

Agenda

Planning Commission - Regular Meeting City and Borough of Juneau

January 26, 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/98351893348>. 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: 983 5189 3348.

I. ROLL CALL

II. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA

III. APPROVAL OF MINUTES

- A. December 15, 2020 Planning Commission Committee of the Whole Draft Minutes - APPROVED

IV. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION

V. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

VI. ITEMS FOR RECONSIDERATION

VII. CONSENT AGENDA

- A. CSP2020 0012: Complete street and underground utility maintenance (and replacements as necessary) and addition of a sidewalk to one side on Crest Street - TAKEN OFF CONSENT BY THE PLANNING COMMISSION AND RECOMMENDED FOR APPROVAL TO THE ASSEMBLY WITHOUT CHANGES

VIII. UNFINISHED BUSINESS

IX. REGULAR AGENDA

- A. USE2020 0025: Conditional use permit for an accessory apartment on an undersized lot - APPROVED AS RECOMMENDED
- B. PWP2020 0004: Parking waiver of one space for an accessory apartment - APPROVED AS RECOMMENDED

X. BOARD OF ADJUSTMENT

XI. OTHER BUSINESS

- A. Amended Rules of Order Regarding COVID-19 for 2021 - ADOPTED
- B. Subcommittee Assignments

XII. STAFF REPORTS

XIII. COMMITTEE REPORTS

XIV. LIAISON REPORT

XV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS

XVII. EXECUTIVE SESSION

XVIII. SUPPLEMENTAL MATERIALS

- A. Additional Materials for January 26, 2021 Planning Commission Meeting

XIX. ADJOURNMENT

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

December 15, 2020 Planning Commission Committee of the Whole Draft Minutes - APPROVED

ATTACHMENTS:

	Description	Upload Date	Type
▣	December 15, 2020 Planning Commission Committee of the Whole Draft Minutes	1/11/2021	Minutes

Minutes
Planning Commission
Committee of the Whole
CITY AND BOROUGH OF JUNEAU
Michael LeVine, Chairman
December 15, 2020

I. ROLL CALL

Michael LeVine, Chairman, called the Regular Meeting of the City and Borough of Juneau (CBJ) Planning Commission (PC), held virtually via Zoom Webinar and telephonically, to order at 7:03 p.m.

Commissioners present: All Commissioners present via video conferencing – Michael LeVine, Chairman; Nathaniel Dye, Vice Chairman; Paul Voelckers, Clerk; Travis Arndt, Assistant Clerk; Ken Alper; Dan Hickok; Weston Eiler; Josh Winchell; Erik Pedersen

Commissioners absent:

Staff present: Jill Maclean, CDD Director; Irene Gallion, Planner; Alix Pierce, Planner; Allison Eddins, Planner; Sherri Layne, LAW;

Assembly members: Loren Jones, Andi Story

II. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION – Chairman LeVine briefly explained the procedure on the agenda and for public participation

III. PUBLIC PARTICIPATION ON REGULAR AGENDA ITEM

AME2015 0010: Text amendment for the Auke Bay area proposed re-zoning and new Land Use Code regulations

Applicant: City and Borough of Juneau

Location: Auke Bay

Allison Eddins, CDD Planner, presented AME2015 0010.

QUESTIONS FOR STAFF

Mr. Winchell asked for clarification of the neighborhood commercial area requirement of three units per acre. He asked if a house burns down in that area, would they be required to build to three units per acre. Director Maclean answered according to the Nonconforming Ordinance, if

a damage or loss is due to an accident then they can reconstruct to what exists today. If, however, the structure is damaged by choice, then it must be built to conform to the new zoning.

Mr. Hickok asked if the zoning goes through does it make the existing dwellings nonconforming for the purposes of selling. Ms. Maclean explained CBJ does not require nonconforming situations to obtain nonconforming certification unless they are getting a permit directly related to what is nonconforming. Lenders, however, may require the certification even if CBJ does not.

Mr. Eiler disclosed a possible conflict of interest as he is employed by the University of Alaska System and the University of Alaska Southeast could be affected by the zoning. He said he has no financial interest in the matter before the commission tonight and can be neutral and impartial. Mr. LeVine answered that because this is not a decision-making meeting, he can remain and participate.

PUBLIC TESTIMONY

Andy Meiners – 12110 Cross Creek Auke Bay – Mr. Meiners spoke with concerns regarding the Tanner Terrace rezone to Neighborhood Commercial zoning. While he understands that resident properties can be grandfathered in to the current zoning, those properties would be considered nonconforming and owners would have to come before the Commission for approval prior to making any betterment to their homes and he felt that reaches too far.

Mr. Dye asked if Mr. Meiners had any thoughts on the MU3 and how it would work if it was to go in the direction of MU3 zoning rather than a patchwork of zoning districts. Mr. Meiners explained he had not studied the MU3 district so could not opine on that.

Mr. Alper asked Mr. Meiners what would his preference be in the area. Mr. Meiners would like to see a neighborhood centric district.

Karla Allwine – Resides on Fritz Cove Road but owns property in the Auke Bay area – Ms. Allwine asked if a developer meets all the bonus areas of the design requirements, would there be a building allowed to be built to fifty-five feet in that area? Mr. LeVine explained that this was not the time for questions for staff. Ms. Allwine's concern was protecting the view sheds and not allow construction that would block the waterfront view from the uplands.

Mr. Voelckers explained that the waterfront is not part of the height bonus area. Rather, that would only be allowed in the upland areas and asked Ms. Allwine if she had any objections to building heights above fifty-five feet in the uplands. Ms. Allwine did not object to that.

Rick Currier – 12020 Cross Street – Mr. Currier read the letter he submitted to put it onto the record and wanted to echo Mr. Meiners' comments. In the letter, he stated the public comment has been overwhelmingly opposed to the proposed NC rezoning and he expressed concern that he felt residents' voices were not being heard.

Mr. Eiler thanked Mr. Currier for his letter and stated for the record that the Commission is very much interested in public comments.

Mr. Dye asked Mr. Currier to clarify his thoughts on MU3. Mr. Currier answered he does not think anybody is opposed to higher density development in the Auke Bay core. He does not want to see his property rezoned away from allowing a single-family home on his property. Mr. Dye asked Mr. Currier to clarify that he did not have an issue with the MU3 district and its boundaries but with the NC district and the fact that it does not allow single-family homes for new construction. Mr. Currier concurred.

Mr. Winchell asked Mr. Currier if he also wanted single-family dwellings in the upslope and Spalding Creek trailhead. Mr. Currier did not have any problem with developing or going for higher density in the upland area. However, he said he did not think people wanted to walk past coffee shops and T-shirt shops on the way to Spalding Trailhead.

Gerald Quigg – 3870 Bayview Ave, Tanner Terrace – Mr. Quigg spoke in agreement with Mr. Meiners and Mr. Currier and asked for clarification as to what MDR represents in the diagram in the staff report.

Mr. Voelckers asked what he thought about the rest of the plan if Tanner Terrace was removed from the NC. Mr. Currier answered he would like Tanner Terrace to retain its current zoning.

Mr. Dye asked if he would be supportive of the other changes represented in the plan if the boundary was drawn in such a way as to not affect the zoning in Tanner Terrace. Mr. Currier affirmed he would.

Mr. Arndt said in the comprehensive plan, Tanner Terrace is MDR (Medium Density Residential) and asked if their concern was the commercial aspect or the number of units per acre. Mr. Quigg said he thinks the PC is trying to stuff too much into their subdivision.

Ron Flint – 12070 Cross Street – Mr. Flint spoke against the plan stating it makes him angry saying the proposed changes could change the character of their neighborhood. He was concerned about the height allowances stating he had floated a helium balloon at thirty-five feet and his view was slightly restricted. He then floated the balloon at forty-five feet, which is the height that could be allowed with the bonuses, and his view was very obstructed. He further stated that he takes issue with the statements regarding growth in Auke Bay. He does not see it growing.

Mr. Dye asked for a clarification on the height stating there is currently a height restriction of thirty-five feet and the bonus allows for forty-five feet. If the forty-five feet allowance was removed, would Mr. Flint still be against the plan? Mr. Flint said he would.

Mr. Eiler asked for Mr. Flint's view on the expected growth in the Auke Bay area. Mr. Flint described some of the businesses that have left the area and to the turnover of businesses in the area and does not see it growing. He said this seems like "too big a solution" for the area.

Brent Howell – 11430 Joann Way – Mr. Howell said the problem he has is the majority of the land in the area is already developed and people are happy with the zoning as it stands. Mr. Howell said it seems like the change is for the University and the CBJ rather than for the current residents.

Mr. Dye asked what zoning he thinks is appropriate in that area. Mr. Howell said it should be zoned to something similar to the land it borders.

Joanne Schmidt – 3849 Bay View Ave. – Ms. Schmidt said she appreciates the comments from others and feels they need to have a conversation but she supports the plan. She thinks this will be good for the Auke Bay area.

Mr. Winchell asked about the Tanner Terrace issues and asked if she has a problem with that area remaining at D10 zoning. Ms. Schmidt said she has no problem with property owners having say over their property but don't stop her from doing what she wants with hers. Mr. Dye asked if there was something between NC and D10 that makes the property more advantageous for her. Ms. Schmidt did not have a preference.

Dave Klein – 12410 Glacier Highway – Mr. Klein participated in the steering committee meetings and remembers the Tanner Terrace area as being a section that would be left alone. Over time, there have been staff changes in the planning office and the maps have changed. What they are discussing tonight do not seem to reflect the conversations he remembers from the meetings.

Mr. Voelckers asked if the central part of the plan MU3 area comports with the discussions at the meetings. Mr. Klein believed it does.

Mr. Dye asked Mr. Klein if he remembers where the NC boundary was in the earlier working plan. Mr. Klein answered explaining the process of the neighborhood meetings and how the plan developed in the beginning. During the earlier meetings, there were not talking about changing an existing neighborhood.

Jeremy Woodrow – 3875 Seaview Avenue – Mr. Woodrow has submitted a letter and had comments to add. Mr. Woodrow said he supports development in their area but as it is written, this would penalize investors who have purchased commercial property. They had to spend more to purchase commercial property when they could have just bought residential property and waited for it to be rezoned as commercial. There is currently undeveloped commercial property in the area that can be developed without the need for changing residential areas to commercial.

Mr. Dye asked if Mr. Woodrow considers multi-family homes commercial or residential? Mr. Woodrow explained that he looks at it in terms of frequency of traffic in the area and it could be both.

Joshua Adams – 2245 Fritz Cove Road – Mr. Adams felt the Auke Bay plan is really good but it seems more aligned with towns like Chicago or Seaside towns expecting growth but Auke Bay is not like those places. Mr. Adams said if there were more bike paths that would encourage families to move into the area more than what is proposed in the redistrict plan.

Mr. Eiler asked if Mr. Adams takes issue with the plan outside of the transportation issues he mentioned. Mr. Adams suggested adding provisions for bike paths to the bonus points incentives. Mr. Adams added he believes the key to developing the community is not commerce but sustainability.

Mr. Voelckers asked if the mixed-use aspects of the plan fits with his perspective. Mr. Adams said he is all for the plan but he had concerns as to whether we have the commerce to support it.

Erin Howell – 11430 Joanne Way – Ms. Howell said the zoning changes devalues their property and she does not agree with the points system. She took issue with some of the bonuses that can be earned. In particular, the option to lower the parking requirement. She said that will just push the burden of parking onto other properties.

Mr. Eiler asked for clarification how the Auke Bay plan would devalue the property. Ms. Howell said the height restriction going from fifty-five feet to thirty-five feet, the parking requirements and the density changes are the biggest factors as she sees it.

Mr. Dye asked for clarification on the issue with parking saying he is surprised by the resistance to the reduction to the parking requirement. Ms. Howell explained that other properties having the ability to reduce required parking leaves the burden on existing parking lots. Her family owns the Squires Rest property and one of the larger parking parcels in Auke Bay and the parking lot is packed full with people utilizing Auke Bay or visiting the Elementary School in addition to patrons of their building.

Debi Ballam – 12090 Cross Street – Ms. Ballam lives in Tanner Terrace and spoke in opposition stating that increasing density is not a good idea because the roads are narrow and parking is limited. Increasing density would congest it more.

IV. **OTHER BUSINESS** – None

V. **REPORT OF REGULAR AND SPECIAL COMMITTEES**

- Mr. Dye reported Title 49 will be meeting on Thursday to talk about parking and Blueprint will be meeting tomorrow
- Mr. LeVine reminded the Commissioners there is no regular meeting next week. The next meeting will be after the new year.

Mr. Dye asked what is the next step or course of action on this topic? Mr. LeVine said the next steps would be to bring it back to the Committee of the Whole or to the Commission itself for final decision.

VI. **ADJOURNMENT** 9:02pm

DRAFT

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

CSP2020 0012: Complete street and underground utility maintenance (and replacements as necessary) and addition of a sidewalk to one side on Crest Street - TAKEN OFF CONSENT BY THE PLANNING COMMISSION AND RECOMMENDED FOR APPROVAL TO THE ASSEMBLY WITHOUT CHANGES

AGENDA ITEM:

Case No.: CSP2020 0012

Applicant: City & Borough of Juneau

Location: Crest Street

Proposal: Complete street and underground utility maintenance (and replacements as necessary) and addition of a sidewalk to one side on Crest Street

RECOMMENDATION:

Staff recommends the Planning Commission adopt the Director's analysis and findings and forward a recommendation of **APPROVAL** to the CBJ Assembly for the Crest Street Reconstruction project.

ATTACHMENTS:

Description	Upload Date	Type
☐ Staff Report for CSP2020 0012	1/19/2021	Staff Report
☐ Notice of Recommendation for CSP2020 0012	4/2/2021	Notice of Recommendation



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

155 S. Seward Street • Juneau, AK 99801

DATE: January 19, 2021
TO: Michael LeVine, Chair, Planning Commission
BY: Irene Gallion, Senior Planner
THROUGH: Jill Maclean, Director, AICP

PROPOSAL: Applicant requests a City Project Review for complete street and underground utility maintenance and addition of a sidewalk to one side (and replacements as necessary) on Crest Street.

STAFF RECOMMENDATION: Approval

KEY CONSIDERATIONS FOR REVIEW:

- Replaces failing water and sewer.
- Improves drainage for neighboring properties.
- New sidewalk essential to Teal Street facilities.
- Opportunity to filter storm water before drainage enters Jordan Creek.

GENERAL INFORMATION	
Property Owner	City & Borough of Juneau
Applicant	City & Borough of Juneau
Property Address	Crest Street
Legal Description	Not applicable
Parcel Number	Not applicable
Zoning	East-Industrial, West-General Commercial
Land Use Designation	Light Industrial and Commercial
Lot Size	Not applicable
Water/Sewer	City & Borough of Juneau
Access	Yandukin Drive and Old Dairy Road
Existing Land Use	Roadway
Associated Applications	None

ALTERNATIVE ACTIONS:

1. **Amend:** amend the recommendation to include conditions and recommend approval to the Assembly.
2. **Deny:** recommend denial of the proposed project. 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:

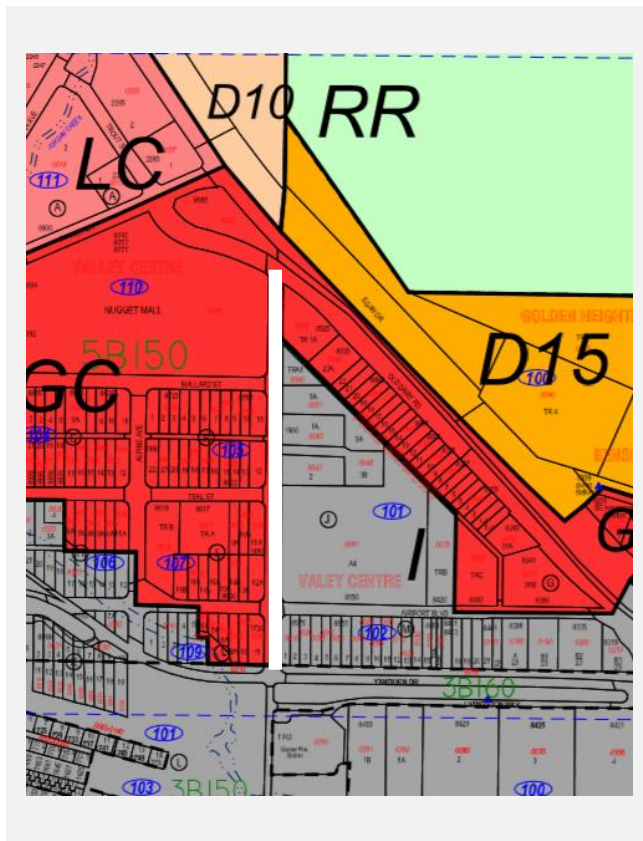
The Notice of Recommendation will be forwarded to the Assembly.

STANDARD OF REVIEW:

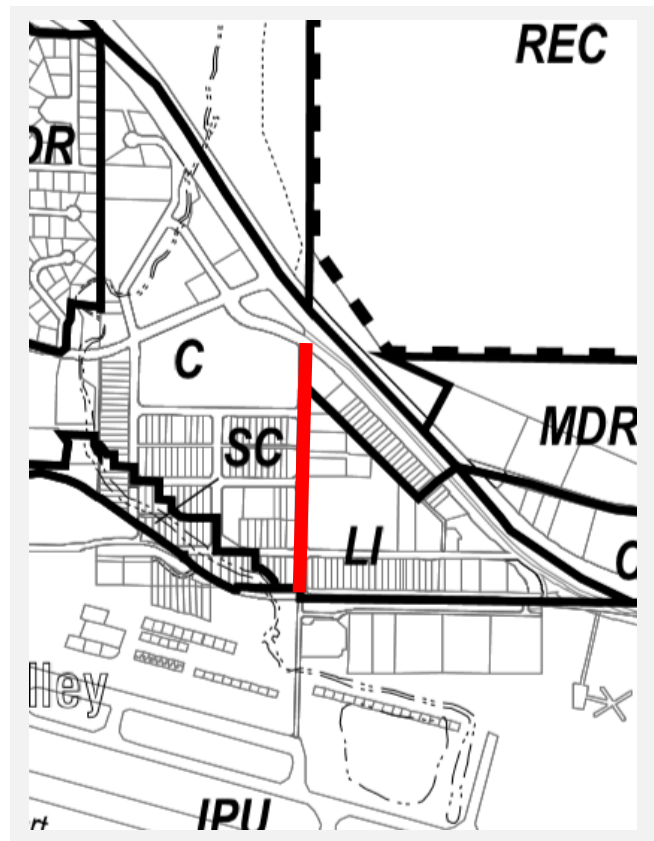
- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
 - 49.15.580(b)
 - 49.80

The Commission shall hear and decide the case per 49.15.580(b) - State Project Review: The commission shall review proposed Alaska State capital improvement projects for consistency with this title pursuant to AS 35.30.010 and may impose conditions on and modifications to such projects. If the commission approves or approves with conditions or modifications, a notice of decision shall be issued. **A notice of decision becomes final 90 days from the date the project was submitted unless modified or disapproved by the assembly.** If the commission disapproves, a notice of recommendation and draft resolution shall be forwarded to the assembly for further action.

CURRENT ZONING MAP



LAND USE DESIGNATION MAP



SURROUNDING LAND USES AND ZONING

Direction	Zoning District	Land Use
North	General Commercial	Mall, Valley Lumber
South	Industrial	Fire Station, Airport
East	Industrial	NC Machinery, offices, Southeast Mine Supply
West	General Commercial	Mendenhall Auto, Cameron's, Juneau Mercantile Armory

Sidewalk patrons may include Teal Street patrons such as residents and/or users of Saint Vincent de Paul, the United Human Services office building, or the relocated Glory Hall. The sidewalk will also serve condominiums on Airport Boulevard.

BACKGROUND INFORMATION

Project Description – This road reconstruction and replacement project includes (Attachment A):

- Reconstruction and repaving of two 12-foot lanes. Crown and slope will be engineered to divert drainage from structures lower than the road elevation.
- Curb, gutter, and sidewalk on the west side of the road with underground drainage.
- Sidewalk ADA tactile landings at intersections.

- Street lighting at intersections (highway-style luminaries).
- Moving existing underground drainage at the south end of the project off of private property and into the right-of-way, adding an oil/water separator.
- Replacement of the water main. Water connections that go through private property to serve other private property will be rerouted to the right-of-way.
- Replacement of the large sewer line (about seven feet deep).
- A gravel parking pad at Valley Lumber.
- Drainage quality improvements through bio retention:
 - Reconstruction and improvements to drainage ditches on the east side of the road.
 - Construction in the northeast corner of the Mendenhall Mall parking lot. The oil/water separator will be retained as overflow for bio retention treatment.

Funding for design was approved at the January 4, 2021 Assembly Meeting as part of the \$15 million general obligation bond package voters approved on October 6, 2020 (Attachment B). The Capital Improvement Plan shows \$150,000 from the wastewater utility and \$300,000 from the water utility (CBJ2020-2025, pages 24 & 26).

Background – The table below summarizes relevant history for the roadway.

Item	Summary
Crest Avenue (<i>sic</i>) Local Improvement Project	1985: Roadway grading, drainage, and pavement. Water main and water distribution improvements. Other related construction activity.
Juneau International Airport Taxiway Extension	1989: Crest Street culvert replacement. South of Yandukin Drive, outside of the project area.

Current Conditions – Crest Street has two 12-foot lanes without curb or gutter. Drainage is provided through ditches on either side of the road. The drainage ditch in front of 8550 Airport Boulevard (NC Machinery) accepts drainage from the back of the lot, and drains poorly.

The age and condition of the water and sewer systems drives the project.

Storm drain at the south end of the project currently goes onto private property.

Property owners at 1850 Crest Street (Cameron Plumbing & Heating, Inc.) and 8602 Teal Street (Mendenhall Auto Center) currently exit their parking lots directly onto the road. A Cameron driveway onto Teal Street will be removed due to proximity to the intersection. Vehicle parking along the east side of the road at 8525 Old Dairy Road (Valley Lumber & Building Supply) creates muddy ruts.

A water line comes off Crest Street to 8717 Mallard Street (Juneau Motor Vehicles Express), through their private system, across Mallard Street to feed the 8745 Glacier Highway (Nugget Mall) fire suppression line.



Picture A: Looking north from NC Machinery, the muddy ruts created by vehicle parking. Properties on the left use direct access to Crest Street from their parking lot (rather than using a driveway). Picture B: Looking south from Valley Lumber, poor ditch drainage on the right of a busy industrial route.



Picture C: Road at the south end of the project will slope to the west to mitigate drainage impacts to lower properties on the east, such as Southeast Mine Supply. Picture D: Muddy area used for parking around the Valley Lumber lumberyard driveway.

ZONING ANALYSIS

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.*

Other Permit Required – None.

Roadway Construction Standard Waivers – Public improvements must meet the standards of 49.35 Table 200 or receive a waiver.

Public improvements include any construction incidental to servicing or furnishing facilities to a development.

Improvement standards are based on Annual Average Daily Traffic (AADT). According to the Alaska Department of Transportation and Public Facilities 2019 data, Crest Street has an Annual Average Daily Traffic (AADT) of 1,156.

Under 49.35 Table 240, Crest Street would be required to have:

- 26 foot travelled way width, and
- Sidewalks on both sides.

The Director can waive roadway standards for Crest Street if [CBJ49.35.240(i)(4)(A)]:

- (i) The existing roadway does not comply with the roadway construction standards identified in Table 49.35.240;**

Crest Street has:

- Two 12-foot lanes.
- No sidewalk.

(ii) There are unique circumstances that make compliance with the requirements of the table unreasonable;

The proposed project includes drainage ditches and bio retention measures that discharge into the Stream Protection Corridor for the Jordan Creek watershed, which then discharges into the Mendenhall Wetlands. Ditching and bio retention measures take up right-of-way that would otherwise provide room for a wider lanes or a sidewalk.

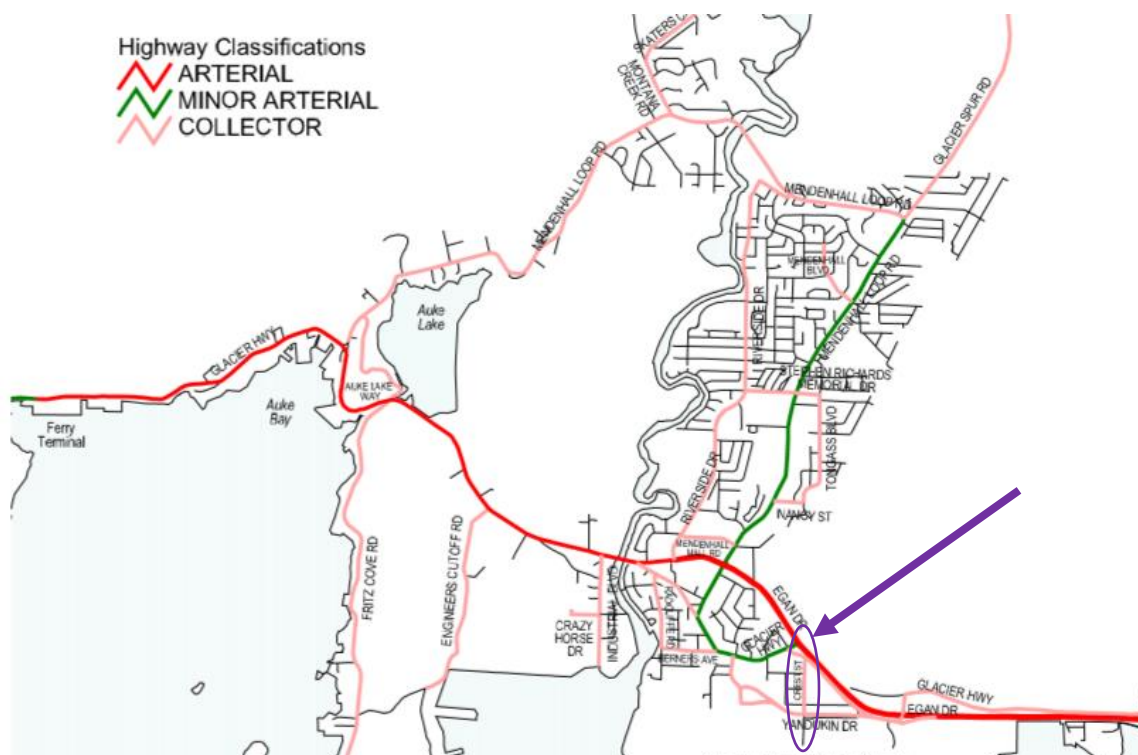
(iii) The proposed project will not aggravate the intent of the requirements of this chapter; and

- Maintaining current lane width of 12 feet allows for sidewalk and bio retention facilities.
- Sidewalk installation on one side of Crest Street improves compliance with 49.35 Table 240.

(iv) The proposed project complies with the American Association of State Highway and Transportation Officials' guidelines.

- AASHTO recommends 10 to 12 foot lanes in urban industrial areas (AASHTO, "A Policy on Geometric Design of Highways and Streets," 2018, 7th Edition, page 6-16, Paragraph 6.3.2.1). CBJ retains the current 12-foot width to better accommodate equipment from the nearby fire station (corner of Crest Street and Yandukin Drive).
- AASHTO recognizes that sidewalk is "desirable" on both sides of an urban collector. Otherwise, the project meets the AASHTO recommendation of five foot sidewalk width and ADA accessibility (AASHTO, "A Policy on Geometric Design of Highways and Streets," 2018, 7th Edition, page 6-19, Paragraph 6.3.2.9).

Roadway Classification Maps – Per Ordinance 2013-9, Crest Street is a collector.



Hazard Areas – Crest Street is in a FEMA-mapped Area of Minimal Flood Hazard (Zone X).

COMMUNITY SERVICES

Service	Summary
Urban Service Boundary	Yes
Water/Sewer	City & Borough of Juneau
Fire Service Area	Yes
Schools	No
Recreation	Jordan Creek Stream Protection Corridor and airport park

ENVIRONMENTAL, CONSERVATION, HISTORIC, AND ARCHEOLOGICAL RESOURCES

The below table summarizes Conservation, Historic, and Archeological Resources which may be affected by the Crest Street Reconstruction.

Resource	Summary
Conservation Areas	Jordan Creek Stream Protection Corridor – street drainage discharges into the watershed
Wetlands	Associated with Jordan Creek Stream Protection Corridor
Anadromous	Associated with Jordan Creek Stream Protection Corridor
Impaired Waterbodies	Associated with Jordan Creek Stream Protection Corridor
Historic	None known
Archeological	None known
Comprehensive Plan View Sheds	No



Above: The northeast parking lot of the Mendenhall Mall is currently used for snow storage, and is slated for development as a bioretention area for parking lot drainage.

The 2013 Comprehensive Plan recognizes the city-owned land north of Yandukin Drive as a Stream Protection Corridor for Jordan Creek. The Alaska Department of Environmental Conservation (ADEC) recognizes Jordan Creek as one of five impaired water bodies in Juneau. Juneau's 2013 Comprehensive Plan recognizes ADEC planned mitigation for the stream. The stream supports multiple species of salmon, Dolly Varden char, and cutthroat trout.

A Stream Protection Corridor protects anadromous fish streams and their tributaries from development that could cause pollution, erosion, depletion of groundwater infiltration, or other degradation of the stream corridor and its biological functions.

The Southeast Alaska Watershed Council (SEAWC) provides consultation to firms interested in engineering water treatment for stream corridors. SEAWC has analyzed water quality analysis and restored habitat for Jordan Creek under an ADEC grant. Impervious surfaces between Egan Drive and Yandukin Drive create run-off pollutants that impact this section of Jordan Creek.

CBJ depends on resourcing scientific expertise for mitigation design (Attachment C). SEAWC has worked with CBJ and the consultant engineer to develop two bio retention strategies for this project. On the east side of the project ditching, swales and strategic planting facilitate infiltration and sedimentation of road drainage. Storm sewer may discharge into the ditching to further treat water.

Bio retention along the northeast corner of the Mendenhall Mall is a cooperative effort between the mall owners, CBJ, and the SEAWC. Parking spaces in this corner will be moved in order to develop a bio retention area for treatment of parking lot drainage before drainage joins the city system.

Each system will have an oil/water separator in the event flows overwhelm the bio retention system.

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.*

2013 COMPREHENSIVE PLAN - The proposed text amendment is in compliance with the 2013 Comprehensive Plan.

Chapter	Page No.	Item	Summary
11	181	6	ADEC lists Jordan Creek as an impaired water body. Review future development for impact to volume, velocity, cleanliness, and overall water quality. CBJ supports efforts to modify snow storage practices.
	181	10	Replace aging water and sewer.
	181	11	Adopt guidelines that address treatment and discharge of storm sewer.
	182	15	Coordinate development of Jordan Creek with ADEC to meet guidelines of the creek restoration plan.

2009 Juneau Non-Motorized Transportation plan - The proposed text amendment is in compliance with the 2013 Comprehensive Plan.

Chapter	Page No.	Item	Summary
1.3	9	3	Purpose and Goal: Identify network gaps and make necessary improvements
3.1	19		Continuous and Direct Routes: Gaps and missing links are dangerous for pedestrians.
4.1	23		Context Sensitive design involves stakeholder communications and balances level of service with environmental and economic development objectives.
4.2	24		Complete Streets: Rather than focus on a sidewalk on both sides of a street, focus on a complete network.
6.2	41		Sidewalk Standards: Crest Street Reconstruction project meets these standards.

AGENCY REVIEW

CDD conducted an agency review comment period between December 2, 2020 and December 14, 2020. No comments were received.

PUBLIC COMMENTS

Abutters notices were sent out to neighbors within 500 feet of the proposed project on December 17, 2020. A revised abutters notice was sent out December 22, 2020, modifying the Planning Commission meeting date (Attachment D). A public notice sign was posted (Attachment E). CBJ Engineering & Public Works hosted a public meeting for the Crest Street Project on January 7, 2021 (Attachment F). One comment was received (Attachment G), and is summarized below.

Name	Summary
Bruce Abel	Request that CBJ provide Valley Lumber staff parking during construction. Note that the CBJ Engineering & Public Works Project Manager contacted Mr. Abel.

FINDINGS

In accordance with CBJ 49.15.580, staff finds the proposed Crest Street Reconstruction complies with Title 49 Land Use Code, and conforms to adopted plans, specifically the 2013 Comprehensive Plan and the 2009 Non-Motorized Plan.

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and forward a recommendation of **APPROVAL** to the CBJ Assembly for the Crest Street Reconstruction project.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	Resolution 2020-09 and Manager's Report
Attachment C	CBJ Engineering & Public Works Letter of Support for Southeast Alaska Watershed Council
Attachment D	Abutters Notice
Attachment E	Public Notice sign posted
Attachment F	Notes and plan sheets from the public meeting
Attachment G	Public comment regarding Valley Lumber employee parking access



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 Crest Street, - specific locations identified by project titles and attached descriptions		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot)		
	Parcel Number(s)		
	☐ This property located in the downtown historic district ☐ This property located in a mapped hazard area, if so, which _____		
	LANDOWNER/ LESSEE		
	Property Owner CBJ	Contact Person Bohan	Phone Number(s) 0876
	Mailing Address		
	E-mail Address john.bohan@juneau.org		
	LANDOWNER/ LESSEE CONSENT Required for Planning Permits, not needed on Building/ Engineering Permits		
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.			
X _____ Landowner/Lessee Signature		11/17/20 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 CBJ Engineering	Contact Person "SAME"	Phone Number(s) "SAME"	
Mailing Address			
E-mail Address "SAME"			
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.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Attachment A - Application Packet

Intake Initials <i>Amg</i>	12/21/2020
Case Number CSP20-12	Date Received 12/21/20



CITY/STATE PROJECT AND LAND ACTION REVIEW 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
	Complete street and underground utility maintenance (and replacements as necessary) on the following streets: Delta Drive, Tongass Boulevard, Calhoun Ave, Crest Street, Douglas 4th Street
	TYPE OF PROJECT REVIEW:
	☐ City Project Review ☐ City Land Acquisition /Disposal ☒ State Project Review
	PROJECT NUMBERS ASSOCIATED WITH PROPOSAL:
	Is this project associated with any other Land Use Permits? ☐ YES Case No.: _____ ☒ NO Capital Improvement Program # (CIP) YES -see attached narrative _____ Local Improvement District # (LID) _____ State Project # _____ ESTIMATED PROJECT COST: \$ n/a
	ALL REQUIRED MATERIALS ATTACHED ☒ Complete application ☐ Pre-Application notes (if applicable) ☒ Narrative including: ☒ Current use of land or building(s) ☐ Proposed use of land or building(s) ☐ How the proposed project complies with the Comprehensive Plan ☐ How the proposed project complies with the Land Use Code (Title 49) ☐ Site Plan (details on page 2)

NOTE: This application is required even if the proposed project is associated with other Land Use permits.

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

CITY/STATE PROJECT FEES	Fees	Check No.	Receipt	Date
Application Fees	\$ _____			

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
CSP20-12	12/21/20

Attachment A - Application Packet

City/State Project and Land Action Review Information

City and State project review is outlined in CBJ 49.15.580

Each application for a City/State Project is reviewed by the Planning Commission at a public hearing. The permit procedure is intended to provide the Commission the flexibility necessary to make recommendations tailored to individual applications.

Application: An application for a City/State Project Review 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 City/State Project Review Application and Development Permit Application forms.
2. **Fees:** No fee required for projects that cost less than \$2.5 million. For projects costing more than this amount, the fee is \$1,600.00. All fees are subject to change.
3. **Project Narrative:** A detailed narrative describing the project.
4. **Plans:** All plans are to be drawn to scale and clearly show the items listed below:
 - a. Plat, site plan, floor plan and elevation views of existing and proposed structures and land;
 - b. Existing and proposed parking areas, including dimensions of the spaces, aisle width and driveway entrances;
 - c. Proposed traffic circulation within the site including access/egress points and traffic control devices;
 - d. Existing and proposed lighting (including cut sheets for each type of lighting);
 - e. Existing and proposed vegetation with location, area, height and type of plantings; and,
 - f. Existing physical features of the site (i.e. drainage, eagle trees, hazard areas, salmon streams, wetlands, etc.)

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

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

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

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

Hearing: All City/State Project Review Permit Applications must be reviewed by the Planning Commission. Once an application has been deemed complete and has been reviewed by all applicable parties the Community Development Department will schedule the requested permit for the next appropriate meeting. The Planning Commission will make a recommendation based on staff's analysis and forward it to the Assembly for final approval/denial.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Attachment A - Application Packet

CSPs – Street and CBJ Utilities’ maintenance projects proposed for 2021 construction season

Delta Drive (R72-148): segment: Valley Boulevard to end. Add sidewalk to one side, rehabilitate road prism, and drainage, replace underground water and sewer systems that have exceeded expected service life, repave roadway

Tongass Boulevard(R72-152)-segment: Jennifer Drive north to end at Loop Road: Add second sidewalk as identified by SRTS, rehabilitate road prism and drainage, replace underground water and sewer systems that have exceeded expected service life, replace existing sidewalk and repave roadway

Calhoun Avenue(R72-132): [2 phases] – 1. Governor’s house to Cope Park: Rehabilitate road prism and drainage, replace water and sewer system that have exceed expected service life, replace sidewalks and repave roadway – scheduled for summer 2021

2. Main Street to Governor’s House: Rehabilitate road prism and repave roadway minor utility improvements as identified during design – scheduled for summer 2022

Crest Street(COVID Bond project – CIP number not assigned yet): segment: Old Dairy Rd to Yandukin. Add sidewalk to one side, rehabilitate road prism and drainage, replace water and partial sewer system that have exceed expected service life, repave roadway

Douglas 4th Street F to I and Side Streets Improvements (R72-154): segment: F to I Streets. Replace existing water and sewer infrastructure, which have exceeded expected service life, improve drainage infrastructure within these existing gravel roadways. Paving of these gravel roadways is not funded at this time.

**ASSEMBLY AGENDA/MANAGER'S REPORT
THE CITY AND BOROUGH OF JUNEAU, ALASKA**

Ordinance 2020-09(AB) An Ordinance Appropriating \$376,000 to the Manager for the Planning and Design of Bond-Funded Capital Improvement Projects; Funding Provided by General Obligation Bond Proceeds.

MANAGER'S REPORT:

This ordinance would appropriate \$376,000 for the planning and design of the following bond-funded capital improvement projects:

Crest Avenue Reconstruction (R72-155)	\$175,000
Eagle Valley Center Improvements (P46-115)	\$ 51,000
Downtown and Glacier Fire Stations -	
Mechanical/Electrical Upgrades (F21-041)	<u>\$150,000</u>
Total	\$376,000

This appropriation of project funding is consistent with the intent of the \$15 million general obligation bond package approved by voters in the October 6, 2020 municipal election.

Funding for this request would be provided by General Obligation Bond Proceeds.

The Public Works and Facilities Committee reviewed this request at the December 7, 2020 meeting. The Assembly Finance Committee reviewed this request at the December 9, 2020 meeting.

RECOMMENDATION:

The City Manager recommends the Assembly adopt this ordinance.

ATTACHMENTS:

	Description	Upload Date	Type
📎	Ordinance 2020-09(AB)	12/2/2020	Appropriating Ordinance

Presented by: The Manager
Introduced: December 14, 2020
Drafted by: Finance

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2020-09(AB)

An Ordinance Appropriating \$376,000 to the Manager for the Planning and Design of Bond-Funded Capital Improvement Projects; Funding Provided by General Obligation Bond Proceeds.

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

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. Appropriation. There is appropriated to the Manager the sum of \$376,000 for the planning and design of bond-funded capital improvement projects.

Section 3. Source of Funds

General Obligation Bond Proceeds	\$376,000
----------------------------------	-----------

Section 4. Effective Date. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____, 2021.

Beth A. Weldon, Mayor

Attest:

Elizabeth J. McEwen, Municipal Clerk



Engineering & Public Works Department

Marine View Building, Juneau, AK 99801

907-586-5254 <phone>

Gretchen Augat
Environmental Program Specialist
Alaska Dept. Of Environmental Conservation
PO Box 111800
Juneau, AK 99801-1800

November 9, 2020

Dear Ms. Augat

I am writing to express my support for the Southeast Alaska Watershed Coalition's (SAWC) application to the Alaska Clean Water Action program to implement various stormwater best management practices in the Jordan Creek Watershed.

The City and Borough of Juneau Engineering and Public Works Department (CBJ-E&PW) is responsible for design, construction, and maintenance of critical utilities and public infrastructure in CBJ, including streets, sidewalks, and stormwater drainage systems in the Jordan Creek Area. We are aware of SAWCs efforts to understand and address the impacts of urban stormwater runoff on water quality and fish habitat in lower Jordan Creek and appreciate SAWC's interest in working with us to develop cost effective solutions to reduce stormwater impacts on Jordan Creek that are compatible with infrastructure and maintenance requirements.

The CBJ-E&PW commits to:

- Working with SAWC to integrate stormwater BMPs and low impact development designs into the redesign of Crest Drive scheduled in the upcoming CBJ Capital Improvement Program list.
- Allow SAWC to install permanent check dams in the CBJ right of way in the ditch in front of the Super 8 hotel on Trout St. The dams will slow runoff allowing for filtration by vegetation and infiltration to ground. The dams will be designed to allow for easy cleanout during routine ditch maintenance. The CBJ commits to conducting this cleanout.
- Maintain and cleanout the forebay settling pond on the proposed wet biofiltration swale in the Jordan Creek Greenbelt on Juneau International Airport property near the intersection of Jordan Ave. and Teal St.
- Allow SAWC to construct a bioretention cell in the CBJ right of way near the intersection of Old Dairy Rd. and Crest St. The cell will extend onto the Nugget Mall property and will receive and treat runoff from the eastern half of the mall parking lot.

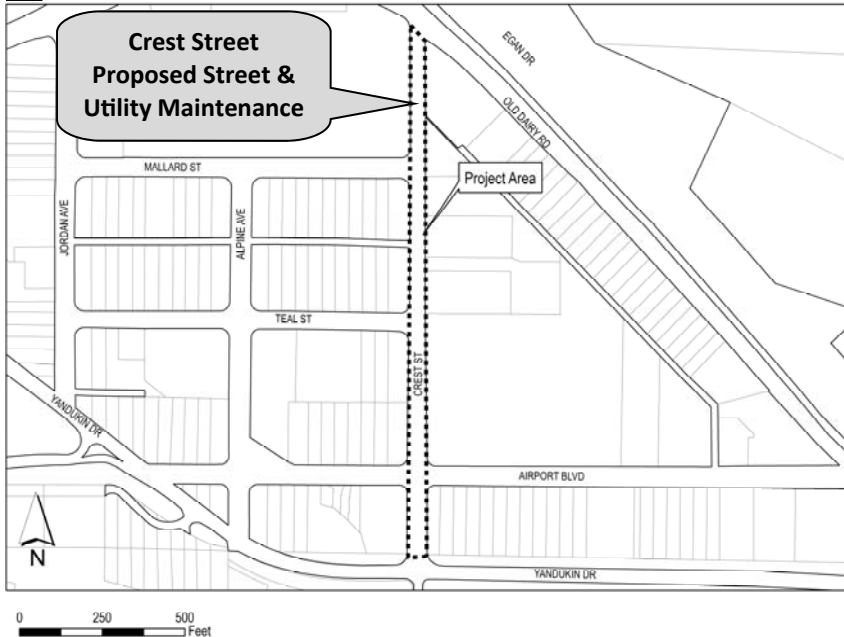
The CBJ-E&PW supports this overall effort and we look forward to working with SWAC to improve the Jordan Creek Watershed in CBJ right of way.

Sincerely,

Katie Koester
Engineering and Public Works Director

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 **complete street and underground utility maintenance and addition of a sidewalk to one side (and replacements as necessary) on Crest Street.**

TIMELINE

Staff Report expected to be posted **Monday, January 4, 2021** at <https://juneau.org/community-development/planning-commission>. Find hearing results, meeting minutes and more here as well.

Now through Dec. 28

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

Dec. 29 — noon, Jan. 11

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

HEARING DATE & TIME: 7:00 pm, January 12, 2021

This virtual meeting will be by video and telephonic participation only. To join the Webinar, visit: <https://juneau.zoom.us/j/93626358724>. The Webinar ID is: 936 2635 8724. To join by telephone, call: +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833 or +1 301 715 8592 or +1 312 626 6799 or +1 929 436 2866 and enter the Webinar ID.

