


MEMORANDUM

CITY & BOROUGH OF JUNEAU

155 South Seward Street, Juneau, Alaska 99801

DATE: February 12, 2003

TO: Planning Commission

FROM: Teri Camery, Planner 
Community Development Department

FILE NO.: USE2002-00043 - Conditional Use

PROPOSAL: A Conditional Use permit for a new 15,750 square foot two-story building with office space

GENERAL INFORMATION

Applicant: JENSEN YORBA LOTT, INC

Property Owner: BBS ENTERPRISES

Property Address: VINTAGE BOULEVARD

Legal Description: VINTAGE II, BLOCK C, LOT 26

Parcel Code Number: 5-B16-0-144-026-0

Site Size: 7,262 square feet

Zoning: LIGHT COMMERCIAL

Utilities: CBJ water and sewer

Access: Clinton Drive

Existing Land Use: vacant

Surrounding Land Use: North - vacant
South - office building
East - Clinton Drive
West - Mendenhall River



CITY & BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

PROJECT DESCRIPTION

The applicant requests an allowable use permit for the development of a 15,750 square foot office building in the Vintage Park Office Complex as Building 08. While the office does not have a designated use at this time, the applicant has stated that the offices will not have customer service. The building will be constructed in a similar style to the recently completed 07 building. The building and associated parking will be constructed on lots 25-30 of the Vintage II Subdivision. To accommodate this construction, the existing lot line between lots 25 and 26 will be relocated as indicated on the attached site plan (Attachment 2). The building will be set back 20 feet from Clinton Drive and 10 feet from the west property line in accordance with setback requirements for the Vintage Complex.

The development requires an Allowable Use permit in accordance with the Table of Permissible Uses, §49.25.300, category 3.400.

BACKGROUND

The original project proposal was for a medical clinic and office building, which would have also required a parking variance. The medical use has been withdrawn, therefore a variance is no longer necessary (Attachment 7).

ANALYSIS

Project Site and Design

The project site is located in the existing Vintage Park Commercial Subdivision. The site is level with easy access and no significant construction or drainage issues. The project design, as noted above, is very similar to the adjacent building (see Attachments 2 and 5).

Traffic

DOT did a preliminary look at traffic generation and estimated 275 trips per day, with 40 trips during the peak hour. However this analysis was made before the applicant withdrew the medical clinic use from the building, and is thus based on a heavier traffic load. Even with this heavier traffic load estimate, DOT felt a traffic impact analysis was not necessary and the small volume of increase would not be significant after the Vintage Park and Riverside Drive intersection was reconstructed (Attachment 8). At this time, with the use limited to non-customer service office space, traffic does not appear to be a concern.

Parking and Circulation

The applicant has provided 52 parking spaces, including 3 accessible spaces, plus a loading zone. The porte cochere at the main entry will accommodate up to two vehicles for drop-off. The parking standard for offices without customer service is 1 space per 300 square feet of gross floor area. This results in a parking requirement of 52 spaces, which the applicant has met (Attachment 2).

Landscaping

Landscaping of the developed portion of the property will match the current landscaping for the existing buildings. Additional trees will be planted between the proposed parking lot and the existing bike path to screen the parking from the river. The undeveloped portion of the property, between the existing bike path and the river, will be maintained in a natural state. This proposal meets CBJ vegetative cover requirements.

Signs

A separate permit process per CBJ §49.45, Signs, requires that all signs proposed by the development be submitted to CDD staff for review and approval.

Juneau Coastal Management Program

CBJ Code §49.70.950(f) establishes the requirement of a 50-foot setback from each side of a stream or lake, measured from the ordinary high water mark. At the February 10, 2003 Assembly Meeting, the Assembly approved a Comprehensive Plan change that requires CBJ staff to determine the ordinary high water mark. The Assembly also approved a definition of the ordinary high water mark as follows:

“‘Ordinary High Water Mark’ means a line or mark impressed on the bank or shore of the non-tidal portion of a river, lake or stream; caused by the long-term action of non-tidal water, and indicated by erosion, shelving, changes in soil characteristics, absence of terrestrial vegetation, presence of aquatic vegetation, or other physical characteristics.”

Tidal waters are marine waters. Tidally influenced rivers such as the Mendenhall are subject to this requirement.

