



DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications.

To be completed by Applicant	PROPERTY LOCATION		
	Physical Address Lot R-2 Clinton Drive TBD		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) Vintage II Block A Lot R-2		
	Parcel Number(s) USS 1284- 5B1601420020		
	<input type="checkbox"/> This property located in the downtown historic district <input type="checkbox"/> This property located in a mapped hazard area, if so, which _____		
	LANDOWNER/ LESSEE		
	Property Owner R&S Construction LLC	Contact Person Rob Worden	
	Mailing Address Po Box 210194 Auke Bay, 99821	Phone Number(s) 907-321-5015	
	E-mail Address roblisa@ak.net		
	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		December 4th 2023 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"			
Applicant same as above		Contact Person	
Mailing Address		Phone Number(s)	
E-mail Address			
X		December 4th 2023 Date of Application	
Applicant's Signature			

DEPARTMENT USE ONLY BELOW THIS LINE

This form and all documents associated with it are public record once submitted.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Intake Initials JLS	
Case Number USE 23-018	Date Received 12-11-23



ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

See reverse side for more information regarding the permitting process and the materials required for a complete application.

NOTE: Must be accompanied by a DEVELOPMENT PERMIT APPLICATION form.

PROJECT SUMMARY

New Construction of a proposed 1 storey commercial building

TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED

Accessory Apartment – Accessory Apartment Application (AAP)

Use Listed in 49.25.300 – Table of Permissible Uses (USE)

Table of Permissible Uses Category: 8.200

IS THIS A MODIFICATION or EXTENSION OF AN EXISTING APPROVAL?

YES – Case # _____ NO

UTILITIES PROPOSED

WATER: Public On Site

SEWER: Public On Site

SITE AND BUILDING SPECIFICS

Total Area of Lot 26,650.84 square feet Total Area of Existing Structure(s) 0 square feet

Total Area of Proposed Structure(s) 3657 square feet

EXTERNAL LIGHTING

Existing to remain
Proposed

No
 No

Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures
 Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures

ALL REQUIRED DOCUMENTS ATTACHED

Narrative including:

- Current use of land or building(s)
- Description of project, project site, circulation, traffic etc.
- Proposed use of land or building(s)
- How the proposed use complies with the Comprehensive Plan

Plans including:

- Site plan
- Floor plan(s)
- Elevation view of existing and proposed buildings
- Proposed vegetative cover
- Existing and proposed parking areas and proposed traffic circulation
- Existing physical features of the site (e.g.: drainage, habitat, and hazard areas)

If this is a modification or extension include:

- Notice of Decision and case number
- Justification for the modification or extension
- Application submitted at least 30 days before expiration date

To be completed by Applicant

DEPARTMENT USE ONLY BELOW THIS LINE

ALLOWABLE/CONDITIONAL USE FEES			
	Fees	Check No.	Receipt
Application Fees	\$ <u>500.00</u>		
Admin. of Guarantee	\$ <u>—</u>		
Adjustment	\$ <u>—</u>		
Pub. Not. Sign Fee	\$ <u>50.00</u>		
Pub. Not. Sign Deposit	\$ <u>100.00</u>		
Total Fee	\$ <u>650.00</u>		

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Case Number	Date Received
<u>USE 23-018</u>	<u>12-11-23</u>

ALLOWABLE/CONDITIONAL USE PERMIT NARRATIVE:

-The current use of land is vacant with no building or structure on it

-We are proposing a 3657 sq ft one story building with 12 parking spots and one ADA parking spot. The proposed "Dominos" business will have a drive through with a second exit to Clinton Avenue.

-Dominos does not allow for sit down dining.

-This building will be used as a new location for Dominos Pizza with a drive through pickup area.

-This proposed building and business all fit under the comprehensive plan and will benefit all the neighboring properties.









BLOCK "A" VINTAGE II SUBD.

S66°33'45"E 75.94'

PAVED PARKING

S80°40'30"E 33.88'

N39°05'32"W 29.35'

TOTAL AREA OF LANDSCAPING

- 12
- 11
- 10
- 9
- 8
- 7
- 6
- 5
- 4
- 3
- 2
- 1

28.0 SETBACK LINE

L=63.54'
C=120.00'
Rc=120.00'

EXCLUSIVE ACCESS, PAVEMENT AND MAINTENANCE, PARKING EASEMENT

20' ACCESS & EGRESS EASEMENT

OF R-1 FRACTION

S62°12'22"E 10.00'

S67°47'30"E 5.00'

N97°47'30"W 5.00'

N82°12'22"E 10.00'

S87°47'30"E 5.00'

PAVED PARKING

N82°12'22"E 3.77.00'

S67°47'30"E 5.00'

S66°33'45"E 65.40'

N78°58'40"W
LC=51.78'
A=52.19'

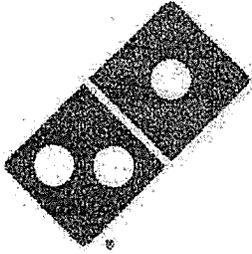
Rc=120.00'

NEW DRIVENAY

Rc=120.00'
C=44.40'
A=37.90'

CLINTON DRIVE

N90°00'00"E 3.46'



October 19, 2023

To Whom It May Concern,

At our Dominos location in Juneau, our average hourly traffic is 2.89 pick-up orders per hour throughout the day, and we do not offer dine-in.

