DATE:               June 6, 2014
TO:                 Planning Commission
FROM:               Sarah Bronstein, Planner  
                    Community Development Department
FILE NO.:           AAP2014 0005
PROPOSAL:           A Conditional Use Permit for an accessory apartment on a lot not served by city sewer.

GENERAL INFORMATION
Applicant:          Michel Meersman & Angela Lessard
Property Owner:     Michel Meersman & Angela Lessard
Property Address:   19600 Beardsley Way
Legal Description:  Beardsley Bay Addition Lot 3D
Parcel Code Number: 8-B37-0-105-008-1
Site Size:          59,845 Square Feet
Comprehensive Plan Future Land Use Designation: Rural Dispersed Residential (RDR)
Zoning:             D-1
Utilities:          City water, on site waste water
Access:             Beardsley Way
Existing Land Use:  Single Family Home
Surrounding Land Use:  
                      North - D1  
                      South - D1  
                      East - D1  
                      West - Tee Harbor
ATTACHMENTS

Attachment A: Development Permit Application
Attachment B: Abutters Notice

PROJECT DESCRIPTION

The applicant requests an Accessory Apartment permit for the development of an accessory apartment on a lot not served by city sewer.
BACKGROUND

In 2007 the applicants, Michel and Angela Meersman, constructed a 600 square foot residence attached to a garage (BLD200700427). The Meersmans now wish to construct a second, larger single family dwelling on the lot, and convert the existing dwelling to an accessory apartment. The apartment is currently used as the primary residence on the lot, but would be superseded by a new larger primary residence, thus making the existing dwelling an accessory apartment. The lot is not served by City sewer, triggering a requirement in Title 49 for approval of a Conditional Use permit from the Planning Commission for the apartment (CBJ 49.25.510(d)(G)(ii)).

ANALYSIS

Project Site and Design – The lot is accessed off of Beardsley Way. It abuts Tee Harbor to the east and is surrounded by other single family homes, all zoned as D1. The lot is 59,845 square feet, which is larger than the 36,000 square foot requirement for a single family residence in the D1 zone.

Traffic, Parking and Circulation – The addition of the single family home and the conversion of the existing dwelling into a rental apartment will not generate significant traffic. An accessory apartment and single family dwelling require three collective parking spaces: two for the primary dwelling and one for the apartment. There is ample space to provide the required parking on site.

Noise – The conversion of the existing unit to an apartment and the construction of a second dwelling will not cause adverse noise impacts to the neighborhood.

Public Health or Safety – The applicant has submitted a construction and operation certificate for an onsite waste water system that can support 3 bedrooms.

Habitat – There are no documented eagle nests within 330 feet of the property, or anadromous fish bearing streams within 50 feet. The lot is outside of the study area boundaries for the Juneau Wetlands Management Plan; it is therefore unknown if the lot is encumbered by wetlands. However, the building to become the accessory apartment is already constructed, and will not impact any new areas through its conversion from a primary to an accessory dwelling.

Property Value or Neighborhood Harmony – Staff has no evidence that an apartment will negatively impact the value of adjacent properties or negatively impact neighborhood harmony. A notice has been sent to all property owners within 500 feet of the property, and no comments in opposition to the project have been received.

Conformity with Adopted Plans –
This application is in compliance with the following Policies in the Comprehensive Plan 2013 Update:
Policy 4.1: To facilitate the provision and maintenance of safe, sanitary, and affordable housing for its residents.

Policy 4.2: 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.

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.** Staff 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 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 June 14th and June 23rd 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. The applicant has provided adequate materials to demonstrate that an approved on-site waste water treatment facility will adequately serve two dwellings with three bedrooms total.

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

No. The apartment will not be out of character with the rest of the neighborhood. Staff does not have evidence that it will have a negative impact on property values or change the character of the neighborhood.

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

Yes. Accessory apartments are supported by numerous policy statements and implementing actions within the 2013 Comprehensive Plan calling for development of diverse housing types and affordable housing in Juneau.