January 13

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

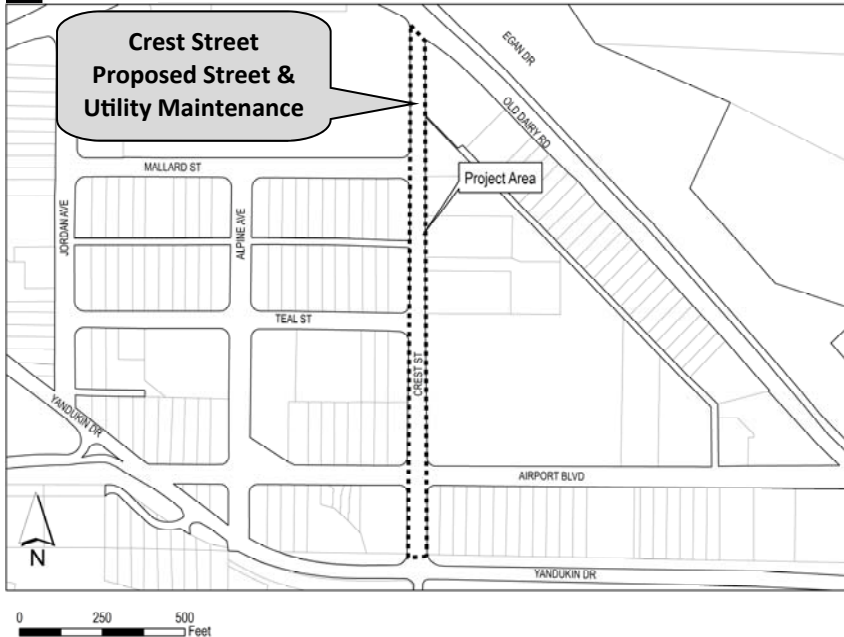
Printed December 17, 2020

Case No.: CSP2020 0009
Parcel No.: 0
CBJ Parcel Viewer: <http://epv.juneau.org>

Revised Notice

Hearing Rescheduled; Case Information Updated

Re: Crest Street Proposed Maintenance



155 S. Seward Street Juneau, Alaska 99801

TO:

You are receiving this notice regarding an application being heard by the Planning Commission for complete street and underground utility maintenance (and replacements as necessary) and addition of a sidewalk to one side on Crest Street. Originally, the hearing was set for January 12, 2021.

The hearing has been rescheduled for January 26, 2021 and the case number has been updated to CSP2020 0012.

TIMELINE

Staff Report expected to be posted **Monday, January 18, 2021** at <https://juneau.org/community-development/planning-commission>. Find hearing results, meeting minutes and more here as well.

Now through Jan. 4

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

Jan. 5 — noon, Jan. 25

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

HEARING DATE & TIME: 7:00 pm, January 26, 2021

This virtual meeting will be by video and telephonic participation only. To join the Webinar, visit: <https://juneau.zoom.us/j/98351893348>. The Webinar ID is: 983 5189 3348. To join by telephone, call: +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833 or +1 301 715 8592 or +1 312 626 6799 or +1 929 436 2866 and enter the Webinar ID.

January 26

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 December 22, 2020

Case No.: CSP2020 0012
Parcel No.: 0
CBJ Parcel Viewer: <http://epv.juneau.org>

Irene Gallion

From: Alec Venechuk
Sent: Tuesday, January 12, 2021 3:13 PM
To: Irene Gallion
Subject: Fw: Crest st sign
Attachments: IMG_1233.jpg; ATT00001.txt

Hi Irene, here is the sign up on Crest St.

FYI - Mr. Allwine has agreed to the standard curb in front of both of his properties - so thats the direction we will be trending.

-Alec

From: Alec Venechuk <a.venechuk@gmail.com>
Sent: Tuesday, January 12, 2021 2:59 PM
To: Alec Venechuk
Subject: Crest st sign

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

Attachment E - Public Notice Sign Posted



Crest Street Public Meeting

January 7, 2021

Notes by Irene Gallion, Planner

Presentation by the team: Alec Venechuk, Toby Lockhart (DOWL), Candy Sims (DOWL)

This project will bring in a sidewalk, cross walks, and more lighting. Introduction of attendees:

Joe Parish – in support of project, with UHS

Sherri Von Wolfe - in support of project, with UHS

Steve Allwine - Mendenhall Auto

(John Hudson with Southeast Alaska Watershed Council and Ed Foster with CBJ Streets joined later)

Lockhart: We will show 6 plan sheets, 7th shows water main details. We can pull up photo imagery if we need to. We are approaching 35%, by no means is anything set in stone. But, wanted to show the approach to the road section. Sounds like a number of people are interested in the Glory Hall area.

(Shows first sheet) We propose two 12-foot lanes, with new 2 foot curb and gutter and new concrete sidewalk on the west. We felt the 12' driving lanes were important, as this is a corridor for CCFR and transit. Transit operations will change a bit when the new transit center is built, but they will still use Crest. In the existing corridor we need to make room for 5 feet of sidewalk and 2 feet for curb and gutter. We are proposing a shallow swale on the west side. On the east we are matching the existing. At the Yandukin end of the project we will slope the road toward the curb and gutter, we want to angle away from Southeast Mining Supply, which sits pretty low. If you look closely, the light line running across the sidewalk that meanders along is the existing asphalt limit. So, essentially, we are pushing back of sidewalk back toward the properties about 5 feet, and on the other side we have pushed the asphalt 3 feet to the east. In the NC Machinery area we need more room on the east side for ditching. Triangles represent driveway cuts. There will be an ADA tactile crosswalk tile, and a painted crosswalk across Airport Boulevard. We will be improving lighting at intersections.

Storm drain improvements are shown in cyan. One important feature is protecting Jordan Creek. The existing storm sewer goes on private property, we are moving that to the ROW then will add an oil/water separator before discharging to Jordan Creek. There is a 6 inch storm lateral to each property. We will replace the water main, that is shown in dark blue. Lockhart has seen Mr. Hudson's presentation to the ASCE group, so incorporated elements from that presentation.

(Shows second sheet) For the stretch beginning Airport Boulevard we have a more standard crowned road section. We will develop a bigger ditch on the east, with a deeper ditch that could accommodate a bioretention soil mix or like. We have discussed curb inlets on the west that drain to the east for inundation before entering the enclosed system. There will be a gentle swale on the west, deeper ditch on the right. The main storm drain line goes up the west side. Water main replacement continues. This sheet shows replacement of the large sewer line 7 feet deep. There is a light for the crosswalk and another ADA landing. Generally we are trying to keep lighting at the

intersections, but this is a long block so proposing a light mid-block. Expect taller lights, similar to highway lighting.

(Shows third sheet) On this sheet we show two typical sections. In front of Cameron we are keeping curb and gutter depressed, an extended curb cut across the property. The reason is that there is not a lot of depth between the building and back of sidewalk for cars to back up. It would hinder their historical operations with folks parking perpendicular to the building. Sidewalk is raised as it extends down Teal. In front of Mendenhall Auto we are suggesting raising the sidewalk because of distance between the sidewalk and building. There is enough room to operate as currently are.

Allwine: Alec and I talked about that curb. We can deal with it as a standard curb, but it would be useful to continue what you've done in front of Cameron. When you get a little further into the next segment you come up against the Reliable building. We own it now, historically people use that segment to park large trucks up against the building. Consistency would be helpful.

Lockhart: We anticipate getting together with Allwine after this presentation.

Venechuk: We can depress the sidewalk there if it helps with operations. Raising it creates a barrier between the display row and the roadway.

Allwine: We would like it depressed, would help with Toyota service entrance.

Lockhart: When you park on the lot do you pull into the road? Or back up?

Allwine: Pull out, it is a little tight to back up.

Lockhart: From a design standpoint, if we can keep the raised sidewalk up that is better. Otherwise cars are pulling into traffic. If you are familiar with Valley Breeze Inn, it would be similar with raised sidewalk. We are forced into context sensitive design, so we prioritize our decision-making for what works. Here we are using concrete sidewalks so we have a visual cue that it is pedestrian space.

I mentioned a deeper ditch at NC Machinery, that will help drainage from the back of their lot. We have a nice, long run to employ progressive ideas about cleaning storm water run-off. Storm drain is curious here, would like to simplify a circuitous route. We will abandon a cross culvert near Mendenhall Auto and feed drainage to underground. We will take away the Cameron driveway on Teal, it is too close to the intersection. In green is the end of the deep sewer run.

Hudson: Can Cameron parking be changed to angled parking with one-way access? That is something we have talked about.

Lockhart: We will approach them with it, but we are starting with designing for existing conditions.

(Shows fourth sheet) The crowned section continues through to Valley Lumber property. The typical section shows the depressed curb and gutter. Each approach has driveway cross culverts.

We have a special detail for fire service to the Juneau DM Express and the Nugget Mall.

(Shows fifth sheet) From Mallard we go to the Nugget Mall parking lot. We are proposing to add a gravel parking lane along the right shoulder on this section. Basically, 6 inches of granular material that will hold up better than current muddy mess. We will be able to have a shallow ditch to the east. We are also looking to pitch the road toward the west along the Nugget Mall parking lot.

(Shows sixth sheet) Project ends at Old Dairy. This is a major feeder water line for the valley that will be replaced. The existing oil water separator handles the whole parking lot. We are aware of that, and are open to some different measures to clean water before it gets to the enclosed system, we understand the opportunity.

Hudson: We have a preliminary OK to do a BMP in that area, and have requested some DEC money to do that. We can meet later to talk details.

Wolfe: Can Cameron back out?

Lockhart: Not ideal. We have proposed a section based on current use. We could make one-way traffic with angled parking, and will talk to Cameron about that. By using concrete we've delineated the pedestrian way. It is not ideal, but it is improved. We've added lighting to illuminate the sidewalk a bit better.

Foster: Hopefully Nugget Mall would allow part of their property to be developed as a bioswale.

Lockhart: I don't know if the Mall is agreeable to that. There is 10-15 feet from back of sidewalk to end of right of way, so there is not room for a bioretention in the right-of-way.

Hudson: They thought spaces could be moved to the Wee Fishie Shop area. Conceptually they are ok with getting rid of 4-5 spaces in the corner in question. We could use the existing oil water separator for overflow, but develop the area as a bioretention facility to treat as much inflow as possible. (Lockhart shows a bioretention image).

Lockhart: (Shows seventh sheet) Coming back to Mallard and Crest Street: This is fairly conceptual, we've done the best we can with the as-builts available. There is a water service that comes out of the road and goes through a valve, then to Juneau MV Express, under the building, back across the street, then to the Nugget Mall fire suppression system. So, a private system goes onto another private lot. We will reroute to provide direct service to both lots. This requires backflow prevention at a 4 foot valve cover in the sidewalk. We will tighten up the design as we do more research.

Allwine: It is encouraging to have that removed. In this project is anyone looked at provisions for the bus stop? At some point it is changing. When the transit center moves, the bus stop would move. Right now the bus stop is a direct route to Saint Vincent's and the Glory Hall. We'd be happy if you would continue the project down Teal Street. The idea was to move the bus stop to Teal Street. So, are there any provisions to relocation of the bus stop?

Venechuk: Not directly on this project.

Foster: Initially we were going to put the bus stop on Crest Street, but now are looking at using the stop lights at Jordan, then Teal, then Crest to Yandukin. Construction of the Glory Hall includes room for a bus stop. Not a great right-of-way for a bus stop on Crest, so using the controlled intersection at Jordan and Glacier makes it more efficient. The CIP for this year includes reconstruction down Teal.

Parish: Appreciates the plans for Teal Street and Steve's suggestion about the bus stop. That would work for us.

Lockhart: (shows a picture of the area in front of NC where there are muddy ruts). We hope to discourage off-road use of the wet, poorly-drained area.

Hudson: What year is Teal Street proposed for funding?

Foster: FY22, that is what was requested.

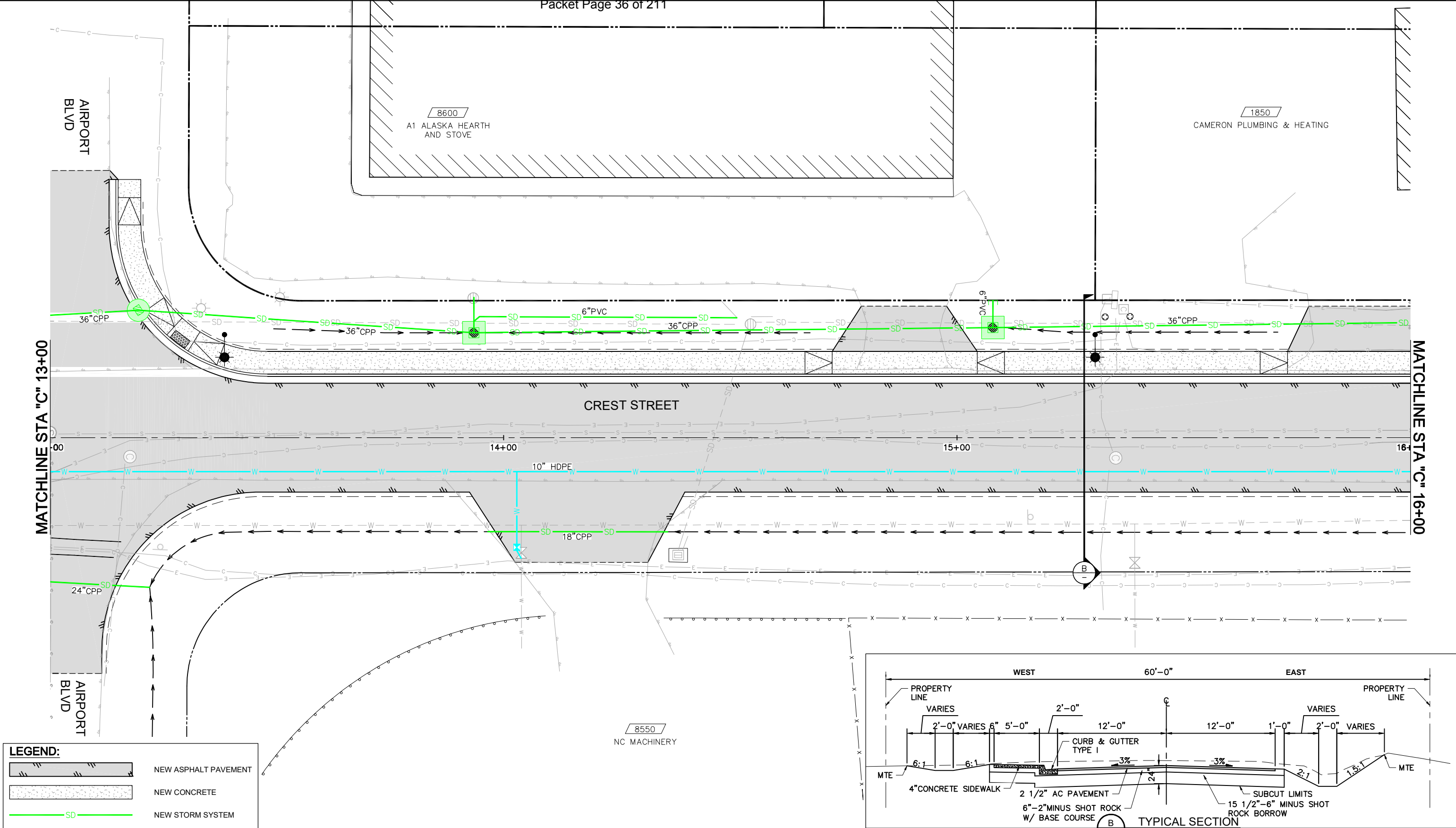
Thanks to all. *Venechuk* is the point of contact for design and construction, so don't hesitate to contact.



\\JNU-FS\JNU-Projects\22\71095-01\65CAD\Civil\SC20-CT-RD-71095.dwg PLOT DATE 2021-01-16 15:39 SAVED DATE 2021-01-06 15:05 USER: csims

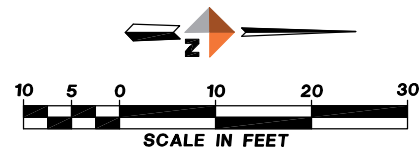
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MATCHLINE STA "C" 16+00

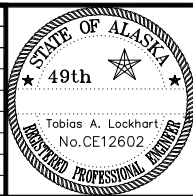


LEGEND:

	NEW ASPHALT PAVEMENT
	NEW CONCRETE
	NEW STORM SYSTEM
	NEW WATER MAIN



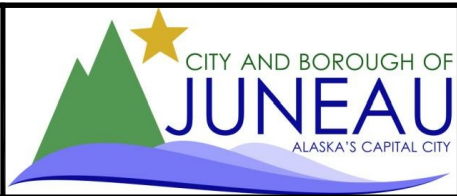
REVISIONS			
REV	DATE	DESCRIPTION	BY



AECL848

WWW.DOWL.COM

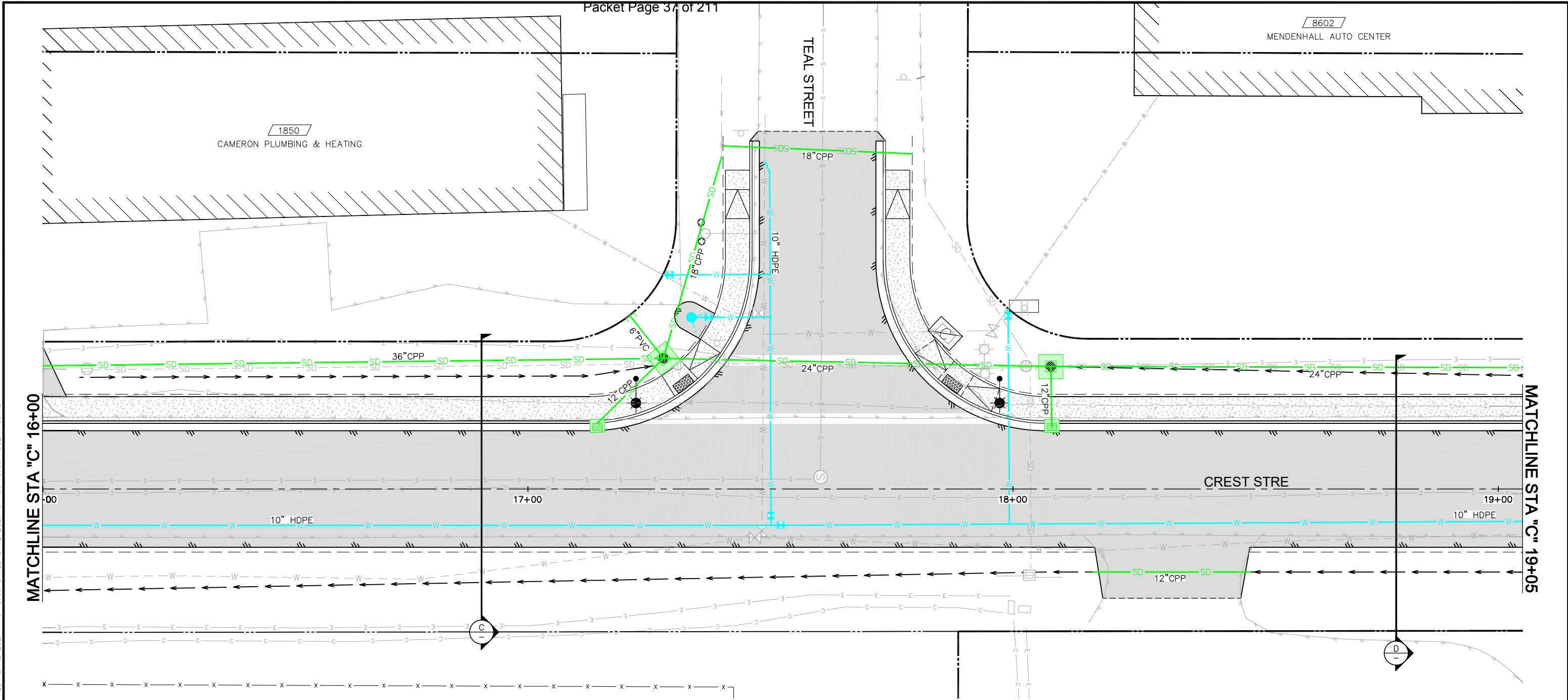
9085 Glacier Highway
Juneau, Alaska 99801
907-780-3533



CREST STREET RECONSTRUCTION

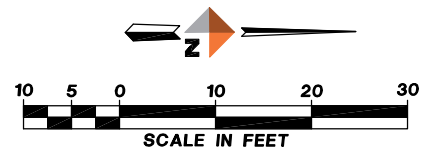
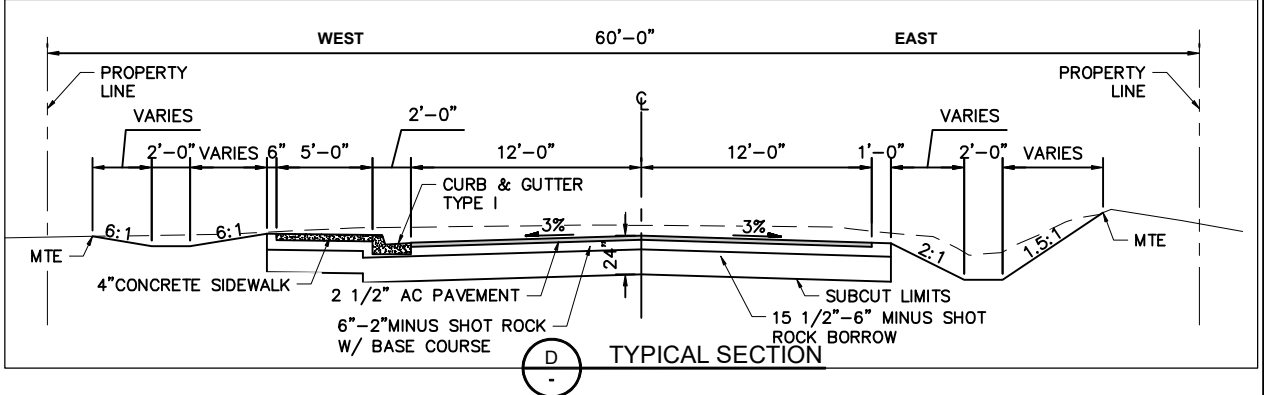
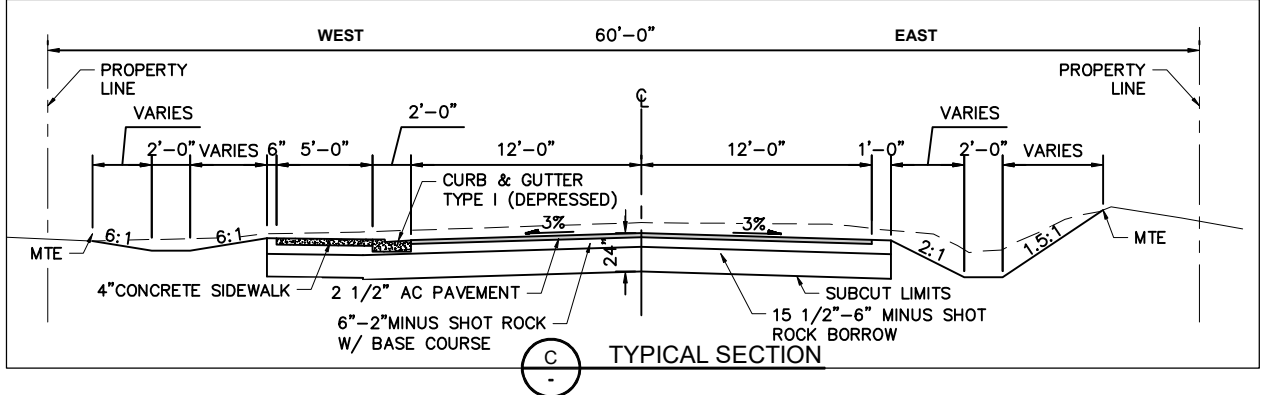
PLAN - CREST STREET
STA "C" 13+00 TO STA "C" 16+00

PROJECT	71095.01
DATE	1/6/2021
SHEET	2 OF 6

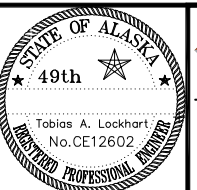


LEGEND:

- NEW ASPHALT PAVEMENT
- NEW CONCRETE
- NEW STORM SYSTEM
- NEW WATER MAIN



REVISIONS			
REV	DATE	DESCRIPTION	BY



DOWL
AECL848
www.dowl.com
9085 Glacier Highway
Juneau, Alaska 99801
907-780-3533



CREST STREET RECONSTRUCTION

PLAN - CREST STREET
STA "C" 16+00 TO STA "C" 19+05

PROJECT	71095.01
DATE	1/6/2021
SHEET	3 OF 6

8602
MENDENHALL AUTO CENTER

8717
JUNEAU MOTOR VEHICLE EXPRESS

1900
BUILDERS PLAZA INC.

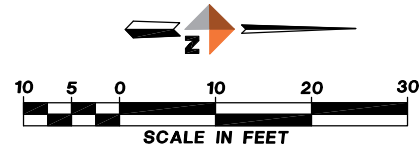
8525
VALLEY LUMBER

MATCHLINE STA "C" 19+05

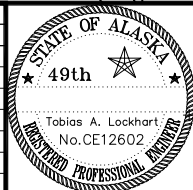
MATCHLINE STA "C" 22+10

LEGEND:

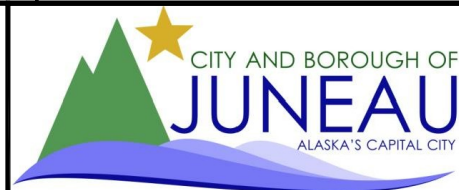
	NEW ASPHALT PAVEMENT
	NEW CONCRETE
	NEW STORM SYSTEM
	NEW WATER MAIN



REVISIONS			
REV	DATE	DESCRIPTION	BY



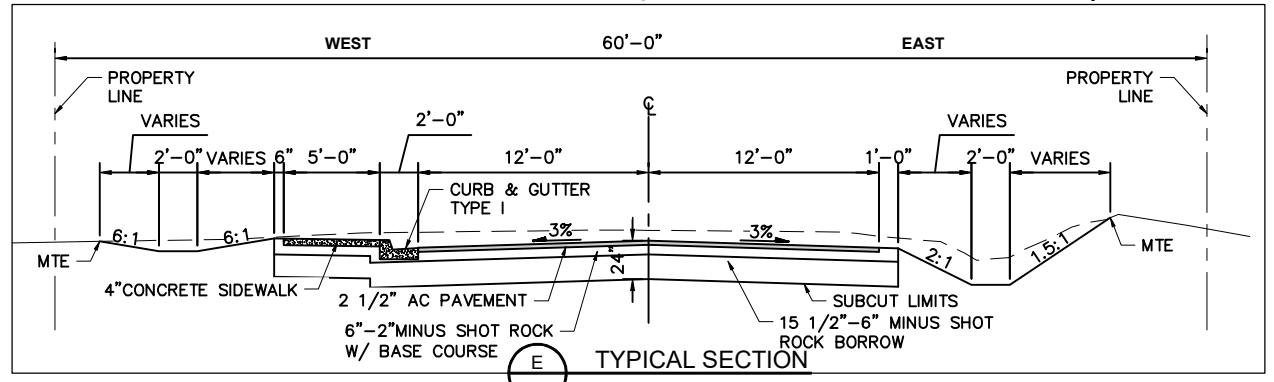
DOWL
AECL848
www.dowl.com
9085 Glacier Highway
Juneau, Alaska 99801
907-780-3533



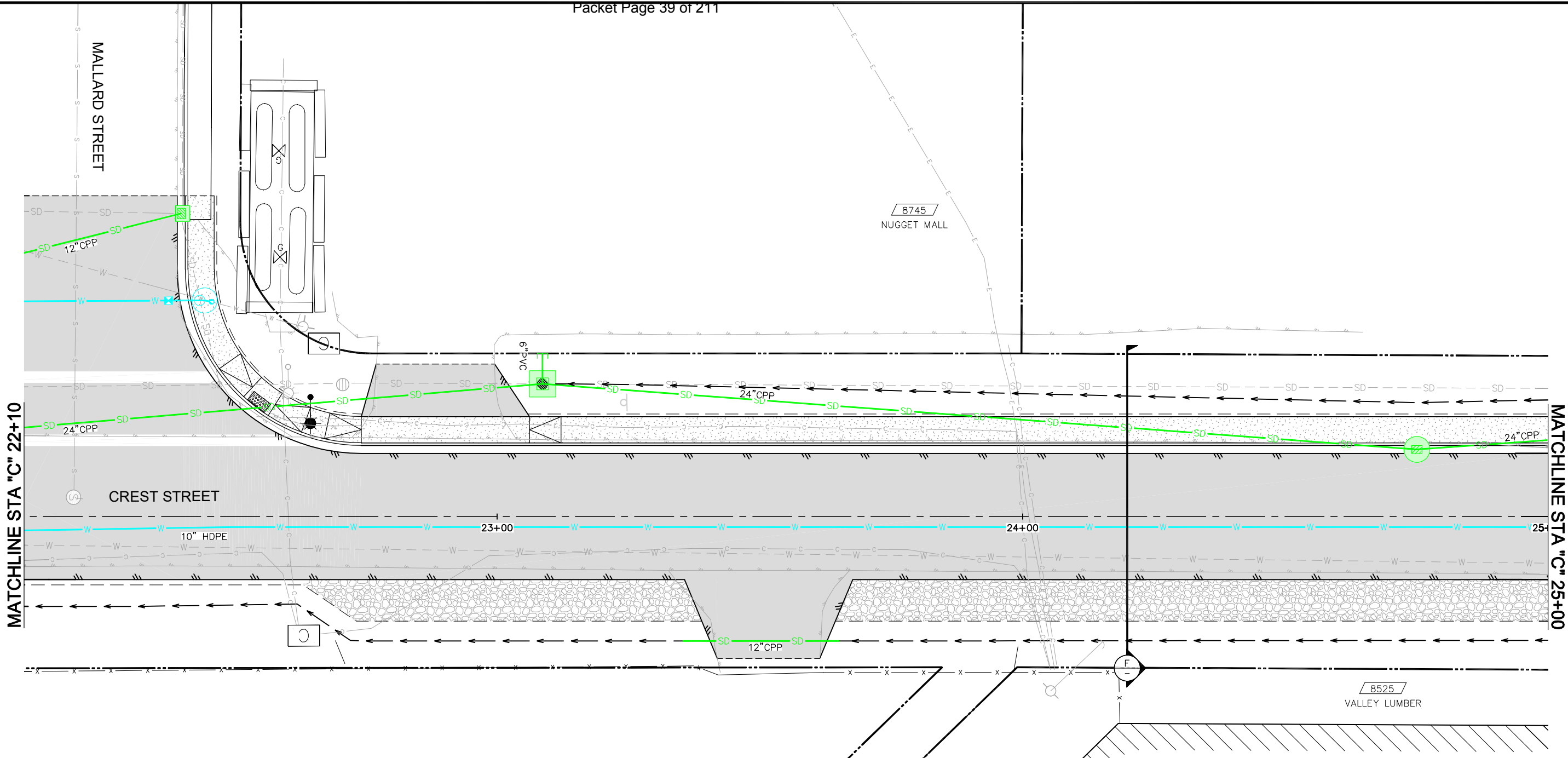
CREST STREET RECONSTRUCTION

PLAN - CREST STREET
STA "C" 19+05 TO STA "C" 22+10

PROJECT	71095.01
DATE	1/6/2021
SHEET	4 OF 6

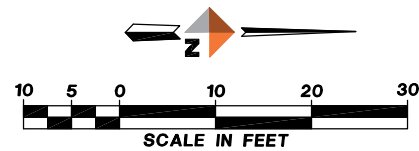


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LEGEND:

	NEW ASPHALT PAVEMENT
	NEW CONCRETE
	NEW GRAVEL PARKING
	NEW STORM SYSTEM
	NEW WATER MAIN



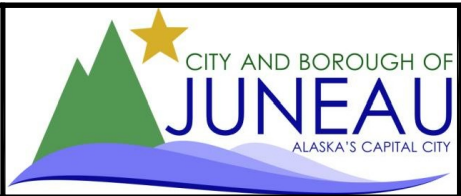
REVISIONS			
REV	DATE	DESCRIPTION	BY



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www.dowl.com

9085 Glacier Highway
Juneau, Alaska 99801
907-780-3533

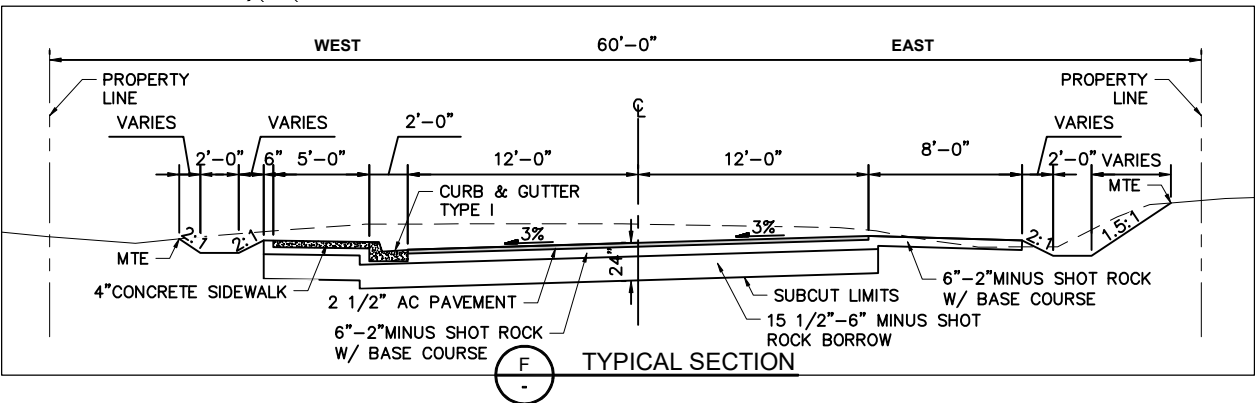


CREST STREET RECONSTRUCTION

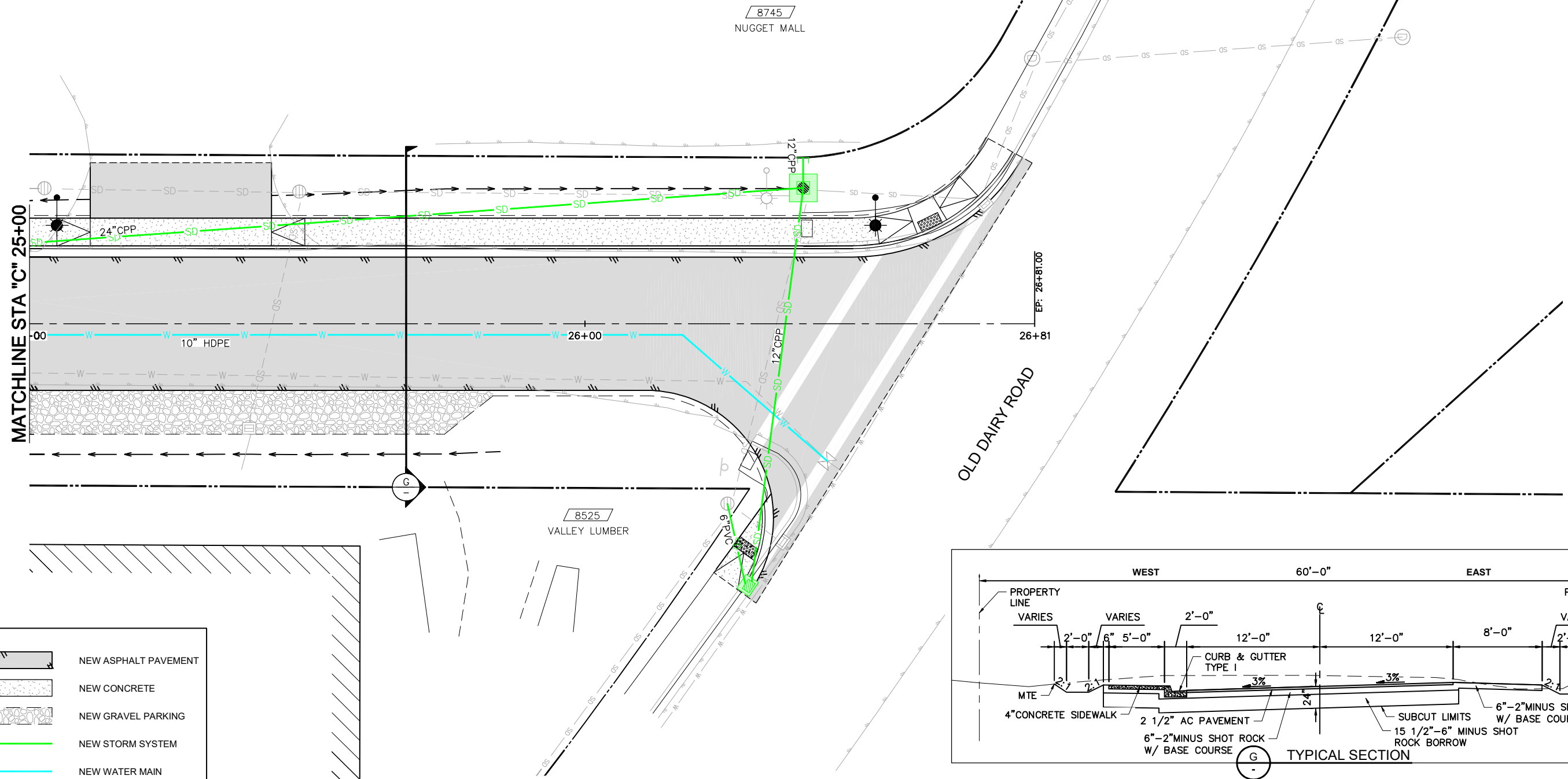
PLAN - CREST STREET
STA "C" 22+10 TO STA "C" 25+00

PROJECT 71095.01
DATE 1/6/2021

SHEET
5 OF **6**

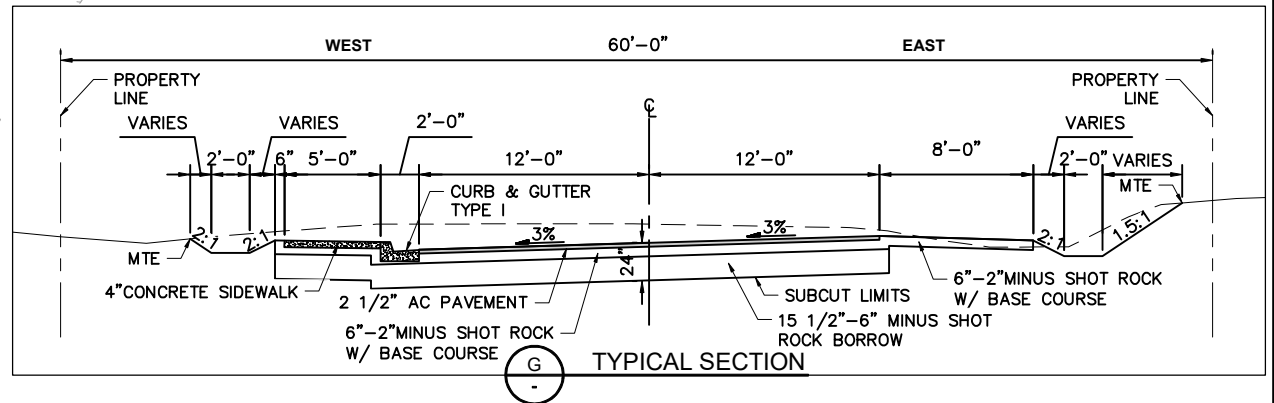
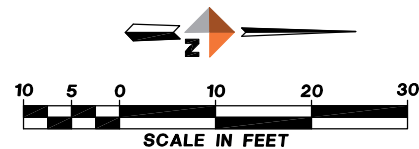


\\JNU-FS\JNU-Projects\22\71095-01\65CAD\Civil\SC20-CT-RD-71095.dwg PLOT DATE 2021-01-16 15:40 SAVED DATE 2021-01-06 15:05 USER: csims

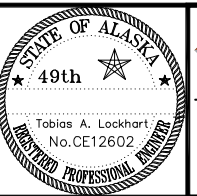


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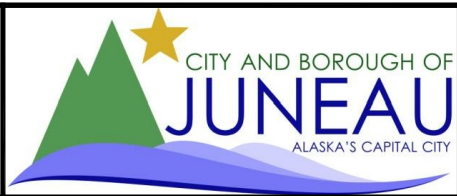
	NEW ASPHALT PAVEMENT
	NEW CONCRETE
	NEW GRAVEL PARKING
	NEW STORM SYSTEM
	NEW WATER MAIN



REVISIONS			
REV	DATE	DESCRIPTION	BY



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www.dowl.com
9085 Glacier Highway
Juneau, Alaska 99801
907-780-3533



CREST STREET RECONSTRUCTION

PLAN - CREST STREET
STA "C" 25+00 TO OLD DAIRY RD

PROJECT	71095.01
DATE	1/6/2021
SHEET	6 OF 6

From: Bruce Abel <bruce@donabel.biz>
Sent: Tuesday, December 22, 2020 10:44 AM
To: PC_Comments
Subject: Crest Street improvements

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

12/22/20

Dear Commission members;

I own the three lots on the south side of Crest street starting at Old Dairy Road. This is the Valley Lumber property. We use our property on the south side of Crest Street for employee parking and have no reasonable alternative. During the upgrade/maintenance I would like the City to secure approximately 15 spaces for my employees to use while they are displaced, preferably on the south end of the Nugget Mall parking lot. This would mitigate the parking displacement while the work is performed.

Thank you,
Bruce Abel
President
Valley Lumber Company
bruce@valleylumberjuneau.com

Sent from [Mail](#) for Windows 10



Planning Commission

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

PLANNING COMMISSION NOTICE OF RECOMMENDATION

Date: January 27, 2021
File No.: CSP2020 0012

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

Proposal: Complete street and underground utility maintenance and addition of sidewalk to one side (and replacements as necessary) on Crest Street.

Property Address: Crest Street

ROW Name: Crest Street

Hearing Date: January 26, 2021

The Planning Commission, at a regular public meeting, adopted the analysis and findings listed in the attached memorandum dated January 19, 2021. The Planning Commission recommended that the City and Borough Assembly **APPROVE** the project.

Attachments: January 19, 2021 memorandum from Irene Gallion, Community Development, to the CBJ Planning Commission regarding CSP2020 0012.

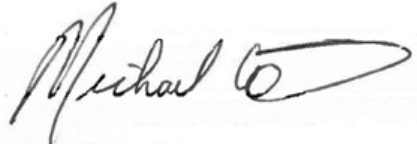
This Notice of Recommendation constitutes a recommendation of the CBJ Planning Commission to the City and Borough Assembly. Decisions to recommend an action are not appealable, even if the recommendation is procedurally required as a prerequisite to some other decision, according to the provisions of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

City and Borough Assembly

File No.: CSP2020 0012

January 27, 2021

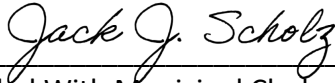
Page 2 of 2



Michael LeVine, Chair
Planning Commission

February 2, 2021

Date



Filed With Municipal Clerk

February 2, 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. The State Government and project 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**

USE2020 0025: Conditional use permit for an accessory apartment on an undersized lot - APPROVED AS
RECOMMENDED

AGENDA ITEM:

Case No.: USE2020 0025

Applicant: Olivia Sinaiko

Location: 615 East St.

Proposal: Conditional use permit for an accessory apartment on an undersized lot

RECOMMENDATION:

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE WITH CONDITIONS the requested Conditional Use Permit. The permit would allow the development of an accessory apartment on an undersized lot.

The approval is subject to the following conditions:

1. Prior to issuance of a building permit, the applicant must submit documentation to demonstrate that all applicable parking code requirements have been met, in conformance with CBJ 49.40.210.

ATTACHMENTS:

Description	Upload Date	Type
☐ Staff Report for USE2020 0025	1/15/2021	Staff Report
☐ Presentation for USE2020 0025 & PWP2020 0004	1/26/2021	Presentation
☐ Notice of Decision for USE2020 0025	4/2/2021	Notice of Decision



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

155 S. Seward Street • Juneau, AK 99801

DATE: January 15, 2021
TO: Michael LeVine, Chair, Planning Commission
BY: Laurel Christian, Planner II *Amor* For LC
THROUGH: Jill Maclean, Director, AICP

PROPOSAL: Applicant requests a Conditional Use Permit for an accessory apartment on an undersized lot.

STAFF RECOMMENDATION: Approval with conditions.

KEY CONSIDERATIONS FOR REVIEW:

- Proposed accessory apartment is within an existing structure; existing nonconforming situations are not aggravated, if PWP2020 0004 is approved.
- The lot received a Nonconforming Certification for lot size, lot width, yard setbacks, and parking (NCC2020 0055).
- Proposal complies with adopted plans, which contain policies promoting in-fill housing development.

