



REGULAR PLANNING COMMISSION AGENDA

May 14, 2024 at 7:00 PM

Assembly Chambers/Zoom Webinar

<https://juneau.zoom.us/j/86939674618> or 1-253-215-8782 Webinar ID: 869 3967 4618

A. LAND ACKNOWLEDGEMENT

We would like to acknowledge that the City and Borough of Juneau is on Tlingit land, and wish to honor the indigenous people of this land. For more than ten thousand years, Alaska Native people have been and continue to be integral to the well-being of our community. We are grateful to be in this place, a part of this community, and to honor the culture, traditions, and resilience of the Tlingit people. Gunalchéesh!

B. ROLL CALL

C. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA

D. APPROVAL OF MINUTES

- [1.](#) April 9th, 2024 Draft Minutes Regular Planning Commission- **APPROVED**
- [2.](#) April 23, 2024 Draft Minutes Special Meeting-**APPROVED**
- [3.](#) April 23, 2024 Draft Minutes Regular Planning Commission- **APPROVED**

E. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION

F. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

G. ITEMS FOR RECONSIDERATION

H. CONSENT AGENDA

- [4.](#) **PWP2024 0001:** Parking Waiver Permit- **APPROVED WITH CONDITIONS AS RECOMMENDED**

Applicants: Jessica Barker & Caitlin Stern

Location: 114 Sixth St.

DIRECTOR'S REPORT

Applicants request a Parking Waiver Permit to waive one (1) required parking space for an accessory apartment on top of an existing garage in a D18 zoning district. The applicants have pledged one parking space within the garage will be designated for the tenant of the accessory apartment.

STAFF RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE Parking Waiver Permit PWP2024 0001 with conditions.

- [5.](#) **USE2024 0005:** Conditional Use Permit for an accessory apartment- **APPROVED WITH CONDITIONS AS RECOMMENDED**

Applicant: Jessica Barker & Caitlin Stern

Location: 114 Sixth St.

DIRECTOR'S REPORT

Applicants request a Conditional Use Permit to construct a 430 square foot accessory apartment on top of an existing garage in a D18 zoning district. The garage is certified nonconforming for a zero (0) ft. front yard setback. CBJ 49.25.430(M) allows for additional stories to be added to certified nonconforming structures.

STAFF RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE Conditional Use Permit USE2024 0005 with conditions.

6. **USE2024 0009:** A Conditional Use permit for a temporary asphalt plant at the Juneau International Airport -**APPROVED WITH CONDITIONS AS RECOMMENDED**

Applicant: SECON

Location: Shell Simmons Drive

DIRECTOR'S REPORT

The applicant requests a Conditional Use Permit for a temporary asphalt plant at the Juneau International Airport. Temporary asphalt plants have been approved at this location in 2019 and 2020, and the operation has all required permits.

STAFF RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE Conditional Use Permit USE2024 0009 with conditions.

I. REGULAR AGENDA

7. **USE2024 0007:** Expansion of Community Center from 7,625 to 9,984 square feet. Parking shared with neighboring buildings. -**APPROVED WITH CONDITIONS AS AMENDED**

Applicant: MRV Architects

Location: Hospital Drive

DIRECTOR'S REPORT

The expansion creates a more uniform structure, expanding into gaps to better serve the community use. Structures in the anadromous stream setback will be removed. Parking will need to be compliant before issuance of a building permit.

STAFF RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and approve Conditional Use Permit USE 2024 0007 with requested conditions.

8. **USE2024 0006:** Conditional Use Permit for three, 16-unit apartment buildings with a total of 48 single-room occupancies with private facilities in the D15 zoning district.- **APPROVED WITH CONDITIONS AS RECOMMENDED**

Applicant: William Heumann

Locantion: Hillcrest Avenue

DIRECTOR'S REPORT

The applicant requests a Conditional Use Permit USE2024 0006 for a development creating 48 single-room occupancies with private facilities in the D-15 zoning district. The units will be allocated to three (3) separate buildings, each two stories in height. SROs with private facilities count as one-half (½) dwelling unit under CBJ 49.25.510(j)(2).

STAFF RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and approve Conditional Use Permit USE2024 0006 with the following conditions:

1. Prior to Temporary Certificate of Occupancy, Hooter Lane must be accepted by the CBJ for maintenance.
2. Prior to TCO, a new plat of Chilkat Vistas Tract A3 must be recorded.

J. UNFINISHED BUSINESS

K. OTHER BUSINESS

L. STAFF REPORTS

M. COMMITTEE REPORTS

N. LIAISON REPORT

O. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

P. PLANNING COMMISSION COMMENTS AND QUESTIONS

Q. EXECUTIVE SESSION

R. SUPPLEMENTAL MATERIALS

9.

S. ADJOURNMENT

ADA accommodations available upon request: Please contact the Clerk's office 36 hours prior to any meeting so arrangements can be made for closed captioning or sign language interpreter services depending on the meeting format. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: city.clerk@juneau.gov.

DRAFT MINUTES

Agenda

Planning Commission

Regular Meeting

CITY AND BOROUGH OF JUNEAU

Mandy Cole, Chair

April 9, 2024

I. LAND ACKNOWLEDGEMENT – Read by Commissioner Epstein.

We would like to acknowledge that the City and Borough of Juneau is on Tlingit land, and wish to honor the indigenous people of this land. For more than ten thousand years, Alaska Native people have been and continue to be integral to the well-being of our community. We are grateful to be in this place, a part of this community, and to honor the culture, traditions, and resilience of the Tlingit people. Gunalchéesh!

II. ROLL CALL

Mandy Cole, Chair, called the Regular Meeting of the City and Borough of Juneau (CBJ) Planning Commission (PC), held in Assembly Chambers of the Municipal Building, virtually via Zoom Webinar, and telephonically, to order at 7:00 p.m.

Commissioners present: Commissioners present in Chambers – Mandy Cole, Chair; Erik Pedersen, Vice Chair; Matthew Bell, Deputy Clerk; Nina Keller; David Epstein, Jessalynn Rintala,

Commissioners present via video conferencing – None

Commissioners absent: Adam Brown; Travis Arndt, Clerk; Lacey Derr

Staff present: Jill Lawhorne, CDD Director; [via Zoom] Irene Gallion, Senior Planner; Nicolette Chappell, CDD Administrative Coordinator; Lily Hagerup, CDD Administrative Assistant; Attorney III

Assembly members: Paul Kelly

III. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA – None

IV. APPROVAL OF MINUTES

A. March 26, 2024 Draft Minutes, Regular Planning Commission

MOTION: *by Mr. Epstein to approve the March 26, 2024, Planning Commission Regular Meeting minutes.*

The motion passed with no objection.

V. **BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION** – by Chair Cole

VI. **PUBLIC PARTICIPATION ON NON-AGENDA ITEMS** – None

VII. **ITEMS FOR RECONSIDERATION** – None

VIII. **CONSENT AGENDA**

USE2024 0003: Pulled from Consent to Regular Agenda by Commissioner Rintala

IX. **UNFINISHED BUSINESS** – None

X. **REGULAR AGENDA**

(Moved from Consent Agenda by Ms. Rintala)

USE2024 0003: Conditional Use Permit application request for the expansion of the existing food court on Franklin Street

Applicant: PND Engineers INC

Location: Franklin Street

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested Conditional Use Permit. The permit would allow the development of pet grooming, walking and dog daycare services in a D3 zone.

The approval is subject to the following conditions:

Condition #1: Prior to issuance of Temporary Certificates of Occupancy (TCO) for temporary or permanent structures, Lots 1A, 2A, 7, 8, and 9 must be consolidated.

Condition #2: Use of the sound systems, amplifiers, audible signaling, or voice at louder than conversational level shall not be permitted between the hours of 10:00 pm and 8:00 am Monday through Thursday, or 12:00 am and 8:00 am on Friday and Saturday.

Condition #3: Prior to issuance of a Temporary Certificate of Occupancy for BLD2024 0073, the applicant will provide the following for outdoor lighting not associated with permitted structures:

- A site plan showing the location of fixtures.
- Cut sheets for lighting fixtures used.

Condition #4: Prior to issuance of a building permit, temporary structures requiring a building permit will provide documentation of shielded lighting that is downward cast and shines light only on the project parcel.

STAFF PRESENTATION – Director Lawhorne presented USE2024 0003 and explained the traffic impact analysis (TIA) was not necessary.

QUESTIONS FOR STAFF

Ms. Rintala asked whether the Director had authority to waive the TIA. Ms. Lawhorne said she would not normally have the authority to waive the TIA. However, in this circumstance, the department gave the applicant mistaken information and the applicant relied on that information. The department has honored good faith errors in the past and felt they should in this instance as well.

APPLICANT PRESENTATION

David McCasland said he is available for questions

QUESTIONS FOR APPLICANT

Mr. Epstein asked for clarification that this will be outdoor dining. Mr. McCasland confirmed that is the intention. Mr. Epstein asked what the target customer base would be. Mr. McCasland said locals make up 35% of the sales and in 2020-2021, they were 100%.

Ms. Cole asked where the parking lot will be located. Mr. McCasland said it will be above the retaining wall and will have 20-30 parking spaces.

PUBLIC COMMENT

Zane Jones – Mr. Jones is the chair of the Historic Resource Advisory Committee (HRAC) and spoke to the letter from the committee. Mr. Jones said the Committee felt the development could be approved as a temporary development with an expiration date (suggested 10 years) at which time it would be used in accordance with the historic district.

Mr. Epstein asked what expectations the HRAC has for the 10-year time period. During the 10-years, what would they like to see done or is the option to do nothing until the 10th year and then meet the expectations. Mr. Jones said there are currently no guidelines but they would be willing to work with the owner/developer to keep the historic feel.

Ms. Keller asked what suggestions the HRAC has and how they would work with the owner to find agreement. Mr. Jones said the HRAC does not have a clear recommendation at the moment but would like to work with the applicant on that.

Ms. Cole asked what are the elements of 'harmony of scale' that they are trying to achieve. Mr. Jones said it is normally structured around buildings rather than around open areas. There are not really good guidelines regarding open spaces. He suggested benches and site lighting to give a park-like feel.

Ms. Keller asked if he had design suggestions they should consider. Mr. Jones said the guidelines offer some flexibility with new construction. He suggested keeping with the streetscape.

ADDITIONAL APPLICANT COMMENTS

Mr. Jones said the point of the retaining wall is to make the lot flat to help with drainage and make the site ADA accessible. The fence is necessitated due to State of Alaska Alcohol regulations.

COMMISSIONER QUESTIONS

Ms. Keller asked if there was some room in the plan for type of fence. He affirmed he is flexible as to the type of permanent fence but in the near-term, he will install whatever is fastest and most affordable. Ms. Keller asked if it would be open year-round. He said water is an issue but if he can, he would be open for events so long as it is above freezing.

Ms. Cole asked if they would be coming back for another permit. Mr. Jones said the long-term plan is to add housing when he is able.

Ms. Rintala asked if the lot consolidation and noise regulation conditions are a problem with him. Mr. McCasland said he is comfortable with the conditions and added the retaining wall should help to cut down on the noise.

COMMISSIONER DISCUSSION

Ms. Cole expressed concern with approving a CUP that will only apply to some of the existing lots and wondered what happens when the other lots are consolidated. Ms. Layne said the applicant may have to come back to the PC at that time. Ms. Lawhorne did not have any concerns and added if they were to make a major modification, that could come back to the PC. Adding housing or changing the plan to a building or adding a parking garage would all require another permit.

Mr. Pedersen asked Ms. Layne and Ms. Lawhorne for their opinion on the 'appropriateness' of putting an expiration on the permit. Ms. Lawhorne said it is difficult for a business to develop a business plan if they do not know that they will be allowed to function beyond ten years.

Ms. Lawhorne advised the PC that the historic guidelines are *guidelines*. They are not regulations. However, the commission is allowed to encourage the guidelines be followed.

MOTION: *by Mr. Epstein to accept staff's findings, analysis, and recommendations, and approve USE2024 0003 with the addition of condition #5 "Prior to issuance of a building permit the applicant and HRAC will work together to develop a mutually acceptable development solution that conforms with historic guidelines."*

Mr. Epstein spoke to his motion saying he would like to see a condition that obligates the applicant and HRAC to work together.

Mr. Epstein withdrew his motion.

MOTION: *by Mr. Pedersen to accept staff’s findings, analysis, and recommendations, and approve USE2024 0003.*

MOTION TO AMEND: *by Mr. Epstein to add a Condition #5 “Prior to issuance of a building permit the applicant and HRAC will work together to develop a mutually acceptable development solution that conforms with historic district guidelines.*

Ms. Cole spoke against the motion saying she is not comfortable mandating them to conform to unclear guidelines. Mr. Pedersen also spoke against the motion saying it is not specific enough. Mr. Bell liked the idea of the amendment but could not support it as proposed. Ms. Rintala thanked the HRAC for their work but said she would not support the motion. Ms. Keller felt it would be hard to condition them to work together.

Roll call on amendment

YES: Epstein

NO: Keller, Rintala, Bell, Pedersen, Cole

Motion to amend fails 1-5

Mr. Epstein thanked Ms. Lawhorne for being forthright and explaining the department error on the TIA.

The original motion passed on Roll Call with no objection.

USE2024 0008:	Conditional Use Permit application request to renovate ground floor patio and add a second-floor deck to existing commercial building for use by bar
Applicant:	Northwind Architects
Location:	Admiral Way

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested Conditional Use Permit. The permit would allow the development of over 10,000 square feet in a MU zoning district for a bar without drive through service.

The approval is subject to the following conditions:

Condition 1: Prior to Temporary Certificate of Occupancy (TCO), a foundation setback verification form must be completed, and an as-built survey submitted for BLD2024-0098.

Condition 2: If the director, in consultation with the Juneau Police Department, and AKDOT&PF, finds that the project results in the queuing of pedestrians within the public ROW, sidewalk or crosswalk, the Use Permit may be suspended until the applicant addresses the safety concern by re-designing pedestrian circulation on site to eliminate the hazard.

Condition 3: Use of the sound systems, amplifiers, audible signaling, or voice at louder than conversational level shall not be permitted between the hours of: ~~10:00 pm and 8:00 am Monday through Thursday, or 12:00 am to 8:00 am on Friday and Saturday.~~ [changed in Motion to match additional materials]

10:00 pm on Sunday and 8:00 am on Monday

10:00 pm on Monday and 8:00 am on Tuesday

10:00 pm on Tuesday and 8:00 am on Wednesday

10:00 pm on Wednesday and 8:00 am on Thursday

10:00 pm on Thursday to 8:00 am on Friday

Midnight and 8:00 am on Saturday

Midnight and 8:00 am on Sunday

Condition 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 for review by Community Development. Exterior lighting shall be designed and located to minimize offsite glare.

Condition 5: The ground floor patio shall be reserved for purposes of storing snow between, but not including, the dates of October 31 to April 1.

Condition 6: *Prior to a temporary certificate of occupancy, provide verification to Community Development Department that the resulting public sidewalk is a minimum of 5 foot in width.*
[Added by amendment]

STAFF PRESENTATION – By Ms. Lawhorne

AT EASE 8:15 p.m. – 8:34 p.m.

APPLICANT PRESENTATION – Shannon Crossley, Northwind Architects, presented on behalf of the applicant. The applicant plans to add an upper deck to an existing outdoor business.

QUESTIONS FOR APPLICANT

Ms. Keller asked how the sidewalk would be impacted by the new construction. Ms. Crossley said it would go to 4.27 feet and is an easement in keeping with the existing use. Mr. Pedersen said he interprets the 4.27 feet is from the easement and the distance in total is at or exceeds the 5 feet.

Mr. Bell asked if the upper deck would be ADA accessible. Ms. Crossley said it is not required to be ADA but the downstairs is accessible. She reminded the Commissioners that ADA is not building code.

QUESTIONS FOR STAFF

Prior to questions, Ms. Lawhorne spoke to the sidewalk question and said many of the sidewalks in the downtown area are narrow and do not meet the 5-foot requirement.

Ms. Keller noted the narrow sidewalk in this corner and asked for clarification of the 5-foot requirement for vendors. Ms. Lawhorne said it would be hard to require the applicant widen sidewalks as sidewalks are under state DOT purview. If the PC wants to require wider sidewalk space, they could require a setback.

Ms. Cole asked what prompted Condition #2. Ms. Lawhorne explained it is a crowded area for pedestrians and vehicle traffic and the department wanted to be able to correct a problem if it crops up. Ms. Keller reiterated her concerns regarding the sidewalk and the ambiguity of whether or not it met the 5-foot requirement. Ms. Lawhorne pointed out the state DOT office did submit comments in the agency review and they did not note any concerns or identify sidewalk width as an issue.

MOTION: *by Ms. Keller to accept staff's findings, analysis, and recommendations, and approve USE2024 0008 including conditions 1, 2, 4, and 5 and suggesting the use of modified condition #3 as presented in the additional materials.*

Mr. Epstein read the recommended Condition #3 into the record.

Condition #3: Use of the sound systems, amplifiers, audible signaling, or voice at louder than conversational level shall not be permitted between the hours of:

10:00 pm on Sunday and 8:00 am on Monday

10:00 pm on Monday and 8:00 am on Tuesday

10:00 pm on Tuesday and 8:00 am on Wednesday

10:00 pm on Wednesday and 8:00 am on Thursday

10:00 pm on Thursday to 8:00 am on Friday

Midnight and 8:00 am on Saturday

Midnight and 8:00 am on Sunday

MOTION TO AMEND: *by Mr. Pedersen to add Condition #6 that reads: Prior to a temporary certificate of occupancy, provide verification to Community Development Department that the resulting public sidewalk is a minimum of 5 foot in width.*

ROLL CALL VOTE ON MOTION TO AMEND

YES: Pedersen, Bell, Epstein, Rintala, Keller

NO: Cole

Motion to amend passes 5-1

The amended motion passed on Roll Call with no objection.

XI. OTHER BUSINESS – None

XII. STAFF REPORTS – Ms. Lawhorne reminded Commissioners there is a Special Meeting including public testimony on April 23 at 5:30 p.m. followed by a Regular meeting at 7:00

p.m. The agenda for the regular meeting is scant and may be a short meeting. The commissioners have the option to continue public testimony after the regular meeting if they so choose.

Staffing update: A new planner has started. There remains to be vacancies in the department.

Title 49 rewrite, Telephone Hill and City offices planning will be heard at an upcoming Assembly COW meeting on April 15. Ms. Layne added the Assembly COW may also include short-term rentals.

Ms. Keller asked when the design review board was sunset and why. Ms. Lawhorne said it was removed before she came to CBJ nine years ago but she will look in to it. Ms. Keller asked what it would take to bring it back. Ms. Cole said it would require an ordinance and referred to Liaison Kelly for details.

XIII. COMMITTEE REPORTS - None

XIV. LIAISON REPORTS – Assembly member Kelly reported recent Assembly topics have included the sale of two lots in Renninger Subdivision, relocation of the Mill Campground, and the Assembly has recently concluded tours of Floyd Dreyden, Marie Drake and the Burns Building.

Regarding Ms. Keller’s question about restarting the design review board, he confirmed it would need a new ordinance.

XV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS – None

XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS - None

XVII. EXECUTIVE SESSION – None

XVIII. ADJOURNMENT

Having no other business, the meeting adjourned at 9:19 PM. The next Regular meeting will be held Tuesday, April 23, at 7:00 p.m. which will be preceded by a Special meeting at 5:30 p.m.

Respectfully submitted by Kathleen Jorgensen Business Assists (907)723-6134 🇺🇸

DRAFT MINUTES

Agenda

Planning Commission

Special Meeting

CITY AND BOROUGH OF JUNEAU

Mandy Cole, Chair

April 23, 2024

I. LAND ACKNOWLEDGEMENT – Read by Vice Chair Pedersen

We would like to acknowledge that the City and Borough of Juneau is on Tlingit land, and wish to honor the indigenous people of this land. For more than ten thousand years, Alaska Native people have been and continue to be integral to the well-being of our community. We are grateful to be in this place, a part of this community, and to honor the culture, traditions, and resilience of the Tlingit people. Gunalchéesh!

II. ROLL CALL

Mandy Cole, Chair, called the Regular Meeting of the City and Borough of Juneau (CBJ) Planning Commission (PC), held in Assembly Chambers of the Municipal Building, virtually via Zoom Webinar, and telephonically, to order at 5:32 p.m.

Commissioners present: Commissioners present in Chambers – Mandy Cole, Chair; Erik Pedersen, Vice Chair; Travis Arndt, Clerk; Matthew Bell, Deputy Clerk; Adam Brown; Nina Keller; David Epstein, Jessalynn Rintala, Lacey Derr

Commissioners present via video conferencing – None

Commissioners absent: None

Staff present: Jill Lawhorne, CDD Director; David Peterson, Planner II; Forrest Courtney, Planner II; Nicolette Chappell, CDD Administrative Coordinator; Lily Hagerup, CDD Administrative Assistant; Sherri Layne, Attorney III; Alix Pierce, Tourism Manager; Scott Ciambor, CDD Planning Manager; Minta Montalbo, Senior Planner; Daniele Gaucher, Administrative Officer.

Assembly members: Paul Kelly

III. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA – None

IV. REGULAR AGENDA

AME2018 0007: Blueprint Downtown Area Plan

STAFF PRESENTATION – by Planning Manager Ciambor. The packet includes a staff memo with recommendations. Staff answers to commissioner questions can be found on page 471. The plan includes public and agency comments at various places in the packet. Kirby Day and Betsy Brenneman from the Blueprint Steering Committee are in the room to answer questions as well.

Ms. Cole explained the PC role is not to approve or deny the plan. Rather, it is to make a recommendation to the Assembly.

QUESTIONS FOR STAFF

Ms. Derr asked who would be responsible for making the changes recommended in testimony in the additional materials packet. Mr. Ciambor said staff would make the changes along with any changes from the Assembly.

Prior to public comment, Ms. Cole gave a review of the rules for public testimony.

PUBLIC COMMENT

Duff Mitchell, Pioneer Avenue – Member of JCOS – Spoke as the manager of Juneau Hydropower. Mr. Mitchell said Juneau has the power capacity for the docks. Juneau Hydropower supports dock electrification and downtown circulator buses. They support the Blueprint Downtown Area Plan.

Ms. Cole asked Mr. Mitchell what he sees as the hold up on moving forward on electrifying the docks. Mr. Mitchell answered the costs have increased significantly over the years and, to his knowledge, the CBJ has not done the necessary environmental permitting yet. The CBJ has recently hired a consultant and going forward, this should make it go more smoothly.

Betsy Brenneman, Willow Drive – Ms. Brenneman was a member on the steering committee. She said the plan was intent of the plan was to be action-oriented to nurture the preservation, restoration and revitalization of the downtown area. She thanked Beth McKibben, Nathaniel Dye, and Alix Pierce for their involvement and help to the committee. The Steering Committee supports recommending the assembly adopt it as an ordinance.

Ms. Rintala asked for more information how enforcement was a hindrance. Ms. Brenneman said there were things on the books that did not achieve the desired outcomes. Specifically, there was a tax incentive program to encourage development of apartment dwellings downtown. Ms. Brenneman said that seems to have been ineffective. She suggested there could be value in using ‘disincentives’ as well.

Ms. Cole was interested in the ‘all types of housing’ option and asked for more details. Ms. Brenneman said this includes housing for tourism seasonal housing, legislative housing, low-income housing, and year-round downtown housing. Because there are so many different types of people downtown, multiple types of housing accommodations are needed.

Ms. Cole asked if there is anything in the plan that could have impact on downtown housing. Ms. Brenneman said the tables in the back of the packet provide good guidance.

Mr. Epstein asked if she had compared Juneau to what other cruise ship cities have done and compare that to what we can do here. She said Ms. McKibben had brought information about other tourism towns but not necessarily cruise ship towns.

Mr. Bell asked if they were able to do it today, what would they reprioritize? She said nothing. Housing remains top priority.

Ms. Keller asked her view what could be done regarding housing and short-term housing. Ms. Brenneman said the city has waited long to deal with it and suggested a survey of other communities for their ideas for solutions.

Mr. Arndt referred to her comments about disincentives, saying he prefers carrots to sticks, asked what else they had talked about. She agreed carrots are nicer than sticks but she has not seen effective carrots. The downtown population has changed and there are fewer office workers and businesses in the downtown area than before.

Steve Behnke (via Zoom) – 4545 Thane Road - representing the Board of Renewable Juneau – The board participated in Blueprint downtown and appreciates their environmental stress. However, the plan has a weakness. On pages 57 and 192, the plan speaks to “explore feasibility of providing shore power.” We are past the ‘explore feasibility’ stage. The board recommends adding verbiage to say, “It is the policy of the CBJ that private and public docks that berth cruise ships will provide shore power to cruise ships while they are in port.”

COMMISSIONER QUESTIONS FOR STAFF

Mr. Arndt asked if it is better for this to be a resolution or an ordinance. Director Lawhorne strongly recommended it be recommended as an ordinance adopting it into the Comprehensive plan.

Mr. Pedersen referenced the 2-year review clause and asked how that would work. Ms. Lawhorne explained the 2-year review is for the department to review and confirm the plan and meshes well and is conforming and there are not any conflicts. Since the department is currently in process rewriting the comp plan as well as blueprint, they are, in effect, doing this now.

Ms. Cole how adopting the Blueprint by ordinance might affect the Title 49 rewrite plan. Ms. Lawhorne said the assembly fully supports the rewrite and there is confidence it will be funded through the budget process. If blueprint is adopted, it would be driving force for next 3 to 5 years.

Ms. Lawhorne agreed with Ms. Brenneman that code enforcement is a challenge. There is one staff member for all code enforcement. Much of it has no fines. If they are unable to bring a person into compliance, the final option is to use the court system.

*****AT EASE 6:24 – 6:32*****

COMMISSIONER DISCUSSION

Ms. Derr has served on the Docks & Harbors board and said CBJ is past the ‘feasibility’ of dock electrification phase. It is feasible.

Mr. Arndt said the plan should be moved forward but said he is torn between “resolution” and “ordinance”. The problem he sees is the weaknesses in spots where the verbiage needs to be updated. Ms. Cole clarified the PC recommendation would be to approve the plan when it is in final version. Ms. Lawhorne said other CBJ departments have been involved and updates have been made. The intent is that it will be up to date by the final draft. Mr. Ciambor added there is a list of updates included in the plan and explained some of them.

Ms. Cole said she supports this moving forward, including the comments. Her main comment is that housing does not seem properly prioritized as the TOP priority. She mentioned a recent case in the downtown MU area that did not include housing. She would like to see a ‘different set of rules’ to enforce housing. Mr. Arndt asked if she would prefer something in the plan requiring housing be included in all downtown projects. Ms. Cole did not think that but she would be interested in stronger language to encourage housing downtown.

Ms. Rintala pointed out there is no mention of avalanche or landslide areas. Ms. Lawhorne said the PC, the assembly, and the community discussed this topic and the assembly decided to regulate moderate and severe avalanche zones and not landslide zones.

MOTION: *by Mr. Pedersen that the PC move the draft Blueprint Downtown area plan and recommend to the Assembly its adoption as an addendum to the Comprehensive plan by ordinance.*

Mr. Epstein asked why the motion was ordinance rather than resolution. Mr. Pedersen said he relied on staff and public comment recommendations. Ms. Cole agreed saying she feels adoption by ordinance makes the most sense.

MOTION TO AMEND: *by Ms. Cole to strengthen the preference for housing downtown by adding language to emphasize a stronger focus on housing with stronger preference language for projects involving housing downtown.*

Ms. Keller commented short term rentals should be included. Ms. Lawhorne told the PC the CBJ is forming a short-term rental task force with the goal of looking at short-term rentals and how they could be regulated.

Mr. Arndt suggested verbiage, “we would like to see even more emphasis placed on housing and the increasing number of housing units in the downtown core as part of this plan.”

Ms. Rintala suggested they make reference to page 159 of the draft plan as that includes specific action items for housing.

Ms. Keller suggested adding the phrase “year-round available housing” to discourage short-term housing. Mr. Arndt said we need all types of housing.

Motion to amend passed without objection

Amended motion passed on roll call with no objection

V. ADJOURNMENT–

Having no other business, the meeting adjourned at 6:59 PM.

Respectfully submitted by Kathleen Jorgensen Business Assists (907)723-6134 🖊️

DRAFT MINUTES

Agenda

Planning Commission

Regular Meeting

CITY AND BOROUGH OF JUNEAU

Mandy Cole, Chair

April 23, 2024

I. LAND ACKNOWLEDGEMENT – Read by Mr. Arndt

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II. ROLL CALL

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Commissioners present: Commissioners present in Chambers – Mandy Cole, Chair; Erik Pedersen, Vice Chair; Travis Arndt, Clerk; Matthew Bell, Deputy Clerk; Adam Brown; Nina Keller; David Epstein, Jessalynn Rintala, Lacey Derr

Commissioners present via video conferencing – None

Commissioners absent: None

Staff present: Jill Lawhorne, CDD Director; David Peterson, Planner II; Forrest Courtney, Planner II; Nicolette Chappell, CDD Administrative Coordinator; Lily Hagerup, CDD Administrative Assistant; Sherri Layne, Attorney III; Minta Montalbo, Senior Planner; Daniele Gaucher, Administrative Officer

Assembly members: Paul Kelly

III. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA - None

IV. APPROVAL OF MINUTES

A. January 9, 2024 Draft Minutes, Regular Planning Commission

MOTION: *by Mr. Epstein to approve the January 9, 2024, Planning Commission Regular Meeting minutes.*

The motion passed with no objection.

V. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION – by Chair Cole

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - None

VII. ITEMS FOR RECONSIDERATION - None

VIII. CONSENT AGENDA - None

IX. UNFINISHED BUSINESS - None

X. REGULAR AGENDA

SMF2024 0001: Applicant requests a final plat review for Lot 1, Unit Lot A, of Phase 1; Lot 2, and the first segment of Seymour Way. Unit Lot A is the location of a 24-unit multifamily building on approximately 0.23 acres at 7400 Glacier Highway in a D18 Zone.

Applicant: Glacier Heights LLC

Location: 7400 Seymour Way

Staff Recommendation

Staff recommends the Planning Commission adopt the Directors analysis and findings and Approve the Final Plat SMF2024-0001 with Conditions.

STAFF PRESENTATION – by Director Lawhorne

QUESTIONS FOR STAFF

Mr. Arndt asked whether there were two or three parent lots. Ms. Lawhorne said eventually there will be three parent lots.

Ms. Cole referred to the report of met and unmet issues in the table and asked if the conditions are sufficient to cover those. Ms. Lawhorne explained the unmet issues will be reviewed again by staff before the final plat will be recorded.

Mr. Arndt thought the bonding had to be in place before coming before the PC. Ms. Lawhorne said Chilkat Vista was a little different because of the way it was bonded.

APPLICANT PRESENTATION – Garrett Johnson, Glacier Heights LLC was present and available for commissioner questions.

COMMISSIONER QUESTIONS FOR STAFF

Mr. Arndt asked if the drawings in pages 21-23 constitute the plat. Ms. Lawhorne confirmed that is the case. The plat will be signed and sealed before it is finalized.

Mr. Pedersen asked if the applicant would have to come back before the PC if they wanted to change the phasing. Ms. Lawhorne said if it was a very minor modification, it would not need to. In most cases, however, it would come back to the PC.

MOTION: *by Mr. Arndt to accept staff's findings, analysis, and recommendations, and approve SMF2024 0001.*

The motion passed with no objection.

XI. OTHER BUSINESS - None

XII. STAFF REPORTS - Director Lawhorne reported:

- The Director thanked staff and other CBJ departments for their efforts with Blueprint. Specifically, she mentioned Beth McKibben, Alix Pierce, Scott Ciambor, Minta Montalbo, and Forrest Courtney and the Steering Committee.
- This is Lily Hagerup's last PC meeting.
- Next meeting May 14. There are multiple items scheduled to be on the consent agenda that evening.
- June 11 meeting is cancelled. The department will be implementing their new software that week.
- July 9 meeting may be cancelled.

XIII. COMMITTEE REPORTS

Mr. Epstein – PWFC – No report

Ms. Cole – Lands – They heard a housing update and Mr. Ciambor shared a link for more information at that meeting. The accessory grants are on hold currently.

XIV. LIAISON REPORTS – Assembly Member Kelly reported:

- There was a COW meeting and they discussed short term rental regulation.
- The Assembly has officially shelved plans to move the homeless campground to 100 Mill Street due to unforeseen expenses and because of upcoming construction to a neighboring lot. Instead, they will introduce an ordinance to allow establishment of a campground by resolution at any time. This will allow the assembly to act quickly.

XV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - None

XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS

Ms. Cole said she and Mr. Pedersen had discussed the making of motions and amendments to change conditions and findings and encouraged members to consider including one change in a motion rather than many changes. Otherwise, an entire motion might be voted down because of a single component. Ms. Layne added that the members could make an amendment to an amendment but should not go further than that before voting. Both encouraged members to plan out and consider motions and amendments ahead of time when possible.

XVII. EXECUTIVE SESSION - None

XVIII. ADJOURNMENT – 7:36 p.m.

Next Regular Meeting May 14, 2024 7:00 p.m.

Respectfully submitted by Kathleen Jorgensen Business Assists (907)723-6134 🇺🇸



PLANNING COMMISSION STAFF
PARKING WAIVER PWP2024 0001
HEARING DATE: MAY 14, 2024

(907) 586-0715

CDD_Admin@juneau.gov

www.juneau.org/community-development

155 Heritage Way • Juneau, AK 99801

DATE: May 6, 2024
TO: Mandy Cole, Chair, Planning Commission
BY: Ilsa Lund, Planner I *Ilsa Lund*
THROUGH: Jill Lawhorne, Director, AICP

PROPOSAL: Parking Waiver to waive one (1) required parking space for an accessory apartment.

STAFF RECOMMENDATION: Approval

KEY CONSIDERATIONS FOR REVIEW:

- The lot is located outside of the Town Center Parking Area (TCPA).
- The lot is unable to accommodate additional on-site parking.
- The applicants will designate one (1) existing on-site parking space for the accessory apartment.
- Public transportation is within a three (3)-minute walking distance.
- The proposal complies with adopted plans, which contain policies promoting in-fill housing development.

GENERAL INFORMATION	
Property Owner	Caitlin Stern; Jessica Barker
Applicant	Caitlin Stern; Jessica Barker
Property Address	114 Sixth Street
Legal Description	JUNEAU TOWNSITE BL 29 LT 2
Parcel Number	1C060A290030
Zoning	D18 (Multi-Family)
Land Use Designation	Medium Density Residential (MDR)
Lot Size	5,000 sq. ft.
Water/Sewer	City & Borough of Juneau
Access	Sixth Street
Existing Land Use	Residential
Associated Applications	USE2024 0005

ALTERNATIVE ACTIONS:

1. **Amend:** require additional conditions, or delete or modify the recommended conditions.
2. **Deny:** deny the permit and adopt new findings for items 1-6 below that support the denial.
3. **Continue:** to a future meeting 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 not required for this permit.

STANDARD OF REVIEW:

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
 - CBJ 49.40.210(d)(6)
 - CBJ 49.80

The Commission shall hear and decide the case per CBJ 49.40.210(d)(6) PARKING WAIVERS. The required number of non-accessible parking spaces required by this section may be reduced if the requirements of this subsection are met. The determination of whether these requirements are met, with or without conditions, deemed necessary for consistency with this title, shall be made by the director in the case of minor development; the commission in the case of major development; and the commission if the application relates to a series of applications for minor developments that, taken together, constitute major development. as determined by the director

SITE FEATURES AND ZONING



SURROUNDING ZONING AND LAND USES

North (D18)	Residential
South (MU)	Residential
East (D18)	Residential
West (D10)	Residential

SITE FEATURES

Anadromous	No
Flood Zone	No
Hazard	No
Hillside	Yes
Wetlands	No
Parking District	No
Historic District	No
Overlay Districts	Mining & Exploration Surface Activities Exclusion District; Urban/Rural Mining District; Downtown Juneau Alternative Development Overlay District

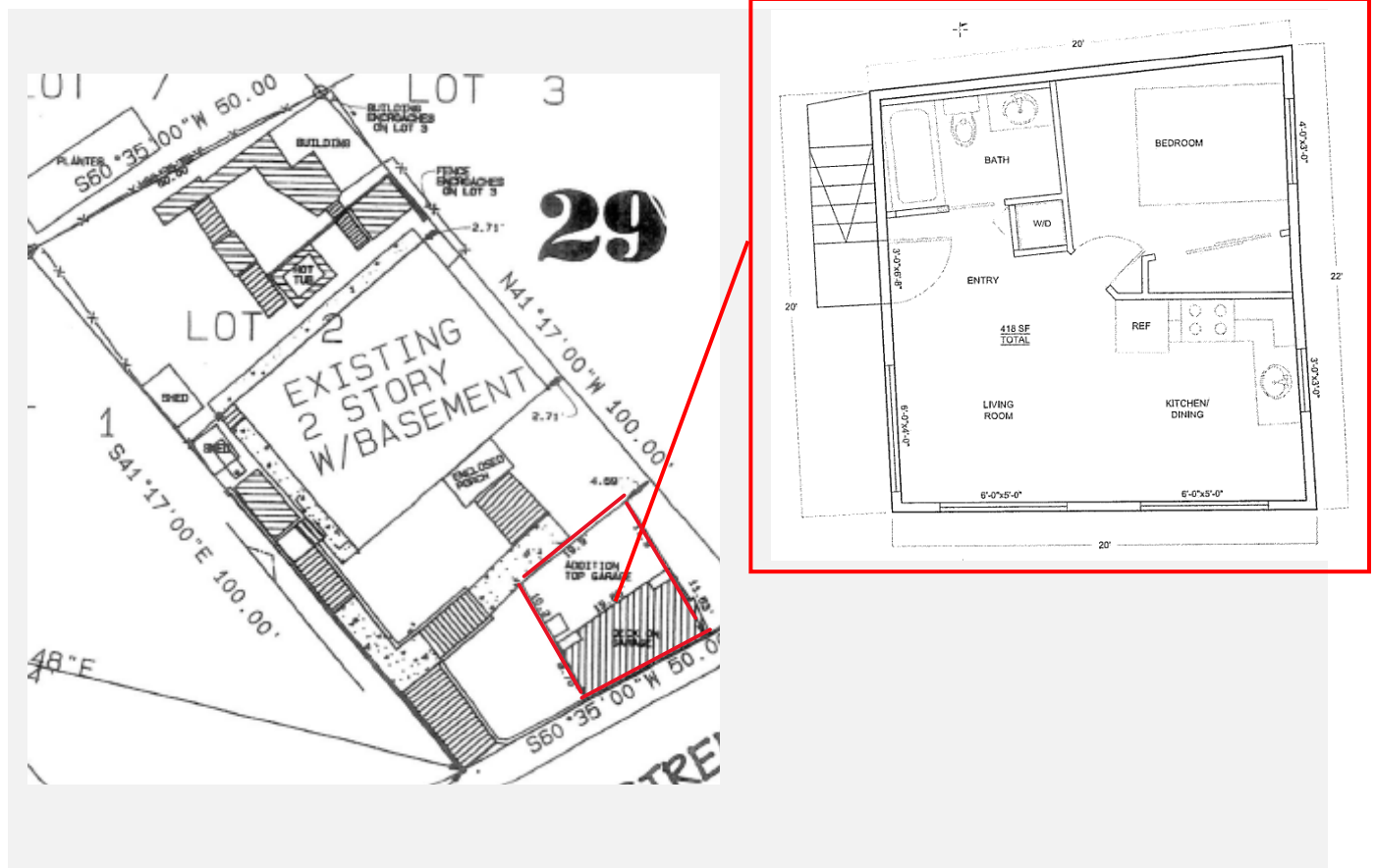
BACKGROUND INFORMATION

Project Description – The applicant requests a Parking Waiver to waive one (1) required parking space for an accessory apartment in a D18 zoning district (Attachment A). This application is associated with Conditional Use Permit application USE2024-0005. The accessory apartment will measure approximately 430 square feet and will be located on top of the existing garage that has been certified nonconforming for setbacks.

Background - The table below summarizes relevant history for the subject parcel and proposed development.

Year	Item	Summary
1914	Plat	Juneau Townsite plat of the original Block 29, Lot 2 (Attachment B).
1914	Assessor Record	Date that the structure was built (Attachment C).
1927	Sanborn Map	Shows the primary dwelling structure existed in its current footprint and location prior to zoning being adopted in Juneau (Attachment D).
2009	Building Permit	Detached greenhouse over garage (Attachment E).
2012	As-Built Survey	Shows footprints of existing structures (Attachment F).
2013	CUP	USE2013 0016 after-the-fact CUP for greenhouse over garage. Establishes that the garage was constructed in the 1950s, prior to zoning (Attachment G).
2021	NCC	Nonconforming certification (NCC2021 0065) for setbacks (Attachment H).
2021	Warranty Deed	Transfer of ownership from Putman-Homme to Stern-Baker (Attachment I).
2023	PAC Report	Preapplication conference report for accessory apartment over garage and parking waiver (Attachment A).

SITE PLAN



ANALYSIS

Project Site – The lot is located in the northern area of the Juneau Townsite historic district just off of Main Street and contains a two-story, single-family dwelling with a daylight basement built on a steep lot with a slope of approximately 31%. The 2-car garage is directly adjacent to the sidewalk on the southeast corner of the lot. The structures were built prior to zoning requirements and are certified nonconforming for setbacks (Attachment H).

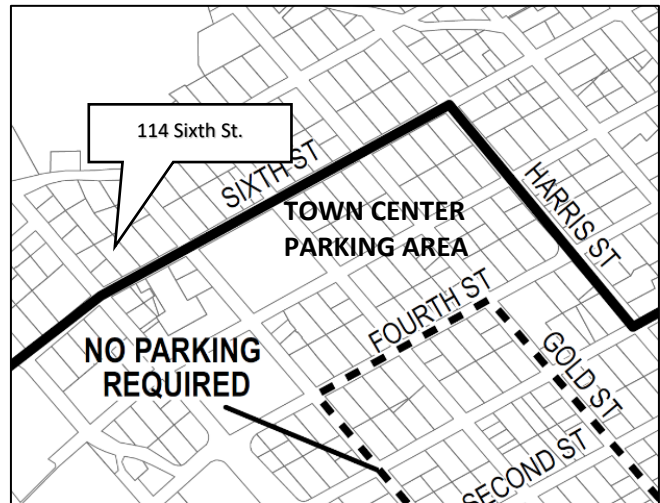
Project Design – The proposed one bedroom accessory apartment measures approximately 430 sq. ft. and will have one (1) bathroom, and a combined kitchen/living area. The accessory apartment will be located on top of the existing 2-car garage and will not aggravate the existing nonconforming yard setback situation. The preexisting greenhouse (Attachment E) will be removed and replaced with the accessory apartment.

Vehicle Parking & Circulation – Due to the steepness of the lot, the lot frontage is composed of the two-car garage, a four (4)-foot high retaining wall, and access stairway. These conditions prevent further off-street parking from being provided on-site. In the submitted project narrative (Attachment A), the applicants explain that one (1) of the parking spaces in the garage is not being used by the homeowners, and the extra parking space will be assigned to the tenant of the accessory apartment.

Condition: One (1) of the two (2) parking spaces in the garage must be designated solely for the occupant of the accessory apartment.

The lot is located outside of the Town Center Parking Area (TCPA), an area which does not require parking for accessory apartments.

Use	Total Sq. Ft.	Spaces Required	Total Spaces
Accessory Apartment	430	1	1
Total Parking Requirement:			1
Off-Street Loading Spaces Required:			0
ADA Accessible Spaces Required:			0



Impacts to Nearby On-street Parking – On-street parking is not allowed within certain segments of Sixth Street, including on the side of the street directly in front of the proposed AUD extending southwest to the intersection of Sixth Street and Main Street. On April 3, 2024, staff performed a site visit to evaluate on-street parking in the area and found multiple parking spaces available within a one block radius along Franklin Street and Seventh Street. Waiving one (1) off-street parking space should not have a significant impact on nearby on-street parking, especially if the tenant of the accessory apartment is designated a space within the on-site garage.

Non-motorized Transportation – The lot is within a ¼ mile walking distance from downtown. The Sixth Street Right-Of-Way is approximately 30 feet wide, with sidewalks provided on both sides of the street. The downtown area and surrounding neighborhoods are identified as a walkable area with provisions for pedestrians.

Proximity to Transit – The closest bus stop is within 700 feet on Fourth Street, an approximately three (3)-minute walking distance from the property. The 2013 Comprehensive Plan promotes *Transit Oriented Development*, and allows for higher residential densities within a five (5) to ten (10)-minute walking distance to Public Transit Service.

Public Health or Safety – There is no information to suggest that waiving one (1) parking space for the proposed development will materially endanger the public health, safety, or welfare.

Property Value or Neighborhood Harmony – There is no information to suggest that waiving one (1) parking space for the proposed development will negatively affect property value or be out of character with the existing neighborhood.

AGENCY REVIEW

CDD conducted an agency review comment period between April 2, 2024, and April 22, 2024. Agency review comments can be found in Attachment J.

Agency	Summary
CBJ Fire Department	No concerns.
CBJ Building Division	No comment submitted.
CBJ General Engineering	No comment submitted.

PUBLIC COMMENTS

CDD conducted a public comment period between April 5, 2024, and April 22, 2024. Public notice was mailed to property owners within 500 feet of the subject parcel (Attachment K). A public notice sign was also posted on-site two weeks prior to the scheduled hearing. No comments were submitted at the time of writing this report.

CONFORMITY WITH ADOPTED PLANS

The proposed development is in general conformity with the 2013 Comprehensive Plan, and the 2016 Housing Action Plan.

PLAN	Chapter	Page No.	Item	Summary
2013 Comprehensive Plan	3	20	Policy 3.2	Promotes compact urban development within the designated urban service area to ensure efficient utilization of land resources and to facilitate cost effective provisions of community services and facilities.
	4	37	Policy 4.2	Facilitates the provision of an adequate supply of various housing types and sizes to accommodate present and future housing needs for all economic groups.
	11	147	Land Use Designation	Complies with the <i>Medium Density Residential – Single Family</i> land use designation; this land use designation allows single-family dwellings with accessory apartments.

FINDINGS

Parking Waiver Criteria - Per CBJ 49.40.210(d)(6)(1-4) the Director makes the following findings on the proposed parking waiver:

1. *Will granting the waiver result in more benefits than detriments to the community as a whole as identified by the Comprehensive Plan?*

Analysis: The 2013 Comprehensive Plan identifies the need for compact, in-fill development within the urban service area. The proposal will provide one additional dwelling unit to Juneau's housing market. The Comprehensive Plan promotes *Transit Oriented Development*, and this proposal could encourage the use of public transportation.

Finding: Yes. Granting the requested parking waiver will result in more benefits than detriments to the community as a whole, as identified in the 2013 Comprehensive Plan.

2. *Is the development located within the Town Center Parking Area or the No Parking Area Required?*

Analysis: No further analysis is required.

Finding: Yes. The subject lot is located outside of the Town Center Parking Area.

3. *Will granting the waiver result in adverse impacts to property in the neighboring area?*

Analysis: Available on-street parking spaces that meet parking dimensional standards are located within a 500 foot radius from the property. Public transportation is located within a ¼ mile walking distance from the property.

Finding: No. There is no evidence to suggest that with appropriate conditions, granting the requested waiver will result in adverse impacts to neighboring properties.

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

Analysis: No further analysis needed.

Finding: No. There is no evidence to suggest that granting the requested waiver will materially endanger the public health or safety.

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested parking waiver. The permit would waive one (1) parking space for the proposed accessory apartment.

The approval is subject to the following conditions:

1. One (1) of the two (2) parking spaces in the garage must be designated solely for the occupant of the accessory apartment.

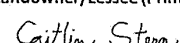
STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	1914 Plat
Attachment C	Assessor's Records
Attachment D	1927 Sanborn Map
Attachment E	2009 Building Permit for Greenhouse Over Garage
Attachment F	2012 As-built Survey
Attachment G	Excerpts from USE2013 0016
Attachment H	Excerpts from NCC2021 0065
Attachment I	2021 Warranty Deed
Attachment J	Agency Comments
Attachment K	Abutters Notice and Public Notice Sign Photo



DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications. This form and all documents associated with it are public record once submitted.

To be completed by Applicant	PROPERTY LOCATION		
	Physical Address 114 6th St, Juneau, AK 99801		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) Lot 2, Block 29, Juneau Townsite		
	Parcel Number(s) 1C060A290030		
	☐ This property is located in the downtown historic district ☐ This property is located in a mapped hazard area, if so, which _____		
	LANDOWNER/ LESSEE		
	Property Owner	Contact Person	
	Jessica Barker & Caitlin Stern	Jessica Barker	
	Mailing Address	114 6th St, Juneau, AK 99801	Phone Number(s)
	E-mail Address	jessiebarker@gmail.com, caitlin.stern@gmail.com	907-419-0663 907-713-7458
LANDOWNER/ LESSEE CONSENT			
Required for Planning Permits, not needed on Building/ Engineering Permits.			
Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.			
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 the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.			
Jessica Barker Landowner Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee)			
X  30 Jan 2024 Landowner/Lessee (Signature) Date			
Caitlin Stern Landowner Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee)			
X  30 Jan 2024 Landowner/Lessee (Signature) Date			
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.			
APPLICANT			
If same as LANDOWNER, write "SAME"			
Applicant (Printed Name)	Contact Person		
SAME			
Mailing Address	Phone Number(s)		
E-mail Address			
X _____ Applicant's Signature Date of Application			

DEPARTMENT USE ONLY BELOW THIS LINE

Intake Initials

TC

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Case Number	Date Received
PWP24-001	2/13/24



PARKING WAIVER 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.

To be completed by Applicant	PROJECT SUMMARY Construct 430 sq ft accessory dwelling unit on top of existing garage.
	TYPE OF PARKING WAIVER REQUESTED (check one) MINOR DEVELOPMENT ☒ Parking Waiver Departmental Review (PWD) MAJOR DEVELOPMENT ☐ Parking Waiver Planning Commission Review (PWP)
	DEVELOPMENT FOR WHICH THE PARKING IS REQUIRED (check one) ☐ Existing ☒ Proposed – Related Case Number: _____
	NUMBER OF REQUIRED PARKING SPACES PER CBJ 49.40.210(A) ☒ For Residential Uses: <u>3</u> spaces ☐ For Non-Residential Uses: _____ spaces
	NUMBER OF PARKING SPACES THAT WILL BE PROVIDED ☒ For Residential Uses: <u>2</u> spaces ☐ For Non-Residential Uses: _____ spaces
	ALL REQUIRED MATERIALS ATTACHED ☒ Complete application per CBJ 49.15 and CBJ 49.40.210(d)(6) ☒ Narrative including: ☒ Why the parking waiver is being requested? ☒ How the requested waiver meets items 1-4 on page 2

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

PARKING WAIVER FEES			
Residential Spaces	_____	Non-Residential Spaces	_____
Residential Fee	\$ _____	Non-Residential Fee	\$ _____
Total Residential	\$ _____	Total Non-Residential	\$ _____
Total Fee		\$ <u>320.00</u>	

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.

Case Number	Date Received
PWP24-001	2/13/24

Parking Waiver Information

Parking waivers are outlined in CBJ 49.40.210(d)(6)

Parking Waivers are pursuant to 49.40.210(d) Exceptions (6) Parking Waivers. The required number of non-accessible parking spaces required by this section may be reduced if the requirements of this subsection are met. The determination of whether these requirements are met, with or without conditions, deemed necessary for consistency with this title, shall be made by the Director of the Community Development Department in the case of minor development; the Planning Commission in the case of major development; and the Planning Commission if the application relates to a series of applications for minor developments that, taken together, constitute major development, as determined by the director.

Any waiver granted under this subsection shall be in writing and shall include the following required findings and any conditions, such as public amenities, imposed by the director or commission that are consistent with the purpose of this title:

- (1) The granting of the waiver would result in more benefits than detriments to the community as a whole as identified by the comprehensive plan;
 - (2) The development is located outside of the PD-1 parking district, PD-2 parking district, and Downtown Fee in Lieu of Parking District Map areas;
 - (3) Granting the waiver will not result in adverse impacts to property in the neighboring area; and
 - (4) The waiver will not materially endanger public health, safety, or welfare.
- Applications for parking waivers shall be on a form specified by the director and shall be accompanied by a one-time fee of \$400. If the application is filed in conjunction with a major development permit, the fee shall be reduced by 20 percent.
 - The director shall mail notice of any complete parking waiver application to the owners of record of all property located within a 250 foot radius of the site seeking the waiver. If the parking waiver application is filed in conjunction with a major development permit, notice of both applications shall be made concurrently in accordance with CBJ 49.15.230.

Approved parking waivers shall expire upon a change in use.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Allowable/conditional use permit application

The current use of the land/building is a “greenhouse” on top of the existing garage. This was constructed by the previous property owners, and consists of a single room with electric heating plus a deck with wooden siding. The greenhouse is not used by the current property owners due to rot in the floor and a lack of plumbing.

This application is to remove the greenhouse and construct an accessory dwelling unit in the same space, with heating and plumbing. It would be a standalone unit with a kitchen and bathroom, suitable for long-term rental. This proposed use complies with the Comprehensive Plan.

Parking waiver application

We request a parking waiver for the 430 sq ft accessory dwelling unit being proposed at 114 6th St downtown. The property currently has 2 parking spaces, of which we (the property owners) only use 1. In fact we are currently letting this second space to our neighbors at 128 6th St. These tenants also do not use the space to park a vehicle. This means that there is currently an available parking space that we would assign to the ADU. Using this space would result in more benefits and fewer detriments to the community and neighboring area than using up more land to create an extra parking space.

The above paragraph demonstrates how the proposed waiver meets items 1, 3 and 4 of the Parking Waiver Application. Regarding item 2, the development is located outside of the PD-1 parking district, PD-2 parking district, and Downtown Fee in Lieu of Parking District Map areas.

Landowners:

Jessica Barker
jessiebarker@gmail.com
907-419-0663

Caitlin Stern
caitlin.stern@gmail.com
907-713-7458



(907) 586-0715
 CDD_Admin@juneau.gov
www.juneau.org/community-development
 155 Heritage Way • Juneau, AK 99801

Stern / Barker Accessory Apartment Conditional Use Permit and Parking Waiver

Case Number: PAC2023 0052
 Applicant: Kara Sepel
 Property Owner: Caitlin Stern and Jessica Barker
 Property Address: 114 Sixth Street
 Parcel Code Number: 1C060A290030
 Site Size: 4,893 square feet
 Zoning: D18 (Multi-Family Residential)
 Existing Land Use: Residential

Conference Date: November 29, 2023

Report Issued: 12/12/2023

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
Caitlin Stern	Applicant	Caitlin.stern@gmail.com
Jessie Barker	Applicant	jessiebarker@gmail.com
Kara Sepel	Applicant	Karasepel.interiordesign@gmail.com
Jennifer Shields	Planning	Jennifer.Shields@juneau.gov
Charlie Ford	Building	Charlie.Ford@juneau.gov
David Sevdy	Permit Tech	David.Sevdy@juneau.gov

Revised 5/07/2021

i:\documents\cases\2023\pac\pac23-052 114 sixth st accesory apartment\pac23-52 report draft1.doc

Pre-Application Conference Final Report

Conference Summary

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.

Project Overview

The lot currently contains a single-family dwelling, a detached, 2-story accessory structure in the front (lower-level 400 square foot garage and 200 square foot upper-level greenhouse), and a detached accessory structure (sauna) in the rear. The applicant would like to **convert and expand** the upper-level greenhouse into an approximately 400 square foot accessory apartment, matching the existing size of the lower-level garage.

Planning Division

1. **Zoning** – The property is zoned D18 (Multi-Family Residential) and is located within the Alternative Development Overlay District (ADOD). The lot is 5,000 square feet and meets the D18 zoning district minimum lot size requirement of 5,000 square feet.
2. **Table of Permissible Uses – Proposed:** USE 1.130, Single-Family Detached with an Accessory Apartment.
 Per CBJ 49.25.510(k)(2)(G)(i): *“Multifamily dwelling and accessory apartment approval. Unless authorized by this section, an accessory apartment is prohibited in multifamily, commercial, and mixed-use zoning districts. The Director may approve a 49.25.300.1.300 accessory apartment application if all the requirements of this section and the following are met: (a) The application is for an efficiency, or one-bedroom unit that does not exceed 600 square feet in net floor area, is on a lot that exceeds the minimum lot size, and the primary use of the lot is a single-family dwelling.”*
3. **Subdivision** – N/A
4. **Setbacks** –
 - D18 setbacks: Front – 20 feet; Rear – 10 feet; Sides – 5 feet.
 - ADOD setbacks: All sides, 3 feet.
 - Nonconforming Structures per NCC2021-0065:
 - Zero-foot front yard setback for the garage
 - 4.69-foot east side yard setback for the garage
 - 2.71-foot east side yard setback for the dwelling
 - Additional Stories:
 - Per CBJ 49.25.430(4)M: *“Additional stories. The Commission, through the Conditional Use Permit process, may allow the addition of a second or third story atop or below an existing enclosed structure which projects into a required yard setback if the structure is either nonconforming or if a variance was previously granted for the structure. The commission may deny such request if it finds that the structure, with the addition, would result in excessive blockage of views, excessive restriction of light and air, or other deleterious impacts.”*
 - Per USE2013-0016, an after-the-fact Conditional Use Permit was approved for a 200 square foot greenhouse that encroached *10 feet 3 inches into the 20-foot front yard setback* (correct measurements) and 3 inches into the 5-foot side yard setback.
 - The proposed accessory structure would be 400 square feet and encroach 20-feet into the 20-foot front yard setback and 3 inches into the 5-foot side yard setback, doubling both the size and setback encroachment of the upper-level.
 - **A new Conditional Use Permit Application is required (see attached code and applications).**
5. **Height** – Maximum height allowed for an accessory structure in the D18 zoning district is 25 feet.

Pre-Application Conference Final Report

6. **Access – Sixth Street.**
7. **Parking & Circulation –** CBJ 49.40.210 requires two off-street parking spaces for a single-family dwelling unit. Back-out parking may be allowed in residential zoning districts per 49.40.230(b)(7)(A). The existing garage includes two off-street parking spaces.

An accessory apartment would require one additional parking space on the property. Since topography is likely a constraint, per CBJ 49.40.220, a Parking Waiver Application for the addition of an accessory apartment will be required (see attached code and applications).
8. **Lot Coverage –** Maximum of 50% allowed. Per NCC2021-0065, existing lot coverage is 37%. The proposed upper-level accessory apartment would not increase lot coverage.
9. **Vegetative Coverage –** Minimum of 30% required. Per NCC2021-0065, existing vegetative cover is 32%. The proposed upper-level accessory apartment would not decrease vegetative cover.
10. **Lighting –** Exterior lighting shall be designed and located to minimize off-site glare.
11. **Noise –** N/A
12. **Flood –** N/A
13. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement –** A Hillside Endorsement may be required prior to issuance of a Building Permit for the proposed accessory apartment if construction involves excavation of any slope in excess of 18% or the creation of a new slope in excess of 18% for a vertical distance of at least 5 feet.
14. **Wetlands –** N/A
15. **Habitat –** No anadromous waterbodies are on the subject parcel, or within 50 feet.
16. **Plat or Covenant Restrictions –** N/A
17. **Traffic –** N/A
18. **Nonconforming situations –** A Nonconforming Certificate (NCC2021-0065) for the property was issued on September 3, 2021.

Building Division

19. **Building –** Building staff will comment during the plan review for a building permit.
20. **Outstanding Permits –** BLD2009-00103 – Construction of a detached green house. Modified 5/29/2012 for structural changes to roof

General Engineering/Public Works

21. **Engineering –** N/A
22. **Drainage –** N/A
23. **Utilities –** (water, power, sewer, etc.) Additional dwelling units may trigger additional utility assessment or requirement for water meter installation. General Engineering will review during building permit application and review.

Fire Marshal

24. **Fire Items/Access –** N/A

Other Applicable Agency Review

25. **N/A**

Pre-Application Conference Final Report

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 (one for each of the applications listed below)
2. Conditional Use Permit Application
3. Parking Waiver Application (submit concurrently with the Conditional Use Permit Application)

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.

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. N/A

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. Development Permit Application: N/A
2. Conditional Use Permit (USE): \$350
3. Public Notice Sign: \$150 (with \$100 refundable if the sign is returned by the Monday after the Planning Commission meeting).
4. Parking Waiver (PWP): \$320 (reduced due to major development)

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:

Pre-Application Conference Final Report

CBJ 49.15.330 Conditional Use Permits
CBJ 49.40.220 Parking Waivers
Development Permit Application (DPA)
Conditional Use Permit Application (USE)
Parking Waiver Application (PWP)

MAP OF JUNEAU ALASKA

1914



WETTRICK and WILHELM
Civil and Mining Engineers



Attachment B - 1914 Plat



Assessor's Data Page

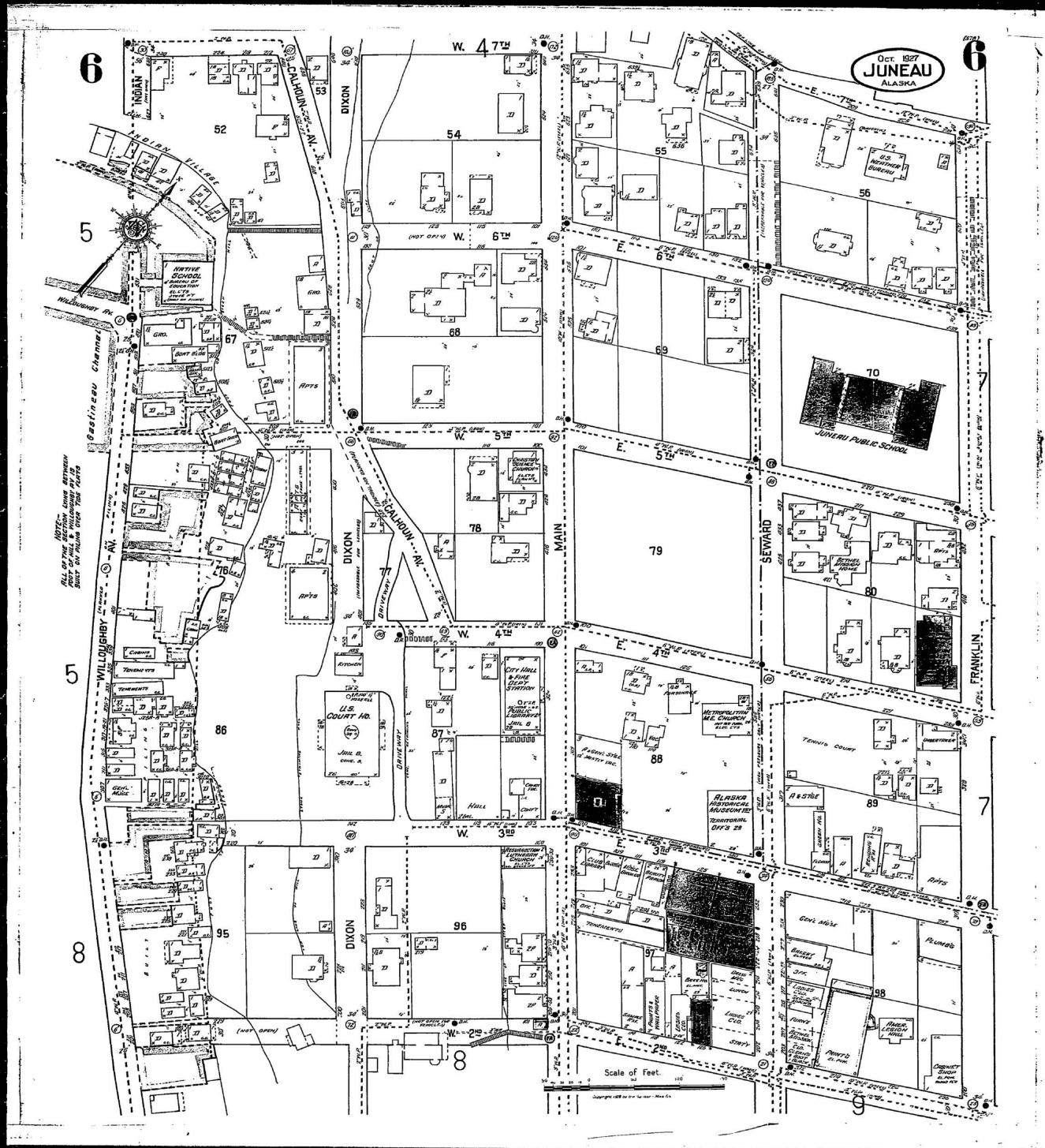
Current Owner

CAITLIN STERN & JESSICA BARKER
114 SIXTH ST, JUNEAU AK 99801

Parcel #: 1C060A290030 (Map)	Address: 114 SIXTH ST	Legal Desc. 1: JUNEAU TOWNSITE BL 29 LT 2	Legal Desc. 2:
Prev. Owner: VANCE F PUTMAN	Site Value: \$163500.00	Building PV: \$526900.00	Total PV: \$690400.00
Use Code: Residential	Exempt: No data	Zoning: -M lti-Family-5,000 sq.ft. minimum lot size -18 nit per acre	Tax Year: 2024
No. of Units: 001	Year Built: 1914	Lot Size: 4893.00'	Gross Liv. Area: 001922 sqft
Garage: No	Garage Area: 000000'	Exempt Total: 0	Last Trans: 20211015
City Water: Yes	City Sewer: Yes		Road/No Road: Road
Exempt Land: 0	Exempt Building: 0		

Search the Data Page

Search the data page using the search box below. The field accepts any search parameter (owner's name, address, parcel number, year built, etc.).



The Sanborn Library, LLC

This Sanborn® Map is a certified copy produced by Environmental Data Resources, Inc. under arrangement with The Sanborn Library, LLC. Information on this Sanborn® Map is derived from Sanborn field surveys conducted in:

Copyright © 1927 The Sanborn Library, LLC AMV
Year EDR Research Associate

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BUILDING PERMIT

 Permit No.
BLD2009-00103

*NOTE: "Building Permit" is a generic term which includes Building Safety Inspection, Grading Permits, and permits for Electrical, Plumbing and Mechanical work.

Your special attention is called to the following:

This permit is granted on the express conditions that the construction shall, in all respects, conform to the ordinances of the City and Borough of Juneau. It may be revoked at any time upon violation of any of said ordinances.

The granting of this permit does not authorize the violation of any federal, state or local law regulating construction for the violation of the terms of any deed or covenant or any zoning or other regulation.

If plan review was required, this permit must be attached to the approved drawings. The permit, plans and record of inspections must be available on site at all times while the construction is in progress and before final inspection.

The yellow posting notice must be prominently displayed to show a permit has been issued and to assist the inspectors in location of the project. This permit becomes null and void if work or construction authorized is not commenced within one year or if work or construction is suspended or abandoned for a period of one year at any time after work has commenced.

Note: City Ordinances REQUIRE a Final Inspection be approved for every Building Permit.

Inspections

Inspections can be arranged by telephoning 586-1703 or by written or faxed notification.

The Online Building Inspection Request Form is at: www.juneau.org/permits/inspect_request.php.

Work shall not proceed until the inspector has approved the various stages of construction. An approved Final Inspection is required.

Call before 7:30 AM for same day inspections.

Please provide the following information: 1 Permit Number, 2 Address, 3 Type of Inspection, 4 Date and Time and 5 Contact Name and Phone Number.

Job Address: 114 SIXTH ST	Issued Date: 06/07/2012
Permit Number: BLD2009-00103	Parcel No: 1C060A290030
Project Description: Construction of a detached greenhouse. Modified 05/29/2012 for structural changes to roof.	

Parcel Information : JUNEAU TOWNSITE BL 29 LT 2

Setbacks:	Zone: D18;	Firm Zone: C
Front: 10.00 Ft. SE	Side 1: 5.00 Ft. NE	
Rear: 10.00 Ft. NW	Side 2: 5.00 Ft. NW	
Street Side:		
Comments: Front lot line is interior edge of sidewalk. Front yard setback reduced to 10 ft per CBJ 49.25.430(4)(K). OK		

Owner: VANCE F PUTMAN KIMBERLY A HOMME PO BOX 020473 JUNEAU AK 99802-0473	Applicant: FATE PUTMAN PO BOX 020473 JUNEAU AK 99802
---	---

Fee Type	Date	Receipt	Amount Paid	Valuation for Permit Fee Calculations:	
				S.F.	Type
BLD- Bldg Permit Fee	03/18/2009	10000	\$40.92		
BLD- Res Plan Review	03/18/2009	10000	\$20.46		
BLD- Addl Plan Review Fee	06/07/2012	00176	\$27.00		
Total Fees Paid:			\$88.38		
				Rate	Amount
				0.00	
					1,238.40
				Total Valuation:	\$1,238.40

Project Conditions and Holds:

Custom Condition no holds or warn - Framing and anchoring of structure must be per approved engineered plans, any changes or modification to plans must be approved by project engineer in writing.

Asbuilt Survey Required - Asbuilt Survey Required before final inspection approval.

Foundation Setback Verification - Foundation Setback Verification (yellow form) must be on site when pour inspection or placement of other foundation systems occurs.

Approved Plans On Site - CBJ approved plans must be on site and available to the inspector. Inspections will not be performed and additional fees may apply if approved plans are not available to the inspectors.

Inspections Required: Call for inspection before covering or concealing any of the work described below. Inspections may be combined.

B-Setback Verification	B-Foundation, Forms and Reinforcing Steel	B-Framing
B-Rough Electrical	B-Building Final	E-Grading/Drainage

JUNEAU PERMIT CENTER - 230 S. Franklin Street - 4th Floor, Marine View Center - Mail: 155 S. Seward Street, Juneau, AK 99801
 Phone: 586-0770 - FAX: 586-3365 - Inspection Requests: 586-1703 - Email: permits@ci.juneau.ak.us
 Web Site: www.juneau.org/permits

Staff Review Sheet

Section H, Item 4.

Permit Intake Initials: FE

FIRE ZONE ENG WAT SEW ARCH STRUC PLUM MECH ELEC ACCESS SPEC/NSP

5/29/2012

Case No: **BLD2009-00103**

Site Address: 114 SIXTH ST

Parcel No: 1C060A290030

Desc: Construction of a detached greenhouse. Modified 05/29/2012 for structural changes to roof.

Residential Singl New Dwelling Units: 0
 FCC Code: 438 Existing Dwelling Units: 1
 Type of Construction: Occupancy Class: U
 Sprinkler Substitute for Type A Construction: YES NO
 Sprinkler System: FULL PARTIAL NONE Required: YES NO
 Alarm System: FULL PARTIAL NONE Required: YES NO
 Code Edition: 2006 IRC Code Review by: MES Date: 6-5-12

Valuation for Permit Fee Calculations:

S.F.	Type	Rate	Amount
		0.00	
			1,238.40
Total Valuation:			\$1,238.40

LAND USE
 ZONE/UNITS D18 / 1
 WETLAND
 FLOOD ELEV
 FIRM ZONE C
 FIRM MAP 700 B
 LOT SIZE 4,893 SF
0.1 ACRES
 SETBACKS
 Front 10 SE
 Rear 10 NW
 Side 5 NE
 Other
 PARKING
 ANADROMOUS
 EAGLES NEST

ENGINEERING/PUB WORKS

Dwelling Units:
 CITY WATER:
 Permit #:
 Use:
 Assessment:
 Service Size:
 Line Size:
 CITY SEWER:
 Permit #:
 Use:
 Assessment:
 Fixture Units:

PLAN REVIEW APPROVALS

Initials Date
 Fire
 Zoning BF 5/30/12
 Engineering
 Water
 Sewer
 Architectural MES 6-5-12
 Structural MES 6-5-12
 Plumbing
 Mechanical
 Electrical
 Access
 Spcl Insp Form

PERMIT ISSUANCE FEES

Grading Plan Review Fee	\$	
Adjusted Plan Review Fee	\$	
Fast Track Fee	\$	
Early Start Fee	\$	
Building Permit Fee	\$	
Water Assessment Fee	\$	
Sewer Assessment Fee	\$	
Sewer Inspection Fee	\$	
Grading Permit Fee	\$	
Driveway Permit Fee	\$	
Bond for	\$	
Other	\$	
Total Issuance Fees	\$	

LAND USE PERMITS

WATER CONNECTION PERMITS

I hereby acknowledge receipt of
 a inch meter yoke.
 X
 Date

APPROVED FOR ISSUANCE

 Signature
6-5-12
 Date

PERMIT ISSUANCE PAYMENTS

Date	Receipt	Check	Amount
			\$
			\$
			\$

Parcel Tags:

CONDITIONS AND HOLDS ON PERMIT: (Continued on back of sheet)

Continue zoning conditions from previous Building permit BLD09-12



Application Date: March 18, 2009

BUILDING PERMIT APPLICATION

NOTE: THIS IS NOT A BUILDING PERMIT

* NOTE: "Building Permit" is a generic term which includes Building Safety Inspections, Grading Permits, and permits for Electrical, Plumbing and Mechanical work.

Case No: **BLD2009-00103**

Case Description: Construction of a detached greenhouse. Modified 05/29/2012 for structural changes to roof.

Site Address: **114 SIXTH ST**Check No. of Existing Dwelling Units: **1**Parcel No: **1C060A290030**No. of New Dwelling Units: **0**

Legal Description: JUNEAU TOWNSITE BL 29 LT 2

No. of Removed Dwelling Units:

Applicant : FATE PUTMAN
PO BOX 020473
JUNEAU AK 99802

PH1

586-2761

Owner: VANCE F. PUTMAN
KIMBERLY A HOMME
PO BOX 020473
JUNEAU AK 99802-0473

Contractor: OWNER/BUILDER

PH: _____ FAX: _____

Valuation for Permit Fee Calculations:

S.F. Type

Rate

Amount

0.00

1,238.40

Total Valuation:

\$1,238.40

Associated Cases:

None.

Parcel Tags:

Notes and Conditions:

Framing and anchoring of structure must be per approved engineered plans, any changes or modification to plans must be approved by project engineer in writing.

Asbuilt Survey Required before final inspection approval.

Foundation Setback Verification (yellow form) must be on site when pour inspection or placement of other foundation systems occurs.

Applicant's Signature

(Owner, Contractor or Authorized Agent)

Date

Staff Acceptance

I hereby certify that I have read and examined this application and know the same to be true and correct. I further certify that all provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. I understand that the granting of a permit does not presume to give authority to violate or cancel the provisions of any other federal, state or local law regulating construction or the performance of construction.

JUNEAU PERMIT CENTER - 230 S. Franklin Street - 4th Floor, Marine View Center - Mail: 155 S. Seward Street, Juneau, AK 99801

Phone: 586-0770 - FAX: 586-3365 - Inspection Requests: 586-1703 - Email: permits@ci.juneau.ak.us

Web Page: HTTP://WWW.JUNEAU.ORG/PERMITS



BUILDING PERMIT

Permit No.
BLD2009-00103
Proj #: BLD2009-00103

* NOTE: "Building Permit" is a generic term which includes Building Safety Inspection, Grading Permits, and permits for Electrical, Plumbing and Mechanical work.

Your special attention is called to the following:

This permit is granted on the express conditions that the construction shall, in all respects, conform to the ordinances of the City and Borough of Juneau. It may be revoked at any time upon violation of any of said ordinances.

The granting of this permit does not authorize the violation of any federal, state or local law regulating construction for the violation of the terms of any deed or covenant or any zoning or other regulation.

If plan review was required, this permit must be attached to the approved drawings. The permit, plans and record of inspections must be available on site at all times while the construction is in progress and before final inspection.

The yellow posting notice must be prominently displayed to show a permit has been issued and to assist the inspectors in location of the project. This permit becomes null and void if work or construction authorized is not commenced within one year or if work or construction is suspended or abandoned for a period of one year at any time after work has commenced.

Note: City Ordinances REQUIRE a Final Inspection be approved for every Building Permit.

Inspections

Inspections can be arranged by telephoning 586-1703 or by written or faxed notification.

The Online Building Inspection Request Form is at: www.juneau.org/permits/inspect_request.php.

Work shall not proceed until the inspector has approved the various stages of construction. An approved Final Inspection is required.

Call before 7:30 AM for same day inspections.

Please provide the following information: 1 Permit Number, 2 Address, 3 Type of Inspection, 4 Date and Time and: 5 Contact Name and Phone Number.

Job Address: 114 SIXTH ST		Issued Date: 4/3/2009																							
Permit Number: BLD2009-00103	PUTNAM GREENHOUSE		Parcel No: 1C060A290030																						
Project Description: Construction of a detached greenhouse.																									
Parcel Identification: JUNEAU TOWNSITE BL 29 LT 2																									
Setbacks: Zone: D18 Firm Zone: C Front: 10 Ft. SE Side 1: 5 Ft. NE Rear: 10 Ft. NW Side 2: 5 Ft. NW Comments: Front lot line is interior edge of sidewalk. Front yard setback reduced to 10 ft per CBJ 49.25.430(4)(k), OK																									
Owner: VANCE F PUTMAN Address: City: JUNEAU, AK 99802		Applicant: FATE PUTMAN Address: PO BOX 20473 City: JUNEAU, AK 99802																							
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Fee Type</th> <th>Date</th> <th>Receipt</th> <th>Amount Paid</th> </tr> </thead> <tbody> <tr> <td>1 Permit Fee</td> <td>3/18/2009</td> <td>27331</td> <td>40.92</td> </tr> <tr> <td>1 Residential Plan Review</td> <td>3/18/2009</td> <td>27331</td> <td>20.46</td> </tr> <tr> <td colspan="3" style="text-align: right;">Total Fees Paid:</td> <td>61.38</td> </tr> </tbody> </table>		Fee Type	Date	Receipt	Amount Paid	1 Permit Fee	3/18/2009	27331	40.92	1 Residential Plan Review	3/18/2009	27331	20.46	Total Fees Paid:			61.38	Valuation for Permit Fee Calculations: <table style="width: 100%;"> <tr> <td style="width: 60%;">BUILDING PERMIT</td> <td style="width: 20%;">UTIL - Greenhouse</td> <td style="width: 20%; text-align: right;">1,238.40</td> </tr> <tr> <td colspan="2" style="text-align: right;">Total Valuation:</td> <td style="text-align: right;">1,238.40</td> </tr> </table>		BUILDING PERMIT	UTIL - Greenhouse	1,238.40	Total Valuation:		1,238.40
Fee Type	Date	Receipt	Amount Paid																						
1 Permit Fee	3/18/2009	27331	40.92																						
1 Residential Plan Review	3/18/2009	27331	20.46																						
Total Fees Paid:			61.38																						
BUILDING PERMIT	UTIL - Greenhouse	1,238.40																							
Total Valuation:		1,238.40																							
Project Conditions and Holds: 1 Asbuilt Survey Required before final inspection approval. 2 Foundation Setback Verification (yellow form) must be on site when pour inspection or placement of other foundation systems occurs. 3 Framing and anchoring of structure must be per approved engineered plans, any changes or modification to plans must be approved by project engineer in writing.																									
Inspections Required: Call for inspection before covering or concealing any of the work described below. Inspections may be combined.																									
100 Insp - Setbacks	105 Foundation Setback form	115 Insp - Stemwalls/Form/Rebar																							
140 Insp - Rough Framing	150 Insp - Rough Electrical	260 Insp - Grading/Drainage																							
800 Insp - Residential Final																									

Staff Review Sheet

Permit Intake Initials: *UHF*

FIRE ZONE ENG WAT SEW ARCH STRUC PLUM MECH ELEC ACCESS SPEC/INSP

3/18/2009

Project Name: **PUTNAM GREENHOUSE**Case No: **BLD2009-00103**Site Address: **114 SIXTH ST**Parcel No: **1C060A290030**

Desc: Construction of a greenhouse.

Residential ADD SF New Dwelling Units: 0
 FCC Code: 438 Existing Dwelling Units: 1
 Type of Construction: _____ Occupancy Class: U
 Sprinkler Substitute for Type A Construction: YES NO
 Sprinkler System: FULL PARTIAL NONE Required: YES NO
 Alarm System: FULL PARTIAL NONE Required: YES NO
 Code Edition: 2003 BCL/700 Code Review by: TBS Date: 4/3/09

Fees Assessed at Application:

Fee Type	Amount
1 Permit Fee	40.92
1 Residential Plan Review	20.46
Total Fees:	61.38

Valuation at Application:

S.F.	Type	Rate	Amount
120	UTIL - Greenhouse	10.32	1,238.40
Total Valuation:			1,238.40

Fees Paid at Application:

Date Paid	Receipt	Check	Paid
3/18/2009	27331	281	61.38
1 Permit Fee			40.92
1 Residential Plan Review			20.46
Total Fees Paid:			61.38

LAND USE

ZONE/UNITS D18/1
 WETLAND Unknown
 FLOOD ELEV _____
 FIRM ZONE C
 FIRM MAP _____
 LOT SIZE 4,893 SF
0.1 ACRES

SETBACKS

Front 20' 10"
 Rear 10
 Side 5
 Other 5

PARKING

2

ANADROMOUS

✓

EAGLES NEST

✓

ENGINEERING/PUB WORKS

CITY WATER Units: _____
 Case No: _____
 Service Size: _____
 Fire Line Size: _____
 Metered: _____
 Extended Pmt #: _____
 CITY SEWER Units: _____
 Case No: _____
 Bond Case No: _____
 Other Case No: _____
 ADEC Sewer No: _____

WATER CONNECTION PERMITS

I hereby acknowledge receipt of
 a _____ inch meter yoke.

X _____

Date _____

PLAN REVIEW APPROVALS

	Initials	Date
Fire		
X Zoning	<u>ESC</u>	<u>3/23/09</u>
X Engineering	<u>MGM</u>	<u>3/20/09</u>
Water		
Sewer		
X Architectural	<u>SS</u>	<u>4/3/09</u>
X Structural	<u>SS</u>	<u>4/3/09</u>
Plumbing		
Mechanical		
Electrical		
Access		
Spcl Insp Form		

APPROVED FOR ISSUANCE

Signature

 Signature: _____
 Date: 4/3/09

PERMIT ISSUANCE FEES

Grading Plan Review Fee	\$
Adjusted Plan Review Fee	\$
Fast Track Fee	\$
Early Start Fee	\$
Building Permit Fee	\$
Water Assessment Fee	\$
Sewer Assessment Fee	\$
Sewer Inspection Fee	\$
Grading Permit Fee	\$
Driveway Permit Fee	\$
Bond for	\$
Other	\$
Total Issuance Fees	\$

PERMIT ISSUANCE PAYMENTS

Date	Receipt	Check	Amount
			\$
			\$
			\$

PARCEL TAGS:

This property (or structure) has been identified in the Draft Historic Preservation Plan of Dec 1997 as a historic resource which may require documentation prior to demolition. See Title 19.01.102.8.2.

CONDITIONS AND HOLDS ON PERMIT: (Continued on back of sheet)

- As-Built Survey Required
 - Foundation Setback Verification



Application Date: March 18, 2009

BUILDING PERMIT APPLICATION

NOTE: THIS IS NOT A BUILDING PERMIT

* NOTE: "Building Permit" is a generic term which includes Building Safety Inspections, Grading Permits, and permits for Electrical, Plumbing and Mechanical work.

Project Name: PUTNAM GREENHOUSE

Case No: BLD2009-00103

Project No: BLD2009-00103

Case Description: Construction of a greenhouse.

Site Address: 114 SIXTH ST

Check No. of Existing Dwelling Units: 1

Parcel No: 1C060A290030

No. of New Dwelling Units: 0

Legal Description: JUNEAU TOWNSITE BL 29 LT 2

Applicant: FATE PUTMAN
Address: PO BOX 20473
City: JUNEAU, AK 99802

PH1 586-2761

Owner: VANCE F PUTMAN
Address: PO BOX 020473
City: JUNEAU, AK 99802
PH1 20040305

Contractor: OWNER/BUILDER

Valuation for Permit Fee Calculations:

Description	S.F.	Type	Amount
BUILDING PERMIT	120	UTIL - Greenhouse	1,238.40
Total Valuation:			1,238.40

Permit Fees Paid at Application:

Fee Type	Date Paid	Receipt	Check or Credit #	Amount Paid
1 Permit Fee	3/18/2009	27331	281	40.92
1 Residential Plan Review	3/18/2009	27331	281	20.46
Total Fees Paid:				61.38

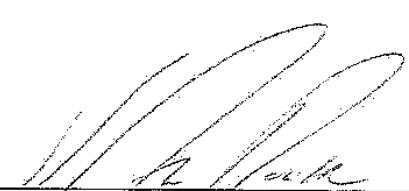
Associated Cases:

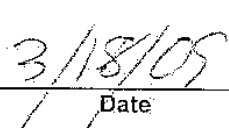
None.

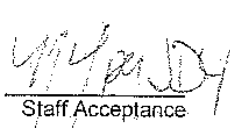
Parcel Tags:

This property (or structure) has been identified in the Draft Historic Preservation Plan of Dec 1997 as a historic resource which may require documentation prior to demolition. See Title 19.01.102.8.2.

Notes and Conditions:


Applicant's Signature
(Owner, Contractor or Authorized Agent)


Date


Staff Acceptance

I hereby certify that I have read and examined this application and know the same to be true and correct. I further certify that all provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. I understand that the granting of a permit does not presume to give authority to violate or cancel the provisions of any other federal, state, or local law regulating construction or the performance of construction.

JUNEAU PERMIT CENTER - 230 S. Franklin Street - 4th Floor, Marine View Center - Mail: 155 S. Seward Street, Juneau, AK 99801
Phone: 586-0770 - FAX: 586-3365 - Inspection Requests: 586-1703 - Email: permits@ci.juneau.ak.us
Web Page: HTTP://WWW.JUNEAU.ORG/PERMITS

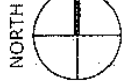
PUTMAN GREENHOUSE

114 SIXTH STREET
JUNEAU, ALASKA 99801

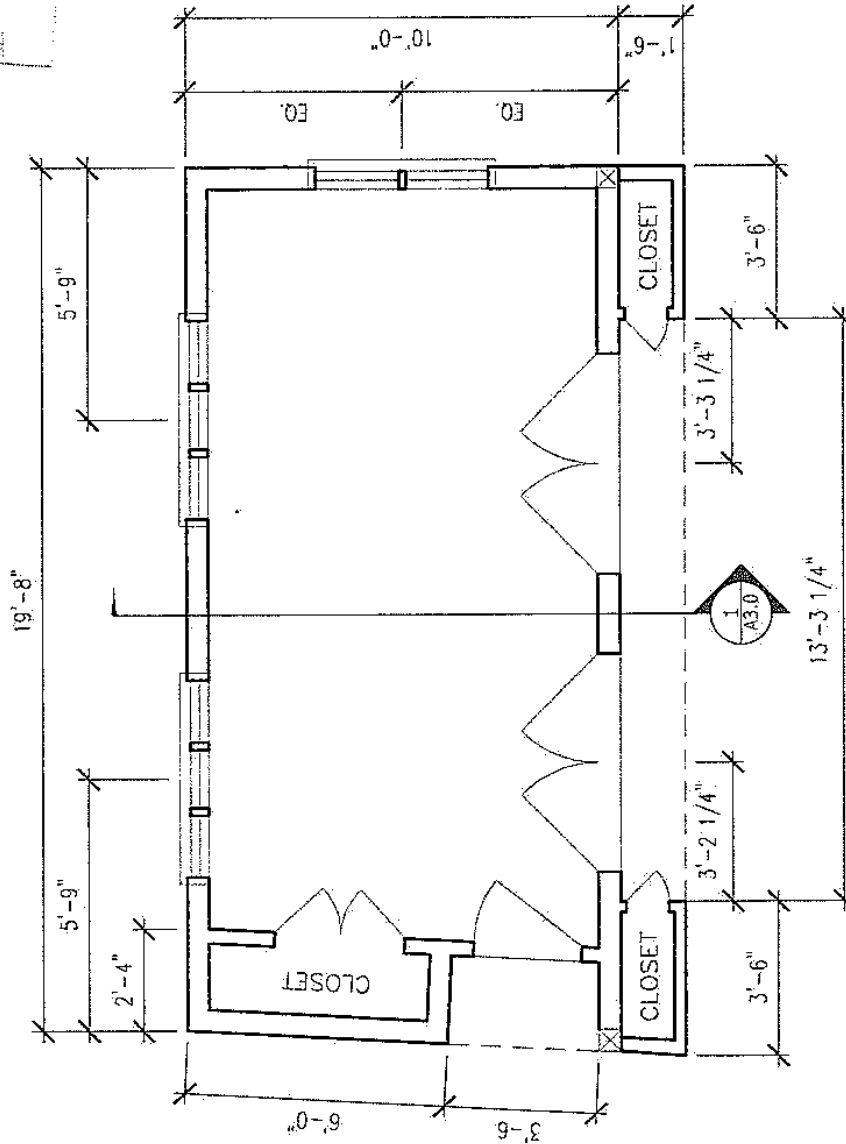
PLANS

DATE: 5-12-10
 BY: JTW
 CHECKED: SAKB
 DESIGNED: PKD
 SCALE: As Shown

A1.0



1 FLOOR PLAN
1/4" = 1'

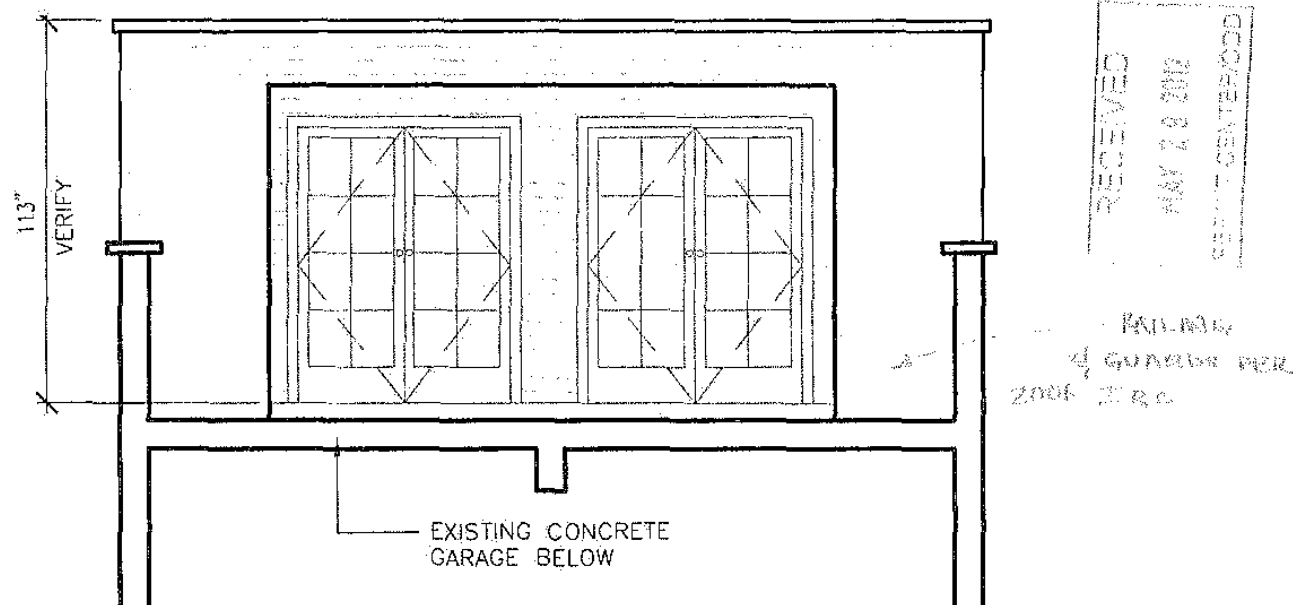


RECEIVED
 MAY 29 2012
 PERMIT CENTER/CDD

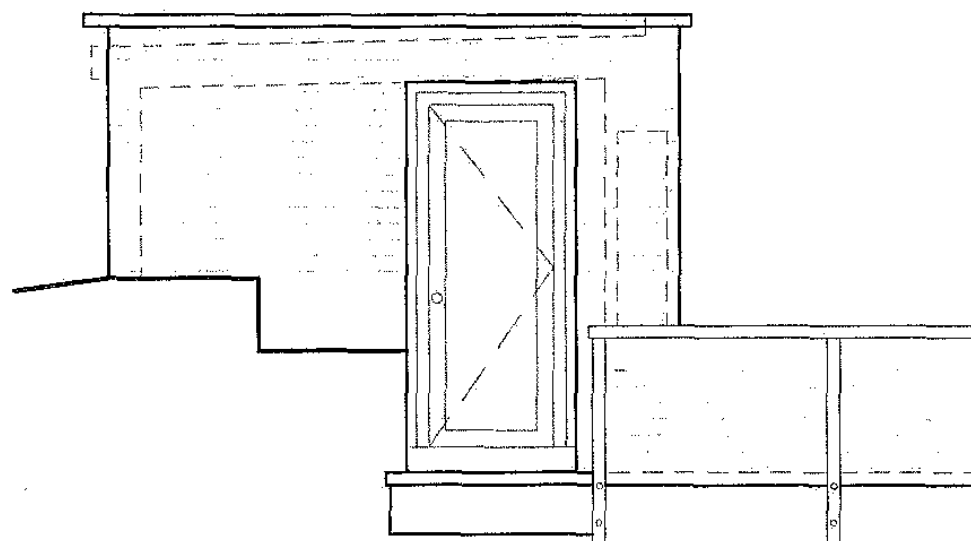
Plans approved as noted
 inspection will not be
 performed without call
 approved prior to site.
 PFS 6-5-12

RECEIVED
 MAY 29 2012
 PERMIT CENTER/CDD

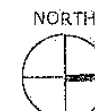
Bld 2009-09103



① EAST ELEVATION
1/4" = 1'



② NORTH ELEVATION
1/4" = 1'



NorthWind
Architects LLC
109A 2ND ST.
JUNEAU, AK 99801
PH #907.585.6150
FX #907.585.6181
WWW.NORTHWINDARCH.COM

PUTMAN GREENHOUSE

114 SIXTH STREET
JUNEAU, ALASKA 99801

NOT TO SCALE
ELEVATIONS

DATE 3-12-10
DESIGNED BY
PREPARED BY SMB
CHECKED BY PKP

Sheet # A2.0



119A 2ND ST.
JUNEAU, AL 99801
PH #907.586.6150
FX #907.586.6181
WWW.NORTHWINDARCH.COM

PUTMAN GREENHOUSE

114 SIXTH STREET
JUNEAU ALASKA 99801

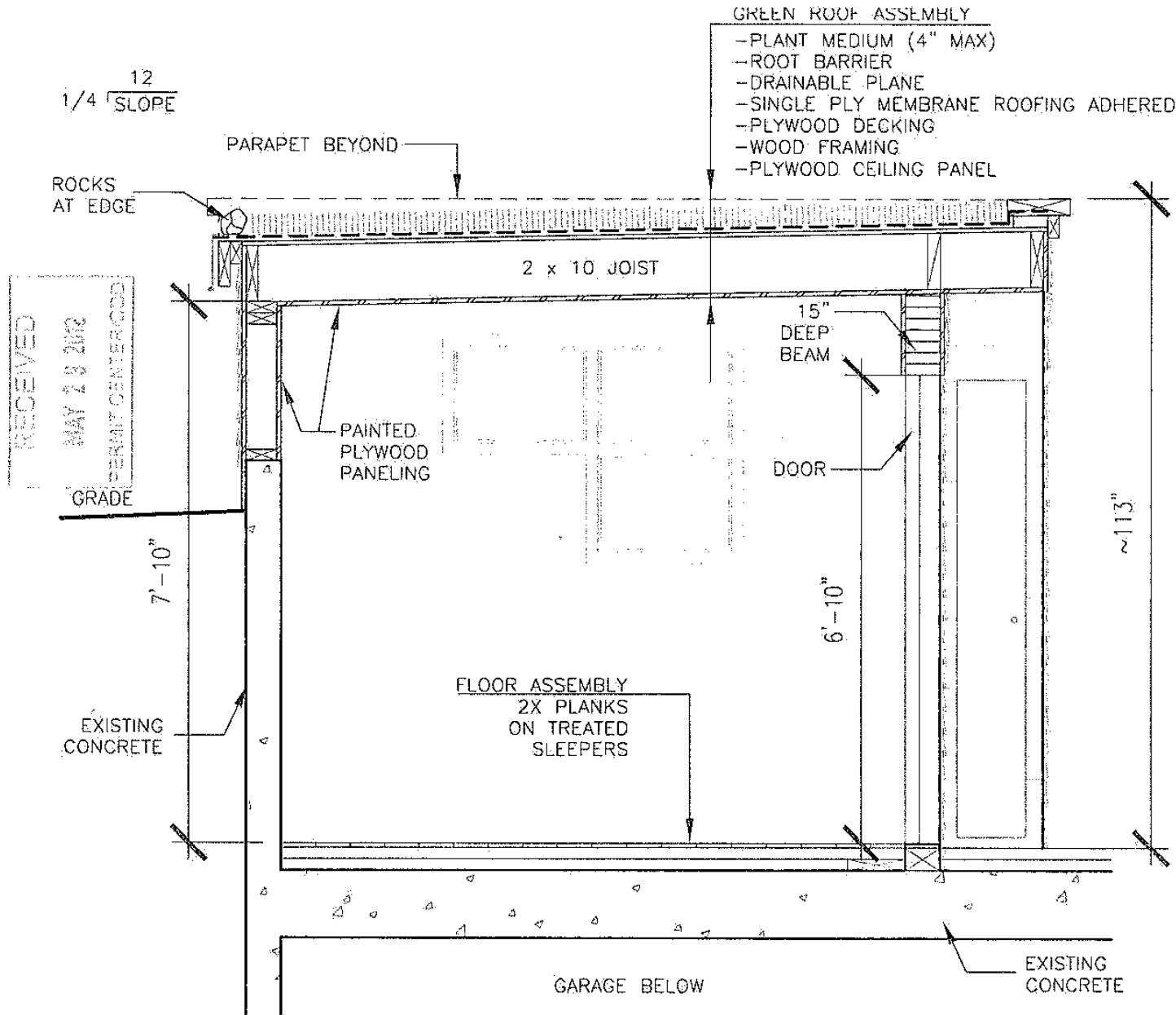
SECTION

DATE 3-12-10

DESIGNER SAMP

BY EKD

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1 SECTION
1/2" = 1'



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JUL 28 2012
PERMIT CENTER CDD

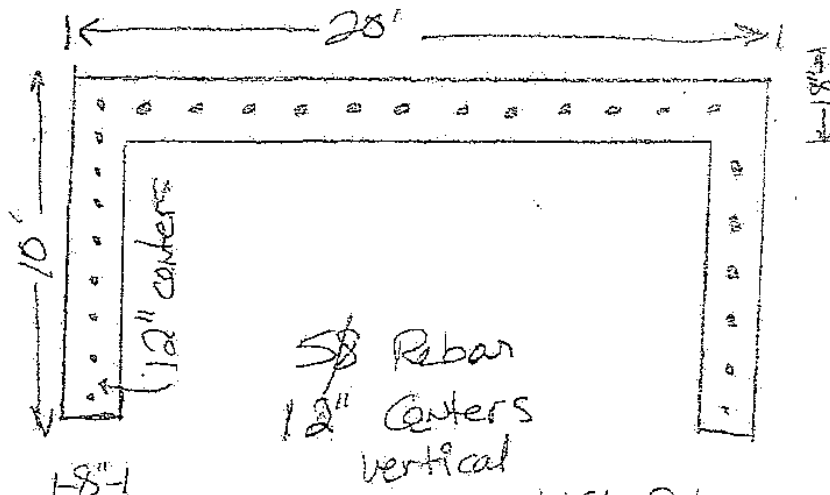
Putman Greenhouse
114 E 6th St.
Juneau, AK

321-0773
Fate Putman

Foundation Drawing

TOP View

20 July 2012



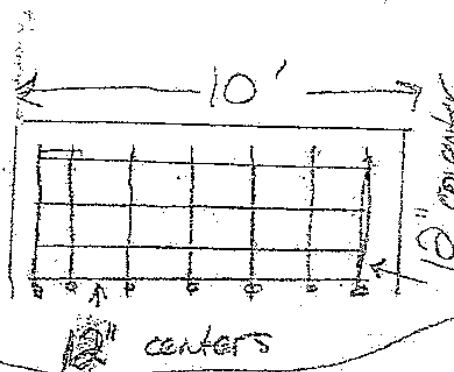
RECORD DRAWING BY FATE PUTMAN

1' horizontal 5/8 Rebar

Side view

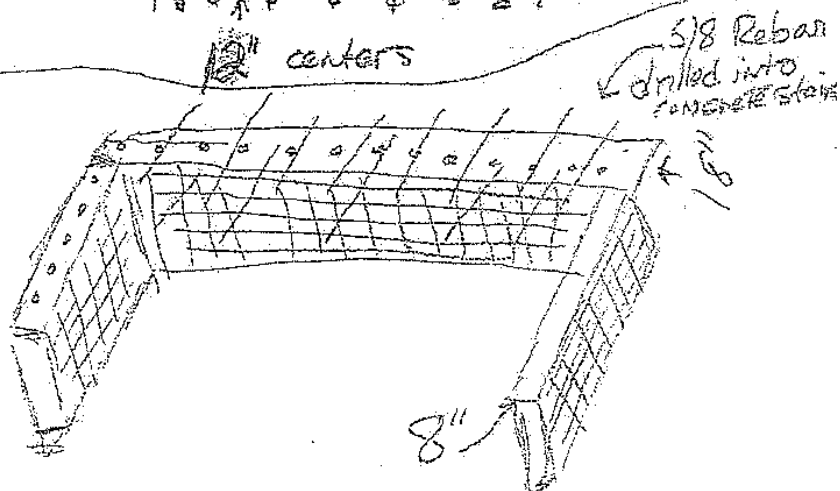
West wall

Steel interior
Rebar 5/8



Front View

Rebar 5/8

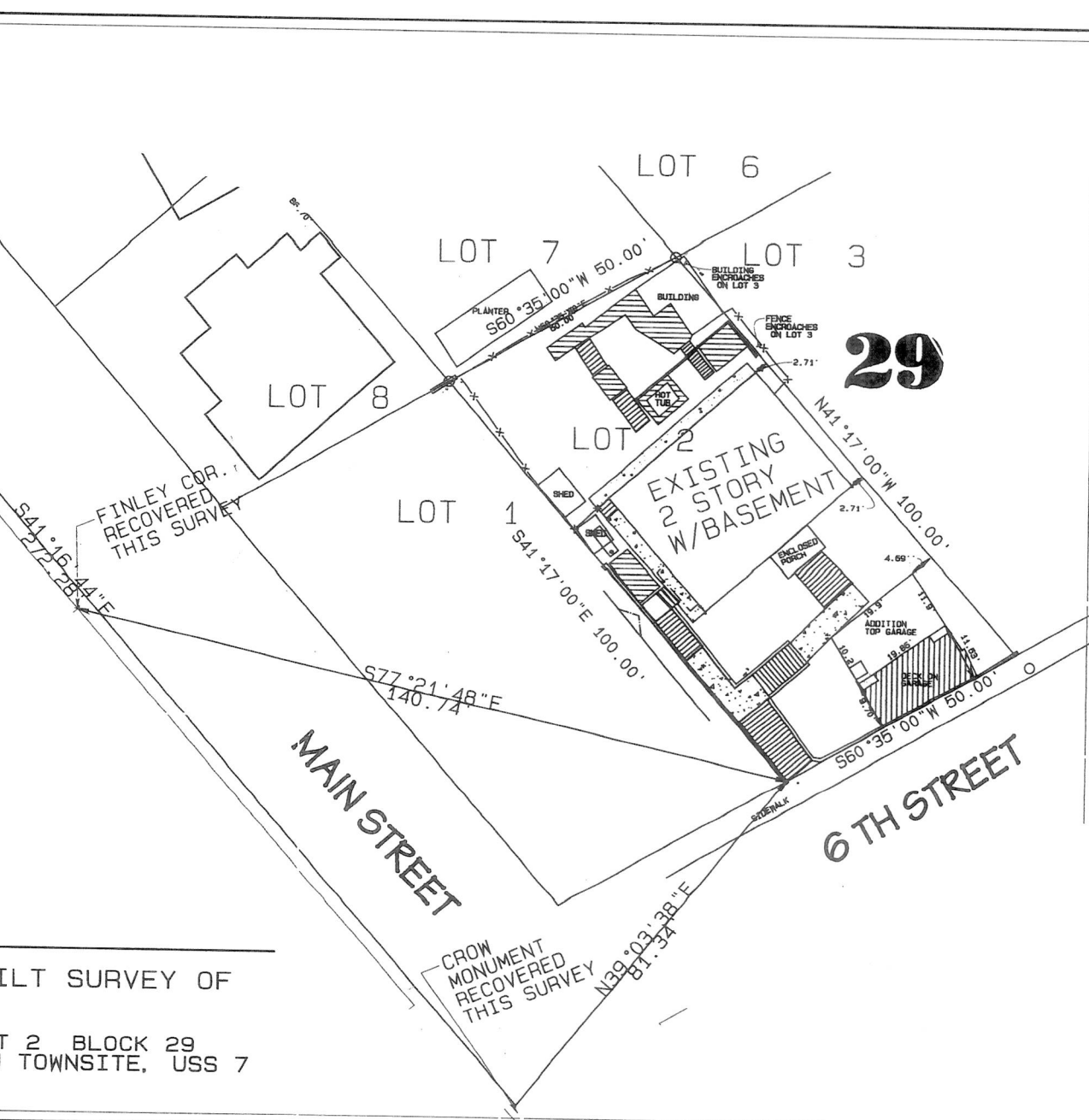


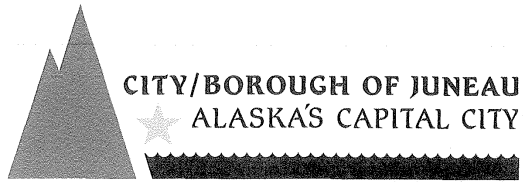


J.V.
PROP
TDS 12
F.

DATE 8-25-2012

LOT 2 BLOCK 29
JUNEAU TOWNSITE, USS 7





**PLANNING COMMISSION
NOTICE OF DECISION**

Date: October 23, 2013

File No.: USE2013 0016

Vance F Putman
PO Box 20473
Juneau, AK 99802

An after-the-fact Conditional Use Permit for a greenhouse constructed over a garage that encroaches 3 inches into the 10-foot front yard setback and 3 inches into the 5-foot side yard setback.

Application For: An after-the-fact Conditional Use Permit for a greenhouse constructed over a garage that encroaches 3 inches into the 10-foot front yard setback and 3 inches into the 5-foot side yard setback.

Legal Description: Juneau Townsite Block 29 Lot 2

Property Address: 114 Sixth Street

Parcel Code No.: 1-C06-0-A29-003-0

Hearing Date: October 22, 2013

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated October 15, 2013 and approved the project to be conducted as described in the project description and project drawings submitted with the application.

Attachments: October 15, 2013 memorandum from Teri Camery, Community Development, to the CBJ Planning Commission regarding USE2013 0016.

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, October 22, 2013

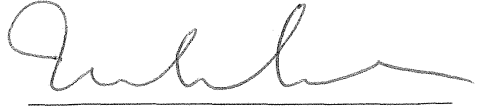
Expiration Date: The permit will expire 18 months after the effective date, or April 22, 2015 if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.

155 So. Seward Street, Juneau, Alaska 99801-1397

Vance F Putman
File No.: USE2013 0016
October 23, 2013
Page 2 of 2

Project Planner:


Teri Camery, Senior Planner
Community Development Department


Michael Satre, Chair
Planning Commission


Filed With City Clerk

10/25/13
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.

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

DATE: October 15, 2013

TO: Planning Commission

FROM: Teri Camery, Senior Planner
Community Development Department

FILE NO.: USE2013 0016

PROPOSAL: An after-the-fact Conditional Use Permit for a greenhouse constructed over a garage that encroaches 3 inches into the 10-foot front yard setback and 3 inches into the 5-foot side yard setback.

GENERAL INFORMATION

Applicant: Vance F Putman

Property Owner: Vance F Putman

Property Address: 114 Sixth Street

Legal Description: Juneau Townsite Block 29 Lot 2

Parcel Code Number: 1-C06-0-A29-003-0

Site Size: 4,893 square feet

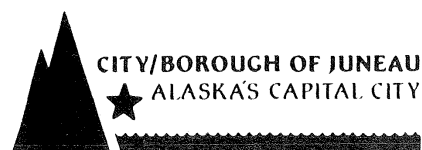
**Comprehensive Plan
Land Use Designation:** Medium Density Residential

Zoning: D-18

Utilities: CBJ Water and Sewer

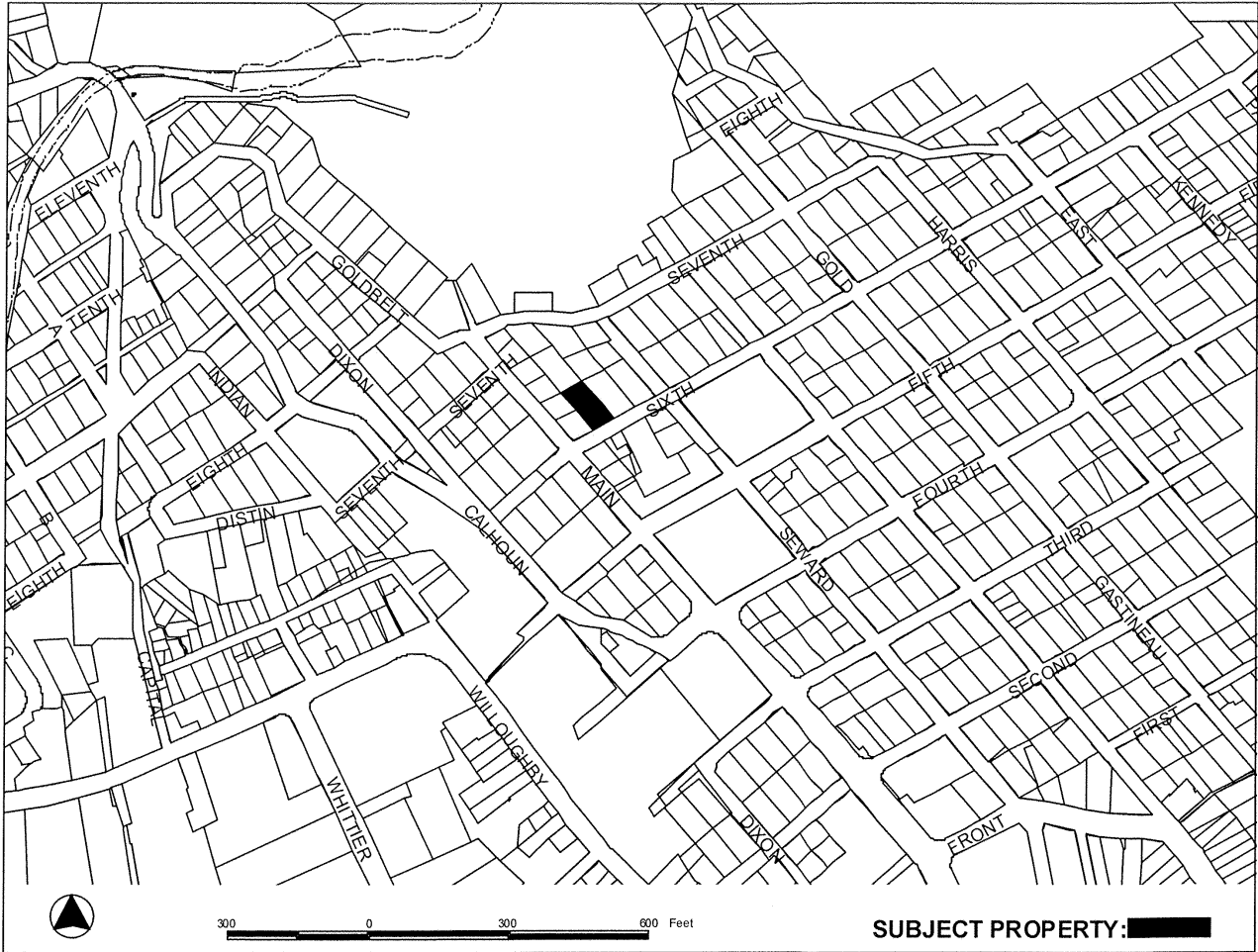
Access: Sixth Street

Existing Land Use: single-family dwelling



Surrounding Land Use:	North	-	D-18 Residential
	South	-	Sixth Street; D-18 Residential
	East	-	D-18 Residential
	West	-	D-18 Residential

Vicinity Map



Planning Commission
File No.: USE2013 0016
October 15, 2013
Page 3 of 6

ATTACHMENTS

Attachment 1 Development Permit Application
Attachment 2 Conditional Use Permit Application
Attachment 3 Project Narrative
Attachment 4 Survey
Attachment 5 Building Permit plans
Attachment 6 Applicant photos
Attachment 7 Project elevation

PROJECT DESCRIPTION

The applicant requests a Conditional Use Permit for after-the-fact construction of a 10' x 20' greenhouse on top of a garage. The greenhouse encroaches three inches into the 10-foot front-yard setback in the southwest corner of the structure, and three inches into the five-foot side-yard setback in the northeast corner of the structure, due the slight angle of the garage. Setback encroachments that occur at the second story elevation or higher are reviewed through the Conditional Use Permit process instead of the Variance process, per CBJ Code 49.25.430(4)(M). The structure does not qualify under code sections that allow encroachments for minor issues both because it is heated and because it is on the second floor.

The greenhouse was constructed on top of a garage that was built in the 1950s at the zero foot-setback line. The garage is a legally non-conforming structure. The greenhouse encompasses approximately half the width of the garage, very close to the 10-foot front yard setback line. The three inch encroachment at the opposite corners of the greenhouse was discovered when the as-built survey was completed (Attachment 4). In both the southwest and northeast corners of the greenhouse, the structure encroaches three inches over a linear distance of approximately two feet. Due to the angle, the three inch encroachment does not extend the full length of either side of the greenhouse.

BACKGROUND

The lot has a legally non-conforming lot size and legally non-conforming front and side-yard setbacks. Assessor's Office records indicate that the home was built in 1914. In addition to the Conditional Use Permit, the applicant has also applied for an after-the-fact Variance for construction of a sauna in the northeast corner of the lot. Both encroachments were discovered only after the as-built survey was completed.

Planning Commission
 File No.: USE2013 0016
 October 15, 2013
 Page 4 of 6

ANALYSIS

Project Site and Design -

The project is located on D-18 residential lot with a substandard lot size and substandard setbacks. The lot has a 35 degree slope. Building plans for the greenhouse have been included in Attachment 5, while elevations are included in Attachment 7. Photos are included in Attachment 6. The structure has been designed to blend well with both the garage and the single-family home.

Public Health or Safety –

No evidence indicates that the proposed development will negatively impact public health or safety.

Property Value or Neighborhood Harmony -

Due to the 35 degree slope of the property as well as the very minor three inch encroachment, no evidence indicates that the development will negatively impact views, light and air, property value, or neighborhood harmony.

Conformity with Adopted Plans -

The project substantially conforms with the 2013 Juneau Comprehensive Plan, specifically Policy 10.3 and 10.4, which state:

***Policy 10.3** [It is the policy of the CBJ] to facilitate residential developments of various types and densities that are appropriately located in relation to site conditions, surrounding land uses, and capacity of public facilities and transportation systems.*

***Policy 10.4** [It is the policy of the CBJ] to minimize conflicts between residential areas and nearby recreational, commercial, or industrial uses that would generate adverse impacts to existing residential areas through appropriate land use locational decisions and regulatory measures.*

The project conforms with these measures by constructing the greenhouse on top of an existing structure in a way that blends in with other structures on the lot and has minimal visual impact on the neighborhood.

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;

Planning Commission
 File No.: USE2013 0016
 October 15, 2013
 Page 5 of 6

2. Whether the proposed use is appropriate according to the Table of Permissible Uses;
 and,
3. Whether the development as proposed will comply with the other requirements of this chapter.

The Commission shall adopt the Director's determination on the three items above unless it finds, by a preponderance of the evidence, that the Director's determination was in error, and states its reasoning for each finding with particularity.

CBJ §49.15.330 (f), Commission Determinations, states that even if the Commission adopts the Director's determination, it may nonetheless deny or condition the permit if it concludes, based upon its own independent review of the information submitted at the public hearing, that the development will more probably than not:

1. Materially endanger the public health or safety;
2. Substantially decrease the value of or be out of harmony with property in the neighboring area;
 or,
3. Not be in general conformity with the comprehensive plan, thoroughfare plan, or other officially adopted plans.

Per CBJ §49.15.330 (e) & (f), Review of Director's & Commission's Determinations, the Director makes the following findings on the proposed development:

1. Is the application for the requested 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 49.25.300.1.110 for the D-18 zoning district.

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

Yes. The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in the October 11, 2013 and October 18, 2013 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public Right of Way.

Planning Commission
File No.: USE2013 0016
October 15, 2013
Page 6 of 6

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

No. Based on the preceding analysis, no available evidence indicates that the proposed development will materially endanger the public health or safety.

5. Will the proposed development substantially decrease the value of or be out of harmony with property in the neighboring area?

No. Based on the preceding analysis, no available evidence indicates that the proposed development will substantially decrease the value of or be out of harmony with property in the neighboring area. The setback encroachment is minor and does not block views due to the steep slope in the area.

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

Yes. The proposed development complies with the 2013 Juneau Comprehensive Plan, specifically policies 10.3 and 10.4 regarding residential development.

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

7. Will the proposed development comply with the Juneau Coastal Management Program?
Not applicable.

RECOMMENDATION

Staff recommends 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 a greenhouse on top of an existing garage which would encroach three inches into the front and side yard setbacks.

(Conditional Use)

Section H, Item 4.

DEVELOPMENT PERMIT APPLICATION

Project Number	CITY and BOROUGH of JUNEAU	Date Received: 5/2/13
Project Name (City Staff to Assign Name)		

PROJECT / APPLICANT INFORMATION	Project Description As-built survey of new structure discovered 3" encroachment into CBT sidewalk setback			
	PROPERTY LOCATION			
	Street Address 114 E 6th Street	City/Zip Juneau 99801		
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) USS7 Juneau Townsite Block 29 Lot 2			
	Assessor's Parcel Number(s) 1 CO6A2900300			
	LANDOWNER/ LESSEE			
	Property Owner's Name V. Fate Putman and Kimberly Homme	Contact Person: E. Putman	Work Phone: 321-0773	
	Mailing Address Box 20473 Juneau 99802	Home Phone: 321-0773	Fax Number:	
	E-mail Address fateputman@gmail.com	Other Contact Phone Number(s): 463-4975 (m)		
	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 <u>V. Fate Putman</u> Landowner/Lessee Signature Date <u>4/29/2013</u> X <u>Kimberly Homme</u> Landowner/Lessee Signature Date <u>4/29/2013</u> 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" and sign and date at X below				
Applicant's Name same			Contact Person:	Work Phone:
Mailing Address same			Home Phone:	Fax Number:
E-mail Address same			Other Contact Phone Number(s):	
X <u>V. Fate Putman</u> Applicant's Signature Date of Application <u>4/29/2013</u>				

STAFF APPROVALS	☒	Permit Type	Sign	Date Received	Application Number(s)
		Building/Grading Permit			
		City/State Project Review and City Land Action			
		Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)			
		Mining Case (Small, Large, Rural, Extraction, Exploration)			
		Sign Approval (If more than one, fill in all applicable permit #'s)			
		Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)			
	☒	Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)		5/2/13	use 13-016
		Variance Case (De Minimis and all other Variance case types)			
		Wetlands Permits			
		Zone Change Application			
		Other (Describe)			
	***Public Notice Sign Form filled out and in the file.				
	Comments: Attachment 1				Permit Intake Initials ESE

NOTE: DEVELOPMENT PERMIT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATIONS
Revised November 2009
FORMS\2010 Applications

TO BE COMPLETED BY THE APPLICANT

Attachment 2

Revised December 2009 - I:\FORMS\2010 Applications

Page 1 of 2

Conditional Use Permit application – Narrative and Attachments

Putman/Homme 114 E. 6th Street : CU Application Addendum

A 10'X 20' greenhouse structure was built on top of an existing concrete garage. (Bld. Permit # 2009-00103) The preexisting garage was constructed in approximately 1950. The concrete garage was constructed to the edge of the sidewalk on 6th Street and has been a grandfathered structure for the past 60 years.

The new greenhouse structure was built on back half of the 20'X20' garage roof. The greenhouse used the same footprint as the garage, which is slightly out of square. A subsequent as-built survey found that one corner of the new structure was not the full 10 feet back from the sidewalk edge. The SW corner of the roof eave encroaches 3 inches into the 10 foot setback. This is an overhanging eave and not part of the interior of the greenhouse building. The remainder of the greenhouse structure is behind the 10 foot setback. However, because of the overhanging eave, the SW corner of the greenhouse is 9'9" from the CBJ sidewalk.

A Conditional Use permit is required for the 3" encroachment into the 10 foot setback requirement. It is my request that this CU permit be granted to permit this encroachment. There is no impact on the public sidewalk below or any utility conflicts.

NE Corner of greenhouse

In addition to the overhanging eave, the As-built Survey determined that the Northeast corner of the garage/greenhouse encroaches into setback requirements with the adjoining lot. The NE corner of the garage footprint (circa 1950) extends into the side yard setback approximately 3 inches.

This encroachment occurs on the NE corner of both the garage and greenhouse structures. The remaining portion of the east side of the garage and greenhouse Structure does not protrude into the 5 foot setback. In this 20 foot span only the last five feet of the structures protrude into the setback. That is because the garage is square to the street but not square to the property line thus causing a side yard setback issue.

Property Values and Neighborhood Harmony

The addition and slight CBJ encroachment will not decrease the value of surrounding properties. The greenhouse was designed by Northwind Architects LLC, to have the same architectural style as the main home and preexisting Garage on the property. This blend of colors and building design allows the Greenhouse to complement the existing buildings and as a result, blends well with the neighborhood. The structure does

not affect any neighbor's light, air or views. (Note that the Lot 3 eastside neighbor has provided an Easement Agreement for the Variance application.)

- A. As-Built Survey, Site Plan, Elevation View, 3-page Floor Plan – attached Easement Agreement by east neighbor, also for related variance, attached
- B. There are No Parking issues with this application.
- C. There are No Traffic issues with this application.
- D. There is Lighting on the exterior of the structure. This exterior lighting is recessed up under the eaves so there is no light pollution from the structure.

Exterior Lighting: Two exterior lights were incorporated into the greenhouse structure. One light is located on the alcove ceiling above the west facing entrance. This main entrance has a single door recessed into the structure 3 feet. This door setback is to both protect the door and match the garage architecture below. Above this door on the ceiling is an entrance light, placed there to both protect the light and minimize light intrusion outside. This door entry light has achieved those desired results.

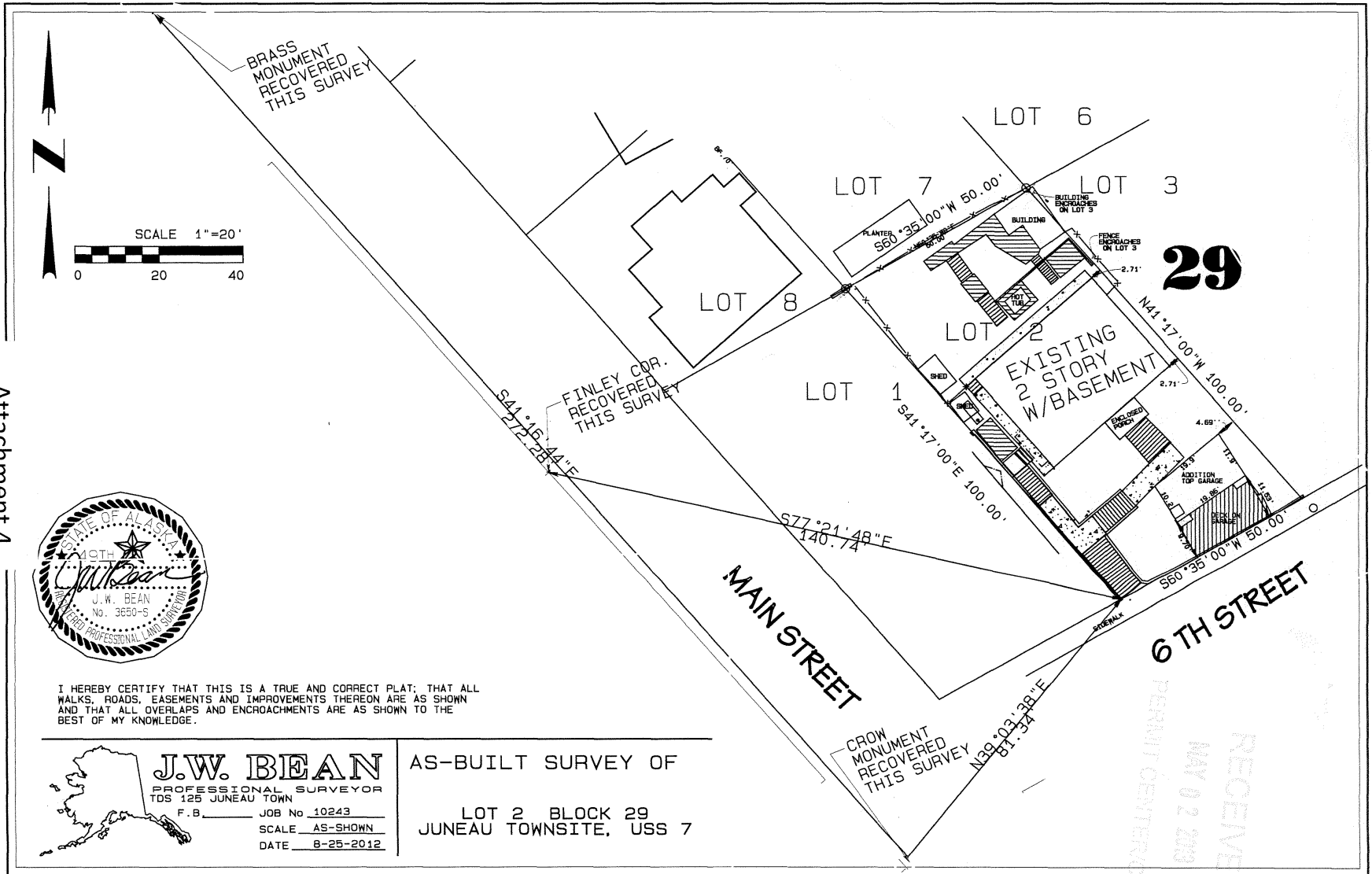
A second exterior light is on the south side of the greenhouse, under the overhanging front eave. This also protects the fixture from the weather and minimizes light intrusion. Light is confined to the front deck of the garage roof and does not shed light on 6th Street or the sidewalk below. This exterior light has achieved the desired results of both protection and light shading.

E. Natural vegetation remains between Lot 2 and Lot 3; lilacs, Sitka Rose bushes and Hawthorn trees separate the two. This set of trees and shrubs creates a visual screen between properties and between the greenhouse and the neighbor's home on Lot 3. On the west side of the structure there is large flower garden.

F. The property is a Steep Hillside. That presents some challenges to development of the lot. However, the steep terrain has no impact on the greenhouse structure because it was built atop the existing poured concrete garage, as the foundation.

RECEIVED
MAY 02 2013
PERMIT CENTER/ODD

Attachment 4



N
NorthWind
Architects LLC

119A 2ND ST.
JUNEAU, AK 99801
PH #907.586.6150
FX #907.586.6181
WWW.NORTHWINDARCH.COM

PUTMAN GREENHOUSE

114 SIXTH STREET
JUNEAU, ALASKA 99801

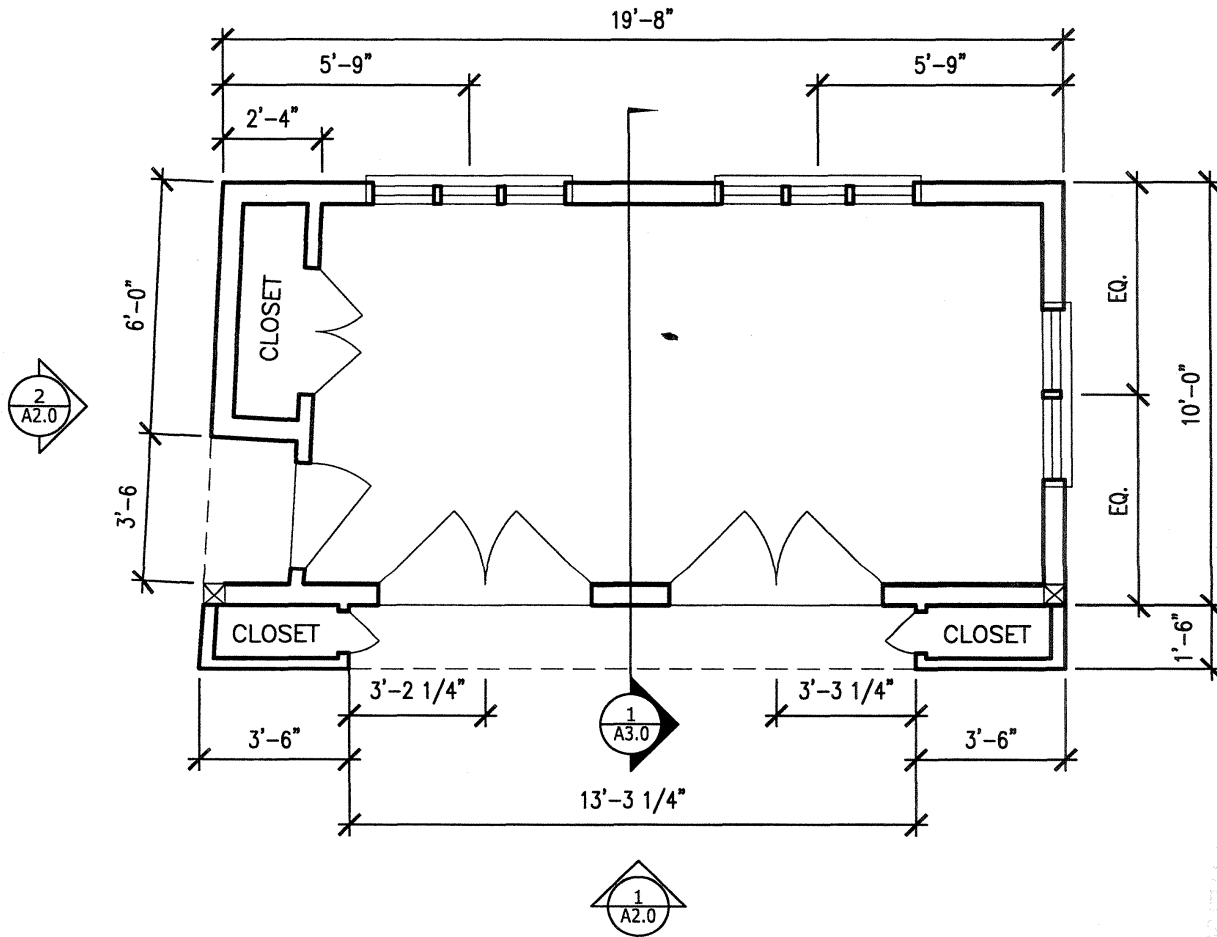
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PLANS

DATE: 3-12-10
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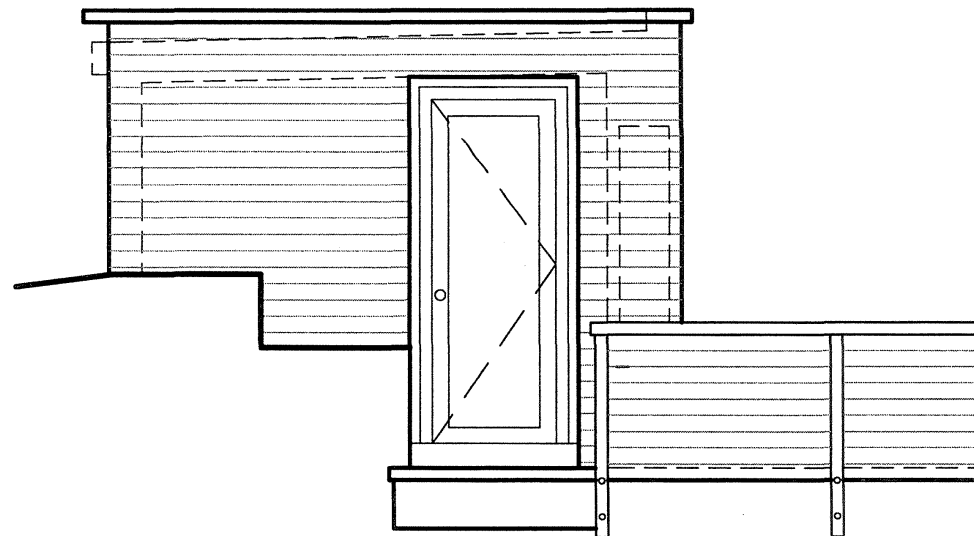
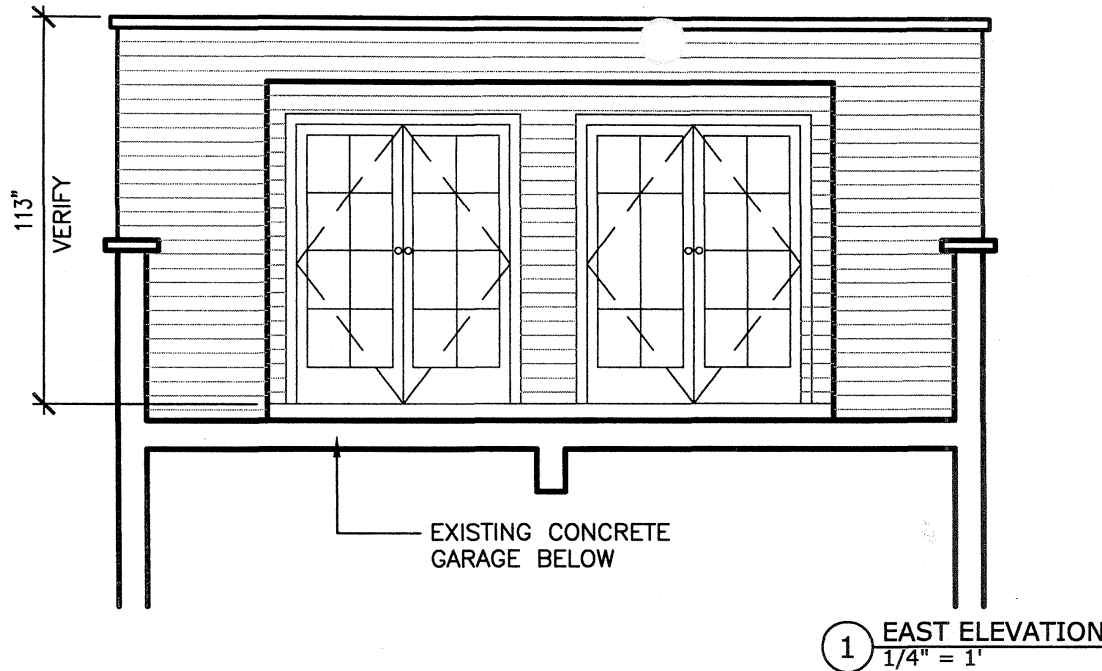
Attachment 5



1 FLOOR PLAN
1/4" = 1'



W
N
NorthWind
Architects LLC
119A 2ND ST.
JUNEAU, AK 99801
PH #907.586.6150
FX #907.586.6181
WWW.NORTHWINDARCH.COM



RECEIVED
MAY 02 2013
PERMIT CENTER/CDD



PUTMAN GREENHOUSE

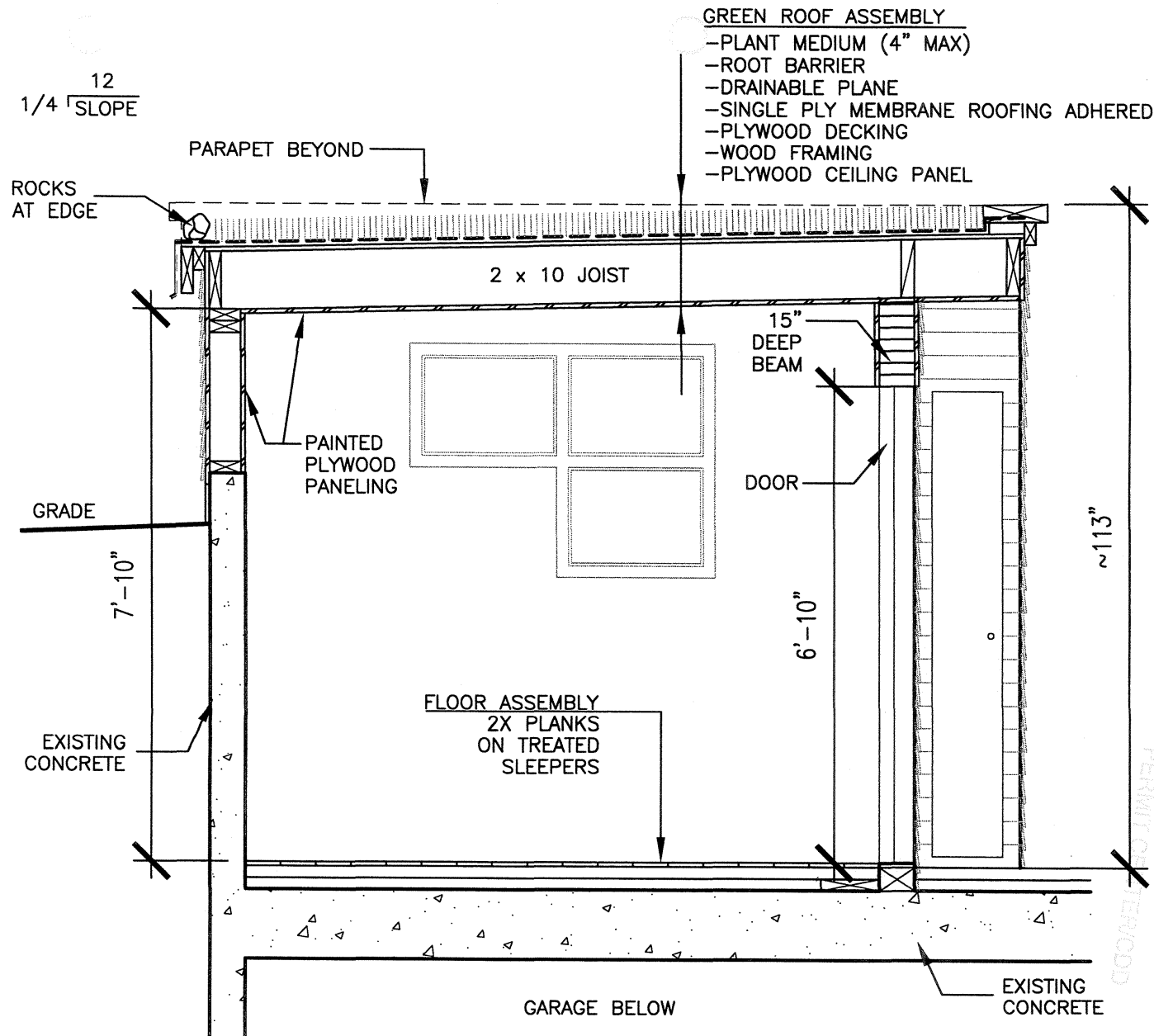
114 SIXTH STREET
JUNEAU, ALASKA 99801

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ELEVATIONS

DATE: 3-12-10
REVISION:
CHECKED BY: SMB
DRAWN: FKD

SHEET #
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12
1/4 SLOPE



Section H, Item 4.

NorthWind Architects LLC
119A 2ND ST.
JUNEAU, AK 99801
PH #907.586.6150
FX #907.586.6181
WWW.NORTHWINDARCH.COM

PUTMAN GREENHOUSE

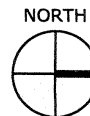
114 SIXTH STREET
JUNEAU, ALASKA 99801

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DATE: 3-12-10
REVISION:
CHECKED BY: SMB
DRAWN: FKD

SHEET #
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1 SECTION
1/2" = 1'





Attachment 6



Attachment 6



Attachment 6



Attachment 6

Attachment G - Excerpts from USE2013 0016

Attachment 7

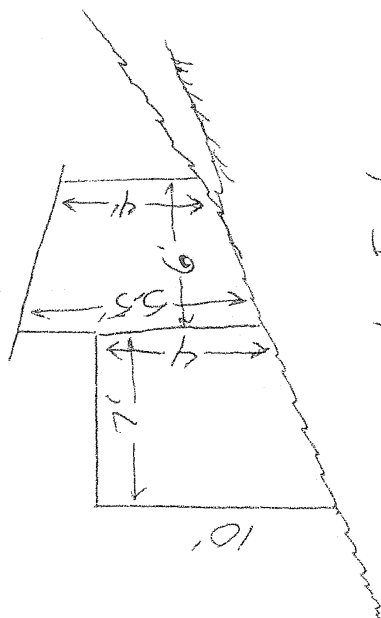
Attachment G - Excerpts from USE2013 0016



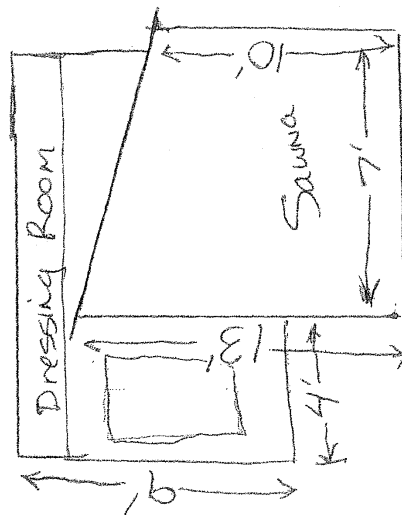
Putman Greenhouse/Sauna
(CBJ Permit # BLD 2002-04197)

via email

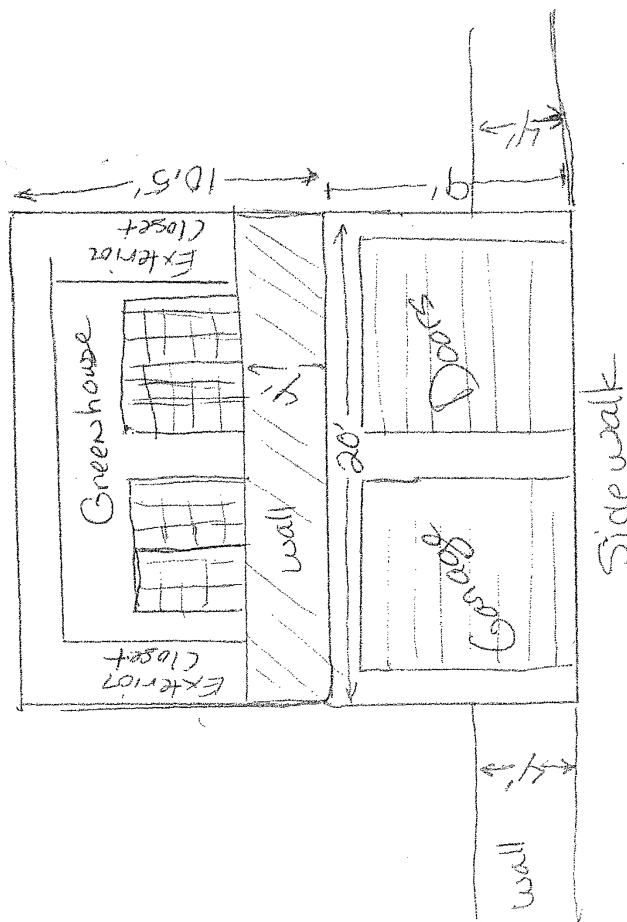
Northeast Elevation



South East Elevation



South east (Front) Elevation





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

NONCONFORMING CERTIFICATE

***Revised – Noncompliant situation removed**

Date: September 3, 2021

File No.: NCC2021 0065

Kimberly Homme & Vance Fate Putman
P.O. Box 20473
Juneau, AK 99802

Proposal: A Nonconforming Situation Review for structures.

Property Address: 114 Sixth Street
Property Legal Description: Juneau Townsite Block 29 Lot 2
Property Parcel Code No.: 1C060A290030

The Director of Community Development adopted the analysis and findings listed in the attached memorandum dated August 20, 2021 and has found the following situations on the lot to be certified nonconforming to the Title 49 Land Use Code of the City and Borough of Juneau:

- Nonconforming Structures (49.30.250):
 - Zero foot front yard setback for the garage
 - 4.69 foot east side yard setback for the garage
 - 2.71 foot east side yard setback for the dwelling

This Nonconforming Certificate applies to the nonconforming situations stated above. The nonconforming rights provided herein may be relinquished under certain circumstances provided under the CBJ Title 49 Land Use Code. It is the responsibility of the owner or agent of the owner to ensure that all development on the lot is in compliance with this certification and the CBJ Title 49 Land Use Code.

CBJ 49.30.215: Accidental damage or destruction. Structures receiving a nonconforming certification may have the right to reconstruct a nonconforming structure per CBJ Chapter 49.30.

The Director of Community Development adopted the analysis and findings listed in the attached memorandum dated August 20, 2021 and has found the following situations on the lot to be noncompliant to the Title 49 Land Use Code of the City and Borough of Juneau:

- Noncompliant setbacks:
 - Two (2) sheds are noncompliant for west side yard setback requirement. In order to comply with the Land Use Code, the applicant must relocate the sheds to conform to the 3 foot setback in CBJ

File No.: NCC2021 0065
September 3, 2021
Page 2 of 2

49.25.430(4)(C)(iii) for unheated structures, or apply for a setback reduction through the Alternative Development Overlay District, or receive an approved Variance to reduce the side yard setback to zero.

- The property owners must bring the setback encroachment into compliance with the Land Use Code.

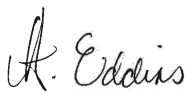
REVISION: In response to this decision, the property removed the noncompliant sheds. Staff was sent photographs to document the sheds removal. A site visit confirmed the sheds are no longer present on the lot.

THE NONCOMPLIANT SITUATION HAS BEEN REMOVED.

This Nonconforming Certificate constitutes a final decision of the Director of Community Development. Appeals must be brought to the CBJ Planning Commission in accordance with CBJ 49.20.110. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed.

If you have any questions regarding your project or anticipate any changes to your plans, please call the Community Development Department at (907) 586-0715.

Project Planner:


Allison Eddins, Planner II
Community Development Department


Jill Maclean, Director, AICP
Community Development Department

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.



**DIRECTOR'S REVIEW STAFF REPORT
NONCONFORMING CERTIFICATION
NCC2021 0065**

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

DATE: August 20, 2021
TO: Jill Maclean, Director, AICP
BY: Allison Eddins, Planner II *A. Eddins*
PROPOSAL: A Nonconforming Situation Review for structures.

KEY CONSIDERATIONS FOR REVIEW:

- The residential structure was constructed in 1914, and the lot was platted in 1934, prior to the establishment of zoning.
- The garage was constructed in the 1950s, prior to the establishment of zoning.
- A greenhouse constructed on top of the garage received a Conditional Use Permit (USE2013 0016) for front and east side yard setback encroachments.
- The sauna received a Variance (VAR2013 0015) for the rear and east side yard setback encroachments.
- There are two 25 square-foot sheds encroaching into the west side yard setback. These sheds are noncompliant.

GENERAL INFORMATION	
Property Owner	Kimberly Homme and Vance Putman
Applicant	Kimberly Homme
Property Address	114 Sixth Street
Legal Description	Juneau Townsite Block 29 Lot 2
Parcel Number	1C060A290030
Zoning	D18
Lot Size	5,000 square feet
Water/Sewer	CBJ
Access	Sixth Street
Existing Land Use	Residential
Associated Applications	None

STAFF RECOMMENDATION:

Staff recommends the following situations receive Nonconforming Certification:

- Nonconforming Structures (49.30.250)

ABANDONMENT:

If a nonconforming situation is deemed to be abandoned by the Director, the decision may be reconsidered in accordance with CBJ 49.30.220. After reconsideration is reviewed, an appeal may be filed in accordance with CBJ 49.20.110.

NONCOMPLIANCE:

- Two (2) sheds are noncompliant for setbacks.

If a situation fails to be certified as nonconforming, an appeal of this decision may be filed in accordance with CBJ 49.20.110.

CBJ 49.30.215: Accidental damage or destruction. Structures receiving a nonconforming certification may have the right to reconstruct a nonconforming structure per CBJ Chapter 49.30.

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SITE FEATURES AND ZONING



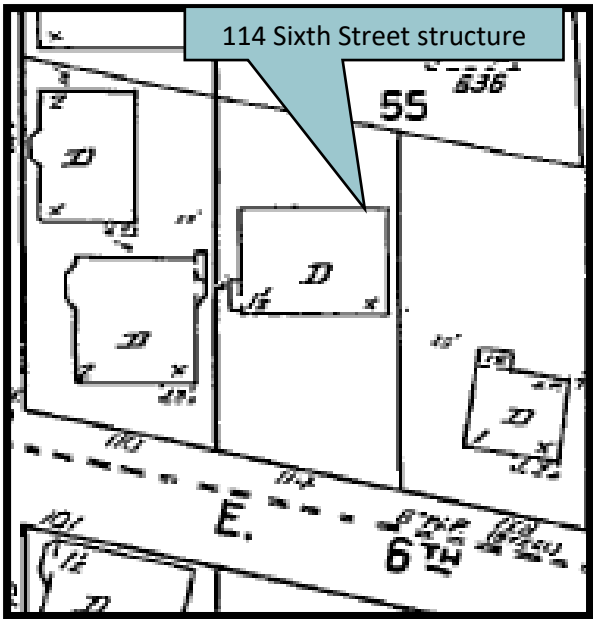
SURROUNDING ZONING AND LAND USES	
North (D18)	Residential
South (MU)	Office
East (D18)	Residential
West (D10)	Residential

SITE FEATURES	
Anadromous	None
Flood Zone	Zone X
Hazard	Low Risk Landslide Area
Hillside	No
Wetlands	No
Parking District	No
Historic District	No
Overlay Districts	Juneau ADOD

CURRENT ZONING MAP



1927 Tax Map



ZONING HISTORY

Year	Zoning District	Summary
1914	No Zoning	According to the CBJ Assessor's records, the dwelling was constructed in 1914 and predates zoning.
1934	No Zoning	The lot was platted in 1934 as part of the Juneau Townsite Subdivision (Plat 1934-1).
1956	R2 Residential	Zoning was established in Juneau in 1956. The lot and surrounding area was zoned R2. The minimum front yard setback was 15 feet; the minimum rear yard setback was 10 feet; and the minimum side yard setback was 5 feet. The dwelling became nonconforming for the east side yard setback. The garage became nonconforming for front and east side yard setbacks.
1969	RMM Multi-family	In 1969, the lot and surrounding area was rezoned to RMM. The minimum front yard setback was 15 feet; the minimum rear yard setback was 10 feet; and the minimum side yard setback was 5 feet. The dwelling remained nonconforming for the east side yard setback, and the garage remained nonconforming for front and east side yard setbacks.
1987	D18 Multi-family	In 1987, the lot and surrounding area was rezoned to D18. The minimum front yard setback became 20 feet; the minimum rear yard setback became 15 feet; and the minimum side yard setback remained at 5 feet. The dwelling remained nonconforming for the east side yard setback, and the garage remained nonconforming for front and east side yard setbacks.

BACKGROUND INFORMATION

The applicant requests a Nonconforming Certification for front and east side yard setbacks. Assessor's data indicates the dwelling was constructed in 1914. The earliest reference to the dwelling was found on a 1927 tax map. The garage was first referenced in a staff report for USE2013 0016. The 2013 staff report indicates the garage was constructed in the 1950s. Although the garage was not referenced on the 1969 tax maps, the staff report determined the garage to be nonconforming for the front and east side yard setbacks.

A greenhouse was constructed above the garage prior to 2013. The greenhouse received an after-the-fact Conditional Use Permit (USE2013 0016) to allow the second-story front and east side yard setback encroachments. The Conditional Use Permit makes the greenhouse compliant for setbacks.

A sauna was constructed in the rear of the lot prior to 2013. The lot received an after-the-fact variance (VAR 2013-15) to reduce the east side and rear yard setbacks to zero feet for the construction of the sauna. This variance makes the sauna conforming for setbacks.

A 2012 as-built indicates there are two sheds, approximately 25 square feet each, on the lot. The sheds have a zero-foot setback along the west side yard. Although building permits are not required for 25 square-foot sheds without electricity, sheds are not allowed to have a zero-foot setback. CBJ 49.25.430(4)(c)(iii) allows unheated structures to encroach into setbacks as long as the structures maintain a minimum setback of three feet. The sheds are noncompliant, and the property owner must bring the noncompliant structures into compliance with the Land Use Code setback requirements.

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NCC2021 0065
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INFORMATION REVIEWED

Year	Type	Summary
1927	Tax Map	Indicates the residential structure predates zoning.
1934	Plat	Plat 1934-1 to determine when lot was created.
2012	As-built	Used to determine setbacks.
2013	CDD Staff Reports	USE2013 0016 and VAR2013 0015 used to determine greenhouse and sauna conformity.
2013	Aerial Photography	2013 aerial photography used to estimate lot coverage and vegetative cover.
2013	Assessor's Photography	To estimate building height and confirm off-street parking.
2020	Assessor's Records	To verify date of construction.
2021	Site Visit	To verify lot coverage, building heights, vegetative cover and the existence of two noncompliant sheds.

ANALYSIS

Zoning District Comparison Table – The table below lists the required standards for the D18 zoning district compared to the lot. A description of these situations is provided in the following sections. Items bolded do not meet current requirements.

Standard		D18 Requirement	Existing	Code Reference
Lot	Size	5,000 sq. ft.	5,000 sq. ft.	49.25.400
	Width	50'	50'	49.25.400
	Depth	80'	100'	49.25.400
Setbacks	Front	20'	0' (garage) 0' (greenhouse)	49.25.400
	Rear	10'	50' (residential structure) 0' (sauna)	49.25.400
	East Side	5'	2.71' (residential structure) 4.69' (garage) 4.69' (greenhouse)	49.25.400
	West Side	5' (Reduced to 3' for unheated structures)	0' (Noncompliant sheds)	49.25.400
Lot Coverage		50%	37%	49.25.400
Height	Permissible	35'	<35	49.25.400
	Accessory	25'	~20'	49.25.400
Maximum Dwelling Units		1	1	49.25.500
Use		Residential	Residential	49.25.300
Vegetative Cover		30%	32%	49.50.300
Parking		2	2	49.40.210(a)

August 20, 2021
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Minimum Lot Requirements – The table above demonstrates that the lot meets the minimal lot size, lot width, and lot depth requirements for the D18 zoning district.

Finding: Staff finds the lot conforming for lot size, lot width, and lot depth.

Minimum Setback Requirements – The dwelling and the garage were built prior to the establishment of zoning. The greenhouse received a Conditional Use Permit for the front and east side yard setback encroachments. The sauna received a Variance for the rear and east side yard setback encroachments. The lot contains two sheds that are noncompliant for the west side yard setbacks.

Finding: Staff finds the dwelling nonconforming for east side yard setbacks, and the garage nonconforming for front and east side yard setbacks.

Finding: Staff finds the two sheds noncompliant.

Lot Coverage – Based on 2013 aerial imagery and a 2021 site visit, maximum lot coverage is not exceeded.

Finding: Staff finds the lot conforming for lot coverage.

Structure Height – Assessor's photos and site visit confirm that the structures do not exceed the maximum height limits.

Finding: Staff finds the structures conforming for height.

Residential Density – The lot contains a single-family dwelling. The assessor's database indicates one unit.

Finding: Staff finds the lot conforming for residential density.

Use – The use of the lot is residential.

Finding: Staff finds the lot conforming for use.

Vegetative Cover – According to the GIS aerial imagery and a site visit, the minimum vegetative cover requirement is met.

Finding: Staff finds the lot conforming for vegetative cover.

Parking – CBJ 49.40.210 requires two off-street parking spaces. Back-out parking may be allowed for single-family dwellings in residential zoning districts per 49.40.230(b)(7)(A). 2013 Assessor photographs indicate two off-street parking spaces within the garage, which was confirmed with a site visit.

Finding: Staff finds the use conforming for number and type of off-street parking spaces.

NONCOMPLIANT SITUATIONS

49.30.310(j) Failure of a situation to qualify for nonconforming certification. If a situation does not qualify for or is denied nonconforming certification, it is noncompliant and the property is subject to enforcement actions consistent with this title.

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The lot contains two non-electrified sheds approximately 25 square feet each that are noncompliant for setbacks.

Finding: Staff finds the two shed structures noncompliant for setbacks. In order to comply with the Land Use Code, the applicant must relocate the sheds to comply with 3 foot setback requirement for unheated structures in CBJ 49.25.430(4)(C)(iii), apply for a setback reduction through the Alternative Development Overlay District, or receive an approved Variance to reduce the west side yard setback to zero.

ABANDONMENT

49.30.220(b) Abandonment of a nonconforming situation. *A nonconforming situation is abandoned if any of the following events occur:*

- (1) The owner indicates in writing that the nonconforming situation is being permanently discontinued;*
- (2) The nonconforming situation is damaged, destroyed, removed or demolished intentionally by the owner or intentionally by an authorized agent of the owner;*
- (3) The nonconforming structure is moved;*
- (4) The owner takes action consistent with an intent to abandon the nonconforming situation;*
- (5) The structure(s) associated with the nonconforming situation has been vacant for 365 consecutive days;*
- (6) Except for a structure with a nonconforming residential density, the nonconforming use has ceased and not substantially resumed for 365 consecutive days; or*
- (7) A structure with a nonconforming residential density has been unoccupied for 1095 consecutive days.*

No information has been submitted to suggest the nonconforming situations on the lot have been abandoned.

FINDINGS

1. Was the nonconforming situation allowed, or not prohibited by law, when it was established?

Analysis: The dwelling and garage were constructed prior to the establishment of zoning.

Finding: Yes. The nonconforming situation was allowed when established.

Analysis: The sheds along the west side lot line encroach into the west side yard setback requirement for unheated structures. This encroachment was not approved.

Finding: Staff finds the sheds noncompliant for setbacks.

August 20, 2021
 NCC2021 0065
 Page 7 of 7

2. Has the nonconforming situation been abandoned?

Analysis: No information has been submitted that suggests the nonconforming situations have been abandoned.

Finding: No. The nonconforming situations have not been abandoned.

RECOMMENDATION

Staff recommends that the Director adopt the analysis and findings, and find the following situation on the lot to be NONCONFORMING to the Title 49 Land Use Code:

- Nonconforming structures (49.30.250):
 - Zero foot front yard setback for the garage
 - 4.69 foot east side yard setback for the garage
 - 2.71 foot east side yard setback for the dwelling

Staff recommends that the Director adopt the analysis and findings, and find the following situations NONCOMPLIANT to the Title 49 Land Use Code:

- Noncompliant setbacks:
 - Two (2) sheds are noncompliant for the west side yard setback. In order to comply with the Land Use Code, the applicant must relocate the sheds to conform to the 3 foot setback in CBJ 49.25.430(4)(C)(iii) for unheated structures, or apply for a setback reduction through the Alternative Development Overlay District, or receive an approved Variance to reduce the west side yard setback to zero.
 - The property owners must bring the setback encroachment into compliance with the Land Use Code.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	Information Reviewed

Attachment A - Application Packet



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 114 Sixth Street	
Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) Juneau Townsite Block 29 Lot 2	
Parcel Number(s) 1-C06-0-A29-003-0	
☐ This property located in the downtown historic district ☐ This property located in a mapped hazard area, if so, which _____	
LANDOWNER/ LESSEE	
Property Owner Kimberly Homme/VanceFatePutman	Contact Person Kimberly Homme
Mailing Address PO Box 20473 Juneau AK 99802	Phone Number(s) 907 321-2933
E-mail Address Kimberly.homme@gmail.com	
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	Kimberly Homme Landowner/Lessee Signature Date 8/9/21
X	[Signature] Landowner/Lessee Signature Date 8/9/21
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	Contact Person
Mailing Address	Phone Number(s)
E-mail Address	
X	Applicant's Signature Date of Application

-DEPARTMENT USE ONLY BELOW THIS LINE

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

NCC 21-65

Intake Initials

Bme

Date Received: 11/11/2011 11:11:11 AM

Case Number

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Attachment H - Excerpts from NCC2021 0065

Attachment A - Application Packet



APPLICATION FOR A NONCONFORMING CERTIFICATION REVIEW

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.

TYPE OF NONCONFORMING SITUATION (CHECK ALL THAT MAY APPLY)

☐ USE ☒ STRUCTURE ☐ DENSITY ☐ PARKING ☒ LOT

Have you submitted a narrative that fully explains the above listed nonconforming situations? YES ☒ NO ☐

The narrative should explain the nature of the nonconforming situation(s). Be specific, state past and present uses of the building, property, etc.

List all relevant information being submitted. Include this material and an as-built or site plan with the application.

Relevant information to show that the **situation was allowed when established** may include: building or land use permits, recorded plats, zoning codes or maps, dated photographs.

Situation	Type of Documentation
substandard lot	Plat
substandard setbacks	as-built
	CBJ File No. USE 2013 0016
	CBJ File No. YAR 2013 0015

Relevant information to show that the **situation was maintained over time** may include: business licenses, dated photographs, insurance records and maps, utility bills, property tax records, business license, telephone listing, advertisement in dated publications, leases.

Maintained Situation	Type of Documentation
used as single family home since 1914	CBJ Historic Structures Database

NOTE: If an as-built survey is not submitted, the Community Development Department may not be able to issue a Nonconforming Certificate for setbacks. As-built surveys should show the property in its current condition.

ALL REQUIRED MATERIALS ATTACHED

☒ Complete Application (Per CBJ 49.30.310)

- ☒ Narrative
☒ As-built survey or similar document
☒ Documentation
☒ Fees

NONCONFORMING CERTIFICATION REVIEW FEES:

	Fees	Check No.	Receipt	Date
Application Fees	\$ 150.00			
Admin. of Guarantee	\$			
Adjustment	\$			
Total Fee	\$ 150.00			

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
907-586-0770.

Case Number	Date Received
NCC 21-65.	8/9/21

Attachment A - Application Packet

Nonconforming Certification Application Instructions

Nonconforming Situations is outlined in CBJ 49.30.310

Pre-Application Conference: A pre-application conference is **NOT** required prior to submitting an application. It is highly recommended that applicants meet with a planner to discuss the nonconforming situation(s) and necessary or appropriate documentation for submittal. Staff may have access to documentation that the applicant does not. Please contact the Permit Center at 907-586-0770 or via e-mail at permits@juneau.org.

Application: An application for a Nonconforming Certificate will not be accepted by the Community Development Department until it is determined to be complete. The items needed for a complete application are:

1. **Forms:** Completed application for Nonconforming Certificate and Development Permit Application forms.
2. **Fees:** Fee is \$150. If submitted in conjunction with a development permit, the fee is waived. All fees are subject to change.
3. **Project Narrative:** A detailed narrative describing the nonconforming situation(s).

Document Format: All materials submitted as part of an application shall be submitted in either of the following formats:

1. Electronic copies in the following formats: .doc, .txt, .xls, .bmp, .pdf, .jpg, .gif, .xlm, .rtf (other formats may be preapproved by the Community Development Department).
2. Paper copies 11" X 17" or smaller (larger paper size may be preapproved by the Community Development Department).

Application Review: Once the application is determined to be complete, the Community Development Department will initiate the review and scheduling of the application. This process includes:

Review: As part of the review process, the Community Development Department will evaluate the application for consistency with all applicable City & Borough of Juneau codes. Depending on the details of the permit request, the application may require review by other City & Borough of Juneau departments. Applicants may be required to provide additional information and clarification.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Attachment A - Application Packet

Narrative for Application for a Nonconforming Certification Review.

The narrative should explain the nature of the nonconforming situation(s). Be specific, state past and present uses of the building, property, etc.

The property at 114 Sixth Street has been a residential home since 1914. *The property doesn't meet current setback + lot size requirements for D18 zoning.* A Conditional Use Permit was granted by CBJ for the 10' x 20' greenhouse on top of a garage. The property has a non-conforming lot size and non-conforming front and side-yard setback. As a result, a conditional use permit was granted for the Greenhouse after the as-built survey was completed.

Copies of the Notice of Decision / 2013 CBJ Correspondence are attached, of which includes the as-built agreement.

A Variance was granted by CBJ to reduce the 5' side yard set back to zero and the 10' rear yard setback to zero feet for construction of a sauna in the NW corner of the property. An easement agreement exists with the adjacent property owners, Richard and Kathy Ward, and recognizes the 3 inch encroachment and allows use and maintenance of the sauna structure on the property. The encroachment was determined after the as-built survey was completed.

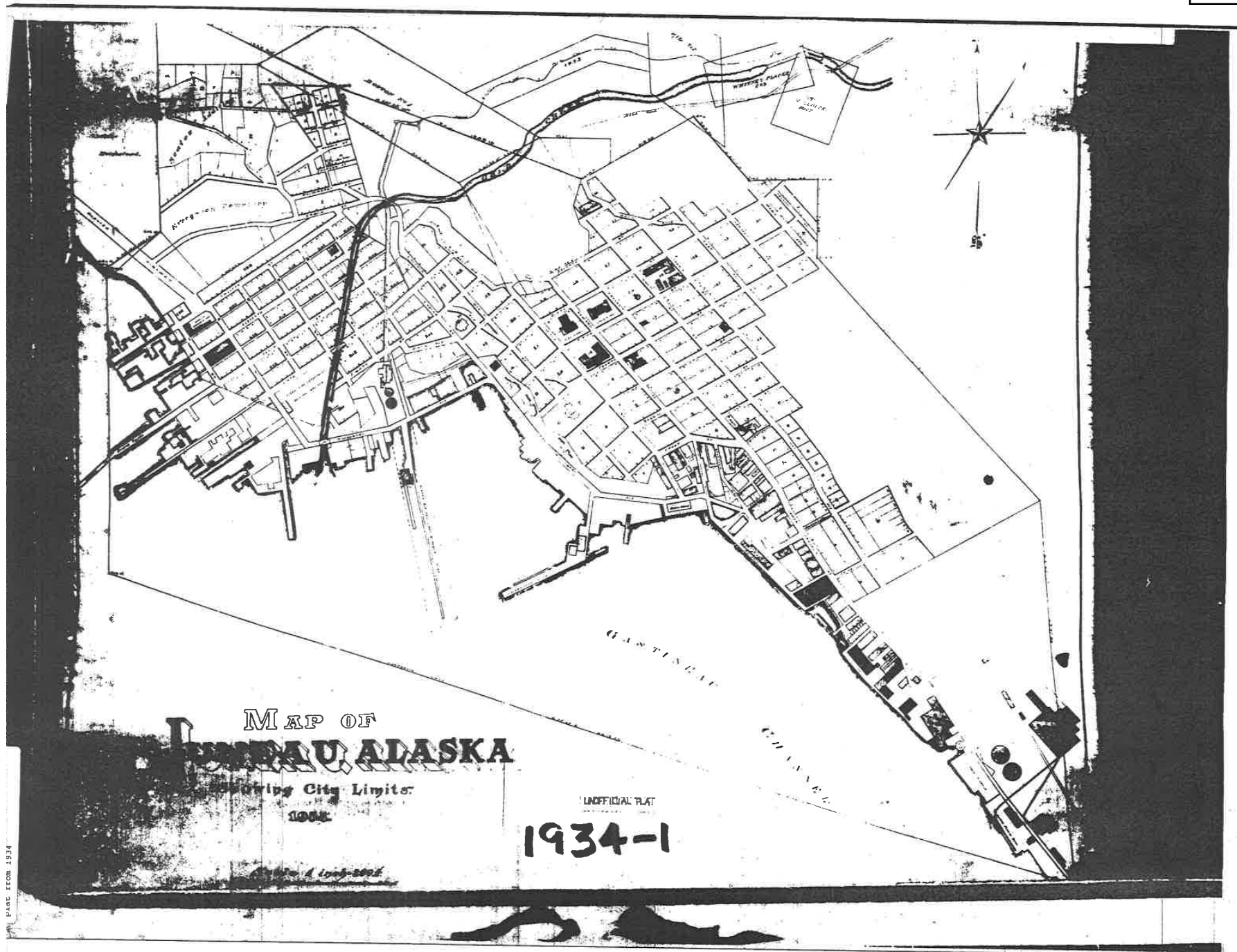
Copies of the Notice of Decision / 2013 CBJ Correspondence are included. The easement agreement is included.

The CBJ Historic Structure Database is also a reference doc provided.

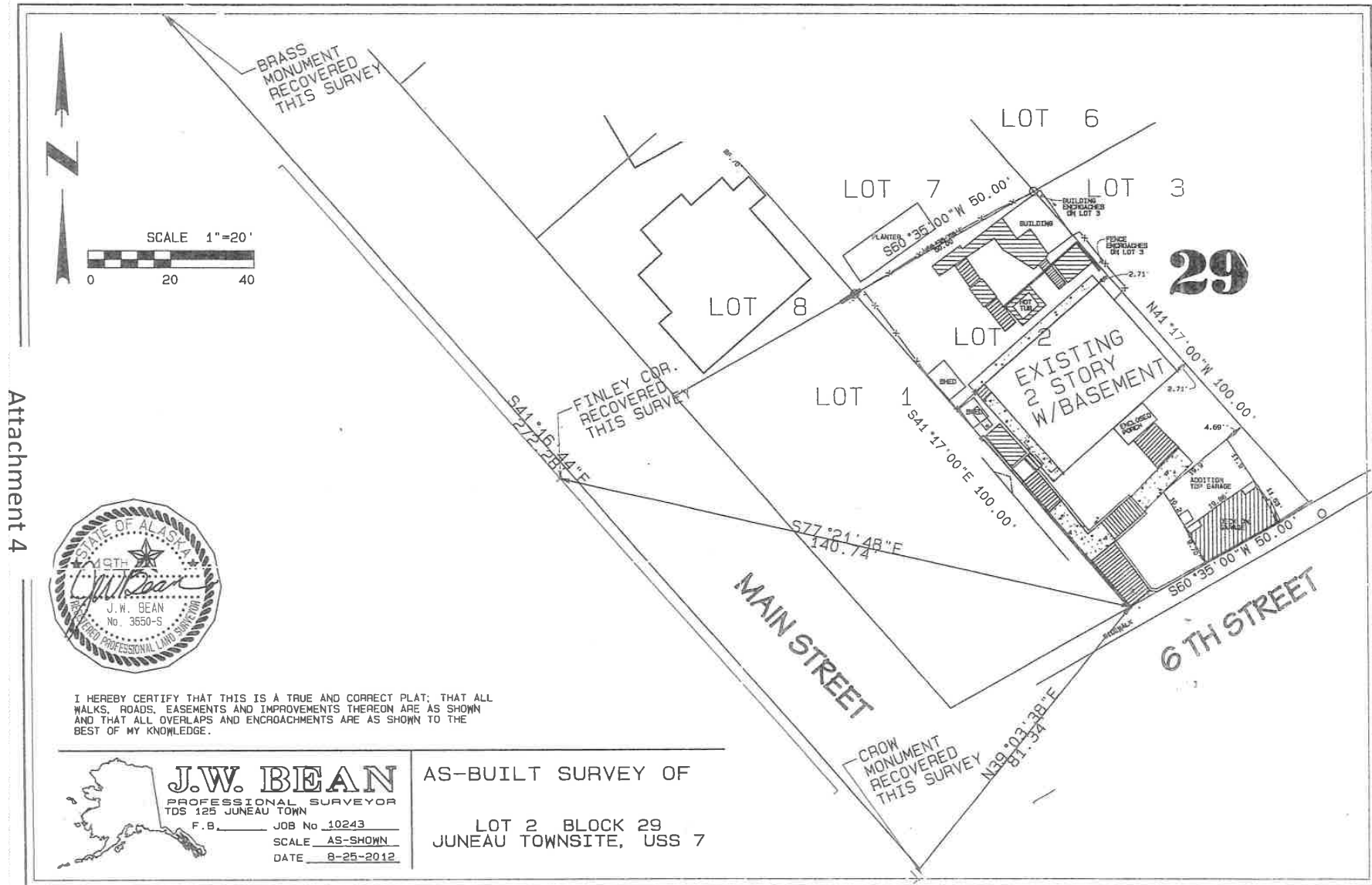
Thank you for your review.

Kimberly Horne

8/9/21



Attachment A - Application Packet



Attachment A - Application Packet

Willis-Davis House

Location: 114 6th Street

AHRS#: JUN-160

CBJ#: B-23

Parcel#: 1C060A290030

Year Built: 1915

Architectural Style: Other/ Juneau Folk

Architect/Contractor: unknown

Historic Name: Willis-Davis House

Historic Period: Territorial Gov

Historic Integrity: preserved

Neighborhood: Juneau Townsite

Date of Local Designation: Not Designated

Date of National Register Designation: Not Regist



Additional Information

General Description

The house measures 29' x 36'. It is a one-and-one-half stories, wood frame structure with hip-on-gable roof form featuring large shed dormer. It has a concrete partial basement and is sided with horizontal wood lap siding. Other features include a pedimented enclosed entry porch.

Historical Information

The house was constructed in 1914 for J.R. Willis, collector of Customs and Vice President of the B.M. Behrends Bank. Willis served on the City Council and was Vice Mayor. From 1920 until 1935, Valorous and Grace Paine owned the house until John photographer, Trevor Davis and his wife, Carol Beery Davis bought it. It continues to be the Davis home.

Historic Use

residential

Source

Juneau Townsite Building Survey, City and Borough of Juneau, Alaska, September 1988

Attachment A - Application Packet



**PLANNING COMMISSION
NOTICE OF DECISION**

Date: October 23, 2013

File No.: USE2013 0016

Vance F Putman
PO Box 20473
Juneau, AK 99802

An after-the-fact Conditional Use Permit for a greenhouse constructed over a garage that encroaches 3 inches into the 10-foot front yard setback and 3 inches into the 5-foot side yard setback.

Application For: An after-the-fact Conditional Use Permit for a greenhouse constructed over a garage that encroaches 3 inches into the 10-foot front yard setback and 3 inches into the 5-foot side yard setback.

Legal Description: Juneau Townsite Block 29 Lot 2

Property Address: 114 Sixth Street

Parcel Code No.: 1-C06-0-A29-003-0

Hearing Date: October 22, 2013

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated October 15, 2013 and approved the project to be conducted as described in the project description and project drawings submitted with the application.

Attachments: October 15, 2013 memorandum from Teri Camery, Community Development, to the CBJ Planning Commission regarding USE2013 0016.

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, October 22, 2013

Expiration Date: The permit will expire 18 months after the effective date, or April 22, 2015 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.

Attachment A - Application Packet

Vance F Putman
File No.: USE2013 0016
October 23, 2013
Page 2 of 2

Project Planner:



Teri Camery, Senior Planner
Community Development Department

Michael Satre, Chair
Planning Commission

Filed With City Clerk

Date

10/25/13

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.

Attachment A - Application Packet

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

DATE: October 15, 2013

TO: Planning Commission

FROM: Teri Camery, Senior Planner
Community Development Department

FILE NO.: USE2013 0016

PROPOSAL: An after-the-fact Conditional Use Permit for a greenhouse constructed over a garage that encroaches 3 inches into the 10-foot front yard setback and 3 inches into the 5-foot side yard setback.

GENERAL INFORMATION

Applicant: Vance F Putman

Property Owner: Vance F Putman

Property Address: 114 Sixth Street

Legal Description: Juneau Townsite Block 29 Lot 2

Parcel Code Number: 1-C06-0-A29-003-0

Site Size: 4,893 square feet

**Comprehensive Plan
Land Use Designation:** Medium Density Residential

Zoning: D-18

Utilities: CBJ Water and Sewer

Access: Sixth Street

Existing Land Use: single-family dwelling

**CITY/BOROUGH OF JUNEAU**
★ ALASKA'S CAPITAL CITY

Attachment A - Application Packet

Surrounding Land Use:	North	-	D-18 Residential
	South	-	Sixth Street; D-18 Residential
	East	-	D-18 Residential
	West	-	D-18 Residential

Vicinity Map



Attachment A - Application Packet

Planning Commission
File No.: USE2013 0016
October 15, 2013
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ATTACHMENTS

Attachment 1 Development Permit Application
Attachment 2 Conditional Use Permit Application
Attachment 3 Project Narrative
Attachment 4 Survey
Attachment 5 Building Permit plans
Attachment 6 Applicant photos
Attachment 7 Project elevation

PROJECT DESCRIPTION

The applicant requests a Conditional Use Permit for after-the-fact construction of a 10' x 20' greenhouse on top of a garage. The greenhouse encroaches three inches into the 10-foot front-yard setback in the southwest corner of the structure, and three inches into the five-foot side-yard setback in the northeast corner of the structure, due the slight angle of the garage. Setback encroachments that occur at the second story elevation or higher are reviewed through the Conditional Use Permit process instead of the Variance process, per CBJ Code 49.25.430(4)(M). The structure does not qualify under code sections that allow encroachments for minor issues both because it is heated and because it is on the second floor.

The greenhouse was constructed on top of a garage that was built in the 1950s at the zero foot-setback line. The garage is a legally non-conforming structure. The greenhouse encompasses approximately half the width of the garage, very close to the 10-foot front yard setback line. The three inch encroachment at the opposite corners of the greenhouse was discovered when the as-built survey was completed (Attachment 4). In both the southwest and northeast corners of the greenhouse, the structure encroaches three inches over a linear distance of approximately two feet. Due to the angle, the three inch encroachment does not extend the full length of either side of the greenhouse.

BACKGROUND

The lot has a legally non-conforming lot size and legally non-conforming front and side-yard setbacks. Assessor's Office records indicate that the home was built in 1914. In addition to the Conditional Use Permit, the applicant has also applied for an after-the-fact Variance for construction of a sauna in the northeast corner of the lot. Both encroachments were discovered only after the as-built survey was completed.

Attachment A - Application Packet

Planning Commission
File No.: USE2013 0016
October 15, 2013
Page 4 of 6

ANALYSIS**Project Site and Design -**

The project is located on D-18 residential lot with a substandard lot size and substandard setbacks. The lot has a 35 degree slope. Building plans for the greenhouse have been included in Attachment 5, while elevations are included in Attachment 7. Photos are included in Attachment 6. The structure has been designed to blend well with both the garage and the single-family home.

Public Health or Safety –

No evidence indicates that the proposed development will negatively impact public health or safety.

Property Value or Neighborhood Harmony -

Due to the 35 degree slope of the property as well as the very minor three inch encroachment, no evidence indicates that the development will negatively impact views, light and air, property value, or neighborhood harmony.

Conformity with Adopted Plans -

The project substantially conforms with the 2013 Juneau Comprehensive Plan, specifically Policy 10.3 and 10.4, which state:

***Policy 10.3** [It is the policy of the CBJ] to facilitate residential developments of various types and densities that are appropriately located in relation to site conditions, surrounding land uses, and capacity of public facilities and transportation systems.*

***Policy 10.4** [It is the policy of the CBJ] to minimize conflicts between residential areas and nearby recreational, commercial, or industrial uses that would generate adverse impacts to existing residential areas through appropriate land use locational decisions and regulatory measures.*

The project conforms with these measures by constructing the greenhouse on top of an existing structure in a way that blends in with other structures on the lot and has minimal visual impact on the neighborhood.

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;

Attachment A - Application Packet

Planning Commission
 File No.: USE2013 0016
 October 15, 2013
 Page 5 of 6

2. Whether the proposed use is appropriate according to the Table of Permissible Uses;
 and,
3. Whether the development as proposed will comply with the other requirements of this chapter.

The Commission shall adopt the Director's determination on the three items above unless it finds, by a preponderance of the evidence, that the Director's determination was in error, and states its reasoning for each finding with particularity.

CBJ §49.15.330 (f), Commission Determinations, states that even if the Commission adopts the Director's determination, it may nonetheless deny or condition the permit if it concludes, based upon its own independent review of the information submitted at the public hearing, that the development will more probably than not:

1. Materially endanger the public health or safety;
2. Substantially decrease the value of or be out of harmony with property in the neighboring area;
 or,
3. Not be in general conformity with the comprehensive plan, thoroughfare plan, or other officially adopted plans.

Per CBJ §49.15.330 (e) & (f), Review of Director's & Commission's Determinations, the Director makes the following findings on the proposed development:

1. Is the application for the requested 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 49.25.300.1.110 for the D-18 zoning district.

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

Yes. The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in the October 11, 2013 and October 18, 2013 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public Right of Way.

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Planning Commission
File No.: USE2013 0016
October 15, 2013
Page 6 of 6

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

No. Based on the preceding analysis, no available evidence indicates that the proposed development will materially endanger the public health or safety.

5. *Will the proposed development substantially decrease the value of or be out of harmony with property in the neighboring area?*

No. Based on the preceding analysis, no available evidence indicates that the proposed development will substantially decrease the value of or be out of harmony with property in the neighboring area. The setback encroachment is minor and does not block views due to the steep slope in the area.

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

Yes. The proposed development complies with the 2013 Juneau Comprehensive Plan, specifically policies 10.3 and 10.4 regarding residential development.

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

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

Not applicable.

RECOMMENDATION

Staff recommends 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 a greenhouse on top of an existing garage which would encroach three inches into the front and side yard setbacks.

Attachment A - Application Packet

(Conditional Use)

DEVELOPMENT PERMIT APPLICATION

Project Number	CITY and BOROUGH of JUNEAU		Date Received: 5/2/13
Project Name (City Staff to Assign Name)			

INFORMATION

Project Description AS-built survey of new structure discovered 3" encroachment into CBS sidewalk setback			
PROPERTY LOCATION			
Street Address 114 E 6th Street		City/Zip Juneau 99801	
Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) USS7 Juneau Townsite Block 29 Lot 2			
Assessor's Parcel Number(s) 1 CO6A2900300			
LANDOWNER/LESSEE			
Property Owner's Name V. Fate Putman and Kimberly Homme		Contact Person: F. Putman	
Mailing Address Box 20473 Juneau 99802		Home Phone: 321-0773	
E-mail Address fateputman@gmail.com		Fax Number: 463-4975 (m)	
LANDOWNER/LESSEE CONSENT			

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 V. Fate Putman Landowner/Lessee Signature Date 4/29/2013

X Kimberly Homme Landowner/Lessee Signature Date 4/29/2013

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.