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 conversion of an existing single family dwelling to an accessory apartment with the construction of a larger single family residence, on a lot not served by city sewer.
### Allowable/Conditional Use Permit Application

**Project Number**: AAP2014005  
**Date Received**: 04/30/14

**Type of Allowable or Conditional Use Permit Requested**
- [x] Accessory Apartment (AAP)  
- [ ] Driveway in Right-of-Way (ADW)
- [ ] Use Listed in §49.25.300 (USE)

Please list the Table of Permissible Uses Category:

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

**Describe the Project for Which an Allowable or Conditional Use Approval is Needed.**
We have been living in the accessory apartment that we built first on our property for the past 5 years. Our kids are growing and now we hope to build our main residence and move in there.

**Is This a Modification of an Existing Approval?**  
- [ ] No  
- [x] Yes – Case #

**Current Use of Land or Building(s):** Living in our accessory apartment. Our Garage is used as a shop / laundry.

**Proposed Use of Land or Building(s):** To rent our accessory apartment when we move into the main residence.

**Utilities Proposed:**
- Water: [x] Public  
- Sewer: [x] Public

**Site and Building Specifics:**
- Total Area of Lot: 59,845 square feet  
- Total Area of Existing Structure(s): 600 square feet  
- Total Area of Proposed Structure(s): 600 square feet

**External Lighting:**
- Existing to remain: [ ] No  
- Proposed: [ ] No

- [x] Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures

**Project Narrative and Submittal Checklist:**
- [x] Site Plan  
- [x] Floor Plan of proposed buildings  
- [ ] Elevation view of existing and proposed buildings  
- [ ] Proposed Vegetative Cover  
- [ ] Existing and proposed parking areas (including dimensions) and proposed traffic circulation  
- [ ] Existing Physical Features of the site (drainage, habitat, hazard areas, etc.)

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

<table>
<thead>
<tr>
<th>Fees</th>
<th>Check No.</th>
<th>Receipt</th>
<th>Date</th>
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**Note:** MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM
**DEVELOPMENT PERMIT APPLICATION**

**Project Number:** AAP 2014 0005  **CITY and BOROUGH of JUNEAU**  **Date Received:** 04/30/14

**Project Description:**
We have been living in the 'accessory apartment' that we built 1st on our property for the last 5 years. Our kids are growing and we now hope to build our main residence and move in there and rent this apartment.

**PROPERTY LOCATION**

<table>
<thead>
<tr>
<th>Street Address</th>
<th>City/Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td>19600 Beardsley Way</td>
<td>Juneau, AK 99801</td>
</tr>
</tbody>
</table>

**Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot):**
Beardsley Bay Additional 1, 3D

**Assessor’s Parcel Number(s):**
GB37K0105035

**INFORMATION**

**Property Owner’s Name:**
Michael Weersman & Angela Lessard

**Mailing Address:**
19600 Beardsley Way

**E-mail Address:**
lessardmeersman@gmail.com

**Contact Person:**
either

**Work Phone:**
907-523-7969

**Home Phone:**
907-500-3269

**Fax Number:**

**Other Contact Phone Number(s):**

**LANDOWNER/LESSEE**

I am (we are) the owner(s)/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.

**Signature:**

Landowner/Lessee Signature: X 4/30/2014

Landowner/Lessee Signature: x 4/30/2014

**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.

**APPLICATION**

**Applicant's Name:**

**Mailing Address:**

**E-mail Address:**

**Contact Person:**

**Work Phone:**

**Home Phone:**

**Fax Number:**

**Other Contact Phone Number(s):**

**Signature:**

Applicant's Signature: X

Date of Application:

**PROJECT / APPLICANT**

**STAFF APPROVALS**

- ✔ Building/Grading Permit
- ✔ City/State Project Review and City Land Action
- ✔ Inquiry Case (Fee In Lieu, Letter of LC, 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)
- ✔ Variance Case (Ex 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:**

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

Revised November 2009
Public Notice Sign Lease Agreement
Community Development Department

Case #: AAP20140005  Sign #:  Hearing Date:__________

Assessor’s Parcel #: 86370-050081  Check #: 059477  Receipt #: CDD5120

Applicant: MIKE MEERSMAN  (please print)  Phone #: 907-523-7969

Application Received by:  Date: 04/30/14
(CDD staff initials/name)

I, MIKE MEERSMAN, 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.

