


MEMORANDUM

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

DATE: September 10, 2014

TO: Planning Commission

FROM: Jonathan Lange, Planner 
Community Development Department

FILE NO.: AAP2014 0013

PROPOSAL: A Conditional Use Permit for an accessory apartment on a lot not served by city sewer.

GENERAL INFORMATION

Applicant: Richard Hofmann and Paula Terrel

Property Owner: Richard Hofmann and Paula Terrel

Property Address: 4970 Thane Road

Legal Description: Hagerup Lot 3

Parcel Code Number: 1-B03-0-100-004-3

Site Size: 44,243 square feet or 1.02 acres

Comprehensive Plan Future Land Use Designation: RDR – Rural Dispersed Residential

Zoning: D-1

Utilities: On-site water and sewer

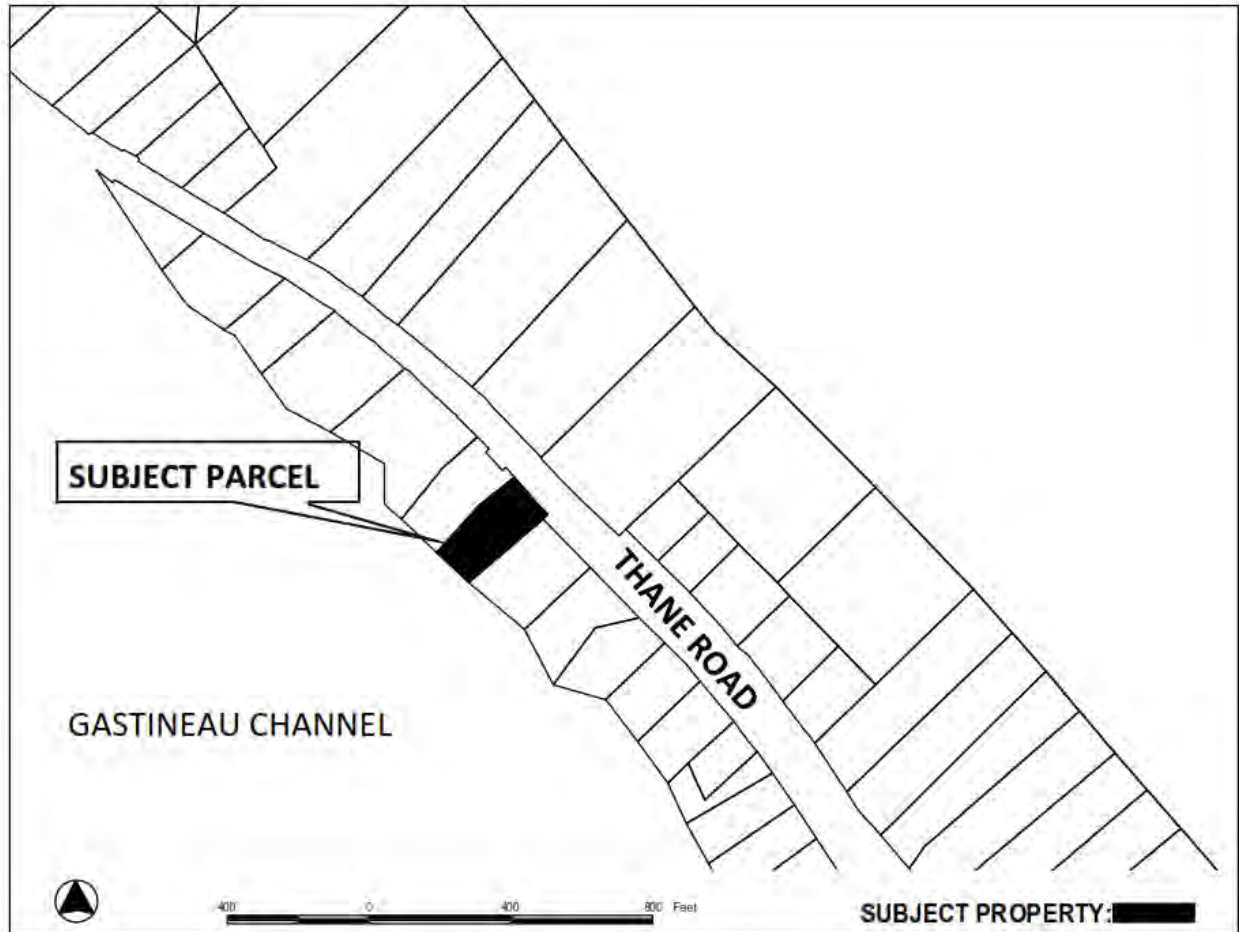
Access: Thane Road

Existing Land Use: Single-family residence under construction

Surrounding Land Use: North D-1 – Three housing units
Northeast D-1 - Vacant
Southwest - Gastineau Channel
Southeast D-1 – Single-family residence
West D-1 - Vacant



Vicinity Map



ATTACHMENTS

- Attachment A – Accessory Apartment and Development Permit Applications
- Attachment B – Engineers and DEC Letter for On-Site Wastewater Disposal System
- Attachment C – Floor and Site Plans
- Attachment D – Notice of Public Hearing
- Attachment E – Photos of Building under Construction and Site
- Attachment F – Comments

PROJECT DESCRIPTION

The applicant requests an Accessory Apartment permit for the development of a 587 square foot accessory apartment to be constructed in the downstairs of a two-story home at 4970 Thane Road (see Attachment C).

