MEMORANDUM

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

DATE:

October 3, 2013

TO:

Planning Commission

FROM:

Sarah Bronstein, Planner SS

Community Development Department

FILE NO.:

AAP2013 0016

PROPOSAL:

Accessory apartment on a lot not served by city sewer.

GENERAL INFORMATION

Applicant:

Israel Ginn

Property Owner:

Israel Ginn

Property Address:

17730 Point Stephens Spur Road

Legal Description:

USS 3268 LT 81

Parcel Code Number:

8-B35-0-102-016-0

Site Size:

0.96 Acres (41,818 square feet)

Comprehensive Plan Future

Land Use Designation:

RDR – Rural Dispersed Residential

Zoning:

D-1

Utilities:

Public water, private sewer

Access:

Point Stephens Spur Road

Existing Land Use:

Vacant

Surrounding Land Use:

North

D1; single family residence

South

D1; single family residence

East

D1; single family residence

West

D1; single family residence

CITY/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

Planning Commission File No.: AAP2013 0016

October 3, 2013 Page 2 of 7

VICINITY MAP



Planning Commission File No.: AAP2013 0016 October 3, 2013 Page 3 of 7

PROJECT DESCRIPTION

The applicant requests a Conditional Use permit for the development of an accessory apartment in conjunction with the construction of a new single family house at 17730 Point Stephens Spur Road. The proposed accessory apartment is approximately 258 square feet in floor area. The lot has no city sewer service, which necessitates a Conditional Use permit for the accessory apartment.

BACKGROUND

Title 49 requires that a single family residence meet the following criteria in order to legally construct an accessory apartment:

CBJ 49.25.510 SPECIAL DENSITY CONSIDERATIONS, (a)(2)

- (A) The accessory apartment shall be a one bedroom or efficiency unit not exceeding 600 square feet in net floor area...
- (C) A permit under this subsection may be issued if the applicant establishes that:
 - (i) the development meets all setback requirements;
 - (ii) the total building footprint does not exceed the maximum lot coverage allowable under section 49.25.400, the table of dimensional standards, or, in the case of nonconforming structures, aggravate the nonconformity;
 - (iii) the development does not violate the vegetative cover requirements imposed by section 49.50.300; or, in the case of nonconforming structures, aggravate the nonconformity; and
 - (iv) the development meets the parking standards required by chapter 49.40.

The maximum lot coverage for the D1 zone is 10 percent (CBJ 49.25.400). The total area of the lot in question is 41,818 feet; thus the maximum lot coverage for this lot would be 4,182 square feet. The vegetative requirement for the D1 zone is 20 percent (CBJ 49.50.500).

Planning Commission File No.: AAP2013 0016 October 3, 2013 Page 4 of 7

In addition,

- (G) The Accessory Apartment shall be reviewed through the Conditional Use Permit process at CBJ 49.15.330 if the lot upon which the accessory apartment is proposed is:
 - (i) smaller than the Minimum Lot Size for Permissible Uses listed in the Table of Dimensional Standards, CBJ 49.25.200; or
 - (ii) not served by public sewer.

The property in question, 17730 Point Stephens Spur Road, is not served by city sewer, nor is it within the Urban Service Boundary. The applicant has included plans for an on-site waste water treatment system. A letter of approval shall be required prior to a Certificate of Occupancy for the accessory apartment approving the on-site wastewater disposal system as adequate capacity for the demands imposed by the development of both the single family home and the accessory apartment.

ANALYSIS

Project Site and Design -

The project is located Point Stephens Spur Road, a dead end road just south of Tee Harbor. The property is surrounded on all sides by single family residential dwellings, with a significant buffer of trees between the homes on each lot. The lot is 41,818 square feet, far larger than the 36,000 square feet required minimum lot size in the D1 zone. The project also meets all requirements for maximum lot coverage, vegetation coverage and setbacks in this district.

Traffic, Parking and Circulation -

Title 49 requires that an additional parking spot be provided in association with an accessory apartment. The applicant has provided adequate space for parking to accommodate the three spaces required for the single family home and the accessory apartment.

Primary access to the property is off of Point Stephens Spur Road, which connects to Glacier Highway by way of Point Stephens Road.

Noise -

Beyond the expected short term noise due to construction, no significant noise impacts to the community are anticipated as a result of the development of this accessory apartment.

