

Agenda

Planning Commission - Regular Meeting City and Borough of Juneau

May 24, 2022
Virtual & In Person
7:00 PM

This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting <https://juneau.zoom.us/j/81564521189> and use the Webinar ID: 815 6452 1189, or join by telephone, calling: 1-253-215-8782 and enter the Webinar ID. You may also participate in person in City Hall Assembly Chambers, 155 S. Seward Street, Juneau, AK.

I. LAND ACKNOWLEDGEMENT

II. ROLL CALL

III. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA

IV. APPROVAL OF MINUTES

A. April 26, 2022 Draft Minutes, Regular Planning Commission - APPROVED

V. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

VII. ITEMS FOR RECONSIDERATION

VIII. CONSENT AGENDA

IX. UNFINISHED BUSINESS

X. REGULAR AGENDA

A. AME2018 0004: Revision to the Alternative Development Overlay District - RECOMMENDED AS DRAFTED FOR APPROVAL TO THE ASSEMBLY

B. APL2021 0006: Juneau Cooperative Christian Ministry, dba The Glory Hall v. CDD - PLANNING COMMISSION ISSUED A VERBAL DECISION REMANDING THE CASE BACK TO THE COMMUNITY DEVELOPMENT DEPARTMENT

XI. OTHER BUSINESS

XII. STAFF REPORTS

XIII. COMMITTEE REPORTS

XIV. LIAISON REPORT

XV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS

XVII. EXECUTIVE SESSION

- A. Executive Session for Juneau Cooperative Christian Ministry, dba The Glory Hall v. CDD, if needed

XVIII. SUPPLEMENTAL MATERIALS

- A. Additional Materials for May 24, 2022 Planning Commission

XIX. ADJOURNMENT

**PLANNING COMMISSION AGENDA
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

April 26, 2022 Draft Minutes, Regular Planning Commission - APPROVED

ATTACHMENTS:

	Description	Upload Date	Type
▣	April 26, 2022 Draft Minutes, Regular Planning Commission	5/10/2022	Minutes

DRAFT MINUTES

Agenda

Planning Commission

Regular Meeting

CITY AND BOROUGH OF JUNEAU

Michael LeVine, Chairman

April 26, 2022

I. LAND ACKNOWLEDGEMENT – Read by Commissioner Winchell

II. ROLL CALL

Michael LeVine, Chairman, called the Regular Meeting of the City and Borough of Juneau (CBJ) Planning Commission (PC), held in hybrid fashion with members and public attending in person and virtually via Zoom Webinar and telephonically, to order at 7:02 p.m.

Commissioners present: Commissioners present in Chambers – Michael LeVine, Chairman; Nathaniel Dye, Vice Chairman; Travis Arndt, Deputy Clerk; Ken Alper; Mandy Cole; Joshua Winchell; Erik Pedersen

Commissioners present via video conferencing – Paul Voelckers, Clerk; Dan Hickok

Commissioners absent:

Staff present: Jill Maclean, CDD Director; Jennifer Shields, CDD Planner II; Adrienne Scott, CDD Planner I; Joseph Meyers, CDD Planner I; Breckan Hendricks, CDD Administrative Officer; Chelsea Wallace, CDD Administrative Assistant II; Sherri Layne, Law Assistant
Municipal Attorney

Assembly members: Alicia Hughes-Skandijs, Mayor Beth Weldon

AT EASE 7:03 p.m. – 7:08 p.m.

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

IV. APPROVAL OF MINUTES – None

V. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION – Chair LeVine explained the rules and procedures for participating via hybrid Zoom/in-person format.

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS – None

VII. ITEMS FOR RECONSIDERATION – None

VIII. CONSENT AGENDA

USE2022 0004: ~~A Conditional Use Permit for construction of an awning in a required side yard setback~~

Applicant: ~~George C. Schrader & Susan E. Schrader~~

Location: ~~2611 John 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 construction of an awning in a required side yard setback in a D18 zoning district.~~

~~The approval is subject to the following conditions:~~

- ~~1. The applicant shall not conduct any grading work, including cutting or limbing of trees on CBJ property.~~
- ~~2. Within 180 days of issuance of a Building Permit, the applicant will submit an as-built survey proving that the completed structure is located entirely on the applicant's lot. No further permits will be issued for the site until this documentation is provided to CDD.~~

SMF2022 0001: A proposed subdivision of one (1) lot into three (3) lots with one (1) standard lot and two (2) bungalow lots

Applicant: Southeast Endeavors, LLC

Location: 8284 Garnet Street

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings to **APPROVE** the requested final plat. The permit would allow the final plat approval for the proposed subdivision of one (1) lot into three (3) lots with one (1) standard lot and two (2) bungalow lots.

The approval is subject to the following conditions:

1. Prior to final plat approval, the applicant has constructed all required improvements or provided a financial guarantee in accordance with CBJ 49.55.010.

2. Prior to final plat approval, the applicant shall submit to a joint-use and maintenance agreement for the access and utility easement to be recorded with the plat.

MOTION: *by Mr. Pedersen to accept staff's findings, analysis and recommendations and approve SMF2022 0001.*

The motion passed with no objection.

IX. UNFINISHED BUSINESS – None

X. REGULAR AGENDA

USE2022 0004: A Conditional Use Permit for construction of an awning in a required side yard setback
Applicant: George C. Schrader & Susan E. Schrader
Location: 2611 John 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 construction of an awning in a required side yard setback in a D18 zoning district.

The approval is subject to the following conditions:

1. The applicant shall not conduct any grading work, including cutting or limbing of trees on CBJ property.
2. Within 180 days of issuance of a Building Permit, the applicant will submit an as-built survey proving that the completed structure is located entirely on the applicant's lot. No further permits will be issued for the site until this documentation is provided to CDD.

AT EASE 7:15 p.m. – 7:17 p.m.

STAFF PRESENTATION by Planner Scott

QUESTIONS FOR STAFF

Mr. Pedersen asked whether the as-built survey required in Condition #2 was to be completed prior to or after the awning is constructed. It is to be completed after construction. The purpose of the survey is to confirm there is nothing built into the CBJ lot.

Mr. Winchell asked if there are any large trees that would need to be cut in order to place the awning. Planner Scott did not think there were.

Mr. Hickok asked if the applicant would be able to limb trees from CBJ property that overhangs their property. Ms. Scott said the condition states they cannot limb any trees on CBJ property.

APPLICANT PRESENTATION

Susan Schrader, applicant, explained she and her husband want to install the awning to protect their sidewalk from ice and snow. She said it would enhance the livability of their home and would make the walk from the driveway to the front door safer. They do not have any objection to the conditions.

QUESTIONS FOR APPLICANT

Ms. Cole asked if the awning would abut the CBJ property line. Ms. Schrader did not believe it would. Mr. Arndt asked the width of the sidewalk. Ms. Schrader said it is about 4-feet wide.

Mr. Dye asked if the Schraders had pursued changing the designation of the CBJ parcel from retain/dispose to restricted. They had not. Mr. Winchell asked if they had discussed the slope of the lot and the potential for slides as a basis for restricting the designation. She said that she is concerned with landslides, especially after seeing the damage in Haines last year, but they had not discussed it as a means for restricting the parcel. Mr. LeVine asked Ms. Schrader if she had been aware of any potential issue with the land designation prior to this morning. She was not.

ADDITIONAL QUESTIONS FOR STAFF

Ms. Cole asked what would give the PC the right or authority to grant the permit if the code says otherwise. Ms. Maclean explained the classification retain/dispose is sort of a 'generic' designation considering the size of the lot. Ms. Maclean said she had read and interpreted the code flexibly and said the topography of the section of the parcel in question is steep and rocky and very unlikely to ever be developed.

Mr. Hickok asked why this is a conditional use permit and not a variance request. Ms. Maclean explained a CUP has a lower threshold to be met. Mr. Arndt asked if it is possible to add a condition that CBJ retains this portion of the land. Ms. Maclean said this would be akin to an advisory condition. Mr. LeVine asked if it would be possible to condition the CUP on a change in designation of the adjoining parcel. Attorney Layne said she thought it *could* be a condition but she was not sure it would be practical.

Mr. Winchell asked if the PC could achieve findings that would state this is to be restricted as a

retain parcel. Ms. Maclean said that would require an amendment to the land management plan with approval of the assembly.

Mr. Voelckers asked if this issue has been raised with the Lands Department. Ms. Maclean said he is aware but they have not discussed changing the designation.

Mr. Dye asked if the only inappropriate designation would be dispose. Mr. Maclean explained she had considered the steep rocky terrain as unusable and, therefore, likely not subject to disposal. Mr. Dye followed up asking whether the parcel in question has a plat note designation for park space. Ms. Maclean was unsure.

Mr. Arndt asked who makes the decision of which portions are retained or disposed in retain/dispose designated lands. Ms. Maclean said it is up to the PC and the Assembly to decide. Mr. Dye asked if they are usurping Assembly authority if they make this decision. Attorney Layne said Yes. However, if the commission chose to make that decision, they should be sure to make detailed notes explaining their process and reasoning.

COMMISSIONER DISCUSSION

Mr. Winchell felt the record shows that the parcel of land in question is probably not buildable and they had heard and seen enough to support if this portion of the parcel hadn't been designated dispose/retain then it would have most likely been restricted to retain.

Mr. Pedersen and Mr. Alper spoke in agreement with the Director findings and recommendation and in support of the permit. Ms. Cole said she agrees that a common-sense approach would be good. However, she would be more comfortable if they could add verbiage to the findings to say "similarly restrictive land management code may be retained/dispose with a recommendation from the lands manager, that the particular piece of property would be retained."

AT EASE 8:02 p.m. – 8:10 p.m.

MOTION: *by Ms. Cole to accept staff's findings, analysis and recommendations and approve USE2022 0004 with the addition of finding "similarly restrictive land management in CBJ 49.25.430 (4)(n) can apply to land designated retained/dispose with a recommendation from the lands manager, that the particular parcel would be retained in any plausible circumstance."*

Mr. Winchell spoke to support the motion.

Mr. Dye expressed worry that this finding could set an unintended precedent and will be voting against the motion. Mr. Arndt similarly likes the finding but cannot support the motion.

Mr. Alper said they are not getting rid of the setback in this situation. The house still meets the setback requirement. They are voting on a limited attached structure.

Mr. LeVine said he believes the applicant should be allowed to build the awning. However, he does not think the code will allow it.

Roll Call Vote

Yes: Cole, Pedersen, Hickok, Alper, Winchell, Voelckers,

NO: Arndt, Dye, Levine

The motion passed 6-3.

USE2022 0005: A modification (extension) of a Conditional Use Permit (USE2021 0011) for a cold weather emergency shelter at Resurrection Lutheran Church
Applicant: Resurrection Lutheran Church
Location: 740 W. 10th Street

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested Conditional Use Permit modification repealing condition #9:

1. This permit will expire on ~~May 1, 2022~~ **June 1, 2024**. (Condition #9).

STAFF PRESENTATION by Planner Shields

QUESTIONS FOR STAFF

Mr. Winchell asked if removing the condition expiration date would make the permit perpetual. Ms. Shields said if the PC does not set a new date, then it would be permanent. Mr. Arndt asked if the intention for removing the expiration date was so it could go on in perpetuity or was it so the shelter can operate in the case of additional cold weather days this year. Ms. Maclean said the applicant is only looking to strike the expiration date. This would not extend the dates of operation as the shelter is working under a contract for certain dates. It would only remove the expiration date of the permit so the applicant would not have to come back each year to renew the permit.

Mr. Voelckers said the staff report does not agree directly with the applicant documentation. He added the staff report addresses only the expiration date while the applicant packet notes they will be seeking to change several of the conditions. Mr. Voelckers remembered the original permit was fast tracked so they could get the shelter open quickly and the thinking then was that this might be a temporary shelter.

Ms. Maclean said her understanding is that the applicant is looking to repeal the expiration date and if they came in the future seeking other changes, they would still have this to fall back on if future requests for changes were denied.

Mr. Alper asked if repealing the expiration date was the preferred decision or if the CDD could have recommended another time-limited extension. Ms. Maclean said it is not usual for expiration dates to be set on permit approvals. It is preferable that they not have to come back every year for continuing extensions. Mr. Arndt asked if there is any need or desire to change the dates of operation to allow the applicant to open earlier or close later. Ms. Maclean explained the dates in the contract are agreed to by the applicant and the Manager's office and if the dates were to change, it would be at that level.

APPLICANT PRESENTATION

Pastor Karen Perkins, Pastor Resurrection Lutheran Church, said this CUP was put in place in a hurry to meet an immediate need. They are currently looking to remove the expiration date so that they will already have the permit in place in case they enter a contract with the CBJ again this coming winter. There is a need for emergency cold weather sheltering and they have the capacity to meet that need. In the last year, she said, they provided 3400 bed nights.

Randy Sutak, Church Council President, said the purpose of the church is to serve. He felt they did a good job providing the shelter service this year. Addressing the concerns expressed in comments received, he asked that they partner with the church and the city to find solutions.

QUESTIONS FOR APPLICANT

Mr. Winchell asked if the warming shelter was seeking to continue operating during the summer and fall seasons or the ability to provide other services with this permit. Pastor Perkins said they are not.

Mr. Arndt asked if the contract did not continue at this location, would the church be willing to do it in another location. Pastor Perkins had not considered that. She said they might consider it but did not have a definitive answer to that.

Mr. Dye asked if something has changed to make the church want to go into the business of sheltering for the long term. Pastor Perkins said it had not. Nevertheless, the need is there and they can meet it.

Mr. Alper asked what sort of calls did they receive via the phone line conditioned in the original permit. Pastor Perkins said most of the calls came from other service organizations and was used

for communication and coordination of services. Neighbor comments were primarily received via email and the shelter staff responded timely. When a complaint came in, staff would work with patrons to mitigate and change the behavior.

Mr. Pedersen asked if there were any changes that would make sense with the times of operation. Pastor Perkins explained the first bus from the area leaves at 7:15 a.m. and waking patrons and requiring them to be outside at 6:30 a.m. was not ideal when there was not a bus or other transportation option for forty-five minutes.

Mr. Dye asked if they were asking for all nine conditions to be removed or which ones they would want to remove. Pastor Perkins said several of the conditions are more about the contract than the permit. For example, they would not run the shelter with less than two staff on duty. She felt some of them are not necessary as they would be provided anyway. She said if they were to ask for certain conditions to be removed, they would be conditions 5, 6, and 9. (These are the hours of operation, dates available for operation, and permit expiration date).

Mr. Voelckers recalled the 6:30 a.m. closure time was imposed out of concern for school children in the area and asked if she had any information on how that was working. Pastor Perkins is not aware of school children riding the 7:15 a.m. bus and she is not aware of any problems or conflict with the school. She added the principal of the elementary school had communicated to the Church that the shelter had not caused any problem with the school children. Additionally, the school used the shelter as an opportunity to teach concepts of housing, shelter and homelessness.

Mr. Voelckers asked if changing the time from 6:30 to 7:00 a.m. would increase possibility of negative impacts on the elementary school. Pastor Perkins said it would actually decrease the possibility of negative interaction because it would make it easier for patrons to go to their next destination.

Mr. Winchell asked if there were any considered impacts from removing condition 6. Mr. Sutak felt that most of the conditions are common sense conditions and he appreciates them. However, conditions 5, 6, and 9 are better addressed as part of a contractual agreement. It would make sense to remove condition 6 and deal with the dates of operation in a contract.

Point of Order: Ms. Maclean pointed out this agenda item had been publicly noticed as a change to Condition 9 only and not that they would be looking at the other conditions. Ms. Layne agreed with the Director. Mr. LeVine said, in that case, they would cease discussion of the other conditions.

PUBLIC COMMENT

Brenda Knapp, spoke to say she does not support striking the expiration date completely. She feels one winter of operation is not enough to support allowing the permit to go on in perpetuity. She felt there needs to be better management of people not in the church and hanging around the building in the evenings. She has observed disruptive people around the building that were talking loudly or fighting when she walked her dog between 10:00 and 11:00 p.m. During those instances, she saw no lights on or activity inside the church and wondered why they were not open.

Mr. Dye noted some people may have not bothered to express concerns because they thought it would only be a one-year thing and asked Ms. Knapp if she had also withheld complaints for that reason. She said she had originally understood it was to be a limited program.

ADDITIONAL APPLICANT COMMENTS

Pastor Perkins spoke to Ms. Knapp's concerns stating the operating hours normally began at 10:30 p.m. unless there were extreme weather occurrences which necessitated opening earlier. As for people camping on the stairs, she said that speaks to the need for more hours of open operation.

COMMISSIONER DISCUSSION

Mr. Pedersen said he feels having the applicant come back year after year is onerous but he is not comfortable extending it indefinitely. Mr. Pedersen suggested May 1, 2025. Mr. Winchell agreed but said he felt there are issues that need to be resolved and he would be more comfortable allowing a one- or two-year extension to give them the opportunity to work with the community and solve some of the issues.

MOTION: *by Mr. Arndt to accept staff's findings, analysis and recommendations and approve USE2022 0005.*

Mr. Arndt spoke against his motion saying he does not want a yearly review process and would prefer to find a different location not in a neighborhood. The original permit was granted in an emergency situation. He had understood the original permit to be a stop-gap measure because they were out of time and winter weather was imminent. He expressed a desire to see the church continue to run an emergency shelter, but to run it in a nonresidential location. He could see a permit like that being granted without an expiration date.

MOTION TO AMEND: *by Mr. Voelckers to retain condition 9 and change it to May 1, 2024.*

Mr. Voelckers spoke to his motion saying this leaves the option for the church to continue the emergency shelter in the case there is not another location found.

Mr. Winchell spoke to support the motion to amendment.

Mr. Alper said extending the permit would not automatically mean it would operate in perpetuity. The applicant would still need to retain a contract from the City each year. For these reasons, he is in support of the motion to amend.

Roll Call Vote on Motion to Amend:

YES: Voelckers, Winchell, Alper, Hickok, Pedersen, Cole, Dye, LeVine

NO: Arndt

The motion to amend passed 8-1.

MOTION TO AMEND: *by Mr. LeVine to change the expiration date to June 1, 2024*

Mr. LeVine spoke to his motion saying it would make more sense for the permit to terminate a month after the shelter closing date to allow for lessons learned before coming before the PC again.

AT EASE 9:16 p.m. – 9:18 p.m.

The motion to amend passed with no objection.

AMENDED MOTION: *to accept staff's findings, analysis and recommendations and approve USE2022 0005 with a change to the expiration date to June 1, 2024.*

Mr. Dye spoke against the motion saying neighbors did not expect it to be an ongoing program and the applicant has expressed a desire to make other changes to the permit. Therefore, he believes it should be allowed to expire. Mr. Arndt also spoke against the motion saying the permit originally passed quickly and they should let this expire and take the time to properly go through the process.

Ms. Cole and Mr. Winchell spoke in support of the motion.

Roll Call Vote on Amended Motion

YES: Cole, Pedersen, Alper, Winchell, Voelckers, LeVine

NO: Arndt, Hickok, Dye

The amended motion passed 6-3.

XI. OTHER BUSINESS – None

XII. STAFF REPORTS

Director Maclean reported:

- The Assembly adopted the downtown parking ordinance. It goes into effect in 29 days.
 - The no parking required area was extended
 - The parking map related to street vendors is still in process and will be before the Assembly soon. The map had to be amended due to the change in the no parking required area.
- ADOD will be back before the PC next month
- CDD is posting to hire a position to oversee housing
- Stream ordinance is with staff and moving to Law again soon

Mr. Voelckers asked if the majority of staff are working in office or hybrid. The Director said staff has been working in office throughout most of the pandemic.

XIII. COMMITTEE REPORTS

- Title 49 – Mr. Arndt reported the committee met and has made progress on Coastal Management. They could use more members. The next meeting is scheduled for May 12.

Any PC members who would like to serve on the Title 49 Committee should contact Chair LeVine. Otherwise, he may appoint a member or two anyway.

XIV. LIAISON REPORTS – None

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

XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS

Mr. LeVine thanked staff for working through technical issues to run a smooth hybrid meeting.

XVII. EXECUTIVE SESSION – None

XVIII. ADJOURNMENT – 9:30 p.m.

Next regular meeting scheduled for May 10, 2022, 7:00 p.m.

**PLANNING COMMISSION AGENDA
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

AME2018 0004: Revision to the Alternative Development Overlay District - RECOMMENDED AS
DRAFTED FOR APPROVAL TO THE ASSEMBLY

AGENDA ITEM:

Case No.: AME2018 0004
Applicant: City & Borough of Juneau
Location: Downtown Juneau
Proposal: Revision to the Alternative Development Overlay District

RECOMMENDATION:

Staff recommends the Planning Commission adopt the Director's analysis and findings and make a recommendation to the Assembly to **APPROVE** the proposed text amendment to revise the Alternative Development Overlay District.

ATTACHMENTS:

Description	Upload Date	Type
☐ Staff Report for AME2018 0004	5/18/2022	Staff Report
☐ Notice of Recommendation for AME2018 0004	6/9/2022	Notice of Recommendation



PLANNING COMMISSION STAFF REPORT
TEXT AMENDMENT AME2018 0004
HEARING DATE: MAY 24, 2022

(907) 586-0715

CDD_Admin@juneau.org

www.juneau.org/community-development

155 S. Seward Street • Juneau, AK 99801

DATE: May 17, 2022
TO: Michael LeVine, Chair, Planning Commission
BY: Irene Gallion, Senior Planner
THROUGH: Jill Maclean, Director, AICP

PROPOSAL: The proposed ordinance would amend the Alternative Development Overlay District.

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

KEY CONSIDERATIONS FOR REVIEW:

- Revisions are consistent with the built environment and neighborhood character.
- Standards reduce research and interpretation, saving time, costs, and providing consistency.

GENERAL INFORMATION	
Applicant	City and Borough of Juneau (CBJ)
Initiated By	CBJ (expiration of code)
Property Affected	Downtown Juneau

LAND USE CODE AMENDED	
CBJ 49.70.1200	Revision to standards for Downtown Juneau, removal of Downtown Douglas
CBJ 49.80 Definitions	Parking Deck
CBJ 49.85 Fees	Fees for the Alternative Development Overlay District eliminated
CBJ 49.25.430(4)(I)	Make Parking Deck setback exemption consistent between revised code and existing code

ALTERNATIVE ACTIONS:

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

ASSEMBLY ACTION REQUIRED:

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

STANDARD OF REVIEW:

- Quasi-legislative decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
 - CBJ 49.05.100
 - CBJ 49.10.170(d)
 - CBJ 49.25.430
 - CBJ 49.70.1200
 - CBJ 49.80
 - CBJ 49.85

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

WORK SESSION DATES	
Title 49 Committee	April 11, 2019; April 18, 2019; July 10, 2019; August 7, 2019; September 4, 2019; October 2, 2019; November 1, 2019; December 12, 2019; March 5, 2020; March 21, 2022
Committee of the Whole	June 9, 2020
Public Meeting	February 2019; December 2019
Regular Planning Commission Meeting	July 27, 2021; February 22, 2022

BACKGROUND

The Alternative Development Overlay District (ADOD) amendment includes:

- Draft Ordinance (**Attachment A**).
- Associated Map (**Attachment B**).

The history of the ADOD is summarized in **Attachment C**. The record can be found at <https://juneau.org/community-development/short-term-projects>.

This discussion will cover:

- What the current iteration does, with a summary of prevailing discussions throughout development.
- Revised ADOD map boundaries.
- Analysis.
- Future amendment considerations.

DISCUSSION – PROPOSED REVISION

Proposed Lot Sizes:

- 3,000 square feet for a single-family structure.
- 4,500 square feet for a duplex.
- 3,000 square feet for a common wall.

During development of this revision, the Title 49 Subcommittee initially developed subdivision lot size based on the desire to bring 78 percent of existing downtown lots into conformity. Since then, the issue of conformity has been effectively dealt with through the nonconforming certification. Title 49 retained the lot size standards for subdivision, reasoning that the degree of conformity showed that the lot size was appropriate for the character of the neighborhood, and subdivision would be appropriate. The Commission had proposed no minimum lot size under ADOD, but that subdivisions after January, 2022, must meet lot size requirements. CBJ Law counselled that creating special standards for subdivision in the ADOD could be considered arbitrary and not satisfy “rational basis.” Rational basis is a legal concept that disallows drawing distinctions between persons in a way that may violate the equal protection clause.

One perennial question is, how many downtown lots could be subdivided based upon the proposed lot sizes listed above? Figure 1 shows lots in the ADOD that are at least 6,000 square feet. The image does not consider other constraints, like lot width or structure setbacks. The blue line in Figure 1 delineates lots in the Behrends and Central Downtown area that cannot be subdivided due to hazard zone regulations in existing code and adopted hazard maps.

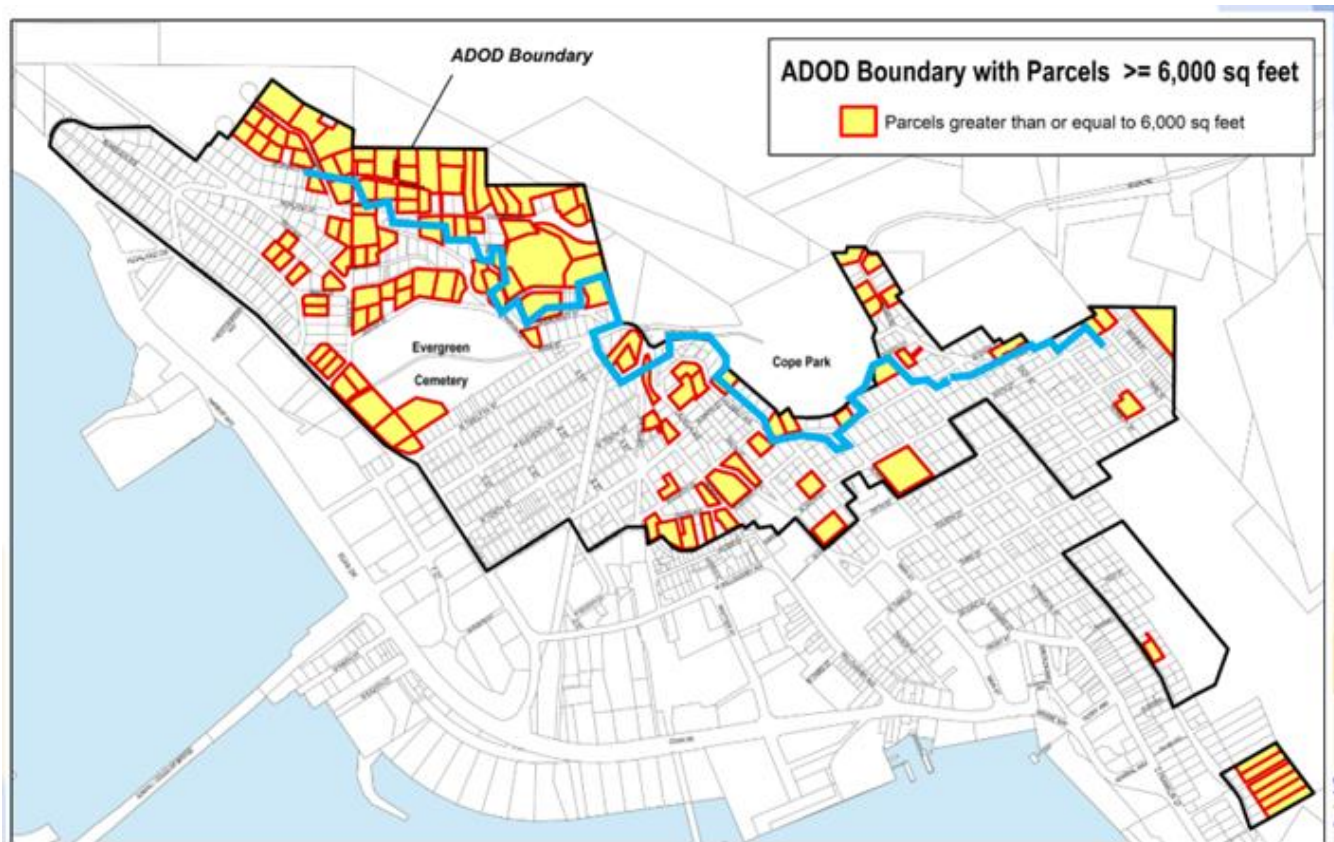


Figure 1.

Proposed Lot Width:

- 25-foot minimum lot width.

Minimum proposed lot width was originally developed for this ADOD revision in coordination with minimum lot depth standards. Since then, CBJ code provision for minimum lot depth has been repealed. Title 49 reasoned that lot size, setbacks, lot coverage, and vegetative standards would balance to create useable lots. The lot depth provision was not needed for the revised ADOD.

Proposed Vegetative Cover:

- 15 percent vegetative cover.

Title 49 considered higher levels of vegetative cover, however one concern was the practicality of multi-family structures meeting a higher standard. While the current code provides minimum vegetative cover for different zoning districts [CBJ 49.50.300], the term is not defined.

Concurrent with vegetative cover discussions were the development of updated definitions of “landscaping” and “vegetative cover” under a separate code review process (AME2020 0022). This revision is still in process. The proposed purpose of vegetative cover would minimize risk of flooding, erosion, and slow the speed and volume of stormwater runoff into surrounding lands. The proposed definition also clarifies that porous hardscape, like permeable pavement, would count toward vegetative cover. AME2020 0022 is currently under review by staff.

Proposed Structure Height:

- 35 feet for primary uses.
- 25 feet for accessory uses.

Proposed structure height is in keeping with existing restrictions in residential zoning districts. Residences in the Light Commercial (LC) district with a height limit of 45 feet will need to weigh if they feel the height trade-off is worth the less restrictive setbacks. Applicants must choose to opt all in or all out of the ADOD. Applicants cannot pick and choose, thus resulting in a development that may be out of character with the built environment.

Proposed / Revised Setbacks:

- Minimum setback from any lot line is three feet.
- Sum of all setbacks must be 20 feet.

Note that the Assembly's Housing Development Task Force had recommended more flexible setbacks. This tool provides a "test case" and possible delivery mechanism.

Of Variances completed since 1987, 80 percent were for setbacks. Reduced setbacks match the existing built environment. When considering proposed setbacks, staff discussed using a setback formula based on neighboring properties similar to the current ADOD. This was ultimately rejected because of the percentage of existing structures with no setbacks and the subjectivity of the formula. Title 49 selected three-foot setbacks in recognition of the form and character of the existing neighborhood. Fire separation also informed this discussion. Structures closer than five feet to one another have additional building code requirements. Six feet (three on each side) created the flexibility staff was seeking while avoiding additional construction of fire separation.

Building standards can adapt to the standards of separation and setback that work for the community. Recognizing the percentage of existing downtown structures in close proximity to the street or to one another, along with the desire to promote flexibility and facilitate new construction that fits within the existing built environment, the three-foot setback recommendation is sustained.

Approximately 22 percent of downtown lots are less than 3,000 square feet, but these may want to participate in the ADOD. The revised code includes the provision:

- If lot size is less than required, the required setback sum can be reduced proportionally.
 - The setback sum cannot be less than 12 feet.
 - No lot line setback can be less than three feet.

Example: Lot A is 2,500 square feet.

$2,500 \text{ square foot lot size} / 3,000 \text{ square foot minimum required} = 0.8333$, or 83 percent

Lot A setbacks sum could be reduced proportionally:

$(20 \text{ foot setback sum})(83 \text{ percent}) = 16.6 \text{ feet}$

For a four-sided lot, three of the lot lines could have a three-foot setback, but the minimum setback for the fourth lot line would be 7.6 feet:

$(3 \text{ lot lines})(3 \text{ feet}) = 9 \text{ feet}$

$(16.6 \text{ foot reduced setback sum}) - (9 \text{ feet}) = 7.6 \text{ feet}$

With respect to setbacks, sight distances have been an ongoing discussion with downtown development projects and road standards. Staff and Title 49 agreed that the American Association of State Highway and Transportation Official's standards do not apply to ADOD. The Policy on Geometric Design of Highways and Streets (2018, 7th edition, Introduction and Chapter 9) notes not all aspects of performance are quantifiable. Qualitative performance can also be considered. The ADOD area has no qualitative or quantitative indicators of a menacing crash rate. Intersections can be addressed individually if needed.

Yard Setback Exceptions: Current code includes yard setback exemptions in CBJ 49.25.430. Applicable setback exemptions are restated in revised ADOD code to clarify their applicability, and modify them when needed.

Definitions: A definition of "parking deck" is proposed in CBJ 49.80.120.

Fees: Fees of \$400 per lot line under the current ADOD have been eliminated in the revision. The proposed revision reduces staff analysis time to that required under a routine building permit review, provided the code is adopted as drafted.

REVISED ADOD MAP BOUNDARIES

Proposed ADOD boundaries are found in **Attachment B**. The Commission did not pursue proposals to expand the boundaries to some Mixed Use (MU) or MU2 zoned areas. Below is a summary of the ADOD attributes compared to MU and MU2 zoning districts.

Attribute	ADOD	MU	MU2
Lot Size	3,000 square feet	4,000 square feet	4,000 square feet
Setback	3 feet	0	5 feet
Height (permissible)	35 feet	None	45 feet
Width	25 feet	50 feet	50 feet
Vegetative Cover	15 percent	0 percent	5 percent

ANALYSIS

Can a property owner be forced to participate in the ADOD?

No, the ADOD is an "opt in" overlay. If participation in the ADOD makes a property conforming, but the owner wants to keep a feature of the underlying zoning, they could instead pursue a nonconforming situation review.

Can a property owner mix and match ADOD and underlying zoning?

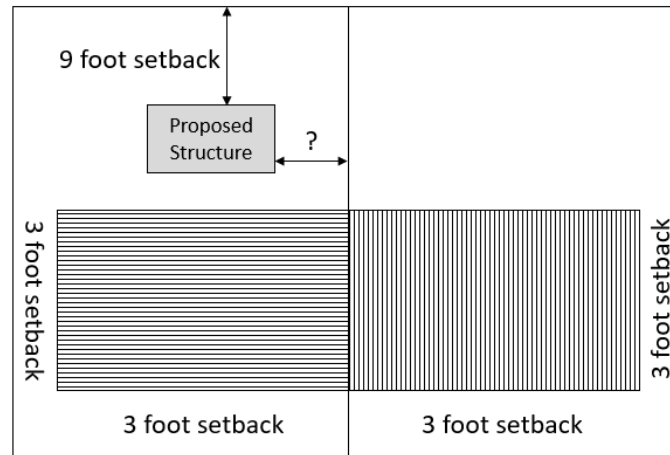
No, an owner either needs to participate in all elements of the ADOD, or none. For instance, LC zoning has a smaller minimum lot size than the ADOD, but has more restrictive setbacks (see table below). A property owner would not be able to choose the least restrictive standards from both LC and the ADOD.

	Proposed ADOD	LC
Lot Size, sf	3,000	2,000
Front Setback	3'	25'
Side Setback	3'	10'
Rear Setback	3'	10'
Lot Coverage	50%	No Maximum
Building Height	35'	45'

How does the ADOD work with a common wall structure?

The common wall structure can have a setback of zero along the shared property line, but additional structures would need to meet setback requirements, including a three-foot minimum setback from the common wall lot line.

As an example, for the proposed structure below, the owner would like to construct a structure nine feet from the rear lot line. How close could they get to the side lot line?



(front) + (side) + (rear) = setback total

3 + 3 + 9 = 15 feet

(Total Setback Minimum) – (setback sum) = ?

20 – 15 = 5 feet

The proposed structure must be at least five feet from the common wall lot line.

FUTURE AMENDMENT CONSIDERATIONS

The process of drafting ADOD revisions exposed areas of code that could use refinement. Due to complexity and duration, these codes were not updated for this revision, but can be added to the list of items the Assembly may want to consider in the future.

Exceptions for Fences and Vegetation: Limitations on fence height and vegetation are found in CBJ 49.25.430(4)(L) in current code, and in the revised ADOD. Review items might include:

- The height of sight-obscuring fences or vegetation, especially at intersections.
- The impacts of trees – does a collection of tree trunks become sight-obscuring? How to address that?
- Can images and language be simplified and/or improved?

Exceptions for Architectural Features: The exemption for architectural features is found in CBJ 49.25.430(4)(A) and was copied into the revised ADOD. The term “architectural feature” is not defined and can have different meanings between planning and building professions.

COMPLIANCE WITH TITLE 49

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

- (1) To achieve the goals and objectives, and implement the policies, of the Juneau comprehensive plan, and coastal management program;*
- (2) To ensure that future growth and development in the City and Borough is in accord with the values of its residents;*
- (3) To identify and secure, for present and future residents, the beneficial impacts of growth while minimizing the negative impacts;*
- (4) To ensure that future growth is of the appropriate type, design and location, and is served by a proper range of public services and facilities such as water, sewage, and electrical distribution systems, transportation, schools, parks and other public requirements, and in general to promote public health, safety and general welfare;*
- (5) To provide adequate open space for light and air; and*
- (6) To recognize the economic value of land and encourage its proper and beneficial use.*

Title 49 Land Use Code – The proposed text amendment complies with CBJ Title 49 Land Use Code.

If the proposed ADOD code is adopted, code that may require update includes:

Code Reference	Item	Summary
CBJ 49.80	Definitions	Add definition: <i>Parking deck is an unenclosed structure on which motor vehicles may be parked. The access to the deck must be at street grade. The deck may have a non-sight-obscuring safety rail not more than 42 inches in height.</i>
CBJ 49.25.430(I)	Exceptions: Parking Decks	If the definition of “parking decks” is adopted, replace the current code with: <i>A parking deck as defined in CBJ 49.80 is exempt from the setback requirements of this chapter.</i>

COMPLIANCE WITH ADOPTED PLANS

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

2013 COMPREHENSIVE PLAN The proposed text amendment is in compliance with the 2013 Comprehensive Plan.			
Chapter	Page No.	Item	Summary
5	45	5.2-IA4	Encourage downtown accommodations for legislators.
5	48	Downtown	Preserve historic structures and neighborhoods with designs that protect height, scale, and orientation while creating housing downtown.
5	49	5.5-DG1	<i>“When reviewing applications for new downtown Juneau development, consider the visual impacts on downtown building form, urban design and view corridors, as well as impacts to the livability of downtown with regard to circulation, housing accommodations, air quality, noise and hazard abatement and provision of goods and services, to ensure downtown provides a clean, safe, attractive, dynamic, interesting, enjoyable, walkable, culturally diverse and affordable neighborhood within which to live, work and play.”</i>
10	184	Subarea 6, Guideline 1	Preserve the scale and densities of the older single-family neighborhoods in the downtown area, including the Casey-Shattuck “flats,” Star Hill historic districts, Chicken Ridge, Basin Road, Mt. Maria, the Highlands, and the higher density multi- and single-family structures in the vicinity of the Federal Building.
10	184	Subarea 6, Guideline 2	<i>“Encourage the retention of existing dwelling units in or near the older residential neighborhoods to avoid exacerbating traffic and parking congestion and to preserve the privacy and quiet of those neighborhoods.”</i>

2016 HOUSING ACTION PLAN The proposed text amendment complies with the 2016 Housing Action Plan.			
Chapter	Page No.	Item	Summary
1,2	27-33, 42-50	Challenges and Problems; Solutions	Rehabilitation and maintenance are important tools for increasing the housing stock.
9	49	Downtown Strategy	Infill and redevelopment are important.
9	50	Implementation	Create a development district with incentives for development.

AGENCY REVIEW

Agency review has been ongoing throughout the project. This includes the Capitol City Fire and Rescue (CCFR) Fire Marshal, General Engineering, Engineering, and Building.

PUBLIC COMMENTS

The table below lists the opportunities for public interaction.

Informational and neighborhood meetings included abutters notices in addition to the newspaper advertising and press releases associated with the Title 49 Committee and Planning Commission (PC). Materials and minutes from meetings can be found at: <https://juneau.org/community-development/short-term-projects>

Date	Meeting
June 12, 2017	Assembly Committee of the Whole (COW): Ordinance for ADOD forwarded to full Assembly
January 1, 2019	Downtown Informational Meeting
February 5, 2019	Downtown Informational Meeting
February 7, 2019	Downtown Informational Meeting
April 11, 2019	Title 49: ADOD proposal
April 18, 2019	Title 49: ADOD proposal, additional info
June 24, 2019	Assembly: ADOD ordinance introduced, extending date to August 2020
July 10, 2019	Title 49: Modify setbacks, new boundary, minimum lot size, sliding setbacks
August 7, 2019	Title 49: Continued discussion
September 4, 2019	Title 49: Continued discussion
October 2, 2019	Title 49: Continued discussion
November 1, 2019	Title 49: Summary and continued discussion
December 5, 2019	Neighborhood Meeting
December 7, 2019	Neighborhood Meeting
December 12, 2019	Title 49: Debrief on public meeting
March 3, 2020	Title 49: Comments and proposed ordinance
June 9, 2020	PC COW
July 27, 2021	PC: Revive ADOD
February 22, 2022	PC: Clean up after Law, Engineering and Public Works review
March 31, 2022	Title 49: Sight distance angles

The Community Development Department conducted a public comment period for this meeting between April 20, 2022, and May 10, 2022 (**Attachment D**). Public notice was mailed to property owners within 500 feet of the proposed amendment. Public comments submitted at time of writing this staff report can be found in **Attachment E**.

Name	Summary
Ke Mell	Likes the “sliding box” setback, clarification on application to common wall developments.

FINDINGS

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

Analysis: The proposed amendment balances the varied Comprehensive Plan policies.

Finding: Yes. The proposed text amendment complies with the 2013 Comprehensive Plan and the 2016 Housing Action Plan.

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

Analysis: The proposed amendment was drafted with the purpose and intent of Title 49 Land Use Code taken into account. If the draft is approved, the revised ADOD will be consistent with the above purposes.

Finding: Yes. The proposed development complies with the purpose and intent of Title 49 Land Use Code. Additionally, the proposed amendments are consistent within the code.

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and make a recommendation to the Assembly to **APPROVE** the proposed text amendment to revise the Alternative Development Overlay District.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Draft Ordinance
Attachment B	Draft Ordinance - Map
Attachment C	ADOD History
Attachment D	Abutters Notice
Attachment E	Public Comment

VERSION FEATURES:

Changes incorporated after feedback from T49 on 3.31.2022

- Reversion to three foot minimum setback after discussions of corner setbacks as high as 20 feet.
- Removed "...not more than 42 inches in height." T49 felt that should be covered under building code.
- Limits ADOD to residential.
- Kept existing code language on "architectural features," something to note to be addressed later.
- Kept existing code language on "fences and vegetation."

Previous versions included:

Per Regular Planning Commission feedback at the February 22, 2022 meeting.

Voelckers proposal.

Presented by: The Manager
Presented:
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-36

An Ordinance Amending the Land Use Code Relating to the Downtown Juneau Alternative Development Overlay District.

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

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

Section 2. Amendment of Section. CBJC 49.70.1210 is repealed.

~~**49.70.1210 Overlay districts.**~~

~~(a) *Downtown Juneau overlay district.* This article applies to property within the alternative development overlay district for Downtown Juneau as shown on the map dated May 25, 2017.~~

~~The Downtown Juneau overlay district shall cease to exist and the provisions of this article shall not apply to property within the Downtown Juneau overlay district after August 1, 2022.~~

~~(b) *Downtown Douglas overlay district.* This article applies to property within the alternative development overlay district for Downtown Douglas as shown on the map dated May 25, 2017.~~

~~The Downtown Douglas overlay district shall cease to exist and the provisions of this article shall not apply to property within the Downtown Douglas overlay district after December 31, 2021.~~

Section 3. Amendment of Chapter. Chapter 70 is amended by adding a new Article XIV to read:

ARTICLE XIV.

DOWNTOWN JUNEAU ALTERNATIVE DEVELOPMENT OVERLAY DISTRICT

49.70.1400 Purpose.

The purpose of this chapter is to establish optional alternative dimensional standards for residential development that are consistent with the built environment in established neighborhoods, reduce the number of nonconforming situations, and support public health, safety and welfare.

49.70.1410 Applicability.

(a) This ordinance applies to property within the Downtown Juneau Alternative Development Overlay District (ADOD) boundary as shown on the map dated **August 30, 2019**.

(b) Participation in the Downtown Juneau ADOD to facilitate conforming residential development is optional.

(c) This section specifically modifies certain dimensional standards. Unless noted in this section, all remaining requirements of the underlying zoning district apply.

(d) This ordinance does not modify permissible uses or the processes outlined in 49.15 Article II.

(e) When a landowner chooses to develop according to Downtown Juneau ADOD standards, the development must conform to all the standards outlined in 49.70.1430 and 49.70.1440.

(f) Downtown Juneau ADOD standards may be applied to a new subdivision within the ADOD boundary.

(g) Existing nonconforming lots and structures may be further developed following Downtown Juneau ADOD standards. Expansion of nonconforming structures must either meet the Downtown Juneau ADOD standards or the underlying zoning standards. The two standards cannot be combined.

49.70.1420 Downtown Juneau Alternative Development Overlay District procedure.

(a) An applicant affirms their participation in the Downtown Juneau Alternative Development Overlay District by submitting an alternative development permit application with their development permit application, and any other applications that may be required.

(b) The processes will be governed by corresponding permit type in accordance with Chapter 49.15.

49.70.1430 Downtown Juneau Alternative Development Overlay District Standards.

The following dimensional standards apply to lots within the Downtown Juneau ADOD boundary regardless of their underlying zoning district designation.

(a) Lot size.

(1) Minimum lot size is 3,000 square feet.

(2) Minimum lot size for a duplex is 4,500 square feet.

(3) Minimum lot size for a common wall structure is 3,000 square feet.

(b) Lot width.

(1) Minimum lot width is 25 feet.

(c) Minimum vegetative cover is 15 percent.

(d) Structure height.

(1) Maximum height for primary uses is 35 feet.

(2) Maximum height for accessory uses is 25 feet.

(e) Setbacks.

(1) Setbacks will be measured from the structure closest to the lot line.

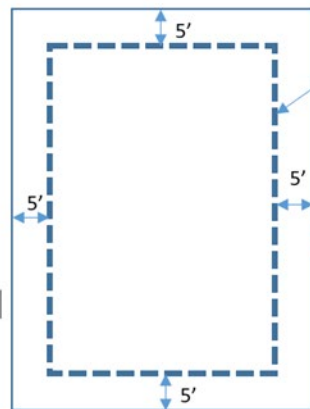
(2) The minimum setback for any lot line is three feet.

(3) Cumulative setback amount:

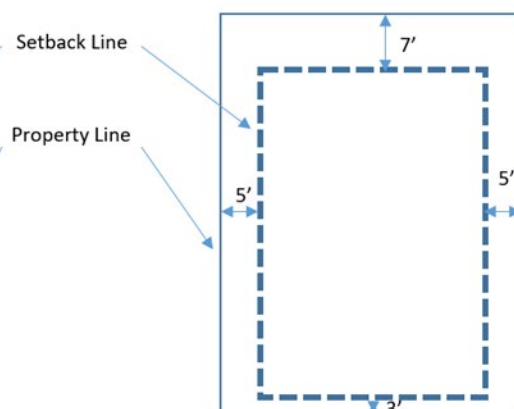
(A) The sum of all setbacks must equal at least 20 feet.

(B) If lot size is less than required in this section, the required setback sum may be reduced proportionally. In no case shall the required setback sum for the lot be less than 12 feet and in no case shall any setback be less than three feet.

Examples



§1430 Fig. 1



§1430 Fig. 2

49.70.1440 Yard Setback Exceptions.

(a) Purpose. This section clarifies the setback exceptions that apply in the Downtown Juneau Alternative Development Overlay District. Exempted elements do not count toward the setback total.

(b) Exception categories.

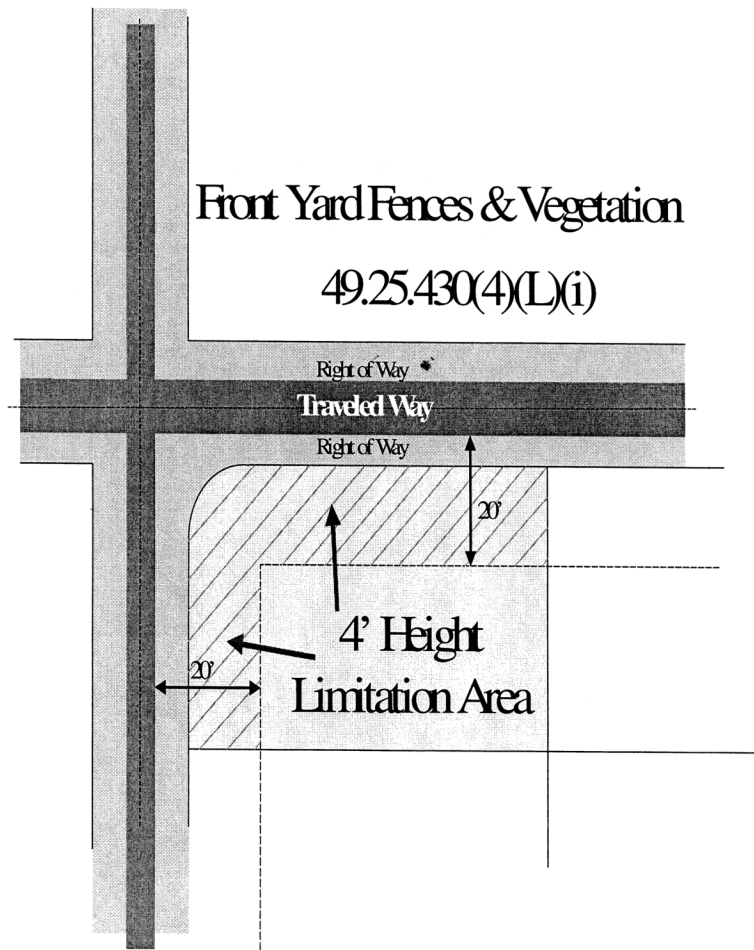
(1) Architectural features and roof eaves may project into a required yard, but not closer than two feet from the side or rear lot lines.

(2) Access structures, such as stairways, ramps, and landings with or without roofs, may extend to the lot line abutting a public right-of-way provided the structure does not exceed five feet in internal width exclusive of support structure.

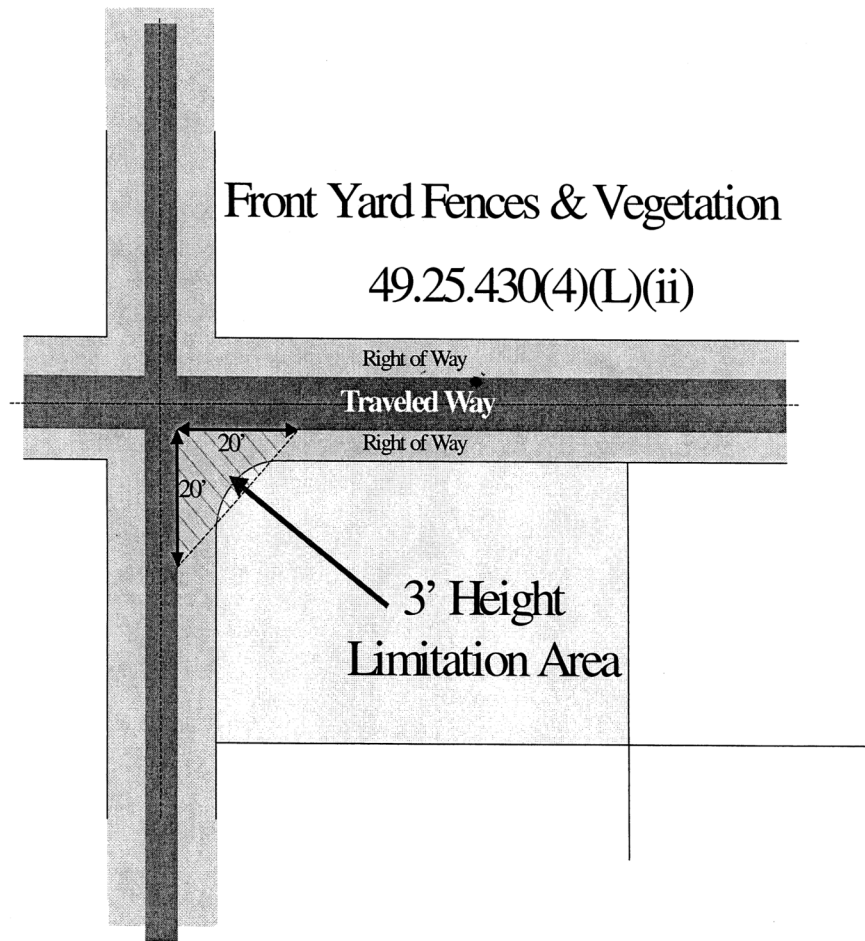
(3) A parking deck is exempt from the setback requirements of this chapter.

(4) Fences and vegetation. For this section a "traveled way" is defined as the edge of the roadway shoulder or the curb closest to property.

(A) The maximum height of a sight obscuring fence or vegetation shall not exceed four feet within 20 feet of the edge of the traveled way. Trees are allowed within 20 feet of the edge of the traveled way provided they do not obscure view from a height of four feet to a height of eight feet above the ground;



- (B) On corner lots the maximum height of a sight-obscuring fence or vegetation located within 20 feet of a street intersection shall not exceed three feet. The area in which sight-obscuring fences and vegetation is restricted shall be determined by extending the edge of the traveled ways to a point of intersection, then measuring back 20 feet, then connecting the points. In this area, vegetation shall be maintained to a maximum height of three feet. Trees are allowed in this area provided the trees do not obscure view from a height of three to eight feet above the ground.



(5) Energy efficiency. Energy efficiency improvements that do not increase interior square footage, such as exterior insulation, may project up to eight inches into a required yard. An energy efficiency improvement may not be approved under this section if it projects into the right-of-way or across a property line.

49.80120 Definitions

Parking deck is an unenclosed structure on which motor vehicles may be parked. The access to the deck must be at street grade. The deck may have a non-sight-obscuring safety rail.

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49.85.100 Fees for Land Use Actions, Generally

~~(C) Alternative development permit, \$400.00~~

Section 4. Effective Date. This ordinance shall be effective 30 days after its adoption.

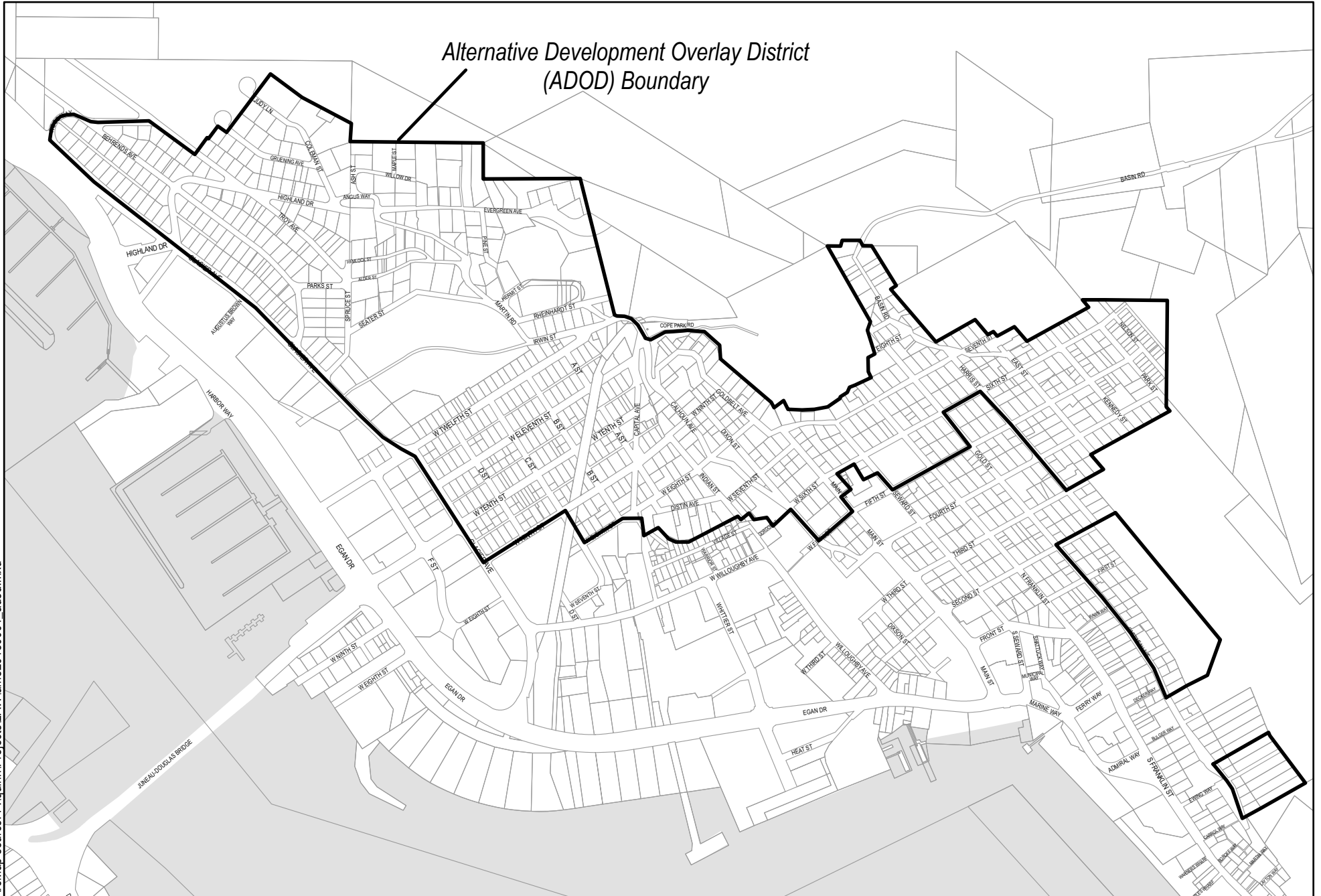
Adopted this _____ day of _____, 2021.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

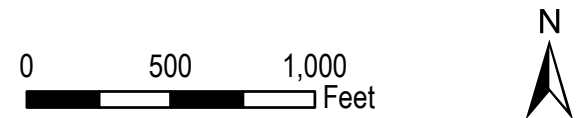
Alternative Development Overlay District
(ADOD) Boundary



CDD Case: AME20180004

DOWNTOWN JUNEAU ALTERNATIVE DEVELOPMENT OVERLAY DISTRICT

Attachment B - Draft Ordinance - Map





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

May 17, 2022

MEMO

From: Irene Gallion, Senior Planner

To: Michael Levine, Chair, Planning Commission

Through: Jill Maclean, AICP, Director of Community Development

Case Number: AME2018 0004: Revisions to the Alternative Development Overlay District

RE: The Alternative Development Overlay District: How we got here.

AME2018 0004 proposed revisions address shortcomings in existing ADOD code.

This memo summarizes the history of previous updates to the Downtown Juneau Alternative Development Overlay District (ADOD) and why the ADOD was created.

PURPOSE AND NEED

- Non-conforming code allows residents to rebuild their existing non-conforming structure after accidental destruction within the building's pre-existing footprint. (Building code elements would have to be modernized.)
- Proposed ADOD facilitates improvements beyond the original structure for residences and commercial buildings within the boundary.

EXISTING ADOD

The existing Downtown Juneau ADOD, established in 2017, has exhibited some short-comings. The existing ADOD:

- Acknowledges that existing zoning downtown does not match the built environment.
- Establishes a process for reducing dimensional standards to allow for the construction, reconstruction, expansion, or rehabilitation of residential buildings. This code:
 - Addresses lot coverage, vegetative cover, and setback requirements.
 - Applies to residential buildings.
- Establishes Planning Commission review for all ADOD permits.

The existing Downtown Juneau ADOD has a sunset date of August 1, 2022. The existing ADOD was intended to be temporary, allowing time to establish new zoning regulations for downtown areas. Multiple factors have delayed a zoning revisions, but the primary delay was because funding of a Comprehensive Plan rewrite had been delayed. Revisions to the Comprehensive Plan precede a revamp of zoning. Because of delays, the ADOD sunset has been extended multiple times.

Since the code was established, there have been 19 ADOD applications on nine properties.

Douglas was included in original code, but there were no Douglas ADODs. Douglas inclusion in the ADOD was allowed to lapse in December of 2021.

Short-comings of existing code include:

- **Complexity and consistency:** The procedure involves averaging setbacks of properties within a 150-foot radius. What percentage of the property that must be in that radius to be included is unclear. Some properties require use of GIS imagery to establish setbacks, while some properties have much more accurate as-built surveys. Well-intentioned interpreters can come up with different answers to the same question.
- **Expense:** The base price for an ADOD evaluation is \$400 per lot line.
- **Time:** The current ADOD requires a Planning Commission hearing, which compels a staff report and public noticing.

PATH TO THE ADOD

Before case law refined CBJ's approach, variances were the primary tool used to provide flexibility to developers. Subsequent case law changed CBJ's approach and made getting variances more difficult and rare. Juneau's downtown community was inordinately impacted by the change in how variances were used. Under old variance code, 50% of variances were to setbacks community-wide. When you consider the variances in just Downtown Juneau, that percentage rises to 80%.

The change occurred in 2015, when Olmo, LLC appealed a Planning Commission decision to deny a variance to the Assembly. The Assembly's decision to uphold the variance hinged on the Appellant's ability to demonstrate hardship. While the variance code had multiple criteria for considering a variance, those criteria could not be considered before "hardship" was established. Hardship was a "threshold issue." This decision spurred the Planning Commission to rewrite the variance code, and the Assembly adopted the new (existing) variance ordinance.

Under old code, "hardship" was a difficult standard to meet. In new code (established in 2018), the Planning Commission eased the standard from "extraordinary situation or unique physical feature" to "unusual or special" features of the property.

Despite the easing of standards, pre-code downtown neighborhoods in Juneau and Douglas struggle to meet variance criteria. According to case law:

Hardship:

- **Denies reasonable use of the property.** Downtown home owners in established homes use the property reasonably.

- **Can only be related to costs in the most extreme conditions.** A homeowner needing to pay more for an improvement is not, in itself, a hardship.
- **Cannot be self-imposed.** A structure is considered “self-imposed” regardless of who built it and when. There are 916 downtown structures that have residences constructed before regulation was established (1956).

Peculiarities of the land:

- **Arise when the physical conditions of the land distinguish it from other land in the area.** A distinguishing condition might be a steep slope or meandering waterway that did not impact neighbors. Downtown neighborhoods have similar physical conditions. Without peculiarities that distinguish a lot from its neighbors, the threshold for a variance cannot be met.

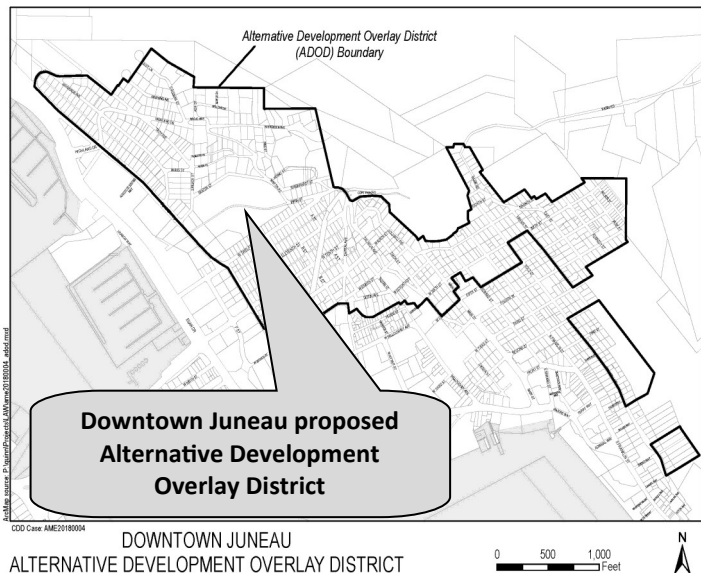
The ADOD provides an alternative to variances, and a development path for downtown properties.



COMMUNITY DEVELOPMENT
155 S. Seward Street Juneau, AK

Packet Page 39 of 363

PRESORTED
FIRST CLASS MAIL
U.S. POSTAGE PAID
PERMIT NO. 61
JUNE AU, ALASKA



To:

An application has been submitted for consideration and public hearing by the Planning Commission for **Revision to the Alternative Development Overlay District** located in **Downtown Juneau**.

*Information on the project can be found at www.juneau.org/community-development/special-projects/short-term-projects. Information is in the process of being updated.

*Staff Report expected to be posted **Monday, February 14, 2022**, at <https://beta.juneau.org/assembly/assembly-minutes-and-agendas>. Find hearing results, meeting minutes and more here as well.



Now through May 2	May 3 noon, May 20	HEARING DATE & TIME: 7:00 pm, May 24, 2022	May 25
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 virtual meeting will be by video and telephonic participation only. To join the Webinar, visit: https://juneau.zoom.us/j/84594683197 . The Webinar ID is: 845 9468 3197 . To join by telephone, call: +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833 or +1 301 715 8592 or +1 312 626 6799 or +1 929 436 2866 and enter the Webinar ID.	The results of the hearing will be posted online.
Phone: (907)586-0753 Ext. 4130 ♦ Email: pc_comments@juneau.org Mail: Community Development, 155 S. Seward St, Juneau AK 99801		Case No.: AME2018 0004 Parcel No.: N/A CBJ Parcel Viewer: http://epv.juneau.org	
Attachment D - Abutters Notice			

Irene Gallion

From: Ke Mell <kemell@alaskan.com>
Sent: Tuesday, May 3, 2022 6:21 PM
To: Irene Gallion
Subject: Re: Revision to the ADOD

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

Irene,

If a lot has a common wall structure and no other structures, do the remaining sides need to total 20' or do we pretend that there is a 3' setback at the common wall and therefore the other three sides need to total 17'?

I think the "sliding box" is interesting. Did you cook it up?

Háw'aa,

Ke

On 5/3/2022 2:55 PM, Irene Gallion wrote:

> Hi Ke,
 >
 > My apologies for the delayed response.
 >
 > For a common wall, the common wall structure setback is zero, but other items in the back yard (like a shed, or a deck) must meet a 3' setback. The 20 foot sum counts for all structures BESIDES the common wall.
 >
 > If a lot abuts another zoning, the other zoning setback will apply if it is more restrictive. The setback will count to the 20' rule, but in no case could the setback from any one lot line be less than three feet.
 >
 > Háw'aa for your observation on the 20 foot rule. This is Juneau's first application of the "sliding box," it will be interesting to see if it is incorporated into other areas.
 >
 > IMG
 >
 >
 >
 > -----Original Message-----
 > From: Ke Mell <kemell@alaskan.com>
 > Sent: Thursday, April 28, 2022 8:19 PM
 > To: Irene Gallion <Irene.Gallion@juneau.org>
 > Subject: Re: Revision to the ADOD
 >
 > EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS
 >
 > _____

>

> Irene,

>

> I've been thinking some more about ADOD and have a couple of questions.

>

> If a dwelling in ADOD is common wall, what happens to the 20' total setback? Does it stay at 20', distributed between three sides? Does it become $20' - 3' = 17'$ (for one common wall), and $20' - 2 \times 3' = 14'$ (for two common walls)? Does something else happen?

>

> If a lot in ADOD abuts another district such that Note 3. to TABLE

> 49.25.400 TABLE OF DIMENSIONAL STANDARDS applies, does the ADOD lot need to maintain the other district's setback on the common lot line? If so, would this affect the 20' rule?

>

> I like the ADOD 20' rule, and think that it has potential for other situations--maybe making it 40' or 50' instead of 20'--where there are either a lot of non-conforming properties or to enable an increase in density.

>

> Háv'aa,

>

> Ke

>

> On 4/25/2022 7:04 PM, Ke Mell wrote:

>> Irene,

>>

>> Dí láagan.

>>

>> Sh tóo ghaa xha ditee (I appreciate) the clear and logical

>> explanation. I support the revisions.

>>

>> Háv'aa,

>>

>> Ke

>>

>>

>>

>>

>> On 4/25/2022 7:56 AM, Irene Gallion wrote:

>>> Hi Ke, san úu dǎng gíidang? Dí láagan.

>>>

>>> The easiest way to look at it is that a duplex is two physically

>>> connected units on one lot, and the common wall is two physically

>>> connected side-by-side units on two lots with the property line

>>> running down the middle. A duplex may share common areas, such as

>>> laundry or hallways. A common wall will not share areas with its

>>> neighbor.

>>>

>>> Accessory apartment rules will remain in place. Under current

>>> regulation, one could have an accessory apartment:

>>> * 600 SF on a lot up to 125% minimum lot size

>>> * 50% the size of the primary structure UP TO 1,000 square feet, IF

>>> the lot exceeds 125% minimum lot size

>>> * Other dimensional standards would need to be met.

>>>

>>> Let me know if you have further questions, há'waa!
>>>
>>> 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 X2
>>> .
>>>
>>>
>>> Fostering excellence in development for this generation and the next.
>>>
>>>
>>>
>>>
>>>
>>>
>>>
>>>
>>>
>>> -----Original Message-----
>>> From: Ke Mell <kemell@alaskan.com>
>>> Sent: Saturday, April 23, 2022 7:07 PM
>>> To: Irene Gallion <Irene.Gallion@juneau.org>
>>> Subject: Revision to the ADOD
>>>
>>> EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS
>>>
>>> _____
>>>
>>> Irene,
>>>
>>> I received the postcard and downloaded the draft map ad ordinance.
>>> I'm supportive of the changes, but would appreciate clarification of
>>> the difference between a "duplex" and a "common wall structure".
>>> Also, does/will ADOD allow mother-in-law apartments?
>>>
>>> Háw'aa
>>>
>>> Ke



Planning Commission

(907) 586-0715

PC_Comments@juneau.org

www.juneau.org/community-development/planning-commission

155 S. Seward Street • Juneau, AK 99801

**PLANNING COMMISSION
NOTICE OF RECOMMENDATION**

Date: June 8, 2022

Case No.: AME2018 0004

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

Proposal: Planning Commission Recommendation to the City and Borough Assembly regarding revision to the Alternative Development Overlay District located in Downtown Juneau.

Property Address: Downtown Juneau

Legal Description: Multiple

Parcel Code Number: Multiple

Hearing Date: May 24, 2022

The Planning Commission, at its regular public meeting dated May 24, 2022, recommended that the City and Borough Assembly consider and adopt revisions to the Alternative Development Overlay District located in Downtown Juneau. The revision affects setbacks, minimum lot area, and other issues related to development.

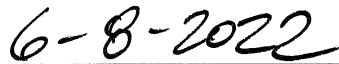
Attachments: May 17, 2022 memorandum from Irene Gallion, Community Development, to the CBJ Planning Commission regarding AME2018 0004.

City and Borough Assembly
Case No.: AME2018 0004
June 8, 2022
Page 2 of 2

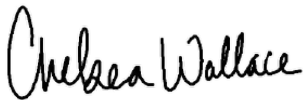
This Notice of Recommendation constitutes a recommendation of the CBJ Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of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



Paul Voelckers for Michael LeVine, Chair
Planning Commission



Date



Filed With City Clerk

June 9, 2022

Date

cc: Plan Review

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

**PLANNING COMMISSION AGENDA
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

APL2021 0006: Juneau Cooperative Christian Ministry, dba The Glory Hall v. CDD - PLANNING
COMMISSION ISSUED A VERBAL DECISION REMANDING THE CASE BACK TO THE
COMMUNITY DEVELOPMENT DEPARTMENT

AGENDA ITEM:

Case No.: APL2021 0006
Applicant: Juneau Cooperative Christian Ministry, dba The Glory Hall
Location: 247 S. Franklin Street
Proposal: Juneau Cooperative Christian Ministry, dba The Glory Hall v. CDD

ATTACHMENTS:

Description	Upload Date	Type
☐ Appeal Record for APL2021 0006 - Part 1	5/17/2022	Appeal
☐ Appeal Record for APL2021 0006 - Part 2	5/17/2022	Appeal
☐ Appeal Record for APL2021 0006 - Part 3	5/17/2022	Appeal

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

PROPERTY LOCATION			
Physical Address 247 S. Franklin St.			
Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) Juneau Townsite Block M Lot 2 FR			
Parcel Number(s) 1C070B0M0010			
☒ This property located in the downtown historic district ☒ This property located in a mapped hazard area, if so, which 49.70. Severe Avalanche			
LANDOWNER/ LESSEE			
Property Owner Juneau Coop		Contact Person Mariya	
Mailing Address 8715 Teal street		Phone Number(s) 957-2885	
E-mail Address lovishchuk.mariya@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>[Signature]</u> Landowner/Lessee Signature		<u>12/9/21</u> Date	
X _____ Landowner/Lessee Signature		_____ Date	
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.			
APPLICANT If the same as OWNER, write "SAME"			
Applicant Same		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.

Intake Initials	ANE
Date Received	12/9/21



NOTICE OF APPEAL OF DIRECTOR'S DETERMINATION

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

APPELLANT'S CONTACT INFORMATION

Juneau Cooperative Christian Ministry dba TGH

lovishchuk.mariya@gmail.com

907 957-2885

Appellant's Name (please print)

E-mail Address

Phone

8715 Teal Street

Juneau

AK

99801

Mailing Address

City

State

Zip

X *Mariya Lovishchuk*

12-02-2021

Appellant's Signature

DECISION THAT IS BEING APPEALED*

Building permit for 247 S. Franklin Street Emergency Shelter building (sleeping 53 people in many different sleeping spaces) conversion to 7 apartments (maximum 14 people) was denied.

Date of Director's Determination 11/30/2021

Attach a copy of the Director's Decision (E-mail, Notice of Decision, Letter, etc.).

* Notice must be submitted within 20 days of the date of the decision being appealed.

APPEAL SPECIFICS (please fill in all that apply)

Parcel Number 1C07B0M0010

Zoning District

Mixed Use Residential and Commercial

Case Number BLD2021-0765

Title 49 Code Section

49.70.300

Current Use of Land or Buildings Emergency Shelter, Soup Kitchen, Care Center (General Commercial)

Proposed Use of Land or Buildings Affordable Housing (2nd and 3rd floors), commercial non-profit space (1st floor)

Other

ALL REQUIRED MATERIALS ATTACHED



Complete Application



Appeal Decision



Narrative including:



Grounds for Appeal



Specific questions you would like the Planning Commission to address

To be completed by Applicant

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

APPEAL FEES	Fees	Check No.	Receipt	Date
Notice Fees	\$ 200.00			
Refund (Yes/No)	\$			
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/Intake Initials

12/9/21



Mariya Lovishchuk <lovishchuk.mariya@gmail.com>

BLD2021-0765

Allison Eddins <Allison.Eddins@juneau.org>

Wed, Dec 1, 2021 at 8:23 AM

To: Bruce Denton BCD Construction <brucecdenton@gmail.com>, Mariya Lovishchuk <lovishchuk.mariya@gmail.com>

Hello Bruce and Mariya,

Please accept this email as an official denial of your request to convert the old Glory Hall shelter into 7 apartments. According to the CBJ adopted hazard maps the Glory Hall is located in a sever avalanche zone. Increasing the number of dwelling units is prohibited by code in this hazard zone. The code language is below for your reference. Please feel free to contact me via email if you have any questions about the code, this denial or your options moving forward.

49.70.300 - Landslide and avalanche areas.

(a) Generally.

(1) Development in all landslide and avalanche areas shall minimize the risk of loss of life or property due to landslides and avalanches.

(2) Boundaries of potential and severe avalanche areas will be as shown 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.

(3) Notwithstanding any other provision, all subdivision other than a boundary line relocation and all development greater than a single-family dwelling within landslide or avalanche areas shall require a conditional use permit.

(4) If a developer disagrees with the boundaries shown on the maps, the developer may seek departmental relocation of the boundaries by submitting site specific studies prepared by a civil engineer experienced in avalanche and landslide analysis. Such studies shall include detailed analyses of topography, vegetation, potential snow accumulation, and other factors. The results should indicate actual hazard area boundaries and potential debris flow direction, time, distance and mass. If, in the opinion of the city engineer, the studies clearly establish that the map boundaries are inaccurate and the proposed development is outside a severe avalanche area or outside any avalanche or landslide area, the department shall proceed accordingly.

(5) The commission may require mitigating measures certified as effective by a professional engineer for development in landslide and avalanche areas. Such measures may include dissipating structures or dams, special structural engineering, or other techniques designed for the site. Mitigating measures may also include reduction in the proposed density.

(b) Severe avalanche areas.

(1) Notwithstanding any other provision, no development or any part of a development, which is within a severe avalanche area shall, by the addition of bedrooms, conversions of buildings, or otherwise, increase the density of that parcel; provided, however, that a single-family house may be constructed on a vacant lot.

(2) No subdivision shall be approved which creates a lot lacking sufficient building space outside a severe avalanche area.

(c) Warning and disclaimer of liability. Avalanches and landslides may occur outside hazard areas in excess of engineering expectations. The location and severity of the event may be increased by manmade or natural causes. This article does not imply that land outside of designated hazard areas, or uses permitted within such areas, will be free from danger or damage. This article shall not create liability on the part of the City and Borough of Juneau or any officer or employee thereof for any damages that result from reliance of this article or any administrative decision lawfully made under this article.

Allison Eddins | Planner II

Community Development Department | City & Borough of Juneau, AK

Location: 230 S. Franklin Street, 4th Floor Marine View Building

Office: 907.586.0753 ext. 4131

Our telephone system is changing. Beginning May 3, 2021, I may be reached at 907-586-0753 ext. 4131.

THE GLORY HALL 247 S. FRANKLIN STREET APARTMENT CONVERSION BUILDING PERMIT DENIAL APPEAL TO PLANNING COMMISSION NARRATIVE

BACKGROUND

The Glory Hall is pursuing Converting two upper floors of the building to affordable downtown housing and renting out the 1st floor for commercial purposes. The former emergency shelter, which had 43 beds and other sleeping spaces, for over 53 people, will be converted to 7 apartments: 6 efficiencies, and one 1 bedroom. The maximum amount of people sleeping in the apartments will be 14, as no more than 2 people at time will be permitted in each unit.

Over 35% engineering and architectural plans for apartment conversion are complete. Contractor has been selected. We have also reached out to funders and created an operating proforma. The Glory Hall applied for a building permit and the building permit was denied.

We request that the Planning Commission instructs the Community Development Department to issue the Building Permit to our project.

FINDINGS

Per the email from Community Development Department Planner, Allison Eddins, Glory Hall's building permit was denied stating that the building is in the severe avalanche zone and the project is increasing density by converting the building from sleeping 43-53 people at night and providing day dwelling to over 100 people at a time to converting to 7 apartments for 7- 14 people. (The apartments are for singles/couples only)

CONCERNS and ISSUES

- Healthy communities have affordable housing in their Downtown Core. Juneau keeps on losing affordable housing in the Downtown core. Affordable housing downtown is a Juneau priority, as reflected in the Comprehensive Plan, Economic Development Plan, Blueprint Downtown, Juneau Affordable Housing Trust Fund emphasis/extra points given to project Downtown. Not granting a building permit to this project is in direct conflict with the goal of creating affordable housing downtown.
- Grant funding is being jeopardized by Glory Hall's inability to proceed with the project, putting in the question the ultimate success of the project. Already, Glory Hall's Affordable Housing Trust Fund application for \$350,000 has been put on hold because there is no clarity. The Glory Hall is forced to hold off on completing other funding applications until the building permit issue is resolved.
- The longer the conversion process takes, the less chance of success. The Glory Hall is a small nonprofit and the building, currently used for emergency shelter overflow is a liability. The Glory Hall with its limited resources is forced to pay for utilities and maintenance. This is not sustainable in the long or even medium term.
- Obtaining a parcel specific study rather than using the existing, already paid for study that shows that the project is not in the severe avalanche zone, is costly and unnecessary burden
- The Glory Hall attempted to engage with TetraTech for a site-specific study for the Glory Hall to provide to the Community Development Department, per 49.70.300 (4) Section of the Code. TetraTech was selected because they are already familiar with the area and have the expertise the Community Development Department requires. TetraTech was willing to engage with the Glory Hall under one condition. They required that The Glory Hall communicates with the Community Development Department and provides TetraTech with the quick email note, to assure TetraTech that

their working with the Glory Hall is OK with the City and Borough of Juneau because City and Borough of Juneau was TetraTech's client first and working with the Glory Hall without explicit approval to do so from the City and Borough of Juneau is perceived to be a conflict. The Glory Hall left three voice messages for the CBJ Planner, the main contact for the TetraTech maps, none of the voicemails were returned. The Glory Hall sent four emails to the Planning Department, Head of the Community Development Department, and the Manager's Office. The Glory Hall did not receive any response to the emails, for close to a week, at the time of this appeal submission.

GROUND FORS APPEAL

Community Development Department Decision to deny the permit is incorrect for two reasons:

- **The Glory Hall should be able to use the completed TetraTech maps to demonstrate that the project is not in the severe avalanche zone regardless of whether the maps have been adopted by the Assembly. TetraTech study clearly demonstrates that the project is in moderate avalanche zone and therefore permissible, appropriate, and should be issued a building permit. TetraTech study is exhaustive and specific.**
- **Community Development Department's Definition of Density is wrong. Reasonable definition of density should be applied. Clearly the proposed project decreases not increases density. Providing dwelling accommodations for 43-53 people and over 100 people using the building for day time lodgings is a lot more than providing lodging/dwelling for 7-14 people.**

The Glory Hall should be allowed to use the maps completed for the Community Development Department to demonstrate to the Community Development Department Engineer that the project is in a moderate NOT severe avalanche area. TetraTech, reputable avalanche experts, have conducted a detailed study of Juneau's avalanche hazards and have concluded that Franklin Street is not in a severe avalanche zone. The maps, which were paid for with public dollars, clearly show the parcel owned by the Glory Hall, to not be in the severe avalanche zone. (See Attachment 1, TetraTech maps). The maps together with the 147 page study completed by TetraTech (See Attachment 2, TetraTech Assessment) clearly demonstrate the project is in the moderate avalanche zone. As clear from the TetraTech Assessment, necessary methodology, including LIDAR assessment, topography, modeling, terrain, and vegetation analyses were used to reach the conclusion that South Franklin Street, including the proposed project location are in a moderate avalanche zone. For description of methodology please see pages 3, 19-43, 60, and 102 of the TetraTech Assessment, included as Attachment 2. The maps are very specific, identifying 52 unique avalanche paths and potential impact on specific areas. (See Attachment 2, TetraTech Assessment, pp 19-43)

There is no good reason why The Glory Hall cannot present the TetraTech maps to CDD and have the City engineer state that the project can proceed and should be issued a building permit, as it is in the moderate, not severe avalanche zone.

"49.700.300 a(4)

If a developer disagrees with the boundaries shown on the maps, the developer may seek departmental relocation of the boundaries by submitting site specific studies prepared by a civil engineer experienced in avalanche and landslide analysis. Such studies shall include detailed analyses of topography, vegetation, potential snow accumulation, and other factors. The results should indicate actual hazard area boundaries and potential debris flow direction, time, distance, and mass. If, in the opinion of the city engineer, the

studies clearly establish that the map boundaries are inaccurate and the proposed development is outside a severe avalanche area or outside any avalanche or landslide area, the department shall proceed accordingly."

Asking the Glory Hall to obtain another study is a wasteful use of public funding. The Glory Hall is a small nonprofit agency with very limited operating revenue. Every dollar spent is a dollar that could be spent on providing food and shelter to people without food and shelter. Additionally, because the Glory Hall is only able to operate because of donations and grants, asking the Glory Hall to obtain a duplicative study is not a prudent or an appropriate way to spend public funds. If the TetraTech maps are good enough for the Community Development Department to be presented to the Assembly, they should be good enough to issue the Glory Hall a building permit.

The fact that the Assembly has not adopted the new TetraTech maps in no way undermines the experience of the TetraTech engineers who completed the study. The fact that the Assembly has not adopted the new maps in no way changes TetraTech's completed analyses of topography, vegetation, potential snow accumulation, debris flow direction time and mass.

Community Development Departments Interpretation of Density is wrong. Title 49 states that:

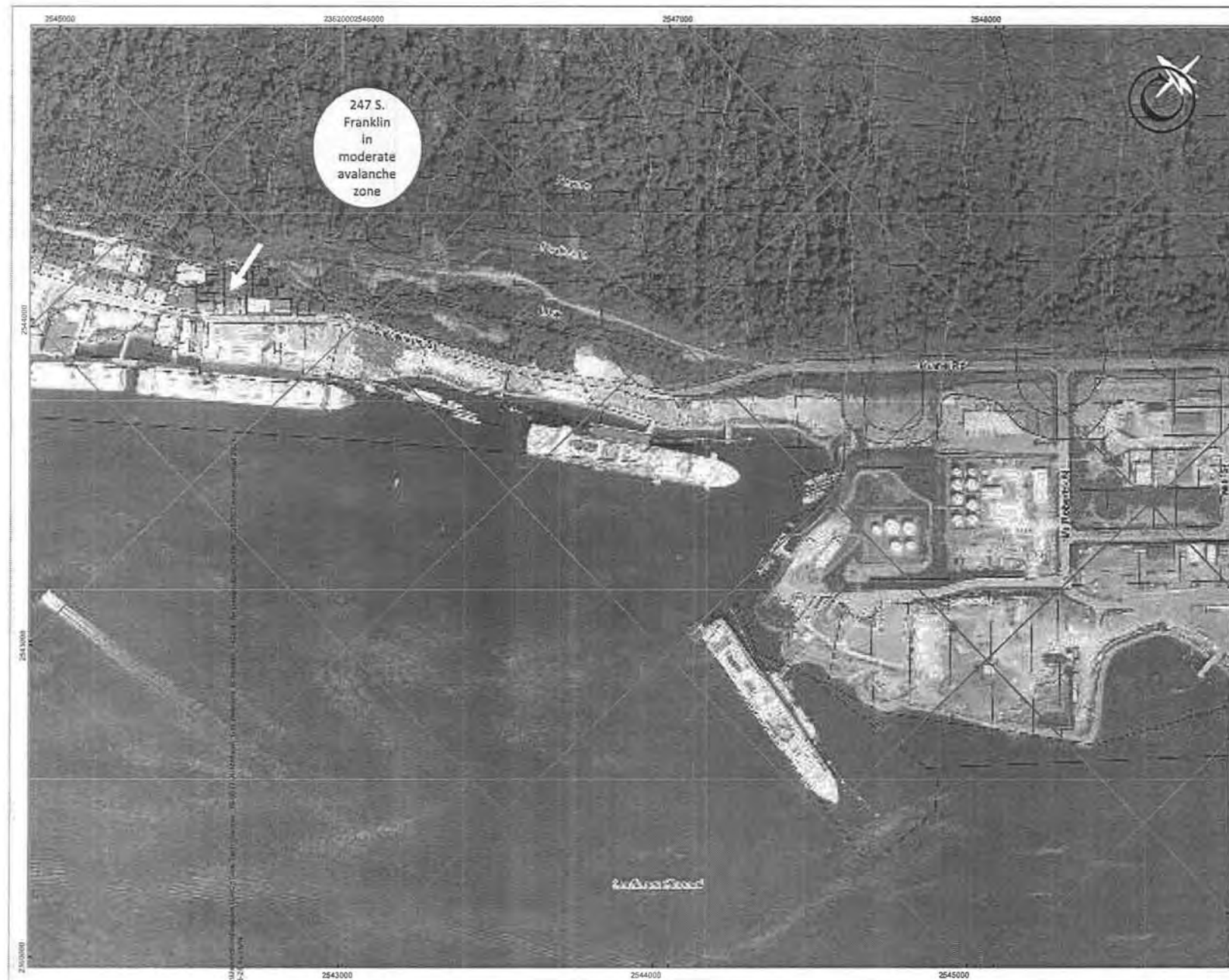
Notwithstanding any other provision, no development or any part of development, which is within a severe avalanche area shall, by the addition of bedrooms, conversion of buildings, or otherwise increase the density of that parcel; provided, however, that a single-family house may be constructed on a vacant lot.
(49.70.300.b.1)

No part of this development is increasing density. The Glory Hall is clearly decreasing density by limiting the number of people who sleep in the building from 43-53 to 14. Additionally, the conversion is not adding any more spaces which are defined as dwelling units. The existing layout has more than seven specific spaces, with at least seven existing spaces currently qualifying as dwelling units, with their own entrances, bathrooms, ventilation, egress, etc. The current 3rd floor contains 4 dwelling units, 3 dorms and 1 one-bedroom apartment. 2nd floor contains 2 spaces, the mezzanine area and the space formerly known as our medical apartment, which provided a sleeping space for people with mobility issues. First floor provided overflow sleeping space and contains two separate entrances and a bathroom.

SPECIFIC QUESTIONS FOR THE PLANNING COMMISSION

What is the most effective strategy for the Glory Hall to proceed with our project of converting our building, formerly lodging 43-53 people, affordably, to lodging 7-14 people affordably.

Attachment 1: TetraTech Map Project specific

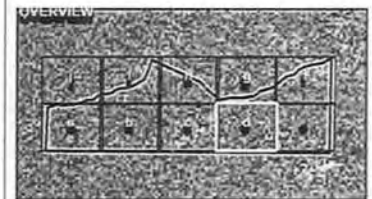


LEGEND

- Location of Interest
- Study Area
- Avalanche Path (estimated 300-year boundary)
- Base Data
- Index Contour (100 ft)
- Intermediate Contour (25 ft)
- Land Parcel

AVALANCHE HAZARD DESIGNATION

- Low**
Return period greater than 300 years
OR
Impact pressures less than 20 lbs/ft² (1 kPa) with a return period greater than 30 years.
- Moderate**
Return period between 30 and 300 years;
AND
Impact pressure less than 600 lbs/ft² (30 kPa).
- Severe**
Return period less than 30 years;
AND/OR
Impact pressure greater than or equal to 600 lbs/ft² (30 kPa).



NOTES
Low hazard designation not shown. Low hazard designation includes all areas not designated as "Moderate" or "Severe".
Base data source:
Land parcels provided by CBJ.
Contours generated from 2013 LIDAR provided by CBJ.
Background contours generated from 2012 LIDAR provided by CBJ. Primary imagery provided by CBJ, 241.
Background imagery provided by ESRI; Maxar (2020).

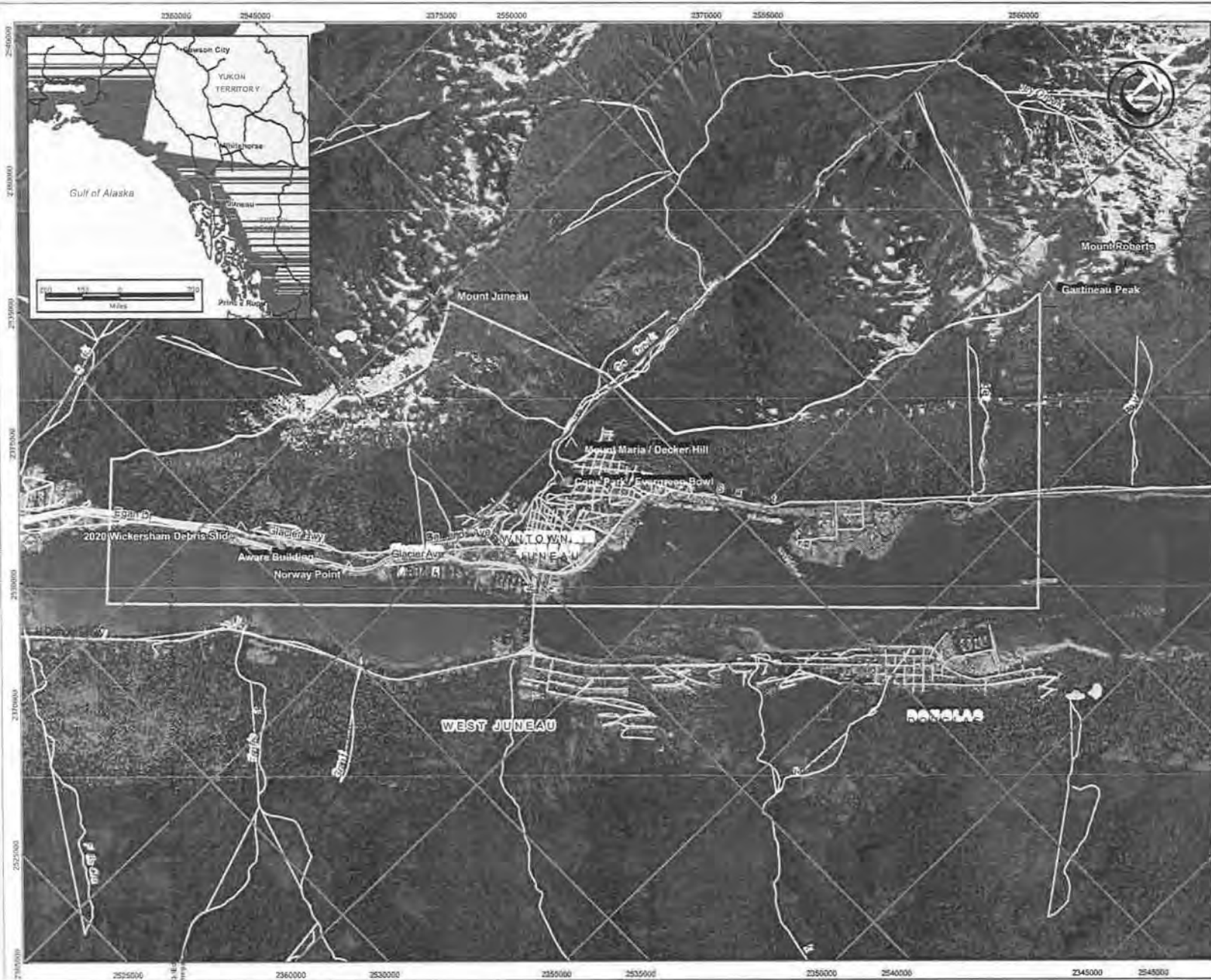
JUNEAU LANDSLIDE AND AVALANCHE

Avalanche Hazard Designation Mapping

Detail

PROJECTION State Plane Alaska Zone 15001	Scale 1:5,000	CLIENT NAD53
Scale 1:5,000	300 150 0 300	FEEL
FILE NO. 18-0017-JUN-002	DATE May 28, 2021	PROJECT NO. 18-0017
OFFICE DAC-Rev	DWYN CA BJ AJ I	FEV

Figure 2.4d



LEGEND

- Location of Interest
- Study Area
 - Road
 - Watercourse
 - Waterbody

NOTES
 Base data source:
 Primary Imagery provided by CBJ, 2013
 Background Imagery provided by ESRI, Maxar (2020)
 Hydrology and roads obtained from Alaska Department of Natural Resources

STATUS JUNEAU LANDSLIDE AND AVALANCHE

Site Location			
PROJECTION	State Plane Alaska Zone 1 5001	DATUM	NAD83
Scale:	1:30,000		
	1,000 500 0 1,000		
	Feet		
FILE NO.	EARC03168-01.PDF, 1 - Site Location		
OFFICE	TH-EDM	OWN	CKD/APV
		MRV	SL
			SMG
			REV
DATE	February 11, 2021	PROJECT NOVER	ENG EARC03168-01



Figure 1.1

Attachment 2: Full TetraTech Assessment
(Sent as Separate email due to document size)

Link:

https://juneau.org/wp-content/uploads/2021/07/Downtown_Juneau_Landslide_and_Avalanche_Assessment_IFR_Report_Third%20Draft_Reduced.pdf

BEFORE THE PLANNING COMMISSION
OF THE CITY AND BOROUGH OF JUNEAU

JUNEAU COOPERATIVE CHRISTIAN
MINISTRY, dba THE GLORY HALL,

Appellant.

vs.

