

# MEMORANDUM

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

**DATE:** June 19, 2013

**TO:** Planning Commission

**FROM:** Chrissy McNally, Planner *CM*  
Community Development Department

**FILE NO.:** USE2013 0018

**PROPOSAL:** Conditional Use to place coffee stand on industrial lot.

## GENERAL INFORMATION

Applicant: Kristal Liska

Property Owner: Thomas File

Property Address: 10187 Jensine Street

Legal Description: Sherwood Estates Block B Lot 4 FR

Parcel Code Number: 4-B17-0-110-018-0

Site Size: 1.46 Acres or 63,598 Square Feet

Comprehensive Plan Future  
Land Use Designation: I – Industrial

Zoning: I – Industrial

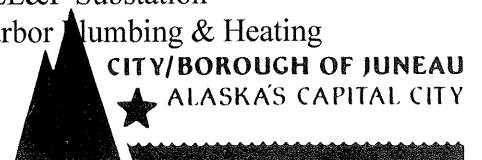
Utilities: City Water & Sewer

Access: Jensine Street

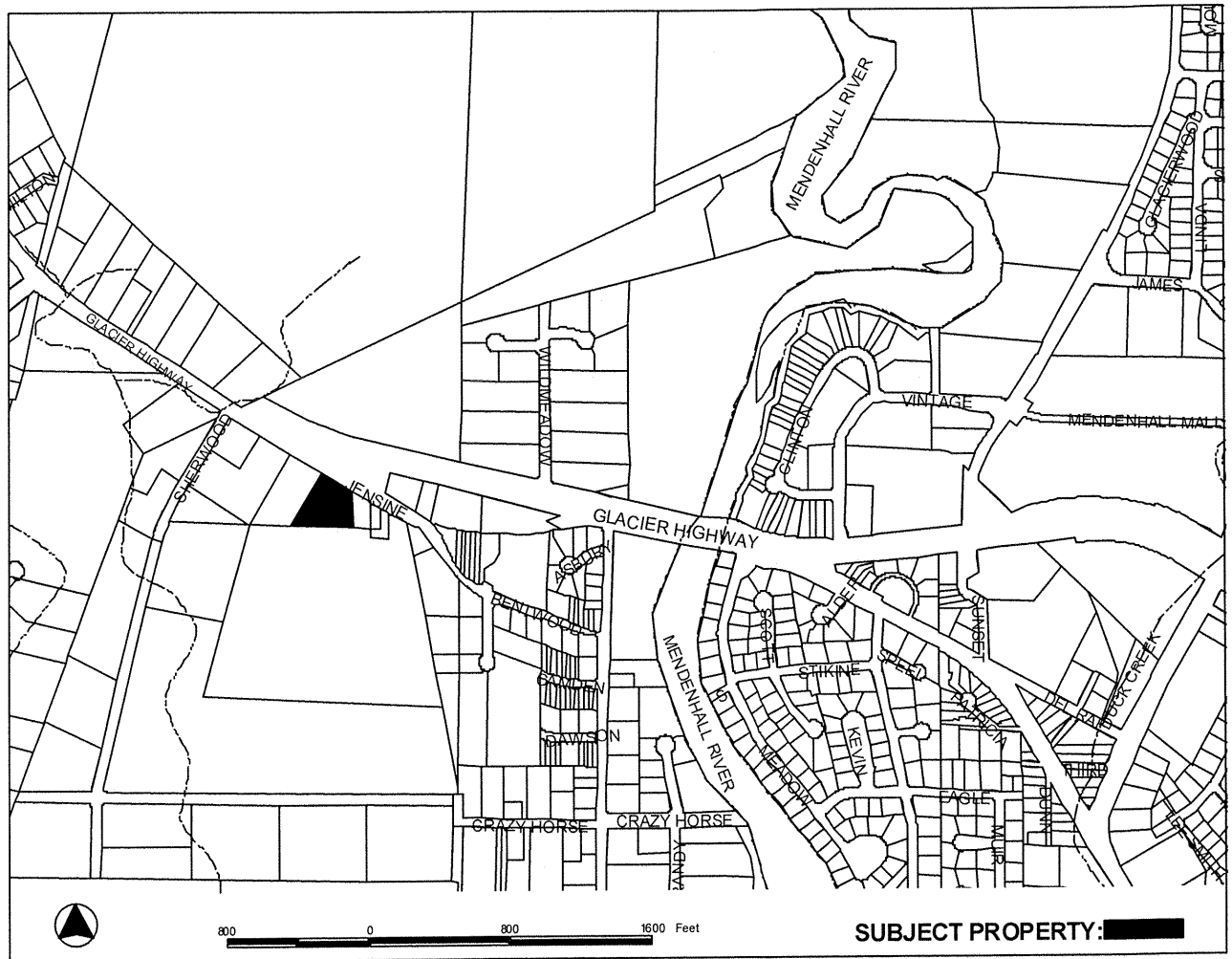
Existing Land Use: Vacant

Surrounding Land Use:

North	-	Jensine Street/Glacier HWY; D5, D1
South	-	Industrial, set transmitter station
East	-	Industrial, AEL&P Substation
West	-	Industrial, Harbor Plumbing & Heating



### Vicinity Map



### ATTACHMENTS

Attachment A: Email from David Wetherall AEL&P

Attachment B: Alaska Department of Transportation driveway permit

### PROJECT DESCRIPTION

The applicant requests a Conditional Use permit to develop a drive-thru coffee business off the west end of Jensine Street. The drive-thru coffee business would be the sole occupant on the 1.46 acre site adjacent to Jensine Street which is parallel to Glacier Highway. Jensine Street is owned by the City and Borough, but is on a State Right-of-Way. The Industrial zoned lot is undeveloped and pending a Army Corps of Engineers Nationwide Permit the applicant intends to fill 0.49 acres for vehicle circulation and the coffee stand.

The coffee stand will have two service windows providing drive thru customer service on both sides of the building. Two-way customer traffic will enter and exit the site from one 20-foot wide driveway accessing Jensine Street.

Drive-thru restaurants are allowed in the Industrial district as a Conditional Use with Planning Commission approval.

## **BACKGROUND**

The Grind Coffee Co. operates a coffee stand at 10002 Glacier Highway in the lot of Willow Park and that was permitted with USE2007-00055. This coffee stand will be moved to Jensine street location if this permit is approved. The proposed development site is undeveloped Class B/C wetland according to the Juneau Wetlands Management Plan map.

