

MEMORANDUM

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

DATE: April 23, 2003
TO: Planning Commission
FROM: Greg Chaney, Planner
Community Development Department



FILE NO.: USE2003-00016 Conditional Use

PROPOSAL: Conditional use permit for construction of 4 summer rental cabins on a 2 acre site in Port Snettisham area; 2 additional cabins will be constructed for cooking/dining and crew lodging.

GENERAL INFORMATION

Applicant: Debbie McBride
Property Owner: Ron Maas & Kathy Maas
Property Address: Port Snettisham
Legal Description: USS 648 FR
Parcel Code Number: 3-R04-0-102-003-0
Site Size: 1.96 acres
Zoning: Rural Reserve
Utilities: No Public Utilities
Access: Water, Port Snettisham/Gilbert Bay
Existing Land Use: Vacant
Surrounding Land Use: North - Rural Reserve, Forest Service Property
South - Rural Reserve, Whiting River
East - Rural Reserve, Whiting River
West - Rural Reserve, Forest Service Property



CITY & BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

PROJECT DESCRIPTION

The applicant requests a Conditional Use permit for construction of 4 summer rental cabins on a 2-acre site in the Port Snettisham region. Two additional cabins will be constructed for cooking/dining and crew lodging. The applicant plans to accommodate up to six people on the site as a component of wilderness trips that will last approximately 5 days. As proposed, the site would be utilized as a base camp for marine based tours in nearby waters from May through September. In the future a small dock may be added to facilitate access.

BACKGROUND

The Port Snettisham region is among the most remote in the City and Borough of Juneau. The area is primarily used for remote wilderness recreation activities at this time. No negative agency or public comments have been received concerning this proposal. If land based activities are undertaken on adjacent Forest Service property, additional permitting may be required through appropriate agencies but these activities are not anticipated to cause significant land use conflicts normally reviewed under Planning Commission permits.

Water for the operation will be collected from a nearby stream. This stream is not a listed CBJ anadromous stream. The Whiting River is a listed CBJ anadromous stream (111-35-10050-2035), however, at the location of the applicant's parcel the area is considered to be marine waters. The point where the Whiting River's status as an anadromous stream begins is roughly a quarter mile northeast of the applicant's property.

Sewage disposal for large groups in rural areas is always a concern, however, sewage disposal is regulated by the Alaska Department of Environmental Conservation and is not a municipal function.

CBJ does not have any information indicating that eagle's nests are located near the applicant's property.

ANALYSIS

Project Site - The 1.96 acre site is located in Port Snettisham near the mouth of the Whiting River. The lot is surrounded by Forest Service property and no other private land holdings are in the area.

Project Design - The development will consist of 4 summer cabins with 2 additional cabins for cooking/dining and crew lodging.

Traffic – Since the site will be accessed by water and is located in a remote area, there do not appear to be any traffic concerns. Since party size is small and trips to the region are on a weekly basis, no traffic problems are anticipated for the points of departure from town. If the nature of the resort changes in the future in such a way that multiple day trips leaving from town are required, then this issue will have to be re-evaluated.

Parking and Circulation – Parking is not anticipated to be a problem since most guests will be from out of town and will not have vehicles. The vessel operators will have access to parking at their long-term moorage site. In cases where visitors do have vehicles, departure from Douglas Harbor is proposed. According to CBJ Harbor Master, Chuck Wescott, there is currently a 5-day parking limit in the Douglas Harbor parking lot. While this appears to be adequate, the applicant is advised that if in the future parking requirements change, alternative parking may have to be arranged.

Noise – Noise generated under this proposal is anticipated to be consistent with levels anticipated in a rural setting.

Public Health or Safety – Sewage disposal and water quality are regulated by the State of Alaska and are not municipal permitting functions. Staff is not aware of other public health and safety issues associated with this proposal.

Property Value or Neighborhood Harmony – No other private lots are located in the region. The proposal is in harmony with activities normally associated with wilderness locations.

Conformity With Adopted Plans – Comprehensive Plan Policy 2.16.6 states “...assist developers who can provide facilities or services that will broaden the array of attractions and experiences (for visitors) while not decreasing quality of life for Juneau citizens.”

Juneau Coastal Management Program – The site is not adjacent to a mapped anadromous stream and so the stream protection provisions of the JCMP do not apply to this proposal. In addition, no eagle’s nests are known to be within 330 feet of the proposed structures. An addition of a dock in the future will require further review and is not authorized under this permit.

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; and,

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.