CBJ COMMUNITY DEVELOPMENT,

Appellee.

APL2021-06

Appeal of:

BLD2021-0765

CDD Director's Decision dated

December 1, 2021

PRE-HEARING ORDER

On December 14, 2021, the Planning Commission ("PC") accepted Juneau Cooperative Christian Ministry, dba The Glory Hall ("TGH"), appeal of the Community Development Department ("CDD") Director's decisions dated December 1, 2021, regarding BLD2021-0765 (1510 Second Street), NCC2020-0066 (1508 Second Street), and NCC2020-0067 (1506 Second Street). The Planning Commission voted to review the appeals on the record; and appointed Commissioner Travis Arndt as the Presiding Officer. These appeals are governed by CBJ 49.20.110 and CBJ 01.50, if applicable.

The parties met for a Pre-Hearing Conference on February 17, 2022, and the following shall be the Order of the Planning Commission:

1. **Parties.** The Appellant is Juneau Cooperative Christian Ministry, dba The Glory Hall. The Appellee is the CDD Director, Jill Maclean.

Any other person wishing to intervene must file a motion to intervene by February 24, 2022. The motion to intervene must set forth the grounds for intervention (be it permissive intervention or intervention of right, as defined by Alaska Rule of Civil Procedure 24(a) and (b)), as well as the claim or defense for which intervention is sought.

2. **Representatives.** Appellant is represented by Mary Alice McKeen. Appellee CBJ Community Development Director is represented by Adam Gottschalk.

3. **Issues on Appeal.** The parties may file a Joint Stipulation of Issues on Appeal, clarifying and simplifying the issues listed in the Notice of Appeal. If the parties cannot reach consensus on the issues of appeal, any motion to simplify the issues or object to issues on appeal shall be filed by March 18, 2022. As to any and all of the issues on appeal, the parties are encouraged to explore settlement possibilities.

4. **The Record.** The CDD Director shall prepare the record and an index of the record, in accordance with CBJ 01.50.030(g). The record must be available to the parties electronically by 4:00 P.M. on March 10, 2022.

Any motion to supplement or object to the record in accordance with CBJ 01.50.110(c) and CBJ 01.50.030(f), must be filed by March 18, 2022. A party seeking to supplement the record with witness testimony must specify as to each witness proposed whether the testimony will be by deposition, affidavit, or elicited in-person at the appeal hearing.

Any Opposition to a motion to supplement or object to the record must be filed by March 24, 2022.

5. **Form of Motions.** To be considered, any motion must be on a separate document, typed, double-spaced, and signed by the party submitting. Inquiries, comments, and informal motions may be disregarded. The sequence of documents for any motion shall be motion, opposition, and, if allowed, reply. Opposition and reply briefs shall meet the same requirements as motions.

6. **Briefing Schedule.** Appellant's Opening Brief shall be filed with the clerks by 4:00 P.M. March 31, 2022. Appellee's Opposition Brief shall be filed by 4:00 P.M. on April 28, 2022. Appellant may file a Reply Brief by 4:00 P.M. on May 12, 2022. No new issues may be raised in the reply brief.

7. **Filing.** All documents specified herein shall be filed electronically by e-mailing to the clerks, at Breckan.Hendricks@juneau.org and Chelsea.Wallace@juneau.org, a PDF document of the filing, unless a different format is specified by the clerks. A party filing a document by electronic mail shall retain the original and produce it for inspection upon request of

another party or as ordered by the Presiding Officer. Documents filed by electronic mail received by 4:00 P.M. are deemed to have been filed on that business day; documents filed by electronic mail that are received by the clerk after 4:00 P.M. are deemed to have been filed on the next day that is not a Saturday, Sunday, or holiday observed by the City and Borough of Juneau Administration Department.

If a document is too large to be electronically mailed to the clerk, service may be made through a File Transfer Protocol site, or by delivering an original and five copies to the office of the Community Development Administrative Clerk no later than 4:00 P.M. on the date specified. It is the obligation of the parties to check with the clerk and pick up briefs and other materials from the clerk, as the clerk will not notify parties, copy, or deliver materials.

8. **Service.** All documents filed electronically in accordance with this order must also be served by electronic mail on all parties, and the PC's Attorney Advisor as follows:

Appellant Attorney: ottokccv@gmail.com

Appellee Attorney: Adam.Gottschalk@juneau.org

PC Attorney Advisor: Sherri.Layne@juneau.org

PC Clerk: Breckan.Hendricks@juneau.org and Chelsea.Wallace@juneau.org

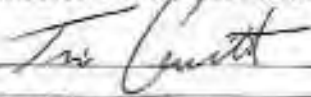
As to any document filed by a method other than electronic mail, the party filing must submit with the filing an affidavit stating that all other parties and the Attorney Advisor have been notified by electronic mail of the filing.

9. **Hearing.** The appeal hearing is set for May 24, 2022, at 7:00 P.M., either in person or via Zoom, depending on the COVID-19 restrictions at that time. Each side (Appellant and Appellee) shall have 30 minutes to present their argument, which shall include time used by the Planning Commission for questions and the examination of witnesses (if any). The Appellant may reserve a portion of his or her time for rebuttal, but no new issue shall be raised during rebuttal. There is no public participation as part of the appeal hearing, unless the person is called as witness.

10. **Planning Commission and Assembly Contact.** No party shall discuss the merits of this appeal with any member of the Planning Commission. This includes in-person, phone, text, email, and/or any other forms of direct or indirect communication.

DATED this 17th day of February, 2022.

PLANNING COMMISSION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

By: 

Presiding Officer
Commissioner Travis Arndt

RECORD ON APPEAL

APL2021 0006 – 247 S. Franklin St./The Glory Hall

(Updated Mar. 22, 2022)

Document Description	Pages
Record Index for APL2021 0006 - 247 S. Franklin St./The Glory Hall	1
Background Documents	
CBJ 49.70.300	2
Adopted Landslide/Avalanche Hazard Map	3
Application and Report	
Informal/Emailed Building Permit Application and Floorplans (Oct. 28, 2021)	4-32
Pre-Application Conference Report (Nov. 17, 2021)	33-36
Formal Building Permit Application (Nov. 23, 2021) * Permit App. (pg. 37) * App. Plans (pgs. 38-59) * Staff Review (pgs. 60-61)	37-61
Related Email Correspondence, Permit Denial	
Email Correspondence (Nov. 10, 2021 - Nov. 29, 2021)	62-105
Official Permit Denial Email (Dec. 1, 2021)	106-108
Additional Relevant Document(s)	
R&M Report and Supporting Documents (Jan. 26, 1990)	109-169
November 2021 Correspondence Regarding “Dwelling Unit”	170-173

49.70.300 Landslide and avalanche areas.

(a) *Generally.*

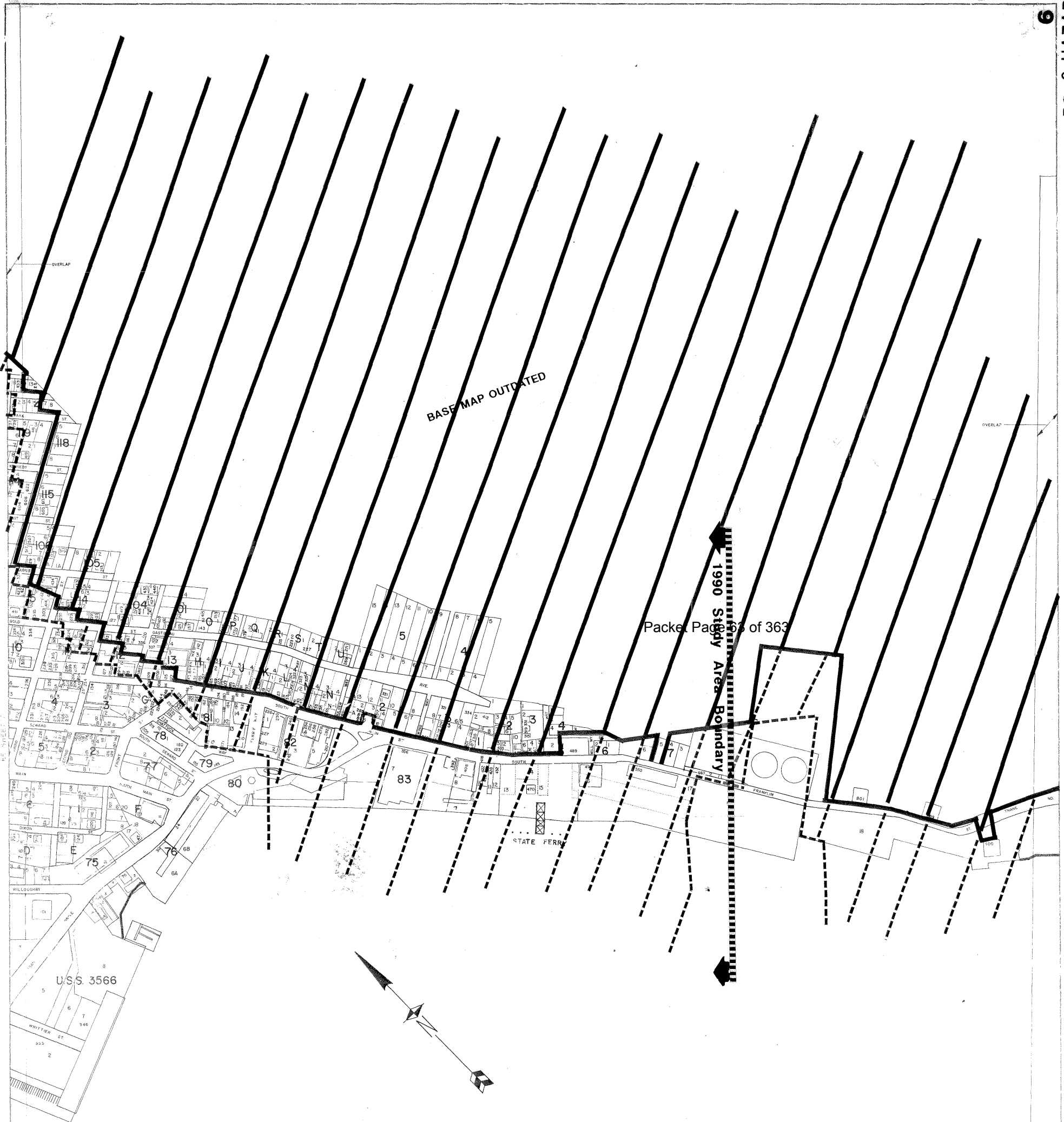
- (1) Development in all landslide and avalanche areas shall minimize the risk of loss of life or property due to landslides and avalanches.
- (2) Boundaries of potential and severe avalanche areas will be as shown on the landslide and avalanche area maps dated September 9, 1987, consisting of sheets 1—8, as the same may be amended from time to time by the assembly by ordinance.
- (3) Notwithstanding any other provision, all subdivision other than a boundary line relocation and all development greater than a single-family dwelling within landslide or avalanche areas shall require a conditional use permit.
- (4) If a developer disagrees with the boundaries shown on the maps, the developer may seek departmental relocation of the boundaries by submitting site specific studies prepared by a civil engineer experienced in avalanche and landslide analysis. Such studies shall include detailed analyses of topography, vegetation, potential snow accumulation, and other factors. The results should indicate actual hazard area boundaries and potential debris flow direction, time, distance and mass. If, in the opinion of the city engineer, the studies clearly establish that the map boundaries are inaccurate and the proposed development is outside a severe avalanche area or outside any avalanche or landslide area, the department shall proceed accordingly.
- (5) The commission may require mitigating measures certified as effective by a professional engineer for development in landslide and avalanche areas. Such measures may include dissipating structures or dams, special structural engineering, or other techniques designed for the site. Mitigating measures may also include reduction in the proposed density.

(b) *Severe avalanche areas.*

- (1) Notwithstanding any other provision, no development or any part of a development, which is within a severe avalanche area shall, by the addition of bedrooms, conversions of buildings, or otherwise, increase the density of that parcel; provided, however, that a single-family house may be constructed on a vacant lot.
- (2) No subdivision shall be approved which creates a lot lacking sufficient building space outside a severe avalanche area.

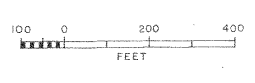
(c) *Warning and disclaimer of liability.* Avalanches and landslides may occur outside hazard areas in excess of engineering expectations. The location and severity of the event may be increased by manmade or natural causes. This article does not imply that land outside of designated hazard areas, or uses permitted within such areas, will be free from danger or damage. This article shall not create liability on the part of the City and Borough of Juneau or any officer or employee thereof for any damages that result from reliance of this article or any administrative decision lawfully made under this article.

(Serial No. 87-49, § 2, 1987; Serial No. 90-03, § 1, 1990; Serial No. 2006-15, § 23, 6-5-2006)



G A S T I N E A U C H A N N E L

SEVERE LANDSLIDE/AVALANCHE AREA —————
MODERATE LANDSLIDE/AVALANCHE AREA - - - - -



NOTE: SEE OFFICIAL MAPS IN COMMUNITY DEV. DEPT. FOR ACCURATE UPDATES

Copyright 1982 CBJ
C.B.J. PLANNING DEPT. 1982

LANDSLIDE AND AVALANCHE AREA

Dated: September 9, 1987
Adopted by Ordinance Serial No. 87-49
SHEET 1 OF 7

Edward Quinto

From: Mariya Lovishchuk <lovishchuk.mariya@gmail.com>
Sent: Thursday, October 28, 2021 10:19 AM
To: Edward Quinto
Cc: Robin Gilcrist
Subject: 247 S. Franklin Street Project
Attachments: Addendum 2014270100_Mech_Product Cutsheets.pdf; Addendum 2014270100_pricing_set_35_half.pdf; Existing Plans 247 S. Franklin Street.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

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

Hi Eddy,

Thank you for speaking to me this morning.

The Glory Hall is aiming to develop 7 apartments on the 2nd and 3rd floors of the 247 S. Franklin Street Building. The apartments will be strictly workforce housing, not for folks who cannot live independently and require on site support. The first floor will remain mostly as is and will be rented out for commercial purposes.

Existing floor plans and proposed floor plans are attached.

The 35% drawings for the project are also attached.

This project will create 7 apartments: 6 efficiencies and 1 one bedroom apartments. No exterior renovations, other than getting rid of the roof access, and some additional windows (to match historical existing windows) are planned.

We spoke to Beth McKibben and confirmed that no conditional use permit or parking waiver will be needed. Our plan is to apply for a building permit.

Please let me know if you have any questions and if I can provide any additional information

Thank you

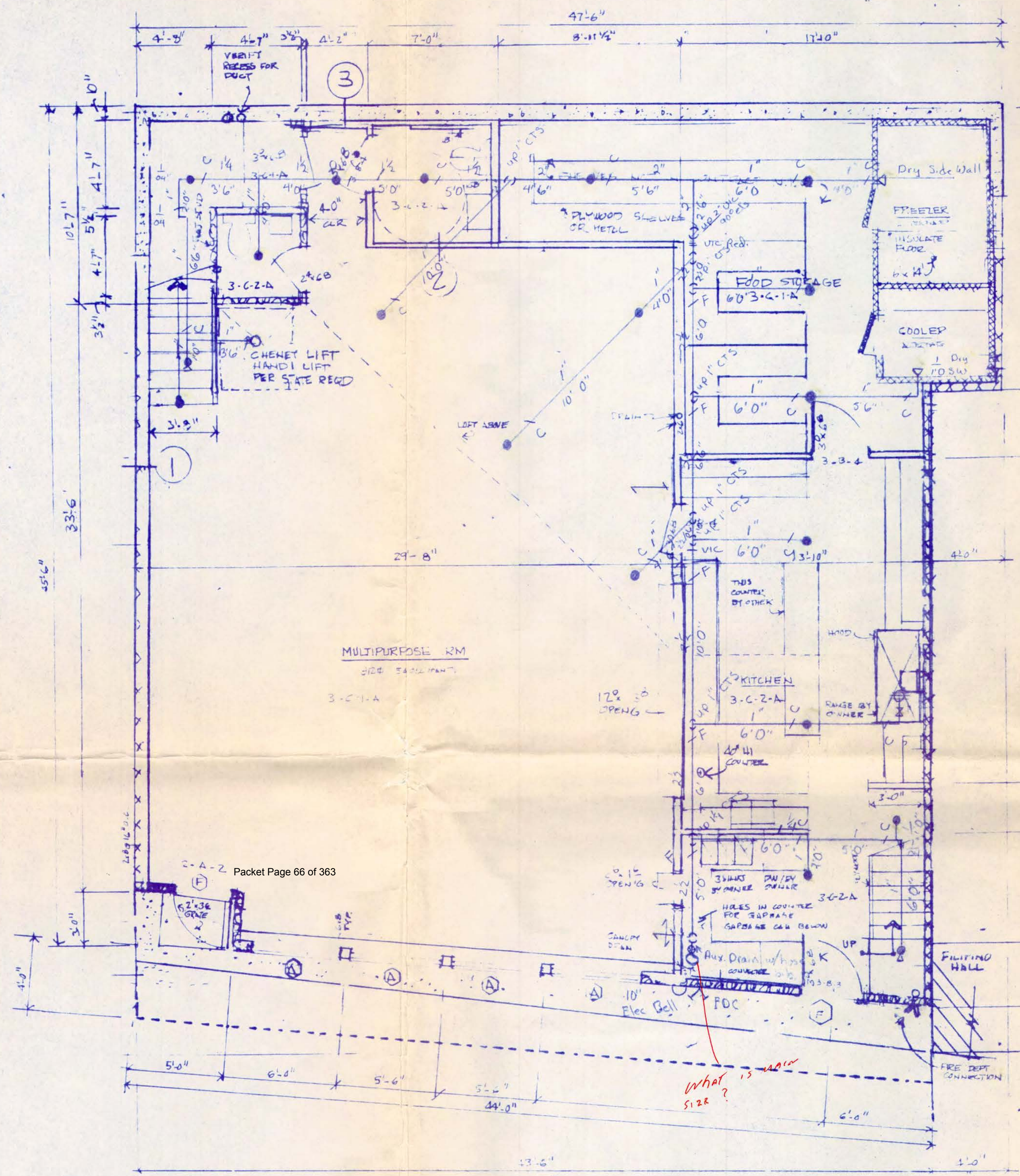
Mariya

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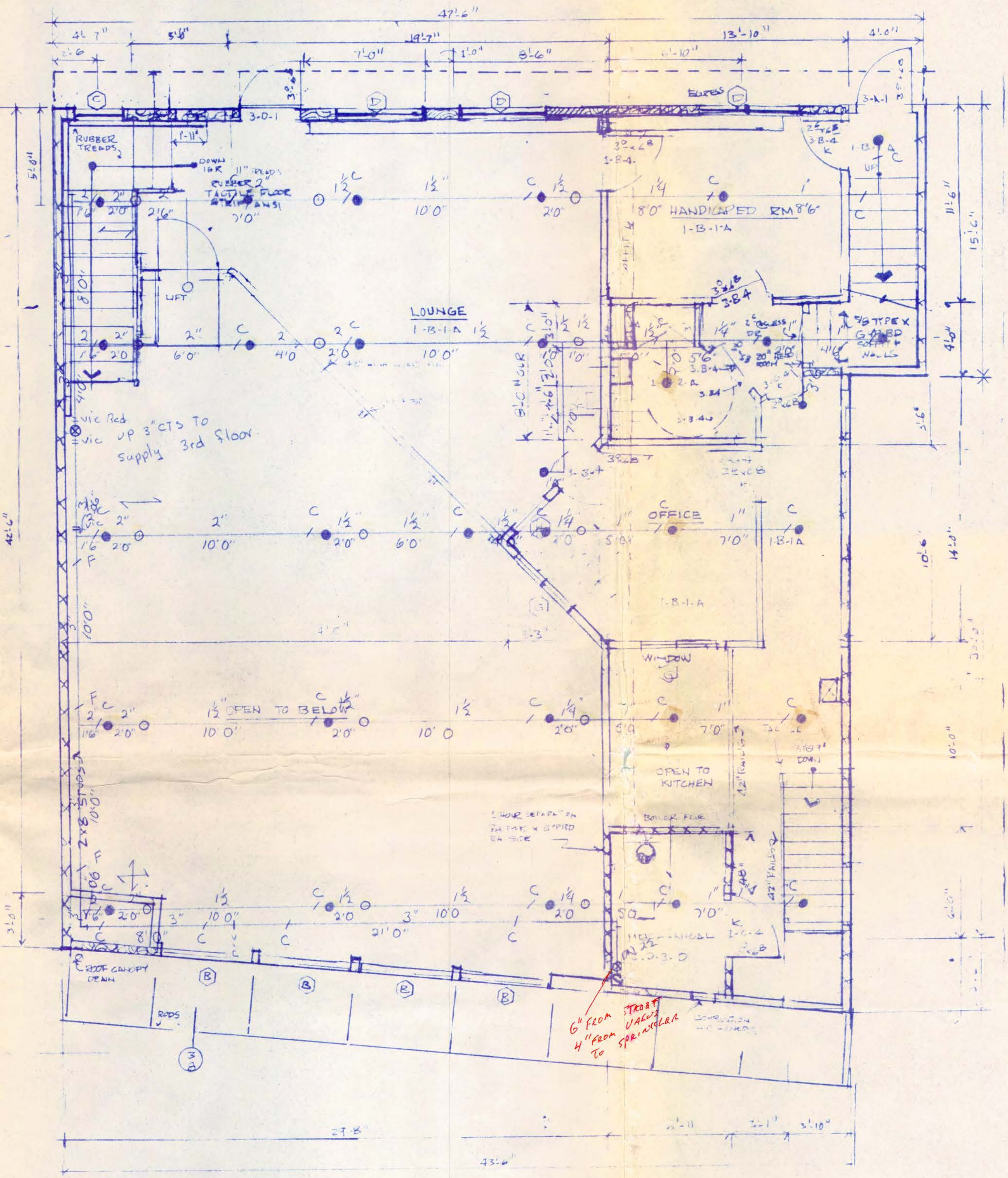
Mariya Lovishchuk
 Executive Director, TGH
 Project Coordinator, JHFC
 "Serving Those Most in Need"
 247 S. Franklin Street
 Juneau, AK 99801
 Phone (907) 957-2885

www.feedjuneau.org

TGH is a United Way Agency

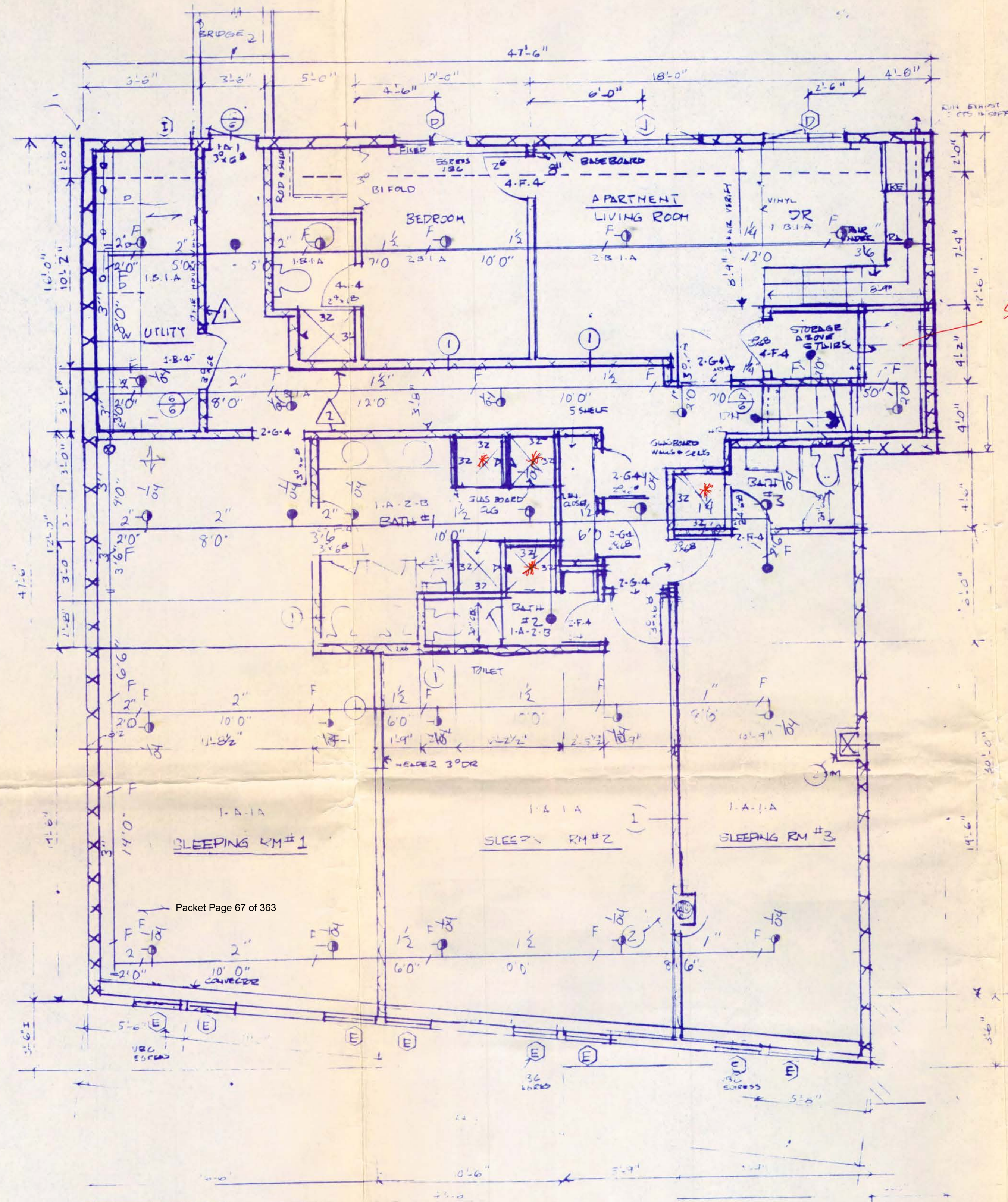


FIRST FLOOR PLAN 14'-0" x 44'-0"
1ST FLOOR LOT UPPER
2003
1188
7222D



MEZZANINE FLOOR PLAN 14'-0" x 44'-0"

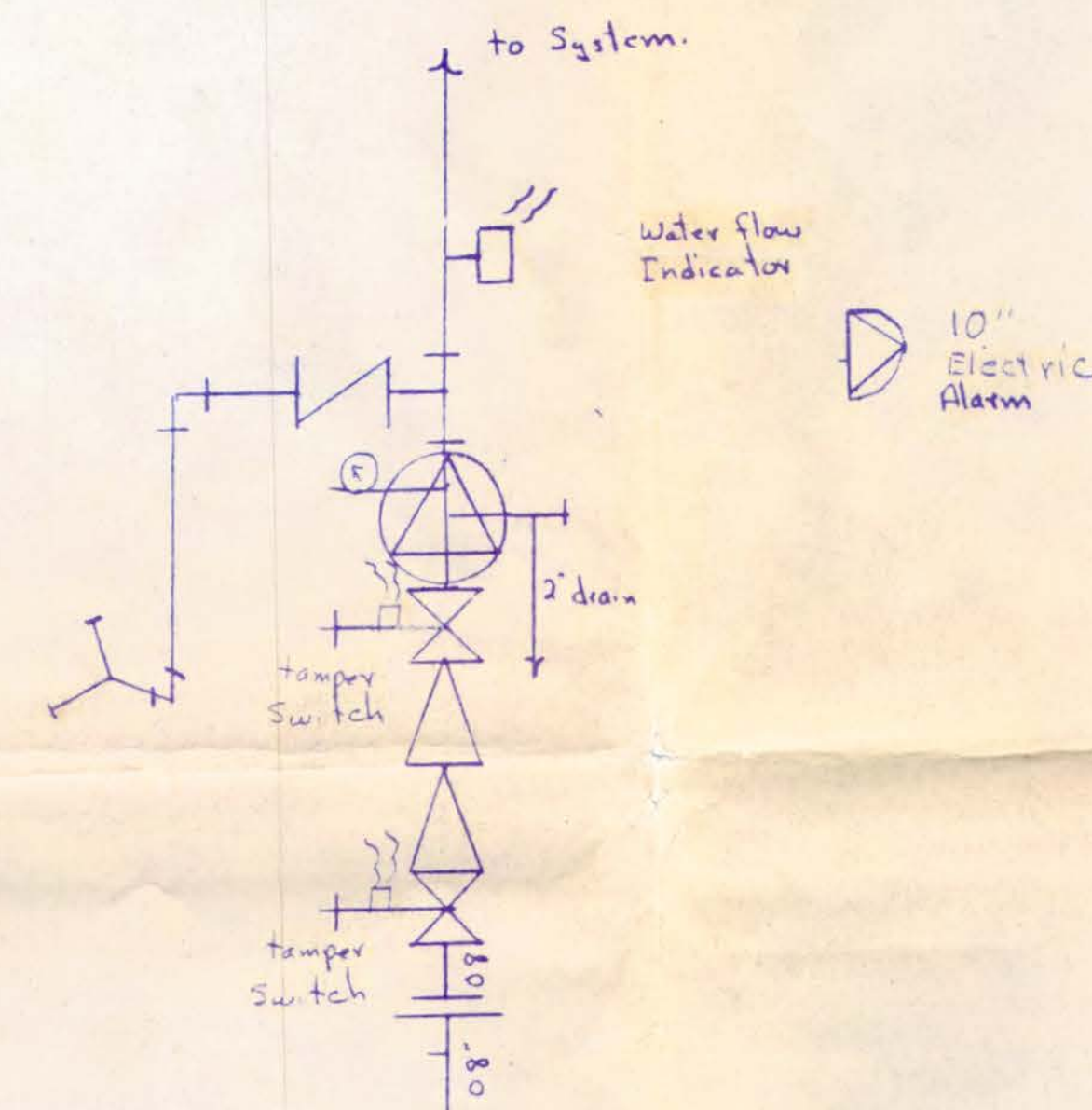
HANGER	LEGEND	SPRINKLER HEAD SYMBOLS	TEMP. NO.	STANDARD SYMBOLS	STANDARD SYMBOLS	GENERAL NOTES	APPROVALS REQUIRED FOR SPRINKLER PLAN
A. Coach Screw Rod & Ring	N Short Clip	○ SSU On 1/2" Outlet		Existing Underground	Alarm Check Valve	1. ALL PIPING AND ASSOCIATED EQUIPMENT SHALL BE NEW AND UNDERWRITERS APPROVED.	JUNEAU FIRE DEPARTMENT
B. C-Clamp Rod & Ring	P Wedge Anchor	⊙ SSP On 1/2" Outlet		New Underground Public Supply	Riser w/ Alarm Valve	2. PAMPHLET NO. 13 IS THE REFERENCE FOR PIPE SIZING AND SPRINKLER SPACING.	SPRINKLER PLAN DISTRIBUTION
C. Ceiling Flange	Q	⊙ SSU On 1" Outlet		Underground Using Private Supply	Riser w/ Deluge Valve	3. ALL PIPE HANGERS AND BRACING SHALL BE IN ACCORDANCE WITH PAMPHLET NO. 13.	JUNEAU FIRE DEPARTMENT
D. U Hook	R	⊙ SSP On 1" Outlet		Swing Check Valve	Electric Flow Switch	4. DIMENSIONS SHALL BE CENTER TO CENTER MEASUREMENTS. ALL RISERS ARE CENTER TO CENTER MEASUREMENTS.	OWNER
E. Flush Shell (Phillips Shell)	S	△ SSSW Upright		O.S. & Y. Gate Valve	Water Motor Bell	5. ALL WIRING TO BE PERFORMED BY OTHERS.	CONTRACT WITH:
F. Eye Rod & Ring	T	△ SSSW Pendant		Key Operated Valve	Electric Bell		
G. Side Beam Bracket	U	▲ Plug		Fire Department Conn.			
H. L-Rod & Ring w/ 3/8 Nut/Washer	V	TEMP RATING		Flush Fire Department Conn.			
J. Angle Clip		○ 165° Bronze					
K. Top Beam Clamp	Two-Way Earthquake Br.	⊙ 212° White					
L. Toggle Nut	Four-Way Earthquake Br.	⊙ 285° Blue					
M. Machine Thread Rod		⊙ 360° Orange					



SECOND FLOOR PLAN
NO HANDICAPPED ACCESS

SPRINKLER COVERAGE
FOR THIS STORAGE AREA

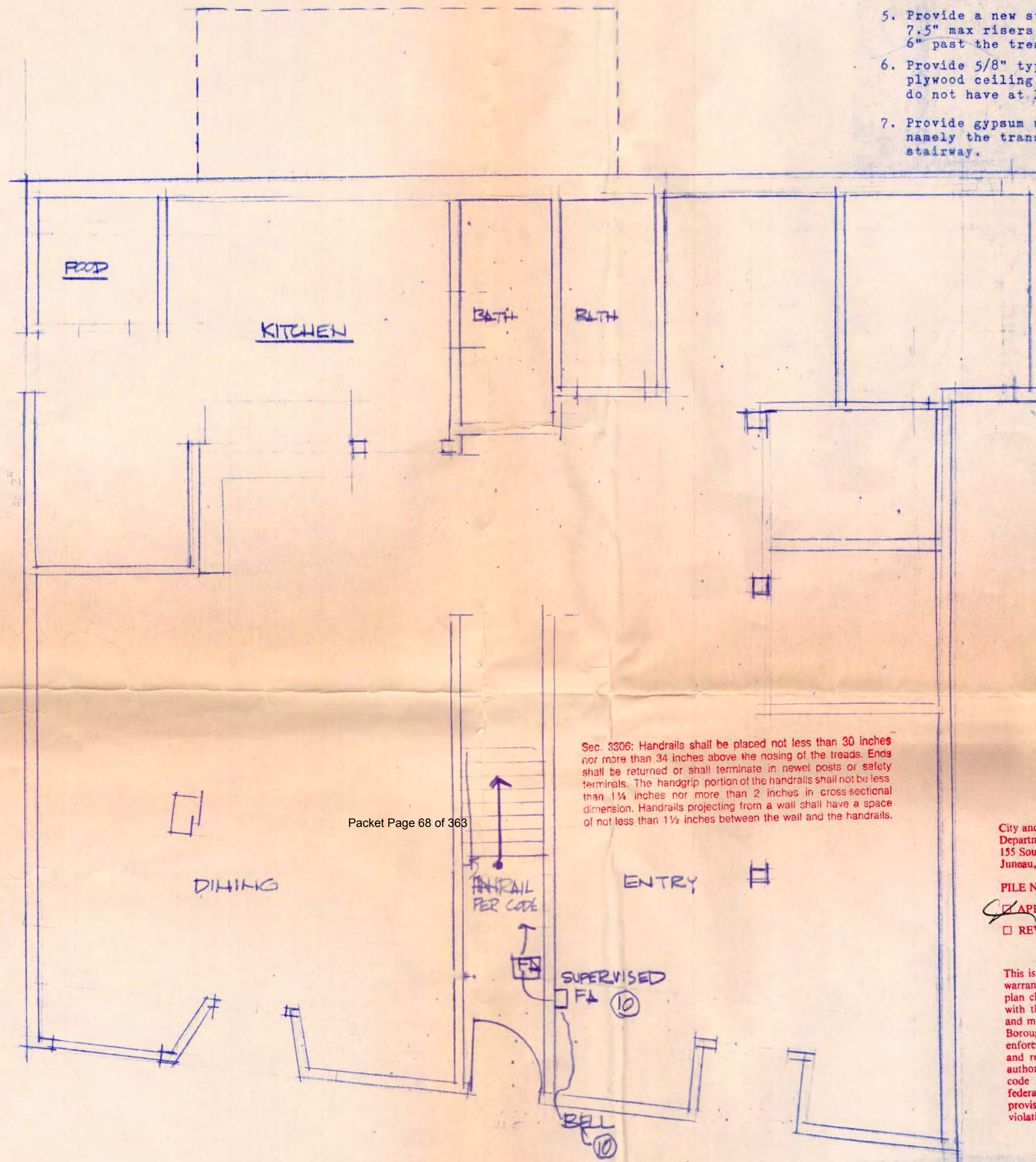
* DO SHOWERS ALLOW CLEARANCE
FOR SPRINKLER COVERAGE



HANGER		LEGEND		SPRINKLER HEAD SYMBOLS		TEMP	NO.	STANDARD SYMBOLS		STANDARD SYMBOLS		GENERAL NOTES	APPROVALS REQUIRED FOR SPRINKLER PLAN		Harri PLUMBING-HEATING INC. SPRINKLER DIVISION (907)586-3190 TELE 46-301 809 W. 12TH ST. JUNEAU, ALASKA 99801	
A	Coch Screw Rod & Ring	N	Short Clip	○	SSU On 1/2" Outlet			⎓	Existing Underground	⚠	Alarm Check Valve		1. ALL PIPING AND ASSOCIATED EQUIPMENT SHALL BE NEW AND UNDERWRITERS APPROVED. 2. PAMPHLET NO. 13 IS THE REFERENCE FOR PIPE SIZING AND SPRINKLER SPACING. 3. ALL PIPE HANGERS AND BRACING SHALL BE IN ACCORDANCE WITH PAMPHLET NO. 13. 4. DIMENSIONS SHALL BE CENTER TO CENTER MEASUREMENTS. ALL RISERS ARE CENTER TO CENTER MEASUREMENTS. 5. ALL WIRING TO BE PERFORMED BY OTHERS.	JUNEAU FIRE PREVENTION		GLORY HOLE JUNEAU ALASKA
B	C-Clamp Rod & Ring	P	Wedge Anchor	⊙	SSP On 1/2" Outlet			⎓	New Underground Public Supply	⚠	Riser w/ Alarm Valve			SPRINKLER PLAN DISTRIBUTION		
C	Ceiling Flange	Q		⊗	SSU On 1" Outlet			⎓	Underground Using Private Supply	⚠	Riser w/ Deluge Valve			JUNEAU FIRE DEPARTMENT		
D	U Hook	R		●	SSP On 1" Outlet			⎓	Swing Check Valve	⚡	Electric Flow Switch			I.S.O.		
E	Flush Shell (Phillips Shell)	S		△	SSSW Upright			⎓	O.S. & Y. Gate Valve	🔔	Water Motor Bell			OWNER		
F	Eye Rod & Ring	T		△	SSSW Pendant			⎓	Key Operated Valve	🔔	Electric Bell			CONTRACT WITH:		
G	Side Beam Bracket	U		▲	Plug			🔗	Fire Department Conn.							
H	L-Rod & Ring w/ 3/8 Nut/Washer	V				TEMP. RATING		🔗	Flush Fire Department Conn.							
J	Angle Clip			○	165° Bronze											
K	Top Beam Clamp		Two-Way Earthquake Bz	⊕	212° White											
L	Toggle Nut		Four-Way Earthquake Bz	⊕	266° Blue											
M	Machine Thread Rod			⊕	360° Orange											

SCOPE OF WORK

1. Provide guardrail at rear entrance, 42" high with supports less than 6" apart.
2. Boiler Room change the following
 - a. provide an one hour rated door and frame, with closer and lock. Note door height is to be verified for clearance above new floor, and access.
 - b. Provide a new 20" sq louver for boiler ventilation (combustion air)
3. Eliminate the step @ hall outside the boiler room, slope floor to door.
4. Provide a new rear door 3068 off of new floor.
5. Provide a new stair @ laundry area, stair to have min 10" treads 7.5" max risers, and 1 1/2" handrail 32" above nosing that extend 6" past the treads and return to the wall.
6. Provide 5/8" type x gypsum at rear hallway to cover plywood ceiling and walls (note cover all corridor walls that do not have at least 1/2" gypsum wall board)
7. Provide gypsum wall board (5/8" type x) over openings in corridors namely the transom above an existing door, and closet over the stairway.



FIRST FLOOR

City and Borough of Juneau, Alaska
Department of Engineering - Building Division
135 South Seward Street
Juneau, Alaska 99801

FILE NO. 1-B-034-80M - 002 0000

APPROVED AS CORRECTED: *[Signature]*

REVISIT AND RESUBMIT:

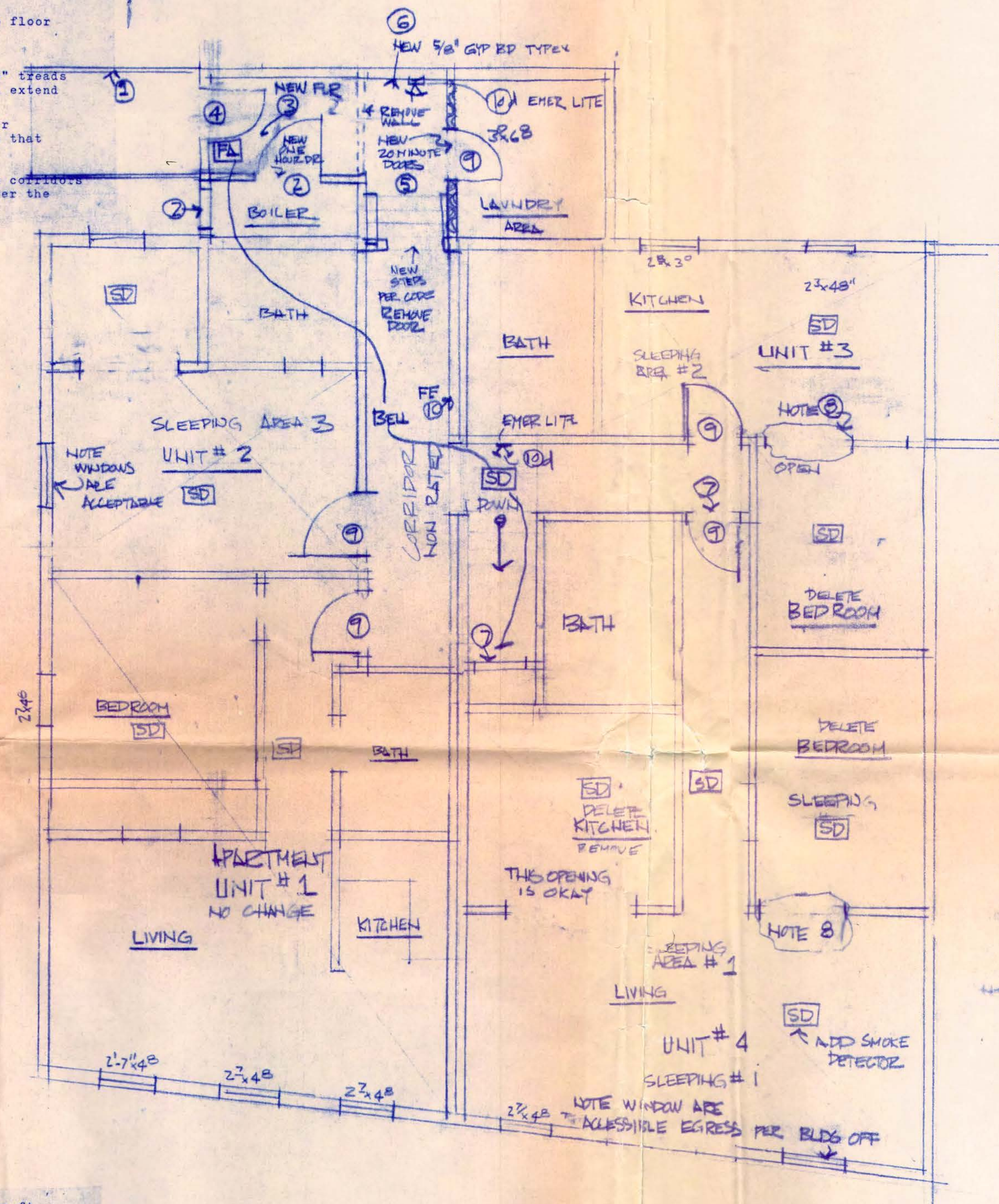
DATE: 5-29-84

This is not a building permit and does not serve as any type of warranty or guarantee of adequate design or construction. This plan check is only for the purpose of reviewing plans for compliance with the applicable provisions of building, electrical, plumbing and mechanical codes under Title 19 of the code of the City and Borough of Juneau. Plan approved is not a bar to enforcement by the City and Borough of Juneau or any of its ordinances, regulations or rules as they may exist from time to time, nor is it an approval or approval to violate any provisions of Title 19 of the code of the City and Borough of Juneau or any applicable federal, state or local laws and requirements, including the provisions of the zoning and fire codes, whether or not the violation is shown and approved on these plans.

8. Open up the bedroom walls in order to have a minimum of 25sq ft open space or 50% of the common wall whichever is the most.
9. Replace the corridors doors with 1 3/8" door with closer (hinge pin is acceptable) and with a smoke gasket.

10. Electrical Work

- a. Provide a supervised fire alarm system / per code
 1. provide fire alarm pull station @ each exit
 2. provide a fire bell in the corridor
 3. provide an exterior bell near the front entry
 4. provide a smoke detector @ top of stair
- b. provide a single station smoke detectors in each sleeping room and hall outside the sleeping room
- c. the supervised fire alarm system control is @ office nook downstairs.
- d. Provide emergency lighting for corridor & stairs two reqd.
- e. Provide fire extinguisher 2 5#abc



SECOND FLOOR

3 SLEEPING ROOMS + APT
EXISTING OCCUPANCY R-1
PROPOSED OCCUPANCY R-1

RECEIVED
MAY 3 1984
BUILDING DIVISION



GLORY HOLE

ALASKA BUILDING
CONSULTANTS, INC. JUNEAU, ALASKA

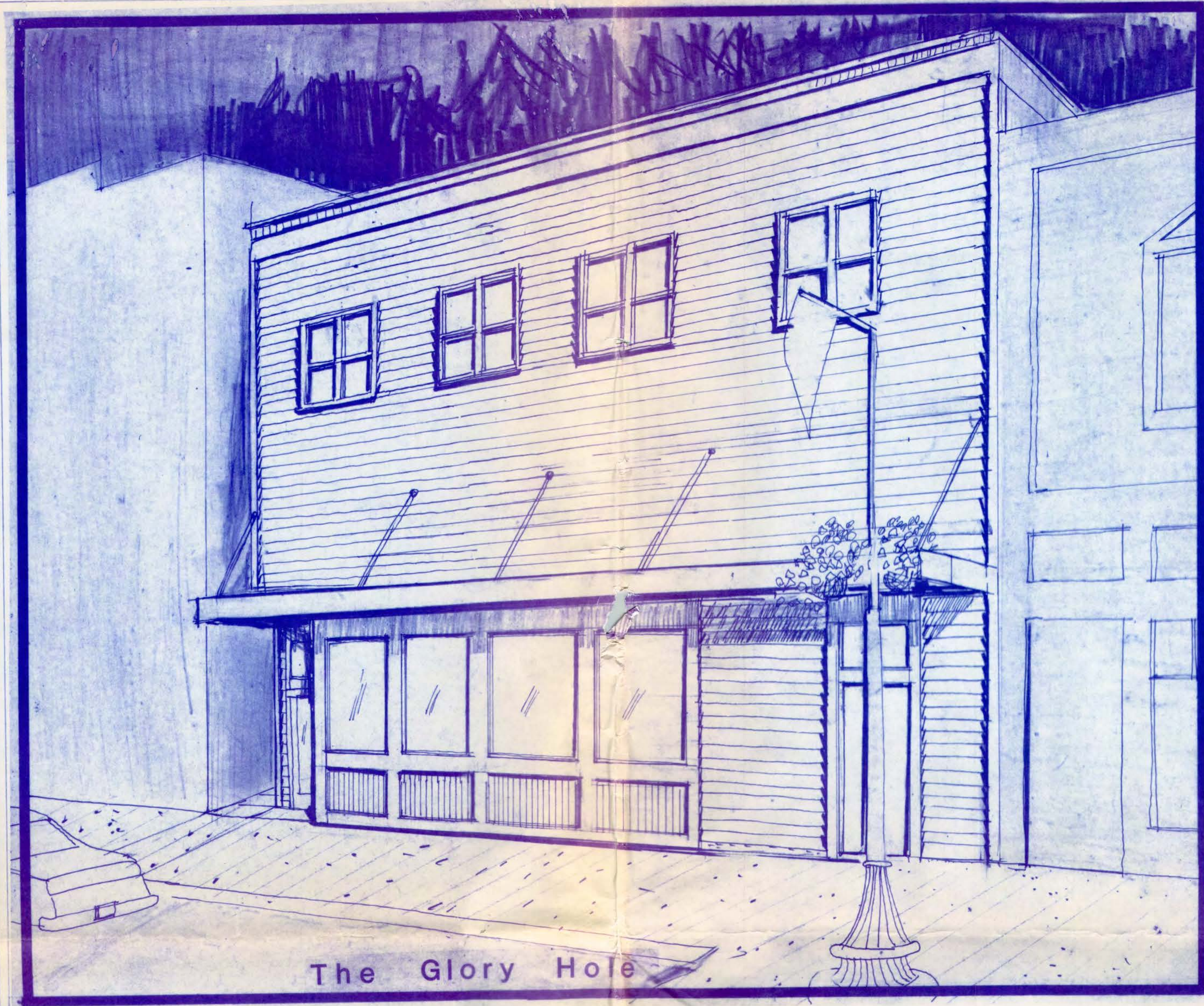
AB
C

EXISTING PLANS

1

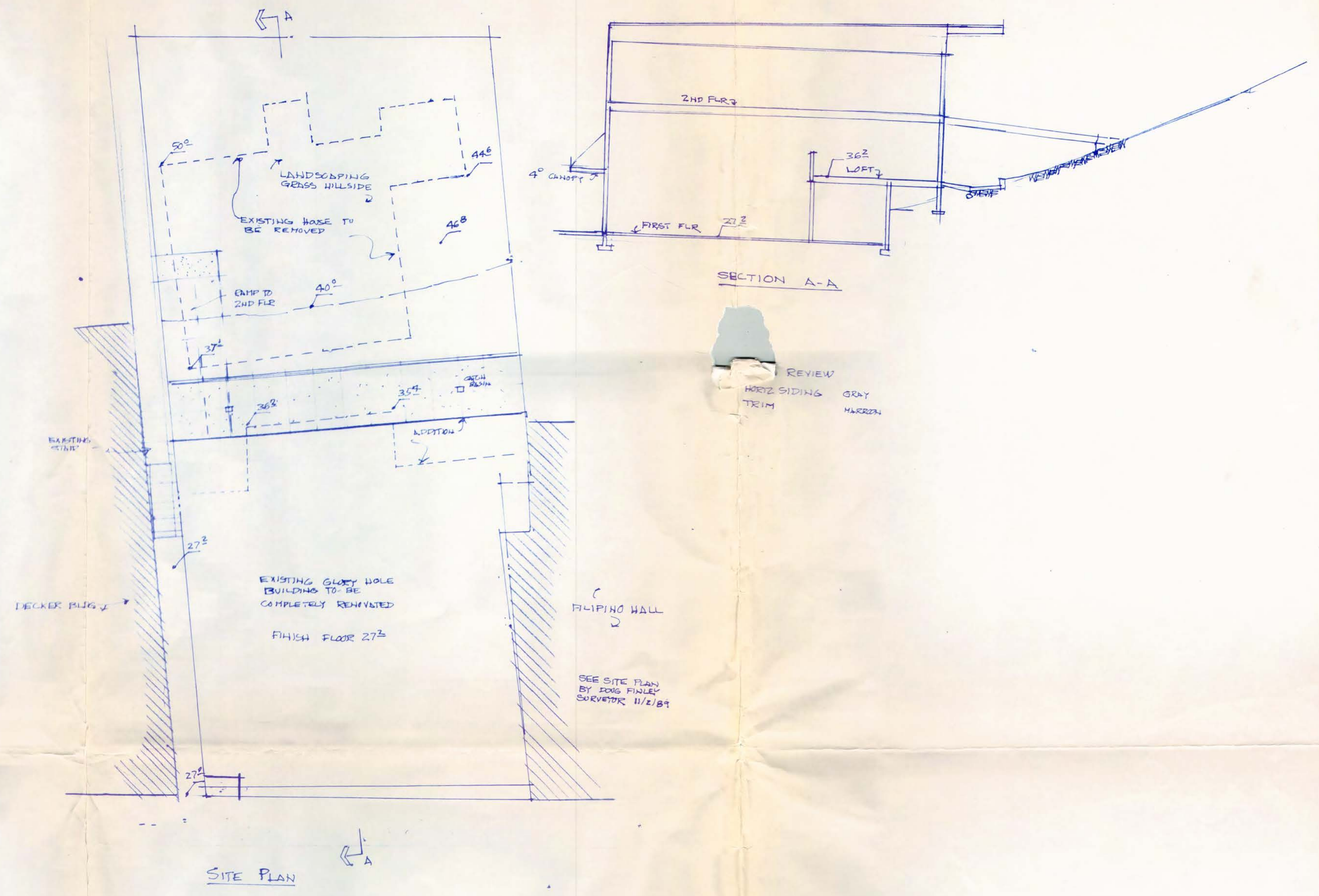
A01

THIS DRAWING IS FOR USE ON THIS PROJECT ONLY AND IS NOT INTENDED FOR REUSE WITHOUT WRITTEN PERMISSION FROM ALASKA BUILDING CONSULTANTS (ABC). THIS DRAWING IS ALSO NOT TO BE USED IN ANY MANNER THAT WOULD CONSTITUTE A DETRIMENT DIRECTLY OR INDIRECTLY TO ABC. THE MINIMUM SPECIFICATIONS FOR THE DESIGN SHOWN ON THIS DRAWING IS TO INCLUDE & VERIFY THE FOLLOWING: CONFORM TO ALL APPLICABLE CODES, MANUFACTURER'S RECOMMENDATION FOR INSTALLATION, FOLLOWING TRADE STANDARDS SUCH AS I.B. ACI, APA, ATC, CSI, I.C. DIMENSIONS AND ROUGH OPENINGS REQUIREMENTS, NOTIFY THE ARCHITECT IF QUESTIONS ARISE. THIS DRAWING IS NOT FOR CONSTRUCTION UNTIL SEALED BY THE LICENSED ARCHITECT OR ENGINEER.

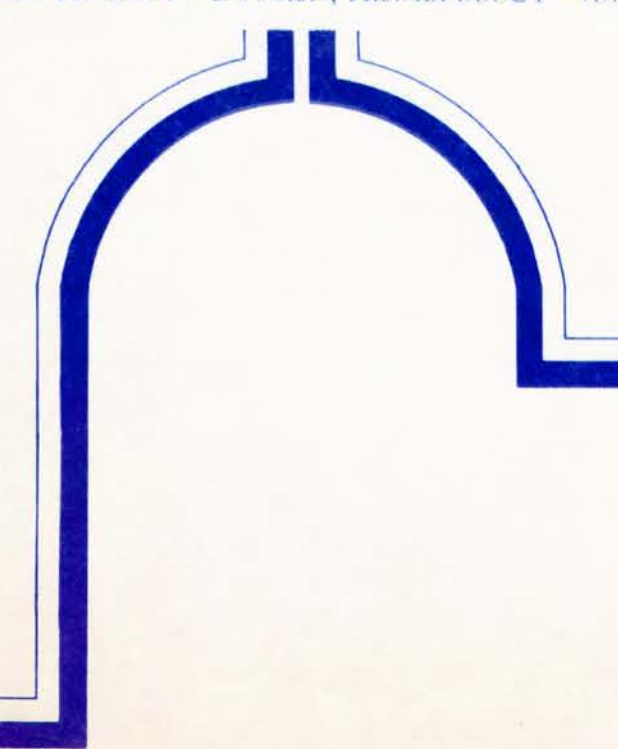


The Glory Hole

Packet Page 69 of 363



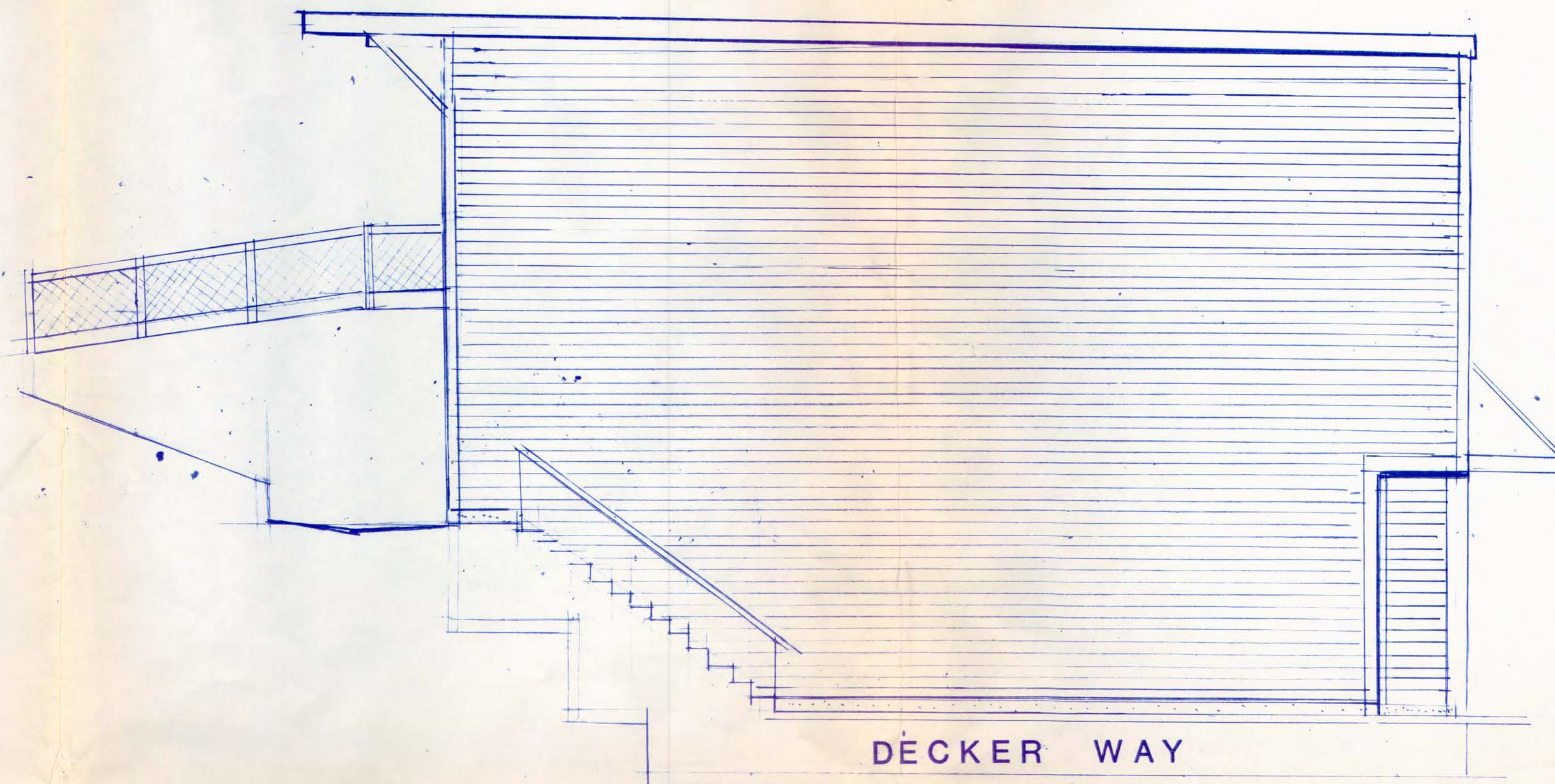
FEASIBILITY • PLANNING • CODE REVIEW • INSPECTION • ARCHITECTURE
ALASKA BUILDING CONSULTANTS
2314 DOUGLAS HIGHWAY • DOUGLAS, ALASKA 99824 • (907) 364-2171



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Rear Elevation



DECKER WAY

Packet Page 70 of 363



South Franklin Street Elevation
THE GLORY HOLE

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ALASKA BUILDING CONSULTANTS
2314 DOUGLAS HIGHWAY • DOUGLAS, ALASKA 99824 • (907) 364-2171

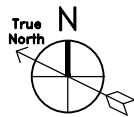
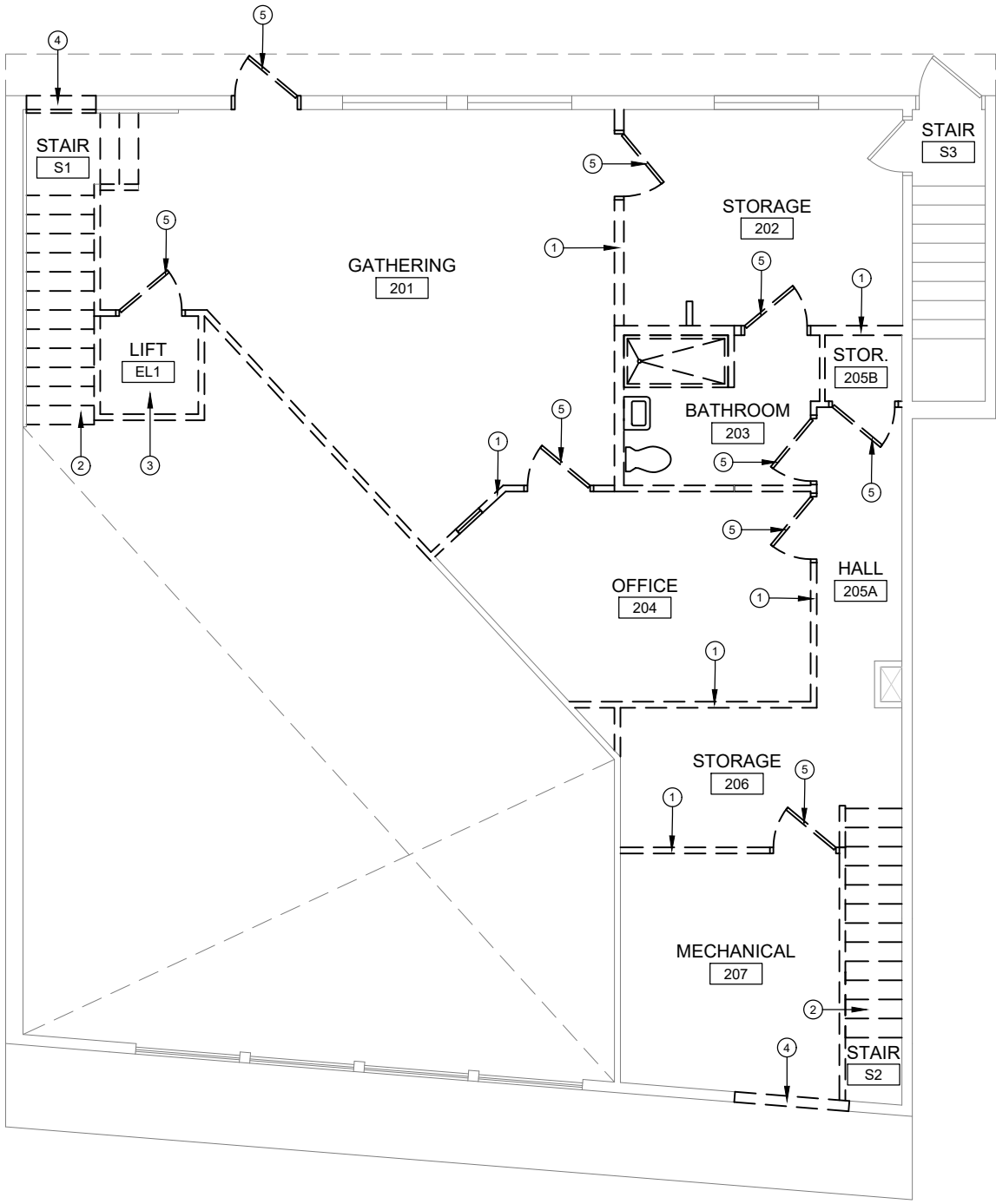
The Glory Hole
247 South Franklin
Juneau, Alaska 99802

9/25/89
ELEVATIONS

Record, APL2021 0006 - 247 S. Franklin St./The Glory Hall
Page 11 of 173

PROJECT DESCRIPTION: REMODEL OF THE EXISTING GLORY HALL STRUCTURE
LOCATED AT 247 S. FRANKLIN STREET. RENOVATIONS INCLUDE:

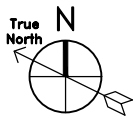
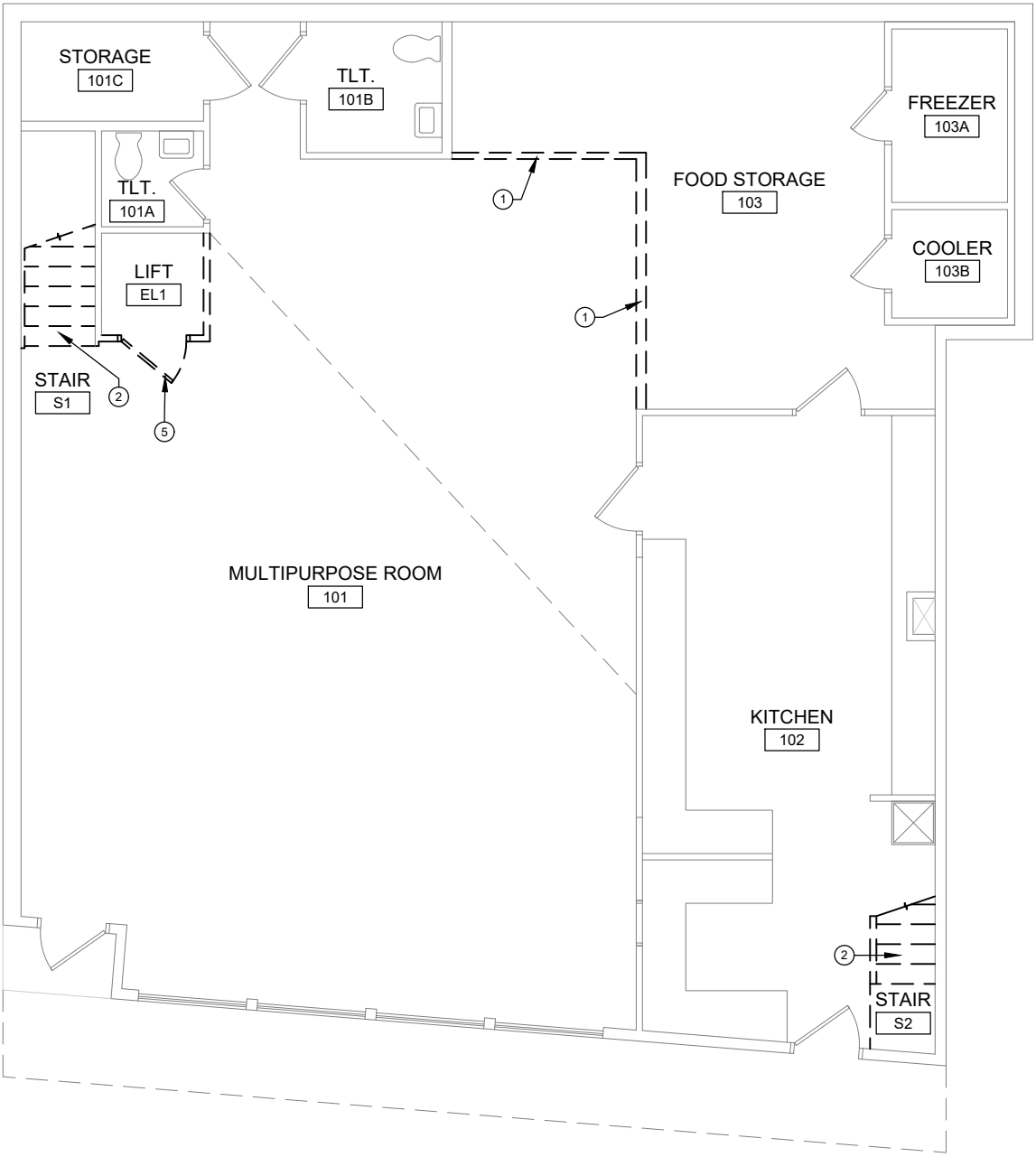
- THIS DESIGN PACKAGE IS PREPARED FOR PRICING PURPOSES ONLY



2 2ND FLOOR PLAN - DEMOLITION
A-101 SCALE: 1/4"=1'-0"

KEY NOTES

- 1. DEMOLISH EXISTING WALL IN PREPARATION FOR NEW WORK. PREPARE FLOOR AND CEILING FOR NEW WORK AND FINISHES.
- 2. DEMOLISH THE EXISTING STAIRS, PREP AREA FOR NEW WORK & NEW FINISHES.
- 3. DEMOLISH EXISTING LIFT. PATCH AND REPAIR FINISHES.
- 4. DEMOLISH EXISTING EXTERIOR WALL FOR INSTALLATION OF NEW WINDOW/DOOR.
- 5. DEMOLISH EXISTING DOORS.



1 1ST FLOOR PLAN - DEMOLITION
A-101 SCALE: 1/4"=1'-0"

Date Stamped:

By

Revision

Date

Stantec

Stantec Architecture Inc.
725 E. Fireweed Lane, Suite 200
Anchorage, AK 99503
Tel: (907) 274-4245 www.stantec.com
Authorization to Practice # AECCT207

Project:

GLORY HALL
RENOVATION

AK Mental Health Trust Authority
247 S. Franklin St
Juneau, AK 99801

35% DESIGN DOCUMENTS

Project Mgr.

GAMBARDELLA

Drawn

EJD

Checked

CN

GG

Date

10/07/2021

Sheet Contents:

FIRST & SECOND
DEMOLITION
FLOOR PLANS

Sheet No.:

A-101

Stantec W.O. 2014270100

1"=1'

3/4"=1'

1/2"=1'

3/8"=1'

1/4"=1'

1/8"=1'

0"

1"=100'

1"=60'

2"

1"=40'

3"

1"=30'

4"

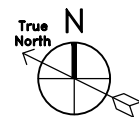
1"=20'

5"

1"=10'

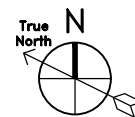
6"

11 x 17 SHEETS ARE HALF SIZE



A-102

1. DEMOLISH EXISTING WALL IN PREPARATION FOR NEW WORK. PREPARE FLOOR AND CEILING FOR NEW WORK AND FINISHES.
2. DEMOLISH EXISTING DOORS.
3. DEMOLISH EXISTING PLUMBING FIXTURE.



A-102

SCALE: 1/4"=1'-0'



Stantec Architecture Inc.
725 E. Fireweed Lane, Suite 200
Anchorage, AK 99503
Tel: (907) 276-4245 www.stantec.com
Authorization to Practice # AECCL207

AK Mental Health Trust Authority
247 S. Franklin St
Juneau, AK 99801

35% DESIGN DOCUMENTS	
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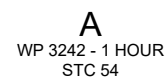
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THIRD FLOOR & ROOF DEMOLITION PLANS

Sheet No.:	
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A-102 SHEET

Stantec W.O. 2014270100



B
WP 3242 - 1 HR. RATED
STC 54

[illegible]

Stantec Architecture Inc.
725 E. Fireweed Lane, Suite 200
Anchorage, AK 99503
Tel: (907) 276-4245 www.stantec.com
Authorization to Practice # AEC1207

Project:
GLORY HALL
RENOVATION

AK Mental Health Trust Authority
247 S. Franklin St
Juneau, AK 99801

35% DESIGN DOCUMENTS

Project Mgr.	GAMBARDELLA
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Drawn	EJD	
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Checked	CN	GG
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Date	10/07/2021
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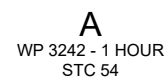
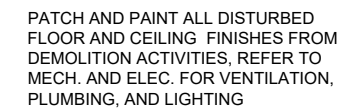
Sheet Contents:

FIRST & SECOND
NEW WORK
FLOOR PLANS

Sheet No.:

A-111

Stantec W.O. 2014270100



B
WP 3242 - 1 HR. RATED
STC 54



AK Mental Health Trust Authority
247 S. Franklin St
Juneau, AK 99801

35% DESIGN DOCUMENTS

Project Mgr.	GAMBARDELLA	
Drawn	EJD	
Checked	CN	GG
Date	10/07/2021	

Sheet Contents:

THIRD FLOOR & ROOF NEW WORK PLANS

Sheet No.:

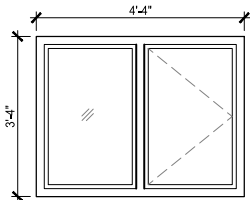
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Stantec W.O. 2014270100

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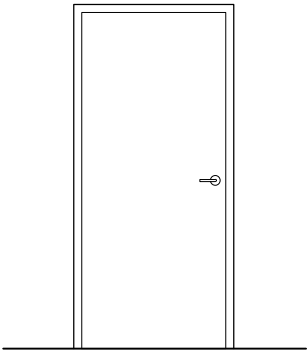
Packet Page 77 of 80

DOOR SCHEDULE																	
	Door						Frame				Details			Assembly			
Opening Number	Width	Height	Material	Type	Finish	Glazing	Material	Type	Finish	Glazing	Head	Jamb	Sill	Rating	Hardware Set	Notes	Opening Number
100A	3'-0"	7'-0"	EX	EX	EX	EX	EX	EX	EX	EX	-	-	-	-	-		100A
100B	3'-0"	7'-0"	HM	HG	PT	1/4"		HM	PT								100B
100C	3'-0"	7'-0"	IHM	HG	PT	ISG		HM	PT								100C
101	3'-0"	7'-0"	HM	HG	PT	1/4"		HM	PT								101
101A	2'-4"	6'-8"	EX	EX	EX	EX	EX	EX	EX	EX	-	-	-	-	-		101A
101B	3'-0"	6'-8"	EX	EX	EX	EX	EX	EX	EX	EX	-	-	-	-	-		101B
101C	3'-0"	6'-8"	EX	EX	EX	EX	EX	EX	EX	EX	-	-	-	-	-		101C
102	3'-0"	7'-0"	EX	EX	EX	EX	EX	EX	EX	EX	-	-	-	-	-		102
102A	3'-0"	7'-0"	EX	EX	EX	EX	EX	EX	EX	EX	-	-	-	-	-		102A
103	3'-0"	7'-0"	EX	EX	EX	EX	EX	EX	EX	EX	-	-	-	-	-		103
104	3'-0"	7'-0"	HM	F	PT			HM	PT								104
105	3'-0"	7'-0"	HM	F	PT			HM	PT								105
200	3'-0"	6'-8"	EX	EX	EX	EX	EX	EX	EX	EX	-	-	-	-	-		200
201	3'-0"	6'-8"	WD	F	PT			WD	PT					20 MIN.			201
201A	3'-0"	6'-8"	WD	F	PT			WD	PT								201A
202	3'-0"	6'-8"	WD	F	PT			WD	PT					20 MIN.			202
202A	3'-0"	6'-8"	WD	F	PT			WD	PT								202A
300	3'-0"	6'-8"	EX	EX	EX	EX	EX	EX	EX	EX	-	-	-	-	-		300
301A	3'-0"	6'-8"	WD	F	PT			WD	PT								301A
302	3'-0"	6'-8"	EX	EX	EX	EX	EX	EX	EX	EX	-	-	-	20 MIN.	-		302
302A	3'-0"	6'-8"	EX	EX	EX	EX	EX	EX	EX	EX	-	-	-	-	-		302A
302B	3'-0"	6'-8"	EX	EX	EX	EX	EX	EX	EX	EX	-	-	-	-	-		302B
302C	3'-0"	6'-8"	WD	F	PT			WD	PT								302C
303	3'-0"	6'-8"	WD	F	PT			WD	PT					20 MIN.			303
303A	3'-0"	6'-8"	WD	F	PT			WD	PT								303A
304	3'-0"	6'-8"	WD	F	PT			WD	PT					20 MIN.			304
304A	3'-0"	6'-8"	WD	F	PT			WD	PT								304A
305	3'-0"	6'-8"	WD	F	PT			WD	PT					20 MIN.			305
305A	3'-0"	6'-8"	WD	F	PT			WD	PT								305A
306	3'-0"	6'-8"	WD	F	PT			WD	PT					20 MIN.			306
306A	3'-0"	6'-8"	WD	F	PT			WD	PT								306A

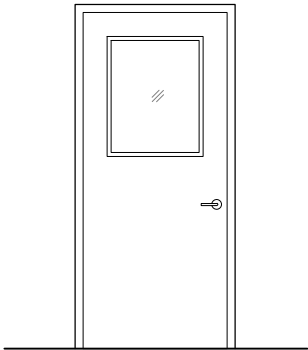


1

WINDOW TYPE



F



HG

DOOR TYPES

ROOM FINISH SCHEDULE													
Room	Room Name	Floor	Base	Wall				Ceiling			Remarks	Room	
				N Wall	E Wall	S Wall	W Wall	Materials	Finish	CLG. Height			
100	CORRIDOR	CPT2	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT	GWB	PT	8'-0"		100	
101	MULTIPURPOSE ROOM	EX	EX	EX	EX	EX	GWB/PT	EX	EX	17'-0"		101	
101A	TOILET	EX	EX	EX	EX	EX	EX	EX	EX	7'-0"		101A	
101B	TOILET	EX	EX	EX	EX	EX	EX	EX	EX	7'-0"		101B	
101C	STORAGE	EX	EX	EX	EX	EX	EX	EX	EX	7'-0"		101C	
102	KITCHEN	TL-1	TL-1	EX	PT1	PT1	EX	GWB	PT	8'-0"	PATCH AND REPAIR SW CORNER FROM DEMOLITION OF STAIRS	102	
103	FOOD STORAGE	EX	EX	EX	EX	EX	EX	EX	EX	EX		103	
103A	FREEZER	EX	EX	EX	EX	EX	EX	EX	EX	EX		103A	
103B	COOLER	EX	EX	EX	EX	EX	EX	EX	EX	EX		103B	
104	MECHANICAL	SC	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT	GWB/PT	PT	8'-0"		104	
105	ELECTRICAL	SC	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT	GWB/PT	PT	8'-0"		105	
S1	STAIR	LVT/RF	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT	GWB/PT	PT	8'-0"		S1	
S2	STAIR	LVT/RF	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT	GWB/PT	PT	8'-0"		S2	
200	VESTIBULE	CPT2	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT	GWB	PT	8'-0"		200	
201	STUDIO #1	LVT	RB	GWB/PT	GWB/PT	GWB/PT, CT	GWB/PT	GWB	PT	8'-0"	CERAMIC TILE AT KITCHEN BACKSPLASH	201	
201A	BATHROOM	LVT	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT	GWB	PT	8'-0"	CEMENTITIOUS BACKER BOARD AT ALL WET WALL LOCATIONS	201A	
202	STUDIO #2	LVT	RB	GWB/PT, CT	GWB/PT	GWB/PT	GWB/PT	GWB	PT	8'-0"	CERAMIC TILE AT KITCHEN BACKSPLASH	202	
202A	BATHROOM	LVT	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT	GWB	PT	8'-0"	CEMENTITIOUS BACKER BOARD AT ALL WET WALL LOCATIONS	202A	
301	CORRIDOR	LVT	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT	GWB	PT	8'-0"		301	
301A	STORAGE	LVT	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT	GWB	PT	8'-0"		301A	
302	LIVING ROOM	LVT	RB	GWB/PT	GWB/PT, CT	GWB/PT, CT	GWB/PT	GWB	PT	8'-0"	CERAMIC TILE AT KITCHEN BACKSPLASH	302	
302A	STORAGE	LVT	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT	GWB	PT	8'-0"		302A	
302B	BEDROOM	LVT	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT	GWB	PT	8'-0"		302B	
302C	BATHROOM	LVT	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT	GWB	PT	8'-0"	CEMENTITIOUS BACKER BOARD AT ALL WET WALL LOCATIONS	302C	
303	STUDIO #3	LVT	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT, CT	GWB	PT	8'-0"	CERAMIC TILE AT KITCHEN BACKSPLASH	303	
303A	BATHROOM	LVT	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT	GWB	PT	8'-0"	CEMENTITIOUS BACKER BOARD AT ALL WET WALL LOCATIONS	303A	
304	STUDIO #4	LVT	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT, CT	GWB	PT	8'-0"	CERAMIC TILE AT KITCHEN BACKSPLASH	304	
304A	BATHROOM	LVT	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT	GWB	PT	8'-0"	CEMENTITIOUS BACKER BOARD AT ALL WET WALL LOCATIONS	304A	
305	STUDIO #5	LVT	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT, CT	GWB	PT	8'-0"	CERAMIC TILE AT KITCHEN BACKSPLASH	305	
305A	BATHROOM	LVT	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT	GWB	PT	8'-0"	CEMENTITIOUS BACKER BOARD AT ALL WET WALL LOCATIONS	305A	
306	STUDIO #6	LVT	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT, CT	GWB	PT	8'-0"	CERAMIC TILE AT KITCHEN BACKSPLASH	306	
306A	BATHROOM	LVT	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT	GWB	PT	8'-0"	CEMENTITIOUS BACKER BOARD AT ALL WET WALL LOCATIONS	306A	

6" 1"=1' 1-1/2"=1' 1"=1' 3/4"=1' 1/2"=1' 3/8"=1' 1/4"=1' 1/8"=1' 0"=1' 1"=10' 2"=20' 4"=40' 6"=60' 1"=1" 3"=30' 4"=40' 5"=50' 6"=60'

11 x 17 SHEETS ARE HALF SIZE

Date Stamped:

By

Revision

Date

Stantec

Stantec Architecture Inc.
725 E. Fireweed Lane, Suite 200
Anchorage, AK 99503
Tel: (907) 274-4245 www.stantec.com
Authorization to Practice # AECCT1207

Project:

GLORY HALL RENOVATION

AK Mental Health Trust Authority
247 S. Franklin St
Juneau, AK 99801

35% DESIGN DOCUMENTS

Project Mgr.