The single-family home is currently under construction (see Attachment E). The applicant is building their home, and will be required to modify their building permit to include the accessory apartment kitchen if the accessory apartment permit is approved.

ANALYSIS

Project Site and Design - According to the City and Borough of Juneau's Land Use Code Title 49 section CBJ §49.25.510 (d)(2)(G)(ii), the Accessory Apartment permit requires Planning Commission approval under the Conditional Use Permit process due to the lot not being served by public sewer.

The applicant has proposed to use 587 square feet of the downstairs of their single-family residence which is now under construction for the accessory apartment (see Attachment C and E). The applicant has supplied a letter of approval from the Alaska Department of Environmental Conservation (ADEC) regarding the capacity of the wastewater disposal system for three bedrooms of the single-family residence and proposed accessory apartment (see Attachment B).

Traffic, Parking and Circulation - The proposed project has adequate space for parking and meets the parking requirements for a single-family home and accessory apartment. The parking requirements for this property are three parking spaces; two for the single-family home and one for the accessory apartment. Please see Attachment C for the floor plans and site plan. The property is served by Thane Road.

Noise - The proposed development will generate normal residential noise levels.

Public Health or Safety - Staff is unaware of any public health or safety issues associated with the proposed development. However, the improvement will require a Building Permit which should ensure structural safety and health issues are addressed.

Habitat - No sensitive areas, eagle nests, anadromous fish streams, or wetlands are known to exist on the subject site.

Property Value or Neighborhood Harmony – The property was vacant prior to construction of the single-family residence. No evidence indicates that the proposed development will have a negative impact on property value or neighborhood harmony.

Conformity with Adopted Plans - The project substantially conforms to the 2013 Juneau Comprehensive Plan Policy 4.1 as follows:

Policy 4.1 To facilitate the provision and maintenance of safe, sanitary, and affordable housing for its residents.

The proposed development meets the intent of this policy by providing a new single-family residence with an accessory apartment on an existing lot.

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 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 D-1 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 12, 2014 and September 22, 2014 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, Building Permits will help ensure 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. As described in the preceding analysis, no evidence indicates that the development will substantially decrease the value of, or be out of harmony with the property in the neighboring area.

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

Yes. The proposed development meets the intent of the 2013 Juneau Comprehensive Plan, specifically Policy 4.1, regarding provision of affordable housing.

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

Based upon the proposed plan (identified as Attachments A, B, and C), and the findings and conclusions stated above, the Community Development Department Director recommends the Planning Commission **APPROVE** the request.

ACCESSORY APARTMENT APPLICATION

Project Number	Project Name (15 characters)	Case Number AAP20140013	Date Received 8/13/14
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DESCRIBE THE ACCESSORY APARTMENT: 587 SqFT 1 BEDROOM, Full BATH, LAUNDRY, & KITCHEN

TYPE OF ACCESSORY APARTMENT

- Attached to or Within a Single-Family Dwelling
 Associated With a Detached Garage
 Within a Two-Unit Common-Wall Dwelling
 Not Affiliated with Another Structure (Stand alone)

AREA OF APARTMENT

Total Area 587 square feet

(Maximum of 600 square feet allowed. Areas common to more than one dwelling unit including entry ways, furnace rooms, laundry rooms, and interior stairways are not be included in the computation of net floor area.)

PARKING

Existing Spaces _____ Proposed Total Spaces 3

(Parking dimensions must be a minimum of 8.5' X 17', and each parking space must be drawn to scale on the site plan.)

SITE INFORMATION

ZONING DISTRICT D-1

UTILITIES AVAILABLE

MINIMUM LOT SIZE (\$49,25,400) 36,000

WATER: Public On Site

ACTUAL LOT SIZE**** 44,243 SqFT

SEWER: Public On Site****

****Applicants please note that if the parcel utilizes an on site septic system OR the Actual Lot Size is less than the Minimum Lot Size required, the Accessory Apartment must be reviewed through the Conditional Use Permitting Process.

Permitting Process: Departmental Review Planning Commission Approval

Fees (Departmental Approval)	Fees	Check No.	Receipt No.	Date
Application Fees	See Building Permit			
Fees (Conditional Use Permit)				
Application Fee	\$ <u>350</u>			
Public Notice Sign Fee	\$ <u>50</u>			
Public Notice Sign Deposit	\$ <u>100</u>			
Total	\$ <u>500</u>	-	<u>CDDS603</u>	<u>8/13/14</u>

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.

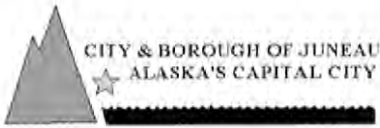
TO BE COMPLETED BY THE APPLICANT

DEVELOPMENT PERMIT APPLICATION

Project Number AAP20140013	CITY and BOROUGH of JUNEAU	Date Received: 8/13/14
Project Name (City Staff to Assign Name)		

INFORMATION	Project Description NEW HOME CONSTRUCTION		
	PROPERTY LOCATION		
	Street Address 4970 THANE RD.	City/Zip JUNEAU 99801	
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot)		
	Assessor's Parcel Number(s) 180301000043		
	LANDOWNER/LESSEE		
	Property Owner's Name RICHARD D. HOFFMANN JR / PAULA TERRELL HOFFMANN	Contact Person: RICHARD HOFFMANN	Work Phone: 209-2285
	Mailing Address 5110 THANE RD.	Home Phone: 586-3451	Fax Number:
	E-mail Address PTERREL@GCI.NET	Other Contact Phone Number(s):	
	LANDOWNER/LESSEE CONSENT <small>Required for Planning Permits, not needed on Building/Engineering Permits.</small>		
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.			
<input checked="" type="checkbox"/>	<u>Richard D. Hoffmann</u> Landowner/Lessee Signature	<u>7-28-14</u> Date	
<input checked="" type="checkbox"/>	_____ 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 <small>If the same as OWNER, write "SAME" and sign and date as X below.</small>			
Applicant's Name	Contact Person:	Work Phone:	
Mailing Address SAME	Home Phone:	Fax Number:	
E-mail Address	Other Contact Phone Number(s):		
<input checked="" type="checkbox"/>	_____ Applicant's Signature	_____ Date of Application	

