

Agenda

Planning Commission - Regular Meeting City and Borough of Juneau

June 8, 2021
Virtual Meeting Only
7:00 PM

This virtual meeting will be by video and telephonic participation only. To join the webinar, paste this URL into your browser: <https://juneau.zoom.us/j/95600342842>. To participate telephonically, call: 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 and enter Webinar ID: 956 0034 2842.

- I. ROLL CALL
- II. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA
- III. APPROVAL OF MINUTES
- IV. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION
- V. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS
- VI. ITEMS FOR RECONSIDERATION
- VII. CONSENT AGENDA
- VIII. UNFINISHED BUSINESS
- IX. REGULAR AGENDA
 - A. USE2021 0004: A Conditional Use Permit for an accessory apartment on an undersized lot in a moderate landslide/avalanche area - APPROVED AS AMENDED
 - B. PWP2021 0001: Parking waiver to waive the three (3) required parking spaces for a proposed single-family dwelling and accessory apartment - APPROVED
 - C. ADP2021 0001: Alternative Development Permit to reduce the front yard setback from 20 feet to 9 feet 7 inches - APPROVED
 - D. ADP2021 0002: Alternative Development Permit to reduce the eastern side yard setback from 5 feet to 2 feet 8 inches - APPROVED
 - E. ADP2021 0003: Alternative Development Permit to reduce the western side yard setback from 5 feet to 2 feet 8 inches - APPROVED
 - F. POSTPONED TO JUNE 22ND: AME2020 0001: A text amendment proposing new zoning districts: Neighborhood Commercial, Mixed Use 3
 - G. POSTPONED TO JUNE 22ND: AME2020 0002: Text amendment to add landscaping and vegetative cover purpose-statements to CBJ Land Use Code
 - H. POSTPONED TO JUNE 22ND: AME2015 0015: A proposal to rezone a portion of the Auke Bay Center to Neighborhood Commercial, Mixed Use 3, and revisions to landscape and vegetative cover
 - I. POSTPONED TO JUNE 22ND: AME2021 0005: A text amendment to revise Title 49 to create the Auke Bay Overlay District
- X. BOARD OF ADJUSTMENT

XI. OTHER BUSINESS

- A. APL2021 0001 - Compliance Hearing on ENF2021 0015

XII. STAFF REPORTS

XIII. COMMITTEE REPORTS

XIV. LIAISON REPORT

XV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS

XVII. EXECUTIVE SESSION

- A. APL2021 0001 - Deliberations on ENF2021 0015 (if necessary)
- B. Appeal of VAR2021-0001: Potential Discussion (if necessary)

XVIII. SUPPLEMENTAL MATERIALS

- A. Additional Materials for June 8, 2021 Planning Commission

XIX. ADJOURNMENT

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

USE2021 0004: A Conditional Use Permit for an accessory apartment on an undersized lot in a moderate landslide/avalanche area - APPROVED AS AMENDED

AGENDA ITEM:

Case No.: USE2021 0004

Applicant: Larry Johansen

Location: 275 Irwin St.

Proposal: A Conditional Use Permit for an accessory apartment on an undersized lot in a moderate landslide/avalanche zone.

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 a single-family dwelling with an accessory apartment on an undersized lot in a moderate landslide/avalanche zone.

The approval is subject to the following conditions:

1. Prior to the issuance of a building permit, the applicant shall submit a revised site plan showing the required minimum yard setbacks are met.
2. Prior to issuance of a building permit, the applicant must submit documentation to demonstrate that all applicable parking code requirements have been met, in conformity with CBJ 49.40.200.
3. The proposed single-family dwelling with accessory apartment shall be designed and constructed using mitigating measures certified as effective by a professional engineer registered to practice in the State of Alaska. Such measures may include dissipating structures or dams, special structural engineering, or other techniques designed for the site.

ATTACHMENTS:

Description	Upload Date	Type
☐ Staff Report for USE2021 0004	6/2/2021	Appeal
☐ Presentation for USE2021 0004, PWP2021 0001, ADP2021 0001, ADP2021 0002, & ADP2021 0003	6/8/2021	Presentation
☐ Notice of Decision for USE2021 0004	6/23/2021	Notice of Decision



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

DATE: June 1, 2021
TO: Michael LeVine, Chair, Planning Commission
BY: Laurel Christian, Planner II
THROUGH: Jill Maclean, Director, AICP

PROPOSAL: Applicant requests a Conditional Use Permit for an accessory apartment on an undersized lot in a moderate landslide/avalanche zone.

STAFF RECOMMENDATION: Approval with conditions

KEY CONSIDERATIONS FOR REVIEW:

- The lot is within a moderate landslide/avalanche zone.
- Engineered construction is recommended for the hazard zone.
- The lot is certified nonconforming for lot size, lot width, and lot depth.
- A Parking Waiver has been requested; no on-site parking is proposed.
- Three Alternative Development Permits have been requested to reduce required setbacks.

GENERAL INFORMATION	
Property Owner	Larry Johansen
Applicant	Larry Johansen
Property Address	275 Irwin Street
Legal Description	Irwin Addition Block 1 Lots 2 & 3 Fraction
Parcel Number	1C030E010040
Zoning	D18 Residential
Land Use Designation	Medium Density Residential (MDR)
Lot Size	1,257 sq. ft.
Water/Sewer	Public
Access	Irwin Street
Existing Land Use	Vacant
Associated Applications	PWP2021 0001; ADP2021 0001, 0002, 0003

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:

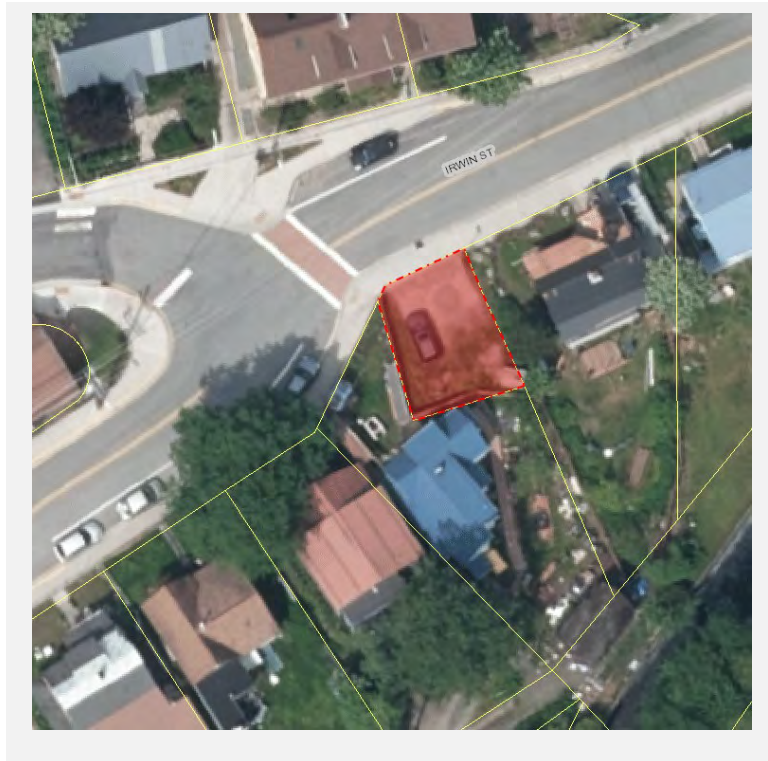
Assembly action is not required for this permit.

STANDARD OF REVIEW:

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
 - o 49.15.330
 - o 49.70.300
 - o 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 (D18)	Multi-family dwelling
South (D18)	Single-family dwelling
East (D18)	Single-family dwelling
West (D18)	Single-family dwelling

SITE FEATURES	
Anadromous	None
Flood Zone	None
Hazard	Moderate
Hillside	None
Wetlands	None
Parking District	None
Historic District	None
Overlay Districts	Juneau ADOD

BACKGROUND INFORMATION

Project Description – The applicant requests a Conditional Use Permit for an accessory apartment on an undersized lot in a moderate landslide/avalanche area. In conjunction with this permit, the applicant has applied for a Parking Waiver to waive the three (3) required parking spaces (PWP20210 001), and three (3) Alternative Development Permits to reduce the setbacks for the structure (ADP2021 0001, 0002, 0003).

Background - The table below summarizes relevant information for the lot and proposed development.

Item	Summary
NCC2021 0029	The lot is certified nonconforming for lot size, lot width, and lot depth (Attachment G).
PWP2021 0001	The applicant has applied for a parking waiver to waive the three required parking spaces
Alternative Development Permits	The applicant has applied for three Alternative Development Permits to reduce the required setbacks for the proposed structure. (ADP2021 0001, 0002, 0003).

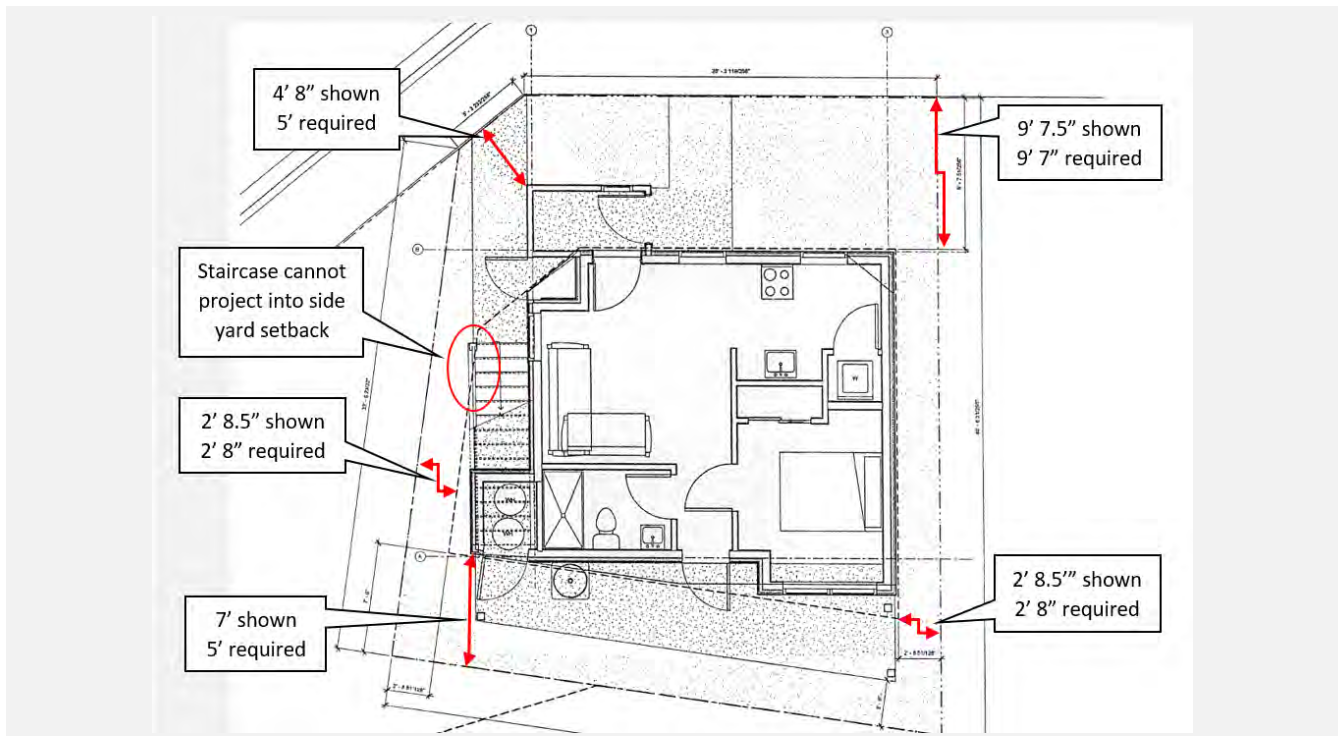
ZONING REQUIREMENTS

Standard		Requirement	Proposed	Existing	Code Reference
Lot	Size	5,000 sq. ft.	No Change	1,257 sq. ft.	49.25.400
	Width	50'	No Change	33'	49.25.400
	Depth	80'	No Change	39'	49.25.400
Setbacks	Front	9' 7"*	9' 7.5"	Vacant	49.70.1240(a)(1)
		5' for artic entry	4' 8"		49.25.430(4)(c)(ii)
	Rear	5'	7'	Vacant	49.25.430(4)(j)

Standard		Requirement	Proposed	Existing	Code Reference
	Side	2' 8"*	2' 8.5"	Vacant	49.70.1240(a)(1)
	Side	2' 8"*	2' 8.5'	Vacant	49.70.1240(a)(1)
Lot Coverage		60% Max	42%	Vacant	49.70.1240(b)
Vegetative Cover		15% Min	Unknown	Vacant	49.70.1240(c)
Height	Permissible	35'	26.5'	Vacant	49.25.400
	Accessory	25'	NA	Vacant	49.25.400
Maximum Dwelling Units (18/acre)		1	1	Vacant	49.25.500
Use		Residential	Residential	Vacant	49.25.300

*Setbacks may be reduced to the above figure with approval from the Planning Commission. Setbacks are discussed further in the staff report for ADP2021 0001 – 0003.

SITE PLAN



ANALYSIS

Project Site – The project site is located in the Downtown “Flats” neighborhood near the corner of Irwin Street, W Twelfth Street, and Calhoun Street. The lot is 1,257 square feet and is certified nonconforming to the D18 minimum lot standards (NCC2021 0029). The project site is located in a moderate landslide/avalanche zone, discussed further in the “Hazards” section of this report.

The applicant has requested three (3) Alternative Development Permits (ADPs) to reduce the required setbacks utilizing the Juneau Alternative Development Overlay District (ADOD). The applicant’s site plan shows the proposed arctic entry not meeting the required 5’ front yard setback. The applicant will be required to submit a revised site plan showing the minimum yard setbacks can be met, prior to the issuance of a building permit. Setbacks and site design are discussed in greater detail in the staff report for the ADPs (ADP2021 0001, 0002, 0003).

Condition: Prior to the issuance of a building permit, the applicant shall submit a revised site plan showing the required minimum yard setbacks are met.

Project Design – The applicant proposes a three story building that will contain a 617 square foot single-family dwelling and 397 square foot accessory apartment (Attachment A). The lot is not large enough to accommodate a duplex, however; a single-family dwelling with an accessory apartment not greater than 600 square feet may be permitted with an Approved CUP issued by the Planning Commission [49.25.510(k)(2)(E)(i)].

CBJ Title 49 defines:

Accessory apartment means one or more rooms with private bath and kitchen facilities comprising an independent, self-contained dwelling unit within or attached to a single-family dwelling or in a detached building on the same lot as the primary dwelling unit. An accessory apartments distinguishable from a duplex in that, unlike a duplex, it is clearly subordinate to the primary dwelling unit, both in use and appearance.

Dwelling, single-family, means a detached dwelling which is designed for and occupied by not more than one family.

The proposed single-family dwelling will be on the top two levels and the accessory apartment will be on the bottom level. The single-family dwelling has one bedroom, one and a half bathrooms, and a combined kitchen and living space. The accessory apartment has one bedroom, a bathroom, and combined kitchen and living space.

For this proposal, the single-family dwelling is distinguishable from the accessory apartment due to the fact that it is larger in square footage and also made up of two-stories. The single-family dwelling is made up of 60% the total floor area of the building, the accessory apartment makes up the remaining 40% of the total floor area of the building.

Traffic – According to CBJ 49.40.300(a)(2) a traffic impact analysis is not required, the development is anticipated to generate fewer than 250 average daily trips (ADTs).

Use	Units	Trips Generated	Total Trips
Single-family dwelling	1	9.52 per unit	9.52
Accessory apartment	1	6.65 per unit	6.65
Total ADTs:			16.17

Vehicle Parking & Circulation – According to CBJ 49.40210(a) three (3) parking spaces are required. The applicant has requested a parking waiver and proposes to provide no parking on-site. Parking is discussed in greater detail in the staff report for the parking waiver (PWP2021 0001).

Condition: Prior to issuance of a building permit, the applicant must submit documentation to demonstrate that all applicable parking code requirements have been met, in conformity with CBJ 49.40.200.

Use	Units	Spaces Required	Total Spaces
Single-family dwelling	1	2	2
Accessory Apartment	1	1	1
Total Parking Requirement:			3

Use	Units	Spaces Required	Total Spaces
Off-street Loading Spaces Required:			0
ADA Accessible Spaces Required:			0

Non-motorized Transportation – The downtown area provides sidewalks on both sides of the street and is generally considered a walkable neighborhood.

Proximity to Transit – The nearest bus stop is located on Glacier Avenue, approximately ¼ mile walking distance from the project site.

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

Lighting – Lighting will be reviewed with a building permit application.

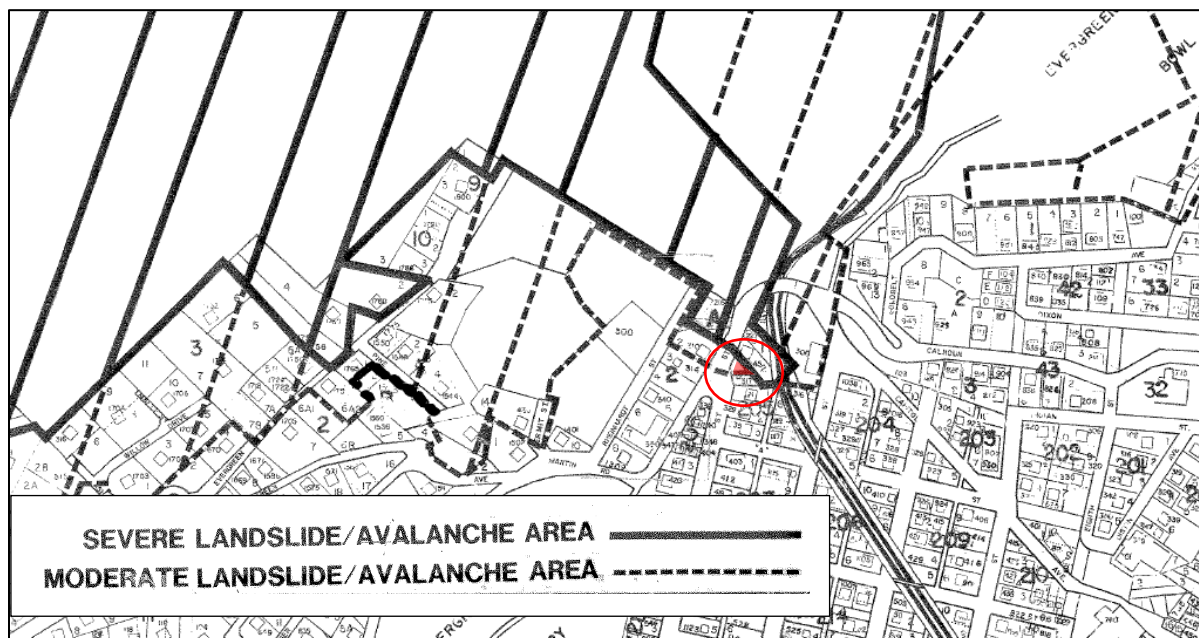
Vegetative Cover & Landscaping – There is no vegetative cover shown on the project site plan. Lots within the ADOD boundary are allowed to maintain a minimum 15% vegetative cover. This will be reviewed with the building permit application.

Habitat – There are no habitats or sensitive areas on the lot governed by Title 49.

Drainage and Snow Storage – CBJ Engineering and Public works stated they had no comments on the proposal. Any proposed grading or changes to drainage will be reviewed through the building permit process.

Historic District – The lot is not within the CBJ Downtown Historic District. The lot is within the Casey Shattuck Neighborhood Boundary, which is an identified historic neighborhood in the 2020 Historic & Cultural Preservation Plan. No development/design guidelines have been established the Casey Shattuck Historic Neighborhood.

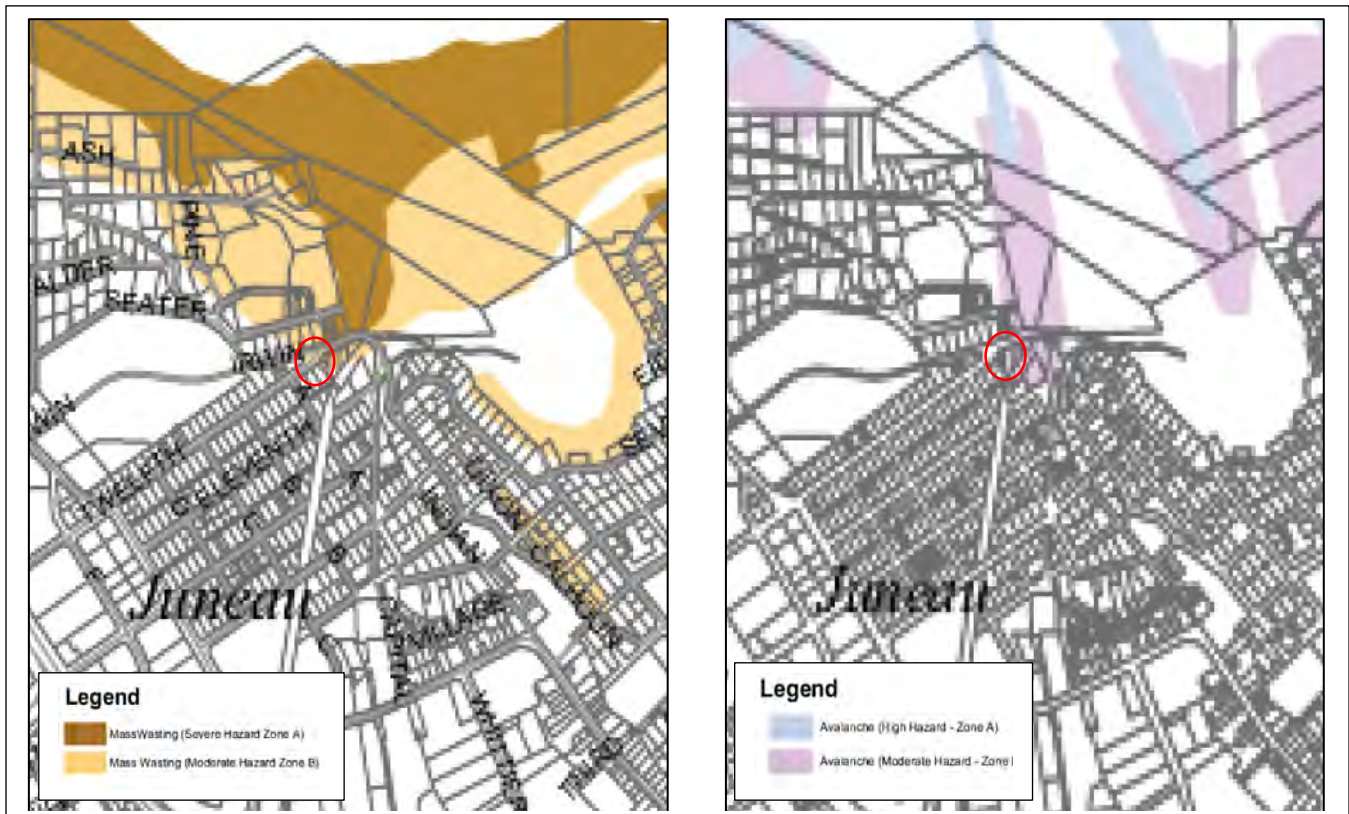
Hazard Zones – The lot is located in the moderate landslide/avalanche zone, as identified in Map 2 of 7 from the adopted 1987 Landslide and Avalanche Area Maps (Attachment F).



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The lot is directly adjacent to a severe landslide/avalanche area, as shown on the above Map. Staff confirmed with the CBJ Cartographer and Emergency Programs Manager that the lot is within the moderate zone.

The 1987 Maps do not separate landslide and avalanche areas, however; the 2012 All-Hazards Mitigation Plan identifies mass wasting (landslide) and avalanche areas separately. According to the 2012 plan, the lot is within both the landslide and avalanche areas. Excerpts from the 2012 maps are provided below, the full maps can be found in Attachment F.



The CBJ Comprehensive Plan contains policy that recommends limiting development in hazard zones to minimize threats to human safety and development. Additionally, the All-Hazards Mitigation Plan calls for restricting development in identified landslide or avalanche areas. Plans also recognize that new structures can be built to accommodate for landslides or avalanches; these structures would need to be engineered.

CBJ Title 49.70.300(a) establishes code provisions applicable to development in landslide/avalanche zones:

(a) Generally.

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

(2) Boundaries of potential and severe avalanche areas will be as shown on the landslide and avalanche area maps dated September 9, 1987, consisting of sheets 1—8, as the same may be amended from time to time by the assembly by ordinance.

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

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

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

Title 49 and adopted plans call for limiting development in hazard zones, but also recognize the ability to engineer structures to accommodate for a landslide/avalanche event. In order for the proposal to comply with adopted plans and Title 49, Staff recommends the Conditional Use Permit be conditioned to include engineering specifically to accommodate for a landslide or avalanche event:

Condition: The proposed single-family dwelling with accessory apartment shall be designed and constructed using mitigating measures certified as effective by a professional engineer registered to practice in the State of Alaska. Such measures may include dissipating structures or dams, special structural engineering, or other techniques designed for the site.

Public Health, Safety, and Welfare – There is no evidence that, with recommended conditions, the proposal will materially endanger the public health, safety, and welfare.

Property Value or Neighborhood Harmony – There is no evidence that the proposal will substantially decrease property values, or be out of harmony with neighboring properties.

AGENCY REVIEW

CDD conducted an agency review comment period and received one comment. Agency comment is summarized in the table below and can be found in Attachment C.

Agency	Summary
Tom Mattice, CBJ Emergency Programs Manager	Provides clarification that the lot is not within the high hazard area and that development would meet CBJ plans and policies if it is appropriately engineered.

PUBLIC COMMENTS

CDD conducted a public comment period between May 4 and May 17, 2021. Public notice was mailed to property owners within 500 feet of the proposed development. A public notice sign was also posted on-site two weeks prior to the scheduled hearing. Public comments submitted at time of writing this staff report can be found in Attachment D.

Name	Summary
Jim Donaghey	Expresses concerns for the density of the area and requests that new developments be required to provide at least one parking spot per residence. Does not support the proposed development.
Terry Harvey Cynthia Johnson	Opposes the development, requests that new development meets current building and zoning standards, especially parking requirements. Does not think development of the undersized lot is appropriate as planned.
Erik Norberg	Believes that parking in the "Flats" neighborhood is at capacity and does not support reductions to parking.

CONFORMITY WITH ADOPTED PLANS

The proposal complies with the Comprehensive Plan and Housing Action Plan goals of providing housing in urban areas to utilize existing infrastructure, which allows for cost effective provision of community services. Without conditions, the proposal would not comply with the policy and development guidelines in the Comprehensive Plan and All-Hazards Mitigation Plan which provide recommendations for engineering or limiting development within landslide and avalanche areas to minimize threats to human safety and development.

Plans recognize the need to develop land within landslide/avalanche areas; where such development is proposed, it is recommended that new development meet engineering standards for construction within these hazard zones. With recommended conditions, the proposal will comply with the Comprehensive Plan, All-Hazards Mitigation Plan, and the Housing Action Plan.

PLAN	Chapter	Page No.	Item	Summary
2013 Comprehensive Plan	3	20	Policy 3.2	Promotes compact urban development within the designated urban service area to ensure efficient utilization of land resources and to facilitate cost effective provision of community services.
	4	37	Policy 3.2	Facilitates the provision of an adequate supply of various housing types and sizes to accommodate present and future housing needs for all economic groups.
	7	97	Policy 7.17	Policy calls for minimizing threats to human safety and development posed by landslides/avalanches.
	10	129	Policy 10.1	Policy recommends developing where sufficient land and adequate public facilities exist for the cost effective provision of affordable housing.
	11	161	Land Use Designation	Complies with the Medium Density Residential land use designation (Attachment E).
	11	184	Subarea Guideline 1	The lot is located in Subarea 6. Guidelines for Subarea 6 include the preservation and scale of densities of older neighborhoods in the downtown area. In the Casey Shattuck Neighborhood, it is not uncommon for

PLAN	Chapter	Page No.	Item	Summary
				accessory apartment to be located on undersized lots.
	11	185	Subarea Guideline 5	Subarea Guidelines also call for limiting development in landslide/avalanche areas downtown.
2012 All-Hazards Mitigation Plan	Section 3	43	Goal	An identified goal of the All-Hazards Mitigation Plan is to reduce threat to life and property by avalanches. The plan identifies this can be achieved by restricting development in avalanche paths, purchasing property within avalanche paths, and construct or update existing structures utilizing structural reinforcements.
	Section 3	58	Goal	An additional goal of the plan is to reduce damage to life and property by landslides. The plan establishes this can be achieved by buying property in affected areas, requiring properties to build to the highest standard of landslide protection, and to not allow new construction in landslide prone areas.
2016 Housing Action Plan	2	35	Production Target	Creates housing, which advances the City's goal of increasing housing stock.

FINDINGS

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

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

Analysis: No further analysis needed.

Finding: Yes. The application contains the information necessary to conduct 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 single-family dwelling and accessory apartment. The use is listed at CBJ 49.25.300, Section 1.130 for the D18 zoning district.

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

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

Analysis: No additional analysis needed.

Finding: Yes. With the recommended conditions and approvals, the proposed development will comply with Title 49, including parking, lighting, vegetative cover, ADOD standards, and Hazard Zone requirements.

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

Analysis: As discussed above, staff recommends requiring special engineering for the structure to accommodate for the hazard zone. This is consistent with plans and policies that call for restricting development, or requiring engineering, in order to protect human safety within hazard zones.

Finding: No. There is no evidence to suggest that with recommended conditions, the requested single-family dwelling and accessory apartment, in a D18 zoning district, will materially endanger the public health or safety.

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

Analysis: No further analysis needed.

Finding: No. There is no evidence to suggest that with appropriate conditions, the requested single-family dwelling with an accessory apartment, in a D18 zoning district will substantially decrease the value or be out of harmony with the property in the neighboring area.

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

Analysis: CBJ plans call for the development of housing, specifically in-fill development where public services already exist. Plans also call for limiting development in hazard zones, or requiring higher construction standards. As discussed above, staff is recommending conditions that require engineering for the hazard zone in order for the proposal to comply with adopted plans.

Finding: Yes. The proposed single-family dwelling with an accessory apartment, with the recommended conditions, will be in general conformity with the Comprehensive Plan, All-Hazards Mitigation Plan, and the Housing Action Plan.

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested Conditional Use Permit. The permit would allow the development a single-family dwelling with an accessory apartment on an undersized lot in a moderate landslide/avalanche zone.

The approval is subject to the following conditions:

1. Prior to the issuance of a building permit, the applicant shall submit a revised site plan showing the required minimum yard setbacks are met.
2. Prior to issuance of a building permit, the applicant must submit documentation to demonstrate that all applicable parking code requirements have been met, in conformity with CBJ 49.40.200.
3. The proposed single-family dwelling with accessory apartment shall be designed and constructed using

mitigating measures certified as effective by a professional engineer registered to practice in the State of Alaska. Such measures may include dissipating structures or dams, special structural engineering, or other techniques designed for the site.

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	Zoning Map and Land Use Designation Map
Attachment F	Hazard Maps
Attachment G	NCC2021 0029



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 <u>W. Twelfth St.</u>		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) <u>Irwin Addition Block 1 lot 223 FR</u>		
	Parcel Number(s) <u>1C030E010040</u>		
	☒ This property located in the downtown historic district ☐ This property located in a mapped hazard area, if so, which _____		
	LANDOWNER/ LESSEE		
	Property Owner <u>Lang Johnson</u>	Contact Person <u>Lang Johnson</u>	
	Mailing Address <u>227 Irwin St</u>	Phone Number(s) <u>808385 5370</u>	
	E-mail Address <u>Lang Johnson</u>		
	LANDOWNER/ LESSEE CONSENT Required for Planning Permits, not needed on Building/ Engineering Permits		
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.			
X <u>[Signature]</u> Landowner/Lessee Signature		Date <u>3/9/21</u>	
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 <u>Same</u>	Contact Person _____		
Mailing Address _____	Phone Number(s) _____		
E-mail Address _____			
X <u>[Signature]</u> Applicant's Signature		Date of Application _____	

DEPARTMENT USE ONLY BELOW THIS LINE

ATTACHMENT A - APPLICATION

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

Intake Initials

ANE

Date Received



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

New single family home w/ accessory apt. on under sized lot.

TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED

- ☒ Accessory Apartment – Accessory Apartment Application (AAP)
☐ Use Listed in 49.25.300 – Table of Permissible Uses (USE)
 Table of Permissible Uses Category: _____

IS THIS A MODIFICATION or EXTENSION OF AN EXISTING APPROVAL?

☐ YES – Case # _____ ☒ NO

UTILITIES PROPOSED

WATER: ☒ Public ☐ On Site

SEWER: ☒ Public ☐ On Site

SITE AND BUILDING SPECIFICS

Total Area of Lot 1257 square feet Total Area of Existing Structure(s) _____ square feet
 Total Area of Proposed Structure(s) 1014 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		Check No.	Receipt	Date
	Fees			
Application Fees	\$ <u>350</u>			
Admin. of Guarantee	\$ _____			
Adjustment	\$ _____			
Pub. Not. Sign Fee	\$ <u>50</u>			
Pub. Not. Sign Deposit	\$ <u>100</u>			
Total Fee	\$ <u>500</u>			

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

ATTACHMENT A - APPLICATION

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

Case Number	Date Received
<u>45021-004</u>	<u>3/9/21</u>

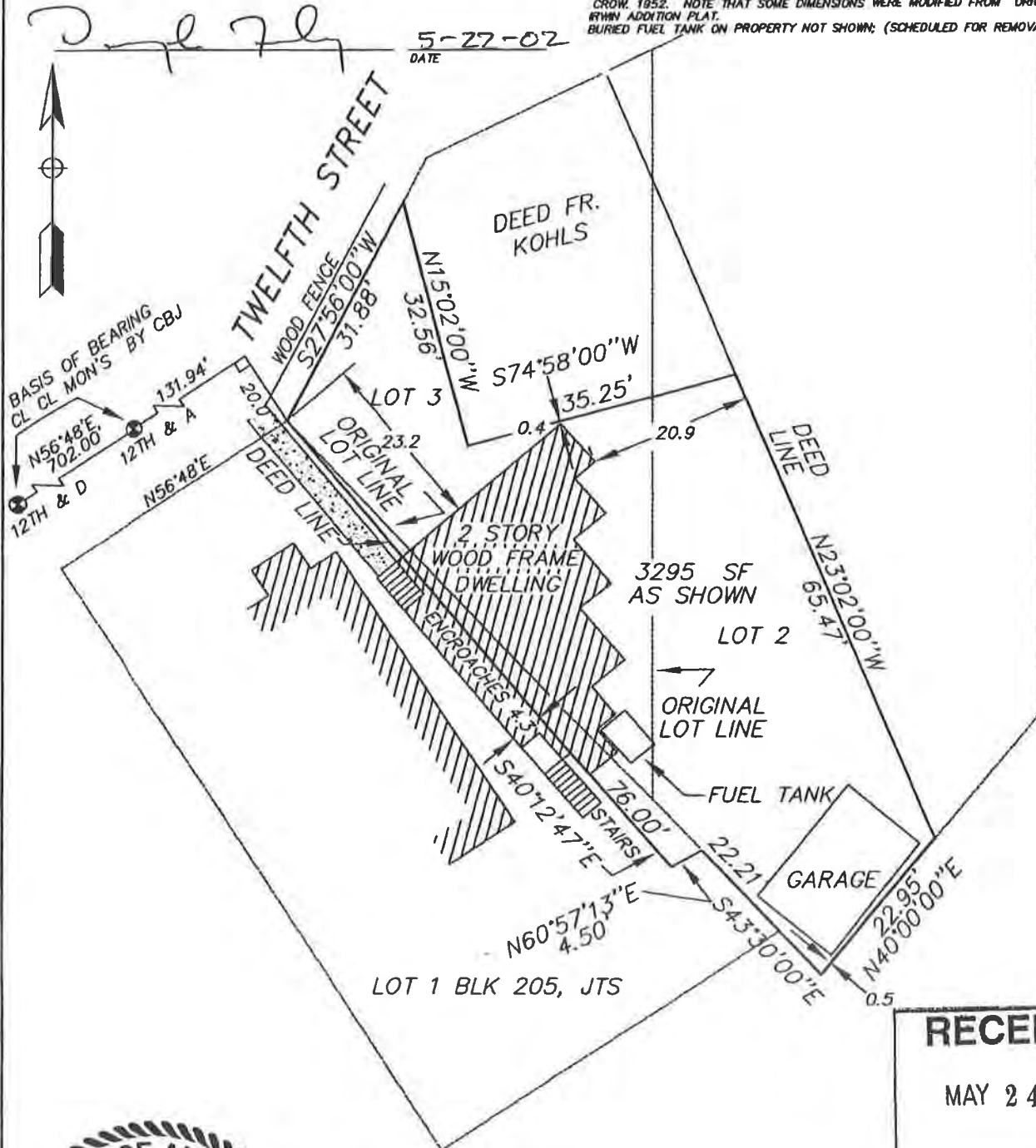
CERTIFICATE OF REGISTERED LAND SURVEYOR

I HEREBY CERTIFY THAT I AM REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME ON THE GROUND, TO THE NORMAL STANDARD OF CARE OF PROFESSIONAL LAND SURVEYORS PRACTICING IN SOUTHEAST ALASKA AND THAT, ON THE BASIS OF MY KNOWLEDGE, INFORMATION, AND BELIEF, IMPROVEMENTS AND ENCROACHMENTS ON THE PROPERTY DEPICTED HEREON ARE AS SHOWN.

NOTE

DEED DESCRIPTION CONTAINS MANY ELEMENTS THAT LEAVE BOUNDARIES OPEN TO INTERPRETATION. ADJOINING DEEDS WERE USED TO CLARIFY GRANTOR'S INTENT. WHERE LONGSTANDING LINES OF OCCUPATION DIFFER FROM DEED LINES OWNERSHIP BOUNDARIES ARE OFTEN AFFECTED. OWNERS ARE ENCOURAGED TO REPLAT BOUNDARIES AS NEEDED TO AVOID TITLE PROBLEMS. BOUNDARY INFORMATION IS FROM THE PLAT OF THE CITY OF JUNEAU, BY R.C. CROW, 1952. NOTE THAT SOME DIMENSIONS WERE MODIFIED FROM ORIGINAL IRWIN ADDITION PLAT. BURIED FUEL TANK ON PROPERTY NOT SHOWN; (SCHEDULED FOR REMOVAL).

5-27-02
DATE



RECEIVED

MAY 24 2002

PERMIT CENTER/CDD



PLAT SHOWING "AS-BUILT" SURVEY
METES & BOUNDS TRACT
PORTION OF LOT 1 BLK 205 CASEY SHATTUCK ADD'N, JUNEAU TOWNSITE
PORTION OF LOTS 2 & 3 BLK 1 IRWIN ADDITION TO JUNEAU TOWNSITE
DESCRIBED IN DEED BOOK 396, PAGE 460

JUNEAU, ALASKA RECORDING DISTRICT

DOUGLAS FINLEY LAND SURVEYING

820 6TH STREET - JUNEAU, ALASKA (907) 586-4253

DATE: 5/07/02

DRAWN BY: DF

PROJ. No.: 02-428-A1

SCALE: 1" = 20'

SHEET
1 of 1

ATTACHMENT A - APPLICATION



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

Parking Waiver, Conditional Use Permit for Accessory Apartment on Undersized lot and ADOD setback reductions

Case Number: PAC2019 0044

Applicant: Larry Johansen and Shelia Keller

Property Owner: same

Property Address: N/A

Parcel Code Number: 1C030E010040

Site Size: 1,257 Square Feet

Zoning: D18

Existing Land Use: Lot is currently vacant

Conference Date:	6/26/2019
Report Issued:	7/3/2019

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
Larry Johnansen	Applicant	LarryJohansen@rowdydogimages.com
Allison Eddins	Planning	Allion.Eddins@juneau.org
Kyle Paw	Building	Kyle.Paw@juneau.org

Pre-Application Conference Final Report

Conference Summary

Questions/issues/agreements identified at the conference that weren't identified in the attached reports.

The following is a list of issues, comments and proposed actions, and requested technical submittal items that were discussed at the pre-application conference.

Planning Division:

1. **Zoning** – The applicants plan to construct a two story structure with two dwelling units – a 500 square foot single family home on the first floor and a 500 square foot accessory apartment on the second floor. The lot is 1,257 square feet in a D18 zoning district where the minimum lot size is 5,000 square feet. The applicants are requesting a Conditional Use Permit for an accessory apartment on an under-sized lot. CBJ Land Use Code defines accessory apartments as *one or more rooms with private bath and kitchen facilities comprising an independent, self-contained dwelling unit within or attached to a single-family dwelling or in a detached building on the same lot as the primary dwelling unit.* An accessory apartment is distinguishable from a duplex in that, unlike a duplex, it is clearly subordinate to the primary dwelling unit, both in use and appearance. The floor plan that was submitted for the pre-application conference shows the primary dwelling unit and the accessory apartment are intended to be the same size – approximately 500 square feet. The CBJ Land Use Code does not explain what “clearly subordinate” means, so it is a policy call. In this case, the primary dwelling unit will need to be larger than the accessory apartment while also meeting the maximum lot coverage of 50%. Options include adding approximately 128 square feet to the one story primary dwelling unit, or constructing a three story structure with a two story home with the 500 square foot footprint (the home would be approximately 1,000 square feet) with a 500 square foot accessory apartment on the third floor. This would still need a Conditional Use Permit for location on an under-sized lot. A complete Conditional Use Permit application must include a project narrative. Please see the attached hand out for details regarding the narrative and the application and review process.
2. **Setbacks** – The subject lot is substandard in size for the D18 zoning district. Because of this, the D18 setbacks for the front and rear can automatically be reduced to 10 feet in the front and 5 feet in the rear, through CBJ 49.25.430. The sides cannot be reduced to less than 5 feet through this section of code. Any further reduction will require a variance or a reduction through the Alternative Development Overlay District (ADOD). The applicants are also requesting a reduction through the ADOD. ADOD calculations suggest that the property's setbacks may be reduced to 9.57' for the front, 6.93' for the rear and 2.68' for the sides.
3. **Height** – The maximum allowed height in the D18 zoning district is 35 feet for the principle structure and 25 feet for any accessory structures, such as a shed or greenhouse.
4. **Parking & Circulation**– The parking requirement for a single family home and a one bedroom accessory apartment is 3 spaces. The applicants are seeking a parking waiver in order to eliminate the parking required for the dwelling and the apartment. If the parking waiver is granted, it is valid for as long as the permitted use is active.
5. **Lot Coverage** – Maximum coverage is 50% of the lot size, or 628 square feet.
6. **Vegetative Coverage** – Minimum coverage is 30%, or 377 square feet.

Building Division:

7. **Building** – N/a
8. **Outstanding Permits** – N/a

General Engineering/Public Works:

Pre-Application Conference Final Report

- 9. **Engineering** –N/a
- 10. **Drainage** – N/a
- 11. **Utilities** – (water, power, sewer, etc.) n/a

Fire Marshal:

- 12. **Fire Items/Access** – n/a

Other Applicable Agency Review:

- 13. DOT&PF / Alcohol Beverage Control Board / Army Corps / DEC (wastewater) / DNR / USF&W / F&G / FAA / Corrections...
- 14.

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 (\$0)
- 2. Conditional Use Permit Application (\$350)
- 3. Alternative Development Overlay District Applications – one for each setback reduction (\$400 each)
- 4. Parking Waiver Application (\$400)

Additional submittal requirements:

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

- 1. A copy of this pre-application conference report.
- 2. A project narrative (One narrative that address all requested permits is acceptable. See the attached handout for tips on writing a good project narrative)

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. N/A

Fee estimates

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

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

- 1. See above for permit fees.
- 2. \$50 public notice sign fee

Pre-Application Conference Final Report

3. \$100 refundable sign deposit

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

Submit your completed application

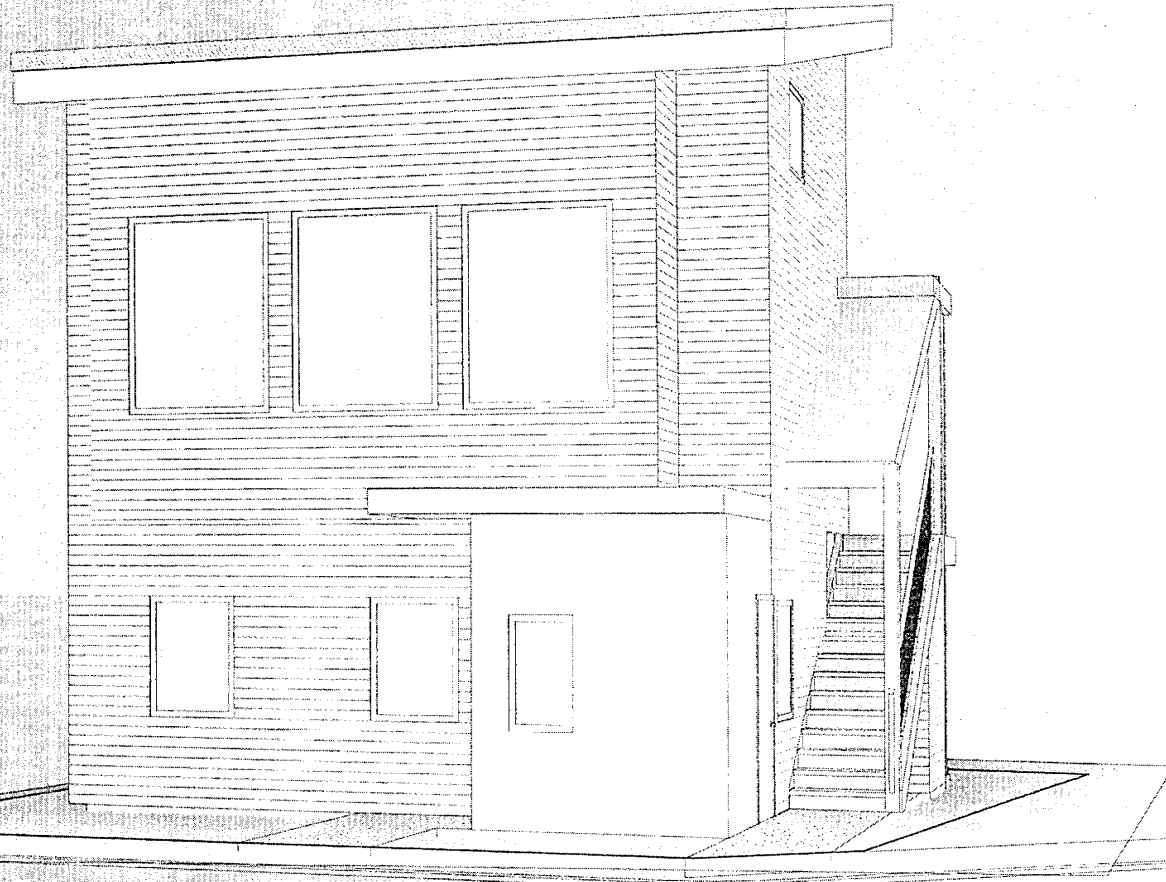
You must submit your application(s) in person with payment to:

City/Borough of Juneau
Permit Center
230 S. Franklin Street,
Fourth Floor Marine View Center
Juneau, AK 99801

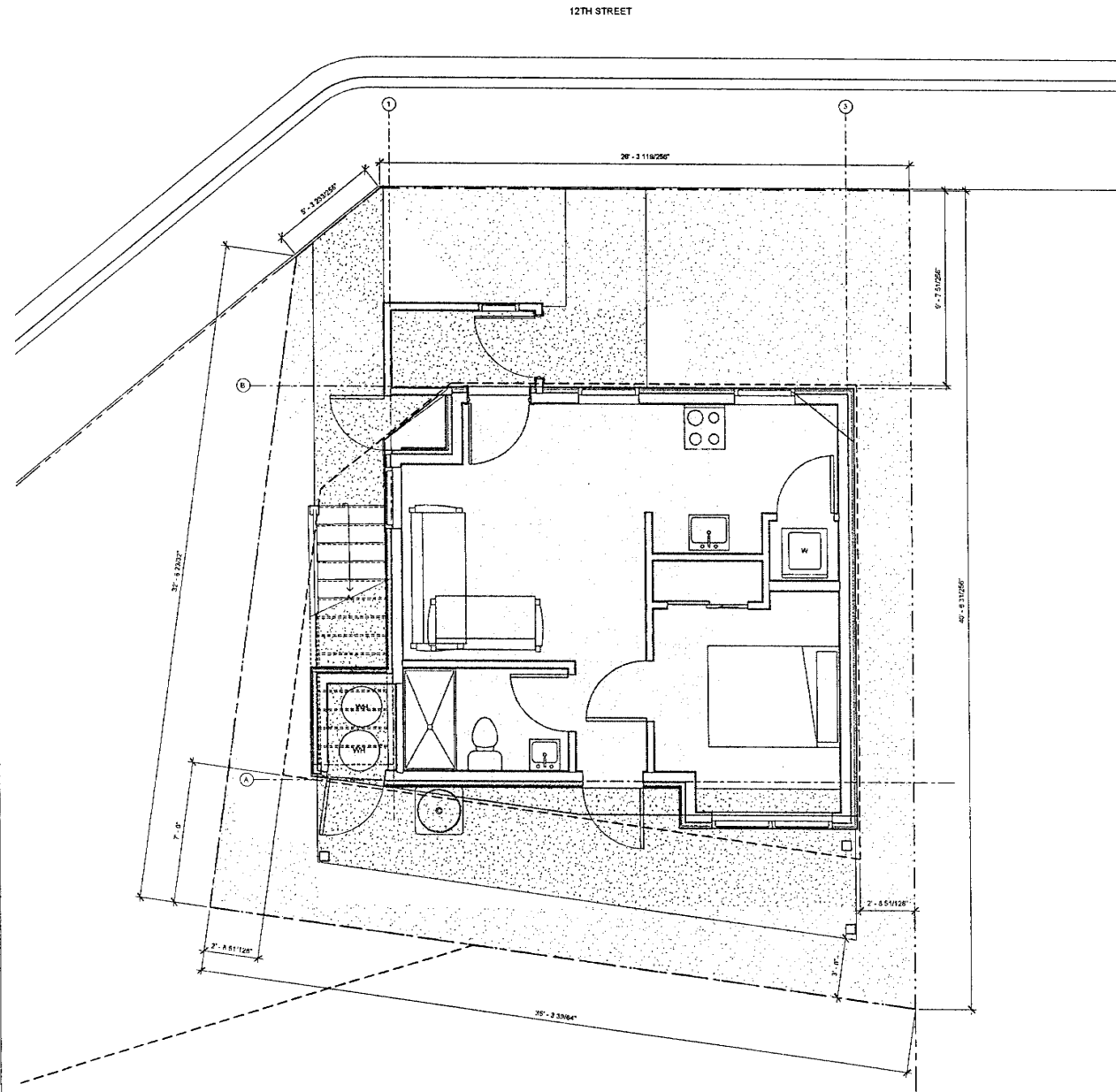
Phone: (907) 586-0715
Fax: (907) 586-4529
Web: www.juneau.org/cdd

JOHANSEN 12TH ST. SMALL HOME

For
LARRY JOHANSEN



3/3/2021 7:13:25 PM F:\BENEDICT\PLACED\Johansen Design\2010\101711 Larry Johansen\12th Street Contemporary V10B.dwg



CODE STUDY

CBJ Title 49 ZONING
Zoned D18

LOT SIZE 1235sf
BUILDING FOOTPRINT 498sf

LOT COVERAGE - Maximum is 50% or 628sf.
Vegetative Coverage - Minimum is 377sf (Hatch as shown on plan equals 387sf)

49.25.430 - (Yard setbacks, ADOD setback reductions set per CDD Pre-application conference summary.)

4. C. (i) Unenclosed balconies, connecting deck stairways, walkways, ramps and landings with or without roofs, may extend to the front lot line or street side lot lines provided the structure does not exceed five feet in internal width exclusive of support structure and is no closer than three feet to a side or rear lot line;

4. C. (ii) Arctic entries not exceeding 85 square feet gross floor area, and no closer than five feet to any property line;



1752 Ewingman Ave
Juneau AK 99801
larrydesign@gmail.com

SCHEMATIC DESIGN
JOHANSEN 12TH ST. SMALL HOME
LARRY JOHANSEN

No.	Description	Date

SHEET TITLE:
SITE PLAN

DATE: 2.14.2013

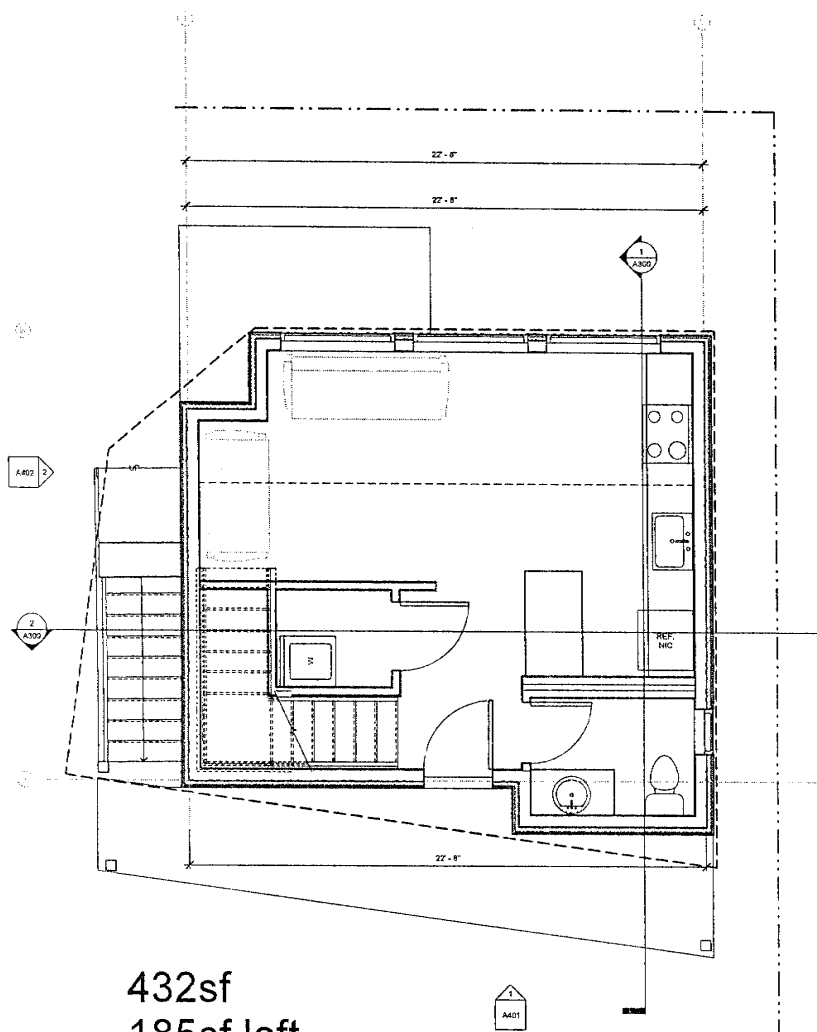
DRAWN: J/J

SHEET NO.

A100

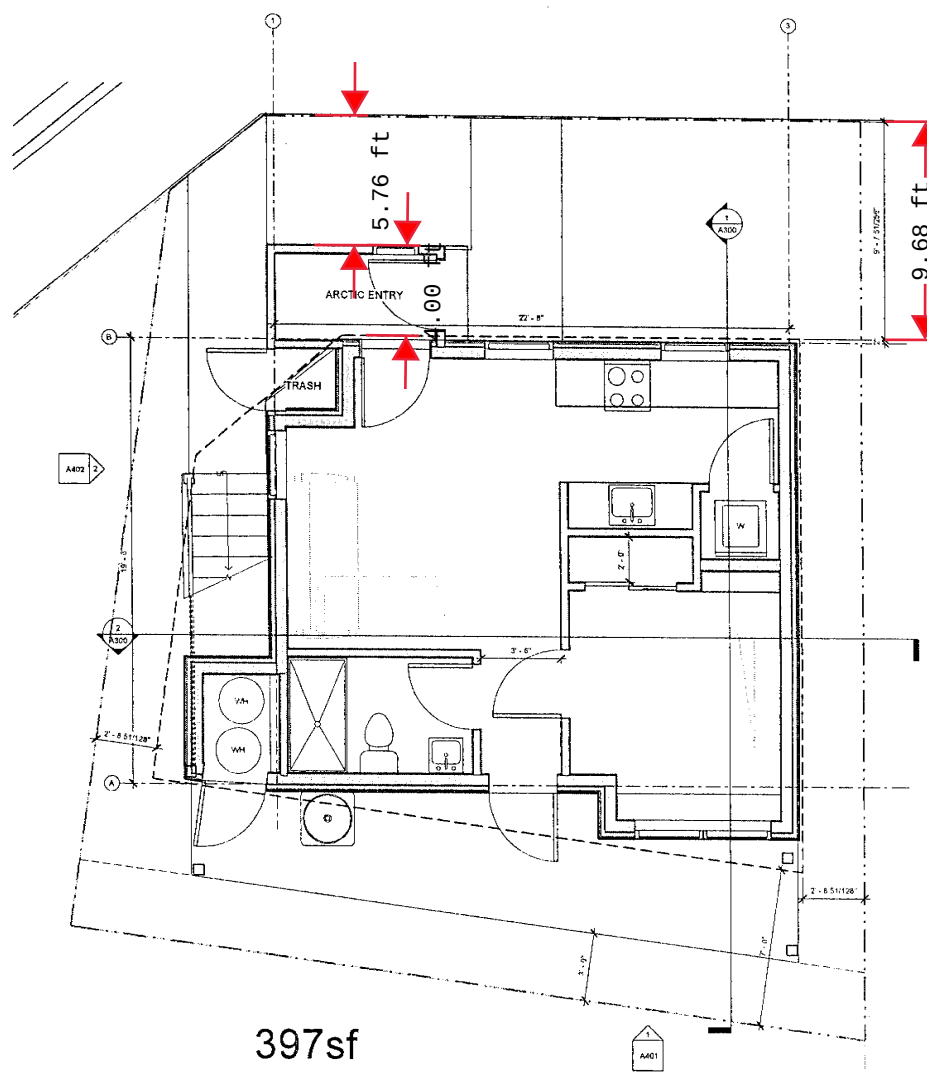
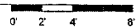


NOTE: 11"x 17" PRINT IS HALF SIZE



432sf
185sf loft
617sf total

② FLOOR 2 -
3/8" = 1'-0"



397sf

① FLOOR 1
3/8" = 1'-0"



ACTUAL NORTH
PROJECT NORTH

NOTE: 11" x 17" PRINT IS HALF SIZE

1752 Evergreen Ave
Juneau, AK 99801
lrylens@n@gmail.com

SCHEMATIC DESIGN

JOHANSEN 12TH ST. SMALL HOME

LARRY JOHANSEN

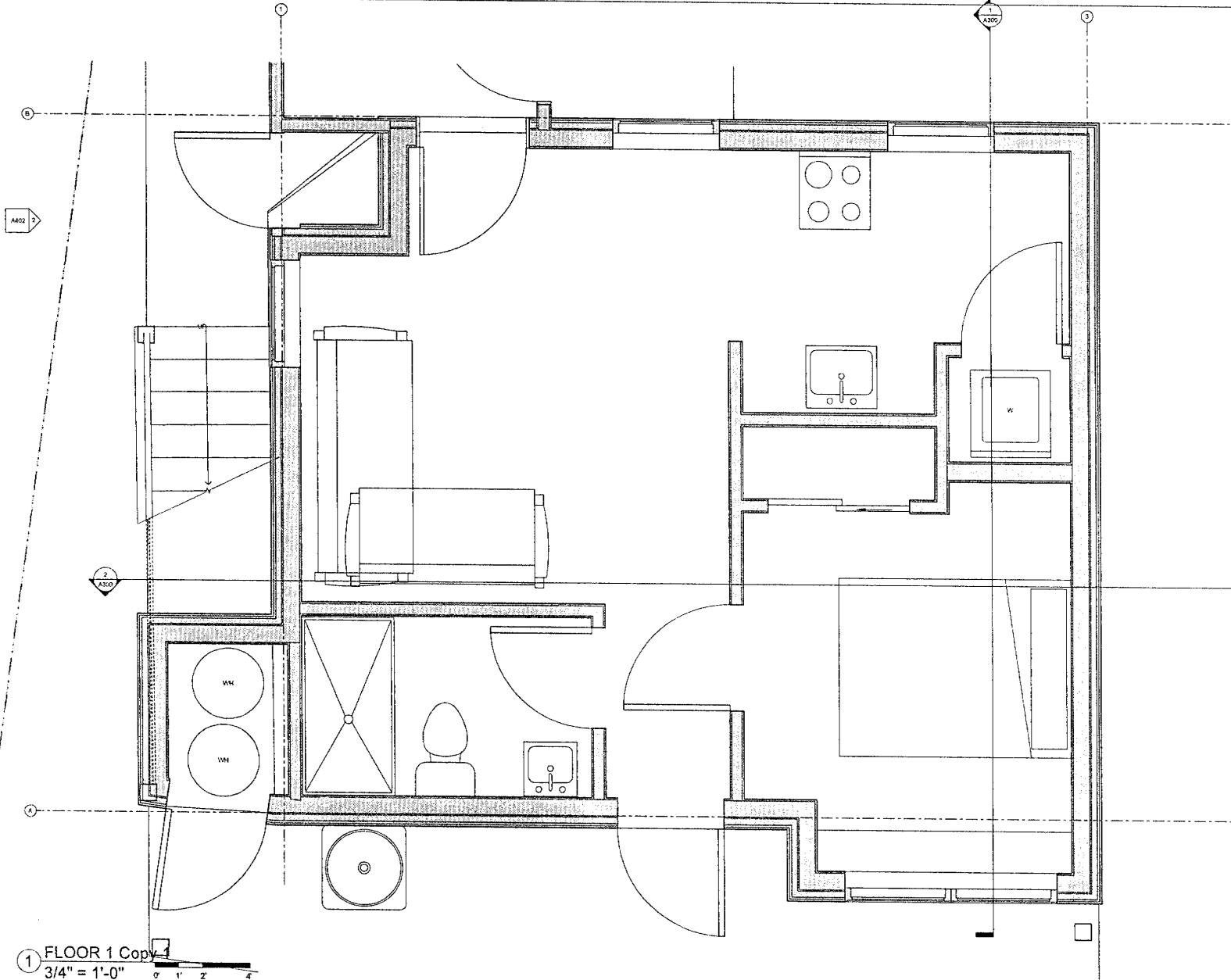
No.	Description	Date

SHEET TITLE:
FLOOR PLANS

DATE: 2.14.2021

DRAWN: 71

SHEET NO.
A201



1752 Evergreen Ave
Lansdale, PA 19381
larrydesign@gmail.com

SCHEMATIC DESIGN

JOHANSEN 12TH ST. SMALL HOME

LARRY JOHANSEN

No.	Description	Date

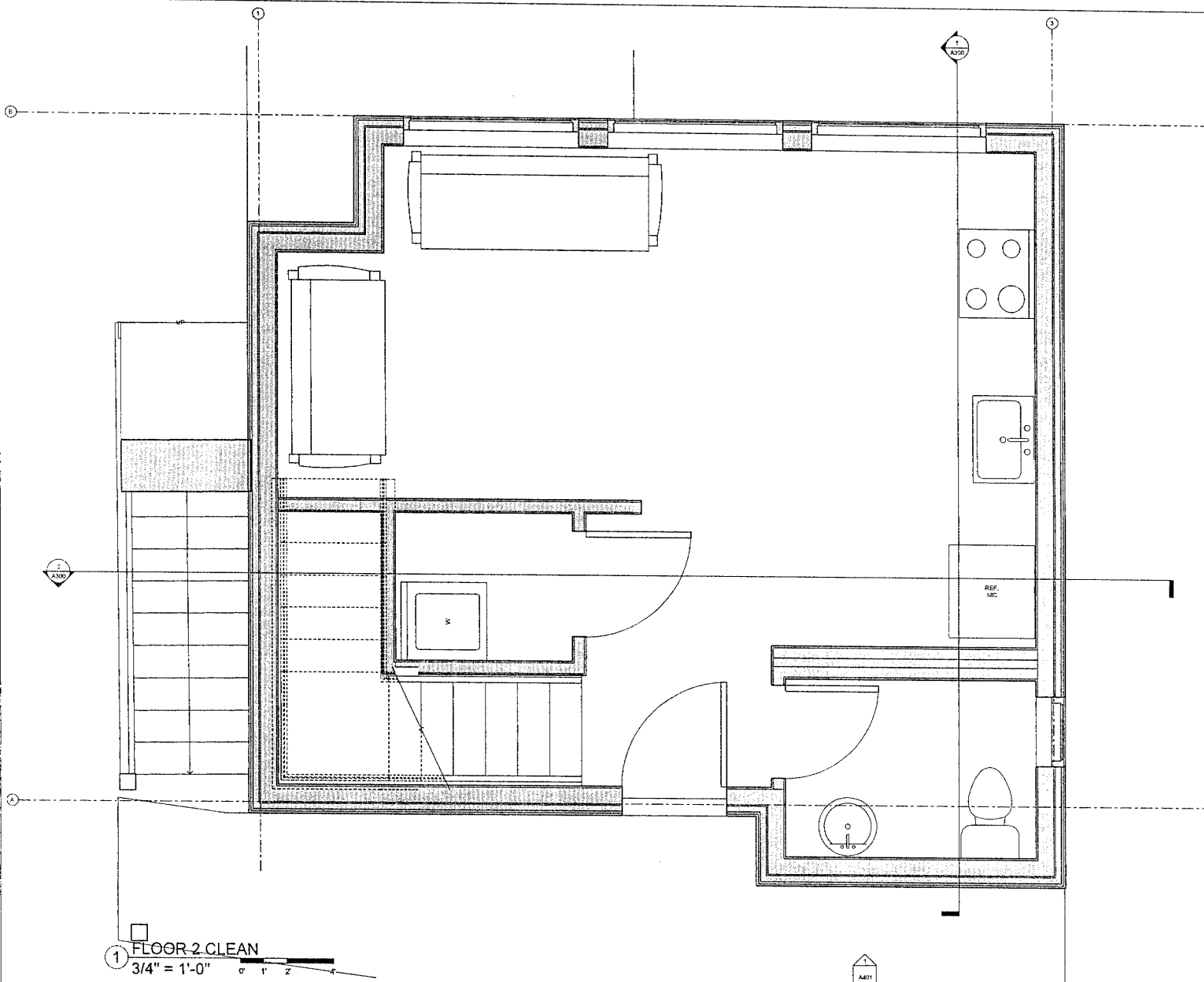
SHEET TITLE:
ENLARGED PLANS

DATE 2.14.2021

DRAWN ZJ

SHEET NO.

A202



1752 Evergreen Ave
Jamez, KY 40501
larry@larryjohnson.com

SCHEMATIC DESIGN

JOHANSEN 12TH ST. SMALL HOME

LARRY JOHANSEN

No.	Description	Date

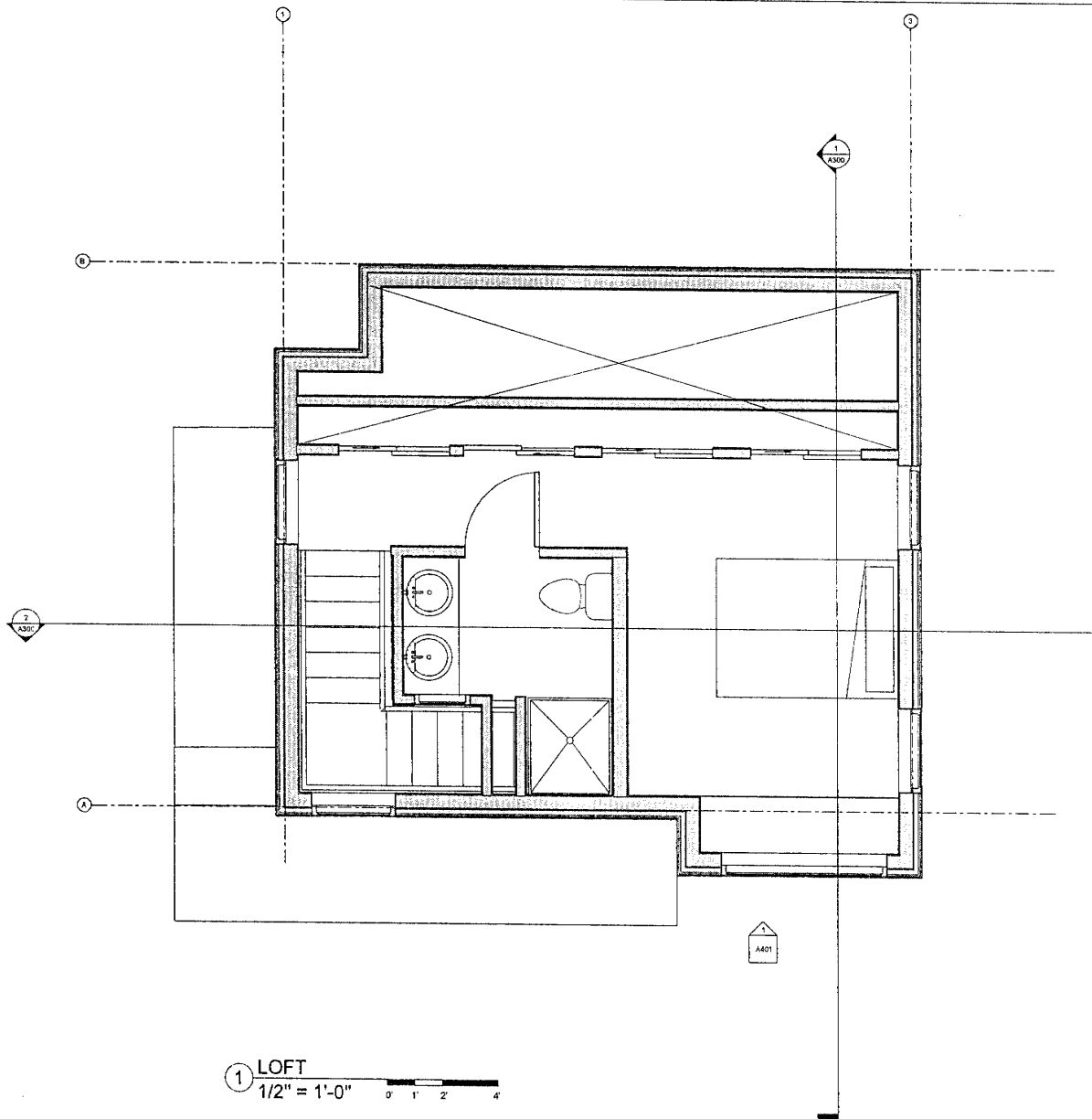
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ENLARGED PLANS

DATE: 2.14.2021

DRAWN: ZJ

SHEET NO.
A203

3/3/2017 7:10:28 PM P:\HOUSE OF M.CY\Project\House Design\2016\0117 Larry Johansen\2016\28 Street Contemporary\11th Layout



① LOFT
1/2" = 1'-0" 0' 1' 2' 4'

NOTE: 11"x 17" PRINT IS HALF SIZE

1752 Evergreen Ave
Johanna, AK 99531
larry@mcyc.com

SCHEMATIC DESIGN
**JOHANSEN 12TH ST. SMALL
HOME**
LARRY JOHANSEN

No.	Description	Dts

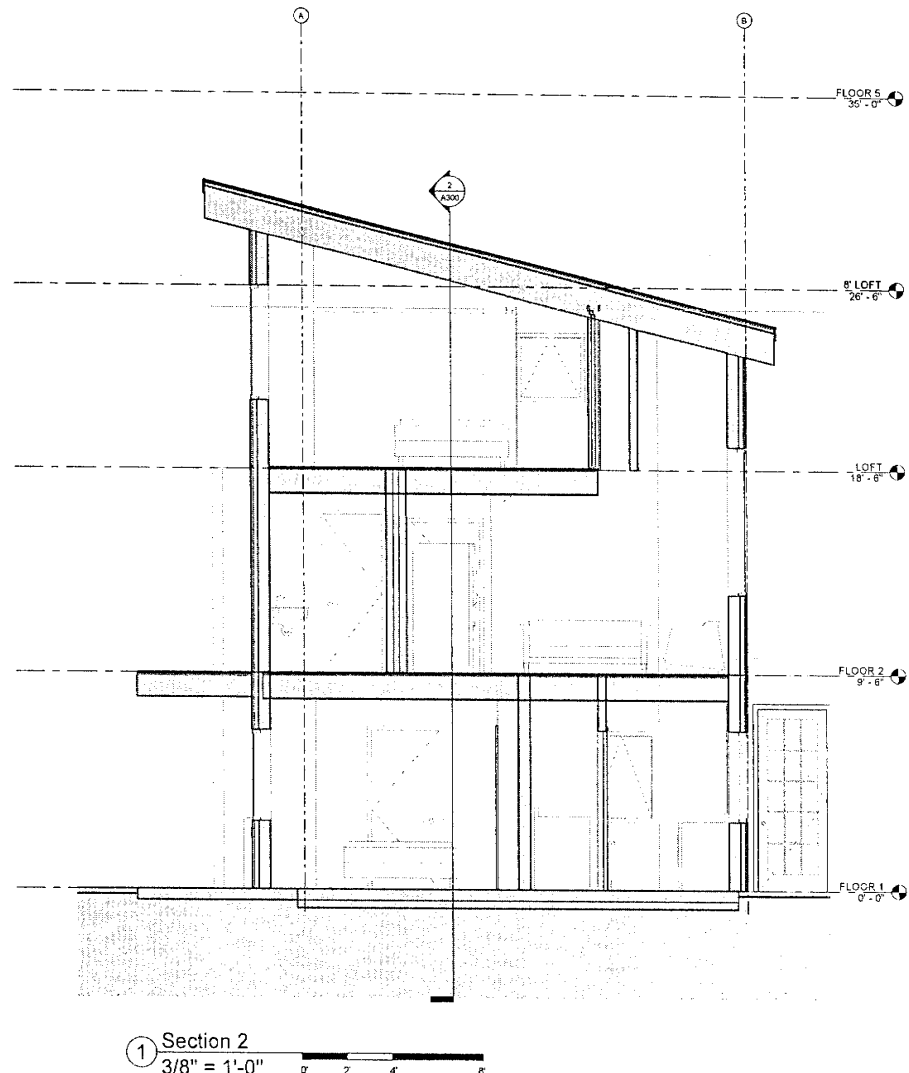
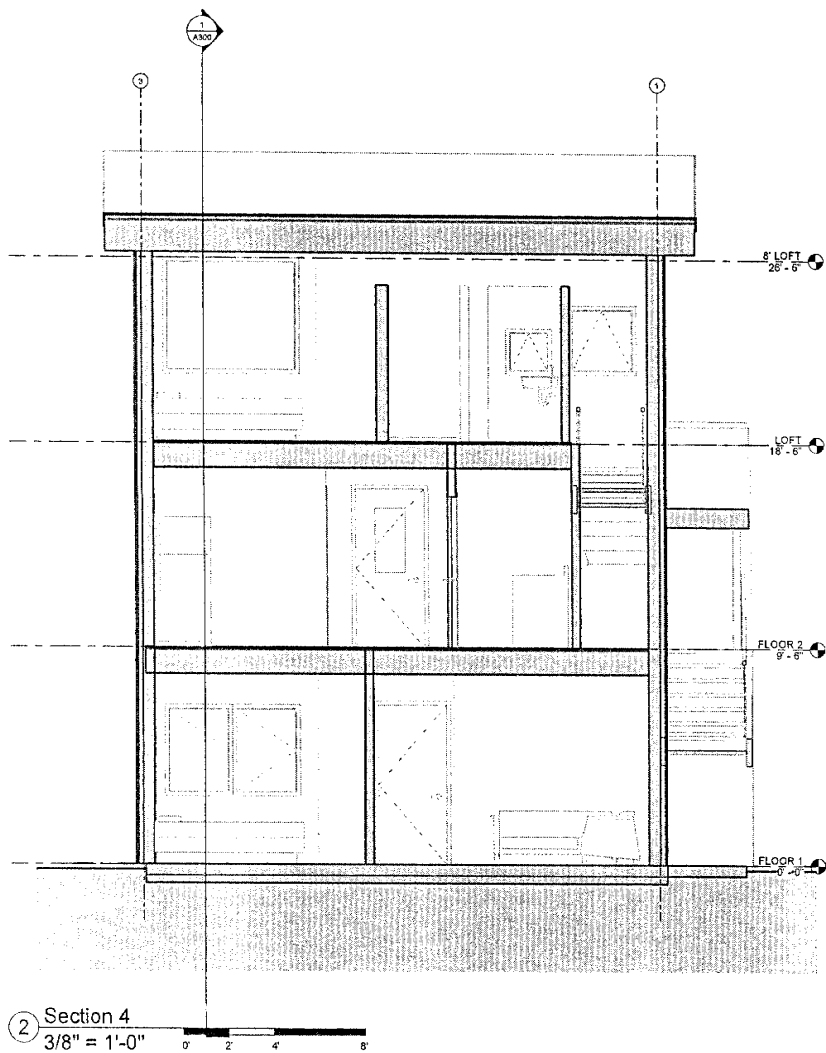
SHEET TITLE:
ENLARGED
PLANS

DATE: 2-14-2017

DRAWN: ZJ

SHEET NO.

A204



NOTE: 11"x 17" PRINT IS HALF SIZE

1752 Evergreen Ave
Junction, WA 99131
zjo@joanaplanet.com

SCHEMATIC DESIGN

JOHANSEN 12TH ST. SMALL HOME

LARRY JOHANSEN

No.	Description	Date

SHEET TITLE:
BUILDING SECTIONS

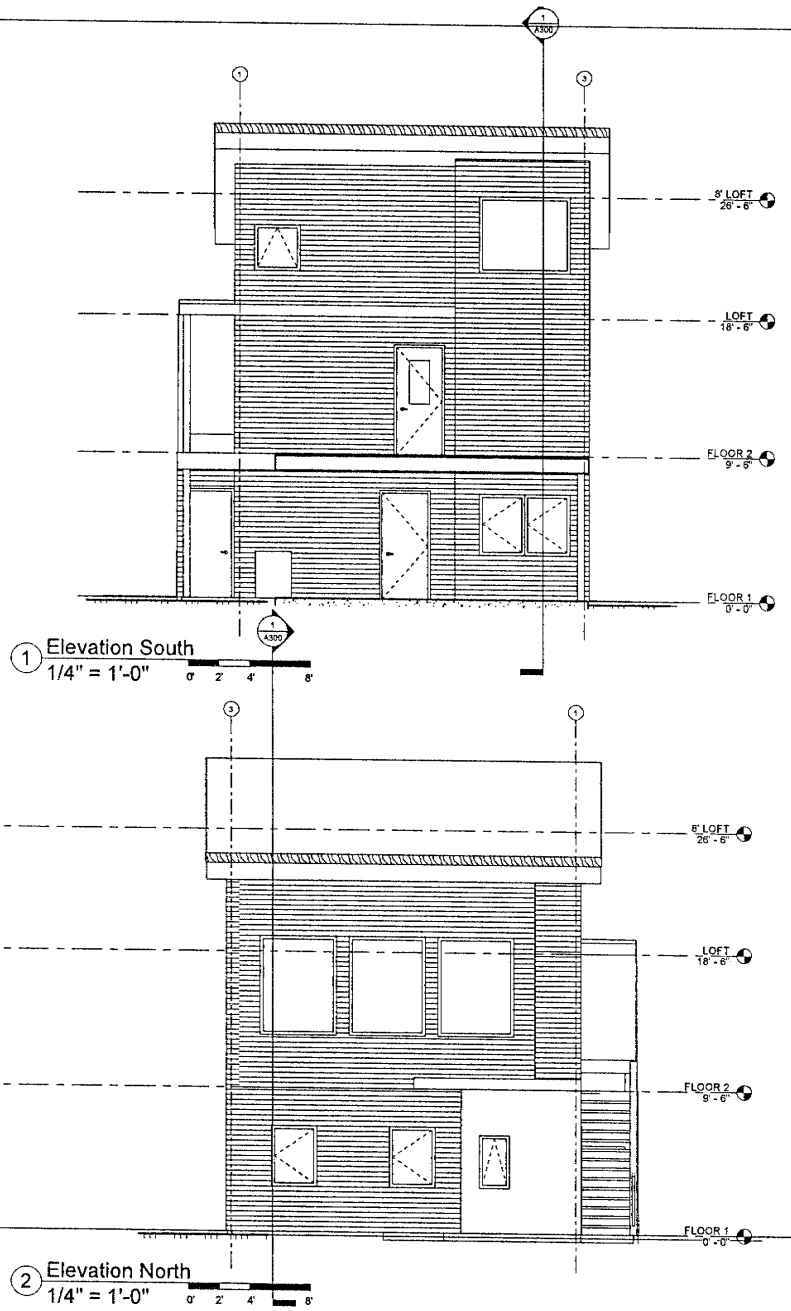
DATE: 2.14.2021

DRAWN: Author

SHEET NO.

A300

3/2/2021 7:53:30 PM F:\HOUSE OF PLACE\Project\House Design\2021\10111 Lumpy House\2021\205 Small Contemporary With Loft.dwg



NOTE: 11"x 17" PRINT IS HALF SIZE



1752 Evergreen Ave
Junction, NE 68601
zingdesign@gmail.com

SCHEMATIC DESIGN

JOHANSEN 12TH ST. SMALL
HOME

LARRY JOHANSEN

No.	Description	Date

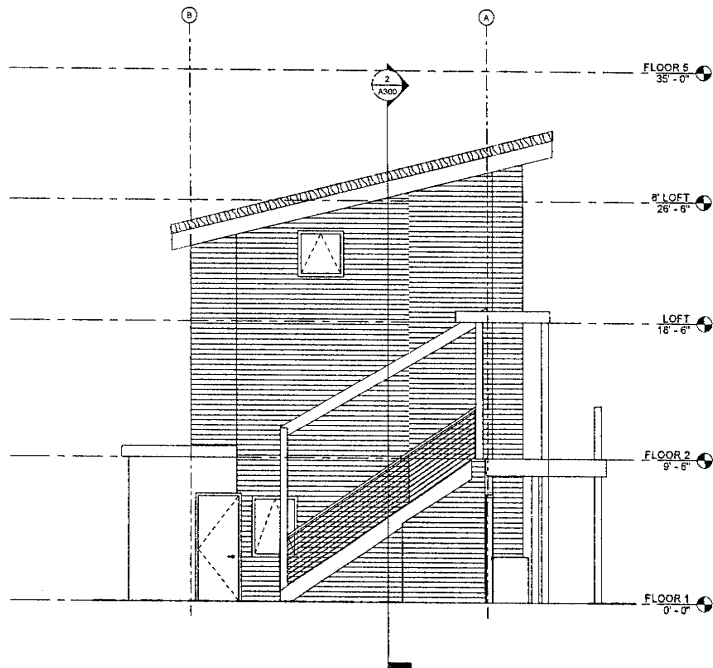
SHEET TITLE:
BUILDING
ELEVATIONS

DATE: 2.11.2021

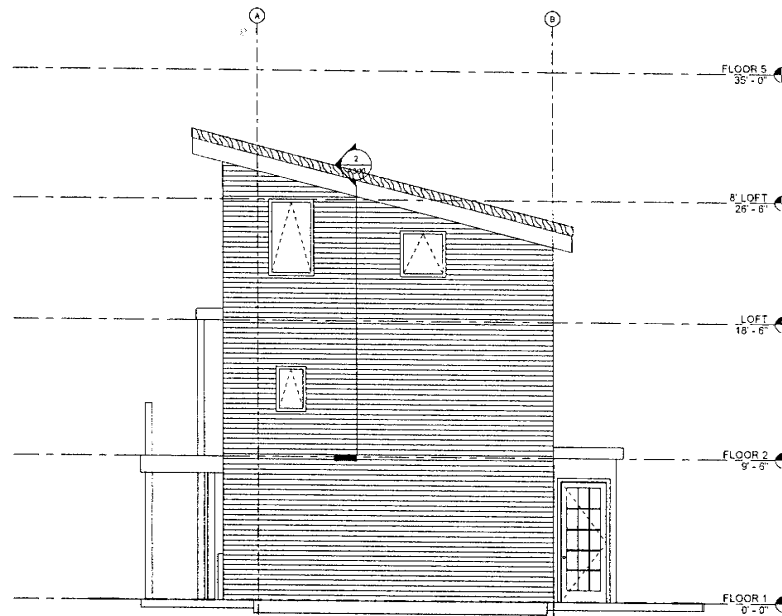
DRAWN: /author

SHEET NO.

A401



② Elevation West
1/4" = 1'-0"



① Elevation East
1/4" = 1'-0"

NOTE: 11" x 17" PRINT IS HALF SIZE



1752 Evergreen Ave
Jupiter, FL 33401
larrydesign@gmail.com

SCHEMATIC DESIGN
JOHANSEN 12TH ST. SMALL
HOME
LARRY JOHANSEN

No.	Description	Date

SHEET TITLE:
BUILDING
ELEVATIONS

DATE: 2.11.2021

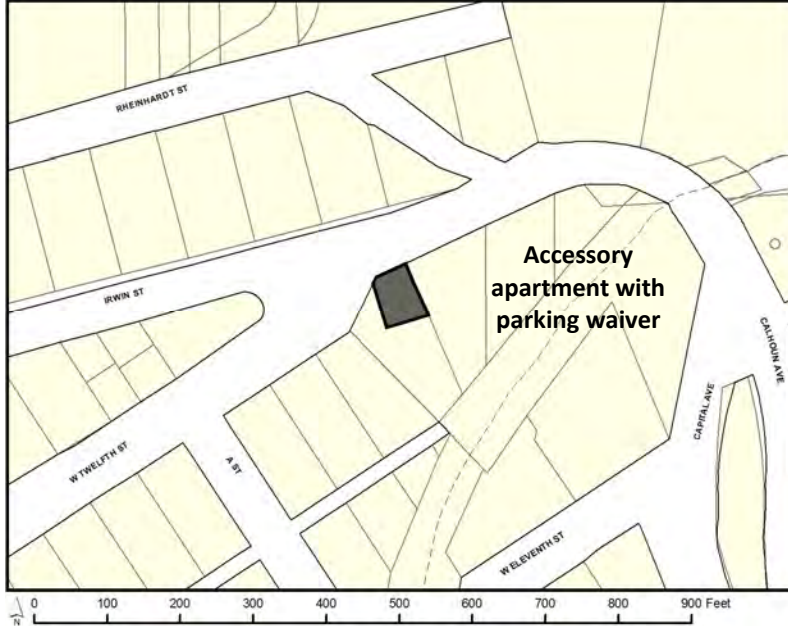
DRAWN: JI

SHEET NO.

A402

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission
Your Community, Your Voice



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 an accessory apartment on an undersized lot, four Alternative Development Permits to reduce setbacks, and a Parking Waiver to waive 3 parking spaces at 275 Irwin St. in a D18 zone.**

TIMELINE

Staff Report expected to be posted **Monday, May 31, 2021** at <https://juneau.org/community-development/planning-commission>. Find hearing results, meeting minutes and more here as well.

Now through May 17	May 18 — noon, June 7	HEARING DATE & TIME: 7:00 pm, June 8, 2021	June 9
Comments received during this period will be sent to the Planner, Laurel Christian , to be included as an attachment in the staff report.	Comments received during this period will be sent to Commissioners to read in preparation for the hearing.	This virtual meeting will be by video and telephonic participation only. To join the Webinar, visit: https://juneau.zoom.us/j/https://juneau.zoom.us/j/95600342842 . The Webinar ID is: 956 0034 2842. To join by telephone, call: +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833 or +1 301 715 8592 or +1 312 626 6799 or +1 929 436 2866 and enter the Webinar	The results of the hearing will be posted online.

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

Printed May 4, 2021

ATTACHMENT B - PUBLIC NOTICE

Case Nos.: USE2021-04; PWP2021-01; ADP2021-01;
ADP2021-02; ADP2021-03; ADP2021-04
Parcel No.: 1C030E010040
CBJ Parcel Viewer: <http://epv.juneau.org>

Laurel Christian

From: Laurel Christian
Sent: Thursday, May 20, 2021 11:43 AM
To: Larry Johansen
Subject: Re: Public Notice Sign

Hi Larry.

I just dropped the sign off. I tied it to the post where you have the no parking signs posted.

Thanks,

Laurel





(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: Emergency Programs
STAFF PERSON/TITLE: Tom Mattice, Emergency Programs Manager
DATE: 5/12/2021
APPLICANT: Larry Johansen
TYPE OF APPLICATION: Conditional Use Permit

PROJECT DESCRIPTION:

Conditional Use Permit for a new single-family dwelling and accessory apartment in a moderate landslide/avalanche area.

LEGAL DESCRIPTION: Irwin Addition Block 1 Lots 2 & 3 Fraction
PARCEL NUMBER(S): 1C030E010040
PHYSICAL ADDRESS: 275 Irwin Street

SPECIFIC QUESTIONS FROM PLANNER:

AGENCY COMMENTS:

Hi Laurel,

As we discussed this is not in a HIGH hazard area therefore it appears from current regulations this appears acceptable under the guidelines of having it engineered to deal with the hazards.

That being said our guidelines are poorly written beyond that. Really if a map is built around a moderate hazard area for example that's based on a 10-30kPa impact pressures. So in a perfect world their uphill wall should be engineered to withstand a 30kPa impact. Or potentially less impact pressure if its built in the form of a splitting wedge for example.

Food for thought,
TOM

From: Jim Donaghey <jmdjnu@outlook.com>
Sent: Friday, May 14, 2021 8:47 PM
To: PC_Comments
Subject: RE: Parking Waiver to wave 3 Parking spaces at 275 Irwin St.

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

This as reference to the above subject pertaining to Case Nos.:

USE2021-04;
PWP2021-01;
ADP2021-01;
ADP2021-02;
ADP2021-03;
ADP2021-04;

Below is my response to a similar request in Feb of last year on the same street. My response then was NO and is still NO for the same reasons I noted then. Read on!

Thank you for asking.

Kind regards, [Jim](#)

James M. Donaghey
1029 A Street
Juneau AK 99801

Cell (907) 209-2560
Email donaghey@gci.net

Email of Feb. 6, 2020

From: Jim Donaghey <jmdjnu@outlook.com>
Sent: Thursday, February 6, 2020 10:07 AM

To: pc_comments@juneau.org
Cc: James Donaghey <donaghey@gci.net>
Subject: Case No.: CSP2020 0002

This has reference to "Invitation to Comment" On the above subject Case No.: CSP2020 0002/PWP2020 0001

I am absolutely against allowing a Conditional Use Permit for an accessory apartment and a waiver for required parking. It appears there is five dwellings on these six lots on this piece of land between Irwin St and 12th Street. None of them have any on lot parking plus there is no on street parking on any section of Irwin St adjacent to these lots.



The house on the left wants the accessory apartment.



There's no street parking on Irwin St



There's no street parking on this section of 12th St.



No street parking on this side of 12th St. all the way down to the yellow house.



This is where those who live in these five houses park.
A St. between 11th St. and 12th St. by Northern Light Church and their pre-school operation.



Not a good idea!

--	--	--

Additionally., due to the extreme shortage of parking in the “Flats” neighborhood I strongly recommend the following.

- That in the future all applications for all Conditional Use Permits for an accessory apartments must include not only at least one off street parking spot for the apartment but must include at least one parking spot for the current owner/occupant.
- Further, any future permits for any type of major dwelling construction be it new or remodel must include at least one parking spot for the current owner/occupant.

This will not only mitigate many of the parking hassles but also go a long way to improve street maintenance i.e. snow removal/sweeping etc.

Community Development and the Planning Commission should be more than approving or not approving various permits there should be a intentional movement toward correcting the sins of our forbearers. More housing may be necessary but let us not encourage any more “Slum Lords”.

Thank you for asking.

Kind regards, [Jim](#)

James M. Donaghey
1029 A Street
Juneau AK 99801

Cell (907) 209-2560
Email donaghey@gci.net

Terry Harvey
Cynthia Johnson
321 W. 12th
Juneau, AK 99801
tterry.juneau@gmail.com
907-723-1871

May 12, 2021

To the Juneau Planning Commission regarding the project proposed at **275 Irwin St., Juneau, AK Parcel No. 1C030E010040**

We are opposed to the Conditional Use Permit for the proposed accessory apartment on an undersized lot, four Alternative Development Permits to reduce setbacks, and a Parking Waiver to waive the required 3 parking spaces.

There have been several new builds in this neighborhood in the last few years and they have adhered to current building codes especially providing off-street parking, at considerable expense, it is unfair to them to waive all of these requirements. There are also homes in this area so old they are grandfathered in without off-street parking requirements and this creates a problem with too much demand for on-street parking and not enough of it available. Waiving parking requirements to this neighborhood will only exacerbate an already existing problem of on-street parking demands and overall lack of.

This undersized lot is not appropriate to develop unless existing setback requirements are met. Other new builds in recent years in this immediate neighborhood have all been required to adhere to these stipulations. This proposed project on this undersized lot is not appropriate unless the development can meet all existing CBJ building code requirements without any Conditional Use permitted waivers.

Sincerely,



Terry Harvey
Cynthia Johnson

RECEIVED
MAY 17 2021
Permit Center/CDD

Laurel Christian

From: erik norberg <norbergerik@yahoo.com>
Sent: Monday, May 17, 2021 11:28 AM
To: Laurel Christian
Subject: Notice of Public Hearing for 275 Irwin Street

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

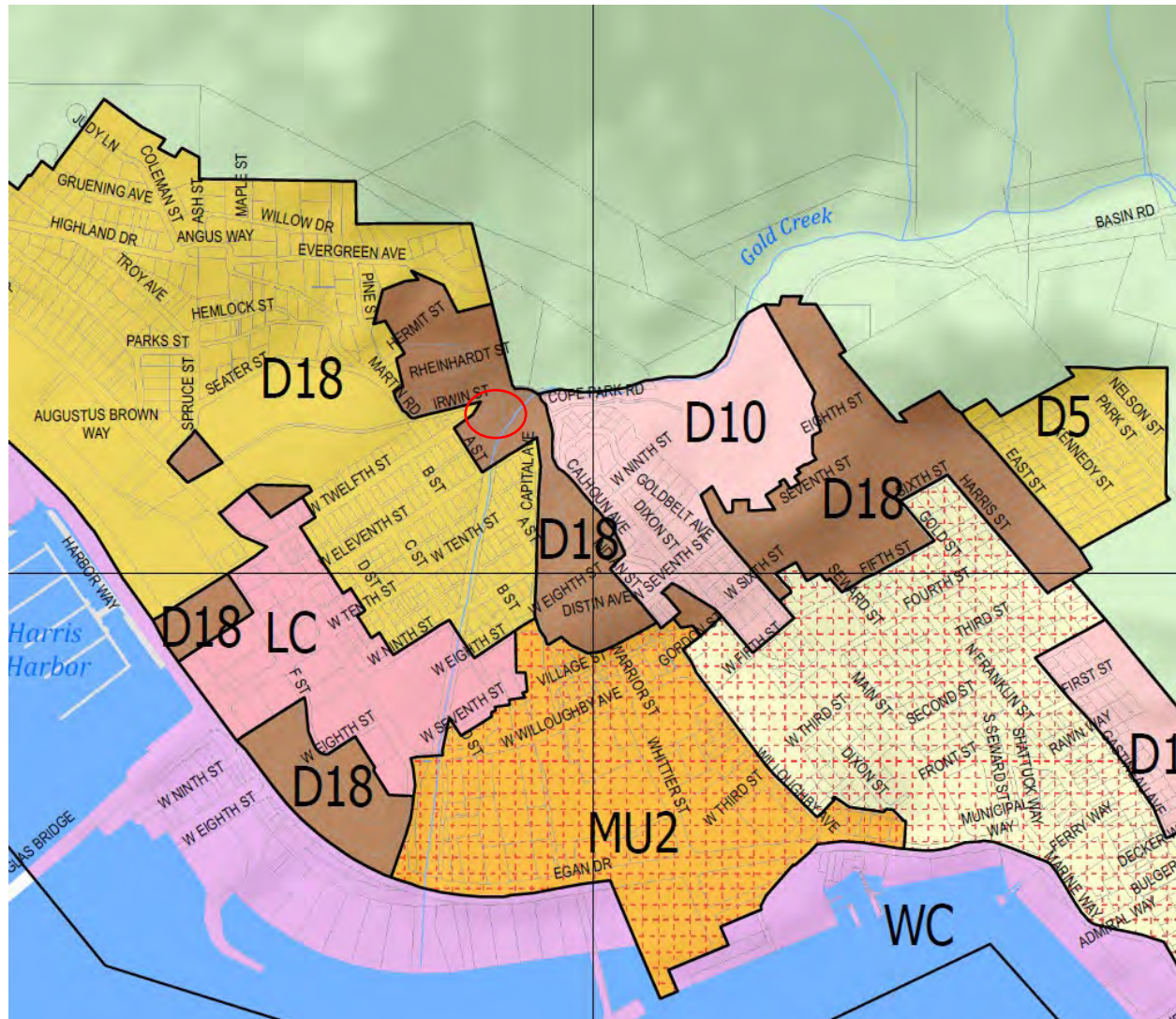
Good morning Laurel

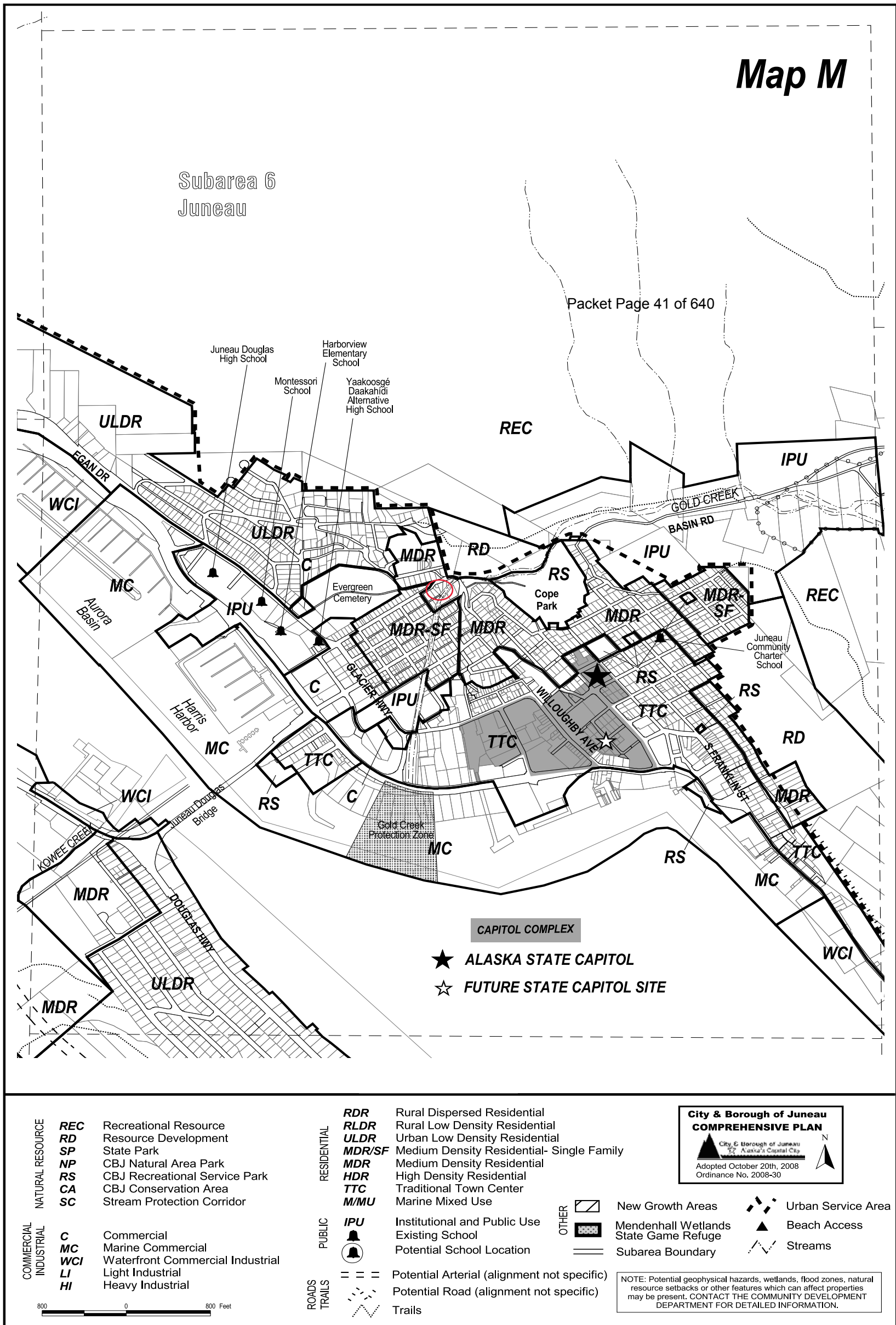
Thank you for the opportunity to comment on the Notice of Public Hearing for 275 Irwin Street.

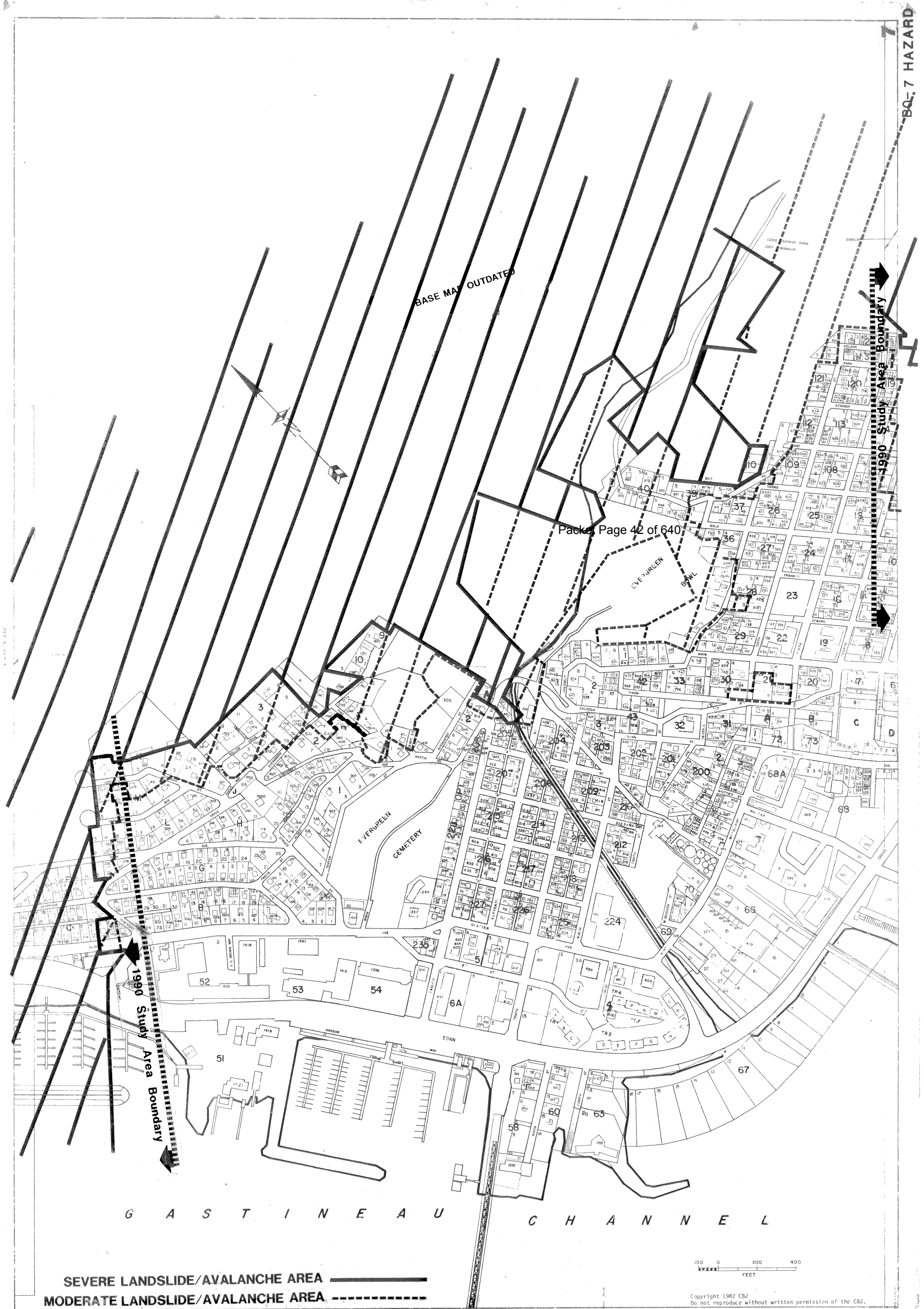
Parking has emerged as a major concern for the downtown Flats neighborhood area. This neighborhood bears the brunt of the overflow parking to Federal workers, State workers, Northern Lights Church, and even current residents with private commercial businesses and boats. Parking in this area is boiling over at 100% capacity for on-street parking. I **do not** agree with the City's parking waiver to waive three additional parking spaces.

I hope that the City will seriously consider the impact that this proposal will have in an area that is already at 100% capacity. I would be more than happy to do discuss my concerns further and offer ideas I have for potential solutions to the parking problems in this area.

Sincerely,
Erik Norberg
926 A Street
907-957-2808







BQ-7 HAZARD

BASE MAP OUTDATED

Packet Page 42 of 640

1990 Study Area Boundary

1990 Study Area Boundary

GASTINEAU CHANNEL

SEVERE LANDSLIDE/AVALANCHE AREA
MODERATE LANDSLIDE/AVALANCHE AREA

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

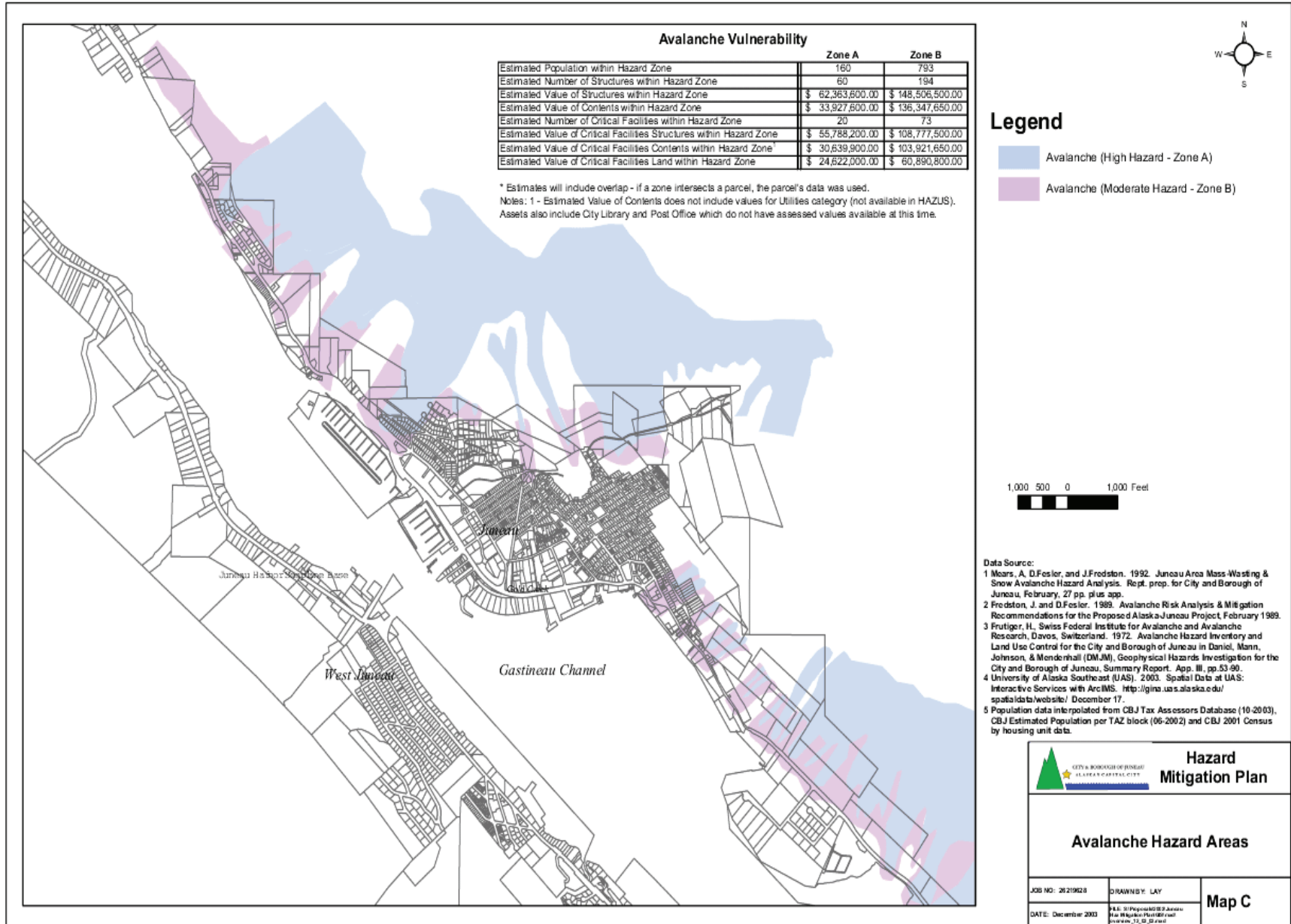
0 100 200 400
FEET

Copyright 1982 CBJ.
Do not reproduce without written permission of the CBJ.

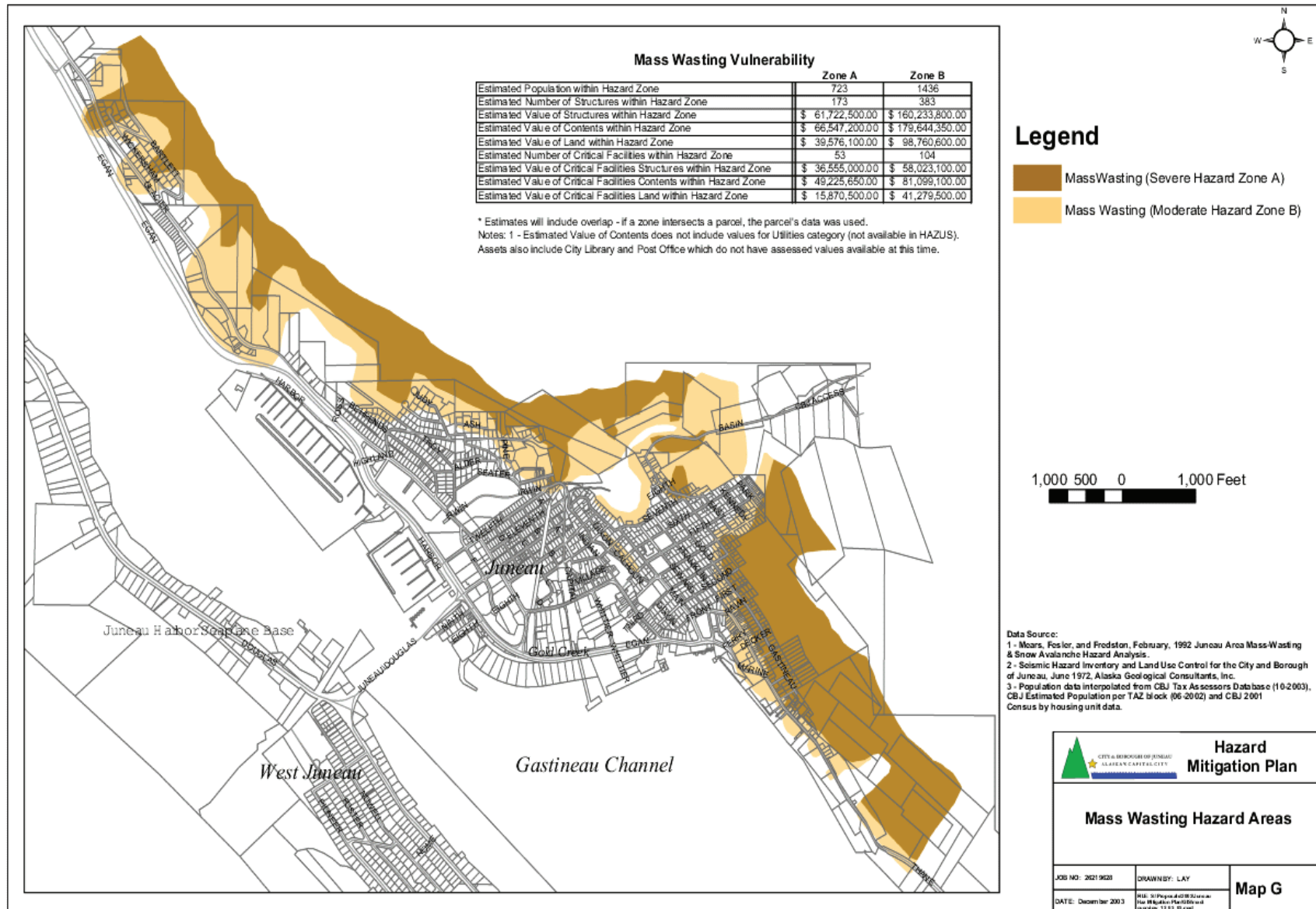
LANDSLIDE AND AVALANCHE AREA
SHEET 2 OF 7

Dated: September 9, 1987
Adopted by Ordinance Serial No. 87-49

1985
CBJ PLANNING DEPT



Map 6 Avalanche Hazard Areas



Map 8 Mass Wasting Hazard Areas



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

NONCONFORMING CERTIFICATE

Date: May 5, 2021
File No.: NCC2021 0029

Larry Johansen
227 Irwin Street
Juneau, AK 99801

Proposal: A Nonconforming Certification Review for lot size, lot width, and lot depth.

Property Address: 275 Irwin Street
Property Legal Description: Irwin Addition Block 1 Lot 2 & 3 FR
Property Parcel Code No.: 1C030E010040

The Director of Community Development adopted the analysis and findings listed in the attached memorandum dated May 5, 2021, and has found the following situations on the lot to be certified nonconforming to the Title 49 Land Use Code of the City and Borough of Juneau:

- Nonconforming Lots (49.30.260):
 - Lot size of 1,257 square feet
 - Lot width of 33 feet
 - Lot depth of 39 feet

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

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

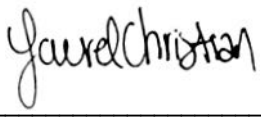
This Nonconforming Certificate constitutes a final decision of the Director of Community Development. Appeals must be brought to the CBJ Planning Commission in accordance with CBJ 49.20.110. Appeals must be filed by 4:30 PM on the day twenty days from the date the decision is filed.

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

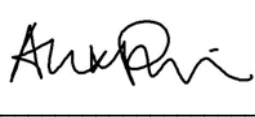
File No.: NCC2021 0029

May 5, 2021

Page 2 of 2

Project Planner: 

Laurel Christian, Planner II
Community Development Department



FOR Jill Maclean, Director, AICP
Community Development Department

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



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

DATE: May 5, 2021

TO: Jill Maclean, Director, AICP

BY: Laurel Christian, Planner II

PROPOSAL: A Nonconforming Certification Review for lot size, lot depth, and lot width

KEY CONSIDERATIONS FOR REVIEW:

- The lot is currently vacant; any proposed development must comply with CBJ Title 49.
- The lot was established prior to zoning requirements.

GENERAL INFORMATION	
Property Owner	Larry Johansen
Applicant	Larry Johansen
Property Address	275 Irwin Street
Legal Description	Irwin Addition Block 1 Lot 2 & 3 FR
Parcel Number	1C030E010040
Zoning	D18
Lot Size	1,257 sq. ft.
Water/Sewer	Public
Access	Irwin Street
Existing Land Use	Vacant
Associated Applications	USE20210004; PWP20210001; ADP20210001 – 04

STAFF RECOMMENDATION:

Staff recommends the following situations receive Nonconforming Certification:

- Nonconforming Lots (49.30.260)

ABANDONMENT:

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

NONCOMPLIANCE:

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

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

SITE FEATURES AND ZONING



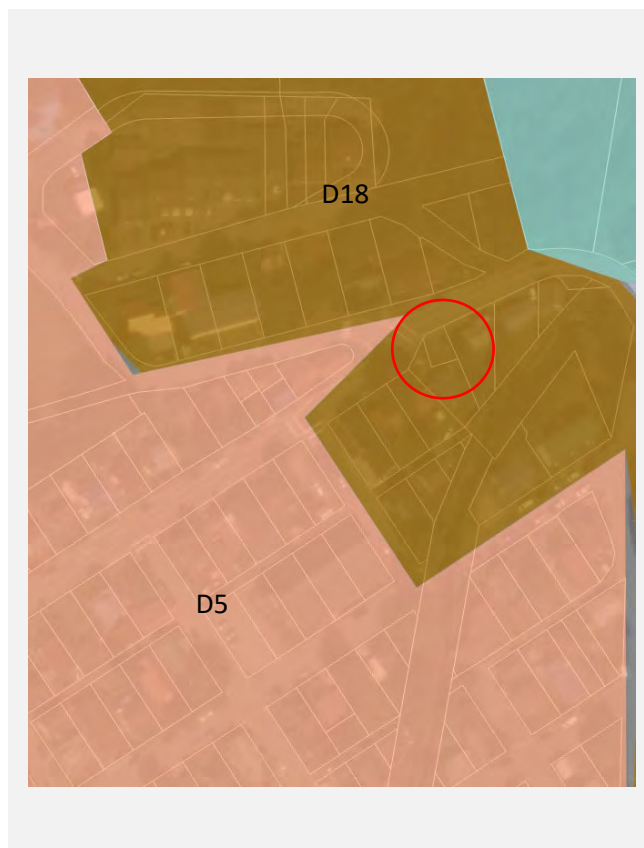
SURROUNDING ZONING AND LAND USES

North (D18)	Multi-family dwelling
South (D18)	Single-family dwelling
East (D18)	Single-family dwelling
West (D18)	Single-family dwelling

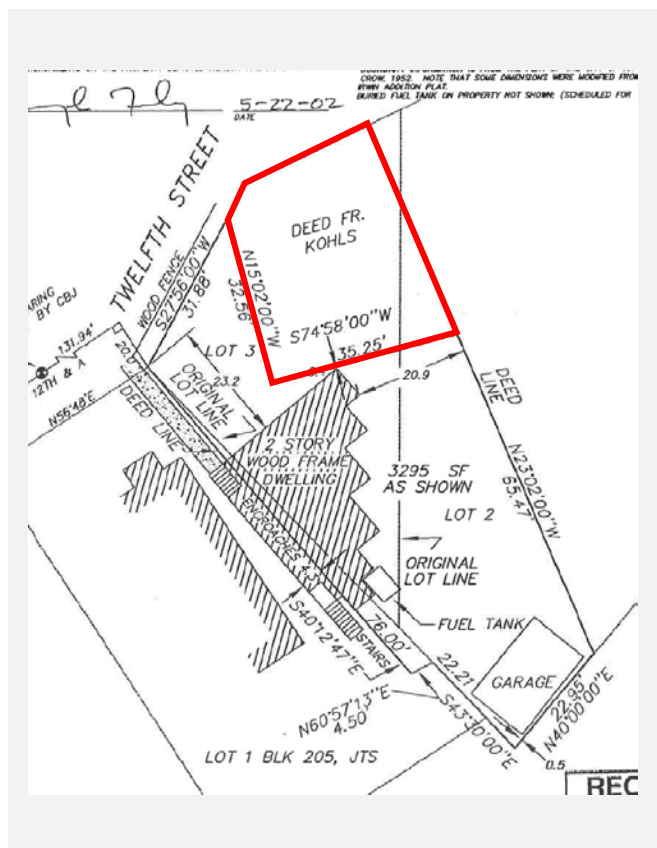
SITE FEATURES

Anadromous	None
Flood Zone	None
Hazard	Moderate
Hillside	None
Wetlands	None
Parking District	None
Historic District	None
Overlay Districts	Juneau ADOD

CURRENT ZONING MAP



ZONING AT TIME OF ESTABLISHMENT



ZONING HISTORY

Year	Zoning District	Summary
1956	R-2 Residential	In 1956, the lot and surrounding area were zoned R-2. The minimum lot size was 3,600 square feet. Minimum lot width was 40 feet and there was no minimum lot depth. The lot was nonconforming for lot size and lot width.
1969	RMM Residential	In 1969, the lot and surrounding area were rezoned to RMM. The minimum lot size was 4,800 square feet. Minimum lot width was 40 feet and minimum lot depth was 90 feet. The lot was nonconforming for lot size, lot width, and lot depth.
1987	D18 Residential	In 1987, the lot and surrounding area was rezoned to D18; this is the current zoning of the lot. Minimum lot size is 5,000 square feet. Minimum lot width is 50 feet and minimum lot depth is 80 feet. The lot is nonconforming for lot size, lot width, and lot depth.

BACKGROUND INFORMATION

The applicant requests a Nonconforming Certification for lot size, lot width, and lot depth. The lot is currently vacant.

INFORMATION REVIEWED

Year	Type	Summary
1913	Plat	The lot was originally platted in 1913 through the Casey Shattuck Addition to Juneau. The lot was later split by deed, creating the fraction lot that exists today.
1934	Plat	The original lot is shown on the Juneau Townsite Map from 1934.
1972	Deed	The earliest deed available that describes the property boundary was recorded in 1972.
No Date	Juneau Recording District Book	A 1994 deed describes the (lot/deed?) as being created in a historic deed book, Book 37, Pages 345-346. This historic deed book is not available for on-line searching on the Juneau Recorders Website.

ANALYSIS

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

Standard		Requirement	Existing	Code Reference
Lot	Size	5,000 sq. ft.	1,257 sq. ft.	49.25.400
	Width	50'	33'	49.25.400
	Depth	80'	39'	49.25.400
Setbacks	Front	20'	Vacant	49.25.400
	Rear	10'	Vacant	49.25.400

Standard		Requirement	Existing	Code Reference
	Side	5'	Vacant	49.25.400
	Side	5'	Vacant	49.25.400
Lot Coverage		50% maximum	Vacant	49.25.400
Height	Permissible	35'	Vacant	49.25.400
	Accessory	25'	Vacant	49.25.400
Maximum Dwelling Units		1	Vacant	49.25.500
Use		Vacant	Vacant	49.25.300
Vegetative Cover		30% minimum	Vacant	49.50.300
Parking		Vacant	Vacant	49.40.210(a)

Minimum Lot Requirements – The lot does not meet minimum lot size, lot width, or lot depth.

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

Minimum Setback Requirements – The lot is currently vacant.

Finding: NA

Lot Coverage – The lot is currently vacant.

Finding: NA

Structure Height – The lot is currently vacant.

Finding: NA

Residential Density – The lot is currently vacant.

Finding: NA

Use – The lot is currently vacant.

Finding: NA

Vegetative Cover – The lot is currently vacant.

Finding: NA

Parking – The lot is currently vacant.

Finding: NA

NONCOMPLIANT SITUATIONS

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

No information has been found to suggest noncompliant situations exist on the lot.

ABANDONMENT

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

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

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

FINDINGS

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

Analysis: The lot was originally created before zoning requirements and later split by deed. Deed information is not available for the lot split; it is CBJ practice to recognize fraction lots as legal lots.

Finding: Yes. The nonconforming situation was allowed, or not prohibited by law when established.

2. Has the nonconforming situation been abandoned?

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

Finding: No. The nonconforming situation has not been abandoned.

RECOMMENDATION

Staff recommends that Director adopt the analysis and findings, and find the following situations on the lot to be NONCONFORMING to the Title 49 Land Use Code and issue a Nonconforming Certification for the following situations:

- Nonconforming Lots (49.30.260):
 - Lot size of 1,257 square feet
 - Lot width of 33 feet
 - Lot depth of 39 feet

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	Information Reviewed



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 <u>W Twelfth St. - 275 Irwin Street</u>		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) <u>Irwin Addition Block 1 lot 223 FR</u>		
	Parcel Number(s) <u>1C030E010040</u>		
	☒ This property located in the downtown historic district ☐ This property located in a mapped hazard area, if so, which _____		
	LANDOWNER/ LESSEE		
	Property Owner <u>Larry Johnson</u>	Contact Person <u>Larry Johnson</u>	
	Mailing Address <u>275 Irwin St</u>	Phone Number(s) <u>808385 5510</u>	
	E-mail Address <u>Larry Johnson</u>		
	LANDOWNER/ LESSEE CONSENT Required for Planning Permits, not needed on Building/ Engineering Permits		
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows:			
A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.			
B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.			
X	<u>[Signature]</u> Landowner/Lessee Signature	<u>3/9/21</u> Date	
X	_____ Landowner/Lessee Signature	_____ Date	
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.			
APPLICANT If the same as OWNER, write "SAME"			
Applicant <u>Same</u>		Contact Person	
Mailing Address		Phone Number(s)	
E-mail Address			
X	<u>[Signature]</u> Applicant's Signature	_____ Date of Application	
DEPARTMENT USE ONLY BELOW THIS LINE			

ATTACHMENT G - NONCONFORMING CERTIFICATION

Intake Initials

4-20-21
LEC



APPLICATION FOR A NONCONFORMING CERTIFICATION REVIEW

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

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

TYPE OF NONCONFORMING SITUATION (CHECK ALL THAT MAY APPLY)

☐ USE ☐ STRUCTURE ☐ DENSITY ☐ PARKING ☒ LOT

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

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

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

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

Situation	Type of Documentation
Lot size, width, depth.	As-built survey

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

Maintained Situation	Type of Documentation

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

ALL REQUIRED MATERIALS ATTACHED

☒ Complete Application (Per CBJ 49.30.310)

- ☒ Narrative *see USE 21-04*
☒ As-built survey or similar document
☒ Documentation *As-built lot*
☒ Fees *NA*

NONCONFORMING CERTIFICATION REVIEW FEES:

	Fees	Check No.	Receipt	Date
Application Fees	\$ <i>0</i>			
Admin. of Guarantee	\$			
Adjustment	\$			
Total Fee	\$ <i>0</i>			

Associated w/USE 21-04

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center
907-586-0770.

ATTACHMENT G - NONCONFORMING CERTIFICATION

Case Number

NCC 21-29

Date Received

4-20-21

an as-built survey is
forming Certificate for

Nonconforming Certification Application Instructions

Nonconforming Situations is outlined in CBJ 49.30.310

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

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

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

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

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

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

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

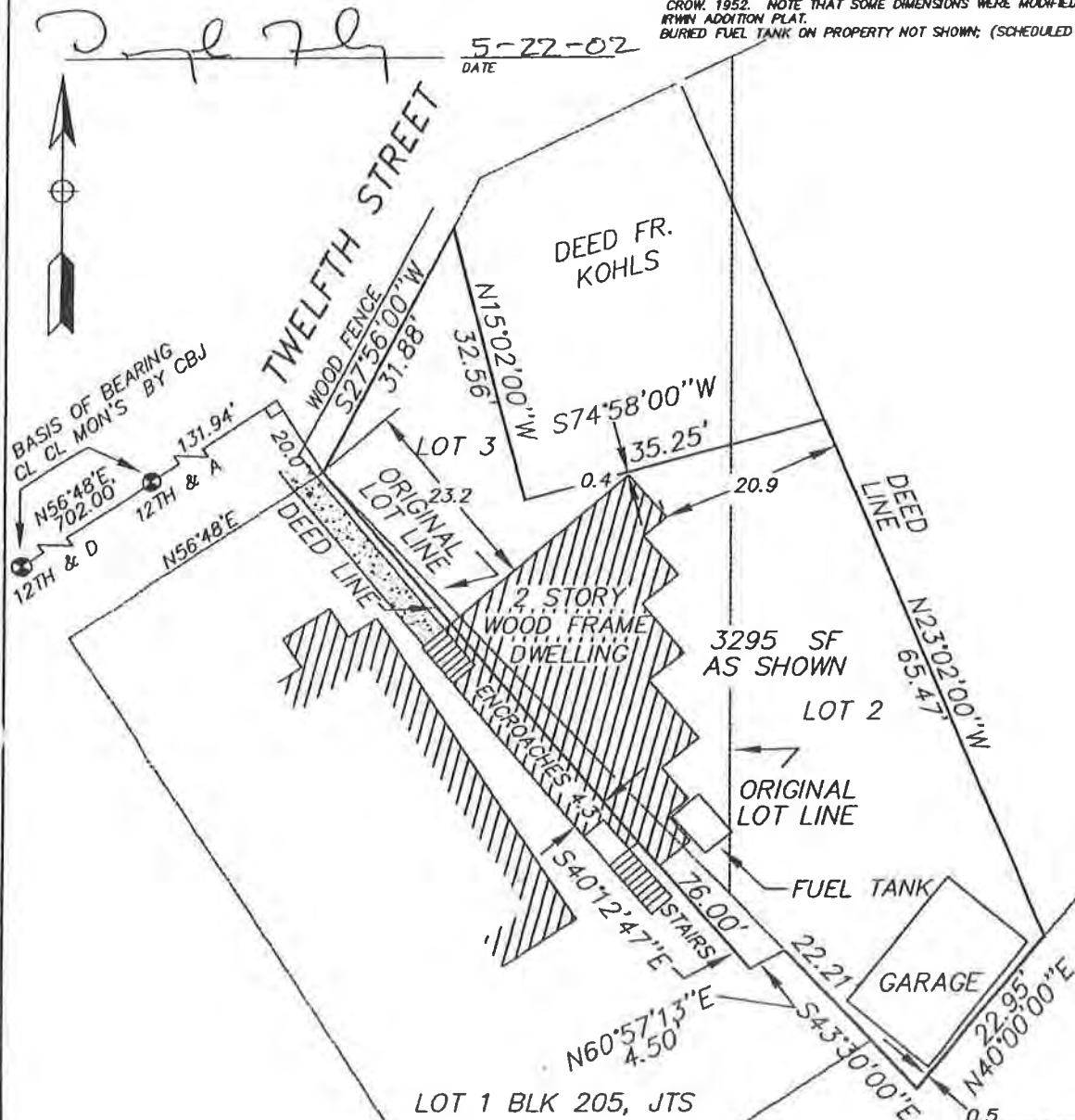
INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

NOTE

DEED DESCRIPTION CONTAINS MANY ELEMENTS THAT LEAVE BOUNDARIES OPEN TO INTERPRETATION. ADJOINING DEEDS WERE USED TO CLARIFY GRANTOR'S INTENT. WHERE LONGSTANDING LINES OF OCCUPATION DIFFER FROM DEED LINES OWNERSHIP BOUNDARIES ARE OFTEN AFFECTED. OWNERS ARE ENCOURAGED TO REPLAT BOUNDARIES AS NEEDED TO AVOID TITLE PROBLEMS.

BOUNDARY INFORMATION IS FROM THE PLAT OF THE CITY OF JUNEAU, BY R.C. CROW, 1952. NOTE THAT SOME DIMENSIONS WERE MOOVED FROM ORIGINAL PLAT. ADDITION OF BURIED FUEL TANKS ON PROPERTY NOT SHOWN; (SCHEDULED FOR REMOVAL).

5-22-02
DATE



MAY 24 2002

PERMIT CENTER/CDD



PLAT SHOWING "AS-BUILT" SURVEY

METES & BOUNDS TRACT

PORTION OF LOT 1 BLK 205 CASEY BHATTUCK ADD'N, JUNEAU TOWNSITE
PORTION OF LOTS 2 & 3 BLK 1 IRWIN ADDITION TO JUNEAU TOWNSITE
DESCRIBED IN DEED BOOK 396, PAGE 460

JUNEAU, ALASKA RECORDING DISTRICT

DOUGLAS FINLEY LAND SURVEYING

ATTACHMENT G - NONCONFORMING CERTIFICATION

DATE: 5/07/02	DRAWN BY: DF	PROJ. No.: 02-428-A1	SCALE: 1" = 20'
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SHEET
1 OF 1

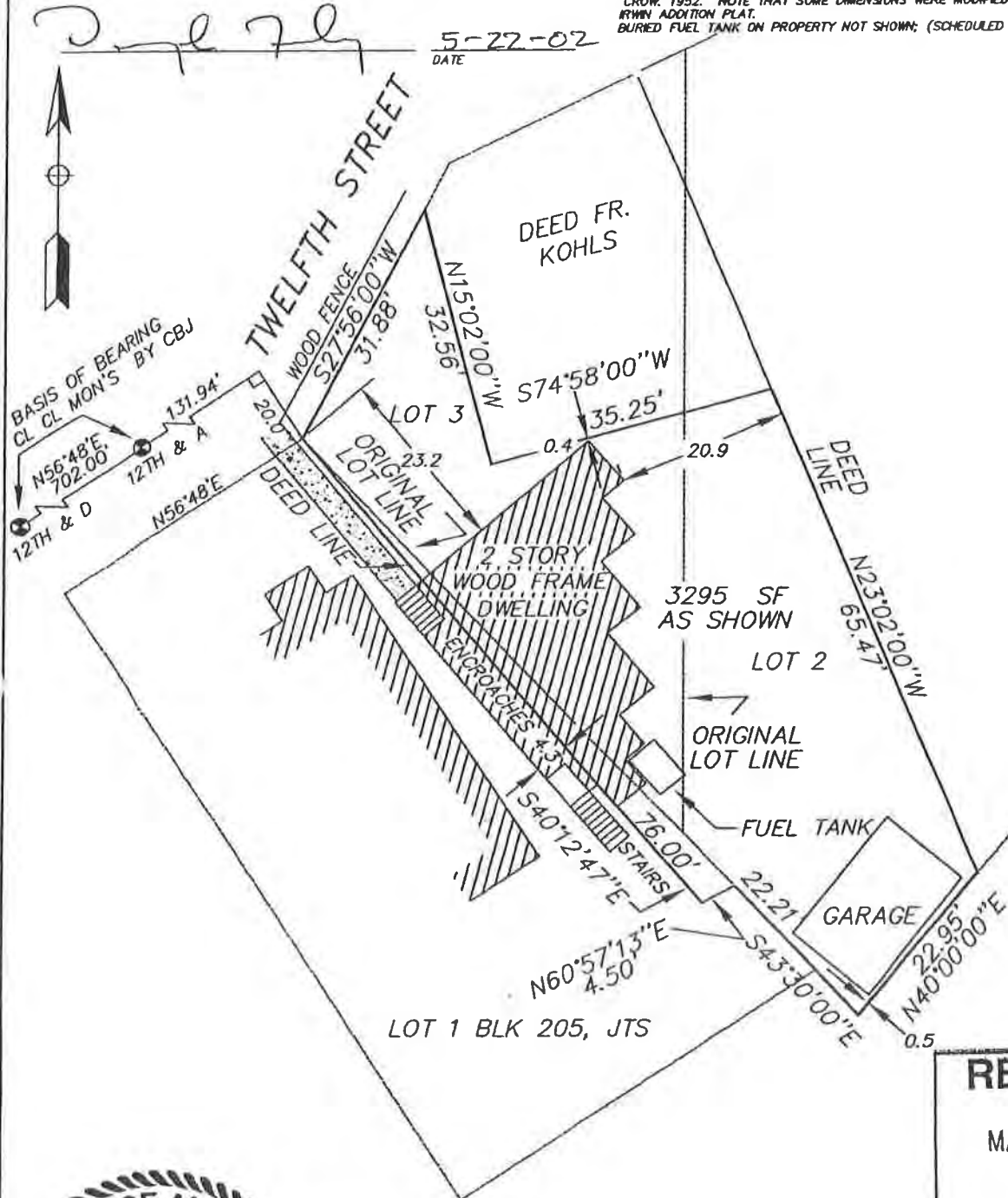
CERTIFICATE OF REGISTERED LAND SURVEYOR

I HEREBY CERTIFY THAT I AM REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME, ON THE GROUND, TO THE NORMAL STANDARD OF CARE OF PROFESSIONAL LAND SURVEYORS PRACTICING IN SOUTHEAST ALASKA AND THAT, ON THE BASIS OF MY KNOWLEDGE, INFORMATION, AND BELIEF, IMPROVEMENTS AND ENCROACHMENTS ON THE PROPERTY DEPICTED HEREON ARE AS SHOWN.

NOTE

DEED DESCRIPTION CONTAINS MANY ELEMENTS THAT LEAVE BOUNDARIES OPEN TO INTERPRETATION. ADJOINING DEEDS WERE USED TO CLARIFY GRANTOR'S INTENT. WHERE LONGSTANDING LINES OF OCCUPATION DIFFER FROM DEED LINES OWNERSHIP BOUNDARIES ARE OFTEN AFFECTED. OWNERS ARE ENCOURAGED TO REPLAT BOUNDARIES AS NEEDED TO AVOID TITLE PROBLEMS. BOUNDARY INFORMATION IS FROM THE PLAT OF THE CITY OF JUNEAU, BY R.C. CROW, 1952. NOTE THAT SOME DIMENSIONS WERE MODIFIED FROM ORIGINAL IRWIN ADDITION PLAT. BURIED FUEL TANK ON PROPERTY NOT SHOWN; (SCHEDULED FOR REMOVAL).

5-22-02
DATE

**RECEIVED**

MAY 24 2002

PERMIT CENTER/CDD



PLAT SHOWING "AS-BUILT" SURVEY
METES & BOUNDS TRACT
PORTION OF LOT 1 BLK 205 CASEY SHATTUCK ADD'N, JUNEAU TOWNSITE
PORTION OF LOTS 2 & 3 BLK 1 IRWIN ADDITION TO JUNEAU TOWNSITE
DESCRIBED IN DEED BOOK 396, PAGE 460

JUNEAU, ALASKA RECORDING DISTRICT

DOUGLAS FINLEY LAND SURVEYING

820 6TH STREET - JUNEAU, ALASKA (907) 586-4253

ATTACHMENT G - NONCONFORMING CERTIFICATION

DATE: 5/07/02

DRAWN BY: DF

PROJ. No.: 02-428-A1

SCALE: 1" = 20'

SHEET
1 of 1



MAP OF
JUNEAU, ALASKA
Showing City Limits

1934.

1934-1

Scale 1 inch=200ft.

Frank A. Metcalf,
City Engineer
February 1932.

Attachment B - Information Reviewed

WARRANTY DEED

The grantor, JOHN J. HEUEISEN, a single man, of Juneau, Alaska, for and in consideration of the sum of FIVE HUNDRED (\$500.00) DOLLARS, and other valuable considerations to him in hand paid, conveys and warrants to the grantees, RONALD I. PARKS and WILLIAM J. DIXON, as tenants in common, both of Juneau, Alaska, the following described real property situated in the Juneau Recording District of Alaska, to-wit:

RECORDED - FILED
150 REC. DIST.
DATE 11/5/4 1972
TIME 12 11/32 A.M.
Requested by *Ronald Parks*
Address *1300 B. 1st*
Juneau, Alaska

That certain piece or parcel of land situated on 12th Street in Juneau, Alaska, and being portions of Lots 2 and 3, in Block 1, of the Irwin Addition to the Town of Juneau, Alaska, to-wit:

Beginning at the angle corner of Lot 3, Block 1, of the Irwin Addition to the Juneau Townsite and running thence S. 28° 22' W. along the South side of 12th Street for 6.56 feet to the N.W. corner; thence S. 14° 36' E. 32.56 feet to the S.W. corner; thence N. 75° 24' E. 35.25 feet to the S.E. corner; thence N. 23° 15' W. 42.40 feet to the N.E. corner; thence S. 64° 51' W. along the South side of 12th Street for 24.82 feet to the angle corner, the place of beginning, containing 1257.00 square feet or 0.029 acres.

Subject to that Notice and Order of demolition of the structure located on said real property issued by the City and Borough of Juneau, Alaska, dated January 4, 1972, which demolition shall be the obligation of grantees.

This deed is made pursuant to AS 34.15.030 and incorporates by reference the warranties described in said statute.

DATED this 14th day of April, 1972.

John J. Heueisen
John J. Heueisen

STATE OF ALASKA)
FIRST JUDICIAL DISTRICT) ss

On this 14th day of April, 1972, in Juneau, Alaska, before me, the undersigned Notary Public for Alaska, personally appeared JOHN J. HEUEISEN, to me known and known to me to be the person described in the foregoing instrument and acknowledged to me that he signed the same freely and voluntarily for the uses and purposes therein mentioned.

WITNESS my hand and official seal the day, month and year herein first above written.

JUNEAU
Serial No. 72-1296

Notary Public for Alaska
My commission expires 11/4/75

DAVIDSON, ENGSTROM & EVANS
PHONE 586-1445
201 NATIONAL BANK OF ALASKA BUILDING
JUNEAU, ALASKA 99801

FILED-RECEIVED
15
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MAY 4 11 32 AM '72

FIRST JUDICIAL DIST.
AT JUNEAU

BOOK 0396 PAGE 460

QUITCLAIM DEED WITH LIFE ESTATE

Grantor, Jeanette Mann, of 317 West 12th Street, Juneau, Alaska 99801, for and in consideration of love and affection and other valuable consideration, the receipt of which is hereby acknowledged, conveys and quitclaims to my daughter Victoria Elie Mann, a/k/a Victoria Mann-Angelo, of 6625 North Douglas Highway, Juneau, Alaska 99801, all interest that I have, if any, in the following described real estate, located in the State of Alaska, reserving and excepting therefrom to Grantor the full use, control, income, and possession of the described property for and during Grantor's natural life,

A part of Lot 1 in Block 205 of the Casey-Shattuck Addition to the Townsite of Juneau, Alaska, as shown on the official plat of said addition on file in the office of the U. S. Recorder at Juneau, and of Lots 2 and 3 in Block 1 of the Erwin Addition to said townsite as shown on the official plat of said addition made by Wettrich and Wilhelm in 1913, and filed in the office of said Recorder November 13, 1915, and more particularly described as follows: to wit:

Commencing at Corner No. 1, a point on the southwesterly boundary of said Lot 3 in Block 1, identical with the most northerly corner of said Lot 1 in Block 205, thence in a southeasterly direction 76.0 feet to Corner No. 2; thence, northeasterly 4.5 feet to a point on the southwesterly boundary of said Lot 2 in Block 1 from which Corner No. 1 of this tract bears northwesterly 77 feet, Corner No. 3; thence, southeasterly to the most southern point on the southwesterly boundary of said Lot 2 in Block 1, Corner

Quitclaim Deed With Life Estate
Jeanette Mann

Page 1 of 3

BOOK 0396 PAGE 461

No. 4; thence, northeasterly to Corner No. 5 from which a witness corner lies N. 23 deg. 02 min. W., a distance of 130.89 feet and which witness corner is located by beginning at the northeast corner of said Lot 2 in Block 1 and running thence south 2.11 feet to a point on the easterly boundary of said Lot 2 in Block 1 and thence S. 64 deg. 36 min. W. 59.75 feet to said witness corner; thence, continuing along the boundaries of this tract of said Corner No. 5, N. 23 deg. 15 min. W. approx. 88.49 feet to corner No. 6 on the most southern boundary of the Hebert property as described in Book 37 of Deeds at pp. 345-346; thence, S. 75 deg. 24 min. W. approx. 35.25 feet, along the most southern boundary of said Hebert property, to Corner No. 7; thence No. 14 deg. 36 min. W. approx. 32.56 feet, along the most western boundary of said Hebert property to the present boundary of 12th St. and Corner No. 8; thence southwesterly along a jog in the south side of 12th St. approx. S. 28 deg. 22 min. W. to Corner No. 1, the place of beginning.

DATED this 12th day of January, 1994.

Jeanette Mann
Jeanette Mann

STATE OF ALASKA)
) ss.
FIRST JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this _____ day of January, 1994, before me, the undersigned Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared **Jeanette Mann**, known to me to be the person who signed the foregoing Quitclaim Deed With Life Estate, and she

Quitclaim Deed With Life Estate
Jeanette Mann

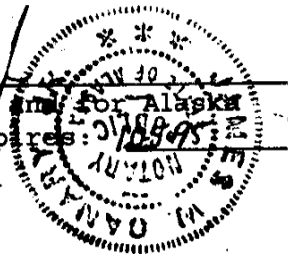
Page 2 of 3

BOOK 0396 PAGE 462

acknowledged to me that she 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 first written above.

James W. Cam
Notary Public in and for Alaska
My Commission Expires: 01/12/95



return too

Jeanette Mann

317 W 12th St

Juneau Alaska
99801

94-000271
2100 CC

JUNEAU REC. DISTRICT
REQUESTED BY *JEANETTE*
MANN

'94 JAN 12 PM 3 37

Quitclaim Deed With Life Estate
Jeanette Mann

Page 3 of 3

USE20210004
PWP20210001
ADP2021 0001; 0002; 0003

Conditional Use Permit, Parking Waiver, and three (3) Alternative Development Permits for a single-family dwelling and accessory apartment.

Staff recommends approval with conditions.

PC Hearing June 8, 2021

5 separate but related cases...

USE2021
0004

- Conditional Use Permit for an accessory apartment on an undersized lot in a moderate landslide/avalanche area

PWP2021
0001

- Parking waiver to waive the three (3) required parking spaces for a proposed single-family dwelling and accessory apartment

ADP2021
0001

- Alternative Development Permit to reduce the front yard setback from 20 feet to 9 feet 7 inches

ADP2021
0002

- Alternative Development Permit to reduce the eastern side yard setback from 5 feet to 2 feet 8 inches.

ADP2021
0003

- Alternative Development Permit to reduce the western side yard setback from 5 feet to 2 feet 8 inches.



The Commission may
chose to approve
one, some, or none.