GAMBARDELLA

Drawn

EJD

Checked

CN

GG

Date

10/07/2021

Sheet Contents:

DOOR & WINDOW TYPES, DOOR SCHEDULE AND MATERIAL FINISH SCHEDULE

Sheet No.:

A-601

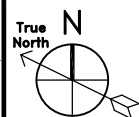
Stantec W.O. 2014270100

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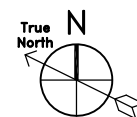
MECHANICAL LEGEND	
	PIPE UP
	PIPE DOWN
	AUTOMATIC AIR VENT WITH ISOLATION VALVE
	THERMOMETER
	UNION
	CONCENTRIC REDUCER
	PIPE FLANGE
	PIPE ANCHOR
	PIPE GUIDE
	PUMP
	FLEX PIPE CONNECTION
	RECTANGULAR DUCT ELBOW WITH TURNING VANES
	FLEXIBLE ROUND DUCT
	HVAC DUCT, DOUBLE LINE DEPICTION
	EXTERNALLY INSULATED DUCT SIZES SHOWN ARE NET INSIDE DIMENSIONS
	INTERNALLY LINED DUCT SIZES SHOWN ARE NET INSIDE DIMENSIONS
	OPPOSED BLADE MOTOR OPERATED DAMPER
	PARALLEL BLADE MOTOR OPERATED DAMPER
	MOTOR OPERATED DAMPER (VIEWED PERPENDICULAR TO BLADE SHAFTS)
	SUPPLY OR OUTSIDE AIR DUCT SECTION
	RETURN GRILLE
	GLOBE VALVE
	BALL VALVE
	GATE VALVE
	MANUAL AIR VENT
	CALIBRATED (MANUAL) BALANCE VALVE
	2-WAY CONTROL VALVE
	3-WAY CONTROL VALVE
	SAFETY RELIEF VALVE OR PRESSURE RELIEF VALVE
	DOUBLE CHECK TYPE BACKFLOW PREVENTER
	BUTTERFLY VALVE
	CHECK VALVE
	STRAINER WITH BLOW DOWN VALVE
	PRESSURE GAUGE WITH ISOLATION VALVE
	FLOOR DRAIN
	GAS CONCENTRATION SENSOR: xx = CO2 FOR CARBON DIOXIDE xx = CO FOR CARBON MONOXIDE xx = NO FOR NITROGEN DIOXIDE
	TEMPERATURE SENSOR OR THERMOSTAT
	DIRECTION OF AIR FLOW
	GRILLE, REGISTER OR DIFFUSER DESIGNATION
	FLOW RATE, CFM
	EQUIPMENT DESIGNATION (UH, EF, AHU, ETC.)
	SCHEDULE ITEM NUMBER
	SHEET NOTE REFERENCE
	BACKDRAFT DAMPER
	MANUAL BALANCING DAMPER
	HEATING OR COOLING COIL
	AIR FILTERS
	RETURN AIR DUCT SECTION
	SUPPLY DIFFUSER ARROWS INDICATE THROW DIRECTION
ALL SYMBOLS DO NOT NECESSARILY APPEAR ON DRAWINGS	

MECHANICAL ABBREVIATIONS											
GENERAL AND UNITS											
A	AMPS (AMPERES)	FPD	FLUID PRESSURE DROP	NO	NORMALLY OPEN	<u>EQUIPMENT</u>					
AFF	ABOVE FINISHED FLOOR	FPF	FINS PER FOOT	NTS	NOT TO SCALE	BLR	AIR-HANDLING UNIT				
AHAP	AS HIGH AS PRACTICABLE	FPI	FINS PER INCH	OAT	OUTSIDE AIR TEMPERATURE	BOILER					
AHU	AUTHORITY HAVING JURISDICTION	FPM	FEET PER MINUTE	OFCl	OWNER FURNISHED, CONTRACTOR INSTALLED	CVL	CONTROL VALVE				
APD	AIR PRESSURE DROP	FPS	FEET PER SECOND	OFOI	OWNER FURNISHED, OWNER INSTALLED	HC	HEATING COIL				
AUTO	AUTOMATIC	FT	FOOT OR FEET	PD	PRESSURE DROP	HRV	HEAT RECOVERY VENTILATOR				
BFP	BACKFLOW PREVENTER	GAL	GALLONS	PG	PROPYLENE GLYCOL	P	PUMP				
BHP	BRAKE HORSEPOWER	GPH	GALLONS PER HOUR	PH	PHASE (ELECTRICAL)	PHC	PREHEAT COIL				
BTU	BRITISH THERMAL UNIT	GPM	GALLONS PER MINUTE	PPM	PARTS PER MILLION	RFM	RADIANT FLOOR MANIFOLD				
BTUH	BTU PER HOUR	HD	HEAD	PRESS	PRESSURE	RFZ	RADIANT FLOOR ZONE				
CFH	CUBIC FEET PER HOUR	HP	HORSEPOWER	PSI	POUNDS PER SQUARE INCH	RG	RETURN AIR GRILLE				
CFM	CUBIC FEET PER MINUTE	HR	HOUR(S)	PSIA	POUNDS PER SQUARE INCH - ABSOLUTE	SD	SUPPLY AIR DIFFUSER				
CLG	CEILING	HTG	HEATING	PSID	POUNDS PER SQUARE INCH - DIFFERENTIAL	UH	UNIT HEATER				
CU FT	CUBIC FEET	HVAC	HEATING, VENTILATING & AIR-CONDITIONING	PSIG	POUNDS PER SQUARE INCH - GAUGE	<u>DUCTWORK</u>					
CU IN	CUBIC INCH	HZ	FREQUENCY (HERTZ)	RAT	RETURN AIR TEMPERATURE	DD	DUCT SMOKE DETECTOR				
DB	DRY-BULB TEMPERATURE	IN WC	INCHES WATER COLUMN	RPM	REVOLUTIONS PER MINUTE	EA OR E/A	EXHAUST AIR				
DEG	DEGREE	KW	KILOWATT	SAT	SUPPLY AIR TEMPERATURE	FD	FIRE DAMPER				
DEG F	DEGREES FAHRENHEIT	KWH	KILOWATT HOUR	SCFM	STANDARD CUBIC FEET PER MINUTE	MOD	MOTOR-OPERATED DAMPER				
DIA OR Ø	DIAMETER	LAT	LEAVING AIR TEMPERATURE	SP	STATIC PRESSURE	OA OR O/A	OUTSIDE AIR				
DN	DOWN	LFT	LEAVING FLUID TEMPERATURE	SPD	STATIC PRESSURE DROP	OBD	OPPOSED BLADE DAMPER				
DTL	DETAIL	LGT	LEAVING GLYCOL TEMPERATURE	SPEC	SPECIFICATION	RA OR R/A	RETURN AIR				
DWG	DRAWING	LP	LOW PRESSURE	TD	TEMPERATURE DROP/DIFFERENCE	RE/A	RELIEF AIR				
EA	EACH	LWT	LEAVING WATER TEMPERATURE	TEMP	TEMPERATURE	SA OR S/A	SUPPLY AIR				
EAT	ENTERING AIR TEMPERATURE	MAX	MAXIMUM	THRU	THROUGH	SD	SMOKE DAMPER				
EFF	EFFICIENCY	MBH	THOUSAND BTU PER HOUR	TSP	TOTAL STATIC PRESSURE	VD	VOLUME DAMPER				
EFT	ENTERING FLUID TEMPERATURE	MCA	MINIMUM CIRCUIT AMPACITY	T'STAT	THERMOSTAT						
EGT	ENTERING GLYCOL TEMPERATURE	MECH	MECHANICAL	TYP	TYPICAL	<u>PIPING</u>					
ELEC	ELECTRICAL	MERV	MINIMUM EFFICIENCY REPORTING VALUE	V	VOLTS OR VOLTAGE	CA	COMPRESSED AIR				
ESP	EXTERNAL STATIC PRESSURE	MFR	MANUFACTURER	VAV	VARIABLE AIR VOLUME	FD	FLOOR DRAIN, OR FIRE DAMPER				
EWI	ENTERING WATER TEMPERATURE	MIN	MINIMUM	VFD	VARIABLE FREQUENCY DRIVE	G	NATURAL GAS				
EXH	EXHAUST	MTD	MOUNTED	W	WATT	GHR	HEATING GLYCOL RETURN				
FLA	FULL LOAD AMPS	NA	NOT APPLICABLE	WB	WET BULB	GHS	HEATING GLYCOL SUPPLY				
FLEX	FLEXIBLE	NC	NOISE CRITERIA, OR NORMALLY CLOSED	WC	WATER COLUMN	V	VENT				
FLR	FLOOR	NIC	NOT IN CONTRACT	WPD	WATER PRESSURE DROP						
ALL ABBREVIATIONS DO NOT NECESSARILY APPEAR ON DRAWINGS											

- GENERAL NOTES:



1 1ST FLOOR PLAN - DEMOLITION
M-101 SCALE: 1/4"=1'-0"



2 2ND FLOOR PLAN - DEMOLITION
M-101 SCALE: 1/4"=1'-0"



Stantec Architecture Inc.
725 E. Fireweed Lane, Suite 200
Anchorage, AK 99503
Tel: (907) 276-4245 www.stantec.com
Authorization to Practice # AECC1207

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11 x 17 SHEETS ARE HALF SIZE

1. CONTRACTOR SHALL VERIFY AND RECORD EXISTING WASTE AND VENT PIPING SIZE AND LOCATION FROM ALL FIXTURES.

1. CONTRACTOR SHALL VERIFY AND RECORD EXISTING WASTE AND VENT PIPING SIZE AND LOCATION FROM ALL FIXTURES.



SCALE: 1/4"=1'-0'



SCALE: 1/4"=1'-0"



AK Mental Health Trust Authority
247 S. Franklin St
Juneau, AK 99801

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Sheet Contents:

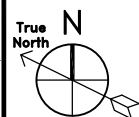
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M-102

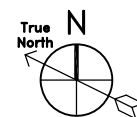
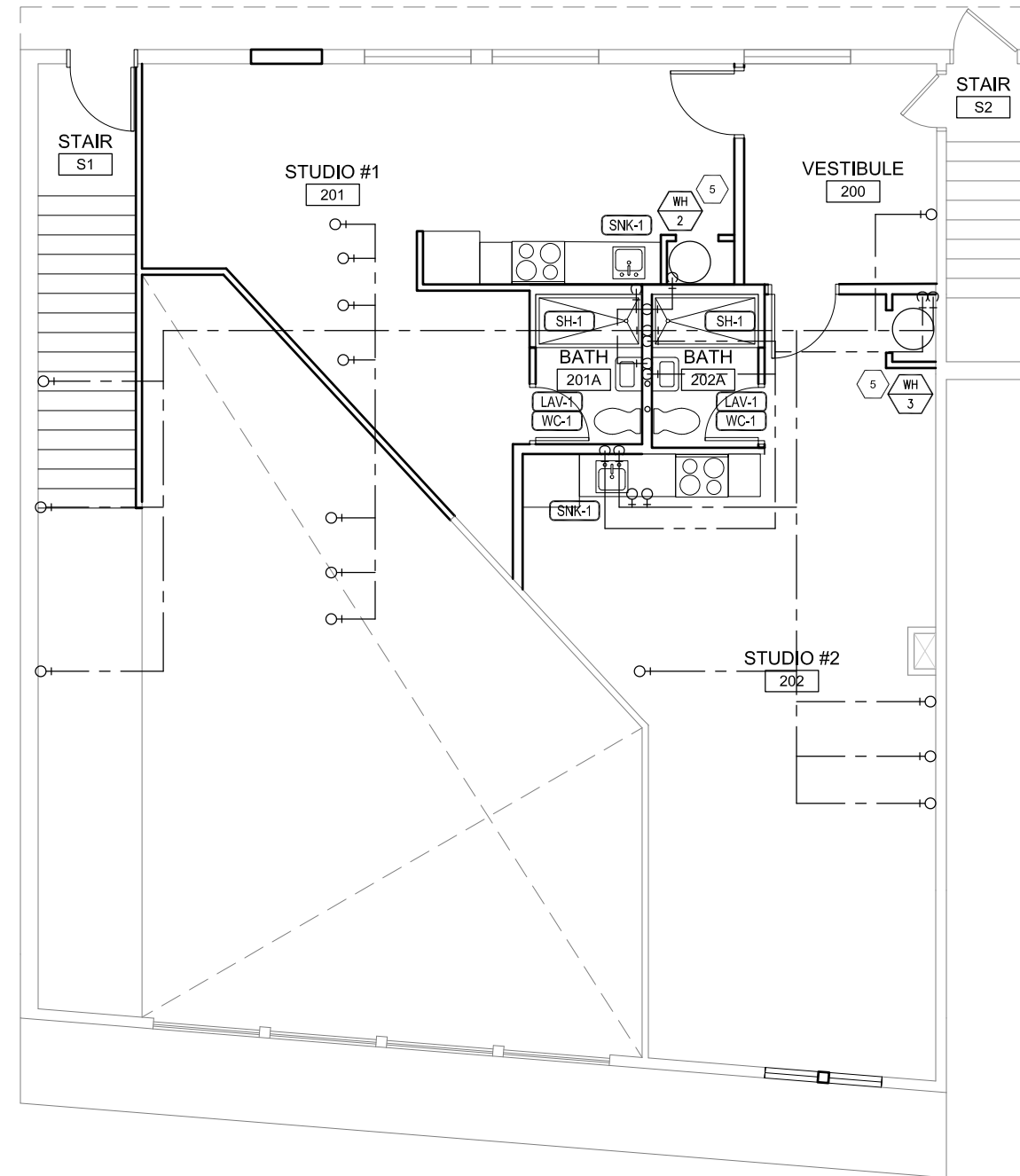
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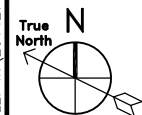
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- STAIR
S1
- VESTIBULE
100
- MULTIPURPOSE ROOM
101
- STORAGE
101C
- TLT.
101A
- TLT.
101B
- ELEC
105
- MECH
104
- WH
1
- FOOD STORAGE
103
- KITCHEN
102
- FREEZER
103A
- COOLER
103B



1 1ST FLOOR PLAN - NEW WORK
M-201 SCALE: 1/4"=1'-0"

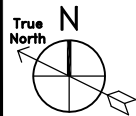


2 2ND FLOOR PLAN - NEW WORK
M-201 SCALE: 1/4"=1'-0"

[illegible]

11 x 17 SHEETS ARE HALF SIZE

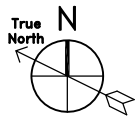
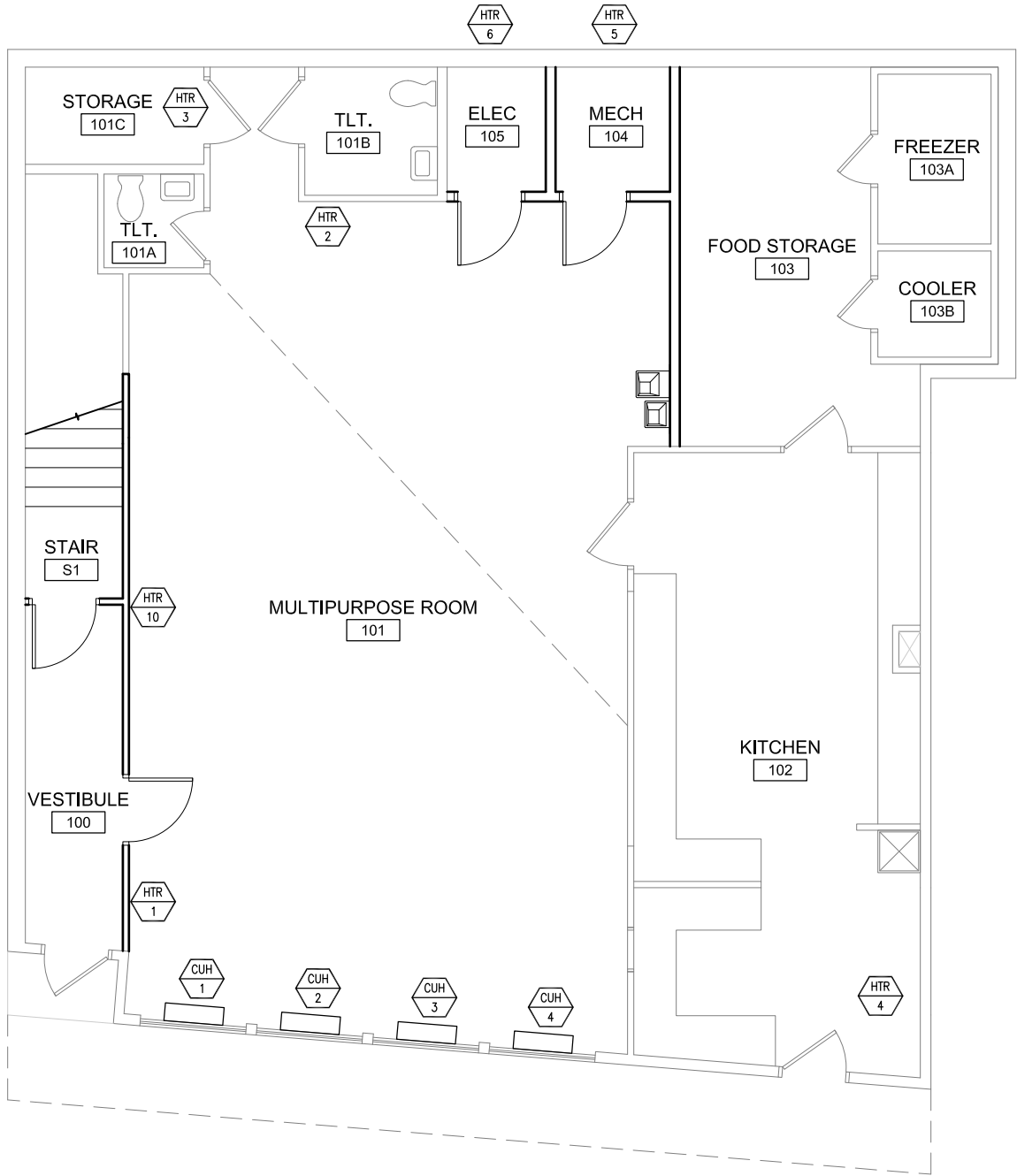
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1

1ST FLOOR PLAN - NEW WORK

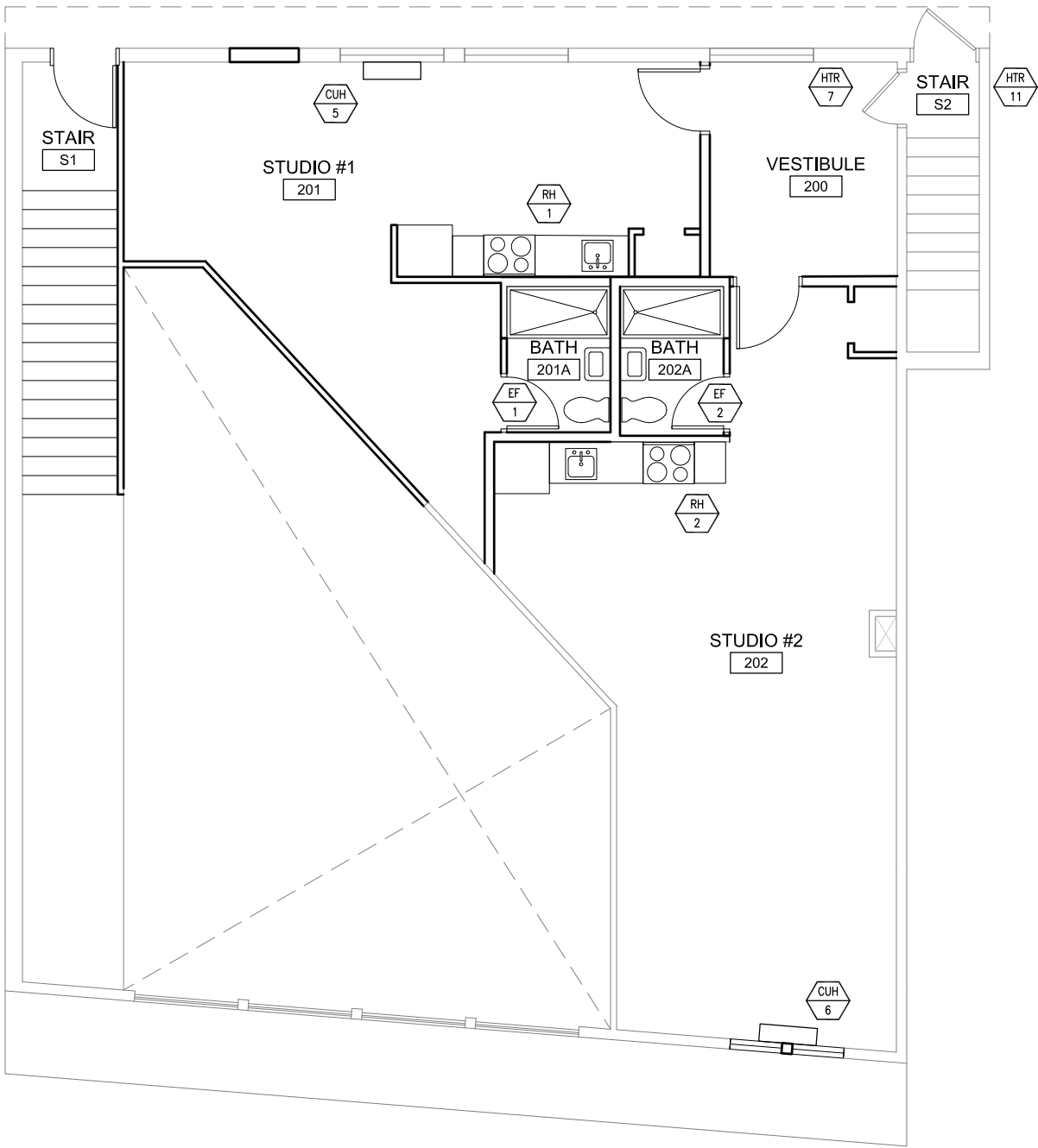
M-301 SCALE: 1/4"=1'-0"



2

2ND FLOOR PLAN - NEW WORK

M-301 SCALE: 1/4"=1'-0"



Stantec Architecture Inc.
725 E. Fireweed Lane, Suite 200
Anchorage, AK 99503
Tel: (907) 274-4245 www.stantec.com
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Project:
**GLORY HALL
RENOVATION**

AK Mental Health Trust Authority
247 S. Franklin St
Juneau, AK 99801

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Project Mgr.	GAMBARDELLA	
Drawn	JET	
Checked	MAP	GG
Date	10/07/2021	

Sheet Contents:
**NEW WORK
PLANS -
HEATING AND
VENTILATING**

Sheet No.:

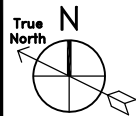
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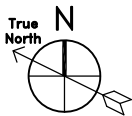
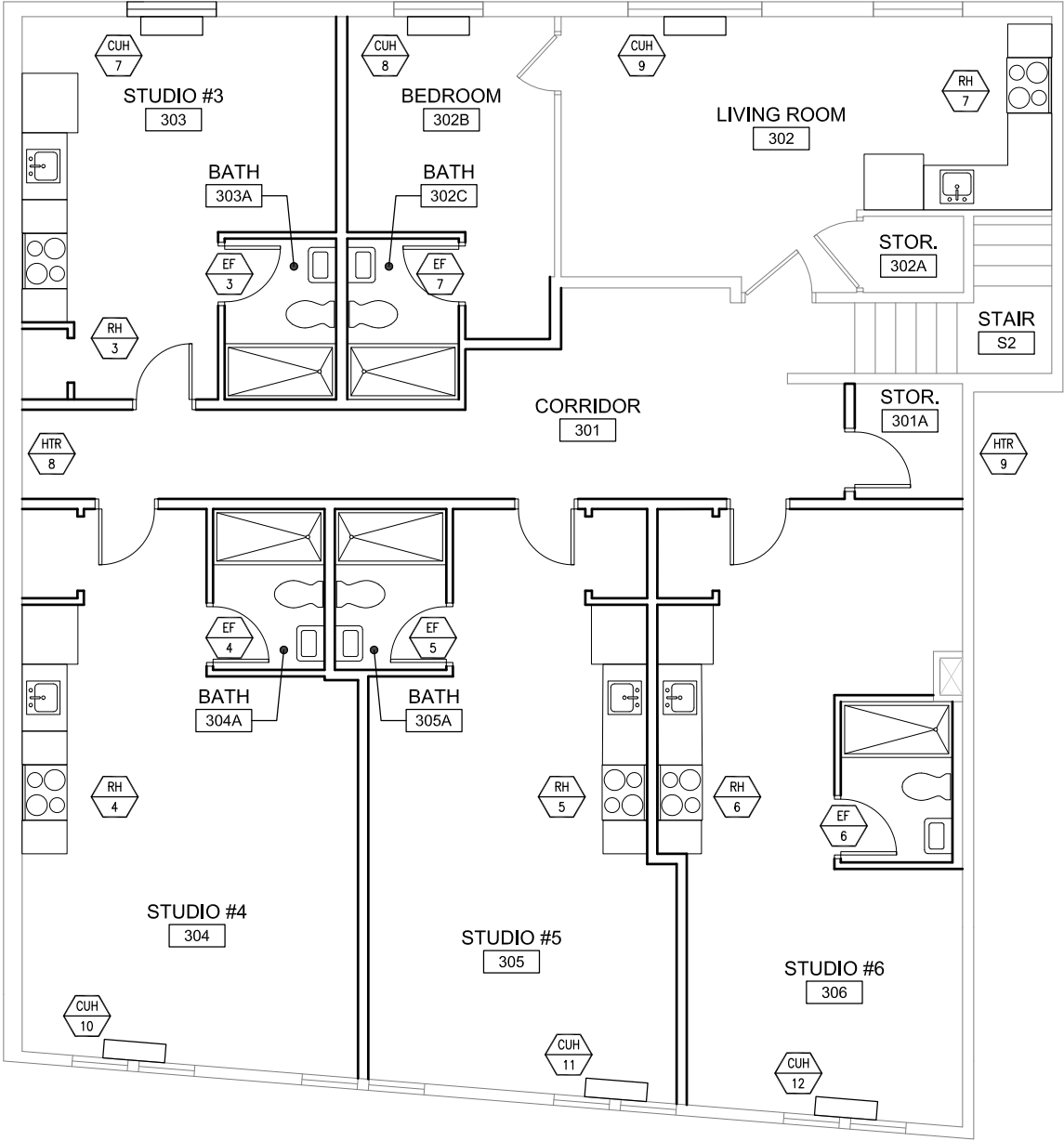
1"=1'-0"
1/2"=1'-0"
3/4"=1'-0"
1/4"=1'-0"
1/8"=1'-0"
0"=1'-0"
1"=60"
2"=40"
3"=30"
4"=20"
5"=10"
6"=0"

11 x 17 SHEETS ARE HALF SIZE

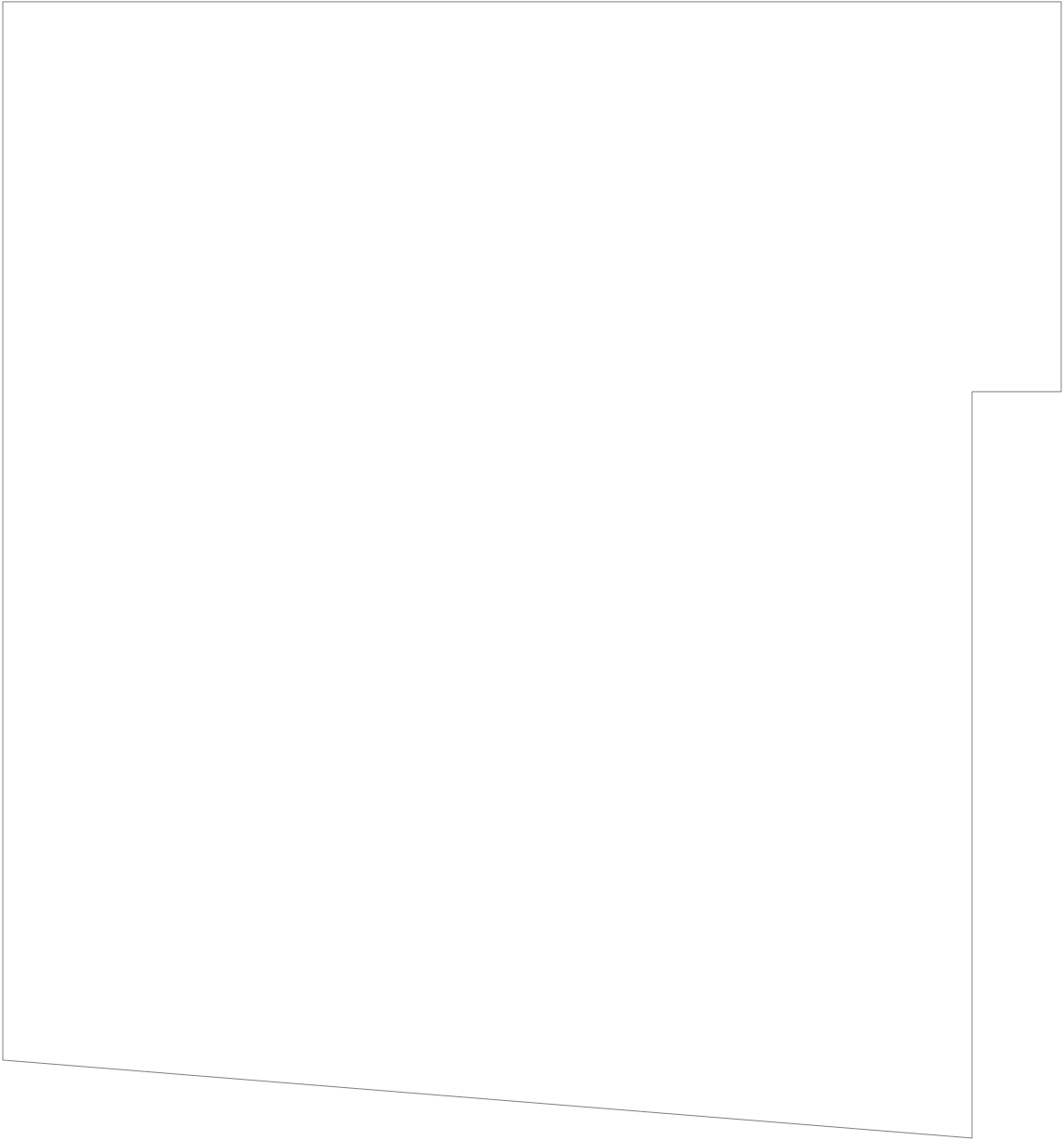
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1 3RD FLOOR PLAN - NEW WORK
M-302 SCALE: 1/4"=1'-0"



2 ROOF PLAN - NEW WORK
M-302 SCALE: 1/4"=1'-0"



Stantec Architecture Inc.
725 E. Fireweed Lane, Suite 200
Anchorage, AK 99503
Tel: (907) 274-4245 www.stantec.com
Authorization to Practice # AECCT207

Project:
GLORY HALL
RENOVATION

AK Mental Health Trust Authority
247 S. Franklin St
Juneau, AK 99801

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Project Mgr. GAMBARDELLA

Drawn JET

Checked MAP GG

Date 10/07/2021

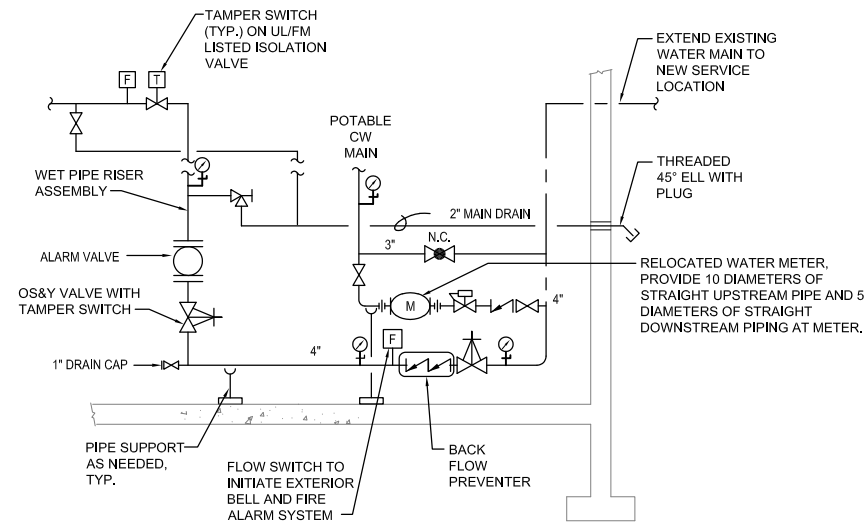
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NEW WORK
PLANS -
HEATING AND
VENTILATING

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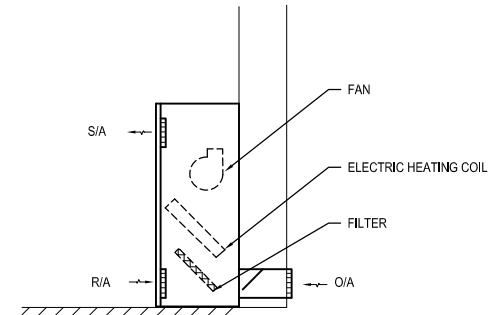
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Stantec W.O. 2014270100

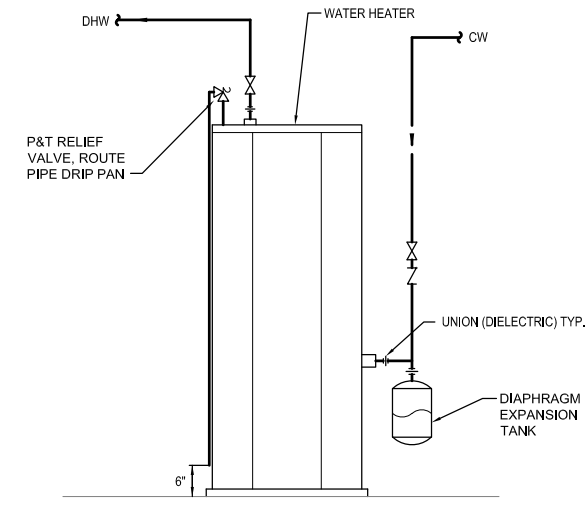
11 x 17 SHEETS ARE HALF SIZE



1 WATER SERVICE DETAIL



2 CABINET UNIT HEATER DETAIL



NOTE: SEE ELECTRICAL FOR POWER REQUIREMENTS

3 DOMESTIC WATER HEATER DETAIL

 Stantec Stantec Architecture Inc. 725 E. Freeweed Lane, Suite 200 Anchorage, AK 99503 Tel: (907) 276-4245 www.stantec.com Authorization to Practice # AECC1207			Date Stamped:	
			By	
Revision		Date		3" 1"=30'
4" 1"=20'		5" 1"=10'		6"
Project:		1"=100'		1"=60'
GLORY HALL RENOVATION		1"=40'		2"
AK Mental Health Trust Authority 247 S. Franklin St Juneau, AK 99801		1"=1"		3/4"=1' 1/2"=1' 3/8"=1'
35% DESIGN DOCUMENTS		1"=1/2"=1'		6"
Project Mgr.	GAMBARDELLA		1"=1/2"=1'	
Drawn	JET	1"=1/2"=1'		6"
Checked	MAP	GG	1"=1/2"=1'	
Date	10/07/2021		1"=1/2"=1'	
Sheet Contents:				
MECHANICAL DETAILS				
Sheet No.:				
M-401				
Stantec W.O. 2014270100				

ABBREVIATIONS:		
CWB = GYPSUM WALL BOARD	CWA = CONSTANT WATTAGE	SFF = SEE FLOOR PL AN
GRID = LAY-IN GRID	AUTOTRANSFORMER	SMHS = SEE MOUNTING
STR = EXPOSED STRUCTURE	MH = METAL HALIDE	HIGH SCHEDULE
ELEC = ELECTRONIC	HPS = HIGH PRESSURE SODIUM	
HPF = HIGH POWER FACTOR	QTZ = QUARTZ	

GENERAL NOTES:

1. MOUNTING HEIGHTS SHOWN ARE TYPICAL FOR FIXTURE TYPE UNLESS OTHERWISE INDICATED ON THE PLANS.
2. FIXTURE TYPES INDICATED IN EACH ROOM ON THE PLANS ARE TYPICAL FOR ALL FIXTURES USING THE SAME SYMBOL IN THAT ROOM UNLESS OTHERWISE INDICATED.

LIGHTING FIXTURE DESIGNATION

	LIGHT FIXTURE, SURFACE MOUNT
	EMERGENCY LIGHT FIXTURE, RECESS MOUNT
	EMERGENCY LIGHT FIXTURE, SURFACE MOUNT
	SURFACE CEILING MOUNTED LIGHT FIXTURE
	WALL MOUNTED LIGHT FIXTURE
	RECESSED CEILING MOUNTED LIGHT FIXTURE
	WALL SCONCE
	TRACK LIGHTING, WALL MOUNT
	LAVATORY LIGHT FIXTURE, WALL MOUNT
	EMERGENCY LIGHT FIXTURE
	EXIT SIGN, WALL MOUNT
	EMERGENCY LIGHT FIXTURE WITH EXIT SIGN
	OCCUPANCY SENSOR, LETTER DENOTES TYPE A= WALL SWITCH MOUNT, B= CEILING MOUNT, INFRARED D= WALL SWITCH MOUNT, DUAL-TECHNOLOGY I= CEILING-MOUNT, DUAL-TECHNOLOGY WITH INTEGRATED DIMMER
	SINGLE POLE SWITCH
	3-WAY SWITCH
	4-WAY SWITCH
	DIMMER SWITCH

FIRE ALARM PULL STATION

	HEAT DETECTOR, SUBSCRIPT INDICATES VARIATIONS:
	STANDALONE LINE-VOLTAGE DETECTOR
	DUCT SMOKE DETECTOR
	HEAT DETECTOR, SUBSCRIPT DENOTES VARIATIONS: R = RATE-OF-RISE, R/C = RATE COMPENSATED
	SPRINKLER SYSTEM TAMPER SWITCH
	SPRINKLER SYSTEM FLOW SWITCH
	SPRINKLER SYSTEM PRESSURE SWITCH
	FIRE ALARM HORN/STROBE
	FIRE ALARM STROBE
	FIRE ALARM SIGNAL BELL

WALL/FLOOR MOUNTED TELEPHONE OUTLET, SUBSCRIPT
DENOTES NUMBER OF OUTLETS PER JUNCTION BOX (DEFAULT, ONE)

	INTERCOM WALL STATION
	TELEVISION OUTLET
	SPEAKER, WALL/CEILING MOUNTED
	COMBINATION CLOCK/SPEAKER
	WALL MOUNTED CLOCK
	CABLE TRAY

SIMPLEX RECEPTACLE

GFI = GROUND FAULT INTERRUPT

DUPLEX RECEPTACLE, WALL/FLOOR MOUNTED

DOUBLE DUPLEX RECEPTACLE, WALL/FLOOR MOUNTED

SINGLE 240 VOLT RECEPTACLE, NEMA TYPE 7

SPECIAL PURPOSE RECEPTACLE, WALL/FLOOR MOUNTED

	DUPLEX RECEPTACLE, WALL/FLOOR MOUNTED
	SINGLE DUPLEX RECEPTACLE, WALL/FLOOR MOUNTED
	SINGLE 240 VOLT RECEPTACLE, NEMA TYPE 7
	SPECIAL PURPOSE RECEPTACLE, WALL/FLOOR MOUNTED
	CONTROL OR TERMINAL CABINET, TYPE AS NOTED
	PANELBOARD, SURFACE/FLUSH MOUNTED
	TRANSFORMER
	JUNCTION BOX, WALL MOUNTED
	JUNCTION BOX, GRADE OR FLOOR MOUNTED
	EQUIPMENT CONNECTION
	MOTOR
	METER (V = VOLT, A = AMP, W = WATT, WH = WATT-HOUR)
	NON-FUSED DISCONNECT
	FUSED DISCONNECT
	COMBINATION MOTOR STARTER / DISCONNECT
	MOTOR STARTING SWITCH W/ THERMAL OVERLOADS
	THERMOSTAT
	GROUND
	CIRCUIT CONCEALED / ABOVE CEILING

POINT OF CONNECTION (P.O.C.) TO UTILITIES OR EXISTING
PAD MOUNT TRANSFORMER
IN-GRADE JUNCTION BOX
POLE MOUNTED AREA LIGHT FIXTURE (DUPLEX FIXTURE SHOWN)
ELECTRICAL CIRCUIT: OH = OVERHEAD, UG = UNDERGROUND,
E = ELECTRIC, T = TELEPHONE, C = CATV, SG = SPAN GUY
ELECTRIC CIRCUIT: SECONDARY, UNDERBUILD, OR SERVICE

REFERENCE TO SHEET NOTE

REFERENCE TO REVISION

WEATHERPROOF

FIRE ALARM CONTROL PANEL

EXISTING

EXISTING TO REMAIN

[illegible]

Stantec

Stantec Architecture Inc.
725 E. Fireweed Lane, Suite 200
Anchorage, AK 99503
Tel: (907) 276-4245 www.stantec.com
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Project:

GLORY HALL
RENOVATION

AK Mental Health Trust Authority
247 S. Franklin St
Juneau, AK 99801

35% DESIGN DOCUMENTS

Project Mar.	GAMBARDELLA
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Drawn	CLR	
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Date	10/07/2021
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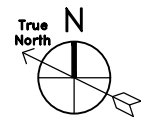
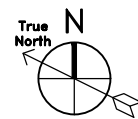
Sheet Contents:

LEGEND AND SCHEDULES

Sheet No.:

E-001

Stantec W.O. 2014270100



- 1 DEMOLISH PANEL A,B AND C.
RECONNECT LEVEL 1 EXISTING LOADS
TO NEW PANEL H LOCATED IN ELEC
ROOM 105 (SEE SHEET E-111).
- 2 DEMOLISH ELECTRICAL EQUIPMENT
AND DEVICES.
- 3 DEMOLISH ELECTRICAL EQUIPMENT
AND DEVICES ON LEVEL 2 U.O.N.



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Stantec Architecture Inc.
725 E. Fireweed Lane, Suite 200
Anchorage, AK 99503
Tel: (907) 276-4245 www.stantec.com
Authorization to Practice # AEC1207

AK Mental Health Trust Authority
247 S. Franklin St
Juneau, AK 99801

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Drawn	CLR	
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Date	10/07/2021	

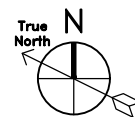
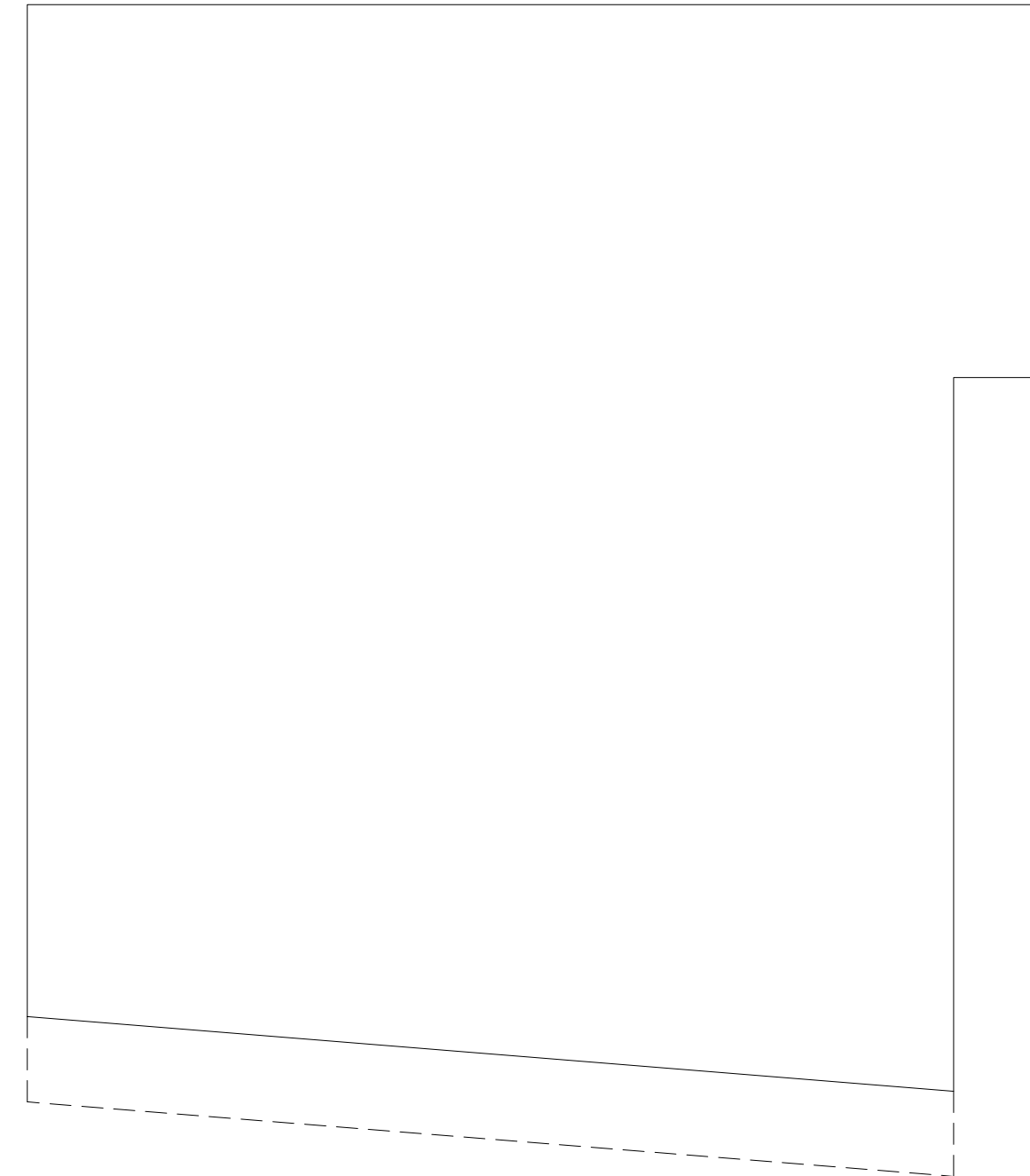
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FIRST & SECOND DEMOLITION FLOOR PLANS

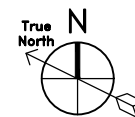
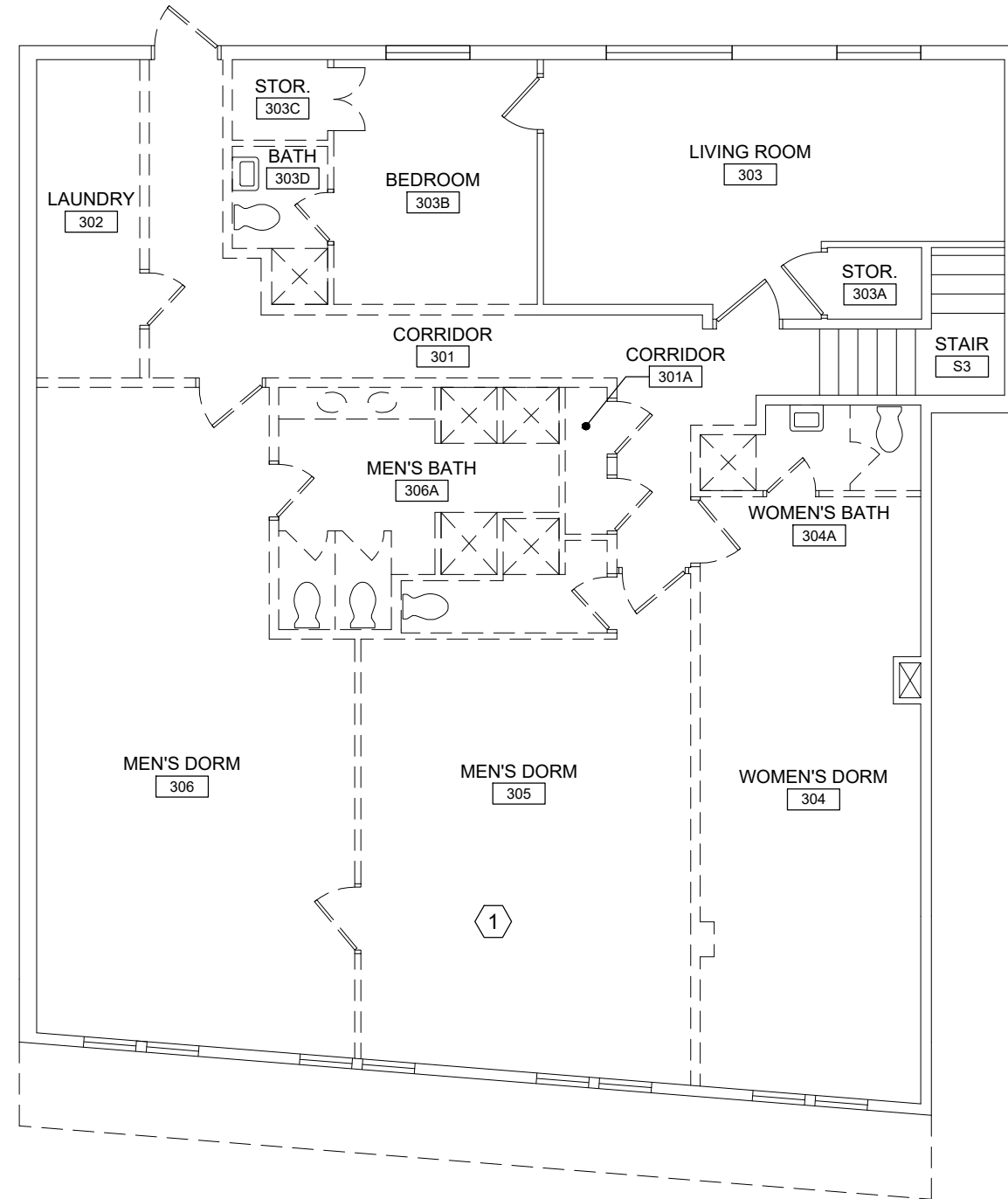
Sheet No.:

E-101

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2 ROOF PLAN - DEMOLITION
E-102 SCALE: 1/4"=1'-0"



1 3RD FLOOR PLAN - DEMOLITION
E-102 SCALE: 1/4"=1'-0"

1

11 x 17 SHEETS ARE HALF SIZE

[illegible]

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725 E. Fireweed Lane, Suite 200
Anchorage, AK 99503
Tel: (907) 276-4245 www.stantec.com
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Project:
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RENOVATION**

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Project Mgr.	GAMBARDELLA	
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Date	10/07/2021	

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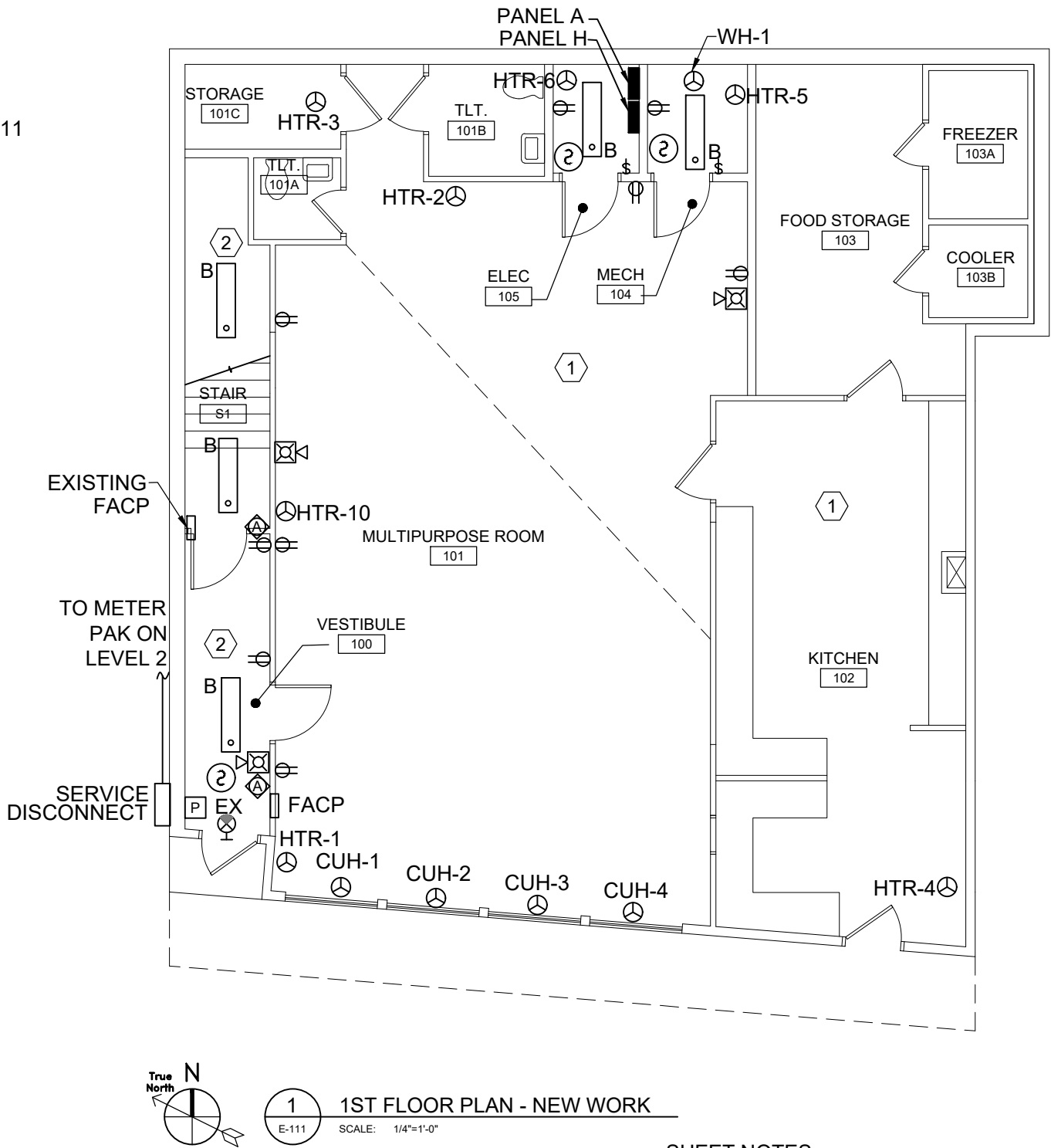
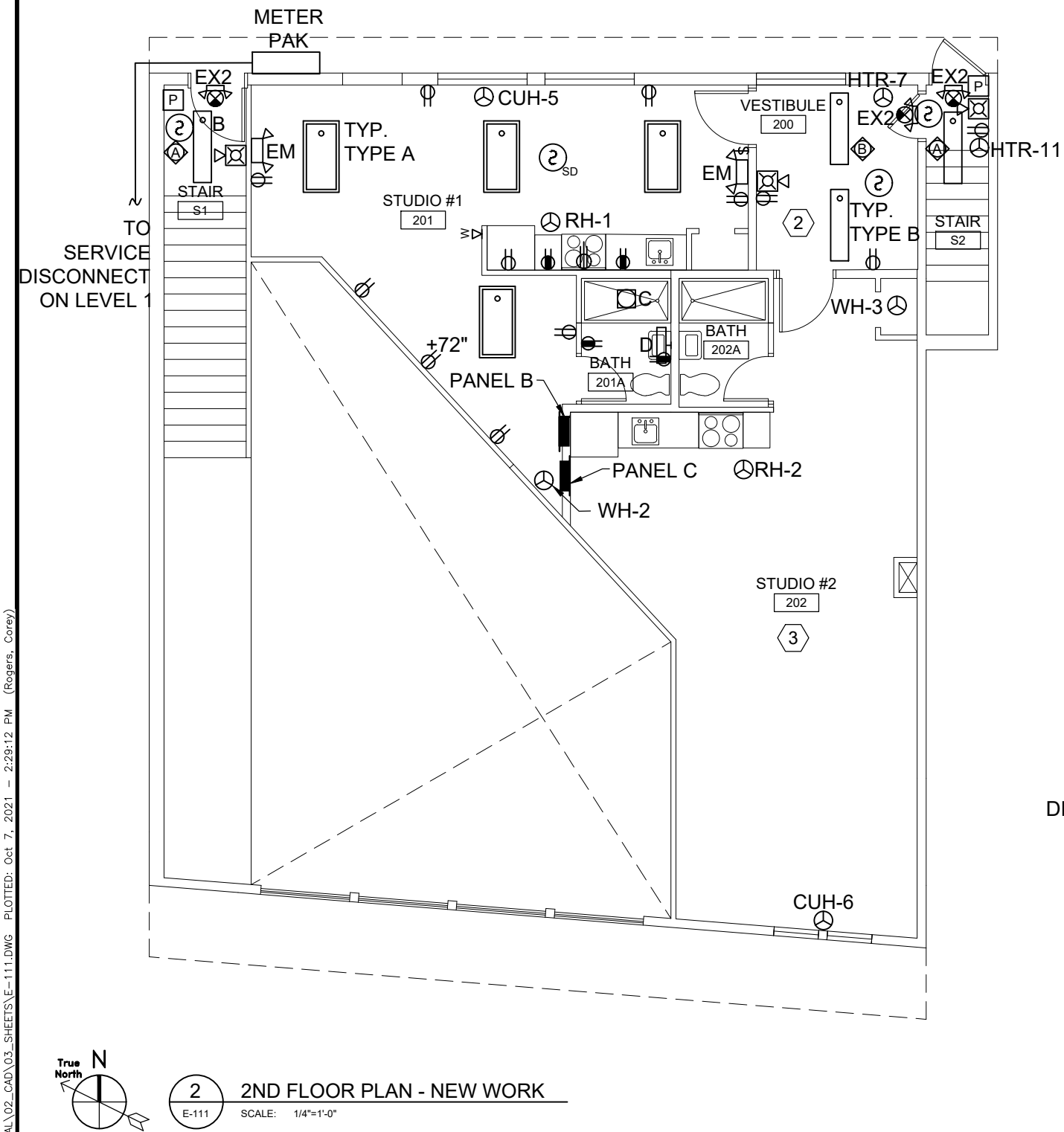
THIRD FLOOR & ROOF DEMOLITION PLANS

Sheet No.:

E-102

Stantec W.O. 2014270100

FILE: U:\2014270100\02_CAD\03_SHEETS\E-111.DWG PLOTTED: Oct 7, 2021 -- 2:29:12 PM (Rogers, Corey)



- SHEET NOTES:**
- ① RECONNECT EXISTING FIRST FLOOR TENANT SPACE ELECTRICAL CIRCUITS AND NEW LOADS TO PANEL H
 - ② COMMON SPACE ELECTRICAL LOADS SHALL BE CONNECTED TO PANEL A
 - ③ LAYOUT OF DEVICES SIMILAR TO STUDIO #1

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Revision	
Date	

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725 E. Riverwood Lane, Suite 200
Anchorage, AK 99503
Tel: (907) 274-4245 www.stantec.com
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Project:
GLORY HALL RENOVATION

AK Mental Health Trust Authority
247 S. Franklin St
Juneau, AK 99801

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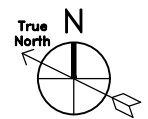
Project Mgr.	GAMBARDELLA
Drawn	CLR
Checked	LPS
Date	10/07/2021

Sheet Contents:
FIRST & SECOND NEW WORK FLOOR PLANS

Sheet No.:
E-111

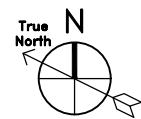
Stanec W.O. 2014270100

11 x 17 SHEETS ARE HALF SIZE



2
E-112

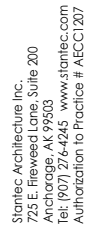
SCALE: 1/4"=1'-0"



1
E-112

SCALE: 1/4"=1'-0"

- 1 COMMON SPACE ELECTRICAL LOADS SHALL BE CONNECTED TO PANEL A
- 2 LAYOUT OF DEVICES SIMILAR TO STUDIO #1

[illegible]

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Project Mgr.	GAMBARDELLA
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Date	10/07/2021
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Sheet Contents:

THIRD FLOOR & ROOF NEW WORK PLANS

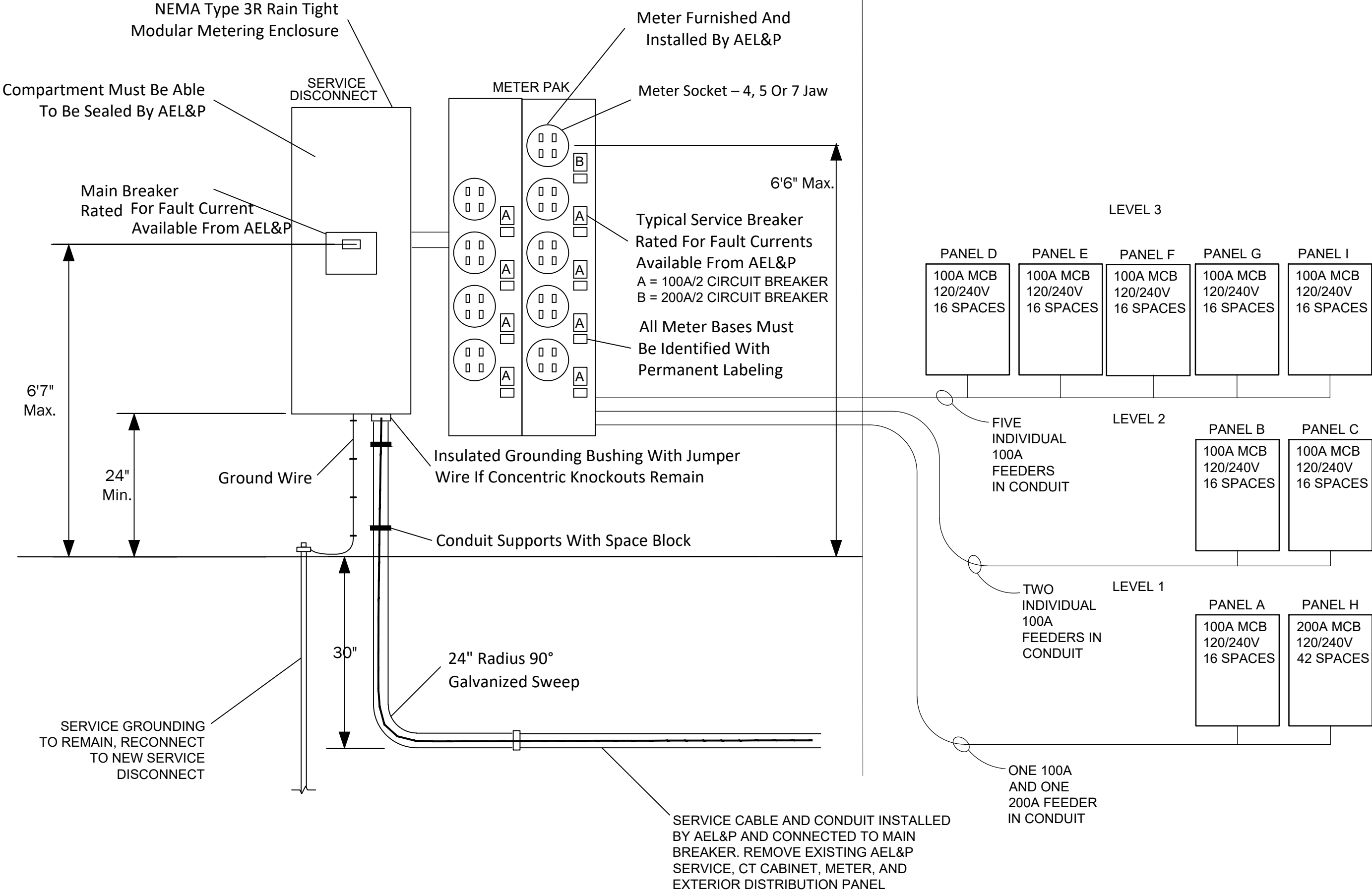
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E-112

Stantec W.O. 2014270100

EXTERIOR

INTERIOR



FILE: U:\2014270100\02_WORKING_FILES\10_ELECTRICAL\02_CAD\03_SHEETS\E-300.DWG PLOTTED: Oct 7, 2021 - 2:00:22 PM (Rogers, Corey)

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Revision	
Date	

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725 E. Riverwood Lane, Suite 200
Anchorage, AK 99503
Tel: (907) 274-4245 www.stantec.com
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GLORY HALL RENOVATION

AK Mental Health Trust Authority
247 S. Franklin St
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Sheet Contents:
ELECTRICAL POWER RISER DIAGRAM

Sheet No.:
E-300

Stantec W.O. 2014270100

11 x 17 SHEETS ARE HALF SIZE

6" 1'-1/2"=1' 1'-1"=1' 3/4"=1' 1/2"=1' 3/8"=1' 1/4"=1' 1/8"=1' 0" 1"=100' 1"=60' 2" 1"=40' 3" 1"=30' 4" 1"=20' 5" 1"=10' 6"

SPECIFICATIONS

- GENERAL
- 1.1. ALL WORK SHALL CONFORM TO THE LATEST EDITION OF THE NATIONAL ELECTRICAL CODE (NEC) AND ALL STATE AND LOCAL CODES AND CODE AMENDMENTS.
- 1.2. OBTAIN ALL PERMITS AND PAY ALL FEES REQUIRED BY THIS WORK.
- 1.3. MAINTAIN RESPONSIBILITY FOR THE CONDITION OF ALL MATERIALS USED. IF LOST, STOLEN, OR DAMAGED, MATERIALS SHALL BE REPLACED AT NO EXTRA COST TO THE OWNER.
- 1.4. ALL WORK SHALL BE PERFORMED BY WORKMEN SKILLED IN AND REGULARLY EMPLOYED IN THE TRADE. INSTALL ALL PRODUCTS IN A NEAT AND WORKMANLIKE MANNER, PER MANUFACTURER'S INSTRUCTIONS, AND IN COMPLIANCE WITH NECA 1 "STANDARD PRACTICE FOR GOOD WORKMANSHIP IN ELECTRICAL CONTRACTING" AS A MINIMUM. COMPLY WITH NFPA 70E SAFETY RULES AS A MINIMUM.
- 1.5. PERFORM ALL CUTTING, DRILLING, AND PATCHING OF WALLS AND FLOORS NECESSARY FOR A COMPLETE INSTALLATION IN COORDINATION WITH OTHER TRADES.
- 1.6. COORDINATION INSTALLATION AND ARRANGEMENT OF COMPONENTS AND EQUIPMENT WITH OTHER TRADES AND INSTALL TO FACILITATE ACCESS FOR FUTURE MAINTENANCE, REPAIR, AND REPLACEMENT WITHOUT INTERFERENCE TO ADJACENT WORK.
- 1.7. REMOVE ALL DEBRIS AND SURPLUS MATERIAL FOR THE PREMISES AS PROGRESS OF THE WORK DICTATES.
- 1.8. ALL ELECTRICAL EQUIPMENT SHALL BE LISTED BY A NATIONALLY RECOGNIZED TESTING LABORATORY (NRTL).
2. PRODUCTS AND SUBMITTALS
- 2.1. SUBMIT PRODUCT DATA, CERTIFICATES, AND SHOP DRAWINGS TO THE ENGINEER. PROVIDE SUBMITTALS FOR PANELBOARDS, WIRING DEVICES, LIGHT FIXTURES, CONDUCTORS, EQUIPMENT, MOTOR STARTERS, ALARM PANELS AND DEVICES.
- 2.2. ALL PRODUCTS SHALL BE NEW AND LISTED OR LABELED BY A NATIONALLY RECOGNIZED TESTING LABORATORY (NRTL) FOR THE INTENDED USE, UNLESS OTHERWISE INDICATED.
- 2.3. MATCH EXISTING WHERE A UNIFORM INSTALLATION EXISTS UNLESS OTHERWISE INDICATED OR APPROVED.
- 2.4. PROVIDE SIMILAR ITEMS FROM THE SAME MANUFACTURER THROUGHOUT THE PROJECT.
3. DEMOLITION
- 3.1. REMOVE ALL EXPOSED ELECTRICAL WORK IN DEMOLITION AREAS. ACCESSIBLE CIRCUITS AND RACEWAYS SHALL BE REMOVED BACK TO THE SOURCE OR TERMINAL EQUIPMENT UNLESS OTHERWISE INDICATED OR WHERE CIRCUITS SERVE AREAS TO REMAIN.
- 3.2. REMOVE CONDUCTORS FROM INACCESSIBLE CONDUITS. INACCESSIBLE CONDUITS MAY BE ABANDONED IN PLACE. TERMINATE CONDUITS 2 INCHES BELOW GRADE OR SURFACE OF ADJACENT CONSTRUCTION.
- 3.3. REMOVE, STORE, CLEAN, REINSTALL, RECONNECT, AND MAKE OPERATIONAL COMPONENTS INDICATED FOR RELOCATION.
4. ELECTRICAL DISTRIBUTION
- 4.1. OVERCURRENT PROTECTIVE DEVICES SHALL BE CIRCUIT BREAKER TYPE. VOLT-IN DESIGN. CIRCUIT BREAKERS SHALL BE MOVED CASE, THERMAL-MAGNETIC DESIGN. INSTALL GROUND-FAULT CIRCUIT INTERRUPTER (GFCI) CIRCUIT BREAKERS WHERE INDICATED ON THE DRAWINGS AND REQUIRED BY CODE.
- 4.2. DISCONNECT SWITCHES SHALL BE HEAVY-DUTY TYPE, FUSED OR NON-FUSED AS INDICATED ON THE DRAWINGS.
- 4.3. MAGNETIC-TYPE MOTOR STARTERS SHALL BE COMBINATION UNITS INCORPORATING A NON-FUSED DISCONNECT.
- 4.4. PROVIDE MOTOR STARTERS WITH THERMAL OR ELECTRONIC OVERLOAD ELEMENTS SIZED BASED ON THE FULL LOAD CURRENT OF THE INSTALLED EQUIPMENT.
5. RACEWAYS AND BOXES
- 5.1. CONDUIT TYPES SHALL BE:
- 5.1.1. INTERIOR EXPOSED BELOW 4'AFF: RMC OR IMC.
- 5.1.2. INTERIOR EXPOSED ABOVE 4'AFF: RMC, IMC, OR EMT.
- 5.1.3. INTERIOR CONCEALED: RMC, IMC, OR EMT.
- 5.2. CONNECTIONS TO EQUIPMENT REQUIRING FLEXIBILITY OR SUBJECT TO VIBRATION SHALL BE:
- 5.2.1. INTERIOR, DRY LOCATIONS: FMC OR LFMC.
- 5.2.2. INTERIOR, DAMP OR WET LOCATIONS: LFMC
- 5.3. MINIMUM CONDUIT SIZE SHALL BE 1/2".
- 5.4. CONDUIT FITTINGS SHALL BE GALVANIZED STEEL AND HAVE NYLON INSULATED THROATS.
- 5.5. CONDUIT FITTINGS FOR RMC AND IMC SHALL BE THREADED TYPE.
- 5.6. CONDUIT FITTINGS FOR EMT SHALL BE STEEL COMPRESSION TYPE.
- 5.7. PENETRATIONS THROUGH FIRE-RATED ASSEMBLIES SHALL BE SEALED TO MAINTAIN THE FIRE RATING.
- 5.8. CONDUITS PASSING FROM HEATED TO COLD SPACES SHALL BE THERMALLY SEALED TO PREVENT AIR AND MOISTURE TRANSFER. CONDUIT SHALL BE SEALED WITH REMOVABLE DUCT SEALANT AT AN ACCESSIBLE LOCATION.
- 5.9. CONDUITS SHALL BE CUT SQUARE AND ENDS REAMED TO REMOVE BURRS.
- 5.10. MAXIMUM CONDUIT BEND SHALL BE 90 DEGREES, WITH NOT MORE THAN THREE 90 DEGREE BENDS OR EQUIVALENT BETWEEN PULL POINTS.
- 5.11. JUNCTION AND DEVICE BOXES SHALL BE SUITABLE FOR USE AT THE INSTALLED LOCATION AND ARRANGED TO ACCEPT THE INTENDED DEVICE OR EQUIPMENT. JUNCTION AND DEVICE BOXES SHALL BE:
- 5.11.1. INTERIOR EXPOSED BELOW 5'AFF: GALVANIZED CAST IRON OR CAST ALUMINUM WITH THREADED CONDUIT HUBS.
- 5.11.2. INTERIOR EXPOSED ABOVE 5'AFF: GALVANIZED SHEET STEEL.
- 5.11.3. INTERIOR CONCEALED: GALVANIZED SHEET STEEL.
- 5.12. THE ENTIRE CONDUIT SYSTEM SHALL BE MECHANICALLY AND ELECTRICALLY CONTINUOUS FROM THE SOURCE TO ALL DEVICES AND GROUNDED IN ACCORDANCE WITH THE NEC.
- 5.13. INSTALL CONDUIT AND DEVICES CONCEALED AND FLUSH IN FINISHED AREAS. CONDUIT AND DEVICES MAY BE INSTALLED EXPOSED IN UNFINISHED AREAS AND MECHANICAL ROOMS, AND AS INDICATED ON THE DRAWINGS.
6. CONDUCTORS AND CABLES

1. CONDUCTORS SHALL BE COPPER, SOLID FOR 12AWG AND SMALLER, STRANDED FOR 10AWG AND LARGER. INSULATION SHALL BE:
 - 6.1.1. INTERIOR, HEATED: THHN-THWN OR XHHW.
 - 6.1.2. INTERIOR, UNHEATED: XHHW.
 - 6.2. MINIMUM CONDUCTOR SIZES SHALL BE 12AWG FOR POWER AND 18AWG FOR LOW-VOLTAGE AND CONTROLS. CIRCUIT CONDUCTORS SHALL BE INCREASED IN SIZE FOR VOLTAGE DROP BASED ON THE CIRCUIT LENGTH, 12AWG UP TO 100', 10AWG UP TO 200', 8AWG OVER 200'. INCREASE SIZE OF CONDUIT AS REQUIRED FOR LARGER CONDUCTOR SIZES.
 - 6.3. TYPE MC CABLE MAY BE USED FOR BRANCH CIRCUIT WIRING BETWEEN DEVICES. HOMERUNS SHALL BE INDIVIDUAL CONDUCTORS IN CONDUIT. MC CABLE SHALL HAVE A GALVANIZED STEEL SHEATH AND INCLUDE AN EQUIPMENT GROUNDING CONDUCTOR.
 - 6.4. CONNECTORS AND SPLICES SHALL BE FACTORY-FABRICATED TWIST-ON, COMPRESSION, OR BOLTED, WITH THE AMPACITY, RATING, TYPE, AND MATERIAL APPROPRIATE FOR THE APPLICATION. PUSH-IN SPRING-TYPE CONNECTORS ARE NOT ACCEPTABLE.
 - 6.5. PROVIDE A SEPARATE GREEN INSULATED EQUIPMENT GROUNDING CONDUCTOR IN ALL POWER AND CONTROL CIRCUITS. INCREASE SIZE OF GROUNDING CONDUCTOR PROPORTIONALLY AS REQUIRED WHERE POWER CONDUCTORS ARE OVERSIZED FOR VOLTAGE DROP.
 7. WIRING DEVICES
 - 7.1. RECEPTACLES SHALL BE HEAVY-DUTY GRADE, 20AMP, DUPLEX GROUNDING TYPE RECEPTACLES. RECEPTACLES SHALL BE TAMPER RESISTANT WHERE REQUIRED BY CODE OR SPECIFIED ON THE DRAWINGS.
 - 7.2. SWITCHES SHALL BE HEAVY-DUTY GRADE, 20AMP, SINGLE POLE, THREE-WAY, FOUR-WAY, KEY-OPERATED, AND PILOT-LIGHT AS INDICATED ON THE DRAWINGS.
 - 7.3. GROUND-FAULT CIRCUIT INTERRUPTER (GFCI) RECEPTACLES SHALL BE HEAVY-DUTY GRADE, 20AMP, NON-FEED-THROUGH, DUPLEX RECEPTACLES WITH CLASS A TRIP, TEST AND RESET BUTTONS, AND A PROTECTION INDICATOR LIGHT.
 - 7.4. WIRING DEVICES SHALL MATCH EXISTING.
 - 7.5. WALL PLATES SHALL BE:
 - 7.5.1. FINISHED AREAS: SATIN-FINISH STAINLESS STEEL.
 - 7.5.2. UNFINISHED AREAS: GALVANIZED STEEL.
 - 7.6. LIGHTING CONTACTORS SHALL HAVE ELECTRICALLY-UNFIED COILS, INDICATOR LIGHTS, CONTROL SWITCHES AND PILOT RELAYS AS REQUIRED, AND ENCLOSURES RATED FOR THE INSTALLED ENVIRONMENT.
 8. LIGHTING
 - 8.1. LIGHT FIXTURES SHALL BE AS SHOWN AND SCHEDULED ON THE DRAWINGS OR AN APPROVED EQUAL.
 - 8.2. LIGHT FIXTURES SHALL BE PROVIDED AND INSTALLED COMPLETE WITH LAMPS OR LEDS, BALLASTS OR DRIVERS, AND MOUNTING HARDWARE.
 - 8.3. EXIT SIGNS SHALL BE LED TYPE, WITH INTEGRAL NICKEL-CADMIUM BATTERIES, CHARGING AND TRANSFER ELECTRONICS, TEST PUSHBUTTON, AND CHARGE INDICATOR LIGHT.
 - 8.4. LED DRIVERS SHALL BE ELECTRONIC, RATED FOR THE LEDS INSTALLED IN THE FIXTURE, HAVE A MINIMUM POWER FACTOR OF 0.9 AND A MAXIMUM TOTAL HARMONIC DISTORTION (THD) OR 20%, DRIVERS SHALL CARRY A 5 YEAR WARRANTY.
 - 8.5. LEDS SHALL HAVE A MINIMUM RATED LIFE TO L70 OR 50,000 HOURS.
 - 8.5.1. INTERIOR: 3000K OR 3500K AS SCHEDULED, 80 CRI MINIMUM.
 9. FIRE ALARM
 - 9.1. NEW DEVICES INSTALLED SHALL BE COMPATIBLE WITH AND LISTED FOR USE WITH THE EXISTING FIRE ALARM SYSTEM.
 - 9.2. NEW INITIATION DEVICES SHALL INCLUDE PHOTOELECTRIC SMOKE DETECTORS.
 - 9.3. NEW SIGNALING DEVICES SHALL INCLUDE HORNSTROBES AND STROBES.
 - 9.4. SIGNALING LINE AND NOTIFICATION CIRCUITS SHALL MATCH THE CLASS AND STYLE OF THE EXISTING SYSTEM.
 - 9.5. FIRE ALARM WIRING SHALL BE ROUTED IN CONDUIT, OR FIRE ALARM MC CABLE.
 - 9.6. AFTER INSTALLATION OF NEW DEVICES, TEST FIRE ALARM SYSTEM IN ACCORDANCE WITH NFPA 72 AND NEC ARTICLE 760. SUBMIT ALL REQUIRED DOCUMENTATION TO THE AUTHORITY HAVING JURISDICTION (AHJ) AND OWNER
 10. IDENTIFICATION
 - 10.1. COLOR CODE SECONDARY PHASE CONDUCTORS FOR FEEDERS AND BRANCH CIRCUITS. COLORING SHALL BE FACTORY APPLIED FOR SMALL CONDUCTORS. PHASE CONDUCTORS 4AWG AND LARGER AND NEUTRAL AND GROUND CONDUCTORS 8AWG AND LARGER MAY BE FIELD APPLIED USING COLORED PRESSURE-SENSITIVE PLASTIC TAPE. CONDUCTORS SHALL BE COLORED:

120/240-VOLT SINGLE PHASE

PHASE A: BLACK

PHASE B: RED

NEUTRAL: WHITE
 - GROUND: GREEN
 - 14.1. POWER CIRCUITS SHALL BE IDENTIFIED IN JUNCTION AND DEVICE BOXES, MANHOLES, AND PANELBOARDS WITH THE PANEL AND CIRCUIT NUMBER. ALARM CIRCUITS SHALL BE IDENTIFIED IN JUNCTION AND DEVICE BOXES, MANHOLES, EQUIPMENT RACKS, AND PANELS WITH THE CIRCUIT DESIGNATION. IDENTIFICATION SHALL BE BY:
 - 14.1.1. INTERIOR: PRE-PRINTED WRAPAROUND ADHESIVE LABELS.
 - 14.2. EQUIPMENT LABEL SHALL BE ENGRAVED PLASTIC LAMINATE, WHITE LETTERING ON A BLACK FIELD. TEXT SHALL BE 1/2" HIGH ON A 1-1/2" HIGH LABEL. LABELS WITH TWO LINES OF TEXT SHALL USE A 2" HIGH LABEL. EQUIPMENT LABELS SHALL BE PLACED ON SWITCHBOARDS, PANELBOARDS, MOTOR STARTERS, DISCONNECTS, CONTACTORS, AND SYSTEM PANELS AND CABINETS.
 - 14.3. DEVICE COVERS SHALL BE LABELED WITH THE PANEL AND CIRCUIT NUMBER. LABELS SHALL BE MACHINE-PRINTED, PRESSURE-SENSITIVE ADHESIVE LABELS, BLACK LETTERING ON A CLEAR BACKGROUND.
 - 14.4. IN UNFINISHED AND CONCEALED AREAS, PAINT COVERS OF

- JUNCTION BOXES TO IDENTIFY USE:
- 14.4.1. FIRE ALARM: RED.
- 14.4.2. LOW-VOLTAGE CONTROLS: GREEN.
- 14.5. PROVIDE TYPEWRITTEN CIRCUIT DIRECTORIES UNDER PLASTIC IN FRAMES FOR EACH NEW AND MODIFIED PANELBOARD. HANDWRITTEN DIRECTORIES OR CHANGES TO EXISTING DIRECTORIES ARE NOT ACCEPTABLE.
- 15. PROJECT COMPLETION / TESTING AND ACCEPTANCE
- 15.1. UPON PROJECT COMPLETION, CLEAN ALL ELECTRICAL EQUIPMENT AND FIXTURES AND REPLACE OR REPAIR ANY ITEMS SCRATCHED, DENTED, OR OTHERWISE DISFIGURED.
- 15.2. TEST ALL SYSTEMS TO ASSURE PROPER OPERATION. TEST MODIFIED PORTIONS OF EXISTING SYSTEMS UNLESS OTHERWISE DIRECTED.
- 15.3. NOTIFY OWNER OF TEST SCHEDULE AND PROVIDE WRITTEN TEST REPORTS. INCLUDE DEFICIENCIES IDENTIFIED AND ACTIONS TAKEN TO OBTAIN ACCEPTABLE RESULTS.
- 15.4. COMMISSION ELECTRICAL ITEMS IN ACCORDANCE WITH NEC 90 GUIDELINES. DURING FINAL INSPECTION, DEMONSTRATE SATISFACTORY OPERATION OF ENTIRE INSTALLATION. REPAIR OR REPLACE FAILED ITEMS AND REPAIR ALL CONSTRUCTION DAMAGE.
- 15.5. MAINTAIN RED-LINED AS-BUILT RECORD DRAWINGS AS PROJECT PROGRESSES AND DELIVER TO OWNER AFTER FINAL INSPECTION AND ACCEPTANCE.

Date Stamped:					
By					
Revision					
Date					
 Stantec Stantec Architecture Inc. 725 E. Riverwood Lane, Suite 200 Anchorage, AK 99503 Tel: (907) 274-4245 www.stantec.com Authorization to Practice # AECC1207					
Project: GLORY HALL RENOVATION					
AK Mental Health Trust Authority 247 S. Franklin St Juneau, AK 99801					
35% DESIGN DOCUMENTS					
Project Mgr.		GAMBARDELLA			
Drawn		CLR			
Checked		LPS			
Date		10/07/2021			
Sheet Contents: ELECTRICAL SPECIFICATIONS					
Sheet No.: E-400					
Stantec W.O. 2014270100					



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

247 S Franklin conversion to apartments

Case Number: PAC20210072

Applicant: Mariya Lovischuk

Property Owner: Juneau Coop Christian Ministry

Property Address: 241, 243, 247 S Franklin St

Parcel Code Number: 1C070BOM0010

Site Size: 3,196 Square Feet

Zoning: MU (Mixed Use)

Existing Land Use: Shelter

Conference Date: 11/9/2021

Report Issued: 11/17/2021

DISCLAIMER: Pre-application conferences are conducted for purposes 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
Mariya Lovischuk	Applicant	
Allison Eddins	Planning	Allison.eddins@juneau.org
Dan Jager	Fire Marshal	Dan.jager@juneau.org
Edward Quinto	Permit Specialist	Edward.quinto@juneau.org
Sydney Hawkins	Permit Tech	Sydney.hawkins@juneau.org

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, TGH, would like to redevelop the old Glory Hall shelter into a seven unit apartment building. The proposed floor plans show one (1) one bedroom unit and six (6) studio units. The Assembly has expressed an interest in increasing the number of dwelling units downtown.

The structure is in a mapped severe avalanche area according to the adopted Landslide/Avalanche Maps adopted in 1987. CBJ 49.70.300 (b) (1) does not allow development larger than one dwelling unit per lot in the severe avalanche area. Converting the shelter that slept up to 50 people into seven separate dwelling units is not allowed under the current code restrictions.

CBJ 49.70.300 – Landslide and avalanche areas.

b) Severe avalanche areas.

(1) Notwithstanding any other provision, no development or any part of a development, which is within a severe avalanche area shall, by the addition of bedrooms, conversions of buildings, or otherwise, increase the density of that parcel; provided, however, that a single-family house may be constructed on a vacant lot.

New hazard maps were developed (AME2021-0008). The new maps indicate that the lot is outside of the severe avalanche area but still within the severe landslide area. Current interpretation of CBJ 49.70.300 (b) (1) is that this development restriction also applies to severe landslide areas.

The Assembly has yet to adopt the new hazard maps. More public outreach is needed. If/when the new hazard maps are adopted they will likely be accompanied with new regulations. At this point, it is unknown what the new regulations will be.

The option to redefine the term "dwelling unit" was discussed at the pre-application meeting. After the meeting, the CBJ Fire Marshal contacted the planner and explained that the definition of dwelling unit in the Building Code and Fire Code comes from state statute and cannot be changed without a new state statute.

The applicant can hire an engineer to conduct a site specific survey to determine if the lot is outside of a severe hazard zone. The engineer can use the CBJ draft hazard maps for reference but a further analysis of this particular lot must be conducted in order to request the lot be removed.

Planning Division

1. **Zoning** – The lot is in the Mixed Use (MU) zoning district, the Downtown Historic District and the Alternative Development Overlay District (ADOD).

The ADOD would allow future additions to take advantage of reduced setbacks and lot coverage. However, the MU zoning district already has 0' setbacks along all property lines and no maximum lot coverage.

Any development project that will alter the exterior of the structure will need review by the Historic Resources Advisory Committee (HRAC) before building permit approval.

2. **Subdivision** – No subdivision is being proposed.
3. **Setbacks and Height** – No maximum building height; no setbacks.
4. **Access** – Pedestrian access from South Franklin and Decker Way; no vehicular access is available.
5. **Parking & Circulation**– The lot is within the PD-1 Downtown Parking District. Parking will not be required unless there is an addition/expansion of the existing building. On-site parking would be required for the addition/expansion only and that requirement would be reduced by 60 percent.
6. **Lot Coverage** – No maximum lot coverage.
7. **Vegetative Coverage** – No minimum vegetative coverage.
8. **Lighting** – Any exterior lighting added must be of full cut-off design. A site plan showing locations of exterior lights and light fixture specs must be submitted with the building permit application.
9. **Noise** – Not applicable at this time.
10. **Flood** – Property is not in a Special Flood Hazard Area.

Hazard/Mass Wasting/Avalanche/Hillside Endorsement – Under current code and maps, the lot falls within the Severe Landslide and Avalanche Area, represented by the heavy line. The maps that are currently adopted do not differentiate landslide and avalanche hazards. No lot in a severe avalanche area can increase density on that lot.

<https://juneau.org/community-development/special-projects/landslide-avalanche-assessment>

The draft maps separate landslide and avalanche. The draft maps show the lot outside of the severe avalanche area. Current code does not explicitly restrict development in a severe landslide zone. However, code was drafted after combined maps were adopted. The current policy is the intent was to restrict density increase in either severe hazard area.

11. **Plat or Covenant Restrictions** – The original 1934 plat does not include any plat notes.
12. **Traffic** – A seven unit apartment building is expected to generate 46.5 average daily trips. A Traffic Impact Analysis is not required.
13. **Nonconforming situations** – None known.

Building Division

14. **Outstanding Permits** –
 - a. **BLD20120124** – Major renovation and façade improvements Modified 11/9/2012 to include electrical work
 - b. **BLD20180084** – Create opening in wall to connect mens dorms
 - c. **BLD-17431** – Remove a bathtub and replace it with a shower stall
 - d. **BLD-0978701** – Add new floor area to existing 2nd floor
 - e. **BLD-0097301** – Remodel bathroom at glory hall
 - f. **BLD-0492901** – Demolition / removal
 - g. **BLD2006-00407** – Construct 36' x 48" deck addition to existing landing to house a trash receptacle

Fire Marshal

15. **Fire Items/Access** – No additional comments.

Other Applicable Agency Review

16. Not applicable.

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. Building 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.
2. A site specific study prepared by a licensed civil engineer experienced in avalanche and landslide analysis demonstrating the need for a hazard boundary relocation.

Exceptions to Submittal Requirements

Submittal requirements 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. Not applicable.

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. Building Permit fees are based on the cost of the project.

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

Submit your Completed Application

You must submit your application(s) 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/cdd

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: **BLD20210765**

Case Description: Convert emergency shelter and soup kitchen into 7 apartments

Site Address: **241 S FRANKLIN ST**

Check No. of Existing Dwelling Units: **0**

Parcel No: 1C070B0M0010

No. of New Dwelling Units: **7**

Legal Description: JUNEAU TOWNSITE BL M LT 2 FR

No. of Removed Dwelling Units: **0**

Applicant : JUNEAU COOPERATIVE CHRISTIAN MINISTRY
DBA THE GLORY HALL
247 S FRANKLIN ST
JUNEAU AK 99801

e-mail: brucecdenton@gmail.com
e-mail: lovishchuk.mariya@gmail.com

CEL 907-723-2259
PRI 907-957-2885

Owner: JUNEAU COOP CHRISTIAN MINISTRY
PO BOX 021997
JUNEAU AK 99802-1997

Contractor: CARVER CONSTRUCTION LLC
PO BOX 240475
DOUGLAS AK 99824

PH: _____ FAX: _____

Valuation for Permit Fee Calculations:

S.F.	Type	Rate	Amount
			1,100,000.00
Total Valuation:			\$1,100,000.00

Associated Cases:

None.

Parcel Tags:

This parcel is located within the Downtown Historic District.

This parcel is located in the moderate avalanche area and severe landslide area. 9/28/2009 JLW

Glory Hole Remodel 1990

Notes and Conditions:

Waiting for payment

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.

Record, APL2021 0006 - 247 S. Franklin St./The Glory Hall
Page 38 of 173

PROJECT DESCRIPTION: REMODEL OF THE EXISTING GLORY HALL STRUCTURE
LOCATED AT 247 S. FRANKLIN STREET. RENOVATIONS INCLUDE:

- THIS DESIGN PACKAGE IS PREPARED FOR PRICING PURPOSES ONLY

$1''$ $1-1/2''=1'$ $1''=1'$ $3/4''=1'/2''=1'3/8''=1'$ $1/8''=1'$ $1/4''=1'$ $1/8''=1'$ $0''$ $1''=100'$ $1''=60'$ $2''$ $1''=40'$ $3''$ $1''=30'$ $4''$ $1''=20'$ $5''$ $1''=10'$ $6''$

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LIFE SAFETY & CODE ANALYSIS

APPLICABLE CODES AND STANDARDS

- 2012 INTERNATIONAL EXISTING BUILDING CODE W/ CITY OF JUNEAU AMENDMENTS
- 2012 UNIFORM PLUMBING CODE W/ CITY OF JUNEAU AMENDMENTS
- 2012 INTERNATIONAL MECHANICAL CODE W/ CITY OF JUNEAU AMENDMENTS

CHAPTER 3 - OCCUPANCY TYPE (SEPARATED)

BUSINESS
RESIDENTIAL (R-2)

CHAPTER 4 - SPECIAL REQUIREMENTS

420.2 - SEPARATION WALLS - WALLS SEPARATING DWELLING UNITS FROM OTHER OCCUPANCIES CONTIGUOUS TO THEM IN THE SAME BUILDING SHALL BE CONSTRUCTED AS *FIRE PARTITIONS* IN ACCORDANCE WITH SECTION 708.

420.3 - HORIZONTAL SEPARATION - FLOOR ASSEMBLIES SEPARATING DWELLING UNITS IN THE SAME BUILDING AND FLOOR ASSEMBLIES SEPARATING DWELLING UNITS FROM OTHER OCCUPANCIES CONTIGUOUS TO THEM IN THE SAME BUILDING SHALL BE CONSTRUCTED AS HORIZONTAL ASSEMBLIES IN ACCORDANCE WITH SECTION 711.

CHAPTER 5 - BUILDING HEIGHTS & AREAS

TABLE 503 - BUILDING HEIGHT - 55' - BUILDING IN COMPLIANCE

TABLE 503 - NUMBER OF STORIES - 4 - BUILDING IN COMPLIANCE

TABLE 503 - BUILDING AREA (R-2) TYPE VB - At = 7,000 sf

506.1 - BUILDING AREA MODIFICATION || Aa = {At + [At x If]} + [At x Is]

Af = 0 (No Frontage Increase)
Is = 7,000 x 200% = 14,000 sf

Aa = 7,000 sf + [7,000 sf x 0] + [14,00 sf] = 21,000 sf

EXISTING BUILDING AREA = 6,639 sf

TABLE 508.4.4 - SEPARATED OCCUPANCIES

SEPARATION BETWEEN R-2 AND B OCCUPANCIES - 1 HR.

CHAPTER 6 - TYPES OF CONSTRUCTION

BUILDING TYPE - VB

TABLE 602 - FIRE RESISTANCE RATING REQUIREMENTS FOR EXTERIOR WALLS

SEE SECTION 7061.1 FOR PARTY WALLS

CHAPTER 7 - FIRE AND SMOKE PROTECTION

706 - FIRE WALLS - EXISTING PARTY WALLS ARE REQUIRED TO BE 2 HOUR RATED CONSTRUCTION

CHAPTER 8 - INTERIOR FINISHES

STAIRWAYS AND EXIT PASSAGEWAYS - CLASS C FINISH
CORRIDOR AND EXIT ACCESS RAMPS - CLASS C FINISH
ROOMS AND ENCLOSED SPACES - CLASS C FINISH

CHAPTER 9 - FIRE PROTECTION SYSTEMS

NFPA SPRINKLER SYSTEM - AN AUTOMATIC SPRINKLER SYSTEM SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH SECTION 903.3.1.1.

CHAPTER 10 - MEANS OF EGRESS

TABLE 1004.1.2 - OCCUPANT LOAD - SEE FLOOR PLANS

1005.3.2 - EGRESS SIZING (EXCLUDING STAIRS) = 0.2 x NO. OF OCCUPANTS

1007.1 EX.1 ACCESSIBLE MEANS OF EGRESS - ACCESSIBLE MEANS OF EGRESS ARE NOT REQUIRED IN ALTERATIONS TO EXISTING BUILDINGS.

1009.4 - STAIRWAY WIDTH - NOT LESS THAN 36" SERVING AN OCCUPANT LOAD OF LESS THAN 50.

TABLE 1015.1 SPACES WITH ONE EXIT
B OCCUPANCIES - MAX OCCUPANT LOAD = 49

1015.1 EX. 1 - ONE MEANS OF EGRESS IS PERMITTED WITHIN AND FROM INDIVIDUAL DWELLING UNITS WITH A MAXIMUM OCCUPANT LOAD OF 20 WHERE THE DWELLING UNIT IS EQUIPPED THROUGHOUT WITH AN AUTOMATIC SPRINKLER SYSTEM IN R-2 OCCUPANCIES.

1016.2 EXIT ACCESS TRAVEL DISTANCE
SPRINKLERED (R-2) = 250 FT - BUILDING IN COMPLIANCE

TABLE 1018.1 - CORRIDOR FIRE-RESISTANCE RATING (SPRINKLERED)
B OCCUPANCY - 0
R OCCUPANCY - 0.5 (OCCUPANT LOAD GREATER THAN 10)

TABLE 1018.2 - MINIMUM CORRIDOR WIDTH - 36" WHEN SERVING OCCUPANT LOAD OF LESS THAN 50.

TABLE 1021.2(1) STORIES WITH ONE EXIT FOR R-2 OCCUPANCIES
MAXIMUM 4 DWELLING UNITS WITH EGRESS DISTANCE < 125 FT.
VARIANCE REQUIRED.

CHAPTER 11 - ACCESSIBILITY

R-2 OCCUPANCY DOES NOT COMPLY - VARIANCE REQUIRED

CHAPTER 12 - INTERIOR ENVIRONMENT

1207.3 - AIRBORNE SOUND - WALLS, PARTITIONS AND FLOOR/CEILING ASSEMBLIES SEPARATING DWELLING UNITS REQUIRE MINIMUM STC RATING OF 50.

1208.3 - ROOM AREA - EVERY DWELLING UNIT SHALL HAVE NO FEWER THAN ONE ROOM WITH A MINIMUM NET FLOOR AREA OF 120 SF.

CHAPTER 29 - PLUMBING SYSTEMS

B OCCUPANCY

WATER CLOSET - 1 PER 25 OCCUPANTS FOR FIRST 50 OCCUPANTS MEETS REQUIREMENTS

LAVATORY - PER 40 OCCUPANTS FOR FIRST 80 OCCUPANTS - MEETS REQUIREMENTS

SERVICE SINK - 1 EXISTING - MEETS REQUIREMENTS

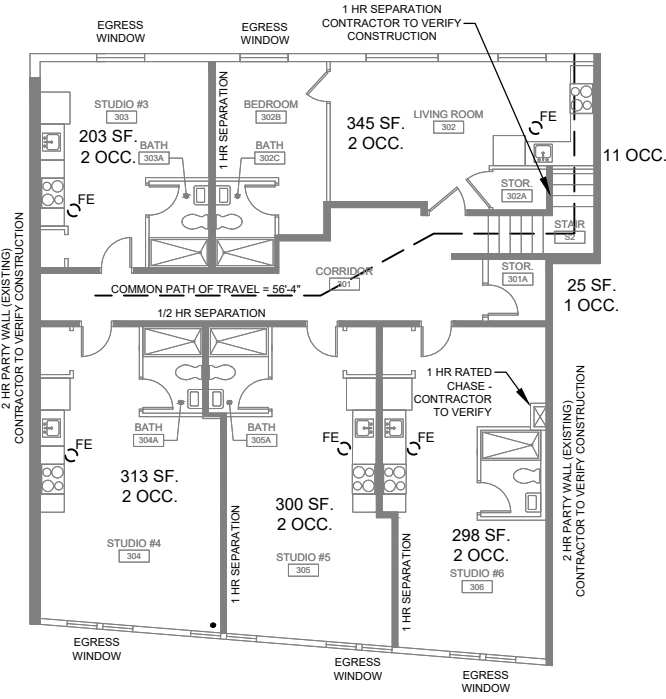
R-2 OCCUPANCY

WATER CLOSET - 1 PER DWELLING

LAVATORY - 1 PER DWELLING

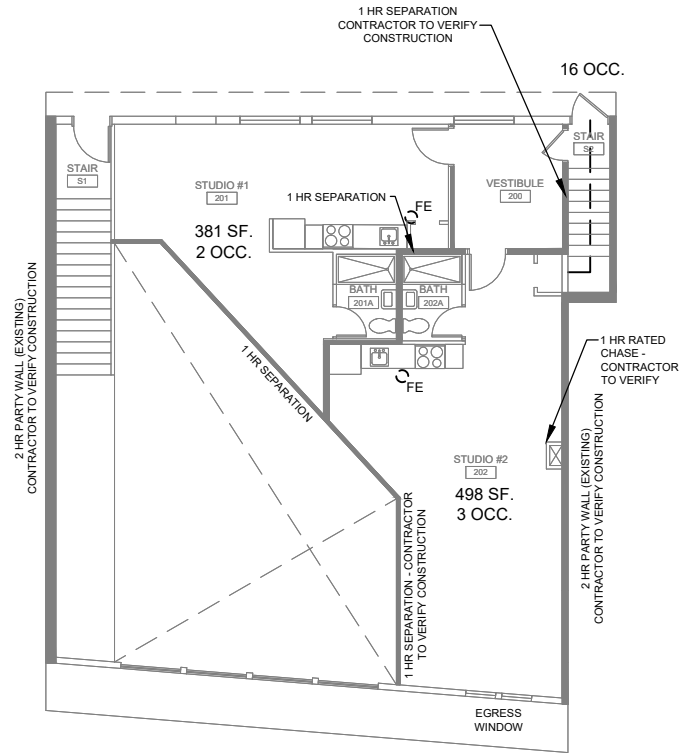
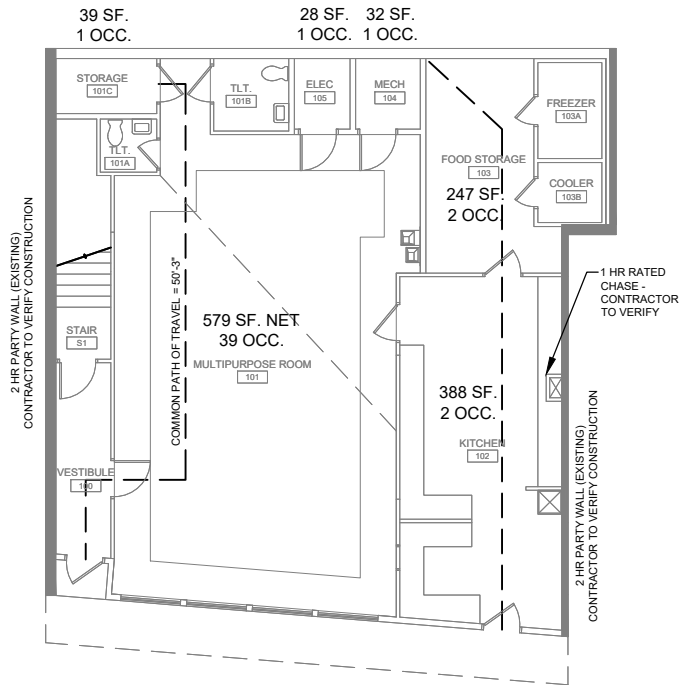
BATHTUB/SHOWER - 1 PER DWELLING

KITCHEN SINK - 1 PER DWELLING



OCCUPANT LOAD

RESIDENTIAL	200 GROSS
ASSEMBLY (UNCONCENTRATED)	15 NET
KITCHEN (COMMERCIAL)	200 GROSS
ACCESSORY (STORAGE, MECH)	300 GROSS



Stantec Architecture Inc.
725 E. Fireweed Lane, Suite 200
Anchorage, AK 99503
Tel: (907) 274-4245 www.stantec.com
Authorization to Practice # AEC01207

Project:
**GLORY HALL
RENOVATION**

AK Mental Health Trust Authority
247 S. Franklin St
Juneau, AK 99801

35% DESIGN DOCUMENTS

Project Mgr. GAMBARDELLA

Drawn EJD

Checked CN GG

Date 10/07/2021

Sheet Contents:

**CODE PLANS
& DESIGN
ANALYSIS**

Sheet No.:

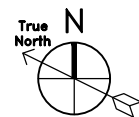
G-101

Stantec W.O. 2014270100



1. DEMOLISH EXISTING WALL IN PREPARATION FOR NEW WORK. PREPARE FLOOR AND CEILING FOR NEW WORK AND FINISHES.
2. DEMOLISH THE EXISTING STAIRS, PREP AREA FOR NEW WORK & NEW FINISHES.
3. DEMOLISH EXISTING LIFT. PATCH AND REPAIR FINISHES.
4. DEMOLISH EXISTING EXTERIOR WALL FOR INSTALLATION OF NEW WINDOW/DOOR.
5. DEMOLISH EXISTING DOORS.