(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:  ____/____/______

Last Updated 05/03/2006

I:/FORMS/CDD FORMS/UPDATES/Public Notice Sign Lease Agreement.doc
May 1, 2009

Bruce Berryhill, P.E.
B³ Engineering, Inc.
607 W. 7th Street
P.O. Box 32478
Juneau, AK 99803

Re: Final Approval to Operate an Alternate Onsite Wastewater Treatment and Disposal System:
Beardsley Bay Subdivision, Lot 31 in Juneau, Alaska.
ADEC Plan Tracking Number 6761.

Dear Mr. Berryhill:

The Department has reviewed the Certificate of Construction and engineering plans submitted for the
domestic wastewater system consisting of an Advantex AX20 secondary treatment unit, followed by
U.V. disinfection (Salcor 3G) with discharge to a 20 foot trench drainfield. The treatment and
disposal system serves a two-bedroom house, a one-bedroom apartment and is sized to handle an
estimated wastewater flow of about 450 gallons per day.

In accordance with 18 AAC 72.240(b), final approval to operate is hereby issued. The completed
construction and operation certificates are attached.

Proper operation and regular maintenance of your treatment system is important. Homeowners are
couraged to read and follow the operation and maintenance manual for your specific treatment
system. We also suggest filing maintenance records and approval letters with other property
documents.

Please call me at (907) 465-5306 if you have comments or questions.

Sincerely,

Amy Dieffenbacher
Environmental Program Specialist

Attachments:
(1) Construction and Operation Certificate with signed Approval to Operate.

cc: Bruce Berryhill, P.E., email copy
    Mike Meersman, 19600 Beardsley Way, Juneau, AK 99801
STATE OF ALASKA
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
CONSTRUCTION AND OPERATION CERTIFICATE
FOR
DOMESTIC WASTEWATER DISPOSAL SYSTEMS

ADEC PTN#: 6761

A. APPROVAL TO CONSTRUCT

Plans for the construction or modification of the following domestic wastewater disposal system:
Advantex AX20 with UV disinfection (Salcor 3G) and disposal trench for 3 bedrooms total
located at Beardsley Bay Subdivision, Lot 30, 19600 Beardsley Way, Tee Harbor (Juneau), Alaska,
submitted in accordance with 18 AAC 72.210 by Bruce R. Berryhill, PE have been reviewed and are
 approved.

☐ conditionally approved (see attached conditions).

Lori Sowa
Environmental Engineering Associate
5/28/2008

DATE

If construction has not started within two years of the approval date, this certificate is void and new plans and specifications must be submitted for review and approval before construction.

B. APPROVED CHANGE ORDERS

Change (contract order number or descriptive reference) Approved by: Date:


C. APPROVAL TO OPERATE

The "APPROVAL TO OPERATE" section must be completed and signed by the Department before this system is made available for use.

The construction of the above domestic wastewater disposal system was completed on 7-30-08 (date). The system is hereby granted interim approval to operate for 90 days following the completion date.

BY

TITLE

DATE

As-built/record drawings, submitted to the Department, or an inspection by the Department, has confirmed that the domestic wastewater disposal system was constructed in substantial conformance with the approved plans. The system is hereby granted final approval to operate.