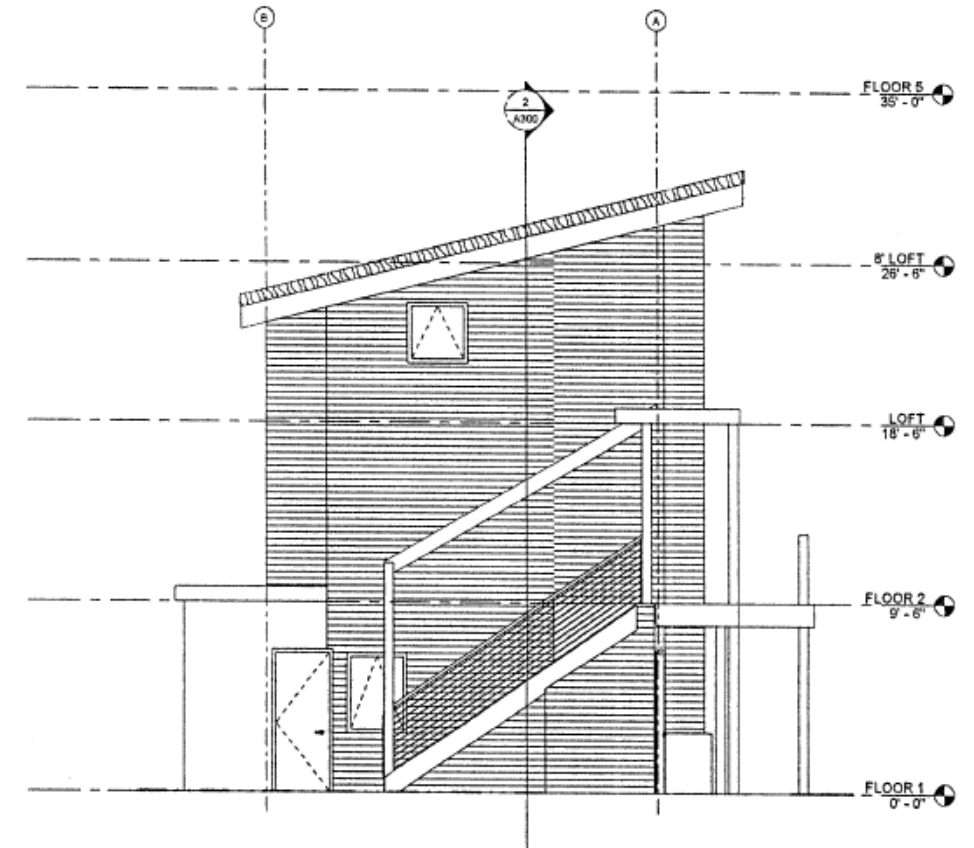
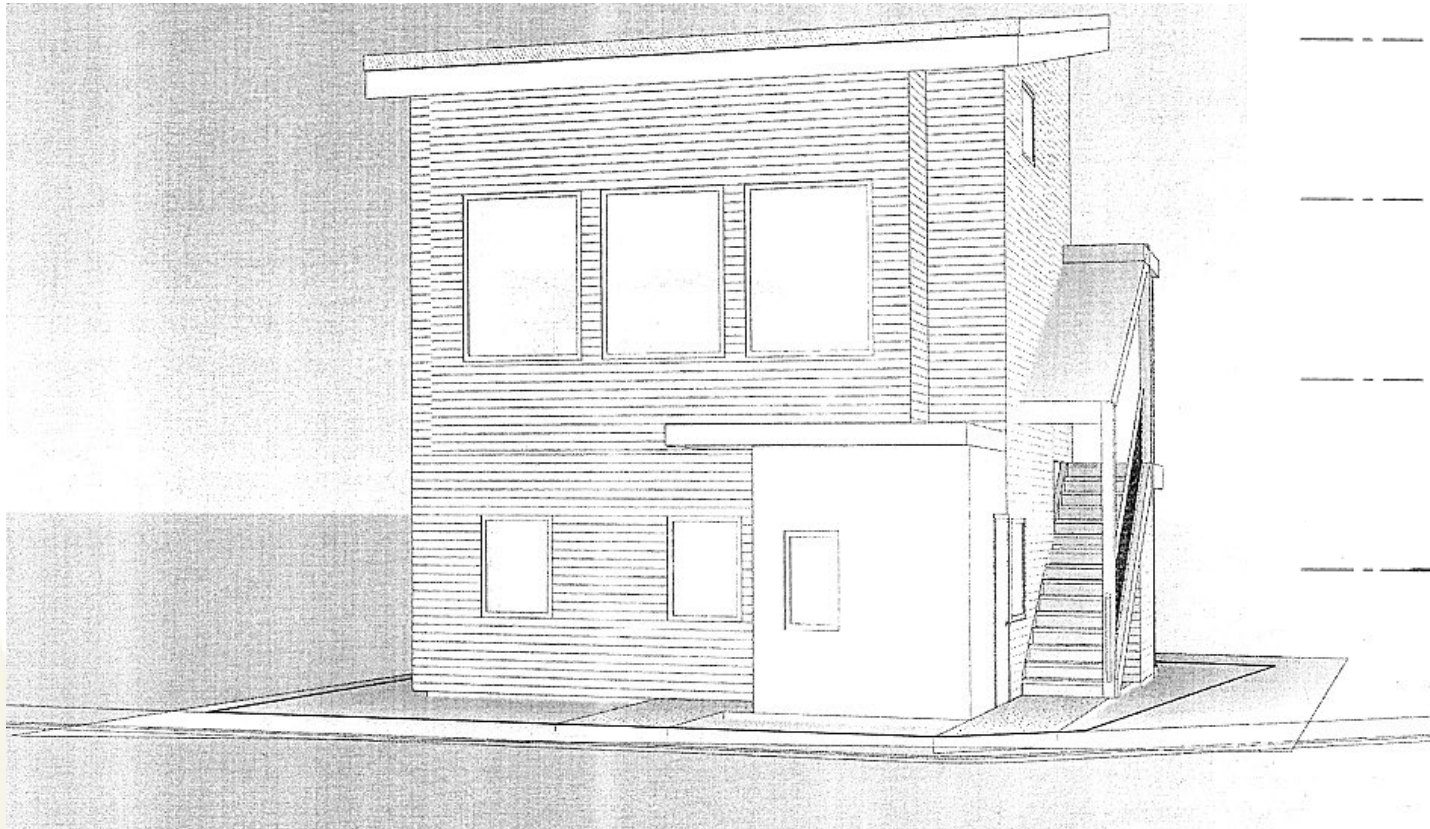
Background Information



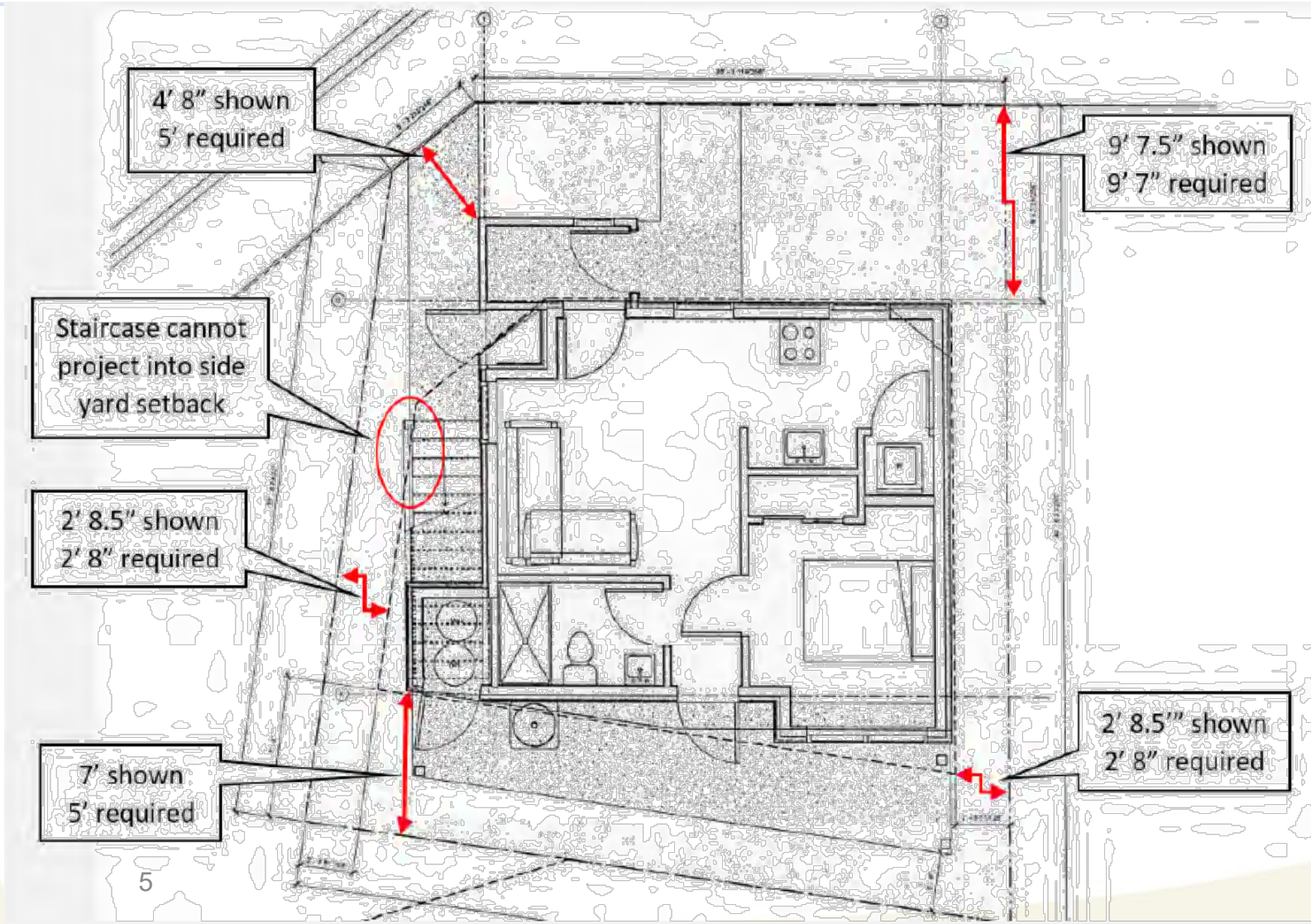
GENERAL INFORMATION

Applicant	Larry Johansen
Zoning	D18 Residential
Land Use Designation	Medium Density Residential (MDR)
Lot Size	1,257 sq. ft.
Water/Sewer	Public
Access	Irwin Street
Existing Land Use	Vacant
Associated Applications	NCC2021 0029
Hazard	Moderate Landslide/Avalanche

Project Design



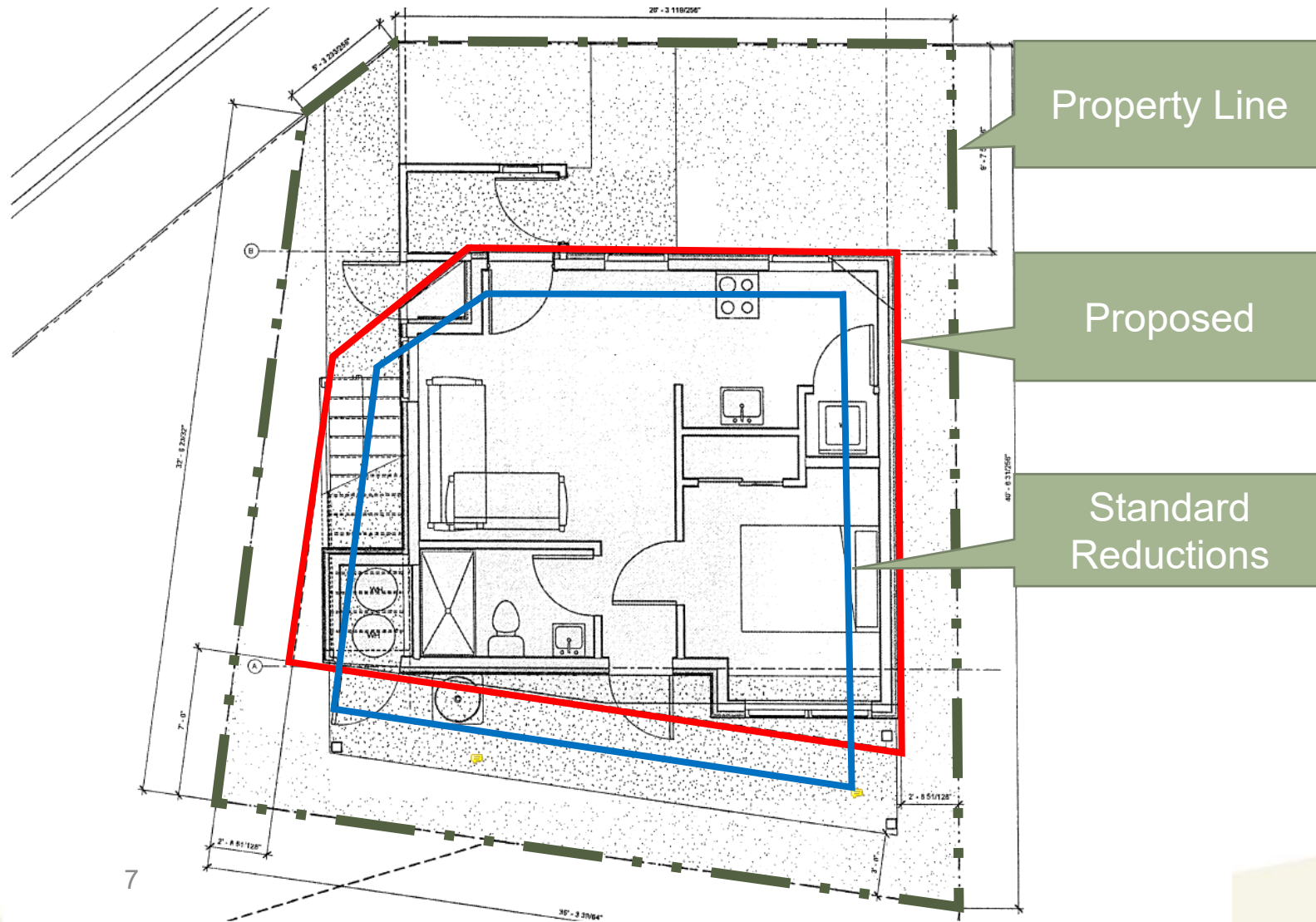
Proposed Site Plan



Setback Requirements

Side	D18 Requirement	Standard Code Reduction	Proposal (ADOD)
Front	20'	11' 8' Average of 3 adjacent properties [49.25.430(4)(k)]	9'7"
Front	20'	5' Artic entry less than 65 square feet [49.25.430(4)(c)(ii)]	5'
Rear	10'	5' Substandard lot depth [49.25.430(4)(j)]	7'
Side	5'	None	2'8"

Setbacks (NO ADOD)

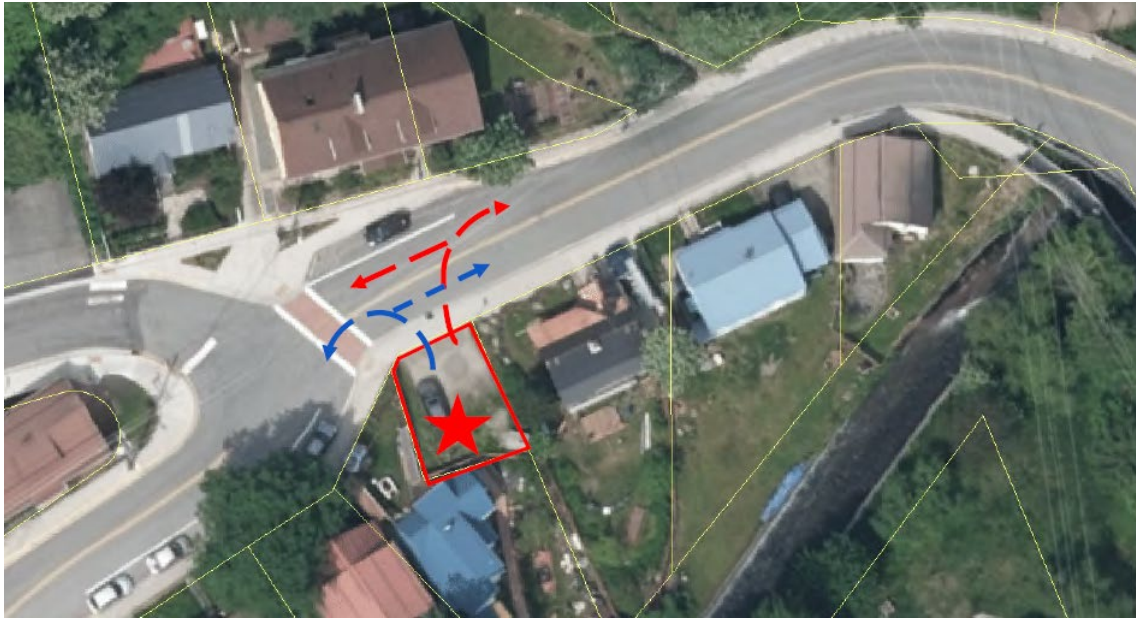


Parking

Use	Units	Spaces Required	Total Spaces
Single-family dwelling	1	2	2
Accessory Apartment	1	1	1
Total Parking Requirement:			3

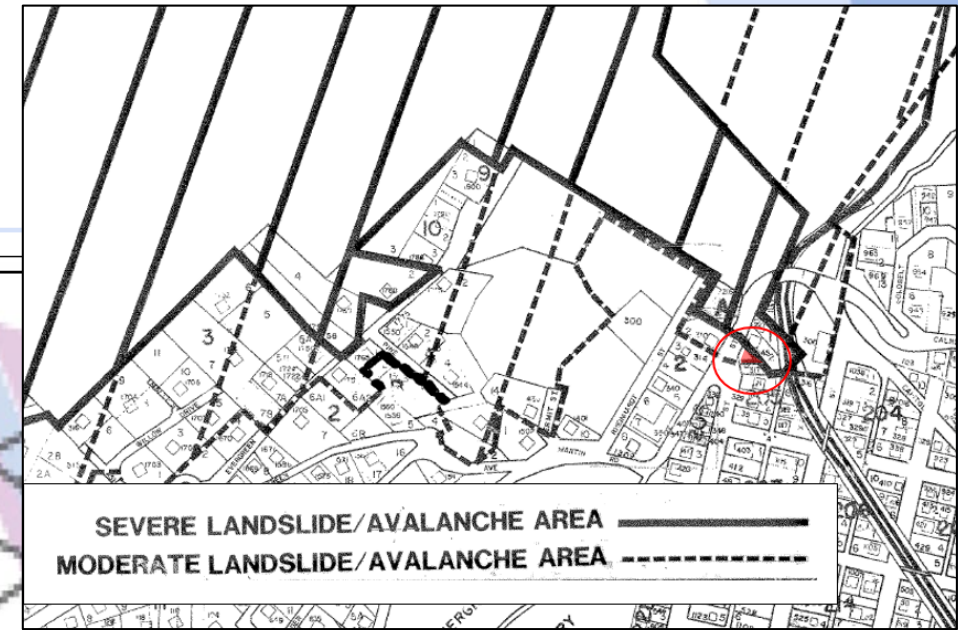
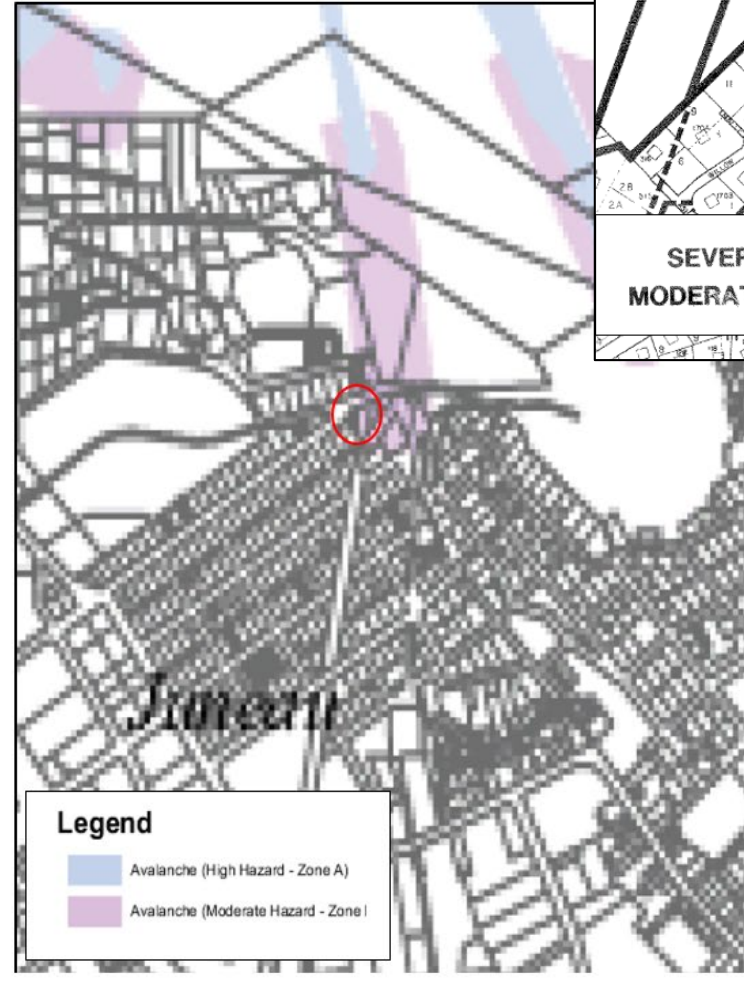
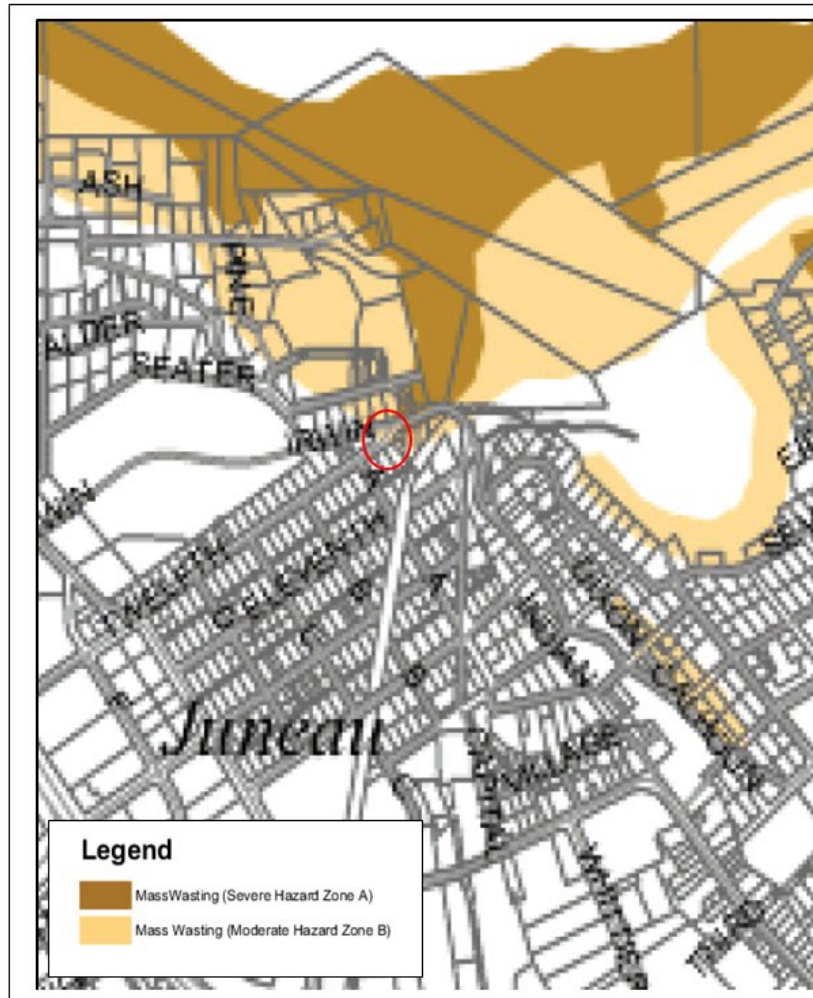


Parking Waiver Request



- 2020 Parking study shows adequate parking facilities in the area.
- ¼ mile to public transit
- Downtown core is generally walkable
- Back-out parking is not appropriate at this intersection.

Hazard Zone



Public Comments

- Concerns for density of the area.
- Requests for parking requirements to be met.
- “Flats” neighborhood is at capacity and does not support parking reductions.
- The lot is too small to support even one residence.
- Concerns for dangerous intersection.
- Proposed setbacks are too small.



Conformance with Adopted Plans

- With recommended conditions the proposal complies with adopted plans.
- Development in hazard zones should be restricted or engineered appropriately.

Findings

USE2021
0004

- Staff finds that with recommended conditions, approval criteria listed in 49.15.330 (e) & (f), are met.

Packet Pages 12-13

PWP2021
0001

- Staff finds approval criteria listed in 49.40.210(d)(6)(1-4) are met with no conditions.

Packet Pages 71-72

ADP2021
0001

- Staff finds that with recommended conditions, approval criteria listed in 49.70.1240 are met.

ADP2021
0002

- Staff finds that with recommended conditions, approval criteria listed in 49.70.1240 are met.

Packet Pages 119-121

ADP2021
0003

- Staff finds that with recommended conditions, approval criteria listed in 49.70.1240 are met.

Recommendation

USE2021 0004: Approval with Conditions

- 1. Prior to the issuance of a building permit, the applicant shall submit a revised site plan showing the required minimum yard setbacks are met.
- 2. Prior to issuance of a building permit, the applicant must submit documentation to demonstrate that all applicable parking code requirements have been met, in conformity with CBJ 49.40.200.
- 3. The proposed single-family dwelling with accessory apartment shall be designed and constructed using mitigating measures certified as effective by a professional engineer registered to practice in the State of Alaska. Such measures may include dissipating structures or dams, special structural engineering, or other techniques designed for the site.

PWP2021 0001: Approval

- No conditions recommended.

ADP2021 0001; 0002; 0003: Approval with Conditions

- 1. Prior to the issuance of a building permit, the applicant shall submit a revised site plan showing the required minimum yard setbacks are met.

Questions?



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: June 9, 2021
Case No.: USE2021 0004

Larry Johansen
227 Irwin Street
Juneau, AK 99801

Proposal: Conditional Use Permit for an accessory apartment on an undersized lot in a moderate landslide/avalanche zone

Property Address: 275 Irwin Street

Legal Description: Irwin Addition Block 1 Lots 2 & 3 Fraction

Parcel Code No.: 1C030E010040

Hearing Date: June 8, 2021

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated June 1, 2021, and APPROVED the Conditional Use Permit for an accessory apartment on an undersized lot in a moderate landslide/avalanche zone to be conducted as described in the project description and project drawings submitted with the application and with the following conditions, as amended at the hearing:

1. Prior to the issuance of a building permit, the applicant shall submit a revised site plan showing the required minimum yard setbacks are met.
2. Prior to issuance of a building permit, the applicant must submit documentation to demonstrate that all applicable parking code requirements have been met, in conformity with CBJ 49.40.200.
3. Per 49.70.300(a), the proposed single-family dwelling with accessory apartment shall be designed and constructed using mitigating measures certified as effective by a professional engineer registered to practice in the State of Alaska. Such measures may include dissipating structures or dams, special structural engineering, or other techniques designed for the site.

Larry Johansen
Case No.: USE2021 0004
June 9, 2021
Page 2 of 2

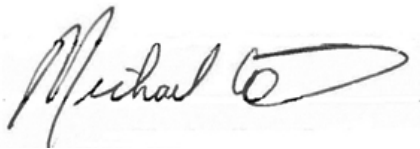
Attachments: June 1, 2021, memorandum from Laurel Christian, Community Development, to the CBJ Planning Commission regarding USE2021 0004.

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, June 8, 2021.

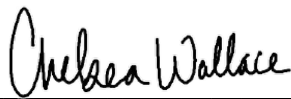
Expiration Date: The permit will expire 18 months after the effective date, or December 8, 2022, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.



Michael LeVine, Chair
Planning Commission

June 12, 2021

Date



Filed With City Clerk

June 17, 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.

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

PWP2021 0001: Parking waiver to waive the three (3) required parking spaces for a proposed single-family dwelling and accessory apartment - APPROVED

AGENDA ITEM:

Case No.: PWP2021 0001

Applicant: Larry Johansen

Location: 275 Irwin St.

Proposal: Parking waiver to wait the three (3) required parking spaces for a proposed single-family dwelling and accessory apartment. NO parking will be provided on-site.

RECOMMENDATION:

Staff recommends the Planning Commission adopt the Director's analysis and findings and **APPROVE** the requested parking waiver. The permit would waive three parking spaces for a proposed single-family dwelling and accessory apartment.

ATTACHMENTS:

Description	Upload Date	Type
☐ Staff Report for PWP2021 0001	6/2/2021	Appeal
☐ Notice of Decision for PWP2021 0001	6/23/2021	Notice of Decision



(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/CDD

155 S. Seward Street • Juneau, AK 99801

DATE: June 1, 2021
TO: Michael LeVine, Chair, Planning Commission
BY: Laurel Christian, Planner II *Laurel Christian*
THROUGH: Jill Maclean, Director, AICP

PROPOSAL: Parking waiver to waive the three (3) required parking spaces for a proposed single-family dwelling and accessory apartment.

STAFF RECOMMENDATION: Approval

KEY CONSIDERATIONS FOR REVIEW:

- No on-site parking is proposed.
- Public transit is within ¼ mile of the project site.
- Sidewalks are provided on of the street in the surrounding area.
- Proposal complies with the Comprehensive Plan by providing housing in a flexible format.

GENERAL INFORMATION	
Property Owner/Applicant	Larry Johansen
Property Address	275 Irwin Street
Legal Description	Irwin Addition Block 1 Lots 2 & 3 Fraction
Parcel Number	1C030E010040
Zoning	D18 Residential
Land Use Designation	Medium Density Residential (MDR)
Lot Size	1,257 sq. ft.
Water/Sewer	Public
Access	Irwin Street
Existing Land Use	Vacant
Associated Applications	USE2021 0004, ADP2021 0001, 0002, 0003

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:
 - o 49.40.210(d)(6)
 - o 49.80

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

SITE FEATURES AND ZONING



SURROUNDING ZONING AND LAND USES	
North (D18)	Multi-family dwelling
South (D18)	Single-family dwelling
East (D18)	Single-family dwelling
West (D18)	Single-family dwelling

SITE FEATURES	
Anadromous	None
Flood Zone	None
Hazard	Moderate
Hillside	None
Wetlands	None
Parking District	None
Historic District	None
Overlay Districts	Juneau ADOD

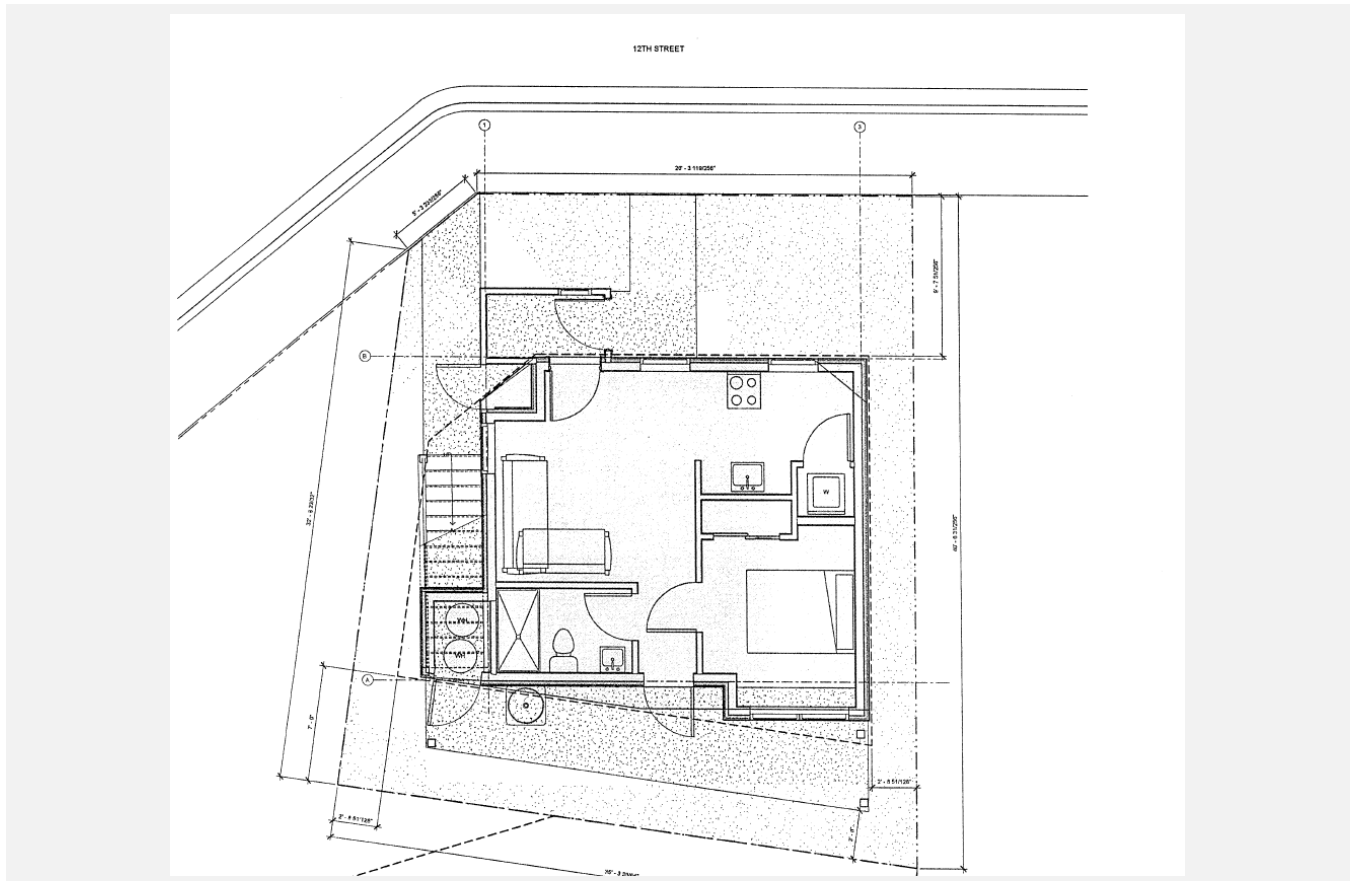
BACKGROUND INFORMATION

Project Description – The applicant requests a parking waiver to waive three parking spaces required for a single-family dwelling and accessory apartment on an undersized lot in a moderate landslide/avalanche zone.

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

Item	Summary
NCC2021 0029	The lot is certified nonconforming for lot size, lot width, and lot depth.
USE2021 0004	The applicant has applied for a Conditional Use Permit for the accessory apartment on an undersized lot in a moderate landslide/avalanche zone.
Alternative Development Permits	The applicant has applied for three (3) Alternative Development Permits to reduce the required setbacks for the proposed structure. (ADP2021 0001, 0002, 0003).

SITE PLAN



ANALYSIS

Project Site and Design – The project site is located in the Downtown “Flats” neighborhood near the corner of Irwin Street, W Twelfth Street, and Calhoun Street. The lot is 1,257 square feet and is certified nonconforming to the D18 minimum lot standards (NCC2021 0029). The project site is located in a moderate landslide/avalanche zone. The applicant proposes a three-story building that will contain a 617 square foot single-family dwelling and 397 square foot accessory apartment.

Vehicle Parking & Circulation – According to CBJ 49.40210(a) three (3) parking spaces are required. The applicant has requested a parking waiver and proposes to provide no parking on-site.

Use	Units	Spaces Required	Total Spaces
Single-family dwelling	1	2	2
Accessory Apartment	1	1	1
Total Parking Requirement:			3
Off-street Loading Spaces Required:			0
ADA Accessible Spaces Required:			0

Impacts to Nearby On-street Parking – In March of 2020, staff performed a parking study in this area to evaluate available on-street parking for a proposed parking waiver (PWP2020 0001) (Attachment D). The study showed

June 1, 2021
PWP2021 0001
Page 4 of 8

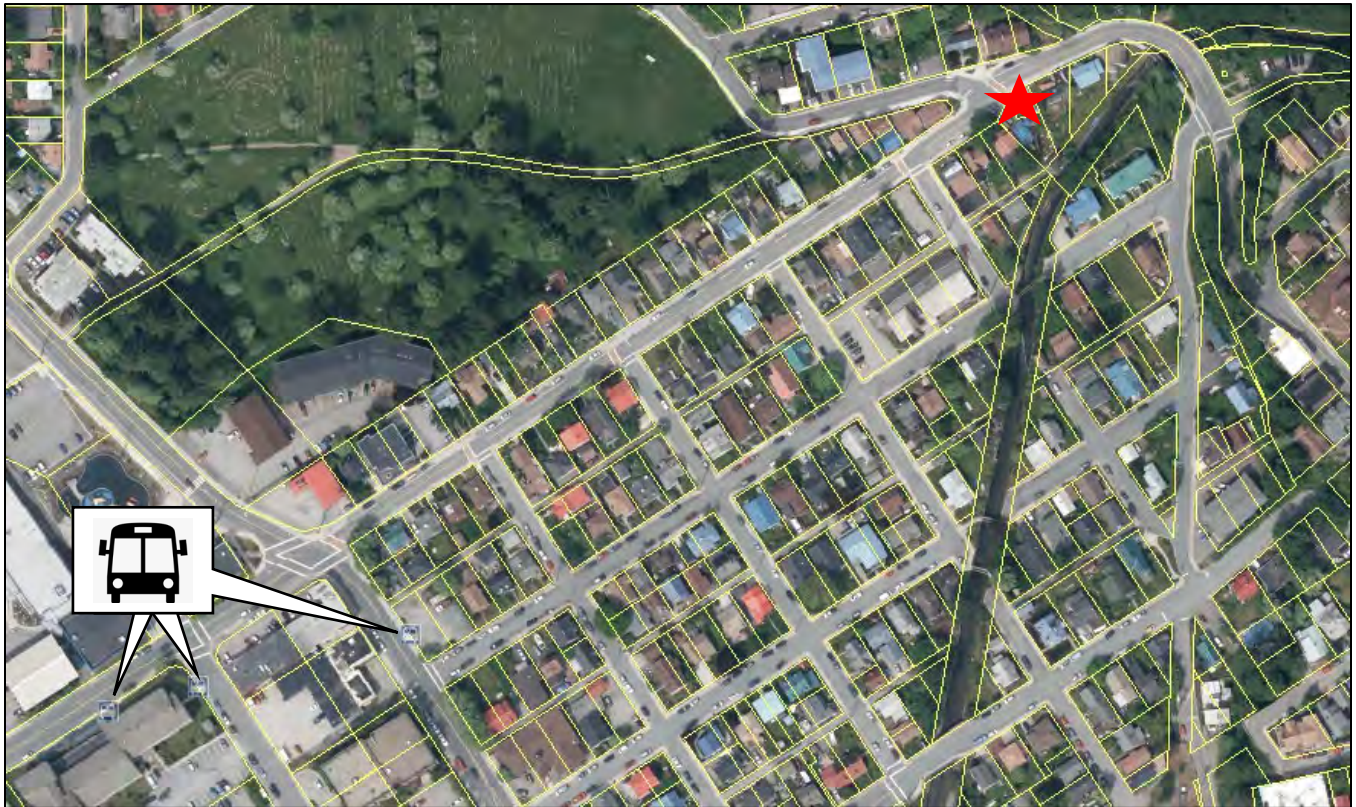
ample available on-street parking in the study area; approximately 103 on-street parking spaces were found to be available. There have been no additional parking waivers granted in this area since the 2020 study.

Based on this information, the addition of three (3) on-street parking spaces will not have a significant impact on nearby on-street parking.



Non-motorized Transportation – The downtown area provides sidewalks on both sides of the street and is generally considered a walkable neighborhood. Within a ½ mile radius of the project site is a post office, parks and open space, restaurants, and a grocery store.

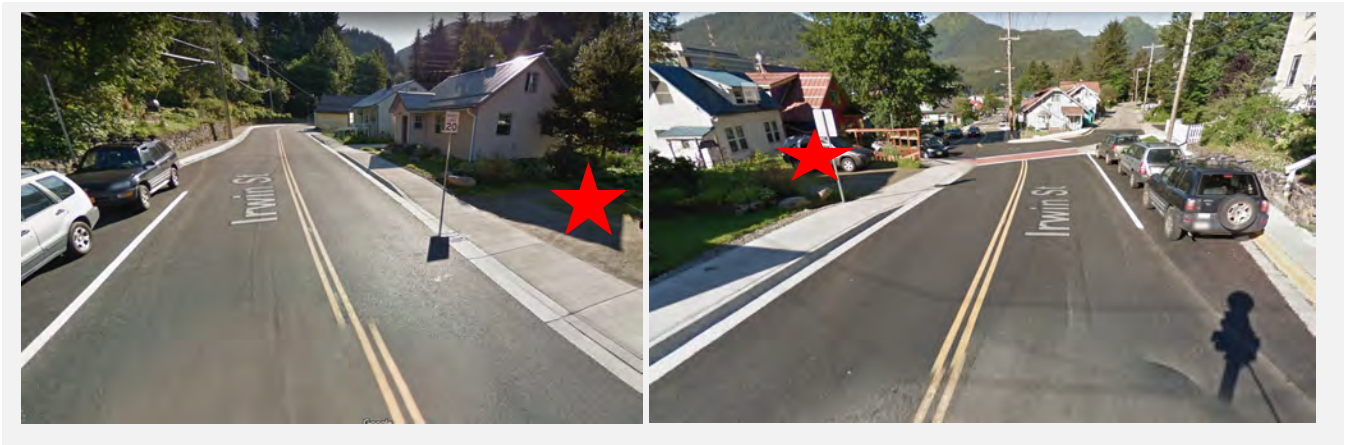
Proximity to Transit – The nearest bust stop is located on Glacier Avenue, approximately ¼ mile walking distance from the project site.



Public Health or Safety – CBJ49.40.230(b)(7) states that back-out parking may be allowed for a single-family dwelling with an accessory apartment if the director, or the commission determines that *“back-out parking would not unreasonably interfere with the public health and safety of the area and adjacent right-of-way traffic”*.

The current site design does not allow for any parking and maneuvering on-site. Based on minimum dimensional requirements for a parking space, one space could be provided in the front yard of the building, however, this space would directly abut the proposed arctic entry, there would not be adequate space on-site for maneuvering, and back-out parking into the right-of-way would be required.

The applicant reached out to staff in 2018 to discuss the site design and was advised at that time that back-out parking for this site would not be allowed (INQ20180004). The lot is located near two corners and adjacent to a crosswalk, back-out parking for this site could interfere with the public safety in the adjacent right-of-way. At this time, staff does not support back-out parking into the right-of-way. Granting the parking waiver would be an appropriate way to alleviate the public safety concern around back-out parking at this location.



Property Value or Neighborhood Harmony – There is no information to suggest that the number of off-street parking spaces required negatively affect property values or be out of character with the existing neighborhood.

AGENCY REVIEW

No agency comments were received at time of writing this staff report.

PUBLIC COMMENT

CDD conducted a public comment period between May 4 and May 17. Public notice was mailed to property owners within 500 feet of the proposed development. A public notice sign was also posted on-site two weeks prior to the scheduled hearing. Public comments submitted at time of writing this staff report can be found in Attachment C.

Name	Summary
Jim Donaghey	Expresses concerns for the density of the area and requests that new developments be required to provide at least one parking spot per residence. Does not support the proposed development.
Terry Harvey Cynthia Johnson	Opposes the development, requests that new development meets current building and zoning standards, especially parking requirements. Does not think development of the undersized lot is appropriate as planned.
Erik Norberg	Believes that parking in the “Flats” neighborhood is at capacity and does not support a reductions to parking.

CONFORMITY WITH ADOPTED PLANS

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

PLAN	Chapter	Page No.	Item	Summary
2013 Comprehensive Plan	3	20	Policy 3.2	Promotes compact urban development within the designated urban service area to ensure efficient utilization of land resources and to facilitate cost effective provision of community services.
	4	37	Policy 3.2	Facilitates the provision of an adequate supply of various housing types and sizes to accommodate present and future housing needs for all economic groups.
	11	161	Land Use Designation	Complies with the Medium Density Residential land use designation.
	11	184	Subarea Guideline 1	The lot is located in Subarea 6. Guidelines for Subarea 6 include the preservation and scale of densities of older neighborhoods in the downtown area. In the Casey Shattuck Neighborhood, it is not uncommon for accessory apartment to be located on undersized lots.
2016 Housing Action Plan	2	35	Production Target	Creates housing, which advances the City’s goal of increasing housing stock.

FINDINGS

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

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

Analysis: Housing is an identified community need in adopted plans, the proposal provides two additional units to Juneau's housing market.

Finding: Yes. Granting the requested parking waiver for the single-family with an accessory apartment will result in more benefits than detriments to the community as a whole as identified by the 2013 Comprehensive Plan.

2. Is the development located outside of the PD-1 Parking District, PD-2Pparking District, and the Downtown Fee In Lieu of Parking district?

Analysis: No additional analysis needed.

Finding: Yes. The subject parcel is located outside of the above listed parking districts.

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

Analysis: Based on a 2020 study of the surrounding area, there is adequate on-street parking available.

Finding: No. There is no evidence to suggest that granting the requested waiver will result in adverse impacts to neighboring property.

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

Analysis: As discussed above, back-out parking for this site is not recommended by staff and there is not adequate space for on-site maneuvering of vehicles. Granting the parking waiver alleviates public safety concerns for the adjacent right-of-way.

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

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested parking waiver. The permit would waive three parking spaces for a proposed single-family dwelling and accessory apartment.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	Abutters Notice and Public Notice Sign Photo
Attachment C	Public Comments
Attachment D	2020 Parking Study



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 <u>W. Twelfth St.</u>		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) <u>Irwin Addition Block 1 lot 203 FR</u>		
	Parcel Number(s) <u>1C030E010040</u>		
	☒ This property located in the downtown historic district ☐ This property located in a mapped hazard area, if so, which _____		
	LANDOWNER/ LESSEE		
	Property Owner <u>Lamy Johansen</u>	Contact Person <u>Lamy Johansen</u>	
	Mailing Address <u>227 Irwin St</u>	Phone Number(s) <u>808385 5570</u>	
	E-mail Address <u>Lamy.Johansen@crowdydesigns.com</u>		
	LANDOWNER/ LESSEE CONSENT Required for Planning Permits, not needed on Building/ Engineering Permits		
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.			
X <u>[Signature]</u> Landowner/Lessee Signature		Date <u>3/9/21</u>	
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 <u>Same</u>	Contact Person		
Mailing Address	Phone Number(s)		
E-mail Address			
X <u>[Signature]</u> Applicant's Signature		Date of Application	

DEPARTMENT USE ONLY BELOW THIS LINE

ATTACHMENT A - APPLICATION

pwp 21-001
POD 21-01

Intake Initials

ANE

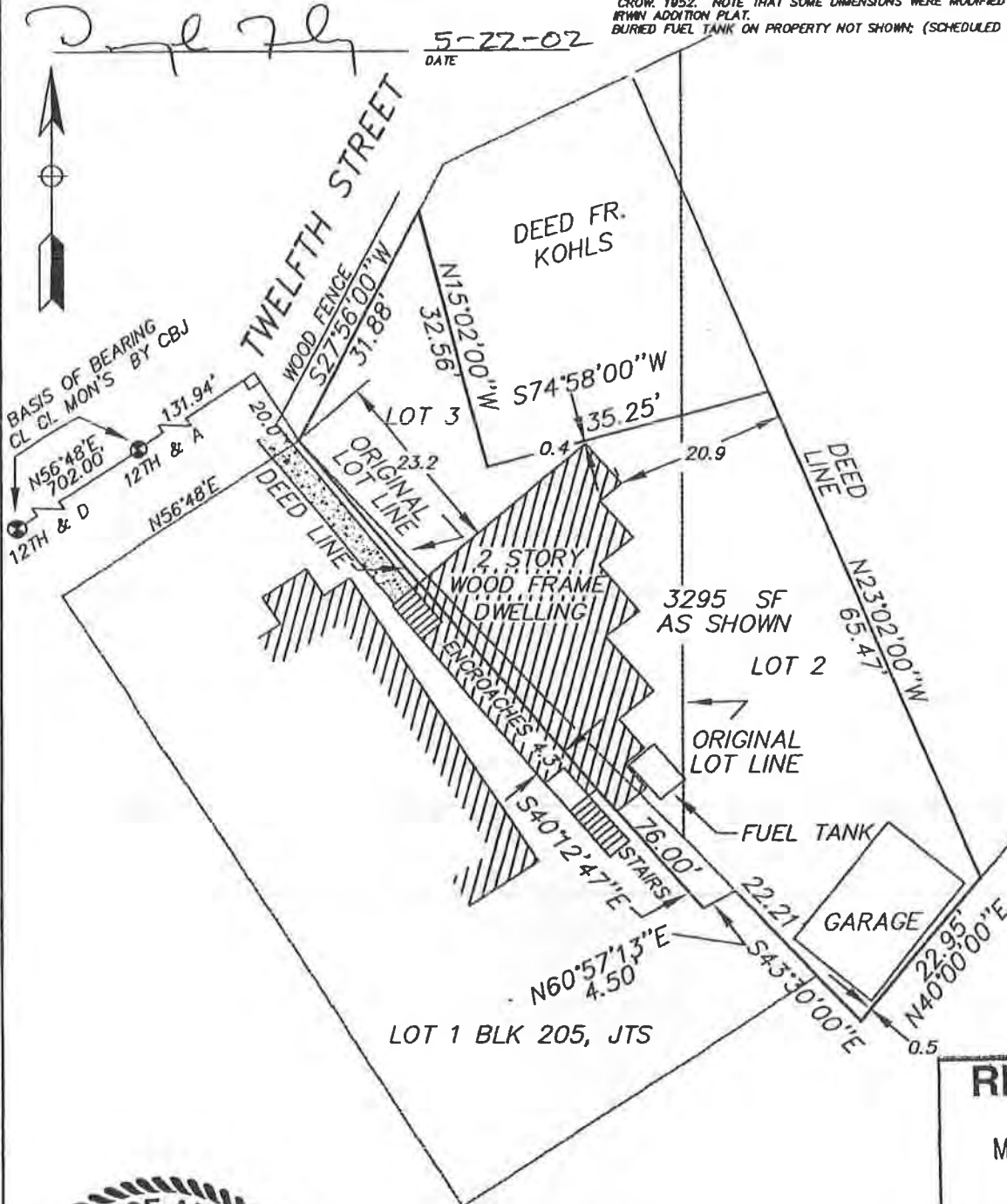
CERTIFICATE OF REGISTERED LAND SURVEYOR

I HEREBY CERTIFY THAT I AM REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME, ON THE GROUND, TO THE NORMAL STANDARD OF CARE OF PROFESSIONAL LAND SURVEYORS PRACTICING IN SOUTHEAST ALASKA AND THAT, ON THE BASIS OF MY KNOWLEDGE, INFORMATION, AND BELIEF, IMPROVEMENTS AND ENCROACHMENTS ON THE PROPERTY DEPICTED HEREON ARE AS SHOWN.

NOTE

DEED DESCRIPTION CONTAINS MANY ELEMENTS THAT LEAVE BOUNDARIES OPEN TO INTERPRETATION. ADJOINING DEEDS WERE USED TO CLARIFY GRANTOR'S INTENT. WHERE LONGSTANDING LINES OF OCCUPATION DIFFER FROM DEED LINES OWNERSHIP BOUNDARIES ARE OFTEN AFFECTED. OWNERS ARE ENCOURAGED TO REPLAT BOUNDARIES AS NEEDED TO AVOID TITLE PROBLEMS. BOUNDARY INFORMATION IS FROM THE PLAT OF THE CITY OF JUNEAU, BY R.C. CROW, 1952. NOTE THAT SOME DIMENSIONS WERE MODIFIED FROM ORIGINAL IRWIN ADDITION PLAT. BURIED FUEL TANK ON PROPERTY NOT SHOWN; (SCHEDULED FOR REMOVAL).

5-22-02
DATE



RECEIVED

MAY 24 2002

PERMIT CENTER/CDD



PLAT SHOWING "AS-BUILT" SURVEY
METES & BOUNDS TRACT
PORTION OF LOT 1 BLK 205 CASEY SHATTUCK ADD'N, JUNEAU TOWNSITE
PORTION OF LOTS 2 & 3 BLK 1 IRWIN ADDITION TO JUNEAU TOWNSITE
DESCRIBED IN DEED BOOK 396, PAGE 460
JUNEAU, ALASKA RECORDING DISTRICT

DOUGLAS FINLEY LAND SURVEYING

820 6TH STREET - JUNEAU, ALASKA (907) 586-4253

DATE: 5/07/02 DRAWN BY: DF PROJ. No.: 02-428-A1 SCALE: 1" = 20'

SHEET
1 OF 1

ATTACHMENT A - APPLICATION

C:\DWGS\THB205L1.DWG



PARKING WAIVER APPLICATION

Case Number

PWP 21-01

TYPE OF PARKING WAIVER REQUESTED (check one)

MINOR DEVELOPMENT

MAJOR DEVELOPMENT



Parking Waiver Departmental Review

(PWD)



Parking Waiver Planning Commission Review (PWP)

DESCRIBE THE PROPOSED USE THAT REQUIRES A PARKING WAIVER APPLICATION

This structure is in a nearby location to many existing work destinations. It is a 10 minute walk to Capital - Baird - School Federal Building State Office Bldg

DEVELOPMENT FOR WHICH THE PARKING IS REQUIRED (check one)



Existing



Proposed****

Related Case Number: _____

****If Proposed, provide the related case number.

NUMBER OF REQUIRED PARKING SPACES PER CBJ 49.40.210(A)

For Residential Uses: 3 spaces

For Non-Residential Uses: _____ spaces

NUMBER OF PARKING SPACES THAT WILL BE PROVIDED

For Residential Uses: 3 spaces

For Non-Residential Uses: _____ spaces

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

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

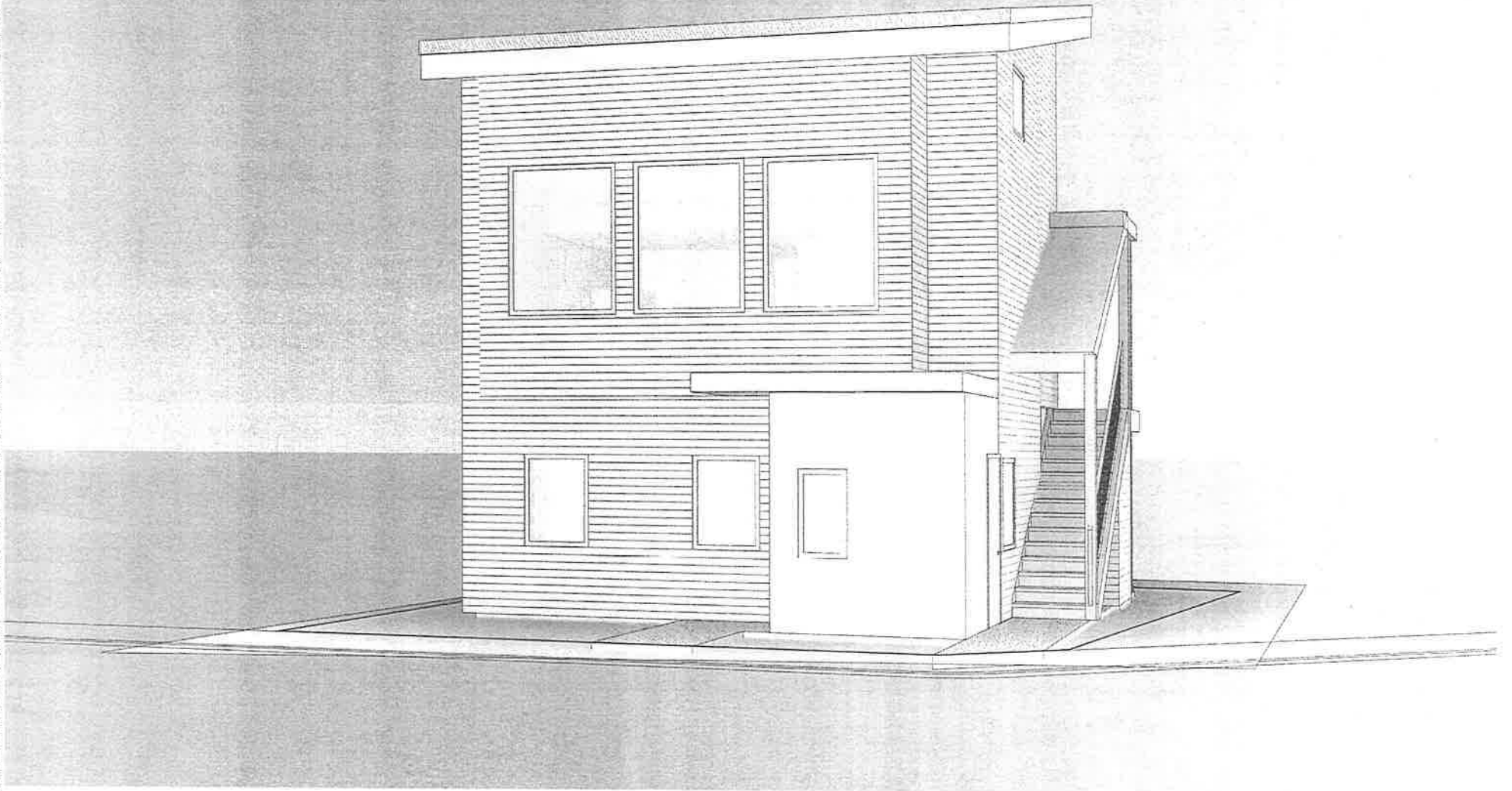
Any waiver granted under this subsection shall be in writing and shall include the following required findings and any conditions, such as public amenities, imposed by the director or commission that are consistent with the purpose of this title:

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

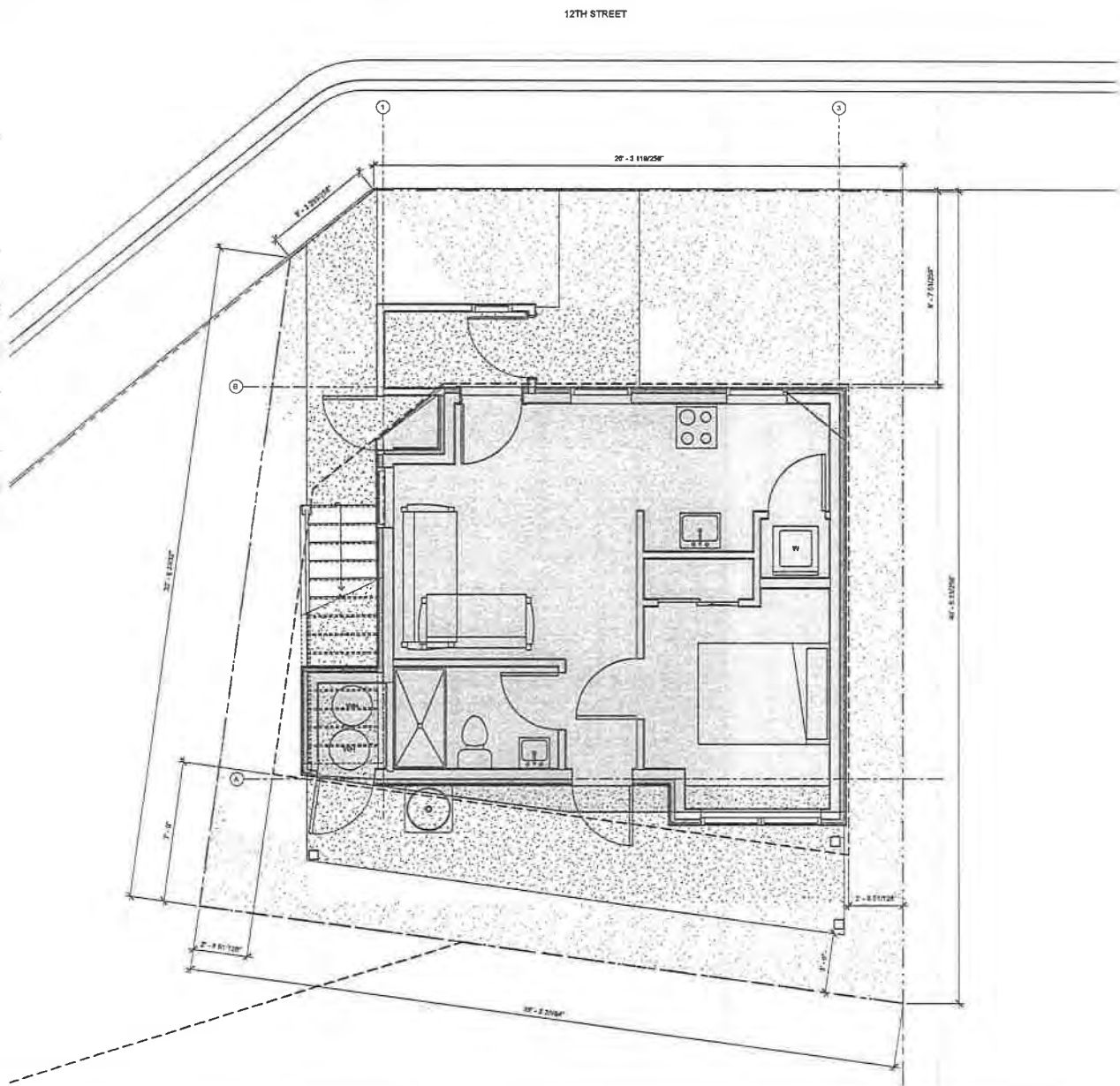
Approved parking waivers shall expire upon a change in use.

JOHANSEN 12TH ST. SMALL HOME

For
LARRY JOHANSEN



ATTACHMENT A - APPLICATION



CODE STUDY

CBJ Title 49 ZONING
Zoned D15

LOT SIZE 1235sf
BUILDING FOOTPRINT 498sf

LOT COVERAGE - Maximum is 50% or 618sf
Vegetative Coverage - Minimum is 377sf (Hatch as shown on plan equals 397sf)

49.25.430 - (Yard setbacks, ADOD setback reductions set per CDD Pre-application conference summary.)

4. C. (i) Unenclosed balconies, connecting deck stairways, walkways, ramps and landings with or without roofs, may extend to the front lot line or street side lot lines provided the structure does not exceed five feet in internal width exclusive of support structure and is no closer than three feet to a side or rear lot line.

4. C. (ii) Arctic entries not exceeding 65 square feet gross floor area, and no closer than five feet to any property line.



1752 E. Virginia Ave
Junction, NE 68601
zonedesign@gmail.com

SCHEMATIC DESIGN

JOHANSEN 12TH ST. SMALL HOME

LARRY JOHANSEN

Rev.	Description	Date

SHEET TITLE:
SITE PLAN

DATE: 2-14-2021

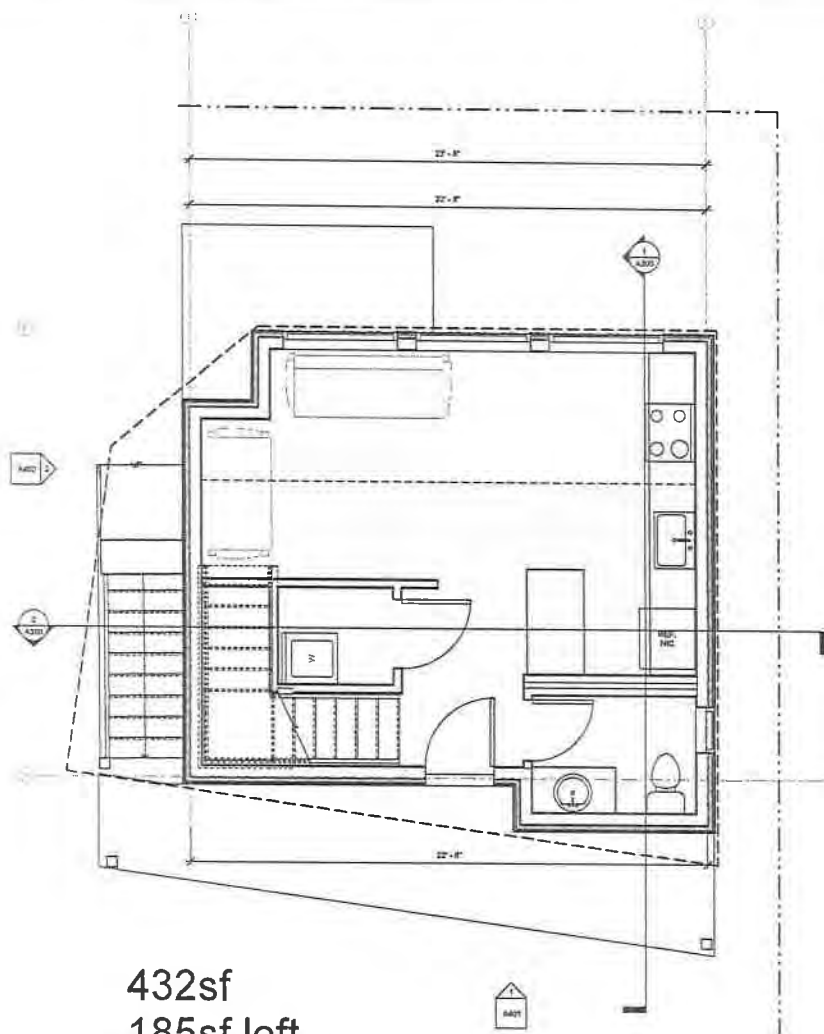
DRAWN: ZJ

SHEET NO.

A100

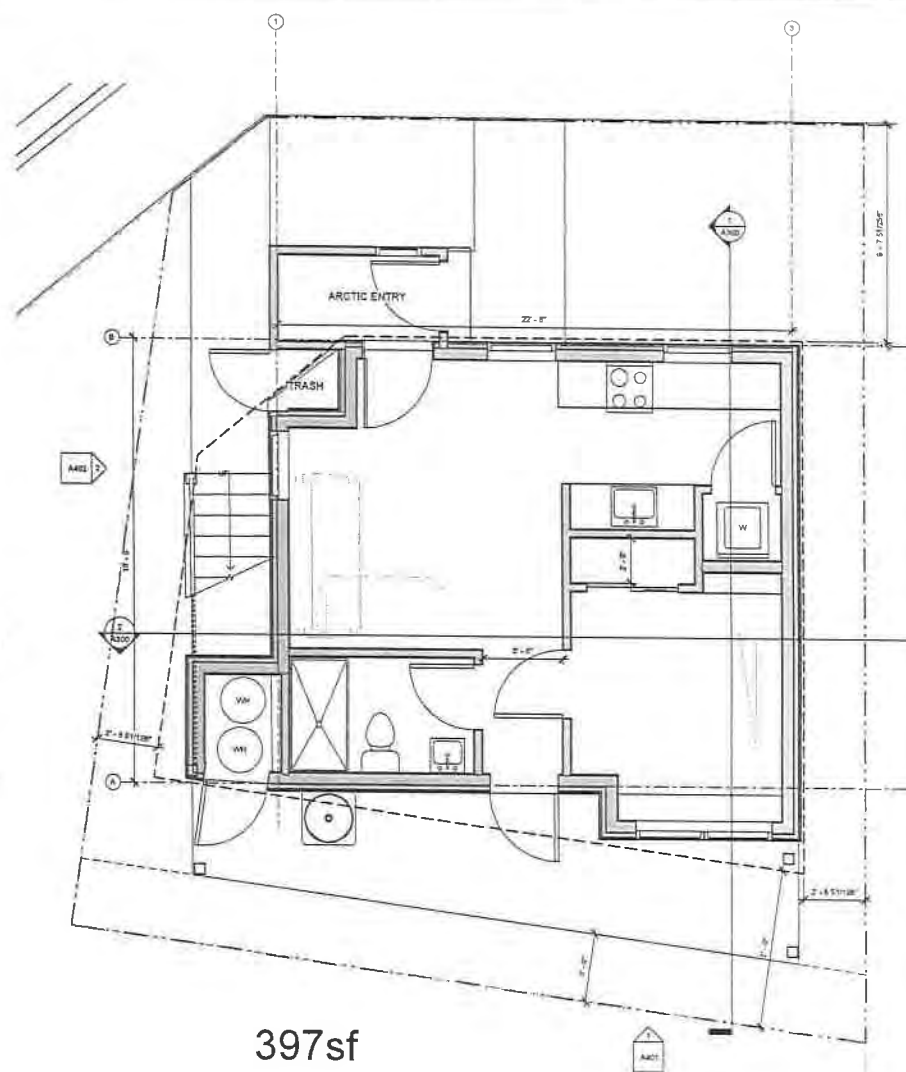


NOTE: 11"x 17" PRINT IS HALF SIZE



432sf
185sf loft
617sf total

② FLOOR 2 -
3/8" = 1'-0"



397sf

① FLOOR 1
3/8" = 1'-0"

ACTUAL NORTH
PROJECT NORTH

NOTE: 11"x17" PRINT IS HALF SIZE



1752 Evergreen Ave
Juneau, AK 99801
larry@larryjohnsen.com

SCHEMATIC DESIGN

JOHANSEN 12TH ST. SMALL HOME

LARRY JOHANSEN

No.	Description	Date
1		
2		
3		
4		
5		

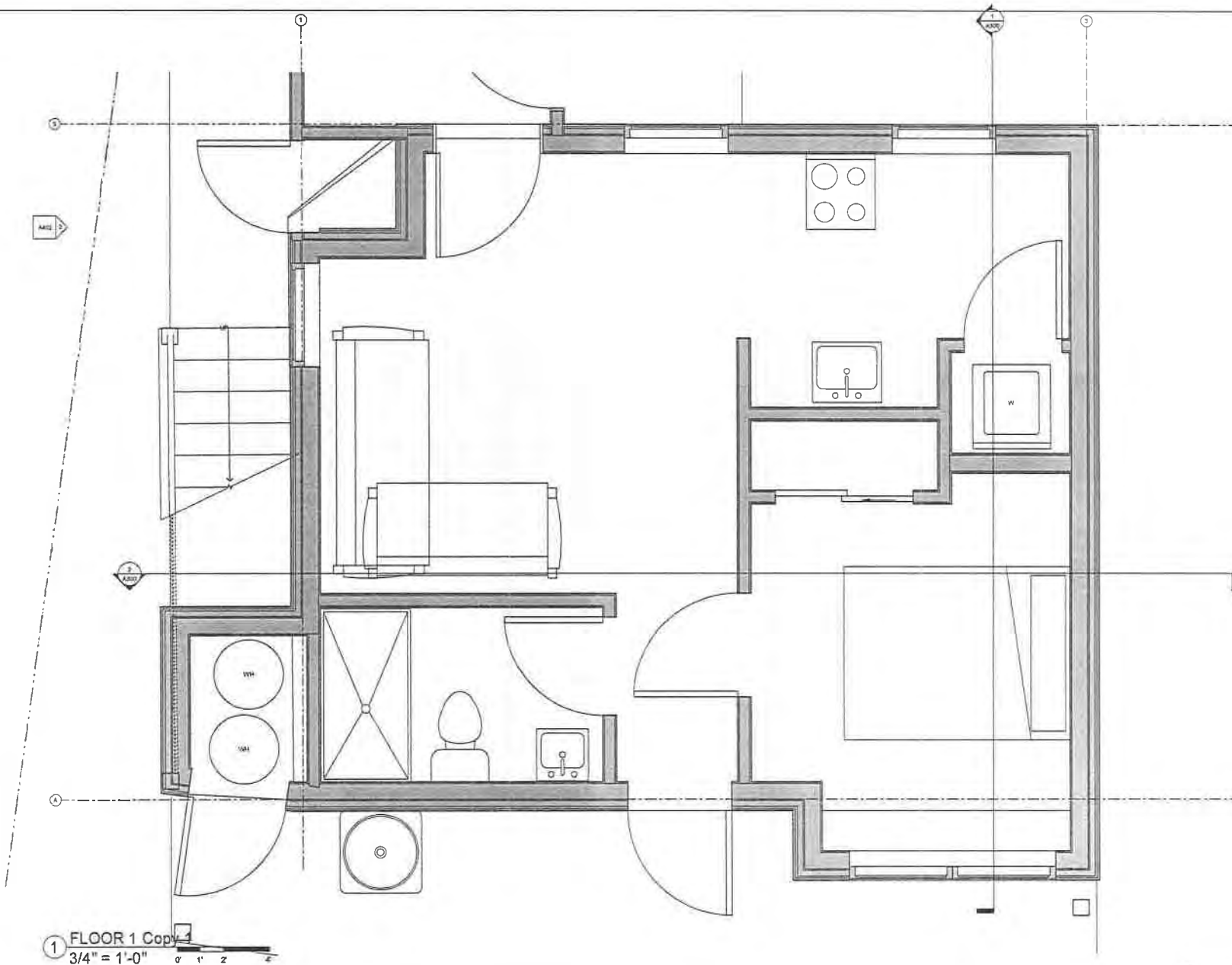
SHEET TITLE:
FLOOR PLANS

DATE: 2/14/2021

EXAWN: J

SHEET NO

A201



1752 Breckgreen Ave
Juniata, PA 15661
zmaher@gsd.com

SCHEMATIC DESIGN
**JOHANSEN 12TH ST. SMALL
HOME**
LARRY JOHANSEN

No.	Description	Date

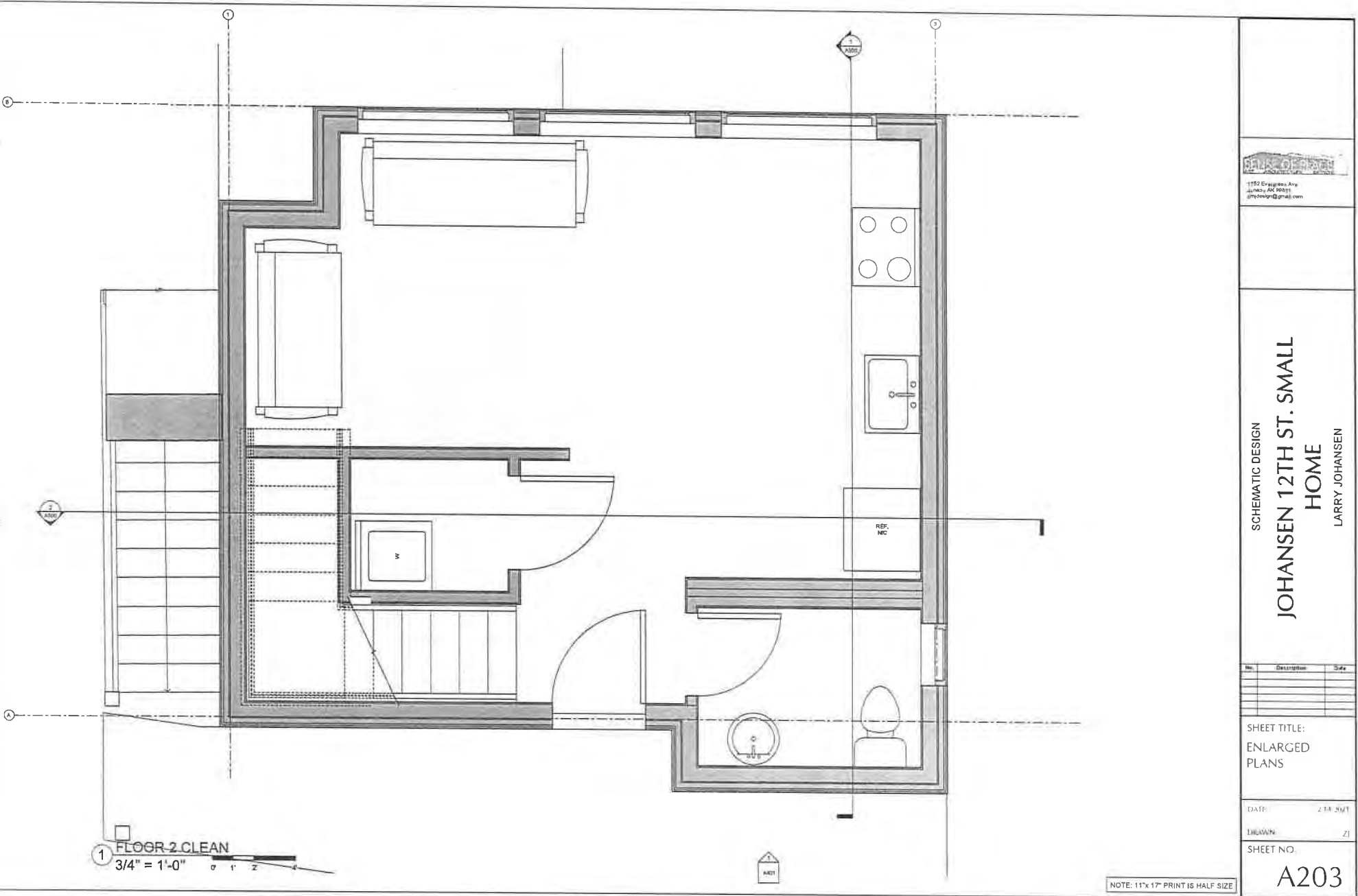
SHEET TITLE:
ENLARGED
PLANS

DATE 2-14-2021

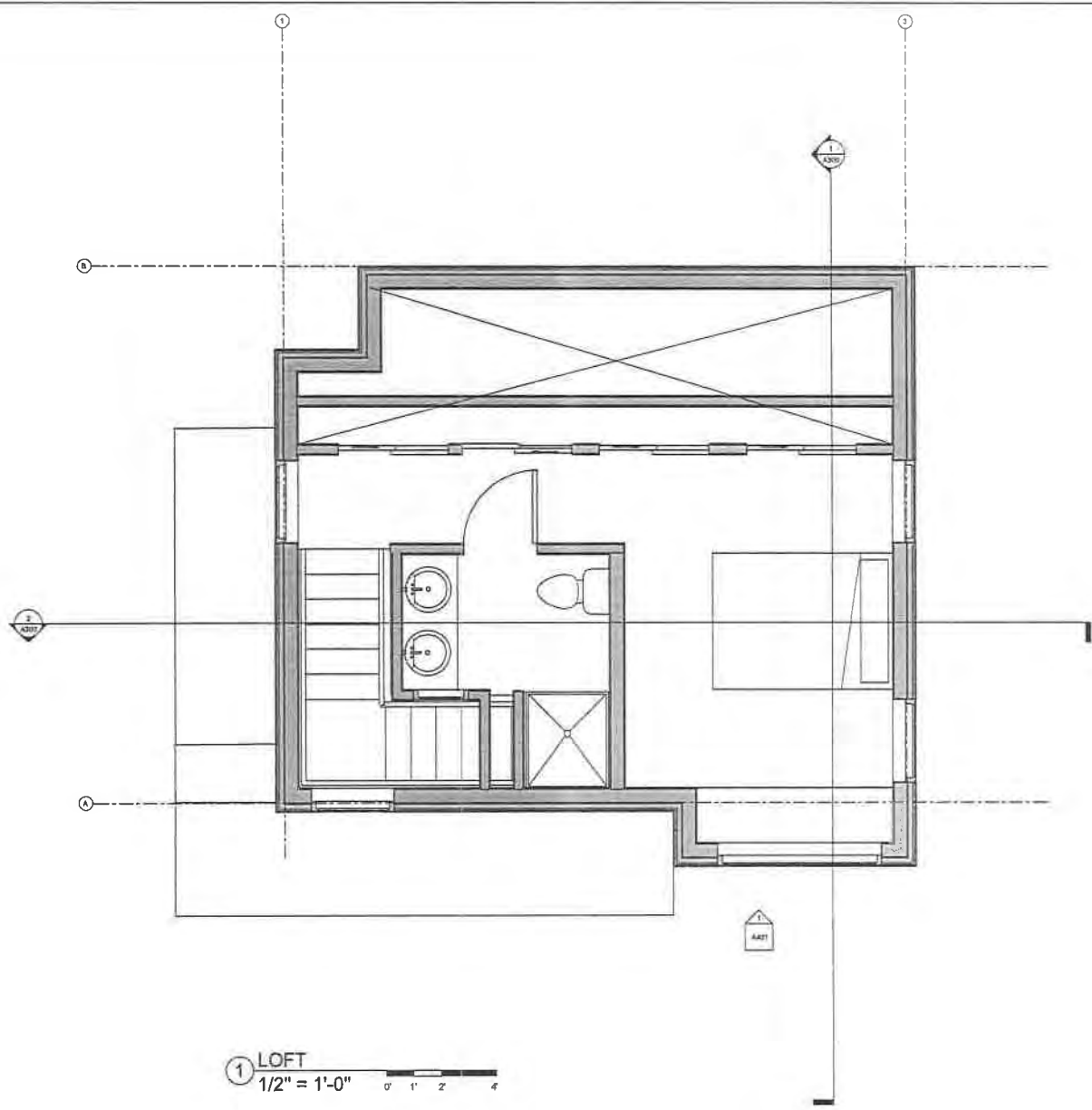
DRAWN ZJ

SHEET NO.

A202



ATTACHMENT A - APPLICATION



① LOFT
1/2" = 1'-0"

NOTE: 11"x17" PRINT IS HALF SIZE



SCHEMATIC DESIGN
JOHANSEN 12TH ST. SMALL HOME
LARRY JOHANSEN

No.	Description	Date

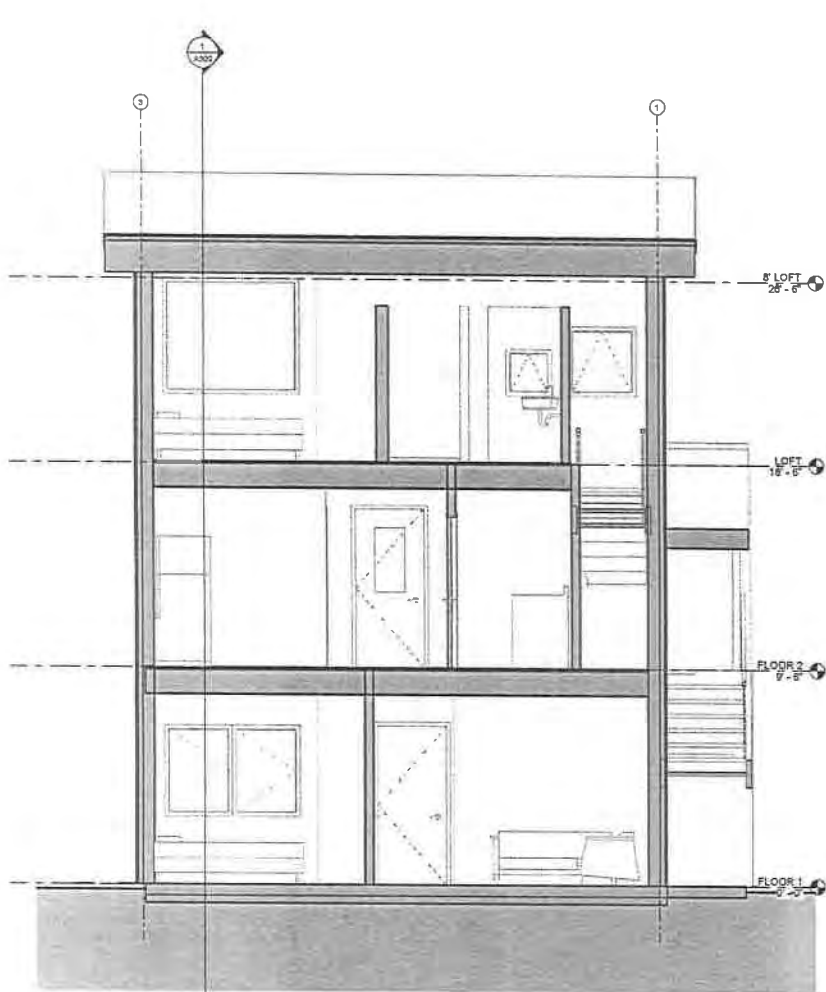
SHEET TITLE:
ENLARGED
PLANS

DATE: 2-14-2013

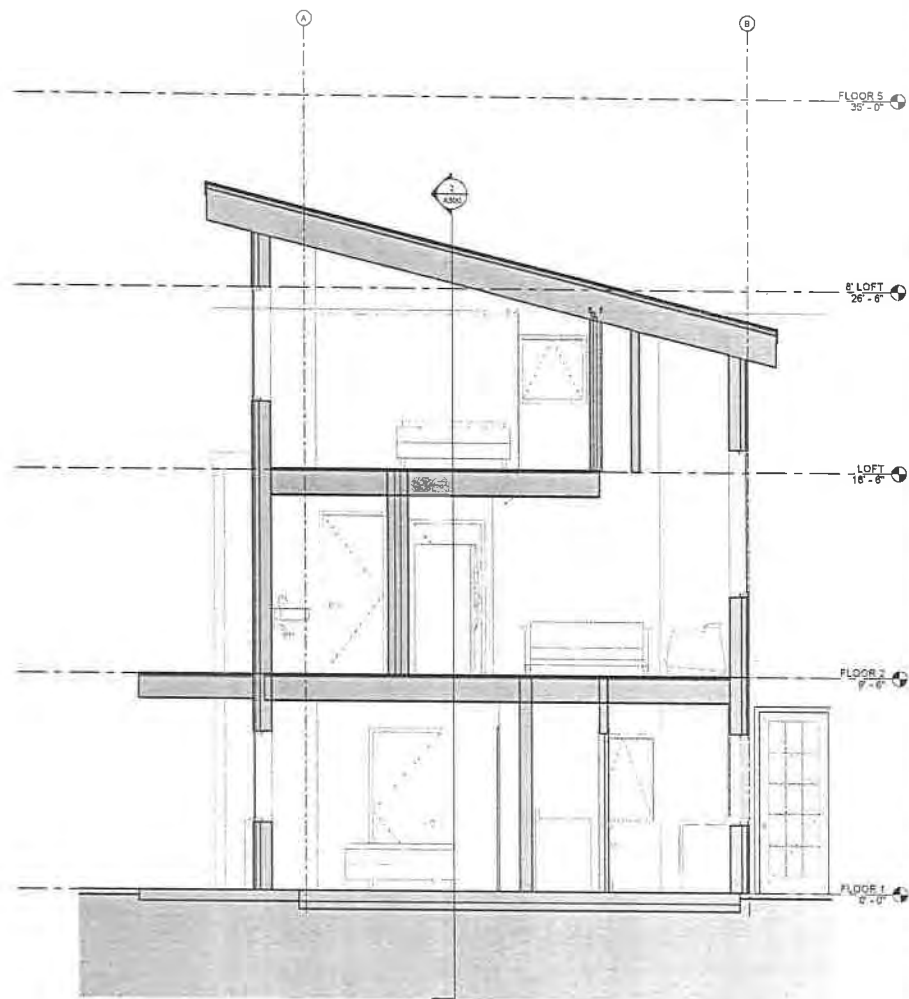
DRAWN: ZJ

SHEET NO.

A204



② Section 4
3/8" = 1'-0"



① Section 2
3/8" = 1'-0"

NOTE: 11"x17" PRINT IS HALF SIZE



1752 Evergreen Ave
Aurora, IL 60001
zmpdesign@gmail.com

SCHEMATIC DESIGN

JOHANSEN 12TH ST. SMALL HOME

LARRY JOHANSEN

No.	Description	Date

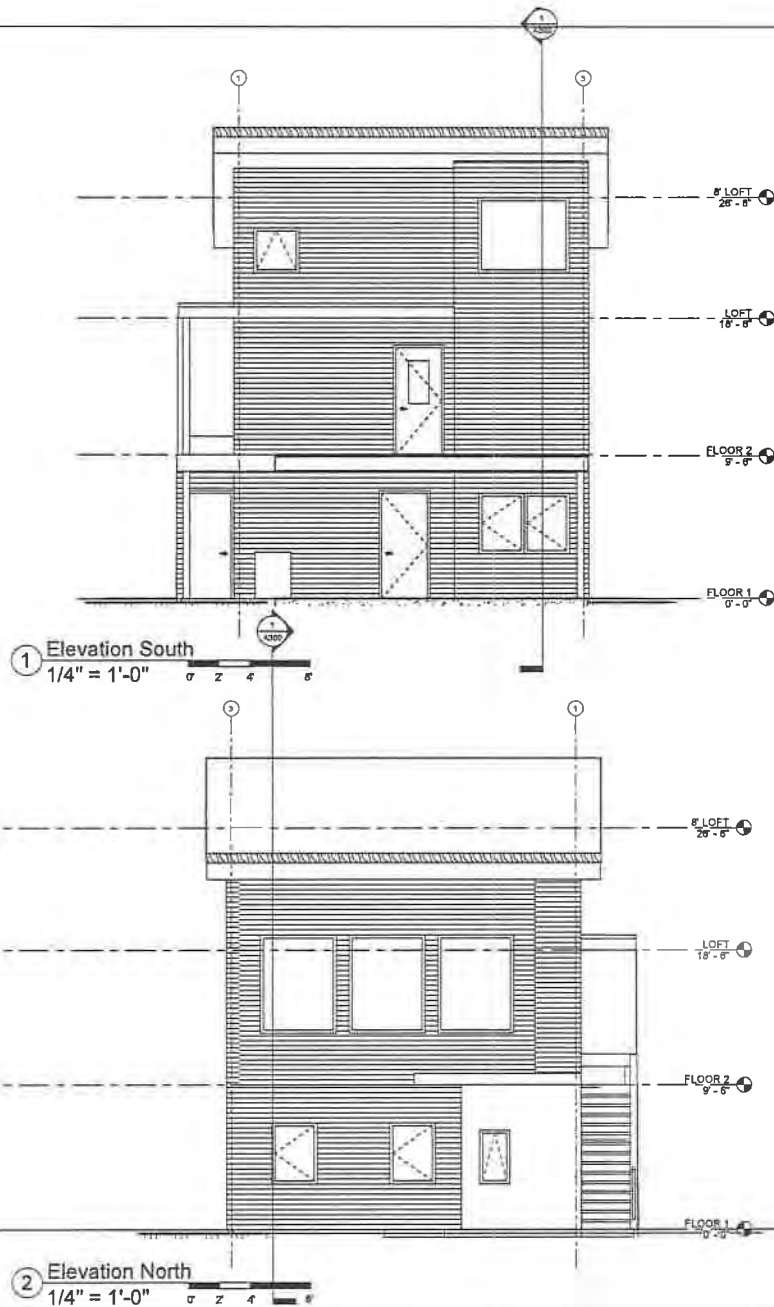
SHEET TITLE:
BUILDING SECTIONS

DATE 2/14/2021

DRAWN /author

SHEET NO.

A300



NOTE: 11"x17" PRINT IS HALF SIZE

SHED-OF-PART
1752 Evergreen Ave
Alpharetta, GA 30007
zmpdesign@gmail.com

SCHEMATIC DESIGN
JOHANSEN 12TH ST. SMALL HOME
LARRY JOHANSEN

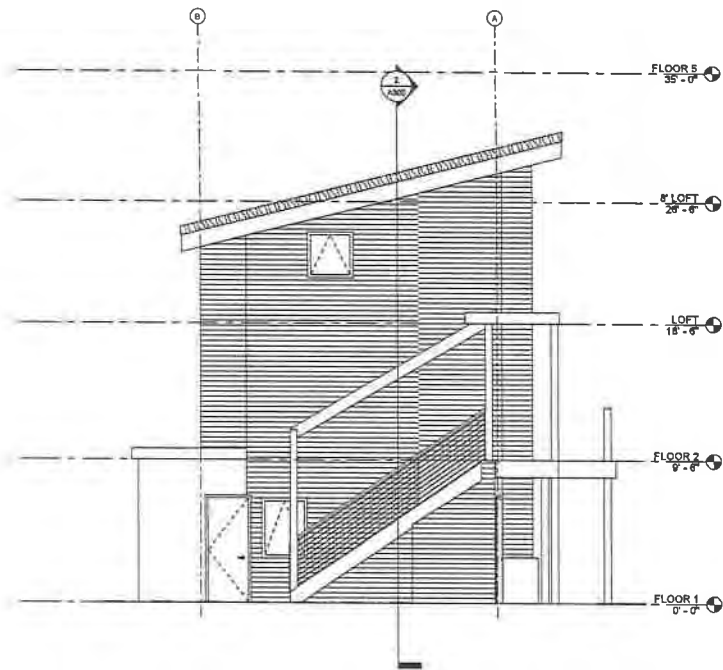
No.	Description	Date

SHEET TITLE:
BUILDING
ELEVATIONS

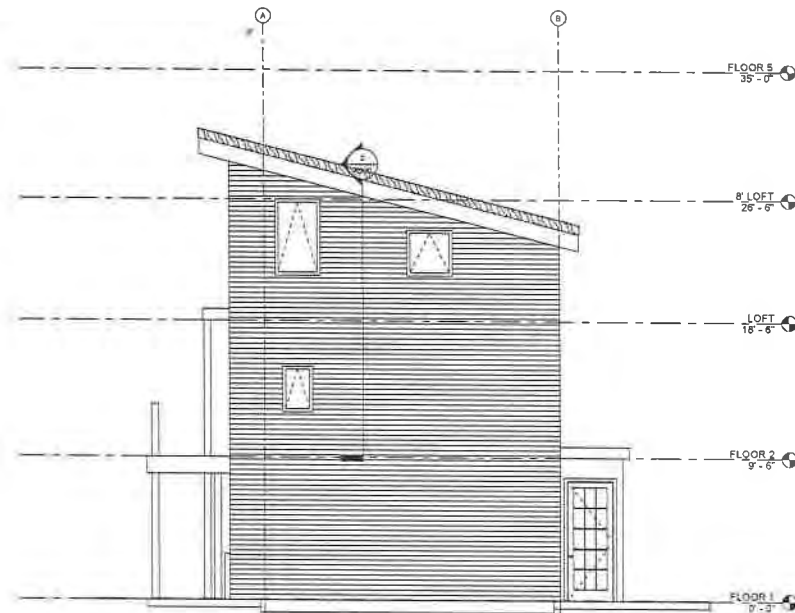
DATE: 4/11/2021

DRAWN: author

SHEET NO.
A401



② Elevation West
1/4" = 1'-0"



① Elevation East
1/4" = 1'-0"

NOTE: 11"x 17" PRINT IS HALF SIZE



SCHEMATIC DESIGN
JOHANSEN 12TH ST. SMALL HOME
LARRY JOHANSEN

No.	Description	Date

SHEET TITLE:
BUILDING ELEVATIONS

DATE: 11-21-21

DRAWN: ZJ

SHEET NO

A402



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

Parking Waiver, Conditional Use Permit for Accessory Apartment on Undersized lot and ADOD setback reductions

Case Number: PAC2019 0044

Applicant: Larry Johansen and Shelia Keller

Property Owner: same

Property Address: N/A

Parcel Code Number: 1C030E010040

Site Size: 1,257 Square Feet

Zoning: D18

Existing Land Use: Lot is currently vacant

Conference Date:	6/26/2019
Report Issued:	7/3/2019

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
Larry Johnansen	Applicant	LarryJohansen@rowdydogimages.com
Allison Eddins	Planning	Allion.Eddins@juneau.org
Kyle Paw	Building	Kyle.Paw@juneau.org

Pre-Application Conference Final Report

Conference Summary

Questions/issues/agreements identified at the conference that weren't identified in the attached reports.

The following is a list of issues, comments and proposed actions, and requested technical submittal items that were discussed at the pre-application conference.

Planning Division:

1. **Zoning** – The applicants plan to construct a two story structure with two dwelling units – a 500 square foot single family home on the first floor and a 500 square foot accessory apartment on the second floor. The lot is 1,257 square feet in a D18 zoning district where the minimum lot size is 5,000 square feet. The applicants are requesting a Conditional Use Permit for an accessory apartment on an under-sized lot. CBJ Land Use Code defines accessory apartments as *one or more rooms with private bath and kitchen facilities comprising an independent, self-contained dwelling unit within or attached to a single-family dwelling or in a detached building on the same lot as the primary dwelling unit. An accessory apartment is distinguishable from a duplex in that, unlike a duplex, it is clearly subordinate to the primary dwelling unit, both in use and appearance.* The floor plan that was submitted for the pre-application conference shows the primary dwelling unit and the accessory apartment are intended to be the same size – approximately 500 square feet. The CBJ Land Use Code does not explain what “clearly subordinate” means, so it is a policy call. In this case, the primary dwelling unit will need to be larger than the accessory apartment while also meeting the maximum lot coverage of 50%. Options include adding approximately 128 square feet to the one story primary dwelling unit, or constructing a three story structure with a two story home with the 500 square foot footprint (the home would be approximately 1,000 square feet) with a 500 square foot accessory apartment on the third floor. This would still need a Conditional Use Permit for location on an under-sized lot. A complete Conditional Use Permit application must include a project narrative. Please see the attached hand out for details regarding the narrative and the application and review process.
2. **Setbacks** – The subject lot is substandard in size for the D18 zoning district. Because of this, the D18 setbacks for the front and rear can automatically be reduced to 10 feet in the front and 5 feet in the rear, through CBJ 49.25.430. The sides cannot be reduced to less than 5 feet through this section of code. Any further reduction will require a variance or a reduction through the Alternative Development Overlay District (ADOD). The applicants are also requesting a reduction through the ADOD. ADOD calculations suggest that the property's setbacks may be reduced to 9.57' for the front, 6.93' for the rear and 2.68' for the sides.
3. **Height** – The maximum allowed height in the D18 zoning district is 35 feet for the principle structure and 25 feet for any accessory structures, such as a shed or greenhouse.
4. **Parking & Circulation**– The parking requirement for a single family home and a one bedroom accessory apartment is 3 spaces. The applicants are seeking a parking waiver in order to eliminate the parking required for the dwelling and the apartment. If the parking waiver is granted, it is valid for as long as the permitted use is active.
5. **Lot Coverage** – Maximum coverage is 50% of the lot size, or 628 square feet.
6. **Vegetative Coverage** – Minimum coverage is 30%, or 377 square feet.

Building Division:

7. **Building** – N/a
8. **Outstanding Permits** – N/a

General Engineering/Public Works:

ATTACHMENT A - APPLICATION

Pre-Application Conference Final Report

- 9. **Engineering** –N/a
- 10. **Drainage** – N/a
- 11. **Utilities** – (water, power, sewer, etc.) n/a

Fire Marshal:

- 12. **Fire Items/Access** – n/a

Other Applicable Agency Review:

- 13. DOT&PF / Alcohol Beverage Control Board / Army Corps / DEC (wastewater) / DNR / USF&W / F&G / FAA / Corrections...
- 14.

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 (\$0)
- 2. Conditional Use Permit Application (\$350)
- 3. Alternative Development Overlay District Applications – one for each setback reduction (\$400 each)
- 4. Parking Waiver Application (\$400)

Additional submittal requirements:

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

- 1. A copy of this pre-application conference report.
- 2. A project narrative (One narrative that address all requested permits is acceptable. See the attached handout for tips on writing a good project narrative)

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. N/A

Fee estimates

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

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

- 1. See above for permit fees.
- 2. \$50 public notice sign fee

Pre-Application Conference Final Report

3. \$100 refundable sign deposit

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

Submit your completed application

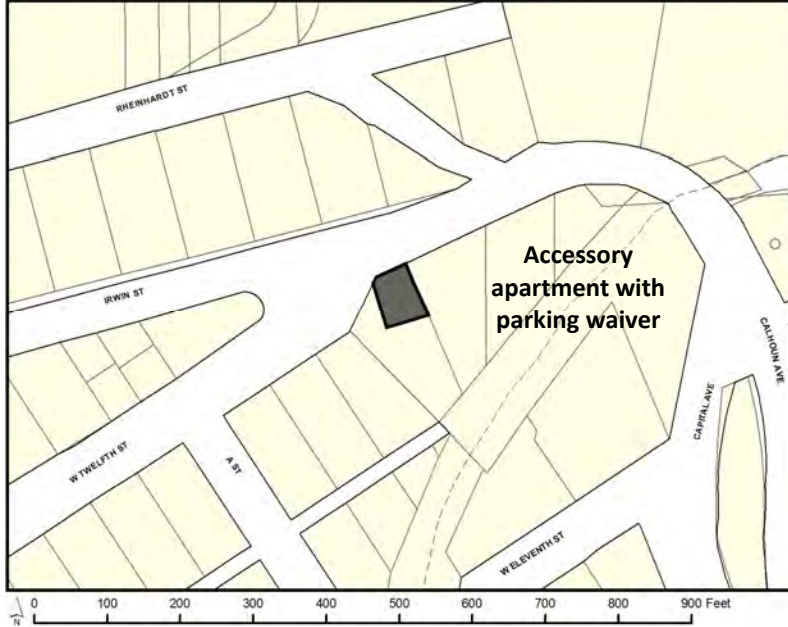
You must submit your application(s) in person with payment to:

City/Borough of Juneau
Permit Center
230 S. Franklin Street,
Fourth Floor Marine View Center
Juneau, AK 99801

Phone: (907) 586-0715
Fax: (907) 586-4529
Web: www.juneau.org/cdd

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission
Your Community, Your Voice



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 an accessory apartment on an undersized lot, four Alternative Development Permits to reduce setbacks, and a Parking Waiver to waive 3 parking spaces at 275 Irwin St. in a D18 zone.**

TIMELINE

Staff Report expected to be posted **Monday, May 31, 2021** at <https://juneau.org/community-development/planning-commission>. Find hearing results, meeting minutes and more here as well.

Now through May 17

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

May 18 — noon, June 7

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

HEARING DATE & TIME: 7:00 pm, June 8, 2021

This virtual meeting will be by video and telephonic participation only. To join the Webinar, visit: <https://juneau.zoom.us/j/https://juneau.zoom.us/j/95600342842>. The Webinar ID is: 956 0034 2842. To join by telephone, call: +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833 or +1 301 715 8592 or +1 312 626 6799 or +1 929 436 2866 and enter the Webinar

June 9

The results of the hearing will be posted online.

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

Printed May 4, 2021

ATTACHMENT B - PUBLIC NOTICE

Case Nos.: USE2021-04; PWP2021-01; ADP2021-01;
ADP2021-02; ADP2021-03; ADP2021-04
Parcel No.: 1C030E010040
CBJ Parcel Viewer: <http://epv.juneau.org>

Laurel Christian

From: Laurel Christian
Sent: Thursday, May 20, 2021 11:43 AM
To: Larry Johansen
Subject: Re: Public Notice Sign

Hi Larry.

I just dropped the sign off. I tied it to the post where you have the no parking signs posted.

Thanks,

Laurel



From: Jim Donaghey <jmdjnu@outlook.com>
Sent: Friday, May 14, 2021 8:47 PM
To: PC_Comments
Subject: RE: Parking Waiver to wave 3 Parking spaces at 275 Irwin St.

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

This as reference to the above subject pertaining to Case Nos.:

USE2021-04;
PWP2021-01;
ADP2021-01;
ADP2021-02;
ADP2021-03;
ADP2021-04;

Below is my response to a similar request in Feb of last year on the same street. My response then was NO and is still NO for the same reasons I noted then. Read on!

Thank you for asking.

Kind regards, [Jim](#)

James M. Donaghey
1029 A Street
Juneau AK 99801

Cell (907) 209-2560
Email donaghey@gci.net

Email of Feb. 6, 2020

From: Jim Donaghey <jmdjnu@outlook.com>
Sent: Thursday, February 6, 2020 10:07 AM

To: pc_comments@juneau.org
Cc: James Donaghey <donaghey@gci.net>
Subject: Case No.: CSP2020 0002

This has reference to "Invitation to Comment" On the above subject Case No.: CSP2020 0002/PWP2020 0001

I am absolutely against allowing a Conditional Use Permit for an accessory apartment and a waiver for required parking. It appears there is five dwellings on these six lots on this piece of land between Irwin St and 12th Street. None of them have any on lot parking plus there is no on street parking on any section of Irwin St adjacent to these lots.



The house on the left wants the accessory apartment.



There's no street parking on Irwin St



There's no street parking on this section of 12th St.



No street parking on this side of 12th St. all the way down to the yellow house.



This is where those who live in these five houses park.
A St. between 11th St. and 12th St. by Northern Light Church and their pre-school operation.



Not a good idea!

--	--	--

Additionally., due to the extreme shortage of parking in the “Flats” neighborhood I strongly recommend the following.

- That in the future all applications for all Conditional Use Permits for an accessory apartments must include not only at least one off street parking spot for the apartment but must include at least one parking spot for the current owner/occupant.
- Further, any future permits for any type of major dwelling construction be it new or remodel must include at least one parking spot for the current owner/occupant.

This will not only mitigate many of the parking hassles but also go a long way to improve street maintenance i.e. snow removal/sweeping etc.

Community Development and the Planning Commission should be more than approving or not approving various permits there should be a intentional movement toward correcting the sins of our forbearers. More housing may be necessary but let us not encourage any more “Slum Lords”.

Thank you for asking.

Kind regards, [Jim](#)

James M. Donaghey
1029 A Street
Juneau AK 99801

Cell (907) 209-2560
Email donaghey@gci.net

Terry Harvey
Cynthia Johnson
321 W. 12th
Juneau, AK 99801
tterry.juneau@gmail.com
907-723-1871

May 12, 2021

To the Juneau Planning Commission regarding the project proposed at **275 Irwin St., Juneau, AK Parcel No. 1C030E010040**

We are opposed to the Conditional Use Permit for the proposed accessory apartment on an undersized lot, four Alternative Development Permits to reduce setbacks, and a Parking Waiver to waive the required 3 parking spaces.

There have been several new builds in this neighborhood in the last few years and they have adhered to current building codes especially providing off-street parking, at considerable expense, it is unfair to them to waive all of these requirements. There are also homes in this area so old they are grandfathered in without off-street parking requirements and this creates a problem with too much demand for on-street parking and not enough of it available. Waiving parking requirements to this neighborhood will only exacerbate an already existing problem of on-street parking demands and overall lack of.

This undersized lot is not appropriate to develop unless existing setback requirements are met. Other new builds in recent years in this immediate neighborhood have all been required to adhere to these stipulations. This proposed project on this undersized lot is not appropriate unless the development can meet all existing CBJ building code requirements without any Conditional Use permitted waivers.

Sincerely,



Terry Harvey
Cynthia Johnson

RECEIVED
MAY 17 2021
Permit Center/CDD

Laurel Christian

From: erik norberg <norbergerik@yahoo.com>
Sent: Monday, May 17, 2021 11:28 AM
To: Laurel Christian
Subject: Notice of Public Hearing for 275 Irwin Street

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

Good morning Laurel

Thank you for the opportunity to comment on the Notice of Public Hearing for 275 Irwin Street.

Parking has emerged as a major concern for the downtown Flats neighborhood area. This neighborhood bears the brunt of the overflow parking to Federal workers, State workers, Northern Lights Church, and even current residents with private commercial businesses and boats. Parking in this area is boiling over at 100% capacity for on-street parking. I **do not** agree with the City's parking waiver to waive three additional parking spaces.

I hope that the City will seriously consider the impact that this proposal will have in an area that is already at 100% capacity. I would be more than happy to do discuss my concerns further and offer ideas I have for potential solutions to the parking problems in this area.

Sincerely,
Erik Norberg
926 A Street
907-957-2808



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

Parking Study

USE2020 0002 & PWP2020 0001

Completed by: Laurel Christian, Planner, Community Development Department



ATTACHMENT D - PARKING STUDY

Schedule

Morning Counts

Tuesday, March 3, 2020

Thursday March 5, 2020

Saturday, March 7, 2020

Sunday, March 8, 2020

Monday, March 9, 2020

Wednesday, March 11, 2020

Afternoon Counts

Tuesday, March 3, 2020

Thursday, March 5, 2020

Saturday, March 7, 2020

Monday, March 9, 2020

Wednesday, March 11, 2020

Evening Counts

Tuesday, March 3, 2020

Thursday, March 5, 2020

Saturday, March 7, 2020

Sunday, March 8, 2020

Monday, March 9, 2020

Wednesday, March 11, 2020



407 Irwin Street



Irwin Street

Background Information

Site Size: 775 Square Feet

Zoning: D5 Single-family/Duplex

Utilities: Public Water & Sewer

Access: Pedestrian Access via Irwin Street.

No Vehicular Access.

Proposed Development:

Current use of the site is a single-family dwelling. The applicant proposes to develop an accessory apartment within the basement of the existing dwelling. No parking will be provided on-site.

Original survey materials and photographs are on file with the Community Development Department and available upon request.

ATTACHMENT D - PARKING STUDY



Available on-street parking spaces within the study area:

Segment	Length (Excludes Driveways)	Spaces (22' Length)	Notes
Irwin Street <i>Martin Road to W Twelfth Street</i>	48'	2.18	No parking is allowed on Irwin Street with the exception of 2 spaces near the intersection of Irwin Street and W Twelfth Street.
Martin Road <i>Irwin Street to Seater Street</i>	NO Parking	0	
Seater Street <i>Martin Road to First 200' on Seater Street</i>	200'	9.09	
Rheinhardt Street <i>Martin Road to End</i>	339'	15.4	
W Twelfth Street <i>Irwin Street to C Street</i>	387	17.59	
W Eleventh Street <i>Capital Avenue to C Street</i>	733 (Both sides of the street)	33.31	
A Street <i>W Twelfth Street to W Eleventh Street</i>	172'	7.8	
B Street <i>W Twelfth Street to W Tenth Street</i>	320'	14.54	Two blocks of B Street were counted.
C Street <i>W Twelfth Street to W Eleventh Street</i>	142'	6.45	
TOTAL: 103 Parking Spaces			For the purposes of this study, staff rounded down to the nearest whole parking space.

Morning Count Totals

		Vehicles Parked					
Segment	Total Spaces	3/3/2020	3/5/2020	3/7/2020	3/8/2020	3/9/2020	3/11/2020
Irwin Street <i>Martin Road to W Twelfth Street</i>	2	2	2	3	3	1	1
Martin Road <i>Irwin Street to Seater Street</i>	0	0	0	0	0	0	0
Seater Street <i>Martin Road to First 200' on Seater Street</i>	9	2	2	4	0	1	4
Rheinhardt Street <i>Martin Road to End</i>	15	7	6	12	7	6	7
W Twelfth Street <i>Irwin Street to C Street</i>	17	13	12	12	13	16	13
W Eleventh Street <i>Capital Avenue to C Street</i>	33	10	4	10	22	8	9
A Street <i>W Twelfth Street to W Eleventh Street</i>	7	4	5	3	6	3	3
B Street <i>W Twelfth Street to W Tenth Street</i>	14	11	5	8	10	7	8
C Street <i>W Twelfth Street to W Eleventh Street</i>	6	5	5	4	4	5	5
TOTALS:	103	54	41	56	65	47	50

Afternoon Count Totals

		Vehicles Parked					
Segment	Total Spaces	3/3/2020	3/5/2020	3/7/2020	3/8/2020	3/9/2020	3/11/2020
Irwin Street <i>Road to W Twelfth Street</i>	2	2	2	3	NA	1	2
Martin Road <i>to Seater Street</i>	0	0	0	0	NA	0	0
Seater Street <i>to First 200' on Seater Street</i>	9	0	2	1	NA	0	1
Rheinhardt Street <i>to End</i>	15	2	4	5	NA	4	4
W Twelfth Street <i>to C Street</i>	17	4	7	11	NA	9	12
W Eleventh Street <i>nue to C Street</i>	33	13	11	9	NA	14	14
A Street <i>Street to W Eleventh Street</i>	7	3	2	3	NA	2	4
B Street <i>Street to W Tenth Street</i>	14	7	9	6	NA	7	7
C Street <i>Street to W Eleventh Street</i>	6	5	3	3	NA	3	7
TOTALS:	103	36	40	41	0	40	51

Evening Count Totals

		Vehicles Parked					
Segment	Total Spaces	3/3/2020	3/5/2020	3/7/2020	3/8/2020	3/9/2020	3/11/2020
Irwin Street <i>Martin</i> Road to W Twelfth Street	2	3	3	3	3	3	2
Martin Road <i>Irwin</i> Street to Seater Street	0	0	0	0	0	0	0
Seater Street <i>Martin</i> Road to First 200' on Seater Street	9	5	3	1	2	1	4
Rheinhardt Street <i>Martin</i> Road to End	15	4	5	7	6	6	6
W Twelfth Street <i>Irwin</i> Street to C Street	17	8	12	10	15	10	11
W Eleventh Street <i>Capital</i> Avenue to C Street	33	15	9	14	8	8	15
A Street <i>W</i> Twelfth Street to W Eleventh Street	7	5	3	5	7	3	5
B Street <i>W</i> Twelfth Street to W Tenth Street	14	8	9	7	7	8	12
C Street <i>W</i> Twelfth Street to W Eleventh Street	6	4	4	3	5	5	6
TOTALS:	103	52	48	50	53	44	61



Irwin Street
Tuesday, March 3, 2020. 5:46PM



Seater Street
Tuesday, March 3, 2020. 5:48PM



Seater Street
Tuesday, March 3, 2020. 2:00PM



Rheinhardt Street
Saturday, March 7, 2020. 12:27PM



C Street
Monday, March 9, 2020. 1:33PM



C Street
Tuesday, March 3, 2020. 7:00AM







W Eleventh Street
Sunday, March 8, 2020. 11:07AM



W Eleventh Street
Sunday, March 8, 2020. 11:07AM



W Eleventh Street
Thursday, March 5, 2020. 5:53PM



W Eleventh Street
Monday, March 9, 2020. 5:37PM



W Twelfth Street
Saturday, March 7, 2020. 7:30AM





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: June 9, 2021
File No.: PWP2021 0001

Larry Johansen
227 Irwin Street
Juneau, AK 99801

Proposal: Parking waiver to waive the three (3) required parking spaces for a proposed single-family dwelling and accessory apartment

Property Address: 275 Irwin Street

Legal Description: Irwin Addition Block 1 Lots 2 & 3 Fraction

Parcel Code No.: 1C030E010040

Hearing Date: June 8, 2021

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated June 1, 2021 and APPROVED the waiver of the requirement for 3 parking space(s) to be conducted as described in the project description and project drawings submitted with the application.

Attachments: June 1, 2021 memorandum from Laurel Christian, Planner, Community Development to the CBJ Planning Commission regarding PWP2021 0001.

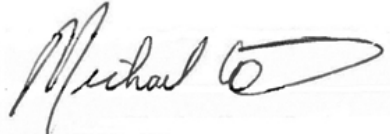
This Notice of Decision does not authorize any construction activity. Prior to starting any development project, it is the applicant's responsibility to obtain a building permit for any and all improvements requiring such.

Larry Johansen
File No.: PWP2021 0001
June 9, 2021
Page 2 of 2

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.

Effective Date: The waiver is effective upon approval by the Planning Commission, June 8, 2021.

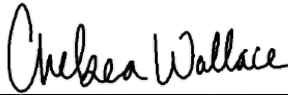
Expiration Date: Approved Parking Waivers shall expire upon a change of use.



Michael Levine, Chair
Planning Commission

June 12, 2021

Date



Filed With City Clerk

June 17, 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 1 (800) 949-4232, or fax (360) 438-3208.

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

ADP2021 0001: Alternative Development Permit to reduce the front yard setback from 20 feet to 9 feet 7 inches - APPROVED

AGENDA ITEM:

Case No.: ADP2021 0001, 0002, & 0003

Applicant: Larry Johansen

Location: 275 Irwin St

Proposal: Alternative Development Permit to reduce the front yard setback from 20 feet to 9 feet 8 inches.

RECOMMENDATION:

Staff recommends the Planning Commission adopt the Director's analysis and findings and **APPROVE** the requested Alternative Development Permits. These permits would allow the development of a single-family structure with the following setback reductions:

- ADP2021 0001: Alternative Development Permit to reduce the front yard setback from 20 feet to 9 feet 8 inches.
- ADP2021 0002: Alternative Development Permit to reduce the eastern side yard setback from 5 feet to 2 feet 8 inches.
- ADP2021 0003: Alternative Development Permit to reduce the western side yard setback from 5 feet to 2 feet 8 inches.

The approval is subject to the following conditions:

1. Prior to the issuance of a building permit, the applicant shall submit a revised site plan showing the required minimum yard setbacks are met.

ATTACHMENTS:

	Description	Upload Date	Type
▣	Staff Report for ADP2021 0001, 0002, and 0003	6/2/2021	Appeal
▣	Notice of Decision for ADP2021 0001, 0002, and 0003	6/23/2021	Notice of Decision



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

DATE: June 1, 2021
TO: Michael LeVine, Chair, Board of Adjustment
BY: Laurel Christian, Planner II *Laurel Christian*
THROUGH: Jill Maclean, Director, AICP

PROPOSAL: Applicant requests three Alternative Development Permits:

- ADP2021 0001: To reduce the front yard setback from 20 feet to 9 feet 7 inches.
- ADP2021 0002: To reduce the eastern side yard setback from 5 feet to 2 feet 8 inches.
- ADP2021 0003: To reduce the western side yard setback from 5 feet to 2 feet 8 inches.

STAFF RECOMMENDATION: Approval with conditions

KEY CONSIDERATIONS FOR REVIEW:

- Proposed use is residential.
- Lot receives a rear yard setback reduction for substandard lot depth.
- Proposal complies with the Comprehensive Plan by providing housing in a flexible format.
- Lot is certified nonconforming for lot size, lot width, and lot depth.

GENERAL INFORMATION	
Property Owner/Applicant	Larry Johansen
Property Address	275 Irwin Street
Legal Description	Irwin Addition Block 1 Lots 2 & 3 Fraction
Parcel Number	1C030E010040
Zoning	D18 Residential
Land Use Designation	Medium Density Residential (MDR)
Lot Size	1,257 sq. ft.
Water/Sewer	Public
Access	Irwin Street
Existing Land Use	Vacant
Associated Applications	USE2021 0004, PWP2021 0001

ALTERNATIVE ACTIONS:

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

ASSEMBLY ACTION REQUIRED:

Assembly action is not required for this permit.

STANDARD OF REVIEW:

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
 - 49.25.430
 - 49.70.1200
 - 49.80

The Commission shall hear and decide the case per 49.70.1200 – Alternative Development Overlay District. The purpose of the alternative development overlay district is to provide adequate minimum standards and procedures for the construction of new residential buildings and the expansion, restoration, or repair of existing residential buildings, while providing time to implement new zoning regulations. This article is intended to provide for the development of housing, preserve the character of neighborhoods, and promote the restoration of blighted buildings.

SITE FEATURES AND ZONING



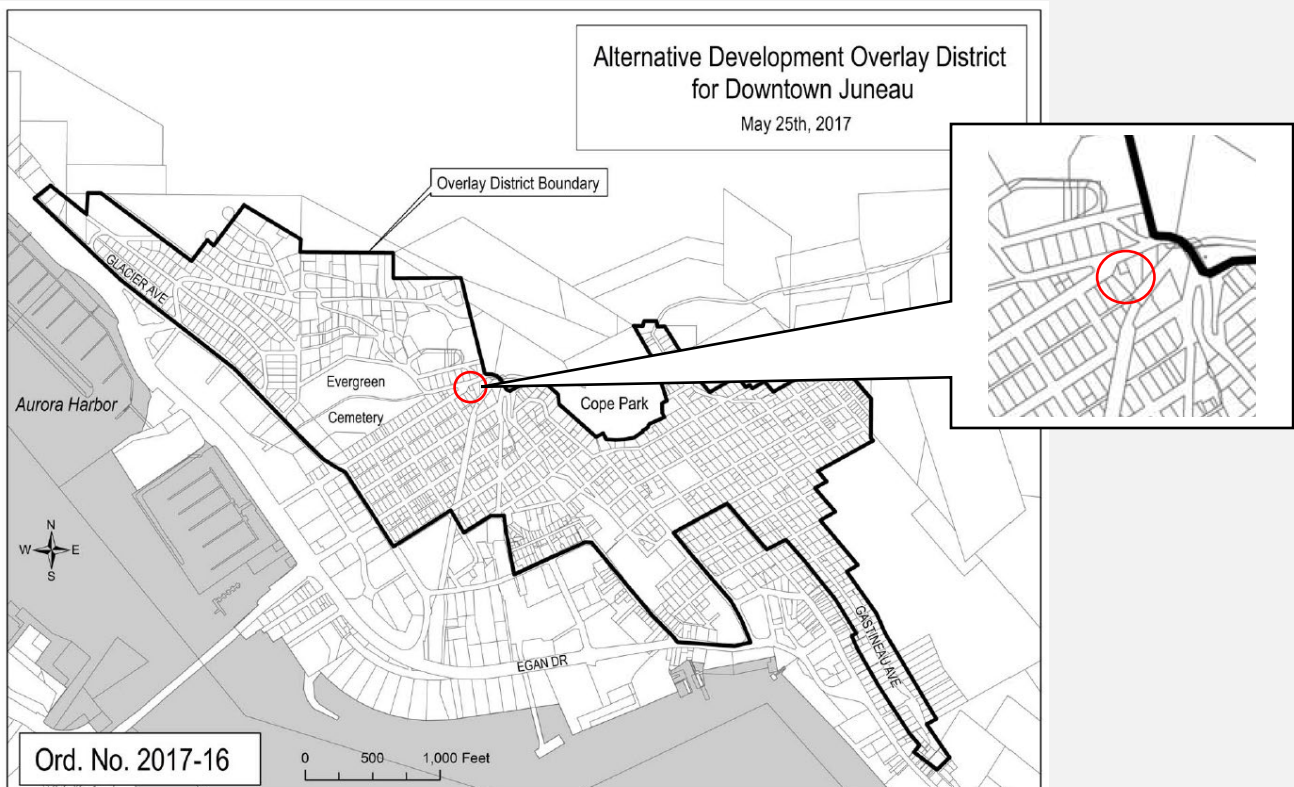
SURROUNDING ZONING AND LAND USES

North (D18)	Multi-family dwelling
South (D18)	Single-family dwelling
East (D18)	Single-family dwelling
West (D18)	Single-family dwelling

SITE FEATURES

Anadromous	None
Flood Zone	None
Hazard	Moderate
Hillside	None
Wetlands	None
Parking District	None
Historic District	None
Overlay Districts	Juneau ADOD

ALTERNATIVE DEVELOPMENT OVERLAY DISTRICT MAP



BACKGROUND INFORMATION

Project Description – The applicant has requested three (3) Alternative Development Permits (ADPs) for the development of a single-family dwelling and accessory apartment on an undersized lot in a moderate landslide/avalanche area.

This one staff report will evaluate the three (3) ADOD permits; the analysis and findings is the same for each case:

Case Number	Description
ADP2021 0001	Alternative Development Permit to reduce the front yard setback from 20 feet to 9 feet 7 inches.
ADP2021 0002	Alternative Development Permit to reduce the eastern side yard setback from 5 feet to 2 feet 8 inches.
ADP2021 0003	Alternative Development Permit to reduce the western side yard setback from 5 feet to 2 feet 8 inches.

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

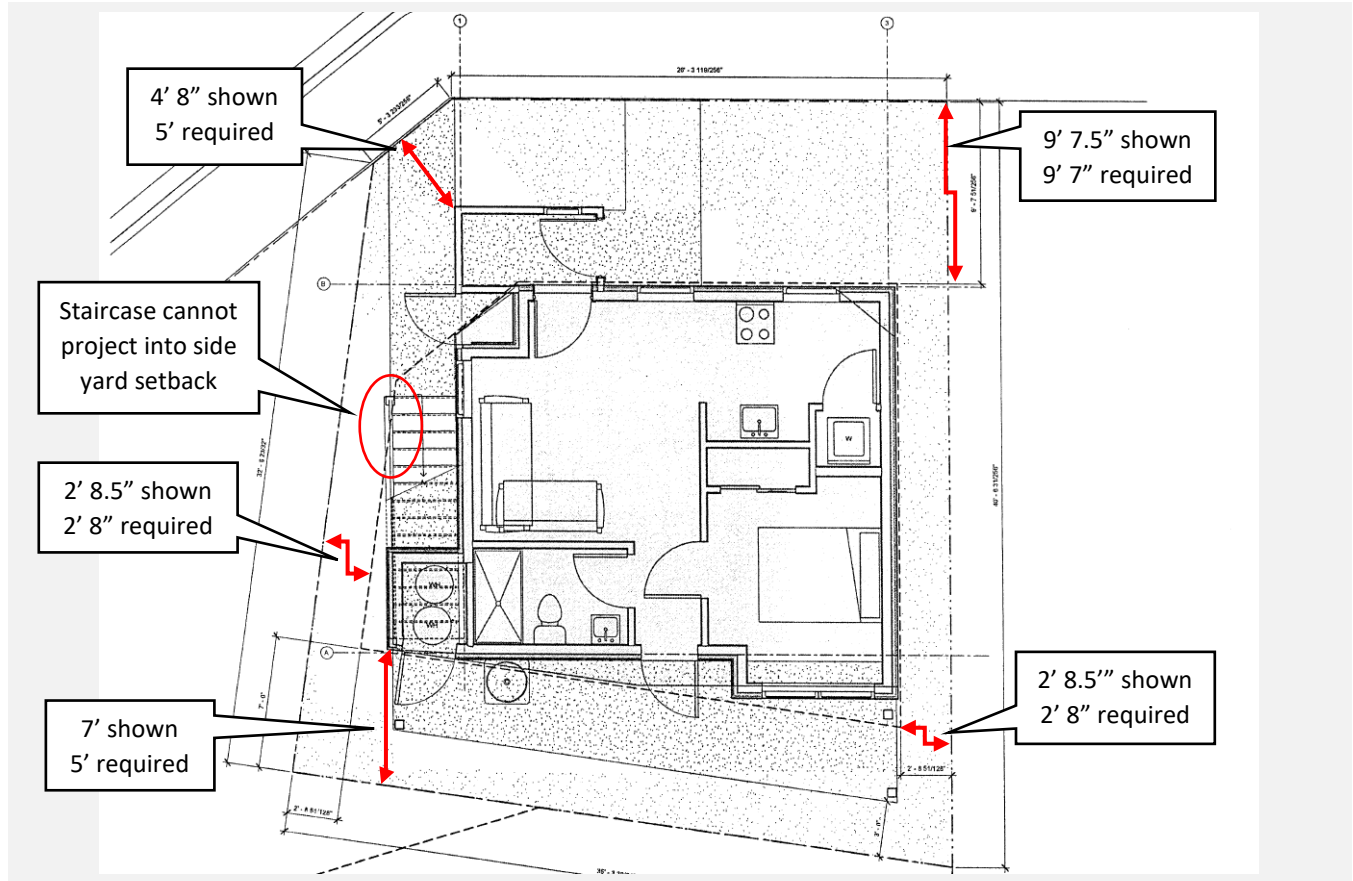
Item	Summary
NCC2021 0029	The lot is certified nonconforming for lot size, lot width, and lot depth.
USE2021 0004	The applicant has applied for a Conditional Use Permit for the accessory apartment on an undersized lot in a moderate landslide/avalanche zone.
PWP2021 0001	The applicant has applied for a parking waiver to waive the three (3) required parking spaces for the development.
ADP2021 0004	The applicant originally applied for an ADOD reduction to the rear yard, this permit would have reduced the rear yard to 7 feet. During staff's analysis, it was determined the lot could receive a setback reduction for substandard lot depth. This reduction reduces the rear yard setback to 5 feet and is standard in Title 49 applicable to any property in the borough with substandard lot depth. This ADOD permit was withdrawn.

ZONING REQUIREMENTS

Standard		Requirement	Proposed	Existing	Code Reference
Lot	Size	5,000 sq. ft.	No Change	1,257 sq. ft.	49.25.400
	Width	50'	No Change	33'	49.25.400
	Depth	80'	No Change	39'	49.25.400
Setbacks	Front	9' 7" 5' for artic entry	9' 7.5" 4' 8"	Vacant	49.70.1240(a)(1) 49.25.430(4)(C)(ii)
	Rear	5'	7'	Vacant	49.25.430(4)(j)
	Side	2' 8"	2' 8.5"	Vacant	49.70.1240(a)(1)
	Side	2' 8"	2' 8.5'	Vacant	49.70.1240(a)(1)
Lot Coverage		60% Max	42%	Vacant	49.70.1240(b)
Vegetative Cover		15% Min	Unknown	Vacant	49.70.1240(c)
Height	Permissible	35'	26.5'	Vacant	49.25.400
	Accessory	25'	NA	Vacant	49.25.400
Maximum Dwelling Units (18/acre)		1	1	Vacant	49.25.500
Use		Residential	Residential	Vacant	49.25.300

June 1, 2021
ADP2021 0001; 0002; 0003
Page 4 of 10

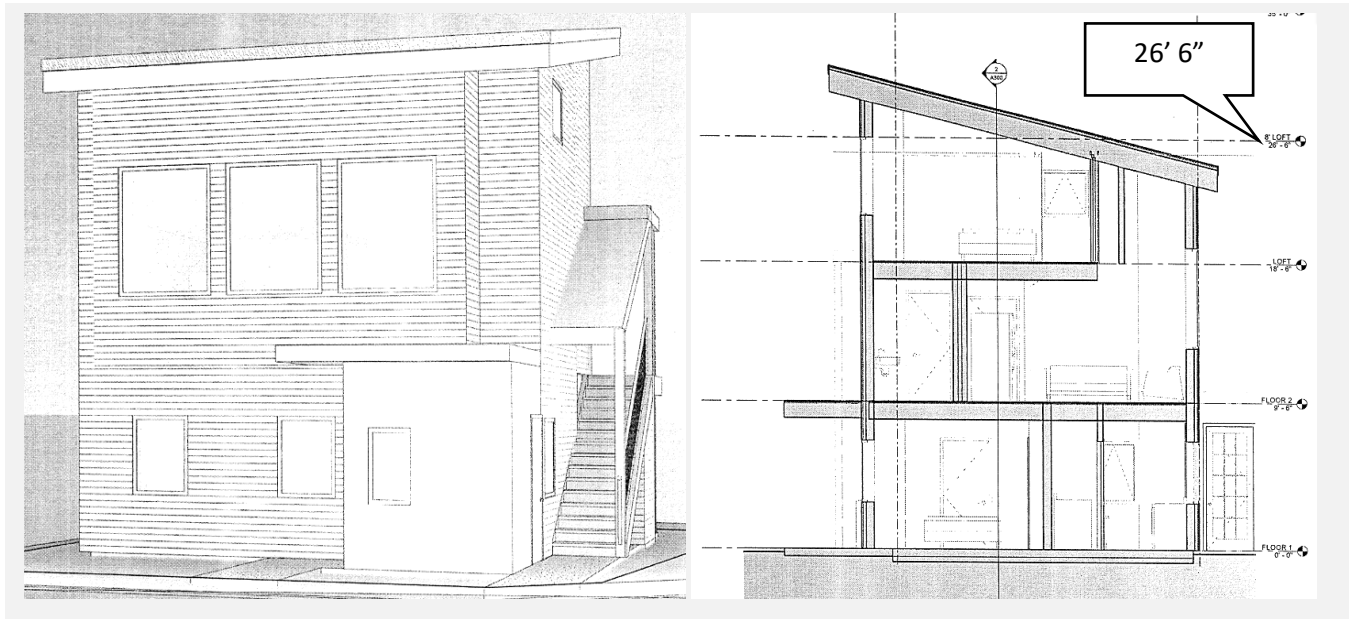
SITE PLAN



ANALYSIS

Project Site and Design– The project site is located in the Downtown “Flats” neighborhood near the corner of Irwin Street, W Twelfth Street, and Calhoun Street. The lot is 1,257 square feet and is certified nonconforming to the D18 minimum lot standards (NCC2021 0029). The project site is located in a moderate landslide/avalanche zone. The applicant proposes a three-story building that will contain a 617 square foot single-family dwelling and 397 square foot accessory apartment (Attachment A).





Setback Reductions – According to CBJ 49.70.1240(a)(1) the setbacks for a new residential building may be reduced to the average setbacks for neighboring properties within a 150-foot radius (Attachment D). The CBJ Cartographer calculates the required setbacks according to the average in order to provide consistency in procedure. The table below shows the required setbacks and what is being shown on the project site plan.

Side	D18 Standard	ADOD Requirement	Shown on Plans	Code Reference
Front	20' 5' for arctic entry	9' 7" 5' for arctic entry	9' 7.5" 4' 8"	49.70.1240(a)(1) 49.25.430(4)(C)(ii)
Side	5'	2' 8"	2' 8.5"	49.70.1240(a)(1)
Side	5'	2' 8"	2' 8.5'	49.70.1240(a)(1)

In addition to the ADOD reductions, arctic entries receive a setback reduction that allows them to be within 5 feet of any property line if they are less than 65 square feet [49.25.430(4)(C)(ii)]. The rear yard is also reduced for substandard lot depth to 5 feet [45.25.430(4)(j)].

The applicant's site plan shows the proposed arctic entry not meeting the required 5' front yard setback. The applicant will be required to submit a revised site plan showing the minimum yard setbacks can be met, prior to the issuance of a building permit.

Condition: Prior to the issuance of a building permit, the applicant shall submit a revised site plan showing the required minimum yard setbacks are met.

If the ADOD permits are not approved, the applicant can utilize the below standard setback exceptions in code, applicable to all properties in the borough, and revisions to the site plan would be required:

Side	D18 Requirement	Standard Code Reduction	Description	Code Reference
Front	20'	11' 8'	Lots may get a reduced front yard setback by averaging the setbacks of the adjacent 3 properties.	49.25.430(4)(k)

Side	D18 Requirement	Standard Code Reduction	Description	Code Reference
Front	20'	5' for artic entry	Arctic entries less than 65 square feet can be 5 feet front any lot line.	49.25.430(4)(c)(ii)
Rear	10'	5'	Lots with substandard lot depth may reduce their rear setback based on the percentage of lot depth they have compared to the required.	49.25.430(4)(j)
Side	5'	None	Reductions do not allow side yard setbacks less than 5 feet.	

Traffic – According to CBJ 49.40.300(a)(2) a traffic impact analysis is not required given that the development is anticipated to generate fewer than 250 average daily trips (ADTs).

Use	Units	Trips Generated	Total Trips
Single-family dwelling	1	9.52 per unit	9.52
Accessory apartment	1	6.65 per unit	6.65
Total ADTs:			16.17

Vehicle Parking & Circulation – According to CBJ 49.40210(a) three (3) parking spaces are required. The applicant has requested a parking waiver and proposes to provide no parking on-site (PWP2021 0001). Parking is discussed in greater detail in the staff report for the parking waiver.

Use	Units	Spaces Required	Total Spaces
Single-family dwelling	1	2	2
Accessory Apartment	1	1	1
Total Parking Requirement:			3
Off-street Loading Spaces Required:			0
ADA Accessible Spaces Required:			0

Non-motorized Transportation – The downtown area provides sidewalks on both sides of the street and is generally considered a walkable neighborhood.

Proximity to Transit – The nearest bust stop is located on Glacier Avenue, approximately ¼ mile walking distance from the project site.

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

Lighting – Lighting will be reviewed with a building permit application.

Vegetative Cover & Landscaping – There is no vegetative cover shown on the project site plan. Lots within the ADOD boundary are allowed to maintain a minimum 15% vegetative cover. This will be reviewed with the building permit application.

Habitat – There are no habitats or sensitive areas on the lot governed by Title 49.

Drainage and Snow Storage – CBJ Engineering and Public works stated they had no comments on the proposal. Any proposed grading or changes to drainage will be reviewed through the building permit process.

Historic District – The lot is not within the CBJ Downtown Historic District. The lot is within the Casey Shattuck Neighborhood Boundary, which is an identified historic neighborhood in the 2020 Historic & Cultural Preservation Plan. No development/design guidelines have been established the Casey Shattuck Historic Neighborhood.

Hazard Zones – The lot is located in the moderate landslide/avalanche zone. Hazards are discussed in detail in the staff report for USE2021 0004.

Public Health, Safety, and Welfare – There is no evidence that the proposed setback reductions will endanger the public health, safety, or welfare. The Building Code protects the public health, safety, and welfare by establishing standards for new construction. When structures are built within three feet of a property line, additional fire separations may be required. These requirements will be based on final plans submitted with a building permit application, and be determined by the Building Code Official.

Property Value or Neighborhood Harmony – In reviewing an Alternative Development Overlay (ADOD) permit, the Commission is charged with determining whether the proposed development will be “*out of harmony with property in the neighboring area*” [49.70.1230(f)(2)]. As discussed above, the Casey Shattuck Neighborhood does not have established development or design guidelines for new construction.

When a new structure is constructed in a historic neighborhood (outside of the Downtown Historic District), there are no requirements for the way that structure should look. Title 49 does not regulate appearance; it regulates mass, height, setbacks, and uses. The proposal is similar in size, mass, and use to neighboring properties. Additionally, because setbacks are established based on an average of neighboring properties, the new structure will be situated similarly to neighboring properties. The proposal also meets the minimum standards of the zoning district for height and lot coverage requirements.

There is no evidence that the proposal will substantially decrease property values, or be out of harmony with neighboring properties.

AGENCY REVIEW

At time of writing this staff report, no agency comments were received.

PUBLIC COMMENTS

CDD conducted a public comment period between May 4 and May 17. Public notice was mailed to property owners within 500 feet of the proposed development. A public notice sign was also posted on-site two weeks prior to the scheduled hearing. Public comments submitted at time of writing this staff report can be found in Attachment C.

Name	Summary
Jim Donaghey	Expresses concerns for the density of the area and requests that new developments be required to provide at least one parking spot per residence. Does not support the proposed development.
Terry Harvey Cynthia Johnson	Opposes the development, requests that new development meets current building and zoning standards, especially parking requirements. Does not think development of the undersized lot is appropriate as planned.
Erik Norberg	Believes that parking in the “Flats” neighborhood is at capacity and does not support a reductions to parking.

CONFORMITY WITH ADOPTED PLANS

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

PLAN	Chapter	Page No.	Item	Summary
2013 Comprehensive Plan	3	20	Policy 3.2	Promotes compact urban development within the designated urban service area to ensure efficient utilization of land resources and to facilitate cost effective provision of community services.
	4	37	Policy 3.2	Facilitates the provision of an adequate supply of various housing types and sizes to accommodate present and future housing needs for all economic groups.
	11	161	Land Use Designation	Complies with the Medium Density Residential land use designation.
	11	184	Subarea Guideline 1	The lot is located in Subarea 6. Guidelines for Subarea 6 include the preservation and scale of densities of older neighborhoods in the downtown area. In the Casey Shattuck Neighborhood, it is not uncommon for accessory apartment to be located on undersized lots.
2016 Housing Action Plan	2	35	Production Target	Creates housing, which advances the City’s goal of increasing housing stock.

FINDINGS

Per CBJ 49.70.1240, Review of Director's & Board of Adjustment’s Determinations, the Director makes the following findings on the proposed development:

1. *Is the application for the requested Alternative Development Permit complete?*

Analysis: No additional analysis required.

Finding: Yes. Staff finds the application contains the information necessary to conduct full review of the proposed development. The application submittal by the applicant, including the appropriate fees, substantially conforms to the requirements of CBJ Chapter 49.70.1200.

2. *Is the proposed development appropriate according to the Alternative Development Overlay District?*

Analysis: The proposed development will be used for a residential use. The requested setbacks and lot coverage do not exceed what is allowed by 49.70.1240(a)&(b) and the minimum vegetative cover requirement can be met according to 49.70.1240(c).

Finding: Yes. The proposed development is appropriate according to the Alternative Development Overlay District.

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

Analysis: The proposed design can comply with the requirements of the Alternative Development Overlay District and the D18 zoning district standards.

Finding: Yes. With the recommended approvals and conditions, the proposed development will comply with Title 49.

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

Analysis: No additional analysis required.

Finding: No. There is no evidence to suggest that with appropriate conditions, the requested development 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: As discussed above, the proposed development is similar in size, mass, and use to neighboring properties. Additionally, the structure will be situated similarly to properties in the neighboring area.

Finding: No. There is no evidence to suggest that with appropriate conditions, the requested development 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: Housing is an identified need in adopted plans. Plans call for the provision of in-fill development where there is adequate existing public infrastructure, which allows for the cost effective provision of public services.

Finding: Yes. The proposed development with the recommended conditions, will be in general conformity

with the Comprehensive Plan and Housing Action Plan.

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and **APPROVE** the requested Alternative Development Permits. These permits would allow the development of a single-family structure with the following setback reductions:

- ADP2021 0001: Alternative Development Permit to reduce the front yard setback from 20 feet to 9 feet 8 inches.
- ADP2021 0002: Alternative Development Permit to reduce the eastern side yard setback from 5 feet to 2 feet 8 inches.
- ADP2021 0003: Alternative Development Permit to reduce the western side yard setback from 5 feet to 2 feet 8 inches.

The approval is subject to the following conditions:

1. Prior to the issuance of a building permit, the applicant shall submit a revised site plan showing the required minimum yard setbacks are met.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packets
Attachment B	Abutters Notice and Public Notice Sign Photo
Attachment C	Public Comments
Attachment D	ADOD Measurements



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 W. Twelfth St.		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) Inn Addition Block 1 lot 223 FR		
	Parcel Number(s) 1C030E010040		
	☒ This property located in the downtown historic district ☐ This property located in a mapped hazard area, if so, which _____		
	LANDOWNER/ LESSEE		
	Property Owner Lang Johnson	Contact Person Lang Johnson	
	Mailing Address 225 Inn St	Phone Number(s) 808385 5570	
	E-mail Address Lang Johnson		
	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		3/9/21 Date	
X _____ Landowner/Lessee Signature		_____ Date	
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.			
APPLICANT If the same as OWNER, write "SAME"			
Applicant Same	Contact Person		
Mailing Address	Phone Number(s)		
E-mail Address			
X _____ Applicant's Signature		_____ Date of Application	

DEPARTMENT USE ONLY BELOW THIS LINE

ATTACHMENT A - APPLICATION

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

Intake Initials ANE
Case Number
Date Received



ALTERNATIVE DEVELOPMENT PERMIT APPLICATION

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

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

To be completed by Applicant

TYPE OF ALTERNATIVE DEVELOPMENT PROPOSED (ONLY AVAILABLE TO ALLOWED RESIDENTIAL USES)

☐ Should w/in Existing Footprint ☒ Setback Reduction ☐ Lot Coverage Reduction ☐ Vegetative Coverage Reduction

If reduction of Setback(s), Lot Coverage, and / or Vegetative Coverage, the following must be provided:

☐ Properties w/in 150' radius ☐ Table demonstrating average corresponding setbacks located w/in 150' radius

PROJECT SUMMARY Construction of new SFD w/ accessory apt. on undersized lot. Reductions will be: Front: 9.7' Side: 2.8' Rear: 7.0' Side: 2.8'

IS THIS A MODIFICATION OF AN EXISTING APPROVAL? ☐ YES - Case # ☒ NO

Existing use of property: Vacant

Is this project an: ☐ Expansion ☐ Rehabilitation ☒ New Development

Has this property received a Variance in the Past? ☒ NO ☐ YES - Case #

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

SITE AND BUILDING SPECIFICS

Total Area of Lot 1,257 square feet Total Area of Existing Structure(s) 0 square feet

Total Area of Proposed Structure(s) 1,014 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 MATERIALS ATTACHED

- ☒ Application
- ☐ Narrative including:
 - ☐ Map of pr.
 - ☐ Current use of land or building(s)
 - ☐ Proposed setbacks, lot coverage, vegetative coverage
 - ☐ How the proposed use complies with the Alternative Development Overlay District
- ☐ Plans (details on page 2)

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

ALLOWABLE/CONDITIONAL USE FEES

Fees	Check No.	Receipt	Date
Application Fees	\$ <u>400</u>		
Admin. of Guarantee	\$		
Adjustment	\$		
Pub. Not. Sign Fee	\$		
Pub. Not. Sign Deposit	\$		
Total Fee	\$ <u>400</u>		

} sign fee w/ cup

REQUIREMENT: 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

I:\FORMS\PLAN FORM\ADP - Alternative Development Permit Application.docx

ATTACHMENT A - APPLICATION

Case Number

Date Received

ADP 21-001

3/9/21

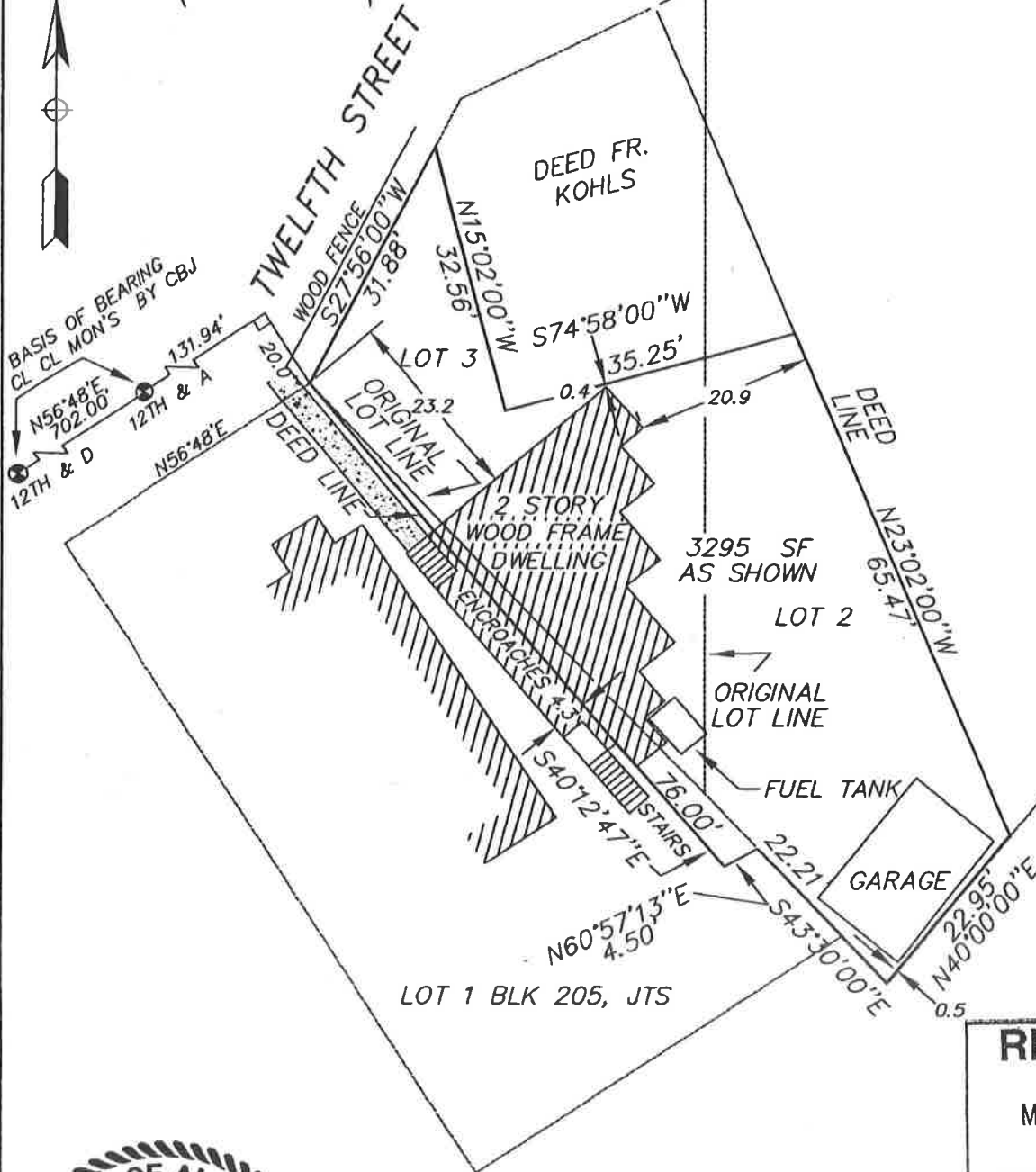
CERTIFICATE OF REGISTERED LAND SURVEYOR

I HEREBY CERTIFY THAT I AM REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME, ON THE GROUND, TO THE NORMAL STANDARD OF CARE OF PROFESSIONAL LAND SURVEYORS PRACTICING IN SOUTHEAST ALASKA AND THAT, ON THE BASIS OF MY KNOWLEDGE, INFORMATION, AND BELIEF, IMPROVEMENTS AND ENCROACHMENTS ON THE PROPERTY DEPICTED HEREON ARE AS SHOWN.

NOTE

DEED DESCRIPTION CONTAINS MANY ELEMENTS THAT LEAVE BOUNDARIES OPEN TO INTERPRETATION. ADJOINING DEEDS WERE USED TO CLARIFY GRANTOR'S INTENT. WHERE LONGSTANDING LINES OF OCCUPATION DIFFER FROM DEED LINES OWNERSHIP BOUNDARIES ARE OFTEN AFFECTED. OWNERS ARE ENCOURAGED TO REPLAT BOUNDARIES AS NEEDED TO AVOID TITLE PROBLEMS. BOUNDARY INFORMATION IS FROM THE PLAT OF THE CITY OF JUNEAU, BY R.C. CROW, 1952. NOTE THAT SOME DIMENSIONS WERE MODIFIED FROM ORIGINAL IRWIN ADDITION PLAT. BURIED FUEL TANK ON PROPERTY NOT SHOWN; (SCHEDULED FOR REMOVAL).

5-22-02
DATE



RECEIVED

MAY 24 2002

PERMIT CENTER/CDD

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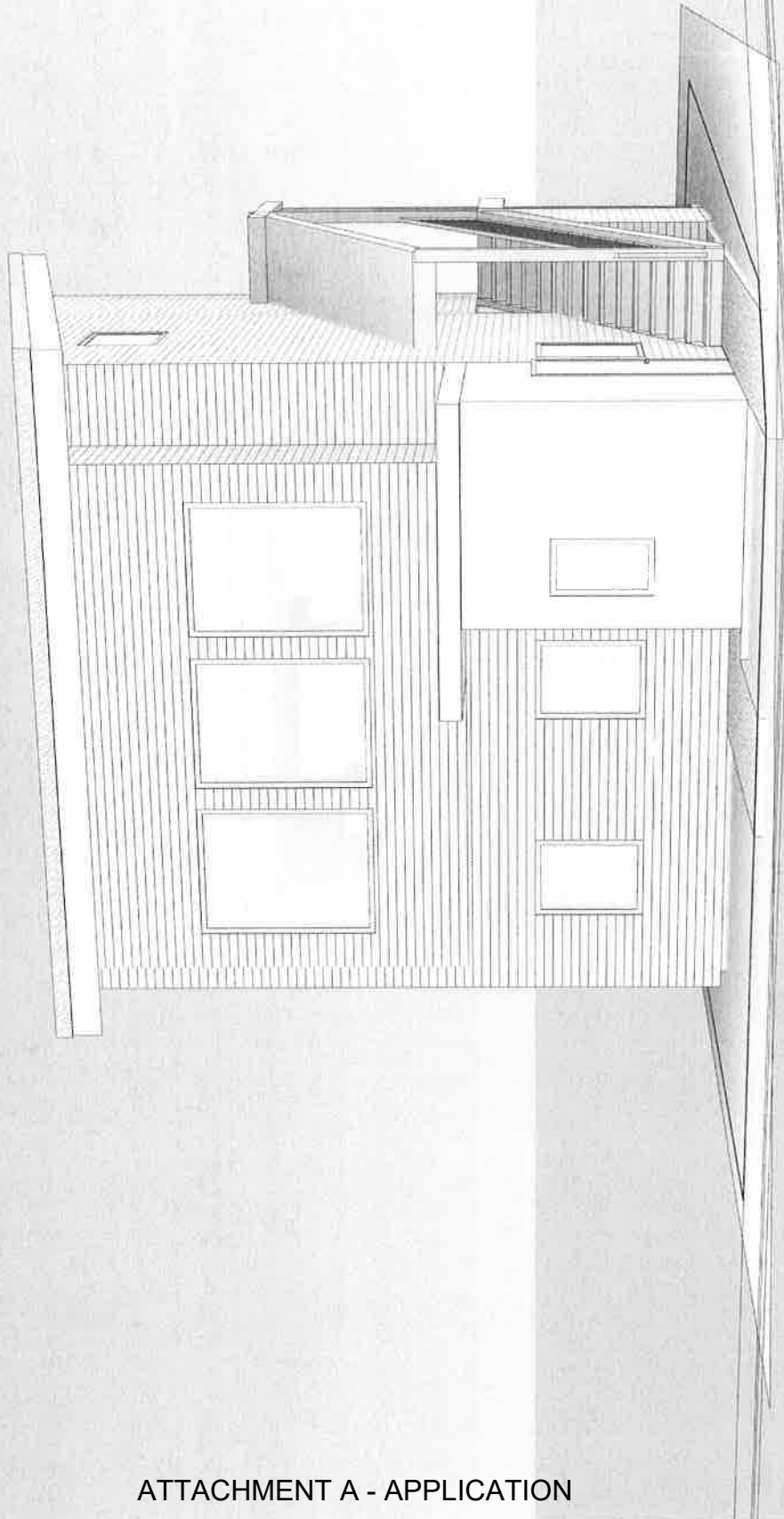


PLAT SHOWING "AS-BUILT" SURVEY			
METES & BOUNDS TRACT			
PORTION OF LOT 1 BLK 205 CASEY SHATTUCK ADD'N, JUNEAU TOWNSITE			
PORTION OF LOTS 2 & 3 BLK 1 IRWIN ADDITION TO JUNEAU TOWNSITE			
DESCRIBED IN DEED BOOK 396, PAGE 460			
JUNEAU, ALASKA RECORDING DISTRICT			
DOUGLAS FINLEY LAND SURVEYING			
820 6TH STREET - JUNEAU, ALASKA (907) 586-4253			
DATE: 5/07/02	DRAWN BY: DF	PROJ. No.: 02-428-A1	SCALE: 1" = 20'
			SHEET 1 of 1

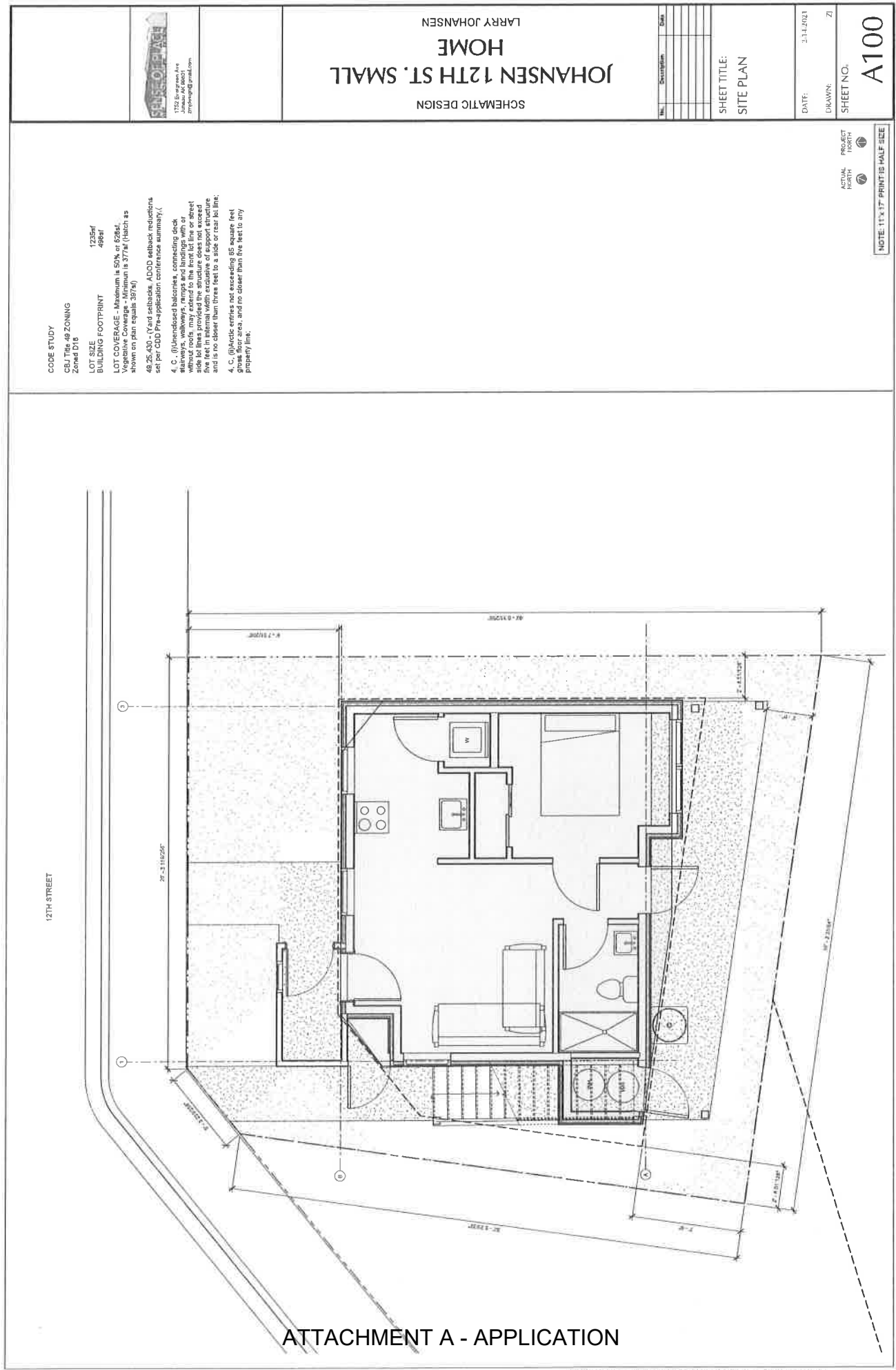
ATTACHMENT A - APPLICATION

JOHANSEN 12TH ST. SMALL HOME

For
LARRY JOHANSEN



ATTACHMENT A - APPLICATION



CODE STUDY
CSJ Title 48 ZONING
zoned D16

LOT SIZE 1235sf
BUILDING FOOTPRINT 499sf

LOT COVERAGE - Maximum is 50% or 628sf.
Vegetative Coverages - Minimum is 377sf (Hatch as shown on plan equals 397sf)

48.25.430 - (Yard setbacks, ADOD setback reductions set per CDD Pre-application conference summary.)

4. C. (If) enclosed balconies, connecting deck, stairways, walkways, ramps and landings with or without roofs, may extend to the front lot line or street line, but no part of the structure shall exceed the front lot line or street line, and no part of the structure shall be closer than three feet to a side or rear lot line;

4. C. (If) utility services not exceeding 95 square feet gross floor area and no closer than five feet to any property line.

SCHEMATIC DESIGN

JOHANSEN 12TH ST. SMALL HOME

LARRY JOHANSEN

No.	Description	Date

SHEET TITLE:
SITE PLAN

DATE: 3.14.2021

DRAWN: ZJ

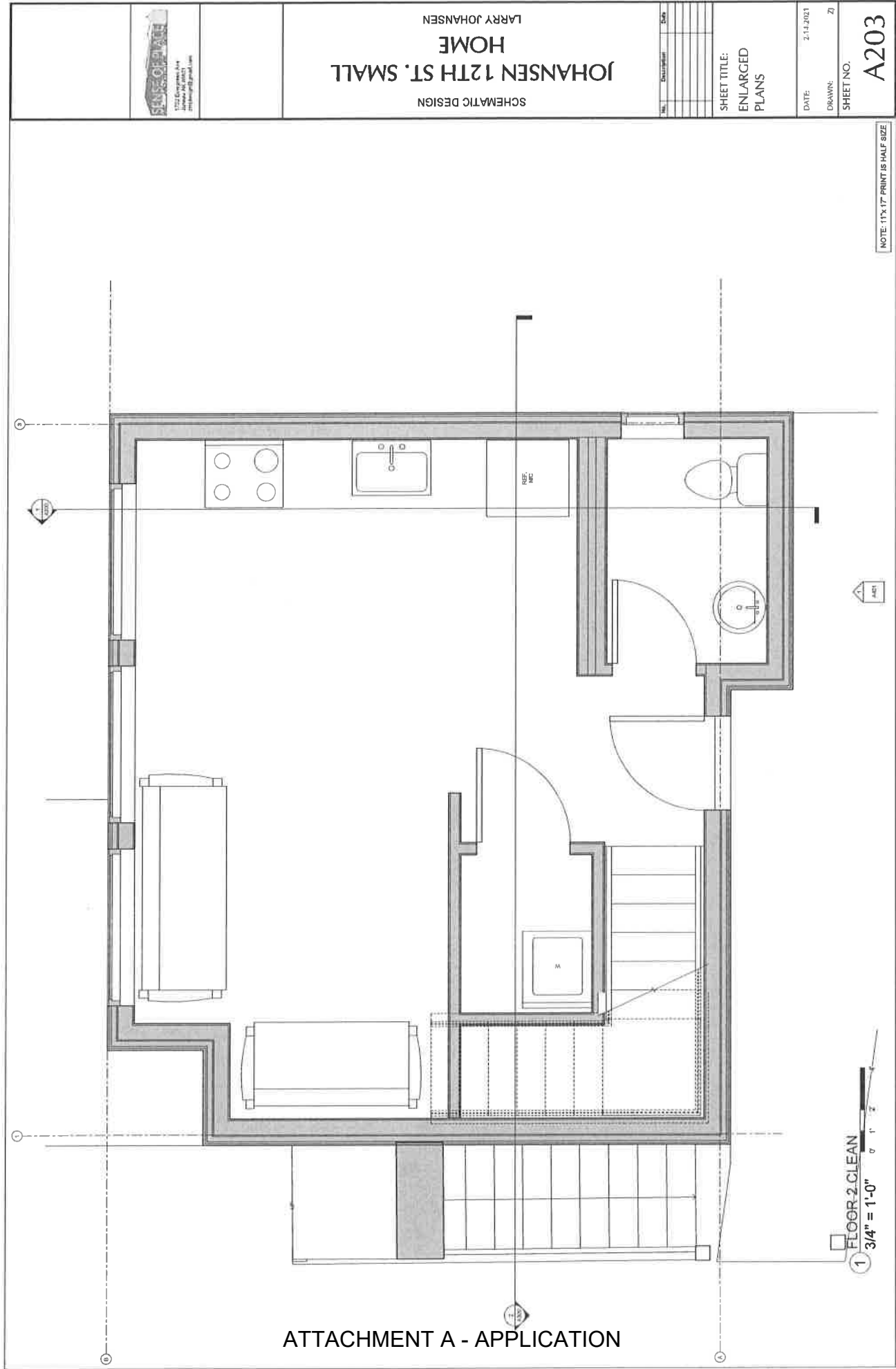
SHEET NO. A100

ACTUAL NORTH

PROJECT NORTH

NOTE: 1"=13' PRINT IS HALF SIZE

ATTACHMENT A - APPLICATION



SHEET NO.

