Agenda

Planning Commission - Regular Meeting
City and Borough of Juneau

April 26, 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/87889807666 and use the Webinar ID: 878 8980 7666, 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

V. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

VII. ITEMS FOR RECONSIDERATION

VIII. CONSENT AGENDA

- **A.** USE2022 0004: A Conditional Use Permit for construction of an awning in a required side yard setback - REMOVED FROM CONSENT AND APPROVED AS AMENDED
- **B.** SMF2022 0001: A proposed subdivision of one (1) lot into three (3) lots with one (1) standard lot and two (2) bungalow lots - APPROVED

IX. UNFINISHED BUSINESS

X. REGULAR AGENDA

- **A.** USE2022 0005: A modification (extension) of a Conditional Use Permit (USE2021 0011) for a cold weather emergency shelter at Resurrection Lutheran Church - APPROVED AS AMENDED

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

XVIII. SUPPLEMENTAL MATERIALS

A. Additional Materials Packet for April 26, 2022 Planning Commission

XIX. ADJOURNMENT

PLANNING COMMISSION AGENDA
THE CITY AND BOROUGH OF JUNEAU, ALASKA

USE2022 0004: A Conditional Use Permit for construction of an awning in a required side yard setback - REMOVED FROM CONSENT AND APPROVED AS AMENDED

AGENDA ITEM:

Case No.: USE2022 0004
Applicant: George C. Schrader & Susan E. Schrader
Location: 2611 John Street
Proposal: A Conditional Use Permit for construction of an awning in a required side yard setback

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.

ATTACHMENTS:

Description	Upload Date	Type
Staff Report for USE2022 0004	4/15/2022	Staff Report
Presentation for USE2022 0004	4/27/2022	Presentation

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

PLANNING COMMISSION STAFF REPORT
CONDITIONAL USE PERMIT USE2022 0004
HEARING DATE: APRIL 26, 2022

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

DATE: April 15, 2022

TO: Michael LeVine, Chair, Planning Commission

BY: Adrienne Scott, Planner I

THROUGH: Jill Maclean, Director, AICP

PROPOSAL: Applicant requests a Conditional Use Permit for construction of an awning in a required side yard setback at 2611 John Street in a D18 zone.

STAFF RECOMMENDATION: Approval with conditions

KEY CONSIDERATIONS FOR REVIEW:

- Proposal is for an awning to cover an existing walkway on the structure.
- The property abuts ~122 acres of CBJ-owned land. The area directly abutting the property consists of slopes greater than 37%. Given these slopes, it is highly unlikely that this portion of CBJ-owned land will be developed.

GENERAL INFORMATION	
Property Owner	George C. Schrader & Susan E. Schrader
Applicant	George C. Schrader & Susan E. Schrader
Property Address	2611 John Street
Legal Description	Belleview Block H Lot 1
Parcel Number	1-D05-0-L13-001-0
Zoning	D18
Land Use Designation	Medium Density Residential
Lot Size	11,943 square feet
Water/Sewer	Public
Access	John Street
Existing Land Use	Residential
Associated Applications	BLD2021 0739 (Attachment E)

ALTERNATIVE ACTIONS:

1. **Amend:** require additional conditions, or delete or modify the recommended conditions.
2. **Deny:** deny the permit and adopt new findings for items 1-6 below that support the denial.
3. **Continue:** to a future meeting date if determined that additional information or analysis is needed to make a decision, or if additional testimony is warranted.

ASSEMBLY ACTION REQUIRED:

Assembly action is not required for this permit.

STANDARD OF REVIEW:

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

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

SITE FEATURES AND ZONING

SURROUNDING ZONING AND LAND USES	
North (ROW)	John Street
South (D5)	Vacant CBJ
East (ROW)	John Street
West (D18)	Residential Common Walls

SITE FEATURES	
Anadromous	NA
Flood Zone	NA
Hazard	NA
Hillside	NA
Wetlands	NA
Parking District	NA
Historic District	NA
Overlay Districts	NA

BACKGROUND INFORMATION

Project Description – The applicants are the owners of the property and reside on site. The application **(Attachment A)** is to construct an awning over an existing walkway (see image below). The existing walkway is allowable under 49.25.430(4)(C)(i), as there are no supporting structures. The proposed awning would be located in the southwest side yard setback, with the structure being closer than three feet to the lot line. The applicants have stated in their application that the addition of the awning would prevent ice from building up on the walkway to the entry door and allow them to age in place in their home.

CBJ 49.25.430(4)(N) states: *The commission, through the conditional use permit process, may allow structural projections into the required side or rear yard setbacks if the affected yard adjoins publicly owned land which has been placed in a park, open space, or similarly restrictive land management classification; provided such projections are minimized and are necessary to prevent substantial hardship to the applicant. The commission may deny such requests if it finds that the structure, with the addition, would result in excessive blockage of views, excessive restriction of light and air, or other deleterious impacts.*

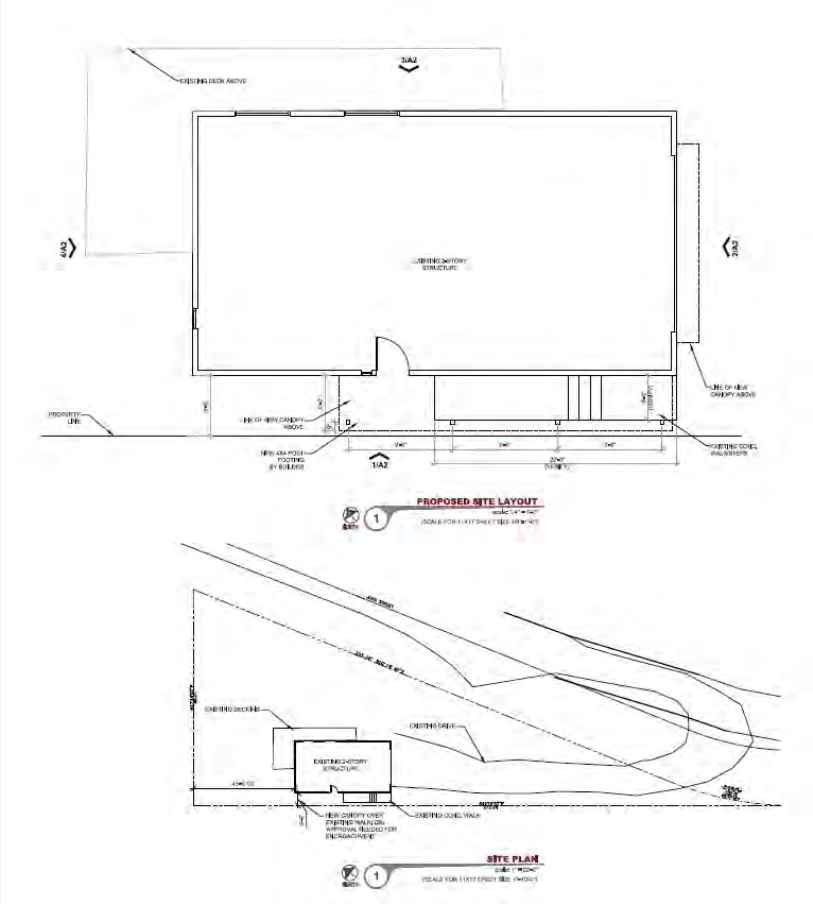
Background – The table below summarizes relevant history for the lot and proposed development.

Item	Summary
Building Permit	BLD1999-00488 permitted the single-family dwelling on the lot **(Attachment F)**.
Special Use Permit	USE99-00055 allowed construction of a driveway to access a new house through approximately 80 feet of the undeveloped John Street right-of-way **(Attachment G)**.

ZONING REQUIREMENTS

Standard		Requirement	Proposed	Existing	Code Reference
Lot	Size	5,000 square feet	NA	11,943 square feet	49.25.400
	Width	50 feet	NA	233 feet	49.25.400
Setbacks	Front (NE)	20 feet	No change	29.97 feet	49.25.400
	Rear (measured from lot's west corner)	20 feet	No change	41 feet	49.25.400
	Side (NW)	5 feet	No change	35 feet	49.25.400
	Side (SW)	5 feet	0.5 feet	5.5 feet	49.25.400
Lot Coverage Maximum		50%	~14%	~13%	49.25.400
Vegetative Cover Minimum		30%	No Change	~68%	49.50.300
Height	Permissible	35 feet	No change	24 feet	49.25.400
	Accessory	25 feet	NA	9 feet 11 inches	49.25.400
Maximum Dwelling Units (18/Acre)		5	No change	1	49.25.500
Use		Residential	No change	Residential	49.25.300

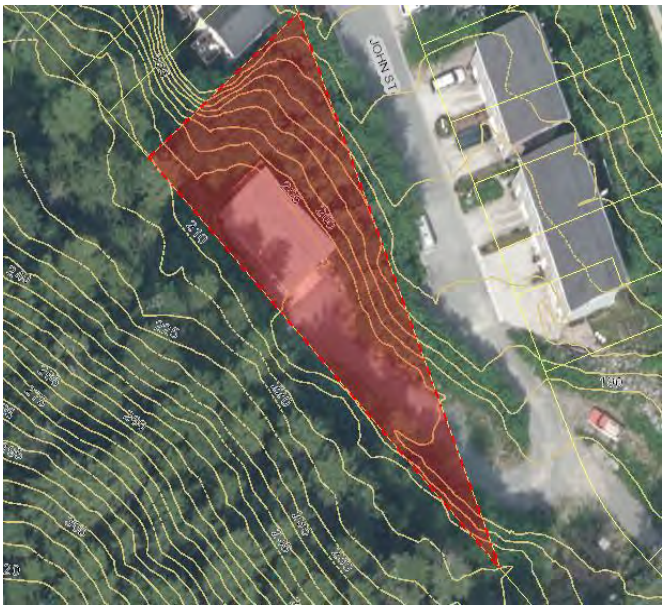
SITE PLAN

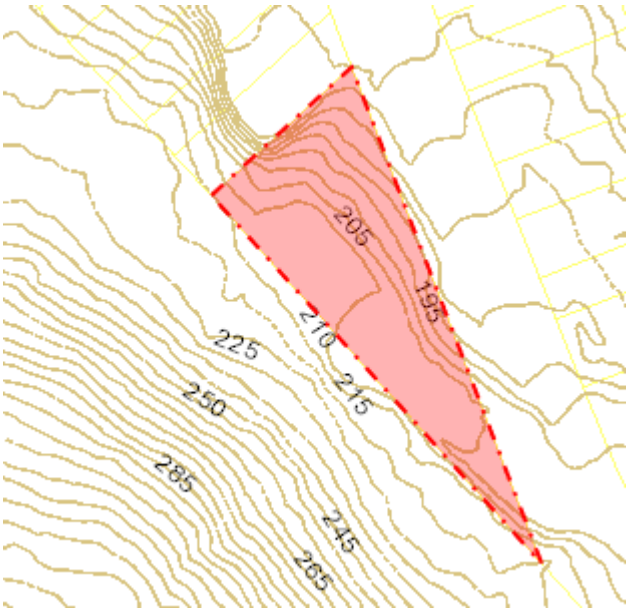


ANALYSIS

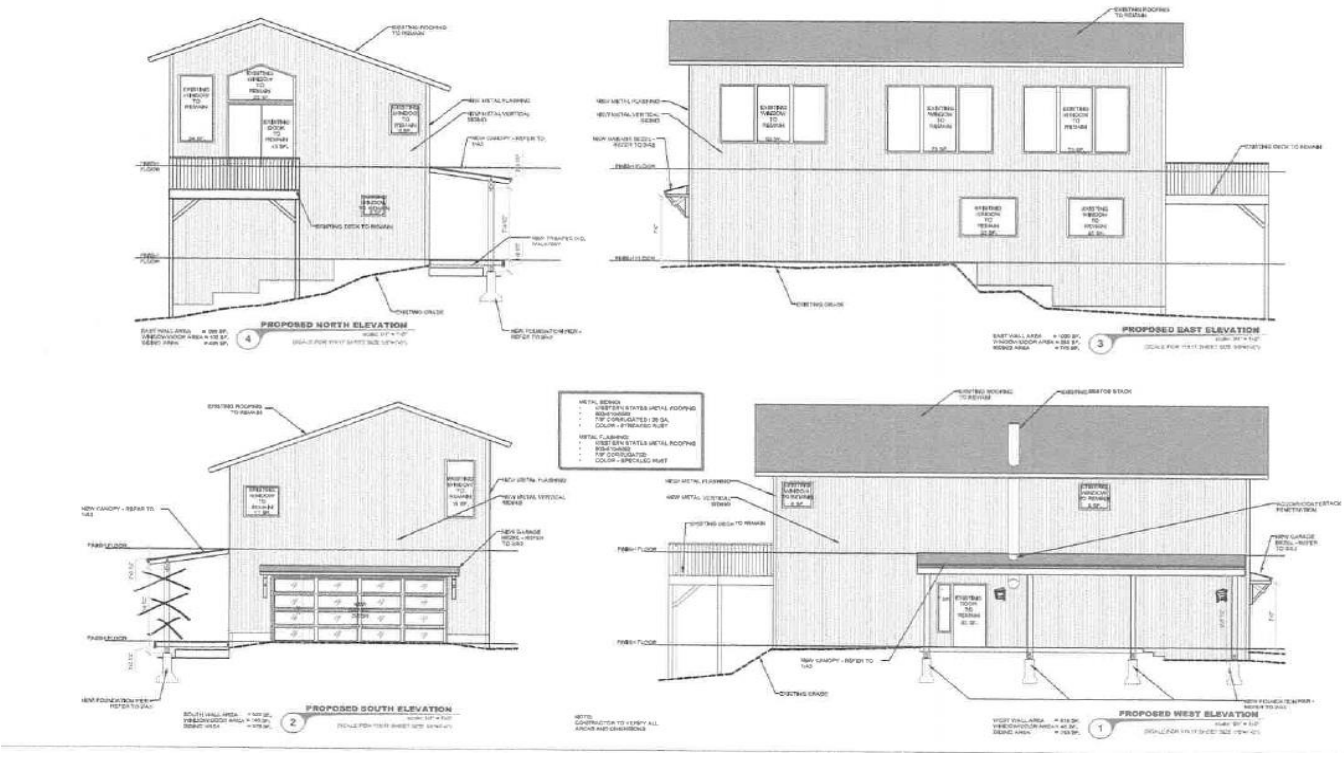
Project Site – The triangular lot was platted in 1963 as part of the Belleview Subdivision in West Juneau. The neighboring lots to the north and east were developed as common wall townhomes. The lot to the southwest is owned by CBJ and is classified as "retain/dispose" in the 2016 CBJ Land Management Plan.

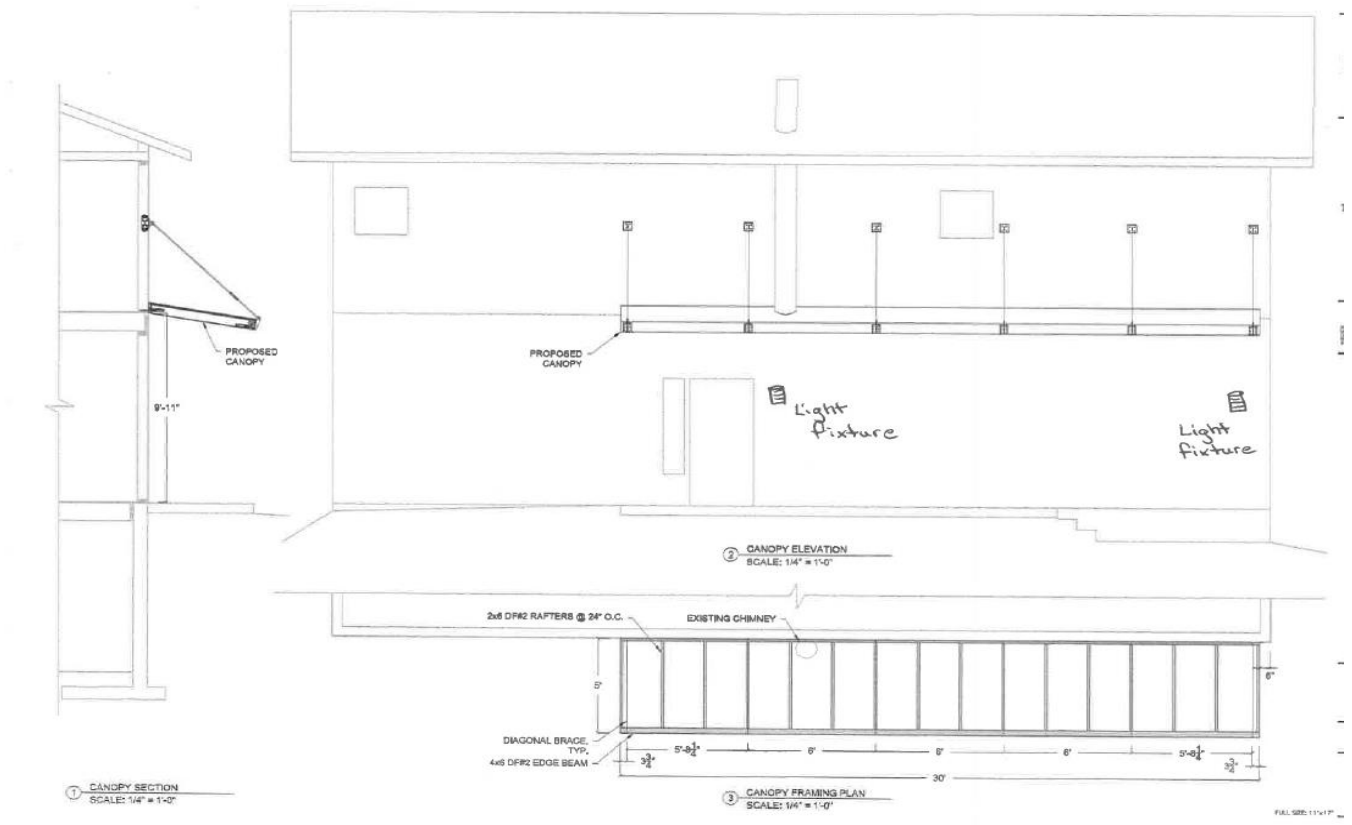
The single-family dwelling on the lot was constructed in 2001. The lot has access through a private driveway that is located in an undeveloped portion of the John Street right-of-way. Building Permit BLD1999-00488 permitted the single family dwelling, while Special Use Permit USE99-00055 allowed construction of a driveway to access a new house through approximately 80 feet of the undeveloped John Street right-of-way. The topography and shape of the lot required the single-family structure to be placed five feet from the southwest side lot line. The images below show the topography of the area with 5-foot contours from 2013 LiDAR data. The adjacent CBJ-owned lot has slopes in excess of 37%.





Project Design – The applicants are proposing construction of an approximately 150 square foot, five foot wide canopy in the southwest side yard setback, which will cover an existing walkway.





Traffic – The use is not changing from a single-family dwelling. According to CBJ 49.40.300(2), a traffic impact analysis is not required, as the project will generate less than 250 Average Annual Daily Traffic.

Vehicle Parking & Circulation – According to CBJ 49.40, 2 off-street parking spaces are required for a single-family dwelling. The provided parking on the lot will not be affected by this proposal.

Non-motorized Transportation – N/A.

Proximity to Transit – N/A.

Noise – N/A.

Lighting – No new exterior lighting is proposed. The walkway is currently lit by two fixtures on the side of the house.

Vegetative Cover & Landscaping – Lot currently meets vegetative cover requirements. The vegetative cover will not be affected by the proposed project.

Habitat – No habitat regulated by CBJ Title 49 will be affected by this proposal.

Drainage and Snow Storage – No changes to drainage or snow storage are proposed.

Historic District – N/A.

Hazard Zones – The lot is not located within a mapped hazard area. A hillside endorsement will not be required as no slopes greater than 18% will be disturbed or created.

Other Applicable Sections of Title 49 – CBJ 49.25.430(4)(N) states: *The commission, through the conditional use permit process, may allow structural projections into the required side or rear yard setbacks if the affected yard adjoins publicly owned land which has been placed in a park, open space, or similarly restrictive land management classification; provided such projections are minimized and are necessary to prevent substantial hardship to the applicant. The commission may deny such requests if it finds that the structure, with the addition, would result in excessive blockage of views, excessive restriction of light and air, or other deleterious impacts.*

The CBJ-owned land adjacent to the southwest lot line is listed as "retain/dispose" in the Land Management Plan. While not a restricted land management classification, the CBJ Lands & Resources Manager does not oppose the proposed awning. The adjacent portion of CBJ-owned land is not likely to be developed due to the steepness of the lot. The photos below show the proposed site location and the adjacent hillside:

The proposed awning is the minimum size required to cover the walkway.

"Hardship" to the applicant means they cannot use the land in a way similar to their neighbors. The lot shape and topography required the single-family structure to be placed five feet from the southwest side lot line. The applicants stated in their application that the addition of the awning would prevent ice from building up on the walkway to the entry door and allow them to age in place in their home.

The proposed awning would not block or restrict light and air, and does not appear to have other deleterious impacts.

Public Health, Safety, and Welfare – No information has been submitted that suggests the proposed construction of an awning will materially endanger the public health, safety, or welfare.

Property Value or Neighborhood Harmony – No information has been submitted that suggests the proposed development will negatively affect property values or neighborhood harmony.

AGENCY REVIEW

CDD conducted an agency review comment period from March 30 to April 15, 2022. Agency review comments can be found in Attachment C.

Agency	Summary
CBJ Lands and Resources	Mr. Bleidorn, Lands and Resources Manager, would like to ensure that none of the work encroaches into the adjacent CBJ-owned lot, including any grading work, cutting, or limbing of trees on CBJ-owned land.

Condition 1: The applicant shall not conduct any grading work, including cutting or limbing of trees on CBJ property.

Condition 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.

PUBLIC COMMENTS

CDD conducted a public comment period between March 25 and April 22, 2022. Public notice was mailed to property owners within 500 feet of the proposed development. A public notice sign was also posted on site two weeks prior to the scheduled hearing **(Attachment B)**. Public comments submitted at time of writing this staff report can be found in **Attachment D**.

Name	Summary
Pat Davidson	Wrote in as a neighbor who supports the development.

CONFORMITY WITH ADOPTED PLANS

The proposed development is in general conformity with the 2013 Comprehensive Plan and the 2016 Land Management Plan.

PLAN	Chapter	Page No.	Item	Summary
2013 Comprehensive Plan	11	147	Land Use Designation	Complies with the Medium Density Residential designation for the lot.
2016 Land Management Plan	CBJ's Land Holdings	60	West Juneau / Douglas LND-1210	Adjacent CBJ-owned land is categorized as Retain/Dispose. **NOTE:** "Retain/Dispose" are appropriate for disposal, but there are sections (such as stream corridors, high value wetlands, etc.) that may be retained for a public purpose. This designation is particularly common for larger parcels.

FINDINGS

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

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

   Analysis: No further analysis needed.

   Finding: Yes. The application contains the information necessary to conduct full review of the proposed operations. The application submittal by the applicant, including the appropriate fees, substantially conforms to the requirements of CBJ Chapter 49.15.

2. ***Is the proposed use appropriate according to the Table of Permissible Uses?***

   Analysis: The application is for construction of an awning in a required side yard setback. There is no proposed change of use. The current use is single-family detached, one dwelling per lot, listed at CBJ 49.25.300, Section 1.110 for the D18 zoning district.

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

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

   Analysis: The proposed development complies with Title 49 requirements with recommended conditions.

   Finding: Yes. With the recommended conditions, the proposed development will comply with Title 49, including parking, lighting, vegetative cover, and provisions listed in 49.25.430(4)(N).

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

   Analysis: No further analysis needed.

   Finding: No. There is no evidence to suggest that with appropriate conditions, the requested construction of an awning in a required side yard setback, in a D18 zoning district, will materially endanger the public health or safety.

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

   Analysis: No further analysis needed.

   Finding: No. There is no evidence to suggest that with appropriate conditions, the requested construction of an awning in a required side yard setback in a D18 zoning district will substantially decrease the value or be out of harmony with the property in the neighboring area.

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

Analysis: The proposed use complies with the Medium Density Residential land use designation. The proposed use also complies with the 2016 Land Management Plan, as the adjacent land is classified as Retain/Dispose.

Finding: Yes. The proposed construction of an awning in a required side yard setback, with the recommended conditions, will be in general conformity with adopted plans, specifically the 2013 Comprehensive Plan and the 2016 Land Management Plan.

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested Conditional Use Permit. The permit would allow the development of 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.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	Abutters Notice and Public Notice Sign Photo
Attachment C	Agency Comments
Attachment D	Public Comments
Attachment E	Building Permit Application
Attachment F	Building Permit
Attachment G	Special Use Permit

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

DEVELOPMENT PERMIT APPLICATION

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

To be completed by Applicant

PROPERTY LOCATION

Physical Address
2611 John Street, Juneau

Legal Description(s) (Subdivision, Survey, Block, Tract, Lot)
Belleview BL H LT 1

Parcel Number(s)
1D050L130010

☐ This property located in the downtown historic district
☐ This property located in a mapped hazard area, if so, which _____

LANDOWNER/ LESSEE

Property Owner	Contact Person
George C Schrader & Susan E Schrader	Susan Schrader

Mailing Address	Phone Number(s)
PO Box 240325 Douglas, AK 99824	19072095761
E-mail Address: sueschraderak@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 George C Schrader — Landowner/Lessee Signature — Date: 2/28/22

X Susan E. Schrader — Landowner/Lessee Signature — Date: 2/28/22

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	Contact Person
Same	

Mailing Address	Phone Number(s)
E-mail Address	

X Susan E. Schrader — Applicant's Signature — Date of Application: 3/3/22

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

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.

Intake Initials	
JLS 3/3/22	
Case Number	**Date Received**
USE22-004	3/3/22

Attachment A - Application Packet

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

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

NOTE: Must be accompanied by a DEVELOPMENT PERMIT APPLICATION form.

To be completed by Applicant

PROJECT SUMMARY

The applicants seek to have a 150 sq. ft. awning constructed over the walkway to their entrance door, as one element of a project to make improvements to the exterior of their home (new siding; new garage door). As per CBJ Code, a CUP is required.

TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED

- ○ Accessory Apartment – Accessory Apartment Application (AAP)
- ◉ Use Listed in 49.25.300 – Table of Permissible Uses (USE)

Table of Permissible Uses Category: 49.25.430(4)(N)

IS THIS A MODIFICATION or EXTENSION OF AN EXISTING APPROVAL? ○ YES – Case # _____ ◉ NO

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

SITE AND BUILDING SPECIFICS

Total Area of Lot 11,943 square feet Total Area of Existing Structure(s) 1,056 square feet

Total Area of Proposed Structure(s) 150 square feet

EXTERNAL LIGHTING

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

ALL REQUIRED DOCUMENTS ATTACHED

☑ **Narrative including:**

- ☑ Current use of land or building(s)
- ☑ Description of project, project site, circulation, traffic etc.
- ☑ Proposed use of land or building(s)
- ☑ How the proposed use complies with the Comprehensive Plan

☑ **Plans including:**

- ☑ Site plan
- ☐ Floor plan(s) – N/A
- ☑ Elevation view of existing and proposed buildings
- ☐ Proposed vegetative cover – N/A
- ☐ Existing and proposed parking areas and proposed traffic circulation – N/A
- ☑ Existing physical features of the site (e.g.: drainage, habitat, and hazard areas)

If this is a modification or extension include:

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

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

ALLOWABLE/CONDITIONAL USE FEES

	Fees	Check No.	Receipt	Date
Application Fees	$ 350.00			
Admin. of Guarantee	$			
Adjustment	$			
Pub. Not. Sign Fee	$ 50.00			
Pub. Not. Sign Deposit	$ 100.00			
Total Fee	$ 500.00			

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Case Number	Date Received
USE22-004	3/3/22

Narrative for the Schrader Allowable/Conditional Use Permit Application

Case number: PAC2022 OTC Property address: 2611 John Street

Current use of land or building:

- Single family home; primary residence for the Schraders

Description of project, etc.:

- Schrader's home is the only single-family residence on "upper" John Street in West Juneau; the other buildings on the street are multiple unit townhouses.
- Schrader's triangular lot shape is unique for the neighborhood and contains steep terrain on all 3 sides that limited the building site to be within close proximity to the side (south) lot line. **SEE** attached drawing: "Schrader Site Plan showing extent of steep terrain"
- The proposed awning:
  - would be on the uphill, backside of the house and would protect the 30-foot walkway that leads to the main entrance from the driveway from snow and ice.
  - would **not** be visible from the street nor from any neighbor's homes.
  - would **not** require a change in the existing lighting of the walkway that consists of two 19 watt CFL bulbs in small fixtures. These lights are not flood lights and are not visible from the street nor from any neighbor's homes.
  - would be an adaption to the house exterior that would greatly enhance the livability of the home so the Schraders can age in place.
  - would alleviate the current problem where, because the short eaves extend over less than half the width of the walkway, water from the roof drips onto the center of the walkway, then turns to thick ice when the temperature drops. This ice is difficult to remove and creates a significant hazard as the Schraders and visitors traverse from the driveway to the entrance door, along the 30-foot concrete walkway that includes 6 steps.
  - would bring the house more in line with the livability of the townhouses on "upper" John Street, all of which either have well-covered entrance doors or doors that are a couple of feet away from their driveway parking with few, if any, steps to encounter.

continued

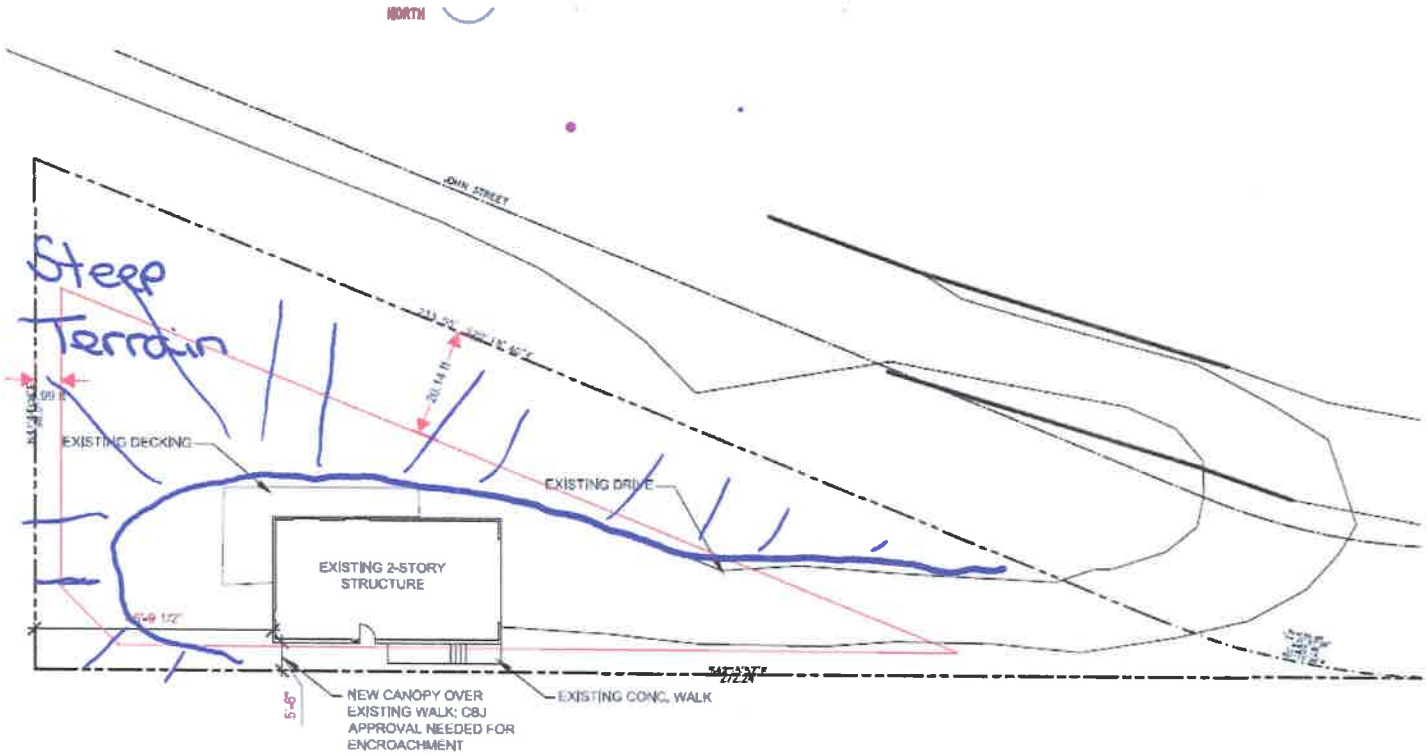
Proposed use of land or building(s):

- remains as the Schraders' primary residence, with a covered walkway to facilitate the owners' ability to age in place by minimizing snow and ice buildup on the walkway.

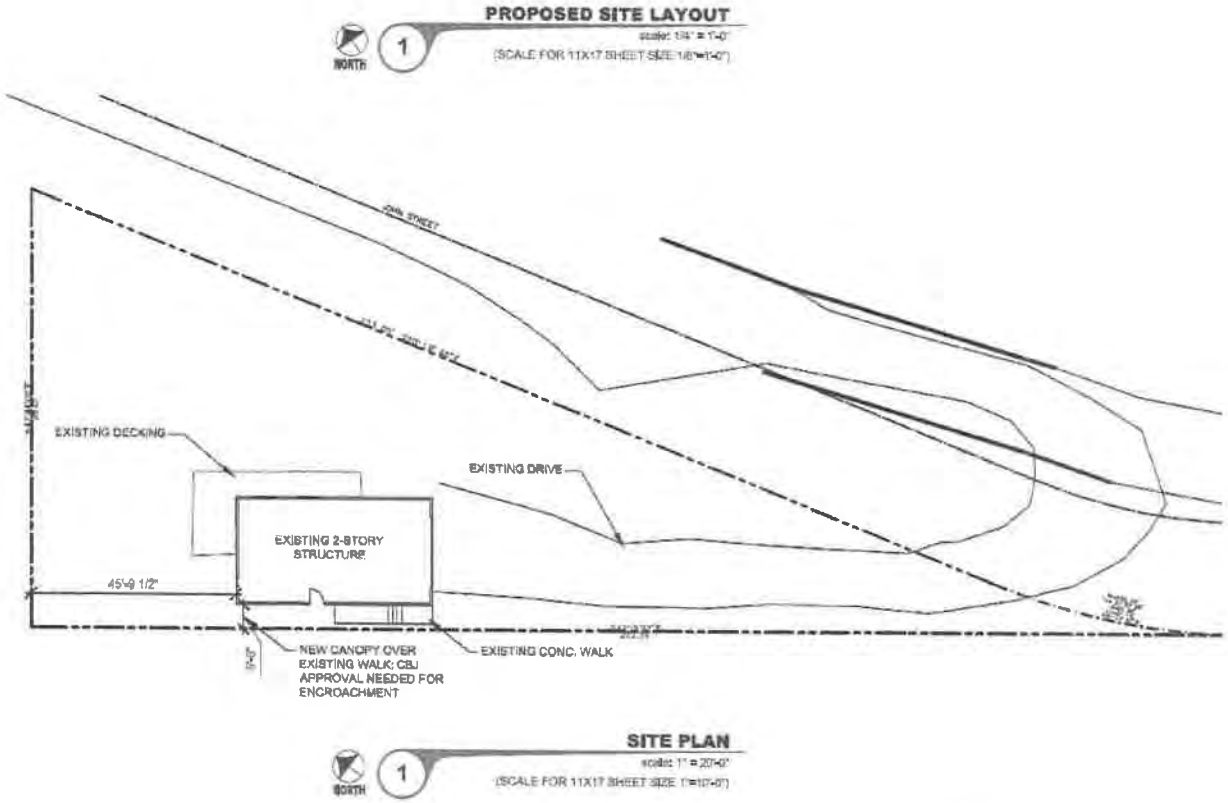
How the proposed use complies with the Comprehensive Plan:

- from Chapter 4, Housing Element, page 31: *"Juneau's population is aging. Many older homeowners own their home outright and wish to age in place. These homes may need changes to adapt them to the requirements of the aging population."*
- From Policy 4.1, Implementing Actions 4.1-IA7, page 37: *"Facilitate the provision of special needs and adaptive housing and supportive services in residential neighborhoods that are readily accessible to public transit, shopping, public amenities and supportive services."*

Schrader Site Plan 2611 John Street, showing extent of steep terrain



Schrader Site Plan Case number: PAC2022 OTC Property address: 2611 John Street

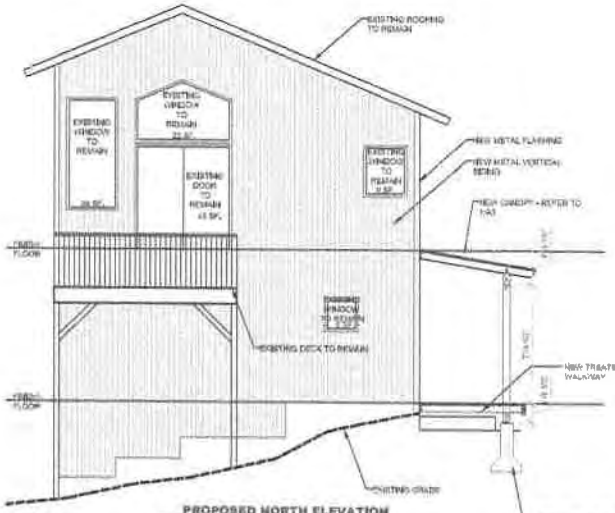


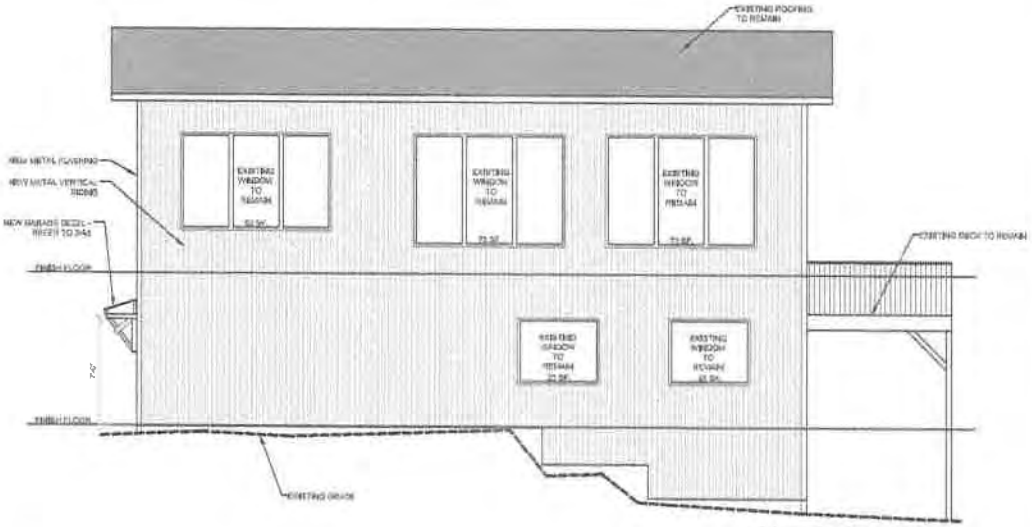
DATE: MARCH 25, 2021

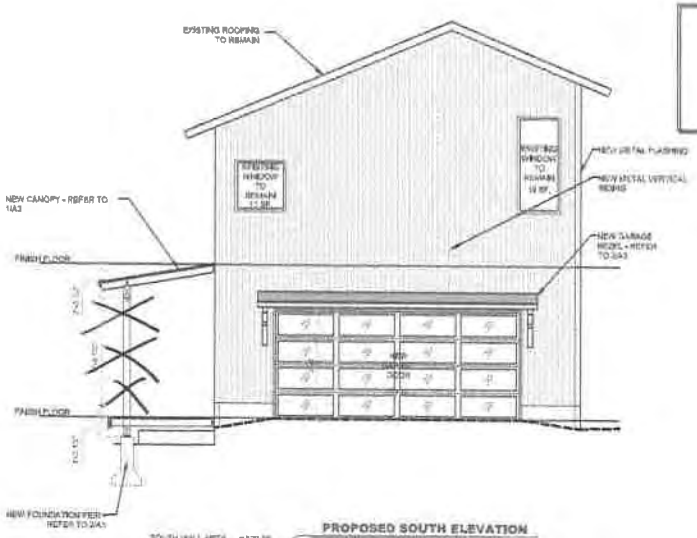
SCHRADER RESIDENCE

2611 John Street
Juneau, AK

richconneen
Architects PLLC
1823 Dennis Drive
Tyler, TX 75701
T: (907) 723 - 3190
E: rich@richconneen.com