OFFICE USE ONLY BELOW THIS LINE				
STAFF APPROVALS	<input checked="" type="checkbox"/>	Permit Type Building/Grading Permit	Date Received	Application Number(s)
		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)		
	<input checked="" type="checkbox"/>	Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)	8/13/14	AAP20140013
		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 JL	



Public Notice Sign Lease Agreement

Community Development Department

Case # AA20140013 Sign # _____ Hearing Date: _____
 Assessor's Parcel # 1B0301000043 Check # - Receipt # CDD5603
 Applicant: Richard Hoffman Phone #: 209-2285
(please print)
 Application Received by: HW Date: 8/13/14
(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.

(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: _____	

Gary Hayden, P.E. P.O. Box 210076 Auke Bay, Alaska 99821
(907) 789-7293

akea2@me.com

November 18, 2013

Ms. Rob Kimble
Engineering Associate
Division of Water – Wastewater Engineering Support and Plan Review
Alaska Department of Environmental Conservation
410 Willoughby Avenue Suite 303
Juneau, Alaska 99801-7195

Subject: Alex Wertheimer
On-lot Wastewater System
Lot 3, Hagerup Subdivision USS 2690
4900 Thane Road
Juneau, Alaska

Enclosed is an application package for the Terrel-Hoffman on-site wastewater treatment and disposal permit and separation distance waiver request.

This submission includes the following items:

- Project Fact Sheet
- Layout and detail drawings
- ADEC ownership and separation distance forms

The review fees of \$570 will be paid directly to ADEC by the owners.

The proposed installation of this on-lot secondary wastewater treatment system will serve a proposed two bedroom home. The system has been designed for a 3 bedroom structure. The disposal is proposed to be through a marine outfall line. This installation is scheduled for construction in the early spring of 2014. The owner expects to apply for a CBJ building permit in early 2014.

If you would like to make a site visit please let me know and we will schedule a time. If you have questions please e-mail me and I will respond to your review comments.

Sincerely,



Gary Hayden, PE





THE STATE
of ALASKA
GOVERNOR SEAN PARNELL

Department of Environmental
Conservation

DIVISION OF WATER
Wastewater Discharge Permit Program

410 Willoughby Avenue, Suite 303
Post Office Box 111800
Juneau, Alaska 99811-1800
Main: 907.465.5300
Fax: 907.465.5274
www.dec.alaska.gov/water

January 16, 2014

Gary Hayden, P.E.
Post Office Box 210076
Auke Bay, Alaska 99821

Re: Approval to Construct Authorization
USS 2690, Hagerup Subdivision, Lot 3, Juneau, Alaska
ADEC Plan Tracking Number 9663

Dear Mr. Hayden:

Thank you for the revised onsite wastewater treatment system application filed with the Department on December 12. The Department reviewed the engineering plans and supporting documentation submitted for this wastewater treatment system serving a three bedroom single family residence. In accordance with 18 AAC 72.225, Approval to Construct the proposed onsite domestic wastewater treatment system is hereby granted. A *Construction and Operation Certificate* is enclosed for your records. The proposed wastewater system was designed to treat 450 gallons per day of domestic wastewater. Main system components are as follows:

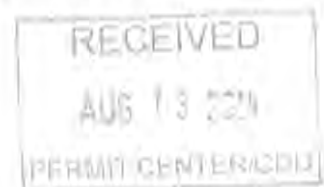
- Secondary Treatment: A Singlair Green Model 960-500 package plant manufactured by Norweco, Inc.
- Disposal: Ultimate effluent disposal will be via a marine outfall terminating at an elevation of -4 feet referenced to MLLW.

Included with your engineering plans was a request to waive the minimum separation distances required under 18 AAC 72.020 between the proposed onsite wastewater treatment system and both the mean annual high water level of an on-property stream and the mean higher high water level of coastal waters. The Department has reviewed the engineering information you provided and based on the proposed use, grants a waiver to a reduced separation distance.

Advisories and Recommendations:

1. The following recommendations are offered in accordance with 18 AAC 72.220(d). It is recommended the treatment system be maintained according to the manufacturer's guidelines. It is also recommended that the owner contemplate entering into a service contract with a qualified service provider for system maintenance. Facility owners are encouraged to keep records of all inspections and maintenance on their system, and make these records available to the Department upon request. An inspection schedule and other important information may be found in the operation and maintenance manual for your specific treatment system.

ATTACHMENT B



2. This construction approval is valid for two years. If the project is not constructed within two years, new plans and associated fees must be submitted to ADEC for review and approval.
3. This approval is contingent upon compliance with the conditions of Wastewater Disposal Regulations, 18 AAC 72.235, Construction Certification. The noted section of the regulations requires that a "Certification of Construction" be completed and submitted to the Department within ninety (90) days of completion of construction. Record drawings, submitted by your engineer, must indicate any changes or deviations from the approved plans to facilitate final review. A "Certification of Construction" form is enclosed for your use.
4. This approval is contingent upon your receipt of any other state, federal or local authorizations which are required for your project. You are required to obtain all other necessary authorizations before proceeding with your project.
5. You are advised that if this development will require placing fill in wetlands or working in a stream, river, or lake, permits from the U.S. Army Corps of Engineers and the Alaska Department of Fish and Game may be required. A Coastal Projects Questionnaire will help you identify other permits and approvals that may be required for your project.