DRAWN:

DATE:

2142027

17

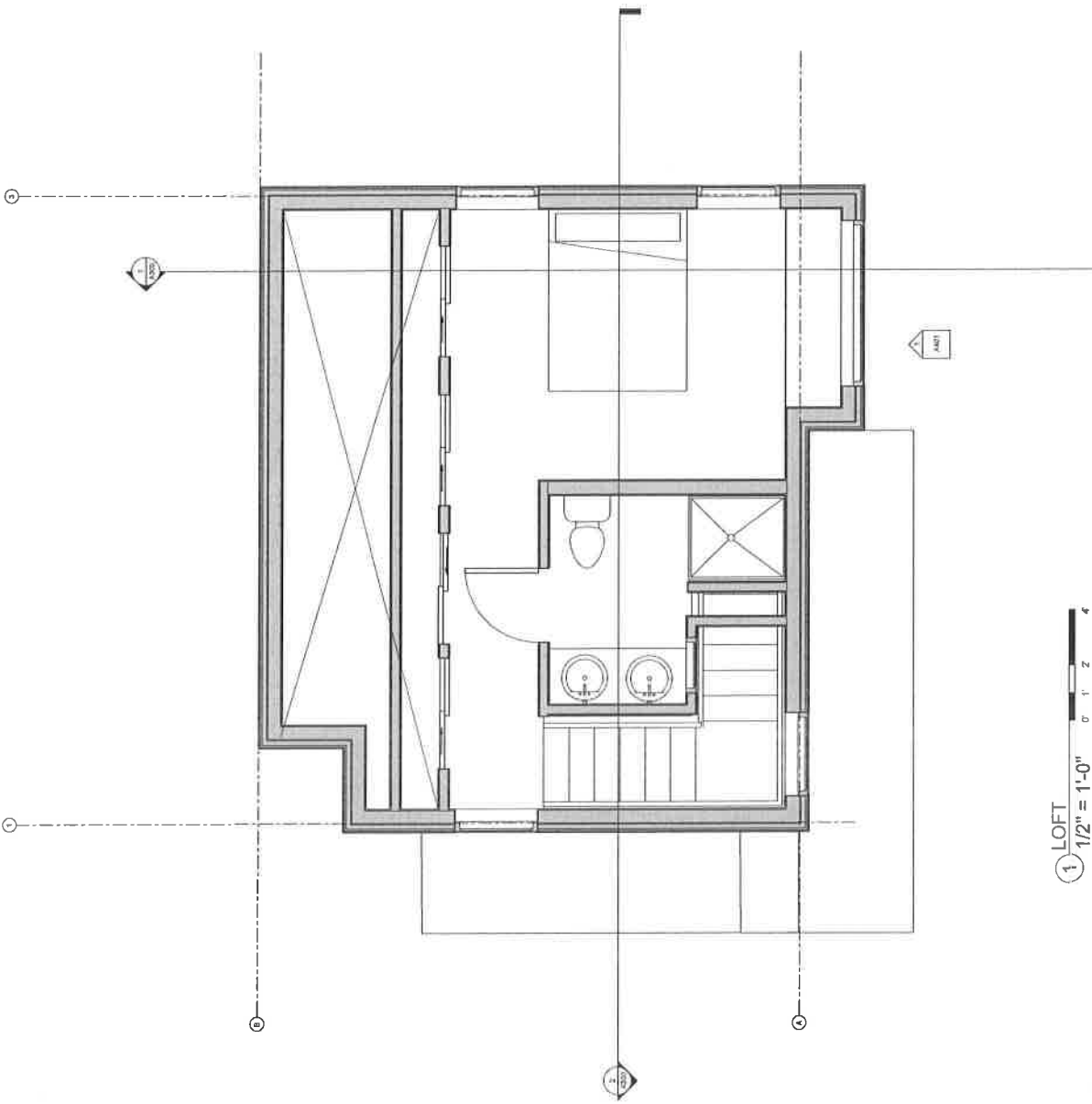
ENLARGED
PLANS

SCHEMATIC DESIGN
EN 12TH ST
HOME
LARRY JOHANSEN

JOHANSEN 12TH ST. SMALL
HOME

SENSE OF PLACE
1752 Evergreen Ave
Jonesboro AK 69001
zmpdesign@gmail.com

NOTE: 11"x17" PRINT IS HALF SIZE



ATTACHMENT A - APPLICATION

The figure contains two architectural drawings of a building section, labeled 'Section 2' and 'Section 4'. Both drawings show a cross-section of a multi-story building with a sloped roof. The drawings include labels for 'FLOOR 1', 'LOFT', and 'FLOOR 2'. Section 2 shows a more detailed interior layout with furniture and fixtures, while Section 4 shows a more structural view. Both drawings include a scale bar indicating '1/8" = 1'-0"' and a north arrow.

ATTACHMENT A - APPLICATION



7722 Broadway Ave
Denver, CO 80231
201.544.9100
schematicdesign@gsd.com

SCHEMATIC DESIGN

JOHANSEN 12TH ST. SMALL HOME

LARRY JOHANSEN

No.	Description	Date

SHEET TITLE:

BUILDING ELEVATIONS

DATE:

2.14.2021

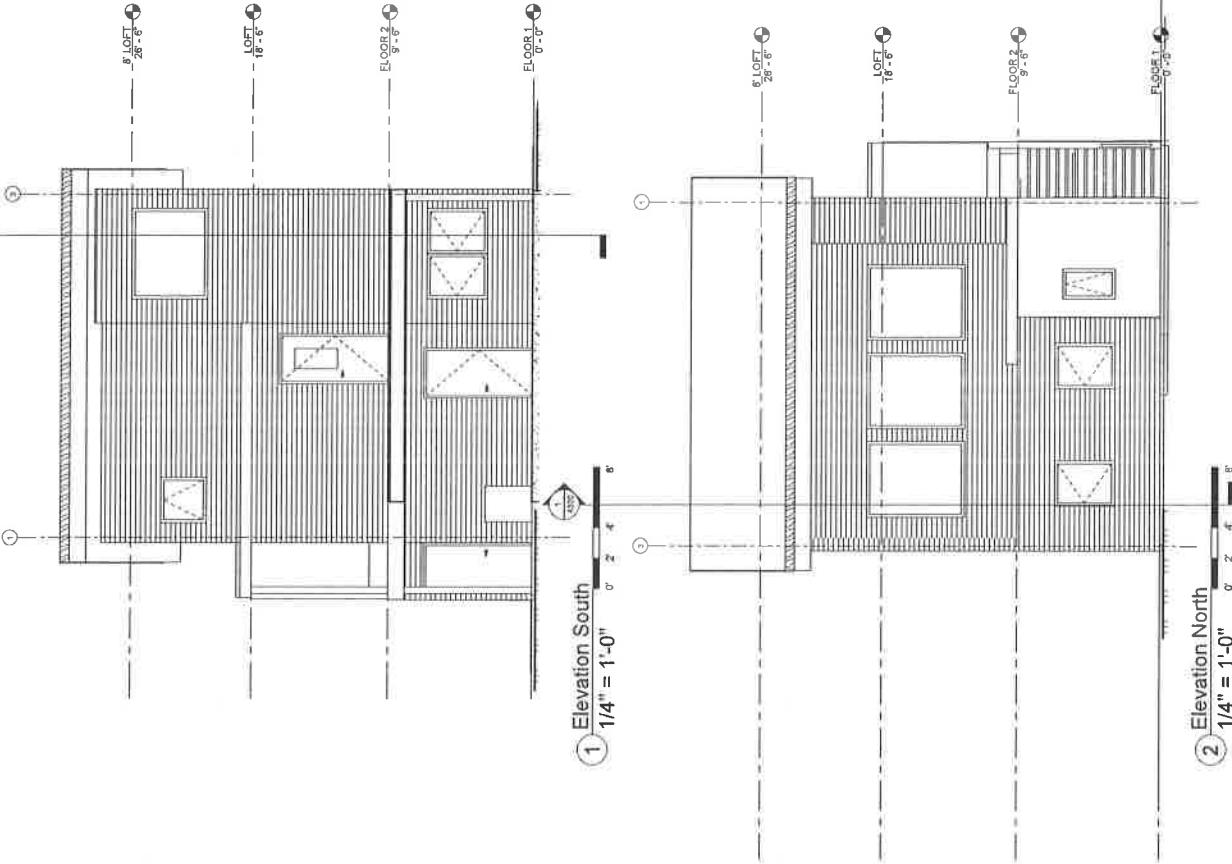
DRAWN:

Author

SHEET NO.

A401

NOTE: 11"X 17" PRINT IS HALF SIZE



ATTACHMENT A - APPLICATION



SCHEMATIC DESIGN, INC.
17220 Highway 104
Larvik, AK 99601
empdesign@gmail.com

JOHANSEN 12TH ST. SMALL HOME

SCHEMATIC DESIGN

No.	Description	Date

SHEET TITLE:
BUILDING
ELEVATIONS

DATE: 2/14/2021

DRAWN: ZJ

SHEET NO.

A402

NOTE: 11"x17" PRINT IS HALF SIZE

1 Elevation East
1/4" = 1'-0"

2 Elevation West
1/4" = 1'-0"

ATTACHMENT A - APPLICATION



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

Parking Waiver, Conditional Use Permit for Accessory Apartment on Undersized lot and ADOD setback reductions

Case Number: PAC2019 0044

Applicant: Larry Johansen and Shelia Keller

Property Owner: same

Property Address: N/A

Parcel Code Number: 1C030E010040

Site Size: 1,257 Square Feet

Zoning: D18

Existing Land Use: Lot is currently vacant

Conference Date:	6/26/2019
Report Issued:	7/3/2019

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
Larry Johnansen	Applicant	LarryJohansen@rowdydogimages.com
Allison Eddins	Planning	Allion.Eddins@juneau.org
Kyle Paw	Building	Kyle.Paw@juneau.org

Pre-Application Conference Final Report

Conference Summary

Questions/issues/agreements identified at the conference that weren't identified in the attached reports.

The following is a list of issues, comments and proposed actions, and requested technical submittal items that were discussed at the pre-application conference.

Planning Division:

1. **Zoning** – The applicants plan to construct a two story structure with two dwelling units – a 500 square foot single family home on the first floor and a 500 square foot accessory apartment on the second floor. The lot is 1,257 square feet in a D18 zoning district where the minimum lot size is 5,000 square feet. The applicants are requesting a Conditional Use Permit for an accessory apartment on an under-sized lot. CBJ Land Use Code defines accessory apartments as *one or more rooms with private bath and kitchen facilities comprising an independent, self-contained dwelling unit within or attached to a single-family dwelling or in a detached building on the same lot as the primary dwelling unit. An accessory apartment is distinguishable from a duplex in that, unlike a duplex, it is clearly subordinate to the primary dwelling unit, both in use and appearance.* The floor plan that was submitted for the pre-application conference shows the primary dwelling unit and the accessory apartment are intended to be the same size – approximately 500 square feet. The CBJ Land Use Code does not explain what “clearly subordinate” means, so it is a policy call. In this case, the primary dwelling unit will need to be larger than the accessory apartment while also meeting the maximum lot coverage of 50%. Options include adding approximately 128 square feet to the one story primary dwelling unit, or constructing a three story structure with a two story home with the 500 square foot footprint (the home would be approximately 1,000 square feet) with a 500 square foot accessory apartment on the third floor. This would still need a Conditional Use Permit for location on an under-sized lot. A complete Conditional Use Permit application must include a project narrative. Please see the attached hand out for details regarding the narrative and the application and review process.
2. **Setbacks** – The subject lot is substandard in size for the D18 zoning district. Because of this, the D18 setbacks for the front and rear can automatically be reduced to 10 feet in the front and 5 feet in the rear, through CBJ 49.25.430. The sides cannot be reduced to less than 5 feet through this section of code. Any further reduction will require a variance or a reduction through the Alternative Development Overlay District (ADOD). The applicants are also requesting a reduction through the ADOD. ADOD calculations suggest that the property's setbacks may be reduced to 9.57' for the front, 6.93' for the rear and 2.68' for the sides.
3. **Height** – The maximum allowed height in the D18 zoning district is 35 feet for the principle structure and 25 feet for any accessory structures, such as a shed or greenhouse.
4. **Parking & Circulation**– The parking requirement for a single family home and a one bedroom accessory apartment is 3 spaces. The applicants are seeking a parking waiver in order to eliminate the parking required for the dwelling and the apartment. If the parking waiver is granted, it is valid for as long as the permitted use is active.
5. **Lot Coverage** – Maximum coverage is 50% of the lot size, or 628 square feet.
6. **Vegetative Coverage** – Minimum coverage is 30%, or 377 square feet.

Building Division:

7. **Building** – N/a
8. **Outstanding Permits** – N/a

General Engineering/Public Works:

Pre-Application Conference Final Report

- 9. **Engineering** –N/a
- 10. **Drainage** – N/a
- 11. **Utilities** – (water, power, sewer, etc.) n/a

Fire Marshal:

- 12. **Fire Items/Access** – n/a

Other Applicable Agency Review:

- 13. DOT&PF / Alcohol Beverage Control Board / Army Corps / DEC (wastewater) / DNR / USF&W / F&G / FAA / Corrections...
- 14.

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 (\$0)
- 2. Conditional Use Permit Application (\$350)
- 3. Alternative Development Overlay District Applications – one for each setback reduction (\$400 each)
- 4. Parking Waiver Application (\$400)

Additional submittal requirements:

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

- 1. A copy of this pre-application conference report.
- 2. A project narrative (One narrative that address all requested permits is acceptable. See the attached handout for tips on writing a good project narrative)

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. N/A

Fee estimates

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

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

- 1. See above for permit fees.
- 2. \$50 public notice sign fee

Pre-Application Conference Final Report

3. \$100 refundable sign deposit

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

Submit your completed application

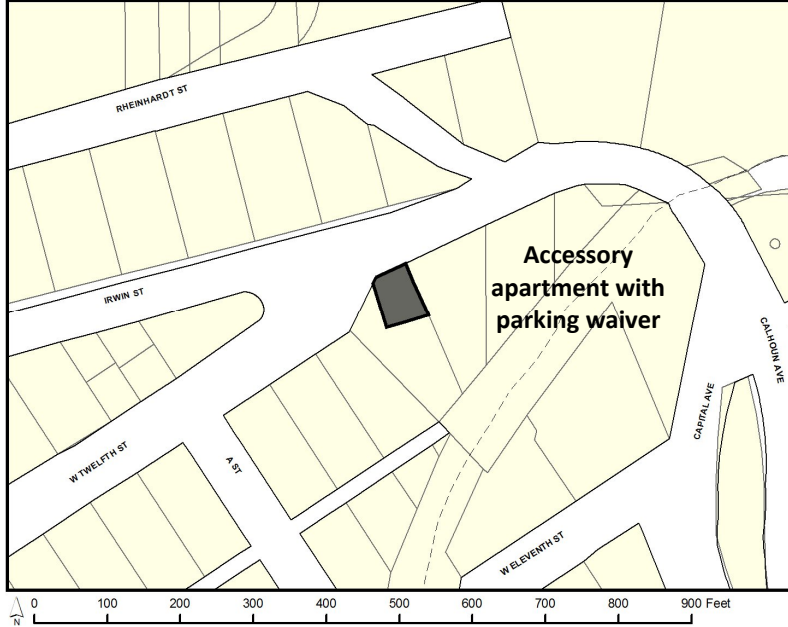
You must submit your application(s) in person with payment to:

City/Borough of Juneau
Permit Center
230 S. Franklin Street,
Fourth Floor Marine View Center
Juneau, AK 99801

Phone: (907) 586-0715
Fax: (907) 586-4529
Web: www.juneau.org/cdd

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission
Your Community, Your Voice



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 an accessory apartment on an undersized lot, four Alternative Development Permits to reduce setbacks, and a Parking Waiver to waive 3 parking spaces at 275 Irwin St. in a D18 zone.**

TIMELINE

Staff Report expected to be posted **Monday, May 31, 2021** at <https://juneau.org/community-development/planning-commission>. Find hearing results, meeting minutes and more here as well.

Now through May 17	May 18 — noon, June 7	HEARING DATE & TIME: 7:00 pm, June 8, 2021	June 9
Comments received during this period will be sent to the Planner, Laurel Christian , to be included as an attachment in the staff report.	Comments received during this period will be sent to Commissioners to read in preparation for the hearing.	This virtual meeting will be by video and telephonic participation only. To join the Webinar, visit: https://juneau.zoom.us/j/https://juneau.zoom.us/j/95600342842 . The Webinar ID is: 956 0034 2842. To join by telephone, call: +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833 or +1 301 715 8592 or +1 312 626 6799 or +1 929 436 2866 and enter the Webinar	The results of the hearing will be posted online.
Phone: (907)586-0715 ♦ Email: pc_comments@juneau.org Mail: Community Development, 155 S. Seward St, Juneau AK 99801 Printed May 4, 2021			
ATTACHMENT B - PUBLIC NOTICE Case Nos.: USE2021-04; PWP2021-01; ADP2021-01; ADP2021-02; ADP2021-03; ADP2021-04 Parcel No.: 1C030E010040 CBJ Parcel Viewer: http://epv.juneau.org			

Laurel Christian

From: Laurel Christian
Sent: Thursday, May 20, 2021 11:43 AM
To: Larry Johansen
Subject: Re: Public Notice Sign

Hi Larry.

I just dropped the sign off. I tied it to the post where you have the no parking signs posted.

Thanks,

Laurel



From: Jim Donaghey <jmdjnu@outlook.com>
Sent: Friday, May 14, 2021 8:47 PM
To: PC_Comments
Subject: RE: Parking Waiver to wave 3 Parking spaces at 275 Irwin St.

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

This as reference to the above subject pertaining to Case Nos.:

USE2021-04;
PWP2021-01;
ADP2021-01;
ADP2021-02;
ADP2021-03;
ADP2021-04;

Below is my response to a similar request in Feb of last year on the same street. My response then was NO and is still NO for the same reasons I noted then. Read on!

Thank you for asking.

Kind regards, [Jim](#)

James M. Donaghey
1029 A Street
Juneau AK 99801

Cell (907) 209-2560
Email donaghey@gci.net

Email of Feb. 6, 2020

From: Jim Donaghey <jmdjnu@outlook.com>
Sent: Thursday, February 6, 2020 10:07 AM

To: pc_comments@juneau.org
Cc: James Donaghey <donaghey@gci.net>
Subject: Case No.: CSP2020 0002

This has reference to "Invitation to Comment" On the above subject Case No.: CSP2020 0002/PWP2020 0001

I am absolutely against allowing a Conditional Use Permit for an accessory apartment and a waiver for required parking. It appears there is five dwellings on these six lots on this piece of land between Irwin St and 12th Street. None of them have any on lot parking plus there is no on street parking on any section of Irwin St adjacent to these lots.



The house on the left wants the accessory apartment.



There's no street parking on Irwin St



There's no street parking on this section of 12th St.



No street parking on this side of 12th St. all the way down to the yellow house.



This is where those who live in these five houses park.
A St. between 11th St. and 12th St. by Northern Light Church and their pre-school operation.



Not a good idea!

--	--	--

Additionally., due to the extreme shortage of parking in the “Flats” neighborhood I strongly recommend the following.

- That in the future all applications for all Conditional Use Permits for an accessory apartments must include not only at least one off street parking spot for the apartment but must include at least one parking spot for the current owner/occupant.
- Further, any future permits for any type of major dwelling construction be it new or remodel must include at least one parking spot for the current owner/occupant.

This will not only mitigate many of the parking hassles but also go a long way to improve street maintenance i.e. snow removal/sweeping etc.

Community Development and the Planning Commission should be more than approving or not approving various permits there should be a intentional movement toward correcting the sins of our forbearers. More housing may be necessary but let us not encourage any more “Slum Lords”.

Thank you for asking.

Kind regards, [Jim](#)

James M. Donaghey
1029 A Street
Juneau AK 99801

Cell (907) 209-2560
Email donaghey@gci.net

Terry Harvey
Cynthia Johnson
321 W. 12th
Juneau, AK 99801
tterry.juneau@gmail.com
907-723-1871

May 12, 2021

To the Juneau Planning Commission regarding the project proposed at **275 Irwin St., Juneau, AK Parcel No. 1C030E010040**

We are opposed to the Conditional Use Permit for the proposed accessory apartment on an undersized lot, four Alternative Development Permits to reduce setbacks, and a Parking Waiver to waive the required 3 parking spaces.

There have been several new builds in this neighborhood in the last few years and they have adhered to current building codes especially providing off-street parking, at considerable expense, it is unfair to them to waive all of these requirements. There are also homes in this area so old they are grandfathered in without off-street parking requirements and this creates a problem with too much demand for on-street parking and not enough of it available. Waiving parking requirements to this neighborhood will only exacerbate an already existing problem of on-street parking demands and overall lack of.

This undersized lot is not appropriate to develop unless existing setback requirements are met. Other new builds in recent years in this immediate neighborhood have all been required to adhere to these stipulations. This proposed project on this undersized lot is not appropriate unless the development can meet all existing CBJ building code requirements without any Conditional Use permitted waivers.

Sincerely,



Terry Harvey
Cynthia Johnson

RECEIVED
MAY 17 2021
Permit Center/CDD

Laurel Christian

From: erik norberg <norbergerik@yahoo.com>
Sent: Monday, May 17, 2021 11:28 AM
To: Laurel Christian
Subject: Notice of Public Hearing for 275 Irwin Street

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

Good morning Laurel

Thank you for the opportunity to comment on the Notice of Public Hearing for 275 Irwin Street.

Parking has emerged as a major concern for the downtown Flats neighborhood area. This neighborhood bears the brunt of the overflow parking to Federal workers, State workers, Northern Lights Church, and even current residents with private commercial businesses and boats. Parking in this area is boiling over at 100% capacity for on-street parking. I **do not** agree with the City's parking waiver to waive three additional parking spaces.

I hope that the City will seriously consider the impact that this proposal will have in an area that is already at 100% capacity. I would be more than happy to do discuss my concerns further and offer ideas I have for potential solutions to the parking problems in this area.

Sincerely,
Erik Norberg
926 A Street
907-957-2808





Planning Commission

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

BOARD OF ADJUSTMENT NOTICE OF DECISION

Date: June 9, 2021
File No.: ADP2021 0001, ADP2021 0002, & ADP2021 0003

Larry Johansen
227 Irwin Street
Juneau, AK 99801

Proposal: ADP2021 0001: To reduce the front yard setback from 20 feet to 9 feet 7 inches
ADP2021 0002: To reduce the eastern side yard setback from 5 feet to 2 feet 8 inches
ADP2021 0003: To reduce the western side yard setback from 5 feet to 2 feet 8 inches

Property Address: 275 Irwin Street

Legal Description: Irwin Addition Block 1 Lots 2 & 3 Fraction

Parcel Code No.: 1C030E010040

Hearing Date: June 8, 2021

The Board of Adjustment, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated June 1, 2021, and APPROVED the three Alternative Development Permits:

- ADP2021 0001: To reduce the front yard setback from 20 feet to 9 feet 7 inches
- ADP2021 0002: To reduce the eastern side yard setback from 5 feet to 2 feet 8 inches
- ADP2021 0003: To reduce the western side yard setback from 5 feet to 2 feet 8 inches

To be conducted as described in the project description and project drawings submitted with the application and with the following condition:

1. Prior to the issuance of a building permit, the applicant shall submit a revised site plan showing the required minimum yard setbacks are met.

Larry Johansen

File No.: ADP2021 0001, ADP2021 0002, & ADP2021 0003

June 9, 2021

Page 2 of 2

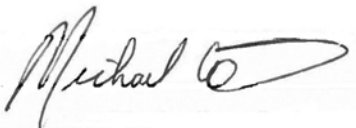
Attachments: June 1, 2021, memorandum from Laurel Christian, Community Development, to the CBJ Board of Adjustment regarding ADP2021 0001, ADP2021 0002, and ADP2021 0003.

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

Effective Date: The permit is effective upon approval by the Board, June 8, 2021.

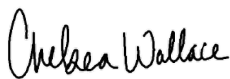
Expiration Date: The permit will expire 18 months after the effective date, or December 8, 2022, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.



Michael LeVine, Chair
Planning Commission

June 12, 2021

Date



Filed With City Clerk

June 17, 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.

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

ADP2021 0002: Alternative Development Permit to reduce the eastern side yard setback from 5 feet to 2 feet 8 inches - APPROVED

AGENDA ITEM:

Case No.: ADP2021 0002

Applicant: Larry Johansen

Location: 275 Irwin St.

Proposal: Alternative Development Permit to reduce the eastern side yard setback from 5 feet to 2 feet 8 inches.

RECOMMENDATION:

Staff recommends the Planning Commission adopt the Director's analysis and findings and **APPROVE** the requested Alternative Development Permits. These permits would allow the development of a single-family structure with the following setback reductions:

- ADP2021 0001: Alternative Development Permit to reduce the front yard setback from 20 feet to 9 feet 8 inches.
- ADP2021 0002: Alternative Development Permit to reduce the eastern side yard setback from 5 feet to 2 feet 8 inches.
- ADP2021 0003: Alternative Development Permit to reduce the western side yard setback from 5 feet to 2 feet 8 inches.

The approval is subject to the following conditions:

1. Prior to the issuance of a building permit, the applicant shall submit a revised site plan showing the required minimum yard setbacks are met.

ATTACHMENTS:

	Description	Upload Date	Type
▣	Staff Report for ADP2021 0001, 0002, and 0003	6/2/2021	Appeal
▣	Notice of Decision for ADP2021 0001, 0002, and 0003	6/23/2021	Notice of Decision



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

DATE: June 1, 2021
TO: Michael LeVine, Chair, Board of Adjustment
BY: Laurel Christian, Planner II *Laurel Christian*
THROUGH: Jill Maclean, Director, AICP

PROPOSAL: Applicant requests three Alternative Development Permits:

- ADP2021 0001: To reduce the front yard setback from 20 feet to 9 feet 7 inches.
- ADP2021 0002: To reduce the eastern side yard setback from 5 feet to 2 feet 8 inches.
- ADP2021 0003: To reduce the western side yard setback from 5 feet to 2 feet 8 inches.

STAFF RECOMMENDATION: Approval with conditions

KEY CONSIDERATIONS FOR REVIEW:

- Proposed use is residential.
- Lot receives a rear yard setback reduction for substandard lot depth.
- Proposal complies with the Comprehensive Plan by providing housing in a flexible format.
- Lot is certified nonconforming for lot size, lot width, and lot depth.

GENERAL INFORMATION	
Property Owner/Applicant	Larry Johansen
Property Address	275 Irwin Street
Legal Description	Irwin Addition Block 1 Lots 2 & 3 Fraction
Parcel Number	1C030E010040
Zoning	D18 Residential
Land Use Designation	Medium Density Residential (MDR)
Lot Size	1,257 sq. ft.
Water/Sewer	Public
Access	Irwin Street
Existing Land Use	Vacant
Associated Applications	USE2021 0004, PWP2021 0001

ALTERNATIVE ACTIONS:

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

ASSEMBLY ACTION REQUIRED:

Assembly action is not required for this permit.

STANDARD OF REVIEW:

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
 - o 49.25.430
 - o 49.70.1200
 - o 49.80

The Commission shall hear and decide the case per 49.70.1200 – Alternative Development Overlay District. The purpose of the alternative development overlay district is to provide adequate minimum standards and procedures for the construction of new residential buildings and the expansion, restoration, or repair of existing residential buildings, while providing time to implement new zoning regulations. This article is intended to provide for the development of housing, preserve the character of neighborhoods, and promote the restoration of blighted buildings.

SITE FEATURES AND ZONING



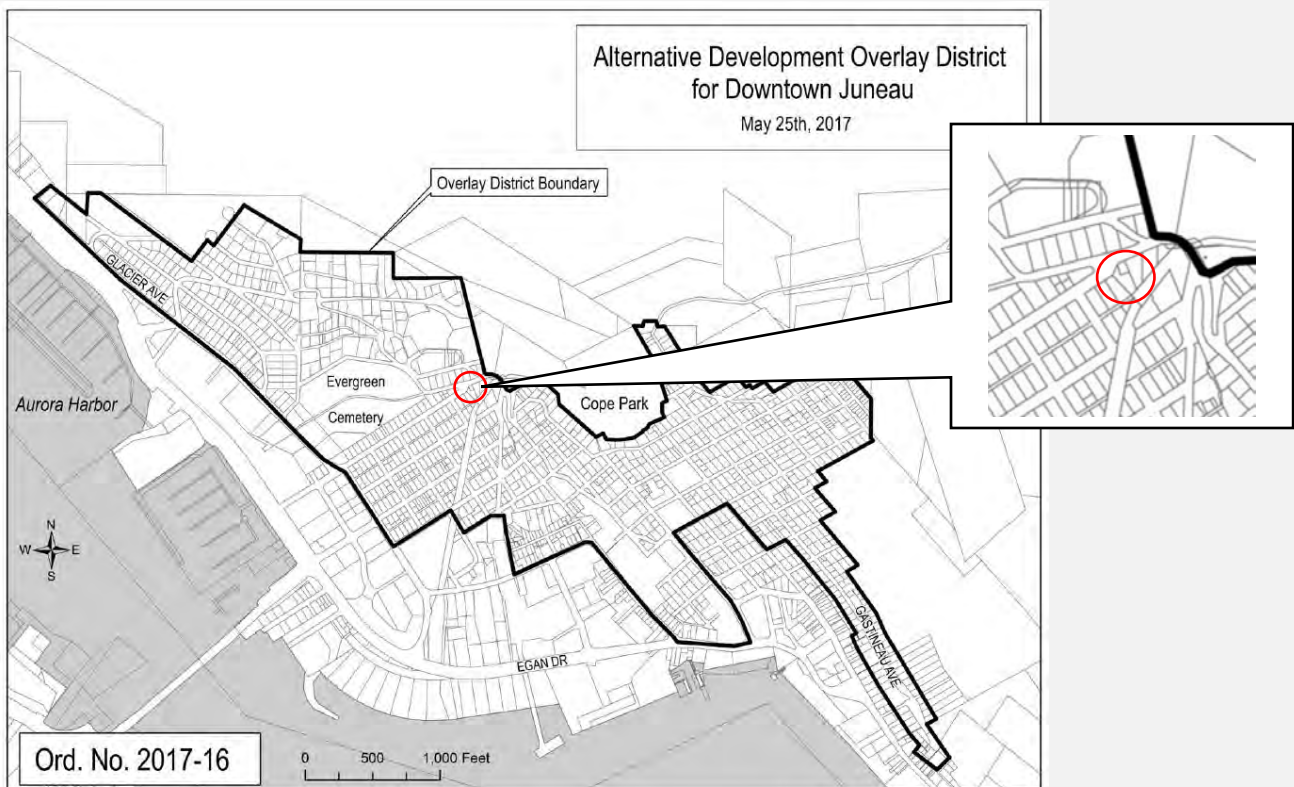
SURROUNDING ZONING AND LAND USES

North (D18)	Multi-family dwelling
South (D18)	Single-family dwelling
East (D18)	Single-family dwelling
West (D18)	Single-family dwelling

SITE FEATURES

Anadromous	None
Flood Zone	None
Hazard	Moderate
Hillside	None
Wetlands	None
Parking District	None
Historic District	None
Overlay Districts	Juneau ADOD

ALTERNATIVE DEVELOPMENT OVERLAY DISTRICT MAP



BACKGROUND INFORMATION

Project Description – The applicant has requested three (3) Alternative Development Permits (ADPs) for the development of a single-family dwelling and accessory apartment on an undersized lot in a moderate landslide/avalanche area.

This one staff report will evaluate the three (3) ADOD permits; the analysis and findings is the same for each case:

Case Number	Description
ADP2021 0001	Alternative Development Permit to reduce the front yard setback from 20 feet to 9 feet 7 inches.
ADP2021 0002	Alternative Development Permit to reduce the eastern side yard setback from 5 feet to 2 feet 8 inches.
ADP2021 0003	Alternative Development Permit to reduce the western side yard setback from 5 feet to 2 feet 8 inches.

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

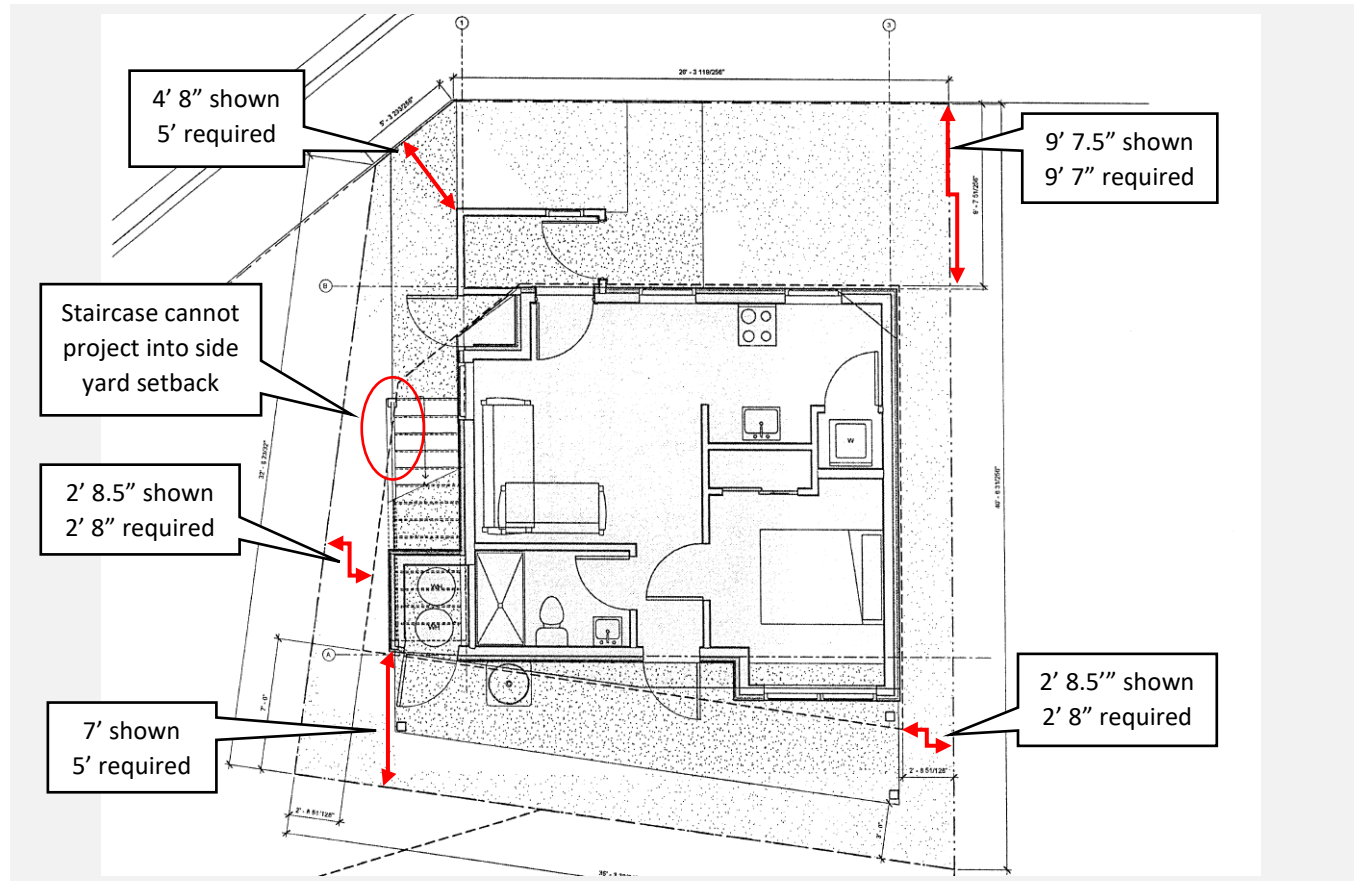
Item	Summary
NCC2021 0029	The lot is certified nonconforming for lot size, lot width, and lot depth.
USE2021 0004	The applicant has applied for a Conditional Use Permit for the accessory apartment on an undersized lot in a moderate landslide/avalanche zone.
PWP2021 0001	The applicant has applied for a parking waiver to waive the three (3) required parking spaces for the development.
ADP2021 0004	The applicant originally applied for an ADOD reduction to the rear yard, this permit would have reduced the rear yard to 7 feet. During staff's analysis, it was determined the lot could receive a setback reduction for substandard lot depth. This reduction reduces the rear yard setback to 5 feet and is standard in Title 49 applicable to any property in the borough with substandard lot depth. This ADOD permit was withdrawn.

ZONING REQUIREMENTS

Standard		Requirement	Proposed	Existing	Code Reference
Lot	Size	5,000 sq. ft.	No Change	1,257 sq. ft.	49.25.400
	Width	50'	No Change	33'	49.25.400
	Depth	80'	No Change	39'	49.25.400
Setbacks	Front	9' 7" 5' for artic entry	9' 7.5" 4' 8"	Vacant	49.70.1240(a)(1) 49.25.430(4)(C)(ii)
	Rear	5'	7'	Vacant	49.25.430(4)(j)
	Side	2' 8"	2' 8.5"	Vacant	49.70.1240(a)(1)
	Side	2' 8"	2' 8.5'	Vacant	49.70.1240(a)(1)
Lot Coverage		60% Max	42%	Vacant	49.70.1240(b)
Vegetative Cover		15% Min	Unknown	Vacant	49.70.1240(c)
Height	Permissible	35'	26.5'	Vacant	49.25.400
	Accessory	25'	NA	Vacant	49.25.400
Maximum Dwelling Units (18/acre)		1	1	Vacant	49.25.500
Use		Residential	Residential	Vacant	49.25.300

June 1, 2021
ADP2021 0001; 0002; 0003
Page 4 of 10

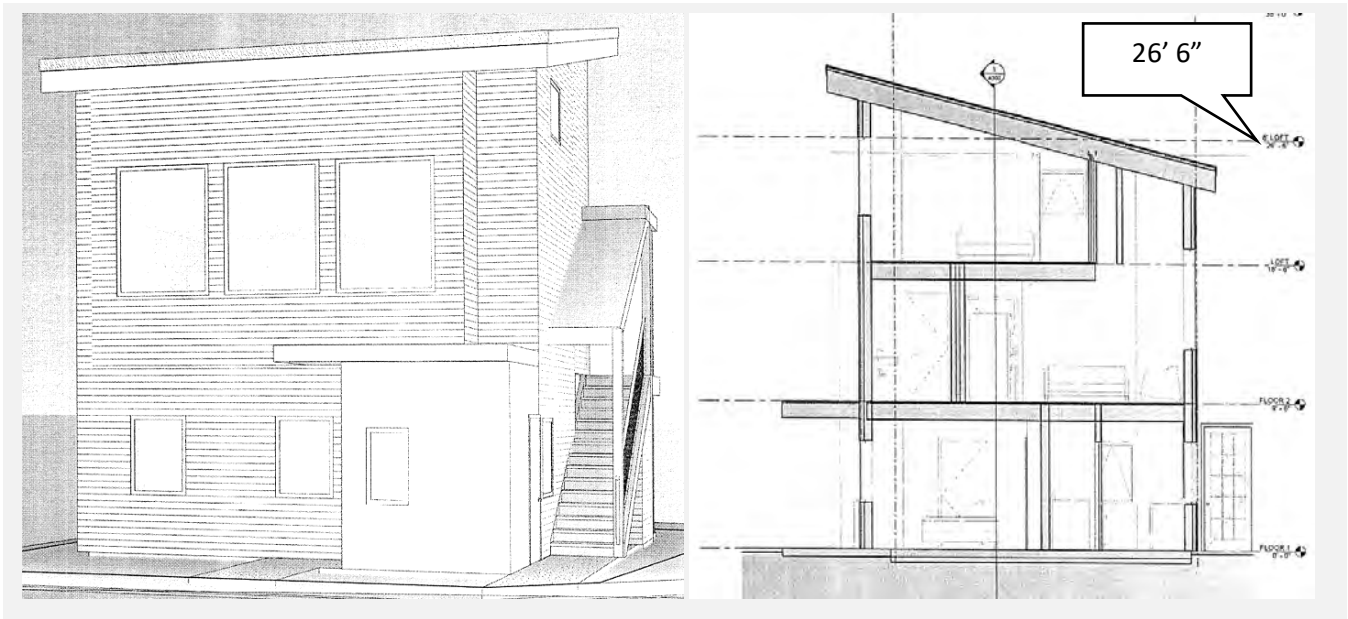
SITE PLAN



ANALYSIS

Project Site and Design– The project site is located in the Downtown “Flats” neighborhood near the corner of Irwin Street, W Twelfth Street, and Calhoun Street. The lot is 1,257 square feet and is certified nonconforming to the D18 minimum lot standards (NCC2021 0029). The project site is located in a moderate landslide/avalanche zone. The applicant proposes a three-story building that will contain a 617 square foot single-family dwelling and 397 square foot accessory apartment (Attachment A).





Setback Reductions – According to CBJ 49.70.1240(a)(1) the setbacks for a new residential building may be reduced to the average setbacks for neighboring properties within a 150-foot radius (Attachment D). The CBJ Cartographer calculates the required setbacks according to the average in order to provide consistency in procedure. The table below shows the required setbacks and what is being shown on the project site plan.

Side	D18 Standard	ADOD Requirement	Shown on Plans	Code Reference
Front	20' 5' for arctic entry	9' 7" 5' for arctic entry	9' 7.5" 4' 8"	49.70.1240(a)(1) 49.25.430(4)(C)(ii)
Side	5'	2' 8"	2' 8.5"	49.70.1240(a)(1)
Side	5'	2' 8"	2' 8.5'	49.70.1240(a)(1)

In addition to the ADOD reductions, arctic entries receive a setback reduction that allows them to be within 5 feet of any property line if they are less than 65 square feet [49.25.430(4)(C)(ii)]. The rear yard is also reduced for substandard lot depth to 5 feet [45.25.430(4)(j)].

The applicant's site plan shows the proposed arctic entry not meeting the required 5' front yard setback. The applicant will be required to submit a revised site plan showing the minimum yard setbacks can be met, prior to the issuance of a building permit.

Condition: Prior to the issuance of a building permit, the applicant shall submit a revised site plan showing the required minimum yard setbacks are met.

If the ADOD permits are not approved, the applicant can utilize the below standard setback exceptions in code, applicable to all properties in the borough, and revisions to the site plan would be required:

Side	D18 Requirement	Standard Code Reduction	Description	Code Reference
Front	20'	11' 8'	Lots may get a reduced front yard setback by averaging the setbacks of the adjacent 3 properties.	49.25.430(4)(k)

Side	D18 Requirement	Standard Code Reduction	Description	Code Reference
Front	20'	5' for artic entry	Arctic entries less than 65 square feet can be 5 feet front any lot line.	49.25.430(4)(c)(ii)
Rear	10'	5'	Lots with substandard lot depth may reduce their rear setback based on the percentage of lot depth they have compared to the required.	49.25.430(4)(j)
Side	5'	None	Reductions do not allow side yard setbacks less than 5 feet.	

Traffic – According to CBJ 49.40.300(a)(2) a traffic impact analysis is not required given that the development is anticipated to generate fewer than 250 average daily trips (ADTs).

Use	Units	Trips Generated	Total Trips
Single-family dwelling	1	9.52 per unit	9.52
Accessory apartment	1	6.65 per unit	6.65
Total ADTs:			16.17

Vehicle Parking & Circulation – According to CBJ 49.40210(a) three (3) parking spaces are required. The applicant has requested a parking waiver and proposes to provide no parking on-site (PWP2021 0001). Parking is discussed in greater detail in the staff report for the parking waiver.

Use	Units	Spaces Required	Total Spaces
Single-family dwelling	1	2	2
Accessory Apartment	1	1	1
Total Parking Requirement:			3
Off-street Loading Spaces Required:			0
ADA Accessible Spaces Required:			0

Non-motorized Transportation – The downtown area provides sidewalks on both sides of the street and is generally considered a walkable neighborhood.

Proximity to Transit – The nearest bust stop is located on Glacier Avenue, approximately ¼ mile walking distance from the project site.

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

Lighting – Lighting will be reviewed with a building permit application.

Vegetative Cover & Landscaping – There is no vegetative cover shown on the project site plan. Lots within the ADOD boundary are allowed to maintain a minimum 15% vegetative cover. This will be reviewed with the building permit application.

Habitat – There are no habitats or sensitive areas on the lot governed by Title 49.

Drainage and Snow Storage – CBJ Engineering and Public works stated they had no comments on the proposal. Any proposed grading or changes to drainage will be reviewed through the building permit process.

Historic District – The lot is not within the CBJ Downtown Historic District. The lot is within the Casey Shattuck Neighborhood Boundary, which is an identified historic neighborhood in the 2020 Historic & Cultural Preservation Plan. No development/design guidelines have been established the Casey Shattuck Historic Neighborhood.

Hazard Zones – The lot is located in the moderate landslide/avalanche zone. Hazards are discussed in detail in the staff report for USE2021 0004.

Public Health, Safety, and Welfare – There is no evidence that the proposed setback reductions will endanger the public health, safety, or welfare. The Building Code protects the public health, safety, and welfare by establishing standards for new construction. When structures are built within three feet of a property line, additional fire separations may be required. These requirements will be based on final plans submitted with a building permit application, and be determined by the Building Code Official.

Property Value or Neighborhood Harmony – In reviewing an Alternative Development Overlay (ADOD) permit, the Commission is charged with determining whether the proposed development will be “*out of harmony with property in the neighboring area*” [49.70.1230(f)(2)]. As discussed above, the Casey Shattuck Neighborhood does not have established development or design guidelines for new construction.

When a new structure is constructed in a historic neighborhood (outside of the Downtown Historic District), there are no requirements for the way that structure should look. Title 49 does not regulate appearance; it regulates mass, height, setbacks, and uses. The proposal is similar in size, mass, and use to neighboring properties. Additionally, because setbacks are established based on an average of neighboring properties, the new structure will be situated similarly to neighboring properties. The proposal also meets the minimum standards of the zoning district for height and lot coverage requirements.

There is no evidence that the proposal will substantially decrease property values, or be out of harmony with neighboring properties.

AGENCY REVIEW

At time of writing this staff report, no agency comments were received.

PUBLIC COMMENTS

CDD conducted a public comment period between May 4 and May 17. Public notice was mailed to property owners within 500 feet of the proposed development. A public notice sign was also posted on-site two weeks prior to the scheduled hearing. Public comments submitted at time of writing this staff report can be found in Attachment C.

Name	Summary
Jim Donaghey	Expresses concerns for the density of the area and requests that new developments be required to provide at least one parking spot per residence. Does not support the proposed development.
Terry Harvey Cynthia Johnson	Opposes the development, requests that new development meets current building and zoning standards, especially parking requirements. Does not think development of the undersized lot is appropriate as planned.
Erik Norberg	Believes that parking in the “Flats” neighborhood is at capacity and does not support a reductions to parking.

CONFORMITY WITH ADOPTED PLANS

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

PLAN	Chapter	Page No.	Item	Summary
2013 Comprehensive Plan	3	20	Policy 3.2	Promotes compact urban development within the designated urban service area to ensure efficient utilization of land resources and to facilitate cost effective provision of community services.
	4	37	Policy 3.2	Facilitates the provision of an adequate supply of various housing types and sizes to accommodate present and future housing needs for all economic groups.
	11	161	Land Use Designation	Complies with the Medium Density Residential land use designation.
	11	184	Subarea Guideline 1	The lot is located in Subarea 6. Guidelines for Subarea 6 include the preservation and scale of densities of older neighborhoods in the downtown area. In the Casey Shattuck Neighborhood, it is not uncommon for accessory apartment to be located on undersized lots.
2016 Housing Action Plan	2	35	Production Target	Creates housing, which advances the City’s goal of increasing housing stock.

FINDINGS

Per CBJ 49.70.1240, Review of Director's & Board of Adjustment’s Determinations, the Director makes the following findings on the proposed development:

1. *Is the application for the requested Alternative Development Permit complete?*

Analysis: No additional analysis required.

Finding: Yes. Staff finds the application contains the information necessary to conduct full review of the proposed development. The application submittal by the applicant, including the appropriate fees, substantially conforms to the requirements of CBJ Chapter 49.70.1200.

2. *Is the proposed development appropriate according to the Alternative Development Overlay District?*

Analysis: The proposed development will be used for a residential use. The requested setbacks and lot coverage do not exceed what is allowed by 49.70.1240(a)&(b) and the minimum vegetative cover requirement can be met according to 49.70.1240(c).

Finding: Yes. The proposed development is appropriate according to the Alternative Development Overlay District.

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

Analysis: The proposed design can comply with the requirements of the Alternative Development Overlay District and the D18 zoning district standards.

Finding: Yes. With the recommended approvals and conditions, the proposed development will comply with Title 49.

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

Analysis: No additional analysis required.

Finding: No. There is no evidence to suggest that with appropriate conditions, the requested development 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: As discussed above, the proposed development is similar in size, mass, and use to neighboring properties. Additionally, the structure will be situated similarly to properties in the neighboring area.

Finding: No. There is no evidence to suggest that with appropriate conditions, the requested development 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: Housing is an identified need in adopted plans. Plans call for the provision of in-fill development where there is adequate existing public infrastructure, which allows for the cost effective provision of public services.

Finding: Yes. The proposed development with the recommended conditions, will be in general conformity

with the Comprehensive Plan and Housing Action Plan.

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and **APPROVE** the requested Alternative Development Permits. These permits would allow the development of a single-family structure with the following setback reductions:

- ADP2021 0001: Alternative Development Permit to reduce the front yard setback from 20 feet to 9 feet 8 inches.
- ADP2021 0002: Alternative Development Permit to reduce the eastern side yard setback from 5 feet to 2 feet 8 inches.
- ADP2021 0003: Alternative Development Permit to reduce the western side yard setback from 5 feet to 2 feet 8 inches.

The approval is subject to the following conditions:

1. Prior to the issuance of a building permit, the applicant shall submit a revised site plan showing the required minimum yard setbacks are met.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packets
Attachment B	Abutters Notice and Public Notice Sign Photo
Attachment C	Public Comments
Attachment D	ADOD Measurements



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 W. Twelfth St.		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) Inn Addition Block 1 lot 223 FR		
	Parcel Number(s) 1C030E010040		
	☒ This property located in the downtown historic district ☐ This property located in a mapped hazard area, if so, which _____		
	LANDOWNER/ LESSEE		
	Property Owner Lang Johnson	Contact Person Lang Johnson	
	Mailing Address 227 Inn St	Phone Number(s) 808385 5570	
	E-mail Address Lang Johnson		
	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		3/9/21 Date	
X _____ Landowner/Lessee Signature		_____ Date	
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.			
APPLICANT If the same as OWNER, write "SAME"			
Applicant Same	Contact Person		
Mailing Address	Phone Number(s)		
E-mail Address			
X _____ Applicant's Signature		_____ Date of Application	
DEPARTMENT USE ONLY BELOW THIS LINE			

ATTACHMENT A - APPLICATION

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

Intake Initials ANE
Case Number
Date Received



ALTERNATIVE DEVELOPMENT PERMIT APPLICATION

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

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

To be completed by Applicant

TYPE OF ALTERNATIVE DEVELOPMENT PROPOSED (ONLY AVAILABLE TO ALLOWED RESIDENTIAL USES)

Build w/in Existing Footprint ☒ Setback Reduction ☐ Lot Coverage Reduction ☐ Vegetative Coverage Reduction

If reduction of Setback(s), Lot Coverage, and / or Vegetative Coverage, the following must be provided:

☐ Properties w/in 150' radius ☐ Table demonstrating average corresponding setbacks located w/in 150' radius

PERMIT SUMMARY Construction of new SFD w/ accessory apt. on undersized lot. Reductions will be: Front: 9.7' Side: 2.8' Rear: 7.0' Side: 2.8'

IS THIS A MODIFICATION OF AN EXISTING APPROVAL? ☐ YES - Case # ☒ NO

Existing use of property: Vacant

Is this project an: ☐ Expansion ☐ Rehabilitation ☒ New Development

Has this property received a Variance in the Past? ☒ NO ☐ YES - Case #

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

SITE AND BUILDING SPECIFICS

Total Area of Lot 1,257 square feet Total Area of Existing Structure(s) 0 square feet

Total Area of Proposed Structure(s) 1,014 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 MATERIALS ATTACHED

- ☒ Application
- ☐ Current Map of pr.
- ☐ Current use of land or building(s)
- ☐ Proposed setbacks, lot coverage, vegetative coverage
- ☐ How the proposed use complies with the Alternative Development Overlay District
- ☐ Plans (details on page 2)

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

ALLOWABLE/CONDITIONAL USE FEES

Fees	Check No.	Receipt	Date
Application Fees	\$ <u>400</u>		
Admin. of Guarantee	\$		
Adjustment	\$		
Pub. Not. Sign Fee	\$		
Pub. Not. Sign Deposit	\$		
Total Fee	\$ <u>400</u>		

} sign fee w/ cup

REQUIRED: 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

I:\FORMS\PLAN FORM\ADP - Alternative Development Permit Application.docx

ATTACHMENT A - APPLICATION

Case Number	Date Received
ADP 21-001	3/9/21

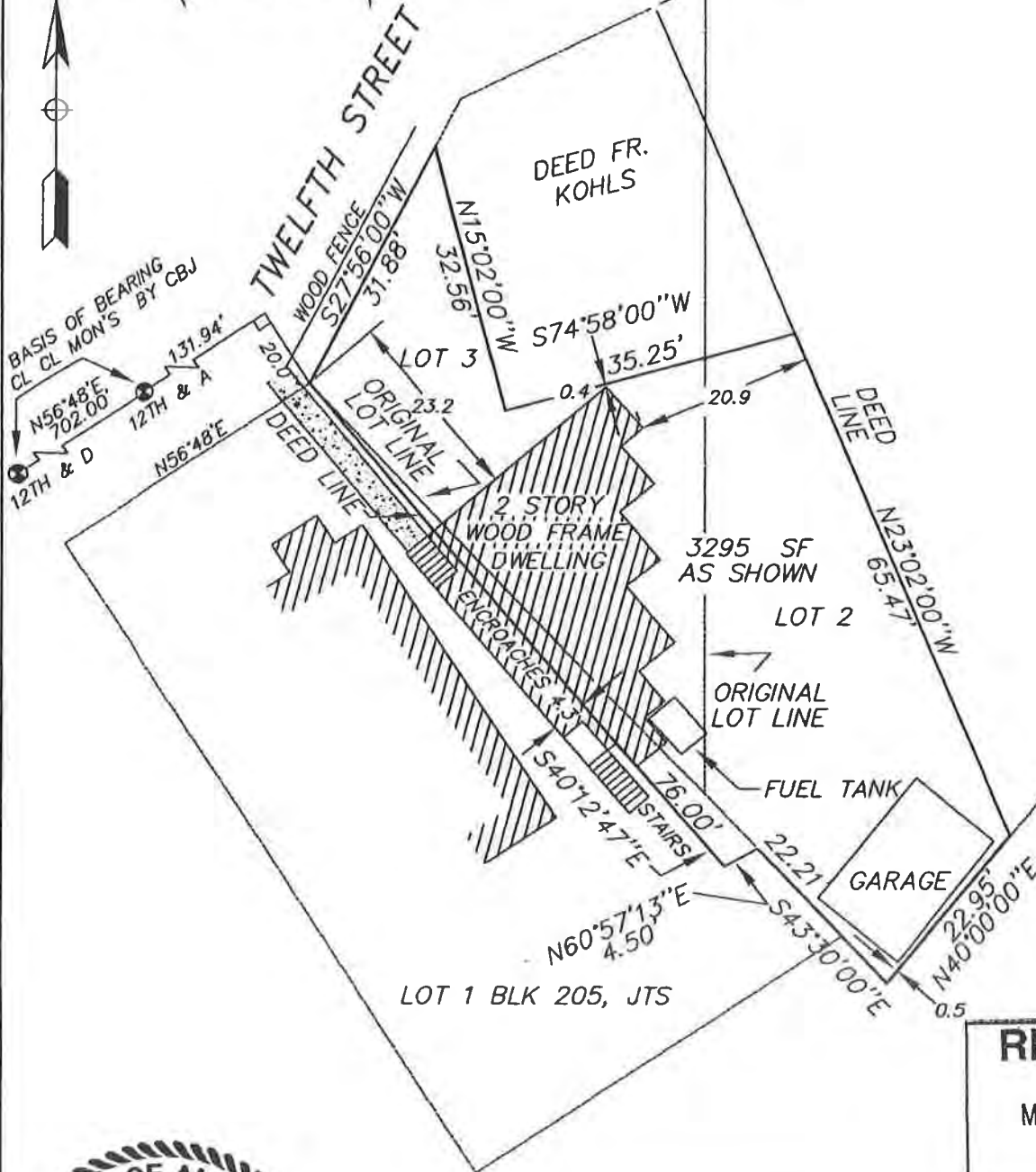
CERTIFICATE OF REGISTERED LAND SURVEYOR

I HEREBY CERTIFY THAT I AM REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME, ON THE GROUND, TO THE NORMAL STANDARD OF CARE OF PROFESSIONAL LAND SURVEYORS PRACTICING IN SOUTHEAST ALASKA AND THAT, ON THE BASIS OF MY KNOWLEDGE, INFORMATION, AND BELIEF, IMPROVEMENTS AND ENCROACHMENTS ON THE PROPERTY DEPICTED HEREON ARE AS SHOWN.

NOTE

DEED DESCRIPTION CONTAINS MANY ELEMENTS THAT LEAVE BOUNDARIES OPEN TO INTERPRETATION. ADJOINING DEEDS WERE USED TO CLARIFY GRANTOR'S INTENT. WHERE LONGSTANDING LINES OF OCCUPATION DIFFER FROM DEED LINES OWNERSHIP BOUNDARIES ARE OFTEN AFFECTED. OWNERS ARE ENCOURAGED TO REPLAT BOUNDARIES AS NEEDED TO AVOID TITLE PROBLEMS. BOUNDARY INFORMATION IS FROM THE PLAT OF THE CITY OF JUNEAU, BY R.C. CROW, 1952. NOTE THAT SOME DIMENSIONS WERE MODIFIED FROM ORIGINAL IRWIN ADDITION PLAT. BURIED FUEL TANK ON PROPERTY NOT SHOWN. (SCHEDULED FOR REMOVAL).

5-22-02
DATE



RECEIVED

MAY 24 2002

PERMIT CENTER/CDD

C:\DWGS\THB205L1.DWG



PLAT SHOWING "AS-BUILT" SURVEY
METES & BOUNDS TRACT
PORTION OF LOT 1 BLK 205 CASEY SHATTUCK ADD'N, JUNEAU TOWNSITE
PORTION OF LOTS 2 & 3 BLK 1 IRWIN ADDITION TO JUNEAU TOWNSITE
DESCRIBED IN DEED BOOK 396, PAGE 460

JUNEAU, ALASKA RECORDING DISTRICT

DOUGLAS FINLEY LAND SURVEYING

820 6TH STREET - JUNEAU, ALASKA (907) 586-4253

DATE: 5/07/02

DRAWN BY: DF

PROJ. No.: 02-428-A1

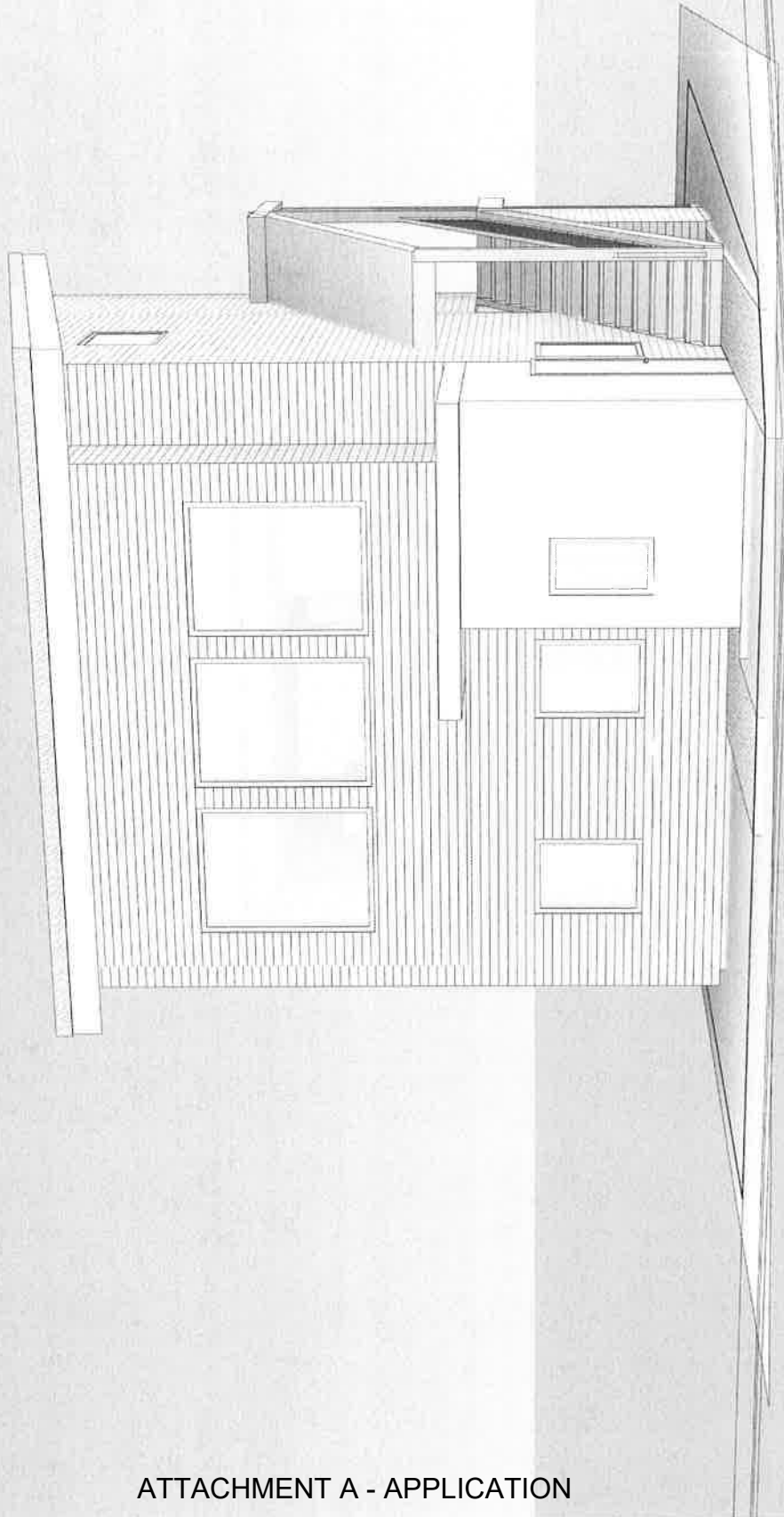
SCALE: 1" = 20'

SHEET
1 of 1

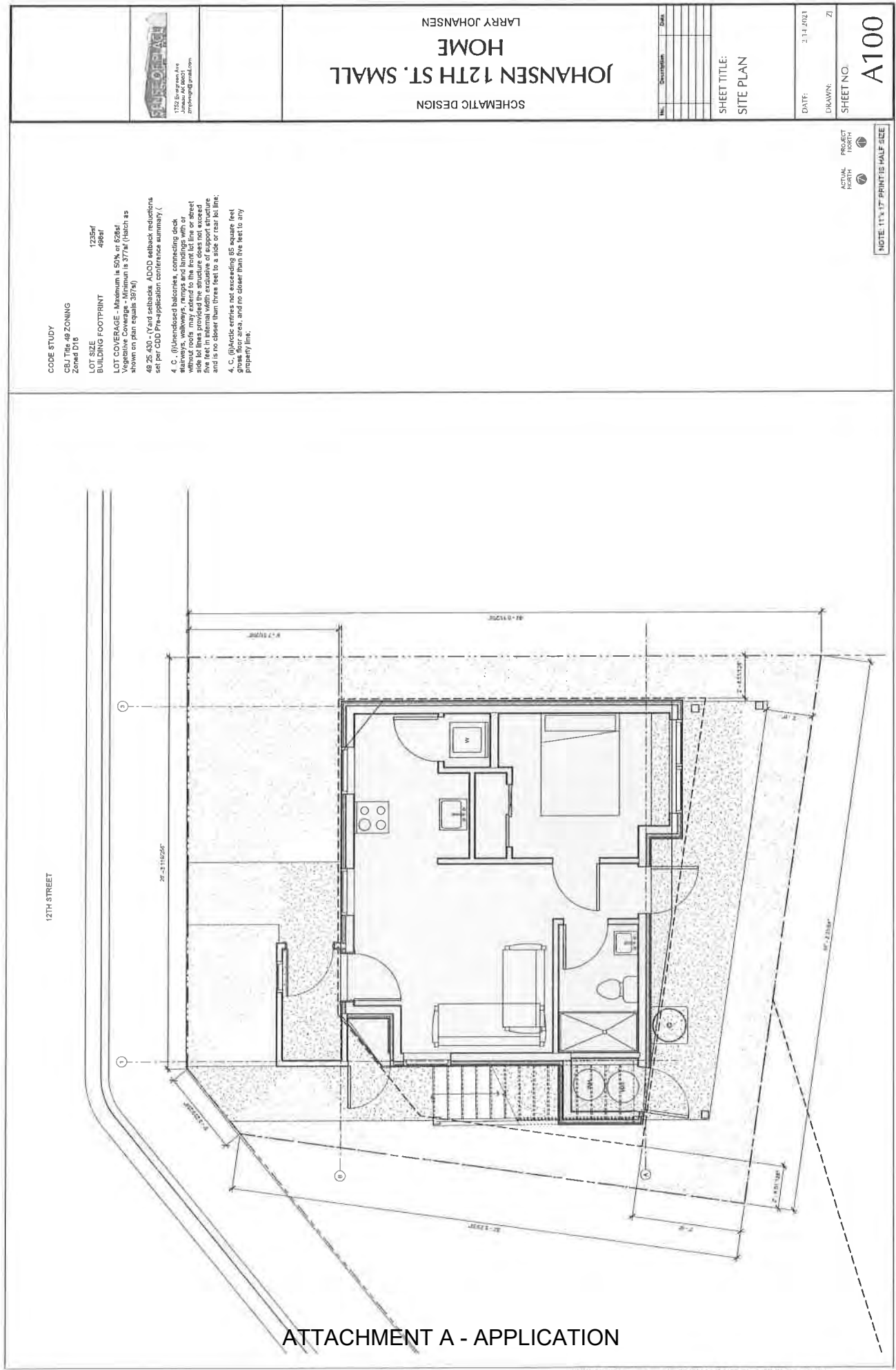
ATTACHMENT A - APPLICATION

JOHANSEN 12TH ST. SMALL HOME

For
LARRY JOHANSEN



ATTACHMENT A - APPLICATION



CODE STUDY
CSJ Title 48 ZONING
zoned D16

LOT SIZE
BUILDING FOOTPRINT
1235sf
499sf

LOT COVERAGE - Maximum is 50% or 528sf
Vegetative Coverages - Minimum is 377sf (Hatch as
shown on plan equals 397sf)

48.25.430 - (Yard setbacks, ADOD setback reductions
set per CDD Pre-application conference summary (

4. C. (If) enclosed balconies, connecting deck
stairways, walkways, ramps and landings with or
without roofs, may extend to the front lot line or street
level, but the structure does not exceed
five feet in height above the ground surface and
is no closer than three feet to a side or rear lot line;

4. C. (If) utility services not exceeding 65 square feet
gross floor area and no closer than five feet to any
property line.

SCHEMATIC DESIGN
JOHANSEN 12TH ST. SMALL
HOME
LARRY JOHANSEN

No.	Description	Date

SHEET TITLE:
SITE PLAN

DATE: 2/14/2021

DRAWN: ZJ

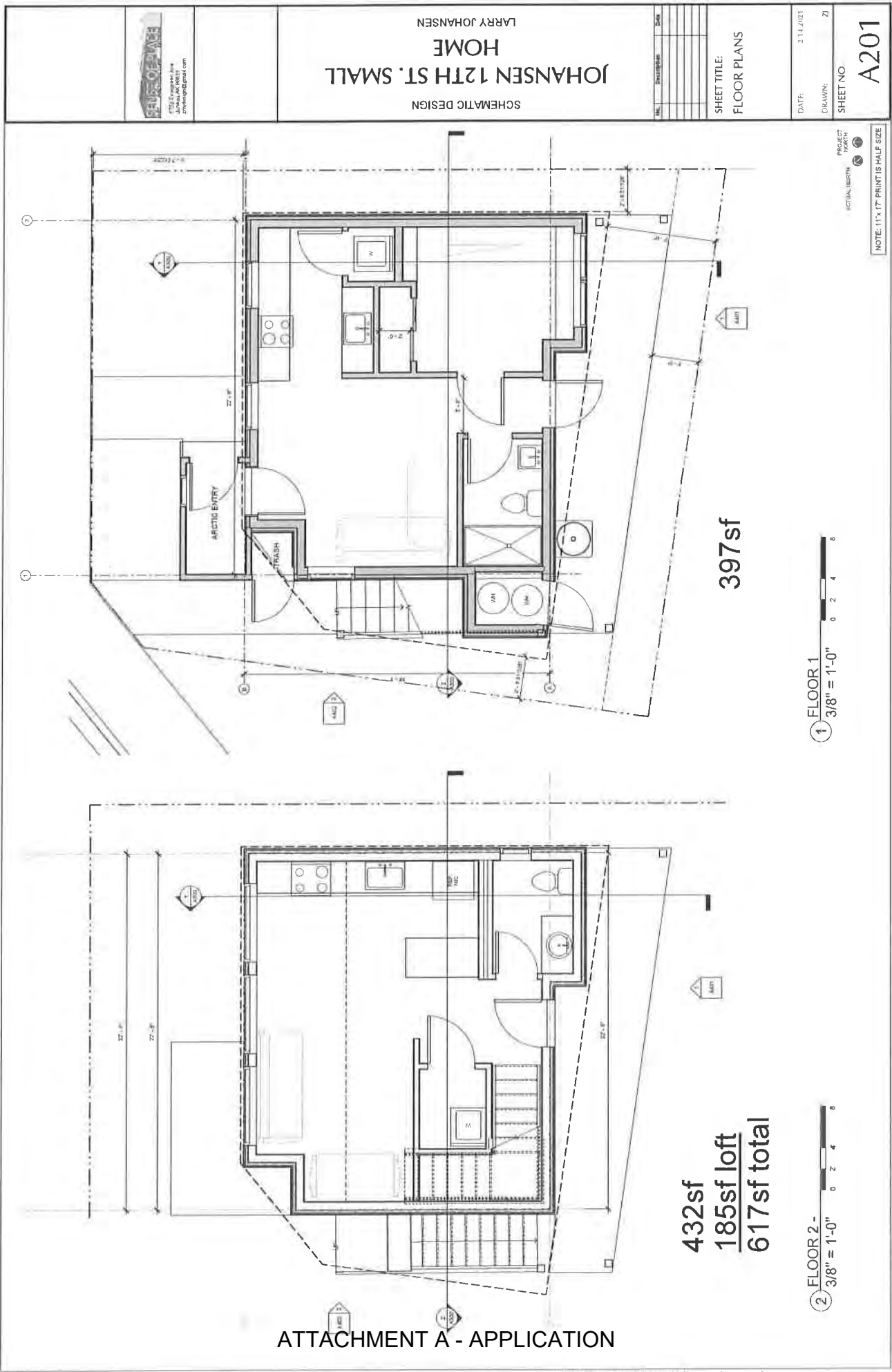
SHEET NO. A100

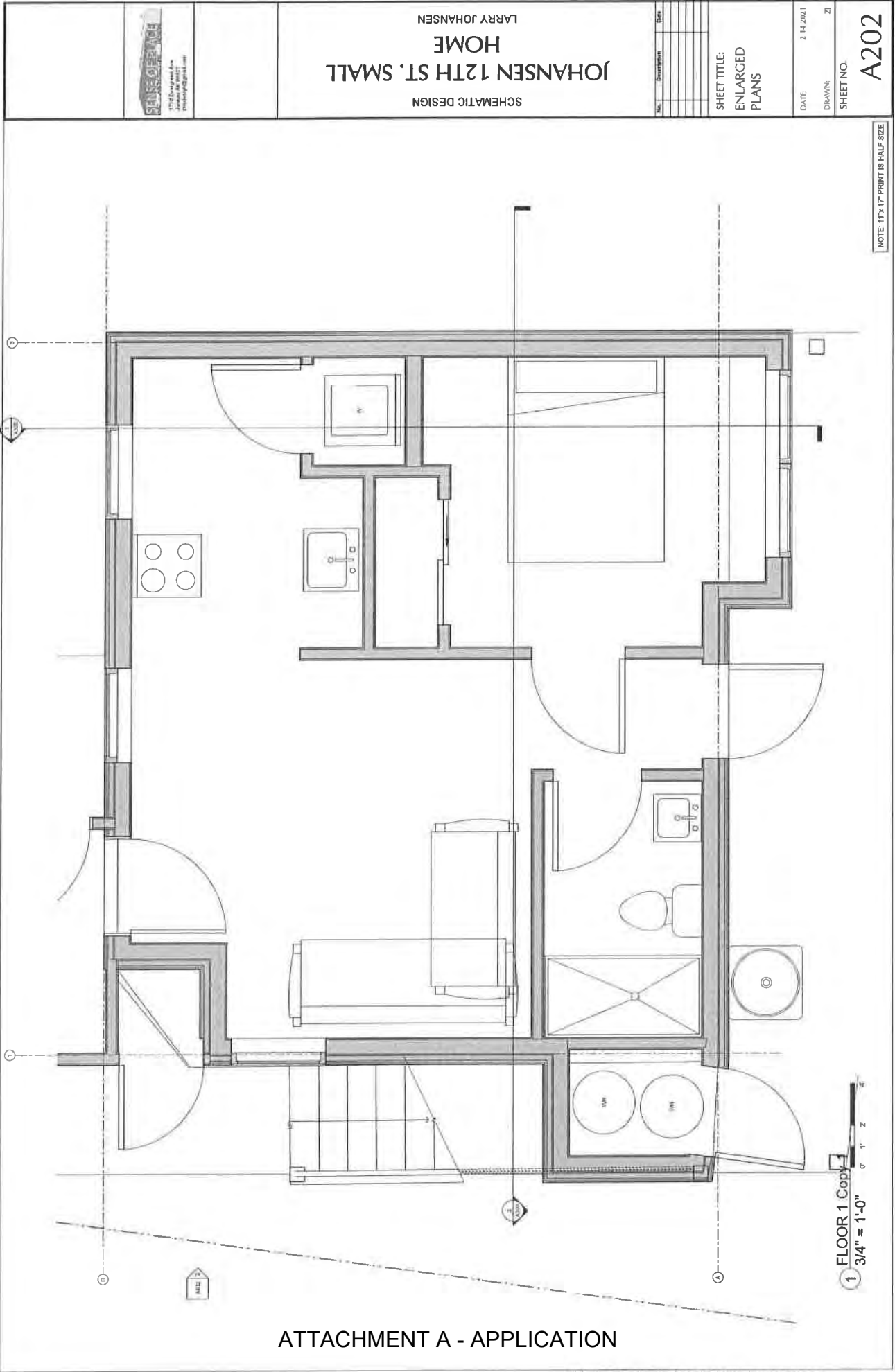
NOTE: 1/4" = 1' - PRINT IS HALF SIZE

ACTUAL NORTH

PROJECT NORTH

ATTACHMENT A - APPLICATION





NOTE: 11'x17' PRINT IS HALF SIZE

1 FLOOR 1 Copy
3/4" = 1'-0"

ATTACHMENT A - APPLICATION

SCHEMATIC DESIGN

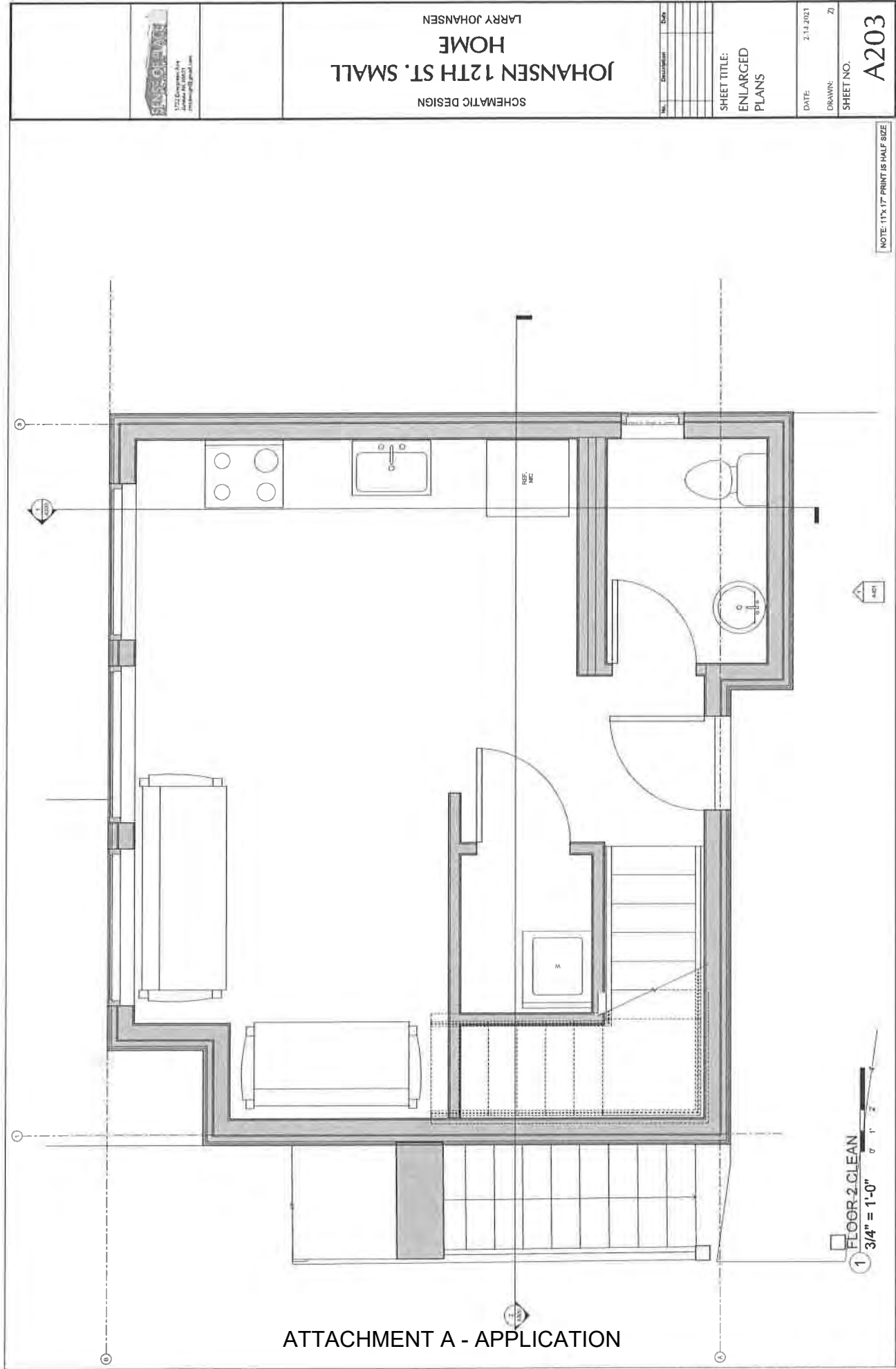
JOHANSEN 12TH ST. SMALL HOME

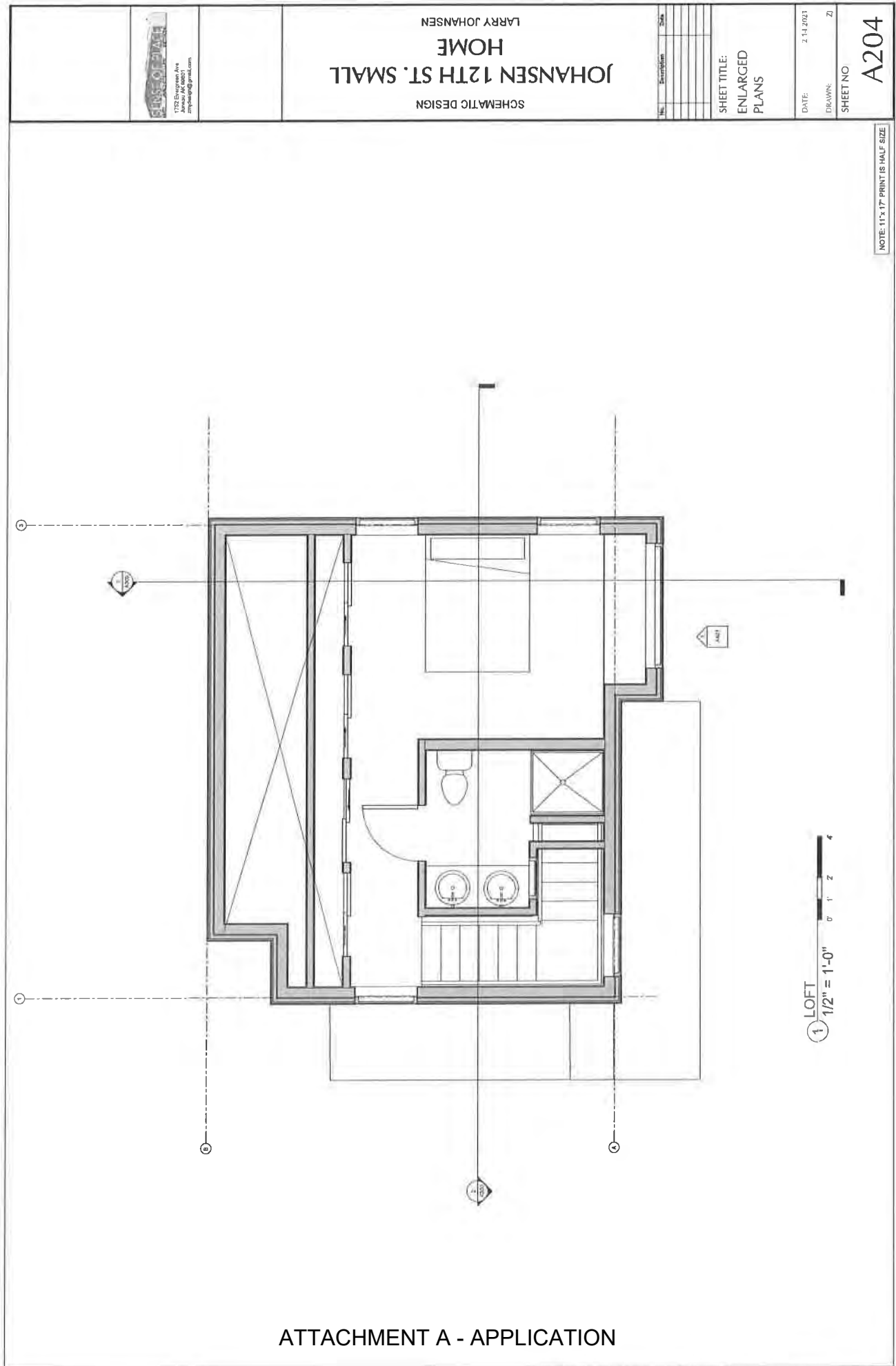
LARRY JOHANSEN

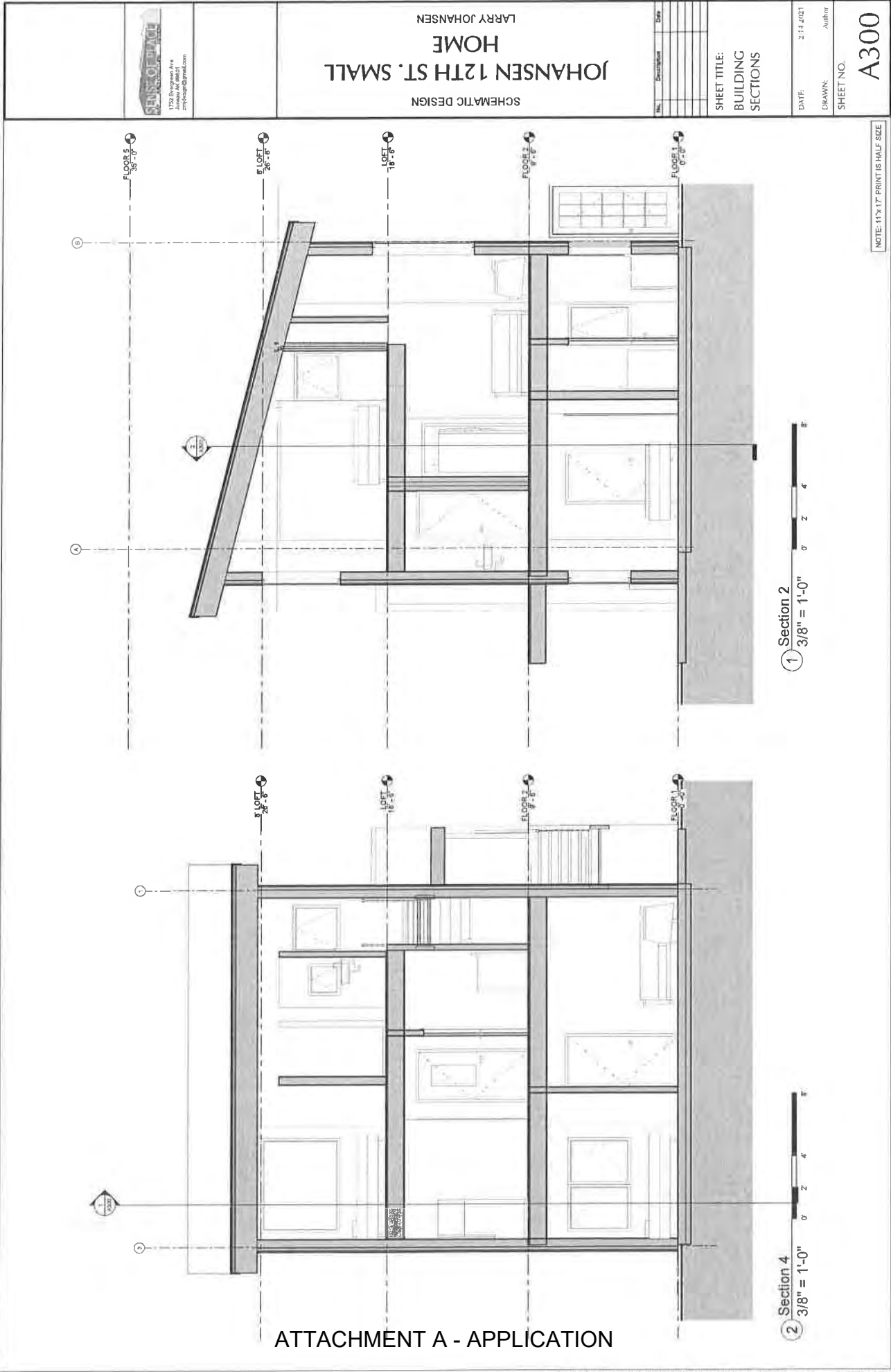
No.	Description	Date

SHEET TITLE:
ENLARGED PLANS

DATE: 2/14/2021
DRAWN: ZJ
SHEET NO.
A202









7725 1st Avenue
Lubbock, TX 79424
201.846.9100
schematicdesign@gsd.com

SCHEMATIC DESIGN

JOHANSEN 12TH ST. SMALL HOME

LARRY JOHANSEN

No.	Description	Date

SHEET TITLE:
BUILDING
ELEVATIONS

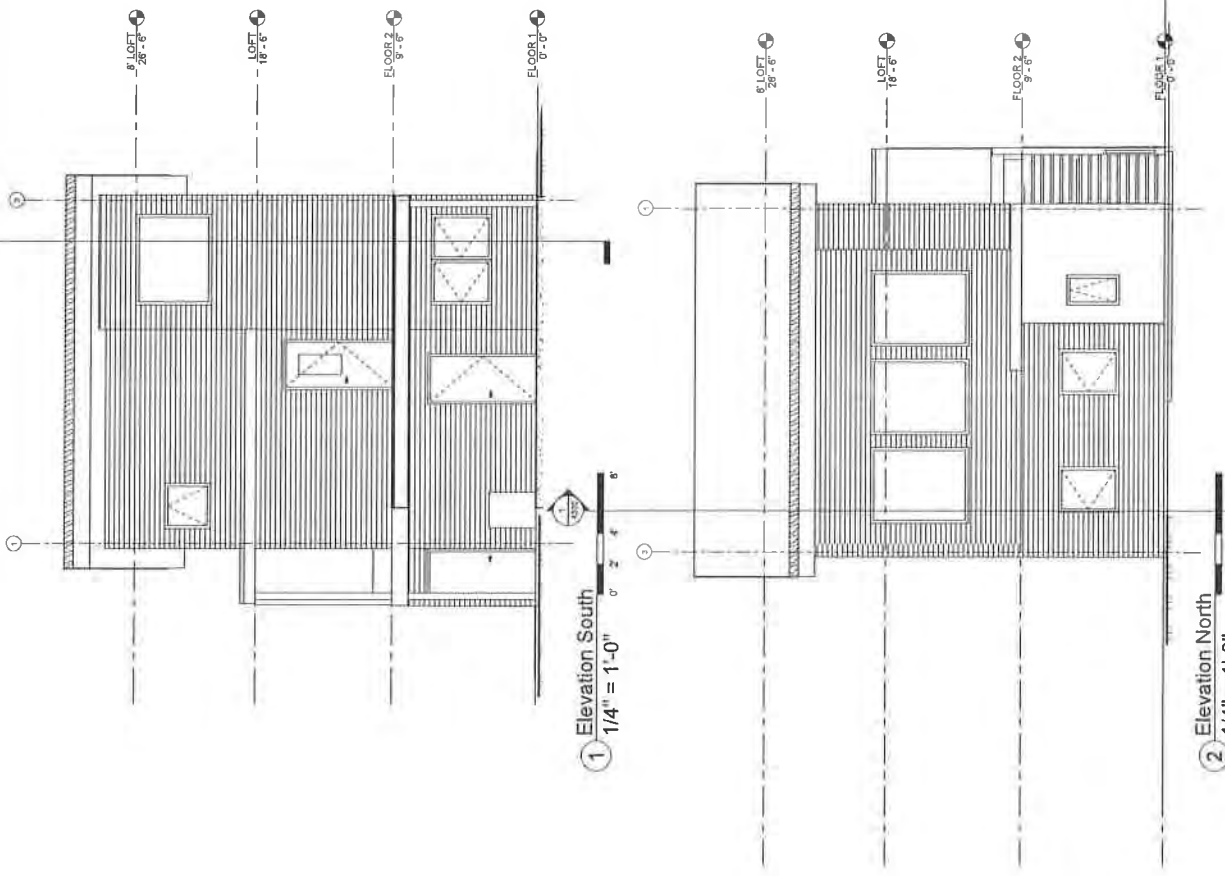
DATE: 2/14/2021

DRAWN: Author

SHEET NO.

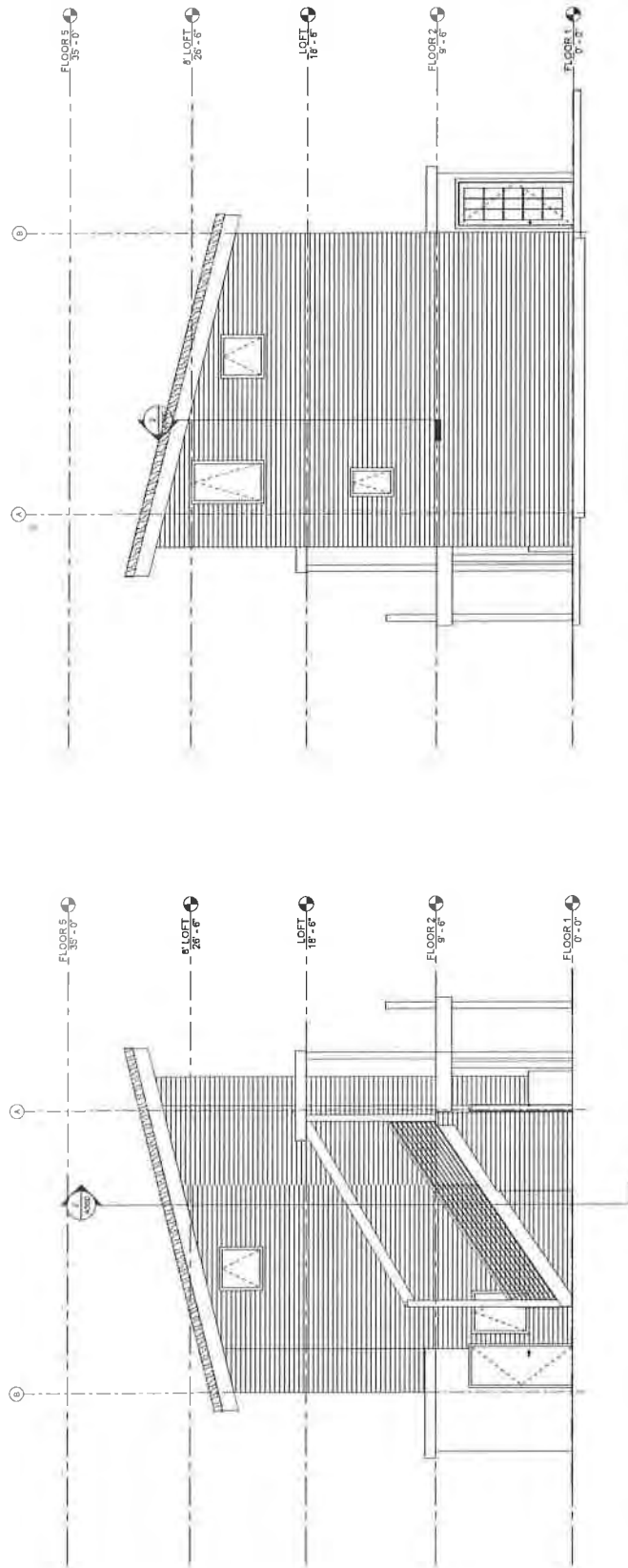
A401

NOTE: 11"x17" PRINT IS HALF SIZE



ATTACHMENT A - APPLICATION

ATTACHMENT A - APPLICATION



② Elevation West $1\frac{1}{4}" = 1'-0"$ σ

① Elevation East
1/4" = 1'-0"

NOTE: 11" x 17" PRINT IS HALF SIZE



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

Parking Waiver, Conditional Use Permit for Accessory Apartment on Undersized lot and ADOD setback reductions

Case Number: PAC2019 0044

Applicant: Larry Johansen and Shelia Keller

Property Owner: same

Property Address: N/A

Parcel Code Number: 1C030E010040

Site Size: 1,257 Square Feet

Zoning: D18

Existing Land Use: Lot is currently vacant

Conference Date:	6/26/2019
Report Issued:	7/3/2019

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
Larry Johnansen	Applicant	LarryJohansen@rowdydogimages.com
Allison Eddins	Planning	Allion.Eddins@juneau.org
Kyle Paw	Building	Kyle.Paw@juneau.org

Pre-Application Conference Final Report

Conference Summary

Questions/issues/agreements identified at the conference that weren't identified in the attached reports.

The following is a list of issues, comments and proposed actions, and requested technical submittal items that were discussed at the pre-application conference.

Planning Division:

1. **Zoning** – The applicants plan to construct a two story structure with two dwelling units – a 500 square foot single family home on the first floor and a 500 square foot accessory apartment on the second floor. The lot is 1,257 square feet in a D18 zoning district where the minimum lot size is 5,000 square feet. The applicants are requesting a Conditional Use Permit for an accessory apartment on an under-sized lot. CBJ Land Use Code defines accessory apartments as *one or more rooms with private bath and kitchen facilities comprising an independent, self-contained dwelling unit within or attached to a single-family dwelling or in a detached building on the same lot as the primary dwelling unit.* An accessory apartment is distinguishable from a duplex in that, unlike a duplex, it is clearly subordinate to the primary dwelling unit, both in use and appearance. The floor plan that was submitted for the pre-application conference shows the primary dwelling unit and the accessory apartment are intended to be the same size – approximately 500 square feet. The CBJ Land Use Code does not explain what “clearly subordinate” means, so it is a policy call. In this case, the primary dwelling unit will need to be larger than the accessory apartment while also meeting the maximum lot coverage of 50%. Options include adding approximately 128 square feet to the one story primary dwelling unit, or constructing a three story structure with a two story home with the 500 square foot footprint (the home would be approximately 1,000 square feet) with a 500 square foot accessory apartment on the third floor. This would still need a Conditional Use Permit for location on an under-sized lot. A complete Conditional Use Permit application must include a project narrative. Please see the attached hand out for details regarding the narrative and the application and review process.
2. **Setbacks** – The subject lot is substandard in size for the D18 zoning district. Because of this, the D18 setbacks for the front and rear can automatically be reduced to 10 feet in the front and 5 feet in the rear, through CBJ 49.25.430. The sides cannot be reduced to less than 5 feet through this section of code. Any further reduction will require a variance or a reduction through the Alternative Development Overlay District (ADOD). The applicants are also requesting a reduction through the ADOD. ADOD calculations suggest that the property's setbacks may be reduced to 9.57' for the front, 6.93' for the rear and 2.68' for the sides.
3. **Height** – The maximum allowed height in the D18 zoning district is 35 feet for the principle structure and 25 feet for any accessory structures, such as a shed or greenhouse.
4. **Parking & Circulation**– The parking requirement for a single family home and a one bedroom accessory apartment is 3 spaces. The applicants are seeking a parking waiver in order to eliminate the parking required for the dwelling and the apartment. If the parking waiver is granted, it is valid for as long as the permitted use is active.
5. **Lot Coverage** – Maximum coverage is 50% of the lot size, or 628 square feet.
6. **Vegetative Coverage** – Minimum coverage is 30%, or 377 square feet.

Building Division:

7. **Building** – N/a
8. **Outstanding Permits** – N/a

General Engineering/Public Works:

Pre-Application Conference Final Report

- 9. **Engineering** –N/a
- 10. **Drainage** – N/a
- 11. **Utilities** – (water, power, sewer, etc.) n/a

Fire Marshal:

- 12. **Fire Items/Access** – n/a

Other Applicable Agency Review:

- 13. DOT&PF / Alcohol Beverage Control Board / Army Corps / DEC (wastewater) / DNR / USF&W / F&G / FAA / Corrections...
- 14.

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 (\$0)
- 2. Conditional Use Permit Application (\$350)
- 3. Alternative Development Overlay District Applications – one for each setback reduction (\$400 each)
- 4. Parking Waiver Application (\$400)

Additional submittal requirements:

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

- 1. A copy of this pre-application conference report.
- 2. A project narrative (One narrative that address all requested permits is acceptable. See the attached handout for tips on writing a good project narrative)

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. N/A

Fee estimates

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

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

- 1. See above for permit fees.
- 2. \$50 public notice sign fee

Pre-Application Conference Final Report

3. \$100 refundable sign deposit

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

Submit your completed application

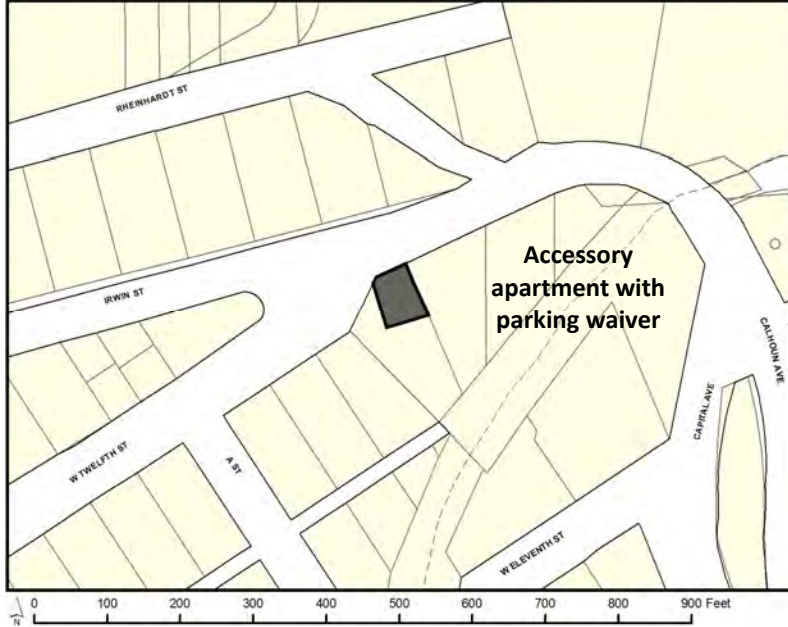
You must submit your application(s) in person with payment to:

City/Borough of Juneau
Permit Center
230 S. Franklin Street,
Fourth Floor Marine View Center
Juneau, AK 99801

Phone: (907) 586-0715
Fax: (907) 586-4529
Web: www.juneau.org/cdd

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission
Your Community, Your Voice



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 an accessory apartment on an undersized lot, four Alternative Development Permits to reduce setbacks, and a Parking Waiver to waive 3 parking spaces at 275 Irwin St. in a D18 zone.**

TIMELINE

Staff Report expected to be posted **Monday, May 31, 2021** at <https://juneau.org/community-development/planning-commission>. Find hearing results, meeting minutes and more here as well.

Now through May 17	May 18 — noon, June 7	HEARING DATE & TIME: 7:00 pm, June 8, 2021	June 9
Comments received during this period will be sent to the Planner, Laurel Christian , to be included as an attachment in the staff report.	Comments received during this period will be sent to Commissioners to read in preparation for the hearing.	This virtual meeting will be by video and telephonic participation only. To join the Webinar, visit: https://juneau.zoom.us/j/https://juneau.zoom.us/j/95600342842 . The Webinar ID is: 956 0034 2842. To join by telephone, call: +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833 or +1 301 715 8592 or +1 312 626 6799 or +1 929 436 2866 and enter the Webinar	The results of the hearing will be posted online.

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

Printed May 4, 2021

ATTACHMENT B - PUBLIC NOTICE

Case Nos.: USE2021-04; PWP2021-01; ADP2021-01;
ADP2021-02; ADP2021-03; ADP2021-04
Parcel No.: 1C030E010040
CBJ Parcel Viewer: <http://epv.juneau.org>

Laurel Christian

From: Laurel Christian
Sent: Thursday, May 20, 2021 11:43 AM
To: Larry Johansen
Subject: Re: Public Notice Sign

Hi Larry.

I just dropped the sign off. I tied it to the post where you have the no parking signs posted.

Thanks,

Laurel



2
ATTACHMENT B - PUBLIC NOTICE

From: Jim Donaghey <jmdjnu@outlook.com>
Sent: Friday, May 14, 2021 8:47 PM
To: PC_Comments
Subject: RE: Parking Waiver to wave 3 Parking spaces at 275 Irwin St.

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

This as reference to the above subject pertaining to Case Nos.:

USE2021-04;
PWP2021-01;
ADP2021-01;
ADP2021-02;
ADP2021-03;
ADP2021-04;

Below is my response to a similar request in Feb of last year on the same street. My response then was NO and is still NO for the same reasons I noted then. Read on!

Thank you for asking.

Kind regards, [Jim](#)

James M. Donaghey
1029 A Street
Juneau AK 99801

Cell (907) 209-2560
Email donaghey@gci.net

Email of Feb. 6, 2020

From: Jim Donaghey <jmdjnu@outlook.com>
Sent: Thursday, February 6, 2020 10:07 AM

To: pc_comments@juneau.org
Cc: James Donaghey <donaghey@gci.net>
Subject: Case No.: CSP2020 0002

This has reference to "Invitation to Comment" On the above subject Case No.: CSP2020 0002/PWP2020 0001

I am absolutely against allowing a Conditional Use Permit for an accessory apartment and a waiver for required parking. It appears there is five dwellings on these six lots on this piece of land between Irwin St and 12th Street. None of them have any on lot parking plus there is no on street parking on any section of Irwin St adjacent to these lots.



The house on the left wants the accessory apartment.



There's no street parking on Irwin St



There's no street parking on this section of 12th St.



No street parking on this side of 12th St. all the way down to the yellow house.



This is where those who live in these five houses park.
A St. between 11th St. and 12th St. by Northern Light Church and their pre-school operation.



Not a good idea!

--	--	--

Additionally., due to the extreme shortage of parking in the “Flats” neighborhood I strongly recommend the following.

- That in the future all applications for all Conditional Use Permits for an accessory apartments must include not only at least one off street parking spot for the apartment but must include at least one parking spot for the current owner/occupant.
- Further, any future permits for any type of major dwelling construction be it new or remodel must include at least one parking spot for the current owner/occupant.

This will not only mitigate many of the parking hassles but also go a long way to improve street maintenance i.e. snow removal/sweeping etc.

Community Development and the Planning Commission should be more than approving or not approving various permits there should be a intentional movement toward correcting the sins of our forbearers. More housing may be necessary but let us not encourage any more “Slum Lords”.

Thank you for asking.

Kind regards, [Jim](#)

James M. Donaghey
1029 A Street
Juneau AK 99801

Cell (907) 209-2560
Email donaghey@gci.net

Terry Harvey
Cynthia Johnson
321 W. 12th
Juneau, AK 99801
tterry.juneau@gmail.com
907-723-1871

May 12, 2021

To the Juneau Planning Commission regarding the project proposed at **275 Irwin St., Juneau, AK Parcel No. 1C030E010040**

We are opposed to the Conditional Use Permit for the proposed accessory apartment on an undersized lot, four Alternative Development Permits to reduce setbacks, and a Parking Waiver to waive the required 3 parking spaces.

There have been several new builds in this neighborhood in the last few years and they have adhered to current building codes especially providing off-street parking, at considerable expense, it is unfair to them to waive all of these requirements. There are also homes in this area so old they are grandfathered in without off-street parking requirements and this creates a problem with too much demand for on-street parking and not enough of it available. Waiving parking requirements to this neighborhood will only exacerbate an already existing problem of on-street parking demands and overall lack of.

This undersized lot is not appropriate to develop unless existing setback requirements are met. Other new builds in recent years in this immediate neighborhood have all been required to adhere to these stipulations. This proposed project on this undersized lot is not appropriate unless the development can meet all existing CBJ building code requirements without any Conditional Use permitted waivers.

Sincerely,



Terry Harvey
Cynthia Johnson

RECEIVED
MAY 17 2021
Permit Center/CDD

Laurel Christian

From: erik norberg <norbergerik@yahoo.com>
Sent: Monday, May 17, 2021 11:28 AM
To: Laurel Christian
Subject: Notice of Public Hearing for 275 Irwin Street

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

Good morning Laurel

Thank you for the opportunity to comment on the Notice of Public Hearing for 275 Irwin Street.

Parking has emerged as a major concern for the downtown Flats neighborhood area. This neighborhood bears the brunt of the overflow parking to Federal workers, State workers, Northern Lights Church, and even current residents with private commercial businesses and boats. Parking in this area is boiling over at 100% capacity for on-street parking. I **do not** agree with the City's parking waiver to waive three additional parking spaces.

I hope that the City will seriously consider the impact that this proposal will have in an area that is already at 100% capacity. I would be more than happy to do discuss my concerns further and offer ideas I have for potential solutions to the parking problems in this area.

Sincerely,
Erik Norberg
926 A Street
907-957-2808



ATTACHMENT D - MEASUREMENT IMAGE



Planning Commission

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

BOARD OF ADJUSTMENT NOTICE OF DECISION

Date: June 9, 2021
File No.: ADP2021 0001, ADP2021 0002, & ADP2021 0003

Larry Johansen
227 Irwin Street
Juneau, AK 99801

Proposal: ADP2021 0001: To reduce the front yard setback from 20 feet to 9 feet 7 inches
ADP2021 0002: To reduce the eastern side yard setback from 5 feet to 2 feet 8 inches
ADP2021 0003: To reduce the western side yard setback from 5 feet to 2 feet 8 inches

Property Address: 275 Irwin Street

Legal Description: Irwin Addition Block 1 Lots 2 & 3 Fraction

Parcel Code No.: 1C030E010040

Hearing Date: June 8, 2021

The Board of Adjustment, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated June 1, 2021, and APPROVED the three Alternative Development Permits:

- ADP2021 0001: To reduce the front yard setback from 20 feet to 9 feet 7 inches
- ADP2021 0002: To reduce the eastern side yard setback from 5 feet to 2 feet 8 inches
- ADP2021 0003: To reduce the western side yard setback from 5 feet to 2 feet 8 inches

To be conducted as described in the project description and project drawings submitted with the application and with the following condition:

1. Prior to the issuance of a building permit, the applicant shall submit a revised site plan showing the required minimum yard setbacks are met.

Larry Johansen

File No.: ADP2021 0001, ADP2021 0002, & ADP2021 0003

June 9, 2021

Page 2 of 2

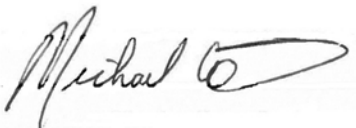
Attachments: June 1, 2021, memorandum from Laurel Christian, Community Development, to the CBJ Board of Adjustment regarding ADP2021 0001, ADP2021 0002, and ADP2021 0003.

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

Effective Date: The permit is effective upon approval by the Board, June 8, 2021.

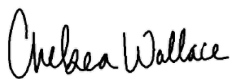
Expiration Date: The permit will expire 18 months after the effective date, or December 8, 2022, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.



Michael LeVine, Chair
Planning Commission

June 12, 2021

Date



Filed With City Clerk

June 17, 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.

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

ADP2021 0003: Alternative Development Permit to reduce the western side yard setback from 5 feet to 2 feet 8 inches - APPROVED

AGENDA ITEM:

Case No.: ADP2021 0003

Applicant: Larry Johansen

Location: 275 Irwin St.

Proposal: Alternative Development Permit to reduce the western side yard setback from 5 feet to 2 feet 8 inches.

RECOMMENDATION:

Staff recommends the Planning Commission adopt the Director's analysis and findings and **APPROVE** the requested Alternative Development Permits. These permits would allow the development of a single-family structure with the following setback reductions:

- ADP2021 0001: Alternative Development Permit to reduce the front yard setback from 20 feet to 9 feet 8 inches.
- ADP2021 0002: Alternative Development Permit to reduce the eastern side yard setback from 5 feet to 2 feet 8 inches.
- ADP2021 0003: Alternative Development Permit to reduce the western side yard setback from 5 feet to 2 feet 8 inches.

The approval is subject to the following conditions:

1. Prior to the issuance of a building permit, the applicant shall submit a revised site plan showing the required minimum yard setbacks are met.

ATTACHMENTS:

	Description	Upload Date	Type
☐	Application for ADP2021 0003	5/4/2021	Application
☐	Notice of Decision for ADP2021 0001, 0002, and 0003	6/23/2021	Notice of Decision



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 W. Twelfth St.		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) Inn Addition Block 1 lot 223 FR		
	Parcel Number(s) 1C030E010040		
	☒ This property located in the downtown historic district ☐ This property located in a mapped hazard area, if so, which _____		
	LANDOWNER/ LESSEE		
	Property Owner Lang Johnson	Contact Person Lang Johnson	
	Mailing Address 225 Inn St	Phone Number(s) 808385 5570	
	E-mail Address Lang Johnson		
	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		3/9/21 Date	
X _____ Landowner/Lessee Signature		_____ Date	
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.			
APPLICANT If the same as OWNER, write "SAME"			
Applicant Same	Contact Person		
Mailing Address	Phone Number(s)		
E-mail Address			
X _____ Applicant's Signature		_____ Date of Application	

DEPARTMENT USE ONLY BELOW THIS LINE

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

Intake Initials ANE
Case Number
Date Received



ALTERNATIVE DEVELOPMENT PERMIT APPLICATION

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

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

To be completed by Applicant

TYPE OF ALTERNATIVE DEVELOPMENT PROPOSED (ONLY AVAILABLE TO ALLOWED RESIDENTIAL USES)

☐ Should w/in Existing Footprint ☒ Setback Reduction ☐ Lot Coverage Reduction ☐ Vegetative Coverage Reduction

If reduction of Setback(s), Lot Coverage, and / or Vegetative Coverage, the following must be provided:

☐ Properties w/in 150' radius ☐ Table demonstrating average corresponding setbacks located w/in 150' radius

PROJECT SUMMARY Construction of new SFD w/ accessory apt. on undersized lot. Reductions will be: Front: 9.7' Side: 2.8' Rear: 7.0' Side: 2.8'

IS THIS A MODIFICATION OF AN EXISTING APPROVAL? ☐ YES - Case # ☒ NO

Existing use of property: Vacant

Is this project an: ☐ Expansion ☐ Rehabilitation ☒ New Development

Has this property received a Variance in the Past? ☒ NO ☐ YES - Case #

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

SITE AND BUILDING SPECIFICS

Total Area of Lot 1,257 square feet Total Area of Existing Structure(s) 0 square feet

Total Area of Proposed Structure(s) 1,014 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 MATERIALS ATTACHED

- ☒ Application
- ☐ Narrative including:
 - ☐ Map of pr.
 - ☐ Current use of land or building(s)
 - ☐ Proposed setbacks, lot coverage, vegetative coverage
 - ☐ How the proposed use complies with the Alternative Development Overlay District
- ☐ Plans (details on page 2)

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

ALLOWABLE/CONDITIONAL USE FEES

Fees	Check No.	Receipt	Date
Application Fees	\$ <u>400</u>		
Admin. of Guarantee	\$ _____		
Adjustment	\$ _____		
Pub. Not. Sign Fee	\$ _____		
Pub. Not. Sign Deposit	\$ _____		
Total Fee	\$ <u>400</u>		

} sign fee w/ cup

REQUIREMENT: 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.

I:\FORMS\PLAN FORM\ADP - Alternative Development Permit Application.docx

Case Number <u>ADP 21-001</u>	Date Received <u>3/9/21</u>
----------------------------------	--------------------------------

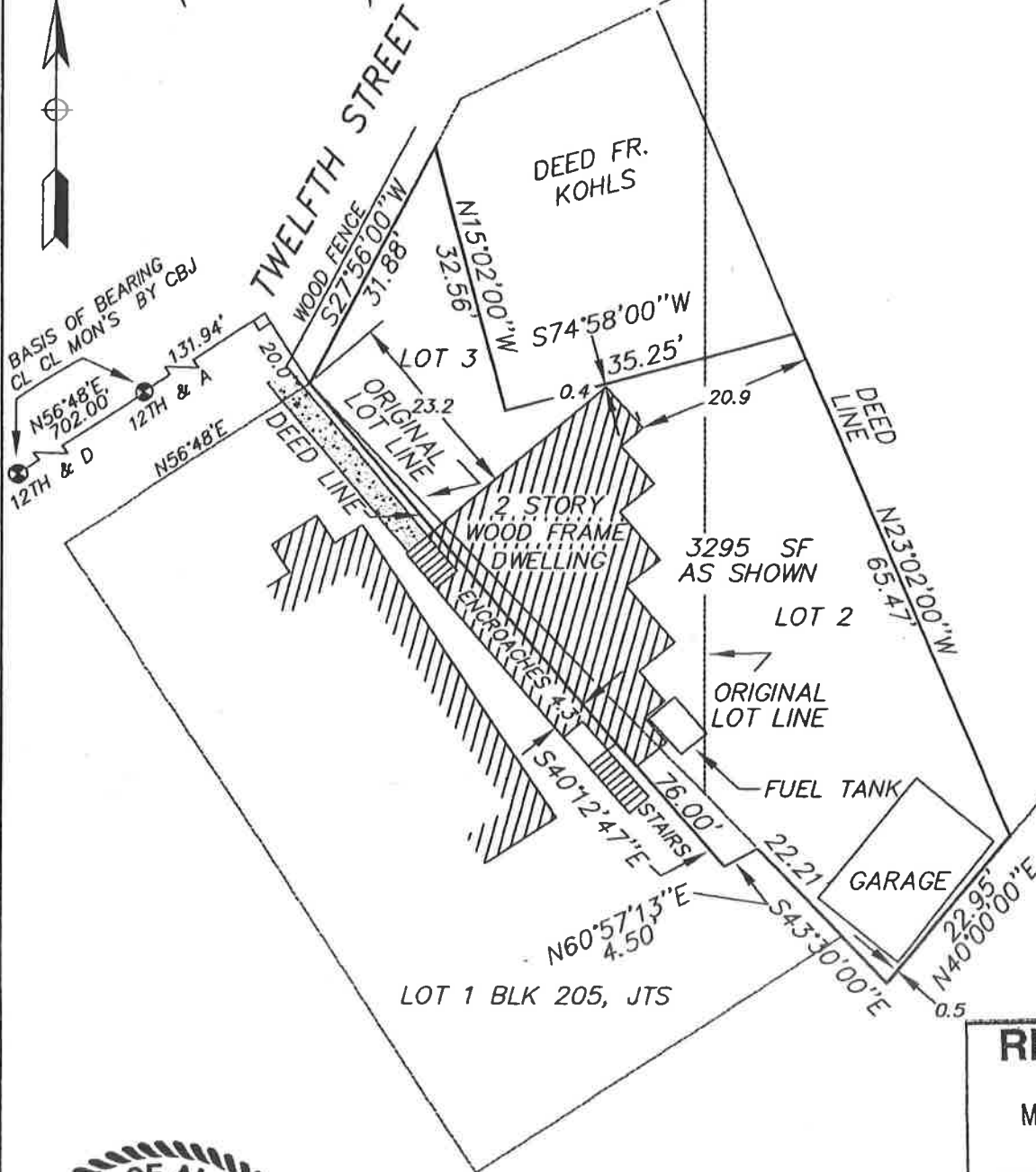
CERTIFICATE OF REGISTERED LAND SURVEYOR

I HEREBY CERTIFY THAT I AM REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME, ON THE GROUND, TO THE NORMAL STANDARD OF CARE OF PROFESSIONAL LAND SURVEYORS PRACTICING IN SOUTHEAST ALASKA AND THAT, ON THE BASIS OF MY KNOWLEDGE, INFORMATION, AND BELIEF, IMPROVEMENTS AND ENCROACHMENTS ON THE PROPERTY DEPICTED HEREON ARE AS SHOWN.

NOTE

DEED DESCRIPTION CONTAINS MANY ELEMENTS THAT LEAVE BOUNDARIES OPEN TO INTERPRETATION. ADJOINING DEEDS WERE USED TO CLARIFY GRANTOR'S INTENT. WHERE LONGSTANDING LINES OF OCCUPATION DIFFER FROM DEED LINES OWNERSHIP BOUNDARIES ARE OFTEN AFFECTED. OWNERS ARE ENCOURAGED TO REPLAT BOUNDARIES AS NEEDED TO AVOID TITLE PROBLEMS. BOUNDARY INFORMATION IS FROM THE PLAT OF THE CITY OF JUNEAU, BY R.C. CROW, 1952. NOTE THAT SOME DIMENSIONS WERE MODIFIED FROM ORIGINAL IRWIN ADDITION PLAT. BURIED FUEL TANK ON PROPERTY NOT SHOWN; (SCHEDULED FOR REMOVAL).

5-22-02
DATE



RECEIVED

MAY 24 2002

PERMIT CENTER/CDD

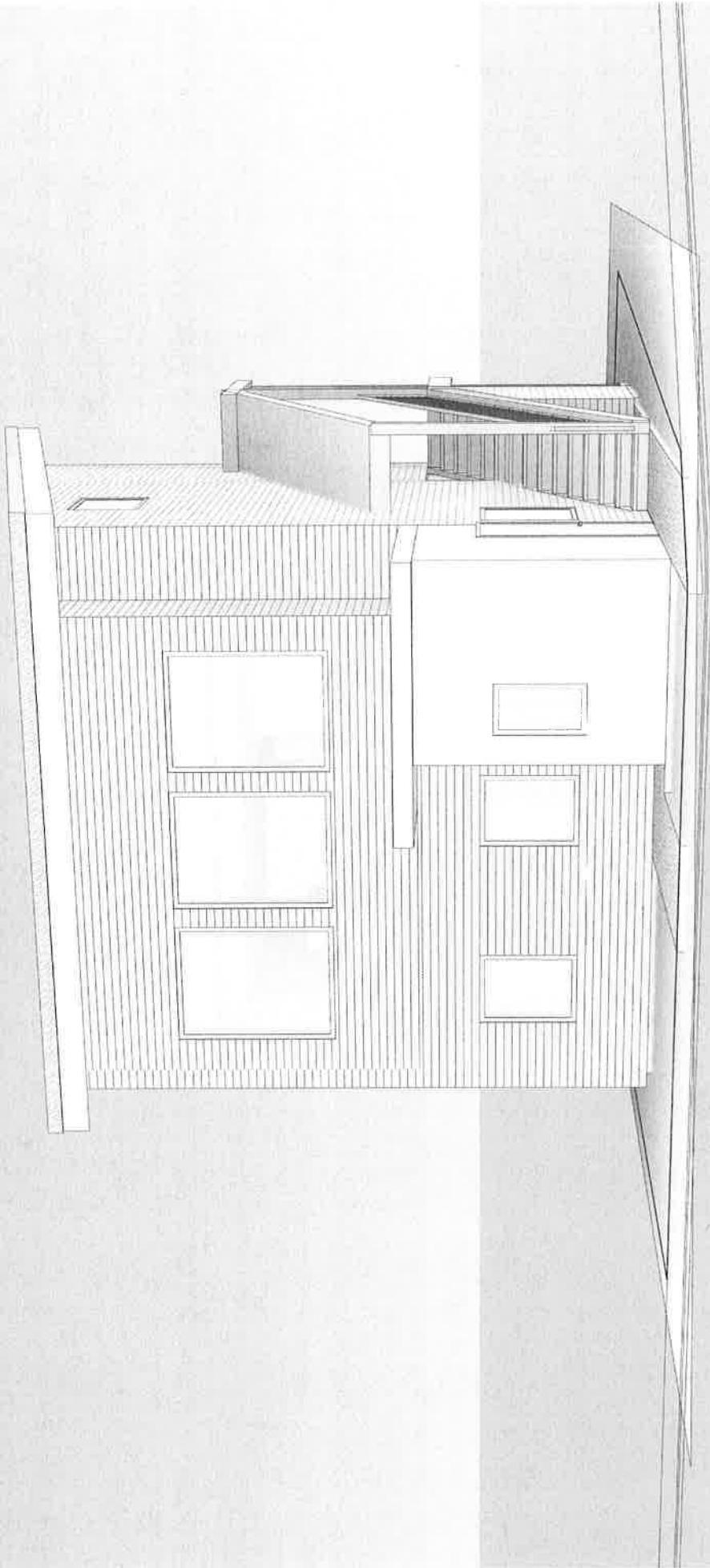
C:\DWGS\THB205L1.DWG

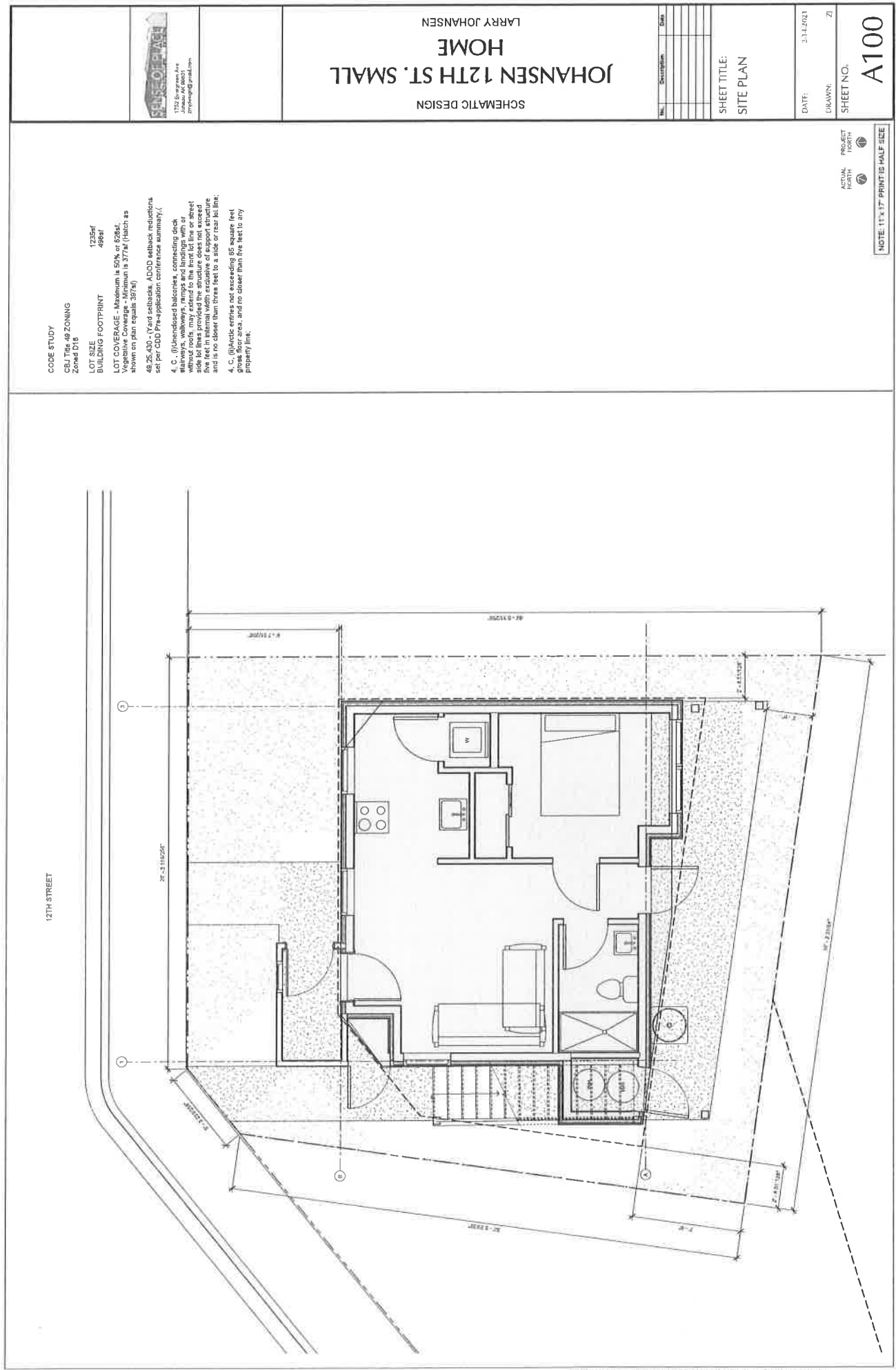


PLAT SHOWING "AS-BUILT" SURVEY			
METES & BOUNDS TRACT			
PORTION OF LOT 1 BLK 205 CASEY SHATTUCK ADD'N, JUNEAU TOWNSITE			
PORTION OF LOTS 2 & 3 BLK 1 IRWIN ADDITION TO JUNEAU TOWNSITE			
DESCRIBED IN DEED BOOK 396, PAGE 460			
JUNEAU, ALASKA RECORDING DISTRICT			
DOUGLAS FINLEY LAND SURVEYING			
820 6TH STREET - JUNEAU, ALASKA (907) 586-4253			
DATE: 5/07/02	DRAWN BY: DF	PROJ. No.: 02-428-A1	SCALE: 1" = 20'
			SHEET 1 of 1

JOHANSEN 12TH ST. SMALL HOME

For
LARRY JOHANSEN





CODE STUDY
CSJ Ttr 48 ZONING
zoned D16

LOT SIZE 1235sf
BUILDING FOOTPRINT 499sf

LOT COVERAGE - Maximum is 50% or 628sf.
Vegetative Coverages - Minimum is 377sf (Hatch as shown on plan equals 397sf)

48.25.430 - (Yard setbacks, ADOD setback reductions set per CDD Pre-application conference summary.)

4. C. (If) enclosed balconies, connecting deck, stairways, walkways, ramps and landings with or without roofs, may extend to the front lot line or street front lot line provided the structure does not exceed five feet in height above the ground surface and is no closer than three feet to a side or rear lot line;

4. C. (If) utility services not exceeding 65 square feet gross floor area and no closer than five feet to any property line.

SCHEMATIC DESIGN

JOHANSEN 12TH ST. SMALL HOME

LARRY JOHANSEN

No.	Description	Date

SHEET TITLE:
SITE PLAN

DATE: 3.14.2021

DRAWN: ZJ

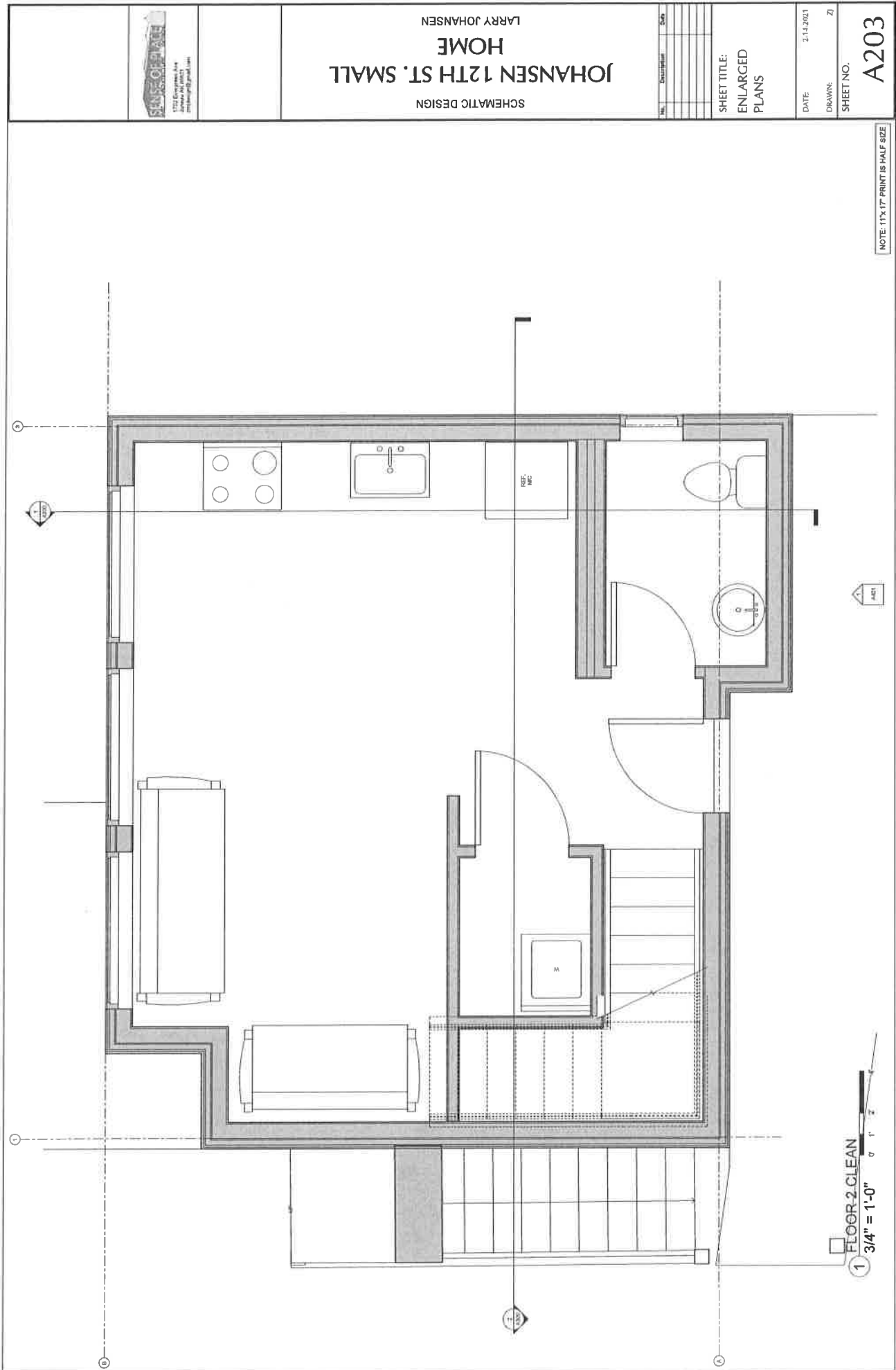
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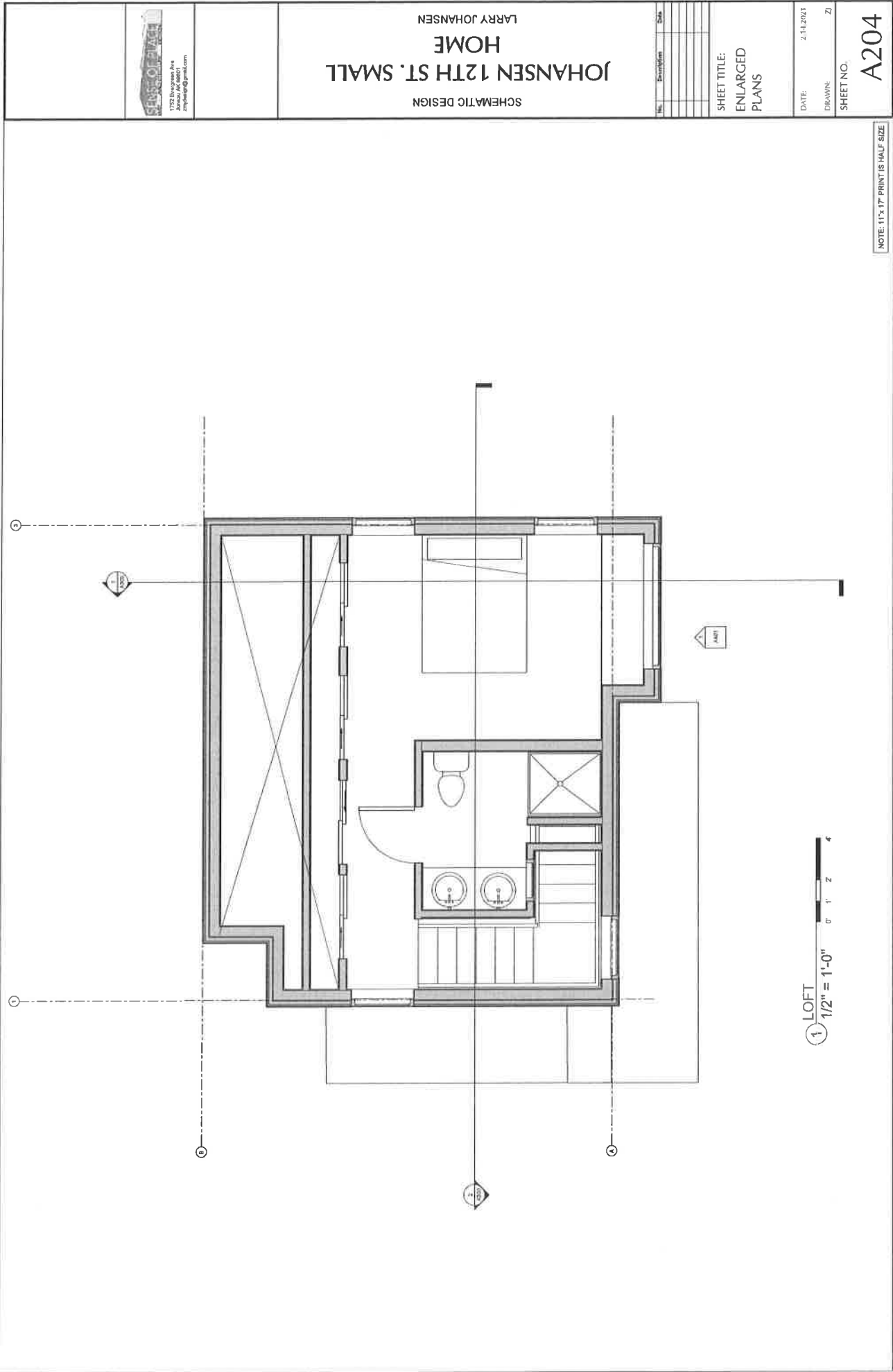
A100

NOTE: 1"=13' PRINT IS HALF SIZE

ACTUAL NORTH

PROJECT NORTH





1 LOFT
1/2" = 1'-0"



NOTE: 11"x 17" PRINT IS HALF SIZE

A204

SHEET NO.

DRAWN: Z

DATE: 2.14.2021

ENLARGED PLANS

SHEET TITLE:

No.	Description	Date

SCHEMATIC DESIGN
JOHANSEN 12TH ST. SMALL HOME
LARRY JOHANSEN



DATE: 2-14-2021

DRAWN:	Author
--------	--------

SHEET NO.

SHEET TITLE:
BUILDING
SECTIONS

SCHEMATIC DESIGN
JOHANSEN 12TH ST. SMALL
HOME
LARRY JOHANSEN

SCHEMATIC DESIGN
EN 12TH ST
HOME
LARRY JOHANSEN

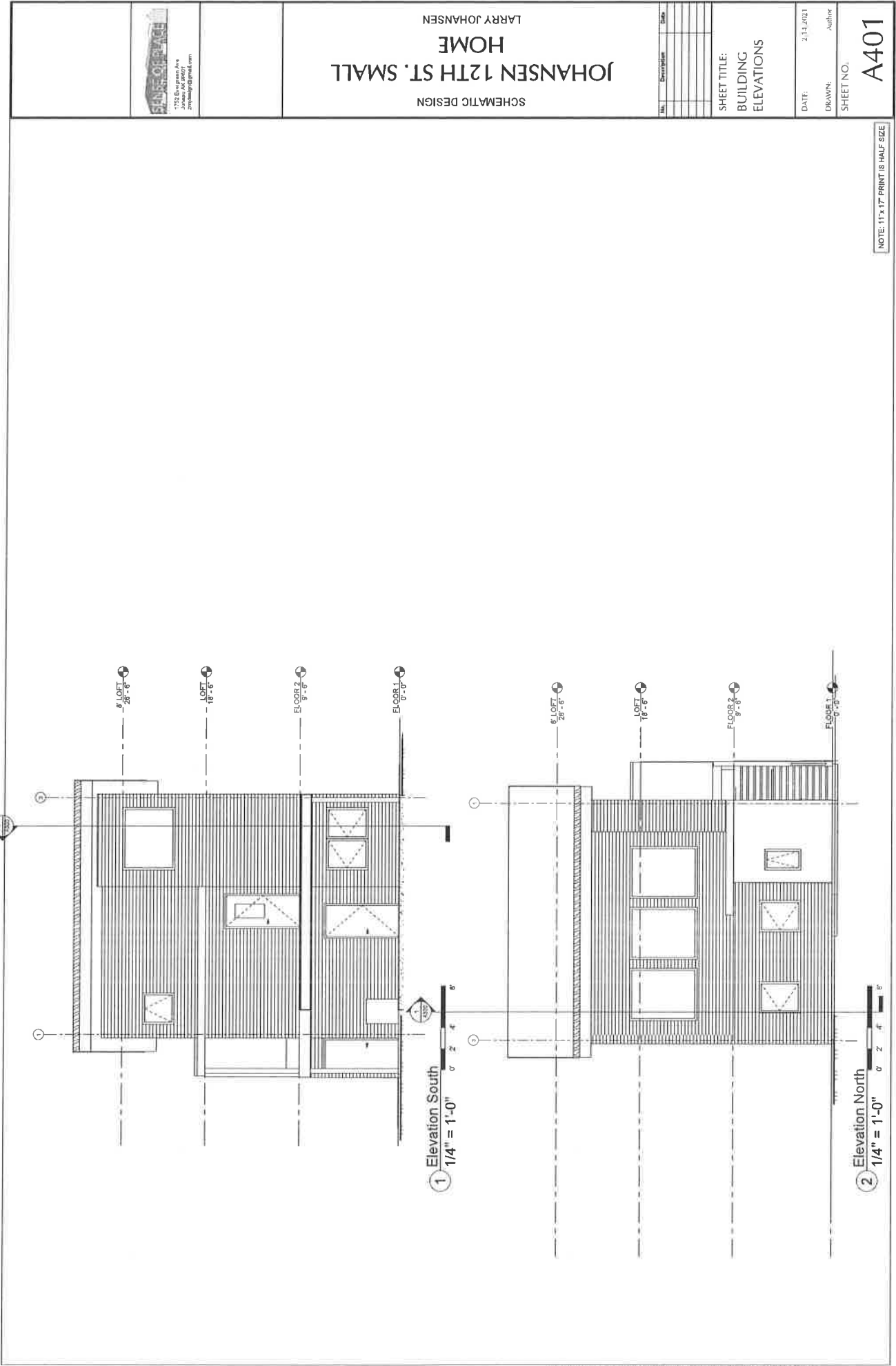
HOVENOR BEACH
1752 Evergreen Ave
Juneau AK 99801
zripides.gr@gmail.com

NOTE: 11"x17" PRINT IS HALF SIZE

① Section 2
3/8" = 1'-0"

② Section 4
3/8" = 1'-0"

[illegible]



SCHEMATIC DESIGN
JOHANSEN 12TH ST. SMALL
HOME
LARRY JOHANSEN

No.	Description	Date

SHEET TITLE:
BUILDING
ELEVATIONS
DATE: 2.11.2021
DRAWN: Author
SHEET NO. A401

NOTE: 11x17 PRINT IS HALF SIZE

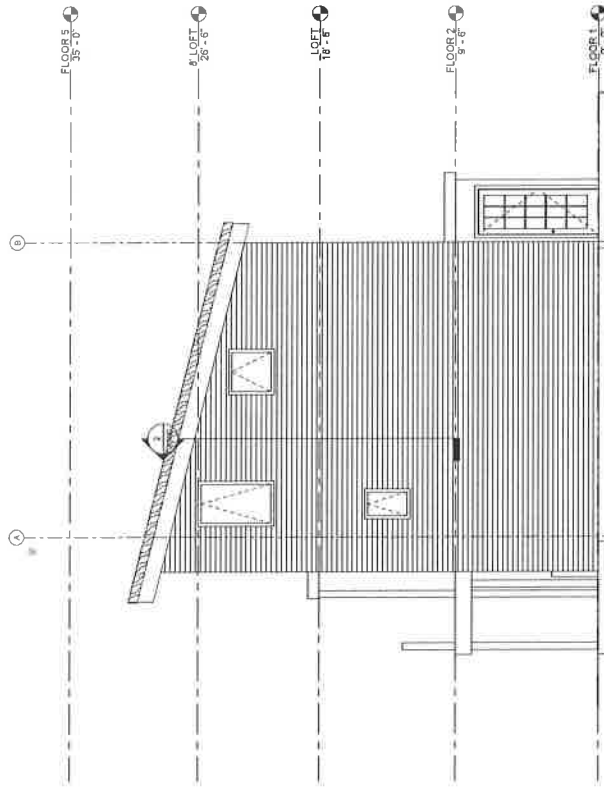
DATE:	2-14-2021
DRAWN:	ZJ
SHEET NO.	

NOTE: 11" x 17" PRINT IS HALF SIZE

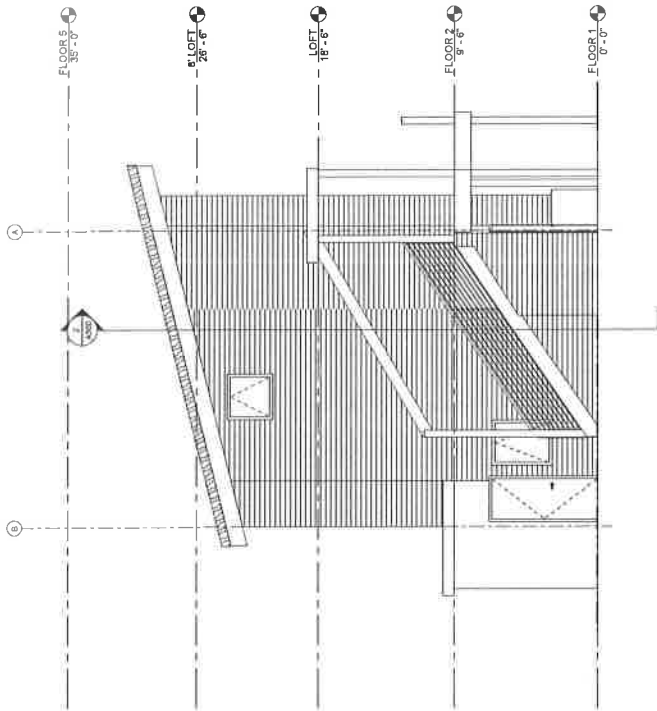
SCHEMATIC DESIGN
JOHANSEN 12TH ST. SMALL
HOME
LARRY JOHANSEN



1752 Evergreen Ave
Jupiter, FL 33401
zmydesign@gmail.com



① Elevation East
1/4" = 1'-0"



2 Elevation West
1 1/4" = 1'-0"



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

Parking Waiver, Conditional Use Permit for Accessory Apartment on Undersized lot and ADOD setback reductions

Case Number: PAC2019 0044

Applicant: Larry Johansen and Shelia Keller

Property Owner: same

Property Address: N/A

Parcel Code Number: 1C030E010040

Site Size: 1,257 Square Feet

Zoning: D18

Existing Land Use: Lot is currently vacant

Conference Date:	6/26/2019
Report Issued:	7/3/2019

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
Larry Johnansen	Applicant	LarryJohansen@rowdydogimages.com
Allison Eddins	Planning	Allion.Eddins@juneau.org
Kyle Paw	Building	Kyle.Paw@juneau.org

Pre-Application Conference Final Report

Conference Summary

Questions/issues/agreements identified at the conference that weren't identified in the attached reports.

The following is a list of issues, comments and proposed actions, and requested technical submittal items that were discussed at the pre-application conference.

Planning Division:

1. **Zoning** – The applicants plan to construct a two story structure with two dwelling units – a 500 square foot single family home on the first floor and a 500 square foot accessory apartment on the second floor. The lot is 1,257 square feet in a D18 zoning district where the minimum lot size is 5,000 square feet. The applicants are requesting a Conditional Use Permit for an accessory apartment on an under-sized lot. CBJ Land Use Code defines accessory apartments as *one or more rooms with private bath and kitchen facilities comprising an independent, self-contained dwelling unit within or attached to a single-family dwelling or in a detached building on the same lot as the primary dwelling unit. An accessory apartment is distinguishable from a duplex in that, unlike a duplex, it is clearly subordinate to the primary dwelling unit, both in use and appearance.* The floor plan that was submitted for the pre-application conference shows the primary dwelling unit and the accessory apartment are intended to be the same size – approximately 500 square feet. The CBJ Land Use Code does not explain what “clearly subordinate” means, so it is a policy call. In this case, the primary dwelling unit will need to be larger than the accessory apartment while also meeting the maximum lot coverage of 50%. Options include adding approximately 128 square feet to the one story primary dwelling unit, or constructing a three story structure with a two story home with the 500 square foot footprint (the home would be approximately 1,000 square feet) with a 500 square foot accessory apartment on the third floor. This would still need a Conditional Use Permit for location on an under-sized lot. A complete Conditional Use Permit application must include a project narrative. Please see the attached hand out for details regarding the narrative and the application and review process.
2. **Setbacks** – The subject lot is substandard in size for the D18 zoning district. Because of this, the D18 setbacks for the front and rear can automatically be reduced to 10 feet in the front and 5 feet in the rear, through CBJ 49.25.430. The sides cannot be reduced to less than 5 feet through this section of code. Any further reduction will require a variance or a reduction through the Alternative Development Overlay District (ADOD). The applicants are also requesting a reduction through the ADOD. ADOD calculations suggest that the property's setbacks may be reduced to 9.57' for the front, 6.93' for the rear and 2.68' for the sides.
3. **Height** – The maximum allowed height in the D18 zoning district is 35 feet for the principle structure and 25 feet for any accessory structures, such as a shed or greenhouse.
4. **Parking & Circulation**– The parking requirement for a single family home and a one bedroom accessory apartment is 3 spaces. The applicants are seeking a parking waiver in order to eliminate the parking required for the dwelling and the apartment. If the parking waiver is granted, it is valid for as long as the permitted use is active.
5. **Lot Coverage** – Maximum coverage is 50% of the lot size, or 628 square feet.
6. **Vegetative Coverage** – Minimum coverage is 30%, or 377 square feet.

Building Division:

7. **Building** – N/a
8. **Outstanding Permits** – N/a

General Engineering/Public Works:

Pre-Application Conference Final Report

- 9. **Engineering** –N/a
- 10. **Drainage** – N/a
- 11. **Utilities** – (water, power, sewer, etc.) n/a

Fire Marshal:

- 12. **Fire Items/Access** – n/a

Other Applicable Agency Review:

- 13. DOT&PF / Alcohol Beverage Control Board / Army Corps / DEC (wastewater) / DNR / USF&W / F&G / FAA / Corrections...
- 14.

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 (\$0)
- 2. Conditional Use Permit Application (\$350)
- 3. Alternative Development Overlay District Applications – one for each setback reduction (\$400 each)
- 4. Parking Waiver Application (\$400)

Additional submittal requirements:

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

- 1. A copy of this pre-application conference report.
- 2. A project narrative (One narrative that address all requested permits is acceptable. See the attached handout for tips on writing a good project narrative)

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. N/A

Fee estimates

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

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

- 1. See above for permit fees.
- 2. \$50 public notice sign fee

Pre-Application Conference Final Report

3. \$100 refundable sign deposit

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

Submit your completed application

You must submit your application(s) in person with payment to:

City/Borough of Juneau
Permit Center
230 S. Franklin Street,
Fourth Floor Marine View Center
Juneau, AK 99801

Phone: (907) 586-0715
Fax: (907) 586-4529
Web: www.juneau.org/cdd



Planning Commission

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

BOARD OF ADJUSTMENT NOTICE OF DECISION

Date: June 9, 2021
File No.: ADP2021 0001, ADP2021 0002, & ADP2021 0003

Larry Johansen
227 Irwin Street
Juneau, AK 99801

Proposal: ADP2021 0001: To reduce the front yard setback from 20 feet to 9 feet 7 inches
ADP2021 0002: To reduce the eastern side yard setback from 5 feet to 2 feet 8 inches
ADP2021 0003: To reduce the western side yard setback from 5 feet to 2 feet 8 inches

Property Address: 275 Irwin Street

Legal Description: Irwin Addition Block 1 Lots 2 & 3 Fraction

Parcel Code No.: 1C030E010040

Hearing Date: June 8, 2021

The Board of Adjustment, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated June 1, 2021, and APPROVED the three Alternative Development Permits:

- ADP2021 0001: To reduce the front yard setback from 20 feet to 9 feet 7 inches
- ADP2021 0002: To reduce the eastern side yard setback from 5 feet to 2 feet 8 inches
- ADP2021 0003: To reduce the western side yard setback from 5 feet to 2 feet 8 inches

To be conducted as described in the project description and project drawings submitted with the application and with the following condition:

1. Prior to the issuance of a building permit, the applicant shall submit a revised site plan showing the required minimum yard setbacks are met.

Larry Johansen

File No.: ADP2021 0001, ADP2021 0002, & ADP2021 0003

June 9, 2021

Page 2 of 2

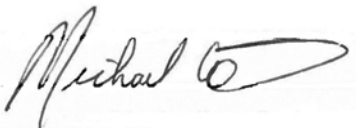
Attachments: June 1, 2021, memorandum from Laurel Christian, Community Development, to the CBJ Board of Adjustment regarding ADP2021 0001, ADP2021 0002, and ADP2021 0003.

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

Effective Date: The permit is effective upon approval by the Board, June 8, 2021.

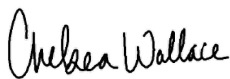
Expiration Date: The permit will expire 18 months after the effective date, or December 8, 2022, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.



Michael LeVine, Chair
Planning Commission

June 12, 2021

Date



Filed With City Clerk

June 17, 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.

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

POSTPONED TO JUNE 22ND: AME2020 0001: A text amendment proposing new zoning districts:
Neighborhood Commercial, Mixed Use 3

AGENDA ITEM:

Case No: AME2020 0001

Applicant: CBJ Community Development

Location: Juneau Borough-wide

Proposal: A text amendment to amend Title 49 to include two new zoning districts, Neighborhood Commercial (NC) and Mixed Use 3 (MU3).

RECOMMENDATION:

Staff recommends the Planning Commission adopt the Director's analysis and findings, and make a recommendation to the Assembly to APPROVE the proposed text amendment to adopt the Neighborhood Commercial (NC) and Mixed Use 3 (MU3) zoning districts.

ATTACHMENTS:

Description	Upload Date	Type
☐ Staff Report for AME2020 0001	6/2/2021	Appeal



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

DATE: June 1, 2021
TO: Michael LeVine, Chair, Planning Commission
BY: Allison Eddins, Planner II
THROUGH: Jill Maclean, Director, AICP

PROPOSAL: A text amendment to amend Title 49 to include two new zoning districts, Neighborhood Commercial (NC) and Mixed Use 3 (MU3).

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

KEY CONSIDERATIONS FOR REVIEW:

- The proposed zoning districts would integrate small-scale mixed use development into existing multi-family and commercial zoning districts.
- The proposed zoning districts are consistent with CBJ Adopted plans.

GENERAL INFORMATION	
Applicant	City and Borough of Juneau
Initiated By	Community Development Department
Property Affected	Borough-wide

LAND USE CODE AMENDED	
49.25.110	Zoning Maps
49.25.220 & 49.25.230	Mixed Use and Commercial Zoning Districts
49.25.300	Table of Permissible Uses
49.25.400	Table of Dimensional Standards
49.25.500	Density Determination

ALTERNATIVE ACTIONS:

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

ASSEMBLY ACTION REQUIRED:

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

STANDARD OF REVIEW:

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

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

PUBLIC MEETING DATES	
Neighborhood Meetings	December 6, 2018 January 16, 2019 March 13, 2019 April 10, 2019 May 8, 2019 May 29, 2019 June 19, 2019
Ad Hoc Committee Meetings	January 8, 2018 January 31, 2018 February 20, 2018 March 22, 2018 April 13, 2018 May 17, 2018 June 28, 2018 August 14, 2018 September 11, 2018 October 2, 2018 November 6, 2018 December 6, 2018 December 20, 2018 April 17, 2019 June 27, 2019 July 11, 2019 July 24, 2019 February 6, 2020
Planning Commission Meetings	March 10, 2020 November 17, 2020 December 15, 2020

INTRODUCTION

Throughout the Borough, the public has expressed interest in incorporating small-scale commercial uses into medium-to-high density multi-family residential neighborhoods. There is also interest for incorporating neighborhood-scale mixed-use development along commercial corridors. These interests were expressed in the Auke Bay Area Plan and are being expressed currently with the Blueprint Downtown and Douglas/West Juneau planning processes. The zoning districts currently adopted in Title 49 will not meet the interest of the public either because most commercial and retail uses are prohibited in residential zoning districts or because existing mixed-use zoning districts allow intense large-scale development that is not desired within residential neighborhoods.

The Planning Commission formed an Auke Bay Area Plan Implementation Ad Hoc Committee in January 2018. The Ad Hoc Committee subsequently held 17 public work sessions. CDD staff held a series of seven neighborhood meetings in Auke Bay to present the details of the proposed zoning districts. Although the Neighborhood Commercial (NC) and Mixed-Use 3 (MU3) zoning districts were originally proposed as a way to implement the Auke Bay Area Plan where the Comprehensive Plan land use designations are Medium Density Residential (MDR) and Marine/Mixed Use (M/MU) they are also consistent with High Density Residential (HDR) and Traditional Town Center (TTC) Comprehensive Plan land use designations. Across the borough these land use designations can be

found in Auke Bay, Vintage Park/Mendenhall Mall area, Kodzoff Acres/Cinema Drive area, Switzer Creek/Alaway Avenue/Lemon Creek Road area, Vanderbilt Creek area, Downtown Juneau, Downtown Douglas and West Juneau.

The NC and MU3 zoning districts could help achieve a desired land use development in any of these areas. Although these areas differ from one another in many ways they do have a few critical elements in common - all within the Urban Service Boundary with adequate access to city water and sewer utilities; all on a Capital Transit bus route; all are located along busy arterial or collector corridors; all are within close proximity to schools and other institutional uses; are all within walking distance to single-family and multi-family residential neighborhoods.