The applicant has indicated that the proposed project is located 100 to 180 feet from the ordinary high water mark of the Mendenhall River, as noted in the applicant's letter and site plan (Attachments 2 and 6). Based on site visits, CDD staff has determined that the ordinary high water mark is approximately seven feet from the bike path in many places, which makes the proposed project 50 to 80 feet from the mark. In short, staff has concluded that the ordinary high water mark, and thus the start of the 50-foot buffer, is at the point that the applicant considers the end of the 50-foot buffer.

CDD staff has discussed this issue with the applicant at the pre-application meeting and in subsequent phone conversations. We agree that there is a disagreement, and we have also agreed to set aside that disagreement in the review of this current allowable use permit, since the development as proposed is outside of the 50-foot setback even when CDD's determination of the OHW mark is used. Future Vintage Park proposals that are closer to the river will require a firm resolution of the OHW mark disagreement.

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;
3. Whether the development as proposed will comply with the other requirements of this chapter; and
4. Whether conditions are necessary for approval.

The commission shall adopt the director's determination on the four items above unless it finds, by a preponderance of the evidence, that one or more of the criteria have not been met. In either case the commission shall adopt written findings setting forth the basis for its decision.

Per CBJ §49.15.320(e)(1 through 4), Decision, the Director makes the following findings on the criteria for granting the requested allowable use approval:

1. Is the application for the requested allowable use permit complete?

Yes. We find the application contains the information necessary to conduct a 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 requested permit 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 3.400 for the Light Commercial zoning district.

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

Yes. The proposed development complies with the other requirements of this chapter.

4. Are conditions necessary for approval of the requested allowable use permit?

No. Based on the preceding staff analysis, it is found that conditions are not necessary for approval of the requested permit.

Per CBJ §49.70.900 (b)(3) General Provisions, the director makes the following Juneau Coastal Management Program consistency determination:

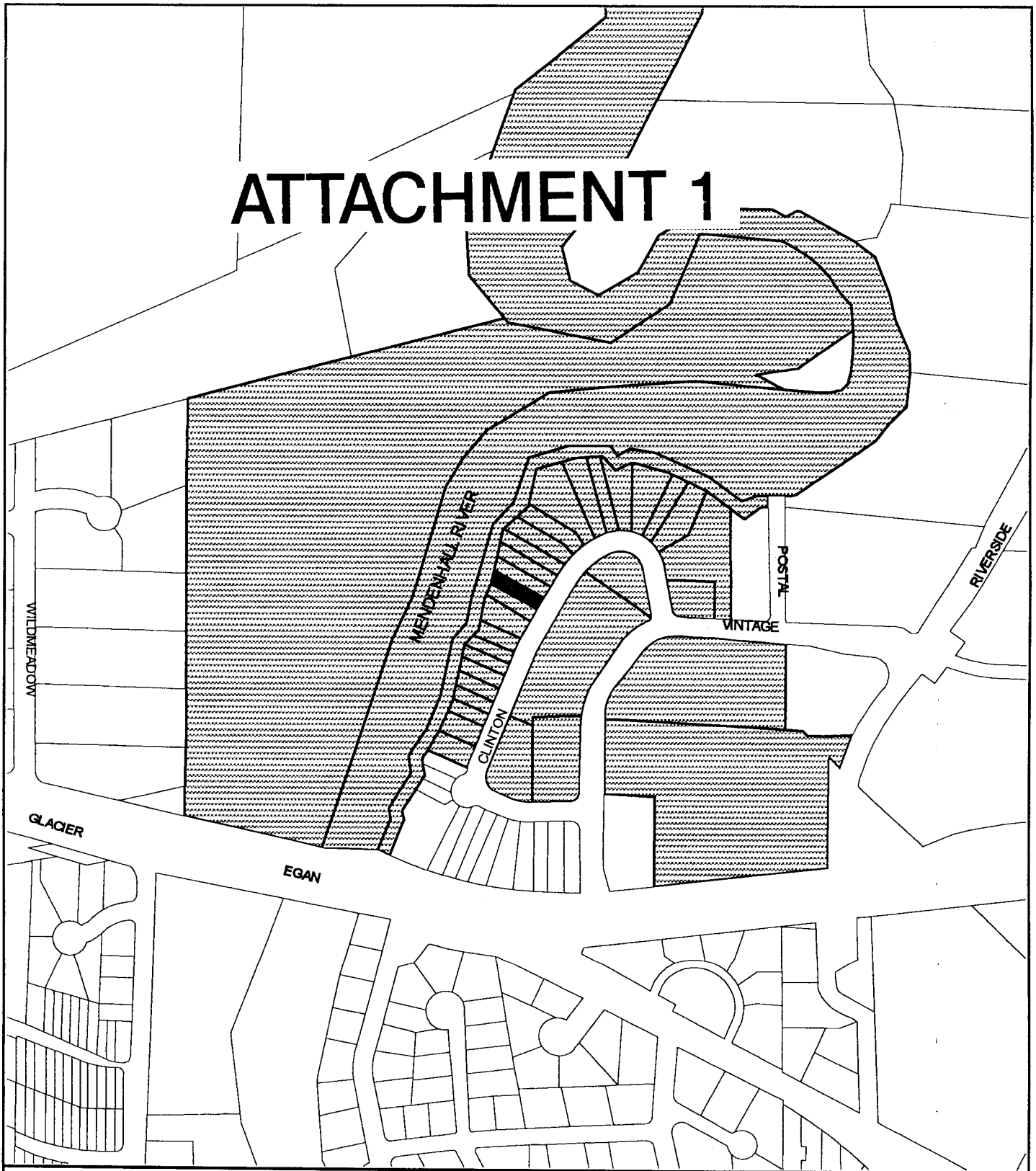
5. Will the proposed development comply with the Juneau Coastal Management Program?