Any person who disagrees with this decision may request an adjudicatory hearing in accordance with 18 AAC 15.195 – 18 AAC 15.340 or an informal review by the Division Director in accordance with 18 AAC 15.185. Informal review requests must be delivered to the Division Director, 555 Cordova Street, Anchorage, Alaska 99501, within 15 days of receipt of the plan review decision. Adjudicatory hearing requests must be delivered to the Commissioner of the Department of Environmental Conservation, 410 Willoughby Avenue, Suite 303, Juneau, Alaska 99801, within 30 days of the decision. If a hearing is not requested within 30 days, the right to appeal is waived.

Please call me at 907-465-5167 if you have comments or questions.

Sincerely,



Robert E. Kimble
Engineering Associate I

Enclosure: *Construction and Operation Certificate*
Certification of Construction for Domestic Wastewater Systems

cc: Richard Hofmann and Paula Terrel, Owners, w/o enclosure



ATTACHED BOUNDARY U.S.S. 2690

RECEIVED
AUG 13 2014
PERMIT CENTER/CDD

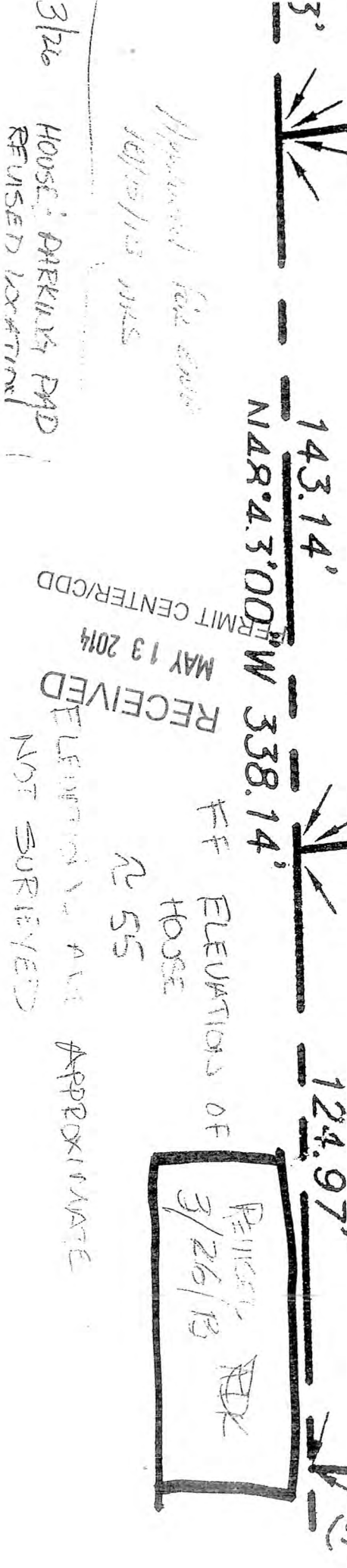
ROAD

LOT 2
1.06 Acres S.F.

LOT 3
1.43 Acres S.F.

SEE DETAIL "B"

SEE DETAIL "A"