ZONING DISTRICTS SUMMARY

The proposed zoning districts, NC and MU3, place a greater emphasis on mixed-use development of small-scale commercial and medium-to-high density residential with flexible setbacks that encourage the development of pedestrian-oriented buildings. Commercial development within the NC and MU3 zoning districts will be on a smaller scale than the MU, MU2, LC and GC zoning district while allowing for more commercial uses than are currently allowed in multi-family zoning districts.

Key Concepts of NC and MU3:

- Minimum lot size of 3,000 square feet.
- Minimum density of 3 dwelling units per lot. 1 and 2 dwelling units are allowed only if they are part of a mixed-use building.
- NC - Maximum density of 15 dwelling units per acre.
- MU3 – Maximum density of 30 dwelling units per acre.
- Building height maximums of 35' for primary buildings and 25' for accessory buildings
- Flexible front yard setback of 0' to 20' for NC and 0' to 15' for MU3. Maximum front yard setbacks will require parking to be located in the rear.
- Increased setbacks and landscaping requirements when buildings over 15' in height abut a residential zoning district.

COMPLIANCE WITH TITLE 49

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

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

TITLE 49 – The proposed text amendment complies with CBJ Title 49 Land Use Code. Additionally, the proposed amendment will not create any inconsistencies in Title 49.

Code Reference	Item	Summary
49.05.100	Purpose Statement	The proposed text amendment complies with the purpose and intent of Title 49.

COMPLIANCE WITH BOROUGH-WIDE ADOPTED PLANS

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

2013 COMPREHENSIVE PLAN The proposed text amendment is in compliance with the 2013 Comprehensive Plan.

Chapter	Page No.	Item	Summary
10	130	Policy 10.2	TO ALLOW FLEXIBILITY AND A WIDE RANGE OF CREATIVE SOLUTIONS IN RESIDENTIAL AND MIXED USE LAND DEVELOPMENT WITHIN THE URBAN SERVICE BOUNDARY.

2013 COMPREHENSIVE PLAN The proposed text amendment is in compliance with the 2013 Comprehensive Plan.			
10	131	Policy 10.3	TO FACILITATE RESIDENTIAL DEVELOPMENTS OF VARIOUS TYPES AND DENSITIES THAT ARE APPROPRIATELY LOCATED IN RELATION TO SITE CONDITIONS, SURROUNDING LAND USES, AND CAPACITY OF PUBLIC FACILITIES AND TRANSPORTATION SYSTEMS.
10	137	Policy 10.10	TO ENCOURAGE SMALL-SCALE NEIGHBORHOOD CONVENIENCE COMMERCIAL USES IN APPROPRIATE AREAS IN NEW NEIGHBORHOODS AND WITH APPROPRIATE OPERATING MEASURES WITHIN EXISTING NEIGHBORHOODS.
10	140	Policy 10.13	TO PROVIDE FOR AND ENCOURAGE MIXED USE DEVELOPMENT THAT INTEGRATES RESIDENTIAL, RETAIL AND OFFICE USE IN DOWNTOWN AREAS, SHOPPING CENTERS, ALONG TRANSIT CORRIDORS, AND IN OTHER SUITABLE AREAS

2016 HOUSING ACTION PLAN The proposed text amendment complies with the 2016 Housing Action Plan			
Chapter	Page No.	Item	Summary
Part 2, Solutions	47	Implementation	Re-zone D18 zoning district to Mixed-Use.
Part 2, Solutions	48	Implementation	Evaluate other areas that need to be "up-zoned" – either areas that would be appropriate for greater residential density or switched from residential only to mixed-use areas.
Part 2, Solutions	48	Implementation	Adjust the language in the zoning ordinance to "require" there be both housing and commercial uses in mixed-use zoning districts.

PUBLIC COMMENTS

A series of public meetings were held in Auke Bay. Staff received over 20 comments in person, on comment cards, and by email. These meetings were publicly noticed on the CBJ calendar. Ad Hoc Committee meetings were also open to the public. No public testimony was taken and attendees were encouraged to submit written comments to staff following. The Planning Commission took public comment on the proposed zoning districts at a Committee of the Whole meeting dated December 15, 2020. The majority of the comments received at that meeting were related to the boundaries of the proposed zoning and not the recommended features of the zoning districts. When a re-zone request is initiated a public meeting in the neighborhood where the re-zone request is located will be held and borough-wide public notice will be given for a public hearing.

FINDINGS

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

Analysis: The proposed text amendment is generally consistent with the overall vision of the 2013 Comprehensive Plan and the 2016 Housing Action Plan.

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

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

Analysis: The proposed text amendment was drafted with the purpose and intent of Title 49 taken into account. If approved as drafted, it will be consistent with other adopted zoning districts in CBJ 49.25.

Finding: Yes. The proposed text amendment conforms to the purpose and intent of Title 49 land use code. Additionally, the proposed text amendment does not create any inconsistencies within the code.

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings, and make a recommendation to the Assembly to APPROVE the proposed text amendment to adopt the Neighborhood Commercial (NC) and Mixed Use 3 (MU3) zoning districts.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Draft Ordinance

Presented by: The Manager
Introduced:
Drafted by:

DRAFT

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-XX

An Ordinance Amending the Land Use Code to Create a Mixed Use 3 (MU3) Zoning District, a Neighborhood Commercial (NC) Zoning District.

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

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

Section 2. Amendment of Chapter. Chapter 49.25 Zoning Districts to read:

Chapter 49.25 – ZONING DISTRICTS

ARTICLE II. ZONING DISTRICTS

49.25.220 Mixed use districts.

(c) The MU3, mixed use 3 district, is intended to place a greater emphasis on the integration of small-scale commercial uses within high-density residential structures. Flexible setback regulations are deliberate to promote cohesive neighborhoods and encourage the development of pedestrian-oriented buildings.

49.25.230 Commercial districts.

(c) The NC, neighborhood commercial district, is intended to encourage the development of lively, mixed-use neighborhoods that are compact and walkable. Greater emphasis is placed upon medium density residential as the primary use with neighborhood-scale commercial activity that

is less intensive than that permitted in the light commercial, general commercial and mixed use zoning districts. Neighborhood Commercial zoning districts are primarily used as a buffer between commercial and mixed use zoning districts and single-family and lower density multi-family residential zoning districts.

ARTICLE III. TABLE OF PERMISSIBLE USES

49.25.300 TABLE OF PERMISSIBLE USES

		Zones																
	Use Description	RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	LC	GC	MU	MU2	WC	WI	I	NC	MU3
1.000	RESIDENTIAL																	
1.100	Single-family dwellings																	
1.110	Single-family detached, one dwelling per lot	1	1	1	1	1	1	1	1	1	1	1	1	1	1 ^A	1 ^A		
1.120	Single-family detached, two dwellings per lot	1	1	1														
1.130	Single-family detached, accessory apartment ^x	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3			
1.140	Single-family detached, two dwellings per lot, accessory apartments ^x	1, 3	1, 3	1, 3														
1.200	Duplex	1	1	1	1		1	1	1	1	1	1	1	1				
1.300	Multifamily dwellings						1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	3			1, 3	1, 3
1.500	Child and Day care homes																	

	1.510	Child; 12 or fewer children under the age of 12	1	1	1	1	1	1	1	1	1	1	1	1				1	
	1.520	Reserved																	
	1.530	Adult; 12 or fewer people, 12 years and older	1	1	1	1	1	1	1	1	1	1	1	1				1	
	1.540	Reserved																	
	1.550	Child care residence, 6 to 9 children under 18 years of age		3	3	3	3	3	3	3	3	3	3	3				3	
	1.600	Miscellaneous, rooms for rent situations																	
	1.610	Rooming, boarding houses, bed and breakfasts, single room occupancies with shared facilities, transitional housing, and temporary residences. Owner or manager must live on site.	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	1, 3	1	1	3 ^N			1, 3	
	1.620	Hotels, motels	3					-	-		1, 3	1, 3	1, 3	1, 3	3 ^N	3 ^N		1, 3	1, 3
	1.630	Single room occupancies with private facilities						1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3			1, 3	1, 3
	1.700	Home occupations	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	1.800	Mobile homes																	

	1.810	Residential mobile homes on individual lots ^E	3	3	3														
	1.815	Caretakers mobile homes on individual lots ^E	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3		
	1.820	Mobile home parks ^E				3	3	3	3	3	3								
	1.830	Mobile home subdivision ^E				3	3	3	3	3	3								
	1.840	Recreational vehicle parks ^F	3 ^F	3 ^F	3 ^F														
1.900	Common wall development																		
	1.910	Two dwelling units				1	1	1	1	1									
	1.911	Accessory apartments ^X	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3				
	1.920	Three or more dwelling units				1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3				1, 3	
	1.930	Two dwelling unit structures allowed under special density considerations, subsections 49.25.510(h)			3	3	3	3	3	3	3			3					
2.000	SALES AND RENTAL GOODS, MERCHANDISE OR EQUIPMENT ^G																		
2.100	With less than 5,000 square feet and less than 20 percent of the gross floor area of outside merchandising of goods																		

	2.110	<i>Reserved</i>																
	2.120	Miscellaneous								1	1	1	1	3 ^N	3 ^N	3	1	1
	2.130	Marine merchandise and equipment	3 ^T							1, 3	1, 3	1, 3	1, 3	1, 3	3 ^N	3	1	1
	2.200	Storage and display of goods with greater or equal to 5,000 square feet and/or 20 percent of the gross floor area of outside merchandising of goods								1, 3	1, 3	1, 3	1, 3	3 ^N	3 ^N	3		
	2.300	Marijuana retail store	3							3	3	3	3	3	3	3		3
	3.000	PROFESSIONAL OFFICE, CLERICAL, RESEARCH, REAL ESTATE, OTHER OFFICE SERVICES ^G																
	3.050	Offices of not more than 1,000 square feet		3	3	3	3	3	3	3	1	1	1	1	1 ^N		1	1
	3.100	Offices greater than 1,000 but not more than 2,500 square feet					3	3	3	1	1	1	1	3 ^N			1	1
	3.200	<i>Reserved</i>																
	3.300	Research, laboratory uses	3 ^T							1, 3	1, 3	1, 3	1, 3	1 ^N	1 ^N	1, 3		1, 3
	3.400	Offices greater than 2,500 square feet								1, 3	1, 3	1, 3	1, 3	1 ^N		3 ^S	1, 3	1, 3
	3.500	Marijuana testing facility	3							3	3	3	3			3		
	4.000	MANUFACTURING, PROCESSING, CREATING, REPAIRING, RENOVATING, PAINTING, CLEANING, ASSEMBLING OF GOODS ^G																

4.050	Light manufacturing	3 ^T						3	3	1, 3	1, 3	1, 3	1, 3	1 ^N ,	1 ^N ,	1, 3	1,3	1,3
4.070	Medium manufacturing	3 ^T									3	3	3	3 ^N	1 ^N ,	1, 3		
4.100	Heavy manufacturing	3 ^T	3 ^Q												3 ^N	3		
4.150	Rock crusher	3 ^T	1 ^Q	1 ^Q											3 ^N	3		
4.200	Storage of explosives and ammunition	3													3 ^N	3		
4.210	Seafood processing	3 ^T												3	1, 3	1, 3		
4.220	Marijuana product manufacturing facility	3 ^{AC}									3	3				3		
5.000	EDUCATIONAL, CULTURAL, RELIGIOUS, PHILANTHROPIC, SOCIAL, FRATERNAL USES																	
5.100	Schools																	
5.110	Elementary and secondary schools including associated grounds and other facilities		3	3	3	3	3	3	3	3	3	3	3				3	
5.120	Trade, vocational schools, commercial schools	3 ^T								3	3	3	3	3 ^N	3 ^N	3		3
5.130	Colleges, universities	3 ^T	3	3	3	3	3	3	3	3	3	3	3	3 ^N	3 ^N	3	3	
5.200	Churches, synagogues, temples	3 ^T	3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	1 ^N ,	3 ^N	1, 3	3	3
5.300	Libraries, museums, art galleries	3 ^T	3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	3 ^N			1,3	1,3

5.400	Social, fraternal clubs, lodges, union halls, yacht clubs	3 ^T					-	-		1, 3	1, 3	1, 3	1, 3	1 ^N	3 ^N	1, 3	1,3	1,3
6.000	RECREATION, AMUSEMENT, ENTERTAINMENT																	
6.100	Indoor activity conducted entirely within building or substantial structure																	
6.110	Bowling alleys, billiard, pool halls						-	-		1, 3	1, 3	1, 3	1, 3			3	1,3	1,3
6.120	Tennis, racquetball, squash courts, skating rinks, exercise facilities, swimming pools, archery ranges				3	3	3	3	3	1, 3	1, 3	1, 3	1, 3			3	1,3	1,3
6.130	Theaters seating for 200 or fewer	3 ^T					-	3	3	1	1	1	1	3 ^N		3	1,3	1
6.135	Theaters seating from 201 to 1,000						-	-		3	1	1	1	3 ^N		3	1,3	1
6.140	Coliseums, stadiums, and other facilities in the 6.100 classification seating more than 1,000 people										3	3	3	3 ^N				
6.150	Indoor shooting range	1, 3									3					3		
6.200	Outdoor activity conducted outside enclosed buildings or structures																	

6.210	Recreational facilities such as golf, country clubs, swimming, tennis courts not constructed pursuant to a permit authorizing the construction of a school	3	3	3	3	3	3	3	3	3	3	1, 3			3 ^N		3	1,3	
6.220	Miniature golf courses, skateboard parks, water slides, batting cages	3	3	3	3	3	3	3	3	3	3	1, 3	3	3	3 ^N		3	1,3	
6.240	Automobile, motorcycle racing tracks; off-highway vehicle parks	3										3					3		
6.250	<i>Reserved</i>																		
6.260	Open space	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
6.262	Parks with improved facilities, not approved in conjunction with a major subdivision																		
6.264	Capacity for up to 20 people ^w	1 ^T	1	1	1	1	1	1	1	1	1	1	1	1	1	3 ^N		1	1
6.266	Capacity for more than 20 people ^w	3 ^T	3	3	3	3	3	3	3	3	3	3	3	3	3 ^N	3 ^N		3	3
6.270	Aerial conveyances and appurtenant facilities	3	3	3	3	3	3	3	3	3	3	3	3	3	3 ^N	3 ^N	3		

	6.280	Shooting ranges	3														3			
7.000	INSTITUTIONAL DAY OR RESIDENTIAL CARE, HEALTH CARE FACILITIES, CORRECTIONAL FACILITIES																			
7.100	Hospital									3	3	3	3							
7.150	Health care clinics, other medical treatment facilities providing out-patient care							3	3	1, 3	1, 3	1, 3	1, 3					1,3	1,3	
7.200	Assisted living		3	3	3	3		3	3	3	3	1, 3	1, 3	1, 3				1,3	1,3	
7.300	Day care centers							3	3	3	1, 3	1, 3	1, 3	1, 3				1,3	1,3	
7.310	Child care centers	3	3	3	3	3		3	3	3	1, 3	1, 3	1, 3	1, 3				1,3	1,3	
7.500	Correctional facilities	3	3	3	3	3		3	3	3	3	3	3	3						
7.600	Sobering centers										3	3	3	3						
8.000	RESTAURANTS, BARS, NIGHTCLUBS																			
8.050	Small restaurants, less than 1,000 ft ² without drive through service	3 ^T						3	3	3	1	1	1	1	1 ^N		3	1	1	
8.100	Restaurants, bars without drive through service	3 ^T									1, 3	1		1, 3	1, 3	1 ^N , 3 ^N	3	1,3	1,3	
8.200	Restaurants, coffee stands with drive through service										1, 3	1		3	1 ^N , 3 ^N	3				

8.300	Seasonal open air food service without drive through	3								1, 3	1	1, 3	1, 3	1 ^N ,	3 ^N		1,3	1,3
9.000	BOAT OR MOTOR VEHICLE, SALES AND SERVICE OPERATIONS																	
9.050	Motor vehicle, mobile home sale or rental									1, 3	1, 3	3	3				1, 3	
9.100	Motor vehicle repair and maintenance, including body work										3						1	
9.200	Automotive fuel station	3 ^T								3	1						1	
9.300	Car wash									3	1						1	
9.400	Boat sales or rental	3 ^T								3	1			1	1	1		
9.450	Boat repairs and maintenance	3 ^T									3			1	1	1		
9.500	Marine fuel, water sanitation	3 ^T												1, 3	1, 3	1, 3		
9.600	Marine commercial facilities including fisheries support, commercial freight, passenger traffic	3												3	3			
10.000	STORAGE, PARKING, MOORAGE																	
10.100	Automobile parking garages or parking lots not related to a principal use on the lot									3	1	1, 3	1, 3				1	1, 3

10.200	Storage and handling of goods not related to sale or use of those goods on the same lot on which they are stored																	
10.210	All storage within completely enclosed structures	1, 3	3							3	1	1 ^U , 1 ^U , 3	1 ^N , 1 ^N	1				
10.220	General storage inside or outside enclosed structures	1, 3	3								1, 3			1 ^N , 1 ^N	1			
10.230	Snow storage basin																	
10.232	Neighborhood, less than ½ acre	3	3	3 ^Z	3 ^Z	3 ^Z	3 ^Z	3 ^Z	3 ^Z	3 ^Z	1			3 ^Z	1	1	3 ^Z	3 ^Z
10.235	Regional, ½ to 1 acre	3	3	3 ^Z						3 ^Z	3			3 ^Z	1	1		
10.237	Area wide, over 1 acre	3	3 ^Z	3 ^Z							3 ^Z				3	3		
10.300	Parking of vehicles or storage of equipment outside enclosed structures where they are owned and used by the user of the lot and parking and storage is more than a minor and incidental use of the lot	1, 3	3								1, 3			1 ^N , 1 ^N	1			
10.400	Temporary contractor's storage connected with construction project off-site for a specified period of time	1, 3	3	3	3	3	3	3	3	3	1, 3	3	3	3	1 ^N	1	3	3
10.500	Moorage																	

	10.510	Public, commercial	3	3	3						3	3	3	3	1, 3	1, 3	1, 3		
	10.520	Private	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3		
	10.600	Floating structures supporting seasonal, commercial recreation	3	3	3										3	3			
	11.000	MATERIALS SALVAGE YARDS, WASTE MANAGEMENT																	
	11.100	Recycling operations																	
	11.110	Enclosed collection structures ^c of less than 80 square feet total and less than six feet in height	1 ^P	1 ^P	1 ^P	1 ^P	1 ^P	1 ^P	1 ^P	1 ^P	1	1	1 ^P	1 ^P	1	1	1	1 ^P	1 ^P
	11.120	Enclosed structures for recyclable materials collection	1 ^P , 1 ^P , 1 ^P , 1 ^P , 1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1	1	1 ^P	3 ^P	3 ^P
	11.130	Sorting, storage, preparation for shipment occurring outside an enclosed structure														1 ^N	1		
	11.200	Reclamation landfill not associated with a specific use	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	3 ^N	3 ^N	1, 3		
	11.300	Sanitary landfill	3														3		
	12.000	SERVICES AND ENTERPRISES RELATED TO ANIMALS																	
	12.100	Veterinary clinic	3	3	3						3	1, 3	3	3	1 ^N , 1 ^N , 1	1 ^N , 1 ^N , 1	3	3	

12.200	Kennel	3	3							3	3					1, 3		
12.250	Day animal services, grooming, walking, day care	3	3	3	3	3				3	3	3	3			1, 3	3	3
12.300	Zoos, aquaria, or wild animal rehabilitation facilities with a visitor component	3	3							3	3		3	3 ^N		3		
12.310	Wild animal rehabilitation facilities without a visitor component	3	3	3	3					3	3			3 ^N		3		
12.400	Horseback riding stables, dog team yards	3	3							3	3					3		
13.000	EMERGENCY SERVICES																	
13.100	Fire, police, ambulance	3	3	3	3	3	3	3	3	3	3	3	3	3 ^N	3 ^N	1, 3	3	3
14.000	AQUACULTURE, AGRICULTURE, SILVICULTURE, MINING, QUARRYING OPERATIONS, SPRING WATER BOTTLING																	
14.100	Aquaculture	3	3	3						3	3	3	3	1	1	3	1,3	1,3
14.150	Weirs, channels, and other fisheries enhancement	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1	1	1		
14.200	Commercial agricultural operations																	
	14.210	Excluding farm animals	1, 3	1, 3	3	3	3	3	3	3	3					1, 3	3	3
	14.220	Including farm animals ^M	1, 3	3												1, 3		

	14.230	Stabling of farm animals ^M	3	3	3	3					3	3					1, 3		
	14.240	Marijuana cultivation (500 square feet or more under cultivation)	3								3	3					3		
	14.245	Marijuana cultivation (fewer than 500 square feet under cultivation)	3	3 ^{AB}							3	3					3		
	14.250	Personal use agriculture																	
	14.253	Hens, 6 maximum	1	1	1	1	1	1	3	3	1	1	3	3	1	1	1		
	14.300	Silviculture and timber harvesting ^J	3	3													3		
	14.400	Mining operations	2, 3	3	3										3 ^N	3 ^N	2		
	14.500	Sand and gravel operations ^I	3	3	3						3	3			3 ^N	3 ^N	3		
	14.800	Spring water bottling	3	3			3	3	3	3	3	3					1, 3	3	
	15.000	MISCELLANEOUS PUBLIC AND SEMIPUBLIC FACILITIES																	
	15.100	Post office	3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	1, 3	3 ^N	3 ^N	1, 3	1, 3	1, 3
	15.200	Airport	3														1, 3		
	15.400	Military reserve, National Guard centers	3	3	3						3	3			3 ^N	3 ^N	3		

15.500	Heliports, helipads		3								3				3 ^N	3 ^N	3			
15.600	Transit facilities																			
	15.610	Transit center			3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	3		1, 3	1,3	1, 3	
	15.620	Transit station		1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
	15.630	Park and ride not associated with transit station	3	3	3	3	3	3	3	3	1	1	3	3			1	3		
15.700	Public works facility		3	3	3	3					3	3					1, 3			
16.000	DRY CLEANER, LAUNDROMAT																			
16.100	Drop off and pickup only, no onsite laundry or dry cleaning process									1, 3	1, 3	1, 3	1, 3	1, 3	1 ^N ,	1 ^N ,	1, 3	1,3	1,3	
16.200	Full service onsite laundry and/or dry cleaning										3	1, 3	3	3	3 ^N	1 ^N ,	1, 3	1,3	1,3	
17.000	UTILITY FACILITIES																			
17.100	Minor		1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
17.150	Intermediate		3	3	3	3	3	3	3	3	3	1, 3	3	3	1, 3	1	1	3	3	
17.200	Major		3	3	3	3	3	3	3	3	3	3			3	3	3	3	3	
17.300	Driveways and private roads																			

18.000	TOWERS AND RELATED STRUCTURES																		
18.100 ^{AA}	Towers and antennas 35 feet or less	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
18.200 ^{AA}	Towers and antennas 35 to 50 feet	1	3	3	3	3	3	3	3	1	1	1	1	1	1	1	3	3	
18.300 ^{AA}	Towers and antennas more than 50 feet in height	3	3	3	3	3	3	3	3	3	3	3	3	3	3	1			
18.400	Amateur (ham) radio towers and antennas more than 35 feet in height ^R	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
18.500	Wireless Communication Facilities	See CBJ 49.65, Wireless Communication Facilities																	
19.000	OPEN AIR MARKETS, NURSERIES, GREENHOUSES																		
19.100	Open air markets (farm, craft, flea, and produce)	1, 3	1, 3							1, 3	1		1, 3	1, 3	1 ^N , 1 ^N	1, 3	1, 3	1, 3	
19.200	Nurseries, commercial greenhouses																1, 3		
19.210	Retail sales	3	3	3	3	3	3	3	3	1, 3	1		1 ^V	1 ^V			1	1, 3	1, 3
19.220	Nonretail sales	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1		1 ^V	1 ^V			1		
19.230	Marijuana cultivation (500 square feet or more under cultivation)	3								3	3						3		

	19.240	Marijuana cultivation (fewer than 500 square feet under cultivation)	3	3 ^{AB}							3	3					3		
20.000	CEMETERY, CREMATORIUM, MORTUARY																		
20.100	Cemetery	1, 3	3	3	3	3	3	3	3	3	3	3							
20.200	Crematorium	3															1, 3		
20.300	Funeral home	3	3	3	3	3	3				1, 3	1	3	3				1,3	1,3
21.000	VISITOR-ORIENTED, RECREATIONAL FACILITIES																		
21.100	Resort, lodge	3	3																
21.200	Campgrounds	1, 3	3																
21.300	Visitor, cultural facilities related to feature the site	3	3				-	-		3	3	3	3	3 ^N			3	3	
22.000	TEMPORARY STRUCTURES ASSOCIATED WITH ONSITE CONSTRUCTION																		
22.100	Temporary structures used in connection with construction	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1

ARTICLE IV. DIMENSIONAL STANDARDS

49.25.400 TABLE OF DIMENSIONAL STANDARDS

Zoning Regulations	RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	MU	MU2	MU3	NC	LC	GC	WC	WI	I
Minimum Lot Size ¹																	
Permissible Uses	36,000	36,000	12,000	7,000	3,600 ₁₀	6,000	5,000	5,000	4,000	4,000	3,000	3,000	2,000	2,000	2,000	2,000	2,000
Bungalow ⁹		18,000	6,000	3,500	2,500	3,000	3,000	2,500									
Duplex	54,000	54,000	18,000	10,500													
Common Wall Dwelling				7,000	3,600 ₁₀	5,000	3,500	2,500		2,500							
Single- family detached, two dwellings per lot	72,000	72,000	24,000														
Minimum lot width	150'	150'	100'	70'	40'	50'	50'	50'	50'	50'	40'	40'	20'	20'	20'	20'	20'

	Bungalow ⁹		75'	50'	35'	25'	25'	25'	25'									
	Common wall dwelling				60'	40'	40'	30'	20'		20'							
	Minimum lot depth	150'	150'	100'	85'	85' ¹⁰	85'	80'	80'	80'	80'	None	None	80'	60'	60'	60'	60'
	Maximum lot coverage																	
	Permissible uses	10%	10%	35%	50%	50%	50%	50%	50%	None	80%	75%	None	None	None	None	None	None
	Conditional uses	20%	20%	35%	50%	50%	50%	50%	50%	None	80%			None	None	None	None	None
	Maximum height permissible uses	45'	35'	35'	35'	35'	35'	35'	35'	None	45' ⁴	35'	35'	45'	55'	35' ⁴	45' ⁴	None
	Accessory	45'	25'	25'	25'	25'	25'	25'	25'	None	35'	25'	25'	35'	45'	35' ⁴	45' ⁴	None
	Bungalow ⁹		25'	25'	25'	25'	25'	25'	25'									
	Minimum front yard setback ³	25'	25'	25'	20'	20' ¹⁰	20'	20'	20'	0'	5' ^{5,8}	0'	0'	25'	10'	10'	10'	10'
	Maximum front yard setback											20'	15'					
	Minimum street side yard setback	17'	17'	17'	13'	10'	13'	13'	13'	0'	5'	0'	0'	17'	10'	10'	10'	10'
	Maximum street side yard setback											15'	10'					

Minimum rear yard setback ³	25' ²	25'	25'	20'	10'	20'	15'	10'	0'	5'	5'	0' ¹¹	10'	10'	10'	10'	10'
Minimum side yard setback ³	15' ²	15'	10'	5'	3'	5'	5'	5'	0'	5'	0'	0' ¹¹	10'	10'	10'	10'	0'
Common wall dwelling				10' ⁶	3'	5' ⁷	5' ⁷	5' ⁷		5' ⁷							

Notes:

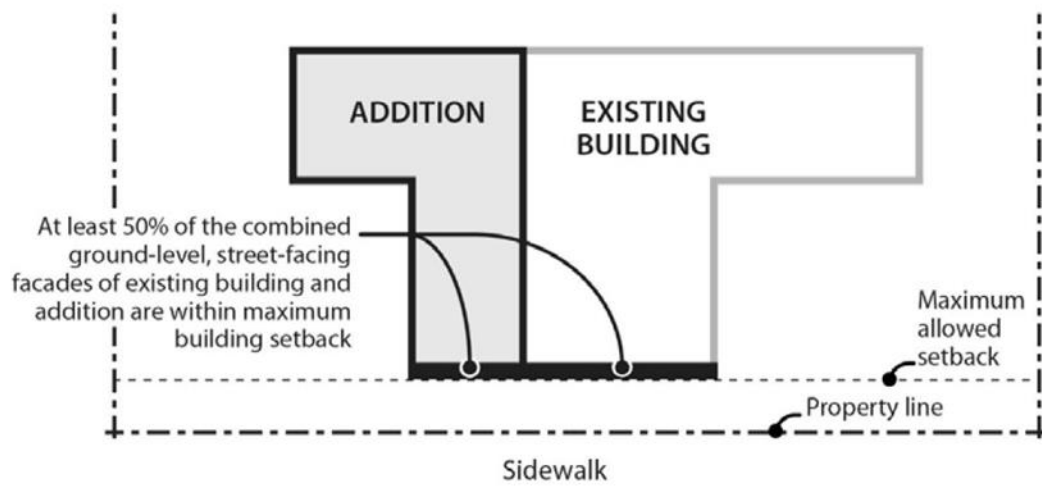
1. Minimum lot size is existing lot or area shown on chart in square feet.
2. Sixty feet between nonresidential and designated or actual residential site; 80 feet between industrial, extractive and other uses.
3. Where one district abuts another the greater of the two setbacks is required for both uses on the common property line.
4. (Height Bonus) Reserved.
5. (Pedestrian Amenities Bonus) Reserved.
6. Zero-foot setback for the portion of the dwelling with a common wall, five-foot setback or five-foot wide easement for the portion of the dwelling at the common lot line without a common wall, and ten-foot setback for the remaining side yards of the lot.
7. Zero-foot setback for the portion of the dwelling with a common wall, five-foot setback or five-foot wide easement for the portion of the dwelling at the common lot line without a common wall, and five-foot setback for the remaining side yards of the lot.
8. On corner lots, buildings shall be set back 15 feet from a street intersection. The area in which buildings shall be prohibited shall be determined by extending the edge of the traveled ways to a point of intersection, then measuring back 15 feet, then connecting the points.
9. Special restrictions apply to construction on bungalow lots. See special use provisions [49.65.600](#).
10. For lots adjacent to an alley, the following reductions to the dimensional standards apply:
 - (a) Minimal lot area includes 50% of adjacent alley (see graphic).
 - (b) Minimal lot depth includes 50% of the width of adjacent alley.
 - (c) Minimum front yard setback of ten feet.
11. Additional setbacks apply when lot abuts a multi-family or single-family residential zoning district.

49.25.430 Yard setbacks.

(6) Maintaining building façade continuity. A new building in the NC or MU3 zoning districts shall have a front yard setback and street side yard setback equal to the average front yard setback of the three closest conforming buildings sharing a frontage and within a 150' radius.

(7) Maximum building setback for NC and MU3. At least 50 percent of the length of the ground level, street-facing façade of a new or altered building shall be within the maximum setback for the underlying zoning district. Where there is more than one building on a lot, the maximum standard applies to the combined ground level, street-facing facades of all the buildings.

Alteration to Existing Building in Conformance with Maximum Setback Standard



(8) NC and MU3 parcels abutting residential zoning districts. When a building 15 feet or taller in the NC or MU3 zoning district abuts a residential zoning district the following setbacks and landscaping requirements apply:

Height of building wall	Lots abutting a residential zone side lot line	Lots abutting a residential zone rear lot line
15 ft. or less	5 foot setback and landscaping	Underlying zoning district setback, no landscaping
16 – 30 ft.	8 foot setback and landscaping	
31-55 ft.	10 foot setback and landscaping	

ARTICLE V. DENSITY

49.25.500 Density.

The maximum number of dwelling units allowed per acre shall be as provided in the following table:

Zoning District	Maximum Dwelling Units/Acre
RR	Density determined by minimum lot size in section 49.25.400 and special density requirements in section 49.25.510.
D-1	Density determined by minimum lot size in section 49.25.400 and special density requirements in section 49.25.510.
D-3	Density determined by minimum lot size in section 49.25.400 and special density requirements in section 49.25.510.
D-5	Density determined by minimum lot size in section 49.25.400 and special density requirements in section 49.25.510.
D-10	10 units per acre

D-10 SF	Density determined by minimum lot size in section 49.25.400 and special density requirements in section 49.25.510.
D-15	15 units per acre
D-18	18 units per acre
MU	No maximum density
MU2	80 units per acre
MU3	30 units per acre
NC	15 units per acre
LC	30 units per acre
GC	50 units per acre
WC	18 units per acre

Section 3. Amendment of chapter. Chapter 49.50 Parks, Open Space and Vegetative

Cover to read:

CHAPTER 49.50 PARKS, OPEN SPACE AND VEGETATIVE COVER

Article III. – Vegetative Cover

49.50.300 Minimum vegetative cover.

A minimum percent by area of each development site shall be maintained with live vegetative cover according to the following table. In the event of a conflict between district and area standards, the greater shall apply.

Zoning District	Percentage of Lot in Vegetation
D-1, D-3, and D-5, residential districts	20
D-10 SF residential districts	15
D-10, D-15, and D-18 multifamily residential districts	30
MU2, mixed use district	5
MU3, mixed use district	10
NC, neighborhood commercial district	25
LC, light commercial district	15
GC, general commercial district	10
WC, waterfront commercial district	10
WI, waterfront industrial district	5
I, industrial district	5
Convenience store, outside a commercial district	20

Section 5. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2019.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager
Introduced: 06/08/2021
Drafted by:

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-XX

An Ordinance Amending the Land Use Code Relating to the Auke Bay Overlay District

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

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

Section 2. Amendment of Chapter. Chapter 70 is amended by adding a new article XIII to read:

ARTICLE XIII. AUKE BAY OVERLAY DISTRICT

49.70.1300 Purpose.

The purpose of the Auke Bay Overlay District is to implement the Auke Bay Area Plan Vision through design standards and development bonuses that promote the creation of a lively, village-like setting. Bonuses may be earned by providing a combination of design amenities and public benefits recommended by the Auke Bay Area Plan, which was adopted into the Comprehensive Plan.

49.70.1310 Applicability.

Auke Bay Overlay District. This article applies to parcels located within the Auke Bay Overlay District as shown on the map dated August 30, 2019. Bonus points may be granted for any multi-family or commercial development within the Auke Bay Overlay District boundary.

49.70.1320 Relationship to Existing Zoning.

This article applies only to parcels within the Auke Bay Overlay District. This article provides the option for developers to earn bonus points by providing public benefits and/or design standards as recommended in the Auke Bay Area Plan. If a developer chooses to earn bonus

points a minimum of 10 percent of bonus points must be earned by providing design standards. Bonus points may be used to increase density, increase building height, or reduce minimum parking requirements. All other requirements of the underlying zoning district apply.

49.70.1330 Auke Bay Overlay District procedure.

(a) *Auke Bay Overlay District Permit.* The board of adjustment shall hear all applications pursuant to this article.

(b) *Pre-application Conference.* Prior to submission of an application, the developer shall meet with the director for the purpose of discussing the site, the proposed development activity, and the public benefits, design standards and bonuses being proposed. The developer must show the nature and extent of such bonuses in the Auke Bay Overlay District application.

(c) *Application.* The developer shall submit to the director one copy of the completed permit application together with all supporting materials and the permit fee.

(d) *Director's review procedure.*

(1) The director shall endeavor to determine whether the application accurately reflects the developer's intentions, shall advise the developer whether or not the application is acceptable; and, if it is not, what corrective action may be taken.

(2) After accepting the application, the director shall schedule it for a hearing before the planning commission and shall give notice to the developer and the public in accordance with section 49.15.230.

(3) The director shall forward the application to the board of adjustment together with a report setting forth the director's recommendation for approval or denial, with or without conditions together with the reasons therefore. The director shall make the determinations specified in subsection (d) (5) of this section.

(4) Copies of the application or the relevant portions thereof shall be transmitted to interested agencies as specified on a list maintained by the director for that purpose. Referral agencies shall be invited to respond within 15 days unless an extension is requested and granted in writing for good cause by the director.

(5) Even if the proposed development complies with all the requirements of this title and all recommended conditions of approval, the director may nonetheless recommend denial of the application if it is found that the development:

(A) Will materially endanger the public health or safety;

(B) Will substantially decrease the value of or be out of harmony with property in the neighboring area; or

(C) Will not be in general conformity with the land use plan, Auke Bay Area Plan, or other officially adopted plans.

(e) *Review of director's determinations.*

(1) At the hearing on the Auke Bay Overlay District permit, the board of adjustment shall review the director's report to consider:

- (A) Whether the proposed development is appropriate according to the Auke Bay Overlay District;
- (B) Whether the application is complete; and
- (C) Whether the development as proposed will comply with the other requirements of this title.

(2) The board of adjustment shall adopt the director's determination on each item set forth in paragraph (1) of this subsection (e) unless it finds, by a preponderance of the evidence, that the director's determination was in error, and states its reasoning for each finding with particularity.

(f) *Board of Adjustment determinations.* Even if the board of adjustment adopts the director's determinations pursuant to subsection (e) of this section, it may nonetheless deny or condition the permit if it concludes, based upon its own independent review of the information submitted at the hearing, that the development will more probably than not:

- (1) Materially endanger the public health or safety;
- (2) Substantially decrease the value of or be out of harmony with property in the neighboring area; or
- (3) Lack general conformity with the comprehensive plan, Auke Bay Area Plan, or other officially adopted plans.

49.70.1340 Auke Bay Overlay District Standards.

Structures or sites existing on the date this ordinance was adopted, that contain all or some of the public benefits, site features and design standards may earn bonus points. The process for earning bonus points for existing structures or sites is the same as with new development.

(a) Public benefits.

(1) *Platting new public rights-of-way.* Platting new public rights-of-way is intended to encourage the dedication of private land for the future development of a publically connected and maintained street-grid system within the Auke Bay Overlay District, in order to facilitate development and improve vehicular and pedestrian circulation within the Urban Service Area.

Feet of public right of ways	Standard	Points Earned
25		8

50	All platted public rights-of-way shall be consistent with the public right-of-way width standard for streets other than arterials and connectors, as found in Chapter 49.35.	16
75		24
100		32

(2) *Providing public parking on private property.* Public parking on private property is intended to encourage a property owner to dedicate land for the benefit of public parking. A minimum of 12 parking spaces must be provided. Bonus points may be earned for each parking space provided over 12. The public parking area shall be paved, the parking spaces shall be striped, and a public parking sign must be installed and clearly visible from abutting public rights-of-way. The property owner will retain ownership of the lot and is responsible for all maintenance of the parking area. The owner may charge reasonable fees for use of the parking area.

Parking Spaces Provided	Standard	Points Earned
12 or more	Bonus points may be earned for public parking providing 12 or more spaces.	1 point per space, twelve and above

(3) *Mixed use structures.* Mixed use structures is intended to encourage mixed-use structures that combine medium- to high-density residential uses with compatible commercial uses on a single site or within the same structure.

Residential/Commercial floor area ratio	Points Earned
1:1	8 points
2:1	12 points (16 points for zoning districts with height restrictions of 35' including maximum height with bonuses)
3:1	16 points (24 points for zoning districts with height restrictions of 45' including maximum height with bonuses)
4:1	24 points

(b) *Building Design Standards.* Building design standards are intended to encourage the inclusion of specific design standards within new development, and additions or exterior improvements to existing structures. The building design standards represent the vision of future development in the Auke Bay Center, as identified in the Auke Bay Area Plan. A minimum of 10 percent of all bonus points earned must be earned from design standards.

Design Standards		Points Earned
Street facing building facades	Windows and building entrances shall comprise at least 20% of the ground floor wall area for all non-residential uses. Street facing façade windows shall be no more than 4 feet above finished grade.	3 points for every 20% transparency
Ground level entrances	Entryways shall be designed to orient customers with attractive architectural features, such as a recessed entryway, pedestrian oriented lighting, and weather protection. Each public entrance shall be clearly defined and highly visible.	3 points for each entryway
Canopies covering or facing public right-of-ways and improved pedestrian walkways	Canopies shall span the entire frontage of the building and shall meet CBJ canopy standards.	4 points for every 20' of canopy

(5) Site Features. Site features are intended to encourage the installation of features that promote pedestrian safety and create interesting and inviting outdoor spaces.

Site Feature	Standard	Points Earned
Pedestrian walkways	Pedestrian walkways shall provide a direct route from a right-of-way or parking area to the building's main entrance, as determined by the director; be a minimum of 5 feet wide; separated from a parking area or right-of-way with landscaping or a raised surface of at least 6 inches; consist of a walking surface other than dirt or gravel; connect to a	3 points per 30' of walkway

	pedestrian walkway on an abutting lot when possible	
Covered bike rack	Bike rack(s) shall be installed near a building's ground level entrance; have a minimum capacity of four bikes. Bike racks shall be covered and shall be compatible with a U lock, as recommended in the Juneau Non-Motorized Transportation Plan.	1 point per bike rack
Outdoor seating	Outdoor seating shall consist of at least one bench or one table and seat at least four people; be secured to the ground or building; be provided during the summer months, at a minimum	1 point per bench or table
Outdoor Planters or Landscaping	Outdoor planters or Landscaping shall span a minimum of 25 percent of the building right-of-way facing façade(s); contain live, non-invasive plant(s); shall be designed and located in a manner that does not interfere with site distance from public right-of-ways or pedestrian walkways, as determined by the director	1 point for every quarter of the building façade with planters or landscaping

(6) *Screening*. Screening is intended to preserve and enhance the aesthetic value of the Auke Bay Center by minimizing views of specific parts of properties or structures from streets, pedestrian walkways, or abutting properties when the specific part(s) of property or structure are located within 30 feet of a property line, public rights-of-way, or pedestrian walkway.

Structures to be screened	Standard	Points Earned
Above ground parking lots	Screening shall be four feet tall and shall consist of sight obscuring landscaping	3 points per parking lot

	or a sight obscuring fence or wall. Parking areas do not need to be screened from pedestrian walkways that intersect the parking area.	
Recycle and trash receptacles; above ground oil, gas, water or wood pellet storage containers; Freestanding utility, mechanical and electrical boxes	Screening shall be as tall as the structure or object being screened; shall consist of sight obscuring landscaping, a sight obscuring fence or wall, murals or other forms of public art, or other methods that meet the purpose of this section, as determined by the Planning Commission	1 point each

(7) *Preserving views of Auke Bay and Statter Harbor.* Preservation of the view is intended to protect the aesthetic value of private property by encouraging developers of structures greater than two stories to preserve the view(s) of Auke Bay and Statter Harbor from abutting properties, as determined by the planning commission.

Building Stepback	Points Earned
Every 25% reduction of the footprint of the ground floor.	8 points

49.70.1350 Using Bonus Points

(a) *Density Bonus.* The allowable density of dwelling units per acre may be increased based on bonus points earned. Density increase shall be rounded to the nearest whole number.

Bonus Points Needed	NC	MU3	WC
Standard Zoning	15 units per acre	30 units per acre	18 units per acre
8 points	17 units per acre	35 units per acre	21 units per acre
16 points	19 units per acre	38 units per acre	24 units per acre
24 points	21 units per acre	42 units per acre	27 units per acre
32 points	25 units per acre	50 units per acre	30 units per acre

(b) *Height Bonus.* Bonus points for increased height are not allowed in the Waterfront Commercial zoning district.

Bonus Points Needed	NC	MU3
0 points	35' / 25'	35' / 25'
6 points	45' / 35'	45' / 35'
12 points		55' / 45'

(c) *Reduce minimum parking requirements.* The maximum allowed parking reduction in the Auke Bay Overlay District is 30 percent of the total number of parking spaces required for all uses on the site. Dimensional standards for parking and off-street loading in 49.40.210 shall apply.

Bonus Points Needed	Parking Reduction
0 points	Parking as required in 49.40
6 points	10% reduction
10 points	15% reduction
15 points	20% reduction
22 points	25% reduction
30 points	30% reduction

Section 3. Amendment of Section. CBJ 49.85.100 Generally, is amended to read:

(10) Board of adjustment.

- (A) Administrative variance, \$120.00;
- (B) Non-administrative variance, \$400.00;
- (C) Alternative development permit, \$400.00;
- (D) Auke Bay overlay district permit, \$400.00.

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

Adopted this _____ day of _____, 2019.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

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

POSTPONED TO JUNE 22ND: AME2020 0002: Text amendment to add landscaping and vegetative cover purpose-statements to CBJ Land Use Code

AGENDA ITEM:

Case No: AME2020 0002

Applicant: CBJ Community Development

Location: Juneau Borough-wide

Proposal: A text amendment to include purpose statements for landscaping and vegetative cover to the CBJ Land Use Code.

RECOMMENDATION:

Staff recommends the Planning Commission adopt the Director's analysis and findings, and make a recommendation to the Assembly to APPROVE the proposed text amendment to add purpose statements for landscaping and vegetative cover to the CBJ Land Use Code.

ATTACHMENTS:

Description	Upload Date	Type
☐ Staff Report for AME2020 0002	6/2/2021	Appeal



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

DATE: June 1, 2021
TO: Michael LeVine, Chair, Planning Commission
BY: Allison Eddins, Planner II *A. Eddins*
THROUGH: Jill Maclean, Director, AICP

PROPOSAL: A text amendment to include purpose statements for landscaping and vegetative cover to the CBJ Land Use Code.

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

KEY CONSIDERATIONS FOR REVIEW:

- The CBJ Land Use Code contains minimal regulations for landscaping and vegetative cover.
- The Code does not have a clear purpose statements for landscaping and vegetative cover.
- The proposed purpose statements would regulate vegetative cover for the purpose of stormwater and erosion control; landscaping would be regulated to minimize visual and noise impacts, increase compatibility between different land uses and visually unify development.

GENERAL INFORMATION	
Applicant	City and Borough of Juneau
Initiated By	Community Development Department
Property Affected	Borough-wide

LAND USE CODE AMENDED	
49.50.300	Vegetative Cover
49.80.120	Definitions
LAND USE CODE ADDED	
49.50.400	Landscaping

ALTERNATIVE ACTIONS:

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

ASSEMBLY ACTION REQUIRED:

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

STANDARD OF REVIEW:

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

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

BACKGROUND

Currently, the CBJ Land Use Code does not include purpose statements for either landscaping or vegetative cover. Although the code does include some minimum standards for both, the lack of a purpose statement can make the standards difficult to apply.

Prior to the 1987 Land Use Code re-write, CBJ did not have a vegetative cover requirement. Today, *CBJ 49.50.300 Vegetative Cover* states "A minimum percent by area of each development site shall be maintained with live vegetative cover according to the following table". A purpose for the vegetative cover requirement is not stated. The record of minutes did not speak to the intent of vegetative cover.

Prior to the 2000s, CBJ had a Design Review Board with authority through Administrative Code Title 04 to review all commercial development to ensure compliance with the architectural, vegetative cover, and landscaping standards in Title 04. A purpose for landscaping requirement was given:

04 CBJ 060.010 (a) Purpose. The intent of this section is to provide minimum landscaping and natural screening requirements in order to maintain and protect property values, enhance the community's appearance, visually unify the local and its neighborhoods, reduce erosion and storm runoff, and maintain or replace vegetation.

This section of Title 04 was later repealed.

Developing purpose statements is the first step in the process. Staff intends to develop clear vegetative cover and landscaping standards in the near future. When those standards are developed, some of the language in the purpose statements may be relocated to the standards.

TEXT AMENDMENT SUMMARY

Staff reviewed all regulations within the CBJ Land Use Code that relate to vegetative cover and landscaping. Based on the context of the regulations, and CDD's interpretation and application of the regulations, staff is proposing the purpose statements below be added to CBJ 49.50. The proposed language was brought before the Title 49 Committee on March 5, 2020 and October 5, 2020. The language below was approved by the Committee.

CBJ 49.50.300 Vegetative Cover

Purpose. The purpose of this section is to provide minimum vegetative cover requirements in order to minimize the risk of flooding and erosion, and to slow the speed and volume of storm water runoff onto surrounding lands. Vegetative cover shall be met with non-invasive plant species. Green infrastructure, including but not limited to green roofs, bioswales, rain gardens, and similar features, shall count toward vegetative cover requirements. Additionally, porous concrete used on site shall count toward vegetative cover requirements.

CBJ 49.50.400 Landscaping

Purpose. The purpose of this section is to provide minimum decorative vegetation requirements in order to minimize the visual and noise impacts of a development, provide visual separation between pedestrian and traffic movements, increase compatibility between different intensities of land use by providing visual barriers, and to visually unify a development and the surrounding neighborhood. Landscaping shall mean an area developed and maintained with non-invasive plantings, lawn, ground cover, gardens, trees, shrubs, and other plant materials, decorative outdoor landscaping elements, paved or decorated surfaces of rock, stone, brick, block or similar material (excluding driveways, parking, loading, or storage areas), and sculptural elements.

COMPLIANCE WITH TITLE 49

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

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

TITLE 49 – The proposed text amendment complies with CBJ Title 49 Land Use Code. Additionally, the proposed amendment will not create any inconsistencies in Title 49.

Code Reference	Item	Summary
49.05.100	Purpose Statement	The proposed text amendment complies with the purpose and intent of Title 49.

COMPLIANCE WITH ADOPTED PLANS

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

2013 COMPREHENSIVE PLAN The proposed text amendment is in compliance with the 2013 Comprehensive Plan.			
Chapter	Page No.	Item	Summary
7	85	Policy 7.7	<i>Policy 7.7 TO PROTECT, MAINTAIN AND IMPROVE SURFACE WATER, GROUNDWATER AND MARINE WATER QUALITY IN ITS JURISDICTION SO THAT ALL WATERS ARE IN COMPLIANCE WITH FEDERAL AND STATE WATER QUALITY STANDARDS AND CONTINUE TO ALLOW AQUATIC LIFE TO THRIVE.</i>
10	132	Policy 10.4	<i>TO MINIMIZE CONFLICTS BETWEEN RESIDENTIAL AREAS AND NEARBY RECREATIONAL, COMMERCIAL, OR INDUSTRIAL USES THAT WOULD GENERATE ADVERS IMPACTS TO EXISTING RESIDENTIAL AREAS THROUGH APPROPRIATE LAND USE LOCATION DECISIONS AND REGULATORY MEASURES.</i>
10	134	Implementing Action 10.6 1A4 (B)	<i>Provision and/or retention of buffers between residential and commercial or industrial uses, and between high-and-low density residential uses to ameliorate noise, glare and to otherwise reduce negative impacts associated with conflicting land uses in proximity to one another.</i>

PUBLIC COMMENTS

Two publicly advertised Title 49 Committee were held on March 5, 2020 and October 5, 2020. No public comment was received. When amendments to the vegetative cover and landscaping standards are proposed, staff will hold publicly advertised meetings and to gather community input.

FINDINGS

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

Analysis: The proposed amendment is generally consistent with the policies in the 2013 Comprehensive Plan.

Finding: Yes. The proposed text amendment conforms to the 2013 Comprehensive Plan.

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

Analysis: The proposed text amendment was drafted with the purpose and intent of Title 49 taken into account.

Finding: Yes. The proposed text amendment conforms to the purpose and intent of Title 49 land use code. Additionally, the proposed text amendment does not create any inconsistencies within the code.

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings, and make a recommendation to the Assembly to APPROVE the proposed text amendment to add purpose statements for landscaping and vegetative cover to the CBJ Land Use Code.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Draft Ordinance

Presented by: The Manager
 Presented: 06/08/2021
 Drafted by:

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-XX

An Ordinance Amending the Land Use Code Relating to Landscaping and Vegetative Cover.

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

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

Section 2. Amendment of Section. Article III. Vegetative Cover is amended to read:

49.50.300 Purpose.

The purpose of this section is to provide minimum vegetative cover requirements in order to minimize the risk of flooding and erosion, and to slow the speed and volume of storm water runoff onto surrounding lands. Vegetative cover shall be met with non-invasive plant species. Green infrastructure, including but not limited to green roofs, bioswales, rain gardens, and similar features, shall count toward vegetative cover requirements. Additionally, porous concrete used on site shall count toward vegetative cover requirements.

49.50.310 Minimum vegetative cover.

A minimum percent by area of each development site shall be maintained with live vegetative cover according to the following table. In the event of a conflict between district and area standards, the greater shall apply.

Zoning District	Percentage of Lot in Vegetation
D-1, D-3, and D-5, residential districts	20
D-10 SF residential districts	15
D-10, D-15, and D-18 multifamily residential districts	30
MU2, mixed use district	5
LC, light commercial district	15
GC, general commercial district	10
WC, waterfront commercial district	10

WI, waterfront industrial district	5
I, industrial district	5
Convenience store, outside a commercial district	20

49.50.320 Plan Submittal.

The areas to be maintained with vegetative cover shall be shown on the plans submitted for a development permit.

49.50.330 Areas included.

The required percentage of area maintained with vegetative cover may include required landscaping, sensitive area open space, or any other required natural areas.

Section 3. Addition of Section. Article IV. Landscaping

49.50.400 Purpose.

The purpose of this section is to provide minimum decorative vegetation requirements in order to minimize the visual and noise impacts of a development, provide visual separation between pedestrian and traffic movements, increase compatibility between different intensities of land use by providing visual barriers, and to visually unify a development and the surrounding neighborhood. Landscaping shall mean an area developed and maintained with non-invasive plantings, lawn, ground cover, gardens, trees, shrubs, and other plant materials, decorative outdoor landscaping elements, paved or decorated surfaces of rock, stone, brick, block or similar material (excluding driveways, parking, loading or storage areas), and sculptural elements.

Section 4. Effective Date. This ordinance shall be effective 30 days after its adoption. Adopted this XX day of July 2021.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

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

POSTPONED TO JUNE 22ND: AME2015 0015: A proposal to rezone a portion of the Auke Bay Center to Neighborhood Commercial, Mixed Use 3, and revisions to landscape and vegetative cover

AGENDA ITEM:

Case No. AME2015 0010
Applicant: CBJ Community Development
Location: Auke Bay
Proposal: CBJ initiated rezone proposal for the Auke Bay Center

RECOMMENDATION:

Staff recommends the Planning Commission ADOPT the Director's analysis and findings and forward a recommendation of APPROVAL to the Assembly for a rezone proposal for the Auke Bay Center with the boundary adjustment to the NC zoning district to exclude the Tanner Terrace Subdivision and include UAS property along Glacier Highway.

ATTACHMENTS:

Description	Upload Date	Type
☐ Staff Report for AME2015 0010 - Part 1	6/2/2021	Appeal
☐ Staff Report for AME2015 0010 - Part 2	6/2/2021	Appeal



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

DATE: June 2, 2021

TO: Michael LeVine, Chair, Planning Commission

BY: Allison Eddins, Planner II *A. Eddins*

THROUGH: Jill Maclean, Director, AICP

PROPOSAL: CBJ initiated rezone proposal for the Auke Bay Center.

STAFF RECOMMENDATION: Staff recommends the Planning Commission recommend APPROVAL to the Assembly for a rezone of the Auke Bay Center to Neighborhood Commercial (NC) and Mixed Use 3 (MU3).

KEY CONSIDERATIONS FOR REVIEW:

- Comprehensive Plan Land Use Designations are Medium Density Residential (MDR), Marine/Mixed Use (M/MU), Institutional and Public Use (IPU), and CBJ Recreational Service Area (RS).
- A rezone to NC and MU3 would be in general conformance with the Land Use Designation under the 2013 Comprehensive Plan and the Auke Bay Area Plan recommendations.
- Staff is recommending removing the Tanner Terrace Subdivision from the NC zoning district and including UAS property along Glacier Highway.

GENERAL INFORMATION	
Property Owners	Multiple
Applicant	City and Borough of Juneau, Alaska
Property Addresses	Multiple
Legal Description	Multiple
Parcel Numbers	Multiple
Zoning	LC; GC; D3; D10(T)D15; D15; D10
Land Use Designation	MDR, M/MU and RS
Lot Size	See map
Water/Sewer	CBJ
Access	Glacier Highway and Back Loop Road
Existing Land Use	Residential, Commercial and School
Associated Applications	AME2021-0005

ALTERNATIVE ACTIONS:

1. **Amend:** recommend an amended rezone boundary; recommend an alternative zoning district; or recommend conditions.
2. **Deny:** recommend denial of the requested rezone. Planning Commission must make its own findings.
3. **Continue:** continue the hearing to a later date if determined that additional information or analysis is needed to make a decision, or if additional testimony is warranted.

ASSEMBLY ACTION REQUIRED:

Assembly action is required for this rezone.

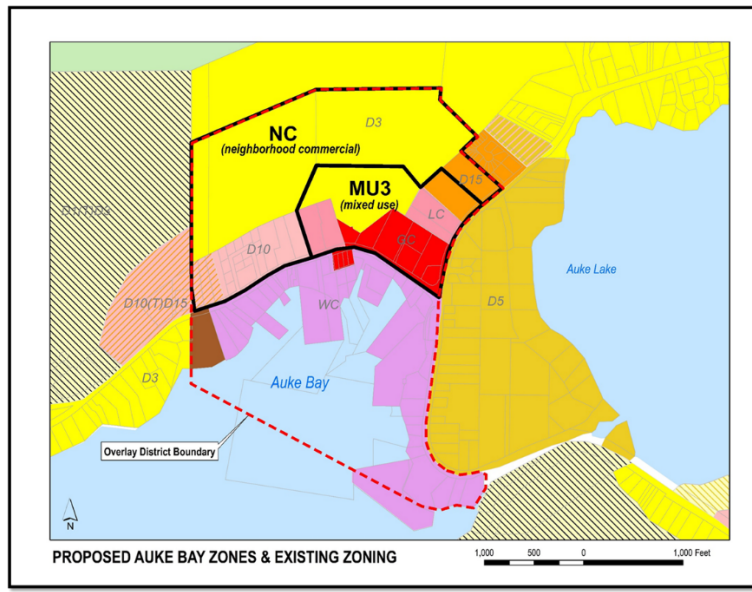
STANDARD OF REVIEW:

- Legislative decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
 - 49.75.120
 - 49.10.170(d)
 - 49.80

The Commission shall hear and decide the case per 49.75.120 - Restrictions on rezoning. Rezoning requests covering less than two acres shall not be considered unless the rezoning constitutes an expansion of an existing zone. Rezoning requests which are substantially the same as a rezoning request rejected within the previous 12 months shall not be considered. A rezoning shall only be approved upon a finding that the proposed zoning district and the uses allowed therein are in substantial conformance with the land use maps of the comprehensive plan.

Fostering excellence in development for this generation and the next.

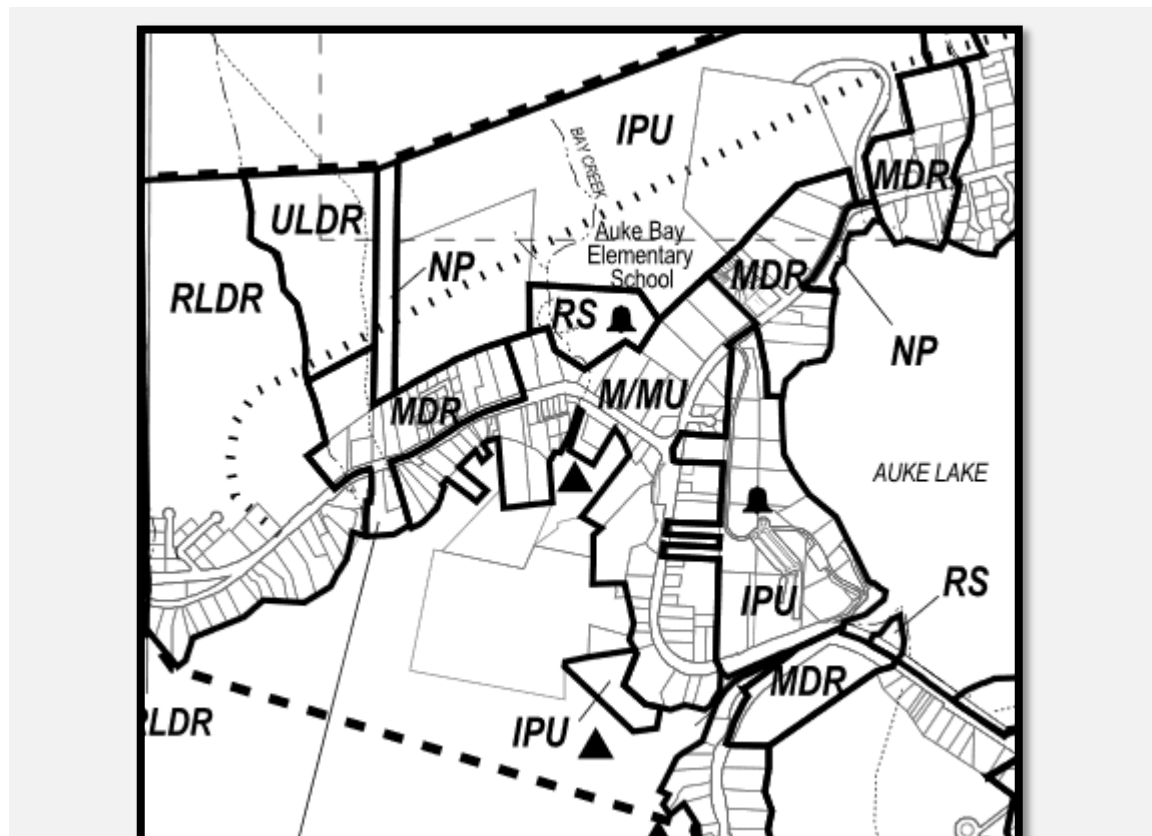
CURRENT ZONING & PROPOSED ZONING



SURROUNDING ZONING AND LAND USES	
North (D3)	University of Alaska Rec Center & housing
South (WC)	Boat Harbor, multi-family & single-family
East (D15)	Multi-family
West (D10 (T) D15)	Single-family

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

LAND USE DESIGNATION MAP



PUBLIC MEETING DATES	
Neighborhood Meetings	December 6, 2018 January 16, 2019 March 13, 2019 April 10, 2019 May 8, 2019 May 29, 2019 June 19, 2019
Auke Bay Implementation Committee Meetings	January 8, 2018 January 31, 2018 February 20, 2018 March 22, 2018 April 13, 2018 May 17, 2018 June 28, 2018 August 14, 2018 September 11, 2018 October 2, 2018 November 6, 2018 December 6, 2018 December 20, 2018 April 17, 2019 June 27, 2019 July 11, 2019 July 24, 2019 February 6, 2020
Planning Commission Meetings	March 10, 2020 November 17, 2020 December 15, 2020

BACKGROUND INFORMATION

Project Description – This is a CBJ initiated rezone request encompassing approximately one square mile of the Auke Bay Center as defined in the Auke Bay Area Plan. (See the map below) The table below compares the current zoning districts, density and dimensional requirements to the proposed zoning districts.

Feature	D3	D5	D10	D15	NC
Density	3 units/ acre	5 units/acre	10 units/ acre	15 units/ acre	15 units/ acre*
Maximum Height	35 feet	35 feet	35 feet	35 feet	35 feet*
Minimum front yard setback	25 feet	25 feet	20 feet	20 feet	0-20 feet max

*Density can be increased to 30 units per acre with the Auke Bay Overlay District.

*Height can be increased to 45 feet with the Auke Bay Overlay District.

Feature	D3	LC (Light Commercial)	GC (General Commercial)	MU3
Density	3 units per acre	30 units/ acre	50 units/ acre	30 units/ acre*
Maximum Height	35 feet	45 feet	55 feet	35 feet*
Minimum front yard setback	25 feet	25 feet	10 feet	0-15 feet max

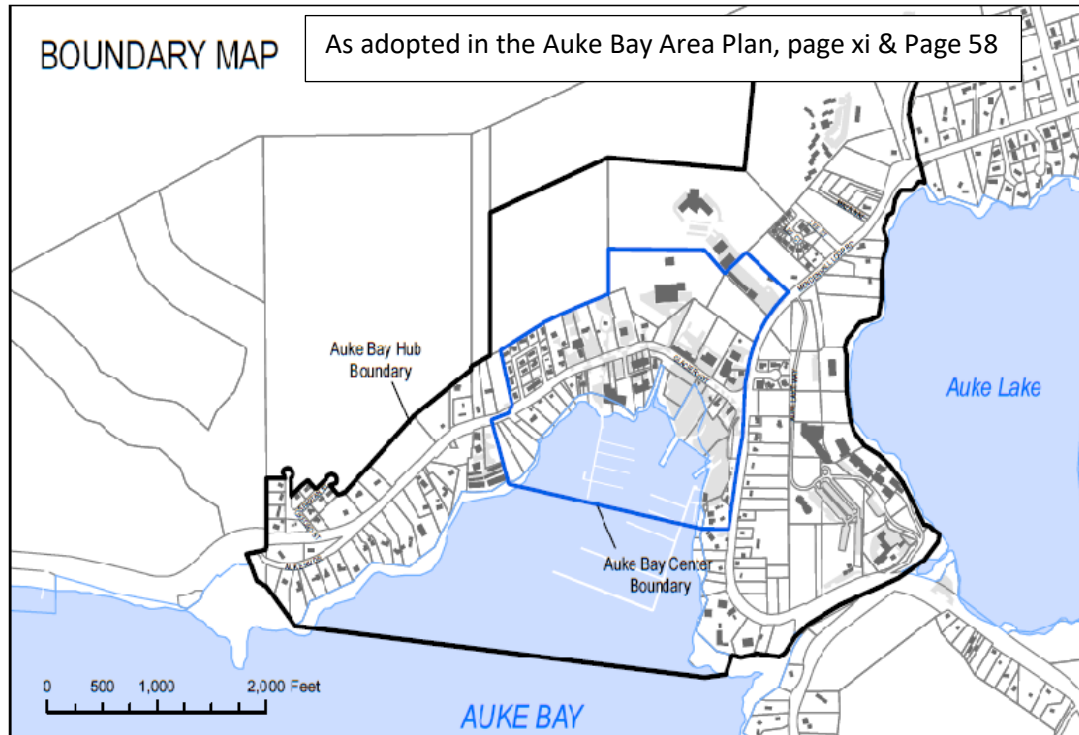
*Density can be increased to 50 units per acre with the Auke Bay Overlay District.

*Height can be increased to 55 feet with the Auke Bay Overlay District.

Auke Bay Area Plan— The Auke Bay Area Plan (ABAP) was adopted on March 16, 2015 (Ordinance 2015-13). The public outreach process for the ABAP involved 21 Steering Committee meetings, 3 open house-style meetings and 2 design charrettes. The public was notified of these meetings with over 1,000 household notifications, 230 flyers posted in the Auke Bay area and 54 newspaper advertisements. The public meetings were well attended and the public played a direct role in recommending goals and actions items for the Plan. Throughout the two year public process the ideas for a land use vision for the Auke Bay Center came up numerous times. Ultimately, the community came up with the following Land Use Vision:

Land Use Vision for the Auke Bay Center (Auke Bay Area Plan: Chapter 1 Land Use, begins on page 6)

- Change the Marine/Mixed Use land use designation for the uphill portion of Glacier Highway to be more in line with the Traditional Town Center designation
- Build-to lines (i.e. small front yard setbacks)
- Building heights of at least two stories
- Buildings oriented toward the street
- Ground floor retail, offices; Upper-story residential and live/work units
- Interesting building facades for enhancing appearances
- Parking that is located in the rear, side or under buildings
- Hidden trash receptacles, loading docks, outdoor mechanical and electrical equipment
- Preserve scenic vistas and viewpoints
- Create a connected street grid with narrow streets, wide sidewalks and on-street parking in the Auke Bay Center
- Pedestrian Connections
- Street furniture, banners and plantings
- Park and Ride transit services
- Neighborhood park facilities
- An active Auke Bay Center

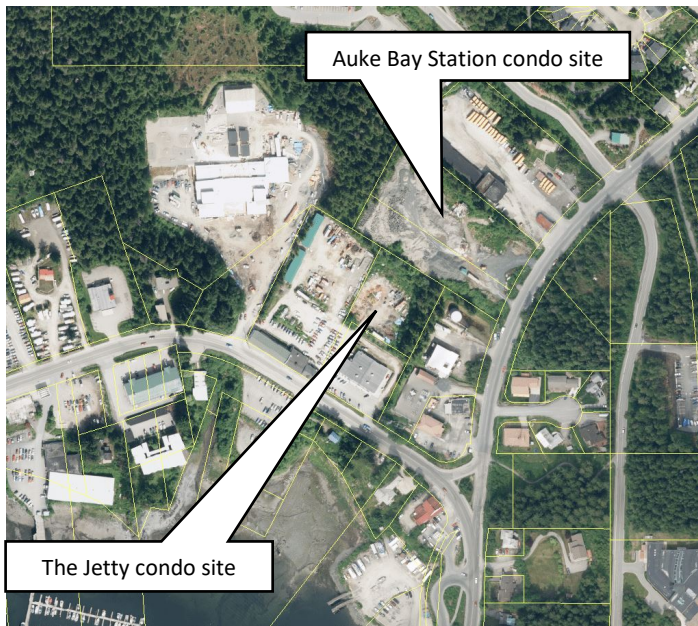


Recent Land Use Cases - In 2016, CDD staff and the Title 49 Committee began meeting to create new zoning districts for the Auke Bay Center that would implement the Land Use Vision. The proposed zoning districts included building and streetscape design standards. The Title 49 Committee felt that the proposed regulations needed more work and asked staff for a revision. Due to staff and director turnover the revisions were never completed.

In 2017, CDD received a rezone request from four property owners in Auke Bay (AME2017-13). The request was rezone of seven acres from D10 to LC (See the map below). The request complied with the 2013 Comprehensive Plan and, in general, complied with the Auke Bay Area Plan. Staff recommended approval. Although the Planning Commission agreed with staff's findings the rezone request was denied. The Commission wanted to rezone the Auke Bay Center, as called for the in Auke Bay Area Plan, instead of rezoning parcel by parcel as rezone requests are submitted.



In October 2018, the Planning Commission heard a Conditional Use Permit request for The Jetty, a 32 unit residential condominium development to be located at 11798 Glacier Highway in the General Commercial zoning district (USE2018-16). The owners of the Auke Bay Station condominium development, located in the Light Commercial zoning district, were opposed to the development due to the GC height limits of 55 feet. The Auke Bay Station development was limited to a 45 foot height restriction due to the LC zoning district regulations. The Auke Bay Station owners were concerned that their views of Auke Bay would be blocked by the development. After reconsidering the USE2018-16, the Planning Commission approved The Jetty condominium development in January 2019.



Following the AME2017-13 and USE2018-16 cases, the Planning Commission formed an Auke Bay Implementation Sub-Committee to begin again the process of creating new zoning districts for the Auke Bay Center.

KEY CONCEPTS OF NEW ZONING DISTRICTS

Based on the land use concepts adopted in the Auke Bay Area Plan and public testimony for AME2017-13 and USE2018-16, staff and the Auke Bay Implementation Sub-Committee developed the Neighborhood Commercial (NC) and Mixed Use 3 (MU3) zoning districts.

The proposed zoning districts, NC and MU3, place a greater emphasis on mixed-use development of small-scale commercial and medium-to-high density residential with flexible setbacks that encourage the development of pedestrian-oriented buildings. Commercial development within the NC and MU3 zoning districts will be on a smaller scale than the MU, MU2, LC and GC zoning district while allowing for more commercial uses than are currently allowed in multi-family zoning districts.

Key Concepts of NC and MU3:

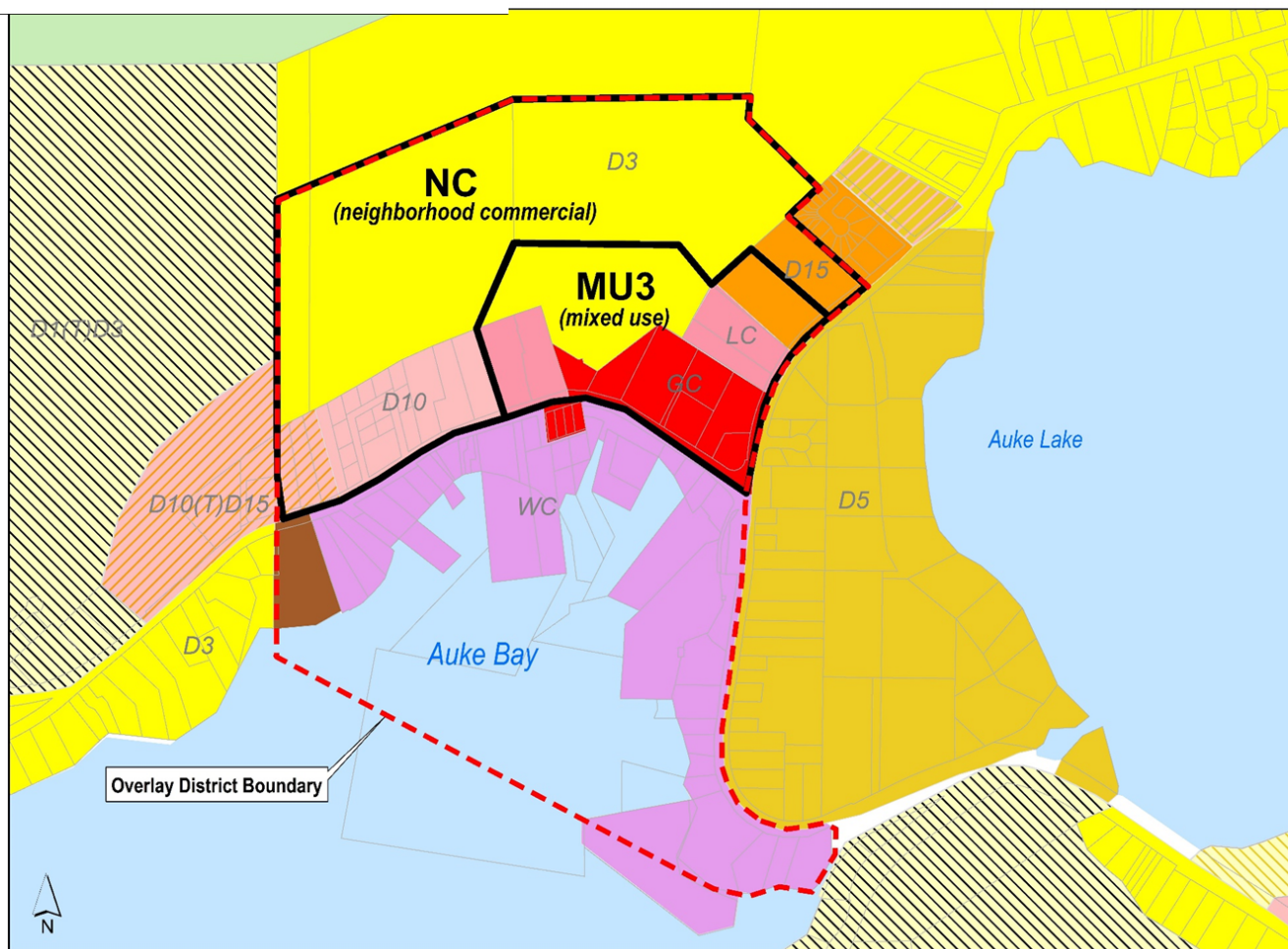
- Minimum lot size of 3,000 square feet.
- Minimum density of three dwelling units per lot. One and two dwelling units are allowed only if they are part of a mixed-use building.
- NC - Maximum density of 15 dwelling units per acre.
- MU3 – Maximum density of 30 dwelling units per acre.

- Building height maximums of 35' for primary buildings and 25' for accessory buildings.
- Flexible front yard setback of 0' to 20' for NC and 0' to 15' for MU3. Maximum front yard setbacks will require parking to be located in the rear.
- Increased setbacks and landscaping requirements when buildings over 15' in height abut a residential zoning district.

PROPOSED BOUNDARIES FOR NC AND MU3 IN AUKE BAY

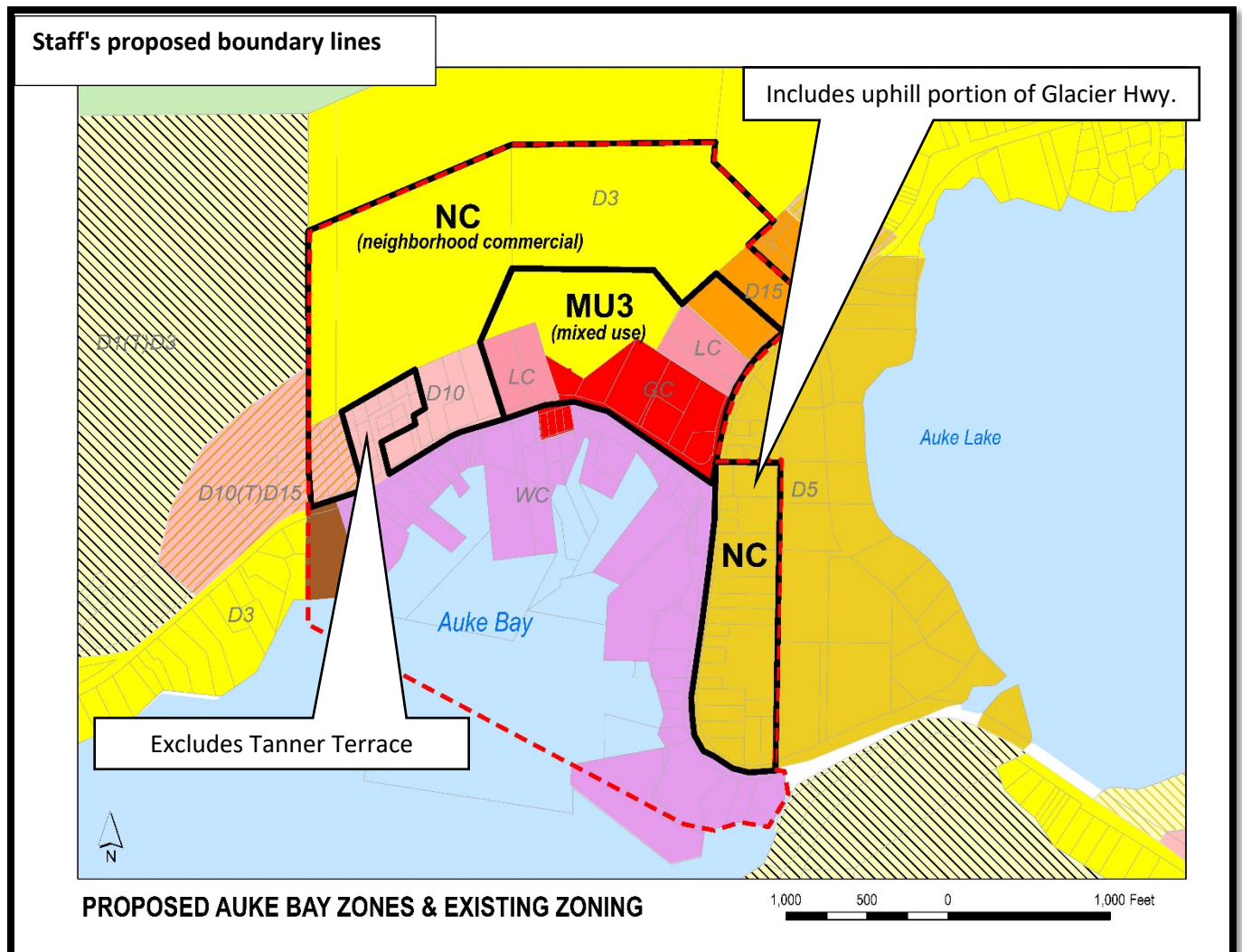
Through a series of work sessions (see page 3 for dates), the Auke Bay Implementation Sub-Committee has proposed the following boundaries for NC and MU3 in the Auke Bay Center.

Based on public testimony received for residents of the Tanner Terrace Subdivision, staff is proposing the subdivision be removed from the proposed NC boundary.



PROPOSED AUKE BAY ZONES & EXISTING ZONING

1,000 500 0 1,000 Feet



SUMMARY OF PUBLIC COMMENT

A series of public meetings were held in Auke Bay. Staff received over 20 comments in person, on comment cards, and by email. These meetings were publicly noticed on the CBJ calendar. Ad Hoc Committee meetings were also open to the public. No public testimony was taken and attendees were encouraged to submit written comments to staff following the meetings. Written comments were read prior to the start of each meeting and those comments informed the decisions made at the Ad Hoc Committee meetings. The Planning Commission took public comment on the proposed zoning districts at a Committee of the Whole meeting dated December 15, 2020. The majority of the comments received at that meeting were related to the boundaries of the proposed zoning and not the recommended features of the zoning districts. When a re-zone request is initiated, a public meeting in the neighborhood where the re-zone request is located will be held and borough-wide public notice will be given for a public hearing. This requirement was fulfilled with the series of public meetings held in Auke Bay.

NAME	ADDRESS	COMMENTS FROM PUBLIC MEETINGS AND COMMITTEE OF THE WHOLE MEETING
Lisa Greenough	Fritz Cove Road	Concerned small front and side yard setbacks would not allow for ADA parking in front of buildings.
Marcia Donnelly	National Park Road	Concerned about more development, traffic issues along Glacier Highway and waste water capacity.
Jerry Schoenberger	Cannery Cove	Concerned about traffic speeds along Glacier Highway and lack of lighted crosswalk at Auke Bay Elementary.
Mike Allen	Oxford Street	Concerned about preserving views, lack of parking for new development, likes Auke Bay the way it is.
Bruce Conant	Auke Bay	In favor of the rezone. Planning for the future is key to success. Creating a bypass road through traffic is also key to the success of growth in Auke Bay.
Joann Schmidt (AME2017-13 applicant)	Bayview Street (Tanner Terrace)	In favor of keeping her Tanner Terrace property in the NC district.
Rick and Lisa Currier	Cross Street (Tanner Terrace)	Opposed to the inclusion of Tanner Terrace in the NC zoning district.
Andy Meiners	Cross Street (Tanner Terrace)	Opposed to the inclusion of Tanner Terrace in the NC zoning district.
Mark Schwann and Debbie Ballum	Cross Street (Tanner Terrace)	Opposed to the inclusion of Tanner Terrace in the NC zoning district.
Andi and Mike Story	Cross Street (Tanner Terrace)	Opposed to the inclusion of Tanner Terrace in the NC zoning district.
Ron and Julie Flint	Cross Street (Tanner Terrace)	Opposed to the inclusion of Tanner Terrace in the NC zoning district.

Vickie Van Fleet and Jack Gitchell	Tanner Terrace Subdivision	Opposed to the inclusion of Tanner Terrace in the NC zoning district.
Jeremy Woodrow	Seaview Avenue (Tanner Terrace)	Opposed to the inclusion of Tanner Terrace in the NC zoning district.
Alan and Ann Doty	Seaview Avenue (Tanner Terrace)	Opposed to the inclusion of Tanner Terrace in the NC zoning district.
Gerry and Mary Quigg	Bayview Avenue (Tanner Terrace)	Opposed to the inclusion of Tanner Terrace in the NC zoning district.
Karen Forrest	Glacier Highway	Concerned that NC and MU3 boundaries extend beyond Auke Bay Center boundaries adopted in the Auke Bay Area Plan.
Various Residents	Auke Bay	Concerned about a road being developed on Spaulding Meadow trail. (Staff assured the residents that no future road is planned)

COMMUNITY SERVICES

The table below summarizes community services that may be affected by the proposed rezone.

Service	Summary
Water/Sewer	Public; provided by CBJ
Fire Service	Capital City Fire Rescue
Schools	Auke Bay Elementary School; University of Alaska Southeast

ACCESS AND TRAFFIC IMPACTS

All properties within the rezone area are accessed by Glacier Highway, an AKDOT arterial. Arterials typically are roadways with high traffic volumes that move vehicles from one place to another quickly. In this section of Auke Bay, Glacier Highway has a 35 mph speed limit with 12 foot travel lanes and five foot sidewalks on both the north and south side. AKDOT was contacted about the proposed rezone and has no objections. Any future development that generates more than 100 vehicles at peak travel times will require a Traffic Impact Analysis (TIA), per DOT&PF requirements.

CBJ Streets Department does not have any concerns with the proposed rezone. Any future development that requires the construction of CBJ local roads will be reviewed for compliance with Title 49 in order to be accepted for ownership and maintenance by CBJ. Per 49.40.300(a), if a development is expected to generate fewer than 250 average daily trips (ADTs) a TIA is not required; if a development is expected to generate more than 250 ADTs and less than 500 ADTs the director may determine whether a TIA is necessary; and if a development is expected

to generate 500 or more ADTs, a TIA is required. Traffic counts will be estimated and traffic impacts will be evaluated when a future development is proposed.

ENVIRONMENTAL, CONSERVATION, HISTORIC, AND ARCHEOLOGICAL RESOURCES

The table below summarizes environmental, conservation, historic, and archeological resources that may be affected by the proposed rezone.

Resource	Summary
Conservation	No
Wetlands	No
Anadromous	No
Historic	No
Archeological	No

CONFORMITY WITH ADOPTED PLANS

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

Compliance with the Comprehensive Plan – The lots have a Comprehensive Plan future land use designations of Medium Density Residential (MDR), Marine/Mixed Use (M/MU), Recreation Service Parks (RS) and Institutional/Public Use (IPU) according to Map F of the Comprehensive Plan (Attachment X). This land use designation is described in the Comprehensive Plan as follows:

Medium Density Residential – These lands are characterized by urban residential lands for multi-family dwelling units at densities ranging from 5 to 20 units per acre. Any commercial development should be of a scale consistent with a residential neighborhood, as regulated in the Table of Permissible Uses (CBJ 49.25.300).

Marine/Mixed Use – These lands are characterized by high density residential and non-residential land uses in area in and around harbors and other water-dependent recreational or commercial/industrial areas. Typically, neighborhood-serving and marine-related retail, marine industrial, personal services, food and beverage services, recreational services, transit and transportation services should be allowed and encouraged, as well as medium-to-high density residential uses at densities ranging from 10 to 60 residential units per acre. Ground floor retail spaces facing roads with parking behind the retail and housing above would be appropriate and efficient use of the land. Float homes, live-a-boards, and house boats, if necessary services (such as sewer) are provided to berthing locations, are appropriate for this area.

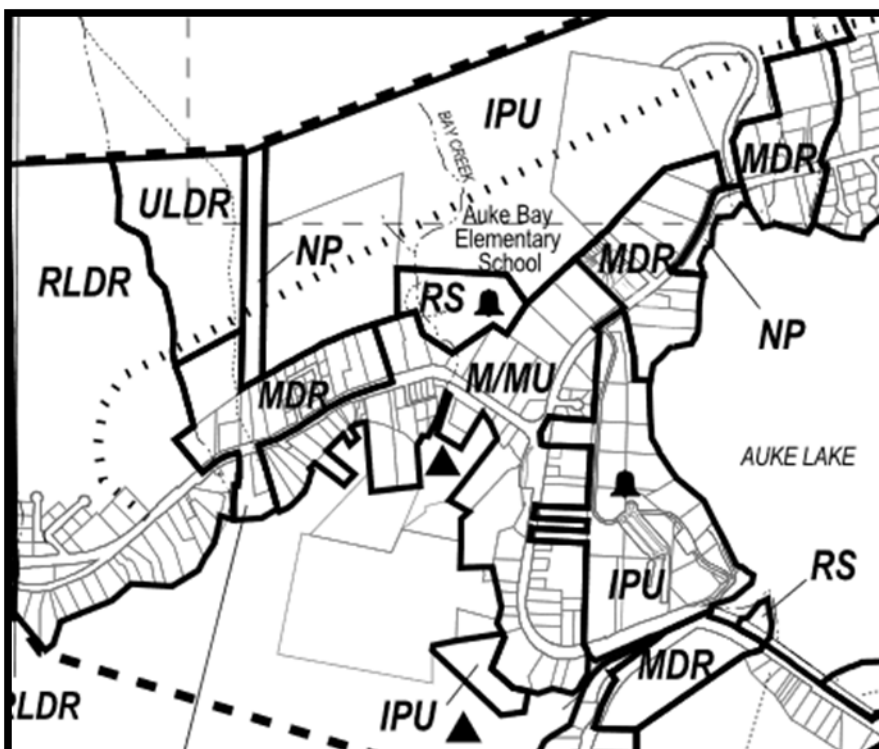
The MDR and M/MU areas encompass the majority of the proposed rezone area. This area is currently zoned for light –to-high-intensity commercial uses (LC and GC) and multi-family residential. These lands are located near a CBJ Capital Transit route, within walking distance of the UAS campus and Rec Center, Auke Bay Elementary School, CBJ's Statter Harbor and a variety of restaurants and businesses.

Recreational Service Parks - Recreation Service Parks include CBJ-owned lands with parks developed for active recreation, programmed use, and/or community gardens. Recreation, parking, playgrounds and fields, ski lifts, All-Terrain Vehicle (ATV) riding parks, rifle ranges, operations and maintenance-related structures are possible uses or components of RS-designated lands. These lands should be zoned to prevent residential, commercial, and industrial development, as well as resource extraction activities beyond those accessory to park development. The CBJ should retain ownership of these lands. As many of the existing RS-designated lands are smaller than the minimum area required for a unique zone, these lands must be within the zoning district that surrounds or abuts them.

The RS area encompasses Auke Bay Elementary and a walking trail that connects to the UAS land above. This area is currently zoned for D3 single-family residential. The proposed rezone to Neighborhood Commercial (NC) would allow multi-family residential with up to 15 dwelling units per acre and small-scale commercial. The NC zoning district would be well-suited for development in the RS land use area. The community would benefit from having medium density housing development and small-scale commercial within walking distance to Auke Bay Elementary and the established walking path to UAS.

Institutional and Public Uses - Lands that are in public ownership and dedicated for a variety of public uses, such as the University of Alaska Southeast; local, state and federal government uses; and for such public facilities as community gardens, schools, libraries, fire stations, treatment plants, and public sanitary landfills. Included are potential sites for future boat harbors, schools, parks, farmers markets, publicly-supported arts events, permitted arts or food-service kiosks or sales activities, parking facilities and road and public transit system easements. Also included are public aircraft facilities. The public use of these lands will vary widely, so IPU-designated lands can be under any zoning district, with the uses thereon appropriate for that zone as regulated in the Table of Permissible Uses (CBJ 49.25.300); the zone of any particular public use should be the same district as the surrounding or abutting lands.

The IPU land use designation encompasses the UAS Rec Center and student housing. This area is currently zoned D3 (single-family residential with densities of 3 dwelling units per acre). UAS has limited development potential under the current D3 zoning. UAS is a strong economic driver for the community and any infill development, programs and services that UAS is able to offer would be a benefit to the community.



2013 COMPREHENSIVE PLAN – The proposed rezone is in compliance with the 2013 Comprehensive Plan.			
Chapter	Page No.	Item	Summary
4	38	Policy 4.3	<i>TO DESIGNATE ON LAND USE MAPS AN ADEQUATE SUPPLY OF BUILDABLE LAND WITHIN THE URBAN SERVICE AREA, AND PARTICULARLY ALONG TRANSIT CORRIDORS, FOR RESIDENTIAL USE AT DENSITIES THAT CAN PRODUCE HOUSING AFFORDABLE TO ALL ECONOMIC GROUPS.</i>
4	41	Policy 4.8	<i>TO BALANCE THE PROTECTION AND PRESERVATION OF THE CHARACTER AND QUALITY OF LIFE OF EXISTING NEIGHBORHOODS WITHIN THE URBAN SERVICE AREA WHILE PROVIDING OPPORTUNITIES FOR A MIXTURE OF NEW HOUSING TYPES.</i>
10	131	Policy 10.3	<i>10.3. TO FACILITATE RESIDENTIAL DEVELOPMENTS OF VARIOUS TYPES AND DENSITIES THAT ARE APPROPRIATELY LOCATED IN RELATION TO SITE CONDITIONS, SURROUNDING LAND USES, AND CAPACITY OF PUBLIC FACILITIES AND TRANSPORTATION SYSTEMS AFFORDABLE TO ALL ECONOMIC GROUPS.</i>
10	132	Policy 10.4	<i>POLICY 10.4. TO MINIMIZE CONFLICTS BETWEEN RESIDENTIAL AREAS AND NEARBY RECREATIONAL, COMMERCIAL, OR INDUSTRIAL USES THAT WOULD GENERATE ADVERSE IMPACTS TO EXISTING RESIDENTIAL AREAS THROUGH APPROPRIATE LAND USE LOCATIONAL DECISIONS AND REGULATORY MEASURES.</i>
10	132	Policy 10.4 – IA1	<i>Seek to reduce or eliminate conflicts between medium or high density residential uses in established low density residential neighborhoods by encouraging the design of higher density housing to be compatible in scale, massing and orientation with the adjacent, lower-density housing and to hide or screen the parking behind or within the structure(s).</i>

Auke Bay is located within the Comprehensive Plan Subarea 3. The Comprehensive Plans has specific guidelines and considerations for Subarea 3.

Guidelines and Considerations for Subarea 3:

- Conduct an area plan or neighborhood plan for the Auke Bay area that would address residential and non-residential uses in the vicinity of the cove, harbor and University with the goal of creating a Marine Mixed Use, transit and pedestrian-oriented village in Auke Bay. Marine Mixed Use land uses could include:

Water-related recreation, eco-tourism, commercial fisheries, sport fisheries, marine-related research and aquaculture, and other private and public use of the waters; shoreline and inland areas of Auke Bay including the University of Alaska Southeast (UAS) campus, student and faculty housing, neighborhood-commercial needs, transportation systems, habitat protection, educational facilities, careful urban design, and view scape protection measures. This study should address the needs of and should include the participation of all stakeholders including property owners, residents, business operators, University administration, student and faculty, the Alaska Department of Transportation and Public Facilities, all relevant CBJ Departments and Divisions, NOAA staff and researchers and residents of neighborhoods who regularly traverse the Auke Bay area.

- Encourage high-density, transit-oriented residential and/or mixed use developments in the Auke Bay “village” area and around the University, particularly for student and faculty affordable housing.
- Provide for expansion of the UAS campus, including student and faculty housing and athletic facilities.

2015 AUKE BAY AREA PLAN – The proposed rezone is in compliance with the Auke Bay Area Plan.			
Chapter	Page No.	Item	Summary
1	6	Land Use Vision	<i>Create a village-like setting with ground floor commercial and residential above, parking located at the rear, side or under buildings, pedestrian-oriented buildings constructed close to the right-of-way while preserving key view sheds.</i>
1	13	Goal 1	<i>Develop Auke Bay as a community to live, learn, work, shop and recreate within</i>
1	13	Goal 3	<i>Coordinate and support the development of an Auke Bay hub that serves the needs of the University, the harbors, businesses and residents.</i>
1	13	Goal 4	<i>Ensure zoning changes in the Auke Bay area conform to the goals and policies of the Auke Bay Area Plan.</i>
1	13	Policy 5.1	<i>Review the Auke Bay Area Plan when considering zone changes.</i>
1	13	Policy 5.2	<i>Promote zone changes that conform to the Plan and further advance the goals and policies of the Plan.</i>

AGENCY REVIEW

CDD conducted an agency review comment period between 5/21/2021 – 6/4/2021. Agency review comments can be found in Attachment E.

Agency	Summary
CBJ Streets	No concerns at this time.
CBJ Assessor	See Blue Folder Item
Alaska Department of Transportation	Traffic & Safety – See Blue Folder Item ROW –See Blue Folder Item
General Engineering	See Blue Folder Item
Building	No issues with this project at this time.

Agency	Summary
Capital City Fire/Rescue	No comments received as of the writing of this report.

ZONE CHANGE OPTIONS AND ALTERNATIVES

As stated in CBJ 49.75.130(a), the Commission may recommend approval, approval with modifications or denial of a rezone request. The Commission may recommend approval to the Assembly for different zoning districts than what is requested by the applicant or recommended by staff. Additionally, the Commission can recommend modifications to the boundaries of the area to be rezoned. This means that if the Commission wishes to do so, the zoning district boundary lines may be moved from its current location, as long as it is found to be in substantial conformance with the Comprehensive Plan and Title 49 – Land Use Code. Zoning district boundary lines are intended to follow property lines, centerlines of streets, alleys, streams (CBJ 49.25.110(f)).

Staff recommends altering the proposed boundary line of the NC zoning district to exclude the single-family lots located within the Tanner Terrace Subdivision.

FINDINGS

In accordance with CBJ 49.75 the Director makes the following findings on the proposed rezone.

1. *Was the rezone application filed timely in accordance with CBJ 49.75.110?*

Analysis: No additional analysis required.

Finding: **Yes.** The rezone application was filed in January 2021.

2. *Was adequate public notice provided in accordance with CBJ 49.75.110?*

Analysis: CDD staff held a public meetings between 2018 and 2019, and mailed written notice to property owners within 500 feet of the proposed rezone. On March 10, 2020 and December 15, 2020, the Planning Commission held two Committee of the Whole meetings. Public testimony was taken at the December meeting.

Finding: **Yes.** Adequate public notice was provided in accordance with CBJ 49.75.110.

3. *Is this request for an area covering more than two acres or an expansion of an existing zoning district as required by CBJ 49.75.120?*

Analysis: The rezone request covers more than 2 acres.

Finding: **Yes.** The proposed rezone meets the minimum area required by CBJ 49.75.120.

4. *Has no similar request been made within the previous 12 months as required by CBJ 49.75.120?*

Analysis: No additional analysis required.

Finding: **Yes.** No similar rezone request has been filed within the previous 12 months for any of the rezone options.

5. *Is the proposed zoning district and the uses allowed therein found to be in substantial conformance with the land use maps of the comprehensive plan and policies of the comprehensive plan, in accordance with CBJ 49.75.120?*

Analysis: The rezone proposal is in substantial conformance with the land use maps of the comprehensive plan and policies of the comprehensive plan, in accordance with CBJ 49.75.120.

Finding: Yes. The proposed rezone is in substantial conformance with the land use maps and policies of the comprehensive plan.

6. *Is the proposed zoning district and the uses allowed therein found to be in substantial conformance with Title 49 – Land Use Code, in accordance with CBJ 49.75.120?*

Analysis: Yes. The proposed zoning districts and uses allowed are in the Title 49 Land Use Code.

Finding: Yes. The proposed rezone is in substantial conformance with Title 49 – Land Use Code.

RECOMMENDATION

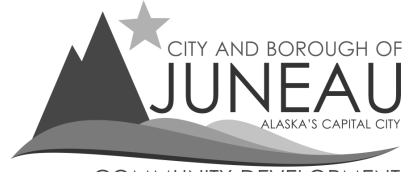
- Staff recommends the Planning Commission ADOPT the Director's analysis and findings and forward a recommendation of APPROVAL to the Assembly for a rezone proposal for the Auke Bay Center with the boundary adjustment to the NC zoning district to exclude the Tanner Terrace Subdivision and include UAS property along Glacier Highway.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Abutters Notice
Attachment B	Zoning District Draft Ordinance
Attachment C	Comp Plan Map
Attachment D	Public Comments
Blue Folder Items	Agency Comments

Invitation to Comment

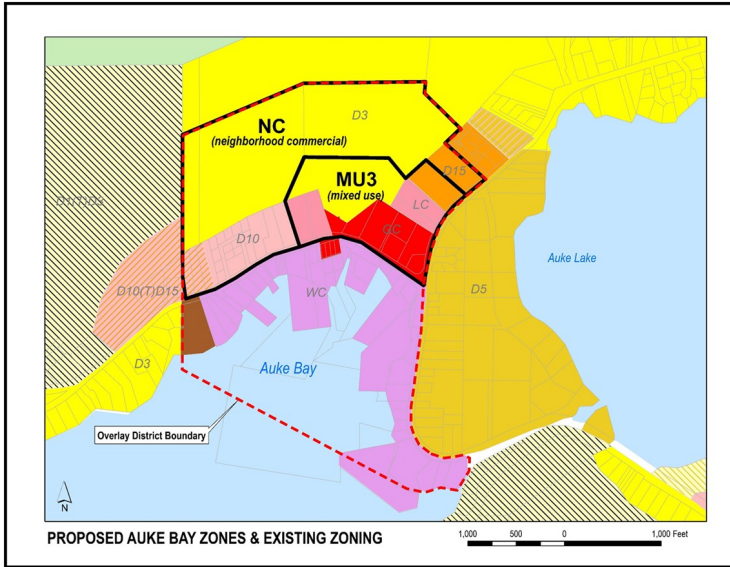
On a proposal to be heard by the CBJ Planning Commission
Your Community, Your Voice



COMMUNITY DEVELOPMENT

155 S. Seward Street Juneau, Alaska 99801

TO:



A rezone and text amendment are being proposed to rezone a portion of the Auke Bay Center to Mixed Use 3 and Neighborhood Commercial, and the creation of the Auke Bay Overlay District.

TIMELINE

Staff Report expected to be posted **Tuesday, June 1, 2021** at <https://juneau.org/community-development/planning-commission>. Find hearing results, meeting minutes and more here as well.

March 27 noon, June 7

Comments received during this period will be sent to Commissioners to read in preparation for the hearing. If you have previously submitted written comments those have already been included in the staff report.

HEARING DATE & TIME: 7:00 pm, June 8 2021

This virtual meeting will be by video and telephonic participation only. To join the Webinar, <https://juneau.zoom.us/j/95600342842>. The Webinar ID is: 956 0034 2842. To join by telephone, call: 1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 929 436 2866 or +1 301 715 8592 or +1 312 626 6799 and enter the Webinar ID.

June 9

The results of the hearing will be posted online.

Phone: (907)586-0715 ♦ Email: pc_comments@juneau.org
Mail: Community Development, 155 S. Seward St, Juneau AK 99801
Printed June 1, 2021 ATTACHMENT A - ABUTTERS NOTICE

Case No.: AME2015-10 and AME2021-05
Parcel No.: Multiple parcels
CBJ Parcel Viewer: <http://epv.juneau.org>

owners	Address	City, State, Zip
Terry Hickok; Patricia Hickok; Daniel Dale Hickok	11735 Glacier Hwy	Juneau, AK 99801
Laidlaw Transit Inc Marvin F Poer and Company	PO Box 52427	Atlanta, GA 30355-2427
Spuhn Island Development LLC	2180 Fritz Cove Rd	Juneau, AK 99801
Auke Bay Bible Church	PO Box 210116	Auke Bay, AK 99821
Gospel Missionary Union Inc	PO Box 210608	Auke Bay, AK 99821
Richard A Currier; Felicia E Currier	12020 Cross St	Juneau, AK 99801
Quigg Family Living TrustGerald Quigg; Mary Quigg Trustees; Gerald Quigg; Mary Quigg Trustees	PO Box 210024	Auke Bay, AK 99821-0024
Papadrew Inc	PO Box 210627	Auke Bay, AK 99821-0024
Robert L Johnson; Catherine M Johnson	PO Box 211121	Auke Bay, AK 99821
Douglas A Unruh; Linda D Unruh	PO Box 211056	Auke Bay, AK 99821
Kerry Anne Cantillon	PO Box 210067	Auke Bay, AK 99821
Eric Lloyd Lindegaard	3050 Fritz Cove Rd	Juneau, AK 99801
State of Alaska Department of Natural Resources	PO Box 110211	Juneau, AK 99811-0211
Spaulding Beach Homeowners Assn. C/O Summit Realty	1830 Crest St	Juneau, AK 99801
R H Development LLC	PO Box 32403	Juneau, AK 99803-2403
Eddie Brakes; Heather Brakes	PO Box 211165	Auke Bay, AK 99821
Honsinger Family Limited Prtnrshp	PO Box 020490	Juneau, AK 99802
R Jeffry Pilcher; Leanne Pilcher	12020 Glacier Hwy	Juneau, AK 99801
William C Heumann	6000 Thane Rd	Juneau, AK 99801
Bayhouse Properties LLC	PO Box 210826	Auke Bay, AK 99821-0826
Richard and Sylvia Deems Living TrustRichard Lee Deems & Sylvia Deems As Trustees; Richard Lee Deems & Sylvia Deems As Trustees	PO Box 210196	Auke Bay, AK 99821-0196
Auke Bay Towers Condo Association	PO Box 210546	Auke Bay, AK 99821-0546
Myron Klein; Wright Services	5454 Shaune Dr	Juneau, AK 99801
City and Borough of Juneau Docks and Harbors	155 S. Seward Street	Juneau, AK 99801
Inside Passage Electrical Coop Inc	12480 Mendenhall Loop Rd	Juneau, AK 99801
Alaska Electric Light & Power Co	5601 Tonsgard Ct	Juneau, AK 99801
University of Alaska	3890 University Lake Dr Ste 103	Anchorage, AK 99508
Donald E Howell	PO Box 210235	Auke Bay, AK 99821-0235
Pk2m LLC	PO Box 20807	Juneau, AK 99802-0807
University of Alaska Southeast	11120 Glacier Hwy	Juneau, AK 99801
Lobaugh Clifford D Irrevocable Credit Shelter TrustSharron R Lobaugh Trustee; Sharron R Lobaugh Trustee	3340 Fritz Cove Rd	Juneau, AK 99801
University of Alaska	910 Yukon Dr	Fairbanks, AK 99775
University of Alaska Board of Regents	1815 Bragaw St Ste 101	Anchorage, AK 99508-3433

ATTACHMENT A - ABUTTERS NOTICE

Richard E Haight; Eve G Reckley	PO Box 210242	Auke Bay, AK 99821
Marie M Olson	PO Box 033557	Juneau, AK 99803
Charles L Chandler; Peggy J Chandler	PO Box 032001	Juneau, AK 99803
William John Goertzen	PO Box 211049	Auke Bay, AK 99821
William T Kramer	PO Box 033152	Juneau, AK 99803-3152
U S Forest Service	PO Box 021628	Juneau, AK 99802-1628
Oksana K Midgett; Arlo Midgett	PO Box 210228	Auke Bay, AK 99821-0228
Errol and Diane Champion Living Trust	PO Box 033066	Juneau, AK 99803-3066
Errol D Champion; Diane R Champion	3860 Caroline St	Juneau, AK 99801
Trustees; Errol D Champion; Diane R Champion Trustees	PO Box 210461	Auke Bay, AK 99821
Myra Gilliam	PO Box 021628	Juneau, AK 99802-1628
Dennis D Mickle; Linda S Mickle	PO Box 211322	Auke Bay, AK 99821
U S Forest Service	PO Box 210884	Auke Bay, AK 99821
Ronald L Klaudt; Rita J Klaudt	3356 College Rd	Fairbanks, AK 99709
Christine M Culliton	PO Box 032924	Juneau, AK 99803
University of Alaska	PO Box 020490	Juneau, AK 99802
David L Iverson; Andrea S Iverson	PO Box 210085	Auke Bay, AK 99821-0085
Honsinger Family Limited Prtnrshp	PO Box 210875	Auke Bay, AK 99821-0875
James R Peters; Pamela Wellspeters	12020 Glacier Hwy	Juneau, AK 99801
Joseph John Thomas; Judy Elaine Thomas	PO Box 210024	Auke Bay, AK 99821-0024
Jeffrey and Leanne Pitcher	12020 Cross St	Juneau, AK 99801
Gerald and Mary Quigg	PO Box 211112	Auke Bay, AK 99821
Richard and Lisa Currier	12070 Cross Street	Juneau, AK 99801
Rebecca and Bryon Young	12090 Cross Street	Juneau, AK 99801
Richard and Julie Flint	12110 Cross Street	Juneau, AK 99801
Mark Schwan and Debbie Ballum	3875 Seaview Avenue	Juneau, AK 99801
Andrew and Amy Jo Meiners	3865 Seaview Avenue	Juneau, AK 99801
Jeremy and Tracy Woodrow	3855 Seaview Avenue	Juneau, AK 99801
Vickie Van Fleet and Jackson Gitchell	12069 Cross Street	Juneau, AK 99801
Heather and Joel Carpenter	PO Box 210066	Auke Bay, AK 99821-0066
Michael and Andrea Story	3869 Bayview Avenue	Juneau, AK 99801
Paula Williams	5405 N. Douglas Highway	Juneau, AK 99801
Michelle and Steven Denton	9003 Long Run Drive	Juneau, AK 99801
Douglas Island Development	PO Box 211313	Auke Bay, AK 99821-1313
Shawn and Kristi Hooton		
Sean and Bridget Goertzen		

Presented by: The Manager
Introduced:
Drafted by:

DRAFT

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-XX

An Ordinance Amending the Land Use Code to Create a Mixed Use 3 (MU3) Zoning District, a Neighborhood Commercial (NC) Zoning District.

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

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

Section 2. Amendment of Chapter. Chapter 49.25 Zoning Districts to read:

Chapter 49.25 – ZONING DISTRICTS

ARTICLE II. ZONING DISTRICTS

49.25.220 Mixed use districts.

(c) The MU3, mixed use 3 district, is intended to place a greater emphasis on the integration of small-scale commercial uses within high-density residential structures. Flexible setback regulations are deliberate to promote cohesive neighborhoods and encourage the development of pedestrian-oriented buildings.

49.25.230 Commercial districts.

(c) The NC, neighborhood commercial district, is intended to encourage the development of lively, mixed-use neighborhoods that are compact and walkable. Greater emphasis is placed upon medium density residential as the primary use with neighborhood-scale commercial activity that

is less intensive than that permitted in the light commercial, general commercial and mixed use zoning districts. Neighborhood Commercial zoning districts are primarily used as a buffer between commercial and mixed use zoning districts and single-family and lower density multi-family residential zoning districts.

ARTICLE III. TABLE OF PERMISSIBLE USES

49.25.300 TABLE OF PERMISSIBLE USES

		Zones																
	Use Description	RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	LC	GC	MU	MU2	WC	WI	I	NC	MU3
1.000	RESIDENTIAL																	
1.100	Single-family dwellings																	
1.110	Single-family detached, one dwelling per lot	1	1	1	1	1	1	1	1	1	1	1	1	1	1 ^A	1 ^A		
1.120	Single-family detached, two dwellings per lot	1	1	1														
1.130	Single-family detached, accessory apartment ^x	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3				
1.140	Single-family detached, two dwellings per lot, accessory apartments ^x	1, 3	1, 3	1, 3														
1.200	Duplex	1	1	1	1		1	1	1	1	1	1	1	1				
1.300	Multifamily dwellings						1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	3			1, 3	1, 3
1.500	Child and Day care homes																	

1	1.510	Child; 12 or fewer children under the age of 12	1	1	1	1	1	1	1	1	1	1	1	1			1	
2	1.520	Reserved																
3	1.530	Adult; 12 or fewer people, 12 years and older	1	1	1	1	1	1	1	1	1	1	1	1			1	
4	1.540	Reserved																
5	1.550	Child care residence, 6 to 9 children under 18 years of age		3	3	3	3	3	3	3	3	3	3	3			3	
6	1.600	Miscellaneous, rooms for rent situations																
7	1.610	Rooming, boarding houses, bed and breakfasts, single room occupancies with shared facilities, transitional housing, and temporary residences. Owner or manager must live on site.	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	1, 3	1	1	3 ^N		1, 3	
8	1.620	Hotels, motels	3					-	-		1, 3	1, 3	1, 3	1, 3	3 ^N	3 ^N	1, 3	1, 3
9	1.630	Single room occupancies with private facilities						1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3		1, 3	1, 3
10	1.700	Home occupations	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
11	1.800	Mobile homes																

	1.810	Residential mobile homes on individual lots ^E	3	3	3													
	1.815	Caretakers mobile homes on individual lots ^E	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	
	1.820	Mobile home parks ^E				3	3	3	3	3	3							
	1.830	Mobile home subdivision ^E				3	3	3	3	3	3							
	1.840	Recreational vehicle parks ^F	3 ^F	3 ^F	3 ^F													
1.900	Common wall development																	
	1.910	Two dwelling units				1	1	1	1	1								
	1.911	Accessory apartments ^X	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3			
	1.920	Three or more dwelling units				1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3			1, 3	
	1.930	Two dwelling unit structures allowed under special density considerations, subsections 49.25.510(h)			3	3	3	3	3	3	3		3					
2.000	SALES AND RENTAL GOODS, MERCHANDISE OR EQUIPMENT ^G																	
2.100	With less than 5,000 square feet and less than 20 percent of the gross floor area of outside merchandising of goods																	

	2.110	<i>Reserved</i>																
	2.120	Miscellaneous								1	1	1	1	3 ^N	3 ^N	3	1	1
	2.130	Marine merchandise and equipment	3 ^T							1, 3	1, 3	1, 3	1, 3	1, 3	3 ^N	3	1	1
	2.200	Storage and display of goods with greater or equal to 5,000 square feet and/or 20 percent of the gross floor area of outside merchandising of goods								1, 3	1, 3	1, 3	1, 3	3 ^N	3 ^N	3		
	2.300	Marijuana retail store	3							3	3	3	3	3	3	3		3
	3.000	PROFESSIONAL OFFICE, CLERICAL, RESEARCH, REAL ESTATE, OTHER OFFICE SERVICES ^G																
	3.050	Offices of not more than 1,000 square feet		3	3	3	3	3	3	3	1	1	1	1	1 ^N		1	1
	3.100	Offices greater than 1,000 but not more than 2,500 square feet					3	3	3	1	1	1	1	3 ^N			1	1
	3.200	<i>Reserved</i>																
	3.300	Research, laboratory uses	3 ^T							1, 3	1, 3	1, 3	1, 3	1 ^N	1 ^N	1, 3		1, 3
	3.400	Offices greater than 2,500 square feet								1, 3	1, 3	1, 3	1, 3	1 ^N		3 ^S	1, 3	1, 3
	3.500	Marijuana testing facility	3							3	3	3	3			3		
	4.000	MANUFACTURING, PROCESSING, CREATING, REPAIRING, RENOVATING, PAINTING, CLEANING, ASSEMBLING OF GOODS ^G																

4.050	Light manufacturing	3 ^T						3	3	1, 3	1, 3	1, 3	1, 3	1 ^N ,	1 ^N ,	1, 3	1,3	1,3
4.070	Medium manufacturing	3 ^T									3	3	3	3 ^N	1 ^N ,	1, 3		
4.100	Heavy manufacturing	3 ^T	3 ^Q												3 ^N	3		
4.150	Rock crusher	3 ^T	1 ^Q	1 ^Q											3 ^N	3		
4.200	Storage of explosives and ammunition	3													3 ^N	3		
4.210	Seafood processing	3 ^T												3	1, 3	1, 3		
4.220	Marijuana product manufacturing facility	3 ^{AC}									3	3				3		
5.000	EDUCATIONAL, CULTURAL, RELIGIOUS, PHILANTHROPIC, SOCIAL, FRATERNAL USES																	
5.100	Schools																	
5.110	Elementary and secondary schools including associated grounds and other facilities		3	3	3	3	3	3	3	3	3	3	3				3	
5.120	Trade, vocational schools, commercial schools	3 ^T								3	3	3	3	3 ^N	3 ^N	3		3
5.130	Colleges, universities	3 ^T	3	3	3	3	3	3	3	3	3	3	3	3 ^N	3 ^N	3	3	
5.200	Churches, synagogues, temples	3 ^T	3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	1 ^N ,	3 ^N	1, 3	3	3
5.300	Libraries, museums, art galleries	3 ^T	3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	3 ^N			1,3	1,3

5.400	Social, fraternal clubs, lodges, union halls, yacht clubs	3 ^T					-	-		1, 3	1, 3	1, 3	1, 3	1 ^N	3 ^N	1, 3	1,3	1,3
6.000	RECREATION, AMUSEMENT, ENTERTAINMENT																	
6.100	Indoor activity conducted entirely within building or substantial structure																	
6.110	Bowling alleys, billiard, pool halls						-	-		1, 3	1, 3	1, 3	1, 3			3	1,3	1,3
6.120	Tennis, racquetball, squash courts, skating rinks, exercise facilities, swimming pools, archery ranges				3	3	3	3	3	1, 3	1, 3	1, 3	1, 3			3	1,3	1,3
6.130	Theaters seating for 200 or fewer	3 ^T					-	3	3	1	1	1	1	3 ^N		3	1,3	1
6.135	Theaters seating from 201 to 1,000						-	-		3	1	1	1	3 ^N		3	1,3	1
6.140	Coliseums, stadiums, and other facilities in the 6.100 classification seating more than 1,000 people										3	3	3	3 ^N				
6.150	Indoor shooting range	1, 3									3					3		
6.200	Outdoor activity conducted outside enclosed buildings or structures																	

6.210	Recreational facilities such as golf, country clubs, swimming, tennis courts not constructed pursuant to a permit authorizing the construction of a school	3	3	3	3	3	3	3	3	3	3	1, 3			3 ^N		3	1,3	
6.220	Miniature golf courses, skateboard parks, water slides, batting cages	3	3	3	3	3	3	3	3	3	3	1, 3	3	3	3 ^N		3	1,3	
6.240	Automobile, motorcycle racing tracks; off-highway vehicle parks	3										3					3		
6.250	<i>Reserved</i>																		
6.260	Open space	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
6.262	Parks with improved facilities, not approved in conjunction with a major subdivision																		
6.264	Capacity for up to 20 people ^w	1 ^T	1	1	1	1	1	1	1	1	1	1	1	1	1	3 ^N		1	1
6.266	Capacity for more than 20 people ^w	3 ^T	3	3	3	3	3	3	3	3	3	3	3	3	3 ^N	3 ^N		3	3
6.270	Aerial conveyances and appurtenant facilities	3	3	3	3	3	3	3	3	3	3	3	3	3	3 ^N	3 ^N	3		

	6.280	Shooting ranges	3														3			
7.000	INSTITUTIONAL DAY OR RESIDENTIAL CARE, HEALTH CARE FACILITIES, CORRECTIONAL FACILITIES																			
7.100	Hospital									3	3	3	3							
7.150	Health care clinics, other medical treatment facilities providing out-patient care							3	3	1, 3	1, 3	1, 3	1, 3					1,3	1,3	
7.200	Assisted living		3	3	3	3	3	3	3	3	1, 3	1, 3	1, 3					1,3	1,3	
7.300	Day care centers						3	3	3	1, 3	1, 3	1, 3	1, 3					1,3	1,3	
7.310	Child care centers	3	3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3					1,3	1,3	
7.500	Correctional facilities	3	3	3	3	3	3	3	3	3	3	3	3							
7.600	Sobering centers									3	3	3	3							
8.000	RESTAURANTS, BARS, NIGHTCLUBS																			
8.050	Small restaurants, less than 1,000 ft ² without drive through service	3 ^T					3	3	3	1	1	1	1	1 ^N		3	1	1		
8.100	Restaurants, bars without drive through service	3 ^T								1, 3	1	1, 3	1, 3	1 ^N , 3 ^N	3	3	1,3	1,3		
8.200	Restaurants, coffee stands with drive through service									1, 3	1	3	1 ^N , 3 ^N	3						

8.300	Seasonal open air food service without drive through	3								1, 3	1	1, 3	1, 3	1 ^N ,	3 ^N		1,3	1,3
9.000	BOAT OR MOTOR VEHICLE, SALES AND SERVICE OPERATIONS																	
9.050	Motor vehicle, mobile home sale or rental									1, 3	1, 3	3	3				1, 3	
9.100	Motor vehicle repair and maintenance, including body work										3						1	
9.200	Automotive fuel station	3 ^T								3	1						1	
9.300	Car wash									3	1						1	
9.400	Boat sales or rental	3 ^T								3	1			1	1	1		
9.450	Boat repairs and maintenance	3 ^T									3			1	1	1		
9.500	Marine fuel, water sanitation	3 ^T												1, 3	1, 3	1, 3		
9.600	Marine commercial facilities including fisheries support, commercial freight, passenger traffic	3												3	3			
10.000	STORAGE, PARKING, MOORAGE																	
10.100	Automobile parking garages or parking lots not related to a principal use on the lot									3	1	1, 3	1, 3				1	1, 3

10.200	Storage and handling of goods not related to sale or use of those goods on the same lot on which they are stored																	
10.210	All storage within completely enclosed structures	1, 3	3							3	1	1 ^U , 1 ^U , 3	1 ^N , 1 ^N	1				
10.220	General storage inside or outside enclosed structures	1, 3	3								1, 3			1 ^N , 1 ^N	1			
10.230	Snow storage basin																	
10.232	Neighborhood, less than ½ acre	3	3	3 ^Z	3 ^Z	3 ^Z	3 ^Z	3 ^Z	3 ^Z	3 ^Z	1			3 ^Z	1	1	3 ^Z	3 ^Z
10.235	Regional, ½ to 1 acre	3	3	3 ^Z						3 ^Z	3			3 ^Z	1	1		
10.237	Area wide, over 1 acre	3	3 ^Z	3 ^Z							3 ^Z				3	3		
10.300	Parking of vehicles or storage of equipment outside enclosed structures where they are owned and used by the user of the lot and parking and storage is more than a minor and incidental use of the lot	1, 3	3								1, 3			1 ^N , 1 ^N	1			
10.400	Temporary contractor's storage connected with construction project off-site for a specified period of time	1, 3	3	3	3	3	3	3	3	3	1, 3	3	3	3	1 ^N	1	3	3
10.500	Moorage																	

	10.510	Public, commercial	3	3	3						3	3	3	3	1, 3	1, 3	1, 3		
	10.520	Private	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3		
	10.600	Floating structures supporting seasonal, commercial recreation	3	3	3										3	3			
	11.000	MATERIALS SALVAGE YARDS, WASTE MANAGEMENT																	
	11.100	Recycling operations																	
	11.110	Enclosed collection structures ^c of less than 80 square feet total and less than six feet in height	1 ^P	1 ^P	1 ^P	1 ^P	1 ^P	1 ^P	1 ^P	1 ^P	1	1	1 ^P	1 ^P	1	1	1	1 ^P	1 ^P
	11.120	Enclosed structures for recyclable materials collection	1 ^P , 1 ^P , 1 ^P , 1 ^P , 1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	1 ^P , 3	3	3	1	1	1 ^P , 3 ^P , 3 ^P
	11.130	Sorting, storage, preparation for shipment occurring outside an enclosed structure															1 ^N	1	
	11.200	Reclamation landfill not associated with a specific use	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	3 ^N	3 ^N	1, 3
	11.300	Sanitary landfill	3														3		
	12.000	SERVICES AND ENTERPRISES RELATED TO ANIMALS																	
	12.100	Veterinary clinic	3	3	3						3	1, 3	3	3	1 ^N , 1 ^N , 1	1 ^N , 1 ^N , 1	3	3	

12.200	Kennel	3	3							3	3					1, 3			
12.250	Day animal services, grooming, walking, day care	3	3	3	3	3				3	3	3	3			1, 3	3	3	
12.300	Zoos, aquaria, or wild animal rehabilitation facilities with a visitor component	3	3							3	3		3	3 ^N		3			
12.310	Wild animal rehabilitation facilities without a visitor component	3	3	3	3					3	3			3 ^N		3			
12.400	Horseback riding stables, dog team yards	3	3							3	3					3			
13.000	EMERGENCY SERVICES																		
13.100	Fire, police, ambulance	3	3	3	3	3	3	3	3	3	3	3	3	3 ^N	3 ^N	1, 3	3	3	
14.000	AQUACULTURE, AGRICULTURE, SILVICULTURE, MINING, QUARRYING OPERATIONS, SPRING WATER BOTTLING																		
14.100	Aquaculture	3	3	3						3	3	3	3	1	1	3	1,3	1,3	
14.150	Weirs, channels, and other fisheries enhancement	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1	1	1			
14.200	Commercial agricultural operations																		
	14.210	Excluding farm animals	1, 3	1, 3	3	3	3	3	3	3	3	3					1, 3	3	3
	14.220	Including farm animals ^M	1, 3	3													1, 3		

	14.230	Stabling of farm animals ^M	3	3	3	3					3	3					1, 3		
	14.240	Marijuana cultivation (500 square feet or more under cultivation)	3								3	3					3		
	14.245	Marijuana cultivation (fewer than 500 square feet under cultivation)	3	3 ^{AB}							3	3					3		
	14.250	Personal use agriculture																	
	14.253	Hens, 6 maximum	1	1	1	1	1	1	3	3	1	1	3	3	1	1	1		
	14.300	Silviculture and timber harvesting ^J	3	3													3		
	14.400	Mining operations	2, 3	3	3										3 ^N	3 ^N	2		
	14.500	Sand and gravel operations ^I	3	3	3						3	3			3 ^N	3 ^N	3		
	14.800	Spring water bottling	3	3			3	3	3	3	3	3					1, 3	3	
	15.000	MISCELLANEOUS PUBLIC AND SEMIPUBLIC FACILITIES																	
	15.100	Post office	3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	1, 3	3 ^N	3 ^N	1, 3	1, 3	1, 3
	15.200	Airport	3														1, 3		
	15.400	Military reserve, National Guard centers	3	3	3						3	3			3 ^N	3 ^N	3		

15.500	Heliports, helipads		3								3				3 ^N	3 ^N	3			
15.600	Transit facilities																			
	15.610	Transit center			3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	3		1, 3	1,3	1, 3	
	15.620	Transit station		1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
	15.630	Park and ride not associated with transit station	3	3	3	3	3	3	3	3	1	1	3	3			1	3		
15.700	Public works facility		3	3	3	3					3	3					1, 3			
16.000	DRY CLEANER, LAUNDROMAT																			
16.100	Drop off and pickup only, no onsite laundry or dry cleaning process									1, 3	1, 3	1, 3	1, 3	1, 3	1 ^N ,	1 ^N ,	1, 3	1,3	1,3	
16.200	Full service onsite laundry and/or dry cleaning										3	1, 3	3	3	3 ^N	1 ^N ,	1, 3	1,3	1,3	
17.000	UTILITY FACILITIES																			
17.100	Minor		1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
17.150	Intermediate		3	3	3	3	3	3	3	3	3	1, 3	3	3	1, 3	1	1	3	3	
17.200	Major		3	3	3	3	3	3	3	3	3	3			3	3	3	3	3	
17.300	Driveways and private roads																			

18.000	TOWERS AND RELATED STRUCTURES																		
18.100 ^{AA}	Towers and antennas 35 feet or less	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
18.200 ^{AA}	Towers and antennas 35 to 50 feet	1	3	3	3	3	3	3	3	1	1	1	1	1	1	1	3	3	
18.300 ^{AA}	Towers and antennas more than 50 feet in height	3	3	3	3	3	3	3	3	3	3	3	3	3	3	1			
18.400	Amateur (ham) radio towers and antennas more than 35 feet in height ^R	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
18.500	Wireless Communication Facilities	See CBJ 49.65, Wireless Communication Facilities																	
19.000	OPEN AIR MARKETS, NURSERIES, GREENHOUSES																		
19.100	Open air markets (farm, craft, flea, and produce)	1, 3	1, 3							1, 3	1		1, 3	1, 3	1 ^N , 1 ^N	1, 3	1, 3	1, 3	
19.200	Nurseries, commercial greenhouses																1, 3		
19.210	Retail sales	3	3	3	3	3	3	3	3	1, 3	1		1 ^V	1 ^V			1	1, 3	1, 3
19.220	Nonretail sales	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1		1 ^V	1 ^V			1		
19.230	Marijuana cultivation (500 square feet or more under cultivation)	3								3	3						3		

	19.240	Marijuana cultivation (fewer than 500 square feet under cultivation)	3	3 ^{AB}							3	3					3		
20.000	CEMETERY, CREMATORIUM, MORTUARY																		
20.100	Cemetery	1, 3	3	3	3	3	3	3	3	3	3	3							
20.200	Crematorium	3															1, 3		
20.300	Funeral home	3	3	3	3	3	3				1, 3	1	3	3				1,3	1,3
21.000	VISITOR-ORIENTED, RECREATIONAL FACILITIES																		
21.100	Resort, lodge	3	3																
21.200	Campgrounds	1, 3	3																
21.300	Visitor, cultural facilities related to feature the site	3	3				-	-		3	3	3	3	3 ^N			3	3	
22.000	TEMPORARY STRUCTURES ASSOCIATED WITH ONSITE CONSTRUCTION																		
22.100	Temporary structures used in connection with construction	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1

ARTICLE IV. DIMENSIONAL STANDARDS

49.25.400 TABLE OF DIMENSIONAL STANDARDS

Zoning Regulations	RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	MU	MU2	MU3	NC	LC	GC	WC	WI	I
Minimum Lot Size ¹																	
Permissible Uses	36,000	36,000	12,000	7,000	3,600 ₁₀	6,000	5,000	5,000	4,000	4,000	3,000	3,000	2,000	2,000	2,000	2,000	2,000
Bungalow ⁹		18,000	6,000	3,500	2,500	3,000	3,000	2,500									
Duplex	54,000	54,000	18,000	10,500													
Common Wall Dwelling				7,000	3,600 ₁₀	5,000	3,500	2,500		2,500							
Single- family detached, two dwellings per lot	72,000	72,000	24,000														
Minimum lot width	150'	150'	100'	70'	40'	50'	50'	50'	50'	50'	40'	40'	20'	20'	20'	20'	20'

	Bungalow ⁹		75'	50'	35'	25'	25'	25'	25'									
	Common wall dwelling				60'	40'	40'	30'	20'		20'							
	Minimum lot depth	150'	150'	100'	85'	85' ¹⁰	85'	80'	80'	80'	80'	None	None	80'	60'	60'	60'	60'
	Maximum lot coverage																	
	Permissible uses	10%	10%	35%	50%	50%	50%	50%	50%	None	80%	75%	None	None	None	None	None	None
	Conditional uses	20%	20%	35%	50%	50%	50%	50%	50%	None	80%			None	None	None	None	None
	Maximum height permissible uses	45'	35'	35'	35'	35'	35'	35'	35'	None	45' ⁴	35'	35'	45'	55'	35' ⁴	45' ⁴	None
	Accessory	45'	25'	25'	25'	25'	25'	25'	25'	None	35'	25'	25'	35'	45'	35' ⁴	45' ⁴	None
	Bungalow ⁹		25'	25'	25'	25'	25'	25'	25'									
	Minimum front yard setback ³	25'	25'	25'	20'	20' ¹⁰	20'	20'	20'	0'	5' ^{5,8}	0'	0'	25'	10'	10'	10'	10'
	Maximum front yard setback											20'	15'					
	Minimum street side yard setback	17'	17'	17'	13'	10'	13'	13'	13'	0'	5'	0'	0'	17'	10'	10'	10'	10'
	Maximum street side yard setback											15'	10'					

Minimum rear yard setback ³	25' ²	25'	25'	20'	10'	20'	15'	10'	0'	5'	5'	0' ¹¹	10'	10'	10'	10'	10'
Minimum side yard setback ³	15' ²	15'	10'	5'	3'	5'	5'	5'	0'	5'	0'	0' ¹¹	10'	10'	10'	10'	0'
Common wall dwelling				10' ⁶	3'	5' ⁷	5' ⁷	5' ⁷		5' ⁷							

Notes:

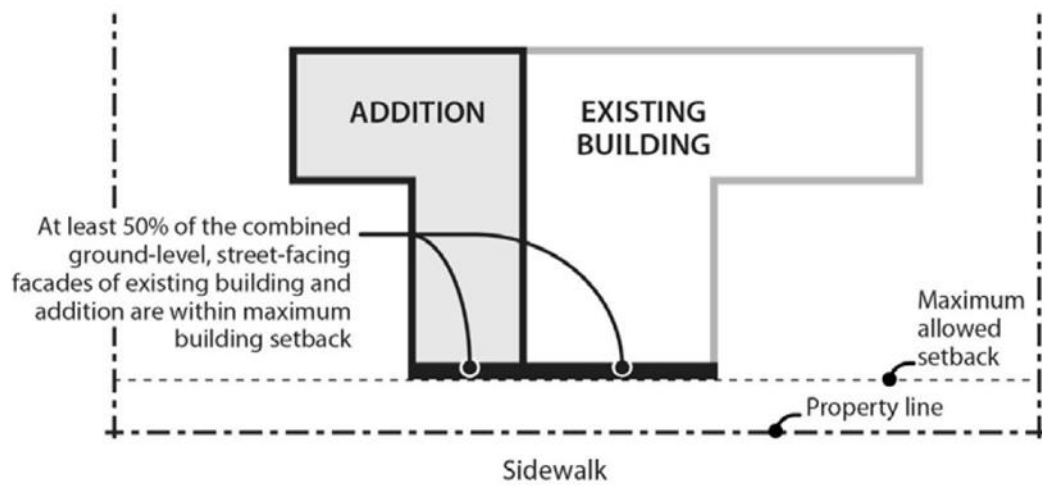
1. Minimum lot size is existing lot or area shown on chart in square feet.
2. Sixty feet between nonresidential and designated or actual residential site; 80 feet between industrial, extractive and other uses.
3. Where one district abuts another the greater of the two setbacks is required for both uses on the common property line.
4. (Height Bonus) Reserved.
5. (Pedestrian Amenities Bonus) Reserved.
6. Zero-foot setback for the portion of the dwelling with a common wall, five-foot setback or five-foot wide easement for the portion of the dwelling at the common lot line without a common wall, and ten-foot setback for the remaining side yards of the lot.
7. Zero-foot setback for the portion of the dwelling with a common wall, five-foot setback or five-foot wide easement for the portion of the dwelling at the common lot line without a common wall, and five-foot setback for the remaining side yards of the lot.
8. On corner lots, buildings shall be set back 15 feet from a street intersection. The area in which buildings shall be prohibited shall be determined by extending the edge of the traveled ways to a point of intersection, then measuring back 15 feet, then connecting the points.
9. Special restrictions apply to construction on bungalow lots. See special use provisions [49.65.600](#).
10. For lots adjacent to an alley, the following reductions to the dimensional standards apply:
 - (a) Minimal lot area includes 50% of adjacent alley (see graphic).
 - (b) Minimal lot depth includes 50% of the width of adjacent alley.
 - (c) Minimum front yard setback of ten feet.
11. Additional setbacks apply when lot abuts a multi-family or single-family residential zoning district.

49.25.430 Yard setbacks.

(6) Maintaining building façade continuity. A new building in the NC or MU3 zoning districts shall have a front yard setback and street side yard setback equal to the average front yard setback of the three closest conforming buildings sharing a frontage and within a 150' radius.

(7) Maximum building setback for NC and MU3. At least 50 percent of the length of the ground level, street-facing façade of a new or altered building shall be within the maximum setback for the underlying zoning district. Where there is more than one building on a lot, the maximum standard applies to the combined ground level, street-facing facades of all the buildings.

Alteration to Existing Building in Conformance with Maximum Setback Standard



(8) NC and MU3 parcels abutting residential zoning districts. When a building 15 feet or taller in the NC or MU3 zoning district abuts a residential zoning district the following setbacks and landscaping requirements apply:

Height of building wall	Lots abutting a residential zone side lot line	Lots abutting a residential zone rear lot line
15 ft. or less	5 foot setback and landscaping	Underlying zoning district setback, no landscaping
16 – 30 ft.	8 foot setback and landscaping	
31-55 ft.	10 foot setback and landscaping	

ARTICLE V. DENSITY

49.25.500 Density.

The maximum number of dwelling units allowed per acre shall be as provided in the following table:

Zoning District	Maximum Dwelling Units/Acre
RR	Density determined by minimum lot size in section 49.25.400 and special density requirements in section 49.25.510.
D-1	Density determined by minimum lot size in section 49.25.400 and special density requirements in section 49.25.510.
D-3	Density determined by minimum lot size in section 49.25.400 and special density requirements in section 49.25.510.
D-5	Density determined by minimum lot size in section 49.25.400 and special density requirements in section 49.25.510.
D-10	10 units per acre

D-10 SF	Density determined by minimum lot size in section 49.25.400 and special density requirements in section 49.25.510.
D-15	15 units per acre
D-18	18 units per acre
MU	No maximum density
MU2	80 units per acre
MU3	30 units per acre
NC	15 units per acre
LC	30 units per acre
GC	50 units per acre
WC	18 units per acre

Section 3. Amendment of chapter. Chapter 49.50 Parks, Open Space and Vegetative

Cover to read:

CHAPTER 49.50 PARKS, OPEN SPACE AND VEGETATIVE COVER

Article III. – Vegetative Cover

49.50.300 Minimum vegetative cover.

A minimum percent by area of each development site shall be maintained with live vegetative cover according to the following table. In the event of a conflict between district and area standards, the greater shall apply.

Zoning District	Percentage of Lot in Vegetation
D-1, D-3, and D-5, residential districts	20
D-10 SF residential districts	15
D-10, D-15, and D-18 multifamily residential districts	30
MU2, mixed use district	5
MU3, mixed use district	10
NC, neighborhood commercial district	25
LC, light commercial district	15
GC, general commercial district	10
WC, waterfront commercial district	10
WI, waterfront industrial district	5
I, industrial district	5
Convenience store, outside a commercial district	20

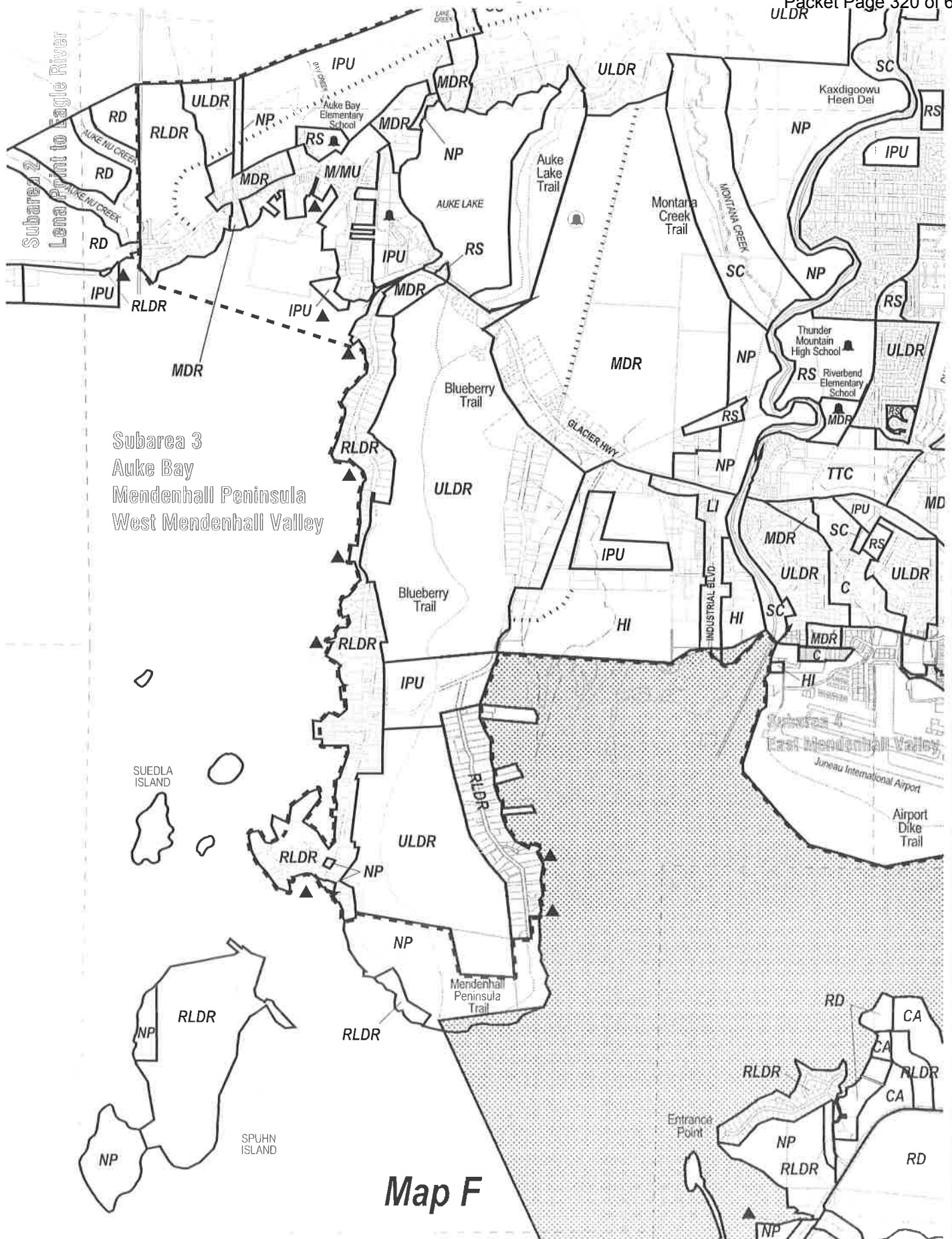
Section 5. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this _____ day of _____, 2019.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk



Auke Bay Area Plan – Implementation

I applaud the efforts by so many people to develop, produce and adopt the forward thinking plan for the Auke Bay Area! Many places in America, indeed throughout the world, have not planned adequately ahead and have been paying the price and are playing catch up. This next phase is the difficult challenge of implementing it in a good way. Good steps forward are being made. Here are some of my thoughts on how to keep moving forward.

Auke Bay Bypass Road

The ultimate success of achieving the plan's vision is dependent upon the completion of the long term alternative in the Juneau-Auke Bay Corridor Study by Alaska DOT (alternative 3, pages 47-48). This road would be a complete bypass of the Auke Bay Community from Industrial Blvd., follow the east side of Hill 560, cross Back Loop at Goat Hill, continue behind Auke Bay Community and connect to Glacier Hwy near Auke Nu Creek. What a great opportunity, let's not lose it. This corridor needs to be protected from encroachment by developments that would hinder its ultimate implementation. Road projects take a long time to reach fruition. The Planning Commission and the Assembly need to actively advocate for it as soon as possible. This was the top choice of opportunities for the Auke Bay community by folks participating in the early development of the Auke Bay Area Plan (ABAP).

Possibilities

With the bypass road in place, Glacier Hwy from Fritz Cove intersection to Spaulding Meadows trailhead could become a CBJ road. Heavy commercial vehicles (dump trucks, busses, oil trucks, etc.), ferry and out the road traffic would use the bypass. If so, things that could happen on a CBJ road would be; a 25 mph speed zone, angle parking on the uphill side of the road from Auke Bay Lab to Spaulding Meadows trailhead, light activated pedestrian crosswalks, in short a more user friendly/safer community.

Fortunately, geography and topography offer some exciting opportunities. Absent some beneficiary developer or consortium like James Rouse, who envisioned Columbia, Maryland (it can be googled), I like the idea of offering bonuses/incentives to potential developers, especially if they can combine forces/visions/resources to come as close as feasible to the collective visions presented in the ABAP. Perhaps tax abatements could be considered to entice collective developments. An example could be the strip of land on the uphill side of Glacier Hwy from the roundabout to the Auke Bay Lab corner. Behind angle parking, a connected line of retail shops (bakery, restaurants, coffee shops, bookstore, etc.) with 2-5 story condominiums/apartments above with property owners parking behind, could be developed. With a little tree cutting on the waterside of Glacier Hwy, all those residents could have an

unobstructed view of sunsets over Auke Bay. If developers from the roundabout to Seaview could combine forces, a better blended completion of parts of the ABAP's vision in that area could occur, including connected side streets.

Real estate folks like to tout location, location, location and view, view, view in offering properties. With careful planning and developer coordination, preservation of most public, as well as private views, of Auke Bay could/should occur. For instance, with good developer coordination condos in Auke Bay Station could have guaranteed views protected from interference from the potential Jetty development.

Public Parking

Beyond roadside and business parking, an uphill area needs to be designated for a future parking garage. With careful planning it could incorporate a public space and/or private business with views, like the redeeming feature of the library on top of the downtown parking garage.

Sea Walk

As envisioned in the DOT study, a sea walk from the Auke Bay boat harbor to the ferry terminal should be kept in mind for designation. Variations of this are presented in Appendix B – Capital Improvements List in the ABAP.

Businesses

A good waterfront seafood restaurant and a small neighborhood convenience store (kind of a DeHarts on steroids) could be very profitable and enjoyable future options.

Conclusion

Keep up the good work! People (residents and visitors) 20, 50, 100 years and beyond will be thankful for your vision and tenacity. The Auke Bay area can be an even more wonderful place to live, visit and enjoy, especially for a growing UAS so close by.

Bruce Conant

6/25/2019

41 year resident of the Auke Bay Community

March 17, 2020

CBJ Planning Commission

155 S. Seward St. Juneau, AK. 99801

My wife and I am writing to strongly object to the inclusion of Tanner Terrace subdivision in the Neighborhood Commercial “buffer zone” as laid out in the Auke Bay Area Plan (ABAP) and Auke Bay Overlay District.

As someone that has lived in the Tanner Terrace subdivision more than twenty five years, and transited the area for over 50 years having lived in Lena Cove before that, I am having difficulty seeing the need for the seemingly aggressive planning changes proposed for Auke Bay. The glacier has changed more than Auke Bay in that time span.

As a local businessperson for several decades, I’ve had an interest in viable commercial real estate for years. The ABAP plans for ground floor businesses and housing above. However, given the competition from “big box” retailers within a ten to fifteen-minute drive of Auke Bay, the reality of retail success in Auke Bay is extremely limited. This is borne out by the lack of retail in Auke Bay in the past. Throw in competition from the internet and the propensity for our younger future shoppers to order and have their goods delivered to their door, and retail in Auke Bay doesn’t get any easier, or likely to succeed. The development envisioned can and does happen no doubt, but this is in markets that have several hundred thousand people or more in the area to draw from.

Now I may not be a planning professional, but any plan that takes an existing neighborhood and changes the rules it was developed under, has lived under for decades, and has been bought and sold under is a bad plan. I’m sorry, but the Planning Department isn’t starting out with a blank sheet of paper or a couple hundred acres of farmland that is going to be a brand-new development. Auke Bay is unique and charming and has existing infrastructure to consider. And to then exclude neighborhoods to the north and east, closer to the Auke Bay town center, from the Neighborhood Commercial Zoning? Interesting.

Regards, Ron and Julie Flint, 12070 Cross St., Juneau, Ak. 99801

From: [Ann Doty](#)
To: [Allison Eddins](#)
Subject: Tanner Terrace rezone proposal
Date: Monday, March 16, 2020 10:14:25 AM

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

We are headed back to Juneau from Belize today! We agree with the neighborhood protest letter and have attached one with our signature. Let us know what else we might need to do!

Thank you!

J. Alan and Ann Doty
 3866 Seaview Ave, Juneau, AK 99801

☐ Tanner Terrace Protest Statement.pdf

Tanner Terrace Property Owners Association 12020 Cross Street
 Juneau, AK 99801
 Members,
 CBJ Planning Commission Community Development Department City and Borough of Juneau
 155 S. Seward Street
 Juneau, Alaska 99801
 March 14, 2020

Dear Commissioners,

We, the homeowners of the Tanner Terrace subdivision, protest the Auke Bay Ad Hoc Committee and the Community Development Department's inclusion of Tanner Terrace in the proposed Neighborhood Commercial ("NC") zoning area. This designation will ultimately destroy a mature, view property neighborhood by urbanizing it. We will not be able to sell our homes to other single family buyers because declaring our properties "non-conforming" to the NC code will affect the cooperation of mortgage lenders to finance potential buyers. Over time, as our single family home lots are subdivided into mixed use units with no yards and at least three residences per lot with commercial first floor businesses, our views and property values will be destroyed.

Note that we have no objection to making the Auke Bay "Traditional Town Center" area near the roundabout into the mixed use, walkable village described in the Auke Bay Plan. However, we don't understand why our neighborhood is being sacrificed when other neighborhoods, such as Lee Drive and Caroline Street, that are closer to the Traditional Town Center will be able to remain intact.

Sincerely,

John Alan Doty

Ann Signaigo Doty 3866 Seaview Avenue Juneau, AK 99801
 907-321-1523 Jnudoty@gmail.com

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Alan and Ann Doty
 Searching for new adventures!

From: [Margaret Cowan](#)
To: [Allison Eddins](#)
Subject: Spaulding Meadows Road
Date: Saturday, May 4, 2019 10:10:39 PM

Dear Ms. Eddins:

I heard that in planning for Auke Bay there is consideration of a road to Spaulding Meadows. I cherish hiking and skiing to Spaulding Meadows and do not support a road as it would detract from the natural features. This is a trail that is beautiful and accessible to families. I'm in my late 60's and enjoy it and I accompanied a second grade class there last year. There are few other trails for such a broad range of us to reach alpine in the Auke Bay area and not many that are as easy in all of Juneau.

Though I cannot think of a positive outcome for a road, I'd like to reach the rationale. Can you give me a link to the planning document where this is considered an option?

Thank you for your willingness to consider public input.

Sincerely,

Margaret Cowan

Mark Schwan and Debi Ballam
12090 Cross Street
Juneau, AK 99801

March 18, 2020

CBJ Planning Commission Members
Community Development Department
City and Borough of Juneau
155 S. Seward Street
Juneau, Alaska 99801

Dear Commissioners,

We are opposed to the inclusion of the Tanner Terrace neighborhood in the new, proposed Neighborhood Commercial (NC) zone in the Auke Bay area. We do not understand the need, nor how the permissible uses being proposed for the NC zone are accurate to the original concept described in the Auke Bay Area Plan (ABP).

On page vii in the Introduction of the ABP, it states: “Auke Bay **boasts** a rich mixture of densities that can accommodate many housing needs, from detached homes to condominium.” We know the steering committee members who worked on the early stages of the plan would not support the elimination of our single-family residences, but that is what a designation of NC would do over time.

Our neighborhood is a small area compared to the vacant city-owned land behind the Auke Bay center. If no new single-family residences will be allowed on any of that land, why is there not a place for us in the Auke Bay area? Single-family residences are an attribute.

There was early support from members on the planning commission to maintain our neighborhood for single-family residences, what happened? We cannot find anything in the published minutes of meetings or through conversations of other residents who attended meetings to explain this. All we know is that the boundary lines were changed between the July 11 and July 24, 2019 ad hoc committee meetings.

There was much discussion during the July 24, 2019 meeting, which I (Mark) attended, regarding the inclusion of the University property and Lee Street and Court in the new NC zone. When commissioners suggested including Lee Court, a city planner expressed caution, reminding them that in the earlier planning stages residents there wanted their neighborhood to remain in a residential zone. The commissioners deferred, and one looked at the aerial view of Auke Bay on the screen, pointed over toward Tanner Terrace, and said those people over there just need to join the future. This was extremely disappointing, and makes the inclusion of our neighborhood seem arbitrary or just a callous action to force conformity.

Our homes are older but well maintained. We have been told many times from various people that ours is one of the nicest neighborhoods in Juneau. If our house is deemed non-conforming in the new NC zone, this will present a substantial risk to the equity in our home, and would be an economic disaster for us.

We appreciate the planning commissioners’ and city planners’ work to construct a matrix for implementing the Auke Bay Plan. However, there is nothing in the Auke Bay Plan that recommends the sunsetting of traditional single-family residences. Thank you for the opportunity to comment.

Sincerely,

Mark Schwan and Debi Ballam

From: [Karen Forrest](#)
To: [Allison Eddins](#)
Subject: Re: Zoning map
Date: Wednesday, March 11, 2020 3:47:51 PM

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

Allison,

The proposed overlay zoning area does not comport to to Auke Bay Area Plan and Auke Bay Center boundaries; it extends beyond the Auke Bay Center on the out-the-road side and I think that is unacceptable given all the work that went into the developing the boundaries in the Auke Bay Plan. I am concerned about not following the plan without a seriously good and clear reason. As a property owner in Auke Bay, this is of concern to me.

Sincerely,
Karen Forrest

Sent from my iPhone

On Mar 10, 2020, at 1:17 PM, Allison Eddins <Allison.Eddins@juneau.org> wrote:

Allison Eddins | Planner II

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

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

Office: 907.586.0758

<image001.png>

<Auke Bay proposed zoning boundaries.PNG>

From: [JoAnn Quigg](#)
To: [Allison Eddins](#)
Subject: RE: Tanner Terrace Re-zoning
Date: Monday, November 9, 2020 2:42:44 PM

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

Thank you for responding. So good to hear Spaulding Trail will remain!

Yes. I am related to Jerry Quigg. They are doing fine, just a little tired of hanging about the house...

He said he gave his copy to one of the neighbors, so yes, please, I would like another copy. Just let me know when you have it printed and I will run over there and grab it. Thank you so much!

JQ

From: Allison Eddins <Allison.Eddins@juneau.org>
Sent: Monday, November 09, 2020 2:21 PM
To: 'JoAnn Quigg' <jquigg@wileng.net>
Subject: RE: Tanner Terrace Re-zoning

Hi Joann,
Please let me clarify – the city is NOT planning to do anything to the Spaulding Trail. That is an unfortunate rumor that started in April 2019.
The city is proposing to implement the Auke Bay Area Plan with two new zoning districts. Tanner Terrace is currently in the proposed boundary for one of the new zoning districts. Are you related to Jerry Quigg?. He attended most of our meetings and is very familiar with what we are proposing. He had a hard copy of the proposal back in March. How is he doing? Well, I hope.
The permit center is currently closed to the public. I can print you a copy and leave it by the elevator if you like. Just let me know.
Allison

From: JoAnn Quigg <jquigg@wileng.net>
Sent: Monday, November 9, 2020 1:00 PM
To: Allison Eddins <Allison.Eddins@juneau.org>
Subject: Tanner Terrace Re-zoning

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

Hello,

I have heard that there is a proposal to convert the beginning of Spaulding Trail to a road and to re-zone the Tanner Terrace neighborhood.

Could you please supply me with a hard copy of the documents related to this proposal?

I work downtown and could swing by the Marineview Center to pick them up.

Thank you.

JoAnn Quigg

From: [Lisa Greenough](#)
To: [Allison Eddins](#)
Subject: Re: CORRECTION - RE: Auke Bay Update
Date: Tuesday, February 4, 2020 11:02:07 PM
Attachments: [image001.png](#)

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

Dear CBJ Planning Dept, assembly and committee members,

I'm concerned about and object to the proposed up-zoning of Auke Bay for several reasons:

1. I believe the point system that is being proposed is subjective and overly complicated. It promotes 4-5 story buildings by stating if developers include a bench's, bike racks and planters etc. for which they get points then they can use them to get permits for more floors. The city should use zoning to promote new construction in the character of a northern fishing, retirement and educational village. The desired building features should not have points attributed to them - they should simply be required for all new construction in the Auke Bay community not be attained by developers trying to "game" the zoning regs. New construction should be limited to one or two stories so we never have the hemmed in effect we experience in downtown South Franklin.
2. I disagree with the low %'s mandated for vegetation coverage in the proposed re-zone. If a water-front property owner wants to keep most of his or her land in a garden or natural state the city should not compel an owner who seeks a new construction permit to only leave 5% of the property in a landscaping etc. These low percentages to my mind force the developer to max out or over build a lot and leave little room for open spaces in Auke Bay.
3. The elimination of drive thru parking and zoning which compels construction to the street challenges the elderly, disabled or injured citizen who might have limited mobility. Some handicapped parking and loading in front of a restaurant or business would be desired by most Auke Bay families and I don't believe there is any logical reason to re- zone to prevent this public benefit.
4. The Master plan for Auke Bay which this re-zoning proposal is based on is stale and deficient. It was done in 2014 and passed by the Assembly in the spring of 2015 and is basically 6 years old. The Master plan does not consider recent material changes that will impact our community -the transfer to the city of the NOAA dock and the cities 2019's settlement with the cruise industry which concluded with an agreement stating the city could use 12 million in head tax fees to dredge and further fill the harbor to better facilitate cruise industry activities. Tourism has rapidly intensified in Auke Bay and yet it is barely mentioned in the 100 plus page document. I believe in order to make the right zoning changes for Auke Bay the master plan should be amended to include consideration of tourism in Auke Bay with a section devoted to the subject instead of two sentences about whale watching. The community of Auke Bay needs to weigh in on the type and scale of tourism and what changes need to be made to our zoning regulations to correctly support it.