PROJECT / APPLICANT

APPLICANT			
If the same as OWNER, write "SAME" and sign and date at X below			
Applicant's Name same		Contact Person:	
Mailing Address same		Home Phone:	
E-mail Address same		Fax Number:	
		Other Contact Phone Number(s):	
X <u>V. Fate Putman</u> Applicant's Signature		Date of Application <u>4/29/2013</u>	

STAFF APPROVALS

Permit Type	Date Received	Application Number(s)
Building/Grading Permit		
City/State Project Review and City Land Action		
Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)		
Mining Case (Small, Large, Rural, Extraction, Exploration)		
Sign Approval (If more than one, fill in all applicable permit #'s)		
Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)		
Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)	5/2/13	45-13-016
Variance Case (De Minimis and all other Variance case types)		
Wetlands Permits		
Zone Change Application		
Other (Describe)		

***Public Notice Sign Form filled out and in the file.

Comments:

Attachment 1

Attachment A - Application Packet

Conditional Use Permit application – Narrative and Attachments**Putman/Homme 114 E. 6th Street : CU Application Addendum**

A 10'X 20' greenhouse structure was built on top of an existing concrete garage. (Bld. Permit # 2009-00103) The preexisting garage was constructed in approximately 1950. The concrete garage was constructed to the edge of the sidewalk on 6th Street and has been a grandfathered structure for the past 60 years.

The new greenhouse structure was built on back half of the 20'X20' garage roof. The greenhouse used the same footprint as the garage, which is slightly out of square. A subsequent as-built survey found that one corner of the new structure was not the full 10 feet back from the sidewalk edge. The SW corner of the roof eave encroaches 3 inches into the 10 foot setback. This is an overhanging eave and not part of the interior of the greenhouse building. The remainder of the greenhouse structure is behind the 10 foot setback. However, because of the overhanging eave, the SW corner of the greenhouse is 9'9" from the CBJ sidewalk.

A Conditional Use permit is required for the 3"encroachment into the 10 foot setback requirement. It is my request that this CU permit be granted to permit this encroachment. There is no impact on the public sidewalk below or any utility conflicts.

NE Corner of greenhouse

In addition to the overhanging eave, the As-built Survey determined that the Northeast corner of the garage/greenhouse encroaches into setback requirements with the adjoining lot. The NE corner of the garage footprint (circa 1950) extends into the side yard setback approximately 3 inches.

This encroachment occurs on the NE corner of both the garage and greenhouse structures. The remaining portion of the east side of the garage and greenhouse Structure does not protrude into the 5 foot setback. In this 20 foot span only the last five feet of the structures protrude into the setback. That is because the garage is square to the street but not square to the property line thus causing a side yard setback issue.

Property Values and Neighborhood Harmony

The addition and slight CBJ encroachment will not decrease the value of surrounding properties. The greenhouse was designed by Northwind Architects LLC, to have the same architectural style as the main home and preexisting Garage on the property. This blend of colors and building design allows the Greenhouse to complement the existing buildings and as a result, blends well with the neighborhood. The structure does

Attachment A - Application Packet

not affect any neighbor's light, air or views. (Note that the Lot 3 eastside neighbor has provided an Easement Agreement for the Variance application.)

- A. As-Built Survey, Site Plan, Elevation View, 3-page Floor Plan – attached Easement Agreement by east neighbor, also for related variance, attached
- B. There are No Parking issues with this application.
- C. There are No Traffic issues with this application.
- D. There is Lighting on the exterior of the structure. This exterior lighting is recessed up under the eaves so there is no light pollution from the structure.

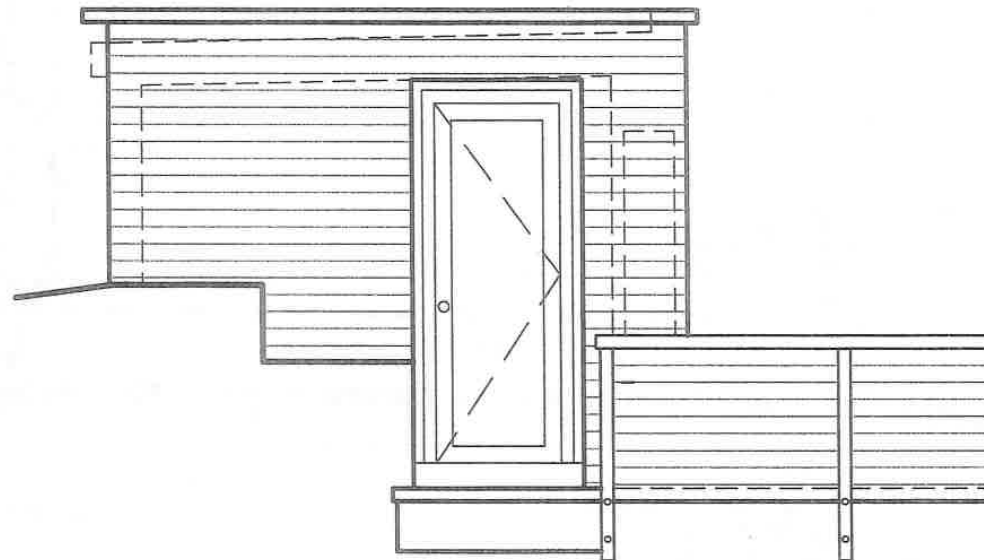
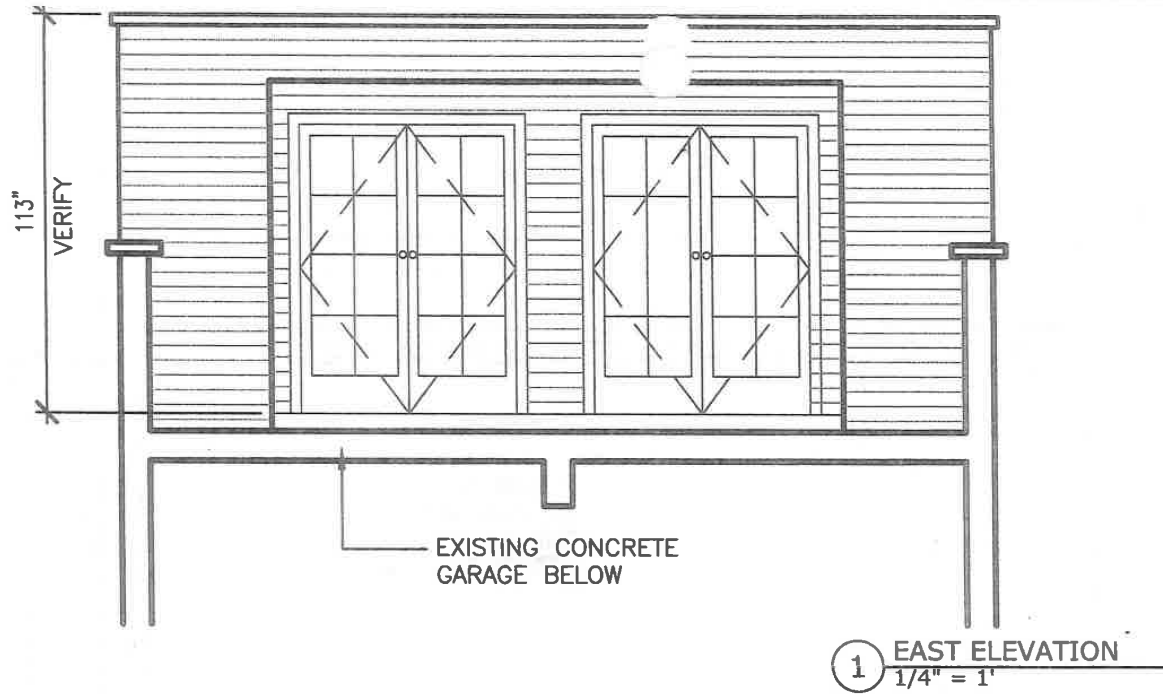
Exterior Lighting: Two exterior lights were incorporated into the greenhouse structure. One light is located on the alcove ceiling above the west facing entrance. This main entrance has a single door recessed into the structure 3 feet. This door setback is to both protect the door and match the garage architecture below. Above this door on the ceiling is an entrance light, placed there to both protect the light and minimize light intrusion outside. This door entry light has achieved those desired results.

A second exterior light is on the south side of the greenhouse, under the overhanging front eave. This also protects the fixture from the weather and minimizes light intrusion. Light is confined to the front deck of the garage roof and does not shed light on 6th Street or the sidewalk below. This exterior light has achieved the desired results of both protection and light shading.

E. Natural vegetation remains between Lot 2 and Lot 3; lilacs, Sitka Rose bushes and Hawthorn trees separate the two. This set of trees and shrubs creates a visual screen between properties and between the greenhouse and the neighbor's home on Lot 3. On the west side of the structure there is large flower garden.

F. The property is a Steep Hillside. That presents some challenges to development of the lot. However, the steep terrain has no impact on the greenhouse structure because it was built atop the existing poured concrete garage, as the foundation.

N
NorthWind
Architects LLC
 119A 2ND ST.
 JUNEAU, AK 99801
 PH #907.586.6150
 FX #907.586.6181
 WWW.NORTHWINDARCH.COM



Attachment A - Application Packet



PUTMAN GREENHOUSE

114 SIXTH STREET
 JUNEAU, ALASKA 99801

SHEET TITLE:
 ELEVATIONS

DATE: 3-12-10
 REVISION:
 CHECKED BY: SMB
 DRAWN: FKD

SHEET #
A2.0

NorthWind Architects LLC
 119A 2ND ST.
 JUNEAU, AK 99801
 PH #907.586.6150
 FX #907.586.6181
 WWW.NORTHWINDARCH.COM

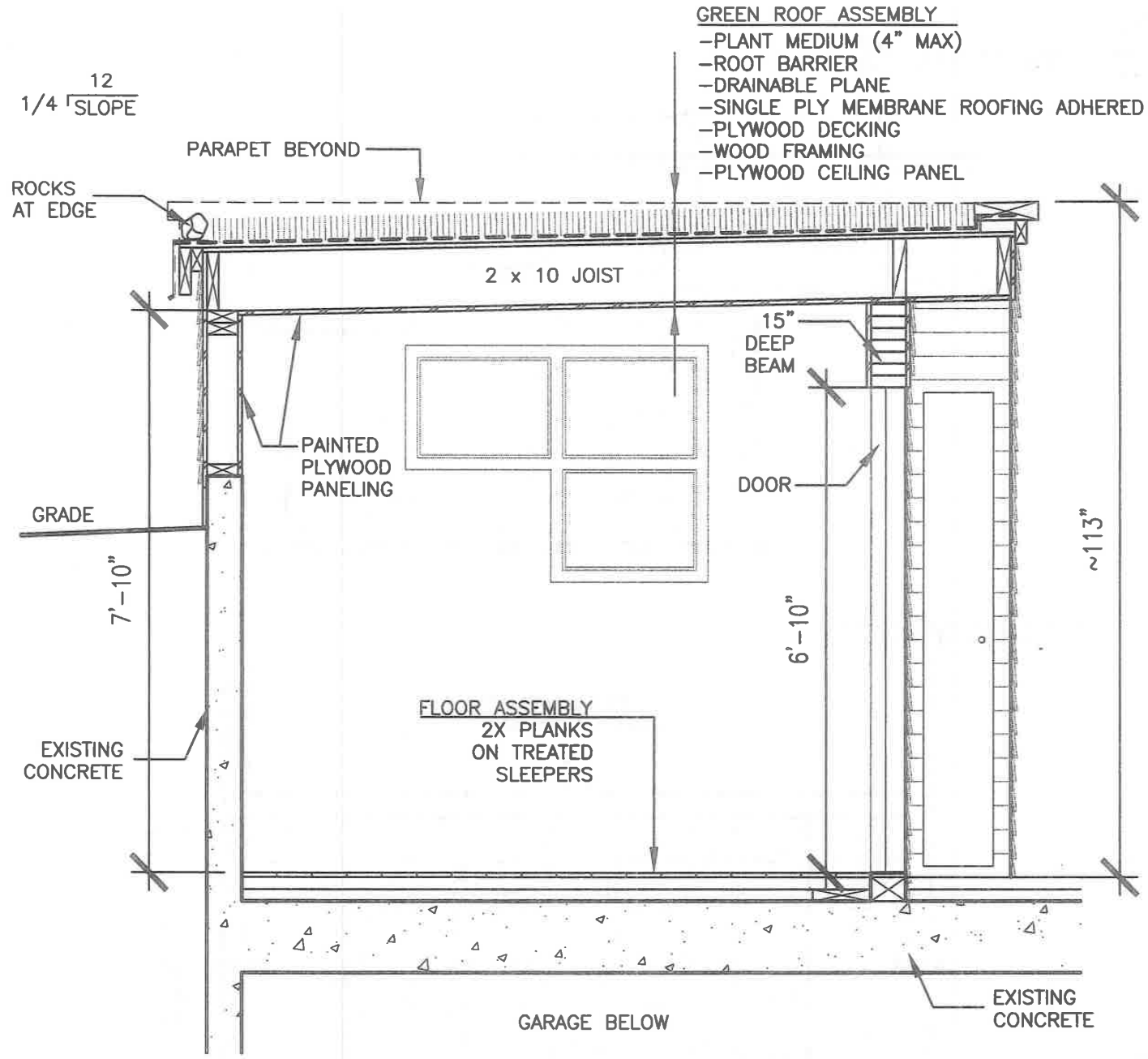
PUTMAN GREENHOUSE

114 SIXTH STREET
 JUNEAU, ALASKA 99801

SHEET TITLE:
 SECTION

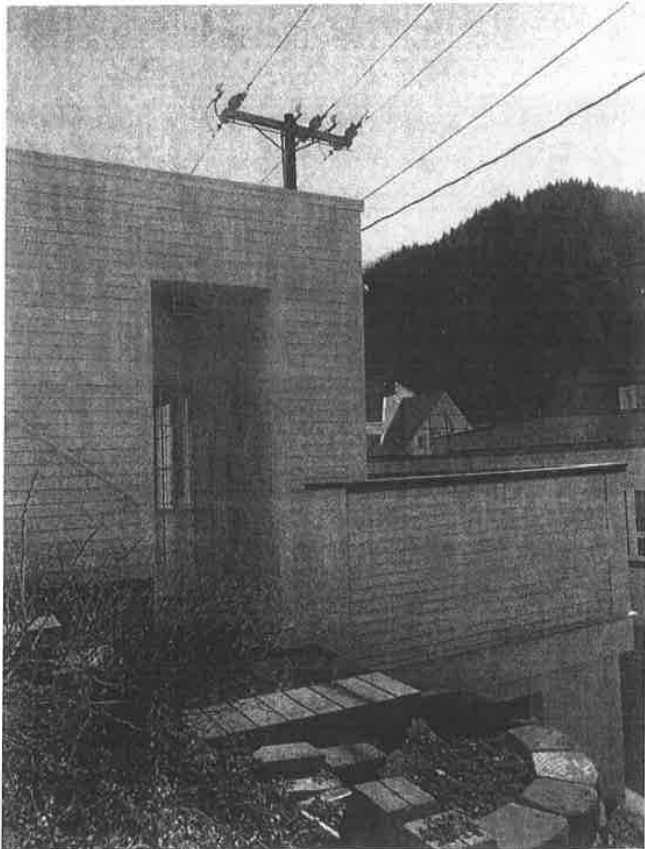
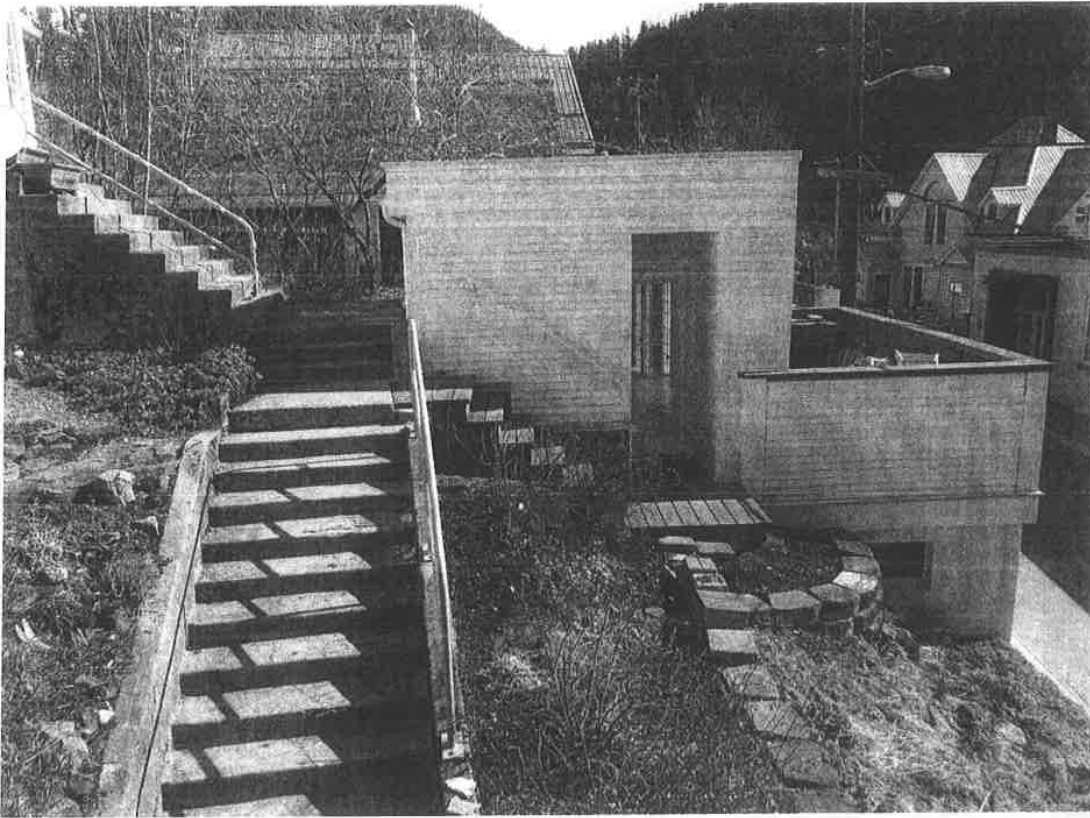
DATE: 3-12-10
 REVISION: ****
 CHECKED BY: SMB
 DRAWN: FKD

A3.0



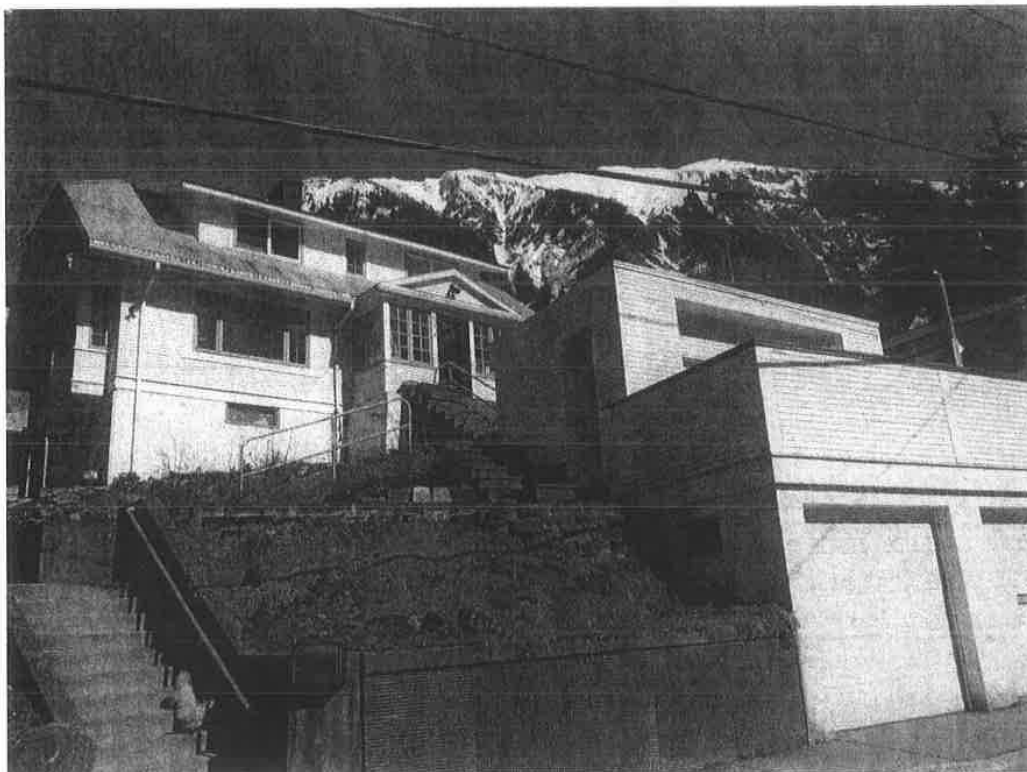
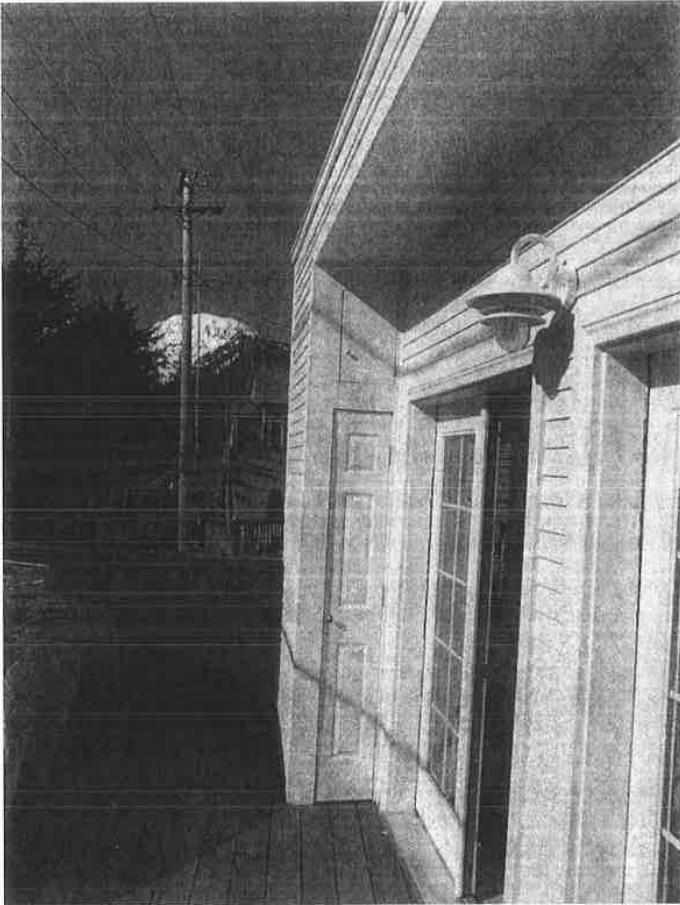
Attachment A - Application Packet **1** SECTION
 1/2" = 1'

Attachment A - Application Packet



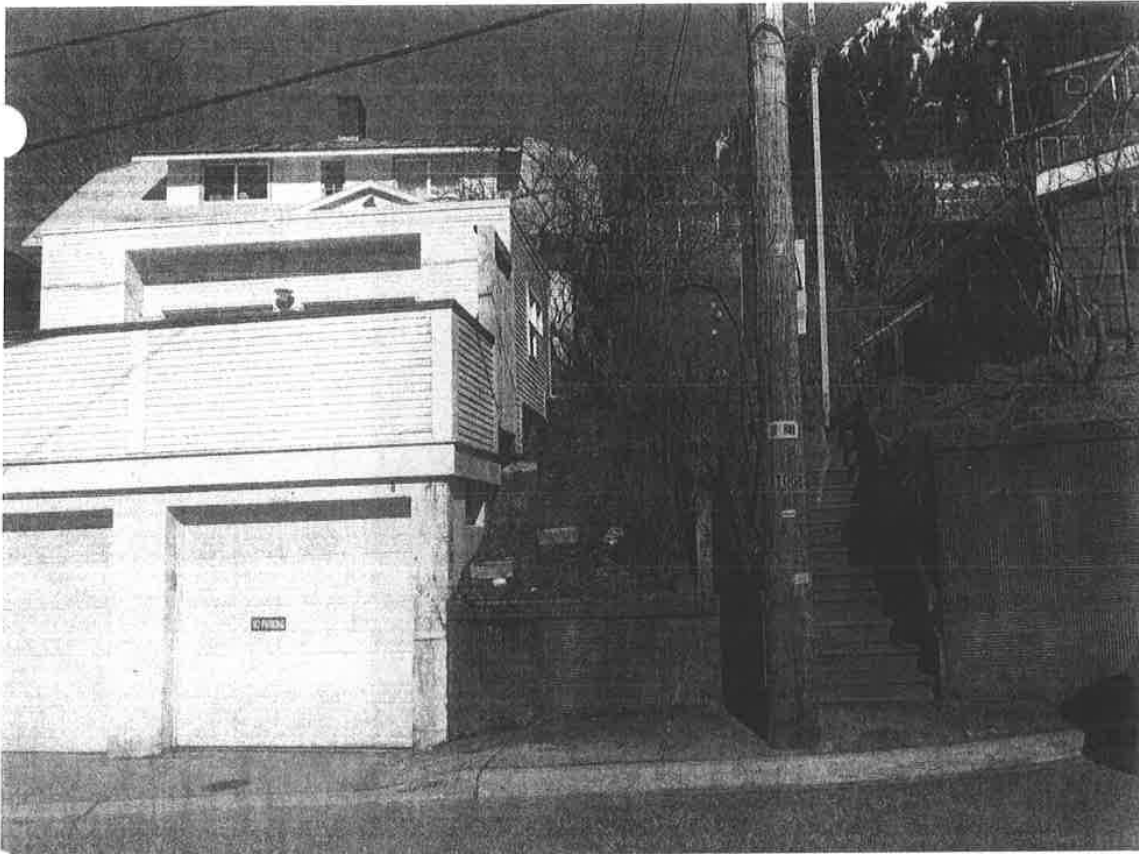
Attachment 6

Attachment A - Application Packet



Attachment 6

Attachment A - Application Packet



Attachment 6

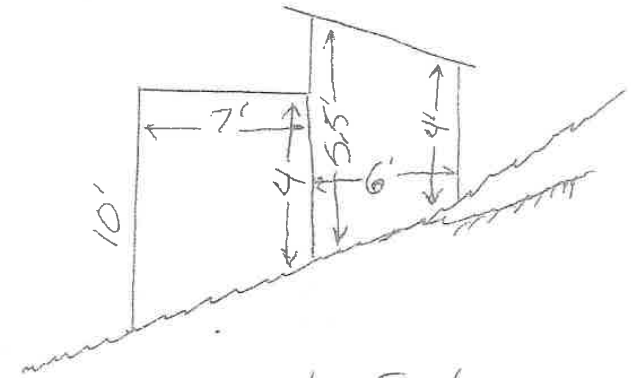
Attachment A - Application Packet



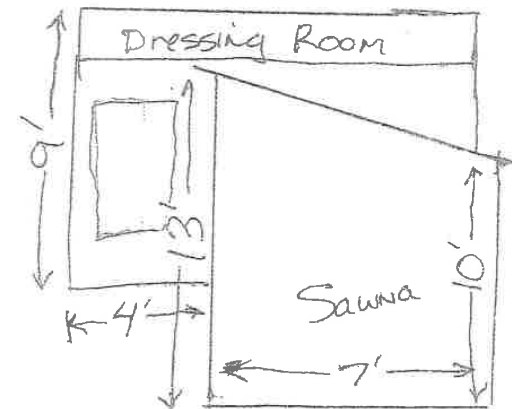
Attachment 6

Putman Greenhouse/Sauna
(CJ Permit # BLD 2008-04193)

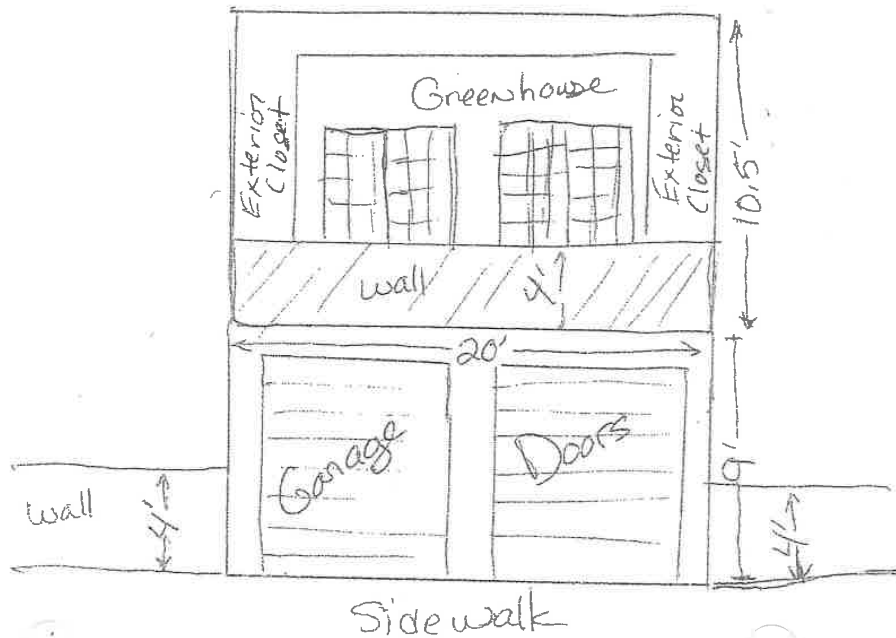
Northeast Elevation



South East Elevation



South east (Front)
Elevation



Putman Green House / Sauna
(CB) Building Permit # BLD 0009-00105

[illegible]

North East Elevation
(side)

Attachment A - Application Packet


**BOARD OF ADJUSTMENT
NOTICE OF DECISION**

Date: February 6, 2013

File No.: VAR2013 0015

Vance F Putman
PO Box 20473
Juneau, AK 99802

Application For: An after-the-fact Variance to reduce the side-yard and rear-yard setbacks to zero for construction of a sauna.

Legal Description: Juneau Townsite Block 29 Lot 2

Property Address: 114 Sixth Street

Parcel Code No.: 1-C06-0-A29-003-0

Hearing Date: October 22, 2013

The Board of Adjustment, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated October 15, 2013, and approved the Variance to be conducted as described in the project description and project drawings submitted with the application.

Attachment: October 15, 2013 memorandum from Teri Camery, Community Development, to the CBJ Board of Adjustment regarding VAR2013 0015

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

This Notice of Decision constitutes a final decision of the CBJ Board of Adjustment. 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 Board of Adjustment shall be at the risk that the decision may be reversed on appeal (CBJ §49.20.120).

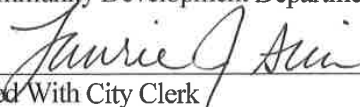
Effective Date: The permit is effective upon approval by the Board, October 22, 2013

Expiration Date: The permit will expire 18 months after the effective date, or April 22, 2015 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.

Attachment A - Application Packet

Vance F Putman
File No: VAR2013 0015
October 23, 2013
Page 2 of 2

Project Planner:


Teri Camery, Senior Planner
Community Development Department
Michael Satre, Chair
Planning Commission
Filed With City Clerk

Date

10/25/13

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.

Attachment A - Application Packet

MEMORANDUM

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

DATE: October 15, 2013

TO: Board of Adjustment

FROM: Teri Camery, Senior Planner
Community Development Department

FILE NO.: VAR2013 0015

PROPOSAL: An after-the-fact Variance to reduce the side-yard and rear-yard setbacks to zero for construction of a sauna

GENERAL INFORMATION

Applicant: Vance F Putman

Property Owner: Vance F Putman

Property Address: 114 Sixth Street

Legal Description: Juneau Townsite Block 29 Lot 2

Parcel Code Number: 1-C06-0-A29-003-0

Site Size: 4,893 square feet

**Comprehensive Plan
Land Use Designation:** Medium Density Residential

Zoning: D-18

Utilities: CBJ Water and Sewer

Access: Sixth Street

Existing Land Use: Single-family dwelling

Surrounding Land Use:

North	-	D-18 Residential
South	-	Sixth Street; D-18 Residential
East	-	D-18 Residential
West	-	D-18 Residential



Attachment A - Application Packet

Board of Adjustment
File No.: VAR2013 0015
October 15, 2013
Page 2 of 7

Vicinity Map



Attachment A - Application Packet

Board of Adjustment
File No.: VAR2013 0015
October 15, 2013
Page 3 of 7

ATTACHMENTS

Attachment 1 Development Permit application
Attachment 2 Variance application
Attachment 3 Project Narrative
Attachment 4 Easement Agreement
Attachment 5 Applicant photographs
Attachment 6 Survey
Attachment 7 Additional Building Permit detail and elevations

PROJECT DESCRIPTION

The applicant requests an after-the-fact variance to reduce the five-foot side-yard setback to zero feet, and the 10-foot rear-yard setback to zero-four feet for construction of a sauna in the northwest corner of the lot (see survey, Attachment 6).

Because the sauna is under 120 square feet, the applicant was not required to apply for a building permit when it was first constructed, and therefore did not consider setback requirements. Approximately two years after construction, the applicant added electricity. The addition of electricity triggered the requirement for a building permit. During the building permit review, CDD requested an as-built survey to verify setbacks. The survey indicated that the structure was built to the zero setback line in the side-yard, and extended three inches into the neighboring property, and also encroached to the zero-four foot rear setback line. (The range of the encroachment is due to the angle of the property line.) The structure therefore requires a Variance.

ANALYSIS

The applicant has provided a detailed project narrative with photographs to explain why the structure was built in the corner of the lot within the setbacks. The lot has a 35 degree slope that shows signs of active erosion. In 2008, the applicant built a buttress to prevent the retaining wall (which was built in the 1950s) from moving downslope. The buttress became the foundation of the sauna. The retaining wall was built next to an old fence, also from the 1950s, which the applicant believed was the property line, and the applicant's intention was to build eight inches from the property line. However both the fence and the original retaining wall are actually located on the adjacent lot. This combination of factors resulted in construction of the building not only at the zero foot setback, but three inches into the neighboring property. The applicant has an easement agreement with the adjacent neighbor which allows use and maintenance of the structure on the property. (Attachment 4)

The applicant discovered the encroachment only after the as-built survey was completed. The applicant states that to remove the structure, he would have to reconstruct the entire buttress foundation as well as the building itself, which could cause further soil erosion. Because of the extreme slope in this neighborhood, the encroachment will not restrict views or light in the area.

Attachment A - Application Packet

Board of Adjustment
 File No.: VAR2013 0015
 October 15, 2013
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Variance Requirements

Under CBJ §49.20.250 where hardship and practical difficulties result from an extraordinary situation or unique physical feature affecting only a specific parcel of property or structures lawfully existing thereon and render it difficult to carry out the provisions of Title 49, the Board of Adjustment may grant a Variance in harmony with the general purpose and intent of Title 49. A Variance may vary any requirement or regulation of Title 49 concerning dimensional and other design standards, but not those concerning the use of land or structures, housing density, lot coverage, or those establishing construction standards. A Variance may be granted after the prescribed hearing and after the Board of Adjustment has determined:

1. *That the relaxation applied for or a lesser relaxation specified by the Board of Adjustment would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.*

The Variance would allow the owner to retain the already-constructed sauna in the location of the lot that provides a stable foundation on the slope. The Variance is consistent with justice to other property owners, because this neighborhood has many old homes with legally non-conforming structures within setbacks.

Staff finds that this criterion is met.

2. *That relief can be granted in such a fashion that the intent of this title will be observed and the public safety and welfare be preserved.*

The intent of Title 49 is established in Section 49.05.100 Purpose and Intent. Those sections, which are applicable to the requested variance, are as follows:

- 1) To achieve the goals and objectives and implement the policies of the Juneau Comprehensive Plan and the 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 residences, 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.

Attachment A - Application Packet

Board of Adjustment
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 October 15, 2013
 Page 5 of 7

The proposed Variance meets the intent of Title 49, specifically items 3, 5, and 6, by allowing construction of an accessory structure in the most appropriate location without negatively impacting open space, light, air, or views.

Staff finds that this criterion is met.

3. *That the authorization of the Variance will not injure nearby property.*

No evidence indicates that authorization of the Variance will injure nearby property. The adjacent property owner has signed an easement allowing the structure to encroach three inches into the adjacent lot, and has also authorized maintenance of the structure. This neighborhood has many non-conforming structures at or near zero setback lines, and because of the steep slope, the encroachment will not affect views.

Staff finds that this criterion is met.

4. *That the Variance does not authorize uses not allowed in the district involved.*

Personal-use saunas and similar structures are allowed as accessory structures in the D-18 zoning district, therefore the Variance does not authorize uses not allowed in the D-18 district.

Staff finds that this criterion is met.

5. *That compliance with the existing standards would:*

(A) *Unreasonably prevent the owner from using the property for a permissible principal use;*

The principal use in the D-18 zoning district is residential development. This use does not specifically include accessory structure such as saunas. Therefore compliance with existing standards would not unreasonably prevent the owner from using the property for a permissible principal use.

Staff finds that this sub-criterion is met.

(B) *Unreasonably prevent the owner from using the property in a manner which is consistent as to scale, amenities, appearance or features, with existing development in the neighborhood of the subject property;*

Compliance with standards would unreasonably prevent the owner from using the property in a manner consistent with features of existing development in the neighborhood, because this neighborhood has many homes with legally non-conforming structures within setbacks. CBJ Assessor's Office information indicates that the applicant's home was constructed in 1914, which is common for many homes in this area.

Attachment A - Application Packet

Board of Adjustment
 File No.: VAR2013 0015
 October 15, 2013
 Page 6 of 7

Staff finds that this sub-criterion is met.

- (C) *Be unnecessarily burdensome because unique physical features of the property render compliance with the standards unreasonably expensive;*

The subject property and surrounding Sixth Street properties have a slope of 35 degrees, which significantly limits where buildings may be constructed on the property.

Staff finds that this sub-criterion is met.

or

- (D) *Because of preexisting nonconforming conditions on the subject parcel the grant of the Variance would not result in a net decrease in overall compliance with the Land Use Code, CBJ Title 49, or the building code, CBJ Title 19, or both.*

The subject parcel has a legally non-conforming lot size, legally non-conforming front yard-setbacks for the garage, and a legally non-conforming side-yard setback for the home. A grant of the Variance would therefore not result in a net decrease in overall compliance with the Land Use Code.

Staff finds that this sub-criterion is met.

Because staff finds that sub-criterion 5B, 5C, and 5D have been met, staff finds that this criterion is met.

6. *That a grant of the Variance would result in more benefits than detriments to the neighborhood.*

A grant of the Variance would allow the sauna to remain where it has been constructed, in the most beneficial location for the property, without causing harm to adjacent residents through restriction of light, air, or views.

This criterion is met.

FINDINGS

1. *Is the application for the requested Variance complete?*

Yes. Staff finds that the application contains the information necessary to conduct full review of the proposed development. The application submittal by the applicant, including the appropriate fees, substantially conforms to the requirements of CBJ Chapter 49.15.

Attachment A - Application Packet

Board of Adjustment
File No.: VAR2013 0015
October 15, 2013
Page 7 of 7

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

2. *Will the proposed development comply with the Juneau Coastal Management Programs?*

Not applicable.

3. *Does the variance as requested, meet the criteria of Section 49.20.250, Grounds for Variances?*

Yes. Staff finds that the Variance meets criteria 1, 2, 3, 4, and 5.

RECOMMENDATION

Based upon the proposed plan (identified in Attachments 1-7) and the findings and conclusions stated above, the Community Development Department Director recommends that the Board of Adjustment approve the request.

(Variance) Attachment A - Application Packet
DEVELOPMENT PERMIT APPLICATION

Project Number		CITY and BOROUGH of JUNEAU		Date Received: 5/21/13
Project Name (City Staff to Assign Name)				
PROJECT / APPLICANT INFORMATION	Project Description As-built survey determined sauna was built 3" over property line on NW corner.			
	PROPERTY LOCATION			
	Street Address 114 E 6th Street		City/Zip Juneau AK 99801	
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) Juneau Townsite Block 29 Lot 2			
	Assessor's Parcel Number(s) 1006A290030			
	LANDOWNER/ LESSEE			
	Property Owner's Name V Fate Putman and Kimberly Hamme		Contact Person: F. Putman	Work Phone: 321-0773
	Mailing Address Box 204 73 Juneau 99802		Home Phone: 321-0773	Fax Number:
	E-mail Address fateputman@gmail.com		Other Contact Phone Number(s): 463-4975(w)	
	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 <u>[Signature]</u> Landowner/Lessee Signature Date <u>4/29/2013</u> X <u>[Signature]</u> Landowner/Lessee Signature Date <u>4/29/2013</u> 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" and sign and date at X below Applicant's Name <u>SAME</u> Contact Person: Work Phone: Mailing Address <u>SAME</u> Home Phone: Fax Number: E-mail Address <u>SAME</u> Other Contact Phone Number(s): X <u>[Signature]</u> Applicant's Signature Date of Application <u>4/29/2013</u>				

STAFF APPROVALS	OFFICE USE ONLY BELOW THIS LINE			
	☒	Permit Type	Sign	Date Received
		Building/Grading Permit		
		City/State Project Review and City Land Action		
		Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)		
		Mining Case (Small, Large, Rural, Extraction, Exploration)		
		Sign Approval (If more than one, fill in all applicable permit #'s)		
		Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)		
	X	Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)		
	P	Variance Case (De Minimis and all other Variance case types)		5/21/13
	Wetlands Permits			
	Zone Change Application			
	Other (Describe)			
Comments:				
Attachment 1				
Permit Intake Initials CWT				

NOTE: DEVELOPMENT PERMIT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATIONS
 I:\FORMS\2010 Applications
 Revised November 2009

Attachment A - Application Packet

VARIANCE APPLICATION

Project Number	Project Name (15 characters)	Case Number <i>601 13-015</i>	Date Received <i>5/21/13</i>																				
TYPE OF VARIANCE REQUESTED: ☐ Variance to the Sign Standard (VSG) ☐ Variance to Dimensional Standards (VDS) ☐ Variance to Habitat Setbacks (VHB) ☐ Variance to Parking Requirements (VPK) ☒ Variance to Setback Requirements (VSB)																							
DESCRIPTION OF ACTIVITY WHICH REQUIRES A VARIANCE: <i>attached</i>																							
Previous Variance Applications? ☐ YES ☒ NO Date of Filing: _____ Previous Case Number(s): _____ Was the Variance Granted? ☐ YES ☐ NO																							
UNIQUE CHARACTERISTICS OF LAND OR BUILDING(S): <i>attached</i>																							
UTILITIES AVAILABLE: WATER: ☐ Public ☐ On Site SEWER: ☐ Public ☐ On Site																							
WHY WOULD A VARIANCE BE NEEDED FOR THIS PROPERTY REGARDLESS OF THE OWNER? <i>attached</i>																							
WHAT HARDSHIP WOULD RESULT IF THE VARIANCE WERE NOT GRANTED? <i>attached</i>																							
For more information regarding the permitting process and the submittals required for a complete application, please see the reverse side. If you need any assistance filling out this form, please contact the Permit Center at 586-0770.	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:30%;">VARIANCE FEES</th> <th style="width:15%;">Fees</th> <th style="width:15%;">Check No.</th> <th style="width:15%;">Receipt</th> <th style="width:15%;">Date</th> </tr> </thead> <tbody> <tr> <td>Application Fees</td> <td>\$ <i>400</i></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Adjustment</td> <td>\$</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Total Fee</td> <td>\$ <i>400</i></td> <td><i>212</i></td> <td><i>0413108</i></td> <td><i>5/21/13</i></td> </tr> </tbody> </table>			VARIANCE FEES	Fees	Check No.	Receipt	Date	Application Fees	\$ <i>400</i>				Adjustment	\$				Total Fee	\$ <i>400</i>	<i>212</i>	<i>0413108</i>	<i>5/21/13</i>
VARIANCE FEES	Fees	Check No.	Receipt	Date																			
Application Fees	\$ <i>400</i>																						
Adjustment	\$																						
Total Fee	\$ <i>400</i>	<i>212</i>	<i>0413108</i>	<i>5/21/13</i>																			

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

Attachment A - Application Packet

TO: Board of Adjustment

FR: V. Fate Putman & Kimberly Homme, owners

RE: CBJ Variance Request for 114 E. 6th Street, JNU

DATE: April 24, 2013

1. Description of activity that requires a variance:

A sauna and dressing room were built on the NE property corner because of the sloping nature of the hillside. No other reasonable means was available to stop soil erosion from occurring from the up-slope side of the property except the use of retaining walls and buttress structures. The sliding hillside from 7th Street has been a continual problem since the 1950's when the first fence and retaining walls were built. Without the retaining walls and buttress structures the soil and debris would continue to erode down the hillside.

The buttress structures were built in 2008 to prevent the 1950's retaining wall from moving further downslope during high moisture periods. These buttresses became the foundation of the sauna & dressing room. Because the sauna and dressing room use both the original retaining wall and subsequent buttress structures as a foundation, based on the 1950 fence line, these buildings encroach on the adjacent property. The encroachment is approximately 3 inches into adjacent Lot 3, according to the As-Built Survey, attached.

2. Unique characteristics of land or building:

The unique characteristic of this land is the extreme slope, approximately 35 degrees. This steep slope erodes during high moisture events when the soil becomes saturated. Soil erosion normally occurs in the fall or spring, moving soil and debris such as broken glass and rusty metal down the hillside. Underneath and intermixed into the soils on this slope are layers of garbage from decades of this hillside use as a dump.

3. Why a variance would be needed, regardless of the owner:

Attachment 3

Attachment A - Application Packet

Because of confusion in the 1950's about property lines, initial encroachment by Lot 1 to the west may have caused subsequent encroachment when a fence and retaining wall were constructed on Lot 2 which encroached into the adjoining Lot 3 to the east. Because of the unstable hillside and sliding soils the property corner may have moved. This encroachment was only discovered after the as-built survey was completed last year. The adjoining property owner recognizes the encroachment and has submitted an Easement Agreement to permit encroachment of the adjacent property lines, attached.

4. What hardship would result if the variance was not granted?

I would have to re-construct the entire buttress foundation, sauna and changing room to conform to the setback at considerable effort and expense. Removal of the buttress foundation would cause further soil erosion and sliding on this extreme slope.

5. How proposed project meets Variance Approval Criteria:

- (1) The buttress foundation is an asset constructed to address a critical soil erosion condition. This buttress and sauna structure facilitates my need for property and soil protection, it adds value to the property, and produces no adverse impacts on my neighbors.
- (2) Intent of title will be observed with no issues of safety or public welfare arising, and is open for inspection by CBJ planners.
- (3) The variance will not injure or impact nearby property or owners. Because of the extreme slope, the property to the north (7th Street) is well above the roofline of the sauna. There are no visual impacts with other properties, and the eastern property owner has granted an Easement Agreement (attached).
- (4) There are no proposed uses that are not already authorized in the district, with no commercial activities or additions to zoning density.
- (5) Compliance with existing standards:
 - a) Without a variance, the buttress foundation would need to be moved at considerable expense and effort. This removal would allow the slope to slide, as it has in the past.

Attachment A - Application Packet

- b) The buttress foundation and sauna were constructed in 2008 to blend in with the cedar fence and the 1914 main house. As such, they complement the main structure and are a basic amenity. Also, neither foundation nor sauna imposes an adverse visual profile in the neighborhood. The structure is surrounded by dense, steep undergrowth.
 - c) Because of the unique, steep slope and placement of the original 1950 retaining wall and fence, and the subsequent use of that footprint in 2008 for construction, compliance with existing setback standards would be unreasonably expensive.
(Buttress structures are square boxes filled with soil. They are built down- slope from the retaining wall and are pressed up against the wall to prevent movement. The buttress structures are made from both concrete and treated wood and are used to support the leaning retaining walls. These buttress structures are built adjacent to where the 1950 retaining walls are located. Since the retaining walls are located on the property lines, the buttress structures are located adjacent to the retaining fence walls and in the setback.)
 - d) Because of pre-existing, non-conforming conditions relative to the retaining wall, fence, buttress foundation and sauna, granting these public and adjoining property line variances would not result in a net decrease in overall compliance with the land use code, Title 49, or the building code, Title 19, or both; and,
- (6) Granting these variances will result in no detriments to the neighborhood. In fact, this structure stops continual soil sliding and is a positive asset for all. This structure and foundation will be well-kept and maintained at all times.

Since the sauna and dressing room are already constructed on top of the Buttress Structure, a variance from the setback requirements is needed for these buildings. The adjoining, east property owner has granted an Easement Agreement that permits access to the structures for repair and maintenance, attached.

Attachment A - Application Packet

EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT is made this 22nd day of October 2012, by and between Richard and Kathy Ward, (hereinafter called "Grantors"), and Fate Putman and Kimberly Homme, (hereinafter called "Grantees").

WITNESSETH:

WHEREAS, Grantee desires the use of the property of Grantor for use as an Easement to maintain the Fence and Shed Outbuilding located primarily on Lot 2, Block 29, Juneau Township and extending partially onto the Northwest corner of Lot 3, Block 29, Juneau Township; and,

WHEREAS, in consideration of \$1.00 and valuable consideration, receipt of which is hereby acknowledged, Grantors is willing to enter into an easement agreement for the use of the property subject to the terms and conditions set forth herein.

NOW, THEREFORE, the parties mutually agree as follows:

1. Grantors hereby grants Grantees an easement to use the following described property: A small section of Lot 3, Block 29, Juneau Township, located in the Northwest corner of the property, adjacent to Lot 2, Block 29, Juneau Township to a distance of two (2) to three (3) feet onto Lot 3 from the edge of the fence and structure to allow for maintenance and repair. (See attached property As-built Survey, Appendix A)
2. This Easement Agreement shall automatically cease upon abandonment, herein defined as nonuse for any six (6) consecutive months, and all interests granted herein shall revert to grantor, or its successor, upon such abandonment.
3. The rights granted to and duties assumed by Grantees under this Easement Agreement may not be assigned or delegated by Grantees without the prior written consent of Grantors. Any attempted assignment or delegation by Grantees without the prior written consent of the Grantors shall be void.
4. This Easement Agreement may be amended from time to time, as may be necessary, by mutual consent of both parties; provided, however, that no amendment to the Easement Agreement shall be effective unless in writing and signed by both parties.
5. Both parties agree that time is of the essence and that time specifications contained herein shall be strictly construed.
6. Both parties represent and warrant that they have the authority to execute this Easement Agreement.
7. All notices referred to in the Easement Agreement shall be sent to the respective parties at the address stated below:

Grantors: KDW / RM

Grantees: KH / KH

Attachment 4

Attachment A - Application Packet

Richard and Katherine Ward, Grantors
128 Sixth Street, Juneau, AK 99801

Vance Fate Putman and Kimberly Homme, Grantees
114 Sixth Street, Juneau, AK 99801

DATED this 27 day of October, 2012.

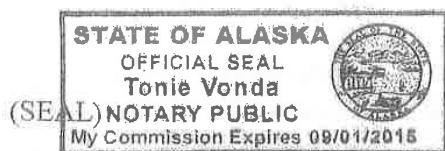
GRANTOR:



RICHARD WARD

STATE OF ALASKA)
) ss.
FIRST JUDICIAL DISTRICT)

This is to certify that on this 22 day of October, 2012, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared Richard Ward to me known or proved upon adequate evidence to be the person who executed the foregoing instrument and acknowledged to me that he signed it voluntarily for the purposes therein stated.





NOTARY PUBLIC in and for ALASKA
My Commission Expires: 9-01-2015

DATED this 22 day of October, 2012.

GRANTOR:



KATHERINE WARD

STATE OF ALASKA)
) ss.
FIRST JUDICIAL DISTRICT)

(SEAL) **STATE OF ALASKA**
OFFICIAL SEAL
Tonie Vonda
NOTARY PUBLIC
My Commission Expires 09/01/2015

VANCE FATE PUTMAN

A circular notary seal for Wello Raidmae, a Notary Public in the State of Alaska. The seal features the text "Wello Raidmae" at the top, "My Commission Expires" below it, "NOTARY PUBLIC" in the center, and "05/29/2016" and "State of Alaska" at the bottom. The seal is surrounded by a decorative border of small stars.

~~GRANTEE:~~

GRANTEE:

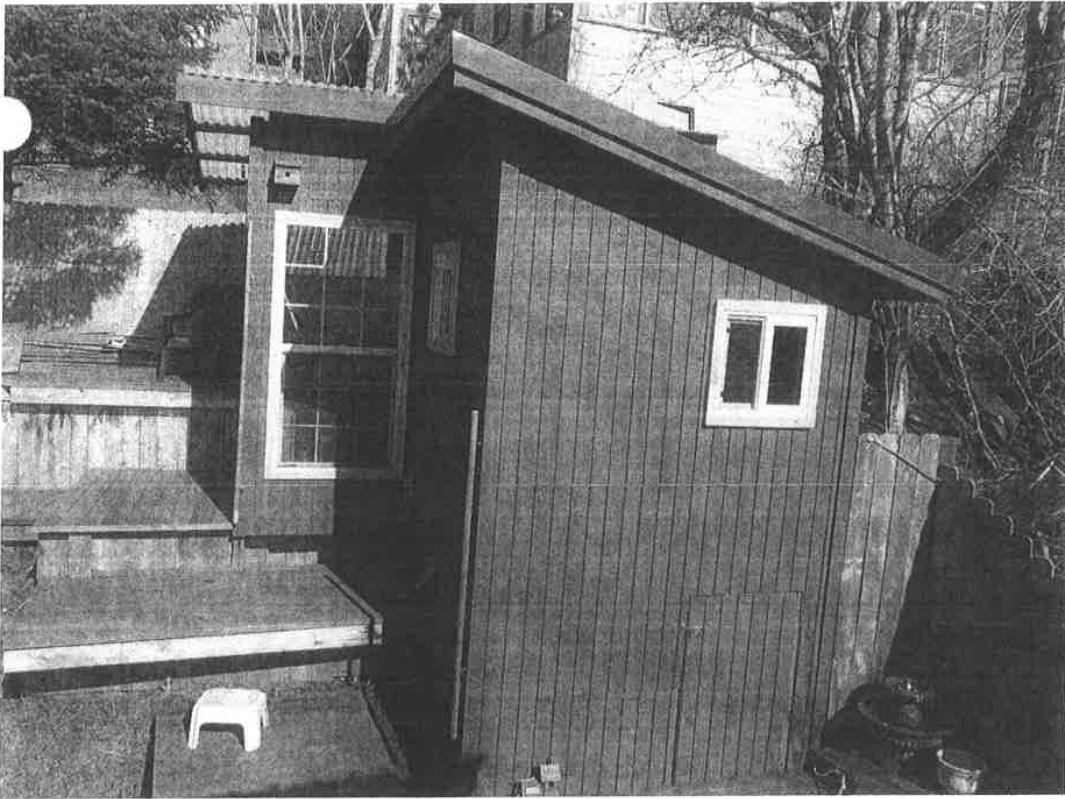
Kimberly Homme
KIMBERLY HOMME

This is to certify that on this 1 day of November, 2012, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared Kimberly Homme, to me known or proved upon adequate evidence to be the person who executed the foregoing instrument and acknowledged to me that she signed it voluntarily for the purposes therein stated.



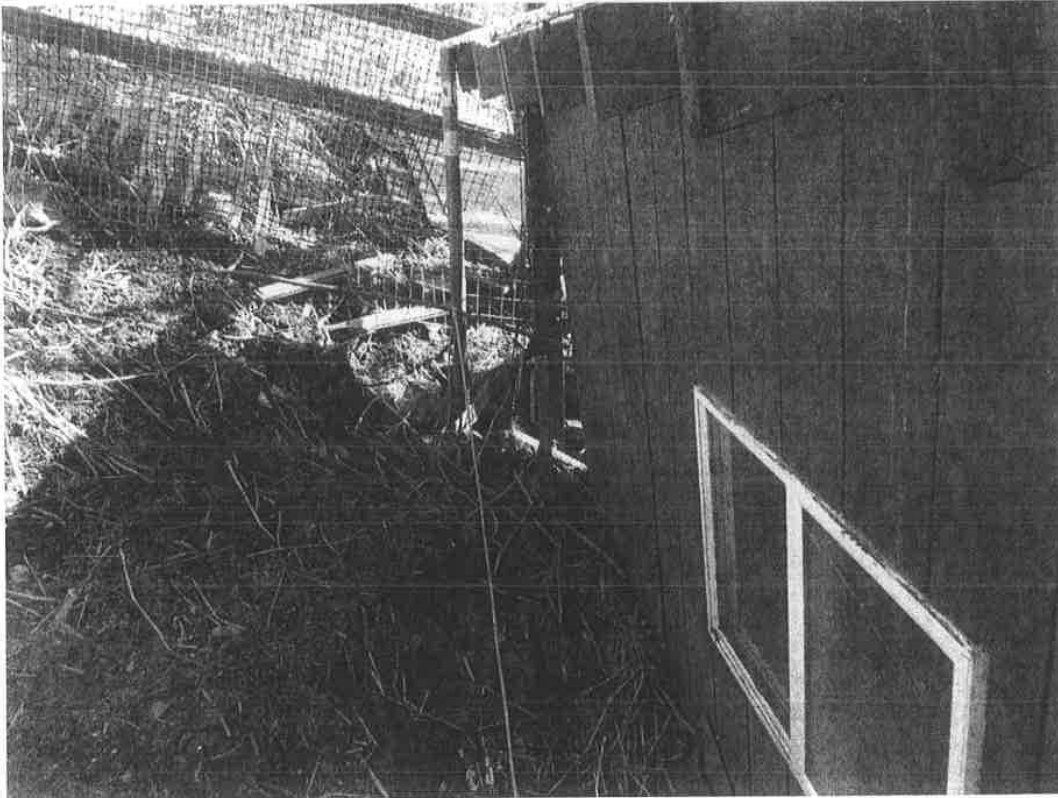
Linda Harris
NOTARY PUBLIC in and for ALASKA
My Commission Expires: 3/9/14

Attachment A - Application Packet



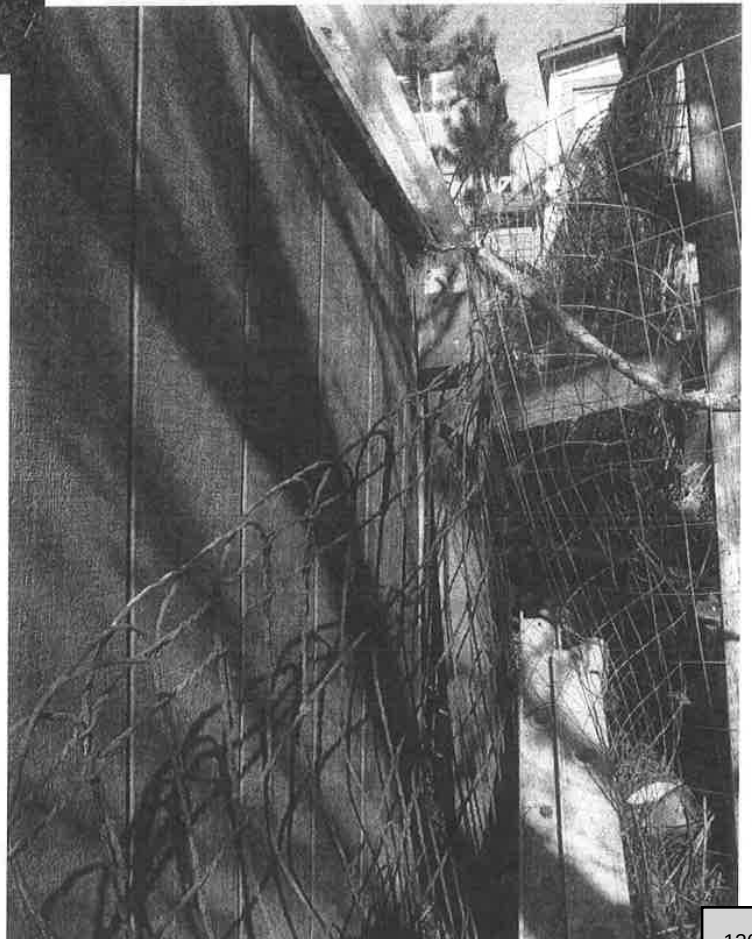
ATTACHMENT 5

Attachment A - Application Packet



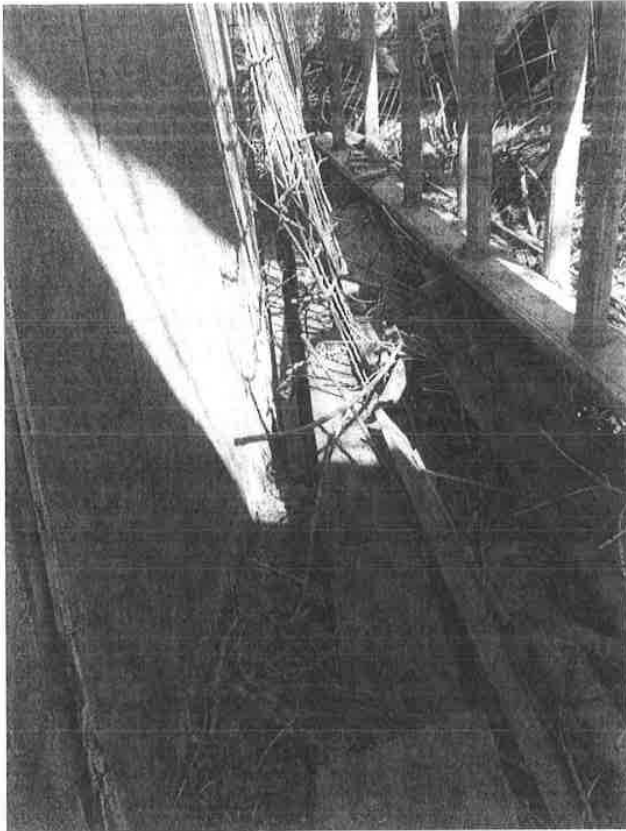
ATTACHMENT 5

Attachment A - Application Packet



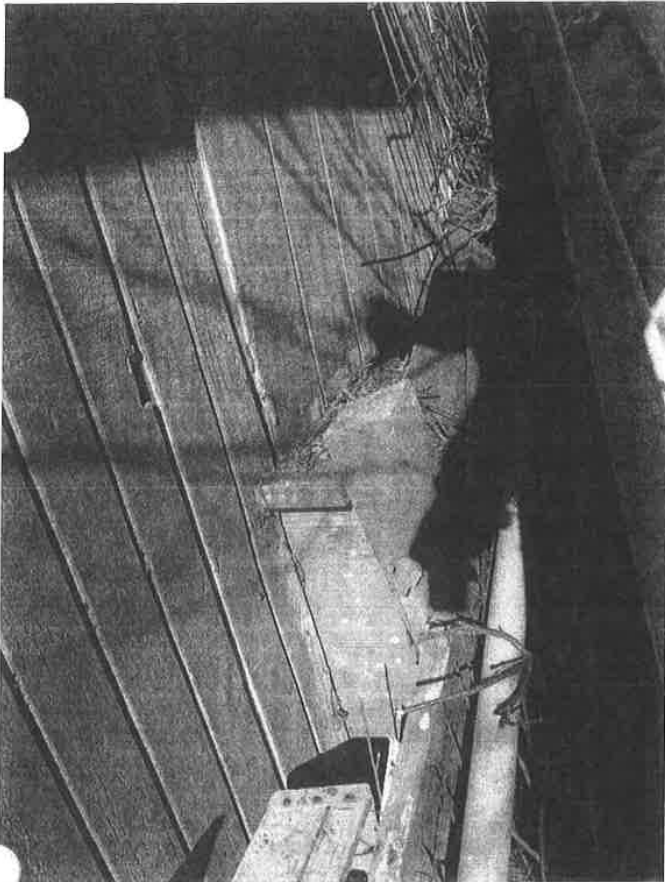
ATTACHMENT 5

Attachment A - Application Packet



ATTACHMENT 5

Attachment A - Application Packet



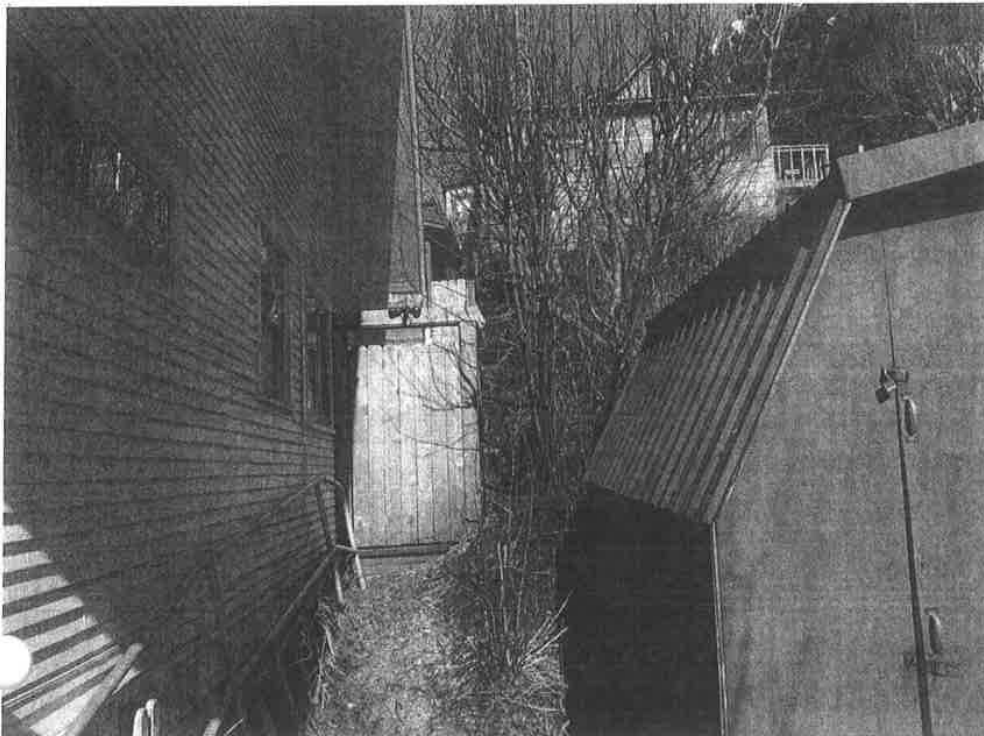
ATTACHMENT 5

Attachment A - Application Packet



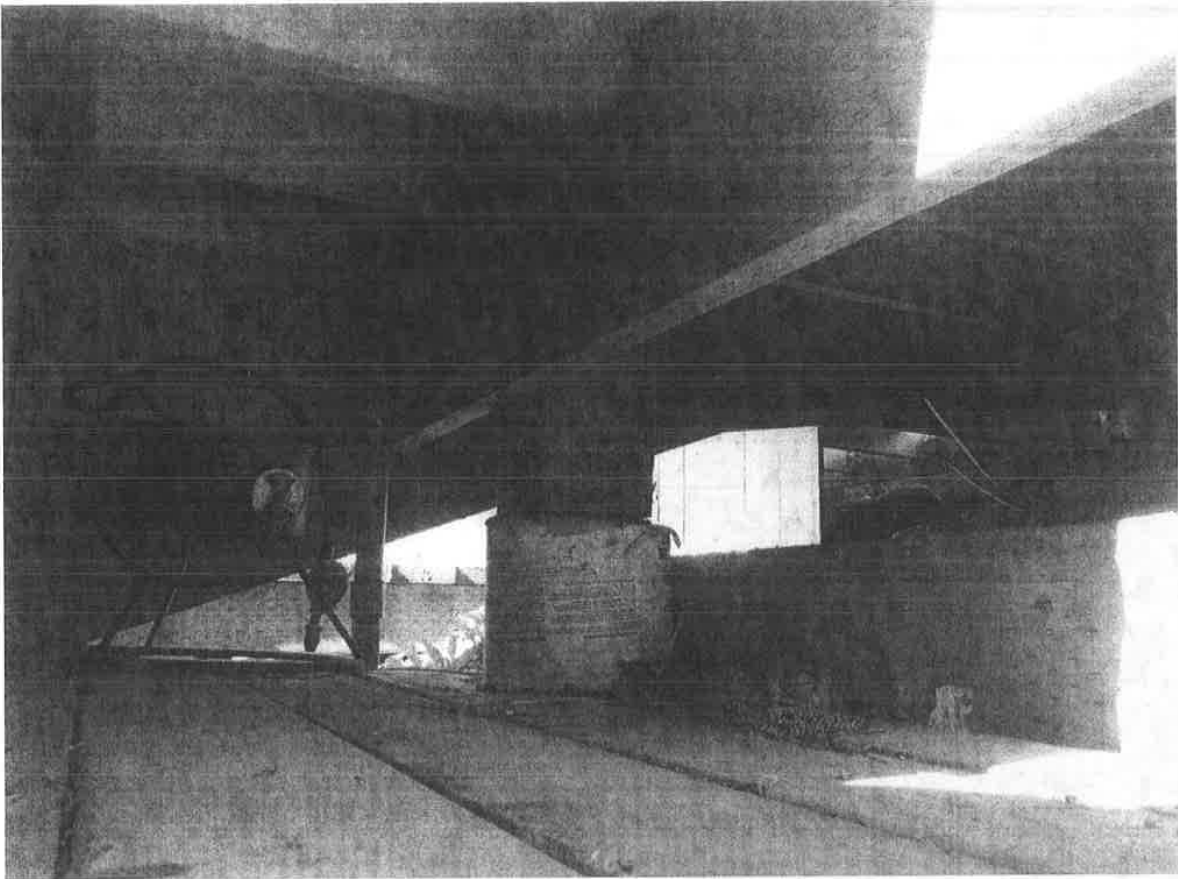
ATTACHMENT 5

Attachment A - Application Packet



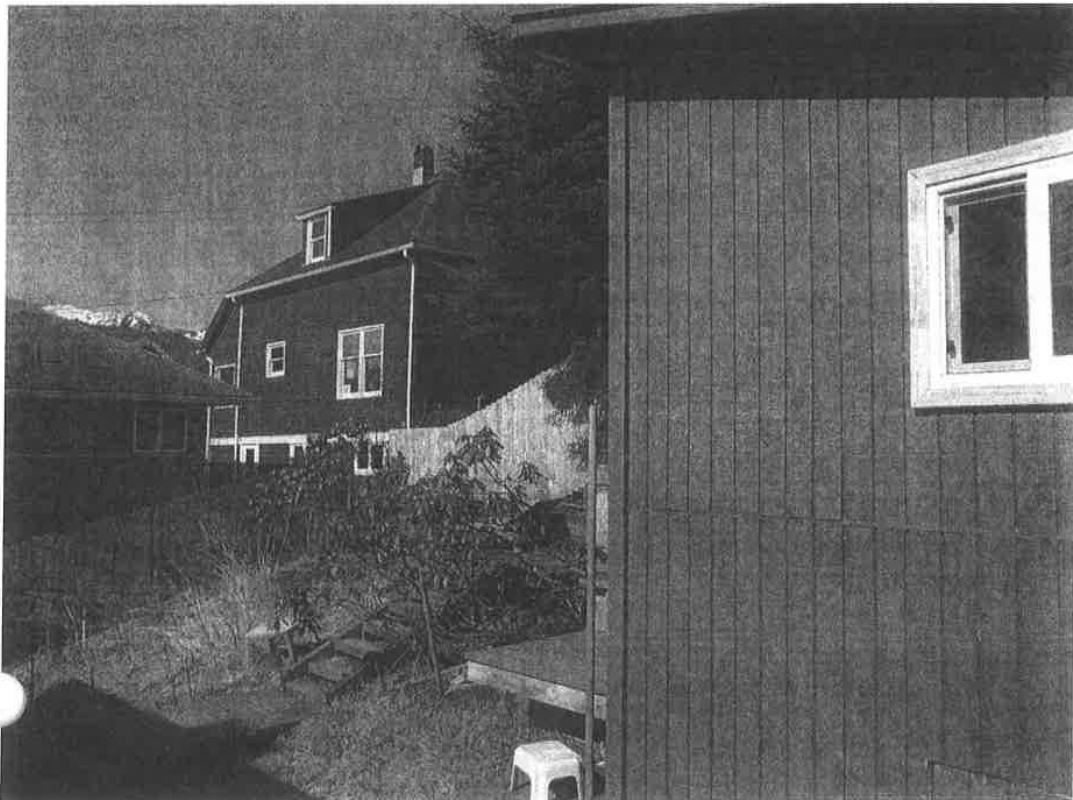
ATTACHMENT 5

Attachment A - Application Packet



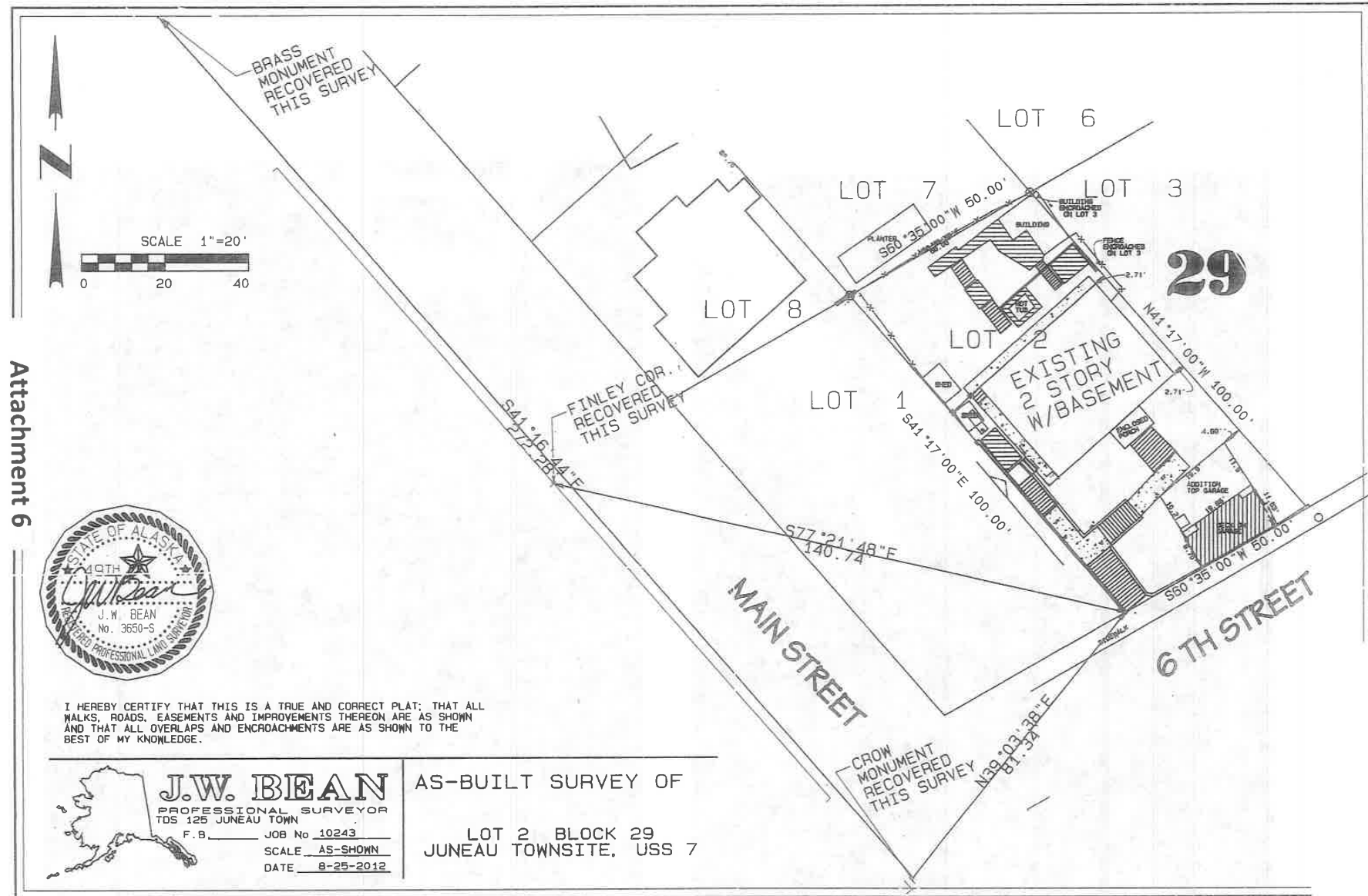
ATTACHMENT 5

Attachment A - Application Packet



ATTACHMENT 5

Attachment A - Application Packet



Attachment A - Application Packet

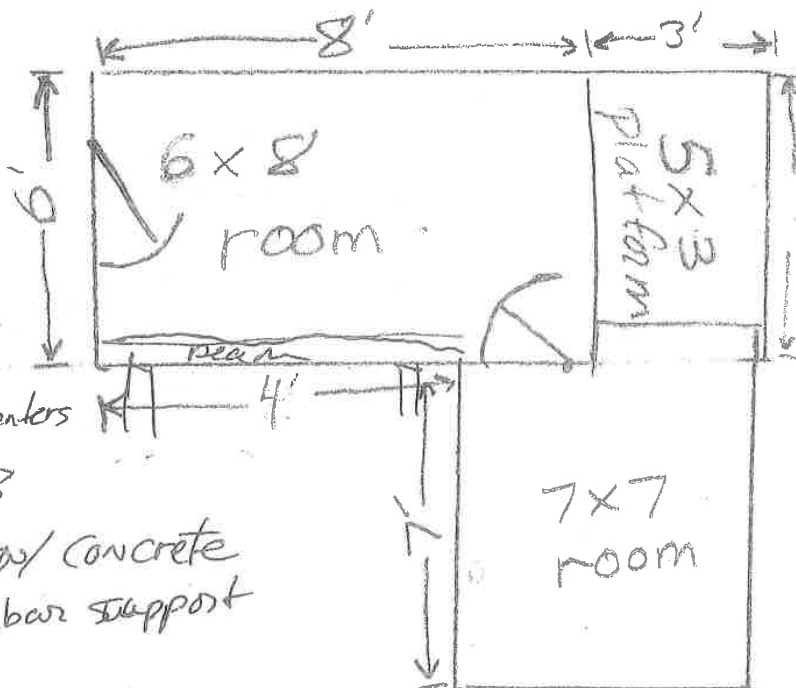
Putman Building Plans

114 E 6th St

Juneau, AK

(Accessory Structure
Detailed building Plans)

top view



Flers 2x8/16" centers

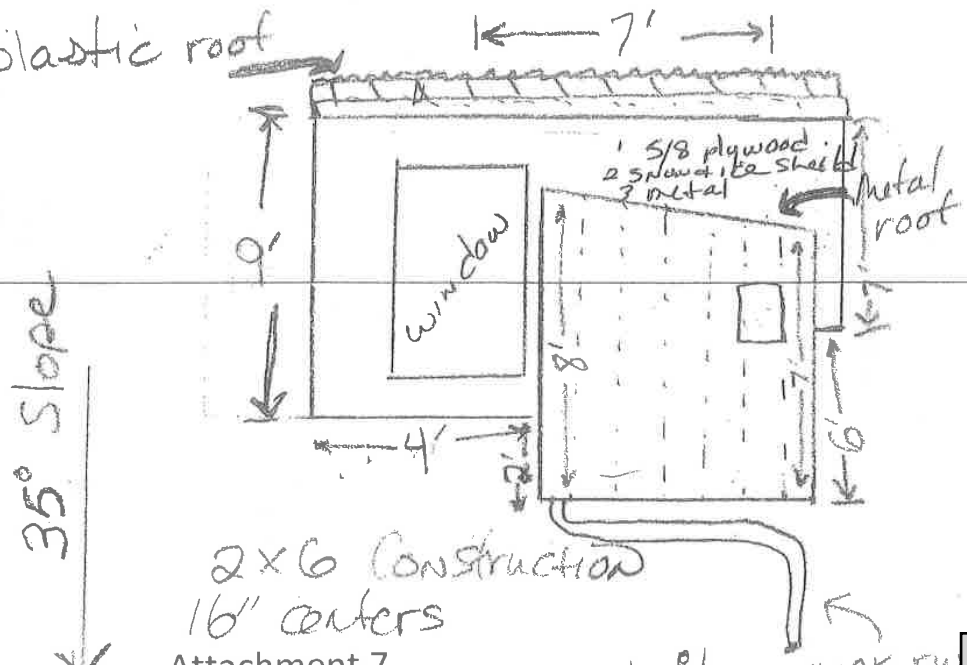
Headers 2x6x8

Foundation 4x4 w/ concrete
3' deep 1/2 rebar support

Humans brackets

Plumber strap
(Foundation to Rafter) plastic roof

side view

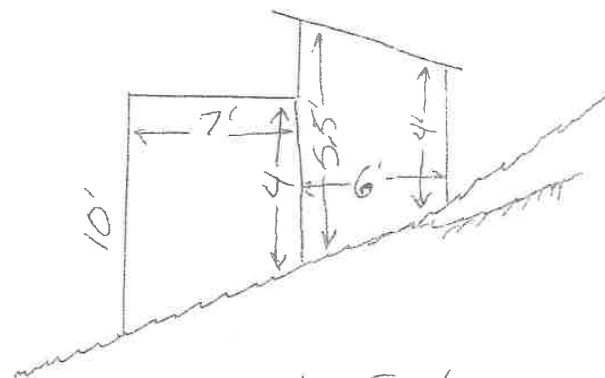


via email

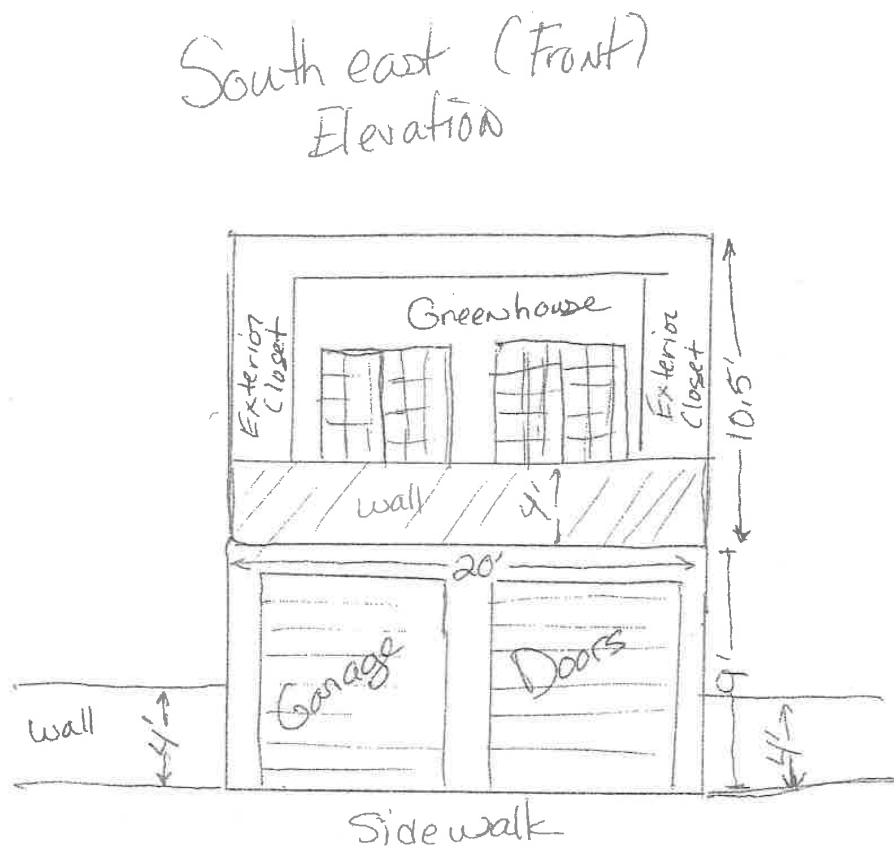


Putman Greenhouse/Sauna
 (CBJ Permit # BLD 2008-04153)

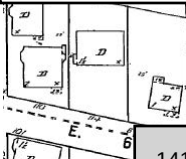
Northeast Elevation



South East Elevation



Section H, Item 4.

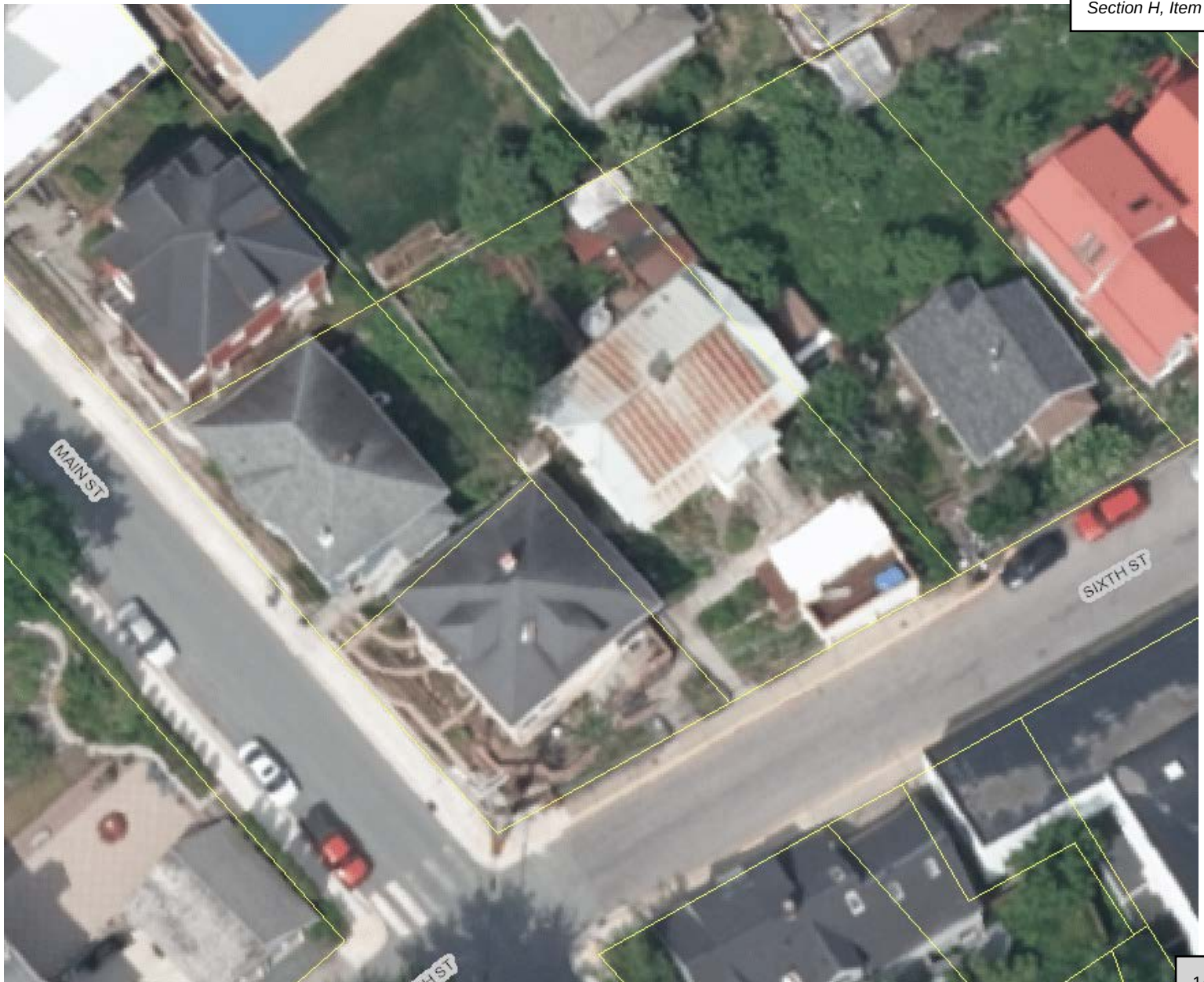


141

nt H - Excerpts NCC



Attachment H - Excerpts from NCC2021 0065



Attachment B - Information Review

Section H, Item 4.

D18

144

Attachment H - Excerpts from NCC2021 0

A
L
A
S
K
A**2021-006436-0**

Recording Dist: 101 - Juneau

10/15/2021 10:43 AM Pages: 1 of 2



AFTER RECORDING, RETURN TO:

Caitlin Stern
 Jessica Barker
 114 6th Street
 Juneau, AK 99801

AETIA 62984

WARRANTY DEED**A.S. 34.15.030**

The Grantors, **VANCE FATE PUTMAN and KIMBERLY A. HOMME, husband and wife**, whose address is PO Box 20473, Juneau, AK 99802, for and in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration in hand paid, the receipt of which is hereby acknowledged, convey and warrant to **CAITLIN STERN and JESSICA BARKER, a married couple, as tenants by the entirety with full right of survivorship**, Grantees, whose mailing address is 114 6th Street, Juneau, AK 99801, the following-described real estate:

Lot 2, Block 29, Townsite of Juneau, Juneau Recording District, First Judicial District, State of Alaska.

SUBJECT TO reservations, exceptions, easements, covenants, conditions and restrictions of record, if any.

WARRANTY DEED
 A4350\9594\Warranty Deed

Page 1

DATED this 14th day of October, 2021

GRANTORS:

[Signature]
VANCE FATE PUTMAN

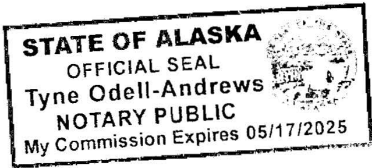
[Signature]
KIMBERLY A. HOMME

STATE OF ALASKA)
) ss.
FIRST JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this 14 day of October, 2021, before me, the undersigned Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared **VANCE FATE PUTMAN and KIMBERLY A. HOMME.**

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

[Signature]
Notary Public in and for Alaska
My Commission Expires: 5/17/25



From: [Bridget LaPenter](#)
To: [Ilsa Lund](#)
Subject: RE: USE24-05 & PWP24-01 Agency Review
Date: Monday, April 15, 2024 2:26:53 PM
Attachments: [image.png](#)

GE has no issues with the parking waiver.

Thanks.

Bridget LaPenter, P.E. | Chief GE Engineer
 General Engineering Department | City & Borough of Juneau, AK
 Location: 230 S. Franklin Street, 4th Floor Marine View Building
Office: 907.586.0800 ext. 4187 Cell: 907.500.4170

From: Ilsa Lund <Ilsa.Lund@juneau.gov>
Sent: Tuesday, April 2, 2024 3:06 PM
Subject: USE24-05 & PWP24-01 Agency Review

Hello CBJ Team,

We have received applications from the residents of 114 Sixth St. to build an accessory apartment on top of the existing garage (USE2024 0005), and to waive the minimum required parking for the addition of the accessory dwelling (PWP2024 0001). As part of the review process, we are circulating the application amongst CBJ departments for input that will be provided to the Planning Commission for review.

Attached are the applications. Later this week, you can also find information at the short-term planning web site: <https://juneau.org/community-development/short-term-projects>

We have the case scheduled for the Planning Commission meeting on May 14th. If you could provide feedback by **April 22, 2024**, that would be very helpful. I've attached an Agency Comment Form for your use.

Warm regards,

Ilsa Lund | Planner I

[Community Development Department](#) | City & Borough of Juneau, AK

Location: 230 S. Franklin Street, 3rd Floor-Marine View Building

Office: 907.586.0753 ext. 4128



Fostering excellence in development for this generation and the next.



(907) 586-0715
CDD_Admin@juneau.gov
www.juneau.org/community-development
155 Heritage Way • Juneau, AK 99801

COMMUNITY DEVELOPMENT DEPARTMENT - REQUEST FOR AGENCY COMMENT

DEPARTMENT: CCFR
STAFF PERSON/TITLE: Theresa Ross, Fire Marshal
DATE: 04/02/2024
APPLICANT: Jessica Barker & Caitlin Stern
TYPE OF APPLICATION: Conditional Use (CUP) and Parking Waiver (PWP)

PROJECT DESCRIPTION:

The applicants are requesting a CUP to construct a 430 sq. ft. accessory dwelling unit (ADU) on top of an existing garage. They are also requesting a PWP for the required one (1) parking space for the ADU. They say they already have two (2) off-street parking spaces and only use one (1).

LEGAL DESCRIPTION: JUENAU TOWNSITE BL 29 LT 2
PARCEL NUMBER(S): 1C060A290030
PHYSICAL ADDRESS: 114 Sixth St.

SPECIFIC QUESTIONS FROM PLANNER:

None.

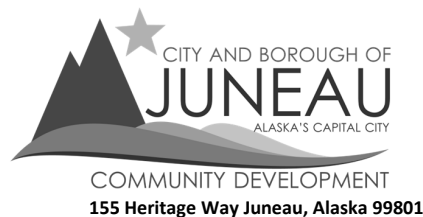
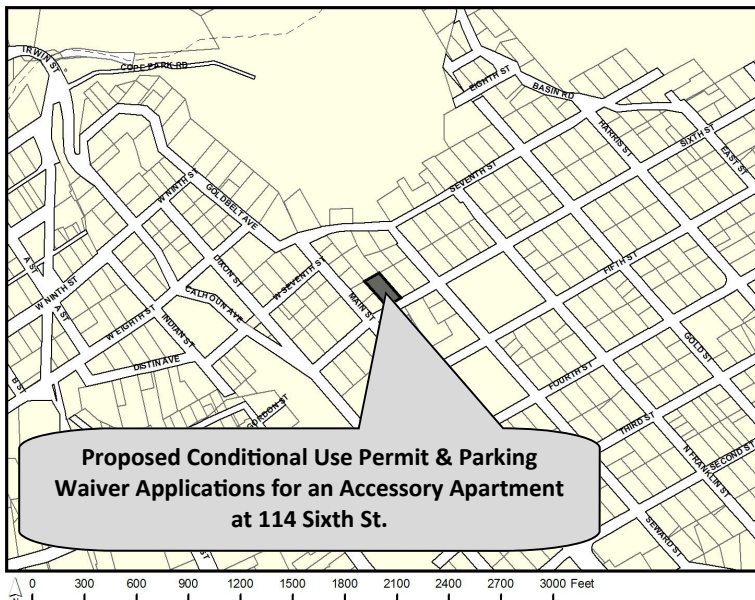
AGENCY COMMENTS:

No concerns from the fire department.

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission

Your Community, Your Voice



TO

Conditional Use Permit & Parking Waiver applications have been submitted for consideration and public hearing by the Planning Commission for **an Accessory Apartment at 114 Sixth Street** in a **D18 zone**.

PROJECT INFORMATION:

Project Information can be found at:

<https://juneau.org/community-development/short-term-projects>

PLANNING COMMISSION DOCUMENTS:

Staff Report expected to be posted **May 6, 2024** at

<https://juneau.org/community-development/planning-commission>

Find hearing results, meeting minutes, and more here, as well.

Now through April 22

Comments received during this period will be sent to the Planner, **Ilsa Lund**, to be included as an attachment in the staff report.

April 23 — noon, May 10

Comments received during this period will be sent to Commissioners to read in preparation for the hearing.

HEARING DATE & TIME: 7:00 pm, May 14, 2024

This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting <https://juneau.zoom.us/j/86939674618> and use the Webinar ID: 869 3967 4618 OR join by telephone, calling: 1-253-215-8782 and enter the Webinar ID (above).

You may also participate in person in City Hall Assembly Chambers, 155 Heritage Way Juneau, Alaska.

May 15

The results of the hearing will be posted online.

FOR DETAILS OR QUESTIONS,

Phone: (907)586-0753 ext. 4128

Email: pc_comments@juneau.gov or ilsa.lund@juneau.gov

Mail: Community Development, 155 Heritage Way, Juneau AK 99801

Case No.: USE2024 0005 & PWP2024 0001

Parcel No.: 1C060A290030

CBJ Parcel Viewer: <http://epv.juneau.org>



Attachment K - Abutters Notice and Public Notice Sign Photo

From: [Jessie Barker](#)
To: [Ilsa Lund](#)
Cc: [Caitlin Stern](#)
Subject: Re: Your Public Notice Sign Is Ready!
Date: Friday, April 26, 2024 3:48:51 PM
Attachments: [image.png](#)

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Hi Ilsa,

Please see the attached sign.

Best,
Jessie

On Wednesday, April 24, 2024, Ilsa Lund <Ilsa.Lund@juneau.gov> wrote:

Good afternoon!

The public notice sign for your cases USE2024 0005 and PWP2024 0001 is in the permit center, ready for pick-up. The Permit Center is on the 4th floor of the Marine View Building at 230 S. Franklin St. You already paid the sign fee when you submitted your application, so all you need to do is pick it up and install it. It needs to be posted by **April 29, 2024**. It must be visible from the right-of-way.

Please email a picture of the posted sign. The email will be used to date stamp the posting.

Let me know if you have any questions.

Kind regards,

Ilsa Lund | Planner I

[Community Development Department](#) | City & Borough of Juneau, AK

Location: 230 S. Franklin Street, Marine View Building

Contact or visit the Permit Center on the 4th floor for an in-person meeting. 907-568-0715

Office: 907.586.0753 ext. 4128



Fostering excellence in development for this generation and the next.



PLANNING COMMISSION STAFF
CONDITIONAL USE PERMIT USE2024 0005
HEARING DATE: MAY 14, 2024

(907) 586-0715

CDD_Admin@juneau.gov

www.juneau.org/community-development

155 Heritage Way • Juneau, AK 99801

DATE: May 6, 2024
TO: Mandy Cole, Chair, Planning Commission
BY: Ilsa Lund, Planner I *Ilsa Lund*
THROUGH: Jill Lawhorne, Director, AICP

PROPOSAL: Applicant requests a Conditional Use Permit to construct a 430 square foot (sq. ft.) accessory dwelling unit on top of an existing garage in a D18 zoning district.

STAFF RECOMMENDATION: Approval with conditions

KEY CONSIDERATIONS FOR REVIEW:

- This ADU will be constructed on top of an existing structure which complies with infill housing development policies in the Comprehensive Plan.
- This property is certified nonconforming for setbacks (NCC2021 0065), and the addition of the ADU will not aggravate the nonconforming situations.
- A Parking Waiver has been requested.

GENERAL INFORMATION	
Property Owner	Caitlin Stern; Jessica Barker
Applicant	Caitlin Stern; Jessica Barker
Property Address	114 Sixth Street
Legal Description	JUNEAU TOWNSITE BL 29 LT 2
Parcel Number	1C060A290030
Zoning	D18 (Multi-Family)
Land Use Designation	Medium Density Residential (MDR)
Lot Size	5,000 sq. ft.
Water/Sewer	City & Borough of Juneau
Access	Sixth Street
Existing Land Use	Residential
Associated Applications	PWP2024 0001

ALTERNATIVE ACTIONS:

1. **Amend:** require additional conditions, or delete or modify the recommended conditions.
2. **Deny:** deny the permit and adopt new findings for items 1-6 below that support the denial.
3. **Continue:** to a future meeting 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 not required for this permit.

STANDARD OF REVIEW:

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
 - 49.15.330
 - 49.25.430(4)(m)
 - 49.25.510
 - 49.80

The Commission shall hear and decide the case per 49.15.330(a) Conditional Use Permit. A conditional use is a use that may or may not be appropriate in a particular zoning district according to the character, intensity, or size of that or surrounding uses. The conditional use permit procedures is intended to afford the commission the flexibility necessary to make determinations appropriate to individual sites. The commission may attach to the permit those conditions listed in subsection (g) of this section as well as any further conditions necessary to mitigate external adverse impacts. If the commission determines that these impacts cannot be satisfactorily overcome, the permit shall be denied.

SITE FEATURES AND ZONING



SURROUNDING ZONING AND LAND USES	
North (D18)	Residential
South (MU)	Residential
East (D18)	Residential
West (D10)	Residential

SITE FEATURES	
Anadromous	No
Flood Zone	No
Hazard	No
Hillside	Yes
Wetlands	No
Parking District	No
Historic District	No
Overlay Districts	Mining & Exploration Surface Activities Exclusion District; Urban/Rural Mining District; Downtown Juneau Alternative Development Overlay District

BACKGROUND INFORMATION

Project Description – The applicants request a Conditional Use Permit (CUP) to construct a 430 sq. ft. accessory dwelling unit (ADU) on top of an existing garage in a D18 zoning district (Attachment A).

According to CBJ 49.25.510(k)(2)(G)(ii), efficiency or one-bedroom accessory apartments under 600 sq. ft. are allowed in a multi-family zoning district, if the primary use of the lot is a single-family dwelling, with a Conditional Use Permit. In conjunction with this permit, the applicants have also applied for a Parking Waiver to waive one (1) required parking space for the ADU (PWP2024 0001).



Background – The table below summarizes relevant history for the lot and proposed development.

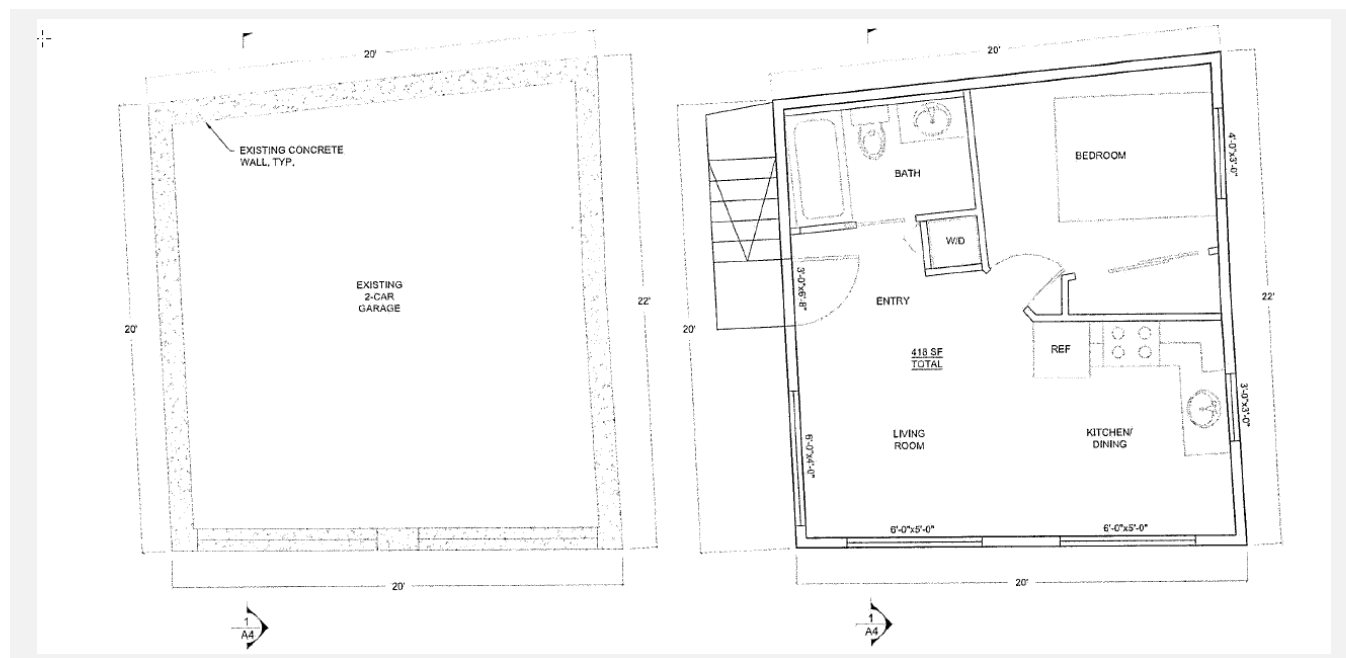
Year	Item	Summary
1914	Plat	Juneau Townsite plat of the original Block 29, Lot 2 (Attachment B).
1914	Assessor Record	Date that the structure was built (Attachment C).
1927	Sanborn Map	Shows the primary dwelling structure existed in its current footprint and location prior to zoning being adopted in Juneau (Attachment D).
2009	Building Permit	Detached greenhouse over garage (Attachment E).
2012	As-Built Survey	Shows footprints of existing structures (Attachment F).
2013	CUP	USE2013 0016 after-the-fact CUP for greenhouse over garage. Establishes that the garage was constructed in the 1950s, prior to zoning (Attachment G).
2021	NCC	Nonconforming certification (NCC2021 0065) for setbacks (Attachment H).
2021	Warranty Deed	Transfer of ownership from Putman-Homme to Stern-Baker (Attachment I).
2023	PAC Report	Preapplication conference report for ADU over garage and parking waiver (Attachment A).

ZONING REQUIREMENTS

Standard		Requirement	Existing	Code Reference
Lot	Size	5,000 sq. ft.	5,000 sq. ft.	CBJ 49.25.400
	Width	50 ft.	50 ft.	CBJ 49.25.400
Setbacks	Front	20 ft.	0 ft*	CBJ 49.25.400
	Rear	10 ft.	50 ft.	CBJ 49.25.400
	Side (E)	5 ft.	2.71 ft* house / 4.69 ft.* garage	CBJ 49.25.400
	Side (W)	5 ft.	~9 ft.	CBJ 49.25.400
	Street Side	N/A	N/A	CBJ 49.25.400
	Lot Coverage Maximum	50%	~37%	CBJ 49.25.400
Vegetative Cover Minimum		30%	~32%	CBJ 49.50.300
Height	Permissible	35 ft.	2-story with daylight basement	CBJ 49.25.400
	Accessory	25 ft.	2-story	CBJ 49.25.400
Maximum Dwelling Units (18/Acre)		1	1	CBJ 49.25.500
Use		Residential	Residential	CBJ 49.50.300
Parking		2- SFD, 1 ADU	2	CBJ 49.40.210(a)

*Certified nonconforming (NCC2021 0065).

FLOOR PLAN



ANALYSIS

Project Site – The lot is located in the northern area of the Juneau Townsite historic district just off of Main Street and contains a two-story, single-family dwelling with a daylight basement built on a steep lot with a slope of approximately 31%. The 2-car garage is directly adjacent to the sidewalk on the southeast corner of the lot. The structures were built prior to zoning requirements and are certified nonconforming for setbacks (Attachment H).

Project Design – The proposed one bedroom accessory apartment measures approximately 430 sq. ft. and will have one (1) bathroom, and a combined kitchen/living area. The ADU will be located on top of the existing 2-car garage and will not aggravate the existing nonconforming yard setback situation. The preexisting greenhouse (Attachment E) will be removed and replaced with the ADU.

Traffic – According to CBJ 49.40.300(a)(2) a traffic impact analysis is not required; the proposed development is anticipated to generate less than 250 Average Daily Trips (ADTs). Additional traffic generated by the accessory apartment is expected to be minimal, and is not expected to be out of character with the existing neighborhood.

Use	Per Unit	Trips Generated	Total Trips
Single-family dwelling	1	9.52	9.52
Accessory Apartment	1	6.65	6.65
Total ADTs:			16.17

Vehicle Parking & Circulation –According to CBJ 49.40.210(a), one (1) additional off-street parking space is required for the proposed accessory apartment. The applicants have applied for a parking waiver of one (1) off-street parking space (PWP2024-0001). In their application, the applicants explained that they only utilize one (1) of the spaces in the 2-car garage, and the second space would be designated for the occupant of the ADU. If the Parking Waiver is not granted, the accessory apartment cannot be constructed due to the unavailability of on-site parking. Parking is discussed further in the staff report for PWP2024-0001.

Condition: Prior to issuance of a building permit, the applicants must have a parking waiver approved by the Commission or comply with current parking requirements.

Non-motorized Transportation – The lot is within a ¼ mile walking distance from downtown. The Sixth Street right-of-way is approximately 30 feet wide, with sidewalks provided on both sides of the street. The downtown area and surrounding neighborhoods are identified as a walkable area with provisions for pedestrians.

Proximity to Transit – The closest bus stop is within 700 feet on Fourth Street, an approximately three-minute walking distance from the property. The 2013 Comprehensive Plan promotes *Transit Oriented Development*, and allows for higher residential densities within a five to ten minute walking distance to public transit service.

Noise – Noise is not anticipated to be out of character with the existing residential neighborhood.

Lighting -According to CBJ 49.40.230(d), exterior lighting fixtures shall be “full cutoff” design. If new lighting is proposed, design will be verified during the building permit review process.

Vegetative Cover & Landscaping – A minimum of 30 percent vegetative cover is required in the D18 zoning district. 2013 GIS Aerial Imagery indicate that this requirement is met, and the accessory apartment will not expand the existing footprint of the garage.

Habitat -There are no known habitats governed by the Title 49 land use code on the lot.

Drainage and Snow Storage – Any proposed grading or changes to drainage will be reviewed through the building permit review process.

Hazard Zones -The lot is not located within a mapped hazard area.

Public Health, Safety, and Welfare – There is no evidence to suggest that the proposed development, with the appropriate conditions, will materially endanger the public health, safety and welfare.

Property Value or Neighborhood Harmony – There is no evidence to suggest that the proposed development will be out of character with the existing neighborhood, or that it would reduce property values of neighboring properties. The lot is in a D18 multi-family zoning district and is surrounded by residential uses. Compact, in-fill development is generally in character with the higher density residential neighborhood and is encouraged in the 2013 Comprehensive Plan.

AGENCY REVIEW

CDD conducted an agency review comment period between April 2, 2024, and April 22, 2024, and received the following responses:

Agency	Summary
Alaska Electric Light and Power	More specific measurements are needed to verify the separation between the finished elevation of the proposed ADU and the adjacent utility conductor.
Building Division	No comment submitted.
General Engineering	No comment submitted.
Capital City Fire and Rescue	No concerns.

Condition: Prior to the issuance of a building permit, finalized plans for the accessory apartment demonstrating compliance with utility setbacks must be submitted to CDD.

PUBLIC COMMENTS

CDD conducted a public comment period between April 5, 2024, and April 22, 2024. Public notice was mailed to property owners within 500 feet of the proposed development. A public notice sign was also posted on-site two weeks prior to the scheduled hearing. No public comment was submitted at the time of writing this report.

CONFORMITY WITH ADOPTED PLANS

The proposed development is in general conformity with the 2013 Comprehensive Plan and the 2016 Housing Action Plan.

PLAN	Chapter	Page No.	Item	Summary
2013 Comprehensive Plan	3	20	Policy 3.2	Promotes compact urban development within the designated urban service area to ensure efficient utilization of land resources and to facilitate cost effective provisions of community services and facilities.
	4	37	Policy 4.2	Facilitates the provision of an adequate supply of various housing types and sizes to accommodate present and future housing needs for all economic groups.
	11	147	Land Use Designation	Complies with the <i>Medium Density Residential – Single Family</i> land use designation; this land use designation allows single-family dwellings with accessory apartments.

PLAN	Chapter	Page No.	Item	Summary
2016 Housing Action Plan	2	35	Production Targets	Creates additional housing, which advances the City's goal of increasing housing stock.

FINDINGS

Conditional Use Permit Criteria – Per CBJ 49.15.330(e) & (f), Review of Director's & Commission's Determinations, the Director makes the following findings on the proposed development:

1. *Is the application for the requested Conditional Use Permit complete?*

Analysis: No further analysis needed.

Finding: Yes. The application contains the information necessary to conduct a full review of the proposed development. 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 accessory apartment on top of an existing, certified nonconforming detached accessory structure. The use is listed at CBJ 49.25.300, Section 1.130 for the D18 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: No further analysis needed.

Finding: Yes. With the recommended condition, the proposed development will comply with Title 49, including parking, lighting, and vegetative cover requirements.

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

Analysis: No further analysis needed.

Finding: No. There is no evidence to suggest that, with the recommended condition, the requested accessory apartment, in a D18 zoning district, will 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: No further analysis is needed.

Finding: No. There is no evidence to suggest that, with the recommended condition, the requested accessory apartment, in a D18 zoning district will 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: Policies in the Comprehensive Plan and Housing Action Plan call for compact, in-fill development within the Urban Service Boundary. Staff finds the proposed development is in general conformity with the land use designation identified in the Comprehensive Plan.

Finding: Yes. The proposed accessory apartment, with the recommended condition, will be in general conformity with the 2013 Comprehensive Plan and the 2016 Housing Action Plan.

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested Conditional Use Permit. The permit would allow the development of an accessory apartment on a certified nonconforming structure in a D18 zoning district.

The approval is subject to the following conditions:

1. Prior to issuance of a building permit for the accessory apartment, the applicants must have a parking waiver approved by the Commission or comply with parking requirements.
2. **Prior to the issuance of a building permit, finalized plans for the accessory apartment demonstrating compliance with utility setbacks must be submitted to CDD.**

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	<i>Application Packet</i>
Attachment B	<i>1914 Plat of Juneau Townsite</i>
Attachment C	<i>Assessor's Records</i>
Attachment D	<i>1927 Juneau Sanborn Map</i>
Attachment E	<i>2009 Building Permit for detached greenhouse</i>
Attachment F	<i>2012 As-built Survey</i>
Attachment G	<i>2013 Conditional Use Permit for greenhouse (after-the-fact)</i>
Attachment H	<i>2021 Nonconforming Certification</i>
Attachment I	<i>2021 Warranty Deed- Transfer to current owners</i>
Attachment J	<i>Abutters Notice and Public Notice Sign Photo</i>
Attachment K	<i>Agency Comments</i>



DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications. This form and all documents associated with it are public record once submitted.

To be completed by Applicant	PROPERTY LOCATION		
	Physical Address 114 6th St, Juneau, AK 99801		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) Lot 2, Block 29, Juneau Townsite		
	Parcel Number(s) 1C060A290030		
	☐ This property is located in the downtown historic district ☐ This property is located in a mapped hazard area, if so, which _____		
	LANDOWNER/ LESSEE		
	Property Owner Jessica Barker & Caitlin Stern		Contact Person Jessica Barker
	Mailing Address 114 6th St, Juneau, AK 99801		Phone Number(s) 907-419-0663
	E-mail Address jessiebarker@gmail.com, caitlin.stern@gmail.com		907-713-7458
	LANDOWNER/ LESSEE CONSENT		
Required for Planning Permits, not needed on Building/ Engineering Permits. Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.			
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 the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.			
Jessica Barker Landowner/Lessee (Printed Name)		Landowner Title (e.g.: Landowner, Lessee)	
X Landowner/Lessee (Signature)		30 Jan 2024 Date	
Caitlin Stern Landowner/Lessee (Printed Name)		Landowner Title (e.g.: Landowner, Lessee)	
X Landowner/Lessee (Signature)		30 Jan 2024 Date	
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.			
APPLICANT			
Applicant (Printed Name) SAME		Contact Person	
Mailing Address		Phone Number(s)	
E-mail Address			
X _____ Applicant's Signature		_____ Date of Application	

DEPARTMENT USE ONLY BELOW THIS LINE

Intake Initials

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Case Number

USE24-005

Date Received

2/13/24



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

Construct 430 sq ft accessory dwelling unit on top of existing garage.

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: USE 1.130, Single-Family Detached with an Accessory Apartment.

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 5000 square feet Total Area of Existing Structure(s) 2322 square feet

Total Area of Proposed Structure(s) 430 square feet

EXTERNAL LIGHTING

Existing to remain ☒ No Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures
Proposed ☒ No Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures

ALL REQUIRED DOCUMENTS ATTACHED

If this is a modification or extension include:

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

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

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)

To be completed by Applicant

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

ALLOWABLE/CONDITIONAL USE FEES				
	Fees	Check No.	Receipt	Date
Application Fees	\$ <u>350.00</u>			
Admin. of Guarantee	\$ _____			
Adjustment	\$ _____			
Pub. Not. Sign Fee	\$ <u>50.00</u>			
Pub. Not. Sign Deposit	\$ <u>100.00</u>			
Total Fee	\$ <u>500.00</u>			

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.

Case Number	Date Received
<u>USE 24-005</u>	<u>2/13/24</u>

Allowable/Conditional Use Permit Application Instructions

Allowable Use permits are outlined in CBJ 49.15.320, Conditional Use permits are outline in CBJ 49.15.330

Pre-Application Conference: A pre-application conference is required prior to submitting an application. There is no fee for a pre-application conference. The applicant will meet with City & Borough of Juneau and Agency staff to discuss the proposed development, the permit procedure, and to determine the application fees. To schedule a pre-application conference, please contact the Permit Center at 586-0770 or via e-mail at permits@juneau.org.

Application: An application for an Allowable/Conditional Use Permit will not be accepted by the Community Development Department until it is determined to be complete. The items needed for a complete application are:

1. **Forms:** Completed Allowable/Conditional Use Permit Application and Development Permit Application forms.
2. **Fees:** Fees generally range from \$350 to \$1,600. Any development, work, or use done without a permit issued will be subject to double fees. All fees are subject to change.
3. **Project Narrative:** A detailed narrative describing the project.
4. **Plans:** All plans are to be drawn to scale and clearly show the items listed below:
 - A. Site plan, floor plan and elevation views of existing and proposed structures
 - B. Existing and proposed parking areas, including dimensions of the spaces, aisle width and driveway entrances
 - C. Proposed traffic circulation within the site including access/egress points and traffic control devices
 - D. Existing and proposed lighting (including cut sheets for each type of lighting)
 - E. Existing and proposed vegetation with location, area, height and type of plantings
 - F. Existing physical features of the site (i.e. drainage, eagle trees, hazard areas, salmon streams, wetlands, etc.)

Document Format: All materials submitted as part of an application shall be submitted in either of the following formats:

1. Electronic copies in the following formats: .doc, .txt, .xls, .bmp, .pdf, .jpg, .gif, .xlm, .rtf (other formats may be preapproved by the Community Development Department).
2. Paper copies 11" X 17" or smaller (larger paper size may be preapproved by the Community Development Department).

Application Review & Hearing Procedure: Once the application is determined to be complete, the Community Development Department will initiate the review and scheduling of the application. This process includes:

Review: As part of the review process the Community Development Department will evaluate the application for consistency with all applicable City & Borough of Juneau codes and adopted plans. Depending on unique characteristics of the permit request the application may be required to be reviewed by other municipal boards and committees. During this review period, the Community Development Department also sends all applications out for a 15-day agency review period. Review comments may require the applicant to provide additional information, clarification, or submit modifications/alterations for the proposed project.

Hearing: All Allowable/Conditional Use Permit Applications must be reviewed by the Planning Commission for vote. Once an application has been deemed complete and has been reviewed by all applicable parties the Community Development Department will schedule the requested permit for the next appropriate meeting.

Public Notice Responsibilities: Allowable/Conditional Use requests must be given proper public notice as outlined in CBJ 49.15.230:

The Community Development Department will give notice of the pending Planning Commission meeting and its agenda in the local newspaper a minimum of 10-days prior to the meeting. Furthermore, CDD will mail notices to all property owners within 500-feet of the project site.

The Applicant will post a sign on the site at least 14 days prior to the meeting. The sign shall be visible from a public right-of-way or where determined appropriate by CDD. Signs may be produced by the Community Development Department for a preparation fee of \$50, and a \$100 deposit that will be refunded in full if the sign is returned within seven days of the scheduled hearing date. If the sign is returned between eight and 14 days of the scheduled hearing \$50 may be refunded. The Applicant may make and erect their own sign. Please contact the Community Development Department for more information.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Allowable/conditional use permit application

The current use of the land/building is a “greenhouse” on top of the existing garage. This was constructed by the previous property owners, and consists of a single room with electric heating plus a deck with wooden siding. The greenhouse is not used by the current property owners due to rot in the floor and a lack of plumbing.

This application is to remove the greenhouse and construct an accessory dwelling unit in the same space, with heating and plumbing. It would be a standalone unit with a kitchen and bathroom, suitable for long-term rental. This proposed use complies with the Comprehensive Plan.

Parking waiver application

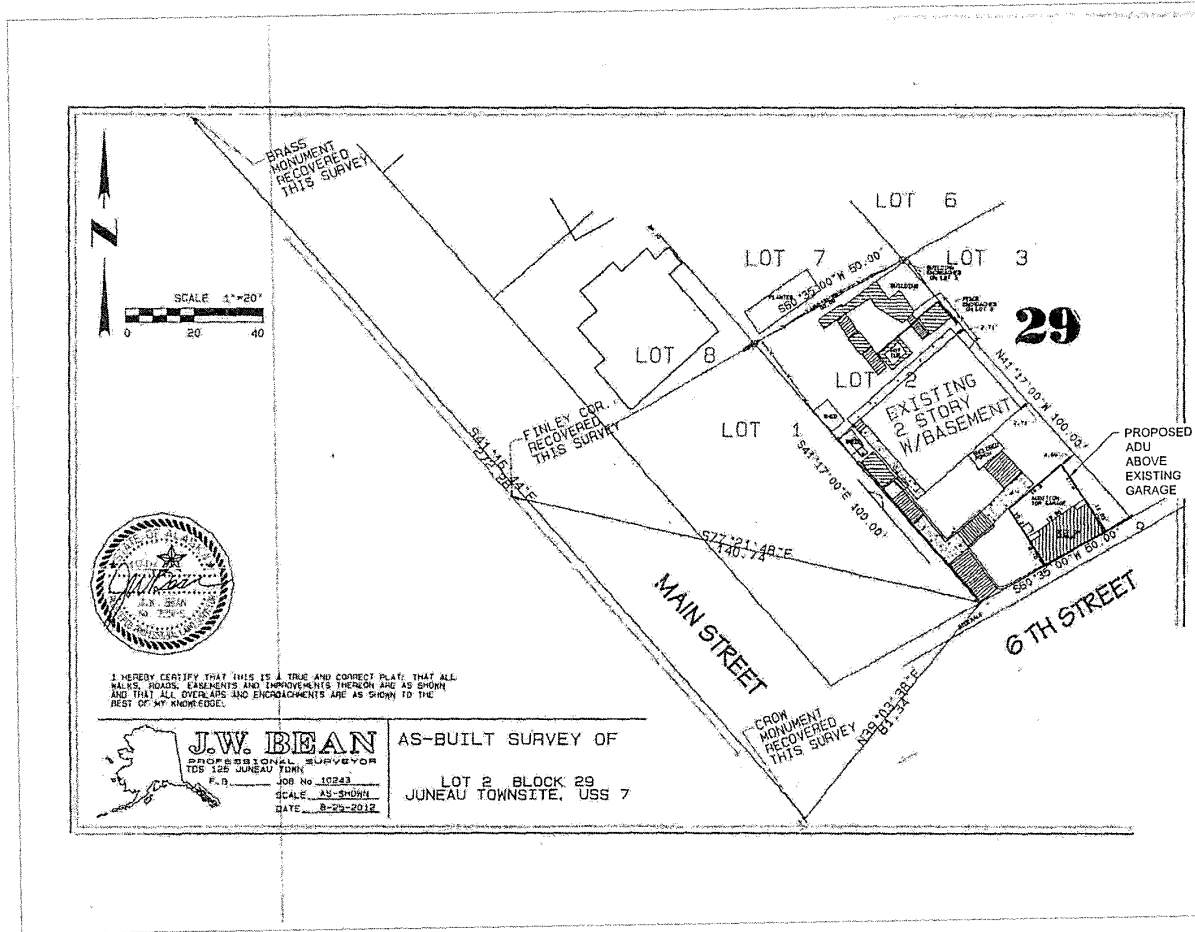
We request a parking waiver for the 430 sq ft accessory dwelling unit being proposed at 114 6th St downtown. The property currently has 2 parking spaces, of which we (the property owners) only use 1. In fact we are currently letting this second space to our neighbors at 128 6th St. These tenants also do not use the space to park a vehicle. This means that there is currently an available parking space that we would assign to the ADU. Using this space would result in more benefits and fewer detriments to the community and neighboring area than using up more land to create an extra parking space.

The above paragraph demonstrates how the proposed waiver meets items 1, 3 and 4 of the Parking Waiver Application. Regarding item 2, the development is located outside of the PD-1 parking district, PD-2 parking district, and Downtown Fee in Lieu of Parking District Map areas.

Landowners:

Jessica Barker
jessiebarker@gmail.com
907-419-0663

Caitlin Stern
caitlin.stern@gmail.com
907-713-7458



PROPERTY INFORMATION:
PROJECT TYPE: ADU ADDITION ON EXISTING GARAGE
OWNERS: JESSICA BARKER & CAITLIN STERN
SITE ADDRESS: 114 SIXTH STREET,
 JUNEAU, AK 99801
LEGAL DESCRIPTION: LOT 2, BLOCK 29, JUNEAU TOWNSITE
ZONING: D18
SQUARE FOOTAGE OF ADU ADDITION: 418 SF



PRELIMINARY
BARKER-STERN ADU
 114 SIXTH STREET
 JUNEAU, AK

- SHEET INDEX:**
- A1 SITE PLAN & PROJECT INFORMATION
 - A2 FLOOR PLAN & NOTES
 - A3 ELEVATIONS
 - A4 BUILDING SECTION

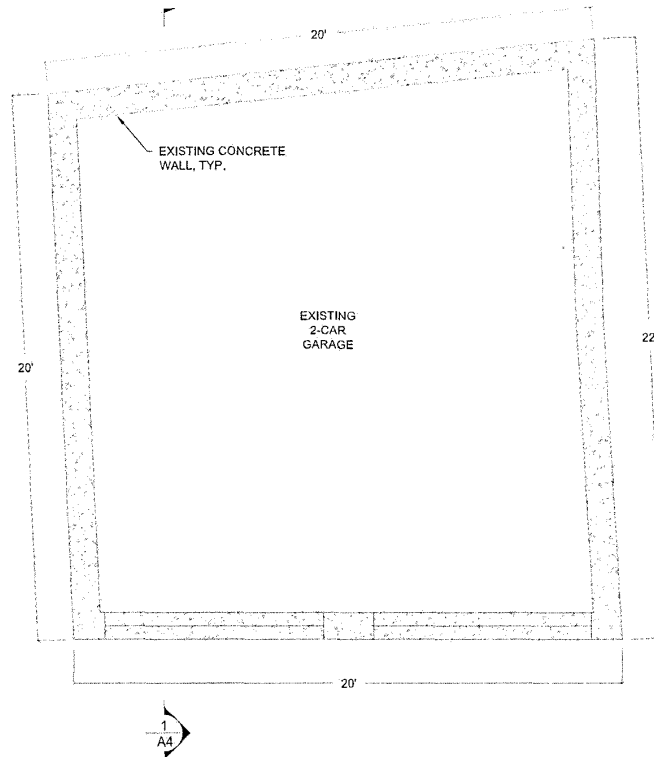
SHEET TITLE:
SITE PLAN
& PROJECT
INFORMATION

DATE 10/17/2023
 SCALE AS NOTED
 FULL SIZE 11"x17"

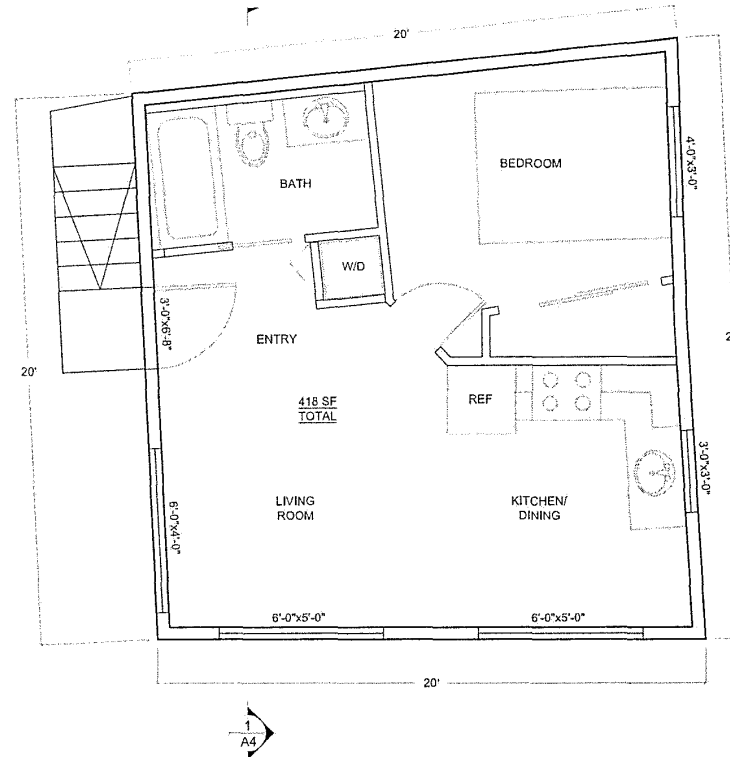
1 SITE PLAN
 1/32" = 1'-0"

CONSTRUCTION NOTES:

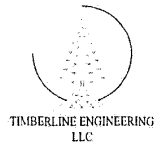
1. ALL WORK PERFORMED, AND MATERIALS USED, SHALL COMPLY WITH ALL APPLICABLE LOCAL AND STATE CODES, ORDINANCES AND REGULATIONS, ALL MANUFACTURER'S SPECIFICATIONS, AND ACCEPTED ENGINEERING AND CONSTRUCTION PRACTICES.
2. PROVIDE MAXIMUM 1/2" ELEVATION CHANGE FROM TOP OF DOOR THRESHOLDS TO EXTERIOR WALKING SURFACES.
3. ALL ROOF PENETRATIONS SHALL EXTEND ABOVE THE ROOF SURFACE A MINIMUM OF 24" EXCEPT FOR FIREPLACE FLUES, WHICH SHALL EXTEND 3-FEET ABOVE THE HIGH POINT OF ROOF PENETRATION, AND AT LEAST 2-FEET HIGHER THAN ANY PORTION OF THE ROOF WITHIN 10-FEET MEASURED HORIZONTALLY.
4. ALL EXTERIOR GLAZING SHALL BE 1-INCH THICK CLEAR LOW-E COATED INSULATED GLASS WITH THERMAL BREAK.
5. ROOF AREAS OF ENCLOSED RAFTER SPACES MUST BE VENTILATED. THE MINIMUM REQUIRED AREA OF THE VENTS IS $\frac{1}{150}$ OF THE AREA TO BE VENTILATED.



1 EXISTING GARAGE/BASEMENT PLAN
1/4" = 1'-0"



2 1ST FLOOR PLAN
1/4" = 1'-0"



JUNEAU, ALASKA
907-635-1433
TIMBERLINE
ENGINEERING
@OUTLOOK.COM

1" ACTUAL
THE ABOVE DIMENSION DOES NOT
INCLUDE THE WALL THICKNESS OF
DOORS AND WINDOWS. ALL WALLS
ARE 1/2" THICK.

PRELIMINARY
BARKER-STERN ADU

114 SIXTH STREET
JUNEAU, AK

SHEET TITLE
FLOOR PLAN
& NOTES

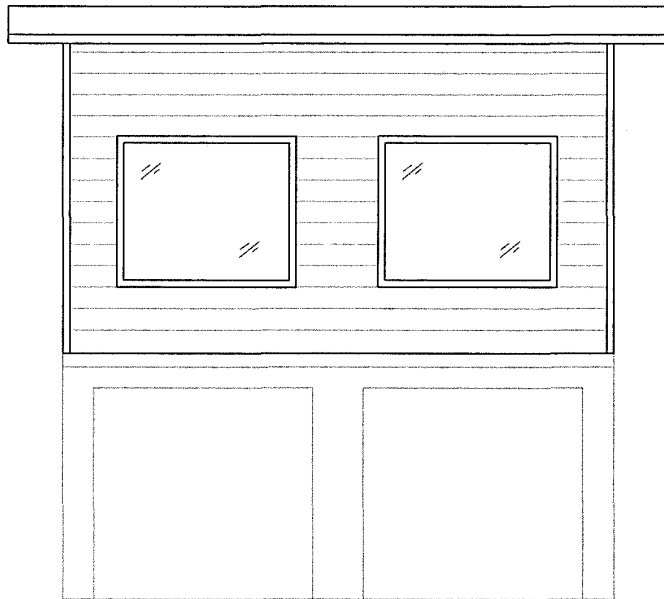
DESIGNED BY JG

SHEET #

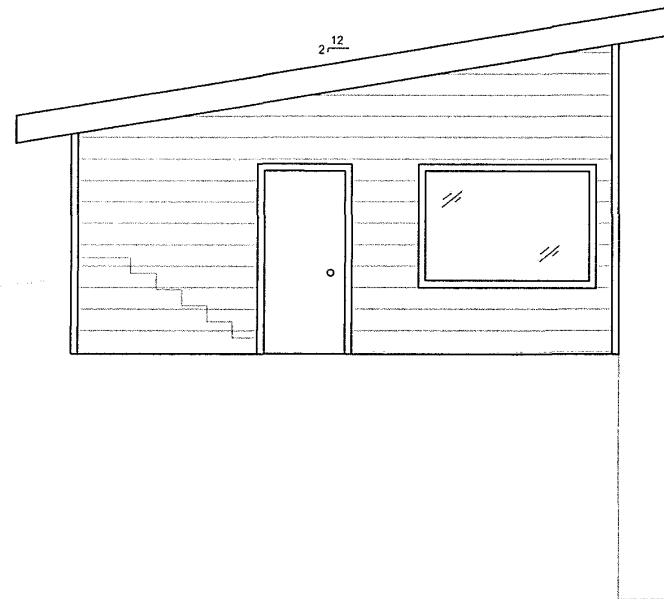
A2

SCALE AS NOTED
DATE 10/17/2023

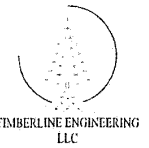
FULL SIZE: 11"x17"



1 - FRONT ELEVATION
1/4" = 1'-0"



2 - LEFT ELEVATION
1/4" = 1'-0"



JUNEAU, ALASKA
907-635-1433
TIMBERLINE
ENGINEERING
@OUTLOOK.COM

1" ACTUAL
IF THE ABOVE DIMENSIONS DO NOT
INCLUDE THE AREA OF THE BUILDING, THE
DIMENSIONS ARE NOT TO BE USED FOR
CONSTRUCTION.

PRELIMINARY
BARKER-STERN ADU

114 SIXTH STREET
JUNEAU, AK

SHEET TITLE:
ELEVATIONS

DATE: JG

SHEET #

A3

SCALE: AS NOTED
DATE: 10/17/2023

FULL SIZE: 11"x17"

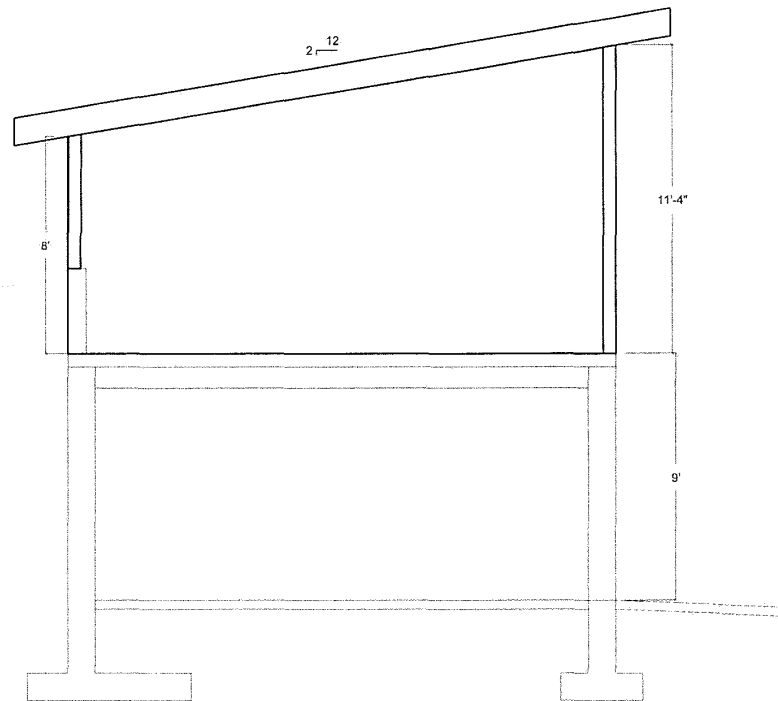
ROOF:
METAL ROOFING
GRACE ICE & WATER SHIELD
19/32" PLYWOOD OR OSB SHTG.

BCI RAFTERS @ 24" O.C.

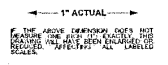
GUTTER & DOWNSPOUT
HOLD-DOWN BLOCKING FOR
EAVE VENTS OR DRILL HOLES
BUG-SCREEN AT VENTS

WALLS:
2x6 STUDS @ 16" O.C.
15/32" PLYWOOD OR OSB SHTG.

FLOORS:
EXISTING CONCRETE FLOOR DECK



JUNEAU, ALASKA
907-635-1433
TIMBERLINE
ENGINEERING
@OUTLOOK.COM



PRELIMINARY
BARKER-STERN ADU

114 SIXTH STREET
JUNEAU, AK

SHEET TITLE:
BUILDING
SECTION

DESIGNED BY: JG

SHEET #

A4

SCALE: AS NOTED
DATE: 10/17/2023

FULL SIZE: 11"x17"

BUILDING SECTION
1/4" = 1'-0"



(907) 586-0715
 CDD_Admin@juneau.gov
www.juneau.org/community-development
 155 Heritage Way • Juneau, AK 99801

Stern / Barker Accessory Apartment Conditional Use Permit and Parking Waiver

Case Number: PAC2023 0052
 Applicant: Kara Sepel
 Property Owner: Caitlin Stern and Jessica Barker
 Property Address: 114 Sixth Street
 Parcel Code Number: 1C060A290030
 Site Size: 4,893 square feet
 Zoning: D18 (Multi-Family Residential)
 Existing Land Use: Residential

Conference Date: November 29, 2023

Report Issued: 12/12/2023

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
Caitlin Stern	Applicant	Caitlin.stern@gmail.com
Jessie Barker	Applicant	jessiebarker@gmail.com
Kara Sepel	Applicant	Karasepel.interiordesign@gmail.com
Jennifer Shields	Planning	Jennifer.Shields@juneau.gov
Charlie Ford	Building	Charlie.Ford@juneau.gov
David Sevdy	Permit Tech	David.Sevdy@juneau.gov

Revised 5/07/2021

i:\documents\cases\2023\pac\pac23-052 114 sixth st accesory apartment\pac23-52 report draft1.doc

Pre-Application Conference Final Report

Conference Summary

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.

Project Overview

The lot currently contains a single-family dwelling, a detached, 2-story accessory structure in the front (lower-level 400 square foot garage and 200 square foot upper-level greenhouse), and a detached accessory structure (sauna) in the rear. The applicant would like to **convert and expand** the upper-level greenhouse into an approximately 400 square foot accessory apartment, matching the existing size of the lower-level garage.

Planning Division

1. **Zoning** – The property is zoned D18 (Multi-Family Residential) and is located within the Alternative Development Overlay District (ADOD). The lot is 5,000 square feet and meets the D18 zoning district minimum lot size requirement of 5,000 square feet.
2. **Table of Permissible Uses – Proposed:** USE 1.130, Single-Family Detached with an Accessory Apartment.
 Per CBJ 49.25.510(k)(2)(G)(i): *“Multifamily dwelling and accessory apartment approval. Unless authorized by this section, an accessory apartment is prohibited in multifamily, commercial, and mixed-use zoning districts. The Director may approve a 49.25.300.1.300 accessory apartment application if all the requirements of this section and the following are met: (a) The application is for an efficiency, or one-bedroom unit that does not exceed 600 square feet in net floor area, is on a lot that exceeds the minimum lot size, and the primary use of the lot is a single-family dwelling.”*
3. **Subdivision** – N/A
4. **Setbacks** –
 - D18 setbacks: Front – 20 feet; Rear – 10 feet; Sides – 5 feet.
 - ADOD setbacks: All sides, 3 feet.
 - Nonconforming Structures per NCC2021-0065:
 - Zero-foot front yard setback for the garage
 - 4.69-foot east side yard setback for the garage
 - 2.71-foot east side yard setback for the dwelling
 - Additional Stories:
 - Per CBJ 49.25.430(4)M: *“Additional stories. The Commission, through the Conditional Use Permit process, may allow the addition of a second or third story atop or below an existing enclosed structure which projects into a required yard setback if the structure is either nonconforming or if a variance was previously granted for the structure. The commission may deny such request if it finds that the structure, with the addition, would result in excessive blockage of views, excessive restriction of light and air, or other deleterious impacts.”*
 - Per USE2013-0016, an after-the-fact Conditional Use Permit was approved for a 200 square foot greenhouse that encroached *10 feet 3 inches into the 20-foot front yard setback* (correct measurements) and 3 inches into the 5-foot side yard setback.
 - The proposed accessory structure would be 400 square feet and encroach 20-feet into the 20-foot front yard setback and 3 inches into the 5-foot side yard setback, doubling both the size and setback encroachment of the upper-level.
 - **A new Conditional Use Permit Application is required (see attached code and applications).**
5. **Height** – Maximum height allowed for an accessory structure in the D18 zoning district is 25 feet.

Pre-Application Conference Final Report

6. **Access – Sixth Street.**
7. **Parking & Circulation** – CBJ 49.40.210 requires two off-street parking spaces for a single-family dwelling unit. Back-out parking may be allowed in residential zoning districts per 49.40.230(b)(7)(A). The existing garage includes two off-street parking spaces.

An accessory apartment would require one additional parking space on the property. Since topography is likely a constraint, per CBJ 49.40.220, a Parking Waiver Application for the addition of an accessory apartment will be required (see attached code and applications).
8. **Lot Coverage** – Maximum of 50% allowed. Per NCC2021-0065, existing lot coverage is 37%. The proposed upper-level accessory apartment would not increase lot coverage.
9. **Vegetative Coverage** – Minimum of 30% required. Per NCC2021-0065, existing vegetative cover is 32%. The proposed upper-level accessory apartment would not decrease vegetative cover.
10. **Lighting** – Exterior lighting shall be designed and located to minimize off-site glare.
11. **Noise** – N/A
12. **Flood** – N/A
13. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – A Hillside Endorsement may be required prior to issuance of a Building Permit for the proposed accessory apartment if construction involves excavation of any slope in excess of 18% or the creation of a new slope in excess of 18% for a vertical distance of at least 5 feet.
14. **Wetlands** – N/A
15. **Habitat** – No anadromous waterbodies are on the subject parcel, or within 50 feet.
16. **Plat or Covenant Restrictions** – N/A
17. **Traffic** – N/A
18. **Nonconforming situations** – A Nonconforming Certificate (NCC2021-0065) for the property was issued on September 3, 2021.

Building Division

19. **Building** – Building staff will comment during the plan review for a building permit.
20. **Outstanding Permits** – BLD2009-00103 – Construction of a detached green house. Modified 5/29/2012 for structural changes to roof

General Engineering/Public Works

21. **Engineering** – N/A
22. **Drainage** – N/A
23. **Utilities** – (water, power, sewer, etc.) Additional dwelling units may trigger additional utility assessment or requirement for water meter installation. General Engineering will review during building permit application and review.

Fire Marshal

24. **Fire Items/Access** – N/A

Other Applicable Agency Review

25. N/A

Pre-Application Conference Final Report

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 (one for each of the applications listed below)
2. Conditional Use Permit Application
3. Parking Waiver Application (submit concurrently with the Conditional Use Permit Application)

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.

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. N/A

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. Development Permit Application: N/A
2. Conditional Use Permit (USE): \$350
3. Public Notice Sign: \$150 (with \$100 refundable if the sign is returned by the Monday after the Planning Commission meeting).
4. Parking Waiver (PWP): \$320 (reduced due to major development)

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:

Pre-Application Conference Final Report

CBJ 49.15.330 Conditional Use Permits
CBJ 49.40.220 Parking Waivers
Development Permit Application (DPA)
Conditional Use Permit Application (USE)
Parking Waiver Application (PWP)

MAP OF
JUNEAU ALASKA
1914



Attachment B - 1914 Plat of Juneau Townsite



Assessor's Database

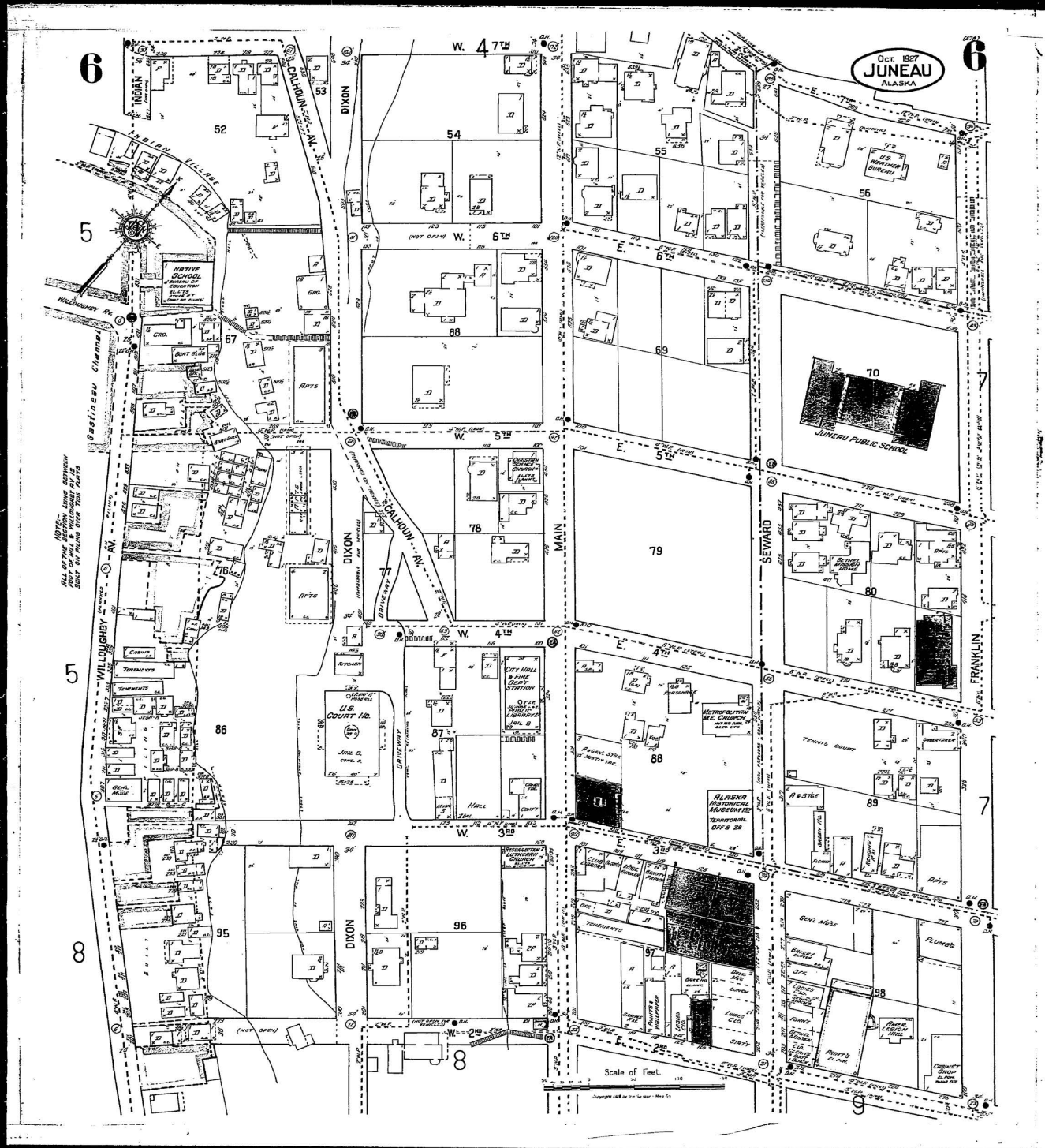
Current Owner

CAITLIN STERN & JESSICA BARKER
114 SIXTH ST, JUNEAU AK 99801

Parcel #: 1C060A290030 (Map)	Address: 114 SIXTH ST	Legal Desc. 1: JUNEAU TOWNSITE BL 29 LT 2	Legal Desc. 2:
Prev. Owner: VANCE F PUTMAN	Site Value: \$163500.00	Building PV: \$526900.00	Total PV: \$690400.00
Use Code: Residential	Exempt: No Data	Zoning: -Multi-Family-5,000 sq.ft. minimum lot size -18 units per acre	Tax Year: 2024
No. of Units: 001	Year Built: 1914		Gross Liv. Area: 001922 sqft
Garage: No	Garage Area: 000000	Lot Size: 4893.00	Last Trans: 20211015
City Water: Yes	City Sewer: Yes	Exempt Total: 0	Road/No Road: Roaded
Exempt Land: 0	Exempt Building: 0		

Search the Database

Search the database using the search box below. The field accepts any search parameter (owner’s name, address, parcel number, year built, etc.).



The Sanborn Library, LLC

This Sanborn® Map is a certified copy produced by Environmental Data Resources, Inc. under arrangement with The Sanborn Library, LLC. Information on this Sanborn® Map is derived from Sanborn field surveys conducted in:

Copyright © 1927 The Sanborn Library, LLC AMV
Year EDR Research Associate

Reproduction in whole or in part of any map of The Sanborn Library, LLC may be prohibited without prior written permission from The Sanborn Library, LLC.



BUILDING PERMIT

 Permit No.
BLD2009-00103

*NOTE: "Building Permit" is a generic term which includes Building Safety Inspection, Grading Permits, and permits for Electrical, Plumbing and Mechanical work.

Your special attention is called to the following:

This permit is granted on the express conditions that the construction shall, in all respects, conform to the ordinances of the City and Borough of Juneau. It may be revoked at any time upon violation of any of said ordinances.

The granting of this permit does not authorize the violation of any federal, state or local law regulating construction for the violation of the terms of any deed or covenant or any zoning or other regulation.

If plan review was required, this permit must be attached to the approved drawings. The permit, plans and record of inspections must be available on site at all times while the construction is in progress and before final inspection.

The yellow posting notice must be prominently displayed to show a permit has been issued and to assist the inspectors in location of the project. This permit becomes null and void if work or construction authorized is not commenced within one year or if work or construction is suspended or abandoned for a period of one year at any time after work has commenced.

Note: City Ordinances REQUIRE a Final Inspection be approved for every Building Permit.

Inspections

Inspections can be arranged by telephoning 586-1703 or by written or faxed notification.

The Online Building Inspection Request Form is at: www.juneau.org/permits/inspect_request.php.

Work shall not proceed until the inspector has approved the various stages of construction. An approved Final Inspection is required.

Call before 7:30 AM for same day inspections.

Please provide the following information: 1 Permit Number, 2 Address, 3 Type of Inspection, 4 Date and Time and 5 Contact Name and Phone Number.

Job Address: 114 SIXTH ST	Issued Date: 06/07/2012
Permit Number: BLD2009-00103	Parcel No: 1C060A290030
Project Description: Construction of a detached greenhouse. Modified 05/29/2012 for structural changes to roof.	

Parcel Information : JUNEAU TOWNSITE BL 29 LT 2

Setbacks:	Zone: D18;	Firm Zone: C
Front: 10.00 Ft SE	Side 1: 5.00 Ft NE	
Rear: 10.00 Ft NW	Side 2: 5.00 Ft NW	
Street Side:		
Comments: Front lot line is interior edge of sidewalk. Front yard setback reduced to 10 ft per CBJ 49.25.430(4)(K). OK		

Owner: VANCE F PUTMAN KIMBERLY A HOMME PO BOX 020473 JUNEAU AK 99802-0473	Applicant: FATE PUTMAN PO BOX 020473 JUNEAU AK 99802
---	---

Fee Type	Date	Receipt	Amount Paid	Valuation for Permit Fee Calculations:			
				<u>S.F.</u>	<u>Type</u>	<u>Rate</u>	<u>Amount</u>
BLD- Bldg Permit Fee	03/18/2009	10000	\$40.92			0.00	
BLD- Res Plan Review	03/18/2009	10000	\$20.46				
BLD- Addl Plan Review Fee	06/07/2012	00176	\$27.00				
Total Fees Paid:			\$88.38	Total Valuation:			\$1,238.40

Project Conditions and Holds:

Custom Condition no holds or warn - Framing and anchoring of structure must be per approved engineered plans, any changes or modification to plans must be approved by project engineer in writing.

Asbuilt Survey Required - Asbuilt Survey Required before final inspection approval.

Foundation Setback Verification - Foundation Setback Verification (yellow form) must be on site when pour inspection or placement of other foundation systems occurs.

Approved Plans On Site - CBJ approved plans must be on site and available to the inspector. Inspections will not be performed and additional fees may apply if approved plans are not available to the inspectors.

Inspections Required: Call for inspection before covering or concealing any of the work described below. Inspections may be combined.		
B-Setback Verification	B-Foundation, Forms and Reinforcing Steel	B-Framing
B-Rough Electrical	B-Building Final	E-Grading/Drainage

JUNEAU PERMIT CENTER - 230 S. Franklin Street - 4th Floor, Marine View Center - Mail: 155 S. Seward Street, Juneau, AK 99801
 Phone: 586-0770 - FAX: 586-3365 - Inspection Requests: 586-1703 - Email: permits@ci.juneau.ak.us
 Web Site: www.juneau.org/permits

Staff Review Sheet

Section H, Item 5.

Permit Intake Initials: FE

FIRE ZONE ENG WAT SEW ARCH STRUC PLUM MECH ELEC ACCESS SPEC/NSP

5/29/2012

Case No: **BLD2009-00103**

Site Address: 114 SIXTH ST

Parcel No: 1C060A290030

Desc: Construction of a detached greenhouse. Modified 05/29/2012 for structural changes to roof.

Residential Singl New Dwelling Units: 0
 FCC Code: 438 Existing Dwelling Units: 1
 Type of Construction: Occupancy Class: U
 Sprinkler Substitute for Type A Construction: YES NO
 Sprinkler System: FULL PARTIAL NONE Required: YES NO
 Alarm System: FULL PARTIAL NONE Required: YES NO
 Code Edition: 2006 IRC Code Review by: MES Date: 6-5-12

Valuation for Permit Fee Calculations:

S.F.	Type	Rate	Amount
		0.00	
			1,238.40
Total Valuation:			\$1,238.40

LAND USE
 ZONE/UNITS D18 / 1
 WETLAND
 FLOOD ELEV
 FIRM ZONE C
 FIRM MAP 700 B
 LOT SIZE 4,893 SF
0.1 ACRES
 SETBACKS
 Front 10 SE
 Rear 10 NW
 Side 5 NE
 Other
 PARKING
 ANADROMOUS
 EAGLES NEST

ENGINEERING/PUB WORKS

Dwelling Units:
 CITY WATER:
 Permit #:
 Use:
 Assessment:
 Service Size:
 Line Size:
 CITY SEWER:
 Permit #:
 Use:
 Assessment:
 Fixture Units:

PLAN REVIEW APPROVALS

Initials Date
 Fire
 Zoning BF 5/30/12
 Engineering
 Water
 Sewer
 Architectural MES 6-5-12
 Structural MES 6-5-12
 Plumbing
 Mechanical
 Electrical
 Access
 Spcl Insp Form

PERMIT ISSUANCE FEES

Grading Plan Review Fee	\$	
Adjusted Plan Review Fee	\$	
Fast Track Fee	\$	
Early Start Fee	\$	
Building Permit Fee	\$	
Water Assessment Fee	\$	
Sewer Assessment Fee	\$	
Sewer Inspection Fee	\$	
Grading Permit Fee	\$	
Driveway Permit Fee	\$	
Bond for	\$	
Other	\$	
Total Issuance Fees	\$	

LAND USE PERMITS

WATER CONNECTION PERMITS

I hereby acknowledge receipt of
 a inch meter yoke.
 X
 Date

APPROVED FOR ISSUANCE

 Signature
6-5-12
 Date

PERMIT ISSUANCE PAYMENTS

Date	Receipt	Check	Amount
			\$
			\$
			\$

Parcel Tags:

CONDITIONS AND HOLDS ON PERMIT: (Continued on back of sheet)

Continue zoning conditions from previous Building permit BLD09-12



Application Date: March 18, 2009

BUILDING PERMIT APPLICATION

NOTE: THIS IS NOT A BUILDING PERMIT

* NOTE: "Building Permit" is a generic term which includes Building Safety Inspections, Grading Permits, and permits for Electrical, Plumbing and Mechanical work.

Case No: **BLD2009-00103**

Case Description: Construction of a detached greenhouse. Modified 05/29/2012 for structural changes to roof.

Site Address: **114 SIXTH ST**Check No. of Existing Dwelling Units: **1**Parcel No: **1C060A290030**No. of New Dwelling Units: **0**

Legal Description: JUNEAU TOWNSITE BL 29 LT 2

No. of Removed Dwelling Units:

Applicant : FATE PUTMAN
PO BOX 020473
JUNEAU AK 99802

PH1 586-2761

Owner: VANCE F. PUTMAN
KIMBERLY A HOMME
PO BOX 020473
JUNEAU AK 99802-0473

Contractor: OWNER/BUILDER

PH: _____ FAX: _____

Valuation for Permit Fee Calculations:

S.F. Type

Rate

Amount

0.00

1,238.40

Total Valuation:

\$1,238.40

Associated Cases:

None.

Parcel Tags:

Notes and Conditions:

Framing and anchoring of structure must be per approved engineered plans, any changes or modification to plans must be approved by project engineer in writing.

Asbuilt Survey Required before final inspection approval.

Foundation Setback Verification (yellow form) must be on site when pour inspection or placement of other foundation systems occurs.

Applicant's Signature
(Owner, Contractor or Authorized Agent)

Date

John B...
Staff Acceptance

I hereby certify that I have read and examined this application and know the same to be true and correct. I further certify that all provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. I understand that the granting of a permit does not presume to give authority to violate or cancel the provisions of any other federal, state or local law regulating construction or the performance of construction.

JUNEAU PERMIT CENTER - 230 S. Franklin Street - 4th Floor, Marine View Center - Mail: 155 S. Seward Street, Juneau, AK 99801

Phone: 586-0770 - FAX: 586-3365 - Inspection Requests: 586-1703 - Email: permits@ci.juneau.ak.us

Web Page: HTTP://WWW.JUNEAU.ORG/PERMITS



BUILDING PERMIT

Permit No.
BLD2009-00103
Proj #: BLD2009-00103

* NOTE: "Building Permit" is a generic term which includes Building Safety Inspection, Grading Permits, and permits for Electrical, Plumbing and Mechanical work.

Your special attention is called to the following:

This permit is granted on the express conditions that the construction shall, in all respects, conform to the ordinances of the City and Borough of Juneau. It may be revoked at any time upon violation of any of said ordinances.

The granting of this permit does not authorize the violation of any federal, state or local law regulating construction for the violation of the terms of any deed or covenant or any zoning or other regulation.

If plan review was required, this permit must be attached to the approved drawings. The permit, plans and record of inspections must be available on site at all times while the construction is in progress and before final inspection.

The yellow posting notice must be prominently displayed to show a permit has been issued and to assist the inspectors in location of the project. This permit becomes null and void if work or construction authorized is not commenced within one year or if work or construction is suspended or abandoned for a period of one year at any time after work has commenced.

Note: City Ordinances REQUIRE a Final Inspection be approved for every Building Permit.

Inspections

Inspections can be arranged by telephoning 586-1703 or by written or faxed notification.

The Online Building Inspection Request Form is at: www.juneau.org/permits/inspect_request.php.

Work shall not proceed until the inspector has approved the various stages of construction. An approved Final Inspection is required.

Call before 7:30 AM for same day inspections.

Please provide the following information: 1 Permit Number, 2 Address, 3 Type of Inspection, 4 Date and Time and 5 Contact Name and Phone Number.

Job Address: 114 SIXTH ST		Issued Date: 4/3/2009																							
Permit Number: BLD2009-00103	PUTNAM GREENHOUSE		Parcel No: 1C060A290030																						
Project Description: Construction of a detached greenhouse.																									
Parcel Identification: JUNEAU TOWNSITE BL 29 LT 2																									
Setbacks: Zone: D18 Firm Zone: C Front: 10 Ft. SE Side 1: 5 Ft. NE Rear: 10 Ft. NW Side 2: 5 Ft. NW Comments: Front lot line is interior edge of sidewalk. Front yard setback reduced to 10 ft per CBJ 49.25.430(4)(k), OK																									
Owner: VANCE F PUTMAN Address: City: JUNEAU, AK 99802		Applicant: FATE PUTMAN Address: PO BOX 20473 City: JUNEAU, AK 99802																							
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Fee Type</th> <th>Date</th> <th>Receipt</th> <th>Amount Paid</th> </tr> </thead> <tbody> <tr> <td>1 Permit Fee</td> <td>3/18/2009</td> <td>27331</td> <td>40.92</td> </tr> <tr> <td>1 Residential Plan Review</td> <td>3/18/2009</td> <td>27331</td> <td>20.46</td> </tr> <tr> <td colspan="3" style="text-align: right;">Total Fees Paid:</td> <td>61.38</td> </tr> </tbody> </table>		Fee Type	Date	Receipt	Amount Paid	1 Permit Fee	3/18/2009	27331	40.92	1 Residential Plan Review	3/18/2009	27331	20.46	Total Fees Paid:			61.38	Valuation for Permit Fee Calculations: <table style="width: 100%;"> <tr> <td style="width: 60%;">BUILDING PERMIT</td> <td style="width: 20%;">UTIL - Greenhouse</td> <td style="width: 20%; text-align: right;">1,238.40</td> </tr> <tr> <td colspan="2" style="text-align: right;">Total Valuation:</td> <td style="text-align: right;">1,238.40</td> </tr> </table>		BUILDING PERMIT	UTIL - Greenhouse	1,238.40	Total Valuation:		1,238.40
Fee Type	Date	Receipt	Amount Paid																						
1 Permit Fee	3/18/2009	27331	40.92																						
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Total Fees Paid:			61.38																						
BUILDING PERMIT	UTIL - Greenhouse	1,238.40																							
Total Valuation:		1,238.40																							
Project Conditions and Holds: 1 Asbuilt Survey Required before final inspection approval. 2 Foundation Setback Verification (yellow form) must be on site when pour inspection or placement of other foundation systems occurs. 3 Framing and anchoring of structure must be per approved engineered plans, any changes or modification to plans must be approved by project engineer in writing.																									
Inspections Required: Call for inspection before covering or concealing any of the work described below. Inspections may be combined.																									
100 Insp - Setbacks	105 Foundation Setback form	115 Insp - Stemwalls/Form/Rebar																							
140 Insp - Rough Framing	150 Insp - Rough Electrical	260 Insp - Grading/Drainage																							
800 Insp - Residential Final																									

Staff Review Sheet

Permit Intake Initials: UM

FIRE ZONE ENG WAT SEW ARCH STRUC PLUM MECH ELEC ACCESS SPEC/INSP

Planner

3/18/2009

Project Name: **PUTNAM GREENHOUSE**Case No: **BLD2009-00103**Site Address: **114 SIXTH ST**Parcel No: **1C060A290030**

Desc: Construction of a greenhouse.

Residential ADD SF New Dwelling Units: 0
 FCC Code: 438 Existing Dwelling Units: 1
 Type of Construction: _____ Occupancy Class: U
 Sprinkler Substitute for Type A Construction: YES NO
 Sprinkler System: FULL PARTIAL NONE Required: YES NO
 Alarm System: FULL PARTIAL NONE Required: YES NO
 Code Edition: 2003 RPL 700 Code Review by: TBS Date: 4/3/09

Fees Assessed at Application:

Fee Type	Amount
1 Permit Fee	40.92
1 Residential Plan Review	20.46
Total Fees:	61.38

Valuation at Application:

S.F.	Type	Rate	Amount
120	UTIL - Greenhouse	10.32	1,238.40
Total Valuation:			1,238.40

Fees Paid at Application:

Date Paid	Receipt	Check	Paid
3/18/2009	27331	281	61.38
1 Permit Fee			40.92
1 Residential Plan Review			20.46
Total Fees Paid:			61.38

LAND USE

ZONE/UNITS D18/1
 WETLAND Unknown
 FLOOD ELEV _____
 FIRM ZONE C
 FIRM MAP _____
 LOT SIZE 4,893 SF
0.1 ACRES

SETBACKS

Front 20' 10"
 Rear 10
 Side 5
 Other 5

PARKING

2

ANADROMOUS

✓

EAGLES NEST

✓

ENGINEERING/PUB WORKS

CITY WATER Units: _____
 Case No: _____
 Service Size: _____
 Fire Line Size: _____
 Metered: _____
 Extended Pmt #: _____
 CITY SEWER Units: _____
 Case No: _____
 Bond Case No: _____
 Other Case No: _____
 ADEC Sewer No: _____

WATER CONNECTION PERMITS

I hereby acknowledge receipt of
 a _____ inch meter yoke.

X

Date _____

PLAN REVIEW APPROVALS

Initials	Date
Fire	
X Zoning	<u>ESC 3/23/09</u>
X Engineering	<u>MICM 3/20/09</u>
Water	
Sewer	
X Architectural	<u>SS 4/3/09</u>
X Structural	<u>SS 4/3/09</u>
Plumbing	
Mechanical	
Electrical	
Access	
Spcl Insp Form	

APPROVED FOR ISSUANCE

Signature
4/3/09
 Date

PERMIT ISSUANCE FEES

Grading Plan Review Fee	\$
Adjusted Plan Review Fee	\$
Fast Track Fee	\$
Early Start Fee	\$
Building Permit Fee	\$
Water Assessment Fee	\$
Sewer Assessment Fee	\$
Sewer Inspection Fee	\$
Grading Permit Fee	\$
Driveway Permit Fee	\$
Bond for	\$
Other	\$
Total Issuance Fees	\$

PERMIT ISSUANCE PAYMENTS

Date	Receipt	Check	Amount
			\$
			\$
			\$

PARCEL TAGS:

This property (or structure) has been identified in the Draft Historic Preservation Plan of Dec 1997 as a historic resource which may require documentation prior to demolition. See Title 19.01.102.8.2.

CONDITIONS AND HOLDS ON PERMIT: (Continued on back of sheet)

- As-Built Survey Required
 - Foundation Setback Verification



Application Date: March 18, 2009

BUILDING PERMIT APPLICATION

NOTE: THIS IS NOT A BUILDING PERMIT

* NOTE: "Building Permit" is a generic term which includes Building Safety Inspections, Grading Permits, and permits for Electrical, Plumbing and Mechanical work.

Project Name: PUTNAM GREENHOUSE

Case No: BLD2009-00103

Project No: BLD2009-00103

Case Description: Construction of a greenhouse.

Site Address: 114 SIXTH ST

Check No. of Existing Dwelling Units: 1

Parcel No: 1C060A290030

No. of New Dwelling Units: 0

Legal Description: JUNEAU TOWNSITE BL 29 LT 2

Applicant: FATE PUTMAN
Address: PO BOX 20473
City: JUNEAU, AK 99802

PH1 586-2761

Owner: VANCE E PUTMAN
Address: PO BOX 020473
City: JUNEAU, AK 99802
PH1 20040305

Contractor: OWNER/BUILDER

Valuation for Permit Fee Calculations:

Description	S.F.	Type	Amount
BUILDING PERMIT	120	UTIL - Greenhouse	1,238.40
Total Valuation:			1,238.40

Permit Fees Paid at Application:

Fee Type	Date Paid	Receipt	Check or Credit #	Amount Paid
1 Permit Fee	3/18/2009	27331	281	40.92
1 Residential Plan Review	3/18/2009	27331	281	20.46
Total Fees Paid:				61.38

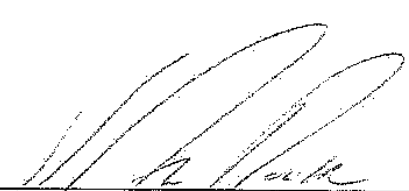
Associated Cases:

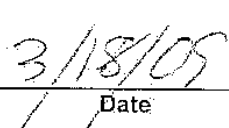
None.

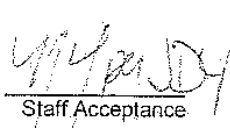
Parcel Tags:

This property (or structure) has been identified in the Draft Historic Preservation Plan of Dec 1997 as a historic resource which may require documentation prior to demolition. See Title 19.01.102.8.2.

Notes and Conditions:


Applicant's Signature
(Owner, Contractor or Authorized Agent)


Date


Staff Acceptance

I hereby certify that I have read and examined this application and know the same to be true and correct. I further certify that all provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. I understand that the granting of a permit does not presume to give authority to violate or cancel the provisions of any other federal, state, or local law regulating construction or the performance of construction.

JUNEAU PERMIT CENTER - 230 S. Franklin Street - 4th Floor, Marine View Center - Mail: 155 S. Seward Street, Juneau, AK 99801
Phone: 586-0770 - FAX: 586-3365 - Inspection Requests: 586-1703 - Email: permits@ci.juneau.ak.us
Web Page: HTTP://WWW.JUNEAU.ORG/PERMITS

NorthWind Architects LLC
 110A 2ND ST.
 JUNEAU, AK 99801
 PH #907.536.6150
 FX #907.536.6181
 WWW.NORTHWINDARCH.COM

PUTMAN GREENHOUSE

114 SIXTH STREET
 JUNEAU, ALASKA 99801

PLANS

DATE 3-12-10
 PROJECT
 CLIENT SMH
 DESIGNER FKP
 SCALE

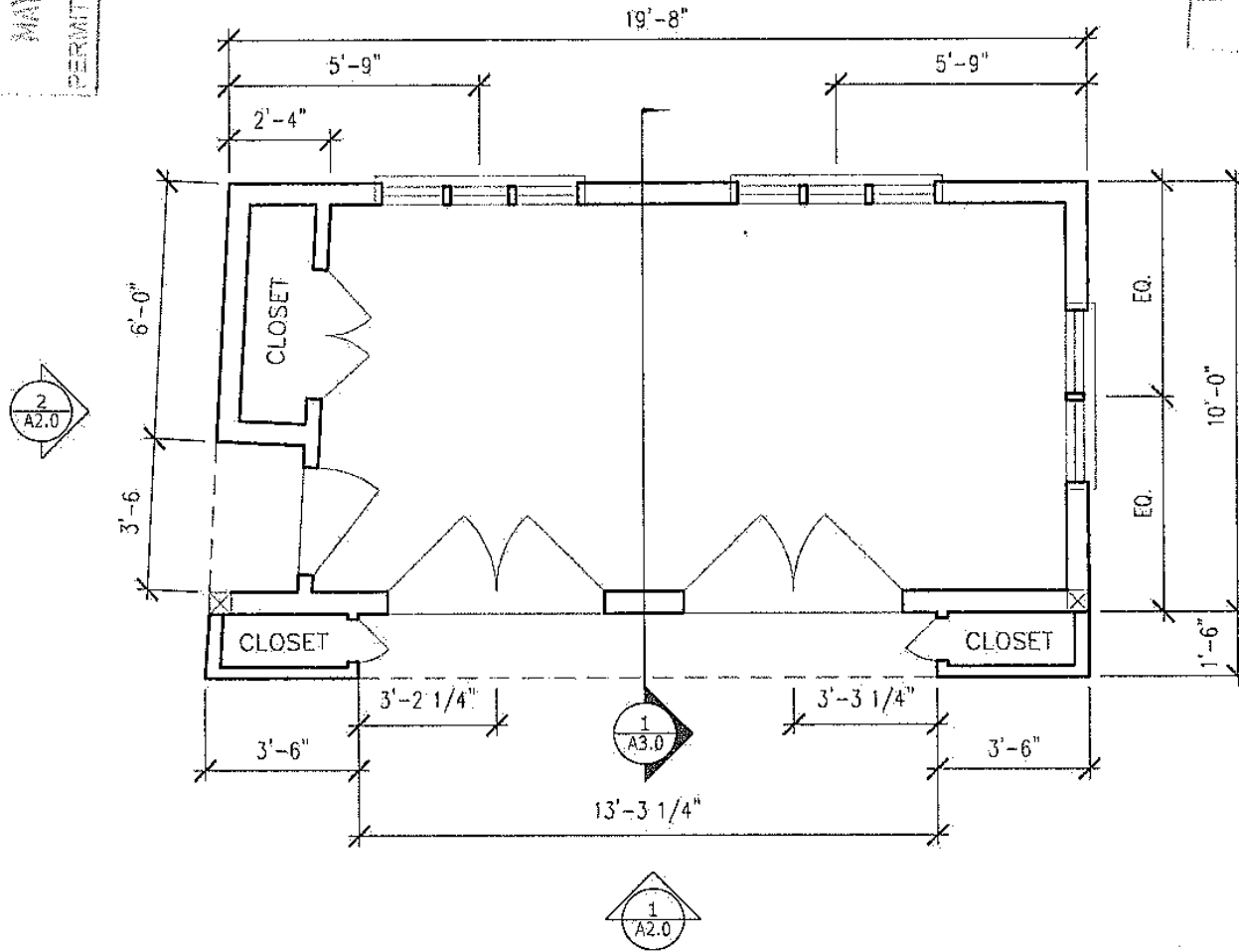
A1.0

BOP 2009-09-03

RECEIVED
 MAY 29 2012
 PERMIT CENTER/CDD

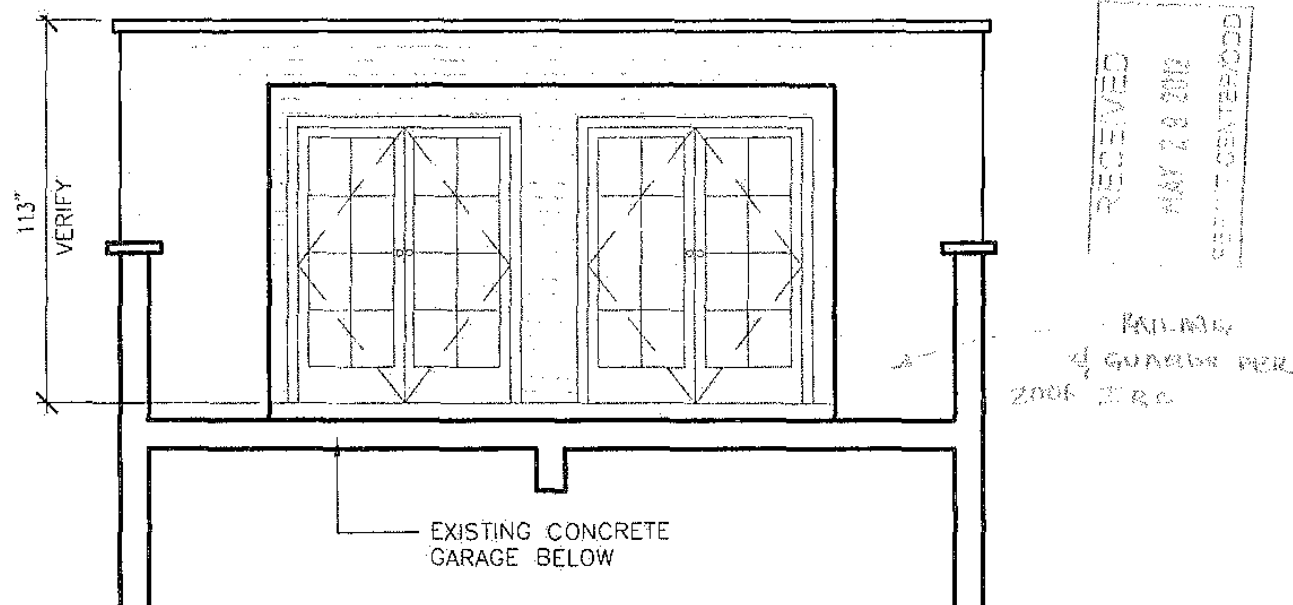
Plans approved as noted
 inspections will not be
 performed without city
 approved plans on site.
 PFS 6-5-12

RECEIVED
 MAY 29 2012
 PERMIT CENTER/CDD

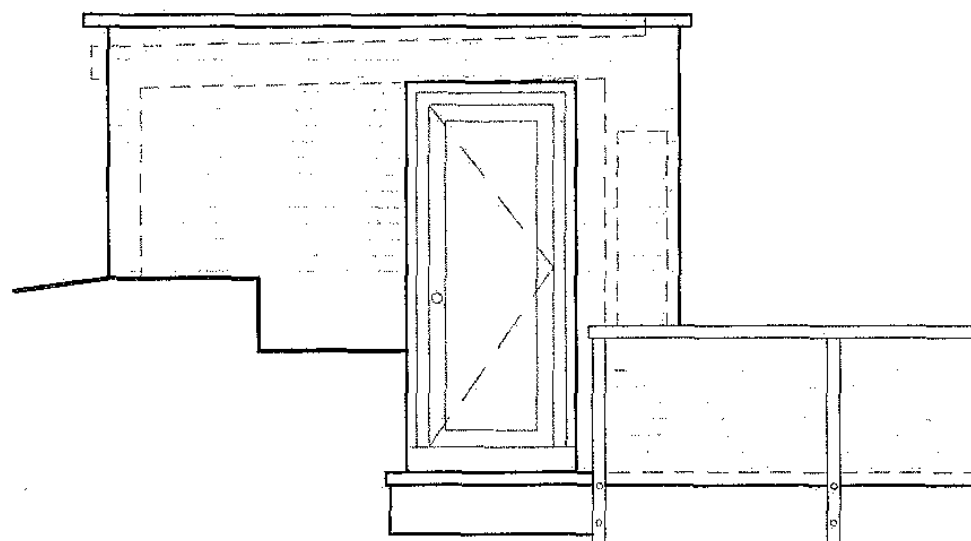


1 FLOOR PLAN
 1/4" = 1'

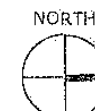




① EAST ELEVATION
1/4" = 1'



② NORTH ELEVATION
1/4" = 1'



109A 2ND ST.
JUNEAU, AK 99801
PH #907.585.6150
FX #907.555.6181
WWW.NORTHWINDARCH.COM

PUTMAN GREENHOUSE

114 SIXTH STREET
JUNEAU, ALASKA 99801

NOT TO SCALE
ELEVATIONS

DATE 3-12-10
DESIGNED BY
DRAWN BY SMB
CHECKED BY PKP

PROJECT # A2.0



119A 2ND ST.
JUNEAU, AL 99801
PH #907.586.6150
FX #907.586.6181
WWW.NORTHWINDARCH.COM

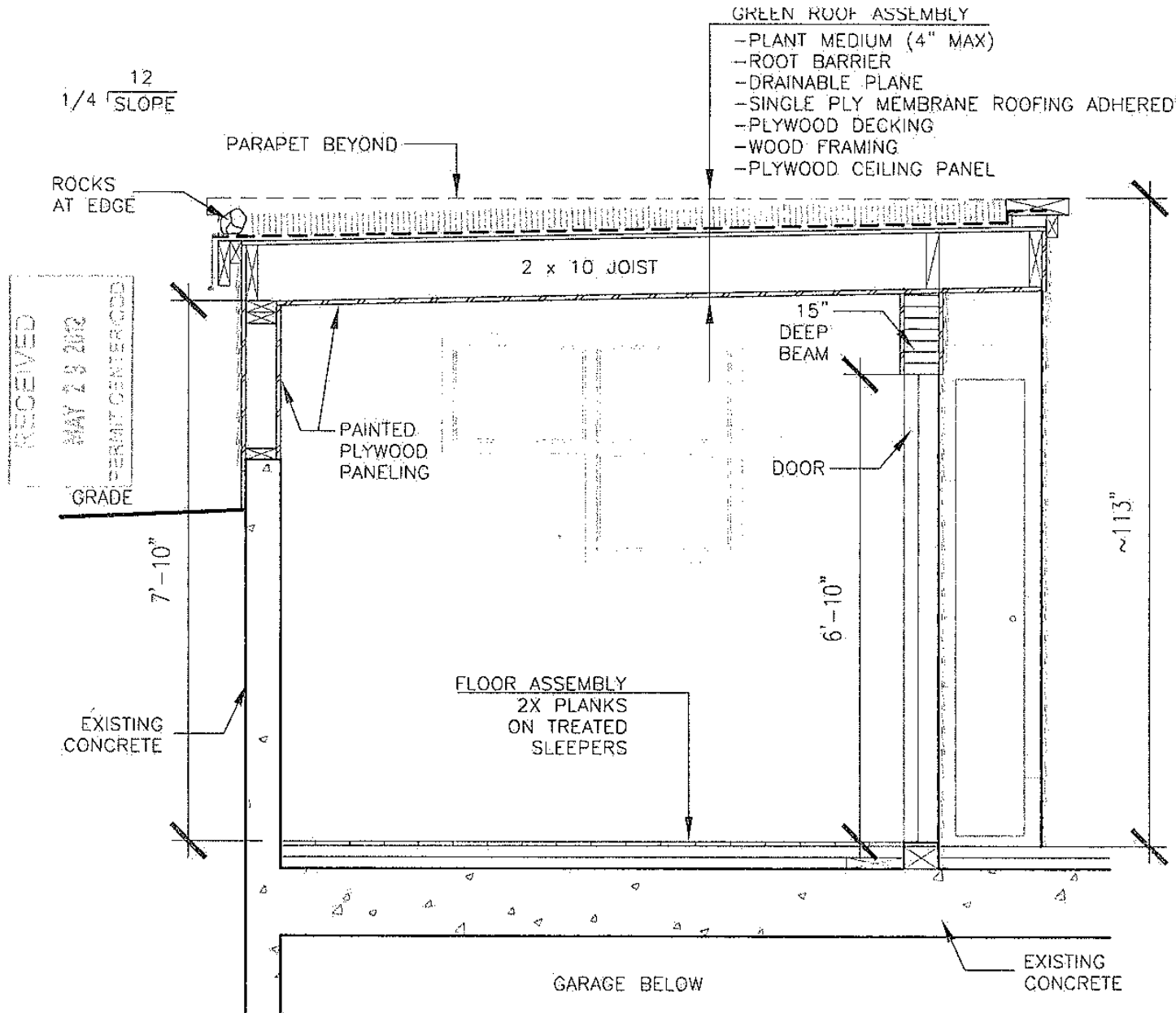
PUTMAN GREENHOUSE

114 SIXTH STREET
JUNEAU ALASKA 99801

SECTION

DATE 3-12-10
DRAWN SAMP
CHECKED JKP
SCALE

A3.0



1 SECTION
1/2" = 1'



RECEIVED
JUL 28 2012
PERMIT CENTER CDD

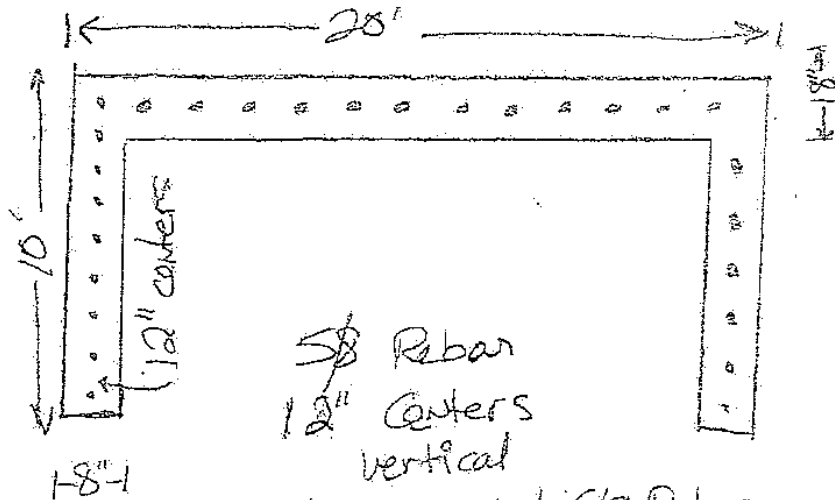
Putman Greenhouse
114 E 6th St.
Juneau, AK

321-0773
Fate Putman

Foundation Drawing

TOP View

20 July 2012



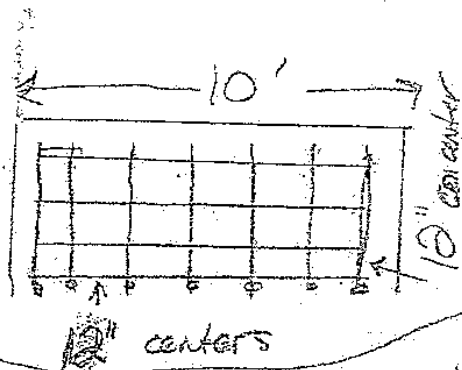
RECORD DRAWING BY FATE PUTMAN

1' horizontal 5/8 Rebar

Side view

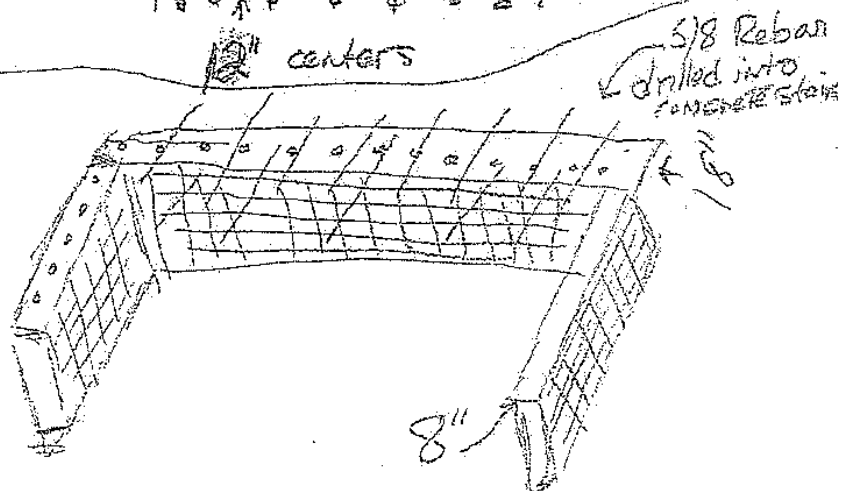
West wall

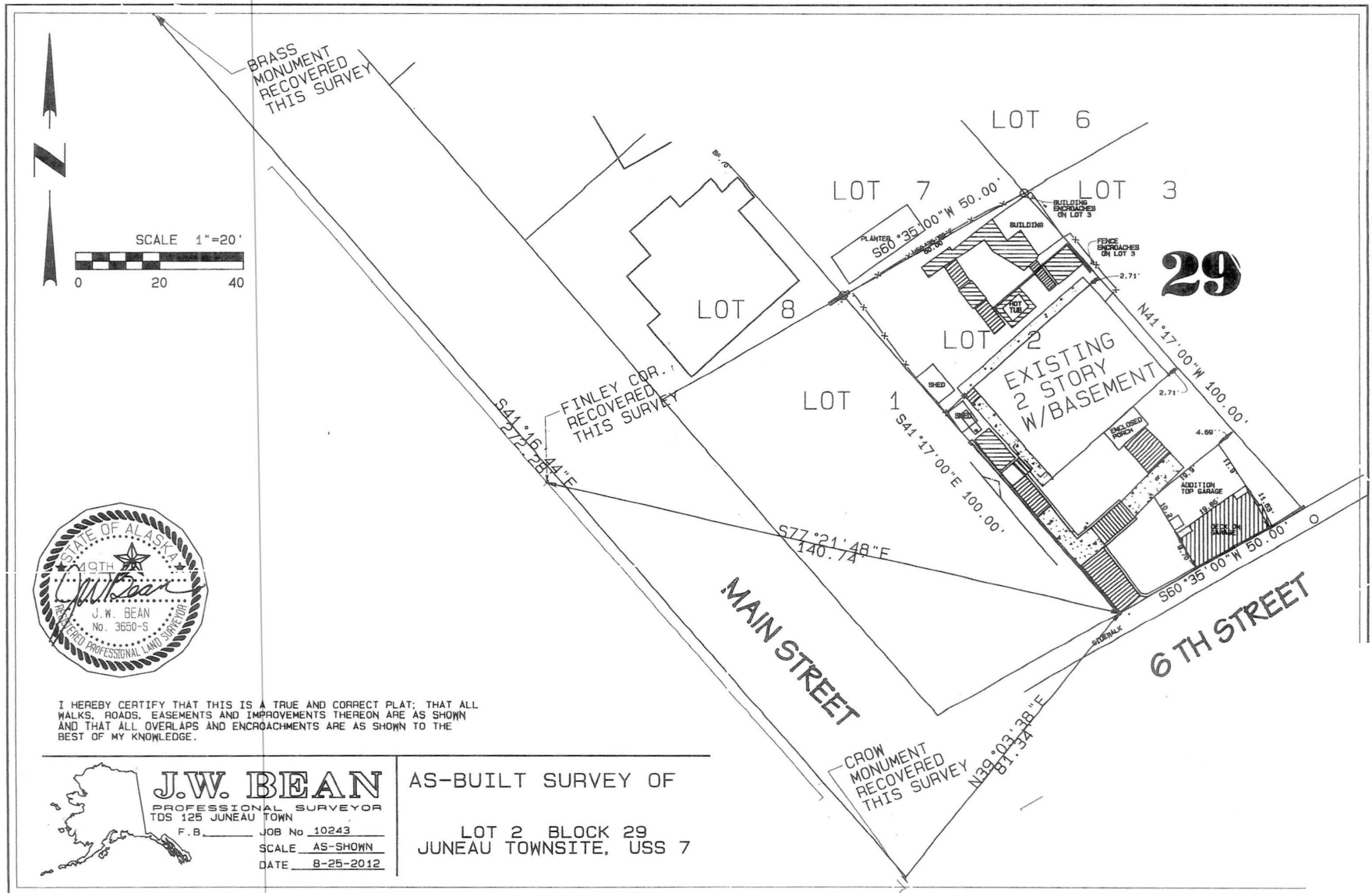
Steel interior
Rebar 5/8

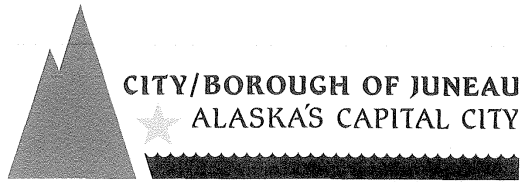


Front View

Rebar 5/8







**PLANNING COMMISSION
NOTICE OF DECISION**

Date: October 23, 2013

File No.: USE2013 0016

Vance F Putman
PO Box 20473
Juneau, AK 99802

An after-the-fact Conditional Use Permit for a greenhouse constructed over a garage that encroaches 3 inches into the 10-foot front yard setback and 3 inches into the 5-foot side yard setback.