3/26 HOUSE PERKINS PAD
REFUSED LOCATION

Proposed fee cover
10/15/13 MMS

PERMIT CENTER/CDD
MAY 13 2014
RECEIVED

ELEVATIONS ARE APPROXIMATE
NOT SURVEYED

FF ELEVATIONS OF
HOUSE
≈ 55

ATTACHMENT C

NOTES

G1

RECEIVED
MAY 13 2014
PERMIT CENTER/CDD

AK

Hofmann - Terrel Home

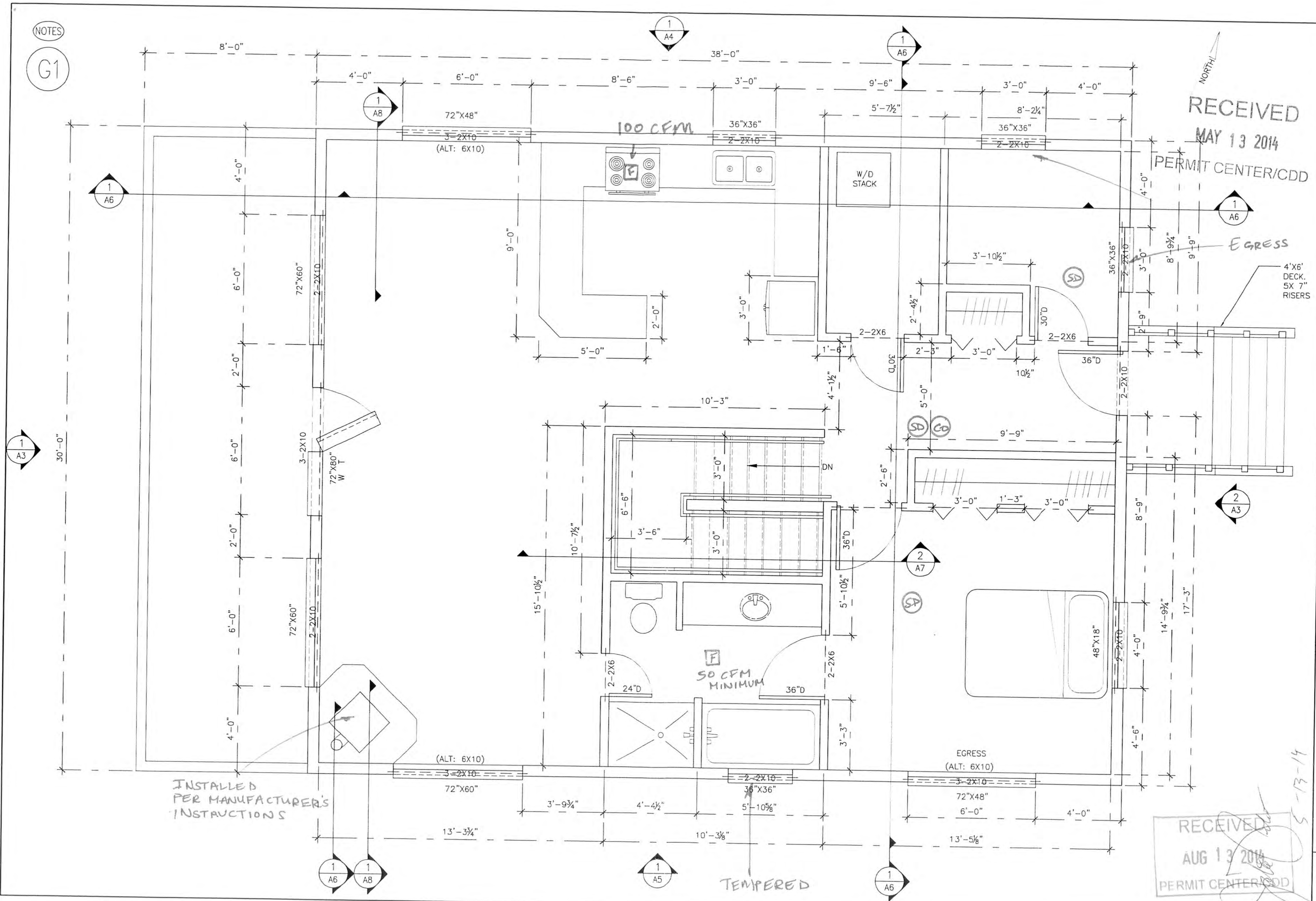
DATE: MAY 13, 2014
SCALE: 1/4" = 1'-0"
DRAWN: eBrodersen
CARL@CARLBRODERSEN.COM