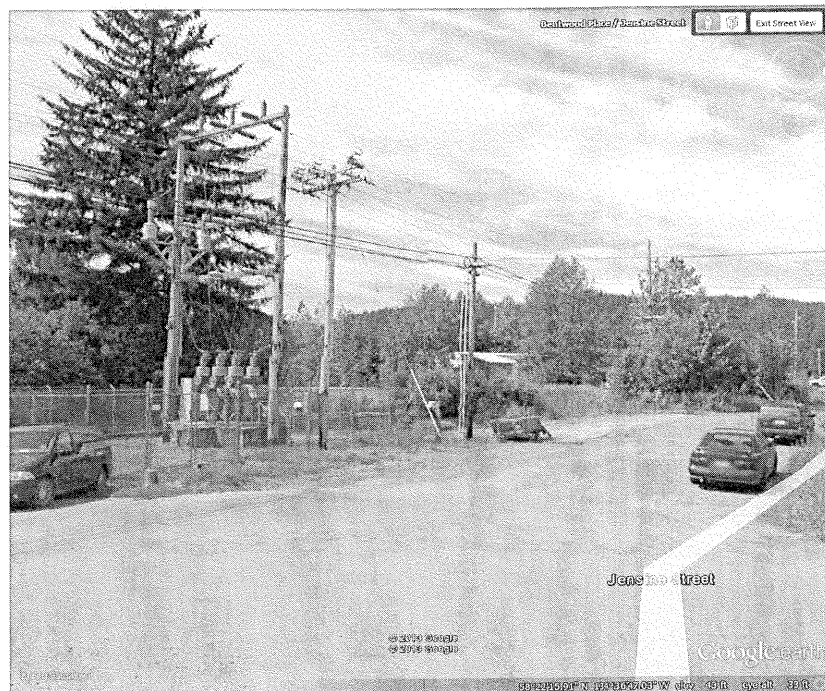
## **ANALYSIS**

**Project Site** – The site size is 1.46 acres and is zoned industrial (see Figure 1). The property is bordered on the north by Jensine Street, to the west by Harbor Plumbing and Heating, to the south by a 24.13 acre flat wetland parcel with a set transmitter building and communication tower owned by AT&T, and to the east by an AEL&P substation. AEL&P has a 25 foot easement into the property for the power line. According to Darrell Wetherall of AEL&P, the proposed business will have no impact on the utility provider (see Figure 2 and Attachment 1). The site is an undeveloped flat wetland area. The applicant has received a commercial driveway permit from the Alaska Department of Transportation (see Attachment B) and has applied for a grading permit from the City and Borough to develop an entrance to the property off of Jensine Street.

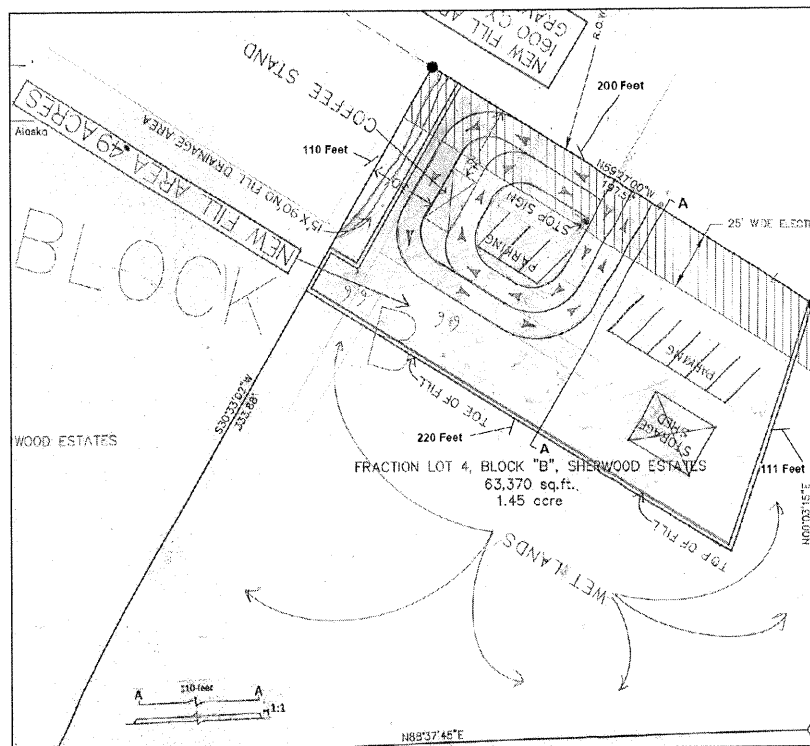


**Figure 1: Project Site and Location**

**Project Design** – The building to be moved from 10002 Glacier Highway is 156 square feet with a 40 square foot porch for a total area of 196 square feet. The building will have an ADA accessible ramp stored beneath the building as it had at the previous location. The entire 1.46 acre lot is composed of wetlands. The applicant has applied for an Army Corps of Engineers Nationwide Permit to fill 0.49 acres of lot. According to the site plan, the fill area will accommodate the coffee stand in the northwest corner, circulations lanes and three parking spots (see Figure 3). Additional parking and storage shed will be on the eastern half of the fill area. The coffee stand will have a drive up window on either side of the building.



**Figure 2: Jensine Street AEL&P Substation**



**Figure 3: Project Design**

**Traffic** – Jensine Street is owned by the City and Borough but is on a State Right-of-Way. Ed Foster

of CBJ Public Works Streets Division commented that the City has no problems with the proposed development. Sheila Good, Right of Way Agent with the Alaska Department of Transportation also commented that the State has no problem with the proposed entrance off of Jensine Street. Most customers during the busy morning hours are headed downtown and will turn right onto Jensine Street to proceed into the lot and then exit to the right to continue downtown. For traffic entering from the opposite direction, a center turn lane on Glacier Highway facilitates left turns onto Jensine Street. This proposal moves an existing business from 10002 Glacier Highway, just 5 lots west and approximately 700 feet away. There is no indication that the current operation has caused any negative impacts to traffic.

**Parking and Circulation** – According to the site plan, three employee parking spaces will be provided for staff. For a building of this size, one parking space is required (1 space per 200 square feet = 1 parking spaces or  $196/200 = .98$ .) The proposed site design includes the necessary aisle width to meet the code minimum of 24 feet for two way traffic with parking spaces situated at 90 degree angles (per § 49.40.230(b)(2)). The eastern half of the proposed fill area will provide for additional parking.

**Noise** - Noise is not expected to be of concern with the development of a coffee stand. This parcel is currently surrounded on three sides by industrial zoned land and on one side by a state right-of-way. The proposed development will generate less noise than other allowed industrial uses, and operate during normal business hours. There is no reason to believe that noise levels from the coffee business will be a significant concern.

**Public Health or Safety** – Potential health and safety impacts from the coffee stand are from traffic and circulation. The circulation plan provides adequate space and traffic flow. Where incoming and exiting traffic converge, a stop sign is in place to facilitate proper movement. Given the open layout of the lot staff recommends vehicle control signs and ground markings to guide motorists in the right direction.