Application For: An after-the-fact Conditional Use Permit for a greenhouse constructed over a garage that encroaches 3 inches into the 10-foot front yard setback and 3 inches into the 5-foot side yard setback.

Legal Description: Juneau Townsite Block 29 Lot 2

Property Address: 114 Sixth Street

Parcel Code No.: 1-C06-0-A29-003-0

Hearing Date: October 22, 2013

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated October 15, 2013 and approved the project to be conducted as described in the project description and project drawings submitted with the application.

Attachments: October 15, 2013 memorandum from Teri Camery, Community Development, to the CBJ Planning Commission regarding USE2013 0016.

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, October 22, 2013

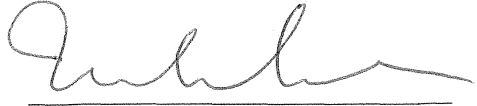
Expiration Date: The permit will expire 18 months after the effective date, or April 22, 2015 if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.

155 So. Seward Street, Juneau, Alaska 99801-1397

Vance F Putman
 File No.: USE2013 0016
 October 23, 2013
 Page 2 of 2

Project Planner:


 Teri Camery, Senior Planner
 Community Development Department


 Michael Satre, Chair
 Planning Commission


 Filed With City Clerk

Date

10/25/13

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.

MEMORANDUM

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

DATE: October 15, 2013

TO: Planning Commission

FROM: Teri Camery, Senior Planner
Community Development Department

FILE NO.: USE2013 0016

PROPOSAL: An after-the-fact Conditional Use Permit for a greenhouse constructed over a garage that encroaches 3 inches into the 10-foot front yard setback and 3 inches into the 5-foot side yard setback.

GENERAL INFORMATION

Applicant: Vance F Putman

Property Owner: Vance F Putman

Property Address: 114 Sixth Street

Legal Description: Juneau Townsite Block 29 Lot 2

Parcel Code Number: 1-C06-0-A29-003-0

Site Size: 4,893 square feet

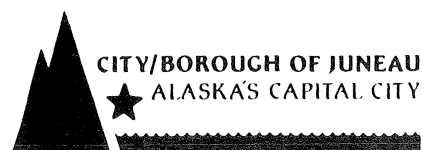
**Comprehensive Plan
Land Use Designation:** Medium Density Residential

Zoning: D-18

Utilities: CBJ Water and Sewer

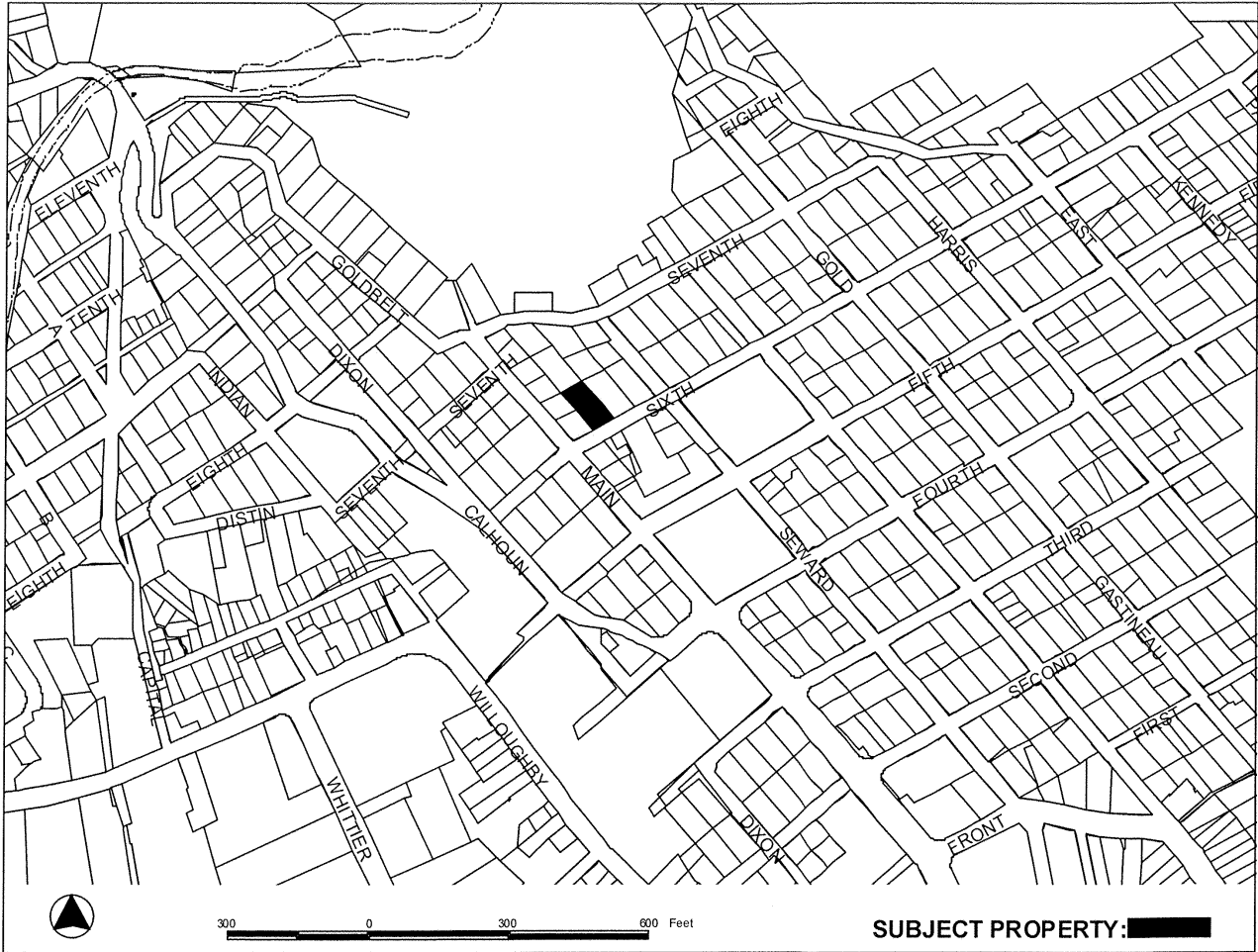
Access: Sixth Street

Existing Land Use: single-family dwelling



Surrounding Land Use:	North	-	D-18 Residential
	South	-	Sixth Street; D-18 Residential
	East	-	D-18 Residential
	West	-	D-18 Residential

Vicinity Map



Planning Commission
File No.: USE2013 0016
October 15, 2013
Page 3 of 6

ATTACHMENTS

Attachment 1 Development Permit Application
Attachment 2 Conditional Use Permit Application
Attachment 3 Project Narrative
Attachment 4 Survey
Attachment 5 Building Permit plans
Attachment 6 Applicant photos
Attachment 7 Project elevation

PROJECT DESCRIPTION

The applicant requests a Conditional Use Permit for after-the-fact construction of a 10' x 20' greenhouse on top of a garage. The greenhouse encroaches three inches into the 10-foot front-yard setback in the southwest corner of the structure, and three inches into the five-foot side-yard setback in the northeast corner of the structure, due the slight angle of the garage. Setback encroachments that occur at the second story elevation or higher are reviewed through the Conditional Use Permit process instead of the Variance process, per CBJ Code 49.25.430(4)(M). The structure does not qualify under code sections that allow encroachments for minor issues both because it is heated and because it is on the second floor.

The greenhouse was constructed on top of a garage that was built in the 1950s at the zero foot-setback line. The garage is a legally non-conforming structure. The greenhouse encompasses approximately half the width of the garage, very close to the 10-foot front yard setback line. The three inch encroachment at the opposite corners of the greenhouse was discovered when the as-built survey was completed (Attachment 4). In both the southwest and northeast corners of the greenhouse, the structure encroaches three inches over a linear distance of approximately two feet. Due to the angle, the three inch encroachment does not extend the full length of either side of the greenhouse.

BACKGROUND

The lot has a legally non-conforming lot size and legally non-conforming front and side-yard setbacks. Assessor's Office records indicate that the home was built in 1914. In addition to the Conditional Use Permit, the applicant has also applied for an after-the-fact Variance for construction of a sauna in the northeast corner of the lot. Both encroachments were discovered only after the as-built survey was completed.

Planning Commission
 File No.: USE2013 0016
 October 15, 2013
 Page 4 of 6

ANALYSIS

Project Site and Design -

The project is located on D-18 residential lot with a substandard lot size and substandard setbacks. The lot has a 35 degree slope. Building plans for the greenhouse have been included in Attachment 5, while elevations are included in Attachment 7. Photos are included in Attachment 6. The structure has been designed to blend well with both the garage and the single-family home.

Public Health or Safety –

No evidence indicates that the proposed development will negatively impact public health or safety.

Property Value or Neighborhood Harmony -

Due to the 35 degree slope of the property as well as the very minor three inch encroachment, no evidence indicates that the development will negatively impact views, light and air, property value, or neighborhood harmony.

Conformity with Adopted Plans -

The project substantially conforms with the 2013 Juneau Comprehensive Plan, specifically Policy 10.3 and 10.4, which state:

***Policy 10.3** [It is the policy of the CBJ] to facilitate residential developments of various types and densities that are appropriately located in relation to site conditions, surrounding land uses, and capacity of public facilities and transportation systems.*

***Policy 10.4** [It is the policy of the CBJ] to minimize conflicts between residential areas and nearby recreational, commercial, or industrial uses that would generate adverse impacts to existing residential areas through appropriate land use locational decisions and regulatory measures.*

The project conforms with these measures by constructing the greenhouse on top of an existing structure in a way that blends in with other structures on the lot and has minimal visual impact on the neighborhood.

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;

Planning Commission
 File No.: USE2013 0016
 October 15, 2013
 Page 5 of 6

2. Whether the proposed use is appropriate according to the Table of Permissible Uses;
 and,
3. Whether the development as proposed will comply with the other requirements of this chapter.

The Commission shall adopt the Director's determination on the three items above unless it finds, by a preponderance of the evidence, that the Director's determination was in error, and states its reasoning for each finding with particularity.

CBJ §49.15.330 (f), Commission Determinations, states that even if the Commission adopts the Director's determination, it may nonetheless deny or condition the permit if it concludes, based upon its own independent review of the information submitted at the public hearing, that the development will more probably than not:

1. Materially endanger the public health or safety;
2. Substantially decrease the value of or be out of harmony with property in the neighboring area;
 or,
3. Not be in general conformity with the comprehensive plan, thoroughfare plan, or other officially adopted plans.

Per CBJ §49.15.330 (e) & (f), Review of Director's & Commission's Determinations, the Director makes the following findings on the proposed development:

1. Is the application for the requested 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 49.25.300.1.110 for the D-18 zoning district.

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

Yes. The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in the October 11, 2013 and October 18, 2013 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public Right of Way.

Planning Commission
 File No.: USE2013 0016
 October 15, 2013
 Page 6 of 6

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

No. Based on the preceding analysis, no available evidence indicates that the proposed development will materially endanger the public health or safety.

5. *Will the proposed development substantially decrease the value of or be out of harmony with property in the neighboring area?*

No. Based on the preceding analysis, no available evidence indicates that the proposed development will substantially decrease the value of or be out of harmony with property in the neighboring area. The setback encroachment is minor and does not block views due to the steep slope in the area.

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

Yes. The proposed development complies with the 2013 Juneau Comprehensive Plan, specifically policies 10.3 and 10.4 regarding residential development.

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

7. *Will the proposed development comply with the Juneau Coastal Management Program?*
 Not applicable.

RECOMMENDATION

Staff recommends 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 a greenhouse on top of an existing garage which would encroach three inches into the front and side yard setbacks.

(Conditional Use)

Section H, Item 5.

DEVELOPMENT PERMIT APPLICATION

Project Number	CITY and BOROUGH of JUNEAU	Date Received: 5/2/13
Project Name (City Staff to Assign Name)		

PROJECT / APPLICANT INFORMATION	Project Description As-built survey of new structure discovered 3" encroachment into CBT sidewalk setback		
	PROPERTY LOCATION		
	Street Address 114 E 6th Street	City/Zip Juneau 99801	
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) USS7 Juneau Townsite Block 29 Lot 2		
	Assessor's Parcel Number(s) 1 CO6A2900300		
	LANDOWNER/ LESSEE		
	Property Owner's Name V. Fate Putman and Kimberly Homme	Contact Person: E. Putman	Work Phone: 321-0773
	Mailing Address Box 20473 Juneau 99802	Home Phone: 321-0773	Fax Number:
	E-mail Address fateputman@gmail.com	Other Contact Phone Number(s): 463-4975 (m)	
	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 <u>[Signature]</u> Landowner/Lessee Signature Date: 4/29/2013 X <u>[Signature]</u> Landowner/Lessee Signature Date: 4/29/2013 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" and sign and date at X below

Applicant's Name	same	Contact Person:	Work Phone:
Mailing Address	same	Home Phone:	Fax Number:
E-mail Address	same	Other Contact Phone Number(s):	
X <u>[Signature]</u> Applicant's Signature	Date of Application: 4/29/2013		

STAFF APPROVALS	☒	Permit Type	Sign	Date Received	Application Number(s)
		Building/Grading Permit			
		City/State Project Review and City Land Action			
		Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)			
		Mining Case (Small, Large, Rural, Extraction, Exploration)			
		Sign Approval (If more than one, fill in all applicable permit #'s)			
		Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)			
	☒	Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)		5/2/13	13-016
		Variance Case (De Minimis and all other Variance case types)			
		Wetlands Permits			
		Zone Change Application			
		Other (Describe)			
	***Public Notice Sign Form filled out and in the file.				
	Comments:				Permit Intake Initials ESE

Attachment 1

NOTE: DEVELOPMENT PERMIT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATIONS
Revised November 2009
FORMS\2010 Applications

TO BE COMPLETED BY THE APPLICANT

Attachment 2

198

Conditional Use Permit application – Narrative and Attachments

Putman/Homme 114 E. 6th Street : CU Application Addendum

A 10'X 20' greenhouse structure was built on top of an existing concrete garage. (Bld. Permit # 2009-00103) The preexisting garage was constructed in approximately 1950. The concrete garage was constructed to the edge of the sidewalk on 6th Street and has been a grandfathered structure for the past 60 years.

The new greenhouse structure was built on back half of the 20'X20' garage roof. The greenhouse used the same footprint as the garage, which is slightly out of square. A subsequent as-built survey found that one corner of the new structure was not the full 10 feet back from the sidewalk edge. The SW corner of the roof eave encroaches 3 inches into the 10 foot setback. This is an overhanging eave and not part of the interior of the greenhouse building. The remainder of the greenhouse structure is behind the 10 foot setback. However, because of the overhanging eave, the SW corner of the greenhouse is 9'9" from the CBJ sidewalk.

A Conditional Use permit is required for the 3" encroachment into the 10 foot setback requirement. It is my request that this CU permit be granted to permit this encroachment. There is no impact on the public sidewalk below or any utility conflicts.

NE Corner of greenhouse

In addition to the overhanging eave, the As-built Survey determined that the Northeast corner of the garage/greenhouse encroaches into setback requirements with the adjoining lot. The NE corner of the garage footprint (circa 1950) extends into the side yard setback approximately 3 inches.

This encroachment occurs on the NE corner of both the garage and greenhouse structures. The remaining portion of the east side of the garage and greenhouse Structure does not protrude into the 5 foot setback. In this 20 foot span only the last five feet of the structures protrude into the setback. That is because the garage is square to the street but not square to the property line thus causing a side yard setback issue.

Property Values and Neighborhood Harmony

The addition and slight CBJ encroachment will not decrease the value of surrounding properties. The greenhouse was designed by Northwind Architects LLC, to have the same architectural style as the main home and preexisting Garage on the property. This blend of colors and building design allows the Greenhouse to complement the existing buildings and as a result, blends well with the neighborhood. The structure does

not affect any neighbor's light, air or views. (Note that the Lot 3 eastside neighbor has provided an Easement Agreement for the Variance application.)

- A. As-Built Survey, Site Plan, Elevation View, 3-page Floor Plan – attached Easement Agreement by east neighbor, also for related variance, attached
- B. There are No Parking issues with this application.
- C. There are No Traffic issues with this application.
- D. There is Lighting on the exterior of the structure. This exterior lighting is recessed up under the eaves so there is no light pollution from the structure.

Exterior Lighting: Two exterior lights were incorporated into the greenhouse structure. One light is located on the alcove ceiling above the west facing entrance. This main entrance has a single door recessed into the structure 3 feet. This door setback is to both protect the door and match the garage architecture below. Above this door on the ceiling is an entrance light, placed there to both protect the light and minimize light intrusion outside. This door entry light has achieved those desired results.

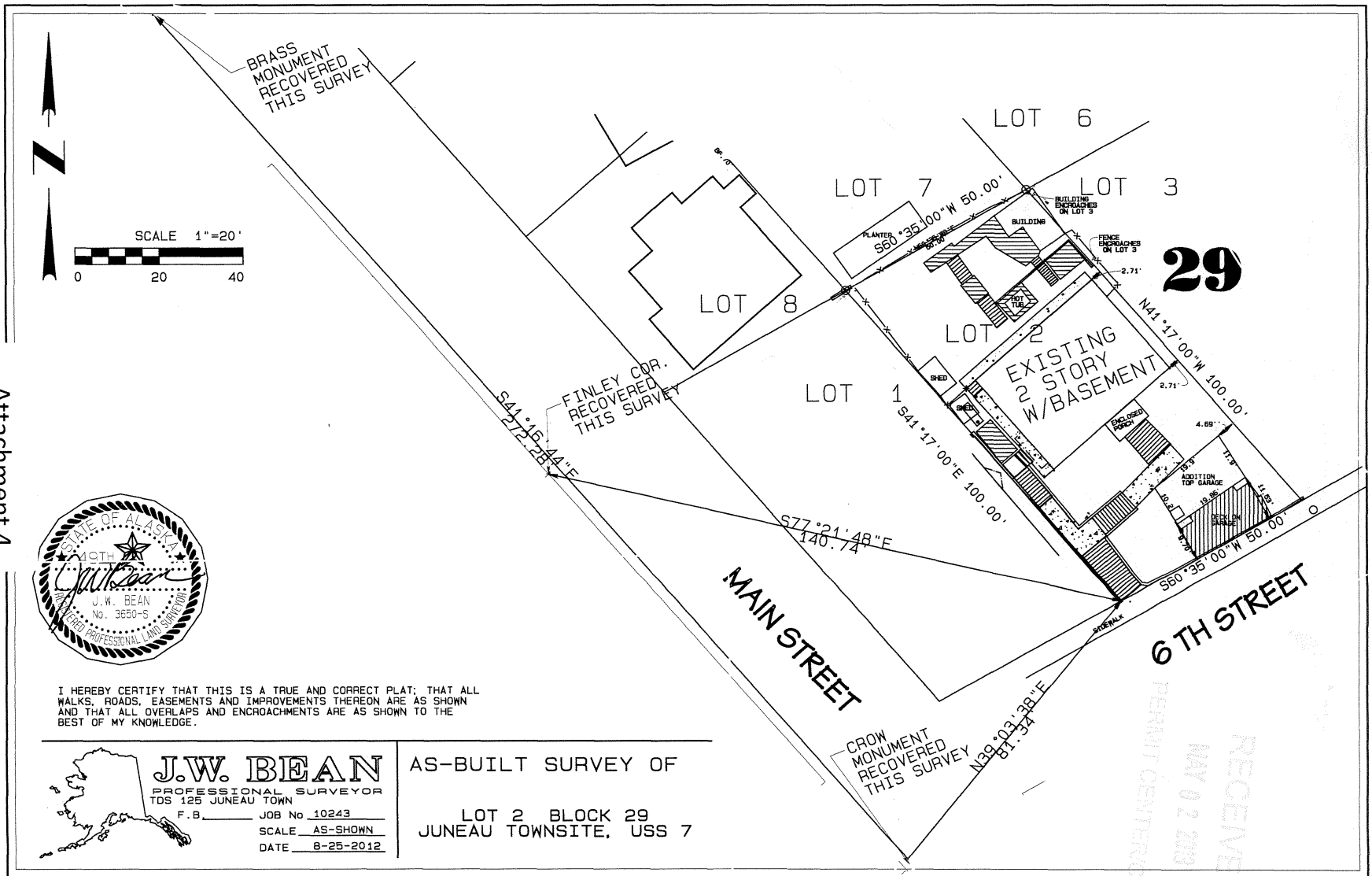
A second exterior light is on the south side of the greenhouse, under the overhanging front eave. This also protects the fixture from the weather and minimizes light intrusion. Light is confined to the front deck of the garage roof and does not shed light on 6th Street or the sidewalk below. This exterior light has achieved the desired results of both protection and light shading.

E. Natural vegetation remains between Lot 2 and Lot 3; lilacs, Sitka Rose bushes and Hawthorn trees separate the two. This set of trees and shrubs creates a visual screen between properties and between the greenhouse and the neighbor's home on Lot 3. On the west side of the structure there is large flower garden.

F. The property is a Steep Hillside. That presents some challenges to development of the lot. However, the steep terrain has no impact on the greenhouse structure because it was built atop the existing poured concrete garage, as the foundation.

RECEIVED
MAY 02 2013
PERMIT CENTER/ODD

Attachment 4



N
NorthWind
Architects LLC

119A 2ND ST.
JUNEAU, AK 99801
PH #907.586.6150
FX #907.586.6181
WWW.NORTHWINDARCH.COM

PUTMAN GREENHOUSE

114 SIXTH STREET
JUNEAU, ALASKA 99801

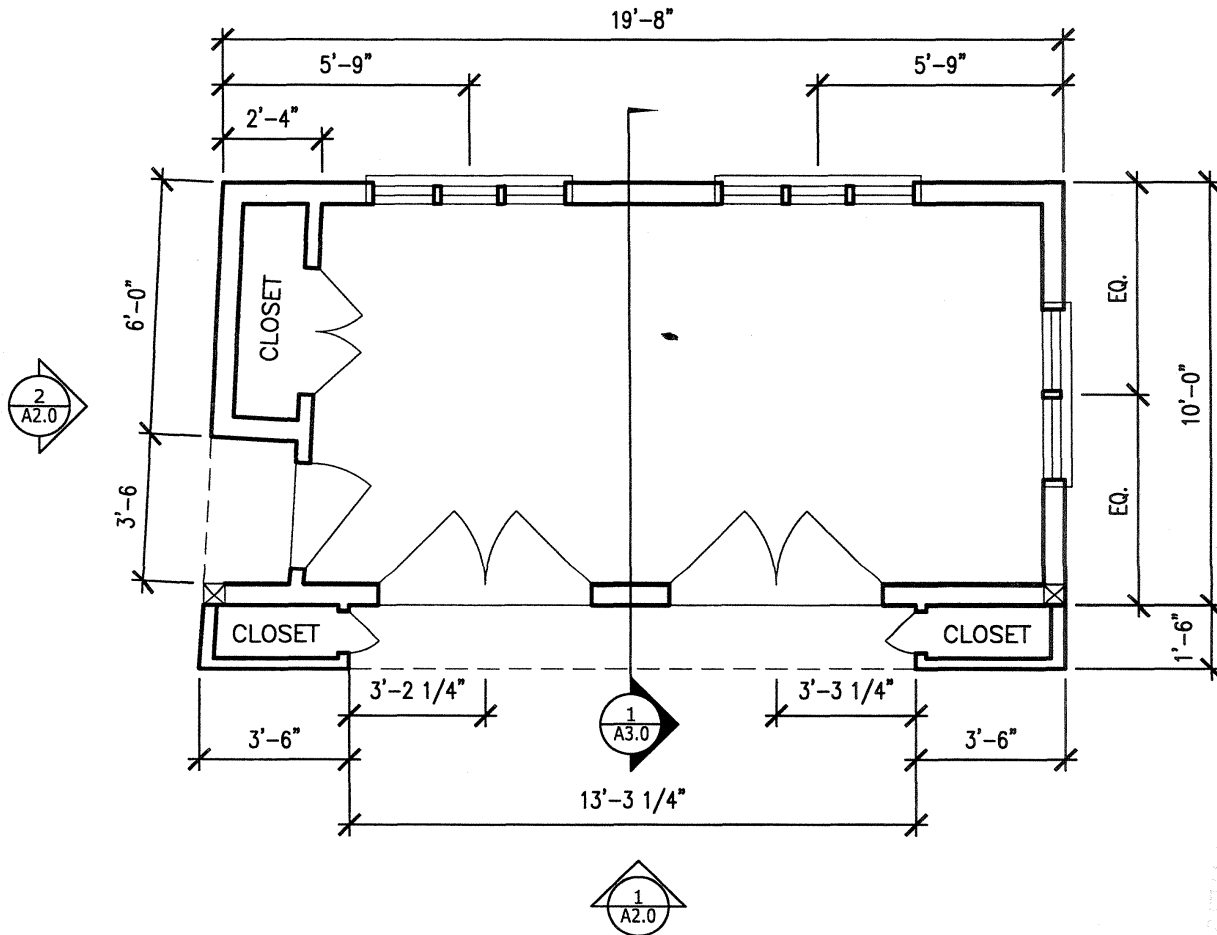
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PLANS

DATE: 3-12-10
REVISION:
CHECKED BY: SMB
DRAWN: FKD

SHEET #

A1.0

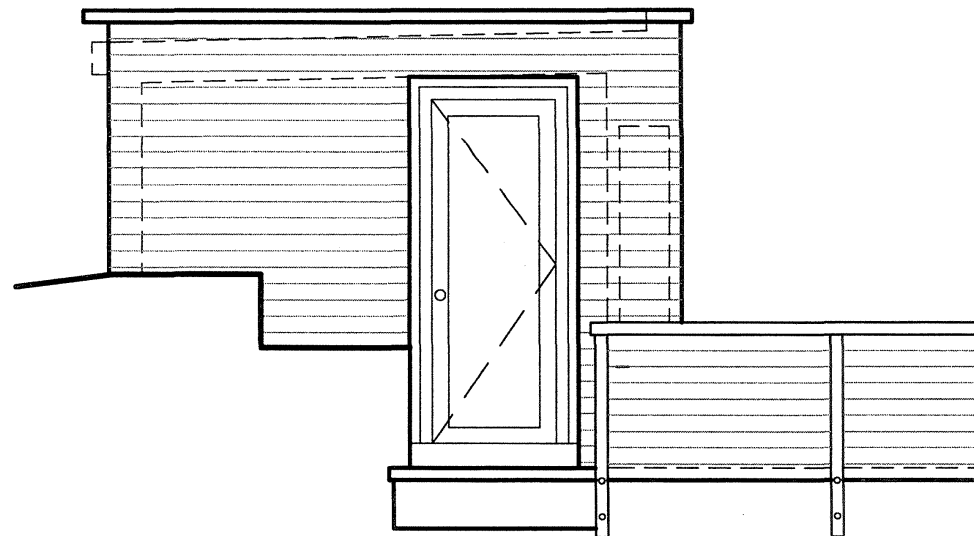
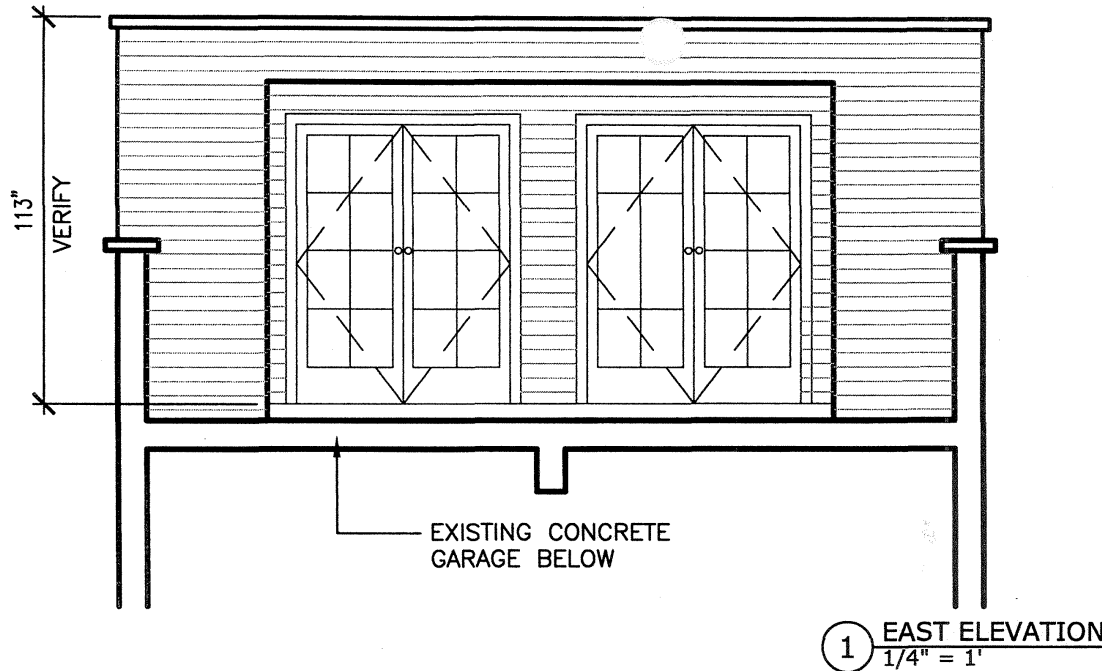
Attachment 5



1 FLOOR PLAN
1/4" = 1'



NorthWind Architects LLC
 119A 2ND ST.
 JUNEAU, AK 99801
 PH #907.586.6150
 FX #907.586.6181
 WWW.NORTHWINDARCH.COM



RECEIVED
 MAY 02 2013
 PERMIT CENTER/CDD

PUTMAN GREENHOUSE

114 SIXTH STREET
 JUNEAU, ALASKA 99801

SHEET TITLE:
 ELEVATIONS

DATE: 3-12-10
 REVISION:
 CHECKED BY: SMB
 DRAWN: FKD

SHEET #
 A2.0

NorthWind Architects LLC
 119A 2ND ST.
 JUNEAU, AK 99801
 PH #907.586.6150
 FX #907.586.6181
 WWW.NORTHWINDARCH.COM

PUTMAN GREENHOUSE

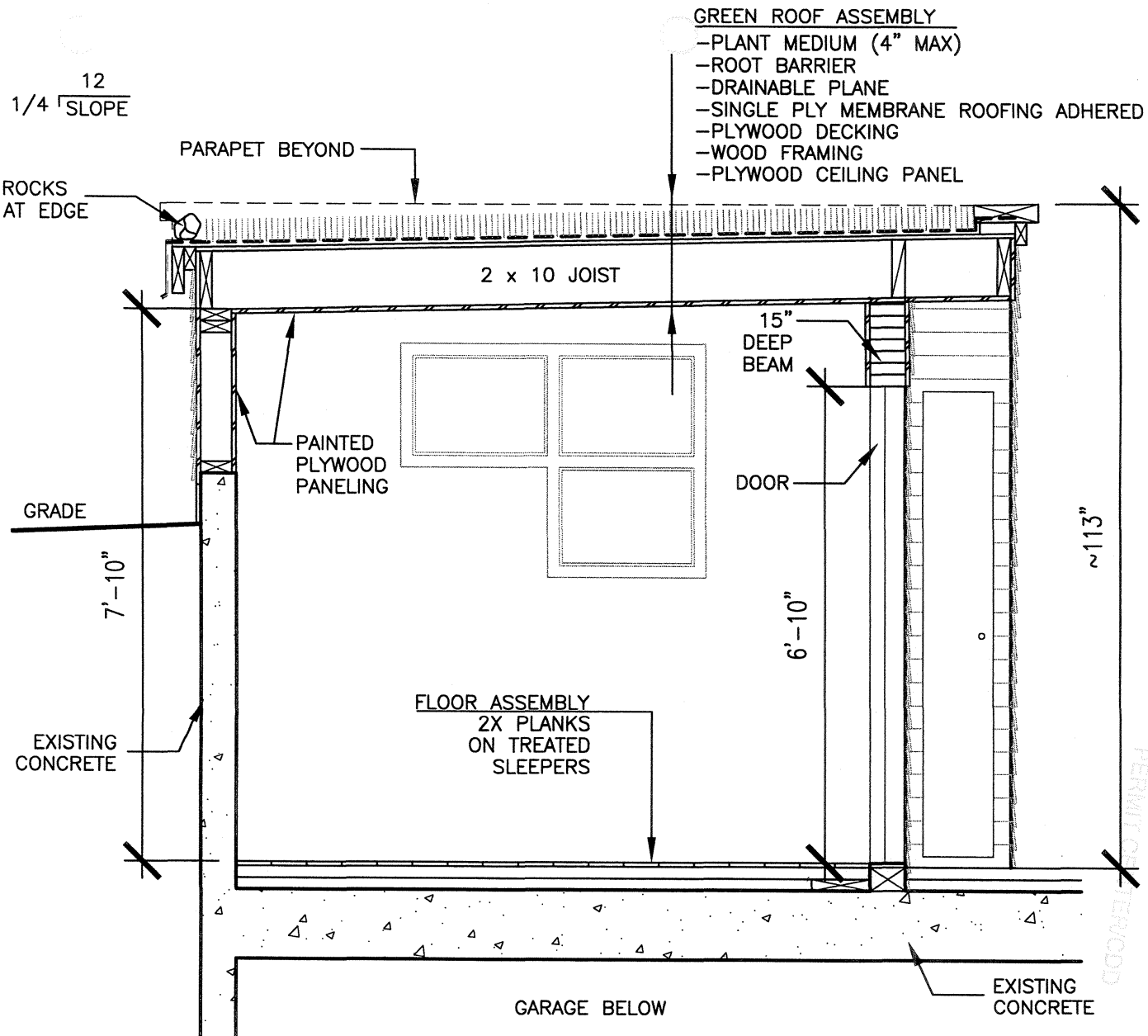
114 SIXTH STREET
 JUNEAU, ALASKA 99801

SHEET TITLE:
 SECTION

DATE: 3-12-10
 REVISION:
 CHECKED BY: SMB
 DRAWN: FKD

SHEET #

A3.0



1 SECTION
 1/2" = 1'





Attachment 6



Attachment 6



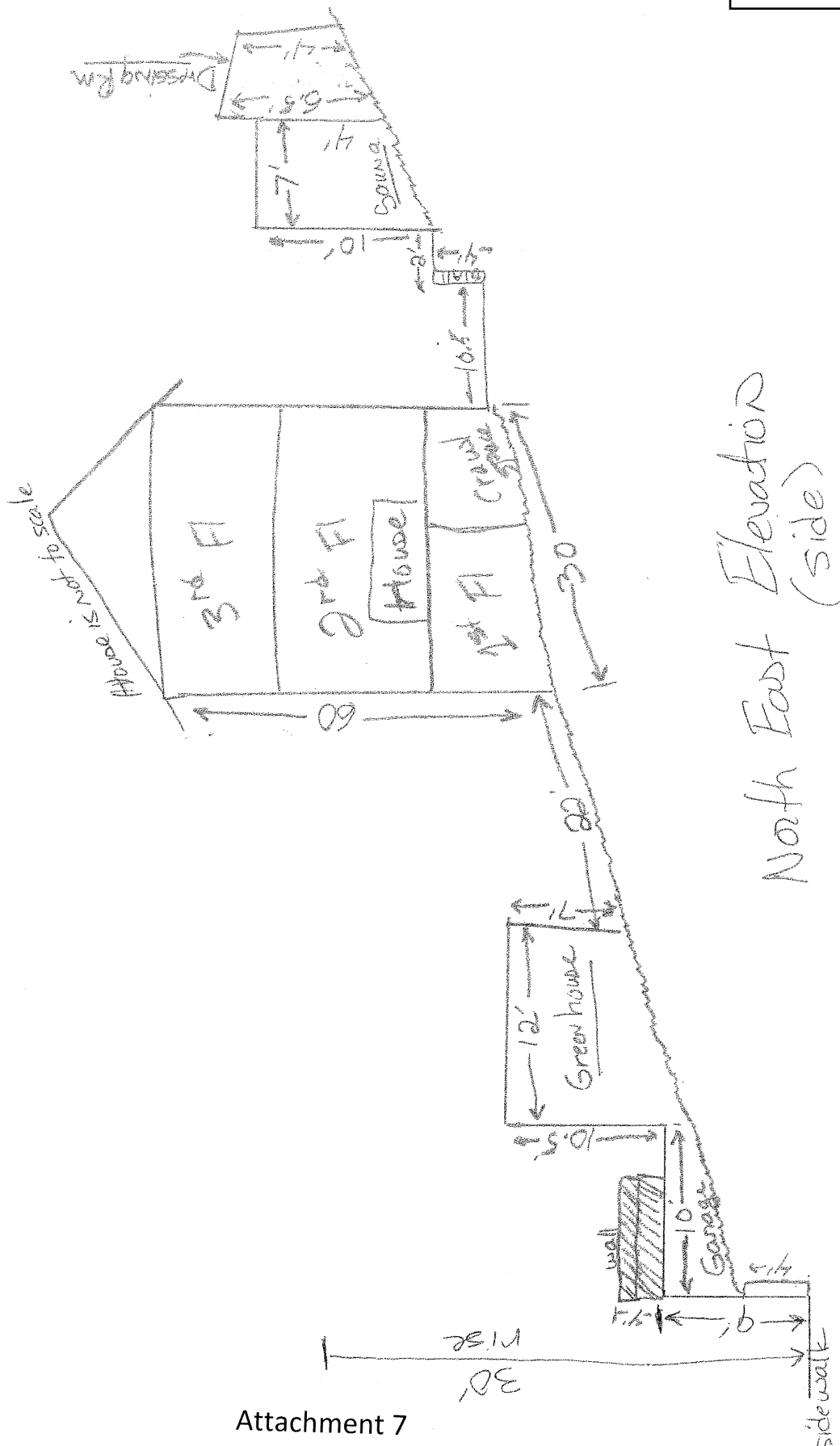
Attachment 6



Attachment 6

Attachment G - 2013 Conditional Use Permit for greenhouse (after-the-fact)

Putman Green House / Sawa
(CBJ Building Permit # BLD 2009-00455)



Attachment 7

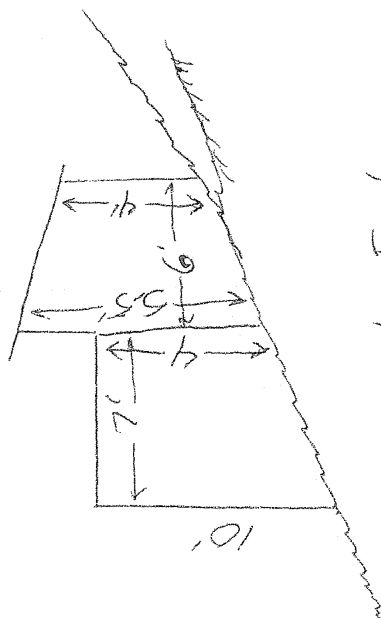
Received 11-8-12
via email

Attachment G - 2013 Conditional Use Permit for greenhouse (after-the-fact)

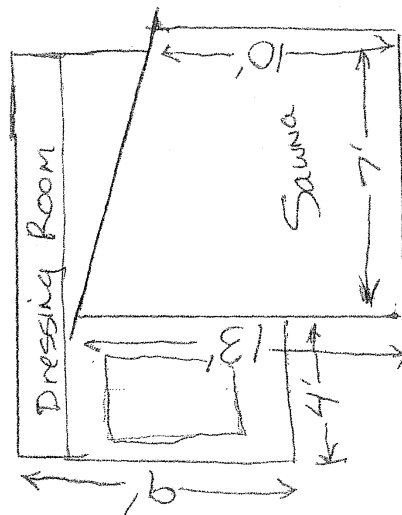
Putman Greenhouse/Sauna
(CJ Permit # BLD 2002-04197)

via email

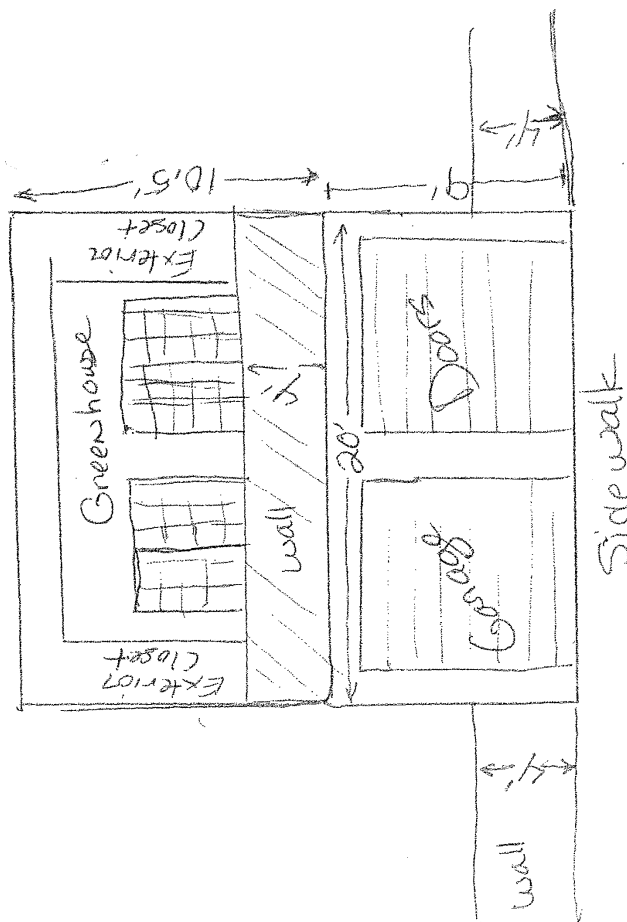
Northeast Elevation



South East Elevation



South east (Front) Elevation





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

NONCONFORMING CERTIFICATE

***Revised – Noncompliant situation removed**

Date: September 3, 2021

File No.: NCC2021 0065

Kimberly Homme & Vance Fate Putman
P.O. Box 20473
Juneau, AK 99802

Proposal: A Nonconforming Situation Review for structures.

Property Address: 114 Sixth Street
Property Legal Description: Juneau Townsite Block 29 Lot 2
Property Parcel Code No.: 1C060A290030

The Director of Community Development adopted the analysis and findings listed in the attached memorandum dated August 20, 2021 and has found the following situations on the lot to be certified nonconforming to the Title 49 Land Use Code of the City and Borough of Juneau:

- Nonconforming Structures (49.30.250):
 - Zero foot front yard setback for the garage
 - 4.69 foot east side yard setback for the garage
 - 2.71 foot east side yard setback for the dwelling

This Nonconforming Certificate applies to the nonconforming situations stated above. The nonconforming rights provided herein may be relinquished under certain circumstances provided under the CBJ Title 49 Land Use Code. It is the responsibility of the owner or agent of the owner to ensure that all development on the lot is in compliance with this certification and the CBJ Title 49 Land Use Code.

CBJ 49.30.215: Accidental damage or destruction. Structures receiving a nonconforming certification may have the right to reconstruct a nonconforming structure per CBJ Chapter 49.30.

The Director of Community Development adopted the analysis and findings listed in the attached memorandum dated August 20, 2021 and has found the following situations on the lot to be noncompliant to the Title 49 Land Use Code of the City and Borough of Juneau:

- Noncompliant setbacks:
 - Two (2) sheds are noncompliant for west side yard setback requirement. In order to comply with the Land Use Code, the applicant must relocate the sheds to conform to the 3 foot setback in CBJ

File No.: NCC2021 0065
 September 3, 2021
 Page 2 of 2

49.25.430(4)(C)(iii) for unheated structures, or apply for a setback reduction through the Alternative Development Overlay District, or receive an approved Variance to reduce the side yard setback to zero.

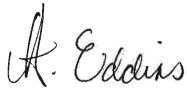
- The property owners must bring the setback encroachment into compliance with the Land Use Code.

REVISION: In response to this decision, the property removed the noncompliant sheds. Staff was sent photographs to document the sheds removal. A site visit confirmed the sheds are no longer present on the lot.

THE NONCOMPLIANT SITUATION HAS BEEN REMOVED.

This Nonconforming Certificate constitutes a final decision of the Director of Community Development. Appeals must be brought to the CBJ Planning Commission in accordance with CBJ 49.20.110. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed.

If you have any questions regarding your project or anticipate any changes to your plans, please call the Community Development Department at (907) 586-0715.

Project Planner: 
 Allison Eddins, Planner II
 Community Development Department


 Jill Maclean, Director, AICP
 Community Development Department

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.



**DIRECTOR'S REVIEW STAFF REPORT
NONCONFORMING CERTIFICATION
NCC2021 0065**

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

DATE: August 20, 2021
TO: Jill Maclean, Director, AICP
BY: Allison Eddins, Planner II *A. Eddins*
PROPOSAL: A Nonconforming Situation Review for structures.

KEY CONSIDERATIONS FOR REVIEW:

- The residential structure was constructed in 1914, and the lot was platted in 1934, prior to the establishment of zoning.
- The garage was constructed in the 1950s, prior to the establishment of zoning.
- A greenhouse constructed on top of the garage received a Conditional Use Permit (USE2013 0016) for front and east side yard setback encroachments.
- The sauna received a Variance (VAR2013 0015) for the rear and east side yard setback encroachments.
- There are two 25 square-foot sheds encroaching into the west side yard setback. These sheds are noncompliant.

GENERAL INFORMATION	
Property Owner	Kimberly Homme and Vance Putman
Applicant	Kimberly Homme
Property Address	114 Sixth Street
Legal Description	Juneau Townsite Block 29 Lot 2
Parcel Number	1C060A290030
Zoning	D18
Lot Size	5,000 square feet
Water/Sewer	CBJ
Access	Sixth Street
Existing Land Use	Residential
Associated Applications	None

STAFF RECOMMENDATION:

Staff recommends the following situations receive Nonconforming Certification:

- Nonconforming Structures (49.30.250)

ABANDONMENT:

If a nonconforming situation is deemed to be abandoned by the Director, the decision may be reconsidered in accordance with CBJ 49.30.220. After reconsideration is reviewed, an appeal may be filed in accordance with CBJ 49.20.110.

NONCOMPLIANCE:

- Two (2) sheds are noncompliant for setbacks.

If a situation fails to be certified as nonconforming, an appeal of this decision may be filed in accordance with CBJ 49.20.110.

CBJ 49.30.215: Accidental damage or destruction. Structures receiving a nonconforming certification may have the right to reconstruct a nonconforming structure per CBJ Chapter 49.30.

August 20, 2021
NCC2021 0065
Page 2 of 7

SITE FEATURES AND ZONING



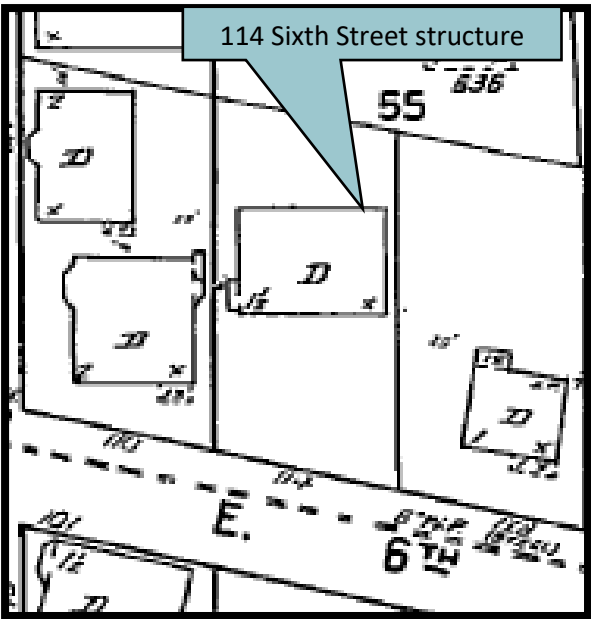
SURROUNDING ZONING AND LAND USES	
North (D18)	Residential
South (MU)	Office
East (D18)	Residential
West (D10)	Residential

SITE FEATURES	
Anadromous	None
Flood Zone	Zone X
Hazard	Low Risk Landslide Area
Hillside	No
Wetlands	No
Parking District	No
Historic District	No
Overlay Districts	Juneau ADOD

CURRENT ZONING MAP



1927 Tax Map



ZONING HISTORY

Year	Zoning District	Summary
1914	No Zoning	According to the CBJ Assessor's records, the dwelling was constructed in 1914 and predates zoning.
1934	No Zoning	The lot was platted in 1934 as part of the Juneau Townsite Subdivision (Plat 1934-1).
1956	R2 Residential	Zoning was established in Juneau in 1956. The lot and surrounding area was zoned R2. The minimum front yard setback was 15 feet; the minimum rear yard setback was 10 feet; and the minimum side yard setback was 5 feet. The dwelling became nonconforming for the east side yard setback. The garage became nonconforming for front and east side yard setbacks.
1969	RMM Multi-family	In 1969, the lot and surrounding area was rezoned to RMM. The minimum front yard setback was 15 feet; the minimum rear yard setback was 10 feet; and the minimum side yard setback was 5 feet. The dwelling remained nonconforming for the east side yard setback, and the garage remained nonconforming for front and east side yard setbacks.
1987	D18 Multi-family	In 1987, the lot and surrounding area was rezoned to D18. The minimum front yard setback became 20 feet; the minimum rear yard setback became 15 feet; and the minimum side yard setback remained at 5 feet. The dwelling remained nonconforming for the east side yard setback, and the garage remained nonconforming for front and east side yard setbacks.

BACKGROUND INFORMATION

The applicant requests a Nonconforming Certification for front and east side yard setbacks. Assessor's data indicates the dwelling was constructed in 1914. The earliest reference to the dwelling was found on a 1927 tax map. The garage was first referenced in a staff report for USE2013 0016. The 2013 staff report indicates the garage was constructed in the 1950s. Although the garage was not referenced on the 1969 tax maps, the staff report determined the garage to be nonconforming for the front and east side yard setbacks.

A greenhouse was constructed above the garage prior to 2013. The greenhouse received an after-the-fact Conditional Use Permit (USE2013 0016) to allow the second-story front and east side yard setback encroachments. The Conditional Use Permit makes the greenhouse compliant for setbacks.

A sauna was constructed in the rear of the lot prior to 2013. The lot received an after-the-fact variance (VAR 2013-15) to reduce the east side and rear yard setbacks to zero feet for the construction of the sauna. This variance makes the sauna conforming for setbacks.

A 2012 as-built indicates there are two sheds, approximately 25 square feet each, on the lot. The sheds have a zero-foot setback along the west side yard. Although building permits are not required for 25 square-foot sheds without electricity, sheds are not allowed to have a zero-foot setback. CBJ 49.25.430(4)(c)(iii) allows unheated structures to encroach into setbacks as long as the structures maintain a minimum setback of three feet. The sheds are noncompliant, and the property owner must bring the noncompliant structures into compliance with the Land Use Code setback requirements.

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NCC2021 0065
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INFORMATION REVIEWED

Year	Type	Summary
1927	Tax Map	Indicates the residential structure predates zoning.
1934	Plat	Plat 1934-1 to determine when lot was created.
2012	As-built	Used to determine setbacks.
2013	CDD Staff Reports	USE2013 0016 and VAR2013 0015 used to determine greenhouse and sauna conformity.
2013	Aerial Photography	2013 aerial photography used to estimate lot coverage and vegetative cover.
2013	Assessor's Photography	To estimate building height and confirm off-street parking.
2020	Assessor's Records	To verify date of construction.
2021	Site Visit	To verify lot coverage, building heights, vegetative cover and the existence of two noncompliant sheds.

ANALYSIS

Zoning District Comparison Table – The table below lists the required standards for the D18 zoning district compared to the lot. A description of these situations is provided in the following sections. Items bolded do not meet current requirements.

Standard		D18 Requirement	Existing	Code Reference
Lot	Size	5,000 sq. ft.	5,000 sq. ft.	49.25.400
	Width	50'	50'	49.25.400
	Depth	80'	100'	49.25.400
Setbacks	Front	20'	0' (garage) 0' (greenhouse)	49.25.400
	Rear	10'	50' (residential structure) 0' (sauna)	49.25.400
	East Side	5'	2.71' (residential structure) 4.69' (garage) 4.69' (greenhouse)	49.25.400
	West Side	5' (Reduced to 3' for unheated structures)	0' (Noncompliant sheds)	49.25.400
Lot Coverage		50%	37%	49.25.400
Height	Permissible	35'	<35	49.25.400
	Accessory	25'	~20'	49.25.400
Maximum Dwelling Units		1	1	49.25.500
Use		Residential	Residential	49.25.300
Vegetative Cover		30%	32%	49.50.300
Parking		2	2	49.40.210(a)

August 20, 2021
 NCC2021 0065
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Minimum Lot Requirements – The table above demonstrates that the lot meets the minimal lot size, lot width, and lot depth requirements for the D18 zoning district.

Finding: Staff finds the lot conforming for lot size, lot width, and lot depth.

Minimum Setback Requirements – The dwelling and the garage were built prior to the establishment of zoning. The greenhouse received a Conditional Use Permit for the front and east side yard setback encroachments. The sauna received a Variance for the rear and east side yard setback encroachments. The lot contains two sheds that are noncompliant for the west side yard setbacks.

Finding: Staff finds the dwelling nonconforming for east side yard setbacks, and the garage nonconforming for front and east side yard setbacks.

Finding: Staff finds the two sheds noncompliant.

Lot Coverage – Based on 2013 aerial imagery and a 2021 site visit, maximum lot coverage is not exceeded.

Finding: Staff finds the lot conforming for lot coverage.

Structure Height – Assessor's photos and site visit confirm that the structures do not exceed the maximum height limits.

Finding: Staff finds the structures conforming for height.

Residential Density – The lot contains a single-family dwelling. The assessor's database indicates one unit.

Finding: Staff finds the lot conforming for residential density.

Use – The use of the lot is residential.

Finding: Staff finds the lot conforming for use.

Vegetative Cover – According to the GIS aerial imagery and a site visit, the minimum vegetative cover requirement is met.

Finding: Staff finds the lot conforming for vegetative cover.

Parking – CBJ 49.40.210 requires two off-street parking spaces. Back-out parking may be allowed for single-family dwellings in residential zoning districts per 49.40.230(b)(7)(A). 2013 Assessor photographs indicate two off-street parking spaces within the garage, which was confirmed with a site visit.

Finding: Staff finds the use conforming for number and type of off-street parking spaces.

NONCOMPLIANT SITUATIONS

49.30.310(j) Failure of a situation to qualify for nonconforming certification. If a situation does not qualify for or is denied nonconforming certification, it is noncompliant and the property is subject to enforcement actions consistent with this title.

August 20, 2021
 NCC2021 0065
 Page 6 of 7

The lot contains two non-electrified sheds approximately 25 square feet each that are noncompliant for setbacks.

Finding: Staff finds the two shed structures noncompliant for setbacks. In order to comply with the Land Use Code, the applicant must relocate the sheds to comply with 3 foot setback requirement for unheated structures in CBJ 49.25.430(4)(C)(iii), apply for a setback reduction through the Alternative Development Overlay District, or receive an approved Variance to reduce the west side yard setback to zero.

ABANDONMENT

49.30.220(b) Abandonment of a nonconforming situation. *A nonconforming situation is abandoned if any of the following events occur:*

- (1) The owner indicates in writing that the nonconforming situation is being permanently discontinued;*
- (2) The nonconforming situation is damaged, destroyed, removed or demolished intentionally by the owner or intentionally by an authorized agent of the owner;*
- (3) The nonconforming structure is moved;*
- (4) The owner takes action consistent with an intent to abandon the nonconforming situation;*
- (5) The structure(s) associated with the nonconforming situation has been vacant for 365 consecutive days;*
- (6) Except for a structure with a nonconforming residential density, the nonconforming use has ceased and not substantially resumed for 365 consecutive days; or*
- (7) A structure with a nonconforming residential density has been unoccupied for 1095 consecutive days.*

No information has been submitted to suggest the nonconforming situations on the lot have been abandoned.

FINDINGS

1. Was the nonconforming situation allowed, or not prohibited by law, when it was established?

Analysis: The dwelling and garage were constructed prior to the establishment of zoning.

Finding: Yes. The nonconforming situation was allowed when established.

Analysis: The sheds along the west side lot line encroach into the west side yard setback requirement for unheated structures. This encroachment was not approved.

Finding: Staff finds the sheds noncompliant for setbacks.

August 20, 2021
 NCC2021 0065
 Page 7 of 7

2. Has the nonconforming situation been abandoned?

Analysis: No information has been submitted that suggests the nonconforming situations have been abandoned.

Finding: No. The nonconforming situations have not been abandoned.

RECOMMENDATION

Staff recommends that the Director adopt the analysis and findings, and find the following situation on the lot to be NONCONFORMING to the Title 49 Land Use Code:

- Nonconforming structures (49.30.250):
 - Zero foot front yard setback for the garage
 - 4.69 foot east side yard setback for the garage
 - 2.71 foot east side yard setback for the dwelling

Staff recommends that the Director adopt the analysis and findings, and find the following situations NONCOMPLIANT to the Title 49 Land Use Code:

- Noncompliant setbacks:
 - Two (2) sheds are noncompliant for the west side yard setback. In order to comply with the Land Use Code, the applicant must relocate the sheds to conform to the 3 foot setback in CBJ 49.25.430(4)(C)(iii) for unheated structures, or apply for a setback reduction through the Alternative Development Overlay District, or receive an approved Variance to reduce the west side yard setback to zero.
 - The property owners must bring the setback encroachment into compliance with the Land Use Code.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	Information Reviewed

Attachment A - Application Packet



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 114 Sixth Street		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) Juneau Townsite Block 29 Lot 2		
	Parcel Number(s) 1-C06-0-A29-003-0		
	☐ This property located in the downtown historic district ☐ This property located in a mapped hazard area, if so, which _____		
	LANDOWNER/LESSEE		
	Property Owner Kimberly Homme/VanceFatePutman		Contact Person Kimberly Homme
	Mailing Address PO Box 20473 Juneau AK 99802		Phone Number(s) 907 321-2933
	E-mail Address Kimberly.homme@gmail.com		
	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 <u>Kimberly Homme</u> Landowner/Lessee Signature		8/9/21 Date	
X <u>[Signature]</u> Landowner/Lessee Signature		8/9/21 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		Contact Person	
Mailing Address		Phone Number(s)	
E-mail Address			
X _____ Applicant's Signature		_____ Date of Application	

DEPARTMENT USE ONLY BELOW THIS LINE

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

NCC21-65

Intake Initials <u>Bme</u>
Date Received

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Case Number

Date Received

Attachment A - Application Packet



APPLICATION FOR A NONCONFORMING CERTIFICATION REVIEW

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.

TYPE OF NONCONFORMING SITUATION (CHECK ALL THAT MAY APPLY)

☐ USE ☒ STRUCTURE ☐ DENSITY ☐ PARKING ☒ LOT

Have you submitted a narrative that fully explains the above listed nonconforming situations? YES ☒ NO ☐

The narrative should explain the nature of the nonconforming situation(s). Be specific, state past and present uses of the building, property, etc.

List all relevant information being submitted. Include this material and an as-built or site plan with the application.

Relevant information to show that the **situation was allowed when established** may include: building or land use permits, recorded plats, zoning codes or maps, dated photographs.

Situation	Type of Documentation
substandard lot	Plat
substandard setbacks	as-built
	CBJ File No. USE 2013 0016
	CBJ File No. YAR 2013 0015

Relevant information to show that the **situation was maintained over time** may include: business licenses, dated photographs, insurance records and maps, utility bills, property tax records, business license, telephone listing, advertisement in dated publications, leases.

Maintained Situation	Type of Documentation
used as single family home since 1914	CBJ Historic Structures Database

NOTE: If an as-built survey is not submitted, the Community Development Department may not be able to issue a Nonconforming Certificate for setbacks. As-built surveys should show the property in its current condition.

ALL REQUIRED MATERIALS ATTACHED

☒ Complete Application (Per CBJ 49.30.310)

- ☒ Narrative
☒ As-built survey or similar document
☒ Documentation
☒ Fees

NONCONFORMING CERTIFICATION REVIEW FEES:

	Fees	Check No.	Receipt	Date
Application Fees	\$ 150.00			
Admin. of Guarantee	\$			
Adjustment	\$			
Total Fee	\$ 150.00			

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
907-586-0770.

Case Number	Date Received
NCC 21-65.	8/9/21

Attachment A - Application Packet

Nonconforming Certification Application Instructions

Nonconforming Situations is outlined in CBJ 49.30.310

Pre-Application Conference: A pre-application conference is **NOT** required prior to submitting an application. It is highly recommended that applicants meet with a planner to discuss the nonconforming situation(s) and necessary or appropriate documentation for submittal. Staff may have access to documentation that the applicant does not. Please contact the Permit Center at 907-586-0770 or via e-mail at permits@juneau.org.

Application: An application for a Nonconforming Certificate will not be accepted by the Community Development Department until it is determined to be complete. The items needed for a complete application are:

1. **Forms:** Completed application for Nonconforming Certificate and Development Permit Application forms.
2. **Fees:** Fee is \$150. If submitted in conjunction with a development permit, the fee is waived. All fees are subject to change.
3. **Project Narrative:** A detailed narrative describing the nonconforming situation(s).

Document Format: All materials submitted as part of an application shall be submitted in either of the following formats:

1. Electronic copies in the following formats: .doc, .txt, .xls, .bmp, .pdf, .jpg, .gif, .xlm, .rtf (other formats may be preapproved by the Community Development Department).
2. Paper copies 11" X 17" or smaller (larger paper size may be preapproved by the Community Development Department).

Application Review: Once the application is determined to be complete, the Community Development Department will initiate the review and scheduling of the application. This process includes:

Review: As part of the review process, the Community Development Department will evaluate the application for consistency with all applicable City & Borough of Juneau codes. Depending on the details of the permit request, the application may require review by other City & Borough of Juneau departments. Applicants may be required to provide additional information and clarification.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Attachment A - Application Packet

Narrative for Application for a Nonconforming Certification Review.

The narrative should explain the nature of the nonconforming situation(s). Be specific, state past and present uses of the building, property, etc.

The property at 114 Sixth Street has been a residential home since 1914. *The property doesn't meet current setback + lot size requirements for D18 zoning.*
A Conditional Use Permit was granted by CBJ for the 10' x 20' greenhouse on top of a garage. The property has a non-conforming lot size and non-conforming front and side-yard setback. As a result, a conditional use permit was granted for the Greenhouse after the as-built survey was completed.

Copies of the Notice of Decision / 2013 CBJ Correspondence are attached, of which includes the as-built agreement.

A Variance was granted by CBJ to reduce the 5' side yard set back to zero and the 10' rear yard setback to zero feet for construction of a sauna in the NW corner of the property. An easement agreement exists with the adjacent property owners, Richard and Kathy Ward, and recognizes the 3 inch encroachment and allows use and maintenance of the sauna structure on the property. The encroachment was determined after the as-built survey was completed.

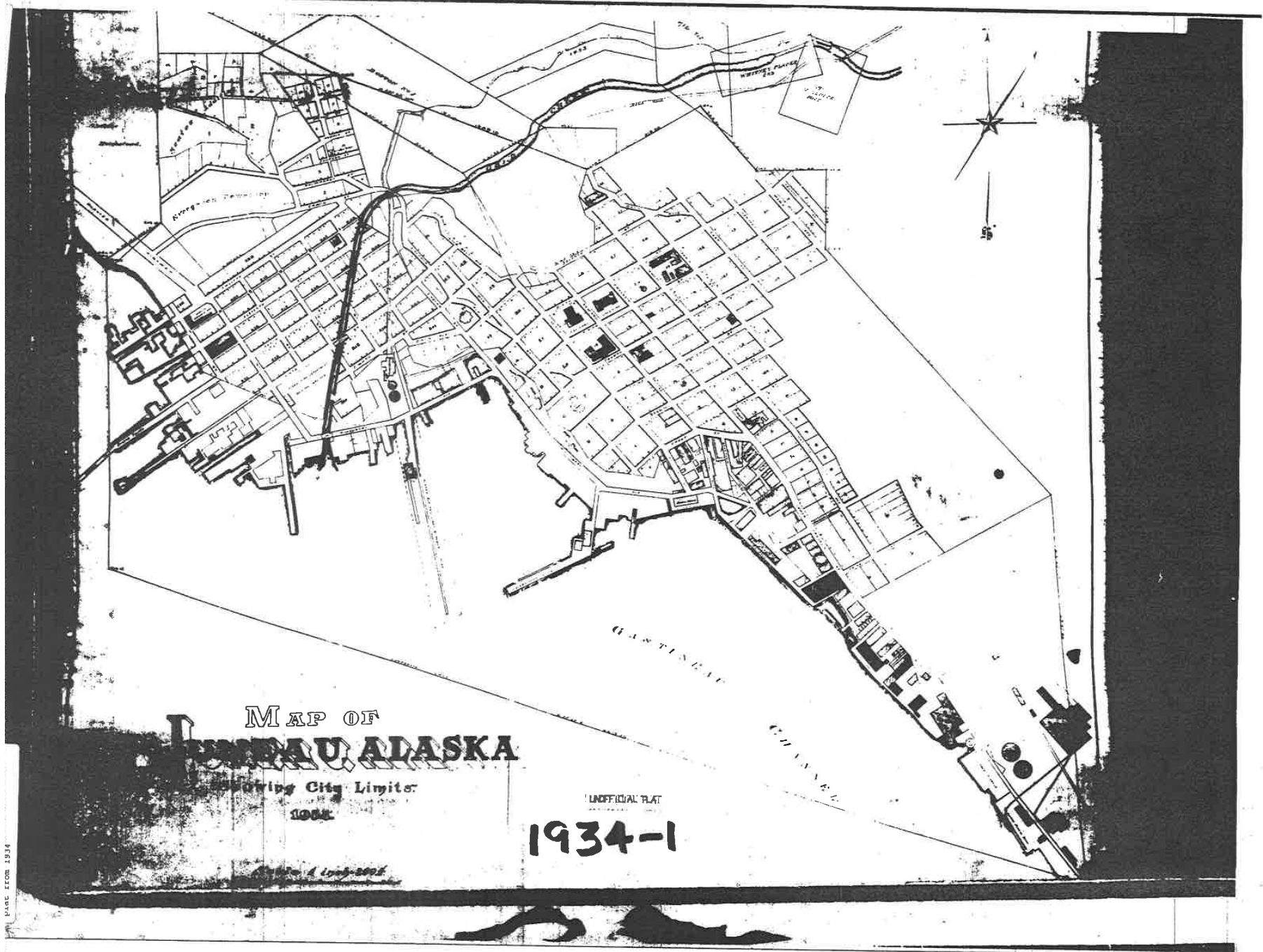
Copies of the Notice of Decision / 2013 CBJ Correspondence are included. The easement agreement is included.

The CBJ Historic Structure Database is also a reference doc provided.

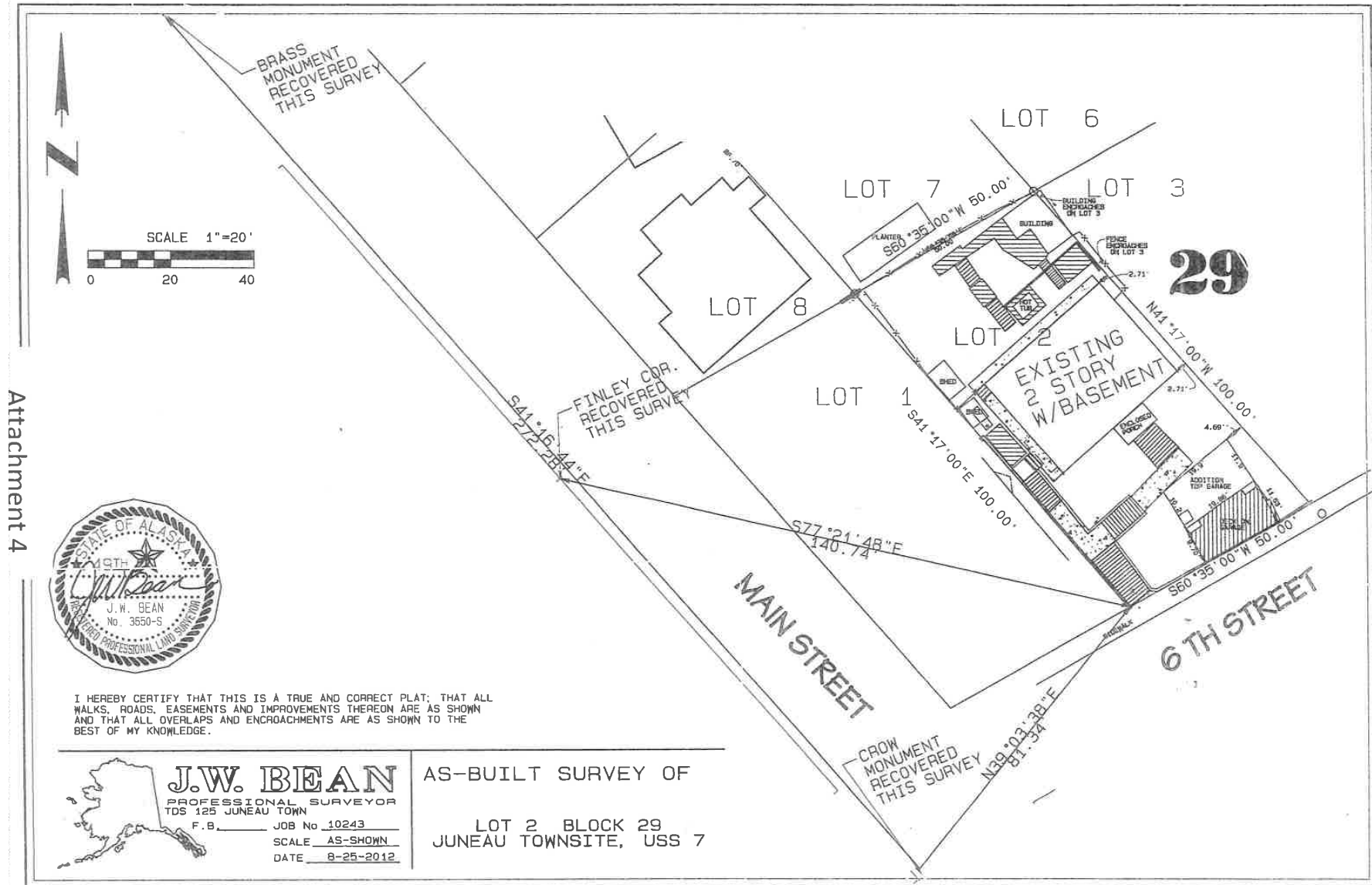
Thank you for your review.

Kimberly Horne

8/9/21



Attachment A - Application Packet



Attachment A - Application Packet

Willis-Davis House

Location: 114 6th Street

AHRS#: JUN-160

CBJ#: B-23

Parcel#: 1C060A290030

Year Built: 1915

Architectural Style: Other/ Juneau Folk

Architect/Contractor: unknown

Historic Name: Willis-Davis House

Historic Period: Territorial Gov

Historic Integrity: preserved

Neighborhood: Juneau Townsite

Date of Local Designation: Not Designated

Date of National Register Designation: Not Regist



Additional Information

General Description

The house measures 29' x 36'. It is a one-and-one-half stories, wood frame structure with hip-on-gable roof form featuring large shed dormer. It has a concrete partial basement and is sided with horizontal wood lap siding. Other features include a pedimented enclosed entry porch.

Historical Information

The house was constructed in 1914 for J.R. Willis, collector of Customs and Vice President of the B.M. Behrends Bank. Willis served on the City Council and was Vice Mayor. From 1920 until 1935, Valorous and Grace Paine owned the house until John photographer, Trevor Davis and his wife, Carol Beery Davis bought it. It continues to be the Davis home.

Historic Use

residential

Source

Juneau Townsite Building Survey, City and Borough of Juneau, Alaska, September 1988

Attachment A - Application Packet



**PLANNING COMMISSION
NOTICE OF DECISION**

Date: October 23, 2013

File No.: USE2013 0016

Vance F Putman
PO Box 20473
Juneau, AK 99802

An after-the-fact Conditional Use Permit for a greenhouse constructed over a garage that encroaches 3 inches into the 10-foot front yard setback and 3 inches into the 5-foot side yard setback.

Application For: An after-the-fact Conditional Use Permit for a greenhouse constructed over a garage that encroaches 3 inches into the 10-foot front yard setback and 3 inches into the 5-foot side yard setback.

Legal Description: Juneau Townsite Block 29 Lot 2

Property Address: 114 Sixth Street

Parcel Code No.: 1-C06-0-A29-003-0

Hearing Date: October 22, 2013

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated October 15, 2013 and approved the project to be conducted as described in the project description and project drawings submitted with the application.

Attachments: October 15, 2013 memorandum from Teri Camery, Community Development, to the CBJ Planning Commission regarding USE2013 0016.

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, October 22, 2013

Expiration Date: The permit will expire 18 months after the effective date, or April 22, 2015 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.

Attachment A - Application Packet

Vance F Putman
File No.: USE2013 0016
October 23, 2013
Page 2 of 2

Project Planner:


Teri Camery, Senior Planner
Community Development Department


Michael Satre, Chair
Planning Commission


Filed With City Clerk

Date

10/25/13

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.

Attachment A - Application Packet

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

DATE: October 15, 2013

TO: Planning Commission

FROM: Teri Camery, Senior Planner
Community Development Department

FILE NO.: USE2013 0016

PROPOSAL: An after-the-fact Conditional Use Permit for a greenhouse constructed over a garage that encroaches 3 inches into the 10-foot front yard setback and 3 inches into the 5-foot side yard setback.

GENERAL INFORMATION

Applicant: Vance F Putman

Property Owner: Vance F Putman

Property Address: 114 Sixth Street

Legal Description: Juneau Townsite Block 29 Lot 2

Parcel Code Number: 1-C06-0-A29-003-0

Site Size: 4,893 square feet

**Comprehensive Plan
Land Use Designation:** Medium Density Residential

Zoning: D-18

Utilities: CBJ Water and Sewer

Access: Sixth Street

Existing Land Use: single-family dwelling

**CITY/BOROUGH OF JUNEAU**
★ ALASKA'S CAPITAL CITY

Attachment A - Application Packet

Surrounding Land Use:	North	-	D-18 Residential
	South	-	Sixth Street; D-18 Residential
	East	-	D-18 Residential
	West	-	D-18 Residential

Vicinity Map



Attachment A - Application Packet

Planning Commission
File No.: USE2013 0016
October 15, 2013
Page 3 of 6

ATTACHMENTS

Attachment 1 Development Permit Application
Attachment 2 Conditional Use Permit Application
Attachment 3 Project Narrative
Attachment 4 Survey
Attachment 5 Building Permit plans
Attachment 6 Applicant photos
Attachment 7 Project elevation

PROJECT DESCRIPTION

The applicant requests a Conditional Use Permit for after-the-fact construction of a 10' x 20' greenhouse on top of a garage. The greenhouse encroaches three inches into the 10-foot front-yard setback in the southwest corner of the structure, and three inches into the five-foot side-yard setback in the northeast corner of the structure, due the slight angle of the garage. Setback encroachments that occur at the second story elevation or higher are reviewed through the Conditional Use Permit process instead of the Variance process, per CBJ Code 49.25.430(4)(M). The structure does not qualify under code sections that allow encroachments for minor issues both because it is heated and because it is on the second floor.

The greenhouse was constructed on top of a garage that was built in the 1950s at the zero foot-setback line. The garage is a legally non-conforming structure. The greenhouse encompasses approximately half the width of the garage, very close to the 10-foot front yard setback line. The three inch encroachment at the opposite corners of the greenhouse was discovered when the as-built survey was completed (Attachment 4). In both the southwest and northeast corners of the greenhouse, the structure encroaches three inches over a linear distance of approximately two feet. Due to the angle, the three inch encroachment does not extend the full length of either side of the greenhouse.

BACKGROUND

The lot has a legally non-conforming lot size and legally non-conforming front and side-yard setbacks. Assessor's Office records indicate that the home was built in 1914. In addition to the Conditional Use Permit, the applicant has also applied for an after-the-fact Variance for construction of a sauna in the northeast corner of the lot. Both encroachments were discovered only after the as-built survey was completed.

Attachment A - Application Packet

Planning Commission
File No.: USE2013 0016
October 15, 2013
Page 4 of 6

ANALYSIS

Project Site and Design -

The project is located on D-18 residential lot with a substandard lot size and substandard setbacks. The lot has a 35 degree slope. Building plans for the greenhouse have been included in Attachment 5, while elevations are included in Attachment 7. Photos are included in Attachment 6. The structure has been designed to blend well with both the garage and the single-family home.

Public Health or Safety –

No evidence indicates that the proposed development will negatively impact public health or safety.

Property Value or Neighborhood Harmony -

Due to the 35 degree slope of the property as well as the very minor three inch encroachment, no evidence indicates that the development will negatively impact views, light and air, property value, or neighborhood harmony.

Conformity with Adopted Plans -

The project substantially conforms with the 2013 Juneau Comprehensive Plan, specifically Policy 10.3 and 10.4, which state:

***Policy 10.3** [It is the policy of the CBJ] to facilitate residential developments of various types and densities that are appropriately located in relation to site conditions, surrounding land uses, and capacity of public facilities and transportation systems.*

***Policy 10.4** [It is the policy of the CBJ] to minimize conflicts between residential areas and nearby recreational, commercial, or industrial uses that would generate adverse impacts to existing residential areas through appropriate land use locational decisions and regulatory measures.*

The project conforms with these measures by constructing the greenhouse on top of an existing structure in a way that blends in with other structures on the lot and has minimal visual impact on the neighborhood.

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;

Attachment A - Application Packet

Planning Commission
 File No.: USE2013 0016
 October 15, 2013
 Page 5 of 6

2. Whether the proposed use is appropriate according to the Table of Permissible Uses;
 and,
3. Whether the development as proposed will comply with the other requirements of this chapter.

The Commission shall adopt the Director's determination on the three items above unless it finds, by a preponderance of the evidence, that the Director's determination was in error, and states its reasoning for each finding with particularity.

CBJ §49.15.330 (f), Commission Determinations, states that even if the Commission adopts the Director's determination, it may nonetheless deny or condition the permit if it concludes, based upon its own independent review of the information submitted at the public hearing, that the development will more probably than not:

1. Materially endanger the public health or safety;
2. Substantially decrease the value of or be out of harmony with property in the neighboring area;
 or,
3. Not be in general conformity with the comprehensive plan, thoroughfare plan, or other officially adopted plans.

Per CBJ §49.15.330 (e) & (f), Review of Director's & Commission's Determinations, the Director makes the following findings on the proposed development:

1. Is the application for the requested 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 49.25.300.1.110 for the D-18 zoning district.

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

Yes. The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in the October 11, 2013 and October 18, 2013 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public Right of Way.

Attachment A - Application Packet

Planning Commission
File No.: USE2013 0016
October 15, 2013
Page 6 of 6

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

No. Based on the preceding analysis, no available evidence indicates that the proposed development will materially endanger the public health or safety.

5. *Will the proposed development substantially decrease the value of or be out of harmony with property in the neighboring area?*

No. Based on the preceding analysis, no available evidence indicates that the proposed development will substantially decrease the value of or be out of harmony with property in the neighboring area. The setback encroachment is minor and does not block views due to the steep slope in the area.

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

Yes. The proposed development complies with the 2013 Juneau Comprehensive Plan, specifically policies 10.3 and 10.4 regarding residential development.

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

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

Not applicable.

RECOMMENDATION

Staff recommends 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 a greenhouse on top of an existing garage which would encroach three inches into the front and side yard setbacks.

Attachment A - Application Packet

(Conditional Use)

DEVELOPMENT PERMIT APPLICATION

Project Number	CITY and BOROUGH of JUNEAU		Date Received: 5/2/13
Project Name (City Staff to Assign Name)			

INFORMATION

PROJECT / APPLICANT

Project Description AS-built survey of new structure discovered 3" encroachment into CBS sidewalk setback			
PROPERTY LOCATION			
Street Address 114 E 6th Street		City/Zip Juneau 99801	
Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) USS7 Juneau Townsite Block 29 Lot 2			
Assessor's Parcel Number(s) 1 CO6A2900300			
LANDOWNER/LESSEE			
Property Owner's Name V. Fate Putman and Kimberly Homme		Contact Person: F. Putman	Work Phone: 321-0773
Mailing Address Box 20473 Juneau 99802		Home Phone: 321-0773	Fax Number:
E-mail Address fateputman@gmail.com		Other Contact Phone Number(s): 463-4975 (m)	
LANDOWNER/LESSEE CONSENT			
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	Landowner/Lessee Signature <i>V. Fate Putman</i>		Date 4/29/2013
X	Landowner/Lessee Signature <i>Kimberly Homme</i>		Date 4/29/2013
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" and sign and date at X below			
Applicant's Name same		Contact Person:	Work Phone:
Mailing Address same		Home Phone:	Fax Number:
E-mail Address same		Other Contact Phone Number(s):	
X	Applicant's Signature <i>V. Fate Putman</i>		Date of Application 4/29/2013

STAFF APPROVALS

Permit Type	Date Received	Application Number(s)
Building/Grading Permit		
City/State Project Review and City Land Action		
Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)		
Mining Case (Small, Large, Rural, Extraction, Exploration)		
Sign Approval (If more than one, fill in all applicable permit #'s)		
Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)		
Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)	5/2/13	45-13-016
Variance Case (De Minimis and all other Variance case types)		
Wetlands Permits		
Zone Change Application		
Other (Describe)		

***Public Notice Sign Form filled out and in the file.

Comments:

Attachment 1

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

1: FORMS\2010 Applications

Revised November 2009

Attachment A - Application Packet

Conditional Use Permit application – Narrative and Attachments

Putman/Homme 114 E. 6th Street : CU Application Addendum

A 10'X 20' greenhouse structure was built on top of an existing concrete garage. (Bld. Permit # 2009-00103) The preexisting garage was constructed in approximately 1950. The concrete garage was constructed to the edge of the sidewalk on 6th Street and has been a grandfathered structure for the past 60 years.

The new greenhouse structure was built on back half of the 20'X20' garage roof. The greenhouse used the same footprint as the garage, which is slightly out of square. A subsequent as-built survey found that one corner of the new structure was not the full 10 feet back from the sidewalk edge. The SW corner of the roof eave encroaches 3 inches into the 10 foot setback. This is an overhanging eave and not part of the interior of the greenhouse building. The remainder of the greenhouse structure is behind the 10 foot setback. However, because of the overhanging eave, the SW corner of the greenhouse is 9'9" from the CBJ sidewalk.

A Conditional Use permit is required for the 3"encroachment into the 10 foot setback requirement. It is my request that this CU permit be granted to permit this encroachment. There is no impact on the public sidewalk below or any utility conflicts.

NE Corner of greenhouse

In addition to the overhanging eave, the As-built Survey determined that the Northeast corner of the garage/greenhouse encroaches into setback requirements with the adjoining lot. The NE corner of the garage footprint (circa 1950) extends into the side yard setback approximately 3 inches.

This encroachment occurs on the NE corner of both the garage and greenhouse structures. The remaining portion of the east side of the garage and greenhouse Structure does not protrude into the 5 foot setback. In this 20 foot span only the last five feet of the structures protrude into the setback. That is because the garage is square to the street but not square to the property line thus causing a side yard setback issue.

Property Values and Neighborhood Harmony

The addition and slight CBJ encroachment will not decrease the value of surrounding properties. The greenhouse was designed by Northwind Architects LLC, to have the same architectural style as the main home and preexisting Garage on the property. This blend of colors and building design allows the Greenhouse to complement the existing buildings and as a result, blends well with the neighborhood. The structure does

Attachment A - Application Packet

not affect any neighbor's light, air or views. (Note that the Lot 3 eastside neighbor has provided an Easement Agreement for the Variance application.)

- A. As-Built Survey, Site Plan, Elevation View, 3-page Floor Plan – attached Easement Agreement by east neighbor, also for related variance, attached
- B. There are No Parking issues with this application.
- C. There are No Traffic issues with this application.
- D. There is Lighting on the exterior of the structure. This exterior lighting is recessed up under the eaves so there is no light pollution from the structure.

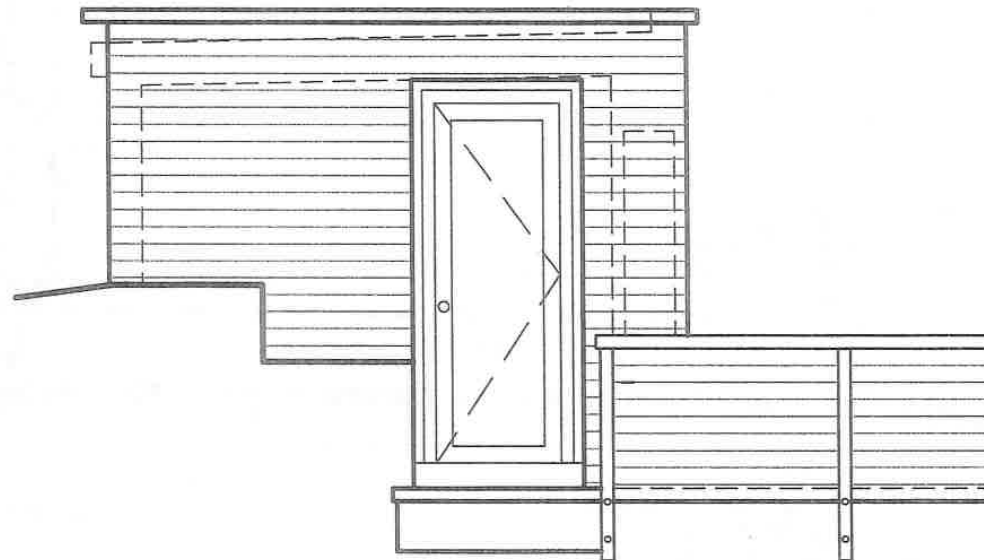
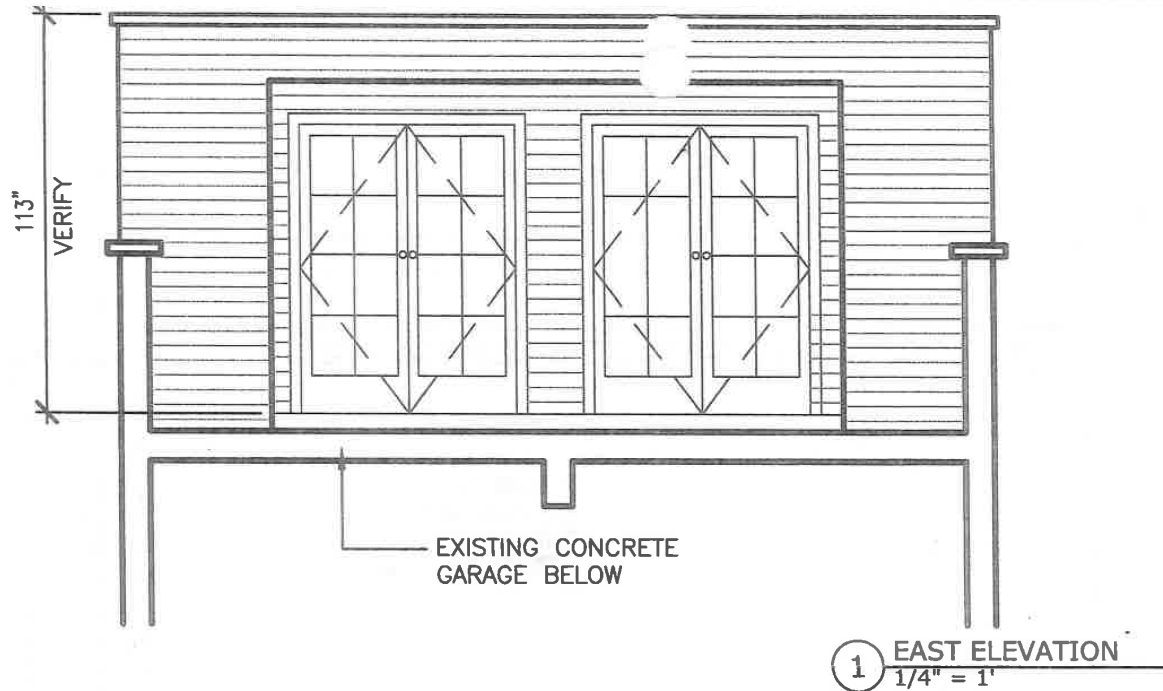
Exterior Lighting: Two exterior lights were incorporated into the greenhouse structure. One light is located on the alcove ceiling above the west facing entrance. This main entrance has a single door recessed into the structure 3 feet. This door setback is to both protect the door and match the garage architecture below. Above this door on the ceiling is an entrance light, placed there to both protect the light and minimize light intrusion outside. This door entry light has achieved those desired results.

A second exterior light is on the south side of the greenhouse, under the overhanging front eave. This also protects the fixture from the weather and minimizes light intrusion. Light is confined to the front deck of the garage roof and does not shed light on 6th Street or the sidewalk below. This exterior light has achieved the desired results of both protection and light shading.

E. Natural vegetation remains between Lot 2 and Lot 3; lilacs, Sitka Rose bushes and Hawthorn trees separate the two. This set of trees and shrubs creates a visual screen between properties and between the greenhouse and the neighbor's home on Lot 3. On the west side of the structure there is large flower garden.

F. The property is a Steep Hillside. That presents some challenges to development of the lot. However, the steep terrain has no impact on the greenhouse structure because it was built atop the existing poured concrete garage, as the foundation.

N
NorthWind
Architects LLC
 119A 2ND ST.
 JUNEAU, AK 99801
 PH #907.586.6150
 FX #907.586.6181
 WWW.NORTHWINDARCH.COM



PUTMAN GREENHOUSE

114 SIXTH STREET
 JUNEAU, ALASKA 99801

SHEET TITLE:
 ELEVATIONS

DATE: 3-12-10
 REVISION:
 CHECKED BY: SMB
 DRAWN: FKD

SHEET #

A2.0

NorthWind Architects LLC
 119A 2ND ST.
 JUNEAU, AK 99801
 PH #907.586.6150
 FX #907.586.6181
 WWW.NORTHWINDARCH.COM

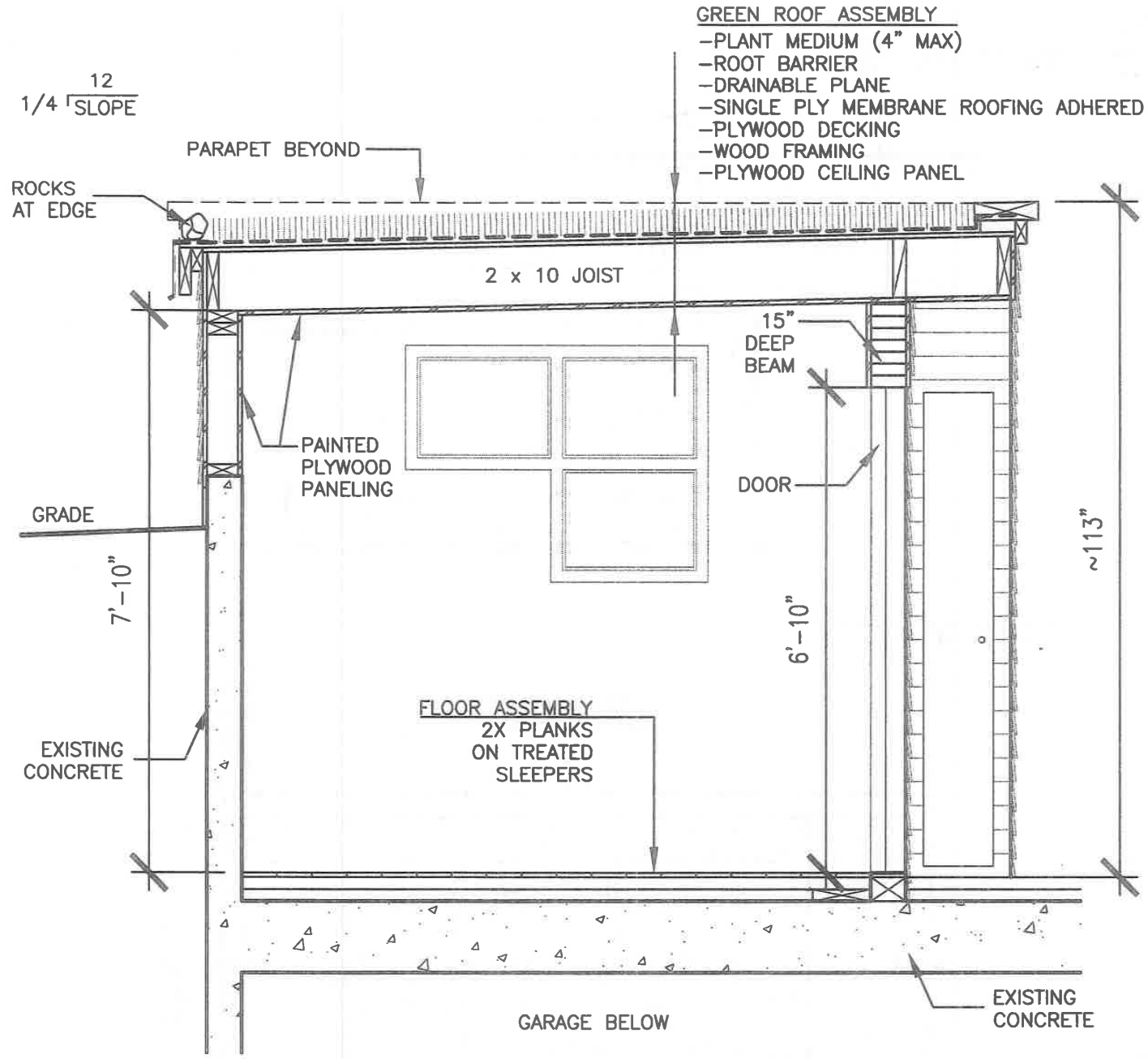
PUTMAN GREENHOUSE

114 SIXTH STREET
 JUNEAU, ALASKA 99801

SHEET TITLE:
 SECTION

DATE: 3-12-10
 REVISION: ****
 CHECKED BY: SMB
 DRAWN: FKD

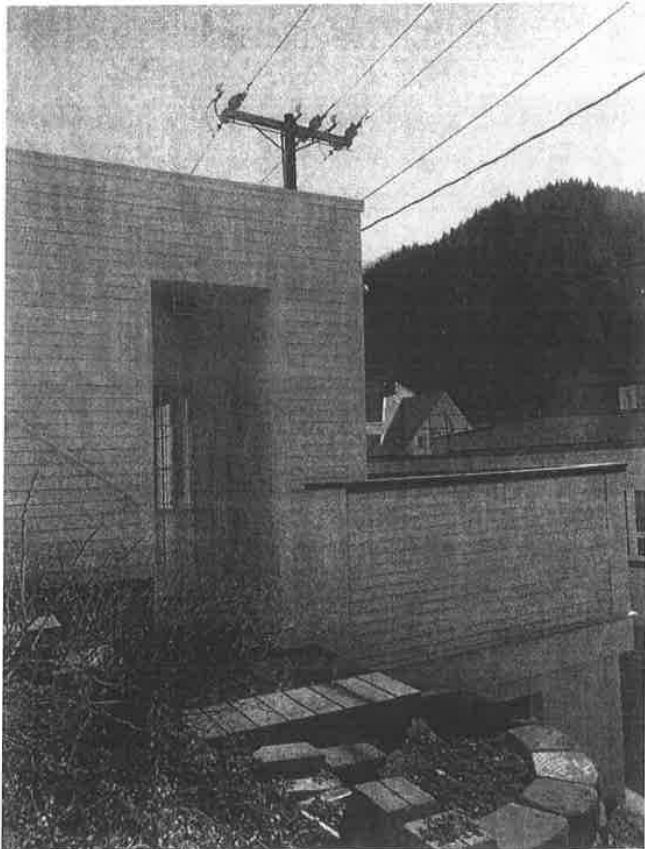
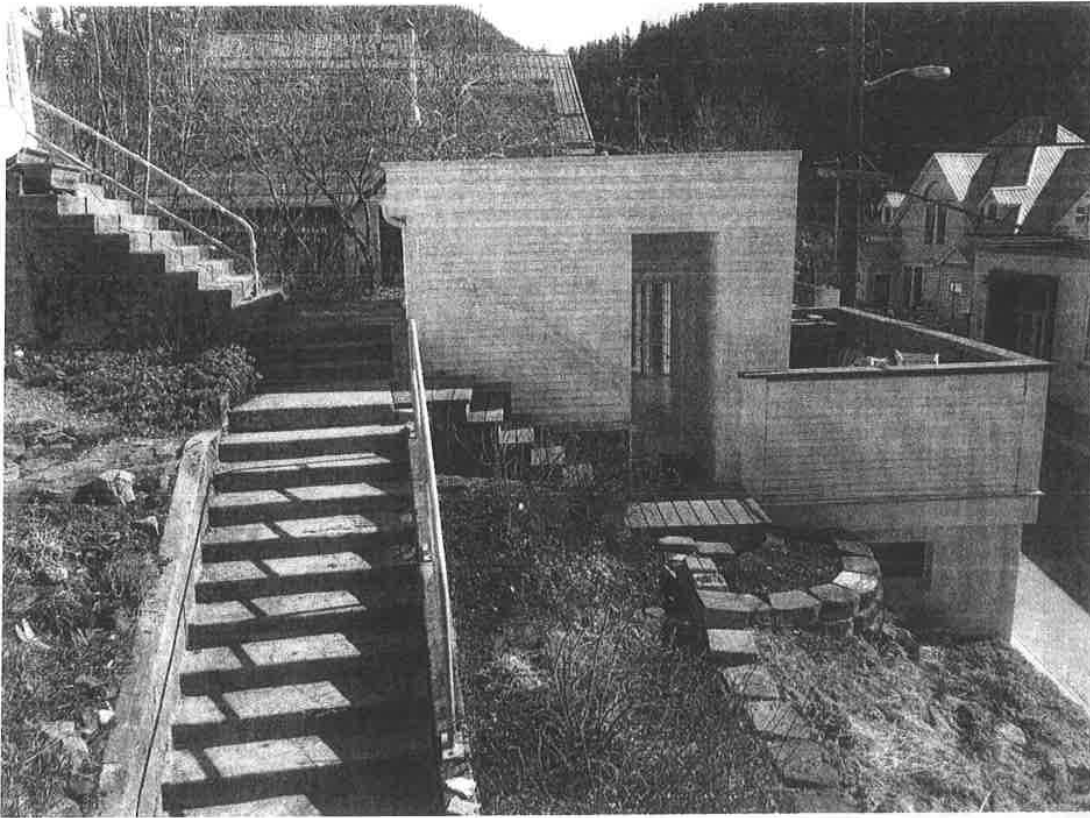
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1 SECTION
 1/2" = 1'

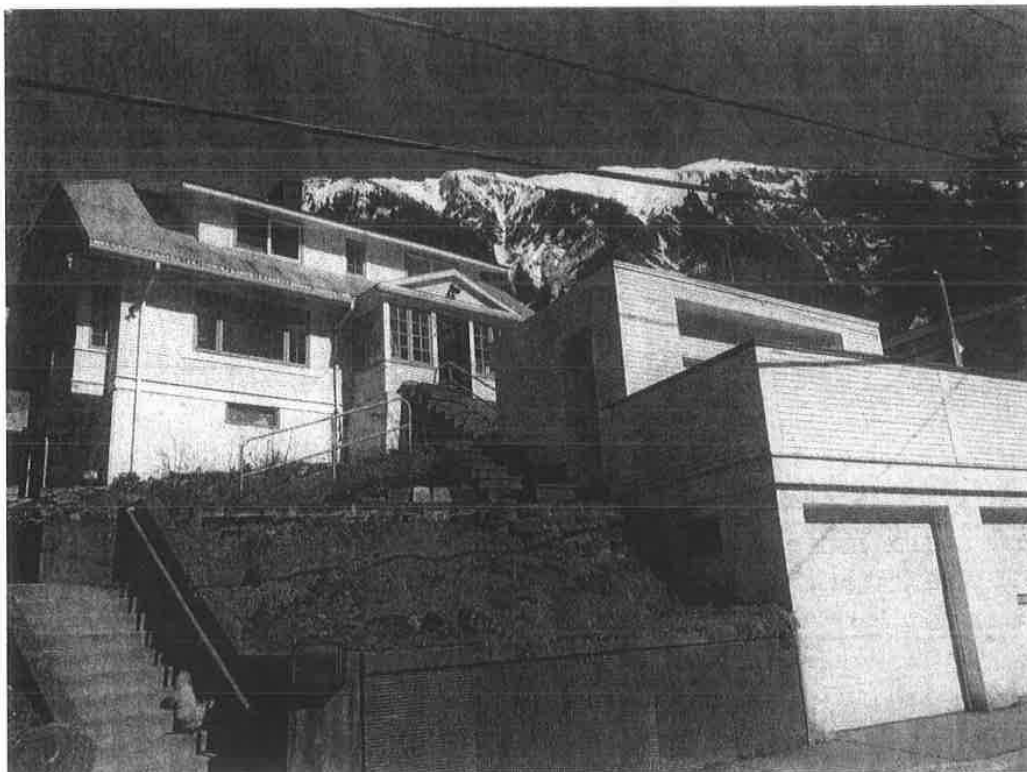
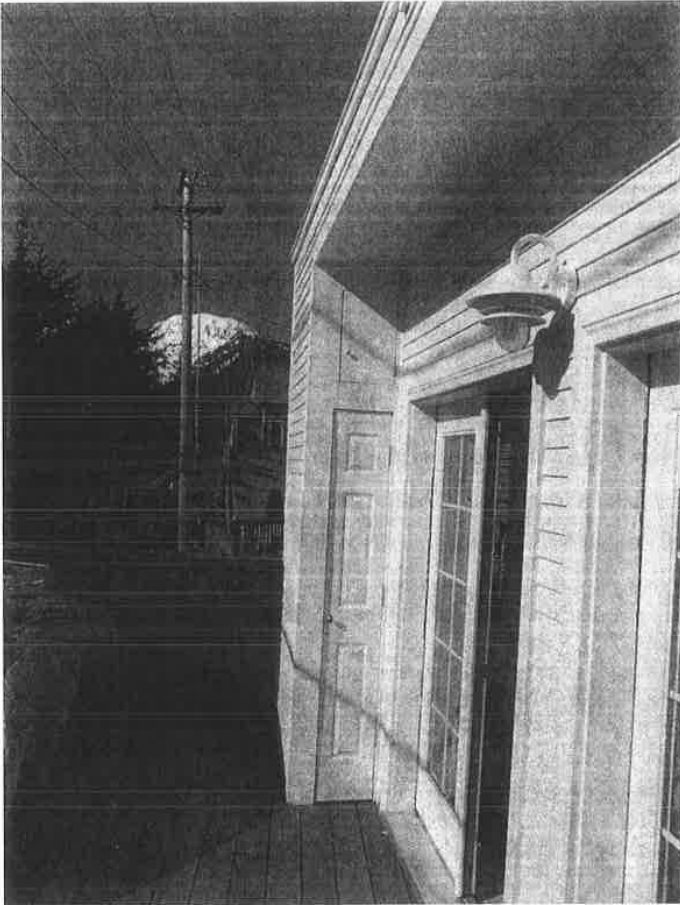


Attachment A - Application Packet



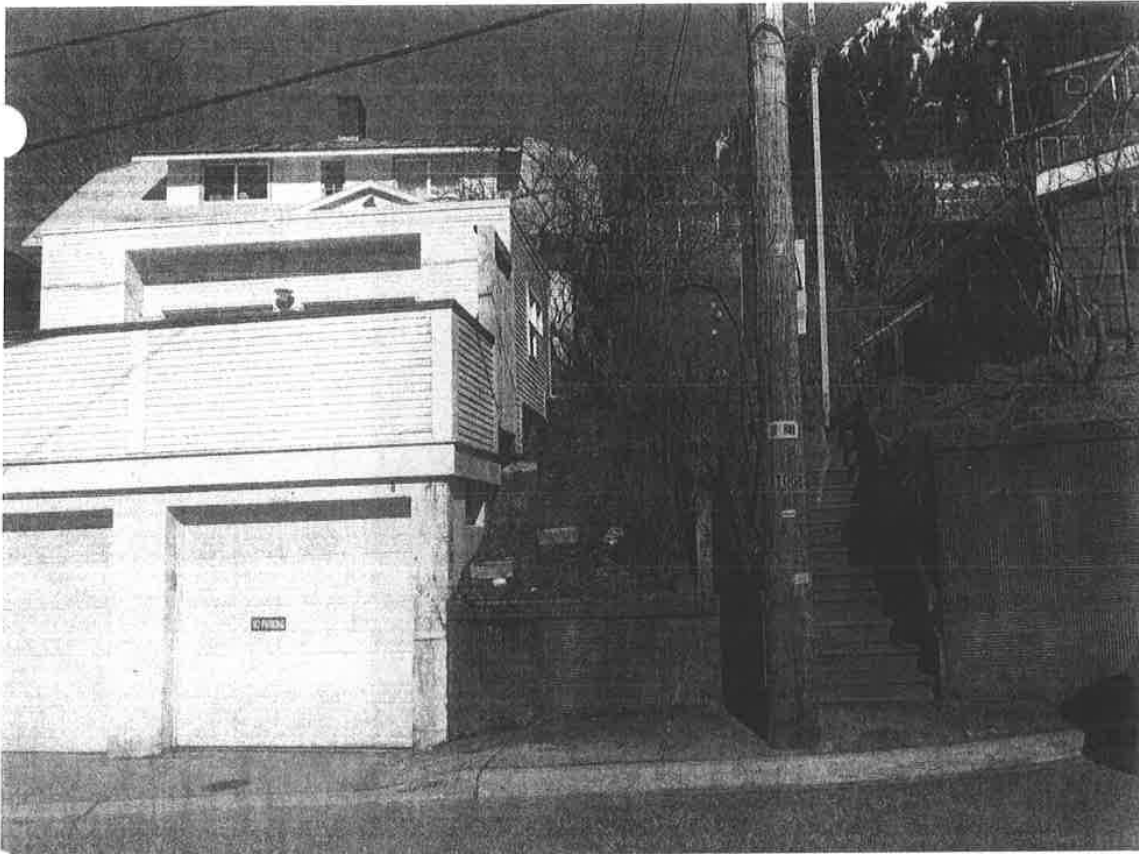
Attachment 6

Attachment A - Application Packet



Attachment 6

Attachment A - Application Packet



Attachment 6

Attachment A - Application Packet

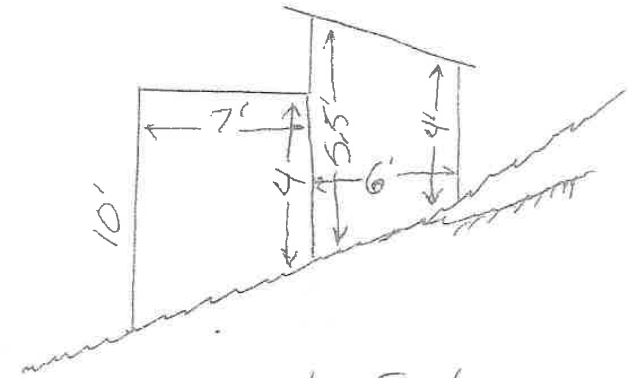


Attachment 6

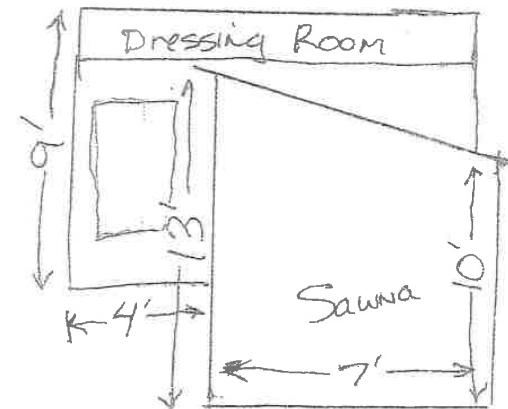
Attachment A - Application Packet

Putman Greenhouse/Sauna
(CBJ Permit # BLD 2008-04193)

Northeast Elevation



South East Elevation



South east (Front)
Elevation



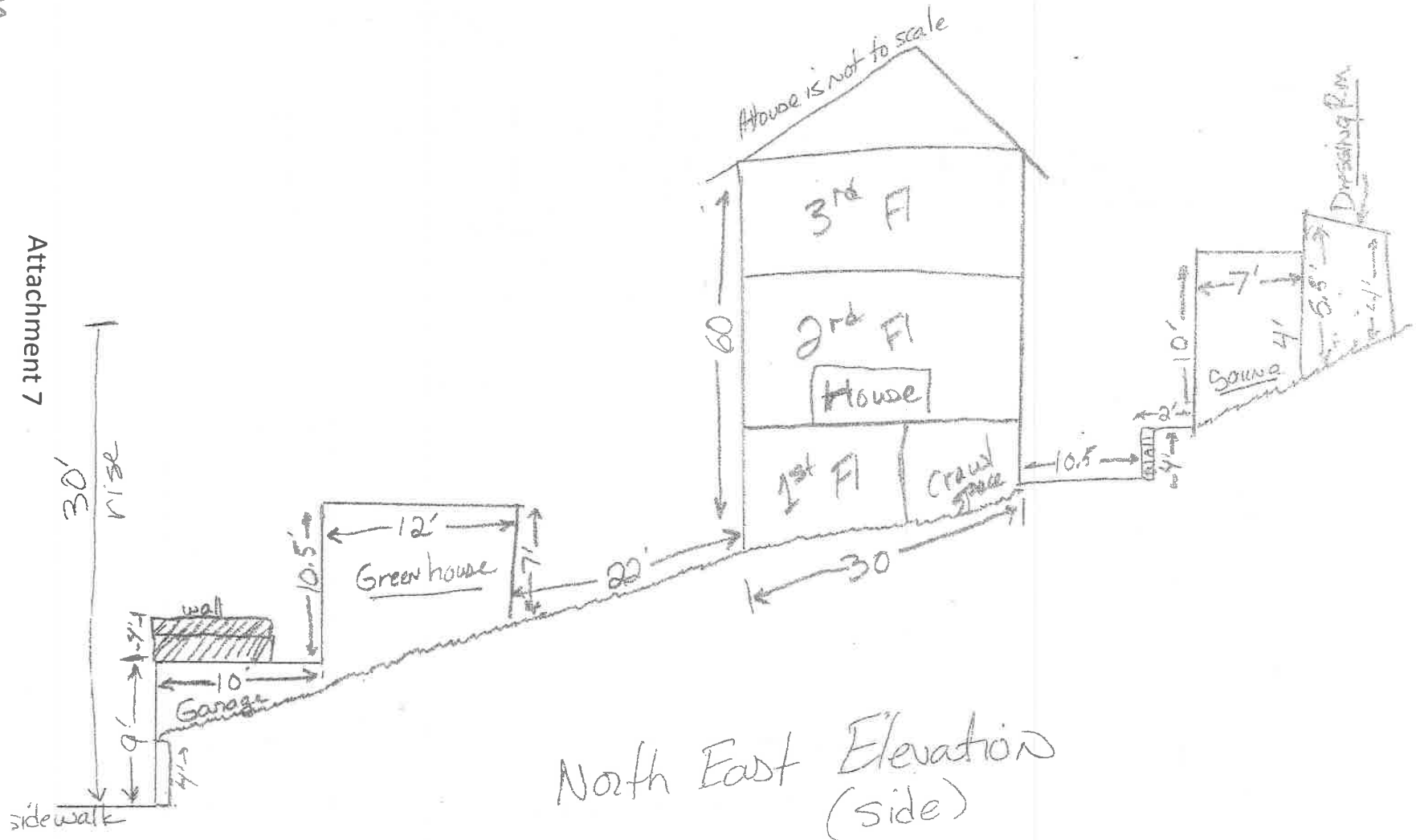
Side walk

Attachment A - Application Packet

Putman Green House / Sauna
(CB) Building Permit # BLD 0009-00105

Received 11-8-11 Putman
via email

Attachment 7



Attachment A - Application Packet


**BOARD OF ADJUSTMENT
NOTICE OF DECISION**

Date: February 6, 2013

File No.: VAR2013 0015

Vance F Putman
PO Box 20473
Juneau, AK 99802

Application For: An after-the-fact Variance to reduce the side-yard and rear-yard setbacks to zero for construction of a sauna.

Legal Description: Juneau Townsite Block 29 Lot 2

Property Address: 114 Sixth Street

Parcel Code No.: 1-C06-0-A29-003-0

Hearing Date: October 22, 2013

The Board of Adjustment, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated October 15, 2013, and approved the Variance to be conducted as described in the project description and project drawings submitted with the application.

Attachment: October 15, 2013 memorandum from Teri Camery, Community Development, to the CBJ Board of Adjustment regarding VAR2013 0015

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

This Notice of Decision constitutes a final decision of the CBJ Board of Adjustment. 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 Board of Adjustment shall be at the risk that the decision may be reversed on appeal (CBJ §49.20.120).

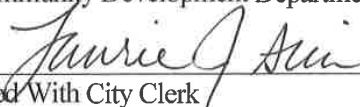
Effective Date: The permit is effective upon approval by the Board, October 22, 2013

Expiration Date: The permit will expire 18 months after the effective date, or April 22, 2015 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.

Attachment A - Application Packet

Vance F Putman
File No: VAR2013 0015
October 23, 2013
Page 2 of 2

Project Planner:


Teri Camery, Senior Planner
Community Development Department
Michael Satre, Chair
Planning Commission
Filed With City Clerk

Date

10/25/13

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.

Attachment A - Application Packet

MEMORANDUM

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

DATE: October 15, 2013

TO: Board of Adjustment

FROM: Teri Camery, Senior Planner
Community Development Department

FILE NO.: VAR2013 0015

PROPOSAL: An after-the-fact Variance to reduce the side-yard and rear-yard setbacks to zero for construction of a sauna

GENERAL INFORMATION

Applicant: Vance F Putman

Property Owner: Vance F Putman

Property Address: 114 Sixth Street

Legal Description: Juneau Townsite Block 29 Lot 2

Parcel Code Number: 1-C06-0-A29-003-0

Site Size: 4,893 square feet

**Comprehensive Plan
Land Use Designation:** Medium Density Residential

Zoning: D-18

Utilities: CBJ Water and Sewer

Access: Sixth Street

Existing Land Use: Single-family dwelling

Surrounding Land Use:

North	-	D-18 Residential
South	-	Sixth Street; D-18 Residential
East	-	D-18 Residential
West	-	D-18 Residential



Attachment A - Application Packet

Board of Adjustment
File No.: VAR2013 0015
October 15, 2013
Page 2 of 7

Vicinity Map



Attachment A - Application Packet

Board of Adjustment
File No.: VAR2013 0015
October 15, 2013
Page 3 of 7

ATTACHMENTS

Attachment 1 Development Permit application
Attachment 2 Variance application
Attachment 3 Project Narrative
Attachment 4 Easement Agreement
Attachment 5 Applicant photographs
Attachment 6 Survey
Attachment 7 Additional Building Permit detail and elevations

PROJECT DESCRIPTION

The applicant requests an after-the-fact variance to reduce the five-foot side-yard setback to zero feet, and the 10-foot rear-yard setback to zero-four feet for construction of a sauna in the northwest corner of the lot (see survey, Attachment 6).

Because the sauna is under 120 square feet, the applicant was not required to apply for a building permit when it was first constructed, and therefore did not consider setback requirements. Approximately two years after construction, the applicant added electricity. The addition of electricity triggered the requirement for a building permit. During the building permit review, CDD requested an as-built survey to verify setbacks. The survey indicated that the structure was built to the zero setback line in the side-yard, and extended three inches into the neighboring property, and also encroached to the zero-four foot rear setback line. (The range of the encroachment is due to the angle of the property line.) The structure therefore requires a Variance.

ANALYSIS

The applicant has provided a detailed project narrative with photographs to explain why the structure was built in the corner of the lot within the setbacks. The lot has a 35 degree slope that shows signs of active erosion. In 2008, the applicant built a buttress to prevent the retaining wall (which was built in the 1950s) from moving downslope. The buttress became the foundation of the sauna. The retaining wall was built next to an old fence, also from the 1950s, which the applicant believed was the property line, and the applicant's intention was to build eight inches from the property line. However both the fence and the original retaining wall are actually located on the adjacent lot. This combination of factors resulted in construction of the building not only at the zero foot setback, but three inches into the neighboring property. The applicant has an easement agreement with the adjacent neighbor which allows use and maintenance of the structure on the property. (Attachment 4)

The applicant discovered the encroachment only after the as-built survey was completed. The applicant states that to remove the structure, he would have to reconstruct the entire buttress foundation as well as the building itself, which could cause further soil erosion. Because of the extreme slope in this neighborhood, the encroachment will not restrict views or light in the area.

Attachment A - Application Packet

Board of Adjustment
File No.: VAR2013 0015
October 15, 2013
Page 4 of 7

Variance Requirements

Under CBJ §49.20.250 where hardship and practical difficulties result from an extraordinary situation or unique physical feature affecting only a specific parcel of property or structures lawfully existing thereon and render it difficult to carry out the provisions of Title 49, the Board of Adjustment may grant a Variance in harmony with the general purpose and intent of Title 49. A Variance may vary any requirement or regulation of Title 49 concerning dimensional and other design standards, but not those concerning the use of land or structures, housing density, lot coverage, or those establishing construction standards. A Variance may be granted after the prescribed hearing and after the Board of Adjustment has determined:

1. *That the relaxation applied for or a lesser relaxation specified by the Board of Adjustment would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.*

The Variance would allow the owner to retain the already-constructed sauna in the location of the lot that provides a stable foundation on the slope. The Variance is consistent with justice to other property owners, because this neighborhood has many old homes with legally non-conforming structures within setbacks.

Staff finds that this criterion is met.

2. *That relief can be granted in such a fashion that the intent of this title will be observed and the public safety and welfare be preserved.*

The intent of Title 49 is established in Section 49.05.100 Purpose and Intent. Those sections, which are applicable to the requested variance, are as follows:

- 1) To achieve the goals and objectives and implement the policies of the Juneau Comprehensive Plan and the 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 residences, 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.

Attachment A - Application Packet

Board of Adjustment
 File No.: VAR2013 0015
 October 15, 2013
 Page 5 of 7

The proposed Variance meets the intent of Title 49, specifically items 3, 5, and 6, by allowing construction of an accessory structure in the most appropriate location without negatively impacting open space, light, air, or views.

Staff finds that this criterion is met.

3. *That the authorization of the Variance will not injure nearby property.*

No evidence indicates that authorization of the Variance will injure nearby property. The adjacent property owner has signed an easement allowing the structure to encroach three inches into the adjacent lot, and has also authorized maintenance of the structure. This neighborhood has many non-conforming structures at or near zero setback lines, and because of the steep slope, the encroachment will not affect views.

Staff finds that this criterion is met.

4. *That the Variance does not authorize uses not allowed in the district involved.*

Personal-use saunas and similar structures are allowed as accessory structures in the D-18 zoning district, therefore the Variance does not authorize uses not allowed in the D-18 district.

Staff finds that this criterion is met.

5. *That compliance with the existing standards would:*

(A) *Unreasonably prevent the owner from using the property for a permissible principal use;*

The principal use in the D-18 zoning district is residential development. This use does not specifically include accessory structure such as saunas. Therefore compliance with existing standards would not unreasonably prevent the owner from using the property for a permissible principal use.

Staff finds that this sub-criterion is met.

(B) *Unreasonably prevent the owner from using the property in a manner which is consistent as to scale, amenities, appearance or features, with existing development in the neighborhood of the subject property;*

Compliance with standards would unreasonably prevent the owner from using the property in a manner consistent with features of existing development in the neighborhood, because this neighborhood has many homes with legally non-conforming structures within setbacks. CBJ Assessor's Office information indicates that the applicant's home was constructed in 1914, which is common for many homes in this area.

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Staff finds that this sub-criterion is met.

- (C) *Be unnecessarily burdensome because unique physical features of the property render compliance with the standards unreasonably expensive;*

The subject property and surrounding Sixth Street properties have a slope of 35 degrees, which significantly limits where buildings may be constructed on the property.

Staff finds that this sub-criterion is met.

or

- (D) *Because of preexisting nonconforming conditions on the subject parcel the grant of the Variance would not result in a net decrease in overall compliance with the Land Use Code, CBJ Title 49, or the building code, CBJ Title 19, or both.*

The subject parcel has a legally non-conforming lot size, legally non-conforming front yard-setbacks for the garage, and a legally non-conforming side-yard setback for the home. A grant of the Variance would therefore not result in a net decrease in overall compliance with the Land Use Code.

Staff finds that this sub-criterion is met.

Because staff finds that sub-criterion 5B, 5C, and 5D have been met, staff finds that this criterion is met.

6. *That a grant of the Variance would result in more benefits than detriments to the neighborhood.*

A grant of the Variance would allow the sauna to remain where it has been constructed, in the most beneficial location for the property, without causing harm to adjacent residents through restriction of light, air, or views.

This criterion is met.

FINDINGS

1. *Is the application for the requested Variance complete?*

Yes. Staff finds that the application contains the information necessary to conduct full review of the proposed development. The application submittal by the applicant, including the appropriate fees, substantially conforms to the requirements of CBJ Chapter 49.15.

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

2. *Will the proposed development comply with the Juneau Coastal Management Programs?*

Not applicable.

3. *Does the variance as requested, meet the criteria of Section 49.20.250, Grounds for Variances?*

Yes. Staff finds that the Variance meets criteria 1, 2, 3, 4, and 5.

RECOMMENDATION

Based upon the proposed plan (identified in Attachments 1-7) and the findings and conclusions stated above, the Community Development Department Director recommends that the Board of Adjustment approve the request.

(Variance) Attachment A - Application Packet

DEVELOPMENT PERMIT APPLICATION

Project Number		CITY and BOROUGH of JUNEAU		Date Received: 5/2/13
Project Name (City Staff to Assign Name)				
PROJECT / APPLICANT INFORMATION	Project Description As-built survey determined sauna was built 3" over property line on NW corner.			
	PROPERTY LOCATION			
	Street Address 114 E 6th Street		City/Zip Juneau AK 99801	
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) Juneau Townsite Block 29 Lot 2			
	Assessor's Parcel Number(s) 1006A290030			
	LANDOWNER/ LESSEE			
	Property Owner's Name V Fate Putman and Kimberly Hamme		Contact Person: F. Putman	Work Phone: 321-0773
	Mailing Address Box 204 73 Juneau 99802		Home Phone: 321-0773	Fax Number:
	E-mail Address fateputman@gmail.com		Other Contact Phone Number(s): 463-4975(w)	
	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	Landowner/Lessee Signature <i>V Fate Putman</i>		Date 4/29/2013	
X	Landowner/Lessee Signature <i>Kimberly Hamme</i>		Date 4/29/2013	
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" and sign and date at X below				
Applicant's Name Same		Contact Person:	Work Phone:	
Mailing Address Same		Home Phone:	Fax Number:	
E-mail Address Same		Other Contact Phone Number(s):		
X	Applicant's Signature <i>V Fate Putman</i>		Date of Application 4/29/2013	

STAFF APPROVALS	OFFICE USE ONLY BELOW THIS LINE			
	Permit Type	Assign	Date Received	Application Number(s)
	Building/Grading Permit			
	City/State Project Review and City Land Action			
	Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)			
	Mining Case (Small, Large, Rural, Extraction, Exploration)			
	Sign Approval (If more than one, fill in all applicable permit #'s)			
	Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)			
	X Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)			
	P Variance Case (De Minimis and all other Variance case types)		5/2/13	VAR 13-015
Wetlands Permits				
Zone Change Application				
Other (Describe)				
Comments:				
Attachment 1			Permit Intake Initials CMT	

NOTE: DEVELOPMENT PERMIT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATIONS
I:\FORMS\2010 Applications

Revised November 2009

Attachment A - Application Packet

VARIANCE APPLICATION

Project Number	Project Name (15 characters)	Case Number <i>601 13-015</i>	Date Received <i>5/21/13</i>																				
TYPE OF VARIANCE REQUESTED:																							
☐ Variance to the Sign Standard (VSG)		☐ Variance to Dimensional Standards (VDS)																					
☐ Variance to Habitat Setbacks (VHB)		☐ Variance to Parking Requirements (VPK)																					
☒ Variance to Setback Requirements (VSB)																							
DESCRIPTION OF ACTIVITY WHICH REQUIRES A VARIANCE: <i>attached</i>																							
Previous Variance Applications? ☐ YES ☒ NO Date of Filing: _____																							
Previous Case Number(s): _____																							
Was the Variance Granted? ☐ YES ☐ NO																							
UNIQUE CHARACTERISTICS OF LAND OR BUILDING(S): <i>attached</i>																							
UTILITIES AVAILABLE: WATER: ☐ Public ☐ On Site SEWER: ☐ Public ☐ On Site																							
WHY WOULD A VARIANCE BE NEEDED FOR THIS PROPERTY REGARDLESS OF THE OWNER? <i>attached</i>																							
WHAT HARDSHIP WOULD RESULT IF THE VARIANCE WERE NOT GRANTED? <i>attached</i>																							
For more information regarding the permitting process and the submittals required for a complete application, please see the reverse side. If you need any assistance filling out this form, please contact the Permit Center at 586-0770.	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">VARIANCE FEES</th> <th style="text-align: center;">Fees</th> <th style="text-align: center;">Check No.</th> <th style="text-align: center;">Receipt</th> <th style="text-align: center;">Date</th> </tr> </thead> <tbody> <tr> <td>Application Fees</td> <td style="text-align: right;">\$ <i>400</i></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Adjustment</td> <td style="text-align: right;">\$ _____</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Total Fee</td> <td style="text-align: right;">\$ <i>400</i></td> <td style="text-align: center;"><i>212</i></td> <td style="text-align: center;"><i>0413108</i></td> <td style="text-align: center;"><i>5/21/13</i></td> </tr> </tbody> </table>			VARIANCE FEES	Fees	Check No.	Receipt	Date	Application Fees	\$ <i>400</i>				Adjustment	\$ _____				Total Fee	\$ <i>400</i>	<i>212</i>	<i>0413108</i>	<i>5/21/13</i>
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Application Fees	\$ <i>400</i>																						
Adjustment	\$ _____																						
Total Fee	\$ <i>400</i>	<i>212</i>	<i>0413108</i>	<i>5/21/13</i>																			

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

Attachment A - Application Packet**TO: Board of Adjustment****FR: V. Fate Putman & Kimberly Homme, owners****RE: CBJ Variance Request for 114 E. 6th Street, JNU****DATE: April 24, 2013****1. Description of activity that requires a variance:**

A sauna and dressing room were built on the NE property corner because of the sloping nature of the hillside. No other reasonable means was available to stop soil erosion from occurring from the up-slope side of the property except the use of retaining walls and buttress structures. The sliding hillside from 7th Street has been a continual problem since the 1950's when the first fence and retaining walls were built. Without the retaining walls and buttress structures the soil and debris would continue to erode down the hillside.

The buttress structures were built in 2008 to prevent the 1950's retaining wall from moving further downslope during high moisture periods. These buttresses became the foundation of the sauna & dressing room. Because the sauna and dressing room use both the original retaining wall and subsequent buttress structures as a foundation, based on the 1950 fence line, these buildings encroach on the adjacent property. The encroachment is approximately 3 inches into adjacent Lot 3, according to the As-Built Survey, attached.

2. Unique characteristics of land or building:

The unique characteristic of this land is the extreme slope, approximately 35 degrees. This steep slope erodes during high moisture events when the soil becomes saturated. Soil erosion normally occurs in the fall or spring, moving soil and debris such as broken glass and rusty metal down the hillside. Underneath and intermixed into the soils on this slope are layers of garbage from decades of this hillside use as a dump.

3. Why a variance would be needed, regardless of the owner:**Attachment 3**

Attachment A - Application Packet

Because of confusion in the 1950's about property lines, initial encroachment by Lot 1 to the west may have caused subsequent encroachment when a fence and retaining wall were constructed on Lot 2 which encroached into the adjoining Lot 3 to the east. Because of the unstable hillside and sliding soils the property corner may have moved. This encroachment was only discovered after the as-built survey was completed last year. The adjoining property owner recognizes the encroachment and has submitted an Easement Agreement to permit encroachment of the adjacent property lines, attached.

4. What hardship would result if the variance was not granted?

I would have to re-construct the entire buttress foundation, sauna and changing room to conform to the setback at considerable effort and expense. Removal of the buttress foundation would cause further soil erosion and sliding on this extreme slope.

5. How proposed project meets Variance Approval Criteria:

- (1) The buttress foundation is an asset constructed to address a critical soil erosion condition. This buttress and sauna structure facilitates my need for property and soil protection, it adds value to the property, and produces no adverse impacts on my neighbors.
- (2) Intent of title will be observed with no issues of safety or public welfare arising, and is open for inspection by CBJ planners.
- (3) The variance will not injure or impact nearby property or owners. Because of the extreme slope, the property to the north (7th Street) is well above the roofline of the sauna. There are no visual impacts with other properties, and the eastern property owner has granted an Easement Agreement (attached).
- (4) There are no proposed uses that are not already authorized in the district, with no commercial activities or additions to zoning density.
- (5) Compliance with existing standards:
 - a) Without a variance, the buttress foundation would need to be moved at considerable expense and effort. This removal would allow the slope to slide, as it has in the past.

Attachment A - Application Packet

- b) The buttress foundation and sauna were constructed in 2008 to blend in with the cedar fence and the 1914 main house. As such, they complement the main structure and are a basic amenity. Also, neither foundation nor sauna imposes an adverse visual profile in the neighborhood. The structure is surrounded by dense, steep undergrowth.
 - c) Because of the unique, steep slope and placement of the original 1950 retaining wall and fence, and the subsequent use of that footprint in 2008 for construction, compliance with existing setback standards would be unreasonably expensive.
(Buttress structures are square boxes filled with soil. They are built down- slope from the retaining wall and are pressed up against the wall to prevent movement. The buttress structures are made from both concrete and treated wood and are used to support the leaning retaining walls. These buttress structures are built adjacent to where the 1950 retaining walls are located. Since the retaining walls are located on the property lines, the buttress structures are located adjacent to the retaining fence walls and in the setback.)
 - d) Because of pre-existing, non-conforming conditions relative to the retaining wall, fence, buttress foundation and sauna, granting these public and adjoining property line variances would not result in a net decrease in overall compliance with the land use code, Title 49, or the building code, Title 19, or both; and,
- (6) Granting these variances will result in no detriments to the neighborhood. In fact, this structure stops continual soil sliding and is a positive asset for all. This structure and foundation will be well-kept and maintained at all times.

Since the sauna and dressing room are already constructed on top of the Buttress Structure, a variance from the setback requirements is needed for these buildings. The adjoining, east property owner has granted an Easement Agreement that permits access to the structures for repair and maintenance, attached.

Attachment A - Application Packet

EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT is made this 22nd day of October 2012, by and between Richard and Kathy Ward, (hereinafter called "Grantors"), and Fate Putman and Kimberly Homme, (hereinafter called "Grantees").

WITNESSETH:

WHEREAS, Grantee desires the use of the property of Grantor for use as an Easement to maintain the Fence and Shed Outbuilding located primarily on Lot 2, Block 29, Juneau Township and extending partially onto the Northwest corner of Lot 3, Block 29, Juneau Township; and,

WHEREAS, in consideration of \$1.00 and valuable consideration, receipt of which is hereby acknowledged, Grantors is willing to enter into an easement agreement for the use of the property subject to the terms and conditions set forth herein.

NOW, THEREFORE, the parties mutually agree as follows:

1. Grantors hereby grants Grantees an easement to use the following described property: A small section of Lot 3, Block 29, Juneau Township, located in the Northwest corner of the property, adjacent to Lot 2, Block 29, Juneau Township to a distance of two (2) to three (3) feet onto Lot 3 from the edge of the fence and structure to allow for maintenance and repair. (See attached property As-built Survey, Appendix A)
2. This Easement Agreement shall automatically cease upon abandonment, herein defined as nonuse for any six (6) consecutive months, and all interests granted herein shall revert to grantor, or its successor, upon such abandonment.
3. The rights granted to and duties assumed by Grantees under this Easement Agreement may not be assigned or delegated by Grantees without the prior written consent of Grantors. Any attempted assignment or delegation by Grantees without the prior written consent of the Grantors shall be void.
4. This Easement Agreement may be amended from time to time, as may be necessary, by mutual consent of both parties; provided, however, that no amendment to the Easement Agreement shall be effective unless in writing and signed by both parties.
5. Both parties agree that time is of the essence and that time specifications contained herein shall be strictly construed.
6. Both parties represent and warrant that they have the authority to execute this Easement Agreement.
7. All notices referred to in the Easement Agreement shall be sent to the respective parties at the address stated below:

Grantors: KDW / RM

Grantees: KAH / KAH

Attachment 4

Attachment A - Application Packet

Richard and Katherine Ward, Grantors
128 Sixth Street, Juneau, AK 99801

Vance Fate Putman and Kimberly Homme, Grantees
114 Sixth Street, Juneau, AK 99801

DATED this 27 day of October, 2012.

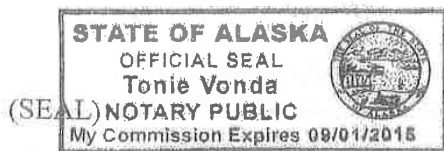
GRANTOR:



RICHARD WARD

STATE OF ALASKA)
) ss.
FIRST JUDICIAL DISTRICT)

This is to certify that on this 22 day of October, 2012, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared Richard Ward to me known or proved upon adequate evidence to be the person who executed the foregoing instrument and acknowledged to me that he signed it voluntarily for the purposes therein stated.





NOTARY PUBLIC in and for ALASKA
My Commission Expires: 9-01-2015

DATED this 22 day of October, 2012.

GRANTOR:

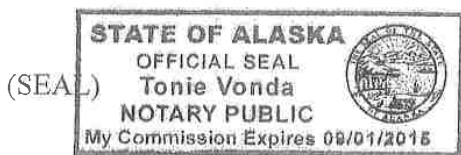


KATHERINE WARD

STATE OF ALASKA)
) ss.
FIRST JUDICIAL DISTRICT)

Attachment A - Application Packet

This is to certify that on this 22 day of October, 2012, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared Katherine Ward to me known or proved upon adequate evidence to be the person who executed the foregoing instrument and acknowledged to me that she signed it voluntarily for the purposes therein stated.



NOTARY PUBLIC in and for ALASKA
My Commission Expires: 9-01-2015

DATED this 25th day of October, 2012.

GRANTEE:

VANCE FATE PUTMAN

STATE OF ALASKA)
FIRST JUDICIAL DISTRICT) ss.



This is to certify that on this 25 day of October, 2012, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared Vance Fate Putman, to me known or proved upon adequate evidence to be the person who executed the foregoing instrument and acknowledged to me that he signed it voluntarily for the purposes therein stated.

(SEAL)

NOTARY PUBLIC in and for ALASKA
My Commission Expires: 5/29/16

~~DATED this _____ day of _____, 2012.~~

~~GRANTEE:~~

Attachment A - Application Packet

DATED this 1st day of November, 2012.

GRANTEE:

Kimberly Homme
KIMBERLY HOMME

STATE OF ALASKA)

) ss.

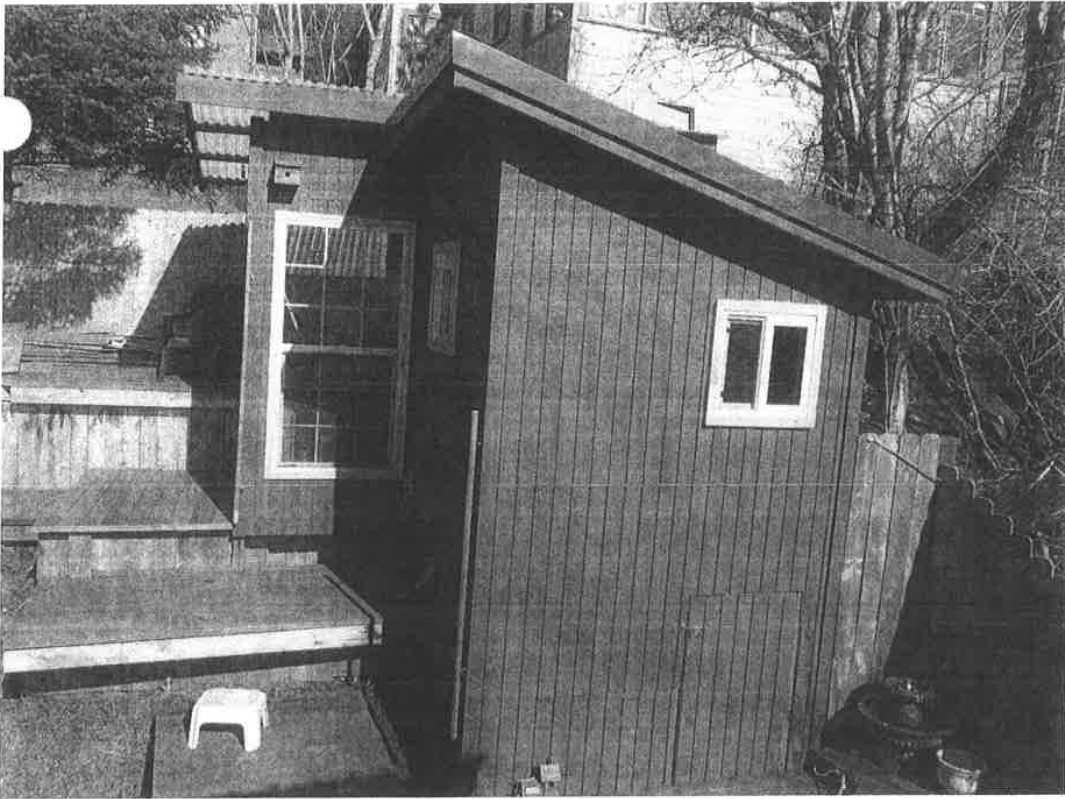
FIRST JUDICIAL DISTRICT)

This is to certify that on this 1 day of November, 2012, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared Kimberly Homme, to me known or proved upon adequate evidence to be the person who executed the foregoing instrument and acknowledged to me that she signed it voluntarily for the purposes therein stated.



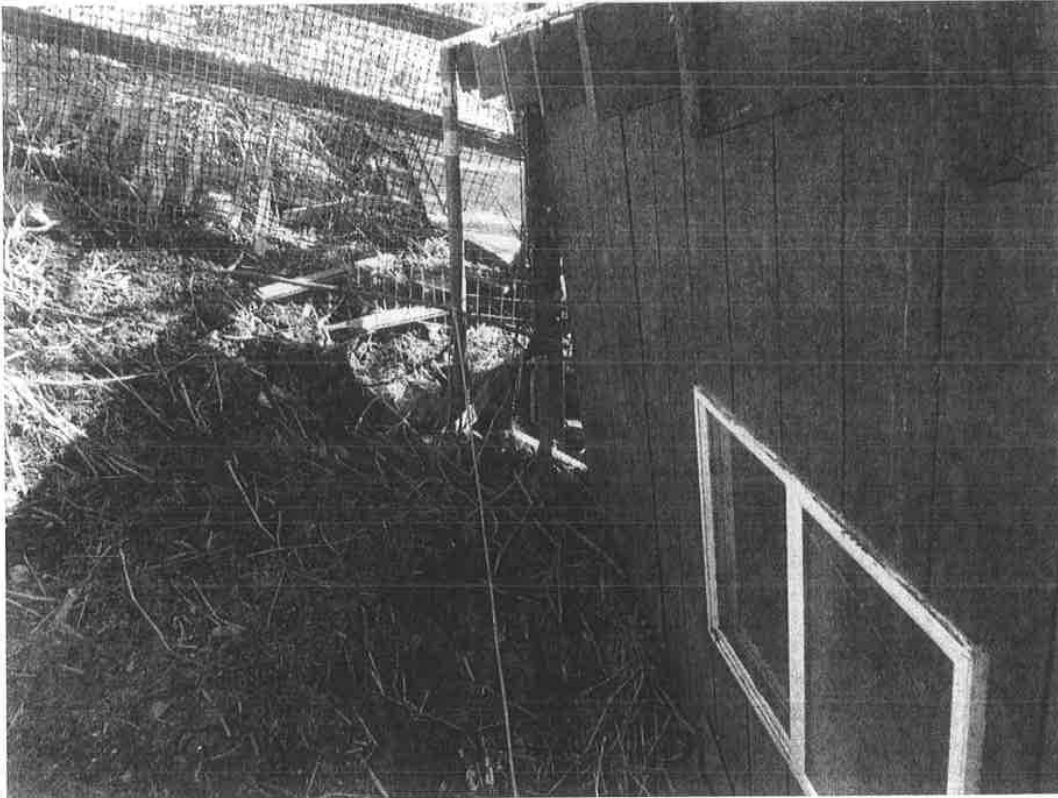
Linda Harris
NOTARY PUBLIC in and for ALASKA
My Commission Expires: 3/9/14

Attachment A - Application Packet



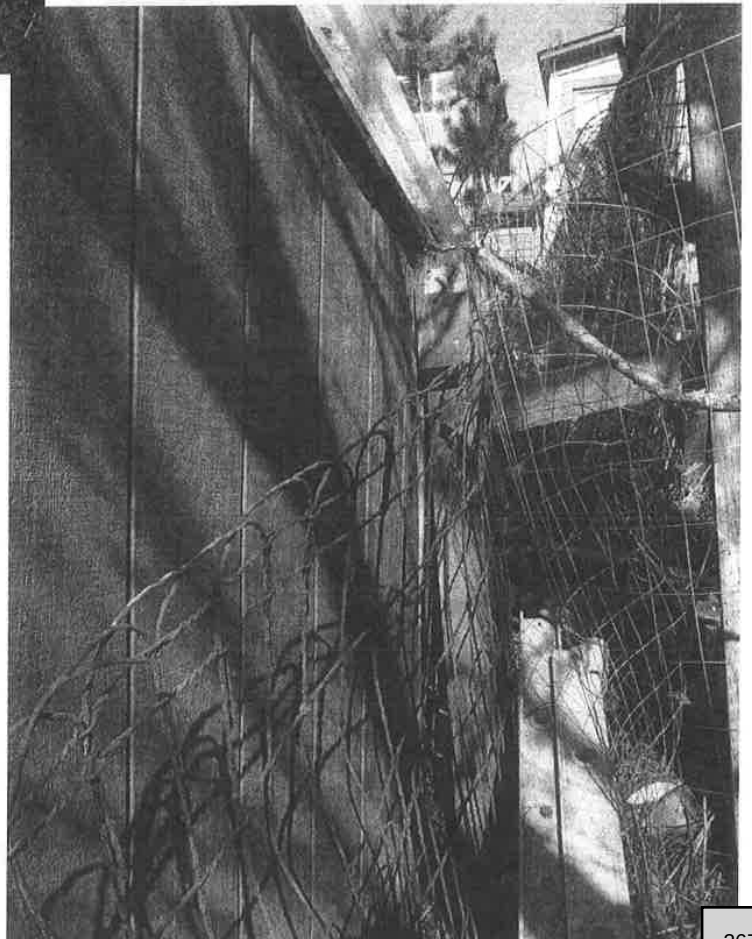
ATTACHMENT 5

Attachment A - Application Packet



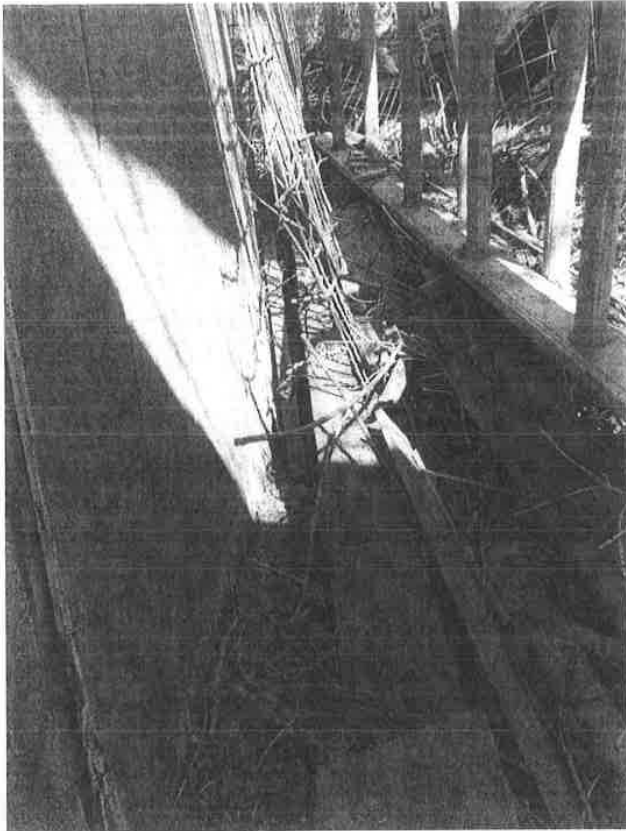
ATTACHMENT 5

Attachment A - Application Packet



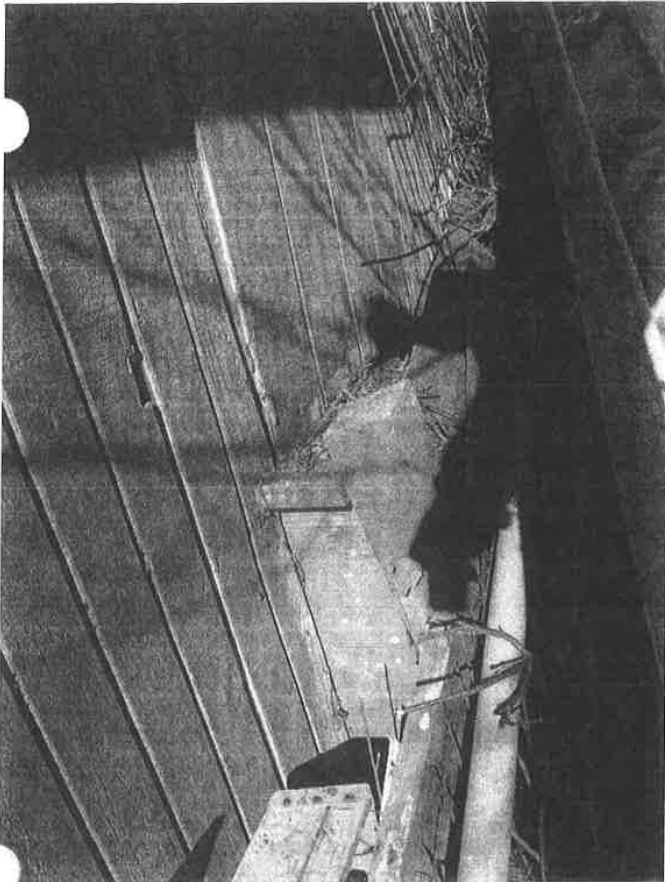
ATTACHMENT 5

Attachment A - Application Packet



ATTACHMENT 5

Attachment A - Application Packet



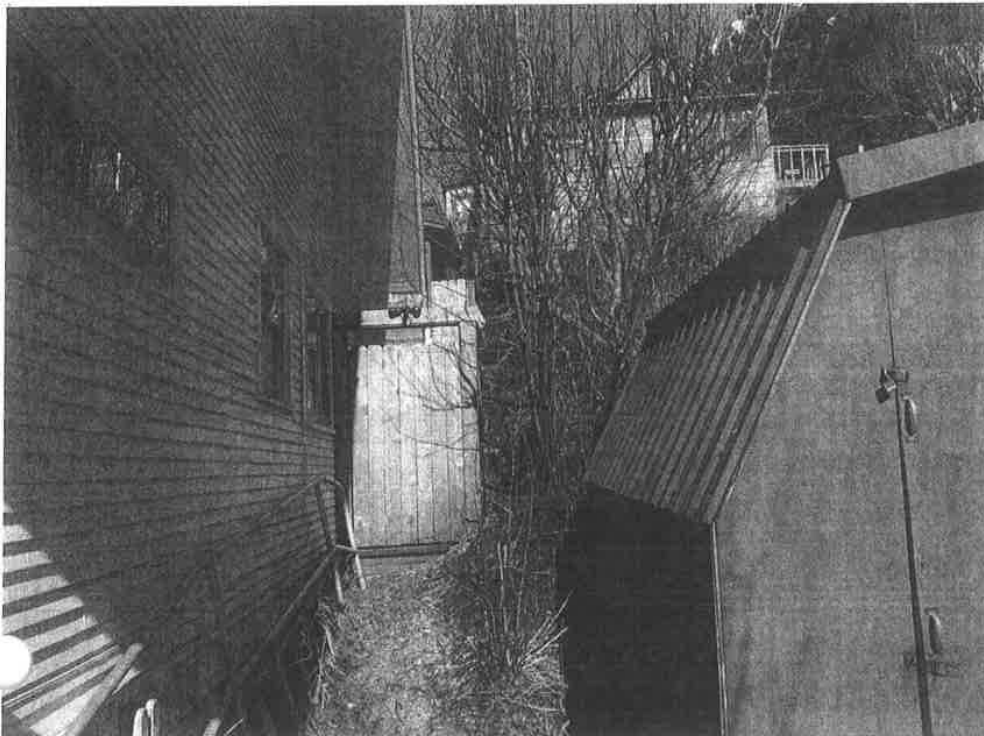
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Attachment A - Application Packet



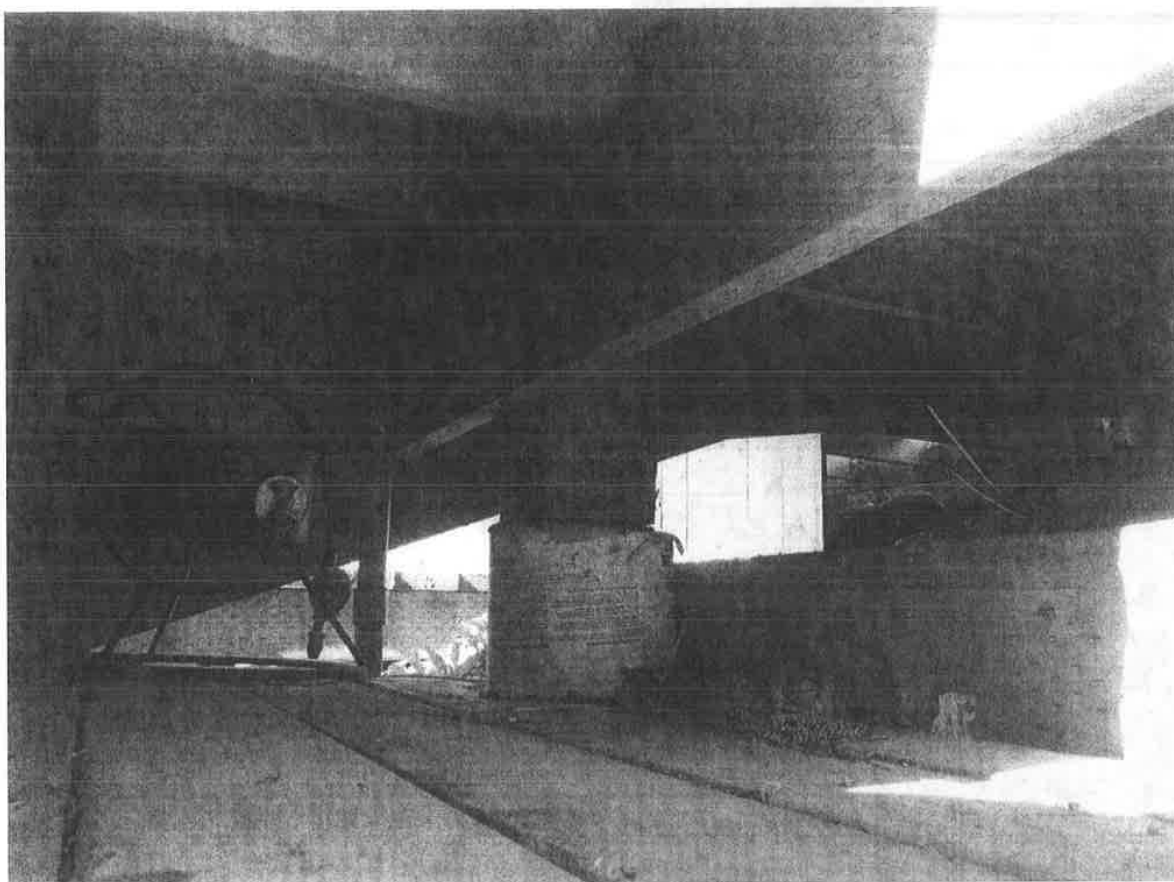
ATTACHMENT 5

Attachment A - Application Packet



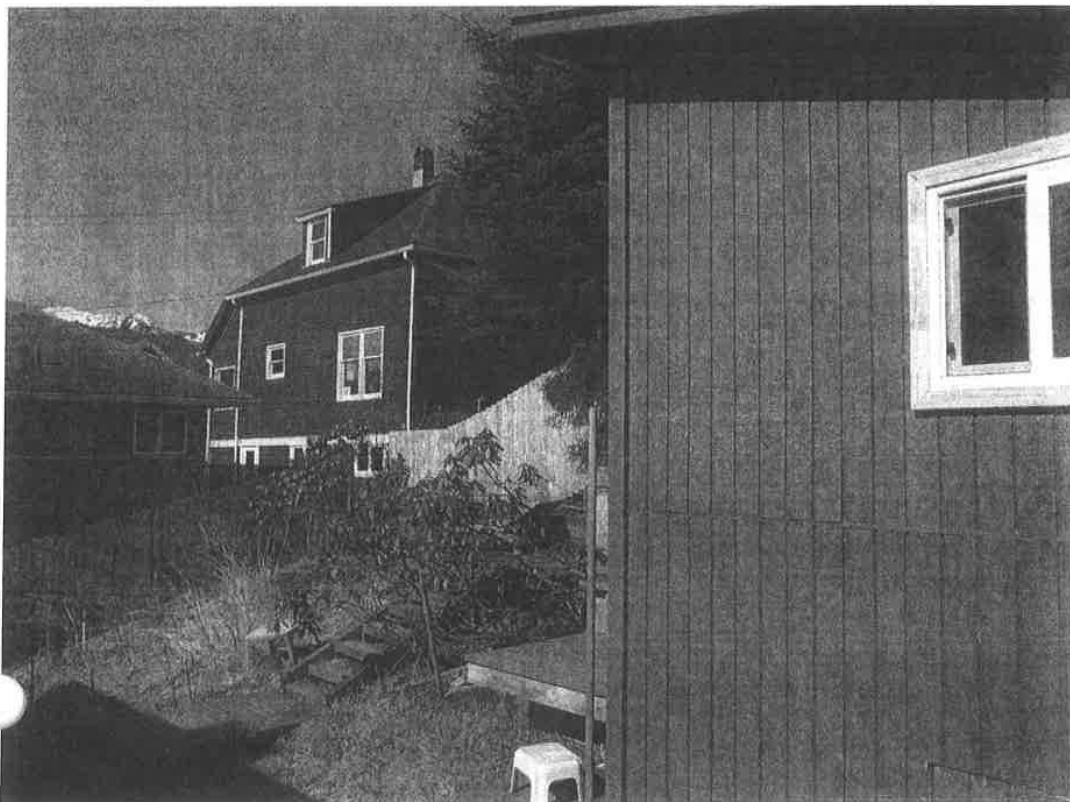
ATTACHMENT 5

Attachment A - Application Packet



ATTACHMENT 5

Attachment A - Application Packet

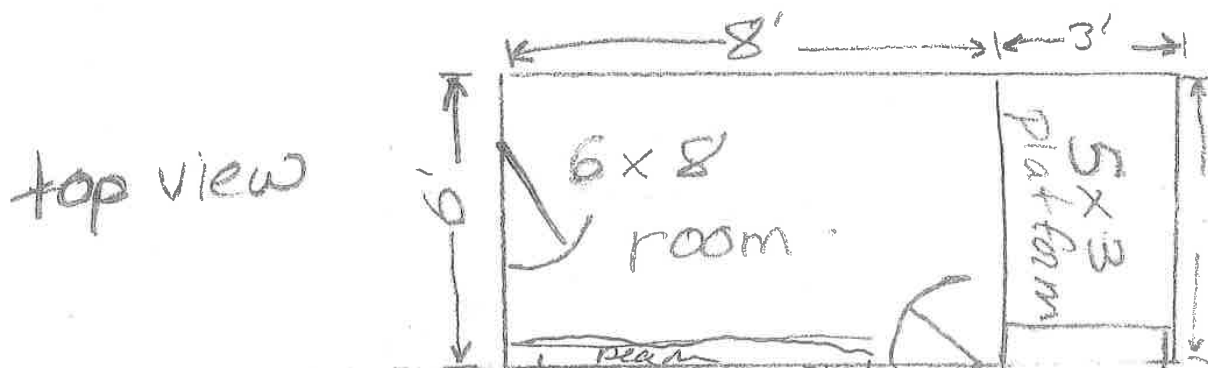


ATTACHMENT 5

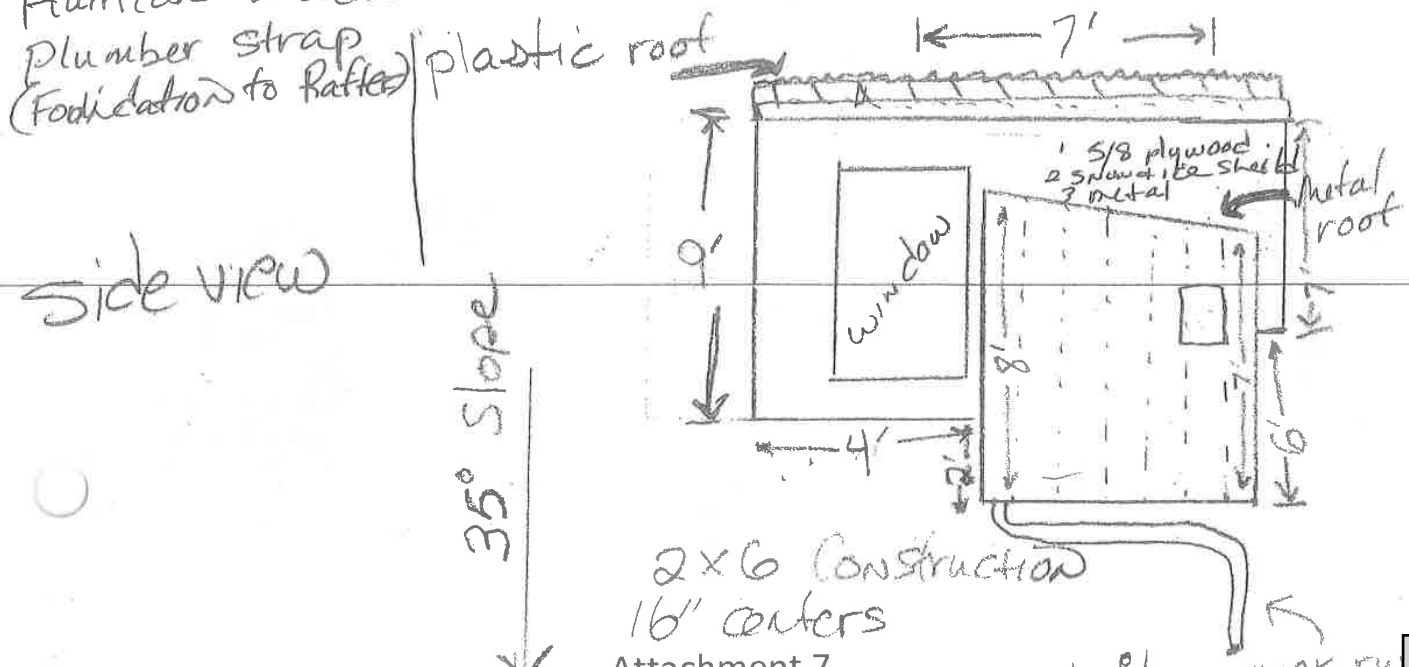


Attachment A - Application Packet

Putman Building Plans
114 E 6th St
Juneau, AK
(Accessory Structure
Detailed building Plans)

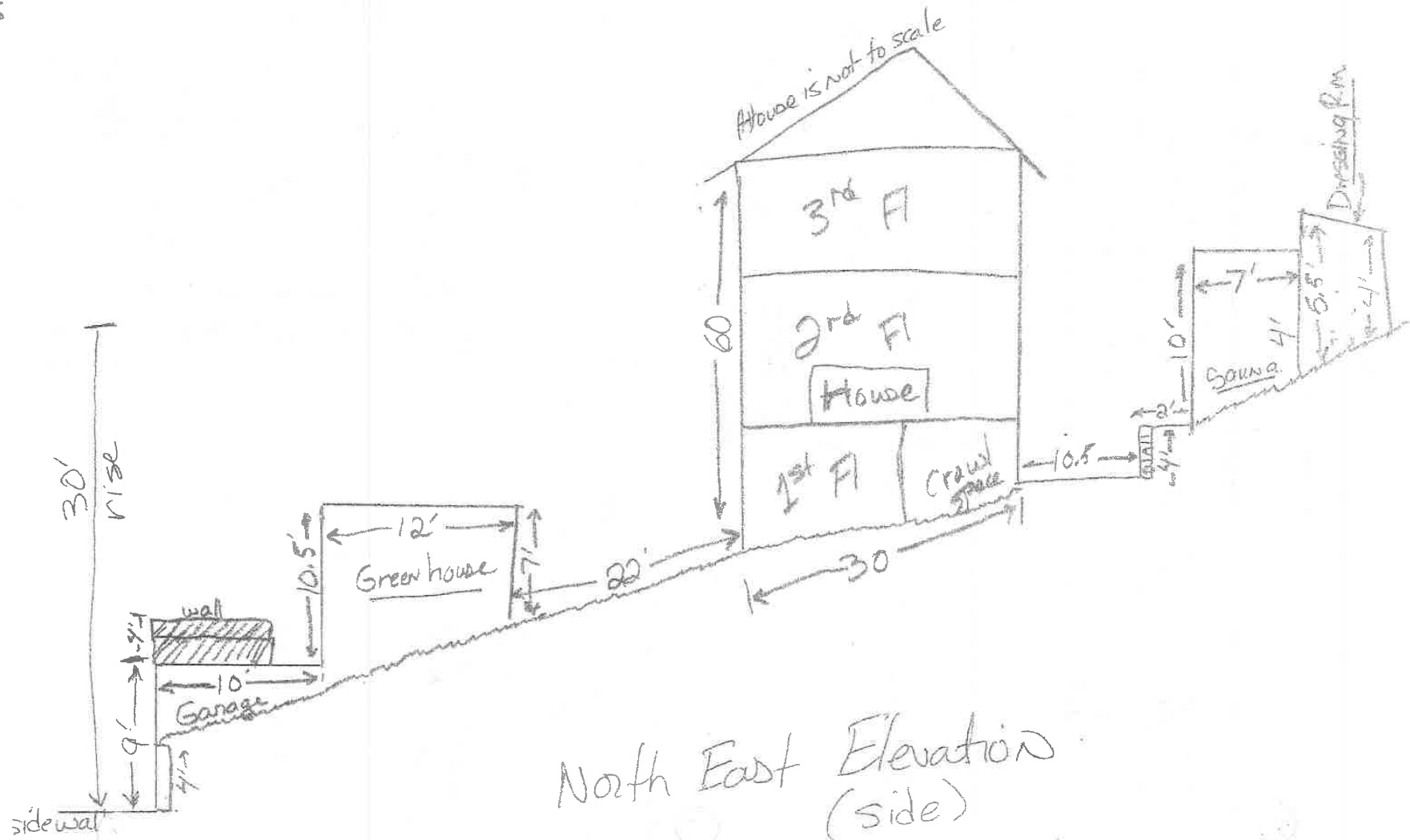


- rafters 2x8/16" centers
- Headers 2x6x8
- Foundation 4x4 w/ concrete
3' deep 1/2 rebar support
- Humans brackets
- Plumber strap
(Foundation to Rafter)



Putman Green House / Sauna
(CBJ) Building Permit # BLD-0009-00459

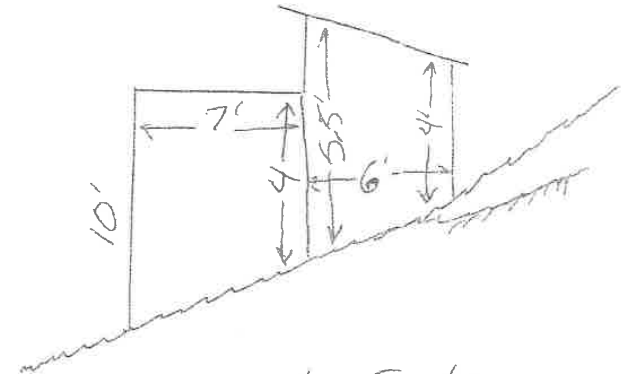
via email



Attachment A - Application Packet

Putman Greenhouse/Sauna
(CBJ Permit # BLD 2008-04153)

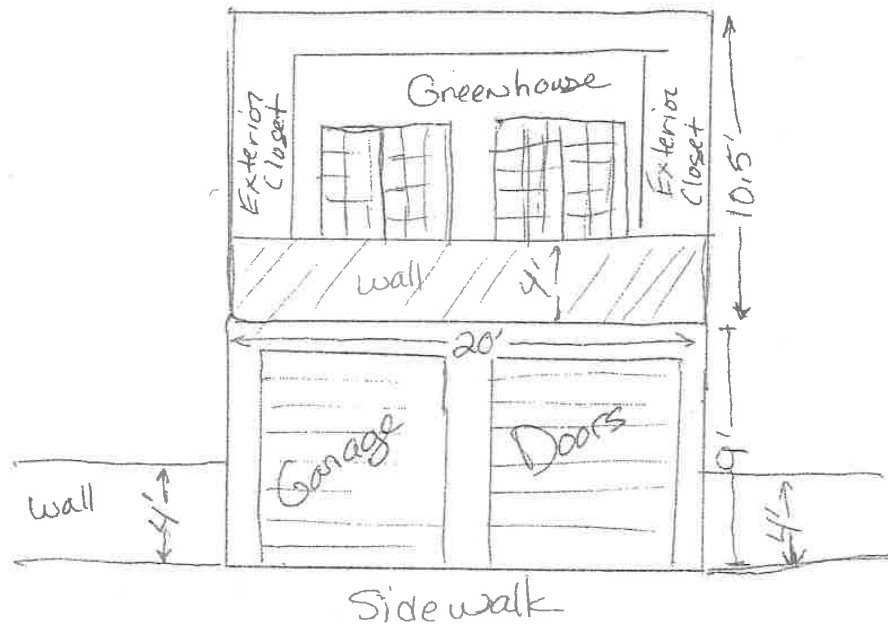
Northeast Elevation



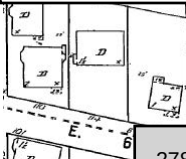
South East Elevation



South east (Front)
Elevation



Section H, Item 5.



278

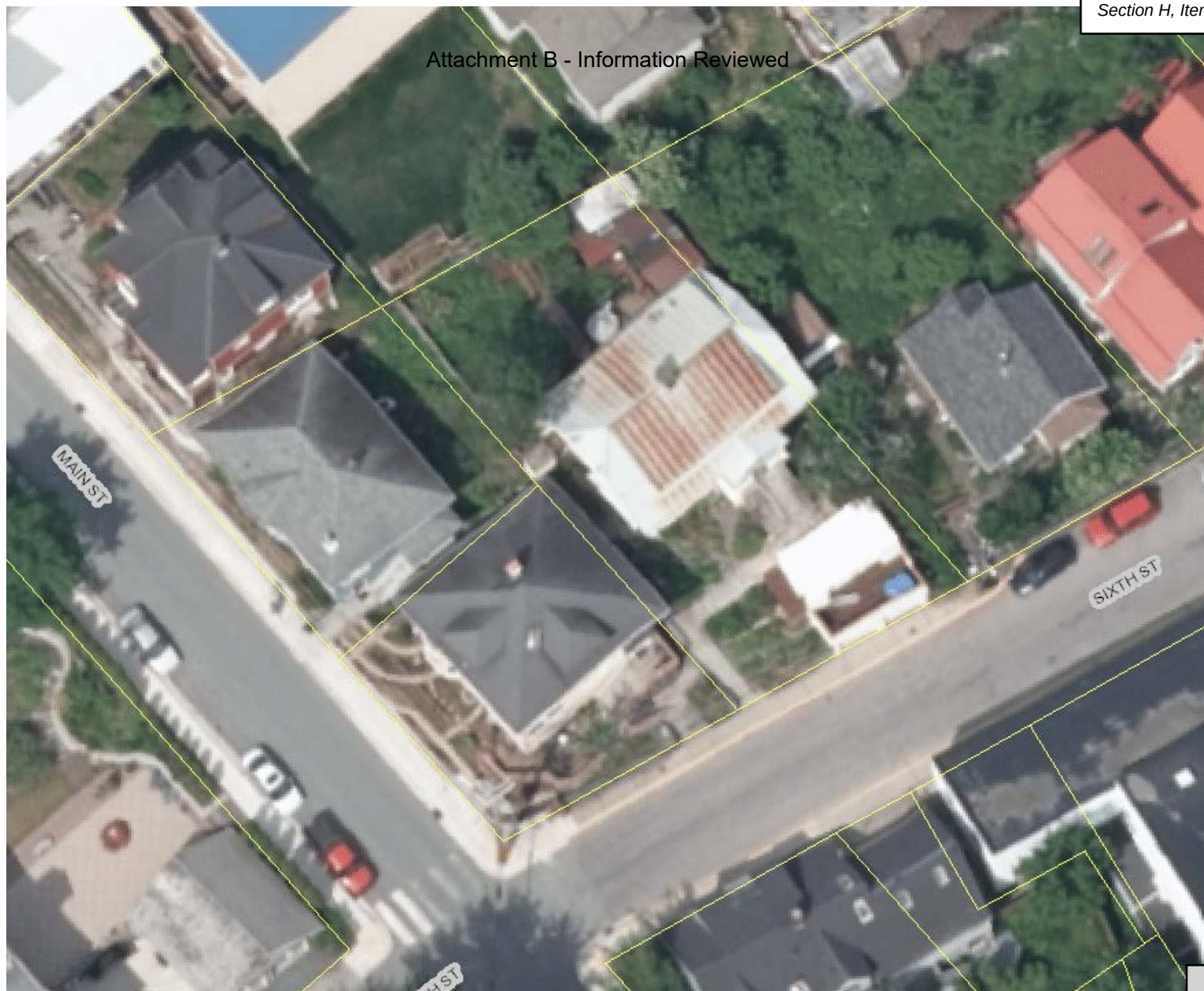
H - 2021 Nonconforming

Attachment B - Information Reviewed



Attachment H - 2021 Nonconforming Certification

Attachment B - Information Reviewed

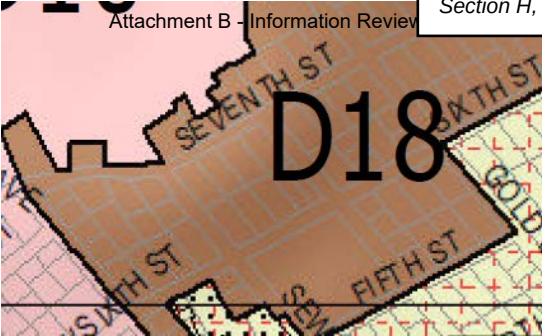


Attachment H - 2021 Nonconforming Certification

Attachment B - Information Review

Section H, Item 5.

D18



281

Attachment H - 2021 Nonconforming Certification

A
L
A
S
K
A**2021-006436-0**

Recording Dist: 101 - Juneau

10/15/2021 10:43 AM Pages: 1 of 2



AFTER RECORDING, RETURN TO:

Caitlin Stern
 Jessica Barker
 114 6th Street
 Juneau, AK 99801

AETIA 62984

WARRANTY DEED**A.S. 34.15.030**

The Grantors, **VANCE FATE PUTMAN and KIMBERLY A. HOMME, husband and wife**, whose address is PO Box 20473, Juneau, AK 99802, for and in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration in hand paid, the receipt of which is hereby acknowledged, convey and warrant to **CAITLIN STERN and JESSICA BARKER, a married couple, as tenants by the entirety with full right of survivorship**, Grantees, whose mailing address is 114 6th Street, Juneau, AK 99801, the following-described real estate:

Lot 2, Block 29, Townsite of Juneau, Juneau Recording District, First Judicial District, State of Alaska.

SUBJECT TO reservations, exceptions, easements, covenants, conditions and restrictions of record, if any.

WARRANTY DEED
 A4350\9594\Warranty Deed

Page 1

DATED this 14th day of October, 2021

GRANTORS:

[Signature]
VANCE FATE PUTMAN

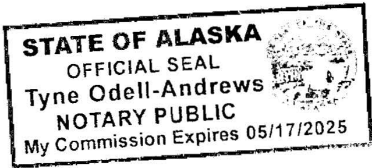
[Signature]
KIMBERLY A. HOMME

STATE OF ALASKA)
) ss.
FIRST JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this 14 day of October, 2021, before me, the undersigned Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared **VANCE FATE PUTMAN and KIMBERLY A. HOMME.**

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

[Signature]
Notary Public in and for Alaska
My Commission Expires: 5/17/25





(907) 586-0715
 CDD_Admin@juneau.gov
 www.juneau.org/community-development
 155 Heritage Way • Juneau, AK 99801

COMMUNITY DEVELOPMENT DEPARTMENT - REQUEST FOR AGENCY COMMENT

DEPARTMENT: AEL&P T&D
STAFF PERSON/TITLE: Darrell Wetherall VP OF T&D
DATE: 4/8/2024
APPLICANT: Jessica Barker & Caitlin Stern
TYPE OF APPLICATION: Conditional Use (CUP) and Parking Waiver (PWP)

PROJECT DESCRIPTION:

The applicants are requesting a CUP to construct a 430 sq. ft. accessory dwelling unit (ADU) on top of an existing garage. They are also requesting a PWP for the required one (1) parking space for the ADU. They say they already have two (2) off-street parking spaces and only use one (1).

LEGAL DESCRIPTION: JUENAU TOWNSITE BL 29 LT 2
PARCEL NUMBER(S): 1C060A290030
PHYSICAL ADDRESS: 114 Sixth St.

SPECIFIC QUESTIONS FROM PLANNER:

None.

AGENCY COMMENTS:

Line crew measured the distance from sidewalk elevation to the phase conductor on the crossarm of the pole at approximately 37'. Note that at any given point along the building the distance could vary slightly due to sag in the conductor, changes in elevation of the sidewalk due to grade or driveway apron, etc. Using the front face of the garage, the conductor is about 1' back from the front face (or overhangs the roof by 12").

An architectural drawing was not provided showing the accessory apartment, how close to the conductor the new roof line would be, etc.

There are several codes or regulations that could come into play here. OSHA requires that contractors maintain a safe work zone and clearance from energized lines. In addition there are minimum NESC clearances that will need to be maintained.

Without additional information, it is not clear whether a setback would allow for safe construction or be required to maintain necessary clearances from the line.

From: [Darrell Wetherall](#)
To: [Ilsa Lund](#)
Cc: [Jill Lawhorne](#)
Subject: RE: ** EXTERNAL ** Agency comment request- USE2024 0005
Date: Wednesday, May 1, 2024 10:51:12 AM
Attachments:

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

It does not appear to violate NESC code and we don't have an easement that has language that would prohibit construction underneath. So unless there is something more in CBJ ordinance or state law, I'm not sure I can challenge this.

I don't necessarily like the idea because of how close construction will be taking place to energized lines, but that is really on the contractor, not AELP. We don't like when wires are over buildings, but it's not expressly prohibited. So while I always will have concerns over this kind of thing, I don't think I have a legal means of objecting. I know it's a bit nuanced of a response. I just don't want to accept any liability by giving the utilities blessing.

Thanks,
Darrell

From: Ilsa Lund <Ilsa.Lund@juneau.gov>
Sent: Tuesday, April 30, 2024 8:55 AM
To: Darrell Wetherall <Darrell.Wetherall@aelp.com>
Cc: Jill Lawhorne <Jill.Lawhorne@juneau.gov>
Subject: RE: ** EXTERNAL ** Agency comment request- USE2024 0005

Good morning!

I received a response from the owner of 114 Sixth Street regarding the clearance between the conductors and the height of the proposed Accessory Dwelling Unit built on the front property line. See below. Please let us know if you have any further concerns regarding this development.

Here's the follow-up info as requested below (from Jacob Graves, Timberline Engineering, and David Leggitt, Leggitt Handyman Services). Please let us know if you have any questions or anything else is needed.

We confirmed that the top of the roof won't be readily accessible, so the required clearance would be 12.5'. Based on the height of the existing concrete structure that will be built off of, the maximum height of the roof off of the sidewalk is ~22'-4". AEL&P's height measurement to the powerline was 37', so that should give ~14.7' clearance. We are assuming the lines required to have this clearance are the three primary conductors at the top of the power poles.

