



## Planning Commission

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### PLANNING COMMISSION NOTICE OF DECISION

Date: July 15, 2020  
Case No.: USE2020 0008

Mariya Lovishchuk and Joan O'Keefe  
PO Box 21997  
Juneau, AK 99803

Proposal: Conditional Use Permit for construction of an Emergency Housing Shelter and a multi-tenant non-profit center (two separate buildings).

Property Address: Southwest Corner of Teal Street and Alpine Avenue

Legal Description: Valley Centre Greenbelt Block H Lot 6A1

Parcel Code No.: 5B1501060041

Hearing Date: July 14, 2020

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated July 8, 2020, as amended, and approved the Conditional Use Permit for construction of an Emergency Housing Shelter and multi-tenant non-profit center (two separate buildings).

Findings as amended:

**1. *Is the application for the requested conditional use permit complete?***

**Analysis:** None.

**Finding: Yes.** 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?***

**Analysis:** The application is for an Emergency Housing Shelter (Assisted Living) and a social services office building. The use is listed at CBJ 49.25.300. Section 7.200 lists “Assisted Living,” and Section 3.4 lists “Offices greater than 2,500 square feet” for the General Commercial zoning district.

**Finding: Yes.** The requested permit is appropriate according to the Table of Permissible Uses.

**3. *Will the proposed development comply with the other requirements of this chapter?***

**Analysis:** The proposed site design complies.

**Finding: Yes.** With the recommended conditions, the proposed development will comply with Title 49, including requirements for parking (see associated permit application PWP2020-02), pedestrian access, lighting, and drainage.

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

**Analysis:** This finding hinges on the idea of “materially endanger.” “Materially” means “significant or substantial.” “Endanger” means “to bring into danger or peril.”

**Finding: No.** With appropriate conditions, the requested permit USE2020 0008 in a General Commercial zoning district 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?***

**Analysis:** “Substantial” means “of considerable importance, size or worth.” Assessors do not consider proximity to an Emergency Housing Shelter in assessing property. Alternative housing is already a use in the area.

**Finding: No.** With appropriate conditions, the requested permit USE2020 0008, in a General Commercial zoning district will not substantially decrease the value 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?***

**Analysis:** None.

**Finding: Yes.** The proposed USE2020 0008, with the recommended conditions, will be in general conformity with the 2013 Comprehensive Plan.

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The project will be conducted as described in the project description and project drawings submitted with the application, and with the following conditions:

Conditions as amended:

1. Prior to the issuance of a temporary certificate of occupancy, one or more covered bicycle racks providing spaces for at least four (4) bicycles shall be provided. The rack(s) shall be permanently affixed to the ground, building, or other permanent fixture. Racks shall be located so that parked bicycles do not encroach into a pedestrian walkway or vehicle area. Covered bicycle racks shall, at a minimum, be designed in accordance with the standards listed in the Juneau Non-Motorized Transportation Plan.
2. Prior to issuance of a temporary certificate of occupancy, wheel stops or striping shall be placed in the parking lot to define the location of parking spaces, and all necessary ADA striping and signage will be installed.
3. Prior to the issuance of a temporary certificate of occupancy, all pavement markings, including directional arrows, parking space stripes, and other markings shown on the project site plan, shall be applied to the parking and circulation area shown on the site plan in a medium designed for such purposes.
4. Prior to issuance of a building permit, the applicant shall submit a lighting plan illustrating the location and type of exterior lighting proposed for the development. Exterior lighting shall be designed and located to minimize offsite glare. Approval of the plan shall be at the discretion of the Community Development Department, according to the requirements of CBJ 49.40.230(d).
5. Prior to issuance of a building permit, the developer shall submit to the CBJ Engineering Department a detailed drainage plan that includes provisions for managing storm water run-off during construction and details the drainage facilities to be included in the development. The plan will include storm water best management practices to infiltrate and treat storm water runoff.

Attachments: July 8, 2020, memorandum from Irene Gallion, Community Development, to the CBJ Planning Commission regarding USE2020 0008.

This Notice of Decision does not authorize construction activity. Prior to starting any project, it is the applicant's responsibility to obtain the required building permits.

This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ 01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ 01.50.030 (c). Any action by the applicant in reliance on the decision of the Planning Commission shall be at the risk that the decision may be reversed on appeal (CBJ 49.20.120).

Effective Date: The permit is effective upon approval by the Commission, July 14, 2020.

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Expiration Date: The permit will expire 18 months after the effective date, or January 14, 2022, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.

Project Planner:   
Irene Gallion, Planner  
Community Development Department

  
Michael LeVine, Chair  
Planning Commission

  
Elizabeth M. Egan  
Filed With Municipal Clerk

7/21/2020  
Date

cc: Plan Review

**NOTE:** The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ-adopted regulations. Owners and designers are responsible for compliance with ADA. 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.