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 §49.15.300 (e)(1)(A thru C), Review of Director's Determinations, the Director makes the following findings on the proposed development:

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

Yes. We find 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 23.100 for "Resorts" in the Rural Reserve 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. General notice of this hearing was printed in the Juneau Empire on April 18, 2003 and April 28, 2003. These actions exceed the minimum public notice requirements.

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

No. Based on the above analysis, no evidence was noted that the proposed development would have impacts on 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 discussed in the above staff analysis, resorts are customary uses in rural Alaskan areas. The development is modest in scale and since no adjacent private properties are in the area, no negative impacts on neighboring property values or neighborhood harmony is anticipated.

6. *Will the proposed development not be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans?*

No. As mentioned above, the proposal meets requirements of adopted plans. Specifically it complies with Comprehensive Plan Policy 2.16.6, which states "...assist developers who can provide facilities or services that will broaden the array of attractions and experiences (for visitors) while not decreasing quality of life for Juneau citizens."

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

Yes. The proposal was reviewed in the above staff report for compliance with CBJ's Juneau Coastal Management Program. It was found to comply with all relevant sections.

RECOMMENDATION

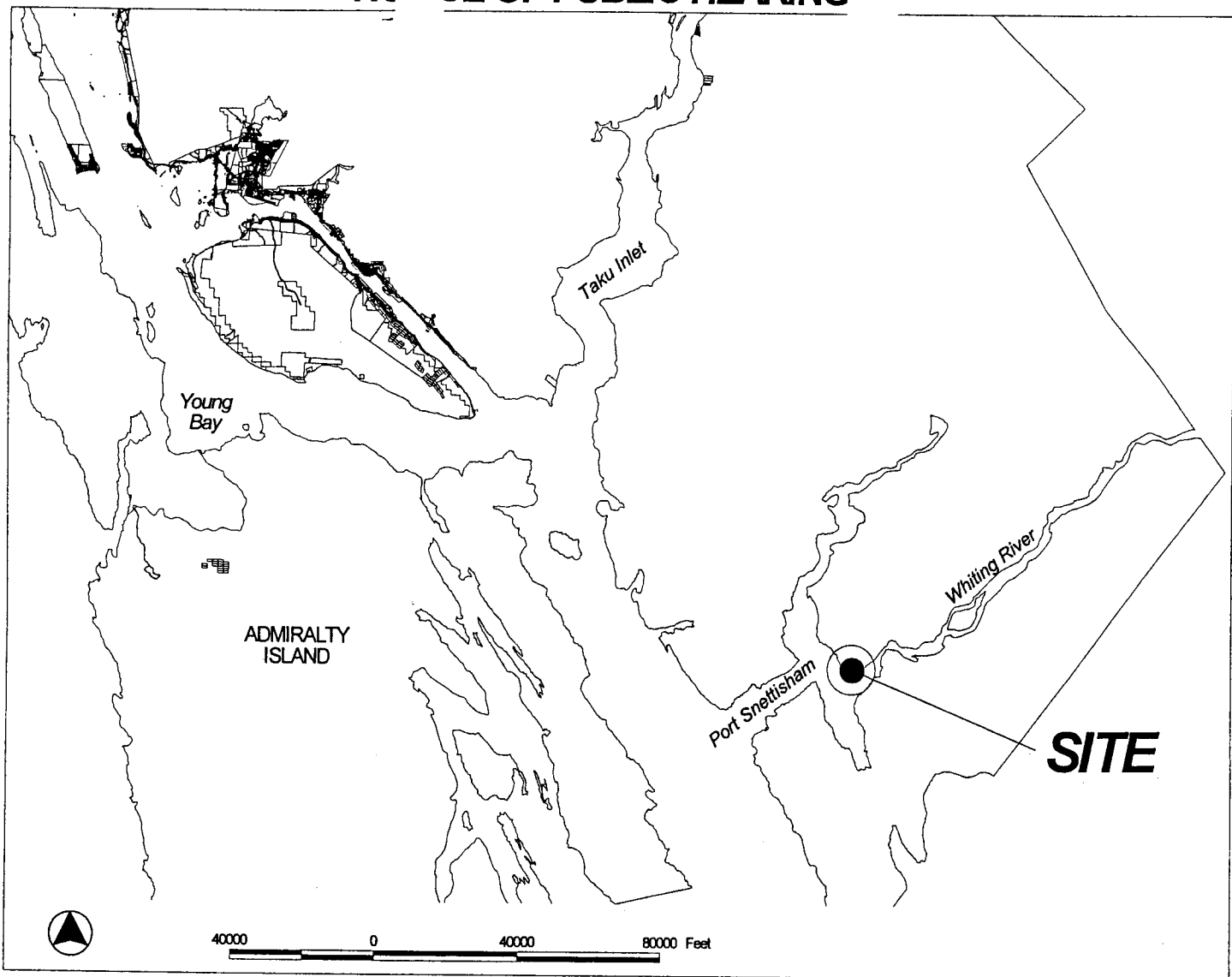
It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use permit. The permit would allow the development of 4 summer rental cabins on a 2-acre site in the Port Snettisham area with 2 additional cabins to be constructed for cooking/dining and crew lodging. The approval is subject to the following conditions:

1. The applicant shall comply with CBJ Harbor Parking Regulations. If, in the future, parking regulations change such that CBJ Harbor parking is not available for guest parking, the applicant shall submit a revised parking plan to be reviewed by Community Development Department staff. If the revised plan is significantly different from the approved plan, staff may require modification of this permit by the CBJ Planning Commission.

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2. Advisory: This project may require additional State and Federal permits which are beyond the CBJ's jurisdiction.
3. Addition of a dock in the future will require further CBJ review and is not authorized under this permit.

NOTICE OF PUBLIC HEARING



PROPOSAL: Conditional use permit for construction of 4 summer rental cabins on a 2 acre site in Port Snettisham area; 2 additional cabins will be constructed for cooking/dining and crew lodging.

FILE NO:	USE2003-00016	APPLICANT:	DEBBIE MCBRIDE
TO:	Adjacent Property Owners	PROPERTY OWNER:	RONALD & KATHRYN MAAS
HEARING DATE:	APRIL 29, 2003	PROPERTY ADDRESS:	PORT SNETTISHAM AREA
HEARING TIME:	7:00PM	PARCEL CODE NUMBER:	3R0401020030
PLACE:	ASSEMBLY CHAMBERS Municipal Bldg. 155 South Seward St., Juneau, Alaska 99801	SITE SIZE:	1.96 AC.
		ZONING:	RR
		ACCESS:	WATER

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 no later than 8:30 A.M. on the Wednesday preceding 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 Greg Chaney at 586-0761
greg_chaney@ci.juneau.ak.us

Planning Commission Agendas, Staff Reports and Meeting Results can be viewed at www.juneau.org/plancomm.

Date notice was printed: April 17, 2003

~~ALLOWABLE~~ / CONDITIONAL USE APPLICATION

(APPLICANT PLEASE FILL IN TOP PORTION OF PAGE AFTER FIRST LINE AS A MINIMUM)

Project Number	Project Name <i>MC BRIDE Remote Cabins</i>	Case Number <i>USE2003-16</i>	Date Received <i>4-9-03</i>
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APPLICANT INFORMATION

DESCRIBE THE PROJECT FOR WHICH AN ALLOWABLE OR CONDITIONAL USE APPROVAL IS NEEDED. ATTACH A DETAILED DESCRIPTIVE LETTER ABOUT THE PROJECT DESCRIBED IN THIS APPLICATION.

(See Attached) The site will be developed for a commercial tourist operation during the summer months. Up to six people will visit at a time and live in four cabins; two other cabins will be constructed for ~~the~~ cooking/dining and crew lodging.

MODIFICATION OF EXISTING APPROVAL? No Yes - CASE NUMBER _____

EXISTING USE OF LAND AND/OR BUILDING(S):

The land is undeveloped and unused.

PROPOSED USE OF LAND AND/OR BUILDING(S):

Attached.

UTILITIES PROPOSED WATER: Public On Site SEWER: Public On Site

SITE DIMENSIONS:
Width *unknown* ft. Depth *unknown* ft. Total Area *85,377* square feet

DIMENSIONS OF STRUCTURE: (Outside Dimensions)
Length *14* ft. Width *12* ft. Height *11'9 1/16"* ft. Total Area *168 each* square feet

SIGNS: Sign Approvals are a separate permit approval. Provide sign plan as an information item.

EXTERNAL LIGHTING
Existing to remain No Yes - provide fixture information, illumination pattern, and location of lighting fixtures.
Proposed No Yes - provide fixture information, illumination pattern, and location of lighting fixtures.

PARKING
Existing Spaces: *None* Proposed Spaces: *None*

PLEASE NOTE: INCOMPLETE APPLICATIONS MAY NOT BE SCHEDULED FOR PLANNING COMMISSION ACTION. UNACCEPTED APPLICATIONS WILL BE RETURNED TO THE APPLICANT FOR COMPLETION.