Sincerely,
Lisa Greenough

On Mon, Jan 27, 2020 at 3:24 PM Allison Eddins <Allison.Eddins@juneau.org> wrote:

Correction – The meeting will be **Thursday, February 6th**. My apologizes for any confusion.

-

From: Allison Eddins <Allison.Eddins@juneau.org>
Sent: Monday, January 27, 2020 2:52 PM
To: Allison Eddins <Allison.Eddins@juneau.org>; Alexandra Pierce <Alexandra.Pierce@juneau.org>; Jill Maclean <Jill.Maclean@juneau.org>
Subject: Auke Bay Update - February 6th Planning Commission Ad Hoc Meeting in Auke Bay

-

Good Afternoon,

You are receiving this email because you have expressed interested in the proposed re-zone and overly district in the Auke Bay “center” or because you have attended a 2019 neighborhood meeting on the topic. I know it has been a while since our last meeting but we now have a draft ordinance for two new zoning district and an Auke Bay Overlay District.

The Auke Bay Ad Hoc Committee will hold a meeting Wednesday, February 6th at 6pm in the UAS Rec Center. They will review the draft ordinance and boundary map that are attached. These are public meetings and you are welcome and encouraged to attend, however these are working meetings, and no public comment will be taken during the meeting. I encourage you to submit written comments to me by Tuesday, February 4th. I have received one additional comments since the last Ad Hoc meeting in July. That is attached as well. Please review the documents and let me know if you have any questions. After the meeting on February 6th I will send a follow up email detailing decisions that were made at the meeting and outline the next steps in the public process.

All the best,

Allison

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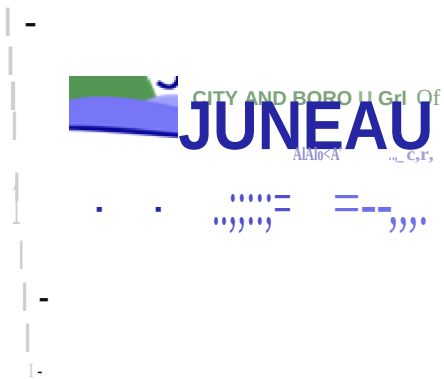
-

Allison Eddins | Planner II

Community Development Department | City & Borough of Juneau, AK

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

Office: 907.586.0758



November 9, 2020

To: City and Borough of Juneau Planning Commission

I am writing to you as a potentially affected citizen to express my concerns regarding AME2020-001 & AME2015-0010.

My name is Andy Meiners. My wife Amy Jo and I live at 12110 Cross St and have for the last 20 years. Cross St is in Tanner Terrace (TT). I have maintained a professional office in Auke Bay for the last 16 years.

I urge you to reconsider the inclusion of TT in the Neighborhood Commercial zoning proposal. Like many of you, our homes are the single largest investment we have or ever will have. It is the asset for which we place the most importance in providing for our families and our current and future well-being. Our home and the equity that Amy Jo and I have built over the last 20 years is under attack by the proposed AME2020-001.

I hope that you would consider a few points about how AME2020-001 would be detrimental to Auke Bay.

1. Neighborhood Commercial (NC) will needlessly create non-conforming single-family homes and cause any future residential development to stagnate.
2. The Auke Bay Plan has a fundamental flaw in that it is predicated on growth.
3. The public process was, and is again, poorly handled.

Neighborhood Commercial

Although the Assembly recently passed amendments to Title 49 of the land use code, it does not cure the fact that AME2020-01 creates non-conforming single-family homes. The introduction of the recently passed ordinance states: *"This ordinance should make buying and selling in most nonconforming residential developments easier while protecting the community from harmful nonconforming developments."* This could not be further from the truth. The fact is the Assembly does not and cannot control private lending practices in this community. AME2010-01 is harmful in that it needlessly creates non-conformity. Additionally, and more significantly, making this change would not only negatively affect the present and future value of my home, it will impact my insurance rates because insuring property in a commercial use area is more expensive than that of residential. I object to you taking control of my private property based on assumptions made by the planning staff. I cannot stand by and leave the future of my largest investment in the hands of the planning committee.

Auke Bay Plan

The Auke Bay Plan is predicated on a "Vision." When the Vision of the plan was devised, each person who participated formed a picture in their minds of what Auke Bay "could" look like based on some commonly agreed upon parameters. Everyone's vision was loosely similar yet different. Now pen and paper are trying to put the vision into something concrete and it's not working. The public participated by voting using the *design charrettes*. Not one choice in those charrettes included an option to outlaw single family homes. Much of the Vision focused on growth. You may not agree with me, but Auke Bay

is not growing. Sure, there have been new condominium developments and more permitted to be built; however, these developments don't mesh with the Vision of the Plan. In light of the current and foreseeable economic trends, can you really see an additional 90 high-end condominium units being built and sold? You can cite the Forbidden Peaks Brewery as growth, but it's not. The existing building has just found a better use. There has not been a new commercial footprint established in Auke Bay in over 30 years, in fact Auke Bay has lost commercial space when Fishermen's Bend burned to the ground in 2008.

The CBJ Housing Action Plan 10/2015 identifies Juneau's population as stagnant and projects the population to decline through 2042. Let's face reality, we shouldn't restrict current property owners by planning for growth if it's not happening in our lifetime.

The Plan states "Auke Bay, Auke Lake and the upland wilderness play a cumulative role in giving the Auke Bay community its identity." It could be concluded that the existing urban uses such as retail, restaurants, boat harbors, etc., were built here because of the identity of Auke Bay. The proposal in AME2020-01 does not enhance the identity of Auke Bay, it will destroy it. The potential commercial identity will be altered by restricting the current building codes and by earning the magic points you can earn back what was already their right to do in the first place. At one of the early public meetings someone asked if the point system was implemented in other areas and what was the result. Staff indicated that the point system was used in a couple of metropolitan areas in the lower 48 and had met "limited success." I fail to see the logic of implementing something that met limited success in other areas with larger populations and land masses.

The concept of NC seems valid on the surface, but the logic of implementing it in Auke Bay is heavy handed and literally will serve no purpose other than stifling any ability of the area to grow. The proposed rezoning will alter the identity in a profound way.

Neighborhood Commercial will eliminate single family homes in favor of a *Boat Condo* community. As you know, the city owns property behind TT. By zoning the entire parcel NC, all conforming development would have to have commercial space on the bottom and residential on top. Imagine if you will, 40 or more structures built on that hillside that have some sort of commercial shop on the ground level. That picture seems ludicrous to me. The only thing that NC will do is cause more work for future planning commissions to approve conditional use permits because no one will be able to build an economically viable project in the proposed NC zone.

Public Process

In the presentations you have seen, staff does a nice job pointing out that this has been a transparent community-driven process and that AME2020-01 is a result of the public process. This is not a completely true characterization of the process. What is true: several years ago, there was a public process and one of the overriding themes was the preservation of neighborhoods. Early in the planning process, the Auke Bay Steering Committee's conclusion was that TT was to be excluded from the designated concept of NC. We thought that was the end of it and the public participation input was honored. Unfortunately, once the public planning process was over, TT was encompassed into the proposed NC against the recommendations. The neighbors of TT attended many of the 17 public meetings since and have submitted written opposition and when given the opportunity, vocal opposition

to this. Staff's response is that they "*are not married to the boundary lines as drawn.*" Yet, the lines never decrease, but keep expanding. Once the new zones were proposed, I am not aware of a single public comment being incorporated or shown to have any influence upon the planning staff. It appears we have been ignored. My only conclusion is that TT is being steamrolled into a nonconforming neighborhood that will have lasting negative impacts.

The only remaining public process afforded us now are written comments to you and 3 minutes of oral presentation. This hardly rates as meaningful public participation. I urge you to reconsider the results of the original Auke Bay Steering Committee input and retain the character of the residential neighborhoods in Auke Bay.

A handwritten signature in black ink, appearing to read "Andy Mer". The signature is fluid and cursive, with a large, sweeping loop at the end.

Rick and Lisa Currier
12020 Cross Street
Juneau, Alaska 99801

CBJ Planning Commission
% Ms. Addison Eddins
Community Development Department
City and Borough of Juneau
230 Franklin Street,
4th Floor, Marine View Building
Juneau, Alaska 99801

January 29, 2020

Dear Members of the Planning Commission:

We would like to submit comments regarding the draft ordinance that proposes the "NC" neighborhood commercial zoning district at Auke Bay.

We reside in the Tanner Terrace neighborhood in Auke Bay. We, and most of our neighbors, have followed the development of this ordinance and have submitted both oral and written comments. We, and our neighbors, have attended most of the meetings of the Ad Hoc Committee to develop a new zoning definition for the Auke Bay area. We participated in the process, but we are disappointed in the results.

Over the course of several years and many, many meetings, the dominant sentiment expressed by members of the public in both written and oral testimony, has been concern about increasing housing density and introducing commercial activities beyond the Auke Bay core area consisting of the old Horton's Hardware and DeHart's buildings. Most people who testified wanted single family homes that wouldn't disturb upslope views.

It seems that all of that testimony and written comment has been ignored. We are VERY concerned that the new NC zone includes the Tanner Terrace neighborhood as well as several lots to the West. The latest overlay zoning map seems to have arbitrarily moved the commercial/high density boundary over, behind, and beyond our mature single family neighborhood. These changes will destroy the residential character of our neighborhood as well as impact our Auke Bay water views, for which we paid a premium when we purchased our properties.

Note that when CBJ paved our neighborhood streets several years ago, they installed narrow lane widths that do not support bike lanes or on-street parking, and sidewalks are only one side of the street. The neighborhood cannot support increased density or commercial development.

Our water views are important to us. We appreciate that the Planning Commission and Community Development Department have modified the policy for preserving view planes to include private property owners as well as public views. We have testified that water views are not strictly downslope or directly in front of upslope property. Our view of Statter Harbor is to the East of our house. High rise structures on the Auke Bay Bible Church property will adversely affect our views of the harbor. We are concerned that the developer bonuses in the NC zoning area will incentivize multistory buildings that could eliminate our views.

Further, we do not understand how the Lee Drive neighborhood, which already has high density housing, is outside the NC zone, while Tanner Terrace, a single family residential neighborhood, was suddenly moved to inside the NC zone.

While we appreciate all of the hard work of the Ad Hoc Committee members, we are at loss to understand why our comments, testimony, and that of our neighbors, has been ignored in the drawing of the NC zone overlay district.

Regards,

Rick and Lisa Currier

March 16, 2020

City & Borough of Juneau Planning Commission
155 S. Seward Street, Juneau, Alaska 99801

Dear Members of the CBJ Planning Commission,

In 2018, the CBJ Planning Commission and CBJ Assembly denied a proposed zone change by Douglas Island Development LLC to change the properties located at 11950 Glacier Highway, 11998 Glacier Highway, 12020 Glacier Highway and 3853 Bayview Avenue from D10 (residential) to light commercial (LC).

When the zone request came before the planning commission and assembly in 2018 the respective bodies understood that this contradicted the Auke Bay Area Plan that was adopted by the CBJ Assembly March 16, 2015. Page 61 of the Auke Bay Area Plan illustrates the maximum allowable heights for Auke Bay. In this plan, the Tanner Terrace neighborhood is clearly shaded as such to conform to a maximum height of 35 feet.

All that has changed since 2018 is a forced reinterpretation of the Auke Bay Area Plan by the Auke Bay Ad Hoc committee, CBJ planners and a persistence to ignore the facts and concerns brought forth by the other owners and neighbors of Tanner Terrace.

At the March 10 CBJ Planning Committee of the Whole meeting, CBJ planning staff presented the Neighborhood Commercial zone change as a solution to a fictitious problem. Never once did the CBJ planners highlight the areas of success, established history that should be preserved and/or emphasized in the Auke Bay district. Instead, the planners have fixated on two details: urban density and commercial development. In reality, the existing zoning in Auke Bay already allow for both of these so called problems to be solved as there is substantial undeveloped commercial land in Auke Bay that should be given time to develop into the desires addressed by the Auke Bay Area Plan.

The zone change boundaries as recommended by the Auke Bay Ad Hoc committee and the CBJ planning staff are not justified in any way and are instead arbitrarily drawn to solve a forced problem, that, once again, does not exist.

As a rebuttal, CBJ planning staff have justified the zone change due to a request by property owners – all the while ignoring the opposition by neighboring property owners who actually live in the Auke Bay district. The primary lots seeking this zone change are located along Glacier Highway at the entrance to the Tanner Terrace neighborhood. All other properties in the neighborhood currently have views of Auke Bay that look through, over or beside the existing buildings on the four properties in question. Adding ten feet to the height of the existing buildings would greatly reduce and negatively affect the views that have been long established by the property owners association of Tanner Terrace.

The proposal to create a new type of zoning designation that would experiment with a long-standing Juneau neighborhood also contradicts the Auke Bay Area Plan. Changing Tanner Terrace to the new, untested “Neighborhood Commercial” zoning designation would allow for increased heights via bonus points by future developers.

This is concerning because the adopted Auke Bay Area Plan states that, “Protecting scenic vistas and viewpoints from the effects of haphazard development can allow the Auke Bay area and community to preserve its unique charm, civic pride, and attract positive growth to the area. Preserving key viewpoints can lead to many benefits such as higher property values, strengthening tourism, and contributing to the overall enjoyment of the area. Consideration for building orientation and height is needed to maintain important views.”

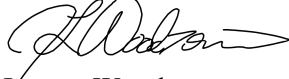
The Auke Bay Area Plan identifies nine key viewpoints. The first identified view point is “Looking toward Auke Bay from the intersection of Bayview and Glacier Highway.” This view point is exactly in the location where Douglas Island Development LLC has requested the zone change and has expressed the desire for future development. Future commercial development in the Tanner Terrace neighborhood will contradict the intent established by the CBJ Assembly when the Auke Bay Area Plan was adopted.

Additionally, the new zoning proposal would in fact destroy the established Tanner Terrace neighborhood. This would also contradict the above statement quoted from the Auke Bay Area Plan in that the elimination of the neighborhood would not “preserve its unique charm” or “civic pride.”

The Auke Bay Area Plan took a community to create. It would be shameful to push through an alternative agenda that clearly does not meet the intentions of those who spent their time providing valuable input for the future of Auke Bay.

It is my expectation that the CBJ Planning Commission will either deny entirely or redraw the proposed zone change as supported by numerous neighboring property owners of Tanner Terrace. Thank you for considering the facts presented.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Woodrow', with a long horizontal flourish extending to the right.

Jeremy Woodrow
3875 Seaview Avenue
Juneau, Alaska 99801

March 17, 2020

Andrew J. Meiners
12110 Cross St.
Juneau, AK 99801

To: City and Borough of Juneau Planning Commission

I am writing to you as a potentially affected citizen to express my concerns regarding AME2020-001 & AME2015-0010.

My name is Andy Meiners. My wife Amy Jo and I live at 12110 Cross St and have for the last 20 years. Cross St is in Tanner Terrace (TT). I have maintained a professional office in Auke Bay for the last 16 years.

I urge you to reconsider the inclusion of TT in the Neighborhood Commercial zoning proposal. Like many of you, our homes are the single largest investment we have or ever will have. It is the asset for which we place the most importance in providing for our families and our current and future well-being. Our home and the equity that Amy Jo and I have built over the last 20 years is under attack by the proposed AME2020-001.

I hope that you would consider a few points about how AME2020-001 would be detrimental to Auke Bay.

1. Neighborhood Commercial (NC) will needlessly create non-conforming single-family homes
2. The Auke Bay Plan has a fundamental flaw in that it is predicated on growth.
3. The public process was, and is again, poorly handled.

Neighborhood Commercial

Although the Assembly recently passed amendments to Title 49 of the land use code, it does not cure the fact that AME2020-01 creates non-conforming single-family homes. The introduction of the recently passed ordinance states: *"This ordinance should make buying and selling most nonconforming residential developments easier while protecting the community from harmful nonconforming developments."* This could not be further from the truth. The fact is the Assembly does not and cannot control private lending practices in this community. AME2010-01 is harmful in that it needlessly creates non-conformity. Additionally, and more significantly, making this change would not only negatively affect the present and future value of my home, it will impact my insurance rates because insuring property in a commercial use area is more expensive than that of residential. I object to you taking control of my private property based on assumptions made by the planning staff. I cannot stand by and leave the future of my largest investment in the hands of the planning committee.

Auke Bay Plan

The Auke Bay Plan is predicated on a "Vision." When the Vision of the plan was devised, each person who participated formed a picture in their minds of what Auke Bay "could" look like based on some commonly agreed upon parameters. Everyone's vision was loosely similar yet different. Now pen and

paper are trying to put the vision into something concrete and it's not working. The public participated by voting using the *design charrettes*. Not one choice in those charrettes included an option to outlaw single family homes. Much of the Vision focused on growth. You may not agree with me, but Auke Bay is not growing. Sure, there have been new condominium developments and more permitted to be built; however, these developments don't mesh with the Vision of the Plan. In light of the current and foreseeable economic trends, can you really see an additional 90 high-end condominium units being built and sold? You can cite the Forbidden Peaks Brewery as growth, but it's not. The existing building has just found a better use. There has not been a new commercial footprint established in Auke Bay in over 30 years, in fact Auke Bay has lost commercial space when Fishermen's Bend burned to the ground in 2008.

The CBJ Housing Action Plan 10/2015 identifies Juneau's population as stagnant and projects the population to decline through 2042. Let's face reality, we shouldn't restrict current property owners by planning for growth if it's not happening in our lifetime.

The Plan states "Auke Bay, Auke Lake and the upland wilderness play a cumulative role in giving the Auke Bay community its identity. It could be concluded that the existing urban uses such as retail, restaurants, boat harbors, etc., were built here because of the identity of Auke Bay. The proposed AME2020-01 does not enhance the identity of Auke Bay, it will destroy it. The potential commercial identity will be altered by restricting the current building codes and by earning the magic points you can earn back what was already their right to do in the first place. At one of the early public meetings someone asked if the point system was implemented in other areas and what was the result. Staff indicated that the point system was used in a couple of metropolitan areas in the lower 48 and had met "limited success." I fail to see the logic of implementing something that met limited success in other areas with larger populations and land masses.

The concept of NC seems valid on the surface, but the logic of implementing it in Auke Bay is heavy handed and literally will serve no purpose other than stifling any ability of the area. The proposed rezoning will alter the identity in a profound way. Neighborhood Commercial will eliminate single family homes in favor of a *Boat Condo* community.

Public Process

In the presentations you have seen, staff does a nice job pointing out that this has been a transparent community-driven process and that AME2020-01 is a result of the public process. This is not a completely true characterization of the process. What is true: several years ago there was a public process and one of the overriding themes was the preservation of neighborhoods. Early in the planning process, the Auke Bay Steering Committee's conclusion was that TT was to be excluded from the designated concept of NC. We thought that was the end of it and the public participation input was honored. Unfortunately, once the public planning process was over, TT was encompassed into the proposed NC against the recommendations. The neighbors of TT attended many of the 17 public meetings since and have submitted written opposition and when given the opportunity, vocal opposition to this. Staff's response is that they "*are not married to the boundary lines as drawn.*" Yet, the lines never decrease, but keep expanding. Once the new zones were proposed, I am not aware of a single public comment being incorporated or shown any influence upon the planning staff. It appears

we have been ignored. My only conclusion is that TT is being steamrolled into a nonconforming neighborhood that will have lasting negative impacts.

The only remaining public process afforded us now are written comments to you and 3 minutes of oral presentation. This hardly rates as meaningful public participation. I urge you to reconsider the results of the original Auke Bay Steering Committee input and retain the residential neighborhood.

A handwritten signature in black ink, appearing to read "Andy Meunier". The signature is fluid and cursive, with a large loop at the end of the last name.

Monday, March 16, 2020

City & Borough of Juneau Planning Commission
155 S. Seward St., Juneau, Alaska. 99801

Dear Members of the CBJ Planning Commission:

My Husband and I are the newest homeowners in Tanner Terrace. We searched for over 8 months looking for an area of Juneau that we wanted to live in and finally chose Tanner Terrace because it is a small, mature, single family neighborhood with views of Auke Bay.

Unfortunately the very reasons why we chose this neighborhood are now being threatened by the CBJ's Planning Committee and staff.

The argument seems to center around a conception of what Auke Bay is meant to look like 10, 20, 30 years down the road and since this seems to be an underlying premise for the multi family designation I thought that I would point out a few stats which are easily available through any web search.

No matter what chart or graph you access whether it be JEDC, ADOL or Raincoast Data they all show Juneau to have an anticipated continual decline in population through 2040.

Raincoast Data's September 2018 report stated that "dramatic cuts reduced state sector employment by 15% since 2012 resulting in a loss of 850 jobs which, translated to an estimated \$50 Million annual loss in wages. Three quarters of state employment decline has been in Juneau."

While tourism continues to grow (presumably will after this latest crisis) it does not provide year round employment or necessarily an increase in home/condo/apartment occupancy.

I do not believe in a if you build it they will come philosophy.....

Jack & I stand united with our neighbors in fighting against the changes to Tanner Terrace that the Planning Commission and staff are proposing.

Thank you for your time and efforts in this matter.

Sincerely, ATTACHMENT D - PUBLIC COMMENTS
Vicki Van Fleet & Jack Gitchell

March 17, 2020

City & Borough of Juneau Planning Commission

155 S. Seward St. Juneau, Alaska 99801

Dear Members of the CBJ Planning Commission,

Thank you for the opportunity to comment on the proposed zone change to Tanner Terrace.

We take great pride in all the areas of our community in Juneau and in the interest in planning that will complement the beautiful place that we all live. Efforts to plan for maintaining this goal for the Tanner Terrace neighborhood have been in development for years and taken considerable time and input from neighbors in the Auke Bay area.

This most recent plan to change designation in the Tanner Terrace area is of great concern as it does not seem to meet the goal. Has there been a precedent in Juneau to changing an existing residential neighborhood to a non-conforming neighborhood zone? If so, where? And how has that turned out?

We urge you to deny entirely or redraw the proposed zone change to the Tanner Terrace area to compliment the original goal.

Sincerely,

Andi and Mike Story

12069 Cross Street

Juneau, AK 99801

907 723 - 4198

Allison Eddins

From: Marcia Donnelly <marciadonnelly@hotmail.com>
Sent: Thursday, January 10, 2019 2:12 PM
To: Allison Eddins
Subject: Re: Auke Bay Neighborhood Meeting - January 16th

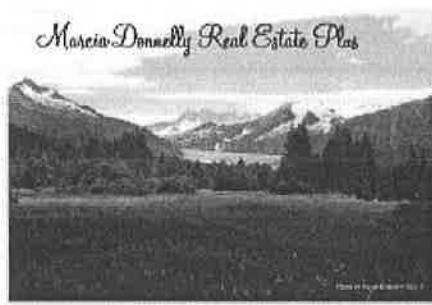
Hi Allison,

I was at the last get together to discuss Auke Bay. Thank you for your recent correspondence. I wanted to share some ideas with you and the Borough.

1. Not everyone in Auke Bay is looking forward to expanding. It appears to me that the majority of homeowners are not in favor of expansion. We selected this location because of the lack of traffic and the quiet setting. Was the zoning change voted on. Even if it was, the amount of time that has passed does not take into consideration there are new homeowners and new safety issues in the affected area already.
2. I feel that this expansion is putting the cart before the horse. We currently have a dangerous intersection at the road and the entrance to Spaulding Beach Condos. There is a school along this road. ANY expansion will affect traffic and safety. The current and future road hazards should be addressed and changes completed prior to any approvals to expand. I think what is being proposed cannot accommodate a one lane highway.
3. One long time business owner is selling their property because of all the interruptions and decline in business they have already incurred. We only have the One road from "out the road" to Auke Bay. The population is minimal. What is being proposed will change the entire color of our end of Juneau.
4. Another huge concern for me is waste water. As I understand it, there is not a sewer system and there has not been any intent to install one at the subject location. Expansion should not be done until this concern is addressed and sewer systems installed. In the past, as a homeowner at 3105 National Park Service Road, the condominiums have incurred over \$40,000 in damage to maintain our waste water system due to boats from the new dock and fish plant breaking our pipes. We are only 24 units....

Please slow down and do the prep work necessary to make/keep our special location safe and peaceful.

Thank you for your consideration.



Marcia Donnelly, Broker, Mobile Notary
Marcia Donnelly Real Estate Plus
3105 National Park Road, B6
Juneau, AK 99801

907-723-9016-cell
Fax/Landline: 907-789-9016
mail to: marciadonnelly@hotmail.com

From: Allison Eddins <Allison.Eddins@juneau.org>
Sent: Tuesday, January 8, 2019 4:37 PM
To: Allison Eddins; Beth McKibben; Teri Camery; Jill Maclean
Subject: Auke Bay Neighborhood Meeting - January 16th

Good Afternoon,

I hope everyone had a wonderful holiday and you're all staying warm tonight. As you know, a sub-committee of the Planning Commission has been working with Community Development to draft new zoning regulations for Auke Bay. At the last neighborhood meeting in December I presented the proposed regulations. I realize now that it would be helpful to have a discussion about the existing zoning in Auke Bay. Specifically, what it allows, what it doesn't allow and how the proposed zoning differs from the existing zoning. The Auke Bay Neighborhood Association is hosting a meeting on **January 16th at the UAS Rec. Center at 7pm in Room 116** and they have been kind enough to let me present. Postcard invitations are being mailed out tomorrow. Here is a link to the [Auke Bay Area Plan](#). Attached are the proposed new zoning regulations and the December 6th presentation slides. If you have any questions prior to the meeting please feel free to reach out to me. I hope to see you all on the 16th.

All the best,
Allison

Allison Eddins | Planner II
Community Development Department | City & Borough of Juneau, AK
Location: 230 S. Franklin Street, 4th Floor Marine View Building
Office: 907.586.0758

Allison Eddins

From: Nell McConahey <spiralalaska@gmail.com>
Sent: Thursday, March 14, 2019 9:23 AM
To: Allison Eddins
Subject: Auke Bay Plan Proposal, comments

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Allison,

Thank you for your presentation last night. It helped get me up to speed on the current proposal. I would like to share my concerns.

Though I currently live in Indian Cove, I also own a condo at Spaulding Beach and expecting to retire there within a few years. So, that is my perspective.

I think tall and very dense construction on the waterfront would negatively impact the 'views', overall feel of the 'center' and 'the enjoyment of all'. I would like the waterfront to have a 30 unit max density and height restrictions of 35'.

Higher (40) unit possibilities in the properties NOT on the waterfront-- on the land side of Glacier Hwy are acceptable as they would A. be less expensive. B, would still have a view. and C, are less likely to block another properties view (topography helps too).

I still think 50 unit density is excessive and does not promote the 'medium density residential use' stated in the 'purpose' of the ABAP draft.

Utility support is of high concern, especially water and sewer, which have issues now-with no plans to upgrade or options for upgrades currently.

The city should investigate what lenders (FHA, VA, Freddie mac, etc) will currently lend on in regard to mixed use properties before finalizing the proposal. It would be a disservice to all concerned if units will have a hard time getting loans.

I do like the 'bonus' options but think they may be too generous to the developer and not to the community as a whole.

Thank you for your work on this project of behalf of the community.

Nell McConahey

Nell McConahey
Spiral Studio
14183 Otter Way
Juneau AK 99801
907 463 6992
spiralalaska@gmail.com
www.spiralalaska.com

From: [Lisa Greenough](#)
To: [Allison Eddins](#)
Subject: Re: Auke Bay Ad Hoc Committee Meeting tomorrow night at UAS
Date: Wednesday, April 17, 2019 1:07:26 PM
Attachments: [image001.png](#)

Dear Allison and members of the Ad Hoc Committee,

Thank you for sending out the slides of your last presentation. I have also been on the Auke Bay Community web site and the lead slide on that site is one I too have grave concerns about. For those of you who were not able to attend the meeting this slide depicts a proposal to build a collector road up the Spaulding meadow trail and loop over coming down by the fire station. The lower part of this trail is one of the best parts as it is wide and very accessible to all level of hikers- from toddlers to retirees. This trail and its large parking lot is a treasured and widely used recreational asset of our community. On the other side of the slide the city is proposing to build several more roads which would destroy another much loved trail -The Dan Bishop Memorial Trail at Auke school. In preparation for writing this I decided to visit the school and view the trail first hand. According to a staff member named Casey many of the teachers use the trail for science education especially in the spring, some classes go on it several times a year others weekly. I interviewed a parent who was visiting the school and her grandson and just had a week of Discovery Southeast nature science studies held on this trail system. I walked this trail over to the interpretive pad where the students write and discuss what they learning about - which you can see in the photo behind the fire station and trailer park. The trail is in beautiful condition, clearly in active use with a charming entrance and a rope trimmed pathway at the beginning. there is also a new access off to the parking lot side for public use in case school is in session. Both of these trails are extremely important to our Auke Bay community and the community as a whole. A big NO to this idea and thank goodness it is conceptual!

I also have concerns about the traffic data the city left out of their traffic study. There are big holes in the numbers and the estimates are on the low side. There are a large number of residents who drive on a daily basis from all over the Auke Bay, Back Loop and Valley areas as well as other parts of our community to get their mail. I asked the postmaster how many families get their mail at Auke Bay and he told me 250 or more households. Shouldn't we also consider the traffic to Auke Bay School as well as the traffic to UAS- how many staff and students, the Ted Stevens NOAA facility and even Auke Rec? At Auke bay school I counted 48 cars in the parking lot and was told they have a staff of about 45 teachers and admin. I also learned they have about 400 students there and many are driven to school by their parents. I suspect the city is grossly under estimating traffic trips. We and the city need to gather much more information on this matter to make informed decisions.

At the meeting we discussed the roundabout and the terrible accident which occurred there last summer- A three car pileup culminating with a UAS female student being flown to Harborview trauma care with both her legs fractured. I found out today at Auke Bay school from the grandparent I spoke to they are still praying for her at chapel by the Lake and she is not having a successful recovery. The radius of the round-a -bout is too small; there is very little distance between the entrances for a driver to react to a potential crash. In a design flaw DOT failed our community- there are no cross walks either since roundabouts don't have them. The students routinely walk from the University to the Deharts and the Harbor with no safe place to cross Glacier Highway. Traffic in the evening is routinely backed up all the way to Engineers cut off and sometimes to the bridge from folks driving home from work. I would

like to know how many accidents have occurred on Glacier Hwy in the Auke Bay corridor since the study was done in 2013.

We did talk about ice and snow and how the weather effects us 7 months out of the year, but no where in the presentation did the city address my initial concern about zoning changes mandating building up to the sidewalk with no place for a person to park with a injury, disability, mobility issue etc.. to get out of their car and into a business. I recently was in a city in California where some of these planning idea have been built and they have on street parking on state HWY 101. In many instances a drive thru is so convenient and beneficial to business activity. For example the Airport Mini mall by Best Western was vacant and shoddy until it was bought and the new owners painted in diagonal parking lines. Why wouldn't we want our city to have zoning laws which provide for easy, safe and convenient access of its citizens to the services and business they use? Especially in a rainy, icy, slushy, snowy, inclement climate which we have in Southeast. I would like the city to instruct DOT to reopen the drive through at the Auke Bay post office.

In Auke Bay we serve the needs of our kids and seniors first and with that motto everyone else is happy with the results. I oppose the zoning changes. I do not think that rationalizing them by explaining that the current zoning allows for some of the new proposed development is any basis for making changes, if anything it is argument to keep things the way they are until we have more information.

Sincerely,
Lisa Greenough

On Tue, Apr 16, 2019 at 7:48 AM Allison Eddins <Allison.Eddins@juneau.org> wrote:

Good Morning,

Thank you all for attending the neighborhood meeting last week where we covered access, traffic and parking in Auke Bay. The presentation from that meeting is attached. **The Auke Bay Ad Hoc Committee will meet at UAS Rec Center (Rm 106) at 6pm tomorrow night.** The Committee will discuss what we have heard from you and your neighbors regarding the proposed density and height regulations. Just a reminder, that these committee meetings are work sessions so no public comment will be taken during the meeting. If you would like to provide written comment, please email that to me. Some of you already have and I thank you for that; your comments will be discussed tomorrow night. As always, please feel free to reach out to me if you have any questions.

All the best,

Allison

-

-

[Allison Eddins | Planner II](#)

Community Development Department | City & Borough of Juneau, AK

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

Office: 907.586.0758



December 19, 2018
 CBJ Community Development Department
 155 S. Steward St.
 Juneau, AK 99801

To: The Auke Bay Implementation Committee,

After attending the Auke Bay neighborhood meeting on 12/6/2018, I would like to make a few comments on the proposed zoning district for Auke Bay.

The plan seems to focus on the property owned by Mr. Don Howell, which includes the Squirez building and the land behind it. There is a condominium complex being built behind his property and another one proposed on the town side. His property is basically the only space available for future development that will have follow the guide lines if this rezone proposal is approved. To me, this is asking or expecting a lot from Mr. Howell.

The Squirez building has 8 existing businesses and 8 apartments. It has been there for a many years and the tenants enjoy the location and views. When DOT expanded the road right of way in front of the building a few years ago, what little street parking that was there was eliminated. Before the start of the construction of the new Statter Harbor parking lot, CBJ did not renew the view variance he held over that property since he bought his place in the 1990's. During the landscaping phase of that project, many trees were planted where none existed before. As these trees mature, the views of the harbor, water and territory will be compromised from the highway and the Squirez building, especially in the summer when they are leafed out.

One of the primary reasons to live in the Auke Bay area is the views. Even without waterfront property ownership, you could still enjoy it when driving or walking along the highway. This proposed plan does little to protect the views, other than on a volunteer basis. Docks and Harbors have already shown they don't care about existing views and if they lease land in the new parking lot for development, that attitude will prevail again.

The scoping committee worked long and hard on the proposed Auke Bay plan. At the beginning of the process there were over 20 people participating. By the end only 6 or 7 remained and not much public attendance. I was at a few of those meetings. It seemed to me the focus was on changing the existing appearance of the core area by making future growth follow a different theme. Yes, it is nice to have a vision for a cute community with shops, trails and view points. The reality is that there is hardly any existing land for this and if it does happen, will the primary focus be on the summer tourist industry?

The proposed point system is complicated and will add costs to any project. Chances are who ever plays that game will probably sell out soon after construction completion. It is about the money.

I'm basically happy with the existing looks and feel of the Auke Bay. The core area already is an existing community. Other peoples ideas of what they want it to become should not ignore this fact. The meeting on the 6th had a good turn out of local residents and this committee should listen to what they have to say.

Respectfully,



Mike Allen
 PO Box 211122
 Auke Bay, AK 99821
 907-790-4118

Rick and Lisa Currier
12020 Cross Street
Juneau, AK 99801

October 1, 2018

Dear Members of the Auke Bay Ad Hoc Working Group and Planning Commission:

As the Auke Bay Ad Hoc Working Group enters the finalization process of their draft CMU zoning regulations, we'd like to extend our appreciation for their long hours of meetings, consideration of the concerns of the residents of the Tanner Terrace neighborhood, and the sacrifice of personal time that was required by the members.

We appreciate and wish to emphasize Mr. Voelker's concerns that the boundaries of the CMU be "feathered" so that immediate neighbors are not subjected to dense commercial/residential mixed high density five-story buildings on their side or back property lines. An analogy would be similar to the time I was in row twenty-one on a flight in which the first twenty rows were in the smoking section. I might have as well been in the middle of the smoking section.

The Auke Bay Committer was very concerned about view sheds. Please keep in mind that those view sheds are not just directly in front of existing properties. Our views, as well as our Bayview and Cross Street neighbors, are also diagonal into Statter Harbor Marina. Due to downslope roofs and trees, our water views are more to the Southeast than directly in front of our house. Densely packed buildings on our back and side property lines will obstruct our view and reduce both our property value and quality of life. As real estate professionals are proud to say, it's all about location, location, location. That's why all of us have purchased houses here in Auke Bay.

We've been told that Planning Commission policy is to preserve view sheds for public property. Please keep in mind that residential property owners should have as much right to preserving their views (and resulting property values) as developers have to "improving" downslope or adjacent property.

Thanks you all for your consideration and efforts on behalf of the City and Borough of Juneau.

Regards,

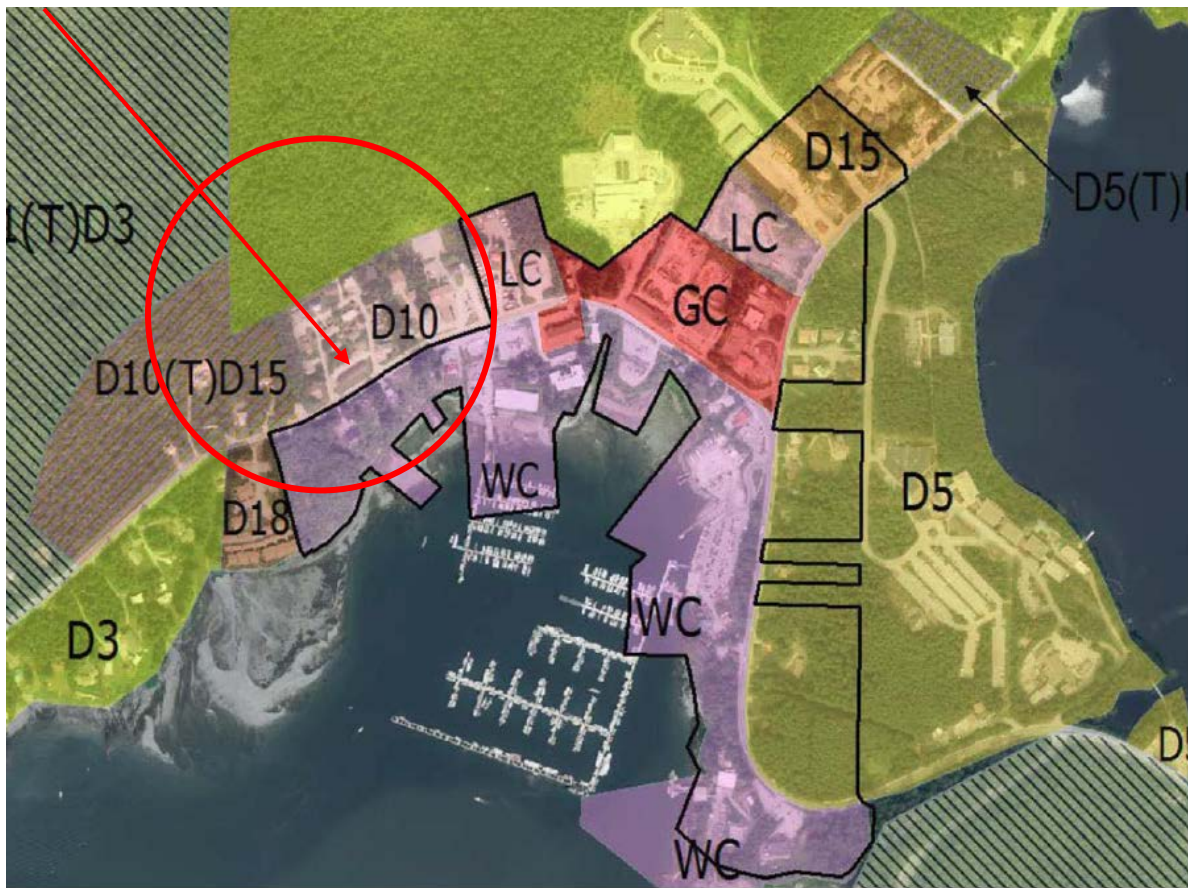
Rick and Lisa Currier

Allison, I would like to continue the previous discussion about the smooth transition of zoning designations within the Auke Bay area, which includes the currently identified Traditional Town Center and the properties directly adjacent.

The CBJ Community Development staff mentioned in previous committee meetings the potential for incorporating a “feathering effect”, in which lower densities would essentially “feather out” from the highest density town center so as to incorporate a smooth transition from higher densities to lower densities. This approach is a standard practice in planning and can be seen in most towns and cities, whereby the densest zoning is found at the town center and zoning is less dense as we move further away from that center.

It appears that this important planning concept has been lost in the discussions about zoning designations and overlay districts for the Auke Bay area. The current proposal recommends that the area identified as “Town Center”, which would have a new overlay district/zoning designation of Community Multi-use, would have an allowable use and zoning to allow densities similar to Light and General Commercial, and adjacent to that a significant drop in zoning to D-10 residential. This does not incorporate any transition and as such would be creating a situation in which there is high density commercial activity directly adjacent to residential, to which I thought the planning commission was opposed.

I would like to bring your attention to two slides presented at the last meeting, which depicts the zoning districts (Slide 1) and also a table of proposed zoning (Slide 2).



As you can see in the diagram, all areas in the Auke Bay Area incorporate transitional zoning concepts with the exception of the area adjacent to the Tanner Terrace subdivision. In fact, the zoning is reduced at my property and then actually INCREASES beyond Tanner Terrace as you travel further north (D10 to D15 transition). This is very concerning to me, and this reflects a lack of attention to planning best practices and perhaps undue influence by the neighbors of Tanner Terrace to not have increased densities adjacent to their homes.

I would like to point out that the table included in the previous power point presentation fails to include zoning designations used in the CBJ that would provide relevant transitions in the Auke Bay Area for the new Uplands Zoning for Auke Bay (UZAB) Density designations.

Zoning District	Maximum Dwelling Units/Acre
D15	15 units per acre
LC	30 units per acre
GC	50 units per acre
WC	18 units per acre
UZAB	40 units per acre (Mixed use building – 50 units per acre)

There is a zoning designation between D15 and Light Commercial, and this is not included here. A zoning designation of D18 should be included to be consistent with the CBJ Table of Permissible Uses.

I am respectfully requesting that the Auke Bay Ad Hoc Steering Committee include Tanner Terrace in the town center as identified in the adopted Auke Bay Area Plan and incorporate a seamless transition from Town Center/Community Multi-use to the D10-transition to D15 north of the Tanner Terrace neighborhood, which would reflect consideration of planning best practices and allow me and adjacent property owners to achieve the highest and best use of our properties that have prime road frontage and well situated to be an important addition to the new Auke Bay community the CBJ is seeking to achieve. My property and those adjacent to mine should have a new zoning district of at least D18 in consideration of the proximity to the town center, average daily traffic/road frontage, and potential for contribution to overall goals for infill development.

Best Regards,

Joanne Schmidt
Douglas Island Development
(907) 723-6803

From: [Jerry Schoenberger](#)
To: [Allison Eddins](#)
Subject: Auke Bay School Crosswalk Danger
Date: Monday, June 24, 2019 12:59:51 PM

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

Hi Allison:

Thanks for all of the timely notifications about Auke Bay planning meetings. This email is about a different concern. Since all of the roadwork has been completed in our area, I was surprised that the Auke Bay School crosswalk is not signed with lighted signage with lights on the crosswalk that can be switched on at the crosswalk by pedestrians. Many communities have this at school and other public crosswalks. The problem is..... now that the road has been improved, cars are going faster through the Auke Bay area. In addition the speed limit was raised from 35-40mph. Another important safety addition would be a speed light/signage that informs drivers of their current speed and to SLOW DOWN!

I was the school principal at both Glacier Valley and Riverbend School. We always had crossing guards out to be sure kids were safe. The current state of warning drivers to slow down at the crosswalk in front of Auke Bay School is in my opinion woefully inadequate. My wife and I live at Cannery Cove and walk every morning through the Auke Bay area. When we cross that crosswalk I feel like we are taking our life in our own hands. Cars are going 40-50mph through there and the crosswalk is in somewhat of a blind curve. I believe this is a situation the city or state needs for rectify for safety reasons.

Thanks for listening,

Jerry Schoenberger

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

POSTPONED TO JUNE 22ND: AME2021 0005: A text amendment to revise Title 49 to create the Auke Bay Overlay District

AGENDA ITEM:

Case No: AME2021 0005

Applicant: CBJ Community Development

Location: Auke Bay

Proposal: Text amendment to revise Title 49 to create the Auke Bay Overlay District

RECOMMENDATION:

Staff recommends the Planning Commission ADOPT the Director's analysis and findings and forward a recommendation of APPROVAL to the Assembly for a text amend the CBJ Land Use Code to create the Auke Bay Overlay District with an amended boundary map that includes properties east of Auke Bay along the uphill side of Glacier Highway and removes the Tanner Terrace Subdivision.

Note that CBJ will not use a density bonus until water and waste water utilities can be upgraded.

ATTACHMENTS:

Description	Upload Date	Type
☐ Staff Report for AME2021 0005	6/2/2021	Appeal



(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/CDD

155 S. Seward Street • Juneau, AK 99801

DATE: June 2, 2021

TO: Michael LeVine, Chair, Planning Commission

BY: Allison Eddins, Planner II *A. Eddins*

THROUGH: Jill Maclean, Director, AICP

PROPOSAL: Text amendment to revise Title 49 to create the Auke Bay Overlay District

STAFF RECOMMENDATION: Staff recommends the Planning Commission recommend APPROVAL to the Assembly for the text amendment.

KEY CONSIDERATIONS FOR REVIEW:

- The Auke Bay Area Plan recommends building and site design standards that go beyond zoning district regulations.
- The Auke Bay Overlay District provides bonus points that can be earned to increase density, increase height restrictions or decrease parking requirements when design standards and public amenities are incorporated into a development.
- Staff recommends removing the Tanner Terrace Subdivision from the Auke Bay Overlay District boundary and including UAS property along Glacier Highway.

GENERAL INFORMATION	
Property Owners	Multiple
Applicant	City and Borough of Juneau, Alaska
Property Addresses	Multiple
Legal Description	Multiple
Parcel Numbers	Multiple
Zoning	LC; GC; D3; D10(T)D15; D15; D10
Land Use Designation	MDR, M/MU and RS
Lot Size	See map
Water/Sewer	CBJ
Access	Glacier Highway and Back Loop Road
Existing Land Use	Residential, Commercial and School
Associated Applications	AMF2015-0010

ALTERNATIVE ACTIONS:

1. **Amend:** recommend an amended overlay district boundary; recommend an alternative overlay district or recommend conditions.
2. **Deny:** recommend denial of the requested text amendment. Planning Commission must make its own findings.
3. **Continue:** continue the hearing to a later date if determined that additional information or analysis is needed to make a decision, or if additional testimony is warranted.

ASSEMBLY ACTION REQUIRED:

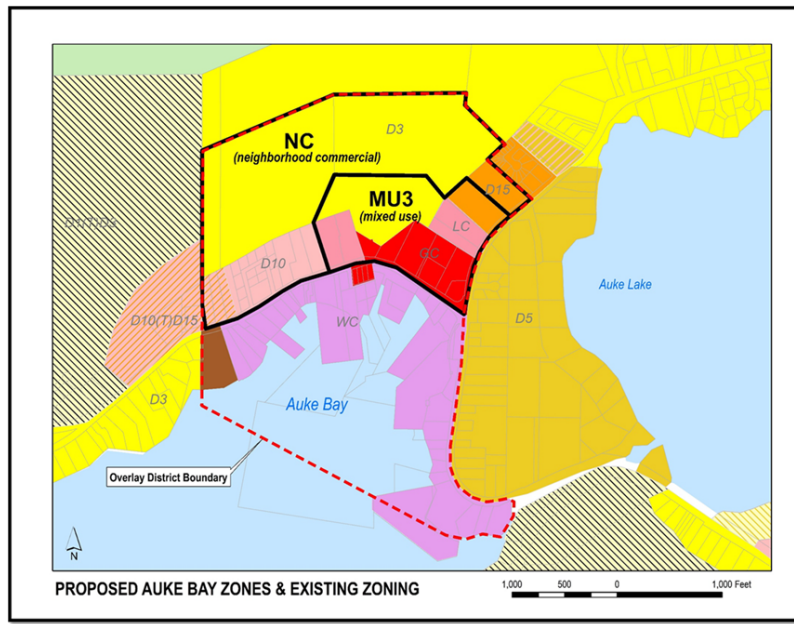
Assembly action is required for this text amendment.

STANDARD OF REVIEW:

- Legislative decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
 - 49.75.410
 - 49.10.170(d)

The Commission shall hear and decide the case per 49.75.410 - Text Amendments. *The commission shall initiate an amendment to this title by holding a public hearing to consider whether it should recommend such amendment to the assembly. The director shall provide at least ten days public notice of the hearing.*

PROPOSED OVERLAY DISTRICT BOUNDARIES



SURROUNDING ZONING AND LAND USES	
North (D3)	University of Alaska Rec Center & housing
South (WC)	Boat Harbor, multi-family & single-family
East (D15)	Multi-family
West (D10 (T) D15)	Single-family

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

PUBLIC MEETING DATES	
Neighborhood Meetings	December 6, 2018 January 16, 2019 March 13, 2019 April 10, 2019 May 8, 2019 May 29, 2019 June 19, 2019
Auke Bay Implementation Committee Meetings	January 8, 2018 January 31, 2018 February 20, 2018 March 22, 2018 April 13, 2018 May 17, 2018 June 28, 2018 August 14, 2018 September 11, 2018 October 2, 2018 November 6, 2018 December 6, 2018 December 20, 2018 April 17, 2019 June 27, 2019 July 11, 2019 July 24, 2019 February 6, 2020
Planning Commission Meetings	March 10, 2020 November 17, 2020 December 15, 2020

BACKGROUND INFORMATION

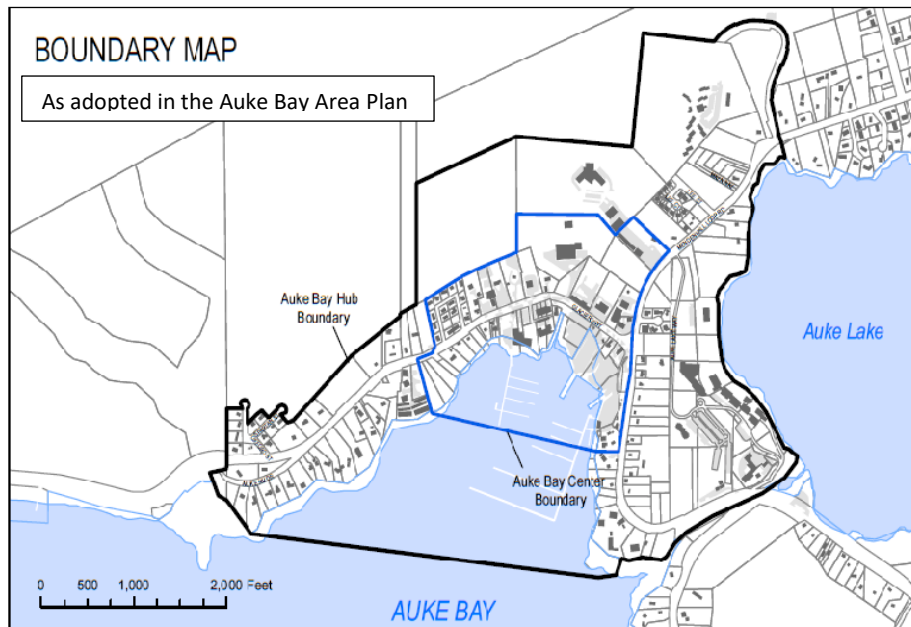
Project Description – This is a CBJ initiated text amendment that would amend the Title 49 Land Use Code to create the Auke Bay Overlay District. The purpose of the overlay district is to implement the Auke Bay Area Plan Land Use Vision through design standards and development bonuses that promote the creation of a lively, village-like community. Bonuses can be earned by providing a combination of design amenities and public benefits that are recommended by the Auke Bay Area Plan, which was adopted into the 2013 Comprehensive Plan. Bonus points can then be used to increase density, building heights or reduce parking. These increases and deductions are based on the underlying zoning district and they have limitations.

Auke Bay Area Plan– The Auke Bay Area Plan (ABAP) was adopted on March 16, 2015 (Ordinance 2015-13). The public outreach process for the ABAP involved 21 Steering Committee meetings, 3 open house-style meetings and 2 design charrettes. The public was notified of these meetings with over 1,000 household notifications, 230 flyers posted in the Auke Bay area and 54 newspaper advertisements. The public meetings were well attended and the public played a direct role in recommending goals and actions items for the Plan. Throughout the two year public process the ideas for a land use vision for the Auke Bay Center came up numerous times. Ultimately, the community came up with the following Land Use Vision:

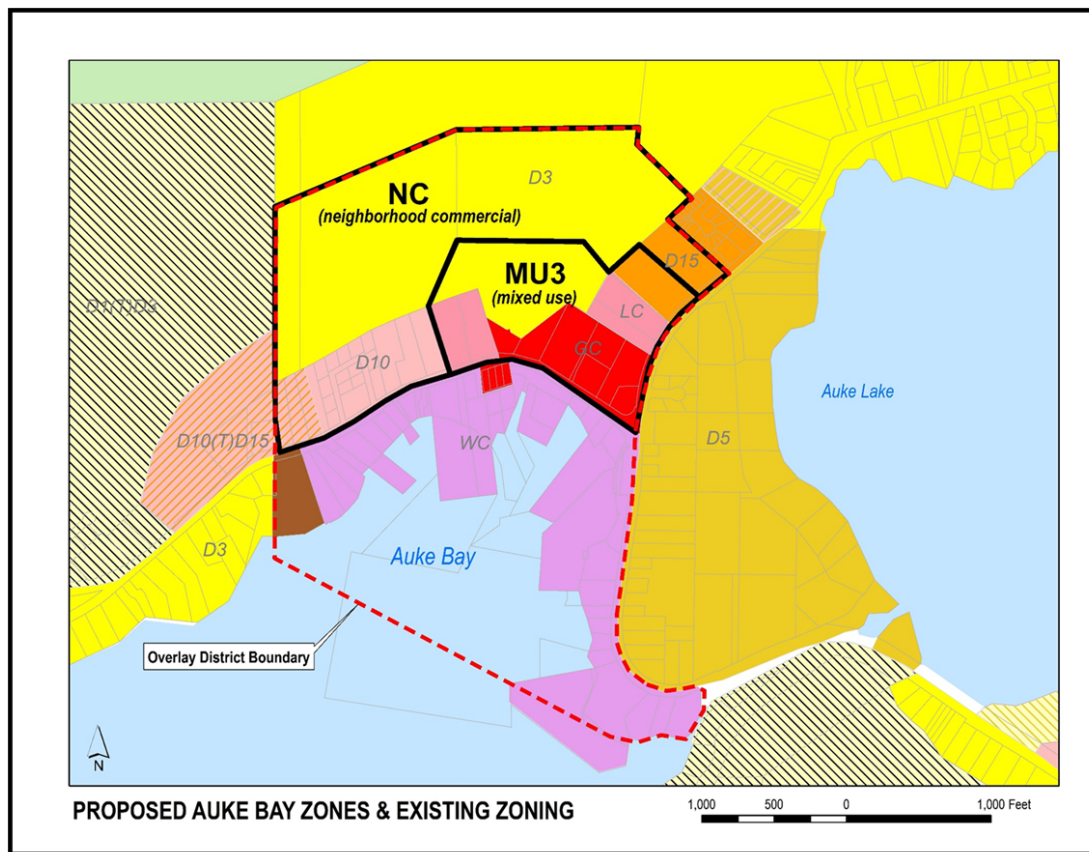
Land Use Vision for the Auke Bay Center (Auke Bay Area Plan: Chapter 1 Land Use, begins on page 6)

- Change the Marine/Mixed Use land use designation for the uphill portion of Glacier Highway to be more in line with the Traditional Town Center designation
- Build-to lines (i.e. small front yard setbacks)
- Building heights of at least two stories
- Buildings oriented toward the street
- Ground floor retail, offices; Upper-story residential and live/work units
- Interesting building facades for enhancing appearances
- Parking that is located in the rear, side or under buildings
- Hidden trash receptacles, loading docks, outdoor mechanical and electrical equipment
- Preserve scenic vistas and viewpoints
- Create a connected street grid with narrow streets, wide sidewalks and on-street parking in the Auke Bay Center
- Pedestrian Connections
- Street furniture, banners and plantings
- Park and Ride transit services
- Neighborhood park facilities
- An active Auke Bay Center

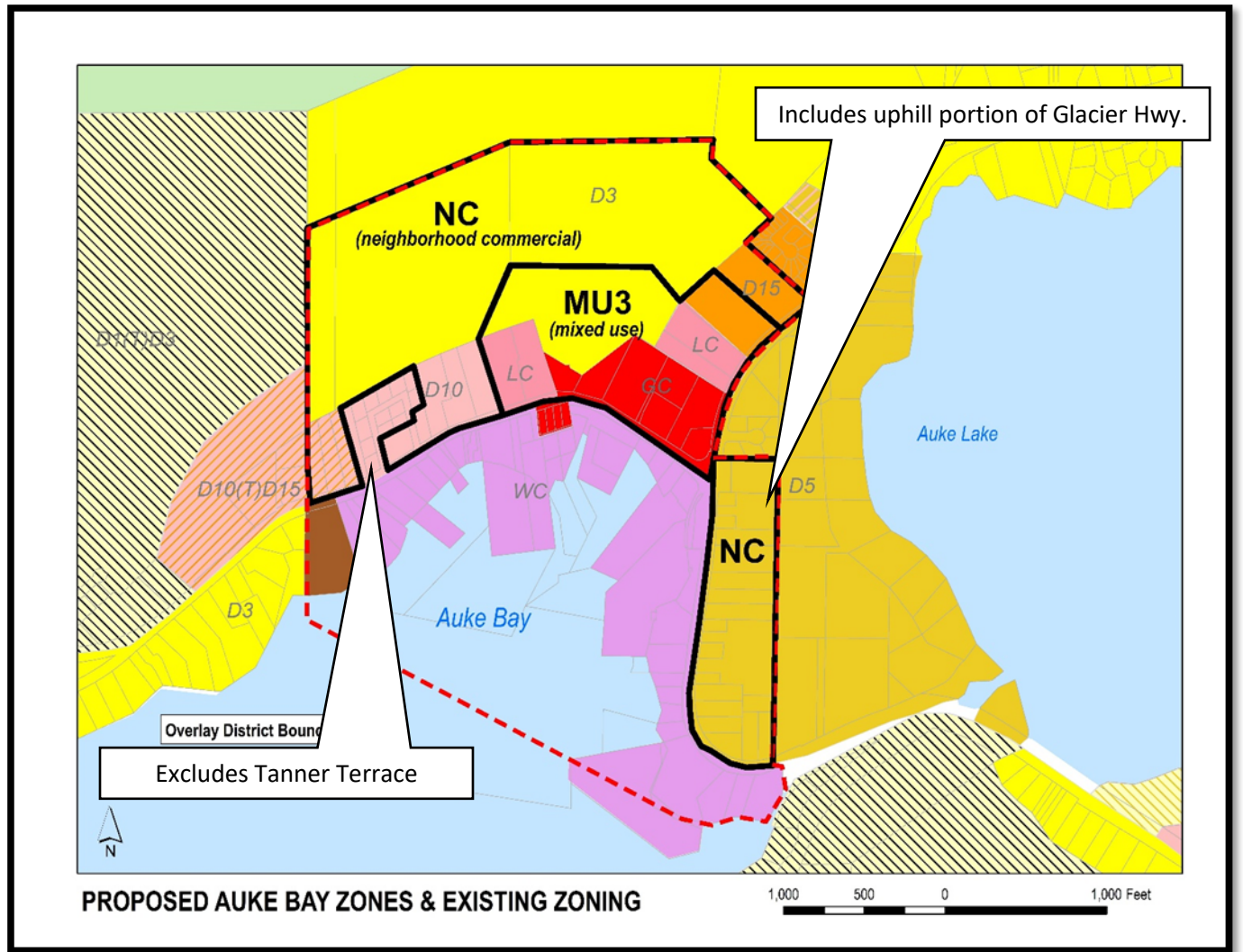
Auke Bay Center Boundary Map



Ad Hoc Committee Proposed Overlay District Boundary Map



Staff Proposed Overlay District Boundary Map



PROPOSED AUKE BAY REZONE (AME2015-0010)

CBJ is also initiating rezone request AME2015-0010 to rezone a portion of the Auke Bay Center from D3, D10, D10 (T) D15 and D15 to Neighborhood Commercial (NC) and rezone D3, LC and GC to Mixed Use 3 (MU3). The table below demonstrates how bonus points can be used to increase density, increase height restrictions or decrease parking requirements. The table below demonstrates how bonus points can be used based on the NC and MU3 zoning district requirements.

	NC		MU3	
FEATURE	REGULAR	BONUS	REGULAR	BONUS
Density per acre	15	30	30	50
Building Height	35 ft.	45 ft.	45 ft.	55 ft.
Parking Minimums		-30%		-30%

CBJ owns a 40 acre lot currently zoned D3. The proposed Auke Bay Rezone would rezone this lot to NC. The density of this lot would increase from three dwelling units per acre to 15 dwelling units per acre. The existing CBJ water

and waste water infrastructure will support this rezone. However, an immediate use of bonus points to increase density to 30 dwelling units per acre on such a large lot cannot be support at this time. Therefore, CBJ will abstain for the density increase until such a time when the water and waste water infrastructure is upgraded to support the additional density.

AUKE BAY OVERLAY DISTRICT STANDARDS

The proposed overlay district provides property owners with the option of incorporating building and site design features into their development. The overlay district standards also apply to existing buildings and site that incorporate all or some of the public benefits, site features or design standards. All bonus point applications will go before the Planning Commission for a public hearing.

Public Benefits

1. Platting new public rights-of-way - Platting new public rights-of-way is intended to encourage the dedication of private land for the future development of a publically connected and maintained street-grid system within the Auke Bay Overlay District, in order to facilitate development and improve vehicular and pedestrian circulation within the Urban Service Area.
 - Currently, most of the lots within the Auke Bay Center front on Glacier Highway, an AKDOT arterial. CBJ 49.35.210 (b) (3) (A) requires lots that access directly onto an arterial be a minimum of 36,000 square feet. This severely restricts subdivision potential.
 - In addition to increasing development potential, increased roadway connectivity can result in a safer transportation system for vehicles, pedestrians and bicyclists, and can reduce congestion.
 - The location and dimensions of new public rights-of-way will be determined by the CBJ Engineering Director.
2. Providing public parking on private property - Public parking on private property is intended to encourage a property owner to dedicate land for the benefit of public parking. A minimum of 12 parking spaces must be provided. Bonus points may be earned for each parking space provided over 12. The public parking area shall be paved, the parking spaces shall be striped, and a public parking sign must be installed and clearly visible from abutting public rights-of-way. The property owner will retain ownership of the lot and is responsible for all maintenance of the parking area. The owner may charge reasonable fees for use of the parking area.
 - Shared public parking lots can be used by patrons of multiple businesses.
 - Shared parking can reduce parking facility costs, allow for greater flexibility in facility location and site design, and encourage more efficient use of land.
 - Parking space dimensions would have to meet the parking requirements in CBJ 49.40.210 (b).
3. Mixed use structures - Property owners can earn bonus points when they combine residential and commercial/office uses on a single site or within the same structure.
 - Mixed use developments can increase foot traffic which can help support local businesses.
 - Mixed use developments can reduce the need for frequent vehicle trips which decreases the impacts on transportation infrastructure.
 - Mixed use developments would promote a village-style mix of retail, restaurants, offices, civic uses and multi-family housing, and would provide more housing opportunities and choices.

Building Design Standards

1. Ground floor transparency – Street facing building facades that provide at least 20% ground floor transparency either through windows or building entrances can earn bonus points.
 - Buildings with a high percentage of ground floor transparency can enhance the pedestrian experience and contribute to active, safe, comfortable streets.
 - Ground floor transparency in commercial spaces is a guiding principle in CPTED (Crime Prevention through Environmental Design). By creating more eyes on the street, pedestrians and businesses feel safer.
 - Ground floor transparency will help create interesting building facades and buildings that are pedestrian oriented.
2. Ground level entrances and canopies - Buildings that are designed to orient customers with recessed entryways, pedestrian oriented lighting and canopies can earn bonus points.
 - Building entrances that are clearly defined and pedestrian oriented can add to the appeal and character of a neighborhood.
 - Canopies help protect pedestrians from snow and rain and protect the public sidewalk for weather-related deterioration.

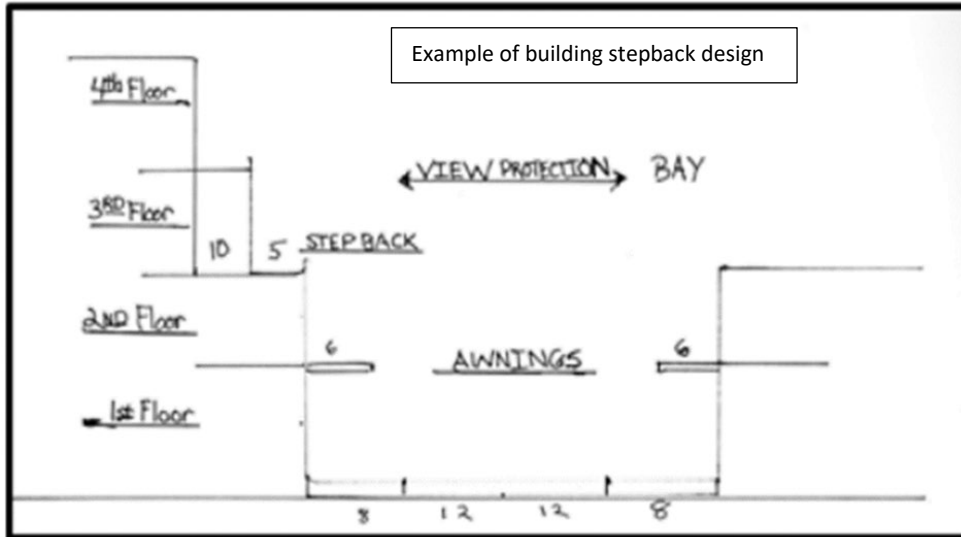
Site Features

1. Pedestrian Walkways – Pedestrian walkways are meant to provide safe, convenient connections between parking buildings and parking areas. Walkways must be at least 5 feet wide and separated from parking areas and right-of-ways with landscaping or a raised surface. Property owners can earn points for every 30 feet of walkway developed.
 - Pedestrian walkways will provide extra safety for pedestrians and promote walkability.
2. Covered Bike Racks – Property owners can earn bonus points when covered a bike rack with a minimum capacity for four bicycles is installed. The bike racks must be located near the building entrance.
 - Providing covered bike racks can encourage more residents to cycle and can make businesses more attractive to the cycling community.
3. Outdoor seating and landscaping – Property owners that provide outdoor seating during the summer months and year-round landscaping can earn bonus points.
 - These features will promote a pedestrian-friendly environment and improve the overall aesthetic of the Auke Bay Center.
4. Screening parking lots, outdoor electrical equipment, and trash receptacles – Property owners can earn bonus points by screening parking lots, electrical equipment and trash receptacles. Screening can be done with vegetation or fencing.
 - Screening can create a more aesthetically pleasing streetscape and can help visually unify multiple developments.

Preserving Views of Auke Bay and Statter Harbor

Property owners of structures that are at least two stories can earn bonus points for incorporating a building stepback approach into the construction design. This will help preserve views of Auke Bay and Statter Harbor for

abutting properties. Throughout the Auke Bay planning process and during the series of public meetings in 2018 and 2019, the community expressed how important view preservation is to character of the area.



SUMMARY OF PUBLIC COMMENT

A series of public meetings were held in Auke Bay. Staff received over 20 comments in person, on comment cards, and by email. These meetings were publicly noticed on the CBJ calendar. Ad Hoc Committee meetings were also open to the public. No public testimony was taken and attendees were encouraged to submit written comments to staff following. Written comments were read prior to the start of each meeting and those comments informed the decisions made at the Ad Hoc Committee meetings. The Planning Commission took public comment on the proposed zoning districts at a Committee of the Whole meeting dated December 15, 2020. A summary of all written comments received was included in the AME2015-10 staff report. The following comments related directly to the Auke Bay Overlay District.

NAME	ADDRESS	COMMENTS FROM NEIGHBORHOOD MEETINGS AND AD HOC COMMITTEE MEETINGS
Mike Allen	Oxford Street	Concerned about preserving views and lack of parking for new development.
Molly Hodges	Auke Bay Station Condos	Believes a property tax incentive is the best way to encourage design standards. Likes the pedestrian-

		friendly features. Does not like the height increases.
Jack Hodges	Auke Bay Station Condos	Bonus points may be useful but does not like using bonus points to increase heights.
Denise McPheso	Auke Bay	Preserve all views – public and private

CONFORMITY WITH ADOPTED PLANS

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

Compliance with the Comprehensive Plan –

2013 COMPREHENSIVE PLAN – The proposed rezone is in compliance with the 2013 Comprehensive Plan.			
Chapter	Page No.	Item	Summary
3	17	Principle	<i>Design on a Human Scale - Compact, pedestrian-friendly communities allow residents, workers and visitors to walk to shops, services, cultural venues, and jobs, reduce traffic congestion and improve people's health. Commercial space should face the street and should mimic a traditional Main Street development pattern with clear display windows, multiple entrances, all weather canopies and seating areas. There should be no blank walls facing public streets or walkways. Parking should be provided in the rear of structures with access roadways limited to side streets. Pedestrian pathways should be well-lit and protected from rain and snow.</i>
3	18	Principle	<i>Provide Choices - People want variety in housing styles and size and want conveniently accessible shopping, recreation, entertainment, transportation and employment. A variety of pedestrian-friendly uses creates dynamic neighborhoods and accommodates residents in different stages of their lives. Residential densities should be a minimum of 10 dwelling units per gross acre of land within the development with higher densities of 30 to 80 units per acre encouraged. These densities facilitate the efficient provision of frequent transit service, convenient shops and services, affordable development, and help create a vibrant street life.</i>
3	20	Policy 3.2	TO PROMOTE COMPACT URBAN DEVELOPMENT WITHIN THE DESIGNATED URBAN SERVICE BOUNDARY AREA TO ENSURE

2013 COMPREHENSIVE PLAN – The proposed rezone is in compliance with the 2013 Comprehensive Plan.			
			<i>EFFICIENT UTILIZATION OF LAND RESOURCES AND TO FACILITATE COST EFFECTIVE PROVISION OF COMMUNITY SERVICES AND FACILITIES WHILE BALANCING PROTECTION OF NATURAL RESOURCES, FISH AND WILDLIFE HABITAT AND SCENIC CORRIDORS.</i>
10	134	Policy 10.6	<i>TO REQUIRE NEW RESIDENTIAL DEVELOPMENTS TO MEET MINIMUM CRITERIA FOR OVERALL SITE DESIGN INCLUDING PROVISION OF LIGHT, AIR AND PRIVACY.</i>
10	134	Policy 10.6 – IA1	<i>Continue existing incentives and develop additional incentives to encourage and reward excellence in site design and provision of amenities or facilities, particularly those related to preservation of natural terrain and vegetation, building orientation to maximize energy efficiency and privacy, and screening the parking in medium-to-high density developments. These incentives may include lower permit fees and/or permit expediting services.</i>

Compliance with the Auke Bay Area Plan -

2015 AUKE BAY AREA PLAN – The proposed rezone is in compliance with the Auke Bay Area Plan.			
Chapter	Page No.	Item	Summary
1	6	Land Use Vision	<i>Create a village-like setting with ground floor commercial and residential above, parking located at the rear, side or under buildings, pedestrian-oriented buildings constructed close to the right-of-way while preserving key view sheds.</i>
1	13	Goal 1	<i>Develop Auke Bay as a community to live, learn, work, shop and recreate within</i>
1	13	Goal 3	<i>Coordinate and support the development of an Auke Bay hub that serves the needs of the University, the harbors, businesses and residents.</i>

AGENCY REVIEW

CDD conducted an agency review comment period between 5/21/2021 – 6/4/2021. Agency review comments can be found in Attachment D.

Agency	Summary
CBJ Streets	No concerns at this time.
CBJ Assessor	No comments received as of the writing of this report.
Alaska Department of Transportation	<i>Traffic & Safety – See agency comments</i> <i>ROW –See agency comments</i>

Agency	Summary
General Engineering	<i>CBJ utilities can support the density increase proposed under AME15-10. Water and waste water utilities will need to be upgraded in order to support the densities allowed under the Auke Bay Overlay District.</i>
Building	No issues with this project at this time.
Capital City Fire/Rescue	No comments received as of the writing of this report.

FINDINGS

In accordance with CBJ 49.75 the Director makes the following findings on the proposed text amendment.

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

Analysis: The proposed amendment is generally consistent with the overall vision of the 2013 Comprehensive Plan.

Finding: Yes. The proposed text amendment complies with the 2013 Comprehensive Plan and the 2015 Economic Plan.

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

Analysis: The proposed amendment was drafted with the purpose and intent of Title 49 taken into account. If approved, drafted code will be consistent with the above purposes.

Finding: Yes, The proposed development complies with the purpose and intent of Title 49. Additionally, the proposed amendments do not create any inconsistencies within the code.

RECOMMENDATION

Staff recommends the Planning Commission ADOPT the Director's analysis and findings and forward a recommendation of APPROVAL to the Assembly for a text amend the CBJ Land Use Code to create the Auke Bay Overlay District with an amended boundary map that includes properties east of Auke Bay along the uphill side of Glacier Highway and removes the Tanner Terrace Subdivision.

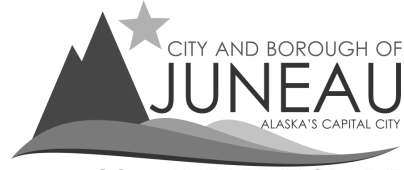
Note that CBJ will not use a density bonus until water and waste water utilities can be upgraded.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Abutters Notice
Attachment B	Auke Bay Overlay District Draft Ordinance
Attachment C	Public Comments
Blue Folder Item	Agency Comments

Invitation to Comment

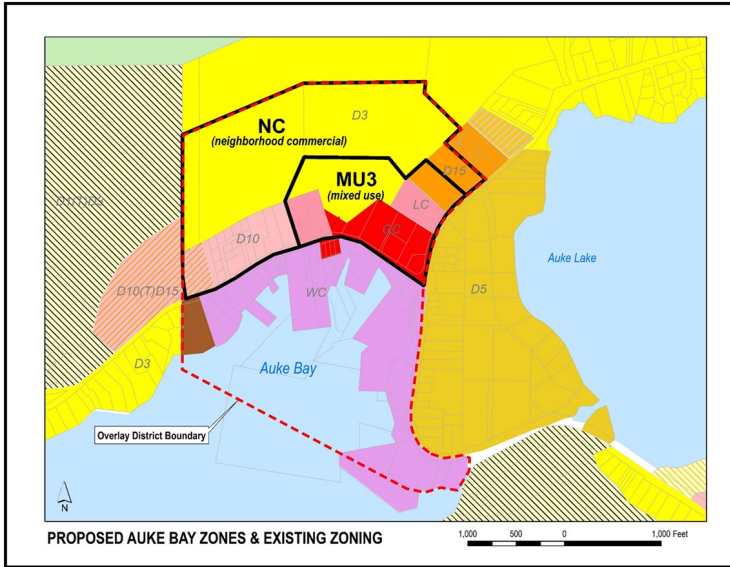
On a proposal to be heard by the CBJ Planning Commission
Your Community, Your Voice



COMMUNITY DEVELOPMENT

155 S. Seward Street Juneau, Alaska 99801

TO:



A rezone and text amendment are being proposed to rezone a portion of the Auke Bay Center to Mixed Use 3 and Neighborhood Commercial, and the creation of the Auke Bay Overlay District.

TIMELINE

Staff Report expected to be posted **Tuesday, June 1, 2021** at <https://juneau.org/community-development/planning-commission>. Find hearing results, meeting minutes and more here as well.

March 27 noon, June 7

Comments received during this period will be sent to Commissioners to read in preparation for the hearing. If you have previously submitted written comments those have already been included in the staff report.

HEARING DATE & TIME: 7:00 pm, June 8 2021

This virtual meeting will be by video and telephonic participation only. To join the Webinar, <https://juneau.zoom.us/j/95600342842>. The Webinar ID is: 956 0034 2842. To join by telephone, call: 1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 929 436 2866 or +1 301 715 8592 or +1 312 626 6799 and enter the Webinar ID.

June 9

The results of the hearing will be posted online.

Phone: (907)586-0715 ♦ Email: pc_comments@juneau.org
Mail: Community Development, 155 S. Seward St, Juneau AK 99801
Printed June 1, 2021 ATTACHMENT A - PUBLIC NOTICE

Case No.: AME2015-10 and AME2021-05
Parcel No.: Multiple parcels
CBJ Parcel Viewer: <http://epv.juneau.org>

Presented by: The Manager
Introduced: 06/08/2021
Drafted by:

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-XX

An Ordinance Amending the Land Use Code Relating to the Auke Bay Overlay District

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

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

Section 2. Amendment of Chapter. Chapter 70 is amended by adding a new article XIII to read:

ARTICLE XIII. AUKE BAY OVERLAY DISTRICT

49.70.1300 Purpose.

The purpose of the Auke Bay Overlay District is to implement the Auke Bay Area Plan Vision through design standards and development bonuses that promote the creation of a lively, village-like setting. Bonuses may be earned by providing a combination of design amenities and public benefits recommended by the Auke Bay Area Plan, which was adopted into the Comprehensive Plan.

49.70.1310 Applicability.

Auke Bay Overlay District. This article applies to parcels located within the Auke Bay Overlay District as shown on the map dated August 30, 2019. Bonus points may be granted for any multi-family or commercial development within the Auke Bay Overlay District boundary.

49.70.1320 Relationship to Existing Zoning.

This article applies only to parcels within the Auke Bay Overlay District. This article provides the option for developers to earn bonus points by providing public benefits and/or design standards as recommended in the Auke Bay Area Plan. If a developer chooses to earn bonus

points a minimum of 10 percent of bonus points must be earned by providing design standards. Bonus points may be used to increase density, increase building height, or reduce minimum parking requirements. All other requirements of the underlying zoning district apply.

49.70.1330 Auke Bay Overlay District procedure.

(a) *Auke Bay Overlay District Permit.* The board of adjustment shall hear all applications pursuant to this article.

(b) *Pre-application Conference.* Prior to submission of an application, the developer shall meet with the director for the purpose of discussing the site, the proposed development activity, and the public benefits, design standards and bonuses being proposed. The developer must show the nature and extent of such bonuses in the Auke Bay Overlay District application.

(c) *Application.* The developer shall submit to the director one copy of the completed permit application together with all supporting materials and the permit fee.

(d) *Director's review procedure.*

(1) The director shall endeavor to determine whether the application accurately reflects the developer's intentions, shall advise the developer whether or not the application is acceptable; and, if it is not, what corrective action may be taken.

(2) After accepting the application, the director shall schedule it for a hearing before the planning commission and shall give notice to the developer and the public in accordance with section 49.15.230.

(3) The director shall forward the application to the board of adjustment together with a report setting forth the director's recommendation for approval or denial, with or without conditions together with the reasons therefore. The director shall make the determinations specified in subsection (d) (5) of this section.

(4) Copies of the application or the relevant portions thereof shall be transmitted to interested agencies as specified on a list maintained by the director for that purpose. Referral agencies shall be invited to respond within 15 days unless an extension is requested and granted in writing for good cause by the director.

(5) Even if the proposed development complies with all the requirements of this title and all recommended conditions of approval, the director may nonetheless recommend denial of the application if it is found that the development:

(A) Will materially endanger the public health or safety;

(B) Will substantially decrease the value of or be out of harmony with property in the neighboring area; or

(C) Will not be in general conformity with the land use plan, Auke Bay Area Plan, or other officially adopted plans.

(e) *Review of director's determinations.*

(1) At the hearing on the Auke Bay Overlay District permit, the board of adjustment shall review the director's report to consider:

- (A) Whether the proposed development is appropriate according to the Auke Bay Overlay District;
- (B) Whether the application is complete; and
- (C) Whether the development as proposed will comply with the other requirements of this title.

(2) The board of adjustment shall adopt the director's determination on each item set forth in paragraph (1) of this subsection (e) unless it finds, by a preponderance of the evidence, that the director's determination was in error, and states its reasoning for each finding with particularity.

(f) *Board of Adjustment determinations.* Even if the board of adjustment adopts the director's determinations pursuant to subsection (e) of this section, it may nonetheless deny or condition the permit if it concludes, based upon its own independent review of the information submitted at the hearing, that the development will more probably than not:

- (1) Materially endanger the public health or safety;
- (2) Substantially decrease the value of or be out of harmony with property in the neighboring area; or
- (3) Lack general conformity with the comprehensive plan, Auke Bay Area Plan, or other officially adopted plans.

49.70.1340 Auke Bay Overlay District Standards.

Structures or sites existing on the date this ordinance was adopted, that contain all or some of the public benefits, site features and design standards may earn bonus points. The process for earning bonus points for existing structures or sites is the same as with new development.

(a) Public benefits.

(1) *Platting new public rights-of-way.* Platting new public rights-of-way is intended to encourage the dedication of private land for the future development of a publically connected and maintained street-grid system within the Auke Bay Overlay District, in order to facilitate development and improve vehicular and pedestrian circulation within the Urban Service Area.

Feet of public right of ways	Standard	Points Earned
25		8

50	All platted public rights-of-way shall be consistent with the public right-of-way width standard for streets other than arterials and connectors, as found in Chapter 49.35.	16
75		24
100		32

(2) *Providing public parking on private property.* Public parking on private property is intended to encourage a property owner to dedicate land for the benefit of public parking. A minimum of 12 parking spaces must be provided. Bonus points may be earned for each parking space provided over 12. The public parking area shall be paved, the parking spaces shall be striped, and a public parking sign must be installed and clearly visible from abutting public rights-of-way. The property owner will retain ownership of the lot and is responsible for all maintenance of the parking area. The owner may charge reasonable fees for use of the parking area.

Parking Spaces Provided	Standard	Points Earned
12 or more	Bonus points may be earned for public parking providing 12 or more spaces.	1 point per space, twelve and above

(3) *Mixed use structures.* Mixed use structures is intended to encourage mixed-use structures that combine medium- to high-density residential uses with compatible commercial uses on a single site or within the same structure.

Residential/Commercial floor area ratio	Points Earned
1:1	8 points
2:1	12 points (16 points for zoning districts with height restrictions of 35' including maximum height with bonuses)
3:1	16 points (24 points for zoning districts with height restrictions of 45' including maximum height with bonuses)
4:1	24 points

(b) *Building Design Standards.* Building design standards are intended to encourage the inclusion of specific design standards within new development, and additions or exterior improvements to existing structures. The building design standards represent the vision of future development in the Auke Bay Center, as identified in the Auke Bay Area Plan. A minimum of 10 percent of all bonus points earned must be earned from design standards.

Design Standards		Points Earned
Street facing building facades	Windows and building entrances shall comprise at least 20% of the ground floor wall area for all non-residential uses. Street facing façade windows shall be no more than 4 feet above finished grade.	3 points for every 20% transparency
Ground level entrances	Entryways shall be designed to orient customers with attractive architectural features, such as a recessed entryway, pedestrian oriented lighting, and weather protection. Each public entrance shall be clearly defined and highly visible.	3 points for each entryway
Canopies covering or facing public right-of-ways and improved pedestrian walkways	Canopies shall span the entire frontage of the building and shall meet CBJ canopy standards.	4 points for every 20' of canopy

(5) Site Features. Site features are intended to encourage the installation of features that promote pedestrian safety and create interesting and inviting outdoor spaces.

Site Feature	Standard	Points Earned
Pedestrian walkways	Pedestrian walkways shall provide a direct route from a right-of-way or parking area to the building's main entrance, as determined by the director; be a minimum of 5 feet wide; separated from a parking area or right-of-way with landscaping or a raised surface of at least 6 inches; consist of a walking surface other than dirt or gravel; connect to a	3 points per 30' of walkway

	pedestrian walkway on an abutting lot when possible	
Covered bike rack	Bike rack(s) shall be installed near a building's ground level entrance; have a minimum capacity of four bikes. Bike racks shall be covered and shall be compatible with a U lock, as recommended in the Juneau Non-Motorized Transportation Plan.	1 point per bike rack
Outdoor seating	Outdoor seating shall consist of at least one bench or one table and seat at least four people; be secured to the ground or building; be provided during the summer months, at a minimum	1 point per bench or table
Outdoor Planters or Landscaping	Outdoor planters or Landscaping shall span a minimum of 25 percent of the building right-of-way facing façade(s); contain live, non-invasive plant(s); shall be designed and located in a manner that does not interfere with site distance from public right-of-ways or pedestrian walkways, as determined by the director	1 point for every quarter of the building façade with planters or landscaping

(6) *Screening*. Screening is intended to preserve and enhance the aesthetic value of the Auke Bay Center by minimizing views of specific parts of properties or structures from streets, pedestrian walkways, or abutting properties when the specific part(s) of property or structure are located within 30 feet of a property line, public rights-of-way, or pedestrian walkway.

Structures to be screened	Standard	Points Earned
Above ground parking lots	Screening shall be four feet tall and shall consist of sight obscuring landscaping	3 points per parking lot

	or a sight obscuring fence or wall. Parking areas do not need to be screened from pedestrian walkways that intersect the parking area.	
Recycle and trash receptacles; above ground oil, gas, water or wood pellet storage containers; Freestanding utility, mechanical and electrical boxes	Screening shall be as tall as the structure or object being screened; shall consist of sight obscuring landscaping, a sight obscuring fence or wall, murals or other forms of public art, or other methods that meet the purpose of this section, as determined by the Planning Commission	1 point each

(7) *Preserving views of Auke Bay and Statter Harbor.* Preservation of the view is intended to protect the aesthetic value of private property by encouraging developers of structures greater than two stories to preserve the view(s) of Auke Bay and Statter Harbor from abutting properties, as determined by the planning commission.

Building Stepback	Points Earned
Every 25% reduction of the footprint of the ground floor.	8 points

49.70.1350 Using Bonus Points

(a) *Density Bonus.* The allowable density of dwelling units per acre may be increased based on bonus points earned. Density increase shall be rounded to the nearest whole number.

Bonus Points Needed	NC	MU3	WC
Standard Zoning	15 units per acre	30 units per acre	18 units per acre
8 points	17 units per acre	35 units per acre	21 units per acre
16 points	19 units per acre	38 units per acre	24 units per acre
24 points	21 units per acre	42 units per acre	27 units per acre
32 points	25 units per acre	50 units per acre	30 units per acre

(b) *Height Bonus.* Bonus points for increased height are not allowed in the Waterfront Commercial zoning district.

Bonus Points Needed	NC	MU3
0 points	35' / 25'	35' / 25'
6 points	45' / 35'	45' / 35'
12 points		55' / 45'

(c) *Reduce minimum parking requirements.* The maximum allowed parking reduction in the Auke Bay Overlay District is 30 percent of the total number of parking spaces required for all uses on the site. Dimensional standards for parking and off-street loading in 49.40.210 shall apply.

Bonus Points Needed	Parking Reduction
0 points	Parking as required in 49.40
6 points	10% reduction
10 points	15% reduction
15 points	20% reduction
22 points	25% reduction
30 points	30% reduction

Section 3. Amendment of Section. CBJ 49.85.100 Generally, is amended to read:

(10) Board of adjustment.

- (A) Administrative variance, \$120.00;
- (B) Non-administrative variance, \$400.00;
- (C) Alternative development permit, \$400.00;
- (D) Auke Bay overlay district permit, \$400.00.

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

Adopted this _____ day of _____, 2019.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk

- Thanks for all the amazing
- work you all are doing
- 2 comments
 - 1) Access - please preserve Spaulding Meadows + Trail System - it is used year round by hundreds of Genevieve
 - 2) Please preserve all view sheds public + private they are critical *Thanks McPherson Denise*



COMMENT CARD

Could you get an architect to come
up with a digital image(s) of what
Hutch Bay could look like in the future.
Buildings, sidewalks, parking areas



COMMENT CARD

1st I do appreciate Attention efforts to present the info & mitigate the ~~attention~~ concerns.

Spent out of your Power Point would be helpful to follow what you are trying to explain. This is all very complex for non-planners.

The majority of people in outlying do NOT want so much ↑ density as is currently allowed. The new zoning ↓ density BUT allows ↑ with the point system. I would like to see no allowances to go up to 55'. 50 units/acre seems too much.

Views are blocked by high building, shade is created, sun is blocked. Views make outlying special -

20-50' building line, this way.



June 19, 2012

COMMENT CARD

The bonus points may be useful, BUT it is not fair to use the bonus points to allow increased HEIGHT when property owners behind the development lose a huge part of their property value, and ^{the} reason they live there

Jack Lodge



COMMENT CARD

June 18, 2019

Object to having "Docks"
to allow developers to build
fishers.
Opposed pedestrian friendly
planning
Project absolutely civic ships
in harbor.

Mary Rogers

From: [Molly Hodges](#)
To: [Allison Eddins](#)
Subject: Auke Bay zoning considerations
Date: Wednesday, June 19, 2019 10:08:28 PM

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

Dear Allison (and Alex),

Thank you for tonight's meeting. I appreciate how you field questions and address concerns with tact and candor while moving the agenda forward.

Nice that there is a means for the community's valid concerns and good ideas to be addressed as the proposed zoning changes are being drafted.

I did leave a few sketched recommendations on the orange card tonight, but thought of two additional ones.

- 1) I think the best incentive to encourage developers to seek points is a property tax incentive.
- 2) I also think that clear, accurate wording is of utmost importance. When CBJ says the height of a building is to be limited to x-amount of feet high, that is what it should be. As I understand it, it is not so. It is x-amount to mid- pitch. That's misleading, confuses the issue and is not helpful.

Molly Hodges
Auke Bay Station future resident

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

APL2021 0001 - Compliance Hearing on ENF2021 0015

AGENDA ITEM:

Case No. APL2021 0001 A&S Rentals v. CDD

Appellant: A&S Rentals, LLC

Appellee: CBJ Community Development

ATTACHMENTS:

Description	Upload Date	Type
☐ Notice of Appeal for APL2021 0001	5/13/2021	Application
☐ Appellant Opening Brief	6/4/2021	Appeal
☐ Appellee Opening Brief	6/4/2021	Appeal
☐ Appellant's Witness List	6/2/2021	Appeal
☐ Appellant Stipulation of Undisputed Facts Part 1	6/2/2021	Appeal
☐ Appellant Exhibit 1 - Part 2	6/2/2021	Appeal
☐ Appellant Exhibit 2 - Part 3	6/2/2021	Appeal
☐ CDD Witness List & Exhibits Part 1	6/2/2021	Appeal
☐ CDD Witness List & Exhibits Part 2	6/2/2021	Appeal
☐ CDD Witness List & Exhibits Part 4	6/2/2021	Appeal
☐ CDD Witness List & Exhibits Part 3	6/2/2021	Appeal



NOTICE OF APPEAL OF DIRECTOR'S DETERMINATION

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

APPELLANT'S CONTACT INFORMATION

A & S RENTALS

AandSrentals907@gmail.com

(907) 723-6473

Appellant's Name (please print)

E-mail Address

Phone

PO Box 32684

Juneau

AK 99803

Mailing Address

City

State

Zip

X

Todd A. Araujo
Appellant's Signature

DECISION THAT IS BEING APPEALED*

Zoning Compliance Orders issued for Case No. ENF20210015

Date of Director's Determination March 10, 2021

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

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

APPEAL SPECIFICS (please fill in all that apply)

Parcel Number 2D04020D0020, 2D04020A0140, 2D04020D0030

Zoning District D18

Case Number ENF20210015

Title 49 Code Section 49.10.620

Current Use of Land or Buildings Multi-family apartments

Proposed Use of Land or Buildings _____

Other _____

ALL REQUIRED MATERIALS ATTACHED

☒ Complete Application

☒ Appeal Decision

☒ Narrative including:

☒ Grounds for Appeal

☐ Specific questions you would like the Planning Commission to address

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

APPEAL FEES	Fees	Check No.	Receipt	Date
Notice Fees	\$ <u>200.00</u>			
Refund (Yes/No)	\$ _____			
Total Fee	\$ <u>200.00</u>			

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Case Number

Date Received/Intake Initials

APL 2-1-CC1

3/30/21 *[Signature]*

Appeal Submittal Information

Appeals of Director's Determination is outlined in CBJ 49.20.110

Notice of Appeal Submittal Date: Review by the Planning Commission of the decision of the Director, may be requested by filing a notice of appeal stating with particularity the grounds therefore with the Community Development Department **within 20 days of the date of the decision appealed.**

Notice of Appeal Submittals: These items are needed for the Planning Commission to make a determination:

1. **Forms:** A completed Notice of Appeal form including the appellant's signature.
2. **Fees:** The fee for an Appeal of Director's Determination is \$200. The fee will be refunded if the applicant prevails.
All fees are subject to change.
3. **Appeal Description:** A detailed letter or narrative describing the findings, issues, concerns, grounds for appeal, and what you want the Planning Commission to specifically address
4. **Submittals:**
 - A. Document stating the date of the Director's Determination
 - B. Copy of the Director's Determination
 - C. Photos/plans relating to the appeal (if applicable)

Document Format: All information submitted shall be either of the following formats:

- A. Electronic copies may be submitted by CD, DVD or E-mail in the following formats: .doc, .txt, .xls, .bmp, .pdf, .jpg, .gif, .xlm, .rtf or other formats pre-approved by the Community Development Department
- B. Paper copies may not be larger than 11" X 17" in size (Unless an alternate paper size is preapproved by the Community Development Department)

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

49.20.110 - Appeals to the Planning Commission.

- (a) Review by the commission of a decision of the director, may be requested by filing a notice of appeal stating with particularity the grounds therefor with the department within 20 days of the date of the decision appealed. The notice shall be considered by the commission at a regular scheduled meeting. The department and any aggrieved person, including the developer, may appear at that meeting and explain to the commission why it should hear the appeal. The appeal shall be heard unless it presents only minor or routine issues and is clear from the notice of appeal and any evidence offered at the consideration thereof, that the decision appealed was supported by substantial evidence and involved no policy error or abuse of discretion.
- (b) If the commission decides to hear the appeal, it shall announce whether it intends to review the entire decision, or merely a portion thereof and whether review shall be de novo or on the record. If the commission decides to hear the appeal, it shall give public notice thereof in a newspaper of general circulation in the municipality. The department shall prepare the record on appeal, which shall consist of the original application and supporting materials, written public comment thereon, and all notes, memoranda, minutes and other department material in relation thereto. The burden of proof in the appeal shall be on the party challenging the decision of the director. In a hearing de novo, proof shall be established by a preponderance of the evidence. If the appeal is heard on the record, argument may be heard, but no evidence outside the record shall be admitted and the decision of the department shall be upheld if there is substantial evidence in support thereof and no policy error or abuse or discretion therein. The commission may confirm, reverse, or modify the director's decision, or change the conditions which the director placed on approval. The commission shall support its action with written findings.
- (c) Upon its own motion, the commission may certify a case directly to the assembly without review, hearing or recommendation.

(Serial No. 87-49, § 2, 1987; Serial No. 92-10, § 3, 1992; Serial No. 95-35, § 4, 1995; Serial No. 97-01, § 6, 1997)

CITY AND BOROUGH OF JUNEAU
PLANNING COMMISSION

A & S RENTALS LLC,
Appellant.

CBJ CASE NO.: ENF20210015

Appeal No. _____

NOTICE OF APPEAL/REQUEST FOR HEARING

Pursuant to CBJ 49.10.620, Appellant A & S Rentals, through counsel Simpson, Tillinghast, Sheehan & Araujo, P.C., hereby appeals and requests a hearing relative to the Zoning Compliance Orders issued by City & Borough of Juneau ("CBJ") Community Development Department ("CDD") dated March 10, 2021 and mailed on March 11, 2021¹ on Case No. ENF20210015.²

1. The name, mailing address, telephone number and email address of the Appellant is set forth on the attached Notice of Appeal of Director's Determination.

2. The Appellant is represented by Simpson, Tillinghast, Sheehan & Araujo, P.C., and this Notice of Appeal provides verification that attorneys James J. Sheehan and Todd J. Araujo are authorized to sign and file this Notice of Appeal on behalf of Appellant.

3. A copy of the Compliance Orders are attached as Exhibit 2.

4. The grounds for appeal are as follows:

- a. CDD's decision regarding the zoning compliance orders is not supported by substantial evidence;
- b. CDD's decision regarding the zoning compliance orders is arbitrary and capricious;
- c. CDD's decision regarding the zoning compliance orders does not take into consideration CBJ's Housing Action Plan and Comprehensive Plan as it

¹ See USPS Tracking History enclosed hereto as Exhibit 1.

² Pursuant to CBJ 69.10.620(d), Appellant has 15 days within which to request a hearing before the planning commission to review the zoning compliance orders. And because the zoning compliance orders were served by mail, Appellant is entitled to three additional extra days within which to make such a request. See CBJ 01-50.250(b). And if the filing date falls on a Saturday, Sunday, or a legal holiday, the filing due date runs until the next business day. See CBJ AS 01-50.250(a). Given that the zoning compliance orders were sent out on March 11, 2021, the request for a hearing must be filed by March 30, 2021. See CBJ 01.50.250 (the 18th day falls on March 29, 2021 (Seward's Day) which is a legal holiday, thereby establishing that the notice to request a hearing is due on the next business day, March 30, 2021).

relates to the removal of 5 residential housing units for residents of Juneau;
and

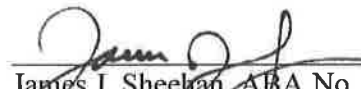
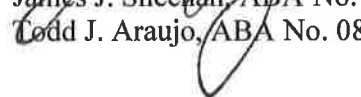
d. CDD is barred from enforcing the subject zoning compliance orders based on the doctrines of (i) laches, (ii) waiver, and (iii) equitable estoppel.

5. In accordance with CBJ 49.10.620(e), the relief requested by the Appellant is the rescission of the subject zoning compliance orders.

Appellant respectfully rejects CDD's compliance order determinations and reserves its right to supplement its legal arguments and grounds for appeal either in written briefs filed in advance of the hearing and/or at the hearing.

DATED at Juneau, Alaska this 30th day of March, 2021.

SIMPSON, TILLINGHAST, SHEEHAN & ARAUJO, P.C.
Attorneys for Appellant


James J. Sheehan, ABA No. 0506056

Todd J. Araujo, ABA No. 0806040

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 30, 2021, a true and correct copy of this document was served on the following by email:

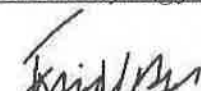
City & Borough of Juneau:

Nate Watts, Code Compliance Officer
Nate.Watts@juneau.org;

Jill Maclean, CDD Director
jill.maclean@juneau.org

Charlie Ford, Building Code Official
Charlie.Ford@juneau.org

Sherri Layne, Assistant City Attorney
Sherri.Layne@juneau.org


Tania Wesser

SIMPSON, TILLINGHAST, SHEEHAN & ARAUJO, P.C.
One Sealaska Plaza, Suite 300
Juneau, Alaska 99801
Phone: (907) 586-1400 Fax: (907) 586-3065

3/23/2021

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 Delivered

March 12, 2021 at 12:20 pm
Delivered, Left with Individual
JUNEAU, AK 99801

[Feedback](#)

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March 12, 2021, 12:20 pm
Delivered, Left with Individual
JUNEAU, AK 99801
Your item was delivered to an individual at the address at 12:20 pm on March 12, 2021 in JUNEAU, AK 99801.

March 12, 2021, 6:30 am
Out for Delivery
JUNEAU, AK 99801

3/23/2021

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March 12, 2021, 6:19 am
Arrived at Post Office
JUNEAU, AK 99803

March 11, 2021, 3:29 pm
USPS in possession of item
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FAQs

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

March 10, 2021

Certified Mail Receipt Number
7017 3380 0000 4580 4246

A & S Rentals LLC
2339 Meadow Lane
Juneau, AK 99801

Parcel No: 2D04020D0020
Case No.: ENF20210015

Subject: Zoning Compliance Order
1506 Second Street, Capital View Block D Lot 2

On November 5, 2020, the City & Borough of Juneau (CBJ) issued a *Nonconforming Certificate* for 1506 Second Street to Glenn Bo, the owner and trustee of the Asbjorn and Marit Bo Trust. Based on staff's analysis and findings, the certificate was issued to determine nonconforming residential density and parking. The findings included analysis for the number of dwelling units and parking that are certified nonconforming. The remaining situation, two dwelling units, was not certified and deemed noncompliant. A & S Rentals LLC is being notified as the owner listed on the attached Deed of Trust, recorded on February 10, 2021, and the responsible party to bring the structure into compliance. This Compliance Order requires your immediate attention and action. You are on notice that the CBJ intends to pursue legal action to secure your compliance with the order and with CBJ Title 49, as necessary.

Relevant Facts

The nonconforming certification application was for a six-unit dwelling. The 1972 building permit application located in the parcel file approved construction of a four-unit dwelling, as was the maximum permissible under the zoning district at the time of the 1972 application. Current zoning regulations allow for three dwelling units. One unit is legally nonconforming per the 1972 building permit application. The current and historical zoning regulations would not permit the construction of a six-unit apartment building on this property, and there is no record granting approval to construct or alter the structure to create two additional dwelling units. Please see the attached November 5, 2020 Nonconforming Certificate, NCC2020 0066 containing the full details and findings provided by the Director.

Violation

CBJ 49.25.400, the Table of Dimensional Standards sets the required dimensional standards for properties according to the zoning district. A minimum of 2,500 square feet is required per dwelling unit for the property located in a D18 zoning district. The lot is approximately 7,000 square feet, which allows three units. One additional unit was approved in 1972 with Building Permit 8841, and found nonconforming and certified with NCC2020 0066. The additional two dwellings remain in violation and are noncompliant.

A & S Rentals LLC
Case No.: ENF2021 0015
March 10, 2021
Page 2 of 3

Enclosed Public Record

Enclosed are copies of the public records that establish your ownership of the property, as well as your ownership of the licensed business represented on the Deed. Also included are the CBJ's GIS parcel details, verifying the property location in a D18 zoning district and other relevant information.

1. Warranty Deed, Capital View Block D Lot 2, according to the official plat, filed under plat number 448, records of the Juneau Recording District, file no.: 0231-3636274
2. CBJ GIS Parcel Tax ID 2D04020D0020 Detail
3. A & S Rentals, LLC Entity 10149162 Details, State of Alaska, Dept. of Commerce, Community & Economic Development, Division of Corporations, Business & Professional Licensing

As the legal owner of 1506 Second Street, you are directed to comply with CBJ 49.25.400.

YOU ARE SPECIFICALLY ORDERED TO:

On or before the close of business on March 19, 2021

- Provide a proposed Action Plan and Schedule to Community Development Department that will:
 - Identify two units that you select for decommissioning.
 - Communicate the lease termination date or lease run out date for affected tenants.
 - Specify the renovation / demolition and completion schedule.

On or before the close of business on July 30, 2021

- Upon approval of your proposed Action Plan and Schedule, submit a demolition application to the Community Development Department, and provide a before and after floorplan of the decommissioned dwelling units.
- Schedule an inspection upon completion in compliance with CBJ 19.01.110 Certificate of Occupancy.

This office may accept the proposed Action Plan and Schedule with or without modification or request for more information, or may issue its own Action Plan and Schedule. In any event, the approved Action Plan and Schedule will be considered a separate, binding and independently enforceable Compliance Order.

This Compliance Order is a lawful order of the Community Development Department under CBJ 49.10.620.

A & S Rentals LLC
Case No.: ENF2021 0015
March 10, 2021
Page 3 of 3

You may appeal this order to the Planning Commission, as provided below, by completing and filing a Notice of Appeal of the Directors Determination **within 15 days** of receipt of this order. The failure to file a notice of appeal within this timeframe waives your right to appeal this order.

Right to Appeal this Compliance Order.

CBJ Title 49.10.620

(d) Within 15 days after receipt, the recipient may request a hearing before the commission to review the compliance order. Failure to request a hearing within 15 days after the receipt of a compliance order constitutes a waiver of the recipient's right of review.

(e) The commission shall hold a hearing within 20 days after receipt of a request for one under subsection (d) of this section. After the hearing, the commission may rescind, modify or affirm the compliance order.

(f) Appeal from a decision of the commission shall be to the assembly in accordance with the provisions of section 49.20.120.

(g) The city attorney may seek enforcement of a compliance order.

You are also advised that while this enforcement action is directed at CBJ Title 49 Land Use violations, nothing in this order preclude the CBJ from separately enforcing Title 19 Building Regulations and/or Title 36 Health and Sanitation code violations if the conditions of the property present additional violations.

If you have questions regarding this Compliance Order, please contact me at 907-586-0752 between the hours of 8:00 AM and 4:30 PM Monday through Friday. If you do not reach me directly you may leave a voicemail and I will return your call.

Sincerely,



Nate Watts
Code Compliance Officer
(907) 586-0752
Nate.Watts@juneau.org

cc: Jill Maclean, AICP, Community Development Director
Charlie Ford, Building Code Official
Sherri Layne, Assistant City Attorney



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

NONCONFORMING CERTIFICATE

Date: November 5, 2020
File No.: NCC2020 0066

Asbjorn and Marit Bo Trust
ATTN: Glenn Bo
6748 North Point Drive
Fruitport, MI 49415

Proposal: A Nonconforming Certification Review for residential density and parking.

Property Address: 1506 Second St.
Property Legal Description: Capital View Block D Lot 2
Property Parcel Code No.: 2D04020D0020

The Director of Community Development adopted the analysis and findings listed in the attached memorandum dated November 5, 2020, and has found the following situations on the lot to be certified nonconforming to the Title 49 Land Use Code of the City and Borough of Juneau:

- Nonconforming Residential Densities (49.30.240):
 - One dwelling unit is nonconforming
- Nonconforming Parking (49.30.270):
 - Number of off-street parking spaces: Six off-street parking spaces are provided; 9.5 are required

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

The Director of Community Development adopted the analysis and findings lists in the attached memorandum dated November 5, 2020, and has found the following situations on the lot to be NONCOMPLIANT to the Title 49 Land Use Code:

- Noncompliant Residential Densities (49.30.240):
 - Two unpermitted dwelling units are noncompliant. The property owner must bring the structure into compliance with the Land Use Code.

File No.: NCC2020 0066

November 5, 2020

Page 2 of 2

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

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

Project Planner:



Joseph Meyers, Planner
Community Development Department



Jill Maclean, Director, AICP
Community Development Department

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



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

March 10, 2021

Certified Mail Receipt Number
7017 3380 0000 4580 4246

A & S Rentals LLC
2339 Meadow Lane
Juneau, AK 99801

Parcel No: 2D04020A0140
Case No.: ENF20210015

Subject: Zoning Compliance Order
1508 Third Street, Capital View Block A Lot 12

On November 5, 2020, the City & Borough of Juneau (CBJ) issued a *Nonconforming Certificate* for 1508 Third Street to Glenn Bo, the owner and trustee of the Asbjorn and Marit Bo Trust. Based on staff's analysis and findings, the certificate was issued to determine nonconforming residential density and parking. The findings included analysis for the number of dwelling units and parking that are certified nonconforming. The remaining single dwelling unit was not certified and was deemed noncompliant. A & S Rentals LLC is being notified as the owner listed on the attached Deed of Trust, recorded on February 10, 2021, and the responsible party to bring the structure into compliance. This Compliance Order requires your immediate attention and action. You are on notice that the CBJ intends to pursue legal action to secure your compliance with the order and with CBJ Title 49, as necessary.

Relevant Facts

The nonconforming certification application was for a six-unit dwelling. The 1972 building permit application located in the parcel file approved construction of a five-unit dwelling. Current zoning regulations allow for three dwelling units. Two units are legally nonconforming per the 1972 building permit application. The current and historical zoning regulations would not permit the construction of a six-unit apartment building on this property, and there is no record granting approval to construct or alter the structure to create the additional sixth dwelling unit. Please see the attached dated November 5, 2020 Nonconforming Certificate, NCC2020 0065 containing the full details and findings provided by the Director.

Violation

CBJ 49.25.400, the Table of Dimensional Standards sets the required dimensional standards for properties according to the zoning district. A minimum of 2,500 square feet is required per dwelling unit for the property located in a D18 zoning district. The lot is approximately 7,000 square feet, which allows three units. Two additional units were approved in 1972 with Building Permit 8575, and found nonconforming and certified with NCC2020 0065. The one additional dwellings remains in violation and is noncompliant.

A & S Rentals LLC
Case No.: ENF2021 0015
March 10, 2021
Page 2 of 3

Enclosed Public Record

Enclosed are copies of the public records that establish your ownership of the property, as well as your ownership of the licensed business represented on the Deed. Also included are the CBJ's GIS parcel details, verifying the property location in a D18 zoning district and other relevant information.

1. Warranty Deed, Capital View Block A Lot 12, according to the official plat, filed under plat number 448, records of the Juneau Recording District, file no.: 0231-3636274
2. CBJ GIS Parcel Tax ID 2D04020A0140 Detail
3. A & S Rentals, LLC Entity 10149162 Details, State of Alaska, Dept. of Commerce, Community & Economic Development, Division of Corporations, Business & Professional Licensing

As the legal owner of 1508 Third Street, you are directed to comply with CBJ 49.25.400.

YOU ARE SPECIFICALLY ORDERED TO:

On or before the close of business on March 19, 2021

- Provide a proposed Action Plan and Schedule to Community Development Department that will:
 - Identify one unit that you select for decommissioning.
 - Communicate the lease termination date or lease run out date for affected tenants.
 - Specify the renovation / demolition and completion schedule.

On or before the close of business on July 30, 2021

- Upon approval of your proposed Action Plan and Schedule, submit a demolition application to the Community Development Department, and provide a before and after floorplan of the decommissioned dwelling units.
- Schedule an inspection upon completion in compliance with CBJ 19.01.110 Certificate of Occupancy.

This office may accept the proposed Action Plan and Schedule with or without modification or request for more information, or may issue its own Action Plan and Schedule. In any event, the approved Action Plan and Schedule will be considered a separate, binding and independently enforceable Compliance Order.

This Compliance Order is a lawful order of the Community Development Department under CBJ 49.10.620.

A & S Rentals LLC
Case No.: ENF2021 0015
March 10, 2021
Page 3 of 3

You may appeal this order to the Planning Commission, as provided below, by completing and filing a Notice of Appeal of the Directors Determination **within 15 days** of receipt of this order. The failure to file a notice of appeal within this timeframe waives your right to appeal this order.

Right to Appeal this Compliance Order.

CBJ Title 49.10.620

(d) Within 15 days after receipt, the recipient may request a hearing before the commission to review the compliance order. Failure to request a hearing within 15 days after the receipt of a compliance order constitutes a waiver of the recipient's right of review.

(e) The commission shall hold a hearing within 20 days after receipt of a request for one under subsection (d) of this section. After the hearing, the commission may rescind, modify or affirm the compliance order.

(f) Appeal from a decision of the commission shall be to the assembly in accordance with the provisions of section 49.20.120.

(g) The city attorney may seek enforcement of a compliance order.

You are also advised that while this enforcement action is directed at CBJ Title 49 Land Use violations, nothing in this order preclude the CBJ from separately enforcing Title 19 Building Regulations and/or Title 36 Health and Sanitation code violations if the conditions of the property present additional violations.

If you have questions regarding this Compliance Order, please contact me at 907-586-0752 between the hours of 8:00 AM and 4:30 PM Monday through Friday. If you do not reach me directly you may leave a voicemail and I will return your call.

Sincerely,



Nate Watts
Code Compliance Officer
(907) 586-0752
Nate.Watts@juneau.org

cc: Jill Maclean, AICP, Community Development Director
Charlie Ford, Building Code Official
Sherri Layne, Assistant City Attorney



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

NONCONFORMING CERTIFICATE

Date: November 5, 2020
File No.: NCC2020 0065

Asbjorn and Marit Bo Trust
ATTN: Glenn Bo
6748 North Point Drive
Fruitport, MI 49415

Proposal: A Nonconforming Certification Review for residential density and parking.

Property Address: 1508 Third St.
Property Legal Description: Capital View Block A Lot 12
Property Parcel Code No.: 2D04020A0140

The Director of Community Development adopted the analysis and findings listed in the attached memorandum dated November 5, 2020, and has found the following situations on the lot to be certified nonconforming to the Title 49 Land Use Code of the City and Borough of Juneau:

- Nonconforming Residential Densities (49.30.240):
 - Two dwelling units are nonconforming
- Nonconforming Parking (49.30.270):
 - Number of off-street parking spaces: Six off-street parking spaces are provided

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

The Director of Community Development adopted the analysis and findings lists in the attached memorandum dated November 4, 2020, and has found the following situations on the lot to be NONCOMPLIANT to the Title 49 Land Use Code:

- Noncompliant Residential Densities (49.30.240):
 - One, unpermitted dwelling unit is noncompliant. The property owner must bring the structure into compliance with the Land Use Code.

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

File No.: NCC2020 0065

November 5, 2020

Page 2 of 2

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

Project Planner:



Joseph Meyers, Planner I
Community Development Department

Jill Maclean, Director, AICP
Community Development Department

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



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March 10, 2021

Certified Mail Receipt Number
7017 3380 0000 4580 4246

A & S Rentals LLC
2339 Meadow Lane
Juneau, AK 99801

Parcel No: 2D04020D0030
Case No.: ENF20210015

Subject: Zoning Compliance Order
1510 Second Street, Capital View Block D Lot 3

On November 5, 2020, the City & Borough of Juneau (CBJ) issued a *Nonconforming Certificate* for 1510 Second Street to Glenn Bo, the owner and trustee of the Asbjorn and Marit Bo Trust. Based on staff's analysis and findings, the certificate was issued to determine nonconforming residential density and parking. The findings included analysis for the number of dwelling units and parking that are certified nonconforming. The remaining two dwelling units were not certified and were deemed noncompliant. A & S Rentals LLC is being notified as the owner listed on the attached Deed of Trust, recorded on February 10, 2021, and the responsible party to bring the structure into compliance. This Compliance Order requires your immediate attention and action. You are on notice that the CBJ intends to pursue legal action to secure your compliance with the order and with CBJ Title 49, as necessary.

Relevant Facts

The nonconforming certification application was for a six-unit dwelling. The 1972 building permit application located in the parcel file approved construction of a four-unit dwelling, as was the maximum permissible under the zoning district at the time of the 1972 application. Current zoning regulations allow for three dwelling units. One unit is legally nonconforming per the 1972 building permit application. The current and historical zoning regulations would not permit the construction of a six-unit apartment building on this property, and there is no record granting approval to construct or alter the structure to create two additional dwelling units. Please see the attached dated November 5, 2020 containing the full details and findings provided by the Director.

Violation

CBJ 49.25.400, the Table of Dimensional Standards sets the required dimensional standards for properties according to the zoning district. A minimum of 2,500 square feet is required per dwelling unit for the property located in a D18 zoning district. The lot is approximately 7,000 square feet, which allows three units. One additional unit was approved in 1972 with Building Permit 8842, and found nonconforming and certified with NCC2020 0067. The additional two dwellings remain in violation and are noncompliant.

A & S Rentals LLC
Case No.: ENF2021 0015
March 10, 2021
Page 2 of 3

Enclosed Public Record

Enclosed are copies of the public records that establish your ownership of the property, as well as your ownership of the licensed business represented on the Deed. Also included are the CBJ's GIS parcel details, verifying the property location in a D18 zoning district and other relevant information.

1. Warranty Deed, Capital View Block D Lot 3, according to the official plat, filed under plat number 448, records of the Juneau Recording District, file no.: 0231-3636274
2. CBJ GIS Parcel Tax ID 2D04020D0030 Detail
3. A & S Rentals, LLC Entity 10149162 Details, State of Alaska, Dept. of Commerce, Community & Economic Development, Division of Corporations, Business & Professional Licensing

As the legal owner of 1510 Second Street, you are directed to comply with CBJ 49.25.400.

YOU ARE SPECIFICALLY ORDERED TO:

On or before the close of business on March 19, 2021

- Provide a proposed Action Plan and Schedule to Community Development Department that will:
 - Identify two units that you select for decommissioning.
 - Communicate the lease termination date or lease run out date for affected tenants.
 - Specify the renovation / demolition and completion schedule.

On or before the close of business on July 30, 2021:

- Upon approval of your proposed Action Plan and Schedule, submit a demolition application to the Community Development Department, and provide a before and after floorplan of the decommissioned dwelling units.
- Schedule an inspection upon completion in compliance with CBJ 19.01.110 Certificate of Occupancy.

This office may accept the proposed Action Plan and Schedule with or without modification or request for more information, or may issue its own Action Plan and Schedule. In any event, the approved Action Plan and Schedule will be considered a separate, binding and independently enforceable Compliance Order.

This Compliance Order is a lawful order of the Community Development Department under CBJ 49.10.620.

A & S Rentals LLC
Case No.: ENF2021 0015
March 10, 2021
Page 3 of 3

You may appeal this order to the Planning Commission, as provided below, by completing and filing a Notice of Appeal of the Directors Determination **within 15 days** of receipt of this order. The failure to file a notice of appeal within this timeframe waives your right to appeal this order.

Right to Appeal this Compliance Order.

CBJ Title 49.10.620

(d) Within 15 days after receipt, the recipient may request a hearing before the commission to review the compliance order. Failure to request a hearing within 15 days after the receipt of a compliance order constitutes a waiver of the recipient's right of review.

(e) The commission shall hold a hearing within 20 days after receipt of a request for one under subsection (d) of this section. After the hearing, the commission may rescind, modify or affirm the compliance order.

(f) Appeal from a decision of the commission shall be to the assembly in accordance with the provisions of section 49.20.120.

(g) The city attorney may seek enforcement of a compliance order.

You are also advised that while this enforcement action is directed at CBJ Title 49 Land Use violations, nothing in this order preclude the CBJ from separately enforcing Title 19 Building Regulations and/or Title 36 Health and Sanitation code violations if the conditions of the property present additional violations.

If you have questions regarding this Compliance Order, please contact me at 907-586-0752 between the hours of 8:00 AM and 4:30 PM Monday through Friday. If you do not reach me directly you may leave a voicemail and I will return your call.

Sincerely,



Nate Watts
Code Compliance Officer
(907) 586-0752
Nate.Watts@juneau.org

cc: Jill Maclean, AICP, Community Development Director
Charlie Ford, Building Code Official
Sherri Layne, Assistant City Attorney



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CDD_Admin@juneau.org
www.juneau.org/CDD
155 S. Seward Street • Juneau, AK 99801

NONCONFORMING CERTIFICATE

Date: November 5, 2020
File No.: NCC2020 0067

Asbjorn and Marit Bo Trust
ATTN: Glenn Bo
6748 North Point Drive
Fruitport, MI 49415

Proposal: A Nonconforming Certification Review for residential density and parking.

Property Address: 1510 Second Street
Property Legal Description: Capital View Block D Lot 3
Property Parcel Code No.: 2D04020D0030

The Director of Community Development adopted the analysis and findings listed in the attached memorandum dated November 5, 2020, and has found the following situations on the lot to be certified nonconforming to the Title 49 Land Use Code of the City and Borough of Juneau:

- Nonconforming Residential Densities (49.30.240):
 - One dwelling unit is nonconforming
- Nonconforming Parking (49.30.270):
 - Number of off-street parking spaces: Six off-street parking spaces are provided; 9.5 are required

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

The Director of Community Development adopted the analysis and findings lists in the attached memorandum dated November 5, 2020, and has found the following situations on the lot to be NONCOMPLIANT to the Title 49 Land Use Code:

- Noncompliant Residential Densities (49.30.240):
 - Two unpermitted dwelling units are noncompliant. The property owner must bring the structure into compliance with the Land Use Code.

File No.: NCC2020 0067

November 5, 2020

Page 2 of 2

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

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

Project Planner:



Joseph Meyers, Planner I
Community Development Department



Jill Maclean, Director, AICP
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BEFORE THE PLANNING COMMISSION OF
THE CITY AND BOROUGH OF JUNEAU

IN THE MATTER OF:

APL 2021-0001

A & S Rentals LLC,
Appellant.

Appeal of: ENF20210015

APPELLANT’S OPENING BRIEF

A & S Rentals LLC (“A&S”), by and through undersigned counsel, hereby submits its Opening Brief in this case. The parties have stipulated to certain facts that are to govern the hearing as captured in the *Stipulation of Undisputed Facts* filed on even date herewith. Given the 5-page limit on opening briefs, the *Undisputed Facts* are fully incorporated herein.

I. ARGUMENT

The only reason that we are here today is because the previous owner of the Subject Properties mistakenly believed that it needed nonconforming certificates relative to the conveyance of the properties. *Undisputed Facts*, ¶ 3. Not only do the facts in this case reaffirm the old adage “no good deed goes unpunished,” more importantly, the facts reveal a haphazard and arbitrary enforcement decision and scheme that is poised to unfairly punish a bona fide purchaser for value, despite the equities that dictate otherwise.

Significantly, “CDD does not actively conduct nonconforming situation reviews or investigations of potential noncompliant situations.” *Id.*, ¶ 11. Indeed, “CDD undertakes a nonconforming situation review if and when an applicant applies for a permit that directly relates to a potential nonconforming situation.” *Id.*, ¶ 8. As mentioned, had the previous owner not mistakenly requested the nonconforming certificates – certificates that were never required – we would simply not be here today. This is significant as it reveals a “don’t ask don’t tell” enforcement policy that discourages property owners from seeking nonconforming certificates

for fear of putting themselves in potential jeopardy. And as a result, the entire enforcement scheme is generally designed to turn a blind eye to those who purposefully avoid seeking a nonconforming certificate, among others.

Beyond those who seek nonconforming certificates, CDD acknowledges that it “may conduct an investigation of a noncompliant situation if it becomes aware of it.” *Id.*, ¶11. However, even when similar noncompliant situations are known to CDD, CDD may not seek to enforce. *See Id.*, ¶11. In fact, CDD is aware of noncompliant situations similar to the instant case in Douglas but has not conducted any review of these situations. As hearing testimony will reveal, CDD staff informed Mr. Brown and his legal counsel, on separate occasions, that certain properties in the vicinity were also noncompliant. These noncompliant properties are more particularly described in *Undisputed Facts*, ¶ 21. The fact that CDD is aware of these noncompliant situations that it has chosen to ignore reveals an arbitrary enforcement scheme.

Additionally, CDD admittedly gives “informal” exemptions to noncompliant situations of the type presented here if a certificate of occupancy (“c/o”) was issued. *Id.*, ¶ 13. Thus, even when CDD uncovers a noncompliant situation, it will give the property owner a “free pass” if a c/o was issued. This contrived exemption has no apparent basis in the CBJ code. And it reveals yet another example of how virtually identical situations are treated differently by CDD and where CDD acts arbitrarily. This exemption is seemingly tied to some equitable estoppel policy basis for allowing the extra units, the very equitable exemption that A&S deserves in this case.

“A&S believed that the dismissal of the appeal [by the previous owner] had resolved any and all issues relative to compliance issues.” *Id.*, ¶ 16. Moreover, “A&S indicates that it would not have purchased the Subject Properties had it known that the Subject Properties did not have certificates of occupancy.” *Id.*, ¶ 17. And this position is relevant and significant because “A&S was not aware, prior to its purchase of the Subject Properties, that there were no

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[c/o's] . . ." *Id.* CDD issued a nonconforming certificate for each of the Subject Properties on November 5, 2020. *Id.*, ¶ 5. And as provided therein, CDD "adopted the analysis and findings listed in [an] attached memorandum" of the same date. *See* Exh. 2, *CDD Exh. List*. Despite undertaking what appears to be an exhaustive historical analysis of the Subject Properties, neither the nonconforming certificates nor the cited memoranda make any mention of a c/o or lack thereof.

In addition, "CDD had denied A&S' request for any such documents in connection with the Subject Properties." *Id.*, ¶ 17. This public request denial was based on the mistaken belief that AS 40.25.122 prevented A&S from receiving these documents. However, because A&S was not a "party" to the appeal initiated by the previous owner, A&S was indeed entitled to receive the requested documents. Notably, "A&S was not provided access to the building permits, certificates of occupancy, or any other related documents for the Subject Properties prior to its purchase of the Subject Properties." *Id.*, ¶ 15.

The fact that CDD never even mentioned c/o's in its comprehensive memoranda and the fact that CDD mistakenly prevented A&S from accessing any pertinent documentation has elevated significance. To be clear, "CDD does not initiate enforcement actions if a certificate of occupancy was issued," even when the unit is noncompliant. *Id.*, ¶ 13. Thus, CDD was aware that determining the existence of c/o's for the extra units was particularly relevant to its enforcement decisions, yet it failed to mention that there were no such certificates. And this was further compounded by CDD mistakenly preventing A&S from conducting its own due diligence. These oversights on the part of CDD certainly contributed to A&S unwittingly purchasing the Subject Properties – properties that it was unaware had any remaining compliance issues.

Each of the Subject Properties contains 6 units. As it relates to the two lots that CDD

claims only possess building permits for 4 units – 1506 and 1510 – CDD asserts that the 5th and 6th “units would not have been allowed under the 1972 zoning code, and cannot be permitted under current code.” *See* Exh. 2, *CDD Exh. List*. Yet, as it relates to 1508, CDD states that “[b]ased on the 1972 building permit, the lot was built with five units conforming to zoning regulations in place in 1972.” This is another example of CDD acting arbitrarily by allowing a 5-unit complex despite simultaneously proclaiming that two of the 6-plexes are maxed out at 4 units.

In light of the foregoing, A&S believes that it should be afforded the same courtesy and equitable exemption extended to property owners who have somehow inexplicably secured a building permit or a c/o – under circumstances that are not subject to post hoc scrutiny – despite owning buildings that contain too many rental units. CDD erroneously asserts that “[t]here are no building permit records, Assessor’s records, Utility Records, or submitted documents that demonstrate when the [extra] units were constructed.” *See* Exh. 2, *CDD Exh. List*. However, such is simply not the case as “CBJ Assessor records indicate that the Assessor’s office has taxed each of the Subject Properties as 6-plexes for approximately 40 years.” *Id.*, ¶ 4. In other words, the fact that each of the Subject Properties constitute 6-plexes was open and notorious for four decades. And nothing in the record suggests that there have been any issues.

A&S constitutes a bona fide purchaser in that it purchased the Subject Properties for value without any meaningful or definitive notice of the underlying compliance issues. As mentioned, A&S believed that the appeal dismissal had resolved any and all compliance issues. The fact that CDD never even mentioned c/o’s and the fact that CDD mistakenly prevented A&S from accessing any pertinent documentation is of legal and equitable significance. Moreover, CDD acts arbitrarily relative to its enforcement decisions in this regard. Not only is it true that CDD does not actively investigate these cases, the record reflects that even when

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Juneau, Alaska 99801
Phone: (907) 586-1400 Fax: (907) 586-3065

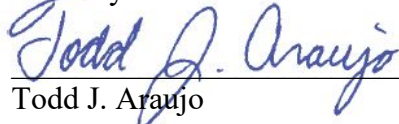
CDD is aware of noncompliant situations it does not investigate such matters. And if by chance a noncompliant situation does somehow make it in front of CDD, CDD will turn a blind eye if the property owner can somehow miraculously produce a building permit or c/o – an exemption seemingly grounded in equity. Based on the facts presented, A&S believes that the equities dictate that it should likewise be afforded an exemption. To rule otherwise would: (i) punish an unwitting bona fide purchaser who did nothing to contribute to this quagmire, (ii) create a situation where the Subject Properties are subject to laws that are not imposed on similarly situated neighboring properties, and (iii) result in a situation whereby “five (5) residential rental units will no longer be available for housing in Juneau,” *id.*, ¶ 24, in the face of a housing crisis.

II. CONCLUSION

Based on the foregoing, A&S respectfully requests that the Planning Commission rescind the compliance orders issued in this case pursuant to its authority under CBJ 49.10.620(e).

Respectfully submitted this 1st day of June, 2021.

SIMPSON, TILLINGHAST, SHEEHAN & ARAUJO, P.C.
Attorneys for A & S Rentals LLC

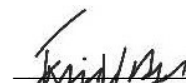

Todd J. Araujo
ABA No. 0806040

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on June 1, 2021, a true and correct copy of this document was served on the following parties by email:

Sherri Layne, Assistant City Attorney
CBJ Law Department
sherri.layne@juneau.org

CBJ Community Development
Meredith Savage, Administrative Officer
Meredith.Savage@juneau.org
Chelsea Wallace, Administrative Assistant II
Chelsea.Wallace@juneau.org


Tania Wesser

SIMPSON, TILLINGHAST, SHEEHAN & ARAUJO, P.C.
One Sealaska Plaza, Suite 300
Juneau, Alaska 99801
Phone: (907) 586-1400 Fax: (907) 586-3065

BEFORE THE PLANNING COMMISSION OF
THE CITY AND BOROUGH OF JUNEAU

A & S RENTALS LLC,

Appellant.

APL 2021-0001
Appeal of ENF20210015

OPENING BRIEF

This is an appeal of three compliance orders issued by the City and Borough of Juneau (“CBJ”) Community Development Department (“CDD”) for three properties that are out of compliance with the building permits issued by the CBJ. CDD asks that the Planning Commission (“Commission”) affirm the compliance orders for all three properties. The three properties in question are apartment buildings on Douglas that all contain additional units outside of what was originally permitted by the CBJ due to zoning density standards, and therefore are noncompliant for residential density. *See*, Exhibit 1, Building permits. Notably, no certificates of occupancy were obtained for any of the units in the three buildings that are the subject of this appeal. This particular appeal is strictly an appeal of the compliance orders, not another review of the nonconforming situations, nor is it an appeal of the nonconforming certifications. *See*, Exhibits 2 and 3. Regardless of the outcome of this hearing, it does not change the illegality of the additional units in these three buildings.

As CDD will testify, CDD is tasked with the permitting and enforcement of the land use code and did not authorize additional units outside of the building permits for these properties. Appellant may argue that it is his belief that there are other residential properties in the CBJ that are also noncompliant. However, as CDD will tell you, without an investigation or a request for a nonconforming certification review, CDD may not know whether or not a property is indeed noncompliant. You will hear from CDD that there are a number of ways an investigation may be initiated and that there are criteria for prioritizing enforcement actions. Enforcement

officials have substantial discretion whether to initiate an enforcement case.¹ CBJ Title 49 follows the traditional enforcement approach by vesting enforcement authority in the CDD Director and giving the CDD Director broad enforcement discretion.² CBJ 49.10.620 authorizes the CDD Director to issue a compliance order, “When, in the opinion of the department, a person is violating” a provision of Title 49.

The attached exhibits show that, inconsistent with its permits, two of the buildings have two “extra” apartments, and one building has one “extra” apartment. *See*, Exhibits 1-3. The current total number of units in the three buildings (6 apartments in each building) were not allowed in 1969 when the area was zoned, were not allowed in 1972 when the buildings were permitted, and are still not allowed under the current CBJC 49.25.500, Densities code. *See*, Exhibit 2. The Nonconforming Certifications provide a good explanation and table of the zoning history for these properties. *See*, Exhibit 2, page 3. Exhibit 6 further shows the zoning and density code in 1969 when the area was zoned “RML” and then the change in 1986 to “R7”. While the historical code does not have the easy-to-read table format currently in use, it does contain a complete breakdown of the dimensional standards that were used for the original permitting. *See*, Exhibits 1, 2 & 6.

In contrast to *nonconforming* situations, *noncompliant* situations are those that did not obtain proper permitting or were prohibited by law at the time of establishment/construction. If the number of current units (6 in each building) was allowed under the old CBJ code when the buildings were permitted, the properties may simply be nonconforming. But that is not the case here. A density of six units per building was never allowed, even when the buildings were

¹ *E.g.*, *Pub. Def. Agency v. Superior Court, Third Judicial Dist.*, 534 P.2d 947, 950 (Alaska 1975) (holding the judiciary is cannot order an executive branch to institute an enforcement proceeding because doing so violates the separation of powers doctrine); *Leland v. Moran*, 80 F. App'x 133, 135 (2d Cir. 2003) (concluding municipal official had discretion to undertake zoning enforcement action).

² CBJ 49.10.500 (describing the CDD Director’s general authority and powers).

originally built, making the additional units noncompliant. As CDD will testify, CDD only became aware of the non-compliant situation of the three buildings in late 2020 when the previous owner, Mr. Bo, at his real estate agent's guidance, asked for a review of the nonconforming situations for the three properties as he was preparing to sell the buildings. *See*, Exhibit 2. When Mr. Bo and his agent were notified that the properties were all noncompliant for residential density, he appealed the nonconforming certifications, but then withdrew his appeal and completed the sale to the Appellant. *See*, Exhibit 5, Order.

As you will hear, the CBJ Assessor's office data shows these three properties currently being assessed as having six units per building. However, as you can see in the attached exhibits, there are no building permits on file that authorize six units per building. *See*, Exhibit 7. The CBJ Assessor's office is not responsible for inspection and/or enforcement of the CBJ's zoning laws and there is no evidence that CDD, who *is* tasked with issuing permits and conducting enforcement, was aware of these illegal units, nor is there any evidence that CDD expressly authorized the additional units. It may be true that the CBJ Assessor's office assessed the properties and that previous owners paid the property tax on six units for a number of years, but it is also true that previous owners, and Appellant, were/are collecting rent for all of those additional illegal units. *Even if* CDD actually knew about the additional units at some point after they were added, the fact that it did not enforce previously does not bar it from enforcing now if there is no express authorization of the illegal units.³ Estoppel should be invoked against a municipality in a zoning case "only in limited instances and with great caution."⁴

Appellant admits he was aware of the previous appeal of the nonconforming certifications and Appellant's real estate agent was present at the prehearing conference for the previous

³ *Jackson v. Kenai Peninsula Borough*, 733 P. 2d 1038, 1041 (Alaska 1987)

⁴ *Id.*

appeal. Appellant's real estate agent also communicated via email with CDD and asked that a letter be given to the Commission regarding the nonconforming certifications. *See*, Exhibit 4, Letter from JoAnn Birt. The key issue in that appeal was that these three properties had *noncompliant* units above what was allowed in the zoning district when the properties were built. As you can see from Exhibit 1, the previous owner's father applied for and received building permits for 4 units per building and added additional units instead of following the original permits. For one property, he returned to CDD and obtained a building permit for one additional unit, demonstrating that he knew he needed to get permits for additional units. As CDD will tell you, there is no evidence that the previous owner ever applied to CDD for a final inspection or to obtain certificates of occupancy for *any* of the units in these three apartment buildings.

Appellant is now challenging CDD in its enforcement action of those noncompliant units, yet, still has not provided any documents to demonstrate that the additional units were properly permitted and instead is asking that CDD let him continue to operate in violation of the code. If the Commission decides an ordinance equally affects all property in the same zoning classification, relief from the general conditions of the governing code must come from the assembly through an amendment to the zoning code, not disregarding the zoning laws for one property owner.⁵ Whether or not the CBJ zoning code in this zone should allow double the density it does right now is a policy question, but the code cannot simply be ignored in this case. If the Commission rescinds the compliance orders in this situation, it is essentially saying that CDD has no power to compel a noncompliant property to take corrective action when the property is clearly in violation of the CBJ code.

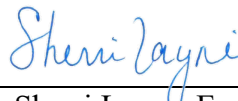
As you can see in the attached compliance letters, CDD recognized that Appellant may need time to decommission the illegal units and presented a reasonable timeline for the Appellant

⁵ *See, CBJ v. Thibodeau*, 595 P.2d 626, 636 (1979)

to prepare a plan of action and come into compliance. *See*, Exhibit 3. At the conclusion of the hearing, CDD will request that the Commission affirm the compliance orders for all three properties.

DATED this 1st day of June, 2021, at Juneau, Alaska.

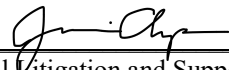
CBJ Community Development Department
Attorney for Appellee

By: 
Sherri Layne, Esq.
Alaska Bar No. 1306042

Certificate of Service

I certify that on June 1, 2021, a true and correct copy of the foregoing document was served on the following party via electronic mail:

Todd Araujo, Esq.
Simpson, Tillinghast, Sheehan, & Araujo, P.C.
taraujo@stsl.com


Civil Litigation and Support Assistant

BEFORE THE PLANNING COMMISSION OF
THE CITY AND BOROUGH OF JUNEAU

IN THE MATTER OF:

A & S Rentals LLC,
Appellant.

APL 2021-0001

Appeal of: ENF20210015

APPELLANT'S WITNESS LIST AND EXHIBIT LIST

A. Witnesses

1.	Adam Brown, Sole Member A & S Rentals LLC
2.	JoAnn Birt, Realtor Max of Juneau
3.	Todd J. Araujo, Shareholder Simpson, Tillinghast, Sheehan & Araujo, P.C.
4.	Nate Watts, Code Compliance Officer CDD
5.	Jill Maclean, Director CDD
6.	All witnesses disclosed by the other parties to this action, and any witnesses necessary for rebuttal or impeachment

B. Exhibits

Appellant hereby incorporates the exhibits submitted along with the *Stipulation of Undisputed Facts*, and those exhibits submitted by CDD in this case – each filed on even date herewith.

Respectfully submitted this 1st day of June, 2021.

SIMPSON, TILLINGHAST, SHEEHAN & ARAUJO, P.C.
Attorneys for A & S Rentals LLC



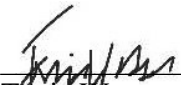
Todd J. Araujo
ABA No. 0806040

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on June 1, 2021, a true and correct copy of this document was served on the following parties by email:

Sherri Layne, Assistant City Attorney
 CBJ Law Department
sherri.layne@juneau.org

CBJ Community Development
 Meredith Savage, Administrative Officer
Meredith.Savage@juneau.org
 Chelsea Wallace, Administrative Assistant II
Chelsea.Wallace@juneau.org


 Tania Wesser

SIMPSON, TILLINGHAST, SHEEHAN & ARAUJO, P.C.
 One Sealaska Plaza, Suite 300
 Juneau, Alaska 99801
 Phone: (907) 586-1400 Fax: (907) 586-3065

BEFORE THE PLANNING COMMISSION OF
THE CITY AND BOROUGH OF JUNEAU

IN THE MATTER OF:

A & S Rentals LLC,

Appellant.

APL 2021-0001

Appeal of: ENF20210015

STIPULATION OF UNDISPUTED FACTS

Appellant, A & S Rentals LLC (hereinafter, “A&S”), by and through counsel Simpson, Tillinghast, Sheehan & Araujo, P.C., and Appellee, the CBJ Community Development Department (“CDD”), by and through counsel, CBJ Law Department, hereby stipulate to the following facts that will govern this proceeding:

1. A&S is an Alaska limited liability company registered in the State of Alaska. Its sole member is Adam Brown.

2. On or about February 10, 2021, A&S purchased the following three properties: (a) 1506 2nd Street, (b) 1508 3rd Street, and (c) 1510 2nd Street – each located in Douglas, Alaska (collectively, the “Subject Properties”) from the Asbjorn and Marit Bo Trust (“previous owner”).

3. At the request of the previous owner, CDD conducted nonconforming situation reviews and provided nonconforming certificates for the Subject Properties, a review which demonstrated that each of the properties were noncompliant for residential density and nonconforming for parking:

a. Property (a) 1506 2nd Street – conforming for 3 dwelling units, nonconforming for 1 dwelling unit, noncompliant for 2 dwelling units; (total 6 dwelling units);

b. Property (b) 1508 3rd Street – conforming for 3 dwelling units, nonconforming

for 2 dwelling units, noncompliant for 1 dwelling unit; (total 6 dwelling units);
and

c. Property (c) 1510 2nd Street - conforming for 3 dwelling units, nonconforming for 1 dwelling units, noncompliant for 2 dwelling units; (total 6 dwelling units).

4. Neither the previous owner nor the current owner, A&S, have provided proof of permitting for the additional units in each of the Subject Properties. CBJ Assessor records indicate that the Assessor's office has taxed each of the Subject Properties as 6-plexes for approximately 40 years.

5. Previously on November 5, 2020, CDD issued a Nonconforming Certificate for each of the Subject Properties, properties that were at that time under different ownership. CDD found that the Subject Properties were noncompliant for a certain number of units as described above under paragraph 3 relative to residential density (CBJ 49.30.240).¹ The previous owner appealed the Nonconforming Certificates issued by CDD dated November 5, 2020. On January 29, 2021, the previous owner filed a Notice of Withdrawal of Appeal as it was determined that a nonconforming certificate relative to the conveyance of the Subject Properties was not necessary. An Order dismissing the appeal was issued on February 9, 2021.

6. A&S became aware of the appeal filed by the previous owner (and mentioned above) in and around early December of 2020.

7. Mr. Adam Brown, the sole member of A&S, was not present for the pre-hearing conference in the above case. However, Ms. Birt, A&S's realtor, was present during such conference. A&S was not involved in the appeal/litigation as a party.

8. As a general matter, CDD undertakes a nonconforming situation review if and when

¹ CDD determined that 1506 and 1510 were noncompliant due to 2 extra dwelling units relative to each structure. And CDD determined that 1508 was noncompliant due to 1 extra dwelling unit. Each of the properties are 6-plexes.

an applicant applies for a permit that directly relates to a potential nonconforming situation (e.g. a property in the Flats applies to replace the front staircase that accesses directly to the sidewalk). In such instances, CDD would conduct a nonconforming situation review for the property as the staircase is likely built within the front yard setback.

9. CDD conducts nonconforming situation reviews for properties at the request of an applicant (owner or representative of the owner), or if an applicant is applying for a permit that directly relates to a potential nonconforming situation. (Note: nonconforming situations were legal at the time of establishment or not prohibited by law at the time of establishment; noncompliant situations are those that did not obtain proper permitting or were prohibited by law at the time of establishment).

10. Other than at an applicant's request, CDD undertakes nonconforming situation reviews if an applicant applies for a permit that directly relates to a potential nonconforming situation, e.g. a property in the Flats applies to replace the front staircase that accesses directly to the sidewalk, CDD would conduct a nonconforming situation for the property as the staircase is likely built within the front yard setback.

11. CDD does not actively conduct nonconforming situation reviews or investigations of potential noncompliant situations. CDD may conduct an investigation of a noncompliant situation if it becomes aware of it.

12. CDD acknowledges that there may be similar noncompliant situations in Douglas but has not conducted any nonconforming or other review of these situations.

13. In those instances when a noncompliant situation is presented either because no proper permit was obtained or the situation was prohibited by law at the time of establishment, CDD does not initiate enforcement actions if a certificate of occupancy was issued.

14. JoAnn Birt has served as A&S's real estate agent for many years, including at all

relevant times in connection with A&S's purchase of the Subject Properties.

15. A&S was not provided access to the building permits, certificates of occupancy, or any other related documents for the Subject Properties prior to its purchase of the Subject Properties. On December 8, 2020, Ms. Birt made a public records request to CDD requesting all "permits and inspections" relative to the Subject Properties. In response by email dated December 8, 2020, CDD indicated that it could not process the public records request per AS 40.25.122.

16. A&S was aware that there was a non-compliance issue with regard to the Subject Properties but based on its conversations with the prior owner, A&S believed that the dismissal of the appeal had resolved any and all issues relative to compliance issues. A&S was aware that the appeal was dismissed but was not aware that the dismissal was attributable to the previous owner withdrawing his appeal.

17. A&S was not aware, prior to its purchase of the Subject Properties, that there were no certificates of occupancy for the Subject Properties as there was no indication in the record or otherwise that the Subject Properties did not have certificates of occupancy. A&S did not request certificates of occupancy from CDD prior to the purchase of the properties but did request "all permits and inspections." CDD had denied A&S' request for any such documents in connection with the Subject Properties. A&S indicates that it would not have purchased the Subject Properties had it known that the Subject Properties did not have certificates of occupancy.

18. On March 10, 2021, CDD issued zoning compliance orders related to each of the Subject Properties. The zoning compliance orders required corrective action to ensure the Subject Properties are compliant in terms of residential density and parking.

19. On or about March 8, 2021, CDD provided documentation to A&S in response to Ms. Brown's December 8, 2020 public records request.

20. After the appeal initiated by the previous owner was dismissed, the parties to the

transaction involving the Subject Properties negotiated the sales price based on several factors, including needed repairs, closing delays, change of loan interest rate, furnishings, and issues involving the conveyance of certain personal property. The parties did not negotiate the price based on the dismissal of the appeal as it was A&S's understanding that the issues were no longer problematic and had been resolved.

21. After A&S filed its appeal in this case, A&S requested additional permitting and related documents relative to the following properties: (i) 1500 3rd Street; (ii) 1502 2nd Street; (iii) 1512 3rd Street; and (iv) 1519 2nd Street – each located in Douglas, Alaska. In response, CDD provided the documents contained in Exhibit 1 hereto.

22. As it relates to 1519 2nd Street, the building permit is for 4 units, the certificate of occupancy is for 4 units, and the 2020 CBJ Assessor Database indicates it is 5 units.

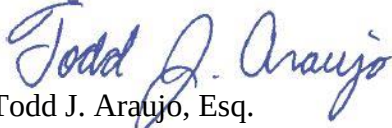
23. As it relates to 1512 3rd Street, the building permit is for 4 units, the certificate of occupancy is for 4 units. And attached hereto as Exhibit 2 is a picture taken on March 15, 2021, which shows 6 mailboxes for the building.

24. If CDD prevails in this appeal, five (5) residential rental units will no longer be available for housing in Juneau.

Simpson, Tillinghast, Sheehan, & Araujo, P.C.
Attorney for Appellant

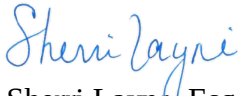
Date: 6/1/2021

By:


Todd J. Araujo, Esq.
Alaska Bar No. 0806040

CBJ Community Development Department
Attorney for Appellee

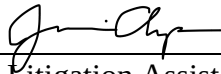
Date: June 1, 2021

By: 
Sherri Layne, Esq.
Alaska Bar No. 1306042

CERTIFICATE OF SERVICE

I certify that on 1 day of June, 2021, a true and correct copy of the foregoing document was served via email on the following party:

Todd Araujo, Esq.
Simpson, Tillinghast, Sheehan, & Araujo, P.C.
taraujo@stsl.com

By: 
Civil Litigation Assistant

2-1-376-00A-011

GREATER JUNEAU BOROUGH
APPLICATION FOR BUILDING PERMIT

Douglas ☒ Juneau ☐ Rural ☐

VALUATION 65,000 PERMIT NO. 7677

DATE RECEIVED 6/12/70 BY S. J. Flyte

APPLICANT TO FILL IN BETWEEN HEAVY LINES.
TWO SETS OF PLANS MUST BE FURNISHED WITH APPLICATION.

Building Address		COVERING	
APPLICANT OWNER	Name <u>McNABB CONSTRUCTION</u>	Ext. Walls <u>CEDAR</u>	
	Mail Address <u>P.O. BOX 944</u>	Int. Walls <u>sheetrock</u>	
	City <u>JUNEAU, ALASKA</u>	Roof <u>Asbestos shingle</u>	
	Tel. No. <u>789-9333</u>	Re-Roof	
ARCHITECT ENGINEER	Name <u>UNKNOWN</u>	FLUES Packet Page 425 of 640	
	Mail Address	F. Place	Flr. Furn. ☒ Other
	City	Furnace	H. Water ☒ H. Air ☐ Steam Elec. ☐ Oil Gas ☐
	Tel. No.	Kitchen	
CONTRACTOR or OWNER BUILDER	Name <u>McNABB CONSTRUCTION</u>	UTILITIES	
	Mail Address <u>P.O. BOX 944</u>	Sewage System City ☒ S. Tank	
	Tel. No. <u>789-9333</u>	Bldg. Main	
	State License No. <u>69-70-0395</u>	Sewer Outlet Size	
LEGAL DESCRIPTION	Subdivision <u>DOUGLAS UT CONP</u>	Water Meter Size	
	Lot No. <u>11</u> Bl. No. <u>A</u>	Water Service Size <u>city</u>	
		Exist. Road <u>yes</u> Curb & Gutter ☐ Drain Ditch ☐	
		Driveway Width <u>25'</u> Ft.	
		Off-Street Parking <u>YES</u>	
		Estimated Cost <u>\$50,000.00</u>	
		Special Information	
CLASS OF WORK			
New	<u>NEW</u>	Repair	
Addition		Demolish	
Alteration		Move	
Use Of Bldg.	<u>RESIDENTIAL</u>		
Size Of Bldg.	<u>55' x 31'</u>		
Height Of Bldg.	<u>31'</u>		
Area Of Lot	<u>7000 SQUARE FT.</u>		
SPECIFICATIONS			
FOUNDATIONS			
Material	Exterior	Piers	
Width Of Top	<u>8"</u>	<u>CONC.</u>	
Width Of Bottom	<u>8"</u>	<u>CONC.</u>	
Depth In Ground	<u>32"</u>		
Plate (Sill)	<u>2x8</u>	Size	Space
Girders			Span
Joists (1st Fl.)	<u>2x10</u>	<u>16"</u>	
" " (2nd Fl.)	<u>2x10</u>	<u>16"</u>	
" " (Clg.)	<u>TRUSS</u>	<u>24"</u>	
Studs (Ext.)	<u>2x4</u>	<u>16"</u>	
" " (Int.)	<u>2x4</u>	<u>16"</u>	
Roof Rafters	<u>TRUSS</u>	<u>24"</u>	
Bearing Walls	<u>2x4</u>	<u>16"</u>	
Other			
WORK NOT MENTIONED IS NOT INCLUDED IN PERMIT			
I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all state laws, and codes and ordinances of The Greater Juneau Borough, applicable to building construction.			
Signature Of Owner <u>McNabb Construction</u>			
Applicant <u>by Robert Felix</u>			

Kohlhase

2-1-346-ccA-c 11

GREATER JUNEAU BOROUGH
APPLICATION FOR BUILDING PERMIT

5000. -

Douglas ☒

Juneau ☐

Rural ☐

VALUATION

PERMIT NO.

DATE RECEIVED

BY

APPLICANT TO FILL IN BETWEEN HEAVY LINES.
TWO SETS OF PLANS MUST BE FURNISHED WITH APPLICATION.

Building Address 1500 Third St		COVERING	
APPLICANT OWNER	Name E. Kellerman	Ext. Walls Siding	
	Mail Address 1067	Int. Walls Siding	
	City Juneau	Roof Shingles	
	Tel. No. 6 251	Re-Roof	
		FLUES	
ARCHITECT ENGINEER	Name	F. Place	Flr. Furn.
	Mail Address	Furnace	Other
	City	H. Water ☒	Steam ☐
	Tel. No.	H. Air ☐	Oil ☒
			Gas ☐
CONTRACTOR or OWNER BUILDER	Name	Kitchen	
	Mail Address	UTILITIES	
	City	Sewage System City	S. Tank
	Tel. No.	Bldg. Main	
		Sewer Outlet Size	
LEGAL DESCRIPTION	Name	Water Meter Size	
	Mail Address	Water Service Size	
	Tel. No.	Exist. Road	Curb & Gutter ☐
	State License No.	Drain Ditch ☐	
		Driveway Width 25'	Ft.
		Off-Street Parking	
		Estimated Cost	
		Special Information	
		Converting existing 4 plex to 5 unit by adding 1 unit in basement - same floor plan as other 4 units	
CLASS OF WORK			
New ☒	Repair		
Addition	Demolish		
Alteration	Move		
Use Of Bldg.	Residential		
Size Of Bldg.	31' x 54'		
Height Of Bldg.	31'		
Area Of Lot			
SPECIFICATIONS			
FOUNDATIONS			
Material	Exterior	Piers	
Width Of Top	8"		
Width Of Bottom	8"		
Depth In Ground	30"		
Plate (Sill)	2x6	Size	Space
Girders			Span
Joists (1st Fl.)	2x10	16	
" " (2nd Fl.)	2x10	16	
" " (Clg.)	2x10	24	
Studs (Ext.)	2x4	16	
" " (Int.)	2x4	16	
Roof Rafters	2x6	24	
Bearing Walls	2x4	16	
Other			
WORK NOT MENTIONED IS NOT INCLUDED IN PERMIT			
I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all state laws, and codes and ordinances of The Greater Juneau Borough, applicable to building construction.			
Signature			
Of Owner			
Applicant			

PERMIT PROCESS NO		CITY and BOROUGH of JUNEAU, ALASKA				PERMIT NO 18212	
PERMIT FOR		BUILDING ☐ GRADING ☐ WATER ☐ SEWER ☐ ELECTRICAL ☐ OTHER ☒ Reroof				DATE RECEIVED 8-13-86 (35)	
Please quote the file number in all future correspondence						OWNER JOB ADDRESS FILE NO	
FILE NUMBER 2-P04-0-20A-015-0							
LEGAL	LOT NO 11	BLOCK A	TRACT/SUBDIVISION Douglas Township		US SURVEY	DATE ISSUED 8-13-86	
JOB ADDRESS 1500 Third Street, Douglas							
OWNER (PLEASE PRINT OR TYPE) Ernest Kohlhas		MAIL ADDRESS Box 524, Douglas, AK 99824			ZIP	CONTACT PHONE	HOME PHONE
CONTRACTOR Design North, Inc.		MAIL ADDRESS Box 517, Douglas, AK 99824			ZIP	PHONE 586-6540	LICENSE NO. AA 1335
ARCHITECT OR ENGINEER		MAIL ADDRESS			ZIP	PHONE	LICENSE NO
CLASS OF WORK	NEW ADDITION		REMOVE ALTERATION		MOVE REPAIR		DEMOLITION OTHER Reroof
TYPE OF BUILDING	☒ RESIDENTIAL MOBILE HOME		COMMERCIAL INDUSTRIAL		OTHER		
IS THE PROPOSED WORK TO BE DONE ON LAND WHICH HAS BEEN PREVIOUSLY FILLED OR IS PROPOSED TO BE FILLED? YES NO ☒							
APPLICANT'S REMARKS/USE OF BUILDING		Apply 3-ply built up roof					
REHABILITATION WORK YES ☒ NO							
IS THERE A SEPARATE APPLICATION FOR REAL PROPERTY TAX EXEMPTION		YES NO ☒					
LOCATED IN A FLOOD PLAIN AREA		YES NO ☒					
NOTE: If the work is on a landfill, in water, wetlands, or an intertidal area a corps of engineers or other permits may be required							
THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 180 DAYS OR IF WORK OR CONSTRUCTION IS SUSPENDED OR ABANDONED FOR A PERIOD OF 180 DAYS AT ANY TIME AFTER WORK IS COMMENCED							
I HEREBY CERTIFY THAT I HAVE EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT AND THAT THE WORK WILL COMPLY WITH ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WHETHER SPECIFIED HEREIN OR NOT.							
THE GRANTING OF THIS PERMIT DOES NOT AUTHORIZE THE VIOLATION OF THE PROVISIONS 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.							
SIGNATURE OF OWNER, CONTRACTOR, OR AUTHORIZED AGENT						DATE 8/12/86	
NEW CONSTRUCTION							
TYPE OF CONSTRUCTION				NO. OF STORIES		NO. OF LIVING UNITS	
NO. OF SEWER UNITS				NO. OF BEDROOMS		HOUSING DATA CODE	
FINISH CONSTRUCTION							
ACTUAL VALUE FOR THE WORK DESCRIBED				OTHER APPROVALS		REG. APPROVED	
ACTUAL PERMIT FEE				ZONING		DATE	
ACTUAL PLAN REVIEW FEE				FIRE CHIEF		NA	
TOTAL PERMIT FEES				PUBLIC WORKS			
LESS FILING FEE				SANITARIAN			
BUILDING FEES				ELECTRICAL			
				PLUMBING			
SEWER/ACCT NUMBER				APPROVAL REMARKS			
WATER/ACCT NUMBER							
WATER/ACCT. NUMBER							
UTILITY FEES				OCCUPANCY			
				AREA IN SQ. FT.			
PLANS REVIEWED				DATE		APPROVED FOR ISSUANCE BY	
BUILDING OFFICIAL REMARKS				DATE			
This permit must be kept with the approved plans. A separate Inspection Record Card will be issued with the permit. The Inspection Record Card must be posted on the front of the premises. Arrange all inspections thru 586-1703.							
TOTAL PERMIT FEE		RECEIPT NO.		FILING FEE		RECEIPT NO.	
\$38.50		02550					

INSPECTION REQUEST

Inspect On: 05/14/87

Called in On: 05/13/87 Inspector: FURMAN

Project Number

Job Address

Cross Street

173.01

1500 THIRD ST

2-D04-0-20A-015-0

Inspection: SF- 4 ~~Rough Framing~~ --- Not Required

Permit

Dispatch Comment:

Result:

Approved

Inspected by:

Furman

Date:

5/15/87

Comment:

PROJECT CONDITION/HOLDS

Source: ADAIR

Status: Conditional

out

Description: OPN 18212

PROJECT INSPECTION STATUS for Project # 173.01

✓ SF-99 Final

A Not Insp.