Kind regards,

Ilsa Lund | Planner I

Community Development Department | City & Borough of Juneau, AK

Location: 230 S. Franklin Street, Marine View Building

Contact or visit the Permit Center on the 4th floor for an in-person meeting. 907-568-0715

Office: 907.586.0753 ext. 4128



Fostering excellence in development for this generation and the next.

From: Darrell Wetherall <Darrell.Wetherall@aelp.com>
Sent: Tuesday, April 9, 2024 12:22 PM
To: Ilsa Lund <Ilsa.Lund@juneau.gov>
Subject: RE: ** EXTERNAL ** Agency comment request- USE2024 0005

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Code requires a minimum of 12.5' clearance over a roof line not readily accessible by people. It jumps up to 14.5' if readily accessible. It's difficult to tell from the drawing and images sent, but there does appear to be a walkway and handrails directly adjacent to the rear roof line, so does that make the roof accessible? Can they just step over the rail and hop onto the roof? If so, that would dictate a 14.5' clearance.

Based on the information that you provided, it appears the framing is 20'4" at the face with somewhere between 4" and 6" of additional elevation gain for the overhang, so let's just call it 21'.

With a measured elevation of 37' on the primary conductor and potential variances in methodology described previously, it appears there is up to 16' separation. To get more accuracy you would probably need to get a surveyor or civil engineer to get a profile measurement of the entire conductor along the entire roof line to see how much it deviates from the single point measurement.



From: Ilsa Lund <Ilsa.Lund@juneau.gov>
Sent: Tuesday, April 9, 2024 8:58 AM
To: Darrell Wetherall <Darrell.Wetherall@aelp.com>
Subject: RE: ** EXTERNAL ** Agency comment request- USE2024 0005

Good morning, Darrell.

Thank you for your response and the updated contact information. I removed Eric from our agency contact list when the email I sent was returned, and I'll be sure to add Quincy to the list.

Attached is the application including architectural plans submitted by the applicant. Apologies for not including this earlier. It looks like they want a slanted roof with the higher part on the street side for an added height of 11' 4" for a total of 20' 4" (see page 8 of the attachment).

Please let me know if you need anything else.
Kind regards,

Ilsa Lund | Planner I

Community Development Department | City & Borough of Juneau, AK

Location: 230 S. Franklin Street, 3rd Floor-Marine View Building
Office: 907.586.0753 ext. 4128



Fostering excellence in development for this generation and the next.

From: Darrell Wetherall <Darrell.Wetherall@aelp.com>
Sent: Monday, April 8, 2024 3:00 PM
To: Ilsa Lund <Ilsa.Lund@juneau.gov>
Subject: RE: ** EXTERNAL ** Agency comment request- USE2024 0005

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Hi Ilsa,

Note that Eric Eriksen is no longer with AEL&P. I took over for Eric when he departed. I have a newer electrical engineer in my department now named Quincy.Judson@aelp.com

You can cc: him on future requests like this.

Unfortunately, there just isn't enough information in this request to provide a good answer. Generally speaking we don't like folks building under the lines or too close that makes replacement of poles and wire problematic so we would prefer to see set backs from the lines everywhere. This probably came at a time in Juneau's history where space was tight and things just got really compacted together. I'm guessing there are encroachments into ROW, missing easements, etc. We don't necessarily want to prevent folks from utilizing their property if it can be done in a way to maintain code and allow for maintenance, but you also have to think about worker safety. Ladders, roofing, etc. We've already had two contacts in the last year where structures were allowed to be built too close. Far enough to meet code, but too close to allow for worker safety.

Did the provide elevations?

From: Ilsa Lund <Ilsa.Lund@juneau.gov>
Sent: Wednesday, April 3, 2024 9:06 AM
To: Darrell Wetherall <Darrell.Wetherall@aelp.com>; eric.eriksen@aelp.com
Subject: ** EXTERNAL ** Agency comment request- USE2024 0005

Good morning,

The Community Development Department (CDD) has received an application to erect an accessory dwelling unit (ADU) at 114 Sixth St. in the Juneau Townsite.

I'm reaching out to AEL&P specifically because the property has received nonconforming certification for zero (0) foot front yard setbacks for their garage, atop which they are wanting to build the ADU. I've included a picture of the existing structure in relation to the overhead utility lines.

The Director of CDD is wondering if a condition of the approval of the application should be a setback from the property line for the proposed second story of the structure so as not to interfere with the utility lines. I've attached an Agency Comment form for your use.

Please let me know if you have any questions. Otherwise I look forward to receiving your feedback.

Kind regards,

Ilsa Lund | Planner I

Community Development Department | City & Borough of Juneau, AK

Location: 230 S. Franklin Street, 3rd Floor-Marine View Building
Office: 907.586.0753 ext. 4128



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(907) 586-0715
CDD_Admin@juneau.gov
www.juneau.org/community-development
155 Heritage Way • Juneau, AK 99801

COMMUNITY DEVELOPMENT DEPARTMENT - REQUEST FOR AGENCY COMMENT

DEPARTMENT: CCFR
STAFF PERSON/TITLE: Theresa Ross, Fire Marshal
DATE: 04/02/2024
APPLICANT: Jessica Barker & Caitlin Stern
TYPE OF APPLICATION: Conditional Use (CUP) and Parking Waiver (PWP)

PROJECT DESCRIPTION:

The applicants are requesting a CUP to construct a 430 sq. ft. accessory dwelling unit (ADU) on top of an existing garage. They are also requesting a PWP for the required one (1) parking space for the ADU. They say they already have two (2) off-street parking spaces and only use one (1).

LEGAL DESCRIPTION: JUENAU TOWNSITE BL 29 LT 2
PARCEL NUMBER(S): 1C060A290030
PHYSICAL ADDRESS: 114 Sixth St.

SPECIFIC QUESTIONS FROM PLANNER:

None.

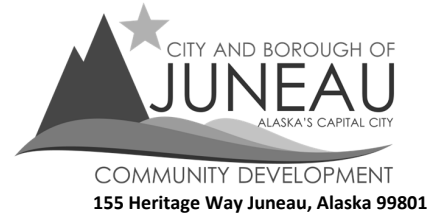
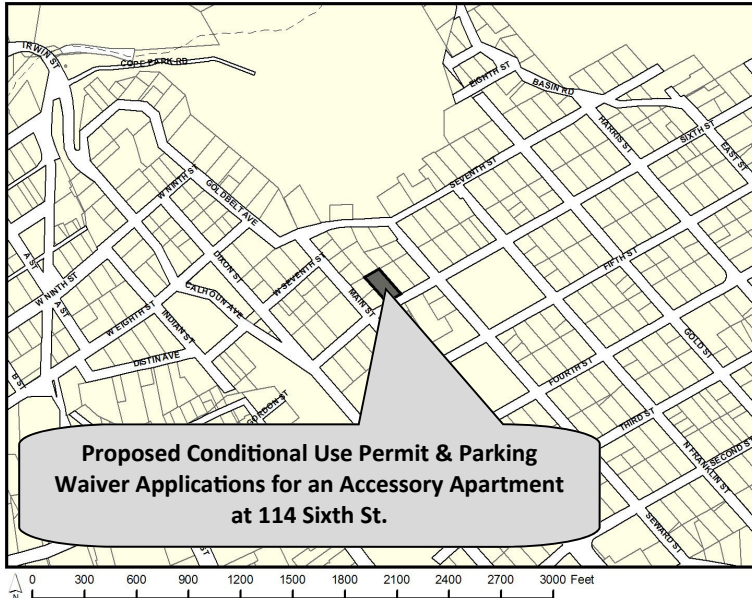
AGENCY COMMENTS:

No concerns from the fire department.

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission

Your Community, Your Voice



TO

Conditional Use Permit & Parking Waiver applications have been submitted for consideration and public hearing by the Planning Commission for **an Accessory Apartment at 114 Sixth Street** in a **D18 zone**.

PROJECT INFORMATION:

Project Information can be found at:

<https://juneau.org/community-development/short-term-projects>

PLANNING COMMISSION DOCUMENTS:

Staff Report expected to be posted **May 6, 2024** at

<https://juneau.org/community-development/planning-commission>

Find hearing results, meeting minutes, and more here, as well.

Now through April 22

Comments received during this period will be sent to the Planner, **Ilsa Lund**, to be included as an attachment in the staff report.

April 23 — noon, May 10

Comments received during this period will be sent to Commissioners to read in preparation for the hearing.

HEARING DATE & TIME: 7:00 pm, May 14, 2024

This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting <https://juneau.zoom.us/j/86939674618> and use the Webinar ID: 869 3967 4618 OR join by telephone, calling: 1-253-215-8782 and enter the Webinar ID (above).

You may also participate in person in City Hall Assembly Chambers, 155 Heritage Way Juneau, Alaska.

May 15

The results of the hearing will be posted online.

FOR DETAILS OR QUESTIONS,

Phone: (907)586-0753 ext. 4128

Email: pc_comments@juneau.gov or ilsa.lund@juneau.gov

Mail: Community Development, 155 Heritage Way, Juneau AK 99801

Case No.: USE2024 0005 & PWP2024 0001

Parcel No.: 1C060A290030

CBJ Parcel Viewer: <http://epv.juneau.org>



Attachment K - Agency Comments

From: [Jessie Barker](#)
To: [Ilsa Lund](#)
Cc: [Caitlin Stern](#)
Subject: Re: Your Public Notice Sign Is Ready!
Date: Friday, April 26, 2024 3:48:51 PM
Attachments: [image.png](#)

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Hi Ilsa,

Please see the attached sign.

Best,
Jessie

On Wednesday, April 24, 2024, Ilsa Lund <Ilsa.Lund@juneau.gov> wrote:

Good afternoon!

The public notice sign for your cases USE2024 0005 and PWP2024 0001 is in the permit center, ready for pick-up. The Permit Center is on the 4th floor of the Marine View Building at 230 S. Franklin St. You already paid the sign fee when you submitted your application, so all you need to do is pick it up and install it. It needs to be posted by **April 29, 2024**. It must be visible from the right-of-way.

Please email a picture of the posted sign. The email will be used to date stamp the posting.

Let me know if you have any questions.

Kind regards,

Ilsa Lund | Planner I

[Community Development Department](#) | City & Borough of Juneau, AK

Location: 230 S. Franklin Street, Marine View Building

Contact or visit the Permit Center on the 4th floor for an in-person meeting. 907-568-0715

Office: 907.586.0753 ext. 4128



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PLANNING COMMISSION STAFF REPORT
CONDITIONAL USE PERMIT USE2024 0009
HEARING DATE: MAY 14, 2024

(907) 586-0715

CDD_Admin@juneau.gov

www.juneau.org/community-development

155 Heritage Way • Juneau, AK 99801

DATE: April 9, 2024**TO:** Mandy Cole, Chair, Planning Commission**BY:** Teri Camery, Senior Planner, CFM**THROUGH:** Jill Lawhorne, Director, AICP

PROPOSAL: A Conditional Use permit for a temporary asphalt plant at the Juneau International Airport (JIA)

STAFF RECOMMENDATION: Approval with conditions

KEY CONSIDERATIONS FOR REVIEW:

- Temporary asphalt plants have been approved at this location in 2019 and 2020.
- The development has all required permits.
- No public comments have been received and agencies have no concerns.

ALTERNATIVE ACTIONS:

1. **Amend:** require additional conditions, or delete or modify the recommended conditions.
2. **Deny:** deny the permit and adopt new findings for items 1-6 below that support the denial.
3. **Continue:** to a future meeting 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 not required for this permit.

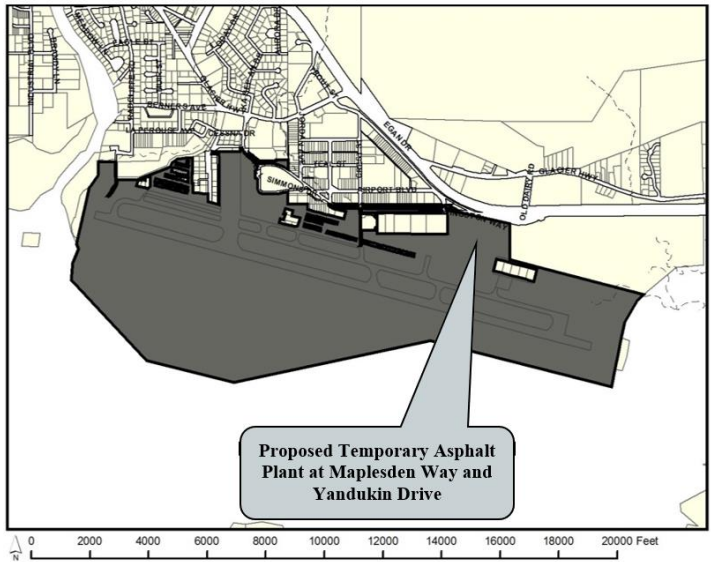
STANDARD OF REVIEW:

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
 - 49.15.330
 - 49.80

GENERAL INFORMATION	
Property Owner	City and Borough of Juneau
Applicant	COLASKA Inc. DBA SECON
Property Address	1873 Shell Simmons Drive
Legal Description	Airport TR A & B [Airport terminal and runway land]
Parcel Number	3B1601000010
Zoning	Industrial (I)
Land Use Designation	Institutional and Public Use
Lot Size	N/A
Water/Sewer	Public water and sewer
Access	Maplesden Way
Existing Land Use	Airport
Associated Applications	None

The Commission shall hear and decide the case per 49.15.330(a) Conditional Use Permit. A conditional use is a use that may or may not be appropriate in a particular zoning district according to the character, intensity, or size of that or surrounding uses. The conditional use permit procedures is intended to afford the commission the flexibility necessary to make determinations appropriate to individual sites. The commission may attach to the permit those conditions listed in subsection (g) of this section as well as any further conditions necessary to mitigate external adverse impacts. If the commission determines that these impacts cannot be satisfactorily overcome, the permit shall be denied.

SITE FEATURES AND ZONING



SURROUNDING ZONING AND LAND USES

North (I)	airport
South (I)	airport
East (I)	airport
West (I)	airport

SITE FEATURES

Anadromous	No
Flood Zone	No
Hazard	No
Hillside	No
Wetlands	No
Parking District	No
Historic District	No
Overlay Districts	No

BACKGROUND INFORMATION

Project Description – The applicant requests a Conditional Use permit for the development of a temporary asphalt plant at the Juneau International Airport (JIA) to support CBJ Contract No. BE23-243 to rehabilitate the JIA Apron, where aircraft are parked. (Attachment A). The project will start upon CBJ approval with a final completion date of October 28, 2026. This timeline includes seasonal shutdowns from approximately October 31 through April 1 through two winter seasons. The plant will be on site for the duration of the project, or roughly 30 months. The project is broken up into 12 phases of work to allow construction as well as continued seamless operation of airport facilities by all users.

The location meets the Transportation Security Administration (TSA)’s setbacks from the security fence for any structure or vehicle. The development is below the height requirements for any structure near the Federal Aviation Administration (FAA)’s runway control envelope. It is also outside of the FAA/JIA taxiway’s control zone. The development has been accepted by the Alaska Department of Environmental Conservation (ADEC) for the current location.

Background –

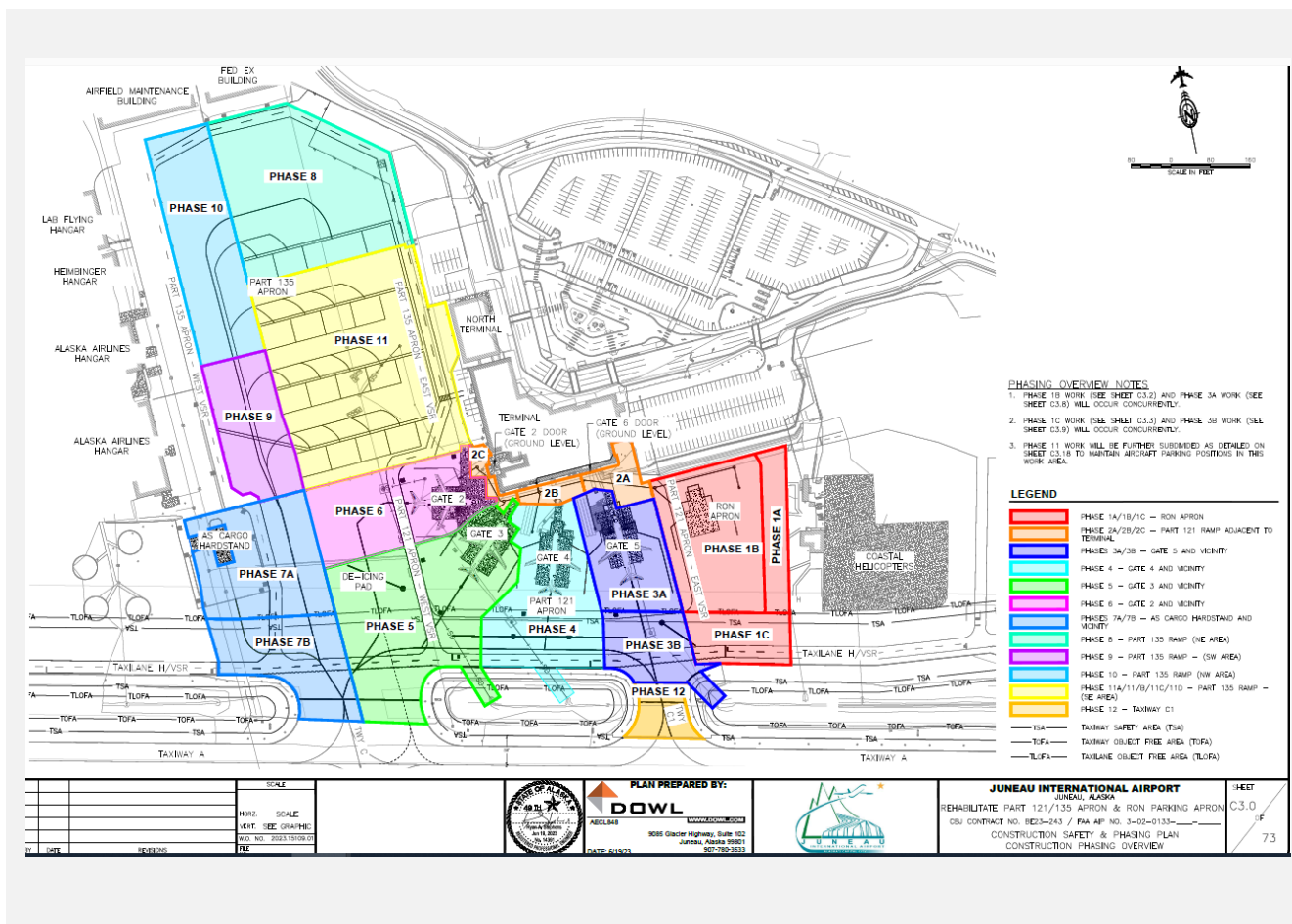
The temporary asphalt plant has been located on the JIA property for previous projects in 2015 by the airport float pond, and in 2018, 2019, and 2020 by Gate P. The 2015 and 2018 asphalt plant operations were permitted in conjunction with other airport construction projects, while the 2019 and 2020 approvals were specific to the temporary asphalt plant. The proposed location for the current development is the same location as the 2019 and 2020 Conditional Use Permit approvals.

Date	Item	Summary
3/13/19	USE20190001	Temporary Asphalt Plant
4/30/20	USE20200005	Temporary Asphalt Plant

ZONING REQUIREMENTS

The development is in the Industrial zoning district on a JIA parcel of 640.55 acres. The development exceeds required Industrial zoning setbacks of 10 feet front, rear, and sides. There is no maximum height in the Industrial zoning district.

SITE PLAN



ANALYSIS

Project Site and Design– The proposed site is located on JIA property near the intersection of Maplesden Way and Yandukin Drive. The site is surrounded by airport infrastructure, and the runway is adjacent to the south side. The facility consists of a daytime generator, nighttime generator, control house, tank containers, feeder bins, drum, baghouse, and storage silo. Aggregate stockpiles will be stored onsite. The layout of the site the phasing of the development are depicted in the application (Attachment A).

The applicant has requested that the permit be granted for 10 years instead of the project completion date of October 28, 2026, to accommodate future JIA paving projects. Previous Conditional Use permits (USE2019 0001 and USE2020-0005) have been limited to the duration of the project. In addition, CBJ 49.80.25, Definitions, defines temporary structure as “*a structure established in support of and during the construction of a structure.*” A 10 year permit for an asphalt plant would not meet the definition of a temporary structure. In addition, the applicant has obtained agency permits for a temporary asphalt plant specific to CBJ Contract No. BE23-243, not a permanent one. To be consistent with past Conditional Use permits and the temporary structure definition, staff recommends that the permit be issued for the duration of the project as described in the application, October 28, 2026.

Condition: The permit shall be valid through October 28, 2026.

Traffic – The truck route for the development is entirely within the fenced airport perimeter, with no impacts to Yandukin Drive, Shell Simmons Drive, or Cessna Drive. The location of the asphalt plant on Maplesden Way eliminates previously used truck routes from Concrete Way to Egan Drive. Raw aggregate for making asphalt will come from SECON’s Hidden Valley source and from Aggpro on Concrete Way. Trucks leaving Aggpro would take a right turn through the Lemon Creek industrial area to reach Egan drive instead of taking a left turn through the Lemon Creek residential area. The applicant anticipates 50 truckloads of asphalt per day when hauling aggregate.

Per CBJ 49.40.300(a)(2) *A development projected to generate fewer than 250 ADT shall not be required to have a traffic impact analysis.*

A traffic impact analysis is not necessary.

Condition: None.

Vehicle Parking & Circulation – Parking requirements for commercial and industrial developments established in CBJ Code 49.40.210(a) are based on gross floor area, which is not applicable to the proposed development. The Code does not have an established parking requirement for asphalt plants or similar uses that utilize large outdoor plants and outdoor storage areas.

The JIA is a large site and has ample room for parking to accommodate the proposed temporary asphalt plant.

Condition: None.

Noise – Working hours are Monday through Sunday from 7:00 AM to 7:00 PM. The project also includes mandated nighttime work to maintain commercial flight patterns, according to the project narrative (Attachment A). Nighttime work hours follow contract guidelines and are subject to change. The applicant has applied for a noise permit with CBJ. The main sources of noise will be heavy machinery and vehicle traffic. Noise will be consistent with noise generated by daily airport operations.

According to CBJ 42.20.095(c), the operation of heavy construction equipment is prohibited before 7:00 A.M. or after 10:00 P.M., Monday through Friday, or before 9:00 A.M. or after 10:00 P.M., Saturday and Sunday, unless a

permit is granted by the City and Borough Building Official. Before starting any work outside of these hours, the applicant is required to receive a permit from the CBJ Building Code Official.

Condition: Operations shall be from 7 A.M. to 10 P.M. Monday through Friday, and 9 A.M. to 10 P.M. on Saturday and Sunday, unless a permit has been obtained from the CBJ Building Code Official.

Lighting – Lighting may be necessary for nighttime work, and will be provided via portable self-contained light plants. Lighting will not affect Egan Drive traffic or JIA air traffic.

Condition: None.

Vegetative Cover & Landscaping – The vegetative cover requirement for the Industrial zoning district is five percent. This requirement has been met.

Condition: None.

Habitat – The site is in an established industrial area and does not have any salmon streams, eagle nests, wetlands, or other sensitive habitat near the proposed development. The ADEC Stormwater Pollution Prevention Plan (SWPPP) addresses both stormwater and spill prevention. The SWPPP is available on the ADEC’s online webpage.

Condition: None.

Drainage and Snow Storage – Drainage has been addressed by the ADEC SWPPP. If any stormwater runoff is present it will be managed with wattles and earthen berms. The development will not be operating during the winter months. Snow storage needs will be addressed by the property owner, JIA.

Condition: None.

Hazard Zones - The lot is not in a mapped hazard zone or mapped flood zone.

Condition: None.

Public Health, Safety, and Welfare – The development is in an established industrial area with security fencing and other measures to ensure the public health and safety. All security requirements from JIA and the FAA have been met. The asphalt plant has received an Air Quality Control Permit from ADEC permit number AQ024MG301, which is available on ADEC’s online webpage:

<http://dec.alaska.gov/Applications/airtoolsweb/AirPermitsApprovalsAndPublicNotices> .

There is no evidence that the proposed development will negatively affect public health or safety.

Condition: None.

Property Value or Neighborhood Harmony – The development is in an established industrial area. Noise, traffic, and lighting impacts are consistent with the operations of the JIA. Negative impacts to property value or neighborhood harmony are not anticipated.

Condition: None.

AGENCY REVIEW

CDD conducted an agency review comment period between March 7 and March 22, 2024 and received the following responses:

Agency	Summary
Alaska Department of Environmental Conservation	The Alaska Department of Environmental Conservation, Division of Water, Non-Point Source section has no issues with the Conditional Use Permit application for a temporary asphalt plant at the Juneau International Airport in conjunction with airport projects.
Alaska Department of Transportation and Public Facilities	Southcoast Region DOT&PF does not have any objection.
CBJ Capital City Fire and Rescue	No concerns from fire at this time.
Juneau International Airport	Airport is good with this.
CBJ CDD Building Division	Buildings has no issues with this project at this time.

PUBLIC COMMENTS

CDD conducted a public comment period between April 8 and April 22, 2024. Public notice was mailed to property owners within 500 feet of the proposed development. A public notice sign was also posted on-site two weeks prior to the scheduled hearing. No public comments have been received to date.

CONFORMITY WITH ADOPTED PLANS

The proposed development is in general conformity with the 2013 Juneau Comprehensive Plan.

PLAN	Chapter	Page No.	Item	Summary
2013 Juneau Comprehensive Plan	Five	47	Policy 5.4	Support regional economic development.
	Eight	104	Policy 8.1	Promote and support aviation safety; develop and maintain airport facilities.
	Ten	136	Policy 10.8	Encourage Juneau's position as a regional trade center.
2015 Juneau Economic Development Plan		66	Objective 6	Develop the infrastructure needed to support innovation and entrepreneurship.

FINDINGS

Conditional Use Permit Criteria –

1. *Is the application for the requested Conditional Use Permit complete?*

Analysis: No further analysis needed.

Finding: **Yes.** The application is complete.

2. *Is the proposed use appropriate according to the Table of Permissible Uses?*

Analysis: The permit is listed at CBJ 49.25.300, Section 4.100, Heavy Manufacturing, for the Industrial zoning district.

Finding: **Yes.** The proposed development is appropriate according to the Table of Permissible Uses.

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

Analysis: No further analysis needed.

Finding: **Yes.** The proposed development, with the recommended condition, will comply with Title 49, including traffic, lighting, vegetative cover, and noise.

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

Analysis: No further analysis needed.

Finding: **No.** The requested Conditional Use Permit in the Industrial zoning district, with the recommended condition, 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: No further analysis needed.

Finding: **No.** The requested Conditional Use Permit in the Industrial zoning district, with the recommended condition, 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: No further analysis needed.

Finding: **Yes.** The proposed development, with the recommended condition, will conform with the 2013 Juneau Comprehensive Plan and the 2015 Juneau Economic Development Plan.

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and **APPROVE** the requested Conditional Use Permit. The permit would allow the development of a temporary asphalt plant in the Industrial zoning district. The approval is subject to the following condition:

- 1) Operations shall be from 7 A.M. to 10 P.M. Monday through Friday, and 9 A.M. to 10 P.M. on Saturday and Sunday, unless a permit has been obtained from the CBJ Building Code Official.
- 2) The permit is valid through October 28, 2026. An extension may be granted in accordance with CBJ 49.15.230

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	Abutters Notice and Public Notice Sign Photo
Attachment C	Agency Comments



DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications. This form and all documents associated with it are public record once submitted.

To be completed by Applicant	PROPERTY LOCATION		
	Physical Address Gate P on Maplesden Way - 1873 Shell Simmons Dr.		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) Airport TR A & B [Airport Term & Runway Land]		
	Parcel Number(s) 3B160-100-0010		
	☐ This property is located in the downtown historic district ☐ This property is located in a mapped hazard area, if so, which _____		
	LANDOWNER/ LESSEE		
	Property Owner Juneau International Airport	Contact Person Patty Wahto	
	Mailing Address 1873 Shell Simmons Drive, Suite 200, Juneau, AK 99801	Phone Number(s) 907-789-7821	
	E-mail Address Patty Wahto <Patty.Wahto@jnuairport.com>		
	LANDOWNER/ LESSEE CONSENT		
Required for Planning Permits, not needed on Building/ Engineering Permits.			
Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.			
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 the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.			
Patricia K Wahto Airport Manager-JNU Airport Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee)			
X <u><i>Patricia K Wahto</i></u> <u>3/6/2024</u> Landowner/Lessee (Signature) Date			
_____ Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee)			
X _____ Landowner/Lessee (Signature) Date			
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.			
APPLICANT If same as LANDOWNER, write "SAME"			
Applicant (Printed Name) Colaska dba Secon		Contact Person Maureen Hansen	
Mailing Address PO Box 32159, Juneau, AK 99803		Phone Number(s) 907-780-5145	
E-mail Address mhansen@colaska.com			
X <u><i>Maureen Hansen</i></u> Applicant's Signature		<u>3-4-2024</u> Date of Application	

DEPARTMENT USE ONLY BELOW THIS LINE

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Intake Initials <i>TC</i>	Case Number USE24-009	Date Received 3/6/24
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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

Temporary Asphalt Plant on site in support of CBJ project BE23-243 JNU Rehabilitate Part 121/135 Apron & RON Parking Apron

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: 4100

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 87,120 square feet

Total Area of Existing Structure(s) _____ square feet

Total Area of Proposed Structure(s) _____ square feet

EXTERNAL LIGHTING

Existing to remain

☒ No

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

Proposed

☒ No

☐ 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

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

☒ 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)

To be completed by Applicant

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

ALLOWABLE/CONDITIONAL USE FEES			
	Fees	Check No.	Receipt
Application Fees	\$ <u>1,000.00</u>	<u>CLASS 1V</u>	
Admin. of Guarantee	\$ _____		
Adjustment	\$ _____		
Pub. Not. Sign Fee	\$ <u>50.00</u>		
Pub. Not. Sign Deposit	\$ <u>100.00</u>		
Total Fee	\$ <u>1,150.00</u>		

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.

Case Number	Date Received
<u>USE24-009</u>	<u>3/6/2024</u>

Allowable/Conditional Use Permit Application Instructions

Allowable Use permits are outlined in CBJ 49.15.320, Conditional Use permits are outline in CBJ 49.15.330

Pre-Application Conference: A pre-application conference is required prior to submitting an application. There is no fee for a pre-application conference. The applicant will meet with City & Borough of Juneau and Agency staff to discuss the proposed development, the permit procedure, and to determine the application fees. To schedule a pre-application conference, please contact the Permit Center at 586-0770 or via e-mail at permits@juneau.org.

Application: An application for an Allowable/Conditional Use Permit will not be accepted by the Community Development Department until it is determined to be complete. The items needed for a complete application are:

1. **Forms:** Completed Allowable/Conditional Use Permit Application and Development Permit Application forms.
2. **Fees:** Fees generally range from \$350 to \$1,600. Any development, work, or use done without a permit issued will be subject to double fees. All fees are subject to change.
3. **Project Narrative:** A detailed narrative describing the project.
4. **Plans:** All plans are to be drawn to scale and clearly show the items listed below:
 - A. Site plan, floor plan and elevation views of existing and proposed structures
 - B. Existing and proposed parking areas, including dimensions of the spaces, aisle width and driveway entrances
 - C. Proposed traffic circulation within the site including access/egress points and traffic control devices
 - D. Existing and proposed lighting (including cut sheets for each type of lighting)
 - E. Existing and proposed vegetation with location, area, height and type of plantings
 - F. Existing physical features of the site (i.e. drainage, eagle trees, hazard areas, salmon streams, wetlands, etc.)

Document Format: All materials submitted as part of an application shall be submitted in either of the following formats:

1. Electronic copies in the following formats: .doc, .txt, .xls, .bmp, .pdf, .jpg, .gif, .xlm, .rtf (other formats may be preapproved by the Community Development Department).
2. Paper copies 11" X 17" or smaller (larger paper size may be preapproved by the Community Development Department).

Application Review & Hearing Procedure: Once the application is determined to be complete, the Community Development Department will initiate the review and scheduling of the application. This process includes:

Review: As part of the review process the Community Development Department will evaluate the application for consistency with all applicable City & Borough of Juneau codes and adopted plans. Depending on unique characteristics of the permit request the application may be required to be reviewed by other municipal boards and committees. During this review period, the Community Development Department also sends all applications out for a 15-day agency review period. Review comments may require the applicant to provide additional information, clarification, or submit modifications/alterations for the proposed project.

Hearing: All Allowable/Conditional Use Permit Applications must be reviewed by the Planning Commission for vote. Once an application has been deemed complete and has been reviewed by all applicable parties the Community Development Department will schedule the requested permit for the next appropriate meeting.

Public Notice Responsibilities: Allowable/Conditional Use requests must be given proper public notice as outlined in CBJ 49.15.230:

The Community Development Department will give notice of the pending Planning Commission meeting and its agenda in the local newspaper a minimum of 10-days prior to the meeting. Furthermore, CDD will mail notices to all property owners within 500-feet of the project site.

The Applicant will post a sign on the site at least 14 days prior to the meeting. The sign shall be visible from a public right-of-way or where determined appropriate by CDD. Signs may be produced by the Community Development Department for a preparation fee of \$50, and a \$100 deposit that will be refunded in full if the sign is returned within seven days of the scheduled hearing date. If the sign is returned between eight and 14 days of the scheduled hearing \$50 may be refunded. The Applicant may make and erect their own sign. Please contact the Community Development Department for more information.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED



A COLAS COMPANY

P.O. Box 32159 Juneau, Alaska 99803
 Phone (907) 780-5145 Fax (907) 780-5896
 www.colaska.com

Ms. Teri Camery
 City and Borough of Juneau
 155 S. Seward Street
 Juneau, Alaska 99801

3/4/2024

RE: City and Borough of Juneau Conditional Use Permit Application
 Temporary Location of ASTEC Asphalt Plant
 For Project BE23-243 JNU Rehabilitate Part 121/135 Apron & RON Parking Apron

To Ms. Camery,

Secon was awarded a project at the Juneau International Airport (JIA), CBJ Contract No. BE23-243, JNU Rehabilitate Part 121/135 Apron & RON Parking Apron in late 2023. The substantial completion date for the project is September 30st, 2026. This project has a bid quantity of 23,512 tons of Hot Mix Asphalt for the planned airport improvements.

To facilitate the operations of paving at the airport Secon is requesting a Conditional Use Permit (CUP) for the ASTEC Asphalt Plant at a location by Gate P on Maplesden Way inside the airport fence on JIA property.

The ASTEC Asphalt Plant has been setup on the JIA property for previous projects in 2015 by the float pond and in 2018, 2019, and 2020 by Gate P. The proposed location for the asphalt plant is the same as it occupied during the 2018-2020 approvals and has been approved by the JNU Airport Project Manager. The location meets the TSA's set-backs from the security fence for any structure or vehicle. It is below the height requirements for any structure near the FAA's runway control envelope. It is also outside of the FAA/JIA taxiway's control zone. It has been accepted by Alaska Department of Environmental Conservation (DEC) for the current location.

Typical JIA project working hours are Monday through Sunday 7:00 AM to 7:00 PM. The project also includes contract mandated night work to maintain commercial flight patterns. These night work hours will follow contract guidelines and are subject to change. A Noise permit has been applied for with CBJ. The spring startup is anticipated for the first of April. Paving will start sometime towards end of April to first part of May depending upon weather. This project has a final completion date of



October 28th, 2026 with seasonal shutdowns of approximately October 31 in 2024 and 2025. We anticipate having the plant setup on site for the duration of the project or roughly 30 months.

The project is broken up into 12 phases of work to allow construction as well as continued seamless operation of the airport facilities by all users. Secon has proposed a revised 8 phase plan. Final phasing is still under discussion but has no affect on asphalt plant location or duration.

The trucking route for the project is all within the fenced airport perimeter (reference sheet C1.0). No impacts to Yandukin Drive, Shell-Simmons Drive and Cessna Drive. As the contractor haul route starts at Gate P all trucking for the project was planned for access thru Maplesden Way. With the ASTEC Asphalt Plant located at Maplesden Way it would eliminate trucks hauling hot asphalt from Concrete Way to Egan Drive and then turning across in-bound traffic on Egan Drive and reduce the trucking impacts to Maplesden Way itself. Raw aggregates for making asphalt will come from both Hidden Valley and Aggpro via Egan Drive not thru Lemon Creek residential area. An estimated average of 50 loads in a day when hauling aggregate. AML will be delivering tanks of asphalt cement via Egan Drive for the project with an estimated maximum of 12 loads per day.

Light for the asphalt plant may be needed. Lighting will be provided via portable self-contained light plants. The lights will be setup with the intent of not impacting the Egan Highway traffic or JIA air traffic. JIA Project Engineer will determine the location and light direction per FAA requirements if there are concerns from interested parties.

The ASTEC Asphalt Plant is operating under the Project's Construction SWPPP which is currently in the final approval process. The NOI Authorization from DEC can be provided when available.

Based on google earth the nearest stream is about 1,400 feet from the plant on the far side of taxiway F. The nearest wetland is on the other side of TEMSCO at about 900 feet away.

Per the State of Alaska Geoportal for Documented Eagle Nest Sites, there are no active sites within a ½ mile radius of the proposed asphalt plant location.

Dust control will be with a water truck wetting down the truck routes.

The plant will be located on dredged sands and gravels from the float plane pond. If any stormwater runoff is present it will be managed with wattles and earthen berms.

The ASTEC Asphalt Plant air quality permit AQ0247MG301 can be found at DEC's Air Permits Approvals and Public Notices web page:

<http://dec.alaska.gov/Applications/Air/airtoolsweb/AirPermitsApprovalsAndPublicNotices>

City and Borough of Juneau Conditional Use Permit Application

Page | 2

3/4/2024

Temporary Location of ASTEC Asphalt Plant

For Project BE23-243 JNU Rehabilitate Part 121/135 Apron & RON Parking

Colaska Inc, dba Secon

Apron

Letter 1



Permit/Approval Type: Minor General - Asphalt Plant - Title I (MG3)

Owner: Colaska Inc, dba Secon

Stationary Source: ASTEC Super Six Drum Mix Asphalt Plant

Security is courtesy of JIA in being located inside their fences and on their property.

Attachments comprise original phasing plan, proposed phasing plan, Sheet C1.0 showing trucking routes, ASTEC location, ASTEC setup, 7460 for asphalt plant and crane used to set it up, and pre-application meeting report.

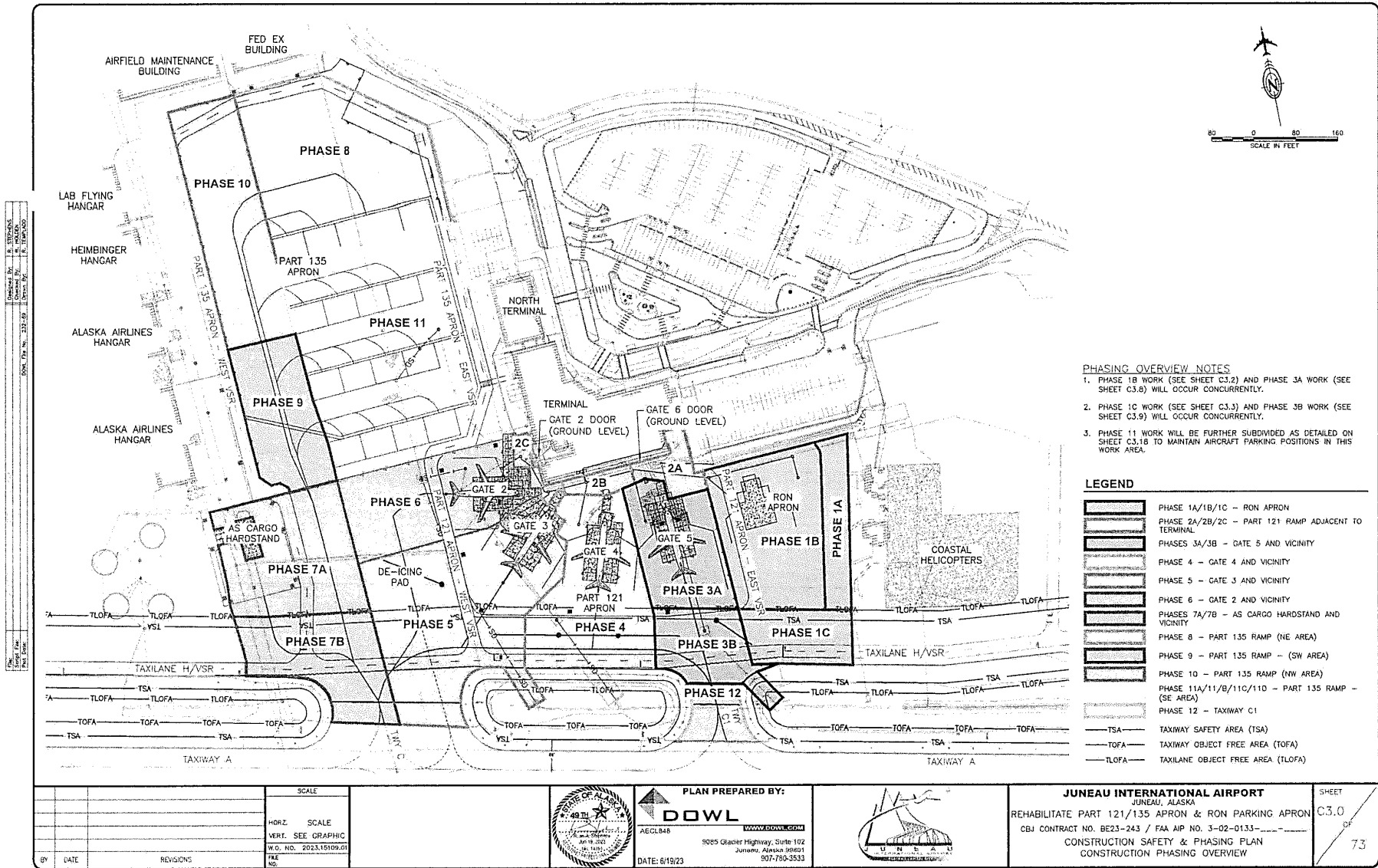
We believe that it would provide a benefit to CBJ if this CUP extended beyond just a single project. We request the permit be for 10 years as is typical for these permits. This process has been undertaken multiple times in the past six years for airport project work and the trend will likely continue. At a minimum, we request the permit expiration be tied to the project completion date even if it changes so permit flexes with project changes.

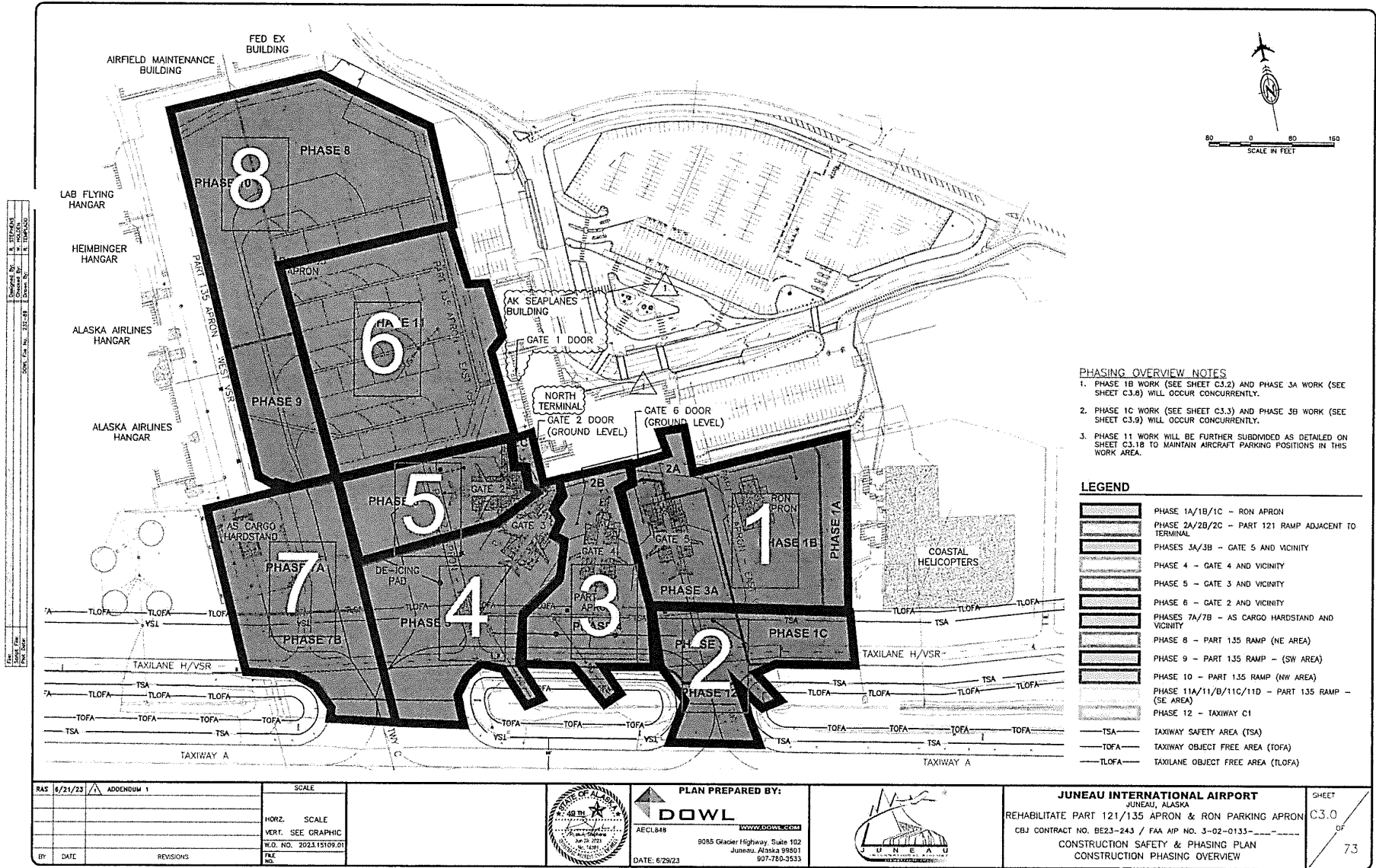
If any question or clarifications are need please contact me.

Sincerely,

Maureen A. Hansen, P.E

Engineering & Environmental Manager





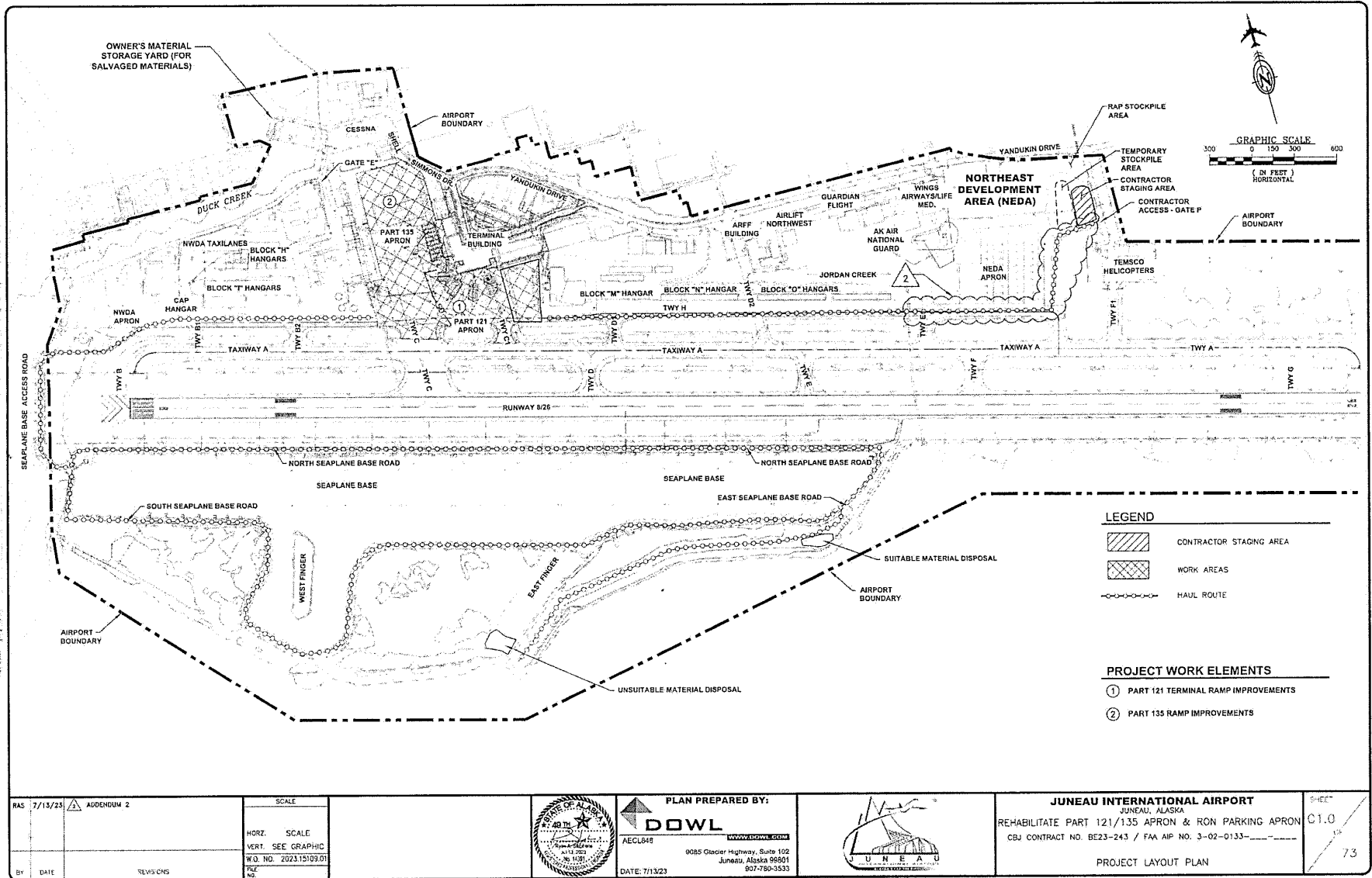
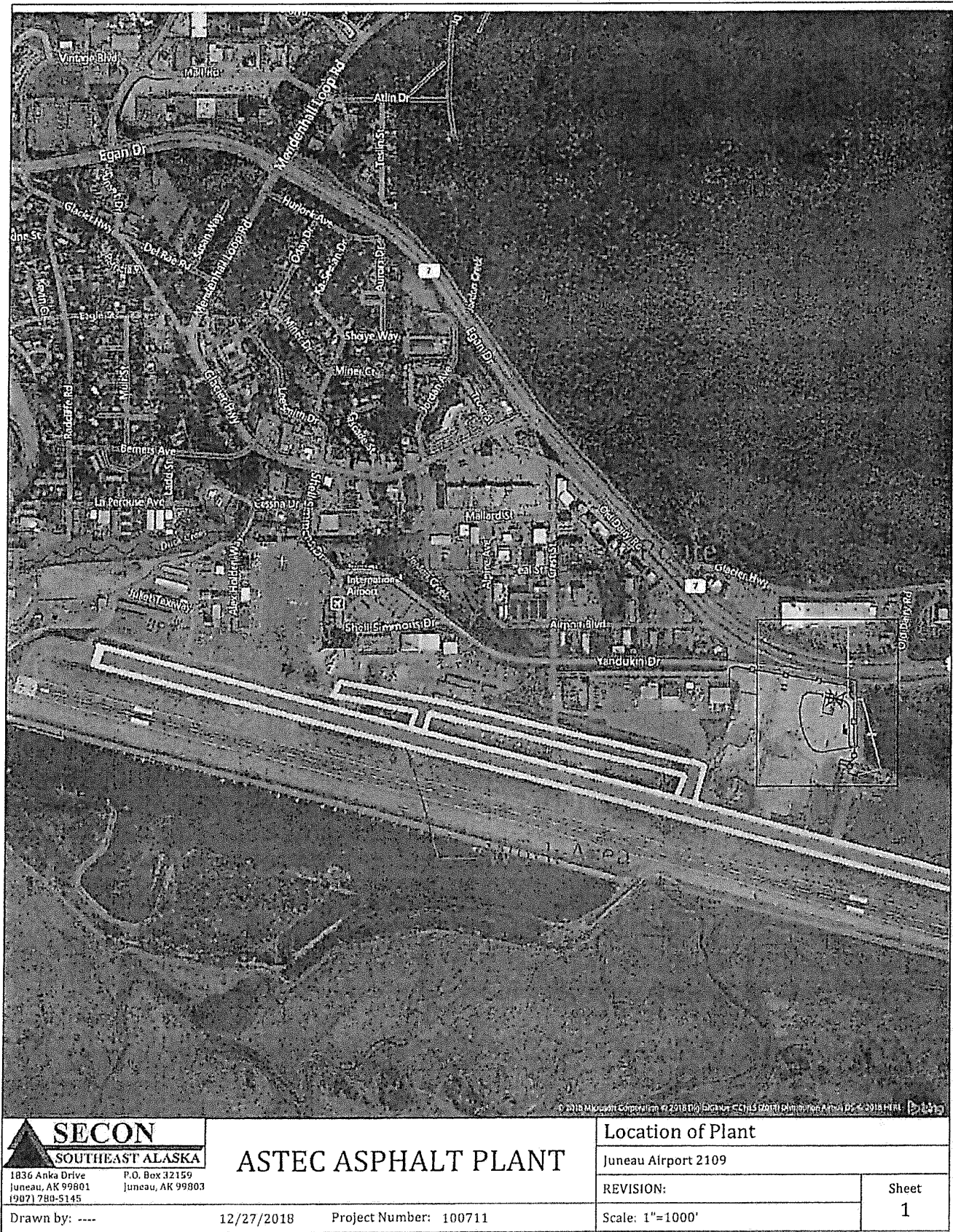
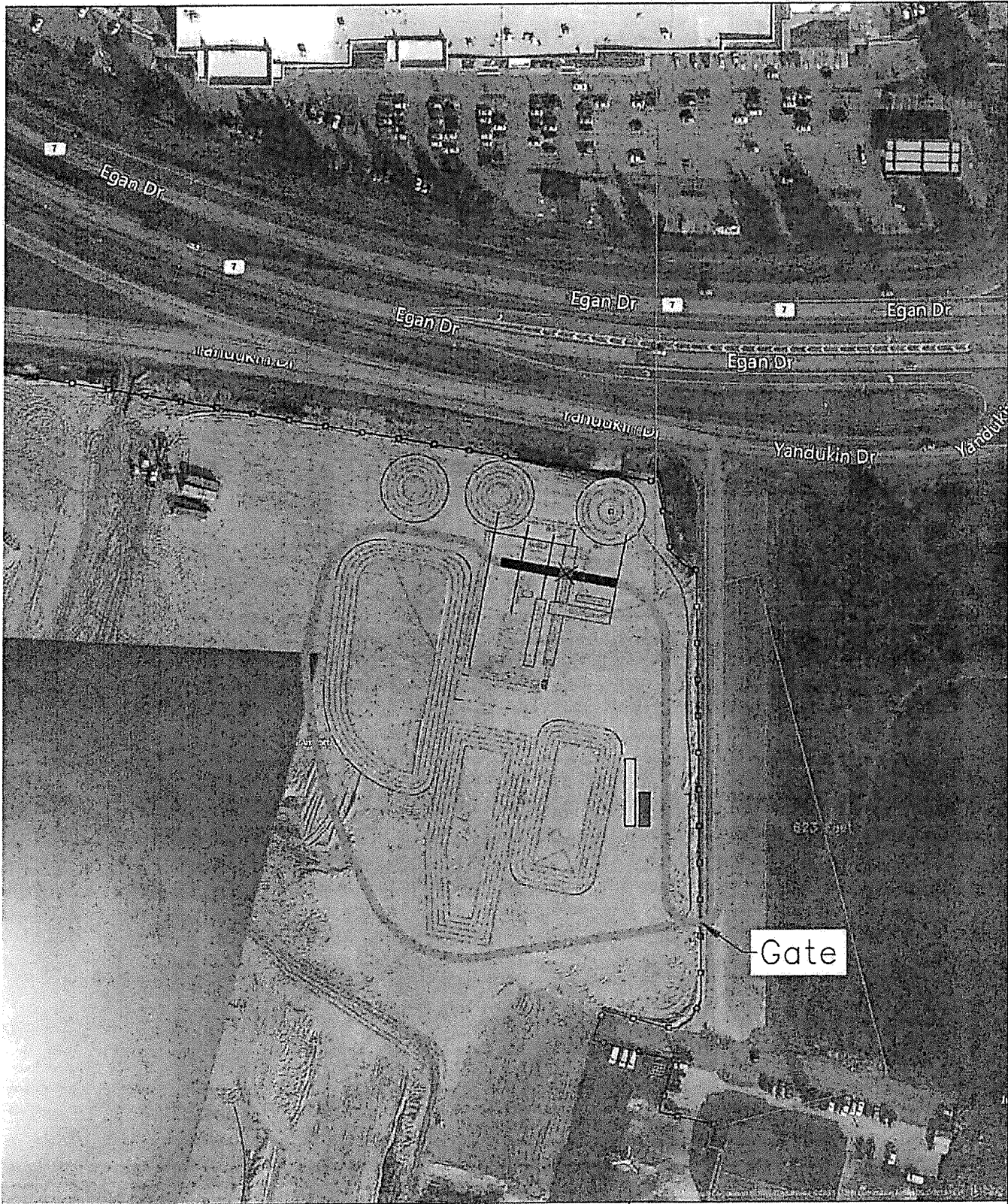


FIGURE 1 VICINITY MAP



Attachment A - Application





SECON
SOUTHEAST ALASKA

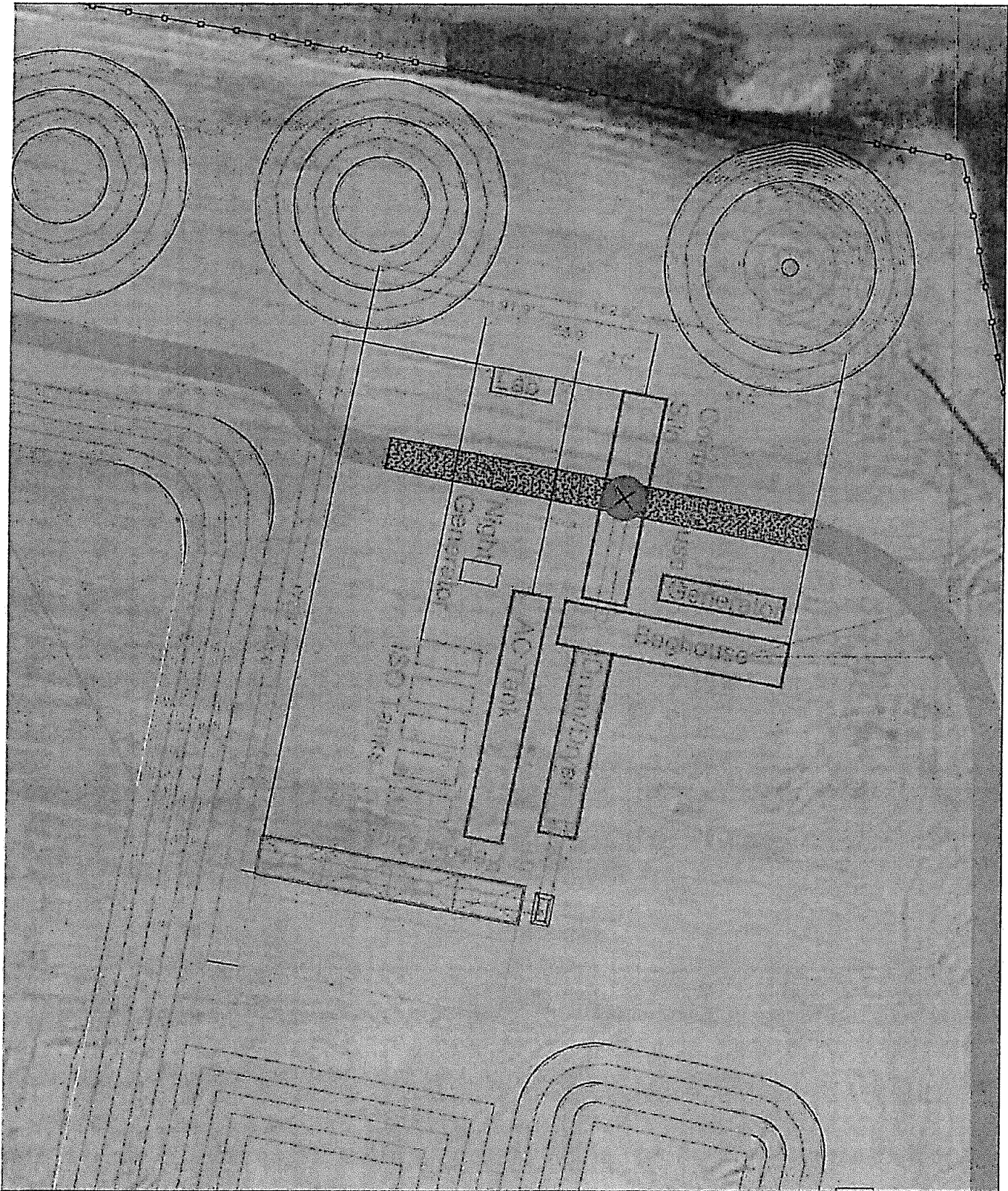
1836 Anka Drive
Juneau, AK 99801
(907) 780-5145

P.O. Box 32159
Juneau, AK 99803

ASTEC ASPHALT PLANT

Plant Setup	
Juneau Airport 2109	
REVISION:	Sheet

Attachment A - Application



**SECON**
SOUTHEAST ALASKA

1836 Anka Drive
Juneau, AK 99801
(907) 780-5145

P.O. Box 32159
Juneau, AK 99803

ASTEC ASPHALT PLANT	
Juneau Airport 2109	
REVISION:	Sheet



Federal Aviation Administration
222 West 7th Ave., Box 14
Anchorage, AK 99513-7587

Venus Larson AAL-624

February 09, 2024

TO:

Secon

Attn: Jared Mackey

1836 Anka Street

Juneau, AK 99801

jmackey@colaska.com

RE: *(See attached Table 1 for referenced case(s))*

****FINAL DETERMINATION****

Table 1 - Letter Referenced Case(s)

ASN	Prior ASN	Location	Latitude (NAD83)	Longitude (NAD83)	AGL (Feet)	AMSL (Feet)
2024-AAL-27-NRA	2023-AAL-1209-NRA	JUNEAU,AK	58-21-27.90N	134-33-46.58W	80	107
2024-AAL-28-NRA	2023-AAL-1209-NRA	JUNEAU,AK	58-21-27.34N	134-33-41.66W	80	107
2024-AAL-29-NRA	2023-AAL-1209-NRA	JUNEAU,AK	58-21-26.06N	134-33-39.18W	80	106
2024-AAL-30-NRA	2023-AAL-1209-NRA	JUNEAU,AK	58-21-22.90N	134-33-39.40W	80	106
2024-AAL-31-NRA	2023-AAL-1209-NRA	JUNEAU,AK	58-21-23.14N	134-33-46.40W	80	107

Description: This Notice is to be used in conjunction with another project filed under with Aeronautical Study Number 2023-AAL-1209-NRA. An asphalt plant will be set up for the duration of the project in another area of the airport. The plant will be set up in the Northeast Development Area (NEDA) of Juneau International Airport. A site plan from the conformed documents has been included for reference.

We do not object with conditions to the construction described in this proposal provided:

You comply with the requirements set forth in FAA Advisory Circular 150/5370-2, "Operational Safety on Airports During Construction."

- The proposal violates the criteria given in the siting standard, Order 6560.20, for the Runway Visual Range (RVR) equipment serving Ted Stevens Juneau International Airport, Juneau, Alaska (AK). The proposal is expected to generate significant dust or smoke in the vicinity of the RVR Runway 08 Touchdown/Runway 26 Rollout and Ambient Light Sensor facilities. If not possible, the RVR data must be NOTAMed out of service and additional cleaning, calibration, and maintenance may be required. Contact the Operations Control Center (OCC) prior to the start of the project in order to schedule any necessary service outages at 866-4-FAA-OCC.

- Contact Airport Management prior to starting work to coordinate the work schedule, issue NOTAMs and possible impact mitigations.

- A separate notice to the FAA is required for any construction equipment, such as temporary cranes, whose working limits would exceed the height and lateral dimensions of your proposal.

- Please inform the airport owners that as the Airport Layout Plan is updated, please include this new development.

Further, you should contact the Airport Traffic Control Tower (ATCT) Watch Supervisor at (907) 790-8502 prior to the crane(s) being raised for purposes of establishing a procedure to have the crane(s) immediately lowered upon request of the ATCT. When the crane(s) is no longer needed and has been permanently lowered, you should contact the ATCT at the telephone numbers given above and log back into your registered E-file account to provide the Flight Data Center (FDC) with notification that the NOTAM can be cancelled.

This determination does not constitute FAA approval or disapproval of the physical development involved in the proposal. It is a determination with respect to the safe and efficient use of navigable airspace by aircraft and with respect to the safety of persons and property on the ground.

In making this determination, the FAA has considered matters such as the effects the proposal would have on existing or planned traffic patterns of neighboring airports, the effects it would have on the existing airspace structure and projected programs of the FAA, the effects it would have on the safety of persons and property on the ground, and the effects that existing or proposed manmade objects (on file with the FAA), and known natural objects within the affected area would have on the airport proposal.

This determination expires on 10/31/2025 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for the completion of construction, or the date the FCC denies the application.

NOTE: Request for extension of the effective period of this determination must be obtained at least 15 days prior to expiration date specified in this letter.

If you have any questions concerning this determination contact Venus Larson (907) 271-3813 venus.larson@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2024-AAL-27-NRA.

Venus Larson
Specialist
Signature Control No: 610499543-612273809



(907) 586-0715
 CDD_Admin@juneau.gov
 www.juneau.org/community-development
 155 Heritage Way • Juneau, AK 99801

Airport temporary asphalt batch plant

Case Number: PAC2024 0005
 Applicant: Colaska Inc. DBA SECON
 Property Owner: City & Borough of Juneau
 Property Address: 8907 Yandukin Dr
 Parcel Code Number: 3B1601000010
 Site Size: n/a
 Zoning: Industrial
 Existing Land Use: Airport

Conference Date: January 24, 2024
 Report Issued: February 7, 2024

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
Maureen Hansen	Applicant	mhansen@colaska.com
Teri Camery	Planning	teri.camery@juneau.gov
Bridget LaPenter	General Engineering	Bridget.LaPenter@juneau.gov
David Sevdý	Permit technician	David.sevdy@juneau.gov

Pre-Application Conference Final Report

Conference Summary

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.

Project Overview

The applicant requests a Conditional Use Permit for the development of a temporary asphalt plant at the Juneau International Airport in the corner along Maplesden Way for paving work on CBJ Contract No. BE23-243. The location is the same as two previous projects: USE2020-0005 for CBJ Contract No. BE19-218; and USE2019-0001 for CBJ Contract No. BE18-213. The applicant intends to start work in May and operate through the construction season. The project could extend through 2025.

The applicant is encouraged to follow the application materials used in previous Conditional Use Permit applications as provided via email, and to specifically address the following issues: light and noise and working hours; months/seasons of operation; a drainage plan and final Stormwater Pollution Prevention Plan in conformance with Alaska Department of Environmental Conservation requirements; lighting; and anticipated daily truck traffic and truck routes.

The applicant should allow for a three month process before obtaining a final decision from the CBJ Planning Commission.

Planning Division

1. **Zoning** – Industrial
2. **Table of Permissible Uses** - The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ 49.25.300, Section 4.100, Heavy Manufacturing, for the Industrial zoning district.
3. **Setbacks** – Setbacks in the Industrial zoning district are 10 feet in the front, rear, and sides.
4. **Height** – There is no maximum height in the Industrial zoning district.
5. **Access** – Maplesden Way and Yandukin Drive
6. **Parking & Circulation**– Parking and circulation requirements are based on gross floor area per CBJ Code 49.40.210(a), which is not applicable to the proposed development. The code does not have an established parking requirement for asphalt plants or similar uses that utilize large outdoor plants and outdoor storage areas.
7. **Lot Coverage** – There is no maximum lot coverage in the Industrial zoning district.
8. **Vegetative Coverage** – The vegetative cover requirement in the Industrial Zoning district is five percent, and is not relevant to the proposed temporary asphalt plant.
9. **Lighting** – A lighting plan needs to be addressed in the application project narrative. Exterior lighting may not shed light or glare above the roofline of the building or beyond the property line of the site. Industrial and exterior lighting shall not be used in a manner that produces glare on public highways or neighboring property. All exterior lighting fixtures shall be of a “full cutoff” design.
10. **Noise** – Daily hours of operation and noise impacts need to be addressed in the application project narrative.
11. **Flood** –
The proposed development is not within a mapped floodplain.

Pre-Application Conference Final Report

12. Hazard/Mass Wasting/Avalanche/Hillside Endorsement –

The proposed development is not within a mapped hazard zone.

13. Wetlands – There are no wetlands on the project site.

14. 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 within 50 feet of the development.

15. Plat or Covenant Restrictions – n/a

16. Traffic – Traffic routes and daily traffic estimates need to be included in the project narrative in the application.

17. Nonconforming situations – There are no known nonconforming situations on the property.

Building Division

18. Building – The Building Division has no issues.

19. Outstanding Permits – none.

General Engineering/Public Works

20. Engineering – CBJ Engineering has no issues.

Fire Marshal

21. Fire Items/Access – The Fire Department has no issues with the proposal.

Other Applicable Agency Review

22. Alaska Department of Environmental Conservation comments will be required for the permit review, in addition to other standard agency reviews.

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. Conditional Use Permit Application

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.

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. n/a

Fee Estimates

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

Pre-Application Conference Final Report

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. Conditional Use Permit Class IV use, \$1,000.00
2. Conditional Use Permit Public Notice sign fee \$50; deposit \$100.

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



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

**Department of Environmental
Conservation**
DIVISION OF WATER

Wastewater Discharge Authorization Program

555 Cordova Street
Anchorage, Alaska 99501-2617
Main: 907.269.6285
Fax: 907.334.2415
www.dec.alaska.gov/wastewater

March 05, 2024

Operator Info

Secon
ATTN: Brian Maller
1836 Anka Street
Juneau AK 99801
bmaller@colaska.com

Project Info

**JNU Rehabilitate Part 121/135 Apron &
RON Parking Apron**
1873 Shell Simmons Drive
Juneau, AK 99801

Est. Start – End: **04/01/2024 - 10/28/2026**
Est. Area Disturbed: **20.2 acres**
Latitude, Longitude: **58.359850, -134.58182**

General Permit Authorization Number: **AKR10H0FR v1.0**

This email/letter acknowledges that you have submitted a Notice of Intent (NOI) form to be covered under the APDES General Permit for Stormwater Discharges for Construction General Permit Activity (Construction General Permit) and is assigned the permit authorization number: AKR10H0FR v1.0. Please reference your permit authorization number in all future correspondence. The permittee is authorized to discharge storm water under the terms and conditions of this permit upon the issuance date of this letter and expires January 31, 2026 or as per Permit Part 2.6. Permit documents will be posted to the Alaska DEC EDMS Map Explorer at <https://dec.alaska.gov/Applications/Water/EDMS/nsite>.

According to the NOI information provided (ref: HQ1-XBW4-5FJVQ, recd: 03/05/2024), the location of the SWPPP or the name and telephone number of the contact person for scheduling SWPPP viewing times is as follows:

- **SWPPP Location:** Project Address
- **SWPPP Contact:** Jared Mackey, Project Engineer, (406) 529-6331, jmackey@colaska.com, 1836 Anka Street, Juneau, AK 99801

Note, as per Permit Part 2.7 the permittee is required to **submit a modification NOI within 30 calendar days if any of the following change:** Owner/Operator address and contact information, site information, estimated start or end dates, acres disturbed, or SWPPP location and contact information.

Coverage is not transferable. The permittee must **submit a Notice of Termination (NOT) instead of an NOI modification to DEC within 30 calendar days when the operator has changed.** A change of operator in this case means when an organization changes control of the project. It does not mean when a corporate officer of the organization changes while the organization continues with the project. The new owner/operator must file a new NOI to obtain coverage under the CGP.

A permittee must **submit an NOT within 30 calendar days when final stabilization has been achieved on all portions of the site**, in accordance with Permit Part 4.5.2 for which the permittee is responsible, all ground disturbing construction activity or use of support activities has been completed, and all temporary Best Management Practices (BMP's) have been removed; or a new permittee has assumed control over all areas of the site that have not been finally stabilized.

AKR10H0FR

As stated above, this letter acknowledges receipt of a Notice of Intent. However, it is not an ADEC determination of the validity of the information you provided. Your eligibility for coverage under the Permit is based on the validity of the certification you provided. Your signature on the Notice of Intent certifies that you have read, understood, and are implementing all of the applicable requirements. An important aspect of this certification requires that you correctly determine whether you are eligible for coverage under this permit.

As you know, the Construction General Permit requires you to have developed and begun implementing a Stormwater Pollution Prevention Plan (SWPPP) and outlines important inspection and record keeping requirements. You must also comply with any additional location-specific requirements applicable to Alaska. A copy of the Construction General Permit must be kept with your SWPPP. An electronic copy of the Permit and additional guidance materials can be viewed and downloaded at <https://dec.alaska.gov/water/wastewater/stormwater/construction>.

Prior to discharge, please review your authorization and general permit AKR100000 to ensure that you understand the requirements contained within them. If you have general questions regarding the storm water program or your responsibilities under the Construction General Permit, please call 907-269-6285.

Re: EDMS CGP NOI Submission: HQ1-XBW4-5FJVQ, Received: 3/5/2024 1:29:50 PM



A COLAS COMPANY

P.O. Box 32159 Juneau, Alaska 99803
 Phone (907) 780-5145 Fax (907) 780-5896
 www.colaska.com

Ms. Teri Camery
 City and Borough of Juneau
 155 S. Seward Street
 Juneau, Alaska 99801

3/4/2024

RE: City and Borough of Juneau Conditional Use Permit Application
 Temporary Location of ASTEC Asphalt Plant
 For Project BE23-243 JNU Rehabilitate Part 121/135 Apron & RON Parking Apron

To Ms. Camery,

Secon was awarded a project at the Juneau International Airport (JIA), CBJ Contract No. BE23-243, JNU Rehabilitate Part 121/135 Apron & RON Parking Apron in late 2023. The substantial completion date for the project is September 30st, 2026. This project has a bid quantity of 23,512 tons of Hot Mix Asphalt for the planned airport improvements.

To facilitate the operations of paving at the airport Secon is requesting a Conditional Use Permit (CUP) for the ASTEC Asphalt Plant at a location by Gate P on Maplesden Way inside the airport fence on JIA property.

The ASTEC Asphalt Plant has been setup on the JIA property for previous projects in 2015 by the float pond and in 2018, 2019, and 2020 by Gate P. The proposed location for the asphalt plant is the same as it occupied during the 2018-2020 approvals and has been approved by the JNU Airport Project Manager. The location meets the TSA's set-backs from the security fence for any structure or vehicle. It is below the height requirements for any structure near the FAA's runway control envelope. It is also outside of the FAA/JIA taxiway's control zone. It has been accepted by Alaska Department of Environmental Conservation (DEC) for the current location.

Typical JIA project working hours are Monday through Sunday 7:00 AM to 7:00 PM. The project also includes contract mandated night work to maintain commercial flight patterns. These night work hours will follow contract guidelines and are subject to change. A Noise permit has been applied for with CBJ. The spring startup is anticipated for the first of April. Paving will start sometime towards end of April to first part of May depending upon weather. This project has a final completion date of

October 28th, 2026 with seasonal shutdowns of approximately October 31 in 2024 and 2025. We anticipate having the plant setup on site for the duration of the project or roughly 30 months.

The project is broken up into 12 phases of work to allow construction as well as continued seamless operation of the airport facilities by all users. Secon has proposed a revised 8 phase plan. Final phasing is still under discussion but has no affect on asphalt plant location or duration.

The trucking route for the project is all within the fenced airport perimeter (reference sheet C1.0). No impacts to Yandukin Drive, Shell-Simmons Drive and Cessna Drive. As the contractor haul route starts at Gate P all trucking for the project was planned for access thru Maplesden Way. With the ASTEC Asphalt Plant located at Maplesden Way it would eliminate trucks hauling hot asphalt from Concrete Way to Egan Drive and then turning across in-bound traffic on Egan Drive and reduce the trucking impacts to Maplesden Way itself. Raw aggregates for making asphalt will come from both Hidden Valley and Aggpro via Egan Drive not thru Lemon Creek residential area. An estimated average of 50 loads in a day when hauling aggregate. AML will be delivering tanks of asphalt cement via Egan Drive for the project with an estimated maximum of 12 loads per day.

Light for the asphalt plant may be needed. Lighting will be provided via portable self-contained light plants. The lights will be setup with the intent of not impacting the Egan Highway traffic or JIA air traffic. JIA Project Engineer will determine the location and light direction per FAA requirements if there are concerns from interested parties.

The ASTEC Asphalt Plant is operating under the Project's Construction SWPPP which is currently in the final approval process. The NOI Authorization from DEC can be provided when available.

Based on google earth the nearest stream is about 1.400 feet from the plant on the far side of taxiway F. The nearest wetland is on the other side of TEMSCO at about 900 feet away.

Per the State of Alaska Geoportal for Documented Eagle Nest Sites, there are no active sites within a ½ mile radius of the proposed asphalt plant location.

Dust control will be with a water truck wetting down the truck routes.

The plant will be located on dredged sands and gravels from the float plane pond. If any stormwater runoff is present it will be managed with wattles and earthen berms.

The ASTEC Asphalt Plant air quality permit AQ0247MG301 can be found at DEC's Air Permits Approvals and Public Notices web page:

<http://dec.alaska.gov/Applications/Air/airtoolsweb/AirPermitsApprovalsAndPublicNotices>



Permit/Approval Type: Minor General - Asphalt Plant - Title I (MG3)

Owner: Colaska Inc, dba Secon

Stationary Source: ASTEC Super Six Drum Mix Asphalt Plant

Security is courtesy of JIA in being located inside their fences and on their property.

Attachments comprise original phasing plan, proposed phasing plan, Sheet C1.0 showing trucking routes, ASTEC location, ASTEC setup, 7460 for asphalt plant and crane used to set it up, and pre-application meeting report.

We believe that it would provide a benefit to CBJ if this CUP extended beyond just a single project. We request the permit be for 10 years as is typical for these permits. This process has been undertaken multiple times in the past six years for airport project work and the trend will likely continue. At a minimum, we request the permit expiration be tied to the project completion date even if it changes so permit flexes with project changes.

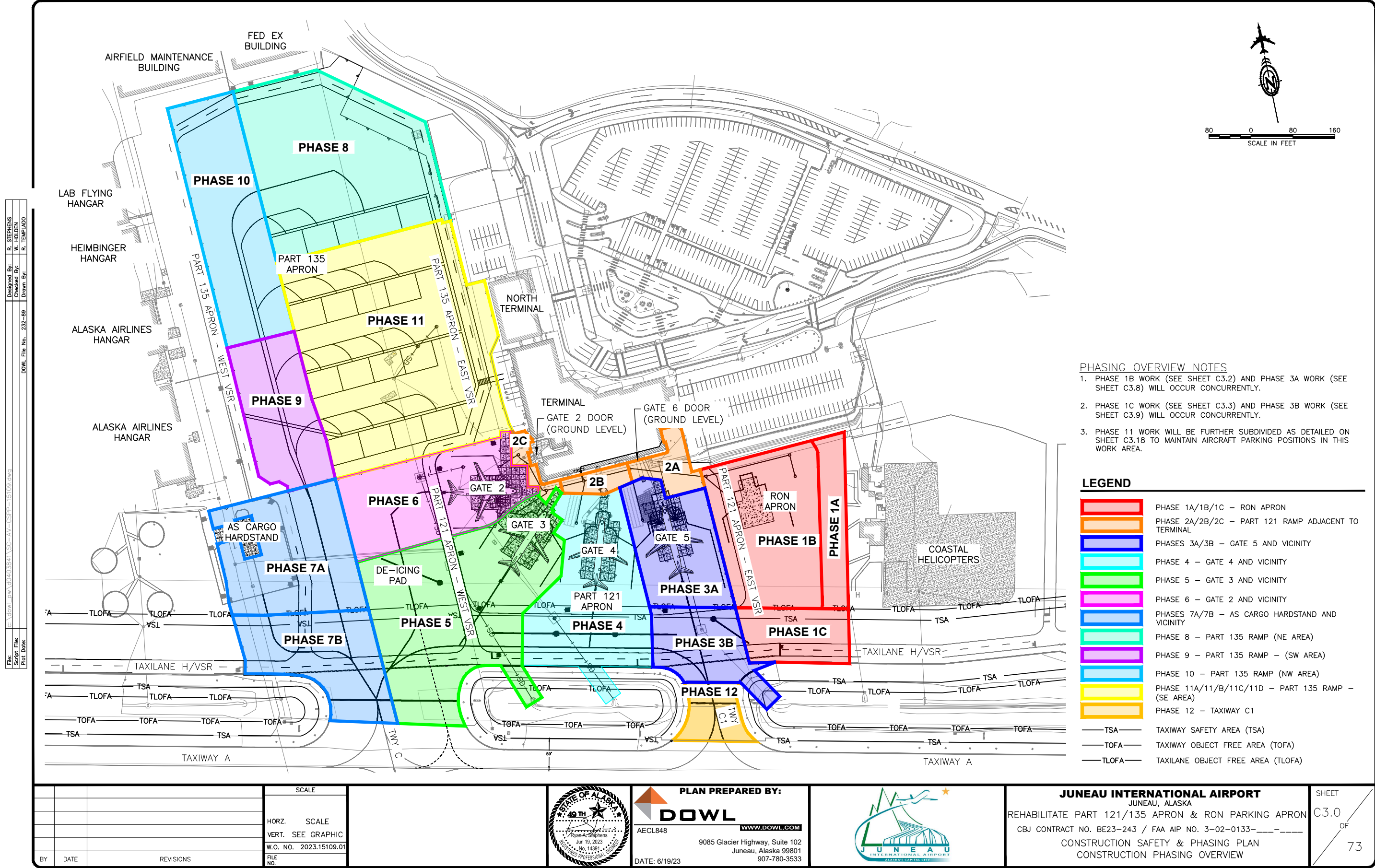
If any question or clarifications are need please contact me.

Sincerely,

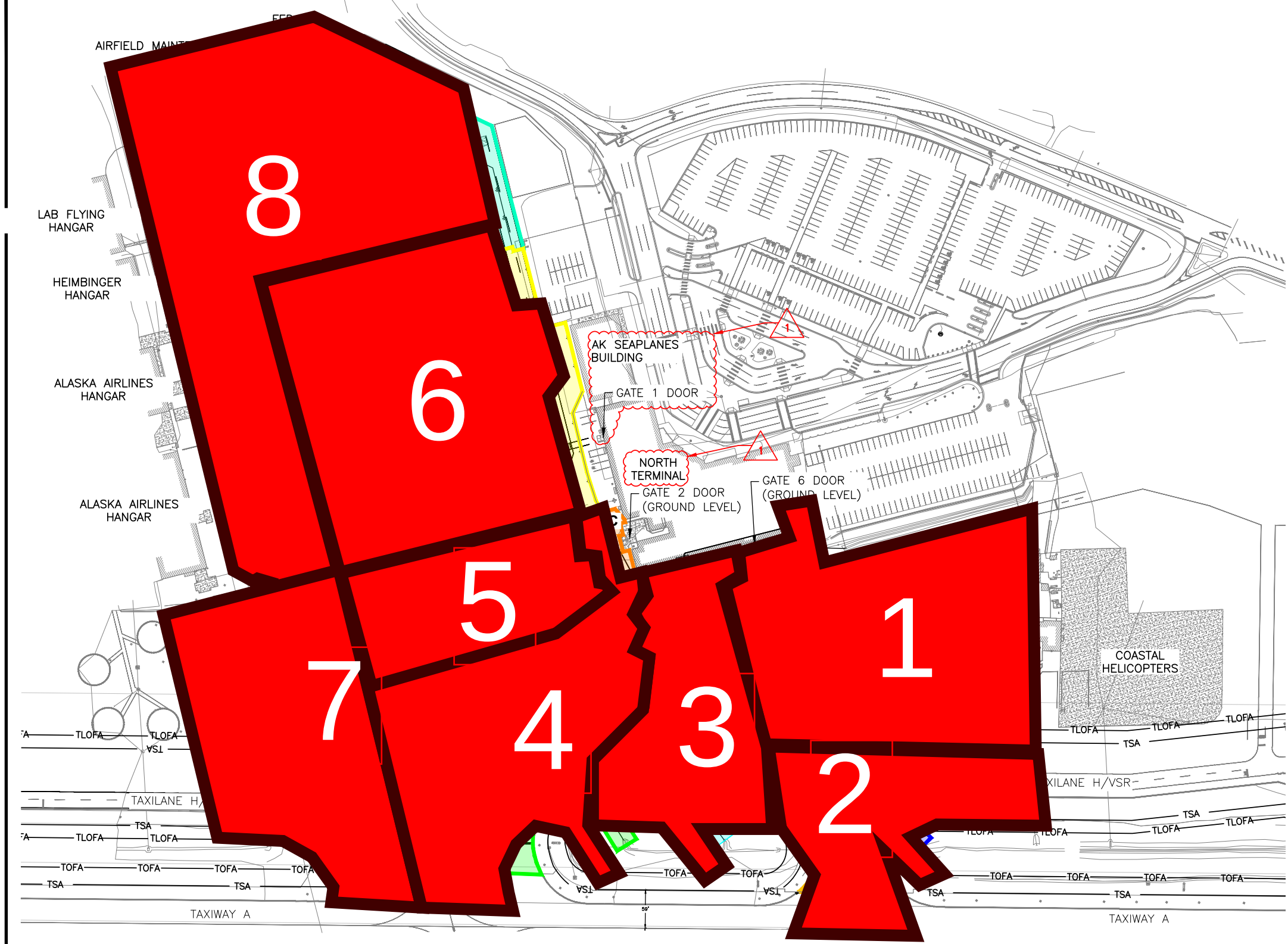
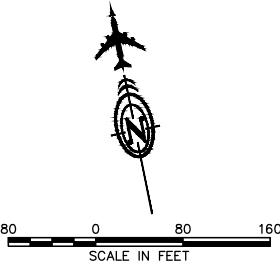
A handwritten signature in blue ink, appearing to read "Maureen A. Hansen".

Maureen A. Hansen, P.E

Engineering & Environmental Manager



Designed By: R. STEPHENS
Checked By: W. HOLDEN
Drawn By: R. TEMPLADO
DOWL File No. 232-89
File: G:\Dowl\dw\0403544\SC-AV-CSP-15109.dwg
Script File:
Plot Date:



- PHASING OVERVIEW NOTES**
1. PHASE 1B WORK (SEE SHEET C3.2) AND PHASE 3A WORK (SEE SHEET C3.8) WILL OCCUR CONCURRENTLY.
 2. PHASE 1C WORK (SEE SHEET C3.3) AND PHASE 3B WORK (SEE SHEET C3.9) WILL OCCUR CONCURRENTLY.
 3. PHASE 11 WORK WILL BE FURTHER SUBDIVIDED AS DETAILED ON SHEET C3.18 TO MAINTAIN AIRCRAFT PARKING POSITIONS IN THIS WORK AREA.

LEGEND	
	PHASE 1A/1B/1C - RON APRON
	PHASE 2A/2B/2C - PART 121 RAMP ADJACENT TO TERMINAL
	PHASES 3A/3B - GATE 5 AND VICINITY
	PHASE 4 - GATE 4 AND VICINITY
	PHASE 5 - GATE 3 AND VICINITY
	PHASE 6 - GATE 2 AND VICINITY
	PHASES 7A/7B - AS CARGO HARDSTAND AND VICINITY
	PHASE 8 - PART 135 RAMP (NE AREA)
	PHASE 9 - PART 135 RAMP - (SW AREA)
	PHASE 10 - PART 135 RAMP (NW AREA)
	PHASE 11A/11B/11C/11D - PART 135 RAMP - (SE AREA)
	PHASE 12 - TAXIWAY C1
	TSA TAXIWAY SAFETY AREA (TSA)
	TOFA TAXIWAY OBJECT FREE AREA (TOFA)
	TLOFA TAXILANE OBJECT FREE AREA (TLOFA)

RAS 6/21/23  ADDENDUM 1			SCALE			 AECL848 www.dowl.com 9085 Glacier Highway, Suite 102 Juneau, Alaska 99801 907-780-3533 DATE: 6/29/23		JUNEAU INTERNATIONAL AIRPORT JUNEAU, ALASKA REHABILITATE PART 121/135 APRON & RON PARKING APRON CBJ CONTRACT NO. BE23-243 / FAA AIP NO. 3-02-0133-_____ CONSTRUCTION SAFETY & PHASING PLAN CONSTRUCTION PHASING OVERVIEW	SHEET C3.0 OF 73
			HORZ. SCALE						
			VERT. SEE GRAPHIC						
W.O. NO. 2023.15109.01			FILE NO.						
BY	DATE	REVISIONS							

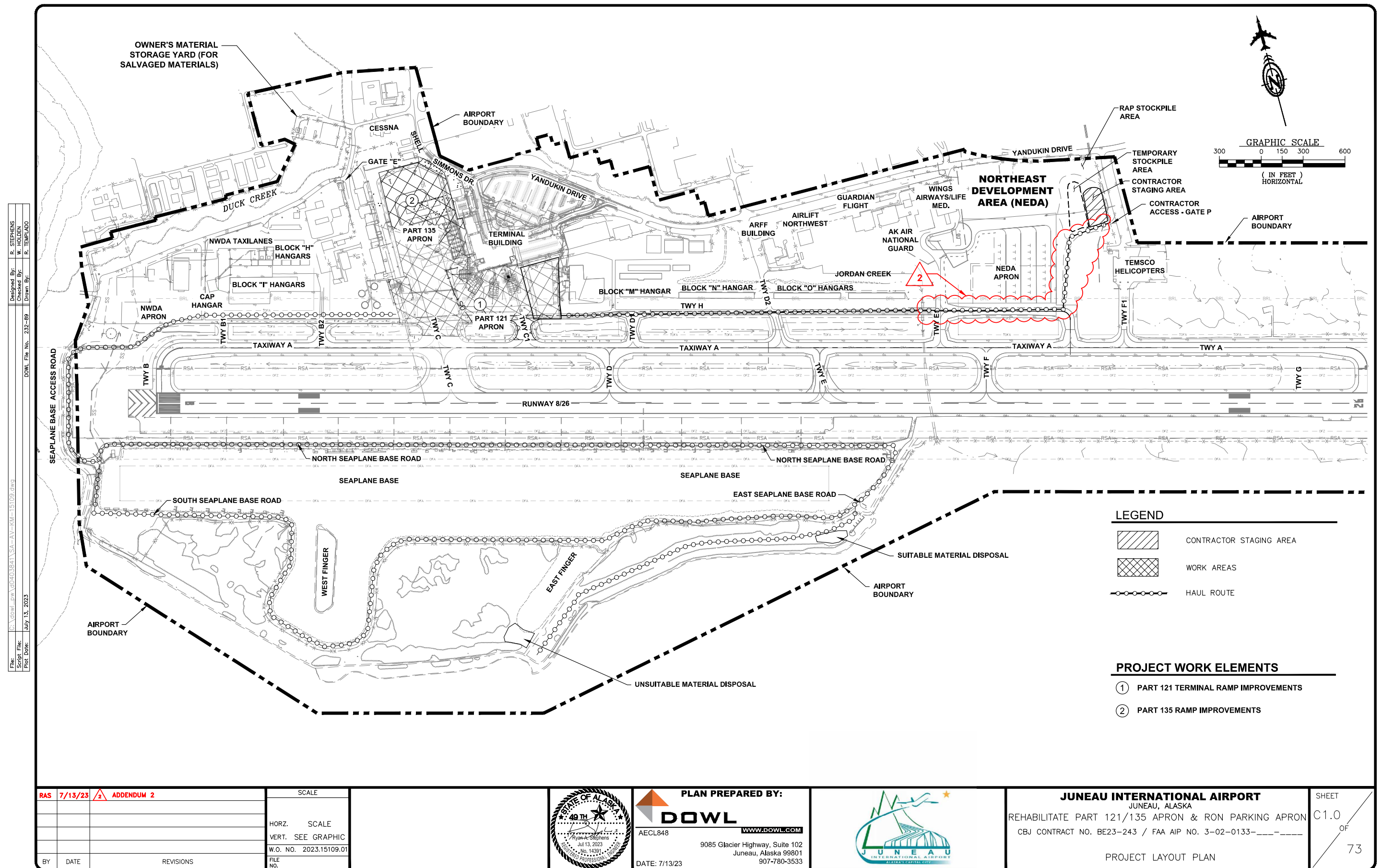


FIGURE 1 VICINITY MAP



**SECON**
SOUTHEAST ALASKA

1836 Anka Drive
Juneau, AK 99801
(907) 780-5145

P.O. Box 32159
Juneau, AK 99803

ASTEC ASPHALT PLANT

Location of Plant	
Juneau Airport 2109	
REVISION:	Sheet 1
Scale: 1"=1000'	

Drawn by: ---- 12/27/2018 Project Number: 100711

Attachment A - Application



SECON
SOUTHEAST ALASKA
1836 Anka Drive
Juneau, AK 99801
(907) 780-5145
P.O. Box 32159
Juneau, AK 99803

ASTEC ASPHALT PLANT

Plant Setup	
Juneau Airport 2109	
REVISION:	Sheet

Attachment A - Application



SECON
SOUTHEAST ALASKA
1836 Anka Drive
Juneau, AK 99801
(907) 780-5145
P.O. Box 32159
Juneau, AK 99803

ASTEC ASPHALT PLANT

ASTEC ASPHALT PLANT	
Juneau Airport 2109	
REVISION:	Sheet



Federal Aviation Administration

222 West 7th Ave., Box 14
Anchorage, AK 99513-7587

Venus Lars

Section H, Item 6.

February 09, 2024

TO:

Secon

Attn: Jared Mackey

1836 Anka Street

Juneau, AK 99801

jmackey@colaska.com

RE: (See attached Table 1 for referenced case(s))

****FINAL DETERMINATION****

Table 1 - Letter Referenced Case(s)

ASN	Prior ASN	Location	Latitude (NAD83)	Longitude (NAD83)	AGL (Feet)	AMSL (Feet)
2024-AAL-27-NRA	2023-AAL-1209-NRA	JUNEAU,AK	58-21-27.90N	134-33-46.58W	80	107
2024-AAL-28-NRA	2023-AAL-1209-NRA	JUNEAU,AK	58-21-27.34N	134-33-41.66W	80	107
2024-AAL-29-NRA	2023-AAL-1209-NRA	JUNEAU,AK	58-21-26.06N	134-33-39.18W	80	106
2024-AAL-30-NRA	2023-AAL-1209-NRA	JUNEAU,AK	58-21-22.90N	134-33-39.40W	80	106
2024-AAL-31-NRA	2023-AAL-1209-NRA	JUNEAU,AK	58-21-23.14N	134-33-46.40W	80	107

Description: This Notice is to be used in conjunction with another project filed under with Aeronautical Study Number 2023-AAL-1209-NRA. An asphalt plant will be set up for the duration of the project in another area of the airport. The plant will be set up in the Northeast Development Area (NEDA) of Juneau International Airport. A site plan from the conformed documents has been included for reference.

We do not object with conditions to the construction described in this proposal provided:

You comply with the requirements set forth in FAA Advisory Circular 150/5370-2, "Operational Safety on Airports During Construction."

- The proposal violates the criteria given in the siting standard, Order 6560.20, for the Runway Visual Range (RVR) equipment serving Ted Stevens Juneau International Airport, Juneau, Alaska (AK). The proposal is expected to generate significant dust or smoke in the vicinity of the RVR Runway 08 Touchdown/Runway 26 Rollout and Ambient Light Sensor facilities. If not possible, the RVR data must be NOTAMed out of service and additional cleaning, calibration, and maintenance may be required. Contact the Operations Control Center (OCC) prior to the start of the project in order to schedule any necessary service outages at 866-4-FAA-OCC.

- Contact Airport Management prior to starting work to coordinate the work schedule, issue NOTAMs and possible impact mitigations.

- A separate notice to the FAA is required for any construction equipment, such as temporary cranes, whose working limits would exceed the height and lateral dimensions of your proposal.

- Please inform the airport owners that as the Airport Layout Plan is updated, please include this new development.

Further, you should contact the Airport Traffic Control Tower (ATCT) Watch Supervisor at (907) 790-8502 prior to the crane(s) being raised for purposes of establishing a procedure to have the crane(s) immediately lowered upon request of the ATCT. When the crane(s) is no longer needed and has been permanently lowered, you should contact the ATCT at the telephone numbers given above and log back into your registered E-file account to provide the Flight Data Center (FDC) with notification that the NOTAM can be cancelled.

This determination does not constitute FAA approval or disapproval of the physical development involved in the proposal. It is a determination with respect to the safe and efficient use of navigable airspace by aircraft and with respect to the safety of persons and property on the ground.

In making this determination, the FAA has considered matters such as the effects the proposal would have on existing or planned traffic patterns of neighboring airports, the effects it would have on the existing airspace structure and projected programs of the FAA, the effects it would have on the safety of persons and property on the ground, and the effects that existing or proposed manmade objects (on file with the FAA), and known natural objects within the affected area would have on the airport proposal.

This determination expires on 10/31/2025 unless:

(a) extended, revised or terminated by the issuing office.

(b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for the completion of construction, or the date the FCC denies the application.

NOTE: Request for extension of the effective period of this determination must be obtained at least 15 days prior to expiration date specified in this letter.

If you have any questions concerning this determination contact Venus Larson (907) 271-3813 venus.larson@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2024-AAL-27-NRA.

Venus Larson

Specialist

Signature Control No: 610499543-612273809



(907) 586-0715
 CDD_Admin@juneau.gov
 www.juneau.org/community-development
 155 Heritage Way • Juneau, AK 99801

Airport temporary asphalt batch plant

Case Number: PAC2024 0005
 Applicant: Colaska Inc. DBA SECON
 Property Owner: City & Borough of Juneau
 Property Address: 8907 Yandukin Dr
 Parcel Code Number: 3B1601000010
 Site Size: n/a
 Zoning: Industrial
 Existing Land Use: Airport

Conference Date: January 24, 2024

Report Issued: February 7, 2024

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
Maureen Hansen	Applicant	mhansen@colaska.com
Teri Camery	Planning	teri.camery@juneau.gov
Bridget LaPenter	General Engineering	Bridget.LaPenter@juneau.gov
David Sevdy	Permit technician	David.sevdy@juneau.gov

Conference Summary

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.

Project Overview

The applicant requests a Conditional Use Permit for the development of a temporary asphalt plant at the Juneau International Airport in the corner along Maplesden Way for paving work on CBJ Contract No. BE23-243. The location is the same as two previous projects: USE2020-0005 for CBJ Contract No. BE19-218; and USE2019-0001 for CBJ Contract No. BE18-213. The applicant intends to start work in May and operate through the construction season. The project could extend through 2025.

The applicant is encouraged to follow the application materials used in previous Conditional Use Permit applications as provided via email, and to specifically address the following issues: light and noise and working hours; months/seasons of operation; a drainage plan and final Stormwater Pollution Prevention Plan in conformance with Alaska Department of Environmental Conservation requirements; lighting; and anticipated daily truck traffic and truck routes.

The applicant should allow for a three month process before obtaining a final decision from the CBJ Planning Commission.

Planning Division

1. **Zoning** – Industrial
2. **Table of Permissible Uses** - The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ 49.25.300, Section 4.100, Heavy Manufacturing, for the Industrial zoning district.
3. **Setbacks** – Setbacks in the Industrial zoning district are 10 feet in the front, rear, and sides.
4. **Height** – There is no maximum height in the Industrial zoning district.
5. **Access** – Maplesden Way and Yandukin Drive
6. **Parking & Circulation**– Parking and circulation requirements are based on gross floor area per CBJ Code 49.40.210(a), which is not applicable to the proposed development. The code does not have an established parking requirement for asphalt plants or similar uses that utilize large outdoor plants and outdoor storage areas.
7. **Lot Coverage** – There is no maximum lot coverage in the Industrial zoning district.
8. **Vegetative Coverage** – The vegetative cover requirement in the Industrial Zoning district is five percent, and is not relevant to the proposed temporary asphalt plant.
9. **Lighting** – A lighting plan needs to be addressed in the application project narrative. Exterior lighting may not shed light or glare above the roofline of the building or beyond the property line of the site. Industrial and exterior lighting shall not be used in a manner that produces glare on public highways or neighboring property. All exterior lighting fixtures shall be of a “full cutoff” design.
10. **Noise** – Daily hours of operation and noise impacts need to be addressed in the application project narrative.
11. **Flood** –

The proposed development is not within a mapped floodplain.

12. Hazard/Mass Wasting/Avalanche/Hillside Endorsement –

The proposed development is not within a mapped hazard zone.

13. Wetlands – There are no wetlands on the project site.**14. 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 within 50 feet of the development.**15. Plat or Covenant Restrictions –** n/a**16. Traffic –** Traffic routes and daily traffic estimates need to be included in the project narrative in the application.**17. Nonconforming situations –** There are no known nonconforming situations on the property.**Building Division****18. Building –** The Building Division has no issues.**19. Outstanding Permits –** none.**General Engineering/Public Works****20. Engineering –** CBJ Engineering has no issues.**Fire Marshal****21. Fire Items/Access –** The Fire Department has no issues with the proposal.**Other Applicable Agency Review****22.** Alaska Department of Environmental Conservation comments will be required for the permit review, in addition to other standard agency reviews.**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. Conditional Use Permit Application

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.

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. n/a

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. Conditional Use Permit Class IV use, \$1,000.00
2. Conditional Use Permit Public Notice sign fee \$50; deposit \$100.

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



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Environmental Conservation

DIVISION OF WATER

Wastewater Discharge Authorization Program

555 Cordova Street
Anchorage, Alaska 99501-2617
Main: 907.269.6285
Fax: 907.334.2415
www.dec.alaska.gov/wastewater

March 05, 2024

Operator Info

Secon
ATTN: Brian Maller
1836 Anka Street
Juneau AK 99801
bmaller@colaska.com

Project Info

**JNU Rehabilitate Part 121/135 Apron &
RON Parking Apron**
1873 Shell Simmons Drive
Juneau, AK 99801

Est. Start – End: **04/01/2024 - 10/28/2026**
Est. Area Disturbed: **20.2 acres**
Latitude, Longitude: **58.359850, -134.58182**

General Permit Authorization Number: **AKR10H0FR v1.0**

This email/letter acknowledges that you have submitted a Notice of Intent (NOI) form to be covered under the APDES General Permit for Stormwater Discharges for Construction General Permit Activity (Construction General Permit) and is assigned the permit authorization number: AKR10H0FR v1.0. Please reference your permit authorization number in all future correspondence. The permittee is authorized to discharge storm water under the terms and conditions of this permit upon the issuance date of this letter and expires January 31, 2026 or as per Permit Part 2.6. Permit documents will be posted to the Alaska DEC EDMS Map Explorer at <https://dec.alaska.gov/Applications/Water/EDMS/nsite>.

According to the NOI information provided (ref: HQ1-XBW4-5FJVQ, recd: 03/05/2024), the location of the SWPPP or the name and telephone number of the contact person for scheduling SWPPP viewing times is as follows:

- **SWPPP Location:** Project Address
- **SWPPP Contact:** Jared Mackey, Project Engineer, (406) 529-6331, jmackey@colaska.com, 1836 Anka Street, Juneau, AK 99801

Note, as per Permit Part 2.7 the permittee is required to **submit a modification NOI within 30 calendar days if any of the following change:** Owner/Operator address and contact information, site information, estimated start or end dates, acres disturbed, or SWPPP location and contact information.

Coverage is not transferable. The permittee must **submit a Notice of Termination (NOT) instead of an NOI modification to DEC within 30 calendar days when the operator has changed.** A change of operator in this case means when an organization changes control of the project. It does not mean when a corporate officer of the organization changes while the organization continues with the project. The new owner/operator must file a new NOI to obtain coverage under the CGP.

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As you know, the Construction General Permit requires you to have developed and begun implementing a Stormwater Pollution Prevention Plan (SWPPP) and outlines important inspection and record keeping requirements. You must also comply with any additional location-specific requirements applicable to Alaska. A copy of the Construction General Permit must be kept with your SWPPP. An electronic copy of the Permit and additional guidance materials can be viewed and downloaded at <https://dec.alaska.gov/water/wastewater/stormwater/construction>.

Prior to discharge, please review your authorization and general permit AKR100000 to ensure that you understand the requirements contained within them. If you have general questions regarding the storm water program or your responsibilities under the Construction General Permit, please call 907-269-6285.

Re: EDMS CGP NOI Submission: HQ1-XBW4-5FJVQ, Received: 3/5/2024 1:29:50 PM



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.

To be completed by Applicant

PROJECT SUMMARY

Temporary Asphalt Plant on site in support of CBJ project BE23-243 JNU Rehabilitate Part 121/135 Apron & RON Parking Apron

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: 4100

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 87,120 square feet Total Area of Existing Structure(s) _____ square feet

Total Area of Proposed Structure(s) _____ square feet

EXTERNAL LIGHTING

Existing to remain

☒ No

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

Proposed

☒ No

☐ 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

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

☒ 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)

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

ALLOWABLE/CONDITIONAL USE FEES

	Fees	Check No.	Receipt	Date
Application Fees	\$ _____			
Admin. of Guarantee	\$ _____			
Adjustment	\$ _____			
Pub. Not. Sign Fee	\$ _____			
Pub. Not. Sign Deposit	\$ _____			
Total Fee	\$ _____			

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.

Case Number

Date Received

Allowable/Conditional Use Permit Application Instructions

Allowable Use permits are outlined in CBJ 49.15.320, Conditional Use permits are outline in CBJ 49.15.330

Pre-Application Conference: A pre-application conference is required prior to submitting an application. There is no fee for a pre-application conference. The applicant will meet with City & Borough of Juneau and Agency staff to discuss the proposed development, the permit procedure, and to determine the application fees. To schedule a pre-application conference, please contact the Permit Center at 586-0770 or via e-mail at permits@juneau.org.

Application: An application for an Allowable/Conditional Use Permit will not be accepted by the Community Development Department until it is determined to be complete. The items needed for a complete application are:

1. **Forms:** Completed Allowable/Conditional Use Permit Application and Development Permit Application forms.
2. **Fees:** Fees generally range from \$350 to \$1,600. Any development, work, or use done without a permit issued will be subject to double fees. All fees are subject to change.
3. **Project Narrative:** A detailed narrative describing the project.
4. **Plans:** All plans are to be drawn to scale and clearly show the items listed below:
 - A. Site plan, floor plan and elevation views of existing and proposed structures
 - B. Existing and proposed parking areas, including dimensions of the spaces, aisle width and driveway entrances
 - C. Proposed traffic circulation within the site including access/egress points and traffic control devices
 - D. Existing and proposed lighting (including cut sheets for each type of lighting)
 - E. Existing and proposed vegetation with location, area, height and type of plantings
 - F. Existing physical features of the site (i.e. drainage, eagle trees, hazard areas, salmon streams, wetlands, etc.)

Document Format: All materials submitted as part of an application shall be submitted in either of the following formats:

1. Electronic copies in the following formats: .doc, .txt, .xls, .bmp, .pdf, .jpg, .gif, .xlm, .rtf (other formats may be preapproved by the Community Development Department).
2. Paper copies 11" X 17" or smaller (larger paper size may be preapproved by the Community Development Department).

Application Review & Hearing Procedure: Once the application is determined to be complete, the Community Development Department will initiate the review and scheduling of the application. This process includes:

Review: As part of the review process the Community Development Department will evaluate the application for consistency with all applicable City & Borough of Juneau codes and adopted plans. Depending on unique characteristics of the permit request the application may be required to be reviewed by other municipal boards and committees. During this review period, the Community Development Department also sends all applications out for a 15-day agency review period. Review comments may require the applicant to provide additional information, clarification, or submit modifications/alterations for the proposed project.

Hearing: All Allowable/Conditional Use Permit Applications must be reviewed by the Planning Commission for vote. Once an application has been deemed complete and has been reviewed by all applicable parties the Community Development Department will schedule the requested permit for the next appropriate meeting.

Public Notice Responsibilities: Allowable/Conditional Use requests must be given proper public notice as outlined in CBJ 49.15.230:

The Community Development Department will give notice of the pending Planning Commission meeting and its agenda in the local newspaper a minimum of 10-days prior to the meeting. Furthermore, CDD will mail notices to all property owners within 500-feet of the project site.

The Applicant will post a sign on the site at least 14 days prior to the meeting. The sign shall be visible from a public right-of-way or where determined appropriate by CDD. Signs may be produced by the Community Development Department for a preparation fee of \$50, and a \$100 deposit that will be refunded in full if the sign is returned within seven days of the scheduled hearing date. If the sign is returned between eight and 14 days of the scheduled hearing \$50 may be refunded. The Applicant may make and erect their own sign. Please contact the Community Development Department for more information.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED



A COLAS COMPANY

P.O. Box 32159 Juneau, Alaska 99803
Phone (907) 780-5145 Fax (907) 780-5896
www.colaska.com

Ms. Teri Camery
City and Borough of Juneau
155 S. Seward Street
Juneau, Alaska 99801

3/4/2024

RE: City and Borough of Juneau Conditional Use Permit Application
Temporary Location of ASTEC Asphalt Plant
For Project BE23-243 JNU Rehabilitate Part 121/135 Apron & RON Parking Apron

To Ms. Camery,

Secon was awarded a project at the Juneau International Airport (JIA), CBJ Contract No. BE23-243, JNU Rehabilitate Part 121/135 Apron & RON Parking Apron in late 2023. The substantial completion date for the project is September 30st, 2026. This project has a bid quantity of 23,512 tons of Hot Mix Asphalt for the planned airport improvements.

To facilitate the operations of paving at the airport Secon is requesting a Conditional Use Permit (CUP) for the ASTEC Asphalt Plant at a location by Gate P on Maplesden Way inside the airport fence on JIA property.

The ASTEC Asphalt Plant has been setup on the JIA property for previous projects in 2015 by the float pond and in 2018, 2019, and 2020 by Gate P. The proposed location for the asphalt plant is the same as it occupied during the 2018-2020 approvals and has been approved by the JNU Airport Project Manager. The location meets the TSA's set-backs from the security fence for any structure or vehicle. It is below the height requirements for any structure near the FAA's runway control envelope. It is also outside of the FAA/JIA taxiway's control zone. It has been accepted by Alaska Department of Environmental Conservation (DEC) for the current location.

Typical JIA project working hours are Monday through Sunday 7:00 AM to 7:00 PM. The project also includes contract mandated night work to maintain commercial flight patterns. These night work hours will follow contract guidelines and are subject to change. A Noise permit has been applied for with CBJ. The spring startup is anticipated for the first of April. Paving will start sometime towards end of April to first part of May depending upon weather. This project has a final completion date of

October 28th, 2026 with seasonal shutdowns of approximately October 31 in 2024 and 2025. We anticipate having the plant setup on site for the duration of the project or roughly 30 months.

The project is broken up into 12 phases of work to allow construction as well as continued seamless operation of the airport facilities by all users. Secon has proposed a revised 8 phase plan. Final phasing is still under discussion but has no affect on asphalt plant location or duration.

The trucking route for the project is all within the fenced airport perimeter (reference sheet C1.0). No impacts to Yandukin Drive, Shell-Simmons Drive and Cessna Drive. As the contractor haul route starts at Gate P all trucking for the project was planned for access thru Maplesden Way. With the ASTEC Asphalt Plant located at Maplesden Way it would eliminate trucks hauling hot asphalt from Concrete Way to Egan Drive and then turning across in-bound traffic on Egan Drive and reduce the trucking impacts to Maplesden Way itself. Raw aggregates for making asphalt will come from both Hidden Valley and Aggpro via Egan Drive not thru Lemon Creek residential area. An estimated average of 50 loads in a day when hauling aggregate. AML will be delivering tanks of asphalt cement via Egan Drive for the project with an estimated maximum of 12 loads per day.

Light for the asphalt plant may be needed. Lighting will be provided via portable self-contained light plants. The lights will be setup with the intent of not impacting the Egan Highway traffic or JIA air traffic. JIA Project Engineer will determine the location and light direction per FAA requirements if there are concerns from interested parties.

The ASTEC Asphalt Plant is operating under the Project's Construction SWPPP which is currently in the final approval process. The NOI Authorization from DEC can be provided when available.

Based on google earth the nearest stream is about 1.400 feet from the plant on the far side of taxiway F. The nearest wetland is on the other side of TEMSCO at about 900 feet away.

Per the State of Alaska Geoportal for Documented Eagle Nest Sites, there are no active sites within a ½ mile radius of the proposed asphalt plant location.

Dust control will be with a water truck wetting down the truck routes.

The plant will be located on dredged sands and gravels from the float plane pond. If any stormwater runoff is present it will be managed with wattles and earthen berms.

The ASTEC Asphalt Plant air quality permit AQ0247MG301 can be found at DEC's Air Permits Approvals and Public Notices web page:

<http://dec.alaska.gov/Applications/Air/airtoolsweb/AirPermitsApprovalsAndPublicNotices>

Permit/Approval Type: Minor General - Asphalt Plant - Title I (MG3)

Owner: Colaska Inc, dba Secon

Stationary Source: ASTEC Super Six Drum Mix Asphalt Plant

Security is courtesy of JIA in being located inside their fences and on their property.

Attachments comprise original phasing plan, proposed phasing plan, Sheet C1.0 showing trucking routes, ASTEC location, ASTEC setup, 7460 for asphalt plant and crane used to set it up, and pre-application meeting report.

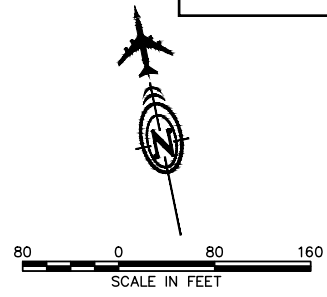
We believe that it would provide a benefit to CBJ if this CUP extended beyond just a single project. We request the permit be for 10 years as is typical for these permits. This process has been undertaken multiple times in the past six years for airport project work and the trend will likely continue. At a minimum, we request the permit expiration be tied to the project completion date even if it changes so permit flexes with project changes.

If any question or clarifications are need please contact me.

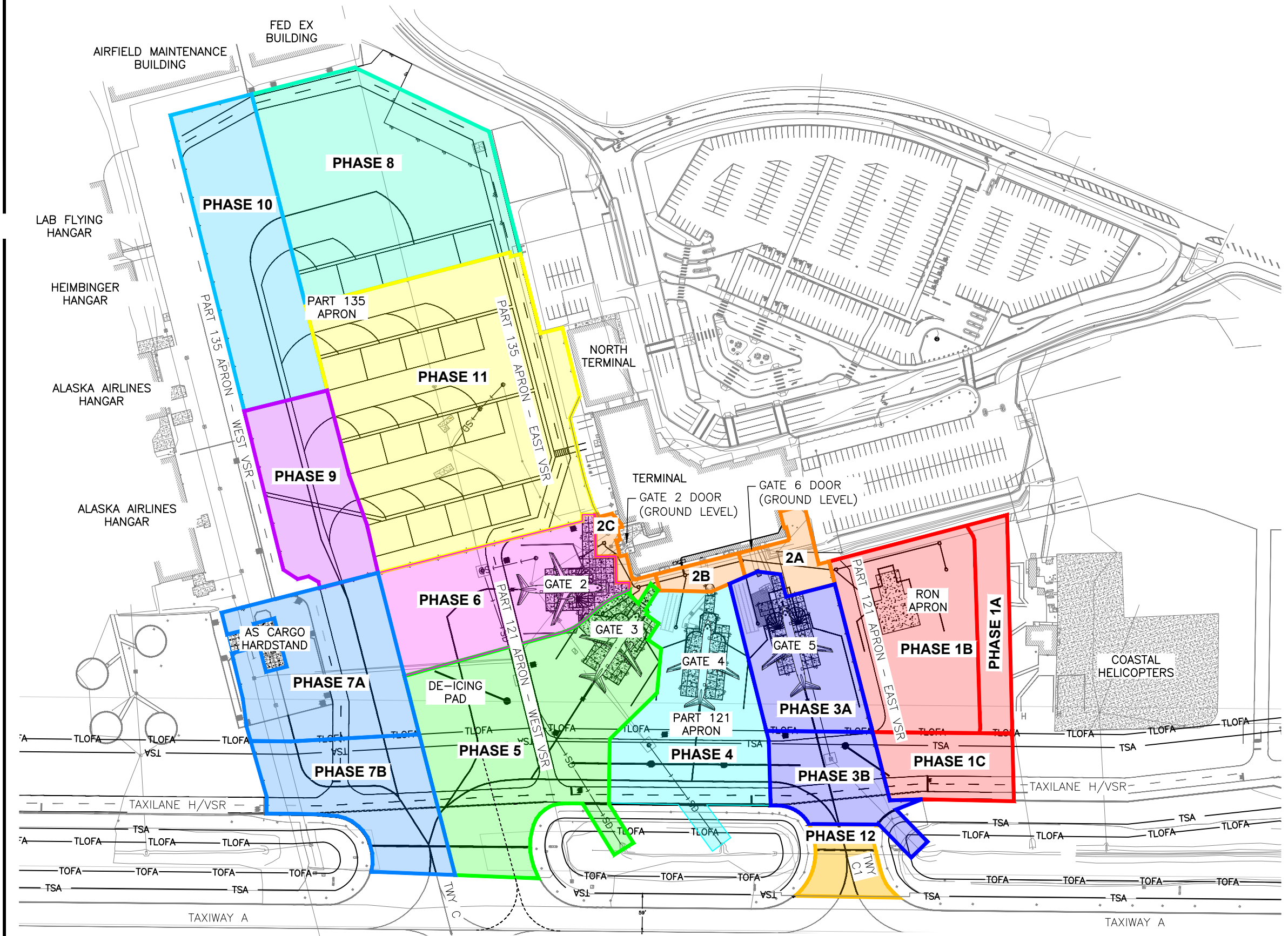
Sincerely,



Maureen A. Hansen, P.E
Engineering & Environmental Manager



Designed By: R. STEPHENS
Checked By: W. HOLDEN
Drawn By: R. TEMPLADO
DOWL File No. 232-89
File: C:\dowl\pwa\0403841\SC-AV-CSPP-15109.dwg
Sheet File:
Plot Date:



- PHASING OVERVIEW NOTES**
1. PHASE 1B WORK (SEE SHEET C3.2) AND PHASE 3A WORK (SEE SHEET C3.8) WILL OCCUR CONCURRENTLY.
 2. PHASE 1C WORK (SEE SHEET C3.3) AND PHASE 3B WORK (SEE SHEET C3.9) WILL OCCUR CONCURRENTLY.
 3. PHASE 11 WORK WILL BE FURTHER SUBDIVIDED AS DETAILED ON SHEET C3.18 TO MAINTAIN AIRCRAFT PARKING POSITIONS IN THIS WORK AREA.

LEGEND	
	PHASE 1A/1B/1C - RON APRON
	PHASE 2A/2B/2C - PART 121 RAMP ADJACENT TO TERMINAL
	PHASES 3A/3B - GATE 5 AND VICINITY
	PHASE 4 - GATE 4 AND VICINITY
	PHASE 5 - GATE 3 AND VICINITY
	PHASE 6 - GATE 2 AND VICINITY
	PHASES 7A/7B - AS CARGO HARDSTAND AND VICINITY
	PHASE 8 - PART 135 RAMP (NE AREA)
	PHASE 9 - PART 135 RAMP - (SW AREA)
	PHASE 10 - PART 135 RAMP (NW AREA)
	PHASE 11A/11B/11C/11D - PART 135 RAMP - (SE AREA)
	PHASE 12 - TAXIWAY C1
	TSA - TAXIWAY SAFETY AREA (TSA)
	TOFA - TAXIWAY OBJECT FREE AREA (TOFA)
	TLOFA - TAXILANE OBJECT FREE AREA (TLOFA)

BY	DATE	REVISIONS

SCALE
HORZ. SCALE
VERT. SEE GRAPHIC
W.O. NO. 2023.15109.01
FILE NO.



PLAN PREPARED BY:

DOWL

AECL848

WWW.DOWL.COM

9085 Glacier Highway, Suite 102
Juneau, Alaska 99801
907-780-3533

DATE: 6/19/23



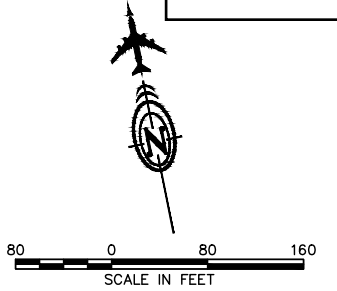
JUNEAU INTERNATIONAL AIRPORT
JUNEAU, ALASKA

REHABILITATE PART 121/135 APRON & RON PARKING APRON

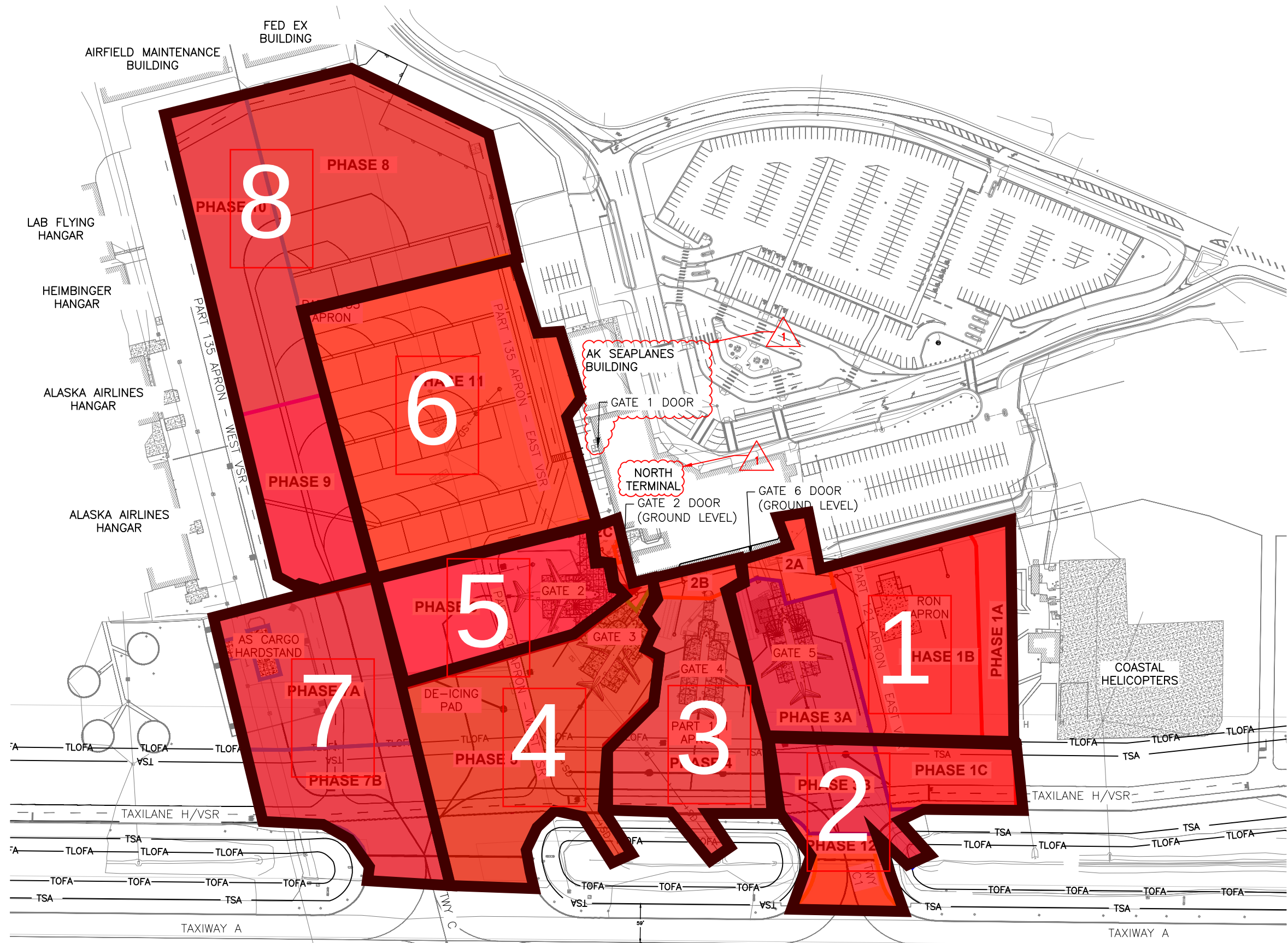
CBJ CONTRACT NO. BE23-243 / FAA AIP NO. 3-02-0133-_____

CONSTRUCTION SAFETY & PHASING PLAN

CONSTRUCTION PHASING OVERVIEW



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Script File:
Plot Date:
Designed By: R. STEPHENS
Checked By: W. HOLDEN
Drawn By: R. TEMPLADO
DOWL File No. 232-89



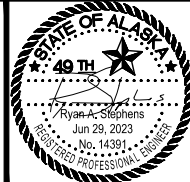
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	PHASE 2A/2B/2C - PART 121 RAMP ADJACENT TO TERMINAL
	PHASES 3A/3B - GATE 5 AND VICINITY
	PHASE 4 - GATE 4 AND VICINITY
	PHASE 5 - GATE 3 AND VICINITY
	PHASE 6 - GATE 2 AND VICINITY
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	PHASE 11A/11B/11C/11D - PART 135 RAMP - (SE AREA)
	PHASE 12 - TAXIWAY C1
	TSA TAXIWAY SAFETY AREA (TSA)
	TOFA TAXIWAY OBJECT FREE AREA (TOFA)
	TLOFA TAXILANE OBJECT FREE AREA (TLOFA)

RAS 6/21/23 ADDENDUM 1

SCALE

HORZ. SCALE
VERT. SEE GRAPHIC
W.O. NO. 2023.15109.01
FILE NO.

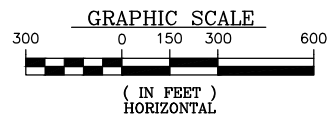


PLAN PREPARED BY:
DOWL
AECL848
WWW.DOWL.COM
9085 Glacier Highway, Suite 102
Juneau, Alaska 99801
907-780-3533
DATE: 6/29/23

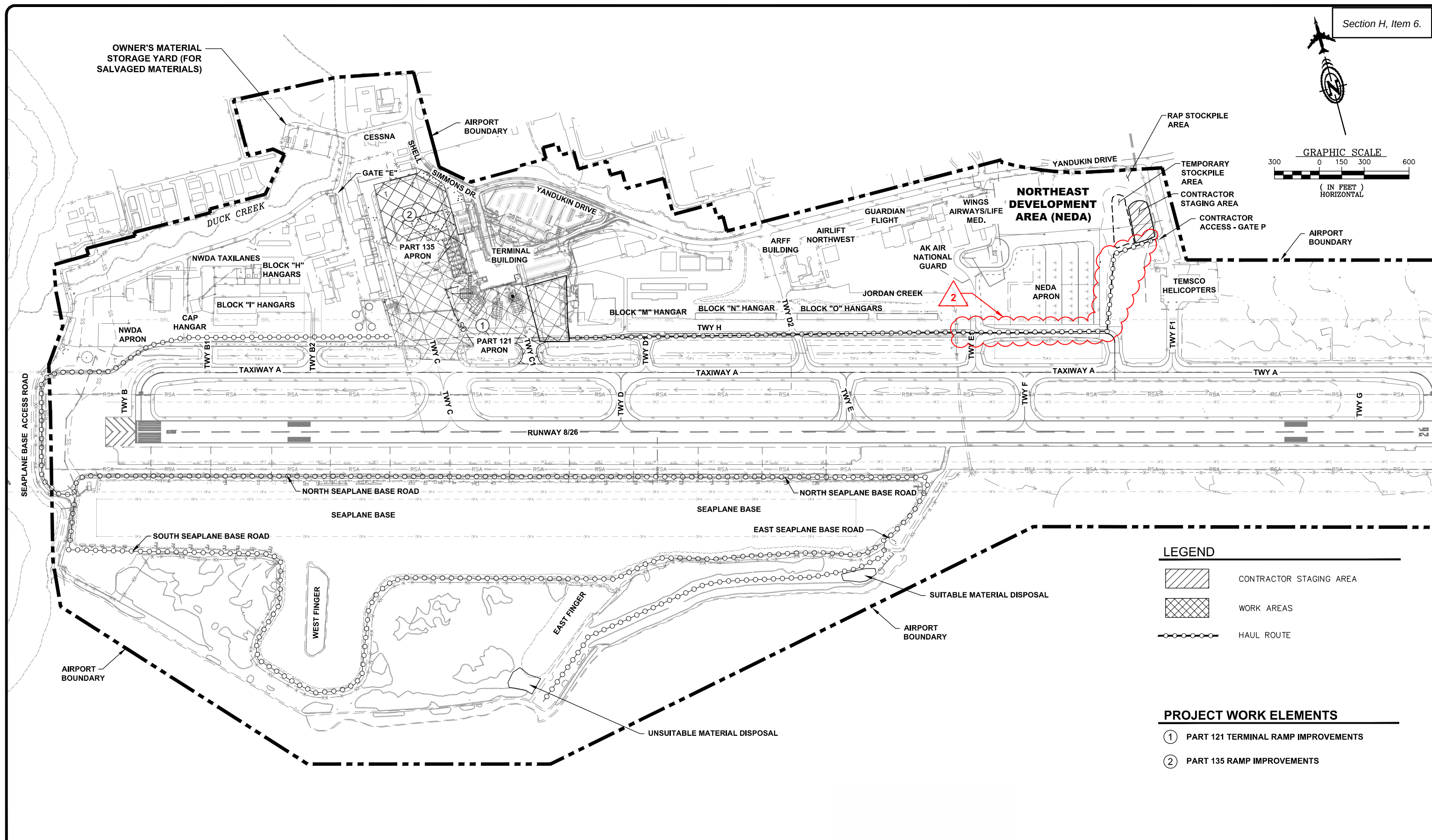


JUNEAU INTERNATIONAL AIRPORT
JUNEAU, ALASKA
REHABILITATE PART 121/135 APRON & RON PARKING APRON
CBJ CONTRACT NO. BE23-243 / FAA AIP NO. 3-02-0133-_____
CONSTRUCTION SAFETY & PHASING PLAN
CONSTRUCTION PHASING OVERVIEW

SHEET
C3.0
OF
345



File: C:\dowl_dw\0403841\SA-AV-KM-15109.dwg
Script File: July 13, 2023
Plot Date: July 13, 2023
DOWL File No. 232-89
Designed By: R. STEPHENS
Checked By: W. HOLDEN
Drawn By: R. TEMPLADO



LEGEND

- CONTRACTOR STAGING AREA
- WORK AREAS
- HAUL ROUTE

PROJECT WORK ELEMENTS

- PART 121 TERMINAL RAMP IMPROVEMENTS
- PART 135 RAMP IMPROVEMENTS

RAS 7/13/23 ADDENDUM 2	SCALE HORZ. SCALE VERT. SEE GRAPHIC W.O. NO. 2023.15109.01 FILE NO.	BY DATE REVISIONS	STATE OF ALASKA 49TH Ryan A. Stephens Jul 13, 2023 No. 14381 REGISTERED PROFESSIONAL ENGINEER	PLAN PREPARED BY: DOWL AECL848 WWW.DOWL.COM 9085 Glacier Highway, Suite 102 Juneau, Alaska 99801 907-780-3533 DATE: 7/13/23	JUNEAU INTERNATIONAL AIRPORT JUNEAU, ALASKA REHABILITATE PART 121/135 APRON & RON PARKING APRON CBJ CONTRACT NO. BE23-243 / FAA AIP NO. 3-02-0133-____ PROJECT LAYOUT PLAN	SHEET C1.0 OF 346
--------------------------------------	--	--------------------------	--	--	--	--------------------------

FIGURE 1 VICINITY MAP

Section H, Item 6.



SECON
SOUTHEAST ALASKA
1836 Anka Drive
Juneau, AK 99801
(907) 780-5145
P.O. Box 32159
Juneau, AK 99803

ASTEC ASPHALT PLANT

Drawn by: ----

12/27/2018

Project Number: 100711

Attachment A - Application Packet

Location of Plant

Juneau Airport 2109

REVISION:

Scale: 1"=1000'

Sheet
1

347







Federal Aviation Administration

222 West 7th Ave., Box 14
Anchorage, AK 99513-7587

Venus L

Section H, Item 6.

February 09, 2024

TO:

Secon

Attn: Jared Mackey

1836 Anka Street

Juneau, AK 99801

jmackey@colaska.com

RE: *(See attached Table 1 for referenced case(s))*

****FINAL DETERMINATION****

Table 1 - Letter Referenced Case(s)

ASN	Prior ASN	Location	Latitude (NAD83)	Longitude (NAD83)	AGL (Feet)	AMSL (Feet)
2024-AAL-27-NRA	2023-AAL-1209-NRA	JUNEAU,AK	58-21-27.90N	134-33-46.58W	80	107
2024-AAL-28-NRA	2023-AAL-1209-NRA	JUNEAU,AK	58-21-27.34N	134-33-41.66W	80	107
2024-AAL-29-NRA	2023-AAL-1209-NRA	JUNEAU,AK	58-21-26.06N	134-33-39.18W	80	106
2024-AAL-30-NRA	2023-AAL-1209-NRA	JUNEAU,AK	58-21-22.90N	134-33-39.40W	80	106
2024-AAL-31-NRA	2023-AAL-1209-NRA	JUNEAU,AK	58-21-23.14N	134-33-46.40W	80	107

Description: This Notice is to be used in conjunction with another project filed under with Aeronautical Study Number 2023-AAL-1209-NRA. An asphalt plant will be set up for the duration of the project in another area of the airport. The plant will be set up in the Northeast Development Area (NEDA) of Juneau International Airport. A site plan from the conformed documents has been included for reference.

We do not object with conditions to the construction described in this proposal provided:

You comply with the requirements set forth in FAA Advisory Circular 150/5370-2, "Operational Safety on Airports During Construction."

- The proposal violates the criteria given in the siting standard, Order 6560.20, for the Runway Visual Range (RVR) equipment serving Ted Stevens Juneau International Airport, Juneau, Alaska (AK). The proposal is expected to generate significant dust or smoke in the vicinity of the RVR Runway 08 Touchdown/Runway 26 Rollout and Ambient Light Sensor facilities. If not possible, the RVR data must be NOTAMed out of service and additional cleaning, calibration, and maintenance may be required. Contact the Operations Control Center (OCC) prior to the start of the project in order to schedule any necessary service outages at 866-4-FAA-OCC.

- Contact Airport Management prior to starting work to coordinate the work schedule, issue NOTAMs and possible impact mitigations.

- A separate notice to the FAA is required for any construction equipment, such as temporary cranes, whose working limits would exceed the height and lateral dimensions of your proposal.

- Please inform the airport owners that as the Airport Layout Plan is updated, please include this new development.

Section H, Item 6.

Further, you should contact the Airport Traffic Control Tower (ATCT) Watch Supervisor at (907) 790-8502 prior to the crane(s) being raised for purposes of establishing a procedure to have the crane(s) immediately lowered upon request of the ATCT. When the crane(s) is no longer needed and has been permanently lowered, you should contact the ATCT at the telephone numbers given above and log back into your registered E-file account to provide the Flight Data Center (FDC) with notification that the NOTAM can be cancelled.

This determination does not constitute FAA approval or disapproval of the physical development involved in the proposal. It is a determination with respect to the safe and efficient use of navigable airspace by aircraft and with respect to the safety of persons and property on the ground.

In making this determination, the FAA has considered matters such as the effects the proposal would have on existing or planned traffic patterns of neighboring airports, the effects it would have on the existing airspace structure and projected programs of the FAA, the effects it would have on the safety of persons and property on the ground, and the effects that existing or proposed manmade objects (on file with the FAA), and known natural objects within the affected area would have on the airport proposal.

This determination expires on 10/31/2025 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for the completion of construction, or the date the FCC denies the application.

NOTE: Request for extension of the effective period of this determination must be obtained at least 15 days prior to expiration date specified in this letter.

If you have any questions concerning this determination contact Venus Larson (907) 271-3813 venus.larson@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2024-AAL-27-NRA.

Venus Larson
Specialist
Signature Control No: 610499543-612273809



(907) 586-0715
 CDD_Admin@juneau.gov
 www.juneau.org/community-development
 155 Heritage Way • Juneau, AK 99801

Airport temporary asphalt batch plant

Case Number: PAC2024 0005
 Applicant: Colaska Inc. DBA SECON
 Property Owner: City & Borough of Juneau
 Property Address: 8907 Yandukin Dr
 Parcel Code Number: 3B1601000010
 Site Size: n/a
 Zoning: Industrial
 Existing Land Use: Airport

Conference Date: January 24, 2024

Report Issued: February 7, 2024

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
Maureen Hansen	Applicant	mhanzen@colaska.com
Teri Camery	Planning	teri.camery@juneau.gov
Bridget LaPenter	General Engineering	Bridget.LaPenter@juneau.gov
David Sevdý	Permit technician	David.sevdy@juneau.gov

Conference Summary

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.

Project Overview

The applicant requests a Conditional Use Permit for the development of a temporary asphalt plant at the Juneau International Airport in the corner along Maplesden Way for paving work on CBJ Contract No. BE23-243. The location is the same as two previous projects: USE2020-0005 for CBJ Contract No. BE19-218; and USE2019-0001 for CBJ Contract No. BE18-213. The applicant intends to start work in May and operate through the construction season. The project could extend through 2025.

The applicant is encouraged to follow the application materials used in previous Conditional Use Permit applications as provided via email, and to specifically address the following issues: light and noise and working hours; months/seasons of operation; a drainage plan and final Stormwater Pollution Prevention Plan in conformance with Alaska Department of Environmental Conservation requirements; lighting; and anticipated daily truck traffic and truck routes.

The applicant should allow for a three month process before obtaining a final decision from the CBJ Planning Commission.

Planning Division

1. **Zoning** – Industrial
2. **Table of Permissible Uses** - The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ 49.25.300, Section 4.100, Heavy Manufacturing, for the Industrial zoning district.
3. **Setbacks** – Setbacks in the Industrial zoning district are 10 feet in the front, rear, and sides.
4. **Height** – There is no maximum height in the Industrial zoning district.
5. **Access** – Maplesden Way and Yandukin Drive
6. **Parking & Circulation**– Parking and circulation requirements are based on gross floor area per CBJ Code 49.40.210(a), which is not applicable to the proposed development. The code does not have an established parking requirement for asphalt plants or similar uses that utilize large outdoor plants and outdoor storage areas.
7. **Lot Coverage** – There is no maximum lot coverage in the Industrial zoning district.
8. **Vegetative Coverage** – The vegetative cover requirement in the Industrial Zoning district is five percent, and is not relevant to the proposed temporary asphalt plant.
9. **Lighting** – A lighting plan needs to be addressed in the application project narrative. Exterior lighting may not shed light or glare above the roofline of the building or beyond the property line of the site. Industrial and exterior lighting shall not be used in a manner that produces glare on public highways or neighboring property. All exterior lighting fixtures shall be of a “full cutoff” design.
10. **Noise** – Daily hours of operation and noise impacts need to be addressed in the application project narrative.
11. **Flood** –

The proposed development is not within a mapped floodplain.

12. Hazard/Mass Wasting/Avalanche/Hillside Endorsement –

The proposed development is not within a mapped hazard zone.

13. Wetlands – There are no wetlands on the project site.**14. 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 within 50 feet of the development.**15. Plat or Covenant Restrictions –** n/a**16. Traffic –** Traffic routes and daily traffic estimates need to be included in the project narrative in the application.**17. Nonconforming situations –** There are no known nonconforming situations on the property.**Building Division****18. Building –** The Building Division has no issues.**19. Outstanding Permits –** none.**General Engineering/Public Works****20. Engineering –** CBJ Engineering has no issues.**Fire Marshal****21. Fire Items/Access –** The Fire Department has no issues with the proposal.**Other Applicable Agency Review****22.** Alaska Department of Environmental Conservation comments will be required for the permit review, in addition to other standard agency reviews.**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. Conditional Use Permit Application

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.

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. n/a

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. Conditional Use Permit Class IV use, \$1,000.00
2. Conditional Use Permit Public Notice sign fee \$50; deposit \$100.

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



Wastewater Discharge Authorization Program

555 Cordova Street
Anchorage, Alaska 99501-2617
Main: 907.269.6285
Fax: 907.334.2415
www.dec.alaska.gov/wastewater

March 05, 2024

Operator Info

Secon
ATTN: Brian Maller
1836 Anka Street
Juneau AK 99801
bmaller@colaska.com

Project Info

**JNU Rehabilitate Part 121/135 Apron &
RON Parking Apron**
1873 Shell Simmons Drive
Juneau, AK 99801

Est. Start – End: **04/01/2024 - 10/28/2026**
Est. Area Disturbed: **20.2 acres**
Latitude, Longitude: **58.359850, -134.58182**

General Permit Authorization Number: **AKR10H0FR v1.0**

This email/letter acknowledges that you have submitted a Notice of Intent (NOI) form to be covered under the APDES General Permit for Stormwater Discharges for Construction General Permit Activity (Construction General Permit) and is assigned the permit authorization number: AKR10H0FR v1.0. Please reference your permit authorization number in all future correspondence. The permittee is authorized to discharge storm water under the terms and conditions of this permit upon the issuance date of this letter and expires January 31, 2026 or as per Permit Part 2.6. Permit documents will be posted to the Alaska DEC EDMS Map Explorer at <https://dec.alaska.gov/Applications/Water/EDMS/nsite>.

According to the NOI information provided (ref: HQ1-XBW4-5FJVQ, recd: 03/05/2024), the location of the SWPPP or the name and telephone number of the contact person for scheduling SWPPP viewing times is as follows:

- **SWPPP Location:** Project Address
- **SWPPP Contact:** Jared Mackey, Project Engineer, (406) 529-6331, jmackey@colaska.com, 1836 Anka Street, Juneau, AK 99801

Note, as per Permit Part 2.7 the permittee is required to **submit a modification NOI within 30 calendar days if any of the following change:** Owner/Operator address and contact information, site information, estimated start or end dates, acres disturbed, or SWPPP location and contact information.

Coverage is not transferable. The permittee must **submit a Notice of Termination (NOT) instead of an NOI modification to DEC within 30 calendar days when the operator has changed.** A change of operator in this case means when an organization changes control of the project. It does not mean when a corporate officer of the organization changes while the organization continues with the project. The new owner/operator must file a new NOI to obtain coverage under the CGP.

A permittee must **submit an NOT within 30 calendar days when final stabilization has been achieved on all portions of the site**, in accordance with Permit Part 4.5.2 for which the permittee is responsible, all ground disturbing construction activity or use of support activities has been completed, and all temporary Best Management Practices (BMP's) have been removed; or a new permittee has assumed control over all areas of the site that have not been finally stabilized.

As stated above, this letter acknowledges receipt of a Notice of Intent. However, it is not an ADEC determination of the validity of the information you provided. Your eligibility for coverage under the Permit is based on the validity of the certification you provided. Your signature on the Notice of Intent certifies that you have read, understood, and are implementing all of the applicable requirements. An important aspect of this certification requires that you correctly determine whether you are eligible for coverage under this permit.

As you know, the Construction General Permit requires you to have developed and begun implementing a Stormwater Pollution Prevention Plan (SWPPP) and outlines important inspection and record keeping requirements. You must also comply with any additional location-specific requirements applicable to Alaska. A copy of the Construction General Permit must be kept with your SWPPP. An electronic copy of the Permit and additional guidance materials can be viewed and downloaded at <https://dec.alaska.gov/water/wastewater/stormwater/construction>.

Prior to discharge, please review your authorization and general permit AKR100000 to ensure that you understand the requirements contained within them. If you have general questions regarding the storm water program or your responsibilities under the Construction General Permit, please call 907-269-6285.

Re: EDMS CGP NOI Submission: HQ1-XBW4-5FJVQ, Received: 3/5/2024 1:29:50 PM



ALLOWABLE/CONDITIONAL PERMIT APPLICATION

Section H, Item 6.

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

Temporary Asphalt Plant on site in support of CBJ project BE23-243 JNU Rehabilitate Part 121/135 Apron & RON Parking Apron

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: 4100

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 87,120 square feet Total Area of Existing Structure(s) _____ square feet

Total Area of Proposed Structure(s) _____ 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

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

☒ 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)

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

ALLOWABLE/CONDITIONAL USE FEES

	Fees	Check No.	Receipt	Date
Application Fees	\$ _____			
Admin. of Guarantee	\$ _____			
Adjustment	\$ _____			
Pub. Not. Sign Fee	\$ _____			
Pub. Not. Sign Deposit	\$ _____			
Total Fee	\$ _____			

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.

Case Number

Date Received

358

Allowable/Conditional Use Permit Application Instructions

Allowable Use permits are outlined in CBJ 49.15.320, Conditional Use permits are outlined in CBJ 49.15.330.

Section H, Item 6.

Pre-Application Conference: A pre-application conference is required prior to submitting an application. There is no fee for a pre-application conference. The applicant will meet with City & Borough of Juneau and Agency staff to discuss the proposed development, the permit procedure, and to determine the application fees. To schedule a pre-application conference, please contact the Permit Center at 586-0770 or via e-mail at permits@juneau.org.

Application: An application for an Allowable/Conditional Use Permit will not be accepted by the Community Development Department until it is determined to be complete. The items needed for a complete application are:

1. **Forms:** Completed Allowable/Conditional Use Permit Application and Development Permit Application forms.
2. **Fees:** Fees generally range from \$350 to \$1,600. Any development, work, or use done without a permit issued will be subject to double fees. All fees are subject to change.
3. **Project Narrative:** A detailed narrative describing the project.
4. **Plans:** All plans are to be drawn to scale and clearly show the items listed below:
 - A. Site plan, floor plan and elevation views of existing and proposed structures
 - B. Existing and proposed parking areas, including dimensions of the spaces, aisle width and driveway entrances
 - C. Proposed traffic circulation within the site including access/egress points and traffic control devices
 - D. Existing and proposed lighting (including cut sheets for each type of lighting)
 - E. Existing and proposed vegetation with location, area, height and type of plantings
 - F. Existing physical features of the site (i.e. drainage, eagle trees, hazard areas, salmon streams, wetlands, etc.)

Document Format: All materials submitted as part of an application shall be submitted in either of the following formats:

1. Electronic copies in the following formats: .doc, .txt, .xls, .bmp, .pdf, .jpg, .gif, .xlm, .rtf (other formats may be preapproved by the Community Development Department).
2. Paper copies 11" X 17" or smaller (larger paper size may be preapproved by the Community Development Department).

Application Review & Hearing Procedure: Once the application is determined to be complete, the Community Development Department will initiate the review and scheduling of the application. This process includes:

Review: As part of the review process the Community Development Department will evaluate the application for consistency with all applicable City & Borough of Juneau codes and adopted plans. Depending on unique characteristics of the permit request the application may be required to be reviewed by other municipal boards and committees. During this review period, the Community Development Department also sends all applications out for a 15-day agency review period. Review comments may require the applicant to provide additional information, clarification, or submit modifications/alterations for the proposed project.

Hearing: All Allowable/Conditional Use Permit Applications must be reviewed by the Planning Commission for vote. Once an application has been deemed complete and has been reviewed by all applicable parties the Community Development Department will schedule the requested permit for the next appropriate meeting.

Public Notice Responsibilities: Allowable/Conditional Use requests must be given proper public notice as outlined in CBJ 49.15.230:

The Community Development Department will give notice of the pending Planning Commission meeting and its agenda in the local newspaper a minimum of 10-days prior to the meeting. Furthermore, CDD will mail notices to all property owners within 500-feet of the project site.

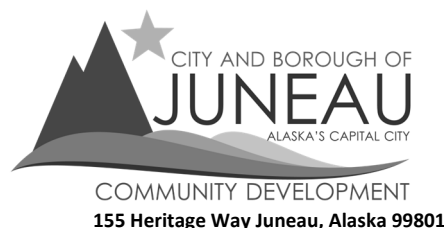
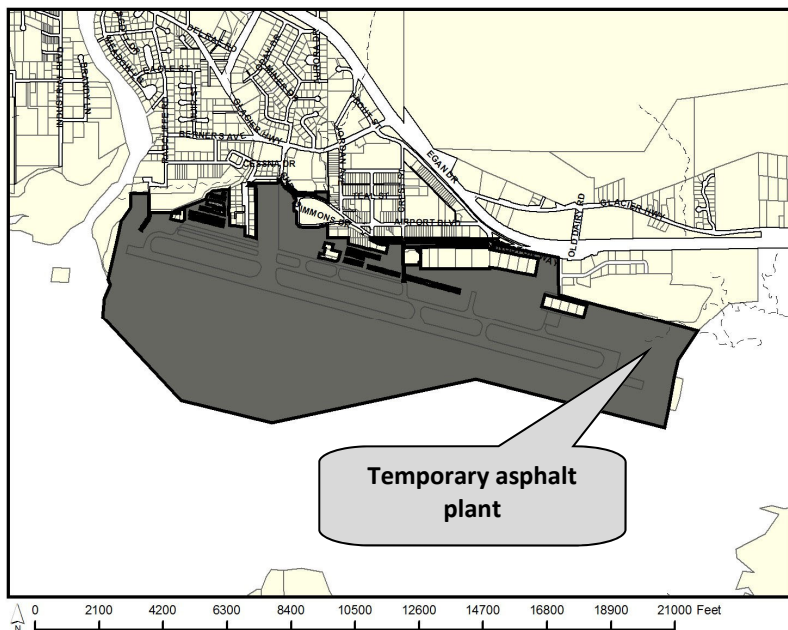
The Applicant will post a sign on the site at least 14 days prior to the meeting. The sign shall be visible from a public right-of-way or where determined appropriate by CDD. Signs may be produced by the Community Development Department for a preparation fee of \$50, and a \$100 deposit that will be refunded in full if the sign is returned within seven days of the scheduled hearing date. If the sign is returned between eight and 14 days of the scheduled hearing \$50 may be refunded. The Applicant may make and erect their own sign. Please contact the Community Development Department for more information.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission

Your Community, Your Voice



TO

A Conditional Use Permit has been submitted for consideration and public hearing by the Planning Commission for **a temporary asphalt plant** at the Juneau International Airport, located at **1873 Shell Simmons Drive** in an **Industrial Zone**.

PROJECT INFORMATION:

Project Information can be found at:

<https://juneau.org/community-development/short-term-projects>

PLANNING COMMISSION DOCUMENTS:

Staff Report expected to be posted **May 6, 2024** at

<https://juneau.org/community-development/planning-commission>

Find hearing results, meeting minutes, and more here, as well.

Now through April 22

Comments received during this period will be sent to the Planner, **Teri Camery** to be included as an attachment in the staff report.

April 23 — noon, May 10

Comments received during this period will be sent to Commissioners to read in preparation for the hearing.

HEARING DATE & TIME: 7:00 pm, May 14, 2024

This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting <https://juneau.zoom.us/j/86939674618> and use the Webinar ID: 869 3967 4618 OR join by telephone, calling: 1-253-215-8782 and enter the Webinar ID (above).

You may also participate in person in City Hall Assembly Chambers, 155 Heritage Way Juneau, Alaska.

May 15

The results of the hearing will be posted online.

FOR DETAILS OR QUESTIONS,

Phone: **(907)586-0753 ext. 4129**

Email: pc_comments@juneau.gov or teri.camery@juneau.gov

Mail: Community Development, 155 Heritage Way, Juneau AK 99801

Case No.: USE2024 0009

Parcel No.: 3B1601000010

CBJ Parcel Viewer: <http://epv.juneau.org>

360



NOTICE 586-0715
For more information, call 586-0715
TEMPORARY ASPHALT PLANT
CASE: USE 2024 0009
PERMIT FOR A TEMPORARY ASPHALT PLANT AT THE JUNEAU INTERNATIONAL AIRPORT.
HEARING DATE: 5/14/2024

From: [Augat, Gretchen M \(DEC\)](#)
To: [Teri Camery](#)
Subject: FW: USE2024 0005 Airport temporary asphalt plant COMMENTS REQUESTED
Date: Monday, March 18, 2024 7:59:43 AM
Attachments: [USE Allowable Conditional Use application.pdf](#)
[Application Review for Airport Plant.pdf](#)
[Construction General Permit Application Letter AKR10H0FR.pdf](#)
[Development Use application.pdf](#)
[NOD Use application.pdf](#)

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Good morning.

The Department of Environmental Conservation, Division of Water, Non-Point Source section has no issues with the Conditional Use Permit application for a temporary asphalt plant at the Juneau International Airport in conjunction with airport projects.

Thank you for the review opportunity.

Gretchen Augat, Environmental Specialist 3
 Alaska Department of Environmental Conservation
 Nonpoint Source Water Pollution & Prevention Section
<https://dec.alaska.gov/water/water-quality/>

(907) 465-5023

gretchen.augat@alaska.gov

Mailing address: P.O. Box 111800, Juneau, AK 99811

Physical address: 333 Willoughby Ave 8th Fl Suite 800

From: Teri Camery <Teri.Camery@juneau.gov>
Sent: Thursday, March 7, 2024 9:29 AM
To: Charlie Ford <Charlie.Ford@juneau.gov>; Theresa Ross <Theresa.Ross@juneau.gov>; Kanouse, Kate M (DFG) <kate.kanouse@alaska.gov>; Scott Gray <Scott.Gray@juneau.gov>; Dan Bleidorn <Dan.Bleidorn@juneau.gov>; Augat, Gretchen M (DEC) <Gretchen.augat@alaska.gov>; Patty Wahto (DOT-sponsored) <patty.wahto@jnuairport.com>; Drown, Arthur EE (DOT) <arthur.drown@alaska.gov>; Bridget LaPenter <Bridget.LaPenter@juneau.gov>
Cc: Scott Ciambor <Scott.Ciambor@juneau.gov>
Subject: USE2024 0005 Airport temporary asphalt plant COMMENTS REQUESTED

Some people who received this message don't often get email from teri.camery@juneau.gov. [Learn why this is important](#)

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

Please review the attached Conditional Use Permit application for a temporary asphalt plant at the Juneau International Airport in conjunction with airport projects. The applicant, SECON, has two previously approved Conditional Use permits for asphalt permits in this location. The Notice of Decision for the last Conditional Use Permit, USE2020-0005, is attached for reference.

Please provide comments by Friday March 22, and please let me know if you have questions or need additional information.

Best,
Teri Camery

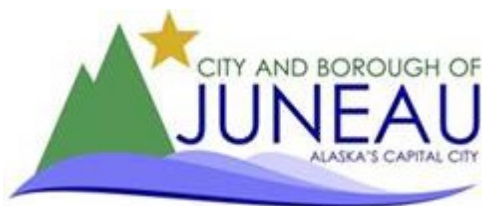
Teri Camery | Senior Planner, CFM

[Community Development Department](#) | City & Borough of Juneau, AK

Location: 230 S. Franklin Street, 4th Floor Marine View Building

Mailing address: 155 Heritage Way Juneau, Alaska 99801

Office: 907.586.0753 extension 4129



From: [Drown, Arthur EE \(DOT\)](#)
To: [Teri Camery](#); [Charlie Ford](#); [Theresa Ross](#); [Kanouse, Kate M \(DFG\)](#); [Scott Gray](#); [Dan Bleidorn](#); [Augat, Gretchen M \(DEC\)](#); [Patty Wahto](#); [Bridget LaPenter](#)
Cc: [Scott Ciambor](#)
Subject: RE: USE2024 0005 Airport temporary asphalt plant COMMENTS REQUESTED
Date: Thursday, March 7, 2024 1:00:34 PM

Southcoast Region DOT&PF does not have any objection.

Thank you,

Arthur Drown

Right of Way Agent
 Property Management, Right of Way
 Department of Transportation & Public Facilities
 Southcoast Region
 6860 Glacier Hwy, Juneau, AK 99801
 (907)465-4517

From: Teri Camery <Teri.Camery@juneau.gov>
Sent: Thursday, March 7, 2024 9:29 AM
To: Charlie Ford <Charlie.Ford@juneau.gov>; Theresa Ross <Theresa.Ross@juneau.gov>; Kanouse, Kate M (DFG) <kate.kanouse@alaska.gov>; Scott Gray <Scott.Gray@juneau.gov>; Dan Bleidorn <Dan.Bleidorn@juneau.gov>; Augat, Gretchen M (DEC) <Gretchen.augat@alaska.gov>; Patty Wahto (DOT-sponsored) <patty.wahto@jnuairport.com>; Drown, Arthur EE (DOT) <arthur.drown@alaska.gov>; Bridget LaPenter <Bridget.LaPenter@juneau.gov>
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Teri Camery

Teri Camery | Senior Planner, CFM

[Community Development Department](#) | City & Borough of Juneau, AK

Location: 230 S. Franklin Street, 4th Floor Marine View Building

Mailing address: 155 Heritage Way Juneau, Alaska 99801

Office: 907.586.0753 extension 4129



From: [Charlie Ford](#)
To: [Teri Camery](#); [Theresa Ross](#); [Kanouse, Kate M \(DFG\)](#); [Scott Gray](#); [Dan Bleidorn](#); [Augat, Gretchen M \(DEC\)](#); [Patty Wahto](#); arthur.drown@alaska.gov; [Bridget LaPenter](#)
Cc: [Scott Ciambor](#)
Subject: RE: USE2024 0005 Airport temporary asphalt plant COMMENTS REQUESTED
Date: Thursday, March 7, 2024 9:34:22 AM

Hi Teri,

Buildings has no issues with this project at this time.

Thanks,

From: Teri Camery <Teri.Camery@juneau.gov>
Sent: Thursday, March 7, 2024 9:29 AM
To: Charlie Ford <Charlie.Ford@juneau.gov>; Theresa Ross <Theresa.Ross@juneau.gov>; Kanouse, Kate M (DFG) <kate.kanouse@alaska.gov>; Scott Gray <Scott.Gray@juneau.gov>; Dan Bleidorn <Dan.Bleidorn@juneau.gov>; Augat, Gretchen M (DEC) <Gretchen.augat@alaska.gov>; Patty Wahto <Patty.Wahto@jnuairport.com>; arthur.drown@alaska.gov; Bridget LaPenter <Bridget.LaPenter@juneau.gov>
Cc: Scott Ciambor <Scott.Ciambor@juneau.gov>
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Best,

Teri Camery

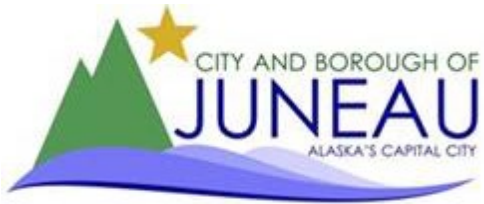
Teri Camery | Senior Planner, CFM

[Community Development Department](#) | City & Borough of Juneau, AK

Location: 230 S. Franklin Street, 4th Floor Marine View Building

Mailing address: 155 Heritage Way Juneau, Alaska 99801

Office: 907.586.0753 extension 4129



From: [Theresa Ross](#)
To: [Teri Camery](#)
Subject: RE: USE2024 0005 Airport temporary asphalt plant COMMENTS REQUESTED
Date: Thursday, March 7, 2024 10:09:33 AM

No concerns from fire at this time.

From: Teri Camery <Teri.Camery@juneau.gov>
Sent: Thursday, March 7, 2024 9:29 AM
To: Charlie Ford <Charlie.Ford@juneau.gov>; Theresa Ross <Theresa.Ross@juneau.gov>; Kanouse, Kate M (DFG) <kate.kanouse@alaska.gov>; Scott Gray <Scott.Gray@juneau.gov>; Dan Bleidorn <Dan.Bleidorn@juneau.gov>; Augat, Gretchen M (DEC) <Gretchen.augat@alaska.gov>; Patty Wahto <Patty.Wahto@jnuairport.com>; arthur.drown@alaska.gov; Bridget LaPenter <Bridget.LaPenter@juneau.gov>
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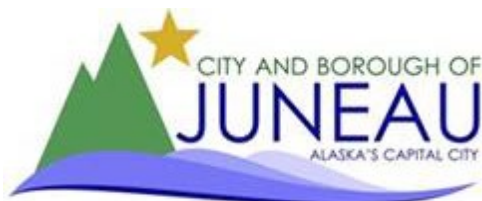
Teri Camery | Senior Planner, CFM

[Community Development Department](#) | City & Borough of Juneau, AK

Location: 230 S. Franklin Street, 4th Floor Marine View Building

Mailing address: 155 Heritage Way Juneau, Alaska 99801

Office: 907.586.0753 extension 4129



From: [Patty Wahto](#)
To: [Teri Camery](#)
Subject: RE: USE2024 0005 Airport temporary asphalt plant COMMENTS REQUESTED
Date: Monday, March 11, 2024 10:59:16 AM

Sorry , Teri. I can't remember (and didn't see) that I answered on this. Airport is good with this.
 Thank you

Patty Wahto
Airport Manager
Juneau International Airport
Office (907) 789-7821

EMAIL: Patty.Wahto@jnuairport.com



From: Teri Camery <Teri.Camery@juneau.gov>
Sent: Thursday, March 7, 2024 9:29 AM
To: Charlie Ford <Charlie.Ford@juneau.gov>; Theresa Ross <Theresa.Ross@juneau.gov>; Kanouse, Kate M (DFG) <kate.kanouse@alaska.gov>; Scott Gray <Scott.Gray@juneau.gov>; Dan Bleidorn <Dan.Bleidorn@juneau.gov>; Augat, Gretchen M (DEC) <Gretchen.augat@alaska.gov>; Patty Wahto <Patty.Wahto@jnuairport.com>; arthur.drown@alaska.gov; Bridget LaPenter <Bridget.LaPenter@juneau.gov>
Cc: Scott Ciambor <Scott.Ciambor@juneau.gov>
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Best,

Teri Camery

Teri Camery | Senior Planner, CFM

Community Development Department | City & Borough of Juneau, AK

Location: 230 S. Franklin Street, 4th Floor Marine View Building

Mailing address: 155 Heritage Way Juneau, Alaska 99801

Office: 907.586.0753 extension 4129





PLANNING COMMISSION STAFF
CONDITIONAL USE PERMIT USE2024 0007
HEARING DATE: MAY 14, 2024

(907) 586-0715

CDD_Admin@juneau.gov

www.juneau.org/community-development

155 Heritage Way • Juneau, AK 99801

DATE: May 3, 2024
TO: Mandy Cole, Chair, Planning Commission
BY: Irene Gallion, Senior Planner 
THROUGH: Jill Lawhorne, Director, AICP

PROPOSAL: Expansion of Community Center from 7,625 to 9,984 square feet. Parking shared with neighboring buildings.

STAFF RECOMMENDATION: Approval with conditions.

KEY CONSIDERATIONS FOR REVIEW:

- Existing off-street parking agreement with north neighbor addresses off-street parking requirement for both lots.
- Existing stream setback encroachments will be removed.

GENERAL INFORMATION

Property Owner	Juneau Tlingit Haida Comm Council
Applicant	MRV Architects
Property Address	3235 Hospital Drive
Legal Description	USS 1075 TLINGIT HAIDA LT 1
Parcel Number	7B0901040101
Zoning	General Commercial
Land Use Designation	Commercial
Lot Size	46,477 square feet, 1.0670 acres
Water/Sewer	CBJ
Access	Hospital Drive
Existing Land Use	Community Center
Associated Applications	BLD2023 0925

ALTERNATIVE ACTIONS:

- Amend:** require additional conditions, or delete or modify the recommended conditions.
- Deny:** deny the permit and adopt new findings for items 1-6 below that support the denial.
- Continue:** to a future meeting 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 not required for this permit.

STANDARD OF REVIEW:

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
 - 49.15.330
 - 49.25.230(b)
 - 49.40.210(b)
 - 49.40.300(a)(2)
 - 49.80

The Commission shall hear and decide the case per 49.15.330(a) Conditional Use Permit. A conditional use is a use that may or may not be appropriate in a particular zoning district according to the character, intensity, or size of that or surrounding uses. The conditional use permit procedures is intended to afford the commission the flexibility necessary to make determinations appropriate to individual sites. The commission may attach to the permit those conditions listed in subsection (g) of this section as well as any further conditions necessary to mitigate external adverse impacts. If the commission determines that these impacts cannot be satisfactorily overcome, the permit shall be denied.

SITE FEATURES AND ZONING



SURROUNDING ZONING AND LAND USES	
North (GC)	Training Center
South (GC)	Hospital Drive
East (GC)	Redeveloping
West (GC)	Medical Office

SITE FEATURES	
Anadromous	Salmon Creek
Flood Zone	AE Elevation 23
Hazard	Not mapped
Hillside	No
Wetlands	Yes
Parking District	No
Historic District	No
Overlay Districts	No

BACKGROUND INFORMATION

Project Description – The Applicant requests expansion of an existing Community Center, Shaan S’ooxs (Attachment A).

Background – Nonconforming Certification (NCC2023 0052, Attachment B) provides detailed background. To summarize:

- The Cultural Center was built in 1978. Eighty (80) off-street parking spaces were required.
- Under current parking requirements, 61 off-street spaces are required.
- Existing parking agreements meet the requirements of the Applicant.

ZONING REQUIREMENTS

Items remaining the same are dark grey.

Standard		Requirement	Existing	Proposed	Code Reference
Lot	Size, square feet	2,000	46,477		49.25.400
	Width, feet	20	20.10		49.25.400
Setbacks	Front (south)	10	100+	90+	49.25.400
	Rear (northwest)	10	~130	125	49.25.400
	Side (northeast)	10	10.5	10.5	49.25.400
	Side (southeast)	10	~62	53	49.25.400
	Side (southwest)	10	48.33	48.33	49.25.400

Undocumented distances were scaled from the existing plat, or from documents provided by the applicant.

ANALYSIS

The use is permissible with a conditional use permit under the Table of Permissible Uses, Paragraph 5.400, “Social, fraternal clubs, lodges, union halls, and yacht clubs.”

Commercial land use (2013 Comprehensive Plan, page 148):

Lands devoted to retail, office, food service or personal service uses, including neighborhood retail and community commercial centers, such as shopping centers and malls, office complexes or other large employment centers. Mixed retail/residential/office uses are allowed and encouraged. Residential and non-residential uses could be combined within a single structure, including off-street parking. Residential densities ranging from 18- to 60-units per acre are appropriate in this area, with even higher densities appropriate in mixed-use or transit-oriented developments. Ground floor retail space facing roads with parking behind the retail and housing above would be an appropriate and efficient use of the land.

General Commercial [CBJ 49.25.230(b)]:

The GC, general commercial district, is intended to accommodate most commercial uses. Commercial activities are permitted outright in the zone except for those few uses that are listed as conditional uses to ensure compatibility. Residential development is allowed in mixed- and single-use developments in the general commercial district.

Project Site – A 1991 subdivision created the lot, with 20 feet of frontage (VAR1991-0001) and a shared driveway.

Salmon Creek, an anadromous stream, runs through the west portion of the lot, limiting development. Two structures previously constructed in the “no development” buffer are slated for removal with this project.

Condition: None.

Project Design – The expansion creates a more uniform structure, expanding into gaps to better serve the community use.

Condition: None.

Traffic – A traffic impact analysis is not required [CBJ 49.40.300(a)(2)].

The Institute of Transportation Engineers’ Trip Generation Manual (9th Edition) projections for a *Lodge/Fraternal Organization* on a weekday, is based upon the number of employees. This projection represents the highest estimated Average Daily Trips (ADTs) across all categories for this type of use.

Use	Trips Generated	# Employees	Total Trips
Lodge/Fraternal Organization	46.90 per employee	3	140.7
Total ADT’s:			140.7

Condition: None.

Vehicle Parking & Circulation – Required off-street parking is compliant through an agreement with the neighboring property to the north. The proposed dimensions for the loading space must be modified to meet code.

Use	Parking Standard	Spaces Required
<u>USE 5.400:</u> <i>Social, fraternal clubs, lodges, union halls, yacht clubs</i> <u>Parking:</u> <i>Churches, auditoriums, and similar enclosed places of assembly</i> <u>Square Footage:</u> 4,629 square feet – 20% for circulation, unconcentrated use without fixed seating = 3,703 square feet	1 space for each 4 seats	247 seats = 61.75 = 61 spaces (rounded down)
Total Per CBJ 49.40.210(b), three (3) accessible parking spaces must be provided as part of the total required off-street parking spaces.		61 (including 3 ADA)

The Applicant is required to provide 61 off-street parking spaces. 26 spaces are proposed on site.

Because Cultural Center activities predominate after regular business hours, the Applicant entered into parking agreements with neighboring properties with primarily daytime uses. A current shared parking agreement with Generations Southeast to the north provides 38 spaces (**Attachment A**). This would provide a total of 64 spaces for the Applicant's use in the evenings, meeting their off-street parking requirement. The agreement also meets Generations Southeast's off-street parking requirements of 55 spaces.



Three accessible parking spaces are required, with one providing van accessibility. The proposed site plan includes two van accessible parking spaces near the entry of the structure, and a third ADA space across the drive aisle from the entrance (**Attachment A**, Sheet A151).

The expanded facility is required to have one loading space that is 30 feet by 12 feet, with an unobstructed height of 14.5 feet. The width of the proposed loading space north of the structure is 9 feet 10 inches.

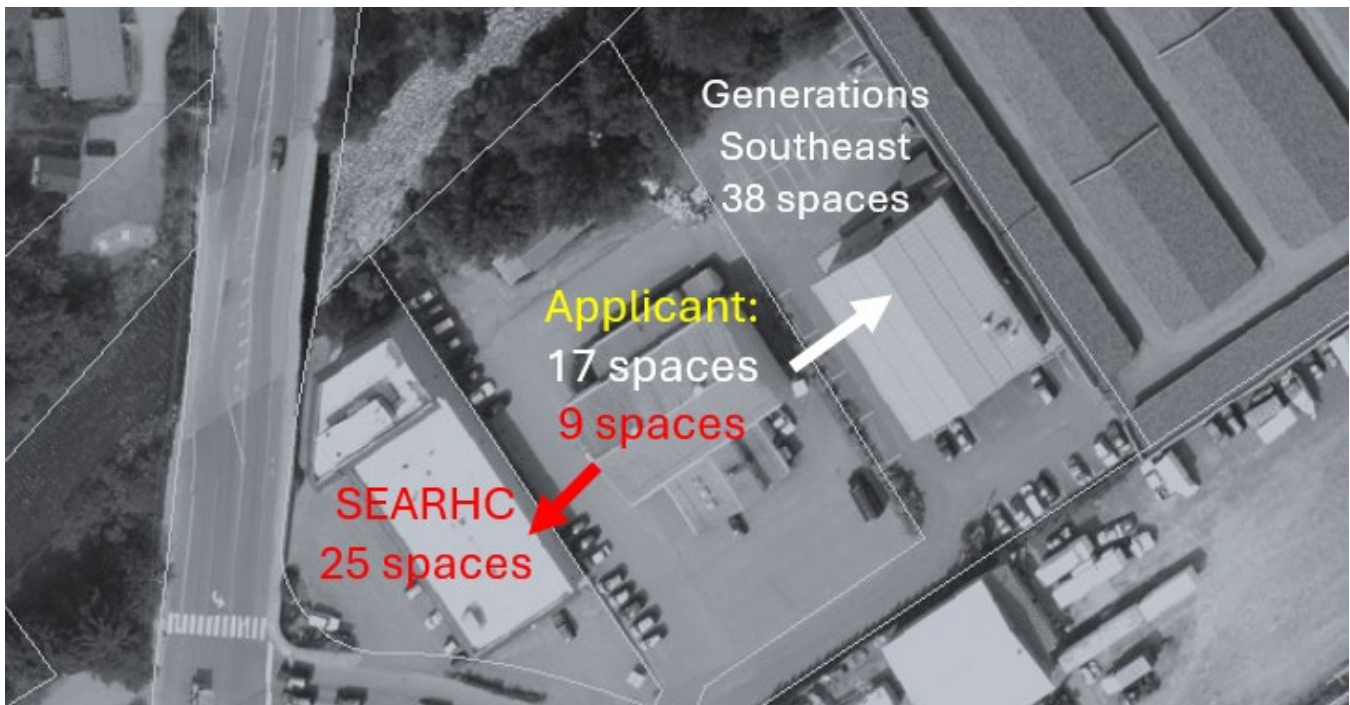
While code compliance is verified during the building permit process, the condition proposed clarifies that the Commission approval of a project does not include reduced dimensions for a loading space.

Condition: Prior to issuance of a building permit, the Applicant must provide a loading space on site that meets the requirements of 49.40.225(c), "Dimensional Standards and Signage for required off-street spaces."

The Applicant had past parking agreements with SEARHC to the south. The agreement has expired under a change in ownership.

SEARHC is required to provide 58 off-street parking spaces. SEARHC has 25 spaces on site, leaving a deficit of 33 spaces.

Even if all of the Applicant's spaces were provided to SEARHC, their off-street parking needs would remain unmet. An existing agreement with Generations Southeast that requires 17 of the Applicant's 26 proposed spaces, leaving nine (9) spaces for SEARHC use.



CDD's Code Enforcement sent a letter to SEARHC apprising them of their noncompliant off-street parking condition and of limits to the off-street parking that the Applicant can provide.

Condition: Shared parking agreements with 3225 Hospital Drive cannot exceed provision of nine (9) spaces on the Applicant's lot.

Noise – Noise is anticipated to be in character with the General Commercial district.

Condition: None.

Lighting - The Applicant has provided cut sheets that show shielded, downward cast exterior lighting. A lighting plan is shown in **Attachment A**, Sheet E111.

Condition: None.

Vegetative Cover & Landscaping – Vegetative cover for GC zoning is 10 percent. The anadromous stream setback and site improvements will facilitate approximately 8,600 square feet of vegetative cover, or 18 percent.

Current vegetative cover is shown on the site plan (**Attachment A, Sheet C002**) at 4,308 square feet, or nine percent.

Condition: None.

Habitat - The lot abuts Salmon Creek, an anadromous stream. The site plan illustrates development, including off-street parking, is outside of the 50-foot development setback. An existing shelter and smokehouse built in the setback will be removed (**Attachment A, Sheet C002**), improving conformity and compliance.

Condition: Prior to issuance of a building permit, the two structures located in the no development buffer must be removed.

Drainage and Snow Storage – General Engineering will evaluate the drainage plan submitted with the building permit.

Snow storage will be within the 50 foot “no development” setback from Salmon Creek. This will provide adequate area and soil filtering before draining into Salmon Creek.

Condition: None.

Hazard Zones - The development is outside of mapped hazard areas.

A portion of the paved parking lot is in the Special Flood Hazard Area. A Flood Zone Development Permit has been issued (**Attachment C**).

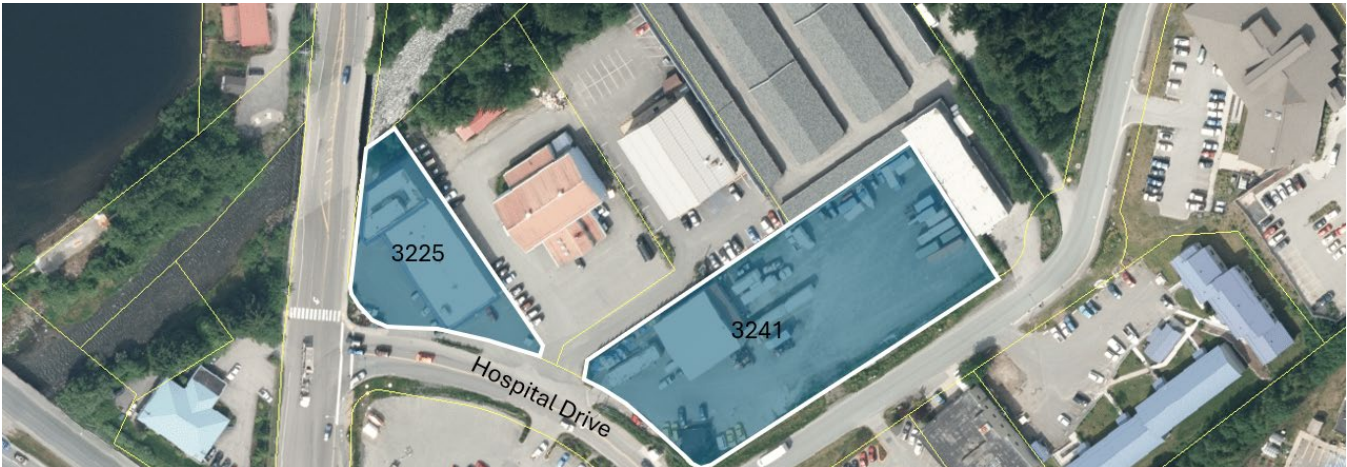
Condition: None.

Public Health, Safety, and Welfare – New mechanical equipment will include conversion from an oil boiler to a new air-source heat pump system, improving air quality and reducing handling of hazardous materials.

Condition: None.

Property Value or Neighborhood Harmony – The project expands an existing harmonious use.

Parking limitations impact SEARHC's provision of off-street parking. SEARHC recently purchased property at 3241 Hospital Drive which could be used to provide additional off-street parking for the 3225 Hospital Drive facility. See blue highlights in the image below.



Community Center activities tend to operate outside of standard work week hours, providing complimentary use patterns to neighboring facilities.

Condition: None.

AGENCY REVIEW

CDD conducted an agency review comment period between April 1, 2024, and April 15, 2024 (**Attachment D**). No comments were received.

PUBLIC COMMENTS

CDD conducted a public comment period between April 2, 2024, to April 23, 2024. Public notice was mailed to property owners within 500 feet of the proposed development (**Attachment E**). A public notice sign was also posted on-site two weeks prior to the scheduled hearing (**Attachment F**). No public comments were submitted at the time of writing this staff report.

CONFORMITY WITH ADOPTED PLANS

The proposed development conforms with the 2013 Comprehensive Plan.

PLAN	Chapter	Page No.	Item	Summary
2013 Comprehensive Plan	11	148	Land Use	Land use C, Commercial

FINDINGS

Conditional Use Permit Criteria –

1. *Is the application for the requested Conditional Use Permit complete?*

Analysis: No further analysis required.

Finding: Yes, the application is complete.

2. *Is the proposed use appropriate according to the Table of Permissible Uses?*

Analysis: No further analysis required.

Finding: Yes, the use is appropriate according to Paragraph 5.400 of the Table of Permissible Uses.

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

Analysis: No further analysis required.

Finding: Yes. With the recommended conditions, the proposed development will comply with Title 49, including parking, lighting, vegetative cover, noise, and flood zone development.

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

Analysis: No further analysis needed.

Finding: No. With appropriate conditions, the requested cultural center expansion, 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: No further analysis needed.

Finding: No. With appropriate conditions, the requested cultural center expansion, 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 conform with the Land Use Plan, Thoroughfare Plan, or other officially adopted plans?*

Analysis: No further analysis needed.

Finding: Yes. The proposed cultural center expansion, with the recommended conditions, will conform with the 2013 Comprehensive Plan.

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested Conditional Use Permit. The permit would allow expansion of a community center from 7,625 to 9,984 square feet. Parking is shared with neighboring buildings.

The approval is subject to the following conditions:

1. Prior to issuance of a building permit, the Applicant must provide a loading space on site that meets the requirements of 49.40.225(c), "Dimensional Standards and Signage for required off-street spaces."
2. Shared parking agreements with 3225 Hospital Drive cannot exceed provision of nine spaces on the Applicant's lot.
3. Prior to issuance of a building permit, the two structures located in the no development buffer must be removed.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Materials
Attachment B	NCC2023 0052
Attachment C	Flood Zone Development Permit
Attachment D	Agency review query
Attachment E	Abutters Notice
Attachment F	Public Notice Sign



(CDD CONDITIONAL USE)

DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications. This form and all documents associated with it are public record once submitted.

To be completed by Applicant	PROPERTY LOCATION	
	Physical Address 3235 Hospital Drive Juneau, AK 99801	
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) Lot 1, Tlingit Haida, USS 1075	
	Parcel Number(s) 7B0901040101	
	☐ This property is located in the downtown historic district ☐ This property is located in a mapped hazard area, if so, which _____	
	LANDOWNER/ LESSEE	
	Property Owner Juneau Tlingit & Haida Community Council	Contact Person Mr. Ken Southerland
	Mailing Address 3235 Hospital Drive, Juneau, AK 99801	Phone Number(s) 907-723-5043
	E-mail Address kennethsoutherland@me.com	
	LANDOWNER/ LESSEE CONSENT	
Required for Planning Permits, not needed on Building/ Engineering Permits. Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.		
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 the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.		
Ken Southerland Vice-President Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee)		
X <u>[Signature]</u> 2/14/24 Landowner/Lessee (Signature) Date		
Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee)		
X _____ Landowner/Lessee (Signature) Date		
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.		
APPLICANT if same as LANDOWNER, write "SAME"		
Applicant (Printed Name) MRV Architects Contact Person Paul Voelckers		
Mailing Address 1420 Glacier Ave, Suite A, Juneau, AK 99801 Phone Number(s) 907-209-1353		
E-mail Address paul@mrvarchitects.com		
X <u>[Signature]</u> Feb 14, 2024 Applicant's Signature Date of Application		

DEPARTMENT USE ONLY BELOW THIS LINE

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Intake Initials JLS
Case Number USE24-07
Date Received 2-22-24



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
Renovations and expansions to Tlingit & Haida Community Center, Shaan S'oox.

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: USE 5.400 Social, Fraternal, Clubs

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 46,477 square feet Total Area of Existing Structure(s) _____ square feet
 Total Area of Proposed Structure(s) 9,884 square feet

EXTERNAL LIGHTING
 Existing to remain ☐ No ☐ Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures
 Proposed ☐ No ☒ 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>750.00</u>	<u>C 155-III</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>900.00</u>		

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.

Case Number	Date Received
<u>USE 24-07</u>	<u>2-22-24</u>



1420 GLACIER AVENUE STE 101,
JUNEAU, AK 99801
(907) 586-1371

Project: **Shaan S'oox Community House Renovation**
Subject: Conditional Use Application Narrative
By: Paul Voelckers AIA
Date: February 14, 2024, Revised

MRV 2203

The *Shaan S'oox Community Center*, managed by the Tlingit-Haida Community Council, will be renovated and partially expanded. The areas of work include an inviting and expanded entry and office area, support areas along the back side (northwest side) of the building, expanded kitchen areas, and substantial new mechanical upgrades.