GENERAL INFORMATION	
Property Owner	Olivia Sinaiko & Charles Renick
Applicant	Olivia Sinaiko & Charles Renick
Property Address	615 East Street
Legal Description	Juneau Townsite Block 112 Lot 2 FR
Parcel Number	1C040A120050
Zoning	D5 Residential
Land Use Designation	Medium Density Residential – Single-family
Lot Size	3,781 square feet
Water/Sewer	Public
Access	East Street (non-vehicular / staircase)
Existing Land Use	Single-family Dwelling
Associated Applications	PWP2020 0004; NCC2020 0055

ALTERNATIVE ACTIONS:

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

ASSEMBLY ACTION REQUIRED:

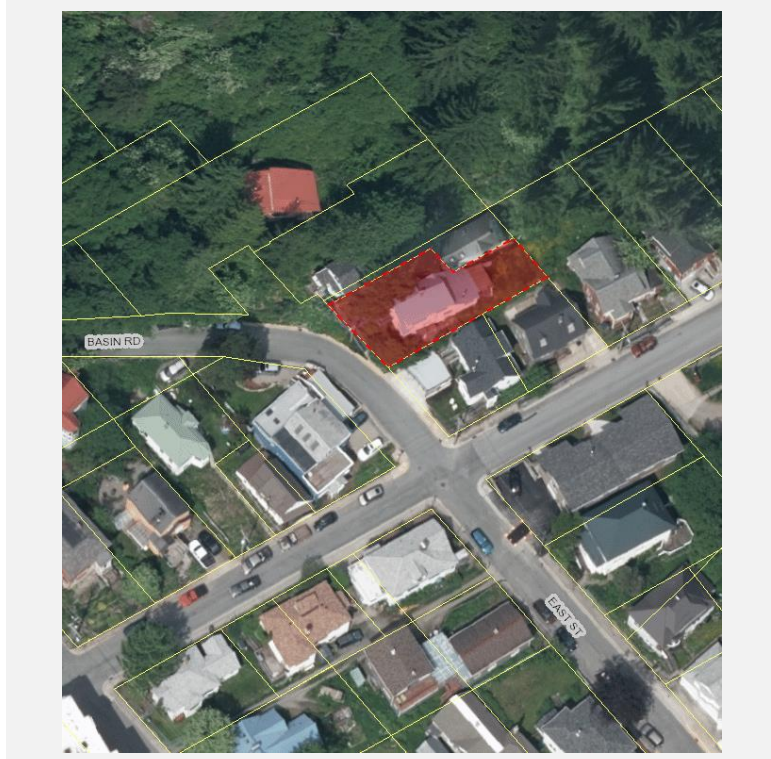
Assembly action is not required for this permit.

STANDARD OF REVIEW:

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
 - 49.15.330
 - 49.80
 - 49.25.510(k)(E)(ii)(a)

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

SITE FEATURES AND ZONING



SURROUNDING ZONING AND LAND USES	
North (D5)	Residential
South (D5)	Residential
East (D5)	Residential
West (D18)	Residential

SITE FEATURES	
Anadromous	None
Flood Zone	None
Hazard	None
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 (CUP) for an accessory apartment on an undersized lot in a D5 zoning district (Attachment A). The structure will not be expanded and the proposal will not aggravate the existing nonconforming situations as discussed below.

According to CBJ 49.25.510(k)(E)(ii)(a), accessory apartments are allowed on lots that are less than the minimum lot size for the zoning district with an approved Conditional Use Permit. The proposed accessory apartment measures less than 600 square feet, as required by [49.25.510(k)(E)(ii)(a)] and will be located within an existing single-family dwelling.

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

Type	Summary
Building History	The structure on the lot was originally constructed in 1934.
Platting History	The lot was originally platted in 1934; a lot line adjustment was recorded in 1977.
Nonconforming Certificate	NCC2020 0055 - The lot received a Nonconforming Certification for lot size, lot width, structure setbacks, and parking (Attachment C).
Parking Waiver	PWP20200004 - The applicant has requested a parking waiver to waive the one required off-street parking space for the proposed accessory apartment.

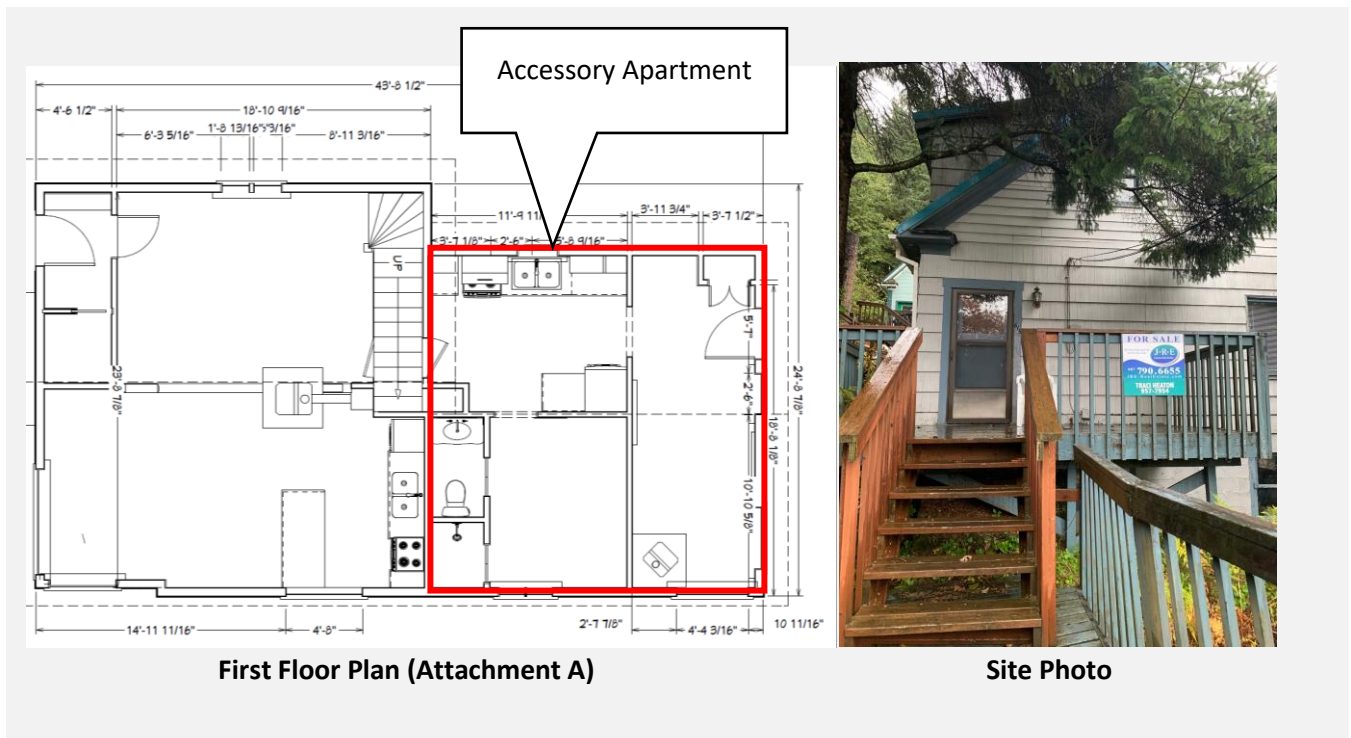
ZONING REQUIREMENTS

Standard		Requirement	Existing (No Change)	Code Reference
Lot	Size	7,000 sq. ft.	3,781 sq. ft.	49.25.400

Standard		Requirement	Existing (No Change)	Code Reference
	Width	70'	46'	49.25.400
	Depth	80'	100'	49.25.400
Setbacks	Front (W)	10'	17'	49.25.430(4)(K)
	Rear (E)	20'	34'	49.25.400
	Side (N)	5'	0'	49.25.400
	Side (S)	5'	6'	49.25.400
Lot Coverage		50% maximum	25%	49.25.400
Height	Permissible	35'	Unknown – 2 to 3 stories	49.25.400
	Accessory	25'	N/A	49.25.400
Maximum Dwelling Units		1	1	49.25.500
Use		Residential	Residential	49.25.300
Vegetative Cover		20% minimum	30%	49.50.300
Parking		3*	0	49.40.210(a)

*Existing single-family dwelling is Certified Nonconforming for providing no off-street parking; the accessory apartment requires one off-street parking space (NCC2020 0055).

PLAN



ANALYSIS

Project Site and Design – The lot measures 3,781 square feet and contains a two-story single-family dwelling with a basement. Because the dwelling was constructed prior to zoning requirements, it is considered nonconforming to current zoning requirements (Attachment C). The proposed development does not aggravate nonconforming situations relating to dimensional standards, as the accessory apartment will be located within the existing

structure. The proposed accessory apartment measures approximately 500 square feet and will have one bedroom and bathroom as well as a small living and kitchen area.

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

Use	Per Unit	Trips Generated	Total Trips
Single-family Dwelling	1	9.52 per unit	9.52
Apartment	1	6.65 per unit	6.65
Total ADTs:			16.17

Vehicle Parking & Circulation – The lot currently provides zero off-street parking for the existing single-family dwelling. Access to the lot is provided through a staircase from the front of the dwelling to East Street. As discussed above, the single-family dwelling was constructed prior to zoning requirements and is nonconforming for off-street parking (Attachment C). Off-street parking for the single-family dwelling is not required. According to CBJ 49.40.210(a), one (1) off-street parking space is required for the proposed accessory apartment.

The applicant proposes to provide zero off-street parking spaces for the proposed accessory apartment. According to CBJ 49.30.400, nonconforming situations may not be aggravated. If the parking waiver were granted, providing zero off-street parking spaces for the proposed accessory apartment would not be considered an aggravation to the existing nonconforming parking situation. Issuance of a parking waiver is an acceptable exception process, and, if granted, would not be considered an aggravation according to CBJ 49.30.400(a).

According to CBJ 49.40.200(4)(A), off-street parking facilities for single-family dwellings shall be located on the same lot as the building served; this includes uses accessory to single-family dwellings. Because the applicant cannot accommodate the required parking on-site, they must meet parking by an alternative method. The applicant has applied for a parking waiver; parking is discussed further in the staff report for PWP2020 0004. A recommended condition of approval for USE2020 0025 is that prior to the issuance of a building permit, the applicant must demonstrate that all applicable parking code requirements have been met.

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 conformance with CBJ 49.40.210.

Non-motorized Transportation – Sidewalks are provided on the eastern side of East Street up to the lot. Other portions of East Street have sidewalks on both sides of the street.

Proximity to Transit – The nearest bus stop is located on the corner of Seward Street and Fourth Street; approximately a one-quarter mile walk from the lot.

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

Lighting – No new lighting is proposed. In the applicant's narrative, they show an existing light fixture near the entrance to the proposed accessory apartment (Attachment A). According to CBJ 49.40.230(d) all lighting fixtures shall be "full cutoff" design. This will be verified during building permit review.

Vegetative Cover & Landscaping – A minimum of 20 percent vegetative cover is required; the lot currently meets this requirement. The accessory apartment will not change the building footprint.

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

Hazard Zones – There are no mapped hazard zones on the lot.

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

Property Value or Neighborhood Harmony – No information has been submitted that suggests the proposed development will be out of character with the existing neighborhood or reduce property values of neighboring property. The lot is located in the D5 zoning district and surrounded by residential uses. The eastern side of East Street is zoned D5 and the western side of East Street is zoned D18 (Attachment D). Compact in-fill development is common in downtown and generally in character with the higher density residential neighborhood.

AGENCY REVIEW

CDD conducted an agency review comment period between December 14 and December 28, 2020. No issues were raised through review of the proposed development.

PUBLIC COMMENTS

CDD conducted a public comment period between December 21, 2020 and January 4, 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 E.

Name	Summary
Greg & Bonnie Chaney	Submitted comments in support of the proposed development.

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	11	147	Land Use Designation	Complies with the <i>Medium Density Residential – Single Family</i> land use designation; this land use designation allows single-family dwellings with accessory apartments (Attachment D).
	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 4.2	Facilitates the provision of an adequate supply of various housing types and sizes to

PLAN	Chapter	Page No.	Item	Summary
				accommodate present and future housing needs for all economic groups.
2016 Housing Action Plan	2	35	Production Targets	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 development. The application submittal by the applicant, including the appropriate fees, substantially conforms to the requirements of CBJ Chapter 49.15.

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

Analysis: The application is for a single-family dwelling with an accessory apartment. The use is listed at CBJ 49.25.300, Section 1.130 for the D5 zoning district.

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

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

Analysis: The proposed accessory apartment is within an existing structure which has been Certified Nonconforming (Attachment C). The proposal complies with accessory apartment size limitations [49.25.510(k)(E)(ii)(a)] and design requirements such as vegetative cover and lighting.

Finding: Yes. With the recommended conditions and approval of a parking waiver, the proposed development will comply with Title 49, including, lighting, vegetative cover, and off-street parking.

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

Analysis: No further analysis needed.

Finding: No. There is no evidence to suggest that with appropriate conditions, the requested accessory apartment, in a D5 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 accessory

apartment, in a D5 zoning district will substantially decrease the value or be out of harmony with the property in the neighboring area.

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

Analysis: Policies in the Comprehensive Plan and Housing Action Plan call for compact in-fill development within the Urban Service Boundary in order to facilitate the cost-effective provision of public services. Additionally, the proposed use is in general conformity with the land use designation identified in the Comprehensive Plan.

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

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE WITH CONDITIONS the requested Conditional Use Permit. The permit would allow the development of an accessory apartment on an undersized lot.

The approval is subject to the following conditions:

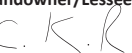
1. Prior to issuance of a building permit, the applicant must submit documentation to demonstrate that all applicable parking code requirements have been met, in conformance with CBJ 49.40.210.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	Abutters Notice
Attachment C	Nonconforming Certification NCC2020 0055
Attachment D	Zoning Map and Land Use Designation Map
Attachment E	Public Comments

DEVELOPMENT PERMIT APPLICATION

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

To be completed by Applicant	PROPERTY LOCATION		
	Physical Address 615 East Street, Juneau AK 99801		
	Legal Description (s) (Subdivision, Survey, Block, Tract, etc) Fraction of Lot 2, Block 112, Juneau Townsite		
	Parcel Number(s) 1C040A120050		
	☐ This property located in the downtown historic district ☐ This property located in a mapped hazard area, if so, which _____		
	LANDOWNER/ LESSEE		
	Property Owner Olivia S. Sinaiko & Charles K. Renick		Contact Person Olivia S. Sinaiko
	Mailing Address 615 Basin Rd., Juneau, AK 99801		Phone Number(s) 415-370-6170
	E-mail Address osinaiko@gmail.com		
	LANDOWNER/ LESSEE CONSENT Required for Planning permits, not needed on Building/ Engineering permits		
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.			
X  Landowner/Lessee Signature		<u>12/05/2020</u> Date	
X  Landowner/Lessee Signature		<u>12/05/2020</u> 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 LANDOWNER, write "SAME"			
Applicant SAME		Contact Person SAME	
Mailing Address SAME		Phone Number(s) SAME	
E-mail Address SAME			
X  Applicant's Signature		<u>12/05/2020</u> Date of Application	

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

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Attachment A - Application Packet

Intake Initials BMc	
Case Number USE20200025 PWP2020004	Date Received 12/9/20



ALLOWABLE/CONDITIONAL USE ERMIT APPLICATION

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

OTE: Must be accompanied by a DEVELOPMENT PERMIT APP ICAT O form.

PROJECT SUMMARY

Convert the back section of 615 East Street into an accessory1 bd/bath apartment. There would be no changes to setbacks, height, or lot coverage; apartment would be confined to existing footprint. +

TYPE OF ALLOWABLE OR CONDITIONAL USE PER T REQUESTED

- ☒ Accessory Apartment – Accessory Apartment Application (AAP)
☐ Use listed in 49.25.300 – Table of Permissible Uses (USE)

Table of Permissible Uses Category: _____

S THIS A MODIFICATION or EXTENSION OF AN EXISTING APPROVAL?

☐ YES – Case # _____



UTILITIES PROPOSED

WATER: ☒ Public ☐ n Site

SEWER: ☒ Public ☐ n Site

SITE AND BUILDING SPECIFICS

Total Area of ot 3781 square feet Total Area of Existing Structure(s) 1569 square feet

Total Area of Proposed Structure(s) 1569 square feet

EXTERNAL GHTING

Existing to remain
Proposed



o



o



Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures

Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures

ALL REQUIRED DOCUMENTS ATTACHED

☒ arrative 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 dification extension inc ude:

- ☐ otice 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)

-----DEPART EN T USE ONLY BE OW TH S E-----

ALLOWAB E/CONDITIONAL USE FEES

	Fees	Check o.	Receipt	Date
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 al documents associated with it are public record once submitted.

COMPLETE APPLICATIONS WILL OT BE ACCEPTED

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

Case Number

USE20200025

Date Received

12/9/20

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

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

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

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

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

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

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

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

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

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

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

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

COMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Condition I Use Permit – Narrative

615 East St.

Livia S. Sinaiko & Charles J. Senick

osinaiko@gmail.com

415-370-6170

Current use of land or building(s)

This property is currently a single family home in the Starr Hill neighborhood. It was sold as a 3 bedroom home, with one full bath upstairs, and a half bath (toilet and sink) downstairs off the den.

Description of project, project site, circulation, traffic, etc.

This application is for an accessory apartment in the back half of the first floor, including: the existing kitchen, the back dining/living room, the existing den (converted into a bedroom), and the existing half bath. There already exists a separate entrance to the back half of the first floor, via the back dining/living room.

Owners have separately applied for a building permit to add a shower next to the existing half-bath, in order to have one full bath in the accessory apartment. That building permit also involves the addition of a new kitchen in the front half of the house. If this Conditional Use Permit is approved, then the existing kitchen would remain; if this Conditional Use Permit is not approved, then the existing kitchen would be decommissioned following completion of the new kitchen.

Like many homes in this neighborhood, this house is connected to the street by a stairway, and does not have any off-street parking. Accordingly, owners are simultaneously applying for a parking Waiver for the designated off-street parking space that an accessory apartment would normally require.

Proposed use of land or building(s)

This would be a single family dwelling, with an accessory apartment.

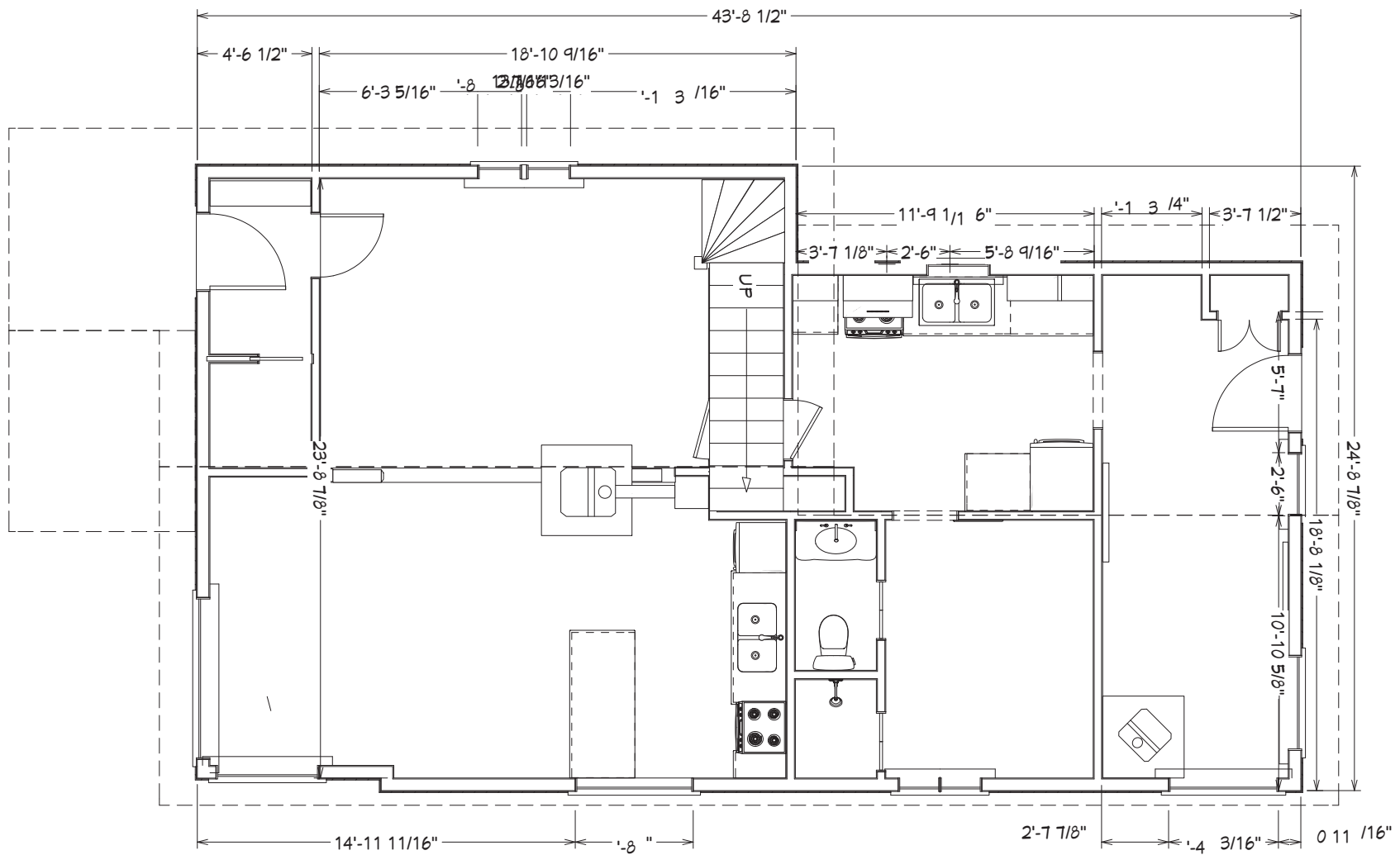
How the proposed use complies with the Comprehensive Plan

The CBJ Comprehensive Plan sites a need for increased housing. This remodel would add a high-quality modern rental in a highly desirable neighborhood, and does not include any change to the setbacks, height, or lot coverage of the property. Accessory apartments are very common in this neighborhood.

Extern | Lighting

There already exists a very small lighting fixture above the entrance to the back half of the first floor, as shown here:





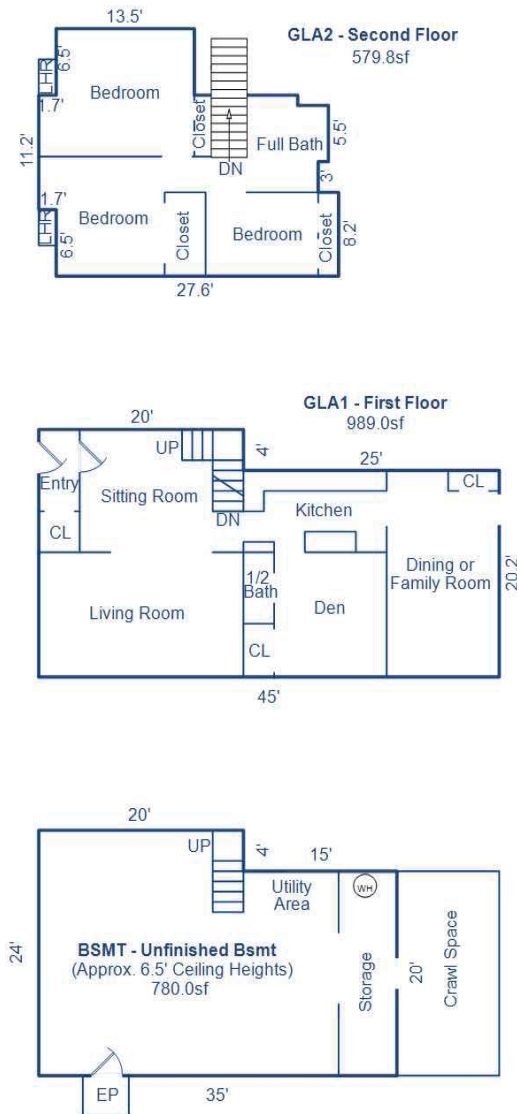
Attachment A - Application Packet

Borrower Olivia S. Sinaiko and Charles K. Renick

Property Address 15 East Street

City Juneau County Juneau City and Borough State AK Zip Code 99801-1044

Lender/Client Alaska USA Mortgage Company, LLC Address 4000 Credit Union Drive, Anchorage, AK 99503



The exterior measurements are rounded and used to calculate the Gross Living Area used on the grid.
The interior sketch is not drawn to scale and is provided to give the reader a general idea of the floor plan.

Sketch by Apex Sketch

AREA CALCULATIONS SUMMARY						AREA CALCULATIONS BREAKDOWN				
Code	Description	Factor	Net Size	Perimeter	Net Totals	Name	Base x	Height x	Width =	Area
GLA1	First Floor	1.0	989.0	138.4	989.0					
GLA2	Second Floor	1.0	579.8	109.0	579.8					
BSMT	Unfinished Bsmt	1.0	780.0	118.0	780.0					
Net LIVABLE						2 total items			(rounded)	1,569

Borrower: Olivia S. Sinaiko and Charles K. Renick

Property Address: 15 East Street

City: Juneau

County:

Juneau City and Borough

State:

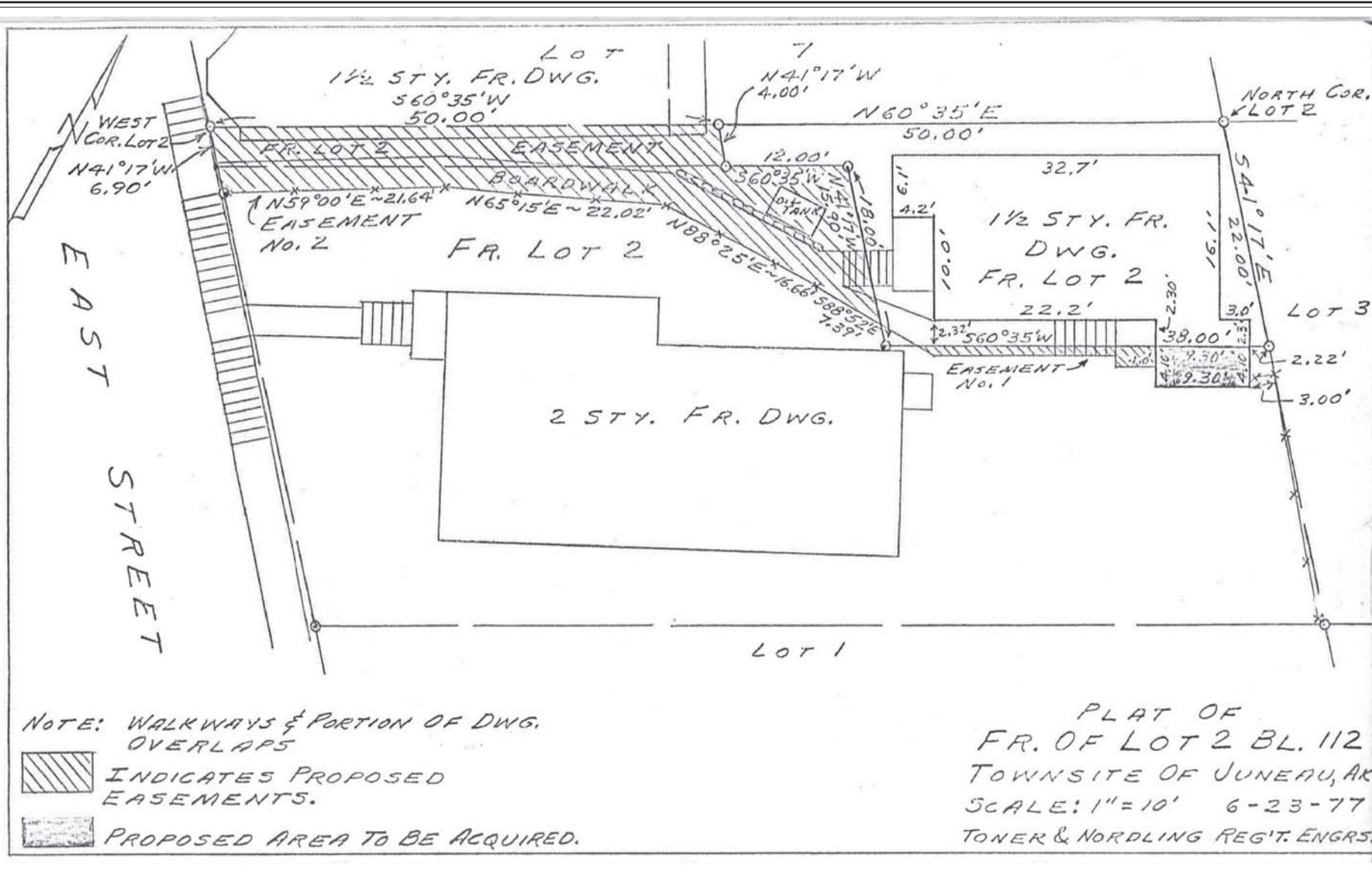
AK

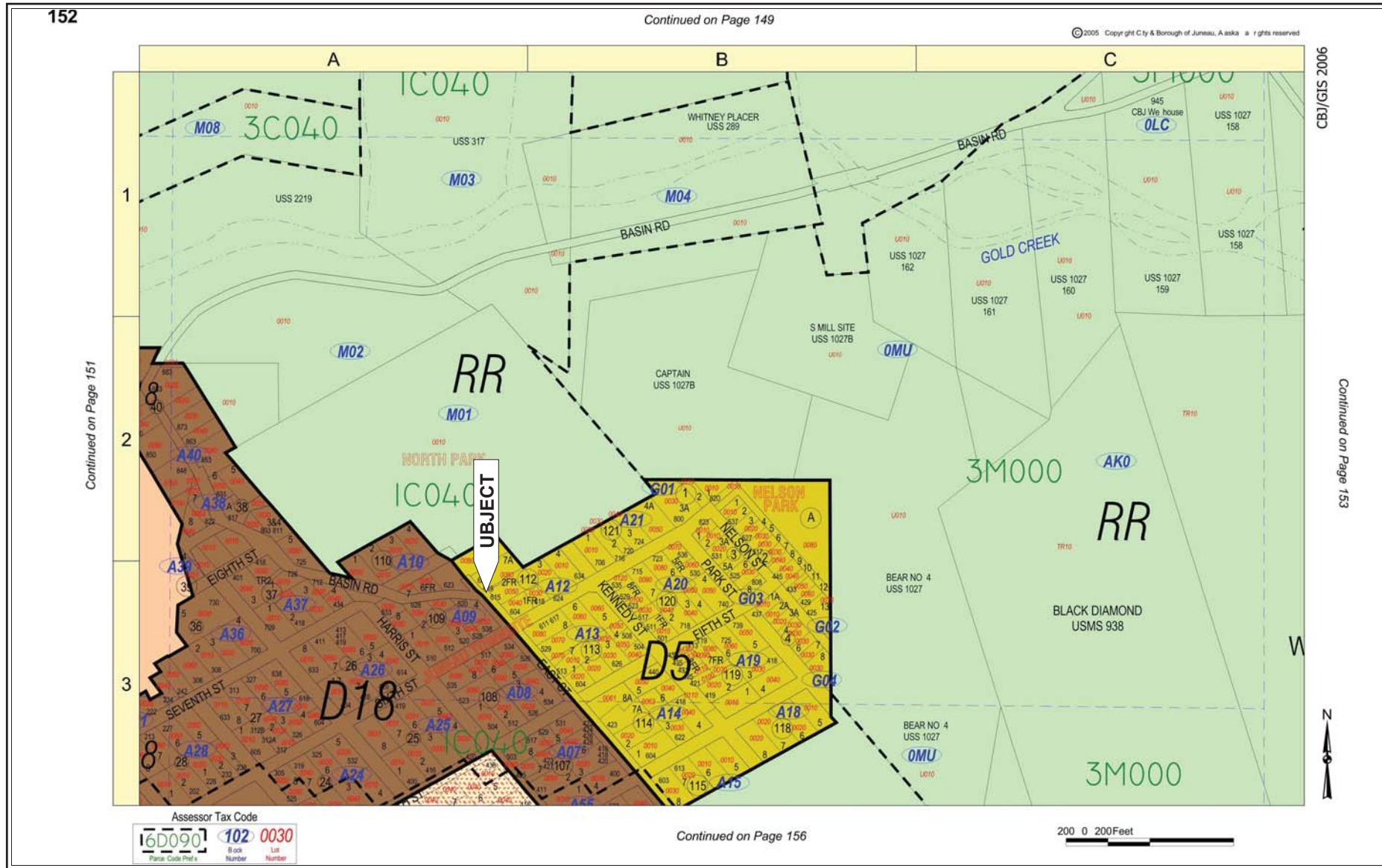
Zip Code:

99801-1044

Lender/Client: Alaska USA Mortgage Company, LLC

Address: 4000 Credit Union Drive, Anchorage, AK 99503





Borrower Olivia S. Sinaiko and Charles K. Renick

Property Address 15 East Street

City Juneau

County

Juneau City and Borough

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Zip Code

99801-1044

Lender/Client Alaska USA Mortgage Company, LLC

Address 4000 Credit Union Drive, Anchorage, AK 99503

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2013-003423-0

Recording District 101 Juneau

05/13/2013 02:41 PM Page 1 of 5



After Recording Return to:
Robert S. Spitzfaden
Gruening & Spitzfaden, APC
217 2nd Street Ste 204
Juneau, AK 99801

Juneau Recording District**EASEMENT**

This easement is granted this 3rd day of May, 2013, by and between Richard Listowski, whose address is 615 Basin Road, Juneau, Alaska, 99801, (herein Listowski), and Saralyn Tabachnick, whose address is 135 Troy St. 99801, (herein Tabachnick); and Alpheus Bullard, whose address is P.O. Box 22725 Juneau AK 99802, (herein Bullard).

WHEREAS Listowski owns the following described real property (herein the servient estate):

That part of Lot 2, Block 112, Townsite of Juneau, Juneau Recording District, First Judicial District, State of Alaska, described as:

Begin at the East corner of said Lot 2, run thence S60° 35' W, on the Southeast line of said lot, 100 feet to the south corner of said lot; thence N. 41° 17' W., on the Southwest line of said lot, 46 feet; thence N. 60° 35' E. parallel with the Northwest line of said lot, 62 feet; thence S. 41° 17' E., parallel with the Northeast line of said lot, 18 feet; thence N. 60° 35' E., parallel with the Northwest line of said lot, 38 feet to the Northeast line of said lot; thence S. 41° 17' E. 28 feet to the point of beginning, with the following easement: Easement. Including the terms and provisions thereof, in favor of Albert White and Margaret White for ingress and egress to and from "apartment at 601 East Street", created by instrument recorded October 7, 1947, in Deed Book 40 at page 191.

WHEREAS, Saralyn Tabachnick owns the following real property (herein the dominant estate) which Alpheus Bullard is in the process of purchasing:

A tract of Land in Lot 2, Block 112, Townsite of Juneau, Juneau Recording District, First Judicial District, State of Alaska, described as:

Borrower Olivia S. Sinaiko and Charles K. Renick

Property Address 15 East Street

City Juneau

County

Juneau City and Borough

State

AK

Zip Code

99801-1044

Lender/Client Alaska USA Mortgage Company, LLC

Address 4000 Credit Union Drive, Anchorage, AK 99503

rights granted herein, or (3) the actions or omissions of the owner(s) of the dominant estate.

5. All present and future dominant estate owners are jointly and severally liable and bound by this Easement.
6. Tabachnick, and then Bullard, and his successors and assigns, shall insure that no liens or encumbrances, are placed on the servient estate, and if liens or encumbrances are so placed, Tabachnick, and then Bullard, and his successors and assigns, shall immediately remove them.

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first written above.

Dated: 5/6/13

Richard Listowski
Richard Listowski

Dated: 5/3/13

S. Tabachnick
Saralyn Tabachnick

Dated: 5/6/13

Alpheus Bullard
Alpheus Bullard



Page 3 of 5
2013-003423-0

Borrower Olivia S. Sinaiko and Charles K. Renick

Property Address 15 East Street

City Juneau

County

Juneau City and Borough

State

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99801-1044

Lender/Client Alaska USA Mortgage Company, LLC

Address 4000 Credit Union Drive, Anchorage, AK 99503

BEGIN at the North corner of said Lot 2, the true point of beginning, run thence S41° 17' E. on the Northeast Line of said Lot, 22 feet; thence S 60° 35' W. parallel with Northwest line of said Lot 2.22 feet; thence S 29° 25' E, 4.10 feet; thence S 60° 35' W. parallel with the Northwest line of said Lot; 9.30 feet; thence N 29° 25' W, 4.10 feet, thence S 60° 35' W, parallel with the Northwest line of said Lot, 26.48 feet; thence N 41° 17' W, parallel with the northwest line of said lot, 18 feet, thence S 60° 35' w, parallel with the Northwest line of said Lot, 12 feet; thence N 41° 17' W, parallel with the Northeast line of said Lot, 4 feet to the Northwest line of said Lot, thence N 60° 35' E. on the Northwest line of said Lot, 50 feet to the point of beginning.

WHEREAS, Tabachnick previously constructed a deck in the air space over the servient estate.

NOW THEREFORE, the parties agree as follows:

1. Listowski does by these presents, grant and confirm (a) a perpetual right and easement for the deck to exist in the airspace above the servient estate, and (b) an easement to reasonably enter the servient estate to repair and maintain the deck. Both easements are at the owner of the dominant estate's sole expense and cost. The deck is located in the airspace area bounding by lines A, B, C, D, E, F, G and H on the attached J.W. Bean as-built survey dated March 10, 2013. The location of the repair and maintenance easement is the land bounded by the lines A, B, C, D, E, F, G and H on the attached J.W. Bean as-built survey dated March 10, 2013.
2. The easements granted by paragraph 1 shall run with the land and shall continue regardless of whether the dominant or servient estates are held by a single or multiple owners.
3. Tabachnick, and then Bullard and his successors and assigns, shall repair and maintain the easements granted herein in a proper and workmanlike manner at their own cost and expense, and in accordance with all applicable laws and regulations, with all necessary government permissions, licenses, and permits having been secured. The easements granted by paragraph 1 cannot be expanded or their location changed.
4. Tabachnick, and then Bullard, and his successors and assigns, shall indemnify, defend, and hold harmless the owners of the servient estate, against any loss, damage, cost, expense, liability, attorney's fees, executions, demands or judgments due to (1) the easement, and its construction, operation, repair and maintenance, (2) the exercise of the



Borrower Olivia S. Sinaiko and Charles K. Renick

Property Address 15 East Street

City Juneau

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Juneau City and Borough

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AK

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99801-1044

Lender/Client Alaska USA Mortgage Company, LLC

Address 4000 Credit Union Drive, Anchorage, AK 99503

ACKNOWLEDGMENT

STATE OF ALASKA)
) : ss
 FIRST JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this 6 day of May, 2013, personally appeared before me Richard Listowski, known to be the person described in and who executed the foregoing Easement, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN UNDER MY HAND and official seal the day and year last above written.

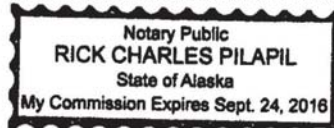
Robert S. Fitzgibbon
 Notary Public, State of Alaska
 My commission expires: 7-16-16

ACKNOWLEDGMENT

STATE OF ALASKA)
) : ss
 THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this 3rd day of May, 2013, personally appeared before me Saralyn Tabachnik, known to be the person described in and who executed the foregoing Easement, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN UNDER MY HAND and official seal the day and year last above written.



Rick Charles Pilapil
 Notary Public, State of Alaska
 My commission expires: 9/24/16



Page 4 of 5
 2013-003423-0

Borrower Olivia S. Sinaiko and Charles K. Renick

Property Address 15 East Street

City Juneau

County

Juneau City and Borough

State

AK

Zip Code

99801-1044

Lender/Client Alaska USA Mortgage Company, LLC

Address 4000 Credit Union Drive, Anchorage, AK 99503

2013-003422-0

Recording District 101 Juneau

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Page 1 of 6



After Recording Return to:
Robert S. Spitzfaden
Gruening & Spitzfaden, APC
217 2nd Street Ste 204 -
Juneau, AK 99801

Juneau Recording District**EASEMENT**

This easement is granted this 6 day of May, 2013, by and between Richard Listowski, whose address is 615 Basin Road, Juneau, Alaska, 99801, (herein Listowski), and Saralyn Tabachnick, whose address is 135 Troy Ave 99801, (herein Tabachnick), and Alpheus Bullad, whose address is 703x 25725, Juneau AK 99802, (herein Bullard).

WHEREAS Listowski own the following described real property (herein the dominant estate):

That part of Lot 2, Block 112, Townsite of Juneau, Juneau Recording District, First Judicial District, State of Alaska, described as:

Begin at the East corner of said Lot 2, run thence S60° 35' W, on the Southeast line of said lot, 100 feet to the south corner of said lot; thence N. 41° 17' W., on the Southwest line of said lot, 46 feet; thence N. 60° 35' E. parallel with the Northwest line of said lot, 62 feet; thence S. 41° 17' E., parallel with the Northeast line of said lot, 18 feet; thence N. 60° 35' E., parallel with the Northwest line of said lot, 38 feet to the Northeast line of said lot; thence S. 41° 17' E. 28 feet to the point of beginning, with the following easement: Easement. Including the terms and provisions thereof, in favor of Albert White and Margaret White for ingress and egress to and from "apartment at 601 East Street", created by instrument recorded October 7, 1947, in Deed Book 40 at page 191

Borrower Olivia S. Sinaiko and Charles K. Renick

Property Address 15 East Street

City Juneau

County

Juneau City and Borough

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Zip Code

99801-1044

Lender/Client Alaska USA Mortgage Company, LLC

Address 4000 Credit Union Drive, Anchorage, AK 99503

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Recording District 101 Juneau

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Page 1 of 6

After Recording Return to:

Robert S. Spitzfaden

Gruening & Spitzfaden, APC

217 2nd Street Ste 204 -

Juneau, AK 99801

Juneau Recording District**EASEMENT**

This easement is granted this 6 day of May, 2013, by and between Richard Listowski, whose address is 615 Basin Road, Juneau, Alaska, 99801, (herein Listowski), and Saralyn Tabachnick, whose address is 135 Troy Ave 99801, (herein Tabachnick), and Alpheus Bullad, whose address is 703x 22725, Juneau AK 99802, (herein Bullard).

WHEREAS Listowski own the following described real property (herein the dominant estate):

That part of Lot 2, Block 112, Townsite of Juneau, Juneau Recording District, First Judicial District, State of Alaska, described as:

Begin at the East corner of said Lot 2, run thence S60° 35' W, on the Southeast line of said lot, 100 feet to the south corner of said lot; thence N. 41° 17' W., on the Southwest line of said lot, 46 feet; thence N. 60° 35' E. parallel with the Northwest line of said lot, 62 feet; thence S. 41° 17' E., parallel with the Northeast line of said lot, 18 feet; thence N. 60° 35' E., parallel with the Northwest line of said lot, 38 feet to the Northeast line of said lot; thence S. 41° 17' E. 28 feet to the point of beginning, with the following easement: Easement. Including the terms and provisions thereof, in favor of Albert White and Margaret White for ingress and egress to and from "apartment at 601 East Street", created by instrument recorded October 7, 1947, in Deed Book 40 at page 191

Borrower Olivia S. Sinaiko and Charles K. Renick

Property Address 15 East Street

City Juneau

County

Juneau City and Borough

State

AK

Zip Code

99801-1044

Lender/Client Alaska USA Mortgage Company, LLC

Address 4000 Credit Union Drive, Anchorage, AK 99503

WHEREAS, Tabachnick owns the following real property (herein the servient estate)

which Bullard is in the process of purchasing:

A tract of Land in Lot 2, Block 112. Townsite of Juneau. Juneau Recording District. First Judicial District. State of Alaska. described as:

BEGIN at the North corner of said Lot 2, the true point of beginning, run thence S 41° 17' E. on the Northeast Line of said Lot, 22 feet; thence S 60° 35' W. parallel with Northwest line of said Lot 2.22 feet; thence S 29° 25' E, 4.10 feet; thence S 60° 35' W. parallel with the Northwest line of said Lot; 9.30 feet; thence N 29° 25' W, 4.10 feet, thence S 60° 35' W, parallel with the Northwest line of said Lot, 26.48 feet; thence N 41° 17' W, parallel with the northwest line of said lot, 18 feet, thence S 60° 35' w, parallel with the Northwest line of said Lot, 12 feet; thence N 41° 17' W, parallel with the Northeast line of said Lot, 4 feet to the Northwest line of said Lot, thence N 60° 35' E. on the Northwest line of said Lot, 50 feet to the point of beginning.

WHEREAS, Listowski desires to construct support structures, including but not limited to a retaining wall, on the servient estate.

NOW THEREFORE, the parties agree as follows:

1. Tabachnick and Bullard do by these presents, grant and confirm unto Listowski, his successors and assigns, a perpetual right and easement to construct, operate, repair and maintain, on the servient estate, support structures, including but not limited to a retaining wall, at Listowski's sole expense and cost, in order to protect against damage to the dominant estate. The easement shall be located in the general vicinity of the corner formed by lot lines 6 and 7 on the attached March 10, 2013 John Bean as built, but the exact location shall be determined at the time of construction, in such location as to protect the dominant estate against damage.