**Habitat** – According to the Juneau Wetlands Management Plan maps, this site is a B/C wetland. According to the Army Corps of Engineers, filling the site will not be detrimental to the wetland area as the abutting sites are already filled and developed and the lot sits in a development corridor.

**Property Value or Neighborhood Harmony** – The adjacent properties are minimally developed and the surrounding area is developed with a variety of commercial and industrial uses. The coffee stand will operate from 4:00AM until 8:00PM. This coffee stand will be relocated from its current location at 10002 Glacier Highway a short distance to the west. The new layout for the coffee stand suggests more space for queuing up of vehicles and circulation. The continued operation of the coffee stand in a nearby location maintains a service to nearby businesses and commuters. The applicant will fill an otherwise undeveloped piece of property in an industrial area adding value to the property.

**Conformity with Adopted Plans** – The project is located in Subarea 3 of the 2008 Comprehensive Plan. The proposed coffee business would comply with the intended land uses of industrial lands in Subarea 3. Guidelines and Considerations 8, 9 and 12 of Subarea 3 recommend the following with regard to residential growth:

- 8. Provide for additional medium to high-density residential development on CBJ lands within the Mendenhall Peninsula...*
- 9. Encourage in-fill small house development in the West Mendenhall Valley*
- 12. Allow development of in-fill residential development, such as apartments, condominiums...*

With the encouragement of additional housing in the Auke Bay, Mendenhall Peninsula, and West Mendenhall Valley this small locally owned business will provide a service to the growing residential community.

## **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 for a drive-thru restaurant is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ §49.25.300, Section 8.200 for the Industrial (I) 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 June 14th and June 24th issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public Right of Way.

***4. Will the proposed development materially endanger the public health or safety?***

**No.** As discussed above, potential public health and safety risks associated with traffic circulation will be mitigated through the installation of directional signage and proper designation of parking areas.

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

**No.** The proposed use will maintain values and will be in harmony with the neighboring area. As discussed above, the limited development of an undeveloped lot in an Industrial zone adds value to the property.

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

**Yes.** As discussed above, the proposed development is in general conformity with the land use plan, thoroughfare plan, and the Comprehensive Plan

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



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

**Not applicable.** As discussed above, this development proposal does not include elements relevant to the Juneau Coastal Management Program

**RECOMMENDATION**

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use permit. The permit would allow the development of a drive-thru coffee business at 10187 Jensine Street. The approval is subject to the following conditions:

1. Prior to issuance of a building permit for the proposed project a plan for appropriate parking lot vehicle control signs and pavement markings must be submitted for review to the CDD and be found to meet all applicable CBJ ordinances and CDD regulations. This plan must be reviewed and approved by Community Development and Engineering Departments.

# ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

Project Number	Project Name (15 characters)	Case Number	Date Received
		USE 20130018	5/22/15

## 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: 8.200

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

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

STRUCTURE DRIVE THRU COFFEE  
BUSINESS

## IS THIS A MODIFICATION OF AN EXISTING APPROVAL?

☒ NO ☐ YES - Case # \_\_\_\_\_

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

UNDEVELOPED LAND

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

STRUCTURE  
THAT MEASURES 12' X 20' X 15' TALL

## UTILITIES PROPOSED:

WATER: ☒ Public ☐ On Site

SEWER: ☒ Public ☐ On Site

## SITE AND BUILDING SPECIFICS:

Total Area of Lot 63,370<sup>0</sup> square feet Total Area of Existing Structure(s) 0 square feet  
 Total Area of Proposed Structure(s) 204 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 type="checkbox"/> Site Plan   | <input type="checkbox"/> Existing and proposed parking areas (including dimensions) and proposed traffic circulation |
| <input type="checkbox"/> Floor Plan of proposed buildings                  | <input 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>500</u>			
Admin. of Guarantee	\$ _____			
Adjustment	\$ _____			
Pub. Not. Sign Fee	\$ <u>50</u>			
Pub. Not. Sign Deposit	\$ <u>100</u>			
Total Fee	\$ <u>650</u>	<u>1792</u>	<u>6803719</u>	<u>5/22</u>

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

# DEVELOPMENT PERMIT APPLICATION

Project Number	<b>CITY and BOROUGH of JUNEAU</b>	Date Received: <u>5/10/13</u>
Project Name (City Staff to Assign Name)		

<b>INFORMATION</b>	Project Description <u>DRIVE THRU COFFEE BUSINESS</u>		
	<b>PROPERTY LOCATION</b>		
	Street Address		City/Zip
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) <u>Fraction of Lot 4, Block B, SHERWOOD ESTATES</u>		
	Assessor's Parcel Number(s) <u>9B1701100180</u>		
	<b>LANDOWNER/ LESSEE</b>		
	Property Owner's Name <u>THOMAS &amp; ELIZABETH FEE</u>		Contact Person: <u>THOMAS</u>
	Mailing Address <u>9167 PARKWOOD DRIVE, JUNEAU</u>		Home Phone: <u>789-7323</u>
	E-mail Address		Other Contact Phone Number(s):
	<b>LANDOWNER/ LESSEE CONSENT</b> ****Required for Planning Permits, not needed on Building/ Engineering Permits****		
<b>PROJECT / APPLICANT</b>	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>James S. Fife</u> Landowner/Lessee Signature		Date <u>5/13/13</u>
	X <u>Elizabeth Fife</u> Landowner/Lessee Signature		Date <u>5/13/13</u>
	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>KRISTEN WICKA</u>		Contact Person: <u>Kristen</u>
	Mailing Address <u>9687 PULASKI ST</u>		Home Phone: Work Phone: <u>209-5598</u>
	E-mail Address <u>Thegrind ok@hotmail.com</u>		Fax Number:
	X <u>Kristen Wicka</u> Applicant's Signature		Other Contact Phone Number(s):
	Date of Application		

<b>OFFICE USE ONLY BELOW THIS LINE</b>					
<b>STAFF APPROVALS</b>	<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)			
	✓	Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)			<u>Use 13-18</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