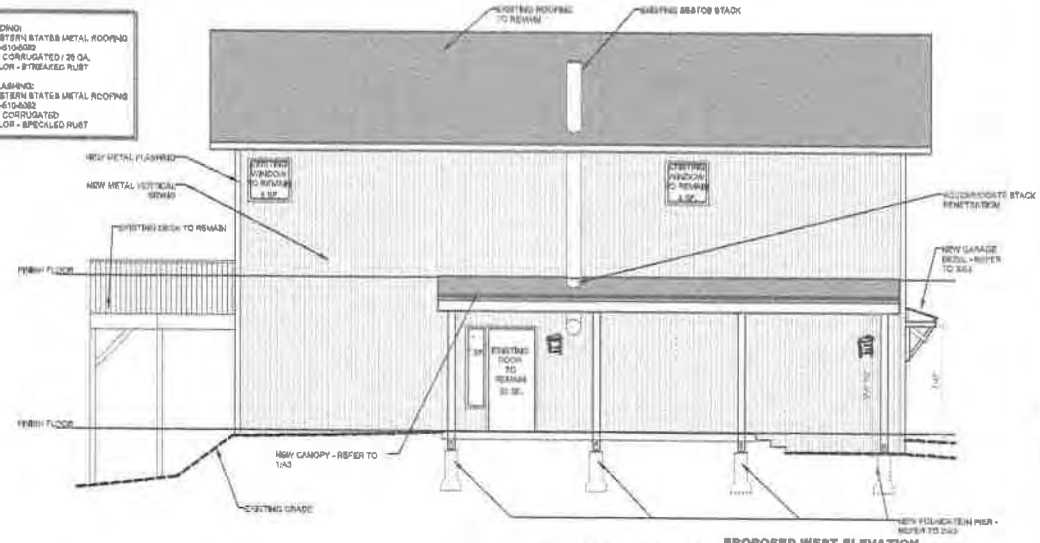




METAL SIDING:
- WESTERN STATES METAL ROOFING
- 803-6104-0002
- 7/8" CORRUGATED / 26 GA.
- COLOR - STREAKED RUST

METAL FLASHING:
- WESTERN STATES METAL ROOFING
- 803-6104-0002
- 7/8" CORRUGATED
- COLOR - SPECKLED RUST

NOTE:
CONTRACTOR TO VERIFY ALL AREAS AND DIMENSIONS

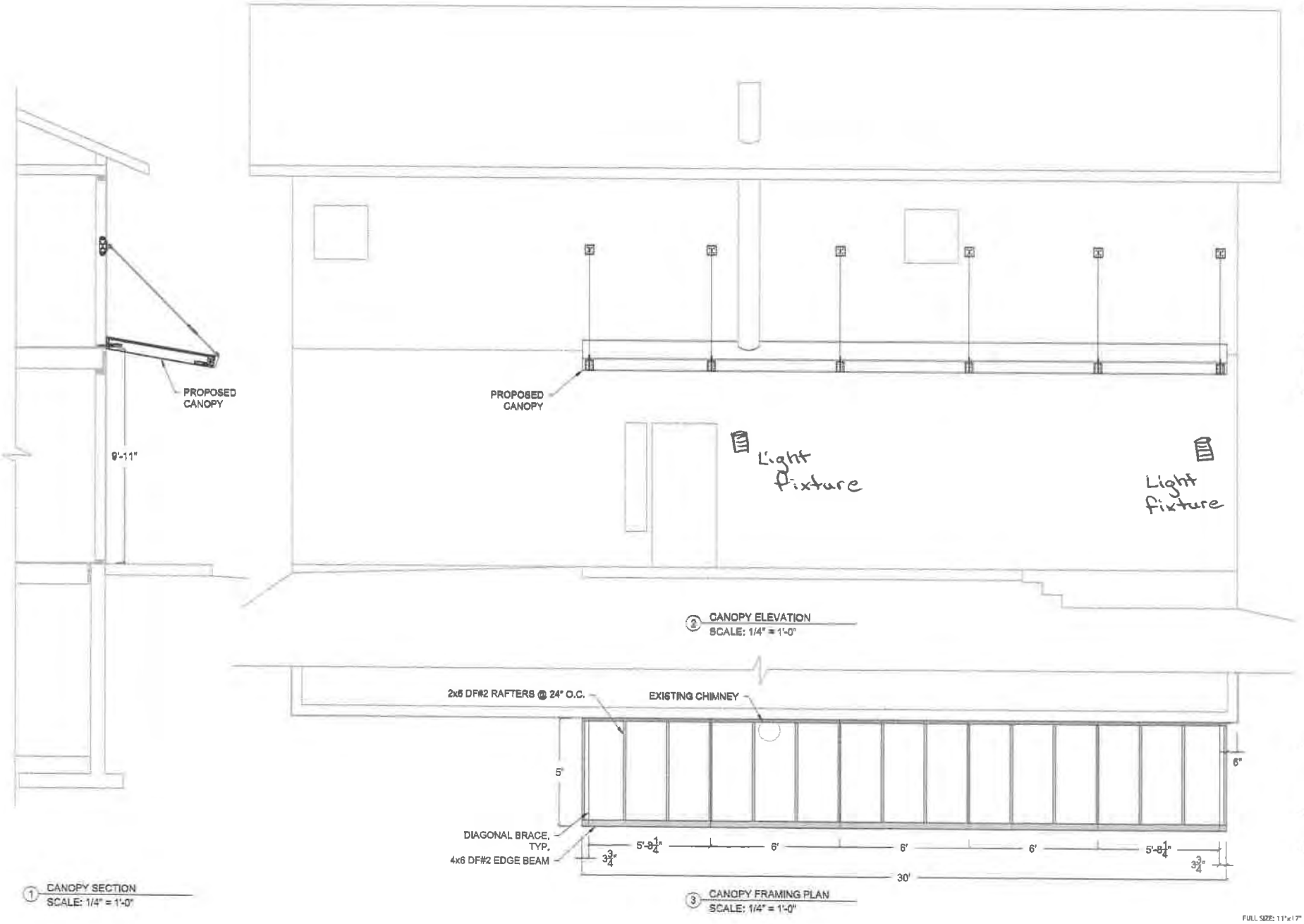


richconneen
Architects PLLC

SCHRADE
RESIDENC
2611 John Stree
Juneau, AK

A-

Attachment A - Application Packet



STATE OF ALASKA 49TH
JOHN A. GRAVES
8-26-2021

TIMBERLINE ENGINEERING LLC

JUNEAU, ALASKA
907-635-1433
JAGRAVES77@GMAIL.COM

1" ACTUAL

SCHRADER CANOPY

2611 JOHN STREET
JUNEAU, AK

SHEET TITLE:
CANOPY LAYOUT

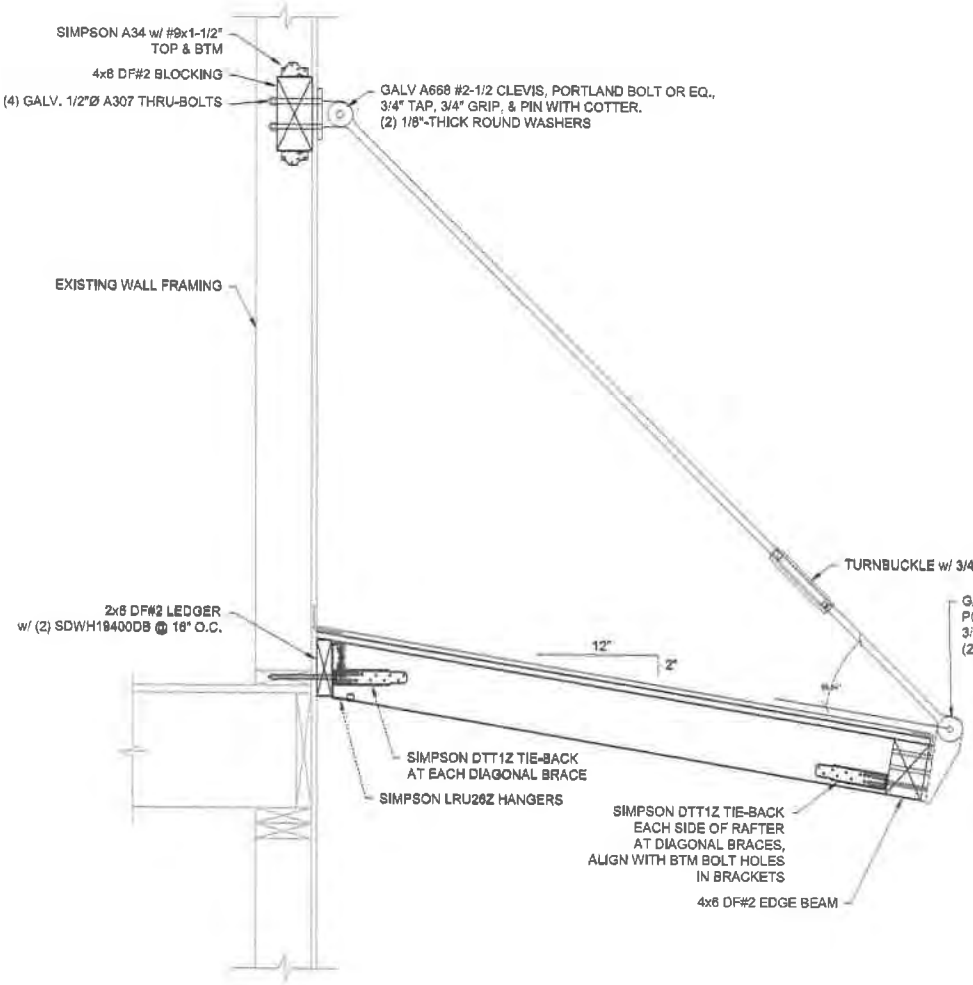
DRAWN JG

SHEET #
S1

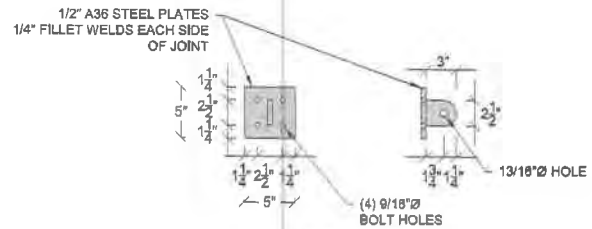
SCALE AS NOTED
DATE 8/26/2021

FULL SIZE: 11"x17"

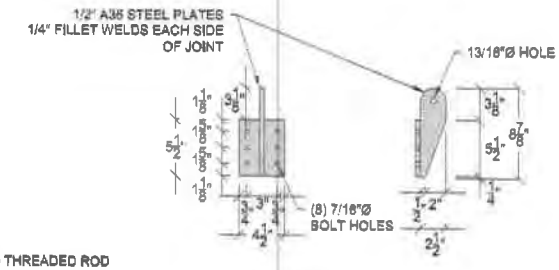
Attachment A - Application Packet



1 CANOPY SECTION
SCALE: 1" = 1'-0"



TOP BRACKET



BTM BRACKET

GENERAL NOTES:

1. THE PLANS AND SPECIFICATIONS ARE A GUIDE ONLY AND DO NOT DEPICT OR CALL OUT EVERY COMPONENT NECESSARY FOR COMPLETION OF THE PROJECT.
2. ENGINEER'S OBLIGATION AND/OR LIABILITY FOR ERRORS OR OMISSIONS SHALL BE LIMITED TO REDESIGNING AND REDRAWING THESE DRAWINGS TO CORRECT THE SITUATION.
3. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THAT ALL DIMENSIONS ARE EQUIVALENT ON STRUCTURAL AND ARCHITECTURAL DRAWINGS. ANY DISCREPANCIES SHALL IMMEDIATELY BE BROUGHT TO THE ATTENTION OF THE ARCHITECT AND ENGINEER FOR RESOLUTION PRIOR TO CONSTRUCTION.
4. THE CONTRACTOR IS RESPONSIBLE TO IDENTIFY ANY CONFLICTS THAT DO NOT ALLOW THE STRUCTURE TO BE CONSTRUCTED AS PER PLANS.
5. AT EACH PHASE OF WORK, THE CONTRACTOR SHALL VERIFY ALL RELEVANT ELEVATIONS, DIMENSIONS, MEMBER SIZES, CONNECTIONS, AND CONDITIONS PRIOR TO ORDERING ANY MATERIALS OR COMMENCING ANY WORK.
6. IT IS THE CONTRACTOR'S RESPONSIBILITY TO PROVIDE ADEQUATE SHORING, BRACING, FORMWORK, ETC., AS REQUIRED FOR THE PROTECTION OF LIFE AND PROPERTY DURING CONSTRUCTION.
7. STRUCTURAL OBSERVATION OR FIELD INSPECTION IS NOT THE RESPONSIBILITY OF TIMBERLINE ENGINEERING LLC.

STRUCTURAL STEEL NOTES:

1. ALL STEEL SHALL BE HOT-DIP GALVANIZED, G120 MINIMUM THICKNESS. ALL STEEL FABRICATION SHALL BE COMPLETED PRIOR TO HOT-DIP GALVANIZING.
2. BOLTS SHALL BE GALVANIZED ASTM A307, SNUG TIGHT.
3. STRUCTURAL STEEL CONNECTIONS TO BE SHOP WELDED AND FIELD BOLTED UNLESS OTHERWISE NOTED.
4. WELDS SHALL BE MADE IN ACCORDANCE WITH THE LATEST ADDITION OF THE AWS STRUCTURAL WELDING COD. ELECTRODES SHALL BE E7018. FLUX-CORED WIRE SHALL BE E71T-8.
5. ALL WELDING SHALL BE BY CERTIFIED WELDERS PER THE AWS FOR THE ROD AND POSITION USED. ALL STEEL FABRICATION SHALL BE PERFORMED BY AN AISC CERTIFIED SHOP OR SHALL BE INDEPENDENTLY SPECIAL INSPECTED TO MEET AISC REQUIREMENTS.

FULL SIZE: 11"x17"

STATE OF ALASKA 249TH
8-26-2021

TIMBERLINE ENGINEERING LLC

JUNEAU, ALASKA
907-635-1433
JAGRAVES77@GMAIL.COM

1" ACTUAL

SCHRADER CANOPY

2611 JOHN STREET
JUNEAU, AK

SHEET TITLE:
CANOPY DETAILS

DRAWN JG

SHEET # S2

SCALE AS NOTED

DATE 8/26/2021

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

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

Schrader Awning

Case Number: PAC2022 OTC

Applicant: Seth Koch, Peak Construction

Property Owner: George Schrader, Susan Schrader

Property Address: 2611 John Street

Parcel Code Number: 1D050L130010

Site Size: 11,943 Square Feet

Zoning: D18

Existing Land Use: Single Family Structure

Conference Date:	February 9, 2022, Over-the-phone (OTP)
Report Issued:	February 9, 2022

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
Seth Koch, Peak Construction	Applicant	seth@peakconstruction-inc.com
Irene Gallion	Planning	Irene.Gallion@juneau.org

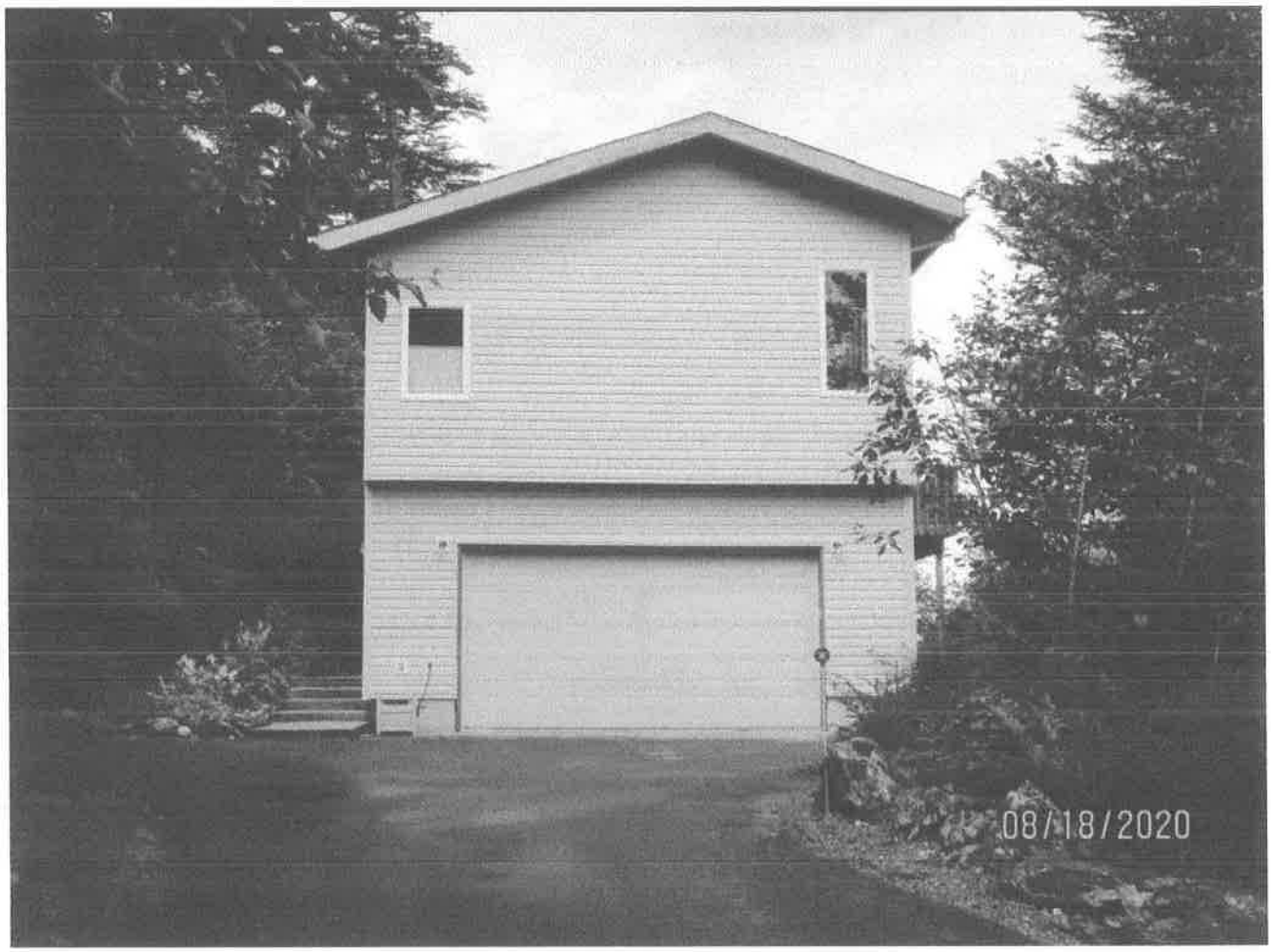
Conference Summary

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

(Provide a brief description of the proposed project. *Note to Planners: be aware if there have been any previous PACs for this customer or site.*)

The Applicant represents property owners who would like to build an awning over an existing walkway. The four-foot-wide walkway is built in the side yard setback, and extends toward the front lot line. The walkway is allowable under 49.25.430(4)(C)(i) since there is no supporting structures.



The proposed awning would be located in the side yard setback, and place structures closer than three feet from the side (south) lot line.

Under 49.25.430(4)(N): *The commission, through the conditional use permit process, may allow structural projections into required side or rear yard setbacks if the affected yard adjoins publicly owned land which has been placed in a park, open space, or similarly restrictive land management classification; provided such*

projections are minimized and are necessary to prevent substantial hardship to the applicant. The commission may deny such requests if it finds that the structure, with the addition, would result in excessive blockage of views, excessive restriction of light and air, or other deleterious impacts.

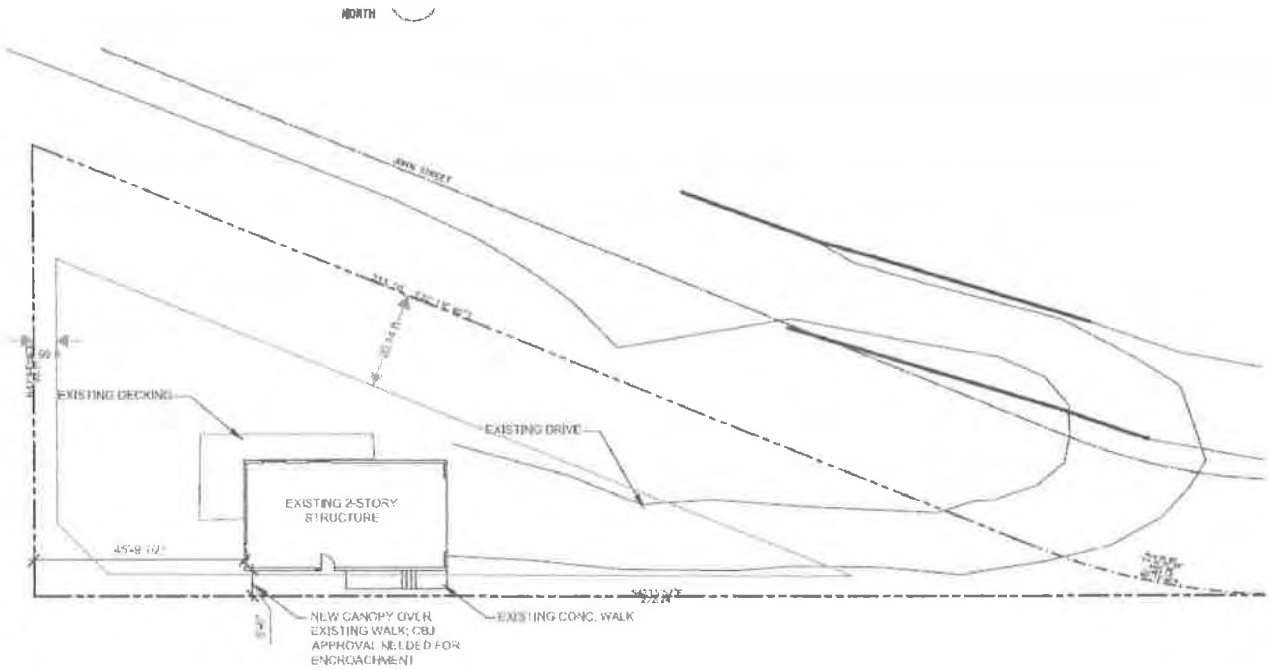
- The city land south of the lot is listed as "retain/dispose" in the land use plan. While not a restricted land management classification, the Lands Manager would not oppose the proposed awning.
- The awning is the minimum to cover the walkway.
- "Hardship" to the applicant means they cannot use the land in a way their neighbors could. In this case, lot shape and topography required the single family structure to be placed five feet from the south (side) lot line. The land owners are elderly and making improvements to remain in place. Other neighbors did not have the same terrain considerations in placement of their home.
- The awning would not block or restrict light and air, and does not appear to have other deleterious impacts.

RISKS:

- Commission involvement
- Land classification – "dispose" may make them think it should be purchased.
- "Hardship" – might be a stretch.

Planning Division

1. **Zoning** – D18
2. **Setbacks** –
    a. **Front**: 20'
    b. **Side**: 5'
    c. **Rear**: 20' – The south lot line abuts D5, so the larger rear setback is used. Due to triangular lot shape, rear setback is measured from lot's west corner. Eaves may project a max. of 20" into side setback. Standard setbacks apply to 2nd story decks. Setbacks apply to deck's outer edge.



3. **Height** –
    a. **Permissible uses**: 35' maximum
    b. **Accessory uses**: 25' maximum
    c. The structure is a two story single family residence. Architectural plans show a 24 foot height.
4. **Access** – John Street.
5. **Parking & Circulation**– The single-family dwelling requires two parking spaces. This requirement is met.
6. **Lot Coverage** – Maximum lot coverage (structures with roofs) in D18 is 50 percent. Current lot coverage is 1,056 square feet, or eight percent. The awning will not exceed lot coverage.
7. **Vegetative Coverage** – Required vegetative cover is 30 percent. A conservative estimate of vegetative cover based on Parcel Viewer is 6,100 square feet, or 54 percent.
8. **Lighting** – Not applicable to this project.
9. **Noise** – Not applicable to this project.
10. **Flood** – The project is not in a Special Flood Hazard Area (Pannel 02110C 1566E).
11. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – This project will not disturb ground. A Hillside Endorsement would be required if slopes of 18 percent were being disturbed or created.
12. **Wetlands** – No fill is proposed as part of this project. If fill were required, a permit from the Army Corps of Engineers would be required to fill wetlands.
13. **Habitat** –Check with the U.S. Fish and Wildlife on the presence of eagle nests in the area. The presence of eagle nests may impact construction scheduling. No anadromous waterbodies are on the subject parcel, or within 50 feet.
14. **Plat Restrictions** – None identified.

15. **Traffic** – This project will not impact traffic patterns.
16. **Nonconforming situations** – No nonconforming conditions were evident during this review.

Building Division

17. **Building** – No comments at this time.
18. **Outstanding Permits** – BLD2021 0739, for the awning. Note that a conditional use permit is the last item required before the building permit can be issued.

General Engineering/Public Works

19. **Engineering** – Not applicable at this time.
20. **Drainage** – Not applicable at this time.
21. **Utilities** – Not applicable at this time.

Fire Marshal

22. **Fire Items/Access** – Not applicable at this time.

Other Applicable Agency Review

23. CBJ's Lands Manager was consulted on this project. He said they will not oppose this request in concept.

List of required applications

Based upon the information submitted for pre-application review, the following list of applications must be submitted in order for the project to receive a thorough and speedy review.

1. Development Permit Application: https://juneau.org/index.php?gf-download=2019%2F12%2FDPA.pdf&form-id=22&field-id=11&hash=81202ef96484e0b859d1c4855a6b7ae4b18cb229e8824059dbb0d96082e74d6d
2. Conditional Use Permit Application: https://juneau.org/index.php?gf-download=2019%2F07%2FUSE-Allowable-Conditional-Use.pdf&form-id=22&field-id=11&hash=1f4082f939f72daa29a17b66188d1bf0f634352cc2ca2397485edbab5a3d366d

Additional Submittal Requirements

Submittal of additional information, given the specifics of the development proposal and site, are listed below. These items will be required in order for the application to be determined Counter Complete.

1. A copy of this pre-application conference report.
2. Site plan and project information. Building permit documents would meet this requirement.

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. None.

Fee Estimates

The preliminary plan review fees listed below can be found in the CBJ code section 49.85.

Based upon the project plan submitted for pre-application review, staff has attempted to provide an accurate estimate for the permits and permit fees which will be triggered by your proposal.

1. Conditional Use Permit: $350
2. Public Notice Sign: $150, with $100 refundable if the sign is returned by the Monday following the Planning Commission meeting.

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

Submit your Completed Application

You may submit your application(s) online via email to permits@juneau.org
OR in person with payment made to:

City & Borough of Juneau, Permit Center
230 South Franklin Street
Fourth Floor Marine View Center
Juneau, AK 99801

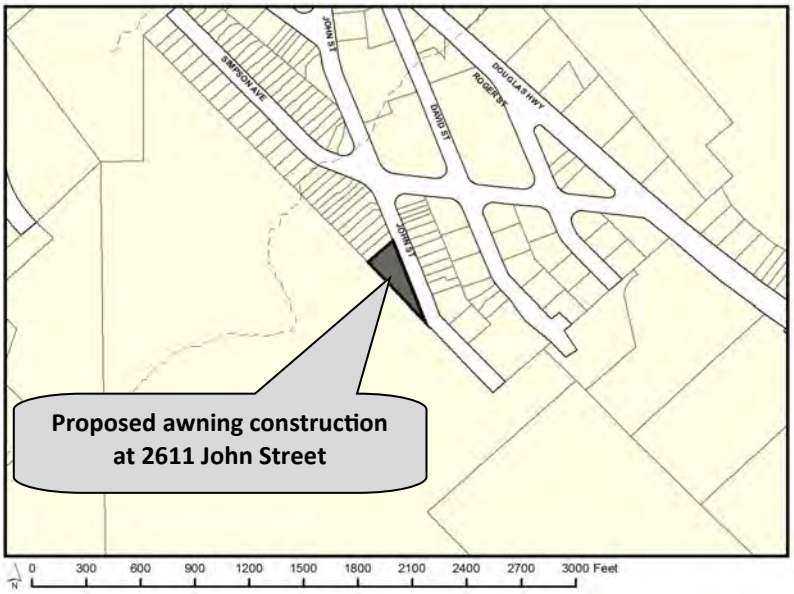
Phone: (907) 586-0715
Web: www.juneau.org/community-development

Attachments:
49.15.330 –Conditional Use Permit

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission

Your Community, Your Voice



CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT
155 S. Seward Street Juneau, Alaska 99801

TO:

An application has been submitted for consideration and public hearing by the Planning Commission for **a Conditional Use Permit for construction of an awning in a required side yard setback** at **2611 John Street** in a **D18 zone**.

TIMELINE

Staff Report expected to be posted **April 18, 2022,** at **https://juneau.org/community-development/planning-commission.** Find hearing results, meeting minutes and more here as well.

Now through Apr. 4

Comments received during this period will be sent to the Planner, **Adrienne Scott,** to be included as an attachment in the staff

Apr. 5 noon, Apr. 22

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

HEARING DATE & TIME: 7:00 pm, Apr. 26 2022

This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting https://juneau.zoom.us/j/87889807666 and use the Webinar ID: 878 8980 7666 OR join by telephone, calling: 1-253-215-8782 and enter the Webinar ID (above).

You may also participate in person in City Hall Assembly Chambers, 155 S. Seward Street, Juneau, Alaska.*

Apr. 27

The results of the hearing will be posted online.

FOR DETAILS OR QUESTIONS,

Phone: **(907)586-0753 ext. 4208** ◆
Email: **pc_comments@juneau.org**
Mail: **Community Development, 155 S. Seward St, Juneau AK 99801**

Printed March 25, 2022

**Please note that under current Covid-19 Mitigation strategies, Chambers has a limit of 50 people total, including commissioners and staff. Overflow standing room is provided in the lobby of City Hall.*

Case No.: USE2022 0004

Parcel No.: 1D050L130010

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

Attachment B - Abutters Notice and Public Notice Sign Photo

From: Dan Bleidorn
To: Adrienne Scott
Cc: Roxie Duckworth
Subject: RE: Conditional Use permit request for comment
Date: Thursday, March 31, 2022 10:50:12 AM

Hello Adrienne,
The City owns the property adjacent to this lot. It looks like they are going to be cutting it close to the property line.
I want to make sure that 100% of the work will stay on the applicant's property. For example, they aren't going to complete any slope work or grading on CBJ property and they aren't going to cut any CBJ trees without permission and they won't otherwise claim any property across the property line.
Thanks,
Dan

From: Adrienne Scott
Sent: Wednesday, March 30, 2022 3:12 PM
To: General Engineering ; Dan Jager ; Dan Bleidorn ; Roxie Duckworth ; Charlie Ford
Subject: Conditional Use permit request for comment
Good afternoon,
See attached application for a Conditional use Permit. Please let me know if you have any questions and send me your comments by April 15.
Thanks,
Adrienne

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

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

COMMUNITY DEVELOPMENT DEPARTMENT - REQUEST FOR AGENCY COMMENT

DEPARTMENT:	FIRE
STAFF PERSON/TITLE:	Daniel Jager, Fire Marshal
DATE:	March 30, 3033
APPLICANT:	George Schrader and Susan Schrader
TYPE OF APPLICATION:	Conditional Use Permit

PROJECT DESCRIPTION:

Construction of an awning in a required side yard setback. CBJ 49.25.430(4)(N) allows structural projections into required side or rear yard setbacks if the affected yard adjoins publicly owned land which has been placed in a park, open space, or similarly restrictive land management classification; provided such projections are minimized and are necessary to prevent substantial hardship to the applicant.

LEGAL DESCRIPTION:	Belleview BL H LT 1
PARCEL NUMBER(S):	1D050L130010
PHYSICAL ADDRESS:	2611 John Street

SPECIFIC QUESTIONS FROM PLANNER:

AGENCY COMMENTS:

No fire code or fire department issues with this project.

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

COMMUNITY DEVELOPMENT DEPARTMENT - REQUEST FOR AGENCY COMMENT

DEPARTMENT: CDD/Buildings

STAFF PERSON/TITLE: Charlie Ford

DATE: 3/30/2022

APPLICANT: George Schrader and Susan Schrader

TYPE OF APPLICATION: Conditional Use Permit

PROJECT DESCRIPTION:

Construction of an awning in a required side yard setback. CBJ 49.25.430(4)(N) allows structural projections into required side or rear yard setbacks if the affected yard adjoins publicly owned land which has been placed in a park, open space, or similarly restrictive land management classification; provided such projections are minimized and are necessary to prevent substantial hardship to the applicant.

LEGAL DESCRIPTION: Belleview BL H LT 1

PARCEL NUMBER(S): 1D050L130010

PHYSICAL ADDRESS: 2611 John Street

SPECIFIC QUESTIONS FROM PLANNER:

AGENCY COMMENTS:

Buildings has no issues with this project.
Thank you.

From: Pat Davidson <pkdavidson2011@gmail.com>
Sent: Wednesday, March 30, 2022 10:48 AM
To: PC_Comments
Subject: Case USE2022 0004

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

Re Case USE 2022 0004

Hello

I wanted to say that I support the approval of a conditional use permit to allow my neighbors to move forward with their awning project.

Pat Davidson
2628 John St.

Sent from my iPad

City & Borough of Juneau
Alaska's Capital City

Application Date: **November 10, 2021**

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: **BLD20210739**

Case Description: Addition of an awning to cover the sidewalk between the entrance and front of the home

Site Address: **2611 JOHN ST**

Parcel No: 1D050L130010

Legal Description: BELLEVIEW BL H LT 1

Check No. of Existing Dwelling Units: 1

No. of New Dwelling Units: 0

No. of Removed Dwelling Units: 0

Applicant : **PEAK CONSTRUCTION**
PO BOX 238
GUSTAVUS AK 99026

e-mail: seth@peakconstruction-inc.com

PRI 321-7792

Owner: **GEORGE C SCHRADER**
SUSAN E SCHRADER
PO BOX 240325
DOUGLAS AK 99824

PH: _____ FAX _____

Contractor: PEAK CONSTRUCTION
PO BOX 238
GUSTAVUS AK 99026

Valuation for Permit Fee Calculations:

S.F.	Type	Rate	Amount
			15,000.00
	Total Valuation:		$15,000.00

Associated Cases:

None.

Parcel Tags:

USE1999-00055, to allow a driveway in the John Street r-o-w in the Belleview Subdivision, required all parcels on the John Street r-o-w have the associated conditions of the driveway in the r-o-w be recorded. Recording was done 3-16-2000 on Book 536 Page171-172 for Lot 1, Block H; Book 536 Page173-174 for Lot 8D, Block G; Book 536 Page175-176 for Lot 9, Block G; Book 536 Page177-178 for Lot 10, Block G; Book 536 Page179-180 for Lot 11, Block G; and Book 536 Page181-182 for Lot 2A, Block H.

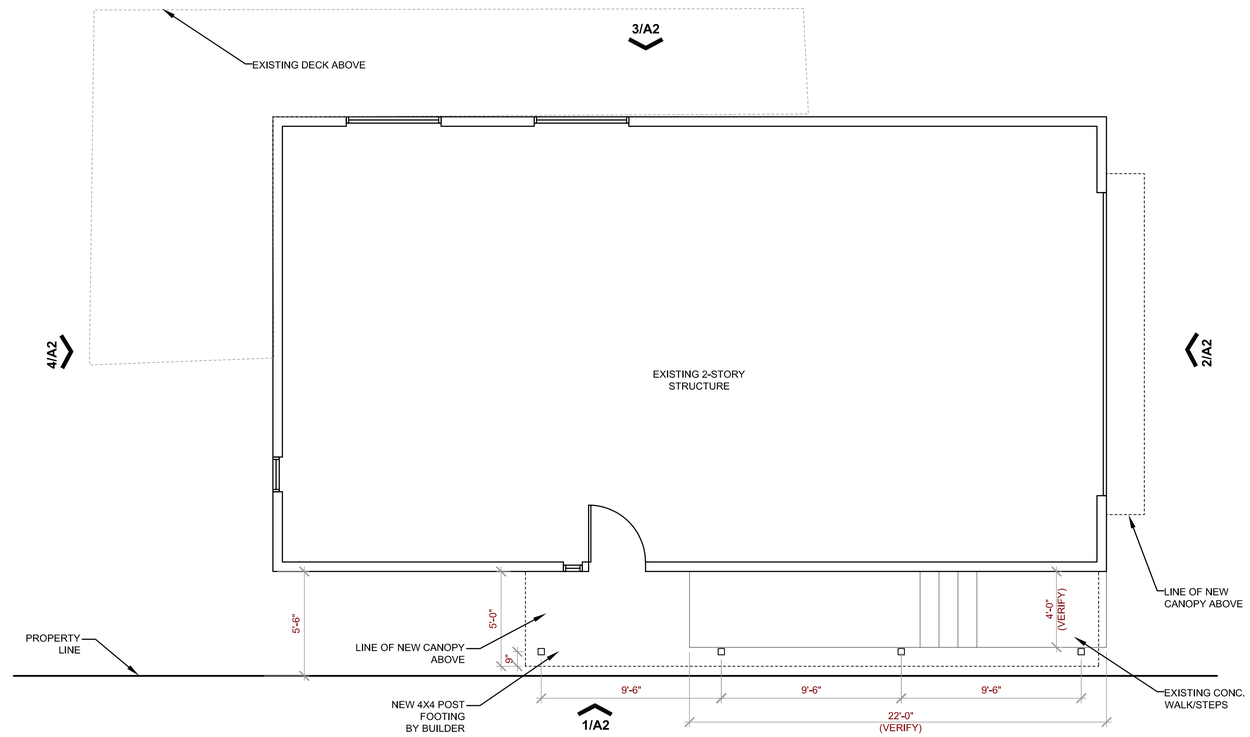
Notes and Conditions:

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

Date

Staff Acceptance

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

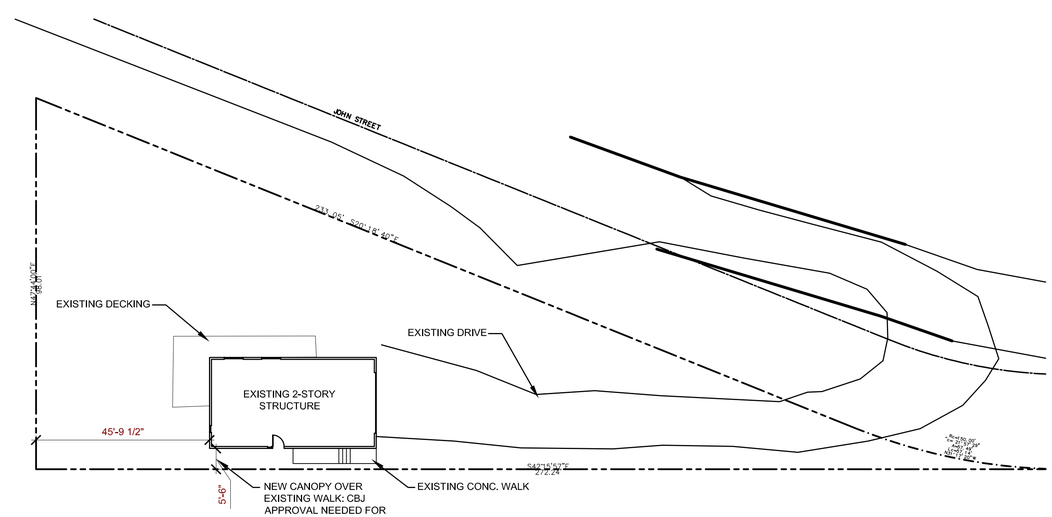


PROPOSED SITE LAYOUT

NORTH 1

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

(SCALE FOR 11X17 SHEET SIZE 1/8"=1'-0")



SITE PLAN

NORTH 1

scale: 1" = 20'-0"

(SCALE FOR 11X17 SHEET SIZE 1"=10'-0")

PERMIT SET: MARCH 25TH , 2021

ARCHITECTURAL NOTES:

CODE REQUIREMENTS:
ALL DESIGN AND CONSTRUCTION SHALL CONFORM TO THE INTERNATIONAL BUILDING CODE, 2015 EDITION, AND ALL APPLICABLE MECHANICAL, ELECTRICAL AND FIRE CODES, AND ALL OTHER CODES AND REGULATIONS ADOPTED BY THE CITY OF JUNEAU.

GENERAL:
IT SHALL BE THE CONTRACTOR'S SOLE RESPONSIBILITY TO DESIGN AND PROVIDE ADEQUATE SHORING, BRACING, AND FORMWORK, ETC., AS REQUIRED FOR THE PROTECTION OF LIFE & PROPERTY DURING CONSTRUCTION.