Planning Commission File No.: AAP2013 0016 October 3, 2013 Page 5 of 7

Public Health or Safety -

Applicants are required to provide a Letter of Approval for the on-site wastewater disposal system from the Alaska Department of Environmental Conservation (DEC). As of the writing of this staff report, the design for the on-site treatment system, conducted by R & M Engineering, Inc, has been submitted to DEC's office in Anchorage. The applicant has indicated that a letter of approval will be submitted to the Community Development Department directly upon receipt. Staff recommends a condition that this letter be provided to the Community Development Department prior to the issuance of a Certificate of Occupancy for the accessory apartment. Staff is unaware of any other public health or safety issues associated with the proposed development.

Habitat -

The property does not contain any anadromous fish streams or wetlands. However, CBJ records indicate the presence of an eagle's nest within 330 feet of the property, on the west side of Point Stephens Spur Road. A site visit by staff could not verify the existence of the nest or any activity associated with it. Staff recommends that an advisory condition be placed on the associated building permit requiring that the property owner cease construction between March 1, 2014 and August 31, 2014 if the nearby nest is verified and proves to be active, in compliance with CBJ 49.70.310 (a)(3).

Property Value or Neighborhood Harmony -

There are no known cases of accessory apartments decreasing property values in single family neighborhoods. The small size of the accessory apartment guarantees a minimal impact on the neighborhood harmony and property values.

Conformity with Adopted Plans -

The proposed development provides an additional two units of housing, which serve a diverse population of individuals and families. This complies with the following policies in the Comprehensive Plan:

POLICY 4.1. IT IS THE POLICY OF THE CBJ TO FACILITATE THE PROVISION AND MAINTENANCE OF SAFE, SANITARY AND AFFORDABLE HOUSING FOR ITS RESIDENTS.

POLICY 4.2 IT IS THE POLICY OF THE CBJ TO FACILITATE THE PROVISION OF AN ADEQUATE SUPPLY OF VARIOUS HOUSING TYPES AND SIZES TO ACCOMMODATE PRESENT AND FUTURE HOUSING NEEDS FOR ALL ECONOMIC GROUPS.

Planning Commission File No.: AAP2013 0016 October 3, 2013 Page 6 of 7

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 Accessory Apartment 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 1.130 for the D1 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 September 27, 2013 and October 7, 2013 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property

Planning Commission File No.: AAP2013 0016 October 3, 2013 Page 7 of 7

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. Based on the above analysis the proposed development, with conditions, will not endanger the public health and safety.

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

No. Based on the above analysis the use, with conditions, will maintain values and will be in harmony with the neighboring area.

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

Yes. As discussed above, the proposed development is in general conformity with the Comprehensive Plan, particularly Policies 4.1 and 4.2.

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. This proposal does not need to go through the Alaska Coastal Management Program review.

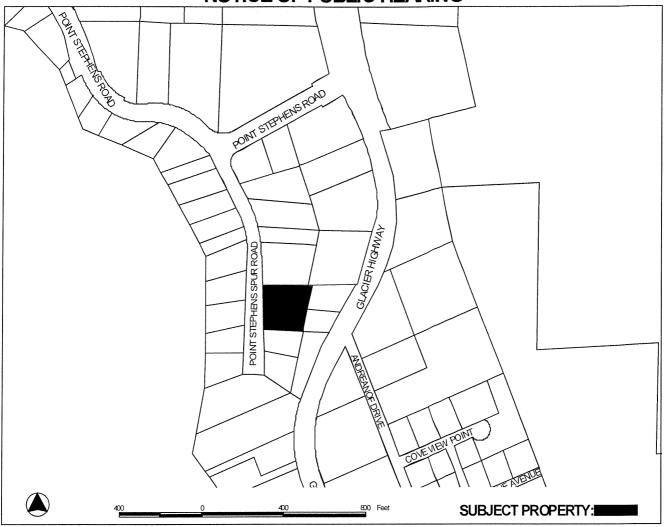
RECOMMENDATION

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested accessory apartment permit. The permit would allow the development of a new single family dwelling and a 258 square foot associated accessory apartment at 17730 Point Stephens Spur Road.

The approval is subject to the following conditions:

1. Prior to issuance of a Certificate of Occupancy for the accessory apartment, the applicant must provide documentation from the Alaska Department of Environmental Conservation stating that an on-site wastewater disposal system, with the appropriate rated capacity, has been approved.

NOTICE OF PUBLIC HEARING



PROPOSAL: Accessory apartment on a lot not served by city sewer.