CIRCLE TYPE OF PERMIT: ALLOWABLE USE / CONDITIONAL USE	TABLE OF PERMISSIBLE USES CATEGORY: <i>23.100</i>			
	<u>Fees</u>	<u>Check No.</u>	<u>Receipt No.</u>	<u>Date</u>
Application Fees	\$ <i>300⁰⁰</i>			
Adjustment	\$			
Public Notice Sign Fee	\$ <i>50⁰⁰</i>			
Public Notice Sign Deposit	\$ <i>100⁰⁰</i>			
Total Fee	\$ <i>450⁰⁰</i>	<i>129</i>	<i>15592</i>	<i>4-9-03</i>

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NOTE: MUST BE ACCOMPANIED BY "DEVELOPMENT PERMIT APPLICATION" FORM WHICH HAS LAND OWNER OR LESSEE CONSENT SIGNED

DEVELOPMENT PERMIT APPLICATION

(APPLICANT - PLEASE FILL IN THE PROJECT/APPLICANT INFORMATION)

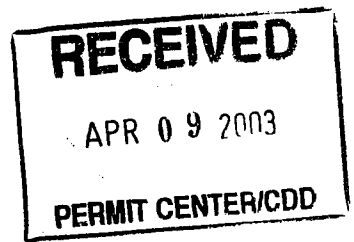
Project Number	CITY and BOROUGH of JUNEAU	Date Received: 4-9-03
Project Name (City Staff to assign name) McBRIDE Remote Cabins		

PROJECT / APPLICANT INFORMATION	Project Description Attached.														
	PROPERTY LOCATION														
	Street Address Township 44, S Range 72, E A Copper River Meridian		City / Zip												
	Subdivision (if known) USS 648 FR	Survey (if known)	Block / Tract (if known)	Lot (if known)											
	Assessor's Parcel Number (if known) 3 R0 40 102 0030														
	LANDOWNER / LESSEE														
	Property Owner's Name Ron Maas + Kathy Maas		Contact Person same	Work Phone No.											
	Mailing Address 311 Gruening Ave. Juneau, AK 99801		Home Phone No. 586-1362	FAX No.											
	LANDOWNER/LESSEE CONSENT (Required for Planning permits not needed on Building/Engineer permits)		INITIAL ALL THAT MAY APPLY												
	<p>I am (we are) the owner(s) or Lessee of the property subject to this application and I (we) consent as follows:</p> <p>A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.</p> <p>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.</p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;">APPLICATION TYPE</th> <th style="width: 40%;">OWNER'S INITIALS</th> </tr> </thead> <tbody> <tr> <td>ALLOWABLE USE</td> <td rowspan="3" style="text-align: center; vertical-align: middle;">RM</td> </tr> <tr> <td>CONDITIONAL USE</td> </tr> <tr> <td>VARIANCE</td> </tr> <tr> <td>DESIGN REVIEW</td> <td></td> </tr> <tr> <td>SUBDIVISION</td> <td></td> </tr> <tr> <td>OTHER</td> <td></td> </tr> </tbody> </table>		APPLICATION TYPE	OWNER'S INITIALS	ALLOWABLE USE	RM	CONDITIONAL USE	VARIANCE	DESIGN REVIEW		SUBDIVISION		OTHER
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OTHER															
<p><input checked="" type="checkbox"/> Ron Maas Landowner/Lessee Signature 4/8/03 Date</p> <p><input checked="" type="checkbox"/> Kathy Maas Landowner/Lessee Signature 4/8/03 Date</p> <p>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 and/or the Design Review Board may visit the property and may do so during the weekend before the scheduled public hearing date.</p>															
APPLICANT (If same as OWNER, write "SAME" and sign and date at X below)															
Applicant's Name Debbie McBride		Contact Person takudelabie@yahoo.com	Work Phone No. 465-2023												
Mailing Address 326 Gruening Ave. Juneau, AK 99801		Home Phone No. 586-9747	FAX No.												
<input checked="" type="checkbox"/> Debbie McBride Applicant's Signature		<input checked="" type="checkbox"/> _____ Date of Application													

(OFFICE USE ONLY BELOW THIS LINE)