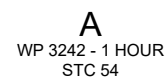
KEY NOTES

-

The floor plan shows a dormitory building with the following rooms and features:

- LAUNDRY 302**: Located on the left side of the plan.
- STOR. 303C**: Storage room located near the Laundry.
- BATH 303D**: Bathroom located near the Laundry and Stor. 303C.
- BEDROOM 303B**: Located near the Bath and Corridor 301.
- LIVING ROOM 303**: Located on the right side of the plan.
- STOR. 303A**: Storage room located near the Living Room.
- CORRIDOR 301**: Central corridor connecting the rooms.
- CORRIDOR 301A**: Located near the Living Room and Stor. 303A.
- STAIR S3**: Located near the Living Room and Stor. 303A.
- MEN'S BATH 306A**: Located in the center of the plan.
- MEN'S BATH 305A**: Located below Men's Bath 306A.
- MEN'S DORM 306**: Located on the left side of the plan, below Laundry 302.
- MEN'S DORM 305**: Located in the center of the plan, below Men's Bath 305A.
- WOMEN'S BATH 304A**: Located on the right side of the plan.
- WOMEN'S DORM 304**: Located on the right side of the plan, below Women's Bath 304A.

The plan is marked with numbers 1, 2, and 3 indicating specific points of interest or exits.

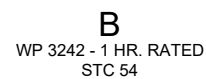
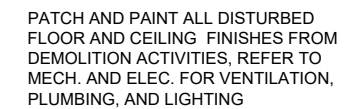


B
WP 3242 - 1 HR. RATED
STC 54

C



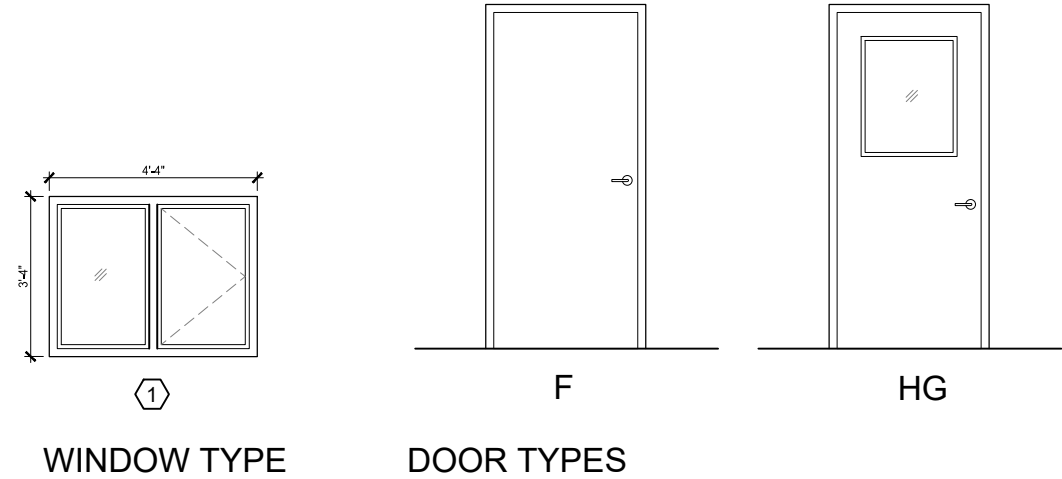
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Packet Page 104 of 104

DOOR SCHEDULE																	
	Door						Frame				Details			Assembly			
Opening Number	Width	Height	Material	Type	Finish	Glazing	Material	Type	Finish	Glazing	Head	Jamb	Sill	Rating	Hardware Set	Notes	Opening Number
100A	3'-0"	7'-0"	EX	EX	EX	EX	EX	EX	EX	EX	-	-	-	-	-		100A
100B	3'-0"	7'-0"	HM	HG	PT	1/4"		HM	PT								100B
100C	3'-0"	7'-0"	IHM	HG	PT	ISG		HM	PT								100C
101	3'-0"	7'-0"	HM	HG	PT	1/4"		HM	PT								101
101A	2'-4"	6'-8"	EX	EX	EX	EX	EX	EX	EX	EX	-	-	-	-	-		101A
101B	3'-0"	6'-8"	EX	EX	EX	EX	EX	EX	EX	EX	-	-	-	-	-		101B
101C	3'-0"	6'-8"	EX	EX	EX	EX	EX	EX	EX	EX	-	-	-	-	-		101C
102	3'-0"	7'-0"	EX	EX	EX	EX	EX	EX	EX	EX	-	-	-	-	-		102
102A	3'-0"	7'-0"	EX	EX	EX	EX	EX	EX	EX	EX	-	-	-	-	-		102A
103	3'-0"	7'-0"	EX	EX	EX	EX	EX	EX	EX	EX	-	-	-	-	-		103
104	3'-0"	7'-0"	HM	F	PT			HM	PT								104
105	3'-0"	7'-0"	HM	F	PT			HM	PT								105
200	3'-0"	6'-8"	EX	EX	EX	EX	EX	EX	EX	EX	-	-	-	-	-		200
201	3'-0"	6'-8"	WD	F	PT			WD	PT					20 MIN.			201
201A	3'-0"	6'-8"	WD	F	PT			WD	PT								201A
202	3'-0"	6'-8"	WD	F	PT			WD	PT					20 MIN.			202
202A	3'-0"	6'-8"	WD	F	PT			WD	PT								202A
300	3'-0"	6'-8"	EX	EX	EX	EX	EX	EX	EX	EX	-	-	-	-	-		300
301A	3'-0"	6'-8"	WD	F	PT			WD	PT								301A
302	3'-0"	6'-8"	EX	EX	EX	EX	EX	EX	EX	EX	-	-	-	20 MIN.	-		302
302A	3'-0"	6'-8"	EX	EX	EX	EX	EX	EX	EX	EX	-	-	-	-	-		302A
302B	3'-0"	6'-8"	EX	EX	EX	EX	EX	EX	EX	EX	-	-	-	-	-		302B
302C	3'-0"	6'-8"	WD	F	PT			WD	PT								302C
303	3'-0"	6'-8"	WD	F	PT			WD	PT					20 MIN.			303
303A	3'-0"	6'-8"	WD	F	PT			WD	PT								303A
304	3'-0"	6'-8"	WD	F	PT			WD	PT					20 MIN.			304
304A	3'-0"	6'-8"	WD	F	PT			WD	PT								304A
305	3'-0"	6'-8"	WD	F	PT			WD	PT					20 MIN.			305
305A	3'-0"	6'-8"	WD	F	PT			WD	PT								305A
306	3'-0"	6'-8"	WD	F	PT			WD	PT					20 MIN.			306
306A	3'-0"	6'-8"	WD	F	PT			WD	PT								306A



ROOM FINISH SCHEDULE													
Room	Room Name	Floor	Base	Wall				Ceiling			Remarks	Room	
				N Wall	E Wall	S Wall	W Wall	Materials	Finish	CL.G. Height			
100	CORRIDOR	CPT2	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT	GWB	PT	8'-0"		100	
101	MULTIPURPOSE ROOM	EX	EX	EX	EX	EX	GWB/PT	EX	EX	17'-0"		101	
101A	TOILET	EX	EX	EX	EX	EX	EX	EX	EX	7'-0"		101A	
101B	TOILET	EX	EX	EX	EX	EX	EX	EX	EX	7'-0"		101B	
101C	STORAGE	EX	EX	EX	EX	EX	EX	EX	EX	7'-0"		101C	
102	KITCHEN	TL-1	TL-1	EX	PT1	PT1	EX	GWB	PT	8'-0"	PATCH AND REPAIR SW CORNER FROM DEMOLITION OF STAIRS	102	
103	FOOD STORAGE	EX	EX	EX	EX	EX	EX	EX	EX	EX		103	
103A	FREEZER	EX	EX	EX	EX	EX	EX	EX	EX	EX		103A	
103B	COOLER	EX	EX	EX	EX	EX	EX	EX	EX	EX		103B	
104	MECHANICAL	SC	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT	GWB/PT	PT	8'-0"		104	
105	ELECTRICAL	SC	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT	GWB/PT	PT	8'-0"		105	
S1	STAIR	LVT/RF	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT	GWB/PT	PT	8'-0"		S1	
S2	STAIR	LVT/RF	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT	GWB/PT	PT	8'-0"		S2	
200	VESTIBULE	CPT2	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT	GWB	PT	8'-0"		200	
201	STUDIO #1	LVT	RB	GWB/PT	GWB/PT	GWB/PT, CT	GWB/PT	GWB	PT	8'-0"	CERAMIC TILE AT KITCHEN BACKSPLASH	201	
201A	BATHROOM	LVT	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT	GWB	PT	8'-0"	CEMENTITIOUS BACKER BOARD AT ALL WET WALL LOCATIONS	201A	
202	STUDIO #2	LVT	RB	GWB/PT, CT	GWB/PT	GWB/PT	GWB/PT	GWB	PT	8'-0"	CERAMIC TILE AT KITCHEN BACKSPLASH	202	
202A	BATHROOM	LVT	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT	GWB	PT	8'-0"	CEMENTITIOUS BACKER BOARD AT ALL WET WALL LOCATIONS	202A	
301	CORRIDOR	LVT	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT	GWB	PT	8'-0"		301	
301A	STORAGE	LVT	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT	GWB	PT	8'-0"		301A	
302	LIVING ROOM	LVT	RB	GWB/PT	GWB/PT, CT	GWB/PT, CT	GWB/PT	GWB	PT	8'-0"	CERAMIC TILE AT KITCHEN BACKSPLASH	302	
302A	STORAGE	LVT	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT	GWB	PT	8'-0"		302A	
302B	BEDROOM	LVT	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT	GWB	PT	8'-0"		302B	
302C	BATHROOM	LVT	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT	GWB	PT	8'-0"	CEMENTITIOUS BACKER BOARD AT ALL WET WALL LOCATIONS	302C	
303	STUDIO #3	LVT	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT, CT	GWB	PT	8'-0"	CERAMIC TILE AT KITCHEN BACKSPLASH	303	
303A	BATHROOM	LVT	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT	GWB	PT	8'-0"	CEMENTITIOUS BACKER BOARD AT ALL WET WALL LOCATIONS	303A	
304	STUDIO #4	LVT	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT, CT	GWB	PT	8'-0"	CERAMIC TILE AT KITCHEN BACKSPLASH	304	
304A	BATHROOM	LVT	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT	GWB	PT	8'-0"	CEMENTITIOUS BACKER BOARD AT ALL WET WALL LOCATIONS	304A	
305	STUDIO #5	LVT	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT, CT	GWB	PT	8'-0"	CERAMIC TILE AT KITCHEN BACKSPLASH	305	
305A	BATHROOM	LVT	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT	GWB	PT	8'-0"	CEMENTITIOUS BACKER BOARD AT ALL WET WALL LOCATIONS	305A	
306	STUDIO #6	LVT	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT, CT	GWB	PT	8'-0"	CERAMIC TILE AT KITCHEN BACKSPLASH	306	
306A	BATHROOM	LVT	RB	GWB/PT	GWB/PT	GWB/PT	GWB/PT	GWB	PT	8'-0"	CEMENTITIOUS BACKER BOARD AT ALL WET WALL LOCATIONS	306A	

Date Stamped:

By

Revision

Date



Stantec Architecture Inc.

725 E. Fireweed Lane, Suite 200

Anchorage, AK 99503

Tel: (907) 274-4245 www.stantec.com

Authorization to Practice # AECCT1207

Project:

GLORY HALL RENOVATION

AK Mental Health Trust Authority

247 S. Franklin St

Juneau, AK 99801

35% DESIGN DOCUMENTS

Project Mgr.

GAMBARDELLA

Drawn

EJD

Checked

CN

GG

Date

10/07/2021

Sheet Contents:

DOOR & WINDOW TYPES, DOOR SCHEDULE AND MATERIAL FINISH SCHEDULE

Sheet No.:

A-601

Stantec W.O. 2014270100

11 x 17 SHEETS ARE HALF SIZE

FILE: W:\2014270100\03_SHEETS\M-001.DWG PLOTTED: Oct 7, 2021 - 5:01:30 PM (Thoma, Jason)

MECHANICAL LEGEND	
	PIPE UP
	PIPE DOWN
	AUTOMATIC AIR VENT WITH ISOLATION VALVE
	THERMOMETER
	UNION
	CONCENTRIC REDUCER
	PIPE FLANGE
	PIPE ANCHOR
	PIPE GUIDE
	PUMP
	FLEX PIPE CONNECTION
	RECTANGULAR DUCT ELBOW WITH TURNING VANES
	FLEXIBLE ROUND DUCT
	HVAC DUCT, DOUBLE LINE DEPICTION
	EXTERNALLY INSULATED DUCT SIZES SHOWN ARE NET INSIDE DIMENSIONS
	INTERNALLY LINED DUCT SIZES SHOWN ARE NET INSIDE DIMENSIONS
	OPPOSED BLADE MOTOR OPERATED DAMPER
	PARALLEL BLADE MOTOR OPERATED DAMPER
	MOTOR OPERATED DAMPER (VIEWED PERPENDICULAR TO BLADE SHAFTS)
	SUPPLY OR OUTSIDE AIR DUCT SECTION
	RETURN GRILLE
	GLOBE VALVE
	BALL VALVE
	GATE VALVE
	MANUAL AIR VENT
	CALIBRATED (MANUAL) BALANCE VALVE
	2-WAY CONTROL VALVE
	3-WAY CONTROL VALVE
	SAFETY RELIEF VALVE OR PRESSURE RELIEF VALVE
	DOUBLE CHECK TYPE BACKFLOW PREVENTER
	BUTTERFLY VALVE
	CHECK VALVE
	STRAINER WITH BLOW DOWN VALVE
	PRESSURE GAUGE WITH ISOLATION VALVE
	FLOOR DRAIN
	GAS CONCENTRATION SENSOR: xx = CO2 FOR CARBON DIOXIDE xx = CO FOR CARBON MONOXIDE xx = NO FOR NITROGEN DIOXIDE
	TEMPERATURE SENSOR OR THERMOSTAT
	DIRECTION OF AIR FLOW
	GRILLE, REGISTER OR DIFFUSER DESIGNATION
	FLOW RATE, CFM
	EQUIPMENT DESIGNATION (UH, EF, AHU, ETC.)
	SCHEDULE ITEM NUMBER
	SHEET NOTE REFERENCE
	BACKDRAFT DAMPER
	MANUAL BALANCING DAMPER
	HEATING OR COOLING COIL
	AIR FILTERS
	RETURN AIR DUCT SECTION
	SUPPLY DIFFUSER ARROWS INDICATE THROW DIRECTION
ALL SYMBOLS DO NOT NECESSARILY APPEAR ON DRAWINGS	

MECHANICAL ABBREVIATIONS											
GENERAL AND UNITS						EQUIPMENT					
A	AMPS (AMPERES)	FPD	FLUID PRESSURE DROP	NO	NORMALLY OPEN	EHU	AIR-HANDLING UNIT	DD	DUCT SMOKE DETECTOR	CA	COMPRESSED AIR
AFF	ABOVE FINISHED FLOOR	FPP	FINS PER FOOT	NTS	NOT TO SCALE	BLR	BOILER	EA OR E/A	EXHAUST AIR	FD	FLOOR DRAIN, OR FIRE DAMPER
AHAP	AS HIGH AS PRACTICABLE	FPI	FINS PER INCH	OAT	OUTSIDE AIR TEMPERATURE	MOD	MOTOR-OPERATED DAMPER	FD	FIRE DAMPER	G	NATURAL GAS
AHU	AUTHORITY HAVING JURISDICTION	FPM	FEET PER MINUTE	OFCI	OWNER FURNISHED, CONTRACTOR INSTALLED	OA OR O/A	OUTSIDE AIR	RFZ	RADIANT FLOOR ZONE	GHR	HEATING GLYCOL RETURN
APD	AIR PRESSURE DROP	FPS	FEET PER SECOND	OFOI	OWNER FURNISHED, OWNER INSTALLED	RG	RETURN AIR GRILLE	RG	RETURN AIR GRILLE	GHS	HEATING GLYCOL SUPPLY
AUTO	AUTOMATIC	FT	FOOT OR FEET	PD	PRESSURE DROP	SD	SUPPLY AIR DIFFUSER	SD	SUPPLY AIR DIFFUSER	V	VENT
BFP	BACKFLOW PREVENTER	GAL	GALLONS	PG	PROPYLENE GLYCOL	UH	UNIT HEATER	UH	UNIT HEATER		
BHP	BRAKE HORSEPOWER	GPH	GALLONS PER HOUR	PH	PHASE (ELECTRICAL)						
BTU	BRITISH THERMAL UNIT	GPM	GALLONS PER MINUTE	PPM	PARTS PER MILLION						
BTUH	BTU PER HOUR	HD	HEAD	PRESS	PRESSURE						
CFH	CUBIC FEET PER HOUR	HP	HORSEPOWER	PSI	POUNDS PER SQUARE INCH						
CFM	CUBIC FEET PER MINUTE	HR	HOUR(S)	PSIA	POUNDS PER SQUARE INCH - ABSOLUTE						
CLG	CEILING	HTG	HEATING	PSID	POUNDS PER SQUARE INCH - DIFFERENTIAL						
CU FT	CUBIC FEET	HVAC	HEATING, VENTILATING & AIR-CONDITIONING	PSIG	POUNDS PER SQUARE INCH - GAUGE						
CU IN	CUBIC INCH	HZ	FREQUENCY (HERTZ)	RAT	RETURN AIR TEMPERATURE						
DB	DRY-BULB TEMPERATURE	IN WC	INCHES WATER COLUMN	RPM	REVOLUTIONS PER MINUTE						
DEG	DEGREE	KW	KILOWATT	SAT	SUPPLY AIR TEMPERATURE						
DEG F	DEGREES FAHRENHEIT	KWH	KILOWATT HOUR	SCFM	STANDARD CUBIC FEET PER MINUTE						
DIA OR Ø	DIAMETER	LAT	LEAVING AIR TEMPERATURE	SP	STATIC PRESSURE						
DN	DOWN	LFT	LEAVING FLUID TEMPERATURE	SPD	STATIC PRESSURE DROP						
DTL	DETAIL	LGT	LEAVING GLYCOL TEMPERATURE	SPEC	SPECIFICATION						
DWG	DRAWING	LP	LOW PRESSURE	TD	TEMPERATURE DROP/DIFFERENCE						
EA	EACH	LWT	LEAVING WATER TEMPERATURE	TEMP	TEMPERATURE						
EAT	ENTERING AIR TEMPERATURE	MAX	MAXIMUM	THRU	THROUGH						
EFF	EFFICIENCY	MBH	THOUSAND BTU PER HOUR	TSP	TOTAL STATIC PRESSURE						
EFT	ENTERING FLUID TEMPERATURE	MCA	MINIMUM CIRCUIT AMPACITY	TSTAT	THERMOSTAT						
EGT	ENTERING GLYCOL TEMPERATURE	MECH	MECHANICAL	TYP	TYPICAL						
ELEC	ELECTRICAL	MERV	MINIMUM EFFICIENCY REPORTING VALUE	V	VOLTS OR VOLTAGE						
ESP	EXTERNAL STATIC PRESSURE	MFR	MANUFACTURER	VAV	VARIABLE AIR VOLUME						
EWT	ENTERING WATER TEMPERATURE	MIN	MINIMUM	VFD	VARIABLE FREQUENCY DRIVE						
EXH	EXHAUST	MTD	MOUNTED	W	WATT						
FLA	FULL LOAD AMPS	NA	NOT APPLICABLE	WB	WET BULB						
FLEX	FLEXIBLE	NC	NOISE CRITERIA, OR NORMALLY CLOSED	WC	WATER COLUMN						
FLR	FLOOR	NIC	NOT IN CONTRACT	WPD	WATER PRESSURE DROP						
ALL ABBREVIATIONS DO NOT NECESSARILY APPEAR ON DRAWINGS											

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PLUMBING FIXTURE CONNECTION SCHEDULE

TAG	FIXTURE	MOUNTING	TRAP (IN)	WASTE (IN)	VENT (IN)	CW (IN)	HW (IN)	TW (IN)	FIXTURE - DESIGN BASIS PRODUCT			FAUCET/VALVE - DESIGN BASIS PRODUCT		NOTES	TAG
									MFR.	MODEL	MATERIAL	MFR.	MODEL		
WC-1	WATER CLOSET	FLOOR	-	4	2	3/4	-	-	AMERICAN STANDARD	2467.016	VITREOUS CHINA	-	-	TANK-STYLE, PROVIDE WITH BEMIS MODEL 1203SLST 000 SEAT	WC-1
LAV-1	LAVATORY	WALL	1 1/2	1 1/2	1 1/4	1/2	1/2	-	AMERICAN STANDARD	356.015	VITREOUS CHINA	MOEN	84716		LAV-1
SH-1	SHOWER	FLOOR	2	2	1 1/2	1/2	1/2	-	AQUATIC	260330	ACRYLIC	AMERICAN STANDARD	TU385502	PROVIDE WITH VALVE BODY	SH-1
SNK-1	SINK	COUNTER	1 1/2	1 1/2	1 1/2	1/2	1/2	-	JUST	SL-1921-A-GR	STAINLESS STEEL	CHICAGO FAUCET	1100-317ABCP	PROVIDE SINK WITH STRAINER	SNK-1
DF-1	DRINKING FOUNTAIN	WALL	1 1/4	1 1/4	1 1/4	1/2	-	-	ELKAY	EZSTLDDWSSK	STAINLESS STEEL	-	-		DF-1

FAN SCHEDULE

TAG	LOCATION	CFM	ESP/TSP (IN-WG)	ELECTRICAL			DESIGN BASIS PRODUCT		NOTES
				AMPS	VOLTS	PHASE	MFR.	MODEL	
RH-1	STUDIO #1 201	200	0.15	1.8	120	1	BROAN	BUEZ330BL	
RH-2	STUDIO #2 202	200	0.15	1.8	120	1	BROAN	BUEZ330BL	
RH-3	STUDIO #3 303	200	0.15	1.8	120	1	BROAN	BUEZ330BL	
RH-4	STUDIO #4 304	200	0.15	1.8	120	1	BROAN	BUEZ330BL	
RH-5	STUDIO #5 305	200	0.15	1.8	120	1	BROAN	BUEZ330BL	
RH-6	STUDIO #6 306	200	0.15	1.8	120	1	BROAN	BUEZ330BL	
RH-7	LIVING ROOM 302	200	0.15	1.8	120	1	BROAN	BUEZ330BL	
EF-1	BATH 201A	70	0.25	10W	120	1	PANASONIC	FV-0511VKS2	
EF-2	BATH 202A	70	0.25	10W	120	1	PANASONIC	FV-0511VKS2	
EF-3	BATH 303A	70	0.25	10W	120	1	PANASONIC	FV-0511VKS2	
EF-4	BATH 304A	70	0.25	10W	120	1	PANASONIC	FV-0511VKS2	
EF-5	BATH 305A	70	0.25	10W	120	1	PANASONIC	FV-0511VKS2	
EF-6	BATH 306A	70	0.25	10W	120	1	PANASONIC	FV-0511VKS2	
EF-7	BATH 302C	70	0.25	10W	120	1	PANASONIC	FV-0511VKS2	
NOTES: 1. 2. 3.									

ELECTRIC WATER HEATER SCHEDULE

TAG	LOCATION	RECOVERY (GPH)	TEMP RISE (°F)	SUPPLY TEMP (°F)	VOLUME (GAL)	ELECTRICAL			DESIGN BASIS PRODUCT		NOTES
						KW	VOLTS	PHASE	MFR.	MODEL	
WH-1	MECH 104	41	60	105	50	12	240	3	RHEEM	ELD62	
WH-2	STUDIO #1 201				20	3	240	3	RHEEM	MR20230	
WH-3	STUDIO #2 202				20	3	240	3	RHEEM	MR20230	
WH-4	STUDIO #3 303				20	3	240	3	RHEEM	MR20230	
WH-5	STUDIO #4 304				20	3	240	3	RHEEM	MR20230	
WH-6	STUDIO #5 305				20	3	240	3	RHEEM	MR20230	
WH-7	STUDIO #6 306				20	3	240	3	RHEEM	MR20230	
WH-8	STORAGE 302A				20	3	240	3	RHEEM	MR20230	
NOTES: 1. 2. 3.											

ELECTRIC CABINET UNIT HEATER SCHEDULE

TAG	LOCATION	OUTPUT		CFM	ELECTRICAL			DESIGN BASIS PRODUCT		NOTES
		MBH	KW		AMPS	VOLTS	PHASE	MFR.	MODEL	
CUH-1	MULTIPURPOSE 101	10.235	3	260	7	240	3	TRANE	FF J B 02	
CUH-2	MULTIPURPOSE 101	10.235	3	260	7	240	3	TRANE	FF J B 02	
CUH-3	MULTIPURPOSE 101	10.235	3	260	7	240	3	TRANE	FF J B 02	
CUH-4	MULTIPURPOSE 101	10.235	3	260	7	240	3	TRANE	FF J B 02	
CUH-5	STUDIO #1 201	10.235	3	260	7	240	3	TRANE	FF J B 02	
CUH-6	STUDIO #2 202	10.235	3	260	7	240	3	TRANE	FF J B 02	
CUH-7	STUDIO #3 303	10.235	3	260	7	240	3	TRANE	FF J B 02	
CUH-8	BEDROOM 302B	10.235	3	260	7	240	3	TRANE	FF J B 02	
CUH-9	LIVING ROOM 302	10.235	3	260	7	240	3	TRANE	FF J B 02	
CUH-10	STUDIO #4 304	10.235	3	260	7	240	3	TRANE	FF J B 02	
CUH-11	STUDIO #5 305	10.235	3	260	7	240	3	TRANE	FF J B 02	
CUH-12	STUDIO #6 306	10.235	3	260	7	240	3	TRANE	FF J B 02	
NOTES: 1. 2. 3.										

EXPANSION TANK SCHEDULE

TAG	SERVICE	FLUID	TYPE	VOLUME (GAL)		PRE-CHARGE (PSI)	DESIGN BASIS PRODUCT		NOTES
				TOTAL	ACCEPTANCE		MFR.	MODEL	
ET-1	WH-1	WATER	DIAPHRAGM	2	0.9	12	AMTROL	ST-5C	
ET-2	WH-2	WATER	DIAPHRAGM	2	0.9	12	AMTROL	ST-5C	
ET-3	WH-3	WATER	DIAPHRAGM	2	0.9	12	AMTROL	ST-5C	
ET-4	WH-4	WATER	DIAPHRAGM	2	0.9	12	AMTROL	ST-5C	
ET-5	WH-5	WATER	DIAPHRAGM	2	0.9	12	AMTROL	ST-5C	
ET-6	WH-6	WATER	DIAPHRAGM	2	0.9	12	AMTROL	ST-5C	
ET-7	WH-7	WATER	DIAPHRAGM	2	0.9	12	AMTROL	ST-5C	
ET-8	WH-8	WATER	DIAPHRAGM	2	0.9	12	AMTROL	ST-5C	
NOTES: 1. 2. 3.									

ELECTRIC HEATER SCHEDULE

TAG	LOCATION	OUTPUT		STYLE				DESIGN BASIS PRODUCT		NOTES
		MBH	KW		FLA	VOLTS	PHASE	MFR.	MODEL	
HTR-1	VESTIBULE 100	5.1	1.5	WALL	12.5	120	1	QMARK	AWH3150F	
HTR-2	TOILET 101B	5.1	1.5	WALL	12.5	120	1	QMARK	AWH3150F	
HTR-3	STORAGE 101C	5.1	1.5	WALL	12.5	120	1	QMARK	AWH3150F	
HTR-4	KITCHEN 102	6.8	2	WALL	8.3	240	1	QMARK	AWH4404F	
HTR-5	MECH 104	5.1	1.5	WALL	12.5	120	1	QMARK	AWH3150F	
HTR-6	ELEC 105	5.1	1.5	WALL	12.5	120	1	QMARK	AWH3150F	
HTR-7	VESTIBULE 200	5.1	1.5	WALL	12.5	120	1	QMARK	AWH3150F	
HTR-8	CORRIDOR 301	5.1	1.5	WALL	12.5	120	1	QMARK	AWH3150F	
HTR-9	STORAGE 301a	5.1	1.5	WALL	12.5	120	1	QMARK	AWH3150F	
HTR-10	STAIR S1	6.8	2	WALL	8.3	240	1	QMARK	AWH4404F	
HTR-11	STAIR S2	5.1	1.5	WALL	12.5	120	1	QMARK	AWH3150F	
NOTES:										
1.										
2.										
3.										

SHEET NOTES:

1.

LOCATION OF EXISTING WATER SERVICE AND SPRINKLER RISER, DEMOLISH AND PREPARE FOR RELOCATION OF BOTH.
2.

ALL DOMESTIC WATER, WASTE AND VENT SHALL BE DEMOLISHED IN THE FIRST FLOOR CEILING, FIRST FLOOR FIXTURE BRANCH LINES MAY REMAIN IN PLACE PREPARED FOR CONNECTION TO NEW WATER DISTRIBUTION PIPING.
3.

ALL HYDRONIC HEATING TERMINAL UNITS AND PIPING SHALL BE DEMOLISHED.
4.

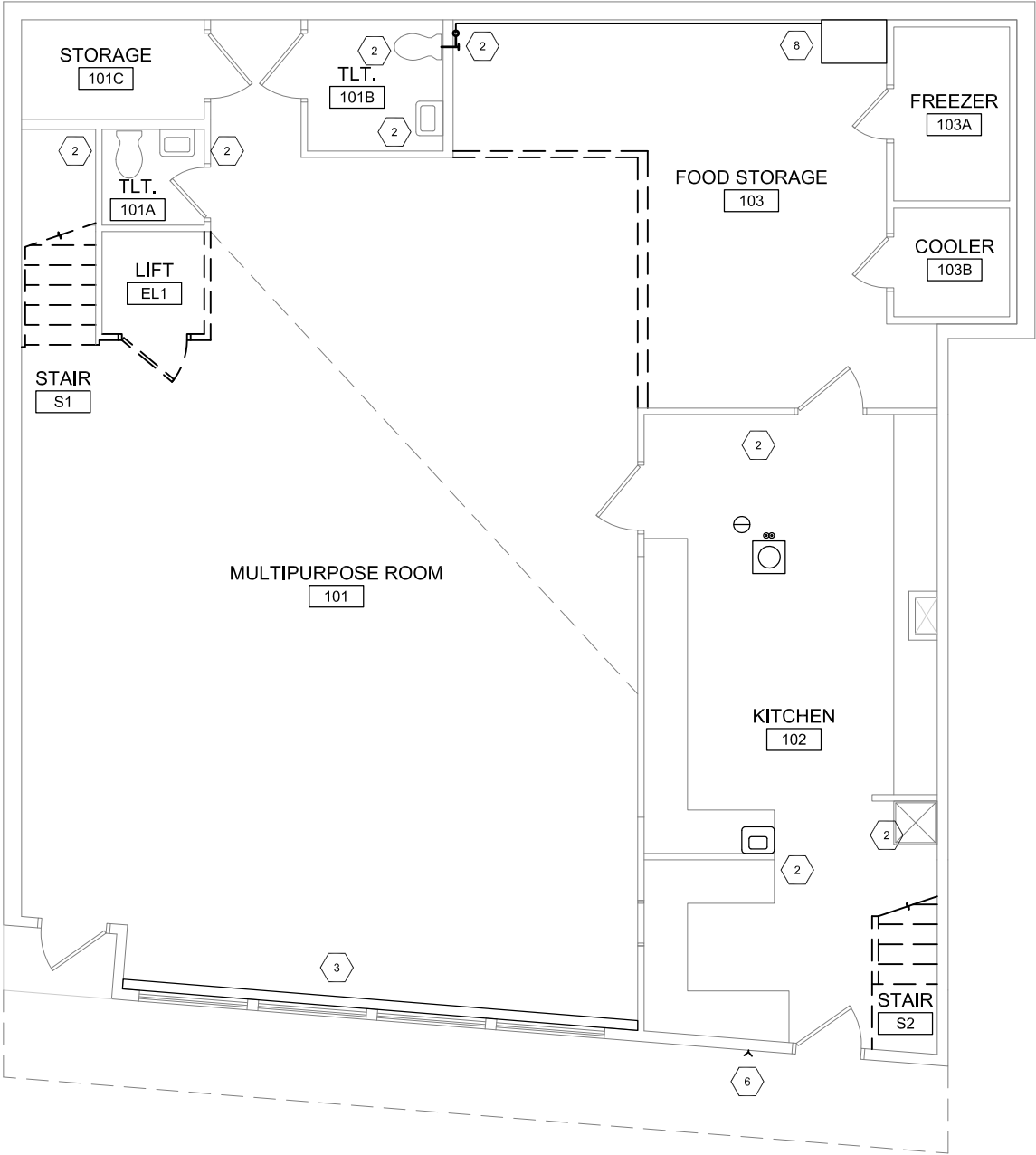
DEMOLISH EXISTING ELECTRIC/HYDRONIC BOILER AND ASSOCIATED PUMPS, PIPING, AND CONTROLS.
5.

ALL PLUMBING FIXTURES, DOMESTIC WATER, WASTE AND VENT PIPING ON SECOND FLOOR SHALL BE REMOVED, INCLUDING THAT PIPING LOCATED IN THE SECOND FLOOR CEILING.
6.

EXISTING FIRE DEPARTMENT CONNECTION AND SPRINKLER MAIN DRAIN SHALL REMAIN FOR RECONNECTION TO RELOCATED SPRINKLER RISER.
7.

EXISTING EXHAUST FANS, ASSOCIATED DUCTWORK, AND EXTERIOR WALL PENETRATIONS SHALL BE DEMOLISHED.
8.

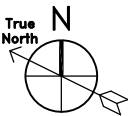
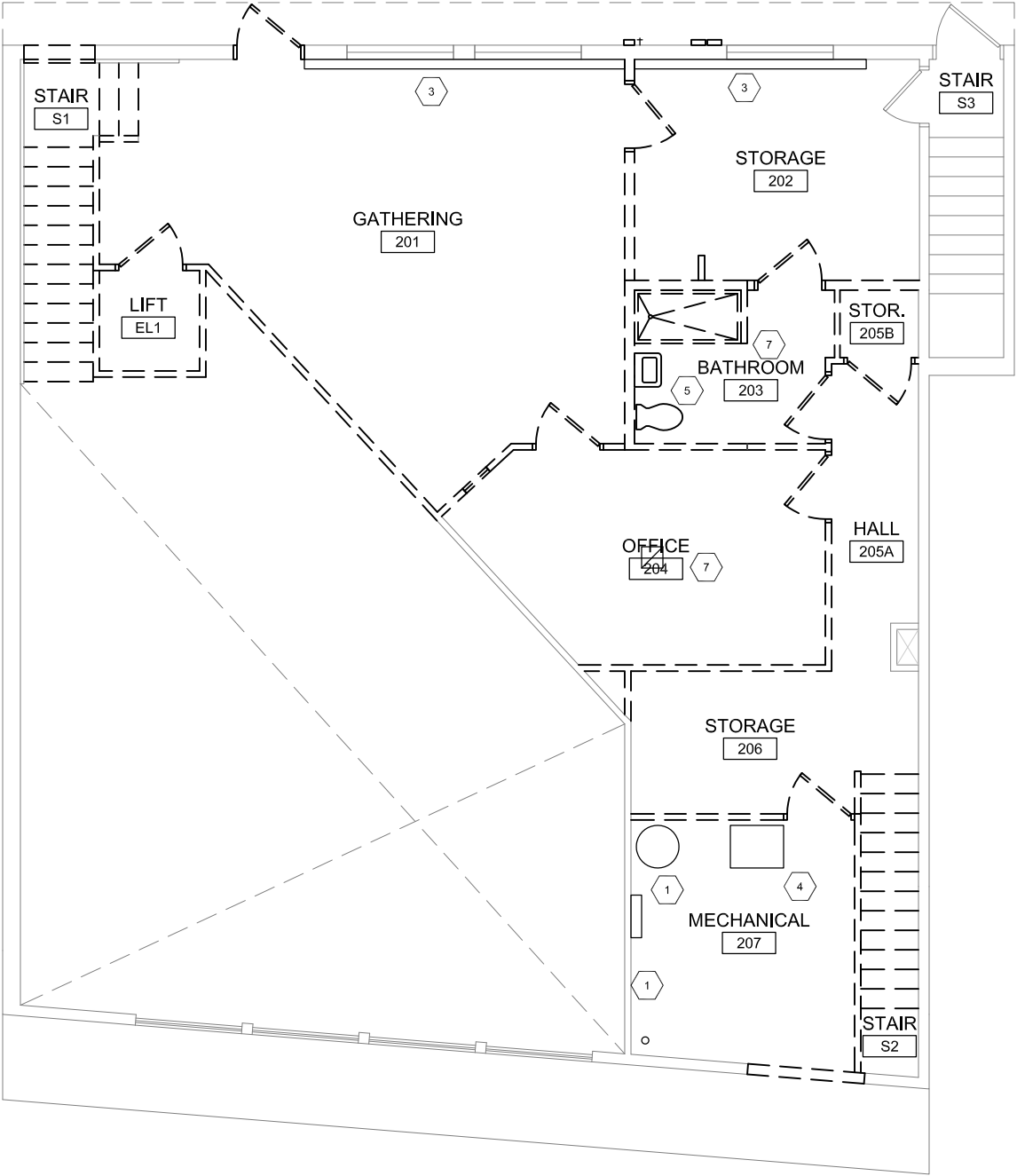
EXISTING FREEZER/COOLER COMPRESSOR SYSTEM AND DRAIN SHALL REMAIN.



GENERAL NOTES:

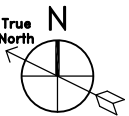
1.

CONTRACTOR SHALL VERIFY AND RECORD EXISTING WASTE AND VENT PIPING SIZE AND LOCATION FROM FIRST FLOOR FIXTURES.



1
M-101

1ST FLOOR PLAN - DEMOLITION
SCALE: 1/4"=1'-0"



2
M-101

2ND FLOOR PLAN - DEMOLITION
SCALE: 1/4"=1'-0"

Date Stamped:

By

Revision

Date

Stantec

Stantec Architecture Inc.
725 E. Riverwood Lane, Suite 200
Anchorage, AK 99503
Tel: (907) 274-4245 www.stantec.com
Authorization to Practice # AECCT 107

Project:

GLORY HALL
RENOVATION

AK Mental Health Trust Authority
247 S. Franklin St
Juneau, AK 99801

35% DESIGN DOCUMENTS

Project Mgr.

GAMBARDELLA

Drawn

JET

Checked

MAP

GG

Date

10/07/2021

Sheet Contents:

DEMOLITION
PLANS

Sheet No.:

M-101

Stantec W.O. 2014270100

1"=1'

3/4"=1'-1/2"

1/2"=1'-3/8"

1/4"=1'-1/8"

0"=1'-100'

1"=60'

2"=40'

3"=30'

4"=20'

5"=10'

6"

11 x 17 SHEETS ARE HALF SIZE

FILE: W:\2014270100\02_WORKING_FILES\09_MECHANICAL\02_CAD\03_SHEETS\M-101.DWG PLOTTED: Oct 7, 2021 - 5:14:10 PM (Thoma, Jason)

SHEET NOTES:

1.

ALL DOMESTIC WATER, WASTE AND VENT SHALL BE DEMOLISHED IN THE SECOND FLOOR CEILING, THIRD FLOOR, AND THIRD FLOOR CEILING, PREPARED FOR CONNECTION TO NEW WATER DISTRIBUTION PIPING.
2.

ALL HYDRONIC HEATING TERMINAL UNITS AND PIPING SHALL BE DEMOLISHED.
3.

ALL PLUMBING FIXTURES, DOMESTIC WATER, WASTE AND VENT PIPING ON SECOND FLOOR SHALL BE REMOVED..
4.

EXISTING EXHAUST FANS, ASSOCIATED DUCTWORK, AND EXTERIOR WALL PENETRATIONS SHALL BE DEMOLISHED.
5.

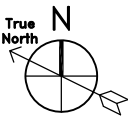
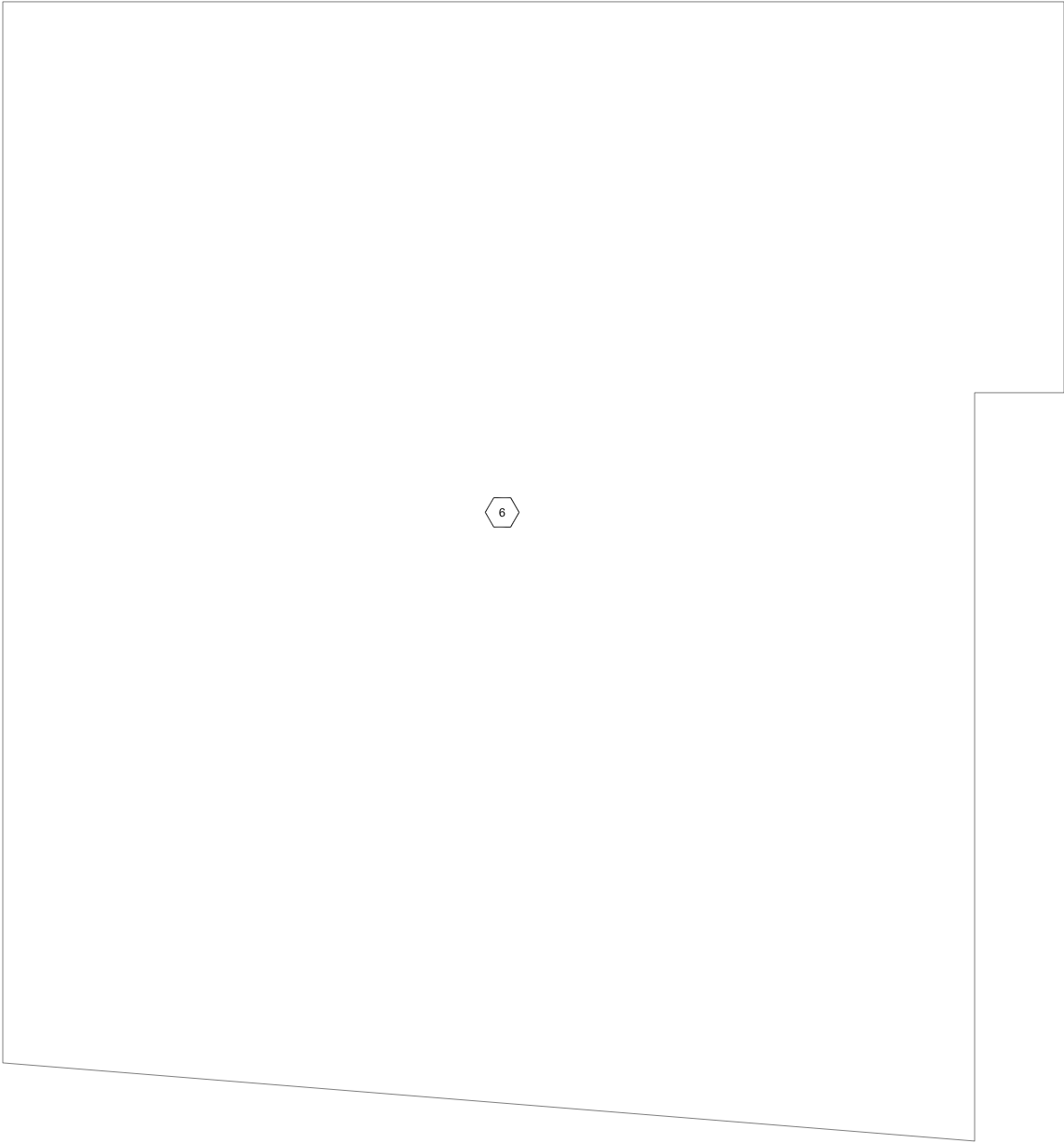
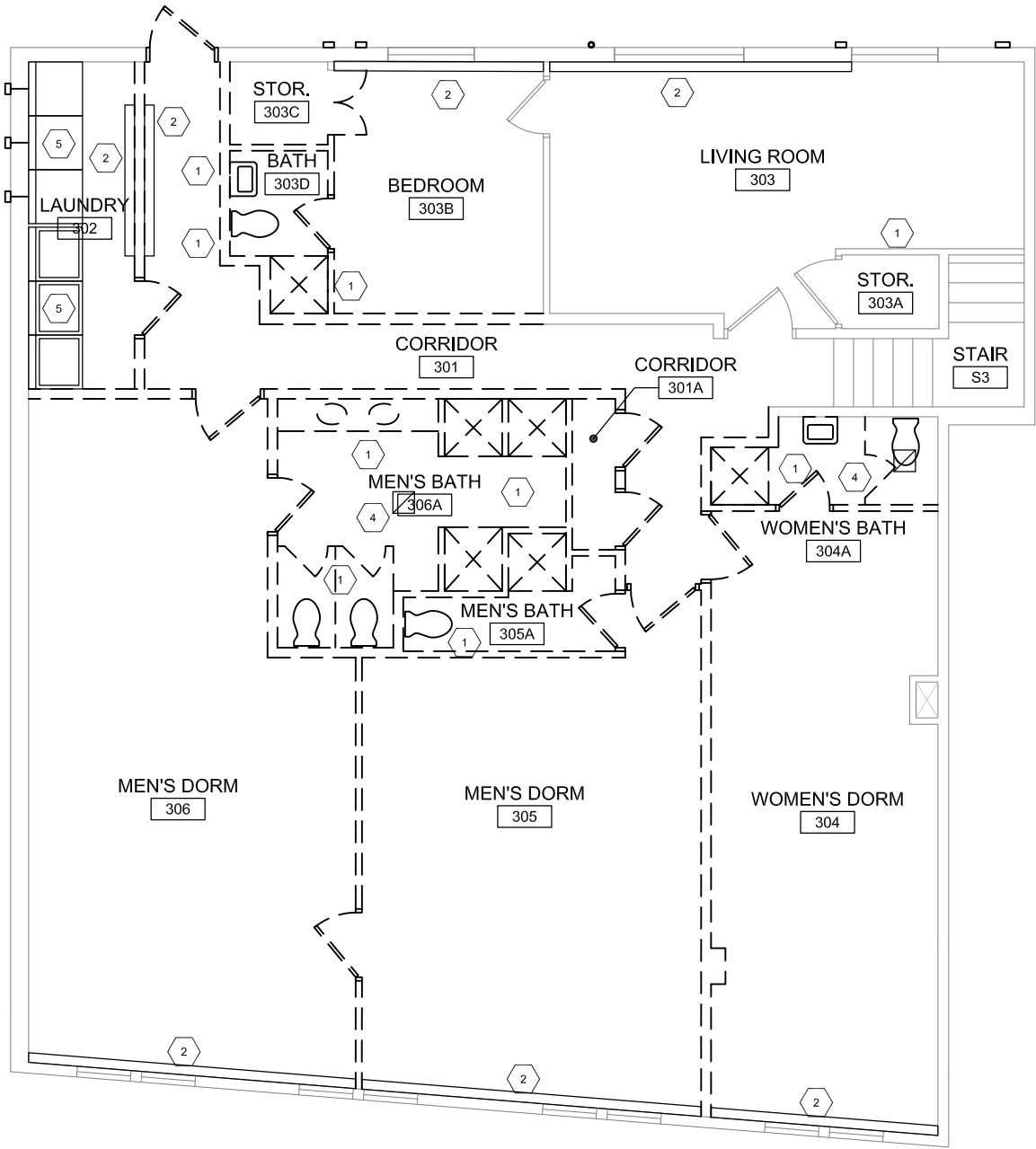
EXISTING CLOTHES WASHERS (3) AND CLOTHES DRYERS (3) SHALL BE DEMOLISHED INCLUDING ALL ASSOCIATED PIPING, EXTERIOR WALL PENETRATIONS, AND DUCTWORK.
6.

EXISTING VENT THROUGH ROOF PENETRATIONS WILL BE VERIFIED FOR SIZE AND LOCATION BY CONTRACTOR, PREPARED FOR REUSE DURING NEW WORK.

GENERAL NOTES:

1.

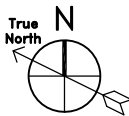
CONTRACTOR SHALL VERIFY AND RECORD EXISTING WASTE AND VENT PIPING SIZE AND LOCATION FROM ALL FIXTURES.



1
M-102

3RD FLOOR PLAN - DEMOLITION

SCALE: 1/4"=1'-0"



2
M-102

ROOF PLAN - DEMOLITION

SCALE: 1/4"=1'-0"



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725 E. Riverwood Lane, Suite 200
Anchorage, AK 99503
Tel: (907) 274-4245 www.stantec.com
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Project:
GLORY HALL
RENOVATION

AK Mental Health Trust Authority
247 S. Franklin St
Juneau, AK 99801

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Project Mgr. GAMBARDELLA

Drawn JET

Checked MAP GG

Date 10/07/2021

Sheet Contents:

DEMOLITION
PLANS

Sheet No.:

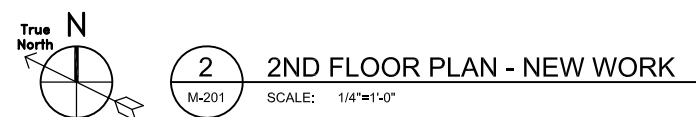
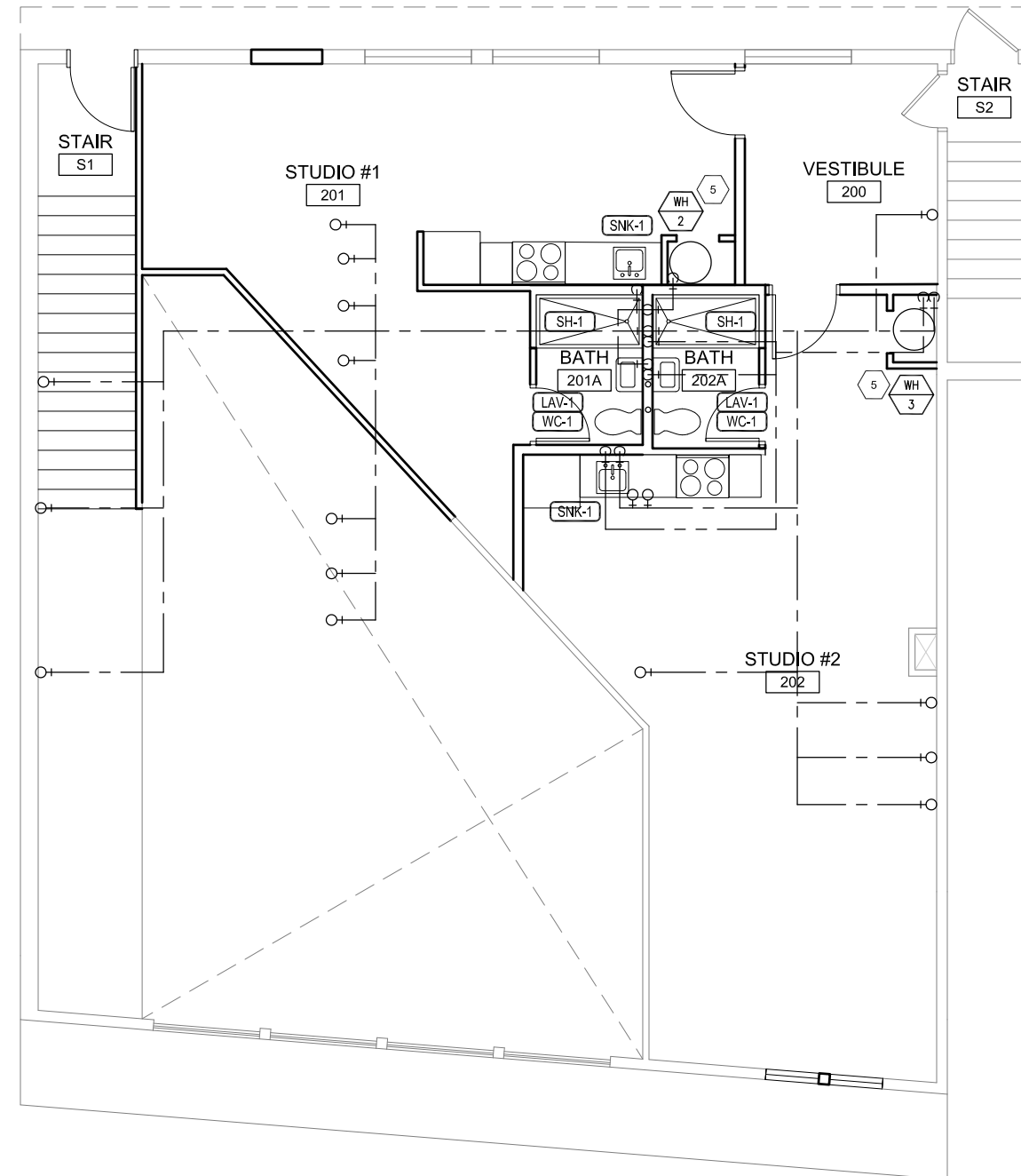
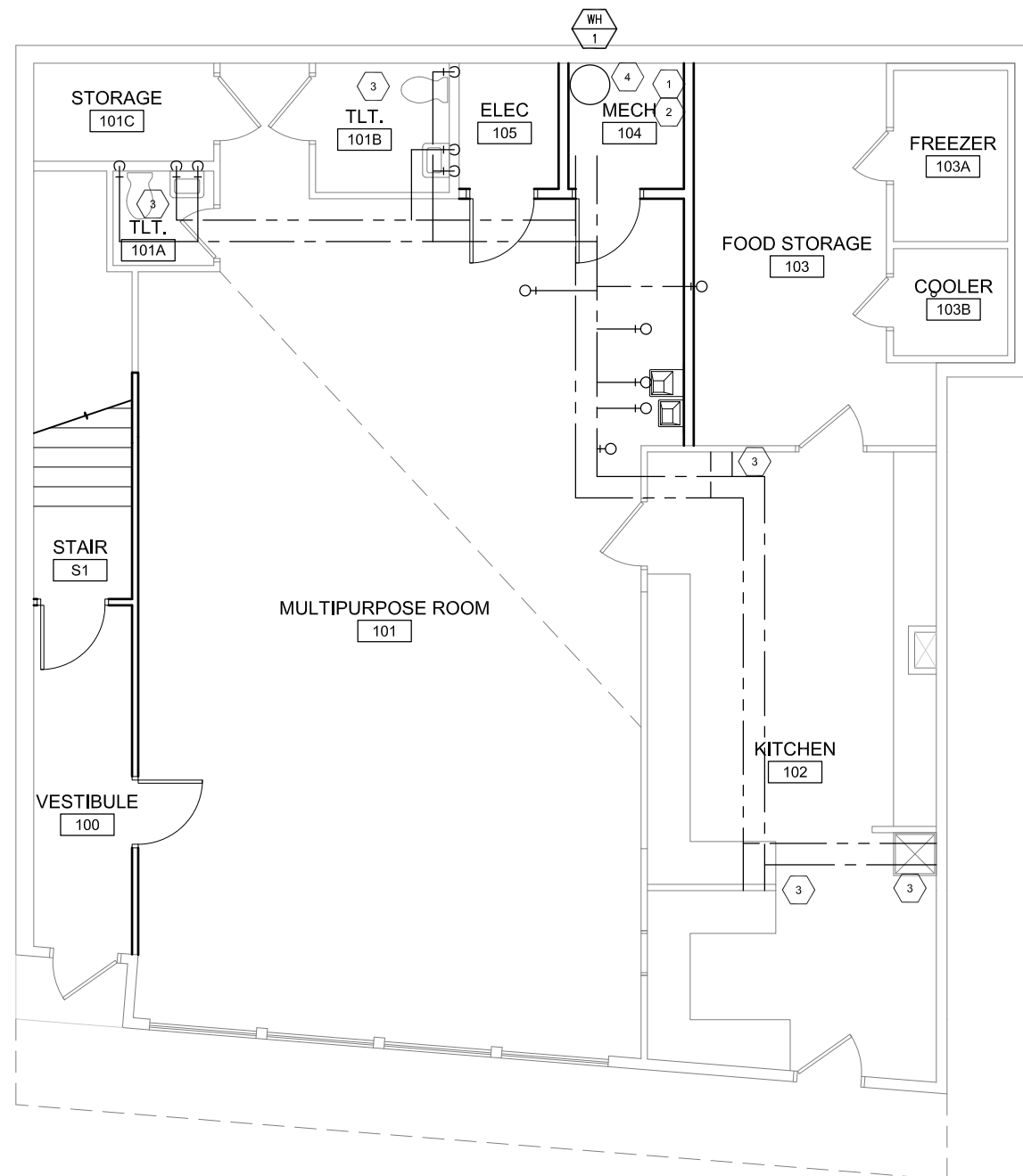
M-102

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11 x 17 SHEETS ARE HALF SIZE



1. NEW WATER SERVICE AND SPRINKLER RISER LOCATION. COORDINATE WITH LOCAL WATER UTILITY FOR WATER METER RELOCATION AS NEEDED.
2. SPRINKLER PIPING SHALL BE REROUTED TO NEW SPRINKLER RISER.
3. ALL EXISTING PLUMBING FIXTURES ON THE FIRST FLOOR SHALL BE CONNECTED TO NEW DOMESTIC HOT AND COLD WATER PIPING ROUTED IN THE CEILING OF THE FIRST FLOOR.
4. LOCATE NEW ELECTRIC WATER HEATER FOR FIRST FLOOR PLUMBING FIXTURES IN MECH ROOM 104.
5. NEW WATER HEATER FOR STUDIOS, LOCATE ON THE FLOOR INSIDE CLOSETS.
- 6.



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GLORY HALL RENOVATION					
AK Mental Health Trust Authority 247 S. Franklin St Juneau, AK 99801					
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Date	10/07/2021				
Sheet Contents:					
NEW WORK PLANS - PLUMBING					
Sheet No.:					
M-201					
Stantec W.O. 2014270100					

1"=1'

1'-1/2"=1'

6"

3/4"=1'

1/2"=1'

3/8"=1'

1/4"=1'

1/8"=1'

0"

1"=60'

2"

1"=40'

3"

1"=30'

4"

1"=20'

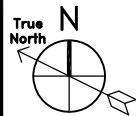
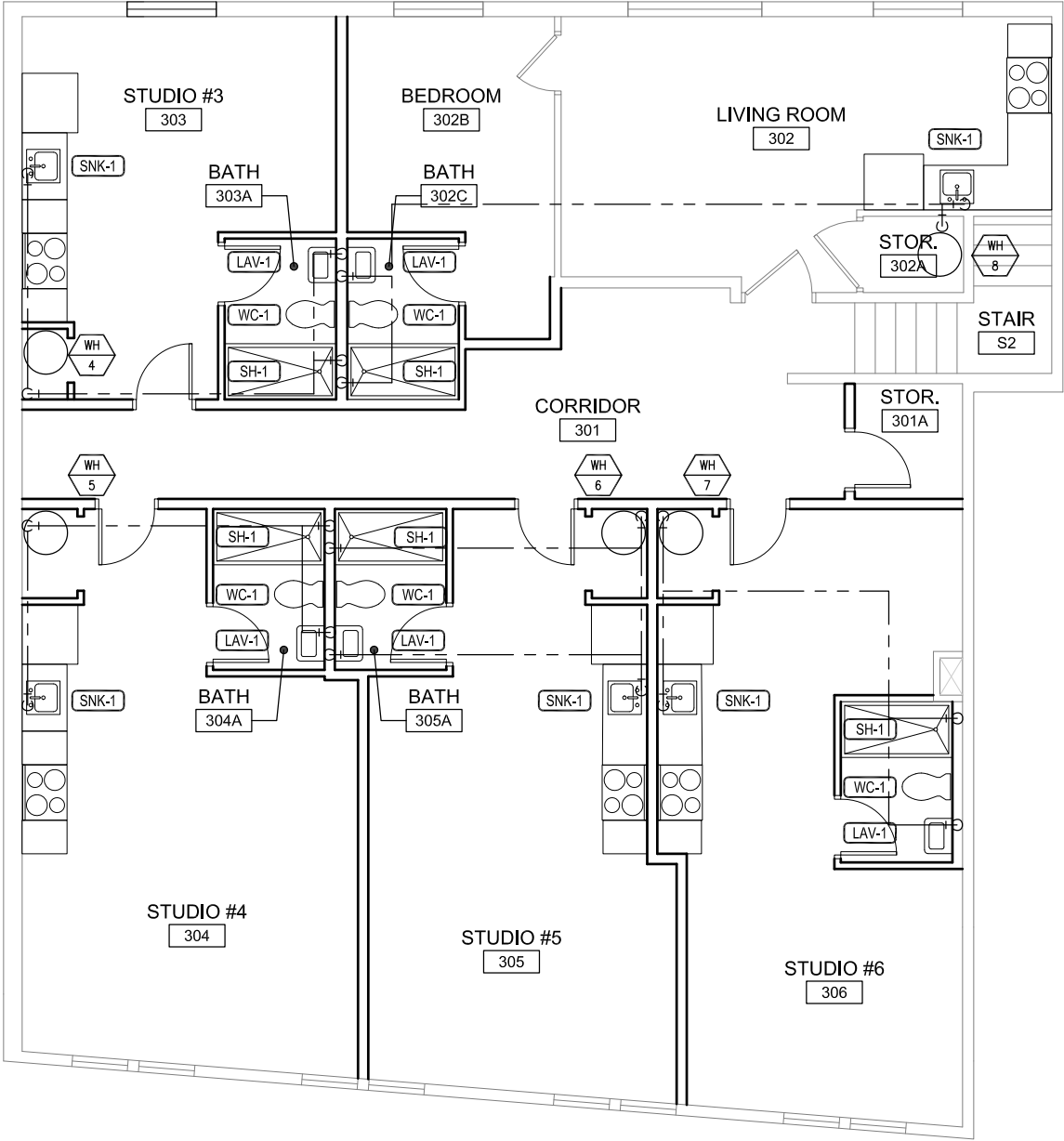
5"

1"=10'

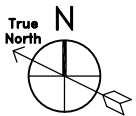
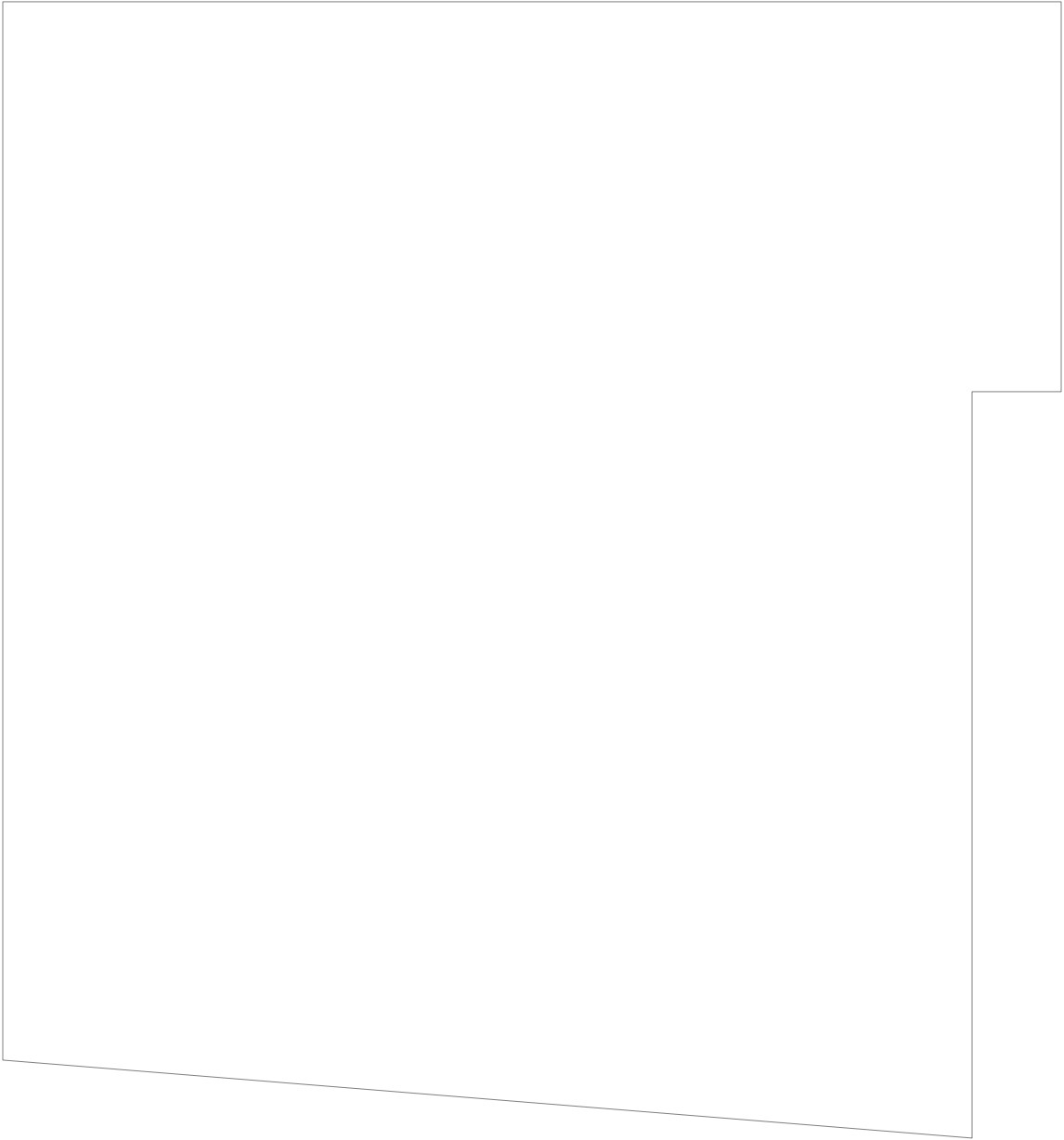
6"

1 x 17 SHEETS ARE HALF SIZE

FILE: W:\2014270100\02_WORKING_FILES\09_MECHANICAL\02_CAD\03_SHEETS\M-202.DWG PLOTTED: Oct 7, 2021 - 5:29:47 PM (Thoma, Jason)



1 3RD FLOOR PLAN - NEW WORK
M-202 SCALE: 1/4"=1'-0"



2 ROOF PLAN - NEW WORK
M-202 SCALE: 1/4"=1'-0"



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Anchorage, AK 99503
Tel: (907) 274-4245 www.stantec.com
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Project:
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RENOVATION**

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Project Mgr.	GAMBARDELLA
Drawn	JET
Checked	MAP GG
Date	10/07/2021

Sheet Contents:

**NEW WORK
PLANS -
PLUMBING**

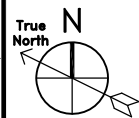
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M-202

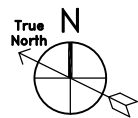
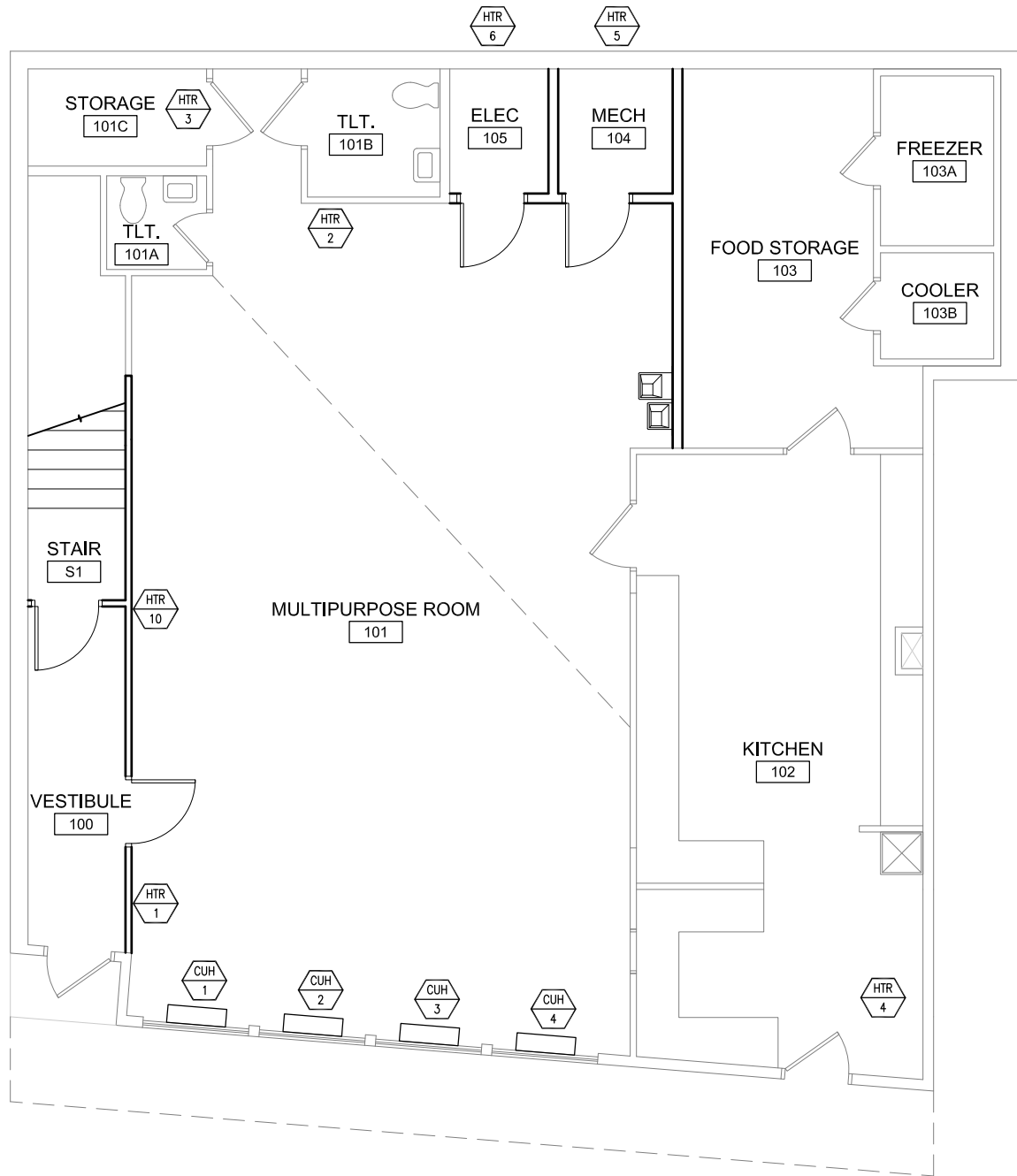
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11 x 17 SHEETS ARE HALF SIZE

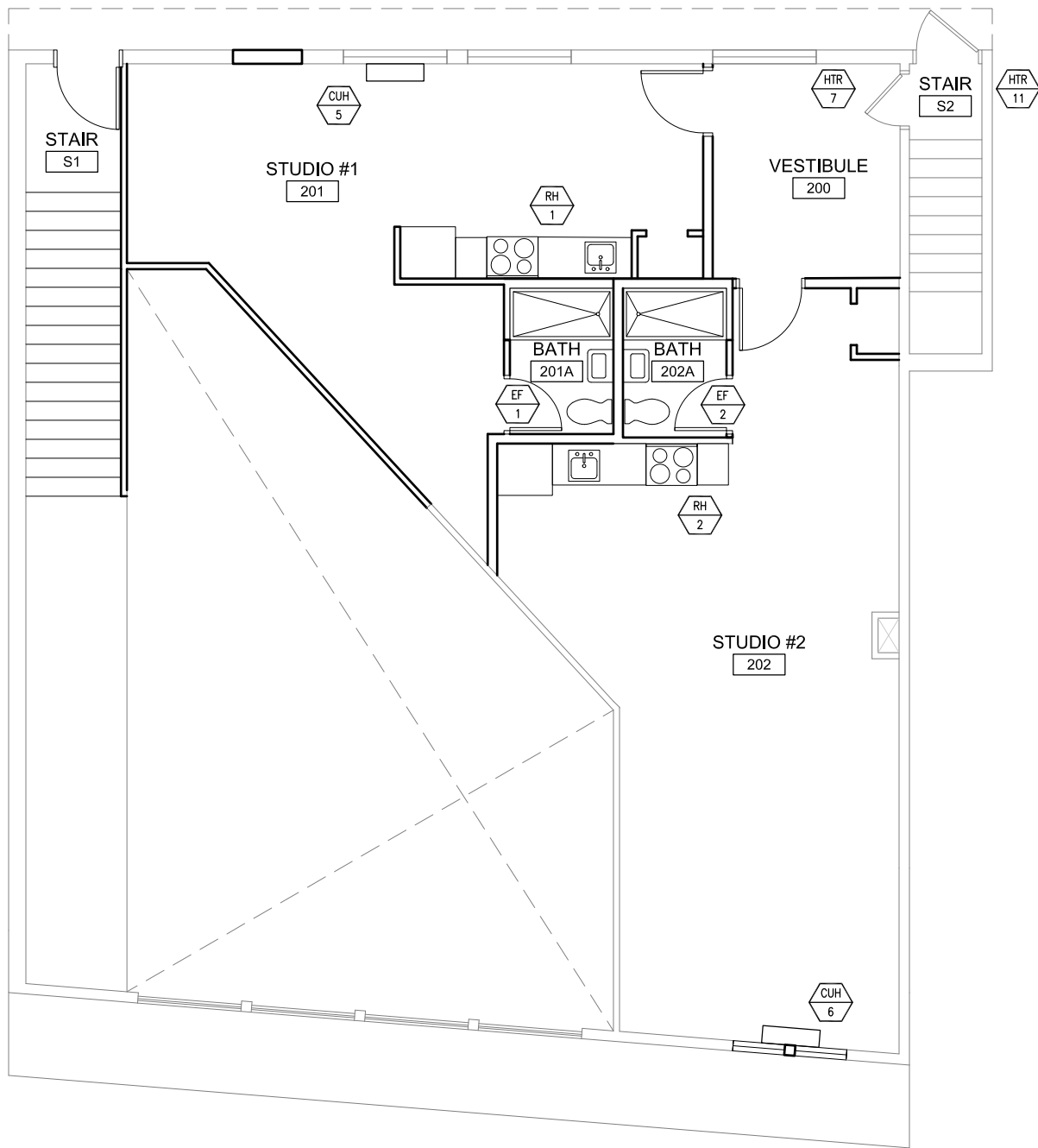
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1 1ST FLOOR PLAN - NEW WORK
M-301 SCALE: 1/4"=1'-0"



2 2ND FLOOR PLAN - NEW WORK
M-301 SCALE: 1/4"=1'-0"



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725 E. Fireweed Lane, Suite 200
Anchorage, AK 99503
Tel: (907) 274-4245 www.stantec.com
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RENOVATION**

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Drawn JET

Checked MAP GG

Date 10/07/2021

Sheet Contents:

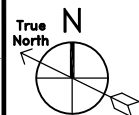
**NEW WORK
PLANS -
HEATING AND
VENTILATING**

Sheet No.:

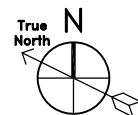
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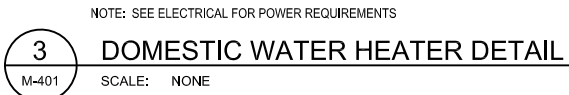
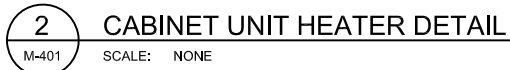
11 x 17 SHEETS ARE HALF SIZE



1
M-302



2
M-302



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725 E. Fireweed Lane, Suite 200
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Drawn	JET	
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ABBREVIATIONS:		
GWB = GYPSUM WALL BOARD	CWA = CONSTANT WATTAGE	SFP = SEE FLOOR PL AN
GRID = LAY-IN GRID	AUTOTRANSFORMER	SMHS = SEE MOUNTING
STR = EXPOSED STRUCTURE	MH = METAL HALIDE	HEIGHT SCHEDULE
ELEC = ELECTRONIC	HPS = HIGH PRESSURE SODIUM	
HPF = HIGH POWER FACTOR	QTZ = QUARTZ	

GENERAL NOTES:

1. MOUNTING HEIGHTS SHOWN ARE TYPICAL FOR FIXTURE TYPE UNLESS OTHERWISE INDICATED ON THE PLANS.
2. FIXTURE TYPES INDICATED IN EACH ROOM ON THE PLANS ARE TYPICAL FOR ALL FIXTURES USING THE SAME SYMBOL IN THAT ROOM UNLESS OTHERWISE INDICATED.

ELECTRICAL LEGEND

LIGHTING

	LIGHT FIXTURE, RECESS MOUNT
	LIGHT FIXTURE, SURFACE MOUNT
	EMERGENCY LIGHT FIXTURE, RECESS MOUNT
	EMERGENCY LIGHT FIXTURE, SURFACE MOUNT
	SURFACE CEILING MOUNTED LIGHT FIXTURE
	WALL MOUNTED LIGHT FIXTURE
	RECESSED CEILING MOUNTED LIGHT FIXTURE
	WALL SCENCE
	TRACK LIGHTING, WALL MOUNT
	LAVATORY LIGHT FIXTUE, WALL MOUNT
	EMERGENCY LIGHT FIXTURE
	EXIT SIGN, WALL MOUNT
	EMERGENCY LIGHT FIXTURE WITH EXIT SIGN
	OCCUPANCY SENSOR, LETTER DENOTES TYPE
	A= WALL SWITCH MOUNT, B= CEILING MOUNT, INFRARED
	D= WALL SWITCH MOUNT, DUAL-TECHNOLOGY
	I= CEILING-MOUNT, DUAL-TECHNOLOGY WITH INTEGRATED DIMMER
	SINGLE POLE SWITCH
	3-WAY SWITCH
	4-WAY SWITCH
	DIMMER SWITCH

FIRE ALARM

	X	FIRE ALARM PULL STATION
	X	PHOTOELECTRIC SMOKE DETECTOR, "SD" INDICATES STANDALONE LINE-VOLTAGE DETECTOR
	X	DUCT SMOKE DETECTOR
	X	HEAT DETECTOR, SUBSCRIPT DENOTES VARIATIONS: R = RATE-OF-RISE, R/C = RATE COMPENSATED
	X	SPRINKLER SYSTEM TAMPER SWITCH
	X	SPRINKLER SYSTEM FLOW SWITCH
	X	SPRINKLER SYSTEM PRESSURE SWITCH
		FIRE ALARM HORN/STROBE
		FIRE ALARM STROBE
		FIRE ALARM SIGNAL BELL

COMMUNICATIONS

	WALL/FLOOR MOUNTED DATA OUTLET, SUBSCRIPT DENOTES NUMBER OF OUTLETS PER JUNCTION BOX (DEFAULT, ONE)
	WALL/FLOOR MOUNTED TELEPHONE OUTLET, SUBSCRIPT DENOTES NUMBER OF OUTLETS PER JUNCTION BOX (DEFAULT, ONE)
	INTERCOM WALL STATION
	TELEVISION OUTLET
	SPEAKER, WALL/CEILING MOUNTED
	COMBINATION CLOCK/SPEAKER
	WALL MOUNTED CLOCK
	CABLE TRAY

POWER / CONTROL

	SIMPLEX RECEPTACLE
	GFI = GROUND FAULT INTERRUPT
	DUPLEX RECEPTACLE, WALL/FLOOR MOUNTED
	DOUBLE DUPLEX RECEPTACLE, WALL/FLOOR MOUNTED
	SINGLE 240 VOLT RECEPTACLE, NEMA TYPE 7
	SPECIAL PURPOSE RECEPTACLE, WALL/FLOOR MOUNTED
	CONTROL OR TERMINAL CABINET, TYPE AS NOTED
	PANELBOARD, SURFACE/FLUSH MOUNTED
	TRANSFORMER
	JUNCTION BOX, WALL MOUNTED
	JUNCTION BOX, GRADE OR FLOOR MOUNTED
	EQUIPMENT CONNECTION
	MOTOR
	METER (V = VOLT, A = AMP, W = WATT, WH = WATT-HOUR)
	NON-FUSED DISCONNECT
	FUSED DISCONNECT
	COMBINATION MOTOR STARTER / DISCONNECT
	MOTOR STARTING SWITCH W/ THERMAL OVERLOADS
	THERMOSTAT
	GROUND
	CIRCUIT CONCEALED / ABOVE CEILING

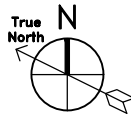
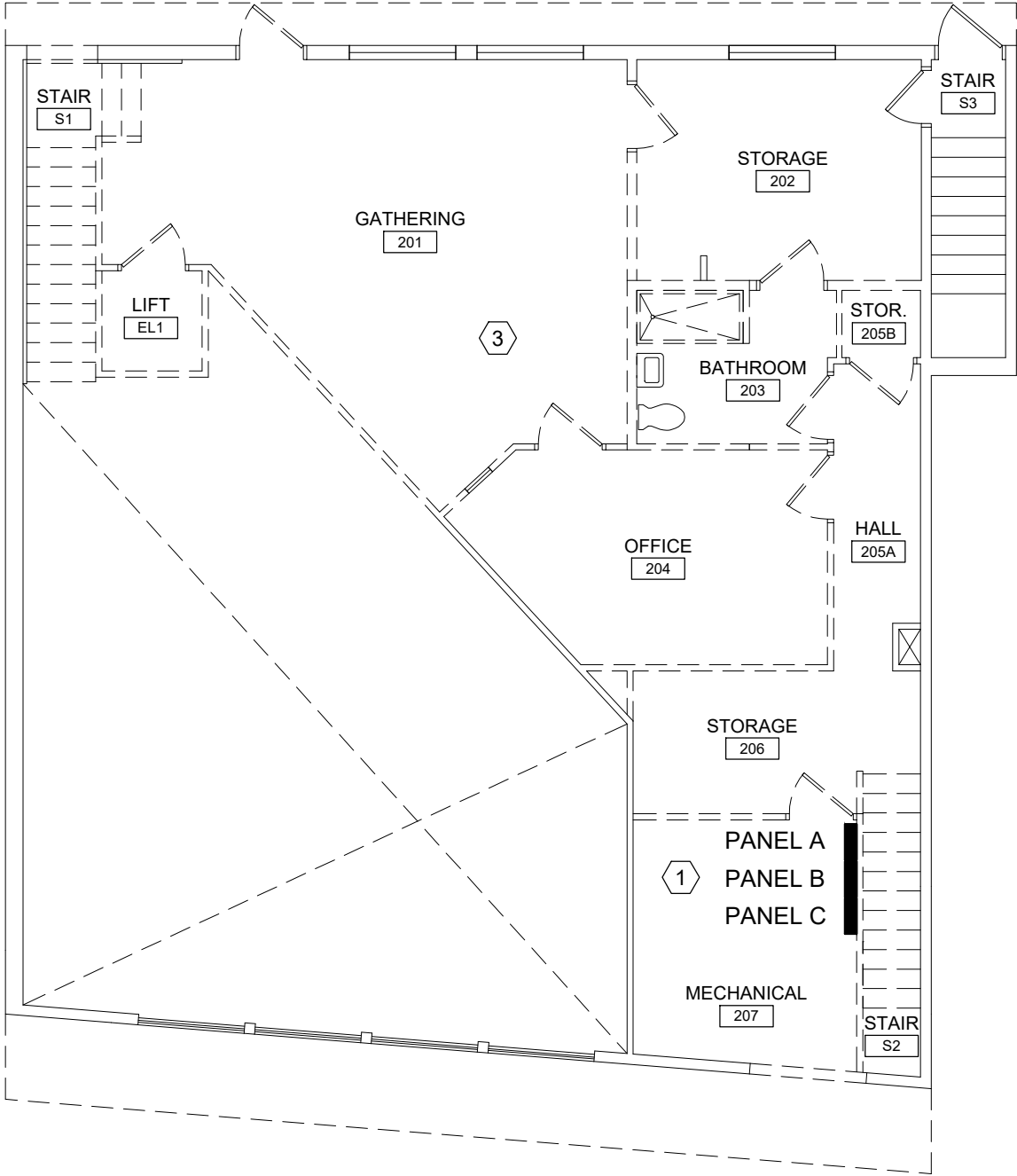
SITE ELECTRICAL

	POINT OF CONNECTION (P.O.C.) TO UTILITIES OR EXISTING
	PAD MOUNT TRANSFORMER
	IN-GRADE JUNCTION BOX
	POLE MOUNTED AREA LIGHT FIXTURE (DUPLEX FIXTURE SHOWN)
	ELECTRIC CIRCUIT: OH = OVERHEAD, UG = UNDERGROUND, E = ELECTRIC, T = TELEPHONE, C = CATV, SG = SPAN GUY
	ELECTRIC CIRCUIT: SECONDARY, UNDERBUILD, OR SERVICE

NOTATION

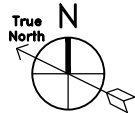
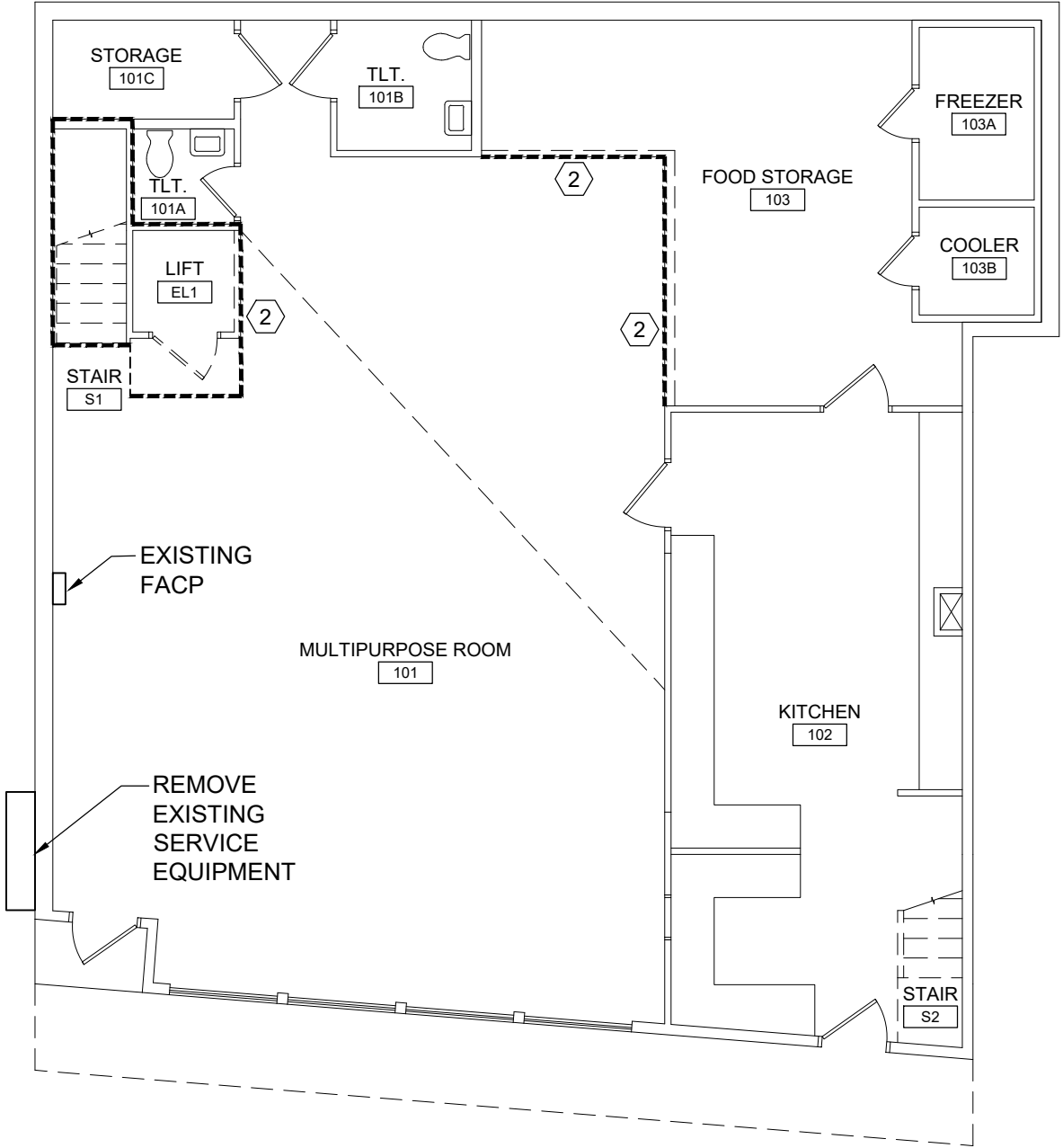
	REFERENCE TO SHEET NOTE
	REFERENCE TO REVISION
WP	WEATHERPROOF
FACP	FIRE ALARM CONTROL PANEL
E	EXISTING
ETR	EXISTING TO REMAIN

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Date		10/07/2021	
Sheet Contents: LEGEND AND SCHEDULES			
Sheet No.: E-001			
Stantec W.O. 2014270100			



2
E-101

2ND FLOOR PLAN - DEMOLITION
SCALE: 1/4"=1'-0"



1
E-101

1ST FLOOR PLAN - DEMOLITION
SCALE: 1/4"=1'-0"

SHEET NOTES:

- 1 DEMOLISH PANEL A,B AND C. RECONNECT LEVEL 1 EXISTING LOADS TO NEW PANEL H LOCATED IN ELEC ROOM 105 (SEE SHEET E-111).
- 2 DEMOLISH ELECTRICAL EQUIPMENT AND DEVICES.
- 3 DEMOLISH ELECTRICAL EQUIPMENT AND DEVICES ON LEVEL 2 U.O.N.



Stantec Architecture Inc.
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Anchorage, AK 99503
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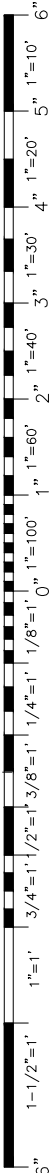
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**FIRST & SECOND
DEMOLITION
FLOOR PLANS**

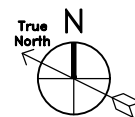
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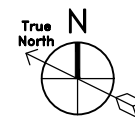
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11 x 17 SHEETS ARE HALF SIZE





SCALE: 1/4"=1'-0"



SCALE: 1/4"=1'-0"

1



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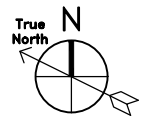
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THIRD FLOOR & ROOF DEMOLITION PLANS

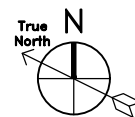
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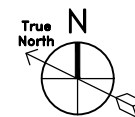
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SCALE: 1/4"=1'-0"



SCALE: 1/4"=1'-0"

Sheet No.:

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THIRD FLOOR & ROOF NEW WORK PLANS



SPECIFICATIONS

1. GENERAL

1.1. ALL WORK SHALL CONFORM TO THE LATEST EDITION OF THE NATIONAL ELECTRICAL CODE (NEC) AND ALL STATE AND LOCAL CODES AND CODE AMENDMENTS.