Yes. The proposed development does not fall within CBJ's determination of the 50-foot streamside setback established from the ordinary high water mark, therefore there are no habitat concerns and the Habitat Standard and related enforceable policies are met.

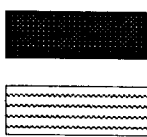
RECOMMENDATION

Staff recommends that the Planning Commission adopt the director's analysis and findings and grant the requested allowable use permit. The permit would allow the development of a 15,750 square foot office building that does not provide customer service.

ATTACHMENT 1



Vicinity Map
USE2002-00043



Subject Parcel

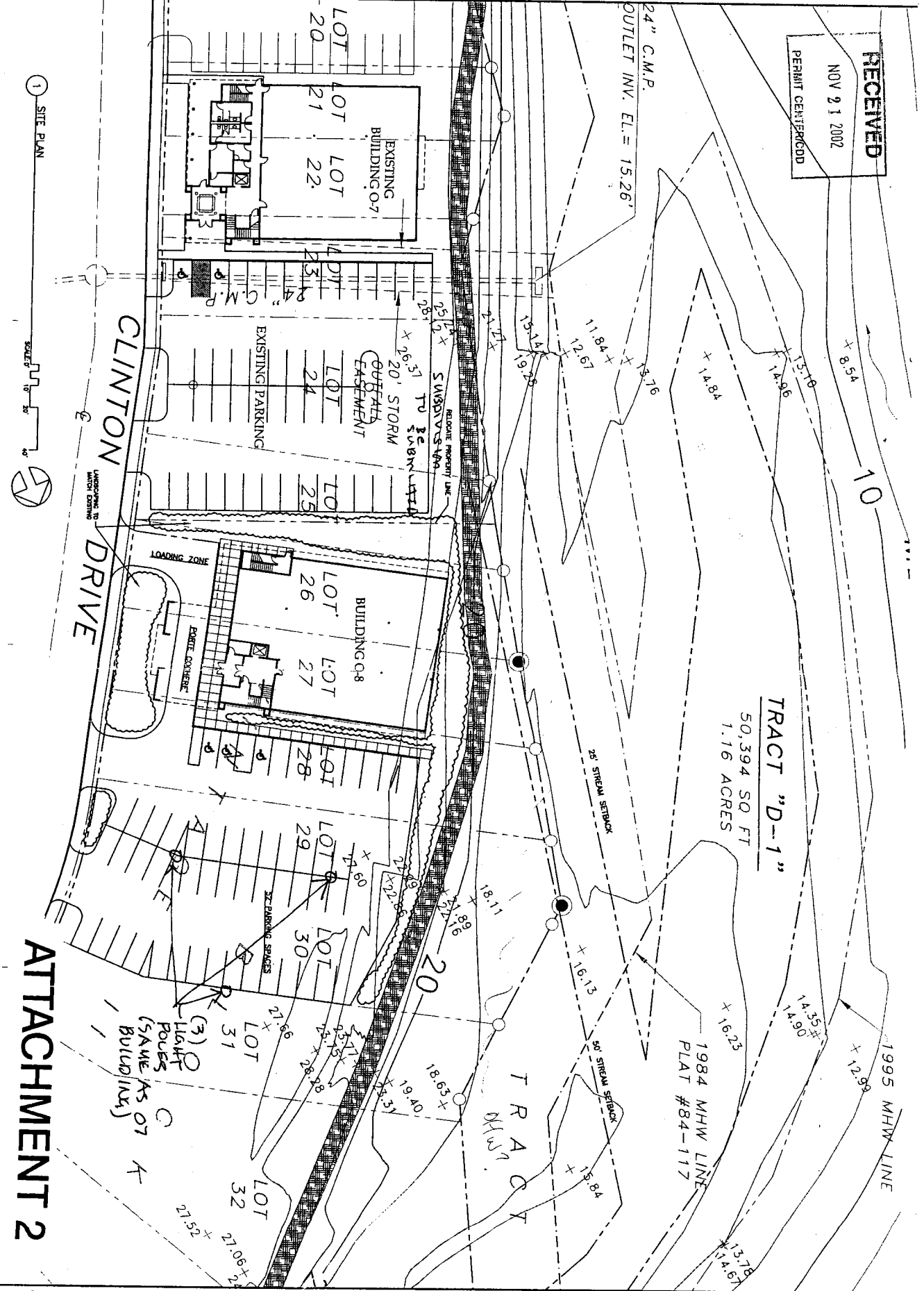
Adjacent Property Owners

The subject parcel for this project is located at:
VINTAGE BLVD
VINTAGE 2 BL C L 26

200 0 200 400 600 Feet



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 NOV 21 2002
 PERMIT CENTER/GDD