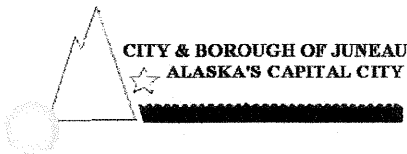
# DEVELOPMENT PERMIT APPLICATION

Project Number	CITY and BOROUGH of JUNEAU		Date Received:
Project Name (City Staff to Assign Name)			
Project Description <div style="font-size: 1.2em; font-family: cursive;">STRUCTURE DRINK THRU COFFEE BUSINESS</div>			
PROPERTY LOCATION			
Street Address		City/Zip	
<div style="font-size: 1.2em; font-family: cursive;">124 Block B Second Estate</div>		<div style="font-size: 1.2em; font-family: cursive;">JUNEAU, AK 99801</div>	
Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot)			
Assessor's Parcel Number(s)			
<div style="font-size: 1.5em; font-family: cursive;">4B1701100180</div>			
LANDOWNER/ LESSEE			
Property Owner's Name		Contact Person:	Work Phone:
<div style="font-size: 1.2em; font-family: cursive;">STAR Tiller</div>		<div style="font-size: 1.2em; font-family: cursive;">STAR</div>	<div style="font-size: 1.2em; font-family: cursive;">209-4030</div>
Mailing Address		Home Phone:	Fax Number:
<div style="font-size: 1.2em; font-family: cursive;">15660 Glacier Hwy</div>			
E-mail Address		Other Contact Phone Number(s):	
<div style="font-size: 1.2em; font-family: cursive;">CASH 66 SWE @ Hotmail.com</div>			
LANDOWNER/ LESSEE CONSENT			
***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			
	Landowner/Lessee Signature	Date	
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.			
APPLICANT			
If the same as OWNER, write "SAME" and sign and date at X below			
Applicant's Name		Contact Person:	Work Phone:
<div style="font-size: 1.2em; font-family: cursive;">The Grind Coffee Company LLC</div>		<div style="font-size: 1.2em; font-family: cursive;">Krisel Lisa</div>	<div style="font-size: 1.2em; font-family: cursive;">209-5598</div>
Mailing Address		Home Phone:	Fax Number:
<div style="font-size: 1.2em; font-family: cursive;">8087 Duran Street. Juneau</div>			
E-mail Address		Other Contact Phone Number(s):	
<div style="font-size: 1.2em; font-family: cursive;">thegrind_ak@hotmail.com</div>			
X			
	Applicant's Signature	Date of Application	
		<div style="font-size: 1.5em; font-family: cursive;">5/21/13</div>	

## OFFICE USE ONLY BELOW THIS LINE

STAFF APPROVALS					OFFICE USE ONLY BELOW THIS LINE	
Y	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)					
6	Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)		5/22/17	Use 13-018		
	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		
				TC		

NOTE: DEVELOPMENT PERMIT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATIONS  
I-1 FORMS\2010 Applications  
Revised November 2009



# Public Notice Sign Lease Agreement

Community Development Department

Case # USE 2013 0018 Sign # \_\_\_\_\_ Hearing Date: 6/25/13  
Assessor's Parcel # 4B1701100180 Check # \_\_\_\_\_ Receipt # \_\_\_\_\_  
Applicant: The Grind Coffee Company LLC (Kristel Lisak) Phone #: 209-5598  
(please print)  
Application Received by: \_\_\_\_\_ Date: \_\_\_\_\_  
(CDD staff initials/name)

I, \_\_\_\_\_, in cooperation with the Community Development Department (CDD), have leased a Public Notice Sign and agree to the terms listed below:

**CHARGE:** \$50 Preparation Fee  
\$100 Refundable Deposit

**RETURN TIME:** The sign **MUST** be returned to the Community Development Department **by 4:30 p.m. on the Monday** following the scheduled hearing date. If the sign is returned later than the Monday after the Planning Commission meeting, but within two weeks of the meeting, \$50.00 may be refunded.

**PENALTIES:** The sign **MUST** be returned to the Permit Center Staff in the same condition it was taken: clean, undamaged, and with no attachments. **If a sign is not returned on time, or has been damaged, the \$100 deposit fee will be forfeited.**

**POSTING REQUIREMENTS:**

- The sign must be posted by the applicant/developer on the site at least 14 days prior to the hearing date.
- The sign must be clearly visible and readable from a public Right-of-Way.

Kristel Lisak 5/10/13  
(Applicant Signature) (Date)

Sign Received by: \_\_\_\_\_ Date: \_\_\_\_\_ Staff Initials: \_\_\_\_\_

Sign Returned by: \_\_\_\_\_ Date: \_\_\_\_\_ Staff Initials: \_\_\_\_\_

**REFUND INFORMATION:** Receipt Number: \_\_\_\_\_  
Amount Refunded: \_\_\_\_\_ Method: \_\_\_\_\_ Date: \_\_\_\_\_ Staff Initials: \_\_\_\_\_  
Refund Received by: \_\_\_\_\_ /mailed to: \_\_\_\_\_

BOOK B

PROPOSED TRAFFIC  
PATTERN FOR DRIVE  
THRU COFFEE STAND

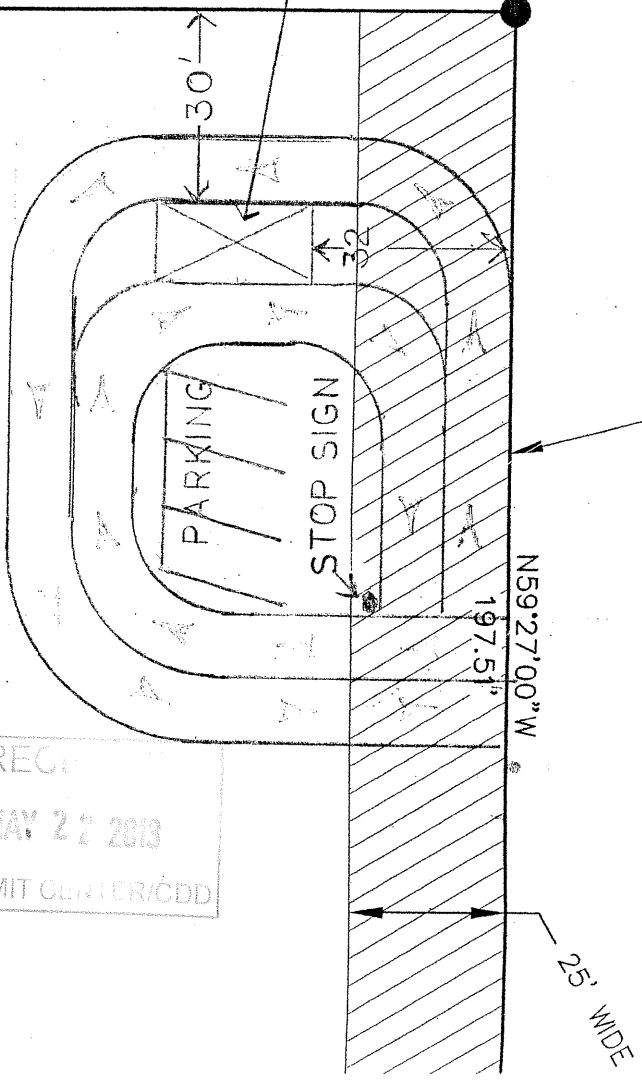
COFFEE STAND

S30°33'02"W  
333.88'

B

FRACTION LOT 4, BLOCK "B", SHERWOOD  
6,337.0 sq. ft.  
1.45 acre

REC'D  
MAY 22 2013  
PERMIT CENTER/CDD



lot 4, Block  
 ey 1041.  
 and plat.