Furthermore, our delivery orders have little downtime for drivers (parked at the store). Our driver turnaround time is 40% under 30 seconds and 50% 31 to 60 seconds. Turnaround times are calculated from when a driver enters the store parking lot to when they leave the parking lot. We calculate these numbers through the driver's GPS and the store's Geo fence of the store parking lot.

A handwritten signature in black ink, appearing to read 'Bryan Dobb', is located above the printed name. The signature is stylized and includes a horizontal line extending to the right.

Bryan Dobb

Last Quarter (Mon 6/19/2023-Sun 9/10/2023)

 Keys Summary

Week	Weekly Sales (\$)	Weekly Sales (K)	YOY %	Units Sold	YOY %	Actual Prod %	Prod Variance	YOY %	Lab Var %	LAB	YOY %	Lab Cost %	LAB	YOY %	Lab Cost (\$)	Lab Cost (K)	Lab Cost %	Lab Cost (\$)	Lab Cost (K)	
19040	\$322,293.84	\$26,857.82	0.5%	820	(3.0%)	23.1%	0.1%	24.3%	(2.3%)	26.2	56.1%	8.4%	5.0	7.4	13.3	18.8	72.8%	1.1	\$177.18	3
1	\$322,293.84	\$26,857.82	0.5%	820.1	(3.0%)	23.1%	0.1%	24.3%	(2.3%)	26.2	56.1%	8.4%	5.0	7.4	13.3	18.8	72.8%	1.1	\$177.18	3.00

↑
WEEKLY AVG
ORDERS



Service Method

Store Ct	Service Type	Service Code	Order Ct	% of Orders	Royalty Sales	% of Royalty Sales	Avg Ticket	Avg Middle Margin \$	FC %	Bad Order Ct	Bad Order Ct %	Bad Order \$	Bad Order \$ %	# of Edits	Avg Load	ADT
Group By: 19040 (Max=12)																
1	Carryout	C	2,358	24.0%	\$59,469.00	18.5%	\$25.22	\$14.54	25.4%	27	0.6%	\$747.48	0.7%	871	3.58	
0	Dine-In	I	0	0.0%	\$0.00	0.0%						\$0.00				
0	Pick Up	P	0	0.0%	\$0.00	0.0%						\$0.00				
0	Drive Thru	T	0	0.0%	\$0.00	0.0%						\$0.00				
1	Carside Delivery	X	169	1.7%	\$5,235.83	1.6%	\$30.98	\$17.68	25.9%	2	1.2%	\$42.97	0.8%	1	5.83	
0	Other In-Store	Other	0	0.0%	\$0.00	0.0%						\$0.00				
1	All In-Store		2,527	25.7%	\$64,704.59	19.6%	\$25.44	\$14.65	25.4%	29	0.6%	\$790.45	0.7%	872	3.66	
1	Delivery	D	7,285	74.0%	\$284,406.40	80.1%	\$39.04	\$24.03	21.4%	20	0.4%	\$700.87	0.3%	905	5.91	26.2
1	Hotspot	H	29	0.3%	\$880.56	0.3%	\$30.36	\$18.67	21.5%		0.0%	\$0.00	0.0%	5	4.53	25.4
0	Other Delivery	Other	0	0.0%	\$0.00	0.0%						\$0.00				
1	All Delivery		7,314	74.3%	\$285,286.96	80.4	\$38.99	\$24.00	21.4%	20	0.4%	\$700.87	0.3%	910	5.91	26.2
1	All Orders		9,841	100.0%	\$322,352.26	100.0%	\$32.76	\$19.70	22.9%	49	0.5%	\$1,491.32	0.5%	1,782	4.87	25.5

 Delivery Expert App (Summary)

Store	Delivery Expert out the Door (Hours)	% Time Delivery Expert Out the Door (mins) (avg)	Delivery Expert in the Door (Hours)	% Time Delivery Expert in the Door (mins) (avg)	Delivery Expert at the Door	% Time Delivery Expert at the Door (mins) (avg)	Delivery Expert in the Store	% Delivery Expert in the Store (mins) (avg)	Delivery Expert on the Road %	Avg Wait Time	% Delivery Expert App Orders in Single	% Delivery Expert App Orders in Double	% Delivery Expert App Orders in Triple	% of Delivery Expert App Users	% Orders where Delivery Expert went Inevitable	Total Delivery Expert App Runs	Total Delivery Expert App Orders	Total Dispatched Orders
19040	1.98	6.8%	1.43	4.7%	2.64	11.5%	12.34	24.3%	75.7%	7.27	55.6%	28.8%	15.7%	98.5%	0.0%	3,930	5,243	5,322
1	1.98	6.8%	1.43	4.7%	2.64	11.5%	12.34	24.3%	75.7%	7.27	55.6%	28.8%	15.7%	98.5%	0.0%	3,930	5,243	5,322

 Delivery Expert App (Summary)

Area	Delivered by Delivery Expert	Time Delivered by Delivery Expert	Delivered by Delivery Expert %	Time Delivered by Delivery Expert	Time Delivered by Delivery Expert %	Delivered by Delivery Expert	Delivered by Delivery Expert %	Delivered by Delivery Expert	Delivered by Delivery Expert %	Delivered by Delivery Expert	Delivered by Delivery Expert %	Delivered by Delivery Expert	Delivered by Delivery Expert %	Delivered by Delivery Expert	Delivered by Delivery Expert %	Delivered by Delivery Expert	Delivered by Delivery Expert %	
19040	1.98	6.8%	1.43	4.7%	2.64	11.5%	12.34	24.3%	75.7%	7.27	55.6%	28.8%	15.7%	98.5%	0.0%	3,930	5,243	5,322
1	1.98	6.8%	1.43	4.7%	2.64	11.5%	12.34	24.3%	75.7%	7.27	55.6%	28.8%	15.7%	98.5%	0.0%	3,930	5,243	5,322

↑
%

OF TIME DRIVERS ARE ON THE ROAD WITHIN THE HOUR.