1 SITE PLAN



ATTACHMENT 2

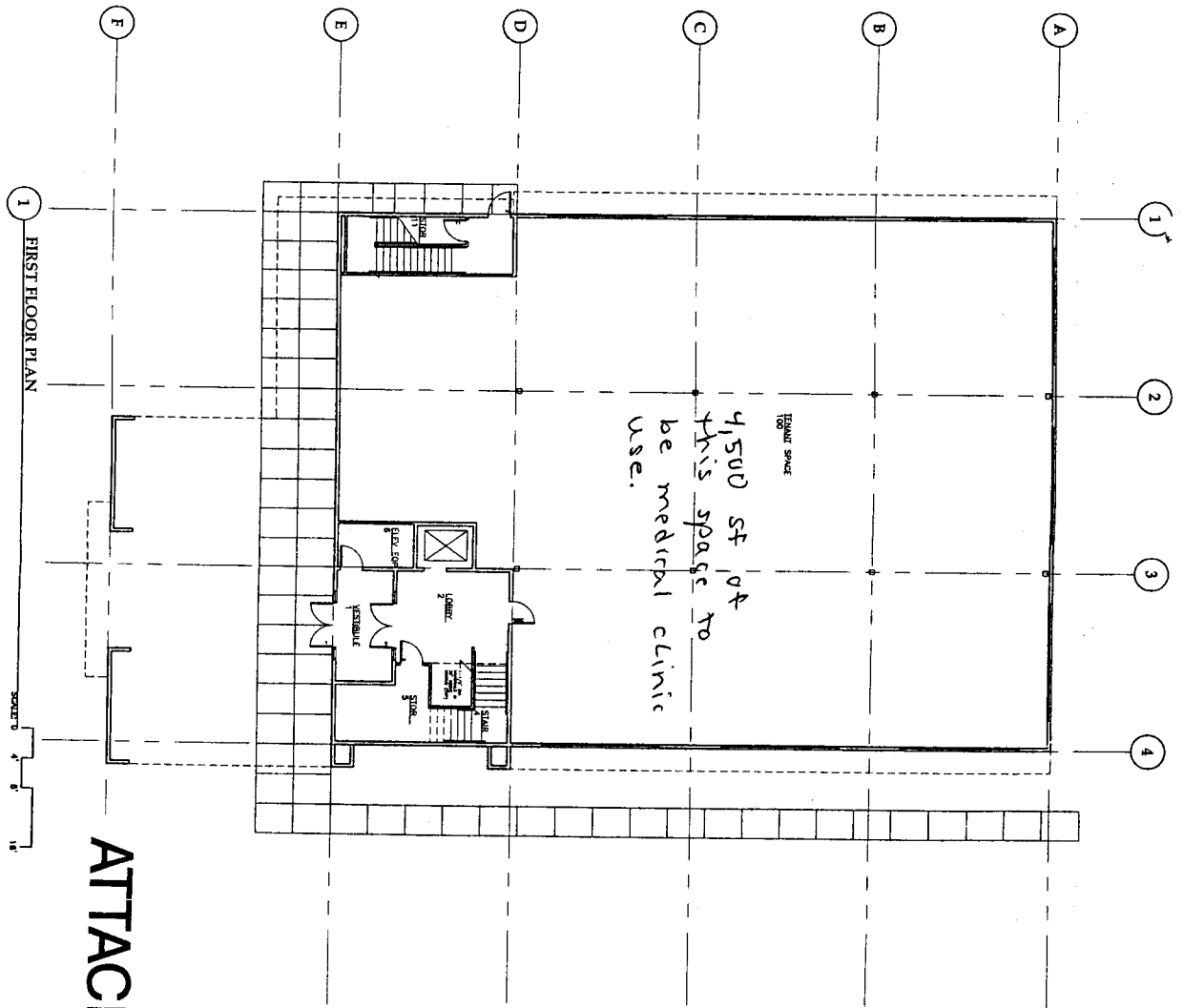
DATE: 11/21/02
 FILE: 0250
A101

REVISIONS
 Δ Δ Δ
 SHEET TITLE
 BUILDING O-8

VINTAGE BUSINESS PARK
BUILDING O-8