Use Pattern and Function: Since its construction, the Community Center has functioned as a large meeting space venue, supported by administrative office, restrooms, commercial kitchen, and general storage. The primary building use is Bingo operations, typically scheduled three evenings a week on Friday, Saturday, and Monday nights. Other primary functions include memorials and potlatch functions which average about one event per week. Other typical uses include Saturday art workshops, called “Auntie’s House” with 12-20 participants. Work-week daytime use is more limited, with few major activities.

After this renovation and upgrade, the main social gathering function will remain unchanged. Structural alterations will be made to improve support spaces, including a new vestibule, lobby, admin office, kitchen, conference room, youth activities room, and storage. The existing mechanical mezzanine will incorporate new mechanical equipment and conversion from an oil boiler to new air-source heat pump system. A new building-wide sprinkler system will be added.

The building will continue to function as an assembly space and social hall. No changes in use or occupancy will occur. 7,625 sq.ft. of the existing building will be retained with limited or modest changes, including the large meeting/event space, associated stage, and adjoining storage. Another 2,259 sq.ft. is significantly affected by new work, either as an addition or major space renovation. The total facility size after renovation is 9,984 sq.ft.

Required Parking Analysis: The following parking analysis uses both CBJ parking standards in updated Title 49.40.210, and the most recent 2021 IBC.

- Title 49.40.210 identifies this type of Assembly space as required to provide one stall per 4 occupants (*Churches, auditoriums, and similar enclosed places of assembly*).
- The calculated Assembly occupancy count would be based on 4,629 sq.ft. of primary Assembly space, per MRV drawings.

- Per IBC 2021, the Assembly occupancy count is calculated per table 1004.5. This table identifies Assembly use for unconcentrated use without fixed seating as one occupant per 15 net sq.ft. (This is in contrast with most uses that are calculated with gross square footage). The rationale is that aisle space for egress needs to be accommodated, and that circulation space is subtracted from the gross space size.
- As an approximation, circulation will require 20% of the gross area. The net Assembly space would then be 80% of 4,629 sq.ft. or 3,703 sq.ft.
- This generates 247 occupants at one occupant per 15 net sq.ft.
- 247 occupants would require **61 parking spaces** (rounded down).
- Note that other adjoining auditorium spaces, including stage and youth activity room, are not calculated as additive to the Assembly occupancies, since their use typically reflects sub-sets of the primary Assembly space use.
- 3 required ADA spaces are shown on the updated Site Plan A151.

Historical Site Parking and Modifications: The Community Building was originally constructed in 1977. The as-built site plan provided by the Owner dated 11.21.77 illustrates 80 parking spaces with a gravel-finished parking lot. CDD records also reference this number of 80 parking spaces.

However, by inspection, the project was not constructed with the 80 spaces noted, since that parking plan illustrated parking stalls located tight to the upper stream bank along Salmon Creek. Given the current extent of mature trees, green space, and outside storage structures located northwest (streamside) of the building, it appears that 24 of the indicated 80 spaces were never provided on-site, with actual provision of approximately 56 spaces.

Subsequent site modifications occurred during the mid-1990's. This work provided finished paved parking with striping, and an expanded southeasterly site boundary which was legally platted to establish a 30' access ROW for the adjoining Tlingit/Haida Vocational Training Center. This site revision reduced the on-site parking at Shaan S'oox to 44 spaces, with 44 spaces at the adjoining Vocational Training Center.

Parking Use Agreements: Two recent parking agreements are in place between the Juneau Tlingit-Haida Community Council and adjoining facilities. The first is a flex-use agreement with the Vocational Training Center (now named "*Generations Southeast*") to the northeast of *Shaan S'oox*, at 3229 Hospital Drive. That facility includes 44 parking spaces. The flex use agreement provides *Generations Southeast* additional day-time use of open *Shaan S'oox* parking spaces. The agreement, in turn, allows *Shaan S'oox* to use the *Generations Southeast* spaces in the evenings for typical events like bingo which have relatively high parking demands. A signed copy of this agreement between Central Council of Tlingit & Haida Indian Tribes of Alaska and the Community Council is attached.

The other agreement is with the southwest property owner, SEARHC, at 3225 Hospital Drive. That multi-tenant medical service facility leases 26 parking stalls for daytime business use. 22 stalls are located along the southern edge of the *Shaan S'oox* property, immediately fronting the SEARHC building, with four more along the westerly creek side as shown in the updated Site Plan A151. All spaces are fully available in the evening for event parking for the *Shaan S'oox* facility. A signed copy of that agreement is attached.

After the renovation, the improved front entry area of *Shaan S'oox* will provide 12 parking stalls, including two ADA spaces, a convenient new pick-up and drop-off area, and a dedicated loading zone serving the kitchen and assembly space. Two more informal parking spaces are located along the westerly (creek) side, adjoining open covered storage spaces. The total on-site parking totals 38 spaces (including the 26 shared leased spaces).

CDD Parking Concurrence: The CDD project review for this renovation project discovered that a 1992 parking agreement negotiated with the CBJ had expired in 2022.

It is recommended that a new project approval include CDD acceptance of the two recent shared parking agreements with SEARHC and Generations Southeast, described above. The total number of shared parking spaces easily meets the required 61 spaces.

To summarize, current renovation plans illustrate 12 primary front parking spaces, and 2 existing on-site spaces on the northwest side, for 14 spaces. This requires that a calculated parking requirement of 61 parking spaces be met by accepting the shared use parking agreements for after-hour use, including 26 spaces leased by SEARHC on the Community Building site, and 44 spaces on the adjoining *Generations Southeast* property, generating a total maximum of 84 spaces.

On-site parking and vehicle handling has been improved and made safer by the renovation, with the provision of more accessible and visible parking spaces, including ADA stalls and passenger drop zone right at the main entry.

The shared use of parking stalls with a day/night diversity of use for both adjoining properties appears to be functioning very well. This type of joint use is expressly supported per CBJ 49.40.200 (5)(A).

Traffic Impact Analysis: A traffic impact analysis is not warranted. The primary uses of the building are during evening and weekend hours, with limited traffic conflict with the primary day use of the streets and arterials. No change in size or use pattern is occurring with this renovation.

Streamside Setback Compliance: CDD review of the building and site ascertained that sheds have inadvertently been added within the 50' protected stream buffer for Salmon Creek. Per updated Site Plan A151, the shed and covered area are indicated to be removed. All construction within the 50' surveyed buffer will be removed and the area restored to a clean vegetated state before a final certificate of occupancy is granted.

Vegetative Cover: Per CBJ 49.50.300, a minimum vegetative cover of 10% is required, or 4,647 sq.ft. The updated Civil site plan illustrates vegetative cover along Salmon Creek of 4,680 sq.ft. Additional vegetative cover is also provided along the southwesterly side of the building, totaling 480 sq.ft. The requirement is met.

Site Information: Supportive materials are attached. Materials include:

- Attachment A: Civil Site plan of site, topo, parking, stream, and easements.
- Attachment B: Architectural package: Updated site plan, plan, elevations, rendering.
- Attachment C: Electrical plan showing exterior building lighting.

- Attachment D: SEARHC parking lease agreement.
- Attachment E: Generations Southeast shared use agreement.
- Attachment F: Exterior lighting fixture cut sheets showing cutoff.





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

Shaan S'oox Community Center Renovation and Expansion

Case Number: PAC2023-0058
 Applicant: MRV Architects, Paul Voelckers
 Property Owner: Juneau Tlingit and Haida Community Council
 Property Address: 3235 Hospital Drive
 Parcel Code Number: 7B0901040101
 Site Size: 46,477 Square Feet
 Zoning: GC (General Commercial)
 Existing Land Use: Social

Conference Date: December 20, 2023

Report Issued: January 8, 2024

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
Paul Voelckers	Applicant	Paul@mrvarchitects.com
Zane Jones	Applicant	Zane@mrvarchitects.com
Rhonda Butler	Applicant	Jthtribal@juneauthcc.org
Roald Helgesen	Applicant	RHelgesen@tlingitandhaida.gov
Ken Southerland	Applicant	Jthup@juneauthcc.org
Shaleena Delgado	Applicant	SDelgado@tlingitandhaida.gov
Royal Hill	Applicant	RHill@tlingitandhaida.gov
Stephanie Banua	Applicant	Stephanie.Banua@thtbc.com
Jennifer Shields	Planning	Jennifer.Shields@juneau.gov
Ilsa Lund	Planning	Ilsa.Lund@juneau.gov
Bridget LaPenter	General Engineering	Bridget.LaPenter@juneau.gov
Sydney Hawkins	Permitting	Sydney.Hawkins@juneau.gov

Conference Summary

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.

Project Overview

In 1978, the Shaan S'oox Community Center, managed by the Juneau Tlingit and Haida Community Council (JTHCC), was constructed on Parcel No. 2 of the Salmon Subdivision. At that time, the most closely associated land use category for the Community Center did not require a Conditional Use Permit (CUP): *Private and semi-public uses, such as: clubs, lodges, convents, social and community buildings*. 80 off-street parking spaces were required at that time, and a Certificate of Occupancy was issued in 1979.

The Community Center will continue to function as a social space, and will be partially renovated and expanded as follows:

- Expansions for a new entry and office area, support areas off the rear of the building, and the kitchen.
- Upgrades to ventilation and exiting in the main gathering hall.
- Incorporation of new mechanical equipment in the mechanical mezzanine.
- Structural alterations to the entrance, lobby, staff, kitchen, and rear storage areas.

Community Center Square Footage	
Existing	7,625 square feet
Additional	2,259 square feet
Total Proposed	9,884 square feet

Planning Division

1. **Zoning** – The property is zoned GC (General Commercial). The lot size is 46,477 square feet, exceeding the minimum lot size requirement of 2,000 square feet. The lot width is 20.10 feet (as approved in 1991 with variance VAR1991-0001), exceeding the minimum lot width requirement of 20 feet.
2. **Table of Permissible Uses** – Currently, CBJ 49.25.300 lists USE 5.400: *Social, fraternal clubs, lodges, union halls, yacht clubs* as the most closely associated land use category for the Community Center, with development approval procedures varying, depending on whether the project is a Major or a Minor development.

Per CBJ 49.25.300(c)(3)(D), in a GC zoning district, non-residential buildings totaling 10,000 square feet OR using less than one-half acre of land in total constitute Minor Development. Minor Developments are reviewed at the department level. Major Development means all development activity that is not Minor Development. Major Developments are reviewed by the Planning Commission.

As the site is over one-half acre of land, a Conditional Use Permit is required for expansion of the existing use.

3. **Density** – N/A
4. **Subdivision** – N/A
5. **Setbacks** – Front and side yards: 10-foot minimum required for structures. The rear yard includes required anadromous waterbodies setbacks for Salmon Creek, as measured from the Ordinary High-Water Mark (OHWM). These setbacks are listed below under 'Habitat'.

CUP Application: Include setback dimensions for all structures on the Site Plan, including from anadromous waterbodies setbacks. **SHOW THE LOT IN ITS ENTIRETY (ALL LOT LINES)**.

6. **Height** – Maximum allowed of 55-feet for primary structures and 45-feet for accessory structures.

CUP Application: Include elevation drawings, with heights labeled.

7. **Access** – Hospital Drive via Glacier Highway.

8. Parking & Circulation – Existing / Background

- In 1977, a proposed Site Plan for a Community Center on Parcel No. 2 of the Salmon Subdivision (the lot at that time) showed 80 off-street parking spaces. A letter from the project architect dated February 21, 1978, provides justification for proposing **80 parking spaces**.
- On September 11, 1978, a building permit (BLD-12057) was issued for the Community Center which stated:
- *“Parking plan approved based on a seating capacity of 320 spaces. If additional seating capacity is provided, the required additional parking spaces must be provided.”* At that time, CBJ 49.25.500(M) for “Churches, auditoriums, and similar enclosed places of assembly” required 1 parking space for each 4 seats in the auditorium. Therefore, **80 parking spaces** were required for the Community Center.
- In 1979, a Certificate of Occupancy was issued for the Community Center.
- In 1991, the lot was re-platted with the Tlingit / Haida Subdivision Plat 91-34. As part of the subdivision process, VAR1991-0001 was approved to reduce the minimum required lot width from 30-feet to 20-feet. One condition of approval for the Variance stated:
 - *“In connection with the proposed replat, the owner/applicant shall submit a revised parking plan, in accordance with applicable standards, to show not less than **80 parking spaces** for proposed Tract 2A [subject lot]. Parking shall be located on the parcel which said parking is intended to serve, or shall be within allowable distance, and the availability shall be guaranteed with long-term agreement, acceptable to the City and Borough of Juneau Law Department, for a period commensurate with the life of the building, but not less than 30 years.”*
- In 1991, a shared Parking Agreement was signed between the CBJ, the JTHCC, and Generations Southeast to the east. This agreement automatically **expired** on July 1, 2021.
- Currently, JTHCC has two privately arranged parking agreements, with adjacent lots to the east and west, that **have not been approved by the CBJ Law Department** as required by VAR1991-0001. The following table illustrates current parking deficits for the three lots:

Parking Spaces	3225 Hospital Drive SEARHC	3235 Hospital Drive Community Center (JTHCC) (subject lot)	3239 Hospital Drive Central Council (CC) Generations SE
Current Requirement	58 (per VAR2002-0046: 25 on-site 26 off-site, JTHCC 7 off-site, Birthing Center)	80 (per VAR1991-0001)	55
Existing On-Site	25	21 (per 2023 Existing Site Survey)	38
Shared Agreements (not approved by CBJ)	26 – M-F 6am-6pm (off-site, JTHCC) 7 – (off-site, Birthing Center)	ALL – JTHCC 6pm-6am / 6am-6pm CC	
Shortage	0	59	17

Parking & Circulation – Proposed Renovation and Expansion

- CBJ 49.40.210(a) for “Churches, auditoriums, and similar enclosed places of assembly” requires 1 parking space for each 4 seats in the auditorium.
- MRV Architects has provided detailed calculations on determining the number of seats that should be considered in determining parking requirements based upon an unconcentrated use without fixed seating.
- Per CBJ 49.40.210, the following minimum number of parking spaces with dimensions of 8.5 feet x 17 feet is required on the lot. ADA space dimensions of 13 feet x 17 feet, with a 8 feet x 17 feet aisle width, is also required.

Use	Parking Standard	Spaces Required
<u>USE 5.400:</u> <i>Social, fraternal clubs, lodges, union halls, yacht clubs</i> <u>Parking:</u> <i>Churches, auditoriums, and similar enclosed places of assembly</i> <u>Square Footage:</u> 4,629 square feet – 20% for circulation, unconcentrated use without fixed seating = 3,703 square feet	1 space for each 4 seats	247 seats = 61.75 = 61 spaces (rounded down)
Total Per CBJ 49.40.210(b), three (3) accessible parking spaces must be provided as part of the total required off-street parking spaces.		61 (including 3 ADA)

CUP Application: On the Site Plan, number all proposed off-street parking spaces, including accessible spaces, with a minimum of 61 spaces required. Label typical parking space dimensions and all drive aisle widths.

Alternatively, CBJ 49.40.215 Parking Alternatives and CBJ 49.40.220 Parking Reductions list potential options the applicant may want to consider if the required number of off-street parking spaces cannot be met on site.

9. **Lot Coverage** – The GC zoning district does not require a maximum lot coverage percentage.
10. **Vegetative Coverage** – Per CBJ 49.50.300, minimum vegetative cover of 10% (4,647 square feet) is required for the lot.

CUP Application: Show vegetative cover areas within the lot on the Site Plan.

11. **Lighting** – All lighting should be full cut-off lighting to prevent glare on neighboring properties or the right-of-way. Parking and circulation standards require that parking lots shall be “adequately lit.”

CUP Application: Show all existing and proposed outdoor lighting locations on the Site Plan.

12. **Noise** – N/A
13. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – No mapped hazard areas.
14. **Wetlands** – If wetlands are to be impacted, contact the U.S. Army Corps of Engineers, Juneau Field Office, at (907) 753-2689 for permitting requirements.

15. **Flood** – Portions of the lot contain both the Salmon Creek Floodway (pink hatched areas on the map to the right) and Special Flood Hazard Area (SFHA) Zone AE (blue shaded areas).

CUP Application: Show all SFHA areas on the Site Plan.

A Floodplain Development Permit will be required prior to the issuance of a Building Permit for any type of development proposed in SFHA areas.



16. **Habitat** –

- Check with U.S. Fish and Wildlife on the presence of eagle nests in the area. The presence of eagle nests may impact construction scheduling.
- Salmon Creek is an anadromous waterbody. Per CBJ 49.70.330, there is a 25-foot 'no disturbance' setback measured from the OHWM, and a 50-foot 'no development' setback measured from the OHWM.

CUP Application: Show the 50-foot anadromous waterbodies setback on the Site Plan, as staked by CBJ staff.

17. **Plat or Covenant Restrictions** – N/A

18. **Easements** – The lot includes the following recorded easements:

- 1988 Powerline Easement – Book 304, Pages 328-331
- 1988 Rip Rap Easement – Book 304, Pages 332-335
- 1991 Common Driveway Easement – Book 345, Pages 645-648

CUP Application: Show all easements of record on the Site Plan.

19. **Traffic** – According to CBJ 49.40.300(2), a Traffic Impact Analysis is not required since the project will generate less than 250 Average Daily Trips. For this application, staff used the Institute of Transportation Engineers' Trip Generation Manual (9th Edition) projections for a *Lodge/Fraternal Organization* on a weekday, based upon the number of employees. This projection represents the highest estimated Average Daily Trips (ADTs) across all categories for this type of use.

Use	Trips Generated	# Employees	Total Trips
Lodge/Fraternal Organization	46.90 per employee	3	140.7
Total ADT's:			140.7

20. **Nonconforming situations** – See nonconforming situation report NCC2023-0052.

Building Division

21. **Building** – BLD20230925 is currently under review, pending a Conditional Use Permit for Zoning review.

22. **Outstanding Permits** –

- BLD20140420 – "Reroof Metal to Metal"
- BLD2004-00889 – "Remove dry Chem System and install new UL 300 wet Chem System."
- BLD-0900701 – "PAINT; CARPET; LIGHTING; GUTTERS; COUNTER TOPS; CLEAN-UP BOILER"

General Engineering/Public Works

23. **Engineering** – No concerns at this time.
24. **Drainage** – No concerns at this time.
25. **Utilities** – Proposed waterline increase shall require a utility permit. (proposed upsizing the main to supply sprinklers)

Fire Marshal

26. **Fire Items/Access** – N/A

Other Applicable Agency Review

27. N/A

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, one for each application type listed below
2. Conditional Use Permit Application
3. Floodplain Development Permit Application
4. Parking Waiver Application, if proposed

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. Project Narrative
3. Site Plan (with details as outlined above)
4. Elevation Drawings
5. Lighting Plan / Fixtures Data Sheet

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. N/A

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. Development Permit Application – N/A
2. Conditional Use Permit Application – Class III Uses: \$750
3. Floodplain Development Permit Application – \$100

4. Parking Waiver Application, if proposed – \$320
5. 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:

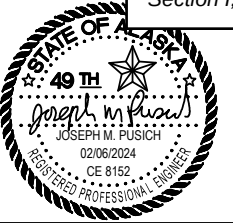
City & Borough of Juneau, Permit Center
230 South Franklin Street
Fourth Floor Marine View Center
Juneau, AK 99801

Phone: (907) 586-0715

Web: www.juneau.org/community-development

Attachments:

CBJ 49.15.330 Conditional Use Permits
CBJ 49.40.200 Parking and Loading
CBJ 49.40.215 Parking Alternatives
CBJ 49.40.220 Parking Reductions
CBJ 49.70.330 Anadromous Habitat Protections
CBJ 49.70.400 Floodplain
Development Permit Application
Conditional Use Permit Application
Floodplain Development Permit Application
Parking Waiver Application



100% PERMIT DOCUMENTS

SHAAN S'OOX COMMUNITY CENTER EXPANSION

Juneau Tlingit & Haida Community Council

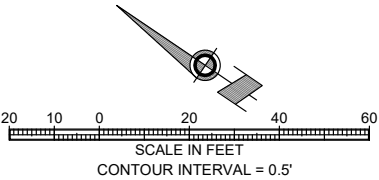
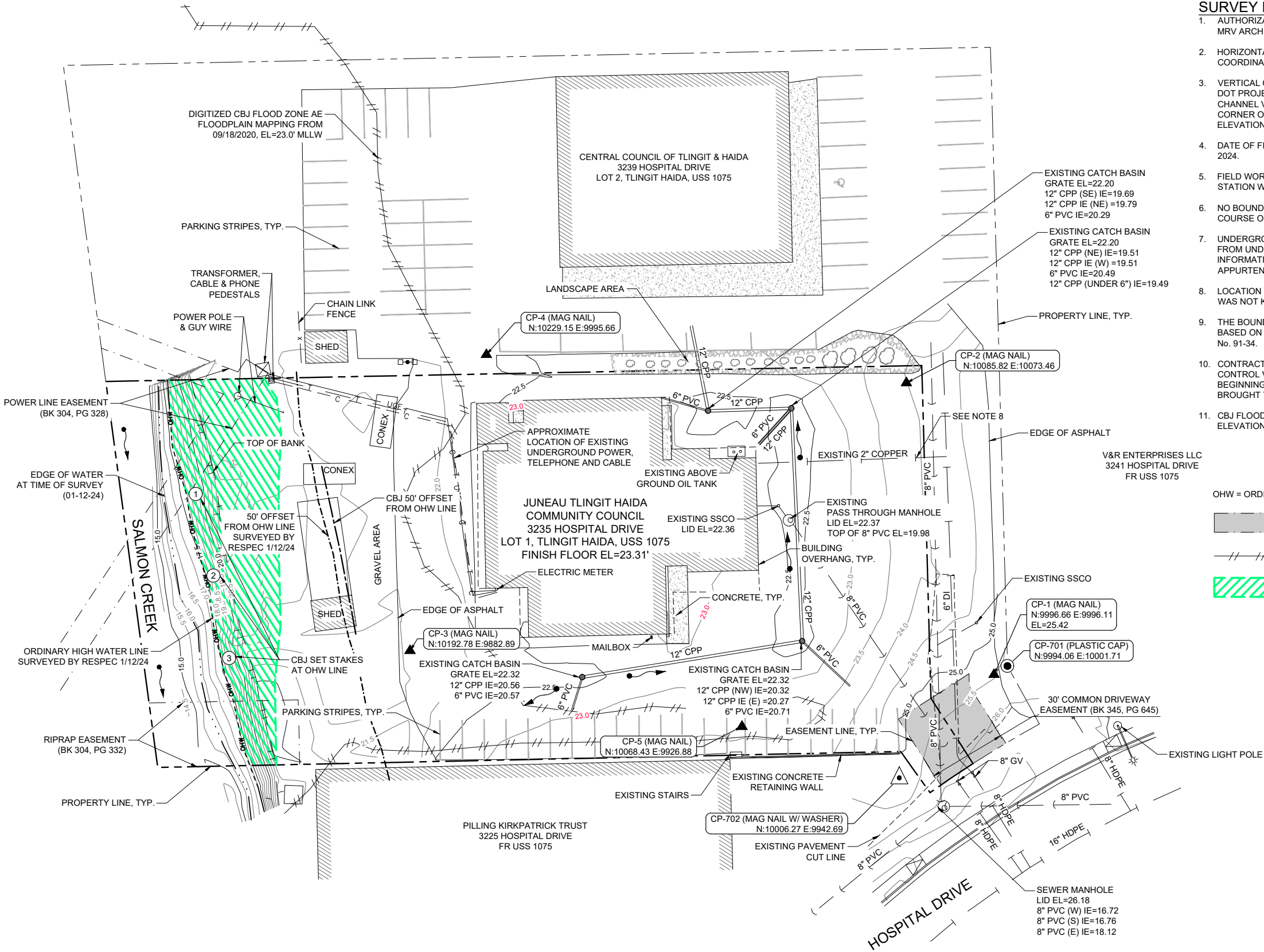
RESPEC #11009.19215

SURVEY NOTES:

- AUTHORIZATION TO CONDUCT THIS TOPOGRAPHIC SURVEY BY MRV ARCHITECTS ON APRIL 1, 2022 AND JANUARY 12, 2024.
- HORIZONTAL FOR THIS SURVEY WERE BASED ON ASSUMED COORDINATES FOR CP-1 WITH N: 9996.66 E: 9996.11 POSITION.
- VERTICAL CONTROL IS BASED ON A FIRE HYDRANT TBM FROM DOT PROJECT # SFHY00229, GLACIER HIGHWAY / ROSS WAY TO CHANNEL VISTA DRIVE RECONSTRUCTION AT THE SOUTHWEST CORNER OF GLACIER HIGHWAY AND HOSPITAL DRIVE WITH AN ELEVATION OF 28.55 MLLW.
- DATE OF FIELD SURVEY WAS APRIL 6, 2022 AND JANUARY 12, 2024.
- FIELD WORK CONDUCTED USING A TRIMBLE S7 ROBOT TOTAL STATION WITH STANDARD LASER RANGING TECHNIQUES.
- NO BOUNDARY RETRACEMENT WAS PERFORMED IN THE COURSE OF THIS SURVEY.
- UNDERGROUND UTILITIES, SHOWN HEREON, ARE DERIVED FROM UNDERGROUND UTILITY FIELD LOCATES, AS-BUILT INFORMATION, AND OBSERVABLE ABOVE GROUND APPURTENANCES.
- LOCATION OF EXISTING WATER LINE TO COMMUNITY BUILDING WAS NOT KNOWN.
- THE BOUNDARY OF LOT 1, TLINGIT HAIDA SUBDIVISION IS BASED ON THE RECOVERED MONUMENTS, AS SHOWN ON PLAT No. 91-34.
- CONTRACTOR SHALL PERFORM HORIZONTAL AND VERTICAL CONTROL VERIFICATION OF PROJECT CONTROL PRIOR TO BEGINNING CONSTRUCTION. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ENGINEERS ATTENTION FOR RESOLUTION.
- CBJ FLOOD ZONE AE FLOODPLAIN MAPPING FROM 09/18/2020, ELEVATION = 23.0'.

OHW = ORDINARY HIGH WATER

- COMMON DRIVEWAY EASEMENT
- CBJ FLOOD ZONE AE LINE
- EXISTING VEGETATIVE COVER = 4,308 S.F.



NOTE: 11"x 17" PRINT IS HALF SIZE

No.	Description	Date

SHEET TITLE:
EXISTING SITE
SURVEY &
TOPOGRAPHY

DATE: 02.06.2024

DRAWN: JMK
CHECKED: JMP

SHEET NO.
C002



MRV
ARCHITECTS
ARCHITECTURE · PLANNING · INTERIORS

MRV ARCHITECTS
1420 GLACIER AVE. #101
JUNEAU, AK 99801
907-586-1371
FAX 907-463-5544
mrv@mrvarchitects.com

MRV #2203

100% REVIEW SET CONSTRUCTION DRAWINGS
**SHAAN S'OOX COMMUNITY
CENTER EXPANSION**
Juneau Tlingit & Haida Community Council

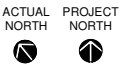
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SHEET TITLE:
SITE PLAN, NEW

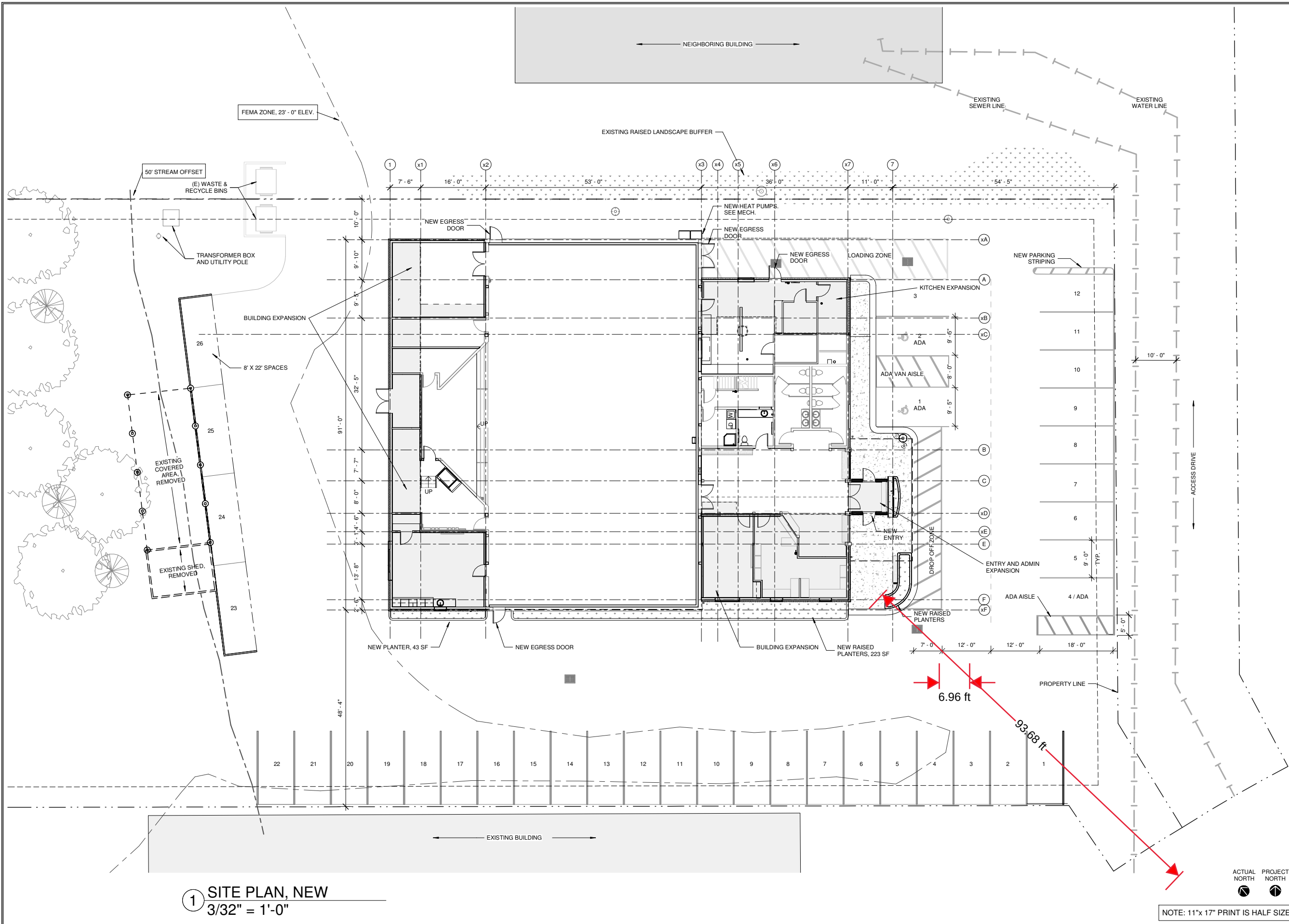
DATE: 02.14.2024

DRAWN: MRV
CHECKED: PV

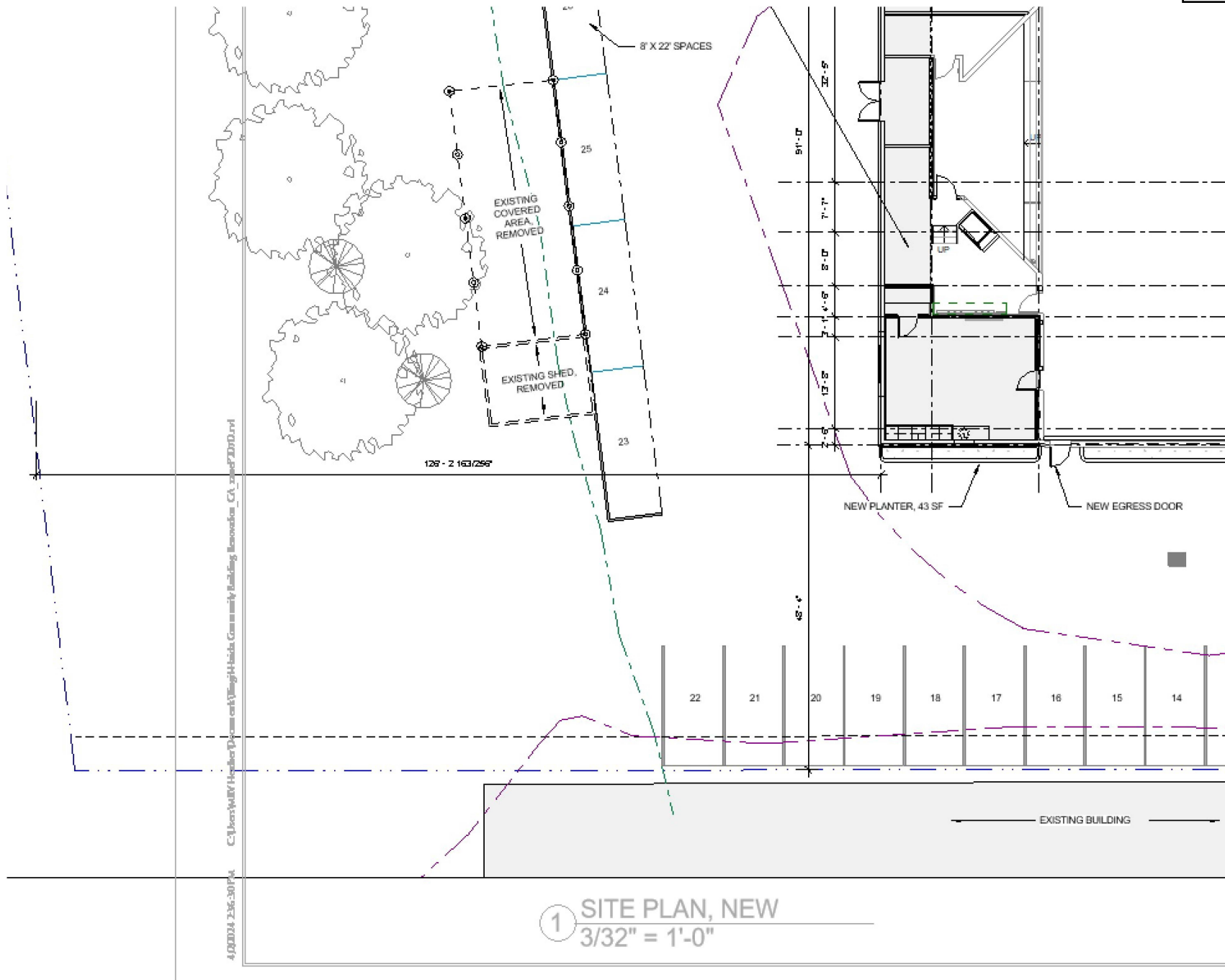
SHEET NO.
A151



NOTE: 11"x 17" PRINT IS HALF SIZE



① SITE PLAN, NEW
3/32" = 1'-0"



SHAAN S'OOX COMMUNITY CENTER EXPANSION

For The
Juneau Tlingit & Haida Community Council



100% CONSTRUCTION DRAWINGS REVIEW SET 10.18.2023



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907-586-1371
FAX 907-463-5544
mrv@mrvarchitects.com

MRV #2203

100% REVIEW SET CONSTRUCTION DRAWINGS

SHAAN S'OOX COMMUNITY CENTER EXPANSION

Juneau Tlingit & Haida Community Council

No.	Description	Date

SHEET TITLE:
SITE PLAN, NEW

DATE: 02.14.2024

DRAWN: MRV

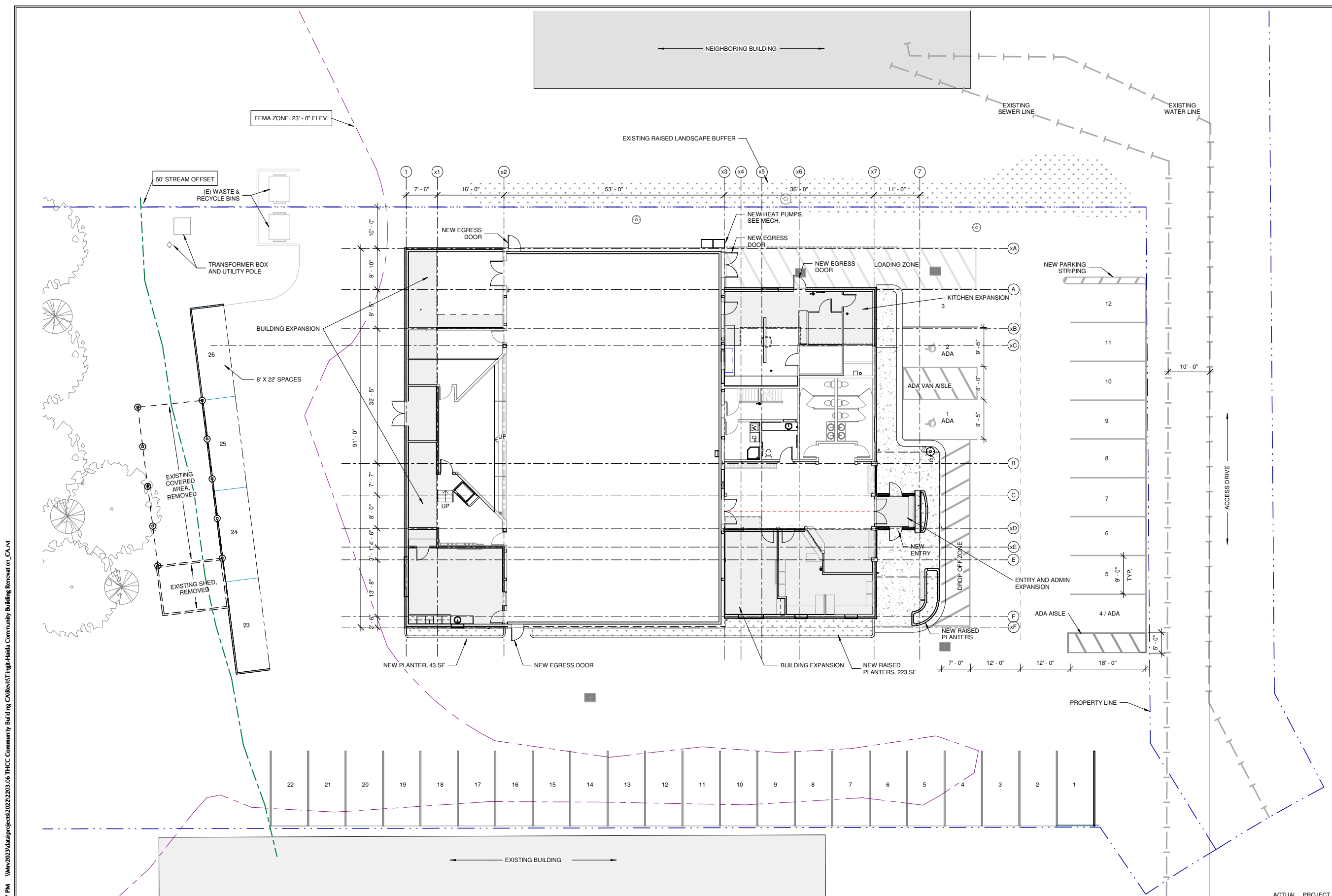
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SHEET NO.

A151

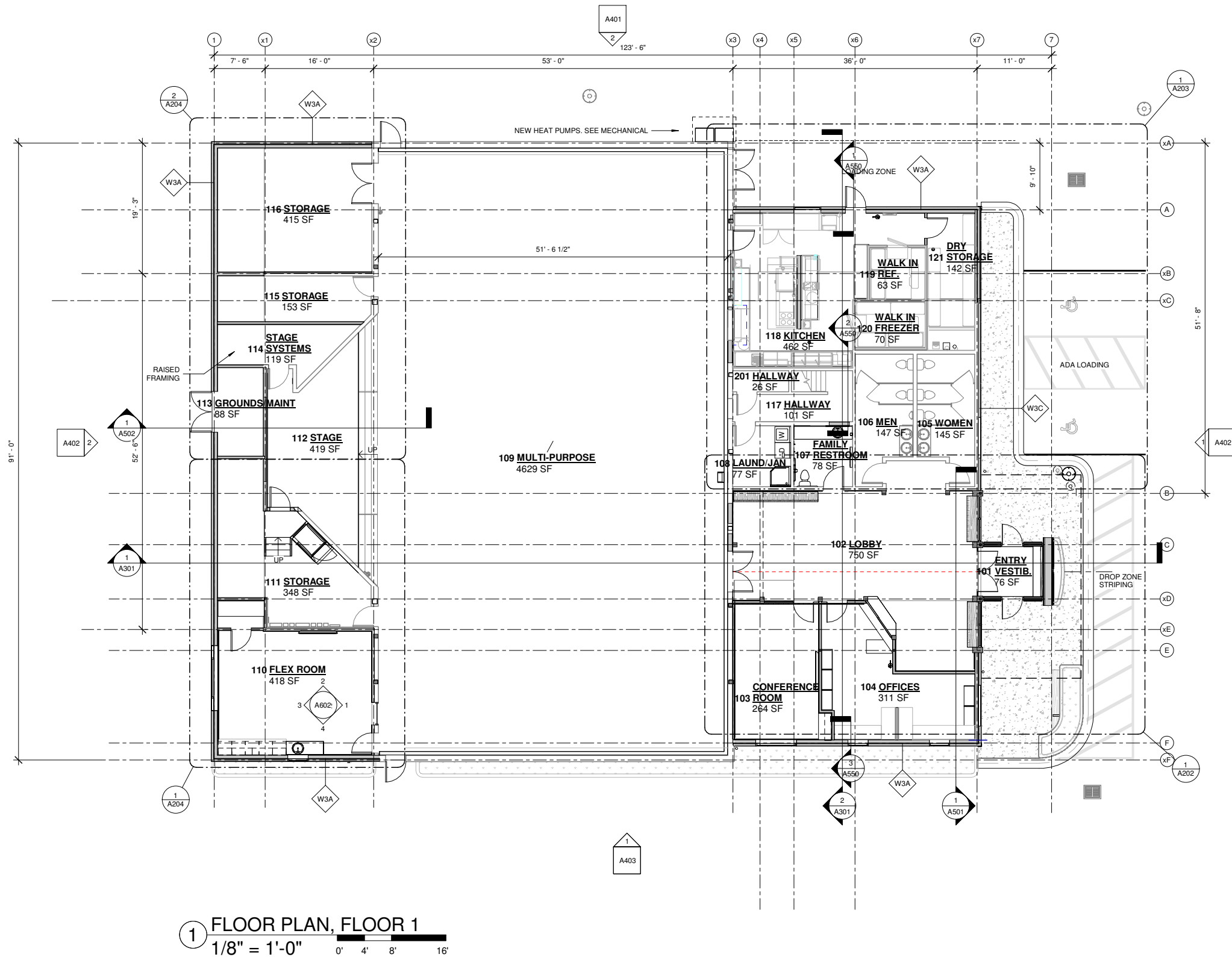


NOTE: 11"x 17" PRINT IS HALF SIZE



1 SITE PLAN, NEW
3/32" = 1'-0"

2/15/2024 12:24:18 PM \\mr2023\data\projects\2022\2023.06 THCC Community Building CA\Rev\Tlingit-Haida Community Building Renovation_CA.rvt



GENERAL NOTES:

1. AREA SHOWN WITH GREY HATCH IS EXPANDED BUILDING FOOTPRINT.



MRV
ARCHITECTS
ARCHITECTURE · PLANNING · INTERIORS

MRV ARCHITECTS
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100% REVIEW SET CONSTRUCTION DRAWINGS
**SHAAN S'OOX COMMUNITY
CENTER EXPANSION**
Juneau Tlingit & Haida Community Council

MRV #2203

No.	Description	Date

SHEET TITLE:
**FLOOR PLAN,
FLOOR 1**

DATE: 02.14.2024

DRAWN: MRV

CHECKED: PV

SHEET NO.

A201



NOTE: 11"x 17" PRINT IS HALF SIZE



MRV ARCHITECTS
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907-586-1371
FAX 907-463-5544
mrv@mrvarchitects.com

100% REVIEW SET CONSTRUCTION DRAWINGS

**SHAAN S'OOX COMMUNITY
CENTER EXPANSION**

Juneau Tingit & Haida Community Council

MRV #2203

No.	Description	Date

SHEET TITLE:
**BUILDING
ELEVATIONS**

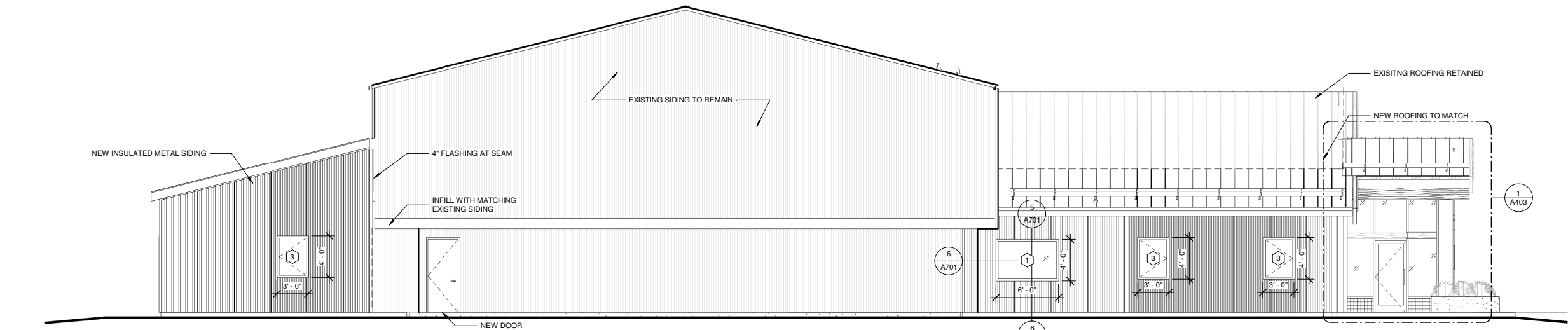
DATE: 02.14.2024

DRAWN: MRV
CHECKED: PV

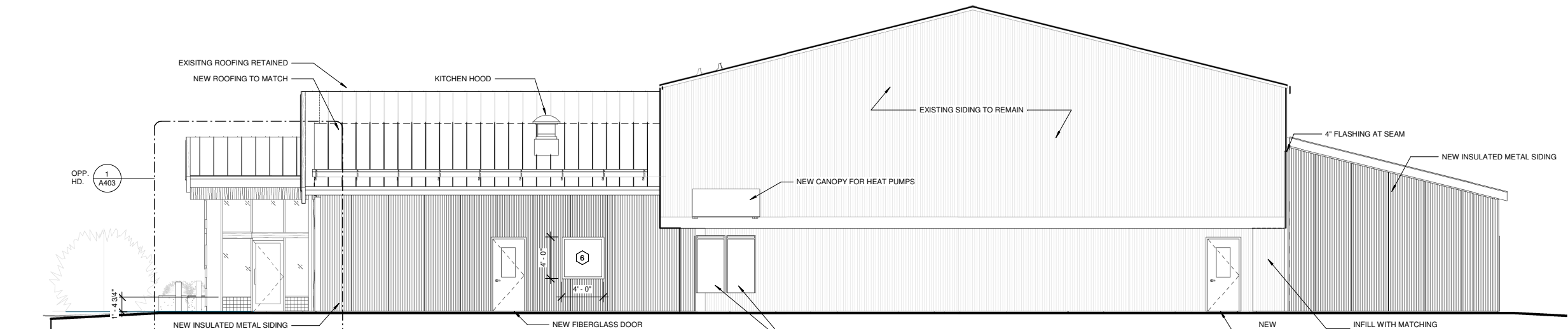
SHEET NO.

A401

NOTE: 11"x 17" PRINT IS HALF SIZE



1 ELEVATION SOUTH
3/16" = 1'-0"
0' 4' 8' 16'



2 ELEVATION NORTH
3/16" = 1'-0"
0' 4' 8' 16'

2/15/2024 12:24:20 PM \\mr-2023\data\projects\2023\2023.06 THCC Community Building C\Revit\Tingit-Haida Community Building Renovation_C.dwg



MRV ARCHITECTS
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100% REVIEW SET CONSTRUCTION DRAWINGS

**SHAAN S'OOX COMMUNITY
CENTER EXPANSION**

Juneau Tingit & Haida Community Council

MRV #2203

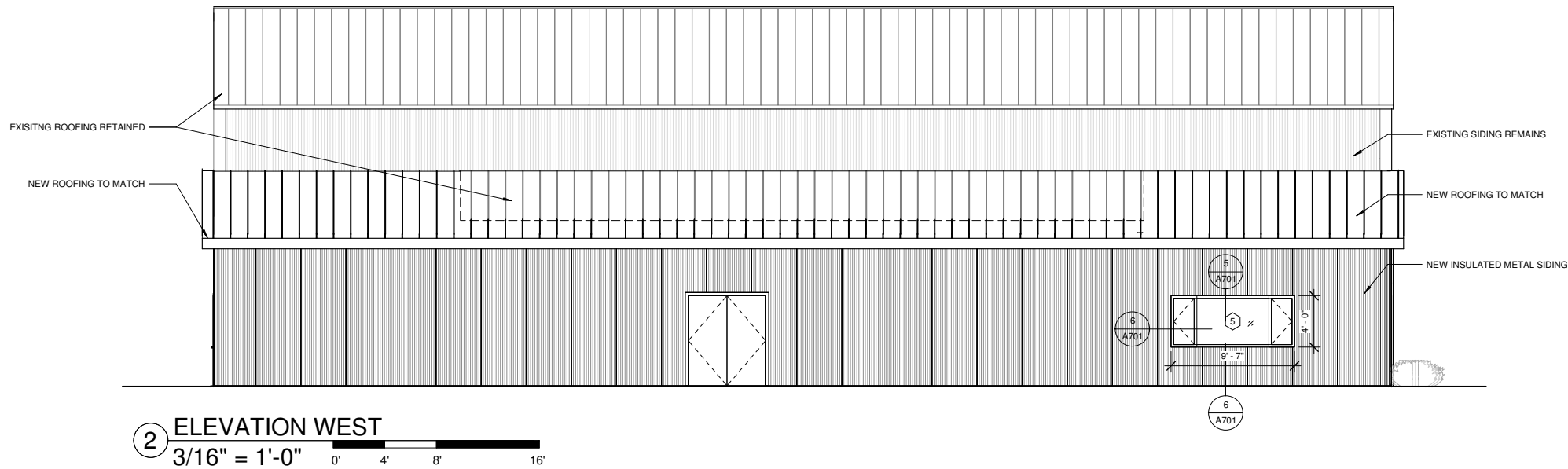
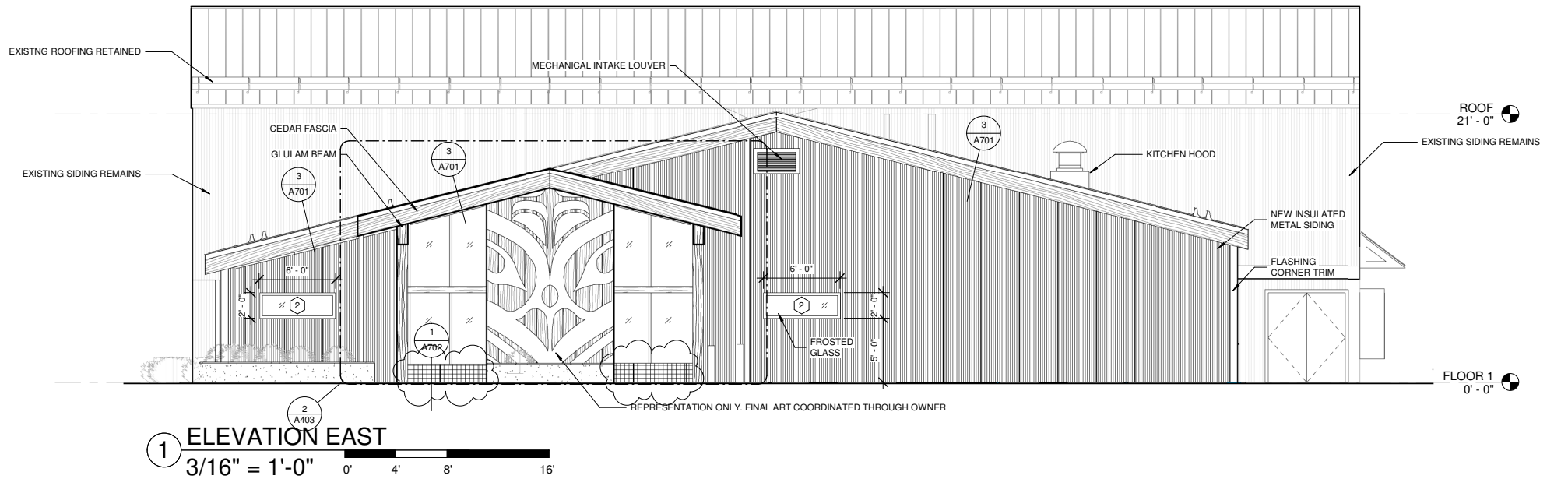
No.	Description	Date
2	Revision 2	01/04/2024

SHEET TITLE:
**BUILDING
ELEVATIONS**

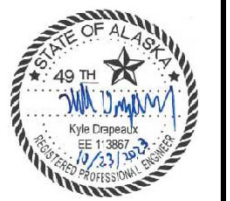
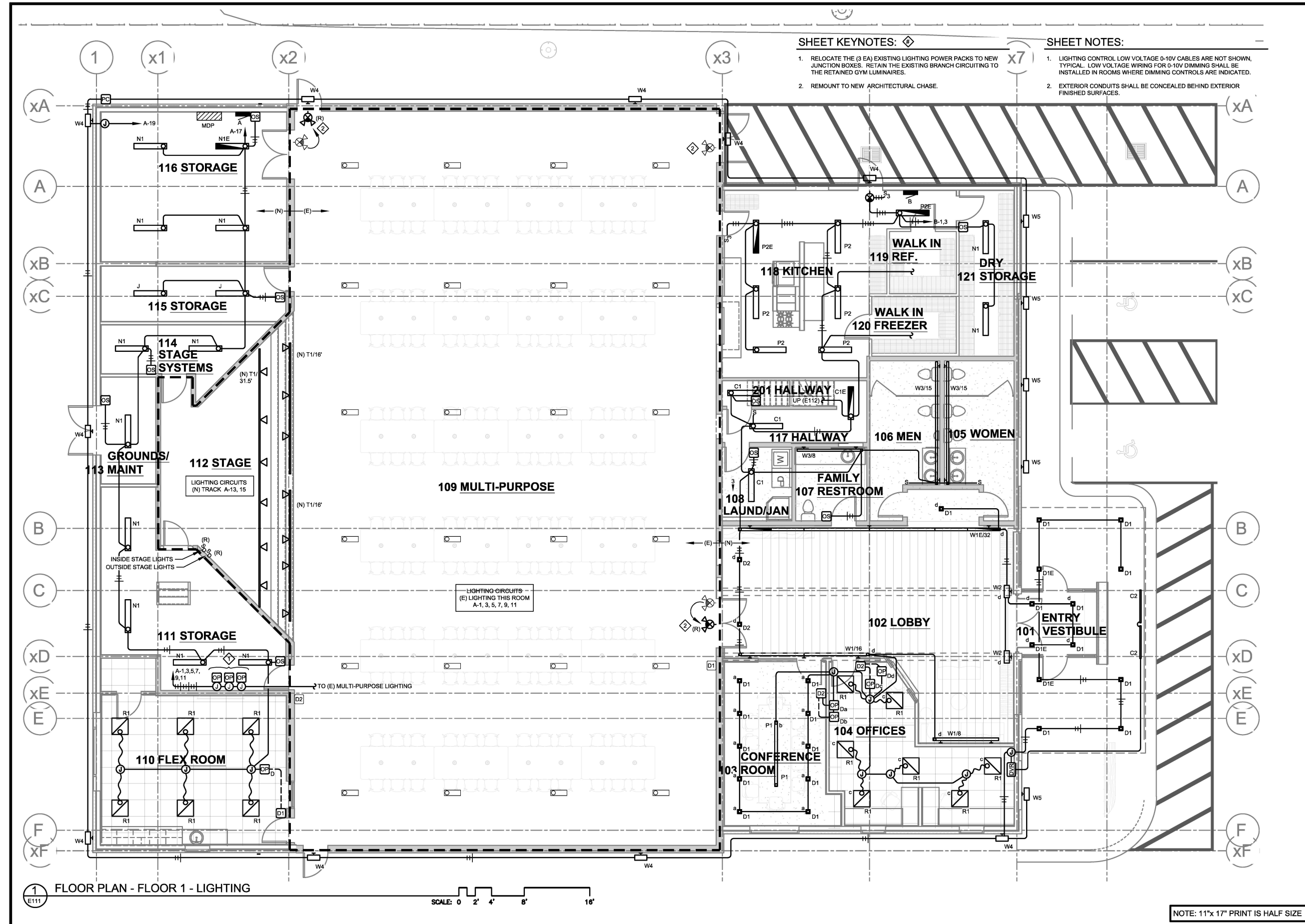
DATE: 02.14.2024

DRAWN: MRV
CHECKED: PV

SHEET NO.
A402



NOTE: 11"x 17" PRINT IS HALF SIZE



Juneau, AK
9109 Mendenhall Mall Rd. Ste. 4
Juneau, AK 99901
Phone: 907.586.3060
Fax: 907.586.3771
AEC0163270

**SHAAN S 'OOX COMMUNITY
CENTER EXPANSION**
Juneau Tlingit & Haida Community Council

100% PERMIT DOCUMENTS

No.	Description	Date

SHEET TITLE:
FLOOR PLAN -
FLOOR 1
LIGHTING

DATE: 10.18.2023

DRAWN: PEL

CHECKED: BCH

SHEET NO.

E111

PARKING LOT LEASE AGREEMENT

THIS PARKING LOT LEASE AGREEMENT (this "Lease") is made as of December ___, 2019, by and between the Juneau Tlingit & Haida Community Council, an Alaska nonprofit corporation with an address of 3235 Hospital Drive, Juneau, AK 99801 (the "Landlord"), and Michael Pilling and Kerry Kirkpatrick (collectively, "Tenant") whose address is P.O. Box 020770, Juneau, Alaska 99802.

WITNESSETH

WHEREAS, Landlord and Tenant entered into that certain Parking Agreement dated effective as of September 25, 2002 (and collectively with any amendments thereto and restatements thereof, the "Parking Agreement"), granting Lessee the right to occupy and use Landlord's parking spaces (the "Lease Premises" as hereinafter defined); and

WHEREAS, Landlord and Tenant have agreed to extend the Term of the Parking Agreement and otherwise amend and restate the Parking Agreement in its entirety as hereinafter provided.

NOW, THEREFORE, for and in consideration of the mutual terms and conditions expressed herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Demise of Premises. The Landlord hereby demises and lets to the Tenant, and the Tenant hereby takes and leases from the Landlord, for the term or terms and upon the provisions hereinafter specified, the following described property: 26 parking spaces owned by Landlord and located at 3235 Hospital Drive, Juneau, Alaska, 99801, and as depicted on "Exhibit A" of this Lease, attached hereto and made a part hereof (the "Leased Premises"), together with all easements, rights and appurtenances thereunto belonging or pertaining (collectively, the "Land").

2. Term. The Tenant is hereby leasing the Leased Premises for the initial term commencing on December 1, 2019 (the "Effective Date") and terminating on January 1, 2023 (the "Initial Term"). Subject to the following notice requirements, and provided that at the time of such notice the Tenant is not then in Default (as herein defined) under the terms of this Lease, the Tenant is hereby granted the right (a "Renewal Option") to renew the Initial Term of this Lease for one (1) ten (10) year term ("Renewal Term"). The Tenant shall exercise the Renewal Option, if at all, by noticing the Landlord in writing of its intent to renew within sixty (60) days of the expiration of the Initial Term. All of the terms and provisions of this Lease shall apply to the Renewal Term, except that the Tenant shall have no remaining Renewal Options. In the event the Tenant timely exercises its only Renewal Option, the Landlord and the Tenant each agree to execute an amendment to this Lease in a form reasonably acceptable to both Parties reflecting the extension of the term by the Renewal Term. At the termination of the Renewal Term, if any, the Parties may elect to extend this Lease upon such terms and conditions as may be agreed upon in writing and signed by the Parties at the time of any such extension.

3. Rent. During the Initial Term and unless rent is adjusted as hereafter provided, rent shall be due and payable, in advance, on the 1st day of each and every month, beginning December

1, 2019, at the rate of \$1,015.97 per month, plus City and Borough of Juneau sales tax. The Tenant shall make each Rent payment to the Landlord at the Landlord's address set forth above, or at such other place or to such other persons or entities as the Landlord from time to time may designate to the Tenant in writing. Rent may be paid by Tenant in the form of personal check, cashier's check, money order, or cash. If a personal check is returned by Tenant's bank for any reason, a charge of \$20.00 shall be billed to Tenant's account. Tenant agrees that if a rental payment is returned uncollected or unpaid, all future rental payments must be in the form of cashier's check, money order, or cash. Late fees will be assessed until rent payment has been cleared. Payments made by the Tenant shall apply first to the oldest item for which a bill or statement has been presented, or for the earliest month's rent then due. Rent is late beginning on the 5th day of the month. If rent is not received before the 5th day of the current month, a late fee of \$15.00 per day will be charged for each day that the rent is late. All late fees shall be deemed additional rent for the rental month and shall be paid and collected as such. Commencing on January 1, 2021 and through any Renewal Term, Tenant's monthly rent shall increase two percent (2%) annually, plus the concomitant City and Borough of Juneau sales tax.

4. Condition of Premises. Tenant acknowledges that Landlord is not in default under the Parking Agreement and that Landlord has no obligation to improve, or perform any work in, the Premises or make any contribution toward any such work in the Premises, and Tenant accepts the Premises in its "AS-IS"/"WHERE-IS"/"WITH ALL FAULTS" condition as of the Effective Date hereof. Landlord shall not be obligated to make, and Tenant shall not be authorized to make, any improvements to the Premises except as provided in, and in accordance with, the Lease.

5. No Service Provided: Repairs, Maintenance and Alterations. The Parties understand and agree that this Lease is a land lease and that the Landlord shall not be required to furnish any services or facilities or to make any repairs or alterations in or to the Leased Premises. The Tenant hereby assumes the full and sole responsibility for the condition, operation, repair, replacement and maintenance of the Leased Premises. The Tenant shall maintain the Leased Premises in substantially the same condition of repair and appearance existing at the Effective Date, ordinary wear and tear and casualty excepted. The Tenant shall keep the Leased Premises clear of snow and debris, as required. The Tenant shall not make any alterations, additions or improvements to the Leased Premises without the prior written approval of the Landlord.

6. Use. The Tenant's sole use of the Leased Premises shall be for the parking of cars, trucks and vans used by its agents, employees, consultants, affiliates, guests, invitees and third party assignees, sublessors and designees. Tenant shall have exclusive use of the Leased Premises Monday through Friday, from 6:00 am to 6:00 pm. Tenant shall ingress and egress the Leased Premises as also shown on Exhibit A.

7. Annual Appropriation. The payments of Rent hereunder by the Tenant are subject to annual appropriation by the City and Borough of Juneau relative to Bartlett Regional Hospital's leasing of Tenant's building at 3225 Hospital Drive, Juneau, Alaska 99801, and the Lease may be terminated due to lack of such appropriation.

8. Compliance with Laws. Throughout the term of this Lease, the Tenant, at its sole cost and expense, shall comply with any and all laws, regulations and ordinances that are applicable to the Leased Premises or any part thereof. The Tenant shall not be required to correct

any condition of or on the Leased Premises that existed at the Effective Date and at that time represented a violation of, or noncompliance with, any applicable law, regulation or ordinance by the Landlord.

9. Indemnity; Insurance. The Tenant shall indemnify the Landlord (and its officers, directors and employees) against, and save the Landlord (and its officers, directors and employees) harmless from, any and all losses, damages, claims, liabilities, judgments, costs and expenses (including the reasonable cost and expense of defending any claim), arising directly or indirectly during the term of this Lease out of any act, omission or negligence of the Tenant, its agents, employees, consultants, affiliates, guests, invitees and third party assignees, sublessors and designees. During the term of this Lease, Tenant shall maintain a public liability insurance policy or policies in amounts satisfactory to the Landlord, naming Landlord as an additional insured for liability purposes.

10. Duty to Inform. Landlord will respect and inform its agents, employees, consultants, affiliates, guests, invitees of Tenant's exclusive use of the Lease Premises as described herein,

11. Eminent Domain. If, after the execution of this Lease and prior to the effective date of the expiration or termination of this Lease, the whole of the Leased Premises shall be taken under the power of eminent domain, then the term of this Lease shall cease as of the time when the Landlord shall be divested of its title to the Leased Premises, and Rent and other costs and expenses, if any, shall be apportioned and adjusted as of the effective time of such termination. The Tenant shall not be entitled to participate in any condemnation proceeding on its own behalf, nor shall the Tenant participate in any amounts awarded to the Landlord.

12. Default. In the event that the Tenant shall fail to pay Rent or any part thereof when due or shall violate or fail to perform any of the covenants hereof on the part of the Tenant to be performed, in both such circumstances after notice of such failure or violation shall have been given as hereinbelow provided (each such event, a "Default"), the Landlord may elect either:

A. To re-enter the Leased Premises by summary proceedings or otherwise and re-let the Leased Premises to a third party or parties, making diligent efforts therefor, and upon receiving rent therefrom, applying the same first to the payment of Rent and other fees and expenses accruing hereunder, and the balance, if any, to be paid to the Tenant; provided, however, that the Tenant shall remain liable for the equivalent of the amount of all Rent and other payments due, as the case may be, throughout the remaining term of this Lease to the extent such amounts are not mitigated by such third party lessee or lessees; or

B. To terminate this Lease and to resume possession of the Leased Premises wholly discharged from this Lease. The Landlord shall make such election by written notice to the Tenant at any time on or before the doing of any act or the commencement of any proceedings to recover possession of the Leased Premises by reason of the Default then existing and such election shall be final. If the Landlord shall elect to terminate this Lease as set forth in this Section 11(b), then immediately upon such termination, all rights and obligations whatsoever of the Tenant and of its successors and assigns under this Lease, so far as the same may relate to the unexpired portion of the term hereof, shall cease. Within

ten (10) days after receipt by the Tenant of notice of election by the Landlord to terminate this Lease pursuant to this Section 11(b), (i) the Parties shall, by an instrument in writing in form for recording, cancel this Lease and the unexpired portion of the term hereof, and (ii) the Tenant shall surrender and deliver to the Landlord the entire Leased Premises, and upon any default by the Tenant in so doing, the Landlord shall have the right to re-enter the Leased Premises either by summary proceeding or otherwise.

No Default hereunder shall be deemed to have occurred on the part of the Tenant until thirty (30) days after written notice of such Default shall have been received by the Tenant, and the Tenant within such time shall have failed to remedy such Default. If any Default by the Tenant, (with the exception of the payment of Rent), cannot reasonably be cured within such thirty (30) day period, then the Tenant shall have such additional time as may be reasonably necessary to remedy the same.

13. Assignment and Subletting. The Tenant may not assign this Lease or sublet the whole or any part of the Leased Premises at any time to any other party without the written consent of the Landlord, such consent not to be unreasonably withheld.

14. Taxes. The Landlord shall be responsible for all property taxes relative to the Lease Premises, and each party is responsible for its own income or other taxes not specifically addressed herein.

15. Liens. Tenant shall not suffer the creation of any liens upon the Lease Premises or the Land and shall bond or otherwise discharge any claim of lien within seventy-two (72) hours after receiving notice of the claim.

16. Successors and Assigns. Except as otherwise set forth in this Lease, the agreements and conditions in this Lease contained on the part of either Party to be performed and observed shall be binding upon said Party and its successors and assigns, and shall inure to the benefit of the other Party and its successors and assigns.

17. Quiet Enjoyment. Upon the Tenant's payment of the Rents and other required payments herein provided, and upon the Tenant's observance and performance of all the covenants, terms and conditions to be observed and performed pursuant to this Lease, the Tenant shall peaceably and quietly hold and enjoy the Leased Premises for the term hereby demised without hindrance or interruption by the Landlord or any other person or persons lawfully or equitably claiming by, through or under the Landlord, subject, nevertheless, to the terms and conditions of this Lease.

18. Force Majeure. No liability shall result to either Party from such Party's delay in performance or non-performance under this Lease caused by circumstances beyond such Party's control, including but not limited to acts of God, war, terrorism, riot, fire, explosion, accident, flood, sabotage, strike, lockout, injunctions, catastrophic breakage or failure of machinery or apparatus, national defense requirements or compliance with or change in applicable law. The non-performing Party shall be diligent in attempting to remove any such cause and shall promptly notify the other Party of the extent and probable duration of such cause.

19. Notices. All notices sent or required to be sent hereunder shall be sent in writing by registered or certified mail, return receipt requested, postage prepaid, to the addresses set forth in the caption to this Lease above or to either Party at such other address as such Party may designate by notice to the other Party.

20. Waiver; Invalidity of Particular Provision. The failure of a Party to exercise or enforce any of its rights under this Lease shall not be a waiver of those rights and shall not affect any other right of that Party under this Lease. In the event that any provision of this Lease shall be found to be void or unenforceable, such findings shall not be construed to render any other provision of this Lease either void or unenforceable and all other provisions shall remain in full force and effect unless the provisions which are invalid or unenforceable shall substantially affect the rights or obligations granted to or undertaken by either Party.

21. Construction; Section Headings. Each term and each provision of this Lease to be performed by the Tenant shall be construed to be both a covenant and a condition. The paragraph headings throughout this Lease are used for convenience only, and shall not be held to explain, modify, amplify or otherwise aid in the interpretation, construction or meaning of this Lease.

22. No Merger of Title. There shall be no merger of this Lease nor of the leasehold estate created by this Lease with the fee estate in or ownership of any of the Leased Premises by reason of the fact that the same person or entity may acquire, hold or own, directly or indirectly, (a) the leasehold estate created by this Lease or any part thereof or interest therein or any interest of the Tenant in this Lease, and (b) the fee estate or ownership of any of the Leased Premises or any interest in such fee estate or ownership; and no such merger shall occur unless and until all persons or entities having any interest in (i) this Lease as the Tenant or the leasehold estate created by this Lease, and (ii) this Lease as the Landlord or the fee estate in or ownership of the Leased Premises or any part thereof sought to be merged shall join in a written instrument effecting such merger and shall duly record the same.

23. Surrender. The Tenant shall (a) on the last day of the term hereof (including the final Renewal Term, if any), (b) upon any earlier termination permitted under this Lease, and (c) upon any permitted entry or re-entry by the Landlord upon the Leased Premises, peaceably leave and surrender the Leased Premises into the possession and use of the Landlord without fraud or delay in good order, condition and repair without violations, reasonable wear and tear and casualty excepted. If the Tenant has made additions, alterations or modifications to the Leased Premises, at the request of the Landlord, the Tenant shall remove such additions, alterations or modifications, at its expense, upon such surrender.

24. Entire Agreement. This Lease contains the entire understanding of the parties and may not be modified except by written instrument signed by both parties.

25. Governing Law. This Lease shall be governed by and construed in accordance with the laws of the State of Alaska.

26. Counterparts. This Lease may be executed in multiple counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the Parties have caused this Lease to be executed as of the day and year first above written.

LANDLORD:

JUNEAU TLINGIT & HAIDA COMMUNITY COUNCIL
an Alaska nonprofit corporation

By: 

Name: Kenneth L Southerland

Title: President

TENANT:

MICHAEL PILLING AND KERRY KIRKPATRICK

By: _____

Name: _____

By: _____

Name: _____

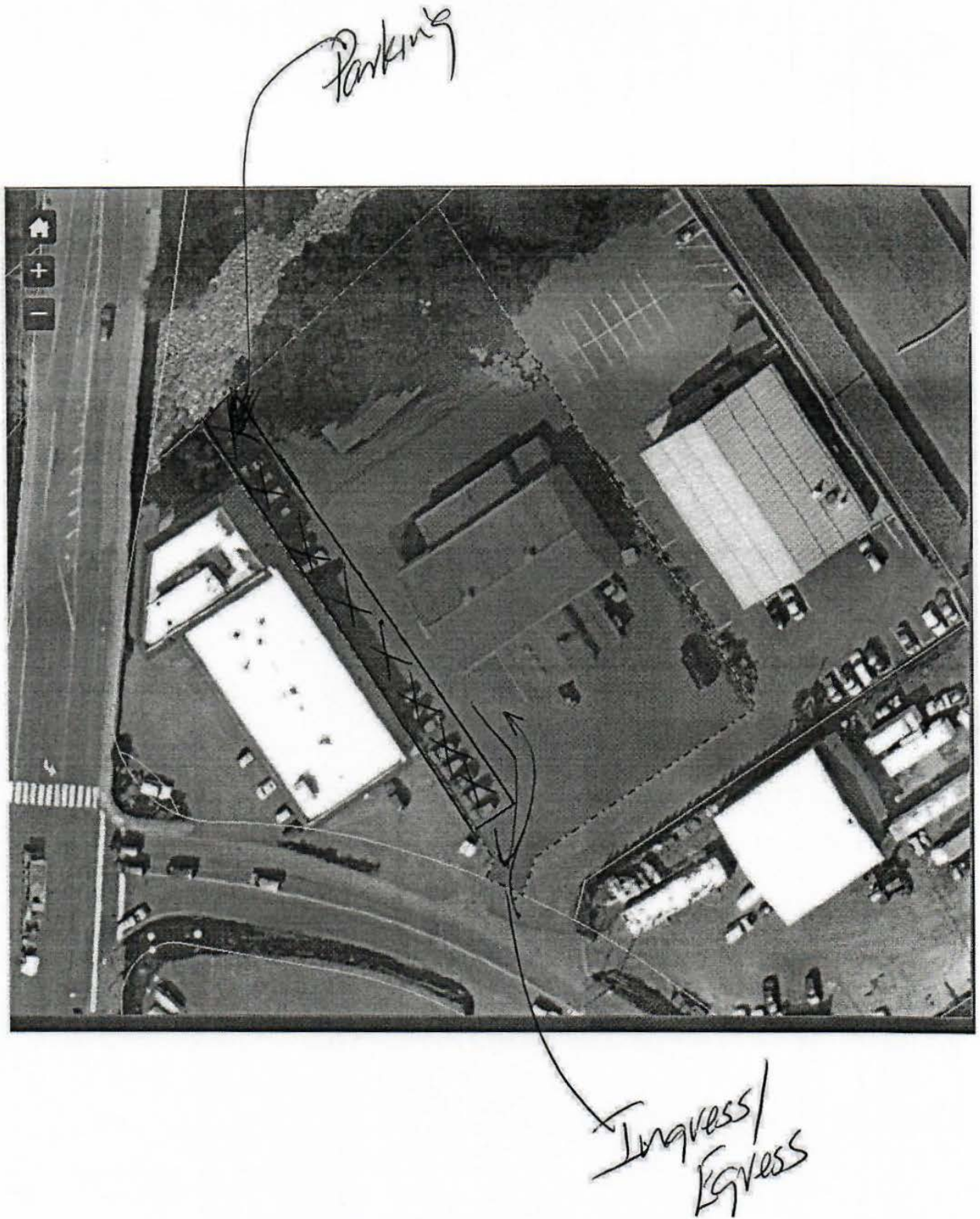


EXHIBIT A

IN WITNESS WHEREOF, the Parties have caused this Lease to be executed as of the day and year first above written.

LANDLORD:

JUNEAU TLINGIT & HAIDA COMMUNITY COUNCIL
an Alaska nonprofit corporation

By: [Signature]

Name: Kenneth L Southerland

Title: President

TENANT:

MICHAEL PILLING AND KERRY KIRKPATRICK

By: _____

Name: _____

By: _____

Name: _____

By [Signature]
Property Manager
12/4/19

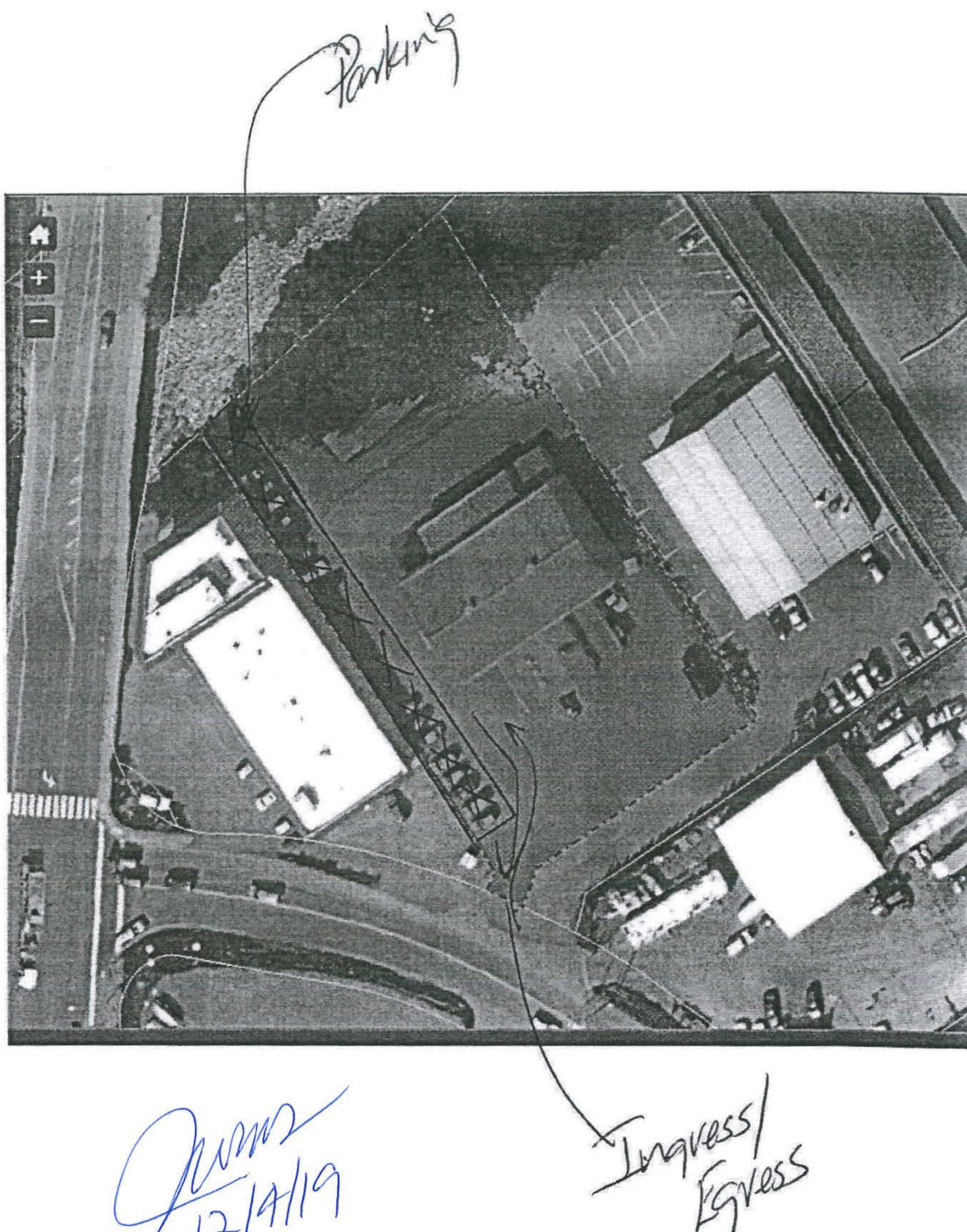


EXHIBIT A

RECIPROCAL PARKING LOT USE AGREEMENT

The Central Council of Tlingit & Haida Indian Tribes of Alaska (“Tlingit & Haida”) AND Juneau Tlingit Haida Community Council (“Community Council”) (together “Parties”) hereby agree to cooperate in the reciprocal use of their adjoining parking lots as set forth in this Agreement.

RECITALS:

- A. Tlingit & Haida is the Owner of Lot 2, Tlingit Haida Subdivision, USS 1075, City & Borough of Juneau, First Judicial District.
- B. Community Council is the Owner of Lot 1, Tlingit Haida Subdivision, USS 1075, City & Borough of Juneau, First Judicial District.
- C. Tlingit & Haida operates Generations Southeast (Gen SE), located at 3239 Hospital Drive, Juneau Alaska, 99801.
- D. Community Council operates the Community Council Event Hall (“Hall”), located at 3235 Hospital Drive, Juneau, Alaska, 99801.
- E. Both Parties require overflow parking during peak hours for their respective operations and recognize the reciprocal benefit of sharing use of the adjoining parking lots.
- F. The peak hours of operation for the GEN SE and the Hall are non-conflicting.

AS A RESULT OF THE FOREGOING, TLINGIT & HAIDA AND COMMUNITY COUNCIL AGREE AS FOLLOWS;

- I. Each Party hereby provides the other, use of the adjoining parking lot for use by their respective patrons.
- 2. Tlingit & Haida will have primary use of the available overflow parking during the hours of 6:00am - 6:00pm, Monday-Friday.
- 3. Community Council will have primary use of the available overflow parking during the hours of 6:00pm - 6:00am, Monday- Friday.

4. During the weekends, both Parties will have shared access to the available overflow parking, as needed.
5. This parking agreement will be in effect for 1 (one) year, through December 20, 2024. This Agreement will automatically renew for an additional year in perpetuity, until the parties, in writing, revise this agreement or the Agreement is terminated pursuant to the provisions of this Agreement. Each Party retains the right to terminate this Agreement by providing a minimum of 30 days written notice to the other Party prior to the annual expiration date.
6. The parking lot shall only be used for the purposes of temporary parking and any lawful use incidental to parking and for no other purposes.
7. Both Parties agree to indemnify, defend, and hold the other harmless from and against all claims, demands, judgments, damage, personal injury, wrongful death, wage, employment, or worker's compensation claims arising out of, or in connection to the privileges of this Agreement.
8. The validity, interpretation, and performance of this Agreement shall be governed by: 1) the law of Tlingit & Haida, including traditional tribal law and tribal common law; 2) in the absence of applicable tribal law, federal law, including federal statutory and common law, and; 3) in the absence of applicable tribal and federal law, the laws of the State of Alaska, provided, however, that references to laws of the State of Alaska shall not be construed as an admission or concession by Tlingit & Haida that the State of Alaska, or any subdivision or agency thereof, has authority to promulgate laws applicable to Tlingit & Haida.
9. In the event a dispute over the content, interpretation, or performance of this Agreement shall arise between the Parties, the Parties agree to meet and confer in good faith, in accordance with Southeast Alaska Traditional Values, to attempt to seek an amicable resolution.
10. The venue shall be in the State of Alaska, First Judicial District in Juneau, Alaska.
11. The Parties shall bear their own attorneys' fees.
12. This Agreement contains the entire understanding and agreement of the Parties and supersedes all prior agreements, representations and warranties, whether written or oral.
13. The terms, conditions and covenants of this Agreement shall bind and inure to the benefit of the parties and their respective successors and assigns.

14. This Agreement may be executed in one or more counterparts, each of which will be deemed an original and all of which together constitute one instrument.
15. The Parties are relieved of any liability if they are unable to meet the terms and conditions of this Agreement due to any Act of God, riots, epidemics, strikes, or any act or order which is beyond the control of the party not in compliance. The party out of compliance shall take reasonable steps to effect prompt resumption of its responsibilities under this Agreement.
16. Any notice or demand required to be given under this Agreement shall be given by personal delivery or certified mail with Return Receipt Requested, postage prepaid, addressed as follows:

**Central Council Tlingit & Haida
Indian Tribes of Alaska**
P.O. Box 25500
Juneau, Alaska 99802

**Juneau Tlingit & Haida Community
Council**
3235 Hospital Dr.
Juneau, Alaska 99801

The address to which any notice, demand or other writing shall be given as provided may be changed by written notice given to the other Party.

We hereby agree to the terms and conditions set forth in the agreement.

Central Council of Tlingit & Haida Indian
Tribes of Alaska

By: Roald Helgeson
Title: Chief Operating Officer
Date: December 20, 2023

Juneau Tlingit Haida Community Council

By: Rhonda J. E. H. H.
Title: President
Date: 12.20.23

D1 gotham 4in Square evo4sq-4-open
Total # of pages: 8



General Illumination Square Downlight

4"



Feature Set

- Bounding Ray™ optical design
- Unitized optics mechanically attach the light engine to the lower reflector for complete optical alignment
- 45° cutoff to source and source image
- Fully serviceable and upgradeable lensed LED light engine
- 70% lumen maintenance at 60,000 hours
- 2.5 SDCM; 85 CRI typical, 90+ CRI optional
- Fixtures are wet location, covered ceiling
- ENERGY STAR® certified product
- Available with 10% dimming, 1% dimming, or dim to dark
- Batwing distribution with feathered edges provides even illumination on horizontal and vertical surfaces

Distribution



Superior Performance

Nominal Lumens	250	500	750	1000	1500	2000	2500	3000	3500
Delivered Lumens*	271	573	808	1001	1527	1994	2580	3110	3612
Wattage	3.1	7.2	7.9	8.8	13.7	19.5	25.7	31.2	38.4
Lumens per Watt	87.4	79.6	102.3	113.8	111.5	102.3	100.4	99.7	94.1

Coordinated Apertures | Multiple Layers of Light



General Illumination Layer | EVO



High Center Beam Layer | Incito



EVO + Incito — Multiple Layers of Light

Core



Downlight



Adjustable



Open Wallwash



Lensed Wallwash



Cylinder



Pinhole



Bevel



Hyperbolic

Healthcare



MRI



Surgical Suite



Patient Room

Special Applications



Dynamic



Food Service



Vandal/Tamper



Clean Room



Shower



Steam Room



A+ Capable options indicated by this color background.



Design2Ship Quick Ship Program: Options in green text qualify for Design2Ship — 5 business days from order entry to ship. Refer to Design2Ship Brochure for complete program details. **Maximum Order Quantity: 100 units; 50 for Chicago Plenum.**

Luminaire Type:

Catalog Number:

EXAMPLE: EVO4SQ 35/15 AR LSS MVOLT EZ1

Series	Color Temperature	Nominal Lumen Values	Reflector & Flange Color	Trim Style	Finish
EVO4SQ	27/ 2700 K	02 250 lumens	AR Clear	(blank) Self-flanged	LSS Semi-specular
	30/ 3000 K	05 500 lumens	PR Pewter	FL Flangeless	LD Matte-diffuse
	35/ 3500 K	07 750 lumens	WTR Wheat		
	40/ 4000 K	10 1000 lumens	GR Gold		
	50/ 5000 K	15 1500 lumens	WR ¹ White		
			BR ¹ Black		
			WRAMF ¹ White anti-microbial		

Voltage	Driver ⁴	
MVOLT	GZ10 0-10V driver dims to 10%	EDAB ⁵ eldoLED SOLOdrive DALI. Logarithmic dimming to <1%.
120	GZ1 0-10V driver dims to 1%	EDXB ⁵ eldoLED POWERdrive DMX with RDM (remote device management). Square Law dimming to <1%. Includes termination resistor. Minimum 1000 lumens. Refer to DMXR Manual
277	EZ10 eldoLED 0-10V ECODrive. Linear dimming to 10% min.	ECOS2 ⁵ Lutron® Hi-Lume® 2-wire forward-phase driver. Minimum dimming level 1%, 120V only. Minimum 1000 lumens.
347 ^{2,3}	EZ1 eldoLED 0-10V ECODrive. Linear dimming to 1% min.	ECOD ⁵ Lutron Ecosystem digital Hi-Lume 1% soft-on, fade to black
	EZB eldoLED 0-10V SOLOdrive. Logarithmic dimming to <1%.	

Control Interface	Options
NLT ⁶ nLight® dimming pack controls	SF Single fuse. Specify 120V or 277V.
NLTER ^{2,6,10} nLight® dimming pack controls emergency circuit	TRW ⁷ White painted flange
NLTAIR2 ^{6,12,14} nLight® AIR enabled	TRBL ⁸ Black painted flange
NLTAIRER2 ^{2,10,13} nLight® AIR enabled emergency	EL ⁹ Emergency battery pack, 10W, with integral test switch
NLTAIREM2 ^{2,13} nLight® AIR Dimming Pack Wireless Controls. Controls fixtures on emergency circuit with battery pack options.	ELR ⁹ Emergency battery pack, 10W, with remote test switch
	ELSD ⁹ Emergency battery pack, 10W, with self-diagnostics, integral test switch
	ELRSD ⁹ Emergency battery pack, 10W, with self-diagnostics, remote test switch
	E10WCP ⁹ Emergency battery pack, 10W Constant Power, CA Title 20 compliant with integral test switch
	E10WCPR ⁹ Emergency battery pack, 10W Constant Power, CA Title 20 compliant with remote test switch
	N80 ¹¹ nLight® Lumen Compensation
	BGTD Bodine generator transfer device. Specify 120V or 277V.
	90CRI High CRI (90+)
	CP ¹² Chicago Plenum. Specify 120V or 277V with FL option.
	RRL_ RELOC®-ready luminaire connectors enable a simple and consistent factory installed option across all ABL luminaire brands. Refer to RRL for complete nomenclature

ACCESSORIES — order as separate catalog numbers (shipped separately)

ISD BC 0-10V wallbox dimmer. Refer to [ISD-BC](#).

ORDERING NOTES

- Not available with finishes.
- Not available with emergency battery pack options.
- Supplied with factory installed step down transformer.
- Refer to [TECH-240](#) for compatible dimmers.
- Not available with nLight® and XPoint options.
- Specify voltage.
- For use with different reflector finish only (i.e. AR, PR, WTR, GR options). Not applicable with WR (white reflector) or FL option.
- For use with different reflector finish only (i.e. AR, PR, WTR, GR options). Not applicable with BR (black reflector) or FL option.
- 11" of plenum depth or top access required for battery pack maintenance.
- ER for use with generator supply power. Will require an emergency hot feed and normal hot feed.
- Fixture begins at 80% light level. Must be specified with NLT or NLTER. Only available with EZ10 and EZ1 drivers.
- Not available with battery pack, EXA1, or EXAB options.
- Not available DALI or DMX drivers. Not available with CP, or N80 options. Not recommended for metal ceiling installations.
- When combined with the EZ1, EZ10, or EZB option, normal luminaires (non-emergency) can be used as a normal power sensing device for nearby nLight AIR devices and luminaires with EM emergency options.

Optical Assembly

Fully serviceable and upgradeable lensed LED light engine suitable for field maintenance or service from below the ceiling. Optical design is a Bounding Ray™ design with 45° cutoff to source and source image. Top-down flash characteristic for superior glare control. Unitized optics shall have mechanical attachment of the light engine to the lower reflector for complete optical alignment.

Electrical

The luminaire shall operate from a 50 or 60 Hz ± 3 Hz AC line over a voltage ranging from 120 VAC to 277 VAC. The fluctuations of line voltage shall have no visible effect on the luminous output. The luminaire shall have a power factor of 90% or greater at all standard operating voltages and full luminaire output. Sound Rated A+. Driver shall be >80% efficient at full load across all input voltages. Input wires shall be 18AWG, 300V minimum, solid copper.

Controls

Luminaire shall be equipped with interface for nLight wired or wireless network with integral power supply as per specification.

Dimming

The luminaire shall be capable of continuous dimming without perceivable stroboscopic flicker as measured by flicker index (ANSI/IES RP-16-10) over a range of 100 – 10%, 100 – 1.0% or 100 – 0.1% of rated lumen output with a smooth shut off function to step to 0%. eldoLED LED drivers shall conform to IEEE P1789 standards. Alternatively, manufacturers must demonstrate conformance with product literature and testing which demonstrates this performance. Systems that do not meet IEEE P1789 will not be considered. Driver is inaudible in 24dB environment, and stable when input voltage conditions fluctuate over what is typically experienced in a commercial environment.

Construction

Luminaire housing shall be constructed of 16-gauge galvanized steel and have preinstalled telescopic mounting bars with maximum 32" and minimum 15" extension and 4" vertical adjustment. High-impact polymer trim shall be constructed with a durable, vapor deposition finish. Patented adjustable aperture allows ¼" adjustments in all directions and up to 5° of rotation for post-installation adjustment to ensure trim-to-trim alignment. Injection molded mud ring included with flangeless trims. Ships separately. Installs independently of the mounting frame to reduce cracks in plaster due to vibration. Luminaires shall be suitable for installation in ceilings up to 1½" thick. Tool-less adjustments shall be possible after installation. The assembly and manufacturing process for the luminaire shall be designed to assure all internal components are adequately supported to withstand mechanical shock and vibration. 25°C ambient temperature standard (1/2" clearance on all sides from non-combustible materials in non-IC applications, unless marked spacing noted otherwise). For use in insulated ceilings, a 3" clearance on all sides from insulation is required (unless marked spacing noted otherwise).

Listings

Fixtures are CSA certified to meet US and Canadian standards: All fixtures manufactured in strict accordance with the appropriate and current requirements of the "Standards for Safety" to UL, wet location covered ceiling. Luminaire configurations are Energy Star certified through testing in EPA-recognized laboratories, with the results reviewed by an independent, accredited certification organization. Visit www.energystar.gov for specific configurations listed.

Photometrics

LEDs tested to LM-80 standards. Measured by IESNA Standard LM-79-08 in an accredited lab. Lumen output shall not decrease by more than 30% over the minimum operational life of 60,000 hours. Color appearance from luminaire to luminaire of the same type and in all configurations, shall be consistent both initially and at 6,000 hours and operate within a tolerance of <2.5 MacAdam ellipse as defined by a point at the intersection of the CCT line and the black body locus line in CIE chromaticity space.

Buy American

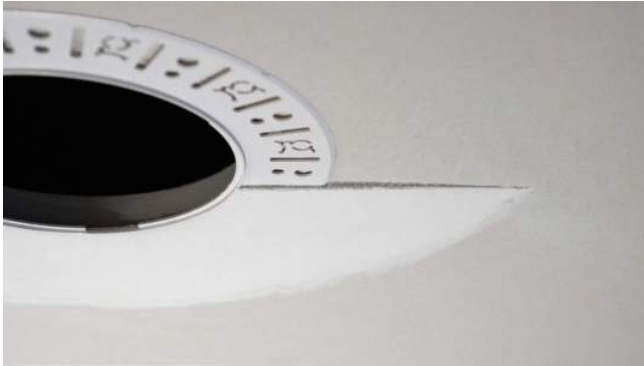
This product is assembled in the USA and meets the Buy America(n) government procurement requirements under FAR, DFARS and DOT. Please refer to <https://www.acuitybrands.com/resources/buy-american> for additional information.

Warranty

5-year limited warranty. This is the only warranty provided and no other statements in this specification sheet create any warranty of any kind. All other express and implied warranties are disclaimed. Complete warranty terms located at: www.acuitybrands.com/support/warranty/terms-and-conditions

Note:

Actual performance may differ as a result of end user environment and application. All values are design or typical values, measured under laboratory conditions at 25 °C.



Partially finished mud ring, showing cross-section detail.



An EVO downlight requires only approximately 3" of plaster to finish.



EVO with flangeless trim

Flangeless Installation

Gotham's flangeless option utilizes a micro-thin polymer mud ring that minimizes the amount of drywall compound required to finish the ceiling. The end result is a virtually undetectable flangeless downlight installation.

The polymer mud ring is installed independent of the recessed frame, therefore floating with the ceiling. This innovation minimizes any surface cracks during reflector installation, ceiling movement and any future service to the recessed frame, wiring, electronics, etc.

A+ Capable Luminaire

This item is an A+ capable luminaire, which has been designed and tested to provide consistent color appearance and out-of-the-box control compatibility with simple commissioning.

- All configurations of this luminaire meet the Acuity Brands' specification for chromatic consistency
- This luminaire is part of an A+ Certified solution for nLight® control networks when ordered with drivers marked by a **shaded background***
- This luminaire is part of an A+ Certified solution for nLight® control networks, providing advanced control functionality at the luminaire level, when selection includes driver and control options marked by a **shaded background***

To learn more about A+, visit www.acuitybrands.com/aplus.

*See ordering tree for details

EVO - eldoLED Driver Default Dimming Curve			
Nomenclature	Min Dimming	Driver Dim Curve	Control Dim Curve
EZ10	10%	Linear	Linear/Logarithmic
EZ1	1%	Linear	Linear/Logarithmic
EXA1	1%	Linear	Linear/Logarithmic
EZB	<1%	Logarithmic	Linear
EDAB	<1%	Logarithmic	Linear
EXAB	<1%	Logarithmic	Linear
EDXB	<1%	Square	Linear

Lumen Output Multiplier		
CRI	CCT	Multiplier
80	2700K	0.96
	3000K	1.00
	3500K	1.00
	4000K	1.01
	5000K	1.07
90	2700K	0.80
	3000K	0.83
	3500K	0.85
	4000K	0.87
	5000K	0.91

Reflector Finish Multiplier	
Reflector Finish	Multiplier
LSS - Semi Specular	0.956
WR - White	0.87
LD - Matte Diffuse	0.85
BR - Black	0.73

Driver		Control Provided (note: 347V/UVOLT versions provided with 347 option selected)			
Nomenclature	Description	NLT	NLTER	NLTAIR2	NLTAIRER2
GZ10	0-10V driver dims to 10%	nPP16 D EFP	nPP16 D ER EFP	RPP20 D 24V G2	RPP20 D 24V ER G2
GZ1	0-10V driver dims to 1%	nPP16 D EFP	nPP16 D ER EFP	RPP20 D 24V G2	RPP20 D 24V ER G2
EZ10	eldoLED 0-10V ECOdrive	nPS 80 EZ	nPS 80 EZ ER	RPP20 D 24V G2	RPP20 D 24V ER G2
EZ1	eldoLED 0-10V ECOdrive	nPS 80 EZ	nPS 80 EZ ER	RPP20 D 24V G2	RPP20 D 24V ER G2
EZB	eldoLED 0-10V SOLOdrive	nPS 80 EZ	nPS 80 EZ ER	RPP20 D 24V G2	RPP20 D 24V ER G2

How to Estimate Delivered Lumens in Emergency Mode

Delivered Lumens = 1.25 x P x LPW

P = Output power of emergency driver. P = 10W for PS1055CP

LPW = Lumen per watt rating of the luminaire. This information is available on the ABL luminaire spec sheet.

4"

General Illumination Square Downlight

*Dimensions in inches [centimeters]

Aperture: 4-5/16" (11)

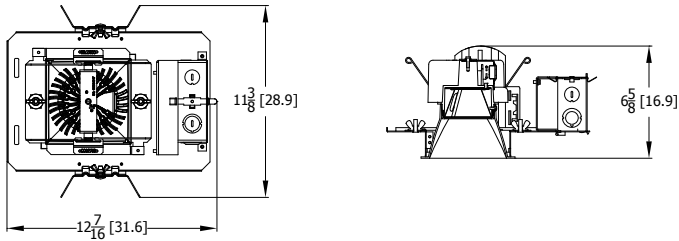
Ceiling Opening: 5-1/8" (13) self-flanged

Overlap trim: 5-7/16" (13.8)

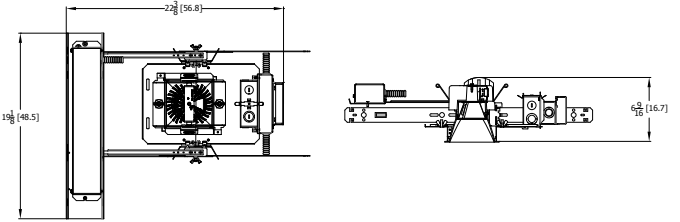
5-1/4" (13.3) flangeless

DIMENSIONAL DATA

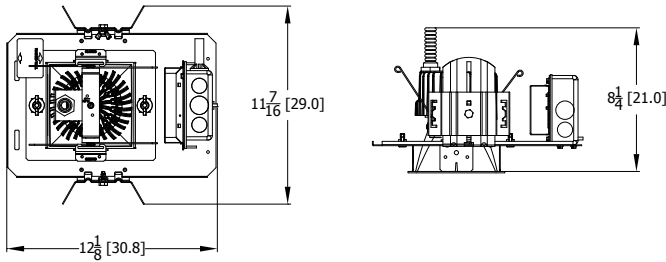
Standard



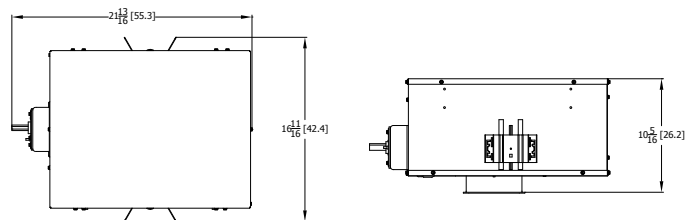
Battery Pack



CP Standard

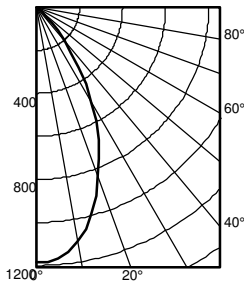


CP Enclosed For Use With Flangeless & nLight



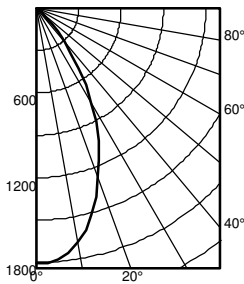
EVO4SQ 35/10 AR LSS INPUT WATTS: 8.8W, DELIVERED LUMENS: 1002LM, LPW= 113.9LM 0.87 S/MH, TEST NO. LTL27794P85

Photometry



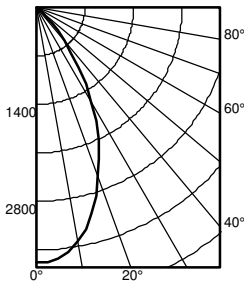
Ave	Lumens	Zone	Lumens	% Lamp	pf pc pw	80%			20% 70%			50%		
						50%	30%	10%	50%	30%	10%	50%	30%	10%
0	1187	0° - 30°	693.9	69.3	0	119	119	119	116	116	116	111	111	111
5	1172	0° - 40°	908.0	90.6	1	111	108	106	109	106	104	105	103	101
15	991	0° - 60°	1001.8	100.0	2	103	99	96	101	98	95	98	95	92
25	682	0° - 90°	1001.9	100.0	3	96	91	87	95	90	86	92	88	85
35	342	90° - 180°	0.0	0.0	4	90	84	80	88	83	79	86	82	78
45	102	0° - 180°	1001.9	*100.0	5	84	78	74	83	77	73	81	76	73
55	8				6	79	73	68	78	72	68	76	71	68
65	0				7	74	68	64	73	67	63	72	67	63
75	0				8	70	64	59	69	63	59	68	63	59
85	0				9	66	60	56	65	59	56	64	59	55
90	0				10	62	56	52	62	56	52	61	56	52

Initial FC						50% beam - 45.4°	10% beam - 76.6°
Mounting	Center						
Height	Beam	Diameter	FC	Diameter	FC		
8.0	39.2	4.6	19.6	8.7	3.9		
10.0	21.1	6.3	10.5	11.9	2.1		
12.0	13.2	8.0	6.6	15.0	1.3		
14.0	9.0	9.6	4.5	18.2	0.9		
16.0	6.5	11.3	3.3	21.3	0.7		

EVO4SQ 35/15 AR LSS INPUT WATTS: 13.7W, DELIVERED LUMENS: 1527LM, LPW= 111.5LM 0.87 S/MH, TEST NO. LTL27794P89


Ave	Lumens	Zone	Lumens	% Lamp	pf pc pw	80%			20% 70%			50%		
						50%	30%	10%	50%	30%	10%	50%	30%	10%
0	1809	0° - 30°	1057.8	69.3	0	119	119	119	116	116	116	111	111	111
5	1787	0° - 40°	1384.2	90.6	1	111	108	106	109	106	104	105	103	101
15	1511	0° - 60°	1527.2	100.0	2	103	99	96	101	98	95	98	95	92
25	1039	0° - 90°	1527.3	100.0	3	96	91	87	95	90	86	92	88	85
35	521	90° - 180°	0.0	0.0	4	90	84	80	88	83	79	86	82	78
45	156	0° - 180°	1527.3	*100.0	5	84	78	74	83	77	73	81	76	73
55	13				6	79	73	68	78	72	68	76	71	68
65	0				7	74	68	64	73	67	63	72	67	63
75	0				8	70	64	59	69	63	59	68	63	59
85	0				9	66	60	56	65	59	56	64	59	55
90	0				10	62	56	52	62	56	52	61	56	52

Initial FC						50% beam - 45.4°	10% beam - 76.6°
Mounting	Center						
Height	Beam	Diameter	FC	Diameter	FC		
8.0	59.8	4.6	29.9	8.7	6.0		
10.0	32.2	6.3	16.1	11.9	3.2		
12.0	20.0	8.0	10.0	15.0	2.0		
14.0	13.7	9.6	6.8	18.2	1.4		
16.0	9.9	11.3	5.0	21.3	1.0		

EVO4SQ 35/30 AR LSS INPUT WATTS: 31.2W, DELIVERED LUMENS: 3110LM, LPW= 99.7LM 0.87 S/MH, TEST NO. LTL27794P101


Ave	Lumens	Zone	Lumens	% Lamp	pf pc pw	80%			20% 70%			50%		
						50%	30%	10%	50%	30%	10%	50%	30%	10%
0	3685	0° - 30°	2154.4	69.3	0	119	119	119	116	116	116	111	111	111
5	3639	0° - 40°	2819.2	90.6	1	111	108	106	109	106	104	105	103	101
15	3077	0° - 60°	3110.5	100.0	2	103	99	96	101	98	95	98	95	92
25	2117	0° - 90°	3110.7	100.0	3	96	91	87	95	90	86	92	88	85
35	1061	90° - 180°	0.0	0.0	4	90	84	80	88	83	79	86	82	78
45	318	0° - 180°	3110.7	*100.0	5	84	78	74	83	77	73	81	76	73
55	26				6	79	73	68	78	72	68	76	71	68
65	0				7	74	68	64	73	67	63	72	67	63
75	0				8	70	64	59	69	63	59	68	63	59
85	0				9	66	60	56	65	59	56	64	59	55
90	0				10	62	56	52	62	56	52	61	56	52

Initial FC						50% beam - 45.4°	10% beam - 76.6°
Mounting	Center						
Height	Beam	Diameter	FC	Diameter	FC		
8.0	121.8	4.6	60.9	8.7	12.2		
10.0	65.5	6.3	32.8	11.9	6.6		
12.0	40.8	8.0	20.4	15.0	4.1		
14.0	27.9	9.6	13.9	18.2	2.8		
16.0	20.2	11.3	10.1	21.3	2.0		

nLight AIR

nLight® AIR is the ideal solution for retrofit or new construction spaces where adding communication wiring is cost prohibitive. The integrated nLight AIR rPP20 Power Pack is part of each EVO Luminaire ordered with the NLTAIR option. These individually addressable controls offer the ultimate in flexibility during initial setup and for space repurposing.

nLight® AIR Control Accessories

Order as separate catalog number. Visit [nLight AIR](#).

Wall Switches	Model Number
On/Off single pole	rPODB (color) G2
On/Off two pole	rPODB 2P (color) G2
On/Off & raise/lower single pole	rPODB DX (color) G2
On/Off & raise/lower two pole	rPODB 2P DX (color) G2

nLight® AIR Control Accessories (cont.)

Occupancy Sensors (PIR/dual tech)	Model Number
Small motion 360°, ceiling	rCMS 9 / rCMS PDT 9
Large motion 360°, ceiling	rCMS 10 / rCMS PDT 10

UL924 Sequence of Operation

The below information applies to all nLight AIR devices with an EM option.

- EM devices will remain at their high-end trim and ignore wireless lighting control commands, unless a normal-power-sensed (NPS) broadcast is received at least every 8 seconds.
- Using the CLAIRITY+ mobile app, EM devices must be associated with a group that includes a normal power sensing device to receive NPS broadcasts.
- Only non-emergency rPP20, rLSXR, rSBOR, rSDGR, and nLight AIR luminaires with version 3.4 or later firmware can provide normal power sensing for EM devices. See specification sheets for control devices and luminaires for more information on options that support normal power sensing.

nLight® The nLight® solution is a digital networked lighting control system that provides both energy savings and increased user configurability by cost effectively integrating time-based, daylight-based, sensor-based and manual lighting control schemes.

nLight® Wired Control Accessories

Order as separate catalog number. Visit [nLight](#).

Wall Switches	Model Number
On/Off single pole	nPODM XX
On/Off two pole	nPODM 2P XX
On/Off & raise/lower single pole	nPOD DX XX
On/Off & raise/lower two pole	nPODM 2P DX XX
Graphic touchscreen	nPOD GFX XX

Photocell Controls

Dimming	nCM ADCX
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nLight® Wired Control Accessories (cont.)

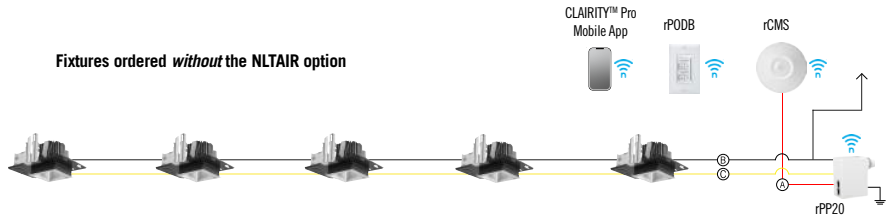
Occupancy Sensors (PIR/dual tech)	Model Number
Small motion 360°, ceiling	nCM 9 / nCM PDT 9
Large motion 360°, ceiling	nCM 10 / nCM PDT 10
Wide View	nWV 16 / nWV PDT 16
Wall switch with raise/lower	nWSX LV DX / nWSX PDT LV DX

Cat-5 Cables (plenum rated)

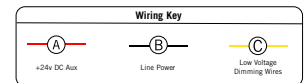
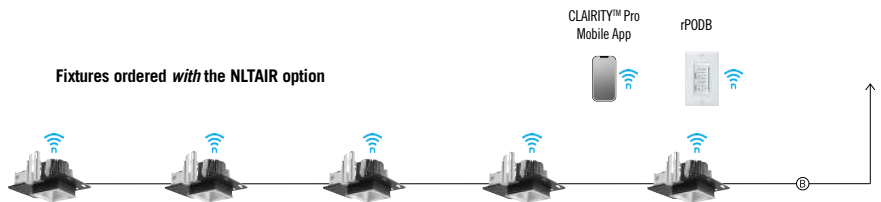
10', CAT5	CAT5 10FT J1
15', CAT5	CAT5 15FT J1

Possibilities for nLight® AIR

Fixtures ordered *without* the NLTAIR option

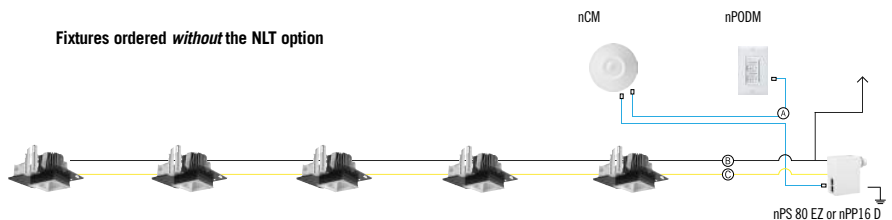


Fixtures ordered *with* the NLTAIR option

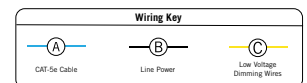
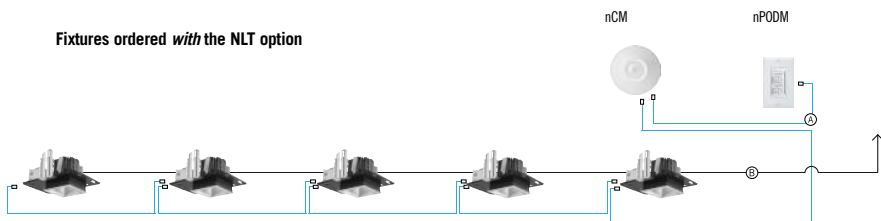


Possibilities for nLight® wired

Fixtures ordered *without* the NLT option



Fixtures ordered *with* the NLT option



W5 Luminis Step Light SCENA
Total # of pages: 3



SN825 SERIES

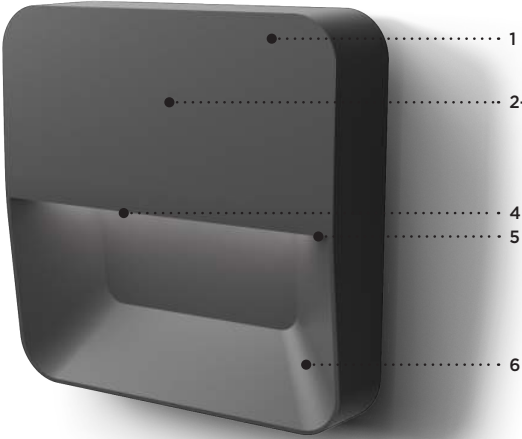
SCENA - LED

SURFACE MOUNT

TYPE: _____ QUANTITY: _____ PROJECT: _____

CATALOG NUMBER:

MODEL LED LIGHT SELECTION CCT VOLTAGE FINISH OPTION OPTION OPTION



ADA Compliant

- 1- Corrosion resistant diecast aluminum housing.
- 2- Integrated standard 0-10V driver (dim to <10%).
- 3- Precision LEDs with individual lenses for downlight asymmetric light.
- 4- Clear tempered glass.
- 5- Sealed enclosure with durable gaskets.
- 6- All hardware in stainless steel.



SN825

MATERIALS

Scena is made of aluminum diecast offering exceptional precision and durability. The main housing is perfectly sealed with durable gaskets. The integrated LED light module and 0-10V driver are protected by a clear tempered glass. With a distinctive look and perceptible quality, Scena is designed for uniform lighting performance.

ELECTRICAL

DRIVER Standard driver is 0-10V dimming-ready (dims to <10%) with: 120-277 multi-volt compatibility (50-60Hz), operating temperature range of -30°C/-22°F to 60°C/140°F, over current and output short circuit protection.

LED Offered in 2700K, 3000K, 3500K & 4000K / 80CRI. Optional true amber LED for turtle sensitive areas. Wavelengths: 609nm to 620nm.

LIFETIME

60,000hrs L₇₀B₅₀ (based on LM-80 report for lumen maintenance).

FINISH

Five-stage preparation process includes preheating of cast aluminum parts for air extraction. Polyester powder coating is applied through an electrostatic process, and oven cured for long term finish.

CERTIFICATION

Tested to UL1598 and CSA 22.2 #250. cULus listed wet location. Photometric testing performed by an independent laboratory in accordance with IES LM-79-08 standards at 25°C. Lumen depreciation in accordance with IESNA LM80 standards. Rated IP65.

MOUNTING

Maximum weight: 4.6lbs (2.1kg)
Scena is designed for ease of access and installation. The mounting plate is designed to fit on a 4" (102mm) octagonal electrical box using 3 1/2" (89mm) C/C mounting holes.



SN825 SERIES

SCENA - LED

LUMINAIRE SELECTION

1 MODEL


☐ SN825

2 LED LIGHT SELECTION

WHITE LED SELECTION

SUFFIX	INPUT WATTS	DELIVERED LUMENS*
☐ L1L5	12W	553
☐ L1L8	19W	817

*4000K / 80CRI

AMBER LED LIGHT SELECTION - TURTLE FRIENDLY

SUFFIX	INPUT WATTS	DELIVERED LUMENS*
☐ L1LK2A	7W	221

3 CCT °K LED

- ☐ K27 2700K*
☐ K30 3000K*
☐ K35 3500K*
☐ K40 4000K*

*80CRI

4 VOLTAGE

- ☐ 120V
☐ 208V
☐ 240V
☐ 277V

5 FINISH

STANDARD COLORS*

- ☐ WHT Snow white
☐ BKT Jet black
☐ BZT Bronze
☐ MST Matte silver
☐ GRT Titanium gray
☐ DGT Gun metal
☐ CHT Champagne
☐ SGT Steel gray
☐ BGT English cream

OPTIONAL COLORS

- ☐ CS Custom color
☐ RAL RAL# color

*Refer to color chart

OPTIONS

PHOTOCELL

- ☐ PH Thermal button photocell mounted on top casted housing (as shown on image). Instant turn-on, standard 5-10 second turn-off time delay.

ENVIRONMENT

- ☐ MG Marine grade paint¹
☐ NT Natatorium (only available in WHT and BKT)

MOUNTING BOX

- ☐ SWK Surface wall or ceiling mounting option with 3/4" NPT conduit adaptor. (Conduit and adaptor by others)
 Supplied with 5x18AWG/36" lg. wiring (longer wires to be specified).

OPTION DETAILS



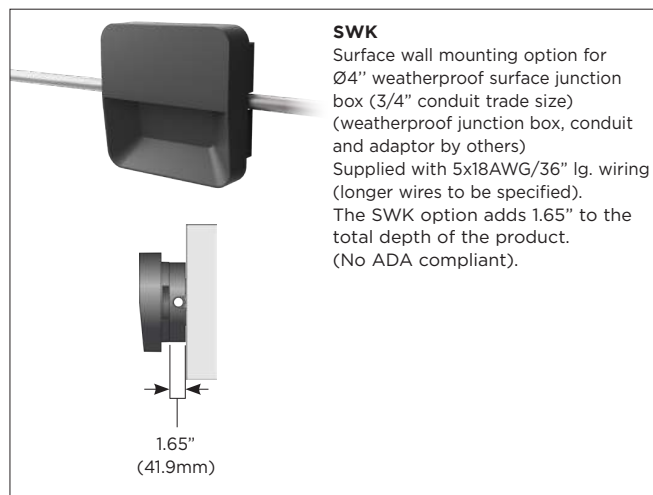
TRUE AMBER LED

Optional amber LED for turtle sensitive areas. It protects local habitat and promotes sustainability.



PH

Thermal button photocell mounted on top casted housing. Instant turn-on, standard 5-10 second turn-off time delay.



SWK

Surface wall mounting option for Ø4" weatherproof surface junction box (3/4" conduit trade size) (weatherproof junction box, conduit and adaptor by others)
 Supplied with 5x18AWG/36" lg. wiring (longer wires to be specified).
 The SWK option adds 1.65" to the total depth of the product.
 (No ADA compliant).

NOTES

1- Marine grade paint for harsh, coastal environment and exposure to salt water. Additional delay required please contact factory for info.

LUMINIS®

LUMINIS | Toll free: 866.586.4647 Fax: 514.683.8872 Email: info@luminis.com
 260 Labrosse, Pointe-Claire (QC) Canada H9R 5L5

Luminaires may be altered for design improvement without prior notice.

LUMINIS.COM

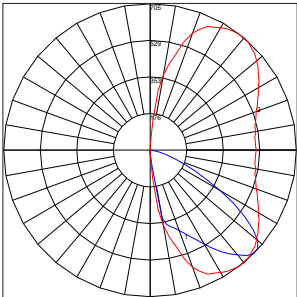
Jan. 2022 Rev. 4

| 2

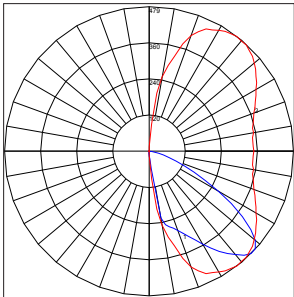
426

SN825 SERIES
SCENA - LED

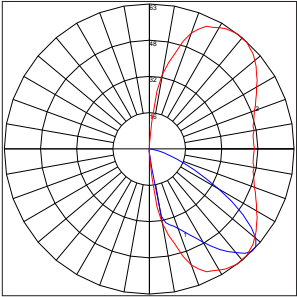
TYPICAL PHOTOMETRY SUMMARY



SN825-L1L8
Total Lms: 817 Lumens
Total Input Watts: 18 W
Efficacy: 44.2 Lumens/Watt
CCT/CRI: 4000K/80
Max. Candela: 705 @ 52.5°H/45°V
BUG: B0-U0-G0¹



SN825-L1L5
Total Lms: 553 Lumens
Total Input Watts: 12.2 W
Efficacy: 45.5 Lumens/Watt
CCT/CRI: 4000K/80
Max. Candela: 479.4 @ 52.5°H/45°V
BUG: B0-U0-G0¹



SN825-L1LK2A
Total Lms: 221 Lumens
Total Input Watts: 6.8 W
Efficacy: 32.5 Lumens/Watt
CCT/CRI: Not applicable
Max. Candela: 190.35 @ 52.5°H/45°V
BUG: B0-U0-G0¹

LUMEN CONVERSION FACTOR (LCF)		
CCT	LCF	CRI
2700K	0.91	80
3000K	0.92	80
3500K	0.96	80
4000K	1.00	80

All Photometry shown use the Standard 80CRI 4000K LEDs.
Please visit our web site www.luminis.com for complete I.E.S. formatted download data

NOTES
1- Tested with Jet Black paint (BKT)



W4 Lumark Wall Pack
Total # of pages: 3

Lumark

DESCRIPTION

The patented Lumark Crosstour™ LED Wall Pack Series of luminaires provides an architectural style with super bright, energy efficient LEDs. The low-profile, rugged die-cast aluminum construction, universal back box, stainless steel hardware along with a sealed and gasketed optical compartment make the Crosstour impervious to contaminants. The Crosstour wall luminaire is ideal for wall/surface, inverted mount for façade/canopy illumination, post/bollard, site lighting, floodlight and low level pathway illumination including stairs. Typical applications include building entrances, multi-use facilities, apartment buildings, institutions, schools, stairways and loading docks test.

SPECIFICATION FEATURES

Construction

Slim, low-profile LED design with rugged one-piece, die-cast aluminum hinged removable door and back box. Matching housing styles incorporate both a small and medium design. The small housing is available in 12W, 18W and 26W. The medium housing is available in the 38W model. Patented secure lock hinge feature allows for safe and easy tool-less electrical connections with the supplied push-in connectors. Back box includes three half-inch, NPT threaded conduit entry points. The universal back box supports both the small and medium forms and mounts to standard 3-1/2" to 4" round and octagonal, 4" square, single gang and masonry junction boxes. Key hole gasket allows for adaptation to junction box or wall. External fin design extracts heat from the fixture surface. One-piece silicone gasket seals door and back box. Minimum 5" wide pole for site lighting application. Not recommended for car wash applications.

Optical

Silicone sealed optical LED chamber incorporates a custom engineered mirrored anodized reflector providing high-efficiency illumination. Optical assembly includes impact-resistant tempered glass and meets IESNA requirements for full cutoff compliance. Available in seven lumen packages; 5000K, 4000K and 3000K CCT.

Electrical

LED driver is mounted to the die-cast housing for optimal heat sinking. LED thermal management system incorporates both conduction and natural convection to transfer heat rapidly away from the LED source. 12W, 18W, 26W and 38W series operate in -40°C to 40°C [-40°F to 104°F]. High ambient 50°C models available. Crosstour luminaires maintain greater than 89% of initial light output after 72,000 hours of operation. Three half-inch NPT threaded conduit entry points allow for thru-branch wiring. Back box is an authorized

Catalog #		Type
Project		
Comments		Date
Prepared by		

electrical wiring compartment. Integral LED electronic driver is standard 0-10V dimming. 120-277V 50/60Hz or 347V 60Hz models.

Finish

Crosstour is protected with a Super durable TGIC carbon bronze or summit white polyester powder coat paint. Super durable TGIC powder coat paint finishes withstand extreme climate conditions while providing optimal color and gloss retention of the installed life. Options to meet Buy American and other domestic preference requirements.

Warranty

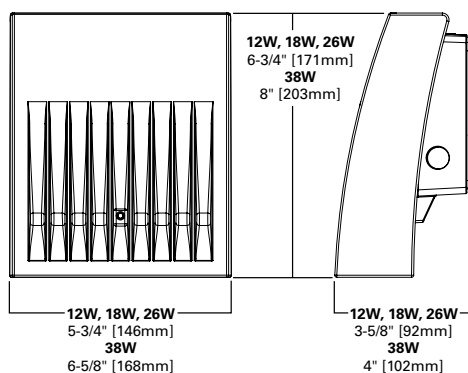
Five-year warranty.



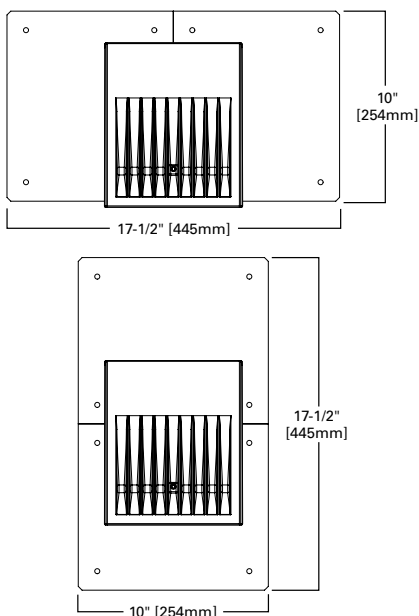
XTOR CROSSTOUR LED

APPLICATIONS:
WALL / SURFACE
POST / BOLLARD
LOW LEVEL
FLOODLIGHT
INVERTED
SITE LIGHTING

DIMENSIONS



ESCUTCHEON PLATES



CERTIFICATION DATA

Dark Sky Approved (Fixed mount, Full cutoff, and 3000K CCT only)
UL/cUL Wet Location Listed
LM79 / LM80 Compliant
ROHS Compliant
ADA Compliant
NOM Compliant Models
IP66 Ingressed Protection Rated
Title 24 Compliant
DesignLights Consortium® Qualified*

TECHNICAL DATA

40°C Maximum Ambient Temperature
External Supply Wiring 90°C Minimum

EPA

Effective Projected Area (Sq. Ft.):
XTOR1B, XTOR2B, XTOR3B=0.34
XTOR4B=0.45

SHIPPING DATA:

Approximate Net Weight:
3.7 – 5.25 lbs. [1.7 – 2.4 kgs.]

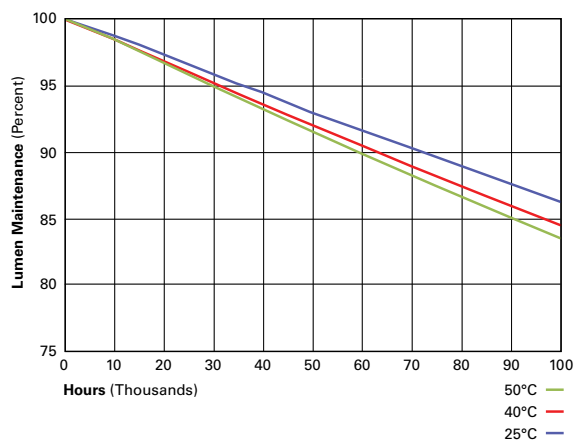
POWER AND LUMENS BY FIXTURE MODEL

LED Information	XTOR1B	XTOR1B-W	XTOR1B-Y	XTOR2B	XTOR2B-W	XTOR2B-Y	XTOR3B	XTOR3B-W	XTOR3B-Y	XTOR4B	XTOR4B-W	XTOR4B-Y
Delivered Lumens (Wall Mount)	1,418	1,396	1,327	2,135	2,103	1,997	2,751	2,710	2,575	4,269	4,205	3,995
Delivered Lumens (With Flood Accessory Kit) ¹	1,005	990	940	1,495	1,472	1,399	2,099	2,068	1,965	3,168	3,121	2,965
B.U.G. Rating ²	B1-U0-G0	B1-U0-G0	B1-U0-G0	B1-U0-G0	B1-U0-G0	B1-U0-G0	B1-U0-G0	B1-U0-G0	B1-U0-G0	B2-U0-G0	B2-U0-G0	B2-U0-G0
CCT (Kelvin)	5,000	4,000	3,000	5,000	4,000	3,000	5,000	4,000	3,000	5,000	4,000	3,000
CRI (Color Rendering Index)	70	70	70	70	70	70	70	70	70	70	70	70
Power Consumption (Watts)	12W	12W	12W	18W	18W	18W	26W	26W	26W	38W	38W	38W

NOTES: 1 Includes shield and visor. 2 B.U.G. Rating does not apply to floodlighting.

LUMEN MAINTENANCE

Ambient Temperature	TM-21 Lumen Maintenance (72,000 Hours)	Theoretical L70 (Hours)
XTOR1B Model		
25°C	> 90%	255,000
40°C	> 89%	234,000
50°C	> 88%	215,000
XTOR2B Model		
25°C	> 89%	240,000
40°C	> 88%	212,000
50°C	> 87%	196,000
XTOR3B Model		
25°C	> 89%	240,000
40°C	> 88%	212,000
50°C	> 87%	196,000
XTOR4B Model		
25°C	> 89%	222,000
40°C	> 87%	198,000
50°C	> 87%	184,000



CURRENT DRAW

Voltage	Model Series			
	XTOR1B	XTOR2B	XTOR3B	XTOR4B
120V	0.103A	0.15A	0.22A	0.34A
208V	0.060A	0.09A	0.13A	0.17A
240V	0.053A	0.08A	0.11A	0.17A
277V	0.048A	0.07A	0.10A	0.15A
347V	0.039A	0.06A	0.082A	0.12A

ORDERING INFORMATION

Sample Number: XTOR2B-W-WT-PC1

Series ¹	LED Kelvin Color	Housing Color	Options (Add as Suffix)	Accessories (Order Separately) ⁸
XTOR1B=Small Door, 12W XTOR2B=Small Door, 18W XTOR3B=Small Door, 26W XTOR4B=Medium Door, 38W BAA-XTOR1B=Small Door, 12W, Buy American Act Compliant ⁷ TAA-XTOR1B=Small Door, 12W Trade Agreements Act Compliant ⁷ BAA-XTOR2B=Small Door, 18W, Buy American Act Compliant ⁷ TAA-XTOR2B=Small Door, 18W, Trade Agreements Act Compliant ⁷ BAA-XTOR3B=Small Door, 26W, Buy American Act Compliant ⁷ TAA-XTOR3B=Small Door, 26W, Trade Agreements Act Compliant ⁷ BAA-XTOR4B=Medium Door, 38W, Buy American Act Compliant ⁷ TAA-XTOR4B=Medium Door, 38W, Trade Agreements Act Compliant ⁷	[Blank]=Bright White (Standard), 5000K W=Neutral White, 4000K Y=Warm White, 3000K	[Blank]=Carbon Bronze (Standard) WT=Summit White BK=Black BZ=Bronze AP=Grey GM=Graphite Metallic DP=Dark Platinum	PC1=Photocontrol 120V ² PC2=Photocontrol 208-277V ^{2,3} 347V=347V ⁴ HA=50°C High Ambient ⁴	WG/XTOR=Wire Guard ⁵ XTORFLD-KNC=Knuckle Floodlight Kit ⁶ XTORFLD-TRN=Trunnion Floodlight Kit ⁶ XTORFLD-KNC-WT=Knuckle Floodlight Kit, Summit White ⁶ XTORFLD-TRN-WT=Trunnion Floodlight Kit, Summit White ⁶ EWP/XTOR=Escutcheon Wall Plate, Carbon Bronze EWP/XTOR-WT=Escutcheon Wall Plate, Summit White

NOTES:

- DesignLights Consortium® Qualified and classified for both DLC Standard and DLC Premium, refer to www.designlights.org for details.
- Photocontrols are factory installed.
- Order PC2 for 347V models.
- Thru-branch wiring not available with HA option or with 347V. XTOR3B not available with HA and 347V or 120V combination.
- Wire guard for wall/surface mount. Not for use with floodlight kit accessory.
- Floodlight kit accessory supplied with knuckle (KNC) or trunnion (TRN) base, small and large top visors and small and large impact shields.
- Only product configurations with these designated prefixes are built to be compliant with the Buy American Act of 1933 (BAA) or Trade Agreements Act of 1979 (TAA), respectively. Please refer to [DOMESTIC PREFERENCES](#) website for more information. Components shipped separately may be separately analyzed under domestic preference requirements.
- Accessories sold separately will be separately analyzed under domestic preference requirements. Consult factory for further information.

STOCK ORDERING INFORMATION

Domestic Preferences ¹	12W Series	18W Series	26W Series	38W Series
[Blank]=Standard	XTOR1B=12W, 5000K, Carbon Bronze	XTOR2B=18W, 5000K, Carbon Bronze	XTOR3B=26W, 5000K, Carbon Bronze	XTOR4B=38W, 5000K, Carbon Bronze
BAA=Buy American Act	XTOR1B-WT=12W, 5000K, Summit White	XTOR2B-W=18W, 4000K, Carbon Bronze	XTOR3B-W=26W, 4000K, Carbon Bronze	XTOR4B-W=38W, 4000K, Carbon Bronze
TAA=Trade Agreements Act	XTOR1B-PC1=12W, 5000K, 120V PC, Carbon Bronze	XTOR2B-WT=18W, 5000K, Summit White	XTOR3B-WT=26W, 5000K, Summit White	XTOR4B-WT=38W, 5000K, Summit White
	XTOR1B-W=12W, 4000K, Carbon Bronze	XTOR2B-PC1=18W, 5000K, 120V PC, Carbon Bronze	XTOR3B-PC1=26W, 5000K, 120V PC, Carbon Bronze	XTOR4B-PC1=38W, 5000K, 120V PC, Carbon Bronze
		XTOR2B-W-PC1=18W, 4000K, 120V PC, Carbon Bronze	XTOR3B-W-PC1=26W, 4000K, 120V PC, Carbon Bronze	XTOR4B-W-PC1=38W, 4000K, 120V PC, Carbon Bronze
		XTOR2B-347V=18W, 5000K, Carbon Bronze, 347V	XTOR3B-347V=26W, 5000K, Carbon Bronze, 347V	XTOR4B-347V=38W, 5000K, Carbon Bronze, 347V
		XTOR2B-WT-PC1=18W, 5000K, 120V PC, Summit White	XTOR3B-PC2=26W, 5000K, 208-277V PC, Carbon Bronze	

NOTES:

- Only product configurations with these designated prefixes are built to be compliant with the Buy American Act of 1933 (BAA) or Trade Agreements Act of 1979 (TAA), respectively. Please refer to [DOMESTIC PREFERENCES](#) website for more information. Components shipped separately may be separately analyzed under domestic preference requirements.

C2 io-linear-line2
Total # of pages: 5

iO LED**DESCRIPTION**

The iO LED Line 2.0™ luminaire from Cooper Lighting Solutions is a low voltage linear accent LED luminaire ideal for illuminating both interior and exterior vertical surfaces. The 5°, 10°, 30°, 60° and 90° (both symmetrical and asymmetrical options available) optical distributions can be utilized for accent or general illumination and are designed for tight beam control and to minimize stray light. Line 2.0™ is available in nominal 18", 36", 54" and 72" lengths. The variety of mounting options simplify installation and support a broad range of linear lighting applications.

Catalog #	Type
Project	
Comments	Date
Prepared by	

SPECIFICATION FEATURES**Construction**

Line 2.0 is constructed of anodized extruded aluminum body and die cast end caps for a durable housing with UV stabilized acrylic optics.

Electrical

4'-0" 14 AWG, 300 volt rated power cords supplied on one end of the fixture. For details on remote driver distance limitations and run length limits - see pg. 3.

LED Optics

The customized acrylic optics offer very high transmissivity, UV stability and excellent longevity with optical symmetrical distribution options of 5, 10, 30, 60 and 90 degrees. Asymmetrical optic is also available. Please note acrylic optics should not be cleaned with IPA or other harsh chemicals. Acrylic can be safely cleaned with soap and

water. IES LM79 format files may be downloaded from www.cooperlighting.com. All products have an 80+ CRI. White light variance between LEDs is equal to or better than 3-step MacAdam binning.

Mounting

Three mounting bracket options include: surface, wall and offset adjustable with lockable aiming. The luminaires can quickly be locked onto the brackets for easy installation. Adjustable mounting allows fixtures to be rotated 45° with lockable aiming (see details on page 3). Remote drivers are supplied with NEMA enclosures for power connection. To ensure proper performance, architectural details should allow for ventilation and air flow around the fixture. Ambient temperature surrounding the fixture shall not exceed 122°F (50°C).

Finish

Anodized aluminum finish is standard. Custom anodized finishes available upon request.

Compliance

Outdoor fixtures are UL listed for wet locations. Indoor fixtures are UL listed for damp locations. All fixtures are RoHS compliant, and tested per IESNA LM79. LEDs comply with LM80 standards.

Environment

Line 2.0™ is UL rated for wet locations when an OD environment is specified. It is not rated for submersible applications. It should not be mounted in conditions where there is any standing water.

Warranty

Standard five-year limited warranty.

Symmetric



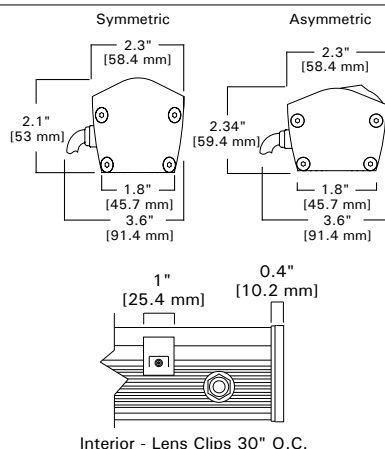
Asymmetric

**LINE 2.0**
LED

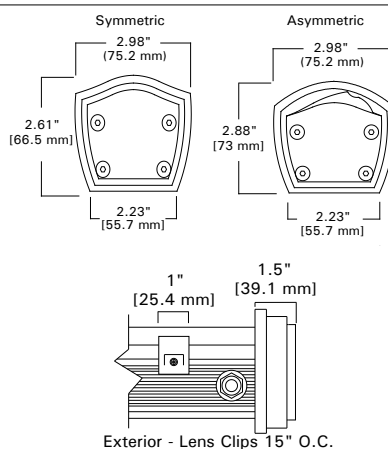
INTERIOR / EXTERIOR
LINEAR ACCENT LUMINAIRE
Symmetric / Asymmetric



IP65
cULus Damp / Wet - 1598
LM79/LM80 Compliant
ROHS Compliant

**DIMENSIONS INTERIOR / END CAP DETAILS**

Interior - Lens Clips 30" O.C.

DIMENSIONS EXTERIOR / END CAP DETAILS

Exterior - Lens Clips 15" O.C.

ORDERING INFORMATION

SAMPLE NUMBER 0.05-06W-830-30-ID-HCD-UNV-AN-AM-1-E-7F6

Series	Light Level ¹ / Power (nominal for 12" section)	LED CRI & CCT	Optical Distribution	Environment	Driver ²
0.05 = iO Line 2.0	03W = 286 lumens/ft (3.9W/ft) 06W = 478 lumens/ft (6.6W/ft) 09W = 649 lumens/ft (9.4W/ft) 12W = 744 lumens/ft (12.1W/ft)	827 = 80+ CRI, 2700K CCT 830 = 80+ CRI, 3000K CCT 835 = 80+ CRI, 3500K CCT 840 = 80+ CRI, 4000K CCT	5 = 5 degree 10 = 10 degree 30 = 30 degree 60 = 60 degree 90SYM = 90 degree - Symmetric 90ASYM = 90 degree - Asymmetric	ID = Indoor fixture, NEMA 1 driver enclosure included OD = Outdoor fixture, NEMA 4x driver enclosure included	STD = 96 VV, 0-10V (100% - 10% dimming) HCD = 96 VV, 0-10V (100% - 0% dimming)
Voltage	Housing Color ³	Mounting	Driver Location ⁴	Length ^{2,5} (Actual in./mm) (Specify Run or Individual fixture)	
UNV = 120V-277V	AN = Standard anodized aluminum	SM = Surface mount WM = Wall mount AM = Adjustable mount	E = End driver location	_F_ = specify nominal run length in feet and inches (only available in 18" increments) (e.g. 7F6 = 7' 6" run) Or select individual fixtures: 1F6 = 18" (17.71"/449.83mm) 4F6 = 54" (51.71"/1313.43mm) 3F0 = 36" (34.71"/881.63mm) 6F0 = 72" (68.71"/1745.23mm)	

See page 5 for Technical Notes.



Cooper Lighting Solutions
18001 East Colfax Avenue
Aurora, CO 80011
P: 303-393-1522
www.cooperlighting.com

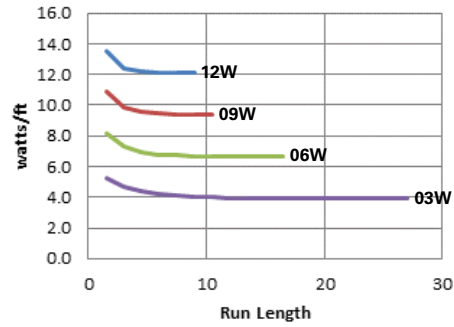
Specifications and dimensions subject to change without notice.
See additional information on the following pages.

TD519022EN
04/05/2021
1 of 3

Attachment A - Application Materials

LIGHT OUTPUT TABLE

Input, W (Includes driver losses) for max run length	Delivered Lumens/ft. per Optical Distribution						
	CCT	5°	10°	30°	60°	90 SYM	90 ASYM
03W = 3.9 W/ft	2700	213	222.9	252.5	209.9	259	98
	3000	227.8	238.4	270.1	224.5	276	105
	3500	236.9	247.9	280.9	233.5	288	109
	4000	241.4	252.7	286.3	238	293	111
06W = 6.6 W/ft	2700	355.8	372.5	421.9	350.8	432	238
	3000	380.6	398.3	451.2	375.2	462	255
	3500	395.8	414.3	469.3	390.2	480	265
	4000	403.4	422.2	478.3	397.7	490	270
09W = 9.4 W/ft	2700	482.9	505.5	572.6	476	586	332
	3000	516.5	540.6	612.4	509.1	627	355
	3500	537.1	562.2	636.9	529.5	652	369
	4000	547.5	573	649.1	539.7	665	377
12W = 12.1 W/ft	2700	553.4	579.2	656.1	545.5	672	567
	3000	591.9	619.5	701.7	583.4	718	607
	3500	615.5	644.3	729.8	606.8	747	631
	4000	627.4	656.7	743.8	618.4	762	643

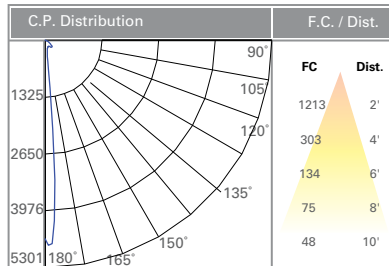
Impact of Run Length on Driver Efficiency
(Standard 96W Driver)

LIGHT OUTPUT CONVERSION TABLE

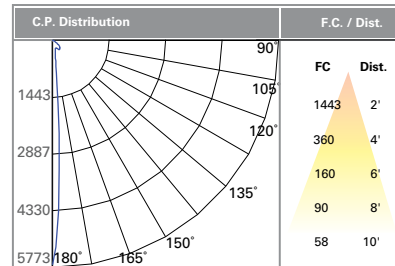
CCT	03W	06W	09W	12W
2700K	0.34	0.57	0.77	0.88
3000K	0.36	0.61	0.82	0.94
3500K	0.38	0.63	0.86	0.98
4000K	0.39	0.64	0.87	1.00

LIGHT OUTPUT / DISTRIBUTION SYMMETRIC

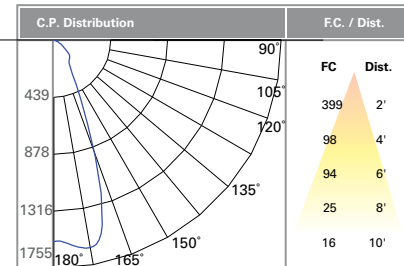
36" 4000K, 12W 5 Degree*



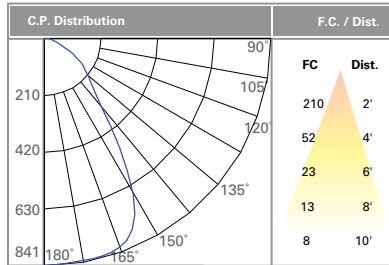
36" 4000K, 12W 10 Degree*



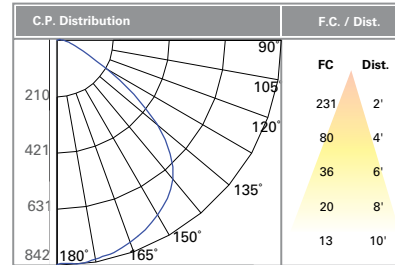
36" 4000K, 12W 30 Degree*



36" 4000K, 12W 60 Degree*

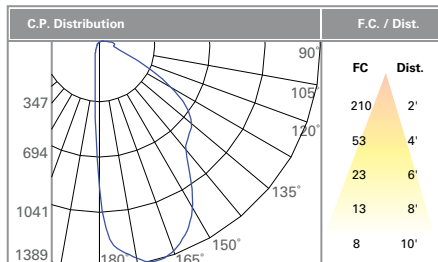


36" 4000K, 12W 90 Degree Symmetric*



LIGHT OUTPUT / DISTRIBUTION ASYMMETRIC

36" 4000K, 12W 90 Degree Asymmetric*



*Note: Light output / distributions based on IES file

INSTALLATION DETAILS

Max Run Length

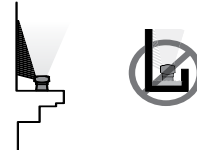
96 W Driver	E = End of Driver Location
line 2.0 - 03W	26' (7.92 m)
line 2.0 - 06W	17' (5.18 m)
line 2.0 - 09W	12' (3.66 m)
line 2.0 - 12W	8' (2.44 m)

Max Allowable Remote Driver Distance by Wire Diameter

Wire Diameter	Max Allowable Remote Driver Distance
12 AWG	71'-0" (21.6m)
14 AWG	46'-0" (14.0m)
18 AWG	18'-0" (5.5m)

NOTE: Line 2.0™ from iO Lighting is UL listed for wet locations when OD is specified. It is not rated for submersible applications. Line 2.0 should not be mounted in conditions where the fixture could be exposed to standing water.

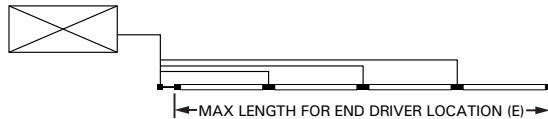
Ambient temperature surrounding the fixture shall not exceed 122° F (50°C)



DRIVER LOCATION DIAGRAM

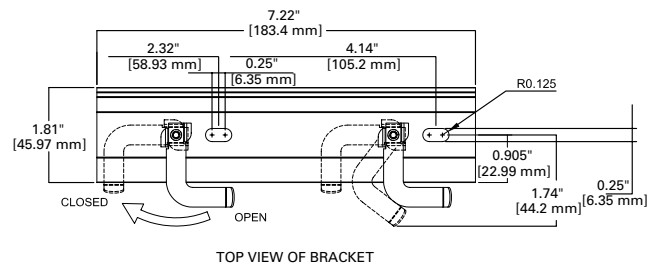
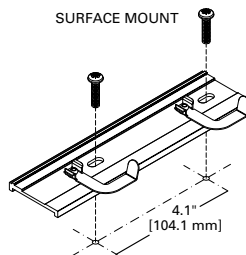
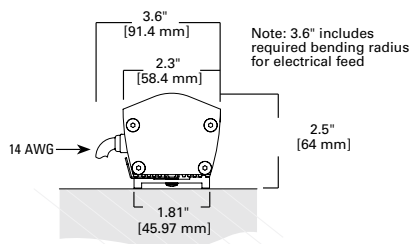
End Driver Location (E):

24V 96W DRIVER

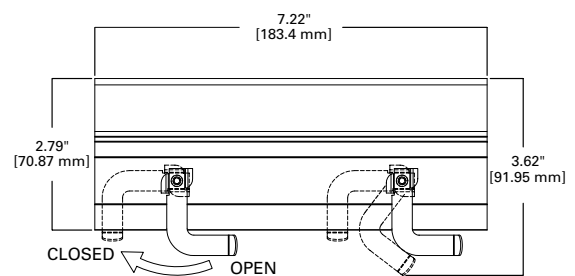
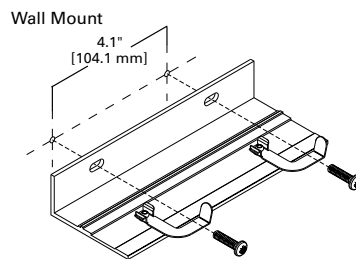
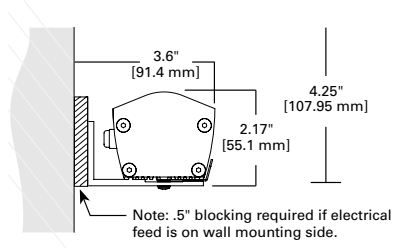


MOUNTING OPTIONS AND BRACKETS

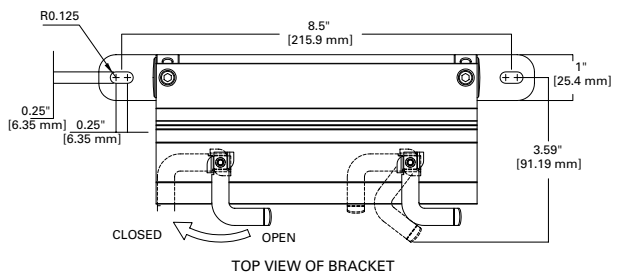
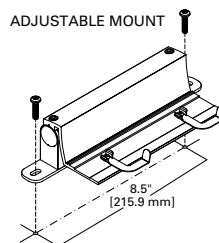
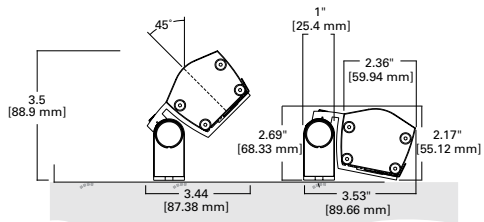
Surface Mount (iO part #: LA.BK.SURFMT)



Wall Mount (iO part #: LA.BK.WALLMT)



Field Adjustable Mount with Lockable Aiming (iO part #: LA.BK.ADJMT)



ELECTRICAL FEED CONFIGURATIONSingle Side End Feed
SymmetricSingle Side End Feed
Asymmetric**DRIVER DETAILS**

Driver Part Number	Description
STD	96W Driver (capable of either Non-Dimming or 0-10V dimming down to 10%) and either NEMA 1 Enclosure (for indoor spec) or NEMA 4 Enclosure (for outdoor spec).
HCD	96W Driver (capable of 0-10V dimming down to 1% with included OTDIM module) and either NEMA 1 Enclosure (for indoor spec) or NEMA 4 Enclosure (for outdoor spec).

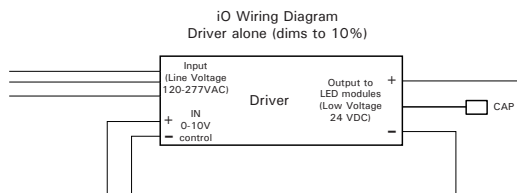
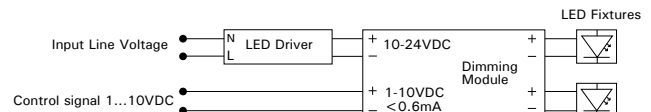
Note: See page 3 for driver run length limits**STD DRIVER SPECIFICATIONS**

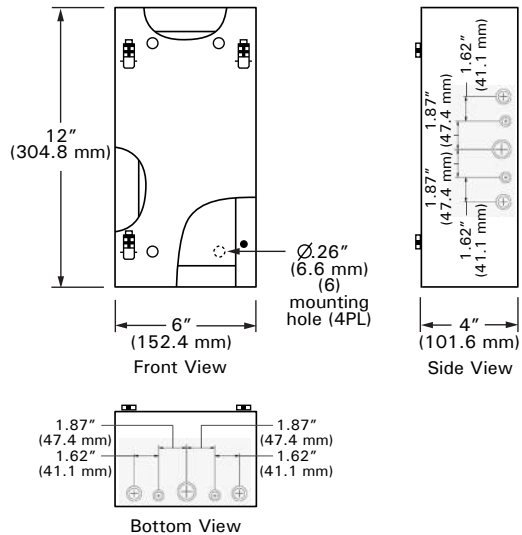
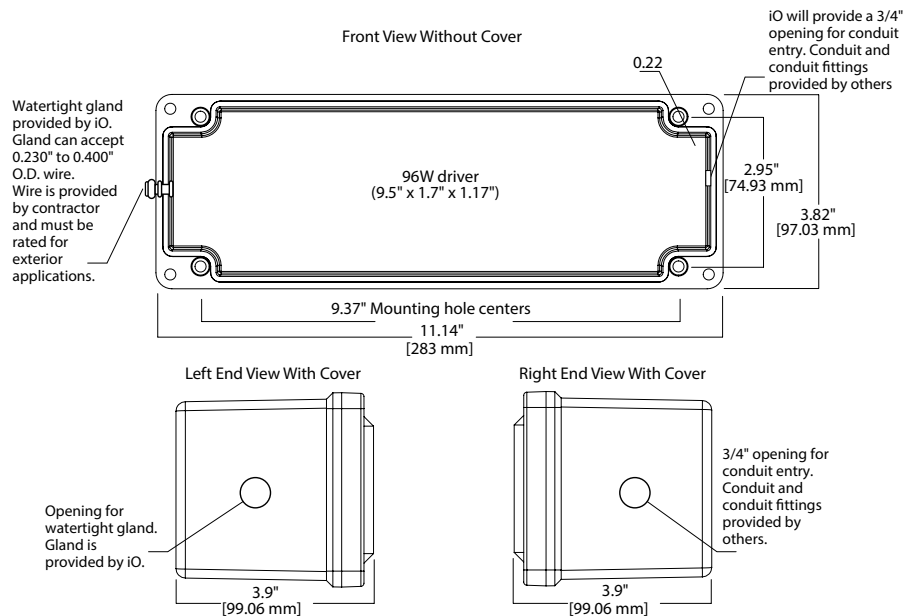
Electrical Specifications	
Input	
Input Voltage (VAC)	120V - 277V (+/-10%)
Frequency Range (Hz)	50 - 60Hz (+/-10%)
Input Current (A)	0.91 @ 120V 0.39 @ 277V
Input Power (W)	111W
THD	< 20%
Power Factor	> 0.95
Inrush Current (Apk)	< 55A
Line Regulation	< 5%
Stand-by Power (W)	< 1.5W
Output	
Output Voltage (VDC)	24V (+/-5%)
Output Current (A)	0.1 - 4.0A
Output Ripple (V)	1V
Efficiency	>85% (Typical)
Load Regulation	<5%
Dimming	
Dimming Control	0 - 10V
Dimming Range	10 - 100%
Dimming Type	PWM
Frequency	250Hz

HCD DIMMING MODULE SPECIFICATIONS

Key Dimming Features	
Utilizes pulse width modulation (PWM), to control LED performance	
Options available for analog or DMX protocols	
Dimming range: 0-100%	
Short circuit, overload and overheating protection	
Dimming Module Specifications	
Location:	Dry
Input Voltage:	24v DC
Max Input Current:	5.3A
Control Voltage:	0-10v DC
Frequency:	135 Hz
Ambient Temp:	-20°C to +50°C
Weight:	.165 lbs
Power Consumption:	Up to 3W

Details on NEMA enclosure options available in the iO LED Accessories Spec Sheet section of the Cooper Lighting Solutions website

STD DRIVER WIRING**HCD DIMMING MODULE WIRING**

NEMA 1 ENCLOSURE DIMENSIONS (for ID specifications)**NEMA 4x ENCLOSURE DIMENSIONS (for OD specifications)****TECHNICAL NOTES**

1. Light Level provided in delivered lumens based on IES files for 4000K CCT with 30° optical distribution. See table on page 2 for delivered lumen output of all CCTs.
2. Drivers will be optimized if run length is specified; Discrete fixtures will include 1 driver per fixture. Contact Customer Service to order fixtures only.
3. Contact Cooper Lighting Solutions for custom color availability.
4. See Driver Location diagram on page 3.
5. Specified run lengths will be optimized with 6 ft. fixtures and completed with shorter fixtures to satisfy the run length without the total actual length (rather than total nominal length) going greater than the specified run length.

C2 io Driver 96ND-12X6X4
Total # of pages: 4

OPTOTRONIC® Power Supply OT96W/24V/UNV/DIM



GENERAL INFORMATION

Item Number	51520
Type	Constant Voltage
Output Power	96W (Max.)
Output Voltage	24V DC
Input	Universal (120-277V)

ELECTRICAL SPECIFICATIONS

Input

Input Voltage (VAC)	120V-277V (+/- 10%)
Frequency Range (Hz)	50 – 60 Hz (+/- 10%)
Input Current (A)	0.91 @ 120V 0.39 @ 277V
Input Power (W)	111W
THD	< 20%
Power Factor	> 0.95
Inrush Current (A _{pk})	< 55A
Line Regulation	< 5%
Stand-by Power (W)	< 1.5W

Output

Output Voltage (VDC)	24V (+/- 5%)
Output Current (A)	0.1 – 4.0A
Output Ripple (V)	1V
Efficiency	>85% (Typical)
Load Regulation	<5%

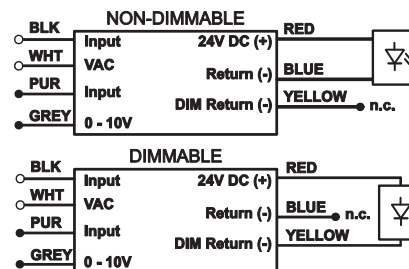
DIMMING

Dimming Control	0 – 10V
Dimming Range	10 – 100%
Dimming Type	PWM
Frequency	250Hz
Dimming Input Isolation	2.5KV

ENVIRONMENTAL SPECIFICATIONS

Ambient Operating Temp	-25 to 40 °C
Max. Case Temp. T _c	75°C
Storage Temp.	-25 to 50 °C
Max. Relative Humidity (%)	96% non-condensing
Surge Protection (KV)	ANSI C62.41 Cat A (2.5KV)
Vibration Rating	3G
Overvoltage Protection	Yes
Short Circuit Protection	Yes
Over-temperature Protection	Yes
UL Environmental Rating	Damp
IP Rating	IP64
EMI Compliance	FCC Part 15 Class A

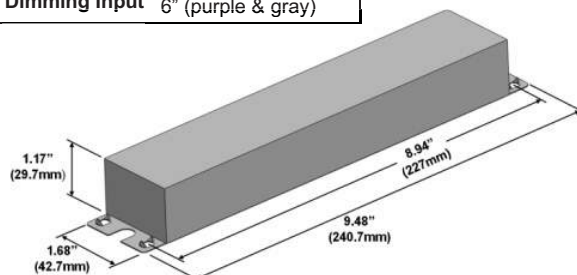
WIRING DIAGRAM



Note: Mounting distance for 18 AWG wire is 15 feet. For additional information on further distances and EMI compliance reference application note LED126.

MECHANICAL DIAGRAM

Wiring	Leads Only
Wire Gauge	18AWG
Input Wire	6" (black & White)
Output	6" (red, blue & yellow)
Dimming Input	6" (purple & gray)

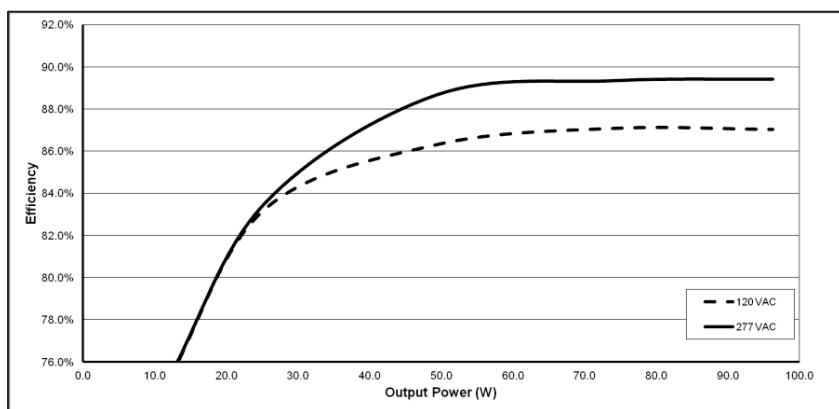


SEE THE WORLD IN A NEW LIGHT

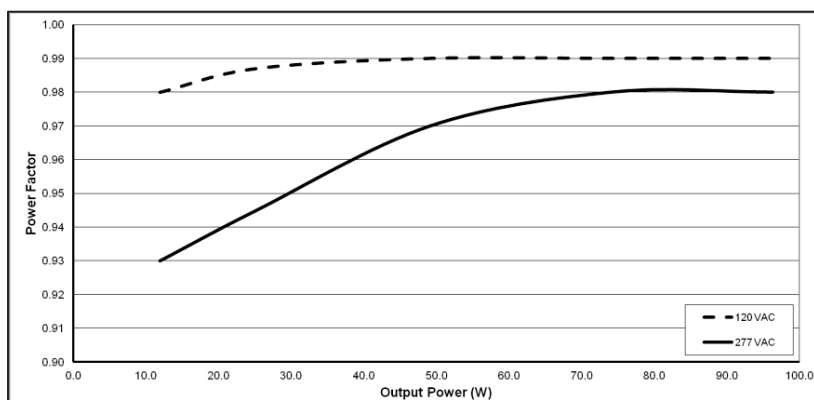
SYLVANIA



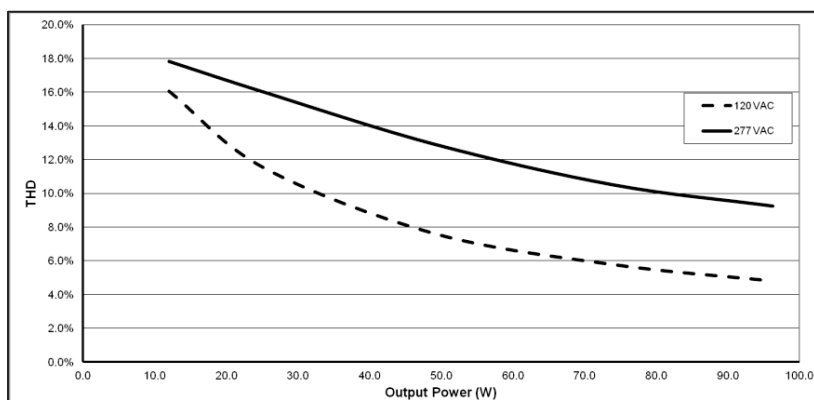
TYPICAL EFFICIENCY



TYPICAL POWER FACTOR



TYPICAL THD



WARRANTY

OPTOTRONIC® products are covered by our LED Module, OPTOTRONIC Power Supply or Control Warranty. For additional details, refer to the latest version of the warranty available at www.sylvania.com.

United States
OSRAM SYLVANIA
 100 Endicott Street
 Danvers, MA 01923

Trade

Phone: 1-800-255-5042

Fax: 1-800-255-5043

National Accounts

Phone: 1-800-562-4671

Fax: 1-800-562-4674

OEM/Special Markets

Phone: 1-800-762-7191

Fax: 1-800-762-7192

Display Optic

Phone: 1-888-677-2627

Fax: 1-800-762-7192

SYLVANIA Lighting Service

Phone: 1-800-323-0572

Fax: 1-800-537-0784

Canada

OSRAM SYLVANIA LTD./LTÉE
 2001 Drew Road
 Mississauga, ON L5S 1S4

Trade

Phone: 1-800-263-2852

Fax: 1-800-667-6772

OEM/Special Markets

Phone: 1-800-263-2852

Fax: 1-800-667-6772

SYLVANIA Lighting Service

Phone: 1-800-663-4268

Fax: 1-866-239-1278

Mexico

OSRAM Mexico

Headquarters

Tultitlan/Edo de Mexico

011-52-55-58-99-18-50

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 Specifications subject to change without notice
 1-800-LIGHTBULB (1-800-544-4828)

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96W Driver

POWER SUPPLY | 96ND-12X6X4

Remote Distance		Diameter	
7'-0"	(2.1m)	w/22 AWG	(.644mm)
18'-0"	(5.5m)	w/18 AWG	(1.02mm)
46'-0"	(14.0m)	w/14 AWG	(1.63mm)
71'-0"	(21.6m)	w/12 AWG	(2.05 mm)

100W	Max Run Length in Series		Max Run Lengths in Parallel	
line .75 - SO / ledge / luxrail	47'	(14.33m)	87'	(26.52m)
line .75 - HO / ledge / luxrail	12'	(3.66m)	23'	(7.018m)
line .75 - VHO (and color) / ledge	9'	(2.74m)	17'	(5.18m)
line 1.5 - SO	30'	(3.66m)	60'	(18.23m)
line 1.5 - HO	8'	(2.44m)	16'	(4.88m)
line 1.5 - VHO (and color)	6'	(1.82m)	12'	(3.66m)
line 2.0 - SO	26'	(7.92m)	26'	(7.92m)
line 2.0 - HO	17'	(5.18m)	17'	(5.18m)
line 2.0 - VHO	12'	(3.66m)	12'	(3.66m)
line 2.0 - V2HO / B / G / A	8'	(2.44m)	8'	(2.44m)
line 2.0 - R	6'	(1.82m)	6'	(1.82m)

12x6x4 Enclosure

POWER SUPPLY | 100ND-12X6X4



Enclosure Construction

Enclosure and cover are fabricated from code 16 gauge steel. Enclosure body has mounting holes on the back and are available with or without knock outs on the sides, top and bottom ends. Cover is secured to the body with plated hex head combo screws, and has keyhole slots for easy removal without removing screws.

Enclosure Industry Standards

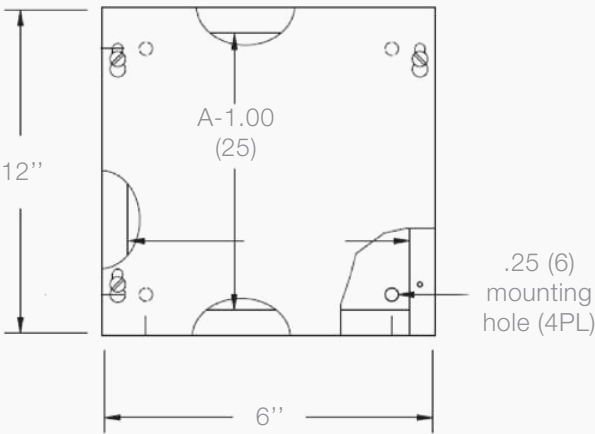
- UL 50 Listed, Type 1
- CSA C22.2 No. 40 certified, Type 1
- Conforms to NEMA standard for Type 1
- IEC 60529, IP30

*One driver enclosure can hold one 20W or 100W driver and one dimming module.

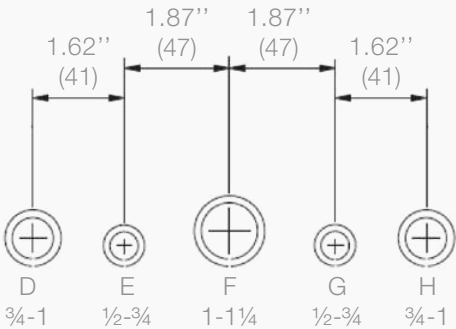
Left End With Cover



Front View Without Cover



Conduit Sizes



Note: Dimensions are in inches. Millimeters are for reference only. Data subject to change without notice.



(907) 586-0715
 CDD_Admin@juneau.gov
 www.juneau.org/community-development
 155 Heritage Way • Juneau, AK 99801

NONCONFORMING CERTIFICATE

Date: January 5, 2024
 File No.: NCC2023 0052

MRV Architects
 1420 Glacier Ave Unit 101
 Juneau, AK 99801
 paul@mrvarchitects.com

Proposal: A Nonconforming Situation Review for structures and parking

Property Address: 3235 Hospital Drive
 Property Legal Description: USS 1075 TLINGIT HAIDA LT 1
 Property Parcel Code No.: 7B0901040101

The Director of Community Development adopted the analysis and findings listed in the attached memorandum dated January 5, 2024, and has found the following situations on the lot to be certified NONCONFORMING to the Title 49 Land Use Code of the City and Borough of Juneau:

- Nonconforming Structures (CBJ 49.30.250):
 - Anadromous waterbodies setback of 2 feet (picnic shelter)

This Nonconforming Certificate applies to the nonconforming situations stated above. The nonconforming rights provided herein may be relinquished under certain circumstances provided under the CBJ Title 49 Land Use Code. It is the responsibility of the owner or agent of the owner to ensure that all development on the lot is in compliance with this certification and the CBJ Title 49 Land Use Code.

CBJ 49.30.215: Accidental damage or destruction. *Structures receiving a nonconforming certification may have the right to reconstruct a nonconforming structure per CBJ Chapter 49.30.*

The Director of Community Development adopted the analysis and findings lists in the attached memorandum dated December 1, 2023, and has found the following situations on the lot to be NONCOMPLIANT to the Title 49 Land Use Code of the City and Borough of Juneau:

- Noncompliant Structures (CBJ 49.30.250):
 - o Anadromous waterbodies setback of 7 feet (unpermitted smokehouse)
 - o The property owner must bring the unpermitted smokehouse into compliance with the Land Use Code.
- Noncompliant Parking (CBJ 49.30.270):
 - o 59 off-street parking spaces
 - o The property owner must bring the parking situation into compliance with the Land Use Code.

MRV Architects
 File No.: NCC2023 0052
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The Director of Community Development adopted the analysis and findings in the attached memorandum dated December 1, 2023, and has deemed the following situation on the lot to be ABANDONED per CBJ 49.30.220:

- Abandoned Parking (CBJ 49.30.270):
 - o 24 off-street parking spaces previously located within anadromous waterbodies setbacks

The abandonment of a nonconforming situation relinquishes all nonconforming rights associated with that situation. The existence of an abandoned nonconforming situation becomes a noncompliant situation and subjects the property to enforcement actions consistent with Title 49. In accordance with CBJ 49.30.225 an abandonment determination may be reconsidered within 20 days of the date of the determination. No appeal of an abandonment determination may be made unless reconsideration is first sought.

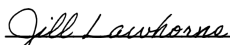
This Nonconforming Certificate constitutes a final decision of the Director of Community Development. Appeals must be brought to the CBJ Planning Commission in accordance with CBJ 49.20.110. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed.

If you have any questions regarding your project or anticipate any changes to your plans, please call the Community Development Department at (907) 586-0715.

Project Planner:



 Jennifer Shields, Planner II
 Community Development Department



 Jill Lawhorne, Director, AICP
 Community Development Department

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.



DIRECTOR'S REVIEW STAFF REPORT
NONCONFORMING CERTIFICATION
NCC2023 0052

(907) 586-0715

CDD_Admin@juneau.gov

www.juneau.org/community-development

155 Heritage Way • Juneau, AK 99801

DATE: January 5, 2024
TO: Jill Lawhorne, AICP | Director
BY: Jennifer Shields, Planner II

Jennifer Shields

PROPOSAL: A Nonconforming Situation Review for structures and parking.

KEY CONSIDERATIONS FOR REVIEW:

- In 1978, the Juneau Tlingit & Haida Community Center was constructed.
- In 1991, the lot was re-platted as part of the Tlingit Haida Subdivision and a Variance was approved to reduce the lot width from 30-feet to 20-feet (VAR1991-0001).
- 81 off-street parking spaces are required, and 21 off-street parking spaces exist.
- A picnic shelter is nonconforming for anadromous setbacks.
- An unpermitted smokehouse is noncompliant for anadromous setbacks.

STAFF RECOMMENDATION:

Staff recommends the following situations receive Nonconforming Certification:

- Nonconforming Structure – Picnic Shelter

ABANDONMENT:

If a nonconforming situation is deemed to be abandoned by the Director, the decision may be reconsidered in accordance with CBJ 49.30.220. After reconsideration is reviewed, an appeal may be filed in accordance with CBJ 49.20.110.

- Abandoned Parking

NONCOMPLIANCE:

If a situation fails to be certified as nonconforming, an appeal of this decision may be filed in accordance with CBJ 49.20.110.

- Noncompliant Off-Street Parking Spaces
- Noncompliant Structure – Unpermitted Smokehouse

GENERAL INFORMATION	
Property Owner	Juneau Tlingit Haida Community Council
Applicant	Paul Voelckers, MRV Architects
Property Address	3235 Hospital Drive
Legal Description	USS 1075 TLINGIT HAIDA LT 1
Parcel Number	7B0901040101
Zoning	GC (General Commercial)
Lot Size	46,477 square feet (1.067 acres)
Water/Sewer	Public water and public sewer
Access	Hospital Drive
Existing Land Use	Social
Associated Applications	BLD2023-0925

CBJ 49.30.215: Accidental damage or destruction. Structures receiving a nonconforming certification may have the right to reconstruct a nonconforming structure per CBJ Chapter 49.30.

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SITE FEATURES AND ZONING



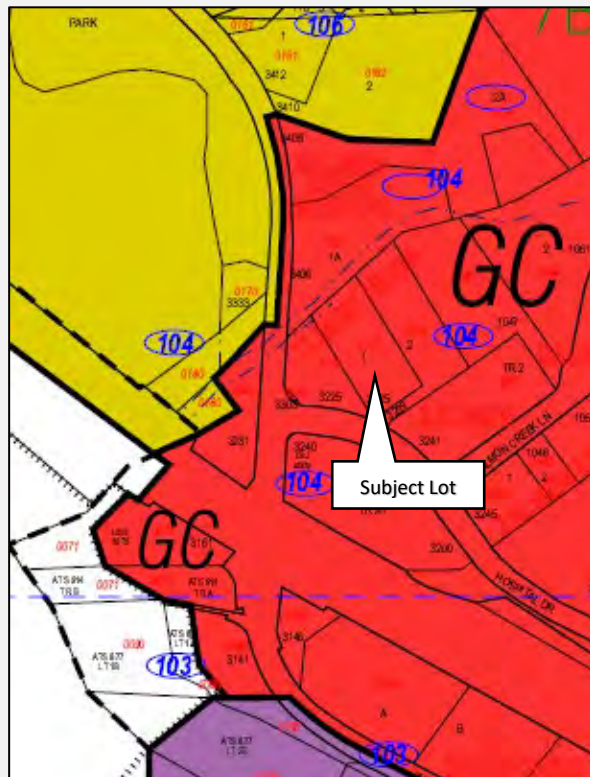
SURROUNDING ZONING AND LAND USES

North (GC)	Salmon Creek
South (GC)	SEARHC, Medical
East (GC)	Generations Southeast, Educational
West (GC)	SEARHC, Medical

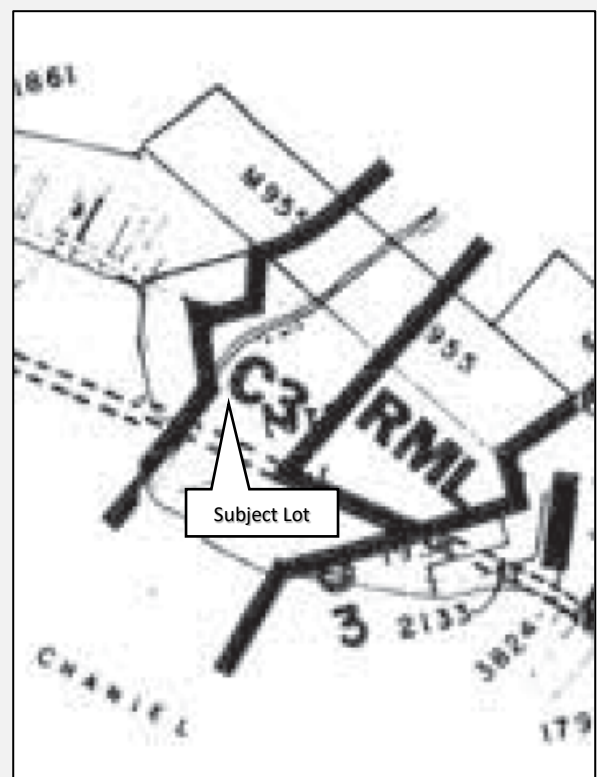
SITE FEATURES

Anadromous	Yes
Flood Zone	Yes, Floodway/Zone AE
Hazard	No
Hillside	No
Wetlands	Yes
Parking District	No
Historic District	No
Overlay Districts	No

CURRENT ZONING MAP



ORIGINAL ZONING



Paul Voelckers, MRV Architects
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 January 5, 2024
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ZONING HISTORY

Year	Zoning District	Summary
1915	N/A	In 1915, the surrounding area was part of U.S. Survey 1075, prior to the establishment of zoning (Attachment B).
1969	C3 (General Commercial)	In 1969, the surrounding area was zoned C3. The C3 zoning district required a 2,000 square foot minimum lot size and 20-foot minimum lot width. Required setbacks were 10 feet front, and 0 feet rear /side except 10 feet when adjoining a residential district.
1971 (1978)	C3 (General Commercial)	In 1971, Platting Resolution 262 approved the Salmon Subdivision, dividing U.S. Survey 1075 into three parcels. The Resolution was eventually recorded in 1978 as platting waiver 78-39W (Attachment C). Dimensional requirements for the three parcels were met at the time of establishment.
1977- 1979	C3 (General Commercial)	In 1977, a proposed Site Plan for a Community Center on Parcel No. 2 of the Salmon Subdivision shows 80 parking spaces (Attachment D). A letter from the project architect dated February 21, 1978, provides justification for proposing 80 parking spaces (Attachment E). On September 11, 1978, a building permit was issued to construct the Community Center (BLD-12057, Attachment F). At that time, the most closely associated land use category for the Community Center did not require a Conditional Use Permit (CUP): <i>Private and semi-public uses, such as: clubs, lodges, convents, social and community buildings.</i> The building permit stated: <i>"Parking plan approved based on a seating capacity of 320 spaces. If additional seating capacity is provided, the required additional parking spaces must be provided."</i> CBJ 49.25.500(M) for <i>"Churches, auditoriums, and similar enclosed places of assembly"</i> required 1 parking space for each 4 seats in the auditorium. 80 parking spaces were required. In 1979, a Certificate of Occupancy was issued for the Community Center (Attachment G). Dimensional and parking requirements were met at the time of establishment.
1981	C3 (General Commercial)	In 1981, Platting Waiver 81-35W subdivided the portion of the Salmon Subdivision Parcel No. 2 containing the Community Center to create the "Tlingit- Haida" lot (Attachment H). Dimensional requirements were met at the time of establishment.
1985	C3 (General Commercial)	In 1985, a building permit was issued for a picnic shelter to be built in the rear of the lot near Salmon Creek (BLD-17401, Attachment I).
1987	GC (General Commercial)	In 1987, the lot and surrounding area was zoned GC. The GC zoning district required a 2,000 square foot minimum lot size, a 20-foot lot

Year	Zoning District	Summary
		width, and a 60-foot lot depth*. Minimum setbacks required were 10 feet on all sides. Additionally, CBJ 49.70.310 – Habitat was adopted which enacted anadromous waterbodies setback requirements, as measured from stream banks. Existing site improvements within the 50-foot anadromous waterbodies setback of Salmon Creek included the picnic shelter and 24 off-street parking spaces at the rear of the lot. The picnic shelter and 24 off-street parking spaces became nonconforming for anadromous waterbodies setbacks.
1991	GC (General Commercial)	In 1991, the lot was re-subdivided into Lot 1 of the Tlingit / Haida Subdivision, Plat 91-34 (Attachment J). Subdivision approval included a Variance to reduce the lot width from 30-feet to 20-feet (VAR1991-0001, Attachment K). Variance approval was conditioned upon shared driveway access with an adjacent lot (Attachment L) and provision of 80 off-street parking spaces on or near the lot, specifically as follows: <i>“In connection with the proposed replat, the owner/applicant shall submit a revised parking plan, in accordance with applicable standards, to show not less than 80 parking spaces for proposed Tract 2A [subject lot]. Parking shall be located on the parcel which said parking is intended to serve, or shall be within allowable distance, and the availability shall be guaranteed with long-term agreement, acceptable to the City and Borough of Juneau Law Department, for a period commensurate with the life of the building, but not less than 30 years.”</i> Subsequently, a Shared Parking Agreement was signed between the CBJ, the JTHCC, and Generations Southeast to the east. This agreement automatically expired on July 1, 2021 (Attachment M). The picnic shelter and 24 off-street parking spaces remained nonconforming for anadromous waterbodies setbacks.
2021	*All zoning districts – lot depth repealed	On August 23, 2021, the CBJ Assembly adopted Ordinance 2021-28, repealing lot depth as a minimum dimensional standard.
2021	*All zoning districts – anadromous waterbodies	On September 13, 2021, the CBJ Assembly adopted Ordinance 2021-13, a revision to the anadromous habitat protections.
2023	GC (General Commercial)	A November 2023 Existing Site Survey identifies a smokehouse located within the 50-foot anadromous waterbodies setback of Salmon Creek (Attachment N). The applicant did not provide documentation demonstrating that the smokehouse was permitted and built prior to the enactment of CBJ 49.70.310 Habitat in 1987. The Survey demonstrates that 24 off-street parking spaces are no longer provided within the anadromous waterbodies setbacks.

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Year	Zoning District	Summary
		The Survey also demonstrates a total of 21 off-street parking spaces exist on the lot. The applicant did not provide documentation of an additional 59 off-street parking spaces approved by CBJ, either on the lot or nearby, as required by VAR1991-0001. The picnic shelter remains nonconforming for anadromous waterbodies setbacks. The unpermitted smokehouse is noncompliant for anadromous waterbodies setbacks. The 24 off-street parking spaces previously located within the anadromous waterbodies setbacks have been abandoned. The use is noncompliant for 59 off-street parking spaces.

BACKGROUND INFORMATION

In 1915, the surrounding area was part of U.S. Survey 1075 (Attachment B). In 1971, Platting Resolution 262 approved the Salmon Subdivision, dividing U.S. Survey 1075 into three parcels. The Resolution was recorded in 1978 as platting waiver 78-39W (Attachment C).

In 1977, a proposed Site Plan for a Community Center on Parcel No. 2 of the Salmon Subdivision shows 80 off-street parking spaces (Attachment D). A letter from the project architect dated February 21, 1978, provides justification for proposing 80 spaces (Attachment E).

On September 11, 1978, a building permit was issued to construct the Community Center (BLD-12057, Attachment F). At that time, the most closely associated land use category for the Community Center did not require a Conditional Use Permit (CUP): *Private and semi-public uses, such as: clubs, lodges, convents, social and community buildings*. The building permit stated: "Parking plan approved based on a seating capacity of 320 spaces. If additional seating capacity is provided, the required additional parking spaces must be provided." CBJ 49.25.500(M) for "*Churches, auditoriums, and similar enclosed places of assembly*" required 1 parking space for each 4 seats in the auditorium. The 80 off-street parking spaces were required for the Community Center.

In 1979, a Certificate of Occupancy was issued for the Community Center (Attachment G).

In 1981, Platting Waiver 81-35W subdivided the portion of the Salmon Subdivision Parcel No. 2 containing the Community Center to create the "Tlingit- Haida" lot (Attachment H).

In 1985, a building permit was issued for a picnic shelter to be built in the rear of the property near Salmon Creek (Attachment I). In 1987, CBJ 49.70.310 Habitat was adopted which enacted anadromous waterbodies setback requirements, as measured from stream banks. Existing site improvements within the 50-foot anadromous waterbodies setback of Salmon Creek included the picnic shelter and 24 off-street parking spaces at the rear of the lot.