75.7% x 60 MIN

45 MIN OF THE HOUR.

DRIVERS ARE STAGGERED THROUGHOUT THE HOUR. WE ONLY SCHEDULE DRIVER FOR THE ORDERS WE HAVE. MEANING THE MAX WE HAVE IN THE PARKING LOT IS ONE, BUT ONLY ONE FOR 15 MIN. OF THE HOUR OR 24% OF THE HOUR.

 Service Method

Group By: 19040 (Max=12)															
1	Carryout	C	2,358	24.0%	\$59,469.00	18.5%	\$25.22	\$14.54	25.4%	27	0.6%	\$747.48	0.7%	871	3.58
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25.7% OFF ORDERS ARE CUSTOMER PICK-UP.

WEEK 25.7 x 820 = 211 ORDER PER WEEK PICK-UP

211 ÷ 7 ÷ 12
DAY HOURS
2.5 ORDER PER HOUR - AVG.



RELEASE OF INTEREST IN SNOW DUMP AGREEMENT

Pacific Investment Group, LLC, an Alaska limited liability company, of 9166 Parkwood Drive, Juneau, Alaska 99801("Pacific") is an owner of that real property legally described as follows:

Parcel 1

Lot R-5, Block A, VINTAGE II SUBDIVISION, according to Plat 85-58, Records of the Juneau Recording District, First Judicial District, State of Alaska.

AND

Parcel 2

Lot R 2, Block A, Vintage II Subdivision, according to the official plat thereof, filed under Plat Number 85-58, Records of the Juneau Recording District, First Judicial District, State of Alaska.

SableFish is the Grantee under a Snow Dump Agreement recorded on May 20, 2013 ("Agreement") in the Juneau Recording District at recording number 2013-003550-0 and has rights under the Agreement to access real property legally described as follows:

Parcel 1

Lot R 5, Block A, Vintage II Subdivision, according to the official plat thereof, filed under Plat Number 85-58, Records of the Juneau Recording District, First Judicial District, State of Alaska.

AND

Parcel 2

Lot R 2, Block A, Vintage II Subdivision, according to the official plat thereof, filed under Plat Number 85-58, Records of the Juneau Recording District, First Judicial District, State of Alaska.

Pacific and SableFish hereby acknowledge that the Agreement terminated on May 1, 2023 and hereby release any and all interest or rights under the Agreement.

Dated June 27, 2023.

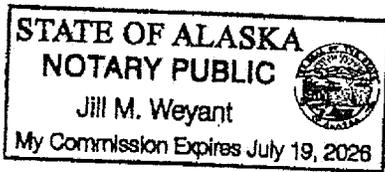
Pacific Investment Group, LLC

Larry Bauer
Manager Member, Member

STATE OF ALASKA)
: ss
FIRST JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this 27th day of June 2023 by Larry Bauer, member of Pacific Investment Group, LLC, an Alaska limited liability company, on behalf of the limited liability company.

WITNESS my hand and official seal the day and year in this certificate above written.



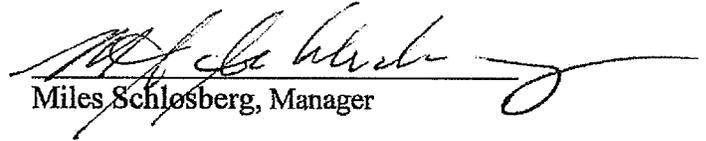
Jill M. Weyant
Notary Public, State of Alaska ~~2023~~ ALASKA
My commission expires: 7-19-2026



2 of 3
101-2023-001930-0

Dated June 20, 2023.

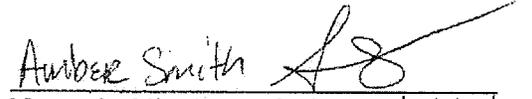
SableFish, LLC


Miles Schlosberg, Manager

STATE OF ~~ALASKA~~ Washington)
King County : ss
FIRST JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this 20 day of June 2023 by Miles Schlosberg, manager of SableFish, LLC, an Alaska limited liability company, on behalf of the limited liability company.

WITNESS my hand and official seal the day and year in this certificate above written.


Notary Public, State of ~~Alaska~~ Washington
My commission expires: 4-10-2027

After Recording, return to:

Baxter Bruce & Sullivan P.C.
P.O. Box 32819
Juneau, Alaska 99803



3 of 3
101-2023-001930-0



(907) 586-0715
 CDD_Admin@juneau.org
 www.juneau.org/community-development
 155 S. Seward Street • Juneau, AK 99801

Case name

Case Number: PAC2023 0042
 Applicant: Rob Worden
 Property Owner: R&S Construction, LLC
 Property Address: Vintage Boulevard
 Parcel Code Number: 5B1601420020
 Site Size: 26,649 square feet, 0.6118 acres
 Zoning: Light Commercial
 Existing Land Use: Parking/Snow Storage

Conference Date: 15 October 2023
 Report Issued: 23 October 2023

DISCLAIMER: Pre-application conferences are conducted for the purpose of providing applicants with a preliminary review of a project and timeline. Pre-application conferences are not based on a complete application and are not a guarantee of final project approval.