 JUNEAU, ALASKA

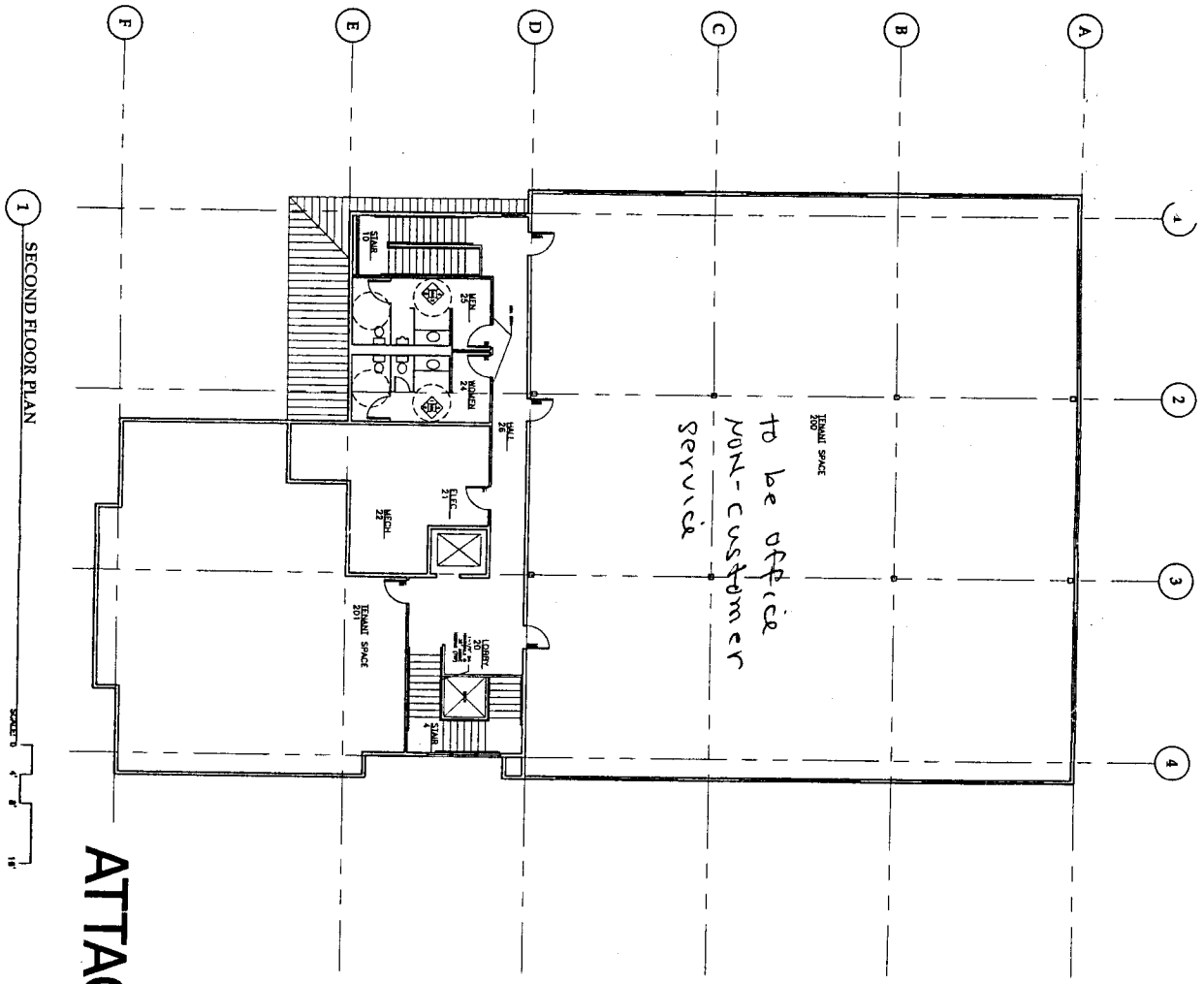
Jensen Yorba Lott Inc.
 523 West 10th Street
 Juneau, Alaska 99801
 Phone 907-586-1070
 Fax 907-586-9592
 jenneryorba@earthlink.net