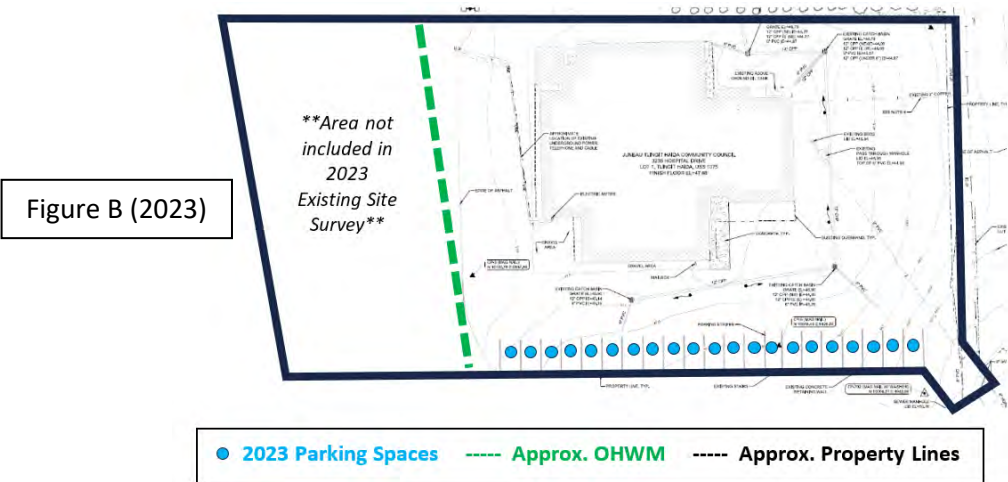
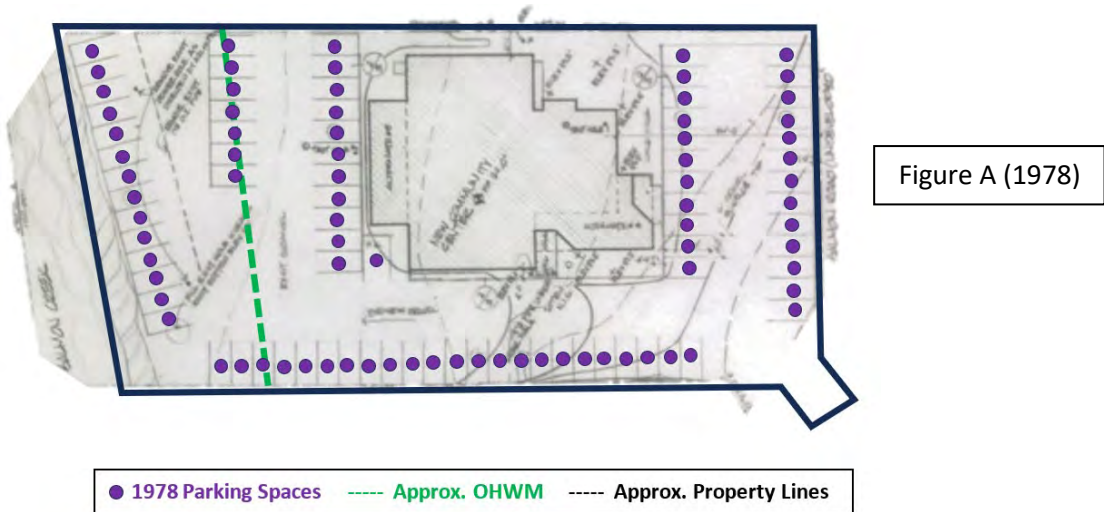
In 1991, the lot was re-platted into Lot 1 of the Tlingit / Haida Subdivision, Plat 91-34 (Attachment J). Subdivision approval included a Variance to reduce the lot width from 30-feet to 20-feet (VAR1991-0001, Attachment K).

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Variance approval was conditioned upon shared driveway access with an adjacent lot (Attachment L) and provision of 80 parking spaces on or near the lot. Subsequently, a Shared Parking Agreement was signed between the CBJ, the JTHCC, and Generations Southeast to the east. This agreement automatically expired on July 1, 2021 (Attachment M).

A November 2023 Existing Site Survey identifies a smokehouse located within the 50-foot anadromous waterbodies setback of Salmon Creek (Attachment N). The applicant did not provide documentation demonstrating that the smokehouse was permitted and built prior to the enactment of CBJ 49.70.310 Habitat in 1987.

The Survey also demonstrates that 24 off-street parking spaces are no longer provided within the anadromous waterbodies setbacks (Figure A below), and the current provision of 21 off-street parking spaces on the lot (Figure B below). The applicant did not provide documentation of an additional 59 off-street parking spaces approved by CBJ, either on the lot or nearby, as required by VAR1991-0001.



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INFORMATION REVIEWED

Year	Type	Summary
1915	Survey	U.S. Survey 1075 showing the area prior to subdivision (Attachment B).
1978	Plat	Salmon Subdivision Plat Waiver 78-39W, via Platting Resolution 262 approved in 1971, creating Tract No. 2 that the Community Center was built on (Attachment C).
1977	Site Plan	Shows proposed parking spaces for a new Community Center (Attachment D).
1978	Letter	Letter from the Community Center architect to CBJ discussing justification for calculating parking requirements (Attachment E).
1978	Building Permit	BLD-12057 issued for construction of a new 8,900 square foot Community Center requiring 80 off-street parking spaces (Attachment F).
1979	Certificate of Occupancy	Issued for the Community Center based upon requirements of BLD-12057 (Attachment G).
1981	Plat	Plat Waiver 81-35W creating the Tlingit-Haida lot (Attachment H).
1985	Building Permit	BLD-17401 issued for a new picnic shelter (Attachment I).
1991	Plat	Tlingit-Haida Plat 91-34 (Attachment J).
1991	Variance	VAR1991-0001 approved to reduce the lot width from 30-feet to 20-feet (Attachment K).
1991	Common Driveway Easement	VAR1991-0001 approval conditioned upon shared driveway access with an adjacent lot (Attachment L).
1991	Parking Agreement	VAR1991-0001 approval conditioned upon provision of 80 parking spaces on or near the lot. Expired on July 1, 2021 (Attachment M).
2013	Aerial Photography	Aerial imagery is used to estimate vegetative cover (Attachment O).
2023	Existing Site Survey	Shows current site conditions including structures and parking (Attachment N).

ANALYSIS

Zoning District Comparison Table – The table below lists the required standards for the GC zoning district compared to the lot. A description of these situations is provided in the following sections. Items bolded do not meet current requirements.

Standard		Requirement	Existing	Code Reference
Lot	Size	2,000 square feet	46,477 square feet	CBJ 49.25.400
	Width	20 feet (also VAR91-01)	20.10 feet	CBJ 49.25.400
Setbacks	Front	10 feet	49 feet	CBJ 49.25.400
	Rear – Picnic Shelter	50 feet from OHWM	~2 feet within setback	CBJ 49.70.330
	Rear - Smokehouse	50 feet from OHWM	~7 feet within setback	CBJ 49.70.330
	Side (east)	10 feet	10 feet	CBJ 49.25.400
	Side (west)	10 feet	~47 feet	CBJ 49.25.400
Lot Coverage		N/A	N/A	CBJ 49.25.400
Height	Permissible	55 feet	~24 feet	CBJ 49.25.400
	Accessory	45 feet	~10 feet	CBJ 49.25.400
Maximum Dwelling Units		N/A	N/A	CBJ 49.25.500
Use		Varies	Social	CBJ 49.25.300
Vegetative Cover		10%	~17%	CBJ 49.50.300
Parking		80 (per VAR91-01)	21 (59 less than required)	CBJ 49.40.210(a)

Paul Voelckers, MRV Architects
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Minimum Lot Requirements – The lot meets the minimum lot size and lot width requirements of the GC zoning district.

Finding: Staff finds the lot conforming for lot size and width.

Minimum Setback Requirements –

1. **Community Center:** The Community Center structure was built in 1978 (Attachment F) and meets all setback requirements according to a 2023 Existing Site Survey (Attachment N).

Finding: Staff finds the Community Center structure conforming for setbacks.

2. **Picnic Shelter:** The picnic shelter was built in 1985, in the rear of the lot near Salmon Creek (Attachment I). In 1987, CBJ 49.70.310 – Habitat was adopted which enacted anadromous waterbodies setback requirements, as measured from stream banks. In 2021, the CBJ Assembly adopted Ordinance 2021-13 to ensure that anadromous waterbodies setbacks are measured from the Ordinary High-Water Mark (OHWM) rather than stream banks. The picnic shelter is located approximately two-feet within the 50-foot anadromous waterbodies setback of Salmon Creek, per CBJ 49.70.330(a) and a site visit conducted by CBJ staff on December 6, 2023.

Finding: Staff finds the picnic shelter structure nonconforming for anadromous waterbodies setbacks.

3. **Smokehouse:** A November 2023 Existing Site Survey identified an unpermitted smokehouse in the rear of the property near Salmon Creek (Attachment N). The applicant did not provide documentation demonstrating that the smokehouse was permitted and built prior to the enactment of anadromous waterbodies setback requirements in 1987. The unpermitted smokehouse is located approximately seven-feet within the 50-foot anadromous waterbodies setback of Salmon Creek, per CBJ 49.70.330(a) and a site visit conducted by CBJ staff on December 6, 2023.

Finding: Staff finds the unpermitted smokehouse structure noncompliant for anadromous waterbodies setbacks.

Lot Coverage – The GC zoning district does not require a maximum lot coverage percentage.

Finding: N/A

Structure Height – A 2023 elevation drawing shows the Community Center structure at approximately 24 feet in height (Attachment N). A 1985 elevation drawing shows the picnic shelter at approximately 10 feet in height (Attachment I). The unpermitted smokehouse structure is approximately 10 feet in height. Maximum height is not exceeded.

Finding: Staff finds the structures conforming for height.

Residential Density – The lot contains zero (0) residential dwelling units.

Finding: N/A

Use – In 1978, a building permit was issued to construct a Community Center on Parcel No. 2 of the Salmon Subdivision (Attachment F). At that time, the most closely associated land use category for the use did not require

Paul Voelckers, MRV Architects
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 January 5, 2024
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a Conditional Use Permit (CUP): *Private and semi-public uses, such as: clubs, lodges, convents, social and community buildings.*

The current, most closely associated USE category for the Shaan S'oox Community House is USE 5.400: *Social, fraternal clubs, lodges, union halls, yacht clubs.* Major developments for this type of land use require a CUP. As the site is over one-half acre of land (major development), a Conditional Use Permit will be required for expansion of the existing building.

Finding: Staff finds the use conforming.

Vegetative Cover – GIS aerial imagery from 2013 shows that the lot has approximately 17% vegetative cover (Attachment N).

Finding: Staff finds the lot conforming for vegetative cover.

Parking – The 80 off-street parking spaces are required on or near the lot. Currently, the lot has 21 off-street parking spaces, and no CBJ-approved joint use parking agreement(s) in place.

Finding: See the “Noncompliant Situations” and “Abandonment” sections below for further evaluation of this issue.

NONCOMPLIANT SITUATIONS

CBJ 49.30.310(j) Failure of a situation to qualify for nonconforming certification. If a situation does not qualify for or is denied nonconforming certification, it is noncompliant, and the property is subject to enforcement actions consistent with this title.

Based upon available information, the following situations are deemed noncompliant:

Smokehouse: An unpermitted smokehouse structure is located approximately seven (7) feet within the 50-foot anadromous waterbodies setback of Salmon Creek, as measured from the OHWM, per CBJ 49.70.330(a).

Finding: Staff finds the unpermitted smokehouse structure noncompliant for anadromous waterbodies setbacks. The property owner must bring the smokehouse structure into compliance with the Land Use Code.

Parking: The 80 off-street parking spaces were required for the Community Center when it received a Certificate of Occupancy in 1979, and again in 1991. A Shared Parking Agreement between the CBJ, the JTHCC, and Generations Southeast to the east automatically expired on July 1, 2021. Currently, the lot provides 59 off-street parking spaces less than required, and no CBJ-approved joint use parking agreement(s) in place.

Finding: Staff finds the use noncompliant for 59 off-street parking spaces.

ABANDONMENT

CBJ 49.30.220(b) Abandonment of a nonconforming situation. *A nonconforming situation is abandoned if any of the following events occur:*

- (1) The owner indicates in writing that the nonconforming situation is being permanently discontinued;*
- (2) The nonconforming situation is damaged, destroyed, removed, or demolished intentionally by the owner or intentionally by an authorized agent of the owner;*
- (3) The nonconforming structure is moved;*
- (4) The owner takes action consistent with an intent to abandon the nonconforming situation;*
- (5) The structure(s) associated with the nonconforming situation has been vacant for 365 consecutive days;*
- (6) Except for a structure with a nonconforming residential density, the nonconforming use has ceased and not substantially resumed for 365 consecutive days; or*
- (7) A structure with a nonconforming residential density has been unoccupied for 1095 consecutive days.*

Parking: In 1987, CBJ 49.70.310 Habitat was adopted which enacted anadromous waterbodies setback requirements, as measured from stream banks. Site improvements within the 50-foot anadromous waterbodies setback of Salmon Creek included 24 off-street parking spaces at the rear of the lot.

A November 2023 Existing Site Survey demonstrates the abandonment of 24 nonconforming off-street parking spaces previously located within the anadromous waterbodies setbacks, as confirmed by a site visit conducted by CBJ staff on December 6, 2023.

Finding: 24 off-street parking spaces previously located within anadromous waterbodies setbacks have been abandoned.

FINDINGS

1. Was the picnic shelter allowed, or not prohibited by law, when it was established?

Analysis: No further analysis needed.

Finding: Yes. Staff finds the picnic shelter nonconforming for anadromous waterbodies setbacks.

2. Was the smokehouse allowed, or not prohibited by law, when it was established?

Analysis: No further analysis needed.

Finding: No. Staff finds the smokehouse noncompliant. The smokehouse can become conforming with an approved building permit.

3. Was the parking situation allowed, or not prohibited by law, when it was established?

Analysis: No further analysis needed.

Finding: No. Staff finds the use noncompliant for 59 off-street parking spaces.

4. Have the nonconforming situations been abandoned?

Analysis: No further analysis needed.

Finding: Yes. 24 off-street parking spaces previously located within anadromous waterbodies setbacks have been abandoned.

Paul Voelckers, MRV Architects
 File No: NCC2023 0052
 January 5, 2024
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RECOMMENDATION

Staff recommends that the Director adopt the analysis and findings, and find the following situations on the lots to be **NONCONFORMING** to the Title 49 Land Use Code and issue a Nonconforming Certification for the following situations:

- Nonconforming Structures (CBJ 49.30.250):
 - Anadromous waterbodies setback of 2 feet (picnic shelter)

Staff recommends that the Director adopt the analysis and findings, and find the following situations on the lot to be **NONCOMPLIANT** to the Title 49 Land Use Code and deny a Nonconforming Certification for the following situations:

- Noncompliant Structures (CBJ 49.30.250):
 - Anadromous waterbodies setback of 7 feet (unpermitted smokehouse)
- Noncompliant Parking (CBJ 49.30.270):
 - 59 off-street parking spaces

Staff recommends that the Director adopt the analysis and findings, and find the following situations on the lot to be **ABANDONED** to the Title 49 Land Use Code and deny a Nonconforming Certification for the following situations:

- Abandoned Parking (CBJ 49.30.270):
 - 24 off-street parking spaces previously located within anadromous waterbodies setbacks.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	1915 U.S. Survey 1075
Attachment C	1978 Salmon Subdivision Plat Waiver 78-39W, via Platting Resolution 262
Attachment D	1977 Proposed Community Center Site Plan
Attachment E	1978 Letter from the Community Center architect to CBJ
Attachment F	1978 BLD-12057 for a Community Center
Attachment G	1979 Certificate of Occupancy for a Community Center
Attachment H	1981 Plat Waiver 81-35W
Attachment I	1985 BLD-17401 for a Picnic Shelter
Attachment J	1991 Tlingit-Haida Plat 91-34
Attachment K	1991 VAR1991-0001 for Lot Width
Attachment L	1991 Common Driveway Easement
Attachment M	1991 Shared Parking Agreement
Attachment N	2023 Existing Site Survey
Attachment O	2013 Aerial Imagery



DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications. This form and all documents associated with it are public record once submitted.

To be completed by Applicant

PROPERTY LOCATION		
Physical Address <u>3235 HOSPITAL DRIVE</u>		
Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) <u>LOT 1, TUNGIT HAKDA, USS 1075</u>		
Parcel Number(s) <u>-</u>		
☐ This property is located in the downtown historic district ☐ This property is located in a mapped hazard area, if so, which <u>N.A.</u>		
LANDOWNER/ LESSEE		
Property Owner	Contact Person	
Mailing Address	Phone Number(s)	
E-mail Address		
LANDOWNER/ LESSEE CONSENT		
Required for Planning Permits, not needed on Building/ Engineering Permits. Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.		
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 the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.		
<u>Rhonda D. Butler</u> Landowner <u>1st president@juneau.ak.us</u> Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee) (907) 463-5680 <u>Rhonda D. Butler</u> (907) 305-0241 X Landowner/Lessee (Signature) Date <u>11-16-23</u>		
<u>_____</u> Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee) X <u>_____</u> Landowner/Lessee (Signature) Date		
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.		
APPLICANT If same as LANDOWNER, write "SAME"		
Applicant (Printed Name)	Contact Person	
Mailing Address	Phone Number(s)	
E-mail Address		
X <u>PAUL VOELCKERS</u> Applicant's Signature Date of Application <u>11-16-2023</u>		

DEPARTMENT USE ONLY BELOW THIS LINE

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Attachment A - Application
Attachment B - NCC2023 0052

Intake Initials <u>[Signature]</u>	Case Number <u>NCC23-52</u>
Date Received <u>11/16/2023</u>	



APPLICATION FOR A NONCONFORMING CERTIFICATION REVIEW

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.

TYPE OF NONCONFORMING SITUATION (CHECK ALL THAT MAY APPLY)

☐ USE ☒ STRUCTURE ☐ DENSITY ☒ PARKING ☐ LOT

Have you submitted a narrative that fully explains the above listed nonconforming situations? YES ☐ NO ☐

The narrative should explain the nature of the nonconforming situation(s). Be specific, state past and present uses of the building, property, etc.

List all relevant information being submitted. Include this material and an as-built or site plan with the application.

Relevant information to show that the **situation was allowed when established** may include: building or land use permits, recorded plats, zoning codes or maps, dated photographs.

Situation	Type of Documentation
Structure may be within protected stream corridor -	
Parking Variance / agreements appear to have expired -	

Relevant information to show that the **situation was maintained over time** may include: business licenses, dated photographs, insurance records and maps, utility bills, property tax records, business license, telephone listing, advertisement in dated publications, leases.

Maintained Situation	Type of Documentation
Parking	Site Plan
Structure w/ setback / stream setback	

NOTE: If an as-built survey is not submitted, the Community Development Department may not be able to issue a Nonconforming Certificate for setbacks. As-built surveys should show the property in its current condition.

ALL REQUIRED MATERIALS ATTACHED

☒ Complete Application (Per CBJ 49.30.310)

- ☐ Narrative
☐ As-built survey or similar document
☐ Documentation
☐ Fees

Associated w/ BLD23 225

NONCONFORMING CERTIFICATION REVIEW FEES:

Fees	Check No.	Receipt	Date
Application Fees	\$		
Admin. of Guarantee	\$		
Adjustment	\$		
Total Fee	\$		

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
907-586-0770.

Case Number NCC23-52	Date Received 11/16/2023
--------------------------------	------------------------------------

Nonconforming Certification Application Instructions

Nonconforming Situations is outlined in CBJ 49.30.310

Pre-Application Conference: A pre-application conference is **NOT** required prior to submitting an application. It is highly recommended that applicants meet with a planner to discuss the nonconforming situation(s) and necessary or appropriate documentation for submittal. Staff may have access to documentation that the applicant does not. Please contact the Permit Center at 907-586-0770 or via e-mail at permits@juneau.org.

Application: An application for a Nonconforming Certificate will not be accepted by the Community Development Department until it is determined to be complete. The items needed for a complete application are:

1. **Forms:** Completed application for Nonconforming Certificate and Development Permit Application forms.
2. **Fees:** Fee is \$150. If submitted in conjunction with a development permit, the fee is waived. All fees are subject to change.
3. **Project Narrative:** A detailed narrative describing the nonconforming situation(s).

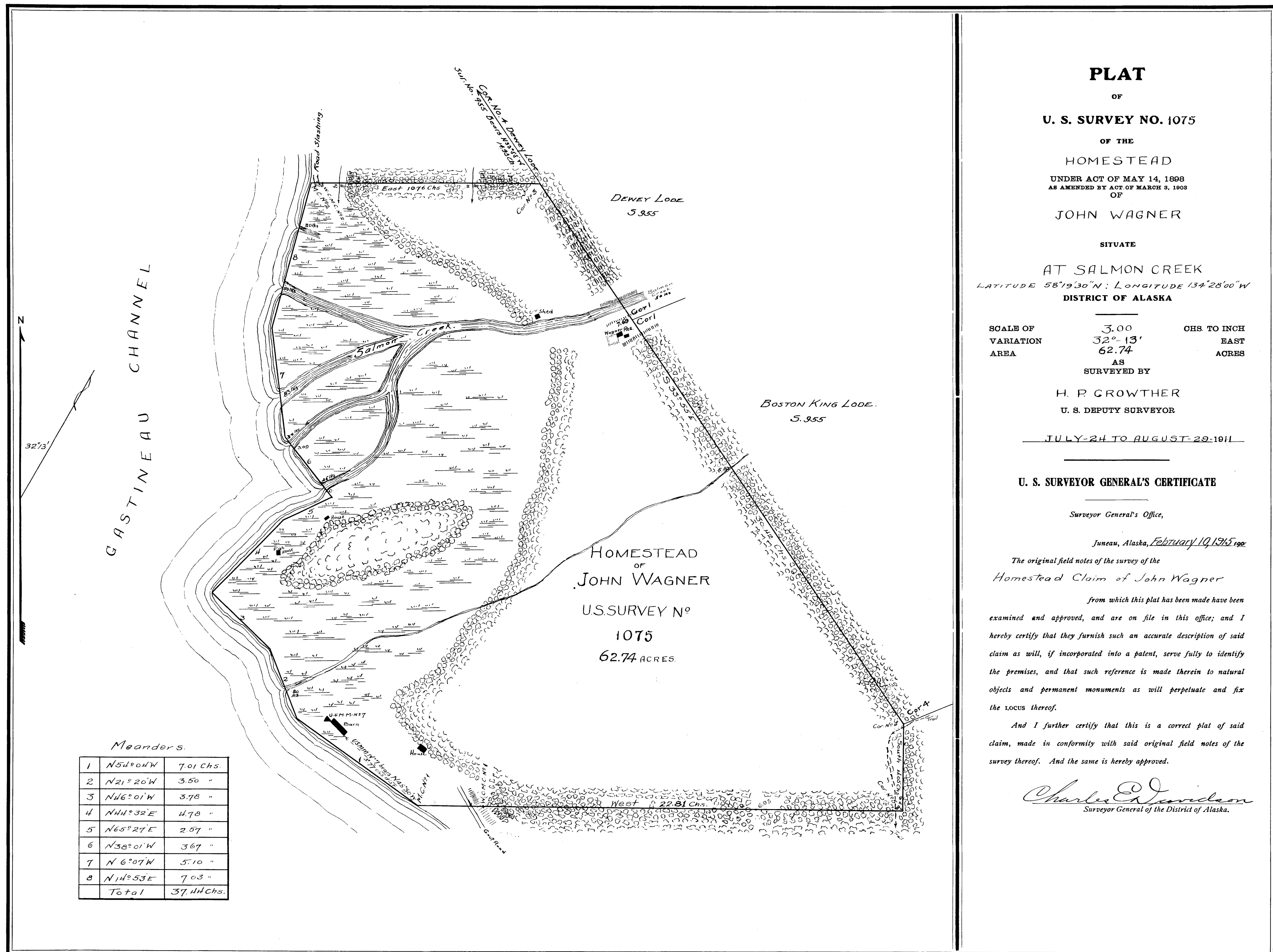
Document Format: All materials submitted as part of an application shall be submitted in either of the following formats:

1. Electronic copies in the following formats: .doc, .txt, .xls, .bmp, .pdf, .jpg, .gif, .xlm, .rtf (other formats may be preapproved by the Community Development Department).
2. Paper copies 11" X 17" or smaller (larger paper size may be preapproved by the Community Development Department).

Application Review: Once the application is determined to be complete, the Community Development Department will initiate the review and scheduling of the application. This process includes:

Review: As part of the review process, the Community Development Department will evaluate the application for consistency with all applicable City & Borough of Juneau codes. Depending on the details of the permit request, the application may require review by other City & Borough of Juneau departments. Applicants may be required to provide additional information and clarification.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED



78-39W

CITY AND BOROUGH OF JUNEAU, ALASKA

PLATTING RESOLUTION NO. 262WHEREAS, Joseph Henri
(Applicant(s))

has applied to the City and Borough of Juneau Planning Commission in proper form for a waiver of plat and recording requirements of the subdivision of the following described real property:

Portion of U.S.S. 1075 located adjacent to the
Hospital property at Salmon Creek

according to the attached plat, sketch or diagram.

WHEREAS, the Commission finds that the proposed conveyance (a) is not being made for the purpose of or in connection with a present or projected subdivision development, (b) is an isolated transaction which does not fall within the general intent of Title 40, Chapter 15, Alaska Statutes, and (c) does not involve or require any dedication of a street, alley, thoroughfare, park or other public area.

BE IT RESOLVED BY THE CITY AND BOROUGH PLANNING COMMISSION AS THE PLATTING AUTHORITY FOR THE CITY AND BOROUGH OF JUNEAU, ALASKA:

That the said application for a statutory waiver of plat and recording requirements to a proposed conveyance of the above described property is hereby granted.

Dated November 11, 1971

CITY & BOROUGH OF JUNEAU, ALASKA
PLANNING COMMISSION

By

Thomas E. Elzy
Chairman

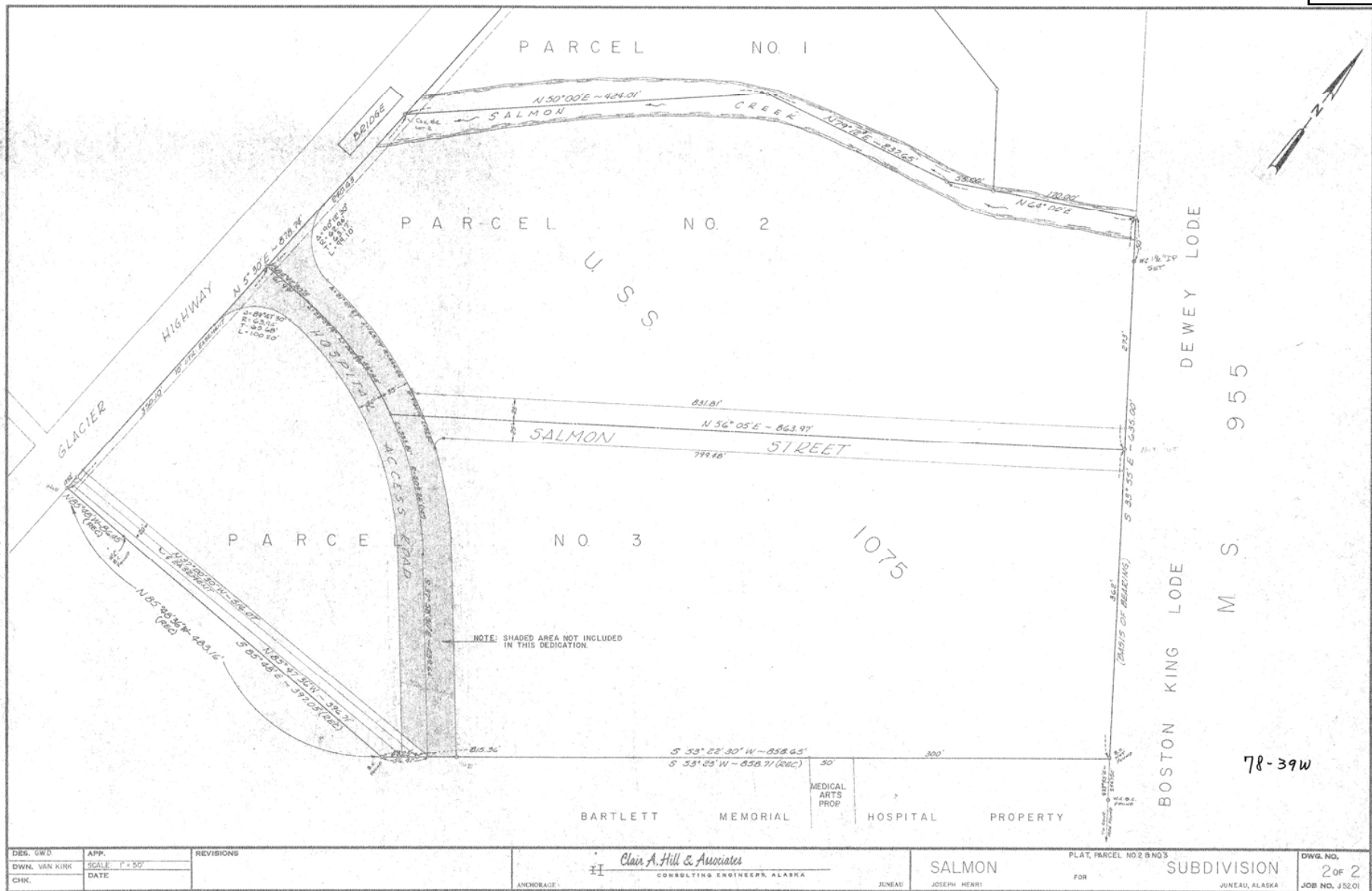
Attest:

Karl J. Mielke
Clerk

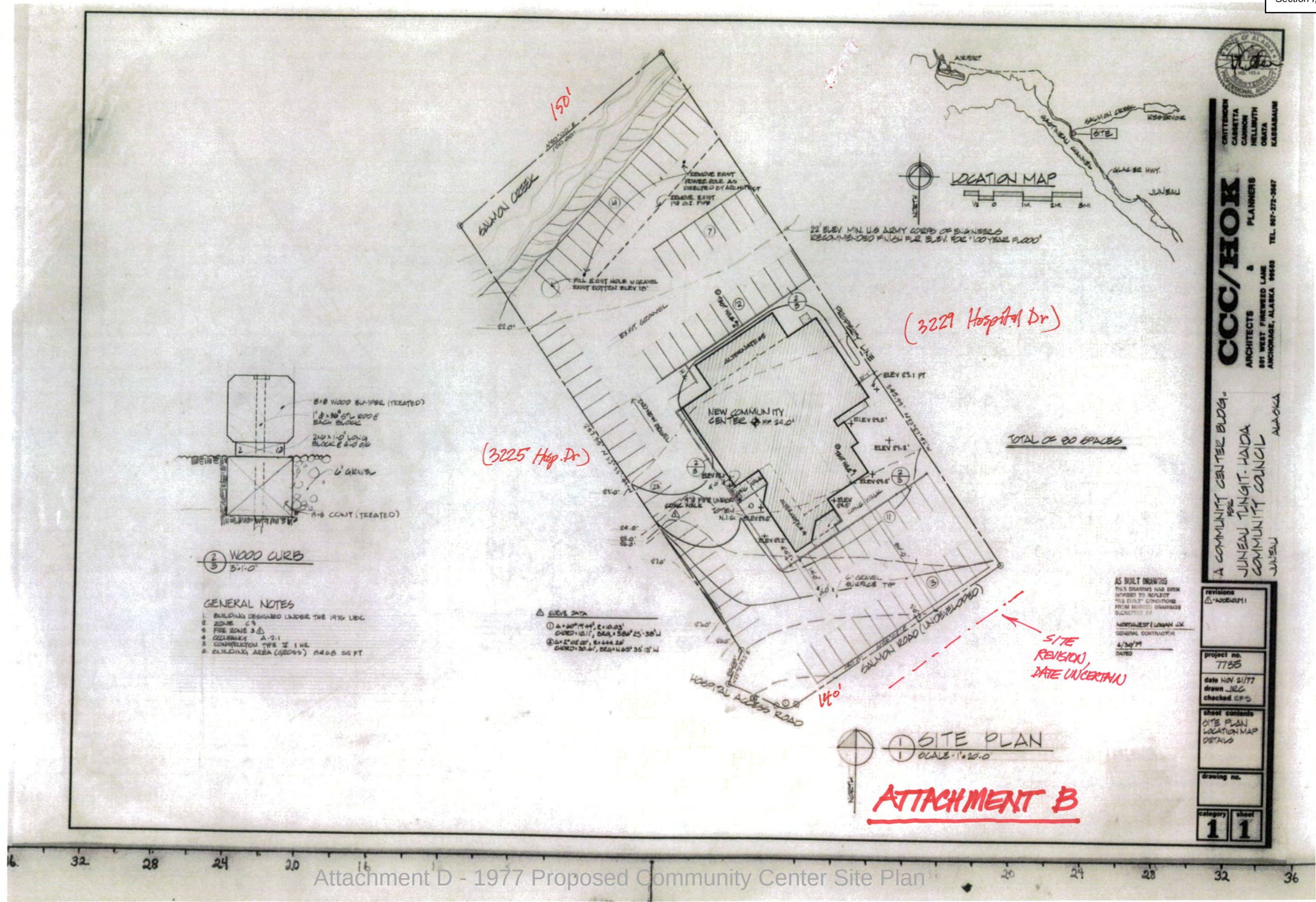
Attachment C - 1978 Salmon Subdivision Plat Wavier 78-39W, Via Platting Resolution 262

* Plat attachments are in the plat drawer

Attachment B - NCC2023 0052



78-39W



Attachment D - 1977 Proposed Community Center Site Plan

Architects & Planners

Crittenden **Hellmuth**
Cassetta **Obata**
Cannon **Kassabaum**

801 West Fireweed Lane
 Anchorage, Alaska 99503
 Tel: 907 272-3567

February 21, 1978

Mr. Steven Gilbertson
 City and Borough of Juneau
 Planning Office
 155 South Seward Street
 Juneau, Alaska 99801

Subject: JUNEAU TLINGIT-HAIDA COMMUNITY CENTER BUILDING 7735-03

Dear Sir:

It has come to my attention that you have some concern regarding the amount of parking being provided at the new Community Center Building for the Juneau Tlingit-Haida Community Council. The parking requirements for the project were based on the Planning and Zoning Code of the City and Borough of Juneau. In making the calculations, we used the following logic:

1. The project is most closely related to the category of Churches, Auditoriums and Similar Enclosed Spaces of Assembly which require one space for each four seats.
2. Since the space is a multipurpose space, how many seats should be assumed to be in the facility for purposes of parking?
3. After discussion with the Owners, it was determined that a full auditorium use of the facility would be rare, perhaps happening once a year or less at Tlingit-Haida Tribal Conventions. At this time, most people would arrive at the facility by bus or taxi since they would not be Juneau residents. We, therefore, assumed that 98 percent of the time the facility would function as a gymnasium for Community Council athletic programs, and for small meetings of the Community Council. Additional uses which might generate more parking requirements would be Tlingit-Haida Potlatches and other social gatherings. We, therefore, determined that for purposes of parking, the maximum demand would be most similar to that of a restaurant or night club requiring one parking space for each 200 square feet of gross floor area per the Planning and Zoning Code.

An Alaska Professional Corporation
 Edwin B. Crittenden, Pres. Lucian A. Cassetta, Vice Pres. Daniel B. Gale, Vice Pres. Kenneth D. Cannon, Sec./Treas.
 San Francisco Office: 915 Front Street, San Francisco, California 94111 Telephone: 415 986-4275

Attachment E - 1978 Letter from the Community Center architect to CBJ

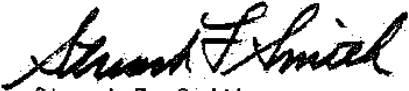
Attachment B - NCC2023 0052

Mr. Steven Gilbertson
Page 2
February 21, 1978

4. The gross area of the facility is 8,468 square feet, which is 200 square feet per space, gives us a requirement of 43 parking spaces.
5. Since the potential does exist for use of the facility in a maximized assembly situation, we maximized the amount of parking on the site to 80 parking spaces or, 37 more than would generally be required.

If you have any further questions regarding the parking, do not hesitate to call me so they might be resolved as soon as possible.

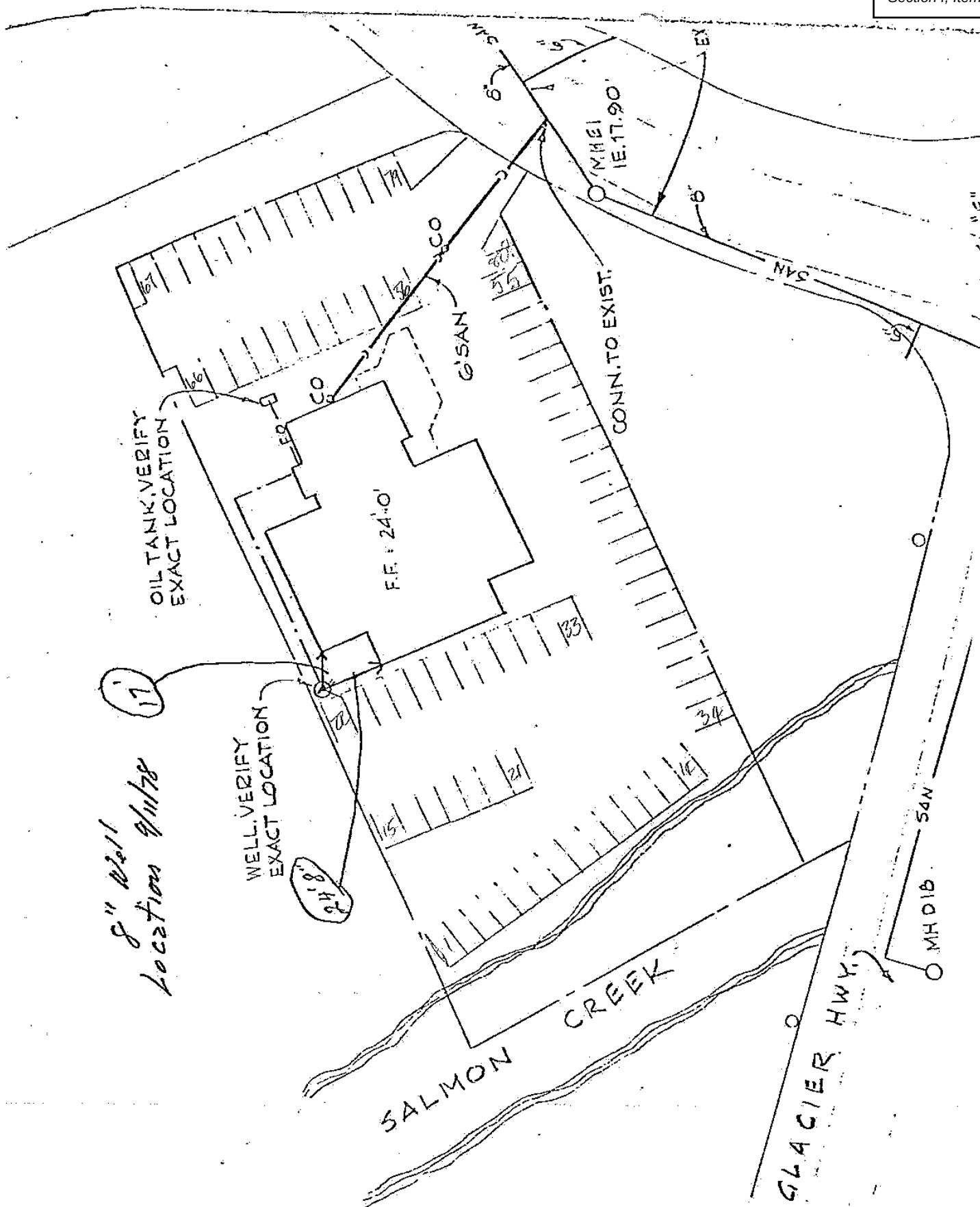
Very truly yours,



Stuart F. Smith
Project Architect

SFS/duw

cc: Mr. Walter Johns



PERMIT NO. 12057

CITY AND BOROUGH OF JUNEAU, ALASKA

PERMIT FOR: BUILDING ☒ GRADING ☐ WATER ☐ SEWER ☐ OTHER ☐Owner's Name Thingit Haida Community CenterAddress WALTER ADAM 6-6372City Juneau, Alaska Zip Code _____Contractor's Name N.W. Constructors & Loger Inc.Address/License PO. Box 4-2249 Phone 227-2575City Anchorage, Alaska Zip Code 99509LOCATION OF PROJECT Salmon CreekJuneau ☒ Douglas ☐ Rural ☐ LOT _____ BLOCK _____

SUBDIVISION _____

U. S. SURVEY 1075 Tract/Lot 2 Occupancy Group _____Fire Zone 3 Construction Type Frame Building Zone C-3Area or Volume 8900 (CUBIC/SQUARE-FT.)

VALUATION

Aug 29 1978

FEES of Fire

Convention

Structure

Plan Check

Sever

Water

Street

Sidewalk

Other Charges

Total 1,187.25RECEIPT NUMBER 51855

DATE PLANS SUBMITTED _____

DATE RECEIVED _____

APPROVALS:

Date Approved

ZONING ADMINISTRATOR * T.M.FIRE MARSHALL * 243SANITARIAN DRSPUBLIC WORKS * ELKBUILDING OFFICIAL V. RAO GULUR

4/11/78

8/30/78

4-12-78

8/24/78

Sept. 11, 78

REMARKS: * Parking plan approved based on a seating capacity of 320 spaces. If additional seating capacity is provided the required additional parking spaces must be provided.

NO CONNECTION MAY BE MADE TO THE PUBLIC SEWER SYSTEM UNTIL NOTIFIED BY THE PUBLIC WORKS DEPT.

* Subject to our review letter of 2-28-78* Subject to satisfying the requirements of my letter of Aug. 28, 1978

PROTECTIVE INSPECTIONS

Building ☒Plumbing ☒Heating ☒Electrical ☒Air Conditioning ☐

PUBLIC WORKS

Street (new) ☐Street Cut ☐Sidewalk ☐Sewer ☒ 6"Water ☒CLASS OF WORK: New ☒ Addition ☐ Repair ☐ Alteration ☐Residential : ☐Mobile Home : ☐Commercial : ☒Industrial : ☐

New Resident Address

Community Center BuildingSalmon Creek

BUILDING TYPE AND USE		HEAT		PLUMBING			BUILT-IN'S	
Single ☐	Double ☒	Stove _____	Space Heater _____	# Tubs	B	1st	2nd	D. I. Stove & Oven
Other _____	# Stories <u>1</u>	Floor Furnace _____		# Toilets	<u>8</u>			Oven Built-In <u>double</u>
Basement ☐	Frame ☒	Hot Air Forced _____		# Basins	<u>6</u>			Range Built-In <u>1</u>
Concrete ☒	Block ☐	Radiant _____		# Kitchen Sinks	<u>1</u>			C. T. Range
Log ☐	Other _____	Hot Water ☒ Zoned		# Shower Stalls	<u>2</u>			Hood & Fan <u>1</u>
FRAME		# Chimneys _____		# Exhaust Fans	<u>5</u>			Dishwasher <u>1</u>
Walls <u>2</u> x <u>6</u> <u>16</u> o.c.		Kind _____		# Laundry Trays				Disposal <u>1</u>
Floor <u>X</u> _____ o.c.		FIREPLACES		Hot Water Tanks				
Roof <u>2</u> x <u>12</u> <u>16</u> o.c.		Basement _____	Type _____	# Gallons				
		1st Floor _____	Type _____	Type _____				

DEMOLITION INFORMATION: _____

DATE DEMOLISHED: _____

HOUSING DATA: _____

No. of Living Units _____

No. of Bedrooms _____

Total Number _____

THIS DEPARTMENT MUST HAVE AT LEAST 48 HOURS NOTICE PRIOR TO ALL INSPECTIONS. HOWEVER, DURING WINTER, PLUMBING TEST INSPECTIONS SHALL BE BY APPOINTMENT ONLY. FOR CITY SEWER AND/OR WATER SERVICE INSPECTIONS CALL OR NOTIFY CITY AND BOROUGH ENGINEERING OFFICE AT 586-3300, EXT. 30 WITH A MINIMUM OF 24 HOURS NOTICE.

I HEREBY ACKNOWLEDGE THAT I HAVE READ THIS APPLICATION AND STATE THE ABOVE IS CORRECT AND AGREE TO COMPLY WITH ALL APPLICABLE STATE LAWS AND CODES AND ORDINANCES OF THE CITY AND BOROUGH OF JUNEAU.

SIGNATURE: [Signature]

(Owner/Applicant)

(AFFIDAVIT on Reverse side of application to be completed by authorized agent of owner)

MINER PUBLISHING CO.

Certificate of Occupancy

City & Borough of Juneau, Alaska

This Certificate issued pursuant to the requirements of Section 306 of the Uniform Building Code, as amended, certifying that at the time of issuance this structure was in compliance with the various ordinances of the City & Borough of Juneau regulating building construction or use. For the following:

Use Classification: **C-3 Commercial** Bldg. Permit No. **12057**

Occupancy Group A-2

Type Construction Frame Fire Zone 3 Use Zone SA-7

Owner of Building **Tlingit & Haida Community Council** Address **R.R. 3 Box 3056 Juneau, AK 99801**

Building Address 3235 Hospital Drive Locality Salmon Creek

Legal Description of Building Lot U.S.S. 1075, TR2

Marie Lest

Building Official

File No. 7-1-134-PN2-TR2-1075 Date: February 15, 1979

Post this Certificate and all identified attachments in a conspicuous place.

81-35W

CITY AND BOROUGH OF JUNEAU, ALASKA

PLATTING RESOLUTION NO. 794WHEREAS, Applicant(s)WESTOURS MOTORCOACHES, INC.

has applied to the City and Borough of Juneau Planning Commission in proper form for a waiver of platting requirements of the subdivision of the following described real property:

A FRACTION OF U.S. SURVEY 1075

AS SHOWN ON THE ATTACHED SKETCH PLAT

according to the attached plat, sketch or diagram.

WHEREAS, the Commission finds that the proposed conveyance: (a) is not being made for the purpose of or in connection with a present or projected subdivision development; (b) is an isolated transaction which does not fall within the general intent of Title 40, Chapter 15, Alaska Statutes; and (c) does not involve or require any dedication of a street, alley thoroughfare, park or other public area.

BE IT RESOLVED BY THE CITY AND BOROUGH PLANNING COMMISSION AS THE PLATTING AUTHORITY FOR THE CITY AND BOROUGH OF JUNEAU, ALASKA:

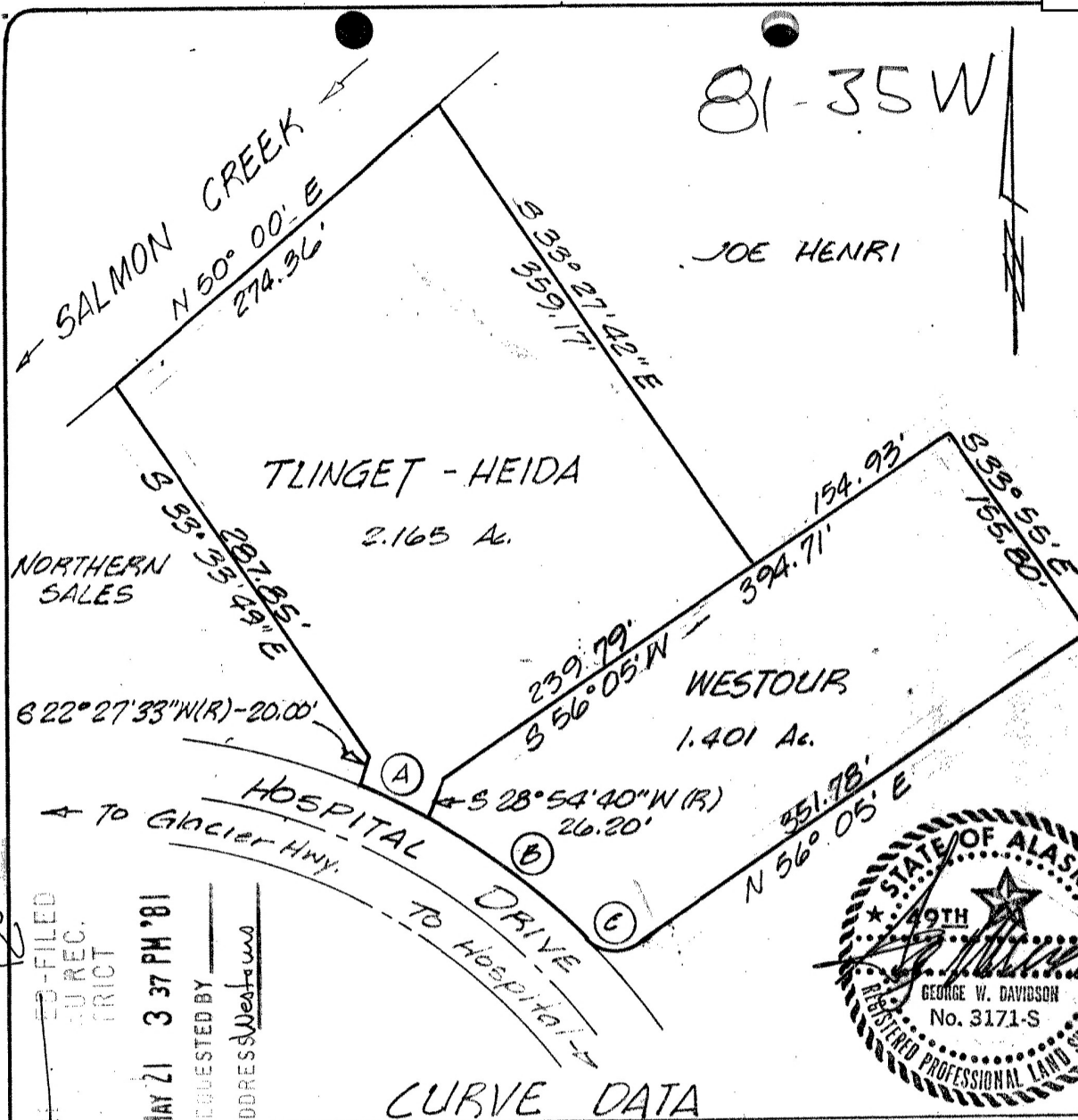
The said application for a statutory waiver of plat and recording requirements to a proposed conveyance of the above-described property is hereby granted.

Dated May 12, 1981CITY AND BOROUGH OF JUNEAU, ALASKA
PLANNING COMMISSIONBy: Kathleen H. Siebel
Chairman

Attest

Clerk

Attachment H - 1981 Plat Waiver 81-35W
Attachment B - NCC2023 0052



CURVE	A	B	C	D	Cord
A	6° 27' 07"	444.26'	50.03'	25.04'	N 64° 18' 34" W - 50.00'
B	16° 51' 19"	444.26'	130.69'	65.82'	N 52° 39' 41" W - 130.22'
C	79° 13' 05"	25.00'	34.57'	20.69'	N 83° 50' 33" W - 31.88'

DESIGNED BY
DRAWN BY T.M.K.
CHECKED BY
DATE: 6-15-81
FIELD BOOK

SCALE
HOR. 1"=100'
VERT.
JOB NO.



engineering consultants
luneau alaska

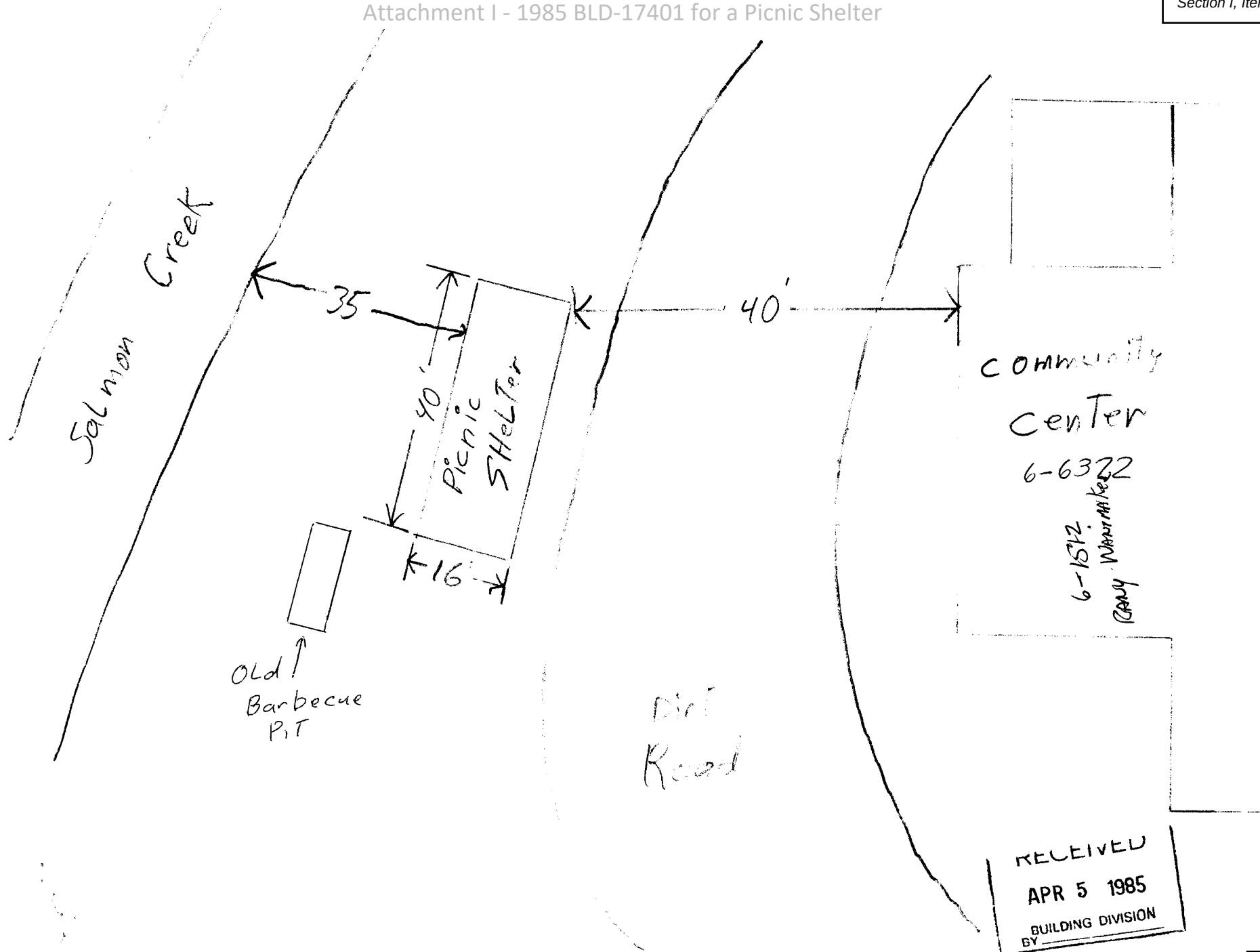
REVISED SKETCH PLAT
FOR
WESTOUR WAIVER
LOCATED AT SALMON CREEK
JUNEAU, ALASKA

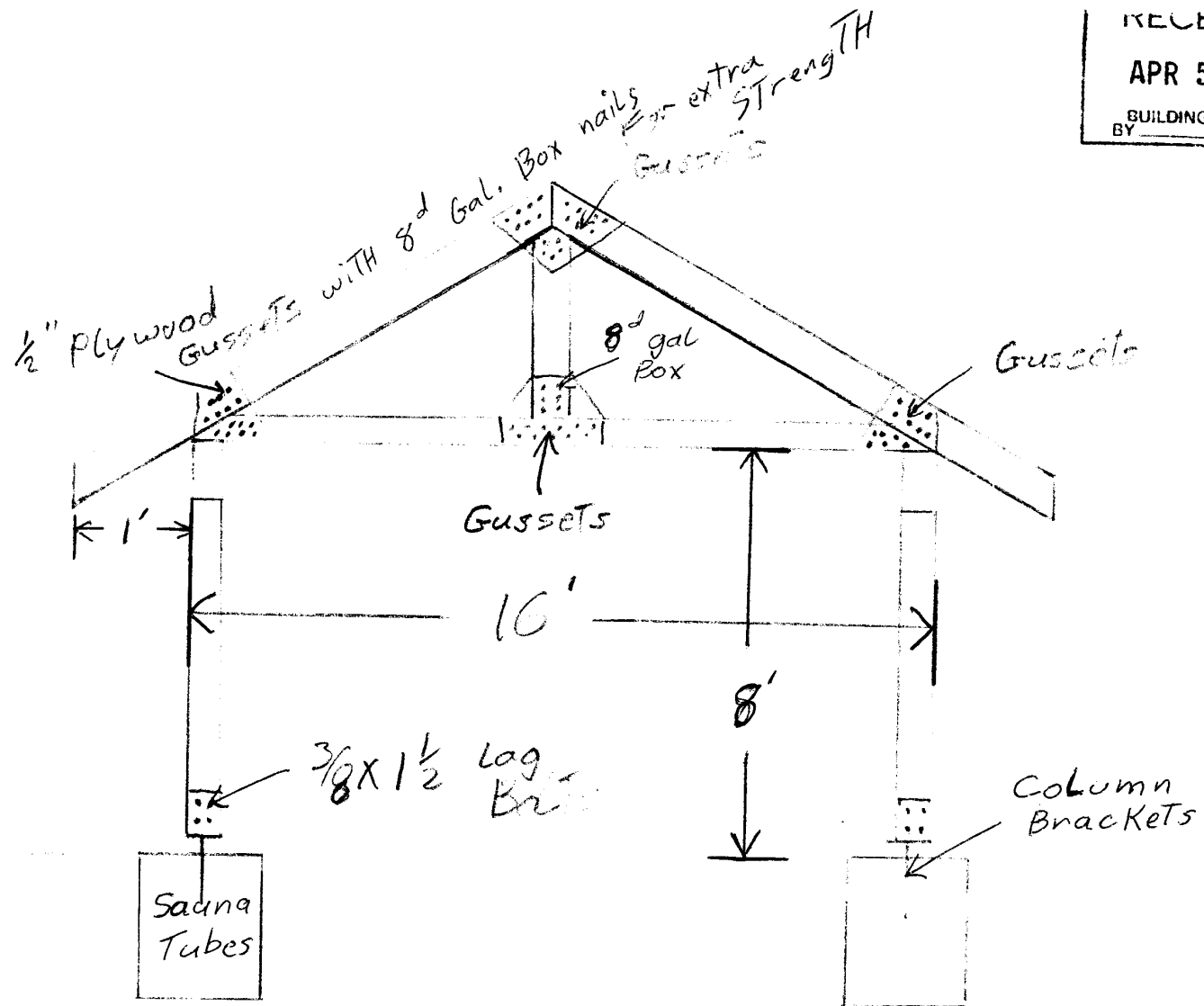
SHEET
NUMBER

1.
OF
1.

7B09D1D6101D8

Attachment B - NCC2023 0052

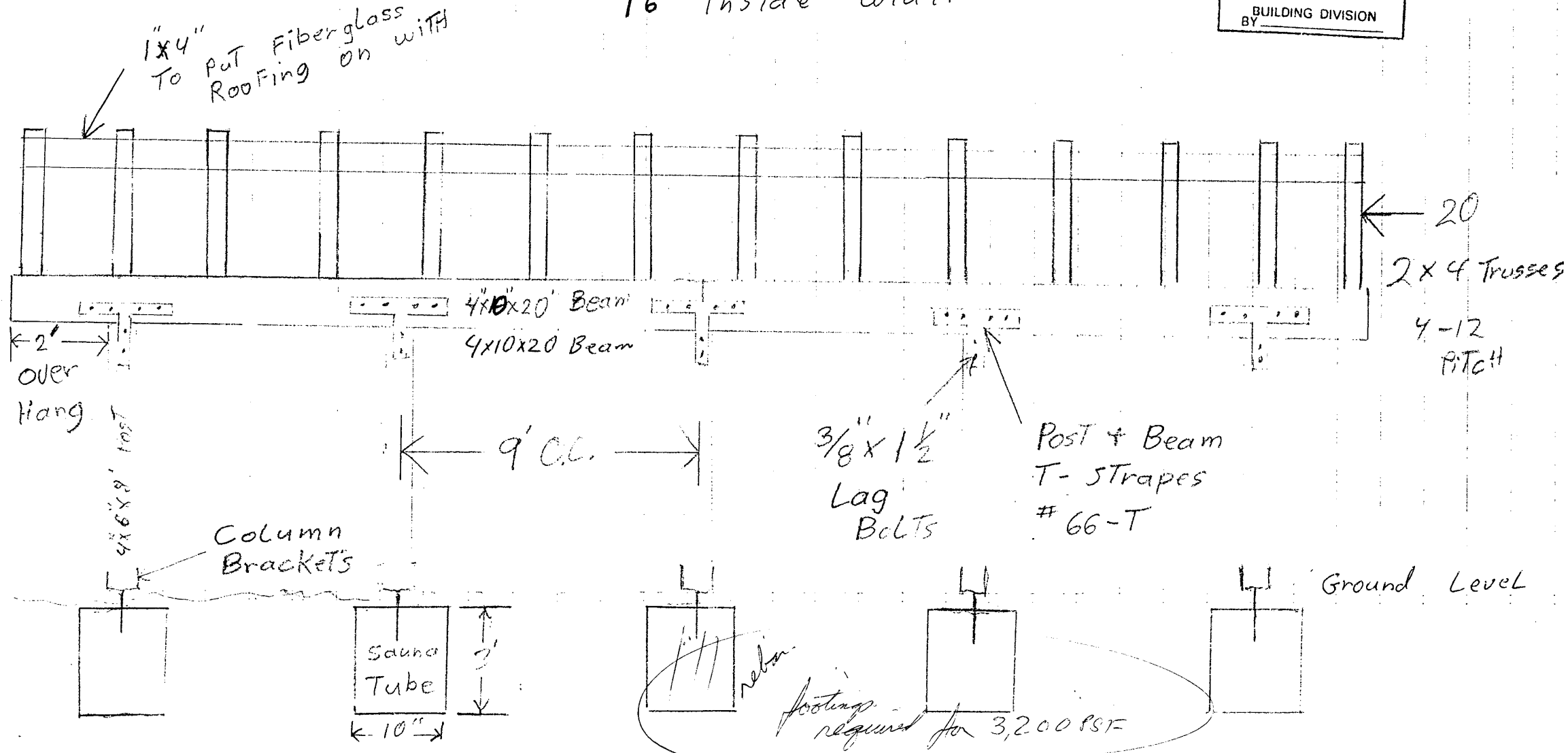




Attachment I - 1985 BLD-17401 for a Picnic Shelter

40' overall Length
18' overall width
16' inside width

RECEIVED
APR 5 1985
BUILDING DIVISION
BY _____



WASTEWATER DISPOSAL: The Alaska Department of Environmental Conservation has reviewed plans for this subdivision's wastewater disposal, and approves this subdivision for platting.

Steven J. Naavig **EMI** 6/10/91
Signature and Title of Approving Official Date

LOT 1
Salmon Creek Medical Sub.
46,476.82 SQ. FT.

LOT 2
47,820.10 SQ. FT.

TRACT 1
(BK. 233, PG. 921)

HOSPITAL DRIVE

LEGEND

- Typical Secondary Monument, Set This Survey.
- Corner Not Set.
- ⊙ 1/2" Dia. Iron Pipe, Recovered This Survey.
- ⊕ 3" Alum. Monument, Recovered This Survey.

NOTES:

- The Basis of Bearing is computed from the Existing Pipe to R & M Monument from Plat No. 82-18 and Was Computed to be N 33°58'30" W.
- Monument to the South of Project for Hospital Drive Was Not Found.
- Development shall be Set Back From Ordinary High Water of Salmon Creek in Accordance With Applicable Code.

CERTIFICATION OF REGISTERED LAND SURVEYOR

"I hereby certify that I am a Professional Land Surveyor, registered in the State of Alaska, and that this plat represents the survey made by me or under my direct supervision, that the accuracy of the survey is within the limits required by Title 4, Community Development Regulations and Title 49 of the Code of the City and Borough of Juneau, that all dimensional and relative bearings are correct and that monuments are set in place and noted upon this plat as presented."

DATE 5-28-91

DETAIL
N.T.S.

CURVE DATA

R = 444.26'	L = 2010'	T = 10.05'	Δ = 2°35'32"	C = 2010'	S 66°24'04"E
R = 444.26'	L = 30.00'	T = 15.06'	Δ = 3°52'09"	C = 29.99'	S 63°09'28"E

STATEMENT OF OWNERSHIP

I (WE) HEREBY CERTIFY that I am (we are) the owners of the property shown and described hereon and that I (we) hereby adopt this plat of subdivision with my (our) free consent, and dedicate all streets, alleys, walks, parks, and other open spaces to public or private use as noted:

DATE 3-21-1991
OWNER *Andrew Seward* WITNESS *[Signature]*

CORPORATE NOTARY'S ACKNOWLEDGEMENTS

UNITED STATES OF AMERICA)
STATE OF ALASKA) ss.

THIS IS TO CERTIFY that on the 21 day of March, 1991, before the undersigned a Notary Public in and for the State of Alaska, duly commissioned and sworn, appeared *Andrew Seward* and *[Signature]*, to me known and known to me to be the persons they represent and themselves to be and the *President* and *[Signature]* respectively of the *Juneau Tlingit & Haida Community Council* who acknowledged to me that they executed the foregoing instrument as the free act and deed of the said Corporation for the purposes therein mentioned, being fully authorized to do so.

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

Twissell Ann Dundas
Notary Public for Alaska
My commission expires: 5/6/91

CERTIFICATE OF APPROVAL

I hereby certify that the plat shown hereon has been found to comply with Title 4 Community Development Regulations and Title 49 of the Code of the City and Borough of Juneau and is approved by the City and Borough of Juneau Department of Community Development for recording in the office of the Juneau Recording District, Juneau, Alaska.

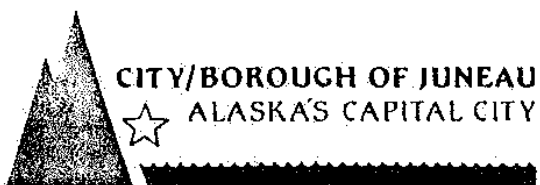
Dated June 4, 1991
Murray R. Wald
Director
City and Borough of Juneau
Department of Community Development

Attest:
[Signature]
Clerk (Assistant)
City and Borough of Juneau

J.W. BEAN
PROFESSIONAL SURVEYOR
4528 SAWA CIRCL E
JUNEAU, ALASKA
907-789-0590
SURVEYOR - PLANNER

A PLAT OF:
TLINGIT/HAIDA Subdivision
a Re-subdivision of a portion of
Tract 2, a Fraction of U. S. Survey 1075
Within The City and Borough of Juneau, Alaska, Juneau Recording District

RECORDED - FILED
Juneau
JUN 11 1991
JCB
155 S. Seward
Juneau AK 99801



**PLANNING COMMISSION
NOTICE OF DECISION**
February 21, 1991

File No. VR-01-91

Tlingit and Haida Community Council
3235 Hospital Drive
Juneau, Alaska 99801

Attn: Mr. Andy Ebona

Application for: Zoning Variance
Legal Description: Tract 2, U.S. Survey 1075
Parcel Number: 7-B09-0-104-010-0
Date Submitted: January 24, 1991
Hearing Date: February 12, 1991

The Planning Commission at its February 12, 1991, regular public meeting, approved the requested variance to allow subdivision of the subject property with a lot having less than the minimum width of 30 feet. The approval is subject to the following condition:

Access to the proposed lots shall be by common/shared driveway, identified on the plat. Such common access shall be defined and constructed in compliance with applicable CBJ Engineering standards.

In connection with the proposed replat, the owner/applicant shall submit a revised parking plan, in accordance with applicable standards, to show not less than 80 parking spaces for proposed Tract 2A. Parking shall be located on the parcel which said parking is intended to serve, or shall be within allowable distance, and the availability shall be guaranteed with long-term agreement, acceptable to the City and Borough of Juneau Law Department, for a period commensurate with the life of the building, but not less than 30 years.

Effective Date: March 15, 1991

155 South Seward Street, Juneau, Alaska 99801

Attachment K - 1991 VAR1991-0001 for Lot Width

Attachment B - NCC2023 0052

Tlingit and Haida Community Council
File No. VR-01-91
Page No. 2

Expiration Date: August 12, 1992, unless a plat is issued in accordance with the plans for which the variance is authorized.

Project Planner:

Tom Korosei
Tom Korosei
Planner I

RECEIVED BY CITY CLERK

Patty An Polley
2-22-91

cc: Eric Davenport
Debra J. Purves
Terry Brenner
Stephen J. Pearson
John W. Bean

Mr. Williams spoke against the motion. The Duck Creek realignment is the only thing that should be considered at this time. Other adjustments to the plan can be considered after further study.

AMENDMENT - by Williams to address the realignment of Duck Creek.

In response to Mr. Lawson, Mr. Bowers stated there is no justification for doing other improvements without approving the Duck Creek relocation.

Mr. Lawson stated the Duck Creek realignment would be linked with the access road and other future sites. The only item left would be the T-hangers on the east side. He spoke in favor of considering all three items together.

Mr. Williams requested withdrawal of his amendment. There was no objection.

MOTION - by Sheinberg to continue this action to a Committee of the Whole meeting.

Roll Call:

Ayes: Sheinberg, Anderson, Bolton, Eaddy, Halterman

Nays: Lawson, Williams, Dybdahl, Kibby

The motion to continue passed, 5-4.

R E C E S S

9:37 - 9:44 p.m.

VI. BOARD OF ADJUSTMENT

VR-01-91

1. Request for a variance to reduce the required lot frontage on a public road from thirty (30) feet to approximately twenty (20) feet to allow subdivision of a tract of land for commercial development.

Applicant: Tlingit and Haida Community Council

Staff Report: Mr. Korosei reviewed the staff report included in the packet. Staff recommends denial of the

requested variance. The applicant's situation fails to meet all the variance approval criteria as set out in CBJ 49.20.250. The specific condition not met is:

"That compliance with the existing standards would unreasonably prevent the owner from using the property for a permissible principal use and would be unnecessarily burdensome because it would impose peculiar and practical difficulties to, or exceptional and undue hardship upon the developer of such property."

In any event, approval of the variance or subdivision must include a requirement that adequate parking be assured, by submittal of a parking plan and/or long-term parking agreement acceptable to the CBJ Law Department guaranteeing the required parking.

In response to Mr. Williams, Mr. Korosei stated the applicant could work with adjoining property owners to acquire the additional ten feet necessary to make this property into two lots and meet the minimum 30-foot width required.

In response to Ms. Anderson, Mr. Korosei stated it is a requirement in a panhandle subdivision to combine access. Mr. Korosei stated in the Subdivision Review Committee, initially the applicant requested dividing the lot with no direct frontage onto a public right-of-way, with access to the back lot by easement. That was rejected in favor of direct access to the back lot by way of a panhandle.

In response to Mr. Williams, Mr. Korosei stated in a panhandle lot it is preferred not to have two driveways. Mr. Korosei stated there is only 50 feet of frontage available in this case and the code requires a minimum of 30 feet frontage on a public right-of-way. Therefore, only one of the lots can meet the standard.

In response to Mr. Dybdahl, Mr. Korosei stated other properties behind these parcels have other access.

Mr. Korosei clarified for Ms. Sheinberg that the panhandle provision requires access for two lots to be combined.

Public Participation:

Steve Pearson, representing Tlingit and Haida Council, stated no easement will actually be conveyed, but it will

be subject to agreement for common use of a single access onto Hospital Drive. Acquiring the ten feet required for an additional driveway does not appear to be a workable alternative, and the applicant desires to proceed with the variance.

In response to Ms. Anderson, Mr. Pearson stated the common driveway will be on the south end of the property. A row of parking would be eliminated, but by angling parking and reducing the aisle width, there would be no problem retaining 80 spaces.

Commission Action:

In response to Ms. Sheinberg, Mr. Korosei stated a variance is needed because Lot 2A has less than 30 feet of street frontage.

MOTION - by Williams to approve VR-01-91.

Mr. Dybdahl stated his desire to abstain from voting due to his membership on the Tlingit and Haida Community Council.

In response to Ms. Sheinberg, Mr. Pearson stated the intent is to use the 30-foot access to Hospital Drive for both lots.

Responding to Ms. Anderson, Mr. Pearson stated there will be a perpetual common driveway easement with nothing in particular to preclude usage of the 20-foot space.

In response to Chairman Halterman, Mr. Korosei stated, in actuality, tract 2A and 2B do not exist in staff's records; only one tract is recorded, which is the combined area identified as 2A and 2B totalling 94,000 square feet.

Mr. Lawson proposed a friendly amendment to the motion that the variance include a common driveway easement making one access between the two tracts.

Mr. Williams stated a variance might be required for a second driveway anyway. Mr. Korosei stated there is a 6-foot separation requirement from the corner line. Chairman Halterman clarified if the subdivision is

approved and there is a proposal to put a driveway in the 20-foot section, the minimum width for driveways would conflict with the separation requirements between driveways coming onto a public right-of-way.

In response to Ms. Sheinberg, Mr. Korosei stated combined access is required under the panhandle provision of the code, if the subdivision is approved as is.

Mr. Williams accepted the friendly amendment. Mr. Lawson restated the friendly amendment, which would establish an easement between the two tracts requiring that there be only one common access point for both lots to the right-of-way.

Roll Call:

Ayes: Lawson, Sheinberg, Williams, Anderson, Bolton, Eaddy, Kibby

Nays: Halterman

Abstained: Dybdahl

The motion passed, 7-1.

VII. PLANNING DIRECTOR'S REPORT

Mr. Ira Winograd presented the Commission with the operating plan for the A-J Kensington mines. Chairman Halterman stated that an electrical analysis showing effects of supply and demand on the community from development of the A-J Mine was to be included in the socioeconomic input assessment. Mr. Walsh had previously concurred that the contract would be amended to reflect that analysis. Chairman Halterman stated his desire to have that analysis completed.

Mr. Winograd stated the Kensington application has been submitted. Applicant briefings are scheduled for February 19 and March 5. It was proposed in a February 8 memo from Gary Gillette to cover the same topics used in the A-J presentations. A Committee of the Whole meeting should be scheduled to discuss the airport master plan and could include a proposal for a heliport to serve the Kensington.

Regarding the airport master plan, Chairman Halterman stated the airport manager should undertake whatever

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

DATE: February 8, 1991
TO: Planning Commission
FROM: Tom Korosei, ^{DK}Planner I
Community Development
SUBJECT: Variance Application
FILE NO.: VR-01-91

GENERAL INFORMATION

Applicant: Tlingit and Haida Community Council
Property Owner: Tlingit and Haida Community Council
Requested Action: Approval of Variance
Purpose: To reduce the required lot frontage on a public road from thirty (30) feet to approximately twenty (20) feet to allow subdivision of a tract of land for commercial development.
Legal Description: Fr. U.S. Survey 1075
Parcel Code Number: 7-B09-0-104-010-0
Location: 3235 Hospital Drive
Site Size: Approx. 94,200 sq. ft.
Access: Hospital Drive
Existing Land Use: Community Center
Surrounding Land Use: Commercial/Office
Zoning Designation: General Commercial (GC)

**CITY/BOROUGH OF JUNEAU**
★ **ALASKA'S CAPITAL CITY**

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PROPOSAL

The applicant is requesting a variance to allow subdivision of a tract of land into two approximately equal lots, at least one with less than the required thirty-foot frontage required by CBJ 49.15.460 (Subdivision Design).

BACKGROUND

The minimum standard of thirty feet for lot frontage appears intended to facilitate reasonable access to, and spacing between access ways to, adjoining properties. The twenty-foot minimum standard lot width that applies in certain zoning districts, for example, general commercial districts, allows lots to be grouped together for economical development without the necessity of frequent replatting. This minimum width would not be reasonable for development of a single lot.

A letter from the applicant's attorney presents additional discussion on the request, and is attached for reference.

ANALYSIS

The property as developed represents a reasonable permissible use. Therefore under applicable criteria a variance is not necessary to allow a reasonable degree of development.

Moreover, if the variance is granted to allow the subdivision, it is unclear that the impact on the developed portion of the property, in terms of providing required parking, will be acceptable.

STAFF RECOMMENDATION

Staff recommends denial of the variance application. The applicant's situation fails to meet all of the variance approval criteria as set out in CBJ 49.20.250. A specific condition not met is:

That compliance with the existing standards would unreasonably prevent the owner from using the property for a permissible principal use and would be unnecessarily burdensome because it would impose peculiar and practical difficulties to, or exceptional and undue hardship upon the developer of such property."

Planning Commission
VR-01-91
Page 3

In any event, approval of the variance or subdivision must include a requirement that adequate parking be assured, as by submittal of a parking plan and/or long-term parking agreement acceptable to the CBJ Law Department guaranteeing the required parking.

LAW OFFICES OF

STEPHEN J. PEARSON
A PROFESSIONAL CORPORATION

STEPHEN J. PEARSON

318 FOURTH STREET
JUNEAU, ALASKA 99801
TELEPHONE (907) 586-2601

GENERAL PRACTICE

FAX (907) 586-3762

January 24, 1991

Planning Commission
City and Borough of Juneau
155 S. Seward St.
Juneau, Alaska 99801

Re: Variance Request, Tracts 2A/2B, U.S. Survey 1075.

Dear Members of the Planning Commission:

Attached to this letter is an Application for Variance of the requirements of CBJ 49.15.460(5)(A). The application relates to the subdivision of Lot 2, U.S.S. 1075, near the Hospital. The subdivision was approved by the Subdivision Review Committee on October 31, 1990. Because of the Common Driveway requirements of CBJ 49.15.420(h)(1)(C), the width of Lot 2A immediately adjacent to Hospital Drive would be reduced to 20 feet. Lot 2A would be served by the 30-foot common driveway on Lot 2B. Although the 20-foot dimensional width of Lot 2A adjacent to Hospital Drive meets the criteria of Table 49.25.400, CBJ 49.15.460(5)(A) states that all lots have at least thirty feet of frontage on a dedicated right-of-way. Without knowing, the intent of CBJ 49.15.460(5)(A) may be to assure that all lots have at least 30 feet of driveway access, a condition met in this instance through enforcement of the panhandle lot requirements. In any event, however, a variance may be needed from the literal requirements of CBJ 49.15.460(5)(A).

Background information follows.

1. Background.

Central Council of Tlingit and Haida Indian Tribes of Alaska, the purchaser of Tract 2B, U.S.S. 1075, is a federally recognized Tribal governing body for Tlingit and Haida Indians throughout Southeast Alaska. Central Council currently has approximately 15,000 enrolled members.

The Juneau Tlingit & Haida Community Council, current owner of the entirety of Tract 2, is a political subdivision of the Tribe. Both the Tribe on an areawide basis, and the Community Council, on a local basis, conduct programs designed to benefit Alaska Natives within their respective jurisdictions. Central Council has annual conventions, with officers and the Executive Committee elected biannually. Each Community Council has elections of delegates. The delegates attend and vote at the annual conventions of Central Council.

In approximately 1978, the Juneau Community Council secured funding through the EDA to acquire the land and construct a community center. The community center, located within Tract 2A, provides facilities for meetings by various Native and other organizations, recreation, fund

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raising by various organizations, and other activities. The community center is heavily used and is a source of some pride on the part of the Native community.

Despite opposition, the City determined that the property as developed was subject to real property taxation. The Community Council is a non-profit governing body for local Indians. It was unable to cover both operating costs of the facility and taxes. Taxes accordingly accrued to approximately \$ 30,000.00.

The facilities were being foreclosed by the City in August, 1990. To preserve use and ownership of the facility by the Native community, Central Council agreed to purchase approximately one acre of the grounds from the Community Council for a potential Day Care/Family Center. Due to timing exigencies, Central Council needed to promptly pay \$ 35,000 to the City to stop the foreclosure action. The Council worked closely with the City Treasury Department in that regard. The timing constraints did not allow all aspects of the transaction to be worked out in advance, such as division of the lots. The current application seeks to accomplish that end.

The actual background of the property is a bit unclear. It appears that Joe Henry in 1978 initially conveyed what is designated as Tract 2A on the enclosed plat to the Community Council. Apparently, at or about the same time Mr. Henry secured some form of approval to detach Tract 2B from the adjacent land, apparently with the intent of conveying that parcel as well. A subsequent deed conveyed both tracts to the Community Council. The City records which I have reviewed seem to suggest that the Tracts were combined, but is a bit hazy in that regard.

On October 23, 1990, Central Council submitted an application for Short Plat Subdivision. Two alterations to the submitted proposed plat were noted:

1. The boundary line between Tract 2A and 2B would be moved to the northeast by approximately 6 to 12 inches to allow for at least a 10 foot setback from the property line of the current Community Council facility.
2. The area designated as a driveway easement would be replaced by an actual conveyance of title to Central Council to provide 30 feet of common driveway access for both lots to Hospital Drive, consistent with CBJ 49.15.420(h)(1)(C).

The Subdivision Review Committee heard the matter on October 31, 1990, and approved the plat with the changes noted.

Although the minor subdivision meets the requirements of CBJ 49.15.420(h) and although the extension of Lot 2A meets the minimum 20 foot lot width standards of Table 49.25.400, the Planning Department indicated that the 30 foot requirements of CBJ 49.15.460(5)(A) also apply.

Without knowing, that provision may be principally directed to assuring that workable access is maintained at all lots. From that standpoint, the policies would be met by the thirty foot common drive requirements of CBJ 49.15.420(h)(1)(C). However, under the circumstances, it may not be necessary to resolve a potential ambiguity in the ordinances. A variance under the circumstances may be appropriate and is requested.

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The standards are discussed below.

2. Variance Standards.

(a) Lesser Relaxation.

Under the circumstances, the proposed lot split and provision for a single 30-foot access would appear to meet the requirements of CBJ 49.15.420(h). The only question is whether the split must also require a second minimum 30-foot road frontage in addition to the 30-foot common driveway requirement mandated by CBJ 49.15.420(h)(1)(C), where both lots otherwise meet all required size, setback and width requirements. The question is an "all or none" issue. The parties currently have 50 feet of road frontage between the two lots. The required drive is 30 feet under CBJ 49.15.420(h)(1)(C). The remaining footage, although consistent with Table 49.15.400, is simply not enough to additionally meet the requirements of CBJ 49.15.460(5)(A).

For the foregoing reason, a lesser relaxation would not be available which would give relief.

(b) Consistency with Intent of Title and Public Safety and Welfare.

The requirements of at least 30 feet of road frontage in CBJ 49.15.460(5)(A) appears to express a policy requirement that suitable access be available for all lots. That policy is met by the requirements of CBJ 49.15.420(h)(1)(C), which mandate a 30-foot common driveway. Additionally, however, CBJ 49.15.420(h)(1)(C) expresses an intent that in panhandle situations, the number of accesses onto the public street be limited to a single driveway. The provision reflects obvious concerns for the sheer number of driveway exits onto publicly travelled streets and thus goes beyond the provisions of CBJ 49.15.460(5)(A).

Under the circumstances, the plat as proposed meets the more restrictive requirements of CBJ 49.15.420(h)(1)(C) and assures that the number of accesses onto Hospital Drive will not unduly multiply as a result of the lot split. Fulfillment of that purpose fulfills both the underlying intent of CBJ 49.15.460(5)(A) and the further strictures of CBJ 49.15.460(5)(A). In essence, there would be no detriment to considerations of public safety and welfare by allowing the 20-foot width for Lot 2A on Hospital Drive, since that area as a potential driveway access is superseded in function by the mandatory 30-foot driveway provided pursuant to CBJ 49.15.420(h)(1)(C).

For the foregoing reasons, the apparent intent of both CBJ 49.15.420(h)(1)(C) and CBJ 49.15.460(5)(A) are met through the application of the more restrictive provisions of CBJ 49.15.420(h)(1)(C). The variance would not be inconsistent with considerations of public safety and welfare.

(c) Injury to Adjacent Property.

The grant of the variance will have no known adverse impacts to adjacent properties. If the variance were not granted, more of an impact could be felt, since efforts would be needed to purchase an additional 10 foot strip of land from the adjacent property owners.

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(e) Authorized Uses.

The variance would not authorize a use not allowed in the district involved.

(e) Prohibition of Permissible Use: Unnecessarily Burdensome.

As noted in the application, the purchaser desires to utilize the approximate one acre site for a family/day care center. Such a use is consistent with its functions as a governmental body operating for the common good. Such uses are allowable uses in the zoning district and should materially enhance the public good in light of current shortages in day care and related facilities. If the variance were not granted, development (and the purchase) might well be frustrated. Central Council might not be able to negotiate purchase of additional lands from adjacent neighbors.

As noted above, the apparent intent of access mandated by the ordinances have been met by compliance with CBJ 49.15.420(h)(1)(C). A further requirement of an additional 30 feet frontage for Lot 2A under CBJ 49.15.460(5)(A) would appear under the peculiar circumstances of this case to be unwarranted, where access criteria are already being met, and where Lot 2A otherwise meets the dimensional standards of the ordinance.

The only alternative for Central Council would be to attempt to purchase and effect further plat submittals in regard to shifting of boundary lines with neighboring lots. Some potential problems would be faced in connection with such efforts.

First, Central Council might not be successful in securing additional areas, since the acquisitions would need to be consensual. Tract 1, as noted below, already has limited areas for parking, loading and vehicular flows. The owners might be reluctant to sell any portion of their lands not covered by the existing building, particularly in the area involved, since the building's loading dock is at that end.

At this time, Tract 1 has a total lot area of 20,371 square feet. The gross building area is 11,880 square feet. A rough computation indicates that only approximately 8,491 square feet remains for parking, vehicular flows, loading docks and turnarounds. If further land were sold, insufficient space might remain for efficient parking, access, traffic flows, and maneuvering room for semi-trailers. Beyond negotiations which might or might not be successful with the owners of that lot, some additional complications would occur in regard to replatting of yet an additional lot and appurtenant reviews. Some additional bends in lot lines might be required.

Another alternative would be for the City to sell a portion of its adjacent lot on the other side of the current ingress/egress to the property. Such an acquisition would require a further bend in property lines, relocation of a fence, and potential other complexities. Of course, the City might also not desire to sell any of that land.

For the foregoing reasons, it is submitted that the variance requested would be justified under the somewhat peculiar facts and circumstances of this case where the apparent intent of CBJ 49.15.460(5)(A) is being substantially fulfilled through the requirements of CBJ 49.15.420(h)(1)(C) in any event.

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(f) Benefits/Burdens.

The applicant can think of no particular detriments to the neighborhood in the granting of the variance. No additional accesses onto the public ways will be occasioned. Both lots will be in excess of one acre in size. No further panhandling of the lots will be permitted by reason of the express terms of CBJ 49.15.420.

The benefits will include more efficient utilization of the lands, and the planned creation of a new facility which will probably be devoted to public needs in the community.

(g) Zoning Requirements.

The requested variance would not violate housing density, gross nonresidential floor area, or building or lot coverage standards.

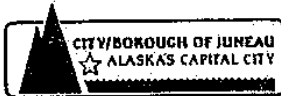
For the foregoing reason, Central Council requests that the variance be reviewed and granted.

Sincerely,



Stephen J. Pearson

cc. Client



APPLICATION FOR VARIANCE

 File No.: VR-01-91
 Fee: \$100.00

 City and Borough of Juneau
 Department of Community Development

1. List the dimensional standards of the municipal code (CBJ Title 49) from which you seek to secure a variance (setback, height, bulk, etc):
CBJ 49.15.460(5)(A): Minimum 30 feet road frontage.
2. Describe the activity for which you seek a variance:
Minor subdivision per CBJ 49.15.420(h). Single 30' common driveway access being provided pursuant to CBJ 49.15.420(h)(1)(C).
3. Existing zoning: GC General Commercial
4. Use of existing building and premises:
Lot 2A (not being conveyed to applicant) Community Center/Gymnasium
5. Use of proposed building and premises:
Lot 2B Probable: Day Care/Family Center
6. Dimensions of Property: Lot 2A/Lot 2B
Width: 20'/360' Depth: 140'/124' Area (square feet): 44,000+/44,000+
7. Existing Utilities:
 WATER: On Site Public x SEWER: On Site Public x
 Public water and sewer will be extended to Lot 2B upon development
8. Size of Proposed Building: uncertain at this time
Width: Depth: Area (square feet):
9. Required Setback: Proposed Setback:
 Front: 25' Front: No change
 Side: 10' Side: No change
 Rear: 10' Rear: No change
10. Indicate if there has been any previous variance involving these premises and provide date of filing, character of variance and disposition of the request: None known.
11. State what unique circumstance is peculiar to the land or building involved that distinguishes it from other properties in the area:
See attached letter
12. State how the difficulty would apply to the particular land or building regardless of owner:
See attached letter.
13. Indicate what hardship would result if the ordinance requirements were compiled with: See attached letter.

 REQUIRED PLAN SUBMITTALS

All applications for a Variance shall be accompanied by a \$100.00 application fee and the following plans and submittals:

- A. City and Borough of Juneau General Application Form for Development Proposals (Form #1026P).
- B. SITE PLAN. One copy of a plan drawn (suitable for reproduction) to scale showing the site location, dimensions, and location of existing and proposed buildings. If the variance sought is for a setback, an AS-BUILT SURVEY shall also be submitted. If the variance sought is for topographical reasons the topography shall be shown on the plan.

 Submitted already in connection with 10/23/90 Short Plat application approved 10/31/90
 C. A copy of the covenants, easements, and/or deed restrictions affecting the site.

PLEASE NOTE: INCOMPLETE APPLICATIONS WILL NOT BE PLACED ON THE PLANNING COMMISSION AGENDA AND WILL BE RETURNED TO THE APPLICANT FOR COMPLETION.

GROUND'S FOR VARIANCE

Evaluate the variance request against the following criteria and verify (CBJ 49.20.250):

- (1) Whether a lesser relaxation than that applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners;
- (2) That relief can be granted in such a fashion that the intent of this title will be observed and the public safety and welfare preserved;
- (3) That the authorization of the variance will not injure nearby property;
- (4) That the variance does not authorize uses not allowed in the district involved;
- (5) That compliance with the existing standards would unreasonably prevent the owner from using the property for a permissible principal use and would be unnecessarily burdensome because it would impose peculiar and practical difficulties to, or exceptional and undue hardship upon the developer of such property;
- (6) That a grant of the variance would result in more benefits than detriments to the neighborhood; and
- (7) That the variance would not violate housing density, gross nonresidential floor area, or building and lot coverage standards. (Serial No. 87-49 § 2 (part), 1987).

STAFF RECOMMENDATION

DENIAL The staff finds one or more of the above conditions is not met as applied to the requested variance.

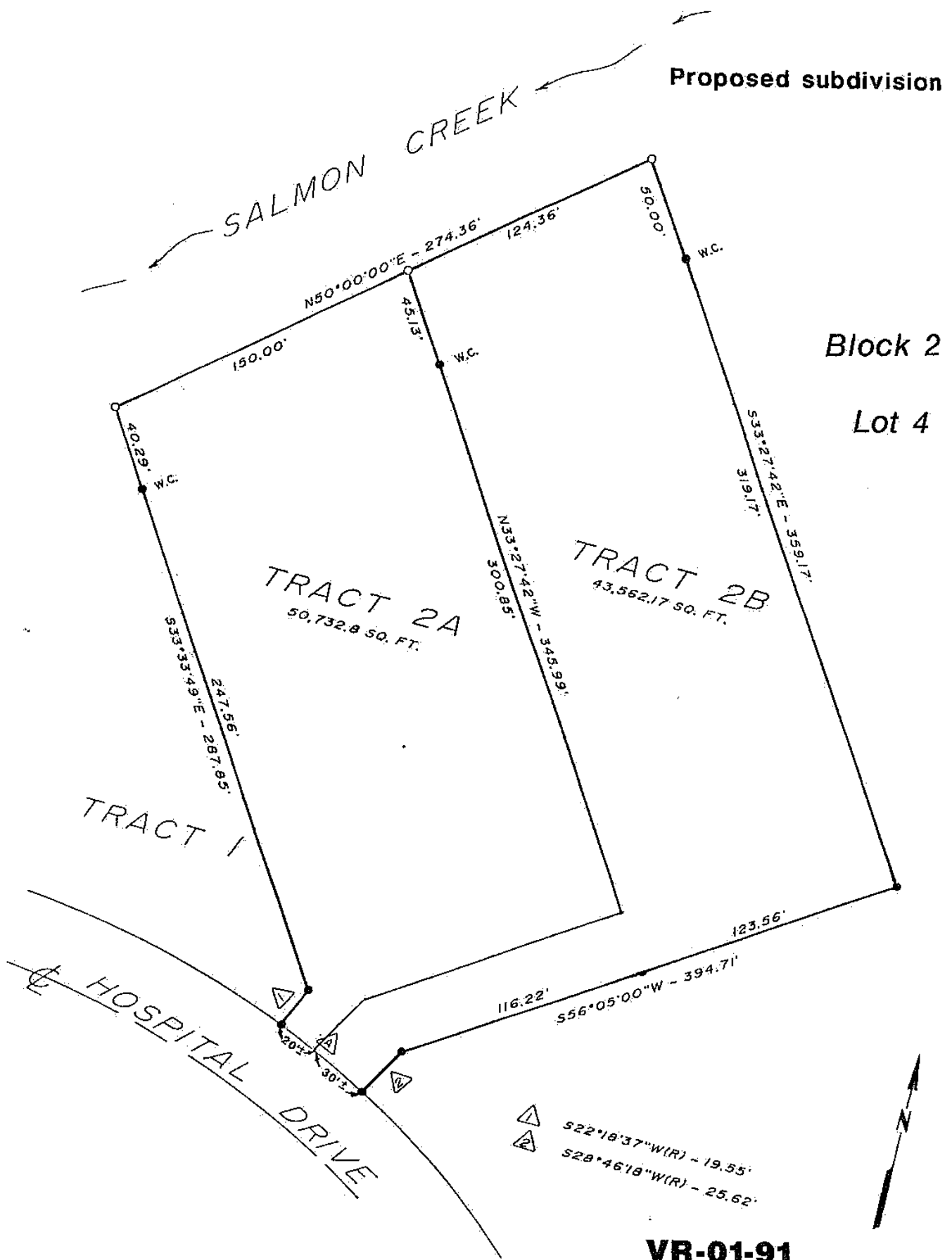
APPROVAL

COMMENTS

1/24/91
Date

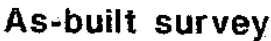

Signature

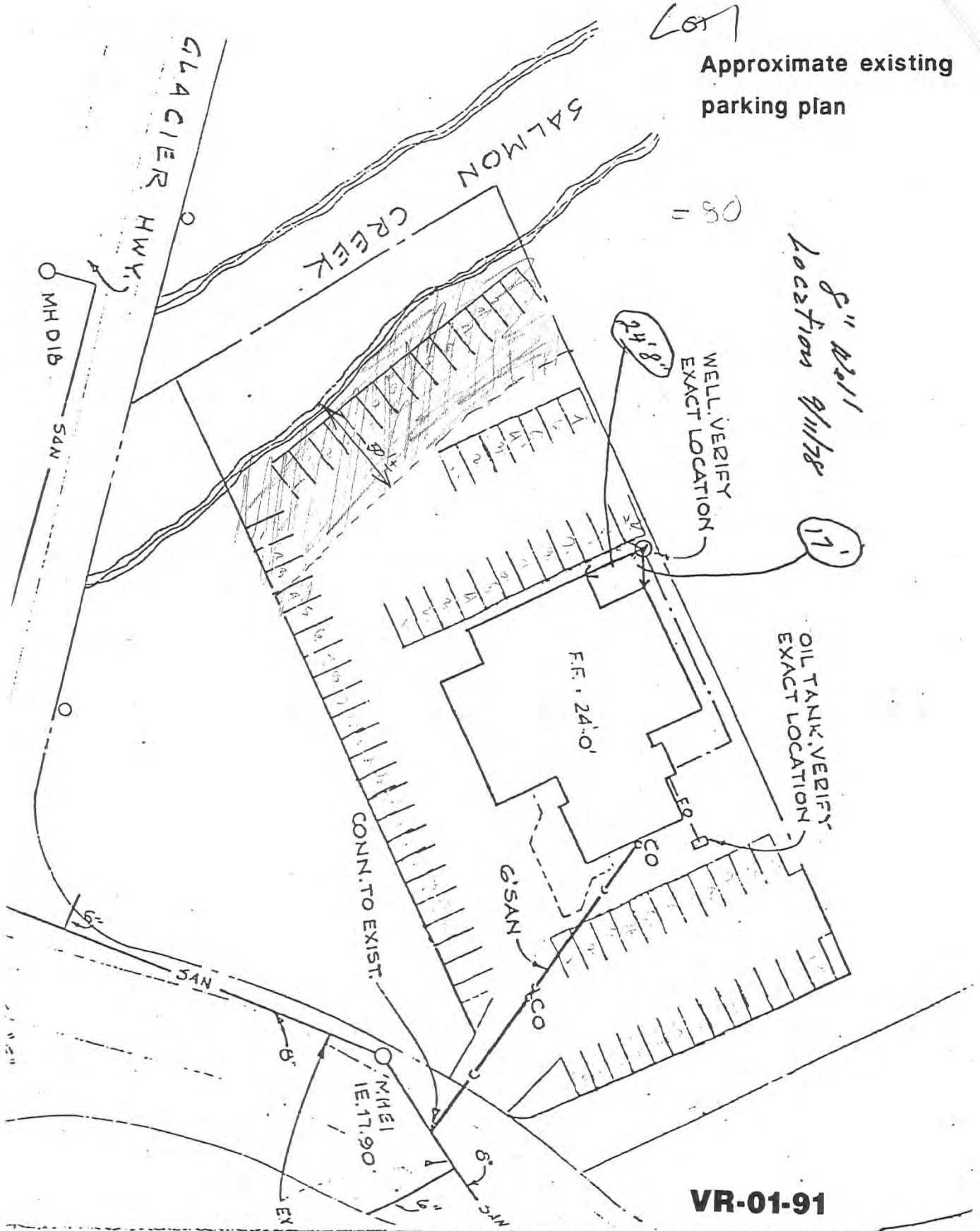
Form #1028P



Attachment K - 1991 VAR1991-0001 for Lot Width

Attachment B - NCC2023 0052

**VR-01-91**



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COMMON DRIVEWAY EASEMENT AND AGREEMENT

THIS AGREEMENT made and entered into effective the 4th day of June, 1991, by and between CENTRAL COUNCIL, TLINGIT AND HAIDA INDIAN TRIBES OF ALASKA, a tribal governing body recognized by the United States of Alaska, whose address is 320 W. Willoughby Avenue, Suite 300, Juneau, Alaska 99801 (hereinafter Grantor) and JUNEAU TLINGIT & HAIDA COMMUNITY COUNCIL, whose address is 3225 Hospital Drive, Juneau, Alaska 99801 (hereinafter Grantee),

WITNESSETH

1. COMMON DRIVEWAY AGREEMENT.

(a) Grantor is the owner of Lot 2, Tlingit/Haida Subdivision, a Re-subdivision of a portion of Tract 2, a Fraction of U.S. Survey 1075, Juneau Recording District, First Judicial District, State of Alaska (hereinafter Lot 2). Grantee is the owner of Lot 1, Tlingit/Haida Subdivision, a Re-subdivision of a portion of Tract 2, a Fraction of U.S. Survey 1075, Juneau Recording District, First Judicial District, State of Alaska (hereinafter Lot 1).

(b) Subject to the terms of this Agreement, Grantor and Grantee enter into a common driveway agreement for the uses and purposes hereinafter specified. The common driveway is more particularly described as follows:

A 30 foot wide common driveway centered on the boundary line between Lots 1 and 2, Tlingit/Haida Subdivision, a Re-subdivision of a portion of Tract 2, a Fraction of U.S. Survey 1075, Juneau Recording District, First Judicial District, State of Alaska, commencing at the Hospital Drive right-of-way, and continuing for a distance of 30.00 feet.

(c) Grantee and Grantor, their successors and assigns are hereby given the non-exclusive right and easement to use the common driveway for the benefit of said Lots 1 and 2; provided, however, that use of the common driveway shall not automatically extend to all owners of Lots 1 and 2 or portions thereof should Lot 1 or Lot 2 ever be split into two or more lots. In such an event, the affected parties shall meet to determine whether and under what terms and conditions use of the common driveway shall be permitted to multiple owners within the further subdivided lot.

2. USE OF COMMON DRIVEWAY.

(a) The parties, for themselves, their licensees and invitees shall have the right to use the common driveway for purposes of ingress and egress.

(b) The parties shall not park vehicles on or otherwise block the common driveway.

(c) Grantor shall have the right to make all use of the grounds within the common driveway area as may be consistent with its ongoing use as a common driveway. Without limitation, Grantor may install utility lines (water, sewer, gas, electrical, telephone, cable, etc.) below the surface of the driveway, and may undertake such operations within the driveway area as

COMMON DRIVEWAY AGREEMENT

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may be reasonably necessary from time to time for the installation and maintenance of such utilities.

(d) Neither party shall use or permit use of the common driveway in such a manner as to cause deterioration in excess of normal wear and tear.

3. EXPENSES OF REPAIR, MAINTENANCE, IMPROVEMENT.

(a) Unless the need for repair is occasioned by the negligence or misuse of the common driveway by one of the parties, the parties shall share 50-50 all expenses of ordinary maintenance and repair of the common driveway, including, without limitation, grading, plowing, and rocking. Grantor shall have the right to proceed with any such repairs without approval from Grantee and to submit bills in respect thereto to Grantee for payment of Grantee's share. Any bills presented to Grantee shall be paid within thirty (30) days from the date of presentation. Any bills not timely paid shall bear interest at the rate of one per cent (1%) per month, or the maximum legal rate of interest, whichever is lower. Legal proceedings may be commenced for collection of any unpaid contributions.

(b) If the need for repair or maintenance is occasioned by the negligence or misuse of the common driveway by one of the parties, their invitees or licensees, then that party shall be solely responsible for the cost of repair or maintenance.

(c) The parties upon agreement may provide for improvement and upgrading of the common driveway and for the sharing of expenses incidental thereto. Additionally, Grantor, if Grantor is willing to bear the full costs, shall be permitted to improve and upgrade the common driveway at any time without approval of Grantee.

4. SUCCESSORS AND ASSIGNS.

This Agreement shall be binding upon and shall enure to the benefit of the parties hereto, their successors and assigns.

5. INTEGRATION AND MODIFICATION.

This Agreement constitutes the final and binding agreement between the parties hereto, all prior agreements, representations and warranties, if any, being merged herein and superseded hereby. This Agreement may be modified only in writing executed by both parties hereto.

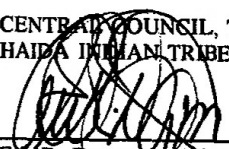
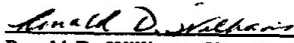
6. DURATION OF AGREEMENT.

This Agreement shall continue until terminated by mutual agreement of the owners of Lots 1 and 2. This Agreement will not be terminated if such termination would result in any violation of the zoning laws of the City and Borough of Juneau.

IN WITNESS WHEREOF, the parties hereunder set their hands on the dates mentioned below.

COMMON DRIVEWAY AGREEMENT

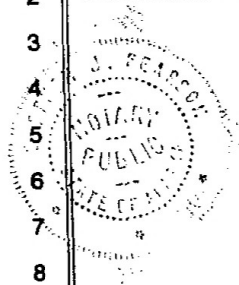
BOOK 0345 PAGE 647

1 DATED: June 4th, 1991CENTRAL COUNCIL, TLINGIT AND
HAIDA INDIAN TRIBES OF ALASKA
Eric R. Davenport, Director of Business
Administration6 DATED: June 4, 1991JUNEAU TLINGIT & HAIDA COMMUNITY
COUNCIL
Ronald D. Williams, Vice President10 STATE OF ALASKA)
11) ss
12 FIRST JUDICIAL DISTRICT)13 THIS IS TO CERTIFY that on this 4th day of June, 1991, before
14 me, a notary public in and for Alaska, personally appeared Eric R. Davenport, known to me and
15 known by me to be the Director of Business Administration of Central Council, Tlingit and Haida
16 Indians of Alaska, and he being first duly sworn stated under oath that he had read and knew the
17 contents of the foregoing document, that he signed the same as the free and voluntary act and deed
18 of said entity and was authorized so to do.19 IN WITNESS WHEREOF, I hereunto set my hand and seal on the day, month and year in
20 this certificate first above mentioned.
Notary Public in and for AlaskaMy Commission Expires: 6-1-9521 STATE OF ALASKA)
22) ss
23 FIRST JUDICIAL DISTRICT)24 THIS IS TO CERTIFY that on this 4th day of June, 1991, before
25 me, a notary public in and for Alaska, personally appeared Ronald D. Williams, known to me and
26 known by me to be the Vice President of Juneau Tlingit & Haida Community Center, and he being
27 first duly sworn stated under oath that he had read and knew the contents of the foregoing
28 document, that he signed the same as the free and voluntary act and deed of said entity and was
authorized so to do.

COMMON DRIVEWAY AGREEMENT 3

BOOK 0345 PAGE 648

1 IN WITNESS WHEREOF, I hereunto set my hand and seal on the day, month and year in
 2 this certificate first above mentioned.



3 Stephen Pearson
 4 Notary Public in and for Alaska

5 My Commission Expires: 6-1-95

6 Return to:
 7 Stephen Pearson
 8 318 1st Street
 9 Juneau, AK. 99801

10
 11
 12 91-3129

13 2400

14 RECORDED-FILED

15 JUNEAU REC.

16 DISTRICT CC

17 JUN 18 10 29 AM '91

18 REQUESTED BY TJA

19 ADDRESS _____

20
 21
 22
 23
 24
 25
 26
 27 COMMON DRIVEWAY AGREEMENT

28 4

Attachment L - 1991 Common Driveway Easement

PARKING AGREEMENT

THIS AGREEMENT made and entered into effective the 4th day of June, 1991, by and between **CENTRAL COUNCIL, TLINGIT AND HAIDA INDIAN TRIBES OF ALASKA** (hereinafter Central Council), a tribal governing body recognized by the United States of Alaska, whose address is 320 W. Willoughby Avenue, Suite 300, Juneau, Alaska 99801, **JUNEAU TLINGIT & HAIDA COMMUNITY COUNCIL** (hereinafter Community Council), whose address is 3225 Hospital Drive, Juneau, Alaska 99801, and the **CITY AND BOROUGH OF JUNEAU, ALASKA**, whose address is 155 S. Seward Street, Juneau, Alaska 99801,

WITNESSETH

1. SHARED PARKING AGREEMENT.

(a) Central Council is the owner of Lot 2, Tlingit/Haida Subdivision, a Re-subdivision of a portion of Tract 2, a Fraction of U.S. Survey 1075, Juneau Recording District, First Judicial District, State of Alaska (hereinafter Lot 2). Community Council is the owner of Lot 1, Tlingit/Haida Subdivision, a Re-subdivision of a portion of Tract 2, a Fraction of U.S. Survey 1075, Juneau Recording District, First Judicial District, State of Alaska (hereinafter Lot 1).

(b) Central Council and Community Council hereby agree to share parking on an "as needed" basis for purposes of use of their respective lots.

2. DURATION OF AGREEMENT.

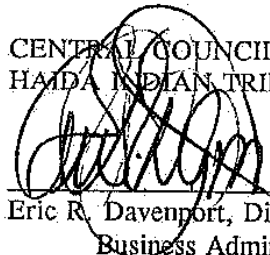
(a) This Agreement shall continue until terminated upon at least 90 days advance written notice by either Central Council or Community Council subject to prior approval by the City and Borough of Juneau. Upon termination, the parties shall be responsible to meet any City and Borough of Juneau Code requirements in regard to parking for their respective Lots and uses thereof. Provision of such parking shall be the criterion for City and Borough of Juneau approval of the termination of this Agreement, provided that on July 1, 2021, this Agreement shall terminate automatically.

(b) The party or parties terminating this agreement shall give written notice to the City and Borough of Juneau, attention Community Planning, of such termination at the same time as such notice is given to the other party. The termination shall not be effective until approved in writing by the City and Borough of Juneau, provided that automatic termination on July 1, 2021 shall not require City approval.

IN WITNESS WHEREOF, the parties hereunder set their hands on the dates mentioned below.

DATED: June 4, 1991

CENTRAL COUNCIL, TLINGIT AND
HAIDA INDIAN TRIBES OF ALASKA


Eric R. Davenport, Director of
Business Administration

1 DATED: June 4, 1991

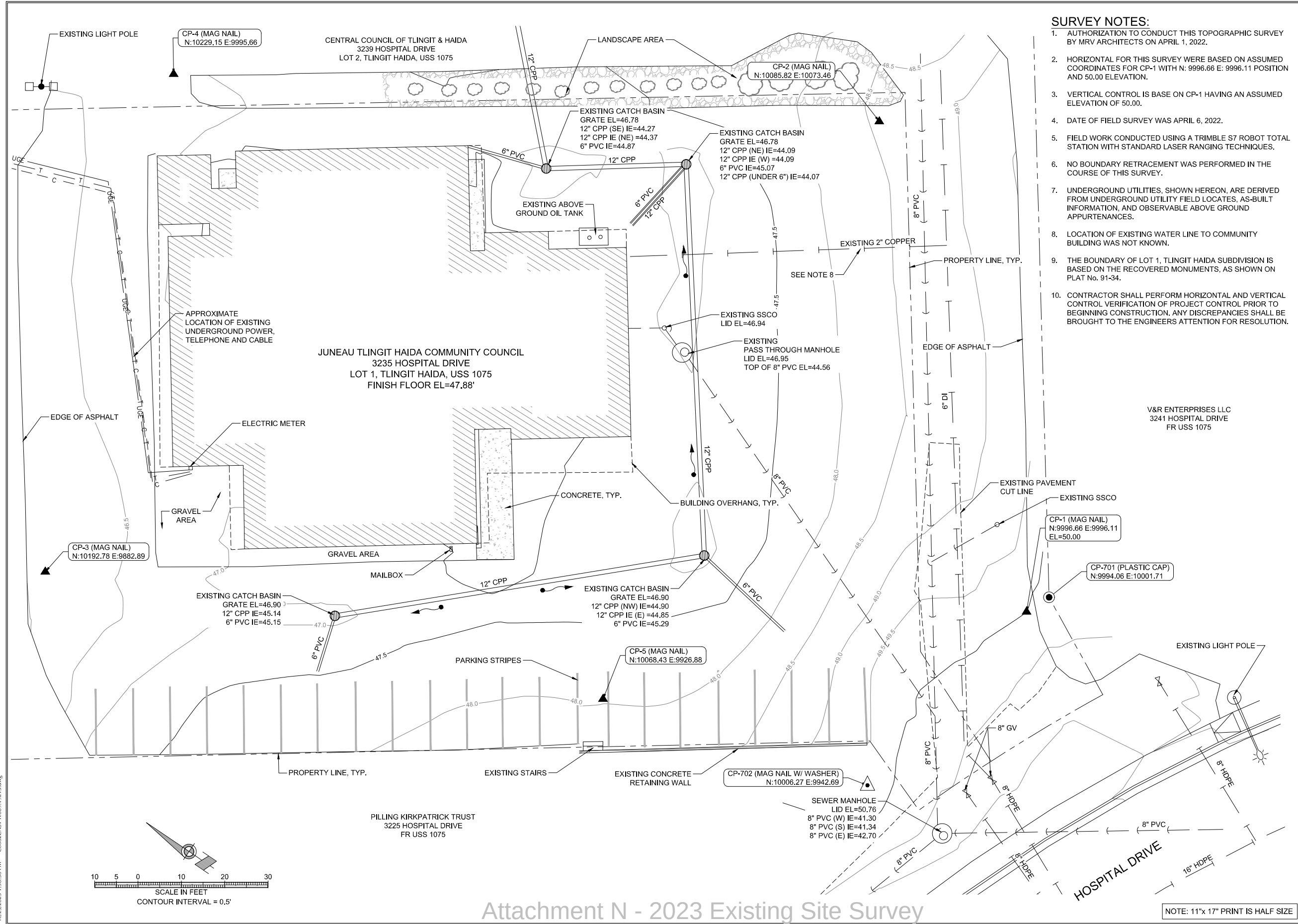
JUNEAU TLINGIT & HAIDA COMMUNITY
COUNCIL

4 Ronald D. Williams
Ronald D. Williams, Vice President

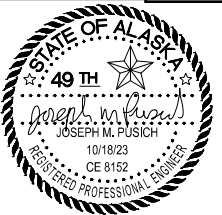
6 ACKNOWLEDGED this 4th day of June, 1991.

7 CITY AND BOROUGH OF JUNEAU

9 Murray Walsh
Murray Walsh



- SURVEY NOTES:**
- AUTHORIZATION TO CONDUCT THIS TOPOGRAPHIC SURVEY BY MRV ARCHITECTS ON APRIL 1, 2022.
 - HORIZONTAL FOR THIS SURVEY WERE BASED ON ASSUMED COORDINATES FOR CP-1 WITH N: 9996.66 E: 9996.11 POSITION AND 50.00 ELEVATION.
 - VERTICAL CONTROL IS BASE ON CP-1 HAVING AN ASSUMED ELEVATION OF 50.00.
 - DATE OF FIELD SURVEY WAS APRIL 6, 2022.
 - FIELD WORK CONDUCTED USING A TRIMBLE S7 ROBOT TOTAL STATION WITH STANDARD LASER RANGING TECHNIQUES.
 - NO BOUNDARY RETRACEMENT WAS PERFORMED IN THE COURSE OF THIS SURVEY.
 - UNDERGROUND UTILITIES, SHOWN HEREON, ARE DERIVED FROM UNDERGROUND UTILITY FIELD LOCATES, AS-BUILT INFORMATION, AND OBSERVABLE ABOVE GROUND APPURTENANCES.
 - LOCATION OF EXISTING WATER LINE TO COMMUNITY BUILDING WAS NOT KNOWN.
 - THE BOUNDARY OF LOT 1, TLINGIT HAIDA SUBDIVISION IS BASED ON THE RECOVERED MONUMENTS, AS SHOWN ON PLAT No. 91-34.
 - CONTRACTOR SHALL PERFORM HORIZONTAL AND VERTICAL CONTROL VERIFICATION OF PROJECT CONTROL PRIOR TO BEGINNING CONSTRUCTION, ANY DISCREPANCIES SHALL BE BROUGHT TO THE ENGINEERS ATTENTION FOR RESOLUTION.



100% PERMIT DOCUMENTS

SHAAN S'OOX COMMUNITY CENTER EXPANSION

Juneau Tlingit & Haida Community Council

RESPEC #11009.19215

No.	Description	Date

SHEET TITLE:
EXISTING SITE SURVEY & TOPOGRAPHY

DATE: 10.18.2023

DRAWN: JMK
CHECKED: JMP

SHEET NO.
C002

NOTE: 11"x 17" PRINT IS HALF SIZE

Attachment N - 2023 Existing Site Survey



MRV ARCHITECTS
1420 GLACIER AVE. #101
JUNEAU, AK 99801
907-586-1371
FAX 907-463-5544
mrv@mrvarchitects.com

100% REVIEW SET CONSTRUCTION DRAWINGS

**SHAAN S'OOX COMMUNITY
CENTER EXPANSION**

Juneau Tlingit & Haida Community Council

[illegible]

SHEET TITLE:
SITE PLAN, NEW

DATE: 10.18.2023

DRAWN: MRV

CHECKED: PV

SHEET NO.

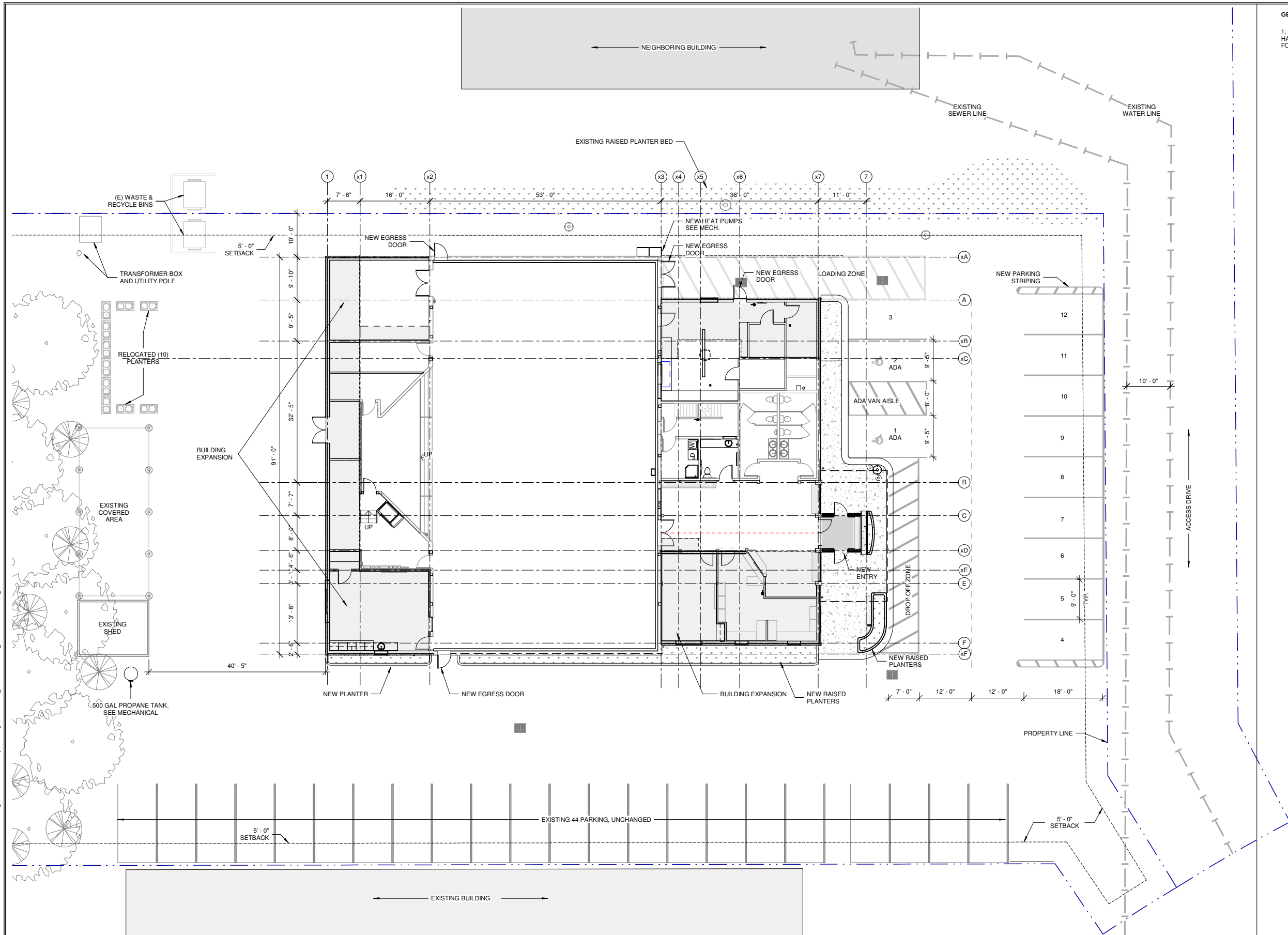
A151

GENERAL NOTES:

1. AREA SHOWN WITH GREY HATCH IS EXPANDED BUILDING FOOTPRINT.

ACTUAL NORTH PROJECT NORTH

NOTE: 11"x 17" PRINT IS HALF SIZE



① SITE PLAN, NEW
3/32" = 1'-0"

Attachment N - 2023 Existing Site Survey

Attachment B - NCC2023 0052



MRV ARCHITECTS
1420 GLACIER AVE. #101
JUNEAU, AK 99801
907-586-1371
FAX 907-463-5544
mrv@mrvarchitects.com

MRV #2203

100% REVIEW SET CONSTRUCTION DRAWINGS

SHAAN S'OOX COMMUNITY

CENTER EXPANSION

Juneau Tingit & Haida Community Council

No.	Description	Date

SHEET TITLE:
BUILDING
SECTIONS

DATE: 10.18.2023

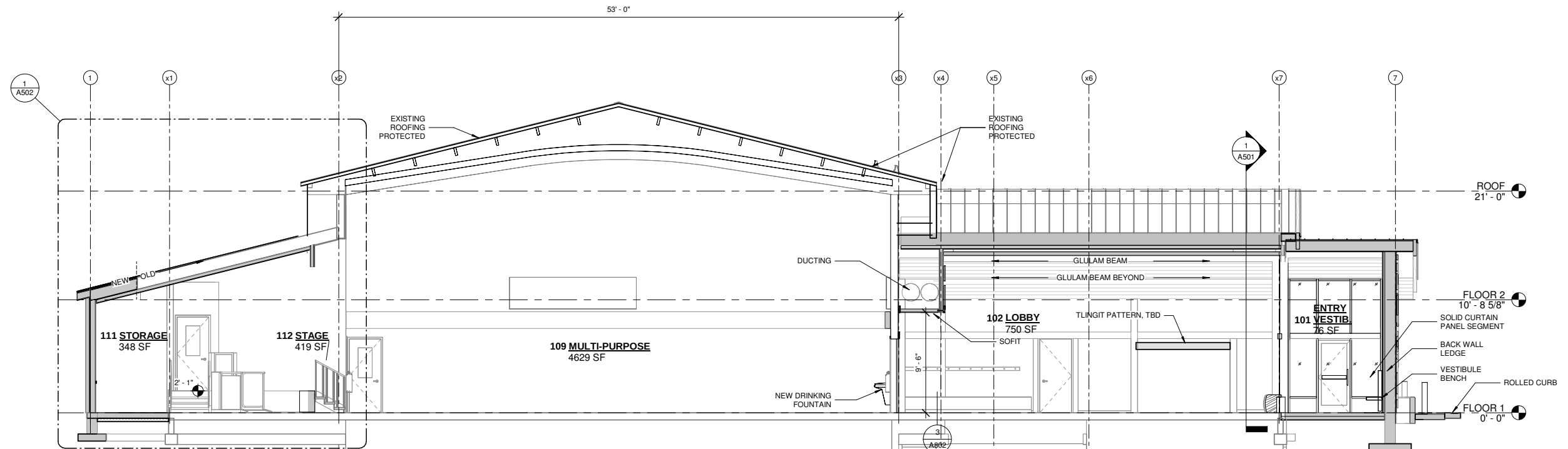
DRAWN: MRV

CHECKED: PV

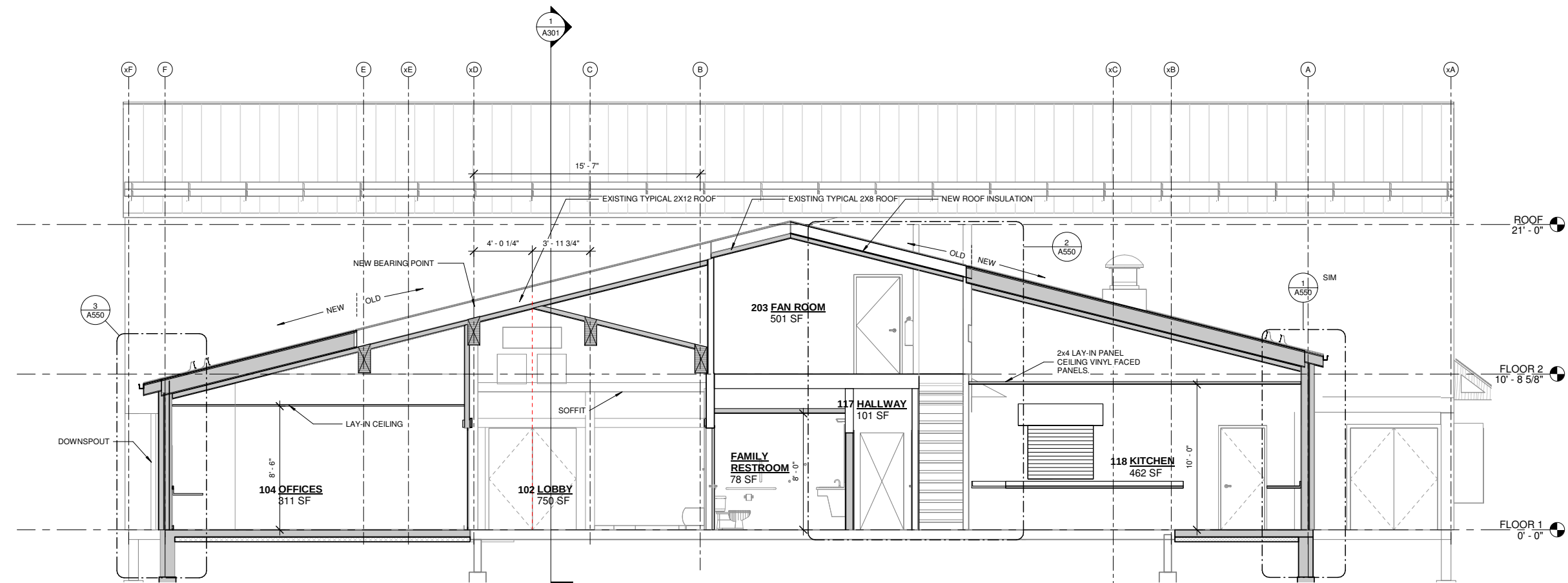
SHEET NO.

A301

NOTE: 11"x 17" PRINT IS HALF SIZE



1 CROSS SECTION
3/16" = 1'-0"
0' 4' 8' 16'



2 LONGITUDINAL SECTION, NEW ADDITIONS
1/4" = 1'-0"
0' 2' 4' 8'

Attachment N - 2023 Existing Site Survey

Attachment B - NCC2023 0052



Attachment O - 2013 Aerial Imagery



(907) 586-0715
CDD_Admin@juneau.gov
www.juneau.org/community-development
155 Heritage Way • Juneau, AK 99801

**FLOODPLAIN DEVELOPMENT PERMIT
COMMUNITY DEVELOPMENT DEPARTMENT
NOTICE OF DECISION**

Date: April 10, 2024
File No.: FZD2024 0004

MRV Architects
1420 Glacier Ave Ste. A
Juneau AK, 99801
paul@mrvarchitects.com &
kennethsoutherland@me.com

Proposal: A Floodplain Development Permit for the Shaan S'oox Community House Renovation in an AE Special Flood Hazard Area

Property Address: 3235 Hospital Drive

Legal Description: USS 1075 TLINGIT HAIDA LT 1

Parcel Code No.: 7B0901040101

After reviewing the development plans for a Floodplain Development Permit for the Shaan S'oox Community House Renovation in an AE Special Flood Hazard Area, the Community Development Department has determined that this development meets the requirements of CBJ 49.70.400, Flood Hazard Areas. The development is within an AE Special Flood Hazard Area with a Base Flood Elevation of 23 feet, as shown below:



Development plans confirm that the lowest floor of the building will be constructed at 23.31 feet, above the Base Flood Elevation of 23 feet. In addition, the development conforms with the applicable floodplain development standards of CBJ 49.70.400. The development either has or is in the active process of obtaining all required state and federal agency permits.

This letter serves as the CBJ Community Development Department Floodplain Development Permit for your project as described in the project narrative and plans submitted on February 16, 2024 for FZD2024 0004.

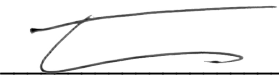
This Notice of Decision does not authorize any construction activity. Prior to starting any development project, it is the applicant’s responsibility to obtain a building permit for any and all improvements requiring such. The development also requires a Conditional Use Permit, currently under review as USE2024-0007.

This Notice of Decision constitutes a final decision of the Director of the CBJ Community Development Department. Appeals must be brought to the CBJ Planning Commission in accordance with CBJ 49.20.110. Appeals must be filed by 4:30 PM on the day twenty days from the date the decision is filed.

Effective Date: This permit is effective as of April 10, 2024.

Expiration Date: The permit will expire 18 months after the effective date, or October 10, 2025 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.

Thank you for your cooperation with the Floodplain Development Permit process. Please notify the Community Development Department if you have any questions or anticipate any changes to the plans submitted in your application.

Project Planner: 
Teri Camery, Senior Planner, CFM
Community Development Department

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 1 (800) 949-4232, or fax (360) 438-3208.

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications. This form and all documents associated with it are public record once submitted.

To be completed by Applicant

Case Number	Date Received
FZD24-04	2-22-24



FLOODPLAIN DEVELOPMENT 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.

To be completed by Applicant	PROJECT SUMMARY: Renovation and expansion of Tlingit & Haida Community Center
	National Floodplain Insurance Rate Map Panel #: 02110C1553D
	Special Flood Hazard Area: Zone AE
	Base Flood Elevation: 23' - 0"
	Elevation of the lowest floor of all structures, measured from MLLW. In V and VE zones, this number is the "lowest horizontal member": 23.31'
	REQUIRED INFORMATION (see reverse for details) ☒ Project Narrative describing how 49.70.400(e) is met. ☐ Anchoring methods, if applicable ☐ Floodproofing methods and certification, if applicable ☐ Certification that all other permits for the development have been obtained by any federal or state governmental agency. ☐ No-rise certification, if applicable. ☒ Site Plans, engineered drawings, elevation certifications and/or surveys, as applicable.

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

FZD REVIEW FEES	Fees	Check No.	Receipt	Date
Application Fees	\$ 100.00			
Admin. of Guarantee	\$			
Adjustment	\$			
Total Fee	\$ 100.00			

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.

Case Number	Date Received
FZD24-04	2-22-24

Attachment A - Application Packet

Attachment C - Flood Zone Development Permit



1420 GLACIER AVENUE STE 101,
JUNEAU, AK 99801
(907) 586-1371

Project: **Shaan S'oox Community House Renovation**
Subject: Floodplain Application Narrative
By: Paul Voelckers AIA
Date: February 8, 2024

MRV 2203

The *Shaan S'oox Community Center*, managed by the Tlingit-Haida Community Council, will be renovated and partially expanded. The areas of work include an inviting and expanded entry and office area, support areas along the back side (northwest side) of the building, expanded kitchen areas, and substantial new mechanical upgrades.

Floodplain Response: The existing community building was constructed in 1977, utilizing a concrete foundation and concrete slab on grade, with wood framed bearing walls, sawn framing, composite joists, and glulam structural system.

The existing concrete slab floor system is at elevation 23.31', roughly 4" above the FEMA AE Flood Zone of elevation 23'-0" as mapped in Sept 18, 2020. Partial expansions of the building, extending 8' in a northwesterly direction toward Salmon Creek, and new entry vestibule, extending 8' in a southeasterly direction, will both be constructed with continuous concrete buried footings, and structural slabs on grade, matching and tying to the existing concrete foundation system.

The extent of the site is not expanded, and modest renovation expansions work within the existing paved parking areas surrounding the building. No additional flood exposure is created, or existing conditions aggravated.





MRV ARCHITECTS
1420 GLACIER AVE. #101
JUNEAU, AK 99801
907-586-1371
FAX 907-463-5544
mrv@mrvarchitects.com

MRV #2203

100% REVIEW SET CONSTRUCTION DRAWINGS

SHAAN S'OOX COMMUNITY CENTER EXPANSION

Juneau Tlingit & Haida Community Council

No.	Description	Date

SHEET TITLE:
SITE PLAN,
FLOOD PLAIN

DATE: 02.14.2024

DRAWN: MRV
CHECKED: PV

SHEET NO.

A151B

NOTE: 11"x 17" PRINT IS HALF SIZE

Attachment A - Application Packet

Attachment C - Flood Zone Development Permit

Irene Gallion

From: Irene Gallion
Sent: Monday, April 1, 2024 9:05 AM
To: Charlie Ford; Theresa Ross; General Engineering
Cc: Jeffrey Hedges; Dan Jager; Irene Gallion
Subject: USE24-07: Expansion of the Tlingit Haida Community Center
Attachments: APP_USE24-07.pdf; Agency Comments Form.pdf

Hello Team,

Attached is an application to expand the TH Community Center off of Hospital Drive.

If you have any concerns, please let me know by **April 15, 2024**. If you need more time let me know and we will work something out.

There is an Agency Comment Form attached for your convenience.



Thank you!

Irene Gallion | Senior Planner

[Community Development Department](#) | City & Borough of Juneau, AK
Location: 230 S. Franklin Street | 4th Floor Marine View Building
Office: 907.586.0753 x4130



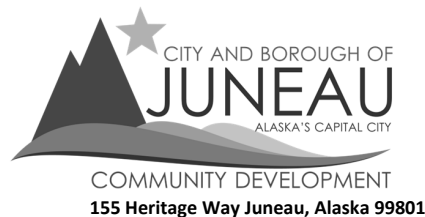
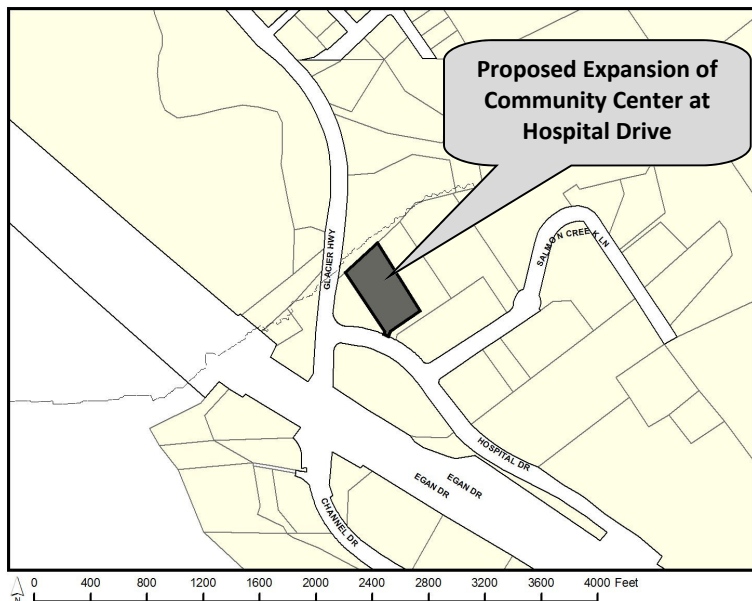
Fostering excellence in development for this generation and the next.

How are we doing? Provide feedback here: <https://juneau.org/community-development/how-are-we-doing>

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission

Your Community, Your Voice



TO

A Conditional Use Permit has been submitted for consideration and public hearing by the Planning Commission for **Expansion of Community Center, from 7,625 to 9,984 square feet, at 3235 Hospital Drive** in a **General Commercial zone**. Parking will be shared with neighboring buildings.

PROJECT INFORMATION:

Project Information can be found at:

<https://juneau.org/community-development/short-term-projects>

PLANNING COMMISSION DOCUMENTS:

Staff Report expected to be posted **May 6, 2024** at

<https://juneau.org/community-development/planning-commission>

Find hearing results, meeting minutes, and more here, as well.

Now through April 22	April 23 — noon, May 10	HEARING DATE & TIME: 7:00 pm, May 14, 2024	May 15
Comments received during this period will be sent to the Planner, Irene Gallion to be included as an attachment in the staff report.	Comments received during this period will be sent to Commissioners to read in preparation for the hearing.	This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting https://juneau.zoom.us/j/86939674618 and use the Webinar ID: 869 3967 4618 OR join by telephone, calling: 1-253-215-8782 and enter the Webinar ID (above). You may also participate in person in City Hall Assembly Chambers, 155 Heritage Way Juneau, Alaska.	The results of the hearing will be posted online.
FOR DETAILS OR QUESTIONS, Phone: (907)586-0753 ext. 4130 Email: pc_comments@juneau.gov or irene.gallion@juneau.gov Mail: Community Development, 155 Heritage Way, Juneau AK 99801			
		Case No.: USE2024 0007 Parcel No.: 7B0901040101 CBJ Parcel Viewer: http://epv.juneau.org	

Irene Gallion

From: James Malapanis <james.m@carverllc.com>
Sent: Monday, April 29, 2024 1:08 PM
To: Irene Gallion; Zane Jones
Cc: Paul Voelckers; Mariah Soriano; Eric Carver
Subject: Re: USE24-07: Public Notice Sign
Attachments: image000000.jpg

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Irene,
Please see the public notice sign posted onsite.

Thank you,

James Malapanis; Project Manager

Carver Construction, LLC

P.O. Box 240475 Douglas, AK 99824

C: 907-321-9101

O: 907-364-3215

F: 907-364-3216

Website: <https://carverllc.com>

Physical Address: 1012 2nd Street #1
Douglas, AK 99824

From: Irene Gallion <Irene.Gallion@juneau.gov>
Sent: Monday, April 29, 2024 9:28 AM
To: James Malapanis <james.m@carverllc.com>; Zane Jones <zane@mrvarchitects.com>
Cc: Paul Voelckers <paul@mrvarchitects.com>; Mariah Soriano <mariah@mrvarchitects.com>; Eric Carver <eric.c@carverllc.com>
Subject: RE: USE24-07: Public Notice Sign

Hi Alls,

Just a reminder that the public notice sign for this project needs to be posted today. Please send me a photo when it has been put up. The e mail with the photo will be used to date stamp the installation.

Thanks!

IMG

From: James Malapanis <james.m@carverllc.com>
Sent: Friday, April 19, 2024 2:21 PM
To: Irene Gallion <Irene.Gallion@juneau.gov>; Zane Jones <zane@mrvarchitects.com>





PLANNING COMMISSION STAFF
CONDITIONAL USE PERMIT USE2024 0006
HEARING DATE: APRIL 23, 2024

(907) 586-0715

CDD_Admin@juneau.gov

www.juneau.org/community-development

155 Heritage Way • Juneau, AK 99801

DATE: April 19, 2024 **TO:** Mandy Cole, Chair, Planning Commission

BY: Joseph Meyers, Senior Planner

THROUGH: Jill Lawhorne, Director, AICP

PROPOSAL: A proposal for three, 16-unit apartment buildings for a total of 48 single-room occupancies with private facilities in the D15 zoning district.

STAFF RECOMMENDATION: Approval with conditions

KEY CONSIDERATIONS FOR REVIEW:

- Units are less than 400 square feet and meet the criteria for single-room occupancies with private facilities (SROs w/PF)
- SROs with private facilities count as ½ of a dwelling unit
- Hooter Lane must be accepted for maintenance by the CBJ prior to TCO
- Received funding from the Affordable Housing Fund
- Undergoing lot line adjustment to qualify for tax abatement

ALTERNATIVE ACTIONS:

1. **Amend:** require additional conditions or delete or modify the recommended conditions.
2. **Deny:** deny the permit and adopt new findings for items 1-6 below that support the denial.
3. **Continue:** to a future meeting 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 not required for this permit.

STANDARD OF REVIEW:

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
 - 49.15.330
 - 49.25.510(j)(2)
 - 49.80

GENERAL INFORMATION	
Property Owner	William & Michael Heumann
Applicant	William Heumann
Property Address	Hillcrest Avenue
Legal Description	CHILKAT VISTAS TR A3
Parcel Number	7B1001160014
Zoning	D15
Land Use Designation	Medium Density Residential (MDR; Map H)
Lot Size	100,730 square feet
Water/Sewer	CBJ
Access	CBJ
Existing Land Use	Vacant
Associated Applications	PAC2022 0005; SMF2022 0003

The Commission shall hear and decide the case per 49.15.330(a) Conditional Use Permit. A conditional use is a use that may or may not be appropriate in a particular zoning district according to the character, intensity, or size of that or surrounding uses. The conditional use permit procedures are intended to afford the commission the flexibility necessary to make determinations appropriate to individual sites. The commission may attach to the permit those conditions listed in subsection (g) of this section as well as any further conditions necessary to mitigate external adverse impacts. If the commission determines that these impacts cannot be satisfactorily overcome, the permit shall be denied.

SITE FEATURES AND ZONING



SURROUNDING ZONING AND LAND USES	
North (ROW)	Hooter Lane
East (single-family)	D15
South (single-family)	D5
West (single-family)	D15

SITE FEATURES	
Anadromous	None
Flood Zone	Zone X; Panel 02110C1551E
Hazard	No known
Hillside	Yes
Wetlands	No known
Parking District	N/A
Historic District	N/A
Overlay Districts	N/A

BACKGROUND INFORMATION

Project Description – The applicant is requesting a Conditional Use Permit to construct three, 16-unit, two-story, apartment buildings containing a total of 48 single-room occupancy units (SROs) with private facilities. SROs with private facilities count as one-half dwelling unit [CBJ 49.25.510(j)(2)]. For comparison, under the existing zoning (D15), up to 35 standard units could be constructed. An SRO with private facilities is defined as a dwelling unit composed of a private bathroom and a combined kitchen, living, and sleeping area, designed for occupancy by a single person. (CBJ 49.80).

Background – The lot was platted in its current form in 2023 through Plat 2023-7, Juneau Recording District.

Item	Summary
2020 Traffic Impact Analysis	Traffic impact analysis for full buildout of subdivision.
2022 Drainage Plan	Approved drainage plan from SMF2022 0003 which platted Tract A3
Plat 2023-7	Lot A3 was created through plat 2023-7 in the Juneau Recording District.

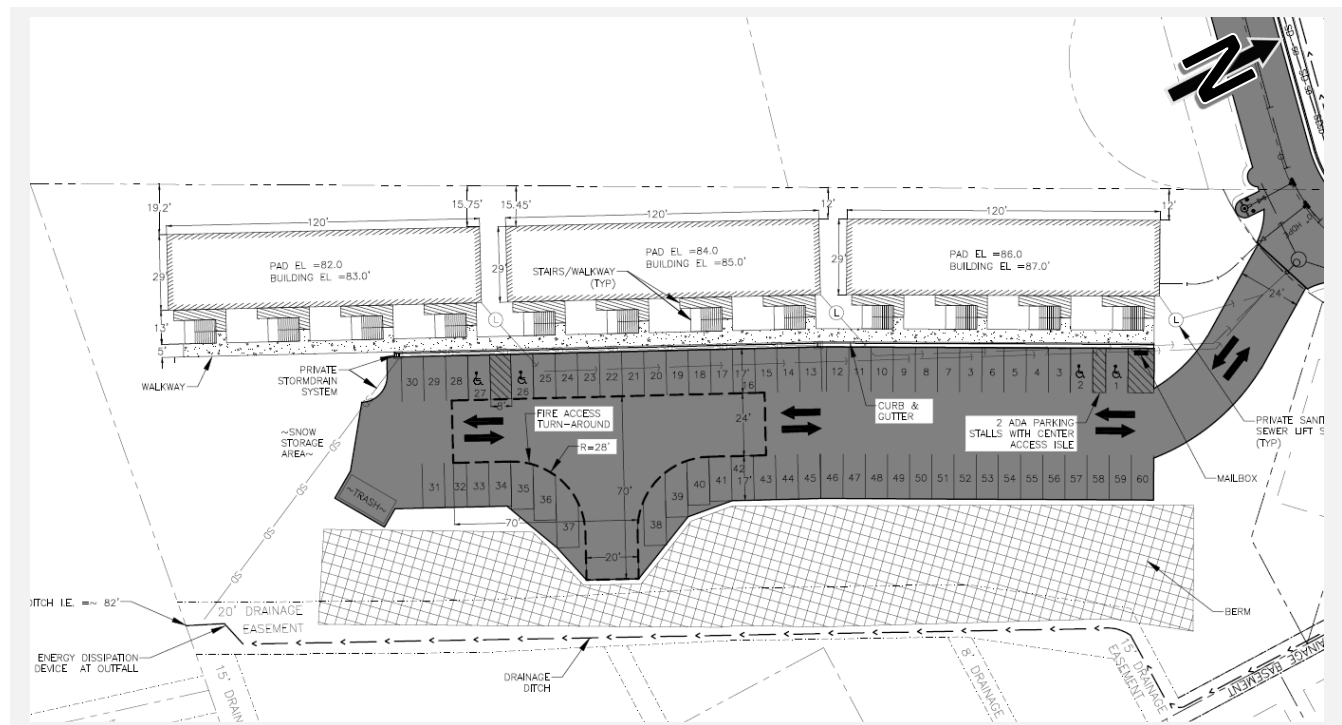
ORD2023-14(b)(V)	Appropriation of funds by the Assembly from the Juneau Affordable Housing Fund for Chilkat Vistas apartment complex
-------------------------	---

ZONING REQUIREMENTS

Standard (D15)		Requirement	Existing	Code Reference
Lot	Size	5,000 square feet	100,730 square feet	49.25.400
	Width	50 feet	58 feet	49.25.400
Setbacks	Front (N)	20 feet	N/A	49.25.400
	Rear (S)	20 feet*	N/A	49.25.400
	Side (E)(W)	5 feet	N/A	49.25.400
	Street Side	13 feet	N/A	49.25.400
Lot Coverage Maximum		50%	0%	49.25.400
Vegetative Cover Minimum		30%	100%	49.50.300
Height	Permissible	35 feet	N/A	49.25.400
	Accessory	25 feet	N/A	49.25.400
Maximum Dwelling Units (15/Acre)		35 dwelling units	None	49.25.500
Use		Residential	Vacant	49.25.300

*Lot is zoned D15 and borders a D5 zoning district. The greater setback of 20 feet applies on shared property line per CBJ 49.25.400 (Note 3).

SITE PLAN



ANALYSIS

Project Site – The lot was platted in 2023 with the creation of the Chilkat Vistas Phase 2 subdivision through Plat 2023-7. The subdivision and adjacent land uses consist of condominiums, single-family dwellings, and bungalow dwellings. The lot is located between the Lemon Creek and Twin Lakes geographical areas and due north of the Mountainside Estates neighborhood. The lot is 2.31 acres in size with an average slope of approximately 9.5% that descends toward Glacier Highway in the west.

Access to the lot is through Hooter Lane by way of Glacier Highway. Hooter Lane, as of the writing of this report, has not been accepted for maintenance by the City & Borough of Juneau (CBJ). Prior to issuance of a Temporary Certificate of Occupancy (TCO), Hooter Lane must be accepted for maintenance by the CBJ. The subdivision is connected to CBJ public water and sewer.

Condition: Prior to Temporary Certificate of Occupancy, Hooter Lane must be accepted by CBJ.

Project Design – The applicant is proposing construction of three, two-story, 16-unit apartment buildings containing a total of 48 SROs with private facilities. Each proposed unit is 399 square feet in size. The site is designed to include a two-lane driveway with a hammerhead turnaround for emergency access and 60 parking spaces including four (4) ADA compliant spaces, two (2) of which are van accessible per CBJ 49.40.225(b)(2). Required fire access and signage will be reviewed through the building permit process.

Condition: None

Traffic – The applicant submitted a Traffic Impact Analysis under Phase I (Attachment F). That analysis considered the impact of an eventual 47 single-family structures and 356 multi-family units. The trip generation numbers below were estimated by CDD staff using the ITE Trip Generation Manual, 9th Edition for low-rise multi-family buildings on an average weekday. This estimate assumes full occupancy.

Use	Dwelling units	Trips Generated	Total Trips
Multi-family residential	48	6.59	316.32
Total ADTs:			316.32

Condition: None

Vehicle Parking & Circulation – SROs with private facilities require one (1) parking space each plus one (1) additional space for every four SROs with private facilities. Three (3) ADA spaces are required, however the submitted site plan shows four (4) dedicated ADA spaces. Two (2) of the dedicated ADA spaces are van accessible.

Use	Unit/Total Sq. Ft.	Spaces Required	Total Spaces
Multi-family residential	48 SRO units	60	60
Total Parking Requirement:			60
Off-Street Loading Spaces Required:			0
ADA Accessible Spaces Required:			3

Condition: None

Noise – Noise is not expected to be out of character with the existing neighborhood.

Condition: None

Lighting – Per CBJ 49.40.235(d), parking areas must be suitably lit, and lighting fixtures must be "full cutoff" styles that direct light only onto the project site to minimize impacts to adjacent neighbors. Exterior lighting should also be provided along pedestrian pathways and immediately adjacent to the building. Submitted lighting specifications show full-cutoff lighting. Lighting will be reviewed with a building permit application.

Condition: 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 at CBJ 49.40.230(d)

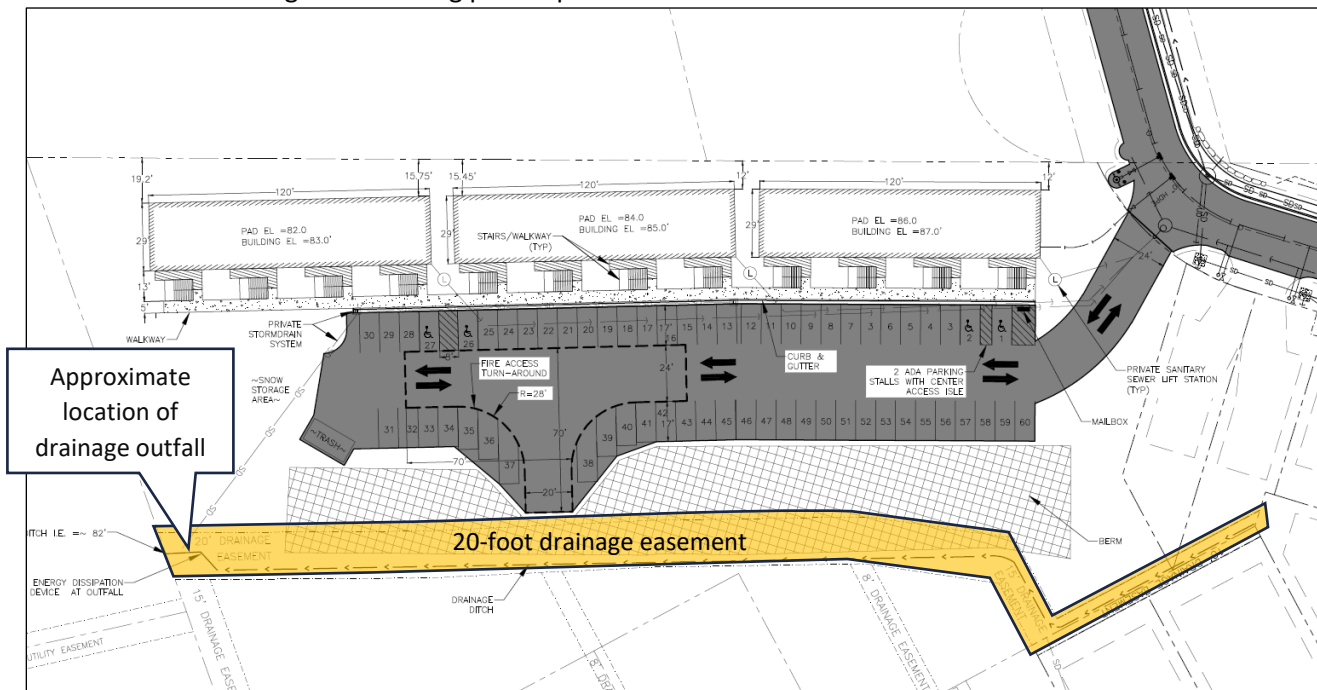
Vegetative Cover & Landscaping – Minimum vegetative cover in the D15 zoning district is 30%. The applicants' proposal indicates that the total vegetative cover retained is approximately 62% of the total lot area.

Condition: None

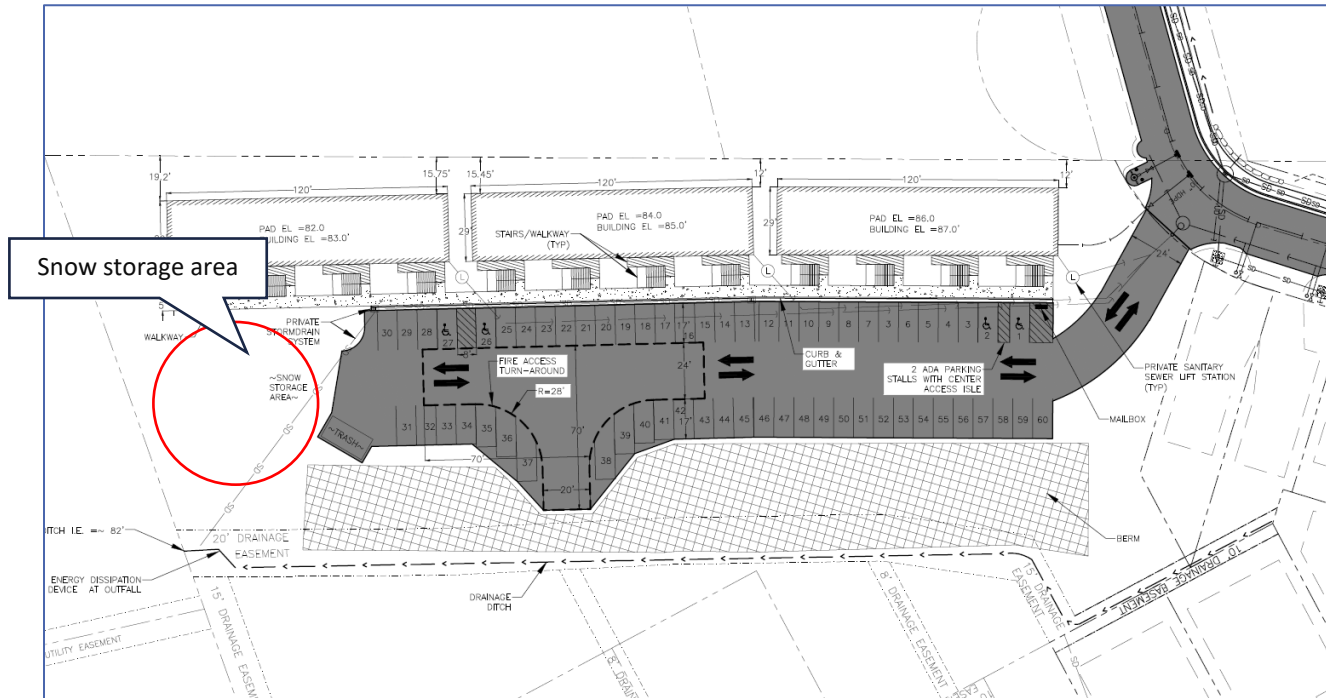
Habitat – No known habitat regulated by Title 49 will be affected by this proposal.

Condition: None

Drainage – The submitted site plan identifies a 20-foot-wide drainage easement across the eastern edge of Tract A3. This is consistent with the approved drainage plan submitted with SMF2022-0003 (Attachment E). Drainage will be assessed through the building permit process.



Snow Storage – The proposed snow storage area is at the southern end of the parking lot (circled in red). Snow storage will be addressed through the building permit.



Condition: None

Historic District – The proposed development is not within the Downtown Juneau Historic District.

Condition: None

Hazard Zones – The lot is not within a mapped hazard zone.

Condition: None

Public Health, Safety, and Welfare – No information has been submitted that suggests the proposed development will materially endanger public health, safety, and welfare.

Condition: None

Property Value or Neighborhood Harmony – The proposed use is within the D15 zoning district. Multi-family residential use is consistent with the description of the zoning district. No information has been submitted that suggests the proposed use will negatively affect property values or neighborhood harmony.

The lot for this project is lower in elevation than the residential development to the east and may be obscured by a variable height berm that averages approximately 15 feet in height. The berm is intended to mitigate impacts to the single-family neighborhood immediately east of the proposed development.

Mitigating impacts to existing neighbors could be further addressed through a landscaping plan, which the commission may require under CBJ 49.15.330(g)(18).

AGENCY REVIEW

CDD conducted an agency review comment period between February 26, 2024, and March 4, 2024, and received the following responses. Full responses are available in Attachment C.

Agency	Summary
CBJ Assessors Office	No comments as of the writing of this report.
Capital City Fire Rescue	No issues with the development, signage will be required for the hammerhead turnaround through the building permit.
CBJ Buildings	No comments as of the writing of this report.
CBJ General Engineering	Drainage, sewer, water will be addressed through a building permit.
DOT/PF	The Traffic Impact Analysis conducted for the development of Richland Manor in 2020 included analysis of future development for up to 47 single family homes (detached) and approximately 356 multifamily homes in the vicinity of Hooter Lane and Craig Street. The conclusion of the TIA at that time was that at full build out, no major mitigation past the development of Hooter Lane and some pedestrian facility improvements at Vanderbilt and Glacier Highway would be necessary. Approach Road permit 30955 was issued for the development of Hooter Lane by DOT&PF and the subject TIA was reviewed by the Department at that time with no comment. The TIA and its findings that no additional mitigation to that previously mentioned was accepted by the Department. At this time, no additional analysis is required as the proposed multifamily development is within the original TIA's scope of work.

PUBLIC COMMENTS

CDD conducted a public comment period between March 12, 2024, and April 19, 2024. Public notice was mailed to property owners within 500 feet of the proposed development. A public notice sign was also posted on-site two weeks prior to the scheduled hearing. Public comments submitted at time of writing this staff report can be found in Attachment D.

No comments were received at the time of writing of this report.

CONFORMITY WITH ADOPTED PLANS

The proposed development is in general conformity with the 2013 Comprehensive Plan, and the 2015 Juneau Economic Development Plan.

PLAN	Chapter	Page No.	Item	Summary
2013 Comprehensive Plan	11	158	Map H	According to the Land Use Maps outlined in the 2013 Juneau Comprehensive Plan, the designation of this lot is MDR (medium density residential). The MDR land use designation is described as follows: <i>These lands are characterized by urban residential lands for multifamily dwelling units at densities ranging from 5 to 20 units per acre. Any commercial development should be of a scale consistent with a residential neighborhood, as regulated in the Table of Permissible Uses (CBJ 49.25.300).</i>
	3	20	3.2	To promote compact urban development within the designated urban service area to ensure efficient utilization of land resources and to facilitate cost effective provision of community services and facilities while balancing protection of natural resources, fish and wildlife habitat and scenic corridors.
	4	36	4.1	To facilitate the provision and maintenance of safe, sanitary and affordable housing for Juneau residents.
	4	37	4.2	To facilitate the provision of an adequate supply of various housing types and sizes to accommodate present and future housing needs for all economic groups.
	10	131	10.3	To facilitate residential developments of various types and densities that are appropriately located in relation to site conditions, surrounding land uses, and capacity of public facilities and transportation systems.
2015 Economic Development Plan	5	94	-	The proposal is consistent with the following initiative from the Juneau Economic Development Plan: <i>Initiative: Promote Housing Affordability and Availability</i>

FINDINGS

Conditional Use Permit Criteria – Per CBJ 49.15. 330 (e) & (f), Review of Director's & Commission's Determinations, the Director makes the following findings on the proposed development:

1. *Is the application for the requested Conditional Use Permit complete?*

Analysis: No further analysis needed.

Finding: Yes. The application contains the information necessary to conduct a full review of the proposed development. The application submittal by the applicant substantially conforms to the requirements of CBJ 49.15.

2. *Is the proposed use appropriate according to the Table of Permissible Uses?*

Analysis: The application is for 48 SROs with private facilities. The use is listed at CBJ 49.25.300, Section 1.610.

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: No further analysis needed.

Finding: Yes. With the recommended conditions, the proposed development will comply with Title 49, including parking, lighting, vegetative cover, and habitat.

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

Analysis: No further analysis needed.

Finding: No. There is no evidence to suggest that with appropriate conditions, the requested single-room occupancy units with private facilities in a D15 zoning district will 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: No further analysis needed.

Finding: No. There is no evidence to suggest that with appropriate conditions, the requested single-room occupancies with private facilities in a D15 zoning district will 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: No further analysis needed.

Finding: Yes. The proposed SROs with private facilities with the recommended conditions, will be in general conformity with the 2013 Comprehensive Plan, the 2015 Economic Development Plan, and the 2016 Housing

Action Plan.

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested Conditional Use Permit. The permit would allow the development of three, 16-unit, two-story apartment buildings containing a total of 48 single-room occupancy units with private facilities.

The approval is subject to the following conditions:

1. Prior to Temporary Certificate of Occupancy, Hooter Lane must be accepted by the CBJ for maintenance.
2. Prior to TCO, a new plat of Chilkat Vistas Tract A3 must be recorded.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	<i>Application Packet</i>
Attachment B	<i>Abutters Notice and Public Notice Sign Photo</i>
Attachment C	<i>Agency Comments</i>
Attachment D	<i>Public Comments</i>
Attachment E	<i>Approved drainage plan</i>
Attachment F	<i>Traffic Impact Analysis</i>



DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications. This form and all documents associated with it are public record once submitted.

To be completed by Applicant	PROPERTY LOCATION		
	Physical Address Hillcrest Avenue		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) Chilkat Vistas Tract A3		
	Parcel Number(s) 7B1001160014		
	☐ This property is located in the downtown historic district ☐ This property is located in a mapped hazard area, if so, which _____		
	LANDOWNER/ LESSEE		
	Property Owner William and Michael Heumann	Contact Person Michael Heumann	
	Mailing Address P.O. Box 34024 Juneau, Ak. 99803	Phone Number(s) 971-261-8014	
	E-mail Address chilkatvistas@gmail.com		
	LANDOWNER/ LESSEE CONSENT		
Required for Planning Permits, not needed on Building/ Engineering Permits. Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.			
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 the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.			
William Heumann Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee) X _____ Date 2-13-24 Landowner/Lessee (Signature)			
Michael Heumann Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee) X _____ Date 2-13-24 Landowner/Lessee (Signature)			
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.			
APPLICANT If same as LANDOWNER, write "SAME"			
Applicant (Printed Name) Chilkat Vistas LLC		Contact Person	
Mailing Address	Phone Number(s)		
E-mail Address chilkatvistas@gmail.com			
X _____	2/13/24		
Applicant's Signature	Date of Application		

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Case Number USE 24-006	Intake Initials
	Date Received 2/14/2024



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
3 - 16 UNIT APARTMENT BUILDINGS

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: _____

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 100,730 square feet Total Area of Existing Structure(s) 0 square feet
 Total Area of Proposed Structure(s) 18,720 square feet

EXTERNAL LIGHTING
 Existing to remain ☐ No ☐ Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures
 Proposed ☐ No ☒ 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>1,000.00</u>	<u>Class TV</u>	
Admin. of Guarantee	\$ _____		
Adjustment	\$ _____		
Pub. Not. Sign Fee	\$ <u>50</u>		
Pub. Not. Sign Deposit	\$ <u>100</u>		
Total Fee	\$ <u>1,150</u>		

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.

Case Number	Date Received
<u>USE24-006</u>	<u>2/14/2024</u>

Chilkat Vistas Tract A3 Conditional Use Permit Narrative:

2-10-24

Tract A3 in Chilkat Vistas Subdivision is currently used as vacant land. This application is for a project to construct 48 efficiency apartment units. The site gently slopes towards the southwest and the building itself will face west, ensuring ample sunlight and offering picturesque views of the channel, Mendenhall wetlands, and Chilkat mountain range. 61 parking spaces, including 4 ADA, will be provided by a two-lane driveway with a hammerhead turnaround for fire access. A berm will be used to separate the project from the adjacent single-family development. The comprehensive plan designates this as medium density residential with a maximum density of 20 units per acre which our project satisfies. The project's strategic location offers central access to public transportation and is situated in a beautiful and desirable area.

Juneau faces a well-documented housing problem characterized by a limited housing supply, restricted housing options, and high-cost burdens, forcing many residents to spend significantly more than 30% of their income for housing (see CBJ Housing Action Plan). This project will have a significant impact on the Juneau housing crisis, and has received \$2.25M in subsidized loans from the Juneau Affordable Housing Fund as it will provide housing for potentially cost burdened residents.

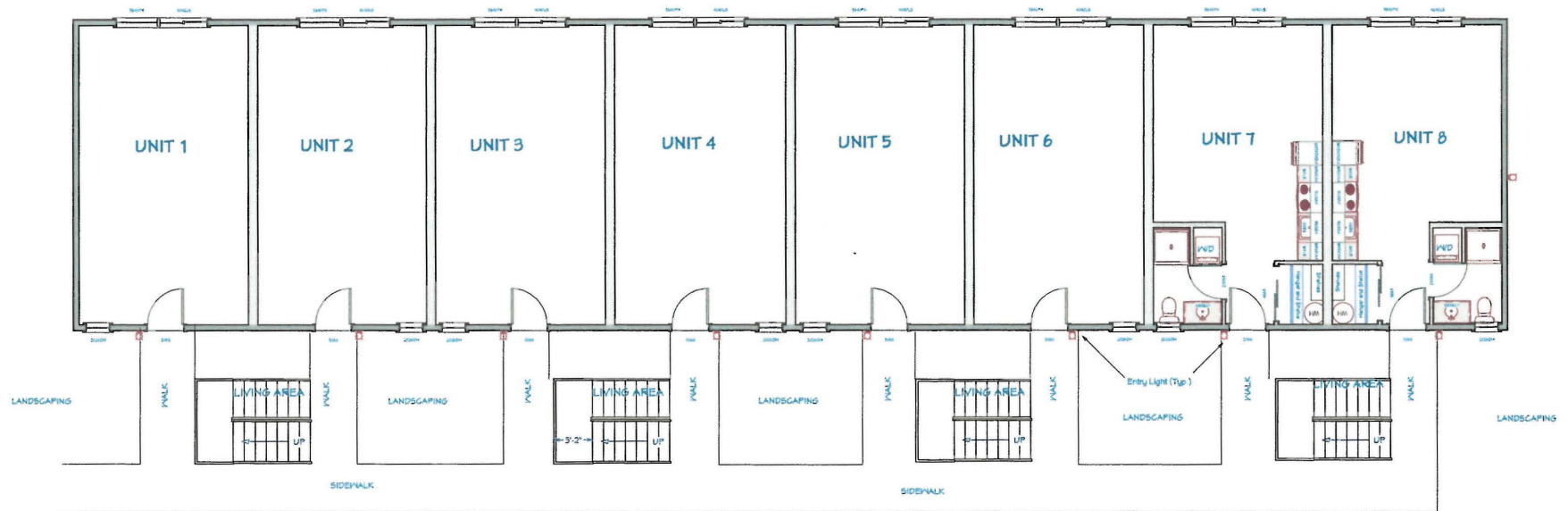
FRONT ELEVATION



16 UNIT APARTMENT BUILDING

CHILKAT VISTAS LLC

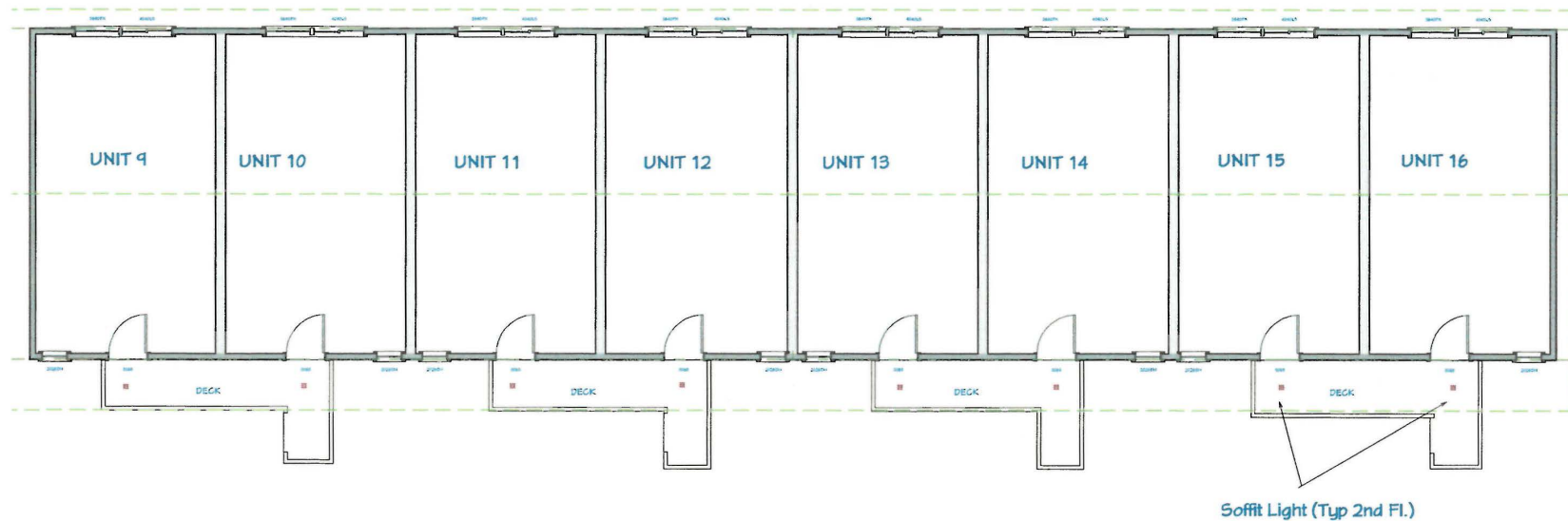
FIRST FLOOR



16 UNIT APARTMENT BUILDING

CHILKAT VISTAS LLC

SECOND FLOOR

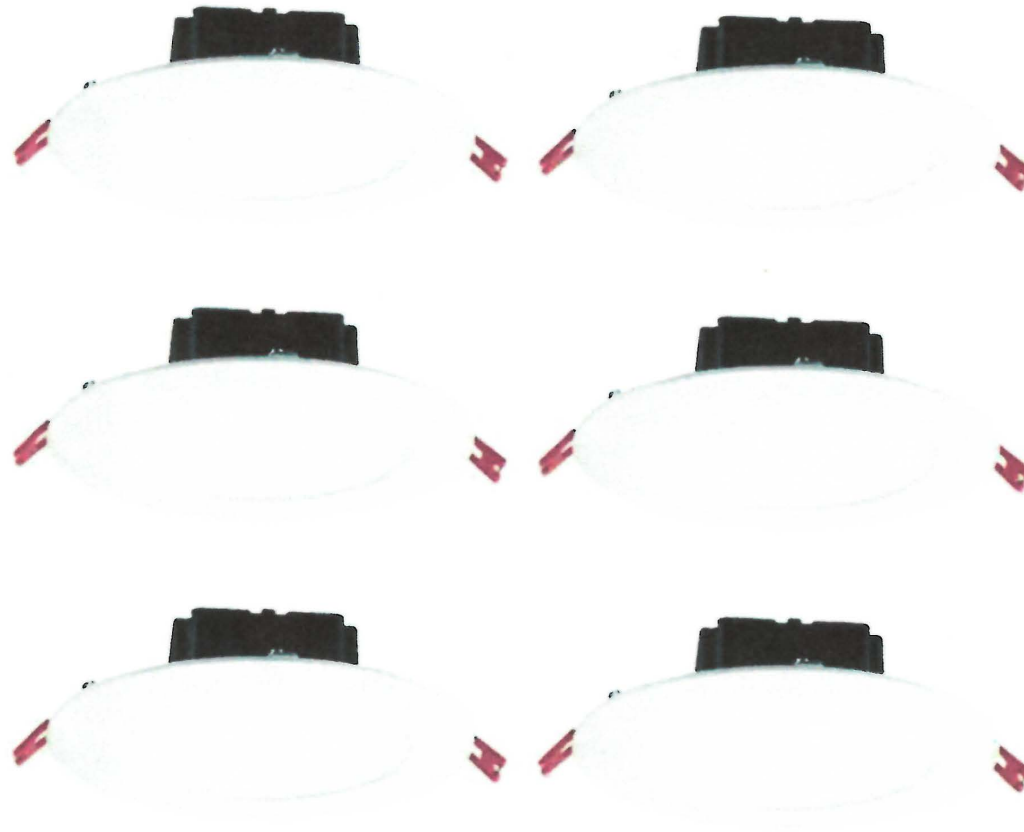


16 UNIT APARTMENT BUILDING

CHILKAT VISTAS LLC

6 in. White Flush Round Wet Rated LED Integrated Recessed Lighting Kit (6-Pack)

★★★★★ (567) Questions & Answers (111)





Attachment A - Application Packet



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

Raven's Perch Apartments

Case Number: PAC2022 0005
 Applicant: William Heumann
 Property Owner: William Heumann
 Property Address: N/A
 Parcel Code Number: TBD
 Site Size: 100,730 square feet, 2.31 acres
 Zoning: D15 Multifamily
 Existing Land Use: Vacant

Conference Date: March 22, 2023
 Report Issued: June 26, 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
William Huemann	Applicant	WHeumann@msn.com
David Peterson	Planning	David.Peterson@juneau.gov
David Sevdv	Building	David.Sevdv@juneau.gov
Eric Vogel	General Engineering	Eric.Vogel@juneau.gov

Revised 5/07/2021

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Pre-Application Conference Final Report

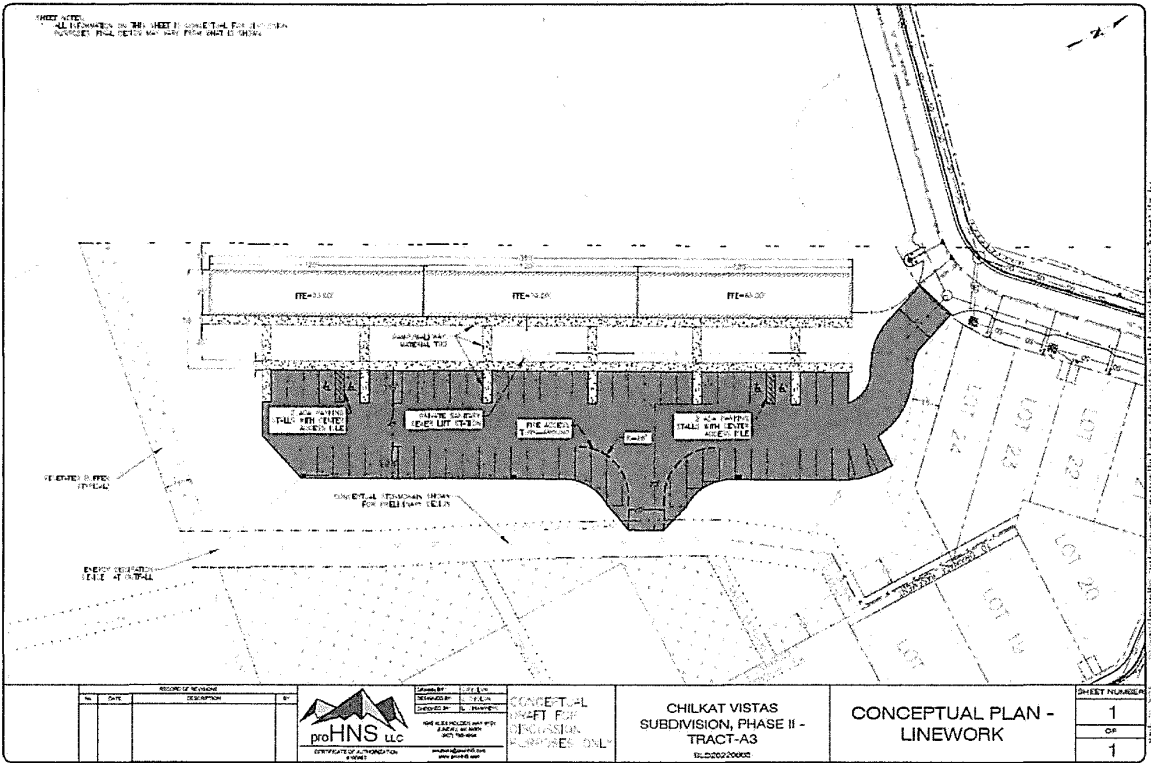
Conference Summary

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.

- Consideration for trash removal. Will need to be discussed with Alaska Waste.
- Mail delivery location. Will need to be discussed with USPS. Pamela.J.Nicholson@usps.gov
- Snow storage
- Routing sewer to not be under the driveway.
- Building Height

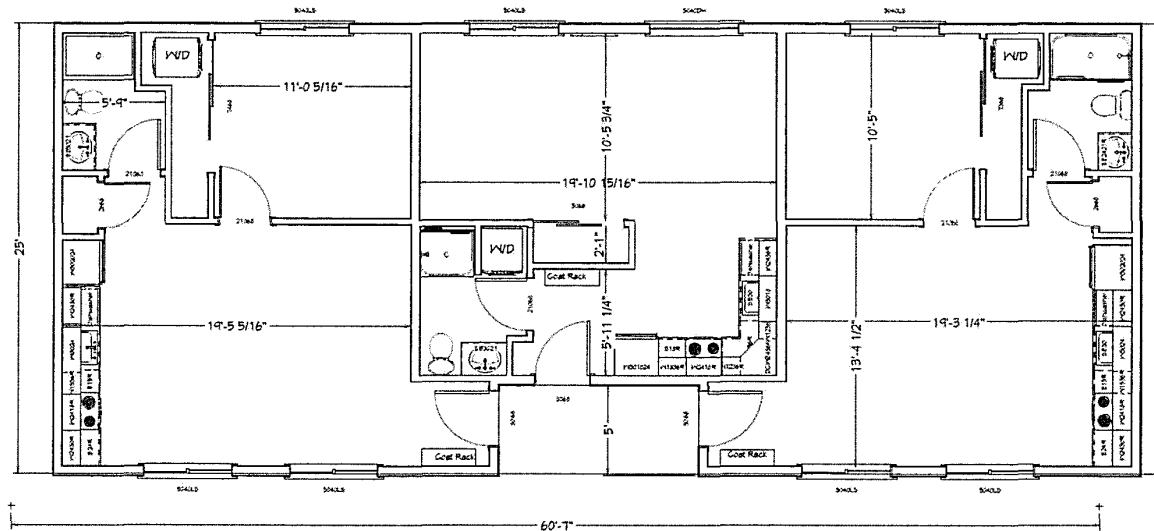
Project Overview

This project will include 18 efficiency (<400 ft.) and 24 1-bedroom units. The project will be located on Chilkat Vistas Subdivision Tract A3. Tract A3 is 2.31 Acres and the project will cover 1.13 acres with the rest left as green space. The project includes 65 parking spaces, 4 of which are ADA. The parking plan has provided for a fire-truck turnaround. The project will be surrounded by green space of varying widths. Access will be provided by Hooter Lane. The project is entirely surrounded by D-15, other than its southern border which is D-5 and over 40' from the building and even further from the parking area.



RAVEN'S PERCH APARTMENTS

Typical Floor Plan



Chilkat Vistas Subdivision Phase 2

This project is major development and will require a Conditional Use Permit [CBJ 49.25.300(c)(3)(C)].

Planning Division

1. **Zoning** – D15 zone. 15 units per acre. Minimum lot size is 5,000 square feet, 3,000 square feet for a bungalow lot, and 3,500 square feet for a common wall dwelling.

Minimum lot width = 50'. Bungalow Lot Width = 25'. Common Wall Dwelling = 30'. Ref US Survey 4807 Tract A Chilkat Vista, C1 arc that denotes the front of the proposed multifamily housing development is 52.17' in length.

Maximum number of dwelling units allowable on 2.31 acres is $(2.31 \text{ acres} * 15 \text{ allowable units/acre} = 34.65 = 35 \text{ units})$.

Per 49.25.510(j)(2) – Each single-room occupancy with private facilities shall count as one-half of a dwelling unit for purposes of calculating density, permitting requirements, and land use permit application fees.

$(24 \text{ single bedroom units}) + (18 \text{ efficiency units}) = 24+9 = 33 \text{ total units.}$

2. **Subdivision** – Chilkat Vistas Subdivision, Phase II – Tract A3.
3. **Setbacks** –
 - a. Front = 20 ft. (north, onto Hooter Lane);
 - b. Rear = 25 ft. (south – abuts D5 so must use D5 setback);
 - c. Side = 5 ft. (east and west);

Pre-Application Conference Final Report

- d. Street side = 13 ft. (not apparently applicable to this development)
4. **Height** – Maximum = 35 ft.; Accessory/Bungalow = 25 ft. (Reference 49.25.420)
 5. **Access** – Subdivision will have direct and practical access through the frontage on to Hooter Lane.
 6. **Parking & Circulation**– Per 49.40.210, Multi-family units require 1 parking space per bedroom unit. $24 + 18 = 42$ spaces. The proposed parking plan shows 65 parking spaces.
 ADA Parking:
 26-50 spaces = 2 ADA Compliant spaces;
 51-75 spaces = 3 ADA Compliant Spaces
 Prelim plat shows (4) ADA compliant spaces.
 7. **Lot Coverage** – Lot Coverage means the percentage of horizontal lot area that is occupied by all buildings on the lot, each measured at the outside of those exterior walls of the floor having the greatest horizontal dimensions. Maximum/Permissible/Conditional Lot Coverage = 50%.
 Proposed building footprint = $25' \times 360' = 9,000$ square feet building footprint.
 Tract A3 = 2.31 acres $\times 43,560$ square feet/acre = 100,623.6 total square feet.
 $9,000/100,623.6 = .089 = 8.9\%$ coverage.
 8. **Vegetative Coverage** – 49.50.300 – Percentage of required vegetative coverage is 30% in D15 zoning.
 9. **Lighting** – Must be in compliance with 04 CBJAC 080.530.
 10. **Noise** – Community Development has no zoning related code to contest noise. Per 42.20.095(c), It is unlawful to operate any pile driver, power shovel, pneumatic hammer, derrick, power hoist, or similar heavy construction equipment, before 7:00 a.m. or after 10:00 p.m., Monday through Friday, or before 9:00 a.m. or after 10:00 p.m., Saturday and Sunday, unless a permit shall first be obtained from the City and Borough building official. Such a permit shall be issued by the building official only upon a determination that such operation during hours not otherwise permitted under this section is necessary and will not result in unreasonable disturbance to surrounding residents. The building official may revoke any *noise* permit after making written findings that the construction activity has resulted in unreasonable disturbance to surrounding residents or that operation during hours not otherwise permitted is not necessary.
 11. **Flood** – Per CBJ Flood maps, site is not located in a mapped flood zone.
 12. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** –
 - a. Hazard/Mas Wasting/Avalanche– No recorded hazards present on the site.
 - b. Hillside Endorsement – 49.70.210, Excavation or creation of any slope in excess of 18%, will require a Hillside Endorsement. All hillside endorsement applications shall be reviewed by the planning commission, accept minor development (ref 49.70.210(b)(1-8). **Note that the hillside endorsement must be completed before this project goes before the Planning Commission.**
 13. **Wetlands** – No recorded wetlands present in CBJ records. If wetlands are discovered on parts of the proposed development, special regulations may apply.
NOTE: SMP2021 0004, Condition 1. Provide a wetlands fill permit from the United States Army Corps of Engineers.
 14. **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.