✓ F - 1 Activity Final

Not Insp.

BUILDING PERMIT APPLICATION

(APPLICANT PLEASE FILL IN SHADED AREAS AS A MINIMUM)

DPA No: <u>95-0823</u>	Project Identifier	Building Permit Number <u>11229.01</u>	Date Received: <u>8-4-95</u>
CONTRACTOR <u>J D Glass & Door</u>		Contact Person <u>Ray Caldwell</u>	Phone No. <u>789-3106</u>
Mailing Address <u>10004 Glacier Hwy</u>		FAX No. <u>789-3582</u>	License Number <u>67152</u>
ARCHITECT / ENGINEER		Contact Person	Phone No.
Mailing Address		FAX No.	License Number
PERMIT CLASS ☐ NEW ☐ ELECTRICAL ☐ PLUMBING ☐ MECHANICAL ☐ WOODSTOVE ☐ WATER ☐ SEWER			
ADDITION ☒ REPAIR / REMOD ☐ DEMOLITION ☐ GRADING ☐ DRIVEWAY ☐ BUILDING SAFETY ☐ OTHER			
BUILDING TYPE ☒ Residential ☐ Commercial ☐ Other <u>Rental</u>			
TOTAL DWELLING UNITS ON PROPERTY <u>4</u>		DWELLING UNITS THIS PROJECT <u>1</u>	TOTAL BUILDINGS ON <u>1</u>
DESCRIPTION OF WORK: <u>Window replacement</u> <u>Vinyl siding</u>		VALUE	
		New Square Footage: _____ Sq. Ft.	
		Cost of Remodeling: <u>53,000</u>	

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 the provisions of any other federal, state or local law regulating construction or the performance of construction.

Signature of Owner, Contractor or Authorized Agent: [Signature] Date: 7-24-95

(OFFICE USE ONLY BELOW THIS LINE)

BUILDINGS		BUILDING PERMIT FEES																									
Occupancy Class _____	Type of Construction _____	PLAN REVIEW FEES																									
FCC Code _____	Permit Classification _____	Building Plan Review \$ _____																									
<table border="1"><thead><tr><th>Occupancy</th><th>Square Feet</th><th>@ Rate</th><th>= Valuation</th></tr></thead><tbody><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td>Number of Stories: _____</td><td>Number of Bedrooms: _____</td><td colspan="2">Zoning Plan Review \$ _____</td></tr></tbody></table>		Occupancy	Square Feet	@ Rate	= Valuation																	Number of Stories: _____	Number of Bedrooms: _____	Zoning Plan Review \$ _____		Grading Plan Review \$ _____	
Occupancy	Square Feet	@ Rate	= Valuation																								
Number of Stories: _____	Number of Bedrooms: _____	Zoning Plan Review \$ _____																									
AND USE.		TOTAL PLAN REVIEW FEES \$ _____																									
MARKING <u>N/A.</u>	ENGINEERING/PUBLIC WORKS	Date _____ Check No. _____ Receipt No. _____																									
GOOD ELEV. <u>N/A.</u>	CITY WATER: _____	PERMIT ISSUANCE FEES																									
RM ZONE _____	Service - Size _____	Adjusted Plan Review Fee \$ _____																									
AND USE PERMITS:	Fire Line - Size _____	Fast Track Fee \$ _____																									
Number _____ Date _____	Metered _____	Early Start Fee \$ _____																									
Number _____ Date _____	Yoke Rec'd _____	Building Permit Fee \$ <u>519.00</u>																									
COMMENTS: _____	CITY SEWER: _____	Water Assessment Fee \$ _____																									
	UNITS	Water Inspection Fee \$ _____																									
	DRIVEWAY BOND: _____	Sewer Assessment Fee \$ _____																									
	Number _____ Date _____	Sewer Inspection Fee \$ _____																									
	ADEC APPROVALS:	Grading Permit Fee \$ _____																									
	On-site Water	Driveway Permit Fee \$ _____																									
	Number _____ Date _____	Bond for _____ \$ _____																									
	On-Site Sewer	Other _____ \$ _____																									
	Number _____ Date _____	TOTAL ISSUANCE FEES \$ <u>519.00</u>																									
		Date <u>8/4/95</u> Check No. <u>3006</u> Receipt No. <u>1829</u>																									

CONDITIONS AND HOLDS ON PERMIT:

Check smoke detectors.

Egress windows required in all sleeping rooms.

Verify 5' to property lines for windows.

DEVELOPMENT PERMIT APPLICATION

(APPLICANT PLEASE FILL IN SHADED AREAS AS A MINIMUM)

REVISION NO. _____ DATE _____

DPA No:

95-0823

CITY and BOROUGH of JUNEAU

Date Received:

8-4-95

Project Name

Kolhaze windows

Project Description

Replace windows, vinyl siding

PROPERTY LOCATION

Street Address

1502 Douglas Highway 2nd St.

City / Zip

Douglas

Subdivision (if known)

Survey (if known)

Block / Tract (if known)

Lot (if known)

Assessor's Parcel Number (if known)

2-D04-0-200-001-0

Number of Parking Spaces

Existing

6

Proposed

Use of Property

Existing

Rental

Proposed

Packet Page 430 of 640

PROPERTY OWNER

Property Owner's Name

Earnie & Silvia Kolhaze

Contact Person

Silvia Kolhaze

Work Phone No.

Mailing Address

Home Phone No.

364-3374

FAX No.

PROPERTY OWNER CONSENT

(Not required for building or engineering permits)

I am (we are) the owner(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 Signature

Date

X

Landowner 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 and/or the Design Review Board may visit the property and may do so during the weekend before the scheduled public hearing date.

APPLICATION
TYPE

OWNER'S
INITIAL(S)

AU

CU

VARIANCE

DESIGN
REVIEW

SUBDIVISION

OTHER

APPLICANT

Applicant's Name

FD Glass & Door

Contact Person

Ray Caldwell

Work Phone No.

789-3106

Mailing Address

10004 Glacier Hwy Juneau Alaska

Home Phone No.

FAX No.

X

Applicant's Signature

7-24-95

Date of Application

(OFFICE USE ONLY BELOW THIS LINE)

CK	PERMIT TYPE	SIGN	DATE RECEIVED	APPLICATION NO.	EST. FEE	ESTIMATED HEARING DATE	ACTUAL HEARING DATE	ESTIMATED DECISION OR APPROVAL DATE *	ACTUAL DECISION OR APPROVAL DATE
	ALLOWABLE USE APPROVAL								
	CONDITIONAL USE APPROVAL								
	VARIANCE								
	DESIGN REVIEW APPROVAL								
	SUBDIVISION								
	STREET VACATION								
	SIGN APPROVAL								
X	BUILDING PERMIT	ES FT	8/4/95	11229.01	519.00	NOT APPLICABLE			8/4/95
	WATER PERMIT								
	SEWER PERMIT								
	GRADING PERMIT								
	DRIVEWAY PERMIT								
	RIGHT-OF-WAY PERMIT								
	PUB. FAC. TRANSMISS. & EXCAV. PERMIT								
	OTHER - (Describe)								

* (assuming complete and accurate information provided by applicant)

Zone	Total Lot Area	Required Setbacks
		Front _____ Back _____ Side _____ Other _____
Date rating form given to applicant		Planning Staff Initials
COMMENTS:		
KEYWORDS		

RECEIVED SEP 26 1995



155 SOUTH SEWARD STREET
JUNEAU, ALASKA 99801

APN NO. 2-D04-0-20D-001-0
(For Office Use)

DECLARATION IN LIEU OF INSPECTION OF SMOKE DETECTORS

Permit No: 11229.01

To: Juneau Building Official

I, the undersigned, being the Owner or Owner's Representative of the property at

1502 Second St. Douglas

Packet Page 431 of 640

submit this declaration in lieu of an offer by a City and Borough of Juneau Building Inspector to verify the location and to test required smoke detection devices to help assure the life safety and property protection of occupants of this building.

I do hereby declare that upon occupancy of each dwelling unit in this building, each and every smoke detector required by State of Alaska Fire Code was in operational order and that I have not been notified of any smoke detection device requiring repair or replacement which has not been made operational. I declare this in full knowledge of the liability placed on me by State law as a landlord.

I also certify that I have or will immediately notify each tenant that they are responsible for maintaining the operational condition of the smoke detectors in their dwelling unit by periodically testing the detector and keeping batteries charged, if battery operated.

Signed,

Alan D. Phillips
Property Owner / Representative

9/23/95
Date

Mail To: Attn: Chris Roust
Community Development
155 South Seward Street
Juneau, Alaska 99801

Or Fax to: Chris Roust
(907) 586-3365

CITY AND BOROUGH OF JUNEAU, ALASKA
APPLICATION FOR BUILDING PERMIT

8843

2-1-346-00D-001
B
68304
VALUATION

Douglas ☒

Juneau ☐

Rural ☐

PERMIT NO. SAME AS PERMIT 8575 BUT ONE

STORY LESS

DATE RECEIVED JULY-27-72

BY B. C. Hamlin

APPLICANT TO FILL IN BETWEEN HEAVY LINES.
TWO SETS OF PLANS MUST BE FURNISHED WITH APPLICATION.

Building
Address

1502 - SECOND STREET

COVERING

Ext. Walls 5/8" - T-1-11

Int. Walls 1/2" PLASTER BOARD.

Name Mr. & Mrs. Asbjorn

APPELLANT Bo

BUILDING PERMIT APPLICATION

(APPLICANT PLEASE FILL IN SHADED AREAS AS A MINIMUM)

DPA No: 45-0823	Project Identifier	Building Permit Number 11229.01	Date Received: 8-4-95
CONTRACTOR J D Glass & Door		Contact Person Ray Caldwell	Phone No. 789-3106
Mailing Address 10004 Glacier Hwy		FAX No. 789-3582	License Number 67152
ARCHITECT / ENGINEER		Contact Person	Phone No.
Mailing Address		FAX No.	License Number
PERMIT CLASS ☐ NEW ☐ ELECTRICAL ☐ PLUMBING ☐ MECHANICAL ☐ WOODSTOVE ☐ WATER ☐ SEWER			
☐ ADDITION ☒ REPAIR / REMOD ☐ DEMOLITION ☐ GRADING ☐ DRIVEWAY ☐ BUILDING SAFETY ☐ OTHER			
BUILDING TYPE ☒ Residential ☐ Commercial ☐ Other Rented			
TOTAL DWELLING UNITS ON PROPERTY 4		DWELLING UNITS THIS PROJECT 1	TOTAL BUILDINGS ON 1
DESCRIPTION OF WORK: Window replacement Vinyl siding		VALUE	
		New Square Footage: _____ Sq. Ft.	
		Cost of Remodeling: 53,402.73	

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 the provisions of any other federal, state or local law regulating construction or the performance of construction.

Signature of Owner, Contractor or Authorized Agent:

Date:

7-24-95

(OFFICE USE ONLY BELOW THIS LINE)

BUILDINGS		BUILDING PERMIT FEES	
Occupancy Class	Type of Construction	PLAN REVIEW FEES	
FCC Code	Permit Classification	Building Plan Review \$	
		Zoning Plan Review \$	
		Grading Plan Review \$	
		TOTAL PLAN REVIEW FEES \$	
		Date _____ Check No. _____ Receipt No. _____	
		PERMIT ISSUANCE FEES	
		Adjusted Plan Review Fee \$	
		Fast Track Fee \$	
		Early Start Fee \$	
		Building Permit Fee \$ 519.00	
		Water Assessment Fee \$	
		Water Inspection Fee \$	
		Sewer Assessment Fee \$	
		Sewer Inspection Fee \$	
		Grading Permit Fee \$	
		Driveway Permit Fee \$	
		Bond for \$	
		Other \$	
		TOTAL ISSUANCE FEES \$ 519.00	
		Date 8/4/95 Check No. 3006 Receipt No. 1829	

LAND USE	ENGINEERING/PUBLIC WORKS	PLAN REVIEW APPROVALS
PARKING N/A	CITY WATER:	Initials Date
FLOOD ELEV. N/A	Service - Size	Triage
FIRM ZONE	Fire Line - Size	Zoning T/A 8/1/95
LAND USE PERMITS:	Metered	Architectural
Number Date	Yoke Rec'd	Structural
Number Date	CITY SEWER:	Electrical
	UNITS	Mechanical
	DRIVEWAY BOND:	Plumbing
	Number Date	Fire
	ADEC APPROVALS:	Engineering
	On-site Water	Access
	Number Date	APPROVED FOR ISSUANCE
	On-Site Sewer	Signature
	Number Date	8/1/95
		Date

CONDITIONS AND HOLDS ON PERMIT:

Check smoke detectors.
• Egress windows required in all sleeping rooms.
Verify 5' to property lines for windows.

DEVELOPMENT PERMIT APPLICATION

(APPLICANT PLEASE FILL IN SHADED AREAS AS A MINIMUM)

REVISION NO. DATE

DPA No:

25-0823

CITY and BOROUGH of JUNEAU

Date Received:

8-4-95

Project Name

Kolhaze windows

Project Description

Replace windows, vinyl siding

PROPERTY LOCATION

Street Address

1502 Douglas Highway 2nd St.

City / Zip

Douglas

Subdivision (if known)

Survey (if known)

Block / Tract (if known)

Lot (if known)

Assessor's Parcel Number (if known)

2-D04-0-200-001-0

Number of Parking Spaces

Existing

6

Proposed

Use of Property

Existing

Rental

Proposed

Packet Page 433 of 640

PROPERTY OWNER

Property Owner's Name

Earnie & Silvia Kolhaze

Contact Person

Silvia Kolhaze

Work Phone No.

Mailing Address

Home Phone No.

364-3374

FAX No.

PROPERTY OWNER CONSENT

(Not required for building or engineering permits)

I am (we are) the owner(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 Signature

Date

X

Landowner 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 and/or the Design Review Board may visit the property and may do so during the weekend before the scheduled public hearing date.

APPLICATION

TYPE

OWNER'S

INITIAL(S)

AU

CU

VARIANCE

DESIGN
REVIEW

SUBDIVISION

OTHER

APPLICANT

Applicant's Name

FD Glass & Door

Contact Person

Ray Caldwell

Work Phone No.

789-3106

Mailing Address

10004 Glacier Hwy Juneau Alaska

Home Phone No.

FAX No.

X

Applicant's Signature

7-24-95

Date of Application

(OFFICE USE ONLY BELOW THIS LINE)

CK	PERMIT TYPE	SIGN	DATE RECEIVED	APPLICATION NO.	EST. FEE	ESTIMATED HEARING DATE	ACTUAL HEARING DATE	ESTIMATED DECISION OR APPROVAL DATE *	ACTUAL DECISION OR APPROVAL DATE
	ALLOWABLE USE APPROVAL								
	CONDITIONAL USE APPROVAL								
	VARIANCE								
	DESIGN REVIEW APPROVAL								
	SUBDIVISION								
	STREET VACATION								
	SIGN APPROVAL								
X	BUILDING PERMIT	ES FT	8/4/95	1229.01	519.00	NOT APPLICABLE			8/4/95
	WATER PERMIT								
	SEWER PERMIT								
	GRADING PERMIT								
	DRIVEWAY PERMIT								
	RIGHT-OF-WAY PERMIT								
	PUB. FAC. TRANSMISS. & EXCAV. PERMIT								
	OTHER - (Describe)								

* (assuming complete and accurate information provided by applicant)

Zone	Total Lot Area	Required Setbacks
		Front Back Side Other
Date rating form given to applicant		Planning Staff Initials
COMMENTS:		
KEYWORDS		

RECEIVED SEP 26 1995



155 SOUTH SEWARD STREET
JUNEAU, ALASKA 99801

APN NO. 2-D04-0-200-001-0
(For Office Use)

DECLARATION IN LIEU OF INSPECTION OF SMOKE DETECTORS

Permit No: 11229.01

To: Juneau Building Official

I, the undersigned, being the Owner or Owner's Representative of the property at

1502 Second St. Douglas

Packet Page 434 of 640

submit this declaration in lieu of an offer by a City and Borough of Juneau Building Inspector to verify the location and to test required smoke detection devices to help assure the life safety and property protection of occupants of this building.

I do hereby declare that upon occupancy of each dwelling unit in this building, each and every smoke detector required by State of Alaska Fire Code was in operational order and that I have not been notified of any smoke detection device requiring repair or replacement which has not been made operational. I declare this in full knowledge of the liability placed on me by State law as a landlord.

I also certify that I have or will immediately notify each tenant that they are responsible for maintaining the operational condition of the smoke detectors in their dwelling unit by periodically testing the detector and keeping batteries charged, if battery operated.

Signed,

John D. Phelan
Property Owner / Representative

9/23/95
Date

Mail To: Attn: Chris Roust
Community Development
155 South Seward Street
Juneau, Alaska 99801

Or Fax to: Chris Roust
(907) 586-3365

2-1-346-000-001
B
68304

CITY AND BOROUGH OF JUNEAU, ALASKA
APPLICATION FOR BUILDING PERMIT

8843

VALUATION

Douglas ☒

Juneau ☐

Rural ☐

SAME AS PERMIT 8575 BUT ONE

PERMIT NO. STORY LESS.

DATE RECEIVED

JULY-27-72

BY

BC Hamlin

APPLICANT TO FILL IN BETWEEN HEAVY LINES.
TWO SETS OF PLANS MUST BE FURNISHED WITH APPLICATION.

Building Address		1502 - SECOND STREET		COVERING	
APPLICANT OWNER	Name	Mr & Mrs Astjorn Bo		Ext. Walls	5/8" - T-1-11
	Mail Address	P.O. Box 1083		Int. Walls	1/2" PLASTER BOARD.
	City	JUNEAU, ALASKA 99801		Roof	1/2" ply w/ 4 PLY ROOF.
	Tel. No.	586-6677		Re-Roof	
ARCHITECT ENGINEER	Name	Astjorn Bo		FLUES Packet Page 435 of 640	
	Mail Address	Same as above		F. Place	Flr. Furn. Other
	City			Furnace	H. Water ☒ H. Air ☐ Steam ☐ Oil ☒ Gas ☐
	Tel. No.			Kitchen	
				UTILITIES	
CONTRACTOR or OWNER BUILDER	Name	Mr. Astjorn Bo		Sewage System City	X S. Tank
	Mail Address	P.O. Box 1083		Bldg. Main	
	Tel. No.	586-6677		Sewer Outlet Size	4"
	State License No.			Water Meter Size	1"
				Water Service Size	1"
LEGAL DESCRIPTION	Subdivision	Capital View # 1		Exist. Road	Yes
	Lot No.	1		Curb & Gutter Drain Ditch	☐ ☒
	Bl. No.	A.		Driveway Width	16 Ft.
	PLAT NO 448		Off-Street Parking	Yes See PLAN.	
	IN DOUGLAS, ALASKA.		Estimated Cost		
			Special Information		
			Appl		
CLASS OF WORK					
New	☒	Repair			
Addition		Demolish			
Alteration		Move			
Use Of Bldg.	RENTAL				
Size Of Bldg.	54' x 58' 38' x 54'				
Height Of Bldg.	27' 6" FROM LOWER LEVEL APPROX.				
Area Of Lot	7300				
SPECIFICATIONS					
FOUNDATIONS					
Material	Exterior		Piers		
Width Of Top					
Width Of Bottom					
Depth In Ground					
Plate (Sill)	2x6	Size	Space	Span	
Girders		4x8	SEE PLAN	8'	
Joists (1st Fl.)		2x10	16" O.C.	SEE PLAN	
" " (2nd Fl.)		2x10	16" O.C.	- " -	
" " (Clg.)		2x10	16" O.C.	- " -	
Studs (Ext.)		2x9	16" O.C.	- " -	
" " (Int.)		2x9	16" O.C.	- " -	
Roof Rafters		2x10	16" O.C.	- " -	
Bearing Walls	BOTTOM FLOOR	3x4	16" O.C.	- " -	
Other					
WORK NOT MENTIONED IS NOT INCLUDED IN PERMIT					
I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all state laws, and codes and ordinances of The Greater Juneau Borough, applicable to building construction.					
Signature Of Owner					
Applicant					

BUILDING PERMIT

BLD99-00413

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 abandoned 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.

Packet Page 436 of 640

Job Address:	1502 SECOND ST	Issued:	6/10/99
Permit Number:	BLD99-00413	Project:	KOHLHASE REROOF
		Parcel No:	-D04-0-20D-001-0
Project Description: Reroof: install rubberized cap sheet.			

Subdivision:	CAPITAL VIEW	Lot#	1	Block#	D
--------------	--------------	------	---	--------	---

Zone:	Flood Elevation:	Firm Zone:
Setbacks:	Front:	Side 1:
	Rear:	Side 2:
Comments:		

Owner:	ERNIE KOHLHASE	Applicant:	DESIGN NORTH INC
Address:	PO BOX 240524	Address:	PO BOX 240517
City:	DOUGLAS AK 99824	City:	DOUGLAS AK 99824
Phone:		Phone:	

Fee Type	Amount Paid	Receipt	Date	Valuation for Permit Fee Calculations:	
Permit Fee	\$108.00	3447	6/10/99	Building Permit	\$6,776.00
Total Fees Paid:	\$108.00			Total Valuation:	\$6,776.00

Project Conditions and Holds:

1 - Smoke detectors are required per 1991 UBC prior to final inspection approval.

2 - Call for inspection of clearances to combustibles at penetrations for chimneys (2" clearance min).

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

140 - Insp - Rough Framing	180 - Insp - Vents
220 - Insp - Woodstove/Chimney	230 - Insp - Smoke Detection
800 - Insp - Residential Final	-

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

BUILDING PERMIT APPLICATION

Page 1 of 2

(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) KOHLHASE RE ROOF	Case No: BLD 99-413	Date Received: 6/10/99
CONTRACTOR/OWNER-BUILDER ☐ Contact by E-Mail _____ Design North Inc		Contact Person KLN	Phone No. 6-6540
Mailing Address Box 240517		FAX No. 3-3054	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 roof	
BUILDING TYPE ☒ Residential ☐ Commercial ☐ Other _____			
EXISTING DWELLING UNITS ON PROPERTY 1		NEW DWELLING UNITS THIS PROJECT _____	
TOTAL EXISTING BUILDINGS ON PROPERTY 1			
DESCRIPTION OF WORK: Install SBS rubberized cap sheet (Kohlhase)		VALUE: TYPE (ie: house, garage, deck, unfinished) New: _____ Sq. Ft. New: _____ Sq. Ft. New: _____ Sq. Ft. New: _____ Sq. Ft. Cost of Remodeling: \$ 6776 (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 Design North Inc / mlv		Date: X 6-8-99	

(OFFICE USE ONLY BELOW THIS LINE)

BUILDINGS Occupancy Class _____ FCC Code _____ Type of Construction _____ Permit Classification _____		BUILDING PERMIT FEES													
<table border="1"><thead><tr><th>Occupancy</th><th>Square Feet</th><th>@ Rate</th><th>= Valuation</th></tr></thead><tbody><tr><td>Bedrooms _____</td><td></td><td></td><td></td></tr><tr><td>Stories _____</td><td></td><td></td><td></td></tr></tbody></table>		Occupancy	Square Feet	@ Rate	= Valuation	Bedrooms _____				Stories _____				PLAN REVIEW FEES Building Plan Review \$ _____ Grading Plan Review \$ _____ Total Review Fees \$ _____	
Occupancy	Square Feet	@ Rate	= Valuation												
Bedrooms _____															
Stories _____															
LAND USE PARKING _____ FLOOD ELEV. _____ FIRM ZONE _____ FIRM MAP _____ LAND USE PERMITS: Case Number _____ Case Number _____ Case Number _____ Case Number _____		PLAN REVIEW APPROVALS Initials Date ☒ Fire ☒ Zoning ☒ Engineering ☒ Water ☒ Sewer ☒ Architectural ☒ Structural ☒ Plumbing ☒ Mechanical ☒ Electrical ☒ Access ☒ Special Inspection Form													
ENGINEERING/PUBLIC WORK 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 _____		PERMIT ISSUANCE FEES Adjusted Plan Review Fee \$ _____ Fast Track Fee \$ _____ Early Start Fee \$ _____ ☒ Building Permit Fee \$ 108.00 Water Assessment Fee \$ _____ Water Inspection Fee \$ _____ Sewer Assessment Fee \$ _____ Sewer Inspection Fee \$ _____ Grading Permit Fee \$ _____ Driveway Permit Fee \$ _____ Bond for _____ \$ _____ Other _____ \$ _____ Total Issuance Fees \$ _____													
Water Connection Permits I hereby acknowledge receipt of a _____ inch meter yoke. X Date: _____		PERMIT ISSUANCE PAYMENTS Date 6/10 Rcpt 3447 Ck 10100 \$ 108.00 Date _____ Rcpt _____ Ck _____ \$ _____ Date _____ Rcpt _____ Ck _____ \$ _____ Date _____ Rcpt _____ Ck _____ \$ _____													
APPROVED FOR ISSUANCE Signature June Stinson Date 6-10-99															

CONDITIONS AND HOLDS ON PERMIT:

Smoke detectors per handout
Call for inspection of clearances to combustibles at penetrations for chimneys (2" clearance min)

devappbd.xls rev. 9 1/26/99

Continued on Reverse Side

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

DEVELOPMENT PERMIT APPLICATION

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

Project Number	CITY and BOROUGH of JUNEAU	Date Received: 6/10/99
Project Name (City Staff to assign name) KOHLHASE REEROOF		

PROJECT / APPLICANT INFORMATION

PROJECT / APPLICANT INFORMATION

STAFF APPROVALS

Project Description Install SBS rubberized cap sheet			
PROPERTY LOCATION			
Street Address 1502 2nd Str DGS		City / Zip	
Subdivision (if known)	Survey (if known)	Block / Tract (if known)	Lot (if known)
Assessor's Parcel Number (if known) 2D04020D0010			
LANDOWNER / LESSEE			
Property Owner's Name ERNIE Kohlhasse		Contact Person	Work Phone No.
Mailing Address Box 240524 Douglas 99824		Home Phone No. 364-3379	FAX No.
LANDOWNER/LESSEE CONSENT (Required for Planning permits not needed on Building/Engineer permits)		INITIAL ALL THAT MAY APPLY	
I am (we are) the owner(s) or Lessee 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. Landowner/Lessee Signature _____ Date _____ 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 and/or the Design Review Board may visit the property and may do so during the weekend before the scheduled public hearing date. APPLICANT (If same as OWNER, write "SAME" and sign and date at X below) Applicant's Name Design North Inc Mailing Address Box 240517 Dgs 99824 X Design North Inc /mhl Applicant's Signature _____ Date of Application 6-9-99		APPLICATION TYPE	OWNER'S INITIALS
		ALLOWABLE USE	
		CONDITIONAL USE	
		VARIANCE	
		DESIGN REVIEW	
		SUBDIVISION	
		OTHER	
		APPLICANT (If same as OWNER, write "SAME" and sign and date at X below)	
Applicant's Name Design North Inc		Contact Person Ken	Work Phone No. 6-6540
Mailing Address Box 240517 Dgs 99824		Home Phone No.	FAX No. 3-3054
X Design North Inc /mhl		X 6-9-99	Date of Application

(OFFICE USE ONLY BELOW THIS LINE)

C	K	PERMIT TYPE	SIGN	DATE RECEIVED	APPLICATION NO.	C	K	PERMIT TYPE	DATE RECEIVED	APPLICATION NO.
		ALLOWABLE USE APPROVAL						WATER PERMIT		
		CONDITIONAL USE APPROVAL						SEWER PERMIT		
		VARIANCE						GRADING PERMIT		
		DESIGN REVIEW APPROVAL	MINOR MAJOR					DRIVEWAY PERMIT		
		SUBDIVISION	MINOR MAJOR PUD					RIGHT-OF-WAY PERMIT		
		STREET VACATION						PUB. FAC. TRANSMISS. & EXCAV. PERMIT		
		SIGN APPROVAL	LOCATED IN HISTORIC DISTRICT? YES NO					OTHER - (Describe)		
X		BUILDING PERMIT		6/10/99	B2099-413			Permit Intake Initials		
Zone		Total Lot Area		Required Setbacks						
				Front Back Side Other						
COMMENTS:										

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



FIRE PERMIT

Permit No.
FDP2009-00032
Proj #: FDP2009-00032

* NOTE: "Fire Permit" is a generic term which includes Childcare/Daycare Inspections, Courtesy Inspections, Special Event Structures and permits for Events in Mall Hallways, Fire Watch Approval, Material Storage, Hot Work, Land Clearing Burning, Open Flame, Paint Booths, Fireworks or Pyrotechnical Events, Blasting or Shipment of Explosives to an Established Site.

Your special attention is called to the following:

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

The granting of this permit does not authorize the violation of any federal, state or local law.

The 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 has been issued only for one use as described below, and can be used only for the purpose indicated. This permit is not transferable, and will be revoked by the Fire Department for failure to comply with the regulations set forth in the International Fire Code as adopted by the City & Borough of Juneau Municipal Code Chapter 19.10

COMPLETED

Inspections

Inspections can be arranged by telephoning 586-0251 or by written or faxed notification.
Inspections require 24 hours notice.

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Physical Address:	1502 2ND ST	Issued Date:	7/9/2009
Permit Number:	FDP2009-00032	Project Name:	
Project Description:	Hot tar permit for 7/10/09 and 7/13/09.		
		Parcel No:	2D04020D0010

Responsible Party:	Contractor: DESIGN NORTH INC
	Address: PO BOX 240517
	City: DOUGLAS, AK 99824-0517

Applicant: DESIGN NORTH INC	Owner: KOHLHASE ALASKA LLC
Address: PO BOX 240517	Address:
City: DOUGLAS, AK 99824	City: DOUGLAS, AK 99824

Fee Type	Date	Receipt	Amount Paid
19 Hot Work - Roof/Tar K	7/9/2009	27967	25.00
Total Fees Paid:			25.00

Project Conditions and Holds:

JUNEAU PERMIT CENTER - 230 S. Franklin Street - 4th Floor, Marine View Center Mail: 155 S. Seward Street, Juneau, AK 99801 Phone: 586-0770 - FAX: 586-3365 Inspection Requests: 586-1703 - Email: permits@ci.juneau.ak.us Web Site: www.juneau.org/permits	CAPITAL CITY FIRE/RESCUE - 820 Glacier Ave Downtown Fire Station Phone: 586-5322 - Fax: 586-8323 Inspection Requests: 586-0251 Email: Rich_Etheridge@ci.juneau.ak.us Web Site: www.juneau.lib.ak.us/ccfr
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* NOTE: "Building Permit" is a generic term which includes Building Safety Inspection, Grading Permits, and permits for Electrical, Plumbing and Mechanical work.

1 303.1 Transporting.

Asphalt (tar) kettles shall not be transported over any highway, road or street when the heat source for the kettle is operating.

303.2 Location.

Asphalt (tar) kettles shall not be located within 20 feet of any combustible material, combustible building surface or any building opening. Asphalt (tar) kettles and pots shall not be utilized inside or on the roof of a building or structure. Roofing kettles and operating asphalt (tar) kettles shall not block means of egress, gates, sidewalks, roadways or entrances.

303.3 Location of fuel containers.

Fuel containers shall be located at least 10 feet from the burner.

303.4 Attendant.

An operating kettle shall be attended by a minimum of one employee knowledgeable of the operations and hazards. The employee shall be within 100 feet of the kettle and have the kettle within sight. Ladders or similar obstacles shall not form a part of the route between the attendant and the kettle.

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303.5 Fire extinguishers.

There shall be a portable fire extinguisher with a minimum 40-B:C rating within 25 feet of each asphalt (tar) kettle during the period such kettle is being utilized, and one additional portable fire extinguisher with a minimum 40-B:C rating on the roof being covered. The extinguishers shall display a current inspection tag.

303.7 Hi-boys.

Hi-boys shall be constructed of noncombustible materials. Hi-boys shall be limited to a capacity of 55 gallons. Fuel sources or heating elements shall not be allowed as part of a hi-boy.

303.9 Fuel containers under air pressure.

Fuel containers that operate under air pressure shall not exceed 20 gallons in capacity.

Inspections Required: Inspections may be combined.

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

CAPITAL CITY FIRE/RESCUE - 820 Glacier Ave
Downtown Fire Station
Phone: 586-5322 - Fax: 586-8323
Inspection Requests: 586-0251
Email: Rich_Etheridge@ci.juneau.ak.us
Web Site: www.juneau.lib.ak.us/ccfr



FIRE PERMIT APPLICATION

NOTE: THIS IS NOT A PERMIT

* NOTE: "Fire Permit" is a generic term which includes Childcare/Daycare Inspections, Courtesy Inspections, Special Event Structures and permits for Events in Mall Hallways, Fire Watch Approval, Material Storage, Hot Work, Land Clearing Burning, Open Flame, Paint Booths, Fireworks or Pyrotechnical Events, Blasting or Shipment of Explosives to an Established Site.

Project Name:

Case No: **FDP2009-00032**
Project No: FDP2009-00032

Case Description: Hot tar permit for 7/10/09 and 7/13/09.

Site Address: 1502 2ND ST

Parcel No: 2D04020D0010

Permit Class: Hot Roof

Type or Work: Repair

Type of Building: Comm Gen

Applicant: DESIGN NORTH INC
Address: PO BOX 240517
City: DOUGLAS, AK 99824

Contact: Ron Haffner
WK 586-6540
FAX 463-3054

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Responsible Party:

Owner: KOHLHASE ALASKA LLC
Address: PO BOX 240524
City: DOUGLAS, AK 99824
PH: _____ FAX _____

Contractor: DESIGN NORTH INC
Address: PO BOX 240517
City: DOUGLAS, AK 99824-0517
License No: 1335

Permit Fees Paid at Application:

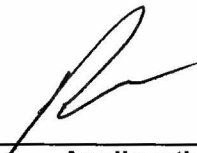
Fee Type	Date Paid	Receipt	Check or Credit #	Amount Paid
19 Hot Work - Roof/Tar Kettle	7/9/2009			0.00
Total Fees Paid:				0.00

Associated Cases:

None.

Parcel Tags:

Notes and Conditions:


Applicant's Signature

7/9/09
Date

Ar
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.

per email
Fire Chief or Representative

7/9/09
Date

☒ Conditions Attached
☐ No Conditions Attached

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

CAPITAL CITY FIRE RESCUE - 820 Glacier Ave
Downtown Fire Station
Phone: 586-5322 - Fax: 586-8323
Inspection Requests: 586-0251
Email: Rich_Etheridge@ci.juneau.ak.us
Web Site: www.juneau.lib.ak.us/ccfr

Alexei Painter

From: Dan Jager
Sent: Thursday, July 09, 2009 8:55 AM
To: Alexei Painter; Sven Pearson
Subject: RE: FDP2009-00032

Yes, this can be approved. Same conditions as the other hot tar permits apply., Thanks.
Dan

Daniel M. Jager
Fire Marshal
Capital City Fire/Rescue
820 Glacier Avenue
Juneau, Ak 99801
907-586-0260
(Fax) 907-586-8323

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From: Alexei Painter
Sent: Thursday, July 09, 2009 8:43 AM
To: Dan Jager; Sven Pearson
Subject: FDP2009-00032

Good morning –

We have another hot tar permit for you, FDP09-032. The application is attached. Is it good to issue? Thanks.

Alexei Painter
Permit Technician
586-0773

7/9/2009

PERMIT PROCESS NO		CITY and BOROUGH of JUNEAU, ALASKA				PERMIT NO. 13097	
PERMIT FOR: BUILDING ☐ GRADING ☐ WATER ☐ SEWER ☐		DATE RECEIVED: 5.16.80				OWNER	
OTHER ☐		5.16.80				JOB ADDRESS	
Please quote the file number in all future correspondence.		TERI A.				FILE NO.	
FILE NUMBER 2-1-346-00A-013-0000							
LEGAL DESCRIPTION	LOT NO. 13	BLOCK A	TRACT SUBDIVISION Capital View	U.S. SURVEY Douglas			
JOB ADDRESS Same as above					ASSIGNED TO:		
OWNER (PLEASE PRINT OR TYPE) Elmer Ignell		MAIL ADDRESS Box 1021		ZIP 99802	PHONE 586-2128		
CONTRACTOR S2mc		MAIL ADDRESS		PHONE	LICENSE NO. AAD 579		
ARCHITECT OR ENGINEER Self		MAIL ADDRESS		PHONE	LICENSE NO.		
USE OF BUILDING Owner Occupied							
CLASS OF WORK ☒ NEW ☐ ADDITION ☐ REMOVE ☐ ALTERATION ☐ MOVE ☐ REPAIR ☐ DEMOLITION ☐ OTHER							
TYPE OF BUILDING ☒ RESIDENTIAL ☐ MOBILE HOME ☐ COMMERCIAL ☐ INDUSTRIAL ☐ OTHER							
IS THE PROPOSED WORK TO BE DONE ON LAND WHICH HAS BEEN PREVIOUSLY FILLED OR IS PROPOSED TO BE FILLED? YES ☐ NO ☒							
APPLICANTS REMARKS							
REHABILITATION WORK IS THERE A SEPARATE APPLICATION FOR REAL PROPERTY TAX EXEMPTION YES ☐ NO ☒							
NOTE: If the work is on a landfill, in water, wetlands, or an intertidal area, a corps of engineers or other permits may be required.							
THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 120 DAYS. OR IF WORK OR CONSTRUCTION IS SUSPENDED OR ABANDONED FOR A PERIOD OF 120 DAYS AT ANY TIME AFTER WORK IS COMMENCED.							
I HEREBY CERTIFY THAT I HAVE EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT AND THAT THE WORK WILL COMPLY WITH ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WHETHER SPECIFIED HEREIN OR NOT.							
THE GRANTING OF THIS PERMIT DOES NOT AUTHORIZE THE VIOLATION OF THE PROVISIONS 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.							
PROCESS UNDER: THE UNIFORM CODES ☒ ONE And TWO FAMILY DWELLING CODE ☐							
SIGNATURE OF OWNER, CONTRACTOR, OR AUTHORIZED AGENT Elmer Ignell					DATE 5.16.80		
NEW BUILDING/ RESIDENCE ADDRESS 1512 3rd St Douglas							
ESTIMATED VALUE FOR WORK DESCRIBED		TYPE OF CONSTRUCTION 1 N		FIRE ZONE 3		NO. OF LIVING UNITS 4	
ESTIMATED PLAN CHECK FEE		NO. OF BEDROOMS 6		HOUSING DATA CODE 4000		NO. OF STORIES 2	
ESTIMATED PERMIT FEE		OTHER APPROVALS		REQ		APPROVED	
ACTUAL VALUE FOR THE WORK DESCRIBED 5-16-80 200,000.00		ZONING		HEALTH OFFICER		DATE 5-16-80	
ACTUAL PLAN CHECK FEE 4.43		FIRE MARSHAL		FIRE CHIEF			
ACTUAL PERMIT FEE 6.83		SANITARIAN		PUBLIC WORKS			
PLANS RECHECKED DATE UNITS RATE		OTHER (SPECIFY)		APPROVAL REMARKS			
SEWER FEE 10 unit 1.50							
WATER FEE							
PENALTY							
OTHER CHARGES 11.31							
TOTAL FEE IN DOLLARS 113.95							
OCCUPANCY R-3 M							
AREA IN SQ FT 3994		572					
VOLUME IN CUBIC FT							
PLANS CHECKED BY [Signature]		DATE 5-16-80		APPROVED FOR ISSUANCE BY [Signature]		DATE 5-16-80	
BUILDING OFFICIAL REMARKS							
This permit must be kept at the work site with the approved plans. A separate Inspection Record Card will be issued with the permit. The Inspection Record Card must be posted on the front of the premises.							
PLAN CHECK FEE VALIDATION		RECEIPT NO.		TOTAL PERMIT FEE VALIDATION 1131.95		RECEIPT NO. 61298	
				740 MAY 16		1,131.95 -34	

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PLEASE DO NOT FILL IN THE SHADED AREAS

PERMIT PROCESS NO. 2099		CITY and BOROUGH of JUNEAU, ALASKA				PERMIT NO. 14528	
PERMIT FOR: BUILDING ☐ GRADING ☐ WATER ☐ SEWER ☐ OTHER ☐					DATE RECEIVED 1/26/82 SIMS		OWNER JOB ADDRESS FILE NO.
Please quote the file number in all future correspondence.							
FILE NUMBER 2-1-346-00A-013							
LEGAL DESCRIPTION	LOT/NO 13	BLOCK/NO A	TRACT/SUBDIVISION Capital View	U.S. SURVEY			
JOB ADDRESS 1512 3rd St.					ASSIGNED TO:		Packet Page 444 of 640
OWNER (PLEASE PRINT OR TYPE) Elmer Ignell		MAIL ADDRESS Rm 1021 Juneau AK 99801		ZIP 99801	CONTACT PHONE 364-3377	HOME PHONE 364-3377	
CONTRACTOR Sme		MAIL ADDRESS		ZIP	PHONE	LICENSE NO. AA0579	
ARCHITECT OR ENGINEER		MAIL ADDRESS		ZIP	PHONE	LICENSE NO.	
USE OF BUILDING	Apartment						
CLASS OF WORK	☒ NEW ☐ REMOVE ☐ MOVE ☐ DEMOLITION ☐ ADDITION ☐ ALTERATION ☐ REPAIR ☐ OTHER						
TYPE OF BUILDING	☒ RESIDENTIAL ☐ COMMERCIAL ☐ MOBILE HOME ☐ INDUSTRIAL ☐ OTHER						
IS THE PROPOSED WORK TO BE DONE ON LAND WHICH HAS BEEN PREVIOUSLY FILLED OR IS PROPOSED TO BE FILLED? YES ☐ NO ☐							
APPLICANT'S REMARKS Apartment added to present Building							
REHABILITATION WORK IS THERE A SEPARATE APPLICATION FOR REAL PROPERTY TAX EXEMPTION YES ☐ NO ☐ YES ☐ NO ☐ NOTE: If the work is on a landfill, in water, wetlands, or an intertidal area, a corps of engineers or other permits may be required.							
THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 120 DAYS OR IF WORK OR CONSTRUCTION IS SUSPENDED OR ABANDONED FOR A PERIOD OF 120 DAYS AT ANY TIME AFTER WORK IS COMMENCED. I HEREBY CERTIFY THAT I HAVE EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT AND THAT THE WORK WILL COMPLY WITH ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF THIS PERMIT DOES NOT AUTHORIZE THE VIOLATION OF THE PROVISIONS 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.							
SIGNATURE OF OWNER, CONTRACTOR, OR AUTHORIZED AGENT Elmer Ignell					DATE 1/26/82		
NEW BUILDING RESIDENCE ADDRESS 1512 3rd St - Douglas							
ESTIMATED VALUE FOR WORK DESCRIBED		TYPE OF CONSTRUCTION Frame		FIRE ZONE		NO OF LIVING UNITS	
ESTIMATED PLAN CHECK FEE		NO OF BEDROOMS ONE		HOUSING DATA CODE		NO OF STORIES	
ESTIMATED PERMIT FEE		OTHER APPROVALS		REQ	APPROVED	DATE	
ACTUAL VALUE FOR THE WORK DESCRIBED 112481		8050		ZONING	84	1-26-82	
ACTUAL PLAN CHECK FEE		4025		HEALTH OFFICER	ZONING CLASS RML		
ACTUAL PERMIT FEE				FIRE MARSHAL			
PLANS RECHECKED DATE UNITS RATE				FIRE CHIEF			
				SANITARIAN			
				PUBLIC WORKS	AFB	1-26-82	
				OTHER ISPECIFY			
				APPROVAL REMARKS			
SEWER FEE							
WATER FEE							
STRUCTURE FEE DOUBLED YES NO							
OTHER CHARGES							
TOTAL FEE IN DOLLARS		12075					
OCCUPANCY	R-3	M					
AREA IN SQ FT							
VOLUME IN CUBIC FT							
PLANS CHECKED BY Jim Rhodes		DATE 1-26-82		APPROVED FOR ISSUANCE BY [Signature]		DATE 1-26-82	
BUILDING OFFICIAL REMARKS Existing sewer & water to be used - One additional sewer work.							
This permit must be kept at the work site with the approved plans. A separate Inspection Record Card will be issued with the permit. The Inspection Record Card must be posted on the front of the premises.							
PLAN CHECK FEE VALIDATION		RECEIPT NO		TOTAL PERMIT FEE VALIDATION 80314		RECEIPT NO	
				120.75			

APPELLANT - EXHIBIT 1

"See reverse side for special attention"

Inactive Permit

Date: 3/12/2009

This permit is in Issued status and has not had an approved final inspection.

Permit: BLD 2001 - 210

PCN: 2 D040 20A 0130

Address: 1512 3RD ST

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

Your special attention is called to the following:

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

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

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

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

Inspections can be arranged by telephoning **586-1703** or by written or faxed notification.
 The Online Building Inspection Request Form is at: www.juneau.ak.us/cdd/insp_req.htm.
 Work shall not proceed until the inspector has approved the various stages of construction.

Call before 7:30 AM for same day inspections.

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

Job Address: 01512 3RD ST		Issued Date: 04/30/01	
Permit Number: BLD2001-00210		Parcel No: 2D04020A0130	
Project Description: Lower level never completed basement as 5th dwelling unit. Now permit to finish basement level as one room and install fixture in current plumbing stubouts.			
Parcel Identification: CAPITAL VIEW BL A LT 13			
Setbacks:	Zone:		
Front:	Side 1:		
Rear:	Side 2:		
Comments:			
Owner: ELMER IGNELL		Applicant: ELMER IGNELL	
Address:		Address: PO BOX 1021	
City: JUNEAU, AK 99802		City: JUNEAU, AK 99802	
Fee Type	Date	Receipt	Amount Paid
1 Permit Fee	04/30/01	11581	42.00
		Total Fees Paid:	42.00
		Valuation for Permit Fee Calculations:	
		Total Valuation: _____	
Project Conditions and Holds:			
1 Smoke detectors as required by applicable code must be operational prior to final inspection approval.			
Inspections Required: Call for inspection before covering or concealing any of the work described below. Inspections may be combined.			
230	Insp - Smoke Detection	800	Insp - Residential Final

APPELLANT - EXHIBIT 1

BUILDING PERMIT APPLICATION

Page 1 of 2
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(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) FINISH BASEMENT	Case No: 3602001-210	Date Received: 4-30-01
CONTRACTOR/OWNER-BUILDER ☐ Contact by E-Mail _____		Contact Person	Phone No.
Mailing Address		FAX No.	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 _____	
BUILDING TYPE ☒ Residential ☐ Commercial ☐ Other _____			
EXISTING DWELLING UNITS ON PROPERTY 4		NEW DWELLING UNITS THIS PROJECT 0	
TOTAL EXISTING BUILDINGS ON PROPERTY 1			
DESCRIPTION OF WORK: Lower Level never completed as 5th Dwelling Unit - Finish unfinished space as one large room & install fixture in current plumbing stubout.		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 <i>[Signature]</i>		Date: X 4/30/01	

(OFFICE USE ONLY BELOW THIS LINE)

BUILDINGS Occupancy Class _____ FCC Code _____ Type of Construction _____ Permit Classification _____		BUILDING PERMIT FEES PLAN REVIEW FEES Building Plan Review \$ _____ Grading Plan Review \$ _____ Total Review Fees \$ _____ PLAN REVIEW PAYMENT Date _____ Receipt No. _____ CK _____																					
<table border="1"><thead><tr><th>Occupancy</th><th>Square Feet</th><th>@ Rate</th><th>= Valuation</th></tr></thead><tbody><tr><td>Feas</td><td></td><td></td><td></td></tr><tr><td>per CTR</td><td></td><td></td><td></td></tr><tr><td>Based on</td><td></td><td></td><td></td></tr><tr><td>one inspection</td><td></td><td></td><td></td></tr></tbody></table>		Occupancy	Square Feet	@ Rate	= Valuation	Feas				per CTR				Based on				one inspection					
Occupancy	Square Feet	@ Rate	= Valuation																				
Feas																							
per CTR																							
Based on																							
one inspection																							
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 Fire _____ Initials _____ Date _____ Zoning _____ Engineering _____ Water _____ Sewer _____ Architectural _____ Structural _____ Plumbing _____ Mechanical _____ Electrical _____ Access _____ Special Inspection Form _____ APPROVED FOR ISSUANCE <i>[Signature]</i> Date 4-30-01																					
Water Connection Permits I hereby acknowledge receipt of a _____ inch meter valve. X _____ Date: _____		PERMIT ISSUANCE FEES Adjusted Plan Review Fee \$ _____ Fast Track Fee \$ _____ Early Start Fee \$ _____ Building Permit Fee \$ 42.00 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 4/30/01 Rcpt 11581 Ck 42.00 Date _____ Rcpt _____ Ck _____ Date _____ Rcpt _____ Ck _____ Date _____ Rcpt _____ Ck _____																					
CONDITIONS AND HOLDS ON PERMIT: Verify smoke detection																							

DEVELOPMENT PERMIT APPLICATION

Packet Page 448 of 640

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

Project Number	CITY and BOROUGH of JUNEAU	Date Received: 4-30-01
Project Name (City Staff to assign name) FINISH BASEMENT		

PROJECT / APPLICANT INFORMATION

Project Description																	
PROPERTY LOCATION																	
Street Address 1512 3rd St		City / Zip Juneau 99802															
Subdivision (if known) CAPITAL VIEW	Survey (if known)	Block / Tract (if known) A	Lot (if known) 13														
Assessor's Parcel Number (if known) 2004120A 0130																	
LANDOWNER / LESSEE																	
Property Owner's Name Elmer I GNEILL		Contact Person Elmer I.	Work Phone No. 586 3240														
Mailing Address PO Box 21021 Juneau AK 99802		Home Phone No. 586 3240	FAX No. 586 4240														
LANDOWNER/LESSEE CONSENT (Required for Planning permits not needed on Building/Engineer permits)		INITIAL ALL THAT MAY APPLY															
I am (we are) the owner(s) or Lessee 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. Landowner/Lessee Signature _____ Date _____ 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 and/or the Design Review Board may visit the property and may do so during the weekend before the scheduled public hearing date.		<table border="1"> <tr> <th>APPLICATION TYPE</th> <th>OWNER'S INITIALS</th> </tr> <tr> <td>ALLOWABLE USE</td> <td></td> </tr> <tr> <td>CONDITIONAL USE</td> <td></td> </tr> <tr> <td>VARIANCE</td> <td></td> </tr> <tr> <td>DESIGN REVIEW</td> <td></td> </tr> <tr> <td>SUBDIVISION</td> <td></td> </tr> <tr> <td>OTHER</td> <td></td> </tr> </table>		APPLICATION TYPE	OWNER'S INITIALS	ALLOWABLE USE		CONDITIONAL USE		VARIANCE		DESIGN REVIEW		SUBDIVISION		OTHER	
APPLICATION TYPE	OWNER'S INITIALS																
ALLOWABLE USE																	
CONDITIONAL USE																	
VARIANCE																	
DESIGN REVIEW																	
SUBDIVISION																	
OTHER																	
APPLICANT (If same as OWNER, write "SAME" and sign and date at X below)																	
Applicant's Name Elmer T GNEILL		Contact Person	Work Phone No.														
Mailing Address PO Box 21021 Juneau AK 99802		Home Phone No.	FAX No.														
X _____ Applicant's Signature		X 4/30/01 Date of Application															

(OFFICE USE ONLY BELOW THIS LINE)

STAFF APPROVALS	C K	PERMIT TYPE	DATE RECEIVED	APPLICATION NO.	C K	PERMIT TYPE	DATE RECEIVED	APPLICATION NO.
		ALLOWABLE USE APPROVAL				WATER PERMIT		
		CONDITIONAL USE APPROVAL				SEWER PERMIT		
		VARIANCE				GRADING PERMIT		
		DESIGN REVIEW APPROVAL	MINOR MAJOR			DRIVEWAY PERMIT		
		SUBDIVISION	MINOR MAJOR PUD			RIGHT-OF-WAY PERMIT		
		STREET VACATION				PUB. FAC. TRANSMISS. & EXCAV. PERMIT		
		SIGN APPROVAL	LOCATED IN HISTORIC DISTRICT? YES NO			OTHER - (Describe)		
		BUILDING PERMIT				Permit Intake Initials		
		Zone	Total Lot Area	Required Setbacks Front _____ Back _____ Side _____ Other _____				
COMMENTS:								

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

APPELLANT - EXHIBIT 1

JUNEAU PERMIT CENTER
INSPECTION RESULTS

Inspect on: 8/9/01 Time: 3:00 P Issued On: 5/9/01 Proj No: BLD2001-00211 Parcel No: 5B1601030120
Address: **02327 O'DAY DR** **YOUNG DECK** Applicant: **RICHARD YOUNG**
Project Description: **Replace 2nd floor deck.**



Notes: Rich Young 463-8713 or 321-2674. Request for final inspection for 2nd floor deck. A ladder will be provided for access but Rich wants to be present during the inspection.
I did not see any other inspection needed but I am not 100% sure!

Inspection: **800 Insp - Residential Final** Result: **P** Inspected by: **SB** Date: **8-9-01**

SETBACKS:

Front: **20** S Rear: **20** NE Side1: **5** SE Side2: **5** SW 3rd Side **10** NW
Comments: FRONT SETBACK IS MEASURED IN A 20 FOOT ARC FROM WHERE SMITH COURT TOUCHES THE PROPERTY.
REAR SETBACK IS LOCATED ALONG NORTHEAST PROPERTY LINE
SIDE SETBACK ALONG NORTHWEST PROPERTY LINE IS 10 FEET DUE TO ADJACENT LC ZONING DISTRICT

CONDITIONS / HOLDS:

- OK** All wood to be pressure treated or cedar type. Exception: Chris Roust OK's re-using existing non-PT beam if it's fully sealed/stained/painted.
- OK** X bracing required on outside posts.
- OK** Asbuilt Survey may be required before final inspection if CBJ inspector is unable to verify setbacks.

INSPECTION COMMENTS:

Lag bolt run to house 2x's 16" OC staggered. Balance of frame + setbacks approved.

JUNEAU PERMIT CENTER
INSPECTION RESULTS

E 4/10/02
RMK
Done
Packet Page 450 of 640

Inspect on: 4/10/2002 Time: 11:00 A Issued On: 4/30/2001 Proj No: BLD2001-00210 Parcel No: 2D04020A0130
Address: **01512 3RD ST** **FINISH BASEMENT** Applicant: **ELMER IGNELL**
Project Description: Lower level never completed basement as 5th dwelling unit. Now permit to finish basement level as one room and install fixture in current plumbing stubouts.
Notes: No name given 586-3240. Plumbing, electrical and framing inspections.

Inspection: 140 Insp - Rough Framing Result: A ✓ Inspected by: RMK Date: 4/10/02

CONDITIONS / HOLDS:

☐ Smoke detectors as required by applicable code must be operational prior to final inspection approval.

INSPECTION COMMENTS:

Rough framing + plumbing approved. Rough wire partial - smoke alarms not roughed yet. dryer + bath vents not installed yet. Dryer vent in wall to above ceiling OK, check later for completion. Water is @ 60 psi

Certificate of Occupancy

City & Borough of Juneau, Alaska

This Certificate issued pursuant to the requirements of Section 306 of the Uniform Building Code, as amended, certifying that at the time of issuance this structure was in compliance with the various ordinances of the City & Borough of Juneau regulating building construction or use. For the following:

Use Classification 4-Plex Bldg. Permit No. 13097
Occupancy Group R-3
Type Construction 5N Fire Zone 3 Use Zone _____
Owner of Building Elmer Ignell Address Box 1021
Building Address 1512 3rd Street Locality Juneau, Alaska 99802
Legal Description of Building Lot 13 Block A
Capital View *Leroy Hawkinson*
Leroy Hawkinson for V. Rao Gulur
Building Official
File No. 2-1-346-00A-013-0000 Date: May 15, 1981

Post this Certificate and all identified attachments in a conspicuous place.

GREATER JUNEAU BOROUGH I
APPLICATION FOR BUILDING PERMIT

-1-346-00A-006

Douglas ☒ Juneau ☐ Rural ☐

VALUATION \$113,456.00 PERMIT NO. 9007

DATE RECEIVED 10-4-72 BY James A. Forrest, Jr.

APPLICANT TO FILL IN BETWEEN HEAVY LINES.
TWO SETS OF PLANS MUST BE FURNISHED WITH APPLICATION.

Building Address 155 ST. DOUGLAS		COVERING	
APPLICANT	Name BEN STEIDLEY	Ext. Walls 1/2" GYP-LAP 1/2" BLACK FELT - CEDAR SIDING	
	Mail Address P.O. Box	Int. Walls 1/2" x 3/8" SHEETROCK	
	City JUNEAU	Roof 5/8" EXT. PLYWOOD - COMP. SHINGLES	
	Tel. No. 364-3215	Re-Roof	
ARCHITECT ENGINEER	Name		
	Mail Address		
	City		
	Tel. No.		
CONTRACTOR or OWNER BUILDER	Name PIONEER BUILDERS		
	Mail Address P.O. Box 55		
	Tel. No. 789-7638		
	Borough License No. 72-25238		
LEGAL DESCRIPTION	Subdivision CAPITAL VIEW		
	Lot No. 6	Bl. No. A	
CLASS OF WORK			
New	☒	Repair	
Addition		Demolish	
Alteration		Move	
Use Of Bldg.	FOUR PLEX		
Size Of Bldg.	45' x 58'		
Height Of Bldg.	THREE STORY TWO STORIES		
Area Of Lot	70' x 90'		
SPECIFICATIONS			
FOUNDATIONS			
Material	Exterior	Piers	
Width Of Top	8"	3x3'	
Width Of Bottom	8"	3x3'	
Depth In Ground	40"		
Plate (Sill)	2x6	Size	Space
Girders	3/2x10	13'	7'5"
Joists (1st Fl.)	2x10	16"	14'
" " (2nd Fl.)	2x10	16"	14'
" " (Clg.)			
Studs (Ext.)	2x4		8'
" " (Int.)	2x4		8'
Roof Rafters	2x6 TRUSS		
Bearing Walls	2x4	16"	8'
Other			
WORK NOT MENTIONED IS NOT INCLUDED IN PERMIT			
I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all state laws, and codes and ordinances of The Greater Juneau Borough, applicable to building construction.			
Signature			
Of Owner			
Applicant			

CITY & BOROUGH OF JUNEAU
Certificate Of Occupancy

Date of issue 5-24-73 Date of occupancy 5-25-73 Bldg. Permit No. 9007

This is to certify that the following described building or structure:

STEIDLEY 4-PLEX DOUGLAS

Erected on Lot No. _____ Block No. _____

Subdivision _____ Fire Zone _____

Street and No. _____

Owner _____ Occ. Group _____

Architect _____ Use Zone _____

Contractor ALLISON

Has been inspected and authorized for

Beneficial _____ Partial _____ Permanent ☒

Occupancy.

Lin A. Forrest, Jr.
Building Official

This certificate must be posted and permanently maintained in a conspicuous place at or close to the entrance of the building or structure referred to above.

M. P.



BEFORE THE PLANNING COMMISSION OF
THE CITY AND BOROUGH OF JUNEAU

A & S RENTALS LLC,

Appellant.

APL 2021-0001

Appeal of ENF20210015

CDD’S WITNESS LIST AND EXHIBIT LIST

A. Witnesses:

The Community Development Department (“CDD”) hereby provides the witnesses it may utilize at the hearing in this matter:

1. Jill Maclean
Director
Community Development Department
2. All witnesses disclosed by the other parties to this action and any witnesses necessary for rebuttal or impeachment.

B. Exhibits:

The Community Development Department (“CDD”) hereby provides the exhibits it may utilize at the hearing in this matter:

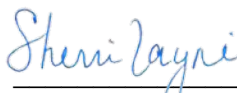
EXHIBITS

<u>NO.</u>	<u>EXHIBIT TITLE/DESCRIPTION</u>
1	Building Permits for 1506 2 nd St, 1508 3 rd St, and 1510 2 nd St
2	Nonconforming Certification Letters from <i>Glenn Bo v. CDD Director</i> , appeal no. 2020-0004/0005/0006 (dated 11/05/2020)
3	Compliance Orders from CDD to A&S Rentals (dated 03/10/2021)
4	Letter from JoAnn Birt (dated 12/07/2020)
5	Notice of Withdrawal and Order of Dismissal in <i>Glenn Bo v. CDD Director</i> , appeal no. 2020-0004/0005/0006
6	CBJ Zoning Code 1959-1986
7	Data from Assessor

The above list includes documents which have all been referenced in CDD's Opening Brief and Stipulated Facts, and may be referred to during oral argument to the Commission. In addition to the above, CDD may also rely on Plaintiff's exhibits. Further, the above exhibit list includes exhibits which may be used for demonstrative purposes as well, if the Commission has questions.

DATED this 1st day of June, 2021, at Juneau, Alaska.

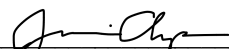
Community Development Department

By: 
Sherri Layne
Assistant Municipal Attorney
Alaska Bar No. 1306042

Certificate of Service

I certify that on June 1, 2021, a true and correct copy of the foregoing document was served on the following party via email:

Todd Araujo, Esq.
Simpson, Tillinghast, Sheehan, & Araujo, P.C.
taraujo@stsl.com


Civil Litigation and Support Assistant

CITY AND BOROUGH OF JUNEAU, ALASKA
APPLICATION FOR BUILDING PERMIT

8841

Douglas ☒ Juneau ☐ Rural ☐
PERMIT NO. SAME AS PERMIT 8575 BUT ONE STORY LESS
BY BC Hamlen

VALUATION 68,304

DATE RECEIVED 7-29-72

APPLICANT TO FILL IN BETWEEN HEAVY LINES.
TWO SETS OF PLANS MUST BE FURNISHED WITH APPLICATION.

Building Address		COVERING	
APPLICANT OWNER	Name	Ext. Walls	<u>3/8" - T-1-11</u>
	Mail Address	Int. Walls	<u>1/2 PLASTER BOARD.</u>
	City	Roof	<u>1/2 PLY 3/4 PLY ROOF</u>
	Tel. No.	Re-Roof	
ARCHITECT ENGINEER	Name	FLUOROPOLYMER Packet Page 457 of 640	
	Mail Address	F. Place	Flr. Furn. Other
	City	Furnace	H. Water ☒ H. Air ☐ Steam Elec. ☐ Oil Gas ☒
	Tel. No.	Kitchen	
CONTRACTOR or OWNER BUILDER	Name	UTILITIES	
	Mail Address	Sewage System City	<u>X</u> S. Tank
	City	Bldg. Main	
	Tel. No.	Sewer Outlet Size	<u>4"</u>
LEGAL DESCRIPTION	Name	Water Meter Size	<u>1"</u>
	Mail Address	Water Service Size	<u>1"</u>
	Tel. No.	Exist. Road	<u>Yes</u> Curb & Gutter Drain Ditch ☐
	State License No.	Driveway Width	<u>16'</u> Ft.
	Subdivision	Off-Street Parking	<u>Yes, See PLAN.</u>
	Lot No.	Estimated Cost	
	Bl. No.	Special Information	
	PLAT NO 448		
	IN DOUGLAS.		
CLASS OF WORK			
New	☒	Repair	
Addition		Demolish	
Alteration		Move	
Use Of Bldg.	<u>RENTAL</u>		
Size Of Bldg.	<u>38x54</u>		
Height Of Bldg.	<u>27'6" FROM LOWER LEVEL</u>		
Area Of Lot	<u>7000</u>		
SPECIFICATIONS FOUNDATIONS			
Material	Exterior	Piers	
Width Of Top			
Width Of Bottom			
Depth In Ground			
Plate (Sill)	<u>2x6</u>	Size	Space Span
Girders	<u>4x8</u>	<u>SEE PLAN</u>	<u>B"</u>
Joists (1st Fl.)	<u>2x10</u>	<u>16" o.c.</u>	<u>SEE PLAN</u>
" " (2nd Fl.)	<u>2x10</u>	<u>16" o.c.</u>	<u>- n -</u>
" " (Clg.)	<u>2x10</u>	<u>16" o.c.</u>	<u>- n -</u>
Studs (Ext.)	<u>2x9</u>	<u>16" o.c.</u>	<u>- n -</u>
" " (Int.)	<u>2x9</u>	<u>16" o.c.</u>	<u>- n -</u>
Roof Rafters	<u>2x12</u>	<u>16" o.c.</u>	<u>- n -</u>
Bearing Walls	<u>Bottom Floor</u>	<u>3x4</u>	<u>16" o.c.</u>
Other			
WORK NOT MENTIONED IS NOT INCLUDED IN PERMIT			
I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all state laws, and codes and ordinances of The Greater Juneau Borough, applicable to building construction.			
Signature Of Owner <u>[Signature]</u>			
Applicant <u>[Signature]</u>			

BLDG. PERMIT NO. 9841
 BLDG. FEE \$ 190⁰⁰
 PLAN CHECK FEE \$ PD 8575

DATE ISSUED 7-27-72
 PLANS SUBMITTED 1/CS
 SPECS. SUBMITTED NO

PENALTY \$

OTHER \$

TOTAL \$ 190⁰⁰

CALLED INSPECTIONS

FOOTING (BEFORE POURING)

FND. WALL (BEFORE POURING)

FRAME

ROUGH PLUMBING

ROUGH ELECTRICAL

FIRE PLACE

SEWAGE & WATER

OTHER

FINAL

CERTIFICATE OF OCCUPANCY
 ISSUED

DATE

ZONING INFORMATION

ZONE

APPROVED

DATE

AREA OF LOT

SET BACKS: FRONT

BACK

SIDES

COMMENTS:

APPROVED:

DATE:

COMMENTS:

FIRE ZONE

2-1-346-004-012

CITY AND BOROUGH OF JUNEAU, ALASKA
APPLICATION FOR BUILDING PERMITDouglas ☒Juneau ☐Rural ☐

VALUATION

\$83,000.00

PERMIT NO.

8575

DATE RECEIVED

5-17-72

BY

B. E. Hamlin

APPLICANT TO FILL IN BETWEEN HEAVY LINES.
TWO SETS OF PLANS MUST BE FURNISHED WITH APPLICATION.

Building Address		COVERING	
APPLICANT OWNER	Name	Mr & Mrs. Asbjorn Bo	Ext. Walls 5/8-T-1-11
	Mail Address	P.O. Box 1083	Int. Walls 1/2" PLASTER BOARD.
	City	JUNEAU, ALASKA	Roof 1/2" PLY with 4 ply roof.
	Tel. No.	586-6677	Re-Roof
ARCHITECT ENGINEER	Name	Asbjorn Bo	F. Place
	Mail Address	Same as above	Flr. Furn.
	City		Other
	Tel. No.		
CONTRACTOR or OWNER BUILDER	Name	BO, Construction	Furnace
	Mail Address	P.O. Box 1083	H. Water ☒ H. Air ☐
	Tel. No.	586-6677	Steam Elec. ☐
	State License No.	71721731	Oil Gas ☒
LEGAL DESCRIPTION	Subdivision	CAPITOL VIEW #1	Kitchen
	Lot No.	12	Utilities
	Bl. No.	A.	Sewage System City ☒ S. Tank
			Bldg. Main
			Sewer Outlet Size 4"
			Water Meter Size 1"
			Water Service Size 1"
			Exist. Road YES
			Curb & Gutter Drain Ditch ☒
			Driveway Width 16 Ft.
		Off-Street Parking YES - SEE PLAN.	
		Estimated Cost	
		Special Information	
		5 family	
CLASS OF WORK			
New	☒	Repair	
Addition		Demolish	
Alteration		Move	
Use Of Bldg.	RENTAL		
Size Of Bldg.	38' x 54'		
Height Of Bldg.	28'		
Area Of Lot	7400 #		
SPECIFICATIONS			
FOUNDATIONS			
Material	Exterior	Piers	
Width Of Top			
Width Of Bottom			
Depth In Ground			
Plate (Sill)	2x6	Size	Space
Girders	4x8	16" o.c.	Span 6'
Joists (1st Fl.)	2x10	16" o.c.	SE PLAN
" " (2nd Fl.)	2x10	16" o.c.	" "
" " (Clg.)	2x10	16" o.c.	" "
Studs (Ext.)	2x4	16" o.c.	" "
" " (Int.)	2x4	16" o.c.	" "
Roof Rafters	2x10	16" o.c.	" "
Bearing Walls	2x10	16" o.c.	" "
Other			
WORK NOT MENTIONED IS NOT INCLUDED IN PERMIT			
I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all state laws, and codes and ordinances of The Greater Juneau Borough, applicable to building construction.			
Signature Of Owner		Asbjorn Bo	
Applicant		Asbjorn Bo	

BLDG. PERMIT NO. 8575 DATE ISSUED _____
BLDG. FEE \$ 201.00 PLANS SUBMITTED _____
PLAN CHECK FEE \$ 100.50 SPECS. SUBMITTED _____
PENALTY \$ _____ REC. NO. 3713
OTHER \$ _____
TOTAL \$ 301.50

CALLED INSPECTIONS
FOOTING (BEFORE POURING) _____
FND. WALL (BEFORE POURING) _____
FRAME _____
ROUGH PLUMBING _____
ROUGH ELECTRICAL _____
FIRE PLACE _____
SEWAGE & WATER _____
OTHER _____
FINAL _____

CERTIFICATE OF OCCUPANCY
ISSUED _____ DATE _____

ZONING INFORMATION
ZONE _____ APPROVED _____ DATE _____
AREA OF LOT _____
SET BACKS: FRONT _____
BACK _____
SIDES _____

COMMENTS: _____

APPROVED: _____ BOROUGH SANITARIAN
DATE: _____

COMMENTS: _____

FIRE ZONE _____

CITY AND BOROUGH OF JUNEAU, ASKA

APPLICATION FOR BUILDING PERMIT

Douglas ☒

Juneau ☐

Rural ☐

ATION

PERMIT NO.

E RECEIVED

BY

APPLICANT TO FILL IN BETWEEN HEAVY LINES.
TWO SETS OF PLANS MUST BE FURNISHED WITH APPLICATION.

Building Address				COVERING			
APPLICANT OWNER	Name <u>Mrs & Mrs Asbjorn Bo</u>			Ext. Walls			
	Mail Address <u>Box 1083</u>			Int. Walls			
	City <u>Juneau</u>			Roof			
	Tel. No. <u>6-6673</u>			Re-Roof			
				FLUES Packet Page 461 of 640			
ARCHITECT ENGINEER	Name			F. Place			
	Mail Address			Flr. Furn.			
	City			Other			
	Tel. No.			Furnace			
				H. Water ☐ H. Air ☐ Steam ☐ Elec. ☐ Oil ☐ Gas ☐			
CONTRACTOR or OWNER BUILDER	Name			Kitchen			
	Mail Address			UTILITIES			
	Tel. No.			Sewage System City			
				S. Tank			
	State License No.			Bldg. Main			
LEGAL DESCRIPTION	Subdivision <u>Capitol View</u>			Sewer Outlet Size			
	Lot No. <u>12</u> Bl. No. <u>A</u>			Water Meter Size			
				Water Service Size			
				Exist. Road			
				Curb & Gutter ☐ Drain Ditch ☐			
				Driveway Width			
				Ft.			
				Off-Street Parking			
				Estimated Cost			
				Special Information			
5 ply							
CLASS OF WORK							
New				Repair			
Addition				Demolish			
Alteration				Move			
Use Of Bldg.							
Size Of Bldg.							
Height Of Bldg.							
Area Of Lot							
SPECIFICATIONS							
FOUNDATIONS							
Material				Exterior		Piers	
Width Of Top							
Width Of Bottom							
Depth In Ground							
Plate (Sill)				Size		Space	
Girders							
Joists (1st Fl.)							
" " (2nd Fl.)							
" " (Clg.)							
Studs (Ext.)							
" " (Int.)							
Roof Rafters							
Bearing Walls							
Other							
WORK NOT MENTIONED IS NOT INCLUDED IN PERMIT							
I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all state laws, and codes and ordinances of The Greater Juneau Borough, applicable to building construction.							
Signature Of Owner							
Applicant							

BLDG. PERMIT NO. 8875 DATE ISSUED _____
 BLDG. FEE \$ 31.25 PLANS SUBMITTED _____
 PLAN CHECK FEE \$ NA SPECS. SUBMITTED _____
 PENALTY \$ _____ REC. NO. 4885
 OTHER \$ _____
 TOTAL \$ 31.25

CALLED INSPECTIONS

Packet Page 462 of 640

FOOTING (BEFORE POURING) _____

FND. WALL (BEFORE POURING) _____

FRAME _____

ROUGH PLUMBING _____

ROUGH ELECTRICAL _____

FIRE PLACE _____

SEWAGE & WATER _____

OTHER _____

FINAL _____

CERTIFICATE OF OCCUPANCY
ISSUED _____ DATE _____

ZONING INFORMATION

ZONE _____ APPROVED _____ DATE _____

AREA OF LOT _____

SET BACKS: FRONT _____

BACK _____

SIDES _____

COMMENTS: Bldg. permit 8575 was issued on
83000. When evaluated it was 102880
Bo Constr is paying difference

APPROVED: _____ BOROUGH SANITARIAN

DATE: _____

COMMENTS: _____

FIRE ZONE _____

2-1-346-00D-105

EXHIBIT 1

CITY AND BOROUGH OF JUNEAU, ALASKA
APPLICATION FOR BUILDING PERMIT

8842

VALUATION ~~88,307~~ 68,307

Douglas ☒ Juneau ☐ Rural ☐
SAME AS PERMIT 8575 BUTONE
PERMIT NO. STORY LESS

DATE RECEIVED 7-27-72

BY BC Hamlin

APPLICANT TO FILL IN BETWEEN HEAVY LINES.
TWO SETS OF PLANS MUST BE FURNISHED WITH APPLICATION.

Building Address 1510 - SECOND STREET		COVERING	
APPLICANT OWNER	Name Mr & Mrs Asbjorn Bo	Ext. Walls 5/8" - T-1-11	
	Mail Address P.O. Box 1083	Int. Walls 1/2 PLASTER BOARD	
	City JUNEAU, ALASKA.	Roof 1/2 PLY 3/4 PLY ROOF	
	Tel. No. 586-6677	Re-Roof	
ARCHITECT ENGINEER	Name SAME	FLUES	
	Mail Address AS ABOVE	F. Place	Flr. Furn. Other
	City	Furnace H. Water H. Air	Steam Elec. Oil Gas
	Tel. No.	Kitchen	
CONTRACTOR or OWNER BUILDER	Name Asbjorn Bo	UTILITIES	
	Mail Address P.O. Box 1083	Sewage System City X	S. Tank
	Tel. No. 586-6677	Bldg. Main	
	State License No. 72-73-1731	Sewer Outlet Size 4"	
LEGAL DESCRIPTION	Subdivision Capitol View #1	Water Meter Size 1"	
	Lot No. 3 Bl. No. A	Water Service Size 1"	
	PLAT NO 948	Exist. Road Yes	Curb & Gutter Drain Ditch
	IN DOUGLAS	Driveway Width 16"	Ft.
		Packet Page 463 of 640	
		Off-Street Parking Yes, See PLAN	
		Estimated Cost 68,307	
		Special Information	
CLASS OF WORK			
New X	Repair		
Addition	Demolish		
Alteration	Move		
Use Of Bldg. RENTAL			
Size Of Bldg. 38x54			
Height Of Bldg. 27' 6" FROM LOWER LEVEL			
Area Of Lot 7000			
SPECIFICATIONS			
FOUNDATIONS			
Material	Exterior	Piers	
Width Of Top			
Width Of Bottom			
Depth In Ground			
Plate (Sill) 2x6	Size	Space	Span
Girders	4x8	SEE PLAN	8'
Joists (1st Fl.)	2x10	16" o.c.	SEE PLAN
" " (2nd Fl.)	2x10	16" o.c.	"
" " (Clg.)	2x10	16" o.c.	"
Studs (Ext.)	2x4	16" o.c.	"
" " (Int.)	2x4	16" o.c.	"
Roof Rafters	2x10	16" o.c.	"
Bearing Walls BOTTOM FLOOR	3x4	16" o.c.	"
Other			
WORK NOT MENTIONED IS NOT INCLUDED IN PERMIT			
I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all state laws, and codes and ordinances of The Greater Juneau Borough, applicable to building construction.			
Signature Of Owner [Signature]			
Applicant [Signature]			

BLDG. PERMIT NO. 8842 DATE ISSUED 7-27-72
 BLDG. FEE \$ 2248.00 PLANS SUBMITTED yes
 PLAN CHECK FEE \$ Ad permit 8575 SPECS. SUBMITTED _____
 PENALTY \$ _____ REC. NO. 4882
 OTHER \$ _____

TOTAL \$ 1900.00

CALLED INSPECTIONS

FOOTING (BEFORE POURING) _____

FND. WALL (BEFORE POURING) _____

FRAME _____

ROUGH PLUMBING _____

ROUGH ELECTRICAL _____

FIRE PLACE _____

SEWAGE & WATER _____

OTHER _____

FINAL _____

Packet Page 464 of 640

CERTIFICATE OF OCCUPANCY
ISSUED

DATE _____

ZONING INFORMATION

ZONE _____

APPROVED OK [Signature]

DATE _____

AREA OF LOT _____

SET BACKS:

FRONT _____

BACK _____

SIDES _____

COMMENTS: _____

APPROVED: _____

BOROUGH SANITARIAN

DATE: _____

COMMENTS: _____

FIRE ZONE _____



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

NONCONFORMING CERTIFICATE

Date: November 5, 2020
 File No.: NCC2020 0066

Asbjorn and Marit Bo Trust
 ATTN: Glenn Bo
 6748 North Point Drive
 Fruitport, MI 49415

Proposal: A Nonconforming Certification Review for residential density and parking.

Property Address: 1506 Second St.
 Property Legal Description: Capital View Block D Lot 2
 Property Parcel Code No.: 2D04020D0020

The Director of Community Development adopted the analysis and findings listed in the attached memorandum dated November 5, 2020, and has found the following situations on the lot to be certified nonconforming to the Title 49 Land Use Code of the City and Borough of Juneau:

- Nonconforming Residential Densities (49.30.240):
 - One dwelling unit is nonconforming
- Nonconforming Parking (49.30.270):
 - Number of off-street parking spaces: Six off-street parking spaces are provided; 9.5 are required

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

The Director of Community Development adopted the analysis and findings lists in the attached memorandum dated November 5, 2020, and has found the following situations on the lot to be NONCOMPLIANT to the Title 49 Land Use Code:

- Noncompliant Residential Densities (49.30.240):
 - Two unpermitted dwelling units are noncompliant. The property owner must bring the structure into compliance with the Land Use Code.

File No.: NCC2020 0066

November 5, 2020

Page 2 of 2

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

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

Project Planner:



Joseph Meyers, Planner
Community Development Department



Jill Maclean, Director, AICP
Community Development Department

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



(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/CDD

155 S. Seward Street • Juneau, AK 99801

DATE: November 5, 2020

TO: Jill Maclean, Director, AICP

BY: Joseph Meyers, Planner I

PROPOSAL: A Nonconforming Certification Review for residential density and parking.

KEY CONSIDERATIONS FOR REVIEW:

- At time of establishment, parking requirements were met.
- The lot meets or exceeds all dimensional standards and yard setback requirements.
- The lot currently contains six dwelling units.
- Four dwelling units were permitted in 1972 with a building permit; one of these units is nonconforming to current requirements.
- The fifth and sixth dwelling units were added without a permit and are noncompliant. The property owner must bring the structure into compliance with the Land Use Code.

GENERAL INFORMATION	
Property Owner	Asbjorn and Marit Bo Trust
Applicant	Asbjorn and Marit Bo Trust
Property Address	1506 Second St.
Legal Description	Capital View Block D Lot 2
Parcel Number	2D04020D0020
Zoning	D18
Lot Size	7,000 sq. ft.
Water/Sewer	Yes
Access	Second Street
Existing Land Use	Residential
Associated Applications	N/A

STAFF RECOMMENDATION:

Staff recommends the following situations receive

Nonconforming Certification:

- Nonconforming Residential Densities (49.30.240)
- Nonconforming Parking (49.30.270)

ABANDONMENT:

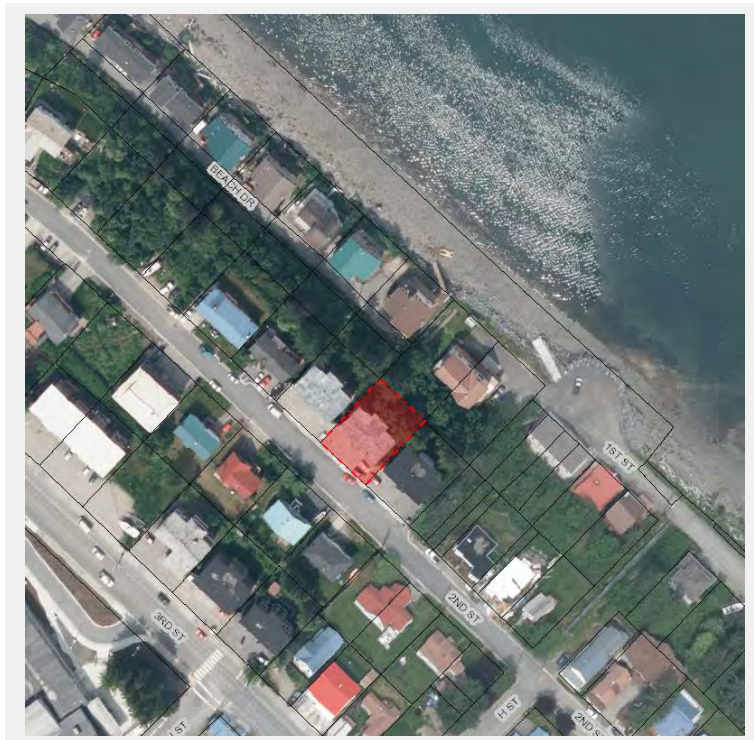
If a nonconforming situation is deemed to be abandoned by the Director, the decision may be reconsidered in accordance with CBJ 49.30.220. After reconsideration is reviewed, an appeal may be filed in accordance with CBJ 49.20.110.

NONCOMPLIANCE:

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

- o The fifth and sixth, unpermitted dwelling units are noncompliant.

SITE FEATURES AND ZONING



CURRENT ZONING MAP

SURROUNDING ZONING AND LAND USES

North (D18)	Multi-family
South (D18)	Multi-family
East (D18)	Multi-family
West (D18)	Multi-family

SITE FEATURES

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

ZONING AT TIME OF ESTABLISHMENT



ZONING HISTORY

Year	Zoning District	Summary
1958	No zoning existed	The lot was originally platted prior to establishment of zoning in Douglas.
1969	RML (Low-density Multi-family Residential)	In 1969, the lot and surrounding area was zoned RML. The RML zoning district required a 5,400 square foot minimum lot size, 60-foot lot width, and 90-foot lot depth. Required minimum yard setbacks were 15 feet front, 15 feet rear, and 6 feet on each side for a building with two stories. One off-street parking space was required per dwelling unit. Under the RML zoning, a maximum of four dwelling units were allowed on the lot. The lot met dimensional requirements and parking requirements. A building permit was issued in 1972 for four dwelling units to be constructed on the lot (BLD 8841). At the time of construction, the structure and the four dwelling units were conforming. It is not clear when the fifth or sixth dwelling units were added; these units would not have been allowed under the RML zoning.
1986	R7 (Single-family and Duplex Residential)	The minimum lot size under this zoning was 7,000 sq. feet for a single-family unit and 9,000 sq. ft. for a duplex. The minimum lot width is 70 feet from the front building line. And the minimum lot depth is 85 feet. Maximum lot coverage is 30% with a maximum building height of 35 feet. The minimum yard setback requirements are 20 feet for front and rear yards, and 5 feet for side yards. Under this zoning, one parking space per dwelling unit were required. Under this zoning, multi-family development was not allowed. At this time, the lot was nonconforming for density.
1987	D18 (Multi-family Residential)	In 1987, the lot and surrounding area was rezoned to D18; this is the current zoning. The D18 zoning district requires a 5,000 square foot minimum lot size, 50-foot lot width, and 80-foot lot depth. Required minimum yard setbacks are 20 feet front, 10 feet rear, and 5 feet on each side. One off-street parking space was required per 1-bedroom unit, 1.5 parking spaces per 2-bedroom unit, and 2 parking spaces per 3- and 4-bedroom unit. The D18 zoning allows for three dwelling units on this lot. Lot dimensional standards and yard setback requirements are met. The lot became nonconforming for number of off-street parking spaces; 9.5 spaces are required and 6 are provided. The lot also became nonconforming for residential density for one of the four dwelling units approved in 1972 under permit number 8841. The fifth and sixth dwelling units are noncompliant.

BACKGROUND INFORMATION

The applicant requests a Nonconforming Certification for nonconforming residential density and nonconforming parking. The applicants' narrative states that the lot currently contains six dwelling units. The lot was originally platted in 1958, and replatted in 1965. The structures on the lot were constructed in 1972 with Building Permit 8841, which permitted four dwelling units.

There are no building permit records, Assessor's records, or submitted documents that demonstrate when the fifth and sixth dwelling units were constructed. CBJ utility billing records show six units in 1992; the units would not have been allowed.

Four of the dwelling units on the lot were permitted, and the remaining two dwelling units are considered noncompliant. No information has been submitted that suggests approval of the fifth and sixth dwelling units on the lot.

INFORMATION REVIEWED

Year	Type	Summary
1958	Plat	The lot was originally platted in 1958 through the City of Douglas, Alaska platting action.
1965	Plat	The lot was replatted in 1965 through the Capital View Subdivision.
1972	Building Permit	Permit No. 8841. Building permit for a "4-plex" to be constructed on the lot.
2013	Aerial Imagery	Aerial imagery is used to estimate vegetative cover. A site visit confirmed vegetation is consistent with aerial imagery.
2020	Site Visit Photos	Visual documentation of current parking situation.
2020	Utility Records	Determined existence of 6 units as far back as 1992.
2020	As-Built Survey	As-built survey shows the lot and structures in their current condition.

ANALYSIS

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

Standard		Requirement	Existing	Code Reference
Lot	Size	5,000 ft ²	7,000 ft ²	49.25.400
	Width	50'	70'	49.25.400
	Depth	80'	100'	49.25.400
Setbacks	Front	20'	27'	49.25.400
	Rear	10'	30'	49.25.400
	Side	5'	8'	49.25.400
	Side	5'	5'	49.25.400
Lot Coverage		50% or less	34%	49.25.400
Height	Permissible	35'	28'	49.25.400
	Accessory	25'	N/A	49.25.400

Maximum Dwelling Units	3	6*	49.25.500
Use	Multi-family Residential	Multi-family Residential	49.25.300
Vegetative Cover	30%	34%	49.50.300
Parking	9.5	6	49.40.210(a)

***Building permit 8841 approved construction of four units; 2 units remain noncompliant**

Minimum Lot Requirements – The lot meets required lot size, lot width, and lot depth.

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

Minimum Setback Requirements – According to the as-built survey, the structure on the lot meets current setback requirements.

Finding: Staff finds the structure conforming for setbacks.

Lot Coverage – According to the as-built survey, lot coverage is not exceeded.

Finding: Staff finds the lot conforming for lot coverage.

Structure Height – According to Building Permit 8841, the structure on the lot is 28 feet in height.

Finding: Staff finds the structure conforming for height.

Residential Density – Based Building Permit, the lot was built with four units conforming to zoning regulations in place in 1972. Current zoning allows for three units. One of these four dwelling units are found to be nonconforming.

Upon further review, the fifth and sixth units were added to the building without a building permit. These units would not have been allowed under the 1972 zoning code, and cannot be permitted under current code.

The fifth and sixth dwelling units are considered noncompliant. No information has been submitted that demonstrates CBJ approval of six dwelling units on the lot. Staff reviewed the CBJ Assessor's files, and found no dates associated with a change from four units to six units. CBJ Utility Billing records show six dwelling units since September of 1992; however, if constructed at this time, these units could not have been permitted under D18 zoning.

Finding: Staff finds the lot *conforming* for three dwelling units and *nonconforming* for one dwelling unit.

Finding: Staff finds the lot *noncompliant* for two dwelling units. The property owner must bring the structure into compliance with the Land Use Code.

Use – Use of the lot is residential.

Finding: Staff finds the lot conforming for use.

Vegetative Cover – GIS aerial imagery was used to estimate vegetative cover; a site visit confirmed consistency with the 2013 aerial imagery.

Finding: Staff finds the lot conforming for vegetative cover.

Parking – CBJ 49.40.210 requires 9.5 off-street parking spaces, and only 6 off-street spaces are provided. At the time of development, six parking spaces were allocated for four units, conforming to the 1972 parking standards. Off-street parking for the property is non-conforming.

Finding: Staff finds the use nonconforming for number of off-street parking spaces.

NONCOMPLIANT SITUATIONS

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

There are currently six dwelling units on the lot. Four dwelling units were permitted in 1972. It is unknown when the fifth and sixth dwelling units were established. CBJ has no building permit, Assessor's Records, or Utility Billing records that show when the fifth and sixth dwelling units were established. The applicants' provided no information to demonstrate approval by CBJ.

Finding – Staff finds the fifth and sixth dwelling units noncompliant. The property owner must bring the structure into compliance with the Land Use Code.

ABANDONMENT

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

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

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

Finding – Staff finds none of the above events have taken place and the nonconforming situations are not deemed abandoned.

FINDINGS

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

Analysis: A building permit was issued in 1972 for four dwelling units; parking and other dimensional standards were met at time of establishment.

Finding: Yes. Staff finds the nonconforming situations were allowed when established.

Analysis: There are two unpermitted dwelling units on the lot that were not permitted.

Finding: No. Staff finds the unpermitted dwelling units were not allowed when established, and are noncompliant. The property owner must bring the structure into compliance with the Land Use Code.

2. Has the nonconforming situation been abandoned?

Analysis: No additional analysis needed.

Finding: No. Staff finds the nonconforming situation has not been abandoned.

RECOMMENDATION

Staff recommends that Director adopt the analysis and findings, and find the following situations on the lot to be NONCONFORMING to the Title 49 Land Use Code and issue a Nonconforming Certification for the following situations:

- Nonconforming Residential Densities (49.30.240):
 - One dwelling unit is nonconforming
- Nonconforming Parking (49.30.270):
 - Number of off-street parking spaces: Six off-street parking spaces are provided; 9.5 are required

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

- Noncompliant Residential Densities (49.30.240):
 - Two unpermitted dwelling units are noncompliant. The property owner must bring the structure into compliance with the Land Use Code.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	Information Reviewed



DEVELOPMENT PERMIT APPLICATION

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

PROPERTY LOCATION

Physical Address
1506 Second Street

Legal Description(s) (Subdivision, Survey, Block, Tract, Lot)
Capital View BL D LT 2

Parcel Number(s)
2D04020D0020

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

LANDOWNER/ LESSEE

Property Owner
Asbjorn and Marit Bo Trust

Contact Person
Glenn Bo

Mailing Address
6748 North Point Drive, Fruitport, MI 49415

Phone Number(s)
231-206-6615

E-mail Address
bogl@comcast.net

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 *Glenn Bo* 9/23/2020
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
Same

Mailing Address _____

Phone Number(s)
Same

E-mail Address _____

X *Glenn Bo* September 23, 2020
Applicant's Signature Date of Application

To be completed by Applicant

DEPARTMENT USE ONLY BELOW THIS LINE

CLOSED NOV 13, 2020
(SOONER IF POSSIBLE)

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 <i>AAH</i>
10/9/2020
Date Received 10/9/20

Case Number <i>NCL20200066</i>



APPLICATION FOR A NONCONFORMING CERTIFICATION REVIEW

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

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

TYPE OF NONCONFORMING SITUATION (CHECK ALL THAT MAY APPLY)

☐ USE ☒ STRUCTURE ☒ DENSITY ☒ PARKING ☐ LOT

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

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

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

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

Situation	Type of Documentation
See narrative for explanations	

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

Maintained Situation	Type of Documentation
See narrative for explanations	

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

ALL REQUIRED MATERIALS ATTACHED

☒ Complete Application (Per CBJ 49.30.310)

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

NONCONFORMING CERTIFICATION REVIEW FEES:

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

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center 907-586-0770.

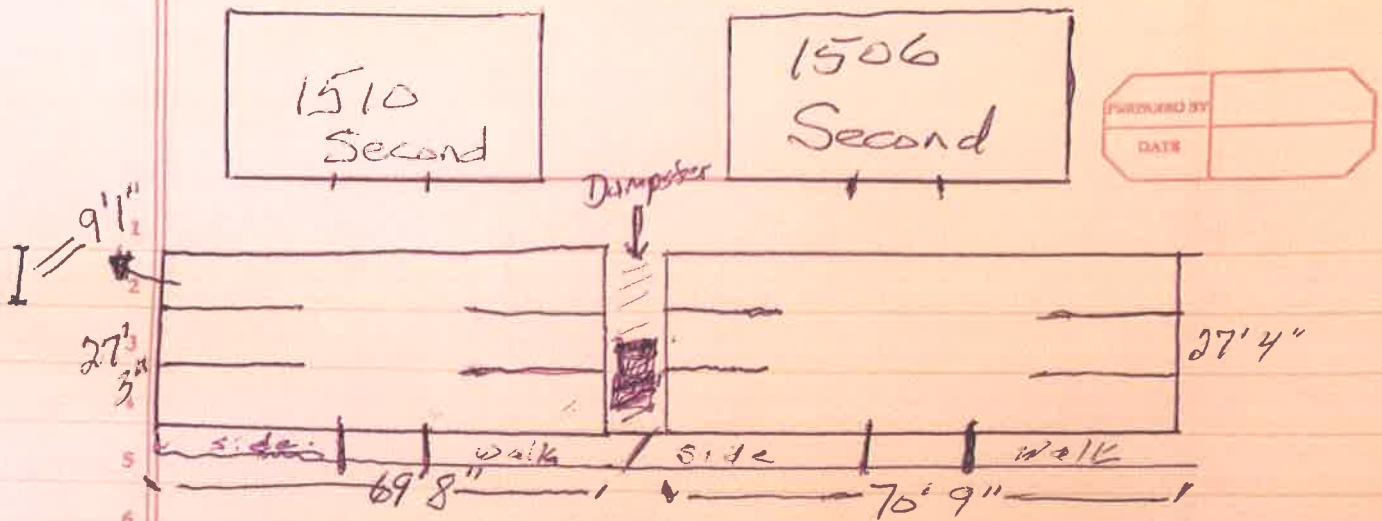
Case Number	Date Received
NCC20200065	10/9/20

EXHIBIT 2

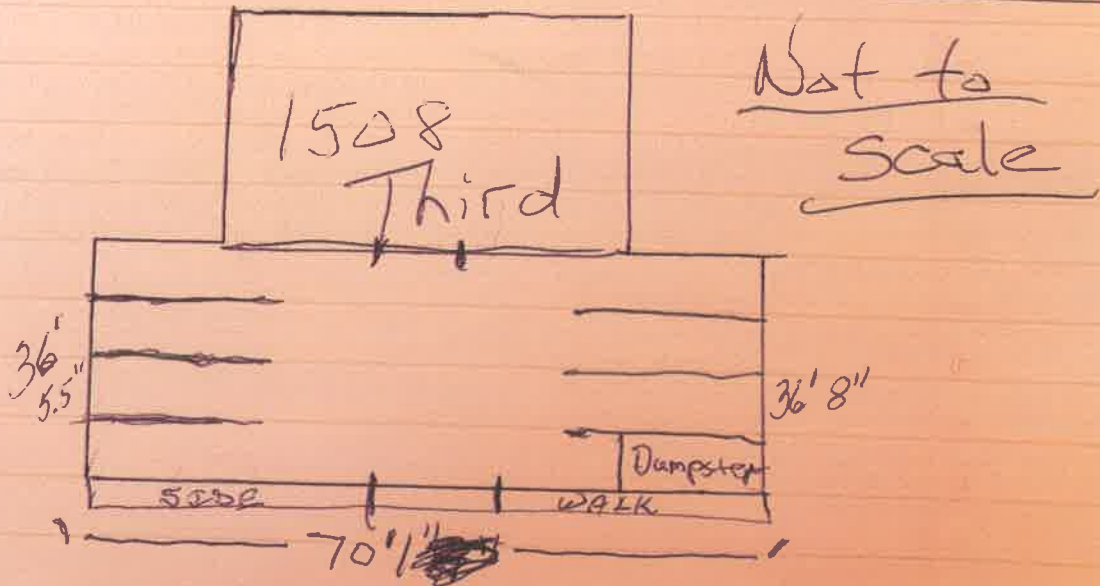
Page 11 of 68



Not to scale



There is on street parking in front of buildings



Not to scale

There is on street parking available in front of the building

NARRATIVE FOR PARCEL: 2D04020D0020

My father, Asbjorn Bo, built the 6 plex apartment building located at 1506 Second Street in 1973/1974 because at that time in Juneau's history, there were very few, if any apartments, that were large enough for a family. This was the main reason my dad built several of the units as three bedroom apartments.

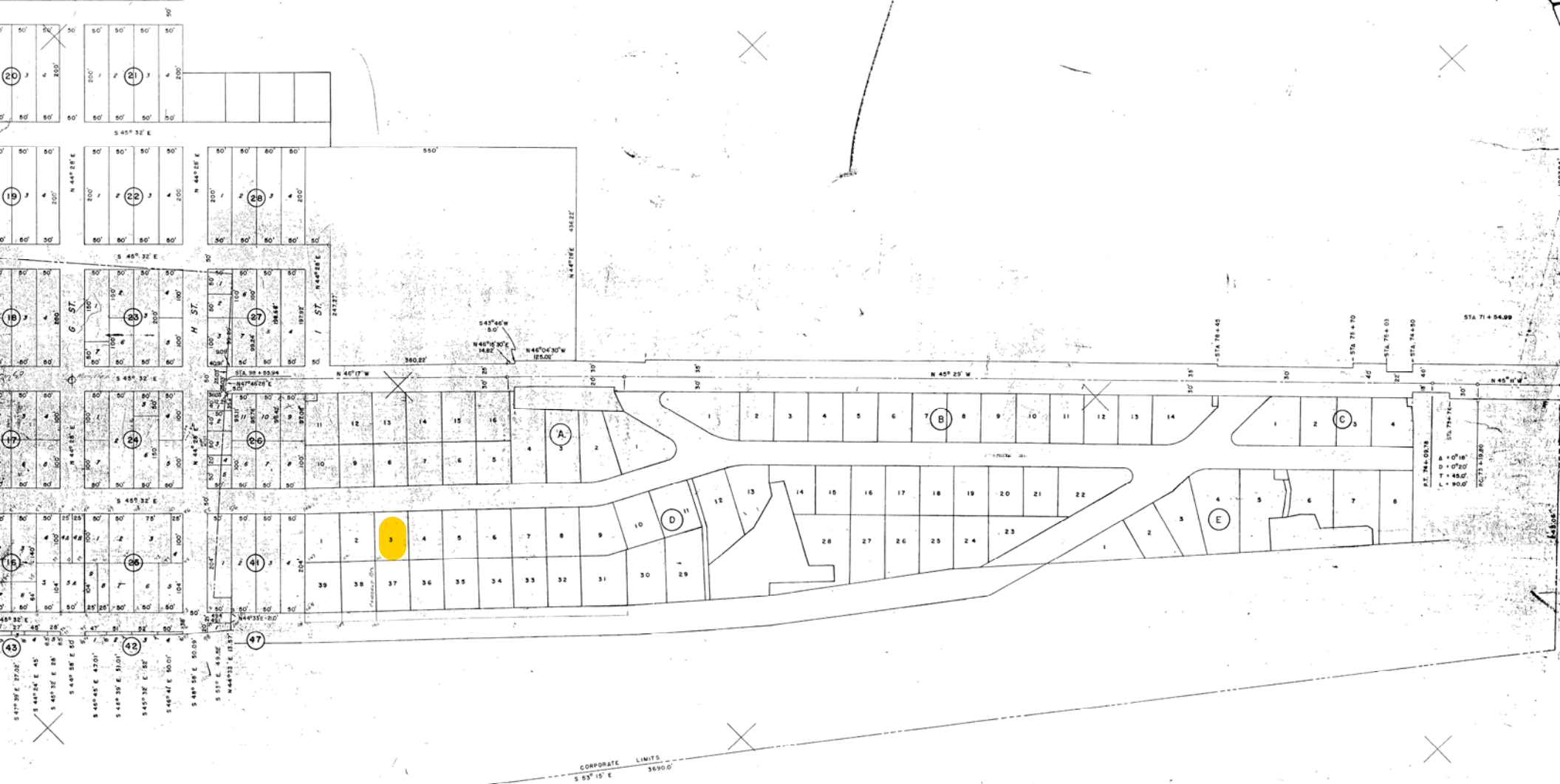
This building has 3 - (3 bedroom, 1 bath) units, 1 (2 bedroom, 1 bath) unit and 2 - (1 bedroom, 1 bath) units. Ever since it was built, it had and still does have 1 parking space for each unit and at the time it was built, this was approved and accepted. My father has been the only owner of this property since it was built and it has always been used for long term rentals.

My understanding is that under current City and Borough of Juneau regulations, this building would not have sufficient parking for the number of bedrooms that are in each unit if it were built in Juneau in 2020; however, when the apartments were built, all the codes and ordinances in effect at that time were followed and approved.

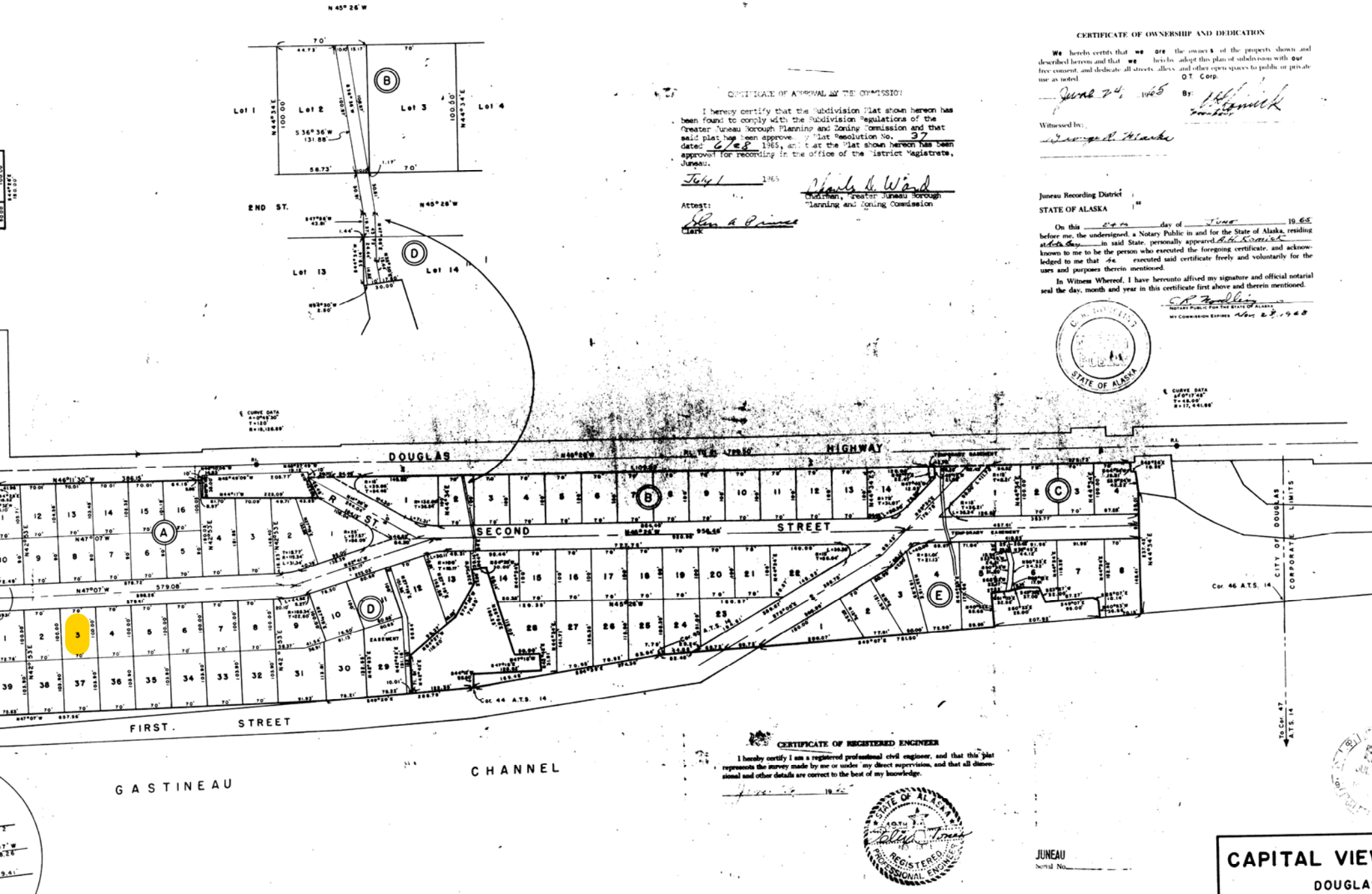
It should be noted my father passed away on August 1, 2020, and I am the sole Trustee of my father's estate. Of all the documents mentioned as showing the situation as having been maintained over time, the only thing I have is the tax documents which I just sent into the City as the bill is due on September 30. Also, I live at 6748 North Point Drive, Fruitport, MI 49415, so I don't have the ability to obtain additional documents.

If there is anything I can provide verbally or questions I may be able to answer by phone, please feel free to contact me at (231) 206-6615.

I respectfully request the City approve the nonconforming certification, so families can continue to have a large enough apartment to safely house their family.



MAP OF
CITY OF DOUGLAS, ALASKA
SCALE: 1" = 100'
FELIX J. TONER
REGISTERED ENGINEER
JUNEAU, ALASKA
OCTOBER 8, 1958



Attachment B Information Reviewed
CITY AND BOROUGH OF JUNEAU, ALASKA
APPLICATION FOR BUILDING PERMIT

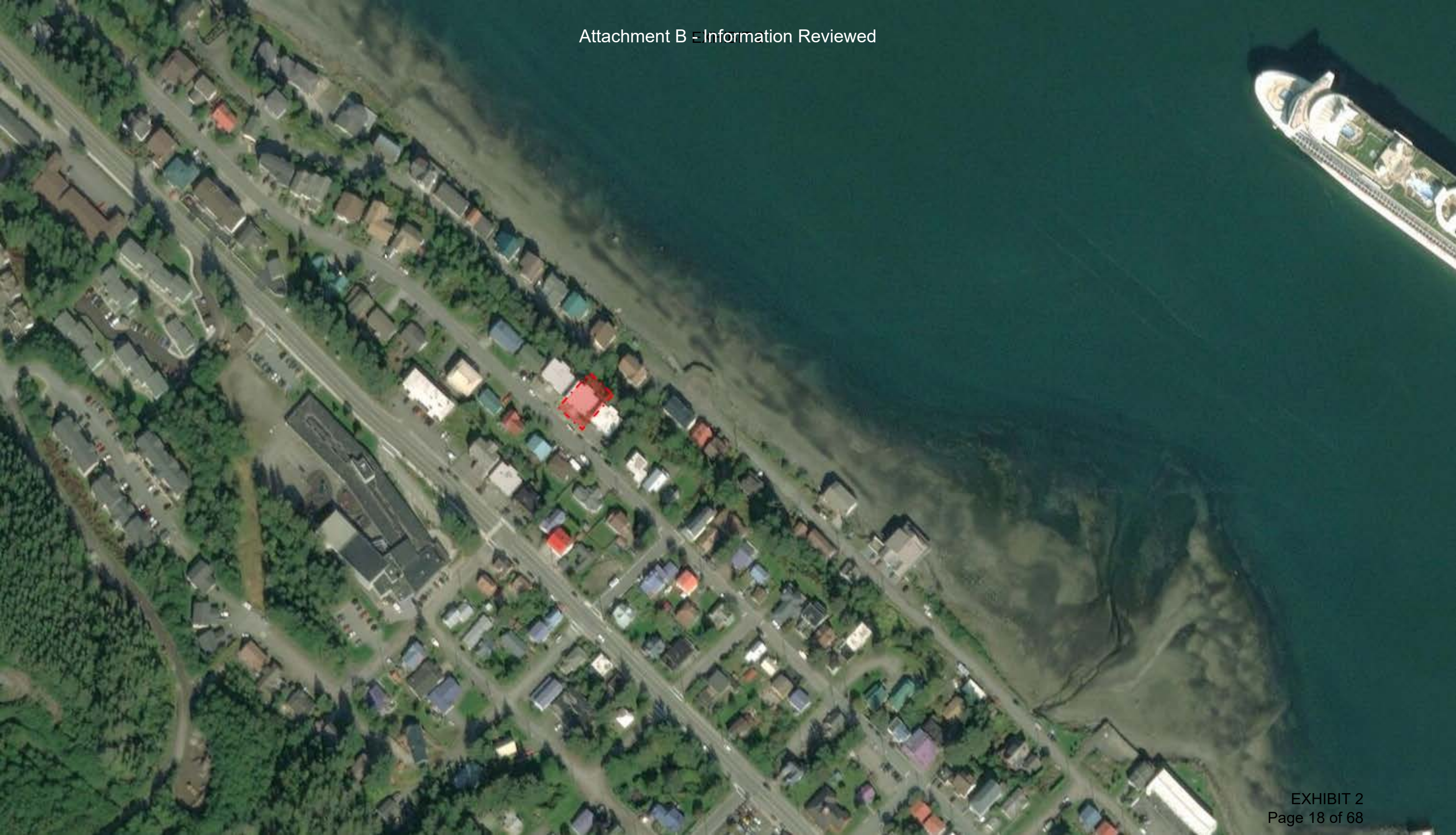
8841

Douglas ☒ Juneau ☐ Rural ☐
PERMIT NO. SAME AS PERMIT 8575 BUT ONE STORY LESS
BY BC Hamlen

VALUATION 68,304
DATE RECEIVED 7-29-92

APPLICANT TO FILL IN BETWEEN HEAVY LINES.
TWO SETS OF PLANS MUST BE FURNISHED WITH APPLICATION.

Building Address <u>1506 - SECOND STREET.</u>		COVERING	
APPLICANT OWNER	Name <u>Mr & Mrs. Asbjorn Bo</u>	Ext. Walls <u>3/8" - T-1-11</u>	
	Mail Address <u>P.O. Box 1083</u>	Int. Walls <u>1/2 PLASTER BOARD.</u>	
	City <u>JUNEAU. ALASKA.</u>	Roof <u>1/2 PLY 3/4 PLY ROOF</u>	
	Tel. No. <u>586-6677</u>	Re-Roof	
ARCHITECT ENGINEER	Name <u>SAME AS ABOVE</u>	FLUERS Packet Page 481 of 640	
	Mail Address	F. Place	Flr. Furn.
	City	Furnace	Other
	Tel. No.	H. Water ☒ H. Air ☐ Steam Elec. ☐ Oil Gas ☒	
CONTRACTOR or OWNER BUILDER	Name <u>Asbjorn Bo</u>	Kitchen	
	Mail Address <u>P.O. Box 1083</u>	UTILITIES	
	Tel. No. <u>586-6677</u>	Sewage System City ☒ S. Tank	
	State License No. <u>72-73-1731</u>	Bldg. Main	
LEGAL DESCRIPTION	Subdivision <u>Capital View #1</u>	Sewer Outlet Size <u>4"</u>	
	Lot No. <u>2</u> Bl. No. <u>D.</u>	Water Meter Size <u>1"</u>	
	<u>PLAT NO 448</u>	Water Service Size <u>1"</u>	
	<u>IN DOUGLAS.</u>	Exist. Road <u>Yes</u> Curb & Gutter ☐ Drain Ditch ☒	
		Driveway Width <u>16'</u> Ft.	
		Off-Street Parking <u>Yes, See PLAN.</u>	
		Estimated Cost	
		Special Information	
		<u>4 plex</u>	
CLASS OF WORK			
New ☒	Repair		
Addition	Demolish		
Alteration	Move		
Use Of Bldg. <u>RENTAL</u>			
Size Of Bldg. <u>38x54</u>			
Height Of Bldg. <u>27'6" FROM LOWER LEVEL</u>			
Area Of Lot <u>7000</u>			
SPECIFICATIONS			
FOUNDATIONS			
Material	Exterior	Piers	
Width Of Top			
Width Of Bottom			
Depth In Ground			
Plate (Sill) <u>2x6</u>	Size	Space	Span
Girders	<u>4x8</u>	<u>SEE PLAN</u>	<u>B"</u>
Joists (1st Fl.)	<u>2x10</u>	<u>16" o.c.</u>	<u>SEE PLAN</u>
" " (2nd Fl.)	<u>2x10</u>	<u>16" o.c.</u>	<u>- n -</u>
" " (Clg.)	<u>2x10</u>	<u>16" o.c.</u>	<u>- n -</u>
Studs (Ext.)	<u>2x9</u>	<u>16" o.c.</u>	<u>- n -</u>
" " (Int.)	<u>2x9</u>	<u>16" o.c.</u>	<u>- n -</u>
Roof Rafters	<u>2x10</u>	<u>16" o.c.</u>	<u>- n -</u>
Bearing Walls <u>Bottom Floor</u>	<u>3x4</u>	<u>16" o.c.</u>	<u>-</u>
Other			
WORK NOT MENTIONED IS NOT INCLUDED IN PERMIT			
I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all state laws, and codes and ordinances of The Greater Juneau Borough, applicable to building construction.			
Signature Of Owner <u>Asbjorn Bo</u>			
Applicant <u>Asbjorn Bo</u>			



From: [Suzanne Crabtree](#)
To: [Joseph Meyers](#)
Subject: RE: 2D04020D0020; 1506 Second Street
Date: Thursday, October 29, 2020 12:17:05 PM
Attachments: [image001.jpg](#)

Hi,

We were billing it for 6 units of the household hazardous waste fee as far back as 9/1992.

Thanks,
Suzanne

From: Joseph Meyers <Joseph.Meyers@juneau.org>
Sent: Thursday, October 29, 2020 12:13 PM
To: Suzanne Crabtree <Suzanne.Crabtree@juneau.org>
Subject: 2D04020D0020; 1506 Second Street

Hello Susan,

I am researching how long this property has had 6 dwelling units established. I was wondering what the utility records show?

Thanks for the help!

Joseph Meyers | Planner I

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

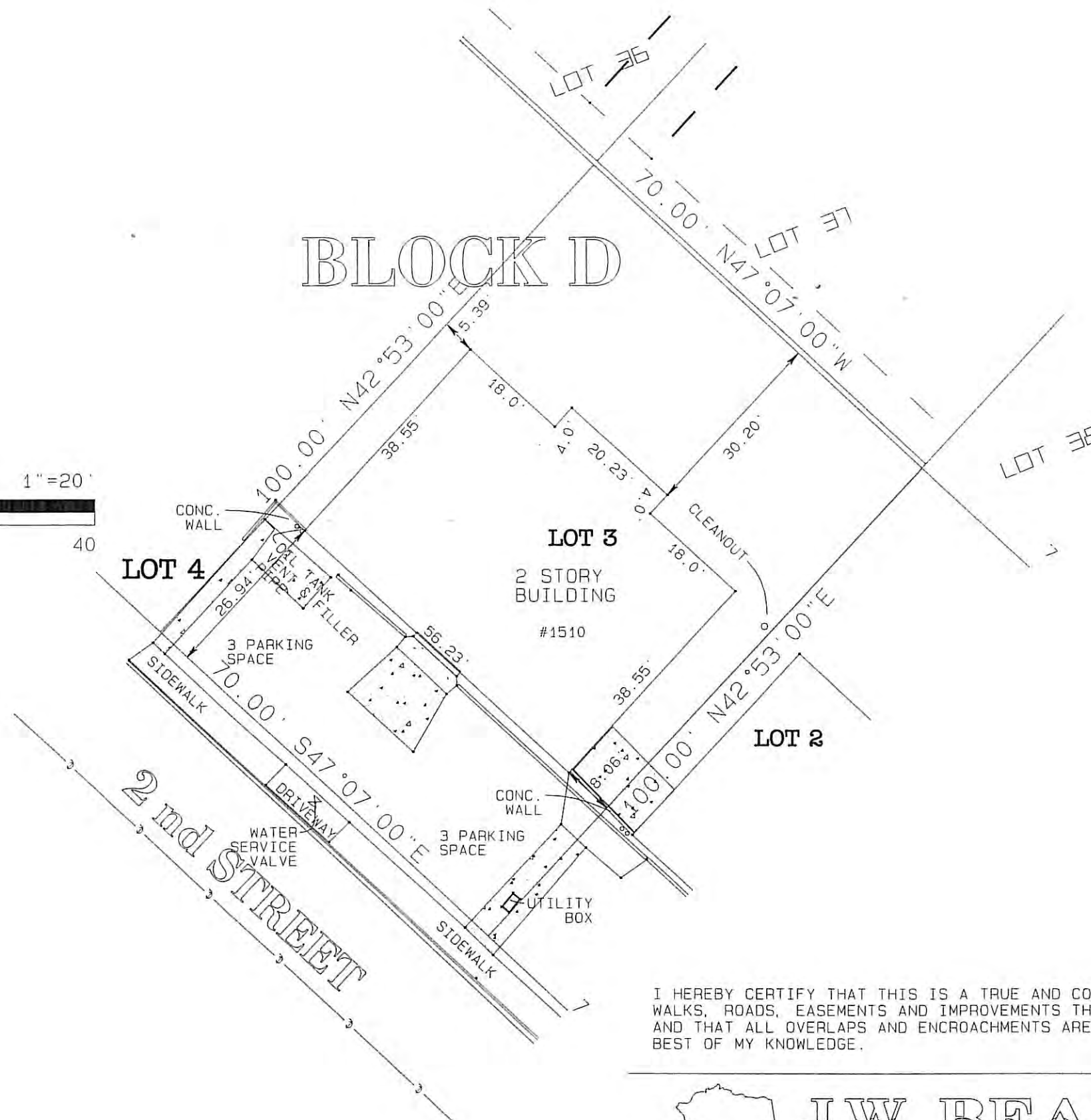
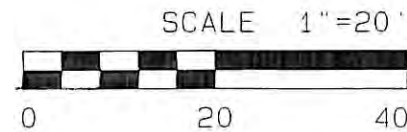
Location: 230 S. Franklin Street, 4th Floor Marine View Building

Main Line: 907.586.0715

Personal Line: 907.586.0466

CBJ_EmailLargeColorLogo





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. TDS 12322 JOB No 13505
SCALE AS-SHOWN
DATE 10-08-2020

AS-BUILT SURVEY OF
LOT 3, BLOCK D
CAPITAL VIEW SUBD. NO 1
WITHIN USMS 341A.



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

NONCONFORMING CERTIFICATE – REVISED

Date: November 5, 2020
 File No.: NCC2020 0065

Asbjorn and Marit Bo Trust
 ATTN: Glenn Bo
 6748 North Point Drive
 Fruitport, MI 49415

Proposal: A Nonconforming Certification Review for residential density and parking.

Property Address: 1508 Third St.
 Property Legal Description: Capital View Block A Lot 12
 Property Parcel Code No.: 2D04020A0140

The Director of Community Development adopted the analysis and findings listed in the attached memorandum dated November 5, 2020, and has found the following situations on the lot to be certified nonconforming to the Title 49 Land Use Code of the City and Borough of Juneau:

- Nonconforming Residential Densities (49.30.240):
 - Two dwelling units are nonconforming
- Nonconforming Parking (49.30.270):
 - Number of off-street parking spaces: Six off-street parking spaces are provided

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

The Director of Community Development adopted the analysis and findings lists in the attached memorandum dated November 4, 2020, and has found the following situations on the lot to be NONCOMPLIANT to the Title 49 Land Use Code:

- Noncompliant Residential Densities (49.30.240):
 - One, unpermitted dwelling unit is noncompliant. The property owner must bring the structure into compliance with the Land Use Code.

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

File No.: NCC2020 0065

November 5, 2020

Page 2 of 2

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

Project Planner:



Joseph Meyers, Planner I
Community Development Department



Jill Maclean, Director, AICP
Community Development Department

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



(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/CDD

155 S. Seward Street • Juneau, AK 99801

DATE: November 5, 2020
TO: Jill Maclean, Director, AICP
BY: Joseph Meyers, Planner I

PROPOSAL: Applicant requests a Nonconforming Certification Review for residential density and parking.

KEY CONSIDERATIONS FOR REVIEW:

- At time of establishment, parking requirements were met.
- The lot meets or exceeds all dimensional standards and setback requirements.
- Five dwelling units were permitted in 1972 with a building permit; two are nonconforming to current requirements.
- A sixth, unpermitted dwelling unit was added and is noncompliant. The property owner must bring the structure into compliance with the Land Use Code.

GENERAL INFORMATION

Property Owner	Asbjorn and Marit Bo Trust
Applicant	Asbjorn and Marit Bo Trust
Property Address	1508 Third St.
Legal Description	Capital View Block A Lot 12
Parcel Number	2D04020A0140
Zoning	D-18
Lot Size	7,361 ft ²
Water/Sewer	CBJ
Access	Third Street
Existing Land Use	Residential
Associated Applications	N/A

STAFF RECOMMENDATION:

Staff recommends the following situations receive

Nonconforming Certification:

- Nonconforming Residential Densities (49.30.240)
- Nonconforming Parking (49.30.270)

ABANDONMENT:

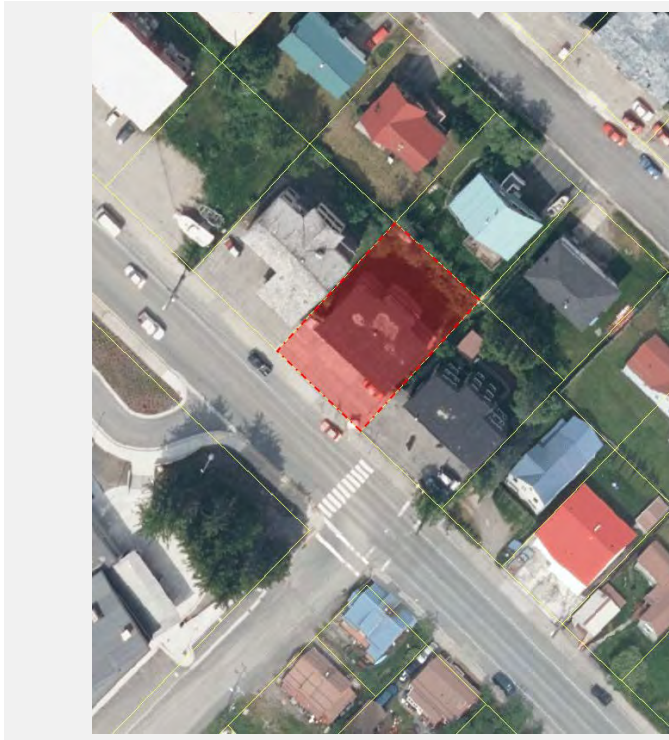
If a nonconforming situation is deemed to be abandoned by the Director, the decision may be reconsidered in accordance with CBJ 49.30.220. After reconsideration is reviewed, an appeal may be filed in accordance with CBJ 49.20.110.

NONCOMPLIANCE:

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

- **Noncompliant Residential Density (49.30.240)**
 - o The sixth, unpermitted dwelling unit is noncompliant.

SITE FEATURES AND ZONING



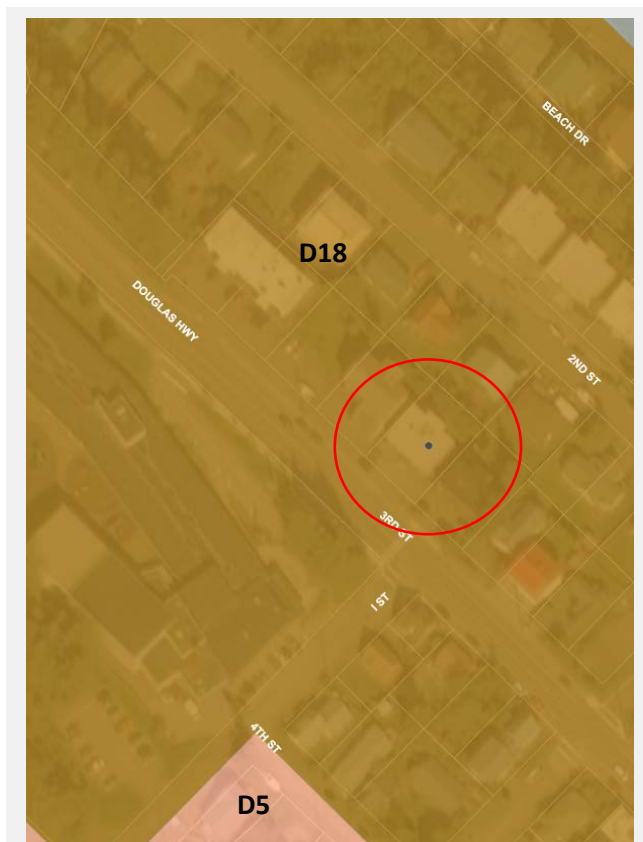
SURROUNDING ZONING AND LAND USES

North (D18)	Multi-family
South (D18)	Multi-family
East (D18)	Multi-family
West (D18)	Multi-family

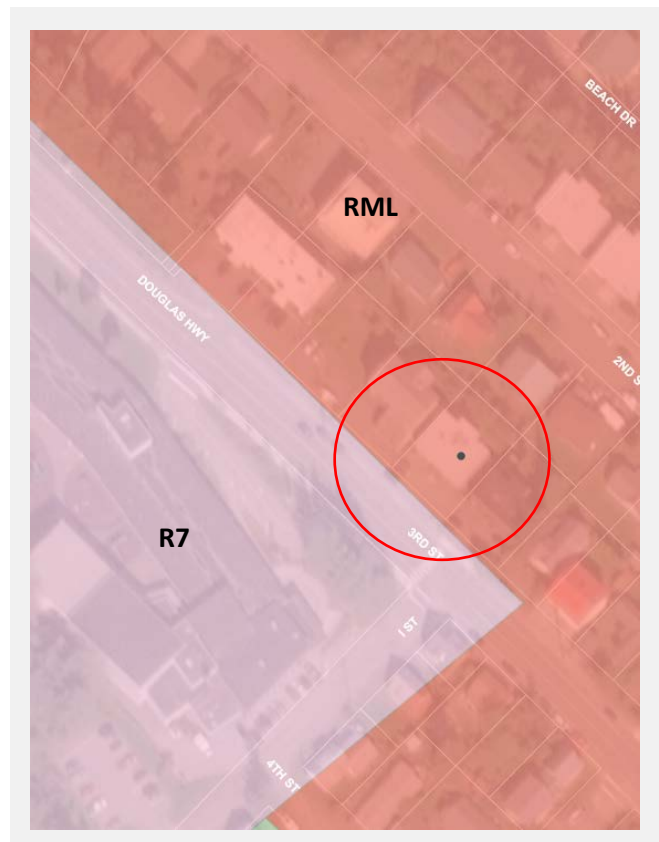
SITE FEATURES

Anadromous	None
Flood Zone	Zone X
Hazard	N/A
Hillside	N/A
Wetlands	N/A
Parking District	N/A
Historic District	No
Overlay Districts	None

CURRENT ZONING MAP



ZONING AT TIME OF ESTABLISHMENT



ZONING HISTORY

Year	Zoning District	Summary
1958	No zoning existed	The lot was originally platted in 1958 prior to the establishment of zoning in Douglas.
1969	RML (Low-density Multi-family Residential)	In 1969, the zoning of the lot and surrounding area was zoned RML. The RML zoning district required a 5,400 square foot minimum lot size, 60-foot lot width, and 90-foot lot depth. Required yard setbacks were 15 feet front, 15 feet rear, and 6 feet on each side for a building with two stories. One off-street parking space was required per dwelling unit. Under the RML zoning, a maximum of five dwelling units would have been allowed on the lot. The lot met dimensional requirements and parking requirements. Building permit 8575 was issued in 1972 for five dwelling units to be constructed on the lot. At the time of construction, the structure and the five dwelling units were conforming. It is not clear when the sixth dwelling unit was added; it would have been noncompliant under the RML zoning.
1987	D-18 (Multi-family Residential)	In 1987, the lot and surrounding area was rezoned to D-18; this is the current zoning. The D-18 zoning district requires a 5,000 square foot minimum lot size, 50-foot lot width, and 80-foot lot depth. Required yard setbacks are 20 feet front, 10 feet rear, and 5 feet on each side. One off-street parking space was required per 1-bedroom unit, 1.5 parking spaces per 2-bedroom unit, and 2 parking spaces per 3- and 4-bedroom unit. The D18 zoning would currently allow for three dwelling units. Lot dimensional standards and yard setback requirements are met. The lot became nonconforming for number of off-street parking spaces; 9.5 off-street parking spaces are required and 6 are provided. The lot became nonconforming for residential density for two of the five dwelling units approved in 1972 under permit number 8575. The sixth dwelling unit is noncompliant.

BACKGROUND INFORMATION

The applicant requests a Nonconforming Certification for nonconforming residential density and nonconforming parking. The lot was originally platted in 1958 and then again in 1965. The structure on the lot was constructed in 1972 and was approved through the building permit process. The 1972 building permit approved 5 dwelling units to be constructed on the lot. The applicants' narrative states that the lot currently contains six dwelling units. There are no building permit records, Assessor's records, Utility Records, or submitted documents that demonstrate when the fifth and sixth dwelling units were constructed. CBJ utility billing records show six units in 1992.

Five of the dwelling units on the lot were permitted; however, the sixth dwelling unit is considered noncompliant. No information has been submitted that demonstrates approval of six dwelling units on the lot.

INFORMATION REVIEWED

Year	Type	Summary
1958	Plat	The lot was originally platted in 1958 through the City of Douglas, Alaska platting action.
1965	Plat	The lot was replatted in 1965 through the Capital View Subdivision.
1972	Building permit	Permit No. 8575-A. Building permit for a “5-plex” to be constructed on the lot.
2013	Aerial Imagery	Aerial imagery is used to estimate vegetative cover. A site visit confirmed vegetation is consistent with aerial imagery.
2020	Site Visit Photos	Visual documentation of current parking situation.
2020	Utility Records	Determined existence of 6 units as far back as 1992.
2020	As-built survey	As-built survey shows the lot and structures in their current condition.

ANALYSIS

Zoning District Comparison Table – The table below lists the required standards for the D-18 zoning district compared to the lot. A description of these situations is provided in the following sections. Items bolded do not meet current requirements.

Standard		Requirement	Existing	Code Reference
Lot	Size	5,000 ft ²	7,361 ft ²	49.25.400
	Width	50'	70'	49.25.400
	Depth	80'	105'	49.25.400
Setbacks	Front	20'	36'	49.25.400
	Rear	10'	25'	49.25.400
	Side	5'	8'	49.25.400
	Side	5'	7'	49.25.400
	Street Side	13'	N/A	49.25.400
Lot Coverage		50%	44%	49.25.400
Height	Permissible	35'	28 feet	49.25.400
	Accessory	25'	N/A	49.25.400
Maximum Dwelling Units		3 maximum	6*	49.25.500
Use		Multi-family residential	Multi-family residential	49.25.300
Vegetative Cover		30%	36%	49.50.300
Parking		9.5	6	49.40.210(a)

***Building permit 8575 approved construction of five units; 1 unit remains noncompliant.**

Minimum Lot Requirements – The lot meets required lot size, lot width, and lot depth.

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

Minimum Setback Requirements – According to the as-built survey, the structure on the lot meets current setback requirements.

Finding: Staff finds the structure conforming for setbacks.

Lot Coverage – According to the as-built survey, lot coverage is not exceeded.

Finding: Staff finds the lot conforming for lot coverage.

Structure Height – According to Building Permit 8575, the structure on the lot is 28 feet in height.

Finding: Staff finds the structure conforming for height.

Residential Density – Based on the 1972 building permit, the lot was built with five units conforming to zoning regulations in place in 1972. Current zoning allows for three units. Two of these five dwelling units are found to be nonconforming.

Upon further review, a sixth unit was added to the building without a building permit. This sixth unit would not have been permitted under the 1972 zoning code, and cannot be permitted under current code.

The sixth dwelling unit is considered noncompliant. No information has been submitted that demonstrates CBJ approval of six dwelling units on the lot. Staff reviewed the CBJ Assessor's files, and found no dates associated with a change from five to six units. CBJ Utility Billing records show six dwelling units since 1992; however, if constructed at this time, the unit could not have been permitted under D18 zoning.

Finding: Staff finds the lot *nonconforming* for two dwelling units.

Finding: Staff finds the lot *noncompliant* for one dwelling units. The property owner must bring the structure into compliance with the Land Use Code.

Use – Use of the lot is residential.

Finding: Staff finds the lot conforming for use.

Vegetative Cover – GIS aerial imagery was used to estimate vegetative cover; a site visit confirmed consistency with the 2013 aerial imagery.

Finding: Staff finds the lot conforming for vegetative cover.

Parking – CBJ 49.40.210 requires 9.5 off-street parking spaces. Off-street parking for the property is currently nonconforming. At the time of development, six parking spaces were allocated for five units, conforming to the 1972 parking standards. Current standards, as listed above, are not met as 9.5 parking spaces are required for a building of this density (CBJ 49.40.210).

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

NONCOMPLIANT SITUATIONS

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

There are currently six dwelling units on the lot. Five dwelling units were permitted in 1972. It is unknown when the sixth dwelling unit was established. CBJ has no building permit, Assessors Record's, or Utility

Billing records that show when the sixth dwelling was established or approved by CBJ, nor has the applicant provided documentation to prove the sixth unit was added legally.

Finding – Staff finds the sixth dwelling unit noncompliant for residential density. The property owner must bring the structure into compliance with the Land Use Code.

ABANDONMENT

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

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

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

Finding – Staff finds none of the above events have taken place and the nonconforming situations are not deemed abandoned.

FINDINGS

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

Analysis: A building permit was issued in 1972 for five dwelling units; parking and other dimensional standards were met at time of establishment. The parking standard when the lot was developed was one parking space per unit in zone type RML. The development had five units and six parking spaces making it consistent with the 1972 zoning.

Finding: Yes. Staff finds the nonconforming situations were allowed when established.

Analysis: There is a sixth, unpermitted dwelling unit on the lot that is noncompliant.

Finding: No. The unpermitted, sixth dwelling unit was not allowed nor permitted when established. The property owner must bring the structure into compliance with the Land Use Code.

2. Has the nonconforming situation been abandoned?

Analysis: No additional analysis needed.

Finding: No. The nonconforming situation has not been abandoned.

RECOMMENDATION

Staff recommends that Director adopt the analysis and findings, and find the following situations on the lot to be NONCONFORMING to the Title 49 Land Use Code and issue a Nonconforming Certification for the following situations:

- Nonconforming Residential Densities (49.30.240):
 - Two dwelling units are nonconforming
- Nonconforming Parking (49.30.270):
 - Number of off-street parking spaces: Six off-street parking spaces are provided; 9.5 are required

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

- Noncompliant Residential Densities (49.30.240):
 - One, unpermitted dwelling unit is noncompliant. The property owner must bring the structure into compliance with the Land Use Code.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	Information Reviewed

10/9/2020

IMG_3678.jpg



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 1508 Third Street		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) Capital View BL A LT A12		
	Parcel Number(s) 2D04020D0140 <i>2 DCH O 20A0140</i>		
	☐ This property located in the downtown historic district		
	☐ This property located in a mapped hazard area, if so, which _____		
	LANDOWNER/ LESSEE		
	Property Owner Asbjorn and Marit Bo Trust	Contact Person Glenn Bo	Phone Number(s)
	Mailing Address 6748 North Point Drive, Fruitport, MI 49415	231-206-6615	
	E-mail Address bogl@comcast.net		
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 <i>Glenn Bo</i> <u>7/23/2020</u> 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 Same	
Mailing Address		Phone Number(s)	
E-mail Address		Same	
X <i>Glenn Bo</i> _____ Applicant's Signature		September 23, 2020 Date of Application	

DEPARTMENT USE ONLY BELOW THIS LINE

CLOSES NOV 13 2020
(SOONER IF POSSIBLE)

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.

I:\FORMS\PLANFORM\DPA.docx

Intake Initials <i>MB</i>	Date Received 10/9/2020
Case Number Nca200065	Date Received 10/9/20

Updated 2017 - Page 1 of 1

EXHIBIT 2

Page 30 of 68



APPLICATION FOR A NONCONFORMING CERTIFICATION REVIEW

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

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

TYPE OF NONCONFORMING SITUATION (CHECK ALL THAT MAY APPLY)

☐ USE ☒ STRUCTURE ☒ DENSITY ☒ PARKING ☐ LOT

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

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

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

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

Situation	Type of Documentation
See narrative for explanations	

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

Maintained Situation	Type of Documentation
See narrative for explanations	

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

ALL REQUIRED MATERIALS ATTACHED

- ☒ Complete Application (Per CBJ 49.30.310)
- ☒ Narrative
 - ☒ As-built survey or similar document
 - ☒ Documentation
 - ☒ Fees

NONCONFORMING CERTIFICATION REVIEW FEES:

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

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

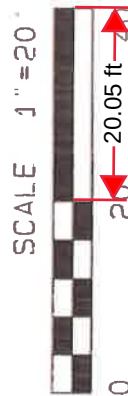
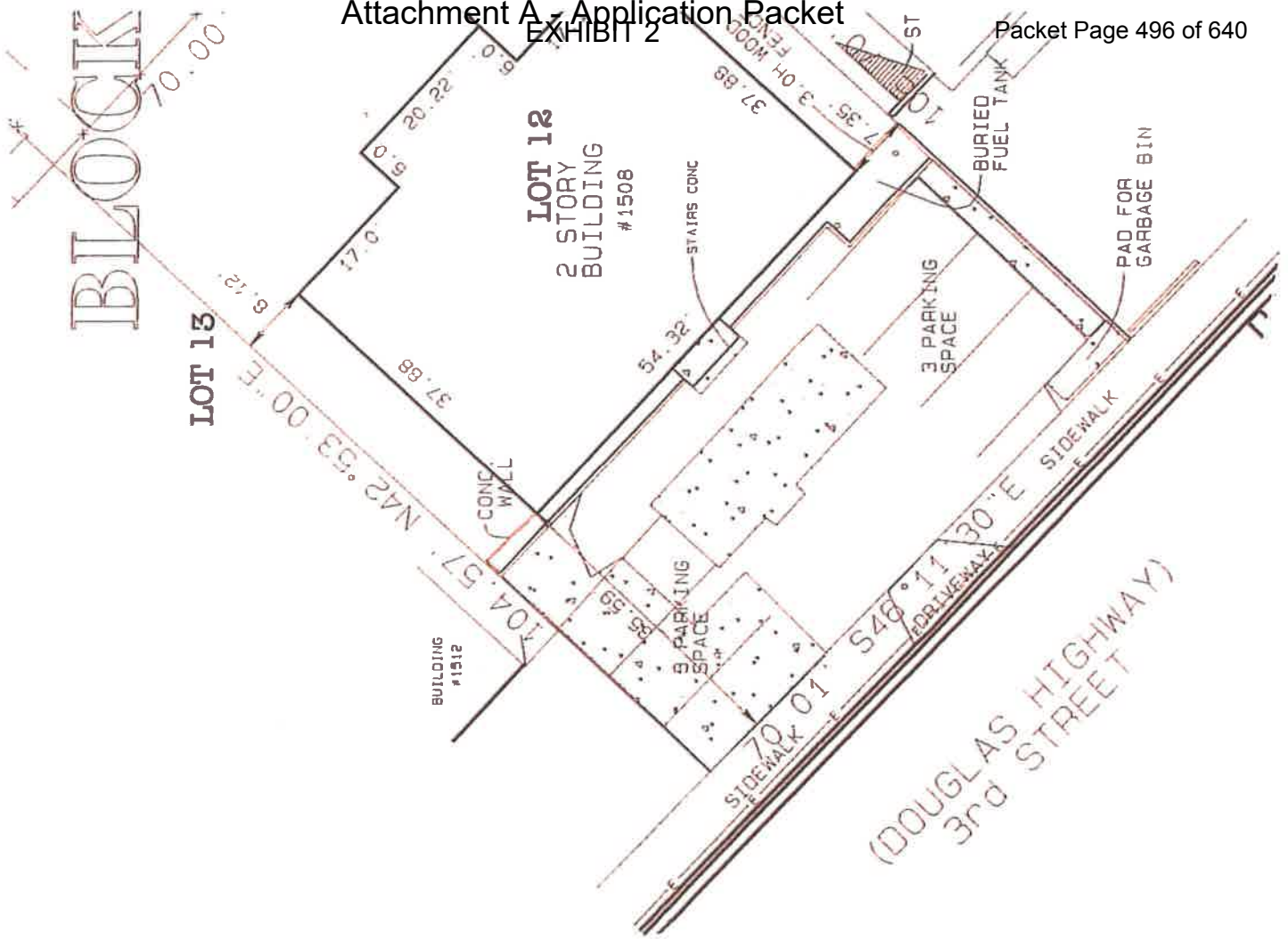
INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center
907-586-0770.

Case Number	Date Received
NCC20200065	10/9/20

EXHIBIT 2

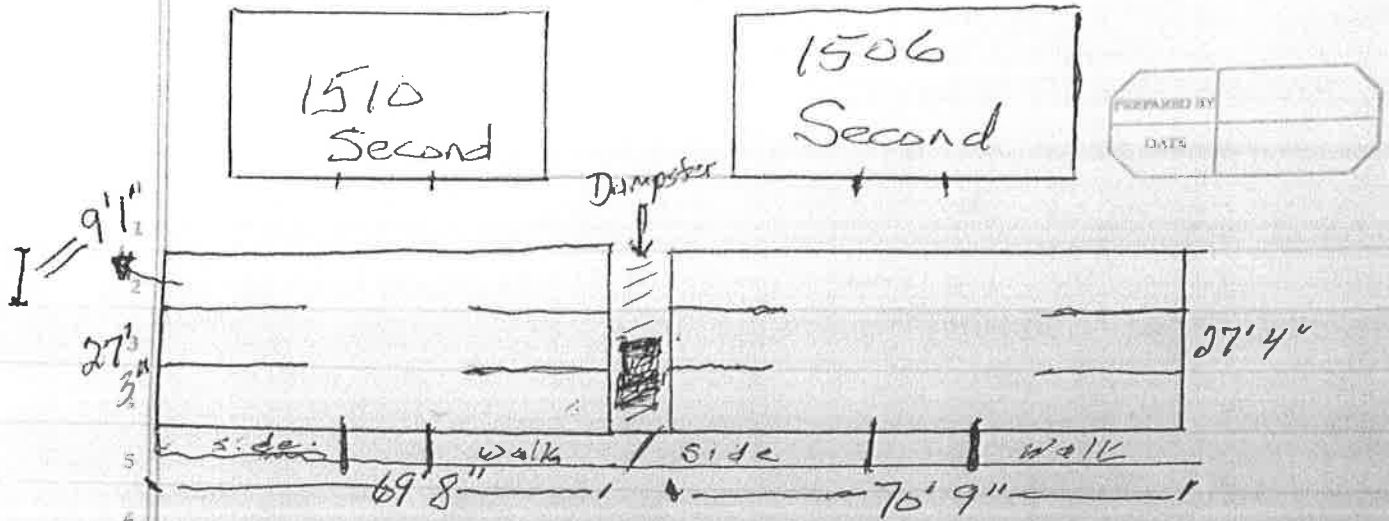
Page 31 of 68



10/9/2020

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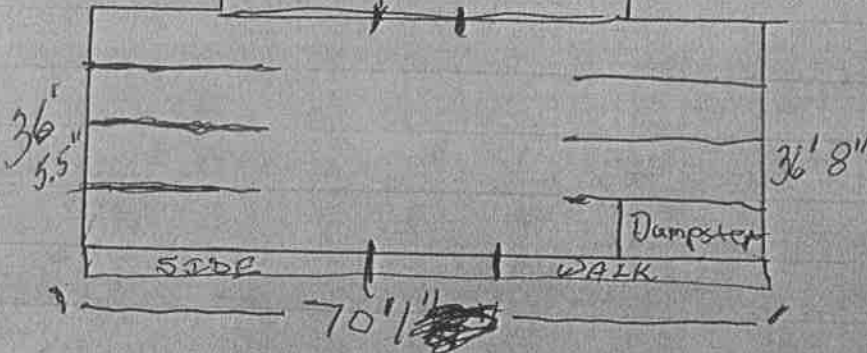
Not to scale



There is on street parking in front of buildings

1508 Third

Not to scale



There is on street parking available in front of the building

NARRATIVE FOR PARCEL: 2D04020D0020

40
1508 Third St
My father, Asbjorn Bo, built the 6 plex apartment building located at ~~1506 Second Street~~ in 1973/1974 because at that time in Juneau's history, there were very few, if any apartments, that were large enough for a family. This was the main reason my dad built several of the units as three bedroom apartments.

This building has 3 - (3 bedroom, 1 bath) units, 1 (2 bedroom, 1 bath) unit and 2 - (1 bedroom, 1 bath) units. Ever since it was built, it had and still does have 1 parking space for each unit and at the time it was built, this was approved and accepted. My father has been the only owner of this property since it was built and it has always been used for long term rentals.

My understanding is that under current City and Borough of Juneau regulations, this building would not have sufficient parking for the number of bedrooms that are in each unit if it were built in Juneau in 2020; however, when the apartments were built, all the codes and ordinances in effect at that time were followed and approved.

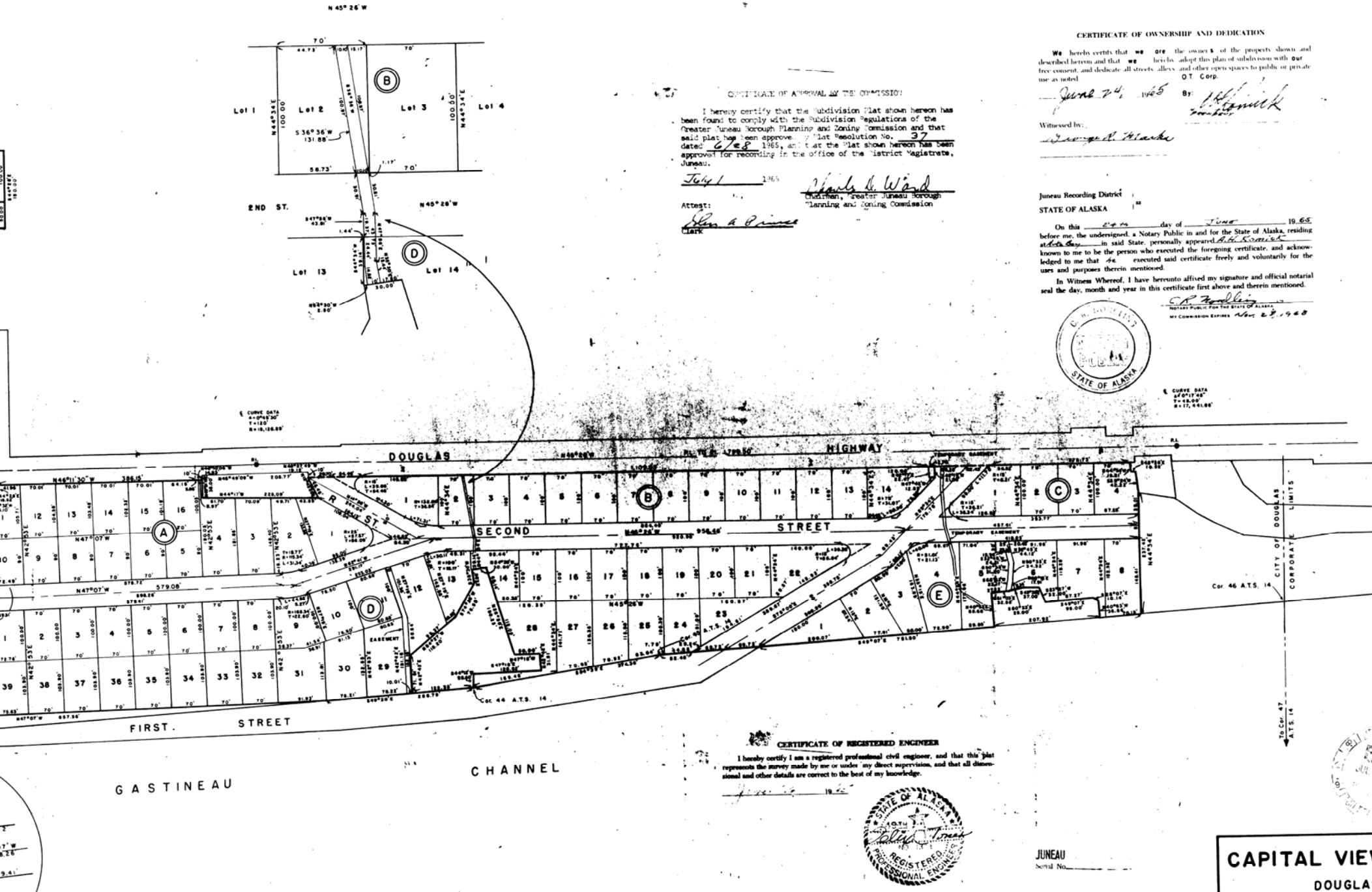
It should be noted my father passed away on August 1, 2020, and I am the sole Trustee of my father's estate. Of all the documents mentioned as showing the situation as having been maintained over time, the only thing I have is the tax documents which I just sent into the City as the bill is due on September 30. Also, I live at 6748 North Point Drive, Fruitport, MI 49415, so I don't have the ability to obtain additional documents.

If there is anything I can provide verbally or questions I may be able to answer by phone, please feel free to contact me at (231) 206-6615.

I respectfully request the City approve the nonconforming certification, so families can continue to have a large enough apartment to safely house their family.

[illegible]

JUNEAU, ALASKA



CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of the property shown and described herein and that we hereby adopt this plan of subdivision with our free consent, and dedicate all streets, alleys, and other open spaces to public or private use as noted.

June 24, 1965 By *[Signature]*
Witnessed by: *[Signature]*

Juneau Recording District
STATE OF ALASKA

On this 24th day of JUNE, 1965, before me, the undersigned, a Notary Public in and for the State of Alaska, residing at *[Address]* in said State, personally appeared *[Name]*, and acknowledged to me to be the person who executed the foregoing certificate, and acknowledged to me that he executed said certificate freely and voluntarily for the uses and purposes therein mentioned.

In Witness Whereof, I have hereunto affixed my signature and official notarial seal the day, month and year in this certificate first above and therein mentioned.



CURVE DATA
R=100.00
T=10.00
M=10.00

CERTIFICATE OF APPROVAL BY THE COMMISSION

I hereby certify that the Subdivision Plat shown herein has been found to comply with the Subdivision Regulations of the Greater Juneau Borough Planning and Zoning Commission and that said plat has been approved by Plat Resolution No. 37 dated 6/28/65, and that the plat shown herein has been approved for recording in the office of the District Magistrate, Juneau.

July 1, 1965 *[Signature]*
Attest: *[Signature]*
Chairman, Greater Juneau Borough Planning and Zoning Commission

CERTIFICATE OF REGISTERED ENGINEER

I hereby certify I am a registered professional civil engineer, and that this plat represents the survey made by me or under my direct supervision, and that all dimensions and other details are correct to the best of my knowledge.

June 24, 1965



JUNEAU
Serial No.

CAPITAL VIEW
DOUGLAS

EXHIBIT 12 SCALE 1"=100'

2-1-346-004-012

Douglas ☒ Juneau ☐ Rural ☐

VALUATION \$83,000.00 PERMIT NO. 8575
DATE RECEIVED 5-17-72 BY B. E. Hamlin

APPLICANT TO FILL IN BETWEEN HEAVY LINES.
TWO SETS OF PLANS MUST BE FURNISHED WITH APPLICATION.