Borrower Olivia S. Sinaiko and Charles K. Renick

Property Address 15 East Street

City Juneau

County

Juneau City and Borough

State

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Zip Code

99801-1044

Lender/Client Alaska USA Mortgage Company, LLC

Address 4000 Credit Union Drive, Anchorage, AK 99503

2. The easement granted by paragraph 1 shall run with the land and shall continue regardless of whether the dominant or servient estates are held by a single or multiple owners.

4. Listowski, his successors and assigns, will construct, operate, repair, and maintain the easement granted herein in a proper and workmanlike manner at their own cost and expense, and in accordance with all applicable laws and regulations, with all necessary government permissions, licenses, and permits having been secured.

5. Listowski, his successors and assigns, shall indemnify, defend, and hold harmless the owners of the servient estate, against any loss, damage, cost, expense, liability, attorney's fees, executions, demands or judgments due to (1) the easement, and its construction, operation, repair and maintenance, (2) the exercise of the rights granted herein, or (3) the actions or omissions of the owner(s) of the dominant estate.

Page 3 of 6
2013-003422-0

Attachment A - Application Packet

Borrower Olivia S. Sinaiko and Charles K. Renick

Property Address 15 East Street

City Juneau

County

Juneau City and Borough

State

AK

Zip Code

99801-1044

Lender/Client Alaska USA Mortgage Company, LLC

Address 4000 Credit Union Drive, Anchorage, AK 99503

6. All present and future dominant estate owners are jointly and severally liable and bound by this Easement.

7. Listowski, his successors and assigns, shall insure that no liens or encumbrances, are placed on the servient estate, and if liens or encumbrances are so placed, Listowski, his successors and assigns, shall immediately remove them.

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first written above.

Dated: 5/6/13

Richard F. Listowski
Richard Listowski

Dated: 5/3/13

Saralyn Tabachnick
Saralyn Tabachnick

Dated: 5/6/13

Alpheus Bullard
Alpheus Bullard



Borrower Olivia S. Sinaiko and Charles K. Renick

Property Address 15 East Street

City Juneau

County

Juneau City and Borough

State

AK

Zip Code

99801-1044

Lender/Client Alaska USA Mortgage Company, LLC

Address 4000 Credit Union Drive, Anchorage, AK 99503

ACKNOWLEDGMENT

STATE OF ALASKA)
) : ss
 FIRST JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this 6 day of May, 2013, personally appeared before me **Richard Listowski**, known to be the person described in and who executed the foregoing Easement, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN UNDER MY HAND and official seal the day and year last above written.

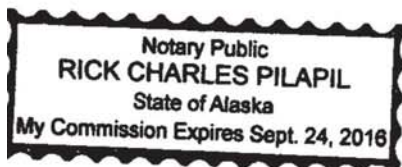
Robert S. Spitz
 Notary Public, State of Alaska
 My commission expires: 7-16-16

ACKNOWLEDGMENT

STATE OF ALASKA)
) : ss
 THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this 3rd day of May, 2013, personally appeared before me **Saralyn Tabachnick**, known to be the person described in and who executed the foregoing Easement, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN UNDER MY HAND and official seal the day and year last above written.



Rick Charles Pilapil
 Notary Public, State of Alaska
 My commission expires: 9/24/16



Borrower Olivia S. Sinaiko and Charles K. Renick

Property Address 15 East Street

City Juneau

County

Juneau City and Borough

State

AK

Zip Code

99801-1044

Lender/Client Alaska USA Mortgage Company, LLC

Address 4000 Credit Union Drive, Anchorage, AK 99503

ACKNOWLEDGMENT

STATE OF ALASKA)
) : ss
FIRST JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this 6 day of May, 2013, personally appeared before me **Alpheus Bullard**, known to be the person described in and who executed the foregoing Easement, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN UNDER MY HAND and official seal the day and year last above written.



Anita M. Bishop
Notary Public, State of Alaska

My commission expires: July 28, 2015



Page 6 of 6
2013-003422-0

Attachment A - Application Packet

Borrower Olivia S. Sinaiko and Charles K. Renick

Property Address 15 East Street

City Juneau

County

Juneau City and Borough

State

AK

Zip Code

99801-1044

Lender/Client Alaska USA Mortgage Company, LLC

Address 4000 Credit Union Drive, Anchorage, AK 99503

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Recording Dist: 101 - Juneau

5/8/2013 09:47 AM Pages: 1 of 3



After Recording Return to:

Robert S. Spitzfaden

Gruening & Spitzfaden, APC

217 2nd Street Ste 204

Juneau, AK 99801

Juneau Recording DistrictAETIA AA2L010**AMENDMENT OF EASEMENT**

The parties hereto, Richard Listowski, whose address is 615 Basin Road, Juneau, Alaska, 99801, (herein Listowski), and Saralyn Tabachnick, whose address is

135 Troy Ave. 99801, (herein Tabachnick) hereby amend as set forth herein that certain Easement dated August 5, 1977 recorded at book 134 page 140 books and records of the Juneau Recording District, First Judicial District, State of Alaska.

WHEREAS Listowski owns the following described real property (herein the dominant estate):

That part of Lot 2, Block 112, Townsite of Juneau, Juneau Recording District, First Judicial District, State of Alaska, described as:

Begin at the East corner of said Lot 2, run thence S60° 35' W, on the Southeast line of said lot, 100 feet to the south corner of said lot; thence N. 41° 17' W., on the Southwest line of said lot, 46 feet; thence N. 60° 35' E. parallel with the Northwest line of said lot, 62 feet; thence S. 41° 17' E., parallel with the Northeast line of said lot, 18 feet; thence N. 60° 35' E., parallel with the Northwest line of said lot, 38 feet to the Northeast line of said lot; thence S. 41° 17' E. 28 feet to the point of beginning, with the following easement: Easement. Including the terms and provisions thereof, in favor of Albert White and Margaret White for ingress and egress to and from "apartment at 601 East Street", created by instrument recorded October 7, 1947, in Deed Book 40 at page 191

WHEREAS, Tabachnick owns the following real property (herein the servient estate):

A tract of Land in Lot 2, Block 112. Townsite of Juneau. Juneau Recording District. First Judicial District. State of Alaska. described as:

Borrower Olivia S. Sinaiko and Charles K. Renick

Property Address 15 East Street

City Juneau

County

Juneau City and Borough

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AK

Zip Code

99801-1044

Lender/Client Alaska USA Mortgage Company, LLC

Address 4000 Credit Union Drive, Anchorage, AK 99503

BEGIN at the North corner of said Lot 2, the true point of beginning, run thence S41° 17' E. on the Northeast Line of said Lot, 22 feet; thence S 60° 35' W. parallel with Northwest line of said Lot 2.22 feet; thence S 29° 25' E, 4.10 feet; thence S 60° 35' W. parallel with the Northwest line of said Lot; 9.30 feet; thence N 29° 25' W, 4.10 feet, thence S 60° 35' W, parallel with the Northwest line of said Lot, 26.48 feet; thence N 41° 17' W, parallel with the northwest line of said lot, 18 feet, thence S 60° 35' w, parallel with the Northwest line of said Lot, 12 feet; thence N 41° 17' W, parallel with the Northeast line of said Lot, 4 feet to the Northwest line of said Lot, thence N 60° 35' E. on the Northwest line of said Lot, 50 feet to the point of beginning.

NOW THEREFORE, the parties agree as follows:

1. The second and third sentences of paragraph 2 of the Easement are deleted.
2. The Easement shall be perpetual and shall run with the land and shall continue regardless of whether the servient or dominant estates are held by single or multiple owners.

IN WITNESS WHEREOF, the parties have executed this Amendment Of Easement the day and year first written above.

Dated: 5/6/13

Richard Listowski
Richard Listowski

Dated: 5/3/13

Saralyn Tabachnick
Saralyn Tabachnick



2 of 3

2013-003314-1

Borrower Olivia S. Sinaiko and Charles K. Renick

Property Address 15 East Street

City Juneau

County

Juneau City and Borough

State

AK

Zip Code

99801-1044

Lender/Client Alaska USA Mortgage Company, LLC

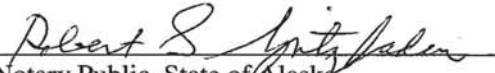
Address 4000 Credit Union Drive, Anchorage, AK 99503

ACKNOWLEDGMENT

STATE OF ALASKA)
) : ss
 FIRST JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this 6 day of May, 2013, personally appeared before me **Richard Listowski**, known to be the person described in and who executed the foregoing Easement, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN UNDER MY HAND and official seal the day and year last above written.

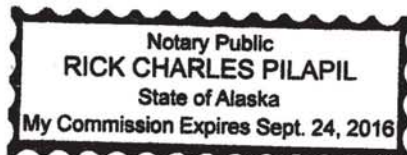

 Notary Public, State of Alaska
 My commission expires: 7-16-16

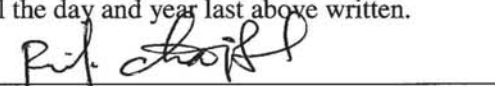
ACKNOWLEDGMENT

STATE OF ALASKA)
) : ss
 THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on this 3rd day of May, 2013, personally appeared before me **Saralyn Tabachnick**, known to be the person described in and who executed the foregoing Easement, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN UNDER MY HAND and official seal the day and year last above written.




 Notary Public, State of Alaska
 My commission expires: 9/24/14



3 of 3



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

615 East Street Accessory Apartment with Parking Waiver

Case Number: PAC20200067

Applicant: Olivia Salisbury Sinaiko

Property Owner: Olivia Salisbury Sinaiko

Property Address: 615 East Street

Parcel Code Number: 1C040A120050

Site Size: 3,781 Square Feet

Zoning: D5 (Single family/duplex)

Existing Land Use: Single Family Dwelling

Conference Date: 12/02/2020

Report Issued: 12/09/2020

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
Olivia Salisbury Sinaiko	Applicant	onsinaiko@gmail.com
Irene Gallion Joseph Meyers	Planning	irene.gallion@juneau.org joseph.meyers@juneau.org
Adrienne Scott	Permits	adrienne.scott@juneau.org
Charlie Ford	Building	charlie.ford@juneau.org

Conference Summary

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

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

To move forward:

- Apply for a Development Permit
- Apply for a Conditional Use Permit
- Apply for a Parking Waiver

Details on the applications are under “List of Applications” toward the end of this report.

The applicant is adding an accessory apartment to their home within the existing structure, and seeking to build a cover for their existing patio. The proposed accessory apartment is less than 600 square feet in size, sits at the rear of the first floor, and will require a Conditional Use Permit (CUP) for approval. This apartment would need to be approved by the Planning Commission because it is proposed on a lot that is less than the minimum lot size for the zoning district [19.25.510(k)(2)(E)]. Building permits for elements of the development may be issued concurrently with the CUP process for the accessory apartment. Portions of this development will be phased over time.

Since the lot was platted in 1894 and the structure built in 1943 – prior to zoning code – several of the standards below are not met. However the lot has a nonconforming certificate on file (NCC2020-0055) for lot size, lot width, structure setbacks, and parking. The applicant will need to submit a plan for the porch covering to ensure it conforms under zoning code requirements. The porch covering – described as covering the current porch area – could be allowed under CBJ 49.25.430(4)(K).

“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 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 [49.80].

“Net floor area” means the total horizontal floor area included within the surrounding walls of a building or portion thereof, exclusive of vent shafts. The net floor area of a building, or portion thereof, not provided with surrounding walls shall be measured to the inside of the supporting structure.

SPECIAL NOTE FOR GRANT APPLICATION: The accessory apartment grant program requires completion within a year of building permits being issued. Phasing should carefully consider which elements of development are required for the apartment, and when they should be applied for.

Planning Division

1. **Zoning** – The lot is zoned D5. Standard size lots have a minimum lot size of 7,000 square feet, lot width of 70 feet and lot depth of 85 feet.
2. **Setbacks** – Front (W) 17', Rear (E) 34', Side (N) 0', Side (S) 6'. The lot is nonconforming based on the nonconforming certificate on file.

Pre-Application Conference Final Report

3. **Height** – Maximum height in the D5 zoning district is 35 feet for primary structures like dwelling units and 25 feet for accessory structures like detached garages and storage sheds.
4. **Access** – East Street
5. **Parking & Circulation** – Each accessory apartment is required to have 1 on-site parking space. However a parking waiver can impact this standard.
6. **Lot Coverage** – The lot coverage standard for D5 is maximum 50% for both permissible and conditional uses.
7. **Vegetative Coverage** – The minimum vegetative coverage for D5 zoning is 20%.
8. **Lighting** – N/A
9. **Noise** – N/A
10. **Flood** – Zone X; Area of Minimal Flood Hazard
11. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – The lot is adjacent to a moderate risk hazard area, however falls just outside of the boundary not requiring any additional steps.
12. **Wetlands** – N/A
13. **Habitat** – Check with the U.S. Fish and Wildlife on the presence of eagle nests in the area. The presence of eagle nests may impact construction scheduling. No anadromous waterbodies are on the subject parcel, or within 50 feet.
14. **Plat or Covenant Restrictions** – There are no plat restrictions on USS Survey #7 from 1894.
15. **Traffic** – A traffic study is not required for the addition of an accessory apartment.
16. **Nonconforming situations** – A Nonconforming Certificate has been completed.

Building Division

17. **Building** – Fire and sound separation between main dwelling and apartment will be required. Windows must meet egress requirements.
18. **Outstanding Permits** – None

General Engineering/Public Works

19. **Engineering** – N/A
20. **Drainage** – N/A
21. **Utilities** – (water, power, sewer, etc.) Water meter will be required. Water assessment fee will be determined during building permit review process.

Fire Marshal

22. **Fire Items/Access** – N/A

Other Applicable Agency Review

23. DOT&PF / Alcohol Beverage Control Board / Army Corps / DEC (wastewater) / DNR / USF&W / F&G / FAA / Corrections... N/A

List of required applications

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

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

AFTER PLANNING COMMISSION APPROVAL:

4. The Applicant should submit an Accessory Apartment Application with their building permit application: https://juneau.org/index.php?gf-download=2019%2F07%2FAAP-Accessory-Apartment_Application.pdf&form-id=22&field-id=11&hash=b1cc54a0cfbaaa5d939ebdf6eae69d7e0566e657fc61b7363e118b4ba64600ef
5. The project could qualify for a \$6,000 grant under CBJ's Accessory Apartment Incentive Grant Program. The grant would be awarded when the Certificate of Occupancy is issued. You can find more information and the application at: <https://juneau.org/housing/accessory-apartment-grant>

Additional Submittal Requirements

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

1. A copy of this pre-application conference report.

Exceptions to Submittal Requirements

Submittal requirements staff has determined **not** to be applicable or **not** required, given the specifics of the development proposal, are listed below. These items will **not** be required in order for the application to be reviewed.

1. N/A

Fee Estimates

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

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

1. Conditional Use Permit (\$350)
2. Parking Waiver (\$400)

Pre-Application Conference Final Report

3. Public Meeting Sign (\$150; \$50 fee + \$100 refundable deposit)
4. Building permit fee will be determined at the time of application
5. Water utility fee will be determined during building permit plan review

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

Submit your Completed Application

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

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

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

Attachments:

49.15.330 – Conditional Use Permit

Pre-Application Conference Final Report

49.15.330 - Conditional use permit.

- (a) *Purpose.* A conditional use is a use that may or may not be appropriate in a particular zoning district according to the character, intensity, or size of that or surrounding uses. The conditional use permit procedure is intended to afford the commission the flexibility necessary to make determinations appropriate to individual sites. The commission may attach to the permit those conditions listed in subsection (g) of this section as well as any further conditions necessary to mitigate external adverse impacts. If the commission determines that these impacts cannot be satisfactorily overcome, the permit shall be denied.
- (b) *Preapplication conference.* Prior to submission of an application, the developer shall meet with the director for the purpose of discussing the site, the proposed development activity, and the conditional use permit procedure. The director shall discuss with the developer, regulation which may limit the proposed development as well as standards or bonus regulations which may create opportunities for the developer. It is the intent of this section to provide for an exchange of general and preliminary information only and no statement by either the developer or the director shall be regarded as binding or authoritative for purposes of this code. A copy of this subsection shall be provided to the developer at the conference.
- (c) *Submission.* The developer shall submit to the director one copy of the completed permit application together with all supporting materials and the permit fee.
- (d) *Director's review procedure.*
 - (1) The director shall endeavor to determine whether the application accurately reflects the developer intentions, shall advise the applicant whether or not the application is acceptable and, if it is not, what corrective action may be taken.
 - (2) After accepting the application, the director shall schedule it for a hearing before the commission and shall give notice to the developer and the public in accordance with section 49.15.230.
 - (3) The director shall forward the application to the planning commission together with a report setting forth the director's recommendation for approval or denial, with or without conditions together with the reasons therefor. The director shall make those determinations specified in subsections (1)(A)—(1)(C) of subsection (e) of this section.
 - (4) Copies of the application or the relevant portions thereof shall be transmitted to interested agencies as specified on a list maintained by the director for that purpose. Referral agencies shall be invited to respond within 15 days unless an extension is requested and granted in writing for good cause by the director.
 - (5) Even if the proposed development complies with all the requirements of this title and all recommended conditions of approval, the director may nonetheless recommend denial of the application if it is found that the development:
 - (A) Will materially endanger the public health or safety;
 - (B) Will substantially decrease the value of or be out of harmony with property in the neighboring area;
or
 - (C) Will not be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans.
- (e) *Review of director's determinations.*
 - (1) At the hearing on the conditional use permit, the planning commission shall review the director's report to consider:
 - (A) Whether the proposed use is appropriate according to the table of permissible uses;
 - (B) Whether the application is complete; and

Pre-Application Conference Final Report

- (C) Whether the development as proposed will comply with the other requirements of this title.
- (2) The commission shall adopt the director's determination on each item set forth in paragraph (1) of this subsection (e) unless it finds, by a preponderance of the evidence, that the director's determination was in error, and states its reasoning for each finding with particularity.
- (f) *Commission determinations; standards.* Even if the commission adopts the director's determinations pursuant to subsection (e) of this section, it may nonetheless deny or condition the permit if it concludes, based upon its own independent review of the information submitted at the hearing, that the development will more probably than not:
- (1) Materially endanger the public health or safety;
 - (2) Substantially decrease the value of or be out of harmony with property in the neighboring area; or
 - (3) Lack general conformity with the comprehensive plan, thoroughfare plan, or other officially adopted plans.
- (g) *Specific conditions.* The commission may alter the director's proposed permit conditions, impose its own, or both. Conditions may include one or more of the following:
- (1) *Development schedule.* A reasonable time limit may be imposed on construction activity associated with the development, or any portion thereof, to minimize construction-related disruption to traffic and neighborhood, to ensure that development is not used or occupied prior to substantial completion of required public or quasi-public improvements, or to implement other requirements.
 - (2) *Use.* Use of the development may be restricted to that indicated in the application.
 - (3) *Owners' association.* The formation of an association or other agreement among developers, homeowners or merchants, or the creation of a special district may be required for the purpose of holding or maintaining common property.
 - (4) *Dedications.* Conveyance of title, easements, licenses, or other property interests to government entities, private or public utilities, owners' associations, or other common entities may be required.
 - (5) *Performance bonds.* The commission may require the posting of a bond or other surety or collateral approved as to form by the city attorney to guarantee the satisfactory completion of all improvements required by the commission. The instrument posted may provide for partial releases.
 - (6) *Commitment letter.* The commission may require a letter from a public utility or public agency legally committing it to serve the development if such service is required by the commission.
 - (7) *Covenants.* The commission may require the execution and recording of covenants, servitudes, or other instruments satisfactory in form to the city attorney as necessary to ensure permit compliance by future owners or occupants.
 - (8) *Revocation of permits.* The permit may be automatically revoked upon the occurrence of specified events. In such case, it shall be the sole responsibility of the owner to apply for a new permit. In other cases, any order revoking a permit shall state with particularity the grounds therefor and the requirements for reissuance. Compliance with such requirements shall be the sole criterion for reissuance.
 - (9) *Landslide and avalanche areas.* Development in landslide and avalanche areas, designated on the landslide and avalanche area maps dated September 9, 1987, consisting of sheets 1—8, as the same may be amended from time to time by assembly ordinance, shall minimize the risk to life and property.
 - (10) *Habitat.* Development in the following areas may be required to minimize environmental impact:

Pre-Application Conference Final Report

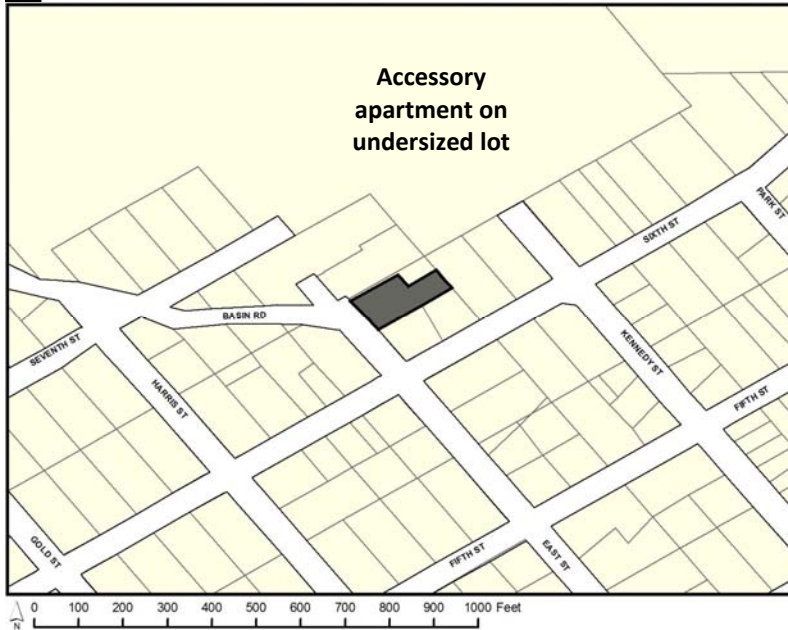
(A) Developments in wetlands and intertidal areas.

- (11) *Sound*. Conditions may be imposed to discourage production of more than 65 dBa at the property line during the day or 55 dBa at night.
- (12) *Traffic mitigation*. Conditions may be imposed on development to mitigate existing or potential traffic problems on arterial or collector streets.
- (13) *Water access*. Conditions may be imposed to require dedication of public access easements to streams, lake shores and tidewater.
- (14) *Screening*. The commission may require construction of fencing or plantings to screen the development or portions thereof from public view.
- (15) *Lot size or development size*. Conditions may be imposed to limit lot size, the acreage to be developed or the total size of the development.
- (16) *Drainage*. Conditions may be imposed to improve on and off-site drainage over and above the minimum requirements of this title.
- (17) *Lighting*. Conditions may be imposed to control the type and extent of illumination.
- (18) *Other conditions*. Such other conditions as may be reasonably necessary pursuant to the standards listed in subsection (f) of this section.

(Serial No. 87-49, § 2, 1987; Serial No. 2006-15, § 2, 6-5-2006; [Serial No. 2015-03\(c\)\(am\), § 9, 8-31-2015](#) [Serial No. 2017-29, § 3, 1-8-2018, eff. 2-8-2018](#)) ;

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 under-sized lot** and a **Parking Waiver of one space for an accessory apartment at 615 East Street** in a **D5 zone**.

TIMELINE

Staff Report expected to be posted **Tuesday, January 19, 2020** at <https://juneau.org/community-development/planning-commission>. Find hearing results, meeting minutes and more here as well.

Now through Jan. 4

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

Jan. 5 — noon, Jan. 25

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

HEARING DATE & TIME: 7:00 pm, Jan. 26, 2020

This virtual meeting will be by video and telephonic participation only. To join the Webinar, visit: <https://juneau.zoom.us/j/98351893348>. The Webinar ID is: 983 5189 3348. To join by telephone, call: +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833 or +1 301 715 8592 or +1 312 626 6799 or +1 929 436 2866 and enter the Webinar ID.

January 27

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 December 21, 2020

Case No.: USE2020 0025; PWP2020 0004
Parcel No.: 1C040A120050
CBJ Parcel Viewer: <http://epv.juneau.org>



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

NONCONFORMING CERTIFICATE

Date: October 9, 2020
File No.: NCC2020 0055

Nancy Van Naarden
2426 Castlewood Drive
Dyer, IN 46311

Proposal: A Nonconforming Certification Review for lot size, lot width, structure setbacks, and parking,

Property Address: 615 East Street
Property Legal Description: Juneau Townsite Block 112 Lot 2 Fraction
Property Parcel Code No.: 1C040A120050

The Director of Community Development adopted the analysis and findings listed in the attached memorandum dated October 9, 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 Structures (49.30.250):
 - Side yard setback of 0' along the northern property line
- Nonconforming Lots (49.30.260):
 - Lot size of 3,781 square feet
 - Lot width of 46 feet
- Nonconforming Parking (49.30.270):
 - No off-street parking is 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.

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:



Laurel Christian, Planner II
Community Development Department



Jill Maclean, Director, AICP
Community Development Department

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



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

DATE: October 9, 2020

TO: Jill Maclean, Director, AICP

BY: Laurel Christian, Planner II

PROPOSAL: Applicant requests a Nonconforming Certification Review for lot size, lot width, structure setbacks, and parking.

KEY CONSIDERATIONS FOR REVIEW:

- The lot was originally platted prior to zoning requirements.
- A variance and lot line adjustment were granted by the Platting Authority to reduce the lots area in 1977.
- Structures on the lot were constructed prior to zoning requirements.

GENERAL INFORMATION	
Property Owner	Richard Listowski
Applicant	Nancy Van Naarden
Property Address	615 East Street
Legal Description	Juneau Townsite Block 112 Lot 2 Fraction
Parcel Number	1C040A120050
Zoning	D5
Lot Size	3,781 sq. ft.
Water/Sewer	Public
Access	East Street (non-vehicular / staircase)
Existing Land Use	Single-family Dwelling
Associated Applications	N/A

STAFF RECOMMENDATION:

Staff recommends the following situations receive

Nonconforming Certification:

- Nonconforming Structures (49.30.250)
- Nonconforming Lots (49.30.260)
- 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.

ZONING HISTORY

Year	Zoning District	Summary
1964	R-2 Multi-family Residential	In 1964, zoning was established for the lot and surrounding area as R-2. Minimum lot size was 3,600 square feet and minimum lot width was 40 feet; there was no minimum lot depth. The setbacks were 15 feet front yard, 5 feet side yard, 10 feet rear yard. The lot and structure were established prior to zoning requirements. The lot met minimum dimensional standards. Structures on the lot met all setback requirements except the northern side yard setback.
1969	RMM – Multi-family Residential	In 1969, the lot and surrounding area was rezoned to RMM. Minimum lot size increased to 4,800 square feet with a minimum lot width of 40 feet and minimum lot depth of 90 feet. The setbacks remained 15 feet front yard, 5 feet side yard, 10 feet rear yard. The lot became nonconforming for lot size, and structures remained nonconforming to the northern side yard setback.
1987	D5 – Single-family Residential	In 1987, the lot and surrounding area was rezoned to D5. Minimum lot size increased to 7,000 square feet with a 70 feet lot width and 85 feet lot depth. The setbacks increased to 20 feet front and rear yards, and 5 feet side yard. The lot became nonconforming for lot size and lot width. The structures remained nonconforming for the northern side yard setback.

BACKGROUND INFORMATION

The applicant requests a Nonconforming Certification for lot size and lot with, structure setbacks, and number of off-street parking spaces. The lot and structures were established prior to zoning requirements.

INFORMATION REVIEWED

Year	Type	Summary
1934	Plat	The lot was originally platted in 1934 through the Juneau Townsite platting action.
1943	Assessors Database	According to the CBJ Assessors Database, the structure was constructed in 1943.
1977	Variance	VAR-VR77-22 - <i>A Variance request to reduce the existing substandard size lot by 38.13 square feet to allow adjustment of lot lines to correct a building encroachment.</i>
1977	Lot Line Adjustment	SUB-W77-495 - <i>Boundary adjustment between Juneau Townsite Block 112 Lots 2 FR & the adjacent Lot 2 FR.</i>
1977	Platting Waiver	A platting waiver was granted, approved through Platting Resolution 495.

Year	Type	Summary
		A surveyed drawing is in the file for the platting waiver, but it was not recorded with the subdivision. The surveyed drawing is used to estimate setbacks.
2013	Aerial Imagery	Aerial Imagery is used to estimate lot coverage and vegetative cover. Aerial imagery also shows additions to the structure that are not on the plat drawing.
2019	Assessors Photo	Assessor's photos from 2019 show a 3-story structure and front staircase.
2020	Site Visit	Staff performed a site visit on October 2, 2020.

ANALYSIS

Zoning District Comparison Table – The table below lists the required standards for the D5 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	7,000 sq. ft.	3,781 sq. ft.	49.25.400
	Width	70'	46'	49.25.400
	Depth	80'	100'	49.25.400
Setbacks	Front (W)	10'	17'	49.25.430(4)(K)
	Rear (E)	20'	34'	49.25.400
	Side (N)	5'	0'	49.25.400
	Side (S)	5'	6'	49.25.400
Lot Coverage		50% maximum	25%	49.25.400
Height	Permissible	35'	Unknown – 2 to 3 stories	49.25.400
	Accessory	25'	N/A	49.25.400
Maximum Dwelling Units		1	1	49.25.500
Use		Residential	Residential	49.25.300
Vegetative Cover		20% minimum	30%	49.50.300
Parking		2	0	49.40.210(a)

Minimum Lot Requirements – The lot was originally platted in 1934 and does not meet minimum lot size or lot width. The Community Development Department approved a lot line adjustment in 1977 with an approved variance to lot size (SUB-W77-495 and VAR-VR77-22). The lot line adjustment decreased the lot size of the subject lot and eliminated an encroachment issue with a neighboring lot.

Finding: Staff finds the lot nonconforming for lot size and lot width.

Minimum Setback Requirements – Structures on the lot were built in 1943 according to the Assessors database. Structures on the lot do not meet the minimum side yard setback along the northern property line. There is a staircase at the front of the dwelling, providing access to the structure. The staircase is allowed to project up to the front lot line per CBJ49.25.430(4)(C)(i).

Finding: Staff finds the structure(s) nonconforming for yard setbacks.

Lot Coverage – GIS aerial imagery shows lot coverage is not exceeded.

Finding: Staff finds the lot conforming for lot coverage.

Structure Height – The structure is two-stories with a basement, and dormers on the second story. The structure does not appear to exceed height restrictions based on a site visit and analysis of images.

Finding: Staff finds the structure(s) conforming for height.

Residential Density – The lot contains one single-family dwelling.

Finding: Staff finds the lot conforming for residential density.

Use – Use of the lot is residential.

Finding: Staff finds the lot conforming for use.

Vegetative Cover – GIS aerial imagery shows vegetative cover requirements are met.

Finding: Staff finds the lot conforming for vegetative cover.

Parking – CBJ 49.40.210 requires 2 off-street parking spaces for a single-family dwelling. Back-out parking may be allowed for single-family dwellings in residential zoning districts per 49.40.230(b)(7)(A). The lot and structures were established prior to zoning requirements. No off-street parking is provided.

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

NONCOMPLIANT SITUATIONS

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

There is no information 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.

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: The lot and structure were established prior to zoning requirements. The Platting Authority approved a lot line adjustment which reduced the lot size in 1977 through the platting waiver process.

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

2. Has the nonconforming situation been abandoned?

Analysis: No additional analysis required.

Finding: No. The nonconforming situations have 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 Structures (49.30.250):
 - Side yard setback of 0' along the northern property line
- Nonconforming Lots (49.30.260):
 - Lot size of 3,781 square feet
 - Lot width of 46 feet
- Nonconforming Parking (49.30.270):
 - No off-street parking is provided

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>1015 East Street, Juneau, Alaska</u>		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) <u>Juneau Townsite Block 112 Lot 2 fraction</u>		
	Parcel Number(s) <u>1C040A120050</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>Richard Listowski (personal rep. Nancy Van Naarden)</u> Contact Person: <u>Nancy Van Naarden</u> Mailing Address: <u>2426 Castlewood Dr, Dyer, IN 46311</u> Phone Number(s): <u>219-765-1325</u> E-mail Address: <u>NVNRICH@yahoo.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.		
	☒ <u>Nancy Van Naarden, Personal Representative</u> Landowner/Lessee Signature <u>9-14-2020</u> 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 may visit the property before the scheduled public hearing date.			
APPLICANT If the same as OWNER, write "SAME"			
Applicant: <u>Nancy Van Naarden, Personal Representative</u> Contact Person: <u>Nancy Van Naarden</u> Mailing Address: <u>2426 Castlewood Dr, Dyer, IN 46311</u> Phone Number(s): <u>219-765-1325</u> E-mail Address: <u>NVNRICH@yahoo.com</u>			
☒ <u>Nancy Van Naarden, Personal Representative</u> Applicant's Signature <u>9-14-2020</u> Date of Application			

DEPARTMENT USE ONLY BELOW THIS LINE

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Intake Initials <u>mg</u> <u>9/24/2020</u>	Date Received
Case Number	



APPLICATION FOR A NONCONFORMING CERTIFICATION REVIEW

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

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

TYPE OF NONCONFORMING SITUATION (CHECK ALL THAT MAY APPLY)

☐ USE ☒ STRUCTURE ☐ DENSITY ☒ PARKING ☒ LOT

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

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

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

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

Situation	Type of Documentation
Substandard lot size	Variance
Structure	Variance
Parking	Variance

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
House	Survey
House	Warranty Deed 1972
Taxes	Real Estate Tax Bill

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			
Admin. of Guarantee	\$			
Adjustment	\$			
Total Fee	\$			

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Case Number	Date Received

September 15, 2020

RE: Certificate of Non-Conforming
615 East Street, Juneau, AK

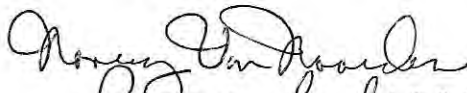
City and Borough of Juneau Community Development:

My name is Nancy Van Naarden and I am the personal representative for the Estate of Richard Frank Listowski. Attached are court papers appointing me personal representative and a copy of his death certificate. I am seeking a Certificate of Nonconforming for 615 East Street. Attached is the permit application, application for a nonconforming certificate review along with supporting documents. I reside in Indiana and have been to my brother's home. Not much documentation has been found as far as tax records or utilities.

The home is part of the original Juneau Survey from 1943. I believe my brother may have purchased the home in 1972. In 1977, there was a zoning variance and sub plat waiver to reduce the lot size to remove an encroachment. The home does not have off-street parking. Attached is a survey to help with the applying for a nonconforming lot, nonconforming structure, and nonconforming parking.

Please contact me if anything else is needed. Thank you.

Sincerely,


Personal Representative

Nancy Van Naarden, Personal Representative
The Estate of Richard Frank Listowski
2426 Castlewood Drive
Dyer, IN 46311
219-765-1325

Attachments: Court Papers
Death Certificate
Survey
Real Property Tax Statement
Warranty Deed 1972

2020 Real Property Tax Statement

Packet Page 96 of 211

PARCEL NUMBER 1C040A120050 RICHARD LISTOWSKI
PROPERTY LOCATION 615 EAST ST
LEGAL DESCRIPTION JUNEAU TOWNSITE BL 112 LT 2 FR

2020 REAL PROPERTY ASSESSMENT

LAND	134,200
BUILDING	210,300
EXEMPT TOTAL	(150,000)
TAXABLE VALUE	\$194,500

2020 PROPERTY TAX USES**2020 MILL RATE****2020 TAXES**

Areawide - Education and General Government Services	6.70	1,303.15
Areawide - Debt Service	1.20	233.40
Roaded Service Area - Police, Capital Transit, Street Maint, Parks & Rec	2.45	476.53
Fire Service Area - Fire Protection	0.31	60.30
TOTAL 2020 MILL RATE (Do not pay this amount)	10.66	

TOTAL REAL PROPERTY TAX (Assessed Value x Mill Rate / 1000) \$2,073.38

LOCAL IMPROVEMENT DISTRICT ASSESSMENTS

<u>Description</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
Annual Assessment Installment			

PRIOR YEAR(S) - See back of tax bill for due date and interest information

Delinquent Tax	0.00
Penalty and Interest (Interest calculated through 6/30/2020)	0.00
Credit for prepaid taxes or overpayment of prior year taxes	0.00

Amount due does not include up-to-date interest for prior year taxes. Call 907.586.5261 for amount.

AMOUNT DUE ON OR BEFORE SEPTEMBER 30, 2020

\$2,073.38

Please Note: It is your responsibility to pay any tax obligation each year. If you have a mortgage, it is possible that your taxes are paid by your mortgage company. Please confirm this prior to remitting payment.

Pd. 8/31/2020 Estate Checking Account

STATE OF ALASKA

CERTIFICATION OF VITAL RECORD

Packet Page 97 of 211

STATE OF ALASKA

ALASKA DEPARTMENT OF HEALTH AND SOCIAL SERVICES - BUREAU OF VITAL STATISTICS
P.O. Box 110675, Juneau, AK 99811-0675

DATE FILED **06/26/2020**

CERTIFICATE OF DEATH

STATE FILE NO. **2020001983**

1. DECEDENT'S LEGAL NAME (Include AKA's if any) (First, Middle, Last) RICHARD FRANK LISTOWSKI				2. SEX MALE		3. SOCIAL SECURITY NUMBER 332-34-2973	
4a. AGE-Last Birthday (Years) 78		4b. UNDER 1 YEAR Months: _____ Days: _____		4c. UNDER 1 DAY Hours: _____ Minutes: _____		5. DATE OF BIRTH (MM/DD/YY) 07/04/1941	
6. BIRTHPLACE (City and State or Foreign Country) CHICAGO, ILLINOIS							
7a. RESIDENCE-STATE ALASKA		7b. COUNTY JUNEAU		7c. CITY OR TOWN JUNEAU			
7d. STREET AND NUMBER 615 BASIN ROAD				7e. APT. No. _____		7f. ZIP CODE 99801	
7g. INSIDE CITY LIMITS? ☒ Yes ☐ No							
8. EVER IN US ARMED FORCES? ☒ Yes ☐ No ☐ Unknown		9. MARITAL STATUS AT TIME OF DEATH NEVER MARRIED		10. SURVIVING SPOUSE'S NAME (If wife, give name prior to first marriage) _____			
11. FATHER'S NAME (First, Middle, Last) FRANK JOHN LISTOWSKI				12. MOTHER'S NAME PRIOR TO FIRST MARRIAGE (First, Middle Last) STEPHANIE T MATUSZEWSKI			
13a. INFORMANT'S NAME ELAINE THOMPSON		13b. RELATIONSHIP TO DECEDENT SISTER		13c. MAILING ADDRESS (Street and Number, City, State, Zip Code) 411 S FRANCISCA AVE REDONDO BEACH, CALIFORNIA 90277			
14. DECEDENT'S EDUCATION: 6. BACHELORS DEGREE (E.G., BA, AB, _____)		16. DECEDENT'S RACE: ☒ White ☐ Black or African American ☐ American Indian or Alaskan Native (Name of the enrolled or principal tribe) _____ ☐ Asian Indian ☐ Chinese ☐ Filipino ☐ Japanese ☐ Korean ☐ Vietnamese ☐ Other Asian (Specify) _____		17. DECEDENT'S USUAL OCCUPATION COMMISSIONER			
15. DECEDENT OF HISPANIC ORIGIN? ☒ No, not Spanish/Hispanic/Latino(a) ☐ Yes, Mexican, Mexican American, Chicano(a) ☐ Yes, Puerto Rican ☐ Yes, Cuban ☐ Yes, other Spanish/Hispanic/Latino(a) _____				18. KIND OF BUSINESS OR INDUSTRY STATE OF ALASKA			
19. PLACE OF DEATH: INPATIENT							
20. FACILITY NAME (If not institution, give street & number) BARTLETT REGIONAL HOSPITAL				21. CITY OR TOWN, STATE AND ZIP CODE JUNEAU, ALASKA 99801		22. COUNTY OF DEATH JUNEAU	
23. METHOD OF DISPOSITION ☐ Burial ☒ Cremation ☐ Donation ☐ Entombment ☐ Removal from State ☐ Other (Specify) _____				24. PLACE OF DISPOSITION: ALASKAN MEMORIAL PARK MORTUARY AND CREMATORY			
25. LOCATION - CITY, TOWN AND STATE JUNEAU, AK		26. NAME AND COMPLETE ADDRESS OF FUNERAL FACILITY ALASKAN MEMORIAL PARK MORTUARY & CREMATORY 3839 RIVERSIDE DRIVE JUNEAU, ALASKA 998					
27. NAME OF FUNERAL SERVICE LICENSEE OR OTHER AGENT (SIGNATURE ON FILE) DARLENE MATHEIS						28. LICENSE NUMBER (Of Licensee) 239	
29. DATE PRONOUNCED DEAD (MM/DD/YY) _____				30. TIME PRONOUNCED DEAD _____			
31. SIGNATURE OF PERSON PRONOUNCING DEATH (Only when applicable) _____				32. LICENSE NUMBER _____		33. DATE SIGNED (MM/DD/YY) _____	
34. ACTUAL OR PRESUMED DATE OF DEATH (MM/DD/YY) 06/21/2020				35. ACTUAL OR PRESUMED TIME OF DEATH 12:18		36. WAS MEDICAL EXAMINER OR CORONER CONTACTED? ☐ Yes ☒ No	
37. PART I. CAUSE OF DEATH a. CARDIAC ARREST Due to (or as a consequence of): _____ b. SUSPECT AORTA DISSECTION Due to (or as a consequence of): _____ c. _____ Due to (or as a consequence of): _____ d. _____						Approximate Interval: Onset to death 6/21/2020	
PART II. Enter other significant conditions contributing to death but not resulting in the underlying cause HYPERTENSION, CORONARY ARTERY DISEASE, ATRIAL FIBRILLATION, KIDNEY TRANSPLANT						38. WAS AN AUTOPSY PERFORMED? ☐ Yes ☒ No	
39. WERE AUTOPSY FINDINGS AVAILABLE TO COMPLET THE CAUSE OF DEATH? ☐ Yes ☐ No							
40. DID TOBACCO USE CONTRIBUTE TO DEATH? P		41. IF FEMALE (PREGNANCY STATUS) 8. NOT APPLICABLE.		42. MANNER OF DEATH NATURAL CAUSES			
43. DATE OF INJURY (MM/DD/YY) _____		44. TIME OF INJURY _____		45. PLACE OF INJURY (e.g., Decedent's home; construction site; restaurant; wooded area) _____			
47. LOCATION OF INJURY: (Street & Number, Apt. No., City or Town, State, Zipcode) _____						46. INJURY AT WORK? ☐ Yes ☐ No	
48. DESCRIBE HOW INJURY OCCURRED: _____						49. IF TRANSPORTATION INJURY, SPECIFY: ☐ Driver/Operator ☐ Passenger ☐ Pedestrian ☐ Unknown ☐ Other (Specify) _____	
50a. CERTIFIER: CERTIFYING PHYSICIAN							
50b. NAME OF CERTIFIER (SIGNATURE ON FILE) NATHANIEL HADDOCK				51. ADDRESS, AND ZIP CODE OF PERSON COMPLETING CAUSE OF DEATH 10301 GLACIER HWY JUNEAU AK 99801			
52. LICENSE NUMBER 4177		53. DATE CERTIFIED (MM/DD/YY) 06/24/2020					

I CERTIFY THAT THIS IS A TRUE, FULL AND CORRECT COPY OF THE ORIGINAL CERTIFICATE ON FILE IN THE BUREAU OF VITAL STATISTICS, DEPARTMENT OF HEALTH AND SOCIAL SERVICES, JUNEAU, ALASKA.

DATE ISSUED **June 30, 2020**

Clint J. Farr
State Registrar

This copy not valid unless prepared on engraved border displaying the date, seal and signature of the Alaska State Registrar
Attachment C - Nonconforming Certification NCC2020 0055

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE



IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
FIRST JUDICIAL DISTRICT AT JUNEAU

IN THE MATTER OF THE ESTATE OF
RICHARD FRANK LISTOWSKI,

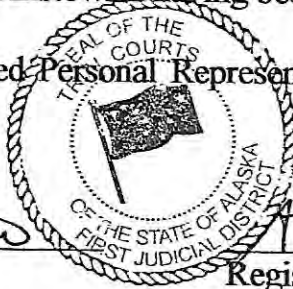
Deceased.

1JU-20-210 PR

LETTERS TESTAMENTARY AND ACCEPTANCE

The will of Richard Frank Listowski having been admitted to informal probate, Nancy Van Naarden is hereby appointed Personal Representative of the Estate of Richard Frank Listowski.

DATED: 8/17/2020



[Signature]
Registrar Judge

I hereby accept the duties and responsibilities of the office of Personal Representative of the Estate of Richard Frank Listowski, which I will perform as required by law.