SHEET TITLE:
PLAN VIEW
UPSTAIRS

SHEET NO.
A1

RECEIVED
AUG 13 2014
PERMIT CENTER/CDD

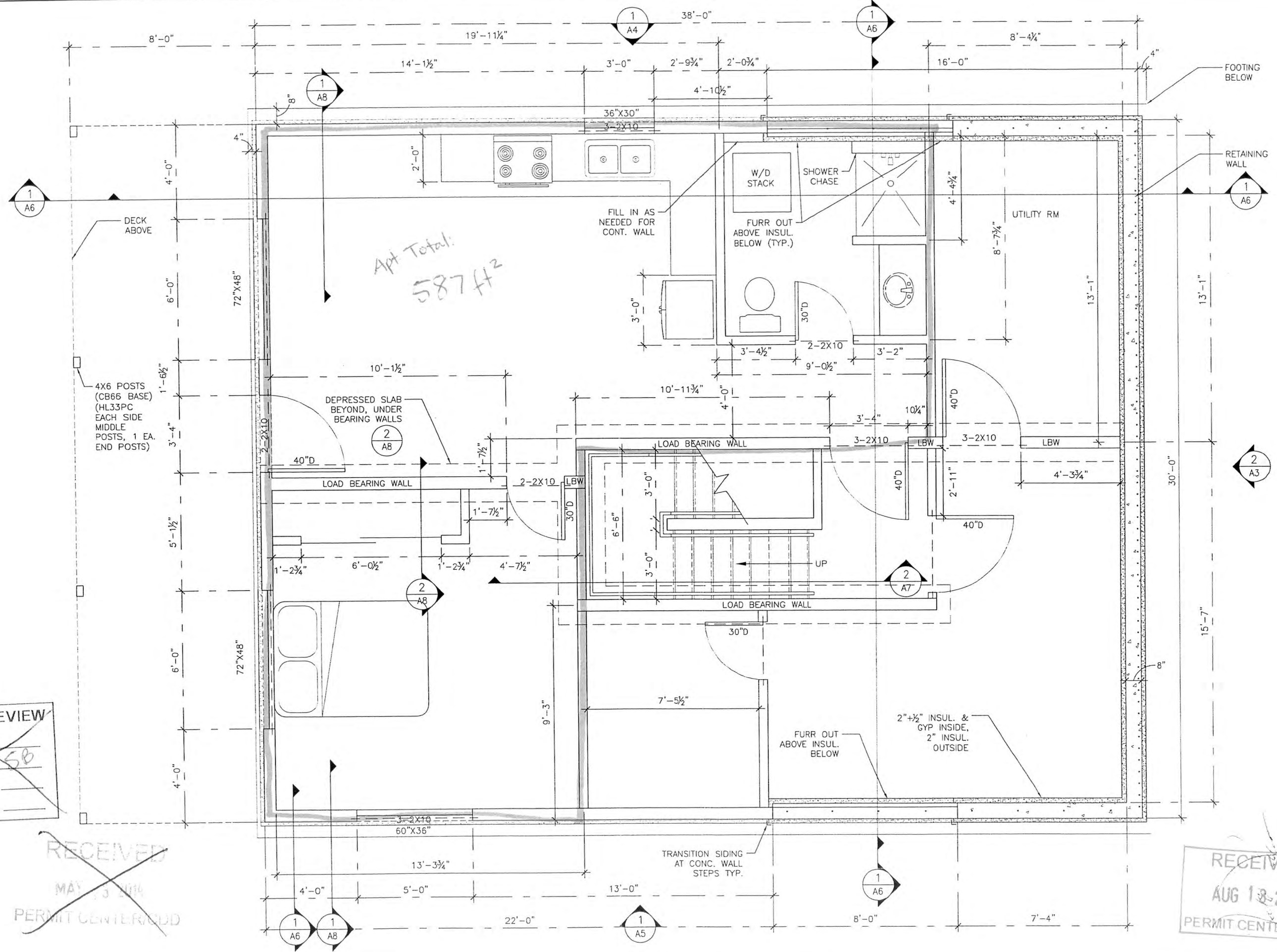
5-13-14



ATTACHMENT C

NOTES

G1



INTAKE REVIEW
 Gen Eng. _____
 POC SB
 IOC _____
 Tech. _____

RECEIVED
 MAY 13 2014
 PERMIT CENTER/CDD

RECEIVED
 AUG 13 2014
 PERMIT CENTER/CDD

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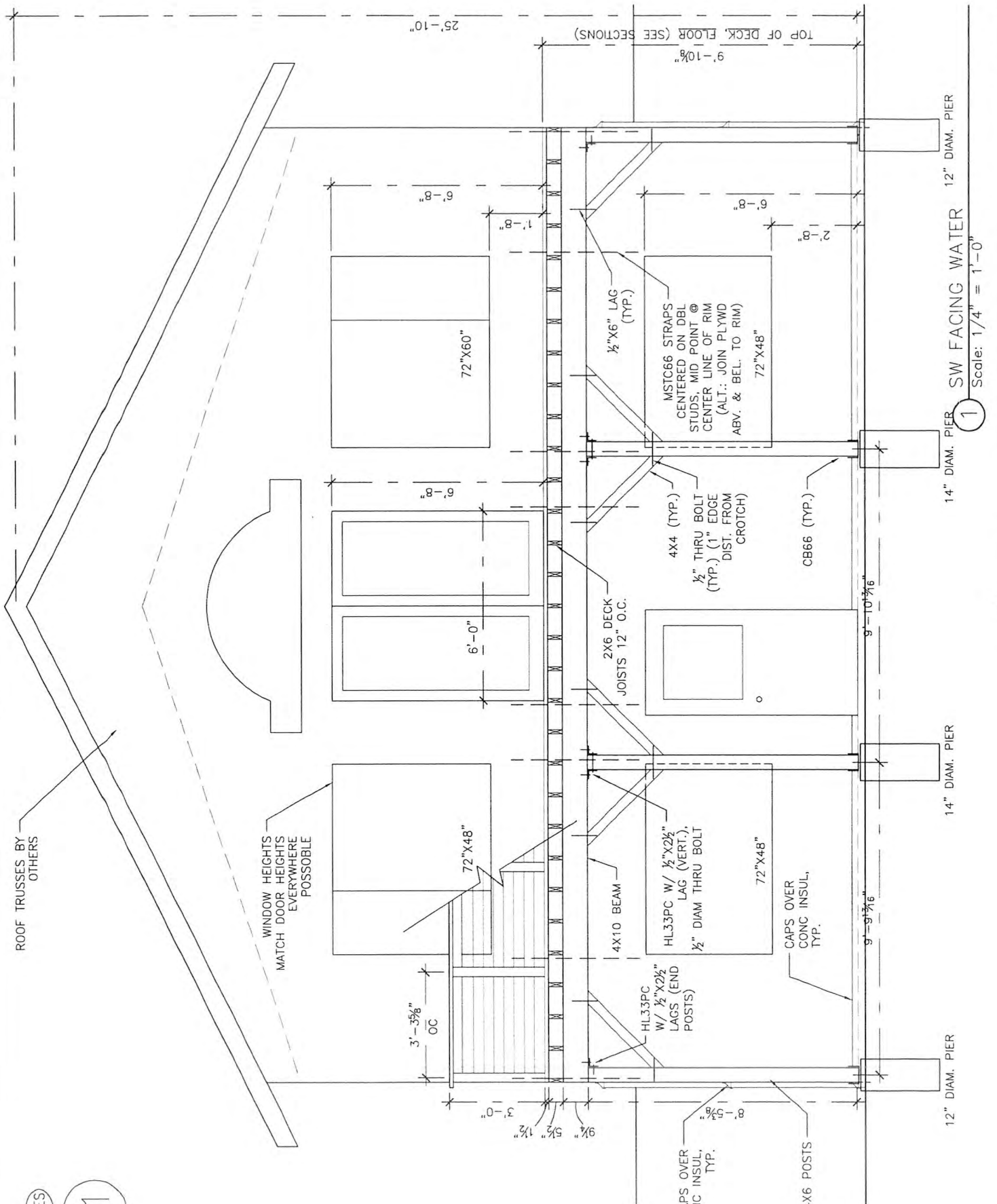
Hofmann - Terrel Home