Building Address		COVERING	
APPLICANT OWNER	Name	Mr & Mrs. Asbjorn Bo	Ext. Walls 5/8-T-1-11
	Mail Address	P.O. Box 1083	Int. Walls 1/2" PLASTER BOARD.
	City	JUNEAU, ALASKA.	Roof 1/2" PLY with 4 ply roof.
	Tel. No.	586-6677	Re-Roof
ARCHITECT ENGINEER	Name	Asbjorn Bo	FLUE
	Mail Address	Same as above	F. Place Flr. Furn. Other
	City		Furnace H. Water H. Air Steam Elec. Oil Gas
	Tel. No.		Kitchen
CONTRACTOR or OWNER BUILDER	Name	BO, Construction	UTILITIES
	Mail Address	P.O. Box 1083	Sewage System City S. Tank
	Tel. No.	586-6677	Bldg. Main
	State License No.	71721731	Sewer Outlet Size
LEGAL DESCRIPTION	Subdivision	CAPITOL VIEW #1	Water Meter Size
	Lot No.	12	Water Service Size
	Bl. No.	A.	Exist. Road
			Curb & Gutter Drain Ditch
			Driveway Width
			Off-Street Parking
			Estimated Cost
			Special Information
CLASS OF WORK			
New	☒	Repair	
Addition		Demolish	
Alteration		Move	
Use Of Bldg.	RENTAL		
Size Of Bldg.	38' x 54'		
Height Of Bldg.	28'		
Area Of Lot	7400 #		
SPECIFICATIONS			
FOUNDATIONS			
Material	Exterior	Piers	
Width Of Top			
Width Of Bottom			
Depth In Ground			
Plate (Sill)	2x6	Size	Space
Girders	4x8	SEE PLAN	Span
Joists (1st Fl.)	2x10	16" o.c.	SEE PLAN
" " (2nd Fl.)	2x10	16" o.c.	" "
" " (Clg.)	2x10	16" o.c.	" "
Studs (Ext.)	2x4	16" o.c.	" "
" " (Int.)	2x4	16" o.c.	" "
Roof Rafters	2x10	16" o.c.	" "
Bearing Walls	2x10	16" o.c.	" "
Other			
WORK NOT MENTIONED IS NOT INCLUDED IN PERMIT			
I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all state laws, and codes and ordinances of The Greater Juneau Borough, applicable to building construction.			
Signature Of Owner		Asbjorn Bo	
Applicant		Asbjorn Bo	





Packet Page 503 of 640

Front view of 1508 Third Street



Packet Page 504 of 640

Three parking spaces on
Southeast corner of lot



3 parking spaces in Southwest corner of lot

Joseph Meyers

From: Suzanne Crabtree
Sent: Friday, October 16, 2020 12:32 PM
To: Joseph Meyers
Cc: Laurel Christian
Subject: RE: Parcel 2D04020A0140 -- Information

Hi,

This is a metered account so I looked at the monthly HHW (Household Hazardous Waste Fees) that were billed per unit.

We started billing the HHW fee in Sept 1992.

His HHW charges for October 1992 were \$16.80 (\$2.80 x 6).

It looks like UB had the units for HHW as 6 units as far back as 1992.

Thanks,
Suzanne

From: Joseph Meyers <Joseph.Meyers@juneau.org>
Sent: Friday, October 16, 2020 12:17 PM
To: Suzanne Crabtree <Suzanne.Crabtree@juneau.org>
Cc: Laurel Christian <Laurel.Christian@juneau.org>
Subject: Parcel 2D04020A0140 -- Information

Hi Suzanne,

This building went from five to six units at some point in the past; when this happened is unclear. We are hoping you can help us determine when that might have been based on your records. Thank you in advance for your help.

Best regards,

Joseph Meyers | Planner I

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

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

Main Line: 907.586.0715

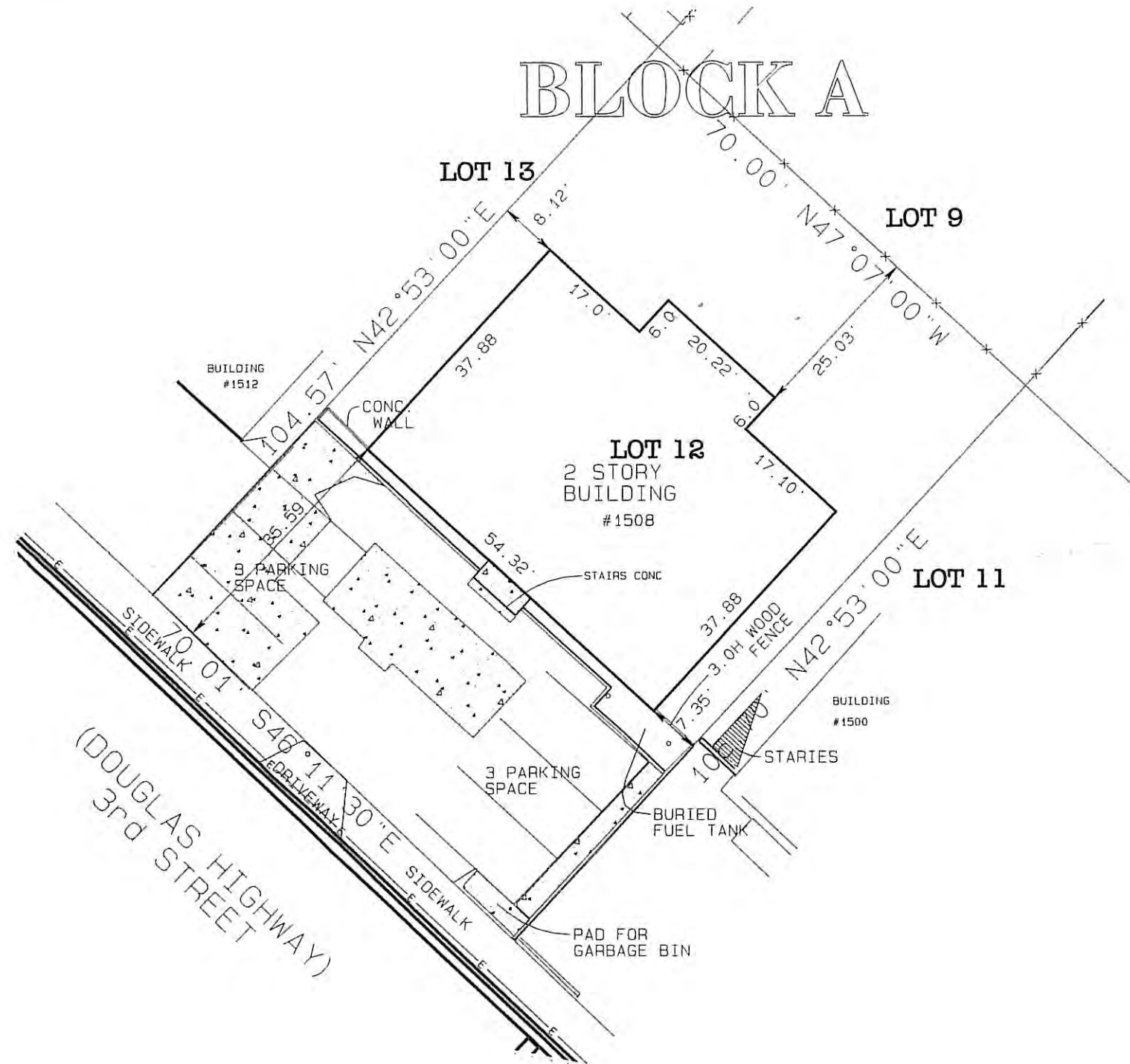
Personal Line: 907.586.0466



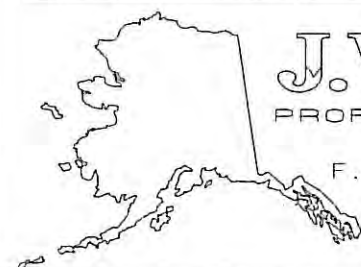


SCALE 1"=20'

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. TDS 12322 JOB No 13505
SCALE AS SHOWN
DATE 10-08-2020

AS-BUILT SURVEY OF
LOT 12, BLOCK A
CAPITAL VIEW SUBD. NO 1
WITHIN USMS 341A.





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

NONCONFORMING CERTIFICATE

Date: November 5, 2020
 File No.: NCC2020 0067

Asbjorn and Marit Bo Trust
 ATTN: Glenn Bo
 6748 North Point Drive
 Fruitport, MI 49415

Proposal: A Nonconforming Certification Review for residential density and parking.

Property Address: 1510 Second Street
 Property Legal Description: Capital View Block D Lot 3
 Property Parcel Code No.: 2D04020D0030

The Director of Community Development adopted the analysis and findings listed in the attached memorandum dated November 5, 2020, and has found the following situations on the lot to be certified nonconforming to the Title 49 Land Use Code of the City and Borough of Juneau:

- Nonconforming Residential Densities (49.30.240):
 - One dwelling unit is nonconforming
- Nonconforming Parking (49.30.270):
 - Number of off-street parking spaces: Six off-street parking spaces are provided; 9.5 are required

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

The Director of Community Development adopted the analysis and findings lists in the attached memorandum dated November 5, 2020, and has found the following situations on the lot to be NONCOMPLIANT to the Title 49 Land Use Code:

- Noncompliant Residential Densities (49.30.240):
 - Two unpermitted dwelling units are noncompliant. The property owner must bring the structure into compliance with the Land Use Code.

File No.: NCC2020 0067

November 5, 2020

Page 2 of 2

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

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

Project Planner:



Joseph Meyers, Planner I
Community Development Department



Jill Maclean, Director, AICP
Community Development Department

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



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

DATE: November 5, 2020
TO: Jill Maclean, Director, AICP
BY: Joseph Meyers, Planner I

PROPOSAL: A Nonconforming Certification Review for residential density and parking.

KEY CONSIDERATIONS FOR REVIEW:

- At time of establishment, parking requirements were met.
- The lot meets or exceeds all dimensional standards and minimum yard setback requirements.
- The lot currently contains six dwelling units.
- Four dwelling units were permitted in 1972 with a building permit and one of these units is nonconforming to current requirements.
- The fifth and sixth dwelling units were added without a permit and are noncompliant. The property owner must bring the structure into compliance with the Land Use Code.

GENERAL INFORMATION

Property Owner	Asbjorn and Marit Bo Trust
Applicant	Asbjorn and Marit Bo Trust
Property Address	1510 Second St.
Legal Description	Capital View Block D Lot 3
Parcel Number	2D04020D0030
Zoning	D18
Lot Size	7,000 sq. ft
Water/Sewer	Yes
Access	Second Street
Existing Land Use	Residential
Associated Applications	N/A

STAFF RECOMMENDATION:

Staff recommends the following situations receive

Nonconforming Certification:

- Nonconforming Residential Densities (49.30.240)
- Nonconforming Parking (49.30.270)

ABANDONMENT:

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

NONCOMPLIANCE:

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

- o The fifth and sixth, unpermitted dwelling units are noncompliant.

SITE FEATURES AND ZONING



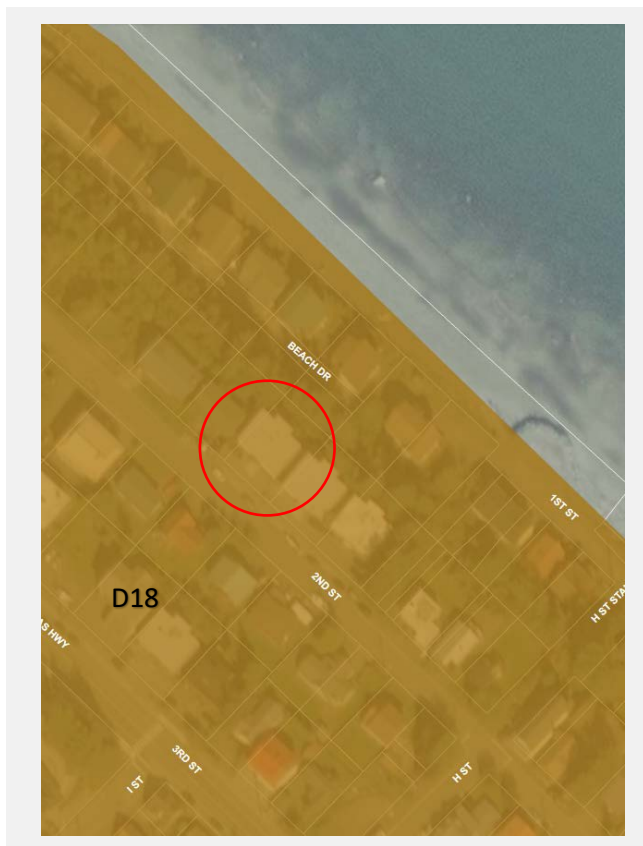
SURROUNDING ZONING AND LAND USES

North (D18)	Multi-family
South (D18)	Multi-family
East (D18)	Multi-family
West (D18)	Multi-family

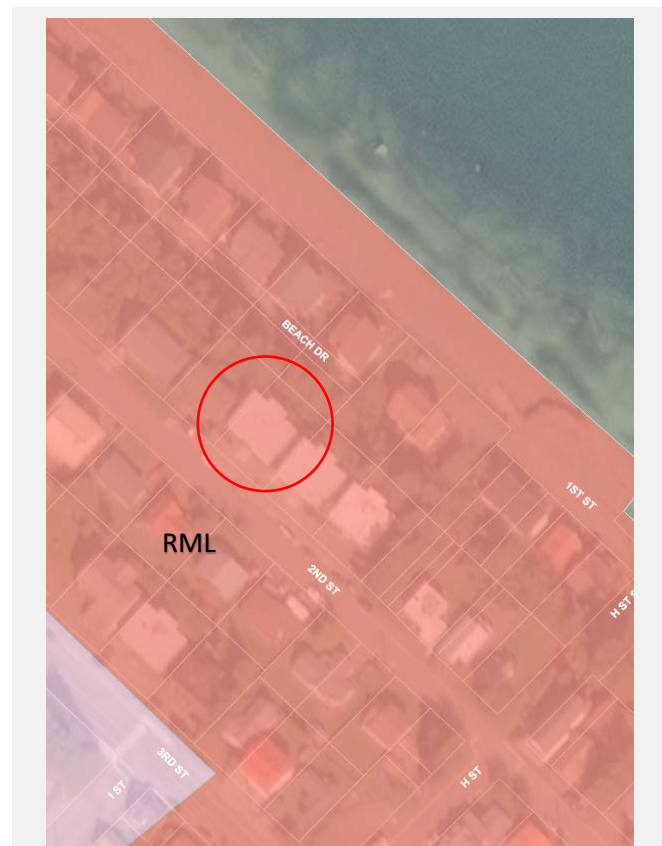
SITE FEATURES

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

CURRENT ZONING MAP



ZONING AT TIME OF ESTABLISHMENT



ZONING HISTORY

Year	Zoning District	Summary
1958	No zoning existed	The lot was originally platted prior to establishment of zoning in Douglas.
1969	RML (Low-density Multi-family Residential)	In 1969, the lot and surrounding area was zoned RML. The RML zoning district required a 5,400 sq. ft. minimum lot size, 60-foot lot width, and 90-foot lot depth. Required setbacks were 15 feet front, 15 feet rear, and 6 feet on each side for a building with two stories. One off-street parking space was required per dwelling unit. Under the RML zoning, a maximum of four dwelling units would have been allowed on the lot. The lot met dimensional requirements and parking requirements. A building permit was issued in 1972 for four dwelling units to be constructed on the lot (BLD 8842). At the time of construction, the structure and the four dwelling units were conforming. It is not clear when the fifth or sixth dwelling units were added; these units would not have been allowed under the RML zoning.
1986	R7 (Single-family and Duplex Residential)	The minimum lot size under this zoning type was 7,000 sq. ft. for a single-family unit and 9,000 sq. ft. for a duplex. The minimum lot width is 70 feet from the front building line. And the minimum lot depth is 85 feet. Maximum lot coverage is 30% with a maximum building height of 35 feet. The minimum setback requirements are 20 feet for front and rear yards, and 5 feet for side yards. Under this zoning, one parking space per dwelling unit required. Under this zoning, multi-family development was not allowed. At this time, the lot was nonconforming for density.
1987	D18 (Multi-family Residential)	In 1987, the lot and surrounding area was rezoned to D18; this is the current zoning. The D18 zoning district requires a 5,000 square foot minimum lot size, 50-foot lot width, and 80-foot lot depth. Minimum yard setbacks are 20 feet front, 10 feet rear, and 5 feet on each side. One off-street parking space was required per 1-bedroom unit, 1.5 parking spaces per 2-bedroom unit, and 2 parking spaces per 3- and 4-bedroom unit. The D18 zoning allows for three dwelling units on this lot. Lot dimensional standards and setback requirements are met. The lot became nonconforming for number of off-street parking spaces, and residential density for one of the four dwelling units approved in 1972 under permit number 8842. The fifth and sixth dwelling units are noncompliant.

BACKGROUND INFORMATION

The applicant requests a Nonconforming Certification for residential density and parking. The applicants' narrative states that the lot currently contains six dwelling units. The lot was originally platted in 1958 and replatted in 1965. The structures on the lot were constructed in 1972 Building Permit 8842, which permitted four dwelling units.

There are no building permit records, Assessor's records, or submitted documents that demonstrate when the fifth and sixth dwelling units were constructed. CBJ utility billing records show six units in 1992; the units would not have been allowed.

Four of the dwelling units on the lot were permitted, and the remaining two dwelling units are considered noncompliant. No information has been submitted that suggests approval of the fifth and sixth dwelling units on the lot.

INFORMATION REVIEWED

Year	Type	Summary
1958	Plat	The lot was originally platted in 1958 through the City of Douglas, Alaska platting action.
1965	Plat	The lot was replatted in 1965 through the Capital View Subdivision.
1972	Building Permit	Permit No. 8842. Building permit for a "4-plex" to be constructed on the lot.
2013	Aerial Imagery	Aerial imagery is used to estimate vegetative cover. A site visit confirmed vegetation is consistent with aerial imagery.
2020	Site Visit Photos	Visual documentation of current parking situation.
2020	Utility Records	Determined existence of 6 units as far back as 1992.
2020	As-Built Survey	As-built survey shows the lot and structures in their current condition.

ANALYSIS

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

Standard		Requirement	Existing	Code Reference
Lot	Size	5,000 ft ²	7,000 ft ²	49.25.400
	Width	50'	70'	49.25.400
	Depth	80'	100'	49.25.400
Setbacks	Front	20'	27'	49.25.400
	Rear	10'	30'	49.25.400
	Side	5'	8'	49.25.400
	Side	5'	5'	49.25.400
Lot Coverage		50% or less	34%	49.25.400
Height	Permissible	35'	28'	49.25.400
	Accessory	25'	N/A	49.25.400

Maximum Dwelling Units	3	6*	49.25.500
Use	Multi-family Residential	Multi-family Residential	49.25.300
Vegetative Cover	30%	34%	49.50.300
Parking	9.5	6	49.40.210(a)

*** Building permit 8842 approved construction of four units; 2 units remain noncompliant**

Minimum Lot Requirements – The lot meets required lot size, lot width, and lot depth.

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

Minimum Setback Requirements – According to the as-built survey, the structure on the lot meets current setback requirements.

Finding: Staff finds the structure conforming for setbacks.

Lot Coverage – According to the as-built survey, lot coverage is not exceeded.

Finding: Staff finds the lot conforming for lot coverage.

Structure Height – According to Building Permit 8842, the structure on the lot is 28 feet in height.

Finding: Staff finds the structure conforming for height.

Residential Density – Based on Building Permit 8842, the lot was built with four units conforming to zoning regulations in place in 1972. Current zoning allows for three units. One of these four dwelling units is found to be nonconforming.

Upon further review, the fifth and sixth units were added to the building without a building permit. These units would not have been allowed under the 1972 zoning code, and cannot be permitted under current code.

The fifth and sixth dwelling units are considered noncompliant. No information has been submitted that demonstrates CBJ approval of six dwelling units on the lot. Staff reviewed the CBJ Assessors files, and found no dates associated with a change from four units to six units. CBJ Utility Billing records show six dwelling units since September of 1992; however, if constructed at this time, these units could not have been permitted under D18 zoning.

Finding: Staff finds the lot *conforming* for three units, and *nonconforming* for one dwelling unit.

Finding: Staff finds the lot *noncompliant* for two dwelling units. The property owner must bring the structure into compliance with the Land Use Code.

Use – Use of the lot is residential.

Finding: Staff finds the lot conforming for use.

Vegetative Cover – GIS aerial imagery was used to estimate vegetative cover; a site visit confirmed consistency with the 2013 aerial imagery.

Finding: Staff finds the lot conforming for vegetative cover.

Parking – CBJ 49.40.210 requires 9.5 off-street parking spaces, and only 6 off-street spaces are provided. At the time of development, six parking spaces were allocated for four units, conforming to the 1972 parking standards. Off-street parking for the property is currently nonconforming.

Finding: Staff finds the use nonconforming for number of off-street parking spaces.

NONCOMPLIANT SITUATIONS

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

There are currently six dwelling units on the lot. Four dwelling units were permitted in 1972. It is unknown when the fifth and sixth dwelling units were established. CBJ has no building permit, Assessor's records, or Utility Billing records that show when the fifth and sixth dwelling units were established or approved by CBJ.

Finding – Staff finds the fifth and sixth dwelling unit noncompliant for residential density. The property owner must bring the structure into compliance with the Land Use Code.

ABANDONMENT

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

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

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

Finding – Staff finds none of the above events have taken place and the nonconforming situations are not deemed abandoned.

FINDINGS

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

Analysis: A building permit was issued in 1972 for four dwelling units; parking and other dimensional standards were met at time of establishment.

Finding: Yes. Staff finds the nonconforming situations were allowed when established.

Analysis: There are two unpermitted dwelling units on the lot that were not permitted.

Finding: No. Staff finds the unpermitted dwelling units were not allowed when established, and are noncompliant. The property owner must bring the structure into compliance with the Land Use Code.

2. Has the nonconforming situation been abandoned?

Analysis: No additional analysis needed.

Finding: No. Staff finds the nonconforming situation has not been abandoned.

RECOMMENDATION

Staff recommends that Director adopt the analysis and findings, and find the following situations on the lot to be NONCONFORMING to the Title 49 Land Use Code and issue a Nonconforming Certification for the following situations:

- Nonconforming Residential Densities (49.30.240):
 - One dwelling unit is nonconforming
- Nonconforming Parking (49.30.270):
 - Number of off-street parking spaces: Six off-street parking spaces are provided; 9.5 are required

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

- Noncompliant Residential Densities (49.30.240):
 - Two unpermitted dwelling units are noncompliant. The property owner must bring the structure into compliance with the Land Use Code.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	Information Reviewed



DEVELOPMENT PERMIT APPLICATION

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

PROPERTY LOCATION

Physical Address
1510 Second Street

Legal Description(s) (Subdivision, Survey, Block, Tract, Lot)
Capital View BL D LT 3

Parcel Number(s)
2D04020D0030

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

LANDOWNER/ LESSEE

Property Owner Asbjorn and Marit Bo Trust	Contact Person Glenn Bo	Phone Number(s) 231-206-6615
Mailing Address 6748 North Point Drive, Fruitport, MI 49415		
E-mail Address bogl@comcast.net		

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 Glenn Bo 9/23/2020
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 Same	Phone Number(s) Same
Mailing Address		
E-mail Address		

X Glenn Bo September 23, 2020
Applicant's Signature Date of Application

To be completed by Applicant

DEPARTMENT USE ONLY BELOW THIS LINE

*CLOSES NOV 13 2020
(SOONER IF POSSIBLE)*

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.

I:\FORMS\PLANFORM\DPa.docx

Intake Initials <u>[Signature]</u> 10/9/2020	Case Number NCC20200067	Date Received 10/9/20
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Updated 2017 - Page 1 of 1

EXHIBIT 2

Page 53 of 68



APPLICATION FOR A NONCONFORMING CERTIFICATION REVIEW

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

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

TYPE OF NONCONFORMING SITUATION (CHECK ALL THAT MAY APPLY)

☐ USE ☒ STRUCTURE ☒ DENSITY ☒ PARKING ☐ LOT

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

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

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

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

Situation	Type of Documentation
See narrative for explanations	

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

Maintained Situation	Type of Documentation
See narrative for explanations	

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

ALL REQUIRED MATERIALS ATTACHED

☒ Complete Application (Per CBJ 49.30.310)

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

NONCONFORMING CERTIFICATION REVIEW FEES:

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

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

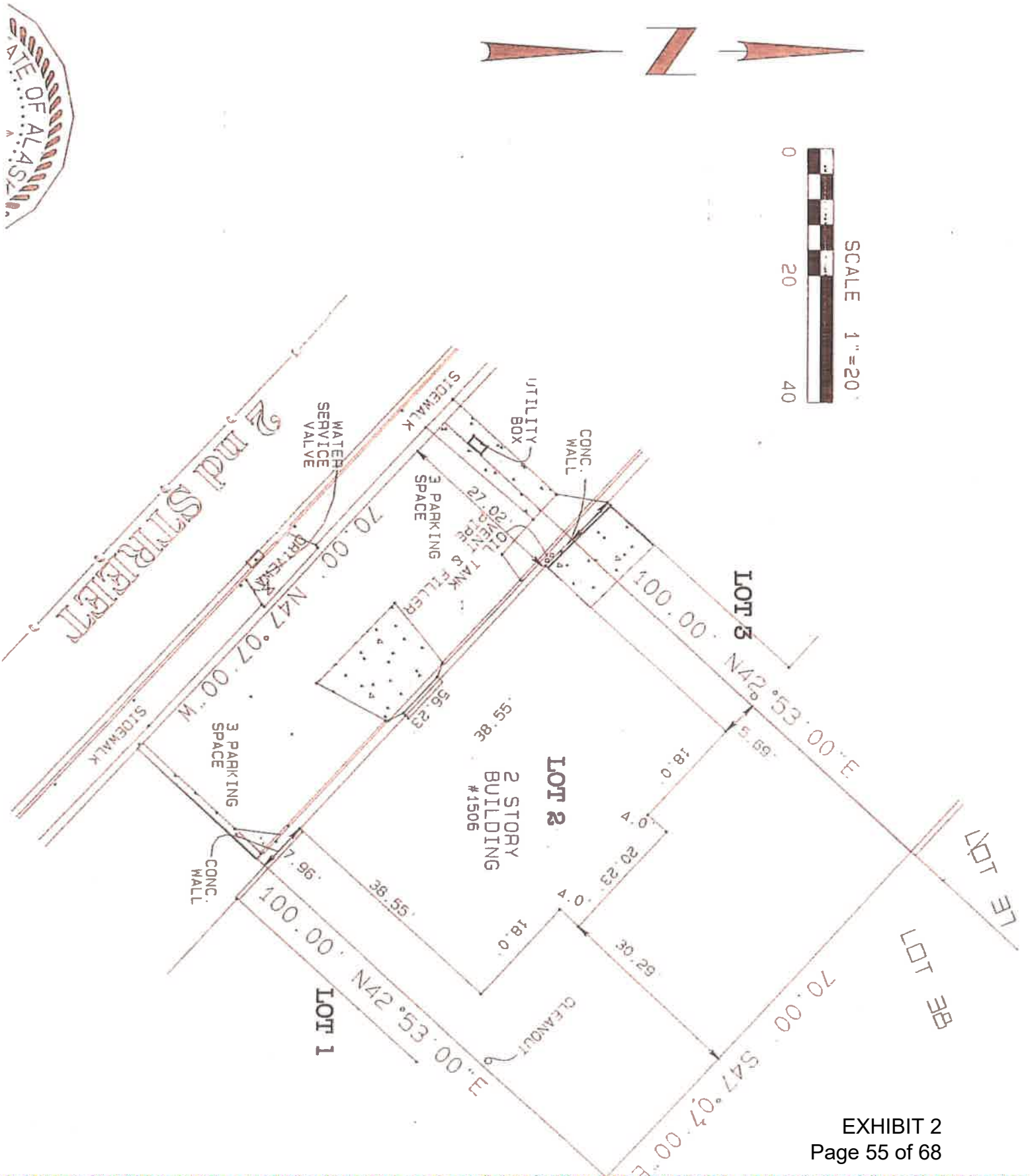
INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center
907-586-0770.

Case Number NC20200067	Date Received 10/9/20
---------------------------	--------------------------

EXHIBIT 2

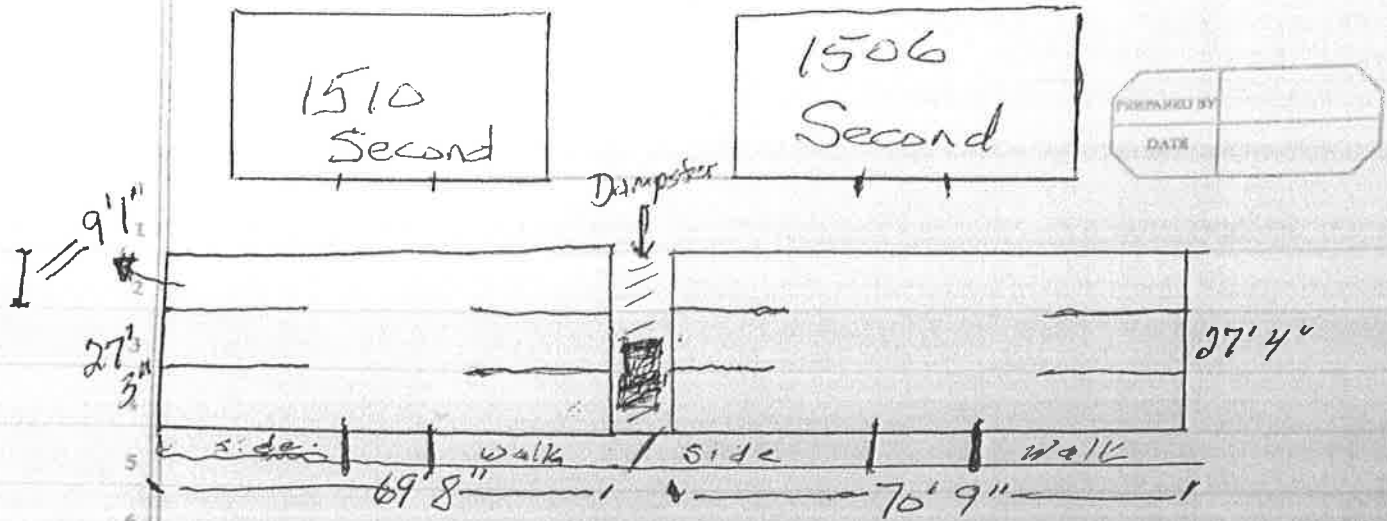
Page 54 of 68



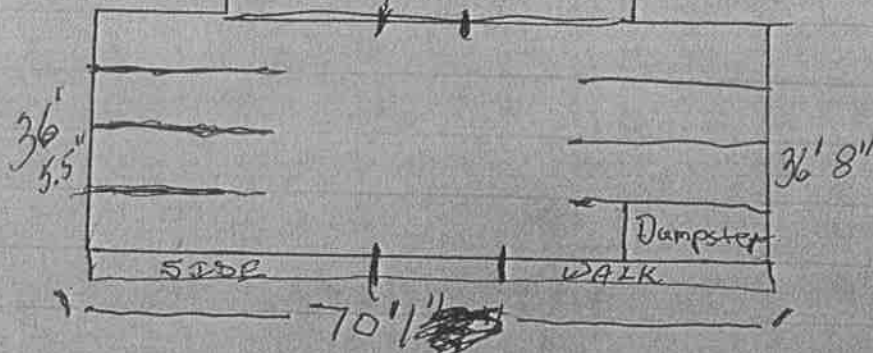
10/9/2020

IMG_3680.jpg

Not to scale



There is on street parking in front of buildings

1508
ThirdNot to
scale

There is on street parking available in front of the building

NARRATIVE FOR PARCEL: 2D04020D0020

My father, Asbjorn Bo, built the 6 plex apartment building located at ~~1506~~³⁰ Second Street in 1973/1974 because at that time in Juneau's history, there were very few, if any apartments, that were large enough for a family. This was the main reason my dad built several of the units as three bedroom apartments.

This building has 3 - (3 bedroom, 1 bath) units, 1 (2 bedroom, 1 bath) unit and 2 - (1 bedroom, 1 bath) units. Ever since it was built, it had and still does have 1 parking space for each unit and at the time it was built, this was approved and accepted. My father has been the only owner of this property since it was built and it has always been used for long term rentals.

My understanding is that under current City and Borough of Juneau regulations, this building would not have sufficient parking for the number of bedrooms that are in each unit if it were built in Juneau in 2020; however, when the apartments were built, all the codes and ordinances in effect at that time were followed and approved.

It should be noted my father passed away on August 1, 2020, and I am the sole Trustee of my father's estate. Of all the documents mentioned as showing the situation as having been maintained over time, the only thing I have is the tax documents which I just sent into the City as the bill is due on September 30. Also, I live at 6748 North Point Drive, Fruitport, MI 49415, so I don't have the ability to obtain additional documents.

If there is anything I can provide verbally or questions I may be able to answer by phone, please feel free to contact me at (231) 206-6615.

I respectfully request the City approve the nonconforming certification, so families can continue to have a large enough apartment to safely house their family.

JUNEAU, ALASKA



We hereby certify that we are the owners of the property shown and described herein and that we hereby adopt this plan of subdivision with our free consent, and dedicate all streets, alleys and other open spaces to public or private use as noted.

Witnessed by:

Juneau Recording District
STATE OF ALASKA

In Witness Whereof, I have hereunto affixed my signature and official notarial seal the day, month and year in this certificate first above and therein mentioned.

④ CURVE DATA
 Δ = 0°17'48"
 T = 48.00'
 R = 17,441.88

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations of the Greater Juneau Borough Planning and Zoning Commission and that said plat has been approved by said Resolution No. 37 dated 6/28 1965, and that the plat shown hereon has been approved for recording in the office of the District Magistrate, Juneau.

Attest:

Charles H. Ward
Chairman, Greater Juneau Borough
Planning and Zoning Commission

Wm A Prince
Clark

I hereby certify I am a registered professional civil engineer, and that this plan represents the survey made by me or under my direct supervision, and that all dimensions and other details are correct to the best of my knowledge.

1962



CAPITAL VIEW
DOUGLAS

Page 59 of 68

TONER & NORDLING, REGISTRAR

2-1-346-00D-105

Attachment B Information Reviewed
CITY AND BOROUGH OF JUNEAU, ALASKA
APPLICATION FOR BUILDING PERMIT

8842

VALUATION ~~88,307~~ 68,307
DATE RECEIVED 7-27-72

Douglas ☒ Juneau ☐ Rural ☐
PERMIT NO. SAME AS PERMIT 8575 BUT ONE STORY LESS
BY BC Hamlin

APPLICANT TO FILL IN BETWEEN HEAVY LINES.
TWO SETS OF PLANS MUST BE FURNISHED WITH APPLICATION.

Building Address 1510 - SECOND STREET		COVERING	
APPLICANT OWNER	Name Mr & Mrs Asbjorn Bo	Ext. Walls 5/8" - T-1-11	
	Mail Address P.O. Box 1083	Int. Walls 1/2 PLASTER BOARD	
	City JUNEAU, ALASKA.	Roof 1/2 PLY 3/4 PLY ROOF	
	Tel. No. 586-6677	Re-Roof	
ARCHITECT ENGINEER	Name SAME	FLUES	
	Mail Address AS ABOVE	F. Place	Flr. Furn. Other
	City	Furnace H. Water H. Air	Steam Elec. Oil Gas
	Tel. No.	Kitchen	
CONTRACTOR or OWNER BUILDER	Name Asbjorn Bo	UTILITIES	
	Mail Address P.O. Box 1083	Sewage System City	S. Tank
	Tel. No. 586-6677	Bldg. Main	
	State License No. 72-73-1731	Sewer Outlet Size 4"	Water Meter Size 1"
LEGAL DESCRIPTION	Subdivision Capital View #1	Water Service Size 1"	
	Lot No. 3 Bl. No. A	Exist. Road Yes	Curb & Gutter Drain Ditch
	PLAT NO 948	Driveway Width 16"	Ft.
	IN DOUGLAS	Off-Street Parking Yes, See PLAN	
		Estimated Cost 68,307	
		Special Information	
CLASS OF WORK			
New	X	Repair	
Addition		Demolish	
Alteration		Move	
Use Of Bldg.	RENTAL		
Size Of Bldg.	38x54		
Height Of Bldg.	27' 6" FROM LOWER LEVEL		
Area Of Lot	7000		
SPECIFICATIONS			
FOUNDATIONS			
Material	Exterior	Piers	
Width Of Top			
Width Of Bottom			
Depth In Ground			
Plate (Sill)	2x6	Size	Space
Girders		4x8	SEE PLAN 8'
Joists (1st Fl.)		2x10	16" O.C. SEE PLAN
" " (2nd Fl.)		2x10	16" O.C. "
" " (Clg.)		2x10	16" O.C. "
Studs (Ext.)		2x4	16" O.C. "
" " (Int.)		2x4	16" O.C. "
Roof Rafters		2x10	16" O.C. "
Bearing Walls	BOTTOM FLOOR	3x4	16" O.C. "
Other			
WORK NOT MENTIONED IS NOT INCLUDED IN PERMIT			
I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all state laws, and codes and ordinances of The Greater Juneau Borough, applicable to building construction.			
Signature Of Owner [Signature]			
Applicant [Signature]			

BLDG. PERMIT NO. 8842 DATE ISSUED 7-27-72
BLDG. FEE \$ 2248.00 PLANS SUBMITTED yes
PLAN CHECK FEE \$ Ad permit 8575 SPECS. SUBMITTED _____
PENALTY \$ _____ REC. NO. 4882
OTHER \$ _____

TOTAL \$ 1900.00

CALLED INSPECTIONS

FOOTING (BEFORE POURING) _____

FND. WALL (BEFORE POURING) _____

FRAME _____

ROUGH PLUMBING _____

ROUGH ELECTRICAL _____

FIRE PLACE _____

SEWAGE & WATER _____

OTHER _____

FINAL _____

Packet Page 525 of 640

CERTIFICATE OF OCCUPANCY
ISSUED

DATE _____

ZONING INFORMATION

ZONE _____

APPROVED OK [Signature]

DATE _____

AREA OF LOT _____

SET BACKS:

FRONT _____

BACK _____

SIDES _____

COMMENTS: _____

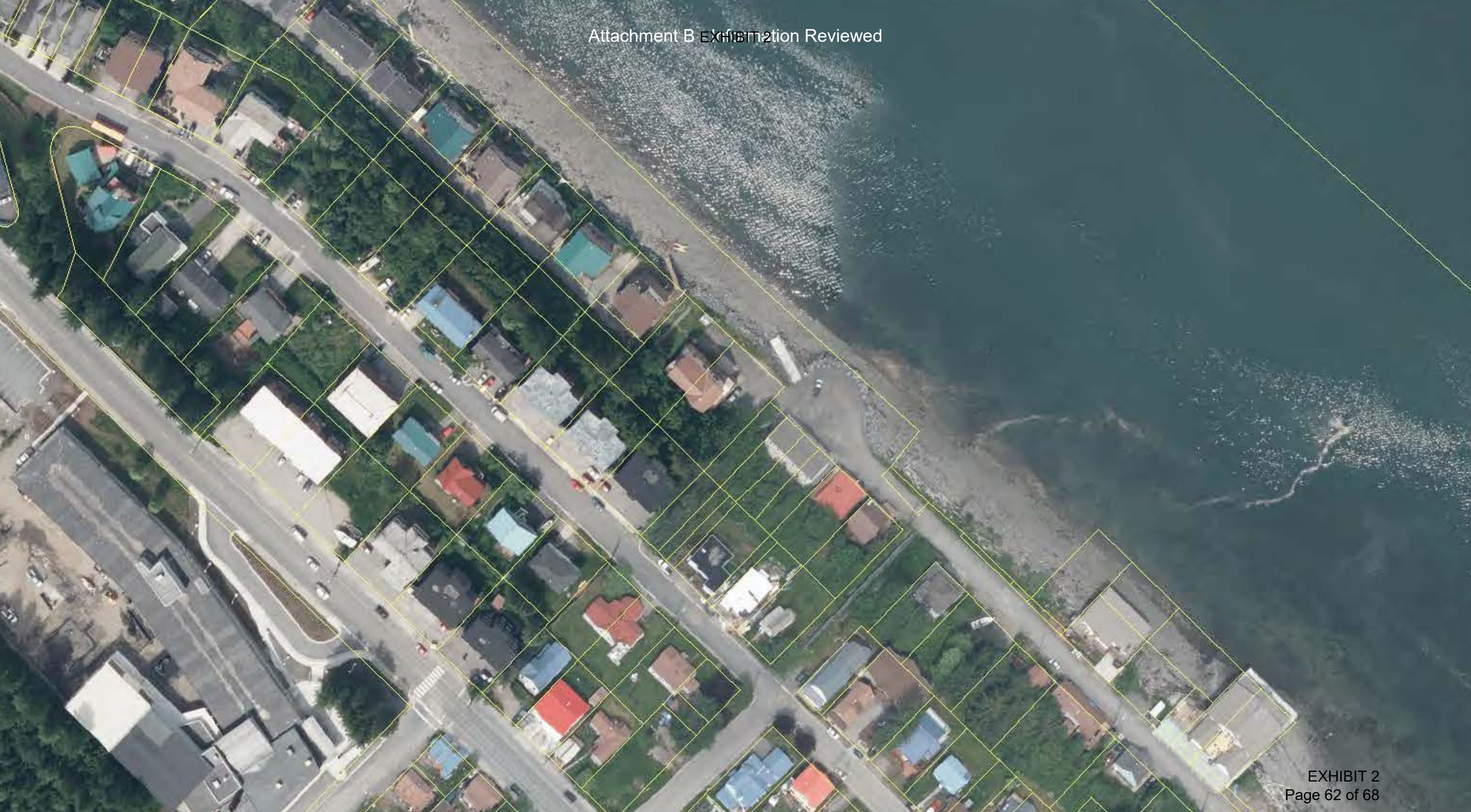
APPROVED: _____

BOROUGH SANITARIAN

DATE: _____

COMMENTS: _____

FIRE ZONE _____











From: [Suzanne Crabtree](#)
To: [Joseph Meyers](#)
Subject: RE: NCC2020-0067
Date: Tuesday, November 3, 2020 9:45:27 AM

1510 2nd St, Douglas – 2D04020D0030

Hi Joseph,

It looks like he was billed for 6 units of Household Hazardous Waste as far back as 1992. Like I told Laurel yesterday, our billing records only go back as far as 1992. I'm not sure how water/sewer was billed before that.

Also, 9/1992 is when the HHW fee began so in a lot of cases that's when I can tell the units on metered accounts.

Thanks,
Suzanne

From: Joseph Meyers <Joseph.Meyers@juneau.org>
Sent: Tuesday, November 3, 2020 9:38 AM
To: Suzanne Crabtree <Suzanne.Crabtree@juneau.org>
Subject: NCC2020-0067

Hi Suzanne,

I am working through a trio of properties by the same owner and this is the 3rd and final. Could you tell me how long utilities have served six units on this property (1510 Second St. Douglas)? Thanks again for your assistance.

Joseph Meyers | Planner I

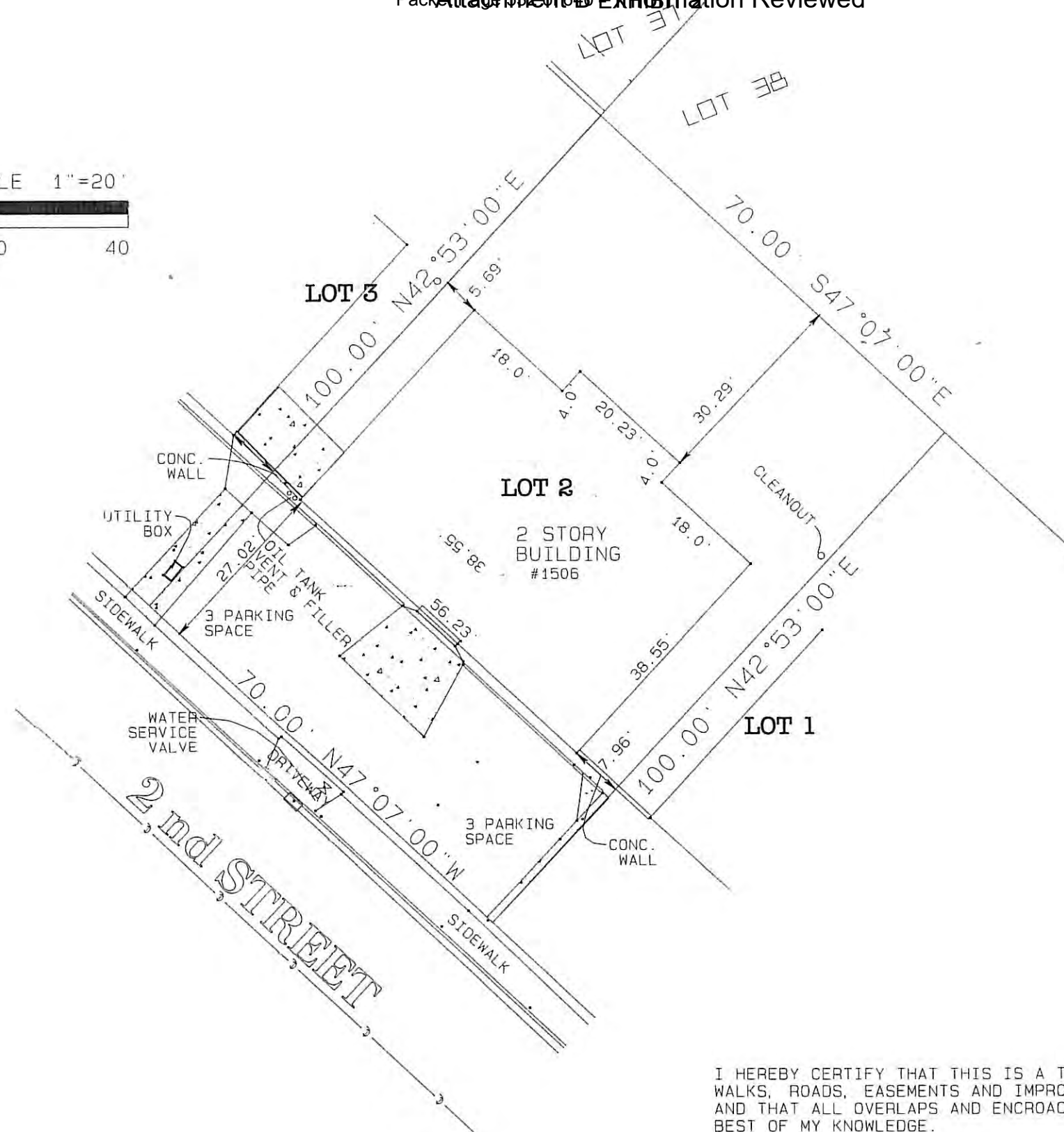
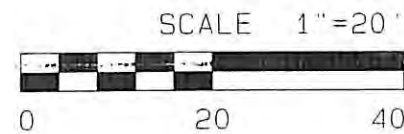
[Community Development Department](#) | City & Borough of Juneau, AK

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

Main Line: 907.586.0715

Personal Line: 907.586.0466





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. TDS 12322 JOB No 13505
SCALE AS-SHOWN
DATE 10-08-2020

AS-BUILT SURVEY OF
LOT 2, BLOCK D
CAPITAL VIEW SUBD. NO 1
WITHIN USMS_341A.



December 7, 2020

City and Borough of Juneau
Community Development
155 S. Seward Street
Juneau, Ak. 99801

Regarding: Non-Conforming Property
File No : NCC2020 0066
1506 Second Street
Capital View Block D, Lot 2

Attn: Joseph Meyers, Planner
Jill Maclean, Director

I have read your final decision regarding the denial of the "non-conforming" certificate for the above mentioned property. This decision is very perplexing to me on so many levels. There are many properties all over this town, many of which are multi-dwellings that the city has allowed to be built on property that was not zoned or "compliant" with the codes at the time that they were built. This seems like an unfair and indiscriminate decision to deny this property conformity while approving others.

The above mentioned property, has always been a 6 Plex. There is no way apartments were added. Your own assessors data base shows this complex as a 6 plex, so someone at city hall knew it was a 6 plex. The owners are being taxed as a 6 plex. Per our current appraisal each unit has an average value of \$112,000. Does this mean that you will give the owners a refund in overpayment of taxes for 2 of these units that they have been "over" taxed for the past 40 years? At some point the property should be looked at the same as an easement is. If it has been used a certain way for years then it should be Grandfathered in or granted this "non-conforming" certification.

I think the City will be opening themselves up for many lawsuits if this permit is denied. It is such an injustice to this family trying to settle an estate. This 6 plex has been in existence since 1972 and should be allowed to remain as it is.

Best Regards,

A handwritten signature in cursive script that reads "JoAnn Birt".

JoAnn Birt
Realtor, Re/Max of Juneau

CITY AND BOROUGH OF JUNEAU, ALASKA
APPEAL FROM A DECISION OF THE COMMUNITY DEVELOPMENT
DEPARTMENT

Appeal of NOTICE OF DECISION File No.:)
 NCC2020 0065, APL 2020 005)
 Legal Description: Capital View Subdivision,)
 Block A, Lot 12)
 Property Address: 1508 Third Street,)
 Douglas, Alaska)
 Parcel: 2D04020A0140)

Appeal of NOTICE OF DECISION File No.:)
 NCC2020 0066, APL 2020 006)
 Legal Description: Capital View Subdivision,)
 Block D, Lot 2)
 Property Address: 1506 Second Street,)
 Douglas, Alaska)
 Parcel: 2D04020D0020)

Appeal of NOTICE OF DECISION File No.:)
 NCC2020 0067, APL 2020 004)
 Legal Description: Capital View Subdivision,)
 Block D, Lot 3)
 Property Address: 1510 Second Street,)
 Douglas, Alaska)
 Parcel: 2D04020D0030)
 Nonconforming Certification Review for)
 residential density and parking)

NOTICE OF WITHDRAWAL OF APPEAL

Glenn Asbjorn Bo, Trustee under the Asbjorn and Marit Bo Trust, dated December 12, 1981, by and through his attorney, Rachel K. Bergartt, of the law firm of Baxter Bruce & Sullivan P.C., hereby provides notice of withdrawal of his appeal in the above-captioned matters. Counsel for the City and Borough of Juneau has been notified of the withdrawal of appeal and does not oppose the withdrawal¹.

¹ See attached, *Exhibit 1*.

1 DATED this 29th day of January 2021 at Juneau, Alaska.

2 BAXTER BRUCE & SULLIVAN P.C.

3 

4 By _____
 5 Rachel K. Berngartt, ABA No. 2011100
 6 Attorneys for Glenn Asbjorn Bo
 7

8 **CERTIFICATE OF SERVICE**

9 The undersigned hereby certifies that on the 29th day of January 2021 a true and
 10 correct copy of the above was served on the following via email:
 11

12 City and Borough of Juneau
 13 Office of the Municipal Clerk
 14 Beth McEwen, Municipal Clerk
 15 155 S. Seward Street, Room 202
 16 Juneau, AK 99801
 17 (907) 586-0203
 18 (907) 586-4552 (fax)
 19 Beth.McEwen@juneau.org

20 

21 By _____
 22 Shirley Davenport
 23
 24
 25
 26
 27
 28
 29
 30

BAXTER BRUCE & SULLIVAN P.C.
 P.O. Box 32819 Juneau, Alaska 99803
 Telephone: (907) 789-3166
 Facsimile: (907) 789-1913

From: Sherri Layne <Sherri.Layne@juneau.org>
Sent: Tuesday, January 26, 2021 4:17 PM
To: Rachel Berngartt <rberngartt@bbslawyer.com>
Subject: RE: Appeal Glenn Bo - simplification of issues

[REDACTED]

Definitely no objection from the CBJ if he decides to dismiss his appeal.

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

BEFORE THE PLANNING COMMISSION OF THE CITY AND BOROUGH OF JUNEAU

GLENN BO, TRUSTEE OF THE ASBJORN &
MARIT BO TRUST,

Appellant,

vs.

CBJ COMMUNITY DEVELOPMENT,

Appellee.

APL2020 0004/0005/0006

Appeal of:

NCC2020 0065/0066/0067:

CDD Directors Decision dated

November 5, 2020

ORDER DISMISSING APPEALS

On January 29, 2021, Appellant, Glenn Bo, Trustee of the Asbjorn & Marit Bo Trust, filed a Notice of Withdrawal of Appeal. Appellee, CBJ Community Development, does not oppose the withdrawal.

Based on the agreement of the parties, the appeal of NCC 2020 0065 (1508 Third Street), NCC 2020 0066 (1506 Second Street), and NCC 2020 0067 (1510 Second Street) is dismissed.

DATED this __, day of DATE, 2021.

PLANNING COMMISSION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

By: _____

Presiding Officer
Commissioner Daniel Hickok

Glenn Bo, Trustee v. CBJ Community Development
Order Dismissing Appeal

City of Douglas Ordinance 11-1
Adopted January, 1959

EXHIBIT 6

Chapter 11. ZONING AND PLANNING

<u>Ordinance No.</u>	<u>Subject of Ordinance</u>
11-1	Ratifying the creation of a planning and zoning commission
11-2	Zoning Ordinance

Packet Page 539 of 640

ORDINANCE NO. 11-1

AN ORDINANCE: ratifying the creation of a planning and zoning commission, the appointment of members thereto, the terms, duties, powers and authority of such commission; providing for such commission to constitute the planning authority for the City of Douglas; requiring the submission of all plans, plats or replats of land in the City of Douglas to said commission, and the approval thereby, prior to recording; prescribing penalties for violation thereof under the authority of Section 16-1-35, ACLA 1949, Chapter 114, SLA 1953, Chapter 95, SLA 1955, and any future amendments of said authority.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF DOUGLAS, Alaska, Packet Page 540 of 640

Section 11-101. PLANNING AND ZONING COMMISSION

There is hereby ratified and confirmed the creation of a City Planning and Zoning Commission which shall consist of nine members who shall be nominated by the Mayor and confirmed by the City Council. Members of said Commission shall serve for a period of three years; provided that initial appointments to said Commission shall be staggered terms of office of three members each for each of the following periods: One year, two years, three years, it being the intent of this Council that three members shall be appointed annually for new three-year terms. The Mayor shall appoint members of the Commission from time to time to fill the unexpired terms of members who resign or whose memberships are terminated for cause.

The officers of the Commission shall be Chairman and a Clerk-Secretary who shall be elected by members of the Commission. The Chairman shall be a member of the Commission and will serve as Chairman during his term of office on said Commission. At any meeting at which the Chairman is not in attendance, the members of the Commission shall, on voice vote, appoint another member thereof as Acting Chairman for that meeting. The Mayor shall act as ex-Officio Chairman prior to the appointment of an Acting Chairman. The Clerk-Secretary of the Commission may be one of the members thereof, or any person acceptable to the members of the Commission and shall serve at the pleasure of the Commission. The Chairman or Acting Chairman shall appoint a member of the Commission to act as Clerk of the meeting in the absence of the Clerk-Secretary.

The Mayor and the Committee of the City Council on Planning and Zoning shall serve as Ex-Officio members of the Commission, but they shall have no vote. Members of the City Council may attend any or all meetings of the Commission, but they shall have no vote.

Section 11-102. INCORPORATION OF TERRITORIAL LAWS BY REFERENCE

The laws of the Territory of Alaska having to do with planning and zoning commissions, particularly Title 16, Chapter 1, Article 3, Section 35, subparagraphs 23 and 24, ACLA 1949; Chapter 115 SLA 1953; Chapter 95 SLA 1955 and all amendments thereto are hereby incorporated in this Ordinance by reference and made a part hereof.

Section 11-103. DUTIES AND POWERS, PLANS, RECOMMENDATIONS, REGULATIONS.

The Commission shall be required to do the following:

(a) Develop, adopt, alter or revise, subject to the approval of the City Council, a master plan for the physical development of the City. Such master plan with accompanying maps, plats, charts, descriptive and explanatory matter, shall show the Commission's recommendations for the development of the City and may include, among other things:

(1) Development of the type, location, and sequence of all public improvements;

(2) The relocation, removal, extension or change of use of existing or future public ways, grounds, spaces, buildings, properties and utilities;

(3) The general extent and location of rehabilitation areas.

When a master plan for the City has been approved by the Council, amendments, revisions and extensions thereof may be adopted by the Council after consideration and report by the Planning and Zoning Commission. All amendments, revisions or extensions shall correspond to major geographical divisions of the City or to functional divisions of the subject matter of the plan.

(b) As a Platting Board, exercise control over planning and subdivision of lots, blocks or lands within the City Limits, as provided by law, particularly Chapter 115, SLA 1953, as amended. The Commission is hereby authorized to make and publish rules and regulations implementing its powers as said Platting Board. Any subdivision or dedication, before lots or tracts therein may be sold or offered for sale, shall be first submitted for approval by the Commission, and no sale or offer for sale shall be made unless and until the same shall be approved by the Commission, such approval being duly noted on said plat or said subdivision or dedication, prior to the recording thereof in the office of the Juneau Recording District. Every Plat shall be acknowledged before an officer authorized by law to take acknowledgments of deeds and shall, in addition, be accompanied by an acknowledged certificate from the Clerk of the City of Douglas that all taxes levied against the property at such date have been paid.

When an area has been subdivided and a plat thereof approved and recorded in accordance herewith, all streets, parks and other public areas shown thereon shall be deemed to have been dedicated to public use.

The Commission shall approve or disapprove any plat or subdivision or dedication within sixty days after the date of filing thereof, or shall return said plat to the applicant within sixty days from said date; otherwise, said plat shall be deemed to have been approved and a certificate to that extent shall be issued by the Commission on demand, provided, however, that the applicant for the approval of a plat may consent to the extension of such period. The ground for disapproval of any plat shall be stated upon the records of the Commission.

Every plat, subdivision or dedication shall show the initial point of the survey, the original or re-established corners, with description of them, and actual traverse showing the area of closure and all distances, angles and calculations required to determine the initial point, corners or distances of the plat.

(c) Make and adopt plans for the clearance and rebuilding of slum districts and blighted areas within the City, and make recommendations to the City Council for enforcement of building code regulations and the condemnation of buildings which have become a fire or health hazard or a public nuisance.

(d) Submit to the Mayor, from time to time, recommendations for capital improvements which in the opinion of the Commission are necessary or desirable to be constructed or undertaken by the City. Such list shall be arranged in order of preference, and such recommendations shall be deemed to be submitted in the order of their priority, unless otherwise stated.

(e) Recommend to the Council the employment of engineers, attorneys, planning consultants and other professional and clerical assistance necessary for the performances of its duties; provided, that no contract of such employment shall be binding upon the City unless approved by the Council.

Section 11-104. VIOLATIONS - PENALTIES

Whoever, being the owner or agent of the owner of any land located within the City, transfers, sells, or agrees, or enters into a contract to sell any land in a subdivision whether by reference to or by other use of a plat of such subdivision or otherwise, unless and until a plat of such subdivision has been prepared in full compliance with the provisions of this Ordinance and the laws applicable thereto, and the regulations adopted hereunder, and has been approved by the Planning and Zoning Commission, as planning authority having jurisdiction thereof, and has been recorded in the office of the U. S. Commissioner, as provided herein, shall be guilty of a misdemeanor, punishable by fine of not more than Five Hundred Dollars (\$500.00) for each lot or parcel so transferred or sold or agreed or included in a contract to be sold; and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the penalty from such penalty or from the limits herein provided. The Planning Authority may sue in the name of the City to enjoin such transfer or sale or agreement to sell, and may recover the said penalty by appropriate action in any court of competent jurisdiction.

Section 11-105. SEVERABILITY

Each of the provisions of this Ordinance are severable and if any provision thereof shall be declared to be invalid, the remaining provisions shall not be affected, shall remain in full force and effect.

Section 11-106. RATIFICATION OF PRIOR ACTS OF COMMISSION

All acts of the body heretofore known as the Douglas Planning and Zoning Commission are ratified and confirmed.

PASSED by the Common Council of the City of Douglas, Alaska, and approved by the Mayor, this 26th day of January, 1959.

William E. Boehl
Mayor

ATTEST:

Virginia B. Post
City Clerk

Passed first reading: December 30, 1958
Passed Second reading: January 12, 1959
Passed third reading: January 26, 1959

Section 2.01: Boundaries of Districts.

(1) Streets and Alleys, Lot Lines. The boundaries of the various districts shown on the Zoning Map are, unless otherwise indicated, streets, alleys or lot lines as shown on the said map. Where the location of the boundaries in such district, as indicated on the map, are shown to be other than street, alley, or lot line, then such boundary shall be construed to be distant one hundred twenty (120) feet from and parallel with the frontage street line, unless shown to be otherwise by a distance in figures. Where the street layout actually on the ground varies from that shown on the Zoning Map, the designations shown on the map shall be applied by the Planning Commission to the street as actually laid out so as to carry out the intent and purpose of the Zoning Plan for that district.

(2) Divided Ownership. Where a district boundary line, as shown on the Zoning Map, divides a lot in a single ownership at the time of passage of this ordinance, the use permitted on the least restrictive portion of such lot may extend to the portion lying in the more restrictive district a distance of not more than fifty (50) feet beyond the district boundary line.

CHAPTER 3.Residential DistrictsSection 3.00: Single Family and Duplex Residential District R1.
Principal Uses Permitted Outright.

- (1) One single family detached dwelling structure per lot.
- (2) One two family attached dwelling structure (duplex) per lot.
- (3) Subsistence or hobby-type gardening and horticultural activities, and related structures having less than three hundred (300) square feet total area and used solely for non-commercial purposes.

Section 3.01: R1 District - Accessory Uses Permitted.

- (1) Uses customarily incidental to a principal use permitted outright, such as private garages or parking areas for non-commercial vehicles only, but not including any business, trade or industry.
- (2) Home occupations. See Chapter 7.
- (3) The renting of rooms by the resident owner for lodging purposes only, and for the accommodation of not more than two (2) roomers in a dwelling unit.

(4) Non-flashing residential name plates not exceeding sixty-four (64) square inches bearing only the name and address of the occupant; non-flashing bulletin boards or signs not exceeding thirty (30) square feet for quasi-public institutional buildings.

(5) The accessory exceptions which may be authorized by the Board in this district are those customarily incidental to conditional exceptions allowed.

Section 3.02: R1 District - Conditional Uses. See Chapter 3.

Section 3.03: R1 District - Density Provisions. Density provisions for the R1 District are as follows:

- (1) Maximum number of families permitted per lot: Two (2).
- (2) Maximum height of building: Two and one-half (2-1/2) story but not to exceed thirty-five (35) feet.
- (3) Minimum area of lot: Five thousand (5,000) square feet for single family structures, seventy-two hundred fifty (7,250) square feet for structures containing two family units attached.
- (4) Minimum depth of lot: Eighty (80) feet.
- (5) Minimum width of lot: Fifty (50) feet.
- (6) Maximum percent of building coverage: Thirty-five percent (35%) of lot.
- (7) Minimum front yard depth: Twenty (20) feet.
- (8) Minimum side yard width: Five (5) feet.
- (9) Minimum side yard width along street side of corner lot: Fifteen (15) feet.
- (10) Minimum rear yard required: Twenty (20) feet.

Section 3.04: Multi-family Residential District R2 - Principal Uses Permitted Outright.

- (1) Principal uses permitted outright in the R1 District.
- (2) Multiple dwelling structures or groups of structures, including triplex and fourplex family dwelling structures, and multi-family apartments in which units are rented on a permanent basis, but not including motels or other facilities offered on a transient tenancy basis.

Section 3.05: R2 District - Accessory Uses Permitted.

Uses customarily incidental to a principal use permitted outright, such as private garages or parking areas for non-

commercial vehicles only, but not including any business, trade or industry.

Section 3.06: R2 District - Conditional Uses. See Chapter 3.

Section 3.07: R2 District - Density Provisions. Density provisions for the R2 District are as follows:

- (1) Maximum height of buildings: Three (3) stories, but not to exceed forty (40) feet.
- (2) Minimum area of lot: Two thousand (2,000) square feet per family dwelling unit for first four (4) dwelling units; additional dwelling units, twelve hundred (1,200) square feet per unit.
- (3) Minimum depth of lot: One hundred (100) feet.
- (4) Minimum width of lot: One hundred (100) feet.
- (5) Maximum percent of lot coverage: Fifty-five percent (55%).
- (6) Minimum front yard depth: Fifteen (15) feet.
- (7) Minimum side yard width: Five (5) feet, except when abutting an R1 District, then ten (10) feet shall be required.
- (8) Minimum side yard width along street side of corner lot: Ten (10) feet.
- (9) Additional side yard required per story when in excess of two (2) story: Two (2) feet.
- (10) Minimum rear yard required: Fifteen (15) feet.

Section 3.08: Conditional Uses in Residential Districts. The following uses may be authorized by the Board as conditional exceptions in residential districts as indicated. Such uses, although not permitted outright, shall not be deemed non-conforming if existing at the time of adoption of this ordinance.

In all residential districts:

- (1) Park and playgrounds.
- (2) Public, private and parochial schools and supporting dormitory facilities, provided that playfields, exclusive of the building site, shall be provided at the minimum ratio of one (1) acre per hundred (100) students for elementary schools and one and one-half (1-1/2) acre per hundred (100) students for junior and senior high schools, maximum design capacity.
- (3) Churches and other religious or other charitable organizations.

(4) Public and governmental buildings serving as administrative offices.

(5) Fire and police stations.

(6) Libraries.

(7) Hospitals, rest and convalescent facilities for human beings, but not for treatment of contagious diseases, insanity, feeble minded, epileptics, or liquor or drug addicts.

(8) Nursery schools, day nurseries, private kindergartens and similar child care centers, provided there is established and maintained in connection therewith a fenced play lot on or adjoining the premises with a minimum area of four hundred (400) square feet plus an additional forty (40) square feet for each child in excess of ten (10).

(9) Private clubs, lodges, convents, social or recreational buildings and community assembly halls, except those having a chief activity carried on for monetary gain; provided, that any building used for such purpose shall be at least fifty (50) feet distant from any adjoining residentially used lot; and provided that there be no external evidence of gainful activities, however incidental, nor any access to any space used for gainful activities other than from within the building.

(10) Office buildings for professional-type services such as physicians, dentists, architects, accountants, engineers, lawyers, and similar occupations; provided the property is planned, built and operated as a unit; provided that a determination is made that the character of the residential district shall not be adversely affected.

(11) Franchised and public utility and communication facilities, such as branch telephone exchanges, static transformers, booster stations, pumping stations, provided there are no service or storage buildings or yards in connection therewith, and provided that a determination is made that the character of the residential district shall not be adversely affected.

(12) Miscellaneous Uses: Private or public golf courses and country club or social club facilities in connection therewith.

(13) Similar uses not harmful to or inconsistent with a residential neighborhood.

(14) In Residential Districts R2 Only: Housing projects involving two-family and/or multi-family units in a grouping of buildings generally on single sites and planned and developed as an integral unit for which it is difficult or impossible to apply standards for density controls contained in this ordinance. The Board shall take full cognizance of the problems imposed upon large scale developments on the basis of their conformance to

accepted land and building planning principles and their effect upon existing land and property values in the vicinity thereof.

CHAPTER 4.

Commercial Districts

Section 4.00 to 4.07: Reserved for C1: Neighborhood Commercial.

Section 4.08: Central Commercial District C2. In the C2 District it is intended that structures, premises and facilities would provide a major shopping and business center serving an urban area comprising the city proper and its environs.

Section 4.09: C2 District - Principal Uses Permitted Outright. The principal uses permitted outright in the C2 District are sales, services or business establishments necessary to supply the retail needs of residents in an area such as described in Section 4.08, such as, but not limited to the following uses:

(1) Hardware, drygoods, apparel, appliance centers, jewelry, photographic studio, ice dispensary, home appliances, boat sales, furniture.

(2) Cafe, tavern, theater (not outdoor), gift shop, radio and television, bank, business or professional office.

(3) Barber, garage (auto repair, but not service stations), refrigerated locker, shoe repair, book store, fruit and vegetable market, bakery, supermarket, self-service laundry, sporting goods, commercial recreation.

(4) Hotel, motel, tourist facilities.

(5) Uses permitted outright or as exceptions in R1 and R2 Districts.

Section 4.10: C2 District - Conditional Exceptions. Conditional exceptions which may be authorized by the Board in C2 District, are as follows:

(1) Places of public assembly for meetings or amusement, provided the location is more than fifty (50) feet from any "R" Zone, is completely enclosed, and is more than three hundred (300) feet from any public school, playground or park, except that churches may be permitted without conformance to the distance requirement.

(2) Open structures for parking of private passenger vehicles only, if located fifty (50) feet or more from any "R" Zone, and adequately screened.

Greater Juneau Borough Ordinance 68-38
Adopted February 1968

Presented: Sept. 4, 1968

Introduced: Sept. 4, 1968

Referral:

Hearing: October 16, 1968

GREATER JUNEAU BOROUGH ORDINANCE

Serial No. 68-38

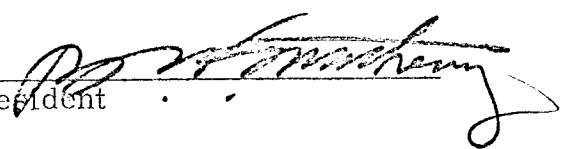
AN ORDINANCE ADOPTING COMPREHENSIVE ZONING FOR THE URBAN AND URBANIZING AREA OF THE BOROUGH; ADOPTING A ZONING MAP REPEALING AND REPLACING EXISTING ZONING ORDINANCES AND PRESCRIBING PENALTIES.

Sec. 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Borough Code.

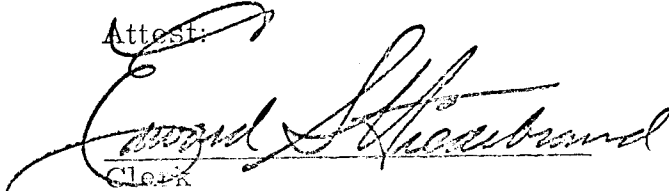
Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Sec. 3. Adoption of Sections. The following annexed sections, Sec. 49.25.100 through 49.25.106, all inclusive; Sec. 49.25.200 through 49.25.207, all inclusive; Sec. 49.25.300 through 49.25.301, all inclusive; Sec. 49.25.400 through Sec. 49.25.413, all inclusive; Sec. 49.25.500 through 49.25.505, all inclusive; Sec. 49.25.600 through 49.25.603, all inclusive; Sec. 49.25.700 inclusive; Sec. 49.25.800 through 49.25.806, all inclusive; Sec. 49.25.900 through 49.25.902, all inclusive; are hereby adopted as a part of this ordinance and Title 49 of the Code of Ordinances of the Greater Juneau Borough.

Adopted February 26 _____, 1968


President

Attest:

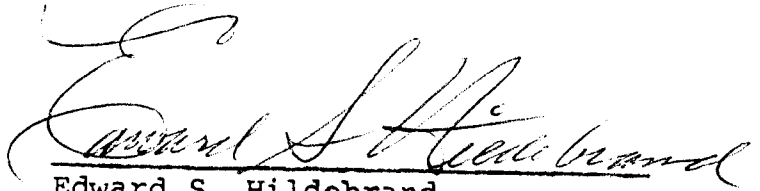

Clerk
Chairman

NOTICE OF ADOPTION OF ORDINANCE

Notice is hereby given that the Greater Juneau Borough Assembly adopted GJB Ordinance No. 68-38 on 26 February 1969, such ordinance to become effective thirty (30) days from that date. The title of GJB # 68-38 is:

AN ORDINANCE ADOPTING COMPREHENSIVE ZONING FOR THE URBAN
AND URBANIZING AREA OF THE BOROUGH; ADOPTING A ZONING MAP
REPEALING AND REPLACING EXISTING ZONING ORDINANCES AND
PRESCRIBING PENALTIES.

Copies of this ordinance may be obtained at the Borough Office, 210 Admiral Way, Juneau, Alaska. ^{attached} ~~from the Vault~~


Edward S. Hildebrand
Borough Clerk

Publish: MARCH 5, 1969

ZONING REGULATIONS

and police station ; all without shops, garages or storage yards:

- (3) Governmental and municipal uses;
- (4) Radio and television stations, transmitters or towers;
- (5) Private and semi-public noncommercial uses, such as: social or community building or uses;
- (6) Nursery schools, day nurseries, private kindergartens and child care center ;
- (7) Marina;
- (8) Churches and other places of worship, including parish houses and Sunday school building ;
- (9) Any use determined by the planning commission to be similar to the uses set forth in this subsection (c);
- (10) Landscape nurseries and greenhouses;
- (11) Professional offices.

(d) **Dimensional Standards.** Dimensional standards are:

- (1) Minimum lot size 5,400 square feet except that churches must have a minimum lot size of 10,000 square feet;
- (2) Minimum lot area per dwelling unit 3,000 square feet;
- (3) Minimum width of lot at front building line 60 feet;
- (4) Minimum *depth* width of lot 90 feet;
- (5) Maximum building height 2 1/2 stories but not to exceed 35 feet in height;
- (6) Maximum lot coverage 40%;
- (7) Minimum front yard setback 20 feet;
- (8) Minimum rear yard setback 20 feet;
- (9) Minimum side yard setback 5 feet.

(e) **Off-Street Parking Requirements.** Off-street parking requirement are:

- (1) As provided in Section 40.25.500.
- (f) **Sight Obscuring Structures or Planting.**

(1) The maximum height of a sight obscuring fence or planting located in a front yard area shall not exceed four feet;

(2) Corner lots ^{all} have no sight obscuring plantings or structure or other obstructions over three feet in height located within twenty feet from the corner on the intersection, and further provided, where intersecting roads are at a different grade, no sight obscuring plantings or structure are permitted which interfere with sight clearance of oncoming traffic. (Serial No. 86-27 §§ 2-3 1986; Serial No. 86-14 § 3, 1986; Serial No. 83-35 § 6 1982; GJB § 49.25.404).

49.25.405 RML (LOW DENSITY) MULTI-FAMILY RESIDENTIAL DISTRICT. Purpose: This district provides

areas for the development of low density multi-family housing. It is designed to be located adjacent to single family areas and will often be used as a buffer to provide for an orderly transition of development adjoining high density multi-family, commercial or industrial districts or along major streets where such areas, because of traffic, noise, or other characteristics, may not be conducive to the development of desirable single family environment.

(a) **Principal Uses Permitted.** Principal uses permitted are:

ZONING REGULATIONS

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- (1) Single family and duplex dwelling units;
- (2) Multi-family dwellings;
- (3) Public and semi-public parks, playgrounds, swimming pools, other recreational uses or buildings and community or social buildings all of a noncommercial nature;
- (4) Private docks, private moorage, private boat house;
- (5) Boardinghouse or rooming house;
- (6) Churches and other places of worship, including parish houses and Sunday school buildings
- (7) Schools, public parochial and private, including colleges and universities.
- (b) **Accessory Uses Permitted.** Accessory uses permitted are:
 - (1) Accessory uses customarily incidental to the principal use on the lot;
 - (2) Home occupations;
 - (3) Signs as provided in Section 49.25.501;
 - (4) Professional offices which are occupied by no more than four persons when located in principal building;
 - (5) The commercial or private stabling of not more than three horses or other farm animals provided the stabling and running area is not less than one hundred feet from any dwelling other than that of the owner.
- (c) **Conditional Uses Permitted.** Conditional uses permitted are:
 - (1) Hospital, sanitarium home for the aged nursing home, convalescent home;
 - (2) Public utility and community facilities, such as: water and sewage treatment plants, water towers and reservoirs, pumping stations, electrical substations and power generating plants, fire and police stations, all without shops, garages or storage yards;
 - (3) Governmental and municipal uses;
 - (4) Radio and television stations; transmitters or towers;
 - (5) Libraries, museum and art galleries;

- (6) Private and semipublic noncommercial uses, such as: social or community buildings and uses;
- (7) Nursery schools, day nurseries, private kindergartens and child care centers;
- (8) Professional offices;
- (9) Parking lots, commercial;
- (10) Mobile home parks;
- (11) Marina;
- (12) Motels (may include bar and/or restaurant), travel trailer parks and other tourist facilities;
- (13) The commercial or private stabling of more than three horses or other farm animals or the commercial or private stabling of less than four horses or other farm animals within one hundred feet of any dwelling other than that of the owner;
- (14) Any use determined by the planning commission to be similar to the uses set forth in this subsection (c);
- (15) Movie theaters, excluding drive-in theaters;
- (16) Athletic club;
- (17) Mobile home subdivisions to be governed by the provisions of Section 49.25.415(a) through (h) and subdivided under Section 49.35.222;
- (18) Landscape nurseries and greenhouses.
- (d) **Dimensional Standards** Dimensional standards are:
 - (1) Minimum lot size 5,400 square feet
No multifamily dwelling may locate on an existing lot of record of less than 4,500 square feet. Churches must have a minimum lot size of 10,000 square feet.
 - (2) Minimum lot area per dwelling unit 2,400 square feet
for the first dwelling unit: 1,200 square feet for each additional dwelling unit;
 - (3) Minimum width of lot at front building 60 feet;
 - (4) Minimum lot depth 90 feet;
 - (5) Maximum building height 35 feet;

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- (6) Maximum lot coverage 50%:
- (7) Minimum front yard setback 15 feet:
- (8) Minimum rear yard setback 15 feet:
- (9) Minimum side yard setback 5 feet
for one story, 6 ft. for two stories.
8 feet for three stories.

(e) **Off-street Parking Requirements.** Off-street parking requirements are:

- (1) As provided in Section 49.25.500.

(f) **Sight-obscuring Structures or Planting.**

(1) Maximum height of a sight-obscuring fence or planting located in a front yard area shall not exceed four feet.

(2) Corner lots shall have no sight-obscuring plantings or structures or other obstructions over three feet in height within twenty feet from the corner on the intersection; and further provided, where intersecting roads are at a different grade, no sight-obscuring plantings or structures are permitted which interfere with sight clearance of oncoming traffic. (Serial No. 86-14 § 4, 1986; Serial No. 83-5 § 8, 1983; Serial No. 82-35 § 7, 1982; Serial No. 77-53 §§ 8, 9, 1977; Serial No. 77-24 § 2 (part), 1977; Serial No. 74-47 §§ 11, 12, 1974; Serial No. 74-04 § 6, 1974; GJB § 49.25.405).

49.25.406 RMM (MEDIUM DENSITY) MULTIFAMILY

RESIDENTIAL DISTRICT. Purpose: This zone is designed to provide adequate and appropriately located areas for the development of medium density multiple-family uses and other compatible nonresidential uses.

(a) Principal Uses Permitted. Principal uses permitted are:

- (1) Single-family and duplex dwellings;
- (2) Multifamily dwellings;
- (3) Public and sem public parks, playgrounds, swimming pools, other recreational uses, all of a noncommercial nature;
- (4) Private docks, private moorage, private boathouse;

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- (5) Boardinghouse or roominghouse:
- (6) Churches and other places of worship, including parish houses and Sunday school buildings:

City and Borough of Juneau Ordinance 73-5
Adopted February 1973

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 73-5

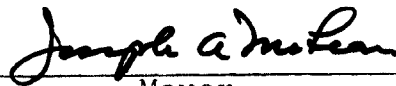
AN ORDINANCE AMENDING CBJ 49.25 BY AMENDING THE OFFICIAL ZONING MAP TO CHANGE THE ZONING OF THE NORTH ONE-HALF OF BLOCKS 17, 24 AND 26 DOUGLAS TOWNSITE, THE NORTHERLY ONE-HALF OF BLOCK A, CAPITAL VIEW SUBDIVISION NO. 1, DOUGLAS, THE SOUTHERLY ONE-HALF OF BLOCK D, CAPITAL VIEW SUBDIVISION NO. 1, DOUGLAS, AND THE SOUTH ONE-HALF OF BLOCKS 41, 25 AND 16 DOUGLAS TOWNSITE, TO R-7 RESIDENTIAL DISTRICT FROM AN RML MULTI-FAMILY RESIDENTIAL DISTRICT.

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

Sec. 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

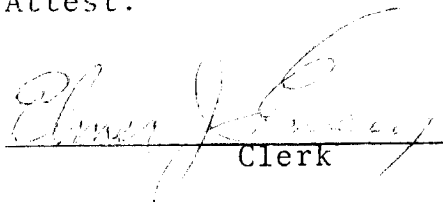
Sec. 3. Amendment of Zoning Map. The City and Borough Official Zoning Map is hereby amended to change the zoning of the North one-half of Blocks 17, 24 and 26 Douglas Townsite, the Northerly one-half of Block A, Capital View Subdivision No. 1, Douglas, the Southerly one-half of Block D, Capital View Subdivision No. 1, Douglas and the South one-half of Blocks 41, 25 and 16, Douglas Townsite to R-7 Residential District from an RML Multi-Family Residential District.

Adopted February 1, 1973.



Mayor

Attest:



Clerk

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49.25.401 R-7 RESIDENTIAL DISTRICT Purpose: The purpose of the R-7 district is to provide and protect residential land for families who desire to live in an environment of single and two family dwellings. These districts may be established to protect the character of existing residentially developed areas.

(a) **Principal Uses Permitted.** Principal uses permitted are:

- (1) Single family and duplex dwelling units;
- (2) Public parks, playgrounds, and other public or semipublic recreational uses;
- (3) Private docks, private moorage, private boathouse;
- (4) Schools; public, parochial and private; includes colleges and universities.

(b) **Accessory Uses Permitted.** Accessory uses permitted are:

- (1) Accessory uses customarily incidental to the principal uses on the lot;
- (2) Guest house;
- (3) Home occupations;
- (4) Keeping of not more than three roomers or boarders;
- (5) Signs as provided in Section 49.25.501;
- (6) The commercial or private stabling of not more than three horses or other farm animals provided the stable and running area is not less than one hundred feet from any dwelling other than that of the owner.

(c) **Conditional Uses Permitted.** The following uses may be allowed as provided in Section 49.25.600:

- (1) Churches;
- (2) Hospital, sanitarium, home for the aged, nursing home, convalescent home;
- (3) Public utility and community facilities such as: water and sewage treatment plants, water towers and reservoirs, pumping stations, electrical substations, all without shops, garages or storage yards;
- (4) Governmental and municipal uses;
- (5) Radio and television stations, transmitters or towers;

(6) Noncommercial uses, such as: social or community buildings and uses;

(7) Nursery schools, day nurseries, private kindergartens and child care centers;

(8) Professional offices;

(9) Boarding or rooming for more than three persons;

(10) Cemeteries and related uses;

(11) The commercial or private stabling of more than three horses or other farm animals or the commercial or private stabling of less than four horses or other farm animals within one hundred feet of any dwelling other than that of the owner;

(12) Any use determined by the planning commission to be similar to the uses set forth in this subsection (c);

(13) Mobile home subdivisions to be governed by the provisions of Section 49.25.415(a) through (d) and subdivided under CBJ 49.35.222;

(14) Landscape nurseries and greenhouses.

(d) **Dimensional Standards.** Dimensional standards are:

(1) Minimum lot size 7,000 square feet for single family unit, 9,000 square feet for duplex;

(2) Minimum width of lot at front building line 70 feet;

(3) Minimum lot depth 85 feet;

(4) Maximum lot coverage 30%;

(5) Maximum building height 35 feet;

(6) Minimum front yard setback 20 feet;

(7) Minimum rear yard setback 20 feet;

(8) Minimum side yard setback 5 feet;

(e) **Off-Street Parking Requirements.** Off-street parking requirements are:

(1) One off-street parking space per dwelling unit;

(2) Off-street parking for other uses as provided in Section 49.25.500.

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(f) Sight Obscuring Structure or Planting.

(1) The maximum height of a sight obscuring fence or planting located in a front yard area shall not exceed four feet:

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(2) Corner lots shall have no sight obscuring plantings or structures or other obstructions over three feet in height located within twenty feet from the corner on the intersection, and further provided, where intersecting roads are at a different grade, no sight obscuring plantings or structures are permitted which interfere with clearance of oncoming traffic.

(g) **Common Wall Lot Development.** Notwithstanding the provisions of subsections (d) and (e), a pair of abutting lots may be developed with a two-family common wall residential structure to be held under separate ownerships under the conditions set forth in this subsection.

(1) A lot may be paired with only one other lot.

(2) (A) The plans for the common wall structure containing the two dwelling units must have been certified by the building official as meeting the requirements of the building code applicable to common or party wall residential structures. No building permit may be approved unless there is submitted with the building permit application a copy of a recorded common or party wall agreement or covenants which set forth the rights and obligations of the owners of the two lots involved.

(B) The common wall must extend at least fifteen feet along the common property line.

(3) Each lot:

(A) May be used only for a single family dwelling and accessory uses customarily incidental to single family use;

(B) Must be serviced by a community sewer system;

(C) Must be serviced by separate and independent sewer, water, and electrical systems;

(D) Must provide for a minimum of two off-street parking spaces;

(E) Must meet the density requirements of subsection (d) except that the side yard setback for the common property line is reduced to zero feet and the remaining side yard setback is increased to ten feet; provided, there shall be a setback of at

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at least five feet from the common property line for any significant part of a structure opposite the common property line that is not connected at the common property line to the structure on the other lot. The minimum width of a lot may be measured at the front building line as defined in this code or at the actual front line of the building, whichever is greater.

(4) Architectural features other than reasonable roof eaves authorized to project into a required yard under CBJ Section 49.25.504(c) may not project into the remaining side yard of a lot developed under this subsection (g).

(h) **Common Wall Lot Splits.** Notwithstanding the provisions of subsections (d), (e) and (g), a developed lot may be split under the conditions set forth in this subsection and applicable sections of the platting code to create two lots containing a common wall residential structure.

(1) (A) The structure containing the two welling units must have been certified by the building official within six months of the application for the lot split as meeting all requirements of the building code applicable to common or party wall residential structures. The owner must also submit with the application a recordable set of common or party wall covenants which set forth the rights and obligations of the owners of the two lots involved. The owner must also provide a survey of the common property line which shows that the common wall is located on the common property line.

(B) The common wall must extend at least fifteen feet along the common property.

(2) Each new lot:

(A) May be used only for a single family dwelling and accessory uses customarily incidental to single family use;

(B) Must be serviced by a community sewer system;

(C) Must be serviced by separate and independent sewer, water, and electrical systems;

(D) Must provide for a minimum of two off-street parking spaces;

(E) Must meet the following density requirement:

(i) Minimum lot size — 4,500 square feet
(ii) Minimum width of lot at front building line as defined in this code or at the actual front line of the building, whichever is greater — 45 feet

(iii) Minimum lot depth — 85 feet
(iv) Maximum lot coverage — 30 percent
(v) Maximum building height — 35 feet
(vi) Minimum front yard setback — 20 feet
(vii) Minimum rear yard setback — 20 feet
(viii) Minimum side yard setback, one side only — 10 feet
(Except, there shall be a setback of at least five feet from the common property line for any significant part of a building opposite the common property line that is not connected at the common property line to the structure on the other lot).

(3) Architectural feature other than reasonable roof eaves authorized to project into a required yard under Section 49.25.504(c) may not project into the remaining side yard of a lot developed and lot under this subsection (). (Serial No. 86-14 § 2, 1986; Serial No. 84-101 §§ 2, 3, 1984; Serial No. 84-97 §§ 2 — 6, 1984; Serial No. 83-5 § 7, 1983; Serial No. 82-35 § 3, 1982; Serial No. 82-14 §§ 3 and 4, 1982; Serial No. 77-53 §§ 2, 3, 1977; Serial No. 7447 §§ 4, 5, 1974; GJB § 49.25.401).

49.25.402 R-12 RESIDENTIAL DISTRICT. Purpose: The purpose of the R-12 district is to provide and preserve land for families who desire to live in low density areas and where smaller lot would tend to be detrimental to the area.

(a) **Principal Uses Permitted.** Principal uses permitted are:
(1) Single family and duplex dwelling unit;
(2) Public parks, playgrounds, and other public or semi-public recreational uses;

EO 12812 6 PLF

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4/28/92 - 208th flight
5/28/92 - 209th flight
6/28/92 - 210th flight
7/28/92 - 211th flight
8/28/92 - 212th flight
9/28/92 - 213th flight
10/28/92 - 214th flight
11/28/92 - 215th flight
12/28/92 - 216th flight
1/29/92 - 217th flight
2/29/92 - 218th flight
3/29/92 - 219th flight
4/29/92 - 220th flight
5/29/92 - 221st flight
6/29/92 - 222nd flight
7/29/92 - 223rd flight
8/29/92 - 224th flight
9/29/92 - 225th flight
10/29/92 - 226th flight
11/29/92 - 227th flight
12/29/92 - 228th flight
1/30/92 - 229th flight
2/30/92 - 230th flight
3/30/92 - 231st flight
4/30/92 - 232nd flight
5/30/92 - 233rd flight
6/30/92 - 234th flight
7/30/92 - 235th flight
8/30/92 - 236th flight
9/30/92 - 237th flight
10/30/92 - 238th flight
11/30/92 - 239th flight
12/30/92 - 240th flight
1/31/92 - 241st flight
2/31/92 - 242nd flight
3/31/92 - 243rd flight
4/31/92 - 244th flight
5/31/92 - 245th flight
6/31/92 - 246th flight
7/31/92 - 247th flight
8/31/92 - 248th flight
9/31/92 - 249th flight
10/31/92 - 250th flight
11/31/92 - 251st flight
12/31/92 - 252nd flight
1/1/93 - 253rd flight
2/1/93 - 254th flight
3/1/93 - 255th flight
4/1/93 - 256th flight
5/1/93 - 257th flight
6/1/93 - 258th flight
7/1/93 - 259th

Parcel 1
Block 1
Subdiv 1
U.S. Survey
2D04020A0140
1508 3rd ST
BLOCK A LOT 12
SD: CAPITOL VIEW

SH UNITS VERIFIED

6-5-80 NC H
6-16-80 NC H

ASBORN G. PLEX

REMARKS: 8-13-02 NC H

6-5-80 NC H

6-4-81 NC H

6-1-82 NC H

6-27-82 NC H

6-3-83 NC H

6-10-84 NC H

6-10-85 NC H

8-3-87 NC H

5/18/02 remeasured JLP H

6-1-97² Extension / Remeasured / H

8-17-09 Two NC NO dip - must be noticeable. Fluctuating in
good condition Photo to

2-3-15 Canvas (Gover) Mf

Par
Blo
Sub
U.S.

2D04020D0020
1506 2ND ST
BLOCK D LOT 2
SD: CAPITOL VIEW

FO 111014 6 PLEX

REMARKS:

8-13-17

C. M. P.

L. A. 1. Kc 1st

6 11 43 2007

MC

6-11-87, 1000

600 mlf -

6 10 36 Mr. 1st

4. 10. 1941

100 1. 24

1/1/36 x 100. Percentage now was change add C.P. 20 + 0.26 = 0.2626

6/22/92 - NC - sh

8/1/97-NC-Sh + Jack

6-796 " Extra - Phone and Photo new vinyl window - split 12.10

2/18/89 Reviewed information in TP, Revised cost file photo JH

8/26/69 Two NE measure Sparrow Hawk, Building in

Average Condition for Age Plot 75.

10/14 canvas - removed 1/4

415 Canvas (Cover) NY

1

Owner
M 2D04020D0020
CAPITAL VIEW BL D LT 2
Pr MARIT BO FAMILY TRUST
ASBJORN BO TRUSTEE
PO BOX 240650
Dc DOUGLAS AK 99824-0650

YEAR EXHIBIT 7

OBSERVED
Good ☐ Nor
OBSERVED
Good ☐ Nor
OBSERVED
Good ☐ Nor
OBSERVED
Good ☐ Nor

Drift No

BUILDING TYPE & USE		4. EXTERIOR	8. HEAT
☒ Apt. ☐ Office ☐ Loft	☒ Wood ☐ Metal	☐ None ☐ Space Heater	
☐ Hotel ☐ Store	☐ Stucco	☐ Hot Air, Forced	
☐ Church ☐ Bank	☐ Conc. Block ☐ Brick	☒ Hot Water	
☐ Theater ☐ Garage	☐ Concrete Reinforced	☐ Comb. Heat & Cooling	
☐ Gas Statn. ☐ Industrial	☐ Other	☐ Air Conditioning	
☐ Warehouse ☐ Greenhouse	☐ Fenestration	FIREPLACES	
☐ Hospital ☐ Restaurant	☐ Trim	☐ 1st Floor _____ Type	
	☐ None ☐ Minimum	☐ Basement _____ Type	
1. FOUNDATION	☐ Average ☐ Extensive		
☒ Concrete	5. ROOF	9. PLUMBING	
☐ Concrete Block	☒ Flat ☐ Gable ☐ Hip	Number of Fixtures	
☐ Wood Posts	☐ Shakes ☐ Shingle	☐ Store	
☐ Piling	☒ Built-up ☐ Comp.	☐ Garage	
No. Size Length	☐ Aluminum ☐ G.I.	☐ Warehouse	
	☐ Roll ☐ Tar Paper	☐ Apts. 3F 2F 1F NF	
	☐ Concrete		
2. BASEMENT	☐ Reinforced Concrete		
☐ None	6. INTERIOR	☐ Rms. 3F 2F 1F NF	
☒ Full Height	☐ Open Stud		
☐ Partial x S.F.	☐ Wallboard		
☐ Unfinished Parking	☒ Plasterboard		
☐ Storage ☐ Utility	☐ Plaster		
☐ Apartment	☐ Concrete Block	☐ Extra Fixtures	
☐ Office	☐ Other	☐ Sauna - Grade	
☐ Floor	☐ Story Height		
	☐ Basement		
	☐ 1st	10. ELECTRICAL	
3. FRAME	☐ 2nd	☒ Romex ☐ Conduit	
☒ Wood ☐ Steel	7. FLOORS	☐ Min. Lights & Fixtures	
☐ Conc. Block ☐ Brick	☐ Dirt ☐ Wood	☒ Adqt. Lights & Fixtures	
☐ Reinforced Concrete	☐ Concrete on Grade	☐ Good Fixtures	
☐ Fireproofed Steel	☐ Conc. on Grade, Reinf.	☐ Excellent Fixtures	
☐ Concrete Panels	☐ Reinf. Conc., Supported	☐ Building Elevators	
	☐ Tile	Type No. Cap. # Flrs.	
	☐ Carpet	☐ Poss.	
		☐ Frgt.	

Lump Sums
6 DW 395' x 1.02 x 1.48 = 3,578
6 SLO 445' x 1.02 x 1.48 = 4,031
6 HIF 110' x 1.02 x 1.48 = 996
OP. 55' x 2.25 x 22.82 x 1.02 x 1.48 = 474
9,079
82' 950' x 6' x 1.02 x 1.50 = 9405
55' x 2.25 x 22.82 x 1.02 x 1.50 = 578
9923
82' 55' x 2.25 x 22.82 x 1.02 x 1.50 = 63
83
55' x 2.25 x 22.82 x 1.02 x 1.50 = 612
55' x 2.25 x 22.82 x 1.02 x 1.50 = 9953
55' x 2.25 x 22.82 x 1.02 x 1.50 = 1045

	Year 87	Year 88	Year 89	Year 90	Year 91	Year 92	Year 93	Year 94
4. Occupancy	11/11							
5. Building class and quality	Cls. D Qual. A	Cls. Qual.	Cls. Qual.	Cls. Qual.	Cls. Qual.	Cls. Qual.	Cls. Qual.	Cls. Qual.
6. Exterior Wall	Wood							
7. No. of stories & height per story	No. 3 Ht. 7	No. Ht.	No. Ht.	No. Ht.	No. Ht.	No. Ht.	No. Ht.	No. Ht.
8. Average floor area	2122							
9. Average perimeter	192							
10. Age and condition	Ag. 12 Con. Sect. 12-10	Ag. Con. Sect.	Ag. 14 Con. Sect.	Ag. Con. Sect.	Ag. Con. Sect.	Ag. Con. Sect.	Ag. Con. Sect.	Ag. Con. Sect.
Marshall & Swift Manual	45yr							
11. BASE SQUARE FOOT COST	28.80	28.80	30.27					
SQUARE FOOT REFINEMENTS	1.40	1.40	1.40					
12. Heating, cooling, ventilation								
13. Elevator deduction								
14. Miscellaneous								
15. Total lines 11 through 14	30.20	30.20	31.67			31.67		
HEIGHT AND SIZE REFINEMENTS								
16. Number of stories-multiplier	3	3				1		
17. Height per story-multiplier (see Line 7)	1	1				1		
18. Floor area-perimeter multiplier (see Lines 8 & 9)	.959	.959				.959		
19. Combined ht. & size multiplier (Lines 16x17x18)	2.877	2.877	2.877			.957		
FINAL CALCULATIONS								
20. Refined sq. ft. cost (Line 15 x Line 19)	26.89	26.89	21.11			30.37		
21. Current cost multiplier (Sect. 99, p. 3)	.98	.98	.98			1		
22. Local multiplier (Sect. 99, p. 5 & 6)	1.53	1.53	1.53			1.53		
23. Final sq. ft. cost (Line 20 x Line 21 x Line 22)	120.28	120.28	120.28			46.47		
24. Area	2132	2132	2132			6704		
25. Line 23 x 24	277757	277757	277757			311524		
26. Lump sums (Line 32)	9186	9186	10001			10001		
27. REPLACEMENT COST (Line 25 + Line 26)	286943	286943	287757	307202	307202	321525		
28. Depreciation % (Sect. 97)	.17	.17	.17	.17	.17	.17		
29. Depreciation amount (Line 27 - Line 28)	238.66	238.66	238.66	254.08	254.08	264.08		
30. DEPRECIATED COST (Line 27 - Line 29)	218.978	218.978	218.978	218.978	218.978	218.978		
31. Total Building Appraisal	218.978	218.978	218.978	218.978	218.978	218.978		

6

2.1 87

2D04020DCC30
1510 2ND ST
BLOCK D BOX 3
S3: CAPITOL VIEW

6 PLEX

REMARKS:

1/22/02 NC - 1/11/17
8/1/17 - EST NC - SL 9 Jack
7/4/17 Review w/ [unclear] with [unclear] full photo last IT
[unclear] REVIEWED

EXHIBIT 7

Packet Page 564 of 640

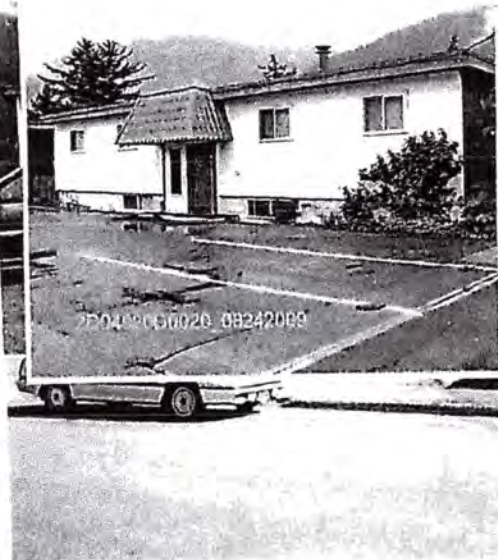
Parcel No. _____ Use Code: APT
 Size: _____ Area: _____ Use Zone: A

LAND VALUE COMPUTATIONS						GENERAL LAND DESCRIPTION
Appraisal Year	1977	1980	1981	1982	1983	
Base Lot Value	7000	12250	5000	5000	5000	
Units @ 1000		5000	5000	5000	5000	
7000 @ 1.8%		12950				
7000 @ 2.00%			14000			
7000 @ 2.20%				15400		
7000 @ 2.40%					16800	
Item 13	1791	2575	2575	2575	2575	
Net Adjust						
Adj. Land Value	17041	20525	21575	22975	24375	

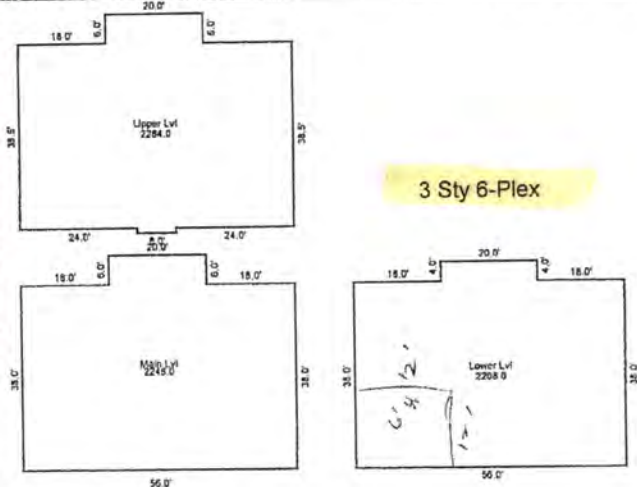
PARCEL ID# 2D04020D0020		ASSESSED VALUATION			REASON FOR CHANGE
YEAR	OWNER	Site	Improv	Total	
2004		110900	330000	440900	
2005		132000	330000	462000	
06		135000	557400	692400	

REMARKS: "existing, 1st floor, front expansion to be done" (handwritten)

PLACE PICTURE HERE



Parcel No. 2D04020D0020
 Property Address 1506 Second Street
 City _____ State _____
 Owner _____
 Client _____
 Appraiser Name _____



AREA 1 : 2280 2 : 2240 3 : 2204

Parcel No.

Area:

Size:

LAND VALUE COMPUTATIONS						GENERAL LAND DESCRIPTION
Appraisal Year	19.77	19.80	19.81	19.82	19.83	
Base Lot Value <u>7000.00 / 1.25</u>	12,250	—	—	—	—	
<u>361.00</u>	216	—	—	—	—	
<u>7000.00</u>	4,000	4,000	4,000	4,000	—	
<u>7000.00</u>	—	12,950	—	—	—	
<u>361.00</u>	—	252	—	—	—	
<u>7000.00</u>	—	—	14,000	—	—	
<u>361.00</u>	—	—	361	361	—	
<u>7000.00</u>	—	—	—	14,700	—	
Item 13	1277	1344	1344	1344	—	
Net Adjust	—	—	—	—	—	
Adj. Land Value	17763	18546	19705	20405	—	

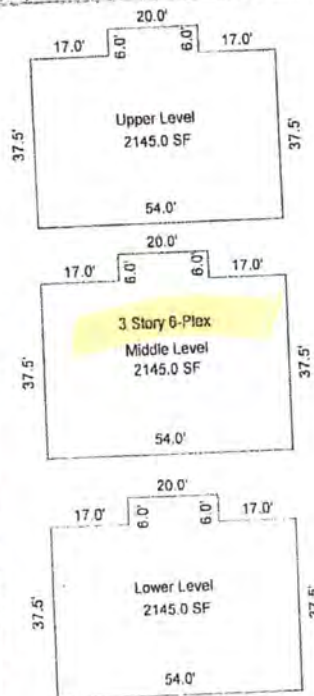
PARCEL ID# 2004020A0140		ASSESSED VALUATION			REASON FOR CHANGE
YEAR	OWNER	Site	Improv	Total	
2004	E. B. BENTON TRUST	90000	270000	360000	
2005		112500	270000	382500	
2006		115000	534100	649100	

PLACE PICTURE HERE



REAR

9-18-75

Parcel No 2004020A0140
Property Address 1508 Third Street

AREA 3 : 2145

GLA=6435 UNFIN BSMT =

2D04020D0030
CAPITAL VIEW BL D LT 3
MARIT BO FAMILY TRUST
ASBJORN BO TRUSTEE
PO BOX 240650
DOUGLAS AK 99824-0650

YEAR	
	OBSERVE Good ☐
	OBSERVE Good ☐
	OBSERVE Good ☐
	OBSERVE Good ☐

BUILDING TYPE & USE		4. EXTERIOR		8. HEAT	
☒ Apt. ☐ Office ☐ Loft	☐ Wood ☐ Metal	☐ None ☐ Space Heater			
☐ Hotel ☐ Store	☐ Stucco	☐ Hot Air, Forced			
☐ Church ☐ Bank	☐ Conc. Block ☐ Brick	☒ Hot Water			
☐ Theater ☐ Garage	☐ Concrete Reinforced	☐ Comb. Heat & Cooling			
☐ Gas Stn. ☐ Industrial	☐ Other	☐ Air Conditioning			
☐ Warehouse ☐ Greenhouse	☐ Fenestration	FIREPLACES			
☐ Hospital ☐ Restaurant	☐ Trim	☐ 1st Floor		T	
	☐ None ☐ Minimum	☐ Basement		T	
	☐ Average ☐ Extensive				
1. FOUNDATION		5. ROOF		9. PLUMBING	
☒ Concrete	☐ Flat ☐ Gable ☐ Hip	Number of Fixtures			
☐ Concrete Block	☐ Shakes ☐ Shingle	☐ Store			
☐ Wood Posts	☒ Built-up ☐ Comp.	☐ Garage			
☐ Piling	☐ Aluminum ☐ G.I.	☐ Warehouse			
No. Size Length	☐ Roll ☐ Tar Paper	☐ Apts. 3F 2F 1F N			
	☐ Concrete				
2. BASEMENT		☐ Reinforced Concrete		Adg. 2	
☐ None	6. INTERIOR		☐ Rms. 3F 2F 1F N		
☒ Full Height 9'	☐ Open Stud				
☐ Partial x S.F.	☐ Wallboard				
☐ Unfinished Parking	☒ Plasterboard				
☐ Storage ☐ Utility	☐ Plaster		☐ Extra Fixtures		
☐ Apartment	☐ Concrete Block		☐ Sauna - Grade		
☐ Office	☐ Other				
☐ Floor	☐ Story Height				
	☐ Basement		10. ELECTRICAL		
	☐ 1st		☐ Romex ☐ Conduit		
	☐ 2nd		☐ Min. Lights & Fixture		
3. FRAME		7. FLOORS		☒ Adgt. Lights & Fixtur	
☒ Wood ☐ Steel	☐ Dirt ☐ Wood		☐ Good Fixtures		
☐ Conc. Block ☐ Brick	☐ Concrete on Grade		☐ Excellent Fixtures		
☐ Reinforced Concrete	☐ Conc. on Grade, Reinf.		☐ Building Elevators		
☐ Fireproofed Steel	☐ Reinf. Conc., Supported		Type No. Cap. # Fin		
☐ Concrete Panels	☐ Tile		☐ Pass.		
	☒ Carpet		☐ Frgt.		

Lump Sums (81)
Sub 12 p 11
6 DV 395 X 1.02 X 1.48 = 3,578
6 H & F 110 X 1.02 X 1.48 = 996
6 S40 445 X 1.02 X 1.48 = 4,031
OP Sub 12 p 9
55 X 22.82 X .25 X 1.02 X 1.48 = 474
89,079
82' 950 X 6 Y 1.10 X 1.50 = 9405
55 X .25 X 23.82 X 1.10 X 1.50 = 578
9023
(84) 55 X 27.12 X .25 X 1.02 X 1.50 = 603
(85) 612
(86) 55 X 47.0 X 1.25 X 1.48 = 9993
(87) 10,125

Year	Year	Year	Year	Year	Year	Year	Year	Year
SECTION	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION
4. Occupancy	Cls. Qual.	Cls. Qual.	Cls. Qual.	Cls. Qual.	Cls. Qual.	Cls. Qual.	Cls. Qual.	Cls. Qual.
5. Building class and quality	No. Ht.	No. Ht.	No. Ht.	No. Ht.	No. Ht.	No. Ht.	No. Ht.	No. Ht.
6. Exterior Wall	Ag. Con	Ag. Con	Ag. Con	Ag. Con	Ag. Con	Ag. Con	Ag. Con	Ag. Con
7. No. of stories & height per story	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.
8. Average floor area								
9. Average perimeter								
10. Age and condition								
Marshall & Swift Manual								
11. BASE SQUARE FOOT COST								
SQUARE FOOT REFINEMENTS								
12. Heating, cooling, ventilation								
13. Elevator deduction								
14. Miscellaneous								
15. Total lines 11 through 14								
HEIGHT AND SIZE REFINEMENTS								
16. Number of stories-multiplier								
17. Height per story-multiplier (see Line 7)								
18. Floor area-perimeter multiplier (see Lines 8 & 9)								
19. Combined ht. & size multiplier (Lines 16x17x18)								
FINAL CALCULATIONS								
20. Refined sq. ft. cost (Line 15 x Line 19)								
21. Current cost multiplier (Sect. 99, p. 3)								
22. Local multiplier (Sect. 99, p. 5 & 6)								
23. Final sq. ft. cost (l. 20 x l. 21 x l. 22)								
24. Area								
25. Line 23 x 24								
26. Lump sums (Line 32)								
27. REPLACEMENT COST (Line 25 + Line 26)								
28. Depreciation % (Sect. 97)								
29. Depreciation amount (Line 27 - Line 29)								
30. DEPRECIATED COST (Line 27 - Line 29)								
31. Total Building Appraisal								

#50K
Per Unit

2DU04020AU14U
CAPITAL VIEW BL A L 12
BO ASBJORN TRUSTEE
MARIT FAMILY TRUST
PO BOX 240650
DOUGLAS AK 99824-0650

EXHIBIT 7

OBSERV
Good ☐
OBSERV
Good ☐
OBSERV
Good ☐
OBSERV
Good ☐

Parcel No. 2-1-140-002-12
Block
Lot

Date Built 1972

BUILDING TYPE & USE		4. EXTERIOR	8. HEAT
☒ Apt. ☐ Office ☐ Loft		☒ Wood ☐ Metal	☐ None ☐ Space Heater
☐ Hotel ☐ Store		☐ Stucco	☐ Hot Air, Forced
☐ Church ☐ Bank		☐ Conc. Block ☐ Brick	☒ Hot Water
☐ Theater ☐ Garage		☐ Concrete Reinforced	☐ Comb. Heat & Cooling
☐ Gas Statn. ☐ Industrial		☐ Other	☐ Air Conditioning
☐ Warehse. ☐ Greenhouse		☒ Fenestration <i>Good PVC</i>	FIREPLACES
☐ Hospital ☐ Restaurant		☐ Trim	☐ 1st Floor _____ Typ
		☐ None ☐ Minimum	☐ Basemnt. _____ Typ
1. FOUNDATION		☐ Average ☐ Extensive	
☒ Concrete		5. ROOF	9. PLUMBING
☐ Concrete Block		☒ Flat ☐ Gable ☐ Hip	Number of Fixtur
☐ Wood Posts		☐ Shakes ☐ Shingle	☐ Store
☐ Piling		☒ Built-up ☐ Comp.	☐ Garage
No. Size Length		☐ Aluminum ☐ G.I.	☐ Warehouse
		☐ Roll ☐ Tar Paper	☐ Apts. 3F 2F 1F
		☐ Concrete	
2. BASEMENT		☐ Reinforced Concrete	<i>Adequate</i>
☐ None		6. INTERIOR	☐ Rms. 3F 2F 1F
☒ Full Height		☐ Open Stud	
☐ Partial x S.F.		☐ Wallboard	
☐ Unfinished Parking		☒ Plasterboard	
☐ Storage ☐ Utility		☐ Plaster	
☐ Apartment		☐ Concrete Block	☐ Extra Fixtures
☐ Office		☐ Other	☐ Sauna - Grade
☐ Floor		☐ Story Height	
		☒ Basement 9	10. ELECTRICAL
		☒ 1st 9	☒ Romex ☐ Condu
3. FRAME		☒ 2nd 9	☐ Min. Lights & Fixtu
☒ Wood ☐ Steel		7. FLOORS	☒ Adqt. Lights & Fixt
☐ Conc. Block ☐ Brick		☐ Dirt ☐ Wood	☐ Good Fixtures
☐ Reinforced Concrete		☐ Concrete on Grade	☐ Excellent Fixtures
☐ Fireproofed Steel		☐ Conc. on Grade, Reinf.	☐ Building Elevators
☐ Concrete Panels		☐ Reinf. Conc., Supported	Type No. Cap. # F
		☐ Tile	☐ Pass.
		☒ Carpet	☐ Frgt.

Packet Page 567 of 640

Lump Sums. *Sec 12 p 11*
5 540 X 445 X 1.02 X 1.48 = 3,359
5 H4F 110 X 1.02 X 1.48 = 830
5 DW 395 X 1.02 X 1.48 = 2,991
OP 55 X 25 X 22.82 X 1.02 X 1.48 = 4,721
6 540 X 445 X 1.10 X 1.50 = 4,406
6 H4F 110 X 1.10 X 1.50 = 1,089
6 DW 395 X 1.10 X 1.50 = 3,911
OP 55 X 25 X 22.82 X 1.10 X 1.50 = 5,518
6X(470+125+435) X 1.02 X 1.54 = 9,973
1.08 X 1.52 = 1,645
55 X 25 X 22.82 X 1.02 X 1.54 = 6,031
1.08 X 1.52 = 612

	Year 87	Year 88	Year 89	Year 90	Year	Year	Year	Year
	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION
4. Occupancy	<i>Mult</i>							
5. Building class and quality	<i>Cls. Qual. A</i>							
6. Exterior Wall	<i>Wood</i>							
7. No. of stories & height per story	<i>No. 3 Ht. 9</i>							
8. Average floor area	<i>2,172</i>							
9. Average perimeter	<i>196</i>							
10. Age and condition	<i>Ag. 13 Con. Sect. 12-10</i>							
Marshall & Swift Manual	<i>45yr</i>							
11. BASE SQUARE FOOT COST	<i>28,80</i>		<i>30.27</i>					
SQUARE FOOT REFINEMENTS								
12. Heating, cooling, ventilation	<i>1.40</i>		<i>1.13</i>					
13. Elevator deduction								
14. Miscellaneous								
15. Total lines 11 through 14	<i>30.20</i>		<i>32.67</i>					
HEIGHT AND SIZE REFINEMENTS								
16. Number of stories-multiplier	<i>3</i>							
17. Height per story-multiplier (see Line 7)	<i>1</i>							
18. Floor area-perimeter multiplier (see Lines 8 & 9)	<i>.959</i>							
19. Combined ht. & size multiplier (Lines 16x17x18)	<i>2.1877</i>		<i>2.877</i>					
FINAL CALCULATIONS								
20. Refined sq. ft. cost (Line 15 x Line 19)	<i>86.89</i>		<i>91.1</i>					
21. Current cost multiplier (Sect. 99, p. 3)	<i>.98</i>		<i>1.00</i>					
22. Local multiplier (Sect. 99, p. 5 & 6)	<i>1.53</i>		<i>1.53</i>					
23. Final sq. ft. cost (l. 20 x l. 21 x l. 22)	<i>130.28</i>		<i>132.16</i>					
24. Area	<i>2,172</i>		<i>2,172</i>					
25. Line 23 x 24	<i>282,968</i>		<i>302,777</i>					
26. Lump sums (Line 32)	<i>9,186</i>		<i>9,998</i>					
27. REPLACEMENT COST (Line 25 + Line 26)	<i>292,154</i>		<i>312,775</i>					
28. Depreciation % (Sect. 97)	<i>.17</i>	<i>.19 PLV</i>	<i>.21</i>					
29. Depreciation amount (Line 27 - Line 29)	<i>60</i>	<i>138,400</i>	<i>.15</i>	<i>5%</i>				
30. DEPRECIATED COST (Line 27 - Line 29)	<i>227,938</i>	<i>148,999</i>	<i>210,078</i>	<i>234,738</i>				
31. Total Building Appraisal								

Owne
A 2D04020D0030
CAPITAL VIEW BL D LT 3
F MARIT BO FAMILY TRUST
ASBJORN BO TRUSTEE
PO BOX 240650
DOUGLAS AK 99824-0650

YEAR	EXHIBIT 7
	OBSERV Good ☐
	OBSERV Good ☐
	OBSERV Good ☐
	OBSERV Good ☐

BUILDING TYPE & USE		4. EXTERIOR	8. HEAT
☒ Apt. ☐ Office ☐ Loft		☒ Wood ☐ Metal	☐ None ☐ Space Heater
☐ Hotel ☐ Store		☐ Stucco	☐ Hot Air, Forced
☐ Church ☐ Bank		☐ Conc. Block ☐ Brick	☒ Hot Water
☐ Theater ☐ Garage		☐ Concrete Reinforced	☐ Comb. Heat & Cooling
☐ Gas Statn. ☐ Industrial		☐ Other	☐ Air Conditioning
☐ Warehse. ☐ Greenhouse		☐ Fenestration	FIREPLACES
☐ Hospital ☐ Restaurant		☐ Trim	☐ 1st Floor _____ T
6 units		☐ None ☐ Minimum	☐ Basemnt. _____ T
1. FOUNDATION		☐ Average ☐ Extensive	
☒ Concrete		5. ROOF	9. PLUMBING
☐ Concrete Block		☒ Flat ☐ Gable ☐ Hip	Number of Fixtures
☐ Wood Posts		☐ Shakes ☐ Shingle	☐ Store
☐ Piling		☒ Built-up ☐ Comp.	☐ Garage
No. Size Length		☐ Aluminum ☐ G.I.	☐ Warehouse
		☐ Roll ☐ Tar Paper	☐ Apts. 3F 2F 1F NF
		☐ Concrete	
2. BASEMENT		☐ Reinforced Concrete	Adequate
☐ None		6. INTERIOR	
☒ Full Height 7'		☐ Open Stud	☐ Rms. 3F 2F 1F NF
☐ Partial x S.F.		☐ Wallboard	
☐ Unfinished Parking		☒ Plasterboard	
☐ Storage ☐ Utility		☐ Plaster	
☐ Apartment		☐ Concrete Block	☐ Extra Fixtures
☐ Office		☐ Other	☐ Sauna - Grade
☐ Floor		☐ Story Height	
		☐ Basement	10. ELECTRICAL
3. FRAME		☐ 1st	☒ Romex ☐ Conduit
☒ Wood ☐ Steel		☐ 2nd	☐ Min. Lights & Fixtures
☐ Conc. Block ☐ Brick		7. FLOORS	☒ Adqt. Lights & Fixtures
☐ Reinforced Concrete		☐ Dirt ☐ Wood	☐ Good Fixtures
☐ Fireproofed Steel		☐ Concrete on Grade	☐ Excellent Fixtures
☐ Concrete Panels		☐ Conc. on Grade, Reinf.	☐ Building Elevators
		☐ Reinf. Conc., Supported	Type No. Cap. # Flrs.
		☐ Tile	☐ Pass.
		☒ Carpet	☐ Frgt.

Packet Page 568 of 640

Lump Sums
Plu. Book
5 DW H/F 310 = 4750
OP 5X11 = 550
5300

(60) 5300 x 1.20 = 6360

	Year 99	Year	Year 06	Year	Year	Year	Year	Year
	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION
4. Occupancy								
5. Building class and quality	Cls. Qual.	Cls. Qual.	Cls. Qual.	Cls. Qual.	Cls. Qual.	Cls. Qual.	Cls. Qual.	Cls. Qual.
6. Exterior Wall								
7. No. of stories & height per story	No. Ht.	No. Ht.	No. Ht.	No. Ht.	No. Ht.	No. Ht.	No. Ht.	No. Ht.
8. Average floor area								
9. Average perimeter								
10. Age and condition Marshall & Swift Manual	Ag. Con Sect.	Ag. Con Sect.	Ag. Con Sect.	Ag. Con Sect.	Ag. Con Sect.	Ag. Con Sect.	Ag. Con Sect.	Ag. Con Sect.
			#830/10 556,432					
11. BASE SQUARE FOOT COST								
SQUARE FOOT REFINEMENTS								
12. Heating, cooling, ventilation								
13. Elevator deduction								
14. Miscellaneous								
15. Total lines 11 through 14								
HEIGHT AND SIZE REFINEMENTS								
16. Number of stories-multiplier								
17. Height per story-multiplier (see Line 7)								
18. Floor area-perimeter multiplier (see Lines 8 & 9)								
19. Combined ht. & size multiplier (Lines 16x17x18)								
FINAL CALCULATIONS								
20. Refined sq. ft. cost (Line 15 x Line 19)								
21. Current cost multiplier (Sect. 99, p. 3)								
22. Local multiplier (Sect. 99, p. 5 & 6)								
23. Final sq. ft. cost (l. 20 x l. 21 x l. 22)								
24. Area								
25. Line 23 x 24								
26. Lump sums (Line 32)								
27. REPLACEMENT COST (Line 25 + Line 26)								
28. Depreciation % (Sect. 97)								
29. Depreciation amount (Line 27 - Line 29)								
30. DEPRECIATED COST (Line 27 - Line 29)								
31. Total Building Appraisal								

Owner

M

2D04020D0020

Pr

Dc

CAPITAL VIEW BL D LT 2

MARIT BO FAMILY TRUST

ASBJORN BO TRUSTEE

PO BOX 240650

DOUGLAS AK 99824-0650

YEAR

EXHIBIT 7

OBSERVE

Good

OBSERVE

Good

OBSERVE

Good

OBSERVE

Good

BUILDING TYPE & USE			4. EXTERIOR		8. HEAT	
☒ Apt.	☐ Office	☐ Loft	☒ Wood	☐ Metal	☐ None	☐ Space Heater
☐ Hotel	☐ Store		☐ Stucco		☐ Hot Air, Forced	
☐ Church	☐ Bank		☐ Conc. Block	☐ Brick	☒ Hot Water	
☐ Theater	☐ Garage		☐ Concrete Reinforced		☐ Comb. Heat & Cooling	
☐ Gas Statn.	☐ Industrial		☐ Other		☐ Air Conditioning	
☐ Warehse.	☐ Greenhouse		☐ Fenestration		FIREPLACES	
☐ Hospital	☐ Restaurant		☐ Trim		☐ 1st Floor	Type
			☐ None	☐ Minimum	☐ Basemnt.	Type
1. FOUNDATION			☐ Average ☐ Extensive			
☒ Concrete			5. ROOF		9. PLUMBING	
☐ Concrete Block			☒ Flat	☐ Gable ☐ Hip	Number of Fixtures	
☐ Wood Posts			☐ Shakes	☐ Shingle	☐ Store	
☐ Piling			☒ Built-up	☐ Comp.	☐ Garage	
No. Size Length			☐ Aluminum	☐ G.I.	☐ Warehouse	
			☐ Roll	☐ Tar Paper	☐ Apts. 3F 2F 1F NF	
			☐ Concrete			
2. BASEMENT			☐ Reinforced Concrete		Adequate	
☐ None			6. INTERIOR			
☒ Full Height			☐ Open Stud		☐ Rms. 3F 2F 1F NF	
☐ Partial x S.F.			☐ Wallboard			
☐ Unfinished Parking			☒ Plasterboard			
☐ Storage ☐ Utility			☐ Plaster			
☐ Apartment			☐ Concrete Block		☐ Extra Fixtures	
☐ Office			☐ Other		☐ Sauna - Grade	
☐ Floor			☐ Story Height			
			☐ Basement		10. ELECTRICAL	
3. FRAME			☐ 1st		☒ Romex	☐ Conduit
☒ Wood	☐ Steel		☐ 2nd		☐ Min. Lights & Fixtures	
☐ Conc. Block	☐ Brick		7. FLOORS		☒ Adqt. Lights & Fixtures	
☐ Reinforced Concrete			☐ Dirt	☐ Wood	☐ Good Fixtures	
☐ Fireproofed Steel			☐ Concrete on Grade		☐ Excellent Fixtures	
☐ Concrete Panels			☐ Conc. on Grade, Reinf.		☐ Building Elevators	
			☐ Reinf. Conc., Supported		Type No. Cap. # Flrs.	
			☐ Tile		☐ Pass.	
			☒ Carpet		☐ Frgt.	

Packet Page 569 of 640

Lump Sums
5 DW S+D H&F = 4750
OP 5x11 = 550
5300

(80) 5300 x 120 = 6360

	Year 87	Year 88	Year 89	Year 90	Year 91	Year 93	Year	Year
	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION
4. Occupancy	Multi						06	
5. Building class and quality	Cls. D Qual. A	Cls. Qual.	Cls. Qual.	Cls. Qual.	Cls. Qual.	Cls. Qual.	Cls. Qual.	Cls. Qual.
6. Exterior Wall	Wood							
7. No. of stories & height per story	No. 3 Ht. 7	No. Ht.	No. Ht.	No. Ht.	No. Ht.	No. Ht.	No. Ht.	No. Ht.
8. Average floor area	2132							
9. Average perimeter	192							
10. Age and condition	Ag. 14 Con. Sect. 12-10	Ag. Con. Sect.	Ag. 14 Con. Sect.	Ag. Con. Sect.	Ag. Con. Sect.	Ag. Con. Sect.	Ag. Con. Sect.	Ag. Con. Sect.
Marshall & Swift Manual	45yr						8300/17	
							559430	
11. BASE SQUARE FOOT COST	28.80	28.80	30.27					
SQUARE FOOT REFINEMENTS								
12. Heating, cooling, ventilation	1.40	1.40	1.40					
13. Elevator deduction								
14. Miscellaneous								
15. Total lines 11 through 14	30.20	30.20	31.67			31.67		
HEIGHT AND SIZE REFINEMENTS								
16. Number of stories-multiplier	3	3				1		
17. Height per story-multiplier (see Line 7)	1	1				1		
18. Floor area-perimeter multiplier (see Lines 8 & 9)	.957	.957				.957		
19. Combined ht. & size multiplier (Lines 16x17x18)	2.877	2.877	2.877			.957		
FINAL CALCULATIONS								
20. Refined sq. ft. cost (Line 15 x Line 19)	86.89	86.89	91.11			30.37		
21. Current cost multiplier (Sect. 99, p. 3)	.98	.98	1.00			1		
22. Local multiplier (Sect. 99, p. 5 & 6)	1.53	1.53	1.53			1.53		
23. Final sq. ft. cost (l. 20 x l. 21 x l. 22)	130.28	130.28	129.40			46.47		
24. Area	2132	2132	2132			6704		
25. Line 23 x 24	277757	277757	297200			311524		
26. Lump sums (Line 32)	9186	9186	10001			10001		
27. REPLACEMENT COST (Line 25 + Line 26)	286943	286943	307202	307202		321525		
28. Depreciation % (Sect. 97)	.19	.19	.27	.27		.27		
29. Depreciation amount (Line 27 - Line 29)	60000	60000	115	115		22		
30. DEPRECIATED COST (Line 27 - Line 29)	218478	140602	201064	229718	224718	231498		
31. Total Building Appraisal								

Unit Price: 25¢ 50

LAND VALUE
Packet Page 570 of 640

EXHIBIT 7
Page 12 of 42

Permits

Date Built 72-73

Reproduction

Sq. ft. cost

Depr.

Observed Physical Condition

Exterior GOOD

Interior GOOD

Foundation

BUILDING TYPE AND USE

4. EXTERIOR

7. FLOORS

12. PORCHES

1. FOUNDATION

Concrete ☒

Concrete Block

Wood Posts

Mud Sills

Piling

No. Size Length

2. BASEMENT

None

Full 100 Height

Partial 38 x 54 S.F.

Unfurnished Parking

Storage - Utility

Apartment

Office

Floor

3. FRAME

Wood ☒ Steel

Conc. Block Brick

Reinforced Concrete

Fireproofed Steel

Conc. Panels

5. ROOF

Flat ☒ Gable ☐ Hip ☐

Shakes ☐ Shingle ☐

Built-Up ☒ Comp. ☐

Aluminum ☐ G.I. ☐

Roll ☐ Tar Paper ☐

Concrete

Reinf. Conc.

6. INTERIOR

Open Stud

Wallboard

Plasterboard ☒

Plaster

Concrete Block

Other

9. PLUMBING

None ☐ Minimum ☐

Adequate ☒ Good ☐

10. ELECTRICAL

Romex ☐ Conduit ☐

Minimum Lights & Fixtures

Adequate Lights & Fixtures ☒

Good Fixtures

Excellent Fixtures

Building Elevators

Type No. Cap. # Floors

Passenger ☐

Freight ☐

INS 10-17-72 10076 Land 12-18-75 R

SECTION I	SECTION II	SECTION III	SECTION IV
Cls. Qual.	Cls. Qual.	Cls. Qual.	Cls. Qual.
WOOD		4 Pl.	
No. L. Ht. 9	No. L. Ht. 9	No. L. Ht. 9	No. L. Ht. 9
42-44	2-22		
Age Cond.	Age Cond.	Age Cond.	Age Cond.
Sect. 2-14	Sect. 2-14	Sect.	Sect.

SECTION I	SECTION II	SECTION III	SECTION IV
12.1	12.16	12.16	5.42
-1.64	-1.64	1.14	1.97
12.50	11.58	13.30	7.39
1		1	.90
		.993	.77
		.993	.693

Floor/Part	Width	Length	Area	Height	Perimeter
1st Floor	38	54	2052		
Basement	4	20	80		

SECTION I	SECTION II	SECTION III	SECTION IV
12.50	11.58	13.207	5.21
1.64	1.00	1.05	1.05
1.64	1.00	1.05	1.05

20. Refined sq. ft. cost (Line 15 x Line 19)

21. Current cost multiplier (Sect. 99 p. 3)

22. Local multiplier (Sect. 99 p. 5 & 6)

23. Final sq. ft. cost (l. 20 x l. 21 x l. 22)

24. Area (Back of this form)

25. Line 23 x 24

26. Lump sums (Line 32)

27. REPLACEMENT COST (Line 25 + Line 26)

28. Depreciation % (Sect. 97) 45%

29. Depreciation amount (Line 27 x Line 28)

30. DEPRECIATED COST (Line 27 — Line 29)

31. Replacement cost

Insurable value

106,000

52,300

4,200

TOTAL APPRAISED VALUE \$1-1-73 56,500

U. S. Survey
Subdivision
Lot
Block
Page 571 of 640

OPERATIONS AND PROCEDURES

Performed By

Date

Inspection

Classification

Calculation

Review

BUILDING AREA CALCULATION

Square Feet — Ground Area

Scale 1/4" = 10'

20

14

54

Size: 70 X 100 Area: 7,000 sq.ft. 0.1607 ac. Use Zone: RML
General Land Description: Land Use: Unit Price:

INFLUENCES:	PLUS	MINUS	LAND VALUE COMPUTATIONS				
Depth			Subject Land Value				
Topography			Appraisal Year	1976	1977	1978	1979
Size			Base Lot Value				
Site Prep			Plus	Minus	Total		
Drainage			7000 @ \$1.75			12,250	12,250
Physical Barriers			item 13			402	1791
Access			5 units @ 1000/unit				5000
Corner							5000
Water			Net Adjust	+	-		
Sewer	30		Adjusted Land Value			12,652	14,041
Item 13	402		Adjusted L.V. ÷ Base L.V.			%	%
Paving	1397						
Other			Remarks:				
TOTAL	1976						
Net + (-)							

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REMARKS 8-19-75 Drop CK Ind & Est

1976 6-17-77 Same
5-18-78 No Apparent Change
8-17-78 For Semi-Basement used Factor of 90% of Above Ground unit price. For 1976
4 1977 Factor of 80% was used, which is the factor for full Basement apl.

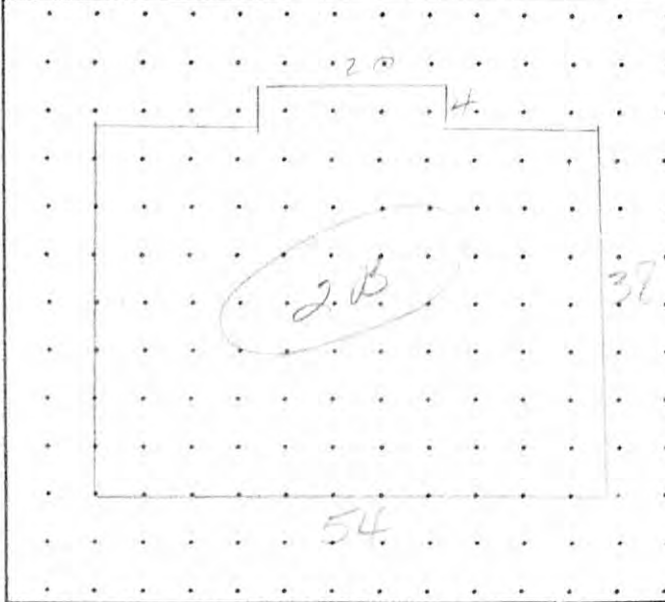
YEAR	OWNER	ASSESSED VALUATION			REASON FOR CHANGE
		Land	Bldgs.	Total	
1975	Bo, Asbjorne & Else	4,200	106,900	111,100	
1976	✓	12,700	149,400	162,100	
1977	✓	14,000	153,200	167,200	
78	✓	19,000	153,200	172,200	
79	✓	19,000	177,800	196,800	

PLACE PICTURE HERE

BUILDING AREA CALCULATION			
Square Feet — Ground Area			
Floor or Part	Width	Length	Area
1-2 B	38	54	2052
✓	4	20	80
			2132
TOTAL AREA			

Notes:

Perimeter Scale 1/4" = 5 Ft



Bo. Asbjorne 2/19/75 Lot 2-BLK-1D

2-1-346-000-002-
20 ASRJORN & ELSE M
30X 1002 600
JUNE 11-11-2002

EXHIBIT 7

Property Address

1506 2nd St. D. 11

NOT - B.A. 2/25/76

Parcel N 2-004-0-296-002-0
Lot 2-1-346-000-002-0000
Subdivision
U.S. Survey

Observed Physical Condition

Exterior

Interior

Foundation

BUILDING TYPE AND USE

Apt. ☒ Office ☐ Loft
Hotel ☐ Store
Church ☐ Bank
Theater ☐ Garage
Gas Station ☐ Industrial
Warehouse ☐ Greenhouse
Hospital ☐ Restaurant

4. EXTERIOR

Wood ☒ Metal
Stucco ☐
Conc. Block ☐ Brick
Conc. Reinf. ☐
Other ☐
Fenestration
Trim
None Minimum
Some Extensive

7. FLOORS

Dirt ☐ Wood ☒
Conc. on Grade
Conc. on Grade, Reinf.
Reinf. Conc., Supported
Tile ☒
Carpet ☒

12. PORCHES

BIOP
BICP
BICP
Open Porch
Closed Porch
Glazed Porch
Deck
Risers

1. FOUNDATION

Concrete ☒
Concrete Block
Wood Posts
Mud Sills
Piling
No. Size Length

5. ROOF

Flat ☒ Gable ☐ Hip
Shakes ☐ Shingle
Built-Up ☒ Comp.
Aluminum ☐ G.I.
Roll ☐ Tar Paper

B. HEAT

None ☐ Space Heater
Hot Air, Forced
Hot Water ☒

13. YARD IMPROVEMENTS

Water Source CITY
Sewer Source CITY
Cistern
HSP Pave 1740x50x80x1200 = 1074
Retaining wall - 8' x 12' x 12' = 768
" " 8' x 8' x 12' = 768
Total = 2141

2. BASEMENT

None
Full 4' x 2' Height
Partial 3' x 5' S.F.
Unfurnished Parking
Storage - Utility
Apartment ☒
Office
Floor

6. INTERIOR

Open Stud
Wallboard
Plasterboard ☒
Plaster
Concrete Block
Other

9. PLUMBING

None ☐ Minimum
Adequate ☒ Good

10. ELECTRICAL

Romex ☐ Conduit
Minimum Lights & Fixtures
Adequate Lights & Fixtures ☒
Good Fixtures
Excellent Fixtures

3. FRAME

Wood ☒ Steel
Conc. Block ☐ Brick
Reinforced Concrete
Fireproofed Steel
Conc. Panels

Building Elevators

Type No. Cap. # Floors
Passenger
Freight

Lump Sums

Occupancy
Building class and quality
Exterior wall
No. of stories & height per story
Average floor area
Average perimeter
Age and condition
Marshall & Swift Manual

SECTION I	SECTION II	SECTION III	SECTION IV
Mu 14. Cls. Qual. A wood	SEAL Room Cls. Qual. A wood	71415 Cls. Qual. A wood	2111 Cls. Qual. A wood
No. 2 Ht. 9 2132	No. 1 Ht. 9 2132	No. 1 Ht. 9 2132	No. 1 Ht. 9 2132
Age 3 Cond. A Sect. 12 45	Age 3 Cond. A Sect. 12 45	Age 4 Cond. A Sect. 12 45	Age 4 Cond. A Sect. 12 45

1. BASE SQUARE FOOT COST
SQUARE FOOT REFINEMENTS

2. Heating, cooling, ventilation
3. Elevator deduction
4. Miscellaneous
5. Total lines 11 through 14

SECTION I	SECTION II	SECTION III	SECTION IV
13.95	13.95	15.12	16.12
.97	.97	.97	1.81
14.92	14.92	16.09	17.93

HEIGHT AND SIZE REFINEMENTS

5. Number of stories-multiplier
7. Height per story-multiplier (see Line 7)
3. Floor area-perimeter multiplier (see Lines 8 & 9)
1. Combined ht. & size multiplier (Lines 16x17x18)

SECTION I	SECTION II	SECTION III	SECTION IV
2.0	.9	2	1
.967	.967	.967	.967
1.934	.8703	1.934	1.934

FINAL CALCULATIONS

2. Refined sq. ft. cost (Line 15 x Line 19)
1. Current cost multiplier (Sect. 99 p. 3)
2. Local multiplier (Sect. 99 p. 5 & 6)
3. Final sq. ft. cost (1.20 x 1.21 x 1.22)
1. Area (Back of this form)
2. Line 23 x 24
1. Lump sums (Line 32)
1. REPLACEMENT COST (Line 25 + Line 26)
1. Depreciation % (Sect. 97) R
1. Depreciation amount (Line 27 x Line 28)
1. DEPRECIATED COST (Line 27 - Line 29)
1. Replacement cost
1. Insurable value

SECTION I	SECTION II	SECTION III	SECTION IV
58.85	12.98	38.53	12.15
1.11	1.11	1.05	1.05
1.54	1.54	1.56	1.56
49.316	22.188	50.2	21.27
2132	2132	2132	2132
105142	47305	112592	46022
105142	47305	112592	46022
2	2	1.04	1.04
2103	946		
103039	46359	107049	51054
Total Building Appraisal	149400		
Total Land Appraisal			
TOTAL APPRAISED VALUE \$			

SECTION I	SECTION II	SECTION III	SECTION IV
35.43	16.04		
1.11	1.11		
1.57	1.57		
61.24	27.95		
2132	2132		
131,630	59,589		
131,630	59,589		
.07	.07		
122,416	55,418		
Total Building Appraisal	177,834		
Total Land Appraisal			
TOTAL APPRAISED VALUE \$			

103039
46359
149398

70.177 - 152.228

De

CAPITAL VIEW BL D LT 2
MARIT BO FAMILY TRUST
ASBJORN BO TRUSTEE
PO BOX 240650
DOUGLAS AK 99824-0650

YEAR EXHIBIT 7

OBSEVER	Good ☐
OBSEVER	Good ☐
OBSEVER	Good ☐
OBSEVER	Good ☐

BUILDING TYPE & USE			4. EXTERIOR		8. HEAT	
☒ Apt.	☐ Office	☐ Loft	☒ Wood	☐ Metal	☐ None	☐ Space Heater
☐ Hotel	☐ Store		☐ Stucco		☐ Hot Air, Forced	
☐ Church	☐ Bank		☐ Conc. Block	☐ Brick	☒ Hot Water	
☐ Theater	☐ Garage		☐ Concrete Reinforced		☐ Comb. Heat & Cooling	
☐ Gas Statn.	☐ Industrial		☐ Other		☐ Air Conditioning	
☐ Warehse.	☐ Greenhouse		☐ Fenestration		FIREPLACES	
☐ Hospital	☐ Restaurant		☐ Trim		☐ 1st Floor	_____ Typ.
<i>6 unit</i>			☐ None	☐ Minimum	☐ Basemnt.	_____ Typ.
1. FOUNDATION			☐ Average	☐ Extensive		
☒ Concrete			5. ROOF		9. PLUMBING	
☐ Concrete Block			☒ Flat	☐ Gable	☐ Hip	Number of Fixtures
☐ Wood Posts			☐ Shakes	☐ Shingle		☐ Store
☐ Piling			☒ Built-up	☐ Comp.		☐ Garage
No.	Size	Length	☐ Aluminum	☐ G.I.		☐ Warehouse
			☐ Roll	☐ Tar Paper		☐ Apts. 3F 2F 1F NF
			☐ Concrete			
2. BASEMENT			☐ Reinforced Concrete			<i>Adoc. Fr</i>
☐ None			6. INTERIOR			
☒ Full Height			☐ Open Stud		☐ Rms. 3F 2F 1F NF	
☐ Partial	x	S.F.	☐ Wallboard			
☐ Unfinished Parking			☒ Plasterboard			
☐ Storage	☐ Utility		☐ Plaster			
☐ Apartment			☐ Concrete Block		☐ Extra Fixtures	
☐ Office			☐ Other		☐ Sauna - Grade	
☐ Floor			☐ Story Height			
			☐ Basement		10. ELECTRICAL	
			☐ 1st		☒ Romex	☐ Conduit
3. FRAME			☐ 2nd		☐ Min. Lights & Fixtures	
☒ Wood	☐ Steel		7. FLOORS		☒ Adqt. Lights & Fixture	
☐ Conc. Block	☐ Brick		☐ Dirt	☐ Wood	☐ Good Fixtures	
☐ Reinforced Concrete			☐ Concrete on Grade		☐ Excellent Fixtures	
☐ Fireproofed Steel			☐ Conc. on Grade, Reinf.		☐ Building Elevators	
☐ Concrete Panels			☐ Reinf. Conc., Supported		Type No. Cap. # Flrs.	
			☐ Tile		☐ Pass.	
			☒ Carpet		☐ Frgt.	

Packet Page 574 of 640

		Frgt.		Rt.		Rt.		Rt.		Rt.		Rt.		Rt.		Rt.		Rt.	
		Year 87	Year 88	Year 89	Year 90	Year 91	Year 92	Year 93	Year 94	Year 95	Year 96	Year 97	Year 98	Year 99	Year 00	Year 01	Year 02	Year 03	Year 04
		SECTION	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION
4. Occupancy		Multi																	
5. Building class and quality		Cls. D Qual. A	Cls. Qual	Cls. Qual	Cls. Qual	Cls. Qual	Cls. Qual	Cls. Qual	Cls. Qual	Cls. Qual	Cls. Qual	Cls. Qual	Cls. Qual	Cls. Qual	Cls. Qual	Cls. Qual	Cls. Qual	Cls. Qual	Cls. Qual
6. Exterior Wall		Wood																	
7. No. of stories & height per story		No. 3 Ht. 9	No. Ht.	No. Ht.	No. Ht.	No. Ht.	No. Ht.	No. Ht.	No. Ht.	No. Ht.	No. Ht.	No. Ht.	No. Ht.	No. Ht.	No. Ht.	No. Ht.	No. Ht.	No. Ht.	No. Ht.
8. Average floor area		2132																	
9. Average perimeter		192																	
10. Age and condition		Ag. 14 Con.	Ag. Con.	Ag. 16 Con.	Ag. Con.	Ag. Con.	Ag. Con.	Ag. Con.	Ag. Con.	Ag. Con.	Ag. Con.	Ag. Con.	Ag. Con.	Ag. Con.	Ag. Con.	Ag. Con.	Ag. Con.	Ag. Con.	Ag. Con.
Marshall & Swift Manual		Sect. 12-10	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.	Sect.
		45yr																	
11. BASE SQUARE FOOT COST		28.80	28.80	30.27															
SQUARE FOOT REFINEMENTS																			
12. Heating, cooling, ventilation		1.40	+1.40	1.40															
13. Elevator deduction																			
14. Miscellaneous																			
15. Total lines 11 through 14		30.20	30.20	31.67															
HEIGHT AND SIZE REFINEMENTS																			
16. Number of stories-multiplier		3	3																
17. Height per story-multiplier (see Line 7)		1	1																
18. Floor area-perimeter multiplier (see Lines 8 & 9)		.959	.959																
19. Combined ht. & size multiplier (Lines 16x17x18)		2.877	2.877	2.877															
FINAL CALCULATIONS																			
20. Refined sq. ft. cost (Line 15 x Line 19)		86.89	86.89	91.11															
21. Current cost multiplier (Sect. 99, p. 3)		.98	.98	1.00															
22. Local multiplier (Sect. 99, p. 5 & 6)		1.53	1.53	1.53															
23. Final sq. ft. cost (l. 20 x l. 21 x l. 22)		130.28	130.28	139.40															
24. Area		2132																	

EXHIBIT 7
Page 16 of 42

Use Zone: _____
Unit Price: 554.80

INFLUENCES:		PLUS	MINUS
Depth			
Topography			
Irregular Modification			
View			
Drainage			
Physical Barriers			
Access			
Corner			
Water			
Sewer			
6' Sidewalk	70.01' x 4.72	344	
24' Paving	70.01' x 21.60	1512	
Y Curb & Gutter	70.01 x	350	
Other	A 13	523	
TOTAL		2729	
Net + (—)			

Basic Land Value	7570
Plus or (Minus) Factors	+2206
Net Price of Land	9776

Remarks:

LAND VALUE
Packet Page 575 of 640

[illegible]

REMARKS:	10-18-72 Exterior & Interior Image
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M. S. RYAN - BLOCK 17 LOT 12

10/18-72

FIRSTORN-BLOCK A LOT-12

12/18/72

EXHIBIT 7
Page 17 of 42

Permits _____	Date Built <u>1972</u>	Reproduction _____
		Sq. ft. cost _____
		Depr. _____

Observed Physical Condition _____	Exterior <u>Good</u>	Interior <u>Good</u>	Foundation <u>Good</u>
BUILDING TYPE AND USE	4. EXTERIOR	7. FLOORS	12. PORCHES
Apt. <u>5/14</u> Office _____ Loft _____	Wood <u>T-1-11</u> Metal _____	Dirt _____ Wood ☒	BIOP _____
Hotel _____ Store _____	Stucco _____	Conc. on Grade _____	BIGP _____
Church _____ Bank _____	Conc. Block _____ Brick _____	Conc. on Grade, Reinf. _____	BICP _____
Theater _____ Garage _____	Conc. Reinf. _____	Reinf. Conc., Supported _____	Open Porch _____
Gas Station _____ Industrial _____	Other _____	Tile <u>Bull</u>	Closed Porch _____
Warehouse _____ Greenhouse _____	Fenestration _____	Carpet <u>✓ w/h</u>	Glazed Porch _____
Hospital _____ Restaurant _____	Trim _____	<u>Kit Line</u>	Deck _____
<u>1 pl w/ 3 BR each</u>	None ☒ Minimum _____	8. HEAT	Risers _____
I. FOUNDATION	Some _____ Extensive _____	None _____ Space Heater _____	
Concrete <u>8" R</u>		Hot Air, Forced _____	
Concrete Block _____		Hot Water <u>5 Zone</u>	
Wood Posts _____		Combination Heat & Cooling _____	
Mud Sills _____		Air Conditioning _____	
Piling _____		FIREPLACES	
No. _____ Size _____ Length _____		1st Floor _____ Type _____	
		Basement _____ Type _____	

2. BASEMENT	5. ROOF	9. PLUMBING	13. YARD IMPROVEMENTS
None _____	Flat ☒ Gable _____ Hip _____	None _____ Minimum _____	Water Source <u>City</u>
Full ☒ Height <u>9'</u>	Shakes _____ Shingle _____	Adequate _____ Good <u>See 9/10</u>	Sewer Source <u>City</u>
Partial _____ x _____ S.F. _____	Built-Up <u>✓ 3/4</u> Comp. _____	10. ELECTRICAL	Cistern _____
Unfurnished Parking _____	Aluminum _____ G.I. _____	Romex ☒ Conduit _____	Driveway _____
Storage - Utility _____	Roll _____ Tar Paper _____	Minimum Lights & Fixtures _____	Sidewalk _____
Apartment _____	Concrete _____	Adequate Lights & Fixtures _____	Sidewalk _____
Office _____	Reinf. Conc. _____	Good Fixtures ☒	Patio _____
Floor _____	Other _____	Excellent Fixtures _____	Fence _____

3. FRAME	6. INTERIOR	10. ELECTRICAL	13. YARD IMPROVEMENTS
Wood <u>2x4 16'</u> Steel _____	Open Stud _____	Romex ☒ Conduit _____	Water Source <u>City</u>
Conc. Block _____ Brick _____	Wallboard _____	Minimum Lights & Fixtures _____	Sewer Source <u>City</u>
Reinforced Concrete _____	Plasterboard ☒	Adequate Lights & Fixtures _____	Cistern _____
Fireproofed Steel _____	Plaster _____	Good Fixtures ☒	Driveway _____
Conc. Panels _____	Concrete Block _____	Excellent Fixtures _____	Sidewalk _____
<u>2x10 Rnd</u>	Other _____		Sidewalk _____

4. Occupancy	SECTION I	SECTION II	SECTION III	SECTION IV
5. Building class and quality	Mult. Residential	Commercial		
6. Exterior wall	Cls. Qual. <u>2</u>	Cls. Qual. <u>2</u>	Cls. Qual. _____	Cls. Qual. _____
7. No. of stories & height per story	No. <u>2</u> Ht. <u>9'</u>	No. <u>1</u> Ht. <u>9'</u>	No. _____ Ht. _____	No. _____ Ht. _____
8. Average floor area	<u>2172</u>	<u>2172</u>		
9. Average perimeter	<u>196'</u>	<u>196'</u>		
10. Age and condition	Age <u>12</u> Cond. <u>6</u>	Age <u>12</u> Cond. <u>6</u>	Age _____ Cond. _____	Age _____ Cond. _____
Marshall & Swift Manual	Sect. <u>12p14</u>	Sect. <u>12p14</u>	Sect. _____	Sect. _____

11. BASE SQUARE FOOT COST	SECTION I	SECTION II	SECTION III	SECTION IV
SQUARE FOOT REFINEMENTS	9.93	8.94		
12. Heating, cooling, ventilation	1.09	1.09		
13. Elevator deduction	-	-		
14. Miscellaneous	-	-		
15. Total lines 11 through 14	11.02	10.03		
HEIGHT AND SIZE REFINEMENTS	2	1		
16. Number of stories-multiplier	1.030	1.030		
17. Height per story-multiplier (see Line 7)	2.060	1.030		
18. Floor area-perimeter multiplier (see Lines 8 & 9)				
19. Combined ht. & size multiplier (Lines 16x17x18)				

20. Refined sq. ft. cost (Line 15 x Line 19)	SECTION I	SECTION II	SECTION III	SECTION IV
21. Current cost multiplier (Sect. 99 p. 3)	22.70	10.33		
22. Local multiplier (Sect. 99 p. 5 & 6)	1.00	1.00		
23. Final sq. ft. cost (l. 20 x l. 21 x l. 22)	1.50	1.50		
24. Area (Back of this form)	34.05	15.80		
25. Line 23 x 24	2172	2172		
26. Lump sums (Line 32) <u>Enter Bathroom Fixtures</u>	73,957	33,666		
27. REPLACEMENT COST (Line 25 + Line 26)	1,163			
28. Depreciation % (Sect. 97)	75,120	33,666		
29. Depreciation amount (Line 27 x Line 28)	New	New		
30. DEPRECIATED COST (Line 27 - Line 29)	75,120	33,666		
31. Replacement cost <u>108,786</u>				
Insurable value _____				

20. Refined sq. ft. cost (Line 15 x Line 19)	SECTION I	SECTION II	SECTION III	SECTION IV
21. Current cost multiplier (Sect. 99 p. 3)	22.70	10.33		
22. Local multiplier (Sect. 99 p. 5 & 6)	1.00	1.00		
23. Final sq. ft. cost (l. 20 x l. 21 x l. 22)	1.50	1.50		
24. Area (Back of this form)	34.05	15.80		
25. Line 23 x 24	2172	2172		
26. Lump sums (Line 32) <u>Enter Bathroom Fixtures</u>	73,957	33,666		
27. REPLACEMENT COST (Line 25 + Line 26)	1,163			
28. Depreciation % (Sect. 97)	75,120	33,666		
29. Depreciation amount (Line 27 x Line 28)	New	New		
30. DEPRECIATED COST (Line 27 - Line 29)	75,120	33,666		
31. Replacement cost <u>108,786</u>				
Insurable value _____				

13. YARD IMPROVEMENTS Packet Page 577 of 640

Lump Sums MS 55, 6

6 tubs	= 1 each x	305 = 305
6 benches	= 1 each x	253 = 253
6 basins	= 1 each x	200 = 200
5 kitchen		522 x 12 = 6264

1163

[illegible]

Scale $\frac{1}{4}" = 1'$ Ft.

6

38

20

EXHIBIT 7
Page 19 of 42

Use Zone: RML

Unit Price:

INFLUENCES:		PLUS	MINUS	LAND VALUE COMPUTATIONS				
Depth				Subject Land Value				
Topography				Appraisal Year	1976	1977	1978	1979
Size				Base Lot Value	7000 $\times$ @ 1.75/ft		12250	12250
Site Prep				Plus	Minus	Total		
Drainage				7361 $\times$ @ 2.00/ft =		14720	14720	—
Physical Barriers				361 $\times$ @ 60¢/ft =			216	216
Access				4 $\times$ @ 1000			4000	4000
Corner				1 $\times$ @ 13		1240	1297	1297
Water				Net Adjust	+	—		
Sewer				Adjusted Land Value	15966	16017	17763	17763
Item 13				Adjusted L.V. $\div$ Base L.V.	%	%	%	%
Paving		12.46						
Other				Remarks:				
TOTAL								
Net + (—)								

REMARKS :

MT 6-17-77 Same
5-11-78 No Change IP

YEAR		OWNER	ASSESSED VALUATION			REASON FOR CHANGE
			Land	Bldgs.	Total	
1975	Bo. Asbjorn & Else M		6,400	108,800	115,200	
1976		✓	16000	165900	181900	
1977		✓	16000	175300	191300	
78		✓	17800	175300	193100	
79	✓		17800	183,300	201100	

PLACE PICTURE HERE

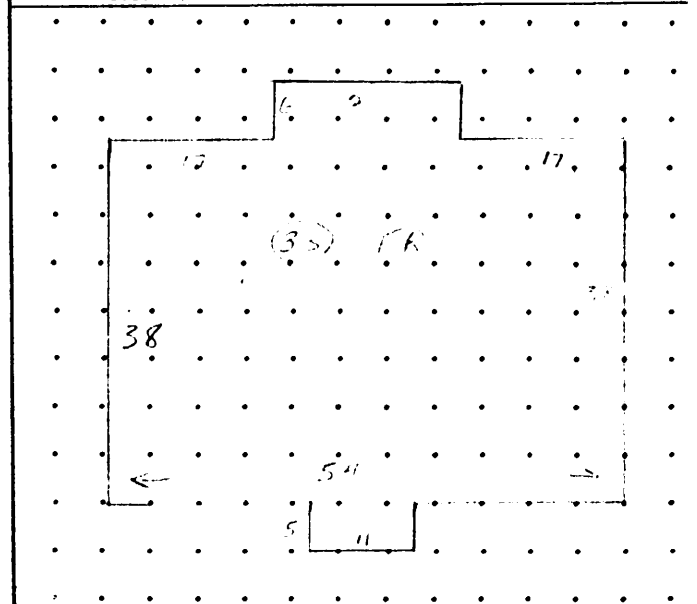
C.B.