List of Attendees

Note: Copies of the Pre-Application Conference Report will be emailed, instead of mailed, to participants who have provided their email address below.

Name	Title	Email address
Rob Worden		roblisa@ak.com
Scott Jenkins	Applicant	iglooracing_1@yahoo.com
Irene Gallion	Planning	Irene.Gallion@juneau.gov
Forrest Courtney		Forrest.Courtney@juneau.gov
Jeff Hedges	Building	Jeff.Hedges@juneau.gov
Eric Vogel	General Engineering	Eric.vogle@juneau.gov
David Sevdy	Permitting	david.sevdy@juneau.gov

Conference Summary

A conditional use permit will be required because the lot being developed is over half an acre.

- The eased access and parking cannot be excluded from calculations for lot size.

Applicants are encouraged to provide:

- **Documented resolution of the snow storage easement issue.** The Applicant says the easement was dissolved with the closing on this property. Please provide document to this department so we can update our records.
- **Corporate documentation on traffic will be provided by the Applicant.**
 - A Traffic Impact Analysis by a Traffic Engineer is required for average annual daily traffic (AADT) over 500.
 - A TIA may be required for AADT between 250 and 500 (Director discretion).
 - A TIA is not required for AADT under 250.
 - **If a TIA is required, it will need to be submitted with the Conditional Use Permit application.** Work with planning staff to determine need for a TIA before applying for the Conditional Use Permit.

Questions/issues/agreements identified at the conference that weren't identified in the attached reports.

The following is a list of issues, comments and proposed actions, and requested technical submittal items that were discussed at the pre-application conference.

Can the vegetative cover be reduced due to the parking and access easement that takes up 9,000 square feet of the lot?

The parking is "development," so cannot be used to reduce vegetative cover requirements for the lot.

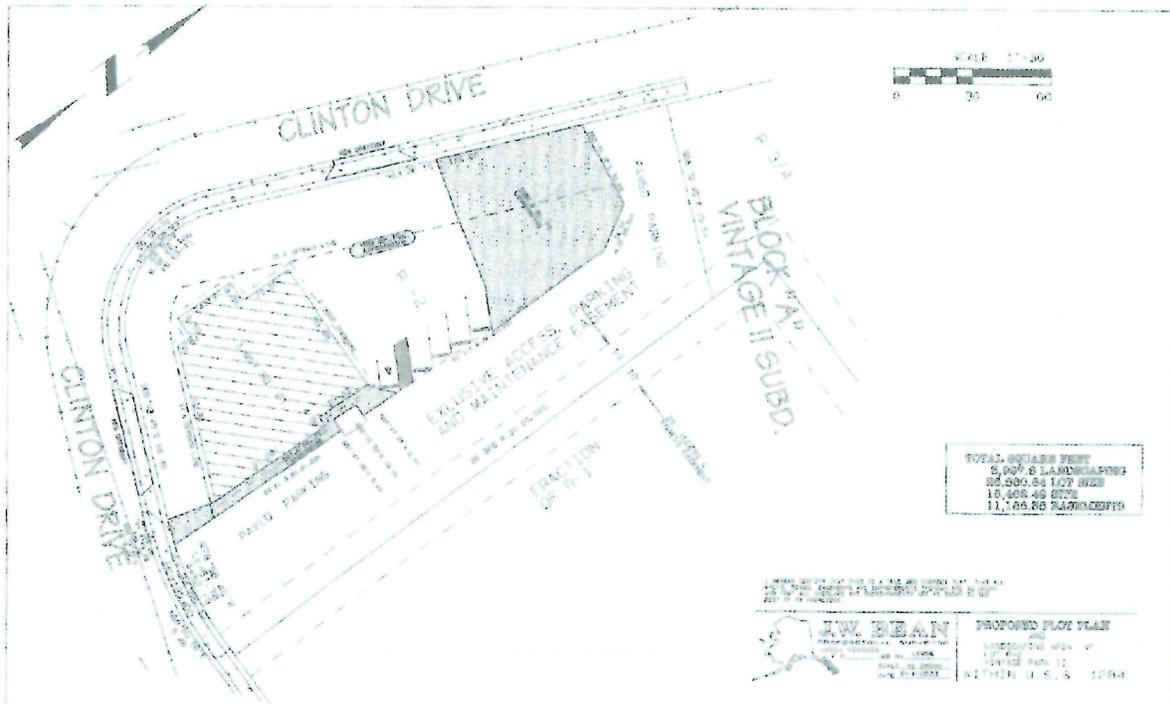
A variance would require that the circumstances leading to the variance are natural. The parking agreement is considered "self-created."

A code amendment proposed to the Assembly would count permeable surfaces toward vegetative cover. However, the Assembly has not taken up the amendment. The Notice of Decision and staff report were provided to the Applicant at the meeting, and are attached to these notes.

Would the city accept ownership of the easement?

No. The easement does not meet city standards for a street, which would require a 60 foot right-of-way. CBJ is not interested in additional land.

Project Overview



The property has an exclusive access and parking agreement favoring a neighboring lot. This reduces developable area to about 15,000 square feet, where new access and parking must also be accommodated.