f Alaska

ERWOOD ESTATES

NEW FILL AREA 49 ACRES

BLOCK

GLACIER HIGHWAY  
 NEW FILL AREA TO INCLUDE APPROXIMATELY  
 1600 CY. OF SHOT ROCK AND PIT RUN  
 GRAVEL AT A DEPTH OF 1 1/2 TO 2 FEET

R.O.W. (VARIES)

200 Feet

110 Feet

COFFEE STAND

NEW FILL AREA 49 ACRES

15' X 90' NO FILL DRAINAGE AREA

STOP SIGN  
 PARKING

N59°27'00"W  
 797.5'

25' WIDE ELECTRIC

PARKING

STORAGE SHED

220 Feet

FRACTION LOT 4, BLOCK "B", SHERWOOD ESTATES  
 63,370 sq.ft.  
 1.45 acre

111 Feet

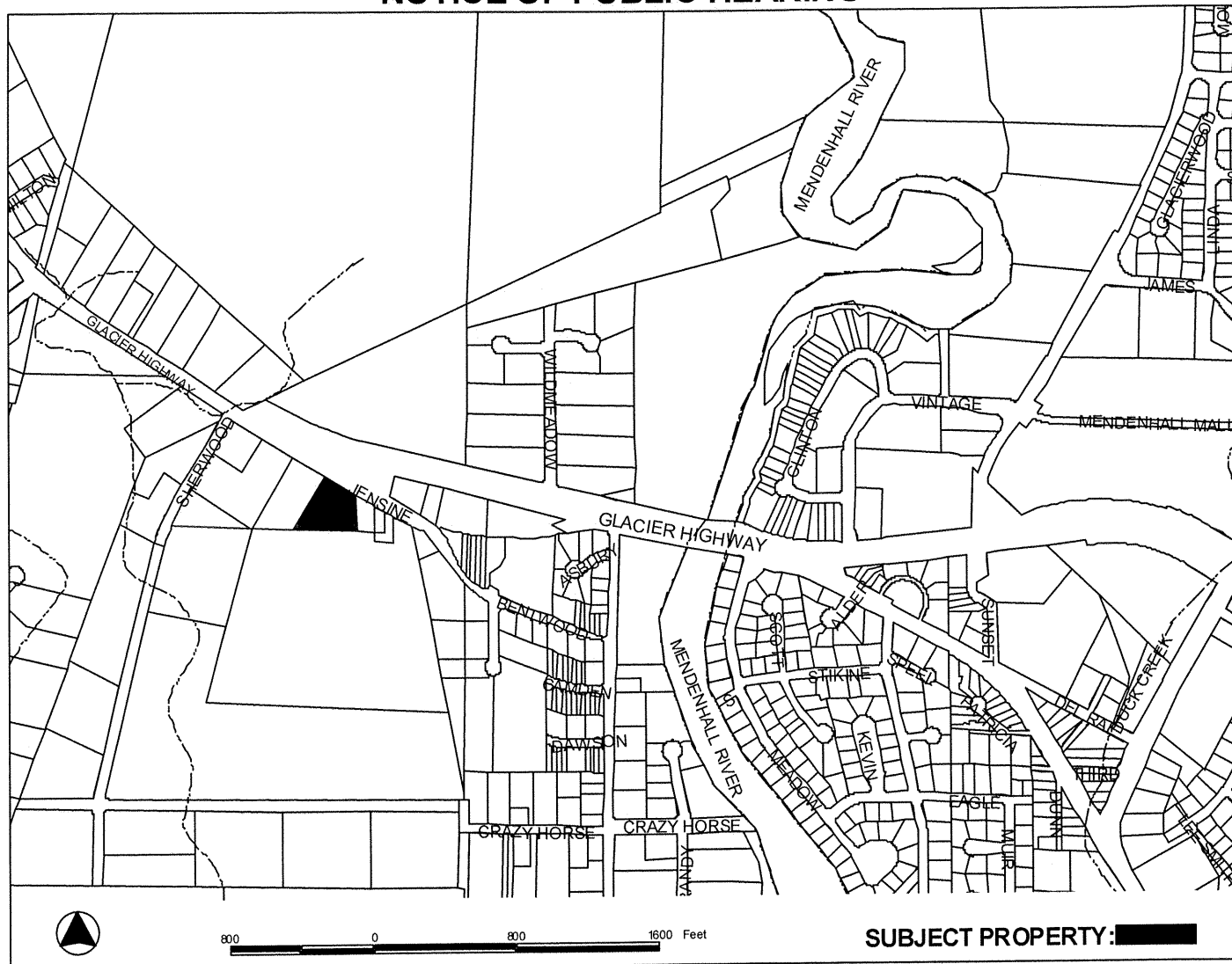
N00°03'15"E  
 170.01'

WETLANDS

110-feet  
 1:1

N88°37'45"E  
 339.73'

# NOTICE OF PUBLIC HEARING



**PROPOSAL:** Conditional Use to place coffee stand on industrial lot.

<b>FILE NO:</b> USE2013 0018	<b>APPLICANT:</b> KRISTAL LISKA
<b>TO:</b> Adjacent Property Owners	<b>Property PCN:</b> 4-B17-0-110-018-0
<b>HEARING DATE:</b> Jun 25, 2013	<b>Owner(s):</b> THOMAS L FILE & ELIZABETH J FILE
<b>HEARING TIME:</b> 7:00 PM	<b>Size:</b> 1.46 ACRES
<b>PLACE:</b> <b>ASSEMBLY CHAMBERS</b> Municipal Building 155 South Seward St Juneau, Alaska 99801	<b>Zoned:</b> INDUSTRIAL
	<b>Site Address:</b> 10187 JENSINE ST
	<b>Accessed via:</b> JENSINE ST