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 NOV 21 2002
 PERMIT CENTER/CDD



ATTACHMENT 3

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 PERMIT CENTER/CDD



ATTACHMENT 4

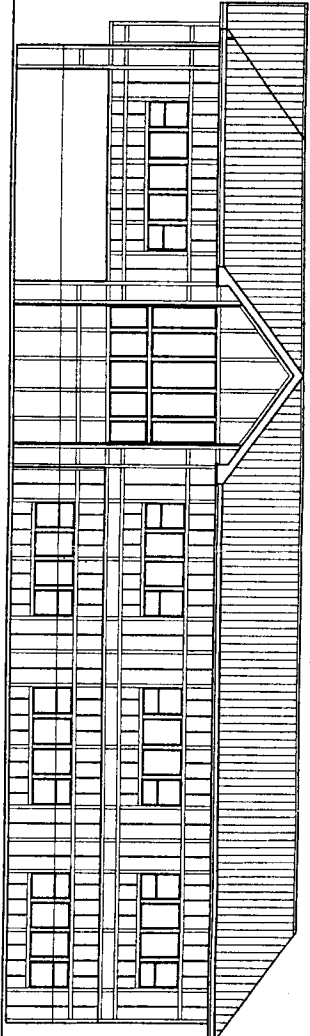
1 SECOND FLOOR PLAN

Jensen Yorba Lott Inc.
 522 West 10th Street
 Juneau, Alaska 99801
 Phone: 907-586-3979
 Fax: 907-586-3979
 jensenyorb@lotti.com

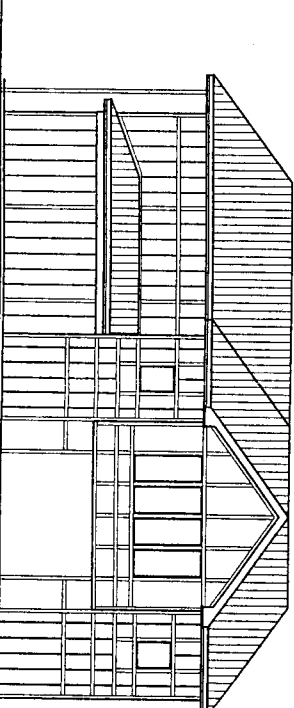
**VINTAGE BUSINESS PARK
 BUILDING O-8
 JUNEAU, ALASKA**

DATE: 10/20/02
 TITLE: 2ND FLOOR PLAN
 SHEET TITLE: SECOND FLOOR PLAN
 A202

RECEIVED
 NOV 21 2002
 PERMIT CENTER/CDD



1 EXTERIOR ELEVATION



1 EXTERIOR ELEVATION



ATTACHMENT 5

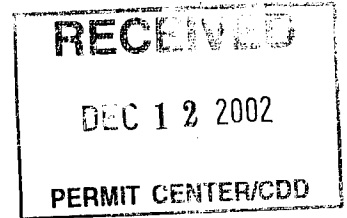
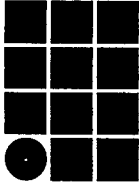