DATE: MAY 13, 2014
 SCALE: 1/4" = 1'-0"
 DRAWN: eBrodersen
 CARL@CARLBRODERSEN.COM

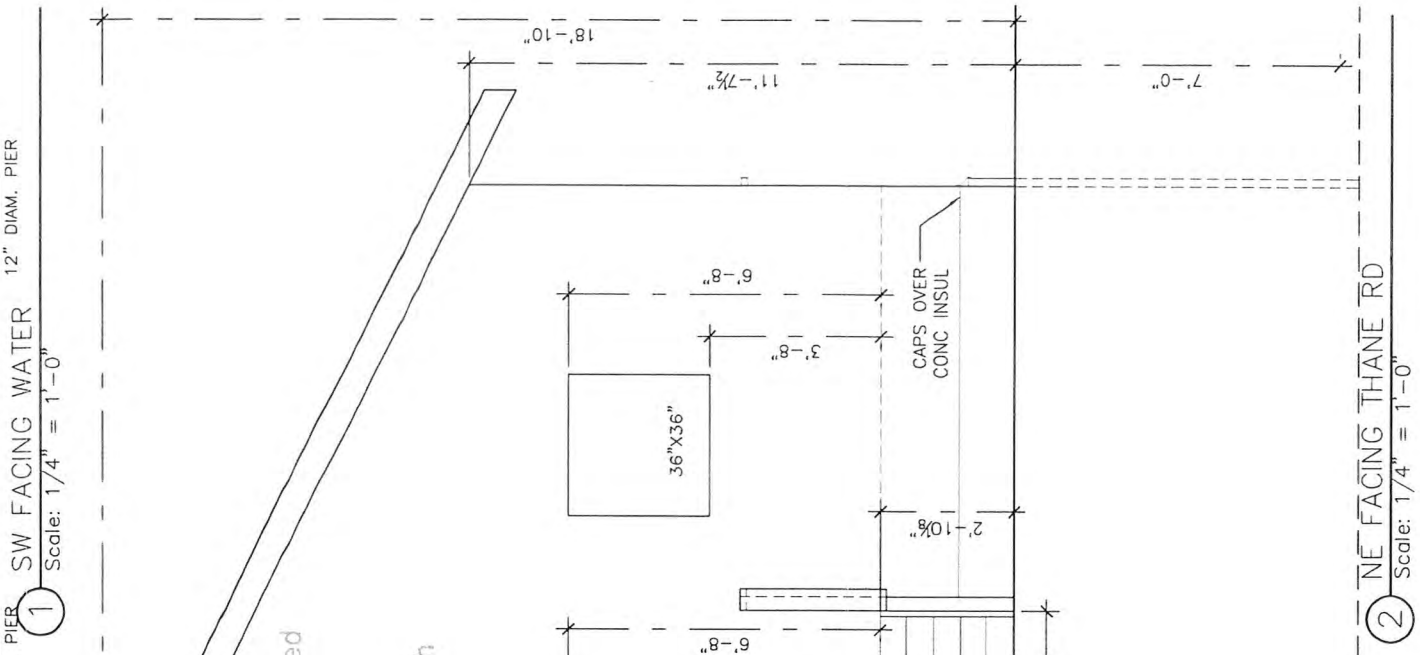
SHEET TITLE: PLAN VIEW DOWNSTAIRS
 SHEET NO. A2

ATTACHMENT C

NOTES
G1



Fasteners, hangers and brackets used on the exterior of a building and or used with pressure-preservative or fire retardant-treated woods shall be listed and approved products for such use.



RECEIVED
MAY 13 2014
PERMIT CENTER/CDD

RECEIVED
AUG 13 2014
PERMIT CENTER/CDD

NE FACING THANE RD
Scale: 1/4" = 1'-0"