IT SHALL BE THE CONTRACTOR'S SOLE RESPONSIBILITY: TO VERIFY ALL DIMENSIONS AND FIELD CONDITIONS BEFORE PROCEEDING AND NOTIFY THE A/E OF ANY DISCREPANCIES. NOTIFY THE LOCAL BUILDING OFFICIAL AT CONSTRUCTION STAGES REQUIRING INSPECTION AND OBTAIN NECESSARY APPROVAL PRIOR TO COMMENCEMENT OR CONTINUATION OF THE WORK. TAKE ALL REASONABLE PRECAUTION FOR THE SAFETY OF, AND PROVIDE ALL REASONABLE PROTECTION TO PREVENT DAMAGE, INJURY OR LOSS TO:

1. EMPLOYEES AND ALL OTHER AFFECTED PERSONS.
2. ALL WORK, MATERIALS, AND EQUIPMENT.
3. OTHER PROPERTY AT THE SITE OR ADJACENT.

OBTAIN APPROVAL FROM ARCHITECT AND OWNER FOR PROPOSED FIELD CHANGES PRIOR TO CONSTRUCTION OF MODIFICATION.

DIMENSIONS:
DIMENSIONS SHALL BE TO FACE OF FRAMING OR FACE OF CONCRETE UNLESS OTHERWISE INDICATED. WRITTEN DIMENSIONS TAKE PRECEDENCE OVERDRAWING SCALE. DO NOT SCALE DRAWINGS.

COPYRIGHT:
THESE DRAWINGS ARE THE PROPERTY OF THE DESIGN FIRMS WHO PRODUCED THEM. THESE DRAWINGS ARE FOR USE ON THE SCHRADER HOME ONLY. THEY ARE NOT TO BE REUSED IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF RICH CONNEEN ARCHITECTS LLC. ANY USE OR RE-USE OF ALTERED CAD FILES OR CADD ADAPTION, FOR ANY OTHER PURPOSE THAN THAT INTENDED WITHOUT WRITTEN PERMISSION AND VERIFICATION BY RICH CONNEEN ARCHITECTS LLC WILL BE AT THE OWNERS RISK AND FULL LEGAL RESPONSIBILITY. FURTHERMORE THE OWNER WILL, TO THE FURTHEST EXTENT PERMITTED BY LAW, INDEMNIFY AND HOLD THE CONSULTANT HARMLESS FOR ANY CLAIMS, SUITS, LIABILITY, DEMANDS, OR COST ARISING FROM THE ADAPTATION. THE OWNER SHALL BE HELD TO COMPENSATE THE CONSULTANT AT HIS CURRENT BILLING RATE.

IMPORTANT:
THESE PLANS AND SPECIFICATIONS ARE TO BE CONSIDERED ONLY AS A GUIDE, AND THEY DO NOT ATTEMPT TO DEPICT EVERY COMPONENT NECESSARY FOR THE COMPLETION OF THE PROJECT. ALL ARCHITECTURAL AND ENGINEERING WORK, COMPONENTS, SYSTEMS, AND OTHER MANUFACTURED ITEMS AND EQUIPMENT SHALL BE INSTALLED ACCORDING TO MANUFACTURERS SPECS. BEFORE CONSTRUCTION BEGINS, A BUILDING PERMIT IS APPLIED FOR, OR MATERIALS ARE ORDERED, THE BUILDING CONTRACTOR DESIGNATED BY THE OWNER, SHALL REVIEW THE CONSTRUCTION DOCUMENTS WITH THE DESIGNERS. THE DESIGNER'S LIABILITY DUE TO ERRORS OR OMISSIONS CONTAINED WITHIN THESE DRAWINGS SHALL BE LIMITED TO THE REDRAWING OR REDESIGNING OF THE PLAN TO CORRECT THE SITUATION.

DATE: MARCH 25, 2021

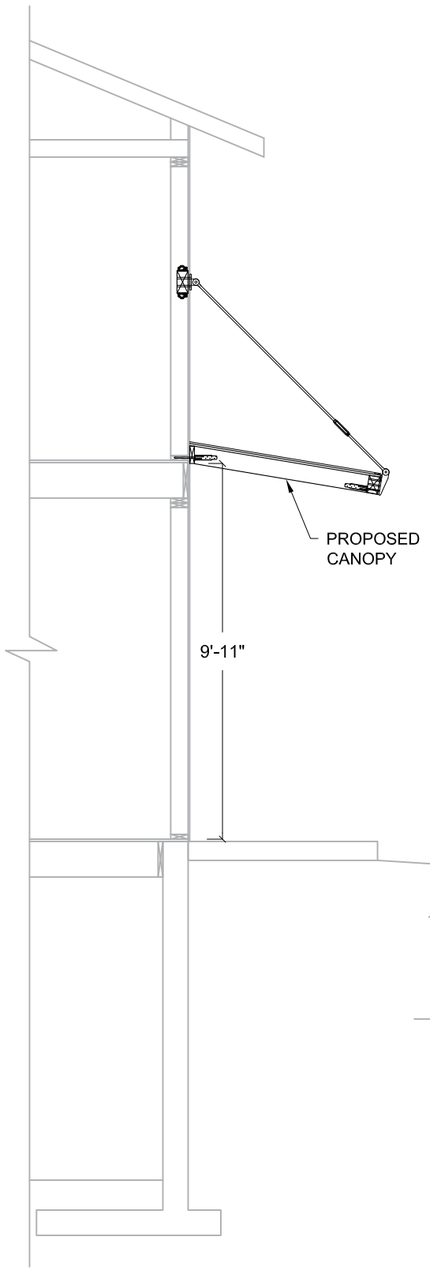
SCHRADER RESIDENCE

2611 John Street
Juneau, AK

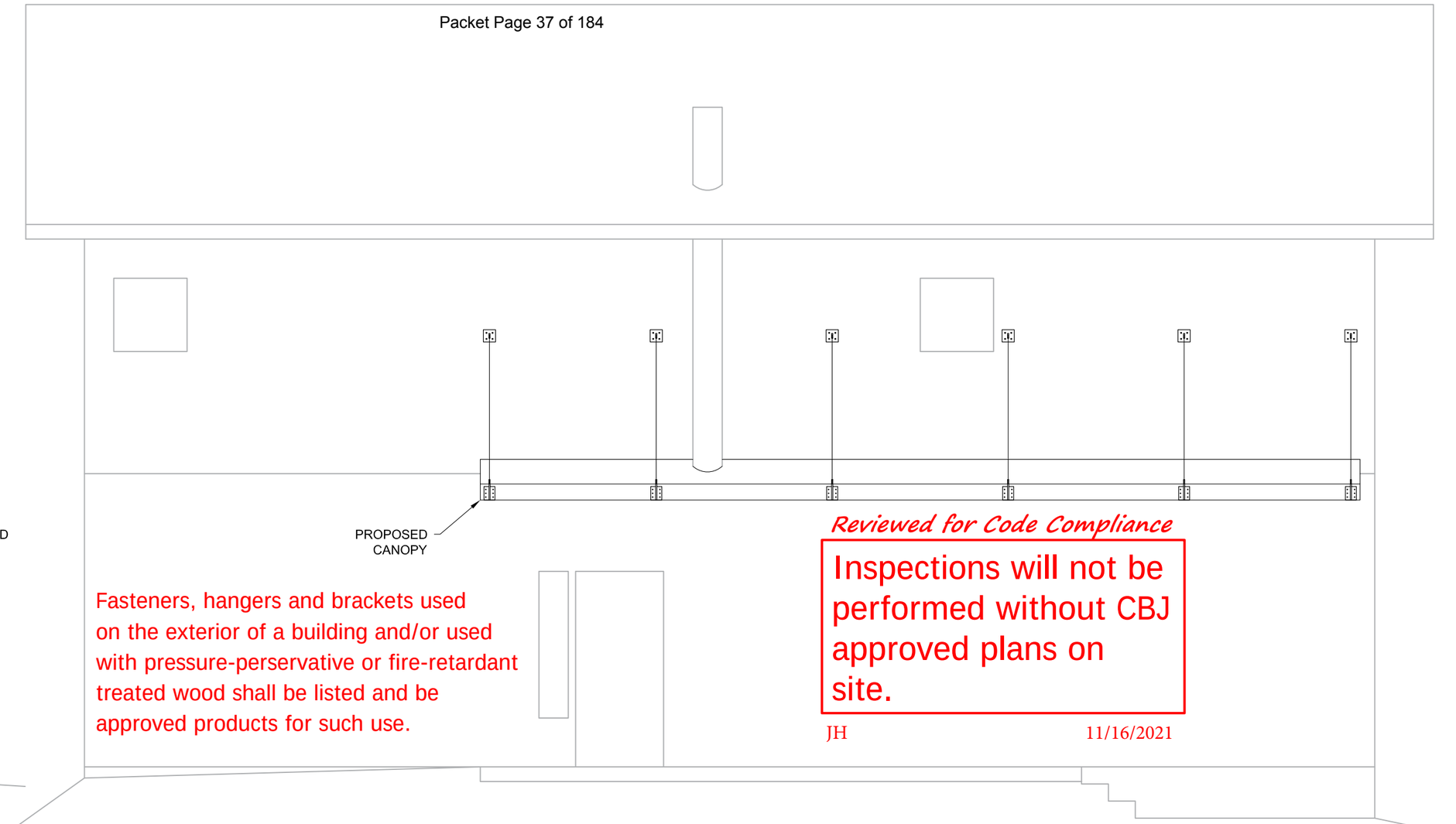
richconneen
Architects PLLC

1623 Dennis Drive
Tyler, TX 75701

T: (907) 723 - 3190
E: rich@richconneen.com



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



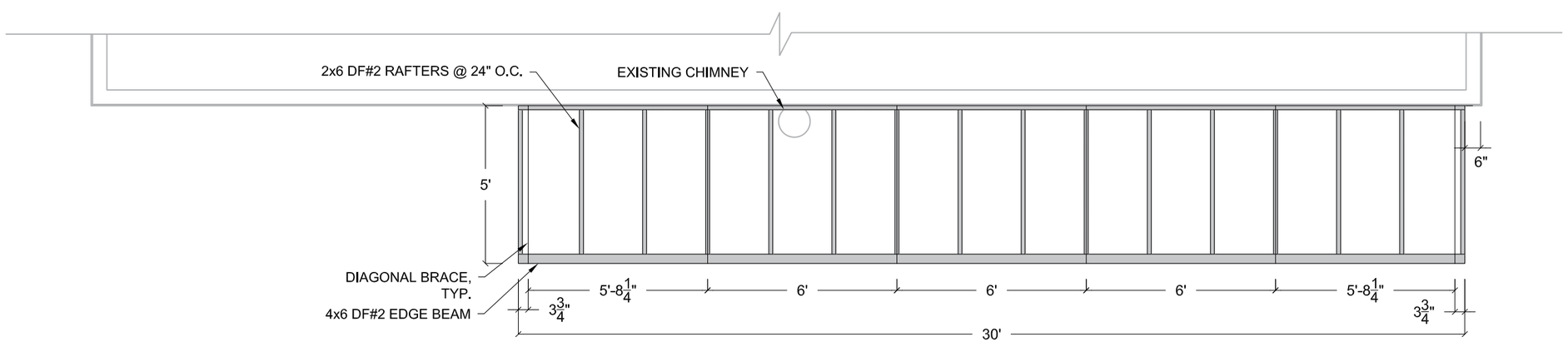
Fasteners, hangers and brackets used on the exterior of a building and/or used with pressure-perservative or fire-retardant treated wood shall be listed and be approved products for such use.

Reviewed for Code Compliance

Inspections will not be performed without CBJ approved plans on site.

JH 11/16/2021

2 CANOPY ELEVATION
SCALE: 1/4" = 1'-0"



3 CANOPY FRAMING PLAN
SCALE: 1/4" = 1'-0"

Attachment E - Building Permit Application

STATE OF ALASKA 49TH
Jacob A. Graves
CE 110473
REGISTERED PROFESSIONAL ENGINEER
8-26-2021

TIMBERLINE ENGINEERING LLC

JUNEAU, ALASKA
907-635-1433
JAGRAVES77@GMAIL.COM

1" ACTUAL

IF THE ABOVE DIMENSION DOES NOT MEASURE ONE INCH (1) EXACTLY, THIS DRAWING WILL HAVE BEEN ENLARGED OR REDUCED, AFFECTING ALL LABELED SCALES.

SCHRADER CANOPY

2611 JOHN STREET
JUNEAU, AK

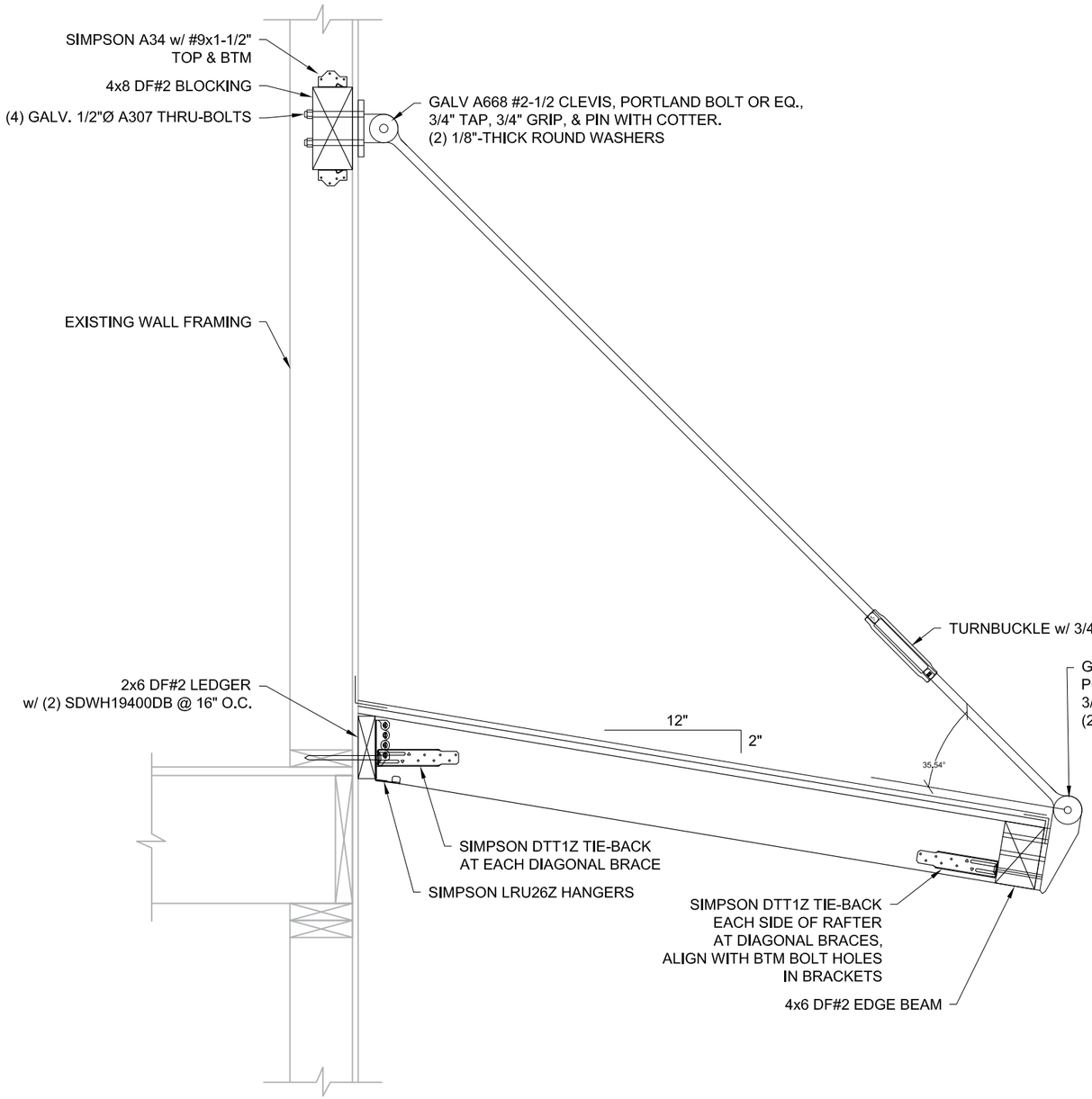
SHEET TITLE:
CANOPY LAYOUT

DRAWN JG

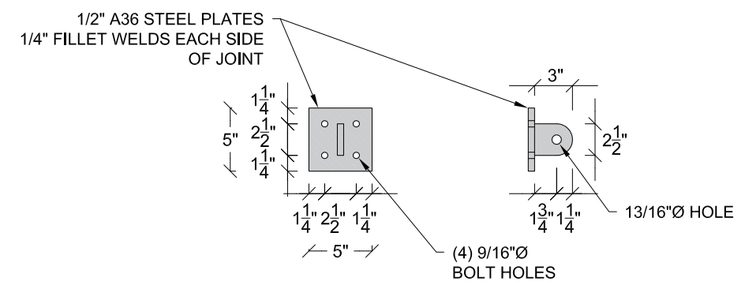
SHEET #
S1

SCALE AS NOTED
DATE 8/26/2021

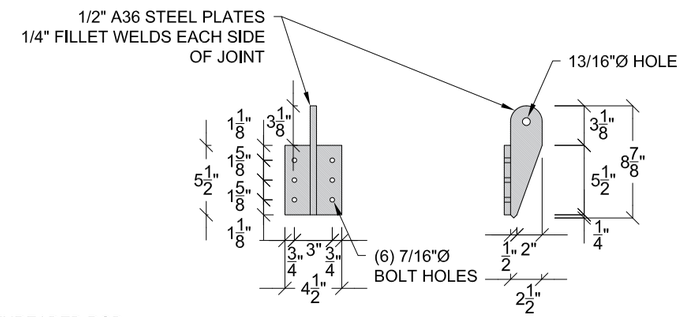
FULL SIZE: 11"x17"



1 CANOPY SECTION
SCALE: 1" = 1'-0"



TOP BRACKET



BTM BRACKET

GENERAL NOTES:

1. THE PLANS AND SPECIFICATIONS ARE A GUIDE ONLY AND DO NOT DEPICT OR CALL OUT EVERY COMPONENT NECESSARY FOR COMPLETION OF THE PROJECT.
2. ENGINEER'S OBLIGATION AND/OR LIABILITY FOR ERRORS OR OMISSIONS SHALL BE LIMITED TO REDESIGNING AND REDRAWING THESE DRAWINGS TO CORRECT THE SITUATION.
3. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THAT ALL DIMENSIONS ARE EQUIVALENT ON STRUCTURAL AND ARCHITECTURAL DRAWINGS. ANY DISCREPANCIES SHALL IMMEDIATELY BE BROUGHT TO THE ATTENTION OF THE ARCHITECT AND ENGINEER FOR RESOLUTION PRIOR TO CONSTRUCTION.
4. THE CONTRACTOR IS RESPONSIBLE TO IDENTIFY ANY CONFLICTS THAT DO NOT ALLOW THE STRUCTURE TO BE CONSTRUCTED AS PER PLANS.
5. AT EACH PHASE OF WORK, THE CONTRACTOR SHALL VERIFY ALL RELEVANT ELEVATIONS, DIMENSIONS, MEMBER SIZES, CONNECTIONS, AND CONDITIONS PRIOR TO ORDERING ANY MATERIALS OR COMMENCING ANY WORK.
6. IT IS THE CONTRACTOR'S RESPONSIBILITY TO PROVIDE ADEQUATE SHORING, BRACING, FORMWORK, ETC., AS REQUIRED FOR THE PROTECTION OF LIFE AND PROPERTY DURING CONSTRUCTION.
7. STRUCTURAL OBSERVATION OR FIELD INSPECTION IS NOT THE RESPONSIBILITY OF TIMBERLINE ENGINEERING LLC.

STRUCTURAL STEEL NOTES:

1. ALL STEEL SHALL BE HOT-DIP GALVANIZED, G120 MINIMUM THICKNESS. ALL STEEL FABRICATION SHALL BE COMPLETED PRIOR TO HOT-DIP GALVANIZING.
2. BOLTS SHALL BE GALVANIZED ASTM A307, SNUG TIGHT.
3. STRUCTURAL STEEL CONNECTIONS TO BE SHOP WELDED AND FIELD BOLTED UNLESS OTHERWISE NOTED.
4. WELDS SHALL BE MADE IN ACCORDANCE WITH THE LATEST ADDITION OF THE AWS STRUCTURAL WELDING COD. ELECTRODES SHALL BE E7018. FLUX-CORED WIRE SHALL BE E71T-8.
5. ALL WELDING SHALL BE BY CERTIFIED WELDERS PER THE AWS FOR THE ROD AND POSITION USED. ALL STEEL FABRICATION SHALL BE PERFORMED BY AN AISC CERTIFIED SHOP OR SHALL BE INDEPENDENTLY SPECIAL INSPECTED TO MEET AISC REQUIREMENTS.

STATE OF ALASKA 49TH
Jacob A. Graves
CE 110473
REGISTERED PROFESSIONAL ENGINEER
8-26-2021

TIMBERLINE ENGINEERING LLC
JUNEAU, ALASKA
907-635-1433
JAGRAVES77@GMAIL.COM

1" ACTUAL

IF THE ABOVE DIMENSION DOES NOT MEASURE ONE INCH (1) EXACTLY, THIS DRAWING WILL HAVE BEEN ENLARGED OR REDUCED, AFFECTING ALL LABELED SCALES.

SCHRADER CANOPY

2611 JOHN STREET
JUNEAU, AK

SHEET TITLE:
CANOPY DETAILS

DRAWN JG

SHEET #
S2

SCALE AS NOTED
DATE 8/26/2021

FULL SIZE: 11"x17"

BUILDING PERMIT

Packet Page 39 of 84

BLD99-00488

PRJ99-00162

COMPLETED

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

Your special attention is called to the following:

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

The granting of this permit does not authorize the violation of any federal, state, or local law regulating construction nor the violation of the terms of any deed or covenant or any zoning or other regulations.

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

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

Inspection can be arranged by telephoning 586-1703 or by written notification. Work shall not proceed until the inspector has approved the various stages of construction. Call before 8:00 AM for same day inspections.

Please provide the following information: Permit No., Address, Type of Inspection, Date and Time and Contact Name and Phone No.

Job Address: **0 JOHN ST** Issued: **7/30/99**

Permit Number: **BLD99-00488** Project: **D & M NEW SFD** Parcel No: **1-D05-0-L13-001-0**

Project Description: **New single family dwelling.**

Subdivision: **BELLEVIEW** Lot# **1** Block# **H**

Zone: **D18** Flood Elevation: Firm Zone: **C**

Setbacks: Front: **E 20** Ft. Side 1: **W 5** Ft.
Rear: **W 20** Ft. Side 2: **W 5** Ft.

Comments: Rear setback is 20' due to adjacent D5. Due to triangular lot shape, rear setback is measured from lot's west corner. Eaves may project a max. of 20" into side setback. Standard setbacks apply to 2nd story decks. Setbacks apply to deck's outer edge.

Owner: **D & M RENTALS**
Address: **PO BOX 32399**
City: **JUNEAU AK 99803**
Phone:

Applicant: **D & M RENTALS**
Address: **PO BOX 32399**
City: **JUNEAU AK 99803**
Phone:

Fee Type	Amount Paid	Receipt	Date
Driveway Inspection Fee	$60.00	3771	7/30/99
Permit Fee	$1,149.60	3771	7/30/99
Residential Plan Review	$574.80	3608	7/1/99
Total Fees Paid:	$1,784.40		

Valuation for Permit Fee Calculations:

Building Permit	DWELL. WOOD FRAM	$174,950.00
Building Permit	GARAGE WOOD FRAME	$14,391.00
Building Permit	DECK	$811.00
	Total Valuation:	$190,152.00

Project Conditions and Holds:

1 - Asbuilt Survey Required before final inspection approval.
2 - Foundation Setback Verification (yellow form) must be on site when pour inspection occurs.
3 - Rear and side property lines to be staked prior to approving footing forms or as-built survey submitted.
4 - Water and sewer permits to be issued separately.
5 - No drivewway work in John St. Right-of-way to be done until Allowable Use permit and Right-of-way permit has been issued.
6 - Rear yard setback is 20 feet due to adjacent D-5 zoning district per CBJ 49.25.400 Note 3. Due to triangular lot shape, rear setback is measured from a radius from a point at rear of property.
7 - Eaves may project a maximum of 20" into 5' setback along side yard per CBJ 49.25.400(4)(A).
8 - Standard setbacks apply to second story decks.
9 - Setbacks are measured from outer most portion of deck.

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

100 - Insp - Setbacks
105 - Foundation Setback form
110 - Insp - Excavation/Footing
115 - Insp - Stemwalls/Form/Rebar
120 - Insp - Temporary Power
140 - Insp - Rough Framing
150 - Insp - Rough Electrical
160 - Insp - Rough Plumbing
170 - Insp - Underslab Utilities
180 - Insp - Vents
190 - Insp - Firewall Separation
210 - Insp - Yellow Tag Electrical

Attachment F - Building Permit

JUNEAU PERMIT CENTER - 230 S. Franklin Street - 4th Floor, Marine View Center - Mail: 155 S. Seward Street, Juneau, AK 99801
Phone: 586-5230 - Fax: 586-3365 - Inspection Requests: 586-1703 - Email: permits@mail.ci.juneau.ak.us

CITY/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

PLANNING COMMISSION
NOTICE OF DECISION

Date: September 15, 1999

File No.: USE99-00055

D&M Rentals, L.L.C.
P.O. Box 32399
Juneau, Alaska 99803

Application For: An Allowable Use permit to construct a driveway to access a new house through approximately 80 feet of the undeveloped John Street right-of-way.

Legal Description: Lot 1, Block H, Belleview

Parcel Code No.: 1-D05-0-L13-001-0

Hearing Date: September 14, 1999

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated September 7, 1999 and approved the Allowable Use permit to construct a driveway to access a new house through approximately 80 feet of the undeveloped John Street right-of-way to be conducted as described in the project description and project drawing submitted with the application and with the following conditions:

1. Prior to issuance of an excavation and grading permit, the applicant must provide a notarized statement agreeing to and acknowledging the following:

(A) That the City and Borough shall not be obligated to provide any maintenance, grading or snow plowing for the access driveway that would not be provided as a matter of course for any other driveway located on private land;

(B) That the applicant and the applicant's heirs, successors, and assigns, will defend, indemnify and hold harmless the City and Borough from any claim or action for any injury, loss or damage suffered by any person arising from the design, maintenance, or use of the access driveway;

(C) That the access driveway will not be blocked from vehicular or pedestrian access by the public;

(D) That the City and Borough will have unimpeded access to the driveway to carry out other responsibilities not associated with subsection (A) above;

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

(E) That the applicant will maintain the access driveway according to the requirements and conditions established by the Director of Engineering in the excavation permit;

(F) That the City and Borough will record a copy of the agreement with the state recorder's office for each lot or parcel of land adjoining the segment of right-of-way in which the access driveway is to be located.

2. Prior to issuance of an excavation and grading permit; a permit fee, inspection fee and performance bond must be provided according to the requirements of the CBJ Engineering department. In addition, the applicant must pay a one-time sign placement fee in an amount to be established by the CBJ Public Works Director.

Attachment: September 14, 1999 memorandum from Greg Chaney, Community Development to the CBJ Planning Commission regarding USE99-00055.

This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ 01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ 01.50.030 (c).

Effective Date: The permit is effective upon approval by the Commission. September 14, 1999

Expiration Date: The permit will expire 18 months after the effective date or March 14, 2001, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days before the permit expires.

Project Planner: Greg Chaney

Greg Chaney, Planner

Johan Dybdahl, Chairman
Planning Commission

Filed With City Clerk

09/21/99

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ-adopted regulations. Owners and designers are responsible for compliance with ADA. Contact an ADA-trained architect or other ADA trained personnel with questions about the ADA: Department of Justice - 202-272-5434, or fax 202-272-5447, NW Disability Business Technical Center - 1-800-949-4232, or fax 360-438-3208.

MEMORANDUM

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

DATE: September 7, 1999

TO: Planning Commission

FROM: Greg Chaney, Planner
Community Development Department

Greg Chaney

FILE NO.: USE99-00055 - Allowable Use

PROPOSAL: An application for an Allowable Use permit to construct a driveway to access a new house through approximately 80 feet of the undeveloped John Street right-of-way.

GENERAL INFORMATION

Applicant: D&M Rentals, L.L.C.

Property Owner: D&M Rentals, L.L.C.

Property Address: 2611 John Street

Legal Description: Lot 1, Block H, Belleview

Parcel Code Number: 1-D05-0-L13-001-0

Site Size: 11, 943 Square Feet

Zoning: D-18, Multifamily Residential

Utilities: CBJ Water and Sewer Services

Access: John Street

Existing Land Use: Vacant (Single-Family Dwelling Under Construction)

Surrounding Land Use: Northeast - John Street, D-18 Multifamily Residential
Northwest - D-18, Multifamily Residential
Southwest - D-5, Single-Family/Duplex (CBJ Vacant)

PROJECT DESCRIPTION

The applicant requests an Allowable Use permit to construct a driveway to access a new house through approximately 80 feet of the undeveloped John Street right-of-way. The proposed driveway will have a driveable surface approximately 10 feet wide with cut and fill slopes as needed.

BACKGROUND

John Street was dedicated as a right-of-way in 1962 as part of the Belleview Subdivision. In 1962 a right-of-way could be dedicated without being constructed. The upper reaches of John Street, including a portion bordering the applicant's lot, have not yet been constructed. John Street currently dead ends in a substandard cul-de-sac at the base of the applicant's lot however topographical relief prevents a driveway from accessing the lot directly from this location. The applicant has therefore proposed to build a longer driveway incorporating a switchback which would allow the lot to be accessed at a reduced grade. The driveway would extend approximately 60 feet beyond the current end of John Street. Due to the switchback, the driveway would be approximately 80 feet long within the unconstructed portion of John Street right-of-way.

Under CSP99-00007 the City and Borough of Juneau is currently upgrading the John Street right-of-way however planned improvements will not extend beyond the currently improved right-of-way. The CBJ Engineering Department will require that this driveway be constructed in a manner that will allow for future extension of John Street improvements. Therefore the driveway's grade within the right-of-way should not exceed the maximum grade allowed for a public street as required by the CBJ Engineering Department.

Traffic, Parking and Circulation - John Street is a steep dead end street with a low traffic volume. As part of CSP99-00007 an improved cul-de-sac will be installed at the current terminus of John Street. No parking will be permitted in the cul-de-sac and the CBJ Engineering Department has determined that the proposed driveway extension could be accommodated without impacting traffic circulation in this location.

Future Right-Of-Way Uses - Three private parcels exist beyond the constructed end of John Street. It is likely that at least one of these parcels will be developed in the near future and will require additional private driveway development within the John Street right-of-way. For this reason the CBJ Engineering Department will require that the applicant's driveway not be developed in a fashion which would obstruct further development within the right-of-way. John

Street provides access to an undeveloped CBJ 194.7 acre tract. All improvements within the John Street right-of-way should be designed so as allow for future right-of-way upgrades.

ANALYSIS

Per CBJ49.35.130(e) Access Driveways in ROW Requirements, the Director must find that all of the following requirements and conditions have been met, in addition to all other applicable requirements of the City and Borough Land Use Code:

(1) All lots to be served by the access driveway must be properly existing lots of record.

The proposed driveway will access one existing lot of record (Lot 1, Block H, Belleview Subdivision).

(2) Only public rights-of-way not improved for and in use as a public road may be used for the access driveway.

The John Street right-of-way is unimproved where the applicant wishes to construct the proposed driveway.

(3) The applicant must provide a notarized statement agreeing to and acknowledging the following:

(A) That the city and borough shall not be obligated to provide any maintenance, grading or snow plowing for the access driveway that would not be provided as a matter of course for any other driveway located on private land;

(B) That the applicant and the applicant's heirs, successors, and assigns, will defend, indemnify and hold harmless the city and borough from any claim or action for any injury, loss or damage suffered by any person arising from the design, maintenance, or use of the access driveway;

(C) That the access driveway will not be blocked from vehicular or pedestrian access by the public;

(D) That the city and borough will have unimpeded access to the driveway to carry out other responsibilities not associated with subsection (A) above;

(E) That the applicant will maintain the access driveway according to the requirements and conditions established by the director of engineering in the excavation permit;

(F) That the city and borough will record a copy of the agreement with the state recorder's office for each lot or parcel of land adjoining the segment of right-of-way in which the access driveway is to be located.

A condition of this permit will require the above described notarized statement before the applicant may begin construction.

> *(4) A permit fee, inspection fee and performance bond must be provided according to the requirements of the engineering department. In addition, the applicant must pay a one-time sign placement fee in an amount to be established by the public works director.*

A condition of this permit will require the applicant to post a bond and pay fees required by the Engineering and Public Works Departments before the applicant may begin construction.

> *(5) No new lots may be created from the division of any parcel of land that is served by the access driveway unless the driveway is converted to a full standard public road or street or other full Standard access is provided.*

No new lots associated with this driveway permit have been proposed by the applicant.

> *(6) A permit for an access driveway that could serve one to four lots may only be issued after approval of the concept for the access driveway by the planning commission under the allowable use permit procedure.*

The applicant has properly applied for an Allowable Use permit.

Juneau Coastal Management Program - The proposed development was reviewed for compliance with CBJ §49.70.900, the Juneau Coastal Management Program. No provisions of the JCMP were found to be applicable to this case.

FINDINGS

CBJ §49.15.320 (e), Decision, states that the Planning Commission shall consider the allowable use permit application and shall review the Community Development Director's recommendation with respect to:

1. Whether the application is complete;

2. Whether the requested permit is appropriate according to the Table of Permissible Uses;

3. Whether the development as proposed will comply with the other requirements of this chapter; and,

4. Whether conditions are necessary for approval[1].

The commission shall approve the application and grant the permit unless it finds, by a preponderance of the evidence, that one or more of the criteria have not been met. In either case the commission shall adopt written findings setting forth the basis for its decision.

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

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

Yes. We find the application contains the information necessary to conduct a full review of the proposed operations. The application submittal by the applicant, including the appropriate fees, substantially conform to the requirements of CBJ code Chapters 49.15 and 49.35.

2. Is the requested permit appropriate according to the Table of Permissible Uses?

Yes. The requested permit is appropriate according to the Table of Permissible Uses. An Allowable Use permit is specified at CBJ §49.25.300 section 17.310 "Access Driveways on Public Rights-of-way Adjoining One to Four Existing Lots" for the D-18 zoning district.

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

Yes. The proposed development complies with the other requirements of this chapter. In addition, the proposed driveway has been found to comply the requirements of CBJ49.35.130(e). When issuing the excavation and grading permit the CBJ Engineering Department will specify maximum allowable grade, maximum slope cuts and the extent to which fill may be placed in the John Street right-of-way. A permit fee, inspection fee and performance bond must be provided according to the requirements of the CBJ Engineering department. The applicant must also pay a one-time sign placement fee in an amount to be established by the CBJ Public Works Director. All of the above fees shall be submitted to the department prior to issuance of an excavation and grading permit.

---

[1]CBJ §49.15.320 (f)(1 thru 12), Conditions on Approval, lists a set of conditions that may be placed on the requested allowable use permit approval

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

Yes. Based on the preceding staff analysis, it is found that conditions are necessary for approval of the requested permit. The conditions are listed in the following Recommendation.

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

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

Not Applicable. Based on the preceding staff analysis, it is found that no provisions of the Juneau Coastal Management Program apply to the proposed development.

RECOMMENDATION

We recommend that the Planning Commission adopt the director's analysis and findings and grant the requested allowable use permit. The permit would allow the development of
The approval is subject to the following conditions:

1. Prior to issuance of an excavation and grading permit, the applicant must provide a notarized statement agreeing to and acknowledging the following:

(A) That the city and borough shall not be obligated to provide any maintenance, grading or snow plowing for the access driveway that would not be provided as a matter of course for any other driveway located on private land;

(B) That the applicant and the applicant's heirs, successors, and assigns, will defend, indemnify and hold harmless the city and borough from any claim or action for any injury, loss or damage suffered by any person arising from the design, maintenance, or use of the access driveway;

(C) That the access driveway will not be blocked from vehicular or pedestrian access by the public;

(D) That the city and borough will have unimpeded access to the driveway to carry out other responsibilities not associated with subsection (A) above;

(E) That the applicant will maintain the access driveway according to the requirements and conditions established by the director of engineering in the excavation permit;

(F) That the city and borough will record a copy of the agreement with the state recorder's office for each lot or parcel of land adjoining the segment of right-of-way in which the access driveway is to be located.

2. Prior to issuance of an excavation and grading permit; a permit fee, inspection fee and performance bond must be provided according to the requirements of the CBJ Engineering department. In addition, the applicant must pay a one-time sign placement fee in an amount to be established by the CBJ Public Works Director.

USE 2022 0004

Conditional Use Permit for construction of an awning in a required side yard setback

Staff recommends APPROVAL with conditions

PC Hearing March 26, 2022

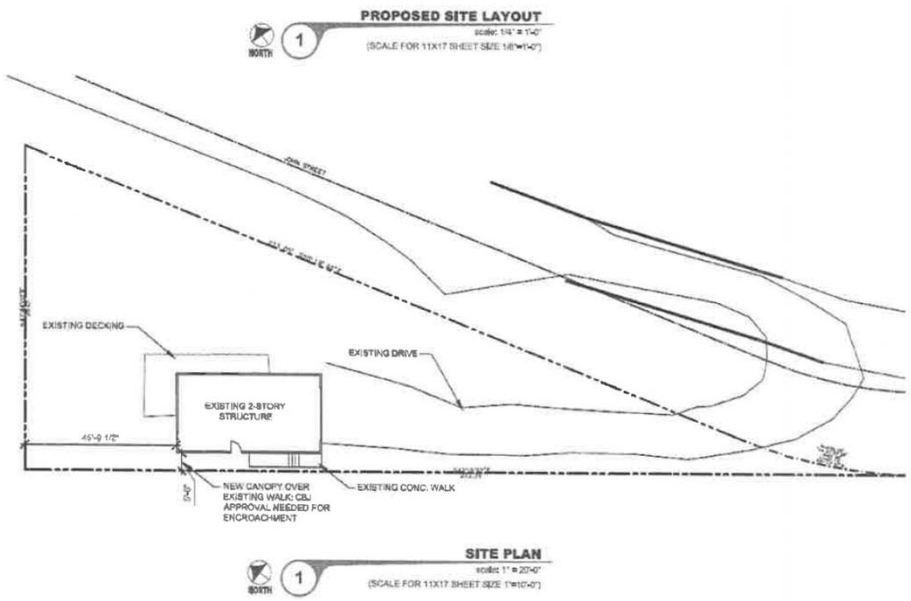
Background Information

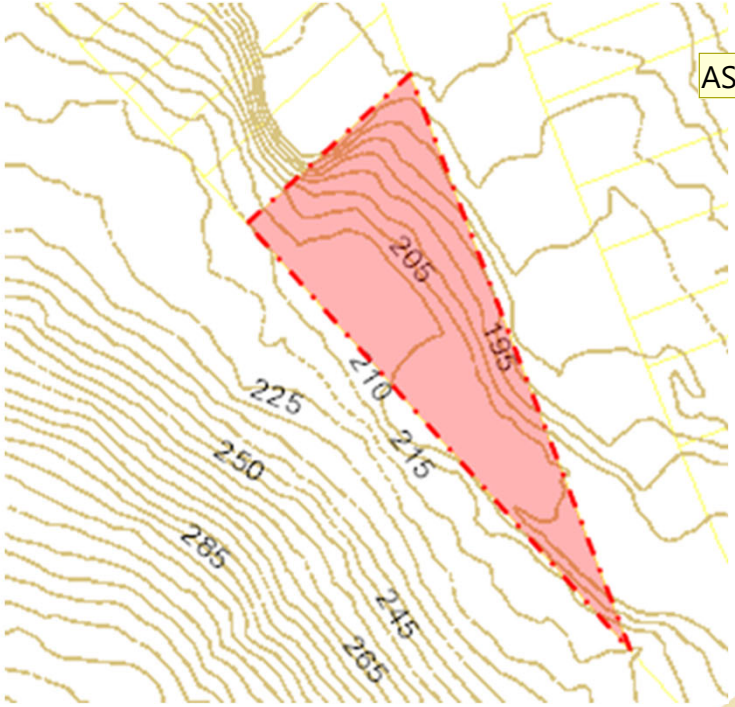
- D18 Zoning
- Property abuts CBJ-owned land
- Awning cover would allow the homeowners to maintain their home and age in place

Key Considerations

- CBJ 49.430(4)(N) allows structural projection into side yard setback if the yard adjoins publicly owned land in a restrictive land management classification
- Awning would cover an existing walkway
- Adjacent CBJ-owned land is classified retain/dispose and contains slopes >37% - unlikely to be developed

Project Site





Slide 4

AS10 Topography and triangular lot size required SFD to be placed close to SW side lot line

Adrienne Scott, 4/25/2022

CBJ 49.25.430(4)(N)

Findings & Recommendation

- Findings as stated in staff report dated April 15, 2022

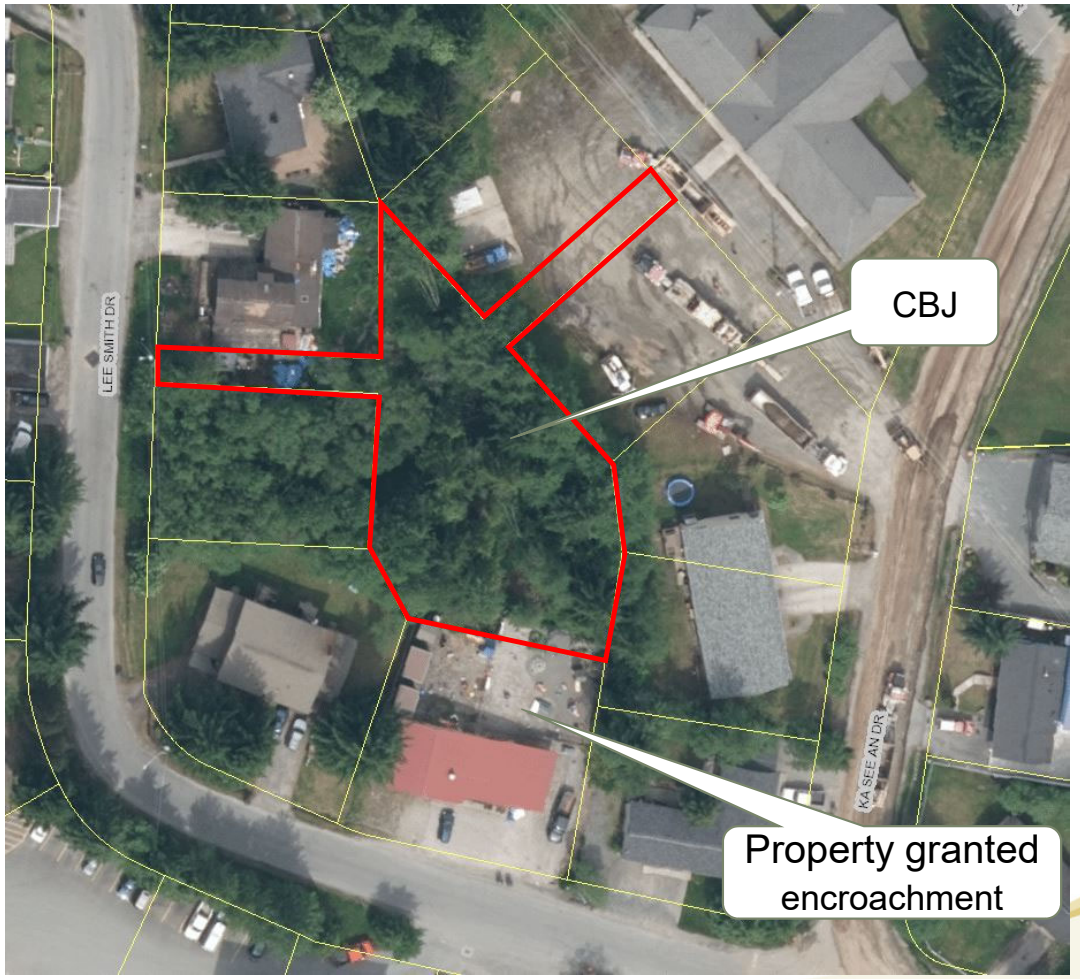
- Recommend APPROVAL WITH CONDITIONS
- **Condition 1:** The applicant shall not conduct any grading work, including cutting or limbing of trees on CBJ property.
- **Condition 2:** Within 180 days of issuance of a Building Permit, the applicant will submit an as-built survey proving that the completed 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.