BUILDING AREA CALCULATION			
Square Feet — Ground Area			
Floor or Part	Width	Length	Area
	<i>25'</i>	<i>50'</i>	<i>1250</i>
TOTAL AREA			<i>1250</i>

Notes:

Perimeter

Scale $\frac{1}{4}" = 5$ Ft.



2-1-346-00A-012-
30, ASRJORN & ELSE M
BOX 1987 650
HILLMAN AK 99999-0824 1984

EXHIBIT 7	
Property Address Douglas Hwy	
Date Built	1972
Reproduction	
Sq. ft. cost	
Depr.	
Observed Physical Condition	GOOD
Exterior	GOOD
Interior	GOOD
Foundation	GOOD

Parcel No. 2-1-346-00A-012
Lot 12 Block A
Subdivision Capital View
U.S. Survey Douglas

BUILDING TYPE AND USE		
Apt. 5	Office	Loft
Hotel	Store	
Church	Bank	
Theater	Garage	
Gas Station	Industrial	
Warehouse	Greenhouse	
Hospital	Restaurant	

4. EXTERIOR	
Wood	Metal
Stucco	
Conc. Block	Brick
Conc. Reinf.	
Other	
Fenestration	GOOD
Trim	
None	Minimum
Some	Extensive

7. FLOORS	
Dirt	Wood
Conc. on Grade	
Conc. on Grade, Reinf.	
Reinf. Conc., Supported	
Tile	
Carpet	

12. PORCHES	
BIOP	
BIGP	
BICP	
Open Porch	
Closed Porch	
Glazed Porch	
Deck	
Risers	
CAN/LDS - 5'x11'-55" x 2.79'x11'-55"	

1. FOUNDATION		
Concrete		
Concrete Block		
Wood Posts		
Mud Sills		
Piling		
No.	Size	Length

5. ROOF		
Flat	Gable	Hip
Shakes	Shingle	
Built-Up	Comp.	
Aluminum	G.I.	
Roll	Tar Paper	
Concrete		
Reinf. Conc.		

8. HEAT	
None	Space Heater
Hot Air, Forced	
Hot Water	
Combination Heat & Cooling	
Air Conditioning	
FIREPLACES NONE	
1st Floor	Type
Basement	Type

13. YARD IMPROVEMENTS	
Water Source	CITY
Sewer Source	CITY
Cistern	
Driveway	ASP - PAV - 22'40" x 50' x 75' x 11' x 156' = 1297
Sidewalk	
Sidewalk	
Patio	
Fence	
Fence	
Retaining Wall	
Retaining Wall	
Risers	
Fill	
ASP PAV 22'40" x 4' x 11' x 156' = 1449	
DEPR. .14	
1246	

2. BASEMENT		
None		
Full		Height
Partial	x	S.F.
Unfurnished Parking		
Storage - Utility		
Apartment		
Office		
Floor		

6. INTERIOR	
Open Stud	
Wallboard	
Plasterboard	
Plaster	
Concrete Block	
Other	

9. PLUMBING	
None	Minimum
Adequate	Good
10. ELECTRICAL	
Romex	Conduit
Minimum Lights & Fixtures	
Adequate Lights & Fixtures	
Good Fixtures	
Excellent Fixtures	

3. FRAME	
Wood	Steel
Conc. Block	Brick
Reinforced Concrete	
Fireproofed Steel	
Conc. Panels	

Story Height	
1st	9'
2nd	9'
3rd	9'

Building Elevators			
Type	No.	Cap.	# Floor
Passenger			
Freight			

Disturbance 335 x 5 = 1675
range - 400 x 5 = 2100
load - 105 x 5 = 525
concrete 278 x 1.08 = 300
4300, 111 x 157 = 7494
+ 360
7794

4. Occupancy
5. Building class and quality
6. Exterior wall
7. No. of stories & height per story
8. Average floor area
9. Average perimeter
10. Age and condition
Marshall & Swift Manual

SECTION I	SECTION II	SECTION III	SECTION IV
MULTIPLE	MULTIPLE	MULTIPLE	BRICK
Cls. Qual. A.V.	Cls. Qual. A.V.	Cls. Qual. A.V.	Cls. Qual. A.V.
WOOD	WOOD	WOOD	WOOD
No. 3 Ht. 9'	No. 2 Ht. 7'	No. 2 Ht. 7'	No. 1 Ht. 9'
2172	2172	2172	2172
196	196	196	196
Age 4 Cond. 5	Age 7 Cond. 5	Age 7 Cond. 5	Age 7 Cond. 5
Sect. 12 P14	Sect. 12 P14	Sect. 12 P14	Sect. 12 P14

SECTION I	SECTION II	SECTION III	SECTION IV
Cls. Qual.	Cls. Qual.	Cls. Qual.	Cls. Qual.
No. Ht.	No. Ht.	No. Ht.	No. Ht.
Age Cond.	Age Cond.	Age Cond.	Age Cond.
Sect.	Sect.	Sect.	Sect.

11. BASE SQUARE FOOT COST
SQUARE FOOT REFINEMENTS
12. Heating, cooling, ventilation
13. Elevator deduction
14. Miscellaneous
15. Total lines 11 through 14

SECTION I	SECTION II	SECTION III	SECTION IV
13.95	15.45	17.37	15.63
.97	.95	.95	.95
14.92	16.40	18.32	16.58

SECTION I	SECTION II	SECTION III	SECTION IV

HEIGHT AND SIZE REFINEMENTS
16. Number of stories-multiplier
17. Height per story-multiplier (see Line 7)
18. Floor area-perimeter multiplier (see Lines 8 & 9)
19. Combined ht. & size multiplier (Lines 16x17x18)

SECTION I	SECTION II	SECTION III	SECTION IV
3	2	1	1
1.000	1.000	.948	.948
3	2	1.90	.948

SECTION I	SECTION II	SECTION III	SECTION IV

FINAL CALCULATIONS
20. Refined sq. ft. cost (Line 15 x Line 19)
21. Current cost multiplier (Sect. 99 p. 3)
22. Local multiplier (Sect. 99 p. 5 & 6)
23. Final sq. ft. cost (L. 20 x L. 21 x L. 22)
24. Area (Back of this form)
25. Line 23 x 24
26. Lump sums (Line 32)
27. REPLACEMENT COST (Line 25 + Line 26)
28. Depreciation % (Sect. 97) 4%
29. Depreciation amount (Line 27 x Line 28)
30. DEPRECIATED COST (Line 27 - Line 29)
31. Replacement cost
Insurable value

SECTION I	SECTION II	SECTION III	SECTION IV
44.76	32.46	34.81	15.72
1.11	1.08	1.11	1.11
1.54	1.13	1.57	1.57
76.51	82.65	60.66	27.40
2172	2172	2172	2172
166186	178576	131754	59,573
6458	6153	7994	
172,644	186,468	139,748	59,573
.04	.04	.08	.08
165,738	175,279	128,568	54,752
Total Building Appraisal			
Total Land Appraisal			
TOTAL APPRAISED VALUE \$			

SECTION I	SECTION II	SECTION III	SECTION IV
Total Building Appraisal			
Total Land Appraisal			
TOTAL APPRAISED VALUE \$			

79 = 183,320

2-1-346-00A-012-
B1, ASRJRN & FISE M
31X 1982 600
HINCAH AK 99999

Dof 1974

EXHIBIT 7	
Property Address Douglas Hwy	
Date Built	1972
Reproduction	
Sq. ft. cost	
Depr.	
Foundation	GOOD

Parcel No. 2-1-346-00A-012
Lot 12 Block A
Subdivision Capital View
U.S. Survey Douglas
Packet Page 580 of 640

Observed Physical Condition	GOOD	Exterior	GOOD	Interior	GOOD
BUILDING TYPE AND USE					
Apt. 5 ✓	Office	Loft	Wood ✓	Metal	
Hotel	Store		Stucco		
Church	Bank		Conc. Block	Brick	
Theater	Garage		Conc. Reinf.		
Gas Station	Industrial		Other		
Warehouse	Greenhouse		Fenestration	GOOD	
Hospital	Restaurant		Trim		
			None	Minimum	
			Some	Extensive	
1. FOUNDATION					
Concrete ✓					
Concrete Block					
Wood Posts					
Mud Sills					
Piling					
No.	Size	Length			
2. BASEMENT					
None ✓					
Full					
Partial					
Unfurnished Parking					
Storage - Utility					
Apartment					
Office					
Floor					
3. FRAME					
Wood ✓					
Conc. Block					
Reinforced Concrete					
Fireproofed Steel					
Conc. Panels					
4. EXTERIOR					
Wood ✓					
Stucco					
Conc. Block					
Conc. Reinf.					
Other					
Fenestration					
Trim					
None					
Some					
5. ROOF					
Flat ✓					
Gable					
Hip					
Shakes					
Built-Up					
Aluminum					
Roll					
Concrete					
Reinf. Conc.					
6. INTERIOR					
Open Stud					
Wallboard					
Plasterboard ✓					
Plaster					
Concrete Block					
Other					
7. FLOORS					
Dirt					
Conc. on Grade					
Conc. on Grade, Reinf.					
Reinf. Conc., Supported					
Tile ✓					
Carpet ✓					
8. HEAT					
None					
Space Heater					
Hot Air, Forced					
Hot Water ✓					
Combination Heat & Cooling					
Air Conditioning					
FIREPLACES					
1st Floor					
Basement					
9. PLUMBING					
None					
Adequate					
10. ELECTRICAL					
Romex ✓					
Minimum Lights & Fixtures					
Adequate Lights & Fixtures					
Good Fixtures					
Excellent Fixtures					
Building Elevators					
Type					
No.					
Cap.					
# Floors					
Passenger					
Freight					

13. YARD IMPROVEMENTS
Water Source C174
Sewer Source C171
Cistern
Driveway 48' x 22' x 15' x 15' = 1297
Sidewalk
Sidewalk
Ratio
Can 4' x 15' x 15' = 278
BI 5' x 15' x 15' = 261
5' Range 4' x 15' x 15' = 3194
5' 11' x 4' x 15' = 119
Total = 6952

8-14-78				
1977 79-102				
4. Occupancy				
5. Building class and quality				
6. Exterior wall				
7. No. of stories & height per story				
8. Average floor area				
9. Average perimeter				
10. Age and condition				
Marshall & Swift Manual				
11. BASE SQUARE FOOT COST				
SQUARE FOOT REFINEMENTS				
12. Heating, cooling, ventilation				
13. Elevator deduction				
14. Miscellaneous				
15. Total lines 11 through 14				
HEIGHT AND SIZE REFINEMENTS				
16. Number of stories-multiplier				
17. Height per story-multiplier (see Line 7)				
18. Floor area-perimeter multiplier (see Lines 8 & 9)				
19. Combined ht. & size multiplier (Lines 16x17x18)				
FINAL CALCULATIONS				
20. Refined sq. ft. cost (Line 15 x Line 19)				
21. Current cost multiplier (Sect. 99 p. 3)				
22. Local multiplier (Sect. 99 p. 5 & 6)				
23. Final sq. ft. cost (Line 20 x Line 22)				
24. Area (Back of this form)				
25. Line 23 x 24				
26. Lump sums (Line 32)				
27. REPLACEMENT COST (Line 25 + Line 26)				
28. Depreciation % (Sect. 97) 40				
29. Depreciation amount (Line 27 x Line 28)				
30. DEPRECIATED COST (Line 27 - Line 29)				
31. Replacement cost				
Insurable value				

SECTION I	SECTION II	SECTION III	SECTION IV
Cls. Qual.	Cls. Qual.	Cls. Qual.	Cls. Qual.
No. Ht.	No. Ht.	No. Ht.	No. Ht.
Age Cond.	Age Cond.	Age Cond.	Age Cond.
Sect.	Sect.	Sect.	Sect.
SECTION I	SECTION II	SECTION III	SECTION IV
13.95	15.45	17.37	15.63
.97	.95	1.95	.95
14.72	16.40	18.32	16.58
3	2	1	
1.000	1.000	.948	.948
3	2	1.90	.948
SECTION I	SECTION II	SECTION III	SECTION IV
44.76	31.96	34.81	15.72
1.11	1.08	1.11	1.11
1.54	1.08	1.57	1.57
76.51	82.65	60.66	27.40
2172	2172	2172	2172
166186	122511	131754	59,513
6458	253	7994	
172,644	122,764	139,748	59,513
.04	.04	.08	.08
165,738	122,729	128,568	54,752
Total Building Appraisal			
Total Land Appraisal			
TOTAL APPRAISED VALUE \$			

279
79 = 183,320

2-1-346-00A-012-
311, ASBURN & ELSE W
BOX 1222 600
HINCHAK 90902 Dof 12224

EXHIBIT 7	
Property Address Douglas Hwy	
Date Built	1972
Reproduction	
Sq. ft. cost	
Depr.	

Parcel No. 2-1-346-00A-012
Lot 12 Block A
Subdivision Capital View
U.S. Survey Douglas
Packet Page 581 of 640

Observed Physical Condition GOOD Exterior GOOD Interior GOOD Foundation GOOD

BUILDING TYPE AND USE		4. EXTERIOR	7. FLOORS	12. PORCHES
Apt. <u>5</u> Office Loft	Wood ☒ Metal	Dirt Wood	Conc. on Grade	BIOP
Hotel Store	Stucco	Conc. on Grade, Reinf.	Reinf. Conc., Supported	BIGP
Church Bank	Conc. Block Brick	Tile ☒	Carpet ☒	BICP
Theater Garage	Conc. Reinf.	8. HEAT		Open Porch
Gas Station Industrial	Other	None Space Heater		Closed Porch
Warehouse Greenhouse	Fenestration <u>GOOD</u>	Hot Air, Forced		Glazed Porch
Hospital Restaurant	Trim	Hot Water ☒		Deck
	None Minimum	Combination Heat & Cooling		Risers
	Some ☒ Extensive	Air Conditioning		<u>CAN/LDG - 5x11-55 2x77x11 54</u>
1. FOUNDATION	5. ROOF	FIREPLACES <u>NONE</u>		13. YARD IMPROVEMENTS
Concrete ☒	Flat ☒ Gable Hip	1st Floor Type		Water Source <u>CITY</u>
Concrete Block	Shakes Shingle	Basement Type		Sewer Source <u>CITY</u>
Wood Posts	Built-Up ☒ Comp.			Cistern
Mud Sills	Aluminum G.I.			Driveway <u>ASP - 10' - 22'4" x 15'0" x 7.5' x 11' x 15'6" = 1297</u>
Piling	Roll Tar Paper			Sidewalk
No. Size Length	Concrete	9. PLUMBING		Sidewalk
	Reinf. Conc.	None Minimum		
2. BASEMENT		Adequate ☒ Good		
None ☒	6. INTERIOR	10. ELECTRICAL		
Full Height	Open Stud	Romex ☒ Conduit		
Partial x S.F.	Wallboard	Minimum Lights & Fixtures		
Unfurnished Parking	Plasterboard ☒	Adequate Lights & Fixtures		
Storage - Utility	Plaster	Good Fixtures		
Apartment	Concrete Block	Excellent Fixtures		
Office	Other			
Floor		Building Elevators <u>NONE</u>		
3. FRAME		Type No. Cap. # Floors		
Wood ☒ Steel	Story Height <u>13' - 9"</u>	Passenger		
Conc. Block Brick	<u>2nd - 9"</u>	Freight		
Reinforced Concrete	<u>3rd - 9"</u>			
Fireproofed Steel				
Conc. Panels				

4. Occupancy	SECTION I	SECTION II	SECTION III	SECTION IV	SECTION I	SECTION II	SECTION III	SECTION IV
5. Building class and quality	MULTIPLE	MULTIPLE	MULTIPLE	BRICK	Cls. Qual.	Cls. Qual.	Cls. Qual.	Cls. Qual.
6. Exterior wall	Cls. Qual. A.V.	Cls. Qual. A.V.	Cls. Qual. A.V.	Cls. Qual. A.V.				
7. No. of stories & height per story	WOOD	WOOD	WOOD	WOOD	No. Ht.	No. Ht.	No. Ht.	No. Ht.
8. Average floor area	No. 3 Ht. 9'	No. 3 Ht. 9'	No. 3 Ht. 9'	No. 3 Ht. 9'				
9. Average perimeter	2172	2172	2172	2172				
10. Age and condition	196	196	196	196				
Marshall & Swift Manual	Age 4 Cond. 5	Age 4 Cond. 5	Age 7 Cond. 5	Age 7 Cond. 5				
	Sect. 12.14	Sect. 12.14	Sect. 12.14	Sect. 12.14				
	11.505	11.505	11.505	11.505				
11. BASE SQUARE FOOT COST	SECTION I	SECTION II	SECTION III	SECTION IV	SECTION I	SECTION II	SECTION III	SECTION IV
SQUARE FOOT REFINEMENTS	13.95	13.95	13.95	13.95				
12. Heating, cooling, ventilation	.77	.77	.77	.77				
13. Elevator deduction								
14. Miscellaneous								
15. Total lines 11 through 14	14.72	14.72	14.72	14.72				
HEIGHT AND SIZE REFINEMENTS								
16. Number of stories-multiplier	3	3	3	3				
17. Height per story-multiplier (see Line 7)	1.00	1.00	1.00	1.00				
18. Floor area-perimeter multiplier (see Lines 8 & 9)	1.00	1.00	1.00	1.00				
19. Combined ht. & size multiplier (Lines 16x17x18)	3	3	3	3				
FINAL CALCULATIONS								
20. Refined sq. ft. cost (Line 15 x Line 19)	44.76	44.76	44.76	44.76				
21. Current cost multiplier (Sect. 99 p. 3)	1.11	1.11	1.11	1.11				
22. Local multiplier (Sect. 99 p. 5 & 6)	1.54	1.54	1.54	1.54				
23. Final sq. ft. cost (1. 20 x 1. 21 x 1. 22)	76.51	76.51	76.51	76.51				
24. Area (Back of this form)	2172	2172	2172	2172				
25. Line 23 x 24	166186	166186	166186	166186				
26. Lump sums (Line 32)	6458	6458	6458	6458				
27. REPLACEMENT COST (Line 25 + Line 26)	172644	172644	172644	172644				
28. Depreciation % (Sect. 97) <u>Rev</u>	.04	.04	.04	.04				
29. Depreciation amount (Line 27 x Line 28)	6948	6948	6948	6948				
30. DEPRECIATED COST (Line 27 - Line 29)	165700	165700	165700	165700				
31. Replacement cost								
Insurable value								

79 = 183,320

2DU04020AU140
CAPITAL VIEW BL A L 12
BO ASBJORN TRUSTEE
MARIT FAMILY TRUST
PO BOX 240650
DOUGLAS AK 99824-0650

EXHIBIT 7

OBSERV
Good ☐
OBSERV
Good ☐
OBSERV
Good ☐
OBSERV
Good ☐

Date Built 1972

1508 353

Parcel No. 2-1-140-100-12
Block
Lot

BUILDING TYPE & USE		4. EXTERIOR	8. HEAT
☒ Apt. ☐ Office ☐ Loft	☐ Wood ☐ Metal	☐ None ☐ Space Heater	
☐ Hotel ☐ Store	☐ Stucco	☐ Hot Air, Forced	
☐ Church ☐ Bank	☐ Conc. Block ☐ Brick	☒ Hot Water	
☐ Theater ☐ Garage	☐ Concrete Reinforced	☐ Comb. Heat & Cooling	
☐ Gas Statn. ☐ Industrial	☐ Other	☐ Air Conditioning	
☐ Warehse. ☐ Greenhouse	☒ Fenestration <i>Good Avg</i>	FIREPLACES	
☐ Hospital ☐ Restaurant	☐ Trim	☐ 1st Floor _____ Typ	
	☐ None ☐ Minimum	☐ Basemnt. _____ Typ	
	☐ Average ☐ Extensive		
1. FOUNDATION		5. ROOF	9. PLUMBING
☒ Concrete	☒ Flat ☐ Gable ☐ Hip	Number of Fixtur	
☐ Concrete Block	☐ Shakes ☐ Shingle	☐ Store	
☐ Wood Posts	☒ Built-up ☐ Comp.	☐ Garage	
☐ Piling	☐ Aluminum ☐ G.I.	☐ Warehouse	
No. Size Length	☐ Roll ☐ Tar Paper	☐ Apts. 3F 2F 1F	
	☐ Concrete		
	☐ Reinforced Concrete	<i>Adequate</i>	
2. BASEMENT		6. INTERIOR	
☐ None	☐ Open Stud	☐ Rms. 3F 2F 1F	
☒ Full Height	☐ Wallboard		
☐ Partial x S.F.	☒ Plasterboard		
☐ Unfinished Parking	☐ Plaster		
☐ Storage ☐ Utility	☐ Concrete Block	☐ Extra Fixtures	
☐ Apartment	☐ Other	☐ Sauna - Grade	
☐ Office	☐ Story Height		
☐ Floor	☒ Basement 9	10. ELECTRICAL	
	☒ 1st 9	☒ Romex ☐ Condu	
	☒ 2nd 9	☐ Min. Lights & Fixt	
3. FRAME		☒ Adqt. Lights & Fixt	
☒ Wood ☐ Steel	7. FLOORS	☐ Good Fixtures	
☐ Conc. Block ☐ Brick	☐ Dirt ☐ Wood	☐ Excellent Fixtures	
☐ Reinforced Concrete	☐ Concrete on Grade	☐ Building Elevators	
☐ Fireproofed Steel	☐ Conc. on Grade, Reinf.	Type No. Cap. # F	
☐ Concrete Panels	☐ Reinf. Conc., Supported	☐ Pass.	
	☐ Tile	☐ Frgt.	
	☒ Carpet		

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Lump Sums. *81* *Sept 12 p 11*
 $5.540 \times 445 \times 1.02 \times 1.48 = 3,359$
 $5.44F 110 \times 1.02 \times 1.48 = 830$
 $5.0W 395 \times 1.02 \times 1.48 = 2,991$
 $OP 55 \times 25 \times 22.82 \times 1.02 \times 1.48 = 7644$
(82) $6.540 \times 445 \times 1.10 \times 1.50 = 4406$
 $6.44F 110 \times 1.10 \times 1.50 = 1089$
 $6.0W 395 \times 1.10 \times 1.50 = 3911$
 $60 \times 55 \times 25 \times 22.82 \times 1.10 \times 1.50 = 518$
(81) $6X(470+125+435) \times 1.02 \times 1.50 = 9793$
 $1.08 \times 1.52 = 10145$
(89) $OP 55 \times 24.12 \times 25 \times 1.08 \times 1.50 = 603$
 $1.08 \times 1.52 = 612$

	Year <i>87</i>	Year <i>88</i>	Year <i>89</i>	Year <i>90</i>	Year	Year	Year	Year
	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION
4. Occupancy	<i>Mult</i>							
5. Building class and quality	<i>Cls. Qual. Wood</i>							
6. Exterior Wall								
7. No. of stories & height per story	<i>No. 3 Ht. 9</i>							
8. Average floor area	<i>2172</i>							
9. Average perimeter	<i>196</i>							
10. Age and condition	<i>Ag. 13 Con. Sect. 12-10</i>							
Marshall & Swift Manual	<i>45 yr</i>							
11. BASE SQUARE FOOT COST	<i>28,80</i>		<i>30.27</i>					
SQUARE FOOT REFINEMENTS								
12. Heating, cooling, ventilation	<i>1.40</i>		<i>1.11</i>					
13. Elevator deduction								
14. Miscellaneous								
15. Total lines 11 through 14	<i>30.20</i>		<i>31.67</i>					
HEIGHT AND SIZE REFINEMENTS								
16. Number of stories-multiplier	<i>3</i>							
17. Height per story-multiplier (see Line 7)	<i>1</i>							
18. Floor area-perimeter multiplier (see Lines 8 & 9)	<i>.959</i>							
19. Combined ht. & size multiplier (Lines 16x17x18)	<i>21.877</i>		<i>2.277</i>					
FINAL CALCULATIONS								
20. Refined sq. ft. cost (Line 15 x Line 19)	<i>26.89</i>		<i>91.11</i>					
21. Current cost multiplier (Sect. 99, p. 3)	<i>.98</i>		<i>1.00</i>					
22. Local multiplier (Sect. 99, p. 5 & 6)	<i>1.53</i>		<i>1.53</i>					
23. Final sq. ft. cost (l. 20 x l. 21 x l. 22)	<i>130.28</i>		<i>139.16</i>					
24. Area	<i>2172</i>		<i>2172</i>					
25. Line 23 x 24	<i>282,968</i>		<i>302,772</i>					
26. Lump sums (Line 32)	<i>9186</i>		<i>9998</i>					
27. REPLACEMENT COST (Line 25 + Line 26)	<i>292,154</i>	<i>292,154</i>	<i>312,770</i>					
28. Depreciation % (Sect. 97)	<i>.17</i>	<i>.19 PLV</i>	<i>.21</i>					
29. Depreciation amount (Line 27 - Line 29)	<i>6.6</i>	<i>130.60</i>	<i>.15</i>	<i>5%</i>				
30. DEPRECIATED COST (Line 27 - Line 29)	<i>227,938</i>	<i>148,999</i>	<i>210.02X</i>	<i>234,738</i>				
31. Total Building Appraisal								

EXHIBIT 7

Size: 70 x 100

Area: 7000 ft^2 0.1667

Use Zone:

Valuation Code:

Land Use:

Unit Price: ~~250~~ 500

INFLUENCES:		PLUS	MINUS
Depth			
Topography			
Irregular Modification			
View			
Drainage			
Physical Barriers			
Access			
Corner			
Water			
Sewer			
Sidewalk			
Paving			
Curb & Gutter			
Other	# 13	879	
TOTAL		+	879
Net + (-)			

Year of Valuation: 1970

Basic Land Value

Plus or (Minus) Factors ± 579

Net Price of Land

Remarks:

LAND VALUE
Packet Page 583 of 640

[illegible]

REMARKS: 10-17-72 - Int of Extor. In. Insp. ELP

PICTURE:

2-20-72 L1 Ext Insp-BC

2 of Dec.

10-35 = 55.97 or 56% in 11

12-13-73 Int + EXT Eng = 100% OK

1st apparent change = K 8/19/25



150 N-3
BLOCK D LOT-3

Size: 70 X 100

Area: 7,000 sq.ft. 0.1607 ac.

Use Zone: RMT.

General Land Description:

Land Use:

Unit Price:

INFLUENCES:	PLUS	MINUS	LAND VALUE COMPUTATIONS				
Depth			Subject Land Value				
Topography			Appraisal Year	19 76	19 77	19 78	19 79
Size			Base Lot Value				
Site Prep			Plus				
Drainage			Minus				
Physical Barriers			Total				
Access			7000 # @ \$1.75 # =	12,250	12250	12250	12250
Corner			item # 13	538	2487	2487	2487
Water			5 units @ 1000			5000	5000
Sewer			Net Adjust +				
Item 13			Adjusted Land Value	12778	14737	19737	19737
Paving			Adjusted L.V. ÷ Base L.V.	%	%	%	%
Other			Remarks:	Packet Page 585 of 640			
TOTAL							
Net + (-)							

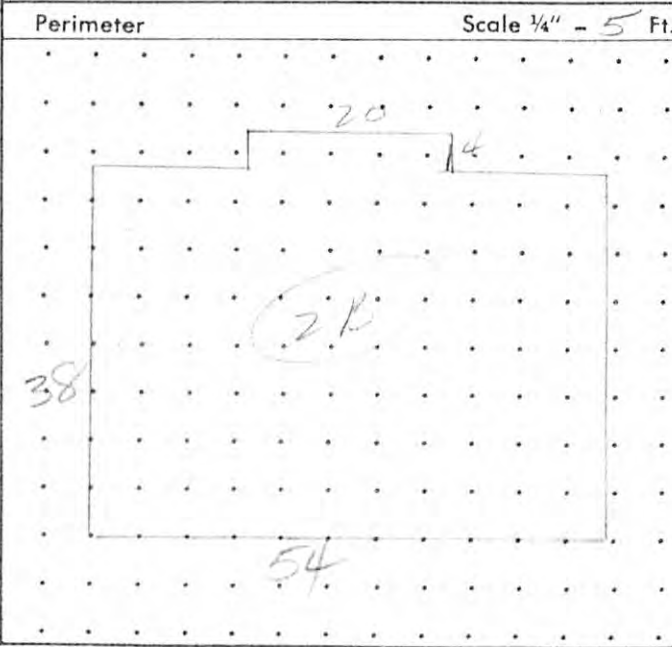
REMARKS 8-19-75 Insp CK
1-17-76 6-17-77 same
5-18-78 No Apparent change JP
8-17-78 for Semi basement used factor of 90% of above Ground unit price, For 1976 & 1977
Factor of .80% was used, which is factor for a full Basement Apt.

YEAR	OWNER	ASSESSED VALUATION			REASON FOR CHANGE
		Land	Bldgs.	Total	
1975	Bo, Ashjorne	4,400	112,100	116,500	
1976	✓	13,800	149,400	162,200	
1977	✓	14700	153,200	167900	
78	✓	19800	153200	173000	
79	✓	19800	177,800	197600	

PLACE PICTURE HERE

BUILDING AREA CALCULATION			
Square Feet — Ground Area			
Floor or Part	Width	Length	Area
1-2 f	38	54	2052
	4	80	80
			2132
TOTAL AREA			

Notes:



BO-ASHJORNE 8/19/75 LOT 3-BLK D
Bo Construction 20.2 2-12-73

Owner
2D04020D0030
CAPITAL VIEW BL D LT 3
MARIT BO FAMILY TRUST
ASBJORN BO TRUSTEE
PO BOX 240650
DOUGLAS AK 99824-0650

YEAR	EXHIBIT 7
	OBSERV Good ☐
	OBSERV Good ☐
	OBSERV Good ☐
	OBSERV Good ☐

BUILDING TYPE & USE	4. EXTERIOR	8. HEAT
☒ Apt. ☐ Office ☐ Loft	☒ Wood ☐ Metal	☐ None ☐ Space Heater
☐ Hotel ☐ Store	☐ Stucco	☐ Hot Air, Forced
☐ Church ☐ Bank	☐ Conc. Block ☐ Brick	☒ Hot Water
☐ Theater ☐ Garage	☐ Concrete Reinforced	☐ Comb. Heat & Cooling
☐ Gas Statn. ☐ Industrial	☐ Other	☐ Air Conditioning
☐ Warehse. ☐ Greenhouse	☐ Fenestration	FIREPLACES
☐ Hospital ☐ Restaurant	☐ Trim	☐ 1st Floor _____ T
6 units	☐ None ☐ Minimum	☐ Basemnt. _____ T
1. FOUNDATION	☐ Average ☐ Extensive	
☒ Concrete	5. ROOF	9. PLUMBING
☐ Concrete Block	☒ Flat ☐ Gable ☐ Hip	Number of Fixtures
☐ Wood Posts	☐ Shakes ☐ Shingle	Lump Sums <i>Plumber</i>
☐ Piling	☒ Built-up ☐ Comp.	5 DW HIF SIO = 7750
No. Size Length	☐ Aluminum ☐ G.I.	OP SKIN = 550
	☐ Roll ☐ Tar Paper	5300
	☐ Concrete	
2. BASEMENT	☐ Reinforced Concrete	<i>Adapted</i>
☐ None	6. INTERIOR	
☒ Full Height 9'	☐ Open Stud	☐ Rms. 3F 2F 1F NF
☐ Partial x S.F.	☐ Wallboard	
☐ Unfinished Parking	☒ Plasterboard	
☐ Storage ☐ Utility	☐ Plaster	
☐ Apartment	☐ Concrete Block	☐ Extra Fixtures
☐ Office	☐ Other	☐ Sauna - Grade
☐ Floor	☐ Story Height	
	☐ Basement	10. ELECTRICAL
3. FRAME	☐ 1st	☒ Romex ☐ Conduit
☒ Wood ☐ Steel	☐ 2nd	☐ Min. Lights & Fixtures
☐ Conc. Block ☐ Brick	7. FLOORS	☒ Adqt. Lights & Fixtures
☐ Reinforced Concrete	☐ Dirt ☐ Wood	☐ Good Fixtures
☐ Fireproofed Steel	☐ Concrete on Grade	☐ Excellent Fixtures
☐ Concrete Panels	☐ Conc. on Grade, Reinf.	☐ Building Elevators
	☐ Reinf. Conc., Supported	Type No. Cap. # Flrs. <i>(6) 5300 x 120 = 63600</i>
	☐ Tile	☐ Pass.
	☒ Carpet	☐ Frgt.

	Year. 99	Year.	Year. 00	Year.	Year.	Year.	Year.	Year.
SECTION	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION
4. Occupancy	Cls. Qual.	Cls. Qual.	Cls. Qual.	Cls. Qual.	Cls. Qual.	Cls. Qual.	Cls. Qual.	Cls. Qual.
5. Building class and quality	No. Ht.	No. Ht.	No. Ht.	No. Ht.	No. Ht.	No. Ht.	No. Ht.	No. Ht.
6. Exterior Wall	Ag. Con. Sect.	Ag. Con. Sect.	Ag. Con. Sect.	Ag. Con. Sect.	Ag. Con. Sect.	Ag. Con. Sect.	Ag. Con. Sect.	Ag. Con. Sect.
7. No. of stories & height per story								
8. Average floor area								
9. Average perimeter								
10. Age and condition								
Marshall & Swift Manual								
11. BASE SQUARE FOOT COST								
SQUARE FOOT REFINEMENTS								
12. Heating, cooling, ventilation								
13. Elevator deduction								
14. Miscellaneous								
15. Total lines 11 through 14								
HEIGHT AND SIZE REFINEMENTS								
16. Number of stories-multiplier								
17. Height per story-multiplier (see Line 7)								
18. Floor area-perimeter multiplier (see Lines 8 & 9)								
19. Combined ht. & size multiplier (Lines 16x17x18)								
FINAL CALCULATIONS								
20. Refined sq. ft. cost (Line 15 x Line 19)								
21. Current cost multiplier (Sect. 99, p. 3)								
22. Local multiplier (Sect. 99, p. 5 & 6)								
23. Final sq. ft. cost (l. 20 x l. 21 x l. 22)								
24. Area								
25. Line 23 x 24								
26. Lump sums (Line 32)								
27. REPLACEMENT COST (Line 25 + Line 26)								
28. Depreciation % (Sect. 97)								
29. Depreciation amount (Line 27 - Line 29)								
30. DEPRECIATED COST (Line 27 - Line 29)								
31. Total Building Appraisal								

Use Zone: _____
Unit Price: 257.50

Basic Land Value	1,500
Plus or (Minus) Factors	+2206
Net Price of Land	4,194

LAND VALUE
Packet Page 588 of 640
~~4600~~
4200

REMARKS:	10-18-72 Exterior & Interior Damage
----------	-------------------------------------



M. S. RYAN - BLOCK 17 LOT 12

10/18-72

FISRTORN-BLOCK A LOT-12

EXHIBIT 7
Page 30 of 42

2003-0-200-014-1
2-1-340-004-012-0000

Lot _____

Subdivision Capital View SP#1

U. S. Survey Douglas

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MINOR: 00000000000000000000

Lot 2-1-360-004-012-000

Subdivision Capital View SP#1

U. S. Survey Douglas

1972	Reproduction	Sq. ft. cost
	Depr.	
1	Foundation	Good

12. PORCHES

BIOP	
BIGP	
BICP	
Open Porch	
Closed Porch	
Glazed Porch	
Deck	
Risers	

13. YARD IMPROVEMENTS

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Water Source	City
Sewer Source	City
Cistern	
Driveway	
Sidewalk	
Sidewalk	
Patio	
Fence	
Fence	
Retaining Wall	8' x 8' x 1' 1/2" x 1/2" = 522
Retaining Wall	8' x 8' x 1' 1/2" x 1/2" = 522
Risers	
Fill	

Lump Sums

6 tubs	1 each x 305 = 305
6 faucets	1 each x 255 = 255
6 drains	1 each x 200 = 200
5 kitchen	7.22 x 102 = 736.44
	1163

2x10 Roof

2x10 Floor

Occupancy	SECTION I	SECTION II	SECTION III	SECTION IV
Building class and quality	Math Residence	Basement		
Exterior wall	Dwelling	Basement		
No. of stories & height per story	Cls. Qual. A	Cls. Qual. A	Cls. Qual.	Cls. Qual.
Average floor area	Wied			
Average perimeter	No. 2 Ht. 9'	No. Ht.	No. Ht.	No. Ht.
0. Age and condition	2172	2172		
Marshall & Swift Manual	196	196		
	Age N. Cond. 5	Age N. Cond. 5	Age Cond.	Age Cond.
	Sect. 12p14	Sect. 12p14	Sect.	Sect.
	452	452		

12.16 x 9.94 = 10.94

SECTION I	SECTION II	SECTION III	SECTION IV
1	II	III	IV
12.16	10.94		
7.64	7.64		
2.80	11.58		
2	1		
1.030	1.030		
2.060	1.030		

FINAL CALCULATIONS

0. Refined sq. ft. cost (Line 15 x Line 19)	SECTION I	SECTION II	SECTION III	SECTION IV
1. Current cost multiplier (Sect. 99 p. 3)	26.37	11.93		
2. Local multiplier (Sect. 99 p. 5 & 6)	1.07	1.07		
3. Final sq. ft. cost (Line 20 x Line 1.22)	1.50	1.50		
4. Area (Back of this form)	42.32	19.15		
5. Line 23 x (24)	2122*	2172*		
6. Lump sums (Line 32) Extra Bathroom Fixtures	91,819	41,594		
7. REPLACEMENT COST (Line 25 + Line 26)	1,163			
8. Depreciation % (Sect. 97)	93,082	41,594		
9. Depreciation amount (Line 27 x Line 28)	New	New		
0. DEPRECIATED COST (Line 27 - Line 29)	93,082	41,594		
1. Replacement cost				
Insurable value				

134,676

134,676

OPERATIONS AND PROCEDURES

Inspection	SP	Performed By	Date
Classification	SP		10/12/72
Calculation	SP		12/12/72
Review			12/12/72

BUILDING AREA CALCULATION

Floor/Part	Width	Length	Area	Height	Perimeter
(1) (2) (3)	38	54	2052"	9'	174'
(4) (2) (3)	6	20	120"	9'	52'
			2172"		

Scale 1/4" = 1'

12 1/2'

38'

Use Zone: RML

Unit Price:

INFLUENCES:		PLUS	MINUS	LAND VALUE COMPUTATIONS				
Depth				Subject Land Value				
Topography				Appraisal Year	1976	1977	1978	1979
Size				Base Lot Value	7000 $\times$ @ 1.75/ft		12250	12250
Site Prep				Plus	Minus	Total		
Drainage				7361 $\times$ @ 2.00/ft =		14720	14720	—
Physical Barriers				361 $\times$ @ 60¢/ft =			216	216
Access				4 $\times$ @ 1000			4000	4000
Corner				1 $\times$ @ 13		1240	1297	1297
Water				Net Adjust	+	—		
Sewer				Adjusted Land Value	15966	16017	17763	17763
Item 13				Adjusted L.V. $\div$ Base L.V.	%	%	%	%
Paving		12.46						
Other				Remarks:	Packet Page 591 of 640			
TOTAL								
Net + (—)								

REMARKS:

MT 6-17-77 Same
5-11-78 No Change IP

YEAR		OWNER	ASSESSED VALUATION			REASON FOR CHANGE
			Land	Bldgs.	Total	
1975	Bo. Asbjorn & Else M		6,400	108,800	115,200	
1976		✓	16000	165900	181900	
1977		✓	16000	175300	191300	
78		✓	17800	175300	193100	
79	✓		17800	183,300	201100	

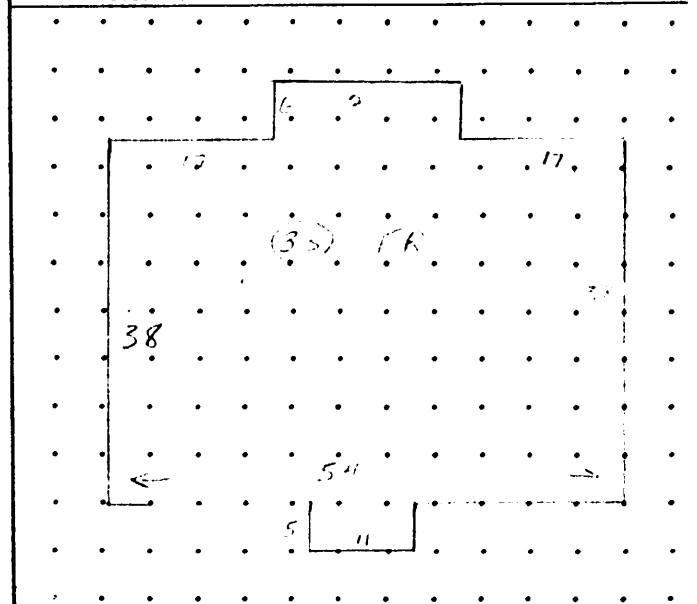
PLACE PICTURE HERE

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Notes:

Perimeter

Scale $\frac{1}{4}" = 5$ Ft.



2-1-346-00A-012-
30, ASRJORN & ELSE M
BOX 1987 650
HAWAII AK 96999-0824

EXHIBIT 7
Property Address Douglas Hwy
Date Built 1972
Reproduction
Sq. ft. cost
Depr.
Foundation GOOD

Parcel No. 2-1-346-00A-012
Lot 12 Block A
Subdivision Capital View
U.S. Survey Douglas
Packet Page 592 of 640

Observed Physical Condition GOOD Exterior GOOD Interior GOOD
BUILDING TYPE AND USE
Apt. 5 Office Loft
Hotel Store
Church Bank
Theater Garage
Gas Station Industrial
Warehouse Greenhouse
Hospital Restaurant
1. FOUNDATION
Concrete
Concrete Block
Wood Posts
Mud Sills
Piling
No. Size Length
2. BASEMENT
None
Full Height
Partial x S.F.
Unfurnished Parking
Storage - Utility
Apartment
Office
Floor
3. FRAME
Wood Steel
Conc. Block Brick
Reinforced Concrete
Fireproofed Steel
Conc. Panels
4. EXTERIOR
Wood Metal
Stucco
Conc. Block Brick
Conc. Reinf.
Other
Fenestration GOOD
Trim
None Minimum
Some Extensive
5. ROOF
Flat Gable Hip
Shakes Shingle
Built-Up Comp.
Aluminum G.I.
Roll Tar Paper
Concrete
Reinf. Conc.
6. INTERIOR
Open Stud
Wallboard
Plasterboard
Plaster
Concrete Block
Other
7. FLOORS
Dirt Wood
Conc. on Grade
Conc. on Grade, Reinf.
Reinf. Conc., Supported
Tile
Carpet
8. HEAT
None Space Heater
Hot Air, Forced
Hot Water
Combination Heat & Cooling
Air Conditioning
FIREPLACES
1st Floor Type
Basement Type
9. PLUMBING
None Minimum
Adequate Good
10. ELECTRICAL
Romex Conduit
Minimum Lights & Fixtures
Adequate Lights & Fixtures
Good Fixtures
Excellent Fixtures
Building Elevators
Type No. Cap. # Floor
Passenger
Freight
12. PORCHES
BIOP
BIGP
BICP
Open Porch
Closed Porch
Glazed Porch
Deck
Risers
CAN/LDS - 5x11-55 2.79x11-54
13. YARD IMPROVEMENTS
Water Source C174
Sewer Source C174
Cistern
Driveway ASP - Pav - 2240x50x75x11x156 = 1297
Sidewalk
Sidewalk
Patio
Fence
Fence
Retaining Wall
Retaining Wall
Risers
Fill
ASP Pav 2240x40x75x11x154 = 1449
DEPR. .14
1246
Disturbance 335x5 = 1675
range - 400x5 = 2100 = 4300, 111x157 = 7494
+ 360
7794
Road - 105x5 = 525
Concrete 278x108 = 300

8-14-78
1977 79-10
4. Occupancy
5. Building class and quality
6. Exterior wall
7. No. of stories & height per story
8. Average floor area
9. Average perimeter
10. Age and condition
Marshall & Swift Manual
SECTION I SECTION II SECTION III SECTION IV
Multiple 21416 multiple 21416
Cls. Qual. AV Cls. Qual. AV Cls. Qual. AV Cls. Qual. AV
Wood 1.000 1.000
No. 3 Ht. 9' No. 2 Ht. 7' No. 2 Ht. 7' No. 1 Ht. 9'
2172 2172 2172 2172
196 196 196 196
Age 4 Cond. 5 Age 7 Cond. 5 Age 7 Cond. 5 Age 7 Cond. 5
Sect. 12 P14 Sect. 12 P14 Sect. 12 P14 Sect. 12 P14
12.95 15.45 17.37 15.63
14.92 15.45 18.32 16.58
3 2 1
1.000 1.000 .948 .948
3 2 1.90 .948
20. Refined sq. ft. cost (Line 15 x Line 19)
21. Current cost multiplier (Sect. 99 p. 3)
22. Local multiplier (Sect. 99 p. 5 & 6)
23. Final sq. ft. cost (Line 20 x Line 21 x Line 22)
24. Area (Back of this form)
25. Line 23 x 24
26. Lump sums (Line 32)
27. REPLACEMENT COST (Line 25 + Line 26)
28. Depreciation % (Sect. 97) 100
29. Depreciation amount (Line 27 x Line 28)
30. DEPRECIATED COST (Line 27 - Line 29)
31. Replacement cost
Insurable value
SECTION I SECTION II SECTION III SECTION IV
44.76 32.46 34.81 15.72
1.11 1.00 1.11 1.11
1.54 1.54 1.57 1.57
76.51 82.65 60.66 27.40
2172 2172 2172 2172
166186 179576 131754 59573
6458 6458 7994 7994
172.644 186.468 139748 59573
165738 179576 128568 54752
Total Building Appraisal
Total Land Appraisal
TOTAL APPRAISED VALUE \$ 165,740
SECTION I SECTION II SECTION III SECTION IV
Total Building Appraisal
Total Land Appraisal
TOTAL APPRAISED VALUE \$

2-1-346-00A-012-
311, ASBURN & ELSE W
BOX 1222 600
HINCHAK 90900

EXHIBIT 7
Property Address Douglas Hwy

Date Built	1972	Reproduction
		Sq. ft. cost
		Depr.

Parcel No. 2-1-346-00A-012
Lot 12 Block A
Subdivision Capital View
U.S. Survey Douglas

Observed Physical Condition GOOD Exterior GOOD Interior GOOD Foundation GOOD

BUILDING TYPE AND USE		4. EXTERIOR	7. FLOORS	12. PORCHES
Apt. <u>5</u> Office Loft	Wood ☒ Metal	Dirt Wood	Conc. on Grade	BIOP
Hotel Store	Stucco	Conc. on Grade, Reinf.	Reinf. Conc., Supported	BIGP
Church Bank	Conc. Block Brick	Tile ☒	Carpet ☒	BICP
Theater Garage	Conc. Reinf.	8. HEAT		Open Porch
Gas Station Industrial	Other	None Space Heater		Closed Porch
Warehouse Greenhouse	Fenestration <u>GOOD</u>	Hot Air, Forced		Glazed Porch
Hospital Restaurant	Trim	Hot Water ☒		Deck
	None Minimum	Combination Heat & Cooling		Risers
	Some ☒ Extensive	Air Conditioning		<u>CAN/LDG - 5x11-55 2x77x11 54</u>
1. FOUNDATION	5. ROOF	FIREPLACES <u>NONE</u>		13. YARD IMPROVEMENTS
Concrete ☒	Flat ☒ Gable Hip	1st Floor Type		Water Source <u>CITY</u>
Concrete Block	Shakes Shingle	Basement Type		Sewer Source <u>CITY</u>
Wood Posts	Built-Up ☒ Comp.			Cistern
Mud Sills	Aluminum G.I.			Driveway <u>ASP - 10' - 22'4" x 15'0" x 7.5' x 11' x 15'6" = 1297</u>
Piling	Roll Tar Paper			Sidewalk
No. Size Length	Concrete	9. PLUMBING		Sidewalk
	Reinf. Conc.	None Minimum		
2. BASEMENT		Adequate ☒ Good		
None ☒	6. INTERIOR	10. ELECTRICAL		
Full Height	Open Stud	Romex ☒ Conduit		
Partial x S.F.	Wallboard	Minimum Lights & Fixtures		
Unfurnished Parking	Plasterboard ☒	Adequate Lights & Fixtures		
Storage - Utility	Plaster	Good Fixtures		
Apartment	Concrete Block	Excellent Fixtures		
Office	Other			
Floor		Building Elevators <u>NONE</u>		
3. FRAME		Type No. Cap. # Floors		
Wood ☒ Steel		Passenger		
Conc. Block Brick		Freight		
Reinforced Concrete	Story Height <u>13' - 9"</u>			
Fireproofed Steel	<u>2nd - 9"</u>			
Conc. Panels	<u>3rd - 9"</u>			

4. Occupancy 5. Building class and quality 6. Exterior wall 7. No. of stories & height per story 8. Average floor area 9. Average perimeter 10. Age and condition Marshall & Swift Manual	SECTION I	SECTION II	SECTION III	SECTION IV	SECTION I	SECTION II	SECTION III	SECTION IV
	<u>MULTIPLE</u>	<u>MULTIPLE</u>	<u>MULTIPLE</u>	<u>BRICK</u>	Cls. Qual.	Cls. Qual.	Cls. Qual.	Cls. Qual.
	Cls. Qual. <u>AV.</u>	Cls. Qual. <u>AV.</u>	Cls. Qual. <u>AV.</u>	Cls. Qual. <u>AV.</u>	No. Ht.	No. Ht.	No. Ht.	No. Ht.
	<u>WOOD</u>	<u>WOOD</u>	<u>WOOD</u>	<u>WOOD</u>	Age Cond.	Age Cond.	Age Cond.	Age Cond.
	No. 3 Ht. 9'	No. 2 Ht. 9'	No. 2 Ht. 9'	No. 1 Ht. 9'				
	2172	2172	2172	2172				
	196	196	196	196				
	Age 4 Cond. 5	Age 7 Cond. 5	Age 7 Cond. 5	Age 7 Cond. 5				
	Sect. 12. P14	Sect. 12. P14	Sect. 12. P14	Sect. 12. P14				
11. BASE SQUARE FOOT COST	SECTION I	SECTION II	SECTION III	SECTION IV	SECTION I	SECTION II	SECTION III	SECTION IV
SQUARE FOOT REFINEMENTS	13.95	15.15	17.37	15.63				
12. Heating, cooling, ventilation	.77	.77	1.95	.95				
13. Elevator deduction								
14. Miscellaneous								
15. Total lines 11 through 14	14.72	15.92	18.32	16.58				
HEIGHT AND SIZE REFINEMENTS								
16. Number of stories-multiplier	3	2	1	1				
17. Height per story-multiplier (see Line 7)	1	1.0	1.0	1.0				
18. Floor area-perimeter multiplier (see Lines 8 & 9)	1.000	.948	.948	.948				
19. Combined ht. & size multiplier (Lines 16x17x18)	3	1.90	.948	.948				
FINAL CALCULATIONS								
20. Refined sq. ft. cost (Line 15 x Line 19)	44.76	31.46	34.81	15.72				
21. Current cost multiplier (Sect. 99 p. 3)	1.11	1.05	1.11	1.11				
22. Local multiplier (Sect. 99 p. 5 & 6)	1.54	1.56	1.57	1.57				
23. Final sq. ft. cost (1. 20 x 1. 21 x 1. 22)	76.51	22.65	60.66	27.40				
24. Area (Back of this form)	2172	2172	2172	2172				
25. Line 23 x 24	166186	179710	131754	59513				
26. Lump sums (Line 32)	6458	853	7994					
27. REPLACEMENT COST (Line 25 + Line 26)	172644	186468	139748	59513				
28. Depreciation % (Sect. 97) <u>AV</u>	.04	.05	.08	.08				
29. Depreciation amount (Line 27 x Line 28)	6985.76	9322.44	11179.84	4761.04				
30. DEPRECIATED COST (Line 27 - Line 29)	165658.24	177145.56	128568.16	54751.96				
31. Replacement cost								
Insurable value								
	Total Building Appraisal							
	Total Land Appraisal							
	TOTAL APPRAISED VALUE \$							

79 = 183,320

2DU04020AU140
CAPITAL VIEW BL A L 12
BO ASBJORN TRUSTEE
MARIT FAMILY TRUST
PO BOX 240650
DOUGLAS AK 99824-0650

EXHIBIT 7

OBSERV
Good ☐
OBSERV
Good ☐
OBSERV
Good ☐
OBSERV
Good ☐

Date Built 1972

1508 353

Parcel No. 2-1-140-100-12
Block
Lot

BUILDING TYPE & USE		4. EXTERIOR	8. HEAT
☒ Apt. ☐ Office ☐ Loft	☐ Wood ☐ Metal	☐ None ☐ Space Heater	
☐ Hotel ☐ Store	☐ Stucco	☐ Hot Air, Forced	
☐ Church ☐ Bank	☐ Conc. Block ☐ Brick	☒ Hot Water	
☐ Theater ☐ Garage	☐ Concrete Reinforced	☐ Comb. Heat & Cooling	
☐ Gas Statn. ☐ Industrial	☐ Other	☐ Air Conditioning	
☐ Warehse. ☐ Greenhouse	☒ Fenestration <i>Good Avg</i>	FIREPLACES	
☐ Hospital ☐ Restaurant	☐ Trim	☐ 1st Floor _____ Typ	
	☐ None ☐ Minimum	☐ Basemnt. _____ Typ	
	☐ Average ☐ Extensive		
1. FOUNDATION		5. ROOF	9. PLUMBING
☒ Concrete	☒ Flat ☐ Gable ☐ Hip	Number of Fixtur	
☐ Concrete Block	☐ Shakes ☐ Shingle	☐ Store	
☐ Wood Posts	☒ Built-up ☐ Comp.	☐ Garage	
☐ Piling	☐ Aluminum ☐ G.I.	☐ Warehouse	
No. Size Length	☐ Roll ☐ Tar Paper	☐ Apts. 3F 2F 1F	
	☐ Concrete		
	☐ Reinforced Concrete	<i>Adequate</i>	
2. BASEMENT		6. INTERIOR	
☐ None	☐ Open Stud	☐ Rms. 3F 2F 1F	
☒ Full Height	☐ Wallboard		
☐ Partial x S.F.	☒ Plasterboard		
☐ Unfinished Parking	☐ Plaster		
☐ Storage ☐ Utility	☐ Concrete Block	☐ Extra Fixtures	
☐ Apartment	☐ Other	☐ Sauna - Grade	
☐ Office	☐ Story Height		
☐ Floor	☒ Basement 9	10. ELECTRICAL	
	☒ 1st 9	☒ Romex ☐ Condu	
	☒ 2nd 9	☐ Min. Lights & Fixt	
3. FRAME		☒ Adqt. Lights & Fixt	
☒ Wood ☐ Steel	7. FLOORS	☐ Good Fixtures	
☐ Conc. Block ☐ Brick	☐ Dirt ☐ Wood	☐ Excellent Fixtures	
☐ Reinforced Concrete	☐ Concrete on Grade	☐ Building Elevators	
☐ Fireproofed Steel	☐ Conc. on Grade, Reinf.	Type No. Cap. # F	
☐ Concrete Panels	☐ Reinf. Conc., Supported	☐ Pass.	
	☐ Tile	☐ Frgt.	
	☒ Carpet		

Packet Page 595 of 640

Lump Sums. *81* *Sept 12 p 11*
 $5.540 \times 445 \times 1.02 \times 1.48 = 3,359$
 $5.44F 110 \times 1.02 \times 1.48 = 830$
 $5.0W 395 \times 1.02 \times 1.48 = 2,991$
 $OP 55 \times 25 \times 22.82 \times 1.02 \times 1.48 = 7644$
82 $6.540 \times 445 \times 1.10 \times 1.50 = 4406$
 $6.44F 110 \times 1.10 \times 1.50 = 1089$
 $6.0W 395 \times 1.10 \times 1.50 = 3911$
 $60 \times 55 \times 25 \times 22.82 \times 1.10 \times 1.50 = 518$
81 $6X(470+125+435) \times 1.02 \times 1.54 = 9793$
 $1.08 \times 1.52 = 10145$
89 $OP 55 \times 24.12 \times 25 \times 1.08 \times 1.54 = 603$
 $1.08 \times 1.52 = 612$

	Year <i>87</i>	Year <i>88</i>	Year <i>89</i>	Year <i>90</i>	Year	Year	Year	Year
	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION
4. Occupancy	<i>Mult</i>							
5. Building class and quality	<i>Wood</i>							
6. Exterior Wall								
7. No. of stories & height per story	<i>No. 3 Ht. 9</i>							
8. Average floor area	<i>2172</i>							
9. Average perimeter	<i>196</i>							
10. Age and condition	<i>Ag. 13 Con. Sect. 12-10</i>							
Marshall & Swift Manual	<i>45 yr</i>							
11. BASE SQUARE FOOT COST	<i>28,80</i>		<i>30,27</i>					
SQUARE FOOT REFINEMENTS								
12. Heating, cooling, ventilation	<i>1.40</i>		<i>1.11</i>					
13. Elevator deduction								
14. Miscellaneous								
15. Total lines 11 through 14	<i>30,20</i>		<i>31,67</i>					
HEIGHT AND SIZE REFINEMENTS								
16. Number of stories-multiplier	<i>3</i>							
17. Height per story-multiplier (see Line 7)	<i>1</i>							
18. Floor area-perimeter multiplier (see Lines 8 & 9)	<i>.959</i>							
19. Combined ht. & size multiplier (Lines 16x17x18)	<i>21877</i>		<i>2,277</i>					
FINAL CALCULATIONS								
20. Refined sq. ft. cost (Line 15 x Line 19)	<i>26.89</i>		<i>91.11</i>					
21. Current cost multiplier (Sect. 99, p. 3)	<i>.98</i>		<i>1.00</i>					
22. Local multiplier (Sect. 99, p. 5 & 6)	<i>1.53</i>		<i>1.53</i>					
23. Final sq. ft. cost (l. 20 x l. 21 x l. 22)	<i>130,28</i>		<i>139,16</i>					
24. Area	<i>2172</i>		<i>2172</i>					
25. Line 23 x 24	<i>282,968</i>		<i>302,772</i>					
26. Lump sums (Line 32)	<i>9186</i>		<i>9998</i>					
27. REPLACEMENT COST (Line 25 + Line 26)	<i>292,154</i>	<i>292,154</i>	<i>312,770</i>					
28. Depreciation % (Sect. 97)	<i>.17</i>	<i>.19 PLV</i>	<i>.21</i>					
29. Depreciation amount (Line 27 - Line 29)	<i>66</i>	<i>130 PLO</i>	<i>.15</i>	<i>5%</i>				
30. DEPRECIATED COST (Line 27 - Line 29)	<i>227,938</i>	<i>148,999</i>	<i>210,028</i>	<i>234,738</i>				
31. Total Building Appraisal								

EXHIBIT 7

Size: 70 x 100

Area: 7000 ft^2 0.1667

Use Zone:

Valuation Code:

Land Use:

Unit Price: 25¢ 50¢

Year of Valuation: 1970

Basic Land Value

Plus or (Minus) Factors $+ 879$

Net Price of Land

Remarks:

LAND VALUE
Packet Page 596 of 640

REMARKS: 10-17-72 - Int of Elton's Log. ELP

PICTURE:

2-20-72 L1 Ext Insp-BC

2 of Dec.

10-35 = 55.97 or 56% in 11

12-13-73 Int + EXT Eng = 100% OK

1st apparent change = K 8/19/25



150 D-3
BLOCK D LOT-3

Permits _____

Date Built 72-73

Reproduction _____

Sq. ft. cost _____

Depr. _____

Observed Physical Condition _____

Exterior GOOD

Interior GOOD

Foundation GOOD

BUILDING TYPE AND USE

4. EXTERIOR

7. FLOORS

12. PORCHES

1. FOUNDATION

2. BASEMENT

3. FRAME

5. ROOF

6. INTERIOR

9. PLUMBING

10. ELECTRICAL

13. YARD IMPROVEMENTS

Water Source CITY

Sewer Source CITY

Cistern _____

Driveway _____

Sidewalk _____

Sidewalk _____

Patio _____

Fence _____

Fence _____

Retaining Wall 8" x 7' x 8' h = 56

Retaining Wall 8" x 7' x 12' h = 84

Retaining Wall 8" x 25' x 3' h = 75

Fill _____

Building Elevators

Type _____ No. _____ Cap. _____ # Floors _____

Passenger _____

Freight _____

4. Occupancy

5. Building class and quality

6. Exterior wall

7. No. of stories & height per story

8. Average floor area

9. Average perimeter

10. Age and condition

Marshall & Swift Manual

SECTION I

SECTION II

SECTION III

SECTION IV

11. BASE SQUARE FOOT COST

SQUARE FOOT REFINEMENTS

12. Heating, cooling, ventilation

13. Elevator deduction

14. Miscellaneous

15. Total lines 11 through 14

HEIGHT AND SIZE REFINEMENTS

16. Number of stories-multiplier

17. Height per story-multiplier (see Line 7)

18. Floor area-perimeter multiplier (see Lines 8 & 9)

19. Combined ht. & size multiplier (Lines 16x17x18)

FINAL CALCULATIONS

20. Refined sq. ft. cost (Line 15 x Line 19)

21. Current cost multiplier (Sect. 99 p. 3)

22. Local multiplier (Sect. 99 p. 5 & 6)

23. Final sq. ft. cost (l. 20 x l. 21 x l. 22)

24. Area (Back of this form)

25. Line 23 x 24

26. Lump sums (Line 32)

27. REPLACEMENT COST (Line 25 + Line 26)

28. Depreciation % (Sect. 97)

29. Depreciation amount (Line 27 x Line 28)

30. DEPRECIATED COST (Line 27 — Line 29)

31. Replacement cost

Insurable value

OPERATIONS AND PROCEDURES

Performed By _____

Date _____

Inspection _____

Classification _____

Calculation _____

Review _____

BUILDING AREA CALCULATION

Square Feet — Ground Area

Floor/Part

Width

Length

Area

Height

Perimeter

Scale _____ Ft.

SECTION I

SECTION II

SECTION III

SECTION IV

12.80

11.58

13.30

5.42

1.00

1.00

1.06

1.05

1.50

1.50

1.50

1.50

19.20

17.37

20.99

10.575

42.64

21.32

42.64

21.32

818.68

37032

89540

22546

818.68

37032

89540

22546

1.56

1.56

1.56

1.56

45846

20737

89540

22546

36022

16275

89540

22546

Total Building Appraisal

112100

Total Land Appraisal

44400

TOTAL APPRAISED VALUE

\$ 116,500

EXHIBIT 7

Size: 10 X 100

Area: 7,000 sq. ft. 0.1607 ac.

Use Zone: RMT

General	Land Description:
---------	-------------------

Land Use:

Unit Price:

INFLUENCES:		PLUS	MINUS	LAND VALUE COMPUTATIONS				
Depth				Subject Land Value				
Topography				Appraisal Year	1976	1977	1978	1979
Size				Base Lot Value				
Site Prep				Plus	Minus	Total		
Drainage				7000 ft ² @ \$1.75/ft ² =	12,250	12250	12250	12250
Physical Barriers				item # 13	538	2487	2487	2487
Access				5 units @ 1000			5000	5000
Corner								
Water				Net Adjust	+	-		
Sewer				Adjusted Land Value	12778	14737	19737	19737
Item 13		528		Adjusted L.V. ÷ Base L.V.	%	%	%	%
Paving								
Other				Remarks:				
TOTAL								
Net + (-)								

REMARKS: 8-19-75 Group CK

MT 6-12-22 Same

5-18-78 No Apparent Change JP

8. 17-78 for Semi basement used factor of 90% of above Ground unit price, ^{for} 1976 & 1977
Factor of .80% was used, which is factor for a full Basement Apt.

YEAR	OWNER	ASSESSED VALUATION			REASON FOR CHANGE
		Land	Bldgs.	Total	
1975	Bo. Ashjorne	4,400	112,100	116,500	
1976	✓	12,800	149,400	162,200	
1977	✓	14700	153,200	167900	
78	✓	19800	153,200	173000	
79	✓	19800	177,800	197600	

PLACE PICTURE HERE

BUILDING AREA CALCULATION			
Square Feet — Ground Area			
Floor or Part	Width	Length	Area
1-2 B	38	54	2052
	4	80	80
			<u>2132</u>
TOTAL AREA			

Notes:

Perimeter

Scale $\frac{1}{4}'' = 5$ Ft.



RO-ASR JORNE 8/19/75 LOT 3-BLK-D

Bo Construction 20.3 2-12-73

EXHIBIT 7

Water Source CITY

Sewer Source CITY

Cistern

ASP Pav - 124.12 x 8.55 = 1061.136

ASP Pav - 8" - 564 x 6.55 = 3686.2

8" - 854 x 6.55 = 5594.1

8" - 754 x 6.55 = 4941.1

101.1 - 248.1

Lump Sums

EXHIBIT 7
Page 41 of 42

Owner
2D04020D0030
CAPITAL VIEW BL D LT 3
MARIT BO FAMILY TRUST
ASBJORN BO TRUSTEE
PO BOX 240650
DOUGLAS AK 99824-0650

YEAR	EXHIBIT 7
	OBSERV Good ☐
	OBSERV Good ☐
	OBSERV Good ☐
	OBSERV Good ☐

BUILDING TYPE & USE	4. EXTERIOR	8. HEAT
☒ Apt. ☐ Office ☐ Loft	☒ Wood ☐ Metal	☐ None ☐ Space Heater
☐ Hotel ☐ Store	☐ Stucco	☐ Hot Air, Forced
☐ Church ☐ Bank	☐ Conc. Block ☐ Brick	☒ Hot Water
☐ Theater ☐ Garage	☐ Concrete Reinforced	☐ Comb. Heat & Cooling
☐ Gas Statn. ☐ Industrial	☐ Other	☐ Air Conditioning
☐ Warehse. ☐ Greenhouse	☐ Fenestration	FIREPLACES
☐ Hospital ☐ Restaurant	☐ Trim	☐ 1st Floor _____ T
6 units	☐ None ☐ Minimum	☐ Basemnt. _____ T
1. FOUNDATION	☐ Average ☐ Extensive	
☒ Concrete	5. ROOF	9. PLUMBING
☐ Concrete Block	☒ Flat ☐ Gable ☐ Hip	Number of Fixtures
☐ Wood Posts	☐ Shakes ☐ Shingle	Lump Sums <i>Plumber</i>
☐ Piling	☒ Built-up ☐ Comp.	5 DW HIF SIO = 7750
No. Size Length	☐ Aluminum ☐ G.I.	OP SKIN = 550
	☐ Roll ☐ Tar Paper	5300
	☐ Concrete	
2. BASEMENT	☐ Reinforced Concrete	<i>Adapted</i>
☐ None	6. INTERIOR	
☒ Full Height 9'	☐ Open Stud	☐ Rms. 3F 2F 1F NF
☐ Partial x S.F.	☐ Wallboard	
☐ Unfinished Parking	☒ Plasterboard	
☐ Storage ☐ Utility	☐ Plaster	
☐ Apartment	☐ Concrete Block	☐ Extra Fixtures
☐ Office	☐ Other	☐ Sauna - Grade
☐ Floor	☐ Story Height	
	☐ Basement	10. ELECTRICAL
3. FRAME	☐ 1st	☒ Romex ☐ Conduit
☒ Wood ☐ Steel	☐ 2nd	☐ Min. Lights & Fixtures
☐ Conc. Block ☐ Brick	7. FLOORS	☒ Adqt. Lights & Fixtures
☐ Reinforced Concrete	☐ Dirt ☐ Wood	☐ Good Fixtures
☐ Fireproofed Steel	☐ Concrete on Grade	☐ Excellent Fixtures
☐ Concrete Panels	☐ Conc. on Grade, Reinf.	☐ Building Elevators
	☐ Reinf. Conc., Supported	Type No. Cap. # Flrs. <i>(6) 5300 x 120 = 6360</i>
	☐ Tile	☐ Pass.
	☒ Carpet	☐ Frgt.

Packet Page 600 of 640

	Year <i>99</i>	Year	Year <i>00</i>	Year	Year	Year	Year	Year
	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION	SECTION
4. Occupancy	Cls. Qual.	Cls. Qual.	Cls. Qual.	Cls. Qual.	Cls. Qual.	Cls. Qual.	Cls. Qual.	Cls. Qual.
5. Building class and quality	No. Ht.	No. Ht.	No. Ht.	No. Ht.	No. Ht.	No. Ht.	No. Ht.	No. Ht.
6. Exterior Wall	Ag. Con. Sect.	Ag. Con. Sect.	Ag. Con. Sect.	Ag. Con. Sect.	Ag. Con. Sect.	Ag. Con. Sect.	Ag. Con. Sect.	Ag. Con. Sect.
7. No. of stories & height per story								
8. Average floor area								
9. Average perimeter								
10. Age and condition								
Marshall & Swift Manual								
11. BASE SQUARE FOOT COST								
SQUARE FOOT REFINEMENTS								
12. Heating, cooling, ventilation								
13. Elevator deduction								
14. Miscellaneous								
15. Total lines 11 through 14								
HEIGHT AND SIZE REFINEMENTS								
16. Number of stories-multiplier								
17. Height per story-multiplier (see Line 7)								
18. Floor area-perimeter multiplier (see Lines 8 & 9)								
19. Combined ht. & size multiplier (Lines 16x17x18)								
FINAL CALCULATIONS								
20. Refined sq. ft. cost (Line 15 x Line 19)								
21. Current cost multiplier (Sect. 99, p. 3)								
22. Local multiplier (Sect. 99, p. 5 & 6)								
23. Final sq. ft. cost (l. 20 x l. 21 x l. 22)								
24. Area								
25. Line 23 x 24								
26. Lump sums (Line 32)								
27. REPLACEMENT COST (Line 25 + Line 26)								
28. Depreciation % (Sect. 97)								
29. Depreciation amount (Line 27 - Line 29)								
30. DEPRECIATED COST (Line 27 - Line 29)								
31. Total Building Appraisal								



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

March 10, 2021

Certified Mail Receipt Number
 7017 3380 0000 4580 4246

A & S Rentals LLC
 2339 Meadow Lane
 Juneau, AK 99801

Parcel No: 2D04020D0020
 Case No.: ENF20210015

Subject: Zoning Compliance Order
1506 Second Street, Capital View Block D Lot 2

On November 5, 2020, the City & Borough of Juneau (CBJ) issued a *Nonconforming Certificate* for 1506 Second Street to Glenn Bo, the owner and trustee of the Asbjorn and Marit Bo Trust. Based on staff's analysis and findings, the certificate was issued to determine nonconforming residential density and parking. The findings included analysis for the number of dwelling units and parking that are certified nonconforming. The remaining situation, two dwelling units, was not certified and deemed noncompliant. A & S Rentals LLC is being notified as the owner listed on the attached Deed of Trust, recorded on February 10, 2021, and the responsible party to bring the structure into compliance. This Compliance Order requires your immediate attention and action. You are on notice that the CBJ intends to pursue legal action to secure your compliance with the order and with CBJ Title 49, as necessary.

Relevant Facts

The nonconforming certification application was for a six-unit dwelling. The 1972 building permit application located in the parcel file approved construction of a four-unit dwelling, as was the maximum permissible under the zoning district at the time of the 1972 application. Current zoning regulations allow for three dwelling units. One unit is legally nonconforming per the 1972 building permit application. The current and historical zoning regulations would not permit the construction of a six-unit apartment building on this property, and there is no record granting approval to construct or alter the structure to create two additional dwelling units. Please see the attached November 5, 2020 Nonconforming Certificate, NCC2020 0066 containing the full details and findings provided by the Director.

Violation

CBJ 49.25.400, the Table of Dimensional Standards sets the required dimensional standards for properties according to the zoning district. A minimum of 2,500 square feet is required per dwelling unit for the property located in a D18 zoning district. The lot is approximately 7,000 square feet, which allows three units. One additional unit was approved in 1972 with Building Permit 8841, and found nonconforming and certified with NCC2020 0066. The additional two dwellings remain in violation and are noncompliant.

Enclosed Public Record

Enclosed are copies of the public records that establish your ownership of the property, as well as your ownership of the licensed business represented on the Deed. Also included are the CBJ's GIS parcel details, verifying the property location in a D18 zoning district and other relevant information.

1. Warranty Deed, Capital View Block D Lot 2, according to the official plat, filed under plat number 448, records of the Juneau Recording District, file no.: 0231-3636274
2. CBJ GIS Parcel Tax ID 2D04020D0020 Detail
3. A & S Rentals, LLC Entity 10149162 Details, State of Alaska, Dept. of Commerce, Community & Economic Development, Division of Corporations, Business & Professional Licensing

As the legal owner of 1506 Second Street, you are directed to comply with CBJ 49.25.400.

YOU ARE SPECIFICALLY ORDERED TO:**On or before the close of business on March 19, 2021**

- Provide a proposed Action Plan and Schedule to Community Development Department that will:
 - Identify two units that you select for decommissioning.
 - Communicate the lease termination date or lease run out date for affected tenants.
 - Specify the renovation / demolition and completion schedule.

On or before the close of business on July 30, 2021

- Upon approval of your proposed Action Plan and Schedule, submit a demolition application to the Community Development Department, and provide a before and after floorplan of the decommissioned dwelling units.
- Schedule an inspection upon completion in compliance with CBJ 19.01.110 Certificate of Occupancy.

This office may accept the proposed Action Plan and Schedule with or without modification or request for more information, or may issue its own Action Plan and Schedule. In any event, the approved Action Plan and Schedule will be considered a separate, binding and independently enforceable Compliance Order.

This Compliance Order is a lawful order of the Community Development Department under CBJ 49.10.620.

You may appeal this order to the Planning Commission, as provided below, by completing and filing a Notice of Appeal of the Directors Determination **within 15 days** of receipt of this order. The failure to file a notice of appeal within this timeframe waives your right to appeal this order.

Right to Appeal this Compliance Order.

CBJ Title 49.10.620

(d) Within 15 days after receipt, the recipient may request a hearing before the commission to review the compliance order. Failure to request a hearing within 15 days after the receipt of a compliance order constitutes a waiver of the recipient's right of review.

(e) The commission shall hold a hearing within 20 days after receipt of a request for one under subsection (d) of this section. After the hearing, the commission may rescind, modify or affirm the compliance order.

(f) Appeal from a decision of the commission shall be to the assembly in accordance with the provisions of section 49.20.120.

(g) The city attorney may seek enforcement of a compliance order.

You are also advised that while this enforcement action is directed at CBJ Title 49 Land Use violations, nothing in this order preclude the CBJ from separately enforcing Title 19 Building Regulations and/or Title 36 Health and Sanitation code violations if the conditions of the property present additional violations.

If you have questions regarding this Compliance Order, please contact me at 907-586-0752 between the hours of 8:00 AM and 4:30 PM Monday through Friday. If you do not reach me directly you may leave a voicemail and I will return your call.

Sincerely,



Nate Watts
Code Compliance Officer
(907) 586-0752
Nate.Watts@juneau.org

cc: Jill Maclean, AICP, Community Development Director
Charlie Ford, Building Code Official
Sherri Layne, Assistant City Attorney



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

NONCONFORMING CERTIFICATE

Date: November 5, 2020
 File No.: NCC2020 0066

Asbjorn and Marit Bo Trust
 ATTN: Glenn Bo
 6748 North Point Drive
 Fruitport, MI 49415

Proposal: A Nonconforming Certification Review for residential density and parking.

Property Address: 1506 Second St.
 Property Legal Description: Capital View Block D Lot 2
 Property Parcel Code No.: 2D04020D0020

The Director of Community Development adopted the analysis and findings listed in the attached memorandum dated November 5, 2020, and has found the following situations on the lot to be certified nonconforming to the Title 49 Land Use Code of the City and Borough of Juneau:

- Nonconforming Residential Densities (49.30.240):
 - One dwelling unit is nonconforming
- Nonconforming Parking (49.30.270):
 - Number of off-street parking spaces: Six off-street parking spaces are provided; 9.5 are required

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

The Director of Community Development adopted the analysis and findings lists in the attached memorandum dated November 5, 2020, and has found the following situations on the lot to be NONCOMPLIANT to the Title 49 Land Use Code:

- Noncompliant Residential Densities (49.30.240):
 - Two unpermitted dwelling units are noncompliant. The property owner must bring the structure into compliance with the Land Use Code.

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

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

Project Planner:



Joseph Meyers, Planner
Community Development Department



Jill Maclean, Director, AICP
Community Development Department

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



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

March 10, 2021

Certified Mail Receipt Number
 7017 3380 0000 4580 4246

A & S Rentals LLC
 2339 Meadow Lane
 Juneau, AK 99801

Parcel No: 2D04020A0140
 Case No.: ENF20210015

Subject: Zoning Compliance Order
1508 Third Street, Capital View Block A Lot 12

On November 5, 2020, the City & Borough of Juneau (CBJ) issued a *Nonconforming Certificate* for 1508 Third Street to Glenn Bo, the owner and trustee of the Asbjorn and Marit Bo Trust. Based on staff's analysis and findings, the certificate was issued to determine nonconforming residential density and parking. The findings included analysis for the number of dwelling units and parking that are certified nonconforming. The remaining single dwelling unit was not certified and was deemed noncompliant. A & S Rentals LLC is being notified as the owner listed on the attached Deed of Trust, recorded on February 10, 2021, and the responsible party to bring the structure into compliance. This Compliance Order requires your immediate attention and action. You are on notice that the CBJ intends to pursue legal action to secure your compliance with the order and with CBJ Title 49, as necessary.

Relevant Facts

The nonconforming certification application was for a six-unit dwelling. The 1972 building permit application located in the parcel file approved construction of a five-unit dwelling. Current zoning regulations allow for three dwelling units. Two units are legally nonconforming per the 1972 building permit application. The current and historical zoning regulations would not permit the construction of a six-unit apartment building on this property, and there is no record granting approval to construct or alter the structure to create the additional sixth dwelling unit. Please see the attached dated November 5, 2020 Nonconforming Certificate, NCC2020 0065 containing the full details and findings provided by the Director.

Violation

CBJ 49.25.400, the Table of Dimensional Standards sets the required dimensional standards for properties according to the zoning district. A minimum of 2,500 square feet is required per dwelling unit for the property located in a D18 zoning district. The lot is approximately 7,000 square feet, which allows three units. Two additional units were approved in 1972 with Building Permit 8575, and found nonconforming and certified with NCC2020 0065. The one additional dwellings remains in violation and is noncompliant.

Enclosed Public Record

Enclosed are copies of the public records that establish your ownership of the property, as well as your ownership of the licensed business represented on the Deed. Also included are the CBJ's GIS parcel details, verifying the property location in a D18 zoning district and other relevant information.

1. Warranty Deed, Capital View Block A Lot 12, according to the official plat, filed under plat number 448, records of the Juneau Recording District, file no.: 0231-3636274
2. CBJ GIS Parcel Tax ID 2D04020A0140 Detail
3. A & S Rentals, LLC Entity 10149162 Details, State of Alaska, Dept. of Commerce, Community & Economic Development, Division of Corporations, Business & Professional Licensing

As the legal owner of 1508 Third Street, you are directed to comply with CBJ 49.25.400.

YOU ARE SPECIFICALLY ORDERED TO:**On or before the close of business on March 19, 2021**

- Provide a proposed Action Plan and Schedule to Community Development Department that will:
 - o Identify one unit that you select for decommissioning.
 - o Communicate the lease termination date or lease run out date for affected tenants.
 - o Specify the renovation / demolition and completion schedule.

On or before the close of business on July 30, 2021

- Upon approval of your proposed Action Plan and Schedule, submit a demolition application to the Community Development Department, and provide a before and after floorplan of the decommissioned dwelling units.
- Schedule an inspection upon completion in compliance with CBJ 19.01.110 Certificate of Occupancy.

This office may accept the proposed Action Plan and Schedule with or without modification or request for more information, or may issue its own Action Plan and Schedule. In any event, the approved Action Plan and Schedule will be considered a separate, binding and independently enforceable Compliance Order.

This Compliance Order is a lawful order of the Community Development Department under CBJ 49.10.620.

You may appeal this order to the Planning Commission, as provided below, by completing and filing a Notice of Appeal of the Directors Determination **within 15 days** of receipt of this order. The failure to file a notice of appeal within this timeframe waives your right to appeal this order.

Right to Appeal this Compliance Order.

CBJ Title 49.10.620

(d) Within 15 days after receipt, the recipient may request a hearing before the commission to review the compliance order. Failure to request a hearing within 15 days after the receipt of a compliance order constitutes a waiver of the recipient's right of review.

(e) The commission shall hold a hearing within 20 days after receipt of a request for one under subsection (d) of this section. After the hearing, the commission may rescind, modify or affirm the compliance order.

(f) Appeal from a decision of the commission shall be to the assembly in accordance with the provisions of section 49.20.120.

(g) The city attorney may seek enforcement of a compliance order.

You are also advised that while this enforcement action is directed at CBJ Title 49 Land Use violations, nothing in this order preclude the CBJ from separately enforcing Title 19 Building Regulations and/or Title 36 Health and Sanitation code violations if the conditions of the property present additional violations.

If you have questions regarding this Compliance Order, please contact me at 907-586-0752 between the hours of 8:00 AM and 4:30 PM Monday through Friday. If you do not reach me directly you may leave a voicemail and I will return your call.

Sincerely,



Nate Watts
Code Compliance Officer
(907) 586-0752
Nate.Watts@juneau.org

cc: Jill Maclean, AICP, Community Development Director
Charlie Ford, Building Code Official
Sherri Layne, Assistant City Attorney



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

NONCONFORMING CERTIFICATE

Date: November 5, 2020
 File No.: NCC2020 0065

Asbjorn and Marit Bo Trust
 ATTN: Glenn Bo
 6748 North Point Drive
 Fruitport, MI 49415

Proposal: A Nonconforming Certification Review for residential density and parking.

Property Address: 1508 Third St.
 Property Legal Description: Capital View Block A Lot 12
 Property Parcel Code No.: 2D04020A0140

The Director of Community Development adopted the analysis and findings listed in the attached memorandum dated November 5, 2020, and has found the following situations on the lot to be certified nonconforming to the Title 49 Land Use Code of the City and Borough of Juneau:

- Nonconforming Residential Densities (49.30.240):
 - Two dwelling units are nonconforming
- Nonconforming Parking (49.30.270):
 - Number of off-street parking spaces: Six off-street parking spaces are provided

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

The Director of Community Development adopted the analysis and findings lists in the attached memorandum dated November 4, 2020, and has found the following situations on the lot to be NONCOMPLIANT to the Title 49 Land Use Code:

- Noncompliant Residential Densities (49.30.240):
 - One, unpermitted dwelling unit is noncompliant. The property owner must bring the structure into compliance with the Land Use Code.

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

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



Project Planner:

Joseph Meyers, Planner I
Community Development Department

Jill Maclean, Director, AICP
Community Development Department

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



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

March 10, 2021

Certified Mail Receipt Number
 7017 3380 0000 4580 4246

A & S Rentals LLC
 2339 Meadow Lane
 Juneau, AK 99801

Parcel No: 2D04020D0030
 Case No.: ENF20210015

Subject: Zoning Compliance Order
1510 Second Street, Capital View Block D Lot 3

On November 5, 2020, the City & Borough of Juneau (CBJ) issued a *Nonconforming Certificate* for 1510 Second Street to Glenn Bo, the owner and trustee of the Asbjorn and Marit Bo Trust. Based on staff's analysis and findings, the certificate was issued to determine nonconforming residential density and parking. The findings included analysis for the number of dwelling units and parking that are certified nonconforming. The remaining two dwelling units were not certified and were deemed noncompliant. A & S Rentals LLC is being notified as the owner listed on the attached Deed of Trust, recorded on February 10, 2021, and the responsible party to bring the structure into compliance. This Compliance Order requires your immediate attention and action. You are on notice that the CBJ intends to pursue legal action to secure your compliance with the order and with CBJ Title 49, as necessary.

Relevant Facts

The nonconforming certification application was for a six-unit dwelling. The 1972 building permit application located in the parcel file approved construction of a four-unit dwelling, as was the maximum permissible under the zoning district at the time of the 1972 application. Current zoning regulations allow for three dwelling units. One unit is legally nonconforming per the 1972 building permit application. The current and historical zoning regulations would not permit the construction of a six-unit apartment building on this property, and there is no record granting approval to construct or alter the structure to create two additional dwelling units. Please see the attached dated November 5, 2020 containing the full details and findings provided by the Director.

Violation

CBJ 49.25.400, the Table of Dimensional Standards sets the required dimensional standards for properties according to the zoning district. A minimum of 2,500 square feet is required per dwelling unit for the property located in a D18 zoning district. The lot is approximately 7,000 square feet, which allows three units. One additional unit was approved in 1972 with Building Permit 8842, and found nonconforming and certified with NCC2020 0067. The additional two dwellings remain in violation and are noncompliant.

Enclosed Public Record

Enclosed are copies of the public records that establish your ownership of the property, as well as your ownership of the licensed business represented on the Deed. Also included are the CBJ's GIS parcel details, verifying the property location in a D18 zoning district and other relevant information.

1. Warranty Deed, Capital View Block D Lot 3, according to the official plat, filed under plat number 448, records of the Juneau Recording District, file no.: 0231-3636274
2. CBJ GIS Parcel Tax ID 2D04020D0030 Detail
3. A & S Rentals, LLC Entity 10149162 Details, State of Alaska, Dept. of Commerce, Community & Economic Development, Division of Corporations, Business & Professional Licensing

As the legal owner of 1510 Second Street, you are directed to comply with CBJ 49.25.400.

YOU ARE SPECIFICALLY ORDERED TO:**On or before the close of business on March 19, 2021**

- Provide a proposed Action Plan and Schedule to Community Development Department that will:
 - Identify two units that you select for decommissioning.
 - Communicate the lease termination date or lease run out date for affected tenants.
 - Specify the renovation / demolition and completion schedule.

On or before the close of business on July 30, 2021:

- Upon approval of your proposed Action Plan and Schedule, submit a demolition application to the Community Development Department, and provide a before and after floorplan of the decommissioned dwelling units.
- Schedule an inspection upon completion in compliance with CBJ 19.01.110 Certificate of Occupancy.

This office may accept the proposed Action Plan and Schedule with or without modification or request for more information, or may issue its own Action Plan and Schedule. In any event, the approved Action Plan and Schedule will be considered a separate, binding and independently enforceable Compliance Order.

This Compliance Order is a lawful order of the Community Development Department under CBJ 49.10.620.

You may appeal this order to the Planning Commission, as provided below, by completing and filing a Notice of Appeal of the Directors Determination **within 15 days** of receipt of this order. The failure to file a notice of appeal within this timeframe waives your right to appeal this order.

Right to Appeal this Compliance Order.

CBJ Title 49.10.620

(d) Within 15 days after receipt, the recipient may request a hearing before the commission to review the compliance order. Failure to request a hearing within 15 days after the receipt of a compliance order constitutes a waiver of the recipient's right of review.

(e) The commission shall hold a hearing within 20 days after receipt of a request for one under subsection (d) of this section. After the hearing, the commission may rescind, modify or affirm the compliance order.

(f) Appeal from a decision of the commission shall be to the assembly in accordance with the provisions of section 49.20.120.

(g) The city attorney may seek enforcement of a compliance order.

You are also advised that while this enforcement action is directed at CBJ Title 49 Land Use violations, nothing in this order preclude the CBJ from separately enforcing Title 19 Building Regulations and/or Title 36 Health and Sanitation code violations if the conditions of the property present additional violations.

If you have questions regarding this Compliance Order, please contact me at 907-586-0752 between the hours of 8:00 AM and 4:30 PM Monday through Friday. If you do not reach me directly you may leave a voicemail and I will return your call.

Sincerely,



Nate Watts
Code Compliance Officer
(907) 586-0752
Nate.Watts@juneau.org

cc: Jill Maclean, AICP, Community Development Director
Charlie Ford, Building Code Official
Sherri Layne, Assistant City Attorney



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

NONCONFORMING CERTIFICATE

Date: November 5, 2020
 File No.: NCC2020 0067

Asbjorn and Marit Bo Trust
 ATTN: Glenn Bo
 6748 North Point Drive
 Fruitport, MI 49415

Proposal: A Nonconforming Certification Review for residential density and parking.

Property Address: 1510 Second Street
 Property Legal Description: Capital View Block D Lot 3
 Property Parcel Code No.: 2D04020D0030

The Director of Community Development adopted the analysis and findings listed in the attached memorandum dated November 5, 2020, and has found the following situations on the lot to be certified nonconforming to the Title 49 Land Use Code of the City and Borough of Juneau:

- Nonconforming Residential Densities (49.30.240):
 - One dwelling unit is nonconforming
- Nonconforming Parking (49.30.270):
 - Number of off-street parking spaces: Six off-street parking spaces are provided; 9.5 are required

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

The Director of Community Development adopted the analysis and findings lists in the attached memorandum dated November 5, 2020, and has found the following situations on the lot to be NONCOMPLIANT to the Title 49 Land Use Code:

- Noncompliant Residential Densities (49.30.240):
 - Two unpermitted dwelling units are noncompliant. The property owner must bring the structure into compliance with the Land Use Code.

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

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

Project Planner:



Joseph Meyers, Planner I
Community Development Department



Jill Maclean, Director, AICP
Community Development Department

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

WHEN RECORDED MAIL

TO:
First National Bank
Alaska
Corporate
Headquarters
101 West 36th
Avenue, Suite 333
PO Box 100720
Anchorage, AK
99510-0720

3636274**FOR RECORDER'S USE ONLY****DEED OF TRUST**

THIS DEED OF TRUST is dated February 9, 2021, among A & S RENTALS LLC, an Alaska Limited Liability Company, whose address is 2339 MEADOW LANE, JUNEAU, AK 99801 ("Grantor"); First National Bank Alaska, whose address is Corporate Headquarters, 101 West 36th Avenue, Suite 333, PO Box 100720, Anchorage, AK 99510-0720 (referred to below sometimes as "Lender" and sometimes as "Beneficiary"); and First American Title Insurance Company, whose address is 8251 Glacier Highway, Suite A, Juneau, AK 99801 (referred to below as "Trustee").

CONVEYANCE AND GRANT. For valuable consideration, Grantor conveys to Trustee in trust, with power of sale, for the benefit of Lender as Beneficiary, all of Grantor's right, title, and interest in and to the following described real property, together with all existing or subsequently erected or affixed buildings, improvements and fixtures; all easements, rights of way, and appurtenances; all water, water rights and ditch rights (including stock in utilities with ditch or irrigation rights); and all other rights, royalties, and profits relating to the real property, including without limitation all minerals, oil, gas, geothermal and similar matters, **(the "Real Property") located in the Juneau Recording District, First Judicial District, the State of Alaska:**

Lots 2, 3, Block D, and Lot 12, Block A, CAPITAL VIEW SUBDIVISION NO. 1, according to the official plat thereof, filed under Plat Number 448, Records of the Juneau Recording District, First Judicial District, State of Alaska.

The Real Property or its address is commonly known as 1506 AND 1510 2ND STREET, 1508 3RD STREET, DOUGLAS, AK 99824.

CROSS-COLLATERALIZATION. In addition to the Note, this Deed of Trust secures all obligations, debts and liabilities, plus interest thereon, of either Grantor or Borrower to Lender, or any one or more of them, as well as all claims by Lender against Borrower and Grantor or any one or more of them, whether now existing or hereafter arising, whether related or unrelated to the purpose of the Note, whether voluntary or otherwise, whether due or not due, direct or indirect, determined or undetermined, absolute or contingent, liquidated or unliquidated, whether Borrower or Grantor may be liable individually or jointly with others, whether obligated as guarantor, surety, accommodation party or otherwise, and whether recovery upon such amounts may be or hereafter may become barred by any statute of limitations, and whether the obligation to repay such amounts may be or hereafter may become otherwise unenforceable.

Grantor's right, title, and interest in and to the Property and future leases of the Property and all Rents from the Property as security for the Indebtedness. In addition to this assignment under common law, Grantor grants to Lender a Uniform Commercial Code security interest in the Personal Property and Rents. EXHIBIT 3 Page 17 of 33

THIS DEED OF TRUST, INCLUDING THE ASSIGNMENT OF RENTS AND THE SECURITY INTEREST IN THE RENTS AND PERSONAL PROPERTY, IS GIVEN TO SECURE (A) PAYMENT OF THE INDEBTEDNESS AND (B) PERFORMANCE OF ANY AND ALL OBLIGATIONS UNDER THE NOTE, THE RELATED DOCUMENTS, AND THIS DEED OF TRUST. THIS DEED OF TRUST IS GIVEN AND ACCEPTED ON THE FOLLOWING TERMS:

GRANTOR'S REPRESENTATIONS AND WARRANTIES. Grantor warrants that: (a) this Deed of Trust is executed at Borrower's request and not at the request of Lender; (b) Grantor has the full power, right, and authority to enter into this Deed of Trust and to hypothecate the Property; (c) the provisions of this Deed of Trust do not conflict with, or result in a default under any agreement or other instrument binding upon Grantor and do not result in a violation of any law, regulation, court decree or order applicable to Grantor; (d) Grantor has established adequate means of obtaining from Borrower on a continuing basis information about Borrower's financial condition; and (e) Lender has made no representation to Grantor about Borrower (including without limitation the creditworthiness of Borrower).

GRANTOR'S WAIVERS. Grantor waives all rights or defenses arising by reason of any "one action" or "anti-deficiency" law, or any other law which may prevent Lender from bringing any action against Grantor, including a claim for deficiency to the extent Lender is otherwise entitled to a claim for deficiency, before or after Lender's commencement or completion of any foreclosure action, either judicially or by exercise of a power of sale.

PAYMENT AND PERFORMANCE. Except as otherwise provided in this Deed of Trust, Borrower and Grantor shall pay to Lender all Indebtedness secured by this Deed of Trust as it becomes due, and Borrower and Grantor shall strictly perform all their respective obligations under the Note, this Deed of Trust, and the Related Documents.

POSSESSION AND MAINTENANCE OF THE PROPERTY. Borrower and Grantor agree that Borrower's and Grantor's possession and use of the Property shall be governed by the following provisions:

Possession and Use. Until the occurrence of an Event of Default, Grantor may (1) remain in possession and control of the Property; (2) use, operate or manage the Property; and (3) collect the Rents from the Property (this privilege is a license from Lender to Grantor automatically revoked upon default).

Duty to Maintain. Grantor shall maintain the Property in tenantable condition and promptly perform all repairs, replacements, and maintenance necessary to preserve its value.

Compliance With Environmental Laws. Grantor represents and warrants to Lender that: (1) During the period of Grantor's ownership of the Property, there has been no use, generation, manufacture, storage, treatment, disposal, release or threatened release of any Hazardous Substance by any person on, under, about or from the Property; (2) Grantor has no knowledge of, or reason to believe that there has been, except as previously disclosed to and acknowledged by Lender in writing, (a) any breach or violation of any Environmental Laws, (b) any use, generation, manufacture, storage, treatment, disposal, release or threatened release of any Hazardous Substance on, under, about or from the Property by any prior owners or occupants of the Property, or (c) any actual or threatened litigation or claims of any kind by any person relating to such matters; and (3) Except as previously disclosed to and acknowledged by Lender in writing, (a) neither Grantor nor any tenant, contractor, agent or other authorized user of the Property shall use, generate, manufacture, store, treat, dispose of or release any Hazardous Substance on, under, about or from the Property; and (b) any such activity shall be conducted in compliance with all applicable federal, state, and local laws, regulations and ordinances, including without limitation all Environmental Laws. Grantor authorizes Lender and its agents to enter upon the Property to make such inspections and tests, at Grantor's expense, as Lender may deem appropriate to determine compliance of the Property with this section of the Deed of Trust. Any inspections or tests made by Lender shall be for Lender's purposes only and shall not be construed to create any responsibility or liability on the part of Lender to Grantor or to any other person. The representations and warranties contained herein are based on Grantor's due diligence in investigating the Property for Hazardous Substances. EXHIBIT 3 Page 17 of 33

hereby (1) releases and waives any future claims against Lender for indemnity or contribution in the event Grantor becomes liable for cleanup or other costs under any such

claims, losses, liabilities, damages, penalties and expenses which Lender may directly or indirectly sustain or suffer resulting from a breach of this section of the Deed of Trust or as a consequence of any use, generation, manufacture, storage, disposal, release or threatened release occurring prior to Grantor's ownership or interest in the Property, whether or not the same was or should have been known to Grantor. The provisions of this section of the Deed of Trust, including the obligation to indemnify and defend, shall survive the payment of the Indebtedness and the satisfaction and reconveyance of the lien of this Deed of Trust and shall not be affected by Lender's acquisition of any interest in the Property, whether by foreclosure or otherwise.

Nuisance, Waste. Grantor shall not cause, conduct or permit any nuisance nor commit, permit, or suffer any stripping of or waste on or to the Property or any portion of the Property. Without limiting the generality of the foregoing, Grantor will not remove, or grant to any other party the right to remove, any timber, minerals (including oil and gas), coal, clay, scoria, soil, gravel or rock products without Lender's prior written consent.

Removal of Improvements. Grantor shall not demolish or remove any Improvements from the Real Property without Lender's prior written consent. As a condition to the removal of any Improvements, Lender may require Grantor to make arrangements satisfactory to Lender to replace such Improvements with Improvements of at least equal value.

Lender's Right to Enter. Lender and Lender's agents and representatives may enter upon the Real Property at all reasonable times to attend to Lender's interests and to inspect the Real Property for purposes of Grantor's compliance with the terms and conditions of this Deed of Trust.

Compliance with Governmental Requirements. Grantor shall promptly comply with all laws, ordinances, and regulations, now or hereafter in effect, of all governmental authorities applicable to the use or occupancy of the Property, including without limitation, the Americans With Disabilities Act. Grantor may contest in good faith any such law, ordinance, or regulation and withhold compliance during any proceeding, including appropriate appeals, so long as Grantor has notified Lender in writing prior to doing so and so long as, in Lender's sole opinion, Lender's interests in the Property are not jeopardized. Lender may require Grantor to post adequate security or a surety bond, reasonably satisfactory to Lender, to protect Lender's interest.

Duty to Protect. Grantor agrees neither to abandon or leave unattended the Property. Grantor shall do all other acts, in addition to those acts set forth above in this section, which from the character and use of the Property are reasonably necessary to protect and preserve the Property.

DUE ON SALE - CONSENT BY LENDER. Lender may, at Lender's option, declare immediately due and payable all sums secured by this Deed of Trust upon the sale or transfer, without Lender's prior written consent, of all or any part of the Real Property, or any interest in the Real Property. A "sale or transfer" means the conveyance of Real Property or any right, title or interest in the Real Property; whether legal, beneficial or equitable; whether voluntary or involuntary; whether by outright sale, deed, installment sale contract, land contract, contract for deed, community property agreement or community property trust or other trust, leasehold interest with a term greater than three (3) years, lease-option contract, or by sale, assignment, or transfer of any beneficial interest in or to any land trust holding title to the Real Property, or by any other method of conveyance of an interest in the Real Property. If any Grantor is a corporation, partnership or limited liability company, transfer also includes any change in ownership of more than twenty-five percent (25%) of the voting stock, partnership interests or limited liability company interests, as the case may be, of such Grantor. However, this option shall not be exercised by Lender if such exercise is prohibited by federal law or by Alaska law.

TAXES AND LIENS. The following provisions relating to the taxes and liens on the Property are part of this Deed of Trust:

Payment. Grantor shall pay when due (and in all events prior to delinquency) all taxes, special taxes, assessments, charges (including water and sewer), fines and impositions levied against or on account of the Property, and shall pay when due all claims for work done on or for services rendered or material furnished to the Property. Grantor shall maintain the Property free of all liens having priority over or equal to the interest of Lender under this Deed of Trust, except for the lien of taxes and assessments not due and except as otherwise provided in this Deed of Trust.

Right to Contest. Grantor may withhold payment of any tax, assessment, or charge in connection with a good faith dispute over the obligation to pay, so long as Lender's interest

in the Property is not jeopardized. If ~~EXHIBIT 3~~ or is filed as a result of non-payment, Grantor shall within fifteen (15) days after the lien arises or, if a lien is filed, within fifteen (15) days after Grantor has notice of the filing, secure the discharge of the lien, or if requested by Lender, deposit with Lender cash or a sufficient corporate surety bond or other security satisfactory to Lender in an amount sufficient to discharge the lien plus any costs and reasonable attorneys' fees, or other charges that could accrue as a result of a foreclosure or sale under the lien. In any contest, Grantor shall defend itself and Lender and shall satisfy any adverse judgment before enforcement against the Property. Grantor shall name Lender as an additional obligee under any surety bond furnished in the contest proceedings.

Evidence of Payment. Grantor shall upon demand furnish to Lender satisfactory evidence of payment of the taxes or assessments and shall authorize the appropriate governmental official to deliver to Lender at any time a written statement of the taxes and assessments against the Property.

Notice of Construction. Grantor shall notify Lender at least fifteen (15) days before any work is commenced, any services are furnished, or any materials are supplied to the Property, if any mechanic's lien, materialmen's lien, or other lien could be asserted on account of the work, services, or materials. Grantor will upon request of Lender furnish to Lender advance assurances satisfactory to Lender that Grantor can and will pay the cost of such improvements.

PROPERTY DAMAGE INSURANCE. The following provisions relating to insuring the Property are a part of this Deed of Trust.

Maintenance of Insurance. Grantor shall procure and maintain policies of fire insurance with standard extended coverage endorsements on a cash basis for the full insurable value covering all Improvements on the Real Property in an amount sufficient to avoid application of any coinsurance clause, and with a standard mortgagee clause in favor of Lender. Grantor shall also procure and maintain comprehensive general liability insurance in such coverage amounts as Lender may request with Trustee and Lender being named as additional insureds in such liability insurance policies. Additionally, Grantor shall maintain such other insurance, including but not limited to hazard, business interruption, and boiler insurance, as Lender may reasonably require. Policies shall be written in form, amounts, coverages and basis reasonably acceptable to Lender and issued by a company or companies reasonably acceptable to Lender. Grantor, upon request of Lender, will deliver to Lender from time to time the policies or certificates of insurance in form satisfactory to Lender, including stipulations that coverages will not be cancelled or diminished without at least thirty (30) days prior written notice to Lender. Each insurance policy also shall include an endorsement providing that coverage in favor of Lender will not be impaired in any way by any act, omission or default of Grantor or any other person. Should the Real Property be located in an area designated by the Administrator of the Federal Emergency Management Agency as a special flood hazard area, Grantor agrees to obtain and maintain Federal Flood Insurance, if available, for the full unpaid principal balance of the loan and any prior liens on the property securing the loan, up to the maximum policy limits set under the National Flood Insurance Program, or as otherwise required by Lender, and to maintain such insurance for the term of the loan.

Application of Proceeds. Grantor shall promptly notify Lender of any loss or damage to the Property. Lender may make proof of loss if Grantor fails to do so within fifteen (15) days of the casualty. Whether or not Lender's security is impaired, Lender may, at Lender's election, receive and retain the proceeds of any insurance and apply the proceeds to the reduction of the Indebtedness, payment of any lien affecting the Property, or the restoration and repair of the Property. If Lender elects to apply the proceeds to restoration and repair, Grantor shall repair or replace the damaged or destroyed Improvements in a manner satisfactory to Lender. Lender shall, upon satisfactory proof of such expenditure, pay or reimburse Grantor from the proceeds for the reasonable cost of repair or restoration if Grantor is not in default under this Deed of Trust. Any proceeds which have not been disbursed within 180 days after their receipt and which Lender has not committed to the repair or restoration of the Property shall be used first to pay any amount owing to Lender under this Deed of Trust, then to pay accrued interest, and the remainder, if any, shall be applied to the principal balance of the Indebtedness. If Lender holds any proceeds after payment in full of the Indebtedness, such proceeds shall be paid to Grantor as Grantor's interests may appear.

Grantor's Report on Insurance. Upon request of Lender, however not more than once a

(1) the name of the insurer; (2) the risk insured; (3) the amount of the policy, the property insured, the then current replacement value of such property, and the manner of determining that value; and (5) the expiration date of the policy. Grantor shall, upon request of Lender, have an independent appraiser satisfactory to Lender determine the cash value replacement cost of the Property.

LENDER'S EXPENDITURES. If any action or proceeding is commenced that would materially affect Lender's interest in the Property or if Grantor fails to comply with any provision of this Deed of Trust or any Related Documents, including but not limited to Grantor's failure to discharge or pay when due any amounts Grantor is required to discharge or pay under this Deed of Trust or any Related Documents, Lender on Grantor's behalf may (but shall not be obligated to) take any action that Lender deems appropriate, including but not limited to discharging or paying all taxes, liens, security interests, encumbrances and other claims, at any time levied or placed on the Property and paying all costs for insuring, maintaining and preserving the Property. All such expenditures incurred or paid by Lender for such purposes will then bear interest at the rate charged under the Note unless payment of interest at that rate would be contrary to applicable law, in which event such expenses shall bear interest at the highest rate permitted by applicable law from the date incurred or paid by Lender to the date of repayment by Grantor. All such expenses will become a part of the Indebtedness and, at Lender's option, will (A) be payable on demand; (B) be added to the balance of the Note and be apportioned among and be payable with any installment payments to become due during either (1) the term of any applicable insurance policy; or (2) the remaining term of the Note; or (C) be treated as a balloon payment which will be due and payable at the Note's maturity. The Deed of Trust also will secure payment of these amounts. Such right shall be in addition to all other rights and remedies to which Lender may be entitled upon Default.

WARRANTY; DEFENSE OF TITLE. The following provisions relating to ownership of the Property are a part of this Deed of Trust:

Title. Grantor warrants that: (a) Grantor holds good and marketable title of record to the Property in fee simple, free and clear of all liens and encumbrances other than those set forth in the Real Property description or in any title insurance policy, title report, or final title opinion issued in favor of, and accepted by, Lender in connection with this Deed of Trust, and (b) Grantor has the full right, power, and authority to execute and deliver this Deed of Trust to Lender.

Defense of Title. Subject to the exception in the paragraph above, Grantor warrants and will forever defend the title to the Property against the lawful claims of all persons. In the event any action or proceeding is commenced that questions Grantor's title or the interest of Trustee or Lender under this Deed of Trust, Grantor shall defend the action at Grantor's expense. Grantor may be the nominal party in such proceeding, but Lender shall be entitled to participate in the proceeding and to be represented in the proceeding by counsel of Lender's own choice, and Grantor will deliver, or cause to be delivered, to Lender such instruments as Lender may request from time to time to permit such participation.

Compliance With Laws. Grantor warrants that the Property and Grantor's use of the Property complies with all existing applicable laws, ordinances, and regulations of governmental authorities.

Survival of Representations and Warranties. All representations, warranties, and agreements made by Grantor in this Deed of Trust shall survive the execution and delivery of this Deed of Trust, shall be continuing in nature, and shall remain in full force and effect until such time as Borrower's Indebtedness shall be paid in full.

CONDEMNATION. The following provisions relating to condemnation proceedings are a part of this Deed of Trust:

Proceedings. If any proceeding in condemnation is filed, Grantor shall promptly notify Lender in writing, and Grantor shall promptly take such steps as may be necessary to defend the action and obtain the award. Grantor may be the nominal party in such proceeding, but Lender shall be entitled to participate in the proceeding and to be represented in the proceeding by counsel of its own choice all at Grantor's expense, and Grantor will deliver or cause to be delivered to Lender such instruments and documentation as may be requested by Lender from time to time to permit such participation.

Application of Net Proceeds. If all or any part of the Property is condemned by eminent domain proceedings or by any proceeding or purchase in lieu of condemnation, Lender may at its election require that all or any portion of the net proceeds of the award be applied to the Indebtedness or the repair or restoration of the Property. The net proceeds of the

IMPOSITION OF TAXES, FEES AND CHARGES BY GOVERNMENTAL AUTHORITIES. The following provisions relating to governmental taxes, fees and charges are a part of this Deed of Trust:

Current Taxes, Fees and Charges. Upon request by Lender, Grantor shall execute such documents in addition to this Deed of Trust and take whatever other action is requested by Lender to perfect and continue Lender's lien on the Real Property. Grantor shall reimburse Lender for all taxes, as described below, together with all expenses incurred in recording, perfecting or continuing this Deed of Trust, including without limitation all taxes, fees, documentary stamps, and other charges for recording or registering this Deed of Trust.

Taxes. The following shall constitute taxes to which this section applies: (1) a specific tax upon this type of Deed of Trust or upon all or any part of the Indebtedness secured by this Deed of Trust; (2) a specific tax on Borrower which Borrower is authorized or required to deduct from payments on the Indebtedness secured by this type of Deed of Trust; (3) a tax on this type of Deed of Trust chargeable against the Lender or the holder of the Note; and (4) a specific tax on all or any portion of the Indebtedness or on payments of principal and interest made by Borrower.

Subsequent Taxes. If any tax to which this section applies is enacted subsequent to the date of this Deed of Trust, this event shall have the same effect as an Event of Default, and Lender may exercise any or all of its available remedies for an Event of Default as provided below unless Grantor either (1) pays the tax before it becomes delinquent, or (2) contests the tax as provided above in the Taxes and Liens section and deposits with Lender cash or a sufficient corporate surety bond or other security satisfactory to Lender.

SECURITY AGREEMENT; FINANCING STATEMENTS. The following provisions relating to this Deed of Trust as a security agreement are a part of this Deed of Trust:

Security Agreement. This instrument shall constitute a Security Agreement to the extent any of the Property constitutes fixtures, and Lender shall have all of the rights of a secured party under the Uniform Commercial Code as amended from time to time.

Security Interest. Upon request by Lender, Grantor shall take whatever action is requested by Lender to perfect and continue Lender's security interest in the Rents and Personal Property. In addition to recording this Deed of Trust in the real property records, Lender may, at any time and without further authorization from Grantor, file executed counterparts, copies or reproductions of this Deed of Trust as a financing statement. Grantor shall reimburse Lender for all expenses incurred in perfecting or continuing this security interest. Upon default, Grantor shall not remove, sever or detach the Personal Property from the Property. Upon default, Grantor shall assemble any Personal Property not affixed to the Property in a manner and at a place reasonably convenient to Grantor and Lender and make it available to Lender within three (3) days after receipt of written demand from Lender to the extent permitted by applicable law.

Addresses. The mailing addresses of Grantor (debtor) and Lender (secured party) from which information concerning the security interest granted by this Deed of Trust may be obtained (each as required by the Uniform Commercial Code) are as stated on the first page of this Deed of Trust.

FURTHER ASSURANCES; ATTORNEY-IN-FACT. The following provisions relating to further assurances and attorney-in-fact are a part of this Deed of Trust:

Further Assurances. At any time, and from time to time, upon request of Lender, Grantor will make, execute and deliver, or will cause to be made, executed or delivered, to Lender or to Lender's designee, and when requested by Lender, cause to be filed, recorded, refiled, or rerecorded, as the case may be, at such times and in such offices and places as Lender may deem appropriate, any and all such mortgages, deeds of trust, security deeds, security agreements, financing statements, continuation statements, instruments of further assurance, certificates, and other documents as may, in the sole opinion of Lender, be necessary or desirable in order to effectuate, complete, perfect, continue, or preserve (1) Borrower's and Grantor's obligations under the Note, this Deed of Trust, and the Related Documents, and (2) the liens and security interests created by this Deed of Trust as first and prior liens on the Property, whether now owned or hereafter acquired by Grantor. Unless prohibited by law or Lender agrees to the contrary in writing, Grantor shall reimburse Lender for all costs and expenses incurred in connection with the matters referred to in this EXHIBIT 3 Page 24 of 33

Attorney-in-Fact. If Grantor fails to EXHIBIT 3 Page 22 of 33
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paragraph, Lender may do so for and in the name of Grantor and at Grantor's expense. For such purposes, Grantor hereby irrevocably appoints Lender as Grantor's attorney-in-fact for the purpose of making, executing, delivering, filing, recording, and doing all other things as may be necessary or desirable, in Lender's sole opinion, to accomplish the matters referred to in the preceding paragraph.

FULL PERFORMANCE. If Borrower and Grantor pay all the Indebtedness when due, and Grantor otherwise performs all the obligations imposed upon Grantor under this Deed of Trust, Lender shall execute and deliver to Trustee a request for full reconveyance and shall execute and deliver to Grantor suitable statements of termination of any financing statement on file evidencing Lender's security interest in the Rents and the Personal Property. Any reconveyance fee required by law shall be paid by Grantor, if permitted by applicable law.

EVENTS OF DEFAULT. Each of the following, at Lender's option, shall constitute an Event of Default under this Deed of Trust:

Payment Default. Borrower fails to make any payment when due under the Indebtedness.

Other Defaults. Borrower or Grantor fails to comply with or to perform any other term, obligation, covenant or condition contained in this Deed of Trust or in any of the Related Documents or to comply with or to perform any term, obligation, covenant or condition contained in any other agreement between Lender and Borrower or Grantor.

Compliance Default. Failure to comply with any other term, obligation, covenant or condition contained in this Deed of Trust, the Note or in any of the Related Documents.

Default on Other Payments. Failure of Grantor within the time required by this Deed of Trust to make any payment for taxes or insurance, or any other payment necessary to prevent filing of or to effect discharge of any lien.

False Statements. Any warranty, representation or statement made or furnished to Lender by Borrower or Grantor or on Borrower's or Grantor's behalf under this Deed of Trust or the Related Documents is false or misleading in any material respect, either now or at the time made or furnished or becomes false or misleading at any time thereafter.

Defective Collateralization. This Deed of Trust or any of the Related Documents ceases to be in full force and effect (including failure of any collateral document to create a valid and perfected security interest or lien) at any time and for any reason.

Death or Insolvency. The dissolution of Grantor's (regardless of whether election to continue is made), any member withdraws from the limited liability company, or any other termination of Borrower's or Grantor's existence as a going business or the death of any member, the insolvency of Borrower or Grantor, the appointment of a receiver for any part of Borrower's or Grantor's property, any assignment for the benefit of creditors, any type of creditor workout, or the commencement of any proceeding under any bankruptcy or insolvency laws by or against Borrower or Grantor.

Creditor or Forfeiture Proceedings. Commencement of foreclosure or forfeiture proceedings, whether by judicial proceeding, self-help, repossession or any other method, by any creditor of Borrower or Grantor or by any governmental agency against any property securing the Indebtedness. This includes a garnishment of any of Borrower's or Grantor's accounts, including deposit accounts, with Lender. However, this Event of Default shall not apply if there is a good faith dispute by Borrower or Grantor as to the validity or reasonableness of the claim which is the basis of the creditor or forfeiture proceeding and if Borrower or Grantor gives Lender written notice of the creditor or forfeiture proceeding and deposits with Lender monies or a surety bond for the creditor or forfeiture proceeding, in an amount determined by Lender, in its sole discretion, as being an adequate reserve or bond for the dispute.

Breach of Other Agreement. Any breach by Borrower or Grantor under the terms of any other agreement between Borrower or Grantor and Lender that is not remedied within any grace period provided therein, including without limitation any agreement concerning any indebtedness or other obligation of Borrower or Grantor to Lender, whether existing now or later.

Events Affecting Guarantor. Any of the preceding events occurs with respect to any guarantor, endorser, surety, or accommodation party of any of the Indebtedness, EXHIBIT 3 Page 22 of 33
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guarantor, endorser, surety, or accommodation party dies or becomes incompetent, or the guarantor, endorser, surety, or accommodation party revokes or disputes the validity of, or liability under, any Guaranty of the Indebtedness.

Adverse Change. A material adverse change occurs in Borrower's or Grantor's financial condition, or Lender believes the prospect of payment or performance of the Indebtedness is impaired.

Insecurity. Lender in good faith believes itself insecure.

Right to Cure. If any default, other than a default in payment, is curable and if Grantor has not been given a notice of a breach of the same provision of this Deed of Trust within the preceding twelve (12) months, it may be cured if Grantor, after Lender sends written notice to Borrower demanding cure of such default: (1) cures the default within fifteen (15) days; or (2) if the cure requires more than fifteen (15) days, immediately initiates steps which Lender deems in Lender's sole discretion to be sufficient to cure the default and thereafter continues and completes all reasonable and necessary steps sufficient to produce compliance as soon as reasonably practical.

RIGHTS AND REMEDIES ON DEFAULT. If an Event of Default occurs under this Deed of Trust, at any time thereafter, Trustee or Lender may exercise any one or more of the following rights and remedies:

Election of Remedies. Election by Lender to pursue any remedy shall not exclude pursuit of any other remedy, and an election to make expenditures or to take action to perform an obligation of Grantor under this Deed of Trust, after Grantor's failure to perform, shall not affect Lender's right to declare a default and exercise its remedies.

Accelerate Indebtedness. Lender shall have the right at its option without notice to Borrower or Grantor to declare the entire Indebtedness immediately due and payable, including any prepayment penalty which Borrower would be required to pay.

Foreclosure. With respect to all or any part of the Property, Trustee shall have the right to sell the Property pursuant to a non-judicial foreclosure sale and Trustee or Lender shall have the right to sell the Property upon judicial foreclosure, in either case in accordance with and to the full extent provided by applicable law. If the power of sale is invoked, Trustee shall execute a written notice of the occurrence of an Event of Default and of the election to cause the Property to be sold and shall record such notice in each Recording District in which the Property or some part of the Property is located. Trustee shall mail copies of the notice of default, in the manner provided by the laws of Alaska, to Grantor and to such other persons as the laws of Alaska prescribe. Trustee shall give notice of sale and shall sell the Property according to the laws of Alaska. After the lapse of time required by law following the recordation of the notice of default, Trustee, without demand on Grantor, may sell the Property at the time and place and under the terms designated in the notice of sale, in one or more parcels and in such order as Trustee may determine. Trustee may postpone sale of all or any parcel of the Property by public announcement at the time and place of any previously scheduled sale. Lender's or Lender's designee may purchase the Property at any sale.

Trustee shall deliver to the purchaser Trustee's deed conveying the property so sold without any covenant or warranty, expressed or implied. The recitals in the Trustee's deed shall be prima facie evidence of the truth of the statements made in the Trustee's deed. Trustee shall apply the proceeds of the sale in the following order: (a) to all costs and expenses of the sale, including, but not limited to, reasonable Trustee's and attorneys' fees, and cost of title evidence; (b) to all sums secured by this Deed of Trust in such order as Lender, in Lender's sole discretion, directs; and (c) the excess, if any, to the person or persons legally entitled to the excess proceeds.

UCC Remedies. With respect to all or any part of the Personal Property, Lender shall have all the rights and remedies of a secured party under the Uniform Commercial Code.

Collect Rents. Lender shall have the right, without notice to Borrower or Grantor to take possession of and manage the Property and collect the Rents, including amounts past due and unpaid, and apply the net proceeds, over and above Lender's costs, against the Indebtedness. In furtherance of this right, Lender may require any tenant or other user of the Property to make payments of rent or use fees directly to Lender. If the Rents are collected by Lender, then Grantor irrevocably designates Lender as Grantor's attorney-in-fact to endorse instruments received in payment thereof in the name of Grantor and to negotiate the same and collect the proceeds. Payments by tenants or other users to Lender in response to Lender's demand shall satisfy the obligations for which the payments are made, whether or not any proper grounds for the demand existed. Lender may exercise its rights under this subparagraph either in person, by agent, or through a receiver.

possession of all or any part of the Property with the power to protect and preserve the Property, to operate the Property preceding foreclosure or sale, and to collect the Rents from the Property and apply the proceeds, over and above the cost of the receivership, against the Indebtedness. The receiver may serve without bond if permitted by law. Lender's right to the appointment of a receiver shall exist whether or not the apparent value of the Property exceeds the Indebtedness by a substantial amount. Employment by Lender shall not disqualify a person from serving as a receiver.

Tenancy at Sufferance. If Grantor remains in possession of the Property after the Property is sold as provided above or Lender otherwise becomes entitled to possession of the Property upon default of Borrower or Grantor, Grantor shall become a tenant at sufferance of Lender or the purchaser of the Property and shall, at Lender's option, either (1) pay a reasonable rental for the use of the Property, or (2) vacate the Property immediately upon the demand of Lender.

Other Remedies. Trustee or Lender shall have any other right or remedy provided in this Deed of Trust or the Note or available at law or in equity.

Notice of Sale. Lender shall give Grantor reasonable notice of the time and place of any public sale of the Personal Property or of the time after which any private sale or other intended disposition of the Personal Property is to be made. Reasonable notice shall mean notice given at least ten (10) days before the time of the sale or disposition. Any sale of the Personal Property may be made in conjunction with any sale of the Real Property.

Sale of the Property. To the extent permitted by applicable law, Borrower and Grantor hereby waives any and all rights to have the Property marshalled. In exercising its rights and remedies, the Trustee or Lender shall be free to sell all or any part of the Property together or separately, in one sale or by separate sales. Lender shall be entitled to bid at any public sale on all or any portion of the Property.

Attorneys' Fees; Expenses. If Lender institutes any suit or action to enforce any of the terms of this Deed of Trust, Lender shall be entitled to recover such sum as the court may adjudge reasonable as attorneys' fees at trial and upon any appeal. Whether or not any court action is involved or pending, and to the extent not prohibited by law, all reasonable expenses Lender incurs that in Lender's opinion are necessary at any time for the protection of its interest or the enforcement of its rights shall become a part of the Indebtedness payable on demand and shall bear interest at the Note rate unless payment of interest at that rate would be contrary to applicable law, in which event such expenses shall bear interest at the highest rate permitted by applicable law from the date of the expenditure until repaid. Expenses covered by this paragraph include, without limitation, however subject to any limits under applicable law, Lender's reasonable attorneys' fees and Lender's legal expenses whether or not there is a lawsuit, including reasonable attorneys' fees and expenses for bankruptcy proceedings (including efforts to modify or vacate any automatic stay or injunction), appeals, and any anticipated post-judgment collection services, the cost of searching records, obtaining title reports (including foreclosure reports), surveyors' reports, and appraisal fees, title insurance, and fees for the Trustee, to the extent permitted by applicable law. Grantor also will pay any court costs, in addition to all other sums provided by law.

Rights of Trustee. Trustee shall have all of the rights and duties of Lender as set forth in this section.

POWERS AND OBLIGATIONS OF TRUSTEE. The following provisions relating to the powers and obligations of Trustee (pursuant to Lender's instructions) are part of this Deed of Trust:

Powers of Trustee. In addition to all powers of Trustee arising as a matter of law, Trustee shall have the power to take the following actions with respect to the Property upon the written request of Lender and Grantor: (a) join in preparing and filing a map or plat of the Real Property, including the dedication of streets or other rights to the public; (b) join in granting any easement or creating any restriction on the Real Property; and (c) join in any subordination or other agreement affecting this Deed of Trust or the interest of Lender under this Deed of Trust.

Trustee. Trustee shall meet all qualifications required for Trustee under applicable law. In addition to the rights and remedies set forth above, with respect to all or any part of the Property, the Trustee shall, upon default, have the right to sell the Property by notice and non-judicial sale, and Trustee or Lender shall have the right to sell the Property by judicial action and foreclosure sale, in either case in accordance with and to the full extent provided by applicable law.

NOTICES. Unless otherwise provided by applicable law, any notice required to be given under this Deed of Trust, including without limitation any notice of default and any notice of sale shall be given in writing, and shall be effective when actually delivered, when actually received by telefacsimile (unless otherwise required by law), when deposited with a nationally recognized overnight courier, or, if mailed, when deposited in the United States mail, as first class, certified or registered mail postage prepaid, directed to the addresses shown near the beginning of this Deed of Trust. All copies of notices of foreclosure from the holder of any lien which has priority over this Deed of Trust shall be sent to Lender's address, as shown near the beginning of this Deed of Trust. Any party may change its address for notices under this Deed of Trust by giving formal written notice to the other parties, specifying that the purpose of the notice is to change the party's address. For notice purposes, Grantor agrees to keep Lender informed at all times of Grantor's current address. Unless otherwise provided or required by law, if there is more than one Grantor, any notice given by Lender to any Grantor is deemed to be notice given to all Grantors.

FORCE PLACED INSURANCE. Borrower agrees that if Borrower fails to provide any required insurance or fails to continue such insurance in force, Lender may do so at Borrower's expense. In the event Lender initiates the process of obtaining such insurance Borrower agrees to pay Lender, in addition to the expense associated with the force placed insurance, a processing fee of \$125.00. Such fee is fully earned whenever Lender initiates such process regardless of whether the insurance is actually obtained by Lender. The cost of any such insurance and processing fee, at the option of the Lender shall be added to the indebtedness.

MISCELLANEOUS PROVISIONS. The following miscellaneous provisions are a part of this Deed of Trust:

Amendments. This Deed of Trust, together with any Related Documents, constitutes the entire understanding and agreement of the parties as to the matters set forth in this Deed of Trust. No alteration of or amendment to this Deed of Trust shall be effective unless given in writing and signed by the party or parties sought to be charged or bound by the alteration or amendment.

Annual Reports. If the Property is used for purposes other than Grantor's residence, Grantor shall furnish to Lender, upon request, a certified statement of net operating income received from the Property during Grantor's previous fiscal year in such form and detail as Lender shall require. "Net operating income" shall mean all cash receipts from the Property less all cash expenditures made in connection with the operation of the Property.

Caption Headings. Caption headings in this Deed of Trust are for convenience purposes only and are not to be used to interpret or define the provisions of this Deed of Trust.

Merger. There shall be no merger of the interest or estate created by this Deed of Trust with any other interest or estate in the Property at any time held by or for the benefit of Lender in any capacity, without the written consent of Lender.

Governing Law. This Deed of Trust will be governed by federal law applicable to Lender and, to the extent not preempted by federal law, the laws of the State of Alaska without regard to its conflicts of law provisions. This Deed of Trust has been accepted by Lender in the State of Alaska.

Joint and Several Liability. All obligations of Borrower and Grantor under this Deed of Trust shall be joint and several, and all references to Grantor shall mean each and every Grantor, and all references to Borrower shall mean each and every Borrower. This means that each Grantor signing below is responsible for all obligations in this Deed of Trust. With

one or more of the parties is a corporation, partnership, limited liability company, or other entity, it is not necessary for Lender to inquire into the powers of any of the officers, directors, partners, members, or other agents acting or purporting to act on the entity's behalf, and any obligations made or created in reliance upon the professed exercise of such powers shall be guaranteed under this Deed of Trust. EXHIBIT 3 Page 26 of 33

No Waiver by Lender. Lender shall not be deemed to have waived any rights under this Deed of Trust unless such waiver is given in writing and signed by Lender. No delay or omission on the part of Lender in exercising any right shall operate as a waiver of such right or any other right. A waiver by Lender of a provision of this Deed of Trust shall not prejudice or constitute a waiver of Lender's right otherwise to demand strict compliance with that provision or any other provision of this Deed of Trust. No prior waiver by Lender, nor any course of dealing between Lender and Grantor, shall constitute a waiver of any of Lender's rights or of any of Grantor's obligations as to any future transactions. Whenever the consent of Lender is required under this Deed of Trust, the granting of such consent by Lender in any instance shall not constitute continuing consent to subsequent instances where such consent is required and in all cases such consent may be granted or withheld in the sole discretion of Lender.

Severability. If a court of competent jurisdiction finds any provision of this Deed of Trust to be illegal, invalid, or unenforceable as to any circumstance, that finding shall not make the offending provision illegal, invalid, or unenforceable as to any other circumstance. If feasible, the offending provision shall be considered modified so that it becomes legal, valid and enforceable. If the offending provision cannot be so modified, it shall be considered deleted from this Deed of Trust. Unless otherwise required by law, the illegality, invalidity, or unenforceability of any provision of this Deed of Trust shall not affect the legality, validity or enforceability of any other provision of this Deed of Trust.

Successors and Assigns. Subject to any limitations stated in this Deed of Trust on transfer of Grantor's interest, this Deed of Trust shall be binding upon and inure to the benefit of the parties, their successors and assigns. If ownership of the Property becomes vested in a person other than Grantor, Lender, without notice to Grantor, may deal with Grantor's successors with reference to this Deed of Trust and the Indebtedness by way of forbearance or extension without releasing Grantor from the obligations of this Deed of Trust or liability under the Indebtedness.

Time is of the Essence. Time is of the essence in the performance of this Deed of Trust.

Waiver of Homestead Exemption. Grantor hereby releases and waives all rights and benefits of the homestead exemption laws of the State of Alaska as to all Indebtedness secured by this Deed of Trust.

DEFINITIONS. The following capitalized words and terms shall have the following meanings when used in this Deed of Trust. Unless specifically stated to the contrary, all references to dollar amounts shall mean amounts in lawful money of the United States of America. Words and terms used in the singular shall include the plural, and the plural shall include the singular, as the context may require. Words and terms not otherwise defined in this Deed of Trust shall have the meanings attributed to such terms in the Uniform Commercial Code:

Beneficiary. The word "Beneficiary" means First National Bank Alaska, and its successors and assigns.

Borrower. The word "Borrower" means A & S RENTALS LLC, ADAM C BROWN, SAMANTHA K BROWN and ALPINE CONSTRUCTION ENTERPRISES LLC and includes all co-signers and co-makers signing the Note and all their successors and assigns.

Deed of Trust. The words "Deed of Trust" mean this Deed of Trust among Grantor, Lender, and Trustee, and includes without limitation all assignment and security interest provisions relating to the Personal Property and Rents.

Default. The word "Default" means the Default set forth in this Deed of Trust in the section titled "Default".

Environmental Laws. The words "Environmental Laws" mean any and all state, federal and local statutes, regulations and ordinances relating to the protection of human health or the environment, including without limitation the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. Section 9601, et seq. ("CERCLA"), the Superfund Amendments and Reauthorization Act of 1986, Pub. L. No. 99-499 ("SARA"), the Hazardous Materials Transportation Act, 49 U.S.C. Section 1801, et

Event of Default. The words "Event of Default" mean any of the events of default set forth in this Deed of Trust in the events of default section of this Deed of Trust.

Grantor. The word "Grantor" means A & S RENTALS LLC.

Guaranty. The word "Guaranty" means the guaranty from guarantor, endorser, surety, or accommodation party to Lender, including without limitation a guaranty of all or part of the Note.

Hazardous Substances. The words "Hazardous Substances" mean materials that, because of their quantity, concentration or physical, chemical or infectious characteristics, may cause or pose a present or potential hazard to human health or the environment when improperly used, treated, stored, disposed of, generated, manufactured, transported or otherwise handled. The words "Hazardous Substances" are used in their very broadest sense and include without limitation any and all hazardous or toxic substances, materials or waste as defined by or listed under the Environmental Laws. The term "Hazardous Substances" also includes, without limitation, petroleum and petroleum by-products or any fraction thereof and asbestos.

Improvements. The word "Improvements" means all existing and future improvements, buildings, structures, mobile homes affixed on the Real Property, facilities, additions, replacements and other construction on the Real Property.

Indebtedness. The word "Indebtedness" means all principal, interest, and other amounts, costs and expenses payable under the Note or Related Documents, together with all renewals of, extensions of, modifications of, consolidations of and substitutions for the Note or Related Documents and any amounts expended or advanced by Lender to discharge Grantor's obligations or expenses incurred by Trustee or Lender to enforce Grantor's obligations under this Deed of Trust, together with interest on such amounts as provided in this Deed of Trust. Specifically, without limitation, Indebtedness includes all amounts that may be indirectly secured by the Cross-Collateralization provision of this Deed of Trust.

Lender. The word "Lender" means First National Bank Alaska, its successors and assigns.

Note. The word "Note" means the promissory note dated February 9, 2021, in the original principal amount of \$1,190,000.00 from Borrower to Lender, together with all renewals of, extensions of, modifications of, refinancings of, consolidations of, and substitutions for the promissory note or agreement. The maturity date of this Deed of Trust is February 1, 2046. **NOTICE TO GRANTOR: THE NOTE CONTAINS A VARIABLE INTEREST RATE.**

Personal Property. The words "Personal Property" mean all equipment, fixtures, and other articles of personal property now or hereafter owned by Grantor, and now or hereafter attached or affixed to the Real Property; together with all accessions, parts, and additions to, all replacements of, and all substitutions for, any of such property; and together with all issues and profits thereon and proceeds (including without limitation all insurance proceeds and refunds of premiums) from any sale or other disposition of the Property.

Property. The word "Property" means collectively the Real Property and the Personal Property.

Real Property. The words "Real Property" mean the real property, interests and rights, as further described in this Deed of Trust.

Related Documents. The words "Related Documents" mean all promissory notes, credit agreements, loan agreements, environmental agreements, guaranties, security agreements, mortgages, deeds of trust, security deeds, collateral mortgages, and all other instruments, agreements and documents, whether now or hereafter existing, executed in connection with the Indebtedness.

Rents. The word "Rents" means all present and future rents, revenues, income, issues, royalties, profits, and other benefits derived from the Property.

Trustee. The word "Trustee" means First American Title Insurance Company, whose address is 8251 Glacier Highway, Suite A, Juneau, AK 99801 and any substitute or successor trustees.

GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS DEED OF TRUST,
AND GRANTOR AGREES TO ITS TERMS.

GRANTOR:

A & S RENTALS LLC

By: [Signature]

ADAM C BROWN, Member, Manager of A & S
RENTALS LLC

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF Alaska

)

) SS

First JUDICIAL DISTRICT

)

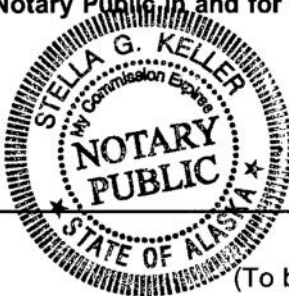
On this 9th day of February, 20 21, before me, the undersigned Notary Public, personally appeared **ADAM C BROWN, Member, Manager of A & S RENTALS LLC**, and known to me to be a member or designated agent of the limited liability company that executed the Deed of Trust and acknowledged the Deed of Trust to be the free and voluntary act and deed of the limited liability company, by authority of statute, its articles of organization or its operating agreement, for the uses and purposes therein mentioned, and on oath stated that he or she is authorized to execute this Deed of Trust and in fact executed the Deed of Trust on behalf of the limited liability company.

By: [Signature]

Residing at Tuneau

Notary Public in and for the State of Alaska

My commission expires 1/22/2024



REQUEST FOR FULL RECONVEYANCE

(To be used only when obligations have been paid in full)

To: _____, Trustee

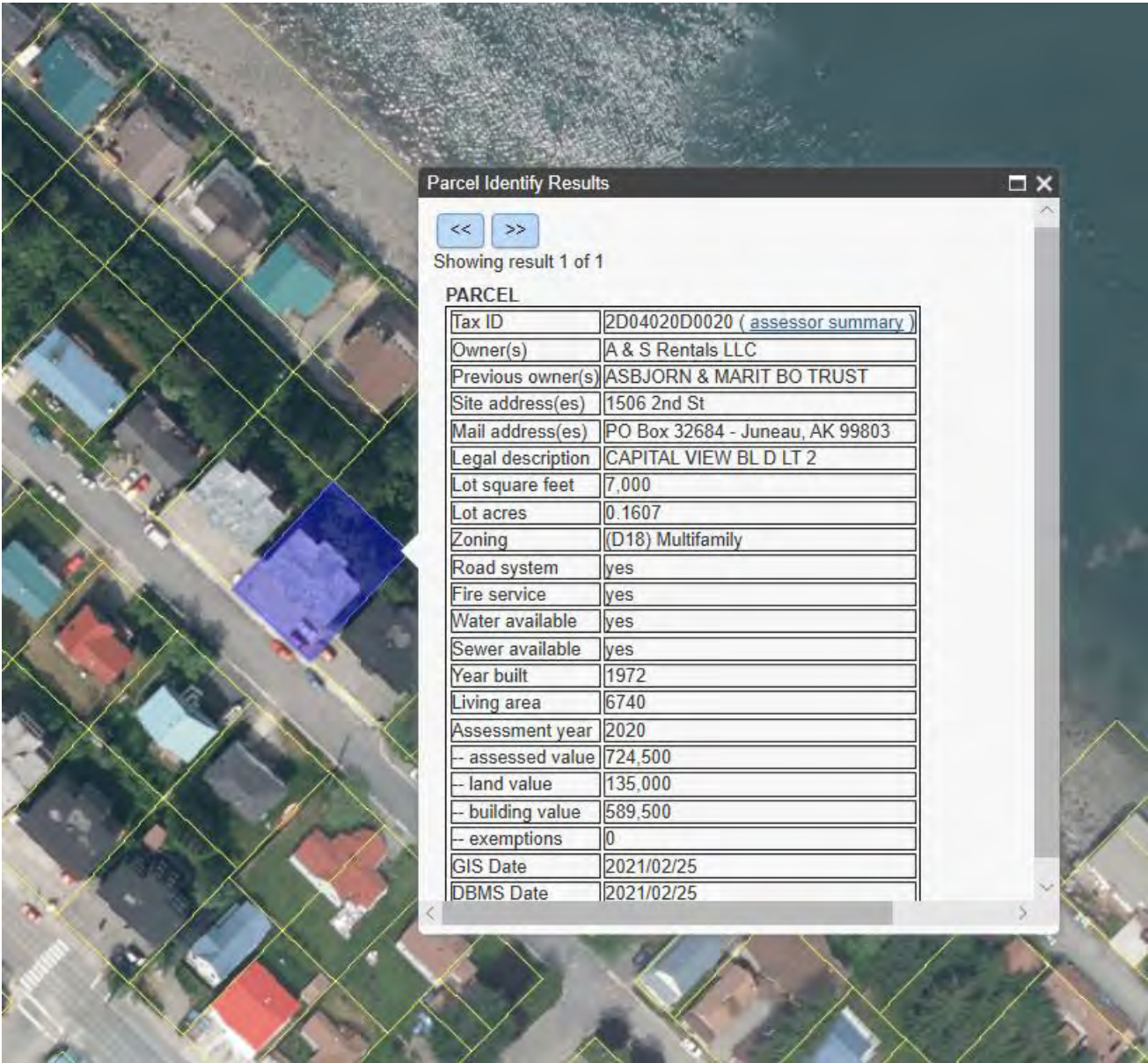
The undersigned is the legal owner and holder of all Indebtedness secured by this Deed of Trust. All sums secured by this Deed of Trust have been fully paid and satisfied. You are hereby directed, upon payment to you of any sums owing to you under the terms of this Deed of Trust or pursuant to any applicable statute, to cancel the Note secured by this Deed of Trust (which is delivered to you together with this Deed of Trust), and to reconvey, without warranty, to the parties designated by the terms of this Deed of Trust, the estate now held by you under this Deed of Trust. Please mail the reconveyance and Related Documents to:

Date: _____

Beneficiary: _____

By: _____

Its: EXHIBIT 3



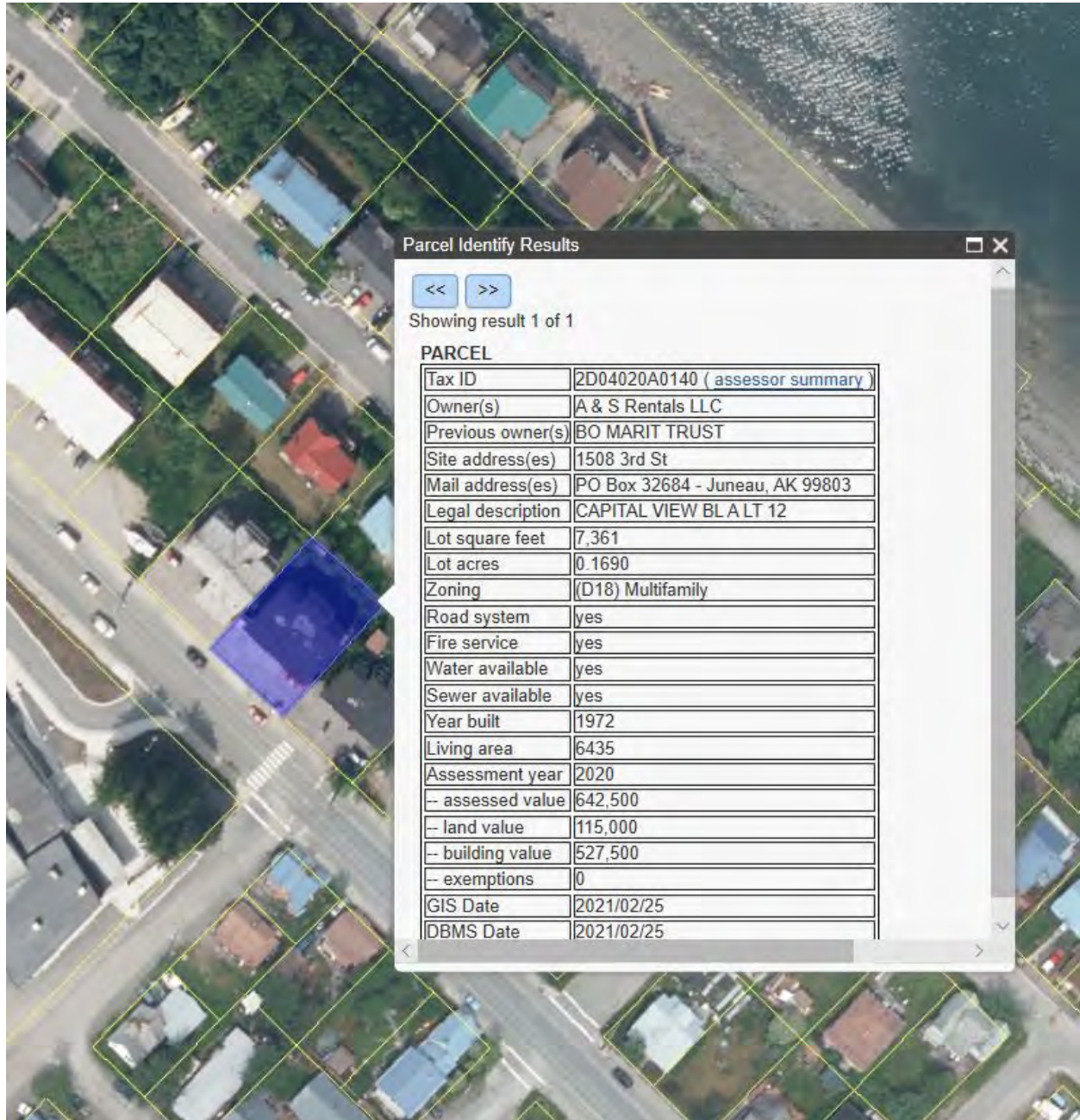
Parcel Identify Results

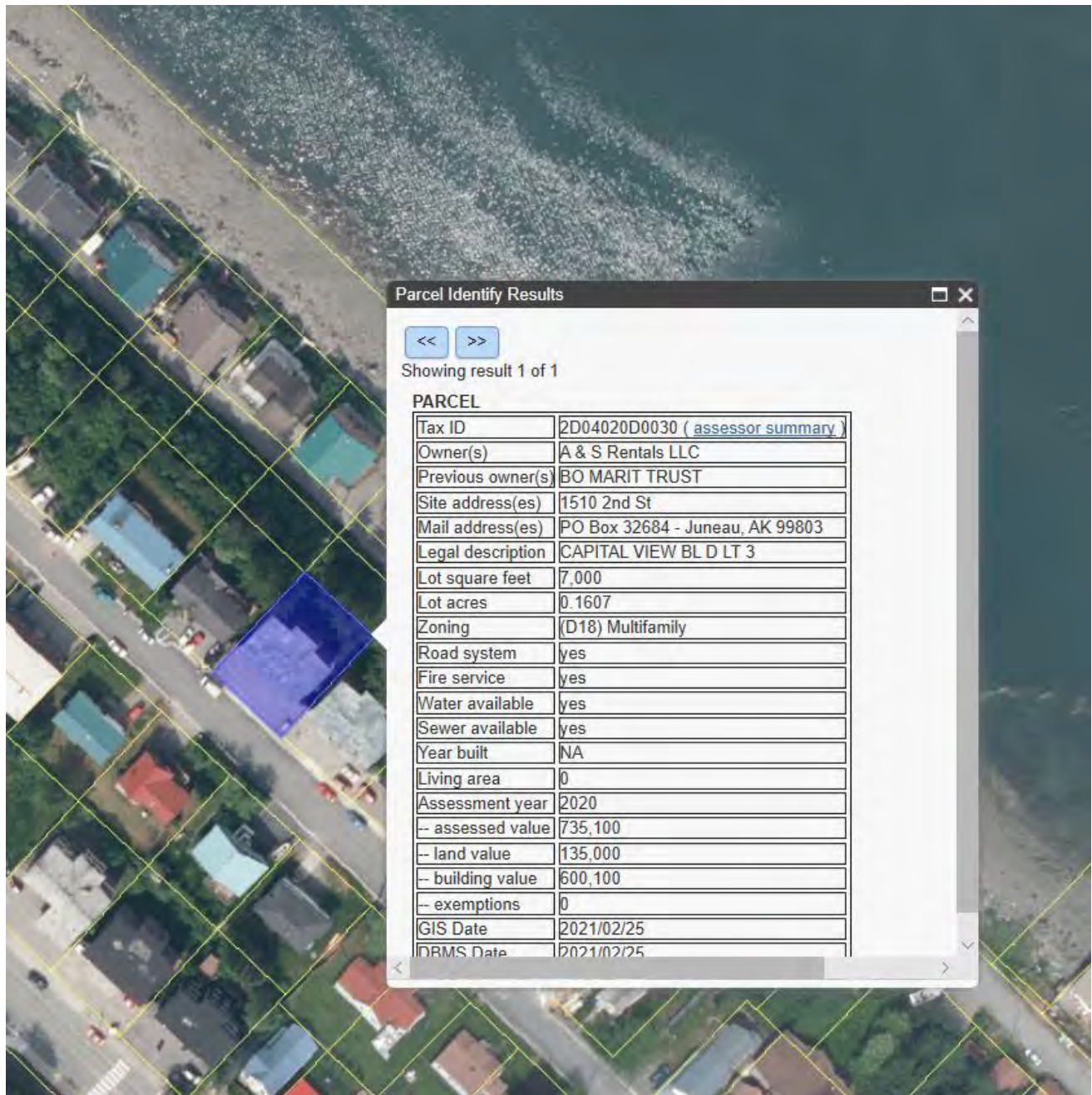
<< >>

Showing result 1 of 1

PARCEL

Tax ID	2D04020D0020 (assessor summary)
Owner(s)	A & S Rentals LLC
Previous owner(s)	ASBJORN & MARIT BO TRUST
Site address(es)	1506 2nd St
Mail address(es)	PO Box 32684 - Juneau, AK 99803
Legal description	CAPITAL VIEW BL D LT 2
Lot square feet	7,000
Lot acres	0.1607
Zoning	(D18) Multifamily
Road system	yes
Fire service	yes
Water available	yes
Sewer available	yes
Year built	1972
Living area	6740
Assessment year	2020
- assessed value	724,500
- land value	135,000
- building value	589,500
- exemptions	0
GIS Date	2021/02/25
DBMS Date	2021/02/25





Department of Commerce, Community, and Economic
Development

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ENTITY DETAILS

Name(s)

Type	Name
Legal Name	A & S RENTALS LLC

Entity Type: Limited Liability Company

Entity #: 10149162

Status: Good Standing

AK Formed Date: 12/3/2020

Duration/Expiration: Perpetual

Home State: ALASKA

Next Biennial Report Due: 1/2/2022

Entity Mailing Address: PO BOX 32684, JUNEAU, AK 99803

Entity Physical Address: 2339 MEADOW LANE, JUNEAU, AK 99801

Registered Agent

Agent Name: Adam Brown

Registered Mailing Address: PO BOX 32684, JUNEAU, AK 99803

Registered Physical Address: 2339 MEADOW LANE, JUNEAU, AK 99801

Officials

☐ Show Former

AK Entity #	Name	Titles	Owned
	Adam Brown	Manager, Member	100.00

Filed Documents

Date Filed	Type	Filing	Certificate
12/03/2020	Creation Filing	Click to View	Click to View
12/04/2020	Initial Report	Click to View	

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

APL2021 0001 - Deliberations on ENF2021 0015 (if necessary)

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

Appeal of VAR2021-0001: Potential Discussion (if necessary)

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

Additional Materials for June 8, 2021 Planning Commission

ATTACHMENTS:

Description	Upload Date	Type
▣ Additional Materials for June 8, 2021 Planning Commission	6/8/2021	Miscellaneous

Additional Materials

Regular Planning Commission Meeting

Virtual Meeting Only

7:00pm

Meeting Date: June 8, 2021

- 1. USE2021 0004, PWP2021 0001, ADP2021 0001, ADP2021 0002, & ADP2021 0003:**
 - a. Public Comment – Susan Hargis, received 5.26.21
 - b. Public Comment – Tim Moore & Nancy Cooperrider, received 6.7.21

From: [Sudie Hargis](#)
To: [PC Comments](#)
Subject: Planning Commission Cases for 275 Irwin St #USE2021-04, PWP2021-01, ADP2021-01, ADP-2021-02, ADP2021-03, ADP2021-04
Date: Wednesday, May 26, 2021 4:12:55 PM

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

I would like to provide input on the Conditional Use Permit and Alternative Development Permits, and Parking Waiver for the property at 275 Irwin Street in downtown Juneau.

I have been a homeowner and resident of this area of downtown Juneau since 1993. I previously owned the 4-plex across the street from this property, as well as resided in that property, and have friends who have lived adjacent to the subject parcel, so I am very familiar with the parcel. I still live in the area, and walk past the property frequently.

I strongly object to an accessory apartment on this undersized lot for a wide variety of reasons.

First, the parcel is undersized, and should not have an apartment or "tiny home" built on it, as it is just too small to properly support a residence.

Second, the parcel is located directly in a complex and dangerous intersection, which frequently has traffic speeding through, uncertainty of drivers who don't know the area and it is not a traditional structure intersection, sometimes passing each other in the intersection, pedestrians in the intersection, and generally not a good location to site a house, particularly without any parking. I have watched accidents occur in this intersection, and many, many near accidents, including to people trying to cross in this area. Any building on this location would be situated right on the street, which is almost always transited by vehicles operating above the speed limit and/or drivers trying to assess traffic risks in a complex traffic zone.

Third, I strongly object to a parking waiver, as any residence in this vehicle-packed neighborhood really needs to have their own parking. We already have residents from this location parking up the hill on Rheinhard street, farther down 12th street and the flats, as well as unauthorized parking in the condominium parking area on Irwin Street. All are parking in these areas due to the lack of parking right where this development is proposed. Additionally, this lot has actually been extensively used for parking by the residents of the property which has owned it, thus demonstrating their need for parking as well as why it shouldn't become a building rather than a parking space.

Fourth, I strongly object to reducing the front yard, eastern, and western side yard setbacks. This property is already "perched" within the property boundaries of neighboring properties, and there has been boundary conflict for more than two

decades amongst the property owners. These neighbors should not now be subject to a building built right on their property lines, obscuring their views, and basically putting a "pod" type of tiny house onto an almost unbuildable space.

Fifth, I object to an additional residence being constructed in a moderate landslide/avalanche area. My understanding is that the CBJ has a prohibition against additional residences within avalanche/mudslide zones. No matter whether there is a prohibition or not, this is an ACTIVE mudslide zone, and as recently as a year or so ago the mud came down from Bathy Creek and onto 12th street. Previous slides have also brought mudslides down onto 12th street and flow into yards and down the street. An additional residence should not be built in this area.

Thank you for considering this input. I can be contacted by CBJ for any questions on this input.

- A. USE2021 0004: A Conditional Use Permit for an accessory apartment on an undersized lot in a moderate landslide/avalanche area
- B. PW P2021 0001: Parking waiver to waive the three (3) required parking spaces for a proposed single-family dwelling and accessory apartment
- C. ADP2021 0001: Alternative Development Permit to reduce the front yard setback from 20 feet to 9 feet 7 inches
- D. ADP2021 0002: Alternative Development Permit to reduce the eastern side yard setback from 5 feet to 2 feet 8 inches.
- E. ADP2021 0003: Alternative Development Permit to reduce the western side yard setback from 5 feet to 2 feet 8 inches.

Warm Regards,
Susan Hargis
PO Box 22493
Juneau, AK 99802
907-321-8300

From: nancy coop <nancycoop@alaska.net>
Sent: Monday, June 07, 2021 11:44 AM
To: PC_Comments
Subject: 275 Irwin St Juneau, AK

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

- A. USE2021 0004: A Conditional Use Permit for an accessory apartment on an undersized lot in a moderate landslide/avalanche area
- B. PWP2021 0001: Parking waiver to waive the three (3) required parking spaces for a proposed single-family dwelling and accessory apartment
- C. ADP2021 0001: Alternative Development Permit to reduce the front yard setback from 20 feet to 9 feet 7 inches
- D. ADP2021 0002: Alternative Development Permit to reduce the eastern side yard setback from 5 feet to 2 feet 8 inches.
- E. ADP2021 0003: Alternative Development Permit to reduce the western side yard setback from 5 feet to 2 feet 8 inches.

"The lot is within the Casey Shattuck Neighborhood Boundary, which is an identified historic neighborhood in the 2020 Historic & Cultural Preservation Plan." *Staff Report*.

To Members of the Planning Commission,

We are the property owners of 1117 A St and 1119 A St. We would like to submit our objections to the Conditional Use Permit, the parking waiver for 3 spaces and the four permits to reduce setbacks at 275 Irwin St.

Parking Waiver

1. The lot at 275 Irwin has been used as spill-over parking since the days of Shirley Kohl's law office at 227 Irwin. The aerial photo included in the staff report shows a vehicle on the lot.
2. It is the rare house in the Flats that doesn't have two vehicles associated with it. Just because this is a walkable neighborhood doesn't mean the tenants won't own vehicles. What happens now is the stub of A Street between 11th and 12th is used for parking from 12th street. Sometimes the vehicles don't move for months. In pre-pandemic times when the Northern Light Church and Co-op Preschool were in full operation, the parking could get pretty tight.
3. If you walk up the alley between 11th and 12th you will see that property owners have had to carve out parking spaces from their backyards.

Conditional Use Permit and setback waivers

1. Much of the charm of the Casey Shattuck Neighborhood is due to the yards and gardens maintained by the property owners. The plans for the structure look like it will be shoe-horned in to the detriment of the surrounding properties. We see it as a source escalating bickering and arguments amongst neighbors.

Thank you for your consideration of our views.

Tim Moore
Nancy Cooperrider
nancycoop@alaska.net
907 321 8020
1117 A St
Juneau, AK 99801