1.2. OBTAIN ALL PERMITS AND PAY ALL FEES REQUIRED BY THIS WORK.

1.3. MAINTAIN RESPONSIBILITY FOR THE CONDITION OF ALL MATERIALS USED. IF LOST, STOLEN, OR DAMAGED, MATERIALS SHALL BE REPLACED AT NO EXTRA COST TO THE OWNER.

1.4. ALL WORK SHALL BE PERFORMED BY WORKMEN SKILLED IN AND REGULARLY EMPLOYED IN THE TRADE. INSTALL ALL PRODUCTS IN A NEAT AND WORKMANLIKE MANNER, PER MANUFACTURER'S INSTRUCTIONS, AND IN COMPLIANCE WITH NECA 1 "STANDARD PRACTICE FOR GOOD WORKMANSHIP IN ELECTRICAL CONTRACTING" AS A MINIMUM. COMPLY WITH NFPA 70E SAFETY RULES AS A MINIMUM.

1.5. PERFORM ALL CUTTING, DRILLING, AND PATCHING OF WALLS AND FLOORS NECESSARY FOR A COMPLETE INSTALLATION IN COORDINATION WITH OTHER TRADES.

1.6. COORDINATION INSTALLATION AND ARRANGEMENT OF COMPONENTS AND EQUIPMENT WITH OTHER TRADES AND INSTALL TO FACILITATE ACCESS FOR FUTURE MAINTENANCE, REPAIR, AND REPLACEMENT WITHOUT INTERFERENCE TO ADJACENT WORK.

1.7. REMOVE ALL DEBRIS AND SURPLUS MATERIAL FOR THE PREMISES AS PROGRESS OF THE WORK DICTATES.

1.8. ALL ELECTRICAL EQUIPMENT SHALL BE LISTED BY A NATIONALLY RECOGNIZED TESTING LABORATORY (NRTL).
2. PRODUCTS AND SUBMITTALS

2.1. SUBMIT PRODUCT DATA, CERTIFICATES, AND SHOP DRAWINGS TO THE ENGINEER. PROVIDE SUBMITTALS FOR PANELBOARDS, WIRING DEVICES, LIGHT FIXTURES, CONDUCTORS, EQUIPMENT, MOTOR STARTERS, ALARM PANELS AND DEVICES.

2.2. ALL PRODUCTS SHALL BE NEW AND LISTED OR LABELED BY A NATIONALLY RECOGNIZED TESTING LABORATORY (NRTL) FOR THE INTENDED USE, UNLESS OTHERWISE INDICATED.

2.3. MATCH EXISTING WHERE A UNIFORM INSTALLATION EXISTS UNLESS OTHERWISE INDICATED OR APPROVED.

2.4. PROVIDE SIMILAR ITEMS FROM THE SAME MANUFACTURER THROUGHOUT THE PROJECT.
3. DEMOLITION

3.1. REMOVE ALL EXPOSED ELECTRICAL WORK IN DEMOLITION AREAS. ACCESSIBLE CIRCUITS AND RACEWAYS SHALL BE REMOVED BACK TO THE SOURCE OR TERMINAL EQUIPMENT UNLESS OTHERWISE INDICATED OR WHERE CIRCUITS SERVE AREAS TO REMAIN.

3.2. REMOVE CONDUCTORS FROM INACCESSIBLE CONDUITS. INACCESSIBLE CONDUITS MAY BE ABANDONED IN PLACE. TERMINATE CONDUITS 2 INCHES BELOW GRADE OR SURFACE OF ADJACENT CONSTRUCTION.

3.3. REMOVE, STORE, CLEAN, REINSTALL, RECONNECT, AND MAKE OPERATIONAL COMPONENTS INDICATED FOR RELOCATION.
4. ELECTRICAL DISTRIBUTION

4.1. OVERCURRENT PROTECTIVE DEVICES SHALL BE CIRCUIT BREAKER TYPE, BOLT-IN DESIGN. CIRCUIT BREAKERS SHALL BE MOLDED CASE, THERMAL-MAGNETIC DESIGN. INSTALL GROUND-FAULT CIRCUIT INTERRUPTER (GFCI) CIRCUIT BREAKERS WHERE INDICATED ON THE DRAWINGS AND REQUIRED BY CODE.

4.2. DISCONNECT SWITCHES SHALL BE HEAVY-DUTY TYPE, FUSED OR NON-FUSED AS INDICATED ON THE DRAWINGS.

4.3. MAGNETIC-TYPE MOTOR STARTERS SHALL BE COMBINATION UNITS INCORPORATING A NON-FUSED DISCONNECT.

4.4. PROVIDE MOTOR STARTERS WITH THERMAL OR ELECTRONIC OVERLOAD ELEMENTS SIZED BASED ON THE FULL LOAD CURRENT OF THE INSTALLED EQUIPMENT.
5. RACEWAYS AND BOXES

5.1. CONDUIT TYPES SHALL BE:

5.1.1. INTERIOR EXPOSED BELOW 4'AFF: RMC OR IMC.

5.1.2. INTERIOR EXPOSED ABOVE 4'AFF: RMC, IMC, OR EMT.

5.1.3. INTERIOR CONCEALED: RMC, IMC, OR EMT.

5.2. CONNECTIONS TO EQUIPMENT REQUIRING FLEXIBILITY OR SUBJECT TO VIBRATION SHALL BE:

5.2.1. INTERIOR, DRY LOCATIONS: FMC OR LFMC.

5.2.2. INTERIOR, DAMP OR WET LOCATIONS: LFMC

5.3. MINIMUM CONDUIT SIZE SHALL BE 1/2".

5.4. CONDUIT FITTINGS SHALL BE GALVANIZED STEEL AND HAVE NYLON INSULATED THROATS.

5.5. CONDUIT FITTINGS FOR RMC AND IMC SHALL BE THREADED TYPE.

5.6. CONDUIT FITTINGS FOR EMT SHALL BE STEEL COMPRESSION TYPE.

5.7. PENETRATIONS THROUGH FIRE-RATED ASSEMBLIES SHALL BE SEALED TO MAINTAIN THE FIRE RATING.

5.8. CONDUITS PASSING FROM HEATED TO COLD SPACES SHALL BE THERMALLY SEALED TO PREVENT AIR AND MOISTURE TRANSFER. CONDUIT SHALL BE SEALED WITH REMOVABLE DUCT SEALANT AT AN ACCESSIBLE LOCATION.

5.9. CONDUITS SHALL BE CUT SQUARE AND ENDS REAMED TO REMOVE BURRS.

5.10. MAXIMUM CONDUIT BEND SHALL BE 90 DEGREES, WITH NOT MORE THAN THREE 90 DEGREE BENDS OR EQUIVALENT BETWEEN PULL POINTS.

5.11. JUNCTION AND DEVICE BOXES SHALL BE SUITABLE FOR USE AT THE INSTALLED LOCATION AND ARRANGED TO ACCEPT THE INTENDED DEVICE OR EQUIPMENT. JUNCTION AND DEVICE BOXES SHALL BE:

5.11.1. INTERIOR EXPOSED BELOW 5'AFF: GALVANIZED CAST IRON OR CAST ALUMINUM WITH THREADED CONDUIT HUBS.

5.11.2. INTERIOR EXPOSED ABOVE 5'AFF: GALVANIZED SHEET STEEL.

5.11.3. INTERIOR CONCEALED: GALVANIZED SHEET STEEL.

5.12. THE ENTIRE CONDUIT SYSTEM SHALL BE MECHANICALLY AND ELECTRICALLY CONTINUOUS FROM THE SOURCE TO ALL DEVICES AND GROUNDED IN ACCORDANCE WITH THE NEC.

5.13. INSTALL CONDUIT AND DEVICES CONCEALED AND FLUSH IN FINISHED AREAS. CONDUIT AND DEVICES MAY BE INSTALLED EXPOSED IN UNFINISHED AREAS AND MECHANICAL ROOMS, AND AS INDICATED ON THE DRAWINGS.
6. CONDUCTORS AND CABLES

- 6.1. CONDUCTORS SHALL BE COPPER, SOLID FOR 12AWG AND SMALLER, STRANDED FOR 10AWG AND LARGER. INSULATION SHALL BE:

6.1.1. INTERIOR, HEATED: THHN-THWN OR XHHW.

6.1.2. INTERIOR, UNHEATED: XHHW.
- 6.2. MINIMUM CONDUCTOR SIZES SHALL BE 12AWG FOR POWER AND 18AWG FOR LOW-VOLTAGE AND CONTROLS. CIRCUIT CONDUCTORS SHALL BE INCREASED IN SIZE FOR VOLTAGE DROP BASED ON THE CIRCUIT LENGTH, 12AWG UP TO 100', 10AWG UP TO 200', 8AWG OVER 200'. INCREASE SIZE OF CONDUIT AS REQUIRED FOR LARGER CONDUCTOR SIZES.
- 6.3. TYPE MC CABLE MAY BE USED FOR BRANCH CIRCUIT WIRING BETWEEN DEVICES. HOMERUNS SHALL BE INDIVIDUAL CONDUCTORS IN CONDUIT. MC CABLE SHALL HAVE A GALVANIZED STEEL SHEATH AND INCLUDE AN EQUIPMENT GROUNDING CONDUCTOR.
- 6.4. CONNECTORS AND SPLICES SHALL BE FACTORY-FABRICATED TWIST-ON, COMPRESSION, OR BOLTED, WITH THE AMPACITY, RATING, TYPE, AND MATERIAL APPROPRIATE FOR THE APPLICATION. PUSH-IN SPRING-TYPE CONNECTORS ARE NOT ACCEPTABLE.
- 6.5. PROVIDE A SEPARATE GREEN INSULATED EQUIPMENT GROUNDING CONDUCTOR IN ALL POWER AND CONTROL CIRCUITS. INCREASE SIZE OF GROUNDING CONDUCTOR PROPORTIONALLY AS REQUIRED WHERE POWER CONDUCTORS ARE OVERSIZED FOR VOLTAGE DROP.

7. WIRING DEVICES

7.1. RECEPTACLES SHALL BE HEAVY-DUTY GRADE, 20AMP, DUPLEX GROUNDING TYPE RECEPTACLES. RECEPTACLES SHALL BE TAMPER RESISTANT WHERE REQUIRED BY CODE OR SPECIFIED ON THE DRAWINGS.

7.2. SWITCHES SHALL BE HEAVY-DUTY GRADE, 20AMP, SINGLE POLE, THREE-WAY, FOUR-WAY, KEY-OPERATED, AND PILOT-LIGHT AS INDICATED ON THE DRAWINGS.

7.3. GROUND-FAULT CIRCUIT INTERRUPTER (GFCI) RECEPTACLES SHALL BE HEAVY-DUTY GRADE, 20AMP, NON-FEED-THROUGH, DUPLEX RECEPTACLES WITH CLASS A TRIP. TEST AND RESET BUTTONS, AND A PROTECTION INDICATOR LIGHT.

7.4. WIRING DEVICES SHALL MATCH EXISTING.

7.5. WALL PLATES SHALL BE:

7.5.1. FINISHED AREAS: SATIN-FINISH STAINLESS STEEL.

7.5.2. UNFINISHED AREAS: GALVANIZED STEEL.

7.6. LIGHTING CONTACTORS SHALL HAVE ELECTRICALLY-HELD COILS, INDICATOR LIGHTS, CONTROL SWITCHES AND PILOT RELAYS AS REQUIRED, AND ENCLOSURES RATED FOR THE INSTALLED ENVIRONMENT.

8. LIGHTING

8.1. LIGHT FIXTURES SHALL BE AS SHOWN AND SCHEDULED ON THE DRAWINGS OR AN APPROVED EQUAL.

8.2. LIGHT FIXTURES SHALL BE PROVIDED AND INSTALLED COMPLETE WITH LAMPS OR LEDS, BALLASTS OR DRIVERS, AND MOUNTING HARDWARE.

8.3. EXIT SIGNS SHALL BE LED TYPE, WITH INTEGRAL NICKEL-CADMIUM BATTERIES, CHARGING AND TRANSFER ELECTRONICS, TEST PUSHBUTTON, AND CHARGE INDICATOR LIGHT.

8.4. LED DRIVERS SHALL BE ELECTRONIC, RATED FOR THE LEDS INSTALLED IN THE FIXTURE, HAVE A MINIMUM POWER FACTOR OF 0.9 AND A MAXIMUM TOTAL HARMONIC DISTORTION (THD) OR 20%. DRIVERS SHALL CARRY A 5 YEAR WARRANTY.

8.5. LEDS SHALL HAVE A MINIMUM RATED LIFE TO L70 OR 50,000 HOURS.

8.5.1. INTERIOR: 3000K OR 3500K AS SCHEDULED, 80 CRI MINIMUM.

9. FIRE ALARM

9.1. NEW DEVICES INSTALLED SHALL BE COMPATIBLE WITH AND LISTED FOR USE WITH THE EXISTING FIRE ALARM SYSTEM.

9.2. NEW INITIATION DEVICES SHALL INCLUDE PHOTOELECTRIC SMOKE DETECTORS.

9.3. NEW SIGNALING DEVICES SHALL INCLUDE HORNSTROBES AND STROBES.

9.4. SIGNALING LINE AND NOTIFICATION CIRCUITS SHALL MATCH THE CLASS AND STYLE OF THE EXISTING SYSTEM.

9.5. FIRE ALARM WIRING SHALL BE ROUTED IN CONDUIT, OR FIRE ALARM MC CABLE.

9.6. AFTER INSTALLATION OF NEW DEVICES, TEST FIRE ALARM SYSTEM IN ACCORDANCE WITH NFPA 72 AND NEC ARTICLE 760. SUBMIT ALL REQUIRED DOCUMENTATION TO THE AUTHORITY HAVING JURISDICTION (AHJ) AND OWNER

10. IDENTIFICATION

10.1. COLOR CODE SECONDARY PHASE CONDUCTORS FOR FEEDERS AND BRANCH CIRCUITS. COLORING SHALL BE FACTORY APPLIED FOR SMALL CONDUCTORS. PHASE CONDUCTORS 8AWG AND LARGER AND NEUTRAL AND GROUND CONDUCTORS 4AWG AND LARGER MAY BE FIELD APPLIED USING COLORED PRESSURE-SENSITIVE PLASTIC TAPE. CONDUCTORS SHALL BE COLORED:

120/240-VOLT SINGLE PHASE

PHASE A: BLACK

PHASE B: RED

NEUTRAL: WHITE

GROUND: GREEN

14.1. POWER CIRCUITS SHALL BE IDENTIFIED IN JUNCTION AND DEVICE BOXES, MANHOLES, AND PANELBOARDS WITH THE PANEL AND CIRCUIT NUMBER. ALARM CIRCUITS SHALL BE IDENTIFIED IN JUNCTION AND DEVICE BOXES, MANHOLES, EQUIPMENT RACKS, AND PANELS WITH THE CIRCUIT DESIGNATION. IDENTIFICATION SHALL BE BY:

14.1.1. INTERIOR: PRE-PRINTED WRAPAROUND ADHESIVE LABELS.

14.2. EQUIPMENT LABELS SHALL BE ENGRAVED PLASTIC LAMINATE, WHITE LETTERING ON A BLACK FIELD. TEXT SHALL BE 1/2" HIGH ON A 1-1/2" HIGH LABEL. LABELS WITH TWO LINES OF TEXT SHALL USE A 2" HIGH LABEL. EQUIPMENT LABELS SHALL BE PLACED ON SWITCHBOARDS, PANELBOARDS, MOTOR STARTERS, DISCONNECTS, CONTACTORS, AND SYSTEM PANELS AND CABINETS.

14.3. DEVICE COVERS SHALL BE LABELED WITH THE PANEL AND CIRCUIT NUMBER. LABELS SHALL BE MACHINE-PRINTED, PRESSURE-SENSITIVE ADHESIVE LABELS, BLACK LETTERING ON A CLEAR BACKGROUND.

14.4. IN UNFINISHED AND CONCEALED AREAS, PAINT COVERS OF

- JUNCTION BOXES TO IDENTIFY USE:

14.4.1. FIRE ALARM: RED.

14.4.2. LOW-VOLTAGE CONTROLS: GREEN.
- 14.5. PROVIDE TYPEWRITTEN CIRCUIT DIRECTORIES UNDER PLASTIC IN FRAMES FOR EACH NEW AND MODIFIED PANELBOARD. HANDWRITTEN DIRECTORIES OR CHANGES TO EXISTING DIRECTORIES ARE NOT ACCEPTABLE.

15. PROJECT COMPLETION / TESTING AND ACCEPTANCE

15.1. UPON PROJECT COMPLETION, CLEAN ALL ELECTRICAL EQUIPMENT AND FIXTURES AND REPLACE OR REPAIR ANY ITEMS SCRATCHED, DENTED, OR OTHERWISE DISFIGURED.

15.2. TEST ALL SYSTEMS TO ASSURE PROPER OPERATION. TEST MODIFIED PORTIONS OF EXISTING SYSTEMS UNLESS OTHERWISE DIRECTED.

15.3. NOTIFY OWNER OF TEST SCHEDULE AND PROVIDE WRITTEN TEST REPORTS. INCLUDE DEFICIENCIES IDENTIFIED AND ACTIONS TAKEN TO OBTAIN ACCEPTABLE RESULTS.

15.4. COMMISSION ELECTRICAL SYSTEMS IN ACCORDANCE WITH NECA 90 GUIDELINES. DURING FINAL INSPECTION, DEMONSTRATE SATISFACTORY OPERATION OF ENTIRE INSTALLATION. REPAIR OR REPLACE FAILED ITEMS AND REPAIR ALL CONSTRUCTION DAMAGE.

15.5. MAINTAIN RED-LINED AS-BUILT RECORD DRAWINGS AS PROJECT PROGRESSES AND DELIVER TO OWNER AFTER FINAL INSPECTION AND ACCEPTANCE.

Stantec

Stantec Architecture Inc.
725 E. Riverwood Lane, Suite 200
Anchorage, AK 99503
Tel: (907) 274-4245 www.stantec.com
Authorization to Practice # AEC01207

Project:

GLORY HALL
RENOVATION

AK Mental Health Trust Authority
247 S. Franklin St
Juneau, AK 99801

35% DESIGN DOCUMENTS

Project Mgr.

GAMBARDELLA

Drawn

CLR

Checked

LPS

Date

10/07/2021

Sheet Contents:

ELECTRICAL
SPECIFICATIONS

Sheet No.:

E-400

Stantec W.O. 2014270100

11 x 17 SHEETS ARE HALF SIZE

6" 1'-1/2"=1' 1"=1' 3/4"=1' 1/2"=1' 3/8"=1' 1/4"=1' 1/8"=1' 0"=1' 1"=60' 2" 1"=40' 3" 1"=30' 4" 1"=20' 5" 1"=10' 6"

3/4/2022

Case No: **BLD20210765**

Site Address: 241 S FRANKLIN ST

Parcel No: 1C070B0M0010

Desc: Convert emergency shelter and soup kitchen into 7 apartments

Commercial _____ REPI _____ New Dwelling Units: 7
 FCC Code: 437 Existing Dwelling Units: 0
 Type of Construction: _____ Occupancy Class: R-2
 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: _____ Code Review by: _____ Date: _____

Valuation for Permit Fee Calculations:

S.F.	Type	Rate	Amount
			1,100,000.00
Total Valuation:			\$1,100,000.00

LAND USE ZONE/UNITS MU / 0 WETLAND _____ FLOOD ELEV <u>23.00</u> FIRM ZONE <u>X</u> FIRM MAP _____ LOT SIZE <u>3,196 SF</u> <u>0.1 ACRES</u> SETBACKS Front <u>0</u> Rear <u>0</u> Side <u>0</u> Other _____ PARKING _____ ANADROMOUS _____ EAGLES NEST _____ Coverage <u>Permissible/Conditional</u> HEIGHT _____ <u>Permissible/Accessory</u> VEGETATION _____ HAZARD _____	ENGINEERING/PUB WORKS Dwelling Units: _____ CITY WATER: Permit #: _____ Use: _____ Assessment: _____ Service Size: _____ Line Size: _____ Meter Size: _____ CITY SEWER: Permit #: _____ Use: _____ Assessment: _____ Fixture Units: _____ LAND USE PERMITS ADR Case #: _____	PLAN REVIEW APPROVALS <table border="0"> <thead> <tr> <th></th> <th>Initials</th> <th>Date</th> </tr> </thead> <tbody> <tr><td>Fire</td><td>_____</td><td>_____</td></tr> <tr><td>Zoning</td><td>_____</td><td>_____</td></tr> <tr><td>Engineering</td><td>_____</td><td>_____</td></tr> <tr><td>Water</td><td>_____</td><td>_____</td></tr> <tr><td>Sewer</td><td>_____</td><td>_____</td></tr> <tr><td>Architectural</td><td>_____</td><td>_____</td></tr> <tr><td>Structural</td><td>_____</td><td>_____</td></tr> <tr><td>Plumbing</td><td>_____</td><td>_____</td></tr> <tr><td>Mechanical</td><td>_____</td><td>_____</td></tr> <tr><td>Electrical</td><td>_____</td><td>_____</td></tr> <tr><td>Access</td><td>_____</td><td>_____</td></tr> <tr><td>Spcl Insp Form</td><td>_____</td><td>_____</td></tr> </tbody> </table> APPROVED FOR ISSUANCE _____ Signature _____ Date		Initials	Date	Fire	_____	_____	Zoning	_____	_____	Engineering	_____	_____	Water	_____	_____	Sewer	_____	_____	Architectural	_____	_____	Structural	_____	_____	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 \$ _____ PERMIT ISSUANCE PAYMENTS <table border="0"> <thead> <tr> <th>Date</th> <th>Receipt</th> <th>Check</th> <th>Amount</th> </tr> </thead> <tbody> <tr><td>_____</td><td>_____</td><td>_____</td><td>\$ _____</td></tr> <tr><td>_____</td><td>_____</td><td>_____</td><td>\$ _____</td></tr> <tr><td>_____</td><td>_____</td><td>_____</td><td>\$ _____</td></tr> </tbody> </table>	Date	Receipt	Check	Amount	_____	_____	_____	\$ _____	_____	_____	_____	\$ _____	_____	_____	_____	\$ _____
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Parcel Tags:

This parcel is located within the Downtown Historic District.

This parcel is located in the moderate avalanche area and severe landslide area. 9/28/2009 JLW

Glory Hole Remodel 1990

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

BUILDING PERMIT APPLICATION TYPES OF INSPECTIONS

The Work Codes Contain standard inspections for the permit type. Circle additional inspections if required.

Work Codes

B-Building Safety Inspection
B-Commercial Addition
B-Demolition
B-Grading
B-Oil/Gas Piping
B-Porches/Decks/Carports
B-Reroof
B-Residential Electrical Service
B-Single Family Dwelling
E-ROW-Water & Sewer Service
E-ROW-Water Main
E-ROW-Driveway
E-ROW-Fire Line
E-ROW-Sewer Main
E-ROW-Sewer Main & Service
E-ROW-Sewer Service
E-ROW-Water Main & Service
E-ROW-Water Main & Sewer Main
E-ROW-Water Service
E-UTL-Sewer Main
E-UTL-Fire Line
E-UTL-Fire Line & Water Line
E-UTL-Fire Line & Water Main
E-UTL-OWTDS
E-UTL-Sewer Line
E-UTL-Pressure Sewer Line
E-UTL-Sewer Line w/ Decomm
E-UTL-Water Line
E-UTL-Water Main

Fire

F-Address and Required Signage
F-Alarm Panel/Transmitter
F-Alarm Zones
F-Blasting on Individual Lot
F-Childcare/Daycare Inspection
F-Commercial Dev Land Clearing
F-Courtesy Inspection
F-Emergency Lighting Test
F-Events in Mall Hallways
F-Explosive Shipment-Unest loc
F-FDC Location
F-Fire Extinguishers
F-Fire Final
F-Fire Hydrant Placement
F-Fire Related Inspection
F-Fixed Welding Inspection
F-Flammable/Combustible Material
F-Hazardous Material Storage
F-Kitchen Hood Suppression Test
F-Liquor Licence Renewal
F-Open Burning Inspection
F-Proper Sprinkler System Bracing
F-Roof/Tar Kettle Inspection
F-Special Event Structure
F-Sprinkler Head Placement
F-Sprinkler Hydrostatic Test
F-Subdivision Land Clearing
F-Subdivision/Road Blasting
F-System Acceptance Test
F-Temporary Welding Inspection
F-Underground Fire Line Flush

Building

B-Appliance/Chimney
B-Bonding
B-Building Final
B-Combustion Air
B-Commercial Hoods
B-Conduit & Raceway Systems
B-Cross Connection Control
B-Demo Electric Safed Off
B-Demo Excavation Filled
B-Demo Sewer/Water Capped
B-Demolition Final
B-Devices and Equipment
B-Electrical Final
B-Bire Dampers/Sprinklers
B-Fire Separation/Rated Assemb.
B-Foundation, Forms, & Reinf Steel
B-Framing
B-Grounding
B-Heat Piping
B-Insulation/Vapor Barrier
B-Masonry
B-Mechanical Final
B-Meter Yoke
B-Meter Yoke with Meter
B-MH foundation
B-MH Utilities
B-Mobile Home Final
B-Plumbing Final
B-Oil & Gas Piping/Tanks
B-Rough Electrical
B-Rough Plumbing
B-Service/Panel
B-Setback Verification
B-Smoke/Carbon Monoxide Detec
B-Special Inspection
B-Specialty Piping
B-Temporary Power
B-Under Slab Utilities
B-Ventilation.Plenums & Ducts
B-Vents (Bath, Dryer, Kitchen, etc.)
B-Yellow Tag Electrical
B-Zoning Final

Engineering

E-Access to Curb Stop Valve
E-ADEC on-site Sewer Final
E-ADEC on-site Water Main Final
E-Asbuilt Survey Required
E-Bacteriological Test
E-Bedding / Backfill
E-Billing Authorization
E-Blasting Verification
E-Bore Flush
E-CBJ Waste Water Department
E-CBJ Water Department
E-Chlorination Test
E-Cleanouts
E-Continuity
E-Cross Connection Control
E-Culvert
E-Curb Box
E-Curb Cut Final
E-Curb Cut Reinforcement
E-Curb Stop
E-Depth
E-Electrical Utility
E-Final
E-Fire Hydrants
E-Fire Line Final
E-General Engineering Final
E-Grade
E-Grading/Drainage
E-Headwalls
E-Installation of Access & Ports
E-Installation of Insulation
E-Location Manhole Tap
E-Manholes - Sewer Main
E-Material
E-OWTDS Inspection

Enforcement

ENF - Enforcement Status Check

eng-cont.

E-Pressure Test
E-Pump Ticket
E-Residual / Free Chlorine
E-Retaining Walls
E-ROW -Final
E-ROW Restoporation
E-Septic Decomission
E-Sewer Connectgion
E-Sewer Disconnect
E-Sewer Final
E-Sewer Main Final
E-Sewer Service Tap
E-Sewer System
E-Sidewalk Final
E-Sidewalk Reinforcement
E-Size
E-Soil
E-State D.O.T. Approval
E-Storm Drains
E-Street Patch
E-Streets
E-Telephone Utility
E-Thaw Waiver
E-Thaw Wire
E-Thrust Blocks
E-Turn Water OFF
E-Turn Water ON
E-TV Cable
E-Utility Ribbon
E-Utility Trench
E-Water Final Water Meter Required
E-Water Meter/Yoke
E-Water Service Tap
E-Water System
E-Water Tap
E-Width

Miscellaneous

M-Site Visit

Additional Notes and Holds

From: [Dan Jager](#)
To: [Edward Quinto](#)
Subject: Glory Hall
Date: Wednesday, November 10, 2021 10:49:33 AM
Attachments: [image001.png](#)
[image002.png](#)

Another thing to look at is the State Fire Marshal adoption of the building code. I believe that they adopted the IBC definition chapter in its entirety, so regardless of what people think the definition of a dwelling unit is, they have set what the accepted legal definition would be. Charlie could probably weigh in on it but my cursory look, the definition is what we must keep due to SFM.

Daniel M. Jager EFO, CFO
 Fire Marshal



-
Capital City Fire Rescue

820 Glacier Avenue
 Juneau, Alaska 99801
 907-586-5322 Ext. 4323 (Office)
 907-586-8323 (Fax)

*"If it is predictable, then it is preventable.
 If it is preventable then it is not an accident".*

From: [Dan Jager](#)
To: [Edward Quinto](#)
Subject: RE: Glory Hall
Date: Wednesday, November 10, 2021 10:51:57 AM
Attachments: [image001.png](#)
[image002.png](#)

I think so. But like I said, the IBC definition is the same wording as the planning code which is probably due to the SFM adopting that definition. So even if we want to change it, I don't think legally that can happen because we would be less restrictive than the state.

From: Edward Quinto <Edward.Quinto@juneau.org>
Sent: Wednesday, November 10, 2021 10:50 AM
To: Dan Jager <Dan.Jager@juneau.org>
Subject: RE: Glory Hall

Yes, the definition comes from the building code, so she would have to appeal to the building code board of appeals as well.

Eddie Quinto | Permit Specialist

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

Location: 230 S. Franklin Street, 4th Floor Marine View Building

General questions/payments: 907.586.0770

Office: 907.586.0770 Ext. 4123

Effective May 3rd, our phone system is changing. You will no longer be able to reach me directly at 586-0928. Instead please contact the Permit Center at 586-0770, then if you wish to reach me specifically dial extension # 4123.

From: Dan Jager <[Dan.Jager@juneau.org](#)>
Sent: Wednesday, November 10, 2021 10:50 AM
To: Edward Quinto <[Edward.Quinto@juneau.org](#)>
Subject: Glory Hall

Another thing to look at is the State Fire Marshal adoption of the building code. I believe that they adopted the IBC definition chapter in its entirety, so regardless of what people think the definition of a dwelling unit is, they have set what the accepted legal definition would be. Charlie could probably weigh in on it but my cursory look, the definition is what we must keep due to SFM.

Daniel M. Jager EFO, CFO
 Fire Marshal



Capital City Fire Rescue

820 Glacier Avenue

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From: [Edward Quinto](#)
To: [Allison Eddins](#)
Subject: Glory hall
Date: Wednesday, November 10, 2021 10:53:31 AM

Can they apply for an amendment to the hazard map? Not adopt the new map, but get an engineer to sign off that the specific property is sufficiently shielded?

Eddie Quinto | Permit Specialist

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

Location: 230 S. Franklin Street, 4th Floor Marine View Building

General questions/payments: 907.586.0770

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From: [Dan Jager](#)
To: [Allison Eddins](#)
Subject: Glory Hall
Date: Wednesday, November 10, 2021 11:11:48 AM
Attachments: [image001.png](#)
[image002.png](#)

When you get a chance, I would like to talk a little about this project.

Daniel M. Jager EFO, CFO
Fire Marshal



-
Capital City Fire Rescue
820 Glacier Avenue
Juneau, Alaska 99801
907-586-5322 Ext. 4323 (Office)
907-586-8323 (Fax)

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From: [Allison Eddins](#)
To: [Dan Jager](#)
Cc: [Edward Quinto](#)
Subject: Notes for Glory Hall pre-app
Date: Wednesday, November 17, 2021 1:51:46 PM
Attachments: [image001.png](#)
[PAC21-72 Draft.doc](#)

Hi Dan,
I'm going to send the pre-app notes out today. I included the notes about dwelling unit definition in state statute and the inability to amend that definition at the local level. Did you want to include anything else? I'm going to send them at 3:30pm. Sorry for the short notice.
Allison

Allison Eddins | Planner II

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

Location: 230 S. Franklin Street, 4th Floor Marine View Building

Office: 907.586.0753 ext. 4131

Our telephone system is changing. Beginning May 3, 2021, I may be reached at 907-586-0753 ext. 4131.



From: [Dan Jager](#)
To: [Allison Eddins](#)
Cc: [Edward Quinto](#)
Subject: RE: Notes for Glory Hall pre-app
Date: Wednesday, November 17, 2021 1:55:00 PM
Attachments: [image001.png](#)

I think that covers it. I will expect a call soon then to rehash the same information again. 😊
 Dan

From: Allison Eddins <Allison.Eddins@juneau.org>
Sent: Wednesday, November 17, 2021 1:52 PM
To: Dan Jager <Dan.Jager@juneau.org>
Cc: Edward Quinto <Edward.Quinto@juneau.org>
Subject: Notes for Glory Hall pre-app

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From: [Allison Eddins](#)
To: [Dan Jager](#)
Cc: [Edward Quinto](#)
Subject: RE: Notes for Glory Hall pre-app
Date: Wednesday, November 17, 2021 1:55:43 PM
Attachments: [image001.png](#)

I'm surprised you haven't gotten one yet. At least you'll be ready!

From: Dan Jager <Dan.Jager@juneau.org>
Sent: Wednesday, November 17, 2021 1:55 PM
To: Allison Eddins <Allison.Eddins@juneau.org>
Cc: Edward Quinto <Edward.Quinto@juneau.org>
Subject: RE: Notes for Glory Hall pre-app

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Location: 230 S. Franklin Street, 4th Floor Marine View Building

Office: 907.586.0753 ext. 4131

Our telephone system is changing. Beginning May 3, 2021, I may be reached at 907-586-0753 ext. 4131.



From: [Allison Eddins](#)
To: ["Mariya Lovishchuk"](#); [Robin Gilcrist](#); [Jill Maclean](#); [Teal Goodsell](#); [Mary Alice McKeen](#); [Bruce Denton BCD Construction](#)
Cc: [Alexandra Pierce](#); [Edward Quinto](#); [Dan Jager](#)
Subject: RE: 247 S. Franklin Street Project
Date: Wednesday, November 17, 2021 2:11:42 PM
Attachments: [PAC21-72 Final Report.pdf](#)

Hi Mariya,

I want to address your main question first which is - Can TGH use the draft CBJ hazard maps in lieu of commissioning a private engineer to do a site specific study? The code is clear that an engineered study needs to be site-specific [49.70.300 (a) (4)]. A determination by a CBJ engineer based on the new maps would not constitute a site specific study and would put CBJ in the position of deciding where the new maps apply based on whether or not we support a given project.

TGH can hire a private engineer to conduct a study of the site and recommend the site be removed from the hazard areas. That is certainly an option. What Robin asked at the meeting was – Can TGH hire an engineer to stamp the construction drawings and assert that the structure can within an avalanche? The answer, which I gave at the meeting, is no; unfortunately that is not an option that the code provides.

Another option we discussed at the meeting is in regards to adding density (i.e. dwelling units) in a severe avalanche area. The code, as you stated in your email, does not allow for bedrooms or additional density (i.e. a dwelling unit) to be added to a structure. We have to use the Building Code, Land Use Code and Fire Code definitions of bedrooms and dwelling unit. By converting a building that shelters 40+ people into 7 individual apartments you would be increasing the number of bedrooms and the number of dwelling units. This may be frustrating but this is the currently adopted code. The Fire Marshal informed me after our meeting that the definition of a dwelling unit comes from state statute.

At the meeting we also talked about density and building capacity and how they are not the same thing. Yes, the shelter provided sleeping quarters for 40 people (building capacity) but the shelter provided 0 density (dwelling units). Sometimes the terms that we use are similar and easy to confuse. I hope that when you read the meeting notes it will become more clear. Once you read the notes, please let me know if you have more questions.

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From: Mariya Lovishchuk <lovishchuk.mariya@gmail.com>
Sent: Monday, November 15, 2021 5:06 PM
To: Allison Eddins <Allison.Eddins@juneau.org>; Robin Gilcrist <regilcrist@alaska.edu>; Jill Maclean <Jill.Maclean@juneau.org>; Teal Goodsell <teal@feedjuneau.org>; Mary Alice McKeen <ottokeen@gmail.com>; Bruce Denton BCD Construction <brucecdenton@gmail.com>
Subject: 247 S. Franklin Street Project

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

Good Afternoon Allison,

I hope you are well

I am writing to inquire about the timing of the minutes from TGH's 247 S. Franklin Street renovation project's pre-application conference. We would appreciate getting the minutes as soon as possible so we can begin working through the issue ASAP.

It is my understanding that at the pre-application conference TGH was informed by you, on behalf of CDD, that 247 S. Franklin Street building apartment conversion cannot receive a building permit unless:

- TGH gets the Assembly to adopt the new maps or
- TGH gets the Planning Commission to change the definition of density

At the meeting you stated that there are no other options.

I am wondering if you had a chance to review and consult after the pre-application meeting and if you have new information to share with TGH.

It seems to me that **the only viable option, to achieve the goal we all want, affordable housing downtown, is for the City Engineer to immediately state that the severe avalanche designation is inaccurate for 247 S. Franklin Street, and the development can proceed. You have all the studies you need in your possession for the Engineering to make this determination right now.**

I am puzzled by the direction that the only way TGH can convert the upper floors of 247 S. Franklin Street into apartments is if we get the Assembly to adopt the maps which threaten and directly undermine the well being, health, and financial security of a large portion of our community. I am curious why Chapter 49 language does not apply to our project.

Specifically, at the meeting Robin inquired if TGH can petition/provide an opinion, if TGH disagrees with the severe avalanche designation. CDD's answer was no. However, 49.70.300 a (4) states that we can. As a matter of fact, CDD appears to already possess the needed studies, eliminating the need for another civil engineer's opinion. I included the language below for your convenience. Additionally, 49.700.300a (5) appears to give further guidance regarding the role of the planning commission, again in contradiction with your direction. This language is also included below.

Problems with the information you provided continue onto 49.700.300 b (1). I was confused about the density issue you brought up. Clearly the conversion reduces density and does not increase it.

I heard you say that density definition depends on several features, such as exits and entrances, kitchens, and bathrooms. There is no such language in Chapter 49. It simply states that no development "shall occur by the addition of bedrooms, conversion of buildings, or otherwise, increase the density of the parcel". The density of the parcel is being decreased not increased by going from the place approved for occupancy by CBJ for at least 50 people on the 3rd floor alone to maximum of 14 people (7 units X 2 people maximum). No bedrooms are being added.

CDD's direction that the only options for our project are to either get the Assembly to adopt the new maps or to get the planning commission to change the definition of density is erroneous, confusing, and is slowing down/potentially killing the development of affordable housing Downtown without reason.

Please advise

Thank you

Mariya

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Mariya Lovishchuk
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"Serving Those Most in Need"
247 S. Franklin Street
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49.700.300 a(4)

If a developer disagrees with the boundaries shown on the maps, the developer may seek departmental relocation of the boundaries by submitting site specific studies prepared by a civil engineer experienced in avalanche and landslide analysis. Such studies shall include detailed analyses of topography, vegetation, potential snow accumulation, and other factors. The results should indicate actual hazard area boundaries and potential debris flow direction, time, distance and mass. If, in the opinion of the city engineer, the studies clearly establish that the map boundaries are inaccurate and the proposed development is outside a severe avalanche area or outside any avalanche or landslide area, the department shall proceed accordingly.

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The commission may require mitigating measures certified as effective by a professional engineer for development in landslide and avalanche areas. Such measures may include dissipating structures or dams, special structural engineering, or other techniques designed for the site. Mitigating measures may also include reduction in the proposed density.

From: [Dan Jager](#)
To: [Allison Eddins](#)
Cc: [Edward Quinto](#)
Subject: RE: Notes for Glory Hall pre-app
Date: Wednesday, November 17, 2021 2:12:43 PM
Attachments: [image001.png](#)

What were Jill and Charlies take on this? Especially the IBC definition aspect?

From: Allison Eddins <Allison.Eddins@juneau.org>
Sent: Wednesday, November 17, 2021 1:56 PM
To: Dan Jager <Dan.Jager@juneau.org>
Cc: Edward Quinto <Edward.Quinto@juneau.org>
Subject: RE: Notes for Glory Hall pre-app

I'm surprised you haven't gotten one yet. At least you'll be ready!

From: Dan Jager <Dan.Jager@juneau.org>
Sent: Wednesday, November 17, 2021 1:55 PM
To: Allison Eddins <Allison.Eddins@juneau.org>
Cc: Edward Quinto <Edward.Quinto@juneau.org>
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To: Dan Jager <Dan.Jager@juneau.org>
Cc: Edward Quinto <Edward.Quinto@juneau.org>
Subject: Notes for Glory Hall pre-app

Hi Dan,
 I'm going to send the pre-app notes out today. I included the notes about dwelling unit definition in state statute and the inability to amend that definition at the local level. Did you want to include anything else? I'm going to send them at 3:30pm. Sorry for the short notice.
 Allison

Allison Eddins | Planner II

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

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From: [Allison Eddins](#)
To: [Dan Jager](#)
Cc: [Edward Quinto](#)
Subject: RE: Notes for Glory Hall pre-app
Date: Wednesday, November 17, 2021 2:17:44 PM
Attachments: [image001.png](#)

They weren't too concerned about that. Jill is mostly concerned with the political issues around the draft hazard maps. The Starr Hill and Highlands neighborhood don't want the maps adopted and the Assembly almost certainly won't adopt the maps without amending the existing regulations. Plus, it doesn't look very good for CBJ to be encouraging housing in mapped hazard areas. The whole thing is stressful. I'm glad it's above my pay grade.

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From: [Edward Quinto](#)
To: [Jill Maclean](#); [Alexandra Pierce](#); [Charlie Ford](#)
Subject: FW: 247 S. Franklin Street Project
Date: Tuesday, November 23, 2021 10:07:08 AM

Mariya brought in the building permit application during the staff meeting, I told her I would process it and contact her for payment. The permit # is BLD20210765 and the fees come to just over \$8k. Should I call her to collect the fees or is the next step sending her a notice denying the building permit so that the Glory Hall can file the appeal?

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Location: 230 S. Franklin Street, 4th Floor Marine View Building

General questions/payments: 907.586.0770

Office: 907.586.0770 Ext. 4123

Effective May 3rd, our phone system is changing. You will no longer be able to reach me directly at 586-0928. Instead please contact the Permit Center at 586-0770, then if you wish to reach me specifically dial extension # 4123.

From: Allison Eddins <Allison.Eddins@juneau.org>
Sent: Tuesday, November 23, 2021 8:43 AM
To: Jill Maclean <Jill.Maclean@juneau.org>; 'Mariya Lovishchuk' <lovishchuk.mariya@gmail.com>; Charlie Ford <Charlie.Ford@juneau.org>
Cc: Robin Gilcrist <regilcrist@alaska.edu>; Teal Goodsell <teal@feedjuneau.org>; Mary Alice McKeen <ottokeen@gmail.com>; Bruce Denton BCD Construction <brucecdenton@gmail.com>; Alexandra Pierce <Alexandra.Pierce@juneau.org>; Edward Quinto <Edward.Quinto@juneau.org>; Dan Jager <Dan.Jager@juneau.org>; Sherri Layne <Sherri.Layne@juneau.org>
Subject: RE: 247 S. Franklin Street Project

Hi Mariya,

Jill's right. You'll need to apply for a building permit. We will deny it and that's the decision you can appeal to the Commission.

[Here](#) is a link to the Building Permit application and please include the construction drawings you had at the pre-app meeting. I'm including Charlie Ford our Chief Building Official on this email chain in case you have any questions about the permit.

Allison

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Subject: RE: 247 S. Franklin Street Project

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Best,

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To: Allison Eddins <Allison.Eddins@juneau.org>

Cc: Robin Gilcrist <regilcrist@alaska.edu>; Jill Maclean <Jill.Maclean@juneau.org>; Teal Goodsell <teal@feedjuneau.org>; Mary Alice McKeen <ottokeen@gmail.com>; Bruce Denton BCD Construction <brucecdenton@gmail.com>; Alexandra Pierce <Alexandra.Pierce@juneau.org>; Edward Quinto <Edward.Quinto@juneau.org>; Dan Jager <Dan.Jager@juneau.org>

Subject: Re: 247 S. Franklin Street Project

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We would like to get on their calendar as quickly as possible.

Thank you

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From: [Jill Maclean](#)
To: [Edward Quinto](#); [Alexandra Pierce](#); [Charlie Ford](#)
Subject: RE: 247 S. Franklin Street Project
Date: Tuesday, November 23, 2021 10:09:31 AM

Hi Eddie,

You're correct, the next step is denying the permit. Please don't take payment.

Best,

Jill

From: Edward Quinto <Edward.Quinto@juneau.org>
Sent: Tuesday, November 23, 2021 10:07 AM
To: Jill Maclean <Jill.Maclean@juneau.org>; Alexandra Pierce <Alexandra.Pierce@juneau.org>; Charlie Ford <Charlie.Ford@juneau.org>
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Mariya

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Mariya Lovishchuk
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247 S. Franklin Street
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From: [Edward Quinto](#)
To: [Jill Maclean](#); [Alexandra Pierce](#); [Charlie Ford](#)
Subject: RE: 247 S. Franklin Street Project
Date: Tuesday, November 23, 2021 10:10:42 AM

Understood. All the files are in the Documents folder, I'll stand by for the appeal paperwork to come in.

Eddie Quinto | Permit Specialist

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

Location: 230 S. Franklin Street, 4th Floor Marine View Building

General questions/payments: 907.586.0770

Office: 907.586.0770 Ext. 4123

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Sent: Tuesday, November 23, 2021 10:10 AM
To: Edward Quinto <Edward.Quinto@juneau.org>; Alexandra Pierce <Alexandra.Pierce@juneau.org>; Charlie Ford <Charlie.Ford@juneau.org>
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Hi Eddie,

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Best,

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Sent: Tuesday, November 23, 2021 8:43 AM
To: Jill Maclean <Jill.Maclean@juneau.org>; 'Mariya Lovishchuk' <lovishchuk.mariya@gmail.com>; Charlie Ford <Charlie.Ford@juneau.org>
Cc: Robin Gilcrist <regilcrist@alaska.edu>; Teal Goodsell <teal@feedjuneau.org>; Mary Alice McKeen <ottokeen@gmail.com>; Bruce Denton BCD Construction <brucecdenton@gmail.com>; Alexandra Pierce <Alexandra.Pierce@juneau.org>; Edward Quinto <Edward.Quinto@juneau.org>; Dan Jager <Dan.Jager@juneau.org>; Sherri Layne <Sherri.Layne@juneau.org>
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EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS

Hi Allison,

I hope you had a nice weekend

TGH Board voted to appeal to the Planning Commission.

We would like to get on their calendar as quickly as possible.

Thank you

Mariya

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TGH can hire a private engineer to conduct a study of the site and recommend the site be removed from the hazard areas. That is certainly an option. What Robin asked at the meeting was – Can TGH hire an engineer to stamp the construction drawings and assert that the structure can within an avalanche? The answer, which I gave at the meeting, is no; unfortunately that is not an option that the code provides.

Another option we discussed at the meeting is in regards to adding density (i.e.

dwelling units) in a severe avalanche area. The code, as you stated in your email, does not allow for bedrooms or additional density (i.e. a dwelling unit) to be added to a structure. We have to use the Building Code, Land Use Code and Fire Code definitions of bedrooms and dwelling unit. By converting a building that shelters 40+ people into 7 individual apartments you would be increasing the number of bedrooms and the number of dwelling units. This may be frustrating but this is the currently adopted code. The Fire Marshal informed me after our meeting that the definition of a dwelling unit comes from state statute.

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Allison

From: Mariya Lovishchuk <lovishchuk.mariya@gmail.com>

Sent: Monday, November 15, 2021 5:06 PM

To: Allison Eddins <Allison.Eddins@juneau.org>; Robin Gilcrist <regilcrist@alaska.edu>; Jill Maclean <Jill.Maclean@juneau.org>; Teal Goodsell <teal@feedjuneau.org>; Mary Alice McKeen <ottokeen@gmail.com>; Bruce Denton BCD Construction <brucecdenton@gmail.com>

Subject: 247 S. Franklin Street Project

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Good Afternoon Allison,

I hope you are well

I am writing to inquire about the timing of the minutes from TGH's 247 S. Franklin Street renovation project's pre-application conference. We would appreciate getting the minutes as soon as possible so we can begin working through the issue ASAP.

It is my understanding that at the pre-application conference TGH was informed by you, on behalf of CDD, that 247 S. Franklin Street building apartment conversion cannot receive a building permit unless:

- TGH gets the Assembly to adopt the new maps or
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avalanche designation is inaccurate for 247 S. Franklin Street, and the development can proceed. You have all the studies you need in your possession for the Engineering to make this determination right now.

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To: [Edward Quinto](#); [Alexandra Pierce](#); [Charlie Ford](#)
Subject: RE: 247 S. Franklin Street Project
Date: Tuesday, November 23, 2021 10:11:57 AM

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From: [Edward Quinto](#)
To: [Jill Maclean](#); [Alexandra Pierce](#); [Charlie Ford](#)
Cc: [Allison Eddins](#)
Subject: RE: 247 S. Franklin Street Project
Date: Tuesday, November 23, 2021 10:13:17 AM

Yeah, it should come from a planner, I'll forward this information on to Allison.

Eddie Quinto | Permit Specialist

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

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You're correct, the next step is denying the permit. Please don't take payment.

Best,

Jill

From: Edward Quinto <Edward.Quinto@juneau.org>
Sent: Tuesday, November 23, 2021 10:07 AM
To: Jill Maclean <Jill.Maclean@juneau.org>; Alexandra Pierce <Alexandra.Pierce@juneau.org>; Charlie Ford <Charlie.Ford@juneau.org>
Subject: FW: 247 S. Franklin Street Project

Mariya brought in the building permit application during the staff meeting, I told her I would process it and contact her for payment. The permit # is BLD20210765 and the fees come to just over \$8k. Should I call her to collect the fees or is the next step sending her a notice denying the building permit so that the Glory Hall can file the appeal?

Eddie Quinto | Permit Specialist

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

Location: 230 S. Franklin Street, 4th Floor Marine View Building

General questions/payments: 907.586.0770

Office: 907.586.0770 Ext. 4123

Effective May 3rd, our phone system is changing. You will no longer be able to reach me directly at 586-0928. Instead please contact the Permit Center at 586-0770, then if you wish to reach me specifically dial extension # 4123.

From: Allison Eddins <Allison.Eddins@juneau.org>
Sent: Tuesday, November 23, 2021 8:43 AM
To: Jill Maclean <Jill.Maclean@juneau.org>; 'Mariya Lovishchuk' <lovishchuk.mariya@gmail.com>; Charlie Ford <Charlie.Ford@juneau.org>
Cc: Robin Gilcrist <regilcrist@alaska.edu>; Teal Goodsell <teal@feedjuneau.org>; Mary Alice McKeen <ottokeen@gmail.com>; Bruce Denton BCD Construction <brucecdenton@gmail.com>; Alexandra Pierce <Alexandra.Pierce@juneau.org>; Edward Quinto <Edward.Quinto@juneau.org>; Dan Jager <Dan.Jager@juneau.org>; Sherri Layne <Sherri.Layne@juneau.org>

Subject: RE: 247 S. Franklin Street Project

Hi Mariya,

Jill's right. You'll need to apply for a building permit. We will deny it and that's the decision you can appeal to the Commission.

[Here](#) is a link to the Building Permit application and please include the construction drawings you had at the pre-app meeting. I'm including Charlie Ford our Chief Building Official on this email chain in case you have any questions about the permit.

Allison

From: Jill Maclean <Jill.Maclean@juneau.org>

Sent: Monday, November 22, 2021 1:43 PM

To: 'Mariya Lovishchuk' <lovishchuk.mariya@gmail.com>

Cc: Robin Gilcrist <regilcrist@alaska.edu>; Teal Goodsell <teal@feedjuneau.org>; Mary Alice McKeen <ottokeen@gmail.com>; Bruce Denton BCD Construction <brucecdenton@gmail.com>; Alexandra Pierce <Alexandra.Pierce@juneau.org>; Edward Quinto <Edward.Quinto@juneau.org>; Dan Jager <Dan.Jager@juneau.org>; Sherri Layne <Sherri.Layne@juneau.org>; Allison Eddins <Allison.Eddins@juneau.org>

Subject: RE: 247 S. Franklin Street Project

Hi Maria,

As Allison is out of town, I'm responding to your inquiry.

Pre-application conference reports are not appealable, as it is not a decision; it is guidance on a development proposal. If you were to submit an application for development, and it was denied, then you could appeal that decision. Please be aware that the appeal process is typically a 6 to 9 month undertaking, and it isn't simply being placed on the next commission meeting for a new decision.

Best,

Jill

From: Mariya Lovishchuk <lovishchuk.mariya@gmail.com>

Sent: Monday, November 22, 2021 9:54 AM

To: Allison Eddins <Allison.Eddins@juneau.org>

Cc: Robin Gilcrist <regilcrist@alaska.edu>; Jill Maclean <Jill.Maclean@juneau.org>; Teal Goodsell <teal@feedjuneau.org>; Mary Alice McKeen <ottokeen@gmail.com>; Bruce Denton BCD Construction <brucecdenton@gmail.com>; Alexandra Pierce <Alexandra.Pierce@juneau.org>; Edward Quinto <Edward.Quinto@juneau.org>; Dan Jager <Dan.Jager@juneau.org>

Subject: Re: 247 S. Franklin Street Project

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

Hi Allison,

I hope you had a nice weekend

TGH Board voted to appeal to the Planning Commission.

We would like to get on their calendar as quickly as possible.

Thank you

Mariya

On Wed, Nov 17, 2021 at 2:11 PM Allison Eddins <Allison.Eddins@juneau.org> wrote:

Hi Mariya,

I want to address your main question first which is - Can TGH use the draft CBJ hazard maps in lieu of commissioning a private engineer to do a site specific study? The code is clear that an engineered study needs to be site-specific [49.70.300 (a) (4)]. A determination by a CBJ engineer based on the new maps would not constitute a site specific study and would put CBJ in the position of deciding where the new maps apply based on whether or not we support a given project.

TGH can hire a private engineer to conduct a study of the site and recommend the site be removed from the hazard areas. That is certainly an option. What Robin asked at the meeting was – Can TGH hire an engineer to stamp the construction drawings and assert that the structure can within an avalanche? The answer, which I gave at the meeting, is no; unfortunately that is not an option that the code provides.

Another option we discussed at the meeting is in regards to adding density (i.e. dwelling units) in a severe avalanche area. The code, as you stated in your email, does not allow for bedrooms or additional density (i.e. a dwelling unit) to be added to a structure. We have to use the Building Code, Land Use Code and Fire Code definitions of bedrooms and dwelling unit. By converting a building that shelters 40+ people into 7 individual apartments you would be increasing the number of bedrooms and the number of dwelling units. This may be frustrating but this is the currently adopted code. The Fire Marshal informed me after our meeting that the definition of a dwelling unit comes from state statute.

At the meeting we also talked about density and building capacity and how they are not the same thing. Yes, the shelter provided sleeping quarters for 40 people (building capacity) but the shelter provided 0 density (dwelling units). Sometimes the terms that we use are similar and easy to confuse. I hope that when you read the meeting notes it will become more clear. Once you read the notes, please let me know if you have more questions.

Allison

From: Mariya Lovishchuk <lovishchuk.mariya@gmail.com>

Sent: Monday, November 15, 2021 5:06 PM

To: Allison Eddins <Allison.Eddins@juneau.org>; Robin Gilcrist <regilcrist@alaska.edu>; Jill Maclean <jill.Maclean@juneau.org>; Teal Goodsell <teal@feedjuneau.org>; Mary Alice McKeen <ottokeen@gmail.com>; Bruce Denton BCD Construction <brucecdenton@gmail.com>

Subject: 247 S. Franklin Street Project

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

Good Afternoon Allison,

I hope you are well

I am writing to inquire about the timing of the minutes from TGH's 247 S. Franklin Street renovation project's pre-application conference. We would appreciate getting the minutes as soon as possible so we can begin working through the issue ASAP.

It is my understanding that at the pre-application conference TGH was informed by you, on behalf of CDD, that 247 S. Franklin Street building apartment conversion cannot receive a building permit unless:

- TGH gets the Assembly to adopt the new maps or
- TGH gets the Planning Commission to change the definition of density

At the meeting you stated that there are no other options.

I am wondering if you had a chance to review and consult after the pre-application meeting and if you have new information to share with TGH.

It seems to me that **the only viable option, to achieve the goal we all want, affordable housing downtown, is for the City Engineer to immediately state that the severe avalanche designation is inaccurate for 247 S. Franklin Street, and the development can proceed. You have all the studies you need in your possession for the Engineering to make this determination right now.**

I am puzzled by the direction that the only way TGH can convert the upper floors of 247 S. Franklin Street into apartments is if we get the Assembly to adopt the maps which threaten and directly undermine the well being, health, and financial security of a large portion of our community. I am curious why Chapter 49 language does not apply to our project.

Specifically, at the meeting Robin inquired if TGH can petition/provide an opinion, if TGH disagrees with the severe avalanche designation. CDD's answer was no. However, 49.70.300 a (4) states that we can. As a matter of fact, CDD appears to already possess the needed studies, eliminating the need for another civil engineer's opinion. I included the language below for your convenience. Additionally, 49.700.300a (5) appears to give further guidance regarding the role of the planning commission, again in contradiction with your direction. This language is also included below.

Problems with the information you provided continue onto 49.700.300 b (1). I was confused

about the density issue you brought up. Clearly the conversion reduces density and does not increase it.

I heard you say that density definition depends on several features, such as exits and entrances, kitchens, and bathrooms. There is no such language in Chapter 49. It simply states that no development "shall occur by the addition of bedrooms, conversion of buildings, or otherwise, increase the density of the parcel". The density of the parcel is being decreased not increased by going from the place approved for occupancy by CBJ for at least 50 people on the 3rd floor alone to maximum of 14 people (7 units X 2 people maximum). No bedrooms are being added.

CDD's direction that the only options for our project are to either get the Assembly to adopt the new maps or to get the planning commission to change the definition of density is erroneous, confusing, and is slowing down/potentially killing the development of affordable housing Downtown without reason.

Please advise

Thank you

Mariya

--

Mariya Lovishchuk
Executive Director, TGH
Project Coordinator, JHFC
"Serving Those Most in Need"
247 S. Franklin Street
Juneau, AK 99801
Phone (907) 957-2885
www.feedjuneau.org
TGH is a United Way Agency

49.700.300 a(4)

If a developer disagrees with the boundaries shown on the maps, the developer may seek departmental relocation of the boundaries by submitting site specific studies prepared by a civil engineer experienced in avalanche and landslide analysis. Such studies shall include detailed analyses of topography, vegetation, potential snow accumulation, and other factors. The results should indicate actual hazard area boundaries and potential debris flow direction, time, distance and mass. If, in the opinion of the city engineer, the studies clearly establish that the map boundaries are inaccurate and the proposed development is outside a severe avalanche area or outside any avalanche or landslide area, the department shall proceed accordingly.

49.700.300 a(5)

The commission may require mitigating measures certified as effective by a professional engineer for development in landslide and avalanche areas. Such measures may include dissipating structures or dams, special structural engineering, or other techniques designed for the site. Mitigating measures may also include reduction in the proposed density.

From: [Mariya Lovishchuk](#)
To: [Edward Quinto](#)
Cc: [Teal Goodsell](#); [Robin Gilcrist](#)
Subject: Building Permit
Date: Monday, November 29, 2021 2:41:26 PM

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

Hi Eddy,

I hope you had a nice weekend

I am following up the Glory Hall building permit for 247 S. Franklin Street.

I would like a receipt stating that it was received and a status update

Thank you

Mariya

--

Mariya Lovishchuk
Executive Director, TGH
Project Coordinator, JHFC
"Serving Those Most in Need"
247 S. Franklin Street
Juneau, AK 99801
Phone (907) 957-2885
www.feedjuneau.org
TGH is a United Way Agency

From: [Mariya Lovishchuk](#)
To: [Allison Eddins](#); [Robin Gilcrist](#)
Cc: [Bruce Denton BCD Construction](#)
Subject: Re: BLD2021-0765
Date: Wednesday, December 1, 2021 10:34:08 AM
Attachments: [image001.png](#)

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

Good Morning Allison,

We would like to appeal this decision to the Planning Commission as quickly as possible.

Please advise

Thank you

Mariya

On Wed, Dec 1, 2021 at 8:23 AM Allison Eddins <Allison.Eddins@juneau.org> wrote:

Hello Bruce and Mariya,

Please accept this email as an official denial of your request to convert the old Glory Hall shelter into 7 apartments. According to the CBJ adopted hazard maps the Glory Hall is located in a sever avalanche zone. Increasing the number of dwelling units is prohibited by code in this hazard zone. The code language is below for your reference. Please feel free to contact me via email if you have any questions about the code, this denial or your options moving forward.

49.70.300 - Landslide and avalanche areas.

(a) Generally.

(1) Development in all landslide and avalanche areas shall minimize the risk of loss of life or property due to landslides and avalanches.

(2) Boundaries of potential and severe avalanche areas will be as shown 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.

(3) Notwithstanding any other provision, all subdivision other than a boundary line relocation and all development greater than a single-family dwelling within landslide or avalanche areas shall require a conditional use permit.

(4) If a developer disagrees with the boundaries shown on the maps, the developer may seek departmental relocation of the boundaries by submitting site specific studies prepared by a

civil engineer experienced in avalanche and landslide analysis. Such studies shall include detailed analyses of topography, vegetation, potential snow accumulation, and other factors. The results should indicate actual hazard area boundaries and potential debris flow direction, time, distance and mass. If, in the opinion of the city engineer, the studies clearly establish that the map boundaries are inaccurate and the proposed development is outside a severe avalanche area or outside any avalanche or landslide area, the department shall proceed accordingly.

(5) The commission may require mitigating measures certified as effective by a professional engineer for development in landslide and avalanche areas. Such measures may include dissipating structures or dams, special structural engineering, or other techniques designed for the site. Mitigating measures may also include reduction in the proposed density.

(b) Severe avalanche areas.

(1) Notwithstanding any other provision, no development or any part of a development, which is within a severe avalanche area shall, by the addition of bedrooms, conversions of buildings, or otherwise, increase the density of that parcel; provided, however, that a single-family house may be constructed on a vacant lot.

(2) No subdivision shall be approved which creates a lot lacking sufficient building space outside a severe avalanche area.

(c) Warning and disclaimer of liability. Avalanches and landslides may occur outside hazard areas in excess of engineering expectations. The location and severity of the event may be increased by manmade or natural causes. This article does not imply that land outside of designated hazard areas, or uses permitted within such areas, will be free from danger or damage. This article shall not create liability on the part of the City and Borough of Juneau or any officer or employee thereof for any damages that result from reliance of this article or any administrative decision lawfully made under this article.

Allison Eddins | Planner II

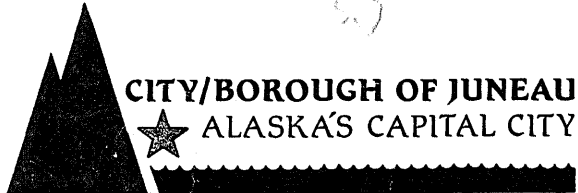
[Community Development Department](#) | City & Borough of Juneau, AK

Location: 230 S. Franklin Street, 4th Floor Marine View Building

Office: 907.586.0753 ext. 4131

Our telephone system is changing. Beginning May 3, 2021, I may be reached at 907-586-0753 ext. 4131.





PLANNING COMMISSION
NOTICE OF DECISION

January 26, 1990

CU-17-89/VR-15-89/SV-03-89

The Glory Hole
John Egan, Director
247 South Franklin Street
Juneau, Alaska 99801

Dear Mr. Egan,

On January 23, 1990, the Planning Commission **approved** your conditional use permit application for the reconstruction of the Glory Hole building on Fraction of Lot 2, Block M, Juneau Townsite. The permit allows the new construction in a landslide hazard area and is subject to the following condition.

1. For the new building the developer shall include R & M Engineering's construction recommendations listed in the project's hazard analysis report.

The Planning Commission also **denied** the following related requests:

1. A request to vacate a portion of the South Franklin Street right-of-way.
2. A request to reduce the minimum number of required off-street parking spaces from one to zero.

Effective Date: February 13, 1990

Expiration Date: May 23, 1991, if a building permit for the approved project has not been obtained.

Project Planner: David Goade
David Goade, Planner II

RECEIVED BY CITY CLERK

Patty An O'Leary
1-29-90

cc: Debra J. Purves

Record, APL2021 0006 - 247 S. Franklin St./The Glory Hall

MEMORANDUM

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

TO: Planning Commission

DATE: January 18, 1990

FILE: CU-17-89

FROM: David Goade, Planner II
Community Development

SUBJECT: Construction in geophysical hazard area.

GENERAL INFORMATION

Applicant: The Glory Hole

Property Owner: Juneau Cooperative Christian Ministry

Requested Action: Conditional use permit application.

Purpose: To allow the reconstruction of the Glory Hole building in a landslide hazard area.

Legal Description: Fraction of Lot 2, Block M, Juneau Townsite

Parcel Code Number: 1-C07-0-BOM-001-0

Location: 247 South Franklin Street

Site Size: 4,400 Square Feet

Access: South Franklin Street

Existing Land Use: Sheltered care facility.

Surrounding Land Use: North - Decker Way & Decker Building
South - Filipino Community Hall
East - An abandoned building.
West - South Franklin Street

Zoning Designation: MU, Mixed Use

Utilities: Public

Planning Commission
File No. CU-17-89
Page 2

PROJECT DESCRIPTION

The applicant plans to demolish the existing Glory Hole building and construct a new one. The sheltered care use of the property will continue. The new 4,500 square foot building will enhance the Glory Hole's ability to serve Juneau's homeless population.

BACKGROUND

1. The subject property is:
 - a. In the mixed use zoning district.
 - b. In the design review district.
 - c. In the historic district.
 - d. In the PD-1 parking district.
 - e. In a landslide hazard area.
2. Both the Design Review Board and the Historic District Advisory Committee have reviewed and approved the project.
3. All development in a landslide hazard area greater than a single-family dwelling shall require a conditional use permit.

ANALYSIS

Landslide Hazard:

All development in landslide and avalanche areas shall minimize the risk of loss of life or property due to landslides and avalanches. The Planning Commission may require mitigating measures certified as effective by a professional engineer for development in such areas. The measures may include dissipating structures or dams, special structural engineering, or other techniques designed for the site. Mitigating measures may also include reduction in the proposed residential density.

In order for the commission to require appropriate mitigating measures, a developer shall first submit site-specific geological and engineering data. Qualified engineers shall prepare the information by examining the landslide risk and recommending proper protective measures. The purpose is to minimize the risk of loss of life or property due to landslides or avalanches.

Planning Commission
File No. CU-17-89
Page 3

The enclosed hazard analysis report for the subject property concludes that a significant landslide hazard does not exist. The report, however, specifies five construction recommendations to control site drainage and soils. The construction of the new building should include these recommendations.

FINDINGS

The Director of Community Development shall make findings on a conditional use permit application. The Planning Commission shall review and adopt the findings unless it finds by a preponderance of the evidence that the findings are in error. The director's findings are:

1. Is the requested permit proper according to the Table of Permissible Uses?

Yes. At table section 7.200.
2. Is the application complete?

Yes.
3. Does the proposed development follow the other requirements of CBJ 49.15?

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

No. The applicant's hazard analysis report concludes that a significant landslide hazard does not exist for the subject property.
5. Will the proposed project substantially decrease the value of or be out of harmony with property in the neighboring area?

No.
6. Will the proposed project be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans?

Yes.

Planning Commission
File No. CU-17-89
Page 4

The Planning Commission may, regardless of the above findings, conditionally approve or deny the permit. The commission's own independent review of information submitted at the public hearing provides the basis for the decision. The decision needs supportive findings based on the following factors.

1. Will the proposed project materially endanger the public health or safety?
2. Will the proposed project substantially decrease the value of or be out of harmony with property in the neighboring area?
3. Will the proposed project not be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans?

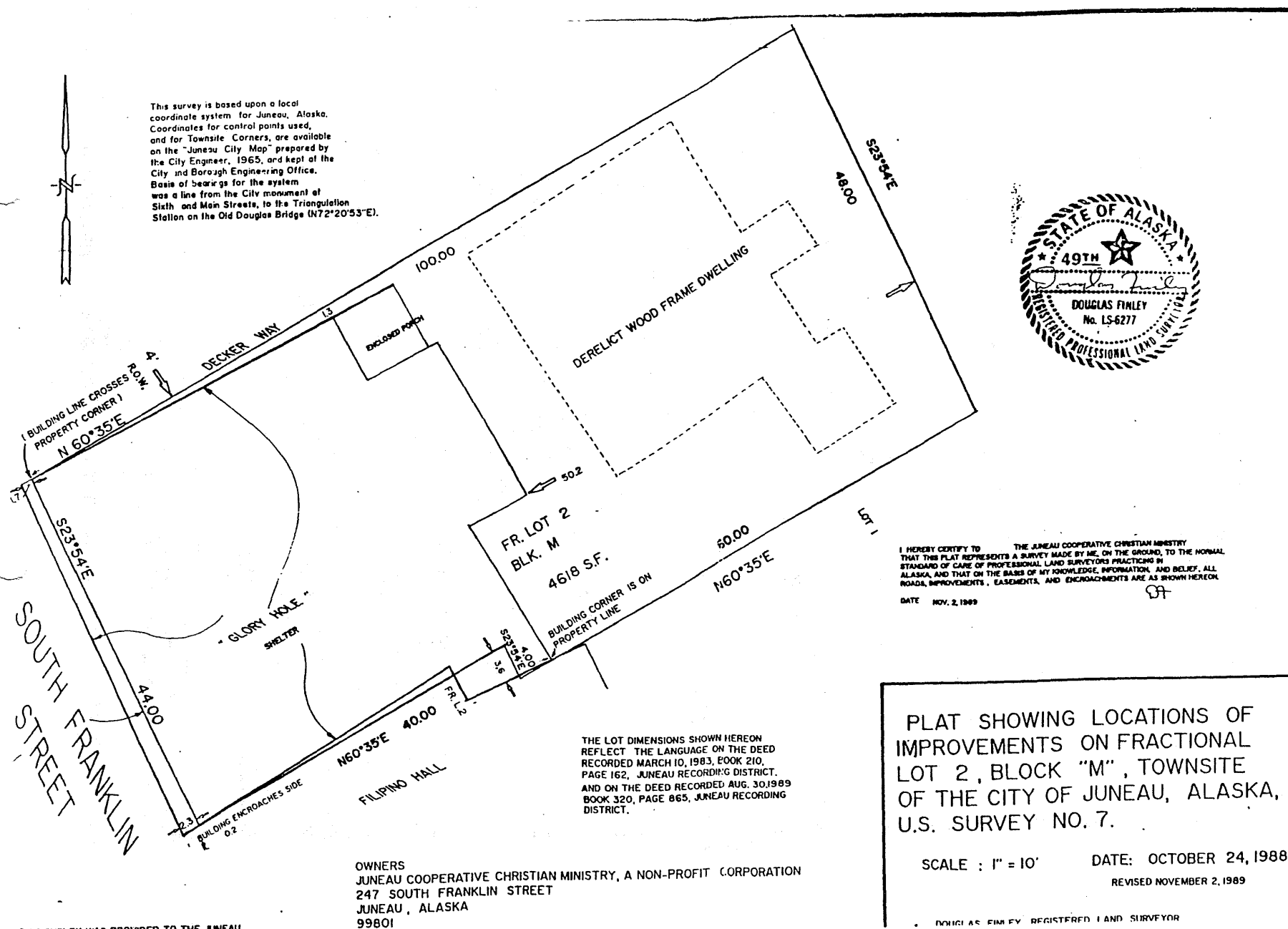
STAFF RECOMMENDATION - Conditional approval.

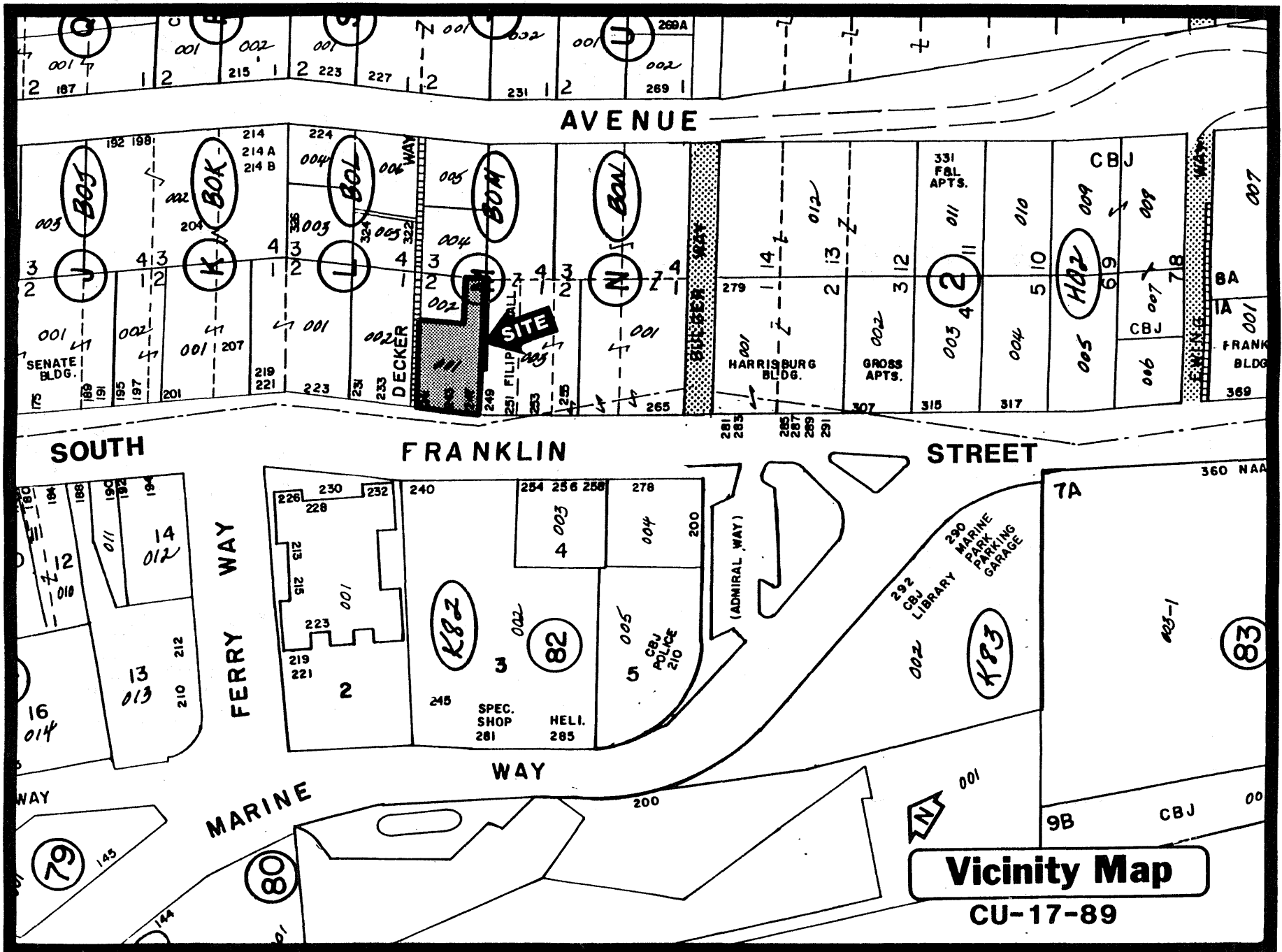
The conditional use permit is primarily for construction in a landslide hazard area. The purpose is to examine site-specific landslide risks and to design a building accordingly. This should reduce the risk of loss of life or property due to a landslide.

Staff recommends that the Planning Commission adopt the findings listed above and grant the conditional use permit subject to the following condition.

1. For the new building the applicant shall include ~~the five~~ construction recommendations listed in the enclosed hazard analysis report.

R. M. Engle's







THE GLORY HOLE

247 south franklin street juneau, alaska 99801 907-586-4159

NARRATIVE DESCRIPTION OF PROJECT

The Glory Hole plans to rebuild its current structure on the present site. Use of the new building will essentially remain the same with meals being served twice daily in an approved kitchen and shelter bunk space provided for a possible total of 36 individuals. The Glory Hole is the only source for emergency shelter and meals in the Juneau area. The daily population is approximately 70 including guests at both meals and those using the drop-in center for coffee and donuts. These approximately 70 individuals enter and exit throughout the hours of operation.

The new building project will increase capacity in both the dining room and shelter and facilitate the operation greatly. Current structural limitations and old, worn-out utility equipment inhibit efficient and effective use of the building. Total square footage of the new structure will be 4500 sq. ft. Site plan included with this application.

CONDITIONAL USE PERMIT APPLICATION

City and Borough of Juneau
Community Development Dept.
155 South Seward Street
Juneau, Alaska 99801
(907) 586-5235

Date: _____
File #: _____
Filing Fee: _____

1. THIS APPLICATION IS A MODIFICATION OF AN EXISTING CONDITIONAL USE PERMIT: Yes _____ No X

2. APPLICANT INFORMATION:

Name(s) The Glory Hole John Egan - Director
Mailing Address 247 S. Franklin
City, State, Zip Code Juneau AK 99801
Home Telephone _____ Day Telephone 586-4159
Signature(s) John Egan Date 11/21/89

3. LANDOWNER INFORMATION:

COMPLETE this section only if the applicant is NOT the landowner.

I (We), Charles G. Adams the owner(s) of the following described property do hereby acknowledge that the application by John Egan for the development of said property is made with my (our) complete understanding and permission.

Landowner Signature(s) [Signature] Date 11/21/89
Mailing Address Box 21997 Juneau AK 99802 Telephone 789-7239

4. SUBJECT PROPERTY INFORMATION:

A. Zoning Designation: MU

B. Legal Description:

Lot(s) 2 Subdivision Townsite
Block/Tract M U.S. Survey # 7

C. Site Dimensions:

Width 44' Depth 100' Total Area 4400 sq ft

5. PROJECT INFORMATION:

A. Use of Subject Property:

Existing: Homeless Shelter and soup kitchen
Proposed: SAME - new structure

B. Use of Existing Structures: Existing structure will be removed

C. Use of Proposed Structure: New structure will be used for soup kitchen dining room and shelter for 36 individuals

D. Size of Proposed Structure:

Length 46' Width 44' Height 35' Square Feet 4950

*** (OVER) ***

E. Signage:

Existing: Style painted logo on wood Size 36" x 18" suspended
 Proposed: Style _____ Size _____

F. Lighting:

Existing: Style None Size _____
 Proposed: Style _____ Size _____

G. Number of Parking Spaces:

Existing: None
 Proposed: 1 space off-site

H. Utilities:

Existing:	Water:	On Site	_____	Public	<u>X</u>	NA	_____
	Sewer:	On Site	_____	Public	<u>X</u>	NA	_____
Proposed:	Water:	On Site	_____	Public	<u>X</u>	NA	_____
	Sewer:	On Site	_____	Public	<u>X</u>	NA	_____

ADDITIONAL INFORMATION:

Each application for a Conditional Use Permit is reviewed by the Planning Commission at a public hearing. The permit procedure is intended to provide the commission the flexibility necessary to make decisions tailored to individual applications. The commission may stipulate conditions to mitigate external adverse impacts from the proposed use. If it is determined that these impacts cannot be satisfactorily overcome, the permit shall be denied.

The following items are required for an application:

1. PRE-APPLICATION CONFERENCE. Prior to application submission, the applicant shall meet with Community Development Department staff to discuss the proposed development activity and the Conditional Use Permit procedure. Please call for an appointment.
2. A completed application form including payment of fee.
3. A letter describing the project for which you are seeking a permit.
4. Fifteen (15) copies of a site plan drawn to scale on 24" x 36" paper and providing the following information: (Number and size of site plan copies may be changed if approved by department staff.)
 - A. Existing and proposed structures.
 - B. Existing and proposed parking areas, including dimensions of the spaces.
 - C. Proposed traffic circulation within the site including access/egress points and traffic control devices.
 - D. Existing and proposed signage and lighting, including the placement on buildings, dimensions, materials, color, and style.
 - E. Existing and proposed landscaping, including species identification, size, planting locations, and a cross section for installation.
5. The architectural design, including building elevations, of proposed structures shall be shown.
6. A sign for public notice shall be placed on the site describing the development proposal and other pertinent information. The applicant must confer with department staff for details of sign posting.

PLEASE NOTE: Incomplete applications, including nonpayment of fee, will not be scheduled for Planning Commission action.

RSM

JUNEAU

TO	SUBJECT	
Project File	Site Observations The Glory Hole	
FROM	DATE	PROJECT NO.
Joseph L. Connolly R & M Engineering, Inc. <i>gjc</i>	12/26/89	891183

On December 15, 1989, the writer visited the subject site accompanied by Mr. John Egan.

Mr. Egan stated they intend to construct a three-level wood frame structure largely within the footprint of the existing building. The existing low retaining wall will remain and will be straightened and plumbed up. The derelict two-story mansion upslope on the adjoining lot will be razed and the natural slope will be planted or terraced after minor grading.

Several footings for support of columns carrying the three-story "deck" or open air lounge will have to be designed to bear on soils near the upslope limit of the existing lot.

We need a rough topo survey of the existing ground surface on the two lots to examine regarding safe slope angle. We need several hand auger test borings to 8'± to estimate soil density and type.

Probable recommendations will include;

1. Regrade slope after razing structure. Remove "excess" soils.
2. Design overhang footings for 5' burial.
3. Recommend upslope cutoff trench and drain line.
4. Planting to include indigenous native plants (salmonberry and alder) after hydroseeding.

fej

cc: Mr. John Egan



R&M ENGINEERING, INC.

5205 GLACIER HWY

PO BOX 34278

JUNEAU ALASKA 99803

PH 907 150

December 28, 1989

The Glory Hole
247 S. Franklin Street
Juneau, Alaska 99801

Attention Mr. John Egan

Re: Geophysical Hazard Assessment
New Glory Hole Building
R & M Project No. 891183

Ladies and Gentlemen:

This is our letter-report concerning the potential for damage to the planned structure by earthslide or debris avalanche either from outside the property limits or from earthslides which may result from new construction on the property.

This report is written in response to a requirement by the City and Borough of Juneau (CBJ) building officials to address the potential for loss of life or property in those areas which may have "highly unstable" or "potential unstable" slopes. These slopes were identified in a report entitled "Geophysical Hazards Investigation for the City and Borough of Juneau" completed in 1972. The subject project site is located in an area shown on Figure 6 of that report. Within said report, the area is described as "potential hazard" with respect to mass-wasting, i.e., earthslides and debris flows.

The classification category in the report is based on a combination of soil strength data and slope angle. These factors at the site were investigated with the following results.

Slope Angle

The slope of the visible ground surface was measured utilizing hand level and fabric chain methods. The results are indicated on the attachments and indicate that the general surface slope angle is in the 18° to 27° range. This range compares favorably with the slope angle range of 28° to 37° indicated on Page 32 of the 1972 report as defining "potentially unstable" slope. In short, the slope is not, by the 1972 report's definition, "potentially unstable."

The Glory Hole
December 28, 1989
Page 2

Soil Strength

The soils existing on the subject slope were observed in nearby exposures (Filipino Community Center and adjacent slope). The observations compare favorably with our knowledge of soils on this hillside obtained in at least three soil investigation projects over the past 18 years. Surficial soils are granular and may be classified as a SAND with some silt and gravel size material, all of colluvial origin. The surficial soil extends to a depth of 10' to 20' where it is underlain by a glacial marine sediment which can be classified as a silty SAND. The surficial soil unit compares favorably with the soil samples described in the 1972 report as having an angle of internal friction of 36° to 37°.

It can be concluded from a review of slope angle and soil type on the slope behind the existing Glory Hole building that the potential for damage from mass wasting is minimal, particularly if the following construction recommendations are followed;

1. Machine grade the entire surface upslope of the existing concrete retaining wall to a relatively uniform slope angle. (Shallow terracing may be more aesthetically pleasing.)
2. Found the deck support footings at least 4' below the slope surface as measured on the slope's low side. Footings may be designed for a soil bearing value of 1,500 PSF.
3. Relocate the fuel oil tank so it does not bear against the upslope side of the retaining wall.
4. Hydroseed the slope soils exposed by grading and hand-plant with salmonberry, alder, or other native, hardy plants.
5. Intercept sheet flow water at the upslope property line by excavating a 2' (minimum) depth ditch sloped to drain without eroding the ditch bottom. The ditch should discharge into a conduit leading to the municipal storm drain system.

In summary, aside from the general soil creep, for the slope behind the Glory Hole, mass wasting is not now, nor has it been a problem in the historic past. Slides have descended the slopes to the north and south of Decker Way, but have not affected the Glory Hole property slope and building to any significant degree.

If the new construction recommendations indicated herein are implemented, we anticipate that mass wasting will not be a significant problem for this structure or its occupants in the foreseeable future.

RSM

The Glory Hole
December 28, 1989
Page 3

We appreciate the opportunity to evaluate the potential for future mass-wasting damage to the planned new Glory Hole structure. Should there be questions, or if we may be of further service on this or future projects for the Glory Hole, please do not hesitate to contact us.

Sincerely,

R & M ENGINEERING, INC.

L. Connolly

Joseph L. Connolly, P.G., E.G.
Engineering Geologist

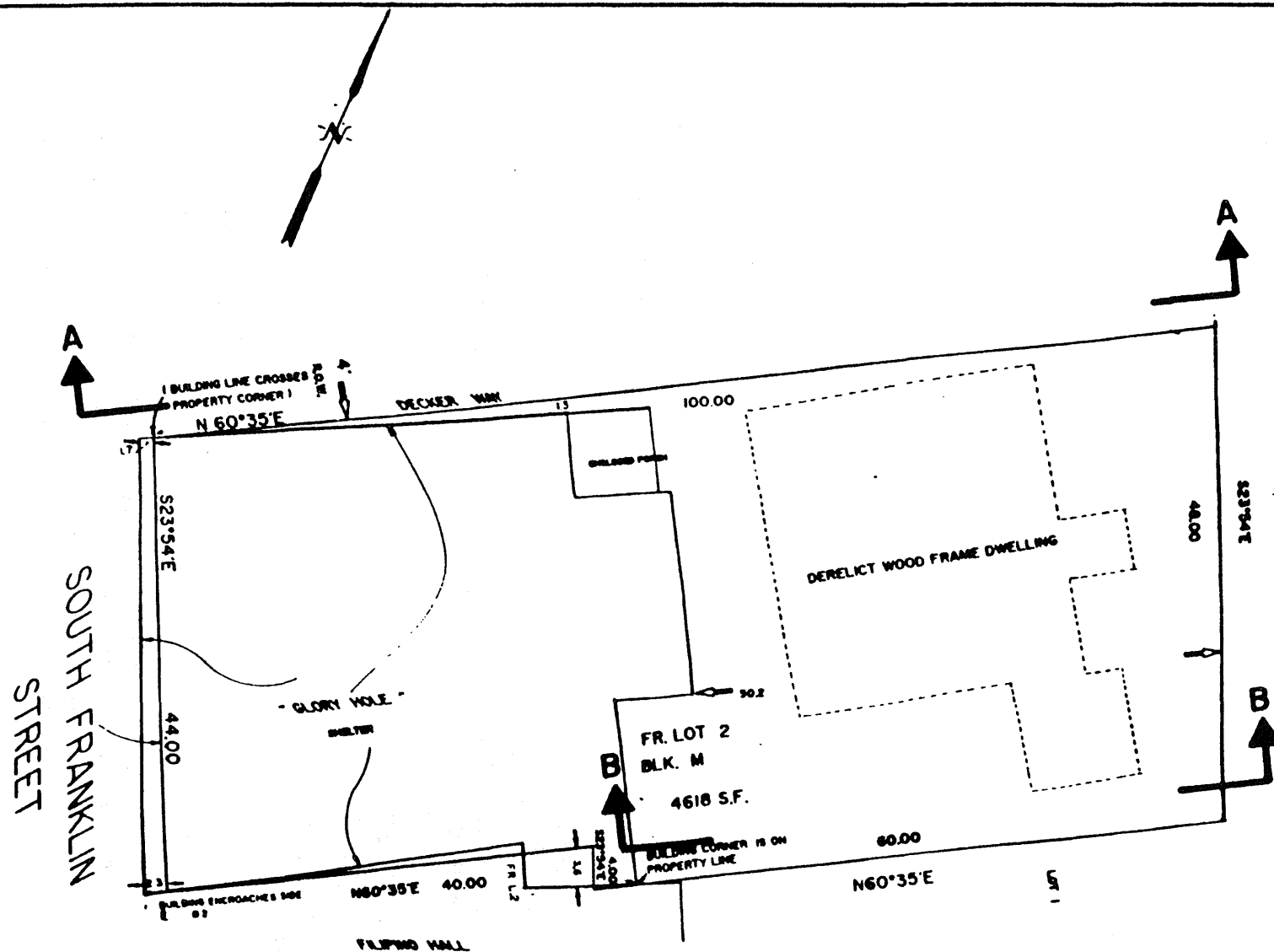
fej

Attachments



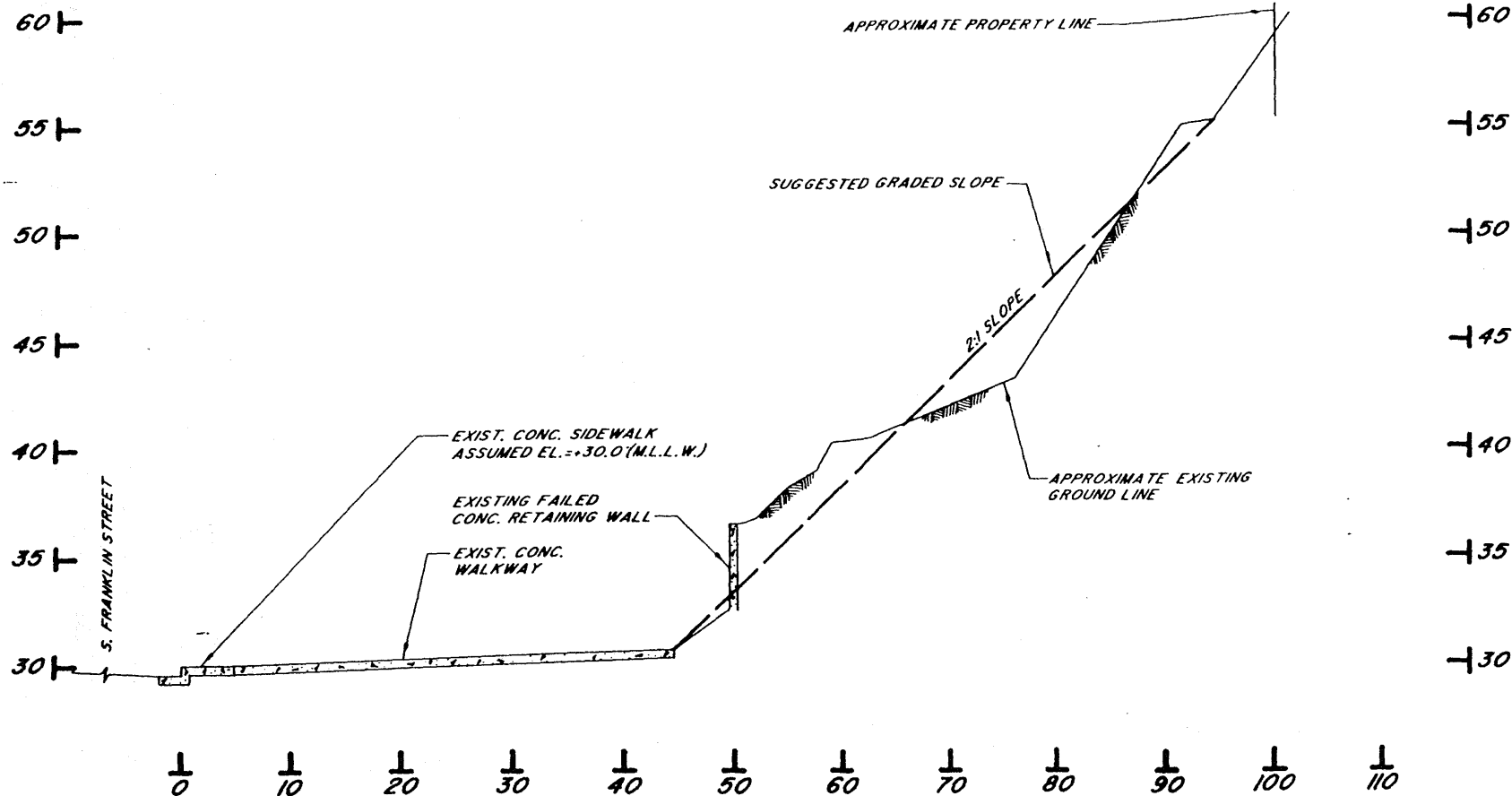
Malcolm A. Menzies, P.E.
Civil Engineer

DATE 12-27-89	SCALE N.T.S.	DRAWN BY D.S.	CHECKED BY J.C.	PROJECT NO. 89083	DRAWING NO. NO. 1
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SURFACE PROFILE LOCATION DIAGRAM **GLORY HOLE BUILDING**

Record, APL2021 0006 - 247 S. Franklin St./The Glory Hall



SECTION "A-A" **GLORY HOLE BUILDING**

SCALE: HORIZ.: 1"=10'
 VERT.: 1"=5'

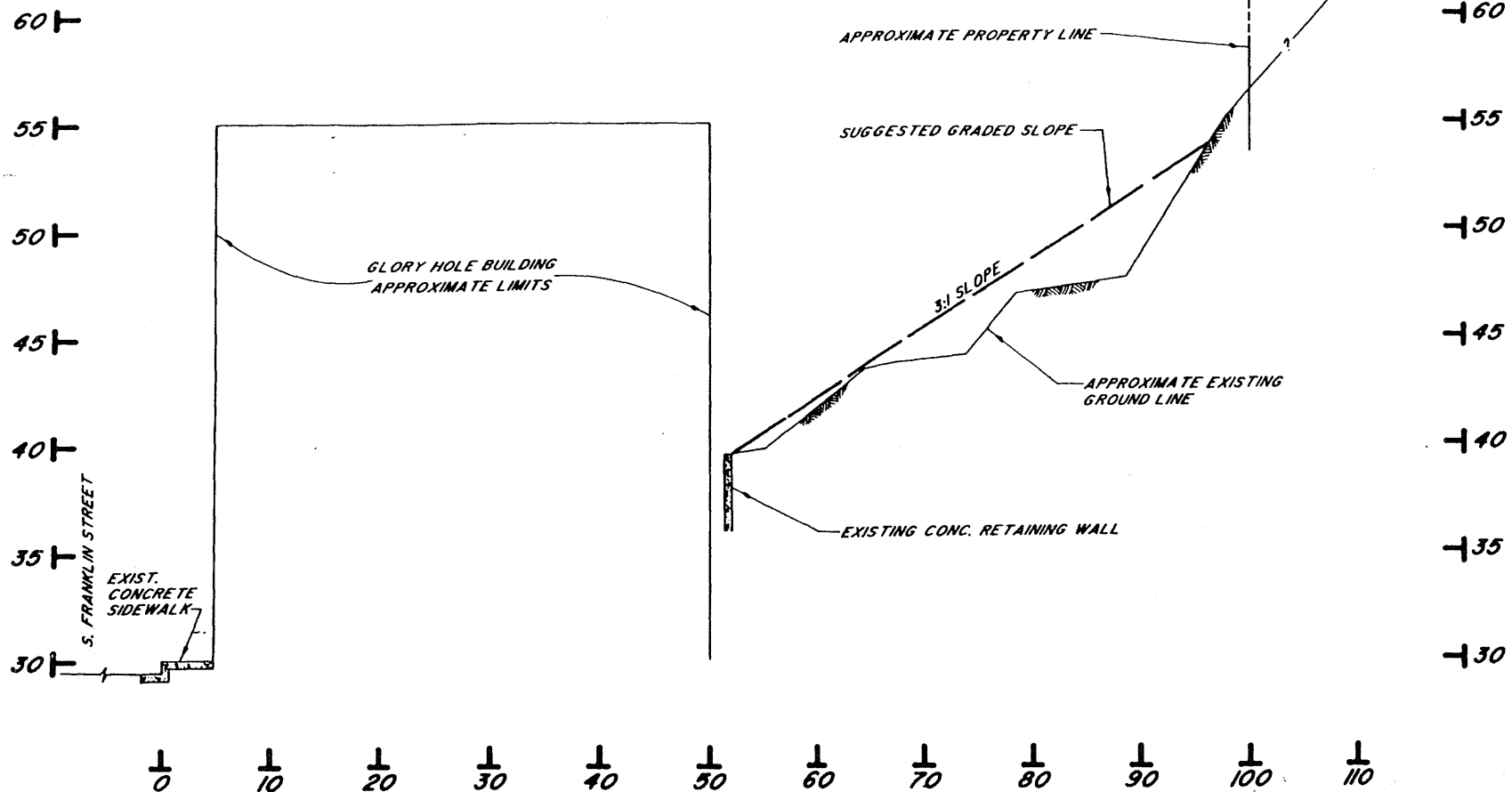
Record, APL2021 0006 - 247 S. Franklin St./The Glory Hall

DWG NO.	NO. 2
SCALE	AS SHOWN
DATE	12-27-89
PROJ. NO.	89003
GRID	1 E

SECTION "A-A"
GLORY HOLE BUILDING
 JUNE 10 ALASKA

R&M ENGINEERING, INC.
 ENGINEERS
 1000 10TH AVENUE
 ANCHORAGE, ALASKA 99501

S.	J.M.P.
D.	
C.	D.S.
APP.	M.A.M.



SECTION "B-B"

GLORY HOLE BUILDING

SCALE: HORIZ.: 1"=10'
VERT.: 1"=5'

Record, APL2021 0006 - 247 S. Franklin St./The Glory Hall

DWG NO.	NO. 3
SCALE	AS SHOWN
DATE	12-27-89
PROJ. NO.	89003
GRID	FILE

SECTION "B-B"
GLORY HOLE BUILDING
JANUARY ALASKA

R&M
R&M ENGINEERING, INC.
ALASKA

DES.	J.M.P.
CAD.	
DWN.	D.S.
C&D.	M.A.M.
APPD.	