## 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.

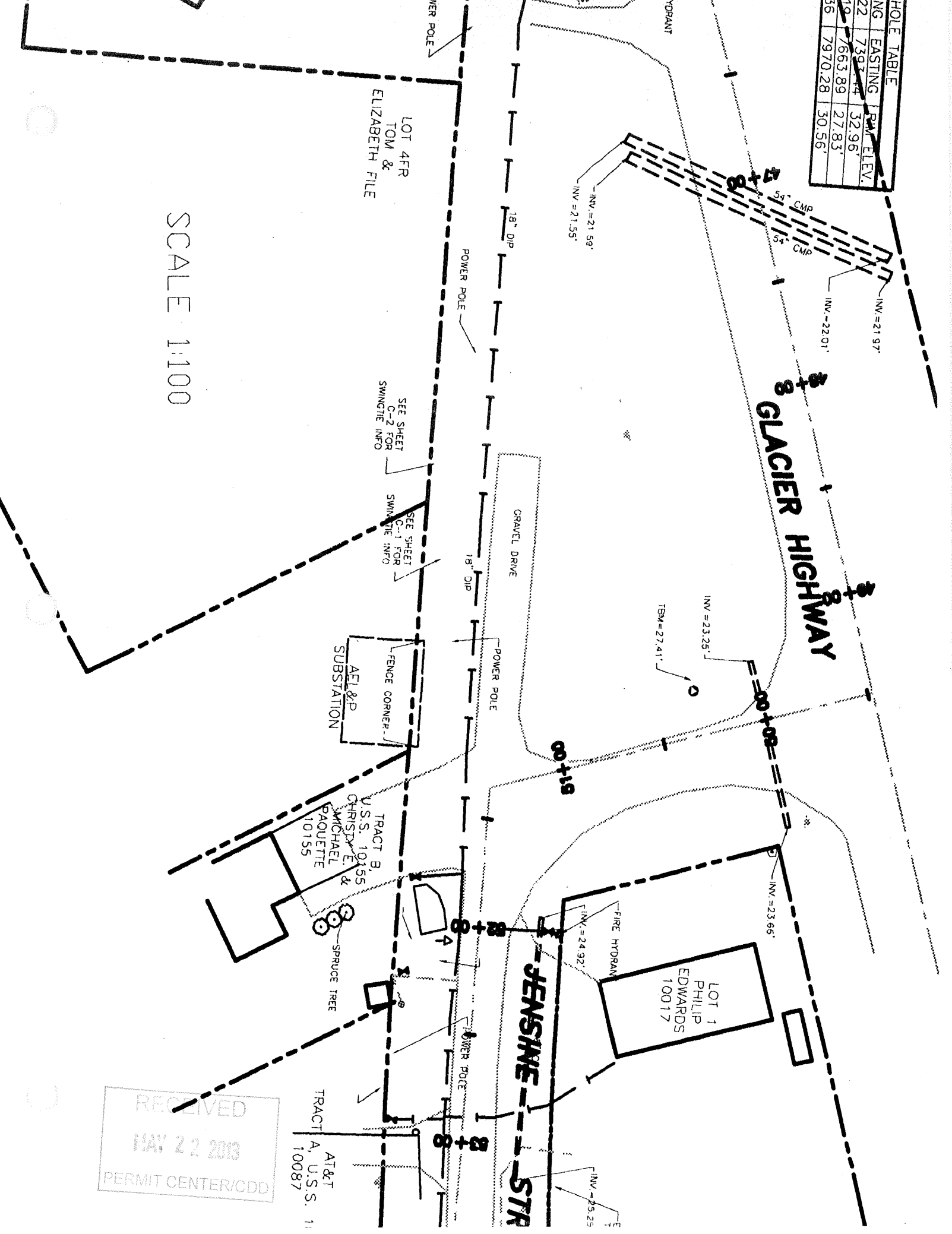
If you have questions, please contact Chrissy McNally at [christine\\_mcnally@ci.juneau.ak.us](mailto:christine_mcnally@ci.juneau.ak.us) or at 586-0761.

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



HOLE TABLE			
NO.	EASTING	RAW ELEV.	
22	7393.44	32.96'	
48	7663.89	27.83'	
36	7970.28	30.56'	

SCALE 1:100



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May be used instead of Form ENG 4345 to request verification under a Nationwide Permit (NWP)

Applicant: <u>STEVEN &amp; CYNTHIA FULLER</u>	Phone: <u>907-209-1030</u>
Address: <u>15660 Glacier Hwy</u>	Fax:
City, State, Zip: <u>JUNEAU, AK 99801</u>	Cell/Direct Line:
Point of Contact:	e-mail: <u>CASH66smf@hotmail.com</u>

Agent: <u>NONE</u>	Phone:
Address:	Fax:
City, State, Zip:	Cell/Direct Line:
Point of Contact:	e-mail:

Location of the Proposed Project Site:

Nearest Waterway: <u>Auke Bay</u>	
Section, Township, Range, and Meridian: <u>Section 25 T4DS, R10SE, CRM</u>	
Latitude and Longitude (Decimal Degrees, NAD-83): <u>58° 22' 16.42" N, 134° 36' 44.88" W</u>	
Nearest City: <u>Juneau, AK</u>	Subdivision: <u>Sherwood Estates, Lot 4, Block B</u>
Borough: <u>City and Borough of Juneau</u>	USGS Quad(s): <u>Juneau B-2</u>
Driving Directions to Site: <u>heading out of Juneau on Glacier Hwy, turn left</u>	

Project Description:

*nearest  
Jensine St.*

To ensure your project meets the requirements for a NWP, read all of the NWP General Conditions and Regional Conditions, which can be found on our website at <http://www.poa.usace.army.mil/reg/Permits.htm#Nationwide Permits>

Description of the proposed project, including the area of impacts and the volume of fill material to be used (If there is a NWP that you think would apply to your proposed project, please include that in this section):

Discharge fill material to construct a 0.49 acre fill pad. See plan sheet 2 of 2. A 15'x90' area (0.031 acre) area located on the west end of the property would be left unfilled to preserve an existing drainage channel. The fill pad would support a coffee shop with two way drive thru and parking. A storage shed will also be placed on the pad to store supplies for the business.

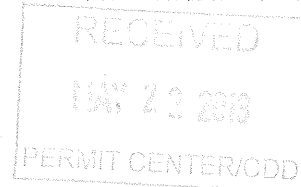
Project purpose:

Commercial Development - Drive Thru Coffee Business

Describe any direct and/or indirect adverse environmental effects that may result from the proposed project:

The entire 1.45 acre lot consists of PEM-1A Wetlands (according to the USFWS Wetlands mapper). Of this 0.49 acre would be permanently filled.

Amplification Sheet 1 of 3



Do you intend to use any other authorizations for any part of the proposed project or any related activity, for example, a NWP, General Permit (GP), or Individual Permit (IP)?

☒ YES

or

☐ NO

If YES, specify what permit type (NWP, GP, IP) and for what aspect of the project:

*The entire proposed development fits within the terms and conditions of NWP 39, Commercial and Institutional Development.*

Will your proposed project result in the loss of greater than 1/10 of an acre of wetlands?

☒ YES

or

☐ NO

If YES, describe how you will satisfy the mitigation requirement in Nationwide Permit General Condition 23 (attached). If additional space is needed, please attach sheets.

*The proposed fill pad is the minimum dimensions required to construct the fill pad that will support the drive thru coffee shop proposed by the applicant. The applicant has avoided impact to wetland features as well by avoiding an existing drainage channel. therefore compensatory mitigation is not proposed*

Are there any listed species or designated critical habitat that might be affected or is in the vicinity of the project, or is the project located in designated critical habitat? Federal agencies must provide the appropriate documentation to demonstrate compliance with the agency's procedures for compliance with the ESA. Information on the location of threatened or endangered species and their critical habitat can be obtained directly from the offices of the U.S. Fish and Wildlife Service and the National Marine Fisheries Service.