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

INTENTIONALLY
LEFT BLANK

Lee Smith Drive

- USE2017 0016 (encroachment for containers)
- Granted encroachment per 49.25.430(4)(N)
- CBJ-owned
- Plat labels vacant lot as “recreation area”
- Not classified in the CBJ Lands Mngt Plan
- Vacant with frontage on Lee Smith Drive
- Granted 9/0 by the Commission on July 25, 2017



PLANNING COMMISSION AGENDA
THE CITY AND BOROUGH OF JUNEAU, ALASKA

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

AGENDA ITEM:

Case No.: SMF2022 0001
Applicant: Southeast Endeavors, LLC
Location: 8284 Garnet Street
Proposal: A proposed subdivision of one (1) lot into three (3) lots with one (1) standard lot and two (2) bungalow lots

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.

ATTACHMENTS:

	Description	Upload Date	Type
	Staff Report for SMF2022 0001	4/19/2022	Staff Report

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

PLANNING COMMISSION STAFF REPORT
MAJOR SUBDIVISION SMF2022 0001
HEARING DATE: APRIL 26, 2022

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

DATE: April 19, 2022

TO: Michael LeVine, Chair, Planning Commission

BY: Joseph Meyers, Planner

THROUGH: Jill Maclean, Director, AICP

PROPOSAL: Applicant requests a final plat review for the subdivision of one (1) lot into three (3) lots with one (1) standard lot and two (2) bungalow lots.

STAFF RECOMMENDATION: Approval with conditions.

KEY CONSIDERATIONS FOR REVIEW:

- Conditions from preliminary plat approval have been met.
- Resulting lots meet minimum lot dimensions for bungalow and standard (panhandle) lots in the D5 zoning district.
- It has been more than two years since the lot was last subdivided.
- The proposed lots meet the requirements of 49.15.412.
- The proposed project does not aggravate the intent of Chapter 49.35.

GENERAL INFORMATION	
Property Owner	Southeast Endeavors, LLC
Applicant	Southeast Endeavors, LLC
Property Address	8284 Garnet Street
Legal Description	Golden Nugget Block G Lot 1
Parcel Number	5B2401440030
Zoning	D5
Lot Size	18,462 square feet
Water/Sewer	CBJ
Access	Garnet Street
Existing Land Use	Residential
Associated Applications	SMP2021 0006

ALTERNATIVE ACTIONS:

1. **Amend:** amend the approval to require conditions.
2. **Deny:** deny the permit and adopt new findings for items 1-3 below that support the denial.
3. **Continue:** to a future meeting date if determined that additional information or analysis is needed to make a decision, or if additional testimony is warranted.

ASSEMBLY ACTION REQUIRED:

Assembly action is not required for this permit.

STANDARD OF REVIEW:

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
  - 49.15.402
  - 49.15.412
  - 49.80

The Commission shall hear and decide the case per *49.15.400(a) – Purpose and applicability.* *The purpose of this article is to facilitate the subdivision of land to promote the public health, safety, and general welfare of the citizens of the CBJ in accordance with the Comprehensive Plan of the City and Borough of Juneau, Alaska.*

And per 49.15.402(a) – *A major subdivision permit is required for subdivisions resulting in 14 or more lots.*

SITE FEATURES AND ZONING

SURROUNDING ZONING AND LAND USES	
North (ROW)	Garnet Street
South (D5)	Manufactured home
East (D5)	Duplex
West (D5)	Duplex

SITE FEATURES	
Anadromous	None
Flood Zone	Zone X
Hazard	No known
Hillside	None
Wetlands	None
Parking District	None
Historic District	None
Overlay Districts	None

BACKGROUND INFORMATION

Project Description – The applicant proposes a subdivision of one (1) lot into three (3) lots with one (1) standard lot and two (2) bungalow lots in a D5 residential zoning district. This subdivision is required to go through the Major Subdivision process in accordance with CBJ 49.65.620(B). The preliminary plat for this subdivision was approved on February 14, 2022, with conditions (SMP2021 0006). Conditions outlined in the Notice of Decision for SMP2021 0006 have been met **(Attachment E)**.

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

Item	Year	
Plat #623	1971	The lot was platted as Lot 1, Block G of the Golden Nugget Subdivision.
Building permit	1971	A building permit to place a mobile home on the lot.
Building permit	1977	A building permit for a greenhouse.
Building permit	2001	Add living room and remodel bedroom.

ANALYSIS

Compliance with Title 49 – There have been no changes to the plat that make it noncompliant with Title 49.

Preliminary Plat Conditions of Approval –

Condition	Status	Summary
Prior to final plat approval, certification from the CBJ Treasurer is required to show that all real property taxes and special assessments levied against the property for the year of recording have been paid.	☒Met ☐Unmet ☐On-going	Certificate of Taxes Paid has been received, along with all outstanding taxes for the year of recording have been paid.
Prior to final plat approval, the applicant shall submit a complete set of construction plans for all required improvements to the Community Development Department for review by the Director of Engineering & Public Works for compliance with CBJ 49.35.140.	☒Met ☐Unmet ☐On-going	The applicant has submitted construction plans for the utilities on the lot.
Prior to final plat approval, the applicant has constructed all required improvements or provided a financial guarantee in accordance with CBJ 49.55.010.	☒Met ☐Unmet ☐On-going	The applicant will need to bond for or construct improvements prior to final plat approval.
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.	☒Met ☐Unmet ☐On-going	A joint-use access and utility maintenance agreement has been submitted.
Prior to final plat approval, the applicant shall submit a parking plan showing two (2) off-street parking spaces for each lot.	☒Met ☐Unmet ☐On-going	A parking plan has been submitted showing two parking spaces per lot.
Prior to final plat approval, the existing shed and manufactured structure will need to be removed.	☐Met ☐Unmet ☒On-going	The applicant received a demolition permit (DMO2022 0003) in March, 2022 for this purpose.
Prior to final plat approval, the following corrections to the plat shall be made: a. Correct the file number in the Title Block to read "SMP2021 0006". b. Change all dates on the plat to read 2022. c. Correct the Basis of Bearing statement to read, "…the northeast corner of Lot 1, Golden Nugget Subdivision".	☒Met ☐Unmet ☐On-going	All requested plat changes have been made.

AGENCY REVIEW

CDD conducted an agency review comment period between January 14, 2022, and January 28, 2022. Agency review comments can be found in **Attachment C**.

Agency	Summary
CCFR (Capital City Fire & Rescue)	"There does not appear to be any concerns on this one. The driveway is less than 150 feet in length so a turnaround is not required. No other code concerns."
Buildings	"Buildings has no issues with this subdivision at this time."
Streets	No comments received.
CBJ Assessor	No comments received.
General Engineering	No comments received.
Cartography	No comments received.

PUBLIC COMMENTS

CDD conducted a public comment period between March 23, 2022, and April 26, 2022. Public notice was mailed to property owners within 500 feet of the subject parcel. A public notice sign was also posted on-site two weeks prior to the scheduled hearing. Public comments submitted at time of writing this staff report can be found in **Attachment D**.

Name	Summary
William Kantola	Commented in support of the project.

FINDINGS

Final plat approval criteria – Per CBJ 49.15.402(f)(3) the Director makes the following findings:

1. ***Has the applicant complied with any conditions or plat notes as required in the notice of decision approving the preliminary plat?***

   Analysis: No additional analysis needed.

   Finding: Yes. All conditions of preliminary plat approval have been met.

2. ***Has the applicant constructed all required improvements or provided a financial guarantee in accordance with CBJ 49.55.010?***

   Analysis: The applicant was required to bond for sewer and water improvements.

   Finding: Yes. The applicant has provided a financial guarantee.

3. ***Does the final plat meet the standards set forth in CBJ 49.15.412 for final plats?***

   Analysis: No additional analysis needed.

   Finding: Yes. The final plat complies with CBJ 49.15.415 Final Plat Standards.

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.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	Public Notice
Attachment C	Agency Comments
Attachment D	Public Comments
Attachment E	SMP2021 0006 Preliminary Plat Approval
Attachment F	Reviewed Materials

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

DEVELOPMENT PERMIT APPLICATION

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

To be completed by Applicant

PROPERTY LOCATION

Physical Address
8284Garnet St.

Legal Description(s) (Subdivision, Survey, Block, Tract, Lot)
Lot 1, Block G, Golden Nugget Sub

Parcel Number(s)
5B2401440030

☐ This property located in the downtown historic district
☐ This property located in a mapped hazard area, if so, which _____

LANDOWNER/ LESSEE

Property Owner	Contact Person
Southeast Endeavors, LLC	Shawn Kantola

Mailing Address	Phone Number(s)
8287C Garnet St.	907-209-3900
E-mail Address: shawnkantola@yahoo.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 _____ Landowner/Lessee Signature — 3-22-22 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 data.

APPLICANT If the same as OWNER, write "SAME"

Applicant: Same	Contact Person
Mailing Address	Phone Number(s)
E-mail Address	

X _____ Applicant's Signature — 3-22-22 Date of Application

DEPARTMENT USE ONLY BELOW THIS LINE

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.

Intake Initials	Case Number	Date Received
JPO	SMF22-001	3/22/22

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

SUBDIVISION AND DEVELOPMENT PLAN APPLICATION

See subdivision hand-outs for more information regarding the permitting process and the materials required for a complete application.
NOTE: Must be accompanied by a DEVELOPMENT PERMIT APPLICATION form.

To be completed by Applicant

PROJECT SUMMARY
Subdividing on e lot into one pnahandle lot and two bungalow lots.

Number of Existing Parcels 1 Total Land Area 18,730st Number of Resulting Parcels 3

HAS THE PARCEL BEEN CREATED BY A MINOR SUBDIVISION IN THE PRECEDING 24 MONTHS
(X) NO ( ) YES Case Number _____

TYPE OF SUBDIVISION OR PLATTING APPROVAL REQUESTED

MINOR DEVELOPMENT (changing or creating 13 or fewer lots)	MAJOR DEVELOPMENT (changing or creating 14 or more lots)
( ) Preliminary Plat (MIP)	( ) Preliminary Plat (SMP)
( ) Final Plat (MIF)	(•) Final Plat (SMF)
( ) Panhandle Subdivision	( ) Preliminary Development Plan – PUD (PDP)
( ) Accretion Survey	( ) Final Development Plan – PUD (PDF) Preliminary
( ) Boundary Adjustment	( ) Development Plan – ARS (ARP) Final
( ) Lot Consolidation (SLC)	( ) Development Plan – ARS (ARF)
( ) Bungalow Lot Subdivision	( ) Bungalow Lot Subdivision
( ) Common Wall/Zero Lot Subdivision	( ) Common Wall/Zero Lot Subdivision
( ) Other _____	( ) Other _____

ALL REQUIRED DOCUMENTS ATTACHED

- [✓] **Pre-application conference notes**
- [✓] **Narrative including:**
  - [✓] Legal description(s) of property to be subdivided
  - [✓] Existing structures on the land
  - [✓] Zoning district
  - [✓] Density
  - [✓] Access
  - [✓] Current and proposed use of any structures
  - [✓] Utilities available
  - [✓] Unique characteristics of the land or structure(s)
- [✓] **Preliminary Plat checklist**

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

SUBDIVISION/PLATTING FEES	Fees	Check No.	Receipt	Date
Application Fees	$ 210			
~~Admin. of Guarantee~~ sign fee	$ 150			
Adjustment	$			
Total Fee	$ 360			

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Case Number	Date Received
SMF22-011	3/22/22

COMMON ACCESS & UTILITY EASEMENT, MAINTENANCE AND HOLD HARMLESS AGREEMENT

Southeast Endeavors, LLC, whose address is 8287C Garnet St., Juneau, Alaska; warrant that I am the owner and tenant by the entirety of:

> Lots 1A, 1B and Lot 1C, A Subdivision of Lot 1, Block G, Golden Nugget Subdivision within the City and Borough of Juneau, Juneau Recording District, First Judicial District, State of Alaska;

As the owners of LOTS 1A, 1B & 1C we acknowledge an understanding that we are the owners of a certain Common Access & Utility Easement containing a common access driveway, drainage and utility easement that is jointly used by LOTS 1A, 1B & 1C, that exists as shown on the attached Plat and we assume jointly and severally, all risk and responsibility for future, maintenance, snowplowing, reconstruction, dismantling and repairs of any kind to the common access driveway, drainage and utility easement. The Common Access and Utility Easement is that which extends from the Garnet Street right of way to the back of lots 1A & 1C.

We also agree, severally, to indemnify, defend and hold harmless the City and Borough of Juneau, its officers, agents, and employees, from all suits, claims, actions, losses, costs, penalties, and damages, including attorney's fees arising out of the existence, location and/or use of said common driveway, drainage and utility easement, within the Garnet St. right of way and other properties.

It is understood that the City and Borough of Juneau is not responsible in any manner whatsoever for the common driveway access.

It is understood that no repair or replacement that requires excavation within the public right-of-way, shall be done without obtaining the appropriate permits from the City and Borough of Juneau and other appropriate agencies.

This agreement shall run with the land, and be binding on all present and future owners, their heirs and assigns of said LOTS 1A, 1B & 1C, A Subdivision of Lot 1, Block G, Golden Nugget Subdivision.

IN WITNESS WHEREOF, the party hereto has executed this agreement as of the _____ day of _____, 2022.

By: _____ Dated: _____, 2022
Shawn Kantola

NOTARY ACKNOWLEDGEMENT

STATE OF ALASKA
SS:
FRIST JUDICIAL DISTRICT

THIS IS TO CERTIFY that on the ____ day of _____, 2022, before me, the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared Shawn Kantola to me known to be the individual described in and who executed the foregoing instrument, and acknowledged to me that he signed and sealed the same freely and voluntarily for the uses and purposes therein mentioned.

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

_____
Notary Public for the State of Alaska
My Commission Expires: _____

Water lines,

Currently the property at 8284 Garnet St is serviced by a single ¾" waterline/value. If this is sufficient for a single bungalow, I would like to keep the current ¾" line and add two new 1" lines from the main for the two additional lots. If the current ¾" line is not sufficient I can decommission it and have three new 1" lines from the main.

GARNET STREET

EXISTING 4" SEWER SERVICE

12" CPP x 32.0'

N90°00'00"E 90.00'

30.00' 30.00' 30.00'

3 NEW WATER 1" SERVICES WITH VALVES

NEW CLEANOUT

1%

N14°02'10"W 20.62'

N14°02'10"W 29.02'

20.81'

9.58

EDGE OF PAVEMENT

EDGE OF PAVEMENT

LOT 1C

PROPOSED BUILDING

LOT 1A

PROPOSED BUILDING

102.00'

102.00'

N00°00'00"E 82.00'

S00°00'00"W 205.00'

S00°00'00"W 205.00'

S00°00'00"W 5.2'

2 CAR PARKING

2 CAR PARKING

NEW CLEANOUT

1%

20.03'

35.00'

35.00'

EDGE OF PAVEMENT

EDGE OF PAVEMENT

1%

1%

LOT 1B

2 CAR PARKING

2 CAR PARKING

103.00'

PROPOSED BUILDING PAD

S89°49'54"E 90.00'

21/2" ALUM> CAP SET THIS SURVEY

LOT 1

PLASTIC ON REBAR RECOVERED

(N90°00'00"E 90.00' R)

LOT 1

LOT 2

LOT 3

LOT 4

GOLDEN NUGGET SUBD. (PLAT 623)

PLEASANT GARDEN SUBD. (PLAT 246)

SCALE 1"=20'

0 20 40

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT PLAT; THAT ALL WALKS, ROADS, EASEMENTS AND IMPROVEMENTS THEREON ARE AS SHOWN AND THAT ALL OVERLAPS AND ENCROACHMENTS ARE AS SHOWN TO THE BEST OF MY KNOWLEDGE.

J.W. BEAN
PROFESSIONAL SURVEYOR

F.B. _____ JOB No 8302
TDS 12738 SCALE AS-SHOWN
DATE 03-22-2022

PROPOSED WATER SERVICES AND SEWER SERVICES TO

LOT 1 BLOCK G
GOLDEN NUGGET SUBD.
WITHIN USS 3752

STATE OF ALASKA 49TH J.W. BEAN No. 3650-S REGISTERED PROFESSIONAL LAND SURVEYOR

LEGEND

- ⊕ PRIMARY MONUMENT RECOVERED THIS SURVEY SET BY WKVH
- O SECONDARY MONUMENT RECOVERED THIS SURVEY REBAR & CAP, SET BY DOUG FINLEY
- ● SECONDARY MONUMENT SET THIS SURVEY BY J.W. BEAN

SURVEYED
UNSURVEYED
CENTERLINE
SURVEY TIE
EASEMENT
EASEMENT

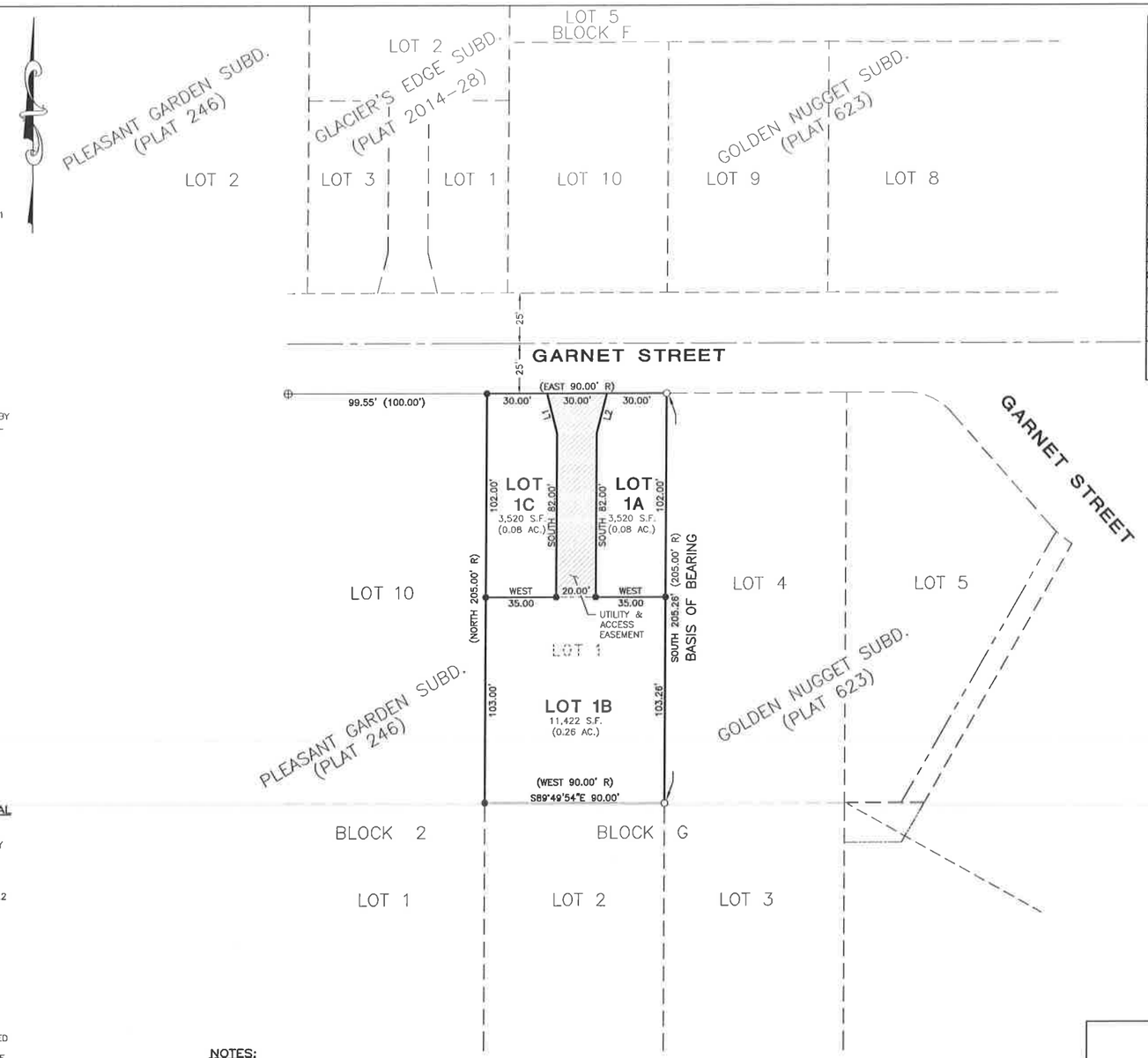
J.W. BEAN L.S. 3650

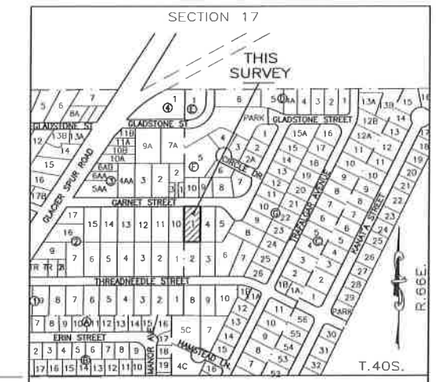
TYPICAL SECONDARY MON.
2" ALUMINUM CAP
5/8" REBAR, 36" LONG

(R) = AS PER GOLDEN NUGGET SUBDIVISION, PLAT NO. 623, DATED 6-08-1971

BASIS OF BEARING

BASIS OF BEARING FOR THIS PLAT IS THE RECORD BEARING OF SOUTH FROM A FOUND REBAR & CAP BEING THE NORTHEAST CORNER OF LOT 1, GOLDEN NUGGET SUBDIVISION TO A FOUND REBAR & CAP BEING THE SOUTHEAST CORNER OF LOT 1, GOLDEN NUGGET SUBDIVISION AS SHOWN ON RECORD PLAT NO. 623.





VICINITY MAP
SOURCE: C.B.J. BASEMAP SERIES - SCALE: 1" = 400'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S14°02'10"E	20.62
L2	N14°02'10"E	20.62

OWNERSHIP CERTIFICATE:

I, SHAWN KANTOLA, HEREBY CERTIFY THAT SOUTHEAST ENDEAVORS, LLC IS THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT IT HEREBY ADOPTS THIS PLAT OF SUBDIVISION WITH ITS FREE CONSENT, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

_____
SHAWN KANTOLA
SOUTHEAST ENDEAVORS, LLC

DATE: _____,2022

NOTARY ACKNOWLEDGMENT:

UNITED STATES OF AMERICA)
) S.S.
STATE OF ALASKA)

THIS IS TO CERTIFY THAT ON THIS _____ DAY OF _____, 2022 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED TO ME SHAWN KANTOLA, SOUTHEAST ENDEAVORS, LLC KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE ABOVE AND FOREGOING INSTRUMENT, AND ACKNOWLEDGE TO ME THAT THEY SIGNED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN MENTIONED.

WITNESS MY HAND AND OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

NOTARY PUBLIC FOR ALASKA _____

MY COMMISSION EXPIRES _____

COMMUNITY DEVELOPMENT DEPARTMENT PLAT APPROVAL

I HEREBY CERTIFY THAT THE PLAT HEREON HAS BEEN FOUND TO COMPLY WITH TITLE 49 OF THE CODE OF THE CITY AND BOROUGH OF JUNEAU AND IS APPROVED BY THE CITY AND BOROUGH OF JUNEAU, DEPARTMENT OF COMMUNITY DEVELOPMENT, FOR RECORDING IN THE OFFICE OF THE JUNEAU RECORDING DISTRICT, ANCHORAGE, ALASKA.

_____ DATE _____ ,2022
JILL MACLEAN, DIRECTOR
CITY & BOROUGH OF JUNEAU
DEPARTMENT OF COMMUNITY DEVELOPMENT

ATTEST:

_____
MUNICIPAL CLERK
CITY & BOROUGH OF JUNEAU

CERTIFICATE OF REGISTERED LAND SURVEYOR

I, J.W. BEAN, IN MY CAPACITY AS A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF ALASKA, CERTIFY THAT THIS PLAT REPRESENTS THE SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE ACCURACY OF THE SURVEY IS WITHIN THE LIMITS REQUIRED BY TITLE 49 OF THE CODE OF THE CITY AND BOROUGH OF JUNEAU, THAT ALL DIMENSIONS AND RELATIVE BEARINGS ARE CORRECT, AND THAT MONUMENTS ARE SET IN PLACE AND NOTED UPON THIS PLAT AS PRESENTED.

Date _____

STATE OF ALASKA 49TH J.W. BEAN No. 3650-S REGISTERED PROFESSIONAL LAND SURVEYOR

J.W. BEAN INC.
PROFESSIONAL SURVEYOR
1070 ARCTIC CIRCLE
JUNEAU - ALASKA
(907) 789-0590
SURVEYOR - PLANNER
PROJ: 8302-KANTOLA-LOT1BLKG

NOTES:

1. THE ERROR OF CLOSURE OF THIS SURVEY DOES NOT EXCEED 1:10000.
2. ALL DISTANCES ARE MEASURED IN U.S. SURVEY FEET.
3. WHERE DIFFERENT FROM MEASURED OR CALCULATED RECORD DIMENSIONS ARE SHOWN IN PARENTHESES.
4. DOMESTIC WATER AND SANITARY SEWER PROVIDED BY THE CITY AND BOROUGH OF JUNEAU PUBLIC UTILITIES.
5. THE ON LOT STORMWATER RUNOFF DRAINAGE IS ACCEPTABLE AS EXISTS BETWEEN THE PLATTED LOTS OF THIS SUBDIVISION AND MAY NOT BE MODIFIED UNLESS PERMITTED BY CBJ ENGINEERING PURSUANT TO CHAPTER 19.12.120.1 BEST MANAGEMENT PRACTICES.
6. ACCESS FROM ALL LOTS TO GARNET STREET IS RESTRICTED TO ONE COMMON DRIVEWAY WITHIN THE ACCESS AND UTILITY EASEMENT.
7. AT THE TIME OF PLAT RECORDING, STRUCTURES ON LOTS 1A AND 1C WERE LIMITED TO ONE 1,000 SQUARE FOOT DETACHED SINGLE-FAMILY RESIDENCE PER LOT; OTHER DEVELOPMENT RESTRICTIONS APPLY. SEE THE CITY AND BOROUGH OF JUNEAU LAND USE CODE FOR CURRENT REGULATIONS.

30' 0 60'
Scale in feet
SCALE: 1"=30'

PLAT OF
LOTS 1A, 1B AND 1C
A SUBDIVISION OF
LOT 1, BLOCK G
GOLDEN NUGGET SUBDIVISION
WITHIN U.S. SURVEY NO. 1530
CITY & BOROUGH OF JUNEAU, ALASKA
JUNEAU RECORDING DISTRICT
STATE RECORDER'S OFFICE AT ANCHORAGE

OWNER: SHAWN KANTOLA
SOUTHEAST ENDEAVORS, LLC
16470 OCEANVIEW DRIVE
JUNEAU, ALASKA 99801

FILE: MIP
SMP2021-0006

SURVEYOR: JW BEAN, PROFESSIONAL SURVEYORS, INC.
1070 ARCTIC CIRCLE, JUNEAU, ALASKA 99801 (907) 723-3610

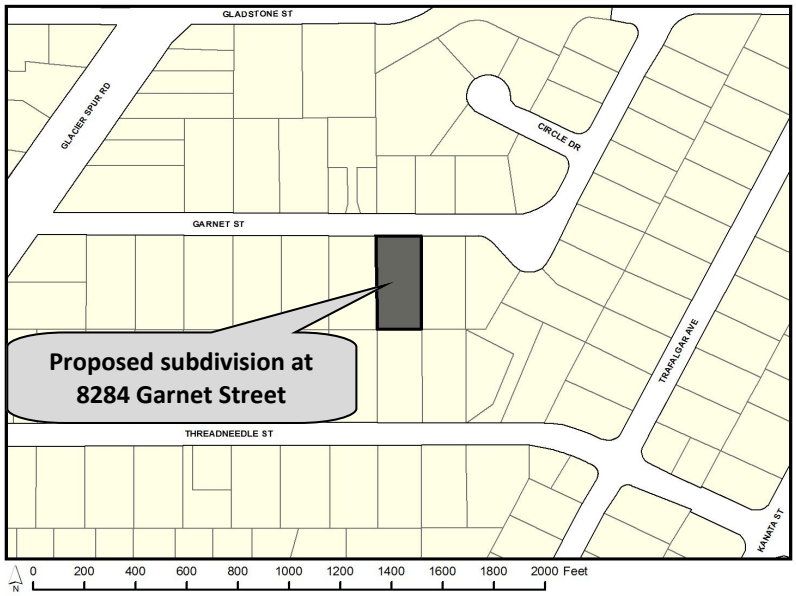
SCALE: 1"=30' DATE: 3-22-2022 SHEET 1 OF 1

3/22/2022 1:51:08 PM AST
E:\CIV\BEAN\8302-KANTOLA\8302-KANTOLA-LOT1BLKG.DWG

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission

Your Community, Your Voice



CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT
155 S. Seward Street Juneau, Alaska 99801

TO:

An application has been submitted for consideration and public hearing by the Planning Commission for **a proposed subdivision of one (1) lot into three (3) lots with one standard lot and two bungalow lots** at **8284 Garnet Street** in a **D5 zone.**

TIMELINE

Staff Report expected to be posted **April 18, 2022,** at **https://juneau.org/community-development/planning-commission.** Find hearing results, meeting minutes and more here as well.

Now through Apr. 4

Comments received during this period will be sent to the Planner, **Joseph Meyers** to be included as an attachment in the staff

Apr. 5 noon, Apr. 22

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

HEARING DATE & TIME: 7:00 pm, Apr. 26 2022

This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting https://juneau.zoom.us/j/87889807666 and use the Webinar ID: 878 8980 7666 OR join by telephone, calling: 1-253-215-8782 and enter the Webinar ID (above).

You may also participate in person in City Hall Assembly Chambers, 155 S. Seward Street, Juneau, Alaska.*

Apr. 27

The results of the hearing will be posted online.

FOR DETAILS OR QUESTIONS,

Phone: **(907)586-0715 ext. 4209** ◆
Email: **pc_comments@juneau.org**
Mail: **Community Development, 155 S. Seward St, Juneau AK 99801**

Printed March 23, 2022

**Please note that under current Covid-19 Mitigation strategies, Chambers has a limit of 50 people total, including commissioners and staff. Overflow standing room is provided in the lobby of City Hall.*

Case No.: SMF2022 0001

Parcel No.: 5B2401440030

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

Tyvek
HomeWrap
NOTICE
For more information
586-0715
pc_comments@juneau.org
SUBDIVISION
Case: SMF20220001
Final approval to subdivide
one lot into three lots with one
standard lot and two bungalow
lots in the D5 zoning district.
HEARING DATE: 4/26/2022

From: Charlie Ford
To: Joseph Meyers
Subject: RE: Request for comment
Date: Friday, January 14, 2022 8:41:16 AM

Hi Joseph,

Buildings has no issues with this subdivision at this time.
Thanks,

From: Joseph Meyers <Joseph.Meyers@juneau.org>
Sent: Friday, January 14, 2022 8:39 AM
To: Charlie Ford <Charlie.Ford@juneau.org>
Subject: Request for comment

Hi Charlie,

I have a subdivision that I am seeking comment on. I have attached the plat for your review.

Thank you sir!

-Joseph

Joseph Meyers, MURP | Planner I
Community Development Department | City & Borough of Juneau, AK
230 S. Franklin Street, 4th Floor Marine View Building
Personal line: 907.586.0753; Ext: 4209
He/him

Fostering excellence in development for this generation and the next.

From: Dan Jager
To: Joseph Meyers
Subject: RE: SMP2021 0006
Date: Friday, January 7, 2022 3:35:39 PM

Hey Joseph, there does not appear to be any concerns on this one. The driveway is less than 150 feet in length so a turnaround is not required. No other code concerns. Thanks.
Dan

From: Joseph Meyers <Joseph.Meyers@juneau.org>
Sent: Friday, January 07, 2022 1:59 PM
To: Dan Jager <Dan.Jager@juneau.org>
Subject: SMP2021 0006

Good afternoon Dan,

Will you look at this plat and determine if this proposed subdivision meets the fire code? Let me know by next Friday (1/14) if possible.

Thank you,

Joseph Meyers, MURP | Planner I
Community Development Department | City & Borough of Juneau, AK
230 S. Franklin Street, 4th Floor Marine View Building
Personal line: 907.586.0753; Ext: 4209
He/him

Fostering excellence in development for this generation and the next.

March 29, 2022

CBJ Community Development
155 S.Seward St.
Jueau, AK 99801

William Kantola
8287B Garnet
Juneau, AK 99801

Dear Joseph Meyers and Commissioners,

I write in support of the proposed subdivision at 8284 Garnet Street in Juneau (case no. 5MP 2022 0001, parcel no. 5B2401440030.) As you can see from the return address I live near the proposed subdivision.

Please approve the subdivision plan.

Respectfullly,

William Kantola

RECEIVED
MAR 30 2022
Permit Center/CDD

Planning Commission

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

PLANNING COMMISSION
NOTICE OF DECISION
Date: February 14, 2022
File No.: SMP2021 0006

Southeast Endeavors, LLC
Attn: Shawn Kantola
8287 C Garnet Street
Juneau, AK 99801

Proposal:	Applicant requests a preliminary plat review for subdivision of one standard lot in the D5 zoning district into two (2) bungalow lots and one standard lot.
Property Address:	8284 Garnet Street
Legal Description:	Golden Nugget Block G Lot 1
Parcel Code No.:	5B2401440030
Hearing Date:	February 8, 2022

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated February 2, 2022, and approved the preliminary plat to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

1. Prior to final plat approval, Certification from the CBJ Treasurer is required showing that all real property taxes and special assessments levied against the property for the year of recording have been paid.

2. Prior to final plat approval, the applicant shall submit a complete set of construction plans for all required improvements to the Community Development Department for review by the director of Engineering & Public Works for compliance with CBJ 49.35.140.

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

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

5. Prior to final plat approval, the applicant shall submit a parking plan showing two (2) off-street parking spaces for each lot.

Attachment: February 2, 2022 memorandum from Joseph Meyers, Community Development, to the CBJ Planning Commission regarding SMP2021 0006.

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

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

Effective Date: The permit is effective upon approval by the Commission, February 8, 2022.

Expiration Date: The permit will expire five (5) years after the effective date, or February 8, 2027, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the subdivision permit was authorized or no final plat has been approved. Application for permit extension must be submitted thirty days prior to the expiration date.

Michael LeVine, Chair
Planning Commission

February 17, 2022
Date

Chelsea Wallace
Filed With City Clerk

February 17, 2022
Date

cc: Plan Review

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

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

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

DATE: February 2, 2022

TO: Michael LeVine, Chair, Planning Commission

BY: Joseph Meyers, Planner

THROUGH: Jill Maclean, Director, AICP

PROPOSAL: Applicant requests a preliminary plat review for subdivision of one standard lot in the D5 zoning district into two (2) bungalow lots and one standard lot.

STAFF RECOMMENDATION: Approval with conditions

KEY CONSIDERATIONS FOR REVIEW:

- Resulting lots meet minimum lot dimensions for bungalow and standard lots in the D5 zoning district.
- It has been more than two years since the lot was last subdivided.
- The proposed lots meet the requirements of 49.15.412.
- The proposed project does not aggravate the intent of Chapter 49.35.

GENERAL INFORMATION	
Property Owner	Southeast Endeavors, LLC
Applicant	Southeast Endeavors, LLC
Property Address	8284 Garnet Street
Legal Description	Golden Nugget Block G Lot 1
Parcel Number	5B2401440030
Zoning	D5
Lot Size	18,462 square feet
Water/Sewer	CBJ
Access	Garnet Street
Existing Land Use	Residential
Associated Applications	N/A

ALTERNATIVE ACTIONS:

1. **Amend:** require additional conditions, or delete or modify the recommended conditions.
2. **Deny:** deny the permit and adopt new findings for items 1-6 below that support the denial.
3. **Continue:** to a future meeting date if determined that additional information or analysis is needed to make a decision, or if additional testimony is warranted.

ASSEMBLY ACTION REQUIRED:

Assembly action is not required for this permit.

STANDARD OF REVIEW:

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
  - 49.15.402
  - 49.15.411
  - 49.35
  - 49.80

The Commission shall hear and decide the case per *49.15.400(a) - Purpose and applicability.* *The purpose of this article is to facilitate the subdivision of land to promote the public health, safety, and general welfare of the citizens of the CBJ in accordance with the Comprehensive Plan of the City and Borough of Juneau, Alaska.*

And per 49.15.402(a) *A major subdivision permit is required for subdivisions resulting in 14 or more lots.*

SITE FEATURES AND ZONING

SURROUNDING ZONING AND LAND USES	
North (ROW)	Garnet Street
South (D5)	Mobile home
East (D5)	Duplex
West (D5)	Duplex

SITE FEATURES	
Anadromous	None
Flood Zone	Zone X
Hazard	No known
Hillside	None
Wetlands	None
Parking District	None
Historic District	None
Overlay Districts	None

BACKGROUND INFORMATION

Project Description – The applicant proposes a subdivision of one lot into two bungalow lots, and one standard sized lot in the D5 residential zoning district. This subdivision is required to go through the Major Subdivision process in accordance with CBJ 49.65.620(B). Structures on Lots 1A and 1C were limited to one 1,000-square-foot, detached single-family residence per lot; other restrictions apply as well. See the City and Borough of Juneau Land Use Code for current regulations regarding bungalow lot subdivisions.