I acknowledge my duty to:

(a) take possession and control of the decedent's property as required by AS 13.16.380, determine the liabilities of the estate, and complete an inventory as required by AS 13.16.365;

(b) provide notice to heirs and devisees as required by AS 13.16.360;

(c) provide notice to creditors as required by law, publish notice when required, and review and either accept or reject claims as required by AS 13.16.455 – AS 13.16.515 (except as provided by AS 13.16.690);

(d) advise the court in writing of the Personal Representative's address and telephone number, and changes thereto, as required by Probate Rule 8;

Letters Testamentary and Acceptance
In the Matter of the Estate of Richard Frank Listowski

1JU-20-_____ PR
Page 1 of 2

Attachment C - Nonconforming Certification NCC2020 0055

Faulkner Banfield, P.C.
8420 Airport Blvd. Suite 101 ♦ Juneau, Alaska 99801-6924
Phone: (907) 586-2210 ♦ Fax: (907) 586-8090

LOGGED 8/17/20 BY MB
DATE INITIALS

(e) pay homestead, exempt property and family allowances as required by AS 13.12.401 - .405; costs of administration and other claims as required by AS 13.16.470; and distribute the assets of the estate; and

(f) close the estate as soon as appropriate as required by AS 13.16.620 - .670.

No bond is required.

DATED: July 28, 2020

Nancy Van Naarden
Nancy Van Naarden
2426 Castlewood Drive
Dyer, IN 46311

CERTIFICATION

Pursuant to AS 09.63.020(a) I certify under penalty of perjury that the foregoing is true and correct.

Dated: July 28, 2020.

Nancy Van Naarden
Nancy Van Naarden

I certify that this is a full, true and correct copy of an original document on file in the Alaska Trial Courts at Juneau.
Witness my hand and the seal of this court:

8/18/2020 MR
Date Magistrate/Clerk



Faulkner Banfield, P.C.
8420 Airport Blvd. Suite 101 ♦ Juneau, Alaska 99801-6924
Phone: (907) 586-2210 ♦ Fax: (907) 586-8090

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8/18/2020 MB
Date Magistrate/Clerk



Faulkner Banfield, P.C.
8420 Airport Blvd. Suite 101 ♦ Juneau, Alaska 99801-6924
Phone: (907) 586-2210 ♦ Fax: (907) 586-8090

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
FIRST JUDICIAL DISTRICT AT JUNEAU

IN THE MATTER OF THE ESTATE OF
RICHARD FRANK LISTOWSKI,

Deceased.

1JU-20- 210 PR

**STATEMENT OF INFORMAL PROBATE OF WILL
AND APPOINTMENT OF PERSONAL REPRESENTATIVE**

The Registrar makes the following findings based upon the application of Nancy Van Naarden for informal probate of the Last Will and Testament of Richard Frank Listowski and appointment of a personal representative:

1. The application appears to be complete and contains the applicant's oath or affirmation that the statements contained therein are true to the best of the applicant's knowledge and belief.
2. The applicant is an interested person.
3. Decedent, Richard Frank Listowski, died on June 21, 2020, and at least 120 hours have elapsed since decedent's death.
4. Decedent was domiciled in Juneau, Alaska, at the time of death.
5. Venue is proper because decedent was domiciled in this judicial district at the time of death.
6. The time for probate has not expired.
7. A personal representative has not been appointed in this or any other judicial district of the state, and neither this will nor any other will of the decedent has been the subject of a previous probate order.

Statement of Informal Probate of Will and Appointment of
Personal Representative
In the Matter of the Estate of Richard Frank Listowski

1JU-20- _____ PR
Page 1 of 2

Attachment C - Nonconforming Certification NCC2020 0055

Faulkner Barfield, P.C.
8420 Airport Blvd. Suite 101 ♦ Juneau, Alaska 99801-6924
Phone: (907) 586-2210 ♦ Fax: (907) 586-8090

LODGED 8/17/20 BY MB INITIALS
DATE

8. Decedent left a valid, unrevoked will dated March 25, 2011. The original will is in the registrar's possession.

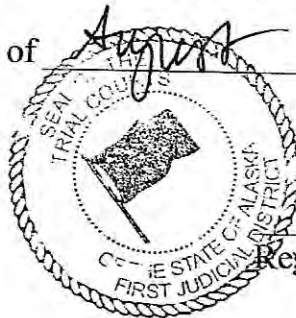
9. The person whose appointment is sought has priority for appointment as personal representative.

10. No bond is required because decedent's will waives the requirement for bond.

11. Any notice required by Alaska law has been given.

THEREFORE, it is ordered that the will is admitted to informal probate. It is also ordered that Nancy Van Naarden is appointed as personal representative of decedent's estate. Letters Testamentary will be issued upon qualification.

DATED this 17 day of August, 2020.



[Signature]
Registrar

I certify that this is a full, true and correct copy of an original document on file in the Alaska Trial Courts at Juneau.

Witness my hand and the seal of this court:

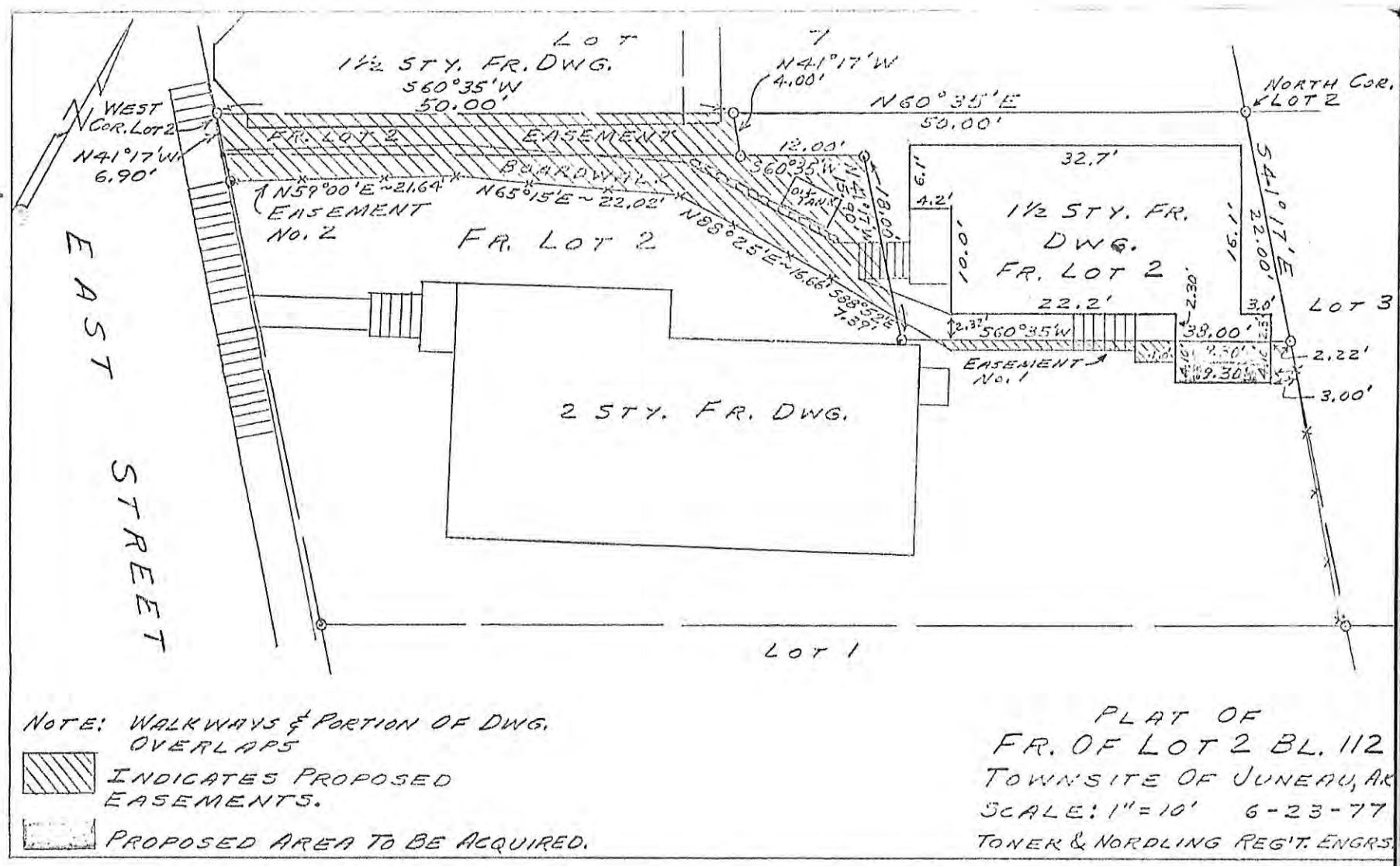
8/18/20

Date

mb

Magistrate/Clerk





WE CHARLES C. ROBERT C. KILL and DAVID J. KILL, husband and wife,
residing at _____
Juneau, Alaska
do hereby certify that the within and other valuable considerations
in and to consideration of \$110,000.00 Dollars, a single sum, of
_____ Dollars, Alaska, _____
_____ Dollars, Alaska, _____

do hereby certify and state
That part of Lot 2, Block 113, Townsite of Juneau,
Juneau Recording District, First Judicial District, State
of Alaska, described as:
Begin at the East corner of said Lot 2, run thence 250'
35' W. on the Southeast line of said lot, 100 feet to the
South corner of said lot; thence S. 41° 17' 0" on the
Southwest line of said lot, 40 feet; thence S. 60° 35' E.
parallel with the Northwest line of said lot, 60 feet;
thence S. 41° 17' E. parallel with the Northeast line of
said lot, 12 feet; thence N. 50° 35' E. parallel with the
Northwest line of said lot, 38 feet to the point of
beginning, with the following easement, Easement, including
the terms and provisions thereof, in favor of Albert White
and Margaret White for ingress and egress to and from
apartment at 601 East Street, created by instrument re-
corded October 7, 1967, in Book 60 at page 181.

RECORDED - FILED
1st
DATE 6-28-72
FILE 132
BOOK 72
PAGE 2326

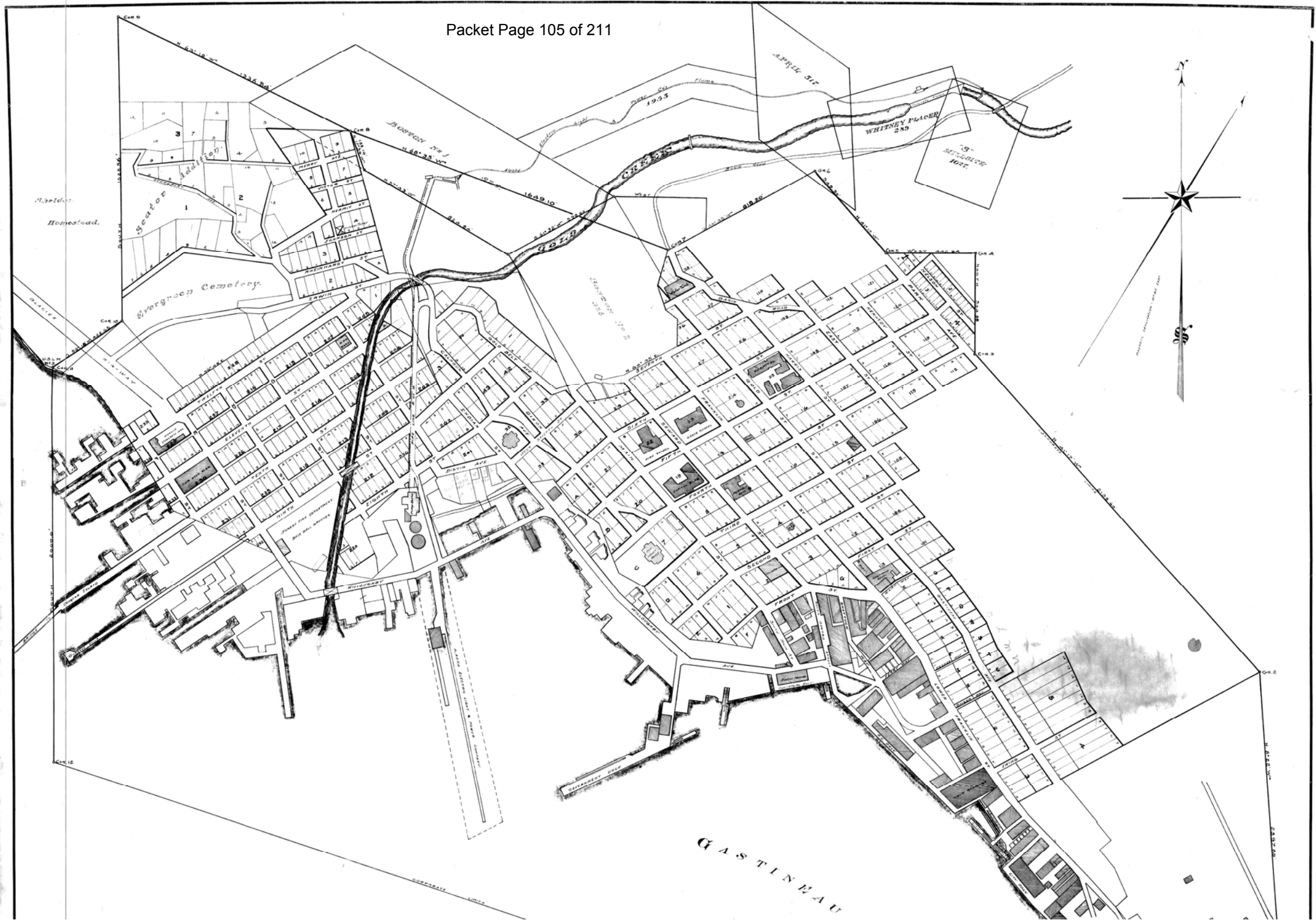
certified to the State of Alaska
DATED the 6 day of June, 1972.
Robert C. Kill (not)
David J. Kill (not)

ACKNOWLEDGMENT

STATE OF ALASKA
CITY OF AND BOROUGH OF JUNEAU

THIS CERTIFIES that on this 6 day of June, 1972,
before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared
Robert C. Kill and David J. Kill,
to me known and known to me to be the persons named or grouped in the foregoing deed and
they (individually) acknowledged to me that they executed the same freely and
voluntarily for the uses and purposes therein contained. They stated they are under oath
that they are husband and wife.

WITNESS my hand and official seal the day and year in the foregoing (with above written)
Notary Public for Alaska
My commission expires 10-75
JAN 72-2326
Serial No.



Plat 1934-1

CITY AND BOROUGH OF JUNEAU, ALASKA

PLATTING RESOLUTION NO. 495

WHEREAS, Stephen J. Pearson and Richard F. Listowski

, Applicant(s), have applied to the City and Borough of Juneau Planning Commission in proper form for a waiver of platting requirements of the subdivision of the following described real property:

that portion of Lot 2, Block 112, Townsite of Juneau, Juneau Recording District, First Judicial District, State of Alaska, described as:

begin at the north corner of said Lot 2, the true point of beginning; thence S 41° 17' E. on the northeast line of said lot, 22 feet; thence S. 60° 35' W., parallel with the northwest line of said lot, 2.22 feet; thence S. 29° 25' E. 4.10 feet; thence S. 60° 35' W., parallel with the northwest line of said lot, 9.30 feet; thence N. 29° 25' W. 4.10 feet; thence S. 60° 35' W., parallel with the northwest line of said lot, 26.48 feet; thence N. 41° 17' W., parallel with the northeast line of said lot, 18 feet; thence S. 60° 35' W., parallel with the northwest line of said lot, 12 feet; thence N. 41° 17' W., parallel with the northeast line of said lot, 4 feet to the northwest line of said lot; thence N. 60° 35' E. on the northwest line of said lot, 50 feet to the point of beginning.

containing 903.2 sq. ft., more or less

Packet Page 106 of 211

that part of Lot 2, Block 112, Townsite of Juneau, Juneau Recording District, First Judicial District, State of Alaska, described as:

begin at the east corner of said Lot 2, the true point of beginning; thence S 60° 35' W., on the southeast line of said lot, 100 feet to the south corner of said lot; thence N 41° 17' W., on the southwest line of said lot, 46 feet; thence N 60° 35' E., parallel with the northwest line of said lot, 62 feet; thence S 41° 17' E., parallel with the northeast line of said lot, 18 feet; thence N. 60° 35' E., parallel with the northwest line of said lot 26.48 feet; thence S 29° 25' E. 4.10 feet; thence N. 60° 35' E., parallel with the northwest line of said lot, 9.30 feet; thence N 29° 25' W., 4.10 feet; thence N. 60° 35' E., parallel with the northwest line of said lot, 2.22 feet to the northeast line of said lot; thence S 41° 17' E., on the northeast line of said lot, 28.00 feet to the point of beginning

containing 3781 sq. ft. more or less

according to the attached plat, sketch or diagram.

WHEREAS, the Commission finds that the proposed conveyance: (a) is not being made for the purpose of or in connection with a present or projected subdivision development; (b) is an isolated transaction which does not fall within the general intent of Title 40, Chapter 15, Alaska Statutes; and (c) does not involve or require any dedication of a street, alley, thoroughfare, park or other public area.

BE IT RESOLVED BY THE CITY AND BOROUGH PLANNING COMMISSION AS THE PLATTING AUTHORITY FOR THE CITY AND BOROUGH OF JUNEAU, ALASKA:

The said application for a statutory waiver of plat and recording requirements is a proposed conveyance of the above-described property is hereby granted.

Dated July 25, 1977

City and Borough of Juneau, Alaska
Planning Commission

By Richard F. Listowski
Chairman

ATTEST:

Mary Neuzell
Clerk

77-4115

RECORDED FILED FILED	
JUNEAU	REC. DIST. 300
DATE 8/5	19 77
TIME 2:24	P M
Requested by TTIC	
Address	

DATE: **July 26, 1977**

FILE NO.

SUBJECT:

**Richard Listowski
615 Basin Road
Juneau, Alaska 99801**

Dear Mr. Listowski:

This is to advise that the Board of Adjustment, at its meeting of July 25, 1977 approved your zoning variance request to reduce the size of Lot 2, Block 112 Townsite of Juneau by 38.13 sq. ft.

Sincerely,



**Steve Gilbertson
Zoning Administrator**

SG:cj



The City and Borough of Juneau is not responsible and shall not be liable to the user for damages of any kind arising out of the use of data or information provided by the City and Borough of Juneau, including the installation of the data or information, its use, or the results obtained from its use. ANY DATA OR INFORMATION PROVIDED BY THE City Borough of Juneau IS PROVIDED "AS IS" WITHOUT WARRANTY OF ANY KIND, EITHER EXPRESSED OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. Data or information provided by the City Borough of Juneau shall be used and relied upon only at the user's sole risk, and the user agrees to indemnify and hold harmless the City Borough of Juneau, its officials, officers and employees from any liability arising out of the use of the data/information provided. NOT FOR ENGINEERING PURPOSES.

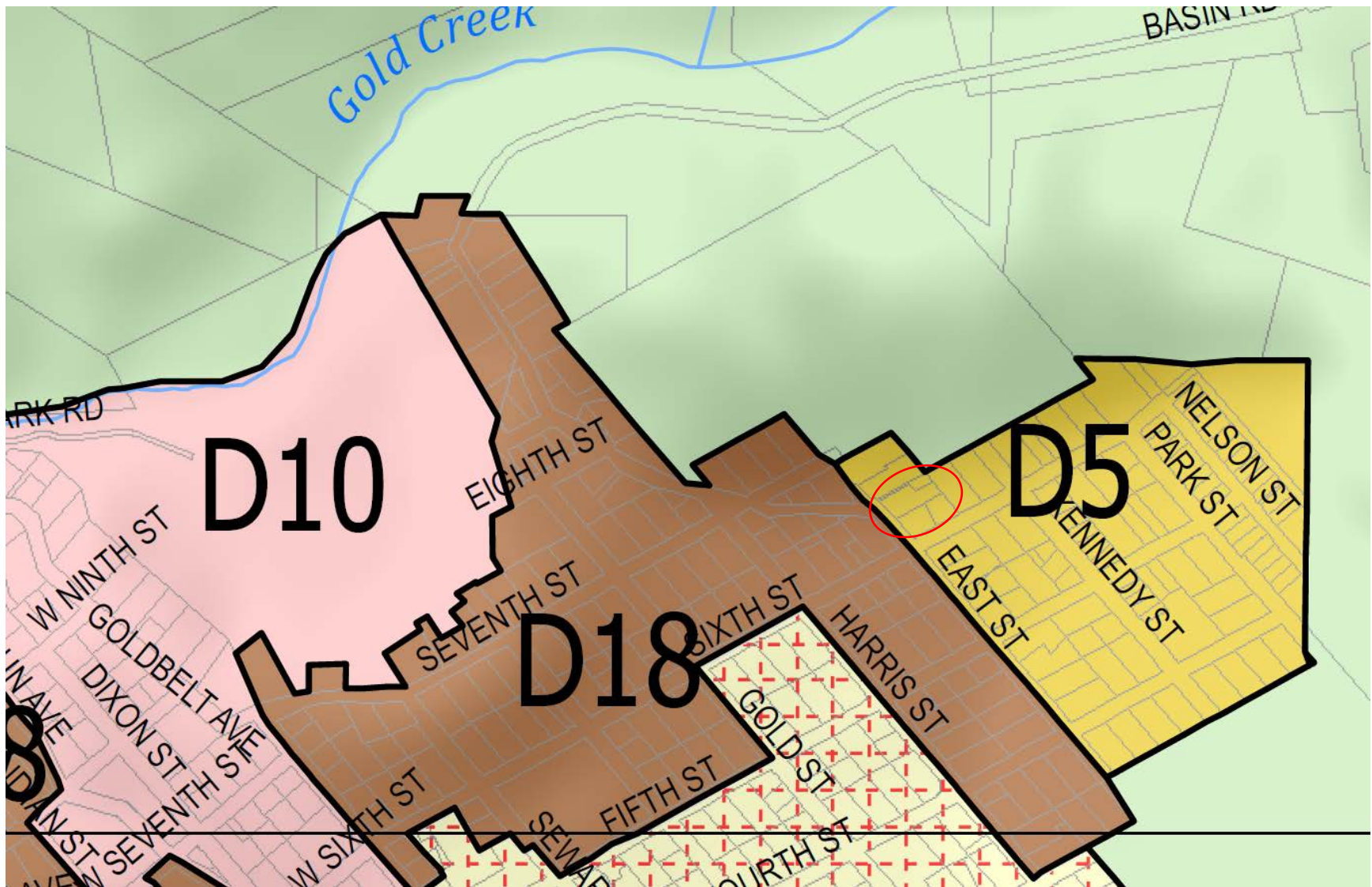


09/09/2019

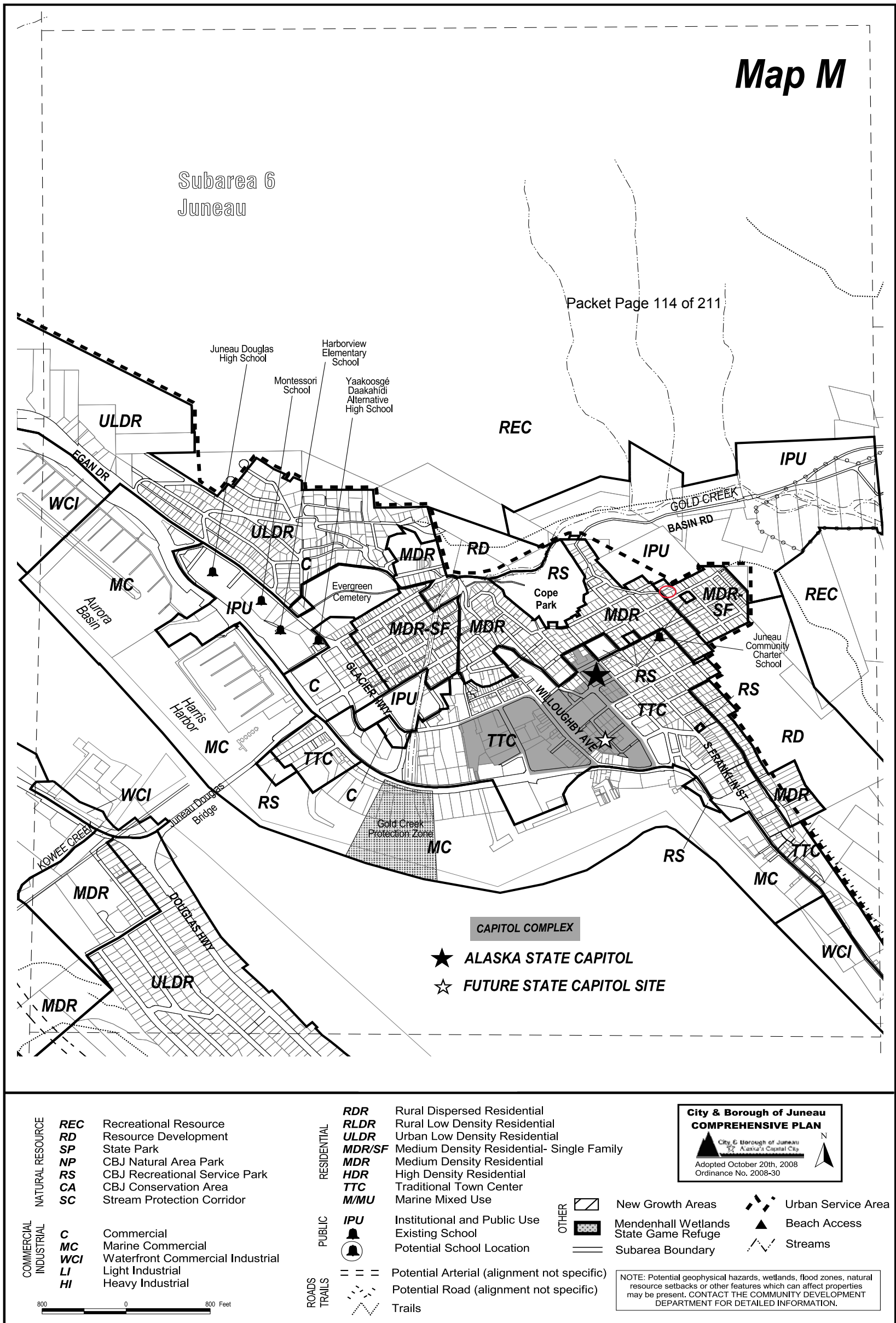
0055

Attachment C - Nonconforming Certification NCC2020 0055





Attachment D - Zoning Map & Land Use Designation Map



Prepared by: Community Development Department

From: Gregory Chaney <greg.chaney.glacier.l.and.s@gmail.com>
Sent: Wednesday, December 23, 2020 5:26 PM
To: PC_Comments
Subject: USE2020 0025 & PWP2020 0004

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

We have lived in this neighborhood for 24 years and it has maintained its vitality through high density residential houses. The proposed project will continue to support this lifestyle. We approve of this proposal.
Greg & Bonnie Chaney

USE20200025 & PWP20200004

A conditional use permit for an accessory apartment on an undersized lot and a parking waiver for the one (1) required parking space.

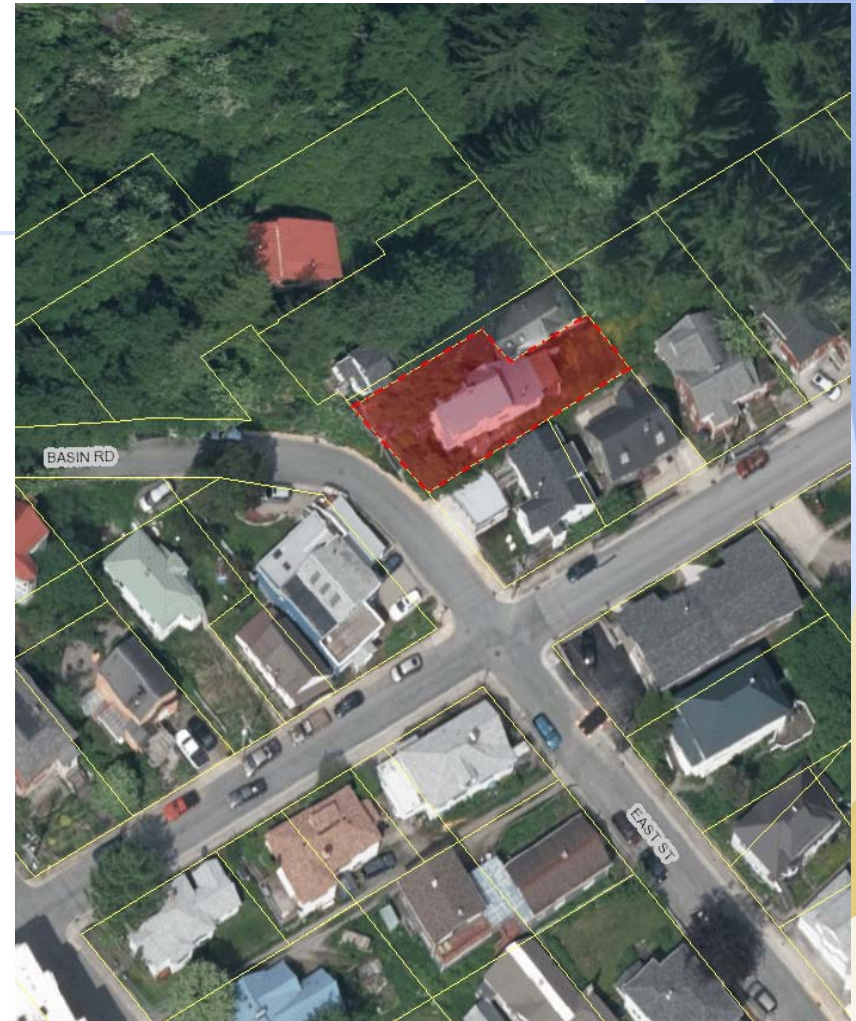
Staff recommends approval with conditions.

Planning Commission presentation January 26, 2021

Background Information

GENERAL INFORMATION

Applicant	Olivia Sinaiko & Charles Renick
Zoning	D5 Residential
Land Use Designation	Medium Density Residential – Single-family
Lot Size	3,781 sq. ft.
Access	East Street (non-vehicular / staircase)
Existing Land Use	Single-family Dwelling



Background Information

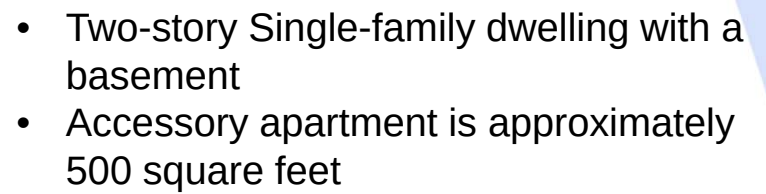
- USE20200025:
 - With an approved CUP accessory apartments are allowed on undersized lots
 - Accessory apartment cannot exceed 600 square feet.
- PWP20200004:
 - The accessory apartment requires one (1) parking space
 - Applicant proposes no off-street parking

Background Information

Type	Summary
Building History	The structure on the lot was originally constructed in 1934.
Platting History	The lot was originally platted in 1934; a lot line adjustment was recorded in 1977.
Nonconforming Certificate	NCC20200055 - The lot received a Nonconforming Certification for lot size, lot width, structure setbacks, and parking (Attachment C).



4

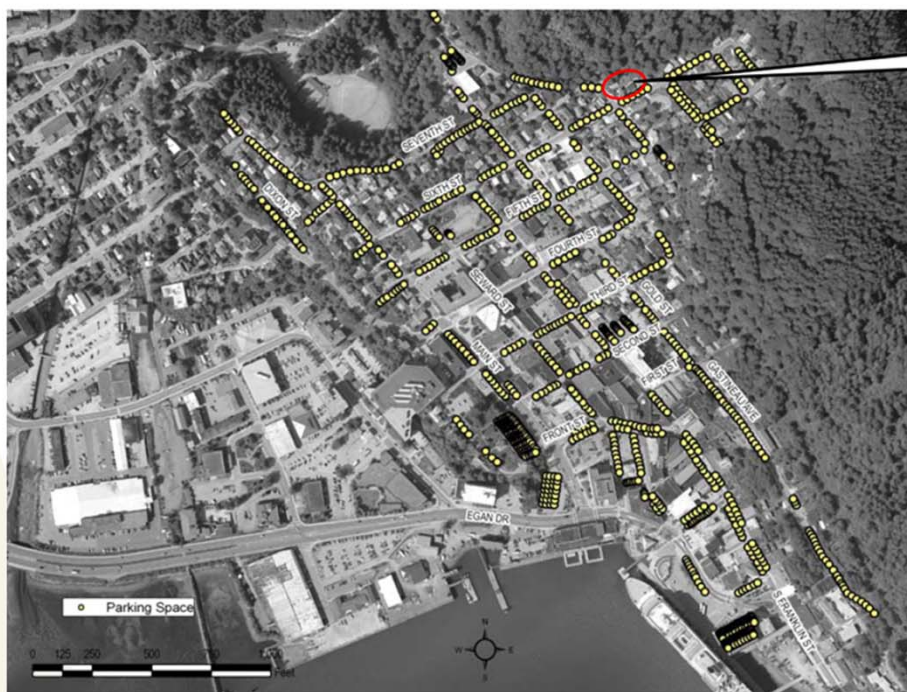


Parking



- No off-street parking is currently provided for the single-family dwelling
 - NCC20200055 Certified Nonconforming to parking requirements – use was established prior to parking requirements.
- Applicant proposes no off-street parking for the accessory apartment
 - Granting a parking waiver is not considered an aggravation to the nonconforming situation.

Parking



Lot

On-street parking is allowed one one-side of the street in the surrounding area.

- Basin Road
- East Street
- Sixth Street
- Fifth Street

If this parking waiver is approved, one additional vehicle may utilize on-street parking resources. Waiving one (1) off-street parking space will not have a significant impact on nearby on-street parking.

The DJPMP identifies 1,320 parking spaces managed by CBJ within the study area.

Proximity to Transit



- Nearest bus stop is approximately a one-quarter mile walk (5 – 10 minutes)
- The Comprehensive Plan promotes Transit Oriented Development, which allows for higher residential densities within a five to ten minute walking distance to public transit service.

Agency & Public Comments

- No issues were raised through Agency Review
- Three public comments were received in support of the project
- Two public comments were received in opposition to Parking Waiver PWP 20-04

Conformity with Adopted Plans

- Proposed development complies with:
 - 2013 Comprehensive Plan
 - 2016 Housing Action Plan

Findings

- USE 20-25
 - The proposed project meets all criteria for approval of the Conditional Use Permit (*packet page 48*)

- PWP 20-04
 - The project meets all criteria for approval of the Parking Waiver (*packet page 120*)

Recommendation

- USE 20-25
 - Staff recommends the Planning Commission adopt the Director's analysis and findings and **APPROVE WITH CONDITIONS** the requested Conditional Use Permit. The permit would allow the development of an accessory apartment on an undersized lot.
 - The approval is subject to the following conditions:
 - Prior to issuance of a building permit, the applicant must submit documentation to demonstrate that all applicable parking code requirements have been met, in conformance with CBJ 49.40.210.

Recommendation

- PWP 20-04
 - Staff recommends the Planning Commission adopt the Director's analysis and findings and **APPROVE** the requested parking waiver. The permit would waive one (1) required parking space for an accessory apartment.



Planning Commission

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

PLANNING COMMISSION NOTICE OF DECISION

Date: February 2, 2021
Case No.: USE2020 0025

Olivia Sinaiko & Charles Renick
615 Basin Road
Juneau, AK 99801

Proposal: A conditional use permit for an accessory apartment on an undersized lot
Property Address: 615 East Street
Legal Description: Juneau Townsite Block 112 Lot 2 FR
Parcel Code No.: 1C040A120050
Hearing Date: January 26, 2021

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated January 15, 2021, and approved an accessory apartment on an undersized lot to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

1. Prior to issuance of a building permit, the applicant must submit documentation to demonstrate that all applicable parking code requirements have been met, in conformance with CBJ 49.40.210.

Attachments: January 15, 2021, memorandum from Laurel Christian, Planner II, Community Development, to the CBJ Planning Commission regarding USE2020 0025.

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.

Olivia Sinaiko & Charles Renick

Case No.: USE2020 0025

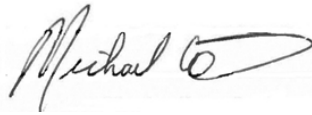
February 2, 2021

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 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, January 26, 2021.

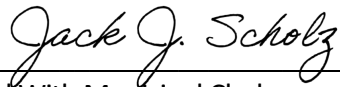
Expiration Date: The permit will expire 18 months after the effective date, or July 26, 2022, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.



Michael LeVine, Chair
Planning Commission

February 2, 2021

Date



Filed With Municipal Clerk

February 2, 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**

PWP2020 0004: Parking waiver of one space for an accessory apartment - APPROVED AS
RECOMMENDED

AGENDA ITEM:

Case No.: PWP2020 0004
Applicant: Olivia Sinaiko
Location: 615 East St.
Proposal: Parking waiver of one space for an accessory apartment

RECOMMENDATION:

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

ATTACHMENTS:

	Description	Upload Date	Type
▣	Staff Report for PWP2020 0004	1/19/2021	Staff Report
▣	Presentation for USE2020 0025 & PWP2020 0004	1/26/2021	Presentation
▣	Notice of Decision for PWP2020 0004	4/2/2021	Notice of Decision



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

155 S. Seward Street • Juneau, AK 99801

DATE: January 15, 2021

TO: Michael LeVine, Chair, Planning Commission

BY: Laurel Christian, Planner II  For LC

THROUGH: Jill Maclean, Director, AICP

PROPOSAL: Applicant requests a parking waiver of one (1) space for an accessory apartment.

STAFF RECOMMENDATION: Approval

KEY CONSIDERATIONS FOR REVIEW:

- The lot is not located in the PD1, PD2, or Fee-in-lieu parking districts.
- No off-street parking is provided on the lot.
- Waiving one (1) required parking space will not have a significant impact on on-street parking in the area.
- Proposal complies with adopted plans, which contain policies

GENERAL INFORMATION

Property Owner	Olivia Sinaiko & Charles Renick
Applicant	Olivia Sinaiko & Charles Renick
Property Address	615 East Street
Legal Description	Juneau Townsite Block 112 Lot 2 FR
Parcel Number	1C040A120050
Zoning	D5 Residential
Land Use Designation	Medium Density Residential – Single-family
Lot Size	3,781 square feet
Water/Sewer	Public
Access	East Street (non-vehicular / staircase)
Existing Land Use	Single-family Dwelling
Associated Applications	USE2020 0025; NCC2020 0055

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:

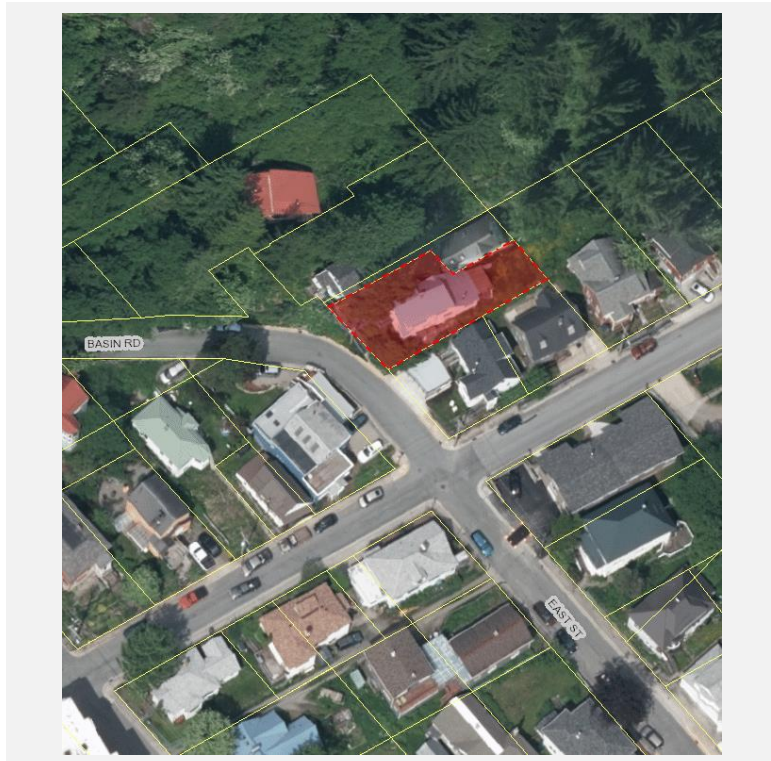
Assembly action is not required for this permit.

STANDARD OF REVIEW:

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
 - 49.40.210(d)(6)
 - 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 (D5)	Residential
South (D5)	Residential
East (D5)	Residential
West (D18)	Residential

SITE FEATURES

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

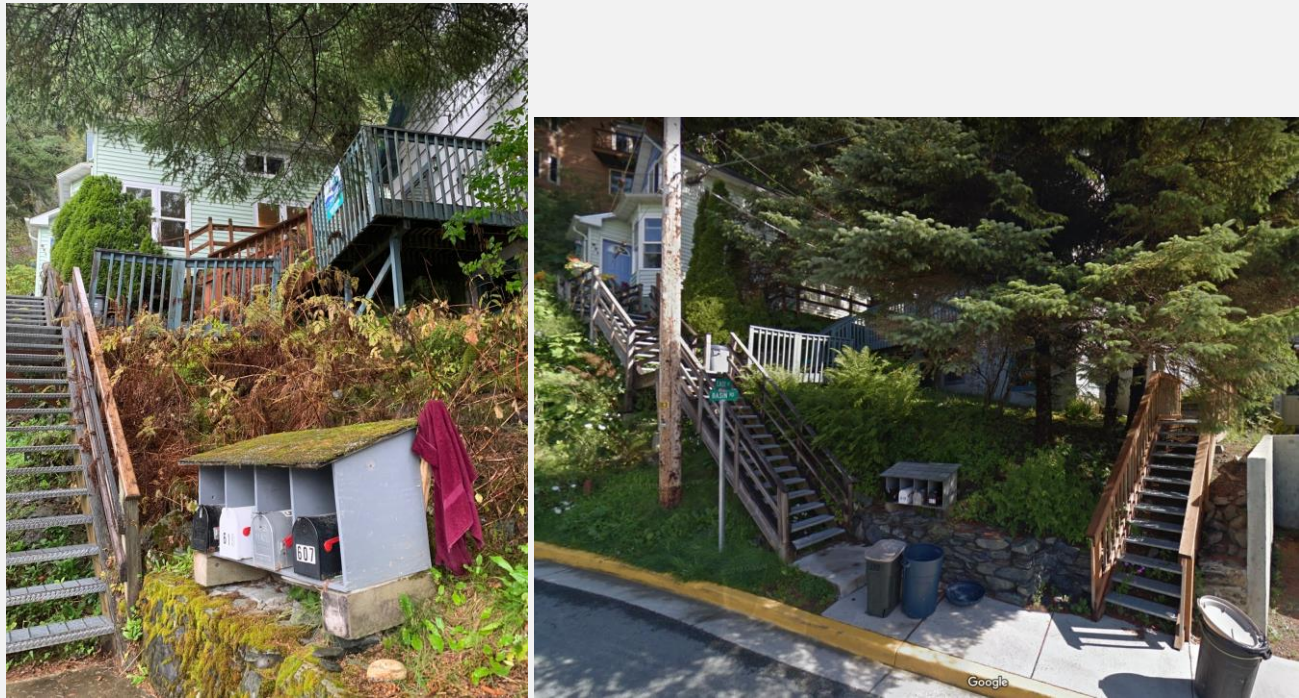
BACKGROUND INFORMATION

Project Description – The applicant requests a parking waiver for one (1) parking space required for a proposed accessory apartment (Attachment A). No on-site parking is currently provided for the existing single-family dwelling; the use is nonconforming to parking requirements (Attachment C).

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

Type	Summary
Building History	The structure on the lot was constructed in 1934.
Platting History	The lot was platted in 1934; a lot line adjustment was recorded in 1977.
Nonconforming Certificate	NCC2020 0055 - The lot received a Nonconforming Certification for lot size, lot width, structure setbacks, and parking (Attachment C). The existing single-family dwelling was constructed prior to zoning requirements and parking requirements do not apply to the existing dwelling; no parking is provided on-site.
Conditional Use Permit	USE2020 0025 – The applicant has also requested a Conditional Use Permit for an accessory apartment on an undersized lot.

SITE PHOTOS



ANALYSIS

Project Site – The lot is located on East Street in the downtown “Starr Hill” area. The lot has access to East Street through a staircase; no vehicular access is provided to the lot. The lot measures approximately 14 percent slope from front to rear, with a steeper slope of approximately 26 percent for the first 15 feet of the lot. Parking could not be accommodated on-site without excavation into this slope and relocation of the access staircase that provides access to the lot and neighboring lots.