FILE NO: AAP2013 0016

TO: Adjacent Property Owners

HEARING DATE: OCTOBER 8, 2013

HEARING TIME: 7:00 PM

PLACE: ASSEMBLY CHAMBERS

Municipal Building 155 South Seward St Juneau. Alaska 99801 **APPLICANT: ISREAL GINN**

Property PCN: 8-B35-0-102-016-0

Owner(s): ISREAL GINN

Size: 0.96 ACRES

Zoned: D-1

Site Address: 17730 POINT STEPHENS SPUR ROAD

Accessed via: POINT STEPHENS ROAD

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

Sarah Bronstein at sarah_bronstein@ci.juneau.ak.us or at 586-0466.

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

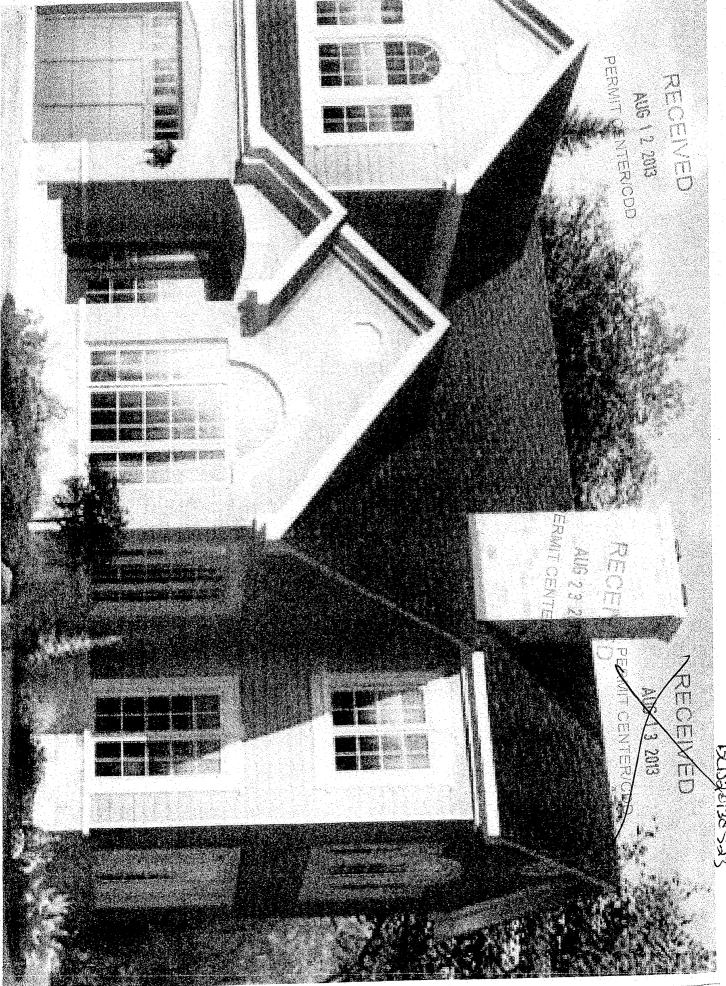
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NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

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Account: ICI001 0001 Branch: 412TAC Phone: (206)-937-5598 Fax: (206)-937-4988

SHIP TO: IMPAC COMPANY INC. 5059 S.W. ADMIRAL WAY SEATTLE WA 98116

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6		OSBRIMBR1G924 RIGID RIM OSB RIMBOARI	1.25X9.5X24 D			
	*	** GROUP TOTAL **				
596	LFT J	* SECOND FLOOR FRAMI ISTR20111S11 RFPI 2011 ENGINEERED JO	11.875"			
	3	3/11 15/12 7/14 11/15 5/24		The same of the sa		
12		VLRL20E1S11 2.0E RIGID LAM LVL	1.75X11.875			
	3	3/4		Control of the second		
8		OSBRIMBR1G1124 1 RIGID RIM OSB RIMBOARD	.25X11.88X24'	Ö		
6		JSPTHF17112 T JSP FACE MOUNT I-JOIST	THF17112 HANGERS	TO IT		
				789		