Background – The table below summarizes relevant history for the lot and proposed development. A structure currently exists on the lot and will need to be demolished. There is currently one shed and one existing single-wide structure with an addition on the lot which will need to be removed prior to recording of the final plat.

Item	Year	Summary
Plat #623	1971	The lot was platted as Lot 1, Block G of the Golden Nugget Subdivision.
Building permit	1971	A building permit to place a mobile home on the lot.
Building permit	1977	A building permit for a greenhouse.
Building permit	2001	Add living room and remodel bedroom.

ANALYSIS

Phasing – Subdivision will not be phased.

Minimum Lot Dimensions – The proposed lots as shown on the preliminary plat meet or exceed the dimensional standards listed in CBJ 49.25.400. The CBJ 49.25.400 Dimensional Standards are listed below.

	Dimensional Standard	Requirement	Met?
MINIMUMS	**Lot Size (Standard)**	7,000 square feet	☒Meets/Exceeds ☐Not met
	Lot Size (Bungalow)	3,500 square feet	☒Meets/Exceeds ☐Not met
	Lot Width (Standard)	70 feet	☒Meets/Exceeds ☐Not met
	Lot Width (Bungalow)	35 feet	☒Meets/Exceeds ☐Not met

Density – The table below demonstrates how many dwelling units each lot can accommodate after the proposed subdivision has been completed.

Lot Number	Square Feet	Maximum Number of Dwelling Units
1A	3,544 square feet	1
1B	11,244 square feet	1
1C	3,544 square feet	1

Habitat – No anadromous waterbodies exist on site.

Condition: N/A

Plat Note: N/A

Hazard Zones – No known hazards exist on this lot.

Condition: N/A

Plat Note: N/A

Other Applicable Sections of Title 49 – Bungalow Lot subdivisions (49.65.610)

Condition: A plat note shall be included on the plat as follows:

Plat Note: "At the time of plat recording, structures on Lots 1A and 1C were limited to one 1,000-square-foot, detached single-family residence per lot; other restrictions apply as well. See the City and Borough of Juneau Land Use Code for current regulations."

LOT DESIGN

Bungalow Lots –

Standard	Requirement	Met?	Conditions and Plat Notes
49.65.600(a)(1) Public Water and Sewer	Bungalow lots must be provided public water and sewer.	☒Meets/Exceeds ☐Not met	**Condition:** Prior to Final Plat recording, the applicant will be required to install improvements for public water and sewer to all proposed lots, or shall bond for improvements **Plat Note:** None
49.65.600(a)(1) Publically Maintained Roads	Bungalow lots must be served by publically maintained roads.	☒Meets/Exceeds ☐Not met	**Condition:** Proposed lots are served by Garnet Street, a publicly maintained right-of-way **Plat Note:** None
49.65.600(a)(2)/(3) Zoning Districts	In zoning districts D1, D3, D5, D10-SF, and D10, subdivisions shall not exceed two bungalow lots for each standard lot. In zoning districts D15 and D18, bungalow lots may be platted without creating standard lots.	☒Meets/Exceeds ☐Not met	**Condition:** N/A **Plat Note:** None
49.65.600(a)(4) Plat Note Required	A Bungalow lot plat note has been required that lists the restrictions on the size of the dwelling.	☒Meets/Exceeds ☐Not met	**Condition:** Plat note has been added to the plat and meets this requirement **Plat Note:** "AT THE TIME OF PLAT RECORDING, STRUCTURES ON LOTS 1A AND 1C WERE LIMITED TO ONE 1,000 SQUARE FOOT DETACHED SINGLE-FAMILY RESIDENCE PER LOT; OTHER DEVELOPMENT RESTRICTIONS APPLY. SEE THE CITY AND BOROUGH OF JUNEAU LAND USE CODE FOR CURRENT REGULATIONS".
49.65.600(a)(5) Planned Unit Developments	Lots created through the Planned Unit Development process cannot be further subdivided into bungalow lots.	☒Meets/Exceeds ☐Not met	**Condition:** The proposed lots were not created using the PUD process. **Plat Note:**

Panhandle Lots –

Standard	Requirement	Met?	Conditions and Plat Notes
49.15.423(a)(1)(A) Dimensional Requirements	The front and panhandle lots must meet all dimensional and area requirements.	☒Meets/Exceeds ☐Not met	**Condition:** There are two structures on the lot, a shed and a manufactured structure with an addition that will be required to be removed prior to the recording of the final plat. **Plat Note:** None
49.15.423(a)(1)(B) Panhandle Width	No part of the panhandle shall be less than 20 feet in width.	☒Meets/Exceeds ☐Not met	**Condition:** N/A **Plat Note:** None
49.15.423(a)(1)(C) Panhandle Length	The panhandle portion of the lot shall not be longer than 300 feet in D1 zones, and one and one-half times the minimum lot depth in other residential zoning districts.	☒Meets/Exceeds ☐Not met	**Condition:** N/A **Plat Note:** None
49.15.423(a)(1)(D) Structures Prohibited	No buildings are allowed within the panhandle portion of the lot.	☒Meets/Exceeds ☐Not met	**Condition:** N/A **Plat Note:** None
49.15.423(a)(1)(F) Lot Width	The lot width for the panhandle lot shall be the distance between its side lot lines measured behind the back lot line of the front lot.	☒Meets/Exceeds ☐Not met	**Condition:** N/A **Plat Note:** None
49.15.423(a)(3)(A) Shared Driveway	Access for the lots shall be located in the panhandle. A lot fronting a right-of-way may have a separate and additional access if approved by the government entity that controls rights-of-way. Access to each lot shall be designated on the plat in the form of an easement.	☒Meets/Exceeds ☐Not met	**Condition:** N/A **Plat Note:** None
49.15.423(a)(3)(C)/(D) Parking	A parking plan is required showing the feasibility of off-street parking – no back-out parking is allowed unless approved by the Director.	☒Meets/Exceeds ☐Not met	**Condition:** Prior to approval of the final plat, the applicant shall submit a parking plan showing off-street parking for all three lots. **Plat Note:**
49.15.423(a)(3)(E) Easement and Maintenance	The applicant has provided an easement for all common access and parking areas and a	☒Meets/Exceeds ☐Not met	**Condition:** Prior to approval of the final plat, the applicant shall submit a joint use and

Standard	Requirement	Met?	Conditions and Plat Notes
Agreement	maintenance agreement will be recorded with the final plat.		maintenance agreement for the access and utility easement to be recorded with the plat. **Plat Note:** None
49.15.423(a)(3)(F)	The applicant has demonstrated that any portion of the driveway not located in a public right-of-way can comply with emergency service access requirements. A profile of the proposed driveway was included with the application.	☒Meets/Exceeds ☐Not met	**Condition:** CCFR has reviewed the application and does not see any emergency access issues. **Plat Note:** None
49.15.423(a)(3)(H)	The portion of the panhandle in the right-of-way, or the first 20 feet from the edge of the public roadway, has been paved, whichever length is greater.	☒Meets/Exceeds ☐Not met	**Condition:** N/A **Plat Note:** None

TRAFFIC

Traffic – According to CBJ 49.40.300(2), a traffic impact analysis IS NOT required; the development is not anticipated to generate more than 250 Average Daily Trips (ADTs).

Condition: N/A

Plat Note: None

Use	Trip generation per dwelling unit	Trips generated	Total trips
Single-family dwelling units	9.52	28.56	28.56
		Total ADTs:	**28.56 trips**

ACCESS AND PUBLIC IMPROVEMENTS

Access – Per 49.35.250(a), staff has determined that the primary access to the subdivision is Garnet Street. The applicant has demonstrated that each lot will have direct and practical access to a public right-of-way through the frontage of the lot, as required by 49.35.250(b).

Lot Number	Primary access
1A	Garnet Street
1B	Garnet Street
1C	Garnet Street

49.35.240 Table of Roadway Construction Standards –

Condition: N/A

Plat Note: None

ADTs	TIA	Sidewalks	Travel Way Width	Street Lights	ROW Width	Paved	Publically Maintained
28.56	No	No	20 feet	No	50 feet	Yes	Yes

Street Lighting – N/A

Condition: None

Plat Note: None

Pedestrian Access – At this time, separate pedestrian accommodations are not required.

Condition: None

Plat Note: None

Drainage – A drainage plan is required.

Condition: Submit a drainage plan for the site prior to recording of the Final Plat

Plat Note: N/A

Fire Code Improvements – N/A

Condition: N/A

Plat Note: N/A

AGENCY REVIEW

CDD conducted an agency review comment period between November 16, 2021 and December 17, 2021. Agency review comments can be found in Attachment C.

Agency	Comments
Cartography	No comments.
General Engineering	No comments.
Streets	No comments.
Assessor's Office	No comments received.
Building	"Building has no issues with this subdivision at this time"
CCFR	"There does not appear to be any concerns on this one. The driveway is less than 150 feet in length so a turnaround is not required. No other code concerns"

PUBLIC COMMENTS

CDD conducted a public comment period between November 16, 2021 and January 11, 2022. Public notice was mailed to property owners within 500 feet of the subject parcel. A public notice sign was also posted on site two weeks prior to the scheduled hearing. No public comments were received as of the writing of this report.

FINDINGS

Major Subdivision Preliminary Plat Approval Criteria – Per CBJ 49.15.402(c)(4), the Director makes the following findings on the proposed development:

1. ***Does the preliminary plat comply with CBJ 49.15.411?***

   Analysis: No additional analysis needed.

   Finding: Yes. With recommended conditions, the preliminary plat complies with preliminary platting requirements listed in CBJ 49.15.411.

2. ***Will applicable subdivision development standards be met, or can reasonably be met with conditions?***

   Analysis: N/A

   Finding: Yes. All applicable subdivision development standards can be reasonably met.

3. ***Will the proposed subdivision provide suitable building sites for the zoning district?***

   Analysis: Lots created through this subdivision meet minimum dimensional requirements for the D5 zoning district; these lots can reasonably meet setback and other dimensional requirements.

   Finding: Yes. The proposed subdivision provides building sites suitable for the D5 zoning district.

4. Will the proposed street names be unique or continuations of existing streets?

Analysis: No new streets are being proposed for this subdivision.

Finding: Yes.

5. Has the director of Engineering and Public Works reviewed the application and determined that:

(i) The subdivision can be constructed to conform to applicable drainage and water quality requirements;

(ii) The streets, pioneer paths, and pedestrian ways as proposed accommodate anticipated traffic, align with, and, where appropriate, connect with streets and pedestrian ways serving adjacent properties;

(iii) Any proposed improvements conform to the requirements of this Title 49 and can be feasibly constructed; and,

(iv) Where public sewer is not required, the applicant has shown that soils are suitable for individual on-lot wastewater treatments and disposal or has shown the feasibility of alternative methods of wastewater disposal and treatment.

Analysis: N/A

Finding: Yes. Engineering and Public Works has reviewed the proposed subdivision application and supplemental materials, and believes the above criteria can be met.

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and **APPROVE** the requested preliminary plat for Lots 1A, 1B, and 1C, a subdivision of Lot 1, Block G of the Golden Nugget Subdivision within US Survey 1530. This permit would allow the applicant to submit for the final plat application.

This approval is subject to the following conditions:

1. Prior to final plat approval, Certification from the CBJ Treasurer is required showing that all real property taxes and special assessments levied against the property for the year of recording have been paid.

2. Prior to final plat approval, the applicant shall submit a complete set of construction plans for all required improvements to the Community Development Department for review by the Director of Engineering & Public Works for compliance with CBJ 49.35.140.

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

4. 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.

5. Prior to final plat approval, the applicant shall submit a parking plan showing two (2) off-street parking spaces for each lot.

6. Prior to final plat approval, the existing she and manufactured structure will need to be removed.

7. Prior to final plat approval, the following corrections to the plat shall be made:
    a. Correct the file number in the Title Block to read "SMP2021 0006".
    b. Change all dates on the plat to read 2022.
    c. Correct the Basis of Bearing statement to read, "…the northeast **corner** of Lot 1, Golden Nugget Subdivision".

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	Preliminary Plat
Attachment C	Public Notice
Attachment D	Agency Comments
Attachment E	Public Comments

DUPONT
Tyvek
HomeWrap

COMMON ACCESS & UTILITY EASEMENT, MAINTENANCE AND HOLD HARMLESS AGREEMENT

Southeast Endeavors, LLC, whose address is 8287C Garnet St., Juneau, Alaska; warrant that I am the owner and tenant by the entirety of:

> Lots 1A, 1B and Lot 1C, A Subdivision of Lot 1, Block G, Golden Nugget Subdivision within the City and Borough of Juneau, Juneau Recording District, First Judicial District, State of Alaska;

As the owners of LOTS 1A, 1B & 1C we acknowledge an understanding that we are the owners of a certain Common Access & Utility Easement containing a common access driveway, drainage and utility easement that is jointly used by LOTS 1A, 1B & 1C, that exists as shown on the attached Plat and we assume jointly and severally, all risk and responsibility for future, maintenance, snowplowing, reconstruction, dismantling and repairs of any kind to the common access driveway, drainage and utility easement. The Common Access and Utility Easement is that which extends from the Garnet Street right of way to the back of lots 1A & 1C.

We also agree, severally, to indemnify, defend and hold harmless the City and Borough of Juneau, its officers, agents, and employees, from all suits, claims, actions, losses, costs, penalties, and damages, including attorney's fees arising out of the existence, location and/or use of said common driveway, drainage and utility easement, within the Garnet St. right of way and other properties.

It is understood that the City and Borough of Juneau is not responsible in any manner whatsoever for the common driveway access.

It is understood that no repair or replacement that requires excavation within the public right-of-way, shall be done without obtaining the appropriate permits from the City and Borough of Juneau and other appropriate agencies.

This agreement shall run with the land, and be binding on all present and future owners, their heirs and assigns of said LOTS 1A, 1B & 1C, A Subdivision of Lot 1, Block G, Golden Nugget Subdivision.

IN WITNESS WHEREOF, the party hereto has executed this agreement as of the 6th day of April, 2022.

By: _____ Dated: 4-6, 2022
Shawn Kantola

NOTARY ACKNOWLEDGEMENT

STATE OF ALASKA

SS:

FRIST JUDICIAL DISTRICT

THIS IS TO CERTIFY that on the 6th day of April, 2022, before me, the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared Shawn Kantola to me known to be the individual described in and who executed the foregoing instrument, and acknowledged to me that he signed and sealed the same freely and voluntarily for the uses and purposes therein mentioned.

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

Cecilia Perez
Notary Public for the State of Alaska
My Commission Expires: Aug. 17, 2022

CECILIA PEREZ
Notary Public
State of Alaska
My Commission Expires Aug 17, 2025

CECILIA PEREZ
Notary Public
State of Alaska
My Commission Expires Aug 17, 2025

PLANNING COMMISSION AGENDA
THE CITY AND BOROUGH OF JUNEAU, ALASKA

USE2022 0005: A modification (extension) of a Conditional Use Permit (USE2021 0011) for a cold weather emergency shelter at Resurrection Lutheran Church - APPROVED AS AMENDED

AGENDA ITEM:

Case No.: USE2022 0005
Applicant: Resurrection Lutheran Church
Location: 740 W. 10th Street
Proposal: A modification (extension) of a Conditional Use Permit (USE2021 0011) for a cold weather emergency shelter at Resurrection Lutheran Church

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. (Condition #9).

ATTACHMENTS:

Description	Upload Date	Type
Staff Report for USE2022 0005	4/20/2022	Staff Report
Presentation for USE2022 0005	4/26/2022	Presentation

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

PLANNING COMMISSION STAFF REPORT
CONDITIONAL USE PERMIT USE2022 0005
HEARING DATE: APRIL 26, 2022

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

DATE: April 18, 2022

TO: Michael LeVine, Chair, Planning Commission

BY: Jennifer Shields, Planner II *Jennifer L. Shields*

THROUGH: Jill Maclean, AICP, Director

PROPOSAL: Applicant requests a modification (extension) of Conditional Use Permit USE2021 0011 for a cold weather emergency shelter at Resurrection Lutheran Church.

STAFF RECOMMENDATION: Approval with original conditions #1 through #8, and repealing condition #9.

KEY CONSIDERATIONS FOR REVIEW:

- An emergency shelter is a permissible use in the Light Commercial zoning district.
- Church staff have experience managing shelters in Juneau and San Francisco.
- Juneau Police Department and CBJ staff have worked closely with the shelter to mitigate off-site impacts.
- Received praise and support from other social service agencies and its neighbors, including those initially opposed to the Conditional Use Permit.

GENERAL INFORMATION	
Property Owner	Resurrection Lutheran Church
Applicant	Resurrection Lutheran Church
Property Address	740 W 10th Street
Legal Description	Casey Shattuck Block 226 Lots 6, 7, & 8
Parcel Number	1C060C260060
Zoning	Light Commercial (LC)
Land Use Designation	Commercial (C)
Lot Size	10,800 square feet
Water/Sewer	City water and sewer
Access	West 10th Street
Existing Land Use	Church
Associated Applications	USE2021 0011

ALTERNATIVE ACTIONS:

1. **Amend:** require additional conditions, or delete or modify the recommended conditions.
2. **Deny:** deny the permit and adopt new findings for items 1-6 below that support the denial.
3. **Continue:** to a future meeting date if determined that additional information or analysis is needed to make a decision, or if additional testimony is warranted.

ASSEMBLY ACTION REQUIRED:

Assembly action is not required for this permit.

STANDARD OF REVIEW:

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
  - 49.15.330 (CUP)

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

SITE FEATURES AND ZONING

SURROUNDING ZONING AND LAND USES	
North (D5)	Residential
South (LC)	Residential
East (D5)	Residential
West (LC)	Commercial

SITE FEATURES	
Anadromous	None
Flood Zone	Zone X, area of minimal risk
Hazard	None known
Hillside	None
Wetlands	None
Parking District	No
Historic District	Casey Shattuck Historic Neighborhood
Overlay Districts	Downtown Juneau ADOD

BACKGROUND INFORMATION

The Planning Commission, at its regular meeting on November 15, 2021, approved USE2021 0011 (**Attachments B and C**) for the operation of a cold weather emergency shelter at Resurrection Lutheran Church, subject to the following conditions:

1. Prior to the opening of the facility, smoke detectors must be installed in the sleeping area and in each of the shelter's restrooms. **Complete**.
2. Prior to the opening of the facility, an alarm must be installed on the emergency exit door in the shelter's sleeping area. **Complete**.
3. If new exterior lights are added to the church building, a lighting plan illustrating location and type of exterior light shall be provided to the Community Development Department. **N/A**.
4. Prior to the opening of the facility, exterior security cameras must be installed and functional. **Complete**.
5. The shelter facility's operating start time will not be before 9:00 P.M. and will end by 6:30 A.M. the next day. **Ongoing**.
6. The shelter facility can operate from November 1 to May 1. **Ongoing**.

7. When the shelter facility is operating, there must be a minimum of two (2) staff present at all times. **Ongoing**.
8. The shelter facility will provide a contact number to the surrounding neighbors that will be actively answered during operating hours. The intent of this condition is to provide a way for shelter staff to respond to issues as they arise in the area. **Ongoing**.

This permit will expire on May 1, 2022. (Requesting modification to repeal).

Since the Conditional Use Permit is set to expire, the applicant is requesting a modification of USE2021 0011. The applicant may seek further changes in the future, however, at this time prefers a modification to keep this USE permit in good standing.

ANALYSIS

Following approval of USE2021 0011 last November, CBJ executed a cold weather emergency shelter and Operations contract with the applicant (**Attachment D**). Since that time, the applicant has met the conditions of approval and reports the following as detailed in their application narrative (**Attachment A**) and briefly summarized below:

- Operated continuously.
- No negative feedback received from community or neighbors.
- Usage is generally at capacity.
- Staffing has remained consistent and will be returning.
- Received praise and support from other social service agencies and its neighbors, including those who initially opposed the Conditional Use Permit.

AGENCY REVIEW

CDD contacted the Juneau Police Department (JPD) regarding this application and received the following response from Deputy Chief David Campbell on April 18, 2022: "JPD has no concerns with Resurrection Lutheran Church maintaining its conditional use permit to operate the warming shelter. Let me know if there is anything specific you need on my end."

PUBLIC COMMENTS

CDD conducted a public comment period between April 13, 2022 and April 22, 2022. Property owners within 500 feet of the proposed shelter site were mailed an abutters notice with instructions on how to comment (**Attachment E**). In addition, a public notice sign was posted on site two weeks prior to the April 26, 2022 public hearing (**Attachment F**). No public comments have been received as of the date of this staff report.

FINDINGS

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

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

   Analysis: No further analysis needed.

   Finding: Yes. The application contains the information necessary to conduct full review of the proposed operations. The application submittal by the applicant, including the appropriate fees, substantially conforms to the requirements of CBJ Chapter 49.15.

2. ***Is the proposed use appropriate according to the Table of Permissible Uses?***

   Analysis: The application is for a cold weather emergency shelter (CBJ 49.80 Assisted living). The use is listed at CBJ 49.25.300, Section 7.200 for the Light Commercial zoning district.

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

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

   Analysis: The proposed project does comply with the other requirements of Title 49 and the CBJ Building and Fire Codes.

   Finding: Yes. With the recommended conditions, the proposed development will comply with Title 49, the CBJ Building Code and the CBJ Fire Code.

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

   Analysis: This finding hinges on the idea of "materially endanger." "Materially" means "significant or substantial." "Endanger" means "to bring into danger or peril." Since approval, the cold weather emergency shelter has mitigated concerns and promptly responded to complaints from the community or neighbors. The cold weather emergency shelter has maintained communication with neighbors and been available as needed. JPD has no concerns with Resurrection Lutheran Church continuing operations of the cold weather emergency shelter.

   Finding: No. With appropriate conditions, the requested permit for a cold weather emergency shelter in a Light Commercial zoning district will not materially endanger the public health or safety.

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

   Analysis: CBJ Assessor does not consider proximity to an emergency housing shelter when assessing property.

   Finding: No. There is no evidence to suggest that with appropriate conditions, the requested permit for a cold weather emergency shelter in a Light Commercial zoning district will substantially decrease the value of or be out of harmony with the property in the neighboring area.

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

   Analysis: No further analysis needed.

   Finding: Yes. The proposed cold weather emergency shelter, with the recommended conditions, will be in general conformity with the 2013 Comprehensive Plan.

RECOMMENDATION

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

1. This permit will expire on May 1, 2022. (Condition #9).

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	USE2021 0011 Notice of Decision
Attachment C	USE2021 0011 Staff Report with Attachments
Attachment D	CBJ Contract for a Cold Weather Emergency Shelter
Attachment E	Abutters Notice
Attachment F	Public Notice Sign

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

DEVELOPMENT PERMIT APPLICATION

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

To be completed by Applicant

PROPERTY LOCATION

Physical Address
740 W 10th Street, Juneau, AK, 99801

Legal Description(s) (Subdivision, Survey, Block, Tract, Lot)
Casey Shattuck Block 226 Lots 6, 7, and 8

Parcel Number(s)
1C060C260060

☐ This property located in the downtown historic district
☐ This property located in a mapped hazard area, if so, which _____

LANDOWNER/ LESSEE

Property Owner Resurrection Lutheran Church	Contact Person Bradley Perkins
Mailing Address 740 W 10th Street, Juneau, AK, 99801	Phone Number(s) 808-782-5795
E-mail Address manager@warmingshelter.org	

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 _____ April 1, 2022
Landowner/Lessee Signature — 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 _____ April 1, 2022
Applicant's Signature — Date of Application

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

Intake Initials
TC

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
USE22-005	4/1/22

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

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

NOTE: Must be accompanied by a DEVELOPMENT PERMIT APPLICATION form.

To be completed by Applicant

PROJECT SUMMARY

Resurrection Lutheran Church (RLC) proposes allocating space within its facility located at 740 W 10th Street to operate the Cold Weather Emergency Shelter (CWES) for the City and Borough of Juneau (CBJ), assuming the contract abrogated by St. Vincent de Paul (SVdP).

TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED

- ○ Accessory Apartment – Accessory Apartment Application (AAP)
- ○ Use Listed in 49.25.300 – Table of Permissible Uses (USE)

Table of Permissible Uses Category: _____

IS THIS A MODIFICATION or EXTENSION OF AN EXISTING APPROVAL? ✓ YES – Case # USE21-11 ○ NO

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

SITE AND BUILDING SPECIFICS

Total Area of Lot 10,800 square feet Total Area of Existing Structure(s) 5,034 square feet

Total Area of Proposed Structure(s) N/A square feet

EXTERNAL LIGHTING

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

ALL REQUIRED DOCUMENTS ATTACHED

☑ **Narrative including:**

- ☑ Current use of land or building(s)
- ☑ Description of project, project site, circulation, traffic etc.
- ☑ Proposed use of land or building(s)
- ☐ How the proposed use complies with the Comprehensive Plan

If this is a modification or extension include:

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

☑ **Plans including:**

- ☑ Site plan
- ☑ Floor plan(s)
- ☐ Elevation view of existing and proposed buildings
- ☐ Proposed vegetative cover
- ☐ Existing and proposed parking areas and proposed traffic circulation
- ☐ Existing physical features of the site (e.g.: drainage, habitat, and hazard areas)

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

ALLOWABLE/CONDITIONAL USE FEES

	Fees	Check No.	Receipt	Date
Application Fees	$ 250			
Admin. of Guarantee	$			
Adjustment	$			
Pub. Not. Sign Fee	$ N/A			
Pub. Not. Sign Deposit	$ N/A			
Total Fee	$ 250.00			

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Case Number	Date Received
USE 22-04	4/1/22

Allowable/Conditional Use Permit Application Instructions

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

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

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

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

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

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

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

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

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

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

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

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Allowable / Conditional Use Permit Application Extension Narrative

Project

Resurrection Lutheran Church (RLC) proposes an extension of Conditional Use Permit NOD USE2021 0011 granted November 15, 2021 by the City and Borough of Juneau (CBJ) Planning Commission (PC) ("CUP" - attached), incorporating a November 2, 2021 memorandum from Allison Eddins, Community Development, to the CBJ Planning Commission regarding USE2021 0011 ("CD CUP Memorandum" - attached), allocating space within its facility located at 740 W 10th Street to operate the Cold Weather Emergency Shelter (CWES) for the CBJ under CBJ PO # 114413 ("PO" - attached) for CBJ Contract MR 220-198 ("Contract" - attached).

Narrative

RLC has been in Juneau since 1926. It has a long and proud history of serving those in need in Juneau and Southeast Alaska, including multiple generations. It is a member of Love INC, Southeast Alaska Food Bank, the Juneau Suicide Prevention Coalition, Family Promise and regularly participates in the Juneau Coalition on Housing and Homelessness and Collaborated Efforts meetings. The Resurrection Quilters donate their handcrafted quilts to those in need locally in Juneau and worldwide. While many churches closed during the COVID-19 pandemic, RLC actually stepped up its operations. The church was one of several churches to open a Safe Space for Schooling (RLC SSS) program to support students attending Zoom classes and was recognized by Juneau School District and its superintendent. NAMI Juneau and the Suicide Prevention Collation recognized our RLC SSS Program Supervisor, Clarice Bethers, for exceptional work helping children in the community. In order to accommodate the RLC SSS program, the Downstairs Hall (where RLC operates the CWES) was renovated. RLC also expanded its weekly food pantry to allow patrons to continue to choose their own foods and receive other donated items. Last Fall, when St. Vincent de Paul decided not to complete the last two years of its CWES contract with the CBJ, the church stepped up when it realized there were no other alternatives for the city's homeless individuals.

Current Use of the Facility

In addition to weekly worship services and the CWES since November 15, 2021, RLC operates the largest food pantry in Juneau feeding 150 to 200 individuals and families each week, where it operates a secondhand clothing outlet with donations from St. Vincent de Paul, congregation members, and the community. In addition to addiction and self-help groups, RLC hosts many of Juneau's performing arts organizations who rehearse and perform at RLC, including the Juneau String Ensembles. RLC's Juneau Live!™ community access outreach program (focusing on isolated and marginalized people in Juneau) is in its second season with twelve bi-weekly television shows on its YouTube channel, JuneauLive, and a weekly radio show on KINY. Juneau Live! regular shows include Juneau Eats! (How to get and prepare free food) hosted by Chris Schapp, manager of SE Alaska Food Bank, Sarah Lewis, Associate Professor of Extension Health, Home, Family & Community Development Program UAF Cooperative Extension Service Juneau & Sitka Districts of Southeast Alaska, Audra Henderson, Nutrition Educator, UAF Cooperative Extension Service: Juneau Sleeps… (Finding shelter on the road to your home) hosted by Roy Anderson, Housing Manager, St. Vincent de Paul; Sandy and Friends Jam for Wildflower Court (and you!) hosted by

Mike Truax and others; Alaska Music One Presents (Showcasing local Juneau musical talent) hosted by Riley Woodford; Into the Arts (Assisting viewers to participate in the arts) hosted by Melissa McCormick and sponsored by Juneau Arts and Humanities Council; How Do You Think (Living and thriving with brain injuries and other defects) hoisted by Laura Rorem, Secretary, Board of Directors JAMHI Health & Wellness and Tamara Walter Executive Director TBI Resource Foundation. Additionally, the Juneau Live! Studio has hosted numerous community organization event broadcasts, including Polaris House, SE Alaska Scouts Pinewood Derby, Theatre Alaska, JAMM, Juneau Jazz & Classics, Juneau String Ensembles, Thrush Hill Music and the Alaska Folk Festival. In just the last year, the Juneau Live! YouTube channel (https://www.youtube.com/c/JuneauLive) has had over 10,000 views, over 150 subscribers, and produced and broadcast more than 500 hours of profession, high-quality, Juneau-community access programming using a volunteer production staff and crew at no cost to sponsoring organizations. Juneau Live! has also hosted two Scouts Pinewood Derbies, Polaris House, Alaska Folk Festival, Theater Alaska, and Juneau Jazz and Classics. RLC is currently sponsoring a scout troop.

Extension of the Current CUP

Since being granted the CUP by the PC, RC has operated the CWES (aka the RLC Warming Shelter):

- Opened on November 15, 2021, as per the Contract. Operated continuously (except 11/16/21), due to extreme weather conditions and exceptionally high patronage.
- Has had NO negative feedback from community or neighbors (worked with next door neighbor to resolve all issues). Church members, management, staff and patrons have ALL worked diligently to minimize shelter impact on community.
- After initial startup, patron usage has generally been at capacity to date (closing due on April 15th). Only two cases of COVID-19 were verified in shelter (both traced to other shelters).
- Other than one staff member who left in first couple of weeks (for family reasons), the six staff members have remained onboard throughout the entire season and have indicated their desire to return next season.
- The RLC Warming Shelter has received praise and support from other social service agencies and its neighbors (including those who opposed the CUP such as First National Bank of Alaska and Harborview Elementary School).

Plans to File New Conditional Use Permit

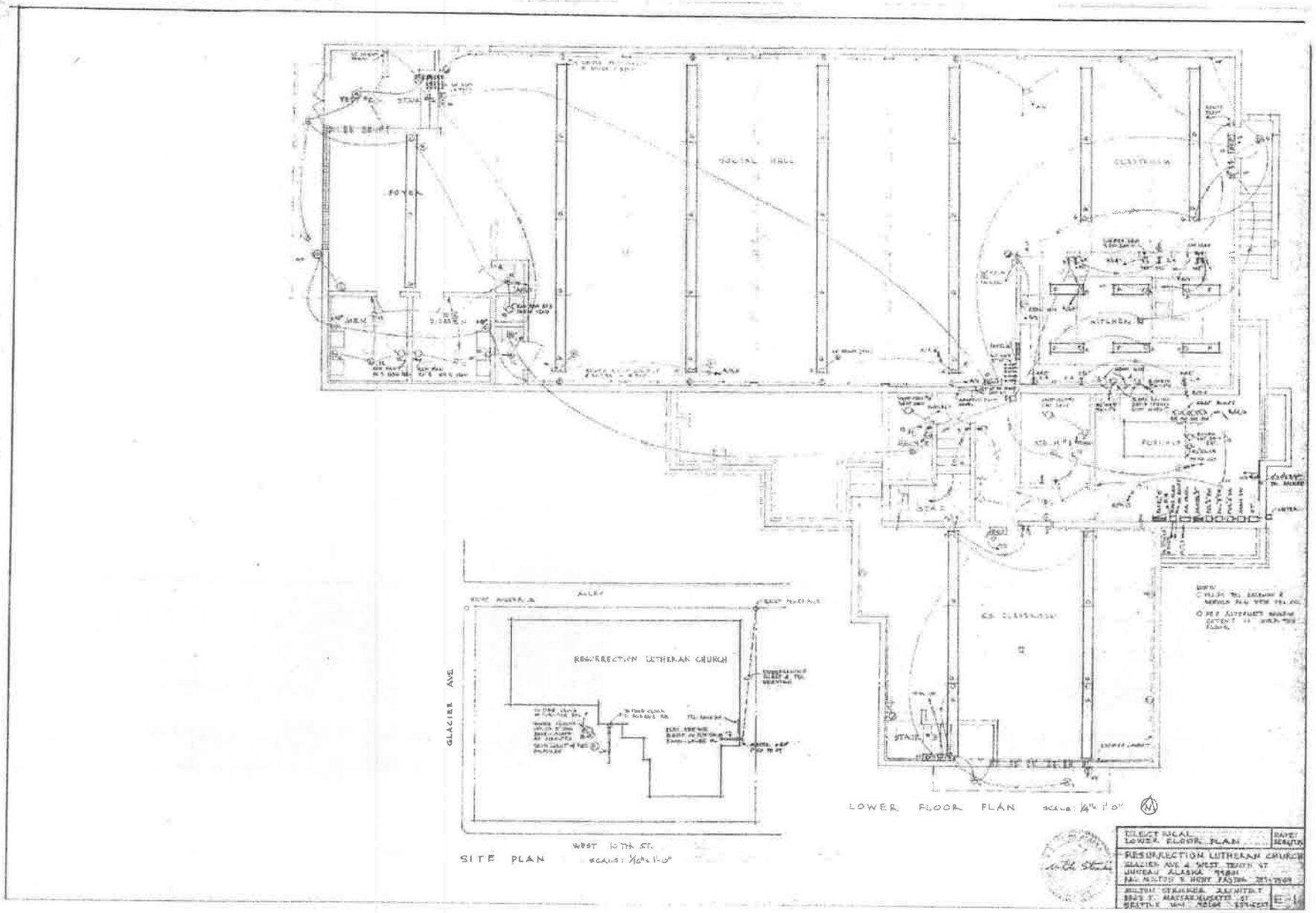
In light of its successful operation of the CWES, RLC plans to file a new Conditional Use Permit requesting that the operation of the CWES be governed by the terms of the PO and Contract negotiated between itself and the CBJ, which will respectful request the removal of conditions 1 through 8 in the extension of the CUP as having been met and/or be subject to the terms of the CBJ PO and Contract, and the removal of conditions 1 through 3 in the CD CUP Memorandum as having been met. RLC expects to file for this permit in June 2022.

Impact on Parking

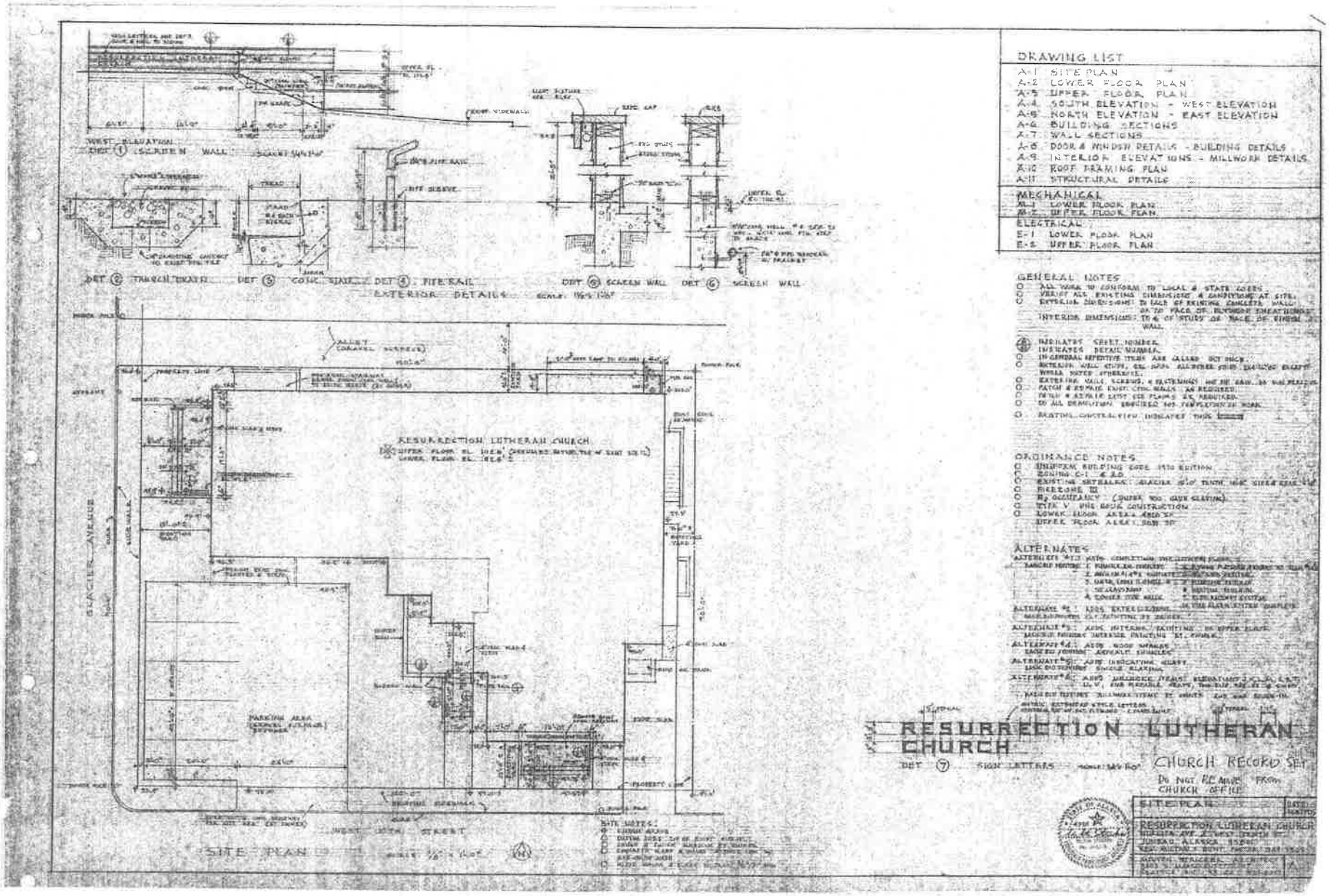
RLC has three parking places and one ADA parking place at the church building, and a separate lot at the corner of 10th and D Streets (approximately 15 parking places). Occasional visits by

Juneau Police Department (JPD) and Capital City Fire and Rescue (CCFR) vehicles have been accommodated at the existing church lot. As patrons rarely have vehicles, existing parking has been sufficient for CWES staff and other operations, and there has been no adverse impact on street parking.

Impact on Traffic
There has not been any impact on traffic from CWES operations.



Attachment A - Application Packet



Attachment A - Application Packet

Planning Commission

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

PLANNING COMMISSION
NOTICE OF DECISION

Date: November 15, 2021
Case No.: USE2021 0011

Resurrection Lutheran Church
Attn: Bradley Perkins
740 W 10th Street
Juneau, AK 99801

Proposal:	Conditional Use Permit to operate an emergency cold weather shelter at Resurrection Lutheran Church.
Property Address:	740 W 10th Street
Legal Description:	Casey Shattuck Block 226 Lots 6, 7, and 8
Parcel Code No.:	1C060C260060
Hearing Date:	November 9, 2021

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated November 2, 2021, and approved the operation of a cold weather emergency shelter to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

1. Prior to the opening of the facility, smoke detectors must be installed in the sleeping area and in each of the shelter's restrooms.
2. Prior to the opening of the facility, an alarm must be installed on the emergency exit door in the shelter's sleeping area.
3. If new exterior lights are added to the church building, a lighting plan illustrating location and type of exterior light shall be provided to the Community Development Department.
4. Prior to the opening of the facility, exterior security cameras must be installed and functional.
5. The shelter facility's operating start time will not be before 9:00 P.M. and will end by 6:30 A.M. the next day.

6. The shelter facility can operate from November 1 to May 1.
7. When the shelter facility is operating there must be a minimum of two (2) staff present at all times.
8. The shelter facility will provide a contact number to the surrounding neighbors that will be actively answered during operating hours. The intent of this condition is to provide a way for shelter staff to respond to issues as they arise in the area.
9. This permit will expire on May 1, 2022.

Attachments: November 2, 2021 memorandum from Allison Eddins, Community Development, to the CBJ Planning Commission regarding USE2021 0011.

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

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

Effective Date: The permit is effective upon approval by the Commission, November 9, 2021.