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15. **Plat or Covenant Restrictions** – None apply. The Applicant has a Stipulated Settlement Agreement with the Mountainside Estates Neighborhood Association (MENA). Under the agreement, the CBJ's responsibility is limited to access development requirements. While other elements of the agreement are between the Applicant and MENA, a cursory review does not indicate this development would conflict with that agreement. Contact your attorney for confirmation.
16. **Traffic** – Applicants have submitted a Traffic Impact Analysis for a build-out of 403 dwelling units. This was reviewed with the major subdivision applications SMP2021 0004 and SMP2019 0004. The analysis included 47 single-family homes and 356 multifamily homes. To date, 27 single-family lots have been platted, with 18 additional proposed under Phase 3. This development would be the first multi-family development.
17. **Nonconforming situations** – N/A

Building Division

18. **Building** – Show sound and fire protection on architectural plans. Full submittal requirements will be determined during the permitting process.
19. **Outstanding Permits** – N/A

General Engineering/Public Works

20. **Engineering** –
 1. **Grading:** Slopes and retaining structures shall be shown on the Grading Plan. The heights and slope ratios must be quantified.
 - a. **Easements:** Site plan (plat) shall include all existing (and proposed) easements for drainage, utility lines, plumbing lines, access, snow storage, trash (dumpster) storage, or any other shared use that requires crossing the property line
 2. **Drainage** – Drainage must be directed to pre-approved drainage ways and cannot be directed at neighbors or otherwise cause a nuisance. Drainage shall be shown in the Grading Plan with arrows. Any drainage structures shall be identified, and sizes called out.
 21. **Utilities** – (water, power, sewer, etc.) Water service will need to be provided. A CBJ ROW Permit and Utility Permit will be required. The plans shall include a Utility Plan that shows the location of buried sewer and water utilities including valve, unions, cleanouts, and system components. Sizes and materials must be called out. Power by others.
 - a. **CBJ right-of-way (ROW) permit** - Once the construction plan for the utilities is approved, CBJ will create the ROW permit. The permit will cover the tapping of the water main and road restoration within the right-of-way (if required). Inspection fees, refundable bond amount, and conditions will be determined after review of the proposed construction plan. The extension of the utilities within the property will require further permitting and fee assessments. This process is done separately from the subdivision and typically in conjunction with the building permit application. Utility as-builts shall be submitted to GE prior to return of Bond and closure of permits.
 - b. **Water Utility permit** – for the water/fire line to be installed to the new structure. The line sizing shall be determined by the engineer. The meter is required to be installed prior to any branches in the plumbing line. The meter location and sizing shall be shown on the mechanical plans. The meter installation and conduit installation is the responsibility of the applicant. A water assessment will need to be paid and will be determined after sizing of meter and domestic line are identified.
 - c. **Sewer Utility permit** – for the sewer line to be installed to the new structure. The line sizing is determined by the engineer. The mechanical plans shall include a drainage fixture unit (DFU) count. A

Pre-Application Conference Final Report

sewer assessment and inspection fees will need to be paid and will be determined after review of the DFU's and the configuration of the underground sewer line.

Fire Marshal

3. **Fire Items/Access** – No comments at this time.

Other Applicable Agency Review

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

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. Materials can be submitted electronically to the Permit Center via email to Permits@juneau.gov.

1. Conditional Use permit application (see attached)
2. Building permit application (see attached)
3. Development Permit application (required with both forms)

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. Site Plan – (PDF)
3. Architectural Plans – (PDF)

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. N/A

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. The building permit cost will be determined during the submittal process by square footage.

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:

Pre-Application Conference Final Report

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
49.25.300 – Table of permissible uses
49.25.400 – Dimensional Standards
49.25.420 – Measuring building height
49.25.510 – Special Density Consideration
49.35.250 – Access
49.49.200 – Parking
49.40.210b – ADA Parking
Article II – Hillside Development
Article III – Traffic
Chapter 49.85 - Fees
69.10.023 - <https://juneau.org/community-development/grants-cbj-tax-abatement-programs>
Development Permit Application
Conditional Use Permit Application
Building Permit Application

49.15.330 Conditional use permit.

- (a) *Purpose.* A conditional use is a use that may or may not be appropriate in a particular zoning district according to the character, intensity, or size of that or surrounding uses. The conditional use permit procedure is intended to afford the commission the flexibility necessary to make determinations appropriate to individual sites. The commission may attach to the permit those conditions listed in subsection (g) of this section as well as any further conditions necessary to mitigate external adverse impacts. If the commission determines that these impacts cannot be satisfactorily overcome, the permit shall be denied.
- (b) *Preapplication conference.* Prior to submission of an application, the developer shall meet with the director for the purpose of discussing the site, the proposed development activity, and the conditional use permit procedure. The director shall discuss with the developer, regulation which may limit the proposed development as well as standards or bonus regulations which may create opportunities for the developer. It is the intent of this section to provide for an exchange of general and preliminary information only and no statement by either the developer or the director shall be regarded as binding or authoritative for purposes of this code. A copy of this subsection shall be provided to the developer at the conference.
- (c) *Submission.* The developer shall submit to the director one copy of the completed permit application together with all supporting materials and the permit fee.
- (d) *Director's review procedure.*
 - (1) The director shall endeavor to determine whether the application accurately reflects the developer intentions, shall advise the applicant whether or not the application is acceptable and, if it is not, what corrective action may be taken.
 - (2) After accepting the application, the director shall schedule it for a hearing before the commission and shall give notice to the developer and the public in accordance with section 49.15.230.
 - (3) The director shall forward the application to the planning commission together with a report setting forth the director's recommendation for approval or denial, with or without conditions together with the reasons therefor. The director shall make those determinations specified in subsections (1)(A)—(1)(C) of subsection (e) of this section.
 - (4) Copies of the application or the relevant portions thereof shall be transmitted to interested agencies as specified on a list maintained by the director for that purpose. Referral agencies shall be invited to respond within 15 days unless an extension is requested and granted in writing for good cause by the director.
 - (5) Even if the proposed development complies with all the requirements of this title and all recommended conditions of approval, the director may nonetheless recommend denial of the application if it is found that the development:
 - (A) Will materially endanger the public health or safety;
 - (B) Will substantially decrease the value of or be out of harmony with property in the neighboring area; or
 - (C) Will not be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans.
- (e) *Review of director's determinations.*
 - (1) At the hearing on the conditional use permit, the planning commission shall review the director's report to consider:
 - (A) Whether the proposed use is appropriate according to the table of permissible uses;

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- (B) Whether the application is complete; and
 - (C) Whether the development as proposed will comply with the other requirements of this title.
 - (2) The commission shall adopt the director's determination on each item set forth in paragraph (1) of this subsection (e) 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.
 - (f) *Commission determinations; standards.* Even if the commission adopts the director's determinations pursuant to subsection (e) of this section, it may nonetheless deny or condition the permit if it concludes, based upon its own independent review of the information submitted at the 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) Lack general conformity with the comprehensive plan, thoroughfare plan, or other officially adopted plans.
 - (g) *Specific conditions.* The commission may alter the director's proposed permit conditions, impose its own, or both. Conditions may include one or more of the following:
 - (1) *Development schedule.* A reasonable time limit may be imposed on construction activity associated with the development, or any portion thereof, to minimize construction-related disruption to traffic and neighborhood, to ensure that development is not used or occupied prior to substantial completion of required public or quasi-public improvements, or to implement other requirements.
 - (2) *Use.* Use of the development may be restricted to that indicated in the application.
 - (3) *Owners' association.* The formation of an association or other agreement among developers, homeowners or merchants, or the creation of a special district may be required for the purpose of holding or maintaining common property.
 - (4) *Dedications.* Conveyance of title, easements, licenses, or other property interests to government entities, private or public utilities, owners' associations, or other common entities may be required.
 - (5) *Performance bonds.* The commission may require the posting of a bond or other surety or collateral approved as to form by the city attorney to guarantee the satisfactory completion of all improvements required by the commission. The instrument posted may provide for partial releases.
 - (6) *Commitment letter.* The commission may require a letter from a public utility or public agency legally committing it to serve the development if such service is required by the commission.
 - (7) *Covenants.* The commission may require the execution and recording of covenants, servitudes, or other instruments satisfactory in form to the city attorney as necessary to ensure permit compliance by future owners or occupants.
 - (8) *Revocation of permits.* The permit may be automatically revoked upon the occurrence of specified events. In such case, it shall be the sole responsibility of the owner to apply for a new permit. In other cases, any order revoking a permit shall state with particularity the grounds therefor and the requirements for reissuance. Compliance with such requirements shall be the sole criterion for reissuance.
 - (9) *Landslide and avalanche areas.* Development in landslide and avalanche areas, designated on the landslide and avalanche area maps dated September 9, 1987, consisting of sheets 1—8, as the same may be amended from time to time by assembly ordinance, shall minimize the risk to life and property.
 - (10) *Habitat.* Development in the following areas may be required to minimize environmental impact:

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(A) Developments in wetlands and intertidal areas.

- (11) *Sound*. Conditions may be imposed to discourage production of more than 65 dBa at the property line during the day or 55 dBa at night.
- (12) *Traffic mitigation*. Conditions may be imposed on development to mitigate existing or potential traffic problems on arterial or collector streets.
- (13) *Water access*. Conditions may be imposed to require dedication of public access easements to streams, lake shores and tidewater.
- (14) *Screening*. The commission may require construction of fencing or plantings to screen the development or portions thereof from public view.
- (15) *Lot size or development size*. Conditions may be imposed to limit lot size, the acreage to be developed or the total size of the development.
- (16) *Drainage*. Conditions may be imposed to improve on and off-site drainage over and above the minimum requirements of this title.
- (17) *Lighting*. Conditions may be imposed to control the type and extent of illumination.
- (18) *Other conditions*. Such other conditions as may be reasonably necessary pursuant to the standards listed in subsection (f) of this section.

(Serial No. 87-49, § 2, 1987; Serial No. 2006-15, § 2, 6-5-2006; Serial No. 2015-03(c)(am), § 9, 8-31-2015 ; Serial No. 2017-29, § 3, 1-8-2018, eff. 2-8-2018)

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49.25.300 Determining uses.

- (a) (1) *Listed uses.* There is adopted the table of permissible uses, table 49.25.300. The uses permitted in a zoning area shall be determined through the table of permissible uses by locating the intersection of a horizontal, or use axis and a vertical, or zone axis. The conditions and procedures applicable to the use in the zone thus located shall be as indicated thereat by the digits "1," "2," or "3" as more fully set out in this section and by letters of the alphabet as more fully set out by footnotes in the table. The absence of a digit at the intersection of use and zone axes means that the identified use is not permitted in the identified zone.
- (2) *Unlisted uses.* The permissibility of a use not listed shall be determined pursuant to section 49.20.320.
- (3) *Uses listed more than once.* Where a use might be classified under more than one category, the more specific shall control. If equally specific, the more restrictive shall control.
- (4) *Accessory uses.* Uses constituting an incidental or insubstantial part of a permissible use and commonly associated with the permissible use may be allowed as an accessory use.
- (5) *Nonconforming uses.* Nonconforming uses, including nonconforming residential densities, are subject to chapter 49.30.
- (b) (1) When used in conjunction with a particular use in the table of permissible uses, the number "1" indicates that the use requires department approval pursuant to chapter 49.15, article III, in conjunction with the issuance of a building permit. The use is allowed in the district, but limited conditions may be attached to the approval.
- (2) The number "2" indicates the use requires an allowable use permit from the planning commission. Such uses are allowed in the district, but specified conditions may be attached to the allowable use permit by the commission. The permit procedure is outlined in chapter 49.15, article I.
- (3) The number "3" indicates the use requires a conditional use permit from the commission. The use may or may not be allowed at a particular location, depending on a determination of its compatibility with surrounding or proposed land uses. The planning commission may attach any condition to ensure the compatibility of the proposed use. The conditional use permit procedure is outlined in chapter 49.15, article I.
- (c) A combination of digits such as "1, 3" or "2, 3" indicates that the approval procedure for the identified use in the identified zone will vary depending on whether the project is a major or minor development.
- (1) If the project is a minor development the first number of the combination shall indicate the applicable procedure.
- (2) If the project is a major development the second number shall indicate the applicable procedure.
- (3) Minor development means development which is classified by zoning district as follows:
- (A) *Rural reserve district:* A residential development containing two or fewer dwelling units, two or fewer bedrooms leased on a daily or weekly basis, or a nonresidential building totaling less than 10,000 square feet or using less than one acre of land in total.
- (B) *Single-family residential districts:* A residential development containing two or fewer dwelling units, two or fewer bedrooms leased on a daily or weekly basis, or a nonresidential building totaling less than 5,000 square feet or using less than 10,000 square feet of land in total.
- (C) *Multifamily residential districts:* A residential development containing eight or fewer dwelling units, eight or fewer bedrooms leased on a daily or weekly basis, or a nonresidential building totaling less than 5,000 square feet or using less than 10,000 square feet of land in total.

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- (D) *Commercial and mixed use districts:* A residential development containing 12 or fewer dwelling units, 12 or fewer bedrooms leased on a daily or weekly basis, or a nonresidential building totaling less than 10,000 square feet or using less than one-half acre of land in total.
- (E) *Industrial districts:* Non-residential buildings totaling 15,000 square feet or using less than one acre of land in total.

(4) Major development means all development activity that is not a minor development.

(5) Exceptions. Exceptions to the use of minor and major development classifications as a method of determining the applicable approval procedure shall be as noted in the table of permissible uses.

(Serial No. 87-49, § 2, 1987; Serial No. 89-01, § 2, 1989; Serial No. 89-14, § 2, 1989; Serial No. 89-16, § 2, 1989; Serial No. 89-20, § 2, 1989; Serial No. 89-28, § 2, 1989; Serial No. 89-29, § 2, 1989; Serial No. 89-30, § 2, 1989; Serial No. 89-31, § 2, 1989; Serial No. 90-21, § 2, 1990; Serial No. 90-52, § 3, 1990; Serial No. 90-54, §§ 2, 3, 1991; Serial No. 91-01, § 3, 1991; Serial No. 91-36, § 2, 1991; Serial No. 92-09, § 3, 1992; Serial No. 93-05, § 2, 1993; Serial No. 93-46, §§ 2—4(Exh. A) and (Exh. B), 1993; Serial No. 94-07, §§ 2, 3(Exh. A) and (Exh. B), 1994; Serial No. 94-40, § 2(Exh. A), 1994; Serial No. 95-09, §§ 2, 3(Exh. A) and (Exh. B), 1995; Serial No. 97-10, § 2(Exh. A), 1997; Serial No. 97-19, § 2(Exh. A), 1997; Serial No. 97-47, §§ 2, 3(Exh. A), 1997; Serial No. 98-09, § 4(Exh. A), 1998; Serial No. 98-39, §§ 2—4(Exh. A), 1998; Serial No. 98-40, § 2(Exh. A), 1999; Serial No. 99-22, § 7, 1999; Serial No. 2000-46, § 2(Exh. A), 11-20-2000; Serial No. 2001-12, § 2(Exh. A), 4-02-2001; Serial No. 2010-22, §§ 2, 3(Exh. A), 7-19-2010; Serial No. 2015-07(b)(am), § 2, 2-23-2015, eff. 3-26-2015 ; Serial No. 2015-03(c)(am), § 18, 8-31-2015 ; Serial No. 2019-37, § 2, 3-16-2020, eff. 4-16-2020)

TABLE OF PERMISSIBLE USES - CBJ 49.25.300

		Zones																
	Use Description	RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	LC	GC	MU	MU2	MU3	NC	WC	WI	I
1.000	Residential																	
	1.100	Single-family dwellings																
	1.110	Single-family detached, one dwelling per lot	1	1	1	1	1	1	1	1	1	1	1			1	1A	1A
	1.120	Single-family detached, two dwellings per lot	1	1	1													
	1.130	Single-family detached, accessory apartment ^x	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3			1, 3		
	1.140	Single-family detached, two dwellings per lot, accessory apartments ^x	1, 3	1, 3	1, 3													
1.200	Duplex		1	1	1	1		1	1	1	1	1	1			1		
1.300	Multifamily dwellings							1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3		
1.500	Child and Day care homes																	
	1.510	Child; 12 or fewer children under the age of 12	1	1	1	1	1	1	1	1	1	1	1	1	1			
	1.520	Reserved																
	1.530	Adult; 12 or fewer people, 12 years and older	1	1	1	1	1	1	1	1	1	1	1	1	1			
	1.540	Reserved																
	1.550	Child care residence, 6 to 9 children under 18 years of age		3	3	3	3	3	3	3	3	3	3	3	3			
1.600	Miscellaneous, rooms for rent situations																	
	1.610	Rooming, boarding houses, bed and breakfasts, single room occupancies with shared facilities, transitional housing, and temporary residences.	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	1, 3	1	1	1, 3	1, 3	3 ^N	

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		Owner or manager must live on site.																
	1.620	Hotels, motels	3								1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	3 ^N	3 ^N
	1.630	Single room occupancies with private facilities						1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3		
1.700	Home occupations		1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
1.800	Mobile homes																	
	1.810	Residential mobile homes on individual lots ^E	3	3	3													
	1.815	Caretakers mobile homes on individual lots ^E	3	3	3	3	3	3	3	3	3	3	3	3			3	3
	1.820	Mobile home parks ^E					3	3	3	3	3	3						
	1.830	Mobile home subdivision ^E				3	3	3	3	3	3	3						
	1.840	Recreational vehicle parks ^F	3 ^F	3 ^F	3 ^F													
1.900	Common wall development																	
	1.910	Two dwelling units				1	1	1	1	1								
	1.911	Accessory apartments ^X	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	
	1.920	Three or more dwelling units					1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3		
	1.930	Two dwelling unit structures allowed under special density considerations, subsections 49.25.510(h)			3	3	3	3	3	3	3			3				
2.000	Sales and Rental Goods, Merchandise or Equipment ^G																	
2.100	With less than 5,000 square feet and less than 20 percent of the gross floor area of outside merchandising of goods																	
	2.110	Reserved																
	2.120	Miscellaneous									1	1	1	1	1	1	3 ^N	3 ^N
	2.130	Marine merchandise and equipment	3 ^T								1, 3	1, 3	1, 3	1, 3	1	1	1, 3	3 ^N
2.200	Storage and display of goods with greater or equal to 5,000 square feet										1, 3	1, 3	1, 3	1, 3			3 ^N	3 ^N

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	and/or 20 percent of the gross floor area of outside merchandising of goods																	
2.300	Marijuana retail store		3							3	3	3	3	3	3	3	3	3
3.000	Professional Office, Clerical, Research, Real Estate, Other Office Services ⁶																	
3.050	Offices of not more than 1,000 square feet			3	3	3	3	3	3	3	1	1	1	1	1	1	1 ^N	
3.100	Offices greater than 1,000 but not more than 2,500 square feet							3	3	3	1	1	1	1	1	1	3 ^N	
3.200	Reserved																	
3.300	Research, laboratory uses		3 ^T								1, 3	1, 3	1, 3	1, 3	1, 3		1 ^N , 3 ^N	1 ^N , 3 ^N
3.400	Offices greater than 2,500 square feet										1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1 ^N , 3 ^N	3 ^S
3.500	Marijuana testing facility		3								3	3	3	3				3
4.000	Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods ⁶																	
4.050	Light manufacturing		3 ^T						3	3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1 ^N , 3 ^N	1 ^N , 3 ^N
4.070	Medium manufacturing		3 ^T									3	3	3			3 ^N	1 ^N , 3 ^N
4.100	Heavy manufacturing		3 ^T	3 ^Q														3 ^N
4.150	Rock crusher		3 ^T	1 ^Q	1 ^Q													3 ^N
4.200	Storage of explosives and ammunition		3															3 ^N
4.210	Seafood processing		3 ^T														3	1, 3
4.220	Marijuana product manufacturing facility		3 ^{AC}									3	3					3
5.000	Educational, Cultural, Religious, Philanthropic, Social, Fraternal Uses																	
5.100	Schools																	
	5.110	Elementary and secondary schools including associated grounds and other facilities		3	3	3	3	3	3	3	3	3	3	3	3	3		
	5.120	Trade, vocational schools, commercial schools	3 ^T								3	3	3	3	3		3 ^N	3 ^N
	5.130	Colleges, universities	3 ^T	3	3	3	3	3	3	3	3	3	3	3	3	3	3 ^N	3 ^N
5.200	Churches, synagogues, temples		3 ^T	3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	3	3	1 ^N , 3 ^N	3 ^N

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5.300	Libraries, museums, art galleries	3 ^T	3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	3 ^N		
5.400	Social, fraternal clubs, lodges, union halls, yacht clubs	3 ^T								1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1 ^N , 3 ^N	3 ^N	1, 3
6.000	Recreation, Amusement, Entertainment																	
6.100	Indoor activity conducted entirely within building or substantial structure																	
	6.110 Bowling alleys, billiard, pool halls									1, 3	1, 3	1, 3	1, 3	1, 3	1, 3			3
	6.120 Tennis, racquetball, squash courts, skating rinks, exercise facilities, swimming pools, archery ranges				3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3			3
	6.130 Theaters seating for 200 or fewer	3 ^T						3	3	1	1	1	1	1, 3	1, 3	3 ^N		3
	6.135 Theaters seating from 201 to 1,000									3	1	1	1	1, 3	1, 3	3 ^N		3
	6.140 Coliseums, stadiums, and other facilities in the 6.100 classification seating more than 1,000 people										3	3	3			3 ^N		
	6.150 Indoor shooting range	1, 3									3							3
6.200	Outdoor activity conducted outside enclosed buildings or structures																	
	6.210 Recreational facilities such as golf, country clubs, swimming, tennis courts not constructed pursuant to a permit authorizing the construction of a school	3	3	3	3	3	3	3	3	3	1, 3			1, 3	1, 3	3 ^N		3
	6.220 Miniature golf courses, skateboard parks, water slides, batting cages	3	3	3	3	3	3	3	3	3	1, 3	3	3	1, 3	1, 3	3 ^N		3
	6.240 Automobile, motorcycle racing tracks; off-highway vehicle parks	3									3							3
	6.250 Reserved																	

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	6.260	Open space	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	6.262	Parks with improved facilities, not approved in conjunction with a major subdivision																	
	6.264	Capacity for up to 20 people ^w	1 ^T	1	1	1	1	1	1	1	1	1	1	1	1	1	1	3 ^N	
	6.266	Capacity for more than 20 people ^w	3 ^T	3	3	3	3	3	3	3	3	3	3	3	3	3	3 ^N	3 ^N	
	6.270	Aerial conveyances and appurtenant facilities	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3 ^N	3 ^N	3
	6.280	Shooting ranges	3																3
7.000	Institutional Day or Residential Care, Health Care Facilities, Correctional Facilities																		
7.100	Hospital									3	3	3	3						
7.150	Health care clinics, other medical treatment facilities providing out-patient care							3	3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3			
7.200	Assisted living		3	3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3			
7.300	Day care centers						3	3	3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3			
7.310	Child care centers	3	3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3			
7.500	Correctional facilities	3	3	3	3	3	3	3	3	3	3	3	3						
7.600	Sobering centers									3	3	3	3						
8.000	Restaurants, Bars, Nightclubs																		
	8.050	Small restaurants, less than 1,000 ft ² without drive through service	3 ^T					3	3	3	1	1	1	1	1	1	1 ^N		3
8.100	Restaurants, bars without drive through service	3 ^T									1, 3	1	1, 3	1, 3	1, 3	1, 3	1 ^N , 3 ^N	3 ^N	3
8.200	Restaurants, coffee stands with drive through service										1, 3	1		3			1 ^N , 3 ^N	3 ^N	3
8.300	Seasonal open air food service without drive through	3									1, 3	1	1, 3	1, 3	1, 3	1, 3	1 ^N , 3 ^N	3 ^N	
9.000	Boat or Motor Vehicle, Sales and Service Operations																		

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	9.050	Motor vehicle, mobile home sale or rental									1, 3	1, 3	3	3					1, 3
9.100		Motor vehicle repair and maintenance, including body work										3							1
9.200		Automotive fuel station	3 ^T								3	1							1
9.300		Car wash									3	1							1
9.400		Boat sales or rental	3 ^T								3	1					1	1	1
9.450		Boat repairs and maintenance	3 ^T									3					1	1	1
9.500		Marine fuel, water sanitation	3 ^T														1, 3	1, 3	1, 3
9.600		Marine commercial facilities including fisheries support, commercial freight, passenger traffic	3														3	3	
10.000		Storage, Parking, Moorage																	
10.100		Automobile parking garages or parking lots not related to a principal use on the lot									3	1	1, 3	1, 3	1, 3	1, 3			1
10.200		Storage and handling of goods not related to sale or use of those goods on the same lot on which they are stored																	
	10.210	All storage within completely enclosed structures	1, 3	3							3	1	1 ^U , 3 ^U	1 ^U , 3 ^U			1 ^N , 3 ^N	1 ^N	1
	10.220	General storage inside or outside enclosed structures	1, 3	3								1, 3					1 ^N , 3 ^N	1 ^N	1
	10.230	Snow storage basin																	
	10.232	Neighborhood, less than ½ acre	3	3	3 ^Z	3 ^Z	3 ^Z	3 ^Z	3 ^Z	3 ^Z	3 ^Z	1			3 ^Z	3 ^Z	3 ^Z	1	1
	10.235	Regional, ½ to 1 acre	3	3	3 ^Z						3 ^Z	3					3 ^Z	1	1
	10.237	Area wide, over 1 acre	3	3 ^Z	3 ^Z							3 ^Z						3	3
10.300		Parking of vehicles or storage of equipment outside enclosed structures where they are owned and used by the user of the lot and parking and storage is more than a minor and incidental use of the lot	1, 3	3								1, 3					1 ^N , 3 ^N	1 ^N , 3 ^N	1

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10.400	Temporary contractor's storage connected with construction project off-site for a specified period of time	1, 3	3	3	3	3	3	3	3	3	1, 3	3	3	3	3	3	1N	1
10.500	Moorage																	
	10.510 Public, commercial	3	3	3						3	3	3	3	1, 3	1, 3	1, 3	1, 3	1, 3
	10.520 Private	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3
10.600	Floating structures supporting seasonal, commercial recreation	3	3	3										3	3	3	3	
11.000	Materials Salvage Yards, Waste Management																	
11.100	Recycling operations																	
	11.110 Enclosed collection structures ⁹ of less than 80 square feet total and less than six feet in height	1 ^P	1 ^P	1 ^P	1 ^P	1 ^P	1 ^P	1 ^P	1 ^P	1	1	1 ^P	1 ^P	1 ^P	1 ^P	1	1	1
	11.120 Enclosed structures for recyclable materials collection	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3 ^P	1 ^P , 3 ^P	3	3	3 ^P	3 ^P	1	1	1 ^P
	11.130 Sorting, storage, preparation for shipment occurring outside an enclosed structure																1 ^N	1
11.200	Reclamation landfill not associated with a specific use	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3			3 ^N	3 ^N	1, 3
11.300	Sanitary landfill	3																3
12.000	Services and Enterprises Related to Animals																	
12.100	Veterinary clinic	3	3	3						3	1, 3	3	3	3	3	1 ^N , 3 ^N	1 ^N , 3 ^N	1
12.200	Kennel	3	3							3	3							1, 3
12.250	Day animal services, grooming, walking, day care	3	3	3	3	3				3	3	3	3	1, 3	1, 3			1, 3
12.300	Zoos, aquaria, or wild animal rehabilitation facilities with a visitor component	3	3							3	3		3			3 ^N		3
12.310	Wild animal rehabilitation facilities without a visitor component	3	3	3	3					3	3					3 ^N		3

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12.400	Horseback riding stables, dog team yards	3	3							3	3							3
13.000	Emergency Services																	
13.100	Fire, police, ambulance	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3 ^N	3 ^N	1, 3
14.000	Aquaculture, Agriculture, Silviculture, Mining, Quarrying Operations, Spring Water Bottling																	
14.100	Aquaculture	3	3	3						3	3	3	3	1, 3	1, 3	1	1	3
14.150	Weirs, channels, and other fisheries enhancement	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3			1	1	1
14.200	Commercial agricultural operations																	
	14.210 Excluding farm animals	1, 3	1, 3	3	3	3	3	3	3	3	3			3	3			1, 3
	14.220 Including farm animals ^M	1, 3	3															1, 3
	14.230 Stabling of farm animals ^M	3	3	3	3					3	3							1, 3
	14.240 Marijuana cultivation (500 square feet or more under cultivation)	3								3	3							3
	14.245 Marijuana cultivation (fewer than 500 square feet under cultivation)	3	3 ^{AB}							3	3							3
14.250	Personal use agriculture																	
	14.253 Hens, 6 maximum	1	1	1	1	1	1	3	3	1	1	3	3	1	1	1	1	1
14.300	Silviculture and timber harvesting ^J	3	3															3
14.400	Mining operations	2, 3 ^K	3	3												3 ^N	3 ^N	2
14.500	Sand and gravel operations ^I	3	3	3						3	3					3 ^N	3 ^N	3
14.800	Spring water bottling	3	3			3	3	3	3	3	3				3			1, 3
15.000	Miscellaneous Public and Semipublic Facilities																	
15.100	Post office	3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	3 ^N	3 ^N	1, 3
15.200	Airport	3																1, 3

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15.400	Military reserve, National Guard centers	3	3	3						3	3					3 ^N	3 ^N	3
15.500	Heliports, helipads	3									3					3 ^N	3 ^N	3
15.600	Transit facilities																	
	15.610 Transit center			3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	3		1, 3
	15.620 Transit station		1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	15.630 Park and ride not associated with transit station	3	3	3	3	3	3	3	3	1	1	3	3		3			1
15.700	Public works facility	3	3	3	3					3	3							1, 3
16.000	Dry Cleaner, Laundromat																	
16.100	Drop off and pickup only, no onsite laundry or dry cleaning process									1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1 ^N , 3 ^N	1 ^N , 3 ^N	1, 3
16.200	Full service onsite laundry and/or dry cleaning									3	1, 3	3	3	1, 3	1, 3	3 ^N	1 ^N , 3 ^N	1, 3
17.000	Utility Facilities																	
17.100	Minor	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
17.150	Intermediate	3	3	3	3	3	3	3	3	3	1, 3	3	3	3	3	1, 3	1	1
17.200	Major	3	3	3	3	3	3	3	3	3	3			3	3	3	3	3
17.300	Driveways and private roads																	
18.000	Towers and Related Structures																	
18.100 ^{AA}	Towers and antennas 35 feet or less	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
18.200 ^{AA}	Towers and antennas 35 to 50 feet	1	3	3	3	3	3	3	3	1	1	1	1	3	3	1	1	1
18.300 ^{AA}	Towers and antennas more than 50 feet in height	3	3	3	3	3	3	3	3	3	3	3	3			3	3	1
18.400	Amateur (ham) radio towers and antennas more than 35 feet in height ^B	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
18.500	Wireless Communication Facilities																	
19.000	Open Air Markets, Nurseries, Greenhouses																	
19.100	Open air markets (farm, craft, flea, and produce)	1, 3	1, 3							1, 3	1	1, 3	1, 3	1, 3	1, 3	1 ^N , 3 ^N	1 ^N , 3 ^N	1, 3
19.200	Nurseries, commercial greenhouses																	
	19.210 Retail sales	3	3	3	3	3	3	3	3	1, 3	1	1 ^V	1 ^V	1, 3	1, 3			1

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	19.220	Nonretail sales	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1	1 ^V	1 ^V					1
	19.230	Marijuana cultivation (500 square feet or more under cultivation)	3								3	3							3
	19.240	Marijuana cultivation (fewer than 500 square feet under cultivation)	3	3 ^{AB}							3	3							3
20.000	Cemetery, Crematorium, Mortuary																		
20.100	Cemetery		1, 3	3	3	3	3	3	3	3	3	3							
20.200	Crematorium		3																1, 3
20.300	Funeral home		3	3	3	3	3	3			1, 3	1	3	3	1, 3	1, 3			
21.000	Visitor-Oriented, Recreational Facilities																		
21.100	Resort, lodge		3	3															
21.200	Campgrounds		1, 3	3															
21.300	Visitor, cultural facilities related to features of the site		3	3							3	3	3	3	3	3	3 ^N		
22.000	Temporary Structures Associated With Onsite Construction																		
22.100	Temporary structures used in connection with construction		1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1

Key:

1. Department approval requires the department of community development approval only.
- 1, 3. Department approval required if minor development; conditional use permit required if major development.
2. Allowable use permit requires planning commission approval.
3. Conditional use permit requires planning commission approval.
- 2, 3. Allowable use permit required if minor development, conditional use permit required if major development.

Notes:

- A. A single-family residence is allowed as an owner or caretaker residence that is accessory to an existing permitted use in the industrial zone.
- B. Reserved.

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- C. Reserved.
 - D. Reserved.
 - E. See special use regulations for mobile homes, chapter 49.65, article III.
 - F. See special use regulations for recreational vehicles, chapter 49.65, article IV. This use allowed by service area designation not zoning district.
 - G. All uses subject to additional performance standards, chapter 49.65, article VIII.
 - H. Reserved.
 - I. Reserved.
 - J. Applies to over 2 acres of harvest area.
 - K. See special use regulations, chapter 49.65, article I. Mining operations are a conditional use in the urban mining district and an allowable use in the rural mining district.
 - L. See special use regulations, chapter 49.65.200, article II.
 - M. Only applicable to the commercial or private stabling of more than three farm animals, or where the running or stabling area is closer than 100 feet to the nearest residence other than the owner for any number of farm animals.
 - N. Use must be water-dependent, water-related, or water-oriented.
 - O. Standards for collection structures: containers must be well maintained and allow no spillage of contents; a specific person or group must be responsible for maintenance of the structure and that person or group shall have a contact telephone number posted on the collection structure; collection structure must be situated so as to not affect traffic or parking; directional signs shall be limited to six square feet and identification signs shall be limited to 24 square feet; such signs will not be included in total sign area allowed for a complex; and the structure shall not exceed a height of six feet. Identification is to be in the following format: greater prominence, the City and Borough recycling logo and the recyclable material identification; lesser prominence, the sponsor name and the contact phone number.
 - P. Preexisting allowable or conditional use permit: If recycling activity is determined by the director to be an accessory use to a use previously permitted under either an allowable or a conditional use permit, the activity may be approved by the department. Other conditions may be required before recycling activity is permitted.
 - Q. Must be in conjunction with an approved state or municipal public road construction project, and must be discontinued at the completion of the project. Road construction by private parties for subdivision development is excluded except as provided in this title. Rock crushed on-site must be used on-site. Crushing shall be limited to 8:00 a.m.—5:00 p.m. unless the director authorizes otherwise.
 - R. Towers shall: be for amateur use only; meet the setback requirements of the zoning district; be unlit except as required by the Federal Aviation Administration. Towers shall be installed in conformance with a valid building permit, application for which shall include a copy of the applicant's amateur station license.
 - S. Limited to lots directly fronting on Glacier Highway West of Industrial Boulevard.
 - T. Must be associated with a unique site specific feature in order to function. Example: Glacier research station - Juneau Icefield location.
 - U. No storage permitted on the first floor of a building.
 - V. Primarily intended for rooftop locations in urban areas.
 - W. The capacity of a park shall be determined by the Director of the Community Development Department or designee in consultation with the Director of the Parks and Recreation Department.
 - X. Special requirements apply to accessory apartment applications. See CBJ § 49.25.510(k).
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- Z. Snow storage may be permitted for a maximum of five years. After five years a new application must be filed.
 - AA. Does not apply to wireless communication facilities.
 - AB. Use is prohibited in the urban service area but allowed outside the urban service area. An owner or manager must live on site.
 - AC. Use is prohibited within 1,000 feet of recognized neighborhood association established in accordance with CBJ chapter 11.35.

(Serial No. 2002-14, § 2, 4-1-5-2002; Serial No. 2002-29, § 2, 11-4-2002; Serial No. 2003-27am, § 5, 6-16-2003; Serial No. 2003-41, § 2, 9-22-2003; Serial No. 2003-41, § 2, 9-8-2003; Serial No. 2004-09, § 2, 4-12-2004; Serial No. 2006-07, § 2, 4-3-2006; Serial No. 2007-39, § 8, 6-25-2007; Serial No. 2009-22(b), § 2, 10-12-2009; Serial No. 2010-22, § 3(Exh. A), 7-19-2010; 2014-32(e)am, §§ 6—8, 9-29-2014, eff. 10-29-2014 ; Serial No. 2015-07(b)(am), §§ 2—4, 2-23-2015, eff. 3-26-2015 ; Serial No. 2015-34(am), § 2, 7-20-2015, eff. 8-20-2015 ; Serial No. 2015-03(c)(am), § 19, 8-31-2015 ; Serial No. 2015-32, §§ 2, 3, 8-10-2015 ; Serial No. 2015-38(b)(am), § 6, 5-2-2016, eff. 6-2-2016 ; Serial No. 2015-39(am), §§ 2—7, 11-9-2015 ; Ord. No. 2018-31, § 2, 6-4-2018, eff. 7-5-2018 ; Serial No. 2021-35(am), § 3(Exh. A), 2-7-2022, eff. 3-10-2022)

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49.25.400 Minimum dimensional standards.

There is adopted the table of minimum dimensional standards, table 49.25.400. Minimum dimensional standards for all zoning districts shall be according to the table of minimum dimensional standards, subject to the limitations of the following sections and as otherwise specifically noted in the special area or use sections, chapters 49.65 and 49.70.

(Serial No. 87-49, § 2, 1987; Serial No. 89-32, § 2, 1989; Serial No. 98-09, § 5(Exh. B), 1998; Serial No. 98-20, § 2(Exh. A), 1998; Serial No. 2004-13, § 2, 9-27-2004; Serial No. 2006-13, § 2, 5-15-2006; Serial No. 2007-13, § 2, 4-2-2007; Serial No. 2012-24, § 3, 5-14-2012, eff. 6-14-2012 ; Serial No. 2021-28, § 4, 8-23-2021, eff. 9-22-2021)

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TABLE 49.25.400
TABLE OF DIMENSIONAL STANDARDS

Zoning Regulations	RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	MU	MU2	MU3	NC	LC	GC	WC	WI	I
Minimum Lot Size ¹																	
Permissible Uses	36,000	36,000	12,000	7,000	3,600 ¹⁰	6,000	5,000	5,000	4,000	4,000	3,000	3,000	2,000	2,000	2,000	2,000	2,000
Bungalow ⁹		18,000	6,000	3,500	2,500	3,000	3,000	2,500									
Duplex	54,000	54,000	18,000	10,500													
Common Wall Dwelling				7,000	3,600 ¹⁰	5,000	3,500	2,500		2,500							
Single-family detached, two dwellings per lot	72,000	72,000	24,000														
Minimum lot width	150'	150'	100'	70'	40'	50'	50'	50'	50'	50'	40'	40'	20'	20'	20'	20'	20'
Bungalow ⁹		75'	50'	35'	25'	25'	25'	25'									
Common wall dwelling				60'	40'	40'	30'	20'		20'							
Maximum lot coverage																	
Permissible uses	10%	10%	35%	50%	50%	50%	50%	50%	None	80%	75%	None	None	None	None	None	None
Conditional uses	20%	20%	35%	50%	50%	50%	50%	50%	None	80%			None	None	None	None	None

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Maximum height permissible uses	45'	35'	35'	35'	35'	35'	35'	35'	None	45' ⁴	35'	35'	45'	55'	35' ⁴	45' ⁴	None
Accessory	45'	25'	25'	25'	25'	25'	25'	25'	None	35'	25'	25'	35'	45'	35' ⁴	45' ⁴	None
Bungalow ⁹		25'	25'	25'	25'	25'	25'	25'									
Minimum front yard setback ³	25'	25'	25'	20'	20' ¹⁰	20'	20'	20'	0'	5'5,8	0'	0'	25'	10'	10'	10'	10'
Maximum front yard setback											20'	15'					
Minimum street side yard setback	17'	17'	17'	13'	10'	13'	13'	13'	0'	5'	0'	0'	17'	10'	10'	10'	10'
Maximum street side yard setback											15'	10'					
Minimum rear yard setback ³	25' ²	25'	25'	20'	10'	20'	15'	10'	0'	5'	5'	0'11	10'	10'	10'	10'	10'
Minimum side yard setback ³	15' ²	15'	10'	5'	3'	5'	5'	5'	0'	5'	0'	0'11	10'	10'	10'	10'	0'
Common wall dwelling				10' ⁶	3'	5' ⁷	5' ⁷	5' ⁷		5' ⁷							

Notes:

1. Minimum lot size is existing lot or area shown on chart in square feet.
2. Sixty feet between nonresidential and designated or actual residential site; 80 feet between industrial, extractive and other uses.
3. Where one district abuts another the greater of the two setbacks is required for both uses on the common property line.
4. (Height Bonus) Reserved.

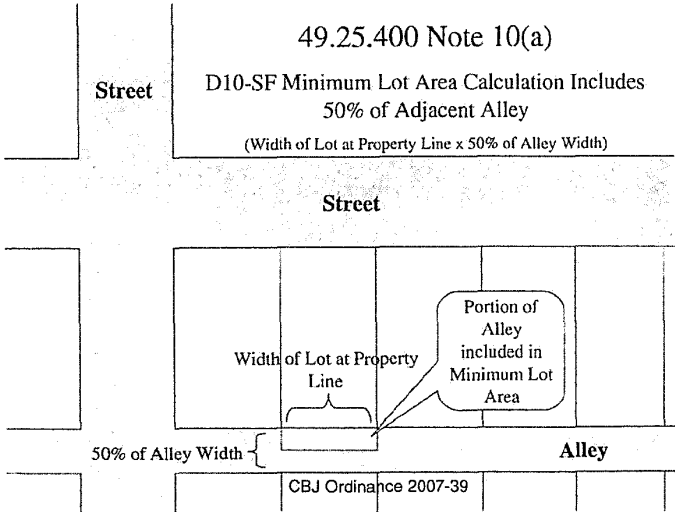
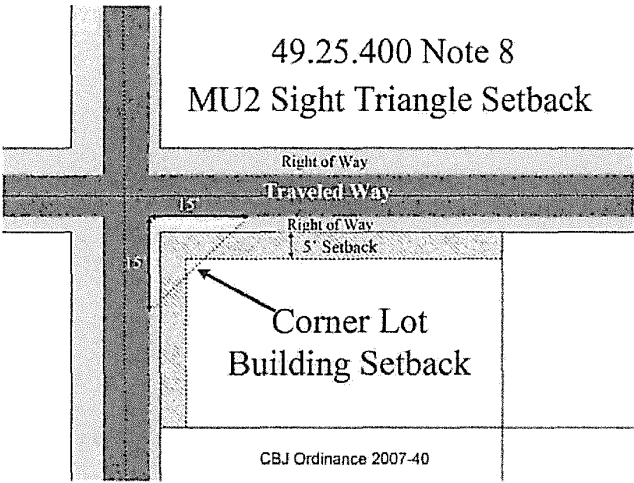
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5. (Pedestrian Amenities Bonus) Reserved.
 6. Zero-foot setback for the portion of the dwelling with a common wall, five-foot setback or five-foot wide easement for the portion of the dwelling at the common lot line without a common wall, and ten-foot setback for the remaining side yards of the lot.
 7. Zero-foot setback for the portion of the dwelling with a common wall, five-foot setback or five-foot wide easement for the portion of the dwelling at the common lot line without a common wall, and five-foot setback for the remaining side yards of the lot.
 8. On corner lots, buildings shall be set back 15 feet from a street intersection. The area in which buildings shall be prohibited shall be determined by extending the edge of the traveled ways to a point of intersection, then measuring back 15 feet, then connecting the points.
 9. Special restrictions apply to construction on bungalow lots. See special use provisions 49.65.600.
 10. For lots adjacent to an alley, the following reductions to the dimensional standards apply:
 - (a) Minimal lot area includes 50% of adjacent alley (see graphic).
 - (b) Reserved.
 - (c) Minimum front yard setback of ten feet.
 11. Additional setbacks apply when lot abuts a multi-family or single-family residential zoning district.
- (Serial No. 2008-04, § 2, 2-25-2008, eff. 3-27-2008; Serial No. 2012-24, § 3, 5-14-2012, eff. 6-14-2012 ; Serial No. 2021-28 , § 4, 8-23-2021, eff. 9-22-2021; Serial No. 2021-35(am), § 4(Exh. B), 2-7-2022, eff. 3-10-2022)

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(Serial No. 2007-39, § 9, 6-25-2007; Serial No. 2007-40, § 2, 6-25-2007)

Measuring or Calculating Building Height: CBJ 49.25.420

(a) The height of a building is the vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. Roofs with slopes greater than 75 percent shall be regarded as walls. The height of a stepped or terraced building is the height of the highest segment thereof.

(b) The reference datum shall be whichever of the following yields the greater height of building:

(1) The highest point within a horizontal distance of five feet from the exterior wall of the building, when such point is not more than ten feet above the lowest point within said five-foot radius.

(2) An elevation ten feet higher than the lowest point, when the highest point described in subsection (b)(1) of this section is more than ten feet above the lowest point.

Note that the complete text of this section is not reproduced here—as always, refer to the full text of the current edition of the Code!

The graphic below is taken from the 1997 UBC Code Applications Manual. It is not adopted as part of CBJ Code, but it does show graphically what the adopted text says:

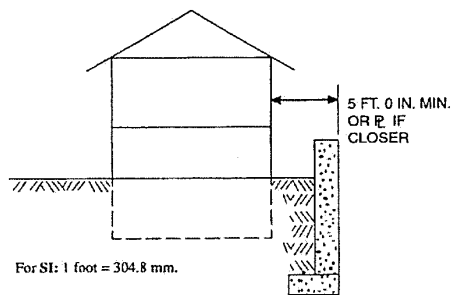


FIGURE 2-1

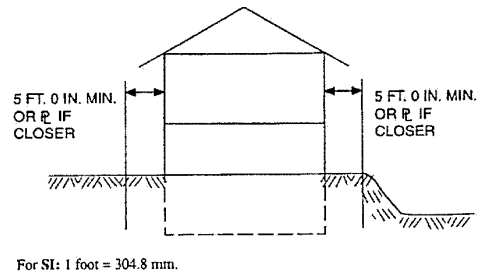


FIGURE 2-2

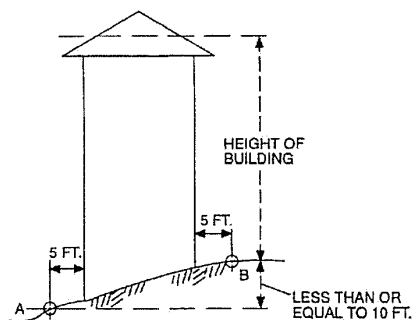


FIGURE 2-3

For SI: 1 foot = 304.8 mm.

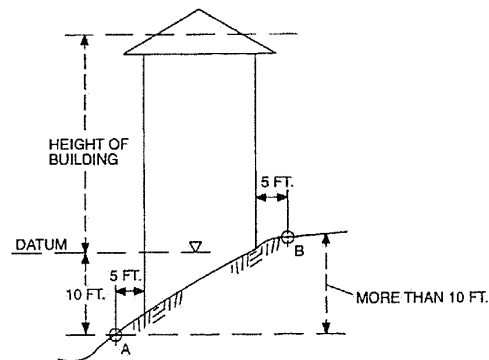


FIGURE 2-4

DETERMINATION OF BUILDING HEIGHT IN FEET

49.25.510 Special density considerations.

- (a) *Fractions of units.* If a density calculation results in fractions of dwelling units allowable, such fractions shall be rounded to the nearest whole number.
- (b) *Factors precluding maximum density.* The number of units allowed by section 49.25.500 is a maximum, achievement of which may be prevented by other factors, including topography, dimensional standards or dedication requirements.
- (c) *Mobile home subdivisions.* Mobile home subdivisions shall meet the density requirements of the zoning district in which they are located, regardless of the lot size allowed.
- (d) *Two-unit dwellings.*
 - (1) *Duplexes.* The minimum lot size for a duplex dwelling shall be at least 150 percent of the square footage required for a single-family dwelling in the same zoning district, except in multi-family, mixed-use, and commercial zoning districts, where duplexes may be constructed on any lot of sufficient size for two dwelling units.
 - (2) *Reserved.*
- (e) *Detached single-family dwellings.* Two detached single-family dwellings located on a single lot within the Rural Reserve D1 and D3 zoning districts shall each meet 100 percent of the applicable square-footage requirement.
- (f) *Reserved.*
- (g) *Duplex and common wall structures.* The commission, through the conditional use permit process, may allow duplex and common wall structures on lots of less than the required size if the applicant can demonstrate that the same number of dwelling units already exist on the lot or may lawfully be created on the lot as a result of the nonconforming development provisions of chapter 49.30. Applications of this provision include the following:
 - (1) Common wall subdivision lots of less than the required size may be created if the original parcel contains a common wall structure that was lawfully built and all other common wall structure requirements can be met.
 - (2) A duplex or a two unit common wall structure may be built on a pair of existing lots of record which together are less than the required size for a duplex or a two unit common wall structure, provided each of the lots could have been developed with a single-family dwelling when the lots were created.
- (h) *Building a two unit common wall structure.* The commission, through the conditional use permit process, may approve the building of a two unit common wall structure on less than the required lot area if the lot was legally platted prior to November 9, 1987; the subdivision or a portion thereof was designed specifically for two unit common wall structures; and 60 percent or more of the lots in the subdivision or of the portion thereof designed specifically for two unit common wall structures have been developed with two unit common wall structures.
- (i) *Subdivision rights-of-way.* In calculating the number of dwelling units and thereby the number of lots allowed within a proposed single-family subdivision, any proposed rights-of-way shall be included in the total square footage of the parcel. In multifamily subdivisions, rights-of-way shall not be so included.
- (j) *Single-room occupancies with private facilities.* A permit to construct single-room occupancies may be issued by the Director or the Planning Commission, as specified in the Table of Permissible Uses, CBJ 49.25.300, if all of the requirements of this subsection are met.
 - (1) Single-room occupancies shall be efficiency units not exceeding 400 square feet in net floor area.

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- (A) Areas common to more than one dwelling unit, including entry ways, furnace rooms, laundry rooms, common storage areas, and interior stairways, shall not be included in the computation of net floor area.
 - (2) Each single-room occupancy with private facilities shall count as one-half of a dwelling unit for purposes of calculating density, permitting requirements, and land use permit application fees.
 - (k) *Accessory apartments.* No person shall construct or maintain an accessory apartment except in accordance with a permit issued under this section.
 - (1) *Application.* Accessory apartment applications shall be submitted on a form provided by the director and shall include:
 - (A) A completed application form;
 - (B) The application fee required by chapter 49.85;
 - (C) A site plan drawn to scale or dimensioned indicating all required parking, minimum setbacks, and actual lot size; and
 - (D) A floor plan drawn to scale or dimensioned indicating all dwelling units and including each room labeled as to use;
 - (E) A statement that the property is connected to sewer. If the property is not connected to sewer, a statement from the department of environmental conservation confirming that the existing wastewater disposal system is sufficient for the development, including the proposed accessory apartment, and a statement from a qualified inspector that the existing wastewater disposal system is functioning as designed.
 - (2) *Approval standards.*
 - (A) Unless otherwise provided, the accessory apartment shall be a one-bedroom or efficiency unit not exceeding 600 square feet in net floor area.
 - (B) Areas common to more than one dwelling unit - including entry ways, furnace rooms, laundry rooms, and interior stairways - shall not be included in the computation of the net floor area for the accessory apartment.
 - (C) The minimum lot size as used in this section refers to the minimum lot size for permissible uses listed in the table of dimensional standards, CBJ 49.25.200.
 - (D) A permit under this subsection may be issued if the applicant establishes:
 - (i) The development meets all setback requirements;
 - (ii) The total building footprint does not exceed the maximum lot coverage allowable under section 49.25.400, the table of dimensional standards, or, in the case of nonconforming structures, the total building footprint does not increase with the proposed accessory apartment;
 - (iii) The development does not violate the vegetative cover requirements imposed by section 49.50.300; or, in the case of nonconforming structures, the proposed accessory apartment does not decrease the existing vegetative cover;
 - (iv) The development meets the parking standards required by chapter 49.40; and
 - (v) The development is connected to public sewer or the existing wastewater disposal system has adequate capacity for the development, including the proposed accessory apartment.
 - (E) Single-family detached accessory apartment approval.

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- (i) The director may approve a 49.25.300.1.130 accessory apartment application if all of the requirements of this section and the following are met:
 - (a) The application is for an efficiency or one-bedroom unit that does not exceed 600 square feet in net floor area and is on a lot that exceeds the minimum lot size; or
 - (b) The application is for an efficiency, one-bedroom, or two-bedroom unit that has a net floor area equal to or less than 50 percent of the primary dwelling unit's net floor area but not to exceed 1,000 square feet, and is on a lot that exceeds 125 percent of the minimum lot size.
 - (ii) The commission may approve, with a conditional use permit, a 49.25.300.1.130 accessory apartment application if all of the requirements of this section and the following are met:
 - (a) The application is for an efficiency or one-bedroom unit that does not exceed 600 square feet in net floor area, and is on a lot that is less than the minimum lot size; or
 - (b) The application is for an efficiency, one-bedroom, or two-bedroom unit that has a net floor area equal to or less than 50 percent of the primary dwelling unit's net floor area but not to exceed 1,000 square feet, and is on a lot that exceeds 125 percent of the minimum lot size.
 - (iii) An application for an accessory apartment with a net floor area that exceeds 600 square feet shall not be approved on a lot that is less than 125 percent of the minimum lot size.
- (F) Single-family detached, two dwellings per lot, accessory apartment approval.
- (i) When a lot has two primary dwelling units, each primary dwelling unit may have up to one accessory apartment that is consistent with the requirements of this section. The lot shall not have more than two accessory apartments.
 - (ii) An application for an accessory apartment with a net floor area that exceeds 600 square feet shall not be approved on a lot that is less than 250 percent of the minimum lot size.
 - (iii) The director may approve a 49.25.300.1.140 accessory apartment application if all of the requirements of this section and the following are met:
 - (a) The application is for an efficiency, or one-bedroom unit that does not exceed 600 square feet in net floor area, is on a double sized lot (two times the minimum lot size), and the lot does not have another accessory apartment in excess of 600 square feet in net floor area; or
 - (b) The application is for an efficiency, one-bedroom, or two-bedroom unit that has a net floor area equal to or less than 50 percent of the primary dwelling unit's net floor area but not to exceed 1,000 square feet, on a lot that exceeds 250 percent of the minimum lot size, and the lot does not have more than one other accessory apartment in excess of 600 square feet in net floor area.
 - (iv) The commission may approve, with a conditional use permit, a 49.25.300.1.140 accessory apartment application if all of the requirements of this section and the following are met:
 - (a) The application is for an efficiency, or one-bedroom unit that does not exceed 600 square feet in net floor area, is on a lot that is less than the minimum lot size, and the lot does not have another accessory apartment in excess of 600 square feet in net floor area;

- (b) The application is for an efficiency, one-bedroom, or two-bedroom unit that has a net floor area equal to or less than 50 percent of the primary dwelling unit's net floor area but not to exceed 1,000 square feet, is on a lot that exceeds 250 percent of the minimum lot size, and where the lot does not have more than one other accessory apartment in excess of 600 square feet in net floor area.
- (G) Multifamily dwelling and accessory apartment approval. Unless authorized by this section, an accessory apartment is prohibited in multifamily, commercial, and mixed-use zoning districts.
 - (i) The director may approve a 49.25.300.1.300 accessory apartment application if all the requirements of this section and the following are met:
 - (a) The application is for an efficiency, or one-bedroom unit that does not exceed 600 square feet in net floor area, is on a lot that exceeds the minimum lot size, and the primary use of the lot is a single-family dwelling.
 - (ii) The commission may approve, with a conditional use permit, a 49.25.300.1.300 accessory apartment application if all of the requirements of this section and the following are met:
 - (a) The application is for an efficiency, or one-bedroom unit that does not exceed 600 square feet in net floor area, is on a lot that is less than the minimum lot size, and the primary use of the lot is a single-family dwelling.
- (H) Common wall accessory apartment approval.
 - (i) Each common wall dwelling may have up to one accessory apartment that does not exceed 600 square feet in net floor area and that is consistent with the requirements of this section.
 - (ii) The director may approve a 49.25.300.1.911 accessory apartment application if all of the requirements of this section and the following are met:
 - (a) The application is for an efficiency, or one-bedroom unit that does not exceed 600 square feet in net floor area, and is on a lot that exceeds the minimum lot size.
 - (iii) The commission may approve, with a conditional use permit, a 49.25.300.1.911 accessory apartment application if all of the requirements of this section and the following are met:
 - (a) The application is for an efficiency, or one-bedroom unit that does not exceed 600 square feet in net floor area, and is on a lot that is less than the minimum lot size.

(Serial No. 87-49, § 2, 1987; Serial No. 89-33, § 2, 1989; Serial No. 91-01, § 2, 1991; Serial No. 94-07, § 4, 1994; Serial No. 95-33, § 8, 1995; Serial No. 97-49, § 3, 1998; Serial No. 2001-12, § 3, 4-2-2001; Serial No. 2006-15, §§ 5, 6, 6-5-2006; Serial No. 2007-39, § 11, 6-25-2007; Serial No. 2009-22(b), § 3, 10-12-2009; Serial No. 2012-24, § 4, 5-14-2012, eff. 6-14-2012 ; Serial No. 2012-36, § 3, 9-17-2012 ; Serial No. 2015-7(b)(am), § 5, 2-23-2015, eff. 3-26-2015 ; Serial No. 2019-37, § 4, 3-16-2020, eff. 4-16-2020)

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49.35.250 Access.

- (a) *Principal access to the subdivision.* Except as provided below, the department shall designate one right-of-way as principal access to the entire subdivision. Such access, if not already accepted for public maintenance, shall be improved to the applicable standards for public acceptance and maintenance. It shall be the responsibility of the subdivider to pay the cost of the right-of-way improvements.
 - (1) *Principal access to remote subdivisions.* The department shall designate the principal access to the remote subdivision. Such access may be by right-of-way.
- (b) *Publicly maintained access within a subdivision.* Unless otherwise provided in this section or in 49.15.420(a)(1), all lots must satisfy the minimum frontage requirement and have direct and practical access to the right-of-way through the frontage. The minimum frontage requirement on a right-of-way is 30 feet or the minimum lot width for the zoning district or use as provided in CBJ 49.25.400. These requirements for frontage and access can be accomplished by:
 - (1) Dedication of a new right-of-way with construction of the street to public standards. This street must connect to an existing publicly maintained street;
 - (2) Use of an existing publicly maintained street;
 - (3) Upgrading the roadway within an existing right-of-way to public street standards. This existing right-of-way must be connected to another publically maintained street; or
 - (4) A combination of the above.
- (c) *Privately maintained access within a subdivision.* Lots shall front and have direct access to a publically maintained street except as:
 - (1) *Privately maintained public access.* A subdivision may create new lots served by a privately maintained access within a public right-of-way not maintained by an agency of government as provided by CBJ 49.35, article II, division 3. All lots must have either a minimum of 30 feet of frontage on a right-of-way, or the minimum lot width for the zoning district or use as provided in CBJ 49.25.400.
 - (2) *Private shared access.* A lot in a subdivision is exempt from having the minimum frontage on a public right-of-way when a shared access is approved pursuant to CBJ 49.35, article II, division 2. All lots served by a shared access shall have a minimum of 30 feet of frontage on the shared access.
- (d) *Remote subdivisions accessible by navigable waterbodies.* All lots in a remote subdivision solely accessible by navigable waterbodies must have a minimum of 30 feet of frontage on, and direct and practical access to, either the navigable water or a right-of-way. The right-of-way must have direct and practical access to the navigable water.
- (e) *Access within remote subdivisions accessible by pioneer paths.* All lots must either have direct and practical access with a minimum of 30 feet of frontage on the right-of-way, or the minimum lot width for the zoning district or use as provided in CBJ 49.25.400.

(Serial No. 2016-26(b) , § 9, 4-3-2017, eff. 5-3-2017)

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49.40.200 General applicability.

Developers must provide off-street parking spaces for automobiles in accordance with the requirements set forth in this chapter at the time any structure is erected, expanded, or when there is a change in the principal use.

(a) Special parking areas:

(1) *Town center parking area.* The town center parking area, as depicted in Ordinance 2022-04(b) is adopted. The town center parking area consists of the lots within the area bound by West Tenth Street, Egan Drive, West Twelfth Street, D Street, West Ninth Street, C Street and its projection, West Eighth Street and its projection, the rear lot lines of property between 370 through Distin Avenue, Sixth Street and its projection, Harris Street, projection of Third Street, projection of East Street, projection of Second Street, projection of Harris Street, the rear lot lines of property between 143 and 400 Gastineau Avenue, the rear lot lines of property between 511 and 889 South Franklin Street, and Gastineau Channel.

(2) *No parking required area.* The no parking required area, as depicted in Ordinance 2022-04(b) is adopted. The lots within the area bound by Gastineau Avenue, Fourth Street, Seward Street, Gastineau Channel, 490 South Franklin Street, and Layton Way are excluded from the parking requirements of this chapter. No additional parking is required for development in this area.

(b) *Conforming parking.* The requirements, alternatives and reductions of this chapter can be combined to meet parking requirements of a development.

(c) *Developer responsibility.* Developer must submit documentation to demonstrate that applicable parking code requirements have been met, in conformance with this chapter.

(d) *Owner/occupant responsibility.* The provision and maintenance of off-street parking and loading spaces required in this chapter is a continuing obligation and joint responsibility of the owner and occupants.

(e) *Determination.* The determination of whether the parking requirements of this chapter are satisfied, with or without conditions, and deemed necessary for consistency with this title, must be made by:

- (1) The director for minor development;
- (2) The commission for major development; or
- (3) The commission if the development application relates to a series of applications for minor developments that, taken together, constitute major development, as determined by the director.

(f) *Expansion.* In cases of expansion of a structure on or after the effective date of Ordinance 2022-04(b) :

- (1) The number of additional off-street parking spaces required must be based on the gross floor area added.
- (2) No additional parking spaces are required if the additional spaces would amount to less than ten percent of the total required for the development and amount to two or less spaces.
- (3) For phased expansion, the required off-street parking spaces is the amount required for the completed development, as determined by the director.

(g) *Change in use.* In cases of a change in use on or after the effective date of Ordinance 2022-04(b) , the number of spaces required will be based on this chapter.

(h) *Replacement and reconstruction of certain nonconforming structures.* Off-street parking requirements for the replacement and reconstruction of certain nonconforming structures in residential districts must be governed by chapter 49.30.

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- (i) *Mixed occupancy.* Mixed occupancy is when two or more of the parking uses in section 49.40.210 share the same lot(s). For mixed occupancy, the total requirement for off-street parking facilities is the sum of the requirements for the uses computed separately.
- (j) *Uses not specified.* The requirements for off-street parking in section 49.20.320 are based on the requirements for the most comparable use specified, as determined by the director for minor development or by the commission for major development.
- (k) *Location.* Off-street parking facilities must be located as provided in this chapter. If a distance is specified, such distance is the walking distance measured from the building being served to the parking provision. Off-street parking facilities for:
- (1) Single-family dwellings and duplexes must be on the same lot as the building served;
 - (2) Multifamily dwellings may not be more than 100 feet distant, unless compliant with section 49.40.215; and
 - (3) Uses other than those specified above, may be not more than 500 feet distant, unless compliant with section 49.40.215.
- (l) *Off-street parking requirements for a lot accessible by air or water only.* Off-street parking requirements do not apply to a lot if it is accessible only by air or water. If the director determines that public access by automobile to the lot later becomes available, the owner of the property must be given notice and within one year must provide the required off-street parking.
- (Serial No. 2022-04(b) , § 2, 4-25-2022, eff. 5-26-2022)

49.40.210 Number of off-street parking spaces required.

- (a) *General.* The minimum number of off-street parking spaces required must be as set forth in the following table. The number of spaces must be calculated and rounded down to the nearest whole number:

Use	Spaces Required in All Other Areas	Spaces Required in Town Center Parking Area
Single-family and duplex	2 per each dwelling unit	1 per each dwelling unit
Multifamily units	1 per one bedroom unit	0.4 per one bedroom unit
	1.5 per two-bedroom unit	0.6 per two-bedroom unit
	2.0 per three- or more bedroom unit	0.8 per three- or more bedroom unit
Rooming house, boardinghouse, single-room occupancies with shared facilities, bed and breakfast, halfway house, and group home	1 per 2 bedrooms	1 per 5 bedrooms
Single-room occupancies with private facilities	1 per each single-room occupancy plus 1 additional per each increment of four single-room occupancies with private facilities	1 per 5 single-room occupancies, plus 1 per each increment of ten single-room occupancies with private facilities.
Accessory apartment	1 per each unit	0 per each unit
Motel	1 per each unit in the motel	1 per each 12 units in the motel
Hotel	1 per each four units	1 per each 12 units
Hospital and nursing home	2 per bed OR one per 400 square feet of gross floor area	2 per bed OR one per 400 square feet of gross floor area
Senior housing	0.6 parking spaces per dwelling unit	0.3 spaces per dwelling unit
Assisted living facility	0.4 parking spaces per maximum number of residents	0.4 parking spaces per maximum number of residents
Sobering center	1 parking space per 12 beds	2 parking spaces
Theater	1 for each four seats	1 for each 10 seats
Church, auditorium, and similar enclosed places of assembly	1 for each four seats in the auditorium	1 for each 10 seats in the auditorium
Bowling alley	3 per alley	1.2 per alley
Bank, office, retail commercial, salon and spa	1 per 300 square feet of gross floor area	1 per 750 square feet of gross floor area
Medical or dental clinic	1 per 200 square feet of gross floor area	1 per 400 square feet of gross floor area
Funeral Home	1 per six seats based on maximum seating capacity in main auditorium	1 per 15 seats based on maximum seating capacity in main auditorium
Warehouse, storage, and wholesale businesses	1 per 1,000 square feet of gross floor area	1 per 2,500 square feet of gross floor area
Restaurant and alcoholic beverage dispensary	1 per 200 square feet of gross floor area	1 per 750 square feet of gross floor area
Swimming pool serving general public	1 per four persons based on pool capacity	1 per 10 persons based on pool capacity

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Shopping center and mall	1 per 300 square feet of gross leasable floor area	1 per 750 square feet of gross floor area
Convenience store	49.65 Article V	1 per 750 square feet of gross floor area
Watercraft moorage	1 per three moorage stalls	2 per 15 moorage stalls
Manufacturing uses; research, testing and processing, assembling, industry	1 per 1,000 square feet gross floor area except that office space must provide parking as required for offices	1 per 2,500 square feet gross floor area except that office space must provide parking as provided for offices
Library and museum	1 per 600 square feet gross floor area	1 per 1,500 square feet of gross floor area
School, elementary	2 per classroom	2 per classroom
Middle school or junior high	1.5 per classroom	1.5 per classroom
High school	A minimum of 15 spaces per school; where auditorium or general assembly area is available, one per four seats; one additional space per classroom	A minimum of 15 spaces per school; where auditorium or general assembly area is available, one per four seats; one additional space per classroom
College, main campus	1 per 500 square feet of gross floor area of an enclosed area, or, where auditorium or general assembly area is available, one per four seats, whichever is greater	1 per 500 square feet of gross floor area of an enclosed area, or, where auditorium or general assembly area is available, one per four seats, whichever is greater
College, satellite facilities	1 per 300 square feet of gross floor area of an enclosed area, or, where auditorium or general assembly area is available, one per four seats, whichever is greater	1 per 300 square feet of gross floor area of an enclosed area, or, where auditorium or general assembly area is available, one per four seats, whichever is greater
Repair/service station	5 spaces per bay. For facilities with two or more bays, up to 60 percent of the required non-accessible parking spaces may be in a stacked parking configuration.	3 spaces per bay. All but two of the required non-accessible parking spaces may be in a stacked configuration
Post office	1 per 200 square feet gross floor area	1 per 500 square feet of floor area
Childcare Home	49.65 Article X, cannot be varied or FIL	49.65 Article X, cannot be varied or FIL
Childcare Center	49.65 Article X, cannot be varied or FIL	49.65 Article X, cannot be varied or FIL
Indoor sports facilities, gyms	1 per 300 square feet gross floor area	1 per 750 square feet gross floor area
Mobile Food Vendors	No parking requirement	No parking requirement
Open air food service (TPU 8.3)	1 per 400 square feet of gross floor area.	Zero

- (b) *Accessible parking spaces.* Accessible parking spaces must be provided as part of the required off-street parking spaces, according to the following table (Table 49.40.210(b)). Except, Accessible parking spaces are not required for residential uses that require fewer than ten parking spaces and there are no visitor parking spaces.

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Table 49.40.210(b)	
Total Parking Spaces in Lot	Required Minimum Number of Accessible Parking Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2 percent of total spaces
1,001 and over	20 plus 1 space for each 100 spaces over 1,100 total spaces in lot

- (c) *Facility loading spaces.* In addition to the required off-street parking requirements, a development must provide loading spaces as set forth in the following table:

Use	Gross Floor Area in Square Feet		Loading Space Required
	All other areas	Town Center Parking District	
Motels and hotels	5,000—29,999	6,000—60,000	1
	30,000—60,000		2
	Each additional 30,000	Each additional 30,000	1
Commercial	5,000—24,999	6,000—50,000	1
	25,000—50,000		2
	Each additional 30,000	Each additional 30,000	1
Industrial, manufacturing, warehousing, storage, and processing	5,000—24,999	6,000—50,000	1
	25,000—50,000		2
	Each additional 30,000	Each additional 30,000	1
Hospital	5,000—40,000	6,000—40,000	1
	Each additional 40,000	Each additional 40,000	1
School	For every two school buses		1
Home for the aged, convalescent home, correctional institution	More than 25 beds		1

(Serial No. 2022-04(b) , § 2, 4-25-2022, eff. 5-26-2022)

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Table 49.40.210(b)	
Total Parking Spaces in Lot	Required Minimum Number of Accessible Parking Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2 percent of total spaces
1,001 and over	20 plus 1 space for each 100 spaces over 1,100 total spaces in lot

PART II - CODE OF ORDINANCES
TITLE 49 - LAND USE
Chapter 49.70 - SPECIFIED AREA PROVISIONS
ARTICLE II. HILLSIDE DEVELOPMENT

ARTICLE II. HILLSIDE DEVELOPMENT

49.70.200 Purposes.

The purposes of this article are to:

- (1) Ensure that hillside development provides erosion and drainage control to protect adjoining parcels;
- (2) Protect waterways from sedimentation and pollution;
- (3) Minimize injury or damage to people or property from natural or artificial hazards in hillside development; and
- (4) Minimize any adverse aesthetic impact of hillside development.

(Serial No. 87-49, § 2, 1987)

49.70.210 Applicability and scope.

- (a) This article applies to all development on hillsides in the City and Borough that involves the following:
 - (1) Removal of vegetative cover;
 - (2) Excavation of any slope in excess of 18 percent;
 - (3) Creation of a new slope in excess of 18 percent for a vertical distance of at least five feet; or
 - (4) Any hazard area identified on the landslide and avalanche area maps dated September 9, 1987, consisting of sheets 1—8, as the same may be amended from time to time by the assembly by ordinance or any other areas determined to be susceptible to geophysical hazards.
- (b) All hillside development endorsement applications shall be reviewed by the planning commission, except the following may be reviewed by the director:
 - (1) An excavation below finished grade for basements and footings of a building, a retaining wall or other structure authorized by a building permit, provided that this shall not exempt any fill made with the material from such excavation nor any excavation having an unsupported height greater than two feet after the completion of the associated structure.
 - (2) Graves.
 - (3) Mining, quarrying, excavating, processing, or stockpiling of rock, sand, gravel, aggregate or clay provided such operations do not affect the location or peak volume of runoff, the location or amount of standing water, or the lateral support for, the stresses in, or the pressure upon, any adjacent or contiguous property.
 - (4) Exploratory excavations less than 200 square feet in area and under the direction of a civil engineer with knowledge and experience in the application of geology in the design of civil work.
 - (5) An excavation which:
 - (A) Is less than two feet in depth and covers less than 200 square feet; or

- (B) Does not create a cut slope greater than five feet in height or steeper than one and one-half horizontal to one vertical.
- (6) A fill less than one foot in depth and intended to support structures which fill is placed on natural terrain with a slope flatter than five horizontal to one vertical, which does not exceed 20 cubic yards on any one lot and which does not obstruct a drainage course.
- (7) A fill less than three feet in depth and not intended to support structures which fill is placed on natural terrain on a slope flatter than five horizontal to one vertical, which does not exceed 50 cubic yards on any one lot and which does not obstruct a drainage course.
- (8) Minor development.

(Serial No. 87-49, § 2, 1987; Serial No. 2006-15, § 22, 6-5-2006; Serial No. 2015-03(c)(am), § 51, 8-31-2015)

49.70.220 Hillside development endorsement application.

- (a) All development on hillsides shall be pursuant to a hillside development endorsement.
- (b) The developer shall apply for and obtain a hillside development endorsement prior to any site work other than land and engineering surveys and soils exploration.

(Serial No. 87-49, § 2, 1987; Serial No. 2015-03(c)(am), § 52, 8-31-2015)

49.70.230 Fees.

The City and Borough shall charge the developer the gross hourly rate for professional review of the application and for inspection. The developer shall deposit one percent of the value of the site development, excluding that portion of the site determined by the engineer to be subject to a public transmission facility permit, in a specially designated reserve account, against which the City and Borough may bill its documented time and expenses. The developer shall promptly replenish this amount when requested, and no endorsement may be issued if there is any deficiency in the developer's reserve account. All unexpended funds in the reserve account shall be returned to the developer upon final approval of development or when the engineer is satisfied that the work under the hillside development endorsement has been completed and the requirements of this chapter have been met.

(Serial No. 87-49, § 2, 1987)

49.70.240 Application.

The application shall be accompanied by the following materials, which shall be signed and stamped by a civil engineer, architect, geologist or land surveyor licensed in the State of Alaska:

- (1) A vicinity map, at a clear and legible scale, showing roads, place and street names and natural waterbodies.
- (2) Site maps, showing the present condition of the site at a clear and legible scale compatible with the size of the development and including:
 - (A) Two-foot contours for flat terrain or five-foot contours for steep terrain and extending 50 feet in all directions beyond the development site; 12 percent line, 30 percent line;
 - (B) Water bodies, tidelands and drainage ways from the development site to accepting natural waterbody;

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- (C) Lot boundaries and easements for the site and adjacent lots; and
 - (D) Existing improvements on the site and adjacent lots, including structures, roads, driveways and utility lines.
- (3) The application shall include a finished proposed site plan at a clear and legible scale that includes the following information:
- (A) Finished grade at two-foot contours for flat terrain or five-foot contours for steep terrain and extending 50 feet in all directions beyond the development site; 12 percent line, 30 percent line.
 - (B) Water bodies, tidelands and drainage ways, and temporary and permanent drainage systems from the development site to the accepting natural waterbody.
 - (C) Lot boundaries, easements and setback lines.
 - (D) The location of improvements including structures, roads, driveways, utility lines, culverts, walls and cribbing.
 - (E) Clearing limits of existing vegetative cover.
 - (F) A cross section of the development site.
- (4) The application shall include detailed engineering drawings of roads, driveways, parking areas, structural improvements for foundations, off-site stormwater runoff systems; cross sections and road elevations.
- (5) A description of the source and type of any off-site fill, and the site for depositing excess fill.
- (6) A landscaping plan, including all trees to be retained in excavation areas, all plant species and locations; temporary slope protection measures; erosion and siltation control measures; seeding or sodding materials, a planting and maintenance program; and methods of stabilization and protection of bare slopes.
- (7) An engineering geologic report, including a summary of the relevant surface and bedrock geology of the site, a discussion of active geologic processes with conclusions and recommendations regarding the effect of geologic factors on the proposed development; data regarding the nature, distribution and relevant parameters of existing soils, recommendations for grading procedures; design criteria for corrective measures as necessary, and recommendations covering the suitability of the site for the proposed development.
- (8) A work schedule, by phase.
- (9) Such other different or more detailed submissions as may be required.
- (Serial No. 87-49, § 2, 1987; Serial No. 2015-03(c)(am), § 54, 8-31-2015)

49.70.250 Standards for approval.

Hillside development shall meet the following minimum standards:

- (1) *Roads.* The City and Borough road standards shall apply to hillside development, except that:
 - (A) *Modification of standards.* The engineer or planning commission may modify road standards as identified in subsections (1)(B) and (C) of this section, if:
 - (i) The developer's traffic analysis and circulation, land ownership, and development patterns indicate future use of the roadway at less than collector street levels;

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- (ii) The modification would enable the development to meet, or more closely approximate, the criteria set forth in section 49.70.260; and either
 - (iii) The proposed road or access in question would result in a permanent cul-de-sac; or
 - (iv) A secondary access to the proposed development exists or will be developed as a part of the project.
- (B) *Road width.* The width of a section of residential roadway may be narrowed to 20 feet, with a single four-foot pedestrian way and underground storm drain system, if:
- (i) The section is not more than 200 feet in length, and is separated from other such sections by at least 100 feet of standard roadway;
 - (ii) No entrances, intersections or parking are allowed in the section;
 - (iii) Guard rails, if any, are designed to permit the passage of plowed snow;
 - (iv) There is at least a 200-foot line of sight along the centerline of the section;
 - (v) The section enables the development to meet, or more closely approximate, the criteria set forth in section 49.70.260;
 - (vi) Grouped off-street parking spaces are provided at the entry to the section; and
 - (vii) Adequate provision is made for storage of snow.
- (C) *Road grade.* The grade of a section of residential roadway may be increased to a maximum of 15 percent if:
- (i) The section is not more than 200 feet in length and separated from other such sections by at least 100 feet of roadway;
 - (ii) No entrances or intersections are allowed in the section;
 - (iii) Through intersections at the end of the section have approaches at least 50 feet long measured from the edge of the traveled way of the crossroad and are at a grade of eight percent or less; intersections requiring a full stop have approaches no less than 20 feet long at a grade of two percent or less, or no less than 50 feet long at a grade between two and six percent;
 - (iv) Any guard rails are designed to permit the passage of plowed snow;
 - (v) All sight distances conform to standards of the American Association of State Highway and Transportation Officials; and
 - (vi) The section enables the development to meet, or more closely approximate, the criteria set forth in section 49.70.260.
- (2) *Weather.* The engineer may prohibit a developer from earthmoving during periods of very wet soil conditions, in which case the permit shall be extended by a like period.
- (3) *Sediment.* The developer shall not allow any increase in sediment to flow off-site during or after construction if such would be likely to cause an adverse impact on a down slope lot or waterbody.
- (4) *Peak discharge.* The developer shall ensure that during and after construction of major development, the peak discharge of all streams and natural drainage ways at the down slope boundary shall be no greater than that occurring prior to excavation.

(Serial No. 87-49, § 2, 1987)

49.70.260 Criteria.

The commission or director shall consider the extent to which the development meets the following criteria:

- (1) *Soil erosion.* Soil disturbance and soil erosion shall be minimized and the effects thereof mitigated.
- (2) *Existing vegetation.* Depletion of existing vegetation shall be minimized.
- (3) *Contours.* The developer shall recontour the finished grade to natural-appearing contours which are at or below 30 percent or the natural angle of repose for the soil type, whichever is lower, and which will hold vegetation.
- (4) *Time of exposure and soil retention.* The developer shall minimize the period of time that soil is exposed and shall employ mats, silt blocks or other retention features to maximize soil retention.
- (5) *Replanting.* The developer shall mat, where necessary, and plant all exposed soil in grass or other soil-retaining vegetation and shall maintain the vegetation for one full growing season after planting.
- (6) *Drainage.* The developer shall minimize disturbance to the natural course of streams and drainage ways. Where disturbance is unavoidable, the developer shall provide a drainage system or structures which will minimize the possibility of sedimentation and soil erosion on-site and downstream and which will maintain or enhance the general stream characteristics, spawning quality, and other habitat features of the stream and its receiving waters. Where possible, development shall be designed so lot lines follow natural drainage ways.
- (7) *Foundations.* The developer shall ensure that buildings will be constructed on geologically safe terrain.
- (8) *Very steep slopes.* The developer shall minimize excavation on slopes over 30 percent.
- (9) *Soil retention features.* The developer shall minimize the use of constructed retention features. Where used, their visual impact shall be minimized through the use of natural aggregate or wood, variation of facade, replanted terraces, and the like.
- (10) *Wet weather periods.* The developer shall minimize exposure of soil during the periods of September 1—November 30 and March 1—May 1.

(Serial No. 87-49, § 2, 1987; Serial No. 2015-03(c)(am), § 54, 8-31-2015)

49.70.270 Conditions on approval.

The commission or director may place conditions upon a hillside development endorsement as necessary or desirable to ensure that the spirit of this chapter will be implemented in the manner indicated in the application. Fulfillment of conditions shall be certified by the engineer. The conditions may consist of one or more of the following:

- (1) *Development schedule.* The commission or director may place a reasonable time limit on or require phasing of construction activity associated with the development or any portion thereof, in order to minimize construction-related disruption to traffic and neighbors or to ensure that the development is not used or occupied prior to substantial completion of required improvements.
- (2) *Dedications.* The commission or director may require conveyances of title or other legal or equitable interests to public entities, public utilities, a homeowner's association, or other common entities. The developer may be required to construct any public facilities, such as drainage retention areas, to City and Borough standards prior to dedication.

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- (3) *Construction guarantees.* The commission or director may require the posting of a bond or other surety or collateral providing for whole or partial releases, in order to ensure that all required improvements are constructed as specified in the approved plans.
- (4) *Lot size.* If justified by site topography, the commission or director may require larger lot areas than prescribed by zoning requirements.
- (Serial No. 87-49, § 2, 1987; Serial No. 2015-03(c)(am), § 55, 8-31-2015)

PART II - CODE OF ORDINANCES
TITLE 49 - LAND USE
Chapter 49.40 - PARKING AND TRAFFIC
ARTICLE III. TRAFFIC

ARTICLE III. TRAFFIC¹

49.40.300 Applicability.

- (a) A traffic impact analysis (TIA) shall be required as follows:
 - (1) A development projected to generate 500 or more average daily trips (ADT) shall be required to have a traffic impact analysis.
 - (2) A development projected to generate fewer than 250 ADT shall not be required to have a traffic impact analysis.
 - (3) A development projected to generate more than 250 ADT but fewer than 500 ADT shall be required to have a traffic impact analysis if the Community Development Department Director determines that an analysis is necessary based on the type of development, its location, the likelihood of future expansion, and other factors found relevant by the director.
 - (4) The applicant shall provide the traffic projections for the project, and the department will review and approve the final figures.
 - (5) A TIA must be prepared by a licensed engineer, or a transportation planner, with traffic analysis experience, approved by the director.
- (b) The department shall require the applicant to contact the Alaska Department of Transportation and Public Facilities to determine whether a state permit or TIA will be required.

(Serial No. 2008-01, § 2, 1-28-08)

49.40.305 Traffic impact analysis (TIA) requirements.

- (a) A TIA prepared under this section must identify and assess the impacts of the proposed development on all affected transportation systems. The TIA shall identify any effective development design or operational measures that would mitigate impacts of a development on transportation systems. The study area for the TIA shall be that area in which it is anticipated that the proposed development will increase ADT by five percent or more.
- (b) A TIA must forecast traffic generated by a development in accordance with the most recent edition of Institute of Traffic Transportation Engineers' Trip Generation Handbook.
- (c) A TIA must address the following items:
 - (1) Intersections and segments of roadways where the ADT on any approach to an intersection is anticipated to increase by five percent or more due to the proposed development;

¹Editor's note(s)—Serial No. 2008-01, § 2, adopted January 28, 2008, effective February 28, 2008, repealed former Art. III, §§ 49.40.300, 49.40.310 and enacted provisions designated as a new Art. III to read as herein set out.

Cross reference(s)—Traffic, CBJ Code tit. 72.

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- (2) Each driveway or approach road that will allow egress from or ingress to the proposed development;
 - (3) Existing and proposed pedestrian and bicycle facilities, if any, within the proposed development, and existing and proposed pedestrian and bicycle facilities to be used for access to the proposed development;
 - (4) Projected traffic at the development's anticipated opening date, and at full build out, both with and without the traffic generated by the development;
 - (5) Locations where road improvements are necessary to mitigate traffic impacts due to the development at the opening date, or where improvements are necessary to prevent the level of service (LOS) from deteriorating further at the opening date without the development;
 - (6) Road improvement alternatives or other measures that will achieve an acceptable LOS or minimize degradation of service below an already unacceptable LOS according to section 49.40.310 Traffic; minimum standards;
 - (7) Internal circulation and parking plans; and
 - (8) An accident analysis that contains the following elements:
 - (A) An accident diagram showing accidents over the most recent three years of accident data, at all intersections or roadway segments identified as being impacted by the development, using the State of Alaska Department of Transportation's accident database, if available.
 - (B) An analysis of the type of accidents.
 - (C) An analysis of the accidents to determine if any pattern exists, and whether the accident pattern will be impacted by the development.
 - (D) If an accident pattern exists that will be exacerbated by the development, a determination whether there is a cost-effective solution which would mitigate the problem and how it can be implemented.
 - (d) Level of service (LOS) and operational analysis for a traffic impact analysis prepared under this section must be performed in accordance with the most recent edition of the Transportation Research Board's publication Special Report 209, Highway Capacity Manual.

(Serial No. 2008-01, § 2, 1-28-08)

49.40.310 Traffic; minimum standards.

- (a) The minimum acceptable LOS for a roadway segment or intersection within the area affected by the development, on the projected opening date of the development, or full build out of the development, is LOS D.
- (b) If an intersection or roadway segment affected by the development has a pattern of accidents resulting in personal injuries, and the development will aggravate this accident pattern, then mitigation shall be required, regardless of the projected LOS.

(Serial No. 2008-01, § 2, 1-28-08)

49.40.320 Traffic impact analysis review.

- (a) The department will review the traffic impact analysis prepared under this section.

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- (b) Mitigation measures may be subject to financial guarantee pursuant to Chapter 49.55, if appropriate considering safety and scheduling.

(Serial No. 2008-01, § 2, 1-28-08)

49.40.330 Traffic impact mitigation.

- (a) Except as provided in 49.40.340, an applicant shall make improvements to a roadway or intersection to achieve or maintain an acceptable LOS if a roadway or intersection has an:
- (1) LOS D without traffic generated by the development; and would drop below LOS D with traffic generated by the development at the opening date of the development or full build out;
 - (2) If a roadway has an LOS below D without traffic generated by the development at the opening date of the development; or
 - (3) If the intersection or roadway segment has a pattern of accidents resulting in personal injuries, and the development would aggravate this accident pattern, then mitigation shall be required regardless of the LOS.
- (b) An applicant for a project for which a traffic impact analysis report has been prepared and mitigation required, shall install signs and markings on approaches to roadways within the development that conform to the Manual on Uniform Traffic Control Devices and the Alaska Traffic Manual, 2003, described in 17 AAC 20.950(1), as it may be amended from time to time.
- (c) Internal circulation and parking layout must provide sufficient queuing distance within the development between the roadway and internal restrictions to ensure that no traffic backs up onto a roadway, including bicycle or pedestrian facilities (See Section 49.40.230 Parking and circulation standards).
- (d) If a traffic impact analysis discloses impacts to pedestrian or bicycle traffic, an applicant shall make the necessary improvements to mitigate the impact.

(Serial No. 2008-01, § 2, 1-28-08)

49.40.340 Mitigation waiver.

- (a) The planning commission or community development department director may, in their discretion, waive or partially waive the requirements for mitigation under this section if the planning commission finds at a public hearing, or the director finds in writing after reviewing a permit which does not require planning commission approval, that either of the following circumstances is true:
- (1) (A) Existing roadway facilities are only marginally achieving an LOS D without the traffic generated by the development, and would likely fall below LOS D within five years;
 - (B) Traffic generated by the development would result in an LOS below D without mitigation; and
 - (C) The costs of mitigating the impacts outweighs the benefits; or
 - (2) (A) If the LOS is below D. before the development's opening date;
 - (B) If the operation of the roadway or intersection, within the affected area, would not deteriorate more than five percent in terms of delay time, a minimum LOS, LOS E may be acceptable;
 - (C) Does not result in an LOS below E; and
 - (D) The costs of mitigating the impacts outweighs the benefits.

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(Serial No. 2008-01, § 2, 1-28-08)

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PART II - CODE OF ORDINANCES
TITLE 49 - LAND USE
Chapter 49.85 FEES FOR LAND USE ACTIONS

Chapter 49.85 FEES FOR LAND USE ACTIONS

49.85.100 Generally.

Processing fees are established for each development, platting and other land use action in accordance with the following schedule:

- (1) Minor development.
 - (A) Reserved;
 - (B) Staff review, no charge if a building permit is required;
 - (C) Sign permit, \$50.00 for the first two signs, and \$20.00 for each additional sign.
- (2) Minor subdivision or consolidation.
 - (A) Subdivision creating additional lots, \$400.00 plus \$25.00 for each resulting lot;
 - (B) Subdivision creating no additional lots, \$110.00 plus \$25.00 for each lot changed.
- (3) Major development, conditional use permits or modifications, allowable use permits, and wetlands permits. The fees for these land use actions are based on classes of uses, and shall be paid upon application for permit issuance or modification as set forth in subsections (3)(A)—(E) of this section. The fee for an extension of a permit shall be \$250.00 for any class of use.
 - (A) Class I uses, \$350.00. Class I uses are:
 - (i) Mobile homes on single lots;
 - (ii) Agricultural uses of under 50,000 square feet;
 - (iii) Residential structures, four or fewer units;
 - (iv) Transient structures, 12 or fewer rooms for rent;
 - (v) Day care and child care homes;
 - (vi) Accessory or incidental recycling activities under section 49.25.300, category 11.120 uses;
 - (B) Class II uses, \$500.00. Class II uses are:
 - (i) Commercial, mixed use or enclosed industrial uses with less than 10,000 square feet of building space and using less than one acre of land;
 - (ii) Agricultural uses of 50,000 or more square feet;
 - (iii) Residential structures, five to ten dwelling units;
 - (iv) Transient structures, 13 to 30 rooms for rent;
 - (v) Day care and child care centers;
 - (vi) Floating residences and floating structures under 2,500 square feet;
 - (vii) Churches, schools, and additions thereto;
 - (C) Class III uses, \$750.00. Class III uses are:

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- (i) Commercial, mixed use or enclosed industrial uses with 10,000 to 20,000 square feet of building space or using one to three acres of land;
 - (ii) Residential structures, 11 to 30 dwelling units;
 - (iii) Transient structures, 31 to 90 rooms for rent;
 - (iv) Floating structures, 2,500 to 10,000 square feet;
 - (D) Class IV uses, \$1,000.00. Class IV uses are:
 - (i) Commercial, mixed use or enclosed industrial uses with 20,001 to 40,000 square feet of building space or using more than three but less than six acres of land;
 - (ii) Residential structures, 31 to 60 dwelling units;
 - (iii) Transient structures, 91 to 180 rooms for rent;
 - (iv) Unenclosed industrial uses using less than three acres of land (e.g., batch plants, quarries, sand and gravel operations, junkyards, heliports, and outside storage);
 - (v) Floating structures over 10,000 square feet.
 - (E) Class V uses, \$1,600.00. Class V uses are:
 - (i) Commercial, mixed use or enclosed industrial uses with more than 40,000 square feet of building space or using six or more acres of land;
 - (ii) Unenclosed industrial uses using three or more acres of land;
 - (iii) Residential structures, over 60 dwelling units;
 - (iv) Transient structures, over 180 rooms for rent;
 - (v) City and state projects with estimated project cost over \$2,500,000.00.
 - (4) Major subdivisions, including mobile home subdivisions.
 - (A) Preliminary plat, \$110.00 per lot;
 - (B) Final plat, \$70.00 per lot;
 - (C) Reserved;
 - (D) Plat amendment, \$110.00 plus \$25.00 per lot.
 - (5) Street vacation, \$500.00.
 - (6) Administration of developer's subdivision improvement guaranty.
 - (A) Performance bond, \$50.00;
 - (B) Deposit in escrow, \$140.00;
 - (C) Deed of trust, reconveyance, agreement or substitution of trust and reconveyance lots, \$140.00 for first lot, plus \$25.00 for each additional lot.
 - (7) Access driveways in rights-of-way, \$400.00.
 - (8) Special use or area.
 - (A) Mining.
 - (i) Exploration approval, \$200.00;
 - (ii) Small mine permit and amendment, \$1,200.00;

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- (iii) Large mine permit and amendment, \$3,600.00, plus any special fee established pursuant to section 49.65.130;
 - (iv) Technical revision \$500.00;
 - (v) Ownership transfer requests \$500.00;
 - (vi) Summary approval. The fees for a summary approval action shall be based on the classes of uses as established in 49.85.100(3).
 - (B) Mobile home parks.
 - (i) Preliminary review, \$90.00 per lot or \$250.00, whichever is greater;
 - (ii) Final review, \$60.00 per lot or \$250.00, whichever is greater.
 - (C) Recreational vehicle parks, conditional use permit, \$400.00.
 - (D) Hillside development endorsement. Gross hourly rate for professional review and inspection, \$60.00.
 - (E) Planned Unit Development (PUD) and Cottage Housing.
 - (i) Preliminary plan application approval, \$400.00 plus \$80.00 per residential unit;
 - (ii) Final plan approval, \$300.00 plus \$60.00 per residential unit.
 - (F) Development in landslide or avalanche hazard area conditional use, \$400.00.
 - (G) Alternative residential subdivisions.
 - (i) Preliminary plan application review, \$400.00 plus \$80.00 per residential unit;
 - (ii) Final plan review, \$300.00 plus \$60.00 per residential unit.
 - (H) Floodplain development permit.
 - (i) Minor development, no building permit required, \$45.00.
 - (ii) Major development, building permit required, \$100.00.
 - (iii) Exception, \$400.00.
 - (9) Zone changes and comprehensive plan amendments, \$600.00.
 - (10) *Variances and alternative development permits.*
 - (A) Administrative variance, \$120.00;
 - (B) Non-administrative variance, \$400.00.
 - (11) Street name change, \$400.00.
 - (12) Preparation of deed restrictions, certificates of common ownership, and similar documents, \$100.00.
 - (13) Sidewalk obstruction permit under CBJ 62.10.010: \$100.00.
 - (14) Certification of zoning compliance letters, \$150.00.
 - (15) Appeal of director's decision, refundable if applicant prevails, \$200.00.
 - (16) Fee not listed. The processing fee for any development, platting, or other land use action not specifically listed in this section shall be the fee established for the most similar action listed, as determined by the community development director.

- (17) Fee cancellation. The director may authorize the refunding of a portion of the fee paid for a land use action when the permit application is cancelled before completion of the land use review process. The director may estimate the amount of work not completed and set the amount of the refund at that amount, less ten percent of the fee.
- (18) Wireless communication facility application fees.
- (A) Application fees required by subsection 49.65.940(b): \$350.00.
 - (B) Additional fee required for special use permit applications required by subsection 49.65.970(b)(1): \$500.00.
 - (C) Any actual costs incurred for technical expert review, publication and mailings.
- (19) Marijuana license fee, \$250.00.
- (20) Certification of nonconforming status, \$150.00; fee is waived if applied for in conjunction with a development permit.
- (21) Parking waiver, \$400.00. If the application is filed in conjunction with a major development permit the fee shall be reduced by 20 percent.
- (22) Fee in lieu, \$10,000.00 per off-street parking space required.

(Serial No. 87-49, § 2, 1987; Serial No. 91-02, § 2, 1991; Serial No. 91-42, § 2, 1991; Serial No. 92-42, § 4, 1992; Serial No. 94-24, § 2, 1994; Serial No. 95-33, § 10, 1995; Serial No. 95-40, § 5, 1996; Serial No. 96-30, § 8, 1996; Serial No. 97-04, § 2, 1997; Serial No. 97-12, § 3, 1997; Serial No. 2000-38, § 2, 10-16-2000; Serial No. 2003-07(am), § 7, 5-12-2003; Serial No. 2010-15(c), § 3, 5-19-2010; Serial No. 2014-32(e)am, § 4, 9-29-2014, eff. 10-29-2014 ; Serial No. 2015-03(c)(am), § 61, 8-31-2015 ; Serial No. 2015-38(b)(am), § 2 5-2-2016, eff. 6-2-2016 ; Serial No. 2017-16, § 3, 6-26-2017, eff. 7-27-2017 ; Serial No. 2018-04(b), § 3, 5-14-2018, eff. 6-14-2018 ; Serial No. 2018-41(c), § 4, 12-17-2018, eff. 1-17-2019 ; Serial No. 2019-37, § 8, 3-16-2020, eff. 4-16-2020 ; Serial No. 2021-06, § 7, 4-26-2021, eff. 5-26-2021; Serial No. 2021-19, § 10, 8-2-2021, eff. 9-1-2021; Serial No. 2022-04(b) , § 5, 4-25-2022, eff. 5-26-2022; Serial No. 2021-36 , § 4, 9-12-2022, eff. 10-13-2022)

49.85.110 Amendment of rates.

The manager may adjust the rates in this chapter from time to time to reflect changes in the cost of providing municipal services generally.

(Serial No. 87-49, § 2, 1987)

49.85.130 Payment of fees.

No application, petition, request or appeal for which a fee is established under this title shall be complete unless accompanied by the required fee and shall be returned unless accompanied by such fee. All fees shall be nonrefundable except, if the appellant prevails in an appeal to the assembly or if the appeal is withdrawn prior to commencement of the hearing, the appeal fee shall be refunded less \$25.00 and hearing officer expenses incurred to withdrawal.

(Serial No. 87-49, § 2, 1987)

49.85.140 Development, work, or use commencing before permit application or issuance.

- (a) Any development, work, or use for which a permit is required under this title, but for which no permit is applied for and issued prior to the commencement of the development, work, or use requiring the permit, shall be subject to processing fees in an amount double that specified in section 49.85.100 for the permit.
- (b) The director may waive processing fees in excess of those listed in section 49.85.100 upon a finding that processing the permit application will not require staff time and/or materials in excess of what would have been required to process the permit application if it had been applied for prior to commencing the development, work, or use.

(Serial No. 2009-04, § 2, 6-8-2009)

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69.10.023 Property tax incentives for economic development property.

- (a) *Purpose.* This section authorizes property tax exemptions for the following on a property that meets the definition of economic development property in AS 29.45.050(m):
- (1) *Assisted living for senior citizens:* At least 15 new residential units on one lot of assisted living for senior citizens. The term residential units includes the assisted living residential units for senior citizens and only those building spaces that are necessary and incidental to the assisted living of senior citizens that qualify for inclusion in the exemption like common space, support space, and shared facilities. A residential unit qualifies for the exemption even if a non-senior citizen resides in the unit with a senior citizen. The property is located entirely within the urban service area as defined by Title 49. An assisted living for senior citizens tax exemption runs with the land for the duration of the exemption so long as all of the tax-exempt residential units remain under a single common ownership. The tax abatement terminates on the following January 1 for any residential unit sold, during the prior year, to an individual owner that terminates the common unit ownership.
 - (2) *Downtown multifamily:* At least four new residential units on one lot in the Downtown Juneau Residential Tax Abatement Map, dated January 20, 2021. Such units must not be used as short-term rentals during the property tax abatement period. A downtown multifamily tax exemption runs with the land for the duration of the exemption so long as all of the tax-exempt residential units remain under a single common ownership. The tax abatement terminates on the following January 1 for any residential unit sold, during the prior year, to an individual owner that terminates the common unit ownership. No new downtown multifamily tax exemption applications may be accepted or granted after October 1, 2032.
 - (3) *High-density residential:* At least four new residential units on one lot and the residential development meets or exceeds 75 percent of the maximum density for the lot as allowed by Title 49. Such units must not be used as short-term rentals during the property tax abatement period. The property is located entirely within the urban service area as defined by Title 49. A high-density tax exemption runs with the land for the duration of the exemption so long as all of the tax-exempt residential units remain under a single common ownership. The tax abatement terminates on the following January 1 for any residential unit sold, during the prior year, to an individual owner that terminates the common unit ownership. No new high-density tax exemption applications may be accepted or granted after October 1, 2032.
- (b) *Reserved.*
- (c) *Exclusions.* Repair and rehabilitation property as defined in CBJC 69.10.025 for which an exemption application has been filed or granted is not eligible for this housing tax incentive. Submission of an application for exemption pursuant to this section shall automatically terminate any existing CBJC 69.10.025 application or designation for the property.
- (d) *Application.* An application for an exemption under this section shall be made in writing to the assessor's office prior to issuance of a building permit for the residential units. Applications made after issuance of a building permit for the residential units shall not be accepted, or rejected if accepted. The application shall at a minimum contain the following:
- (1) *Name.* The name of the applicant;
 - (2) *Address.* The legal description and street address of the property for which the application is made;
 - (3) *New residential units.* Drawings of the residential units that the applicant will construct, including a floor plan that includes approximate square footages;

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- (4) *Existing structures.* Drawings showing the square footage of all existing structures and structures to be constructed on the property;
 - (5) *Increase in residential units.* Plans showing the construction will increase the total number of residential units on the property;
 - (6) *Acknowledgement of liability.* Applicant acknowledges that the residential units will be taxable if and when the residential units are no longer eligible for tax exemption under this section;
 - (7) *Economic development property justification.* A narrative describing how the application qualifies as economic development property consistent with AS 29.45.050(m);
 - (8) *Other information.* Other information as may be required by the assessor; and
 - (9) *Application requirements specific to the Downtown Juneau Residential Tax Abatement.* In an application for CBJC 69.10.023(a)(2), the property owner must agree not to rent any new residential units as short-term rentals while receiving the tax abatement. A property owner who breaches this provision forfeits the remaining property tax abatement and must reimburse the City and Borough of Juneau for the property tax abatement received since first granted plus interest at the legal maximum rate of interest allowed by state law. If the property owner does not reimburse the City and Borough within 30 calendar days of notice being mailed or served, a lien shall be recorded against the property with the new residential units.
- (e) *Provisional approval.* The assessor shall provisionally approve an application for tax exemption if:
- (1) The applicant submitted a complete application; and
 - (2) The applicant acknowledges it must:
 - (i) Construct not less than the required residential units in accordance with the plans and drawings submitted with its application; and
 - (ii) Increase the total number of residential units on the property in order to receive final approval under this section.
- (f) *Final approval of exemption.* The assessor shall finally approve an application for tax exemption if:
- (1) The applicant has completed construction of residential units in accordance with the plans and drawings submitted with its application and a certificate of occupancy has been issued pursuant to Title 19 for each structure that contains a residential unit described in the application; and
 - (2) The total number of residential units on the property has increased.
- (g) *Magnitude of exemption.* Consistent with this subsection, the total potential exemption shall not reduce the amount of taxes below the amount levied on other property for the school district's required local contribution under AS 14.17.410(b)(2). The taxes eligible for exemption under this section are those attributable only to the newly constructed residential units exclusive of previously existing residential units (whether remodeled or not), all nonresidential improvements, and land. Except as provided by subsection (m), the magnitude of exemption shall be determined on a spatial basis as follows: the square footage of the newly constructed residential units shall be divided by the square footage of all structures on the property, then multiplied by the assessed value of all improvements on the property and by the mill rate applicable to the property.
- (h) *Duration of tax exemption.* Tax exemptions approved under this section shall be for a period of 12 consecutive years beginning on January 1 of the first full calendar year after final approval of the application.
- (i) *Recording of exemption.* The assessor shall memorialize the terms of an exemption granted under this section in a memorandum recorded in the Juneau Recording District and kept on file in the assessor's office.

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- (j) *Termination of exemption upon reduction in number of residential units.* An exemption granted under this section shall terminate immediately if and when the number of residential units on the property is less than the number existing at the time of final approval of the application under this section. An exemption granted under this section does not terminate if the property or residential unit is sold and the new owner continues to comply with this section.
- (k) *Appeal.* Any decision of the assessor under this section may be appealed to the assembly in accordance with CBJC 01.50.
- (l) *Annual compliance and status report.* Not later than March 31 of each year, the owner of the property for which an exemption has been granted, shall file with the assessor a report with the following information:
- (1) *Occupancy.* A statement of occupancy and vacancy of the residential units for the prior 12 months;
 - (2) *Residential units remain as described.* A certification that the newly constructed residential units described in the application continue to exist and have not been converted to a nonresidential use;
 - (3) *Further changes.* A description of physical changes or other improvements constructed since the last report or, on first report, since the filing of the application; and
 - (4) *Additional information.* Any additional information requested by the assessor.
- (m) *Late-file penalty.* The failure for the owner to file the annual compliance and status report by March 31 shall result in ten percent reduction of the taxes exempted in the prior year.
- (n) *Definitions.* In this section, the following definitions apply:

Assisted living means a facility providing housing and institutional care for people unable to live independently or without assistance. Assisted living includes facilities that provide nursing care services.

New residential unit means new construction and a condemned or uninhabitable existing dwelling unit that is renovated to current code for a residential dwelling unit according to CBJC Title 19.

Previously exempt property means real or personal property exempt under CBJC Title 69 in the prior calendar year but taxable in the next calendar year.

Residential unit means a dwelling unit as defined by CBJC 49.80.120 and is either owner-occupied or only leased for periods of at least one month.

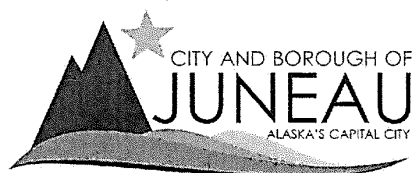
Senior citizen means a person who is:

- (1) Sixty-five years or older; or
- (2) At least 60 years of age and the widow or widower of a senior citizen who qualified for an exemption under AS 29.45.030(e) and CBJC 69.10.020(1)(A)(i) and (ii).

Short-term rental means a dwelling unit that is rented, leased, or otherwise advertised for occupancy for a period of less than 30 days.

Widow or widower means a person whose spouse has died and who has not remarried.

(Serial No. 2019-23, § 3, 7-22-2019, eff. 8-22-2019 ; Serial No. 2021-01(c)(am), § 2, 3-1-2021, eff. 3-31-2021; Serial No. 2022-42 , § 2, 10-24-2022, eff. 11-24-2022)



JUNEAU HOUSING PROGRAMS

Juneau Affordable Housing Fund

up to \$50,000 per unit

The Juneau Affordable Housing Fund was created to promote the creation of affordable housing in the Capital City. This program runs annually in the Fall.

To review the requirements and guidelines and to learn more about the next funding competition round, please visit:

juneau.org/community-development/grants-juneau-affordable-housing-fund

Mobile Home Down Payment Assistance

up to \$10,000

CBJ has partnered with True North Federal Credit Union (TNFCU) to create a program that will provide low interest loans to qualified residents for up to 50% of the down payment. Residents must be able to match the other 50%. Loans will be available at 1% interest. The borrower will have up to five (5) years to pay back the loan.

juneau.org/community-development/grants-mobile-home-down-payment-assistance

Accessory Apartment Grant Program

\$6,000

The Accessory Apartment Grant Program is a one time grant to homeowners creating an eligible accessory apartment. This apartment cannot be used as a short-term rental.

juneau.org/community-development/grants-aapgp

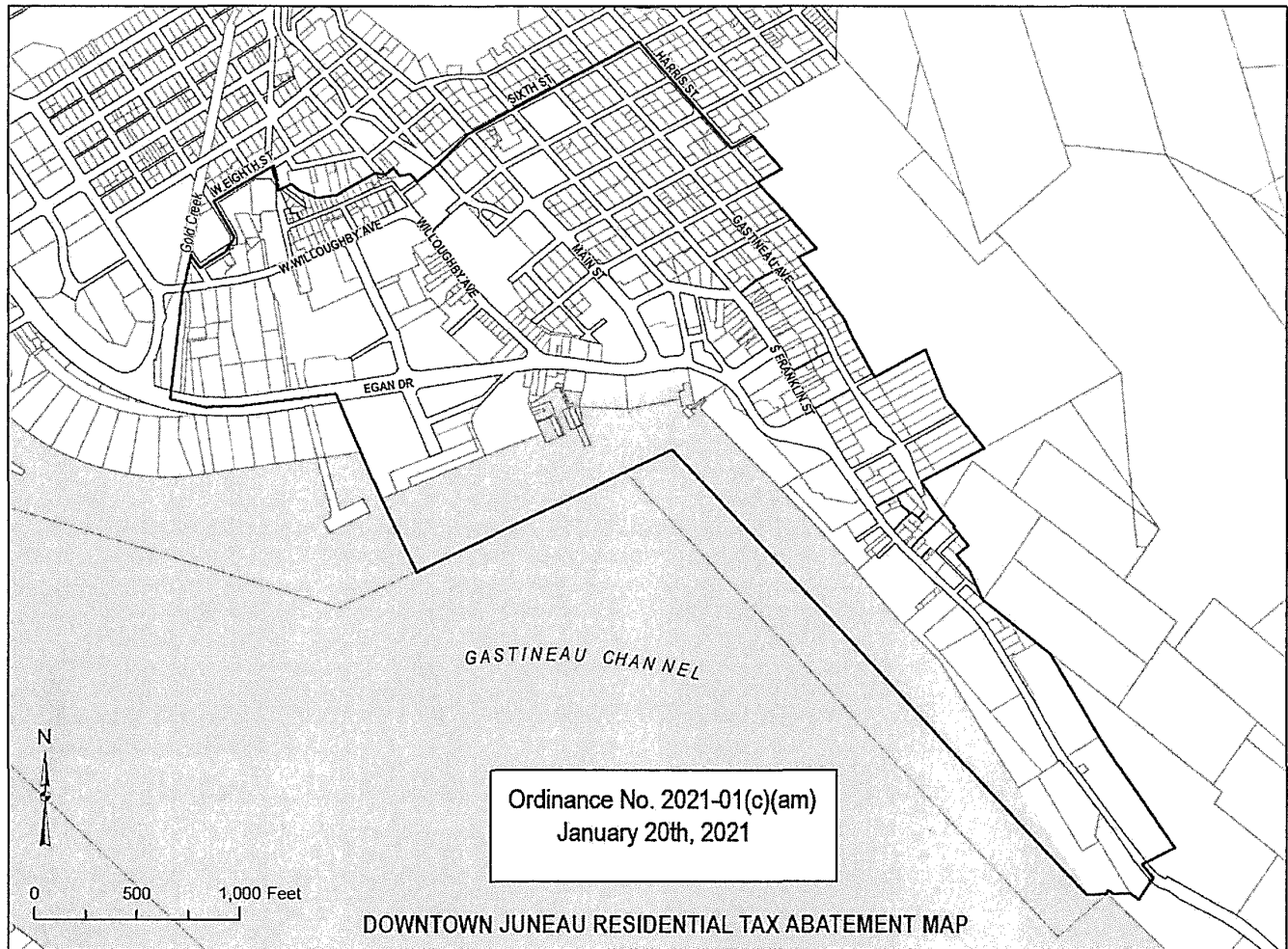
Property Tax Abatement Programs

- **Downtown Tax Abatement:** Provides 12-year tax abatement for projects that develop four or more new residential units in the mapped area. *See map on reverse.*
- **Senior Assisted Living Tax Abatement:** Provides 12-year tax abatement for projects that provide at least 15 new residential units of assisted living for senior citizens in the urban service area.
- **Subdivision Property Tax Abatement:** 5-year tax abatement program for improvements related to subdivision of one lot into three or more lots.
- **High Density Tax Abatement:** 12-year tax abatement for projects that develop at least four new residential units within the Urban Service Area.

For more information on CBJ tax abatement program eligibility criteria and to apply, please visit:

juneau.org/community-development/grants-cbj-tax-abatement-programs

For more information on CBJ Housing Programs, please contact the Community Development Department at: (907) 586-0753 and press "1" to speak to the Planner on Call, or visit: juneau.org/community-development/grants



For more information on CBJ Housing Programs, please contact the Community Development Department at:
(907)586-0753 and press "1" to speak to the Planner on Call, or visit: juneau.org/community-development/grants

Last update: 2/6/2023



DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications. This form and all documents associated with it are public record once submitted.

To be completed by Applicant	PROPERTY LOCATION		
	Physical Address		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot)		
	Parcel Number(s)		
	☐ This property is located in the downtown historic district ☐ This property is located in a mapped hazard area, if so, which _____		
	LANDOWNER/ LESSEE		
	Property Owner	Contact Person	
	Mailing Address	Phone Number(s)	
	E-mail Address		
	LANDOWNER/ LESSEE CONSENT		
Required for Planning Permits, not needed on Building/ Engineering Permits.			
Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.			
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 the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.			
_____ Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee)			
X _____ Landowner/Lessee (Signature) Date			
_____ Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee)			
X _____ Landowner/Lessee (Signature) Date			
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.			
APPLICANT			
If same as LANDOWNER, write "SAME"			
Applicant (Printed Name)	Contact Person		
Mailing Address	Phone Number(s)		
E-mail Address			
X _____ Applicant's Signature Date of Application			

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Case Number	Date Received

(Including Water, Sewer, Driveway, Grading, Mechanical, Plumbing, Electrical, and Building Safety Inspections)

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

(OFFICE USE ONLY BELOW THIS LINE)				
BUILDINGS	Occupancy Class _____		Type of Construction _____	
	FCC Code _____		Permit Classification _____	
	Occupancy	Square Feet	@ Rate	= Valuation
Bedrooms _____		Stories _____		
LAND USE PARKING _____ FLOOD ELEV. _____ FIRM ZONE _____ FIRM MAP _____ LAND USE PERMITS: Case Number _____ Case Number _____ Case Number _____ Case Number _____	ENGINEERING/PUBLIC WORKS CITY WATER Units: _____ Case No: _____ Service - Size _____ Fire Line - Size _____ Metered _____ Extended Pay # _____ CITY SEWER Units: _____ Case No: _____ BOND Case No: _____ OTHER Case No: _____ ADEC On-site Water No _____ Date _____ ADEC On-site Sewer No _____ Date _____	PLAN REVIEW APPROVALS Initials Date _____ Fire _____ _____ Zoning _____ _____ Engineering _____ _____ Water _____ _____ Sewer _____ _____ Architectural _____ _____ Structural _____ _____ Plumbing _____ _____ Mechanical _____ _____ Electrical _____ _____ Access _____ _____ Special Inspection Form _____ APPROVED FOR ISSUANCE _____ Signature Date		
BUILDING PERMIT FEES PLAN REVIEW FEES _____ Building Plan Review \$ _____ _____ Grading Plan Review \$ _____ Total Review Fees \$ _____ PLAN REVIEW PAYMENT _____ Date _____ Receipt No. _____ CK _____				
PERMIT ISSUANCE FEES _____ Adjusted Plan Review Fee \$ _____ _____ Fast Track Fee \$ _____ _____ Early Start Fee \$ _____ _____ Building Permit Fee \$ _____ _____ Water Assessment Fee \$ _____ _____ Water Inspection Fee \$ _____ _____ Sewer Assessment Fee \$ _____ _____ Sewer Inspection Fee \$ _____ _____ Grading Permit Fee \$ _____ _____ Driveway Permit Fee \$ _____ _____ Bond for _____ \$ _____ _____ Other _____ \$ _____ Total Issuance Fees \$ _____ PERMIT ISSUANCE PAYMENTS _____ Date _____ Rcpt _____ Ck _____ \$ _____ _____ Date _____ Rcpt _____ Ck _____ \$ _____ _____ Date _____ Rcpt _____ Ck _____ \$ _____ _____ Date _____ Rcpt _____ Ck _____ \$ _____				
Water Connection Permits I hereby acknowledge receipt of a _____ inch meter yoke. X _____ Date: _____				
CONDITIONS AND HOLDS ON PERMIT: _____ _____ _____ _____ _____				

STAFF AREA

devapnbd.xls rev. 9 1/26/99
 Continued on Reverse Side

TYPES OF INSPECTIONS

The inspections indicated below are normally required for each permit type. (Staff marks applicable items)

BI (Commercial Buildings)	SF (Single Family - 4 Units)	PB (Plumbing)	WC (Water Connection)
BI (Com. Building Safety Inspection)	BI (Res. Building Safety Inspection)	J100 Underground Plumbing	WE (Water Extended)
C100 Setbacks	D100 Setbacks	J110 Water Piping	WI (Water Inspection)
C110 Excavation/Footing	D110 Excavation/Footing	J120 DWV Piping	FC (Fire Connection)
C120 Forms & Rebar	D115 Stem Walls/Forms/Rebar	J130 Hydronic System	D100 Water Meter/Yoke
C130 Steel/Masonry	D120 Temporary Power	J140 Water Heater	D105 Water Meter Required
C140 Framing	D140 Rough Framing	J150 Water Softener	D110 Size of Water Service
C150 Insulation/Drywall	D150 Rough Electrical	J160 Water Service	D120 Depth (Water) Depth
C160 Rated Walls & Assemblies	D160 Rough Plumbing	J170 Gas Piping	D130 Cross Connection Contr
C170 Smoke Detect. & Alarm Systems	D170 Under/Slab Utilities	J180 Cross Connection Control	D140 Pressure Test
C180 Underground Plumbing	D180 Vents (Bath, Dryer, etc.)	J500 Plumbing Final	D150 Thaw Water
C190 Water Piping Test	D190 Firewall Separation		D500 Turn Water OFF
C210 DWV Piping Test	D210 Yellow Tag Electrical	MC (Mechanical)	D510 Seasonal Water Turn O
C220 Plumbing Fixtures Final	D220 Woodstove/Chimney	H110 Plenums & Ducts	D550 Hold
C250 Cross Connection Control	D230 Smoke Detection	H120 Furnace	D600 Turn Water ON
C255 Meter Yoke with Meter	D240 Insulation	H130 Inlets & Outlets	D610 Seasonal Water Turn O
C265 Gas Piping	D250 Cross Connection Control	H140 Combustion Air	Z080 Billing Authorization - W
C270 Plenums & Ducts	D255 Meter Yoke	H150 Compressor	D800 Water Final
C300 Furnace/Stove Clearance	D257 Oil & Gas Piping/Tanks	H160 Appliance Clearance	
C301 Combustion Air	D260 Grading/Drainage	H170 Smoke Detection Systems	SC (Sewer Connection)
C400 Ventilation	D263 ADEC On-Site Water Final	H190 Commercial Hood	SI (Sewer Inspection)
C410 Fire Dampers/Sprinklers	D266 ADEC On-Site Sewer Final	H500 Mechanical Final	C100 Depth
C420 Commercial Hoods	D270 Repair/Rehab Exemption		C110 Soil
C430 Temporary Power	D280 Res Zoning Final	EC (Electrical)	C120 Material
C440 Service/Panel	D800 Residential Final	F100 Temporary Power	C125 Grade
C450 Conduit & Raceway Systems		F110 Building Service	C130 Cleanouts
C460 Bonding/Grounding	WS (Wood Stove)	F120 Conduit & Raceway Systems	C140 Sewer Connection
C470 Grading/Drainage	K100 Approved Model	F140 General Wiring	C150 Sewer Disconnect
C480 Landscaping/Parking	K110 Stove Clearances	F150 Cable Systems	Z070 Billing Authorization - Se
C490 Planning Requirements	K120 Stack Clearances	F160 Bonding	C500 Sewer Final
C500 Roofing	K130 Hearth	F170 Grounding	
C600 Zoning Final	K200 Woodstove Final	F180 Devices & Equipment	GR (Grading)
C800 Commercial Final		F190 Smoke Detection	G100 Retaining Walls, etc.
		F500 Electrical Final	G120 Drainage
DM (Demolition)	FS (Fire Sprinkler)		G130 Slopes
E100 Sewer Capped	FA (Fire Alarm)	DW (Driveway)	G140 Compaction
E110 Debris Filled	L100 Pressure Test	N160 Location	G150 Material
E120 Excavation Filled	L110 Underground Flush	N200 Grade	G200 Grading Final
E500 Demolition Final	L120 Proper Bracing	N210 Width	
	L130 Return Bonds	N300 Headwalls	
	L140 Head Placement	N350 Culvert	
MS (Install Mobile Home)	L150 FDC Location	N400 Cuts Cut	
I100 Setbacks	L160 Alarm Panel/Transmitter	N410 Curb Box/Thaw Wire	
I110 Foundation	L170 Alarm Zones	N420 Bond Return Request	
I120 Electrical Hookup	L180 Battery/Backup	N800 Driveway Final	
I130 Plumbing Hookup	L190 Phone Connection		
I140 Porches & Stairs	L200 Reset Procedures		
I150 Skirting	L210 System Test		
I500 Mobile Home Final	L220 Detectors Spare		
	L500 Fire Final		

ADDITIONAL CONDITIONS AND HOLDS (STAFF)

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	
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: _____	
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 _____ square feet Total Area of Existing Structure(s) _____ square feet Total Area of Proposed Structure(s) _____ square feet	
EXTERNAL LIGHTING Existing to remain ☐ No ☐ Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures Proposed ☐ No ☐ 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)	
<i>If this is a modification or extension include:</i> ☐ Notice of Decision and case number ☐ Justification for the modification or extension ☐ Application submitted at least 30 days before expiration date	

-DEPARTMENT USE ONLY BELOW THIS LINE

ALLOWABLE/CONDITIONAL USE FEES		Check No.	Receipt	Date
	Fees			
Application Fees	\$ _____			
Admin. of Guarantee	\$ _____			
Adjustment	\$ _____			
Pub. Not. Sign Fee	\$ _____			
Pub. Not. Sign Deposit	\$ _____			
Total Fee	\$ _____			

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Case Number	Date Received
-------------	---------------

Allowable/Conditional Use Permit Application Instructions

Allowable Use permits are outlined in CBJ 49.15.320, Conditional Use permits are outline in CBJ 49.15.330

Pre-Application Conference: A pre-application conference is required prior to submitting an application. There is no fee for a pre-application conference. The applicant will meet with City & Borough of Juneau and Agency staff to discuss the proposed development, the permit procedure, and to determine the application fees. To schedule a pre-application conference, please contact the Permit Center at 586-0770 or via e-mail at permits@juneau.org.

Application: An application for an Allowable/Conditional Use Permit will not be accepted by the Community Development Department until it is determined to be complete. The items needed for a complete application are:

1. **Forms:** Completed Allowable/Conditional Use Permit Application and Development Permit Application forms.
2. **Fees:** Fees generally range from \$350 to \$1,600. Any development, work, or use done without a permit issued will be subject to double fees. All fees are subject to change.
3. **Project Narrative:** A detailed narrative describing the project.
4. **Plans:** All plans are to be drawn to scale and clearly show the items listed below:
 - A. Site plan, floor plan and elevation views of existing and proposed structures
 - B. Existing and proposed parking areas, including dimensions of the spaces, aisle width and driveway entrances
 - C. Proposed traffic circulation within the site including access/egress points and traffic control devices
 - D. Existing and proposed lighting (including cut sheets for each type of lighting)
 - E. Existing and proposed vegetation with location, area, height and type of plantings
 - F. Existing physical features of the site (i.e. drainage, eagle trees, hazard areas, salmon streams, wetlands, etc.)

Document Format: All materials submitted as part of an application shall be submitted in either of the following formats:

1. Electronic copies in the following formats: .doc, .txt, .xls, .bmp, .pdf, .jpg, .gif, .xlm, .rtf (other formats may be preapproved by the Community Development Department).
2. Paper copies 11" X 17" or smaller (larger paper size may be preapproved by the Community Development Department).

Application Review & Hearing Procedure: Once the application is determined to be complete, the Community Development Department will initiate the review and scheduling of the application. This process includes:

Review: As part of the review process the Community Development Department will evaluate the application for consistency with all applicable City & Borough of Juneau codes and adopted plans. Depending on unique characteristics of the permit request the application may be required to be reviewed by other municipal boards and committees. During this review period, the Community Development Department also sends all applications out for a 15-day agency review period. Review comments may require the applicant to provide additional information, clarification, or submit modifications/alterations for the proposed project.

Hearing: All Allowable/Conditional Use Permit Applications must be reviewed by the Planning Commission for vote. Once an application has been deemed complete and has been reviewed by all applicable parties the Community Development Department will schedule the requested permit for the next appropriate meeting.

Public Notice Responsibilities: Allowable/Conditional Use requests must be given proper public notice as outlined in CBJ 49.15.230:

The Community Development Department will give notice of the pending Planning Commission meeting and its agenda in the local newspaper a minimum of 10-days prior to the meeting. Furthermore, CDD will mail notices to all property owners within 500-feet of the project site.

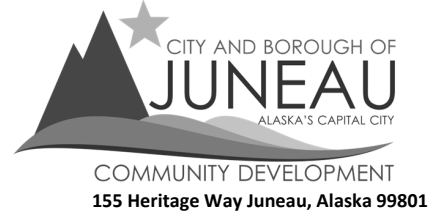
The Applicant will post a sign on the site at least 14 days prior to the meeting. The sign shall be visible from a public right-of-way or where determined appropriate by CDD. Signs may be produced by the Community Development Department for a preparation fee of \$50, and a \$100 deposit that will be refunded in full if the sign is returned within seven days of the scheduled hearing date. If the sign is returned between eight and 14 days of the scheduled hearing \$50 may be refunded. The Applicant may make and erect their own sign. Please contact the Community Development Department for more information.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

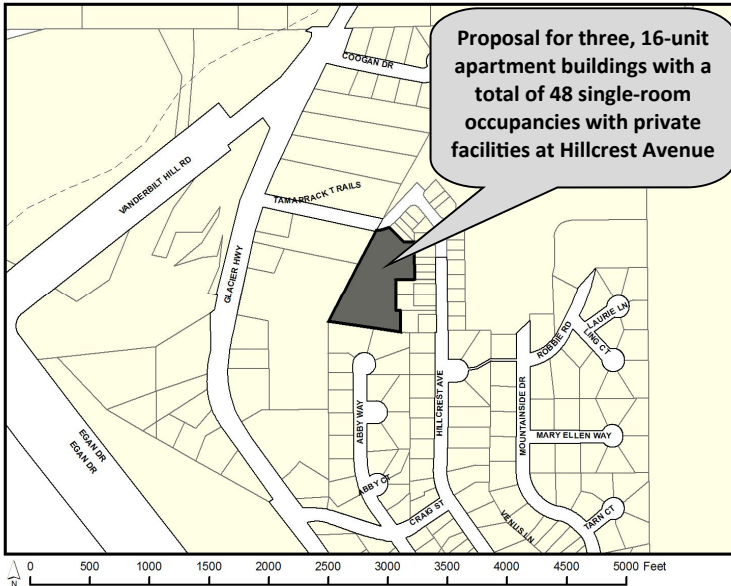
Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission

Your Community, Your Voice



TO



Conditional Use Permit has been submitted for consideration and public hearing by the Planning Commission for **three, 16-unit apartment buildings with a total of 48 single-room occupancies with private facilities** at **Hillcrest Avenue** in a **D15** zoning district.

PROJECT INFORMATION:

Project Information can be found at:

<https://juneau.org/community-development/short-term-projects>

PLANNING COMMISSION DOCUMENTS:

Staff Report expected to be posted **May 6, 2024** at

<https://juneau.org/community-development/planning-commission>

Find hearing results, meeting minutes, and more here, as well.

Now through April 22	April 23 — noon, May 10	HEARING DATE & TIME: 7:00 pm, May 14, 2024	May 15
Comments received during this period will be sent to the Planner, Joseph Meyers , to be included as an attachment in the staff report.	Comments received during this period will be sent to Commissioners to read in preparation for the hearing.	This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting https://juneau.zoom.us/j/86939674618 and use the Webinar ID: 869 3967 4618 OR join by telephone, calling: 1-253-215-8782 and enter the Webinar ID (above). You may also participate in person in City Hall Assembly Chambers, 155 Heritage Way Juneau, Alaska.	The results of the hearing will be posted online.
FOR DETAILS OR QUESTIONS, Phone: (907)586-0753 ext. 4209 Email: pc_comments@juneau.gov or joseph.meyers@juneau.gov Mail: Community Development, 155 Heritage Way, Juneau AK 99801			
		Case No.: USE2024 0006 Parcel No.: 7B1001160014 CBJ Parcel Viewer: http://epv.juneau.org	

Printed April 4, 2024



Attachment B - Abutters Notice and Public Notice Sign Photo



(907) 586-0715
CDD_Admin@juneau.gov
www.juneau.org/community-development
155 Heritage Way • Juneau, AK 99801

COMMUNITY DEVELOPMENT DEPARTMENT - REQUEST FOR AGENCY COMMENT

DEPARTMENT:	CCFR
STAFF PERSON/TITLE:	T. Ross, Fire Marshal
DATE:	2/26/2024
APPLICANT:	Chilkat Vistas, LLC
TYPE OF APPLICATION:	Conditional Use Permit

PROJECT DESCRIPTION:

48-unit multifamily development at Chilkat Vistas

LEGAL DESCRIPTION:	Chilkat Vistas, Tract A3
PARCEL NUMBER(S):	7B1001160014
PHYSICAL ADDRESS:	NHN

SPECIFIC QUESTIONS FROM PLANNER:

Does the proposed site plan including the hammerhead and second access meet the requirements of the fire code?

AGENCY COMMENTS:

So as long as access has already been addressed and hydrant locations approved under that permit as well the only thing I can think of would be the requirement of signage for the hammerhead, that will be called out when the actual buildings are submitted for review.



(907) 586-0715
CDD_Admin@juneau.gov
www.juneau.org/community-development
155 Heritage Way • Juneau, AK 99801

COMMUNITY DEVELOPMENT DEPARTMENT - REQUEST FOR AGENCY COMMENT

DEPARTMENT: Alaska DOT
STAFF PERSON/TITLE: Arthur Drown, ROW Agent
DATE:
APPLICANT: Heumann
TYPE OF APPLICATION: Conditional Use Permit
PROJECT DESCRIPTION:

LEGAL DESCRIPTION:

PARCEL NUMBER(S): 7B1001160014

PHYSICAL ADDRESS: TBD

SPECIFIC QUESTIONS FROM PLANNER:

Does DOT see any issues with the site plan or the applicable TIA?

The Traffic Impact Analysis conducted for the development of Richland Manor in 2020 included analysis of future development for up to 47 single family homes (detached) and approximately 356 multifamily homes in the vicinity of Hooter Lane and Craig Street. The conclusion of the TIA at that time was that at full build out, no major mitigation past the development of Hooter Lane and some pedestrian facility improvements at Vanderbilt and Glacier Highway would be necessary. Approach Road permit 30955 was issued for the development of Hooter Lane by DOT&PF and the subject TIA was reviewed by the Department at that time with no comment. The TIA and its findings that no additional mitigation to that previously mentioned was accepted by the Department.

AGENCY COMMENTS:

At this time, no additional analysis is required as the proposed multifamily development is within the original TIA's scope of work.

From: [Maralee Guiher](#)
To: [Joseph Meyers](#)
Subject: Chilkat Vistas
Date: Monday, April 22, 2024 9:42:45 AM

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

USE2024 0006
7B1001160014

No, No, No! 48 efficiency apartments attached to our quiet Mountainside community!?

Please, consider not allowing this to take place. Our quiet neighborhood has already been impacted by the newest addition and its traffic (vehicle and foot.) The addition of these apartments really scares me. I'm afraid for our security and safety. For instance, traffic has increased and more and more vehicles are not observing the posted speed limits since the connecting of Glacier Hwy to Hillcrest Ave. Foot traffic down Hillcrest has considerably increased.

Please be considerate of the current residents of Mountainside Estates.

Maralee Guiher
Crest Ct. Mountainside Estates



1945 Alex Holden Way #101 | Juneau, AK 99801 | 907-780-4004 | solutions@proHNS.com
219 Main Street #13 | Haines, AK 99827 | 907-419-6070 | www.proHNS.com

August 11, 2022

Michael and William Heumann
6000 Thane Rd
Juneau, AK 99801
mpheumann@hotmail.com
(971) 261-8014

RE: Chilkat Vistas Subdivision, Phase II – Drainage Report

To Whom It May Concern,

The following Drainage Plan has been prepared for the Chilkat Vistas Subdivision, Phase II in Juneau, AK, a proposed multi-phase major subdivision on a 30-acre site at the 4500 block of Hillcrest Avenue. This drainage report addresses the second phase of the overall subdivision that will create 13 new single family lots, plus 3 tracts. Phase II of the subdivision will also include extending Hillcrest Avenue and improvement/extension of Hooter Lane, which will result in a looped connection between the two streets. This drainage report is independent of any previous drainage reports as it examines all on-site and upland stormwater that will be directed through the entire project area (phase I and phase II). Phase II of this subdivision will involve rerouting a stormdrain that currently flows across private property so that this stormwater will remain within the Hillcrest Ave and Hooter Lane right-of-way in the developed conditions. Improvements include extending Hillcrest Avenue and Hooter Lane by constructing new sidewalk, street, ditches, driveways and utilities along with building pads on the newly subdivided Lots. The 2010 CBJ Manual of Stormwater Best Management Practices was used to evaluate if the proposed and existing drainage features could convey runoff during the 25-year storm event.

Attachments to this report include sheets depicting survey data, proposed ROW improvements, as-built information, calculations and rainfall data used for the drainage analysis.

Site Runoff Calculation Method:

The existing conditions include 2 sub-basins and 2 discharge points, and the developed conditions will include 3 sub-basins and 3 discharge points. Though stormwater will be rerouted through the project area, all discharge points combine in the wetlands on the west side of Glacier Highway, which will preserve historic drainage patterns. It should be noted that the basin for Chilkat Vistas Subdivision phase I was used as the “pre-developed” condition. Since the phase I/pre-developed phase II conditions were analyzed in a previous drainage report, the existing conditions will not be discussed in detail in this report (see the Chilkat Vistas Phase I drainage report in appendix “G” for details on the existing conditions”). The catchment areas we determined using the proposed design model, Lidar data and aerial photos in AutoCAD C3D and were verify by several site visits. A delineation of the catchment areas can be found in Appendix A. Soil conditions were based on information from Shoephorster and Furbush (1974) and the National Engineering Handbook (see appendix E for more information about the on-site soils).

To calculate the site runoff for Drainage Basins A, B, and C we have elected to use the SCS TR-55 method. The SCS TR-55 is most appropriate for evaluating drainage basins of 10 acres to 1,300 acres. Appendix D of the “2010 CBJ Manual of Stormwater Best Management Practices” was utilized as a guide. The calculations and supporting documentation can be found in Appendix B, C & F of this Report.

Anticipated Site Runoff (Q):

Using the SCS Unit Hydrograph Method, the amount of stormwater runoff during the 25-year storm event per catchment area was determined. The analysis shows that approximately 1.13 cfs of runoff will be removed from the discharge point A due to the proposed development. See Table 1.1 below for results, the calculations can be found in Appendix B.

Catchment Area	Q (cfs)
Drainage Basin A, Discharge Point A	11.58
Drainage Basin B, Discharge Point B	1.03
Drainage Basin C, Discharge Point C	3.24
Table 1.1	

Conveyance/Discharge Structure Capacities:

The capacity of the existing and proposed drainage systems was calculated to determine if proposed 25-year storm event flows could be conveyed. The entire network was analyzed in AutoCAD SSA, and the most vulnerable drainage structures/conveyance systems to failure along the analyzed flow path were also evaluated using HY-8 software. See Table 1.2 below for results on the most vulnerable drainage element in each basin’s conveyance system. The supporting calculations can be found in Appendix C.

Catchment Area	Q (cfs)
Drainage Basin A – (P-1) Proposed 36” CMP Culvert	47.75
Drainage Basin B – (P-EX-1) Existing 18” CPP	8.89
Drainage Basin C – No net increase over existing conditions.	5.58
Table 1.2	

Summary:

Table 1.3 below compares anticipated 25-year runoff in the proposed and existing conveyance systems to their available hydraulic capacity. To simplify and provide a conservative evaluation runoff from the entire drainage basin was used for comparison even though uphill conveyance systems would not need to handle all of the calculated runoff from the lower discharge point.

Drainage Basin/Discharge Point	Anticipated Runoff Q (cfs)	Capacity Check	Available Capacity Q (cfs)
Basin A/P-1	11.58	<	47.75
Basin B/P-EX-1	1.03	<	8.89
Basin C/Existing Ditch Near Tract-A3	3.24	<	5.58
Table 1.3			

Our analysis shows the proposed 36-inch CMP pipe under Glacier Highway will have an excess of capacity to accommodate the stormwater that will result from phase II of the Chilkat Vistas Subdivision, as well as potential future development. It demonstrates that there is excess capacity in the existing 18-inch CPP culvert on the southern side of Hooter Lane. Our analysis also shows that the drainage along the southern portion of Hooter Lane will see a reduction in water from the existing conditions due to a redirection of upland flows into the new 36-inch pipe on the opposite side of the street. Similarly, the existing ditch that leaves the project area at the southern portion of tract-A3 will see a net reduction in water due to the elimination of a stormdrain outfall from Hillcrest Ave in the ditch above Tract-A3.

Respectfully,



Lucas Chambers, P.E.
Principal Engineer – proHNS LLC Juneau
License #CE-106593



Appendices:

A – Catchment Areas & Flow Paths

B – SSA Calculations

C – HY-8 Calculations

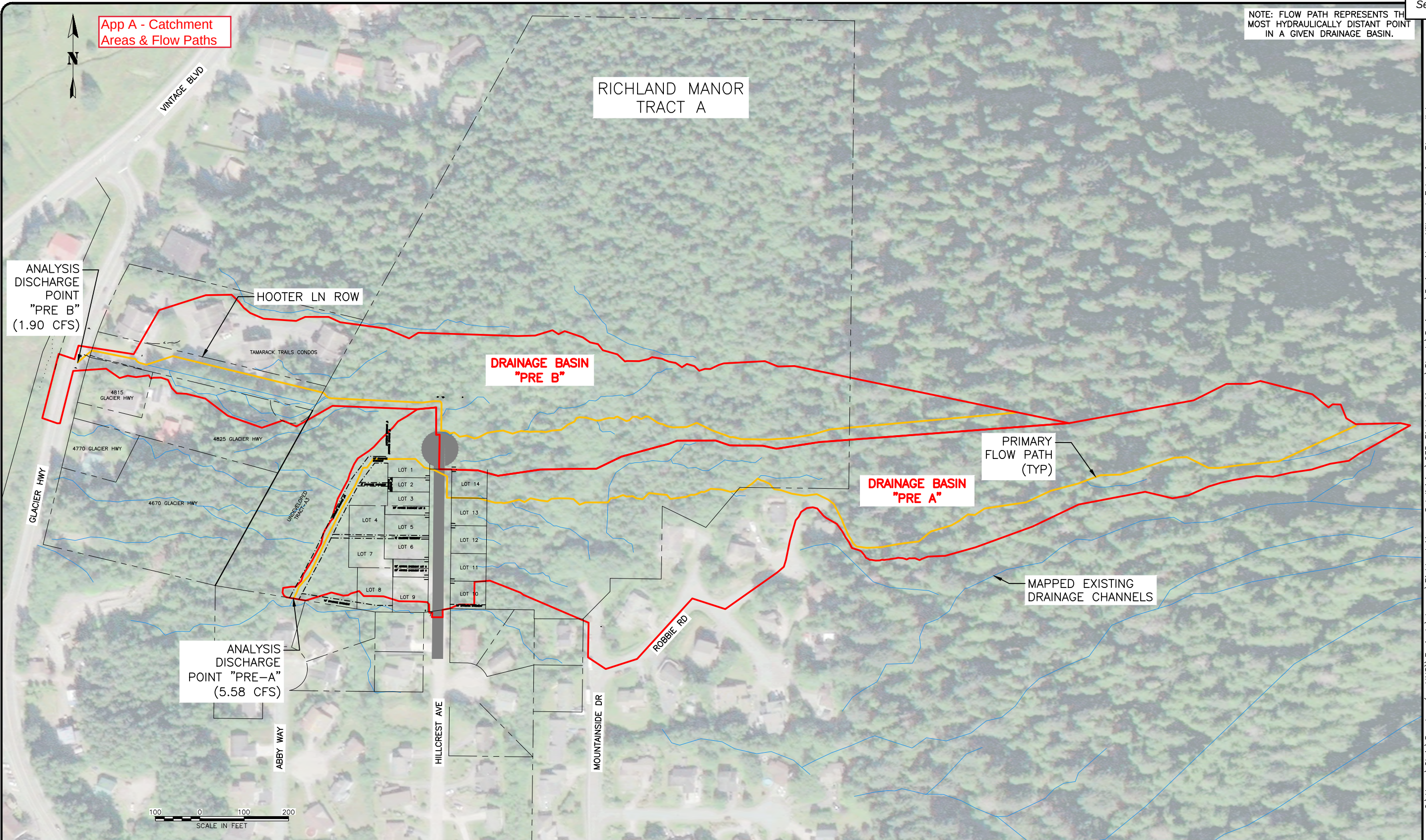
D – Rainfall Intensity

E – Soil Data

F – SCS Hydrograph

G – Prior Drainage Reports "Richland Manor Subdivision – Drainage Report dated 10/31/19, Hooter Lane Phase I ROW Improvements – Drainage Report dated 1/23/20

NOTE: FLOW PATH REPRESENTS THE MOST HYDRAULICALLY DISTANT POINT IN A GIVEN DRAINAGE BASIN.



RECORD OF REVISIONS			
No.	DATE	DESCRIPTION	BY



proHNS LLC
CERTIFICATE OF AUTHORIZATION
#100662

DRAWN BY: C. BYDLON
DESIGNED BY: L. CHAMBERS
CHECKED BY: L. CHAMBERS

1945 ALEX HOLDEN WAY #101
JUNEAU, AK 99801

solutions@proHNS.com
www.proHNS.com

HILLOREST EXTENSION
SUBDIVISION

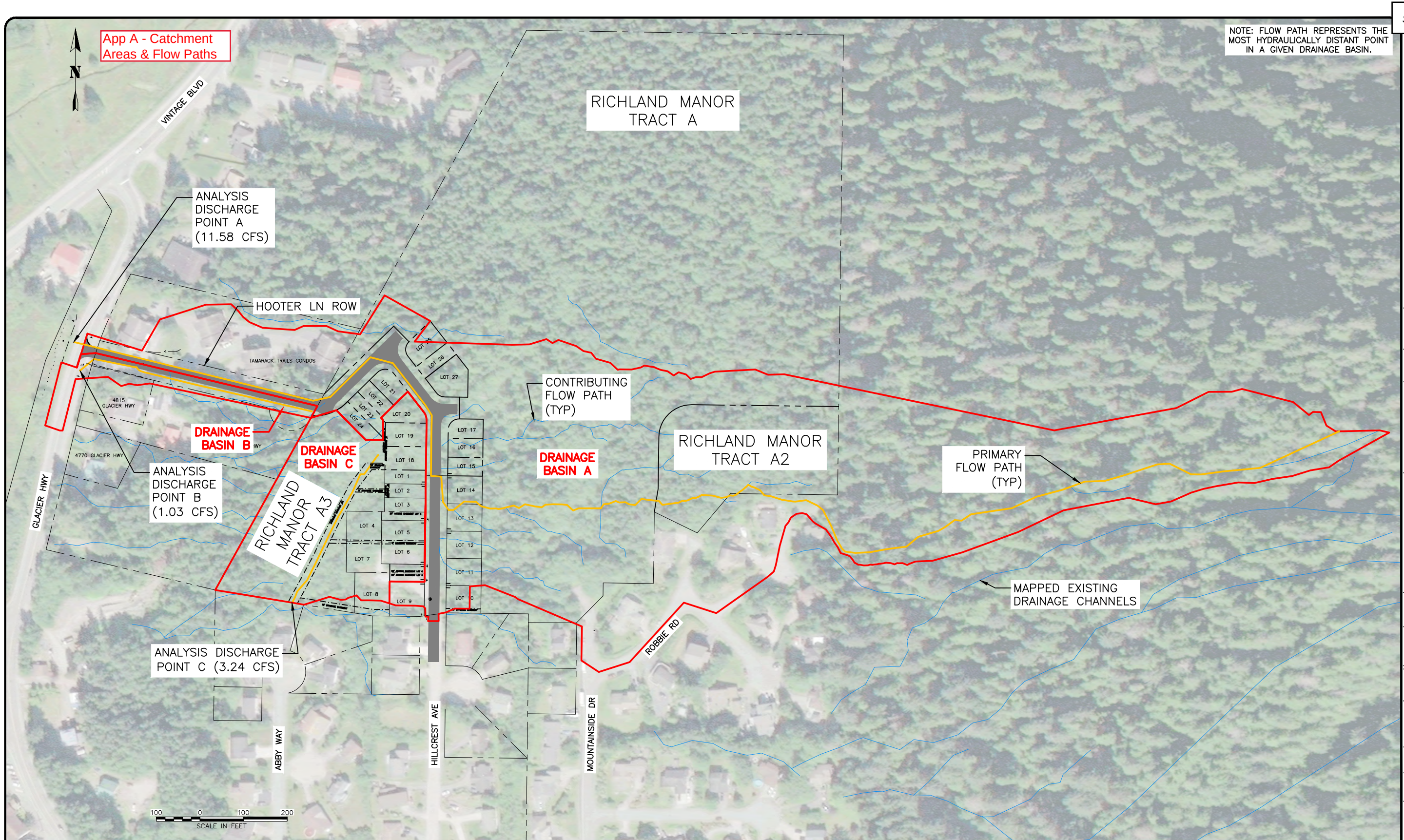
WILLIAM & MICHAEL HUMEANN

PREDEVELOPED
DRAINAGE BASIN
CATCHMENT AREAS

SHEET NUMBER	
1	OF
2	

C:\Users\Chris\Dropbox (proHNS)\Projects\Juneau\Richland Manor\Subdivision\C3D Richland Manor\Sheets\Drainage\HillcrestMap_Extension_Phase_II.dwg

June 16, 2022



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June 16, 2022

RECORD OF REVISIONS				BY	DRAWN BY: C. BYDLON DESIGNED BY: L. CHAMBERS CHECKED BY: L. CHAMBERS	HILLCREST EXTENSION SUBDIVISION WILLIAM & MICHAEL HUMEANN	DEVELOPED DRAINAGE BASIN CATCHMENT AREAS	SHEET NUMBER	
No.	DATE	DESCRIPTION							
					1945 ALEX HOLDEN WAY #101 JUNEAU, AK 99801 solutions@proHNS.com www.proHNS.com			2	OF
								2	



Element ID	From (Inlet) Node	To (Outlet) Node	Length	Inlet Invert Elevation	Inlet Invert Offset	Outlet Invert Elevation	Outlet Invert Offset	Total Drop	Average Slope	Pipe Shape	Pipe Diameter or Height	Pipe Width	Manning's Roughness	Entrance Losses	Exit/Bend Losses	Additional Losses	Initial Flow	Peak Flow	Max Travel Flow Velocity	Design Flow Capacity	Max Flow / Design Flow Ratio	Max Flow Depth / Total Depth Ratio	Total Time	Max Flow	Reported Condition
			(ft)	(ft)	(ft)	(ft)	(ft)	(ft)	(%)		(inches)	(inches)					(cfs)	(cfs)	(ft/sec)	(min)	(cfs)		(min)	(ft)	
P-1	S-1	END_OF_P-1	76.08	24.40	0.00	24.02	0.00	0.38	0.5000	CIRCULAR	36.000	36.00	0.0120	0.5000	0.5000	0.0000	0.00	11.58	5.84	0.22	51.07	0.23	0.32	0.00	0.97 Calculated
P-2	S-2	S-1	50.06	27.80	0.00	24.50	0.10	3.30	6.5900	CIRCULAR	30.000	30.00	0.0120	0.5000	0.5000	0.0000	0.00	11.60	14.96	0.06	114.09	0.10	0.22	0.00	0.54 Calculated
P-3	S-3	S-2	68.52	36.80	0.00	27.90	0.10	8.90	12.9900	CIRCULAR	30.000	30.00	0.0120	0.5000	0.5000	0.0000	0.00	11.60	19.00	0.06	160.14	0.07	0.18	0.00	0.45 Calculated
P-5	S-4	S-3	119.66	49.70	0.00	36.90	0.10	12.80	10.7000	CIRCULAR	30.000	30.00	0.0120	0.5000	0.5000	0.0000	0.00	11.61	17.78	0.11	145.33	0.08	0.19	0.00	0.48 Calculated
P-7	S-5	S-4	165.23	69.70	0.00	49.80	0.10	19.90	12.0400	CIRCULAR	30.000	30.00	0.0120	0.5000	0.5000	0.0000	0.00	10.12	17.67	0.16	154.21	0.07	0.17	0.00	0.44 Calculated
P-8	S-6	S-5	136.84	85.80	0.00	69.80	0.10	16.00	11.6900	CIRCULAR	30.000	30.00	0.0120	0.5000	0.5000	0.0000	0.00	9.96	17.40	0.13	151.94	0.07	0.17	0.00	0.43 Calculated
P-9	S-7	S-6	35.09	86.10	0.00	85.90	0.10	0.20	0.5700	CIRCULAR	18.000	18.00	0.0120	0.5000	0.5000	0.0000	0.00	0.47	2.61	0.22	8.59	0.06	0.16	0.00	0.24 Calculated
P-10	S-8	S-7	30.23	87.20	0.00	86.20	0.10	1.00	3.3100	CIRCULAR	18.000	18.00	0.0120	0.5000	0.5000	0.0000	0.00	0.47	4.69	0.11	20.70	0.02	0.11	0.00	0.16 Calculated
P-11	S-9	S-8	32.20	92.60	0.00	87.30	0.10	5.30	16.4600	CIRCULAR	18.000	18.00	0.0120	0.5000	0.5000	0.0000	0.00	0.47	8.42	0.06	46.17	0.01	0.07	0.00	0.11 Calculated
P-12	S-10	S-9	37.49	96.80	0.00	92.70	0.10	4.10	10.9400	CIRCULAR	18.000	18.00	0.0120	0.5000	0.5000	0.0000	0.00	0.47	7.34	0.09	37.63	0.01	0.08	0.00	0.12 Calculated
P-13	S-11	S-10	22.24	99.50	0.00	96.90	0.10	2.60	11.6900	CIRCULAR	18.000	18.00	0.0120	0.5000	0.5000	0.0000	0.00	0.47	7.50	0.05	38.91	0.01	0.08	0.00	0.12 Calculated
P-14	S-12	S-6	129.11	97.90	0.00	85.90	0.10	12.00	9.2900	CIRCULAR	30.000	30.00	0.0120	0.5000	0.5000	0.0000	0.00	9.64	16.00	0.13	135.47	0.07	0.18	0.00	0.45 Calculated
P-15 SED-TRAP-INLET_1	S-12	S-12	100.78	106.40	0.00	98.00	0.10	8.40	8.3400	CIRCULAR	24.000	24.00	0.0120	0.5000	0.5000	0.0000	0.00	0.36	5.80	0.29	70.76	0.01	0.05	0.00	0.10 Calculated
P-16	S-13	S-12	66.08	101.00	0.00	98.00	0.10	3.00	4.5400	CIRCULAR	24.000	24.00	0.0120	0.5000	0.5000	0.0000	0.00	9.44	12.58	0.09	52.22	0.18	0.29	0.00	0.58 Calculated
P-17	S-14	S-13	32.98	104.10	0.00	103.00	2.00	1.10	3.3400	CIRCULAR	18.000	18.00	0.0120	0.5000	0.5000	0.0000	0.00	0.57	5.12	0.11	20.78	0.03	0.11	0.00	0.17 Calculated
P-18	S-15	S-14	29.31	104.40	0.00	104.20	0.10	0.20	0.6800	CIRCULAR	18.000	18.00	0.0120	0.5000	0.5000	0.0000	0.00	0.57	2.93	0.17	9.40	0.06	0.17	0.00	0.25 Calculated
P-19	S-16	S-15	33.76	104.90	0.00	104.50	0.10	0.40	1.1800	CIRCULAR	18.000	18.00	0.0120	0.5000	0.5000	0.0000	0.00	0.57	3.57	0.16	12.39	0.05	0.15	0.00	0.22 Calculated
P-20	S-17	S-16	50.97	105.90	0.00	105.00	0.10	0.90	1.7700	CIRCULAR	18.000	18.00	0.0120	0.5000	0.5000	0.0000	0.00	0.57	4.09	0.21	15.12	0.04	0.13	0.00	0.20 Calculated
P-21	S-18	S-13	143.72	101.90	0.00	101.10	0.10	0.80	0.5600	CIRCULAR	24.000	24.00	0.0120	0.5000	0.5000	0.0000	0.00	9.03	5.80	0.41	18.28	0.49	0.50	0.00	0.99 Calculated
P-22	S-EX-1	S-18	126.08	106.00	0.00	105.00	3.10	1.00	0.7900	CIRCULAR	18.000	18.00	0.0120	0.5000	0.5000	0.0000	0.00	5.87	5.94	0.35	10.13	0.58	0.55	0.00	0.82 Calculated
P-23	S-19	S-18	43.47	102.50	0.00	102.00	0.10	0.50	1.1500	CIRCULAR	24.000	24.00	0.0120	0.5000	0.5000	0.0000	0.00	3.12	5.61	0.13	26.28	0.12	0.23	0.00	0.47 Calculated
P-24 SEDIMENT-TRAP_2	S-19	S-19	31.54	108.00	-0.20	102.50	0.00	5.50	17.4400	CIRCULAR	18.000	18.00	0.0150	0.5000	0.5000	0.0000	0.00	0.16	5.31	0.10	38.70	0.00	0.05	0.00	0.07 Calculated
P-25	S-20	S-19	40.45	106.00	0.00	105.50	3.00	0.50	1.2400	CIRCULAR	18.000	18.00	0.0120	0.5000	0.5000	0.0000	0.00	3.04	5.88	0.11	12.65	0.24	0.33	0.00	0.50 Calculated
P-26	S-21	S-20	42.85	106.40	0.00	106.10	0.10	0.30	0.7000	CIRCULAR	18.000	18.00	0.0120	0.5000	0.5000	0.0000	0.00	3.04	4.79	0.15	9.52	0.32	0.39	0.00	0.58 Calculated
P-27	S-22	S-21	38.35	106.90	0.00	106.50	0.10	0.40	1.0400	CIRCULAR	18.000	18.00	0.0120	0.5000	0.5000	0.0000	0.00	3.04	5.54	0.12	11.62	0.26	0.35	0.00	0.52 Calculated
P-EX-1	P-EX-1_INLET	END_OF_P-EX-1	34.92	27.50	0.00	27.10	0.00	0.40	1.1500	CIRCULAR	18.000	18.00	0.0120	0.5000	0.5000	0.0000	0.00	1.03	4.20	0.14	12.18	0.08	0.20	0.00	0.30 Calculated

SN	Element ID	X Coordinate	Y Coordinate	Description	Invert Elevation	Boundary Type	Flap Gate	Fixed Water Elevation	Peak Inflow	Peak Lateral Inflow	Maximum HGL Depth Attained	Maximum HGL Elevation Attained
					(ft)			(ft)	(cfs)	(cfs)	(ft)	(ft)
1	END_OF_P-1	2526888.51	2379837.82		24.02	FREE	NO		11.58	0.00	0.97	24.99
2	END_OF_P-EX-1	2526933.45	2379754.07		27.10	FREE	NO		1.03	0.00	0.30	27.40
3	SWALE_NEAR_TRACT_A3	2527489.84	2379116.91		0.00	FREE	NO		3.24	3.24	0.00	0.00

Element	Invert Elevation	Ground/Rim (Max) Elevation	Ground/Rim (Max) Offset	Initial Water Elevation	Initial Water Depth	Surcharge Elevation	Surcharge Depth	Ponded Area	Minimum Pipe Cover	Peak Inflow	Peak Lateral Inflow	Peak Maximum Surcharge Depth	Minimum Freeboard Attained	Total Flooded Volume	Total Time Flooded
	(ft)	(ft)	(ft)	(ft)	(ft)	(ft)	(ft)	(ft²)	(inches)	(cfs)	(cfs)	(ft)	(ft)	(ac-inches)	(minutes)
S-1	24.40	29.03	4.63	24.40	0.00	29.03	0.00	0.00	19.59	11.60	0.00	0.00	3.66	0.00	0.00
S-2	27.80	32.26	4.46	27.80	0.00	32.26	0.00	0.00	22.28	11.60	0.00	0.00	3.90	0.00	0.00
S-3	36.80	40.47	3.67	36.80	0.00	40.47	0.00	0.00	12.84	11.61	0.00	0.00	3.09	0.00	0.00
S-4	49.70	54.83	5.13	49.70	0.00	54.83	0.00	0.00	30.36	11.60	1.68	0.00	4.60	0.00	0.00
S-5	69.70	74.66	4.96	69.70	0.00	74.66	0.00	0.00	28.31	10.12	0.29	0.00	4.43	0.00	0.00
S-6	85.80	90.62	4.82	85.80	0.00	90.62	0.00	0.00	26.63	9.96	0.00	0.00	4.27	0.00	0.00
S-7	86.10	90.61	4.51	86.10	0.00	90.61	0.00	0.00	34.91	0.47	0.00	0.00	4.25	0.00	0.00
S-8	87.20	93.06	5.86	87.20	0.00	93.06	0.00	0.00	51.15	0.47	0.00	0.00	5.66	0.00	0.00
S-9	92.60	96.93	4.33	92.60	0.00	96.93	0.00	0.00	32.72	0.47	0.00	0.00	4.11	0.00	0.00
S-10	96.80	101.43	4.63	96.80	0.00	101.43	0.00	0.00	36.32	0.47	0.00	0.00	4.41	0.00	0.00
S-11	99.50	103.00	3.50	99.50	0.00	103.00	0.00	0.00	24.00	0.47	0.47	0.00	3.38	0.00	0.00
S-12	97.90	105.21	7.31	97.90	0.00	105.21	0.00	0.00	57.76	9.64	0.00	0.00	6.64	0.00	0.00
S-13	101.00	108.20	7.20	101.00	0.00	108.20	0.00	0.00	44.38	9.44	0.00	0.00	5.03	0.00	0.00
S-14	104.10	107.68	3.58	104.10	0.00	107.68	0.00	0.00	23.74	0.57	0.00	0.00	3.23	0.00	0.00
S-15	104.40	108.02	3.62	104.40	0.00	108.02	0.00	0.00	24.22	0.57	0.00	0.00	3.30	0.00	0.00
S-16	104.90	108.52	3.62	104.90	0.00	108.52	0.00	0.00	24.20	0.57	0.00	0.00	3.32	0.00	0.00
S-17	105.90	109.43	3.53	105.90	0.00	109.43	0.00	0.00	24.42	0.57	0.57	0.00	3.34	0.00	0.00
S-18	101.90	110.56	8.66	101.90	0.00	110.56	0.00	0.00	48.67	9.03	0.08	0.00	4.74	0.00	0.00
S-19	102.50	109.91	7.41	102.50	0.00	109.91	0.00	0.00	34.87	3.12	0.00	0.00	3.91	0.00	0.00
S-20	106.00	109.67	3.67	106.00	0.00	109.67	0.00	0.00	24.80	3.04	0.00	0.00	2.98	0.00	0.00
S-21	106.40	110.01	3.61	106.40	0.00	110.01	0.00	0.00	24.13	3.04	0.00	0.00	2.99	0.00	0.00
S-22	106.90	110.47	3.57	106.90	0.00	110.47	0.00	0.00	24.87	3.04	3.04	0.00	3.05	0.00	0.00
S-EX-1	106.00	108.47	2.47	106.00	0.00	108.47	0.00	0.00	11.60	5.88	5.88	0.00	1.65	0.00	0.00
P-EX-1_INLET	27.50	27.50	0.00	0.00	-27.50	6.00	-21.50	0.00	0.00	1.03	1.03	0.00	1.20	0.00	0.00
SEDIMENT-TRAP_2	108.20	108.20	0.00	0.00	-108.20	6.00	-102.20	0.00	0.00	0.16	0.16	0.00	1.43	0.00	0.00
SED-TRAP-INLET_1	106.40	106.40	0.00	0.00	-106.40	6.00	-100.40	0.00	0.00	0.36	0.36	0.00	1.90	0.00	0.00

SN	Element ID	Description	Data Source	Data Source ID	Rainfall Type	Rain Units	State	County	Return Period	Rainfall Depth	Rainfall Distribution
									(years)	(inches)	
1	MOUNTAINSIDE_RAIN		Time Series	TS-01	Cumulative	inches	Alaska	Juneau (B)	25	4.82	SCS Type IA 24-hr

SN	Element Description ID	Area (acres)	Drainage Node ID	Weighted Curve Number	Rain Gage ID	Peak Rate Factor	Total Precipitation (inches)	Total Runoff (inches)	Peak Runoff (cfs)	Time of Concentration (days hh:mm:ss)
3	GRAVEL_A-1	0.07	SED-TRAP-INLET_1	91.00	MOUNTAINSIDE_RAIN	484	4.82	3.81	0.07	0 00:05:00
4	GRAVEL_A-2	0.16	SEDIMENT-TRAP_2	91.00	MOUNTAINSIDE_RAIN	484	4.82	3.81	0.16	0 00:05:00
5	LOTS_10-14	0.65	S-EX-1	92.00	MOUNTAINSIDE_RAIN	484	4.82	3.91	0.67	0 00:06:55
6	LOTS_15-17	0.27	S-22	92.00	MOUNTAINSIDE_RAIN	484	4.82	3.91	0.28	0 00:06:06
8	LOTS_22-25	0.33	S-11	92.00	MOUNTAINSIDE_RAIN	484	4.82	3.91	0.34	0 00:11:31
9	Lots_25-27	0.34	S-17	92.00	MOUNTAINSIDE_RAIN	484	4.82	3.91	0.35	0 00:05:00
10	ROAD_A-1	0.25	S-5	98.00	MOUNTAINSIDE_RAIN	484	4.82	4.58	0.29	0 00:05:00
11	ROAD_A-2	0.10	SED-TRAP-INLET_1	98.00	MOUNTAINSIDE_RAIN	484	4.82	4.58	0.12	0 00:05:00
12	ROAD_A-3	0.12	S-11	98.00	MOUNTAINSIDE_RAIN	484	4.82	4.58	0.14	0 00:05:00
13	ROAD_A-4	0.07	S-17	98.00	MOUNTAINSIDE_RAIN	484	4.82	4.58	0.08	0 00:05:00
14	ROAD_A-5	0.07	S-18	98.00	MOUNTAINSIDE_RAIN	484	4.82	4.58	0.08	0 00:05:00
15	ROAD_A-6	0.07	S-22	98.00	MOUNTAINSIDE_RAIN	484	4.82	4.58	0.08	0 00:05:00
16	ROAD_A-7	0.21	S-EX-1	98.00	MOUNTAINSIDE_RAIN	484	4.82	4.58	0.24	0 00:05:00
17	ROAD_A-8	0.12	S-22	98.00	MOUNTAINSIDE_RAIN	484	4.82	4.58	0.14	0 00:05:00
19	TAMARACK_TRAIL_APARTMENTS	1.54	S-4	95.00	MOUNTAINSIDE_RAIN	484	4.82	4.24	1.68	0 00:09:54
21	UPLANDS_A-1	10.90	S-EX-1	77.00	MOUNTAINSIDE_RAIN	484	4.82	2.47	5.36	0 00:32:45
22	UPLANDS_A-2	5.86	S-22	77.00	MOUNTAINSIDE_RAIN	484	4.82	2.47	2.79	0 00:36:34
23	UPLANDS_A-3	0.34	S-17	77.00	MOUNTAINSIDE_RAIN	484	4.82	2.47	0.17	0 00:27:44
24	UPLANDS_A-4	0.25	SED-TRAP-INLET_1	80.00	MOUNTAINSIDE_RAIN	484	4.82	2.74	0.17	0 00:05:00
18	ROAD_B-1	0.34	P-EX-1_INLET	98.00	MOUNTAINSIDE_RAIN	484	4.82	4.58	0.39	0 00:05:00
1	ADJACENT_RESIDENTIAL_B-1	0.63	P-EX-1_INLET	92.00	MOUNTAINSIDE_RAIN	484	4.82	3.91	0.64	0 00:05:00
20	TRACT_A3	1.18	SWALE_NEAR_TRACT_A3	95.00	MOUNTAINSIDE_RAIN	484	4.82	4.24	1.29	0 00:07:50
7	LOTS_1-9_18-20	1.35	SWALE_NEAR_TRACT_A3	92.00	MOUNTAINSIDE_RAIN	484	4.82	3.91	1.38	0 00:06:43
2	GRASS/DRAINAGE_EASEMENT	0.86	SWALE_NEAR_TRACT_A3	80.00	MOUNTAINSIDE_RAIN	484	4.82	2.74	0.57	0 00:08:15

App C - Hy-8

HY-8 Analysis Results

Crossing Summary Table

Calculated Flow

Culvert Crossing: 36-INCH CMP (PROPOSED)

Headwater Elevation (ft)	Total Discharge (cfs)	P-1 Discharge (cfs)	Roadway Discharge (cfs)	Iterations
24.89	1.06	1.00	0.00	1
25.63	5.90	5.90	0.00	1
26.17	11.58	11.58	0.00	1
26.50	15.70	15.70	0.00	1
26.86	20.60	20.60	0.00	1
27.20	25.50	25.50	0.00	1
27.54	30.40	30.40	0.00	1
27.89	35.30	35.30	0.00	1
28.29	40.20	40.20	0.00	1
28.86	45.10	45.10	0.00	1
29.29	50.00	48.73	1.25	8
29.17	47.75	47.75	0.00	Overtopping

Discharge Needed to Overtop Top P-1

HY-8 Analysis Results

Crossing Summary Table

Culvert Crossing: P-EX-1

Calculated Flow
During 25 Year

Headwater Elevation (ft)	Total Discharge (cfs)	P-EX-1 Discharge (cfs)	Roadway Discharge (cfs)	Iterations
28.11	1.03	1.03	0.00	1
28.67	3.40	3.40	0.00	1
29.12	5.80	5.80	0.00	1
29.72	8.20	8.20	0.00	1
30.07	10.60	9.06	1.51	13
30.12	13.00	9.19	3.78	5
30.17	15.40	9.28	6.06	4
30.21	17.80	9.37	8.39	4
30.24	20.20	9.46	10.67	3
30.28	22.60	9.53	13.01	3
30.31	25.00	9.63	15.37	3
30.00	8.89	8.89	0.00	Overtopping

Discharge Needed
to Overtop Top P-

10/17/2019

Precipitation Frequency Data Server

App D - Rainfall



NOAA Atlas 14, Volume 7, Version 2
Location name: Juneau, Alaska, USA*
Latitude: 58.3454°, Longitude: -134.4896°
Elevation: 120.33 ft**
* source: ESRI Maps
** source: USGS



POINT PRECIPITATION FREQUENCY ESTIMATES

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PF tabular

PDS-based point precipitation frequency estimates with 90% confidence intervals (in inches) ¹										
Duration	Average recurrence interval (years)									
	1	2	5	10	25	50	100	200	500	1000
5-min	0.131 (0.106-0.166)	0.153 (0.122-0.197)	0.187 (0.146-0.246)	0.215 (0.165-0.287)	0.253 (0.189-0.346)	0.282 (0.207-0.393)	0.312 (0.225-0.442)	0.350 (0.248-0.505)	0.400 (0.277-0.590)	0.438 (0.299-0.657)
10-min	0.176 (0.142-0.223)	0.206 (0.164-0.265)	0.251 (0.195-0.330)	0.288 (0.220-0.385)	0.339 (0.253-0.464)	0.379 (0.278-0.528)	0.418 (0.302-0.592)	0.470 (0.333-0.678)	0.537 (0.372-0.792)	0.588 (0.401-0.882)
15-min	0.206 (0.166-0.261)	0.241 (0.192-0.310)	0.293 (0.228-0.385)	0.337 (0.258-0.450)	0.397 (0.297-0.543)	0.443 (0.325-0.617)	0.490 (0.353-0.694)	0.549 (0.389-0.791)	0.629 (0.436-0.927)	0.689 (0.470-1.03)
30-min	0.273 (0.220-0.346)	0.320 (0.255-0.411)	0.389 (0.303-0.511)	0.447 (0.342-0.597)	0.527 (0.394-0.721)	0.588 (0.432-0.819)	0.650 (0.469-0.921)	0.729 (0.517-1.05)	0.834 (0.578-1.23)	0.914 (0.623-1.37)
60-min	0.374 (0.302-0.474)	0.438 (0.349-0.563)	0.533 (0.415-0.700)	0.613 (0.469-0.819)	0.722 (0.539-0.988)	0.806 (0.592-1.12)	0.890 (0.642-1.26)	0.999 (0.708-1.44)	1.14 (0.792-1.69)	1.25 (0.853-1.88)
2-hr	0.552 (0.445-0.700)	0.647 (0.515-0.832)	0.789 (0.614-1.04)	0.906 (0.693-1.21)	1.07 (0.798-1.46)	1.19 (0.875-1.66)	1.32 (0.949-1.86)	1.48 (1.05-2.13)	1.69 (1.17-2.49)	1.85 (1.26-2.77)
3-hr	0.729 (0.588-0.925)	0.854 (0.680-1.10)	1.04 (0.811-1.37)	1.20 (0.915-1.60)	1.41 (1.05-1.93)	1.57 (1.15-2.19)	1.73 (1.25-2.46)	1.95 (1.38-2.81)	2.23 (1.54-3.29)	2.44 (1.66-3.66)
6-hr	1.17 (0.944-1.48)	1.37 (1.09-1.76)	1.67 (1.30-2.19)	1.92 (1.47-2.56)	2.26 (1.69-3.09)	2.52 (1.85-3.51)	2.78 (2.01-3.94)	3.13 (2.22-4.51)	3.58 (2.48-5.27)	3.92 (2.67-5.88)
12-hr	1.76 (1.42-2.23)	2.06 (1.64-2.65)	2.50 (1.95-3.29)	2.87 (2.19-3.83)	3.38 (2.53-4.62)	3.79 (2.78-5.27)	4.21 (3.04-5.96)	4.73 (3.35-6.82)	5.42 (3.76-7.99)	5.94 (4.05-8.91)
24-hr	2.54 (2.30-2.84)	2.97 (2.65-3.37)	3.59 (3.14-4.16)	4.10 (3.52-4.83)	4.82 (4.05-5.81)	5.41 (4.46-6.64)	6.04 (4.90-7.54)	6.78 (5.41-8.61)	7.76 (6.05-10.1)	8.51 (6.52-11.2)
2-day	3.45 (3.12-3.87)	4.01 (3.58-4.55)	4.79 (4.19-5.55)	5.42 (4.65-6.38)	6.29 (5.28-7.59)	7.00 (5.77-8.59)	7.74 (6.28-9.66)	8.59 (6.85-10.9)	9.72 (7.57-12.6)	10.6 (8.10-13.9)
3-day	4.10 (3.70-4.58)	4.73 (4.22-5.36)	5.61 (4.90-6.49)	6.30 (5.41-7.42)	7.26 (6.09-8.75)	8.03 (6.62-9.85)	8.82 (7.15-11.0)	9.72 (7.75-12.3)	10.9 (8.51-14.2)	11.8 (9.06-15.6)
4-day	4.63 (4.18-5.18)	5.32 (4.75-6.04)	6.28 (5.49-7.27)	7.03 (6.04-8.28)	8.07 (6.77-9.72)	8.88 (7.33-10.9)	9.73 (7.89-12.1)	10.7 (8.51-13.6)	11.9 (9.30-15.5)	12.9 (9.87-17.0)
7-day	5.98 (5.40-6.69)	6.84 (6.10-7.75)	8.02 (7.00-9.28)	8.94 (7.68-10.5)	10.2 (8.57-12.3)	11.2 (9.25-13.8)	12.3 (9.93-15.3)	13.4 (10.7-17.0)	15.0 (11.7-19.4)	16.1 (12.4-21.3)
10-day	7.07 (6.39-7.92)	8.07 (7.20-9.15)	9.44 (8.24-10.9)	10.5 (9.02-12.4)	12.0 (10.0-14.4)	13.1 (10.8-16.1)	14.3 (11.6-17.8)	15.6 (12.5-19.8)	17.4 (13.6-22.6)	18.7 (14.4-24.7)
20-day	10.6 (9.59-11.9)	12.1 (10.8-13.7)	14.1 (12.3-16.3)	15.6 (13.4-18.3)	17.6 (14.8-21.2)	19.2 (15.8-23.5)	20.7 (16.8-25.9)	22.4 (17.9-28.5)	24.7 (19.3-32.1)	26.4 (20.2-34.8)
30-day	14.0 (12.6-15.6)	15.9 (14.2-18.1)	18.5 (16.2-21.4)	20.4 (17.5-24.0)	22.9 (19.3-27.7)	24.9 (20.5-30.5)	26.8 (21.7-33.4)	28.8 (23.0-36.6)	31.5 (24.6-40.9)	33.5 (25.7-44.2)
45-day	18.5 (16.7-20.7)	21.1 (18.8-23.9)	24.5 (21.4-28.4)	27.0 (23.2-31.8)	30.1 (25.3-36.3)	32.5 (26.8-39.8)	34.8 (28.2-43.4)	37.1 (29.5-47.1)	40.1 (31.3-52.0)	42.4 (32.5-55.9)
60-day	22.1 (19.9-24.7)	25.4 (22.6-28.8)	29.5 (25.7-34.1)	32.3 (27.8-38.1)	35.9 (30.1-43.3)	38.4 (31.7-47.1)	40.8 (33.1-50.9)	43.0 (34.2-54.5)	45.8 (35.7-59.5)	48.0 (36.8-63.4)

¹ Precipitation frequency (PF) estimates in this table are based on frequency analysis of partial duration series (PDS). Numbers in parenthesis are PF estimates at lower and upper bounds of the 90% confidence interval. The probability that precipitation frequency estimates (for a given duration and average recurrence interval) will be greater than the upper bound (or less than the lower bound) is 5%. Estimates at upper bounds are not checked against probable maximum precipitation (PMP) estimates and may be higher than currently valid PMP values. Please refer to NOAA Atlas 14 document for more information.

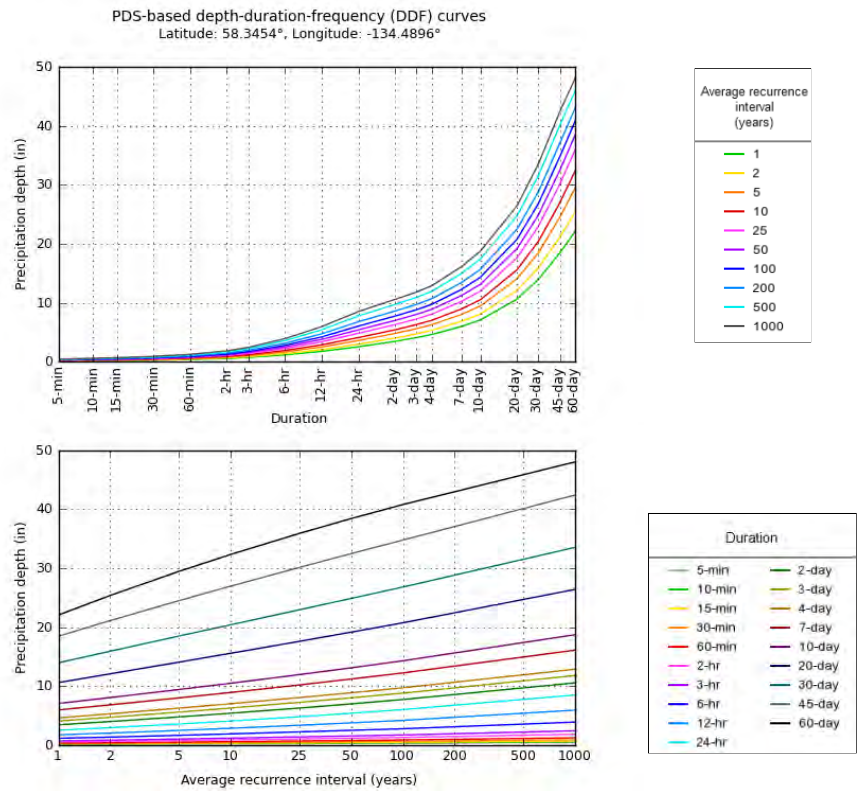
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PF graphical

10/17/2019

Precipitation Frequency Data Server

App D - Rainfall



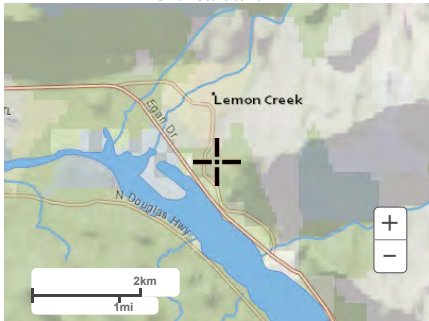
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Maps & aerials

Small scale terrain



Large scale terrain

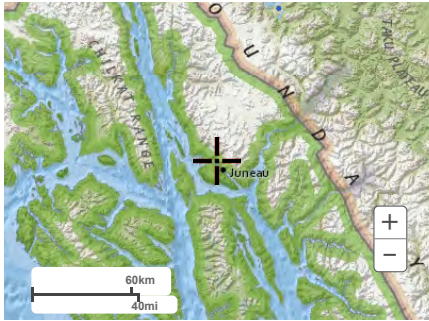
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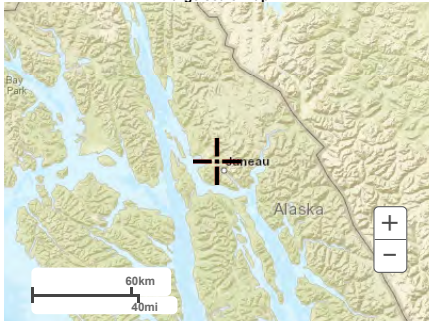
10/17/2019

App D - Rainfall

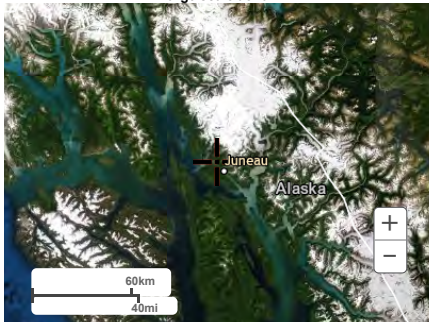
Precipitation Frequency Data Server



Large scale map

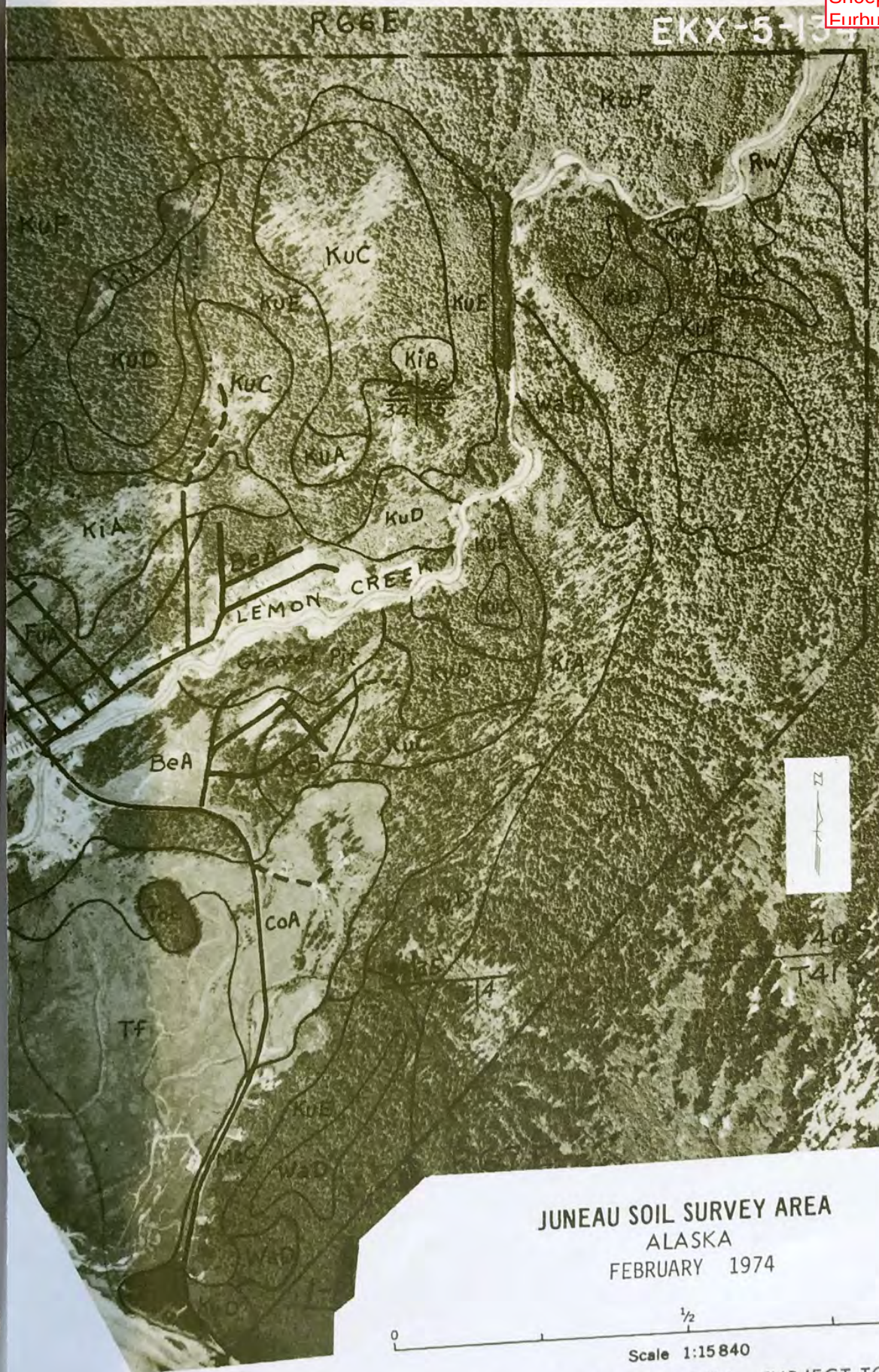


Large scale aerial



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JUNEAU SOIL SURVEY AREA
ALASKA
FEBRUARY 1974

0 1/2 1 Mile
Scale 1:15840
USDA - SCS ADVANCE COPY - SUBJECT TO CHANGE
SHEET 8 of 14

0i2 18-60" Yellowish brown (10YR 5/6) peat, yellow (10YR 7/6) pressed; about 80 percent fiber, 50 percent after rubbing; largely sphagnum moss fibers; extremely acid.

The peat materials are more than 5 feet thick. They may be underlain by till, bedrock, or alluvial sediments. The water table is usually near the surface.

Mapping Units:

- (KoA) - Kogish peat, 0 to 3 percent slopes
- (KoB) - Kogish peat, 3 to 7 percent slopes
- (KoC) - Kogish peat, 7 to 12 percent slopes
- (KoD) - Kogish peat, 12 to 20 percent slopes

The Kogish soils in these mapping units are similar except for gradient. In places, small ponds and patches of Kina and Fu soils are included in the mapped areas.

Kupreanof Series

The Kupreanof series consists of well drained soils on moraines. These soils are formed in very gravelly loamy till. Beneath a layer of forest litter, they have a thin light brownish gray layer, fairly thick layers with dark reddish brown to dark grayish brown colors, and an olive gray substratum. They support a forest dominated by Sitka spruce and western hemlock.

Representative profile of Kupreanof gravelly silt loam; NW $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 11, T39S, R64E, Copper River Meridian.

