT:	BETHANY BAPTIST CHURCH
TO:	Adjacent Property Owners	Property PCN:	5-B25-0-151-002-1
HEARING DATE:	Apr 23, 2013	Owner:	BETHANY BAPTIST CHURCH
HEARING TIME:	7:00 PM	Size:	2.67 acres
PLACE:	ASSEMBLY CHAMBERS Municipal Building 155 South Seward St Juneau, Alaska 99801	Zoned:	D15
		Site Address:	4395 RIVERSIDE DR
		Accessed via:	RIVERSIDE DR

PROPERTY OWNERS PLEASE NOTE:

You are invited to attend this Public Hearing and present oral testimony. The Planning Commission will also consider written testimony. You are encouraged to submit written material to the Community Development Department no later than 8:30 A.M. on the Wednesday preceding the Public Hearing. Materials received by this deadline are included in the information packet given to the Planning Commission a few days before the Public Hearing. Written material received after the deadline will be provided to the Planning Commission at the Public Hearing.

If you have questions, please contact Jonathan Lange at jonathan_lange@ci.juneau.ak.us or at 586-0218.

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

Date notice was printed: April 11, 2013

ATTACHMENT A

ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

Project Number	Project Name (15 characters)	Case Number: USE20130009	Date Received 3/19/13
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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: 49.65.300(3) 49.25.300.1,815

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

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

WE WOULD LIKE TO PLACE A TEMPORARY 5TH WHEEL TRAILER ON THE JOB SITE FOR SECURITY PURPOSE. THIS IS ONLY TO BE ON SITE FROM MAY 15TH, 2013 TO OCT 30, 2013. WE ARE REQUESTING THIS TO KEEP MATERIALS AND TOOLS SECURE WHILE WE BUILD THE STRUCTURE.

IS THIS A MODIFICATION OF AN EXISTING APPROVAL?

☒ NO ☐ YES - Case # _____

CURRENT USE OF LAND OR BUILDING(S): Empty Lot. But, we are going to start construction on property in May 2013. Our goal is to be complete by time snow falls in 2013.

PROPOSED USE OF LAND OR BUILDING(S): SECURITY PURPOSE TO HAVE AN EYE ON MATERIALS AND TOOLS DURING CONSTRUCTION OF BUILDING

UTILITIES PROPOSED:

WATER: ☐ Public ☐ On Site

SEWER: ☐ Public ☐ On Site

SITE AND BUILDING SPECIFICS:

Total Area of Lot 116,451 square feet

Total Area of Existing Structure(s) 0 square feet

Total Area of Proposed Structure(s) N/A 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 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	\$ <u>350</u>			
Admin. of Guarantee	\$ _____			
Adjustment	\$ _____			
Pub. Not. Sign Fee	\$ <u>50</u>			
Pub. Not. Sign Deposit	\$ <u>100</u>			
Total Fee	\$ <u>500</u>	<u>credit card</u>	<u>CDD3394</u>	<u>3/19/13</u>

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

DEVELOPMENT PERMIT APPLICATION

Project Number USE20130009	CITY and BOROUGH of JUNEAU	Date Received: 3/19/13
Project Name (City Staff to Assign Name)		