Expiration Date: The permit will expire on May 1, 2022.

Michael LeVine, Chair
Planning Commission

November 18, 2021
Date

Filed With City Clerk

November 19, 2021
Date

cc: Plan Review

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

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

PLANNING COMMISSION STAFF REPORT
CONDITIONAL USE PERMIT USE2021 0011
HEARING DATE: NOVEMBER 9, 2021

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

DATE: November 2, 2021

TO: Michael LeVine, Chair, Planning Commission

BY: Allison Eddins, Planner II

THROUGH: Jill Maclean, Director, AICP

PROPOSAL: Applicant requests a Conditional Use Permit to operate an emergency cold weather shelter at Resurrection Lutheran Church

STAFF RECOMMENDATION: Approval with conditions.

KEY CONSIDERATIONS FOR REVIEW:

- An emergency shelter is a permissible use in the Light Commercial zoning district.
- Church staff have experience managing shelters in Juneau and San Francisco.
- JPD and CBJ staff will work closely with shelter to mitigate off-site impacts.

GENERAL INFORMATION	
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Applicant	Resurrection Lutheran Church
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Water/Sewer	City water and sewer
Access	W 10th Street
Existing Land Use	Church
Associated Applications	N/A

ALTERNATIVE ACTIONS:

1. **Amend:** require additional conditions, or delete or modify the recommended conditions.
2. **Deny:** deny the permit and adopt new findings for items 1-6 below that support the denial.
3. **Continue:** to a future meeting date if determined that additional information or analysis is needed to make a decision, or if additional testimony is warranted.

ASSEMBLY ACTION REQUIRED:

Assembly action is not required for this permit.

STANDARD OF REVIEW:

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

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

SITE FEATURES AND ZONING

SURROUNDING ZONING AND LAND USES	
North (D5)	Residential
South (LC)	Residential
East (D5)	Residential
West (LC)	Commercial

SITE FEATURES	
Anadromous	None
Flood Zone	Zone X, area of minimal risk
Hazard	None known
Hillside	None
Wetlands	None
Parking District	No
Historic District	Casey Shattuck Historic Neighborhood
Overlay Districts	Downtown Juneau ADOD

AGENCY COMMENTS

Name, Title	Comment Summary
Scott Ciambor, CBJ Housing Officer	Working with shelter managers to ensure the project runs effectively.
Charlie Ford, Chief Building Inspector	Church is structurally sound. Recommending the installation of smoke detectors.
Ed Mercer, Juneau Police Chief	Working with shelter managers to coordinate public safety efforts.
Dan Jager, Fire Marshal	Recommending the installation of smoke detectors.

PUBLIC COMMENTS

CDD conducted a public comment period between October 19, 2021 and November 1, 2021. Property owners within 500 feet of the proposed shelter site were mailed an abutters' notice with instruction on how to comment. A public notice sign was posted on site two weeks prior to the November 9, 2021 public hearing. Resurrection Lutheran Church hosted a neighborhood meeting on Wednesday, October 27, 2021. The meeting was held in the church sanctuary and was a hybrid of virtual and in person. Public comments submitted at the time of writing this staff report can be found in Attachment C.

Name	Comment Summary	Type of Comment
Judy and Jay Crondahl, Parkshore Condo residents	No objection. Welcome the cold weather emergency shelter (CWES) into the neighborhood.	Email to pc_comments@juneau.org

Barbara Frank, Parkshore Condo resident	No objection. Applauds the church's efforts.	Email to pc_comments@juneau.org
Renee Guerin, Parkshore Condo resident	No objection. In favor of the CWES in her neighborhood.	Email to pc_comments@juneau.org
Jetta Whittaker, Flats resident	No objection. Believes Resurrection Lutheran Church will manage the CWES with compassion and efficiently.	Email to pc_comments@juneau.org
Will Ellis, Parkshore Condo resident	Anticipates increased crimes of opportunity. CWES should be located in an area with a greater police presence.	Email to pc_comments@juneau.org
Bobby Lee, Parkshore Condo resident	No objection. Encourages shelter at this location. Church has experience with people who may use the shelter.	Email to pc_comments@juneau.org
Rob Steedle, Flats resident	No objection. The church is an appropriate location for a CWES. Has not seen negative impacts of the food pantry operated at the church.	Email to pc_comments@juneau.org
Tom Sullivan, First National Bank Manager	Concerned about the close proximity to the ATM and after hours deposit box. Concern for bank customers' safety.	October 27, 2021 neighborhood meeting
Miguel Rohrbacher, Flats resident and direct neighbor	Concerned about shelter staff capacity and the likelihood that a shelter may operate at this location year-round.	October 27, 2021 neighborhood meeting
Emily Kane, Juneau resident	No objection. Supports the warming shelter.	Email to pc_comments@juneau.org
Betsy Lawer, Board Chair and CEO of First National Bank	Concerned about CBJ's lack of a comprehensive plan to address homelessness, the safety of bank customers and employees and the likelihood of vandalism.	Email to pc_comjments@juneau.org

BACKGROUND INFORMATION

CBJ Land Use Code (Title 49) – A CWES is considered an "assisted living facility". This is a permissible use in the Light Commercial (LC) zoning district with an approved Conditional Use Permit.

CBJ 49.80 Definitions.

Assisted Living means a facility providing housing and institutional care for people unable to live independently or without assistance. Assisted living includes facilities that provide nursing care services and emergency shelter. Assisted living use that occurs within a single-family dwelling is regulated as a single-family dwelling use.

ANALYSIS

Project Description – Resurrection Lutheran Church is proposing to operate a CWES at 740 W 10th Street. The shelter will primarily serve homeless adults who cannot participate at the Glory Hall or AWARE shelters. Entry to these shelters is typically denied due to intoxication. The CWES is contractually obligated to operate from 11:00 P.M. to 6:30 A.M. November 15 to April 15 on nights when the predicted temperature is 32 degrees or below. These are the minimum requirements. The contract does allow for flexibility on the hours and days of operation. Depending on need and staff availability, the shelter may open early and on days when temperatures are above freezing. Illuminated signs will be posted at the church, City Hall, the Downtown Transit Center, in the Valley, and Lemon Creek letting patrons know when the shelter is open.

The shelter will be managed by Pastor Karen Perkins and Mr. Bradley Perkins. Pastor Perkins has over 25 years of experience operating shelters in San Francisco and Juneau. Mr. Perkins recently served as the General Manager of St. Vincent de Paul and managed the Juneau CWES for the past three years.

Project Design – The church is proposing to run the shelter out of the church social hall. The space is approximately 2,000 square feet providing space for 28 sleeping areas in addition to two restrooms, and a commercial kitchen. Each sleeping area will have a single cot, space for personal belongings and a privacy partition. Sleeping areas will be spread out as a COVID precaution, and COVID testing will be available with assistance from Capital City Fire and Rescue (CCFR). The space has an emergency exit and a manual fire alarm. The CCFR Fire Marshal has requested that smoke detectors be installed in the sleeping area and in the restrooms.

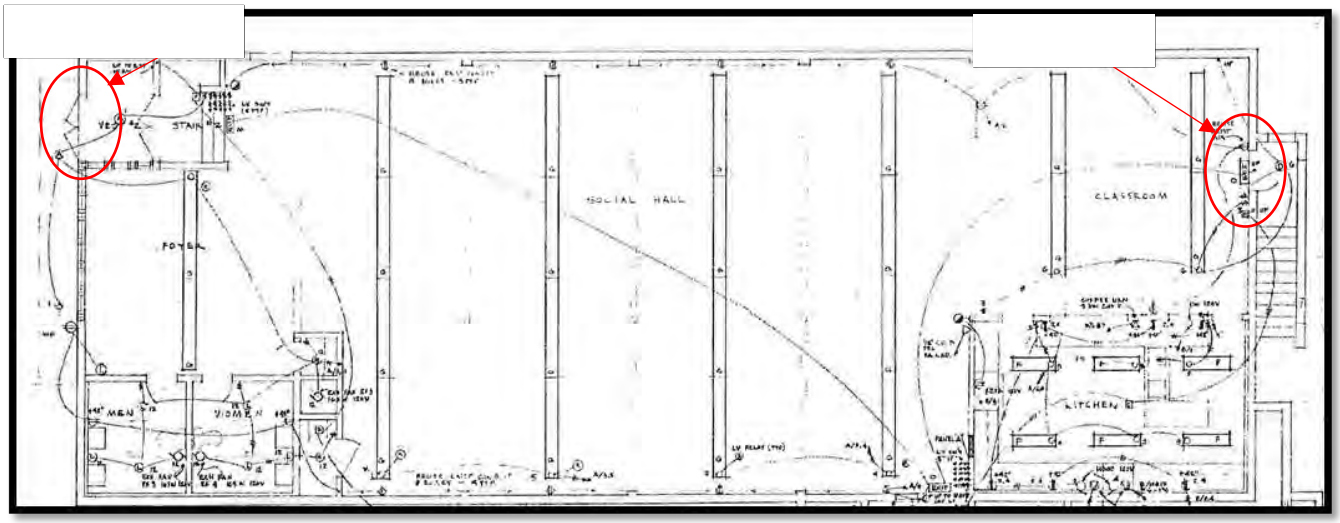


Figure 1: Floor plan of proposed shelter space

Condition #1: Prior to opening the facility, smoke detectors must be installed in the sleeping area and in each of the church restrooms used by the shelter.

Figure 3: Shelter entrance w/ public notice sign at the corner of Glacier Ave and the alley

All CWES patrons will enter and exit the facility through the Glacier Avenue entrance that is pictured above. Up until recently, the church owned the lot and single-family home next door. The lot is fenced in and was used as a playground for the church daycare. The church sold the property this summer and is currently in communications with the new owners to reconstruct and relocate the fence entirely onto the private property. The social hall does have one emergency exit and this exit leads directly into the private yard next door. The property owners are concerned that patrons will use the exit to leave and re-enter the facility throughout the night. This is a valid concern considering the emergency exit door is currently not alarmed. Church staff has spoken with CBJ staff and the concerned neighbor about installing an alarm on the emergency exit door to help ensure that it is only used in an emergency situation. This is recommended as a condition of approval.

Condition #2: Prior to opening the facility, an alarm must be installed on the emergency exit door in the CWES sleep area.

The CWES will operate as a shelter of last resort for patrons who are not permitted to sleep at the Glory Hall or AWARE. This is usually due to intoxication. The CWES will permit intoxicated patrons, but will not allow violent patrons to enter. Upon encountering a violent person, shelter staff will call JPD to deal with the individual. In the past, operators of the CWES have worked closely with CBJ staff and JPD to maximize the health and safety of the patrons and minimize impacts to neighbors. Patrons will be provided with a hot meal before bed, and breakfast in the morning.

Project Site – Resurrection Lutheran Church is located on the northeast corner of W. 10th Street and Glacier Avenue in the Flats neighborhood. The church is located a short distance from multiple bus stops and the downtown fire station. It is located near Harborview Elementary School, First National Bank, downtown businesses, and residences.

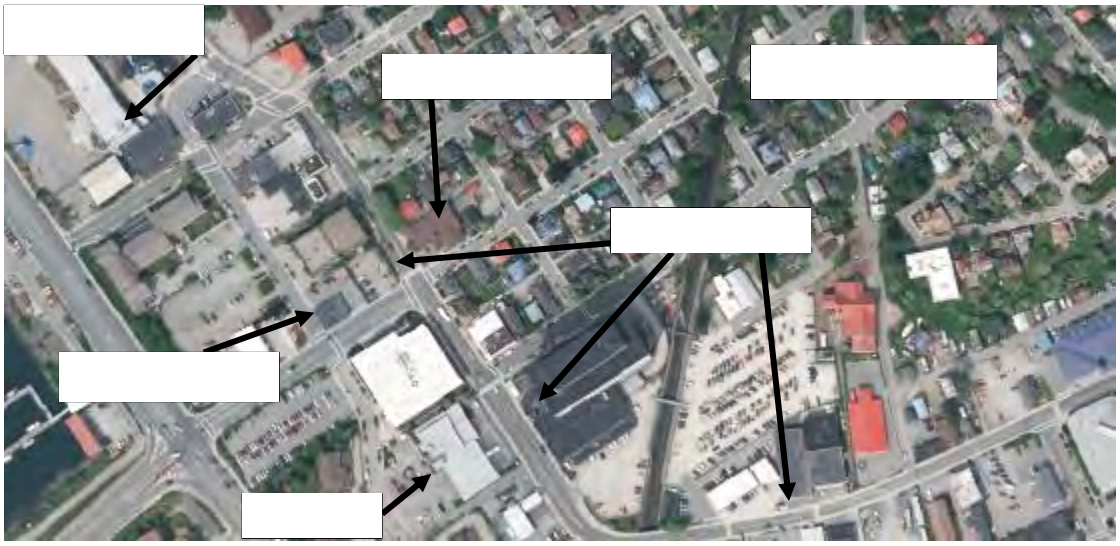


Figure 2: Aerial image and surrounding uses

CBJ staff and CWES staff will coordinate efforts to ensure the CWES patrons are safely moved to another shelter location after the CWES shelter closes in the morning. JPD will increase patrols in the area before and during shelter hours, and if needed, officers will help patrons up and out in the morning. CWES staff will provide patrons with bus tokens or cab fare in the morning. Patrons will be encouraged to head to the Glory Hall campus where they will find food and shelter amenities like showers and laundry facilities. Depending on availability, the CWES staff may be able to transport patrons to the Glory Hall in a passenger van leased from St. Vincent de Paul.

The church intends to contract with a cleaning service to sanitize the sleeping space after every use, and to clean up litter and other debris that may accumulate around the site. The church acknowledges that open and frequent communication with the neighbors will be key to the shelter's success at this location and plans to use social media as the primary communication tool.

Traffic – According to CBJ 49.40.300(a)(2), a traffic impact analysis is not required for a project that generates less than 250 average daily trips (ADT). The table below illustrates the estimated ADT based on the Institute of Transportation Engineers *Trip Generation Manual*. Based on the CWES operations of previous years, the only anticipated traffic will be from CWES staff and JPD and CCFR vehicles.

Use	Metric	Trips Generated	Total Trips
Assisted Living	per bed	2.6 trips	73
		Total ADTs:	**73**

Condition: None recommended.

Vehicle Parking & Circulation – The church provides 18 parking spaces and one ADA space. The church does not have a parking requirement since it was constructed in the 1950s, and pre-dates minimum parking requirements. However, the Americans with Disabilities Act does require the church to meet the ADA parking requirement of one space. According to CBJ 49.40, 11 off-street parking spaces are required for the assisted living facility including one ADA space. CBJ 49.40 allows for joint use parking when daytime and nocturnal uses occupy the same or adjacent buildings. This allows the church and the CWES to share the one ADA space. No additional parking is required.

Use	Metric	Spaces Required	Total Spaces
Assisted Living	per bed	0.4 spaces per bed	11
		Total Parking Requirement:	**11**
		Off-Street Loading Spaces Required:	**0**
		ADA Accessible Spaces Required:	**1**

Condition: None recommended.

Proximity to Transit and Non-motorized Transportation – The majority of CWES patrons depend on transit and walking to get around. The church is located within walking distance of numerous bus stops and is on the transit line that serves the Glory Hall neighborhood. The area around the church has well developed pedestrian infrastructure with 5-foot wide sidewalks along both sides of the surrounding right-of-ways.

Condition: None recommended.

Noise – The church is located along a major commercial corridor that abuts a residential neighborhood. Patrons will not be allowed to be disruptive inside or outside of the church. Any noise disruptions will be addressed swiftly, first by CWES or church staff, and if necessary, by JPD.

Condition: None recommended.

Lighting – The church has lights installed along the exterior perimeter of the site. The right-of-ways around the church, including the alley, have streetlights. All exterior lights are required to be full cut-off so as not to produce glare onto surrounding properties. Based on need, new lights may be added.

Condition #3: If new exterior lights are added to the church building, a lighting plan illustrating location and type of exterior light shall be provided to the Community Development Department.

Public Health, Safety, and Welfare – The following paragraphs were taken from the staff report written by Planner Gallion for the Conditional Use Permit for the new Glory Hall facility (USE2020 0008):

> *It is difficult to procure reliable statistics on crime in the area of Emergency Housing Shelters. Whatever your position, you can find the statistics to bear it out. The Juneau Police Department does not keep statistics on crimes involving people experiencing homelessness. This mindful decision on their part mitigates classism in law enforcement. A victim is a victim, and a perpetrator is a perpetrator, regardless of their socioeconomic conditions.*
>
> *A survey of literature indicates agreement that the crimes associated with homelessness tend to be nuisance crimes, among them panhandling, loitering, trespass, shoplifting, and public intoxication. Some such crimes can be mitigated through Emergency Housing Shelter accommodations. For instance, day shelter operations can reduce loitering complaints. Note that while an Emergency Housing Shelter might establish "good neighbor" rules aiming to reduce impacts on neighbors, such rules can run afoul of the Fair Housing Act (Title VIII of the Civil Rights Act). Good neighbor rules cannot set terms, conditions or privileges for the provision of housing that would not apply to a citizen at large. For instance, you cannot deny housing to an individual if they go to an establishment (say, a neighboring bar) that the rest of the population can go to without jeopardizing their housing. Another example might regard loitering. If the population at large may stand in front of a downtown business, a shelter patron cannot be denied housing for doing just that.*
>
> *Another challenge for neighbors is untreated mental illness. An individual cannot be forced into treatment unless a danger to themselves or others, or unable to function independently. While a social worker can convince someone to go in for a mental health evaluation, and JPD can compel someone to go in, neither can force a mental health hold. A mental health professional must make that determination, and have approval of a judge [AS 47.30.700]. The length of an involuntary hold is narrowly tailored in favor of the individual's civil liberties. A 1975 Supreme Court ruling (O'Connor v. Donaldson) had established standards for involuntary committal. There was another landmark case in 1987 helped establish the stringent standards for involuntary committal that we have today.*

The public has expressed concerns about the CWES in the neighborhood. CWES managers and CBJ staff are aware of these concerns. Chief Mercer and Deputy Chief Campbell with JPD have spoken with the CWES managers and are confident that the CWES can be effectively managed. Open and frequent communication with the public will be key to the CWES's success in this location. Social media will be the primary method of communication.

As mentioned previously, the church will install cameras along the perimeter of the building and these cameras

will be monitored in real time by CWES staff during operating hours. The church will also contract with a cleaning service to clean up any litter or debris that is left outside.

The structure has been inspected by the CBJ Building Official and Fire Marshal. The structure has been found to be safe for human occupation. The Fire Marshal is requesting that smoke detectors be installed in the sleeping area and restrooms. Staff is recommending that as Condition #1.

Staff anticipates the general welfare and safety of the CWES patrons to increase once the CWES is operational.

Condition: None recommended.

Property Value or Neighborhood Harmony – CBJ and the CWES managers are committed to working with and communicating frequently with the neighborhood businesses and residents. Some have expressed concern that property crime, theft, and robbery may increase with the CWES opening. JPD has been and will continue to be in communication with the CWES managers to address any criminal or neighborhood disturbance issues. Staff does anticipate calls from the neighborhood to JPD to increase once the CWES is open. Staff anticipates increase police patrols in the neighborhood.

CBJ's Assessor's Office does not consider proximity to Emergency Housing Shelters in property assessments. Locating the shelter in the area cannot be assumed to have negative impacts on property values.

Condition: None recommended.

CONFORMITY WITH ADOPTED PLANS

PLAN	Chapter	Page No.	Item	Summary
2013 Comprehensive Plan	4	36	Policy 4.1	To facilitate the provision and maintenance of safe, sanitary, and affordable housing for CBJ Residents.
	4	36	4.1 – SOP 1	Fund, or assist in securing funding for, emergency shelters, transitional housing, permanent supportive housing, and appropriate supportive services for people who are homeless or near homeless or rent overburdened, particularly families and unaccompanied youth, and an increasing aging population.
	4	37	4.1 – IA7	Facilitate the provision of special needs and adaptive housing and supportive services in residential neighborhoods that are readily accessible to public transit, shopping, public amenities, and supportive services.
	13	213	Policy 13.3	To promote quality medical and social services in the CBJ to ensure the safety, health, well-being, and self-sufficiency of its residents.

PLAN	Chapter	Page No.	Item	Summary
	13	213	13.3 SOP1	Provide public funds for programs for the indigent and for high-risk groups such as youth, the elderly, disabled persons, and homeless persons and families.
	13	213	13.3 – IA3	Provide transportation assistance to homeless clients, including high school students, to support transport for job search efforts, to shelter, and for medical and social service care.

Note that Juneau's Housing Action Plan (2016) focus was "workforce housing" rather than homelessness.

FINDINGS

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

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

   Analysis: No further analysis needed.

   Finding: Yes. The application contains the information necessary to conduct full review of the proposed operations. The application submittal by the applicant, including the appropriate fees, substantially conforms to the requirements of CBJ Chapter 49.15.

2. ***Is the proposed use appropriate according to the Table of Permissible Uses?***

   Analysis: The application is for a Cold Weather Emergency Shelter (CBJ 49.80 *Assisted living*). The use is listed at CBJ 49.25.300, Section 7.200 for the Light Commercial zoning district.

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

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

   Analysis: The proposed project does comply with the other requirements of Title 49 and the CBJ Building and Fire Code.

   Finding: Yes. With the recommended conditions, the proposed development will comply with Title 49, the CBJ Building Code and the CBJ Fire Code.

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

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

   Staff does anticipate the number of police interactions in the neighborhood to increase. The number of police patrols in the neighborhood is expected to increase. It is anticipated that the safety and welfare of the CWES users will increase.

Finding: No. With appropriate conditions, the requested permit for a CWES in a Light Commercial zoning district will not materially endanger the public health or safety.

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

Analysis: CBJ Assessor does not consider proximity to an emergency housing shelter when assessing property.

Finding: No. There is no evidence to suggest that with appropriate conditions, the requested permit for a CWES in a Light Commercial zoning district will substantially decrease the value of or be out of harmony with the property in the neighboring area.

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

Analysis: No further analysis needed.

Finding: Yes. The proposed cold weather emergency shelter, with the recommended conditions, will be in general conformity with the 2013 CBJ Comprehensive Plan.

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested Conditional Use Permit. The permit would allow the development of a cold weather emergency shelter to be located at Resurrection Lutheran Church.

The approval is subject to the following conditions:

1. Prior to opening the facility, smoke detectors must be installed in the sleeping area and in each of shelter restrooms.
2. Prior to opening the facility, an alarm must be installed on the emergency exit door in the cold weather emergency shelter sleep area.
3. If new exterior lights are added to the church building, a lighting plan illustrating location and type of exterior light shall be provided to the Community Development Department.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	Agency Comment
Attachment C	Public Comments
Attachment D	Abutters Notice

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

DEVELOPMENT PERMIT APPLICATION

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

To be completed by Applicant

PROPERTY LOCATION

Physical Address
740 W 10th Street, Juneau, AK, 99801

Legal Description(s) (Subdivision, Survey, Block, Tract, Lot)
Casey Shattuck BL 226 Lots 6, 7 & 8

Parcel Number(s)
1CD060C260060

☐ This property located in the downtown historic district
☐ This property located in a mapped hazard area, if so, which _____

LANDOWNER/ LESSEE

Property Owner	Contact Person
Resurrection Lutheran Church	Bradley Perkins

Mailing Address	Phone Number(s)
740 W 10th Street, Juneau, AK, 99801	808-782-5795
E-mail Address: producer@juneaulive.org	

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 _____ October 15, 2021
Landowner/Lessee Signature — 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	Contact Person
SAME	

Mailing Address	Phone Number(s)
E-mail Address	

X _____ October 15, 2021
Applicant's Signature — Date of Application

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

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Intake Initials	
ANE	
Case Number	Date Received
USE21-11	10/15/21

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

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

NOTE: Must be accompanied by a DEVELOPMENT PERMIT APPLICATION form.

To be completed by Applicant

PROJECT SUMMARY

Cold Weather Emergency Shelter

TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED

○ Accessory Apartment – Accessory Apartment Application (AAP)

⊗ Use Listed in 49.25.300 – Table of Permissible Uses (USE)

Table of Permissible Uses Category: 7.2 - Assisted Living (Emergency Shelter)

IS THIS A MODIFICATION or EXTENSION OF AN EXISTING APPROVAL? ○ YES – Case # _____ ◉ NO

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

SITE AND BUILDING SPECIFICS

Total Area of Lot 10,800 square feet Total Area of Existing Structure(s) 5,034 square feet

Total Area of Proposed Structure(s) _____ square feet

EXTERNAL LIGHTING

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

Proposed ◉ No ○ Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures

ALL REQUIRED DOCUMENTS ATTACHED

☐ **Narrative including:**

- ☑ Current use of land or building(s)
- ☑ Description of project, project site, circulation, traffic etc.
- ☑ Proposed use of land or building(s)
- ☐ How the proposed use complies with the Comprehensive Plan

☑ **Plans including:**

- ☑ Site plan
- ☑ Floor plan(s)
- ☐ Elevation view of existing and proposed buildings
- ☐ Proposed vegetative cover
- ☐ Existing and proposed parking areas and proposed traffic circulation
- ☐ Existing physical features of the site (e.g.: drainage, habitat, and hazard areas)

If this is a modification or extension include:

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

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

ALLOWABLE/CONDITIONAL USE FEES

	Fees	Check No.	Receipt	Date
Application Fees	$ 500.00			
Admin. of Guarantee	$			
Adjustment	$			
Pub. Not. Sign Fee	$ 50.00			
Pub. Not. Sign Deposit	$ 100.00			
Total Fee	$ 650.00			

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Case Number	Date Received
USE 21-11	10/15/21

Allowable/Conditional Use Permit Application Instructions

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

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

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

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

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

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

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

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

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

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

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

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Allowable / Conditional Use Permit Application Narrative

Project
Resurrection Lutheran Church (RLC) proposes allocating space within its facility located at 740 W 10th Street to operate the Cold Weather Emergency Shelter (CWES) for the City and Borough of Juneau (CBJ), assuming the contract abrogated by St. Vincent de Paul (SVdP).

Narrative
RLC has been in Juneau since 1926. It has a long and proud history of serving those in need in Juneau and Southeast Alaska, including multiple generations. It is a member of Love INC, Southeast Alaska Food Bank, the Juneau Suicide Prevention Coalition, Family Promise and regularly participates in the Juneau Coalition on Housing and Homelessness and Collaborated Efforts meetings. The Resurrection Quilters donate their handcrafted quilts to those in need locally in Juneau and worldwide. While many churches closed during the COVID-19 pandemic, RLC actually stepped up its operations. The church was one of several churches to open a Safe Space for Schooling (RLC SSS) program to support students attending Zoom classes and was recognized by Juneau School District and its superintendent. NAMI Juneau and the Suicide Prevention Collation recognized our RLC SSS Program Supervisor, Clarice Bethers, for exceptional work helping children in the community. In order to accommodate the RLC SSS program, the Downstairs Hall (where RLC proposes to operate the CWES) was renovated. RLC also expanded its weekly food pantry to allow patrons to continue to choose their own foods and receive other donated items.

Current Use of the Facility
In addition to weekly worship services, RLC operates the largest food pantry in Juneau feeding 150 to 200 individuals and families each week, where it operates a secondhand clothing outlet with donations from St. Vincent de Paul, congregation members, and the community. In addition to addiction and self-help groups, RLC hosts many of Juneau's performing arts organizations who rehearse and perform at RLC, including the Juneau String Ensembles. RLC's Juneau Live!™ community access outreach program (focusing on isolated and marginalized people in Juneau) is entering its second season with ten bi-weekly television shows on its YouTube channel, JuneauLive, and a weekly radio show on KINY. Its programs include Juneau Eats! (how to get and prepare free food), Into the Arts (sponsored by the JAHC), shows on real estate, yoga, pets, and three shows featuring local music – all originating from the Juneau Live! Studio at RLC. Juneau Live! has also hosted the Scouts Pinewood Derby, Polaris House, Alaska Folk Festival, Theater Alaska, and Juneau Jazz and Classics. RLC is currently sponsoring two scouting troops and the Shooting Stars Scholars home-tutoring program for students and families with immunocompromised individuals.

Proposed Project
In 2019, SVdP was awarded a contract to operate the CWES for the CBJ. Since its prior location, the Public Safety Building was no longer available (was scheduled to be demolished), SVdP proposed to operate the CWES in its Community Center on Teal Street. During the first year of operation, the COVID-19 pandemic (and need for social distancing of patrons) forced the

2,000 sq. ft. space – w/ COVID distancing – total of 28 cots

relocation of the CWES to the JACC, where it remained until earlier in 2021, when the JACC reopened. SVdP recently determined that it wouldn't operate the CWES for the 2021-2022 winter season, and has abrogated its contract with the CBJ.

While RLC is has no long-term plans or interest to be in the shelter business, RLC realized that it has:

- Extensive experience with the patrons likely to use the CWES due its existing outreach programs – RLC Food Pantry and clothing distribution, Collaborated Efforts participation and pastoral street ministry.
- Appropriate and available Downstairs Hall facility which is 25% larger than the SVdP Community Center (can accommodate about 28 socially-distanced patrons / 45 otherwise) with same amenities (including commercial kitchen, separate restrooms, etc.) and is located downtown.
- Expertise with Pastor Karen Perkins being the trainer and fill-in staff for the CWES and Brad Perkins being General Manager for SVdP and the CWES (and author of the CWES contract) for 2017-19. Additionally, Pastor Karen has 25 years of working with the homeless and those in need (including as a San Francisco Night Minister), and Brad has 20 years.

Believing there are limited viable alternatives to the CBJ to host the CWES for the upcoming winter and being aware of capacity issues at the new Glory Hall in the Valley, the RLC council felt it was its Christian obligation within its mission statement "...to promote spiritual growth in Christ and service to all people" to offer to operate the CWES.

CWES Operation

RLC will operate the CWES, as per the contract minimums with the CBJ:

- November 15 to April 15
- Days when the predicted temperature (as determined on the prior day at 6 pm) to be 32° or below
- From 11 pm to 6:30 am
- Two staff on duty with training in shelter operations, record-keeping/AKHMIS, homelessness, de-escalation, RLC guest services, first-aid/CPR, hazmat and AK food worker card.

Impact on Parking

RLC has three parking places and one ADA parking place at the church building, and a separate lot at the corner of 10th and D Streets (approximately 15 parking places). Any occasional visits by Juneau Police Department (JPD) and Capital City Fire and Rescue (CCFR) vehicles can be accommodated at the existing church lot. As patrons rarely have vehicles, RLC believes existing parking will be sufficient for CWES staff and other operations, and there will be no adverse impact on street parking.

Impact on Traffic
As discussed in the parking section, the only additional traffic is likely to be occasional visits by JPD or CCFR vehicles during the CWES operation hours of 11 pm to 6:30 am, which should not have a negative impact on the traffic in the area. The Capital Transit bus stop is directly outside the church building, so patrons will have easy access to public transportation.

Impact on Neighbors
Mitigating the impact of the operation of CWES on RLC's neighbors and Harborview Elementary School is a high priority and focus of the church. RLC plans the following:

- Public meeting (hybrid meeting on Zoom / at church w/tour) during week of October 24th to hear concerns, suggestions for impact mitigation and to answer questions.
- Visible and public effort (with assistance of JPD, if necessary) to move CWES patrons away from RLC and neighborhood/school area) upon CWES closing each morning (including offering bus tokens when necessary).
- Make sure patrons are not loitering around RLC, either waiting for the CWES to open and when it is not operating. RLC will make use of the web, social media and electronic signs to notify patrons when the CWES is operating.
- Working with other Juneau shelters (i.e., The Glory Hall, AWARE, Housing First) to make sure the CWES is only sheltering patrons for whom it is a last resort. AWARE has offered to help transport residents who show up at the CWES to their own shelters.
- Regularly patrol and cleanup the area around RLC.
- The neighborhood will be able contact the CWES via its website http://warmingshelter.org with LiveChat, direct email manager@warmingshelter.org, regular programming on Juneau Live! and phone number 907-586-2380 with concerns, comments or questions.

RLC hopes these measures, in addition to others suggested by the neighborhood, school and community will mitigate the impact of the CWES.

Impact on Harborview Elementary School
As the church was one of several churches to open a Safe Space for Schooling (RLC SSS) program to support students attending Harborview Elementary School, RLC developed a close working relationship with the school. In addition to the steps listed above for the neighborhood, RLC plans to have regular communication with Harborview Elementary School to mitigate the impact of the CWES.

Noise
RLC expects to work with JPD and CCFR to limit use sirens to or from the CWES on their occasional visits. Additionally, the CWES itself will be in a concrete walled section of the building, where the patrons will generally be sleeping. Finally, the staff will work to move patrons quickly in and out of the CWES to minimize their time outside the shelter and will request JPD assistance when necessary.

BUILDING PERMIT APPLICATION

(Including Water, Sewer, Driveway, Grading, Mechanical, Plumbing, Electrical, and Building Safety Inspections)

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

Project No:	Project Name: (City Staff to assign name)	Case No:	Date Received:

APPLICANT AREA

CONTRACTOR/OWNER-BUILDER Resurrection Lutheran Church	☒ Contact by E-Mail producer@juneaulive.org	Contact Person: Bradley Perkins	Phone No.: 808-782-5795
Mailing Address: 740 W 10th Street, Juneau, AK, 99801		FAX No.: 907-586-6225	License Number:
ARCHITECT / ENGINEER	☐ Contact by E-Mail	Contact Person:	Phone No.:
Mailing Address:		FAX No.:	License Number:

PERMIT CLASS

☐ NEW ☒ ADDITION ☐ REPAIR/REMOD

☐ ELECTRICAL ☐ PLUMBING ☐ MECHANICAL ☐ WOODSTOVE ☐ WATER ☐ SEWER

☐ DEMOLITION ☐ GRADING ☐ DRIVEWAY ☐ BUILDING SAFETY ☒ OTHER Change of Use

BUILDING TYPE ☐ Residential ☒ Commercial ☐ Other

EXISTING DWELLING UNITS ON PROPERTY 32 NEW DWELLING UNITS THIS PROJECT 1 TOTAL EXISTING BUILDINGS ON PROPERTY 1

DESCRIPTION OF WORK:

CBJ Communnity Planning and Development asked owner (RLC) to file this change of use permit application for the downstairs Fellowship Hall. The space has been used for the Catholic Community Service Day Care, RLC Food Pantry and was rennovated last year for the SSS program. It has been included in a CBJ BID # 20-090 for the cold weather emergency shelter (attached).

VALUE: TYPE (ie: house, garage, deck, unfinished)

New: _____ _____ Sq. Ft.

New: _____ _____ Sq. Ft.

New: _____ _____ Sq. Ft.

New: _____ _____ Sq. Ft.

Cost of Remodeling: $_____ (if any)

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. 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.

Signature of Owner, Contractor or Authorized Agent: X _____ Date: X _____

(OFFICE USE ONLY BELOW THIS LINE)

STAFF AREA

BUILDINGS Occupancy Class _____ Type of Construction _____

FCC Code _____ Permit Classification _____

Occupancy	Square Feet	@ Rate	= Valuation

Bedrooms _____ Stories _____

BUILDING PERMIT FEES

PLAN REVIEW FEES

___ Building Plan Review $_____

___ Grading Plan Review $_____

Total Review Fees $_____

PLAN REVIEW PAYMENT

__ Date _____ Receipt No. _____ CK _____

LAND USE.

PARKING _____

FLOOD ELEV. _____

FIRM ZONE _____

FIRM MAP _____

LAND USE PERMITS:

_____ Case Number

_____ Case Number

_____ Case Number

_____ Case Number

ENGINEERING/PUBLIC WORKS

CITY WATER Units: _____

Case No: _____

Service - Size _____

Fire Line - Size _____

Metered _____

Extended Pay # _____

CITY SEWER Units: _____

Case No: _____

BOND Case No: _____

OTHER Case No: _____

ADEC On-site Water

No _____ Date _____

ADEC On-site Sewer

No _____ Date _____

PLAN REVIEW APPROVALS

	Initials	Date
__ Fire		
__ Zoning		
__ Engineering		
__ Water		
__ Sewer		
__ Architectural		
__ Structural		
__ Plumbing		
__ Mechanical		
__ Electrical		
__ Access		
__ Special Inspection Form		

APPROVED FOR ISSUANCE

_____ Signature

_____ Date

PERMIT ISSUANCE FEES

___ Adjusted Plan Review Fee $_____

___ Fast Track Fee $_____

___ Early Start Fee $_____

___ Building Permit Fee $_____

___ Water Assessment Fee $_____

___ Water Inspection Fee $_____

___ Sewer Assessment Fee $_____

___ Sewer Inspection Fee $_____

___ Grading Permit Fee $_____

___ Driveway Permit Fee $_____

___ Bond for _____ $_____

___ Other _____ $_____

Total Issuance Fees $_____

PERMIT ISSUANCE PAYMENTS

_ Date _____ Rcpt _____ Ck _____ $_____

_ Date _____ Rcpt _____ Ck _____ $_____

_ Date _____ Rcpt _____ Ck _____ $_____

_ Date _____ Rcpt _____ Ck _____ $_____

Water Connection Permits

I hereby acknowledge receipt of a _____ inch meter yoke.

X _____ Date: _____

CONDITIONS AND HOLDS ON PERMIT:

devappbd.xls rev. 9 1/26/99

Continued on Reverse Side

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION *FORM*

BUILDING PERMIT APPLICATION ***(Continued)***

TYPES OF INSPECTIONS

The inspections indicated below are normally required for each permit type. (Staff marks applicable items)

BU (Commercial Buildings)
BI (Com. Building Safety Inspection)
C100 Setback
C110 Excavation/Footing
C120 Forms & Rebar
C130 Steel/Masonry
C140 Framing
C150 Insulation/Drywall
C160 Rated Walls & Assemblies
C170 Smoke Detect. & Alarm Systems
C180 Underground Plumbing
C190 Water Piping Test
C210 DWV Piping Test
C220 Plumbing Fixtures Final
C250 Cross Connection Control
C255 Meter Yoke with Meter
C265 Gas Piping
C270 Plenums & Ducts
C300 Furnace/Stove Clearance
C301 Combustion Air
C400 Ventilation
C410 Fire Dampers/Sprinklers
C420 Commercial Hoods
C430 Temporary Power
C440 Service/Panel
C450 Conduit & Raceway Systems
C460 Bonding/Grounding
C470 Grading/Drainage
C480 Landscaping/Parking
C490 Planning Requirements
C500 Roofing
C600 Zoning Final
C800 Commercial Final

DM (Demolition)
E100 Sewer Capped
E110 Debri Filled
E120 Excavation Filled
E500 Demolition Final

MS (Install Mobile Home)
I100 Setbacks
I110 Foundation
I120 Electrical Hookup
I130 Plumbing Hookup
I140 Porches & Stairs
I150 Skirting
I500 Mobile Home Final

SF (Single Family - 4 Units)
BI (Res. Building Safety Inspection)
D100 Setbacks
D110 Excavation/Footing
D115 Stem Walls/Forms/Rebar
D120 Temporary Power
D140 Rough Framing
D150 Rough Electrical
D160 Rough Plumbing
D170 Underslab Utilities
D180 Vents (Bath, Dryer, etc.)
D190 Firewall Separation
D210 Yellow Tag Electrical
D220 Woodstove/Chimney
D230 Smoke Detection
D240 Insulation
D250 Cross Connection Control
D255 Meter Yoke
D257 Oil & Gas Piping/Tanks
D260 Grading/Drainage
D263 ADEC On-Site Water Final
D266 ADEC On-Site Sewer Final
D270 Repair/Rehab Exemption
D280 Res Zoning Final
D800 Residential Final

WS (Wood Stove)
K100 Approved Model
K110 Stove Clearances
K120 Stack Clearances
K130 Hearth
K200 Woodstove Final

FS (Fire Sprinkler)
FA (Fire Alarm)
L100 Pressure Test
L110 Underground Flush
L120 Proper Bracing
L130 Return Bends
L140 Head Placement
L150 FDC Location
L160 Alarm Panel/Transmitter
L170 Alarm Zones
L180 Battery/Backup
L190 Phone Connection
L200 Reset Procedures
L210 System Test
L220 Detectors Spare
L500 Fire Final

PB (Plumbing)
J100 Underground Plumbing
J110 Water Piping
J120 DWV Piping
J130 Hydronic System
J140 Water Heater
J150 Water Softener
J160 Water Service
J170 Gas Piping
J180 Cross Connection Control
J500 Plumbing Final

MC (Mechanical)
H110 Plenums & Ducts
H120 Furnace
H130 Inlets & Outlets
H140 Combustion Air
H150 Compressor
H160 Appliance Clearance
H170 Smoke Detection Systems
H190 Commercial Hood
H500 Mechanical Final

EC (Electrical)
F100 Temporary Power
F110 Building Service
F120 Conduit & Raceway Systems
F140 General Wiring
F150 Cable Systems
F160 Bonding
F170 Grounding
F180 Devices & Equipment
F190 Smoke Detection
F500 Electrical Final

DW (Driveway)
N160 Location
N200 Grade
N210 Width
N330 Headwalls
N350 Culvert
N400 Curb Cut
N410 Curb Box/Thaw Wire
N420 Bond Return Request
N800 Driveway Final

WC (Water Connection)
WE (Water Extended)
WI (Water Inspection)
FC (Fire Connection)
D100 Water Meter/Yoke
D105 Water Meter Required
D110 Size of Water Service
D120 Depth (Water) Depth
D130 Cross Connection Contr
D140 Pressure Test
D150 Thaw Waiver
D500 Turn Water OFF
D510 Seasonal Water Turn O
D550 Hold
D600 Turn Water ON
D610 Seasonal Water Turn O
Z080 Billing Authorization - W
D800 Water Final

SC (Sewer Connection)
SI (Sewer Inspection)
C100 Depth
C110 Soil
C120 Material
C125 Grade
C130 Cleanouts
C140 Sewer Connection
C150 Sewer Disconnect
Z070 Billing Authorization - Se
C500 Sewer Final

GR (Grading)
G100 Retaing Walls, etc
G120 Drainage
G130 Slopes
G140 Compaction
G150 Material
G200 Grading Final

ADDITIONAL CONDITIONS AND HOLDS (STAFF)

From: Charlie Ford
To: Allison Eddins
Subject: FW: Resurrection Lutheran Church as warming shelter
Date: Monday, October 25, 2021 10:23:04 AM
Attachments: image002.png
image001.png

Here are Dan's comments.