Vehicle Parking & Circulation – The lot currently provides zero parking for the existing single-family dwelling. Access to the lot is provided through a staircase from the front of the dwelling to East Street. As discussed above, the single-family dwelling was constructed prior to zoning requirements and is nonconforming for parking (Attachment C). Parking for the single-family dwelling is not required. According to CBJ 49.40.210(a), one (1) off-street parking space is required for the proposed accessory apartment.

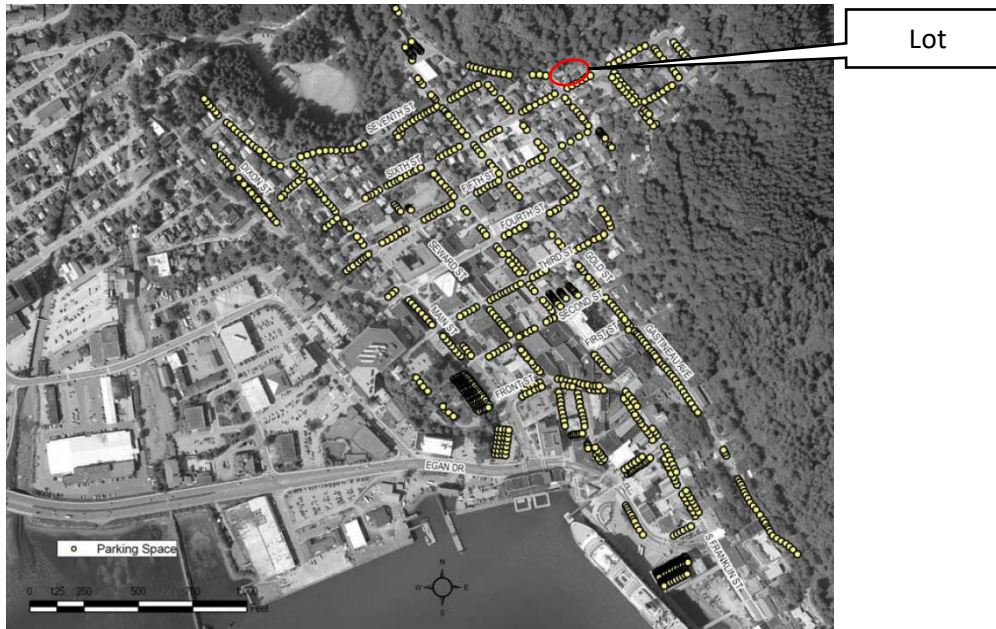
The applicant proposes to provide zero off-street parking spaces for the proposed accessory apartment. According to CBJ 49.30.400, nonconforming situations may not be aggravated. If the parking waiver were granted, providing zero off-street parking spaces for the proposed accessory apartment would not be considered an aggravation to the existing nonconforming parking situation. Issuance of a parking waiver is an acceptable exception process, and, if granted, would not be considered an aggravation according to CBJ 49.30.400(a).

According to CBJ 49.40.200(4)(A), off-street parking facilities for single-family dwellings shall be located on the same lot as the building served; this includes uses accessory to single-family dwellings. Because the applicant cannot accommodate parking on-site, they must meet parking by an alternative method. The applicant has applied for this parking waiver (PWP2020 0004) to meet the parking requirements.

Impacts to Nearby On-street Parking – The lot is located on a corner where East Street turns into Basin Road. On-street parking directly in front of the lot is not allowed. The northern part of Basin Road, past the corner, allows

for parking on one side of the street. East Street to the south allows for parking on one side of the street. Nearby cross streets of Sixth and Fifth Street also allow for parking on one side of the street.

The lot is located within the 2010 Downtown Juneau Parking Management Plan (DJMP) study Area. While the Plan's primary function is parking management tools, a count was completed to demonstrate the number of parking spaces within the study area. The DJMP identifies 1,320 parking spaces managed by CBJ within the study area. The plan provides management tools for on-street parking and recognizes the importance of a multi-modal transportation system.



If the parking waiver is approved, one additional vehicle may utilize on-street parking resources. Waiving one (1) off-street parking space should not have a significant impact on nearby on-street parking.

Non-motorized Transportation – Sidewalks are provided on one side of East Street up to the lot. Other portions of East Street have sidewalks on both sides of the street. The downtown core and surrounding residential neighborhoods are identified as a walkable area with provisions for pedestrians.

Proximity to Transit – The nearest bus stop is located on the corner of Seward Street and Fourth Street; approximately a one-quarter mile from the lot; approximately a five to ten minute walk. The Comprehensive Plan promotes *Transit Oriented Development*, which allows for higher residential densities within a five to ten minute walking distance to public transit service.

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

Property Value or Neighborhood Harmony – There is no evidence that waiving one (1) off-street parking space for the proposed development will significantly decrease property values or be out of character with the existing neighborhood.

AGENCY REVIEW

CDD conducted an agency review comment period between December 14 and December 28, 2020. No issues were raised through review of the proposed development.

PUBLIC COMMENTS

CDD conducted a public comment period between December 21, 2020 and January 4, 2021. Public notice was mailed to property owners within 500 feet of the site. A public notice sign was 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
Greg & Bonnie Chaney	Submitted comments in support of the proposed development.

CONFORMITY WITH ADOPTED PLANS

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

PLAN	Chapter	Page No.	Item	Summary
2013 Comprehensive Plan	11	147	Land Use Designation	Complies with the <i>Medium Density Residential – Single Family</i> land use designation; this land use designation allows single-family dwellings with accessory apartments.
	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 4.2	Facilitates the provision of an adequate supply of various housing types and sizes to accommodate present and future housing needs for all economic groups.
2016 Housing Action Plan	2	35	Production Targets	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: Granting the parking waiver would allow for the development on an accessory apartment. Adopted plans call for the development on in-fill housing within the urban service area, especially where transit is available.

Finding: Yes. Granting the requested parking waiver for one (1) off-street space for 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 PD1 Parking District, PD2 Parking District, and the Downtown Fee-In-Lieu of Parking district?*

Analysis: The lot is not within the PD1, PD2, or Fee-in-lieu parking districts.

Finding: Yes. The lot 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: No further analysis required.

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: No further analysis required.

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

RECOMMENDATION

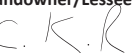
Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested parking waiver. The permit would waive one (1) required parking space for an accessory apartment.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	Abutters Notice
Attachment C	NCC2020 0055
Attachment D	Public Comments

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 615 East Street, Juneau AK 99801		
	Legal Description (s) (Subdivision, Survey, Block, Tract, etc.) Fraction of Lot 2, Block 112, Juneau Townsite		
	Parcel Number(s) 1C040A120050		
	☐ This property located in the downtown historic district ☐ This property located in a mapped hazard area, if so, which _____		
	LANDOWNER/ LESSEE		
	Property Owner Olivia S. Sinaiko & Charles K. Renick		Contact Person Olivia S. Sinaiko
	Mailing Address 615 Basin Rd., Juneau, AK 99801		Phone Number(s) 415-370-6170
	E-mail Address osinaiko@gmail.com		
	LANDOWNER/ LESSEE CONSENT Required for Planning permits, not needed on Building/ Engineering permits		
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.			
X  Landowner/Lessee Signature		12/05/2020 Date	
X  Landowner/Lessee Signature		12/05/2020 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 LANDOWNER, write "SAME"			
Applicant SAME		Contact Person SAME	
Mailing Address SAME		Phone Number(s) SAME	
E-mail Address SAME			
X  Applicant's Signature		12/05/2020 Date of Application	

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

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Intake Initials BMc	
Case Number USE20200025 PWP2020004	Date Received 12/9/20



PARKING WAIVER APPLICATION

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

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

To be completed by Applicant	PROJECT SUMMARY Convert the back section of 615 East Street into an accessory 1 bd/bath apartment. There would be no changes to setbacks, height, or lot coverage; apartment would be confined to existing footprint.
	TYPE OF PARKING WAIVER REQUESTED (check one) MINOR DEVELOPMENT ☐ Parking Waiver Departmental Review (PWD) MAJOR DEVELOPMENT ☒ Parking Waiver Planning Commission Review (PWP)
	DEVELOPMENT FOR WHICH THE PARKING IS REQUIRED (check one) ☐ Existing ☒ Proposed – Related Case Number: <u>TBD</u>
	NUMBER OF REQUIRED PARKING SPACES PER CBJ 49.40.210(A) ☒ For Residential Uses: <u>1</u> spaces ☐ For Non-Residential Uses: _____ spaces
	NUMBER OF PARKING SPACES THAT WILL BE PROVIDED ☒ For Residential Uses: <u>0</u> spaces ☐ For Non-Residential Uses: _____ spaces
	ALL REQUIRED MATERIALS ATTACHED ☒ Complete application per CBJ 49.15 and CBJ 49.40.210(d)(6) ☒ Narrative including: ☒ Why the parking waiver is being requested? ☒ How the requested waiver meets items 1-4 on page 2

DEPARTMENT USE ONLY BELOW THIS LINE

PARKING WAIVER FEES			
Residential Spaces	<u>1</u>	Non-Residential Spaces	_____
Residential Fee	\$ _____	Non-Residential Fee	\$ _____
Total Residential	\$ <u>400</u>	Total Non-Residential	\$ _____
Total Fee		\$ <u>400</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
PWP20200004	12/9/20

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

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

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

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

Approved parking waivers shall expire upon a change in use.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Parking Waiver Application – Narrative

615 East St.

Livia S. Sinaik & Charles J. Renick

osinaik@gmail.com

415-370-6170

Why the parking waiver is being requested

As a historic home in the Starr Hill neighborhood, this house was built with no onsite parking. This parking waiver application is associated with a Conditional Use Permit to convert the back half of the first floor of the house into a 1 bedroom, 1 bath accessory apartment.

The granting of the waiver would result in more benefits than detriments to the community as a whole as identified by the Comprehensive Plan

The CBC Comprehensive Plan sites a need for increased housing. This remodel would add a high-quality modern rental in a highly desirable neighborhood, without requiring any changes to the setbacks, height, or lot coverage of the property.

Unlike the upper portion of Starr Hill, where parking is very limited, this house is located at the bottom of Basin Road, where street parking is plentiful due to the relative low density of homes without off-street parking in the area. In addition, the public lot at the top of our block offers additional parking opportunities. We also note that due to the neighborhood's proximity to downtown, it is not uncommon for residents in this area to rely solely on walking, biking, and public transportation, and therefore forego car ownership altogether. For these reasons, the benefits of this proposal far outweigh the costs.

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

The development is zoned D5 and is in the Starr Hill neighborhood.

Granting the waiver will not result in adverse impacts to the property in the neighboring area

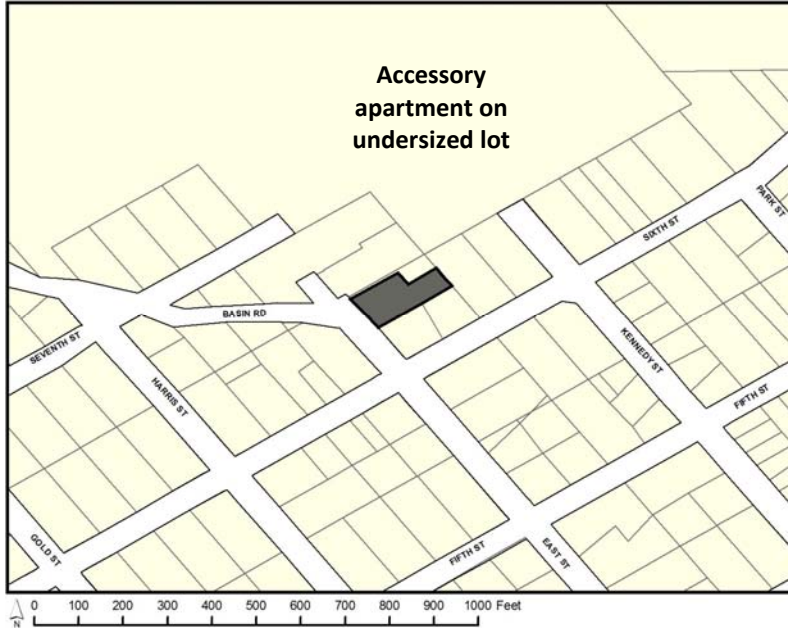
This remodel does not include any exterior changes to the house or property in setbacks, height, or lot coverage, and will have no impacts on surrounding properties.

The waiver will not materially endanger public health, safety, or welfare

This waiver would not endanger public health, safety, or welfare.

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 under-sized lot** and a **Parking Waiver of one space for an accessory apartment at 615 East Street** in a **D5 zone**.

TIMELINE

Staff Report expected to be posted **Tuesday, January 19, 2020** at <https://juneau.org/community-development/planning-commission>. Find hearing results, meeting minutes and more here as well.

Now through Jan. 4

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

Jan. 5 — noon, Jan. 25

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

HEARING DATE & TIME: 7:00 pm, Jan. 26, 2020

This virtual meeting will be by video and telephonic participation only. To join the Webinar, visit: <https://juneau.zoom.us/j/98351893348>. The Webinar ID is: 983 5189 3348. To join by telephone, call: +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833 or +1 301 715 8592 or +1 312 626 6799 or +1 929 436 2866 and enter the Webinar ID.

January 27

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 December 21, 2020

Case No.: USE2020 0025; PWP2020 0004
Parcel No.: 1C040A120050
CBJ Parcel Viewer: <http://epv.juneau.org>



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

NONCONFORMING CERTIFICATE

Date: October 9, 2020
File No.: NCC2020 0055

Nancy Van Naarden
2426 Castlewood Drive
Dyer, IN 46311

Proposal: A Nonconforming Certification Review for lot size, lot width, structure setbacks, and parking,

Property Address: 615 East Street
Property Legal Description: Juneau Townsite Block 112 Lot 2 Fraction
Property Parcel Code No.: 1C040A120050

The Director of Community Development adopted the analysis and findings listed in the attached memorandum dated October 9, 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 Structures (49.30.250):
 - Side yard setback of 0' along the northern property line
- Nonconforming Lots (49.30.260):
 - Lot size of 3,781 square feet
 - Lot width of 46 feet
- Nonconforming Parking (49.30.270):
 - No off-street parking is 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.

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.: NCC2020 0055

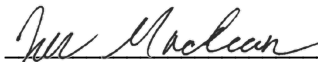
October 9, 2020

Page 2 of 2

Project Planner:



Laurel Christian, Planner II
Community Development Department



Jill Maclean, Director, AICP
Community Development Department

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



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

155 S. Seward Street • Juneau, AK 99801

DATE: October 9, 2020

TO: Jill Maclean, Director, AICP

BY: Laurel Christian, Planner II

PROPOSAL: Applicant requests a Nonconforming Certification Review for lot size, lot width, structure setbacks, and parking.

KEY CONSIDERATIONS FOR REVIEW:

- The lot was originally platted prior to zoning requirements.
- A variance and lot line adjustment were granted by the Platting Authority to reduce the lots area in 1977.
- Structures on the lot were constructed prior to zoning requirements.

GENERAL INFORMATION	
Property Owner	Richard Listowski
Applicant	Nancy Van Naarden
Property Address	615 East Street
Legal Description	Juneau Townsite Block 112 Lot 2 Fraction
Parcel Number	1C040A120050
Zoning	D5
Lot Size	3,781 sq. ft.
Water/Sewer	Public
Access	East Street (non-vehicular / staircase)
Existing Land Use	Single-family Dwelling
Associated Applications	N/A

STAFF RECOMMENDATION:

Staff recommends the following situations receive

Nonconforming Certification:

- Nonconforming Structures (49.30.250)
- Nonconforming Lots (49.30.260)
- 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.

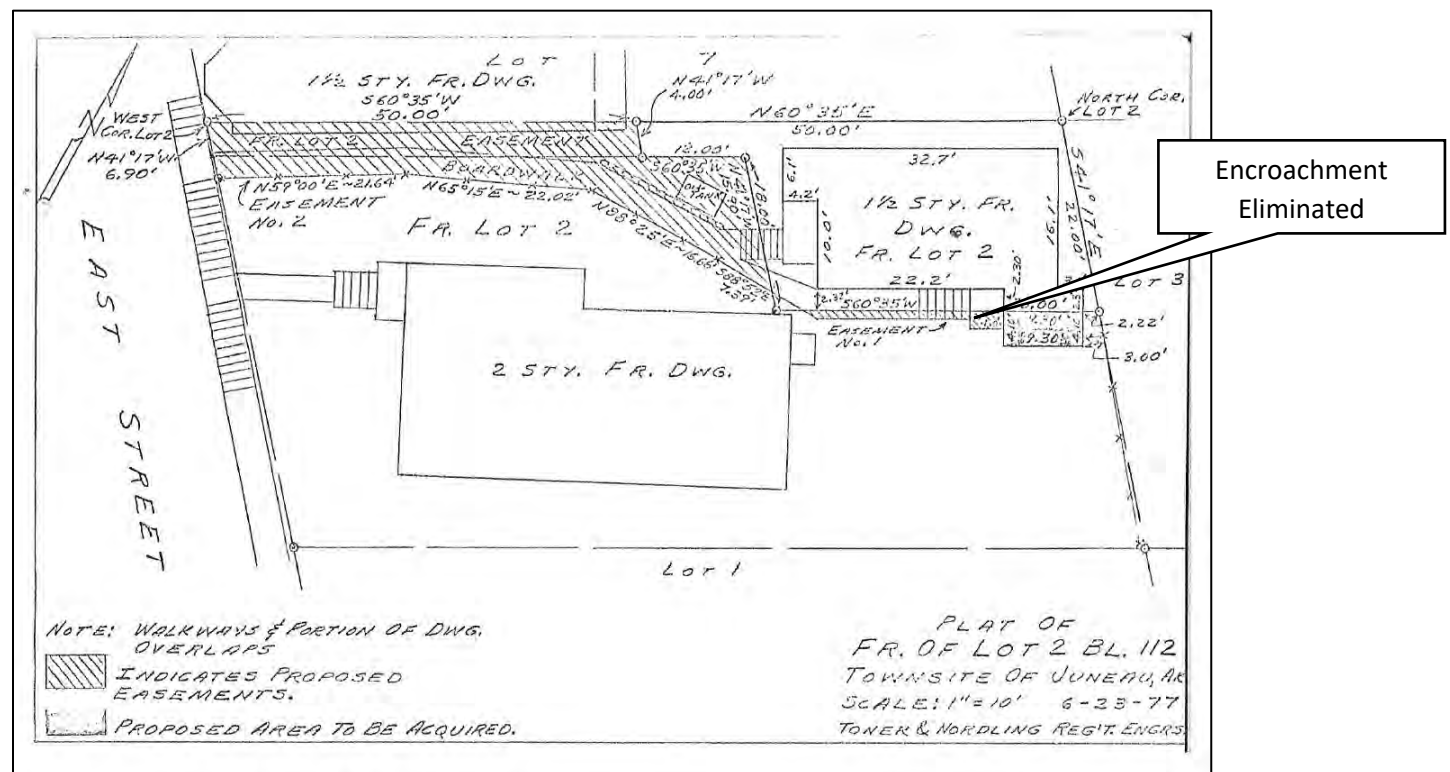
SITE FEATURES AND ZONING



SURROUNDING ZONING AND LAND USES	
North (D5)	Residential
South (D5)	Residential
East (D5)	Residential
West (D18)	Residential

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

1971 Platting Waiver Drawing



ZONING HISTORY

Year	Zoning District	Summary
1964	R-2 Multi-family Residential	In 1964, zoning was established for the lot and surrounding area as R-2. Minimum lot size was 3,600 square feet and minimum lot width was 40 feet; there was no minimum lot depth. The setbacks were 15 feet front yard, 5 feet side yard, 10 feet rear yard. The lot and structure were established prior to zoning requirements. The lot met minimum dimensional standards. Structures on the lot met all setback requirements except the northern side yard setback.
1969	RMM – Multi-family Residential	In 1969, the lot and surrounding area was rezoned to RMM. Minimum lot size increased to 4,800 square feet with a minimum lot width of 40 feet and minimum lot depth of 90 feet. The setbacks remained 15 feet front yard, 5 feet side yard, 10 feet rear yard. The lot became nonconforming for lot size, and structures remained nonconforming to the northern side yard setback.
1987	D5 – Single-family Residential	In 1987, the lot and surrounding area was rezoned to D5. Minimum lot size increased to 7,000 square feet with a 70 feet lot width and 85 feet lot depth. The setbacks increased to 20 feet front and rear yards, and 5 feet side yard. The lot became nonconforming for lot size and lot width. The structures remained nonconforming for the northern side yard setback.

BACKGROUND INFORMATION

The applicant requests a Nonconforming Certification for lot size and lot with, structure setbacks, and number of off-street parking spaces. The lot and structures were established prior to zoning requirements.

INFORMATION REVIEWED

Year	Type	Summary
1934	Plat	The lot was originally platted in 1934 through the Juneau Townsite platting action.
1943	Assessors Database	According to the CBJ Assessors Database, the structure was constructed in 1943.
1977	Variance	VAR-VR77-22 - <i>A Variance request to reduce the existing substandard size lot by 38.13 square feet to allow adjustment of lot lines to correct a building encroachment.</i>
1977	Lot Line Adjustment	SUB-W77-495 - <i>Boundary adjustment between Juneau Townsite Block 112 Lots 2 FR & the adjacent Lot 2 FR.</i>
1977	Platting Waiver	A platting waiver was granted, approved through Platting Resolution 495.

Year	Type	Summary
		A surveyed drawing is in the file for the platting waiver, but it was not recorded with the subdivision. The surveyed drawing is used to estimate setbacks.
2013	Aerial Imagery	Aerial Imagery is used to estimate lot coverage and vegetative cover. Aerial imagery also shows additions to the structure that are not on the plat drawing.
2019	Assessors Photo	Assessor's photos from 2019 show a 3-story structure and front staircase.
2020	Site Visit	Staff performed a site visit on October 2, 2020.

ANALYSIS

Zoning District Comparison Table – The table below lists the required standards for the D5 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	7,000 sq. ft.	3,781 sq. ft.	49.25.400
	Width	70'	46'	49.25.400
	Depth	80'	100'	49.25.400
Setbacks	Front (W)	10'	17'	49.25.430(4)(K)
	Rear (E)	20'	34'	49.25.400
	Side (N)	5'	0'	49.25.400
	Side (S)	5'	6'	49.25.400
Lot Coverage		50% maximum	25%	49.25.400
Height	Permissible	35'	Unknown – 2 to 3 stories	49.25.400
	Accessory	25'	N/A	49.25.400
Maximum Dwelling Units		1	1	49.25.500
Use		Residential	Residential	49.25.300
Vegetative Cover		20% minimum	30%	49.50.300
Parking		2	0	49.40.210(a)

Minimum Lot Requirements – The lot was originally platted in 1934 and does not meet minimum lot size or lot width. The Community Development Department approved a lot line adjustment in 1977 with an approved variance to lot size (SUB-W77-495 and VAR-VR77-22). The lot line adjustment decreased the lot size of the subject lot and eliminated an encroachment issue with a neighboring lot.

Finding: Staff finds the lot nonconforming for lot size and lot width.

Minimum Setback Requirements – Structures on the lot were built in 1943 according to the Assessors database. Structures on the lot do not meet the minimum side yard setback along the northern property line. There is a staircase at the front of the dwelling, providing access to the structure. The staircase is allowed to project up to the front lot line per CBJ49.25.430(4)(C)(i).

Finding: Staff finds the structure(s) nonconforming for yard setbacks.

Lot Coverage – GIS aerial imagery shows lot coverage is not exceeded.

Finding: Staff finds the lot conforming for lot coverage.

Structure Height – The structure is two-stories with a basement, and dormers on the second story. The structure does not appear to exceed height restrictions based on a site visit and analysis of images.

Finding: Staff finds the structure(s) conforming for height.

Residential Density – The lot contains one single-family dwelling.

Finding: Staff finds the lot conforming for residential density.

Use – Use of the lot is residential.

Finding: Staff finds the lot conforming for use.

Vegetative Cover – GIS aerial imagery shows vegetative cover requirements are met.

Finding: Staff finds the lot conforming for vegetative cover.

Parking – CBJ 49.40.210 requires 2 off-street parking spaces for a single-family dwelling. Back-out parking may be allowed for single-family dwellings in residential zoning districts per 49.40.230(b)(7)(A). The lot and structures were established prior to zoning requirements. No off-street parking is provided.

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

NONCOMPLIANT SITUATIONS

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

There is no information 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.

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: The lot and structure were established prior to zoning requirements. The Platting Authority approved a lot line adjustment which reduced the lot size in 1977 through the platting waiver process.

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

2. Has the nonconforming situation been abandoned?

Analysis: No additional analysis required.

Finding: No. The nonconforming situations have 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 Structures (49.30.250):
 - Side yard setback of 0' along the northern property line
- Nonconforming Lots (49.30.260):
 - Lot size of 3,781 square feet
 - Lot width of 46 feet
- Nonconforming Parking (49.30.270):
 - No off-street parking is provided

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>1015 East Street, Juneau, Alaska</u>	
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) <u>Juneau Townsite Block 112 Lot 2 fraction</u>	
	Parcel Number(s) <u>1C040A120050</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>Richard Listowski (personal rep.)</u>	Contact Person <u>Nancy Van Naarden</u>
	Mailing Address <u>2426 Castlewood Dr, Dyer, IN 46311</u>	Phone Number(s) <u>219-765-1325</u>
	E-mail Address <u>NVNRICH@yahoo.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>Nancy Van Naarden, Personal Representative</u> <u>9-14-2020</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 <u>Nancy Van Naarden, Personal Representative</u>	Contact Person <u>Nancy Van Naarden</u>	
Mailing Address <u>2426 Castlewood Dr, Dyer, IN 46311</u>	Phone Number(s) <u>219-765-1325</u>	
E-mail Address <u>NVNRICH@yahoo.com</u>		
X <u>Nancy Van Naarden, Personal Representative</u> <u>9-14-2020</u> Applicant's Signature Date of Application		

DEPARTMENT USE ONLY BELOW THIS LINE

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Attachment C - NCC2020 0055

Intake Initials

mg
9/24/2020

Case Number

Date Received



APPLICATION FOR A NONCONFORMING CERTIFICATION REVIEW

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

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

TYPE OF NONCONFORMING SITUATION (CHECK ALL THAT MAY APPLY)

☐ USE ☒ STRUCTURE ☐ DENSITY ☒ PARKING ☒ LOT

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

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

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

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

Situation	Type of Documentation
Substandard lot size	Variance
Structure	Variance
Parking	Variance

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
House	Survey
House	Warranty Deed 1972
Taxes	Real Estate Tax Bill

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			
Admin. of Guarantee	\$			
Adjustment	\$			
Total Fee	\$			

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Attachment C - NCC2020 0055

Case Number	Date Received

September 15, 2020

RE: Certificate of Non-Conforming
615 East Street, Juneau, AK

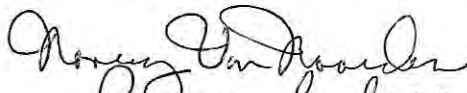
City and Borough of Juneau Community Development:

My name is Nancy Van Naarden and I am the personal representative for the Estate of Richard Frank Listowski. Attached are court papers appointing me personal representative and a copy of his death certificate. I am seeking a Certificate of Nonconforming for 615 East Street. Attached is the permit application, application for a nonconforming certificate review along with supporting documents. I reside in Indiana and have been to my brother's home. Not much documentation has been found as far as tax records or utilities.

The home is part of the original Juneau Survey from 1943. I believe my brother may have purchased the home in 1972. In 1977, there was a zoning variance and sub plat waiver to reduce the lot size to remove an encroachment. The home does not have off-street parking. Attached is a survey to help with the applying for a nonconforming lot, nonconforming structure, and nonconforming parking.

Please contact me if anything else is needed. Thank you.

Sincerely,


Personal Representative

Nancy Van Naarden, Personal Representative
The Estate of Richard Frank Listowski
2426 Castlewood Drive
Dyer, IN 46311
219-765-1325

Attachments: Court Papers
Death Certificate
Survey
Real Property Tax Statement
Warranty Deed 1972

Attachment A - Application Packet 2020 Real Property Tax Statement

Packet Page 155 of 211

PARCEL NUMBER 1C040A120050 RICHARD LISTOWSKI
PROPERTY LOCATION 615 EAST ST
LEGAL DESCRIPTION JUNEAU TOWNSITE BL 112 LT 2 FR

2020 REAL PROPERTY ASSESSMENT

LAND	134,200
BUILDING	210,300
EXEMPT TOTAL	(150,000)
TAXABLE VALUE	\$194,500

2020 PROPERTY TAX USES

2020 MILL RATE

2020 TAXES

Areawide - Education and General Government Services	6.70	1,303.15
Areawide - Debt Service	1.20	233.40
Roaded Service Area - Police, Capital Transit, Street Maint, Parks & Rec	2.45	476.53
Fire Service Area - Fire Protection	0.31	60.30
TOTAL 2020 MILL RATE (Do not pay this amount)	10.66	

TOTAL REAL PROPERTY TAX (Assessed Value x Mill Rate / 1000) \$2,073.38

LOCAL IMPROVEMENT DISTRICT ASSESSMENTS

Description	Principal	Interest	Total
Annual Assessment Installment			

PRIOR YEAR(S) - See back of tax bill for due date and interest information

Delinquent Tax	0.00
Penalty and Interest (Interest calculated through 6/30/2020)	0.00
Credit for prepaid taxes or overpayment of prior year taxes	0.00

Amount due does not include up-to-date interest for prior year taxes. Call 907.586.5261 for amount.

AMOUNT DUE ON OR BEFORE SEPTEMBER 30, 2020 \$2,073.38

Please Note: It is your responsibility to pay any tax obligation each year. If you have a mortgage, it is possible that your taxes are paid by your mortgage company. Please confirm this prior to remitting payment.

pd. 8/31/2020 Estate Checking Account

STATE OF ALASKA

ALASKA DEPARTMENT OF HEALTH AND SOCIAL SERVICES - BUREAU OF VITAL STATISTICS
P.O. Box 110675, Juneau, AK 99811-0675

DATE FILED **06/26/2020**

CERTIFICATE OF DEATH

STATE FILE NO. **2020001983**

1. DECEDENT'S LEGAL NAME (Include AKA's if any) (First, Middle, Last) RICHARD FRANK LISTOWSKI				2. SEX MALE		3. SOCIAL SECURITY NUMBER 332-34-2973	
4a. AGE-Last Birthday (Years) 78		4b. UNDER 1 YEAR Months: _____ Days: _____		4c. UNDER 1 DAY Hours: _____ Minutes: _____		5. DATE OF BIRTH (MM/DD/YY) 07/04/1941	
6. BIRTHPLACE (City and State or Foreign Country) CHICAGO, ILLINOIS							
7a. RESIDENCE-STATE ALASKA		7b. COUNTY JUNEAU		7c. CITY OR TOWN JUNEAU			
7d. STREET AND NUMBER 615 BASIN ROAD		7e. APT. No. _____		7f. ZIP CODE 99801		7g. INSIDE CITY LIMITS? ☒ Yes ☐ No	
8. EVER IN US ARMED FORCES? ☒ Yes ☐ No ☐ Unknown		9. MARITAL STATUS AT TIME OF DEATH NEVER MARRIED		10. SURVIVING SPOUSE'S NAME (If wife, give name prior to first marriage) _____			
11. FATHER'S NAME (First, Middle, Last) FRANK JOHN LISTOWSKI				12. MOTHER'S NAME PRIOR TO FIRST MARRIAGE (First, Middle Last) STEPHANIE T MATUSZEWSKI			
13a. INFORMANT'S NAME ELAINE THOMPSON		13b. RELATIONSHIP TO DECEDENT SISTER		13c. MAILING ADDRESS (Street and Number, City, State, Zip Code) 411 S FRANCISCA AVE REDONDO BEACH, CALIFORNIA 90277			
14. DECEDENT'S EDUCATION: 6. BACHELORS DEGREE (E.G., BA, AB, ☒ No, not Spanish/Hispanic/Latino(a) ☐ Yes, Mexican, Mexican American, Chicano(a) ☐ Yes, Puerto Rican ☐ Yes, Cuban ☐ Yes, other Spanish/Hispanic/Latino(a).		16. DECEDENT'S RACE: ☒ White ☐ Black or African American ☐ American Indian or Alaskan Native (Name of the enrolled or principal tribe) _____ ☐ Asian Indian ☐ Chinese ☐ Filipino ☐ Japanese ☐ Korean ☐ Vietnamese ☐ Other Asian (Specify) _____		17. DECEDENT'S USUAL OCCUPATION COMMISSIONER		18. KIND OF BUSINESS OR INDUSTRY STATE OF ALASKA	
15. DECEDENT OF HISPANIC ORIGIN? ☒ No, not Spanish/Hispanic/Latino(a) ☐ Yes, Mexican, Mexican American, Chicano(a) ☐ Yes, Puerto Rican ☐ Yes, Cuban ☐ Yes, other Spanish/Hispanic/Latino(a).							
19. PLACE OF DEATH: INPATIENT				20. FACILITY NAME (If not institution, give street & number) BARTLETT REGIONAL HOSPITAL		21. CITY OR TOWN, STATE AND ZIP CODE JUNEAU, ALASKA 99801	
22. COUNTY OF DEATH JUNEAU				23. METHOD OF DISPOSITION ☐ Burial ☒ Cremation ☐ Donation ☐ Entombment ☐ Removal from State ☐ Other (Specify) _____		24. PLACE OF DISPOSITION: ALASKAN MEMORIAL PARK MORTUARY AND CREMATORY	
25. LOCATION - CITY, TOWN AND STATE JUNEAU, AK		26. NAME AND COMPLETE ADDRESS OF FUNERAL FACILITY ALASKAN MEMORIAL PARK MORTUARY & CREMATORY 3839 RIVERSIDE DRIVE JUNEAU, ALASKA 998					
27. NAME OF FUNERAL SERVICE LICENSEE OR OTHER AGENT (SIGNATURE ON FILE) DARLENE MATHEIS				28. LICENSE NUMBER (Of Licensee) 239			
29. DATE PRONOUNCED DEAD (MM/DD/YY) _____				30. TIME PRONOUNCED DEAD _____			
31. SIGNATURE OF PERSON PRONOUNCING DEATH (Only when applicable) _____				32. LICENSE NUMBER _____		33. DATE SIGNED (MM/DD/YY) _____	
34. ACTUAL OR PRESUMED DATE OF DEATH (MM/DD/YY) 06/21/2020		35. ACTUAL OR PRESUMED TIME OF DEATH 12:18		36. WAS MEDICAL EXAMINER OR CORONER CONTACTED? ☐ Yes ☒ No			
37. PART I. CAUSE OF DEATH a. CARDIAC ARREST Due to (or as a consequence of): _____ b. SUSPECT AORTA DISSECTION Due to (or as a consequence of): _____ c. _____ Due to (or as a consequence of): _____ d. _____				Approximate Interval: Onset to death 6/21/2020			
PART II. Enter other significant conditions contributing to death but not resulting in the underlying cause HYPERTENSION, CORONARY ARTERY DISEASE, ATRIAL FIBRILLATION, KIDNEY TRANSPLANT				38. WAS AN AUTOPSY PERFORMED? ☐ Yes ☒ No			
39. WERE AUTOPSY FINDINGS AVAILABLE TO COMPLET THE CAUSE OF DEATH? ☐ Yes ☐ No							
40. DID TOBACCO USE CONTRIBUTE TO DEATH? P		41. IF FEMALE (PREGNANCY STATUS) 8. NOT APPLICABLE.		42. MANNER OF DEATH NATURAL CAUSES			
43. DATE OF INJURY (MM/DD/YY) _____		44. TIME OF INJURY _____		45. PLACE OF INJURY (e.g., Decedent's home; construction site; restaurant; wooded area) _____			
47. LOCATION OF INJURY: (Street & Number, Apt. No., City or Town, State, Zipcode) _____				46. INJURY AT WORK? ☐ Yes ☐ No			
48. DESCRIBE HOW INJURY OCCURRED: _____				49. IF TRANSPORTATION INJURY, SPECIFY: ☐ Driver/Operator ☐ Passenger ☐ Pedestrian ☐ Unknown ☐ Other (Specify) _____			
50a. CERTIFIER: CERTIFYING PHYSICIAN				51. ADDRESS, AND ZIP CODE OF PERSON COMPLETING CAUSE OF DEATH 10301 GLACIER HWY JUNEAU AK 99801			
50b. NAME OF CERTIFIER (SIGNATURE ON FILE) NATHANIEL HADDOCK				52. LICENSE NUMBER 4177			
				53. DATE CERTIFIED (MM/DD/YY) 06/24/2020			

I CERTIFY THAT THIS IS A TRUE, FULL AND CORRECT COPY OF THE ORIGINAL CERTIFICATE ON FILE IN THE BUREAU OF VITAL STATISTICS, DEPARTMENT OF HEALTH AND SOCIAL SERVICES, JUNEAU, ALASKA.

DATE ISSUED **June 30, 2020**

Clint J. Farr
State Registrar

This copy not valid unless prepared on engraved border displaying the date, seal and signature of the Alaska State Registrar.

Attachment C - NCC2020 0055



IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
FIRST JUDICIAL DISTRICT AT JUNEAU

IN THE MATTER OF THE ESTATE OF
RICHARD FRANK LISTOWSKI,

Deceased.

1JU-20-210 PR

LETTERS TESTAMENTARY AND ACCEPTANCE

The will of Richard Frank Listowski having been admitted to informal probate, Nancy Van Naarden is hereby appointed Personal Representative of the Estate of Richard Frank Listowski.

DATED: 8/17/2020



[Signature]
Registrar/Judge

I hereby accept the duties and responsibilities of the office of Personal Representative of the Estate of Richard Frank Listowski, which I will perform as required by law.

I acknowledge my duty to:

(a) take possession and control of the decedent's property as required by AS 13.16.380, determine the liabilities of the estate, and complete an inventory as required by AS 13.16.365;

(b) provide notice to heirs and devisees as required by AS 13.16.360;

(c) provide notice to creditors as required by law, publish notice when required, and review and either accept or reject claims as required by AS 13.16.455 – AS 13.16.515 (except as provided by AS 13.16.690);

(d) advise the court in writing of the Personal Representative's address and telephone number, and changes thereto, as required by Probate Rule 8;

Letters Testamentary and Acceptance
In the Matter of the Estate of Richard Frank Listowski

1JU-20-_____ PR
Page 1 of 2

Attachment C - NCC2020 0055

Faulkner Banfield, P.C.
8420 Airport Blvd. Suite 101 ♦ Juneau, Alaska 99801-6924
Phone: (907) 586-2210 ♦ Fax: (907) 586-8090

LOGGED 8/17/20 BY MB
DATE INITIALS

(e) pay homestead, exempt property and family allowances as required by AS 13.12.401 - .405; costs of administration and other claims as required by AS 13.16.470; and distribute the assets of the estate; and

(f) close the estate as soon as appropriate as required by AS 13.16.620 - .670.

No bond is required.

DATED: July 28, 2020

Nancy Van Naarden
Nancy Van Naarden
2426 Castlewood Drive
Dyer, IN 46311

CERTIFICATION

Pursuant to AS 09.63.020(a) I certify under penalty of perjury that the foregoing is true and correct.

Dated: July 28, 2020.

Nancy Van Naarden
Nancy Van Naarden

I certify that this is a full, true and correct copy of an original document on file in the Alaska Trial Courts at Juneau.
Witness my hand and the seal of this court:

8/18/2020
Date

MR
Magistrate/Clerk



(e) pay homestead, exempt property and family allowances as required by AS 13.12.401 - .405; costs of administration and other claims as required by AS 13.16.470; and distribute the assets of the estate; and

(f) close the estate as soon as appropriate as required by AS 13.16.620 - .670.

No bond is required.

DATED: July 28, 2020

Nancy Van Naarden
Nancy Van Naarden
2426 Castlewood Drive
Dyer, IN 46311

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Nancy Van Naarden

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Witness my hand and the seal of this court:

8/18/2020
Date

MB
Magistrate/Clerk



IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
FIRST JUDICIAL DISTRICT AT JUNEAU

IN THE MATTER OF THE ESTATE OF
RICHARD FRANK LISTOWSKI,

Deceased.

1JU-20- 210 PR

**STATEMENT OF INFORMAL PROBATE OF WILL
AND APPOINTMENT OF PERSONAL REPRESENTATIVE**

The Registrar makes the following findings based upon the application of Nancy Van Naarden for informal probate of the Last Will and Testament of Richard Frank Listowski and appointment of a personal representative:

1. The application appears to be complete and contains the applicant's oath or affirmation that the statements contained therein are true to the best of the applicant's knowledge and belief.
2. The applicant is an interested person.
3. Decedent, Richard Frank Listowski, died on June 21, 2020, and at least 120 hours have elapsed since decedent's death.
4. Decedent was domiciled in Juneau, Alaska, at the time of death.
5. Venue is proper because decedent was domiciled in this judicial district at the time of death.
6. The time for probate has not expired.
7. A personal representative has not been appointed in this or any other judicial district of the state, and neither this will nor any other will of the decedent has been the subject of a previous probate order.

Statement of Informal Probate of Will and Appointment of
Personal Representative

In the Matter of the Estate of Richard Frank Listowski

1JU-20- _____ PR

Page 1 of 2

Attachment C - NCC2020 0055

Faulkner Barfield, P.C.
8420 Airport Blvd. Suite 101 ♦ Juneau, Alaska 99801-6924
Phone: (907) 586-2210 ♦ Fax: (907) 586-8090

LODGED 8/17/20 BY MB INITIALS
DATE

8. Decedent left a valid, unrevoked will dated March 25, 2011. The original will is in the registrar's possession.

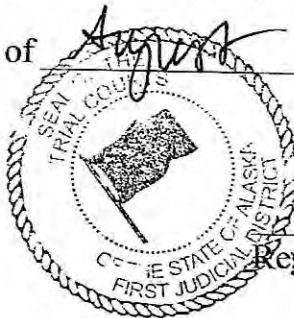
9. The person whose appointment is sought has priority for appointment as personal representative.

10. No bond is required because decedent's will waives the requirement for bond.

11. Any notice required by Alaska law has been given.

THEREFORE, it is ordered that the will is admitted to informal probate. It is also ordered that Nancy Van Naarden is appointed as personal representative of decedent's estate. Letters Testamentary will be issued upon qualification.

DATED this 17 day of August, 2020.