412TAC 230 EAST F ST TACOMA, WA 98421-Phone: (253)-779-5077

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BILL TO: IMPAC COMPANY INC. 5059 S.W. ADMIRAL WAY SEATTLE WA 98116

TAC00617299

Account: ICI001 0001 Branch: 412TAC Phone: (206)-937-5598

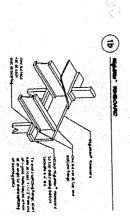
Fax: (206)-937-4988

SHIP TO: IMPAC COMPANY INC. 5059 S.W. ADMIRAL WAY SEATTLE WA 98116

						Page 2 of	2
PO: EXP DELV DATE: ACTIVATION DATE:	07/03/13 07/02/13	REF: SALES TMEYSENBURG AGENTS	QUOTED FOR: Jon D	JOB: Ginn Resid	lence	FRT TERM:	
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RFPI Joist Placement Diagram Verify all Framing and Dimensions before ordering

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Material List Material

Mdth

Depth Quantity Cut Length Total Length

USP 11/1/12

DRAPH 6 MALLA C1/C0/F0 3TAG

Notes:

1. Please see installation guide for installation details.

All interior walls shown on plan at a bearing.
 Interior non-bearing walls are a omitted for clarity.
 Any deviations from this design may prossibly after engineering specific atlans.

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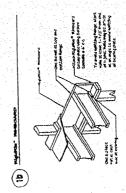
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Notes:

1. Please see installation guide for installation details.

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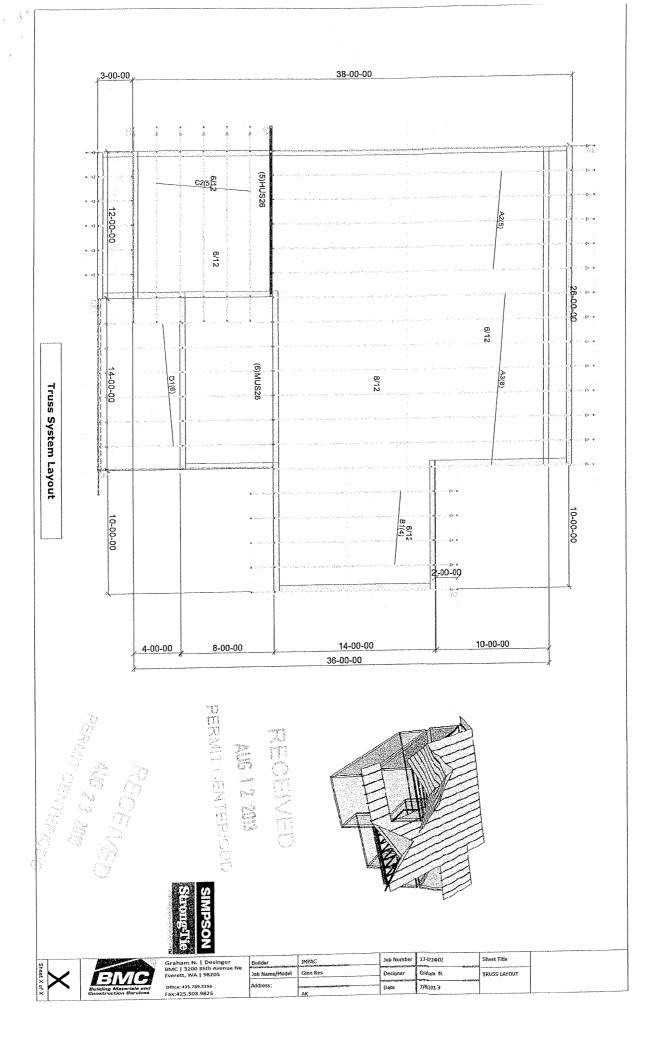
2. All interior workers and walls are omitted for clerity.

4. Any deviations from this design may possibly after engineering specifications.

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RFPI Joist Placement Diagram Verify all Framing and Dimensions before ordering



CONY SING milic versicate 90 CP4 ACRIBE R-38 TYLUSES PER SPEC I bomic VB 2x6 FRAMNO THE 16" O.C 1'र्क रव द 5/8 I JOISTS PER 1 may 1 SKE Stoins A SOFFT 810 N. 11.93 2×6 \$405 16" e.c P21 A CONTRACTOR 6ml VS 16 tests 1/2 58. Rim PER SPEC I Joists C.E.C. SIE CRAVESPACE VENT POR 1RC rebor przB3 8X 24 2 lagers 211 FOAM 2" FOAM VALL SECTION I 8×16

Some Andrew 760 Alltrad MAILING IS 6" O.C EUSES & 1 FIELD flocusio sobes

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