STAFF APPROVALS	C K	PERMIT TYPE	SIGN	DATE RECEIVED	APPLICATION NO.	C K	PERMIT TYPE	DATE RECEIVED	APPLICATION NO.	
		ALLOWABLE USE APPROVAL					WATER PERMIT			
		<input checked="" type="checkbox"/> CONDITIONAL USE APPROVAL		X	4903	USS 2003-16		SEWER PERMIT		
		VARIANCE					GRADING PERMIT			
		DESIGN REVIEW APPROVAL					DRIVEWAY PERMIT			
		SUBDIVISION					RIGHT-OF-WAY PERMIT			
		STREET VACATION					PUB. FAC. TRANSMISS. & EXCAV. PERMIT			
		SIGN APPROVAL	LOCATED IN HISTORIC DISTRICT? <input type="checkbox"/> YES <input type="checkbox"/> NO				OTHER - (Describe)			
		BUILDING PERMIT					Permit Intake Initials	DM		
		Zone	Total Lot Area	Required Setbacks Front _____ Back _____ Side _____ Other _____						
COMMENTS:										

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



Debbie McBride
Township 44, S Range 72, E of Copper River Meridian
USS 648
CBJ Conditional Use Permit Application
Project Description

Land: The proposed site is a 1.96 acre rectangular piece of land originally homesteaded in 1898 and later used as a fish saltery. It lies on the west shore of the inlet to the Whiting River in Port Snettisham, approximately 1/2 mile north of River Point. The shore at the south edge of the property is most suitable for landings, consisting of shale rock at a low grade. Thick grass grows at the top of the intertidal zone to the edge of the forest. The beach on the north end is steeper, with a rocky point forming the east corner of the property.

Old growth spruce and hemlock forest covers the site with relatively sparse undergrowth other than moss, ferns, and patches of devil's club. On the half of the property closest to shore the land slopes gradually toward the beach and a number of flat locations make suitable building sites; on the back half of the property the land rises steeply up the mountain. To either side of the property, National Forest lands drop steeply to the beach. A brisk, clear water creek flows nearby, its terminus marking the north corner of the property; this will likely be the source of drinking water. The attached plot does not follow the actual contours of the beach where "record meanders" is indicated; the location of both buildings that cross this land are located significantly above the high tide line.

Cabins: I propose to erect six cabins on the property for lodging, dining and cooking. These, along with two outhouses, will be scattered around the property on the beach side according to terrain, (flat locales), codes and aesthetics. The ground, which appears to be dirt overlying broken rock, is uneven between the building sites. Five of the cabins will likely be constructed from 12'X14' pine cabin kits (plans are attached), and will be used as lodging for guests and as crew quarters.

The sixth structure will house the kitchen, (including a stove, refrigerator, counters for food preparation and a sink with hot and cold running water) and dining area. The appliances will be powered by propane from a tank outside. One end of the building will have tables and seats for the guests to be used as a dining and socializing area. Potable water will be provided from treated surface water. Plans for this building are still pending but may be a simple 2'X4' frame structure approximately 16'X20'. Paths between the buildings will be natural dirt/stone or boardwalk and benches may be placed in various locations.

Tour: Two guides (the owner/operator and one crew member) will lead groups of up to six people on five-day trips. On the first day, guides will pick up passengers with a 30-40' tour boat from the Marine Park dock in downtown Juneau in early afternoon or late morning, (timing will vary according to tidal activity). After a tour down Stephen's Passage, guests will arrive at camp by 5:00 p.m. The tour boat will tie off to a mooring buoy or anchor at the mouth of the river near the camp. Passengers and the week's supplies will be shuttled to shore in a Zodiac or small skiff. The owner will give an orientation to the camp and its facilities while the crew member begins dinner.

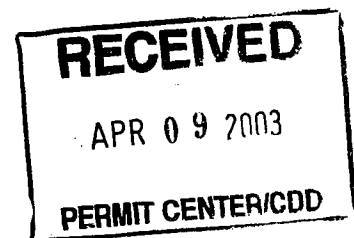
Breakfast and dinner will be prepared at camp on days two, three, and four with lunches provided in camp or on board during day tours. A typical trip will include a day of wildlife viewing and sightseeing in Stephen's Passage, a day exploring Tracy Arm, and a day of optional activities including kayaking, hiking and birdwatching. On day five, breakfast in camp will be followed by lunch on board during the return trip to Juneau. Both guides will accompany passengers on board the boat, leaving the camp unoccupied during tour days. Between trips, the camp will likely remain unoccupied. Trips will be scheduled once a week from the third week in May through the second week in September, (approximately 16 weeks).