[Signature]
Registrar

I certify that this is a full, true and correct copy of an original document on file in the Alaska Trial Courts at Juneau.
Witness my hand and the seal of this court:

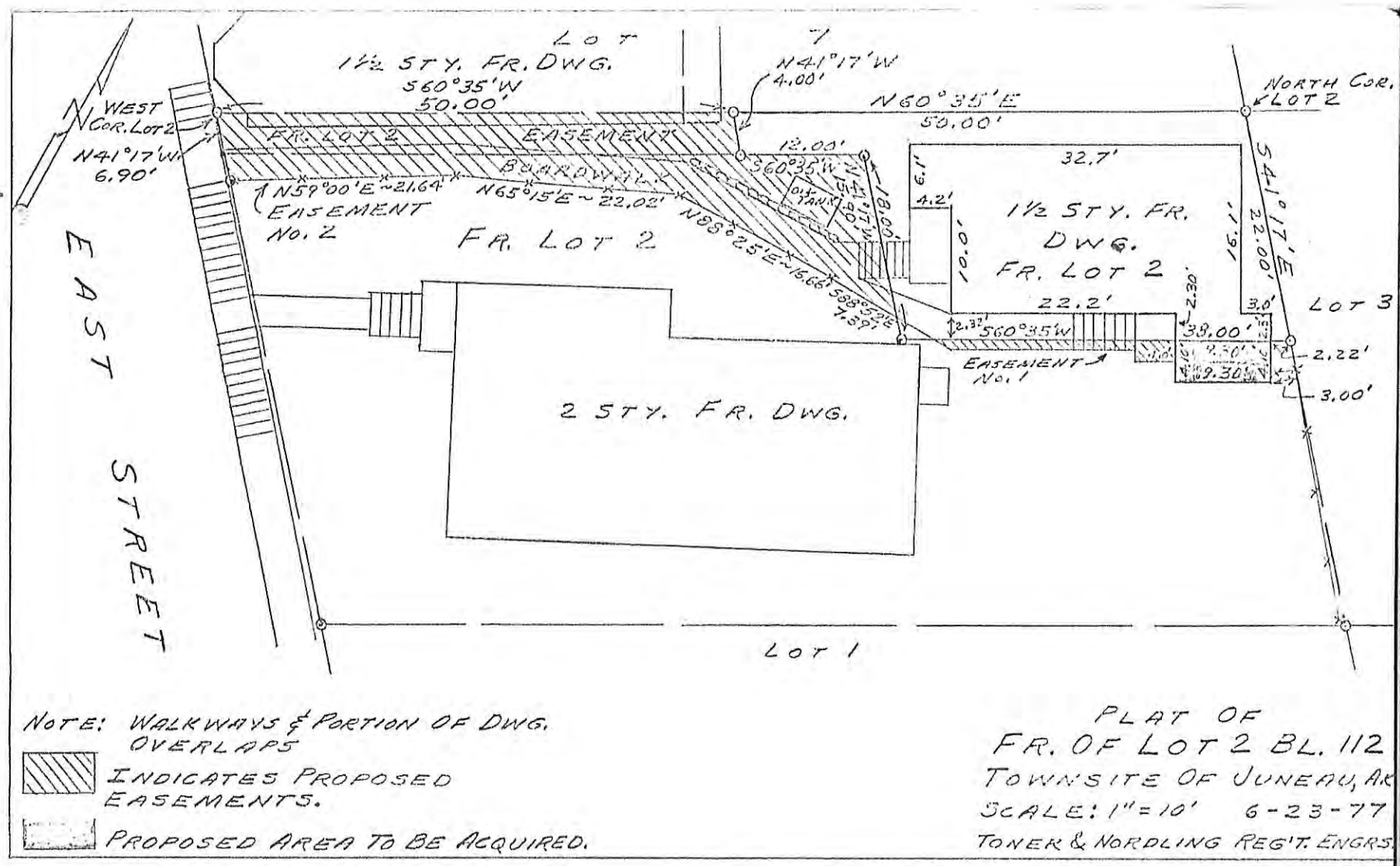
8/18/20

Date

MB
Magistrate/Clerk



Attachment A - Application Packet



Notary Public for the State of Alaska
 residing at Juneau, Alaska
 do and in compliance of the (110.00) dollars and other valuable considerations
 in and out except and except to ROBERT F. HILL, a single man, of
Juneau, Alaska.

do hereby certify and state

That part of Lot 2, Block 113, Townsite of Juneau,
 Juneau Recording District, First Judicial District, State
 of Alaska, described as:

Begin at the East corner of said Lot 2, run thence S80°
 35' W. on the Southeast line of said lot, 100 feet to the
 South corner of said lot; thence S. 41° 17' W. on the
 Southwest line of said lot, 40 feet; thence S. 60° 35' E.
 parallel with the Northwest line of said lot, 60 feet;
 thence S. 41° 17' E. parallel with the Northeast line of
 said lot, 12 feet; thence S. 80° 35' E. parallel with the
 Northwest line of said lot, 10 feet to the point of
 said lot; thence S. 41° 17' E. 10 feet to the point of
 beginning, with the following easement, Easement, including
 the terms and provisions thereof, in favor of Albert White
 and Margaret White for ingress and egress to and from
 "apartment at 601 East Street", created by instrument re-
 corded October 7, 1947, in Book 60 at page 181.

RECORDED - FILED
Vol. <u>6-28-72</u>
Page <u>163</u>
Book <u>60</u>
Page <u>181</u>

except to the State of Alaska.

DATED the 6 day of June, 1972.

Robert Hill (not)

June 1972 (not)

ACKNOWLEDGMENT

STATE OF ALASKA

CITY OF AND RECORDING OF JUNEAU

THIS CERTIFIES that on this 6 day of June, 1972,
 before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared
Robert F. Hill and Margaret J. Hill
 to me known and known to me to be the persons named or grouped in the foregoing deed and
 they (individually) acknowledged to me that they executed the same freely and
 voluntarily for the uses and purposes therein contained. They stated they are under oath
 that they are husband and wife.

WITNESS my hand and official seal the day and year in the foregoing (with above written)

Notary Public for Alaska
 My commission expires June 1975

ADAM 72-2326
 Serial No.

Attachment B - Information Reviewed

This is a detailed historical map of a coastal town, likely Astoria, Oregon. The map shows a grid of streets, a river, and a cemetery. Key features include:

- Streets:** Labeled streets include "Homes'ood", "Evergreen Cemetery", "Whitney Place", "GASTINEAU", "First", "Second", "Third", "Fourth", "Fifth", "Sixth", "Seventh", "Eighth", "Ninth", "Tenth", "Eleventh", "Twelfth", "Thirteenth", "Fourteenth", "Fifteenth", "Sixteenth", "Seventeenth", "Eighteenth", "Nineteenth", "Twentieth", "Twenty-first", "Twenty-second", "Twenty-third", "Twenty-fourth", "Twenty-fifth", "Twenty-sixth", "Twenty-seventh", "Twenty-eighth", "Twenty-ninth", "Thirtieth", "Thirty-first", "Thirty-second", "Thirty-third", "Thirty-fourth", "Thirty-fifth", "Thirty-sixth", "Thirty-seventh", "Thirty-eighth", "Thirty-ninth", "Fortieth", "Forty-first", "Forty-second", "Forty-third", "Forty-fourth", "Forty-fifth", "Forty-sixth", "Forty-seventh", "Forty-eighth", "Forty-ninth", "Fiftieth", "Fifty-first", "Fifty-second", "Fifty-third", "Fifty-fourth", "Fifty-fifth", "Fifty-sixth", "Fifty-seventh", "Fifty-eighth", "Fifty-ninth", "Sixtieth", "Sixty-first", "Sixty-second", "Sixty-third", "Sixty-fourth", "Sixty-fifth", "Sixty-sixth", "Sixty-seventh", "Sixty-eighth", "Sixty-ninth", "Seventieth", "Seventy-first", "Seventy-second", "Seventy-third", "Seventy-fourth", "Seventy-fifth", "Seventy-sixth", "Seventy-seventh", "Seventy-eighth", "Seventy-ninth", "Eightieth", "Eighty-first", "Eighty-second", "Eighty-third", "Eighty-fourth", "Eighty-fifth", "Eighty-sixth", "Eighty-seventh", "Eighty-eighth", "Eighty-ninth", "Ninetieth", "Ninety-first", "Ninety-second", "Ninety-third", "Ninety-fourth", "Ninety-fifth", "Ninety-sixth", "Ninety-seventh", "Ninety-eighth", "Ninety-ninth", "One hundredth".
- River:** A river flows through the town, with a bridge crossing it.
- Cemetery:** The "Evergreen Cemetery" is located in the upper left corner.
- Compass Rose:** A compass rose is located in the upper right corner, indicating North.
- Other Labels:** Other labels include "Homes'ood", "Whitney Place", "GASTINEAU", "First", "Second", "Third", "Fourth", "Fifth", "Sixth", "Seventh", "Eighth", "Ninth", "Tenth", "Eleventh", "Twelfth", "Thirteenth", "Fourteenth", "Fifteenth", "Sixteenth", "Seventeenth", "Eighteenth", "Nineteenth", "Twentieth", "Twenty-first", "Twenty-second", "Twenty-third", "Twenty-fourth", "Twenty-fifth", "Twenty-sixth", "Twenty-seventh", "Twenty-eighth", "Twenty-ninth", "Thirtieth", "Thirty-first", "Thirty-second", "Thirty-third", "Thirty-fourth", "Thirty-fifth", "Thirty-sixth", "Thirty-seventh", "Thirty-eighth", "Thirty-ninth", "Fortieth", "Forty-first", "Forty-second", "Forty-third", "Forty-fourth", "Forty-fifth", "Forty-sixth", "Forty-seventh", "Forty-eighth", "Forty-ninth", "Fiftieth", "Fifty-first", "Fifty-second", "Fifty-third", "Fifty-fourth", "Fifty-fifth", "Fifty-sixth", "Fifty-seventh", "Fifty-eighth", "Fifty-ninth", "Sixtieth", "Sixty-first", "Sixty-second", "Sixty-third", "Sixty-fourth", "Sixty-fifth", "Sixty-sixth", "Sixty-seventh", "Sixty-eighth", "Sixty-ninth", "Seventieth", "Seventy-first", "Seventy-second", "Seventy-third", "Seventy-fourth", "Seventy-fifth", "Seventy-sixth", "Seventy-seventh", "Seventy-eighth", "Seventy-ninth", "Eightieth", "Eighty-first", "Eighty-second", "Eighty-third", "Eighty-fourth", "Eighty-fifth", "Eighty-sixth", "Eighty-seventh", "Eighty-eighth", "Eighty-ninth", "Ninetieth", "Ninety-first", "Ninety-second", "Ninety-third", "Ninety-fourth", "Ninety-fifth", "Ninety-sixth", "Ninety-seventh", "Ninety-eighth", "Ninety-ninth", "One hundredth".

Plat 1934-1

PLATTING RESOLUTION NO. 495

WHEREAS, Stephen J. Pearson and Richard F. Listowski

, Applicant(s), have applied to the City and Borough of Juneau Planning Commission in proper form for a waiver of platting requirements of the subdivision of the following described real property:

that portion of Lot 2, Block 112, Townsite of Juneau, Juneau Recording District, First Judicial District, State of Alaska, described as:

begin at the north corner of said Lot 2, the true point of beginning; thence S 41° 17' E. on the northeast line of said lot, 22 feet; thence S. 60° 35' W., parallel with the northwest line of said lot, 2.22 feet; thence S. 29° 25' E. 4.10 feet; thence S. 60° 35' W., parallel with the northwest line of said lot, 9.30 feet; thence N. 29° 25' W. 4.10 feet; thence S. 60° 35' W., parallel with the northwest line of said lot, 26.48 feet; thence N. 41° 17' W., parallel with the northeast line of said lot, 18 feet; thence S. 60° 35' W., parallel with the northwest line of said lot, 12 feet; thence N. 41° 17' W., parallel with the northeast line of said lot, 4 feet to the northwest line of said lot; thence N. 60° 35' E. on the northwest line of said lot, 50 feet to the point of beginning.

containing 903.2 sq. ft., more or less

Packet Page 165 of 211

that part of Lot 2, Block 112, Townsite of Juneau, Juneau Recording District, First Judicial District, State of Alaska, described as:

begin at the east corner of said Lot 2, the true point of beginning; thence S 60° 35' W., on the southeast line of said lot, 100 feet to the south corner of said lot; thence N 41° 17' W., on the southwest line of said lot, 46 feet; thence N 60° 35' E., parallel with the northwest line of said lot, 62 feet; thence S 41° 17' E., parallel with the northeast line of said lot, 18 feet; thence N. 60° 35' E., parallel with the northwest line of said lot 26.48 feet; thence S 29° 25' E. 4.10 feet; thence N. 60° 35' E., parallel with the northwest line of said lot, 9.30 feet; thence N 29° 25' W., 4.10 feet; thence N. 60° 35' E., parallel with the northwest line of said lot, 2.22 feet to the northeast line of said lot; thence S 41° 17' E., on the northeast line of said lot, 28.00 feet to the point of beginning

containing 3781 sq. ft. more or less

according to the attached plat, sketch or diagram.

WHEREAS, the Commission finds that the proposed conveyance: (a) is not being made for the purpose of or in connection with a present or projected subdivision development; (b) is an isolated transaction which does not fall within the general intent of Title 40, Chapter 15, Alaska Statutes; and (c) does not involve or require any dedication of a street, alley, thoroughfare, park or other public area.

BE IT RESOLVED BY THE CITY AND BOROUGH PLANNING COMMISSION AS THE PLATTING AUTHORITY FOR THE CITY AND BOROUGH OF JUNEAU, ALASKA:

The said application for a statutory waiver of plat and recording requirements is a proposed conveyance of the above-described property is hereby granted.

Dated July 25, 1977

City and Borough of Juneau, Alaska
Planning Commission

By Richard F. Listowski
Chairman

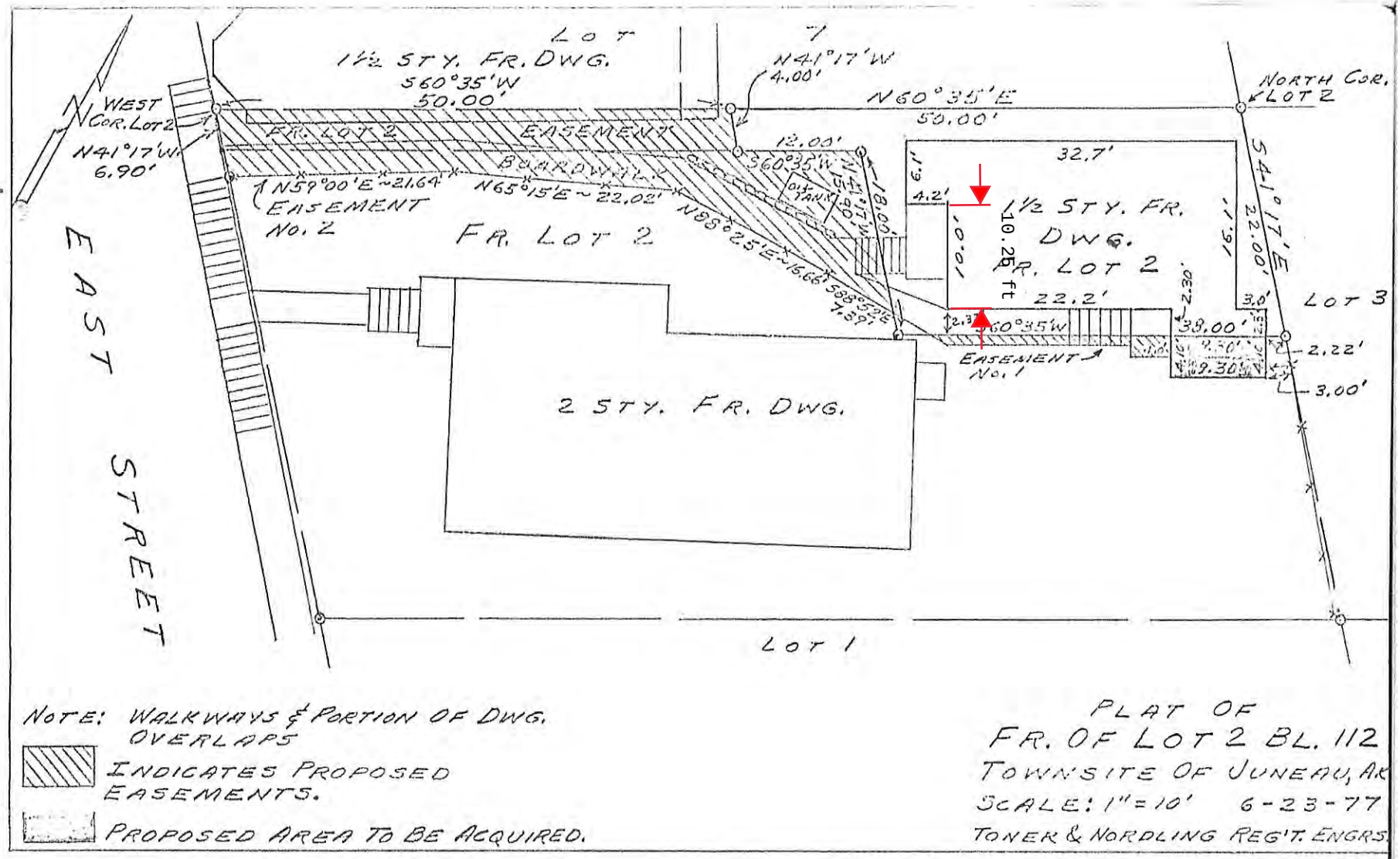
ATTEST:

Mary Neuzell
Clerk

77-4115

RECORDED		FILED		FILED	
JUNEAU		REC. DIST.		300	
DATE	8/5	19	77		
TIME	2:24	P	M		
Requested by	TTIC				
Address					

Attachment B - Information Reviewed



DATE: **July 26, 1977**

FILE NO.

SUBJECT:

**Richard Listowski
615 Basin Road
Juneau, Alaska 99801**

Dear Mr. Listowski:

This is to advise that the Board of Adjustment, at its meeting of July 25, 1977 approved your zoning variance request to reduce the size of Lot 2, Block 112 Townsite of Juneau by 38.13 sq. ft.

Sincerely,



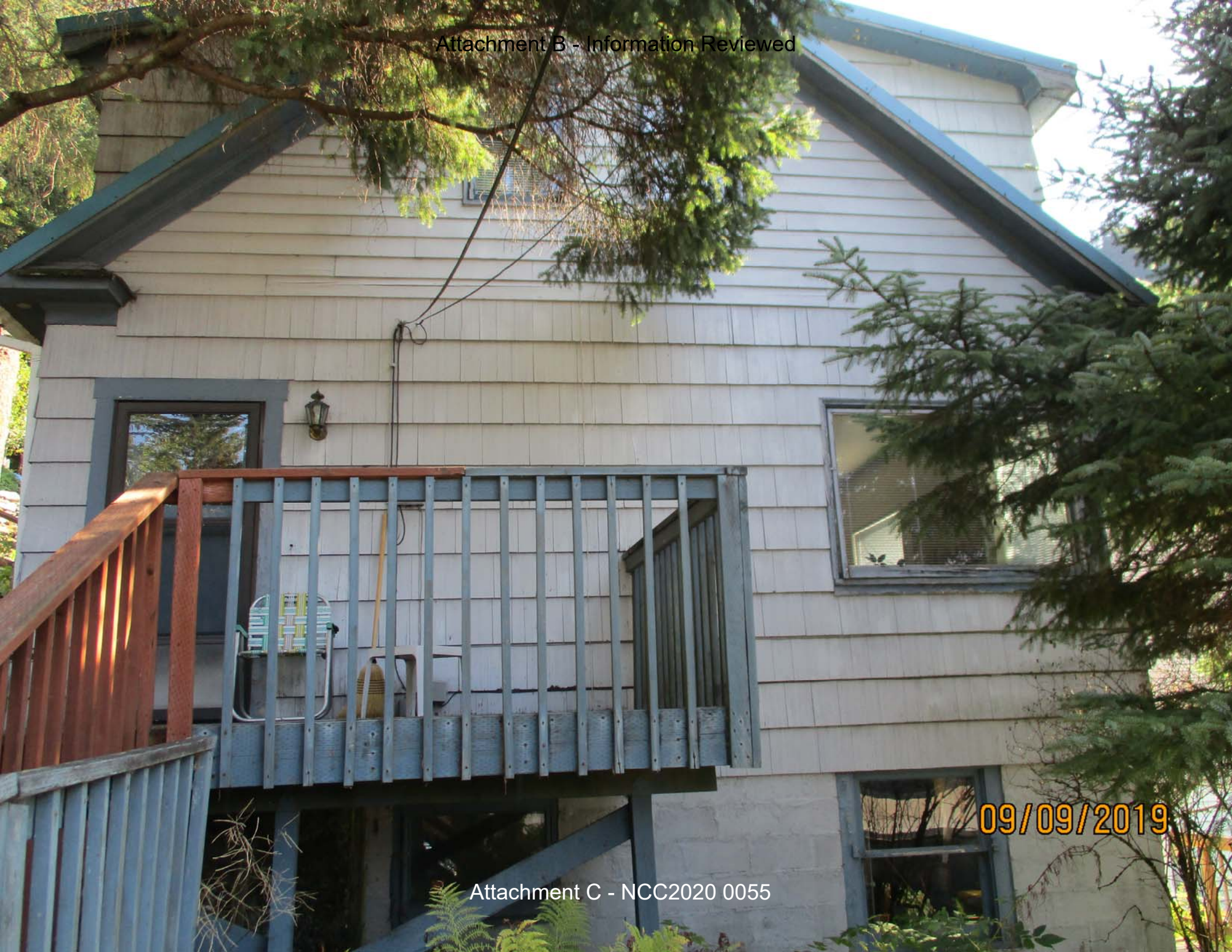
**Steve Gilbertson
Zoning Administrator**

SG:cj



The City and Borough of Juneau is not responsible and shall not be liable to the user for damages of any kind arising out of the use of data or information provided by the City and Borough of Juneau, including the installation of the data or information, its use, or the results obtained from its use. ANY DATA OR INFORMATION PROVIDED BY THE City Borough of Juneau IS PROVIDED "AS IS" WITHOUT WARRANTY OF ANY KIND, EITHER EXPRESSED OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. Data or information provided by the City Borough of Juneau shall be used and relied upon only at the user's sole risk, and the user agrees to indemnify and hold harmless the City Borough of Juneau, its officials, officers and employees from any liability arising out of the use of the data/information provided. NOT FOR ENGINEERING PURPOSES.





09/09/2019

Attachment B - Information Reviewed



Attachment C - NCC2020 0055

From: Gregory Chaney <greg.chaney.glacier.l.and.s@gmail.com>
Sent: Wednesday, December 23, 2020 5:26 PM
To: PC_Comments
Subject: USE2020 0025 & PWP2020 0004

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

We have lived in this neighborhood for 24 years and it has maintained its vitality through high density residential houses. The proposed project will continue to support this lifestyle. We approve of this proposal.
Greg & Bonnie Chaney

USE20200025 & PWP20200004

A conditional use permit for an accessory apartment on an undersized lot and a parking waiver for the one (1) required parking space.

Staff recommends approval with conditions.

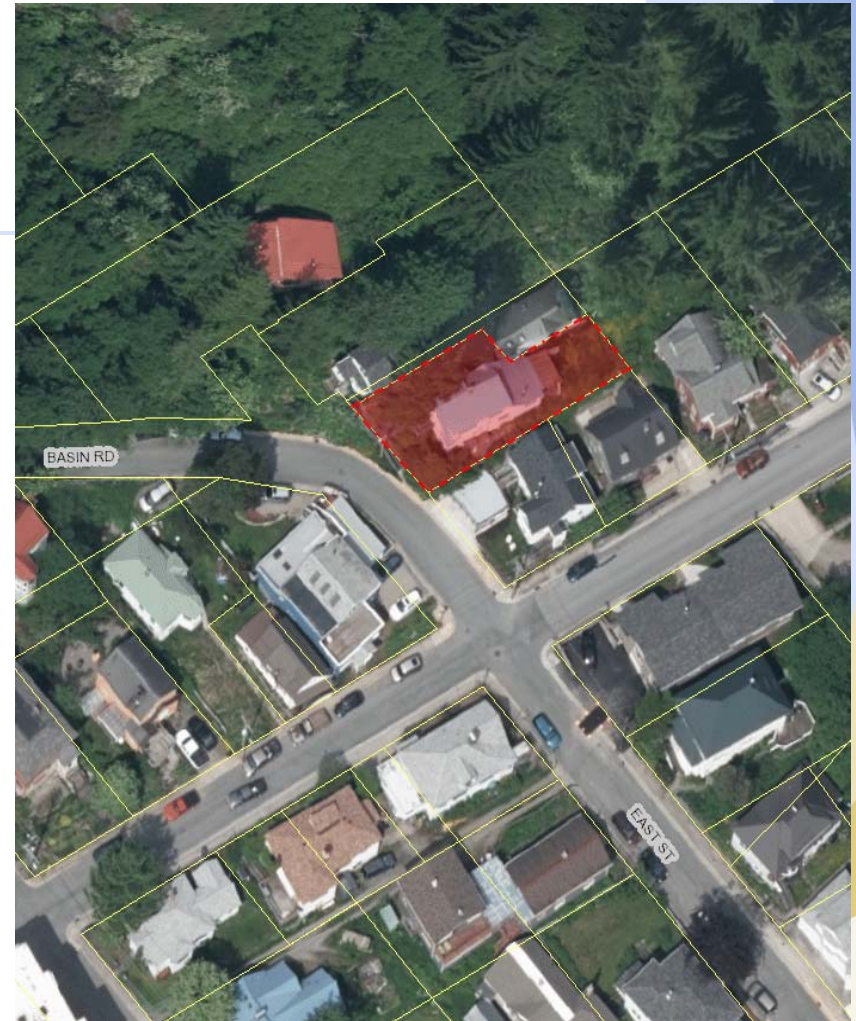
Planning Commission presentation January 26, 2021



Background Information

GENERAL INFORMATION

Applicant	Olivia Sinaiko & Charles Renick
Zoning	D5 Residential
Land Use Designation	Medium Density Residential – Single-family
Lot Size	3,781 sq. ft.
Access	East Street (non-vehicular / staircase)
Existing Land Use	Single-family Dwelling



Background Information

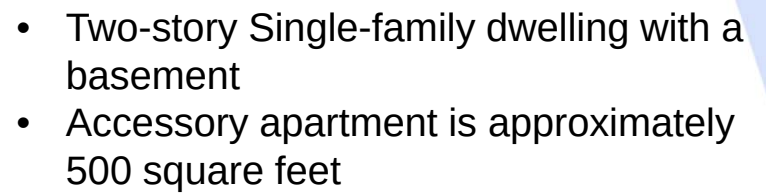
- USE20200025:
 - With an approved CUP accessory apartments are allowed on undersized lots
 - Accessory apartment cannot exceed 600 square feet.
- PWP20200004:
 - The accessory apartment requires one (1) parking space
 - Applicant proposes no off-street parking

Background Information

Type	Summary
Building History	The structure on the lot was originally constructed in 1934.
Platting History	The lot was originally platted in 1934; a lot line adjustment was recorded in 1977.
Nonconforming Certificate	NCC20200055 - The lot received a Nonconforming Certification for lot size, lot width, structure setbacks, and parking (Attachment C).



4

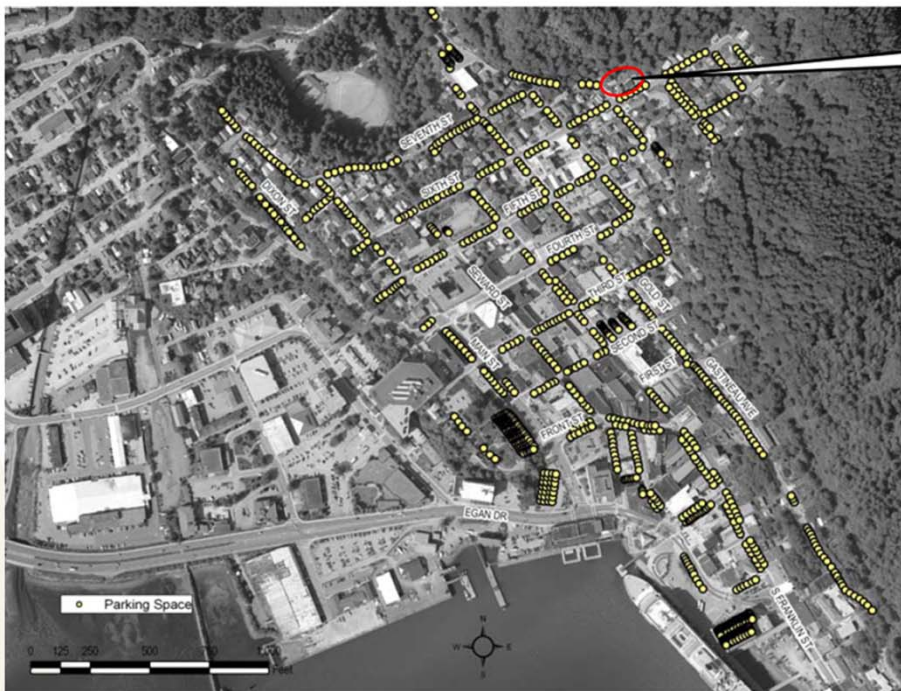


Parking



- No off-street parking is currently provided for the single-family dwelling
 - NCC20200055 Certified Nonconforming to parking requirements – use was established prior to parking requirements.
- Applicant proposes no off-street parking for the accessory apartment
 - Granting a parking waiver is not considered an aggravation to the nonconforming situation.

Parking



Lot

On-street parking is allowed one one-side of the street in the surrounding area.

- Basin Road
- East Street
- Sixth Street
- Fifth Street

If this parking waiver is approved, one additional vehicle may utilize on-street parking resources. Waiving one (1) off-street parking space will not have a significant impact on nearby on-street parking.

The DJPMP identifies 1,320 parking spaces managed by CBJ within the study area.

Proximity to Transit



- Nearest bus stop is approximately a one-quarter mile walk (5 – 10 minutes)
- The Comprehensive Plan promotes Transit Oriented Development, which allows for higher residential densities within a five to ten minute walking distance to public transit service.

Agency & Public Comments

- No issues were raised through Agency Review
- Three public comments were received in support of the project
- Two public comments were received in opposition to Parking Waiver PWP 20-04

Conformity with Adopted Plans

- Proposed development complies with:
 - 2013 Comprehensive Plan
 - 2016 Housing Action Plan

Findings

- USE 20-25
 - The proposed project meets all criteria for approval of the Conditional Use Permit (*packet page 48*)

- PWP 20-04
 - The project meets all criteria for approval of the Parking Waiver (*packet page 120*)

Recommendation

- USE 20-25
 - Staff recommends the Planning Commission adopt the Director's analysis and findings and **APPROVE WITH CONDITIONS** the requested Conditional Use Permit. The permit would allow the development of an accessory apartment on an undersized lot.
 - The approval is subject to the following conditions:
 - Prior to issuance of a building permit, the applicant must submit documentation to demonstrate that all applicable parking code requirements have been met, in conformance with CBJ 49.40.210.

Recommendation

- PWP 20-04
 - Staff recommends the Planning Commission adopt the Director's analysis and findings and **APPROVE** the requested parking waiver. The permit would waive one (1) required parking space for an accessory apartment.



Planning Commission

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

PLANNING COMMISSION NOTICE OF DECISION

Date: February 2, 2021
File No.: PWP2020 0004

Olivia Sinaiko & Charles Renick
615 Basin Road
Juneau, AK 99801

Proposal: A parking waiver of one (1) off-street parking space for an accessory apartment

Property Address: 615 East Street

Legal Description: Juneau Townsite Block 112 Lot 2 FR

Parcel Code No.: 1C040A120050

Hearing Date: January 26, 2021

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated January 15, 2021 and approved the waiver of the requirement for one (1) off-street parking space to be conducted as described in the project description and project drawings submitted with the application.

Attachments: January 15, 2021 memorandum from Laurel Christian, Planner II, Community Development to the CBJ Planning Commission regarding PWP2020 0004.

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

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 PM on the day twenty days from the date the decision is filed.

Olivia Sinaiko & Charles Renick

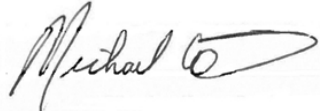
File No.: PWP2020 0004

February 2, 2021

Page 2 of 2

Effective Date: The waiver is effective upon approval by the Planning Commission, January 26, 2021.

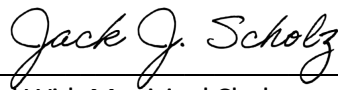
Expiration Date: Approved Parking Waivers shall expire upon a change of use.



Michael LeVine, Chair
Planning Commission

February 2, 2021

Date



Filed With Municipal Clerk

February 2, 2021

Date

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**

Amended Rules of Order Regarding COVID-19 for 2021 - ADOPTED

ATTACHMENTS:

	Description	Upload Date	Type
▣	Amended Rules of Order Regarding COVID-19 for 2021	1/25/2021	Miscellaneous

Suspension of Planning Committee Rules of Procedure in response to Federal, State, and Local Declarations of Emergency Due to COVID-19.

WHEREAS, COVID-19 or coronavirus is a contagious virus that is actively spreading across the world, including in the United States; and,

WHEREAS, Declarations of Emergency at the Federal, State, and Local level have been enacted; and

WHEREAS, the Governor and Assembly have issued multiple Health Mandates and Resolutions requiring social distancing and restricting group gatherings; and

WHEREAS, the Planning Commission is reviewing proposed agendas to ensure that meetings occur only regarding essential business; and

WHEREAS, consistent with State and Local guidance the Assembly, advisory boards, commissions, and committees have temporarily moved to telephonic participation to ensure the safety of our community; and

WHEREAS, upon balancing the health risks of COVID-19 and transparent government principles, the Planning Commission finds it necessary to temporarily change to how public meetings are conducted;

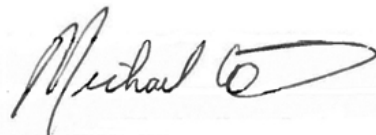
NOW, THEREFORE, THE PLANNING COMMISSION SUSPENDS AND MODIFIES ITS RULES OF PROCEDURE EFFECTIVE JANUARY 26, 2021 THROUGH JUNE 30, 2021; AS SET FORTH BELOW.

The following Rule are Suspended:

Rules 9(F), 10(A)(3), 10(B)(2)(a), 10(B)(3), 16(A), and 16(B).

The Suspended Rules are Replaced by the Following Process:

1. Telephonic or online platform participation is mandatory for any commissioners and members of the public attending the meeting;
2. The call-in number and online platform information will be provided to the commissioners and the public with the Agenda Packet, and will be published online;
3. Members of the public wishing to comment on non-agenda items are encouraged to call-in or join the online platform within five (5) minutes of the meeting start time to ensure their testimony is taken;
4. Materials must be submitted electronically to CDD no later than the Thursday before the meeting, if it is not possible to submit materials electronically, the applicant is directed to call CDD to arrange delivery of materials;
5. Written public comment must be received via email by 12pm the day prior to the scheduled Planning Commission meeting. Members of the public may call in or join the online platform to provide verbal comment during the public hearing.



Michael LeVine, Planning Commission Chair

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

Subcommittee Assignments

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

Additional Materials for January 26, 2021 Planning Commission Meeting

ATTACHMENTS:

	Description	Upload Date	Type
▣	Additional Materials for January 26, 2021 Planning Commission Meeting	1/25/2021	Miscellaneous

Additional Materials

Regular Planning Commission Meeting

Virtual Meeting Only

7:00pm

Meeting Date: January 26, 2021

- 1. Amended Rules of Order Regarding COVID-19 for 2021**
- 2. CSP2020 0012:**
 - a. Clarification Memo with Preliminary Plans from Irene Gallion
 - b. Public Comment – John Hudson, received 1.22.21
- 3. USE2020 0025 & PWP2020 0004:**
 - a. Public Comment – Shawn Eisele, received 1.11.21
 - b. Public Comment – Doug Weaver, received 1.24.21
 - c. Public Comment – Morgan Davis, received 1.24.21
- 4. PWP2020 0004:**
 - a. Public Comment – Obren Davis, received 1.25.21

Suspension of Planning Committee Rules of Procedure in response to Federal, State, and Local Declarations of Emergency Due to COVID-19.

WHEREAS, COVID-19 or coronavirus is a contagious virus that is actively spreading across the world, including in the United States; and,

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WHEREAS, consistent with State and Local guidance the Assembly, advisory boards, commissions, and committees have temporarily moved to telephonic participation to ensure the safety of our community; and

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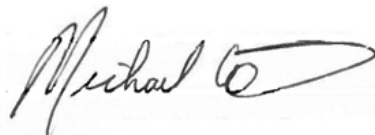
NOW, THEREFORE, THE PLANNING COMMISSION SUSPENDS AND MODIFIES ITS RULES OF PROCEDURE EFFECTIVE JANUARY 26, 2021 THROUGH JUNE 30, 2021; AS SET FORTH BELOW.

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5. Written public comment must be received via email by 12pm the day prior to the scheduled Planning Commission meeting. Members of the public may call in or join the online platform to provide verbal comment during the public hearing.



Michael LeVine, Planning Commission Chair



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

January 22, 2021

MEMO

From: Irene Gallion, Senior Planner 
Through: Alix Pierce, Planning Manager
To: Mike Levine, Planning Commission Chair
Case Number: CSP2020 0012 – Crest Street Reconstruction

RE: Clarification on mall area stormwater treatment

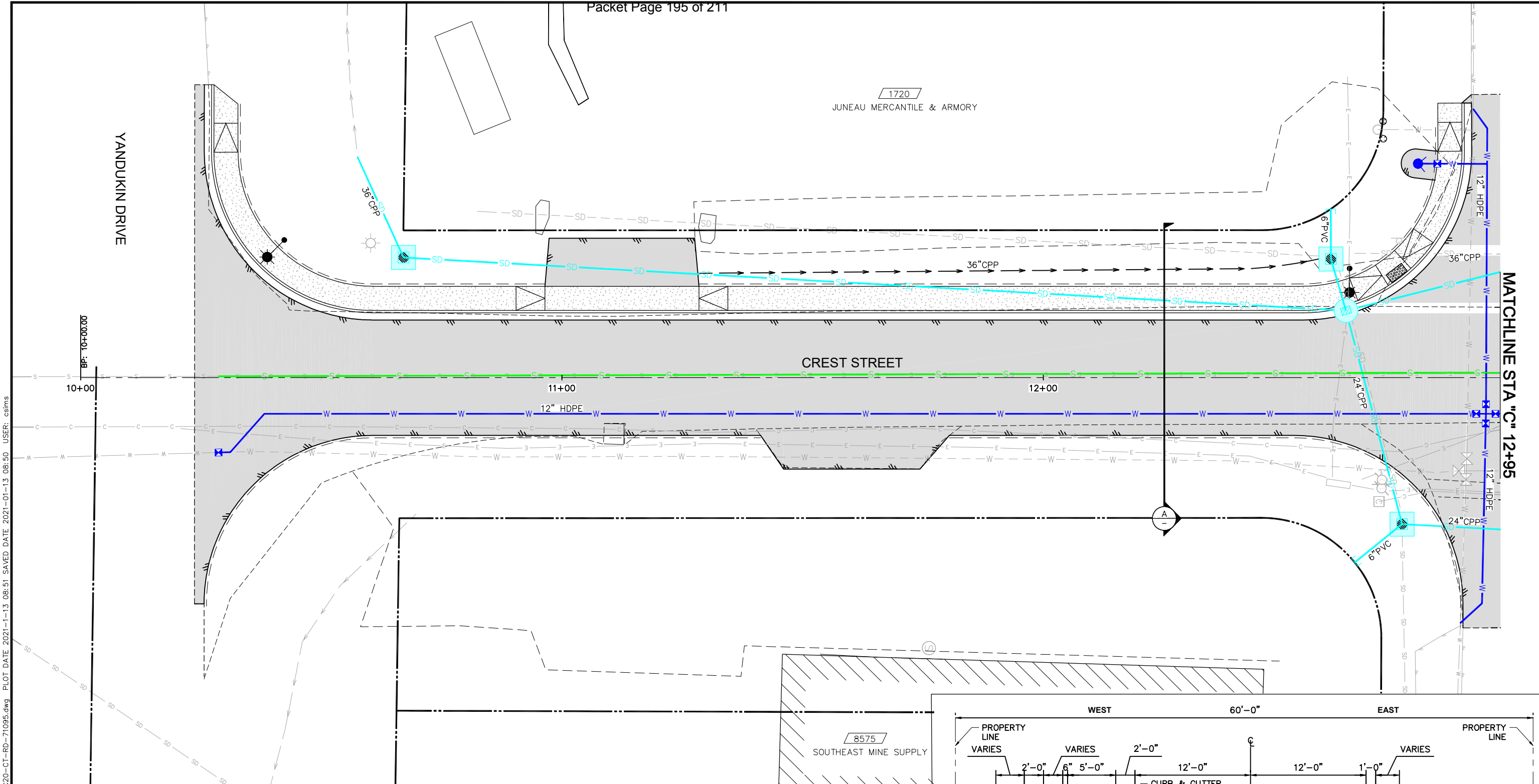
The staff report incorrectly refers to the Mendenhall Mall. Bio retention facilities are proposed at the Nugget Mall.

At this point, CBJ's commitment to the retention facilities is to provide a storm drain service to the area. CBJ will not be involved in funding or developing the bio retention facilities on private property. To our knowledge, the Nugget Mall has not committed to construction of bio retention, and the Southeast Alaska Watershed Council has not yet received grant funding.

Parking spaces could be moved to accommodate the bio retention facility. Again, there has been no commitment from the Nugget Mall.

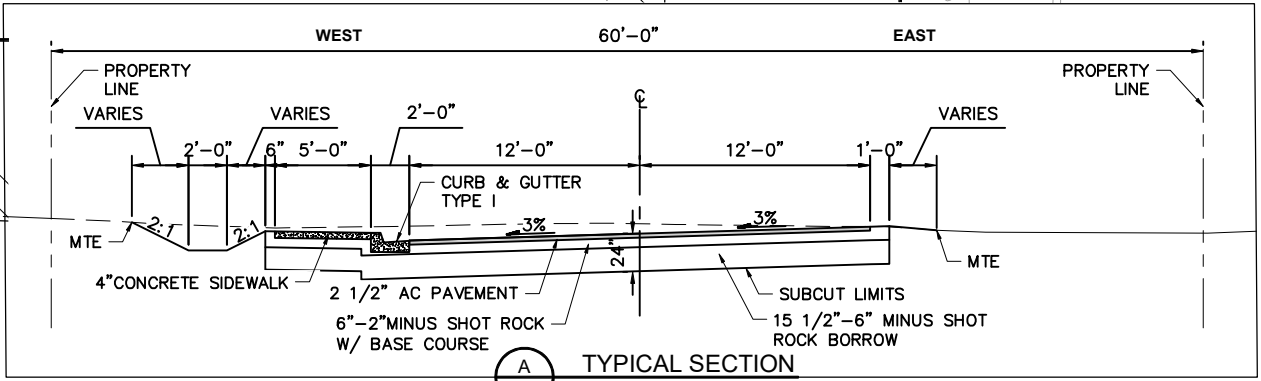
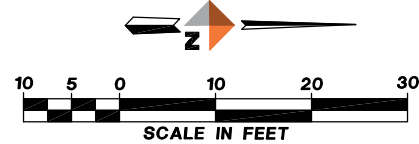
Finally, CBJ will not provide an oil/water separator for the bio retention facility. What CBJ would accommodate is bio retention facility overflow, which would run directly into the storm sewer system, which does have an oil/water separator.

Note that the Friday supplement includes a plan set that shows the sanitary sewer replacement, in case the Commission is interested.