☐ YES

or

☒ NO

If YES, list all species:

Are there historic properties (listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties) that the proposed activity may have the potential to effect? Federal agencies must provide documentation demonstrating compliance with the Section 106 of the National Historic Preservation Act. Assistance regarding information on the location of or potential for the presence of historic resources can be sought from the State Historic Preservation Officer.

☐ YES

or

☒ NO

If YES, state which property or properties may be affected and/or attach a vicinity map indicating the location of the historic property or properties.

Will the proposed work involve ground disturbing activities?

☐ YES

or

☒ NO

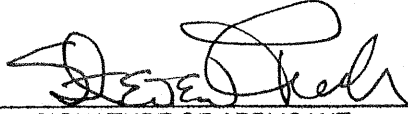
If YES, attach a short narrative describing the topsoil or organic materials (including seed) that you intend to use for rehabilitation. If you intend to use other locally-obtained native materials, identify the source.

Attach the following in addition to the above applicable items:

- Drawings of the site and project plans (For more information on acceptable drawings and plans, please visit our website at <http://www.poa.usace.army.mil/reg/permitapp.htm> and click on "Guide to Drawings")
- The PCN must include a delineation of wetlands, other special aquatic sites (riffle and pool complexes, sanctuaries and refuges, mudflats, vegetated shallows, and/or coral reefs), and other waters, such as lakes and



I certify the information in this preconstruction notification form is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

  
SIGNATURE OF APPLICANT

5/14/13  
DATE

  
SIGNATURE OF AGENT

5/14/13  
DATE

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## Cordova Pleasants

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**From:** Darrell Wetherall <Darrell.Wetherall@aelp.com>  
**Sent:** Thursday, June 06, 2013 4:25 PM  
**To:** Christine McNally  
**Cc:** Eric Eriksen  
**Subject:** RE: Conditional Use Permit: USE20130018  
**Attachments:** AELP Lot.jpg

I met with Kristal and her father several weeks ago. They said their use of the other location was being terminated and they were looking at leasing this area for their stand. They inquired about accessing power for their stand, relocation of a down guy that may be in conflict with driveway access depending on width requirements (no drawings, just verbal discussion), and a low hanging wire that appeared to be phone or tv. Both AELP issues appeared to be easily resolved.

I don't have any objections. We do have facilities on our adjacent lot and in the ROW. This lot has a transmission breaker and distribution tie point and we occasionally have bucket truck and line trucks that set up in the Jensine "dead end". Depending on how this coffee stand is accessed by vehicles, we just ask that with the higher volume of traffic potentially flowing through, that the ROW is adequate to allow us to continue to park and work along the side of the ROW as needed in order to perform maintenance on our facilities. This site may expand in the near future to allow for additional utility growth and could see some construction activity as well.

### **Darrell Wetherall**

Assistant Transmission & Distribution Engineer  
Alaska Electric Light & Power  
5601 Tongard Court  
Juneau, AK 99801  
(907) 463-6316 Office  
(907) 723-2602 Cell  
(907) 463-4833 Fax  
[Darrell.Wetherall@aelp.com](mailto:Darrell.Wetherall@aelp.com)

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**From:** Christine McNally [[mailto:Christine\\_McNally@ci.juneau.ak.us](mailto:Christine_McNally@ci.juneau.ak.us)]  
**Sent:** Wednesday, June 05, 2013 4:27 PM  
**To:** Darrell Wetherall; Eric Eriksen  
**Subject:** Conditional Use Permit: USE20130018

### **REQUEST FOR COMMENTS**

CITY & BOROUGH OF JUNEAU  
COMMUNITY DEVELOPMENT DEPARTMENT

**TO:** Interested Agencies

**DATE:** June 5, 2013

**COMMENT PERIOD:** Your written comments are requested by June 18, 2013.

Please contact Chrissy McNally, Community Development Department if more detailed background information is needed.

currently  
the

**PROPOSAL:**

Conditional use to place coffee stand on industrial lot. Coffee stand operates nearby on parcel 4-B17-0-102-004-0. There are no proposed changes to look or function of the coffee stand at the proposed new location.

**CASE NO.:**

**USE20130018**

GENERAL INFORMATION

Applicant:	KRISTAL LISKA
Property Owner:	THOMAS L FILE
Property Address:	10187 JENSINE ST
Parcel Code No.:	4-B17-0-110-018-0
Access:	JENSINE ST

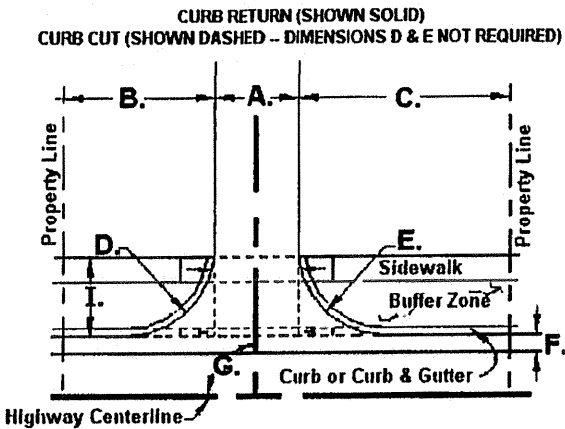
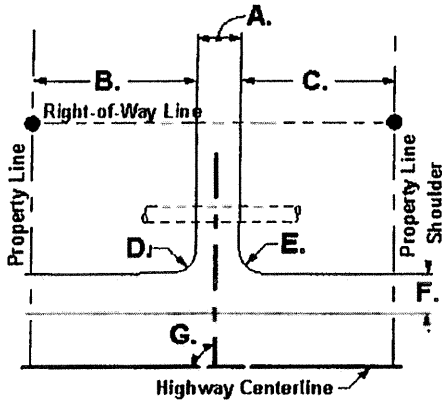
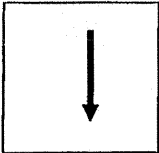
**State of Alaska**  
**Department of Transportation and Public Facilities**

**Driveway and Approach Road  
 Permit**

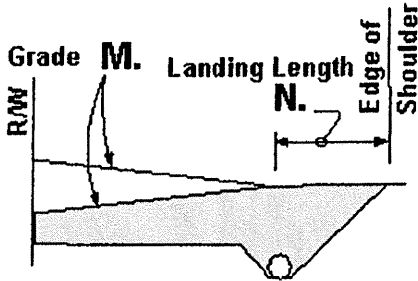
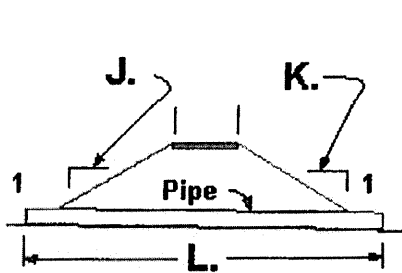
This permit allows the permittee to construct and maintain a driveway or approach road within a State owned highway Right of Way.