BY

Amy Diefenbacher

Environmental Program Specialist

DATE

Distribution:
1. Retain original for project file
2. Make copies for distribution

(Rev 4/97)
Beardsley Way
dead end

existing ditch

existing elevation

proposed elevation

water line

direction of flow

existing culvert

tee of proposed driveway

GRADE TO DRAIN

RECEIVED
JUL 24 2007
PERMIT CENTER/CDD

GARAGE
Will be separated from House by
3'

Tee Harbor
Inspections will not be performed without CBJ approved plans on site.
Roof framing
#19600 beamsley way

2x12 rafters
2x12 blocks

SIMPSON Strong-tie H1
rafter tie

117/8" x 1 3/4"
rafter hangers
LSU 26
2x12 rafters
2x12 blocks

2x6 dormer framing

o 19'

OVERHANG

RECEIVED
JUL 24 2007

PERMIT CENTER / CDL
RECEIVED
JUL 24 2007
PERMIT CENTER/CDI

Scale 1/4
GARAGE DETAILS

 unequivocal details

GARAGE DETAILS

 unequivocal details

GARAGE DETAILS

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 unequivocal details
WALL Framing

# 19600 Beardsley Way

GARAGE

WEST WALL

RECEIVED
JUL 24 2007

Scale 1/4

PERMIT CENTER / CDD
GARAGE

EAST WALL

16 1/2'

2 (2x6) top plate

2x6 studs

8'

21 oc

12'

14'

Treated 2x6

RECEIVED
JUL 24/2007

PERMIT CENTRE: 200

scale 1/4
# 19600 Beardsley Way

Diagram with labels:
- outlet
- switch
- light
- baseboard heaters
- smoke detector

Scale: 1/4

RECEIVED
JUL 24, 2007
PERMIT CENTER/CDD
One must have a net clear opening of 5.7 sq ft minimum 24" height dimension not more than 44" sill height at clear opening per 2003 IRC Section 310.
House STAIRS
Size, rise, run

PERMIT CENTER/CD
JUL 24, 2007

STAIRS: Near
Size, rise, run.

19600 Brandon Way
Pier foundation: Computation of Load Capacity:

The computation is based on a soil with a 2000 lbs bearing capacity.

Soil description: The ground is undisturbed, brown with bits of gravel. It drains well.

Life load of the house is 40 lbs per sft * 600 = 24,000 lbs.
Dead load of the house is 15 lbs per sft * 600 = 9,000 lbs.
Roof load of the house is 50 lbs per sft * 600 = 15,000 lbs.

Total load of house = 48,000 lbs.

The foundation will be made of 8 piers with a surface of 9.85 sft each.
Total of piers surface is 78.876 sft.
Based on the soil capacity of 2,000 lbs per sft, these piers should bear a load of (78.876 * 2000) 157,752 lbs.
PRE CAST PIER 24-6 DETAIL

sc: 1"=1'-0"

CB66 HDG post base
10" Ø concrete pier w/(4)#4 rebar vertical (3)#3 hoops

BF24 bigfoot footing w/#3 hoop @ base

2" clr.
Gable floating slab foundation. North view

Meersman #19680 Beardsley Way

1/2 bolt
7" in concrete
Spaced @ 6'oc.
1" from bottom
plate ends.

14'

Turn down parallel of slab must extend
minimum 12" below adjacent
grade.

6" x 6" W 1/4 x W
#4 rebar

12" below grade.

Shot rocks

RECEIVED
JUL 24 2007
PERMIT CENTER / CDD

SCALE 1/4
Foundation  Garage Slab: East (wall) View.

Meersman  # 19600 Beardsley Way
PROPOSAL: A Conditional Use Permit for an accessory apartment on a lot not served by city sewer.

File No: AAP2014 0005
Applicant: Michel Meersman & Angela Lessard

To: Adjacent Property Owners
Property PCN: 8-B37-0-105-008-1
Owner: Michel Meersman & Angela Lessard
Size: 1.37 Acres
Zoned: D-1
Site Address: 19600 Beardsley Way
Accessed Via: Beardsley Way

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 14 days prior to 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.