MEMORANDUM

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

TO: Planning Commission

DATE: January 18, 1990

FILE: CU-17-89

FROM: David Goade, Planner II *DLG*
Community Development

SUBJECT: Construction in geophysical hazard area.

GENERAL INFORMATION

Applicant: The Glory Hole

Property Owner: Juneau Cooperative Christian Ministry

Requested Action: Conditional use permit application.

Purpose: To allow the reconstruction of the Glory Hole building in a landslide hazard area.

Legal Description: Fraction of Lot 2, Block M, Juneau Townsite

Parcel Code Number: 1-C07-0-BOM-001-0

Location: 247 South Franklin Street

Site Size: 4,400 Square Feet

Access: South Franklin Street

Existing Land Use: Sheltered care facility.

Surrounding Land Use: North - Decker Way & Decker Building
South - Filipino Community Hall
East - An abandoned building.
West - South Franklin Street

Zoning Designation: MU, Mixed Use

Utilities: Public

Planning Commission
File No. CU-17-89
Page 2

PROJECT DESCRIPTION

The applicant plans to demolish the existing Glory Hole building and construct a new one. The sheltered care use of the property will continue. The new 4,500 square foot building will enhance the Glory Hole's ability to serve Juneau's homeless population.

BACKGROUND

1. The subject property is:
 - a. In the mixed use zoning district.
 - b. In the design review district.
 - c. In the historic district.
 - d. In the PD-1 parking district.
 - e. In a landslide hazard area.
2. Both the Design Review Board and the Historic District Advisory Committee have reviewed and approved the project.
3. All development in a landslide hazard area greater than a single-family dwelling shall require a conditional use permit.

ANALYSIS

Landslide Hazard:

All development in landslide and avalanche areas shall minimize the risk of loss of life or property due to landslides and avalanches. The Planning Commission may require mitigating measures certified as effective by a professional engineer for development in such areas. The measures may include dissipating structures or dams, special structural engineering, or other techniques designed for the site. Mitigating measures may also include reduction in the proposed residential density.

In order for the commission to require appropriate mitigating measures, a developer shall first submit site-specific geological and engineering data. Qualified engineers shall prepare the information by examining the landslide risk and recommending proper protective measures. The purpose is to minimize the risk of loss of life or property due to landslides or avalanches.

Planning Commission
File No. CU-17-89
Page 3

The enclosed hazard analysis report for the subject property concludes that a significant landslide hazard does not exist. The report, however, specifies five construction recommendations to control site drainage and soils. The construction of the new building should include these recommendations.

FINDINGS

The Director of Community Development shall make findings on a conditional use permit application. The Planning Commission shall review and adopt the findings unless it finds by a preponderance of the evidence that the findings are in error. The director's findings are:

1. Is the requested permit proper according to the Table of Permissible Uses?

Yes. At table section 7.200.

2. Is the application complete?

Yes.

3. Does the proposed development follow the other requirements of CBJ 49.15?

Yes.

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

No. The applicant's hazard analysis report concludes that a significant landslide hazard does not exist for the subject property.

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

No.

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

Yes.

Planning Commission
File No. CU-17-89
Page 4

The Planning Commission may, regardless of the above findings, conditionally approve or deny the permit. The commission's own independent review of information submitted at the public hearing provides the basis for the decision. The decision needs supportive findings based on the following factors.

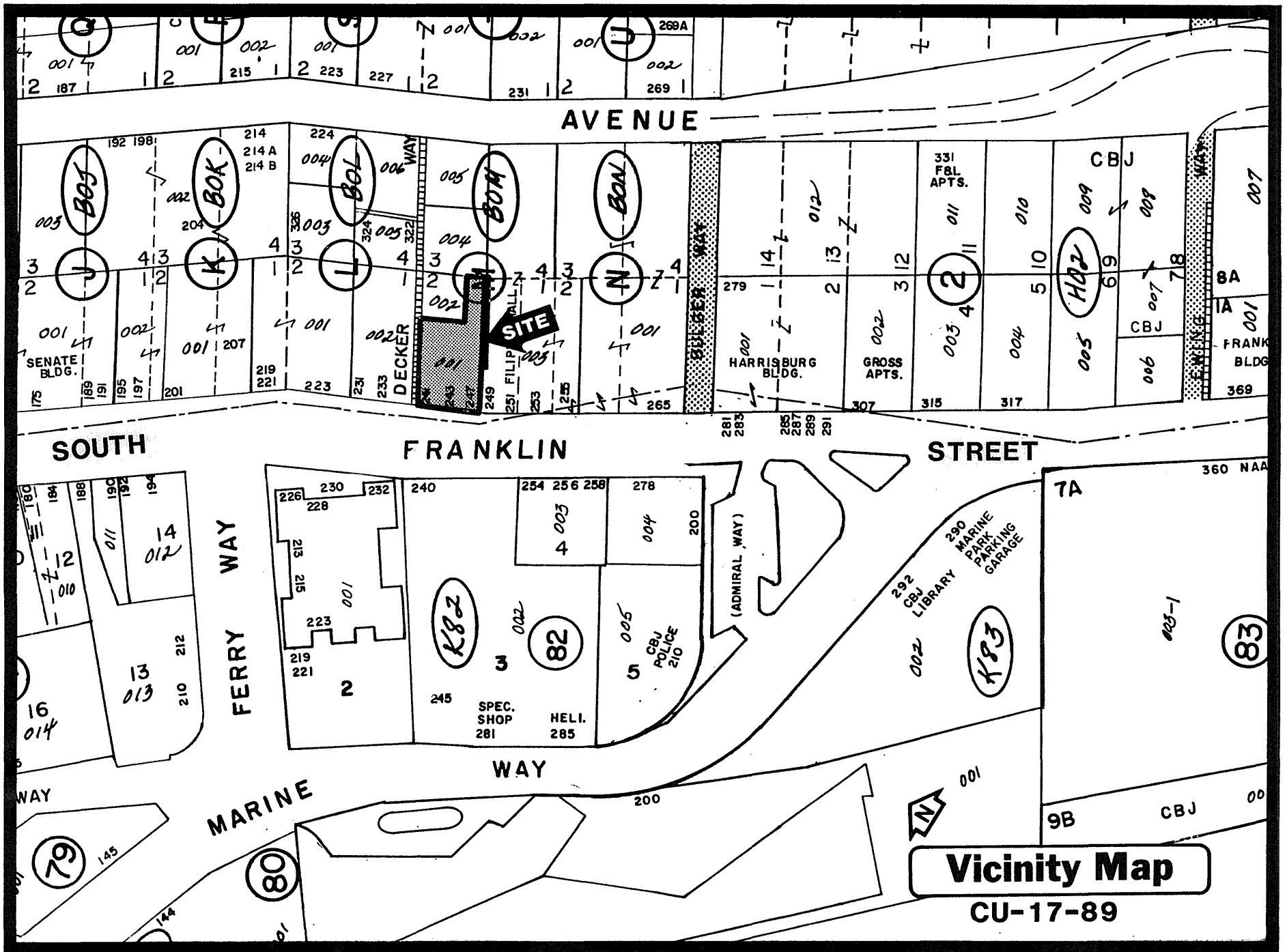
1. Will the proposed project materially endanger the public health or safety?
2. Will the proposed project substantially decrease the value of or be out of harmony with property in the neighboring area?
3. Will the proposed project not be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans?

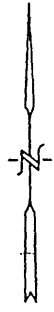
STAFF RECOMMENDATION - Conditional approval.

The conditional use permit is primarily for construction in a landslide hazard area. The purpose is to examine site-specific landslide risks and to design a building accordingly. This should reduce the risk of loss of life or property due to a landslide.

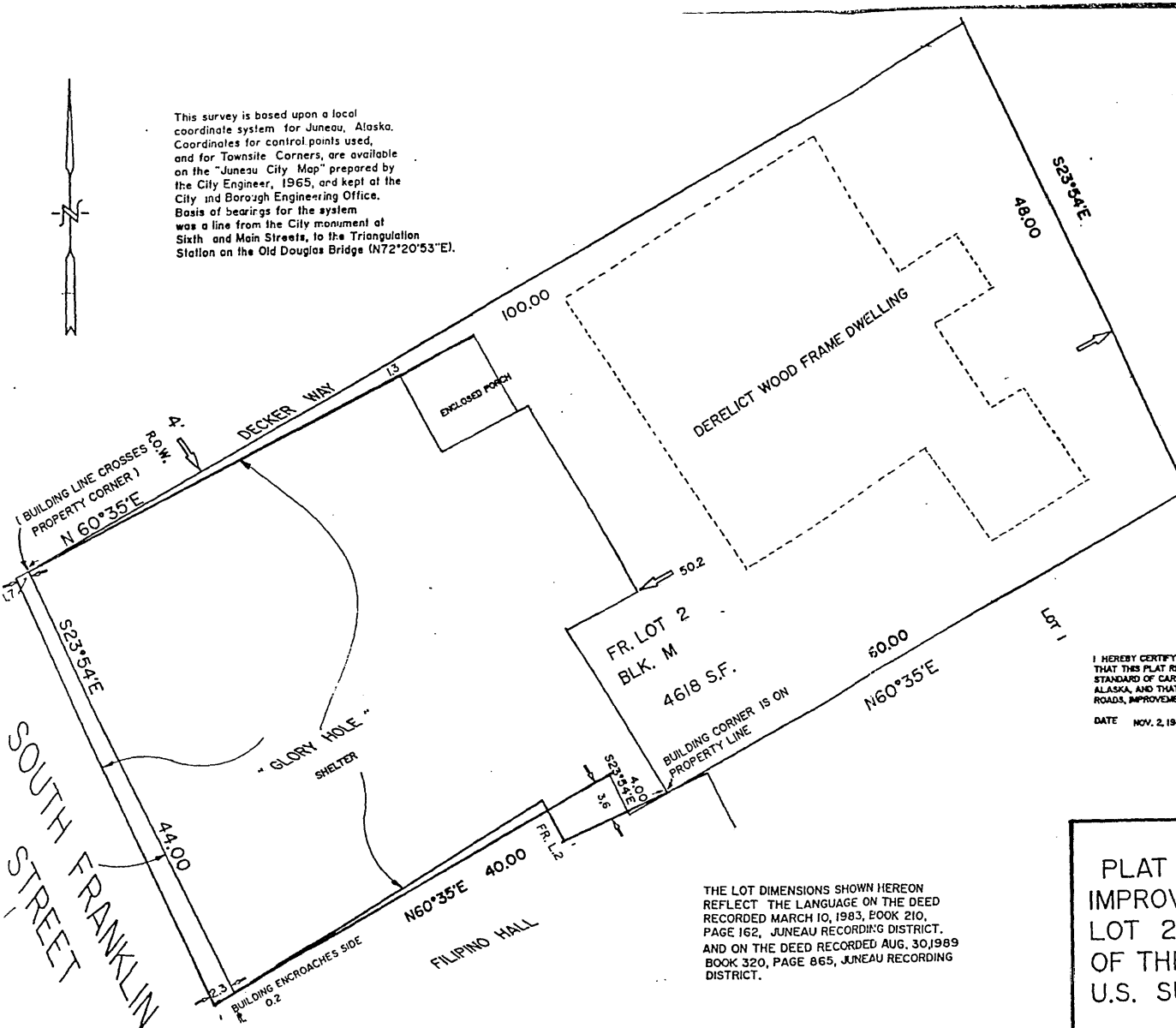
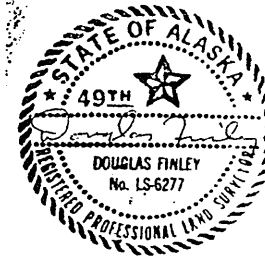
Staff recommends that the Planning Commission adopt the findings listed above and grant the conditional use permit subject to the following condition.

1. For the new building the applicant shall include the five construction recommendations listed in the enclosed hazard analysis report.





This survey is based upon a local coordinate system for Juneau, Alaska. Coordinates for control points used, and for Townsite Corners, are available on the "Juneau City Map" prepared by the City Engineer, 1965, and kept at the City and Borough Engineering Office. Basis of bearings for the system was a line from the City monument at Sixth and Main Streets, to the Triangulation Station on the Old Douglas Bridge (N72°20'53"E).



I HEREBY CERTIFY TO THE JUNEAU COOPERATIVE CHRISTIAN MINISTRY THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME, ON THE GROUND, TO THE NORMAL STANDARD OF CARE OF PROFESSIONAL LAND SURVEYORS PRACTICING IN ALASKA, AND THAT ON THE BASIS OF MY KNOWLEDGE, INFORMATION, AND BELIEF, ALL ROADS, IMPROVEMENTS, EASEMENTS, AND ENCROACHMENTS ARE AS SHOWN HEREON.

DATE NOV. 2, 1989

THE LOT DIMENSIONS SHOWN HEREON REFLECT THE LANGUAGE ON THE DEED RECORDED MARCH 10, 1983, BOOK 210, PAGE 162, JUNEAU RECORDING DISTRICT, AND ON THE DEED RECORDED AUG. 30, 1989 BOOK 320, PAGE 865, JUNEAU RECORDING DISTRICT.

PLAT SHOWING LOCATIONS OF IMPROVEMENTS ON FRACTIONAL LOT 2, BLOCK "M", TOWNSITE OF THE CITY OF JUNEAU, ALASKA, U.S. SURVEY NO. 7.

SCALE : 1" = 10'

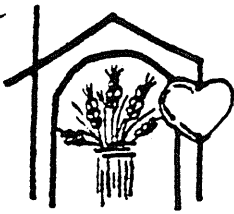
DATE: OCTOBER 24, 1988

REVISED NOVEMBER 2, 1989

DOUGLAS FINLEY, REGISTERED LAND SURVEYOR

OWNERS
JUNEAU COOPERATIVE CHRISTIAN MINISTRY, A NON-PROFIT CORPORATION
247 SOUTH FRANKLIN STREET
JUNEAU, ALASKA 99801

Record, APL2021 0006 - 247 S. Franklin St./The Glory Hall



THE GLORY HOLE

247 south franklin street juneau, alaska 99801 907-586-4159

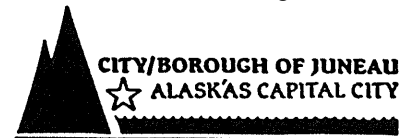
NARRATIVE DESCRIPTION OF PROJECT

The Glory Hole plans to rebuild its current structure on the present site. Use of the new building will essentially remain the same with meals being served twice daily in an approved kitchen and shelter bunk space provided for a possible total of 36 individuals. The Glory Hole is the only source for emergency shelter and meals in the Juneau area. The daily population is approximately 70 including guests at both meals and those using the drop-in center for coffee and donuts. These approximately 70 individuals enter and exit throughout the hours of operation.

The new building project will increase capacity in both the dining room and shelter and facilitate the operation greatly. Current structural limitations and old, worn-out utility equipment inhibit efficient and effective use of the building. Total square footage of the new structure will be 4500 sq. ft. Site plan included with this application.

CONDITIONAL USE PERMIT APPLICATION

City and Borough of Juneau
Community Development Dept.
155 South Seward Street
Juneau, Alaska 99801
(907) 586-5235



Date: _____
File #: _____
Filing Fee: _____

1. THIS APPLICATION IS A MODIFICATION OF AN EXISTING CONDITIONAL USE PERMIT: Yes _____ No X

2. APPLICANT INFORMATION:

Name(s) The Glory Hole John Egan - Director
Mailing Address 247 S. Franklin
City, State, Zip Code Juneau AK 99801
Home Telephone _____ Day Telephone 586-4159
Signature(s) John Egan Date 11/21/89

3. LANDOWNER INFORMATION:

COMPLETE this section only if the applicant is NOT the landowner.

I (We), Charles G. Adams the owner(s) of the following described property do hereby acknowledge that the application by John Egan for the development of said property is made with my (our) complete understanding and permission.

Landowner Signature(s) [Signature] Date 11/21/89
Mailing Address Box 21997 Juneau AK 99802 Telephone 789-7239

4. SUBJECT PROPERTY INFORMATION:

A. Zoning Designation: MU

B. Legal Description:

Lot(s) 2 Subdivision Townsite
Block/Tract M U.S. Survey # 7

C. Site Dimensions:

Width 44' Depth 100' Total Area 4400 sq ft

5. PROJECT INFORMATION:

A. Use of Subject Property:

Existing: Homeless Shelter and soup kitchen
Proposed: SAME - new structure

B. Use of Existing Structures: Existing structure will be removed

C. Use of Proposed Structure: New structure will be used for soup kitchen dining room and shelter for 36 individuals

D. Size of Proposed Structure:

Length 46' Width 44' Height 35' Square Feet 4950

Record, APL2021 0006 - 247 S. Franklin St./The Glory Hall

E. Signage:

Existing: Style painted logo on wood Size 36" x 18" suspend
 Proposed: Style _____ Size _____

F. Lighting:

Existing: Style None Size _____
 Proposed: Style _____ Size _____

G. Number of Parking Spaces:

Existing: None
 Proposed: 1 space off-site

H. Utilities:

Existing:	Water:	On Site	_____	Public	<u>X</u>	NA	_____
	Sewer:	On Site	_____	Public	<u>X</u>	NA	_____
Proposed:	Water:	On Site	_____	Public	<u>X</u>	NA	_____
	Sewer:	On Site	_____	Public	<u>X</u>	NA	_____

ADDITIONAL INFORMATION:

Each application for a Conditional Use Permit is reviewed by the Planning Commission at a public hearing. The permit procedure is intended to provide the commission the flexibility necessary to make decisions tailored to individual applications. The commission may stipulate conditions to mitigate external adverse impacts from the proposed use. If it is determined that these impacts cannot be satisfactorily overcome, the permit shall be denied.

The following items are required for an application:

1. PRE-APPLICATION CONFERENCE. Prior to application submission, the applicant shall meet with Community Development Department staff to discuss the proposed development activity and the Conditional Use Permit procedure. Please call for an appointment.
2. A completed application form including payment of fee.
3. A letter describing the project for which you are seeking a permit.
4. Fifteen (15) copies of a site plan drawn to scale on 24" x 36" paper and providing the following information: (Number and size of site plan copies may be changed if approved by department staff.)
 - A. Existing and proposed structures.
 - B. Existing and proposed parking areas, including dimensions of the spaces.
 - C. Proposed traffic circulation within the site including access/egress points and traffic control devices.
 - D. Existing and proposed signage and lighting, including the placement on buildings, dimensions, materials, color, and style.
 - E. Existing and proposed landscaping, including species identification, size, planting locations, and a cross section for installation.
5. The architectural design, including building elevations, of proposed structures shall be shown.
6. A sign for public notice shall be placed on the site describing the development proposal and other pertinent information. The applicant must confer with department staff for details of sign posting.

PLEASE NOTE: Incomplete applications, including nonpayment of fee, will not be scheduled for Planning Commission action.

RSM

JUNEAU

TO Project File		SUBJECT Site Observations The Glory Hole	
FROM Joseph L. Connolly R & M Engineering, Inc. <i>gjc</i>		DATE 12/26/89	PROJECT NO. 891183

On December 15, 1989, the writer visited the subject site accompanied by Mr. John Egan.

Mr. Egan stated they intend to construct a three-level wood frame structure largely within the footprint of the existing building. The existing low retaining wall will remain and will be straightened and plumbed up. The derelict two-story mansion upslope on the adjoining lot will be razed and the natural slope will be planted or terraced after minor grading.

Several footings for support of columns carrying the three-story "deck" or open air lounge will have to be designed to bear on soils near the upslope limit of the existing lot.

We need a rough topo survey of the existing ground surface on the two lots to examine regarding safe slope angle. We need several hand auger test borings to 8'± to estimate soil density and type.

Probable recommendations will include;

1. Regrade slope after razing structure. Remove "excess" soils.
2. Design overhang footings for 5' burial.
3. Recommend upslope cutoff trench and drain line.
4. Planting to include indigenous native plants (salmonberry and alder) after hydroseeding.

fej

cc: Mr. John Egan



• ENGINEERS
• GEOTECHNICAL
• ENVIRONMENTAL

R&M ENGINEERING, INC.

5205 GLACIER HWY

PO BOX 34278

JUNEAU, ALASKA 99803

PH 907-71

December 28, 1989

The Glory Hole
247 S. Franklin Street
Juneau, Alaska 99801

Attention Mr. John Egan

Re: Geophysical Hazard Assessment
New Glory Hole Building
R & M Project No. 891183

Ladies and Gentlemen:

This is our letter-report concerning the potential for damage to the planned structure by earthslide or debris avalanche either from outside the property limits or from earthslides which may result from new construction on the property.

This report is written in response to a requirement by the City and Borough of Juneau (CBJ) building officials to address the potential for loss of life or property in those areas which may have "highly unstable" or "potential unstable" slopes. These slopes were identified in a report entitled "Geophysical Hazards Investigation for the City and Borough of Juneau" completed in 1972. The subject project site is located in an area shown on Figure 6 of that report. Within said report, the area is described as "potential hazard" with respect to mass-wasting, i.e., earthslides and debris flows.

The classification category in the report is based on a combination of soil strength data and slope angle. These factors at the site were investigated with the following results.

Slope Angle

The slope of the visible ground surface was measured utilizing hand level and fabric chain methods. The results are indicated on the attachments and indicate that the general surface slope angle is in the 18° to 27° range. This range compares favorably with the slope angle range of 28° to 37° indicated on Page 32 of the 1972 report as defining "potentially unstable" slope. In short, the slope is not, by the 1972 report's definition, "potentially unstable."

The Glory Hole
December 28, 1989
Page 2

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The soils existing on the subject slope were observed in nearby exposures (Filipino Community Center and adjacent slope). The observations compare favorably with our knowledge of soils on this hillside obtained in at least three soil investigation projects over the past 18 years. Surficial soils are granular and may be classified as a SAND with some silt and gravel size material, all of colluvial origin. The surficial soil extends to a depth of 10' to 20' where it is underlain by a glacial marine sediment which can be classified as a silty SAND. The surficial soil unit compares favorably with the soil samples described in the 1972 report as having an angle of internal friction of 36° to 37°.

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If the new construction recommendations indicated herein are implemented, we anticipate that mass wasting will not be a significant problem for this structure or its occupants in the foreseeable future.

The Glory Hole
December 28, 1989
Page 3

We appreciate the opportunity to evaluate the potential for future mass-wasting damage to the planned new Glory Hole structure. Should there be questions, or if we may be of further service on this or future projects for the Glory Hole, please do not hesitate to contact us.

Sincerely,

R & M ENGINEERING, INC.



Joseph L. Connolly, P.G., E.G.
Engineering Geologist

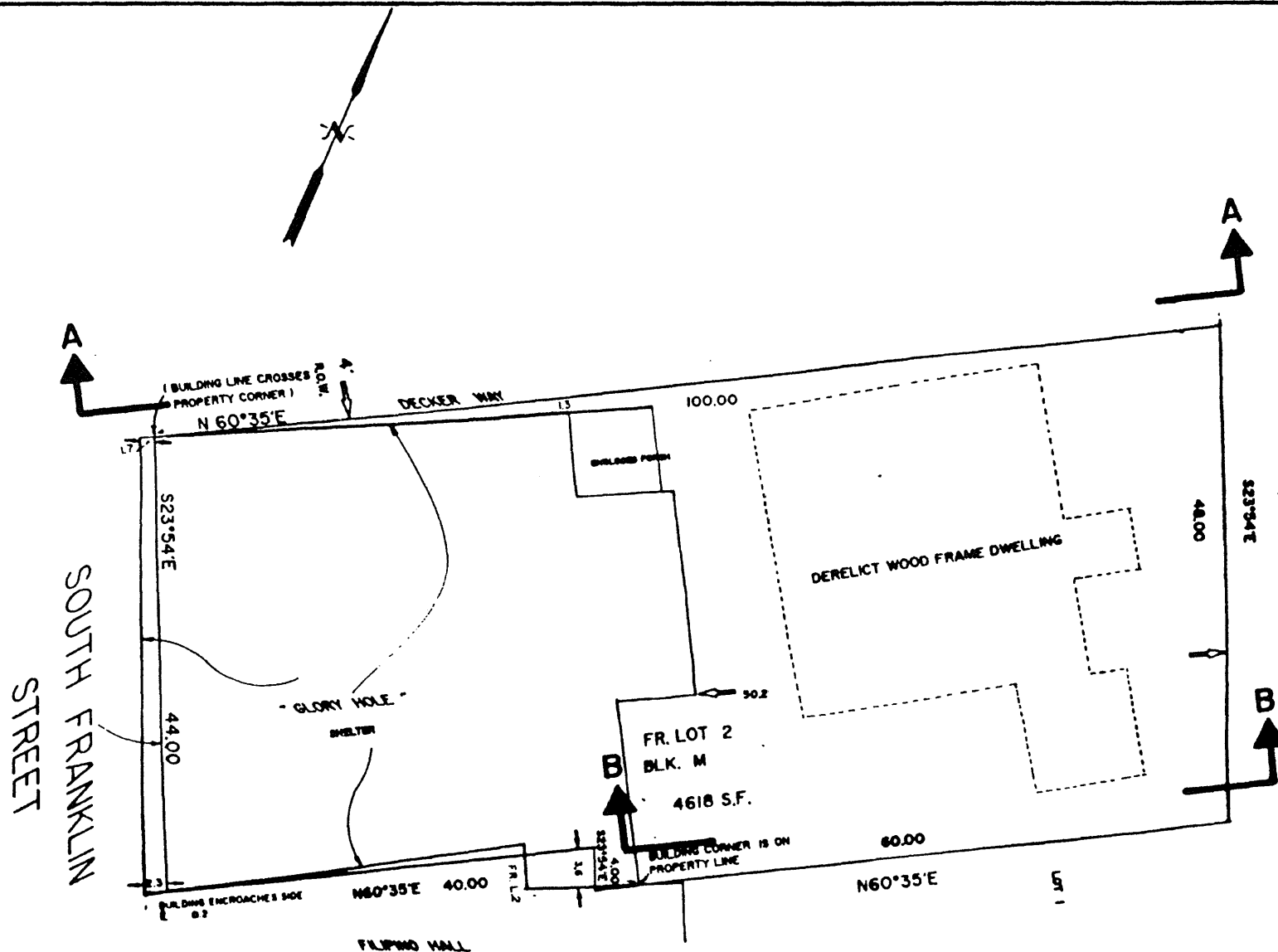
fej

Attachments



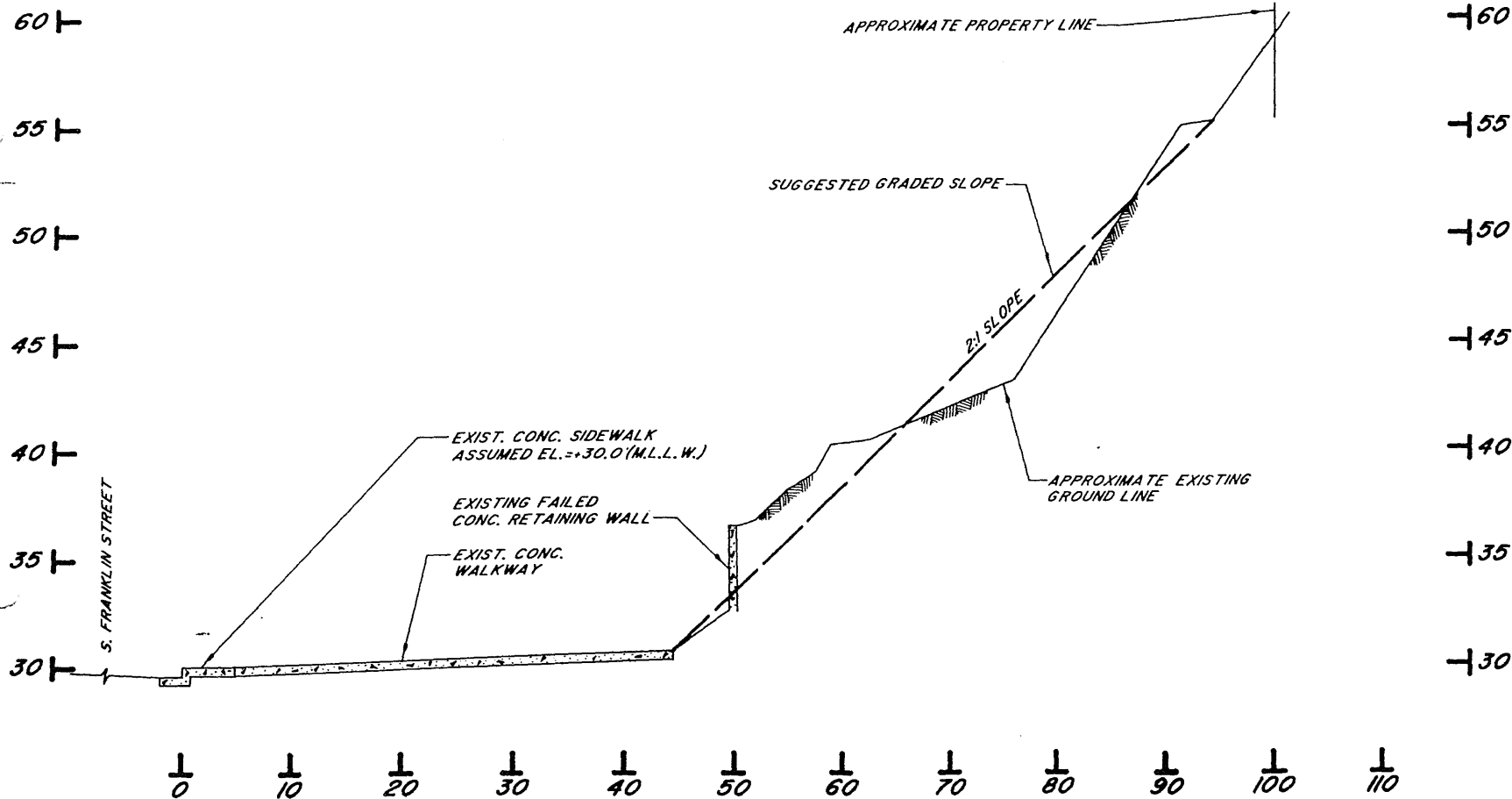
Malcolm A. Menzies, P.E.
Civil Engineer

DATE 12-27-89	SCALE N.T.S.	DRAWN BY D.S.	CHECKED BY J.C.	PROJECT NO. 89183	DRAWING NO. NO. 1
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SURFACE PROFILE LOCATION DIAGRAM **GLORY HOLE BUILDING**

Record, APL2021 0006 - 247 S. Franklin St./The Glory Hall



SECTION "A-A"

GLORY HOLE BUILDING

SCALE: HORIZ.: 1"=10'
VERT.: 1"=5'

Record, APL2021 0006 - 247 S. Franklin St./The Glory Hall

DWG NO. 40.2
SCALE AS SHOWN
DATE 12-27-09
PROJ. NO. 89803
GRID FILE

SECTION "A-A"

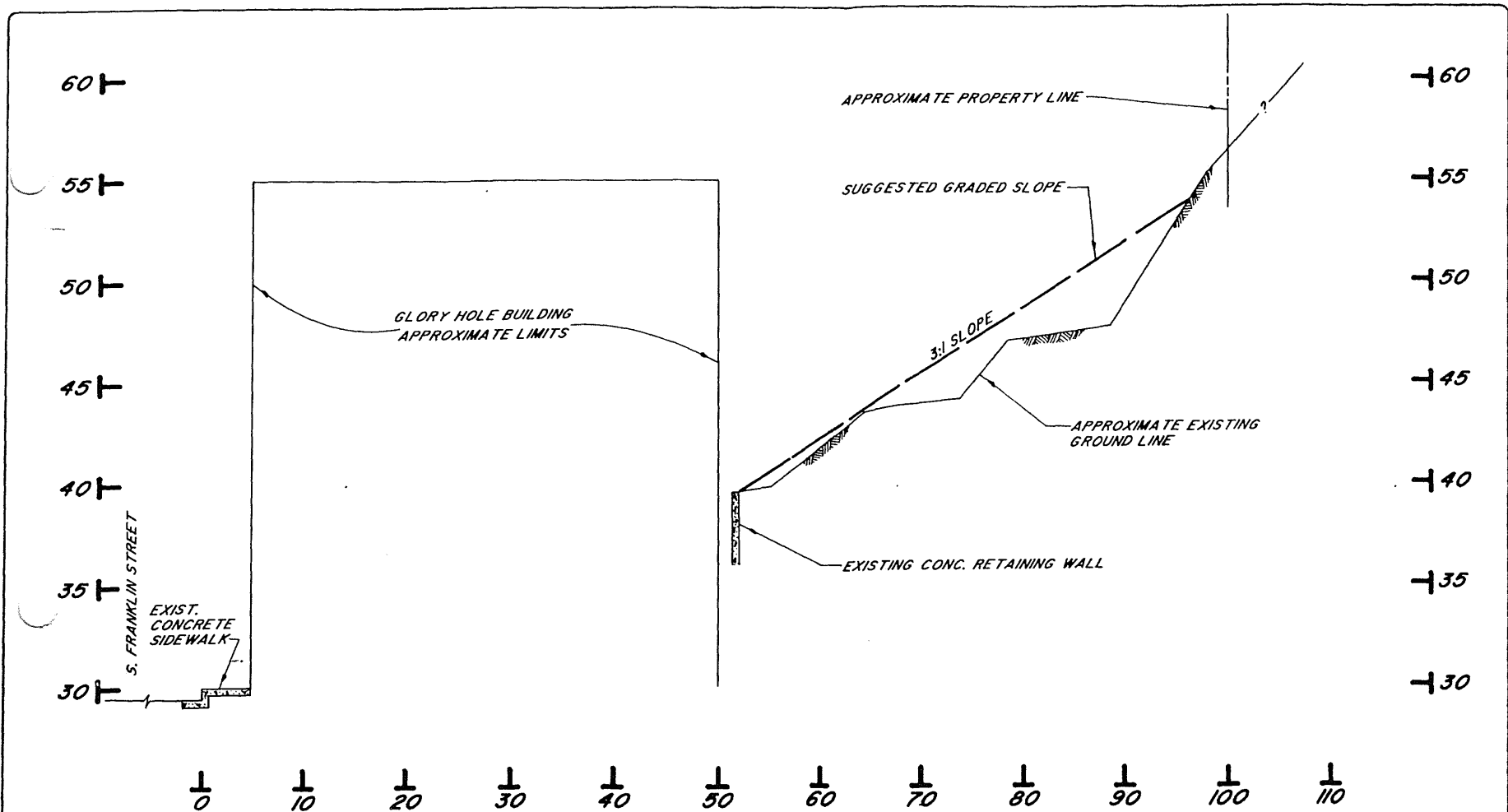
GLORY HOLE BUILDING

JUNEAU, ALASKA

R&M ENGINEERING, INC.

REGISTERED PROFESSIONAL ENGINEERS

DES. J.M.P.
C.D. J.M.P.
INVS. D.S.
C.D. M.A.M.
PPD



SECTION "B-B"

GLORY HOLE BUILDING

SCALE: HORIZ.: 1"=10'
VERT.: 1"=5'

Record, APL2021 0006 - 247 S. Franklin St./The Glory Hall

DWG NO.	NO. 3
SCALE	AS SHOWN
DATE	12-27-89
PROJ. NO.	89003
GRID	FILE

SECTION "B-B"

GLORY HOLE BUILDING

JUNEAU, ALASKA

R&M ENGINEERING, INC.

ENGINEERS

ARCHITECTS

SURVEYORS

DES.	J.M.P.
CKD.	D.S.
DWN.	M.A.M.
APPD.	

MEMORANDUM

RSM

JUNEAU

TO

Project File

SUBJECT

Site Observations
The Glory Hole

FROM

Joseph L. Connolly
R & M Engineering, Inc. *gjc*

DATE

12/26/89

PROJECT NO.

891183

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fej

cc: Mr. John Egan



R&M ENGINEERING, INC.

5205 GLACIER HWY

PO BOX 34278

JUNEAU, ALASKA 99803

PH. 907-780-6060

ENGINEERS
GEOLOGISTS
SURVEYORS

December 28, 1989

The Glory Hole
247 S. Franklin Street
Juneau, Alaska 99801

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Re: Geophysical Hazard Assessment
New Glory Hole Building
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The Glory Hole
December 28, 1989
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It can be concluded from a review of slope angle and soil type on the slope behind the existing Glory Hole building that the potential for damage from mass wasting is minimal, particularly if the following construction recommendations are followed;

1. Machine grade the entire surface upslope of the existing concrete retaining wall to a relatively uniform slope angle. (Shallow terracing may be more aesthetically pleasing.)
2. Found the deck support footings at least 4' below the slope surface as measured on the slope's low side. Footings may be designed for a soil bearing value of 1,500 PSF.
3. Relocate the fuel oil tank so it does not bear against the upslope side of the retaining wall.
4. Hydroseed the slope soils exposed by grading and hand-plant with salmonberry, alder, or other native, hardy plants.
5. Intercept sheet flow water at the upslope property line by excavating a 2' (minimum) depth ditch sloped to drain without eroding the ditch bottom. The ditch should discharge into a conduit leading to the municipal storm drain system.

In summary, aside from the general soil creep, for the slope behind the Glory Hole, mass wasting is not now, nor has it been a problem in the historic past. Slides have descended the slopes to the north and south of Decker Way, but have not affected the Glory Hole property slope and building to any significant degree.

If the new construction recommendations indicated herein are implemented, we anticipate that mass wasting will not be a significant problem for this structure or its occupants in the foreseeable future.

The Glory Hole
December 28, 1989
Page 3

We appreciate the opportunity to evaluate the potential for future mass-wasting damage to the planned new Glory Hole structure. Should there be questions, or if we may be of further service on this or future projects for the Glory Hole, please do not hesitate to contact us.

Sincerely,

R & M ENGINEERING, INC.



Joseph L. Connolly, P.G., E.G.
Engineering Geologist

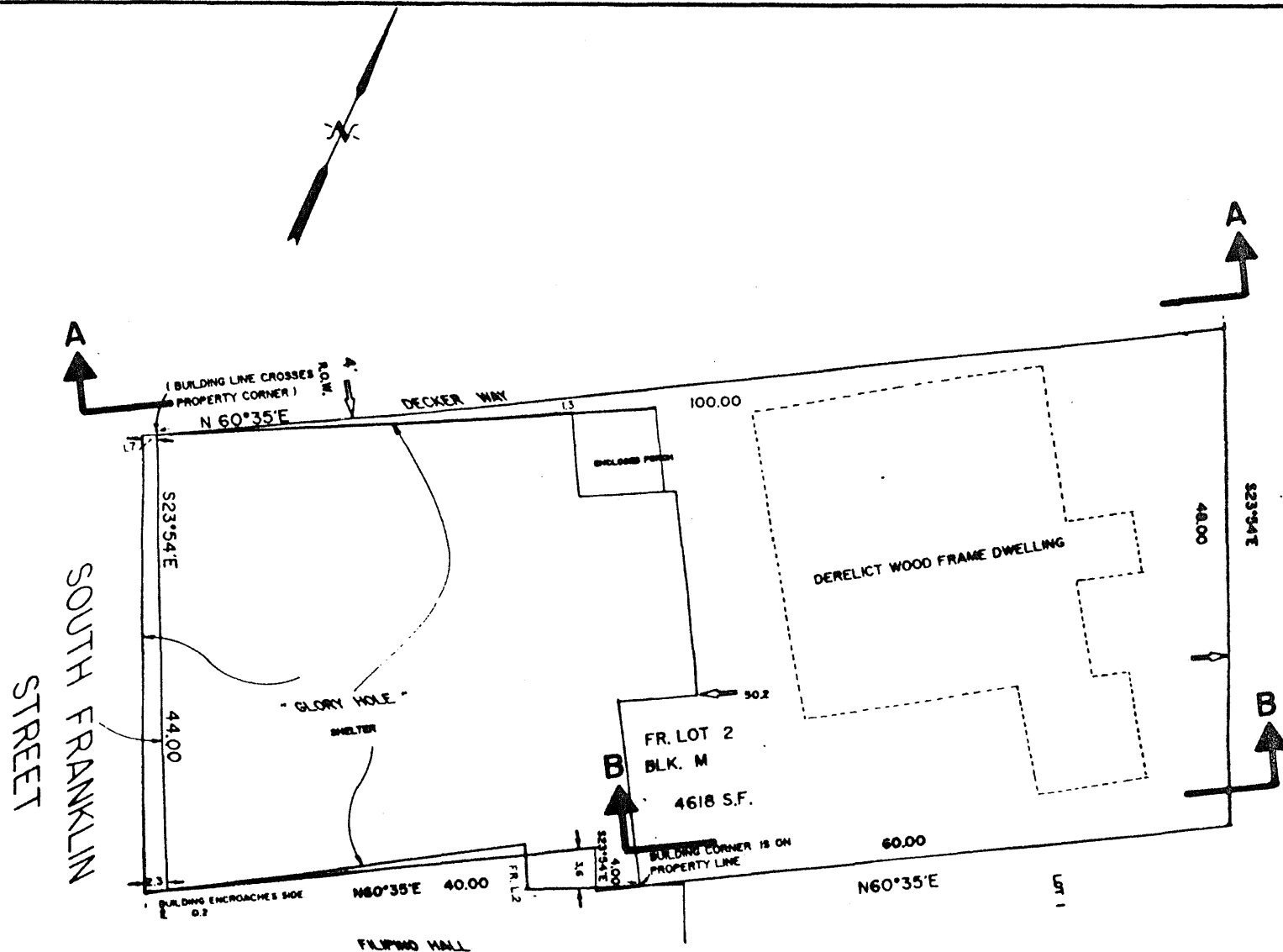
fej

Attachments



Malcolm A. Menzies, P.E.
Civil Engineer

DATE 12-27-89	SCALE N.T.S.	DRAWN BY D.S.	CHECKED BY J.C.	PROJECT NO. 891183	DRAWING NO. NO. 1
------------------	-----------------	------------------	--------------------	-----------------------	----------------------



SURFACE PROFILE LOCATION DIAGRAM **GLORY HOLE BUILDING**

Record, APL2021 0006 - 247 S. Franklin St./The Glory Hall

GLORY HOLE

12/06/89

DRB

let HDAC decide on setback question
" " recommend on project and
then come back to DRB

12/10/89

HDAC

unanimous

motion to recommend street
vacation be allowed - consistent
w/ HD stds. - maintains existing view

12/20/89

DRB

let PC decide on priority plane
If importance of RCR is opposed
to consistency w/ HD stds. (view
plane maintained)

MINUTES

DESIGN REVIEW BOARD CITY AND BOROUGH OF JUNEAU, ALASKA Regular Meeting

December 20, 1989

The regular meeting of the Design Review Board, held in the Assembly Chambers of the Municipal Building, was called to order at 5:40 p.m. by Chairman Jay Johnson.

I. ROLL CALL

Board Present: Sharon Gaipman, Dick Winchell, Jack Wolever, Jay Johnson

A quorum was present.

Staff Present: Tom Korosei, Planner

II. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

III. CONSENT AGENDA

MOTION - by Gaipman to approve the consent agenda. There being no objection, it was so ordered.

DRD-31-89

Construction of loading dock canopy

Applicant: Juneau Dairies, Inc.

DRD-27-89

Modifications to previously approved plans for alterations to National Bank of Alaska Valley Branch

Applicant: RMC, Inc.

IV. REGULAR AGENDA

HDR-09-89

Construction of approximately 5000-square-foot building for sheltered care of indigent persons, located at 241-247 South Franklin Street (continued from 12/6/89).

Applicant: Juneau Cooperative Christian Ministry (The Glory Hole)

Staff Report: Mr. Korosei advised the Historic District Advisory Board has discussed varying degrees of replication of the existing building, which, because of its condition, necessitates substantial restoration, and the remaining original structure would be of questionable historic value. That board accepted the concept of the revised drawing that had been presented, but specific significant details should be incorporated into the final design. The Historic District Advisory Board also wished to go on record in support of vacation of a two-foot infringement on the right-of-way even though the Planning Commission will not likely support such a vacation.

Tom Huntington, representing the applicant, provided an overview of the planned design.

Board Action:

MOTION - by Wolever to approve the design presented on the lower drawing with the understanding that window forms, treatments for mullions, and the cornice will be replicated faithfully in accordance with the original photographs, and the material will be drop-sided on the front. Once materials are settled upon, colors will be submitted to the Design Review Board. There being no objection, it was so ordered.

DRD-36-89

Installation of freestanding sign at entrance to Harris Harbor

Applicant: University of Alaska

This item was withdrawn from the agenda.

V. STAFF REPORT

None.

VI. QUESTIONS AND COMMENTS

None.

VII. ADJOURNMENT

MOTION - by Gaipman to adjourn. There being no objection,
the meeting adjourned at 6:25 p.m.

MINUTES

DESIGN REVIEW BOARD CITY AND BOROUGH OF JUNEAU, ALASKA Regular Meeting

December 6, 1989

The regular meeting of the Design Review Board, held in Room 214 of the Municipal Building, was called to order at 5:30 p.m. by Chairman Jay Johnson.

I. ROLL CALL

Board Present: Sharon Gaipman, Marwood Harris, Jack Wolever, Jay Johnson

A quorum was present.

Staff Present: Tom Korosei, Planner

II. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None.

III. APPROVAL OF MINUTES

MOTION - by Harris to approve the minutes of November 7, 1989 as written. There being no objection, it was so ordered.

IV. CONSENT AGENDA

DRD-30-89

Site Alterations and signage for a fitness center in an existing building at 10004 Glacier Highway.

Applicant: Sports Unlimited

Mr. Korosei requested that the consent agenda be continued because the applicant had not provided all the necessary information.

V. REGULAR AGENDA

HDR-09-89

Construction of approximately 5000-square-foot building for sheltered care of indigent persons, located at 241-247 South

Franklin Street.

Applicant: Juneau Cooperative Christian Ministry (The Glory Hole)

Staff Report: Mr. Korosei reviewed the report included in the packet. He noted additional review of the project must be given by the Planning Commission, thus the public will have further opportunity to comment.

Staff recommends this item be continued and referred to the Juneau Historic District Advisory Committee for comment and/or recommendation to the Board.

In response to Chairman Johnson, Mr. Korosei advised he would attempt to schedule the Historic District Advisory Committee meeting prior to the January 9 Planning Commission meeting.

John Egan, representing The Glory Hole, provided an overview of the project. He noted the new building will be placed back two feet from the existing footprint because the existing building apparently encroaches into the Franklin Street right-of-way.

Tom Huntington, architect for the project, advised the two buildings on the site at this time will be demolished and the new structure will be placed back two feet, making it difficult to replicate what currently exists. Mr. Huntington urged the Board to determine if the proposed design is acceptable rather than trying to recreate the original one in order to expedite the design process.

Mr. Wolever indicated it was incorrect to assume that the Historic District Advisory Committee would require the applicant to replicate the existing building; however, the detailing on the building and the materials used should be similar to the original. Mr. Egan advised they intend to meet the code and make the building blend in with the adjacent structures.

The Board discussed a two-foot street vacation, noting the issue amounts to prioritizing the historic appearance of the downtown district or public use of property.

Board Action:

MOTION - by Gaipman to accept staff's recommendation.

There being no objection, it was so ordered.

HDR-10-89

Alterations to C.W. Young Building (Ace Hardware)

Applicant: Thomas Huntington

Staff Report: Staff recommends that renovation of the C.W. Young Building (Ace Hardware) be approved subject to the following conditions:

1. Renovation previously approved shall be completed in conformance with previously approved plans except that the first-story window on the Shattuck Way facade may be repositioned to allow existing access to fire protection device connections, and the canopy should remain with a balustrade design that is complementary to the previously approved plans.
2. The design for new work shall be revised to conform with the historic district design standards including a) replacement of the textured plywood and other vertically oriented siding, with appropriate finish material and detail, such as horizontal tongue-and-groove wood siding and wood window casings, and b) use of canopy support rods as in the original design.
3. All signage shall be submitted for review and approval and unapproved signs shall be removed.

Commission Action:

MOTION - by Wolever to approve staff's recommendation.
There being no objection, it was so ordered.

In response to questions by the applicant, Chairman Johnson explained the Board has directed that the vertical siding be removed and replaced with horizontal materials. Mr. Wolever added another sketch should be submitted to the Board if the applicant disagrees with the recommendations. Mr. Huntington indicated vertical treatment underneath the windows would be more successful than going to beveled siding. Chairman Johnson commented it is the portion above the canopy that concerns the Board, not the portion below. Mr. Huntington commented the Board voted to have horizontal siding; whether it is worth the owner's time to return to request vertical is questionable. Chairman Johnson advised he would reconsider his vote in order for the applicant to

address the issue, but a specific plan would be necessary.

Public Participation:

Laurie Ferguson Craig commented she has strong feelings about maintaining the consistency and integrity of design in the downtown area. She noted most people don't look above the marquee, thus what is at eye level is a very important factor in maintaining that consistency.

NOTICE OF RECONSIDERATION - by Chairman Johnson of his vote on this issue.

VI. STAFF REPORT

Mr. Korosei advised a proposed new building in the historic district will be coming before the Design Review Board in the near future. The Board, upon review of preliminary sketches, requested further information and design plans before it is addressed.

Mr. Korosei also mentioned a preliminary waterfront plan will be completed in the very near future.

VII. QUESTIONS AND COMMENTS

Ms. Gaiptman commented it seemed odd that so much energy is being spent on the C.W. Young Building alterations when the building it is anchored to is the biggest eyesore in the downtown area. Chairman Johnson requested information regarding condemnation of buildings within the historic district.

Responding to Ms. Gaiptman's query about the status of the signage ordinance, Mr. Korosei advised the Planning Commission Committee of the Whole is considering revisions and will be bringing it before the Board for review once the revisions are drafted.

VIII. ADJOURNMENT

MOTION - by Gaiptman for adjournment. There being no objection, the meeting adjourned at 7:00 p.m.



THE GLORY HOLE

247 south franklin street juneau, alaska 99801 907-586-4159

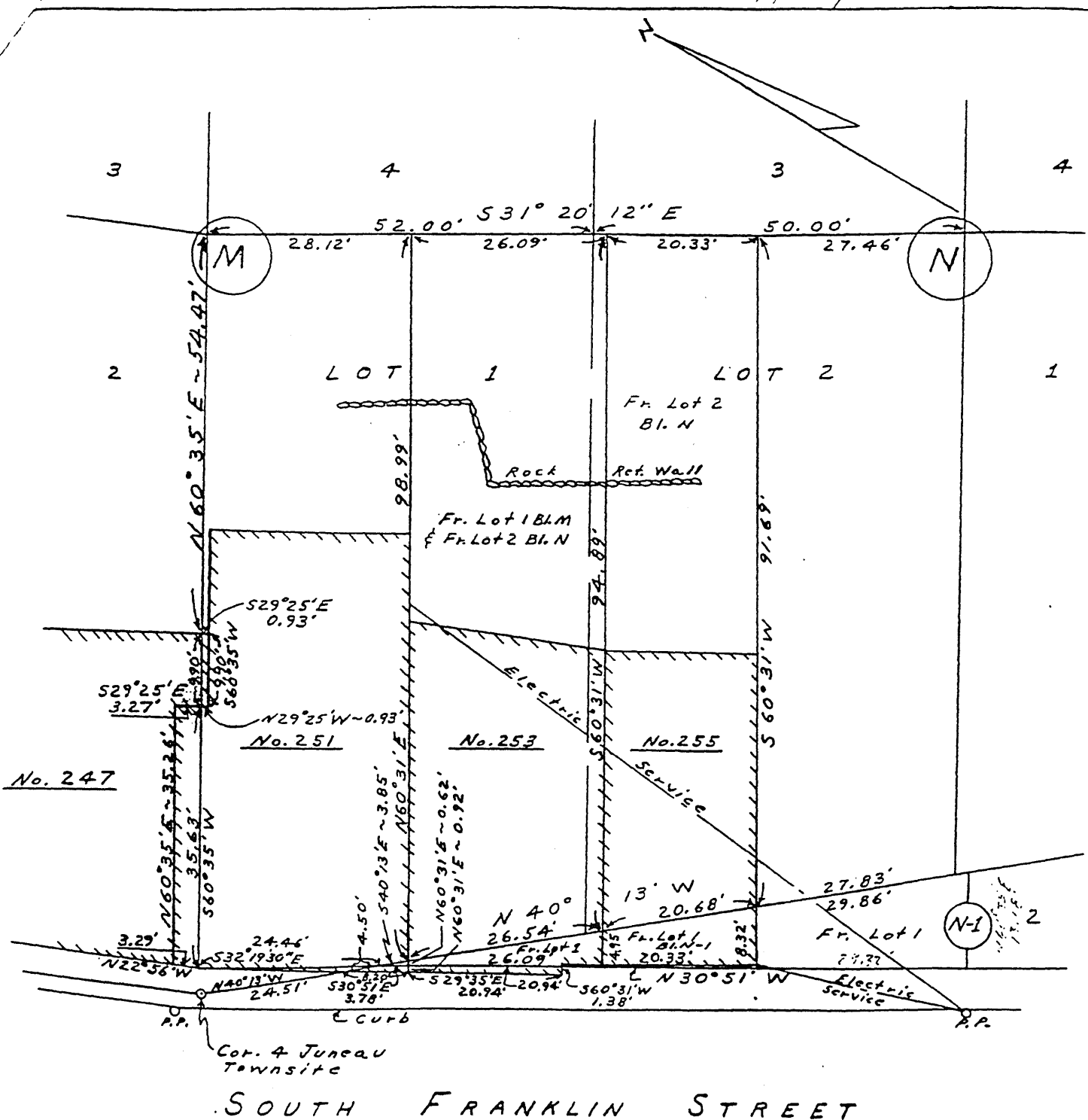
NARRATIVE DESCRIPTION OF PROJECT

The Glory Hole plans to rebuild its current structure on the present site. Use of the new building will essentially remain the same with meals being served twice daily in an approved kitchen and shelter bunk space provided for a possible total of 36 individuals. The Glory Hole is the only source for emergency shelter and meals in the Juneau area. The daily population is approximately 70 including guests at both meals and those using the drop-in center for coffee and donuts. These approximately 70 individuals enter and exit throughout the hours of operation.

The new building project will increase capacity in both the dining room and shelter and facilitate the operation greatly. Current structural limitations and old, worn-out utility equipment inhibit efficient and effective use of the building. Total square footage of the new structure will be 4500 sq. ft. Site plan included with this application.

Record, APL2021 0006 - 247 S. Franklin St./The Glory Hall

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PLAT OF
FR. LOT 1 BL. M, LOT 2 BL. N,
& ADJACENT TIDELANDS
JUNEAU TOWNSITE
Scale 1"=20' Jan. 20. 64

Revised June 17, 1964

CITY/BOROUGH OF JUNEAU
 ALASKA'S CAPITAL CITY

NOTICE OF PUBLIC HEARING
 CITY & BOROUGH OF JUNEAU PLANNING COMMISSION
 LUANN BAILEY, CHAIRPERSON
 155 South Seward Street
 Juneau, Alaska 99801

TO: Adjacent Property Owners

HEARING DATE: January 23, 1990

HEARING TIME: 7:30 p.m.

PLACE: Assembly Chambers, Municipal Building
 155 South Seward Street

SUBJECT: Conditional Use Permit/Variance Application & Street
 Vacation Request

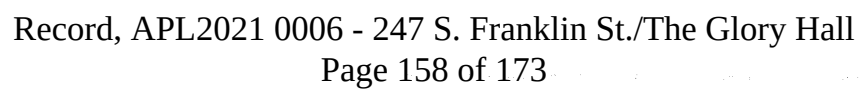
FILE NO.: CU-17-89/VR-15-89/SV-03-89

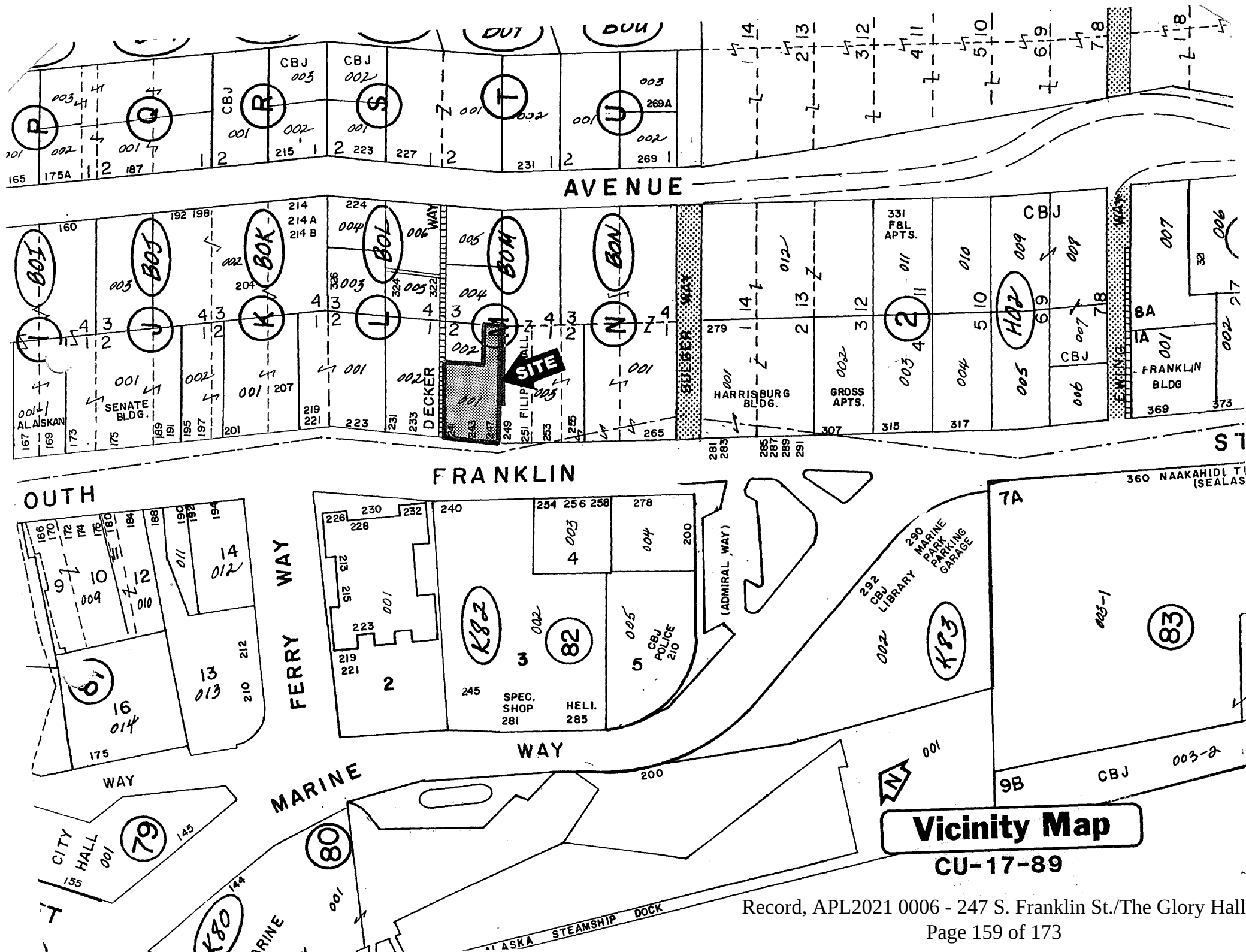
- (a) APPLICANT: The Glory Hole
- (b) PROPOSAL: To allow the reconstruction of the Glory Hole building in a designated landslide hazard area. The proposal also includes a request for a variance to the parking standards and for a street vacation of a small portion of the South Franklin Street right-of-way.
- (c) LOCATION: 247 South Franklin Street
- (d) ZONING: MU, Mixed Use
- (e) SITE SIZE: 4,400 square feet
- (f) DESCRIPTION: Fraction of Lot 2, Block M, Juneau Townsite
- (g) PARCEL NUMBER: 1-C07-0-B0M-001-0
- (h) PROPERTY OWNER: Juneau Cooperative Christian Ministry

PROPERTY OWNERS PLEASE NOTE:

You and other interested persons are invited to attend this Public Hearing. The Planning Commission will also consider all written testimony. If there are any questions, please contact Dave Goade of Community Development at 586-5235.

#5-11 Record, APL2021 0006 - 247 S. Franklin St./The Glory Hall





Vicinity Map

CU-17-89

Record, APL2021 0006 - 247 S. Franklin St./The Glory Hall

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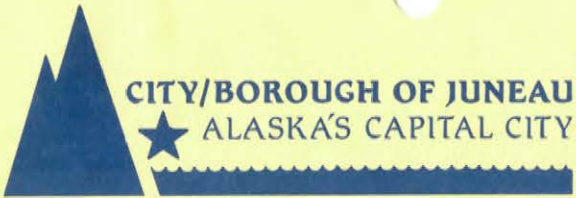
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#5-11



55+

50+

45+

40+

35+

30+

S. FRANKLIN STREET

EXIST.
CONCRETE
SIDEWALK

GLORY HOLE BUILDING
APPROXIMATE LIMITS

3:1 SLOPE

EXISTING CONC. RETAIN

0

10

20

30

40

50

60

70

80

55

50

45

40

35

30

S. FRANKLIN STREET

0

10

20

30

40

50

60

70

SUGGESTED GRADED SLOPE

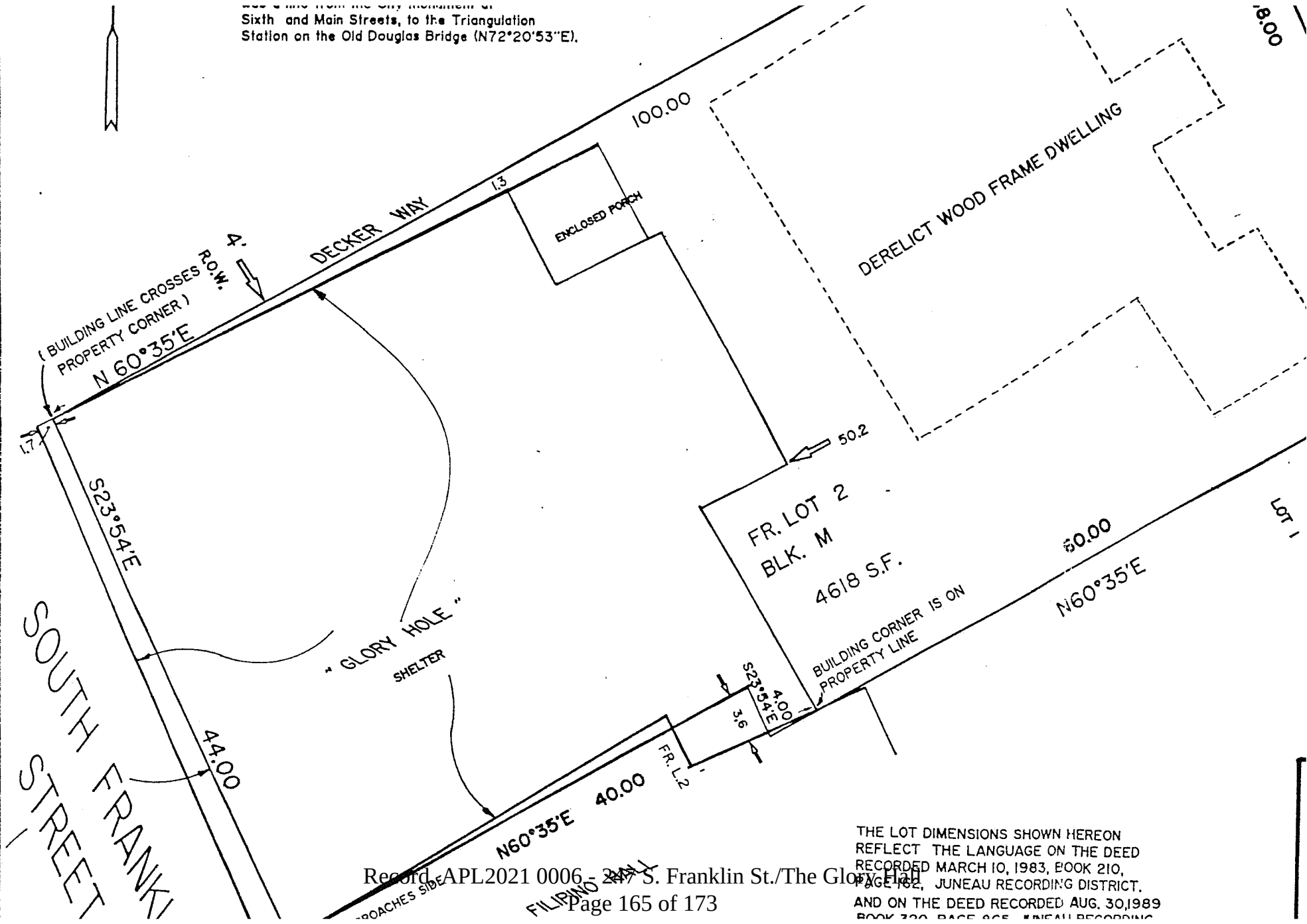
2:1 SLOPE

EXIST. CONC. SIDEWALK
ASSUMED EL.=+30.0 (M.L.L.W.)

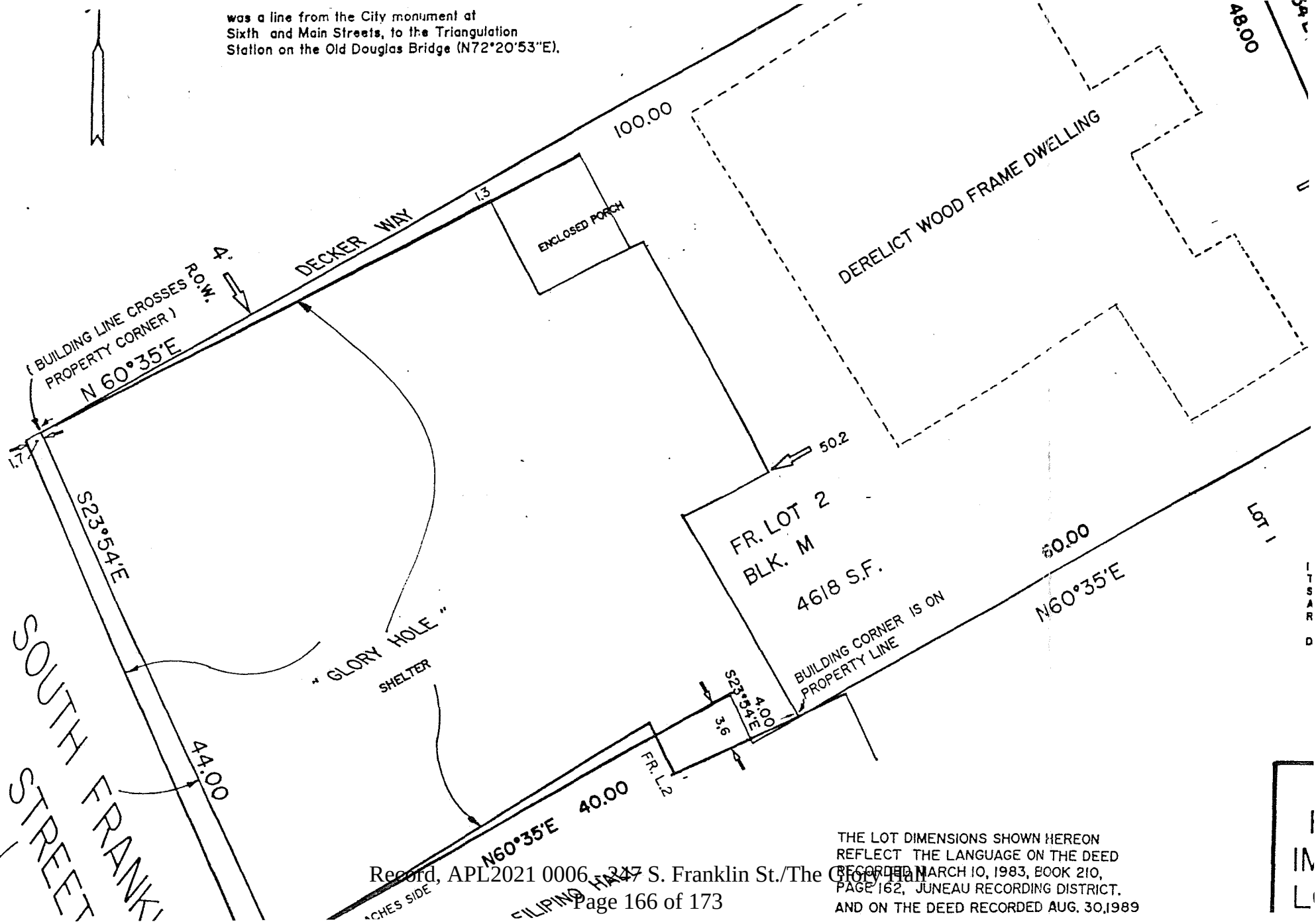
EXISTING FAILED
CONC. RETAINING WALL

EXIST. CONC.
WALKWAY

See also from the City Monument at
Sixth and Main Streets, to the Triangulation
Station on the Old Douglas Bridge (N72°20'53"E).

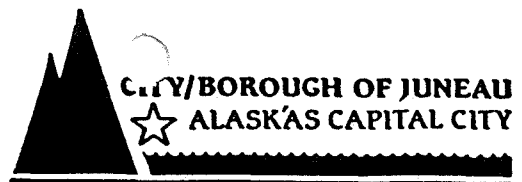


was a line from the City monument at
Sixth and Main Streets, to the Triangulation
Station on the Old Douglas Bridge (N72°20'53"E).



CONDITIONAL USE PERMIT APPLICATION

City and Borough of Juneau
Community Development Dept.
155 South Seward Street
Juneau, Alaska 99801
(907) 586-5235



Date: _____
File #: _____
Filing Fee: _____

1. THIS APPLICATION IS A MODIFICATION OF AN EXISTING CONDITIONAL USE PERMIT:

Yes _____ No X

2. APPLICANT INFORMATION:

Name(s) The Glory Hole John Egan - Director
Mailing Address 247 S. Franklin
City, State, Zip Code Juneau AK 99801
Home Telephone _____ Day Telephone 586-4159
Signature(s) John Egan Date 11/21/89

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3. LANDOWNER INFORMATION:

COMPLETE this section only if the applicant is NOT the landowner.

I (We), Charles G. Adams the owner(s)
of the following described property do hereby acknowledge that the
application by John Egan for the
development of said property is made with my (our) complete
understanding and permission.

Landowner Signature(s) [Signature] Date 11/21/89
Mailing Address Box 21997 Juneau AK 99802 Telephone 789-7239

4. SUBJECT PROPERTY INFORMATION:

A. Zoning Designation: MU

B. Legal Description:

Lot(s) 2 Subdivision Townsite
Block/Tract M U.S. Survey # 7

C. Site Dimensions:

Width 44' Depth 100' Total Area 4400 sq ft

5. PROJECT INFORMATION:

A. Use of Subject Property:

Existing: Homeless Shelter and soup kitchen
Proposed: SAME - new structure

B. Use of Existing Structures: Existing structure will be removed

C. Use of Proposed Structure: New structure will be used for soup kitchen dining room and shelter for 36 individuals

D. Size of Proposed Structure:

Length 46' Width 44' Height 35' Square Feet 4950

*** (OVER) ***

Record, APL2021 0006 - 247 S. Franklin St./The Glory Hall

E. Signage:

Existing: Style painted logo on wood Size 36" X 18" Suspende
Proposed: Style _____ Size if win

F. Lighting:

Existing: Style NONE Size _____
Proposed: Style _____ Size _____

G. Number of Parking Spaces:

Existing: NONE
Proposed: 1 space off-site

H. Utilities:

Packet Page 228 of 363

Existing:	Water:	On Site	_____	Public	<u>X</u>	NA	_____
	Sewer:	On Site	_____	Public	<u>X</u>	NA	_____
Proposed:	Water:	On Site	_____	Public	<u>X</u>	NA	_____
	Sewer:	On Site	_____	Public	<u>X</u>	NA	_____

ADDITIONAL INFORMATION:

Each application for a Conditional Use Permit is reviewed by the Planning Commission at a public hearing. The permit procedure is intended to provide the commission the flexibility necessary to make decisions tailored to individual applications. The commission may stipulate conditions to mitigate external adverse impacts from the proposed use. If it is determined that these impacts cannot be satisfactorily overcome, the permit shall be denied.

The following items are required for an application:

1. PRE-APPLICATION CONFERENCE. Prior to application submission, the applicant shall meet with Community Development Department staff to discuss the proposed development activity and the Conditional Use Permit procedure. Please call for an appointment.
2. A completed application form including payment of fee.
3. A letter describing the project for which you are seeking a permit.
4. Fifteen (15) copies of a site plan drawn to scale on 24" x 36" paper and providing the following information: (Number and size of site plan copies may be changed if approved by department staff.)
 - A. Existing and proposed structures.
 - B. Existing and proposed parking areas, including dimensions of the spaces.
 - C. Proposed traffic circulation within the site including access/egress points and traffic control devices.
 - D. Existing and proposed signage and lighting, including the placement on buildings, dimensions, materials, color, and style.
 - E. Existing and proposed landscaping, including species identification, size, planting locations, and a cross section for installation.
5. The architectural design, including building elevations, of proposed structures shall be shown.
6. A sign for public notice shall be placed on the site describing the development proposal and other pertinent information. The applicant must confer with department staff for details of sign posting.

PLEASE NOTE: Incomplete applications, including nonpayment of fee, will not be scheduled for Planning Commission action.



1C07

Packet Page 229 of 363

U.S.S. 982
P MILL SITE

1C10

CU-15-87/UR-14-89

Mariya Lovishchuk <lovishchuk.mariya@gmail.com>

Wed, Nov 17, 2021 at 2:20 PM

To: Allison Eddins <Allison.Eddins@juneau.org>

Cc: Robin Gilcrist <regilcris@alaska.edu>, Jill Maclean <jill.maclean@juneau.org>, Teal Goodsell <teal@feedjuneau.org>, Mary Alice McKeen <ottokeen@gmail.com>, Bruce Denton BCD Construction <brucecdenton@gmail.com>, Alexandra Pierce <Alexandra.Pierce@juneau.org>, Edward Quinto <Edward.Quinto@juneau.org>, Dan Jager <Dan.Jager@juneau.org>

Hi Allison,

Thank you for sending the notes

As we discussed at the meeting, 247 S. Franklin Street contains several units, 1 apartment, 3 dormitories, 1 bedroom for folks with mobility issues, and two overflow dorms.

I am perplexed about your definition of a dwelling unit and how a building with three floors and many different compartments is counted as one dwelling unit currently. Could you please send us specific State language the Fire Marshal is referring to. Additionally, please provide applicable sections in the CBJ code.

Can you also provide the name of the engineering firm which provided the CBJ with the maps.

Thank you

Mariya

(Quoted text hidden)

Allison Eddins <Allison.Eddins@juneau.org>

Wed, Nov 17, 2021 at 2:41 PM

To: Mariya Lovishchuk <lovishchuk.mariya@gmail.com>

Cc: Robin Gilcrist <regilcris@alaska.edu>, Jill Maclean <Jill.Maclean@juneau.org>, Teal Goodsell <teal@feedjuneau.org>, Mary Alice McKeen <ottokeen@gmail.com>, Bruce Denton BCD Construction <brucecdenton@gmail.com>, Alexandra Pierce <Alexandra.Pierce@juneau.org>, Edward Quinto <Edward.Quinto@juneau.org>, Dan Jager <Dan.Jager@juneau.org>

The CBJ Fire Marshal is on the email and he would be the best person to provide you with Fire Code references. The Land Use Code hazard sections are provided in the pre-app notes. Additionally, the Land Use Code definition of a dwelling unit is in CBJ 49.80.

CBJ contracted with Tetra Tech, Inc.

From: Mariya Lovishchuk <lovishchuk.mariya@gmail.com>

Sent: Wednesday, November 17, 2021 2:20 PM

To: Allison Eddins <Allison.Eddins@juneau.org>

Cc: Robin Gilcrist <regilcris@alaska.edu>; Jill Maclean <Jill.Maclean@juneau.org>; Teal Goodsell <teal@feedjuneau.org>; Mary Alice McKeen <ottokeen@gmail.com>; Bruce Denton BCD Construction <brucecdenton@gmail.com>; Alexandra Pierce <Alexandra.Pierce@juneau.org>; Edward Quinto <Edward.Quinto@juneau.org>; Dan Jager <Dan.Jager@juneau.org>

Subject: Re: 247 S. Franklin Street Project

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

Hi Allison,

Exhibit 1 page 1 of 4

Thank you for sending the notes

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Packet Page 231 of 363

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Thank you

Mariya

On Wed, Nov 17, 2021 at 2:11 PM Allison Eddins <Allison.Eddins@juneau.org> wrote:

[Quoted text hidden]

Dan Jager <Dan.Jager@juneau.org>

Wed, Nov 17, 2021 at 2:44 PM

To: Mariya Lovishchuk <lovishchuk.mariya@gmail.com>, Allison Eddins <Allison.Eddins@juneau.org>
Cc: Robin Gilcrist <regilcris@alaska.edu>, Jill Maclean <Jill.Maclean@juneau.org>, Teal Goodsell <teal@feedjuneau.org>, Mary Alice McKeen <ottokeen@gmail.com>, Bruce Denton BCD Construction <brucecdenton@gmail.com>, Alexandra Pierce <Alexandra.Pierce@juneau.org>, Edward Quinto <Edward.Quinto@juneau.org>, Rich Etheridge <Rich.Etheridge@juneau.org>

Good afternoon Mariya,

The definition of "Dwelling unit" as it is written in CBJ Title 49 comes from the definition provided in the 2012 International Building Code, which is the current adopted code that the State Fire Marshal has adopted in State Statute.

13 AAC50.020 International Building Code

The International Building Code 2012 Edition (IBC), Chapters 1-12, 14-28, and 30-35, and Appendix C are adopted by reference to regulate all occupancies and buildings.

1) Commentary/Interpretation: Now, within these listed chapters, Chapter 2, which is the "Definitions" chapter, contains the definition of "dwelling unit" and there are no exceptions or modifications to that definition by the State Fire Marshal. So what that means is that the language is adopted into law as it is written in the IBC, and even though CBJ has a deferral from the State Fire Marshal, we are not legally allowed to be less stringent than the state. If we modified the "dwelling unit" definition in a way that meets this project's needs, then it could be less stringent on code requirements, of which we are not allowed to do.

Exhibit 1 page 2 of 4

2) Also, as was mentioned by Allison in the meeting, the "dwelling unit" definition comes into play as the occupancy use for that building is changing to a use that goes from transient occupant use to permanent use since the desire is to create 7 separate living, bathroom, an cooking spaces. (the elements of the "dwelling unit" definition in question).

So, there seems to be a little confusion on occupancy use between the two applications for this building. The uses are not the same even though it appears they could or should be, and it is not dependent on the occupant load either,

I hope this makes a little more sense. These are the things I took away from the meeting last week.

Daniel M. Jager EFO, CFO

Fire Marshal



Capital City Fire Rescue

820 Glacier Avenue

Juneau, Alaska 99801

907-586-5322 Ext. 4323 (Office)

907-586-8323 (Fax)

"If it is predictable, then it is preventable."

"If it is preventable then it is not an accident."

From: Mariya Lovishchuk <lovishchuk.mariya@gmail.com>

Sent: Wednesday, November 17, 2021 2:20 PM

To: Allison Eddins <Allison.Eddins@juneau.org>

Cc: Robin Gilcrist <regilcrist@alaska.edu>; Jill Maclean <Jill.Maclean@juneau.org>; Teal Goodsell <teal@feedjuneau.org>; Mary Alice McKeen <ottokeen@gmail.com>; Bruce Denton BCD Construction <brucecdenton@gmail.com>; Alexandra Pierce <Alexandra.Pierce@juneau.org>; Edward Quinto <Edward.Quinto@juneau.org>; Dan Jager <Dan.Jager@juneau.org>

Subject: Re: 247 S. Franklin Street Project

Exhibit 1 page 3 of 4

Hi Allison,

Packet Page 233 of 363

Thank you for sending the notes.

As we discussed at the meeting, 247 S. Franklin Street contains several units, 1 apartment, 3 dormitories, 1 bedroom for folks with mobility issues, and two overflow dorms.

I am perplexed about your definition of a dwelling unit and how a building with three floors and many different compartments is counted as one dwelling unit currently. Could you please send us specific State language the Fire Marshall is referring to. Additionally, please provide applicable sections in the CBJ code.

Can you also provide the name of the engineering firm which provided the CBJ with the maps.

Thank you

Mariya

Exhibit 1 page 4 of 4

Mary Alice McKeen
 Attorney, Alaska Bar # 8106035
 212 West 9th Street
 Juneau, Alaska 99801
 907-957-6170
ottokeen@gmail.com

BEFORE THE PLANNING COMMISSION
 OF THE CITY AND BOROUGH OF JUNEAU

JUNEAU COOPERATIVE CHRISTIAN
 MINISTRY, dba THE GLORY HALL,

Appellant,

vs.

CBJ COMMUNITY DEVELOPMENT,

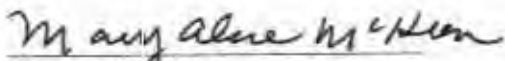
Appellee.

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) APL2021-06
) Appeal of:
) BLD2021-0765
) CDD Director's Decision dated
) December 1, 2021
)

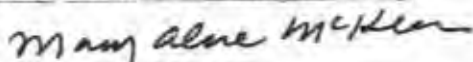
**Unopposed Motion for a One-Day Extension
 to Submit The Glory Hall's Opening Brief**

Under the Pre-hearing Order entered in this case, The Glory Hall's Opening Brief is due by 4:00 p.m., March 31, 2022. The undersigned has made this brief her top priority but will not have the brief fully completed and ready for submission by that time. The undersigned will be able to submit a finished product tomorrow and requests an extension until 4:00 p.m., April 1, 2022 to submit The Glory Hall's Opening Brief. This will not delay resolution of the issues in this appeal. I have consulted with Mr. Gottschalk, Attorney for CDD, and he does not oppose this motion.

Dated: 3-31-2022


 Mary Alice McKeen
 Attorney for The Juneau Cooperative
 Christian Ministry dba The Glory Hall

I certify that on March 31, 2022, I served this document and the proposed order on the following persons: Adam.Gottschalk@juneau.org; Sherril.Layne@juneau.org; Breckan.Hendricks@juneau.org; Chelsea.Wallace@juneau.org.


 Mary Alice McKeen

JUNEAU COOPERATIVE CHRISTIAN
MINISTRY, dba THE GLORY HALL,

Appellant,

VS.

CBJ COMMUNITY DEVELOPMENT,

Appellee.

APL2021-06

Appeal of:

BLD2021-0765

CDD Director's Decision dated
December 1, 2021

Based on the unopposed motion submitted by The Glory Hall (TGH) to submits it Opening Brief, filed March 31, 2022, IT IS HEREBY ORDERED that The Glory Hall shall submit its Opening Brief by 4:00 p.m., April 1, 2022.

31 March 2022
DATED



Presiding Officer
Commissioner Travis Arndt

Breckan Hendricks

From: Breckan Hendricks
Sent: Monday, April 4, 2022 1:37 PM
To: Travis Arndt
Cc: Jill Maclean; Adam Gottschalk; Sherri Layne; Chelsea Wallace; 'Mary Alice McKeen'
Subject: RE: Corrected TGH Opening Brief - APL2021 0006 TGH vs CDD
Attachments: Opening Brief of The Glory Hall [corrected].pdf

The attached document replaces the previously submitted document titled *Opening Brief on The Glory Hall [corrected]*. Many pages were missing from the earlier submission that have since been corrected. In addition, Appellant Attorney Mary Alice McKeen has provided the summary listed below, documenting the corrections.

Page 2, second paragraph: (CBJ 49.70.300) should be (CBJ 49.70.300(b)).
 Page 4, note 1: CBJ 49.05.200 should be CBJ 49.05.200(b).
 Page 5, quotation: end of quotation should have [Page 30].
 Page 5, note 10: JEDC website should be CBJ website, Juneau Affordable Housing Fund, <https://juneau.org/housing/juneau-affordable-housing-fund-2#>
 Page 7, second full paragraph: [R. 109, 111] should be [R. 109-128].
 Page 7, note 14: CBJ 49.70.300(a)(1) should be CBJ 49.70.300(a)(2).
 Page 8, note 19: CBJ 49.15.310(c)(1) should be CBJ 49.15.310(d).
 Page 17: first full paragraph, first sentence, should read: “TGH’s immediate reaction to CDD’s assertion that “increasing the number of dwelling units is prohibited by code in this hazard zone” was that CBJ 49.70.300(b) does *not* prohibit increasing the number of dwelling units in this hazard zone.”
 Page 18, third line: add additional record cite [R. 97, R. 171].
 Page 21, sixth line from bottom: add record cite [R. 75].
 Page 22, note 41: Figure 2.4 should be Figure 2.4d.

Breckan Hendricks | Administrative Officer
 Community Development Department | City & Borough of Juneau, AK
 Location: 230 S. Franklin Street, 4th Floor Marine View Building
 Office: 907.586.0715 ext. 4119



Fostering excellence in development for this generation and the next.

From: Breckan Hendricks
Sent: Monday, April 4, 2022 8:33 AM
To: Travis Arndt <Travis.Arndt@juneau.org>
Cc: Jill Maclean <Jill.Maclean@juneau.org>; Adam Gottschalk <Adam.Gottschalk@juneau.org>; Sherri Layne

<Sherri.Layne@juneau.org>; Chelsea Wallace <Chelsea.Wallace@juneau.org>; 'Mary Alice McKeen'
<ottokeen@gmail.com>

Subject: Corrected TGH Opening Brief - APL2021 0006 TGH vs CDD

Appellant Attorney Mary Alice McKeen submitted the attached documents on Saturday, April 2, 2022, requesting corrections to the previously submitted TGH Opening Brief.

Breckan Hendricks | Administrative Officer

Community Development Department | City & Borough of Juneau, AK

Location: 230 S. Franklin Street, 4th Floor Marine View Building

Office: 907.586.0715 ext. 4119



Fostering excellence in development for this generation and the next.

Mary Alice McKeen
 Attorney, Alaska Bar # 8106035
 212 West 9th Street
 Juneau, Alaska 99801
 907-957-6170
ottoken@gmail.com

BEFORE THE PLANNING COMMISSION
 OF THE CITY AND BOROUGH OF JUNEAU

JUNEAU COOPERATIVE CHRISTIAN
 MINISTRY, dba THE GLORY HALL,

Appellant,

vs.

CBJ COMMUNITY DEVELOPMENT,

Appellee.

APL2021-06
 Appeal of:
 BLD2021-0765
 CDD Director's Decision dated
 December 1, 2021

Opening Brief of The Glory Hall (TGH)
 [corrected]

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Summary of Basis for Appeal and Reasons to Grant the Building Permit to TGH.

The Glory Hall (TGH) applied for a building permit to convert the second and third floors of the former emergency shelter at 247 South Franklin Street into seven rental units of affordable housing – six efficiencies and one one-bedroom – which would house between 7- 14 persons. When the Glory Hall Building was used as an emergency shelter, 43 – 53 people slept there at night and about 100 people used the Day Room on the ground floor during the day.