Charlie Ford | Building Official
Community Development Department | City & Borough of Juneau, AK
Location: 230 S. Franklin Street, 4th Floor Marine View Building
Office: 907.586.0767

From: Dan Jager <Dan.Jager@juneau.org>
Sent: Thursday, October 14, 2021 2:09 PM
To: Scott Ciambor <Scott.Ciambor@juneau.org>; producer@rlclive.org; Charlie Ford <Charlie.Ford@juneau.org>
Cc: Rich Etheridge <Rich.Etheridge@juneau.org>
Subject: Resurrection Lutheran Church as warming shelter

Good afternoon. Charlie and I have discussed this location as meeting code for a warming shelter use. It would be classified as an R-1 occupancy group due to being a transient population. As such, the fire code only requires a manual fire alarm system, which is what exists already. There is no requirement for a sprinkler system as I had originally thought. I have looked at the fire code and Title 19 Local Ordinances and State Fire Marshal amendments.
I would still want to see some sort of smoke alarm device(s) installed if this space is to be used simply because there is nothing there now, this is an at risk population and there is no indication as to how attentive staff will be (this is true for even hotel/motels, and other similar spaces). There does need to be a sense of caution on the human factor when it comes to life safety.
If you have any other questions on this, I suggest replying to Charlie and myself as we are both working on this from different codes and perspectives, so we can be sure to capture any possible issues early on.
I appreciate the opportunity to tour the facility yesterday and thank you for your patience as we researched the code requirements.

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: Scott Ciambor
To: Allison Eddins
Subject: RE: A couple questions
Date: Friday, October 22, 2021 1:37:11 PM
Attachments: image004.png
image003.png

Hi Allison –
Here are some answers; still tracking down the PIT 2021 #'s. They are around. Thanks scott

---

I'm working on the staff report and I have a few questions.

- How long has CBJ partnered with a non-profit for a cold weather shelter?
  - Cold weather shelter started after recommendation from the 2017 Assembly Taskforce on Homelessness
    - First two years were operated out of the public safety building by Glory Hall/AWARE/St. Vincent de Paul
    - In 2019, St. Vincent received the contract through 2023 and operated the first winter out of their community room on Teal Street
    - Covid-19 hit in March that first winter. For health and safety purposes operations moved to the Juneau Arts and Culture Center. Capacity jumped from 28-30 beds to 70 beds. St. Vincent extended their seasonal contract to full years operation from March 2020-August 1, 2021 at the JACC. Coinciding with the opening of the new Glory Hall, the JACC was returned to the JACC and reverted back to original terms of contract; Nov-April.
    - Early October, St. Vincent DePaul notified the CBJ that they would not be able to operate this year.
- ~~How long has Juneau had cold weather shelters?~~
- ~~They have been located at the Public Safety Bldg. and the JACC. Anywhere else?~~
- The current contract has two more years? Expires April 2023? Until I read closely last week, I thought the contract ended this winter but actually it does have two renewal years. If passing through planning commission, a modification to transfer these terms to Resurrection will take place. An evaluation of program to take place throughout winter/spring to look ahead to the future.
- Will the contract automatically renew? Yes, if terms accepted when the contract transferred.

Thank you!

Scott Ciambor | /SKAHT CHAM-bor/
Chief Housing Officer | ph: 907-586-5240 ext. 4171(NEW)
155 S. Seward Street | Juneau, Alaska 99801
Scott.Ciambor@Juneau.org

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
HOUSING PROGRAM

From: Allison Eddins <Allison.Eddins@juneau.org>
Sent: Thursday, October 21, 2021 2:09 PM
To: Scott Ciambor <Scott.Ciambor@juneau.org>
Subject: A couple questions

Hi Scott,
I'm working on the staff report and I have a few questions.

- How long has CBJ partnered with a non-profit for a cold weather shelter?
- How long has Juneau had cold weather shelters?
- They have been located at the Public Safety Bldg. and the JACC. Anywhere else?
- The current contract has two more years? Expires April 2023?
- Will the contract automatically renew?

Thank you!

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.

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

From: David Campbell
To: Allison Eddins
Subject: RE: Cold Weather Shelter - Request for Comment
Date: Friday, October 29, 2021 1:29:15 PM
Attachments: image001.png

My saved version still has the comments, I'm not sure why it didn't send properly. Yes, it should be similar. Here is what I wrote:

Specific Questions from Planner:

Do you anticipate any negative impacts on the surrounding neighborhood that relate to your department? If so, how can those impacts be mitigated.

JPD has worked with warming shelters in various locations. Our approach to having the warming shelter be at RLC would be the same. If there are issues in the surrounding neighborhood, JPD is available to respond when notified.

Agency Comments:

RCL and the staff working on this issue are familiar with warming shelters. Chief Mercer and I spoke with the responsible staff members and we believe they can effectively manage the program.

Hope this helps.

From: Allison Eddins
Sent: Friday, October 29, 2021 1:24 PM
To: David Campbell <DSCampbell@juneaupolice.com>; Ed Mercer <EDMercer@juneaupolice.com>; Charlie Ford <Charlie.Ford@juneau.org>; Dan Jager <Dan.Jager@juneau.org>; Scott Ciambor <Scott.Ciambor@juneau.org>
Subject: RE: Cold Weather Shelter - Request for Comment

Hi David,
I think you might have sent the wrong version. The comment section is blank. I have reviewed JPD's past comments for the Glory Hall and sleep off center. I'm assuming they're going to be fairly similar.

From: David Campbell <DSCampbell@juneaupolice.com>
Sent: Friday, October 29, 2021 12:18 PM
To: Allison Eddins <Allison.Eddins@juneau.org>; Ed Mercer <EDMercer@juneaupolice.com>; Charlie Ford <Charlie.Ford@juneau.org>; Dan Jager <Dan.Jager@juneau.org>; Scott Ciambor <Scott.Ciambor@juneau.org>
Subject: RE: Cold Weather Shelter - Request for Comment

JPD's comments are attached.

DC Campbell

From: Allison Eddins
Sent: Thursday, October 21, 2021 9:28 AM
To: David Campbell <DSCampbell@juneaupolice.com>; Ed Mercer <EDMercer@juneaupolice.com>; Charlie Ford <Charlie.Ford@juneau.org>; Dan Jager <Dan.Jager@juneau.org>; Scott Ciambor <Scott.Ciambor@juneau.org>
Subject: Cold Weather Shelter - Request for Comment

Hello All,
Resurrection Lutheran Church (740 W 10th St.) has applied for a Conditional Use Permit to operate an emergency cold weather shelter. If granted, Resurrection would take over the contract previous held by St. Vincent de Paul who operated the shelter at the JACC last year. Resurrection Church would provide 28 socially distanced beds on the ground floor of the church building. The shelter would be open from November 15th to April 15th on nights when predicted temps are 32 or below. The shelter would accommodate guests from 11pm-6:30am.
Attached is a fillable agency comment form and the permit application. Please submit any comments you may have by October 29th. Let me know if you have any questions or would like more information.
Thanks,
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: Jetta Whittaker <wheedle@alaska.net>
Sent: Sunday, October 24, 2021 12:01 PM
To: PC_Comments
Subject: support for RLC as warming shelter

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

I am a resident of "the Flats" and also a former executive director of The Glory Hole (now Hall). I am in full support of using Resurrection Lutheran Church as the site of the community's warming shelter this coming winter. I have observed how the volunteers and staff of Resurrection Lutheran Church work compassionately and efficiently to help shoppers at their Food Pantry every Monday. I believe Pastor Perkins has the capacity and management skills to add operation of a warming shelter to her duties this winter. As the Flats neighborhood has had some negative experiences with particular transient people in the past, I know she will work hard to communicate her plans with the surrounding neighborhood, and will listen, consider and address neighbors' concerns. Additionally, RLC is way more "homey" feeling than the JACC, which is important for promoting resting, relaxation, and peace among the patrons of the warming shelter. Taken together, these qualities will ensure that Juneau's less fortunate citizens receive the care they need and deserve in the coming cold months.

In sum, I am totally in favor of this Conditional Use Permit. Since use of the Bill Ray Center concept in this way did not evolve, RLC will otherwise be unused during the week, and another/better location hasn't surfaced, I believe this is an excellent use of RLC. I am very glad and extremely thankful that the RLC congregation has recognized this community need and agreed to step up to meet it.

Jetta Whittaker
502 W 10th
Juneau AK 99801

Attachment C - Public Comments

From: Rob Steedle <robsteedle@gmail.com>
Sent: Thursday, October 28, 2021 8:36 AM
To: PC_Comments
Subject: cold weather emergency shelter at Resurrection Lutheran Church

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

Dear Ms. Eddins,

I support Resurrection Lutheran Church's application to operate a cold weather emergency shelter. The location is appropriate for the needs of a warming shelter's patrons. It is situated one block from the Federal Building bus shelter. A grocery store is nearby and other services, such as the SEARHC Front Street Clinic, are also within walking distance.

The church has operated a food pantry for many years. I reside 500 feet from the church, at 502 W 10th Street. I have not seen evidence of a negative impact on this residential neighborhood attributable to that complementary use.

Sincerely,

Rob Steedle

Attachment C - Public Comments

From: Bobby Lee <bobbylee@gci.net>
Sent: Tuesday, October 26, 2021 4:12 PM
To: PC_Comments
Subject: emergency shelter atRLC

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

My home in the Parkshore Condominium complex is 3 or so blocks from the Resurrection Lutheran Church. I have seen the long lines at the church on the day they do the food bank.
I suppose they are familiar with some of the people that may use an emergency shelter on the cold nights that are looming. I encourage the emergency shelter at this location.
I wish to thank the congregation at this church for showing a compassionate and kind demeanor; something that Christians living their commitments do.

October 29, 2021

City and Borough of Juneau
Community Development – Planning Commission
155 S. Seward Street
Juneau, AK 99801

Dear Commission Members,

First National Bank Alaska is grateful for this opportunity to offer our thoughts on your consideration of a Conditional Use Permit for a cold weather emergency shelter to be located at the Resurrection Lutheran Church. We have concerns about not only this particular situation but also about the community's lack of a comprehensive plan to address the overriding issue of homelessness and its root causes, including substance abuse and mental illness.

As a business community leader, we wanted to add specific concerns about the risks of establishing this homeless shelter at the Resurrection Lutheran Church. Our understanding is that the shelter's clients will include those unable to stay at Glory Hall, and other facilities, for various reasons, including drug use, drunkenness and violent behavior.

As the facility will be for nighttime use, clients will most likely remain outside the shelter during the day. The parking lot for our employees and customers is in very close proximity to the church. From behavior observed at other shelters, we foresee a strong possibility that shelter clients will approach employees as they go to and from their vehicles several times a day. Some encounters are likely to be troublesome and, and the very least, upsetting to employees and customers.

The bank has an ATM and night drop within approximately 150 feet of the proposed shelter. The clients would pose an increased security risk to users of these First National services.

There are additional concerns regarding increased vandalism, especially to our drive-thru area during a time when, for health concerns (primarily related to COVID), many customers prefer using drive-thru facilities. Drive-thru ingress and egress, and other traffic at this busy intersection also poses an increased risk of injury or death to the shelter clients themselves due to the busy vehicular patterns in the immediate area.

Much of our concern stems from the fact that no comprehensive, collective plan has been offered to protect the safety of those doing business or visiting the neighborhoods of homeless shelters in Juneau. Our experience tells us the very best models of these types of facilities provide a very aggressive response to control not only the physical area but also the clients using the shelter. This is especially important for this cold weather shelter if indeed some of the clients are dealing with substance abuse and mental health issues.

These are all very tangible areas that show the heightened possibility of physical risk to our employees, customers, properties and the shelter clients.

First National has supported the communities we serve since 1922. First National has donated millions of dollars to non-profits, with one of our focus areas being emergency social services. We know that Alaskans can fall on hard stretches and at times need help to make it through.

First National agrees that a cold weather shelter is a necessary element in a comprehensive plan designed to help our neighbors in need, and that is the bigger question for the community. This critical question, as long as it remains unanswered, causes us to stop short of adding our support for a proposal such as the one regarding the Resurrection Lutheran Church conditional use permit.

We spoke to this same matter last year in September, when the Bill Ray Center was being considered as a homeless shelter. The cold weather shelter seems to be just shifting the problem from "church basement to church basement" because we still do not see a collective plan to address the risks and manage the neighborhood impact of sheltering the homeless.

Thanks for your consideration of this letter on the shelter’s location and our concerns.

Sincerely,

Betsy Lawer

Board Chair and CEO

From: Emily Kane <dremilykane@gmail.com>
Sent: Thursday, October 28, 2021 2:30 PM
To: PC_Comments
Cc: Juneau Condos; Beth Weldon
Subject: Warming shelters

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

Dear Assembly Members
Thank you for moving forward with plans to ensure sufficient warming shelters to protect the more vulnerable in our community.
The will and actions to protect all community members in need remains the hallmark of your integrity and compassion.
Dr Emily Kane
Juneau

www.DrEmilyKane.com

www.naturopathic.org
lifewavex39.com/dremilykane

Attachment C - Public Comments

From: Renee Guerin <renwrite@acsalaska.net>
Sent: Sunday, October 24, 2021 9:41 AM
To: PC_Comments
Subject: Case: USE2021 0011

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

Good for the Lutherans!
I am totally in favor of a warming shelter in my neighborhood. Cold is cold, and there should be a safe, warm place to sleep for those within our community who do not have a permanent home.
I live in the Parkshore Condos at 800 F Street.

Renée Guerin
907-586-2274

Attachment C - Public Comments

From: Barbara Frank <akbarbara.frank@aol.com>
Sent: Friday, October 22, 2021 9:01 AM
To: PC_Comments
Subject: Case No. USE2021 0011

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

Case No. USE2021 0011

As a resident of Parkshore Condominiums, in very close proximity to Resurrection Lutheran Church, I applaud the church's offer to provide the warming shelter. Providing safe haven for vulnerable is a generous and meaningful contribution to community. It has been well documented that a safe place to sleep is essential.

There is no doubt we can do more AND this step by the Resurrection Lutheran Church is a piece of the solution. In full support of any needed permits AND any financial supports the City can offer to make this happen.

Barbara Frank
800 F Street Unit F2
Juneau, AK 99801

Sent from my iPhone

Attachment C - Public Comments

From: Willard Ellis <trpwill@gmail.com>
Sent: Sunday, October 24, 2021 2:10 PM
To: PC_Comments
Subject: Conditional Use Permit for a cold weather emergency shelter at Resurrection Lutheran Church

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

Dear Planning Commission

I am a resident of Parkshore Condominiums, and I am opposed to CBJ issuing a Conditional Use Permit for a cold weather emergency shelter at Resurrection Lutheran Church, which is three blocks from Parkshore. Unfortunately a lot of our homeless people are substance abuse addicts, and as such are the primary source of the theft, criminal mischief, and criminal trespass problems occurring at Parkshore. With locating this homeless shelter in a residential area it increases crimes of opportunity that addicts commit to finance their addiction when they are leaving the shelter or are denied entry to the shelter because they are intoxicated. Additionally, there is not enough of a police presence to deter these crimes, nor are these crimes often prosecuted, resulting in no protection or relief of nearby residents. This shelter needs to be located away from residential neighborhoods and should be in areas of good lighting/visibility with regular police patrols.

Regards
Will Ellis

Attachment C - Public Comments

From: Judy Crondahl <crondahl@gmail.com>
Sent: Friday, October 22, 2021 8:37 AM
To: PC_Comments
Subject: Case No. USE2021 0011

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

We are owners and residents of a condo unit in Building A of Parkshore Condos located at 800 F Street, two blocks from Resurrection Lutheran Church (RLC). Our building is on the far north end of the complex, closer to the proposed shelter than any other Parkshore building.

We have no objection to, in fact welcome, the use of RLC as a cold weather emergency shelter this winter. We are grateful that there are organizations and people in our community who step forward to help those in need and would not want to impede their efforts and good will.

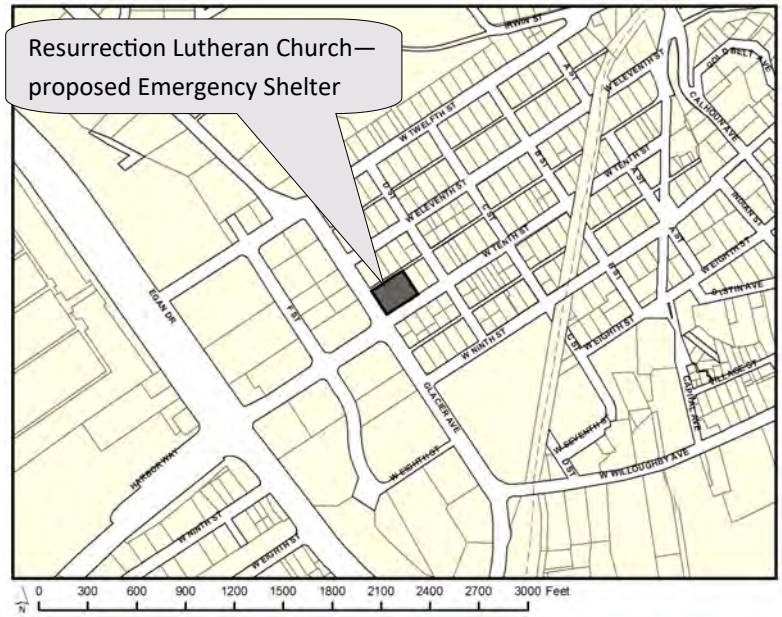
We encourage approval of this Conditional Use Permit.

Judy and Jay Crondahl
800 F St, A-4
Juneau, AK 99801

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission

Your Community, Your Voice



CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT
155 S. Seward Street Juneau, Alaska 99801

TO:

An application has been submitted for consideration and public hearing by the Planning Commission for **a Conditional Use Permit for a cold weather emergency shelter to be located at Resurrection Lutheran Church**.

TIMELINE

Staff Report expected to be posted **Monday, November 1, 2021** at **https://juneau.org/community-development/planning-commission.** Find hearing results, meeting minutes and more here as well.

Now through Nov. 1st

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

Nov. 2 noon, Nov. 5

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

HEARING DATE & TIME: 7:00 pm, Nov. 9, 2021

This virtual meeting will be by video and telephonic participation only. To join the Webinar, visit: **https://juneau.zoom.us/j/82646379779;** Or Dial US: +1 346 248 7799 or +1 669 900 6833 or +1 253 215 8782 or +1 312 626 6799 or +1 929 436 2866 or +1 301 715 8592 or 833 548 0282 (Toll Free) **Webinar ID: 826 4637 9779**

Nov. 10th

The results of the hearing will be posted online.

Phone: **(907)586-0753** ◆ Email: **pc_comments@juneau.org**
Mail: **Community Development, 155 S. Seward St, Juneau AK 99801**

Printed November 1, 2021

Case No.: USE2021 0011
Parcel No.: 1C060C260060
CBJ Parcel Viewer: http://epv.juneau.org

City and Borough of Juneau
Purchasing Division, Finance Department
155 South Seward Street
Juneau, Alaska 99801
Phone: (907) 586-5258 Fax: (907) 586-4561

PURCHASE ORDER

VENDOR NAME AND ADDRESS
RESURRECTION LUTHERAN CHURCH 740 W 10TH ST JUNEAU AK 99801

PO # Must appear on all invoices, shipments, & correspondence	PO REVISION #	PO DATE
114413		12/08/21

VENDOR NUMBER	VENDOR PHONE
7514	907-586-2380

SHIP TO	COMMENTS	SEND INVOICE TO:
ADMIN-CITY MANAGER 155 S SEWARD ST JUNEAU AK 99801	Deliver To: Scott Ciambor 907-586-5240	CBJ ACCOUNTS PAYABLE 155 SOUTH SEWARD STREET JUNEAU, AK 99801 PHONE:(907) 586-5215 FAX:(907) 586-5384 Accounts.Payable@juneau.org

F.O.B.	FREIGHT TERMS	PO CURRENCY	BUYER
	—	U.S. DOLLARS	RENEE LOREE

LINE ITEM	QTY	UOM	ITEM OR SERVICE DESCRIPTION	UNIT PRICE	EXTENDED PRICE
1	1	EA	FY22 COLD WEATHER EM. SHELTER Cold Weather Emergency Shelter per contract MR 22-198. During the 2021 - 2022 winter season the contractor shall provide emergency shelter on nights when the temperature will be below 32 degrees Fahrenheit to those who are unable to find shelter with traditional providers. Minimum operating hours shall be11:00 PM to 6:30 AM the following day but are not to occur before 9 PM or after 6:30 AM per USE2021 0011. Payment to be made in accordance with contract section 3.(b).	$161,000.000	$161,000.00
			Total Order		161,000.00

CONDITIONS – READ CAREFULLY

1. This Order is subject to terms and conditions outlined on the final page, unless expressly stated otherwise. Performance by vendor constitutes acceptance of all terms, conditions, or specifications herein referenced.
2. Failure to meet specified delivery dates may cause cancellation of this Order.

Renee Lowe
Purchasing Officer

Attachment D - CBJ Contract for a Cold Weather Emergency Shelter

CITY & BOROUGH OF JUNEAU

The following terms and conditions shall apply to the purchase of goods and/or services on behalf of the City & Borough of Juneau unless specifically provided otherwise on the front of this document:

1. **SALES TAX EXEMPTION.** This order is not subject to sales or Federal Excise Tax. Exemption certificate will be furnished when required. The City's tax exempt ID numbers are: City CBJ0013; Hospital BRH0013; and School District JSD0013.

2. **ACCEPTANCE OF CONTRACT.** This order is the City's offer to purchase the goods and/or services from the Vendor, as described on the reverse side. The City's placement of this Order is expressly conditioned upon the Vendor's acceptance of all terms and conditions of purchase contained on or attached to this Purchase Order.

3. **CHANGES.** No agreement or understanding to modify this contract shall be binding upon the City unless in writing and signed by the City's authorized agent.

4. **ASSIGNMENT.** Vendor may not assign this order without the City's prior written consent.

5. **UNIFORM COMMERCIAL CODE.** All applicable portions of the Alaska Uniform Commercial Code shall govern this order.

6. **DELIVERY.** Prices are F.O.B. Destination Freight Pre-paid, unless specified otherwise by the City. Time is of the essence on this order. If completed deliveries are not made at the time agreed, the City reserves the right to cancel or purchase elsewhere and hold the vendor accountable. If delivery dates cannot be met, Vendor must promptly notify City in writing, of the earliest possible delivery date, for acceptance by the City.

7. **TITLE & RISK OF LOSS.** Title and risk of loss of the goods shall not pass to the City until the City actually receives and takes possession of goods at the point or points of delivery.

8. **QUANTITIES.** The quantity shown to be delivered is net; no excess will be accepted without prior authorization. Unauthorized advance or excess shipments are returnable at vendor's expense.

9. **VENDOR TO PACKAGE GOODS.** Goods shall be suitably packed to secure lowest transportation costs and to conform to requirements of common carriers and any applicable specifications. City's count or weight shall be final and conclusive on shipments not accompanied by packing slip.

10. **INSPECTION.** All goods are subject to the City's inspection and acceptance within a reasonable time after arrival at the ultimate destination. If goods fail to conform to specifications outlined in the order, this shall constitute a breach, and City may return said goods to Vendor at Vendor's expense. Vendor shall not have the right to substitute specified goods without the written authorization from the City. Damaged goods will not be accepted.

11. **PAYMENT.** Invoices shall be addressed to the City's Accounts Payable section (address on reverse side). Invoices must include the Purchase Order number, the vendor's name and phone number, and clearly list quantities, item descriptions and units of measure. Unless specified otherwise, payment shall be net 30 days, upon receipt of complete and accurate invoices.

12. **PATENTS, TRADEMARKS AND COPYRIGHTS.** Seller warrants that the goods and/or services on this order do not infringe on any patent, registered trademark or copyright, and agrees to indemnify, defend and hold the City harmless in the event of any infringement, lawsuit, or claim thereof.

13. **WARRANTY.** Vendor warrants to the City that all goods and services furnished hereunder will conform in all respects to the terms of this order, including any drawings, specifications or standards incorporated herein, and/or defects in materials, workmanship, and free from such defects in design. In addition, Vendor warrants the goods and services are suitable for and will perform in accordance with the purposes for which they were intended.

14. **CANCELLATION.** City shall have the right to cancel for default all or any part of the undelivered portion of this order if Vendor breaches any of the terms hereof, including failure to make delivery within the time specified, warranties of Vendor or if the Vendor becomes insolvent or commits acts of bankruptcy. Such right of cancellation is in addition to and not in lieu of any other remedies which City may have in law or equity.

15. **TERMINATION.** The performance of work under this order may be terminated in whole or in part by the City in accordance with this provision. Termination of work hereunder shall be effected by the delivery to the Vendor of a "Notice of Termination" specifying the extent to which performance of work under the order is terminated and the date upon which such termination becomes effective. Such right of termination is in addition to and not in lieu of rights of City set forth in the Cancellation clause, above.

16. **FORCE MAJEURE.** If, by reason of Force Majeure, either party hereto shall be rendered unable wholly or in part to carry out its obligations under this Agreement then such party shall give notice and full particulars of such Force Majeure in writing to the other party within reasonable time after occurrence of the event or cause relied upon, and the obligation of the party giving such notice, so far as it is affected by such Force Majeure, shall be suspended during the continuance of the inability then claimed, except as hereinafter provided, but for no longer period, and such party shall endeavor to remove or overcome such inability with all reasonable dispatch. The term Force Majeure as employed herein, shall mean acts of God, strikes, lockouts, act of public enemy, orders of any kind of the government of the United States or the State of Alaska or any civil or military authority, riots, landslides, lighting, earthquakes, fires, hurricanes, floods, restraint of government and people, civil disturbances, explosions, or other causes not reasonably within the control of the party claiming such inability.

17. **WAIVER.** No claim or right arising out of a breach of this contract can be discharged in whole or in part by a waiver or renunciation of the claim or right unless the waiver or renunciation is supported by consideration and is in writing signed by the aggrieved party.

18. **ADVERTISING.** Vendor shall not advertise or publish, without City's prior written consent, the fact that Vendor has entered into this contract, except to the extent necessary to comply with proper requests for information from an authorized representative of the federal, state or local government.

19. **PAYMENT OF TAXES, OBLIGATIONS TO CITY.** As a condition of this contract, Vendor agrees to remain current and non-delinquent in the reporting and payment of all local taxes, charges and assessments owing on account of any business operated or owned in whole or in part by Vendor. Failure to comply with this requirement shall be a material breach of this contract. To determine if a business is current and non-delinquent, contact the City's Sales Tax Division at (907) 586-5265 concerning sales tax, and/or Treasury Division at (907) 586-5268 concerning business personal property and real property tax.

20. **VENUE.** Jurisdiction for any litigation arising from this contract shall be in the First Judicial District, Juneau, Alaska.

21. **GRANT FUNDING.** If Grant funding is indicated on the reverse side of this document, Vendor shall comply with all provisions of Federal Circular A-102.

22. **MATERIAL SAFETY DATA SHEETS.** Proper MSDS in compliance with Occupational Safety and Health Administration regulations must be provided by the Vendor to the City at the time of purchase.

23. **NONDISCRIMINATION.** During the performance of this contract Vendor agrees that it will abide by all equal employment opportunity and nondiscrimination laws.

24. **INDEMNIFICATION.** The Contractor agrees to defend, indemnify, and hold harmless CBJ, its employees, volunteers, consultants, and insurers, with respect to any action, claim, or lawsuit arising out of or related to the Contractor's performance of this contract without limitation as to the amount of fees, and without limitation as to any damages, cost or expense resulting from settlement, judgment, or verdict, and includes the award of any attorneys fees even if in excess of Alaska Civil Rule 82. This indemnification agreement applies to the fullest extent permitted by law and is in full force and effect whenever and wherever any action, claim, or lawsuit is initiated, filed, or otherwise brought against CBJ relating to this contract. The obligations of Contractor arise immediately upon actual or constructive notice of any action, claim, or lawsuit. CBJ shall notify Contractor in a timely manner of the need for indemnification, but such notice is not a condition precedent to Contractor's obligations and may be waived where the Contractor has actual notice.

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 11/23/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Northern Advantage Insurance Leaders, LLC
P.O. Box 870253
Wasilla AK 99687

CONTACT NAME: Jennifer Adams
PHONE (A/C, No, Ext): (907) 357-6245 FAX (A/C, No):
E-MAIL ADDRESS: jadams@northernadvantageinsurance.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: CHURCH MUT INS CO	18767
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

INSURED
RESURRECTION LUTHERAN CHURCH OF JUNEAU ALASKA
740 W 10th St
Juneau AK 99801-1822

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	[X] COMMERCIAL GENERAL LIABILITY [ ] CLAIMS-MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [X] POLICY [ ] PRO-JECT [ ] LOC OTHER:	Y	Y	0310921-02-265534	09/19/2021	09/19/2022	EACH OCCURRENCE	$ 2,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 300,000
							MED EXP (Any one person)	$ 10,000
							PERSONAL & ADV INJURY	$ 2,000,000
							GENERAL AGGREGATE	$ 5,000,000
							PRODUCTS - COMP/OP AGG	$ 2,000,000
								$
A	AUTOMOBILE LIABILITY [ ] ANY AUTO [ ] OWNED AUTOS ONLY [ ] SCHEDULED AUTOS [X] HIRED AUTOS ONLY [X] NON-OWNED AUTOS ONLY			0310921-002-265534	09/19/2021	09/19/2022	COMBINED SINGLE LIMIT (Ea accident)	$ 2,000,000
							BODILY INJURY (Per person)	$
							BODILY INJURY (Per accident)	$
							PROPERTY DAMAGE (Per accident)	$
								$
	[ ] UMBRELLA LIAB [ ] OCCUR [ ] EXCESS LIAB [ ] CLAIMS-MADE [ ] DED [ ] RETENTION $						EACH OCCURRENCE	$
							AGGREGATE	$
								$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N [N] (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N / A	Y	0310921-07-261591	09/19/2021	09/19/2022	[ ] PER STATUTE [ ] OTH-ER	
							E.L. EACH ACCIDENT	$ 500,000
							E.L. DISEASE - EA EMPLOYEE	$ 500,000
							E.L. DISEASE - POLICY LIMIT	$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Evidence of Liability Insurance for Cold Weather Emergency Shelter Operations from November 15, 2021 through April 14, 2022 at Resurrection Lutheran Church of Juneau Alaska, 740 W 10th Ave, AK 99801-1822. Commercial General Liability Additional Insured = City and Borough of Juneau, subject to the coverage provided by the referenced policy. A220 A2029

CERTIFICATE HOLDER

City and Borough of Juneau
155 S Seward St
Juneau AK 99801

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
Jennifer Adams

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THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY

WAIVER OF TRANSFER OF RIGHTS OF RECOVERY AGAINST OTHERS TO US

This endorsement modifies insurance provided under the **GENERAL LIABILITY COVERAGE PART**.

The following change is added to the GENERAL LIABILITY Conditions, but only for the organizations this endorsement applies to.

SCHEDULE

Name Of Person Or Organization:	City and Borough of Juneau 155 S Seward St Juneau, AK 99801
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.	

The following is added to Paragraph **8. Transfer Of Rights Of Recovery Against Others To Us of Section G – Conditions:**

We waive any right of recovery we may have against the person or organization shown in the Schedule above because of payments we make for injury or damage arising out of your ongoing operations or "your work" done under a contract with that person or organization and included in the "products-completed operations hazard". This waiver applies only to the person or organization shown in the Schedule above.

Copyright, Church Mutual Insurance Company, 2012.
Includes copyrighted material of Insurance Services Office, Inc., with its permission.
© Insurance Services Office, Inc., 2012.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED - DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the General Liability Coverage Part.

The following is added to the General Liability Additional Provisions Form.

A. ADDITIONAL INSURED - DESIGNATED PERSON OR ORGANIZATION

1. Paragraph C, Who Is An Insured, is amended to include as an insured the person or organization shown in the applicable schedule in the Declarations Page but only with respect to "bodily injury," "property damage," "personal injury," or "advertising injury" liability arising out of your operations or premises owned by or rented to you.

Refer to the Declarations Page to determine the insured person or organization.

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MR #22-198
CONTRACT FOR COLD WEATHER EMERGENCY SHELTER AND OPERATIONS

PART I: PARTIES

This contract is between the City and Borough of Juneau, Alaska, a municipal corporation in the State of Alaska, hereafter "City" or "CBJ," and Resurrection Lutheran Church of Juneau Alaska, a nonprofit corporation (Entity #656D) organized under the laws of the State of Alaska (with its principal place of business at 740 W. Tenth Street), and licensed to do business in the State of Alaska, hereafter "Contractor."

PART II: CONTRACT ADMINISTRATION

All communications concerning this contract shall be directed as follows, any reliance on a communication with a person other than that listed below is at the party's own risk. Notices required under this contract must be in writing and personally delivered or sent to the address shown below, or by facsimile, and will be effective upon receipt.

City & Borough of Juneau
Attn: Scott Ciambor, Chief Housing Officer
155 S. Seward St.
Juneau, AK 99801
Phone: (907)586-5240; ext. 4171
Email: Scott.Ciambor@juneau.org

Contractor
Attn: Bradley Perkins
740 W. 10th Street
Juneau, AK 99801
Phone: (808)782-5795
Email: producer@juneaulive.org

PART III: CONTRACT DESCRIPTION

This contract is identified as Contract for Cold Weather Emergency Shelter and Operations (MR22-198). The following appendices are attached and are considered a part of this contract, as well as any exhibits or attachments incorporated by reference or attached to those appendices.

Appendix A: Scope of Work, Term, and Compensation
Appendix B: Standard Provisions
Appendix C: Insurance

If in conflict, the order of precedence shall be: this document, Appendix A, B, and then C.

PART IV: CONTRACT EXECUTION

CBJ and Contractor agree and sign below. This contract is not effective until signed by the CBJ. Contractor represents that the person signing below on its behalf has the authority to do so and that it is a valid and binding contract enforceable in accordance with its terms.

CBJ:
Date: November 23, 2021
By: _____
Duncan Rorie Watt
City and Borough Manager

Contractor:
Date: November 15, 2021
By: _____
Bradley Perkins
RLC Shelter Manager

Content Approved by: Scott Ciambor 11.23.2021, Chief Housing Officer
Form Approved by: Sherri Layne 11/23/2021, Law Department
Risk Management Review: 11/23/2021, Risk Management

APPENDIX A: SCOPE OF WORK, TERM, AND COMPENSATION

1. SCOPE OF WORK

The purpose of this contract is for the Contractor to host an emergency shelter during the winter season, typically November 15 – April 15. Contractor will provide emergency shelter on the coldest days to those who were unable to find shelter with traditional providers due to issues such as, provider capacity, past infractions resulting in being "banned" from the facility, or due to state of intoxication.

The scope of work for this contract contemplates the following:

Planning

- The shelter must be open on nights where the temperature will be below 32 degrees Fahrenheit. Under USE2021 0011, operations are limited between November 1, 2021 at the earliest and May 1, 2022 at the latest.
- Contractor will only use the forecast provided by the National Weather Service, Juneau Office, Experimental Point Forecast. This will be the only forecasting tool used, the page is available here: https://forecast.weather.gov/MapClick.php?lat=58.302000713397696&lon=-134.41447078551346#.YXgjonmIbjA There are many weather elements to select from, the only consideration will be temperature (not wind chill, precipitation, etc.) as minimum criteria to open.
- Contractor will make the decision to open the shelter up to three (3) days in advance, but at a minimum, by 3:00 p.m. the day before the shelter needs to open.
- Contractor will maintain an e-mail list of people who would like to be notified when the shelter is open, and will notify recipients at the earliest practical date.
- Contractor will provide staff to confidentially collect and enter participant data into the Alaska Homelessness Management Information System (AKHMIS). Contractor will need to coordinate with the Institute for Community Alliances (ICA) to develop this access, which requires filing of two (2) forms, see Attachment 1 - *Agency Agreement* form, and Attachment 2 - *Data Sharing Agreement*.
- Contractor will appropriately train staff for shelter operations.

Operations

- This will be a low-barrier shelter. The only restrictions will be for violence, theft, destruction of property, or extreme belligerence.
- Minimum operating hours are 11:00 pm to 6:30 am the following day. Operating hours cannot occur before 9:00 pm or after 6:30 am under USE2021 0011.
- Contractor will accept clients until 2:00 a.m.
- Contractor will be capable of handling a "rush" at opening, including clients who may be under the influence of various substances and/or struggling with mental health issues.
- Contractor will provide "amnesty boxes" for weapons and drugs. As a minimum, Contractor will collect enough information to recognize a unique individual and be able to enter that information into a database. Contractor may know the individual by name, or may need to collect basic information.

- Contractor will post the AKHMIS Consumer Notice (Attachment 3)
- Contractor will make a good faith effort to collect (in order of priority) some or all of the following information:
  - A Case Conferencing Release of Information (Attachment 4)
  - A Coordinated Entry Intake Assessment (Attachment 5)
- Contractor will provide general oversight of the facility, providing a minimum of two (2) staff for every night the shelter is open as required under USE2021 0011. Staff will be highly recognizable so clientele knows who to address.
- Shelter attendance will be entered in AKHMIS within five (5) days of operation.
- Closure includes: awakening and escorting clients out, facility upkeep, such as trash, bathroom maintenance, etc. and laundering of sheets and blankets.
- Contractor will provide information (location, hours of operation, etc.) and possible transportation to the facility for members of the community in need.
- Contractor will provide the public with a contact phone number that will be actively answered by shelter staff during hours of operation, as required under USE2021 0011.
- Contractor will abide by all terms and conditions under their Conditional Use Permit USE2021 0011.

CBJ Responsibilities

- Contractor may petition the CBJ for increased staffing if necessary. Contractor must provide written justification to the CBJ for approval before any increase.
- Contractor may request reimbursement for staff training. Training costs and criteria must be approved by the CBJ prior to any reimbursement request. Training without prior approval will not be eligible for reimbursement.
- The costs for developing an amnesty box program must be provided to CBJ's for approval prior to implementation and any reimbursement.
- Any reimbursements requests must receive prior written approval and for the total actual costs incurred by the contractor.
- The CBJ will provide cots.

2. TERM

The effective date of this contract shall be the date it is signed by the CBJ, and it shall remain in effect until June 30, 2022. The parties may extend this agreement for an additional one (1) year term, provided that Contractor receives an amended Conditional Use Permit, as USE2021 0011 expires on May 1, 2022. Any extension of this contract is contingent on permit renewal.

3. COMPENSATION AND TERMS OF PAYMENT

a. In consideration for the scope of services identified above, the CBJ will pay Contractor in an amount not to exceed $161,000. Any requests for additional funding must be requested through the CBJ Chief Housing Officer and approved in writing prior to the expenditure.

b. In consideration of the expense to operate the Emergency Cold Weather Shelter, the CBJ shall provide Contract 50% of the contract price upon execution of this agreement. Contractor shall provide the CBJ with proper documentation of services provided as part of the scope of work and expenses incurred under USE2021 0011. The final 50% will be paid in equal payments starting February 15, 2022 until shelter operations cease for the season, on or around April 15, 2022. These payments are estimated at $21,666.00 per month. A final report will be provided to the CBJ within 30 days after shelter operations cease. Documentation in the final report must include:

- Dates the shelter was open.
- Staffing information – dates and hours worked
- HMIS data reflecting shelter attendance
- Training documentation – reimbursement will be for cost of training and hourly wages for staff attending. Training must be approved and complete prior to reimbursement.