The neighboring lot is not interested in assuming ownership of the eased land.

The proposed structure is 3,657 square feet.

The applicant proposes a structure housing take-out restaurant or office space.

According to the Table of Permissible uses requires a Conditional Use Permit for the development, because the lot is over half an acre. The eased area counts as part of the development.

Conditional Use Permit Process:

- Submit the application and back-up materials (listed on ten back of the application).
 - Electronic submissions accepted at Permits@juneau.gov. Note that the permit center will call you for payment when the application is processed. Applications are submitted in the order in which they are received, and it may be a few days before you get a call.
- The project will be assigned to a planner. They will review submitted materials, and coordinate where necessary. When the planner assesses the file is complete, they will schedule a hearing before the Planning Commission.
 - A notice will be sent to property owners within 500 feet of the project.
 - There will be two newspaper ads for the case.
 - The Applicant is required to post a Public Notice sign, which will be provided by CDD. The sign must be posted two weeks before the hearing.

- Staff will prepare a report analyzing the project, and make a recommendation to the Commission. The report will be publicly available the week before the hearing.
- At the Planning Commission meeting, the project can be:
 - On the Consent Agenda, where it will be passed without discussion.
 - On the Regular Agenda:
 - The Director will briefly describe the project.
 - The Applicant has 15 minutes to describe the project.
 - The public has the opportunity to comment. There is usually a time limit of two to three minutes.
 - The Applicant has time to respond to issues raised.
 - Public comment is closed and there is no additional opportunity to participate.
- The Planning Commission will:
 - Approve the project
 - Approve the project with conditions (the most common outcome)
 - Deny the project
 - Continue the project – if more information is required or if the Commission runs out of time.
- The decision can be appealed for 20 days after the Notice of Decision is filed with the City Clerk. If the decision is appealed, the Applicant can continue with their project at their own risk.

Videos of the Planning Commission activities are posted on Assembly's Minutes and Agendas site.

<https://juneau-ak.municodemeetings.com/>

Planning Division

1. **Zoning** – Light Commercial
2. **Setbacks** –
 - a. **Front:** 25 feet. Front is the lot line through which the property gets primary access.
 - b. **Rear:** 10 feet.
 - c. **Side:** 10 feet.
 - d. **Street side:** 17 feet.
3. **Height** –
 - a. **Permissible uses:** 45 feet
 - b. **Accessory uses:** 35 feet
4. **Access** – Clinton Drive. (Is there a project coming up?) While it appears that there is access through the north and west, a recorded easement grants exclusive use to the neighboring lot. An additional driveway will need to be constructed.
5. **Parking & Circulation**– Applicant should apply for a parking waiver with the Conditional Use Permit.

Lot R1 has exclusive easement rights to approximately 9,400 square feet of R2 under an unbelievably bad exclusive parking and access easement agreement recorded with the Alaska Department of Natural Resources. Unless rescinded, this agreement stands.

The developer is unable to use currently developed parking to accommodate development on R2.

The Applicant is working with a corporate food chain representative who has multiple properties throughout the United States and Canada, and two in Juneau. Based on their experience, they estimate three parking spaces needed. Corporate data would be very helpful in supporting a parking waiver.

Parking required by code will vary depending on use:

Use	Metric	Parking Required (3,657 sf)
Office	1/300 square feet	12
Restaurant	1/200 square feet	18

One ADA space would be required, with a minimum width of 16 feet (including an eight-foot aisle) and a minimum length of 17 feet. The space must be signed for an ADA van.

A loading space is not required unless the structure is 5,000 square feet or more.

A shared parking agreement could be used if the proposed shared parking is within 500 feet. Note that the entity providing the shared parking would need to have enough parking for their use and for the additional parking spaces.

6. **Lot Coverage** – no limit.
7. **Vegetative Coverage** – 15% (3,997 square feet) is required under code, and shown on the site plan. A code revision is in progress that would redefine vegetative cover to include permeable surfaces, but the code has not been approved yet. A recommendation was sent to the Assembly on June 29, 2021, but the assembly has not taken action. The proposed amendment is attached for your information.

Building staff proposed considering a green roof.

8. **Lighting** – Lighting must be downward cast and not fall on neighboring property.
9. **Noise** – Drive-through window speakers have been the source of noise complaints in the past. The Applicant advises that there would not be drive-through service, only pick-up, similar to “Papa John’s” currently operating in Juneau. Window pick-up is not considered at this time. Drive through ordering is not being considered.
10. **Flood** – The lot is not in a Special Flood Hazard Area on the adopted FEMA flood maps, therefore flood regulations do not apply and flood insurance is not required with a federally-backed mortgage. FEMA flood maps show the area has a 0.2% annual chance of flood hazard, also known as the 500-year floodplain. Flood insurance is recommended but not required, and the property owner is encouraged to build structures with flood prevention in mind, such as elevating structures to or above the Base Flood Elevation. FEMA maps are for flood insurance purposes, and do not definitely establish risk.
11. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – The property is not in a mapped hazard area
12. **Wetlands** – Wetlands are not present on this lot.
13. **Habitat** – Check with the U.S. Fish and Wildlife on the presence of eagle nests in the area. The presence of eagle nests may impact construction scheduling. No anadromous waterbodies are on the subject parcel, or within 50 feet.
14. **Plat Restrictions** – Staff did not find applicable plat restrictions.
15. **Traffic** – Analysis below assumes single-story 3,657 square foot facility. A Traffic Impact Analysis is required for any use that generates over 500 average annual daily traffic (AADT). The Director has discretion on requiring a TIA for AADT between 250 and 500.