- 01 7-2" Black (10YR 2/1) partially decomposed forest litter; many roots; abrupt smooth boundary.
- 02 2-0" Black (5YR 2/1) muck; many roots; extremely acid; abrupt smooth boundary.
- A2 0-1 $\frac{1}{2}$ " Light brownish gray (10YR 6/2) gravelly silt loam; massive; very friable; smeary; many fine roots; extremely acid; abrupt irregular boundary.

- B21 1½-4" Dark reddish brown (5YR 2/2) gravelly silt loam; weak fine granular structure; very friable; smeary; few roots; extremely acid; abrupt wavy boundary.
- B22 4-9" Dark reddish brown (5YR 3/4) gravelly silt loam; weak fine subangular blocky structure; very friable; smeary; extremely acid; gradual boundary.
- B23 9-18" Dark brown (7.5YR 4/4) gravelly silt loam; weak fine subangular blocky structure; very friable; smeary; few roots; very strongly acid; clear wavy boundary.
- B3 18-24" Dark grayish brown (2.5Y 4/2) very gravelly sandy loam; few patches of dark brown (7.5YR 3/3); massive; friable; strongly acid; clear wavy boundary.
- C1 24-60" Olive gray (5Y 4/2) very gravelly sandy loam; massive; friable; strongly acid.

The texture of the mineral surface layer ranges from gravelly silt loam to very gravelly sandy loam. The substratum ranges in texture from very gravelly loam to very gravelly sandy loam. Coarse fragments make up 40 to 60 percent of its volume. Large stones and boulders are common.

Mapping Units:

- (KuA) - Kupreanof gravelly silt loam, 0 to 3 percent slopes
(KuB) - Kupreanof gravelly silt loam, 3 to 7 percent slopes
(KuC) - Kupreanof gravelly silt loam, 7 to 12 percent slopes
(KuD) - Kupreanof gravelly silt loam, 12 to 20 percent slopes

The Kupreanof soils in each of these mapping units are similar except for gradient. The mapped areas include small spots of Wadleigh, Maybeso, and Karta soils. There are also a few patches of Tolstoi soils.

- (KuE) - Kupreanof gravelly silt loam, 20 to 35 percent slopes
(KuF) - Kupreanof gravelly silt loam, 35 to 75 percent slopes

Mapped, but not consistent with soils encountered on-site during

These soils occur on moderately steep and steep uplands. In addition to small spots of Tolstoi and Karta soils, the mapped areas include a few nearly level to moderately sloping Kupreanof soils on narrow benches and rounded ridgetops.

Mapped and consistent with soils encountered on-site

In the Tolstoi soils, depth to bedrock ranges from 5 to 20 inches. The texture of the soil materials ranges from stony silt loam to very stony sandy loam.

In the McGilvery soils, the forest litter ranges from 6 to 20 inches in thickness. In places, 1 to 4 inches of loamy material occurs between the litter and the underlying bedrock.

Mapping Units:

- (ToC) & (ToD) - Tolstoi-McGilvery complex, 12 to 20 percent slopes
- (ToE) - Tolstoi-McGilvery complex, 20 to 35 percent slopes
- (ToF) - Tolstoi-McGilvery complex, 35 to 75 percent slopes

The soils in these mapping units are similar except for gradient. They commonly have very rough irregular slopes. The mapped areas include many sheer rocky cliffs and other rock outcrops, and wet spots with Wadleigh, Maybeso, and Kaikli soils.

Wadleigh Series

The Wadleigh series consists of somewhat poorly drained soils that occur on lower slopes of hills and mountains. These soils are formed in very gravelly loamy materials underlain by firm glacial till that impedes internal drainage. They have a mat of forest litter, a thin grayish brown layer, and dark reddish brown to dark yellowish brown layers above the firm substratum. The vegetation is a forest of western hemlock and scattered Sitka spruce.

Representative profile of Wadleigh gravelly silt loam; NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, T37S, R63E, Copper River Meridian.

- 01 8-3" Dark reddish brown (5YR 2/2) partially decomposed forest litter; many roots; clear smooth boundary.
- 02 3-0" Black (5YR 2/1) finely divided organic matter; many roots; abrupt smooth boundary.

- A2 0-3" Grayish brown (10YR 5/2) gravelly silt loam; few fine prominent (7.5YR 4/4) mottles; very weak medium subangular blocky structure; friable; roots common; abrupt wavy boundary.
- B21 3-5" Dark reddish brown (5YR 2/2) very gravelly silt loam; moderate fine granular structure; very friable; few soft fine concretions; few weakly cemented fragments; smeary when rubbed; roots common; very strongly acid; clear irregular boundary.
- B22 5-10" Dark brown (7.5YR 3/2) very gravelly sandy loam; weak fine subangular blocky structure; friable; slightly smeary; roots common; very strongly acid; clear wavy boundary.
- B23 10-16" Dark yellowish brown (10YR 3/4) very gravelly sandy loam; very weak medium subangular blocky structure; friable; roots common; very strongly acid; clear smooth boundary.
- B3x 16-23" Olive brown (2.5Y 4/4) very gravelly sandy loam; few fine prominent strong brown (7.5YR 5/6) mottles, and many streaks of dark brown (10YR 4/3); weak medium platy structure; weakly cemented; slightly brittle; clear smooth boundary.
- C1x 23-30" Patchy olive gray (5Y 4/2) and dark grayish brown (2.5Y 4/2) very gravelly sandy loam; few medium distinct olive brown (2.5Y 4/4) mottles; very weak medium platy structure; weakly cemented; slightly brittle; clear smooth boundary.
- C2 30-60" Olive gray (5Y 4/2) very gravelly loam; few medium faint dark gray (5Y 4/1) mottles; massive; slightly sticky, slightly plastic; very strongly acid.

The surface texture ranges from silt loam to very gravelly sandy loam. Below 10 inches coarse fragments, including cobblestones, make up 35 to 65 percent of the soil volume. Depth to the firm substratum ranges from 15 to 25 inches. Seepage water from adjacent higher areas is commonly perched above the very slowly permeable compact substratum.

Mapping Units:

- (WaA) & (WaB) - Wadleigh gravelly silt loam, 3 to 7 percent slopes
 (WaC) & (FoC) - Wadleigh gravelly silt loam, 7 to 12 percent slopes
 (WaD) - Wadleigh gravelly silt loam, 12 to 20 percent slopes
 (WaE) & (WaF) - Wadleigh gravelly silt loam, 20 to 50 percent slopes

Mapped and
consistent with soils
encountered on-site

Table 1. Estimated Physical and Chemical Properties of the Soils.

Soil series or land type	Map Symbol	Depth to seasonally high water table (feet)	Depth to bedrock (feet)	Depth from surface typical profile (inches)	Classification			Permeability ^{2/} (inches/hour)	Reaction pH	Shrink-swell potential	Corrosivity potential	
					USDA Texture ^{1/}	Unified	AASHO				Untreated steel pipe	Concrete pipe
Am	AmA AmB	<2	>5	0-60	fsl	SM or ML	A-2 or A-4	0.6 -2.0	5.1-5.5	low	high	moderate
Au	AuA AuB	>5	>5	0-9 9-60	vgsl vgs	GM	A-1 or A-2 A-1	2.0 -6.0 >6.0	4.0-5.0 4.0-5.0	low	moderate	moderate
Be	BeA BeB BeC BeD	4 to 5	>5	0-60	vgs	GP or GW	A-1	>6.0	5.1-5.5	low	moderate	moderate
Co	CoA	<2	>5	0-60	sil	ML	A-4	0.6 -2.0	5.1-5.5	low	high	moderate
Fu	FuA	<1	>5	0-24 24-60	pt si	Pt	A-8 A-4	- 0.6 -2.0	5.1-5.5 5.5-6.0	high shrink, low swell	high	high
Gravelly beach	Gb	0	>5	0-60	vgs or vgsl	GW or GM	A-1	>6.0	-	low	high	high
Gravel pit	Gp	Variable material										
He	HeA	4 to 5	>5	0-52 52-60	fsl vgs	SM or ML GP or GW	A-2 or A-4 A-1	0.6 -2.0 >6.0	5.1-5.5 5.1-5.5	low	high	moderate
Kaikli	KaB KaC KaD KaE	<1	1 to 3	0-19 19-26 26+	pt vgl bedrock	Pt	A-8 A-1 or A-2 -	- 0.2 -0.6 -	4.5-5.5 4.5-5.5 -	high shrink, low swell -	high	moderate
Karheen	KhA KhC	<2	>5	0-60	very gravelly muck	GM	A-1	0.6 -2.0	5.1-5.5	low	high	high
Karta	KtC KtE KtF	>5	>5	0-11 11-34 34-60	gsil vgsl vgsl	ML GM GM	A-4 A-1 A-1	0.6 -2.0 <0.06 0.2 -0.6	4.5-5.0 4.5-5.0 4.5-5.5	low	high	moderate
Kina	KiA KiB KiC KiD	<1	>5	0-60	pt	Pt	A-8	-	4.5-5.0	high shrink, low swell	high	high
Kogish	KoA KoB KoC KoD	<1	>5	0-60	pt	Pt	A-8	-	<4.5	high shrink, low swell	high	high
Kupreanof	KuA, KuB, KuC, KuD, KuE, KuF	>5	>5	0-18 18-60	qsil vgsl	ML GM	A-4 A-1	0.6 -2.0 0.6 -2.0	4.5-5.0 5.1-5.5	low	high	moderate

Table 1. Estimated Physical and Chemical Properties of the Soils. (Continued)

Soil series or land type	Map Symbol	Depth to seasonally high water table (feet)	Depth to bedrock (feet)	Depth from surface typical profile (inches)	Classification			Permeability ^{2/} (inches/hour)	Reaction pH	Shrink-swell potential	Corrosivity potential	
					USDA Texture ^{1/}	Unified	AASHO				Untreated steel pipe	Concrete pipe
Le	LeA	<1	>5	0-60	sil	ML	A-4	0.6-2.0	5.1-5.5	low	high	moderate
Maybeso	MaA, MaB, MaC, MaD, MaE	<2	>5	0-27	pt	Pt	A-8	-	4.5-5.5	high shrink, low swell	high	moderate
McGilvery-in complex with Tolstoi		-	1-1 1/2	0-14	pt	Pt	A-8	0.06-0.2	5.1-5.5	low	high	moderate
				14+	bedrock	-	-	-	4.5	high shrink, low swell	-	-
Mh	MhB, MhC, MhD	>5	>5	0-60	gsil	GM	A-1	0.6-2.0	5.1-5.5	low	high	moderate
Riverwash	Rw	0	>5	0-60	vgs	GP or GW	A-1	>6.0	-	low	high	moderate
Salt Chuck	SaA, SaB, SaC	4 to 5	>5	0-17	vgsil or vgs	GM	A-1 or A-2	0.6-2.0	4.5-5.5	low	high	moderate
				17-60	vgls	GP-GM	A-1	2.0-6.0	4.5-5.5	low		
Tidal Flats	Tf	0	>5	0-60	variable material			-	-	-	-	-
Tolstoi	ToC, ToD, ToE, ToF	-	1/2 to 2	0-9	vstsil	ML	A-4	0.6-2.0	4.5-5.0	low	-	-
				9+	bedrock	-	-	-	-	-	-	-
Wadleigh	WaA, WaB, WaC, FoC, WaD, WaE, WaF	<1	>5	0-16	vgsil or vgs	GM	A-1 or A-2	0.6-2.0	4.5-5.0	low	high	moderate
				16-30	vgs	GM or SM	A-1	<0.06	4.5-5.5	low		
				30-60	vgl	GM	A-1 or A-2	0.2-0.6	4.5-5.5	low		

^{1/} Symbols have the following meanings (see glossary):

fsil - fine sandy loam	vgs - very gravelly sand
gsil - gravelly silt loam	sil - silt loam
pt - peat	vgsil - very gravelly silt loam
si - silt	vgsil - very gravelly sandy loam
gsil - gravelly sandy loam	vstsil - very stony silt loam

^{2/} Permeability is for soil without compaction; for wet soils, the permeability is that to be expected after removal of free water.

Table 7-1 Criteria for assignment of hydrologic soil group (HSG)

Depth to water impermeable layer ^{1/}	Depth to high water table ^{2/}	K _{sat} of least transmissive layer in depth range	K _{sat} depth range	HSG ^{3/}
<50 cm [<20 in]	—	—	—	D
50 to 100 cm [20 to 40 in]	<60 cm [<24 in]	>40.0 µm/s (>5.67 in/h)	0 to 60 cm [0 to 24 in]	A/D
		>10.0 to ≤40.0 µm/s (>1.42 to ≤5.67 in/h)	0 to 60 cm [0 to 24 in]	B/D
		>1.0 to ≤10.0 µm/s (>0.14 to ≤1.42 in/h)	0 to 60 cm [0 to 24 in]	C/D
		≤1.0 µm/s (≤0.14 in/h)	0 to 60 cm [0 to 24 in]	D
	≥60 cm [≥24 in]	>40.0 µm/s (>5.67 in/h)	0 to 50 cm [0 to 20 in]	A
		>10.0 to ≤40.0 µm/s (>1.42 to ≤5.67 in/h)	0 to 50 cm [0 to 20 in]	B
		>1.0 to ≤10.0 µm/s (>0.14 to ≤1.42 in/h)	0 to 50 cm [0 to 20 in]	C
		≤1.0 µm/s (≤0.14 in/h)	0 to 50 cm [0 to 20 in]	D
>100 cm [>40 in]	<60 cm [<24 in]	>10.0 µm/s (>1.42 in/h)	0 to 100 cm [0 to 40 in]	A/D
		>4.0 to ≤10.0 µm/s (>0.57 to ≤1.42 in/h)	0 to 100 cm [0 to 40 in]	B/D
		>0.40 to ≤4.0 µm/s (>0.06 to ≤0.57 in/h)	0 to 100 cm [0 to 40 in]	C/D
		≤0.40 µm/s (≤0.06 in/h)	0 to 100 cm [0 to 40 in]	D
	60 to 100 cm [24 to 40 in]	>40.0 µm/s (>5.67 in/h)	0 to 50 cm [0 to 20 in]	A
		>10.0 to ≤40.0 µm/s (>1.42 to ≤5.67 in/h)	0 to 50 cm [0 to 20 in]	B
		>1.0 to ≤10.0 µm/s (>0.14 to ≤1.42 in/h)	0 to 50 cm [0 to 20 in]	C
		≤1.0 µm/s (≤0.14 in/h)	0 to 50 cm [0 to 20 in]	D
>100 cm [>40 in]	>100 cm [>40 in]	>10.0 µm/s (>1.42 in/h)	0 to 100 cm [0 to 40 in]	A
		>4.0 to ≤10.0 µm/s (>0.57 to ≤1.42 in/h)	0 to 100 cm [0 to 40 in]	B
		>0.40 to ≤4.0 µm/s (>0.06 to ≤0.57 in/h)	0 to 100 cm [0 to 40 in]	C
		≤0.40 µm/s (≤0.06 in/h)	0 to 100 cm [0 to 40 in]	D

WaD Soil Type
ClassificationKuE Soil Type
Classification

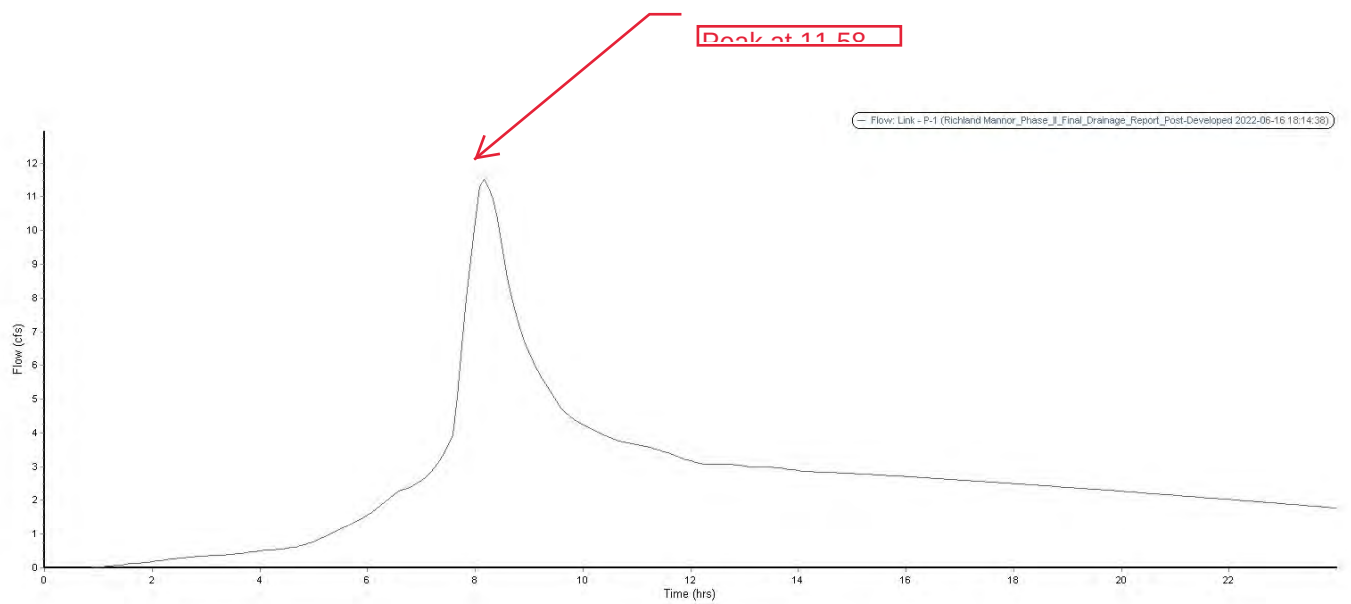
1/ An impermeable layer has a K_{sat} less than 0.01 µm/s [0.0014 in/h] or a component restriction of fragipan; duripan; petrocalcic; orstein; petrogypsic; cemented horizon; densic material; placic; bedrock, paralithic; bedrock, lithic; bedrock, densic; or permafrost.

2/ High water table during any month during the year.

3/ Dual HSG classes are applied only for wet soils (water table less than 60 cm [24 in]). If these soils can be drained, a less restrictive HSG can be assigned, depending on the K_{sat}.

App F - SCS

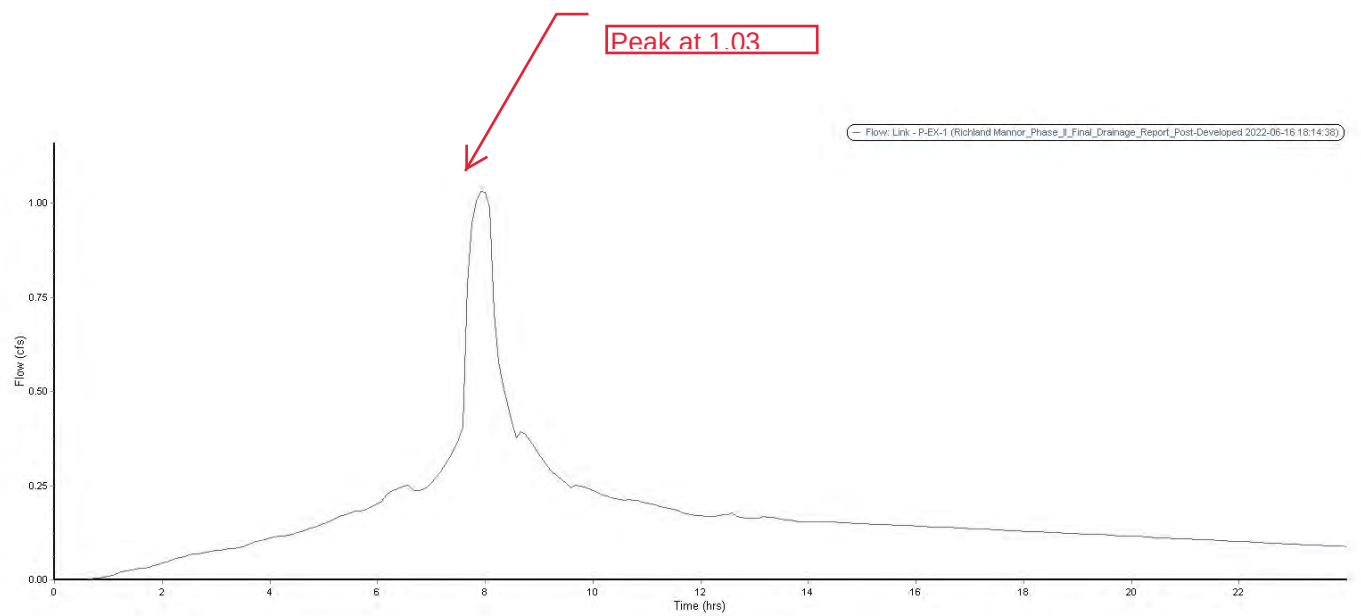
Hydrograph for P-1



Autodesk Storm and Sanitary Analysis

App F - SCS

Hydrograph for P-EX-1



Autodesk Storm and Sanitary Analysis



March 23, 2020

Michael and William Heumann
6000 Thane Rd
Juneau, AK 99801
mpheumann@hotmail.com
(971) 261-8014

RE: Hillcrest Extension Subdivision – Draft Drainage Report

To Whom It May Concern,

The following Drainage Plan has been prepared for the Richland Manor Subdivision in Juneau, AK, a proposed multi-phase major subdivision on a 30-acre site at 4506, 4508, and 4510 Hillcrest Avenue. This drainage report addresses the first phase of the overall subdivision that will create 14 new Lots and extend Hillcrest Avenue. The drainage report supplements the Richland Manor Subdivision – Drainage Report dated 10/31/19 and the Hooter Lane Phase I ROW Improvements – Drainage Report dated 1/23/20, attached in Appendix H, by providing an in-depth analysis of the improvements specific to this phase of the development. Improvements include extending Hillcrest Avenue by constructing new sidewalk, street, ditches, driveways and utilities along with building pads on the newly subdivided Lots. The 2010 CBJ Manual of Stormwater Best Management Practices was used to evaluate if the proposed and existing drainage features could convey runoff during the 25-year storm event.

Attachments to this report include sheets depicting survey data, proposed ROW improvements, as-built information, calculations and rainfall data used for the drainage analysis.

Site Runoff Calculation Method:

A total of three catchment areas were analyzed representing the existing and proposed drainage conveyance systems relevant to the project. The catchment areas include: the predeveloped subdivision labeled on the drainage map as Drainage Basin A, the post developed subdivision labeled on the drainage map as Drainage Basin C and, the post developed subdivision labeled on the drainage map as Drainage Basin D. The three catchment areas we determined using the proposed design model, Lidar data and aerial photos in AutoCAD C3D and were verify by several site visits. A delineation of the catchment areas can be found in Appendix A.

To calculate the site runoff for Drainage Basin D we have elected to use the Rational Method. The Rational Method is most appropriate for evaluating drainage basins less than 10 acres. Appendix D of the "2010 CBJ Manual of



Stormwater Best Management Practices” was utilized as a guide¹. The calculations and supporting documentation can be found in Appendix B, C, D & E of this Report.

To calculate the site runoff for Drainage Basin A and C we have elected to use the SCS Unit Hydrograph Method. The SCS Unit Hydrograph Method is most appropriate for evaluating drainage basins of 10 acres to 1,300 acres. Appendix D of the “2010 CBJ Manual of Stormwater Best Management Practices” was utilized as a guide². The calculations and supporting documentation can be found in Appendix B, C, D & F of this Report.

Anticipated Site Runoff (Q):

Using the Rational Method and SCS Unit Hydrograph Method, the amount of stormwater runoff during the 25-year storm event per catchment area was determined. The analysis shows that approximately 1.13 cfs will be removed from the discharge point due to the proposed development. See Table 1.1 below for results, the calculations can be found in Appendix E & F.

Catchment Area	Q (cfs)
Drainage Basin A	6.71
Drainage Basin C	5.58
Drainage Basin D	1.90
Table 1.1	

Conveyance/Discharge Structure Capacities:

The capacity of the existing and proposed drainage systems was calculated using the Manning’s Equation to determine if proposed 25-year storm event flows could be conveyed. The most vulnerable drainage structures to failure along the analyzed flow path were evaluated. See Table 1.2 below for results, the calculations can be found in Appendix F.

Catchment Area	Q (cfs)
Existing 18” CPP Culvert (P-7)	7.02
Existing Driveway Ditch Hooter LN	10.58
Table 1.2	

¹ There are no current municipal code requirements dictating adherence with the “2010 CBJ Manual of Stormwater Best Management Practices” when preparing a drainage plan that complies with 49.35.510. Regardless, we have elected to utilize portions of this Manual as a guide in the preparation of this Drainage Plan for the proposed development.

² There are no current municipal code requirements dictating adherence with the “2010 CBJ Manual of Stormwater Best Management Practices” when preparing a drainage plan that complies with 49.35.510. Regardless, we have elected to utilize portions of this Manual as a guide in the preparation of this Drainage Plan for the proposed development.

**Summary:**

Table 1.3 below compares anticipated 25-year runoff in the proposed and existing conveyance systems to their available hydraulic capacity. Runoff from the entire drainage basin was used for comparison even though in some cases the conveyance system would not need to handle the entire runoff making the comparison a conservative evaluation.

Drainage Basin	Anticipated Runoff Q (cfs)	Capacity Check	Available Capacity Q (cfs)
Proposed 18" CPP Culvert (P-7)	5.58	<	7.02
Existing Driveway Ditch Hooter LN	1.90	<	10.58

Table 1.3

Our analysis shows that there is enough capacity in the existing and proposed drainage structures to handle flows from the altered drainage patterns as a result of the proposed Hooter Lane Phase I ROW improvements.

Respectfully,

Lucas Chambers, P.E.
Principal Engineer – proHNS LLC Juneau

Appendixes:

- A – Catchment Areas
- B – Runoff Coefficient
- C – Time of Concentration
- D – Rainfall Intensity
- E – Rational Method
- F – SCS Hydrograph
- G- Existing Capacity Calcs
- H – Prior Drainage Reports "Richland Manor Subdivision – Drainage Report dated 10/31/19, Hooter Lane Phase I ROW Improvements – Drainage Report dated 1/23/20"

Appendix A

Catchment Areas

HILLCREST EXTENSION SUBDIVISION DRAINAGE MAP JUNEAU, AK

PREPARED FOR:
MICHAEL & WILLIAM HEUMANN



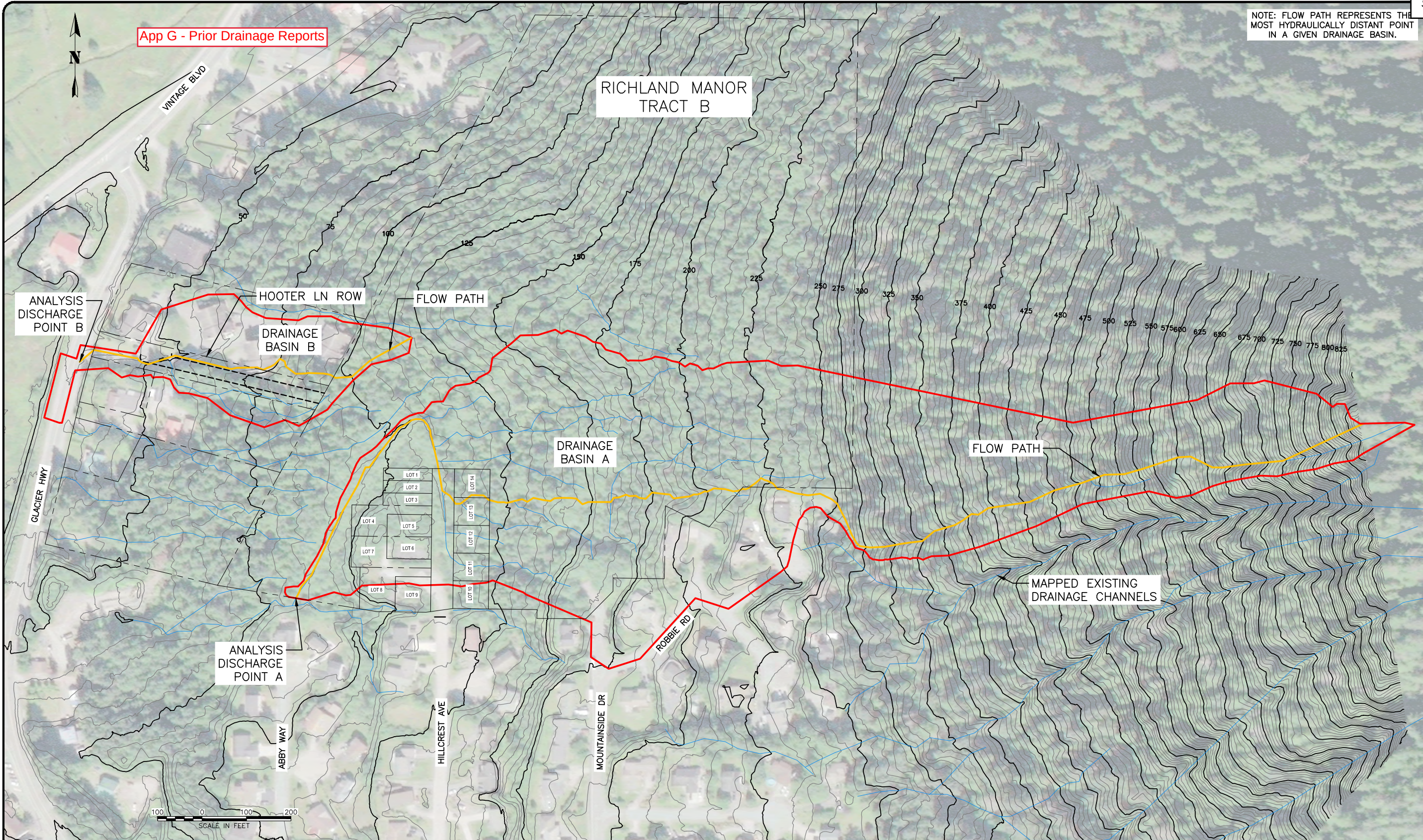
PROJECT LOCATION MAP
NTS



SHEET INDEX	
SHEET NO.	DESCRIPTION
1	COVER SHEET
2	PREDEVELOPED DRAINAGE BASIN CATCHMENT AREAS
3	DEVELOPED DRAINAGE BASIN CATCHMENT AREAS

RECORD OF REVISIONS				 1945 ALEX HOLDEN WAY #101 JUNEAU, AK 99801 solutions@proHNS.com www.proHNS.com	HILLCREST EXTENSION SUBDIVISION WILLIAM & MICHAEL HUMEANN	COVER SHEET	SHEET NUMBER	
No.	DATE	DESCRIPTION	BY					
							1	OF
							3	

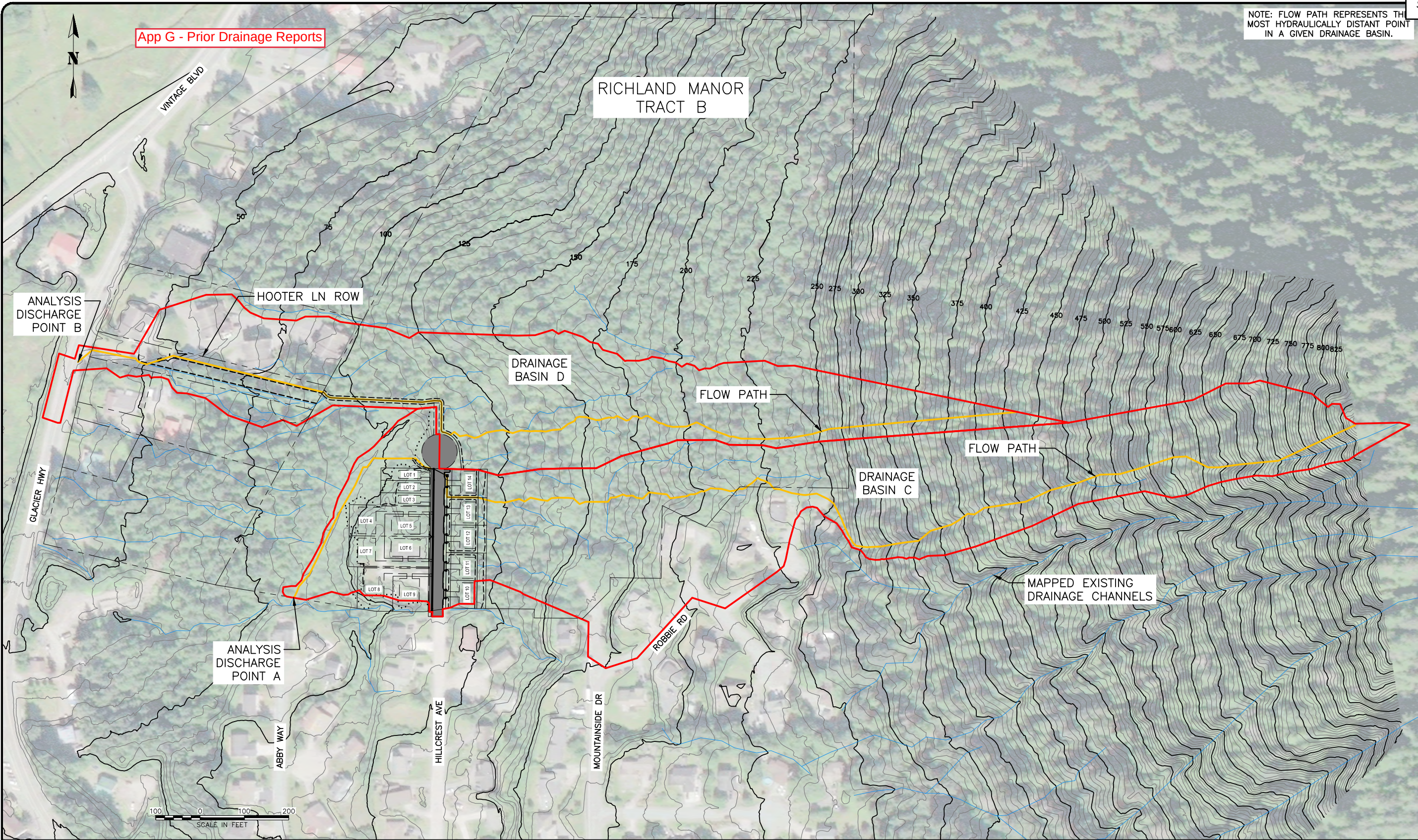
C:\Users\lucas\Dropbox (proHNS)\Projects\Juneau\Richland Manor Subdivision\C3D Richland Manor\Sheets\Drainage\DrainageMap_TITLE.dwg March 23, 2020



C:\Users\lucas\Dropbox (proHNS)\Projects\Juneau\Richland Manor Subdivision\C3D Richland Manor\Sheets\Drainage\DrainageMap_Hillcrest_Extension.dwg

March 23, 2020

RECORD OF REVISIONS				 1945 ALEX HOLDEN WAY #101 JUNEAU, AK 99801 solutions@proHNS.com www.proHNS.com	HILLOREST EXTENSION SUBDIVISION WILLIAM & MICHAEL HUMEANN	PREDEVELOPED DRAINAGE BASIN CATCHMENT AREAS	SHEET NUMBER
No.	DATE	DESCRIPTION	BY				2
							OF
							3



C:\Users\lucas\Dropbox (proHNS)\Projects\Juneau\Richland Manor Subdivision\C3D Richland Manor\Sheets\Drainage\DrainageMap_Hillcrest_Extension.dwg

March 23, 2020

RECORD OF REVISIONS				BY	 proHNS LLC CERTIFICATE OF AUTHORIZATION #100662	DRAWN BY: C. BYDLON DESIGNED BY: L. CHAMBERS CHECKED BY: L. CHAMBERS 1945 ALEX HOLDEN WAY #101 JUNEAU, AK 99801 solutions@proHNS.com www.proHNS.com	HILLOREST EXTENSION SUBDIVISION WILLIAM & MICHAEL HUMEANN	DEVELOPED DRAINAGE BASIN CATCHMENT AREAS	SHEET NUMBER	
No.	DATE	DESCRIPTION								
									3	OF
									3	

Appendix B

Runoff Coefficient

SCS Curve Number Proposed Hillcrest Ext. Subdivision		
Project:	Hillcrest Ext. Subdivision Drainage Analysis, PAC2018 0054	
Owner:	Michael and William Heumann	
Date:	3/21/2020	
Prepared By:	Chris Bydlon	
Checked By:	Lucas Chambers	



Total Basin Area(SQFT)=	642649					
Surface Type	Location	Area (SQFT)	Total (SQFT)	Total (Acre)	% Overall Basin	Unit Hydrograph CN*
Pavement	Hillcrest Extension	12788				
	Mountianside/ Robbie Rd	23565				
			36353	0.834550046	5.66%	98
Building Roofs	Lot 1 Roof +Deck	988				
*Areas from Developer	Lot 2 Roof +Deck	988				
	Lot 3 Roof +Deck	988				
	Lot 4 Roof +Deck	1350				
	Lot 5 Roof +Deck	1350				
	Lot 6 Roof +Deck	1350				
	Lot 7 Roof +Deck	1350				
	Lot 8 Roof +Deck	1350				
	Lot 9 Roof +Deck	1350				
	Lot 10 Roof +Deck	1350				
	Lot 11 Roof+Deck	1350				
	Lot 12 Roof+Deck	1350				
	Lot 13 Roof+Deck	1350				
	Lot 14 Roof+Deck	1350				
	Robbie Rd Homes	14048				
			31862	0.731450872	4.96%	98
Gravel	Driveways & Ditches	19536				
	Building Pad Lot 4	690				
	Building Pad Lot 5	1250				
	Building Pad Lot 6	1250				
	Building Pad Lot 7	690				
	Building Pad Lot 8	900				
	Building Pad Lot 9	900				
	Building Pad Lot 10	315				
	Building Pad Lot 11	315				
	Building Pad Lot 12	315				
	Building Pad Lot 13	315				
	Building Pad Lot 14	315				
			26791	0.615036731	4.17%	89
Lawns	Robbie Rd Homes	14230				
	Lot 1-14 Lawns & Fill Slopes	27815				
			42045	0.965220386	6.54%	74
Woods	Every where else	505598				
			505598	11.60693297	78.67%	70
		Total=	642649	14.753191	100.00%	74.03

*Unit Hydrograph curve numbers were developed from Table D-6 & D-7 of the CBJ Manual of Stormwater BMP Manual. NRCS's online GIS database does not have data for the project location. I looked at adjacent areas with similar slopes and ground cover and the hydraulic soil group was C or D. For this analysis I am assuming the project location falls under soil group C.

Runoff Coefficient Basin B Developed						
Project:	Hillcrest Extension Drainage Analysis, PAC2018 0054					
Owner:	Michael and William Heumann					
Date:	3/17/2020					
Prepared By:	C. Bydlon					
Checked By:	L. Chambers					
Total Basin Area(SQFT)=	400337					
Surface Type	Location	Area (SQFT)	Total (SQFT)	Total (Acre)	% Overall Basin	Runoff Coefficient
Pavement	Tamarack Trails Condos	24950				
			24950	0.572773186	6.23%	0.9
Building Roofs	Tamarack Trail Condos	15130				
			15130	0.347337006	3.78%	0.9
Lawns	Tamarack Trails	6690				
			6690	0.153581267	1.67%	0.25
Shot Rock Base & Ditch	Hooter Lane ROW	21355				
			21355	0.490243343	5.33%	0.8
Woods	Every where else	332212				
			332212	7.626538108	82.98%	0.1
		Total=	400337	9.190472911	100.00%	0.22

Appendix C

Time of Concentration

App G - Prior Drainage

SCS TR-55 Time of Concentration Computations Report
=====Sheet Flow Equation

$$T_c = (0.007 * ((n * L_f)^{0.8})) / ((P^{0.5}) * (S_f^{0.4}))$$

Where:

T_c = Time of Concentration (hrs)
 n = Manning's Roughness
 L_f = Flow Length (ft)
 P = 2 yr, 24 hr Rainfall (inches)
 S_f = Slope (ft/ft)

Shallow Concentrated Flow Equation

$V = 16.1345 * (S_f^{0.5})$ (unpaved surface)
 $V = 20.3282 * (S_f^{0.5})$ (paved surface)
 $V = 15.0 * (S_f^{0.5})$ (grassed waterway surface)
 $V = 10.0 * (S_f^{0.5})$ (nearly bare & untilled surface)
 $V = 9.0 * (S_f^{0.5})$ (cultivated straight rows surface)
 $V = 7.0 * (S_f^{0.5})$ (short grass pasture surface)
 $V = 5.0 * (S_f^{0.5})$ (woodland surface)
 $V = 2.5 * (S_f^{0.5})$ (forest w/heavy litter surface)
 $T_c = (L_f / V) / (3600 \text{ sec/hr})$

Where:

T_c = Time of Concentration (hrs)
 L_f = Flow Length (ft)
 V = Velocity (ft/sec)
 S_f = Slope (ft/ft)

Channel Flow Equation

$V = (1.49 * (R^{2/3}) * (S_f^{0.5})) / n$
 $R = A_q / W_p$
 $T_c = (L_f / V) / (3600 \text{ sec/hr})$

Where:

T_c = Time of Concentration (hrs)

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App G - Prior Drainage

Lf = Flow Length (ft)
R = Hydraulic Radius (ft)
Aq = Flow Area (ft²)
Wp = Wetted Perimeter (ft)
V = Velocity (ft/sec)
Sf = Slope (ft/ft)
n = Manning's Roughness

=====
Subbasin PhaseAPreDevelop
=====

Sheet Flow Computations

-	Subarea A	Subarea B	Subarea C
Manning's Roughness:	.8	0.00	0.00
Flow Length (ft):	188	0.00	0.00
Slope (%):	79.80	0.00	0.00
2 yr, 24 hr Rainfall (in):	2.97	0.00	0.00
Velocity (ft/sec):	0.21	0.00	0.00
Computed Flow Time (minutes):	14.72	0.00	0.00

Shallow Concentrated Flow Computations

-	Subarea A	Subarea B	Subarea C
Flow Length (ft):	2046	0.00	0.00
Slope (%):	29.86	0.00	0.00
Surface Type:	Forest	Unpaved	Unpaved
Velocity (ft/sec):	1.37	0.00	0.00
Computed Flow Time (minutes):	24.89	0.00	0.00

Channel Flow Computations

-	Subarea A	Subarea B	Subarea C
Manning's Roughness:	.05	0.00	0.00
Flow Length (ft):	715	0.00	0.00
Channel Slope (%):	3.48	0.00	0.00
Cross Section Area (ft ²):	13	0.00	0.00
Wetted Perimeter (ft):	11.4	0.00	0.00
Velocity (ft/sec):	6.07	0.00	0.00
Computed Flow Time (minutes):	1.96	0.00	0.00

=====
Total TOC (minutes): 41.57
=====

Autodesk Storm and Sanitary Analysis

App G - Prior Drainage

SCS TR-55 Time of Concentration Computations Report
=====Sheet Flow Equation

$$T_c = (0.007 * ((n * L_f)^{0.8})) / ((P^{0.5}) * (S_f^{0.4}))$$

Where:

T_c = Time of Concentration (hrs)
 n = Manning's Roughness
 L_f = Flow Length (ft)
 P = 2 yr, 24 hr Rainfall (inches)
 S_f = Slope (ft/ft)

Shallow Concentrated Flow Equation

$V = 16.1345 * (S_f^{0.5})$ (unpaved surface)
 $V = 20.3282 * (S_f^{0.5})$ (paved surface)
 $V = 15.0 * (S_f^{0.5})$ (grassed waterway surface)
 $V = 10.0 * (S_f^{0.5})$ (nearly bare & untilled surface)
 $V = 9.0 * (S_f^{0.5})$ (cultivated straight rows surface)
 $V = 7.0 * (S_f^{0.5})$ (short grass pasture surface)
 $V = 5.0 * (S_f^{0.5})$ (woodland surface)
 $V = 2.5 * (S_f^{0.5})$ (forest w/heavy litter surface)
 $T_c = (L_f / V) / (3600 \text{ sec/hr})$

Where:

T_c = Time of Concentration (hrs)
 L_f = Flow Length (ft)
 V = Velocity (ft/sec)
 S_f = Slope (ft/ft)

Channel Flow Equation

$V = (1.49 * (R^{2/3}) * (S_f^{0.5})) / n$
 $R = A_q / W_p$
 $T_c = (L_f / V) / (3600 \text{ sec/hr})$

Where:

T_c = Time of Concentration (hrs)

Autodesk Storm and Sanitary Analysis

App G - Prior Drainage

Lf = Flow Length (ft)
R = Hydraulic Radius (ft)
Aq = Flow Area (ft²)
Wp = Wetted Perimeter (ft)
V = Velocity (ft/sec)
Sf = Slope (ft/ft)
n = Manning's Roughness

=====
Subbasin HillcrestExtPostDevelemonet
=====

Sheet Flow Computations

-	Subarea A	Subarea B	Subarea C
Manning's Roughness:	.8	0.00	0.00
Flow Length (ft):	188	0.00	0.00
Slope (%):	79.8	0.00	0.00
2 yr, 24 hr Rainfall (in):	2.97	0.00	0.00
Velocity (ft/sec):	0.21	0.00	0.00
Computed Flow Time (minutes):	14.72	0.00	0.00

Shallow Concentrated Flow Computations

-	Subarea A	Subarea B	Subarea C
Flow Length (ft):	1977	0.00	0.00
Slope (%):	30.65	0.00	0.00
Surface Type:	Forest	Unpaved	Unpaved
Velocity (ft/sec):	1.38	0.00	0.00
Computed Flow Time (minutes):	23.88	0.00	0.00

Channel Flow Computations

-	Subarea A	Subarea B	Subarea C
Manning's Roughness:	.035	.015	.035
Flow Length (ft):	91.6	82	489
Channel Slope (%):	6.10	1.22	5.32
Cross Section Area (ft ²):	3.0	1.77	1.74
Wetted Perimeter (ft):	5.47	4.71	4.59
Velocity (ft/sec):	7.04	5.71	5.14
Computed Flow Time (minutes):	0.22	0.24	1.58

=====
Total TOC (minutes): 40.64
=====

Autodesk Storm and Sanitary Analysis

App G - Prior Drainage

SCS TR-55 Time of Concentration Computations Report
=====Sheet Flow Equation

$$T_c = (0.007 * ((n * L_f)^{0.8})) / ((P^{0.5}) * (S_f^{0.4}))$$

Where:

T_c = Time of Concentration (hrs)
 n = Manning's Roughness
 L_f = Flow Length (ft)
 P = 2 yr, 24 hr Rainfall (inches)
 S_f = Slope (ft/ft)

Shallow Concentrated Flow Equation

$V = 16.1345 * (S_f^{0.5})$ (unpaved surface)
 $V = 20.3282 * (S_f^{0.5})$ (paved surface)
 $V = 15.0 * (S_f^{0.5})$ (grassed waterway surface)
 $V = 10.0 * (S_f^{0.5})$ (nearly bare & untilled surface)
 $V = 9.0 * (S_f^{0.5})$ (cultivated straight rows surface)
 $V = 7.0 * (S_f^{0.5})$ (short grass pasture surface)
 $V = 5.0 * (S_f^{0.5})$ (woodland surface)
 $V = 2.5 * (S_f^{0.5})$ (forest w/heavy litter surface)
 $T_c = (L_f / V) / (3600 \text{ sec/hr})$

Where:

T_c = Time of Concentration (hrs)
 L_f = Flow Length (ft)
 V = Velocity (ft/sec)
 S_f = Slope (ft/ft)

Channel Flow Equation

$V = (1.49 * (R^{2/3}) * (S_f^{0.5})) / n$
 $R = A_q / W_p$
 $T_c = (L_f / V) / (3600 \text{ sec/hr})$

Where:

T_c = Time of Concentration (hrs)

Autodesk Storm and Sanitary Analysis

App G - Prior Drainage

Lf = Flow Length (ft)
R = Hydraulic Radius (ft)
Aq = Flow Area (ft²)
Wp = Wetted Perimeter (ft)
V = Velocity (ft/sec)
Sf = Slope (ft/ft)
n = Manning's Roughness

=====
Subbasin HillcrestHooter
=====

Sheet Flow Computations

-	Subarea A	Subarea B	Subarea C
Manning's Roughness:	.8	0.00	0.00
Flow Length (ft):	234	0.00	0.00
Slope (%):	37.2	0.00	0.00
2 yr, 24 hr Rainfall (in):	2.97	0.00	0.00
Velocity (ft/sec):	0.16	0.00	0.00
Computed Flow Time (minutes):	23.80	0.00	0.00

Shallow Concentrated Flow Computations

-	Subarea A	Subarea B	Subarea C
Flow Length (ft):	1098	0.00	0.00
Slope (%):	21.54	0.00	0.00
Surface Type:	Forest	Unpaved	Unpaved
Velocity (ft/sec):	1.16	0.00	0.00
Computed Flow Time (minutes):	15.78	0.00	0.00

Channel Flow Computations

-	Subarea A	Subarea B	Subarea C
Manning's Roughness:	.035	.035	.03
Flow Length (ft):	361	439.5	141
Channel Slope (%):	5.7	11.37	7.8
Cross Section Area (ft²):	6	2	3.42
Wetted Perimeter (ft):	7.71	5.6	6.12
Velocity (ft/sec):	8.60	7.23	9.41
Computed Flow Time (minutes):	0.70	1.01	0.25

=====
Total TOC (minutes): 41.53
=====

Autodesk Storm and Sanitary Analysis

Appendix D

Rainfall Intensity

10/17/2019

App G - Prior Drainage

Precipitation Frequency Data Server



NOAA Atlas 14, Volume 7, Version 2
Location name: Juneau, Alaska, USA*
Latitude: 58.3454°, Longitude: -134.4896°
Elevation: 120.33 ft**
* source: ESRI Maps
** source: USGS



POINT PRECIPITATION FREQUENCY ESTIMATES

Sanja Perica, Douglas Kane, Sarah Dietz, Kazungu Maitaria, Deborah Martin, Sandra Pavlovic, Ishani Roy, Svetlana Stuefer, Amy Tidwell, Carl Trypaluk, Dale Unruh, Michael Yekta, Erica Betts, Geoffrey Bonnin, Sarah Heim, Lillian Hiner, Elizabeth Lilly, Jayashree Narayanan, Fenglin Yan, Tan Zhao

NOAA, National Weather Service, Silver Spring, Maryland
and
University of Alaska Fairbanks, Water and Environmental Research Center

[PF_tabular](#) | [PF_graphical](#) | [Maps_&_aerials](#)

PF tabular

PDS-based point precipitation frequency estimates with 90% confidence intervals (in inches) ¹										
Duration	Average recurrence interval (years)									
	1	2	5	10	25	50	100	200	500	1000
5-min	0.131 (0.106-0.166)	0.153 (0.122-0.197)	0.187 (0.146-0.246)	0.215 (0.165-0.287)	0.253 (0.189-0.346)	0.282 (0.207-0.393)	0.312 (0.225-0.442)	0.350 (0.248-0.505)	0.400 (0.277-0.590)	0.438 (0.299-0.657)
10-min	0.176 (0.142-0.223)	0.206 (0.164-0.265)	0.251 (0.195-0.330)	0.288 (0.220-0.385)	0.339 (0.253-0.464)	0.379 (0.278-0.528)	0.418 (0.302-0.592)	0.470 (0.333-0.678)	0.537 (0.372-0.792)	0.588 (0.401-0.882)
15-min	0.206 (0.166-0.261)	0.241 (0.192-0.310)	0.293 (0.228-0.385)	0.337 (0.258-0.450)	0.397 (0.297-0.543)	0.443 (0.325-0.617)	0.490 (0.353-0.694)	0.549 (0.389-0.791)	0.629 (0.436-0.927)	0.689 (0.470-1.03)
30-min	0.273 (0.220-0.346)	0.320 (0.255-0.411)	0.389 (0.303-0.511)	0.447 (0.342-0.597)	0.527 (0.394-0.721)	0.588 (0.432-0.819)	0.650 (0.469-0.921)	0.729 (0.517-1.05)	0.834 (0.578-1.23)	0.914 (0.623-1.37)
60-min	0.374 (0.302-0.474)	0.438 (0.349-0.563)	0.533 (0.415-0.700)	0.613 (0.469-0.819)	0.722 (0.539-0.988)	0.806 (0.592-1.12)	0.890 (0.642-1.26)	0.999 (0.708-1.44)	1.14 (0.792-1.69)	1.25 (0.853-1.88)
2-hr	0.552 (0.445-0.700)	0.647 (0.515-0.832)	0.789 (0.614-1.04)	0.906 (0.693-1.21)	1.07 (0.798-1.46)	1.19 (0.875-1.66)	1.32 (0.949-1.86)	1.48 (1.05-2.13)	1.69 (1.17-2.49)	1.85 (1.26-2.77)
3-hr	0.729 (0.588-0.925)	0.854 (0.680-1.10)	1.04 (0.811-1.37)	1.20 (0.915-1.60)	1.41 (1.05-1.93)	1.57 (1.15-2.19)	1.73 (1.25-2.46)	1.95 (1.38-2.81)	2.23 (1.54-3.29)	2.44 (1.66-3.66)
6-hr	1.17 (0.944-1.48)	1.37 (1.09-1.76)	1.67 (1.30-2.19)	1.92 (1.47-2.56)	2.26 (1.69-3.09)	2.52 (1.85-3.51)	2.78 (2.01-3.94)	3.13 (2.22-4.51)	3.58 (2.48-5.27)	3.92 (2.67-5.88)
12-hr	1.76 (1.42-2.23)	2.06 (1.64-2.65)	2.50 (1.95-3.29)	2.87 (2.19-3.83)	3.38 (2.53-4.62)	3.79 (2.78-5.27)	4.21 (3.04-5.96)	4.73 (3.35-6.82)	5.42 (3.76-7.99)	5.94 (4.05-8.91)
24-hr	2.54 (2.30-2.84)	2.97 (2.65-3.37)	3.59 (3.14-4.16)	4.10 (3.52-4.83)	4.82 (4.05-5.81)	5.41 (4.46-6.64)	6.04 (4.90-7.54)	6.78 (5.41-8.61)	7.76 (6.05-10.1)	8.51 (6.52-11.2)
2-day	3.45 (3.12-3.87)	4.01 (3.58-4.55)	4.79 (4.19-5.55)	5.42 (4.65-6.38)	6.29 (5.28-7.59)	7.00 (5.77-8.59)	7.74 (6.28-9.66)	8.59 (6.85-10.9)	9.72 (7.57-12.6)	10.6 (8.10-13.9)
3-day	4.10 (3.70-4.58)	4.73 (4.22-5.36)	5.61 (4.90-6.49)	6.30 (5.41-7.42)	7.26 (6.09-8.75)	8.03 (6.62-9.85)	8.82 (7.15-11.0)	9.72 (7.75-12.3)	10.9 (8.51-14.2)	11.8 (9.06-15.6)
4-day	4.63 (4.18-5.18)	5.32 (4.75-6.04)	6.28 (5.49-7.27)	7.03 (6.04-8.28)	8.07 (6.77-9.72)	8.88 (7.33-10.9)	9.73 (7.89-12.1)	10.7 (8.51-13.6)	11.9 (9.30-15.5)	12.9 (9.87-17.0)
7-day	5.98 (5.40-6.69)	6.84 (6.10-7.75)	8.02 (7.00-9.28)	8.94 (7.68-10.5)	10.2 (8.57-12.3)	11.2 (9.25-13.8)	12.3 (9.93-15.3)	13.4 (10.7-17.0)	15.0 (11.7-19.4)	16.1 (12.4-21.3)
10-day	7.07 (6.39-7.92)	8.07 (7.20-9.15)	9.44 (8.24-10.9)	10.5 (9.02-12.4)	12.0 (10.0-14.4)	13.1 (10.8-16.1)	14.3 (11.6-17.8)	15.6 (12.5-19.8)	17.4 (13.6-22.6)	18.7 (14.4-24.7)
20-day	10.6 (9.59-11.9)	12.1 (10.8-13.7)	14.1 (12.3-16.3)	15.6 (13.4-18.3)	17.6 (14.8-21.2)	19.2 (15.8-23.5)	20.7 (16.8-25.9)	22.4 (17.9-28.5)	24.7 (19.3-32.1)	26.4 (20.2-34.8)
30-day	14.0 (12.6-15.6)	15.9 (14.2-18.1)	18.5 (16.2-21.4)	20.4 (17.5-24.0)	22.9 (19.3-27.7)	24.9 (20.5-30.5)	26.8 (21.7-33.4)	28.8 (23.0-36.6)	31.5 (24.6-40.9)	33.5 (25.7-44.2)
45-day	18.5 (16.7-20.7)	21.1 (18.8-23.9)	24.5 (21.4-28.4)	27.0 (23.2-31.8)	30.1 (25.3-36.3)	32.5 (26.8-39.8)	34.8 (28.2-43.4)	37.1 (29.5-47.1)	40.1 (31.3-52.0)	42.4 (32.5-55.9)
60-day	22.1 (19.9-24.7)	25.4 (22.6-28.8)	29.5 (25.7-34.1)	32.3 (27.8-38.1)	35.9 (30.1-43.3)	38.4 (31.7-47.1)	40.8 (33.1-50.9)	43.0 (34.2-54.5)	45.8 (35.7-59.5)	48.0 (36.8-63.4)

¹ Precipitation frequency (PF) estimates in this table are based on frequency analysis of partial duration series (PDS).

Numbers in parenthesis are PF estimates at lower and upper bounds of the 90% confidence interval. The probability that precipitation frequency estimates (for a given duration and average recurrence interval) will be greater than the upper bound (or less than the lower bound) is 5%. Estimates at upper bounds are not checked against probable maximum precipitation (PMP) estimates and may be higher than currently valid PMP values.

Please refer to NOAA Atlas 14 document for more information.

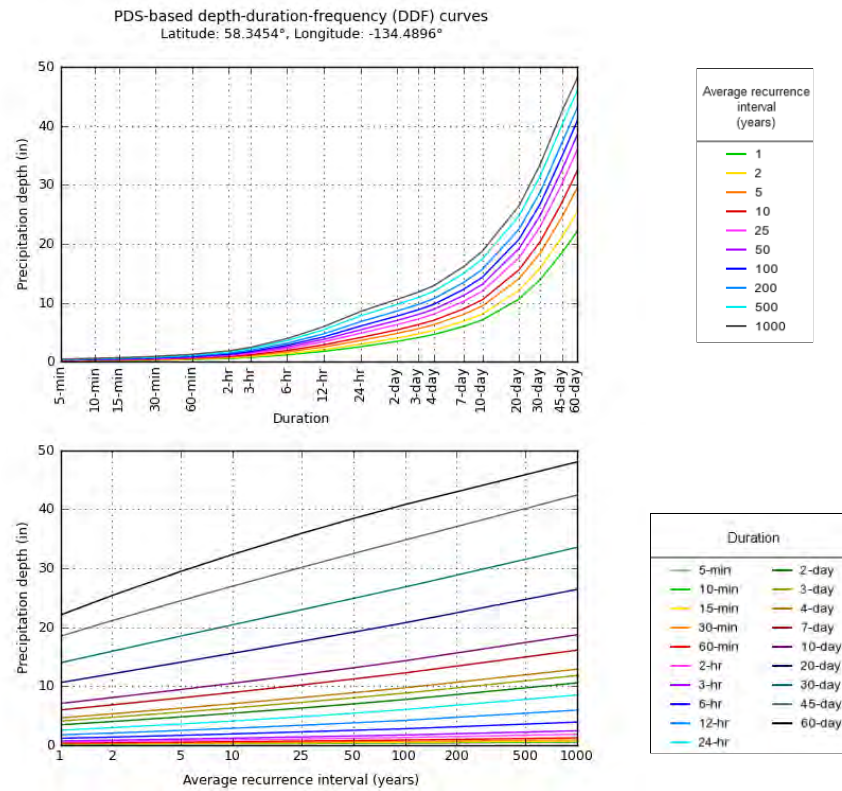
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PF graphical

10/17/2019

Precipitation Frequency Data Server

App G - Prior Drainage



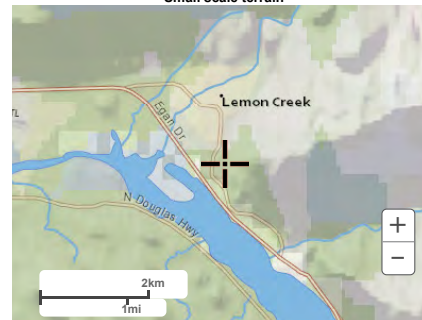
NOAA Atlas 14, Volume 7, Version 2

Created (GMT): Fri Oct 18 00:03:14 2019

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Maps & aerials

Small scale terrain



Large scale terrain

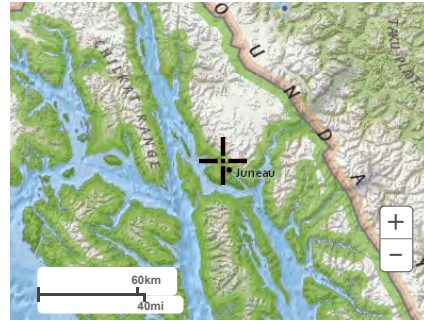
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2/3

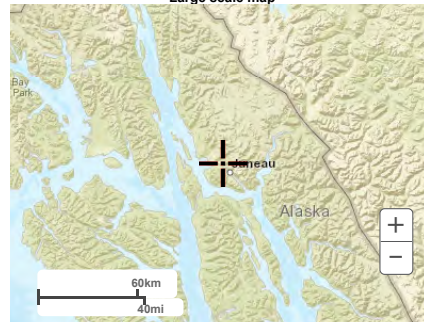
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Precipitation Frequency Data Server



Large scale map



Large scale aerial



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3/3

11/1/2019

Precipitation Frequency Data Server

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NOAA Atlas 14, Volume 7, Version 2
 Location name: Juneau, Alaska, USA*
 Latitude: 58.346° Longitude: -134.4904°
 Elevation: 101.4 ft**
 * source: ESRI Maps
 ** source: USGS



POINT PRECIPITATION FREQUENCY ESTIMATES

Sanja Perica, Douglas Kane, Sarah Dietz, Kazungu Maitaria, Deborah Martin, Sandra Pavlovic, Ishani Roy, Svetlana Stuefer, Amy Tidwell, Carl Trypanuk, Dale Unruh, Michael Yekta, Erica Betts, Geoffrey Bonnin, Sarah Heim, Lillian Hiner, Elizabeth Lilly, Jayashree Narayanan, Fenglin Yan, Tan Zhao

NOAA, National Weather Service, Silver Spring, Maryland
 and
 University of Alaska Fairbanks, Water and Environmental Research Center

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PF tabular

PDS-based point precipitation frequency estimates with 90% confidence intervals (in inches/hour) ¹										
Duration	Average recurrence interval (years)									
	1	2	5	10	25	50	100	200	500	1000
5-min	1.58 (1.27-2.02)	1.86 (1.48-2.40)	2.27 (1.75-3.00)	2.62 (1.99-3.52)	3.08 (2.29-4.25)	3.44 (2.51-4.82)	3.80 (2.72-5.42)	4.30 (3.02-6.23)	4.94 (3.41-7.33)	5.42 (3.67-8.17)
10-min	1.06 (0.852-1.36)	1.25 (0.984-1.61)	1.52 (1.18-2.02)	1.75 (1.33-2.35)	2.07 (1.54-2.85)	2.31 (1.69-3.23)	2.56 (1.83-3.64)	2.89 (2.03-4.18)	3.32 (2.29-4.92)	3.64 (2.47-5.49)
15-min	0.828 (0.664-1.06)	0.972 (0.768-1.26)	1.19 (0.920-1.57)	1.37 (1.04-1.84)	1.62 (1.20-2.22)	1.80 (1.32-2.53)	2.00 (1.43-2.84)	2.25 (1.59-3.26)	2.59 (1.78-3.84)	2.84 (1.93-4.29)
30-min	0.550 (0.440-0.702)	0.646 (0.510-0.836)	0.788 (0.610-1.04)	0.908 (0.690-1.22)	1.07 (0.796-1.47)	1.20 (0.874-1.68)	1.32 (0.950-1.89)	1.49 (1.05-2.17)	1.72 (1.18-2.54)	1.89 (1.28-2.84)
60-min	0.377 (0.302-0.481)	0.442 (0.349-0.571)	0.540 (0.418-0.713)	0.622 (0.473-0.836)	0.734 (0.545-1.01)	0.820 (0.598-1.15)	0.907 (0.650-1.29)	1.02 (0.721-1.48)	1.18 (0.810-1.74)	1.29 (0.875-1.95)
2-hr	0.278 (0.223-0.356)	0.326 (0.258-0.422)	0.399 (0.308-0.527)	0.460 (0.350-0.618)	0.543 (0.403-0.747)	0.606 (0.442-0.850)	0.670 (0.480-0.954)	0.756 (0.532-1.10)	0.869 (0.598-1.29)	0.954 (0.646-1.44)
3-hr	0.245 (0.196-0.312)	0.286 (0.226-0.370)	0.351 (0.271-0.463)	0.404 (0.307-0.543)	0.477 (0.354-0.657)	0.533 (0.389-0.746)	0.588 (0.422-0.838)	0.664 (0.468-0.962)	0.763 (0.525-1.13)	0.838 (0.568-1.26)
6-hr	0.197 (0.158-0.251)	0.231 (0.182-0.298)	0.282 (0.218-0.372)	0.324 (0.247-0.436)	0.383 (0.284-0.527)	0.428 (0.312-0.600)	0.473 (0.339-0.675)	0.534 (0.376-0.774)	0.614 (0.423-0.910)	0.675 (0.457-1.02)
12-hr	0.147 (0.118-0.188)	0.172 (0.136-0.223)	0.210 (0.162-0.277)	0.241 (0.183-0.323)	0.284 (0.211-0.391)	0.319 (0.233-0.447)	0.356 (0.255-0.507)	0.402 (0.283-0.582)	0.462 (0.318-0.686)	0.508 (0.344-0.767)
24-hr	0.107 (0.096-0.119)	0.125 (0.111-0.142)	0.151 (0.132-0.175)	0.172 (0.148-0.203)	0.203 (0.171-0.245)	0.229 (0.189-0.281)	0.256 (0.208-0.320)	0.289 (0.230-0.367)	0.332 (0.259-0.431)	0.365 (0.280-0.482)
2-day	0.073 (0.066-0.081)	0.084 (0.075-0.096)	0.101 (0.088-0.117)	0.114 (0.098-0.134)	0.133 (0.111-0.160)	0.148 (0.122-0.182)	0.164 (0.133-0.205)	0.183 (0.146-0.233)	0.209 (0.162-0.271)	0.227 (0.174-0.300)
3-day	0.057 (0.052-0.064)	0.066 (0.059-0.075)	0.079 (0.069-0.091)	0.088 (0.076-0.104)	0.102 (0.086-0.123)	0.113 (0.094-0.139)	0.125 (0.101-0.156)	0.139 (0.110-0.176)	0.156 (0.122-0.203)	0.170 (0.130-0.224)
4-day	0.049 (0.044-0.054)	0.056 (0.050-0.063)	0.066 (0.058-0.076)	0.074 (0.063-0.087)	0.085 (0.071-0.103)	0.094 (0.078-0.115)	0.103 (0.084-0.129)	0.114 (0.091-0.145)	0.128 (0.100-0.166)	0.139 (0.106-0.183)
7-day	0.035 (0.032-0.040)	0.040 (0.036-0.046)	0.047 (0.041-0.055)	0.053 (0.046-0.062)	0.061 (0.051-0.073)	0.067 (0.055-0.082)	0.074 (0.060-0.092)	0.081 (0.064-0.103)	0.091 (0.071-0.118)	0.098 (0.075-0.130)
10-day	0.029 (0.026-0.033)	0.033 (0.030-0.038)	0.039 (0.034-0.045)	0.043 (0.037-0.051)	0.049 (0.041-0.060)	0.054 (0.045-0.067)	0.060 (0.048-0.074)	0.066 (0.052-0.083)	0.073 (0.057-0.095)	0.079 (0.061-0.105)
20-day	0.022 (0.020-0.024)	0.025 (0.022-0.028)	0.029 (0.025-0.033)	0.032 (0.027-0.038)	0.036 (0.030-0.044)	0.040 (0.033-0.048)	0.043 (0.035-0.054)	0.047 (0.037-0.059)	0.052 (0.040-0.067)	0.056 (0.043-0.073)
30-day	0.019 (0.017-0.021)	0.022 (0.019-0.025)	0.025 (0.022-0.029)	0.028 (0.024-0.033)	0.031 (0.026-0.038)	0.034 (0.028-0.042)	0.037 (0.030-0.046)	0.040 (0.032-0.051)	0.044 (0.034-0.057)	0.047 (0.036-0.062)
45-day	0.017 (0.015-0.019)	0.019 (0.017-0.022)	0.022 (0.019-0.026)	0.025 (0.021-0.029)	0.028 (0.023-0.033)	0.030 (0.025-0.037)	0.032 (0.026-0.040)	0.034 (0.027-0.043)	0.037 (0.029-0.048)	0.039 (0.030-0.052)
60-day	0.015 (0.014-0.017)	0.017 (0.016-0.020)	0.020 (0.018-0.024)	0.022 (0.019-0.026)	0.025 (0.021-0.030)	0.027 (0.022-0.033)	0.028 (0.023-0.035)	0.030 (0.024-0.038)	0.032 (0.025-0.042)	0.034 (0.026-0.044)

¹ Precipitation frequency (PF) estimates in this table are based on frequency analysis of partial duration series (PDS).

Numbers in parenthesis are PF estimates at lower and upper bounds of the 90% confidence interval. The probability that precipitation frequency estimates (for a given duration and average recurrence interval) will be greater than the upper bound (or less than the lower bound) is 5%. Estimates at upper bounds are not checked against probable maximum precipitation (PMP) estimates and may be higher than currently valid PMP values.

Please refer to NOAA Atlas 14 document for more information.

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PF graphical

Appendix E

Rational Method

Rational Method Site Runoff Drainage Basin D		
Project:	Hillcrest Extension Drainage Analysis, PAC2018 0054	
Owner:	Michael and William Heumann	
Date:	3/23/2020	
Prepared By:	L. Chambers	
Checked By:	G. Gladsjo	



$$Q = CIA$$

Q = peak flow in cubic feet per second (cfs)

C = runoff coefficient

I = rainfall intensity (inches per hour)

A = catchment area (acres)

$$C_c = (C_1A_1 + C_2A_2)/A_t$$

C_c = composite runoff coefficient

$C_{1,2}$ = runoff coefficient for each area land cover type

A_t = total area (acres)

$A_{1,2}$ = areas of land cover types (acres)

$C_c = 0.22$, See Appendix C for calculation

$$T_c = T_1 + T_2 + \dots + T_n$$

T_c = time of concentration (min)

$T_{1,2}$ = travel time across separate flow path segments (min)

$T_c = 41.51$ min., See Appendix D for calculation

$$T_t = L/60V$$

T_t = travel time (min)

L = the distance of flow across a given segment (feet)

$V = k_R \text{Sqrt}(S_0)$ = average velocity (feet/sec) across land cover

k_R = time of concentration velocity factor (CBJ Manual of Storm Water BMP 2010, Table D-5, PG. D-10)

S_0 = slope of flow path (feet/feet)

Per CBJ Manual of Storm Water BMP 2010, Table 5-1, page. 5-1, design event frequencies are specified. For driveway culvert, a 25-year storm event is the required design return period. We will base our analysis on a 25-year design return period for all drainage structures and catchment areas. Per CBJ Manual of Storm Water BMP 2010, page. D-9, Basins with a time and concentration 10 minutes or less shall use the 10 minute intensity. Basins with a time of concentration greater than 10 minutes and less than 30 minutes shall interpolate between the 10 and 10 minute values. Rainfall intensity for the site was sourced from the NOAA Atlas 14, Point Precipitation Frequency Estimates, see Appendix E, and is summarized as follows:

	Design Return Period
T_c 41.51(min)	25-year
Interpolated Intensity (in/hr) =	0.94

There is an existing 24" CMP culvert that drains into the existing Glacier Highway ditch system at the location where the new subdivision access will tie into the shoulder of the Highway. The area currently contributing runoff to this culvert was delineated in AutoCAD from aerial photos and 2013 Lidar Data provided by CBJ.

$A = 400337$ sqft / 43,560 = 9.19 acres

	Cc	I	A		
Q (cfs)=	0.22	0.94	9.19	=	1.90

Appendix F

SCS Hydrograph

Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2020

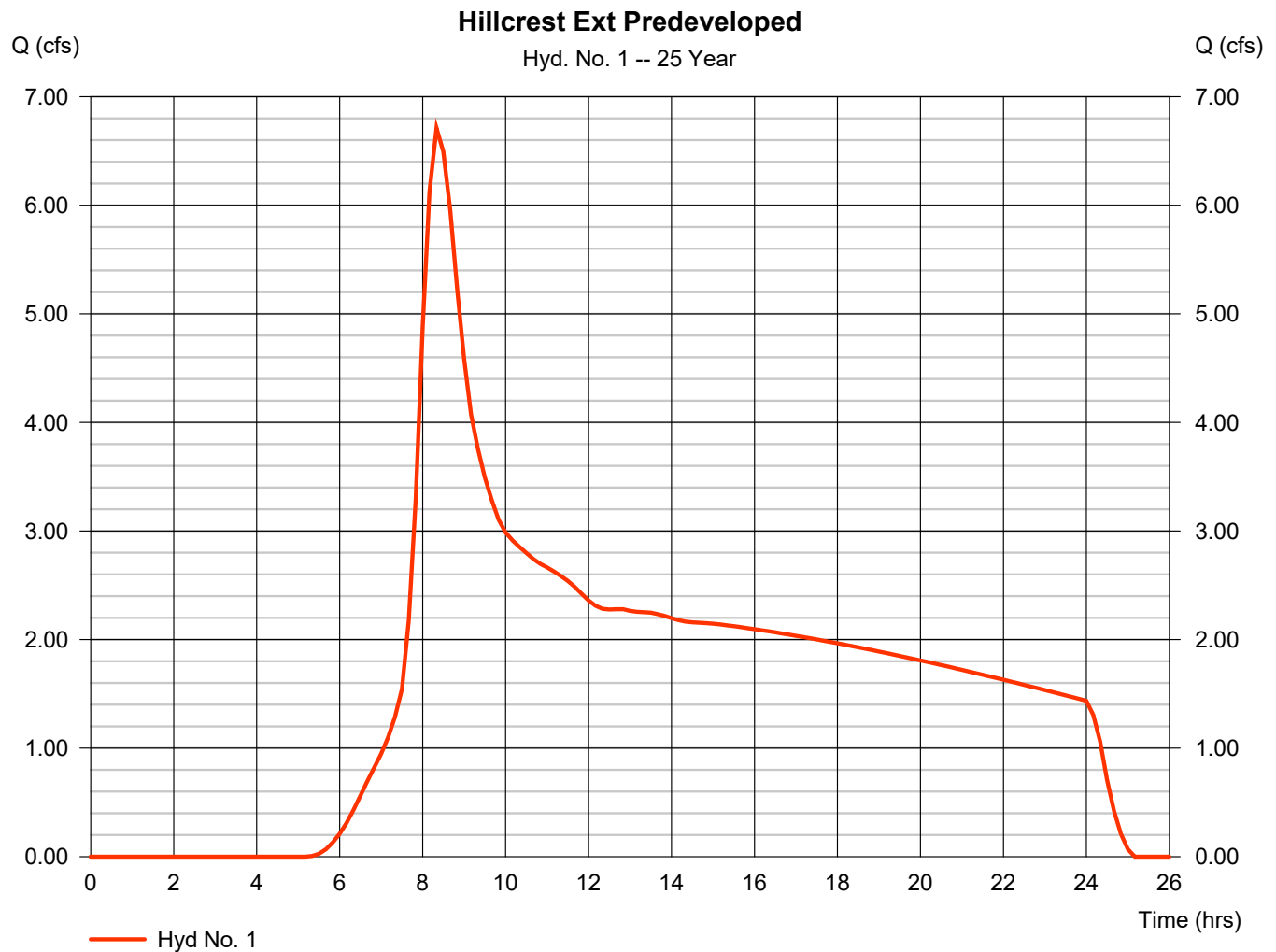
Saturday, 03 / 21 / 2020

Hyd. No. 1

Hillcrest Ext Predeveloped Drainage Basin A

Hydrograph type	= SCS Runoff	Peak discharge	= 6.711 cfs
Storm frequency	= 25 yrs	Time to peak	= 8.33 hrs
Time interval	= 10 min	Hyd. volume	= 148,969 cuft
Drainage area	= 19.920 ac	Curve number	= 72*
Basin Slope	= 0.0 %	Hydraulic length	= 0 ft
Tc method	= User	Time of conc. (Tc)	= 41.60 min
Total precip.	= 4.82 in	Distribution	= Type IA
Storm duration	= 24 hrs	Shape factor	= 484

* Composite (Area/CN) = $[(0.540 \times 98) + (0.320 \times 98) + (0.250 \times 89) + (0.330 \times 74) + (18.480 \times 70)] / 19.920$



Hydrograph Report

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2020

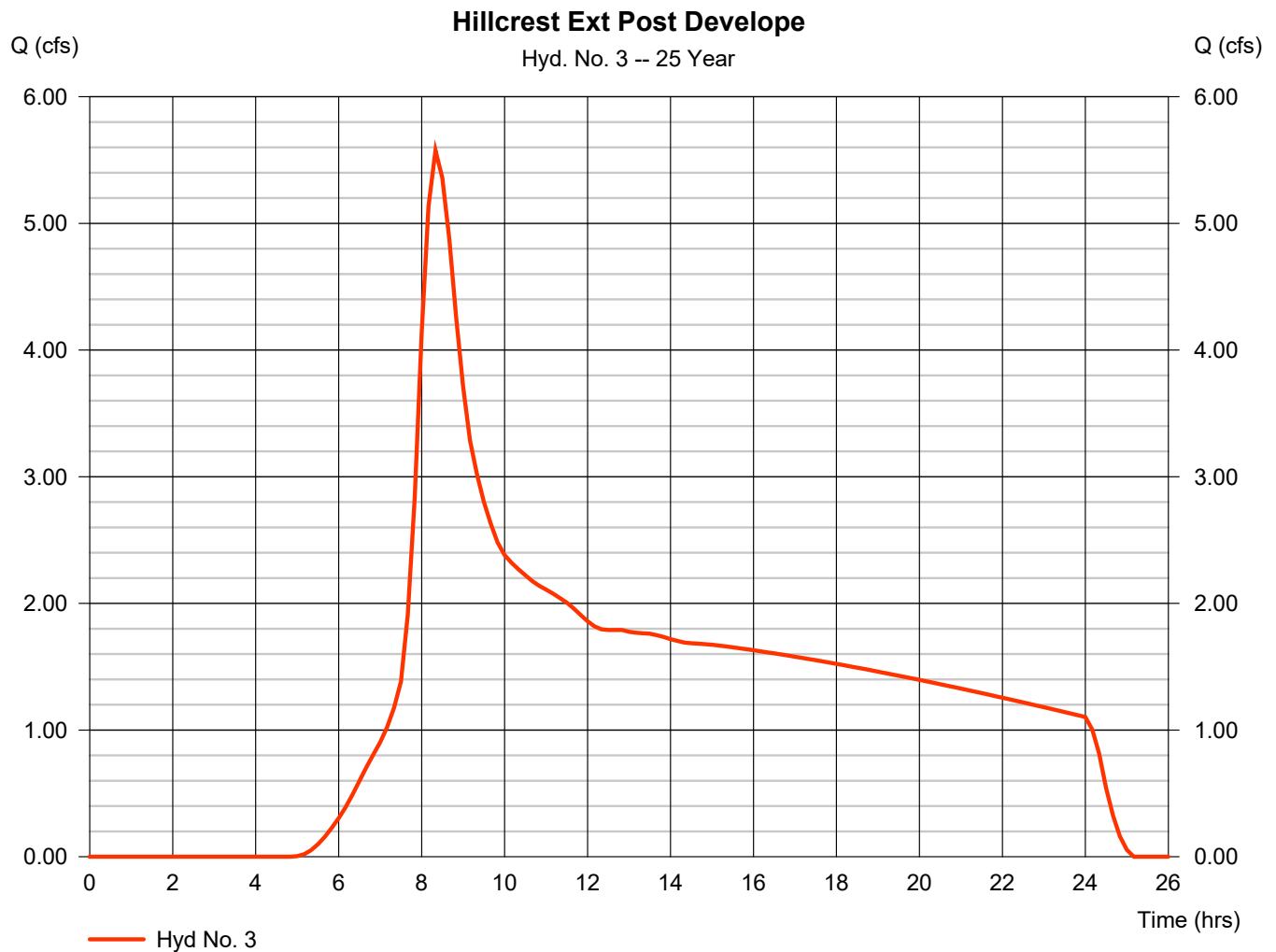
Saturday, 03 / 21 / 2020

Hyd. No. 3

Hillcrest Ext Post Develop Drainage Basin C

Hydrograph type	= SCS Runoff	Peak discharge	= 5.576 cfs
Storm frequency	= 25 yrs	Time to peak	= 8.33 hrs
Time interval	= 10 min	Hyd. volume	= 118,944 cuft
Drainage area	= 14.750 ac	Curve number	= 74*
Basin Slope	= 0.0 %	Hydraulic length	= 0 ft
Tc method	= User	Time of conc. (Tc)	= 40.60 min
Total precip.	= 4.82 in	Distribution	= Type IA
Storm duration	= 24 hrs	Shape factor	= 484

* Composite (Area/CN) = $[(0.835 \times 98) + (0.731 \times 98) + (0.615 \times 89) + (0.965 \times 74) + (11.607 \times 70)] / 14.750$



Appendix G

Existing Capacity

Proposed 18" CPP Discharge Capacity		
Project:	Hillcrest Ext. Subdivision Drainage Analysis, PAC2018 0054	
Owner:	Michael and William Heumann	
Date:	3/23/2020	
Prepared By:	L. Chambers	
Checked By:	G. Gladsjo	



The following equations were used to calculate the proposed 18" CPP culvert P-7 acts as the driveway culvert to Lot 14 and is the first pipe in the proposed storm drain system and were obtained from "Urban Drainage Design Manual: Hydraulic Engineering Circular No. 22, Third Edition".

$$Q = (K/n) \times A \times R^{0.67} \times S^{0.5}$$

Q = discharge rate in ft^3/sec

K = coefficient for English units (1.486)

n = Manning's coefficient of roughness, obtained from Table 5-3, Page 5-5, of the CBJ Stormwater Manual

A = cross sectional area in ft^2

R = hydraulic radius

S = slope

Existing 18" Ditch Culvert; Inlet Invert =30.0', Outlet Invert =29.0', Length =40', $n = 0.014$. The Manning's n value of 0.014 was determined by the pipe type (CPP-smooth interior) Table 5-3.

	K	n	A	R	S		
Q (cfs)	1.486	0.014	1.77	0.375	0.0052	=	7.022094

Existing Driveway Ditch Discharge Capacity		
Project:	Hillcrest Ext. Subdivision Drainage Analysis, PAC2018 0054	
Owner:	Michael and William Heumann	
Date:	3/23/2020	
Prepared By:	L. Chambers	
Checked By:	G. Gladsjo	



The following equations were used to calculate the capacity of the driveway ditch leading into the 18" CPP at the bottom of the ditch run and were obtained from "Urban Drainage Design Manual: Hydraulic Engineering Circular No. 22, Third Edition".

$$Q = (K/n) \times A \times R^{0.67} \times S^{0.5}$$

Q = discharge rate in ft^3/sec

K = coefficient for English units (1.486)

n = Manning's coefficient of roughness, obtained from Table D-10, Page D-19, of the CBJ Stormwater Manual

A = cross sectional area in ft^2 , from survey basemap

R = hydraulic radius, from survey basemap

S = slope, from survey basemap

Existing driveway ditch; Top Elev. = 37.0', Bottom Elev. = 30.0', Length = 80', $n = 0.03$. The Manning's n value of 0.03 comes from Table D-10 (grass, some weeds), elevation and length data are from survey basemap.

	K	n	A	R	S		
Q (cfs)	1.486	0.03	1.55	0.319588	0.0875	=	10.57569



Transportation Engineering NorthWest

MEMORANDUM

DATE: February 28, 2020

TO: William Heumann, Owner

FROM: Michael Read, PE, Principal, TENW

SUBJECT: Richland Manor- Traffic Impact Analysis
TENW Project No. 3709

This memorandum summarizes a traffic impact analysis of *Richland Manor*, a proposed residential development in the vicinity of Hooter Lane and Craig Street north of Glacier Highway in Juneau, Alaska. This memo includes a summary of the project, a description of existing transportation conditions within the immediate site vicinity, methodology used to derive the trip generation estimate, traffic operational traffic impact analysis at key study intersections, review of site access, and identification of any transportation mitigation measures.

Project Description

The proposed *Richland Manor* residential development would consist of up to 47 single family homes (detached) and approximately 356 multifamily homes in the vicinity of Hooter Lane and Craig Street north of Glacier Highway in Juneau, Alaska. A site vicinity map is provided in **Figure 1**. The proposed development would be constructed in phases, beginning in 2020, with full build-out and occupancy anticipated by 2029.

Primary vehicular access would be provided via construction of a public roadway within the undeveloped right-of-way of Hooter Lane, with secondary vehicular access via Hillcrest Drive and Abey Way via Craig Street. Additional gated access would be provided onto Robbie Road for emergency vehicles only. A conceptual site plan has been developed for the project and is shown in **Figure 2**.

Existing Transportation Conditions

This section includes an inventory of existing roadway conditions, traffic volumes, levels of service and planned roadway improvements.

Roadway Conditions

The following paragraphs describe existing arterial roadways that would be used for site access. Roadway characteristics are described in terms of number of lanes, speed limits, shoulder types and widths.

Glacier Highway is a three-lane roadway with a center southbound left-turn lane north of Glacier Highway. East of Vanderbilt Road and Glacier Highway, the roadway consists of two lanes with curbs and gutters on both sides of the street, and a sidewalk on the north side of street. Bicycle lanes are provided on both sides of the street. The posted speed limit is 40 mph.

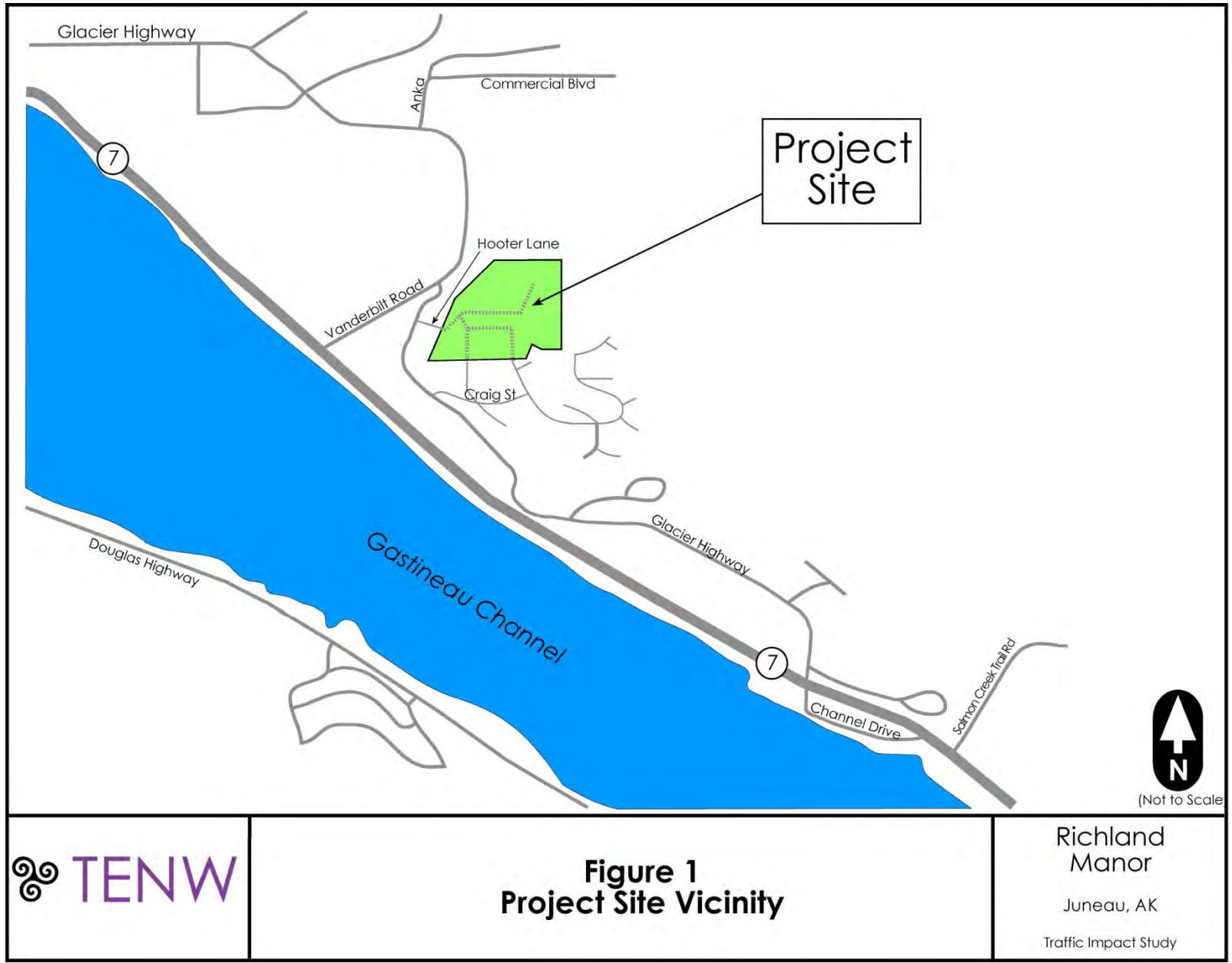
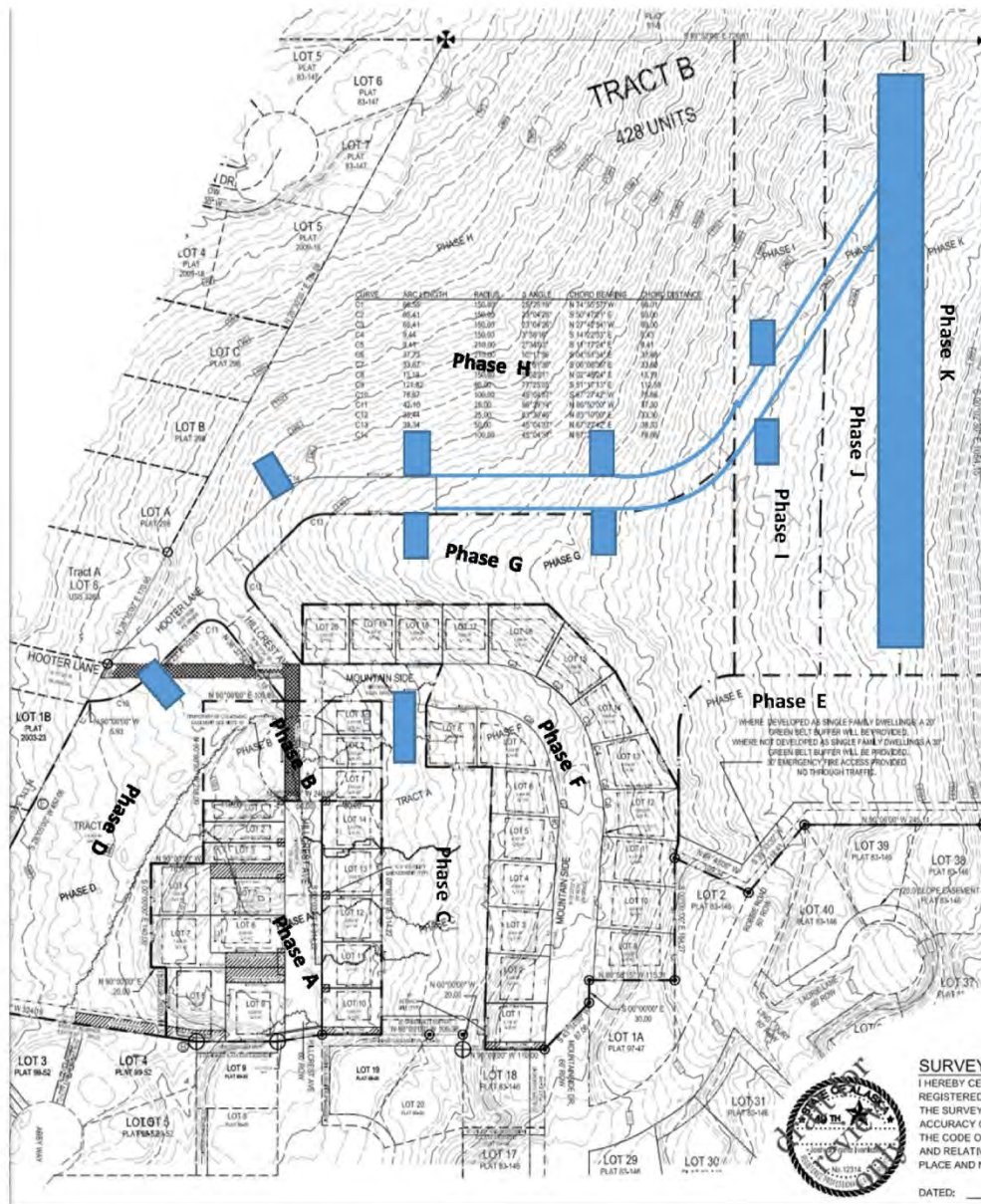


Figure 2
Conceptual Site Plan



Units/Phase

- A 14 SF
- B 6 SF
- C 16 MF
- D 52 MF
- E 7 SF
- F 20 SF
- G 60 MF
- H 60 MF
- I 48 MF
- J 48 MF
- K 72 MF

Total: 403

MF Driveway Access: [Blue Box]



(Not to Scale)

Richland
Manor
Juneau, AK
Traffic Impact Study

Vanderbilt Road is a three-lane roadway with a center refuge lane, which transitions into a left turn lane at Egan Drive. Bicycle lanes are provided on both sides of the street. The posted speed limit is 45 mph south of Glacier Highway.

Hillcrest Drive is a local street approximately 26 feet in width. The roadway is unchannelized with two travel lanes, curbs, and gutters, but no sidewalks. There is no posted speed.

Traffic Counts

Peak hour traffic volumes represent the highest hourly volume of vehicles passing through an intersection during a typical 7-9 a.m. and 4-6 p.m. weekday peak period. Peak period turning movement counts at several study intersections during the afternoon p.m. peak period were conducted by PDC Engineers early December 2019 (**Attachment 1**). **Figure 3** overviews channelization/traffic control at study intersections. **Figure 4** summarizes the existing p.m. peak period turning movements at study intersections determined in scoping discussions with the Alaska Department of Transportation and Public Facilities (DOT&PF).

Intersection Levels of Service

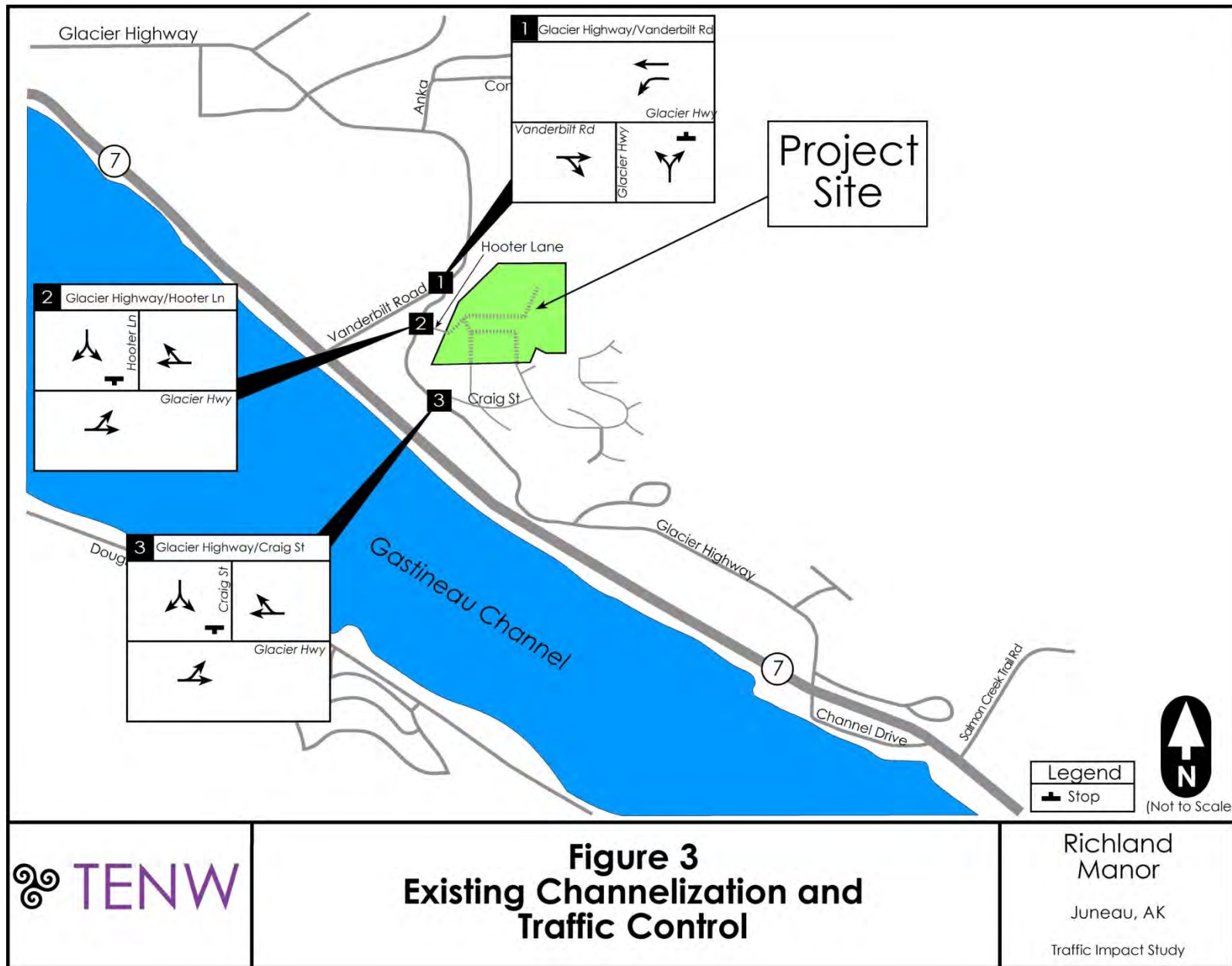
Intersection level of service (LOS) analyses were conducted at the study intersections during the weekday p.m. peak hour of existing conditions and with and without project traffic generated by the proposed development. LOS refers to the degree of congestion on a roadway or intersection. It is a measure of vehicle operating speed, travel time, travel delays, and driving comfort. A letter scale from A to F generally describes LOS. At signalized intersections, LOS A represents free-flow conditions-motorists experience little or no delays, and LOS F represents forced-flow conditions-motorists experience an average delay in excess of 80 seconds per vehicle. The LOS reported for signalized intersections represents the average control delay per vehicle entering the intersection. The LOS reported at stop-controlled intersections is also based on the average control delay (sec/veh) and is reported for each movement. Therefore, the reported LOS at unsignalized intersections does not represent a measure of the overall operations of the intersection.

LOS calculations for both signalized and stop-controlled intersections were calculated using the methodologies and procedures outlined in the 2000 and 2010 *Highway Capacity Manual (HCM)*, Special Report 209, Transportation Research Board (TRB), using the *Synchro 10* software program. **Table 1** outlines the LOS criteria for signalized and unsignalized intersections based on these methodologies. ADOT&PF maintains a level of service standard of LOS D for development review. Existing p.m. peak hour LOS analyses are summarized in **Table 2**. As shown, all intersections or critical movements operate at LOS B or better under existing conditions. Detailed LOS summary worksheets are included in **Attachment 2**.

Table 1: Level of Service Criteria for Signalized and Unsignalized Intersections

Level of Service	Signalized Intersection Average Delay Range (sec)	Unsignalized Intersection Delay Range (sec)
A	≤ 10	≤ 10
B	> 10 to ≤ 20	> 10 to ≤ 15
C	> 20 to ≤ 35	> 15 to ≤ 25
D	> 35 to ≤ 55	> 25 to ≤ 35
E	> 55 to ≤ 80	> 35 to ≤ 50
F	> 80	> 50

Source: "Highway Capacity Manual", Special Report 209, Transportation Research Board, 2000.



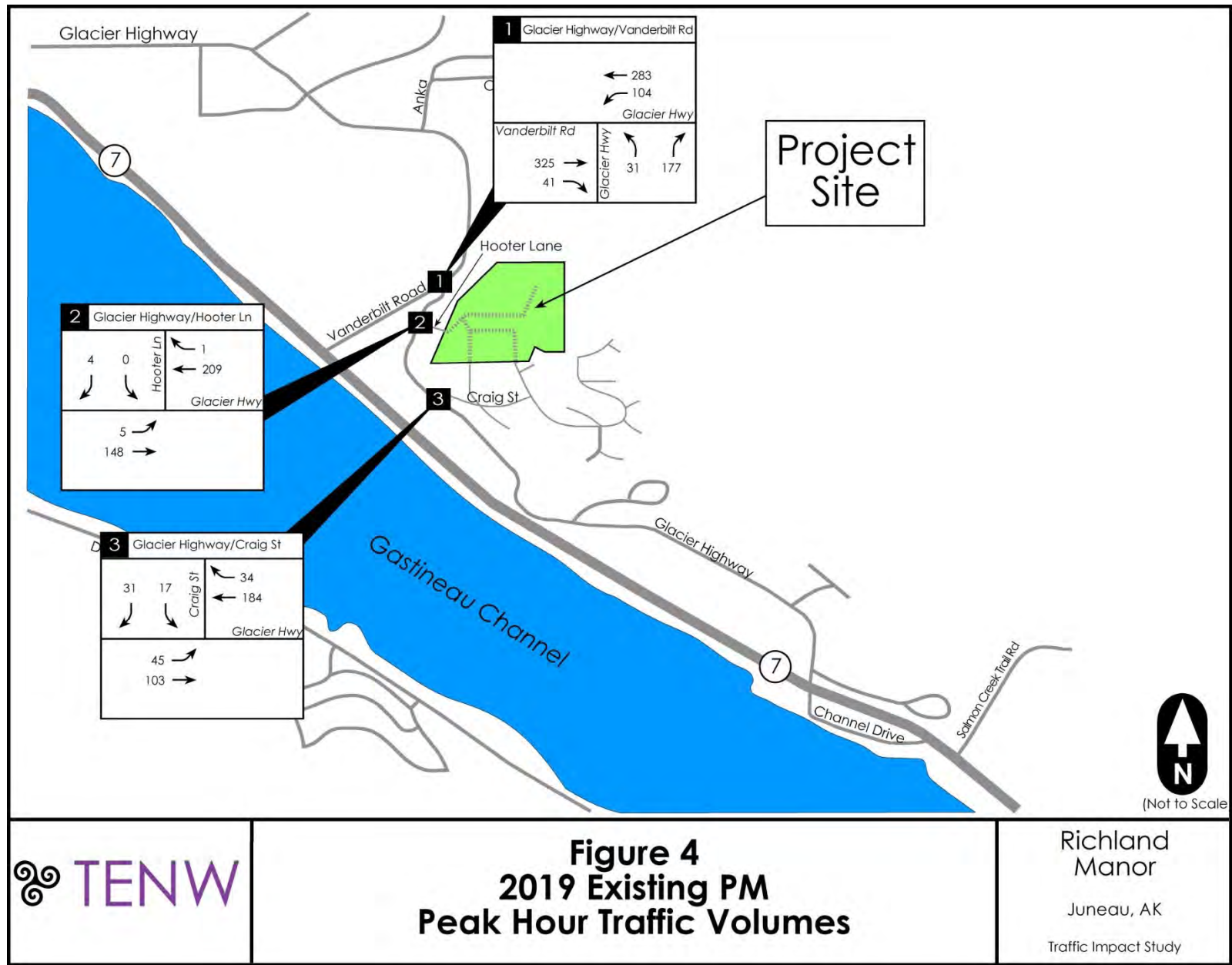


Table 2: Existing PM Peak Hour Intersection Levels of Service

Study Intersection		PM Peak Hour		V/C Ratio
		LOS	Delay (sec)	
<u>Stop Controlled Intersections</u>				
#1 – Glacier Highway at Vanderbilt Road	(NB – Stop)	B	14.2	0.37
	(WB – Left)	A	8.4	0.10
#2 – Glacier Highway at Hooter Lane	(SB – Stop)	A	9.6	0.01
#3 – Glacier Highway at Craig Street	(SB – Stop)	B	10.4	0.07

Source: TENW.

Planned Transportation Improvements

ADOT&PF has a programmed improvement at the intersection of Glacier Highway and Vanderbilt Road intersection. The improvement is part of a larger regional trail/bicycle plan and would involve installation of a pedestrian/bicycle crossing treatment west side of the intersection to include a median refuge island and pedestrian-activated rectangular rapid flashing beacon (RRFB) system. The currently planned improvement would eliminate the existing median refuge lane for northbound left turning movements from Glacier Highway onto Vanderbilt Road.

Traffic Impact Analysis

The following section describes projected future baseline traffic growth, new trips generated by the proposed development, distribution and assignment of new project trips, intersection level of service impacts, site access, safety and circulation issues, and identification of transportation mitigation to offset impacts.

2029 Baseline Traffic Volumes

To evaluate project traffic impacts at full buildout, traffic counts obtained in 2019 were factored by a 1 percent annual background growth rate to forecast 2029 future baseline traffic volumes.

Project Trip Generation

Documented trip rate equations compiled by the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 10th Edition, 2017*, were used to estimate daily, a.m. peak hour and p.m. peak hour traffic that would be generated by the proposed residential uses within *Richland Manor*, assuming new detached single-family homes (ITE Land Use Code 210) and Low-Rise Multifamily uses (LUC 220).

As shown in **Table 3**, total site trip generation of the project is estimated to generate a approximately 3,050 new weekday daily trips, 199 new a.m. peak hour trips (46 entering and 153 exiting), and 246 new p.m. peak hour trips (155 entering and 91 new exiting).

Table 3: Richland Manor - Trip Generation

Time Period	In	Out	Total
Weekday Daily	1,525	1,525	3,050
Weekday AM Peak Hour	46	153	199
Weekday PM Peak Hour	155	91	246

Source: TENW. See also **Attachment 3**.

Trip Distribution and Assignment

To distribute trips onto the vicinity-street and arterial network, trip distribution patterns were determined based on review of existing travel patterns, and the relative distribution of employment and residential density in the vicinity (see also **Attachment 4**). Generally, average distribution and assignment of project trips were assumed as:

- 45 percent easterly via Glacier Highway; and
- 55 percent westerly and northwesterly via Glacier Highway and Vanderbilt Road.

Figure 5 shows p.m. peak hour trip distribution, while **Figure 6** summarizes p.m. peak hour trip assignment. **Figure 7** summarizes p.m. peak hour traffic volume forecasts without and with the proposed *Richland Manor* project for the 2029 horizon year.

Intersection Level of Service Impacts

Table 4 summarizes level of service impacts in 2029 with and without completion of the proposed project. All study intersections and site access driveways would operate at LOS D or better with and without the project in the 2029 horizon year. Per the footnote in Table 4, the Alaska DOT&PF’s proposal to remove the median refuge lane for vehicular capacity would drop the future level of service with buildout of *Richland Manor* to LOS D by 2029. If the existing intersection capacity is maintained, buildout of *Richland Manor* would operate at LOS C and not require any mitigation. Detailed LOS summary worksheets are included in **Attachment 1**.

Table 4: 2029 PM Intersection Level of Service Impacts

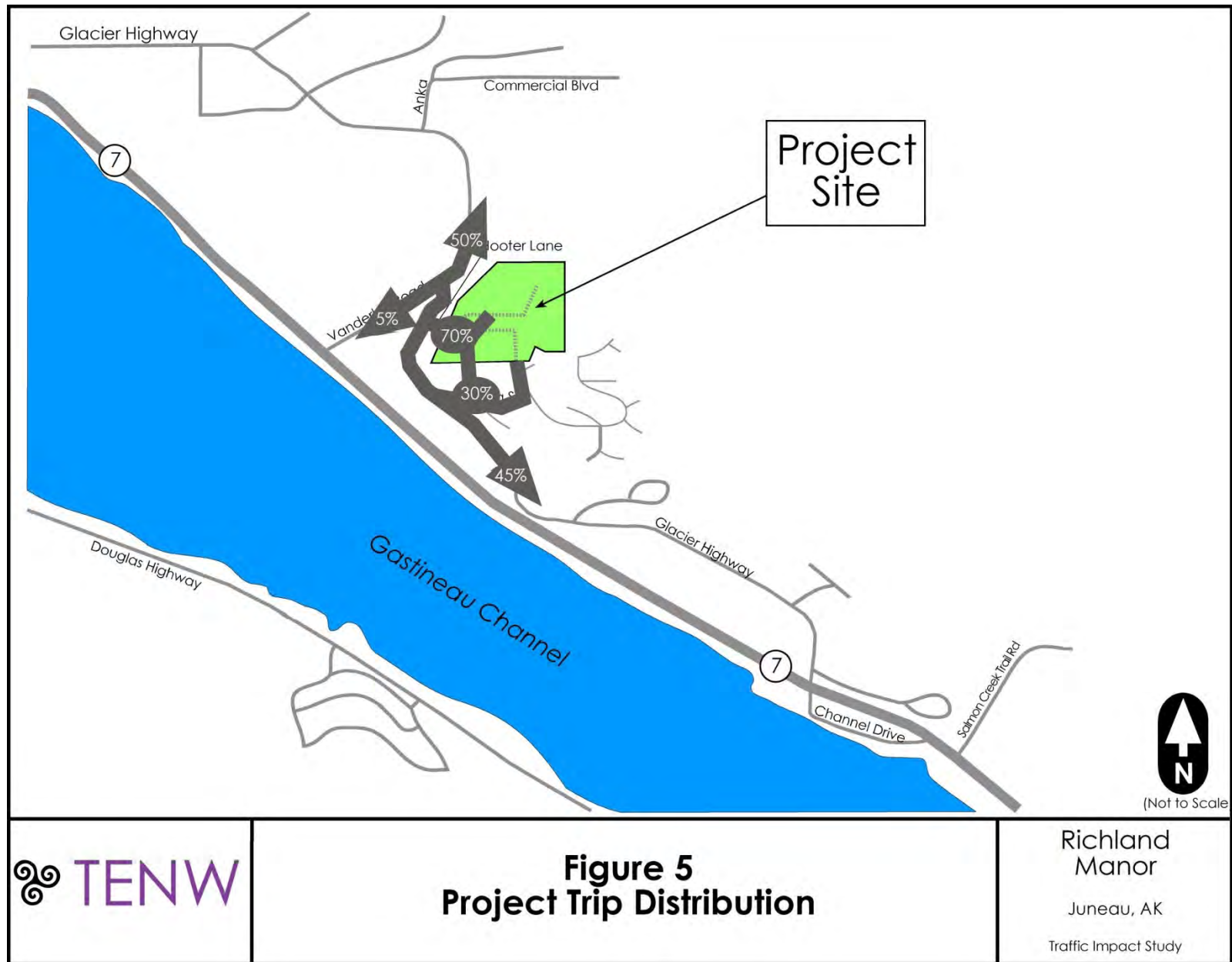
			PM Without Project			PM With Project		
			LOS	Delay (sec)	V/C Ratio	LOS	Delay (sec)	V/C Ratio
Study Intersection								
<u>Stop Controlled Intersections</u>								
#1 – Glacier Highway at Vanderbilt Road	(NB – Stop)	C	18.3	0.48	D*	25.8	0.65	
	(WB – Left)	A	8.6	0.11	A	9.0	0.19	
#2 – Glacier Highway at Hooter Lane	(SB – Stop)	A	9.8	0.01	B	11.9	0.14	
#3 – Glacier Highway at Craig Street	(SB – Stop)	B	10.7	0.09	B	19.3	0.55	

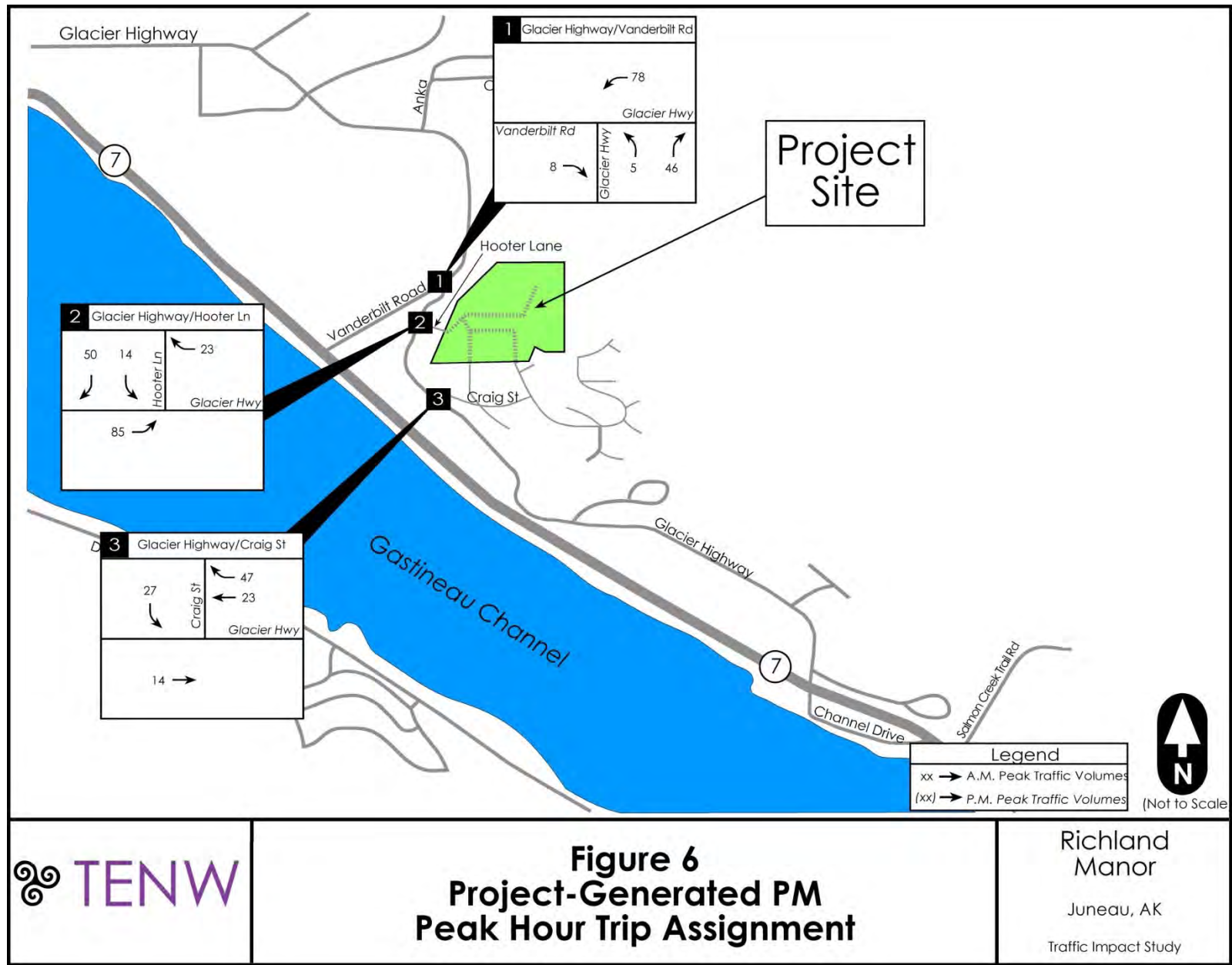
Source: TENW. * - At the intersection of Glacier Highway and Vanderbilt Road, the DOT&PF project to remove intersection capacity to install the RRFB results in a LOS D condition in at buildout of *Richland Manor* by 2029. If the median refuge lane remains available for left turns, with buildout of the project in 2029 this approach would operate at LOC C with an average delay of 19.3 Seconds per vehicle.

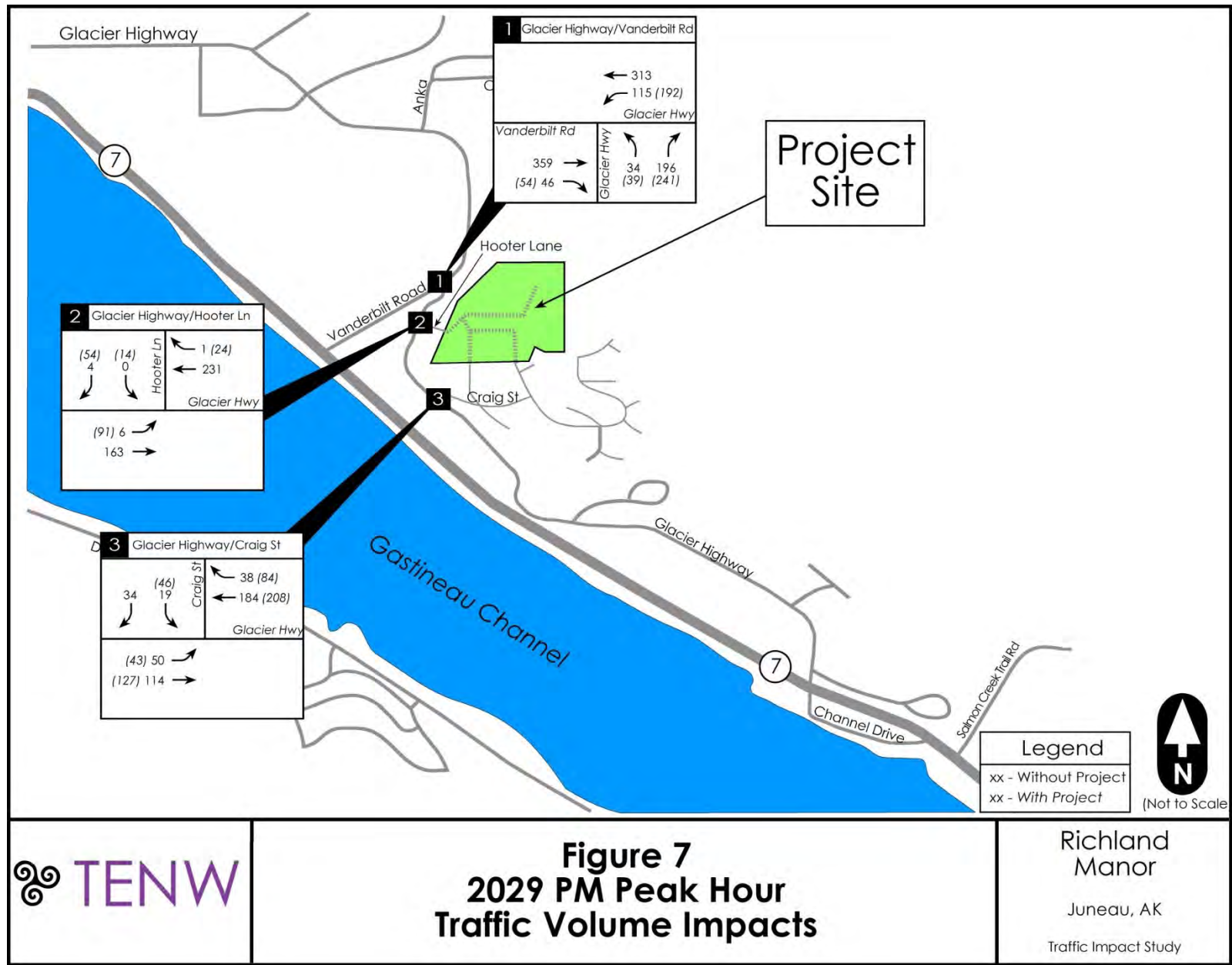
Site Access and Circulation

Primary vehicular access would be provided via construction of a public roadway within the undeveloped right-of-way of Hooter Lane, with secondary vehicular access via Hillcrest Drive and Abey Way via Craig Street. Additional gated access would be provided onto Robbie Road for emergency vehicles only to meet the minimum fire accessibility codes (above 200 multifamily housing units) per the International Fire Code to provide for secondary access beyond the Hooter Lane and Abey Way intersection.

The main access points to the site would be located on Glacier Highway at Hooter Lane and Craig Street. As identified previously, all critical stop-controlled movements at these two intersections are anticipated to operate at LOS B or better with the proposed development in 2029, with little or no vehicular queuing.







Sight Distance

The American Association of State and Highway Transportation Officials (AASHTO) was used to determine entering and stopping sight distance requirements. AASHTO requires 555 feet of entering sight distance and 425 feet of stopping sight distance for a 50 mph design speed (10 mph over posted speed limit of 40 mph) on Glacier Highway. Field-measured sight distances by TENW in 2006 on Glacier Highway east and west of Hooter Lane are estimated to be greater than 700 feet, and are estimated to be greater than 1,000 feet east of and more than 700 feet west of Craig Street. Therefore, entering sight distance at the main site access points onto Glacier Highway at Hooter Lane and Craig Street would exceed AASHTO requirements.

Left-Turn Lane Warrants

Left-turn movements represent critical turning movements at unsignalized intersections, increasing the potential for intersection delay and safety issues. Therefore, the potential need for a left-turn lane onto Glacier Highway at Hooter Lane was analyzed considering typical evening commute periods.

Based upon procedures and guideline's found in Volume Warrants for Left-Turn Storage Lanes at Unsignalized Intersections (Highway Research Record 211), an eastbound left-turn lane is not warranted based upon approximately 35 percent of eastbound left-turns, a 40 mph posted speed limit, advancing volume of approximately 255 vehicles and an opposing volume of 255 vehicles (**Attachment 5**).

Project Mitigation

A traffic analysis and review was conducted of vehicular trip generation, intersection impacts, and site access, circulation, and safety issues for the proposed *Richland Manor* residential development in Juneau, AK. No direct mitigation measures were found to be necessary as a result of the proposed project. To meet level of service objectives of DOT&PF, the planned pedestrian/bicycle crossing treatment should be modified to preserve existing intersection capacity at its intersection with Vanderbilt Road or review of traffic operational impacts consider that level of service standards would not trigger any project mitigation if existing intersection capacity was maintained under existing conditions per 17 AAC 10.070.

As part of the development, the development would pay for the improvement and/or construction of all new site public access roadways and access connections including construction of Hooter Lane the extension of Abey Way and Hillcrest Drive, and Robbie Road (to serve as secondary fire/emergency vehicle access). A gated control for fire/emergency vehicles utilizing Opticom pre-emption is recommended for ease of fire/emergency vehicle access via Robbie Road.

If you have any questions regarding the information presented in this memo, please call me at (206) 361-7333 x 101 or mikeread@tenw.com.

- Attachments:
1. 2019 Traffic Counts
 2. Level of Service Summary Sheets
 3. Trip Generation Estimates
 4. Trip Distribution Observations
 5. Turn Lane Warrant per HRR 211

Attachment 1 2019 Traffic Counts

TABULAR SUMMARY OF TURNING MOVEMENT COUNTS

Name: <u>PDC</u>		Date: <u>9/25/2019</u>		City: <u>Juneau</u>	
Intersection of: <u>Craig Street</u>		Project: <u>Richland Manor and Glacier Highway</u>			

Street:	<u>Craig Street</u>			<u>Craig Street</u>			<u>Glacier Highway</u>			<u>Glacier Highway</u>			Total All	Hour Total
Time Begins	East Bound			West Bound			North Bound			South Bound				
	L	T	R	L	T	R	L	T	R	L	T	R		
3:00 PM													0	
3:15 PM													0	
3:30 PM													0	
3:45 PM													0	0
4:00 PM						12		39	12	14	17		97	97
4:15 PM						10		36	16	8	27		101	198
4:30 PM						8		45	10	9	33		108	306
4:45 PM						3		35	11	12	24		88	394
5:00 PM						13		50	8	12	21		112	409
5:15 PM						7		37	5	12	25		89	397
5:30 PM						5		24	11	12	19		72	361
5:45 PM						7		37	5	12	25		89	362
Peak Hour	0	0	0	18	0	34	0	166	45	41	105	0		1506

Peak Hour Factor

=

$$\frac{409}{4 \times 112}$$

0.913

Transportation Engineering Northwest
MJR

TABULAR SUMMARY OF TURNING MOVEMENT COUNTS

Name: <u>PDC</u>		Date: <u>9/25/2019</u>		City: <u>Juneau</u>	
Intersection of: <u>Hooter Lane</u>		Project: <u>Richland Manor and Glacier Highway</u>			

Street:	<u>Hooter Lane</u>			<u>Hooter Lane</u>			<u>Glacier Highway</u>			<u>Glacier Highway</u>			Total All	Hour Total
Time Begins	East Bound			West Bound			North Bound			South Bound				
	L	T	R	L	T	R	L	T	R	L	T	R		
3:00 PM													0	
3:15 PM													0	
3:30 PM													0	
3:45 PM													0	0
4:00 PM				0		0		52	1	1	30		84	84
4:15 PM				0		1		42	1	0	37		81	165
4:30 PM				0		0		65	1	2	45		113	278
4:45 PM				0		0		34	0	1	30		65	343
5:00 PM				0		2		62	0	2	34		100	359
5:15 PM				0		2		48	0	0	39		89	367
5:30 PM				1		0		35	1	1	29		67	321
5:45 PM				0		1		33	0	0	27		61	317
Peak Hour	0	0	0	0	0	4	0	209	1	5	148	0		1347
Peak Hour Factor = $\frac{367}{4 \times 113} =$ 0.812														

Transportation Engineering Northwest MJR

TABULAR SUMMARY OF TURNING MOVEMENT COUNTS

Name: <u>PDC</u>		Date: <u>9/26/2019</u>		City: <u>Juneau</u>	
Intersection of: <u>Glacier Highway</u>		Project: <u>Richland Manor and Vanderbilt Road</u>			

Street:	<u>Glacier Highway</u>			<u>Glacier Highway</u>			<u>Vanderbilt Road</u>			<u>Vanderbilt Road</u>			Total All	Hour Total
Time Begins	East Bound			West Bound			North Bound			South Bound				
	L	T	R	L	T	R	L	T	R	L	T	R		
3:00 PM													0	
3:15 PM													0	
3:30 PM													0	
3:45 PM													0	0
4:00 PM				15		47		97	5	25	56		245	245
4:15 PM				11		46		85	10	26	61		239	484
4:30 PM				8		53		80	8	27	61		237	721
4:45 PM				7		36		84	8	20	65		220	941
5:00 PM				12		40		74	15	28	89		258	954
5:15 PM				4		48		87	11	29	68		247	962
5:30 PM				10		32		45	9	18	55		169	894
5:45 PM				12		16		45	10	18	38		139	813
Peak Hour	0	0	0	31	0	177	0	325	42	104	283	0		3578
Peak Hour Factor = $\frac{962}{4 \times 258}$ = 0.932														

Transportation Engineering Northwest MJR

Attachment 2

Intersection LOS Summary Sheets

HCM 2010 TWSC

1: Vanderbilt Rd & Glacier Highway

11/14/2019

Intersection

Int Delay, s/veh 4

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Vol, veh/h	31	177	325	42	104	283
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	0	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	93	93	93	93	93	93
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	33	190	349	45	112	304

Major/Minor	Minor1	Major1	Major2
Conflicting Flow All	900	372	0
Stage 1	372	-	-
Stage 2	528	-	-
Critical Hdwy	6.42	6.22	4.12
Critical Hdwy Stg 1	5.42	-	-
Critical Hdwy Stg 2	5.42	-	-
Follow-up Hdwy	3.518	3.318	2.218
Pot Cap-1 Maneuver	309	674	1164
Stage 1	697	-	-
Stage 2	592	-	-
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	279	674	1164
Mov Cap-2 Maneuver	400	-	-
Stage 1	697	-	-
Stage 2	535	-	-

Approach	WB	NB	SB
HCM Control Delay, s	14.2	0	2.3
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT
Capacity (veh/h)	-	-	612	1164
HCM Lane V/C Ratio	-	-	0.365	0.096
HCM Control Delay (s)	-	-	14.2	8.4
HCM Lane LOS	-	-	B	A
HCM 95th %tile Q(veh)	-	-	1.7	0.3

HCM 2010 TWSC

6: Glacier Highway & Hooter Wy

11/14/2019

Intersection

Int Delay, s/veh 0.2

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Vol, veh/h	5	148	209	1	0	4
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	81	81	81	81	81	81
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	6	183	258	1	0	5

Major/Minor	Major1	Major2	Minor2
Conflicting Flow All	259	0	454
Stage 1	-	-	259
Stage 2	-	-	195
Critical Hdwy	4.12	-	6.42
Critical Hdwy Stg 1	-	-	5.42
Critical Hdwy Stg 2	-	-	5.42
Follow-up Hdwy	2.218	-	3.518
Pot Cap-1 Maneuver	1306	-	564
Stage 1	-	-	784
Stage 2	-	-	838
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	1306	-	561
Mov Cap-2 Maneuver	-	-	561
Stage 1	-	-	784
Stage 2	-	-	834

Approach	EB	WB	SB
HCM Control Delay, s	0.3	0	9.6
HCM LOS			A

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1306	-	-	-	780
HCM Lane V/C Ratio	0.005	-	-	-	0.006
HCM Control Delay (s)	7.8	0	-	-	9.6
HCM Lane LOS	A	A	-	-	A
HCM 95th %tile Q(veh)	0	-	-	-	0

HCM 2010 TWSC

8: Glacier Highway & Craig St

11/14/2019

Intersection

Int Delay, s/veh 2.2

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Vol, veh/h	45	103	167	34	17	31
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	91	91	91	91	91	91
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	49	113	184	37	19	34

Major/Minor	Major1	Major2	Minor2
Conflicting Flow All	221	0	414
Stage 1	-	-	202
Stage 2	-	-	212
Critical Hdwy	4.12	-	6.42
Critical Hdwy Stg 1	-	-	5.42
Critical Hdwy Stg 2	-	-	5.42
Follow-up Hdwy	2.218	-	3.518
Pot Cap-1 Maneuver	1348	-	595
Stage 1	-	-	832
Stage 2	-	-	823
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	1348	-	572
Mov Cap-2 Maneuver	-	-	572
Stage 1	-	-	832
Stage 2	-	-	791

Approach	EB	WB	SB
HCM Control Delay, s	2.4	0	10.4
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1348	-	-	-	720
HCM Lane V/C Ratio	0.037	-	-	-	0.073
HCM Control Delay (s)	7.8	0	-	-	10.4
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0.1	-	-	-	0.2

HCM 2010 TWSC

1: Vanderbilt Rd & Glacier Highway

1/29/2020

Intersection

Int Delay, s/veh 4.9

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Vol, veh/h	34	196	359	46	115	313
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	0	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	93	93	93	93	93	93
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	37	211	386	49	124	337

Major/Minor	Minor1	Major1	Major2
Conflicting Flow All	995	411	0
Stage 1	411	-	-
Stage 2	584	-	-
Critical Hdwy	6.42	6.22	4.12
Critical Hdwy Stg 1	5.42	-	-
Critical Hdwy Stg 2	5.42	-	-
Follow-up Hdwy	3.518	3.318	2.218
Pot Cap-1 Maneuver	271	641	1125
Stage 1	669	-	-
Stage 2	557	-	-
Platoon blocked, %		-	-
Mov Cap-1 Maneuver	241	641	1125
Mov Cap-2 Maneuver	241	-	-
Stage 1	669	-	-
Stage 2	496	-	-

Approach	WB	NB	SB
HCM Control Delay, s	18.3	0	2.3
HCM LOS	C		

Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT
Capacity (veh/h)	-	-	515	1125
HCM Lane V/C Ratio	-	-	0.48	0.11
HCM Control Delay (s)	-	-	18.3	8.6
HCM Lane LOS	-	-	C	A
HCM 95th %tile Q(veh)	-	-	2.6	0.4

HCM 2010 TWSC

6: Glacier Highway & Hooter Wy

1/29/2020

Intersection

Int Delay, s/veh 0.2

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Vol, veh/h	6	163	231	1	0	4
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	81	81	81	81	81	81
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	7	201	285	1	0	5

Major/Minor	Major1	Major2	Minor2
Conflicting Flow All	286	0	502
Stage 1	-	-	286
Stage 2	-	-	216
Critical Hdwy	4.12	-	6.42
Critical Hdwy Stg 1	-	-	5.42
Critical Hdwy Stg 2	-	-	5.42
Follow-up Hdwy	2.218	-	3.518
Pot Cap-1 Maneuver	1276	-	529
Stage 1	-	-	763
Stage 2	-	-	820
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	1276	-	526
Mov Cap-2 Maneuver	-	-	526
Stage 1	-	-	763
Stage 2	-	-	815

Approach	EB	WB	SB
HCM Control Delay, s	0.3	0	9.8
HCM LOS			A

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1276	-	-	-	753
HCM Lane V/C Ratio	0.006	-	-	-	0.007
HCM Control Delay (s)	7.8	0	-	-	9.8
HCM Lane LOS	A	A	-	-	A
HCM 95th %tile Q(veh)	0	-	-	-	0

HCM 2010 TWSC

8: Glacier Highway & Craig St

1/29/2020

Intersection

Int Delay, s/veh 2.2

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Vol, veh/h	50	114	185	38	19	34
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	91	91	91	91	91	91
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	55	125	203	42	21	37

Major/Minor	Major1	Major2	Minor2
Conflicting Flow All	245	0	459
Stage 1	-	-	224
Stage 2	-	-	235
Critical Hdwy	4.12	-	6.42
Critical Hdwy Stg 1	-	-	5.42
Critical Hdwy Stg 2	-	-	5.42
Follow-up Hdwy	2.218	-	3.518
Pot Cap-1 Maneuver	1321	-	560
Stage 1	-	-	813
Stage 2	-	-	804
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	1321	-	535
Mov Cap-2 Maneuver	-	-	535
Stage 1	-	-	813
Stage 2	-	-	768

Approach	EB	WB	SB
HCM Control Delay, s	2.4	0	10.7
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1321	-	-	-	686
HCM Lane V/C Ratio	0.042	-	-	-	0.085
HCM Control Delay (s)	7.8	0	-	-	10.7
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0.1	-	-	-	0.3

HCM 2010 TWSC

1: Vanderbilt Rd & Glacier Highway

1/29/2020

Intersection

Int Delay, s/veh 7.5

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Vol, veh/h	39	241	359	54	192	313
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	0	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	93	93	93	93	93	93
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	42	259	386	58	206	337

Major/Minor	Minor1	Major1	Major2
Conflicting Flow All	1164	415	0
Stage 1	415	-	-
Stage 2	749	-	-
Critical Hdwy	6.42	6.22	-
Critical Hdwy Stg 1	5.42	-	-
Critical Hdwy Stg 2	5.42	-	-
Follow-up Hdwy	3.518	3.318	-
Pot Cap-1 Maneuver	215	637	-
Stage 1	666	-	-
Stage 2	467	-	-
Platoon blocked, %		-	-
Mov Cap-1 Maneuver	175	637	-
Mov Cap-2 Maneuver	175	-	-
Stage 1	666	-	-
Stage 2	381	-	-

Approach	WB	NB	SB
HCM Control Delay, s	25.8	0	3.4
HCM LOS	D		

Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT
Capacity (veh/h)	-	-	466	1116
HCM Lane V/C Ratio	-	-	0.646	0.185
HCM Control Delay (s)	-	-	25.8	9
HCM Lane LOS	-	-	D	A
HCM 95th %tile Q(veh)	-	-	4.5	0.7

HCM 2010 TWSC

6: Glacier Highway & Hooter Wy

1/29/2020

Intersection

Int Delay, s/veh 2.7

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Vol, veh/h	91	163	231	24	14	54
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	81	81	81	81	81	81
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	112	201	285	30	17	67

Major/Minor	Major1	Major2	Minor2
Conflicting Flow All	315	0	726
Stage 1	-	-	300
Stage 2	-	-	426
Critical Hdwy	4.12	-	6.42
Critical Hdwy Stg 1	-	-	5.42
Critical Hdwy Stg 2	-	-	5.42
Follow-up Hdwy	2.218	-	3.518
Pot Cap-1 Maneuver	1245	-	391
Stage 1	-	-	752
Stage 2	-	-	659
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	1245	-	352
Mov Cap-2 Maneuver	-	-	352
Stage 1	-	-	752
Stage 2	-	-	592

Approach	EB	WB	SB
HCM Control Delay, s	2.9	0	11.9
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1245	-	-	-	603
HCM Lane V/C Ratio	0.09	-	-	-	0.139
HCM Control Delay (s)	8.2	0	-	-	11.9
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0.3	-	-	-	0.5

HCM 2010 TWSC

8: Glacier Highway & Craig St

1/29/2020

Intersection

Int Delay, s/veh 2.5

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Vol, veh/h	50	127	208	84	46	34
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	91	91	91	91	91	91
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	55	140	229	92	51	37

Major/Minor	Major1	Major2	Minor2
Conflicting Flow All	321	0	524
Stage 1	-	-	275
Stage 2	-	-	249
Critical Hdwy	4.12	-	6.42
Critical Hdwy Stg 1	-	-	5.42
Critical Hdwy Stg 2	-	-	5.42
Follow-up Hdwy	2.218	-	3.518
Pot Cap-1 Maneuver	1239	-	514
Stage 1	-	-	771
Stage 2	-	-	792
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	1239	-	489
Mov Cap-2 Maneuver	-	-	489
Stage 1	-	-	771
Stage 2	-	-	754

Approach	EB	WB	SB
HCM Control Delay, s	2.3	0	12.4
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1239	-	-	-	577
HCM Lane V/C Ratio	0.044	-	-	-	0.152
HCM Control Delay (s)	8	0	-	-	12.4
HCM Lane LOS	A	A	-	-	B
HCM 95th %tile Q(veh)	0.1	-	-	-	0.5

HCM 2010 TWSC

1: Vanderbilt Rd & Glacier Highway/Existing Geometry in 2029

1/29/2020

Intersection

Int Delay, s/veh 5.9

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Vol, veh/h	39	241	359	54	192	313
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	0	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	93	93	93	93	93	93
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	42	259	386	58	206	337

Major/Minor	Minor1	Major1	Major2
Conflicting Flow All	1164	415	0
Stage 1	415	-	-
Stage 2	749	-	-
Critical Hdwy	6.42	6.22	-
Critical Hdwy Stg 1	5.42	-	-
Critical Hdwy Stg 2	5.42	-	-
Follow-up Hdwy	3.518	3.318	-
Pot Cap-1 Maneuver	215	637	-
Stage 1	666	-	-
Stage 2	467	-	-
Platoon blocked, %		-	-
Mov Cap-1 Maneuver	175	637	-
Mov Cap-2 Maneuver	292	-	-
Stage 1	666	-	-
Stage 2	381	-	-

Approach	WB	NB	SB
HCM Control Delay, s	19.3	0	3.4
HCM LOS	C		

Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT
Capacity (veh/h)	-	-	547	1116
HCM Lane V/C Ratio	-	-	0.55	0.185
HCM Control Delay (s)	-	-	19.3	9
HCM Lane LOS	-	-	C	A
HCM 95th %tile Q(veh)	-	-	3.3	0.7

Attachment 3

Trip Generation Estimates

Richland Manor Site Plan (47 SF and 356 MF units) October 2019

	Land Use			AM Peak			PM Peak			Daily	
New	Code	Size	X	Enter	Exit	Trips	Enter	Exit	Trips	Trips	Method
Single Family Detached Housing	210	47	Units	9	26	35	30	17	47	444	average average
Residential Condominiums/Townhouses/Apartments	220	356	Units	38	126	164	125	74	199	2,606	
Total Trip Generation				46	153	199	155	91	246	3,050	

Attachment 4

Trip Distribution Observations

Neighborhood Traffic Distribution along Glacier Highway

<u>AM Peak 2006</u>		
To/From West	69	57%
To/From East	52	43%
	122	

<u>PM Peak 2006</u>		
To/From West	93	56%
To/From East	72	44%
	165	

<u>PM Peak 2019</u>		
To/From West	94	62%
To/From East	57	38%
	151	

Study Assumptions Were:		Average From Observations Above:
To/From West	55%	58%
To/From East	45%	42%

Attachment 5

Turn Lane Warrants per HRR 211

Contents

VOLUME WARRANTS FOR LEFT-TURN STORAGE LANES AT UNSIGNALIZED GRADE INTERSECTIONS M. D. Harmelink	1
A PRACTICAL COMPUTER PROGRAM FOR DESIGNING TRAFFIC-SIGNAL-SYSTEM TIMING PLANS Robert L. Bleyl	19
USE OF A COMPUTER AND VEHICLE LOOP DETECTORS TO MEASURE QUEUES AND DELAYS AT SIGNALIZED INTERSECTIONS A. Christensen	34
THE EFFECTS OF STREET GEOMETRICS AND SIGNALIZATION ON TRAVEL TIME AND THEIR RELATIONSHIPS TO TRAFFIC OPERATIONS EVALUATION J. F. Torres	54

Volume Warrants for Left-Turn Storage Lanes At Unsignalized Grade Intersections

M. D. HARMELINK, Project Research Engineer (Traffic), Department of Highways,
Ontario

This paper describes the derivation of volume warrants and design charts for left-turn storage lanes at unsignalized grade intersections on four-lane and two-lane highways. The design charts are based on a theoretical analysis and on a series of field studies of traffic behavior at intersections.

The analysis is based on a queuing model in which arrival and service times are assumed to follow a negative exponential distribution. The arrival rates are determined by the volumes of left-turning, through or "advancing," and opposing traffic, and by the time interval required by the left-turning vehicle to clear the advancing lane. The service rates are determined by the volume of opposing traffic, and by the time interval required to make a left-turn maneuver.

Field studies of traffic behavior conducted at seven unsignalized Ontario intersections provided average values of the time interval required by a left-turning vehicle to make a left turn and to clear the advancing lane, the delay experienced by a left-turning vehicle because of opposing traffic, gap acceptance and rejection behavior, and actual arrival rates and headway distributions at various volume levels.

*THIS study was undertaken because of the lack of consistent volume warrants for left-turn storage lanes at unsignalized intersections. The usual method of analyzing such intersections individually on the basis of past experience, accident records, complaints from the traveling public, and engineering judgment has led to inconsistency from location to location.

It was felt that the volume warrants developed should be consistent in their evaluation of traffic parameters from location to location; they should provide reasonable recommendations for specific intersections; and they should be based on traffic and operational considerations, rather than on a benefit-cost analysis, because of the difficulty of translating the benefits received to a monetary value on a suitable rational basis.

The study contained three phases: a theoretical analysis, a series of field studies of traffic behavior, and analysis of a series of questionnaires completed for specific intersections by Department of Highways regional traffic engineers.

THEORETICAL ANALYSIS

Queuing theory may be used to analyze operational flow problems where the state of the system changes from time to time and which have elements that follow this basic behavior: A sequence of units arrives at some facility which services each unit and eventually discharges it (1). In our problem, a sequence of left-turning vehicles arrives at some intersection that permits each left-turning vehicle to proceed if and when there is a suitable gap in the opposing traffic stream, and then discharges the vehicle from the intersection. Morse (1) explains that instead of trying to predict in detail how the state of the system changes with time, we can calculate the probabilities that the system is in each of the possible states.

Paper sponsored by Committee on Traffic Control Devices.

1

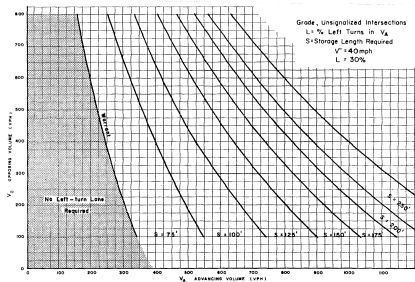


Figure 6. Warrant for left-turn storage lanes on two-lane highways.

Attachment F - Traffic Impact Analysis

Additional Materials

Regular Planning Commission Meeting

Assembly Chambers
7:00pm
Meeting Date: 5/14/24

- 1. USE2024 0007:**
 - a. Parking Memo with Attachments for USE2024 0007
- 2. USE2024 0009:**
 - a. Public comment: Southeast Alaska Land Trust received 4/19/24
- 3. Other – Title 49 Rewrite**
 - a. Public comment: Michael Riederer received 4/21/24, 4/29/24



(907) 586-0715
CDD_Admin@juneau.gov
www.juneau.org/community-development
155 Heritage Way • Juneau, AK 99801

May 10, 2024

MEMO

To: Mandy Cole, Planning Commission Chair

From: Irene Gallion, Senior Planner

Through: Jill Lawhorne, AICP, CDD Director

Parcel No.: 7B0901040101

Legal Description: USS 1075 TLINGIT HAIDA LT 1

Case Number: USE2024 0007, Expansion of Community Center from 7,625 to 9,984 square feet. Off-site parking shared with neighboring buildings.

RE: Change in parking condition

The Shaan S'oox project meets its evening parking requirements through agreements with neighboring properties. Shaan S'oox is unable to reciprocate on the agreements in place, resulting in a daytime deficit of 24 spaces.

Staff recommends a condition requiring Shaan S'oox to come into compliance with off-street parking requirements. The applicant could use a combination of rebalancing and using other off-street parking provisions such as a waiver.

Conditions based on the activities of neighboring properties are unusual. Shaan S'oox is dependent on parking activities of neighboring properties because Shaan S'oox entered parking agreements with those neighbors.

Given that multiple paths for compliance are available, staff requests modification of Condition #2, from:

Shared parking agreements with 3225 Hospital Drive cannot exceed provision of nine spaces on the Applicant's lot.

To:

Prior to issuance of a building permit for expansion of 3235 Hospital Drive (Shaan S'oox, Community Center), the parking for 3235 Hospital Drive, parking for 3225 Hospital Drive (SEARHC Building), and 3239 Hospital Drive (Ha Kaak Has Kahidi, Generations Southeast) must become compliant.

BACKGROUND

The parking analysis in the staff report relied upon documents provided by the Applicant. Included were two parking agreements: One that was current, and one that was expired. Analysis considered the current parking agreement, and parking needs were met for both uses.

CDD's Compliance Officer reached out to the expired parking agreement property, SEARHC, to advise them of their noncompliant status, and ask for parking plans. SEARHC provided a current parking agreement.

With that agreement in place, between the three properties involved in parking agreements, there is a 24-space deficit in daytime parking.

Parcel	7B0901040110	7B0901040102	
Address	3225 Hospital Drive	3239 Hospital Drive	
Name	SEARHC Building	Ha Kaak Has Kahidi	TOTALS
Required	58	55	113
Available	25	38	63
Shaan S'oox provides:			26
Deficit			24

Attachments:

Memo from MRV (May 8, 2024) responding to query on daytime parking.

E mail from CDD Enforcement (May 1, 2024) outlining activities.

E mail from SEARHC (May 1) documenting SEARHC's current parking agreement with Shaan S'oox

Notice of Intent to Exercise Renewal Option (November 1, 2022)

Estoppel Certificate (May 24, 2021)



1420 GLACIER AVENUE STE 101,
JUNEAU, AK 99801
(907) 586-1371

Project: **Shaan Soox Community Center Renovation and Addition**
Subject: Daytime Parking Use Analysis
Attn: Jill Lawhorne, CDD Director
By: Paul Voelckers AIA
Cc: Ken Southerland, Zane Jones, Stephanie Banua
Date: May 8, 2024

MRV 2203

Dear Ms. Lawhorne,

As requested, this memo provides more information concerning daytime operations at Shaan Soox. This information augments the more comprehensive Conditional Use Application Narrative provided to CDD last February 8.

Details of operational use of Shaan Soox were obtained from Ken Southerland, Shaan Soox Committee President, in our February 8 narrative. He and I just spoke to confirm exact details of day use. If you would like to call him directly to discuss any questions on operation, he can be reached at (907)-723-5043.

As we note in the narrative, work-week daytime use is very limited with few major activities. In fact, on most days, the building is locked and dark. Arrangements are typically coordinated in advance through Ken or other building administrators to get permission for use and make access arrangements.

An example of such use is a project this week with 8-10 high school students working on a Goldbelt Heritage project. Most are dropped off to participate, with perhaps four cars using the parking lot.

Please contact Ken directly for any more background on the day use patterns of the facility.

Irene Gallion

From: Nate Watts
Sent: Wednesday, May 1, 2024 10:03 AM
To: Irene Gallion
Subject: RE: Parking issue, 3225 Hospital Drive (SEARHC)
Attachments: FW: 3225 Hospital Drive / 3241 Hospital Drive

Hey Irene,

After your email, I reached out to Jill for a moment, because you were out or something, and I she thought it was fine for me to reach out verse a letter. Anyway, I did send an email off to Kyle Paw who is at Search to discover who my contacts will be, I explained a few things, and received the attached email response. Sorry if my email today late and irrelevant to where you are currently with this one.

Nate

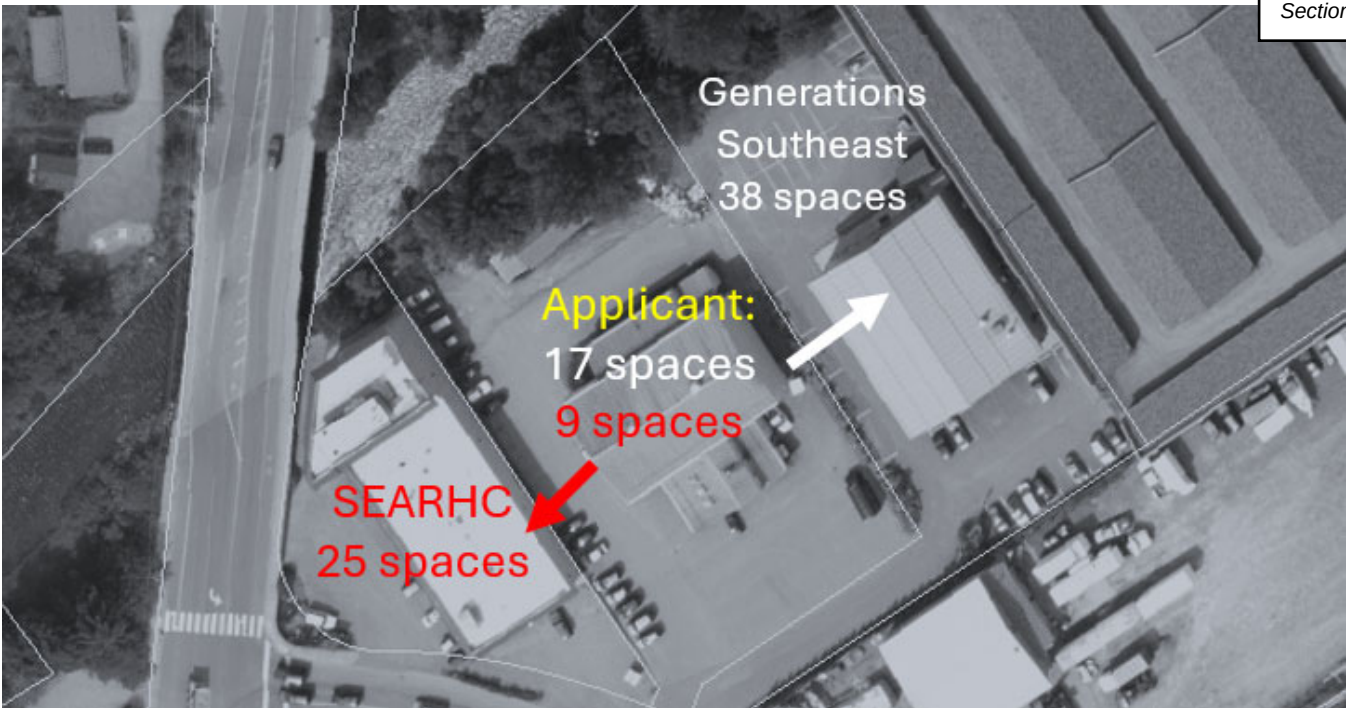
From: Irene Gallion <Irene.Gallion@juneau.gov>
Sent: Wednesday, April 17, 2024 2:57 PM
To: Nate Watts <Nate.Watts@juneau.gov>
Cc: Jill Lawhorne <Jill.Lawhorne@juneau.gov>
Subject: Parking issue, 3225 Hospital Drive (SEARHC)

Hi Nate,

I'm happy to discuss this one with you, because it is complex. I believe Jill's intent was that you'd write a parking enforcement letter to SEARHC regarding 3225 Hospital Drive. The summary is:

- 3225 Hospital Drive is required to have 58 off-street parking spaces.
- They have 25, leaving a deficit of 33 parking spaces.
- The parking agreement with the property to the north (3235 Hospital Drive) appears to have expired January 1, 2023 (attachment, page 21, item 2).
- The property to the north has another standing parking agreement, using 17 of their spaces. Under plans for development, the property to the north will be limited to providing nine spaces to 3225 Hospital Drive through a parking agreement.
- This leaves 24 spaces unaccounted for.
- SEARHC's purchase of 3241 Hospital Drive may provide the opportunity to provide adequate parking. If so, development of 3241 Hospital Drive will be reviewed in consideration of parking obligated to the other facility.

The Community Center that HAD been loaning spaces to SEARHC is going to the Planning Commission for an expansion, and will only be allowed to provide nine spaces to SEARHC.



Irene Gallion | Senior Planner

Community Development Department | City & Borough of Juneau, AK
Location: 230 S. Franklin Street | 4th Floor Marine View Building
Office: 907.586.0753 x4130



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How are we doing? Provide feedback here: <https://juneau.org/community-development/how-are-we-doing>

Irene Gallion

From: Corry Isabell <corryi@searhc.org>
Sent: Wednesday, May 1, 2024 9:16 AM
To: Nate Watts; Nate Watts
Cc: Corry Isabell; Sierra Gadaire; Kyle Paw
Subject: FW: 3225 Hospital Drive / 3241 Hospital Drive
Attachments: Renewal_option_Parking lot lease.pdf; Parking Lease Estoppel Cert signed.pdf

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Good morning Nate: SEARHC does have a long term lease for parking with T&H. If they approached us and discussed this lease we maybe able to find alternative parking. They have not approached us on any lease changes yet.

Best regards.

Corry Isabell
Lease Property Manager, Finance

Office Voice Mail: 907.364.4542 Mobile: 907.209.1235
 3100 Channel Drive Suite 300 | Juneau, AK 99801



From: Nate Watts <Nate.Watts@juneau.gov>
Sent: Thursday, April 18, 2024 10:49 AM
To: Kyle Paw <kpaw@searhc.org>
Subject: [EXTERNAL] 3225 Hospital Drive / 3241 Hospital Drive

Hey Kyle,

Sorry for the back-to-back inquiries. This next one is regarding 3225 Hospital Drive.

Community Development received permit applications from T&H Central Council to expand their Community Center next to Searhc's property at 3225 Hospital Drive. During their reviews, it appears the Searhc property had a parking agreement with the Central Council to meet their parking requirements. Our understanding is the parking agreement with Seach expired on January 1, 2023, and based on the review of their expansion, they will have fewer parking spaces available to Search. We see that Seahc owns the neighboring property at 3241 Hospital Drive, which may very well provide a parking solution to Seahc. I was asked to draft a letter concerning the subject and if Search was aware.

Feel free to send me to the Department Admin if necessary. I'm just not sure who to contact, so if you point me to a contact person, that is fine, too.

Nate Watts, CCEO | Code Compliance Officer

[Community Development Department](#) | City & Borough of Juneau, AK

Location: 230 S. Franklin Street, 4th Floor Marine View Building

Office: 907.586.0752



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SEARHC Executive Office

Section R, Item 9.

P: 907.463.4000

3100 Channel Drive, Suite 300 | Juneau, AK 99801

NOTICE OF INTENT TO EXERCISE RENEWAL OPTION

November 1, 2022

President Rhonda Buter
Juneau Tilingit & Haida Community Council
3235 Hospital Drive
Juneau, Ak. 99801

Via e-mail jthtribaladmin@juneauthcc.org and jthpresident@juneauthcc.org

Re: Parking lot lease at 3235 Hospital Drive

Dear President Buter,

You are notified that SEARHC would like to exercise its option to renew the lease for an additional 10 year period as provided under our lease. This letter also serves as recognition of the 2% annual rent increase described in the lease during this renewal period.

Sincerely,

DocuSigned by:

Corry Isabell

Property Management Manager

corryi@searhc.org

907 209-1235 cell

ESTOPPEL CERTIFICATE

May 13, 2021

TO: Southeast Alaska Regional Health Consortium
3100 Channel Drive
Juneau, Alaska 99801

RE: Tenant: Michael Pilling and Kerry Kirkpatrick
Property: 3225 Hospital Drive
Juneau, Alaska 99801

Ladies and Gentlemen:

Michael Pilling and Kerry Kirkpatrick (collectively, "Tenant"), and the Juneau Tlingit & Haida Community Council, an Alaska nonprofit corporation ("Landlord"), are parties to that certain Parking Lot Lease Agreement dated as of December 2019 (a copy of which is attached hereto). The lease has not been amended, modified or supplemented except as follows: _____

_____ (copies of which are also attached hereto) (such lease, as so amended, modified or supplemented hereinafter referred to as the "Lease").

We understand that Southeast Alaska Regional Health Consortium ("Buyer") is contemplating entering into a transaction with Tenant related to the property affected by the Lease (the "Leased Premises"), pursuant to which Tenant would assign, and Buyer would assume, Tenant's rights and obligations under the Lease.

Landlord hereby certifies to Buyer that, as of the date hereof:

1. Landlord and Tenant have not entered into any amendment, modification or supplement to the Lease, except as stated above. The Lease is in full force and effect, and constitutes the entire agreement between Landlord and Tenant with respect to Tenant's use and occupancy of the premises demised thereby. The following information pertains to the Lease:

Commencement Date: September 25, 2002;

Expiration Date: January 1, 2023;

Current Monthly Base Rent: \$1,036.29;

Security Deposit: \$0.00.

2. To the best of Landlord's knowledge, no party is in default in the performance of any covenant, agreement or condition contained in the Lease, and Landlord has neither given nor received any notice of default under the Lease, except as follows: _____

3. The Current Monthly Base Rent is correctly stated above. No prepayments of any rentals or other charges under the Lease have been made for more than one (1) month in advance of their due dates.

4. The Commencement Date of the term of the Lease is correctly stated above. Tenant has been granted a Renewal Option, which has not yet been exercised by Tenant. Following Tenant's assignment and Buyer's assumption of the Lease, the Renewal Option shall continue in full force and effect and Buyer shall be entitled to exercise said Renewal Option as provided in the attached copy of the Lease.

5. Landlord has not filed and is not the subject of any filing for bankruptcy or reorganization under federal bankruptcy laws.

6. No portion of the Leased Premises have been taken under the power of eminent domain, nor has Landlord received any notice indicating that such a taking is proposed or contemplated.

7. The person signing this Estoppel Certificate on behalf of Landlord is a duly authorized representative of the Landlord.

This Estoppel Certificate may be relied upon by Tenant, Buyer, any party providing financing secured by an interest in the property subject to the lease, and the successors and assigns of each of the foregoing.

LANDLORD:

JUNEAU TLINGIT & HAIDA COMMUNITY
COUNCIL, an Alaskan nonprofit corporation,

By: Kenneth Southerland
Name: Kenneth Southerland
Title: President

EXHIBIT A

Lease and Amendments

PARKING LOT LEASE AGREEMENT

THIS PARKING LOT LEASE AGREEMENT (this "Lease") is made as of December ___, 2019, by and between the Juneau Tlingit & Haida Community Council, an Alaska nonprofit corporation with an address of 3235 Hospital Drive, Juneau, AK 99801 (the "Landlord"), and Michael Pilling and Kerry Kirkpatrick (collectively, "Tenant") whose address is P.O. Box 020770, Juneau, Alaska 99802.

WITNESSETH

WHEREAS, Landlord and Tenant entered into that certain Parking Agreement dated effective as of September 25, 2002 (and collectively with any amendments thereto and restatements thereof, the "Parking Agreement"), granting Lessee the right to occupy and use Landlord's parking spaces (the "Lease Premises" as hereinafter defined); and

WHEREAS, Landlord and Tenant have agreed to extend the Term of the Parking Agreement and otherwise amend and restate the Parking Agreement in its entirety as hereinafter provided.

NOW, THEREFORE, for and in consideration of the mutual terms and conditions expressed herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Demise of Premises. The Landlord hereby demises and lets to the Tenant, and the Tenant hereby takes and leases from the Landlord, for the term or terms and upon the provisions hereinafter specified, the following described property: 26 parking spaces owned by Landlord and located at 3235 Hospital Drive, Juneau, Alaska, 99801, and as depicted on "Exhibit A" of this Lease, attached hereto and made a part hereof (the "Leased Premises"), together with all easements, rights and appurtenances thereunto belonging or pertaining (collectively, the "Land").

2. Term. The Tenant is hereby leasing the Leased Premises for the initial term commencing on December 1, 2019 (the "Effective Date") and terminating on January 1, 2023 (the "Initial Term"). Subject to the following notice requirements, and provided that at the time of such notice the Tenant is not then in Default (as herein defined) under the terms of this Lease, the Tenant is hereby granted the right (a "Renewal Option") to renew the Initial Term of this Lease for one (1) ten (10) year term ("Renewal Term"). The Tenant shall exercise the Renewal Option, if at all, by noticing the Landlord in writing of its intent to renew within sixty (60) days of the expiration of the Initial Term. All of the terms and provisions of this Lease shall apply to the Renewal Term, except that the Tenant shall have no remaining Renewal Options. In the event the Tenant timely exercises its only Renewal Option, the Landlord and the Tenant each agree to execute an amendment to this Lease in a form reasonably acceptable to both Parties reflecting the extension of the term by the Renewal Term. At the termination of the Renewal Term, if any, the Parties may elect to extend this Lease upon such terms and conditions as may be agreed upon in writing and signed by the Parties at the time of any such extension.

3. Rent. During the Initial Term and unless rent is adjusted as hereafter provided, rent shall be due and payable, in advance, on the 1st day of each and every month, beginning December

1, 2019, at the rate of \$1,015.97 per month, plus City and Borough of Juneau sales tax. The Tenant shall make each Rent payment to the Landlord at the Landlord's address set forth above, or at such other place or to such other persons or entities as the Landlord from time to time may designate to the Tenant in writing. Rent may be paid by Tenant in the form of personal check, cashier's check, money order, or cash. If a personal check is returned by Tenant's bank for any reason, a charge of \$20.00 shall be billed to Tenant's account. Tenant agrees that if a rental payment is returned uncollected or unpaid, all future rental payments must be in the form of cashier's check, money order, or cash. Late fees will be assessed until rent payment has been cleared. Payments made by the Tenant shall apply first to the oldest item for which a bill or statement has been presented, or for the earliest month's rent then due. Rent is late beginning on the 5th day of the month. If rent is not received before the 5th day of the current month, a late fee of \$15.00 per day will be charged for each day that the rent is late. All late fees shall be deemed additional rent for the rental month and shall be paid and collected as such. Commencing on January 1, 2021 and through any Renewal Term, Tenant's monthly rent shall increase two percent (2%) annually, plus the concomitant City and Borough of Juneau sales tax.

4. Condition of Premises. Tenant acknowledges that Landlord is not in default under the Parking Agreement and that Landlord has no obligation to improve, or perform any work in, the Premises or make any contribution toward any such work in the Premises, and Tenant accepts the Premises in its "AS-IS"/"WHERE-IS"/"WITH ALL FAULTS" condition as of the Effective Date hereof. Landlord shall not be obligated to make, and Tenant shall not be authorized to make, any improvements to the Premises except as provided in, and in accordance with, the Lease.

5. No Service Provided; Repairs, Maintenance and Alterations. The Parties understand and agree that this Lease is a land lease and that the Landlord shall not be required to furnish any services or facilities or to make any repairs or alterations in or to the Leased Premises. The Tenant hereby assumes the full and sole responsibility for the condition, operation, repair, replacement and maintenance of the Leased Premises. The Tenant shall maintain the Leased Premises in substantially the same condition of repair and appearance existing at the Effective Date, ordinary wear and tear and casualty excepted. The Tenant shall keep the Leased Premises clear of snow and debris, as required. The Tenant shall not make any alterations, additions or improvements to the Leased Premises without the prior written approval of the Landlord.

6. Use. The Tenant's sole use of the Leased Premises shall be for the parking of cars, trucks and vans used by its agents, employees, consultants, affiliates, guests, invitees and third party assignees, sublessors and designees. Tenant shall have exclusive use of the Leased Premises Monday through Friday, from 6:00 am to 6:00 pm. Tenant shall ingress and egress the Leased Premises as also shown on Exhibit A.

7. Annual Appropriation. The payments of Rent hereunder by the Tenant are subject to annual appropriation by the City and Borough of Juneau relative to Bartlett Regional Hospital's leasing of Tenant's building at 3225 Hospital Drive, Juneau, Alaska 99801, and the Lease may be terminated due to lack of such appropriation.

8. Compliance with Laws. Throughout the term of this Lease, the Tenant, at its sole cost and expense, shall comply with any and all laws, regulations and ordinances that are applicable to the Leased Premises or any part thereof. The Tenant shall not be required to correct

any condition of or on the Leased Premises that existed at the Effective Date and at that time represented a violation of, or noncompliance with, any applicable law, regulation or ordinance by the Landlord.

9. Indemnity; Insurance. The Tenant shall indemnify the Landlord (and its officers, directors and employees) against, and save the Landlord (and its officers, directors and employees) harmless from, any and all losses, damages, claims, liabilities, judgments, costs and expenses (including the reasonable cost and expense of defending any claim), arising directly or indirectly during the term of this Lease out of any act, omission or negligence of the Tenant, its agents, employees, consultants, affiliates, guests, invitees and third party assignees, sublessors and designees. During the term of this Lease, Tenant shall maintain a public liability insurance policy or policies in amounts satisfactory to the Landlord, naming Landlord as an additional insured for liability purposes.

10. Duty to Inform. Landlord will respect and inform its agents, employees, consultants, affiliates, guests, invitees of Tenant's exclusive use of the Lease Premises as described herein,

11. Eminent Domain. If, after the execution of this Lease and prior to the effective date of the expiration or termination of this Lease, the whole of the Leased Premises shall be taken under the power of eminent domain, then the term of this Lease shall cease as of the time when the Landlord shall be divested of its title to the Leased Premises, and Rent and other costs and expenses, if any, shall be apportioned and adjusted as of the effective time of such termination. The Tenant shall not be entitled to participate in any condemnation proceeding on its own behalf, nor shall the Tenant participate in any amounts awarded to the Landlord.

12. Default. In the event that the Tenant shall fail to pay Rent or any part thereof when due or shall violate or fail to perform any of the covenants hereof on the part of the Tenant to be performed, in both such circumstances after notice of such failure or violation shall have been given as hereinbelow provided (each such event, a "Default"), the Landlord may elect either:

A. To re-enter the Leased Premises by summary proceedings or otherwise and re-let the Leased Premises to a third party or parties, making diligent efforts therefor, and upon receiving rent therefrom, applying the same first to the payment of Rent and other fees and expenses accruing hereunder, and the balance, if any, to be paid to the Tenant; provided, however, that the Tenant shall remain liable for the equivalent of the amount of all Rent and other payments due, as the case may be, throughout the remaining term of this Lease to the extent such amounts are not mitigated by such third party lessee or lessees; or

B. To terminate this Lease and to resume possession of the Leased Premises wholly discharged from this Lease. The Landlord shall make such election by written notice to the Tenant at any time on or before the doing of any act or the commencement of any proceedings to recover possession of the Leased Premises by reason of the Default then existing and such election shall be final. If the Landlord shall elect to terminate this Lease as set forth in this Section 11(b), then immediately upon such termination, all rights and obligations whatsoever of the Tenant and of its successors and assigns under this Lease, so far as the same may relate to the unexpired portion of the term hereof, shall cease. Within

ten (10) days after receipt by the Tenant of notice of election by the Landlord to terminate this Lease pursuant to this Section 11(b), (i) the Parties shall, by an instrument in writing in form for recording, cancel this Lease and the unexpired portion of the term hereof, and (ii) the Tenant shall surrender and deliver to the Landlord the entire Leased Premises, and upon any default by the Tenant in so doing, the Landlord shall have the right to re-enter the Leased Premises either by summary proceeding or otherwise.

No Default hereunder shall be deemed to have occurred on the part of the Tenant until thirty (30) days after written notice of such Default shall have been received by the Tenant, and the Tenant within such time shall have failed to remedy such Default. If any Default by the Tenant, (with the exception of the payment of Rent), cannot reasonably be cured within such thirty (30) day period, then the Tenant shall have such additional time as may be reasonably necessary to remedy the same.

13. Assignment and Subletting. The Tenant may not assign this Lease or sublet the whole or any part of the Leased Premises at any time to any other party without the written consent of the Landlord, such consent not to be unreasonably withheld.

14. Taxes. The Landlord shall be responsible for all property taxes relative to the Lease Premises, and each party is responsible for its own income or other taxes not specifically addressed herein.

15. Liens. Tenant shall not suffer the creation of any liens upon the Lease Premises or the Land and shall bond or otherwise discharge any claim of lien within seventy-two (72) hours after receiving notice of the claim.

16. Successors and Assigns. Except as otherwise set forth in this Lease, the agreements and conditions in this Lease contained on the part of either Party to be performed and observed shall be binding upon said Party and its successors and assigns, and shall inure to the benefit of the other Party and its successors and assigns.

17. Quiet Enjoyment. Upon the Tenant's payment of the Rents and other required payments herein provided, and upon the Tenant's observance and performance of all the covenants, terms and conditions to be observed and performed pursuant to this Lease, the Tenant shall peaceably and quietly hold and enjoy the Leased Premises for the term hereby demised without hindrance or interruption by the Landlord or any other person or persons lawfully or equitably claiming by, through or under the Landlord, subject, nevertheless, to the terms and conditions of this Lease.

18. Force Majeure. No liability shall result to either Party from such Party's delay in performance or non-performance under this Lease caused by circumstances beyond such Party's control, including but not limited to acts of God, war, terrorism, riot, fire, explosion, accident, flood, sabotage, strike, lockout, injunctions, catastrophic breakage or failure of machinery or apparatus, national defense requirements or compliance with or change in applicable law. The non-performing Party shall be diligent in attempting to remove any such cause and shall promptly notify the other Party of the extent and probable duration of such cause.

19. Notices. All notices sent or required to be sent hereunder shall be sent in writing by registered or certified mail, return receipt requested, postage prepaid, to the addresses set forth in the caption to this Lease above or to either Party at such other address as such Party may designate by notice to the other Party.

20. Waiver; Invalidity of Particular Provision. The failure of a Party to exercise or enforce any of its rights under this Lease shall not be a waiver of those rights and shall not affect any other right of that Party under this Lease. In the event that any provision of this Lease shall be found to be void or unenforceable, such findings shall not be construed to render any other provision of this Lease either void or unenforceable and all other provisions shall remain in full force and effect unless the provisions which are invalid or unenforceable shall substantially affect the rights or obligations granted to or undertaken by either Party.

21. Construction; Section Headings. Each term and each provision of this Lease to be performed by the Tenant shall be construed to be both a covenant and a condition. The paragraph headings throughout this Lease are used for convenience only, and shall not be held to explain, modify, amplify or otherwise aid in the interpretation, construction or meaning of this Lease.

22. No Merger of Title. There shall be no merger of this Lease nor of the leasehold estate created by this Lease with the fee estate in or ownership of any of the Leased Premises by reason of the fact that the same person or entity may acquire, hold or own, directly or indirectly, (a) the leasehold estate created by this Lease or any part thereof or interest therein or any interest of the Tenant in this Lease, and (b) the fee estate or ownership of any of the Leased Premises or any interest in such fee estate or ownership; and no such merger shall occur unless and until all persons or entities having any interest in (i) this Lease as the Tenant or the leasehold estate created by this Lease, and (ii) this Lease as the Landlord or the fee estate in or ownership of the Leased Premises or any part thereof sought to be merged shall join in a written instrument effecting such merger and shall duly record the same.

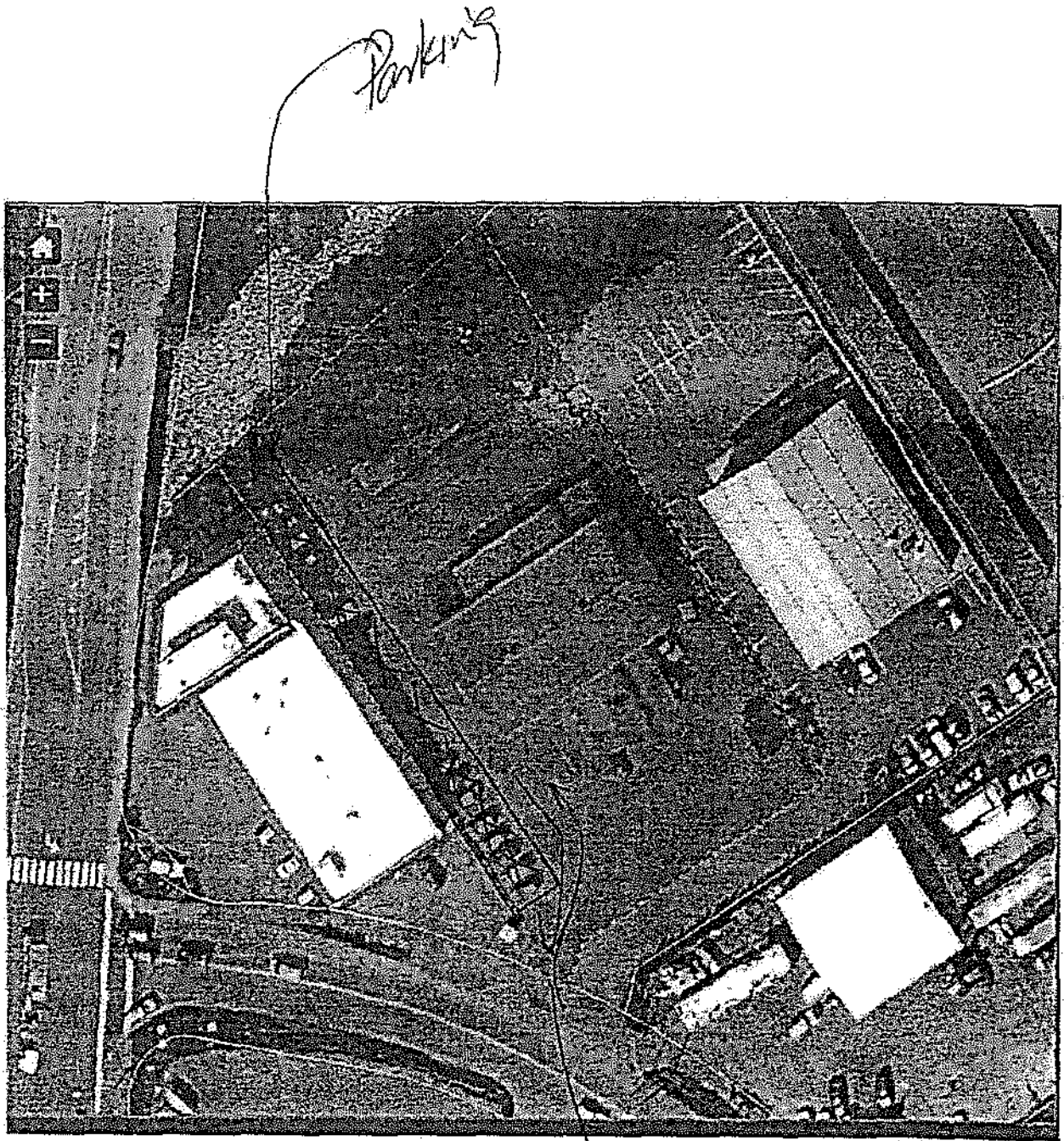
23. Surrender. The Tenant shall (a) on the last day of the term hereof (including the final Renewal Term, if any); (b) upon any earlier termination permitted under this Lease, and (c) upon any permitted entry or re-entry by the Landlord upon the Leased Premises, peaceably leave and surrender the Leased Premises into the possession and use of the Landlord without fraud or delay in good order, condition and repair without violations, reasonable wear and tear and casualty excepted. If the Tenant has made additions, alterations or modifications to the Leased Premises, at the request of the Landlord, the Tenant shall remove such additions, alterations or modifications, at its expense, upon such surrender.

24. Entire Agreement. This Lease contains the entire understanding of the parties and may not be modified except by written instrument signed by both parties.

25. Governing Law. This Lease shall be governed by and construed in accordance with the laws of the State of Alaska.

26. Counterparts. This Lease may be executed in multiple counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

[SIGNATURE PAGE FOLLOWS]



Summ
12/14/19

EXHIBIT A

IN WITNESS WHEREOF, the Parties have caused this Lease to be executed as of the day and year first above written.

LANDLORD:

JUNEAU TLINGIT & HAIDA COMMUNITY COUNCIL
an Alaska nonprofit corporation

By: [Signature]

Name: Kenneth L. Southerland

Title: President

TENANT:

MICHAEL PILLING AND KERRY KIRKPATRICK

By: _____

Name: _____

By: _____

Name: _____

By [Signature]
Property Manager
12/4/19



119 Seward Street, Suite 2, Juneau, AK 99801
(907) 586-3100 | F (907) 586-3125
SoutheastAlaskaLandTrust.org

April 19, 2024

RE: Conditional Use Permit for a Temporary Asphalt Plant at the Juneau International Airport
Case Number: USE2024 0009

To Whom It May Concern,

The Southeast Alaska Land Trust (SEALT) received notice that a Conditional Use Permit application for a temporary asphalt plant at the Juneau International Airport (JIA) has been submitted for consideration and public hearing by the City & Borough of Juneau (CBJ) Community Development Planning Commission. The Case Number for this application is USE2024 0009.

The proposed project is located adjacent to SEALT's Honsinger Wetlands mitigation site (CBJ Tax ID 5B1401020072). This mitigation site provides compensatory mitigation for seven Department of the Army permits, overseen by the US Army Corps of Engineers.

This project appears to be consistent with previous temporary asphalt plants operated on the JIA property in 2018, 2019, and 2020. SEALT requests that care continue to be taken to ensure avoidance of impacts to the valuable habitat surrounding the JIA. The healthy function of a watershed is dependent on all groundwater, wetlands, and waterways within the catchment area; impacts to surrounding areas can adversely affect adjacent portions of the watershed. SEALT requests that the Planning Commission thoroughly consider potential effects to the adjacent mitigation site and the surrounding watershed, including necessary preventative and mitigation measures, when evaluating the application.

If you have any questions, please contact the Southeast Alaska Land Trust at (907) 586-3100 or info@sealt.org.

Sincerely,

A handwritten signature in blue ink, appearing to read "Margaret Custer", is written over a light blue horizontal line.

Margaret Custer
Executive Director

From: Michael <michael.riederer.4@gmail.com>

Sent: Monday, April 29, 2024 8:29 PM

To: PC_Comments <PC_Comments@juneau.gov>; Borough Assembly
<BoroughAssembly@juneau.gov>

Subject: Re: Title 49 Re-write Info

EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Dear CBJ Assembly,

I want to begin by acknowledging and respecting the traditional Tlingit inhabitants of this land. I hope our shared vision for this land is to serve as a central hub for Southeast Alaska, uniting into a community that is connected with the lands, seas, and nature around us.

I appreciate the hard work the Assembly and Planning Commission has performed to create a Title 49 city land use code that works for everyone. However, I must voice my concerns over the proposed \$3 million allocated for its re-write.

Please consider these comments, along with Ms. Marlow's comments to eliminate or reduce this allocation for a Title 49 Re-write during Assembly Finance Committee.

It is evident that CBJ's diverse property types and uses necessitate a flexible code that addresses modern issues. However, the current system is working and any Title 49 changes need to be focused on individually, not through a comprehensive overhaul. At the very least, a plan needs for the re-write should be generated before this line item is approved.

As has been done before, amendments and resolutions can be drafted into this living document without an absolute overhaul. As Ms. Marlow declared, the system is working even if it is difficult to change. If administrative efficiencies and leniencies need to be created, so be it. But taxpayer money doesn't need to be used.

Such a rapid change of Title 49 might lead to unintended consequences, disrupting the community's fabric and creating uncertainty for sustainable and predictable development.

The location of the landfill and addressing affordable housing are critical goals to focus on before spending \$3 million on rewriting Title 49.

Instead of focusing \$3 million on rewriting Title 49, let's focus on more immediate needs:

Property Disposals: I commend the city's efforts in disposals to the Tlingit and Haida Regional Housing Authority on Pederson Hill. Further small auctions, such as additional land areas near Pederson Hill and North Douglas, can continue fostering community development. If short-term regional restrictions need to be placed on new land disposals, this should be addressed with the focus they deserve, not as part of a rapid overhaul, and with due attention to the school district.

Short-term Rentals: These rentals provide jobs, revenue, and housing options, helping Juneau thrive. These rentals support legislative staffing in winter and summer travelers, facilitating tourism growth and Downtown Juneau's vision. They will help Eaglecrest's gondola thrive and encourage homeowners to continue investing in their housing. There already is a progressive tax rate paid by short-term rentals, including a 5% sales tax and an additional 9% hotel tax, that has contributed significantly to projects like the Centennial Hall campus expansion, promoting arts and cultural events downtown.

Community Facilities: Keeping essential services open, such as schools and public

pools, is crucial. With staffing shortages, the pools are not operating at capacity, which should be essential for an ocean-centered town. I moved to Juneau from Golden, Colorado, which has a Community Center and pool that is open continuously throughout the day. To add to this, there is no recommendation by the National Recreation & Parks Association regarding safety breaks. If the pools need staggered lifeguard staffing, let's ensure these facilities continue to operate at capacity. Juneau needs sustainable infrastructure to support its growth. Future visions for comprehensive community campuses at Diamond Park or Floyd Dryden, a second crossing to connect the town, relocation of the landfill, and sustainable energy leadership are critical goals to achieve before spending millions rewriting Title 49.

In conclusion, we need to keep public services open, address Title 49 issues individually, so as to gather the community input that each issue requires.

Is there a plan for how the \$3 million will be spent? What if a re-write costs more? I bet a different approach could cost less.

CBJ should balance traditional respect, community programs, and future investments to benefit all its citizens. To do so, CBJ should focus on saving this taxpayer revenue for more pressing issues until a more definite plan is detailed.

Thank you for your time and consideration

-Michael Riederer

On Sun, Apr 21, 2024, 10:26 AM Michael <michael.riederer.4@gmail.com> wrote:

Hi CBJ Planning Commission,

I wanted to understand the necessity for a \$3M allocation for Title 49 re-write as discussed at the Assembly Retreat and in the agenda packet of the Assembly Finance Committee's 4/6/24 proposed budget.

Please update with information regarding this proposed spending. With schools closing and city services continually being cut, it's my opinion the public should understand more about these proposed changes. Especially considering the Planning Commission's Title 49 Committee hasn't even met this year.

Is there a lower cost way to approach this issue? Maybe offset with some land

disposals as outlined in the 2016 Land Management Plan?

Regards,

Michael Riederer