Impacts: This operation should have little impact on locals or visitors. Guests will be instructed to be dropped off at Marine Park, as there is no nearby long-term parking. As most guests will be independent travelers, this should cause no inconvenience. Locals may also be dropped off, or could arrange to be picked up at Douglas Harbor where abundant long-term parking is available. The boat's time at the ramp will be negligible. The Snettisham property adjoins no private land, nor is there any private land within site

of it. Passing boats heading up the Whiting River or fishing/recreational vessels anchoring at the mouth of the river will see little on shore except a few attractive cabins. No mature trees will be cut and the land will remain as undisturbed as possible.

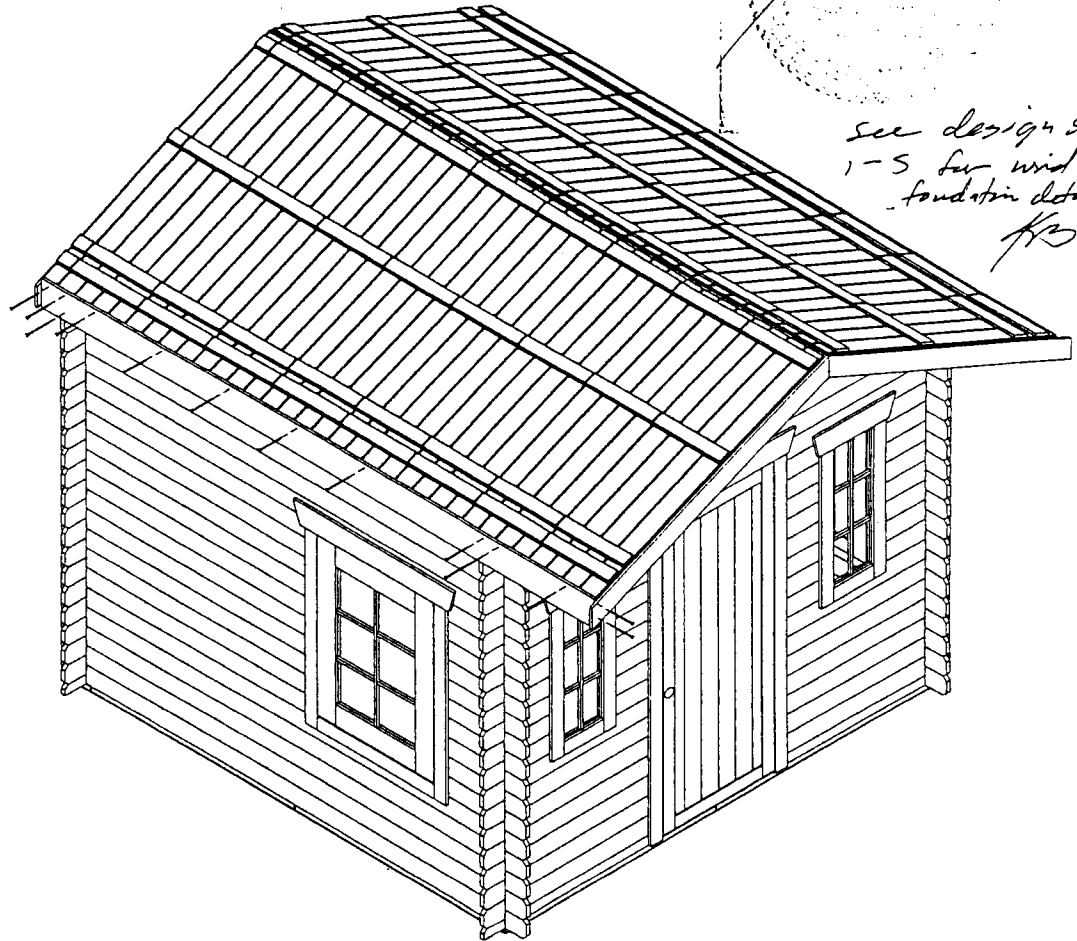
Future Development: There are no firm plans for any additional development on the property. However, should demand warrant it, additional buildings may be constructed in the same low-impact manner as the originals to house additional guests. Construction of a simple dock extending from shore may also take place if doing so proves feasible and worth the effort.

Signs: Most traffic to this area is by small, personal boat. I intend to post the public notice sign at Harris Harbor.



12' x 14' PINE HOUSE

Step 13



ONCE YOU HAVE ALL THE CEILING PANELS IN, THE NEXT PIECES TO BE INSTALLED ARE THE 1 x 8 164" (417cm) EAVE FASCIA BOARDS. THESE PIECES ARE PLACED TIGHT AGAINST THE CEILING PANELS AND BETWEEN THE GABLE FASCIAS. PLACE TWO 2" (5cm) SCREWS THROUGH THE FASCIA INTO THE END OF THE WALLS AND ONE 2" (5cm) SCREW THROUGH THE FASCIA INTO EACH CEILING PANEL. ALSO SCREW TWO 2" (5cm) SCREW THROUGH THE GABLE FASCIA INTO THE EDGE OF THE EAVE FASCIA. DO THIS TO THE EAVE FASCIAS ON BOTH SIDES.