The Glory Hall Building has been in use as an emergency shelter since 1990 until this past summer when the shelter relocated to the Valley. The building is on a parcel designated as a severe avalanche area based on low resolution hazard maps that the Assembly adopted in 1987, maps that are currently under intense review. A 2019 assessment conducted by Tetra Tech using modern technologies places the parcel in a low avalanche zone. An ordinance (CBJ 49.70.300) prevents development in this area *if the development increases density of the parcel*.

This project does not increase the density of this parcel. The project decreases density because it decreases the persons who will live on the parcel from 43 – 53 a day to a maximum of 14 persons in seven small apartments. The project furthers the Assembly's high priority to increase the stock of affordable housing in Juneau. The Planning Commission should grant this project a building permit.

CDD denied a building permit on the grounds that the project would increase density of this parcel because it puts seven dwelling units in the building. CDD's decision should be set aside for many reasons including the following:

- CDD's Decision did not explain why it defined "density" of a parcel as "the number of dwelling units" on a parcel when CDD's definition of "density" is not in any CBJ ordinance or any authority cited by CDD.
- CDD's Decision did not address TGH's arguments that the project decreases density on the parcel based on how many people would be using the parcel under the new use, namely a maximum of 14 persons in seven small apartments.
- CDD's definition of "density" is mechanistic and bureaucratic, namely count the number of dwelling units before and after a project without considering any other facts about the project.
- CDD's definition of "density" precluded it from examining the specifics of this project and precluded it from recognizing an unusual situation, such as here, namely a project dividing one large building that housed 43 to 53 persons into seven small rental units that will house 7 – 14 persons.
- CDD's definition of "density" attributes an intent to the Assembly to allow housing for homeless persons in an emergency shelter for over 30 years on this parcel but to prevent housing for renters on the same parcel.
- CDD's definition of "density" is inconsistent with Juneau's Comprehensive Plan and the CBJ Housing Action Plan because it prevents this much needed project of seven modest but nicely remodeled small apartments in the Downtown core.

Issues on Appeal

1. Under CBJ 49.70.300(b)(1), a development may not occur on a parcel in a severe avalanche area, as designated on 1987 CBJ Hazard Maps, if the development would "increase the density of that parcel." When used as an emergency shelter, the Glory Hall Building housed 43 – 53 people per night and had 100 people there during the day. Under the proposed development, the Glory Hall former building will house a maximum of 14 people in 7 small apartments. Did CDD err when it denied a building permit for this project on the grounds that the project increased the density of this parcel?
2. Assuming for the sake of argument that CDD's definition of density is correct, TGH maintained before CDD that the Glory Hall Building, when used as a shelter, had seven distinct areas with basic facilities for independent and complete cooking, living, sleeping and toilet

facilities for a person or group of persons. CDD did not rule on that claim. Should the Planning Commission decide this question?

Juneau's Housing Crisis and Assembly Response

The Comprehensive Plan adopted by the assembly “contains the policies that guide and direct public and private land use activities in the City and Borough.”¹ Chapter 4, the Housing Element of the Comprehensive Plan, begins by stating that Juneau residents suffer from a “housing crisis.” The Plan explains why: “There is an inadequate supply of housing to provide residents adequate choice in housing size, location and price, resulting in residents paying more than 30% of their income on housing.”² The Plan identifies loss of housing as a problem and in particular the loss of rental housing for full-time Juneau residents due to employers purchasing buildings and using them to house summer employees, the conversion of rental units to condominiums, owners leaving property vacant and allowing property to deteriorate.³

With respect to rental housing, the Comprehensive Plan concluded that rental housing is “the most difficult to produce and finance and very few new rental units have been built in recent years.”⁴ The situation is particularly dire for downtown rental housing:

The loss of safe and habitable rental units within the compact downtown due to owner disinterest is damaging to the community's housing stock and contributes to the housing crisis as well as to the blight of downtown Juneau.⁵

¹ CBJ 49.05.200. The Comprehensive Plan is available on the CDD website, <https://juneau.org/community-development/plans-studies>. It is technically the 2013 CBJ Comprehensive Plan Update. When this brief refers to the Comprehensive Plan, it means this document.

² Juneau Comprehensive Plan at p. 25.

³ Juneau Comprehensive Plan at p. 31.

⁴ Juneau Comprehensive Plan at p. 31.

⁵ Juneau Comprehensive Plan at p. 31.

The Comprehensive Plan concluded that every single habitable dwelling in our community is needed: “Unless and until the community achieves a healthy vacancy rate, all habitable dwellings are valued and needed and uninhabitable units should be rehabilitated or replaced.”⁶

In 2016, the Assembly adopted the CBJ Housing Action Plan to, as the name implies, take ACTION on our city’s “critical shortage in housing.”⁷ The Housing Action Plan was a truly major effort of the City. The Housing Action Plan was not meant to be one of those government studies that simply gathers dust on the shelf (or in the hard drive). With respect to Downtown in particular, the Housing Action Plan stated the obvious, “Juneau’s downtown could be a much more vibrant, exciting place if more people lived there.”⁸ As for rental housing, the Housing Action Plan had these sobering numbers:

1,000 rental units need to be added to Juneau’s current supply, with the majority of these (770) being affordable to entry-level and lower-wage workers. These totals assume that no additional units are lost to deterioration. For this to be the case, CBJ has to be prepared to preserve through rehabilitation or replacement approximately 100 rental units each decade (if recent trends continue).

A key action in the Housing Action Plan was that CBJ put money into the Affordable Housing Fund.⁹ The Assembly did that and in July 2021 asked for applications for projects that would create affordable and workforce housing in Juneau.¹⁰ TGH submitted a 220-page application for partial funding of the project that is the subject of this appeal.¹¹ At the Assembly’s Committee of the Whole meeting on February 11, 2022, the Assembly approved a

⁶ Juneau Comprehensive Plan at p. 32.

⁷ CBJ Housing Action Plan at p. 1. The CBJ Housing Action Plan is available at <https://juneau.org/community-development/plans-studies>

⁸ CBJ Housing Action Plan at p. 22.

⁹ Appendix 2 to CBJ Housing Action Plan.

¹⁰ JEDC website

¹¹ The Glory Hall application is on the CBJ website at <https://juneau.org/wp-content/uploads/2021/11/2021-JAHF-Application-The-Glory-Hall.pdf>. The one-paragraph Project Summary on the cover page sums up the Glory Hall’s application.

grant to TGH of \$300,000 for this project, on the condition that TGH obtain the necessary permits for the project.¹²

If TGH does not receive a building permit to remodel the second and third floors of the Glory Hall building into small apartments, these floors may be lost to the Juneau housing stock. These floors might go from housing persons on an emergency basis to either being vacant or being converted to commercial space. And the closing of the Shelter downtown, rather than being an opportunity to help solve Juneau's housing crisis, might have worsened it.

Statement of Facts

Juneau Cooperative Christian Ministry dba The Glory Hall seeks a building permit to create seven units of affordable rental housing on the second and third floors of the building it owns on 247 South Franklin Street. TGH wants to remodel the second floor into two efficiency apartments and the third floor into three efficiency apartments and one one-bedroom apartment. Each apartment will be rented to one or two persons. Under the project, there will be between 7 to 14 persons living in the new apartments with a hard maximum of 14 persons. TGH will rent the first floor as commercial space and will use the rental income from the building to support its work for homeless persons. The total cost of the renovations is \$1.1 million dollars. [R. 60]

When used as a shelter, the Glory Hall building had 43 – 53 homeless people sleeping there at night and about 100 people during the day using the large “Day Room” on the ground floor.¹³ The Glory Hall building has been in use as a homeless shelter, “soup kitchen,” and day center from 1990, when it was constructed, until this past summer, when the Shelter moved to

¹² Committee of the Whole Meeting (Feb. 14, 2022). The COW website does not have the printed minutes yet but it does have the Zoom meeting. This action is at vimeo.com/458250299. The Agenda for the February 14th meeting is on the website. This project was part of Topic VI. A.

¹³ Notice of Appeal at p. 6; Ms. Eddins, CDD Planner assigned to this project, referred to the Glory Hall building as sheltering 40+ people [R. 96]; Ms. Lovishchuk referred to the third floor as “approved for occupancy by CBJ for at least 50 people on the 3rd floor alone.” [R. 91]

the Valley. That is why there is this opportunity to convert the dormitories and other spaces on the second and third floor of the building into seven small apartments.

The building is safe. It was constructed in 1990. It was constructed after the Planning Commission issued a conditional use permit that allowed construction of the building to serve as a homeless shelter. [R. 109, 111] R & M Engineering examined the building site in 1989 and issued a report that the site could safely support the building, which the Planning Commission accepted. [R. 136 – 138] The building has been in continuous use since then.

The building is located on a parcel in a severe avalanche area, as designated on hazard area maps, dated September 9, 1987.¹⁴ Those maps are low-resolution maps created in the 1970s based on techniques available at the time.¹⁵ CDD received a federal grant to update these maps with current scientific analysis and to evaluate landslide and avalanche areas separately. Tetra Tech Inc. was hired as the contractor. Tetra Tech issued a detailed assessment with proposed new hazard maps. In the Tetra Tech maps, the Glory Hall parcel is in an area with a low avalanche hazard designation – not moderate, not severe.¹⁶ The maps explain that a “low” avalanche hazard designation means a return period greater than 300 years. It is considered negligible. CDD’s website states that it is proposing the minimum regulatory changes necessary for adoption of these new maps.¹⁷ But as noted in the record, there has been opposition to adoption of the maps from the Starr Hill and Highlands neighborhoods. [R. 75]

¹⁴ CBJ 49.70.300(a)(1)

¹⁵ CDD website, <https://juneau.org/community-development/special-projects/landslide-avalanche-assessment>.

¹⁶ Figure 2.4d, <https://juneau.org/community-development/special-projects/landslide-avalanche-assessment>. Ms. Lovishchuk submitted the maps showing the location of the Glory Hall parcel and the entire Tetra Tech Assessment with her Notice of Appeal, dated December 2, 2021.

¹⁷ CDD website, <https://juneau.org/community-development/special-projects/landslide-avalanche-assessment> visited March 31, 2022.

On October 28, 2021, Mariya Lovishchuk, Executive Director of The Glory Hall, began the application process with CDD to get a building permit for the project. TGH had 21 pages of detailed architectural and engineering plans from Stantec, a large engineering firm with offices in Anchorage, describing the proposed work. These were 35% drawings, meaning the drawings are 35% complete. Ms. Lovishchuk emailed the Stantec plans to CDD and requested a pre-application conference. [R. 4 – 32] The conference was held on November 9, 2021. CDD issued a pre-application conference report on November 17, 2021. [R. 33 – 36] Ms. Lovishchuk asked questions about the report in email correspondence with CBJ staff, primarily with Allison Eddins, the CDD planner assigned to review this project. [R. 62 – 105] On December 1, 2021, Ms. Eddins, acting on behalf of CDD Director Jill Maclean, denied a building permit for the project. [R. 106]

CDD reviewed this application as a minor development under CBJ 49.15.310.¹⁸ Since this procedure is for a use allowed by the TPU, the grounds for denying a building permit are limited. The CDD Director “shall review the application, consult with the applicant, and approve a minor development permit” unless the Director finds one of three things:

- A. The application is incomplete;
- B. Issuance of the requested permit is beyond the director’s authority according to the table of permissible uses; or
- C. The development as proposed will not comply with one or more requirements of this title.¹⁹

¹⁸ This project meets the requirements for a “minor development” in the Mixed Use District. CBJ 49.25.300(c)(3)(D). By ordinance, the Mixed Use District or MU “reflects the existing downtown development pattern and is intended to maintain the stability of the downtown area. Multifamily residential uses [in the MU] are allowed and encouraged.” CBJ 49.25.220(a).

¹⁹ CBJ 49.15.310(c)(1).

CDD did not find the application incomplete. Oddly, the application in the record [R. 37] was *not* filled out by Ms. Lovishchuk. It is not signed by her. She did not review it or see it. It must have been filled out by a CDD Planner and entered into the system as an application.²⁰

CDD did not find that the permit was beyond the director's authority under the Table of Permissible Uses. This project is an allowable use under the TPU.

CDD said that the proposed development did not comply with a requirement in Title 49, namely CBJ 49.70.300(b)(1). CBJ 49.70.300(b)(1) provides that no development which is within a severe avalanche area shall "increase the density of that parcel." CDD denied the building permit on the grounds that the project would increase the density of the parcel where the Glory Hall building is located. [R. 106]

On behalf of The Glory Hall, Ms. Lovishchuk immediately filed a Notice of Appeal.²¹ The first issue before the Planning Commission is whether CDD correctly denied the building permit for this project on the grounds that the proposed development would "increase the density of [this] parcel." TGH maintains the common sense position that the proposed development actually decreases the density of this parcel by changing the use from an emergency shelter that slept 43 – 53 a night to rental housing for a maximum of 7 – 14 persons. This common sense position also results in more affordable rental housing for Juneau, a key priority of the Assembly as expressed in the Juneau Comprehensive Plan and the CBJ Housing Action Plan.

The second issue is whether CDD correctly rejected TGH's claim that the Glory Hall building, configured as a shelter, had seven dwelling spaces within it. CDD denied the building permit and apparently rejected this claim but did not mention it in its decision. [R. 106]

²⁰ Ms. Lovishchuk located an application she believes she did file but that is not in the record

²¹ Notice of Appeal of Director's Determination (Dec. 2, 2021). TGH did not get legal representation until February 16, 2022, when the undersigned filed a Notice of Appearance before the pre-hearing conference with Planning Commissioner Arndt on February 17, 2022.

CBJ 49.20.300 provides that the Planning Commission “is authorized to interpret the zoning map and the text of [Title 49].”²² This means that the Planning Commission has the authority to interpret CBJ 49.70.300 as it applies to this applicant. The interpretation of an ordinance is a question of law to which the appeal agency applies its independent judgment.²³ This means that the Planning Commission considers the interpretations offered by CDD and then makes an independent determination on the meaning of CBJ 49.70.300 and other provisions in Title 49.

Under the Planning Commission’s specific ordinance for appeals, the Planning Commission reviews the CDD Decision to determine [1] whether there is substantial evidence in support of the decision, [2] whether CDD made a policy error, and [3] whether CDD abused its discretion.²⁴

Under the general rules applicable to all administrative appeals, the Planning Commission reviews for substantial evidence, the same as in the appeal procedures for the Planning Commission, but also reviews whether CDD’s decision is supported by adequate written findings, whether CDD’s decision fails to inform the Planning Commission of the basis of the decision, and whether CDD did not follow its own procedure or denied due process to the applicant.²⁵

The burden of proof is on the applicant to show error by CDD in one of these ways.²⁶

²² CBJ 49.20.300. It provides in full: “The planning commission is authorized to interpret the zoning map and the text of this title [Title 49] and to pass upon questions of lot lines or district boundary lines and similar questions presented by the department or a property owner directly concerned.”

²³ *Daggett v. Feeney*, 397 P.3d 297, 304 (Alaska 2017)(context was appellate court reviewing interpretation of statute by lower court).

²⁴ CBJ 49.20.110(b).

²⁵ CBJ 01.50.070(a)(1), (2), (3).

²⁶ CBJ 01.50.070(b).

The Planning Commission should grant a building permit for this excellent project, as allowed by the Table of Permissible Uses and that will bring seven rental units of affordable housing to Downtown Juneau. Packet Page 248 of 363

1. The project does not increase the density of this parcel within the meaning of CBJ 49.70.300(b)(1); the project significantly decreases density of the parcel.

CBJ 49.70.300(b)(1) states “no development or any part of a development, which is within a severe avalanche area shall, by the addition of bedrooms, conversions of buildings, or otherwise, increase the density of that parcel.” The issue before the Planning Commission is the interpretation of the term “density” and whether the building permit was correctly denied on the grounds that the project would “increase the density of [this] parcel.”

The Assembly did not prohibit all development in a parcel located in a severe avalanche area on the 1987 CBJ hazard maps. The Assembly prevented development only if it would “increase the density” of the parcel. CBJ 49.70.300 itself does not define “density.” The definition section in Title 49, with its hundreds of definitions, does not define “density.”²⁷ The International Building Code of 2012 does not define “density.”²⁸

Since there is no preset definition of “density” in the ordinance, the Planning Commission must interpret “density” and “increase density” based on the text of the ordinance construed in light of the purpose of the ordinance and related ordinances and Assembly actions.

Words in an ordinance should be interpreted according to their common meaning unless it is a technical term that has acquired a specific technical meaning.²⁹ The common understanding of “density” is something like the definition in Collins English Dictionary, which defines density as “the extent to which something is filled or covered with people or things.”³⁰

²⁷ CBJ 49.80.120.

²⁸ Chapter 2, Definitions, International Building Code, 2012 Ed.

²⁹ AS 01.10.040(a)(statutes).

³⁰ <https://www.collinsdictionary.com/us/dictionary/english/density>

If this project increased density of this parcel, it would have to increase the extent to which this parcel is filled with people or things. It does not. The project does not increase the number of big “things” on this parcel, that is, structures or buildings. The project significantly decreases the number of people residing on the parcel. The project decreases the number of people that can occupy the parcel.

A. The project does not increase the density of this parcel based on structures: there was one building when it was a shelter and there will be one building if the building is converted into seven small apartments.

The project does *not* increase the extent to which this parcel is filled with people or things. As for things that would be relevant in the context of a building permit, the project does not increase the buildings and structures on the parcel. There is one building now and there will be one building on this parcel after the project is completed. The project does not even change the footprint of the building.

B. The project decreases density of this parcel based on usage by people: 43 – 53 persons were regularly housed in the Shelter and 7 - 14 persons will be housed in seven small apartments.

As for people, the project decreases, rather than increases, the density of this parcel, as measured by the people living there and using the parcel. When the Glory Hall was used as a shelter, it provided housing for 43 – 53 persons who slept there at night. It provided space during the day for 100 persons – Shelter residents and other people – in the large room on the ground floor known as the “Day Room.” After the proposed development, the building will house between 7 to 14 persons in seven small apartments. The first floor will be a mission-aligned commercial space. The density of persons using this parcel is going from 43 – 53 persons, who were Shelter residents, to 7 – 14 persons, who are paying renters. This project

dramatically decreases the density of the number of persons using this parcel and therefore the number of persons who are exposed to whatever risk of avalanche exists on this parcel.

C. The project decreases density of the parcel based on occupancy: under the new use of seven small apartments, fewer occupants and more space per occupant.

If density is measured by how crowded the occupants of the space may be, the project decreases density by that measure. The project decreases the density of this parcel based on the maximum number of persons that can occupy the space as set forth in the International Building Code.³¹ Table 1004.1.2 has an “Occupant Load Factor” for spaces within a building. It is attached as Exhibit 1 to this Brief with the relevant spaces marked.

For the second and third floor of the Glory Hall Building:

- Old use: when used as a shelter, there were three dormitories on the third floor and two dormitories on the second floor.³²
- For dormitory space, each occupant must have at least 50 gross square feet per person.
- New use: if this space can be converted to seven small apartments, each occupant in a residential space must have 200 gross square feet per person.
- Change: Under the new use, each occupant is guaranteed four times more space than each occupant under the old use: 50 square feet increased to 200 square feet.

For the ground floor (1st floor) of the Glory Hall Building:

- Old use: when used as a shelter, there was a large day room on the ground floor with movable tables and chairs where people sat during the day.

³¹ International Building Code, 2012 Edition. All references to the IBC are to the 2012 Edition.

³² TGH submitted the Glory Hall's existing floor plan to CDD. [R. 6- 8] TGH also let the City know there were sleeping spaces in addition to the five dormitories, namely a bedroom for folks with medical issues and an apartment (where night staff or a live-in staff person – the Glory Hall has had both – slept) [R. 170].

- For this use, each occupant must have at least 15 net square feet.
- New use: if the project is approved, this space will be a commercial space.
- Each occupant in a mercantile space that is not a basement or grade floor area must have at least 60 square feet.
- Change: Under the new use, each occupant has a minimum of four times more space than each occupant under the old use: 15 square feet increased to 60 square feet.

This Table lays out the same information:

Table 1: Comparison of Occupant Load Factors in Glory Hall Building as Currently Configured and Glory Hall Building if Project Goes Forward

	Occupant Load Factor for Space in Table 1004.1.2	Occupant Load Factor for Space in Table 1004.1.2	Occupant Load Factor for Space in Table 1004.1.2
Glory Hall Building as currently configured	Dormitory spaces on 2d and 3d floor: one occupant per 50 gross sq. ft.	Day Room on 1st floor: Assembly without fixed seats; unconcentrated (tables & chairs): one occupant per 15 net sq. ft.	Kitchen, commercial: one occupant per 200 gross sq. ft.
Glory Hall Building if project goes forward	Residential space – 7 small apartments: one occupant per 200 gross sq. ft.	Mercantile space on first floor: one occupant per 60 gross sq. ft.	Kitchen, commercial: one occupant per 200 gross sq. ft.
Change in Occupant Load under new use	Occupant Load: new use gives each occupant at least four times more space than the old use.	Occupant Load: new use gives each occupant at least four times more space than the old use.	Occupant Load: no change

Source: Table 1004.1.2, IBC, Maximum Floor Area Allowances per Occupant [Exhibit 1 to this Brief]

By this measure, the project significantly decreases density because the minimum space per occupant under the new uses is four times greater – 400% greater -- than the minimum space per occupant in the old use. This is reasonable. If a person is living in something represented as a residential space, the building code guarantees them more space than a person who is sleeping in a dormitory. If a person goes into a commercial retail establishment, the building code guarantees them more space than a person in an assembly room with tables and chairs. But

what is unreasonable is for CDD to say that the project increases density when, by this objective measure in the IBC, the project decreases density. Under the new use, fewer occupants, more space per occupant.

D. TGH's interpretation furthers the purpose of CBJ 49.70.300(b).

TGH's interpretation of density furthers the purpose of CBJ 49.70.300(b). It is worth repeating that, with this ordinance, the Assembly did not prevent all development of property within a severe avalanche area on the 1987 CBJ Hazard Area maps. The Assembly balanced the goal of encouraging property owners to develop and improve their property in this area with the goal of minimizing the risk of loss of life and property from an avalanche. The balance it struck was that property owners in a severe avalanche zone could develop their property as long as the development did not increase density of the parcel. If the development did not increase density, the Assembly wanted it to happen. The Assembly did not mandate stagnation of all properties mapped within a severe avalanche area.

The project will significantly decrease the number of people who use this property. It will go from emergency housing for 43 to 53 people to rental housing for 7 to 14 people. The project will significantly decrease the number of people that can occupy the property based on the IBC requirements for minimum space, discussed in the prior section. The project improves the property *and* exposes *fewer* people to whatever risk of avalanche exists on this parcel. Therefore it makes no sense to say that CBJ 49.70.300(b) should be interpreted to prevent this major improvement that a downtown owner wants to make to a major downtown building.

E. TGH's interpretation of CBJ 49.70.300(b) furthers the Comprehensive Plan and the Juneau Housing Action Plan.

This requires little explanation. As discussed earlier, in the Comprehensive Plan and the CBJ Housing Action Plan, the Assembly has made it a high priority to try to come to terms with

the longstanding critical housing shortage in Juneau.³³ The Glory Hall's interpretation of CBJ 49.70.300(b) furthers the goals of the Comprehensive Plan and the CBJ Housing Action Plan because it allows the construction of seven new affordable rental units in Juneau. This may seem small and unimportant but the Comprehensive Plan concluded that every single habitable dwelling in our community is needed: "Unless and until the community achieves a healthy vacancy rate, all habitable dwellings are valued and needed and uninhabitable units should be rehabilitated or replaced."³⁴ And it would mean the world to the 7 to 14 persons who would gain affordable housing in seven modest apartments also known as dwelling units in Downtown Juneau.³⁵ But ironically it is precisely *because* The Glory Hall seeks to put "dwelling units" in the old Glory Hall Building that CDD denied this building permit.

2. CDD's interpretation of CBJ 49.70.300(b) is clear error.

A. CDD's definition of "density" as equal to "the number of dwelling units" is not found in the text of this ordinance, any other CBJ ordinance or any authority cited by CDD.

To have it before us, the text of the ordinance at issue, CBJ 49.70.300(b)(1), states in full:

Notwithstanding any other provision, *no development or any part of a development, which is within a severe avalanche area shall*, by the addition of bedrooms, conversions of buildings, or otherwise, *increase the density of that parcel*; provided, however, that a single-family house may be constructed on a vacant lot. [emphasis added]

CDD denied a building permit in a one-paragraph decision:

Please accept this email as an official denial of your request to convert the old Glory Hall shelter into 7 apartments. According to the CBJ adopted hazard maps the Glory Hall is located in a sever [sic] avalanche zone. *Increasing the number of dwelling units is prohibited by code in this hazard zone.* The code language is below for your reference [CBJ 49.70.300]. Please feel free to contact me via

³³ See "Juneau's Housing Crisis and Assembly Response" at pages 4 -6 *supra*.

³⁴ Juneau Comprehensive Plan at p. 32.

³⁵ It will probably be much less than 14 because most of the efficiencies will probably not have two people living in them.

email if you have any questions about the code, this denial or your option move forward. [emphasis added] [R. 106]

It did not explain this in its decision but CDD's step were these. It said that the emergency shelter had "0" dwelling units; this project would create "7" small apartments or dwelling units; "7" is greater than "0", so permit denied. [R. 37, R. 90]

TGH's immediate reaction to CDD's assertion that "Increasing the number of dwelling units is prohibited by code in this hazard zone" was that CBJ 49.70.300(b) does *not* prohibit increasing the number of dwelling units in this hazard zone. You can look at the text above. It does not have the words "dwelling units" in it. CBJ 49.70.300(b) does prohibit some development in a severe avalanche area, as defined by CBJ 1987 Hazard Maps, but *only* if the development would "increase the density of that parcel."

CDD *interpreted* the word "density" to mean "dwelling units." CDD's Decision did that *sub silentio*. CDD did not explain that is what it was doing. CDD did not explain why it was doing that. CDD did not provide any authority for defining "density" to mean "dwelling units." And it was under an obligation to do that: both to provide an explanation to the property owner and to this body as the appeal agency. This by itself is grounds to set aside CDD's Decision.³⁶

CDD's definition of "density on a parcel" to mean "the number of dwelling units on a parcel" is not in the ordinance itself. CDD's definition is not in the definition section of Title 49.³⁷ CDD did not provide any authority for its definition of "density" as equal to "dwelling units."

³⁶ CBJ 01.50.070(a)(2) provides that the appeal agency may set aside the decision being appealed if the decision "is not supported by adequate written findings or the findings fail to inform the appeal agency or the hearing officer of the basis upon which the decision appealed from was made; . . ."

³⁷ CBJ 49.80.120. Title 49 has no definition of density.

It is true that Title 49 defines “dwelling units.”³⁸ But the question is why CDD interpreted density in CBJ 49.70.300(b) to mean the same as the number of dwelling units on a parcel. Despite being asked [R. 97], it gave no answer.

B. CDD’s “dwelling unit” interpretation of CBJ 49.70.300(b) frustrates the Mixed Use District, the Comprehensive Plan and the CBJ Housing Action Plan.

CDD interprets CBJ 49.70.300(b) to prevent this project because this project will create seven small apartments or “dwelling units” in a building that used to be an emergency shelter and the emergency shelter, according to CDD, should be treated as having no dwelling units. This interpretation is inconsistent with the purpose of the Mixed Use District, where this parcel is located. By ordinance, the Mixed Use District “reflects the existing downtown development pattern and is intended to maintain the stability of the downtown area. Multifamily residential uses are allowed and encouraged.”³⁹ But CDD’s interpretation means this building cannot contain any residential dwelling units.

CDD’s interpretation undermines a high priority of the Assembly as formally expressed in the Juneau Comprehensive Plan and the CBJ Housing Action Plan because it prevents this large downtown building from being converted to seven units of affordable rental housing, even though the property owner has detailed engineering and architectural plans to do this and the project is allowed within the Table of Permissible Uses.

CBJ 49.05.100 specifies six purposes of Title 49, the Land Use Code. One purpose is to “recognize the economic value of land and encourage its proper and beneficial use.”⁴⁰ TGH believes that the “proper and beneficial use” of this property – that has housed people since at

³⁸ CBJ 49.80.120 defines “dwelling unit” as “a residential use consisting of a building or portion thereof, providing independent and complete cooking, living, sleeping and toilet facilities for one family.”

³⁹ CBJ 49.25.220.

⁴⁰ CBJ 49.05.100(6).

least 1990 – is to continue to house people. What use does CDD say is the “proper and beneficial use” of this large 4500 square foot building? Only an emergency shelter? A vacant building? An unimproved building? Retail on the first floor but vacant second and third floors like other downtown buildings? Under CDD’s interpretation, anything *but* housing because, under CDD’s interpretation, the owner of this building cannot put any “dwelling units” in this building *because* it used to be an emergency shelter. That is perverse in light of this parcel’s location in the Mixed Use District and the Assembly’s strenuous efforts to encourage affordable “dwelling units” through the Borough and especially in the Downtown core.

C. CDD’s interpretation of “density” is unreasonable and arbitrary.

CDD’s interpretation of “density” results in it finding and concluding that a conversion of 1 large dwelling that housed 43 to 53 people into seven small apartments that will house 7 to 14 people actually increases the density of this parcel! On its face, this is an unreasonable finding and an unreasonable conclusion.

CDD’s interpretation of “density” resulted in it finding and concluding that the downtown emergency shelter had “0,” as in zero, dwelling units. [R. 37, R. 70] This treats the downtown shelter as having no one living there. This is unreasonable.

CDD’s interpretation of “density” took no account of the definition of dwelling in the Title 49: “dwelling means a building or portion thereof, used exclusively for human habitation.” Putting aside our argument that the downtown shelter did have seven spaces that qualify as seven dwelling units, the downtown shelter was a “dwelling.” Whatever category you want to put the shelter in, it had people dwelling there for 30 years and CDD should take that into account in its definition of “density.”

CDD's interpretation of CBJ 49.70.300 leads to an unreasonable conclusion, namely that the Assembly intended to allow homeless persons who slept in dormitories to live in this building for over 30 years but intended to prevent renters from living in this building because renters have individual dwelling units. In denying this building permit to remodel the building into seven small apartments, CDD is saying the building was okay for homeless persons but not okay for renters. This is unreasonable and has the effect of devaluing homeless persons as a category and the 43 to 53 homeless persons who regularly were housed at the downtown shelter.

D. CDD's interpretation of its authority under CBJ 49.70.300(b) is a policy error and an abuse of discretion.

CDD's interpretation of "increase density" in CBJ 49.70.300(b) is that the Assembly intended to adopt a mechanistic, cookie cutter approach to whether a project would "increase density:" namely count the dwelling units before the project, count the dwelling units after the project, and if the number goes up, deny the building permit. This is a policy error and an abuse of discretion because it denies CDD any discretion to look at the particulars of the project.

TGH provided CDD with detailed architectural and engineering plans of the proposed renovation. TGH provided CDD with information on the number of persons that lived at the Glory Hall Building, when it was used as a shelter, and the number of persons that would live there, if the building was converted to seven small apartments. [R. 91] CDD acknowledged this information. [R. 89 – 90]. In denying the building permit, CDD did not consider any of that relevant. All that was relevant to CDD was CDD's conclusion that the Glory Hall Emergency Shelter contained "0" dwelling units and that Glory Hall Building after the remodel would contain "7" dwelling units. Once it checked those boxes, it denied the permit. [R. 37, R. 106]

This was error. First and foremost, the Assembly did not tell CDD to do that. It did not tell CDD to count dwelling units and deny a permit if the project increased dwelling units. It

told CDD to evaluate whether a development increased the density of the parcel. It is far more reasonable to conclude that the Assembly wanted CDD to do a project-specific evaluation of this request for a building permit. It is certainly reasonable to conclude that the Assembly wanted CDD to consider information about the number of dwelling units but it is unreasonable to conclude that the Assembly wanted CDD to consider *only* that information. It is far more reasonable to conclude that the Assembly gave CDD the discretion to take into account what is probably an unusual situation, namely one very large dwelling providing emergency housing for 43 – 53 people converting to seven small units of rental housing for housing 7 – 14 people.

CDD did not look at the facts of this specific situation when it denied a building permit for this project. But the Planning Commission can and should. Based on the specific facts of this project, TGH believes that the Planning Commission will easily conclude that this project does not increase the density of this parcel and should receive a building permit so the project can go forward – full speed ahead!

E. CDD's denial of this building permit may have relied on irrelevant factors and inaccurate assumptions.

CDD's interpretation of "increase density" may have relied on irrelevant factors. TGH refers the Commission to an email in the record with comments by Allison Eddins, the CDD Planner, who issued the CDD Decision in this case on behalf of Jill Maclean, CDD Director. In an email to the CBJ Fire Marshal about this permit application, Ms. Eddins states that Ms. Maclean "is mostly concerned with the political issues around the draft hazard maps. The Starr Hill and Highlands neighborhood don't want the maps adopted and the Assembly almost certainly won't adopt the maps without amending the existing regulations." After that, Ms. Eddins wrote: "Plus, it doesn't look very good for CBJ to be encouraging housing in mapped

hazard areas.” [R. 75] These factors were not mentioned in CDD’s one-paragraph decision. [R. 106]

As for the draft hazard maps, there are political issues, to be sure, around adopting the draft hazard maps but the question of whether this project increases the density of this parcel is separate from whether this parcel should be in a severe avalanche area and whether the designation, city-wide, for hazard areas should be changed.⁴¹

As for whether “it doesn’t look very good for CBJ to be encouraging housing in mapped hazard areas,” it is hard to unpack that one. The Assembly most definitely has encouraged development of housing in Downtown Juneau and part of Downtown Juneau is in a severe avalanche area, as that is described on the 1987 hazard maps. It is an unwarranted assumption that the controversy over the maps should be taken by CDD as a reason to discourage housing generally in mapped areas. To the extent that the Assembly has discouraged housing development in a severe avalanche area, it is only development that increases density within the meaning of CBJ 49.70.300(b)(1).

3. In the alternative, the project will not increase density because the Glory Hall Building, when used as an emergency shelter, had seven dwelling units within it.

As soon as Ms. Lovishchuk received the pre-conference report, she informed CDD that she believed there were seven dwelling units within the Glory Hall building: one apartment, three dormitories, one bedroom for folks with mobility issues and two overflow dorms. [R. 170] CDD did NOT address this issue in its decision and did not ask Ms. Lovishchuk for any further

⁴¹ As noted, on the Tetra Tech maps, this parcel is not in the severe or moderate avalanche hazard zone. It is in a low hazard zone. Figure 2.4, Tetra Tech, Downtown Juneau Landslide and Avalanche Assessment (May 28, 2021) (Issued for Review) available on CDD website: <https://juneau.org/community-development/special-projects/landslide-avalanche-assessment>.

explanation for her description of spaces within the Glory Hall building. CDD apparently rejected Ms. Lovishchuk's contention offhand.

On behalf of The Glory Hall, Ms. Lovishchuk raised this issue in her Notice of Appeal and repeated her description of the spaces within the Glory Hall building explaining, again, that the existing layout has "at least seven existing spaces currently qualifying as dwelling units, with their own entrances, bathrooms, ventilation, egress, etc."⁴² The Notice of Appeal is liberally construed to preserve the rights of the applicant.⁴³ Although the Shelter had a commercial kitchen which provided food at scheduled times, the Shelter had discrete sleeping areas which allowed basic food preparation so a resident could fix something for themselves if they had not gotten food, or food they liked, at the scheduled times.

If the Commission decides that the project does not increase density, the building permit will be granted and this issue becomes moot. If the Commission somehow decides that the project increases density, it must decide this issue. The Planning Commission should determine that The Glory Hall has shown there are seven dwelling units within the current building on the current record. If not, TGH asks that the Planning Commission allow it to supplement the record with additional evidence.

Conclusion

TGH is eager to go full speed ahead with this worthy project. It is consistent with its mission "to provide food, shelter, and compassion to those most in need to achieve well being."⁴⁴ TGH helps one person at a time and, given how hard it is to find affordable rental housing in

⁴² Notice of Appeal of Director's Determination at p. 8 (December 2, 2021).

⁴³ CBJ 01.50.030(e)(2).

⁴⁴ <https://www.feedjuneau.org/>

Juneau, these seven small affordable apartments will be of inestimable value to the people who will get to live in them.

Dated: 4-1-2022

Mary Alice McKeen
 Mary Alice McKeen
 Attorney for The Juneau Cooperative
 Christian Ministry dba The Glory Hall

cumulative occupant loads shall be determined in accordance with this section.

1004.1.1.1 Intervening spaces. Where occupants egress from one room, area or space through another, the design occupant load shall be based on the cumulative occupant loads of all rooms, areas or spaces to that point along the path of egress travel.

1004.1.1.2 Adjacent levels. The occupant load of a mezzanine or story with egress through a room, area or space on an adjacent level shall be added to the occupant load of that room, area or space.

1004.1.2 Areas without fixed seating. The number of occupants shall be computed at the rate of one occupant per unit of area as prescribed in Table 1004.1.2. For areas without fixed seating, the occupant load shall not be less than that number determined by dividing the floor area under consideration by the occupant load factor assigned to the function of the space as set forth in Table 1004.1.2. Where an intended function is not listed in Table 1004.1.2, the building official shall establish a function based on a listed function that most nearly resembles the intended function.

Exception: Where approved by the building official, the actual number of occupants for whom each occupied space, floor or building is designed, although less than those determined by calculation, shall be permitted to be used in the determination of the design occupant load.

1004.2 Increased occupant load. The occupant load permitted in any building, or portion thereof, is permitted to be increased from that number established for the occupancies in Table 1004.1.2, provided that all other requirements of the code are also met based on such modified number and the occupant load does not exceed one occupant per 7 square feet (0.65 m²) of occupiable floor space. Where required by the building official, an approved aisle, seating or fixed equipment diagram substantiating any increase in occupant load shall be submitted. Where required by the building official, such diagram shall be posted.

1004.3 Posting of occupant load. Every room or space that is an assembly occupancy shall have the occupant load of the room or space posted in a conspicuous place, near the main exit or exit access doorway from the room or space. Posted signs shall be of an approved legible permanent design and shall be maintained by the owner or authorized agent.

1004.4 Fixed seating. For areas having fixed seats and aisles, the occupant load shall be determined by the number of fixed seats installed therein. The occupant load for areas in which fixed seating is not installed, such as waiting spaces, shall be determined in accordance with Section 1004.1.2 and added to the number of fixed seats.

The occupant load of wheelchair spaces and the associated companion seat shall be based on one occupant for each wheelchair space and one occupant for the associated companion seat provided in accordance with Section 1108.2.3.

For areas having fixed seating without dividing arms, the occupant load shall not be less than the number of seats based on one person for each 18 inches (457 mm) of seating length.

2012 INTERNATIONAL BUILDING CODE®

Exhibit 1 to Opening Brief

TABLE 1004.1.2
MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT

FUNCTION OF SPACE	OCCUPANT LOAD FACTOR
Accessory storage areas, mechanical equipment room	300 gross
Agricultural building	300 gross
Aircraft hangars	500 gross
Airport terminal	
Baggage claim	20 gross
Baggage handling	300 gross
Concourse	100 gross
Waiting areas	15 gross
Assembly	
Gaming floors (keno, slots, etc.)	15 gross
Exhibit Gallery and Museum	30 net
Assembly with fixed seats	See Section 1004.4
Assembly without fixed seats	
Concentrated (chairs only-not fixed)	7 net
Standing space	5 net
Unconcentrated (tables and chairs)	15 net
Bowling centers, allow 5 persons for each lane including 15 feet of runway, and for additional areas	7 net
Business areas	100 gross
Courtrooms—other than fixed seating areas	+ 40 net
Day care	35 net
Dormitories	50 gross
Educational	
Classroom area	20 net
Shops and other vocational room areas	50 net
Exercise rooms	50 gross
Group H-5 Fabrication and manufacturing areas	200 gross
Industrial areas	100 gross
Institutional areas	
Inpatient treatment areas	240 gross
Outpatient areas	100 gross
Sleeping areas	120 gross
Kitchens, commercial	200 gross
Library	
Reading rooms	50 net
Stack area	100 gross
Mall buildings—covered and open	See Section 402.8.2
Mezzanine	
Areas on other floors	60 gross
Basement and grade floor areas	30 gross
Storage, stock, shipping areas	300 gross
Parking garages	200 gross
Residential	200 gross
Skating rinks, swimming pools	
Rink and pool	50 gross
Decks	15 gross
Stages and platforms	15 net
Warehouses	500 gross

For SI: 1 square foot = 0.0929 m²

a. Floor area in square feet per occupant

Old use - emergency shelter
new use - 7 small apartments - commercial
2nd & 3rd floor
1st floor

Mary Alice McKeen
Attorney, Alaska Bar # 8106035
212 West 9th Street
Juneau, Alaska 99801
907-957-6170
ottokeen@gmail.com

BEFORE THE PLANNING COMMISSION
OF THE CITY AND BOROUGH OF JUNEAU

JUNEAU COOPERATIVE CHRISTIAN
MINISTRY, dba THE GLORY HALL,

Appellant,

VS.

CBJ COMMUNITY DEVELOPMENT,

Appellee.

APL2021-06

Appeal of:

BLD2021-0765

CDD Director's Decision dated
December 1, 2021

Order Accepting TGH's Corrected Opening Brief

Based on the unopposed motion submitted by The Glory Hall (TGH), IT IS HEREBY ORDERED that The Glory Hall's Corrected Opening Brief submitted with its motion is accepted for consideration in this appeal.

APR 14 2022
DATED


Presiding Officer
Commissioner Travis Arndt

**BEFORE THE PLANNING COMMISSION
OF THE CITY AND BOROUGH OF JUNEAU**

JUNEAU COOPERATIVE CHRISTIAN
MINISTRY d/b/a THE GLORY HALL,

Appellant,

v.

CBJ COMMUNITY DEVELOPMENT,

Appellee.

APL2021-0006

Appeal of:

BLD2021-0765

CDD Director's Decision dated
December 1, 2021

CDD OPPOSITION BRIEF

BLD2021-0765 was denied based on a straightforward application of CBJ code.

The code represents decades of legislative review and revision. Beyond representing the will of the community, the code provides guidance and places guardrails. In this matter, the code provided Appellant Juneau Cooperative Christian Ministry d/b/a The Glory Hall (TGH) the steps necessary for BLD2021-0765's approval from Appellee CBJ Community Development Department (CDD). Likewise, the code limited CDD's discretion to approve BLD2021-0765 because TGH skipped a necessary step. However, rather than follow CBJ code and CDD advice, TGH is attempting to circumvent the code through this appeal. CDD requests the Commission deny TGH's appeal because there is substantial evidence supporting CDD's decision and there was no policy error or abuse of discretion. In fact, it would have been in error for CDD to exempt BLD2021-0765; CDD is not empowered to choose which developers and developments are exempt from this code.

I. RELEVANT CODE PROVISIONS

1 CBJ 49.70.300(a) *Generally.*

2 (1) Development in all landslide and avalanche areas shall minimize the risk of loss
3 of life or property due to landslides and avalanches.

4 (2) Boundaries of potential and severe avalanche areas will be as shown on the
5 landslide and avalanche area maps dated September 9, 1987, consisting of sheets
6 1—8, as the same may be amended from time to time by the assembly by ordinance.

7 (3) Notwithstanding any other provision, all subdivision other than a boundary line
8 relocation and all development greater than a single-family dwelling within
9 landslide or avalanche areas shall require a conditional use permit.

10 (4) If a developer disagrees with the boundaries shown on the maps, the developer
11 may seek departmental relocation of the boundaries by submitting site specific
12 studies prepared by a civil engineer experienced in avalanche and landslide analysis.
13 Such studies shall include detailed analyses of topography, vegetation, potential
14 snow accumulation, and other factors. The results should indicate actual hazard area
15 boundaries and potential debris flow direction, time, distance and mass. If, in the
16 opinion of the city engineer, the studies clearly establish that the map boundaries are
17 inaccurate and the proposed development is outside a severe avalanche area or
18 outside any avalanche or landslide area, the department shall proceed accordingly.

19 CBJ 49.70.300(b) *Severe avalanche areas.*

20 (1) Notwithstanding any other provision, no development or any part of a
21 development, which is within a severe avalanche area shall, by the addition of
22 bedrooms, conversions of buildings, or otherwise, increase the density of that parcel;
23 provided, however, that a single-family house may be constructed on a vacant lot.

II. BACKGROUND

On October 28, 2021, TGH's executive director, Mariya Lovischuk, reached out
to CDD's permit specialist, Edward Quinto, expressing TGH's intent to develop seven
apartments on the second and third floors of TGH's building at 247 South Franklin
Street.¹

¹ R. at 4 (October 28, 2021 email from TGH's Mariya Lovischuk to CDD's Edward Quinto).

On November 9, 2021, a pre-application conference was conducted to provide TGH with a preliminary review of the proposed development.² Ms. Lovischuk and Mr. Quinto attended, as did CDD Planner Allison Eddins, CBJ Fire Marshal Dan Jager, and CDD Permit Tech Sydney Hawkins.³

On November 17, 2021, CDD issued a report summarizing the issues discussed at the pre-application conference; chiefly, the issue of increasing density in a severe avalanche area.⁴ As noted, new hazard maps have been developed—but not adopted—that place 247 South Franklin Street outside the severe avalanche area (but still within a severe landslide area).⁵ As the report directed, TGH needed to obtain “[a] site specific study prepared by a licensed civil engineer experienced in avalanche and landslide analysis demonstrating the need for a hazard boundary relocation.”⁶

On November 23, 2021, TGH submitted a building permit, BLD2021-0765, showing TGH’s proposed development would add seven dwelling units to the building located at 247 South Franklin Street.⁷ Along with the permit, TGH submitted plans prepared by Stantec Architecture Inc. (Stantec) showing the proposed development would

² See R. at 33 (November 17, 2021 report from CDD).

³ R. at 33.

⁴ R. at 34.

⁵ R. at 34.

⁶ R. at 36 (referencing CBJ 49.70.300(a)(4)).

⁷ R. at 37 (November 23, 2021 building permit application for BLD2021-0765). TGH disputes that this is the permit application completed by Ms. Lovischuk and states Ms. Lovischuk has since located an application she believes is the application she filed. TGH Br. at 9 n.20. For purposes of CDD’s decision and this appeal, it does not matter which version of the application is used. What matters is whether or not the proposed project increases density, which is more discoverable from the Stantec plans.

renovate the second and third floors “into dwelling units.”⁸ The Stantec plans show the second floor would be changed from gathering, storage, and office spaces to two studio apartments.⁹ The Stantec plans show the third floor would be changed from three dorms with shared bathrooms and a one-bedroom apartment¹⁰ to four studio apartments and a one-bedroom apartment.¹¹ TGH did not submit a site-specific study as directed at the pre-application conference and in the report issued following that conference.

On December 1, 2021, CDD denied TGH’s building permit.¹² The denial expressed CDD’s reasoning: “Increasing the number of dwelling units is prohibited by code in this hazard zone.”¹³ Included with the denial were the relevant code sections; highlighted were CBJ 49.70.300(b)(1), which regards increasing density in severe avalanche areas, and CBJ 49.70.300(b)(4), which describes the site-specific study CDD repeatedly advised TGH to obtain.¹⁴ The denial reaffirmed CDD’s prior advice at the pre-

⁸ R. at 38 (Stantec’s Glory Hall Renovation pricing submittal). As stated in the project description, “RENOVATION OF THE 2ND & 3RD FLOORS INTO DWELLING UNITS (7 TOTAL)”.

⁹ R. at 54, 56.

¹⁰ The one-bedroom apartment noted in the Stantec plans has not been formally reviewed by CDD. It is possible the apartment may be a “nonconforming situation” under CBJ 49.30.110-310, which additionally may be considered “abandoned” under section 220. Presently, no situation review process has been initiated.

¹¹ R. at 55, 57.

¹² R. at 106-107 (December 1, 2021 email from CDD’s Allison Eddins to TGH’s Mariya Lovischuk).

¹³ R. at 106.

¹⁴ R. at 106-107.

application conference,¹⁵ the report issued following the pre-application conference,¹⁶ and email exchanges between TGH and CDD.¹⁷

TGH appealed CDD’s denial on December 2, 2021. TGH’s primary arguments in its Planning Commission Narrative are: (1) the un-adopted Tetra Tech maps should be sufficient for CBJ 49.70.300(a)(4) purposes, and (2) CDD’s interpretation of “density” is incorrect.

III. STANDARD OF REVIEW

Per CBJ 49.20.110(b), “the decision of the department shall be upheld if there is substantial evidence in support thereof and no policy error or abuse [of] discretion therein.”¹⁸

IV. ARGUMENT

As explained herein, TGH’s arguments—that the Tetra Tech maps are sufficient for CBJ 49.70.300(a)(4) purposes and that CDD’s interpretation of “density” is incorrect—should be rejected. TGH is not entitled to circumvent the code or redefine its terms. Likewise, CDD is not empowered to exempt entities from codes and terms; it would plainly be improper for CDD to “let it slide” for a proposed development (even when the development or developer is sympathetic). Such impropriety would be especially acute when the “slid-past” codes and terms concern public safety.

¹⁵ See R. at 34.

¹⁶ R. at 34.

¹⁷ R. at 95-96 (November 17, 2021 email in which CDD’s Allison Eddins explained the concept of density and TGH’s need for a site-specific study to TGH’s Mariya Lovischuk).

¹⁸ Per CBJ 01.50.070(a)(1), this means “substantial evidence in light of the whole record, as supplemented at the hearing....”

a. Per CBJ Code, TGH Must Obtain a Sufficiently Detailed and Reliable Site-Specific Study for the Proposed Development.

Presently, the 1987 landslide and avalanche area maps show TGH's parcel at 247 South Franklin Street is within a severe avalanche/landslide area.¹⁹ For this reason, as provided by CBJ 49.70.300(b)(1), "[N]o development or any part of a development . . . shall, by the addition of bedrooms, conversions of buildings, or otherwise, increase the density of that parcel" Absent Assembly action (e.g. map amendment or adoption, code amendment), TGH can overcome CBJ 49.70.300(b)(1)'s prohibition by procuring a sufficiently detailed and reliable site-specific study as described at CBJ 49.70.300(a)(4).

Per CBJ 49.70.300(a)(4), TGH may seek a relocation of the 1987 boundary by submitting a site-specific study prepared by a civil engineer with avalanche and landslide analysis experience. The study "shall include detailed analyses of topography, vegetation, potential snow accumulation, and other factors [and] should indicate actual hazard area boundaries and potential debris flow direction, time, distance and mass."²⁰ If, in the opinion of the city engineer, the "stud[y] clearly establish[es] that the map boundaries are inaccurate and the proposed development is outside a severe avalanche area or outside any avalanche or landslide area, [CDD] shall proceed accordingly."²¹

¹⁹ R. at 3 (Landslide and Avalanche Area map adopted in 1987). As shown, showing 247 South Franklin Street is in the "Severe Landslide/Avalanche Area."

²⁰ CBJ 49.70.300(a)(4).

²¹ CBJ 49.70.300(a)(4).

As shown in the record, CDD informed TGH this site-specific study was necessary at the pre-application conference,²² in the report issued following that conference,²³ through email correspondence,²⁴ and through CDD’s decision denying BLD2021-0765.²⁵ To date, TGH has not procured and submitted a site-specific study as described above in CBJ 49.70.300(a)(4).

b. Per CBJ Code, Density Is Measured in Dwelling Units Not Number of Occupants.

TGH argues CBJ 49.70.300(b)(1)’s prohibition against increasing density is irrelevant because BLD2021-0765 would actually decrease density. TGH’s argument is based on TGH’s misunderstanding that density is based on the number of occupants.²⁶ Because TGH’s density definition is not supported by CBJ code, TGH’s density-based arguments should be rejected by the Commission.

In CBJ code, density is measured by dwelling units. This is apparent from CBJ 49.25.500 providing, concerning zoning density, “[t]he maximum number of dwelling units allowed per acre” That density is measured in dwelling units is reinforced by CBJ 49.25.510; this is especially apparent in section (j)(2), which states in relevant part, “Each single-room occupancy with private facilities shall count as one-half of a dwelling unit for purposes of calculating density. . . .” Beyond showing dwelling units are the unit

²² See R. at 34.

²³ R. at 36.

²⁴ R. at 95-96.

²⁵ R. at 106-107.

²⁶ As evidence from the report issued following the pre-application conference, TGH first sought to redefine “dwelling unit.” R. at 34. As evident from TGH’s Brief, TGH now seeks to redefine “density.” See, e.g., TGH Br. 12.

1 by which density is measured, section (j)(2) shows occupancy and density have different
 2 meanings within the code. That density is measured in dwelling units is repeatedly and
 3 reliably shown in code.²⁷

4 “Occupancy” in CBJ 49 primarily refers to use or users.²⁸ For example, “park
 5 occupancy” regards recreational vehicles in a recreational vehicle park—the RVs being
 6 “users.”²⁹ “Occupancy” may also refer to residential use and users, which is shown in
 7 CBJ 49.30.215(d). Alternatively, CBJ 49 includes references to “single-room
 8 occupancies,” which are dwelling units or living and sleeping spaces designed for
 9 occupancy by a single person.³⁰ For density calculations, single-room occupancies with
 10 private facilities count as one half of a dwelling unit.³¹

18 ²⁷ See, e.g., CBJ 49.25.510(a)-(c); see also 49.25.520, titled “Multiple buildings; density
 19 determinations.”, stating, “The number of dwelling units allowed on a lot in a multifamily
 20 zone shall be determined pursuant to this chapter without regard to whether the units are
 21 constructed in the same building or different buildings.” As provided in relevant part by
 22 CBJ 49.25.220(b), “Multifamily residential uses are allowed at a density of up to 80 units
 23 per acre.”

²⁸ See, e.g., CBJ 49.40.200(2), titled “Mixed occupancy.”, stating, “In the case of two or
 more uses on the same lot....”

²⁹ See 49.65.460.

³⁰ CBJ 49.80.120 defines “single-room occupancy with private facilities” and “single-
 room occupancy with shared facilities.”

³¹ 49.25.510(j)(2).

“Occupants” in CBJ 19, which concerns building regulations and includes the fire code, refers to natural persons. Occupants as natural persons is also shown in the 2012 International Building Code (IBC),³² which was adopted in this title.³³

Relatedly, the IBC distinguishes between residential group classifications for residential occupancies based on (1) the number of occupants, (2) whether the occupants are primarily transient or permanent in nature, and (3) whether the units are sleeping units³⁴ or dwelling units.³⁵ Evident from the IBC, 247 South Franklin Street was a congregate living facility, which is a “building or part thereof that contains sleeping units where residents share bathroom and/or kitchen facilities.”³⁶ Also per the IBC, “sleeping units” are rooms or spaces in which people sleep and “dwelling units” are “single unit[s] providing complete, independent living facilities for one or more persons, including permanent provisions for sleeping, eating, cooking and sanitation.”³⁷ What these show, regarding “dwelling units,” is that there is a difference between shared facilities for

³² 2012 International Building Code (IBC), Chapter 2 – Definitions - Section 201 - General, available at <https://codes.iccsafe.org/content/IBC2012/chapter-2-definitions#text-id-5768270> (last visited Apr. 6, 2022).

³³ See R. at 62 (November 10, 2021 email from Fire Marshal Daniel Jager to CDD’s Edward Quinto); see also CBJ 19.03.010.

³⁴ *Id.*

³⁵ See, e.g., 2012 International Building Code (IBC), Chapter 3 – Use and Occupancy Classification - Section 310 - Residential Group R, available at <https://codes.iccsafe.org/content/IBC2012/chapter-3-use-and-occupancy-classification#text-id-5770013> (last visited Apr. 6, 2022).

³⁶ See 2012 International Building Code (IBC), Chapter 2 – Definitions - Section 201 - General, available at <https://codes.iccsafe.org/content/IBC2012/chapter-2-definitions#text-id-5768270> (last visited Apr. 6, 2022).

³⁷ 2012 International Building Code (IBC), Chapter 2 – Definitions - Section 201 - General, available at <https://codes.iccsafe.org/content/IBC2012/chapter-2-definitions#text-id-5768270> (last visited Apr. 6, 2022).

transient occupants versus separate facilities for permanent occupants.³⁸ TGH cannot simply reclassify the dorms and sleeping units as “dwelling units.”

To summarize, density is measured in dwelling units, thus dwelling units are key to determining density. A residential occupancy may have 15 occupants with 0 dwelling units or 55 occupants with 0 dwelling units—the density would be the same. (For this reason, density does not increase or decrease daily as occupants come and go.) Thus, TGH’s argument that BLD 2021-0765 would decrease density because 247 South Franklin Street would have fewer occupants should be disregarded as this argument is based on TGH’s fundamental misunderstanding of these terms.³⁹

c. TGH’s Proposed Development Would Increase Density Because It Would Increase Dwelling Units.

CDD has already explained to TGH that the subject building, which has sheltered over 40 occupants, is considered to have zero dwelling units.⁴⁰ CDD has already explained to TGH that building the seven proposed apartments would add dwelling units and, therefore, increase density.⁴¹ CDD has already, and repeatedly, attempted to explain

³⁸ See 2012 International Building Code (IBC), Chapter 3 – Use and Occupancy Classification - Section 310 - Residential Group R, available at <https://codes.iccsafe.org/content/IBC2012/chapter-3-use-and-occupancy-classification#text-id-5770013> (last visited Apr. 6, 2022). Particularly relevant here are the distinctions between R-1 and R-2 groups.

³⁹ This misunderstanding is plainly apparent in TGH’s Brief stating, at 2, “This project decreases density because it decreases the persons who will live on the parcel...” Again, density is not the same as occupancy; density is not affected by the number of persons using an occupancy.

⁴⁰ R. at 70.

⁴¹ R. at 70.

occupancy, dwelling units, and density to TGH.⁴² Consistently, TGH has operated from a fundamental misunderstanding of the above-defined terms, and has advocated approaches circumventing these limitations that are contrary to the above-provided code.⁴³ There is no credible argument that density would do anything other than increase if BLD2021-0765 were granted.

Because increasing the dwelling units would increase density, which is prohibited in this area absent Assembly action or a sufficiently detailed and reliable site-specific study, CDD denied BLD2021-0765.⁴⁴ The Commission should uphold CDD’s decision because the decision is supported by substantial evidence—CBJ code and the adopted IBC.

d. CBJ Code’s High Bar for Increasing Density in a Severe Avalanche Area Underscores CBJ’s Compelling Interest in Public Safety and Makes Clear the Un-Adopted Tetra Tech Maps Are Insufficient.

Increasing density affects public safety. That this matter relates to public safety is evident from the landslide and avalanche area maps and related prohibitions. Public safety concerns are also evident from the adoption of the 2012 IBC, which “addresses structural strength, means of egress, sanitation, adequate lighting and ventilation, accessibility,

⁴² R.at 70 (Eddins writing, “At the meeting we also talked about density and building capacity and how they are not the same thing. Yes, the shelter provided sleeping quarters for 40 people (building capacity) but the shelter provided 0 density (dwelling units). Sometimes the terms that we use are similar and easy to confuse. I hope that when you read the meeting notes it will become more clear. Once you read the notes, please let me know if you have more questions.”).

⁴³ R. at 70-72. November 15, 2021 email from TGH’s Mariya Lovischuk to CDD. In this email Ms. Lovischuk confuses density and occupancy and advances surveys that do not satisfy CBJ 49.70.300(a)(4).

⁴⁴ R. at 106-07.

energy conservation and life safety in regards to new and existing buildings, facilities and systems.”⁴⁵ Changing buildings’ use or users, and buildings’ compositions, affects public safety considerations.

In this case, CBJ 49.70.300(b)(4) requires a site-specific study with “detailed analyses” of factors including “topography, vegetation, [and] potential snow accumulation.” Included in the study should be an indication of actual hazard area boundaries and potential debris flow direction, time, distance, and mass.⁴⁶ Additionally, the site-specific study must be prepared by a civil engineer experienced in avalanche and landslide analysis.⁴⁷ The un-adopted Tetra Tech maps are not site-specific and do not provide detailed analysis of the relevant factors, nor do they fully indicate debris flow.

The code sets a high bar for increasing density in hazard areas, especially severe avalanche areas.⁴⁸ The code’s high bar indicates CBJ’s compelling interest in public safety. Relatedly, as the Commission is aware, restrictions on development do not pass without substantial process and public scrutiny. Code provisions affecting compelling interests, and which were undoubtedly the subject of substantial process and scrutiny,

⁴⁵ 2012 International Building Code (IBC), Effective use of the International building Code, available at <https://codes.iccsafe.org/content/IBC2012/effective-use-of-the-international-building-code> (last visited Apr. 5, 2022).

⁴⁶ CBJ 49.70.300(a)(4).

⁴⁷ CBJ 49.70.300(a)(4).

⁴⁸ As an aside, the un-adopted Tetra Tech maps show this parcel is in a severe landslide area.

should not be set aside for TGH—just like they should not be set aside for TGH’s neighbors or TGH’s neighbors’ neighbors.⁴⁹

Because CBJ code requires a sufficiently detailed and reliable site-specific study for TGH’s proposed development, and because TGH did not obtain this, CDD denied BLD2021-0765.⁵⁰ The Commission should uphold CDD’s decision because the decision is supported by substantial evidence—CBJ code.

e. TGH’s “Grab Bag” of Additional Arguments Should Also Be Rejected.

TGH’s Brief contains a number of additional arguments or sub-arguments. In the interest of answering any lingering questions the Commission may have, CDD’s brief responses to these are provided below:

1. Response to TGH’s Arguments Regarding the Comprehensive Plan and Housing Action Plan.

TGH argues the “Comprehensive Plan concluded that every single habitable dwelling in our community is needed....”⁵¹, and further supports this line of argument with reference to the Housing Action Plan.⁵² While CDD appreciates the importance of increasing housing, these plans do not excuse compliance with CBJ code—especially those code provisions concerning public safety. CDD’s decision is supported by substantial evidence—CBJ code.

2. Response to TGH’s Argument Regarding the Effect of Assembly Approval for This Project.

⁴⁹ Further, TGH’s ongoing confusion between terms in the code and adopted 2012 IBC show TGH is not a credible source on code interpretation or risk assessment.

⁵⁰ R. at 106-07.

⁵¹ TGH Br. 5.

⁵² TGH Br. 15-16.

TGH argues that the Assembly approved a grant for this project “on the condition that TGH obtain the necessary permits for the project”⁵³ and that it was error for CDD to consider these codes because this is an unusual situation.⁵⁴ As TGH concedes, the Assembly’s grant was conditioned on permit approval.⁵⁵ That the Assembly required TGH to obtain permits indicates TGH should obtain permits *legitimately* rather than through a perfunctory rubberstamping whereby CDD tosses “mechanistic, cookie cutter”⁵⁶ adherence to stuff like codes concerning public safety.

While CDD appreciates TGH’s “full speed ahead!”⁵⁷ spirit, CDD also appreciates CBJ code is clear regarding those steps required before density can be increased in severe avalanche areas. As unusual as this situation may be—or as unusual as TGH may believe it is—there are no exceptions in CBJ code for unusual situations or TGH, thus it was not error for CDD not to find a special exception for TGH.

3. Response to TGH’s Argument Regarding the Potential Loss of Housing.

TGH additionally argues not receiving this permit may cause Juneau to lose this “housing stock.”⁵⁸ Nothing is stopping TGH from obtaining the required site-specific study and applying for a building permit or from waiting for Assembly action (e.g. adoption of the Tetra Tech maps). CDD’s decision to deny the permit, which plainly

⁵³ TGH Br. 6.

⁵⁴ See TGH Br. 20-21.

⁵⁵ Similarly a college admission letter is not a ticket out of high school finals.

⁵⁶ TGH Br. 20.

⁵⁷ TGH Br. 21, 23.

⁵⁸ TGH Br. 6.

required a sufficiently detailed and reliable site-specific study, does not cause Juneau to lose this housing—rather it insures 247 South Franklin Street will not be “housing stock” unless and until it is shown to be sufficiently safe. Again, CDD’s decision is supported by substantial evidence—CBJ code.

4. Response to TGH’s Argument Regarding the Sufficiency of CDD’s Decision.

TGH argues CDD’s decision was not supported by adequate written findings and that CDD did not explain itself.⁵⁹ As apparent from the decision, as well as the pre-application conference and issued report and the correspondence between TGH and CDD, which are all in the record, CDD repeatedly informed TGH of the issues concerning the sought-after permit (i.e. it would increase density in a severe avalanche area, so TGH needed a site-specific study per CBJ 45.70.300(a)(4)).⁶⁰ Further evidence of the sufficiency of CDD’s decision comes from TGH’s demonstrated ability to write a 25-page brief concerning these issues. As apparent from the Record, including CDD’s decision, the basis of CDD’s decision is clear. And again, CDD’s decision is supported by substantial evidence—CBJ code.

5. Response to TGH’s Argument Regarding Clear Error.

TGH argues CDD committed clear error when CDD equated “density” and “dwelling units.”⁶¹ However, CDD did not commit clear error—this definition of density comes directly from CBJ code. As shown by CBJ 49.25.500-520, density is measured in

⁵⁹ TGH Br. 10, 17-18.

⁶⁰ R. 34-36, R. 95-96, R. 106-107.

⁶¹ TGH Br. 16.

dwelling units. That density is measured in dwelling units is consistent throughout CBJ code.⁶² In arguing against the relationship between density and dwelling units, TGH includes a citation to CBJ 49.70.300(b)(1), which describes adding bedrooms and converting buildings as activities that may increase density. As this should have alerted TGH, these activities increase density because they increase dwelling units—not because the number of occupants may increase. TGH’s “common sense position”⁶³ equating “density” with number of occupants cannot be reconciled with CBJ code. For these reasons, CDD did not commit clear error when it defined “density” using CBJ code (showing density is measured in dwelling units) rather than TGH’s unsupported and incompatible-with-code definition. Thus, CDD’s decision is supported by substantial evidence—CBJ code.

6. Response to TGH’s Argument Regarding Devaluing Homeless Persons.

TGH argues CDD, by denying BLD2021-0765, is “devaluing” homeless persons.⁶⁴ CDD understands TGH is passionate about this project and hopes TGH and the Commission can understand CDD is not “devaluing” anyone by requiring TGH to adhere to CBJ code. CBJ 49.70.300(b)(4) was enacted to ensure safety at sites with severe potential hazards. Historical balancing of risks and interests supporting 247 South Franklin Street’s use as a shelter are outside the record of, and immaterial to, this appeal

⁶² See, e.g., CBJ 49.60.140 (“The allowable density of dwelling units per acre....”).

⁶³ TGH Br. 9.

⁶⁴ TGH Br. 20.

and CDD's decision to deny BLD2021-0765. CDD's decision to deny BLD2021-0765 is supported by substantial evidence—CBJ code.

V. CONCLUSION

As shown above, there is substantial evidence supporting CDD's decision to deny BLD2021-0765: CDD's decision was based on a straightforward application of CBJ code and its terms. CDD did not commit a policy error or abuse its discretion when it denied TGH's building permit based on TGH's failure to follow CBJ 49.70.300((a)(4). Because there is substantial evidence supporting CDD's decision and no evidence of policy error or abuse of discretion, the Commission should uphold CDD's decision.⁶⁵

DATED this 12th day of April, 2022.

CBJ CDD

By:



Adam R. Gottschalk
Assistant Municipal Attorney
Alaska Bar No. 2008079

CERTIFICATE OF SERVICE

I certify that on 12th of April, 2022, a true and correct copy of the foregoing document was served on:

ATTN: Mary Alice McKeen
212 West 9th Street
Juneau, AK 99801

⁶⁵ CBJ 49.20.110(b) providing, in relevant part, “the decision of the department shall be upheld if there is substantial evidence in support thereof and no policy error or abuse [of] discretion therein.” This code provision makes clear the Commission is not merely an “alternative CDD,” but rather a reviewing body ensuring CDD's decisions are supported by evidence and the agency is not committing policy errors or abusing its discretion.

via email to: ottokeen@gmail.com



Assistant Municipal Attorney

City & Borough Attorney
City & Borough of Juneau, Alaska
155 South Seward Street, Juneau, Alaska 99801
ph: 907-586-5242 CB/Law.Service@juneau.org

Mary Alice McKeen
Attorney, Alaska Bar # 8106035
212 West 9th Street
Juneau, Alaska 99801
907-957-6170
ottokeen@gmail.com

BEFORE THE PLANNING COMMISSION
OF THE CITY AND BOROUGH OF JUNEAU

JUNEAU COOPERATIVE CHRISTIAN	)	
MINISTRY, dba THE GLORY HALL,	)	
	)	
Appellant,	)	
	)	
vs.	)	APL2021-06
	)	Appeal of:
CBJ COMMUNITY DEVELOPMENT,	)	BLD2021-0765
	)	CDD Director’s Decision dated
Appellee.	)	December 1, 2021
	)	

Reply Brief of The Glory Hall (TGH)

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TGH’s interpretation and CDD’s interpretation of CBJ 49.70.300(b): how to determine whether a development would “increase the density of that parcel.”..... 5

1. At page 7 of its Opposition Brief, CDD finally provides the authority that it argues supports its interpretation of CBJ 49.70.300(b) that “increase the density of that parcel” means “increase the dwelling units on that parcel.”..... 7

2. CDD’s interpretation that “density” in CBJ 49.70.300(b) means “the number of dwelling units” is not supported by substantial evidence, is an abuse of discretion, and is arbitrary and unreasonable. 10

A. CDD does not show that the Assembly intended to define “density” as “dwelling units” in CBJ 49.70.300(b). 11

1) The Assembly did not define “density” as meaning only “dwelling units” in CBJ 49.70.300(b). 11

2) The Assembly did not adopt a global or general definition of density applicable throughout Title 49, the Land Use Code. 11

3) The Assembly did not incorporate the definition of “density” in CBJ 49.25.500 – 520 into CBJ 49.70.300(b). 12

4) The use of “dwelling units” to measure density in Chapter 49.25, Zoning Districts, provides no support for CDD’s interpretation of density in CBJ 49.70.300(b).....	12
5) TGH is not confused; TGH simply disagrees with CDD on what facts are relevant to determine whether a project increases the density of a parcel in CBJ 49.70.300(b).	14
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E. CDD’s definition of density is inconsistent with purpose of Title 49 to achieve the objectives of the Comprehensive Plan.	19
F. CDD does not address that its interpretation of density undermines the purpose of Title 49 “[t]o recognize the economic value of land and encourage its proper and beneficial use.”	21
3. TGH’s interpretation of CBJ 49.70.300(b) is proper: CBJ should determine whether a project increases density of a parcel by considering all relevant facts including whether the project significantly decreases the number of persons residing on the parcel.	21
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Introduction

The Juneau Cooperative Christian Ministry dba The Glory Hall appeals the denial of a building permit to convert the second and third floors of the former emergency shelter at 247 South Franklin Street, which housed between 43 – 53 persons, into seven small rental units of affordable housing, which would house between 7- 14 persons.¹ CDD denied the permit because CDD said the project would “increase the density” of the parcel within the meaning of CBJ

¹ TGH noticed a mistake in its Opening Brief at page 6. Under the project, the second floor will have two efficiency apartments and the third floor will have four efficiency apartments (*not three*) and one one-bedroom apartment. The project will provide six efficiency apartments and one one-bedroom.

49.70.300(b). Under that ordinance, this project may not occur if it would “increase the density” of the parcel.

TGH maintains that CDD wrongly denied the permit because the project does not “increase the density” of the parcel within the meaning of that ordinance and because the undisputed facts in the record show that the project decreases the density of the parcel.

If the Planning Commission concludes that the project does not increase the density of the parcel within the meaning of CBJ 49.70.300(b), there is no dispute that CDD wrongly denied the building permit and the Planning Commission should grant it.

Undisputed facts

The undisputed facts include these facts:

- The Glory Hall Building at 247 South Franklin has been in use as an emergency shelter since 1990. [R. 116 – 118]
- When the Glory Hall Building was used as an emergency shelter, it provided housing to 43 to 53 homeless persons and about 100 persons would use the Day Room on the ground floor. [TGH Opening Brief at 6]
- Under the proposed use, 7 – 14 renters would reside in the building. [R. 4, 71]
- Under the proposed use, the number of people residing in the building would decrease from 43 – 53 persons to 7 – 14 persons with 14 being a hard maximum.²
- When the Glory Hall Building was used as an emergency shelter, each occupant in a dormitory space had to have 50 gross square feet per person. [TGH Opening Brief at 13 – 15 & Exhibit to Brief with IBC Table 1004.1.2]
- Under the proposed use, each occupant in a residential space must have 200 gross square feet per person. [same]
- Under the proposed use, the maximum allowable occupancy on the parcel decreases by 75% over the prior use. [same]

² The number of residents would likely not be 14 because most efficiencies would have one, not two, persons, although two persons would be allowed.

- The former emergency shelter was “a dwelling,” as that term is defined in Title 49, namely “a building or portion thereof, used exclusively for human habitation.” [CBJ 49.80.120]
- The former emergency shelter was not a “dwelling unit,” and did not contain any dwelling units, as that term is defined in Title 49, namely “a residential use consisting of a building or portion thereof, providing independent and complete cooking, living, sleeping and toilet facilities for one family.” [CBJ 49.80.120]³
- The former emergency shelter was a residential occupancy and the specific type of residential occupancy was a “congregate living facility,” as defined by the IBC, namely, “a building or part thereof that contains sleeping units where residents share bathroom and/or kitchen facilities.” [CDD Opposition Brief at 9 – 10]
- The Glory Hall Building is located in MU, Mixed Use Zoning District. [R. 33]
- The Glory Hall Building is in an area designated as a severe avalanche area based on low resolution hazard maps adopted by CBJ in 1987. These maps were based on data created in the 1970’s. [TGH Opening Brief at 7]

Ordinance to be interpreted: CBJ 49.70.300(b)

CBJ 49.70.300(b) *Severe avalanche areas.*

(1) Notwithstanding any other provision, *no development or any part of a development, which is within a severe avalanche area shall*, by the addition of bedrooms, conversions of buildings, or otherwise, *increase the density of that parcel*; provided, however, that a single-family house may be constructed on a vacant lot. [emphasis added]

This statute is ambiguous. It states no development may “increase the density of that parcel” but it does not define density. The parties to the appeal have different interpretations of that phrase.

The key principle in interpreting an ordinance is adopting an interpretation that carries out the intent of the legislative body that adopted it, in this case, CBJ Assembly. The Planning

³ The IBC has a slightly different definition in Section 202: a “dwelling unit” is “[a] single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.” We accept that the former emergency shelter did not have dwelling units under the Title 49 definition *and* the IBC definition. TGH withdraws the appeal point that the former emergency shelter was a “dwelling unit” or had “dwelling units” as defined by Title 49 or the IBC. TGH Opening Brief at 3 – 4, 22 – 23.

Commission uses the same principles to determine Assembly intent as a court: “Interpretation of a statute is a question of law to which we apply our independent judgment; we interpret the statute according to reason, practicality, and common sense, considering the meaning of the statute’s language, its legislative history, and its purpose.”⁴ An ordinance should be construed in accord with what the leading text on statutory construction calls the “golden rule of statutory interpretation.” The golden rule of statutory construction is “when one of several possible interpretations of an ambiguous statute produces an unreasonable result, that interpretation should be rejected in favor of another which produces a reasonable result.”⁵ The Assembly is presumed to have intended reasonable results consistent with the purpose of the ordinance that it adopted.

TGH’s interpretation and CDD’s interpretation of CBJ 49.70.300(b): how to determine whether a development would “increase the density of that parcel.”

The Planning Commission has the responsibility to interpret provisions of Title 49, the Land Use Code.⁶ The Planning Commission makes an independent judgment on the meaning of the ordinance. The Planning Commission has before it two interpretations of CBJ 49.70.300(b)(1), which is part of Title 49.

TGH’s interpretation of CBJ 49.70.300(b) is that CBJ should determine whether a project increases density of a parcel by considering all relevant facts including whether the project increases buildings on the parcel, whether the project increases dwelling units on the parcel, whether the project increases the number of persons residing on the parcel and whether the

⁴ *Daggett v. Feeney*, 397 P. 3d 297, 304 (Alaska 2017) quoting *Adamson v. Municipality of Anchorage*, 333 P. 3d 5, 11 (Alaska 2014). To date, neither party has cited any legislative history of the ordinances involved in this appeal.

⁵ N. Singer & S. Singer, *Sutherland Statutes and Statutory Construction* § 45.12 at 103 – 106 (7th ed, rev. April 2014).

⁶ CBJ 49.20.300.

project increases the number of persons that can potentially occupy the buildings on the parcel.

TGH interprets the purpose of CBJ 49.70.300(b) as preventing development which subjects more people to whatever risk of avalanche exists on the parcel and allowing development which does not subject more people to the risk of avalanche and certainly allowing the development when, as here, the project subjects significantly less people to whatever risk of avalanche exists on the parcel.

CDD's interpretation of CBJ 49.70.300(b) is that "density of a parcel" means "the number of dwelling units on a parcel." Under CDD's interpretation, the only relevant fact in determining whether a development would increase density of the parcel is the number of "dwelling units" – units with "independent and complete cooking, living, sleeping and toilet facilities for one family"⁷ – on the parcel before the development and the number of dwelling units after the development. If the number of "dwelling units" goes up, CDD states that the property owner cannot undertake the development, unless the property owner obtains a study that the parcel is outside a severe avalanche area.⁸ CDD attributes to the Assembly the intent to prevent development that would increase the number of individual cooking, living, sleeping and toilet facilities on parcels in severe avalanche areas, irrespective of whether the development would increase or, as here, significantly decrease the number of persons exposed to whatever risk of avalanche exists on the parcel.

⁷ CBJ 49.80.120 (definition of "dwelling unit" in Title 49).

⁸ CBJ 49.70.300(a)(4).

1. At page 7 of its Opposition Brief, CDD finally provides the authority that it argues supports its interpretation of CBJ 49.70.300(b) that “increase the density of that parcel” means “increase the dwelling units on that parcel.”

CDD does not deny that its decision is supposed to meet the standard in CBJ 01.50.070(a)(2), namely that the decision should be “supported by adequate written findings” and the findings should “inform the hearing officer of the basis upon which the decision appealed from was made.” CDD issued a one-paragraph decision with a one-sentence rationale for denying this permit: “Increasing the number of dwelling units is prohibited by code in this hazard zone.” [R. 106] The only “code” reference it provided was the text of CBJ 49.70.300.

CBJ 49.70.300(b) does *not* state that increasing the number of dwelling units in a severe avalanche area is prohibited. It does not have the words “dwelling unit” in it. It states that a development shall not “increase the density” of the parcel.

Before CDD, Ms. Lovishchuk had asked what was CDD’s authority for defining “density” to mean “the number of dwelling units on the parcel.” For example, after the pre-application conference but before the report was issued, Ms. Lovishchuk emailed Ms. Eddins: “I heard you say that density definition depends on several features, such as exits and entrances, kitchens, and bathrooms. There is no such language in Chapter 49. It simply states that no development ‘shall occur by the addition of bedrooms, conversion of buildings, or otherwise, increase the density of the parcel.’ The density of the parcel is being decreased, not increased, by going from the place approved for occupancy by CBJ for at least 50 people on the 3rd floor alone to a maximum of 14 people (7 units X 2 people maximum).” [R. 71]

The pre-conference report does not explain how or why CDD defined “density” as meaning “the number of dwelling units” on a parcel. [R. 33 – 36] And none of the email correspondence explains why, despite the fact that CBJ 49.70.300(b) uses the word “density” out “density” and not “dwelling units,” CDD interprets “density” to mean “the number of dwelling

units.” It is therefore not surprising that CDD’s Decision does not address that question either and asserts, without any explanation or support, that “[i]ncreasing the number of dwelling units is prohibited by code in this hazard zone.” [R. 106]

It is not until page 7 of its Opposition Brief, that CDD finally offers any authority for its definition of “density” as meaning only and exclusively “the number of dwelling units” on the parcel. CDD states that “density is measured by dwelling units” and relies on CBJ 49.25.500 – 520, which define how many dwelling units are allowed by acre in the zoning districts in Juneau.⁹ The Glory Hall examines that argument in Point 2. But the point here is that an examination of the record in this appeal will show that CDD never mentioned this ordinance, or any other ordinance, as its authority for how it defined density in CBJ 49.70.300(b): not in the pre-application conference report [R. 33 – 36], not in any of the emails between staff and the applicant [R. 62 – 105], and not in CDD’s Decision. [R. 106 – 107].

This is disturbing for two reasons. First, CDD employs a double standard. CDD opposed this applicant from submitting anything into the record that it had not provided to CDD before December 1, 2021 – even facts as straightforward as the cost of the detailed Stantech engineering and architectural drawings or facts concerning TGH’s efforts to obtain a site-specific study of avalanche risk on this parcel.¹⁰ But CDD is now adding to the record essential points that it did not put in its Decision including an explanation for why it believes that “density” should mean only the number of dwelling units on the parcel, claimed authority for that definition, and an explanation that in determining whether this project increases density over the prior use, CDD counts the former use of the building as an emergency shelter as zero dwelling units and not part

⁹ CDD Opposition Brief at 7 – 8.

¹⁰ By the arguments in its Opposition Brief, CDD has now opened the door to that evidence. See Point 4 at pages 24 to 26 *infra*.

of the housing stock at all. CDD put none of its reasoning in its Decision. It put a one-sentence conclusion and nothing else.

It is true that in an email, CDD Planner Eddins did say that CDD was counting the prior use of the building as “0” dwelling units [R. 70] but that is not the same as the CDD adopting that as the official CDD position in the Decision and explaining that to the Planning Commission. The applicant and the Planning Commission should not have to guess which, if any, of the staff emails are part of the final decision.

Second, and related, an applicant should not have to get an attorney and file an appeal with the Planning Commission to find out the basis for CDD’s Decision *in CDD’s Opposition Brie before the Planning Commission*. The Decision *itself* is supposed to be “supported by adequate written findings” and the findings should “inform the hearing officer of the basis upon which the decision appealed from was made.”¹¹ An agency decision is supposed to “cogently explain why it has exercised its discretion in a given manner.”¹² A reviewing court “may not accept appellate counsel’s post hoc rationalizations for agency action. It is well-established that an agency’s action must be upheld, if at all, on the basis articulated by the agency itself.”¹³ This is sufficient grounds to set aside the Decision.

But The Glory Hall anticipates that the Planning Commission will consider the arguments advanced for the first time in CDD’s Opposition Brief and therefore responds to them in this Reply Brief.

¹¹ CBJ 01.50.070(a)(2)

¹² *Motor Vehicle Mfrs. Ass’n of U.S., Inc., v State Farm Mutual Automobile Ins. Co.*, 463 U.S. 29, 48 – 49 (1983)(citation omitted).

¹³ *Id.* at 50 (citations omitted)

2. CDD’s interpretation that “density” in CBJ 49.70.300(b) means “the number of dwelling units” is not supported by substantial evidence, is an abuse of discretion, and is arbitrary and unreasonable.

This appeal concerns the proper interpretation of CBJ 49.70.300(b)(1):

Notwithstanding any other provision, ***no development or any part of a development, which is within a severe avalanche area shall***, by the addition of bedrooms, conversions of buildings, or otherwise, ***increase the density of that parcel***; provided, however, that a single-family house may be constructed on a vacant lot. [emphasis added]

CDD’s stated position is that “density” is equal to “the number of dwelling units.”¹⁴

CDD is reading CBJ 49.70.300(b) as if it were written this way:

Notwithstanding any other provision, ***no development or any part of a development, which is within a severe avalanche area shall***, by the addition of bedrooms, conversions of buildings, or otherwise, ~~increase the density of that parcel~~ ***increase the number of dwelling units on that parcel***; provided, however, that a single-family house may be constructed on a vacant lot. [emphasis added]

That fact, alone, is a red flag: CDD is in effect crossing out the words used by the Assembly and using different ones. That fact suggests that CDD is rewriting the ordinance rather than interpreting it. But in its Opposition Brief, CDD defends its “interpretation” by saying that in the CBJ code, “density is measured by dwelling units.”¹⁵ CDD asserts that “this definition of density [as dwelling units] comes directly from CBJ code.”¹⁶ CDD asserts, “As shown by CBJ 49.25.500-520, density is measured in dwelling units.”¹⁷ CDD’s assertions and interpretation do not withstand scrutiny.

¹⁴ CDD Opposition Brief at 7, 16 – 17.

¹⁵ CDD Opposition Brief at 7.

¹⁶ Opposition Brief at 15.

¹⁷ Opposition Brief at 15 – 16.

A. CDD does not show that the Assembly intended to define “density” as “dwelling units” in CBJ 49.70.300(b).

1) The Assembly did not define “density” as meaning only “dwelling units” in CBJ 49.70.300(b).

To state the obvious, the Assembly did not say in CBJ 49.70.300(b), “no development . . . shall increase the number of dwelling units on that parcel.” It said, “no development . . . shall increase the density on that parcel.” As CBJ 49.25.500 – 520 shows, when the Assembly wants to direct CDD to count dwelling units and take action based on that calculation – in those ordinances it is to enforce the maximum number of dwelling units per acre – the Assembly does that explicitly. The fact that the Assembly did not do that in CBJ 49.70.300(b) is strong evidence that it did not intend to do that.

2) The Assembly did not adopt a global or general definition of density applicable throughout Title 49, the Land Use Code.

When the Assembly wants to adopt a definition of a term that is to be used across the Title 49, it does that in CBJ 49.80.120, the definition section of Title 49. CBJ 49.80.120 begins with this statement: “The following words, terms and phrases, when used in this title, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.” Title 49 is divided into 17 chapters. The Assembly is not reluctant to define terms that are to be used across different chapters of Title 49. The Assembly has defined hundreds of terms in CBJ 49.80.120.

The Assembly, however, did *not* adopt a global definition of “density” for Title 49.¹⁸ The IBC of 2012 does not contain a general definition of density.¹⁹ So when CDD categorically asserts that “the Code” defines density as dwelling units, that is not true. The Code has no

¹⁸ CBJ 49.80.120(definition section).

¹⁹ Section 202 (definition section) of IBC of 2012.

general definition of density. If, as CDD claims, the Assembly really wanted “density” to be defined throughout Title 49 as “dwelling units,” that definition would be in the general definition section for Title 49.²⁰ But it is not there.

3) The Assembly did not incorporate the definition of “density” in CBJ 49.25.500 – 520 into CBJ 49.70.300(b).

In CBJ 49.70.300(b), the Assembly did not incorporate by reference the definition of “density” in CBJ 49.25.500 – 520. Thus, the Assembly had many ways it could have adopted CDD’s definition of density for CBJ 49.70.300(b) but it did not. The Assembly did not do it explicitly in the ordinance. The Assembly did not do it by way of a global definition. The Assembly did not do it by incorporating by reference the measure of density in CBJ 49.25.500 – 520.

4) The use of “dwelling units” to measure density in Chapter 49.25, Zoning Districts, provides no support for CDD’s interpretation of density in CBJ 49.70.300(b)

CDD repeatedly asserts that density is measured by dwelling units “in CBJ code.”²¹ CDD asserts: “That density is measured in dwelling units is repeatedly and reliably shown in Code.”²² CDD repeats like a mantra: “CDD’s decision is supported by substantial evidence – CBJ code.”²³ CDD never specifies what it means by “CBJ Code” but it is Title 49, the Land Use Code. Title 49 is vast. It is organized into 17 chapters and each chapter has many ordinances. So although CDD says density is measured by dwelling units in “the Code,” to understand what

²⁰ CBJ 49.80.120.

²¹ CDD Opposition Brief at 7, 8.

²² CDD Opposition Brief at 8, citing CBJ 49.25.510(a)-(c) and CBJ 49.25.520.

²³ CDD Opposition Brief at 13. CDD repeats these exact words or very similar ones at pages 15, 16 and 17 of its brief.

that could possibly mean, you have to look at what specific provisions of “the Code” that CDD cites to support its assertions.

CDD cites CBJ 49.25.500 – 520, which are in Chapter 49.25 of Title 49.²⁴ Chapter 49.25 is Zoning Districts. CBJ 49.25.500 provides the basic rule: “The maximum number of dwelling units allowed per acre shall be provided in the following table,” and then follows a table with the “maximum dwelling units/acre” in each of 15 zoning districts in Juneau. So for example, in D-10, there is allowed “10 units per acre.” But in D-18, there is allowed “18 units per acre.” CDD is absolutely correct that CBJ 49.25.510 - CBJ 49.25.520 provides detailed rules for how to determine density in this context. CDD is correct that these ordinances establish how to determine whether a developer has exceeded the maximum allowable dwelling units per acre and address questions such as how to count duplexes, how to deal with accessory apartments, and how to count single-room occupancies with private facilities.²⁵ CDD states, “For density calculations, single-room occupancies with private facilities count as one-half of a dwelling unit,” and correctly cites CBJ 49.25.510(j)(2) for that statement.²⁶

What CDD shows is not that “density” is determined by “dwelling units” throughout “the Code.” What CDD shows is that “density” is determined by dwelling units throughout Chapter 49.25, Zoning Districts. Again, it is simply not true that “the Code” has a general definition of density or a general approach to measuring density.

²⁴ CDD Opposition Brief at 7 – 8 & 16. The only other citation CBJ provides to support its claim that “the Code” defines density as dwelling units is CBJ 49.60.140. CDD Opposition Brief at page 16 note 62. This ordinance is closely related to the Chapter 49.25 provisions because it provides a “residential density bonus” and specifies when “the allowable density of dwelling units per acre” specified in CBJ 49.500 – 520 may be increased by ten percent.

²⁵ CBJ 49.25.510(d)(1)(duplexes), CBJ 49.25.510(k)(an extremely detailed section on accessory apartments), CBJ 49.25.510(j)(2)(single room occupancies with private facilities).

²⁶ CDD Opposition Brief at page 8 & note 31.

The density determinations in Chapter 49.25 are fundamentally different from the density determination in CBJ 49.70.300(b):

- The Assembly specified unequivocally in CBJ 49.25.500 – 520: count dwelling units to determine density. The Assembly did not tell CDD to count dwelling units to determine density in CBJ 49.70.300(b).
- The purpose of CBJ 49.25.500 – 520 is to establish clear-cut rules for the use of property. The purpose of CBJ 49.70.300(b) is to limit development that might increase danger to people.
- CBJ 49.70.300(b) is not a zoning provision. It is a Land Use provision but not a zoning provision. This ordinance is in Chapter 49.70, which is “Specified Area Provisions.”
- The definition of “density” as “dwelling units” in CBJ 49.25.500 – 520 does not lead to unreasonable and arbitrary results, does not undermine the objectives of the Comprehensive Plan and the Housing Action Plan, and does not undermine the purpose of Title 19 “[t]o recognize the economic value of land and encourage its proper and beneficial use.” But all these consequences flow when CDD chooses to define “density” as “dwelling units” and engrafts the definition of density in CBJ 49.25.500 – 520 onto the ordinance in this appeal, CBJ 49.70.300(b).²⁷

5) TGH is not confused; TGH simply disagrees with CDD on what facts are relevant to determine whether a project increases the density of a parcel in CBJ 49.70.300(b).

CDD states that the applicant is confused and befuddled and does not understand the difference between “occupancy” and “density,” despite CDD “repeatedly” attempting to explain these terms to the applicant.²⁸ In fact, CDD has found the applicant so confused that CDD

²⁷ See Points 2 D, E & F at pages 18 - 21 *infra*.

²⁸ CDD Opposition Brief at 11, 13.

believes this shows that TGH “is not a credible source on code interpretation or risk assessment.”²⁹

The applicant understands that CDD believes the definition of “density” in CBJ 49.70.300(b) should be exclusively defined by the number of dwelling units. The applicant disagrees that is the only fact to be considered in determining density of a parcel in this ordinance.

As for occupancy, the applicant understands occupancy and believes it did a credible job explaining the occupancy provisions in IBC Table 1004.1.2 in its Opening Brief.³⁰ CDD did not disagree with the fact that under the proposed use of the building as seven small apartments, each occupant has 400% more space than the occupants under the prior use of the building as an emergency shelter.

CDD and TGH disagree on whether these facts are relevant to decide whether to deny TGH a building permit on the grounds that the project increases density of the parcel. TGH thinks the occupancy numbers are relevant because they are objective standards that are attached to the space and provide relevant data to evaluate whether the development will expose more or less people to whatever risk of avalanche exists on the parcel. CDD thinks they are irrelevant because all it needs to know is how many “dwelling units,” as defined by Title 49, were on the parcel before the development and how many “dwelling units,” as defined by Title 49, will be on the parcel after the development.

To support its contention that “occupancy” is irrelevant to TGH’s building permit application, CDD refers to several ordinances in Title 49 that use the word “occupancy:” one about off-street parking spaces, one about recreational vehicles and park occupancy, and two

²⁹ CDD Opposition Brief at 13 note 49.