<input checked="checked" type="checkbox"/> Residential/Private <input type="checkbox"/> Commercial <input type="checkbox"/> Government Agency	
Applicant:	<b>Steven Fuller</b>
Mailing Address:	15660 Glacier Hwy. Juneau, Ak 99801
Contact Name:	Steven Fuller
E-mail Address:	cash66smf@hotmail.com
Phone:	(907) 209-1030      Fax: _____
Driveway or Approach Road location (highway, subdivision, legal description milepost, etc.) This proposed driveway is located off a vacated road(Glacier Hwy./Jensine St.) in the Mendenhall Valley. It needs to cross the Glacier Hwy. right of way to be able to access Jensine st. The property elevation and the street elevation are the same with no drainage ditch.	
Proposed or Existing:	Anticipated Completion Date:
PROPOSED	01/07/2013
Number of lots served:	Max. number of vehicles in any 1 hour:
1	30
Zoning Designation:	Proposed Land Use:
Industrial	drive through coffee stand

Direction of North in relation to the drawing.



- |    |                           |      |         |
|----|---------------------------|------|---------|
| A. | Driveway width            | 20   | feet    |
| B. | Left edge clearance       | 92   | feet    |
| C. | Right edge clearance      | 95   | feet    |
| D. | Left return radius        | 24   | feet    |
| E. | Right return radius       | 24   | feet    |
| F. | Shoulder width            |      | feet    |
| G. | Approach angle            | 90   | degrees |
| H. | Curb type                 | None |         |
| I. | Curb to sidewalk distance |      | feet    |



- |    |                          |        |
|----|--------------------------|--------|
| J. | Left driveway foreslope  | 12:1   |
| K. | Right driveway foreslope | 12:1   |
| L. | Culvert length           | Feet   |
| M. | Landing grade            | 1      |
| N. | Landing length           | 30     |
| O. | Culvert size             | Feet   |
| P. | Culvert type             | inches |
| Q. | Ditch depth              | None   |
| R. | Shoulder type            | feet   |
| S. | Pavement type            |        |
| T. | Driveway surface type    |        |

Gravel  
Gravel  
Gravel



**Permittee upon signing this permit acknowledges and agrees to the following provisions:**

This permit applies only to the State right of way.

This permit grants permission for a driveway allowing access to and from your property onto a State maintained highway. It does not permit the following within the right of way or within that portion of a driveway that is within the right of way: (1) Parking of vehicles "for sale"; (2) Obstructions of any kind (i.e. logs, cables, fencing, etc.); (3) Advertising signs or banners/flags; (4) Parking vehicles with signs/advertising on the side.

A driveway or approach road constructed under permit within a highway right-of-way is the property of the State, but all cost and liability arising from the construction, operation, or maintenance of a driveway or approach road is at the sole expense of those lands served. The Department is not obligated to change its maintenance practices to accommodate a driveway or approach road constructed under a permit, or to incur any additional expense removing snow berms or other obstructions from a driveway or approach road within a right of way resulting from the Department's activities, or activities under a permit issued under 17 AAC 15.

Permittee is responsible for adjusting or relocating the driveway or approach road without cost or liability to the Department if the use or safety of the highway requires that the driveway or approach road be adjusted or relocated.

This permit is not a property right but a temporary authorization, revocable by the State upon violation of any permit terms or conditions, or for other reasons. All reasonable attorney's fees and costs associated with legal or enforcement actions related to the terms and conditions of this permit will be borne by the Permittee.

Any survey monument or monument accessory that is disturbed or destroyed during construction or maintenance of the driveway will be restored or replaced by a Land Surveyor licensed in the State of Alaska.

The Permittee will be responsible for all necessary Federal, State, and Municipal permits and licenses required by law, pay all taxes and special assessments lawfully imposed upon the permitted area, and pay other fees and charges assessed under applicable law.

Placement of fill material in waters of the U.S., including wetlands and streams, requires prior authorization from the U.S. Army Corps of Engineers. It is the responsibility of the owner to contact the Corps before filling activities take place.

The Permittee shall construct and maintain a driveway in such a manner that the highway, and all of the highway's appurtenances or facilities, including drainage facilities, pipes, culverts, ditches, traffic control devices, street lights, pathways, and sidewalks are not impaired or endangered in any way by the construction or maintenance. (17 AAC 10.020(b) If you damage any improvements within the State owned right of way, you will be responsible for returning them to their previous condition. The Department will inspect and approve the restored improvements. (17 AAC 10.065)

Permittee shall indemnify, defend and hold harmless the State, and its officers, employees, and contractors, from any and all claims or actions resulting from injury, death, loss, or damage sustained by any person or personal property resulting directly or indirectly from Permittee's use of or activities in the permitted area.

Landings from all paved roads must be paved and maintained from edge of the road to the length of the landing as stipulated in this permit.

If a culvert is required by this driveway permit, culvert ends must be installed at the time of installation and maintained continuously by the owner.

No person shall place, leave or deposit upon any street, avenue, alley, sidewalk or other public right of way any snow or ice which has been removed from a private driveway, private parking area, or the adjacent property. Permittee is responsible for his snow removal contractor's actions concerning placement of snow from Permittee's property.

If driveway construction or maintenance interferes with the public's safety and/or use of facilities within State owned right of way, you will be directed to stop work until adjustments are made.

While doing construction or maintenance activities do not park equipment or stockpile material on the shoulder during non-working hours.

Permittee is responsible for sight distance clearing of brush and obstructions adjacent to their property.

Driveway landings as stipulated in the permit must be paved and maintained from pavement edge on all paved roads.

Please contact the Department for information about acceptable driveway markers (i.e., size, materials, distance, etc.) for placement within the right of way.


The State will not change its maintenance practices to accommodate your driveway or incur additional expense to clear snow berms or other obstacles resulting from the Department's activities.

**Permittee upon signing this permit acknowledges and agrees to the following conditions:**

**REQUIRED for ALL DRIVEWAYS:**

- ☒ [ X ] Plat including notes of the placement of the driveway.
- ☒ [ X ] Site plan.
- ☒ [ X ] Proof of ownership.
- ☒ [ X ] Traffic control plan.

I, **Steven Fuller**, acknowledge that I am acting on behalf of the above named organization with the full authority to do so. I further acknowledge and accept that I shall comply with all the provisions and conditions that the Department of Transportation and Public Facilities has included as a condition of issuing this permit.

  
Permittee Signature

6-6-13  
Date

  
DOT&PF Signature

6-6-13  
Date

PERMIT NO. 23702