A Traffic Impact Analysis takes months and thousands of dollars. Plan accordingly.

When the developer has a better idea of the tenant they should check back in with CDD to verify the traffic generated. There is some variability between different kinds of restaurants.

Use	Metric	Traffic AADT	Page
Office	11.03 /1,000 sf	40	1259
Restaurant w/ drive through	496.12/1,000 sf	1,814	1912
High turn-over restaurant	127.15/1,000 sf	465	1885

The Applicant may be able to provide corporate data on traffic from other facilities in Alaska and the nation. The Director can consider these sources in determining traffic impacts.

16. **Nonconforming situations** – None.

Building Division

17. **Building** –

18. **Outstanding Permits** – None

General Engineering/Public Works

19. **Engineering** – ~~Please provide driveway standards there was some question that two driveways would result in less width being required for each? Also, GE was going to check with Streets to see if there were concerns regarding two driveways.~~

20. **Drainage** –

21. **Utilities** – (water, power, sewer, etc.)

Fire Marshal

22. **Fire Items/Access** –

Other Applicable Agency Review

23. DOT&PF / Alcohol Beverage Control Board / Army Corps / DEC (wastewater) / DNR / USF&W / F&G / FAA / Corrections...

24.

List of required applications

Based upon the information submitted for pre-application review, the following list of applications must be submitted in order for the project to receive a thorough and speedy review.

1. Development Permit Application
2. Allowable/Conditional Use Permit Application
3. Parking Waiver Application
4. (Add notes as necessary)

Additional Submittal Requirements

Submittal of additional information, given the specifics of the development proposal and site, are listed below. These items will be required in order for the application to be determined Counter Complete.

1. A copy of this pre-application conference report.

2. Corporate traffic and parking information could be helpful in evaluating development impacts.
3. (Add any necessary supporting documents required in the application forms OR that may be useful supporting information)

Exceptions to Submittal Requirements

Submittal requirements that staff has determined **not** to be applicable or **not** required, given the specifics of the development proposal, are listed below. These items will **not** be required in order for the application to be reviewed.

1. (Add any items required with the forms that are not applicable to the Conditional Use application)
- 2.

Fee Estimates

The preliminary plan review fees listed below can be found in the CBJ code section 49.85.

Based upon the project plan submitted for pre-application review, staff has attempted to provide an accurate estimate for the permits and permit fees which will be triggered by your proposal.

1. Class II Conditional Use Permit: \$500
2. Parking Waiver: \$320 if applied for with a Conditional Use Permit, \$400 if applied for on its own.
3. Public Notice Sign: \$150, with \$100 refundable if the sign is returned by the Monday after the Planning Commission meeting.

For informational handouts with submittal requirements for development applications, please visit our website at www.juneau.org/community-development.

Submit your Completed Application

You may submit your application(s) online via email to permits@juneau.gov

OR in person with payment made to:

City & Borough of Juneau, Permit Center
230 South Franklin Street
Fourth Floor Marine View Center
Juneau, AK 99801

Phone: (907) 586-0715

Web: www.juneau.org/community-development

Attachments:

49.15.330 – Conditional Use Permit
NOR AME2020 0002



Planning Commission

(907) 586-0715
PC_Comments@juneau.org
www.juneau.org/plancomm
155 S. Seward Street • Juneau, AK 99801

PLANNING COMMISSION NOTICE OF RECOMMENDATION

Date: June 29, 2021

Case No.: AME2020 0002

City and Borough of Juneau
City and Borough Assembly
155 South Seward Street
Juneau, AK 99801

Proposal: Planning Commission Recommendation to the City and Borough Assembly regarding a text amendment to add landscaping and vegetative cover purpose statements to the CBJ Land Use Code

Property Address: N/A

Legal Description: Borough-wide

Parcel Code Number: 0

Hearing Date: June 22, 2021

The Planning Commission, at a Special public meeting, adopted the analysis and findings listed in the attached memorandum dated June 15, 2021, and recommended that the City and Borough Assembly adopt staff's recommendation for a text amendment to include purpose statements for landscaping and vegetative cover in Title 49.

Attachments: June 15, 2021 memorandum from Allison Eddins, Community Development, to the CBJ Planning Commission regarding AME2020 0002.

This Notice of Recommendation constitutes a recommendation of the CBJ Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of CBJ 01.50.020 (b).

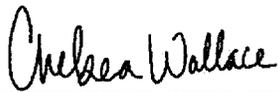
City and Borough Assembly
Case No.: AME2020 0002
June 29, 2021
Page 2 of 2



Michael Levine, Chair
Planning Commission

July 6, 2021

Date



Filed With Municipal Clerk

July 7, 2021

Date

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this recommended text amendment. ADA regulations have access requirements above and beyond CBJ - adopted regulations. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.



**PLANNING COMMISSION STAFF REPORT
TEXT AMENDMENT AME2020-0002
HEARING DATE: JUNE 22, 2021**

(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/CDD
155 S. Seward Street • Juneau, AK 99801

DATE: June 15, 2021
TO: Michael LeVine, Chair, Planning Commission
BY: Allison Eddins, Planner II *A. Eddins*
THROUGH: Jill Maclean, Director, AICP

PROPOSAL: A text amendment to add landscaping and vegetative cover purpose statements to the CBJ Land Use Code.