³⁰ TGH Opening Brief at 13 – 15 & Exhibit to Brief, IBC Table 1004.1.2.

about calculating the maximum allowable number of dwelling units per acre in CBJ 49.25.500 – 520, the ordinances just discussed.³¹ Each of those ordinances have a specific context and problem they sought to address. CDD does not show how they are relevant to determining the Assembly intent regarding “density” in this code provision, CBJ 49.70.300(b), as applied to this building permit request. CDD does not show that they support its interpretation of CBJ 49.70.300(b) that it is irrelevant whether the proposed development results in a use which decreases the number of persons that will occupy and that can occupy this parcel.

B. CDD’s definition of “density” as “dwelling units” is contradicted by the text of CBJ 49.70.300(b) because the addition of bedrooms in a dwelling unit increases the density of the parcel even though the addition of bedrooms in a dwelling unit would not increase the number of dwelling units.

CDD’s definition of “density” as dwelling units is contradicted by the text of CBJ 49.70.300(b). The ordinance states that “no development or any part of a development, which is within a severe avalanche area shall, **by the addition of bedrooms**, conversions of buildings, or otherwise, **increase the density of that parcel.**” (emphasis added). **By the clear terms of the ordinance, the addition of bedrooms to a dwelling unit or other structure is an action that can increase the density of that parcel. A dwelling unit is** “a residential use consisting of a building or portion thereof, providing independent and complete cooking, living, sleeping and toilet facilities for one family.”³² A dwelling unit does not have a specified number of bedrooms. The addition of bedrooms to a dwelling unit does not increase the number of dwelling units but it does increase the density of the parcel.

³¹ CDD Opposition Brief at 8 & notes 28 - 31: CBJ 49.40.200(2)(off-street parking); CBJ 49.65.460 (park occupancy and recreational vehicles); CBJ 49.80.120 (defining “single-room occupancy with private facilities” and “single-room occupancy with shared facilities”); CBJ 49.25.510(j)(2)(for density calculations of maximum units per acre, single-room occupancies with private facilities count as one-half of a dwelling unit).

³² CBJ 49.80.120.

This is significant for two reasons. One, it shows that the Assembly did not intend that an increase or decrease in dwelling units is the sole criterion for whether a project increases density because with the addition of bedrooms to a dwelling unit, density increases but the number of dwelling units does not. Two, it shows that the Assembly was concerned with whether a development would increase the number of persons exposed to whatever avalanche risk exists on a parcel because, with the addition of bedrooms, the number of persons potentially exposed to an avalanche risk would increase but the number of dwelling units would not.

C. CDD's definition of density undermines the purpose of CBJ 49.70.300(b).

TGH maintains that the purpose of CBJ 49.70.300(b) is to prevent development which puts more people at risk of whatever avalanche risk exists on the parcel and to allow development which does not. This project, as a matter of undisputed fact, puts less people at that risk than the prior use of the property. CDD's interpretation prevents a development that puts less people at risk and therefore frustrates the purpose of CBJ 49.70.300(b).

Every interpretation of an ordinance has a purpose implicit in the interpretation. CDD's interpretation of density is that it is irrelevant that TGH's proposed development both improves the property significantly *and* exposes significantly less people to whatever risk exists on this parcel compared to the prior use. CDD says the only relevant fact is whether the development puts more stoves, refrigerators and toilet facilities, the things that make up an individual dwelling unit, at risk. This is an unreasonable interpretation of the purpose of this ordinance.

D. CDD’s interpretation of density leads to a profoundly unreasonable and arbitrary result: the property owner cannot convert its building to seven units of affordable housing because the prior use of the building was an emergency shelter where people shared kitchen and bathroom facilities.

In analyzing the results of CDD’s interpretation, the key thing to remember is that a dwelling unit is a residential use “providing independent and complete cooking, living, sleeping and toilet facilities for one family.”³³ CDD’s interpretation of “density” in CBJ 49.70.300(b) as meaning “dwelling units” produces profoundly unreasonable and arbitrary results that are incompatible with any reasonable conception of Assembly intent or statutory purpose.

The result of CDD’s interpretation is that the property owner can house 43 – 53 people on this property in an emergency shelter but not 7 – 14 people, far fewer people, in seven small apartments. On its face, that would seem unreasonable even if that was the only fact known to the Planning Commission.

But what is profoundly unreasonable is the reason *why* CDD states that the property owner cannot do that. CDD has denied this property owner a building permit to convert its building into seven small apartments, where the residents will have individual facilities, because the building used to be an emergency shelter, which meant the residents shared kitchen and bathroom facilities, which meant they did not have “independent and complete cooking, living sleeping and toilet facilities,” which meant, according to CDD, that they were not living in a dwelling unit, and which meant, according to CDD, that the property owner would be denied a building permit to convert the former emergency shelter into seven small apartments.

It is convoluted. And it is the consequence of CDD choosing to define “density” as “dwelling units.” It is not obvious at first but the cardinal sin in CDD’s approach to this situation is choosing a definition of “density” that results in characterizing the former emergency shelter

³³ CBJ 49.20.180.

as a “zero” and characterizing it as a “zero” because the residents – homeless persons – shared facilities and did not have their own “independent and complete cooking, living, sleeping and toilet facilities.”

The bottom line is that, unless CDD’s decision is reversed, this property owner cannot convert this building into seven affordable apartments because the prior residents were homeless persons who shared bathroom and kitchen facilities.

This is profoundly arbitrary and unreasonable. There is no reasonable basis for saying this result is consistent with Assembly intent. There is no basis for CDD to say that the Assembly intended to prevent converting this building into seven badly needed modest affordable rental housing units because the building provided emergency housing in the past where residents had to share kitchen and bathroom facilities.

E. CDD’s definition of density is inconsistent with purpose of Title 49 to achieve the objectives of the Comprehensive Plan.

The first purpose of Title 49, or the Code as it is referred to by CDD, is “[t]o achieve the goals and objectives, and implement the policies of the Juneau Comprehensive Plan.”³⁴ The Comprehensive Plan is properly viewed as part of the Code. The Juneau Housing Action Plan is properly viewed as part of Title 49.

In evaluating competing interpretation of CBJ 49.70.300(b), if one interpretation furthers the Comprehensive Plan and the Juneau Housing Action Plan and one does not, that is a reason to chose the one that furthers the Comprehensive Plan and the Housing Action Plan. Juneau faces a housing crisis. This is not a theoretical statement. It means that people cannot find places to live or rent, especially lower income folks.

³⁴ CBJ 49.05.100(1).

CDD's actions here undermine both the Comprehensive Plan and the Housing Action Plan. The Comprehensive Plan states: "Unless and until the community achieves a healthy vacancy rate, all habitable dwellings are valued and needed and uninhabitable units should be rehabilitated or replaced."³⁵ CDD is preventing seven units of badly needed affordable rental housing in downtown Juneau.

CDD states: "While CDD appreciates the importance of increasing housing, these plans do not excuse compliance with CBJ code – especially those code provisions concerning public safety."³⁶ CDD's denial of the building permit was not based on safety. CDD denied the building permit because it defined "density" as dwelling units and because it concluded this project increased density. As discussed, this means that CDD denied the building permit because the prior use was an emergency shelter where people shared kitchen and bathroom families, that is, they did not have individual dwelling units.

CDD also states that denying TGH a building permit to convert this building into seven small affordable rental units is no loss to the housing stock of Juneau because it never was part of Juneau's housing stock. CDD states that its action "insures 247 South Franklin Street will not be 'housing stock' unless and until it is shown to be sufficiently safe."³⁷ The Glory Hall Shelter at 247 South Franklin Street is part of Juneau's "housing stock." For 30 years, homeless people lived there safely. Forty-three to fifty-three people a night lived there. It would be a tremendous loss to Juneau if this landmark of Juneau's care and compassion cannot continue to house people. This relates to the next problem with CDD's interpretation of CBJ 49.70.300(b).

³⁵ Juneau Comprehensive Plan at p. 32.

³⁶ CDD Opposition Brief at 13.

³⁷ CDD Opposition Brief at 15.

F. CDD does not address that its interpretation of density undermines the purpose of Title 49 “[t]o recognize the economic value of land and encourage its proper and beneficial use.”³⁸

CDD’s interpretation of “density” means that this property can be used to operate a homeless shelter, because that is not a dwelling unit, but it cannot be used to provide rental housing, because they are dwelling units. But the property owner believes, and CBJ actions to implement the Comprehensive Plan and the Housing Action Plan suggest that the City agrees, that the need in downtown Juneau is for affordable rental housing. If that is foreclosed to this property owner, it will be foreclosed to any subsequent owners of this property. Therefore, the options for this prime real estate in downtown Juneau – that has housed persons for over 30 years – is to be used as a homeless shelter, a vacant or partly vacant building, or commercial rentals, if tenants can be found.

TGH’s interpretation of density avoids these results and should be adopted by the Planning Commission. TGH’s interpretation allows the property to be used for its “proper and beneficial use,” which is rental housing.

3. TGH’s interpretation of CBJ 49.70.300(b) is proper: CBJ should determine whether a project increases density of a parcel by considering all relevant facts including whether the project significantly decreases the number of persons residing on the parcel.

TGH’s interpretation of CBJ 49.70.300(b) is that CBJ should determine whether a project increases density of a parcel by considering all relevant facts including whether the project increases buildings on the parcel, whether the project increases dwelling units on the parcel, whether the project increases the number of persons residing on the parcel and whether the project increases the number of persons that can potentially occupy the buildings on the parcel. TGH interprets the purpose of CBJ 49.70.300(b) as preventing development which

³⁸ CBJ 49.05.100(6); TGH Opening Brief at 18 – 19.

subjects more people to whatever avalanche risk exists on the parcel and allowing development which does not subject more people to the risk of avalanche and certainly allowing development where, as here, the undisputed fact is that the project subjects significantly less people to the risk of avalanche: 43 – 53 residents under the prior use versus 7 – 14 residents under the proposed use.

TGH’s interpretation is the proper interpretation of CBJ 49.70.300(b) for close to innumerable reasons. This is a partial list:

- TGH does not rewrite the ordinance and substitute “increase the number of dwelling units” on the parcel for “increase the density of the parcel” when the Assembly chose “density,” a more general term.
- TGH does not take the measure of density from one part of the code – the zoning district provisions in Chapter 49.25 – and transplant that measure to CBJ 49.70.300(b) when the Assembly could have done that but did not.
- TGH’s interpretation takes into account the actual, undisputed, facts, namely that this project decreases significantly the number of persons who will be residing on this parcel and who can reside on this parcel.
- TGH’s interpretation does not stop a project that demonstrably decreases the persons exposed to whatever avalanche risk exists on this parcel while simultaneously telling the property owner that the permit is being denied to protect persons from avalanche risk.
- TGH’s interpretation treats the former emergency shelter as part of the “housing stock” and worthy to be preserved as part of Juneau’s housing stock by being turned into seven small apartments.
- TGH’s interpretation does not deny this landowner the right to convert its building into d seven small apartments, which will house 7 – 14 persons, on the unreasonable and

arbitrary grounds that the prior use was an emergency shelter, which housed 43 – 53 persons.

- TGH’s interpretation does not deny this property owner the right to convert its building into seven small apartments, which will house 7 – 14 persons, on the unreasonable and arbitrary grounds that the residents of the prior emergency shelter shared bathroom and kitchen facilities and did not have their own “independent and complete cooking, living, sleeping and toilet facilities for one family.”³⁹
- TGH’s interpretation allows this landowner to use the property in a way that is allowed by the Table of Permissible Uses, a use which is presumptively allowed.
- TGH’s interpretation allows this landowner to use this property for rental housing, a use which is encouraged in the Mixed Use District.⁴⁰
- TGH’s interpretation allows this property owner to take private action which furthers the goal of the Comprehensive Plan and the Housing Action Plan, namely providing seven units of affordable rental housing, which is desperately needed in light of Juneau’s Housing Crisis.
- TGH’s interpretation is not influenced by “political issues around the draft hazard maps,” [R. 75] which are irrelevant to whether the project would increase density.⁴¹
- TGH’s interpretation is not influenced by the political perception that “it doesn’t look very good for CBJ to be encouraging housing in mapped hazard areas” when the grant or denial of this building permit should not be influenced by what “looks very good” or

³⁹ CBJ 49.80.120 (definition of “dwelling unit” in Title 49).

⁴⁰ CBJ 49.2.220(a).

⁴¹ [R. 75] is an email from CBJ Planner Allison Eddins to Dan Jager and Edward Quinto (Nov. 17, 2021). Ms. Eddins signed the CDD Decision under appeal, which is identified in the record as the “official permit denial.” [R. 106]

what doesn't. [R. 75] This property is in an area currently mapped as a severe avalanche area and this property owner should be able to build seven small apartments unless this development would "increase the density of this parcel," as that term is properly defined.

4. CDD has opened the door to evidence that TGH cannot obtain a site-specific study showing that the parcel is located outside of a severe avalanche zone.

"Under [Alaska] case law, a party may open the door to evidence on a subject by putting that subject at issue in the case."⁴² The Court in *Worthy v. State* found that the State had "interjected" an issue into the case and therefore opened the door to evidence on that issue.⁴³ A party may open the door through argument of counsel.⁴⁴ As Justice Fabe observed in *Worthy*, "[I]t is not unusual for a party to render the previously excluded evidence relevant and admissible by some action of its own during trial."⁴⁵ The same principles should apply in an administrative hearing.

Before briefing, TGH asked to supplement the record with material including documentation showing that Ms. Lovishchuk contacted six engineering firms and Bill Glude, Alaska's premier avalanche scientist, to try to submit a study to show that the subject parcel is outside the severe avalanche area.⁴⁶ TGH did not think a study is necessary because a study is only necessary if the project increases density. But in the interests of getting the building conversion underway as soon as possible, Ms. Lovishchuk tried unsuccessfully to locate an

⁴² *Loncar v. Gray*, 28 P. 3d 928, 932 (Alaska 2001).

⁴³ *Worthy v. State*, 999 P. 2d 771, 775 (Alaska 2000)

⁴⁴ *Harned v. Dura Corp.*, 665 P. 2d 5, 7 – 10 (Alaska 1983).

⁴⁵ 999 P. 2d at 777 (Fabe, J., dissenting).

⁴⁶ Motion to Supplement Record (March 18, 2022); Memorandum in Support (March 18, 2022); Submission of Material Sought to be Supplemented to Record on Appeal with Exhibits 1 - 6 (March 18, 2022). Exhibit 2 is the email between TGH and the City regarding this subject. Exhibit 2 at page 11 contains a list of six engineers that Ms. Lovishchuk had contacted as of March 2, 2022 and that was provided to CDD. Exhibit 4 is Ms. Lovishchuk's statements about her contact with Mr. Glude. Exhibit 5 is Mr. Glude's resume, which summarizes his work with Alaska Avalanche Specialists, LLC, from 1990 to the present. Exhibit 6 is Mr. Glude's statement concerning the project.

engineer to conduct a study, an engineer who was available and had the required avalanche expertise. CDD opposed putting in the record before the Planning Commission the evidence of Ms. Lovishchuk's efforts.⁴⁷ The motion was denied because TGH had not given the material to CDD before December 1, 2021, the date of CDD's Decision.⁴⁸ And TGH scrupulously followed Commissioner Arndt's Order and did not bring up any of the excluded material in its Opening Brief.

CDD's Opposition Brief, however, repeatedly states that in order for this project to go forward, all TGH needs to do is to submit a site-specific engineering study showing that the parcel is outside a severe avalanche area.⁴⁹ For example, at page 14 of its Opposition Brief, CDD states, "*Nothing is stopping TGH from obtaining the required site-specific study and applying for a building permit* or from waiting for Assembly action (e.g., adoption of the Tetra Tech maps)."⁵⁰ CDD has clearly interjected into these proceedings the issue of whether TGH has tried to obtain a site-specific study that the parcel is located outside of a severe avalanche area and whether TGH has been able to get one. Therefore, if the Planning Commission finds it relevant to this appeal, the Planning Commission should consider Exhibits 2, 3, 4, 5 and 6 submitted with TGH's motion to supplement the record.

Ms. Lovishchuk wants to assure the Planning Commission that she has done everything in her power to get this project started as soon as possible. In addition to the engineers that Ms. Lovishchuk contacted as of March 2, 2022, the date of her first list,⁵¹ TGH makes an offer of

⁴⁷ CDD's Partial Opposition to Motion to Supplement Record (March 22, 2022).

⁴⁸ Order Granting in Part and Denying in Part Motion to Supplement Record by Presiding Officer, Commissioner Travis Arndt (March 29, 2022).

⁴⁹ CDD Opposition Brief at 6 – 7, 12 – 13, 14.

⁵⁰ CDD Opposition Brief at 14 (emphasis added). A study is only "required," as an alternate way for the project to go forward, if the project increases density of the parcel.

⁵¹ Exhibit 2 at page 11.

proof that since March 2, 2022, Ms. Lovishchuk recontacted some of the firms on the first list and reached out to five additional engineering firms. Based on this full court press to find an engineer, Ms. Lovishchuk does not believe there is anyone in the State that can perform this study. Of course, TGH believes a study is not necessary but CDD seems to think that it would be easy, or at least possible, for the project to go forward this way. It is not. If CDD has any suggestions for engineers, TGH will contact them immediately.

Conclusion

TGH is most certainly not asking for an exception from the rules or for special treatment. TGH is simply asking the Planning Commission to do what CDD did not do, namely examine the actual facts of the situation. The facts are that people were housed in the building when it was an emergency shelter and that far fewer people will be housed in the building if the Planning Commission allows the building to be converted to seven small apartments.

TGH's interpretation of density recognizes that the Assembly did *not* adopt a "one size fits all" definition of density in CBJ 49.70.300(b). The Assembly did not adopt the "one size" definition of density that CDD used to deny this building permit and to prevent this project from going forward. It is more reasonable to conclude that the Assembly wanted CDD, and now the Planning Commission, to consider all the facts about this project and, based on those facts, approve the building permit so that our city can have this small but meaningful addition to affordable rental housing in downtown Juneau: six efficiency apartments and one one-bedroom apartment.

Dated: May 12, 2022

Mary Alice McKeen
 Mary Alice McKeen
 Attorney for The Juneau Cooperative
 Christian Ministry dba The Glory Hall

From: [Adam Gottschalk](#)
To: [Mary Alice McKeen](#)
Cc: [Chelsea Wallace](#); [Breckan Hendricks](#)
Subject: Record on Appeal APL2021 0006 - 247 S. Franklin St.
Date: Friday, March 4, 2022 3:18:51 PM
Attachments: [APL2021 0006 Record on Appeal.pdf](#)

Good afternoon Mary Alice,

Attached please find the Record on Appeal for APL2021 0006 – 247 S. Franklin St./The Glory Hall. If you have any trouble opening/accessing the attachment, please let me know.

Best,
Adam

Adam Gottschalk
Assistant Municipal Attorney
City and Borough of Juneau Law Department
155 S. Seward Street
Juneau, Alaska 99801
Ph: (907) 586-5242 Ext 4108
Fax: (907) 586-1147

From: [Breckan Hendricks](#)
To: [Travis Arndt](#)
Cc: [Jill Maclean](#); [Adam Gottschalk](#); [Sherri Layne](#); [Chelsea Wallace](#); ["Mary Alice McKeen"](#)
Subject: Request for Extension - APL2021 0006 TGH vs CDD
Date: Thursday, March 31, 2022 2:40:00 PM
Attachments: [Unopposed Motion for One-Day Extension to Submit TGH Opening Brief 3.31.2022.pdf](#)
[Order Granting One-Day Extension for Submission of The Glory Hall's Opening Brief \(proposed\).pdf](#)

Please see the attached request for extension from the Appellant Attorney, Mary Alice McKeen.

Breckan Hendricks | Administrative Officer

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

Location: 230 S. Franklin Street, 4th Floor Marine View Building

Office: 907.586.0715 ext. 4119



Fostering excellence in development for this generation and the next.

From: [Breckan Hendricks](#)
To: [Adam Gottschalk](#); "[Mary Alice McKeen](#)"
Cc: [Jill Maclean](#); "lovishchuk.mariya@gmail.com"; [Chelsea Wallace](#); [Sherri Layne](#); [Travis Arndt](#)
Subject: Order on Extension - APL 2021-06 TGH vs CDD
Date: Friday, April 1, 2022 8:25:00 AM
Attachments: [TGH-CDD-Order-on-Extension.pdf](#)

Please see the attached *Order on Extension* submitted by Presiding Officer, Travis Arndt, for APL2021-06 Appeal of BLD2021-0765.

Breckan Hendricks | Administrative Officer

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

Location: 230 S. Franklin Street, 4th Floor Marine View Building

Office: 907.586.0715 ext. 4119



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From: [Breckan Hendricks](#)
To: [Travis Arndt](#)
Cc: [Jill Maclean](#); [Adam Gottschalk](#); [Sherri Layne](#); [Chelsea Wallace](#); ["Mary Alice McKeen"](#)
Subject: Original TGH Opening Brief - APL2021 0006 TGH vs CDD
Date: Monday, April 4, 2022 8:26:00 AM
Attachments: [TGH Opening Brief Before Planning Commission 4.1.2022.pdf](#)

Appellant Attorney Mary Alice McKeen submitted the attached document on Friday, April 1, 2022, before the revised deadline outlined in the *Order on Extension* dated March 31, 2022. Please note that you will see a second email from me containing additional documents requesting corrections to this Brief.

Breckan Hendricks | Administrative Officer

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

Location: 230 S. Franklin Street, 4th Floor Marine View Building

Office: 907.586.0715 ext. 4119



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From: [Breckan Hendricks](#)
To: [Travis Arndt](#)
Cc: [Jill Maclean](#); [Adam Gottschalk](#); [Sherri Layne](#); [Chelsea Wallace](#); ["Mary Alice McKeen"](#)
Subject: Corrected TGH Opening Brief - APL2021 0006 TGH vs CDD
Date: Monday, April 4, 2022 8:33:00 AM
Attachments: [Unopposed Motion to Submit Corrected Opening Brief 4.2.2022.pdf](#)
[Order Accepting TGH's Corrected Opening Brief \(proposed\).pdf](#)
[Opening Brief of The Glory Hall \[corrected\] .pdf](#)

Appellant Attorney Mary Alice McKeen submitted the attached documents on Saturday, April 2, 2022, requesting corrections to the previously submitted TGH Opening Brief.

Breckan Hendricks | Administrative Officer

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

Location: 230 S. Franklin Street, 4th Floor Marine View Building

Office: 907.586.0715 ext. 4119



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Breckan Hendricks

From: Breckan Hendricks
Sent: Monday, April 4, 2022 1:37 PM
To: Travis Arndt
Cc: Jill Maclean; Adam Gottschalk; Sherri Layne; Chelsea Wallace; 'Mary Alice McKeen'
Subject: RE: Corrected TGH Opening Brief - APL2021 0006 TGH vs CDD
Attachments: Opening Brief of The Glory Hall [corrected].pdf

The attached document replaces the previously submitted document titled *Opening Brief on The Glory Hall [corrected]*. Many pages were missing from the earlier submission that have since been corrected. In addition, Appellant Attorney Mary Alice McKeen has provided the summary listed below, documenting the corrections.

Page 2, second paragraph: (CBJ 49.70.300) should be (CBJ 49.70.300(b)).
 Page 4, note 1: CBJ 49.05.200 should be CBJ 49.05.200(b).
 Page 5, quotation: end of quotation should have [Page 30].
 Page 5, note 10: JEDC website should be CBJ website, Juneau Affordable Housing Fund, <https://juneau.org/housing/juneau-affordable-housing-fund-2#>
 Page 7, second full paragraph: [R. 109, 111] should be [R. 109-128].
 Page 7, note 14: CBJ 49.70.300(a)(1) should be CBJ 49.70.300(a)(2).
 Page 8, note 19: CBJ 49.15.310(c)(1) should be CBJ 49.15.310(d).
 Page 17: first full paragraph, first sentence, should read: “TGH’s immediate reaction to CDD’s assertion that “increasing the number of dwelling units is prohibited by code in this hazard zone” was that CBJ 49.70.300(b) does *not* prohibit increasing the number of dwelling units in this hazard zone.”
 Page 18, third line: add additional record cite [R. 97, R. 171].
 Page 21, sixth line from bottom: add record cite [R. 75].
 Page 22, note 41: Figure 2.4 should be Figure 2.4d.

Breckan Hendricks | Administrative Officer
 Community Development Department | City & Borough of Juneau, AK
 Location: 230 S. Franklin Street, 4th Floor Marine View Building
 Office: 907.586.0715 ext. 4119



Fostering excellence in development for this generation and the next.

From: Breckan Hendricks
Sent: Monday, April 4, 2022 8:33 AM
To: Travis Arndt <Travis.Arndt@juneau.org>
Cc: Jill Maclean <Jill.Maclean@juneau.org>; Adam Gottschalk <Adam.Gottschalk@juneau.org>; Sherri Layne

<Sherri.Layne@juneau.org>; Chelsea Wallace <Chelsea.Wallace@juneau.org>; 'Mary Alice McKeen'
<ottokeen@gmail.com>

Subject: Corrected TGH Opening Brief - APL2021 0006 TGH vs CDD

Appellant Attorney Mary Alice McKeen submitted the attached documents on Saturday, April 2, 2022, requesting corrections to the previously submitted TGH Opening Brief.

Breckan Hendricks | Administrative Officer

Community Development Department | City & Borough of Juneau, AK

Location: 230 S. Franklin Street, 4th Floor Marine View Building

Office: 907.586.0715 ext. 4119



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From: [Breckan Hendricks](#)
To: [Adam Gottschalk](#); "[Mary Alice McKeen](#)"
Cc: [Jill Maclean](#); "lovishchuk.mariya@gmail.com"; [Chelsea Wallace](#); [Sherri Layne](#); [Travis Arndt](#)
Subject: Order on TGH Brief - APL 2021-06 TGH vs CDD
Date: Thursday, April 7, 2022 12:48:00 PM
Attachments: [Order-Corrected-Brief.pdf](#)

Please see the attached *Order Accepting TGH's Corrected Opening Brief* submitted by Presiding Officer, Travis Arndt, for APL2021-06 Appeal of BLD2021-0765.

Breckan Hendricks | Administrative Officer

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

Location: 230 S. Franklin Street, 4th Floor Marine View Building

Office: 907.586.0715 ext. 4119



Fostering excellence in development for this generation and the next.

From: [Breckan Hendricks](#)
To: [Travis Arndt](#)
Cc: [Jill Maclean](#); [Adam Gottschalk](#); [Sherri Layne](#); [Chelsea Wallace](#); ["Mary Alice McKeen"](#)
Subject: CDD's Appellee's Opposition Brief - APL2021 0006 TGH vs CDD
Date: Tuesday, April 12, 2022 3:20:00 PM
Attachments: [2022-04-12 Appellee's Opposition Brief.pdf](#)

Please see the attached *Appellee's Opposition Brief* from the Appellee Attorney, Adam Gottschalk. We received this document before the deadline outlined in the pre-hearing order.

Breckan Hendricks | Administrative Officer

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

Location: 230 S. Franklin Street, 4th Floor Marine View Building

Office: 907.586.0715 ext. 4119



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Breckan Hendricks

From: Chelsea Wallace
Sent: Thursday, May 12, 2022 4:32 PM
To: Travis Arndt
Cc: Jill Maclean; Adam Gottschalk; Sherri Layne; Breckan Hendricks; Mary Alice McKeen
Subject: TGH's Appellant's Reply Brief - APL2021 0006 TGH vs CDD
Attachments: 2022-05-12 Appellant's Reply Brief.pdf

Good afternoon,

Please see the attached *Appellant's Reply Brief* from the Appellant Attorney, Mary Alice McKeen. We received this document at 4:09 P.M., after the deadline outline in the pre-hearing order. However, the Presiding Officer has accepted the document and asked that it be sent to the parties involved.

Thank you,

Chelsea Wallace | Administrative Assistant II
[Community Development Department](#) | City & Borough of Juneau, AK
Location: 230 S. Franklin Street, 4th Floor Marine View Building
Personal Line: 907.586.0715 ext. 4120



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**PLANNING COMMISSION AGENDA
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

Executive Session for Juneau Cooperative Christian Ministry, dba The Glory Hall v. CDD, if needed

AGENDA ITEM:

Case No.: APL2021 0006

Applicant: Juneau Cooperative Christian Ministry, dba The Glory Hall

Location: 247 S. Franklin Street

Proposal: Juneau Cooperative Christian Ministry, dba The Glory Hall v. CDD

**PLANNING COMMISSION AGENDA
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

Additional Materials for May 24, 2022 Planning Commission

ATTACHMENTS:

Description	Upload Date	Type
Additional Materials for May 24, 2022 Planning Commission	5/22/2022	Miscellaneous

Additional Materials

Regular Planning Commission Meeting

Virtual and In Person

7:00p.m.

Meeting Date: May 24, 2022

1. APL2021 0006:

- a. Notice of Supplemental Authorities – The Glory Hall, Appellant, received 5-18-2022 (page 2)
- b. Request for Disqualification – CBJ Community Development, Appellee, received 5-18-22 (page 3-20)
- c. Affidavit of Mariya Lovishchuk – The Glory Hall, Appellant, received 5-20-22 (page 21-32)
- d. Response to CDD Motion to Disqualify – The Glory Hall, Appellant, received 5-20-22 (page 33-44)

Mary Alice McKeen, Attorney, Alaska Bar # 8106035
212 West 9th Street, Juneau, AK 99801, 907-957-6170 ottokeen@gmail.com

Packet Page 321 of 363

May 18, 2022

Re: The Glory Hall Appeal, APL 2021-06: Notice of Supplemental Authorities

Dear Members of the Planning Commission,

Juneau Cooperative Christian Ministry d/b/a The Glory Hall supplements its Opening Brief, dated April 2, 2022, at page 12, Point 1 A, with citation to these authorities:

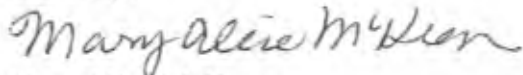
CBJ 49.80.120 - Definitions.

Building means *any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of persons, animals, processes, equipment, goods or materials.* For the purposes of chapter 49.70, article IV [Flood Hazard Areas], building means a structure with two or more outside rigid walls and a fully secured roof, that is affixed to a permanent site; or a manufactured home; or a travel trailer without wheels, built on a chassis and affixed to a permanent foundation, that is regulated under the community's floodplain management and building ordinances or laws. [emphasis added]

Section 202 of the International Building Code of 2012, Definitions:

BUILDING. Any structure used or intended for supporting or sheltering any use of occupancy.

Sincerely,



Mary Alice McKeen

Attorney for Juneau Cooperative Christian Ministry d/b/a Glory Hall (TGH)

c.c.: AdamGotschalk@juneau.org
SherriLane@juneau.org

**BEFORE THE PLANNING COMMISSION
 OF THE CITY AND BOROUGH OF JUNEAU**

JUNEAU COOPERATIVE CHRISTIAN
 MINISTRY d/b/a THE GLORY HALL,

Appellant,

v.

CBJ COMMUNITY DEVELOPMENT,

Appellee.

APL2021-0006

Appeal of:

BLD2021-0765

CDD Director's Decision dated
 December 1, 2021

REQUEST FOR DISQUALIFICATION

Appellee CBJ Community Development Department (CDD) requests Planning Commissioner Mandy Cole be disqualified from participating in this appeal hearing. This request comes pursuant to CBJ 01.50.100(b)¹ and is based on Commissioner Cole's role as president of the board of Juneau Housing First Collaborative (JHFC). Because JHFC and Appellant Juneau Cooperative Christian Ministry d/b/a The Glory Hall (TGH) are now merged, Commissioner Cole's participation in this appeal hearing would violate CDD's right to due process. As described below, Appellant TGH and JHFC should be considered one and the same, and the Planning Commission's decision will financially affect the nonprofit.

¹ CBJ 01.50.100(b) provides: "A hearing officer or appeal agency member shall voluntarily withdraw from a case in which the hearing officer or appeal agency member cannot accord a fair and impartial hearing. A party may request the disqualification of a hearing officer or appeal agency member by filing an affidavit, before the taking of evidence at the hearing, stating with particularity the grounds upon which it is claimed that a fair and impartial hearing cannot be accorded. If the request concerns an appeal agency member, the issue shall be determined by the other members of the appeal agency. If the request concerns the hearing officer, the issue shall be determined by the appeal agency." *See also* AS 44.62.450(c).

While CDD anticipates Commissioner Cole will voluntarily withdraw from participating in this appeal hearing, out of an abundance of caution CDD is making this request in order to place this matter before the Planning Commission.²

I. Relevant Background

At the end of March 2022, JHFC announced it would merge with Appellant TGH.³ On April 1, 2022, JHFC's and TGH's merger became official when the entities filed a statement of merger with the State.⁴ Through this filing, TGH was merged "out of existence" (i.e. TGH was absorbed).⁵ As put by Bruce Denton, who was president of TGH's board and vice president of JHFC's board, TGH will now be "Juneau Housing First Collaborative doing business as The Glory Hall."⁶

As indicated by Mr. Denton, who also serves as a director for JHFC,⁷ TGH's financial health and outlook were factors in this merger.⁸ And, as TGH has represented

² Additionally, this request serves to preserve this issue for potential future actions or hearings as set out in CBJ 01.50.140, 180-190. *See, e.g., Balough v. Fairbanks North Star Borough*, 995 P.2d 245, 268 (Alaska 2000) (noting a party's failure to make a conflict of interest objection at a hearing waives their right to raise a conflict of interest objection on appeal).

³ *See* Michael S. Lockett, *Glory Hall and Juneau Housing First boards to merge*, Juneau Empire (Mar. 31, 2022, 6:30 AM), <https://www.juneauempire.com/news/glory-hall-and-juneau-housing-first-boards-to-merge/>. A copy of this article is provided as CDD Exh. A. *See also Housing First and Glory Hall to merge*, KINY (Mar. 30, 2022, 3:43 PM), <https://www.kinyradio.com/news/news-of-the-north/housing-first-and-glory-hall-to-merge/>. A copy of this article is provided as CDD Exh. B.

⁴ Provided as CDD Exh. C is a copy of the statement of merger filed April 1, 2022 with the State. As shown at Item 3, the entities did not choose a future effective date of merger.

⁵ CDD Exh. C.

⁶ CDD Exh. A.

⁷ Provided as CDD Exh. D is a copy of JHFC's 2021 Biennial Report filed June 10, 2021 with the State.

⁸ *See* CDD Exh. A. Noting the merger was less burdensome due to TGH's lack of debt.

1 in this appeal, a \$300,000.00 grant is conditioned on BLD2021-0765's approval.⁹ This
2 building permit is part of \$1,100,000.00 in planned renovations intended to create an
3 income stream for TGH.¹⁰ Because JHFC absorbed TGH, this effectively means the
4 building permit that is the subject of this appeal, if granted, will reduce JHFC's costs for
5 a project that will generate income for JHFC.

6 Additionally, BLD2021-0765—the subject of this appeal—was applied for by
7 Mariya Lovishchuk.¹¹ Like Mr. Denton, Ms. Lovishchuk is a director for JHFC.¹² Ms.
8 Lovishchuk also serves as JHFC's secretary, treasurer, and registered agent.¹³ Based on
9 her considerable involvement in the application process, CDD anticipates Ms.
10 Lovishchuk will be participating in this appeal's hearing on May 24.¹⁴

11 **II. Argument**

12 Due process includes the right to an impartial tribunal.¹⁵ Hearing officers are
13 presumed honest and impartial;¹⁶ however, this presumption may be rebutted by
14 establishing bias.¹⁷ A party may establish bias by showing a hearing officer “had a
15 predisposition to find against a party or that the hearing officer interfered with the orderly
16

17
18 ⁹ TGH Br. 6.

19 ¹⁰ TGH Br. 7.

20 ¹¹ R. 37 (TGH's building permit application). Notably, the other contact for the building
21 permit application was Mr. Denton, who had leadership roles in both entities.

22 ¹² CDD Exh. D.

23 ¹³ CDD Exh. D.

¹⁴ See also CDD Exh. B (regarding the merger, “[Ms. Lovishchuk] said for the past five
years the Glory Hall has been coordinating the operations of the Juneau Housing First
Collaborative. All of the staff there has always been Glory Hall staff.”).

¹⁵ See *AT&T Alascom v. Orchitt*, 161 P.3d 1232, 1246 (Alaska 2007).

¹⁶ See, e.g., *Richards v. Univ. of Alaska*, 370 P.3d 603, 614 (Alaska 2016).

¹⁷ *Amerada Hess Pipeline Corp. v. Regulatory Comm'n of Alaska*, 176 P.3d 667, 676
(Alaska 2008).

1 presentation of the evidence.”¹⁸ Such predisposition has been found when a hearing
2 officer was or would be, in essence, a “fox-in-the-chicken coop.”¹⁹ As the Alaska
3 Supreme Court has determined and reaffirmed, it is a “self-evident proposition that all
4 advocates, the prosecution and defense alike, are *per se* excluded from the jury room or
5 its functional equivalent.”²⁰ Due process concerns the fact of impartiality *as well as* the
6 appearance of impartiality.²¹

7 Commissioner Cole should be excluded from hearing this appeal based on the
8 same principle that advocates must be excluded from jury rooms. As mentioned above,
9 Commissioner Cole serves as president of JHFC’s board, and JHFC absorbed Appellant
10 TGH. The Planning Commission’s decision will affect a substantial grant and income-
11 generating project for JHFC. There is no credible argument Commissioner Cole, as
12 president of JHFC’s board, may serve as an impartial jurist weighing written (and likely
13 oral) testimony from one of the directors of the very entity for which Commissioner Cole
14 is board president. Regarding this appeal hearing, Commissioner Cole would be the
15 proverbial “fox-in-the-chicken coop.” Even if Commissioner Cole’s motives are ethical
16 or her role in deliberations is limited, her participation would run afoul (or “afowl”) of
17 CDD’s right to have this appeal heard by an impartial tribunal.
18
19
20

21
22 ¹⁸ *AT&T Alascom v. Orchitt*, 161 P.3d 1232, 1246 (Alaska 2007).

23 ¹⁹ *Amerada Hess Pipeline Corp. v. Regulatory Comm’n of Alaska*, 176 P.3d 667, 677 (Alaska 2008).

²⁰ *Amerada Hess Pipeline Corp. v. Regulatory Comm’n of Alaska*, 176 P.3d, at 677 (referencing *Matter of Robson*, 575 P.2d 771, 775 (Alaska 1978)).

²¹ *See Matter of Robson*, 575 P.2d 771, 775 (Alaska 1978).

While it may initially appear Commissioner Cole’s role does not present a personal or financial conflict of interest under CBJ 01.45.010(c)²² and CBJ 01.45.360²³ because Commissioner Cole is unpaid and JHFC and TGH (or rather JHFC d/b/a TGH) are nonprofits, such limited consideration does not settle the issue. First, courts interpret conflicts more strictly when agencies are acting as quasi-judicial bodies rather than legislative bodies.²⁴ Second, Commissioner Cole’s role as president of the board for JHFC likely encompasses more than just fiduciary duties (the noted exception regarding nonprofits under CBJ 01.45.360). As the second sentence of CBJ 01.45.360’s definition for “personal interest” indicates, there is a reciprocal nature to the provision—the provision concerns promises and services *from* as well as promises and services *to*.

An additional due process issue is addressed by CBJ 01.50.230, which provides in relevant part, “Hearing officers and appeal agency members . . . shall not engage in interviews concerning the appeal with, or receive evidence or argument on the appeal from, a party, directly or indirectly, except upon opportunity for all other parties to be present.” As a result of Commissioner Cole’s role as JHFC’s board’s president,

²² As provided by CBJ 01.45.010(c), commissioners “may not deliberate or vote on any matter in which he or she has a personal or financial interest.”

²³ CBJ 01.45.360 defines “personal interest” as “an interest other than a financial interest, and includes any material advantage in the form of a promise, service, privilege, exemption, patronage, or advancement. A municipal officer shall be deemed to have a personal interest in the affairs of any person, other than any not for profit organization, if the officer owes a fiduciary duty to that person.” According to the most recent IRS 990 forms available for JHFC, it does not appear Commissioner Cole was paid to serve as the board’s president. For this reason, it does not appear Commissioner Cole’s role presents a financial conflict of interest under CBJ 01.45.360.

²⁴ See *Balough v. Fairbanks North Star Borough*, 995 P.2d 245, 267 (Alaska 2000) (citing *Griswold v. City of Homer*, 925 P.2d 1015, 1019 n.3 (Alaska 1996)).

Commissioner Cole may have evidence outside of the record regarding the financing of the above-referenced project; this information may include the project's potential profitability and benefit to the organization, the necessity of completing the project by a certain date or under a certain budget, the cost of a site-specific analysis that would meet CBJ 49.70.300(a)(4) standards, and the current investment in this project and its relative importance to JHFC d/b/a TGH. Such out-of-the-record relevant evidence would impact Commissioner Cole's impartiality under CBJ 01.50.230.

III. Conclusion

Because of the substantial due process issues described above, CDD requests Commissioner Cole be disqualified from participating in this appeal hearing. Like any other party, CDD has a due process right to an impartial tribunal. As president of the board for the organization that has since merged with Appellant TGH, Commissioner Cole cannot be considered an impartial hearing officer for this appeal hearing.

DATED this 18th day of May, 2022.

CBJ CDD

By: 
 Adam R. Gottschalk
 Assistant Municipal Attorney
 Alaska Bar No. 2008079

CERTIFICATE OF SERVICE

I certify that on 18th of May, 2022, a true and correct copy of the foregoing document was served on:

ATTN: Mary Alice McKeen
 212 West 9th Street

Request for Disqualification

Juneau, AK 99801
via email to: ottokeen@gmail.com



Assistant Municipal Attorney



The boards of the Glory Hall and Juneau Housing First Collaborative are merging, aiming to complete the process by July 1. (Michael S. Lockett / Juneau Empire)

Glory Hall and Juneau Housing First boards to merge

Users won't notice any difference.

By Michael S. Lockett

Thursday, March 31, 2022 6:30am | [NEWS](#) [HOUSING AND HOMELESSNESS](#) [LOCAL NEWS](#)

The boards of the Glory Hall and the Juneau Housing First Collaborative will merge, aiming to be complete with the process by the end of the fiscal year in July.

The boards decided it was a convenient time, said Glory Hall Board President Bruce Denton, who is also vice president of the Juneau Housing First Collaborative board.

"In my case, it means I cut my board meetings in half," joked Denton. "It really speaks to the benefits of the whole thing. Our missions are very similar. The Glory Hall is already contracted to do all the things that happen at Housing First already. It's kind of a no brainer."

[Natural hairstyles bill passes Senate]

The project has been in the works for about a year, said Mandy Cole, president of the JHFC board and executive director of AWARE.

“It was noncontroversial. It fits so well and they’ve already been doing the work so it made sense to all the people involved,” Cole said in a phone interview. “Ultimately, I think, the fewer, stronger organizations we have in town the better. It’s not duplicating services.”

Anyone who wants a seat on the new board has been offered one, Cole said. Cole herself said she won’t be taking one. The Glory Hall will dissolve its nonprofit, Denton said, and be absorbed into the JHFC nonprofit.

“We’re going to change the name to Juneau Housing First Collaborative doing business as the Glory Hall,” Denton. “We think we’ve got all the details worked out. The Glory Hall doesn’t have any debt so there’s no really onerous grant requirements to deal with.”

Merger has been in the wings for some time, Denton said, though major project for both nonprofits have been in the way.

“We wanted to finish getting the new building built,” Denton said. “We were pretty focused for a number of years for getting Phase 1 developed and funded and built and Phase 2 developed and funded and built and the new Glory Hall developed and funded and built.”

Services will remain uninterrupted, Cole said.

“I don’t think any of the end users will notice any changes at all,” Cole said. “The staff at Forget-Me-Not Manor is already Glory Hall staff through contracts.”

Merging the boards will increase the efficiency of the organizations, in addition to reducing the board meetings, Denton said.

“The Juneau Housing First Collaborative board is very grateful to the Glory Hall Board,” Cole said. “I think this is a real sustainable path for the Forget-Me-Not Manor.”

• Contact reporter Michael S. Lockett at 757-621-1197 or mlockett@juneauempire.com.

Recommended for You

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Housing First and Glory Hall to merge

Page 12 of 44
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[News Home](#) [More from News of the North](#)

Wednesday, March 30th, 2022 3:43pm



Juneau, Alaska (KINY) - The Glory Hall and Housing First are joining forces.

Glory Hall Executive Director Mariya Lovishchuk talked about the merger while a guest on Capital Chat.

She said it won't mean a change in programming. The Glory Hall will provide emergency shelter and meals and connections to services. Housing First will still have 64 permanent supportive housing units.

She said for the past five years the Glory Hall has been coordinating the operations of the Juneau Housing First Collaborative. All of the staff there has always been Glory Hall staff.

The new name will be "Juneau Housing First Collaborative Doing Business as the Glory Hall. Lovishchuk said that will mean fewer board meetings and administrative efficiencies will be achieved.

The change becomes effective July 1

Lovishchuk said they've been thinking of such a merger for several years.



Glory Hall Executive Director Mariya Lovishchuk



THE STATE
of **ALASKA**

Department of Commerce, Community, and Economic Development
Division of Corporations, Business and Professional Licensing

Corporations Section

State Office Building, 333 Willoughby Avenue, 9th Floor

PO Box 110806, Juneau, AK 99811-0806

Phone: (907) 465-2550 ★ Fax: (907) 465-2974

Email: corporations@alaska.gov

Website: <http://commerce.alaska.gov/cbpl/corp>



★ 1 0 0 3 4 4 0 1 6 ★

COR

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CC 25- JG

STATEMENT OF MERGER

Specifically for

All Entity Types

Merging under the Alaska Entity Transactions Act AS 10.55.205

☒ **\$25.00 Filing Fee (non-refundable)** (\$25 Corp Fee)

Pursuant to Alaska Statutes 10.55.205, excluding entities stated in AS 10.55.110, the undersigned entities submit the following Statement of Merger:

ITEM 1: Merging entity that is not a survivor (merging out of existence) information:

Name of the merging (out of existence) entity:	Alaska Entity # (if applicable):
Juneau Cooperative Christian Ministry dba the Glory Hall	238309
State of Domicile or Jurisdiction (home state):	Type of Entity:
Alaska	non profit corporation

If more than one entity is merging, and is not the survivor, provide the following:

Name of the merging (out of existence) entity:	Alaska Entity # (if applicable):
State of Domicile or Jurisdiction (home state):	Type of Entity:

Attach a separate 8.5" x 11" sheet with additional merging (out of existence) corporations, if necessary.

ITEM 2: Merging entity that is the survivor (continuing to exist after the merger) information:

Name of the merging (continuing to exist) entity:	Alaska Entity # (if applicable):
Juneau Housing First Collaborative	10027731
State of Domicile or Jurisdiction (home state):	Type of Entity:
Alaska	non profit corporation

Statement of Merger: All Entity Types



K 3 1 9 4 8 1 3

ITEM 3: (Optional) The future effective date of merger, if different from date of filing, must be a specific future date and cannot exceed 90 days from date of filing. Future effective date (mm/dd/yyyy format): ____/____/____.

ITEM 4: The merger was approved by each domestic (Alaskan) merging entity, if any, in accordance with AS 10.55.201-10.55.206 and by each foreign (non-Alaskan) merging entity, if any, in accordance with the law of the foreign merger entity's jurisdiction of organization.

ITEM 5: *If* the surviving (continuing to exist) entity is domestic (Alaskan) and its public organic documents are being amended as part of the Plan of Merger, then it must identify the section(s) being amended and provide the amended section(s) in full below:

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Attach a separate 8.5" x 11" sheet if necessary.

ITEM 6 & 7: *If* the surviving (continuing to exist) entity is created by the merger and is a domestic (Alaskan) entity, then the newly created entity's public organic document must be included as an attachment to this Statement of Merger along with the appropriate filing fees.

ITEM 8: *If* the surviving (continuing to exist) entity is a foreign (non-Alaskan) non-qualified (not on record with the State of Alaska) entity which is not conducting business in Alaska, then a mailing address to which the department may send any process served on the commissioner must be provided.

Name:		
Mailing address:		
City:	State:	Zip Code:

-OR-

If the survivor is a foreign (non-Alaskan) non-qualified (not on record with the State of Alaska) entity which is conducting business in Alaska then the entity must obtain a Certificate of Authority post-merger.

Statement of Merger: All Entity Types

ITEM 9: Other Provisions: The Statement of Merger may contain other provisions not prohibited by law:

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Attach a separate 8.5" x 11" sheet if necessary.

ITEM 10: The Statement of Merger must be signed on behalf of each merging entity.

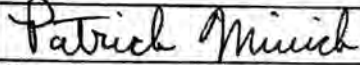
- If the merging entities are corporations, it must be signed by an officer of the corporation.
- If the merging entity is not a corporation, it must be signed by the person authorized by the entity.
- If the merging entity is in the hands of a receiver, trustee, or other court-appointed fiduciary, it must be signed by the fiduciary.

If the merging entity is currently on record with this division (has an AK Entity Number) and the signer is an official of the entity then the signer must be currently on record with this division.

Provide the printed name of the signer, the full title/capacity of the authorized signer, the name of the business corporation that the individual is representing, and the signature of the individual authorized to sign.

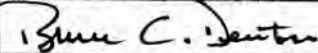
Merging Non-Surviving (merging out of existence) Entity Signature(s):

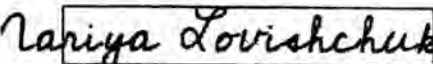
	Bruce Denton	Director Chair, JCCM	3/29/22
Signature	Printed Name	Title and entity that is represented	Date

	Patrick Minick	Secretary, JCCM	3/29/22
Signature	Printed Name	Title and entity that is represented	Date

Attach a separate 8.5" x 11" sheet with additional corporations, if necessary.

Merging Survivor (continuing to exist) Entity Signature:

	Bruce Denton	Vice Chair, JHFC	3/29/22
Signature	Printed Name	Title and entity that is represented	Date

	Mariya Lovishchuk	Asstn Secretary, JHFC	03/28/22
Signature	Printed Name	Title and entity that is represented	Date

NOTE - Signatures:

Per AS 10.55.609, persons who sign documents to be filed with the commissioner that are known by the person to be false in material respects are guilty of a class A misdemeanor.

Statement of Merger: All Entity Types

NOTE – If Survivor Entity is new to Alaska - Create:

- If the surviving (continuing to exist) entity is created by the merger and is a domestic (Alaskan) entity, then the newly created entity's public organic document must be included as an attachment to this Statement of Merger along with the appropriate filing fees.
- If the survivor (continuing to exist) is a non-qualified (not on record with the state) foreign (non-Alaskan) entity which is conducting business in Alaska then it must obtain a Certificate of Authority post-merger.

NOTE – If Survivor Entity exists – Change Officials & Registered Agent:

- If prior to the merger the survivor entity exists on record with the State of Alaska and the merger results in a change of an official, director, shareholder and percent owned then a Notice of Change of Officials must be filed with the division. The Notice Change of Officials may be filed at the same time as this Statement of Merger.
- If prior to the merger the survivor entity exists on record with the State of Alaska and the merger results in a change in the Registered Agent or the registered agent's address then a Statement of Change must be filed with the division. The Statement of Change may be filed at the same time as this Statement of Merger.

SUBMITTAL: Please submit forms and payment together.

- See Item # 6, 7, 8 and above Notes for additional forms and fees which may be required.
- Mail the Statement of Merger (form 08-564) and the \$25.00 non-refundable filing fee in U.S. dollars
 - State of Alaska, Corporations Section, PO Box 110806, Juneau, AK 99811-0806
- If faxing the form please include the Credit Card Payment form with the appropriate fees.
- Do not email forms or payment.

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STANDARD PROCESSING TIME for complete and correct applications submitted to this office is approximately 10-15 business days. All applications are reviewed in the date order they are received.



THE STATE
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Department of Commerce, Community, and Economic Development
Division of Corporations, Business, and Professional Licensing
PO Box 110806, Juneau, AK 99811-0806
(907) 465-2550 • Email: corporations@alaska.gov
Website: corporations.alaska.gov

FOR DIVISION USE ONLY

Domestic Nonprofit Corporation

2021 Biennial Report
For the period ending June 30, 2021

Web-6/10/2021 2:02:39 PM

Due Date: This report along with its fees are due by July 2, 2021

Fees: If postmarked before August 2, 2021, the fee is \$25.00.
If postmarked on or after August 2, 2021 then this report is delinquent and the fee is \$30.00.

Entity Name: Juneau Housing First Collaborative

Entity Number: 10027731

Home Country: UNITED STATES

Home State/Prov.: ALASKA

Physical Address: 1006 Ski Street, 1006 SKI STREET,
Juneau, AK 99801

Mailing Address: 247 S. FRANKLIN ST, JUNEAU, AK 99801

Registered Agent information cannot be changed on this form. Per Alaska Statutes, to update or change the Registered Agent information this entity must submit the Statement of Change form for this entity type along with its filing fee.

Name: Mariya Lovishchuk

Physical Address: 247 S. FRANKLIN ST, JUNEAU, AK 99801

Mailing Address: 247 S. FRANKLIN ST, JUNEAU, AK 99801

Officials: The following is a complete list of officials who will be on record as a result of this filing.

- **Provide all officials and required information. Use only the titles provided.**
- **Four (4) Mandatory Officers, who must be individuals:** this entity must have a President, Vice-President, Secretary, and Treasurer. Two or more offices may be held by the same individual, except the offices of President and Secretary cannot be the same individual.
- **Three (3) Mandatory Directors, who must be individuals.** The number of directors must be at least three (3).

Full Legal Name	Complete Mailing Address	% Owned	Assistant Secretary	Assistant Treasurer	Director	President	Secretary	Treasurer	Vice President
Steven Sorenson	1 SEALASKA PLAZA, JUNEAU , AK 99801	N/A			X				X
Bruce Denton	175 S. FRANKLIN ST, JUNEAU , AK 99801	N/A			X	X			
Mariya Lovishchuk	247 S. FRANKLIN ST, JUNEAU, AK 99801	N/A			X		X	X	

If necessary, attach a list of additional officers on a separate 8.5 X 11 sheet of paper.

Purpose: To construct, own and operate quality, safe, permanent, and affordable housing for those most vulnerable in Juneau.

NAICS Code: 624229 - OTHER COMMUNITY HOUSING SERVICES

New NAICS Code (optional):

Mandatory Property Value: Estimated value of all real or personal property of the corporation:

This form is for use by the named entity only. Only persons who are authorized by the above Official(s) of the named entity may make changes to it. If you proceed to make changes to this form or any information on it, you will be certifying under penalty of perjury that you are authorized to make those changes, and that everything on the form is true and correct. In addition, persons who file documents with the commissioner that are known to the person to be false in material respects are guilty of a class A misdemeanor. Continuation means you have read this and understand it.

Name: Mariya Lovishchuk

**BEFORE THE PLANNING COMMISSION
 OF THE CITY AND BOROUGH OF JUNEAU**

JUNEAU COOPERATIVE CHRISTIAN
 MINISTRY d/b/a THE GLORY HALL,

Appellant,

v.

CBJ COMMUNITY DEVELOPMENT,

Appellee.

APL2021-0006

Appeal of:

BLD2021-0765

CDD Director's Decision dated

December 1, 2021

**AFFIDAVIT OF ADAM GOTTSCHALK IN SUPPORT OF
 REQUEST FOR DISQUALIFICATION**

STATE OF ALASKA)
 FIRST JUDICIAL DISTRICT)
 CITY AND BOROUGH OF JUNEAU)

ss.

Adam Gottschalk, being duly sworn, states under oath:

1. I am an assistant municipal attorney and counsel for Appellee CBJ Community Development Department (CDD) in the above-captioned matter.

2. The facts asserted in the Request for Disqualification regarding Commissioner Cole's role as president of the board of Juneau Housing First Collaborative (JHFC) are based on reliable and publically available documents (i.e. federal filings such as JHFC's IRS 990s) and are true to the best of my knowledge.

3. The facts asserted in the Request for Disqualification regarding Mariya Lovishchuk's role as a director for JHFC are based on reliable and publically available documents (i.e. filings with the State such as the statement of merger and JHFC's biennial reports) and are true to the best of my knowledge.

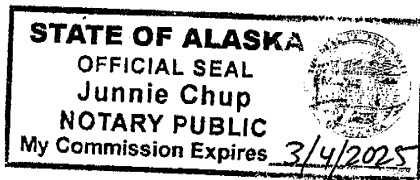
4. The facts asserted in the Request for Disqualification regarding JHFC's merger with TGH are based on reliable and publically available documents (i.e. filings with the State such as the statement of merger) and are true to the best of my knowledge.

DATED this 18th day of May, 2022.

CITY AND BOROUGH OF JUNEAU

By: Adam Gottschalk
 Adam Gottschalk
 Assistant Municipal
 (Alaska Bar #2008079)

SUBSCRIBED AND SWORN to before me on this 18th day of May, 2022.



By: [Signature]
 Notary Public in and for the State of Alaska
 My Commission Expires: 3/4/2025

CERTIFICATE OF SERVICE

I certify that on 18th of May, 2022, a true and correct copy of the foregoing document was served on:

ATTN: Mary Alice McKeen
 212 West 9th Street
 Juneau, AK 99801
 via email to: ottokeen@gmail.com

Adam Gottschalk
 Assistant Municipal Attorney

BEFORE THE PLANNING COMMISSION
OF THE CITY AND BOROUGH OF JUNEAU

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)

CDD Director's Decision dated
December 1, 2021

)

3. At the May 3, 2022 Board meeting, Mandy Cole resigned from the Board of the Juneau Housing First Collaborative and new officers were elected: Bruce Denton and Joyce

Niven, as Co-Presidents; Jordan Nigro, as Vice-President; Patrick Minnick, as Secretary; and Dave Branding, as Treasurer. I am not on the Board of the Juneau Housing First Collaborative. Attached as Exhibit 1 are minutes from that meeting.

4. After May 3, Mandy Cole was not a member of the Juneau Housing First Collective Board and was not an officer.

5. Attached as Exhibit ⁴_{ML} is the agenda for the May 3, 2022 meeting. Under "Conflict of Interest Declaration," Mandy Cole identified the property at 247 South Franklin as an area where she had a conflict of interest. The item "Reports" means my Executive Director Reports. When I got to "247 South Franklin," Mandy Cole left the room. She did not come back into the room until she was summoned after I gave the report. My report did not contain any specific appeal information (nothing about the specific legal issues) other than the fact that the hearing was going to take place on May 24 at 7 p.m. and that everyone should please come because the hearing was shaping up to be riveting and interesting.

6. On May 9, 2022, we filed a Notice of Change of Officials with the State of Alaska, Division of Corporations. It listed the new Board members. The Notice we filed with the State was signed by Bruce Denton, one of the new co-presidents. I did not keep a copy of the signed notice and the Division of Corporations has not posted it. Attached as Exhibit 2 is a copy of the unsigned Notice of Change of Officials. Attached as Exhibit 3 is the receipt for \$25.00 from the Alaska Department of Commerce made out to Luke Vroman, Deputy Director of The Glory Hall, dated May 9, 2022.

7. The Juneau Cooperative Christian Ministry Board and the Juneau Housing First Collaborative Board signed the Merger Plan document on March 17, 2022. There was a Merger Committee consisting of two members from both boards, total of four. I discussed with the

Merger Committee the idea that Mandy Cole and Dave Ringle, both of whom were on the Juneau Housing First Collaborative Board, should be asked to not be on the merged board.

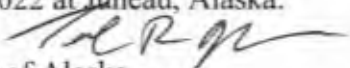
8. The reason was that Mandy Cole is the Executive Director of AWARE, which runs an emergency shelter, and Dave Ringle is the General Manager of St. Vincent De Paul Society, which also runs an emergency shelter. As Executive Director of The Glory Hall Shelter, I, or anyone else who would be the Director of The Glory Hall, interact with Mandy Cole or any Director of AWARE and Dave Ringle or any General Manager of St. Vincent DePaul very frequently. We often disagree on issues. It seemed to me that if they were on the Board of the new entity, which would now encompass an emergency shelter operation, that would be a conflict of interest. If they stayed on the Board, Mandy Cole and Dave Ringle would now be my boss and the boss of any subsequent Executive Director. The Merger Committee agreed that Dave Ringle and Mandy Cole should be asked not to be on the board of the new entity.

9. I called Mandy Cole and Dave Ringle and asked them if they would consider not being on the merged board due to the potential conflict. They both agreed not to be on the merged board.

10. The overall budget for The Glory Hall for 2021 was \$1.1 million dollars. The FY 23 budget for the merged entity is approximately \$2 million dollars. The seven rental units at 247 South Franklin are estimated to bring in \$20,000 over expenses. It is very important for the people who will live in them and, while every penny counts, it is not a major portion of our budget and was not a factor in the merger.


Mariya Lovishchuk

Subscribed to and sworn before me by Mariya Lovishchuk on May 20, 2022 at Juneau, Alaska.


Teal R. Goodsell
Notary Public, State of Alaska
My commission expires 12/03/2025



Juneau Housing First Collaborative
Board Meeting Minutes
May 3, 2022
Held at AWARE Conference Room and Zoom

This was the first board meeting with the combined boards of JHFC and The Glory Hall. The two entities are preparing for a merger effective July 1, 2022. We began the meeting with each member briefly introducing themselves.

Members Present: Merry Ellefson, Debbie Maas, Wade Bryson, Pat Minick, Jorden Nigro, Joyce Niven, Claudette Thor, Jeannette Lacey, Chloe Papier, Dave Branding, Luke Vroman, Mary Aparezuk, Julie Willoughby, Mandy Cole, Dave Ringle, Bruce Denton

The board heard operational reports from Forget Me Not Manor, the Glory Hall facility at 8715 Teal Street, and the old TGH building at 247 S. Franklin. Mandy Cole left the room during the 247 S. Franklin St discussion.

Business:

- The board approved the proposed FY23 Budget for the combined entity.
- The board elected officers for the executive committee, as follows

Joyce Niven, Co-Chair
Bruce Denton, Co-Chair
Jorden Nigro, Vice Chair
Dave Branding, Treasurer
Pat Minick, Secretary

Mandy Cole resigned from the board.

- The board created the following committees. The board identified chairs for each committee, and will add members in the future.
-

Finance: Dave Branding (chair), Joyce Niven

Board Development: Merry Ellefson (chair)

247 S. Franklin: Robin Gilchrist (chair), Debbie Maas, Wade Bryson

Development: Jorden Nigro (chair)

Communication: Merry Ellefson (chair)

Suspension Review: Wade Bryson (chair)

- The board voted to add Dave Branding and Patrick Minick as signers for all Juneau Housing First Collaborative bank accounts at First Bank. Once the paperwork is complete with First Bank, signers will be Pat, Dave B., Bruce Denton and Joyce Niven.
- The board voted to open a new account at First Bank. The account will be a JHFC account, subtitled "TGH Operating Account". The signers will again be Patrick Minick, Dave Branding, Bruce Denton and Joyce Niven.

- In preparation for the merger, the board voted that JHFC will absorb all employees of The Glory Hall, effective July 1, 2022.
- Forget Me Not Manor is experiencing a structural issue, probably due to the building settling. This issue is keeping some of the windows from closing. This was noted in the recent HOME audit of the building, and it is required to be repaired in order to continue using the units that operate under the HOME program. It is unclear exactly what is causing this issue in such a new building. The initial quotes to fix the windows were high (in the \$30,000 range), and it is uncertain if there would be more window issues if the underlying issue is not addressed. Bruce will try to assess the underlying issue. Meanwhile, Mariya will ask the HOME auditors for an extension on the fix so we can discover the extent of the issue. The board will revisit this issue at each meeting until it is resolved, with a resolution deadline of September 1.



THE STATE
of **ALASKA**

Department of Commerce, Community and Economic Development
Division of Corporations, Business and Professional Licensing

COR

FOR DIVISION OF CORPORATIONS
Packet Page 345 of 363

Corporations Section

State Office Building, 333 Willoughby Avenue, 9th Floor
PO Box 110806, Juneau, AK 99811-0806
Phone: (907) 465-2550 • Fax: (907) 465-2974
Email: corporations@alaska.gov
Website: Corporations.Alaska.Gov

Notice of Change of Officials

Domestic Non-Profit Corporation (AS 10.20)

- This Notice of Change of Officials form is only for Domestic Non-Profit Corporations and is used to report changes in officers and directors information between biennial reporting periods.
- This Notice of Change of Officials will not be filed if the entity's biennial report is not current. To verify the entity's biennial report due date, go online to www.Corporations.Alaska.Gov and select, *Search Corporations Database*
- Standard processing time for complete and correct filings submitted to this office is approximately 10-15 business days. All filings are reviewed in the date order they are received.
- The information you submit is a public record and will be posted on the State's website.

1. Important:

AS 10.20.631

Each Domestic Non-Profit Corporation is required to notify this office when there is a change of officials.
— AS 10.20.631

Failure to meet this requirement may result in involuntary dissolution of the entity's authority to transact business in the State of Alaska.
— AS 10.20.325(7)

The Domestic Non-Profit Corporation is to keep and make available the records of the official(s) changes.
— AS 10.20.131

2. Fee:

☒ \$25 Nonrefundable Filing Fee (CORF)

3 AAC 16.050(c)

Mail this form and the non-refundable \$25 filing fee in U.S. dollars to the letterhead address. Make the check or money order payable to the State of Alaska, or use the attached credit card payment form.

3. Entity Information:

AS 10.20.631

Entity Name: Juneau Housing First Collaborative

Alaska Entity Number: 10027731

4. REMOVE from Record:

AS 10.20.631(b)

The following officials (officers and directors) will be completely removed from the record as a result of this filing: Packet Page 346 of 363

Name: Steven Sorensen

Name: _____

Name: _____

Name: _____

If an official is not being removed from record, then list them in Item #5 below (with their current information).

5. ALL Current Officials:AS 10.20.631(b) and
AS 10.20.705

The following is a complete list of ALL remaining and new officials who will be on record as a result of this filing. Non-Profit Corporations must have a President, Vice-President, Secretary, Treasurer, and at least three (3) Directors. Two or more offices may be held by the same person, except the offices of President and Secretary which cannot be the same person. — AS 10.20.086 and AS 10.20.121

List **ALL** officials and their current information to be on record.**BOLD** fields are required.

FULL LEGAL NAME	COMPLETE MAILING ADDRESS	PRESIDENT	VICE-PRESIDENT	SECRETARY	TREASURER	DIRECTOR (3)	Assistant Secretary	Assistant Treasurer
Bruce Denton	175 Franklin Street Suite 306 Juneau AK	x						
Joyce Niven	8111 Circle Drive Juneau AK	x						
Jorden Nigro	202 6th Street Juneau AK		x					
Patrick Minick	723 W 10th Street Juneau AK			x				
Dave Branding	3406 Glacier Highway Juneau AK				x			

→ If necessary, use the following supplement page and include all information required above in Item #5.

6. Required Signature:AS 10.20.631(b) and
AS 10.20.650

The Notice of Change of Officials must be signed by an officer of the non-profit corporation. A Director is not an authorized signer. Persons who sign documents filed with the commissioner that are known to the person to be false in material respects are guilty of a class A misdemeanor.

Signature: _____

Date: _____

Printed Name: _____

Title of Authorized Signer:

Board Chair

(Must be signed by an officer of the non-profit. A director is not an authorized signer.)

Notice of Change of Officials SUPPLEMENT**If used, this supplement must be returned with Form 08-446**

Packet Page 347 of 363

Entity Name: Juneau Housing First Collaborative

Alaska Entity Number: 10027731

4. REMOVE from Record (continued from Page 2):

AS 10.20.631(b)

The following officials (officers and directors) will be completely removed from the record as a result of this filing:

Name: _____

Name: _____

Name: _____

Name: _____

If an official is not being removed from record, then list them in Item #5 below (with their current information).

5. ALL Current Officials (continued from Page 2):AS 10.20.631(b) and
AS 10.20.705

The following is a complete list of ALL remaining and new officials who will be on record as a result of this filing.

Non-Profit Corporations must have a President, Vice-President, Secretary, Treasurer, and at least three (3) Directors. Two or more offices may be held by the same person, except the offices of President and Secretary which cannot be the same person. — AS 10.20.086 and AS 10.20.121

List **ALL** officials and their current information to be on record.
BOLD fields are required.

FULL LEGAL NAME	COMPLETE MAILING ADDRESS	PRESIDENT	VICE-PRESIDENT	SECRETARY	TREASURER	DIRECTOR (3)	Assistant Secretary	Assistant Treasurer
Wade Bryson	4109 Birch Lane Juneau AK					x		
Merry Ellefson	8170 N Douglas Highway Juneau AK					x		
Julie Willoughby	820 Dixon Ave Juneau AK					x		

If necessary to complete Items #4 and #5, make copies of this SUPPLEMENT page.



THE STATE
of **ALASKA**

Department of Commerce, Community and Economic Development
Division of Corporations, Business and Professional Licensing

COR

FOR DIVISION OF CORPORATIONS
Packet Page 348 of 363

Corporations Section

State Office Building, 333 Willoughby Avenue, 9th Floor
PO Box 110806, Juneau, AK 99811-0806
Phone: (907) 465-2550 • Fax: (907) 465-2974
Email: corporations@alaska.gov
Website: Corporations.Alaska.Gov

Contact Information

- Return this form with your filing
- This information may be used by the Division to assist with processing your attached filings
- This form will not be filed for record, or appear online

Entity Information		Enter your entity information as it appears on this filing.	
Entity Name:	Juneau Housing First Collaborative		
AK Entity #:	10027731		

Contact Person		Whom may we contact with any questions or problems with this filing?	
Company:	Juneau Housing First Collaborative		
Contact:	Chloe Papier		
Mailing Address:	Address: 1944 Allen Court		
	City: Juneau	State: AK	ZIP: 99801
Phone:	(907) 419-7386		
Email:	cpapier@feedjuneau.org		

Document Return Address		Provide an address for the return of your filed documents.	
☐ Return my filings to the address provided ABOVE			
☐ Return my filings to this address provided BELOW			
Company:			
Contact:			
Mailing Address:	Address:		
	City:	State:	ZIP:



THE STATE
of **ALASKA**

Department of Commerce, Community, and Economic Development
Division of Corporations, Business and Professional Licensing

FOR DIVISION USE ONLY

Packet Page 349 of 363

State of Alaska
Department of Commerce, Community, and Economic Development
Division of Corporations, Business and Professional Licensing
PO Box 110806, Juneau, AK 99811
Phone: (907) 465-2550

Credit Card Payment Form

All major credit cards are accepted. For security purposes, do not email credit card information. Include this credit card payment form with your application.

Name of Applicant or Licensee: Juneau Housing First Collaborative

Program Type: _____ License Number (if applicable): 10027731

I wish to make payment by credit card for the following (check all that apply):

AMOUNT

☒ Application Fee: Change of Officials (CORF)

☐ License or Renewal Fee: _____

☐ Other (name change, wall certificate, fine, duplicate license, exam, etc.):

1. _____

2. _____

TOTAL: 0

Name (as shown on credit card): _____

Mailing Address: _____

Phone Number: _____ Email (optional): _____

Signature of Credit Card Holder: _____

08-4438

Rev 12/26/18

Credit Card Payment Form (all major cards accepted)

CREDIT CARD INFO: Your payment cannot be processed unless all fields are completed!

1. Account Number: _____

2. Expiration Date: _____

3. Billing ZIP Code: _____

4. Security Code: _____

All four fields **MUST**
be completed!

This section will be
destroyed after the
payment is processed.



THE STATE
of ALASKA

Department of Commerce, Community, and Economic Development

Luke Vroman

05/09/2022
Receipt #100047619
Net Total: \$25.00

Transaction #1

Date Received: 5/9/2022

Payer Name: LUKE E VROMAN

Transaction Type: Credit Card

Amount: \$25.00

Item Purchased	Name	Ref #	Amount
CORP - CORPORATION FEES AND TAXES	JUNEAU HOUSING FIRST COLLABORATIVE	10027731	\$25.00

AK DEPT OF COMMERCE
JNU
333 WILLOUGHBY 9TH FL
JUNEAU, AK 99801
907.4652593

Transaction 012995

Total \$25.00
DEBIT CARD SALE \$25.00
Station: CBP101

05-May-2022 1:54:09P
\$25.00 J Method: EMV
US Debit XXXXXXXXXXXX0702
LUKE E VROMAN
Reference ID: 213000524033
Auth ID: 228596
MID: *****4990
AID: A0000000042203
ASHMKM: MASTERCARD
BRIND CREDIT
SIGNATURE VERIFIED

Payment SROXCHJBY8ZSW
Clover Privacy Policy
<https://clover.com/privacy>

Exhibit 3 page 1 of 1

Juneau Housing First Collaborative
Board of Directors Meeting
Tuesday, May 3, 2022
5:30PM AWARE Conference Room and ZOOM

Call to Order

Introductions

Conflict of Interest Declaration

Changes to Agenda

Approval of Minutes: JHFC April 2022

Reports:

- TGH Invoices
- FMNM Narrative Report
- 8715 Teal Street Narrative Report
- 247 S. Franklin Street Narrative Report

Business:

- FY23 Budget
- Executive Committee Selection
- Committee Assignments
- TGH Operating Account Creation
- Savings Account
- Approval of Executive Director and Staff (starting July 1, 2022)
- FMNM Window Repair (HOME AUDIT REQUIREMENT)
- FMNM Front entrance and surrounding (HOME AUDIT REQUIREMENT)
- FMNM Tenant Selection

Announcements

Next Meeting

Adjournment

Mary Alice McKeen
 Attorney, Alaska Bar # 8106035
 212 West 9th Street
 Juneau, Alaska 99801
 907-957-6170
 ottokeen@gmail.com

BEFORE THE PLANNING COMMISSION
 OF THE CITY AND BOROUGH OF JUNEAU

JUNEAU COOPERATIVE CHRISTIAN	)	
MINISTRY, dba THE GLORY HALL,	)	
	)	
Appellant,	)	
	)	
vs.	)	APL2021-06
	)	Appeal of:
CBJ COMMUNITY DEVELOPMENT,	)	BLD2021-0765
	)	CDD Director's Decision dated
Appellee.	)	December 1, 2021
	)	

Response to CDD Motion to Disqualify

Relevant Facts – Commissioner Cole is no longer on the board of the Juneau Housing First Collaborative.	2
CDD's request is in effect a motion made four work days before the date of the hearing.	3
CDD cannot be denied due process; it is a government entity.	3
CDD has not shown that Commissioner Cole cannot accord a fair and impartial hearing.	5
1. Commissioner Cole is no longer a member of the Board of the Juneau Housing First Collaborative; this resolves any claim of bias.	6
2. To TGH's knowledge, Commissioner Cole received no information as President of the Board of the Juneau Housing First Collaborative that would undermine her ability to be fair and impartial in deciding this appeal.	7
3. Ms. Lovishchuk's and Commissioner Cole's past membership on the same board is not grounds to disqualify Cole.	9
4. Commissioner Cole has taken no actions which show bias against CDD.	9
Commissioner Cole has a duty to serve if she believes she can accord a fair and impartial hearing.	11

Relevant Facts – Commissioner Cole is no longer on the board of the Juneau Housing First Collaborative.

- The Juneau Cooperative Christian Ministry dba The Glory Hall is a non-profit corporation formed in 1981.¹ It owned and operated the homeless shelter at 247 South Franklin Street from at least 1989 until the new shelter opened in the Valley in 2021. [R. 116 – 119]
- Commissioner Cole has never been on the Board of the Juneau Cooperative Christian Ministry dba The Glory Hall.
- The Juneau Housing First Collaborative (JHFC) is a non-profit corporation formed in 2015.² It owns and operates a multifamily residence containing 64 individual efficiency apartments for persons deemed vulnerable to injury or death from lack of housing.³
- Commissioner Cole was on the Board of JHFC from 2016 to 2022 and was President of the Board from 2017 to 2022.
- Commissioner Cole resigned from the Board of JHFC on May 3, 2022.⁴
- The Juneau Cooperative Christian Ministry non-profit corporation merged with the Juneau Housing First Collaborative. The new entity is the Juneau Housing First Collaborative and it will have the dba of The Glory Hall.
- Commissioner Cole is not a member of the Board of the new entity.⁵

¹ <https://www.commerce.alaska.gov/web/cbpl/Corporations.aspx>

² <https://www.commerce.alaska.gov/web/cbpl/Corporations.aspx>

³ CDD Exhibit B to Request for Disqualification: kinyradio.com/news/news-of-the-North/housing-first-and-glory-hall-to-merge/

⁴ Affidavit of Mariya Lovishchuk & Ex. 1 to Affidavit.

⁵ Affidavit of Mariya Lovishchuk & Ex. 1 and Ex. 4 to Affidavit.

CDD's request is in effect a motion made four work days before the date of the hearing. Packet Page 354 of 363

CDD filed its request for disqualification of Commissioner Cole on May 18, 2022. It is in effect a motion because it asks the Commission to enter an order. CDD bases its request on facts that it has known for months, namely that Glory Hall and Housing First are merging. It cites a KTOO story from March 30, 2021; a newspaper article from March 31, 2021; a Statement of Merger, filed with the State on April 1, 2022. CDD waits to file this request until May 18, 2022, which gives TGH two days to file a response if TGH wants to meet the deadline to put its response into the packet for the Planning Commission, which is noon on May 20, 2022. This is a type of legal ambush but TGH believes it has managed to respond in this stressful two-day window. This is the kind of hardball litigation tactics which seem inappropriate for a local government entity dealing with a small non-profit entity seeking to build seven rental units of affordable housing.

CDD cannot be denied due process; it is a government entity.

CDD claims that if Commissioner Cole hears this appeal, CDD will be denied "due process." CDD states, "Because JHFC and Appellant Juneau Cooperative Christian Ministry d/b/a The Glory Hall (TGH) are now merged, Commission Cole's participation in this appeal would violate CDD's right to due process."⁶ CDD cannot be denied due process because it is the government.

The due process clause of the federal constitution states "nor shall any state deprive any person of life, liberty, or property, without due process of law."⁷ The word "state" means government. Procedural due process "refers to the procedures that *the*

⁶ CDD Request for Disqualification at pg. 1.

⁷ U.S. Constitution, Amend. XIV.

government must follow before it deprives a person of life, liberty, or property.”⁸

Substantive due process “asks whether *the government* has an adequate reason for taking away a person’s life, liberty, or property.”⁹ CDD cites no cases where a court found that a government entity was denied due process because there are none.

The CDD official who issued the decision under appeal is the Community Development Director. The Community Development Director makes decisions on applications for building permits for minor developments.¹⁰ Neither the Community Development Director, who is currently Jill Maclean, and nor any employee in CDD could be deprived of their life, liberty or property as a result of this appeal. The building at 247 South Franklin is not the property of the CDD Director. The CDD’s Directors interest in furthering what she perceives as the correct interpretation of CBJ 49.70.300(b) is not a constitutionally protected interest.

The only party to this appeal that does have a constitutional interest is the Juneau Cooperative Christian Ministry dba The Glory Hall, when the appeal started, and now it is owned by the Juneau Housing First Collaborative dba The Glory Hall. This nonprofit corporation owns this parcel. It has a due process right against action by the government which unreasonably and arbitrarily deprives it of the use of its property. TGH has not made a due process claim because it believes that the ordinance, properly interpreted, is not unreasonable and arbitrary.

CDD is correct that as a party to the appeal, it does have the rights accorded to a party in CBJ ordinance. It can make arguments based on Chapter 01.45, Conflict of

⁸ E. Chemerinsky, *Constitutional Law* at 569 (5th ed. 2015).

⁹ E. Chemerinsky, *Constitutional Law* at 570 (5th ed. 2015)

¹⁰ CBJ 49.15.310(d)

Interest Provisions, and Chapter 01.50, Administrative Appeal Procedures. But that is the extent of its rights. It is nonsensical to say that CDD has due process rights.

CDD has not shown that Commissioner Cole cannot accord a fair and impartial hearing.

As CDD notes, a Planning Commissioner is presumed to be honest and impartial.¹¹ Every Commissioner is accorded “the presumption of honest judgment.”¹² CDD quotes this court decision and TGH agrees this establishes the standard for showing bias: “Administrative agency personnel are presumed to be honest and impartial until a party shows actual bias or prejudgment. *To show hearing officer bias, a party must show that the hearing officer had a predisposition to find against a party or that the hearing officer interfered with the orderly presentation of the evidence.*”¹³

In evaluating a claim that a Commissioner should be disqualified because of a claimed conflict of interest, the Commission should be guided by the provisions in Chapter 01.45, Conflicts of Interest, in particular, Chapter 01.45.008, Scope of code:

01.45.008 – Scope of code.

(a) The assembly affirms that each municipal officer holds office as a public trust, and any effort to benefit ***a substantial personal interest or a substantial financial interest*** through official action is a violation of that trust. The public trust and this chapter do not prohibit an officer from following independent pursuits, so long as those pursuits do not interfere with the full and faithful discharge of an officer’s public duties. The assembly further recognizes:

- (1) In a representative democracy, ***the representatives are drawn from society and, therefore, cannot and should not be entirely without personal and financial interests in the decisions and policies of government,***
- (2) Citizens who serve as municipal officers retain their rights to interests of a personal or financial nature; and

¹¹ CDD Request for Disqualification at 3.

¹² *Amerada Hess Pipeline Corporation v. Regulatory Commission of Alaska*, 176 P. 3d 667, 676 (Alaska 2008)(per curiam)(emphasis added) quoted in CDD Request for Disqualification at page 3 - 4.

¹³ *AT&T Alascom v. Orchitt*, 161 P. 3d 1232, 1246 (Alaska 2007)(footnotes omitted).

(3) Standards of ethical conduct for municipal officers need to *distinguish between those inconsequential conflicts which are unavoidable in a free society, and those which are substantial and material.* Packet Page 357 of 363

(b) There is no violation of this Code if, as to a specific matter, a municipal officer's:

(1) *Personal or financial interest in the matter is insignificant*; or of a type that is possessed generally by the public or a large class of persons to which the municipal officer belongs; or

(2) Action or influence would have *an insignificant or conjectural effect on the matter*; or

(3) Action consists of voting in favor of introduction of an ordinance.

(c) *The City and Borough attorney, hearing officers, and hearing agencies shall be guided by this section when issuing opinions and reaching decisions.*

[emphasis added]

1. Commissioner Cole is no longer a member of the Board of the Juneau Housing First Collaborative; this resolves any claim of bias.

Commissioner Cole resigned from the Board of the Juneau Housing First Collaborative on May 3, 2022.¹⁴ The Notice of Change of Officials was filed with the State of Alaska, Division of Corporations, on May 9, 2022.¹⁵ That document lists the new officers and the eight members of the new Board. Commissioner Cole has no interest whatsoever in the Juneau Housing First Collaborative. Commissioner Cole does not have any interest in the outcome of this appeal.

It is TGH's understanding that Commissioner Cole resigned from the Board of the Juneau Housing First Collaborative based on the facts described in Ms. Lovishchuk's affidavit, namely a potential conflict if the Executive Director of The Glory Hall emergency shelter had as their boss the Executive Director of AWARE, which operates

¹⁴ Minutes, Juneau Housing First Collaborative Board Meeting, May 3, 2022, attached as Ex. 1 to Affidavit of Mariya Lovishchuk (May 20, 2022).

¹⁵ Affidavit of Mariya Lovishchuk & Ex. 2 Notice of Change of Officials (unsigned), filed for

an emergency shelter, and the General Manager of St. Vincent de Paul, which operates an emergency shelter.¹⁶ Commissioner Cole resigned at the first combined meeting of the two Boards from the separate entities as they prepared for the merger into a new entity. At the May 3rd meeting, the Board members of the new entity were selected. New officers were elected and specifically two new co-presidents were elected. On May 9, 2022, TGH filed Notice of Change of Officials with the State of Alaska, Division of Corporations with the new Board officers.¹⁷

2. To TGH's knowledge, Commissioner Cole received no information as President of the Board of the Juneau Housing First Collaborative that would undermine her ability to be fair and impartial in deciding this appeal.

CDD asserts that as President of the Board of the Juneau Housing First Collaborative, Commissioner “may have evidence outside of the record” concerning this project that would impact her ability to be impartial.¹⁸ The affidavit from counsel for this claim does not meet the requirement of CBJ 01.50.100(b) of “stating with particularity the grounds upon which it is claimed that a fair and impartial hearing cannot be accorded.”

To TGH's knowledge, Commissioner Cole does not any material knowledge of this kind. The Board of JHFC had nothing to do with the decision to apply for a grant from the Affordable Housing Fund to convert the second and third floor of The Glory Hall Building into seven units of affordable rental housing. In fact, AWARE competed with TGH for these funds.¹⁹ The Board of JHFC had nothing to do with the decision to

¹⁶ Affidavit of Mariya Lovishchuk at ¶¶ 7 – 9.

¹⁷ Affidavit of Mariya Lovishchuk at ¶6 & Ex. 2 and 3 attached to Affidavit.

¹⁸ CDD Request for Disqualification at 5 – 6.

¹⁹ <https://juneau.org/housing/juneau-affordable-housing-fund-2> Program (2021 Program Applications and Summary: List of completed JAHF applications has AWARE and The Glory Hall.

appeal the denial of the building permit to the Planning Commission. The Board of The Glory Hall made that decision.²⁰

On May 3, 2022, for the first time, there was a meeting of the Board of The Glory Hall (TGH) and the Juneau Housing First Collaborative (JHFC) as they prepared to finalize the merger, which will be effective July 1, 2022.²¹ That would have been the first time that Commissioner Cole *might* have heard a report from Ms. Lovishchuk, as the Executive Director of the new merged entity, concerning the project at 247 South Franklin. But the Boards of TGH and the Juneau Housing First Collaborate take conflicts of interest seriously. The agenda for the meeting on May 3rd of the new merged entity has an agenda item, “Conflict of Interest Declaration,” at the beginning of the agenda.²² When it came to that item, Mandy Cole disclosed a conflict of interest regarding discussions of the property at 247 South Franklin. When Ms. Lovishchuk came to that item in her Executive Director Report, Ms. Cole left the room. When Ms. Lovishchuk was finished that part of her report, Ms. Cole returned to the meeting.²³

It is true that at the May 3rd Board meeting, Ms. Cole voted to approve the overall FY 23 Budget for the new combined entity. That involvement is not significant in terms of the issues in this appeal. That fact does not show “prejudgment” of the issue in this appeal. While every penny counts, and helps TGH ask the City and the public for less contributions, the potential income from this project is not a major portion of the

²⁰ After the Pre-application Conference Report, Ms. Lovishchuk wrote: “TGH Board voted to appeal to the Planning Commission.” [R. 89]. The Conference Report was not appealable but CDD’s Decision reached the same conclusion and that, of course, was appealable.

²¹ Ex. 1, Minutes, and Ex. 4, Agenda to Affidavit of Mariya Lovishchuk (May 20, 2022).

²² Ex. 4, Agenda, to Affidavit of Mariya Lovishchuk (May 20, 2022).

²³ Affidavit of Mariya Lovishchuk at ¶ 5; Ex. 1 to Affidavit, Minutes from May 3, 2022 meeting have the statement: “Mandy Cole left the room during the 247 S. Franklin St discussion.”

operating revenues of TGH or the new merged entity. It was not a factor in the merger.

The potential income of rental income over costs for this project is approximately \$20,000 a year. The budget for TGH for 2021 was \$1.1 million. The FY 23 budget for the merged entity is approximately \$2 million dollars.²⁴

3. Ms. Lovishchuk's and Commissioner Cole's past membership on the same board is not grounds to disqualify Cole.

CDD notes that Ms. Lovishchuk and Commissioner Cole were both past members of the Board of Juneau Housing First Collaborative. With the merger, neither Ms. Lovishchuk nor Commissioner Cole are on the JHFC Board. Ms. Lovishchuk is an employee of the merged entity and Commissioner Cole has no involvement with JHFC.

4. Commissioner Cole has taken no actions which show bias against CDD.

CDD has presented no evidence that shows Commissioner Cole has a general "predisposition" against CDD. Commissioner Cole has been a member of the Planning Commission since January 1, 2021.²⁵ Commissioner Cole regularly hears reports and recommended decisions by CDD.

CDD points to no evidence that shows Commissioner Cole has a "predisposition" against CDD in this case or that she has prejudged the issues in this appeal or that she has a closed mind with respect to the issues in this appeal.

CDD points to no evidence that Commissioner Cole would "interfere with the orderly presentation of the evidence" in this case. Commissioner Cole has been a productive and beneficial addition to the Planning Commission.

²⁴ Affidavit of Mariya Lovishchuk at ¶10.

²⁵ CBJ Facebook Page, December 20, 2020.

CDD relies on an Alaska case, *Amarada Hess*, which used the phrase “fox-in-the-chicken coop.” In that case, the court described two situations where the judicial officers showed actual bias and their participation in an appeal was like a having the fox in the chicken coop.²⁶ These are instructive because they show what “actual bias” looks like.

In the first situation, a judge’s law clerk in a criminal case gave the district attorney’s office a confidential bench memorandum accompanied by a yellow stickie note indicating she was advocating for the D.A. sub rosa. She was “an active partisan willing to break the rules to benefit the state . . . with a bias above and beyond philosophical or political bias in favor of the government in criminal cases.”²⁷ “When she purloined the bench memo and composed the yellow stick, the *Vaska* law clerk forfeited her presumption of honest and fair dealing. She became a volunteer prosecution mole.”²⁸

The second situation involved a lawyer who was suspended from the practice of law by the Board of Governors for the Alaska Bar Association, while the Board was acting as the Disciplinary Board of the Alaska Bar Association.²⁹ The Executive Director of the Alaska Bar Association, who also served as Bar Counsel and an advocate for the suspension, was present during the deliberations by the Board of Governor on what sanction to impose on the lawyer. The court held that all advocates should be excluded from the jury room or its functional equivalent.³⁰

²⁶ *Amerada Hess Pipeline Corporation v. Regulatory Commission of Alaska*, 176 P. 3d 667, 677 (Alaska 2008)(per curiam) cited in CDD Request for Disqualification at 3 – 4. The court was describing the facts in *Vaska v. State*, 955 P. 2d 943, 946-947(Alaska App. 1998) and *Matter of Robson*, 575 P. 2d 771 (Alaska 1978).

²⁷ 176 P. 3d at 677 quoting *Vaska v. State*, 955 P. 2d at 946-47.

²⁸ 176 P. 3d at 677.

²⁹ *Matter of Robson*, 575 P. 2d 771 (Alaska 1978).

³⁰ 176 P. 3d at 677.

And in *Amerada Hess*, the court affirmed that the Regulatory Commission of Alaska did not show bias by relying on a staff economist who had written a master's thesis related to a point in the appeal before the RCA: "The court has not been cited to facts suggesting a practical likelihood that the commissioners were in any sense dominated by the opinions of their staff economist. There is no evidence that any commissioner prejudged any aspect of this case."³¹

This is what it takes to set aside the presumption of honest judgment and to be shown as an advocate: individual reprehensible dishonest action as with the law clerk or a stated committed position as with Bar Counsel. Commissioner Cole has done nothing to suggest she is a mole or an advocate or a partisan. Commissioner Cole has taken no such actions.

If Commissioner Cole believes that she can accord both parties parties a fair and impartial hearing, there is not a shred of evidence in the record not to take her at her word.

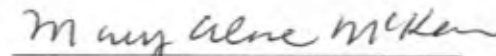
Commissioner Cole has a duty to serve if she believes she can accord a fair and impartial hearing.

In an appeal, any decision-maker does have the obligation to recuse themselves if they cannot give the parties a fair and impartial hearing. But a decision maker has a duty to serve if they believe they can give the parties a fair and impartial hearing. And the Planning Commission has a responsibility to guard against unwarranted disqualifications of its members. It is harmful to the process to give in to unfounded allegations of bias against a Commissioner. It allows litigants to use disqualification as a way to remove a

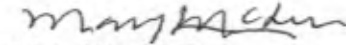
³¹ 176 P. 3d at 677.

Commissioner – not because of bias – but because they think the Commissioner may rule against them and they want to gain a litigation advantage. It will lead to poorer decisions. The Assembly selected each Commissioner because the Assembly thought they had something to offer and probably because the Assembly wanted diversity of experience and viewpoints represented on the Commission. Commissioner Cole is the only woman on the Planning Commission. TGH believes that Commissioner Cole is the only person on the Planning Commission that works in the non-profit housing sector.

Dated: 5-20-2022


 Mary Alice McKeen
 Attorney for The Juneau Cooperative
 Christian Ministry dba The Glory Hall

I certify that on May 20, 2022, I served this document and the Affidavit of Mariya Lovishchuk on the following persons: Adam.Gottschalk@juneau.org; Sherri.Layne@juneau.org; Breckan.Hendricks@juneau.org; Chelsea.Wallace@juneau.org.


 Mary Alice McKeen