APPENDIX B: STANDARD PROVISIONS

1. **CONTRACTUAL RELATIONSHIP**. The parties intended that an independent contractor relationship will be created by this contract. The CBJ is interested only in the results to be achieved as provided in this agreement. The conduct and control of the work will lie solely with the Contractor. Contractor is not considered to be an agent or employee of the CBJ for any purpose, and the employees of Contractor are not entitled to any benefits that CBJ provides for CBJ employees. CBJ does not agree to use the Contractor exclusively. Contractor does not agree to work for CBJ exclusively.

2. **PERSONNEL, EQUIPMENT AND SUPPLIES**. Except as provided in the Scope of Work, the Contractor represents that it has or will secure at its own expense all personnel, equipment, and supplies required in performing the work under this contract. All of the work required hereunder will be performed by the Contractor or under its supervision. None of the work covered by this Contract shall be subcontracted except as provided in the Scope of Work.

3. **CONTRACTOR QUALIFICATIONS**. Contractor warrants that it is fully qualified and is licensed under all applicable local, state, and federal laws to perform its obligations under this contract.

4. **INSURANCE REQUIREMENTS.** Contractor has secured and agrees to keep and maintain in full force and effect, at its own expense, the insurance approved by CBJ Risk Management as outlined in Appendix C. At least 30 days prior to the cancellation, non-renewal or reduction in the amount of coverage, Contractor shall provide written notice to CBJ Risk Management. The Contractor's insurance shall be primary and any insurance maintained by the CBJ shall be non-contributory. If the Contractor maintains higher limits than shown below, the CBJ shall be entitled to coverage for the higher limits maintained by the Contractor.

   a. ***Deductibles and Self-Insured Retentions.*** Any deductibles and self-insured retentions must be declared to and approved by the CBJ. The CBJ may require the Contractor to provide proof of ability to pay losses and related investigations, claim administration and defense expenses within the retention.

   b. ***Claims-Made Policies.*** If any of the required policies provide coverage on a claims-made basis:

      1. The Retroactive Date must be declared and must be before the date of the contract or the beginning of the contract work.
      2. Insurance must be maintained and evidence of insurance must be provided ***for at least one (1) year after completion of the contract work.***
      3. If coverage is canceled or non-renewed, and not replaced with another claims-made policy form with the Retroactive Date prior to the contract effective date, the Contractor must purchase **"extended reporting"** coverage for a minimum of one (1) year after completion of the contract work.

5. **CHANGES**. The CBJ may, from time to time, require changes in the scope of services to be performed under this contract. Such changes, including any increase or decrease in the amount of the Contractor's compensation, must be mutually agreed upon in writing before they will be regarded as part of this contract. No claim for additional services, not specifically provided in this contract, performed or furnished by the Contractor, will be allowed, nor may the

Contractor do any work or furnish any material not covered by the contract unless the work or material is ordered in writing by the CBJ.

6. **NO ASSIGNMENT OR DELEGATION**. The Contractor may not assign or delegate any interest in this contract without the prior written consent of the CBJ. Contractor may assign its rights to any payment under this contract without the prior written consent of CBJ; however, notice of any such assignment or transfer shall be furnished promptly to CBJ by Contractor.

7. **TERMINATION FOR CONVENIENCE**. The CBJ may, by prior written notice, terminate this agreement at any time, in whole or in part, when it is in the best interest of the CBJ. In the event that this contract is terminated by the CBJ for convenience, as opposed to termination for cause, the CBJ is liable only for payment in accordance with this agreement for work accomplished prior to the effective date of the termination.

8. **DEFAULT AND TERMINATION FOR CAUSE.** If Contractor fails to perform a material obligation under this contract, the CBJ may consider the Contractor to be in default (unless caused an event, circumstance, or act of a third party that is beyond Contractor's reasonable control) and may assert a default claim by giving Contractor a written and detailed notice of default. The Contractor shall cure the default within the time frame identified in the notice of default, or, if the default is not curable within the time frame specified, provide a written cure plan acceptable to the CBJ, which shall not be unreasonably withheld. Contractor will begin implementing the cure plan immediately after receipt of notice that the CBJ approves the plan. The CBJ's payment obligations shall be held in abeyance until the default is cured.

If Contractor fails to cure the default, unless otherwise agreed in writing, the CBJ may terminate any unfulfilled portion of this Agreement. In the event of termination for default, the Parties may agree that the CBJ's remedy be limited to recovering from Contractor all actual, reasonable costs incurred in securing the work described in Appendix A. The CBJ agrees to mitigate damages to the extent required by law, and to provide Contractor with detailed invoices substantiating the charges.

9. **INSPECTION AND RETENTION OF RECORDS**. The CBJ may inspect, in the manner and at reasonable times it considers appropriate, all of Contractor's facilities, records and activities having any relevance to this contract. Contractor shall retain financial and other records relating to the performance of this contract for a period of six years, or until the resolution of any audit findings, claims or litigation related to the contract.

10. **EQUAL EMPLOYMENT OPPORTUNITY**. The Contractor will not discriminate against any employee or applicant for employment because of race, religion, color, sex, age, disability, familial status, sexual orientation, gender identity, gender expression, or national origin. Contractor shall include these provisions in any agreement relating to the work performed under this agreement with contractors or subcontractors.

11. **CHOICE OF LAW, JURISDICTION**. The Superior Court for the State of Alaska, First Judicial District at Juneau, Alaska shall be the exclusive jurisdiction for any action of any kind and any nature arising out of or related to this Agreement. Venue for trial in any action shall be in

Juneau, Alaska. The laws of the State of Alaska shall govern the rights and obligations of the parties. Contractor specifically waives any right or opportunity to request a change of venue for trial pursuant to A.S. 22.10.040.

12. COMPLIANCE WITH LAWS AND REGULATIONS. Contractor shall, at Contractor's sole cost and expense, comply with all applicable requirements of federal, state, and local laws, ordinances and regulations now in force, including safety, environmental, immigration, and security enactments, or which may be subsequently enacted. Contractor warrants that it has obtained and is in full compliance with all required licenses, permits, and registrations regulating the conduct of business within the State of Alaska and the CBJ, and shall maintain such compliance during the effective term of this agreement.

13. PAYMENT OF TAXES AND OBLIGATIONS TO CBJ. As a condition of this contract, the Contractor shall pay all federal, state, and local taxes incurred by the Contractor and shall require their payment of any subcontractor or any other persons in the performance of this contract. Contractor shall not be delinquent in the payment of taxes, or any other obligation, to CBJ during the performance of this contract. Satisfactory performance of this paragraph is a condition precedent to payment by the CBJ under this contract.

14. CONFLICT OF INTEREST. Contractor warrants that it has no knowledge that any employee or officer of the CBJ has violated the conflict of interest provisions of CBJ code regarding this contract. Contractor also warrants that it has not solicited or received any prohibited action, favor or benefit from any employee or office of CBJ, and that it will not do so as a condition of this contract. If the Contractor learns of any such conflict of interest, the Contractor shall without delay inform the CBJ and Municipal Attorney or CBJ's representative for this contract.

15. INDEMNIFICATION. The contractor agrees to defend, indemnify, and hold harmless CBJ, its employees, volunteers, consultants, and insurers, with respect to any action, claim, or lawsuit arising out of or related to the Contractor's performance of this contract, without limitation as to the amount of fees, and without limitation as to any damages, cost or expense resulting from settlement, judgment, or verdict, and includes the award of any attorneys' fees even if in excess of Alaska Civil Rule 82. This indemnification agreement applies to the fullest extent permitted by law and is in full force and effect whenever and wherever any action, claim, or lawsuit is initiated, filed, or otherwise brought against CBJ relating to this contract. The obligations of Contractor arise immediately upon actual or constructive notice of any action, claim, or lawsuit. CBJ shall notify Contractor in a timely manner of the need for indemnification, but such notice is not a condition precedent to Contractor's obligations and is waived where the Contractor has actual notice.

16. OWNERSHIP OF DOCUMENTS. All designs, drawings, specifications, notes, artwork, and other work developed in the performance of this contract become the sole property of the CBJ and may be used by the CBJ for any other purpose without additional compensation to the Contractor. The Contractor agrees not to assert any rights and not to establish any claim under the design patent or copyright laws. The Contractor, for a period of three years after final payment under this contract, agrees to furnish and provide access to all retained materials at the

request of the CBJ. Unless otherwise directed by the CBJ, the Contractor may retain copies of all the materials.

17. IDENTIFICATION OF DOCUMENTS. All reports, maps, and other documents completed as a part of this contract, other than documents exclusively for internal use within the CBJ, shall carry a CBJ notation or logo as directed by the CBJ.

18. APPLICABILITY OF ALASKA PUBLIC RECORDS ACT. Contractor acknowledges and understands that the CBJ is subject to the Alaska Public Records Act (AS 40.25.120) and that all documents received, owned or controlled by the CBJ in relation to this Contract must be made available for the public to inspect upon request, unless an exception applies. It is Contractor's sole responsibility to clearly identify any documents Contractor believes are exempt from disclosure under the Public Records Act by clearly marking such documents "Confidential." Should the CBJ receive a request for records under the Public Records Act applicable to any document marked "Confidential" by Contractor, the CBJ will notify Contractor as soon as practicable prior to making any disclosure. Contractor acknowledges it has five (5) calendar days after receipt of notice to notify the CBJ of its objection to any disclosure, and to file any action with any competent court Contractor deems necessary in order to protect its interests. Should Contractor fail to notify the CBJ of its objection or to file suit, Contractor shall hold the CBJ harmless of any damages incurred by Contractor as a result of the CBJ disclosing any of Contractor's documents in the CBJ's possession. Additionally, Contractor may not promise confidentiality to any third party on behalf of the CBJ, without first obtaining express written approval by the CBJ.

19. FISCAL FUNDING. The parties acknowledge that the municipality is legally prohibited from encumbering funds that have not been duly appropriated, pursuant to CBJ Charter 9.13. Funding for this agreement beyond fiscal year 2022 is therefore subject to an appropriation of funds by, and at the sole discretion of, the City and Borough of Juneau Assembly. The parties acknowledge and understand that in the event the Assembly fails to appropriate sufficient funds for this agreement, the agreement will automatically terminate without penalty or further municipal liability, on June 30 of the current fiscal year.

20. ENTIRE AGREEMENT. This Agreement, including all appendices and exhibits, constitutes the entire agreement of the Parties regarding the subject matter of the agreement and supersedes all previous agreements, proposals, and understandings, whether written or oral, relating to this subject matter.

21. SEVERABILITY. If a court of competent jurisdiction renders any part of this agreement invalid or unenforceable, that part will be severed and the remainder of this agreement will continue in full force and effect.

22. WAIVER. Failure or delay by the CBJ to exercise a right or power under this agreement will not be a waiver of the right or power. For a waiver of a right or power to be effective, it must be in a writing signed by the CBJ. An effective waiver of a right or power will not be construed as either a future or continuing waiver of that same right or power, or the waiver of any other right or power.

APPENDIX C: INSURANCE

INSURANCE REQUIREMENTS. The Contractor has provided certification of proper insurance coverage, including certificate(s) of insurance and amendatory endorsements or copies of the applicable policy language affecting coverage required in this agreement, to the City and Borough of Juneau, attached as Attachment 6. Failure of CBJ to demand such certificate or other evidence of full compliance with these insurance requirements or failure of CBJ to identify a deficiency from evidence that is provided shall not be construed as a waiver of the obligation of the Contractor to maintain the insurance required by this contract.

Contractor agrees to maintain insurance as follows at all times while this contract is in effect, including during any periods of renewal.

Commercial General Liability Insurance. The Contractor must maintain Commercial General Liability Insurance in an amount it deems reasonably sufficient to cover any suit that may be brought against the Contractor. This amount must be at least one million dollars ($1,000,000) per occurrence, and two million dollars ($2,000,000) aggregate. **This insurance policy is to contain, or be endorsed to contain, additional insured status for the CBJ, its officers, officials, employees, and volunteers.**

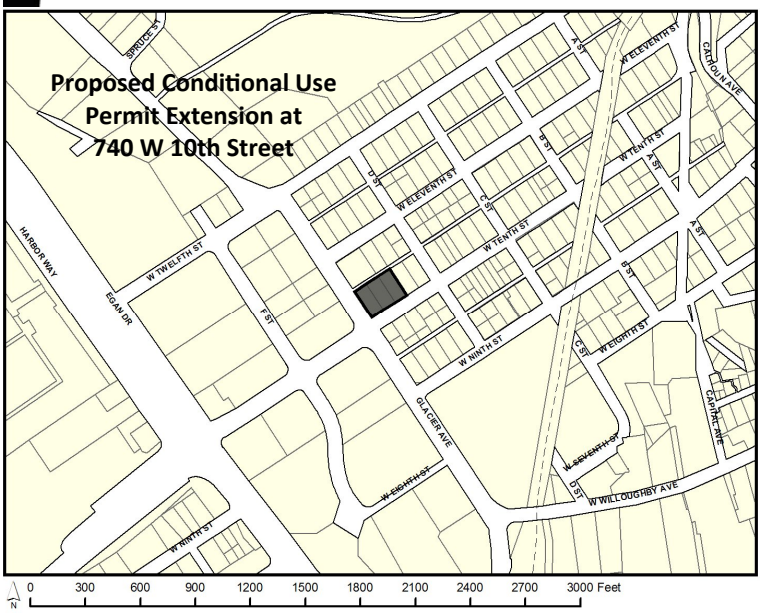
Workers Compensation Insurance. If required by Alaska Statute (*see* Alaska Statute 23.30), the Contractor must maintain Workers Compensation Insurance to protect the Contractor from any claims or damages for any bodily or personal injury or death which may arise from services performed under this contract. This requirement applies to the Contractor's firm, the Contractor's subcontractors and assignees, and anyone directly or indirectly employed to perform work under this contract. The Contractor must notify the City as well as the State Division of Workers Compensation immediately when changes in the Contractor's business operation affect the Contractor's insurance status. Statutory limits apply to Workers Compensation Insurance. The policy must include employer's liability coverage of one hundred thousand dollars ($100,000) per injury and illness, and five hundred thousand dollars ($500,000) policy limits. Contractor also agrees to provide evidence of Longshore and Harbor Worker's Insurance and Jones Act coverage if applicable to the work required. **If the Contractor is exempt from Alaska Statutory Requirements, the Contractor must provide written confirmation of this status in order for the CBJ to waive this requirement.**

Comprehensive Automobile Liability Insurance. The coverage shall include all owned, hired, and non-owned vehicles one million dollars ($1,000,000) combined single limit coverage.

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission

Your Community, Your Voice



CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

155 S. Seward Street Juneau, Alaska 99801

TO:

An application has been submitted for consideration and public hearing by the Planning Commission for **an extension of a Conditional Use Permit (USE2021 0011) for a cold weather emergency shelter at Resurrection Lutheran Church.**

TIMELINE

Staff Report expected to be posted **Monday, April 18, 2022** at **https://juneau.org/community-development/planning-commission** Find hearing results, meeting minutes and more here as well.

Now through 12 noon, April 22

Comments received during this period will be sent to Planning Commissioners to read over the weekend in preparation for the hearing. The planner handling the case, Jennifer Shields, will also read any written comments that are received. You may also contact her via the phone number listed below.

HEARING DATE & TIME: 7:00 pm, April 26, 2022

This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting **https://juneau.zoom.us/j/87889807666** and use the **Webinar ID: 878 8980 7666** 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, Alaska.

April 27

The results of the hearing will be posted online.

FOR DETAILS OR QUESTIONS,

Phone: **(907)586-0715 ext. 4139** ◆
Email: **pc_comments@juneau.org**
Mail: **Community Development, 155 S. Seward St, Juneau AK 99801**

Printed April 12, 2022

Case No.: USE2022 0005
Parcel No.: 1C060C260060
CBJ Parcel Viewer: http://epv.juneau.org

Attachment F - Public Notice Sign

USE2022 0005

CONDITIONAL USE PERMIT MODIFICATION

for

Resurrection Lutheran Church

Cold Weather Emergency Shelter

USE 2021 0011

Planning Commission Regular Meeting – April 26, 2022

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

Background – Conditions of Approval

1. Smoke detectors ✓
2. Alarm on exit door ✓
3. IF needed, extra exterior lights
4. Exterior security cameras ✓
5. Hours 9:00pm to 6:30am ✓
6. Open Nov. 1 to May 1 ✓
7. Two staff at all times ✓
8. Contact information ✓
9. Expiration of May 1, 2022

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

Findings for USE 2022 0008

- Application is complete.
- In Table of Permissible Uses.
- Complies with elements of Title 49.
- Will not materially endanger the public.
- Will not substantially decrease property values.
- Conforms with the Comprehensive Plan.

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

Staff Recommendation

Staff recommends APPROVAL.

PLANNING COMMISSION AGENDA
THE CITY AND BOROUGH OF JUNEAU, ALASKA

Additional Materials Packet for April 26, 2022 Planning Commission

ATTACHMENTS:

	Description	Upload Date	Type
🗋	Additional Materials Packet for April 26, 2022 Planning Commission	4/25/2022	Miscellaneous

Additional Materials
Regular Planning Commission Meeting

Virtual Meeting Only
7:00p.m.
Meeting Date: April 26, 2022

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1. **USE2022 0004:**
    a. Public Comment – James Foster, received 4-15-22 (page 2)
    b. Public Comment – Shanna Entin, received 4-21-22 (page 3)
    c. Public Comment – Martina Kallenberger & Douglas Sanvik, received 4-21-22 (page 4)
    d. Public Comment – Liz Agnew, received 4-21-22 (page 5)

2. **USE2022 0005:**
    a. Memo from Jennifer Shields, Planner II, with Public Comments (page 6-17)

3. **SMF2022 0001:**
    a. Memo from Joseph Meyers (page 18)

From: Adrienne Scott
Sent: Tuesday, April 19, 2022 8:20 AM
To: PC_Comments
Subject: FW:

From: Ninjim <jfoster2488@gmail.com>
Sent: Friday, April 15, 2022 12:40 PM
To: Adrienne Scott <Adrienne.Scott@juneau.org>
Subject:

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

Hello Adrienne Scott,

I would like to give my enthusiastic approval for Carl and Susan Schrader's conditional use permit for an awning over their back/main entrance.. They are my next door neighbor. This will give them a snow and ice free walk way from their driveway, giving me peace of mind that they are much less likely to slip on the ice possibly incurring life threatening injuries..
From scientific study of hip fractures in the elderly on pubmed
"Introduction: Hip fracture among older patients is a devastating injury in most cases. It profoundly affects the physical, mental, functional and social balance that patients used to have and, beyond the orthopedic injury, it reflects the aging process and its dire consequences. Some reports show that up to 50% of patients with hip fracture die within six months and many of those who survive do not recover their baseline independence and function. In recent decades the increase in life expectancy after 60 years of age has led to an exponential growth in hip fractures. This is why it is essential to determine the patient-related and environmental factors leading to the increased mortality rates seen in patients with hip fracture, to improve the survival and quality of life of older adults. The objective was to determine the association between hip fracture and mortality in patients over 65 years of age." -
https://pubmed.ncbi.nlm.nih.gov/26016287/
I have fallen on the ice several times and incurred debilitating injury at least twice. Anyway I realize I've gone too far with my entreaty and you likely just need my simple approval but I do like a good cause..,
Thank you for your consideration,
James Foster
2621 John St
Juneau, AK
907-254-2488

From: Adrienne Scott
To: PC_Comments
Subject: FW: Case #USE2022 00004
Date: Thursday, April 21, 2022 11:31:57 AM

From: Shanna Entin <shanna.entin@gmail.com>
Sent: Tuesday, April 19, 2022 12:49 AM
To: Adrienne Scott <Adrienne.Scott@juneau.org>
Subject: Case #USE2022 00004

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

Good day,

I am writing in regard to the covered walkway my neighbors, George C. and Susan E. Schrader, would like to build along the back of their home at 2611 John Street under case number USE2022 00004. We have absolutely no opposition to the proposed construction. Rather, we look forward to continued high property values as our neighbors care for and improve their homes.

Please do not hesitate to contact us if you have any questions or concerns. Thank you for your time and service to our city.

Sincerely,

Shanna Entin
Alex Hardin
2622 John St, Juneau, AK 99801
907-888-7183

"The greatest achievement was at first and for a time (only) a dream."
- James Allen

From: Adrienne Scott
To: PC_Comments
Subject: FW: Awning Construction - John Street
Date: Thursday, April 21, 2022 1:47:12 PM

From: mkallenberger@gci.net <mkallenberger@gci.net>
Sent: Wednesday, April 20, 2022 4:54 PM
To: Adrienne Scott <Adrienne.Scott@juneau.org>
Subject: Awning Construction - John Street

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

Our neighbors, the Schraders, at 2611 John Street wish to construct an awning over a walkway.

We wish to inform you that we have no opposition to them constructing an awning.

Sincerely,
Martina Kallenberger & Douglas Sanvik
2602 John Street

From: Adrienne Scott
To: PC_Comments
Subject: FW: Regarding Case# USE2022 00004
Date: Thursday, April 21, 2022 2:52:59 PM

From: Liz Agnew <lizagnew@hotmail.com>
Sent: Thursday, April 21, 2022 2:52 PM
To: Adrienne Scott <Adrienne.Scott@juneau.org>
Subject: Regarding Case# USE2022 00004

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

Dear Ms. Scott,

My name is Liz Agnew, and I am the home owner and resident at 2698 David Street. As a neighbor to Sue and Carl Schrader, I have no opposition to the construction of an awning to their house located at 2611 John Street.

If you need additional information, please do not hesitate to contact me at 907-209-2610 or at this email.

Thank you,
Liz Agnew

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

April 22, 2022

MEMO

From: **Jennifer Shields, Planner II**

To: **Michael Levine, Chair, Planning Commission**

Through: **Jill Maclean, AICP, Director**

Parcel No.: **1C060C260060**

Legal Description: **Casey Shattuck Block 226 Lots 6, 7, & 8**

Case Number: **USE2022 0005**

RE: Public Comments

In the Additional Materials packet you will receive the following public comments regarding Resurrection Lutheran Church's Cold Weather Emergency Shelter (CWES), summarized below:

Name	Summary
First National Bank Alaska	Opposes removal of an expiration date entirely, but would support an annual review process. No significant issues arose this past season. No significant uptick in vandalism, litter/garbage, loitering, crime/drug use or employee safety issues.
Walter Gregg	Neither opposing or supporting the application, but has concerns if other conditions of approval were to be removed such as operating months and times, or number of staff present. Would like more communication from the church related to the shelter.
Brenda Knapp	Opposes removal of an expiration date entirely, but would support continuation for three more months, with the requirement of external security lights, better management, and provision of a management plan. Witnessed people gathering outside late at night in loud talking, laughing, and arguing, as well as people sleeping around the church property during the day.

Name	Summary
Eric Ouderkirk	Opposes removal of an expiration date – believed that the shelter would provide a temporary solution until a longer term solution at a different facility was developed. Has heard shouts of profanity several days a week as patrons exited the shelter, and has changed his walking patterns through the area.
Julie Scheurer	Opposes removal of an expiration date, and does not want the shelter to continue. If continued, at a minimum would like the permit to have an expiration date and stringent guidelines attached. Witnessed an increase in police activity, litter, loitering, camping, trespassing, public intoxication, and abandoned vehicles.
Rob Steedle	Opposes removal of an expiration date entirely, but would support continuation for one or two more years. CWES has had a low impact on the neighborhood, but wants more time to make the determination that the use will not materially endanger the public.
Jetta Whittaker	Does not oppose the use of the church as a warming shelter, but has several questions and concerns regarding the current application. Believes there should be more discussion and a more holistic, comprehensive process involving all partners related to homelessness downtown. Would like more communication from the church related to the shelter.

First National Bank
ALASKA

MEMBER FDIC

April 22, 2022

CBJ Community Development & Planning Commission
155 S. Seward St.
Juneau, AK. 99801

Dear Commission Members,

First National Bank Alaska is grateful for this opportunity to offer our thoughts on your consideration of the renewal of a Conditional Use Permit for a cold weather emergency shelter to be located at the Resurrection Lutheran Church.

First let me say that First National Bank Alaska (FNBA) appreciates how the shelter was run this past winter. It was a relief to see that there were no significant issues that arose from our initial concerns. Resurrection Lutheran Church is to be commended for their efforts. In our view they handled the shelter just as they said they would. We did not see a significant uptick in vandalism, litter/garbage, loitering, crime/drug use or FNBA employee safety issues. Again, the church is to be commended.

Having said that, I would like to say that our initial concerns remain regarding the shelter into its future. We feel these are valid concerns, and while last winter we did not see significant issues, there is certainly the chance that they will manifest themselves in the future. For this reason we have a new concern. It appears that the aim of this current action, to extend the Conditional Use Permit, is to grant the permit a permanent status rather than having it come up for review on some periodic basis. Because our concerns as outlined above remain, we urge the Planning Commission to consider granting the permit for a specific period of time. Our new concern is, for example, if the permit is granted for 5 years (or indefinitely), what if next year we do in fact see problems arising from the Warming Shelter, now we must wait 4 more potentially problematic years before we can comment and have the permit's issuance addressed. For that reason, it is the bank's position the permit should remain as it was, issued annually after a review of the previous year. Were that to be the case, FNBA would be in favor of granting the permit for another year.

Respectfully,

Tom Sullivan
Vice President, Southeast Alaska Regional Manager
First National Bank Alaska

From: Walter Gregg
To: PC_Comments
Subject: USE2021 0011 Extension (RLC Warming)
Date: Thursday, April 21, 2022 11:27:07 PM

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

Dear Readers:

The Resurrection Lutheran Church has applied to extend their conditional use permit for cold weather warming. The application asks that conditions 1-8, presumably those in the Planning Commission letter of November 15, 2021, be removed. Of these items, I have concerns with the following:

CONDITION 4

Condition 4 requires that the shelter doesn't open before 9:00 PM and closes by 6:30 AM the next day. Dropping this restriction could have profound neighborhood impact and is deserving of discussion.

On the one hand, it bothered me from the get-go that the inmates of this asylum would be kicked out into a residential school neighborhood at 6:30 AM. Indeed, it seemed dubious whether it even qualifies for assisted living zoning if it's not 24 hour. The Taku Wind doesn't magically cease at 6:30 AM.

On the other hand, allowing the church to decide whether to extend these hours without written government concurrence on a daily basis is equally dubious.

CONDITION 6

Condition 6 bars the shelter from running except between November 1 and May 1. Dropping this restriction is also profound in terms of neighborhood impact. It needs discussion.

It must be observed that the CDC says that hypothermia, which can kill quickly, can occur even above 40 degrees (F) if a person is chilled from rain. Cue Southeast Alaska, 99% of the time.

But if waiving the rule is meant to let it be extended to potentially year-round, it's a dishonest application. One wonders if there are state statutes compelling local governments to assist the undersheltered. In any event, shouldn't it be up to the

elected government, and not some private outfit, to decide if and when a shelter operates outside of core cold weather dates?

CONDITION 7

Condition 7 requires a minimum of two staff present at all times. It's difficult to see any basis for removing this condition. The undersheltered are sometimes a challenge to deal with. Ask any cop or EMT. They're experts. And they work in pairs. Nobody competent does it alone.

CONDITION 8

Condition 8 requires a contact number for the surrounding neighborhood. I have to report that I never was notified of any such contact number. But there certainly should be one. We shouldn't need to call 911 or the JPD business number when matters come up that could perfectly well be dealt with by calling the shelter directly. Why would you repeal the requirement to provide a contact number? That doesn't make any sense. And this time, you should require that it be sent by postal mail to everybody in the affected area, and posted outside the church.

FINALLY

There's been no survey on rebuilding the Willoughby area warming center the CBJ knowing and willfully tore down. Maybe you should deny the church application until the assembly orders such a survey and we find out if there would be public support for a permanent warming center to replace it. The KINY survey that has been done indicates that only 13% of people favor a new city hall there; and 42% of people don't think the CBJ needs a new city hall at all. So what do they favor? It's just possible that a warming center might have the public support a new city hall does not.

Bottom line: Caring for the undersheltered might reasonably be seen as a government, not private responsibility. Government bombed Angoon. Government burned the Douglas Island Indian Village to make room for a park. Government built Gastineau School over a native graveyard. Government razed the Juneau urban renewal area. Is it any wonder we have unsheltered people? It's commendable that the Lutheran Church is trying to make amends. But by approving the church application, you're enabling government irresponsibility. Maybe it's time to just say no and let the chips fall where they may.

I'm not opposing or supporting the application. I'm providing information I hope you will consider in deciding how to move forward.

Thank you.

/s/

Walter M. Gregg;
PO Box 21693, 99802;
907-586-6978

From: Brenda Knapp
To: PC_Comments
Cc: B.L. Knapp
Subject: Extension Request for Conditional Use Permit USE20210011
Date: Wednesday, April 20, 2022 4:02:11 PM

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

Planning Commission and Staff:

I am writing to express my opposition to having a time limit removed from the Resurrection Lutheran Church's (RLC) conditional use permit for a cold weather emergency shelter. Such action would make this shelter a permanent facility rather than a cold weather emergency shelter. I own a Parkshore condo and for more than thirty-two years owned a home on 9th St. so I am very familiar with the neighborhood. I am also a dog owner and given my current location I walk by RLC daily at various times with my dog and have witnessed considerable concerning behavior. The application says the shelter will operate from 9:00 PM to 6:30 AM and will have at least two staff present. My last walk is always between 10:00 and 11:00 PM, and at that time there are always people gathered in the dark stairwells and even the sidewalk engaged in loud talk, raucous laughter or arguments. I have never seen any of the staff who are supposed to be present engaged with these folks, and the interior of the church is dark. The permit also requires external security lights but the only light is on the front porch where folks frequently set up camp. Now that we are having warmer days, people are gathering around RLC during the day to sleep various places. They and their belongings including an unleashed dog overflow onto the sidewalk.

Before retiring I worked in the behavioral health field in several capacities so I recognize the need for shelters and transitional housing, and certainly for affordable permanent housing. I commend RLC for trying to address the shelter need in our community but I contend that the current operation is not well managed and is therefore is doing a disservice to the target population and the surrounding neighborhood. If the permit is extended at all it should be for no more than another three months during which time RLC must be required to develop and implement an adequate management plan that contains its operation so it is not overflowing onto the surrounding streets. The plan also needs to include diversion alternatives for its client population during its non-operation hours.

Thank you for considering my comments.

Brenda Knapp
PO Box 20423
Juneau, AK 99802
knapp.brenda@gmail.com

From: Eric Ouderkirk
To: PC_Comments
Subject: USE2022 0005: A modification (extension) of a Conditional Use Permit (USE2021 0011) for a cold weather emergency shelter at Resurrection Lutheran Church
Date: Friday, April 22, 2022 11:53:07 AM

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

Thank you for taking my comments on **USE2022 0005: A modification (extension) of a Conditional Use Permit (USE2021 0011) for a cold weather emergency shelter at Resurrection Lutheran Church**. I voiced concerns with this conditional use permit (CUP) last November when proposed by Resurrection Lutheran Church (RLC) - these do not seem to be in your online agenda. I remain concerned over this facility today and *do not support the removal of condition 9 as requested by the proponent*. I base my objection on:

There are comments made in the proponent's application that the surrounding residents have no negative feedback (p.95/152). Please do not confuse tolerance toward others as support. The Flats Neighborhood is made up of residents who try to be kind and understanding. A quick look at the neighborhood's Facebook page will show that most posts are positive in nature. The adage of "be kind" and "if you can't say something nice, don't say anything" still applies in the neighborhood. However in order to provide feedback:

- Even-though my family lives over a block away, we have listened to shouts of profanity (and occasionally threats of violence) voiced by the users of the Cold Weather Emergency Shelter (CWES) several days each week as they exited and arrived along Glacier Avenue. Trying to be considerate and recognize this is a temporary situation (RLC had stated it was not their intent to operate the facility long-term - p.116/152) JPD was not contacted (given the transient nature of yelling) nor, the CWES (since it seemed that they would already be aware of the problem and would address it).

- We have modified our walking patterns through the area; having been made to feel uncomfortable by the actions of patrons during non-operation hours. Again, not reported since this was temporary facility and trying to be compassionate.

At this time only condition 9 is being amended (confirmed by CBJ staff on 21 April), however the proponent states in their application the intent to return in June and request that the other conditions be removed and the operations only be governed by the terms of the CBJ Contract MR#22-198 (p.95/152) and associated Purchase Orders. The current contract provides for public input via the requirement to "abide by all terms and conditions under their Conditional Use Permit USE2021 0011" (p.144/152). Without that stipulation there is not public input.

- Removal of a time restriction makes the CUP permanent, remaining with the property indefinitely. Whether there is a contract in place or not.

- Common sense would dictate that given the location of this facility at the intersection of light commercial and residential zones, near an elementary school, child-care facilities (Gold Creek), and a senior center it should be subject to public input. This is not much different than requirements placed on other businesses.

Last November a number of comments were made this was to be a temporary solution, while a longer term solution was developed. Is RLC's stated intent changing towards operating a permanent facility?

If a change is made to the CUP allowing operation from November 2022 to May 2023, CBJ and RLC would be able to exercise the contract renewal (p.144/152). While I understand needing a temporary contract extension to operate the CWES, respectfully, I request that you think of all the residents of this neighborhood with the same consideration you are giving to RLC's request.

Thank you for opportunity to comment.

Eric Ouderkirk
925 D Street

From: Julie Scheurer <jascheurer@gmail.com>
Sent: Tuesday, April 19, 2022 1:33 PM
To: PC_Comments
Subject: Case No. USE2022 0005

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

Dear Commissioners,

I am a 15-year Casey-Shattuck (aka "Flats") resident and home-owner writing to express my opposition to the extension of the conditional use permit for a cold weather emergency shelter at Resurrection Lutheran Church. During the recent months that it has been operating on a temporary basis, I have noticed an increase in police activity, litter, loitering, illegal camping and trespassing on private property, public intoxication, and abandoned derelict vehicles in the neighborhood.

Glacier Avenue is a major pedestrian corridor for local businesses, agencies, and several schools. While I do believe that the City of Juneau should provide services and facilities for its homeless population, and work harder to reduce the number of homeless, I don't think the Flats neighborhood and Resurrection Lutheran Church is the right place for this facility.

If the planning commission decides to issue a new permit, at a minimum it should have an expiration date and stringent guidelines that must be met or the permit will be revoked.

Thank you for your consideration,

Julie Scheurer
529 W. 12th St.

From: Rob Steedle
To: PC_Comments
Subject: USE2022 0005 comment
Date: Friday, April 22, 2022 8:28:33 AM

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

Dear Commissioners,
I recommend that the Planning Commission deny USE2022 0005 thus allowing USE2021 0011 to sunset, as approved less than six months ago.

I wrote in support of USE2021 0011 in November, 2021 because winter had begun, there appeared to be no other alternatives proposed for a cold weather shelter, and because the use was to be a temporary one. In its application for USE2021 0011, the applicant wrote:

> ….RLC has no long-term plans or interest to be in the shelter business…. There are limited viable alternatives to CBJ to host the CWES for the upcoming winter

From my perspective, the operation of the Cold Weather Emergency Shelter (CWES) at Resurrection Lutheran Church (RLC) last winter had a low impact on the residential neighborhood abutting the church. That said, there has been insufficient time to make the determination that continuing this use will not materially endanger public health, safety, or welfare in future years. I would support a conditional use permit for a shelter at this location with a sunset of one or two years.

I believe that this community desires and deserves a comprehensive approach to helping those in need of shelter. I am confident that CBJ and social service agencies will continue to collaborate in developing solutions. I am grateful to the Resurrection Lutheran Church for providing this much-needed service on short-notice this past winter, and wish them continued success in this work.

Sincerely,
Rob Steedle
502 W 10th St

From: Jetta Whittaker
To: PC_Comments; Borough Assembly
Subject: Warming Shelter Conditional Use Permit (USE2021 0011)
Date: Friday, April 22, 2022 5:48:29 AM

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

Dear Planning Commission and Assembly members,

I am writing to express concern about the proposed extension of a Conditional Use Permit (USE2021 0011) for a cold weather emergency shelter at Resurrection Lutheran Church (RLC). I am including members of the Juneau Assembly in this communication, because I believe the issue is much larger than just extending use of RLC as the site of the warming shelter.

The proposal before you (and the public) is confusing because it is explained as an extension of the CUP, but the action recommended is this:

> Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested Conditional Use Permit modification repealing condition #9:
> This permit will expire on May 1, 2022. (Condition #9).

which implies there will no longer be an expiration date for the CUP, meaning RLC is approved to operate the warming shelter in perpetuity.

Further down in the documentation available to you and the public, RLC includes this paragraph:

> Plans to File New Conditional Use Permit
> In light of its successful operation of the CWES, RLC plans to file a new Conditional Use Permit requesting that the operation of the CWES be governed by the terms of the PO and Contract negotiated between itself and the CBJ, which will respectful request the removal of conditions 1 through 8 in the extension of the CUP as having been met and/or be subject to the terms of the CBJ PO and Contract, and the removal of conditions 1 through 3 in the CD CUP Memorandum as having been met. RLC expects to file for this permit in June 2022.

which seems to indicate that future operation of RLC's warming shelter will be addressed only through a contract negotiated with CBJ, not necessarily with the same conditions contained in the currently-approved CUP, and without same level of public scrutiny or involvement a CUP receives.

I was publicly in favor of using RLC as a warming shelter when it was originally proposed, but I am now concerned, as the above information from the CUP seems to indicate that it will become a permanent part of our neighborhood. I am not opposed to that (though I take issue with RLC's statement that there have been no complaints about patrons and their on the neighborhood) to meet an identified need that cannot be met any other way, but I am very concerned that CBJ is avoiding taking a holistic, comprehensive look at the resolving the myriad issues of homelessness in our community.

If approved as proposed, it appears RLC will become a downtown homeless shelter permanently. The building does not provide the necessary features (showers, laundry, a day room, etc) that are required for patron comfort and safety. As you know, relocation of The Glory Hall happened after the public said "enough is enough" to the amount of trash, disturbances, and panhandling in the downtown area by (allegedly) homeless people over the

years. There should be **a very different and way more comprehensive process involving all partners (social services providers, funders including Assembly members, the neighbors including Harborview School representatives, and other stakeholders)** for determining that a homeless shelter is still needed downtown, even if it will only be open part of the year.

Further, I wonder about the patrons who have been staying at RLC: are they there because The Glory Hall is full? Are they on a waiting list to move to The Glory Hall or Forget Me Not Manor? Or have they been denied service at The Glory Hall? What other social services and case management services have been made available to them? Who is tracking that they are making progress in resolving their homelessness situation? What more permanent housing options are available to them, and where will they go next?

Finally, I had hoped the RLC staff would have communicated more openly with the neighborhood over the winter and now about this extension, but that hasn't turned out to be the case. It wasn't until I suggested it that they reach out via the Flats Families Facebook page to inform us about the change of plans, and then it wasn't to explain their rationale or logic or even speak to the need, but only to point readers to the CUP posted on the CBJ page. While the phone number for the Shelter Manager is posted on the RLC webpages, it hasn't been freely circulated by RLC in the neighborhood with a request for dialogue if neighbors experience problems with patrons or property.

As a former executive director of The Glory Hall (Hole back then), I do not want my concerns to be interpreted as opposing the use of RLC as a warming shelter. The church stepped up to meet an important need at a critical time, and I am very grateful for that. I believe the shelter staff mean well and the church has good intentions, and everyone deserves to be warm and dry and safe on cold nights. However, because what is proposed in the CUP is so unclear (Is it an extension or not? Does it have a new end date, if it is an extension? What does it mean that the RLC will enter into a contract to provide this service? Will it end if not funded by CBJ?), I believe a decision on this CUP is premature.

In summary, I urge you to pend this item in order to more fully consider and explain its implications, including generating more conversation on the specifics of the CUP, its impacts on the neighborhood, and how it fits into the bigger picture of resolving homelessness in our community.

Thank you for your consideration,

Jetta Whittaker

502 W 10th

Juneau AK 99801

CITY AND BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

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

MEMO

TO: Planning Commission

FROM: Jill Maclean

PARCEL NO.: 5B2401440030

LEGAL DESCRIPTION: Golden Nugget Block G Lot 1

CASE NUMBER: SMF2022 0001

RE: Modification of Condition 1 on SMF2022 0001

A modification has been made to Condition 1 on SMF2022 0001 to read, "Prior to final plat recording, the applicant must construct required improvements or provide a financial guarantee in accordance with CBJ 49.55.010."

This modifies the previous Condition 1 which states: "Prior to final plat approval, the applicant has constructed all required improvements or provided a financial guarantee in accordance with CBJ 49.55.010."