USE A TOTAL OF THIRTY-FOUR SCREW, SEVENTEEN IN EACH BOARD.

RECEIVED
APR 08 2003
PERMIT CENTER/CDD

Debbie Mulsina

RECEIVED

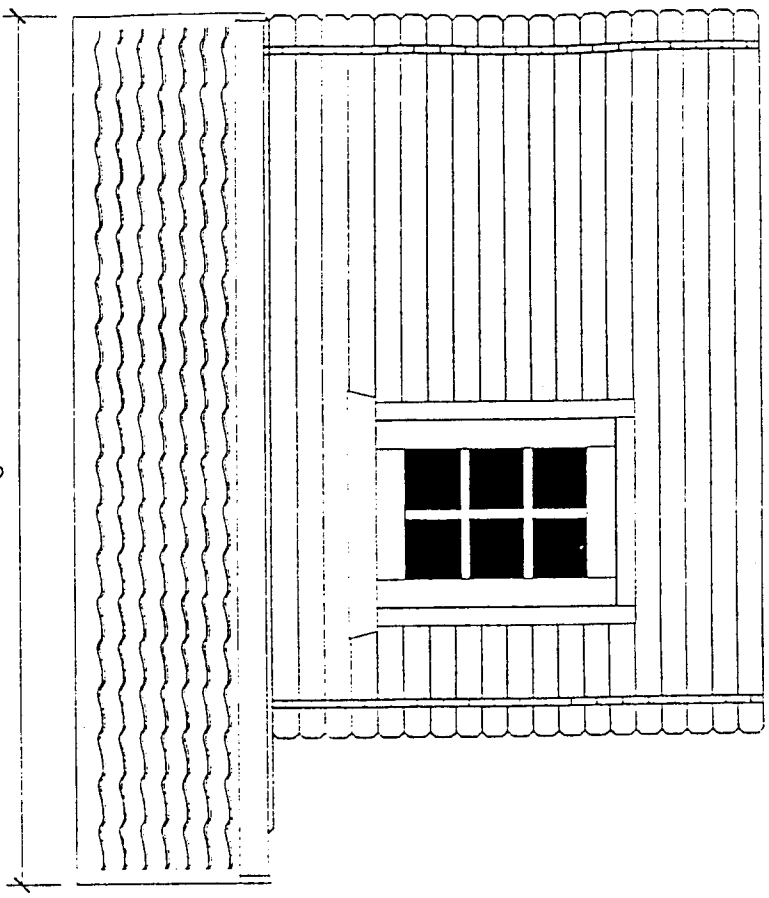
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PERMIT CENTER/CDD

Muskokan

12' X 14' PINE HOUSE

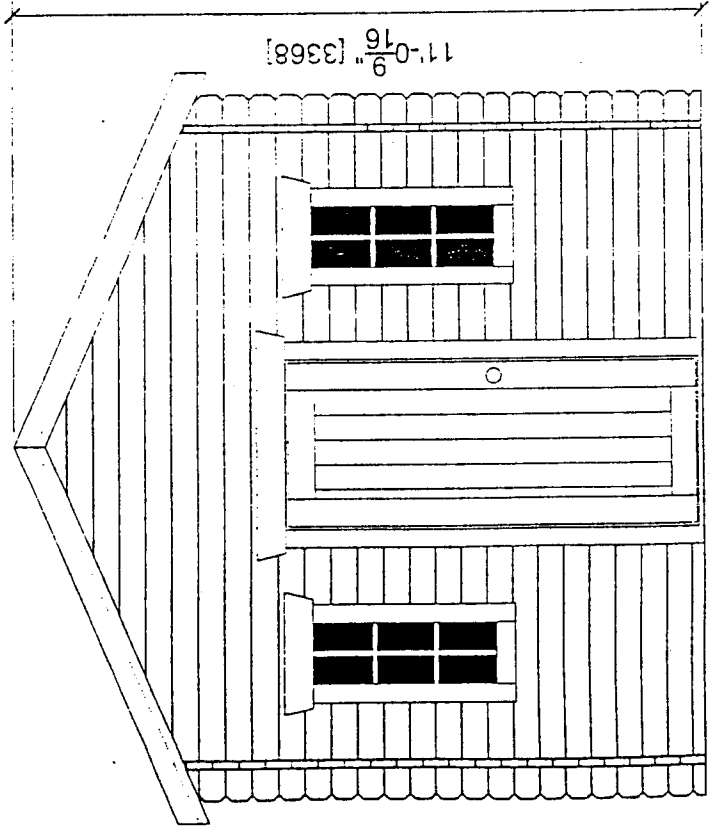
13'-9⁷/₈" [4213]