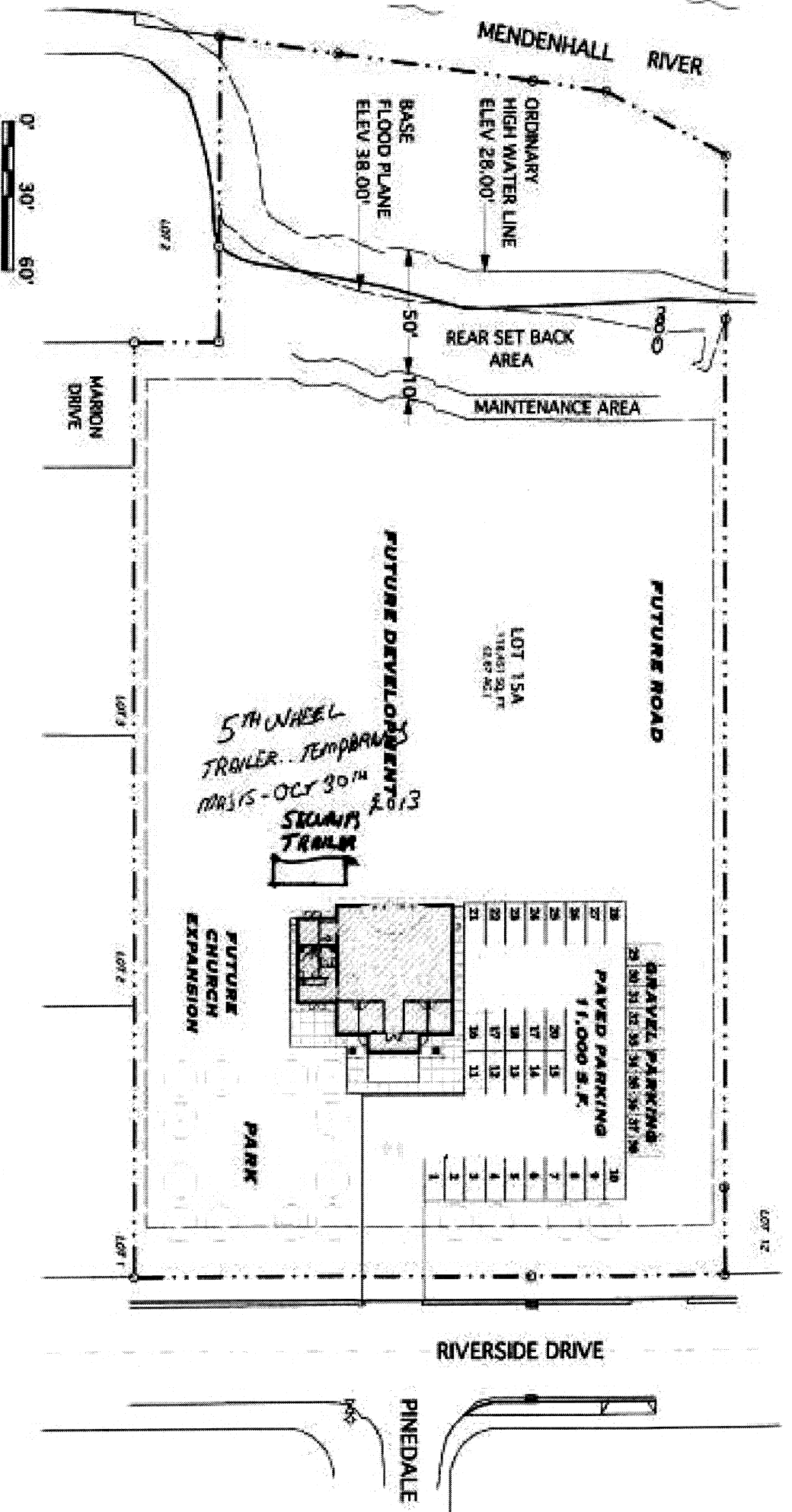
PROJECT / APPLICANT INFORMATION

Project Description		
PROPERTY LOCATION		
Street Address LOT 15A, RIVERVIEW ACRES	City/Zip JUNEAU 99801	
Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) RIVERSIDE DRIVE		
Assessor's Parcel Number(s) 5-825-0-151-002-1		
LANDOWNER/ LESSEE		
Property Owner's Name BETHANY BAPTIST CHURCH	Contact Person: DEAN BLOOD	Work Phone: 360-6083
Mailing Address P.O. BOX 32877, JUNEAU AK 99803	Home Phone: 523-7790	Fax Number:
E-mail Address BLOODLINE6 ALASKA.COM	Other Contact Phone Number(s):	
LANDOWNER/ LESSEE CONSENT ****Required for Planning Permits, not needed on Building/ Engineering Permits****		
<p>I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows:</p> <p>A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.</p> <p>B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.</p>		
X <u>REV. DEAN C. BLOOD</u> Landowner/Lessee Signature		<u>3-18-13</u> Date
X _____ Landowner/Lessee Signature		_____ Date
<p>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.</p>		
APPLICANT If the same as OWNER, write "SAME" and sign and date at X below		
Applicant's Name SAME	Contact Person:	Work Phone:
Mailing Address	Home Phone:	Fax Number:
E-mail Address	Other Contact Phone Number(s):	
X <u>REV. DEAN C. BLOOD</u> Applicant's Signature		_____ Date of Application

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

STAFF APPROVALS

✓	Permit Type	--sign	Date Received	Application Number(s)
	Building/Grading Permit			
	City/State Project Review and City Land Action			
	Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)			
	Mining Case (Small, Large, Rural, Extraction, Exploration)			
	Sign Approval (If more than one, fill in all applicable permit #'s)			
	Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)			
✓	Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)	✓	3/19/13	USE20130009
	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 BSL



ATTACHMENT C

A PLAT OF
 LOT 15A, RIVERVIEW ACRES
 A RE-PLAT OF
 LOTS 13 & 14, RIVERVIEW ACRES, AND
 LOT 1, UNOS OASIS,
 WITHIN U.S. SURVEY NO. 2080
 JUNEAU RECORDING DISTRICT
 CITY & BOROUGH OF JUNEAU, ALASKA



ATTACHMENT D



ATTACHMENT D