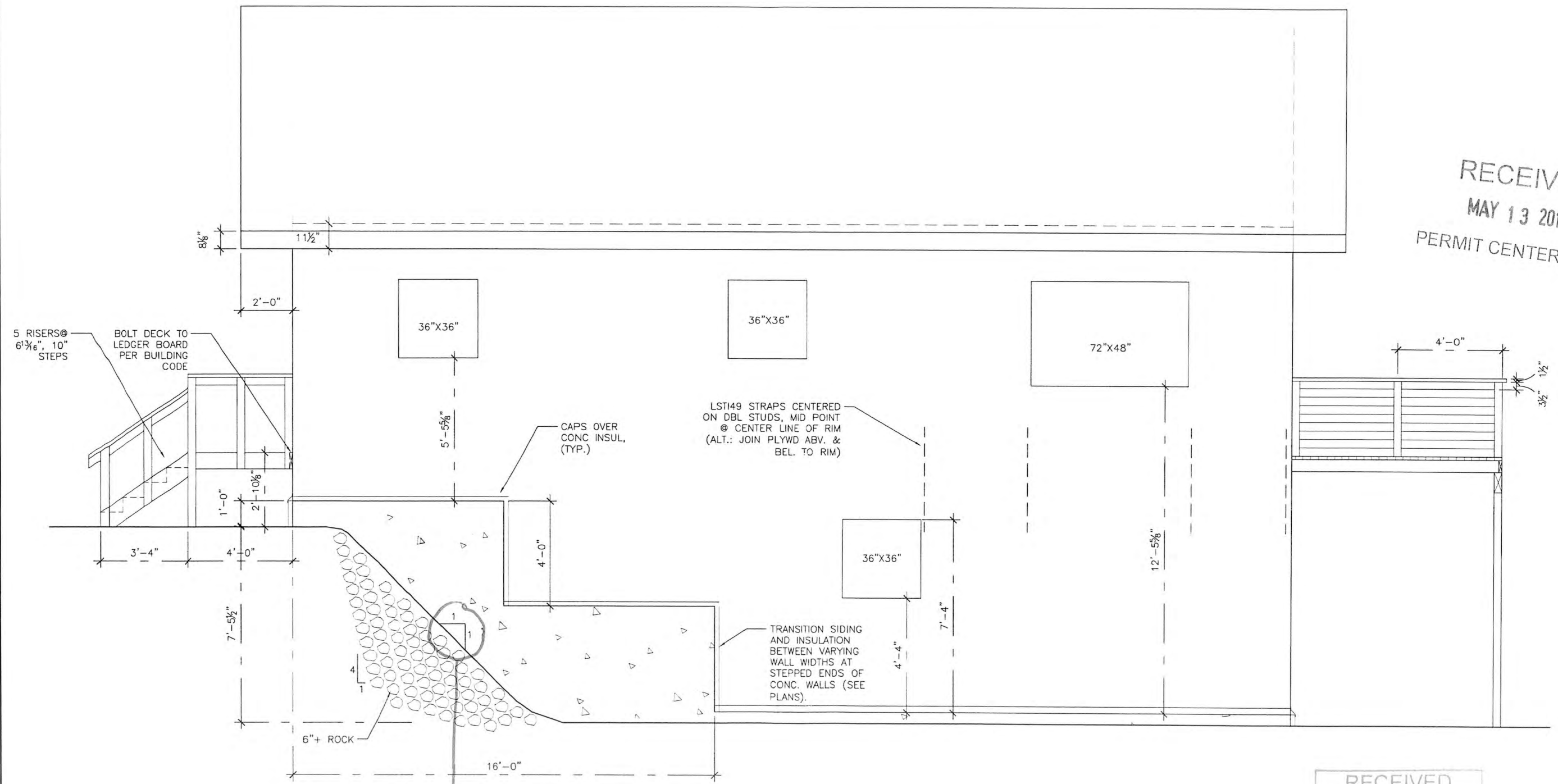
NOTES

G1

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Hofmann - Terrel Home

RECEIVED
MAY 13 2014
PERMIT CENTER/CDD



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AUG 13 2014
PERMIT CENTER/CDD

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5-13-14

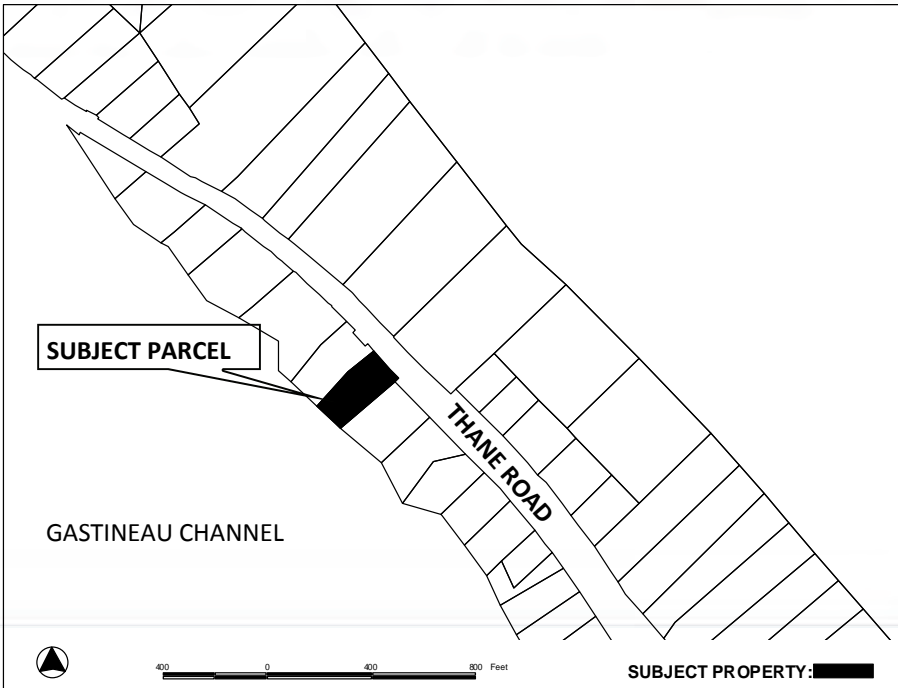
DATE: MAY 13, 2014
SCALE: 1/4" = 1'-0"
DRAWN: cBrodersen
CARL@CARLBRODERSEN.COM

SHEET TITLE:
ELEVATION
NW FACING UP CHANNEL

SHEET NO.
A4



NOTICE OF PUBLIC HEARING



City & Borough of Juneau
Community Development Department
155 S Seward Street • Juneau, Alaska 99801

SHIP TO:



PROPOSAL: A Conditional Use Permit for an accessory apartment on a lot not served by city sewer.

File No:	AAP2014 0013	Applicant:	Richard Hofmann and Paula Terrel
To:	Adjacent Property Owners	Property PCN:	1-B03-0-100-004-3
Hearing Date:	September 23, 2014	Owner:	Richard Hofmann and Paula Terrel
Hearing Time:	7:00 PM	Size:	1.02 Acres
Place:	Assembly Chambers	Zoned:	D-1
	Municipal Building	Site Address:	4970 Thane Road
	155 South Seward Street	Accessed Via:	Thane Road
	Juneau, Alaska 99801		

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 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: August 20, 2014



ATTACHMENT E



ATTACHMENT E



ATTACHMENT E