Side view

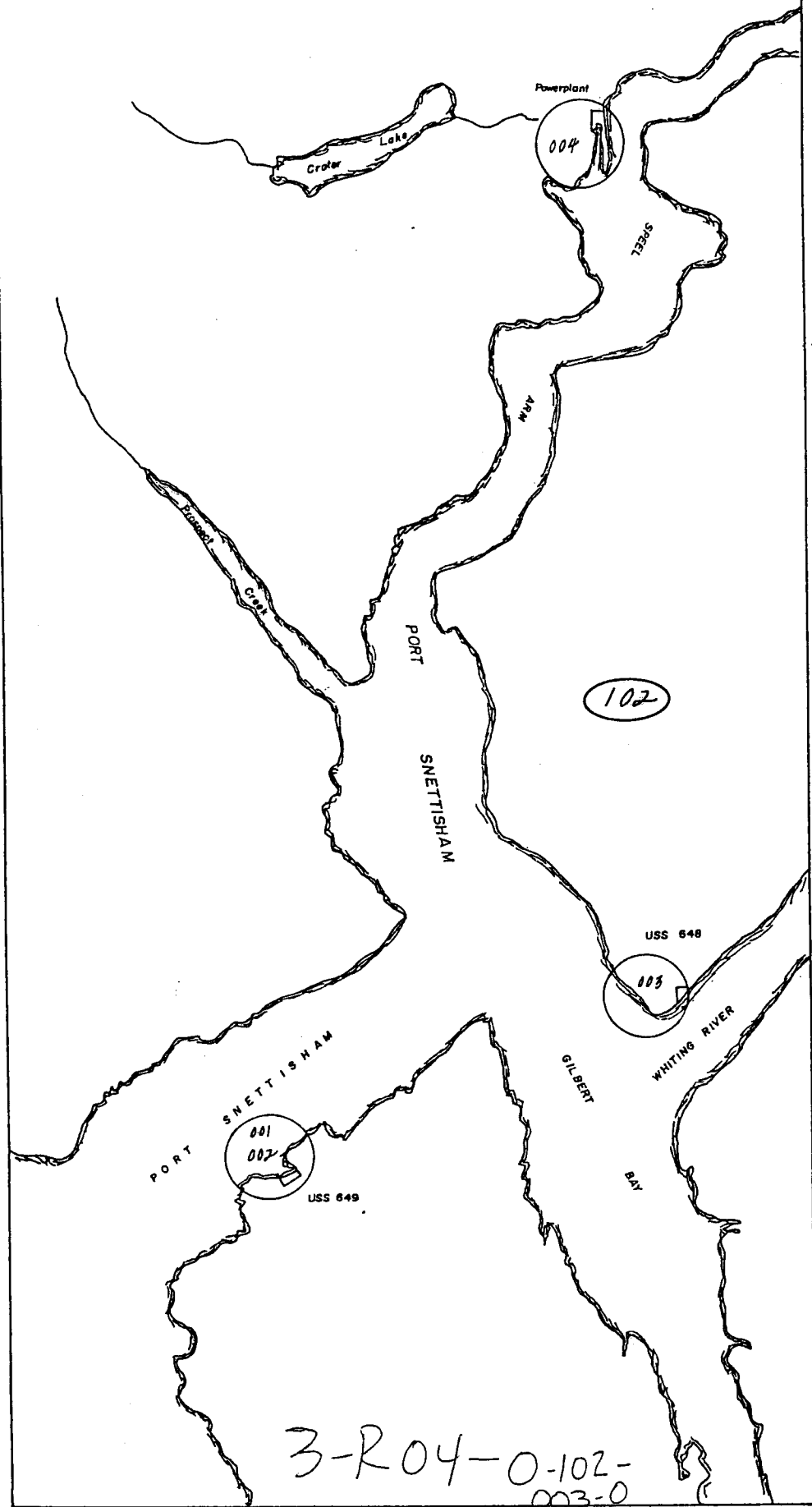
12'-2³/₄" [3727]

11'-0¹⁶/₉" [3368]



Front View

INSET C



3-R04-0-102-003-0