**Jensen
 Yorba
 Lott
 Inc.**
 522 West 10th Street
 Juneau, Alaska 99801
 phone 907/586-1070
 fax 907/586-1073
 jensenyorbaloott.com

**VINTAGE BUSINESS PARK
 BUILDING O-8**
 JUNEAU, ALASKA

REVISIONS
 1
 2
 3
 SHEET TITLE
 EXTERIOR
 ELEVATIONS
 DATE: 10/08/02
 FILE: 008
A301

**Jensen
Yorba
Lott
Inc**



December 12, 2002

USE 2002-43
VAR 2002-49

**Architecture
Interiors
Landscape
Architecture**

RE: Building O8-Vintage Business Park
Allowable Use Permit

ATTACHMENT 6

Debra Purves
CBJ Permit Coordinator
Community Development
Department
155 South Seward St
Juneau. AK 99801

1935
Founded as
H.B. Foss Company

1945
Foss & Malcolm

1949
Foss & Olsen

1956
Olsen & Sands

1969
Sands & Ackley

1974
Ackley & Associates,
Inc.

1979
Ackley/Jensen
Architects, Inc.

1985
Jensen Douglas
Architects, Inc.

1997
Jensen Yorba Lott, Inc.

Dear Debra:

Attached is a Development Permit Application and an Allowable Use Application along with supporting drawings to construct Building O8 at Vintage Business Park. Also included is a Variance Application to reduce the parking requirements.

This building will be constructed in a similar style to the recently completed O7 Building. The total gross area of the building is 15,750 square feet. The main difference between this building and the O7 building will be the inclusion of a porte cochere and additional office space on the second floor. 4,500 square feet of the first floor may be occupied by a kidney dialysis clinic and the remainder of the building will be occupied by offices that do not provide customer service. If the clinic does not occupy a portion of the first floor the entire building will be occupied by tenants that do not provide customer service. The building and associated parking will be constructed on lots 25-30 of Vintage II Subdivision. To accommodate this construction, the existing lot line between Lots 25 and 26 will be relocated as indicated on the attached Site Plan. The building will be set back 20 feet from Clinton Drive and 10 feet from the west property line.

Landscaping of the developed portion of the property will match the current landscaping for the existing buildings. Additional trees will be planted between the proposed parking lot and the existing bike path to screen the parking from the river. The undeveloped portion of the property, between the existing bike path and the river will be maintained in a natural state.

522 West 10th Street
Juneau, Alaska 99801
Tel.: 907.586.1070
Fax: 907.586.3959
jensenyorbalott.com

The Land Use Ordinance requires parking at the following rates:

Clinics 1 space/150 sq. ft. of gross area

Offices without customer service 1 space/300 sq. ft. of gross area

If the entire building is occupied by offices that do not provide customer service the total number of parking spaces is 53. 54 parking spaces are proposed, including the 2 spaces under the porte cochere at the main entry. So in this case the proposed number of spaces meets the number required by the Land Use Ordinance.

If the clinic is a tenant, this results in a requirement of 30 spaces for the clinic and 37 spaces for the offices for a total of 67 spaces. The proposed parking takes into account the expected actual parking requirement for the clinic. The rationale for this proposed number is based on the number of employees, the estimated daily patient appointments and the expectation that many of the patients will arrive at the clinic in other than their own private vehicles.

The dialysis clinic will have up to 12 dialysis stations, which can serve a maximum of 12 patients at one time. Patients will be connected to the dialysis units for up to 5 hours each visit. Only 3 patients can be connected at one time so the turn over in patients is significantly lower than a typical medical clinic. The maximum number of patients expected in the clinic at one time is 15 (12 at the stations and 3 waiting). More likely, the maximum number of patients in the clinic at one time will be between 8-10. Many of the patients are unable to drive to the clinic and will depend on taxis, public transportation, friends or family to bring them to the clinic. Assuming that one-third to one-half of the patients drive their own cars or that parking is required for a family member or friend, 5 parking spaces should be adequate. Up to 5 staff will be on duty at one time. Assuming that all 5 staff drive personal vehicles a total of 10 parking spaces should be adequate for the clinic. However, since this clinic is combined with a larger office building served by a larger parking lot and since on-street parking is generally available, a short-term increase in the number of cars should be able to be accommodated.