STAFF RECOMMENDATION: Forward the proposed text amendment with a recommendation of APPROVAL to the Assembly.

KEY CONSIDERATIONS FOR REVIEW:

- The CBJ Land Use Code contains minimal regulations for landscaping and vegetative cover.
- The Code does not have clear purpose statements for landscaping and vegetative cover.
- The proposed purpose statements would regulate vegetative cover for the purpose of stormwater and erosion control; landscaping would be regulated to minimize visual and noise impacts, increase compatibility between different land uses and visually unify development.

GENERAL INFORMATION

Applicant	City and Borough of Juneau
Initiated By	Community Development Department
Property Affected	Borough-wide

LAND USE CODE AMENDED

49.50.300	Vegetative Cover
49.80.120	Definitions

LAND USE CODE ADDED

49.50.400	Landscaping
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ALTERNATIVE ACTIONS:

1. **Amend:** modify the proposed ordinance and recommend approval to the Assembly.
2. **Deny:** recommend denial of the proposed ordinance to the Assembly. Planning Commission must make its own findings.
3. **Continue:** continue the hearing to a later date if determined that additional information or analysis is needed to make a decision, or if additional testimony is warranted.

ASSEMBLY ACTION REQUIRED:

Assembly action is required for this text amendment. The Commission's recommendation will be forwarded to the assembly for final action.

STANDARD OF REVIEW:

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
 - 49.10.170(d)

The Commission shall hear and decide the case per 49.10.170(d) Planning Commission Duties. The commission shall make recommendations to the assembly on all proposed amendments to this title, zonings and rezoning, indicating compliance with the provisions of this title and the comprehensive plan.

BACKGROUND

Currently, the CBJ Land Use Code does not include purpose statements for either landscaping or vegetative cover. Although the code does include some minimum standards for both, the lack of a purpose statement can make the standards difficult to apply.

Prior to the 1987 Land Use Code re-write, CBJ did not have a vegetative cover requirement. Today, *CBJ 49.50.300 Vegetative Cover* states "A minimum percent by area of each development site shall be maintained with live vegetative cover according to the following table". A purpose for the vegetative cover requirement is not stated. The record of minutes did not speak to the intent of vegetative cover.

Prior to the 2000s, CBJ had a Design Review Board with authority through Administrative Code Title 04 to review all commercial development to ensure compliance with the architectural, vegetative cover, and landscaping standards in Title 04. A purpose for landscaping requirement was given:

04 CBJ 060.010 (a) Purpose. The intent of this section is to provide minimum landscaping and natural screening requirements in order to maintain and protect property values, enhance the community's appearance, visually unify the local and its neighborhoods, reduce erosion and storm runoff, and maintain or replace vegetation.

This section of Title 04 was later repealed.

Developing purpose statements is the first step in the process. Staff intends to develop clear vegetative cover and landscaping standards in the near future. When those standards are developed, some of the language in the purpose statements may be relocated to the standards.

TEXT AMENDMENT SUMMARY

Staff reviewed all regulations within the CBJ Land Use Code that relate to vegetative cover and landscaping. Based on the context of the regulations, and CDD's interpretation and application of the regulations, staff is proposing the purpose statements below be added to CBJ 49.50. The proposed language was brought before the Title 49 Committee on March 5, 2020 and October 5, 2020. The language below was approved by the Committee.

CBJ 49.50.300 Vegetative Cover

Purpose. The purpose of this section is to provide minimum vegetative cover requirements in order to minimize the risk of flooding and erosion, and to slow the speed and volume of storm water runoff onto surrounding lands. Vegetative cover shall be met with non-invasive plant species. Green infrastructure, including but not limited to green roofs, bioswales, rain gardens, and similar features, shall count toward vegetative cover requirements. Additionally, porous hardscape designed to mitigate the risk of flooding and slow the drainage of stormwater shall count toward vegetative cover requirements.

CBJ 49.50.400 Landscaping

Purpose. The purpose of this section is to provide minimum decorative vegetation requirements in order to minimize the visual and noise impacts of a development, provide visual separation between pedestrian and traffic movements, increase compatibility between different intensities of land use by providing visual barriers, and to visually unify a development and the surrounding neighborhood. Landscaping shall mean an area developed and maintained with non-invasive plantings, lawn, ground cover, gardens, trees, shrubs, and other plant materials, decorative outdoor landscaping elements, paved or decorated surfaces of rock, stone, brick, block or similar material (excluding driveways, parking, loading, or storage areas), and sculptural elements.

COMPLIANCE WITH TITLE 49

49.05.100 - Purpose and intent. The purpose and Intent of Title 49 Land Use Code is:

(1) To achieve the goals and objectives, and implement the policies, of the Juneau comprehensive plan, and coastal management program;

(2) To ensure that future growth and development in the City and Borough is in accord with the values of its residents;

(3) To identify and secure, for present and future residents, the beneficial impacts of growth while minimizing the negative impacts;

(4) To ensure that future growth is of the appropriate type, design and location, and is served by a proper range of public services and facilities such as water, sewage, and electrical distribution systems, transportation, schools, parks and other public requirements, and in general to promote public health, safety and general welfare;

(5) To provide adequate open space for light and air; and

(6) To recognize the economic value of land and encourage its proper and beneficial use.