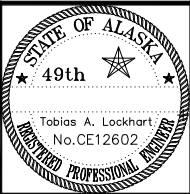


LEGEND:

	NEW ASPHALT PAVEMENT
	NEW CONCRETE
	NEW STORM SYSTEM
	NEW WATER MAIN



REVISIONS			
REV	DATE	DESCRIPTION	BY



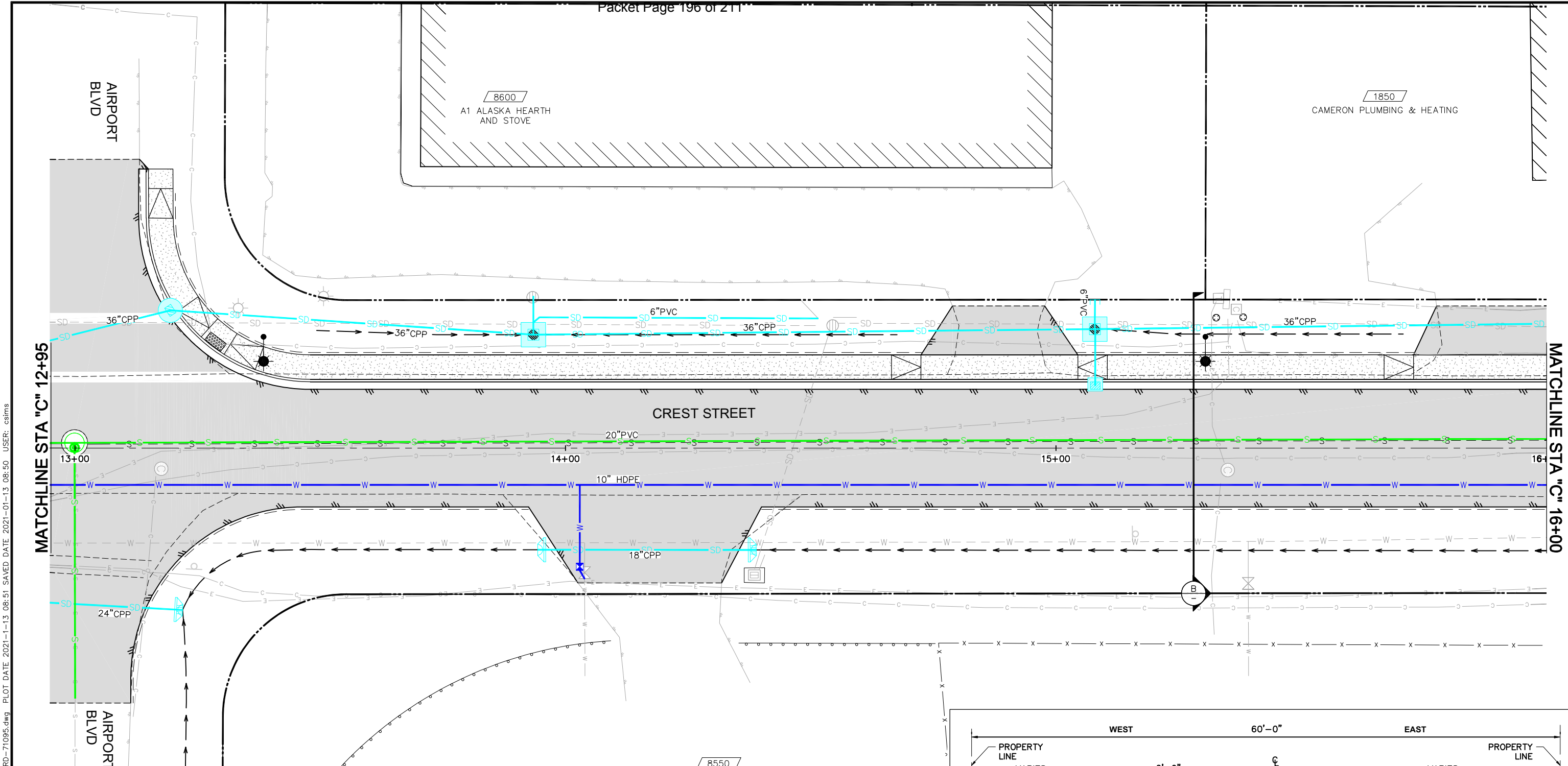
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Juneau, Alaska 99801
907-780-3533



CREST STREET RECONSTRUCTION

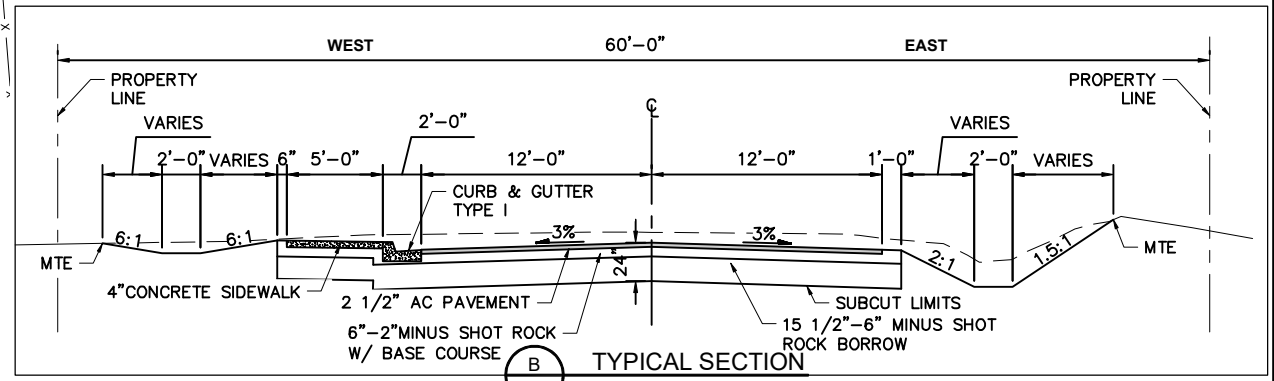
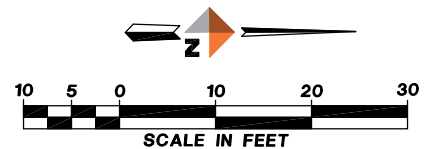
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YANDUKIN DR TO STA "C" 12+95

PROJECT	71095.01
DATE	1/13/2021
SHEET	1 OF 7

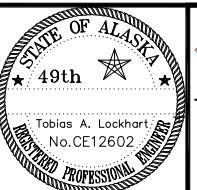


LEGEND:

	NEW ASPHALT PAVEMENT
	NEW CONCRETE
	NEW STORM SYSTEM
	NEW WATER MAIN
	NEW SEWER MAIN



REVISIONS			
REV	DATE	DESCRIPTION	BY



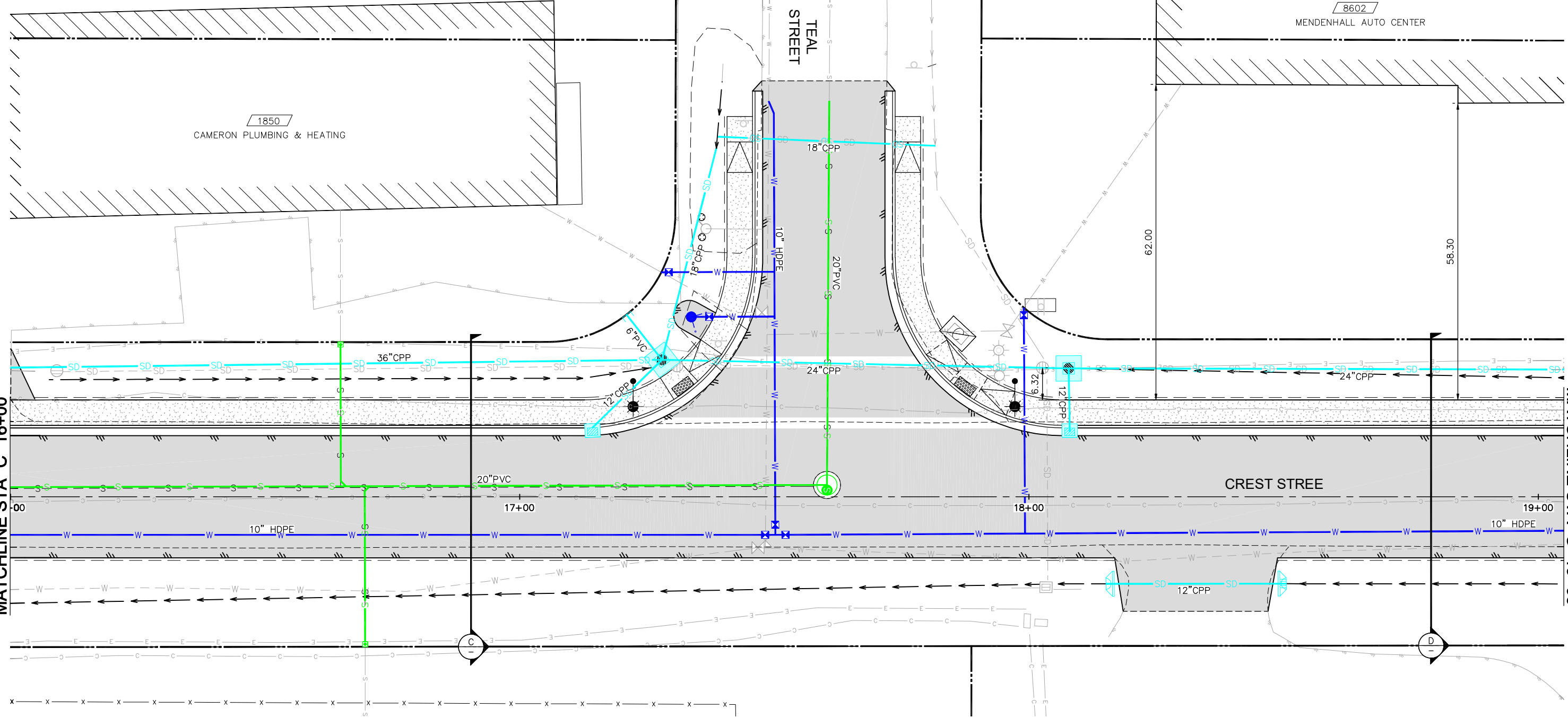
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CREST STREET RECONSTRUCTION

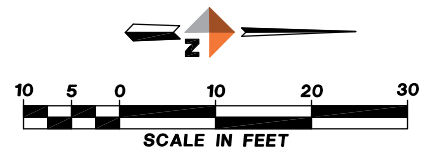
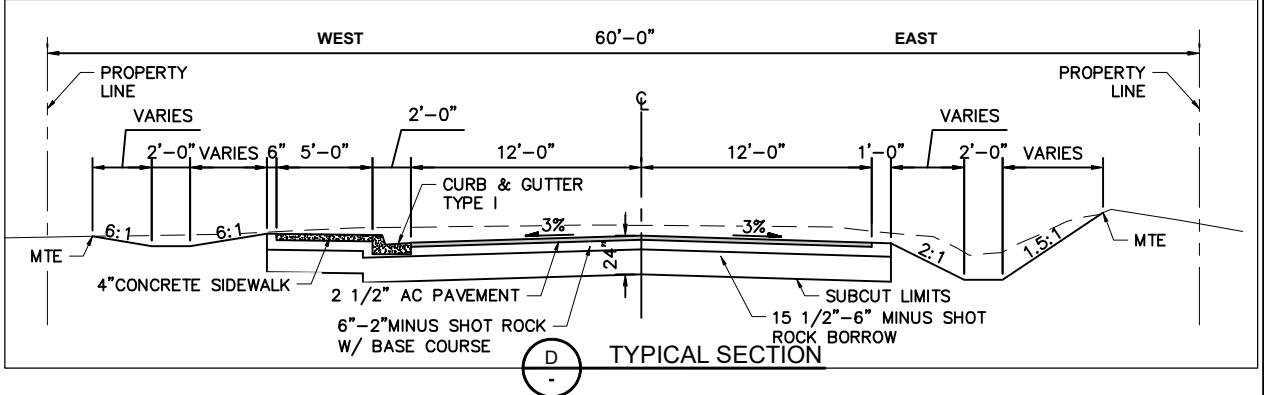
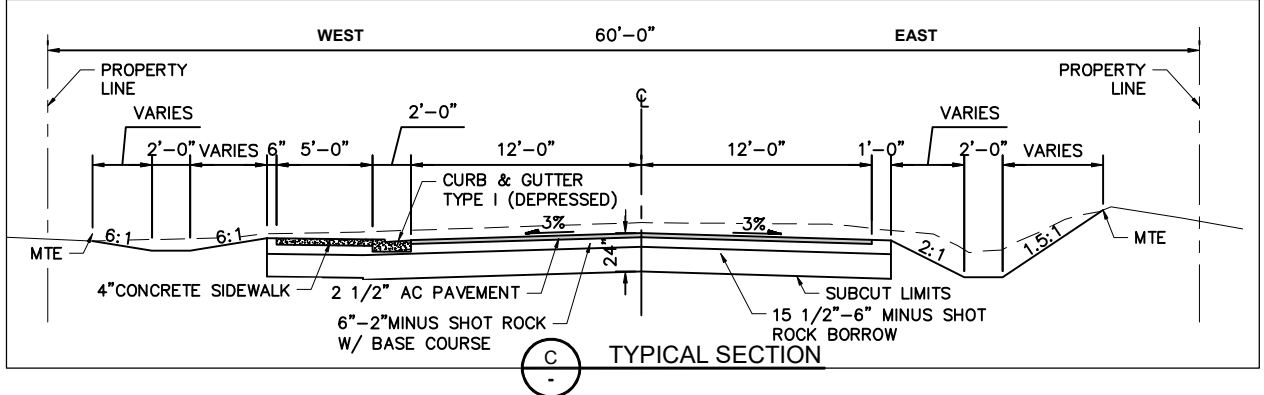
PLAN - CREST STREET
STA "C" 12+95 TO STA "C" 16+00

PROJECT	71095.01
DATE	1/13/2021
SHEET	2 OF 7

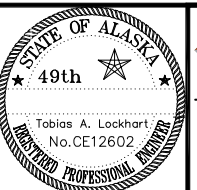


LEGEND:

	NEW ASPHALT PAVEMENT
	NEW CONCRETE
	NEW STORM SYSTEM
	NEW WATER MAIN
	NEW SEWER MAIN



REVISIONS			
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CREST STREET RECONSTRUCTION

PLAN - CREST STREET
STA "C" 16+00 TO STA "C" 19+05

PROJECT	71095.01
DATE	1/13/2021
SHEET	3 OF 7

8602
MENDENHALL AUTO CENTER

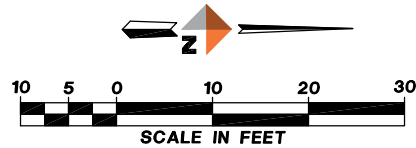
8717
JUNEAU MOTOR VEHICLE
EXPRESS

MATCHLINE STA "C" 19+05

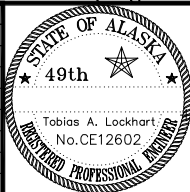
MATCHLINE STA "C" 22+10

LEGEND:

	NEW ASPHALT PAVEMENT
	NEW CONCRETE
	NEW STORM SYSTEM
	NEW WATER MAIN



REVISIONS			
REV	DATE	DESCRIPTION	BY



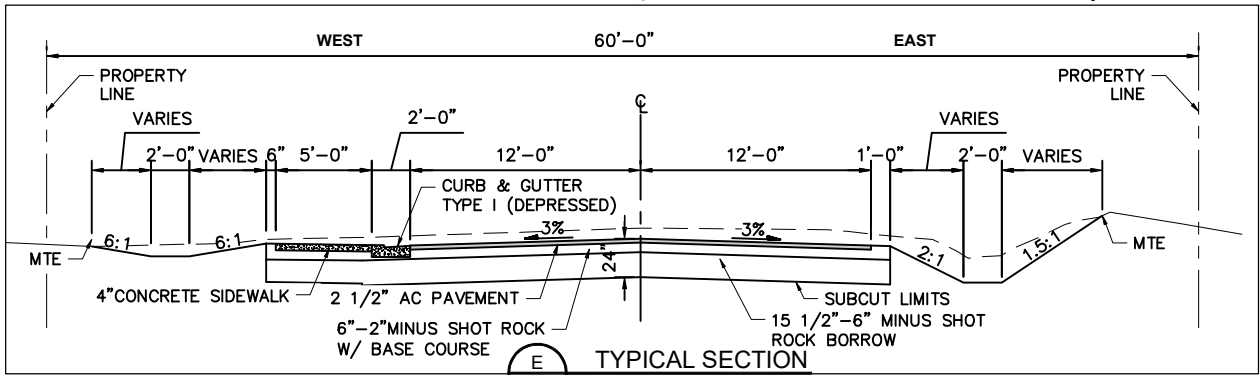
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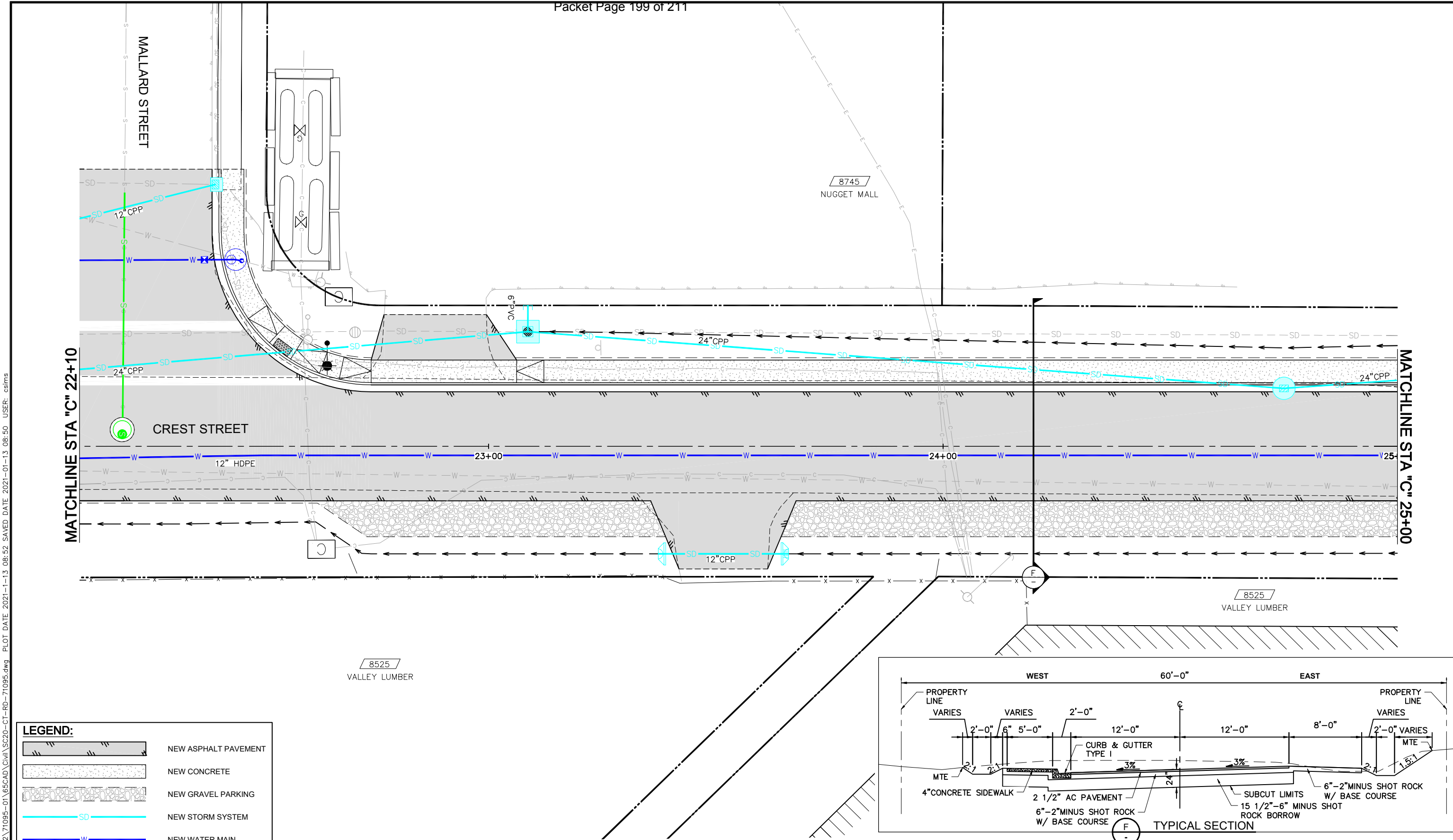


CREST STREET RECONSTRUCTION

PLAN - CREST STREET
STA "C" 19+05 TO STA "C" 22+10

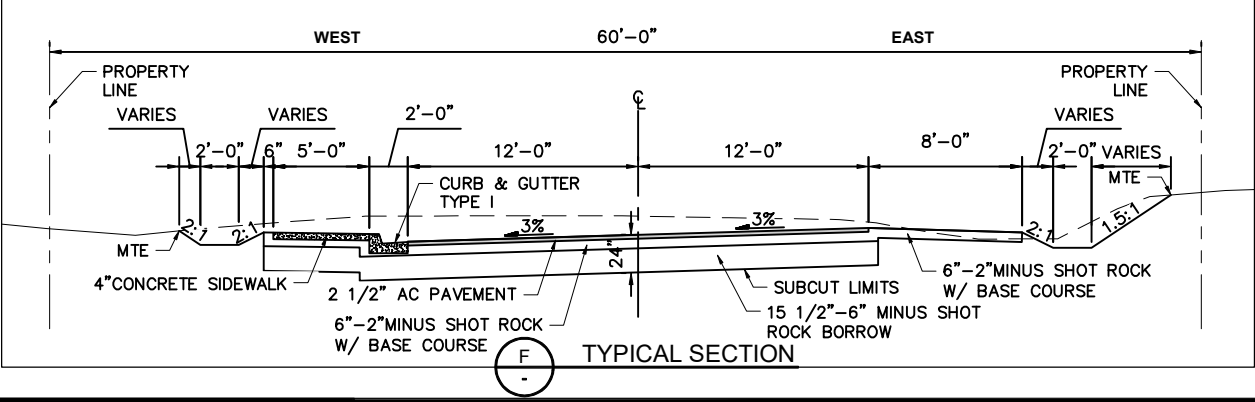
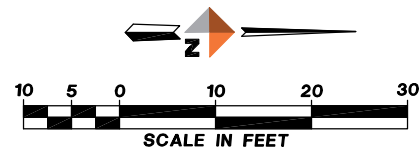
PROJECT	71095.01
DATE	1/13/2021
SHEET	4 OF 7



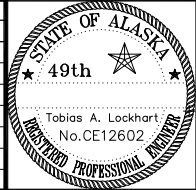


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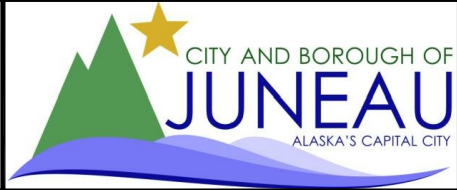
	NEW ASPHALT PAVEMENT
	NEW CONCRETE
	NEW GRAVEL PARKING
	NEW STORM SYSTEM
	NEW WATER MAIN



REVISIONS			
REV	DATE	DESCRIPTION	BY



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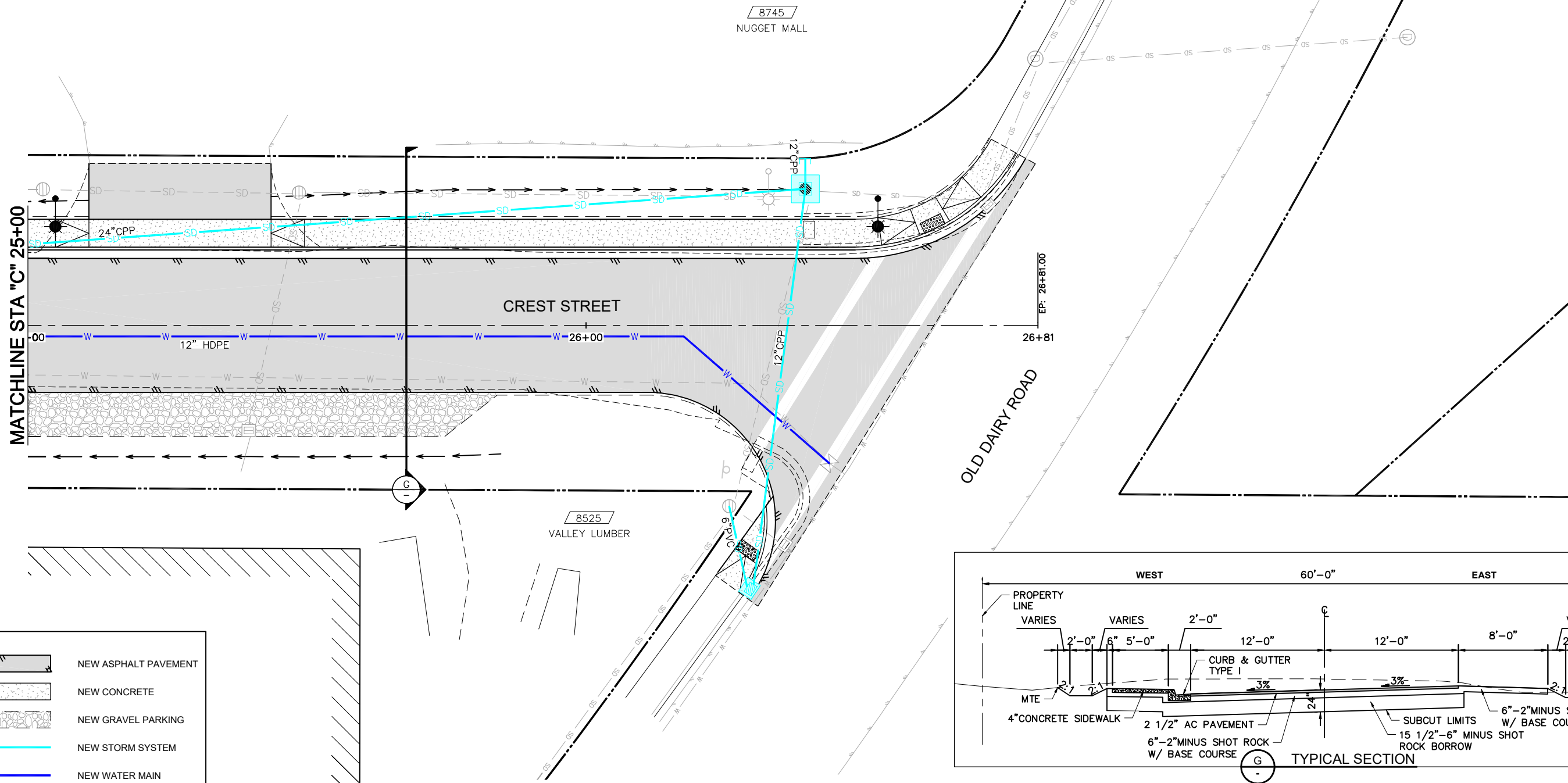


CREST STREET RECONSTRUCTION

PLAN - CREST STREET
STA "C" 22+10 TO STA "C" 25+00

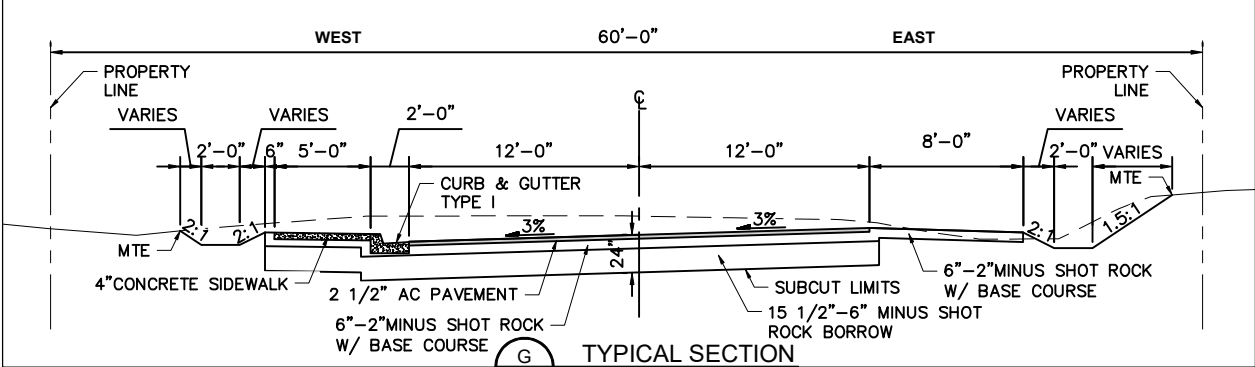
PROJECT	71095.01
DATE	1/13/2021
SHEET	5 OF 7

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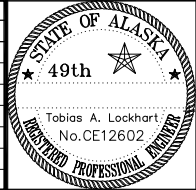


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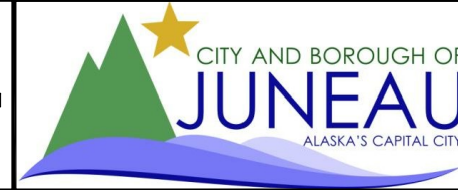
	NEW ASPHALT PAVEMENT
	NEW CONCRETE
	NEW GRAVEL PARKING
	NEW STORM SYSTEM
	NEW WATER MAIN



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CREST STREET RECONSTRUCTION
PLAN - CREST STREET
STA "C" 25+00 TO OLD DAIRY RD

PROJECT	71095.01
DATE	1/13/2021
SHEET	6 OF 7



**SOUTHEAST ALASKA
WATERSHED COALITION**
CONNECT - INFORM - PARTICIPATE

1107 W. 8th St.
Suite 4
Juneau, AK 99801
www.alaskawatershedcoalition.org
(907) 205-4028

January 20, 2021

Michael LeVine, Chair
Planning Commission
City and Borough of Juneau

Subject: CSP2020 0012, Crest Street

Mr. LeVine,

The Southeast Alaska Watershed Coalition (SAWC) works in communities throughout the region to cultivate sustainable use and management of our watersheds. Examples of our work in the City and Borough of Juneau (CBJ) include removing fish passage barriers, controlling invasive plants, designing and installing interpretive signs, protecting and restoring riparian habitat, and managing stormwater to improve water quality in our local salmon streams and the Mendenhall Wetlands State Game Refuge, a globally important bird area.

Our current area of focus in the CBJ is the Lower Jordan Creek watershed, which has been impacted by urbanization and is listed as an impaired water body by the State of Alaska. During the past 5 years we have worked with numerous landowners in this area to protect, restore, and enhance water quality and fish habitat for the benefit of people, fish, and wildlife. Our goal is to implement projects with our partners that ultimately reduce pollution in Jordan Creek to a point where this local salmon stream can be removed from the impaired waterbody list.

Stormwater is the largest source of pollution to Jordan Creek. Our stormwater mapping work has quantified 100 acres of impervious surfaces (roads, streets, and parking lots) in the lower watershed (between Egan and Yandukin Drives). These surfaces shed stormwater runoff containing numerous harmful pollutants that flow into conventional stormwater systems (e.g., curb/gutter, catch basins, pipes). Most of these systems discharge untreated runoff into the stream at 10 outfalls (pipes or ditches).

Our monitoring efforts over the last 2 years have demonstrated that lower Jordan Creek sediments are contaminated with urban pollutants and that stormwater runoff from the lower urbanized watershed is the source of those pollutants. Pollutants in Jordan Creek sediments that exceed levels known to adversely impact aquatic life include the metals copper, lead, and zinc as well as polyaromatic hydrocarbons. We suspect that these pollutants originate from vehicle brake components and tailpipe emissions. Because these pollutants are physically attached to suspended sediment particles, control simply requires trapping sediment particles in runoff before it enters a stormwater catch basin.



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The proposed Crest Street reconstruction and improvement project provides a critical opportunity to implement stormwater best management practices (i.e., BMPs; a.k.a. green infrastructure or low-impact development) to address polluted runoff. Currently, a large portion of the stormwater runoff originating from Crest Street and adjacent properties enters an existing stormwater system that discharges the runoff into Jordan Creek immediately upstream of Yandukin Drive (Figures 1 & 2). This is the largest stormwater system in the lower Jordan Creek watershed. Runoff water collected at the system's outfall pipe in August 2020 contained very high levels of copper, lead, and zinc compared to samples from a non-urbanized site in Jordan Creek.

CBJ has committed to working with SAWC to address stormwater management for the Crest Street Reconstruction project (see letter from Engineering and Public Works to AK Dept. of Env. Conservation in the project staff report). SAWC recently reviewed preliminary Crest Street reconstruction designs (as provided in the staff report) with staff from Dowl and CBJ Engineering and Streets. The designs show a mix of conventional stormwater infrastructure and a swale and vegetated ditch. The conventional infrastructure will collect runoff from large portions of the street and discharge the runoff into Jordan Creek after it passes through a proposed oil and water separator at the downstream end of the system. It should be noted that oil and water separators are not effective at removing all types of pollutants, are not efficient during high flows, and are best located upstream of another type of BMP¹.

During the design review, CBJ Engineering, Dowl, and SAWC staff discussed several opportunities to convey runoff to areas designed to treat (remove pollutants) and infiltrate runoff to native soils, thereby avoiding direct conveyance of runoff and associated pollutants to the stream. We appreciate and support this collaboration, and we anticipate that these concepts are being worked into the Crest Drive reconstruction designs. These opportunities include:

- 1. Installing slot drains in the sidewalk directly upstream of proposed catch basins.**

Slot drains are commonly used to convey runoff from curb/gutter, through a sidewalk, and into a stormwater BMP. The current designs indicate a strip of undeveloped right-of-way between the sidewalk and adjacent private parcels on the west side of Crest Street. To the greatest extent possible, slot drains should be used to convey runoff from the street into a grass swale on the back side of the

¹ When considering an in-line stormwater BMP like an oil/water separator, note that the Crest Street storm drain receives runoff from the Valley Lumber lumber yard. The yard is covered with gravel and sheds runoff containing high quantities of suspended sediment following rain and snowmelt. This sediment may reduce the effectiveness and increase maintenance costs of a downstream separator.



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sidewalk. Swales should be underlain with coarse rock to provide voids to store runoff until it can infiltrate the native soil. Runoff that exceeds the capacity of the swale can overflow into an existing nearby area drain or will continue to flow in the curb and gutter to an adjacent street-side catch basin.

2. Conveying runoff from catch basins on the west side of the street to the proposed ditch on the east side of the street.

Dowl has proposed conveying runoff collected in certain catch basins on the west side of the street to the deep ditch proposed along the east side. Upon entering the ditch, vegetation in the ditch will filter sediment from the runoff. If possible, placing drain rock under the ditch would increase runoff storage and promote infiltration.

3. Installing a bioretention cell near the southwest corner of the Crest Street/Old Dairy Road intersection.

Bioretention BMPs like bioretention cells are becoming very common as an effective means of treating and infiltrating stormwater in urban areas. They have been shown to remove pollutants that are acutely lethal to salmon and other aquatic life. The proposed bioretention cell would occupy an existing swale in the Crest Street right-of-way and adjacent private property on the Nugget Mall parcel. The cell would receive runoff from both Crest Street and the northeast quadrant of the Nugget Mall parking lot. Currently, parking lot runoff flows into an oil and water separator in the swale. Nugget Mall management is agreeable to the concept, potentially providing 5 parking spaces to accommodate the cell. SAWC has submitted a proposal for grant funds to design and construct the cell.

4. Constructing, protecting and maintaining a stormwater swale on the west side of Crest Street.

The current designs show a grass swale on the west side of the proposed sidewalk. As noted above, this swale can be designed as a stormwater BMP to treat runoff from the road. To the greatest extent possible, this swale should extend the entire length of the project to receive runoff from adjacent properties and the street as needed. Currently, portions of this area are used for parking vehicles and vehicle access to properties. To protect and maintain the stormwater functions of this swale, the designs should include barriers, signage, or other means to prevent or deter vehicle access that could damage the swale.

Altogether, we estimate that these stormwater BMPs will prevent about 3,000 pounds of sediment and associated pollutants from entering Jordan Creek each year. This reduction



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represents 6% of the total sediment load reduction necessary to remove Jordan Creek from the impaired water body list.

SAWC thanks the Planning Commission members for considering the above opportunities to better manage stormwater in the Crest Street reconstruction designs, and we thank CBJ Engineering for collaborating with us on these concepts. The BMPs described above are low-cost and low-maintenance means for addressing a significant cause of impairment in Jordan Creek.

Thank you for your consideration of these recommendations. Please feel free to contact me with any questions at john@sawcak.org or 419-4677.

A handwritten signature in blue ink, appearing to read "John Hudson", is written over a light blue rectangular background.

John Hudson
Restoration Biologist



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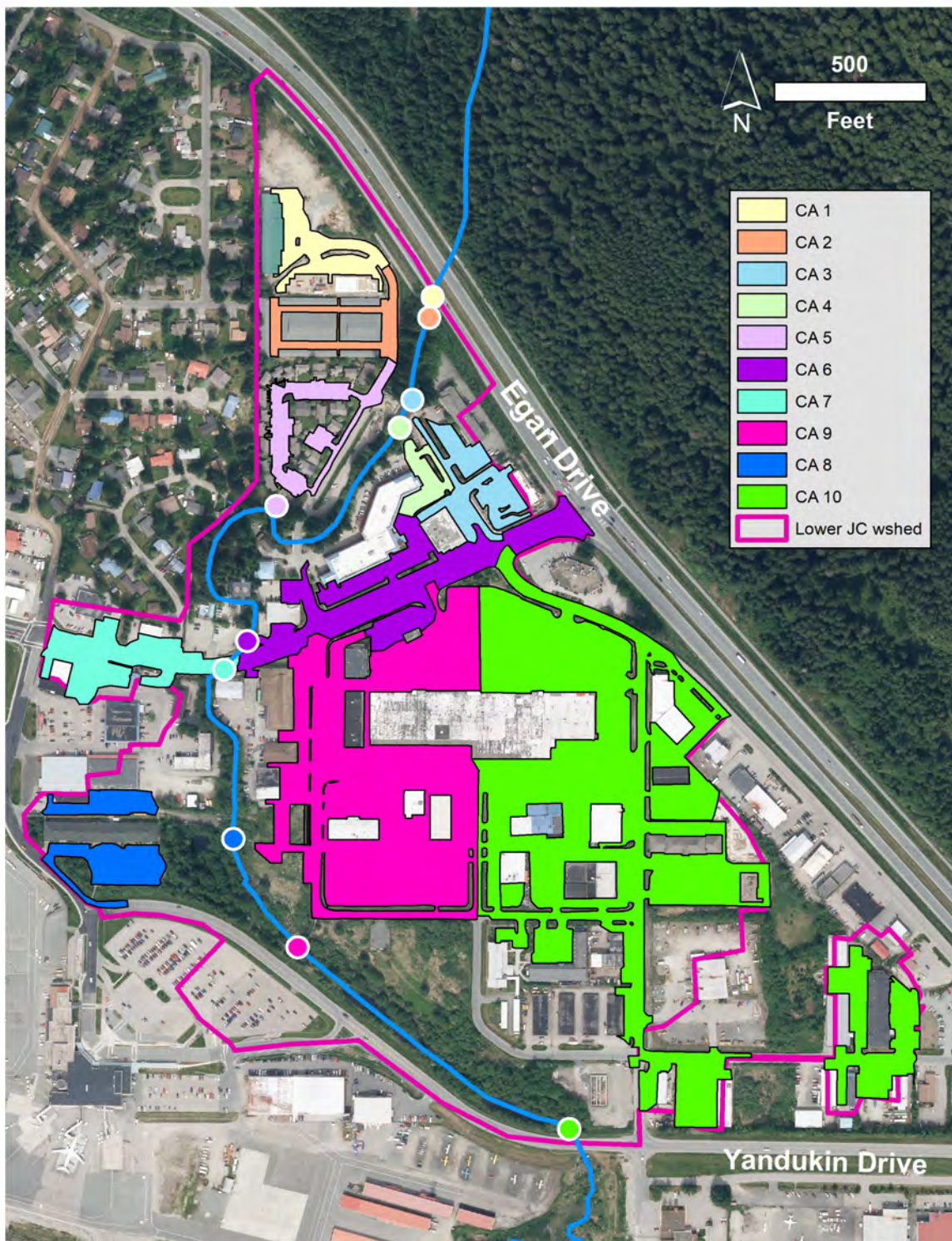


Figure 1. Stormwater systems in the Lower Jordan Creek watershed. Stormwater runoff from the green area (streets, driveways, and parking lots) encompasses Crest Street and flows into Jordan Creek at the end of a ditch (green circle).



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(907) 205-4028



Figure 2. Stormwater runoff from the Crest Street area stormwater system flows in a ditch along Yandukin Drive on its way to Jordan Creek.

Shawn Eisele

606 6th St.
Juneau, AK 99801
(907) 723-9066
shawneisele@gmail.com

January 11, 2021

CBJ Community Development
155 S. Seward St.
Juneau, AK 99801
pc_comments@juneau.org

**RE: Conditional Use Permit for 615 East St.
Case # USE2020 0025; PWP2020 0004**

Dear Commissioners,

I own and live in the house directly neighboring 615 East Street and write in support of their conditional use permit and parking waiver.

An apartment is in fitting with this neighborhood. I count 9 rental apartments in the 10 closest properties.

I also like their plan for a one-bedroom efficiency. My experience is that smaller apartments in owner-occupied homes seem to have the best track record, when compared against rentals of full houses or commercial developments without an owner/landlord.

I am not concerned about parking. First, Basin and East Streets are the rare downtown location where parking is not too tight. Second, their plan doesn't appear to create new living areas in 615 East or change the density of residents on this block—I believe the house would likely have 3 inhabitants with or without their proposed changes.

I look forward to the planned improvements next door to me. I believe their plan will be beneficial for a property that's been a bit derelict, and is likely to further the nice community feel that exists on this block. You're welcome to reach out with any questions.

Sincerely,



Shawn Eisele

From: Douglas Weaver <dsweaver586@gmail.com>
Sent: Sunday, January 24, 2021 10:26 PM
To: PC_Comments
Subject: 615 East Street Conditional Use Permit and Parking Waiver

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

Dear Planning Commissioners,

I wish to offer a few comments in support of the Conditional Use Permit and Parking Waiver for 615 East Street. I have lived across the street from the property since 1980. I'm at 538 6th which is the corner of 6th and East. I can't think of any reasons to deny the requests.

Accessory apartment: I understand that downtown is always in need of affordable housing and the Starr Hill/Basin Road neighborhood is a an attractive and convenient location for anyone working downtown or from home. The neighborhood does not seem oversaturated with rental units and not experiencing a problem with population density. I benefited from the opportunity to improve my older single family property over the years by upgrading and enlarging my home and later remodeling it to incorporate a rental unit. Across the street from my house, and next door the 615 East property, is 604 6th St. That home was owned by Lucille Mahoney for many decades until she moved on, and it was purchased by the Fannings and the Metcalfs. They substantially upgraded that property and developed it into very nice rental units. That was a big improvement esthetically for the neighborhood as well as attracting good neighbors. Now the new owner, Shawn, is continually improving it even further. My point is that we can cite multiple examples where it seems that when an older, long time neighbor passes their older house on to new, younger owners there is a significant improvement to the esthetics of the neighborhood, affordable housing is available to the younger homeowners when they can subsidize their mortgage with rental income, affordable housing is available for downtown workers when a nice apartment is available within walking distance from work. Most likely the renter would be another hip Starr Hill millennial government employee, with a friendly dog, who walks to work. Or maybe a legislative employee.

Parking: I'm not seeing a problem with an additional car in the neighborhood, if in fact the a future renter even has a car. When Bob Roark's duplex (623 East St.) burned up a few years ago, and was later completely demolished, that eliminated two rental units from the neighborhood, two doors up from 615 East. Also, that created two available off street parking spaces in front of 623, now getting regular neighborhood use since nobody lives there any more. My educated guess is that duplex will never be rebuilt. Also, I can easily view the Basin

Road parking situation from my window and when I head out my door. It seems that there is adequate street parking on the north side of the road with open spaces, even in the winter when the legislature is in town and upper 6th St parking is seasonally restricted due to safety and snow plow access. So it seems to me that the numbers add up with adding another small living unit to the neighborhood, and I think the impact on parking is a non-issue. Please feel free to call me at any time if I can clarify anything. Thanks for your time, and best wishes,

Doug Weaver
538 6th St
723-9833 cell

From: Morgan Davis <mindandmotion@yahoo.com>
Sent: Sunday, January 24, 2021 11:27 PM
To: PC_Comments
Cc: Obie Davis
Subject: Case No: USE2020 0025; PWP2020 0004

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

Planning Commissioners,

I am writing to object to the proposed granting of the conditional use permit allowing an accessory apartment a parking waiver at 615 East Street. I see that the Director has indicated that this permit should be approved. I would suggest, however, that the density of housing to parking ratio in this downtown neighborhood is at a level where offering waivers is not appropriate, given the parking challenges that exist for those of us already here. We live within one block of the waiver in question and it would undoubtedly negatively impact us as well as many of our neighbors.

Perhaps, if the City would be willing to step up their game on addressing the downtown* parking dilemma as part of their long-term push to increase housing opportunity/density in the downtown area, it would be more palatable, but without any visible gesture of tackling that problem (either in the present moment or in the imaged/planned future), it is a difficult pill to swallow. Currently, the City has been consistently hesitant to deal with abandoned vehicles in a timely manner (often giving weeks and weeks of notice for unmoved vehicles before even thinking about towing) and when asked about long-term parking solutions, the track record is one of saying that there are people who are taking this into consideration, but a plan of any sort has yet to publicly manifest to my knowledge. In the past, the attempted conversation has felt little bit like being patted on the head and told that the parking issue is just too complicated for the residents to understand, so better not to bother with worrying about it. Not the best feeling.

Parking and housing density are an intermingled issue that the City seems to be wanting to treat as separate issues. They are not. One directly impacts the other and they should be addressed with a coordinated vision and plan. Please do not issue more permits or waivers to increase downtown housing density (and subsequently, of course, parking density) without considering a larger scheme. Permit by permit consideration is not a plan. Do the right thing and do some bigger thinking about how you plan on addressing the larger downtown parking issues before you go further.

Thank you both for your thought and for your service as you take into consideration the larger picture of where downtown Juneau is now and where you hope to see us all** in the future.

Morgan Humphreys Davis
 633 Harris Street
 Juneau, AK 99801

* When I say downtown, I'm referring to the streets just outside of the core downtown that are not marked for only one hour parking, east of Gold Street and North of 3rd Street. The unrestricted street parking used by both many of the workers that come downtown for the day and all of the residents who live in the area.

** And where are all of our cars parked?

From: Obren Davis <obren.davis@gmail.com>
Sent: Monday, January 25, 2021 10:04 AM
To: PC_Comments
Subject: comment regarding parking waiver, PWP2020 0004

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

Hello,

I would like to note my opposition to the parking waiver being proposed for the accessory apartment at 615 East Street. The accessory apartment is subject to a pending Conditional Use Permit. Reasons for my opposition include:

- The availability of on street public parking in the neighborhood adjacent to 615 East Street is already extremely limited and fully subscribed by existing residents. There are many multi-unit housing complexes in and around Starr Hill and the Chicken Ridge area. Most do not have on-site, off-street parking. Thus, there is always competition for what parking is available. Additional apartments and a higher density population in this neighborhood will only exacerbate the existing parking shortage.
- Practically speaking, if the accessory apartment application is approved, in all likelihood there will be more than one adult occupant, which translates into TWO cars being associated with the apartment's residents, not just one. That doubles the adverse effects of this action.
- I would be more supportive of applications such as this **if the CBJ actually enforced its own ordinances** about vehicle abandonment, "streets used for storage", and so forth. I have lived in this neighborhood for 25 years and have lost track of how many interactions that I have had with trying to have JPD or its CSOs deal with abandoned or haphazardly/illegally parked vehicles. It often takes weeks or months to get an obviously abandoned or disabled vehicle towed or removed. These abandoned vehicles clog and obstruct the available street parking to the detriment of local residents, and the city's responsiveness to addressing residents' requests for timely assistance is perennially frustrating and disappointing.

Members of the Planning Commission, please consider denying the parking waiver associated with the application for an accessory apartment at 615 East Street.

Obren Davis
633 Harris Street
Juneau, AK