An additional consideration is that the proposal is to construct the parking lot from approximately 100 to 180 feet from the normal high water line as determined by the Mean High Water line of the Mendenhall River. This is more than twice the required distance established by the Land Use Ordinance. Still another consideration, is that as Vintage Business Park develops and parking is provided for each building a common use of parking is available which creates a diversity of parking. The on-street parking along both sides of Clinton Drive is also exclusively used by Vintage Park tenants and visitors. This parking has never been recognized as contributing to the available parking, but in reality provides approximately 100 additional spaces.

Ample parking is one of the characteristics of Vintage Park and history has shown that there is always adequate parking available.

The original ordinance allowing the development of Vintage Business Park provided for buildings totaling up to 410,000 square feet. In order to achieve that density the land needs to be used efficiently and effectively. Providing parking that satisfies the needs, but does not occupy more land than necessary is a key ingredient in the development of the complex. Your consideration of the request to reduce the parking is appreciated.

It is with these factors in mind that we request consideration of reducing the parking for this building, if the clinic is a tenant, to 54 spaces including the 2 spaces at the front entry. In summary the items that we request be considered in reviewing our application for a variance are:

- The off-street parking on Clinton provides additional parking exclusively to the Vintage Park tenants and visitors
- The stream setback ordinance, which was enacted after the ordinance allowing the development of Vintage Business Park, has effectively reduced the developable land, therefore requiring a more dense and efficient use of the remaining property.
- The size of the business park creates a diversity factor for parking as not all buildings require the maximum number of parking spaces at the same time.

Again we appreciate your consideration.

Sincerely,

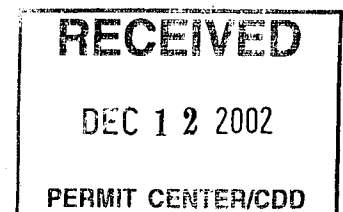


Wayne Jensen

Enclosure(s)

cc: Larry Bauer

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Teri Camery

From: Wayne Jensen: Jensen Yorba Lott, Inc.

Sent: Tuesday, January 21, 2003 1:16 PM

To: Teri Camery

Cc: Larry Bauer (E-mail)

Subject: Vintage O8 AU

The dialysis clinic will not be a tenant in the proposed O8 Building at Vintage Park, so we wish to withdraw the Variance application for the Parking.
Wayne

ATTACHMENT 7

Annie Foruria

From: Rick Purves [rick_purves@dot.state.ak.us]
Sent: Tuesday, January 14, 2003 2:28 PM
To: Annie Foruria
Cc: Michael A Lukshin

ATTACHMENT 8

Subject: Re: Requested Comments for a Proposed Medical Clinic and Office

I did a very preliminary look at trip generation for this facility. It should generate approximately 275 trips per day, and 40 trips during the peak hour. These volumes should not impact the access from this building to Clinton Drive. Clinton Drive has a lot of additional capacity. The primary impact will be at the intersection of Vintage Park and Riverside Drive. This intersection is approaching capacity. The Riverside /Vintage intersection has been identified, by the CBJ's Riverside Drive Traffic Study, as a location that needs to be reconstructed. Once the intersection is reconstructed the small volumes from this development will not be significant.

I would not recommend a need for a traffic impact analysis for this project

Annie Foruria wrote:

MEMORANDUM

CITY & BOROUGH OF JUNEAU

Community Development Department
155 South Seward Street, Juneau, AK 99801

DATE: January 14, 2003

TO: Government Agencies

FROM: Teri Camery, Planner
CBJ Community Development Department

SUBJECT: Proposed Medical Clinic and Office Building

FILE NO.: USE2002-00043, Vintage Park 08

We have received an Allowable Use permit application for a 15,750 square foot medical clinic and office building, to be constructed in the Vintage Park office complex along Clinton Drive (see Building 08 and associated parking in the attached site plan). The application has been submitted by Wayne Jensen of Jensen Yorba Lott, inc., on behalf of Larry Bauer. The project site plan and project narrative are attached.

Medical and office complexes over 5,000 square feet in the Light Commercial zoning district are reviewed under CBJ's Allowable Use permit process. With this memo the application begins the 15 day agency review period. The application is