TITLE 49 – The proposed text amendment complies with CBJ Title 49 Land Use Code. Additionally, the proposed amendment will not create any inconsistencies in Title 49.

Code Reference	Item	Summary
49.05.100	Purpose Statement	The proposed text amendment complies with the purpose and intent of Title 49.

COMPLIANCE WITH ADOPTED PLANS

2013 COMPREHENSIVE PLAN VISION: *The City and Borough of Juneau is a vibrant State Capital that values the diversity and quality of its natural and built environments, creates a safe and satisfying quality of life for its diverse population, provides quality education and employment for its workers, encourages resident participation in community decisions and provides an environment to foster state-wide leadership.*

2013 COMPREHENSIVE PLAN The proposed text amendment is in compliance with the 2013 Comprehensive Plan.			
Chapter	Page No.	Item	Summary
7	85	Policy 7.7	<i>Policy 7.7 TO PROTECT, MAINTAIN AND IMPROVE SURFACE WATER, GROUNDWATER AND MARINE WATER QUALITY IN ITS JURISDICTION SO THAT ALL WATERS ARE IN COMPLIANCE WITH FEDERAL AND STATE WATER QUALITY STANDARDS AND CONTINUE TO ALLOW AQUATIC LIFE TO THRIVE.</i>
10	132	Policy 10.4	<i>TO MINIMIZE CONFLICTS BETWEEN RESIDENTIAL AREAS AND NEARBY RECREATIONAL, COMMERCIAL, OR INDUSTRIAL USES THAT WOULD GENERATE ADVERS IMPACTS TO EXISTING RESIDENTIAL AREAS THROUGH APPROPRIATE LAND USE LOCATION DECISIONS AND REGULATORY MEASURES.</i>
10	134	Implementing Action 10.6 1A4 (B)	<i>Provision and/or retention of buffers between residential and commercial or industrial uses, and between high-and-low density residential uses to ameliorate noise, glare and to otherwise reduce negative impacts associated with conflicting land uses in proximity to one another.</i>

PUBLIC COMMENTS

Two publicly advertised Title 49 Committee were held on March 5, 2020 and October 5, 2020. No public comment was received. When amendments to the vegetative cover and landscaping standards are proposed, staff will hold publicly advertised meetings and to gather community input.

FINDINGS

1. Does the proposed text amendment comply with the Comprehensive Plan and other adopted plans?

Analysis: The proposed amendment is generally consistent with the policies in the 2013 Comprehensive Plan.

Finding: Yes. The proposed text amendment conforms to the 2013 Comprehensive Plan.

2. Does the proposed text amendment comply with Title 49 – Land Use Code?

Analysis: The proposed text amendment was drafted with the purpose and intent of Title 49 taken into account.

Finding: Yes. The proposed text amendment conforms to the purpose and intent of Title 49 land use code. Additionally, the proposed text amendment does not create any inconsistencies within the code.

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings, and make a recommendation to the Assembly to APPROVE the proposed text amendment to add landscaping and vegetative cover purpose statements to the CBJ Land Use Code.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Draft Ordinance

Presented by: The Manager
Presented: 06/08/2021
Drafted by:

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-XX

An Ordinance Amending the Land Use Code Relating to Landscaping and Vegetative Cover.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment of Section. Article III. Vegetative Cover is amended to read:

49.50.300 Purpose.

The purpose of this section is to provide minimum vegetative cover requirements in order to minimize the risk of flooding and erosion, and to slow the speed and volume of storm water runoff onto surrounding lands. Vegetative cover shall be met with non-invasive plant species. Green infrastructure, including but not limited to green roofs, bioswales, rain gardens, and similar features, shall count toward vegetative cover requirements. Additionally, porous hardscape designed to mitigate the risk of flooding and slow the drainage of stormwater shall count toward vegetative cover requirements.

49.50.310 Minimum vegetative cover.

A minimum percent by area of each development site shall be maintained with live vegetative cover according to the following table. In the event of a conflict between district and area standards, the greater shall apply.

Zoning District	Percentage of Lot in Vegetation
D-1, D-3, and D-5, residential districts	20
D-10 SF residential districts	15
D-10, D-15, and D-18 multifamily residential districts	30
MU2, mixed use district	5
LC, light commercial district	15
GC, general commercial district	10
WC, waterfront commercial district	10

WI, waterfront industrial district	5
I, industrial district	5
Convenience store, outside a commercial district	20

49.50.320 Plan Submittal.

The areas to be maintained with vegetative cover shall be shown on the plans submitted for a development permit.

49.50.330 Areas included.

The required percentage of area maintained with vegetative cover may include required landscaping, sensitive area open space, or any other required natural areas.

Section 3. Addition of Section. Article IV. Landscaping

49.50.400 Purpose.

The purpose of this section is to provide minimum decorative vegetation requirements in order to minimize the visual and noise impacts of a development, provide visual separation between pedestrian and traffic movements, increase compatibility between different intensities of land use by providing visual barriers, and to visually unify a development and the surrounding neighborhood. Landscaping shall mean an area developed and maintained with non-invasive plantings, lawn, ground cover, gardens, trees, shrubs, and other plant materials, decorative outdoor landscaping elements, paved or decorated surfaces of rock, stone, brick, block or similar material (excluding driveways, parking, loading or storage areas), and sculptural elements.

Section 4. Effective Date. This ordinance shall be effective 30 days after its adoption. Adopted this XX day of August 2021.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk