

Agenda

Planning Commission - Regular Meeting City and Borough of Juneau

May 12, 2020

Telephonic Meeting Only. (907)713-2140, PID# 813893
7:00 PM

- I. ROLL CALL
- II. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA
- III. APPROVAL OF MINUTES
 - A. April 14, 2020 Draft Minutes, Regular Planning Commission - 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. USE2020 0004: A Conditional Use Permit to construct a marine float and allow up to 160 visitors per day at Sentinel Island Lighthouse - APPROVED AS RECOMMENDED
 - B. USE2020 0006: A Conditional Use Permit to continue explosives storage in Hidden Valley, upper Lemon Creek, in association with an approved quarry - APPROVED AS RECOMMENDED
- VIII. UNFINISHED BUSINESS
- IX. REGULAR AGENDA
 - A. USE2020 0007: Sealaska Heritage Institute Arts Instructional Building and Plaza - APPROVED AS RECOMMENDED
- X. BOARD OF ADJUSTMENT
- XI. OTHER BUSINESS
- XII. STAFF REPORTS
- XIII. COMMITTEE REPORTS
- XIV. LIAISON REPORT
- XV. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS
- XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS
- XVII. EXECUTIVE SESSION
- XVIII. ADJOURNMENT

Minutes
Planning Commission
Regular Meeting
CITY AND BOROUGH OF JUNEAU
Michael LeVine, Chairman
April 14, 2020

I. ROLL CALL

Michael LeVine, Chairman, called the Regular Meeting of the City and Borough of Juneau (CBJ) Planning Commission (PC), held in the Assembly Chambers of the Municipal Building, to order at 7:02 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, Josh Winchell, Weston Eiler

Commissioners absent: None

Staff present: Jill Maclean, CDD Director, Alexandra Pierce, CDD Planner; Emily Wright, Law; Laurel Christian, CDD; Teri Camery, CDD;

Assembly members: Greg Smith

II. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA

MOTION: by Mr. Dye to suspend the rules regarding meetings as described in the meeting packet.

The motion passed with no objection.

Mr. LeVine explained this allows for the Commission to meet via electronic means due to the Coronavirus pandemic.

III. APPROVAL OF MINUTES

- A. February 25, 2020 Draft Minutes – Regular Planning Commission Meeting
- B. March 10, 2020 Draft Minutes - Regular Planning Commission Meeting
- C. March 10, 2020 Draft Minutes – Planning Commission Committee of the Whole

MOTION: *by Mr. Voelckers to approve the minutes from the Planning Commission February 25, 2020, Regular Planning Commission Meeting, March 10, 2020, Regular Planning Commission Meeting, and the March 10, 2020, Planning Commission Committee of the Whole Meeting.*

The motion passed without objection.

Mr. Levine explained the rules for public participation.

IV. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - None

V. ITEMS FOR RECONSIDERATION - None

VI. CONSENT AGENDA

USE2019 0022: A Conditional Use Permit for an existing rock quarry in Hidden Valley, Upper Lemon Creek
Applicant: SECON
Location: End of Anka Street

Staff Recommendation

Staff recommends that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use Permit. The permit would allow continuation of an existing quarry. The approval is subject to the following conditions:

Hours of Operation and Permit Expiration

- 1) Hours of operation shall be 7 a.m. to 10 p.m. Monday through Friday, and 9 a.m. to 10 p.m. on Saturday and Sunday, April through November.
- 2) All blasting operations shall be conducted during daylight hours. No blasting operations shall be conducted on Saturday or Sunday or on official local, federal, or state holidays.
- 3) The extraction permit shall expire ten years from the date of Planning Commission approval.

Site Restoration

- 4) Seed mixes utilized for revegetation in restoration efforts shall be free from non-native, noxious weeds.
- 5) The applicant shall submit and maintain a performance bond in an amount no less than \$101,000 for restoration/reclamation of the site, as required by CBJ 49.65.240. The bond must be final prior to the start of operation.

Blasting

- 6) Explosives shall not be stored on site, except that which is immediately necessary for the next blast.
- 7) The development shall not generate sound levels which exceed 65 dBa at the property

line during the day or 55 dBa at night, per CBJ§49.15.330(g)(11).

- 8) Blasting operations shall be conducted by an Alaska Department of Labor certified powder-man and all operations shall conform to MSHA, ATF, and OSHA standards, as applicable, and all other applicable standards.
- 9) 24 hours' notice shall be provided to the Juneau Flight Service Station and the Police and Fire Departments.
- 10) The applicant shall comply with the CBJ Standard Specifications for Civil Engineering Projects and Subdivision Improvements, as modified by the following:
 - a. Warning signs with the time and date of the blast will be posted 24 hours prior to blasting on Anka St. and at the Lemon Creek trailhead.
 - b. 24 hours' notice will be provided to the Juneau Flight Service Station and the Police and Fire Departments prior to blasting.
 - c. Public Service Announcements will be broadcast on local radio 24 hours prior to blasting.
 - d. Three air horn blasts will be made at 5 minutes prior to blasting.

Required Conditions, per CBJ§49.65.235:

- 11) A strip of land at the existing topographic level, and not less than 15 feet in width, shall be retained at the periphery of the site wherever the site abuts a public way. This periphery strip shall not be altered except as authorized for access points. This section does not alter the applicant's duty to maintain subjacent support.
- 12) If the bank of any extraction area within the permit area is above the high water line or water table, it shall be left upon termination of associated extraction operations with a slope no greater than the angle of repose for unconsolidated material of the kind composing it, or such other angle as the commission may prescribe. If the extraction operations cause ponding or retained water in the excavated area, the slope of the submerged working face shall not exceed a slope of 3:1 from the edge of the usual water line to the water depth of seven feet. This slope ratio may not be exceeded during extraction operations unless casual or easy access to the site is prevented by a fence, natural barriers, or both.

Other

- 13) The applicant shall provide the Community Development with the annual SWPPP report no later than February 15th each year.

MOTION: *by Mr. Voelckers to accept staff's findings, analysis and recommendations and approve the consent agenda, with acceptance of staff's Blue Folder memo recommending deletion of the advisory condition*

The motion passed with no objection.

VII. UNFINISHED BUSINESS - None

VIII. REGULAR AGENDA

USE2020 0002: A Conditional Use Permit for an accessory apartment on an undersized lot
Applicant: Andrew Heist
Location: 407 Irwin Street

Staff Recommendation

It is recommended that the Planning Commission adopt the Director's analysis and findings and **APPROVE** the requested Conditional Use permit. The permit would allow the development of an accessory apartment on 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 49.40.200.
2. ~~Prior to the issuance of a building permit, the applicant must submit a revised site plan showing vegetative cover on the site. (Removed by Amendment)~~

PWP2020 0001: Parking waiver for one parking space for an accessory apartment related to USE2020 0002
Applicant: Andrew Heist
Location: 407 Irwin Street

Staff Recommendation

Staff recommends the Planning Commission adopt staff recommendations and findings and GRANT the requested parking waiver for the one (1) required off-street parking space associated with the proposed accessory apartment (USE2020 0002).

Staff Presentation

Ms. Christian presented USE2020 0002 and PWP2020 0001 together explaining staff findings, conditions, and recommendations.

Questions from Commissioners

Mr. Winchell asked how long the property has been unused and if it had been used as an apartment or rental recently. Ms. Christian was not sure of the timeframe and suggested the applicant may have that information but per CBJ records it has not been used as a rental in the past.

Mr. Voelckers questioned why there was a condition requiring vegetative cover for an accessory apartment permit and whether it would be material to the approval of the permit. Ms. Christian explained it was customary to normally require some vegetative cover but it would not be material to the approval.

Applicant Testimony

Andrew Heist spoke to the Commission explaining the property is currently vacant. Mr. Heist explained that when he bought the property in 2018, it was apparent that the space had been used as an apartment and they are in the process now of making it a properly permitted apartment.

Mr. Alper asked how the laundry and furnace would be addressed when an apartment goes in. Mr. Heist explained that the furnace has been removed and there will be electric baseboard heat separately between the apartment and the main unit as well as separate laundry facilities between the main house and apartment.

Mr. Alper asked if this will be used as a residential apartment or a short-term vacation type rental. Mr. Heist intends it to be utilized as a long term leased apartment.

Mr. Dye asked about the vegetation on the property. Mr. Heist said there is not much space on the property for vegetation but he is planning to make the property as nice as possible and he will add some if and where he can.

MOTION: *by Mr. Dye to accept staff's findings, analysis, and recommendations, and approve USE2020 0002 as amended by the removal of Condition 2 requiring vegetative cover.*

The motion passed with no objection.

MOTION: *by Mr. Dye to accept staff's findings, analysis, and recommendations, and approve PWP2020 0001.*

Mr. Arndt and Mr. Voelckers spoke in favor of the motion. Both complimented Staff for the work they did in quantifying the parking in the area. Commissioners were impressed with the parking study conducted by CDD which determined parking in the area was adequate and the PWP would not have a negative impact.

The motion passed with no objection.

WCF2019 0009: A Wireless Communication Facility Permit to install new, unlit 150-foot communication tower
Applicant: Vertical Bridge
Location: Merganser Road

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and approve the requested Special Use Permit for a WCF tower with the following conditions:

1. ~~The WCF must be constructed as a monopole; (Removed by Amendment)~~
2. ~~The WCF must be matte dark green in color; (Removed by Amendment)~~
3. ~~The WCF cannot have lighting, and if in the future the FAA requires lighting, a modification to the Special Use permit must be approved by the Planning Commission; (Removed by Amendment)~~
4. The site security and required signage must be installed and maintained according to the plan;
5. ~~The WCF must accommodate more than five (5) antenna arrays. (Removed by Amendment)~~

Staff Presentation

Ms. Christian gave a brief presentation of WCF2019 0009 explaining the Special Use Permit request and staff findings, conditions, and recommendations.

Questions from Commissioners and Discussion with Staff

Mr. Dye asked is there a definition in Title 49 for how to determine the height for a WCF? In particular, is the 5-foot lightning rod part of or in addition to the 150-foot height of the tower? Ms. Christian explained that the lightning rod is not included in the tower height but the overall height is 155-feet with the lighting rod.

Mr. Voelckers expressed worry that the 'fall zone' of the tower was larger than the area protected by the fence to be built around it. Ms. Christian explained the intent of the fence is not protecting the tower in case of a fall, rather it is to protect the tower from unauthorized use. Mr. Voelckers was concerned CBJ might be liable if the tower were to fall and injure a member of the public.

Dan Bleidorn, Lands, spoke to the considerations regarding a fall and explained the lease area would include the entire fall area.

Mr. Hickok asked for clarification between lattice tower versus monopole. Ms. Christian explained the differences.

Mr. Hickok asked to what extent CDD staff had looked into the health concerns regarding 5G. Ms.

Maclean and Ms. Christian explained that they are constrained by FCC requirements and the applicant did follow that.

Mr. Arndt said that the site already has two grey lattice towers and asked why this tower was required to be a green monopole. Ms. Maclean explained that the other two poles predate the current ordinance and the Master Plan. As new towers come in, they are to conform to ordinance.

Mr. Arndt spoke to the differences between lattice tower and monopole foundations and asked if staff had considered if the applicant would be able to conform to that requirement. Ms. Maclean explained that is a question for the applicant.

Mr. Arndt asked why condition number five requires more than five antenna arrays when the Code only requires five or more.

Mr. Winchell voiced concern that this would be a pole reaching 95 feet above the existing tree line and will be painted to blend in with the trees and would be unlighted and asked if staff had considered the safety of air traffic in the area. Ms. Maclean explained the pole is within FAA standards and would not appear as a tree and it would be visible as a communications pole.

Mr. Winchell asked if staff had looked into the perceived risks of this being constructed in a residential area rather than in a commercial area. He asked if CBJ was required to follow FCC regulations without looking into it further. Ms. Wright explained the court precedent and explained that CDD staff cannot go outside of FCC regulations. However, she explained the Commission members could make their decisions based on their expertise. Mr. Voelckers shared with the other members that he was on the Commission when the issue of 5G started and at the time it was stressed to the members that they could not go outside of the FCC ruling.

Mr. Voelckers asked why Staff was asking that the pole height be reduced when it was not very visible during the balloon test. Ms. Maclean explained that the code requirement states the applicants did not justify the height request in their application.

Mr. LeVine asked for clarification on the height requirement pointing out that according to the conditions, it is a 150-foot tower but in the staff report it says we would like the tower height to be reduced. Ms. Maclean explained that the actual minimum height required would be a question for the commission to ask the applicant.

Applicant Testimony

Gary Brekke, applicant, spoke regarding the tower height and explained the tower is 150 feet plus the 5-foot-tall lightning rod. Regarding the minimum required height, he explained the 150-foot height was requested so the antennae could be placed above the tree tops. Regarding the requirement for additional antennae on the pole, he explained that there is no place on the tower

to add additional antennae beyond the five proposed. Any additional would have to be installed below the tree line and would, therefore, provide little to no coverage.

Commissioner Questions for Applicant

Mr. Dye asked for clarification of the height explaining that the diagrams and drawings showed differing amounts. Mr. Brekke explained the lightning rod would be five feet above the 150-foot tower.

Mr. Arndt asked whether switching from lattice tower to monopole would be a hardship. Mr. Brekke explained they had already spent an amount of money to design the lattice tower. They could switch to monopole but it would require more engineering design.

Mr. Hickok asked about the health issue and would the risk be increased by adding multiple 5G antennae. Mr. Brekke answered as long as all the carriers meet or exceed FCC requirements, it would not be an issue.

Mr. Winchell asked whether the new pole would be in addition to or in replacement of a tower already existing on the other side. Mr. Brekke said that the new tower would provide much more coverage but he did not know whether the other tower would be taken out of service. Mr. Winchell asked where on the hill the tower would be located in relation to the residential area. Mr. Brekke confirmed the tower would be on the far side of the hill away from the residential area and he explained that locating the tower near residential areas was preferred as most people want their cell phones to work in their homes.

Mr. Voelckers asked if the tower was to add capacity to accommodate five antennae would that require a change to the project as it is currently planned? Mr. Brekke answered that the pole has been redesigned already to accommodate the five arrays so it will not be a hardship.

Mr. Voelckers asked about the lattice vs. monopole design and what would be the issues if they went with one over the other? Mr. Brekke explained that he does not know why the owner went with the design they did.

Mr. Dye asked about the requirement the tower not be lighted and what would happen if the FCC later required it to be lighted. How much of a hardship would it be to remove a 150-foot tower? Mr. Brekke answered that it would be network affecting as sites are selected based on network need and he reminded the commission that these towers facilitate more than just voice and data traffic, they also have E-911 and location services. For those reasons, it would be a big deal to have to remove or relocate the site.

Mr. Dye asked if it was a hardship to paint the tower matte green. Mr. Brekke said they would prefer not to but it would not be a problem to do so.

Mr. LeVine referenced 49.65.130(e)(1) which sets the requirement for antennae capacity on towers based on their height. This tower would be required to be engineered to accommodate at least five antennae. Mr. LeVine said as he understands it, the tower could accommodate three or four arrays but any more than that would provide poor to no coverage due to tree coverage and not due to the engineering. The tower could accommodate the extra arrays but they would be ineffective. Mr. Brekke confirmed this is the case.

At Ease 8:45 until 8:57

Public Testimony

Brian Thatcher – 16420 Ocean View Drive - Mr. Thatcher voiced concerns regarding the Merganser Road access as it crosses his property. He was concerned about the damage that could be done by the truck and heavy equipment traffic during the construction of the tower.

Dianne Grieser – Juneau – Ms. Grieser expressed concerns regarding the safety of 5G technology.

Tyson Lee – 16490 Ocean View Drive – Mr. Lee spoke to the visual impact of the tower saying that it is more visible than was shown in the photos. Mr. Lee also expressed concerns regarding the safety of 5G technology and encouraged the Commission to deny this tower.

Skye Stekoll – 16530 Ocean View Drive – Mr. Stekoll believes that due to the height of the tower the FAA will require a light once it is built. He would prefer the tower not be built in this location or at least that it be lowered if it must be located there.

Mr. Winchell asked whether Mr. Stekoll would have a direct view of the tower and the arrays from his residence. Mr. Stekoll answered that it would be directly in his view.

Mr. Voelckers asked whether Mr. Stekoll had seen the balloon test. Mr. Stekoll did not know when the test was conducted and did not see it. He explained there are only two significantly tall trees and the rest are much shorter and the tallest trees would likely be felled in the construction of the tower.

Greg Anderson – 16430 Ocean View Drive – Mr. Anderson spoke in support of the tower stating that the additional access would be beneficial and he is not concerned about 5G safety.

Heather Sykes – 16331 Ocean View Drive – Ms. Sykes stated she did see the balloon test and that it was quite noticeable. She does not think there have been enough studies into the safety of putting these towers so near to neighborhoods and asked the commission to vote NO.

Cassie Lockhart – Ms. Lockhart spoke in opposition to the tower stating visual and safety

concerns.

Continued Applicant Discussion

Mr. LeVine called Mr. Brekke back to address the public concerns. Mr. Brekke spoke to the 5G concerns explaining that the frequency that would be used on this tower would not be the high intensity waves over a small area that people are concerned about. This tower would use lower frequency bands to reach a wider area.

Mr. Winchell asked Mr. Brekke if, in his experience, there was a level of absorption of these bands that concerned him. Mr. Brekke said that he has no fear whatsoever as this is safe technology.

Mr. LeVine asked why the client's array currently located on another tower needed to be relocated to a new tower and also asked if the tower could not be lower than the 150 feet requested. Mr. Brekke explained that he was not part of the decision-making process of the height of the tower. He can only assume that the decision was likely based on engineering information. As for relocating the array to a new tower, Mr. Brekke explained the decision was related to GCI's desire to increase their coverage area and the fact that ATT owns the other tower and has raised their lease rates to collocate on their tower.

Mr. Voelckers asked who determined where to locate the tower and whether other locations had been considered. Mr. Brekke said there had been consideration of other sites but he is not part of that decision.

Commissioner Comments and Questions for Staff

Mr. Dye asked about condition 3 regarding FCC requiring lighting in the future. Specifically, if the FCC later required a light be installed, could CBJ require the applicant to lower or remove the tower? Ms. Maclean answered that yes, the Commission could require it be lowered or removed if this happened if they found that it was warranted. Commissioners discussed condition 3 and the possibility of FCC rules changing to require lighting and whether this condition is simply a restatement of the code.

Mr. Winchell expressed concern about aviation in the area with the tower being so tall, matte green, and unlighted.

Mr. Arndt was concerned about with the conditions regarding the tower type (lattice vs monopole), the requirement to paint it matte green, and the required antennae capacity. Mr. Voelckers commented in support of Mr. Arndt's comments.

MOTION: *by Mr. Dye to approve WCF2019 0009 striking conditions #1,2,3, and 5.*

Mr. Dye spoke in support of not requiring changing to monopole, matte green color, the lightning rod should not count as part of the height so should not be required to accommodate more than

5 arrays, and removing the condition regarding lighting.

Mr. Winchell spoke for the record that he would have liked to have heard from experts regarding the public concerns of safety regarding 5G.

Mr. Arndt spoke in support of the motion.

Mr. LeVine spoke to the motion saying he is not particularly in support of or against the tower but said he does not see information supporting inability to collocate or justifying the height so he will not be able to support the Permit.

Mr. Dye commented that he did feel the issue of collocation was supported in the application but he did agree with Mr. LeVine that the application did not clearly justify the necessity of the requested height but he also did not see anything in the application to say the requested height was not necessary and because of that, he was going to vote for it.

Roll Call Vote:

YES Votes: Mr. Dye, Mr. Voelckers, Mr. Winchell, Mr. Alper, Mr. Hickok, Mr. Eiler, Mr. Arndt

No Votes: Mr. LeVine

Motion Passed on Roll Call 7 yes/1 no

At ease 9:55 to 10:03pm

WCF2019 0010: A Wireless Communication Facility Permit to install new, unlit 150-foot communication tower

Applicant: Vertical Bridge

Location: Crazy Horse Drive

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and approve the requested Special Use Permit for a 150-foot tall communication tower with a 5-foot lightning rod with the following conditions:

1. ~~The WCF must be constructed as a monopole; (Removed by Amendment)~~
2. ~~The WCF must be matte grey in color; (Removed by Amendment)~~
3. ~~The WCF cannot have lighting, and if in the future the FAA requires lighting, a modification to the Special Use permit must be approved by the Planning Commission; (Removed by Amendment)~~
4. The site security and required signage must be installed and maintained according to the plan;
5. ~~The WCF must accommodate more than five (5) antenna arrays. (Removed by Amendment)~~

Staff Presentation

Ms. Christian gave a brief presentation of WCF2019 0010 explaining the Special Use Permit request and staff findings, conditions, and recommendations.

Questions from Commissioners and Discussion with Staff

Mr. Dye questioned the necessity to make a condition that it be a monopole when that is what is in the applicant submittal already.

Mr. LeVine asked why staff is not asking for this pole to be lowered when they did for the other permit. Ms. Maclean explained that the difference is this one is in an industrial zoning district and the other was in a residential zoning district.

Commissioner Questions for Applicant

Mr. Dye asked if a new monopole is grey in color when it comes from the factory. Mr. Brekke confirmed that they are grey in color.

Mr. LeVine asked why the decision was made to build a new tower rather than collocating on an existing tower. Mr. Brekke explained that there is no place to expand on existing towers and lease rates have increased for collocating on the current location making a new tower was most feasible.

Public Testimony

Dianne Grieser – Juneau – Ms. Grieser spoke in opposition to a 5G tower

MOTION: *by Mr. Dye to accept staff's findings, analysis, and recommendations, and approve WCF2019 0010 striking conditions #1,2,3, and 5.*

Roll Call Vote:

YES Votes: Mr. Dye, Mr. Winchell, Mr. Hickok, Mr. Arndt, Mr. Eiler, Mr. Alper, Mr. Voelckers

No Votes: Mr. LeVine

Motion Passed on Roll Call 7 yes/1 no

IX. BOARD OF ADJUSTMENT - None

X. OTHER BUSINESS - None

XI. STAFF REPORTS

Ms. Maclean reported:

- the Nonconforming Ordinance goes into effect tomorrow.

- If Commissioners would like a binder for future meetings they can be provided but Commissioners would need to return the binders to Marine View
 - o Mr. LeVine said he did not need a binder but the packet would be good. Other Commissioners agreed.
 - o Mr. Voelckers asked about the timeline regarding filling the vacant Commissioner seat and the Joint Meeting with the Assembly. Ms. Maclean said the HRC is scheduled to meet on April 30 and appointing a new commissioner would be an agenda item at that meeting. She did not have a timeline for when the Joint meeting would occur.

XII. COMMITTEE REPORTS - None

XIII. LIAISON REPORT

Mr. Smith reported on Assembly activities and stated they have been taken over by Coronavirus recently

Based on current projections CBJ is looking at loss of revenues about \$30,000,000 over the next 30 months which would deplete fund balance and reserves. The assembly is looking at several options to mitigate the loss.

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

XV. PLANNING COMMISSION COMMENTS AND QUESTIONS –

Several of the commissioners thanked staff for all their work to make the Zoom meeting possible and said the meeting was a total success.

XVI. EXECUTIVE SESSION - None

XVII. ADJOURNMENT – 10:37 p.m.



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

DATE: April 24, 2020

TO: Planning Commission

FROM: Teri Camery, Senior Planner
Community Development Department

CASE NO.: USE2020 0004

PROPOSAL: A Conditional Use Permit to construct a marine float and allow up to 160 visitors per day at Sentinel Island Lighthouse

GENERAL INFORMATION

Applicant: Gastineau Channel Historical Society

Property Owner: Gastineau Channel Historical Society

Property Address: Sentinel Island

Legal Description: Sentinel Island

Parcel Code Number: 3B4401000150

Site Size: 261,360 square feet

**Comprehensive Plan
Land Use Designation:** Not listed

Zoning: Rural Reserve

Utilities: no utilities on site

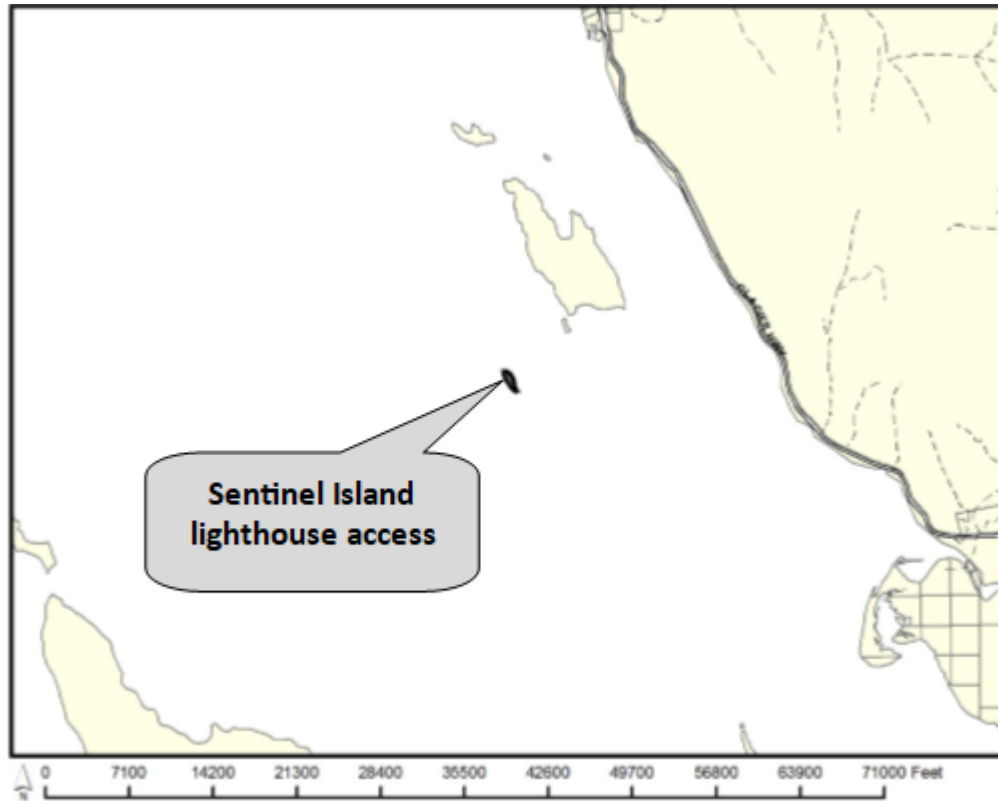
Access: via boat and helicopter

Existing Land Use: historical lighthouse and associated outbuildings

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Surrounding Land Use:	North	-	Favorite Channel
	South	-	Favorite Channel
	East	-	Favorite Channel; Benjamin Island
	West	-	Favorite Channel

VICINITY MAP



ATTACHMENTS

Attachment 1 Development Permit and Conditional Use Permit Applications
Attachment 2 Project Narrative
Attachment 3 Pre-application meeting report
Attachment 4 Moorage float drawings

PROJECT DESCRIPTION AND BACKGROUND

The applicant requests a Conditional Use permit to construct a marine float and to allow up to 160 visitors per day at Sentinel Island Lighthouse. Currently there is no dock, and tour visits have not been scheduled because of the difficult landing at the site, with a steep rocky shore and

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access that must be scheduled at certain tides. The proposed float would be constructed on pilings and include a platform and gangway landing. This would allow moorage through the full tidal range, and allow larger vessels to dock. The applicant intends to accommodate a 40-passenger vessel for up to 4 trips per day, for a total of 160 visitors. The development requires a tideland lease from the Alaska Department of Natural Resources (ADNR). ADNR has granted preliminary approval of the lease, and has signed the Development Permit Application as a joint property owner. The project also requires a permit from the Army Corps of Engineers (ACOE) and issuance of a clean water certificate from the Alaska Department of Environmental Conservation. Due to the proximity of the project to the Stellar sea lion haul-out on Benjamin Island, the Corps permit requires that dock pilings to be placed during the months of July and August when the majority of the sea lions are absent from the haul-out.

The applicant, the Gastineau Channel History Historical Society, states that the goal of the project is first to preserve the historic resources of Sentinel Island, and second to share those resources with the public. The purpose of the project is to provide safe and convenient access for users.

BACKGROUND AND SCOPE OF REVIEW

In 1997 the U.S. Coast Guard leased a number of Alaska lighthouses to qualified non-profit organizations. The Gastineau Channel Historical Society (GCHS) received a 30-year lease of Sentinel Island. In 2006 Sentinel Island was transferred to GCHS through a quit claim deed under provisions of the National Historic Lighthouse Preservation Act. In 1999 GCHS obtained Conditional Use Permit in 1999 for development of the Sentinel Island Lighthouse and a visitor and cultural facility (USE99-00032), without any permit conditions. The permit review described a conversion of the lower level of the lighthouse into caretaker accommodations and a storage area, while the main level would function as an interpretive center. Two of the existing cabins would be developed into overnight accommodations. The review further noted that 30-60 visitors per day were expected. Lastly, the permit noted that future plans would include a seasonal floating boat dock. However since the boat dock was not evaluated in the permit and noted a limited number of visitors, the CDD Director has determined that a new Conditional Use permit is required.

The scope of review is limited to construction of the new dock and the increase in the number of visitors. The review does not re-visit the previous Conditional Use permit that approved use of the lighthouse facility as a visitor and cultural facility.

ANALYSIS

Project Site and Design – Project drawings are included in Attachment 4. The new access would consist of four steel pilings, a steel and wood marine float, an aluminum gangway, a concrete bulkhead, a wooden deck, and stairs connecting to the existing bridge to the island. The float would be removed in the winter to avoid storm damage. The project site includes a small portion

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of State of Alaska tidelands.

Noise – The primary noise impacts from the project will occur during construction. As noted previously, the ACOE, in cooperation with the National Marine Fisheries Service (NMFS), requires pilings to be placed during the months of July and August to avoid adverse impacts to the Stellar sea lion haul-out on Benjamin Island. The U.S. Fish and Wildlife Service is reviewing potential impacts to bald eagle activities, and will provide additional guidelines to mitigate those impacts.

Noise generated by vessels using the float is expected to be minimal compared to ambient noise from existing marine traffic in the area, including commercial fishing vessels and tour boats.

Lighting – No lighting is proposed for the project.

Public Health or Safety – The applicant has maintained the site and resources at Sentinel Island since 1997. Security issues are managed through the existing permission and fee program for use of the facilities.

Habitat – Potential habitat impacts on Stellar sea lions have been noted in the noise section of this report. The development does not affect any other sensitive habitat.

Property Value or Neighborhood Harmony – The Gastineau Channel Historical Society allows recreational users on the site with permission and a fee, and will continue managing the facility in this manner. The site is isolated from other properties. Passenger vessels visiting the site are typical of the area. No evidence indicates that the proposed development will adversely impact property value or neighborhood harmony.

2013 JUNEAU COMPREHENSIVE PLAN

Sentinel Island does not have a land use designation in the 2013 Juneau Comprehensive Plan, though it is included the Subarea 1 map. Subarea 1 guidelines note Sentinel Island as a historical and cultural resource.

Other relevant sections and policies include the following:

Policy 5.1 To develop and sustain a diverse economy, providing opportunities for employment for all residents.

Policy 5.6 To encourage tourism, convention and other visitor-related activities through the development of appropriate facilities and services, while protecting Juneau's natural, cultural and economic attractions for local residents and visitors alike, and to participate in the accommodation of the future growth of tourism in a manner that addresses both community and industry concerns.

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Policy 5.9 To facilitate availability of sufficient and suitable water-based facilities and associated land-based acreage to support water-dependent uses, and to work closely with the public and private sectors to facilitate sustainable marine commerce, commercial fishing, seafood processing, recreation, public access to the shoreline, and enjoyment of the waterfront through development of well-designed port facilities.

The proposed development supports increased marine tourism to the Sentinel Island and substantially conforms to these policies.

Historic Resources

Subarea One Guideline 10 states that projects that may impact historic resources within this area are to be reviewed by the Historic Resources Advisory Committee (HRAC) prior to issuance of a permit. However, due to COVID-19 mandates, the HRAC is not meeting until further notice. The Community Development Department Historic Resources planner has reviewed the proposal, and provided the following comment:

Staff has determined that the proposed dock and the increase in daily visitors of up to 160 will not have a negative impact on the Sentinel Island Lighthouse. The lighthouse building and site are managed by the Gastineau Channel Historic Society (GCHS), a volunteer organization dedicated to the preservation and sharing of Juneau's historic resources. GCHS has the expertise and experience within its volunteer ranks to ensure the lighthouse is protected.

2015 Juneau Economic Development Plan

The 2015 Juneau Economic Development Plan is incorporated into the Comprehensive Plan in CBJ Code 49.05.200(b)(1)(N). The proposed development does not specifically address any of the eight economic development initiatives identified in the plan. However, the development indirectly addresses one of the economic development planning concepts and practices listed in Chapter Two, as follows:

Land availability - an adequate supply of appropriately zoned land is available for commerce and industry, as well as residential development. This includes access to the land needed to support commercial, industrial, and other development. This also includes zoning that supports neighborhood-based small business growth that creates jobs and provides services which area residents and the community need. This type of small business development and growth also supports quality of life and walkable mixed-use neighborhoods.

The proposed development supports small business growth.

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AGENCY REVIEW AND PUBLIC COMMENT

An agency review period was conducted from March 13 through March 31, 2020. The CBJ Building Division replied that they have no issues. The CBJ Lands Division stated that since there is no CBJ property on or near Sentinel Island, they do not have any comments. The Alaska Department of Transportation and Public Facilities stated that they have no objection to the proposal.

No public comments have been received at this writing.

FINDINGS

CBJ 49.15.330 (e)(1), Review of Director's Determinations, states that the Planning Commission shall review the Director's report to consider:

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

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

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

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

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

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

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

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

Yes. The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ 49.25.300, Section 21.300 for the Rural Reserve zoning district.

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

Yes. The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in the May 1, 2020 and May 8, 2020 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public Right of Way, at Statter Harbor, as a primary point of vessel departures to Sentinel Island.

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

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

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

No. Based on the preceding analysis, no evidence indicates that the proposed development will decrease the value of or be out of harmony with 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?*

Yes. The proposed development substantially conforms to the 2013 Juneau Comprehensive Plan, and will not adversely impact historical resources.

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

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

Not applicable.

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RECOMMENDATION

Staff recommends that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use permit. The permit would allow construction of a marine float and allow up to 160 visitors per day at Sentinel Island Lighthouse.



DEVELOPMENT PERMIT APPLICATION

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

PROPERTY LOCATION	
Physical Address <u>Sentinel Island</u>	
Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) <u>Sentinel Island</u>	
Parcel Number(s) <u>3B4 401 000150</u>	
☐ This property located in the downtown historic district ☐ This property located in a mapped hazard area, if so, which _____	
Property Owner <u>Juneau Channel Historical Society</u>	Contact Person <u>Gary Gullette</u>
Mailing Address <u>P.O. Box 21264 Juneau AK 99807</u>	Phone Number(s) <u>907-796-9703</u>
E-mail Address <u>grrrlg@alaska.net</u>	
LANDOWNER/ LESSEE CONSENT Required for Planning Permits, not needed on Building/ Engineering Permits	
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows:	
A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.	
B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.	
X <u>[Signature]</u> President Landowner/Lessee Signature	<u>26 Feb 2020</u> Date
X <u>[Signature]</u> Landowner/Lessee Signature	<u>April 7, 2020</u> Date
ALASKA DNR/DMLW Regional Manager - SERO	
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 <u>SAME</u>	Contact Person
Mailing Address	Phone Number(s)
E-mail Address	
X _____ Applicant's Signature	_____ Date of Application

DEPARTMENT USE ONLY BELOW THIS LINE

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Intake Initials
Case Number
Date Received



ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

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

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

PROJECT SUMMARY *Construct a mooring float facility.*

TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED

☐ Accessory Apartment – Accessory Apartment Application (AAP)

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

Table of Permissible Uses Category: *49.25.300.10.510 Commercial Moorage*

IS THIS A MODIFICATION or EXTENSION OF AN EXISTING APPROVAL?

☒ YES – Case # *USE99-00032*

☐ NO

UTILITIES PROPOSED

N/A

WATER:

☐ Public

☐ On Site

SEWER:

☐ Public

☐ On Site

SITE AND BUILDING SPECIFICS

Total Area of Lot *6 Acres* square feet

Total Area of Existing Structure(s) *0* square feet

Total Area of Proposed Structure(s) *960* square feet *float*

EXTERNAL LIGHTING

Existing to remain

Proposed

N/A

☐ No
☐ No

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

ALL REQUIRED DOCUMENTS ATTACHED

☒ Narrative including:

☒ Current use of land or building(s)

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

☒ Proposed use of land or building(s)

☐ How the proposed use complies with the Comprehensive Plan

If this is a modification or extension include:

☐ Notice of Decision and case number

☐ Justification for the modification or extension

☐ Application submitted at least 30 days before expiration date

☐ Plans including:

☒ Site plan

☐ Floor plan(s)

☐ Elevation view of existing and proposed buildings

☐ Proposed vegetative cover

☐ Existing and proposed parking areas and proposed traffic circulation

☐ Existing physical features of the site (e.g.: drainage, habitat, and hazard areas)

DEPARTMENT USE ONLY BELOW THIS LINE

ALLOWABLE/CONDITIONAL USE FEES		Check No.	Receipt	Date
	Fees			
Application Fees	\$ <i>500.00</i>			
Admin. of Guarantee	\$ _____			
Adjustment	\$ _____			
Pub. Not. Sign Fee	\$ <i>50.00</i>			
Pub. Not. Sign Deposit	\$ <i>100.00</i>			
Total Fee	\$ <i>650.00</i>			

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

USE 20-04

Date Received

2/27/2020

Attachment 1 - Development Permit and Conditional Use Permit Applications

To be completed by Applicant

**APPLICATION FOR
A
CONDITIONAL USE PERMIT
TO
DEVELOP AND CONSTRUCT
A
MARINE ACCESS FLOAT
FOR
SENTINEL ISLAND LIGHT STATION**

**Submitted By
Gary H. Gillette, Architect
On Behalf Of
Gastineau Channel Historical Society**

PROJECT NARRATIVE



P.O. Box 21264

Juneau, AK 99802

Conditional Use Permit Application
Project Narrative

February 26, 2020
Page 1 of 3

INTRODUCTION

GCHS seeks modifications to the current Conditional Use Permit (USE99-00032) regarding the use of Sentinel Island Light Station (SILS) as a visitor and cultural facility. This permit identified improved water access as a goal of the project but no detailed plans were developed at that time. Now there is a specific plan to build a marine float for improved access. Additionally, the permit identified a daily use by 60 visitors. This number was set based on two 30-passenger vessels per day to the island. The plan now is to run a larger vessel (about 40 passengers) for two to four trips per day depending upon demand and allowing future growth.

BACKGROUND

In 1997 the U.S. Coast Guard (USCG) offered a number of Alaskan lighthouses to qualifying non-profit organizations. The USCG's primary goal was to have the non-profit organizations preserve these historic icons of maritime history in Alaska. The Gastineau Channel Historical Society (GCHS) was selected to receive SILS in Lynn Canal. Sentinel Island sits off the southwest end of Benjamin Island near Eagle River.

In 1999 the City and Borough of Juneau (CBJ) Planning Commission approved a Conditional Use Permit (USE99-00032) to develop SILS as a visitor and cultural facility. The project description identified development of improved water access with the construction of a floating dock to allow marine vessels safe and convenient access to the island.

PRE-APPLICATION CONFERENCE

On January 15, 2020 GCHS met with CBJ Community Development Department (CDD) for a pre-application conference to discuss the project. A copy of the CDD record of the meeting is attached. Following is a discussion of issues identified in the pre-application conference.

Goals and Purpose of Project

The primary goal of GCHS is to preserve the historic resources at Sentinel Island. A secondary goal is to share those resources with the public. The purpose of the proposed project is to provide safe and convenient access for users.

Description of Project

The improved access facility would consist of four steel pilings; a steel and wood marine float; aluminum gangway; a concrete bulkhead; a wooden deck; and stairs connecting to the existing bridge to the island. The float would be removed in the winter as wind and water conditions at that time of year may cause damage.

Plans

The site of the project includes a small portion of State of Alaska tidelands to install the pilings and provide area for the marine float. The attached drawings show the planned water access facility.

Conditional Use Permit Application
Project Narrative

February 26, 2020
Page 2 of 3

State Tidelands Lease

The proposed project requires a lease of State of Alaska tidelands for the piling and float. The Alaska Department of Natural Resources (ADNR) has issued a final decision to lease a portion of state tidelands to GCHS for the proposed project. GCHS has some final submittals to ADNR to obtain an early entrance authorization that would allow the construction activity planned. A copy of the ADNR decision and request for deliverables is attached.

State and Federal Permits

Numerous permits are required to allow the construction and operation of the proposed project. The primary permit is reviewed and issued by the Army Corps of Engineers (ACOE). The permit addresses construction in waters of the U.S. and coordinates other aspects of the project including review and issuance of a clean water certificate from the Alaska Department of Environmental Conservation (ADEC). Also, as part of the ACOE permit a review will be completed by National Marine Fisheries Service (NMFS) regarding the Marine Mammal Protection Act (MMPA). A permit has been applied for from the U.S Fish and Wildlife Service (USFWS) that considers impacts of the project governed by Bald Eagle Protection Act.

Due to the project location near the Stellar Sea Lion haul-out on Benjamin Island, setting of the four piling will be limited to months of July and August when the majority of animals are away from Benjamin Island. The plan is to begin installation of the four steel piles in July 2020. The pile installation is considered in-water work which falls under the ACOE permit. Other work of the project such as attaching the float to the piling; construction of the bulkhead and platform for gangway landing; and other associated work is not considered in-water work thus the construction period is not time restricted. This work may take place later with the intent to be complete by spring 2021.

Local Permits

The project requires two permits from CBJ: one is a Conditional Use Permit approved by the Planning Commission; and the other is a Building Permit issued by the CBJ Permit Center. The CDD Pre-Application Conference identified a number of topics to address in the permit application. These issues are discussed below:

Access

Access to Sentinel Island is limited to water approach by vessels although currently there is no float so there are limitations to access caused by tidal fluctuations and water conditions. The other access to the island is by air by helicopter. This option is limited as it is expensive and the helicopters have limited capacity for passengers or freight.

Noise

The primary noise impacts from the project will be during construction. The piling needs to be drilled into bedrock thus there will be some airborne noise from machinery activity. Airborne noise is not expected to create any harmful impacts to neighboring properties considering the project's location. USFWS will review potential impacts to bald eagle activities at the site and provide guidelines for mitigation of those impacts.

Conditional Use Permit Application
Project Narrative

February 26, 2020
Page 3 of 3

Waterborne noise of the underwater drilling activity has been the subject of extensive review through NMFS in conjunction with the ACOE permitting process. It is anticipated that a permit will be issued with allowable takes of marine mammals that enter the project impact area.

Noise generated by vessels approaching and using the proposed marine float is expected to be minimal when compared to ambient noise generated by existing marine traffic. Currently there are numerous vessels that travel around the Sentinel Island area including whale watch charters; sport fishing vessels; commercial fishing vessels; barge traffic; cruise ship traffic; and state ferries.

Lighting

There is no lighting planned for the proposed project

Habitat Impacts

The primary impact of the proposed project would be during construction. As mentioned above, there will be some waterborne and airborne noise to be expected. Mitigation of potential impacts will be addressed by the federal permits from ACOE, NMFS, and USFWS.

Impacts on recreational users

Sentinel Island is a privately owned property. Current recreational users are allowed with permission and a fee through GCHS. It is planned to continue managing the use of the island and facilities in the same manner.

Site maintenance

GCHS has maintained the site and resources at Sentinel Island since 1997 and will continue to do so.

Site Security

Security issues at Sentinel Island are managed by GCHS through the existing permission and fee program for use of the facilities. This same system will be incorporated to secure the proposed marine float facility.



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

Sentinel Island Access

Case Number: PAC2020-0001

Applicant: Gastineau Channel Historical Society – Gary Gillette

Property Owner: Gastineau Channel Historical Society (leased from US Coast Guard)

Property Address: Sentinel Island

Parcel Code Number: 3B4401000150

Site Size: 6 acres

Zoning: RR

Existing Land Use: Conditional Use Permit USE99-00032 – Visitor & Cultural facility

Conference Date: January 15, 2020

Report Issued: (Insert Today's Date)

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
Gary Gillette	Applicant	glrrlg@alaska.net
Beth McKibben, AICP	Planning	Beth.Mckibben@juneau.org
Kyle Paw	Permit Tech	Kyle.Paw@juneau.org

Pre-Application Conference Final Report

Conference Summary

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

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

Applicant is seeking moorage (dock) facility to access lighthouse visitor facility (USE -49.25.300.10.510 Commercial Moorage). Dock will be 16'x 60'. Applicant is working with a local tour operator. Tours would be delivered via boat. Expecting 2 to 4 trips per day – up to 160 visitors per day, depending on the size of boats and demand. Helicopters may continue to be used. Current use permit describes visitor activity of up to 60 people per day. Current operation allows visitors to stay overnight without any accommodations. This will not change. Due to expected increase in the number of visitors this use permit will be for new commercial moorage and modification to USE99-32 to expand the number of visitors.

Planning Division

1. **Zoning** – Rural Reserve
2. **Setbacks** – 25 front and rear; 15 side; 0 setback for tidelands
3. **Height** – 45 feet primary structures and 35 feet accessory structures
4. **Access – Boat and helicopter.** Access will continue via boat and sometimes helicopter. Tour operator will be responsible for mainland access.
5. **Parking & Circulation**– Mainland parking and circulation will be related to the tour operation not the Lighthouse operation.
6. **Lot Coverage** –10% permissible uses; 20% conditional uses
7. **Vegetative Coverage** – n/a
8. **Lighting** – no lighting will be added or associated with the dock.
9. **Noise** – noise is expected during construction and will be addressed through the US Army Corps Permit by NMFS due to proximity to Benjamin Island sea lion haul out. Pilings will be drilled into bedrock, which causes less disturbance than pile driving. Condition of USE 99-32 addresses best management practices which addresses noise of operation outside of construction.
10. **Flood** – Please describe how all structure will be sufficiently anchored to avoid debris in the event of a storm. Otherwise flood management standards are not applicable.
11. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – n/a
12. **Wetlands** – N/A
13. **Habitat** – Sentinel Island is approximately a half mile from Benjamin Island, which is a major sea lion haul out. The haul out area is approximately 0.75 miles from Sentinel Island. National Marine Fisheries comments are needed. Applicant states this is part of the US Army Corps Permit process.
14. **Plat or Covenant Restrictions** – USE99-00032 Condition of approval – applicant and concessionaires must adhere to AK Marine Mammal Viewing Guidelines.

Pre-Application Conference Final Report

15. Traffic – n/a

The application should include the following:

- 1) Copies of any state or federal permits – US Army Corps of Engineers Permit, DEC Clearwater Permit – Already have tidelands lease from DNR, include a copy of the lease with the application
- 2) Detailed site plans that show all structures and markers associated with the development, and land ownership
- 3) A detailed project narrative that includes:
 - a. The overall goal/purpose of the operation
 - b. A non-technical description of the operation
 - c. Access
 - d. Noise impacts, if any
 - e. Lighting, if any
 - f. Habitat impacts and/or benefits
 - g. Impacts on recreational users, if any (if there are none, explain why)
 - h. Impacts of navigation if any (if there are none, explain why)
 - i. An explanation of how the site will be maintained
 - j. Security at the site

Building Division

16. Building N/a

17. Outstanding Permits – N/a

General Engineering/Public Works

18. Engineering –Na

19. Drainage – Na

20. Utilities – (water, power, sewer, etc.) Na

Fire Marshal

21. Fire Items/Access – Na

Other Applicable Agency Review

22. US Army Corps of Engineers permit for dock; DEC Clearwater permit; Tidelands Lease from DNR should be included with application.

Submit copies of any state or federal permits. Comment on how water navigation hazards be addressed.

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 form (see CDD website under Land Use forms)

Pre-Application Conference Final Report

2. Conditional Use Permit application form including a narrative, site plan and any supporting materials (see CDD website under Land Use forms).

Additional Submittal Requirements

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

1. A copy of this pre-application conference report.
2. Federal and State permits associated with the operation. Any agreements for commercial use of CBJ parking lots (if applicable).

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
- 2.

Fee Estimates

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

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

1. Conditional Use Permit - Class 2 I (\$500) Development permit.
2. 2 public notice signs 1 at Statter Harbor and 1 at Almaga Harbor (\$50 for each sign and \$100 refundable sign deposit)

For informational handouts with submittal requirements for development applications, please visit our website at <https://beta.juneau.org/community-development>

Submit your Completed Application

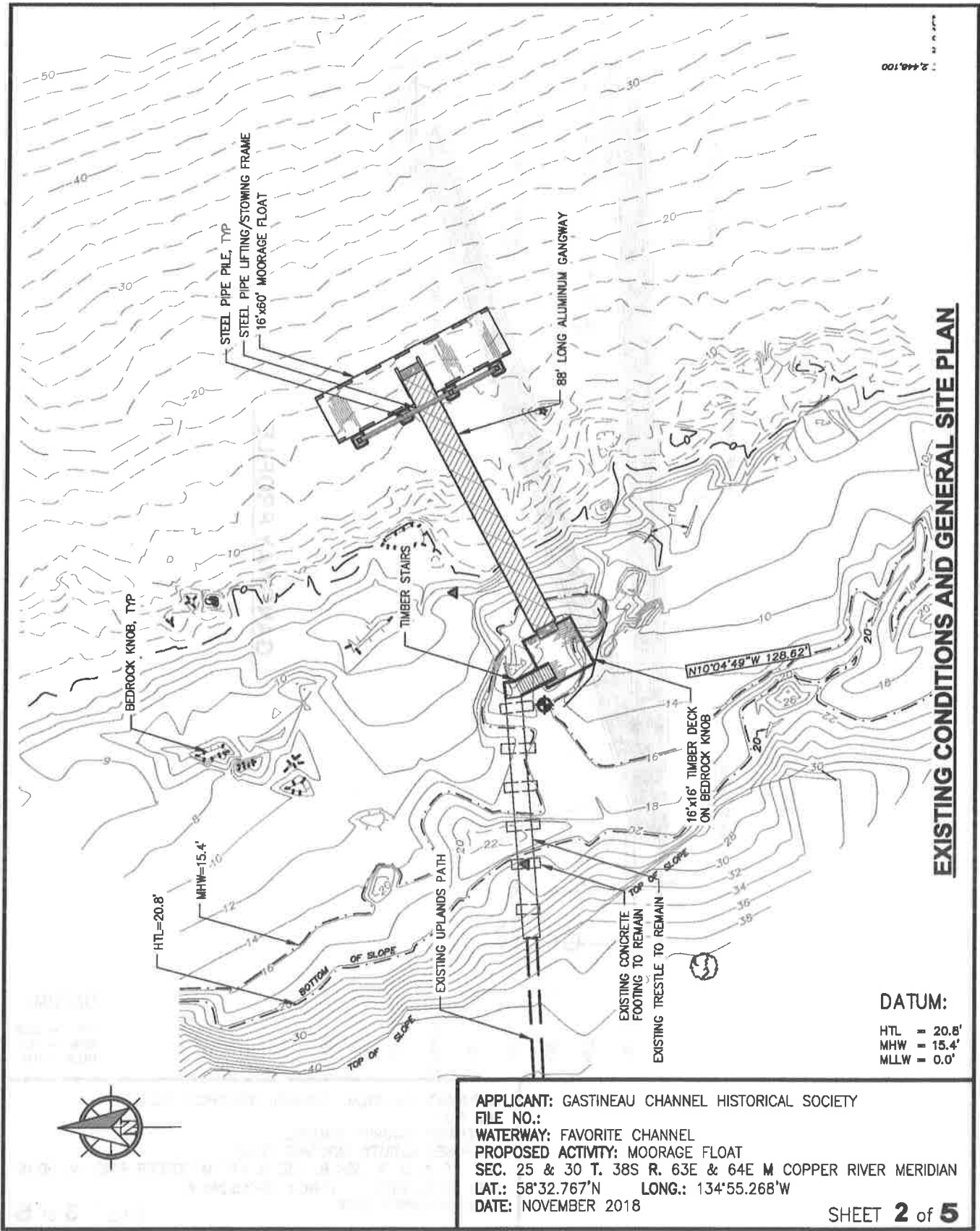
You must submit your application(s) in person with payment made to:

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

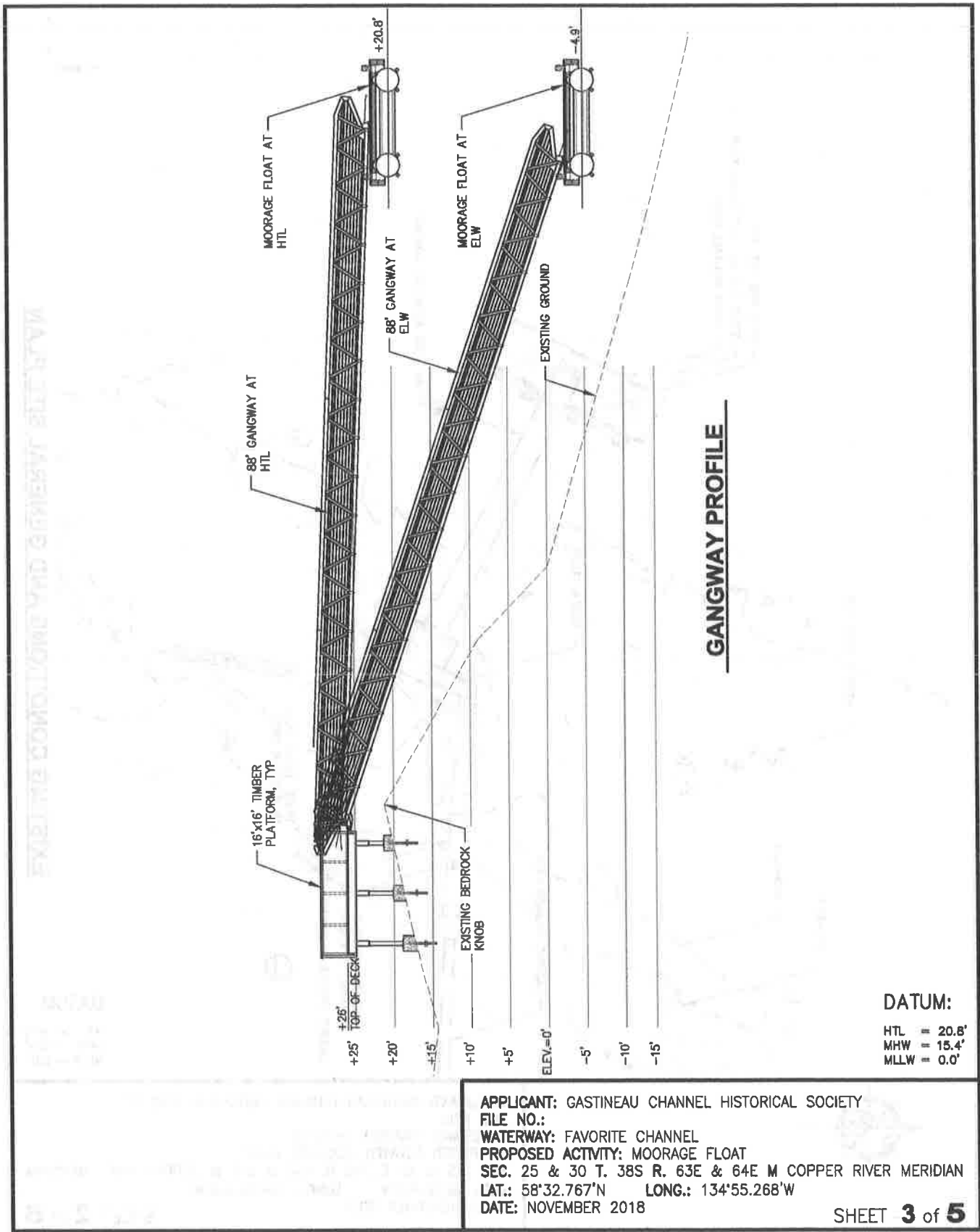
Phone: (907) 586-0715

Fax: (907) 586-4529

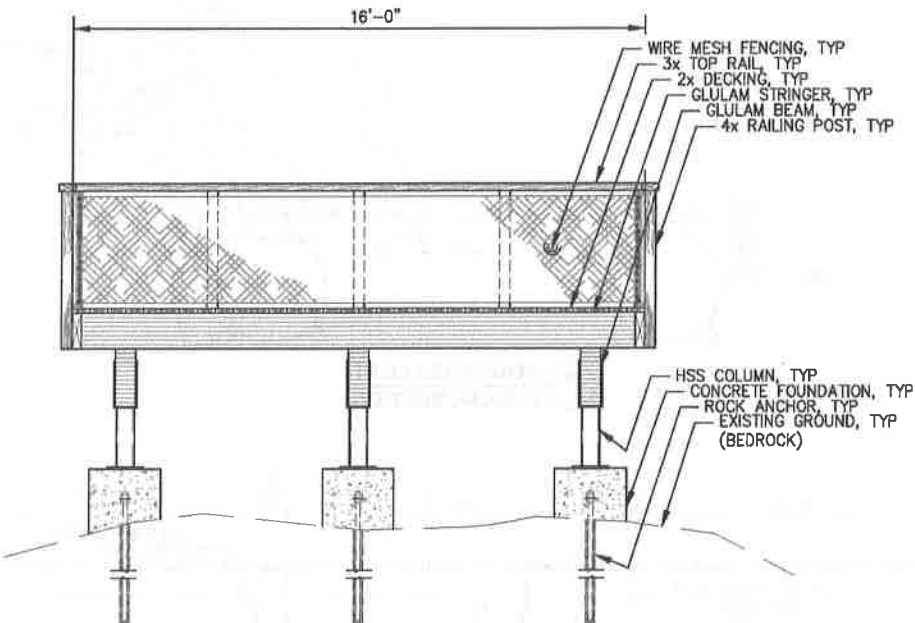
Web: www.juneau.org/cdd



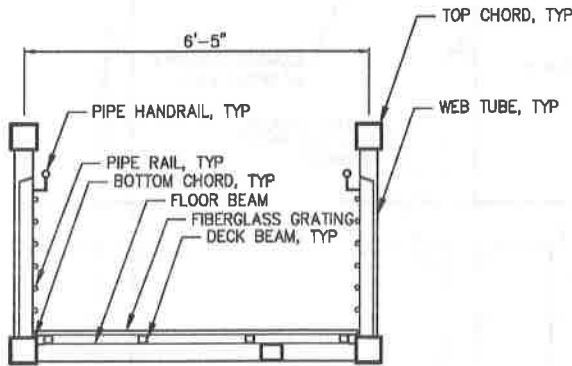
Attachment 4 - Moorage Float Drawings



Attachment 4 - Moorage Float Drawings



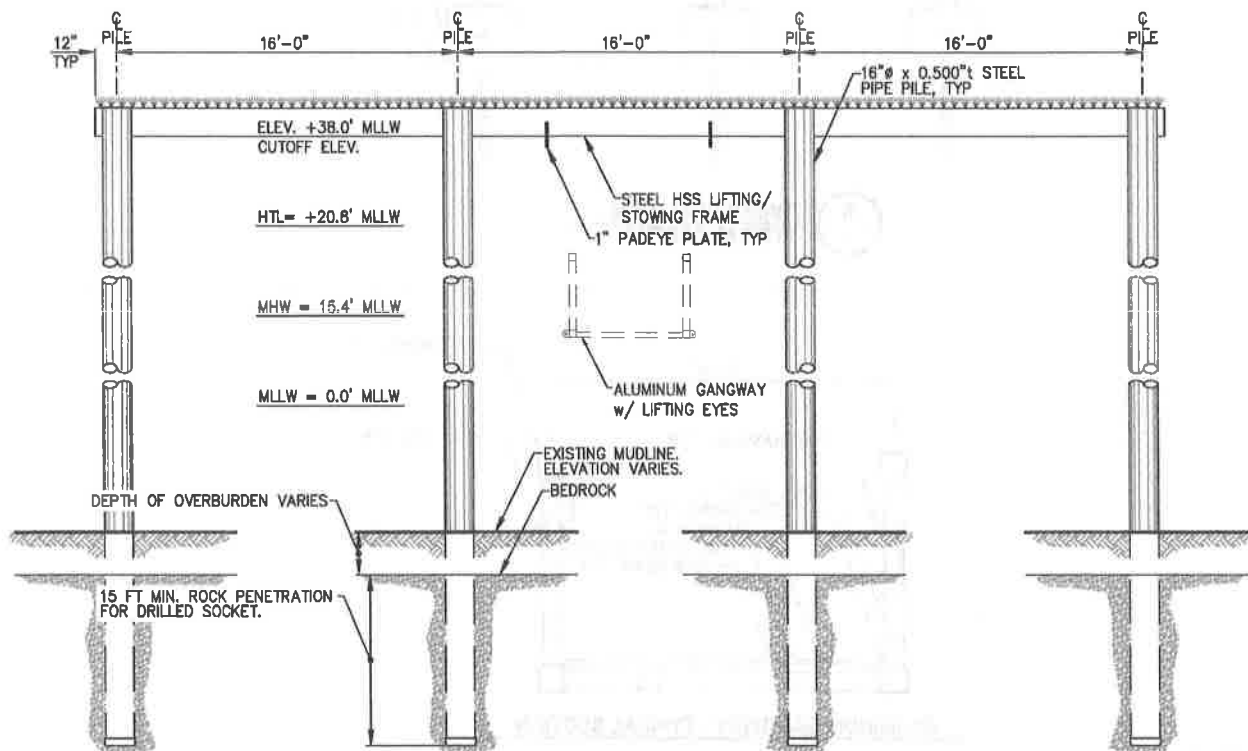
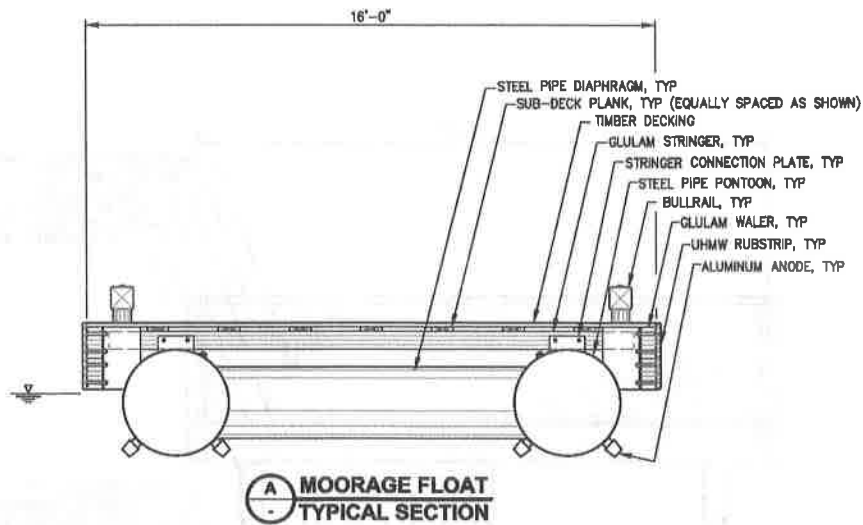
A **TIMBER PLATFORM**
TYPICAL SECTION



ALUMINUM GANGWAY - TYPICAL SECTION

DATUM:
HTL = 20.8'
MHW = 15.4'
MLLW = 0.0'

APPLICANT: GASTINEAU CHANNEL HISTORICAL SOCIETY
FILE NO.:
WATERWAY: FAVORITE CHANNEL
PROPOSED ACTIVITY: MOORAGE FLOAT
SEC. 25 & 30 T. 38S R. 63E & 64E M COPPER RIVER MERIDIAN
LAT.: 58°32.767'N LONG.: 134°55.268'W
DATE: NOVEMBER 2018



SOCKETED MOORING PILE AND LIFTING FRAME

DATUM:

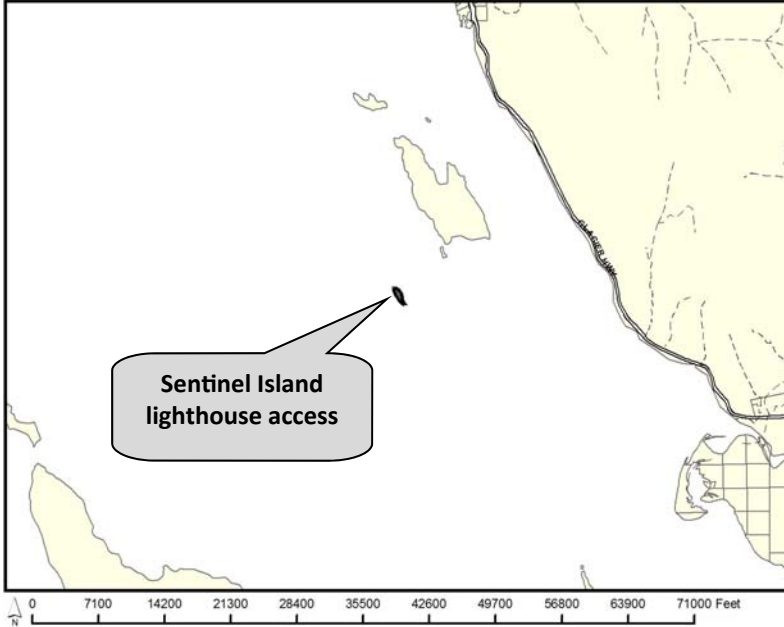
HTL = 20.8'
MHW = 15.4'
MLLW = 0.0'

APPLICANT: GASTINEAU CHANNEL HISTORICAL SOCIETY
FILE NO.:
WATERWAY: FAVORITE CHANNEL
PROPOSED ACTIVITY: MOORAGE FLOAT
SEC. 25 & 30 T. 38S R. 63E & 64E M COPPER RIVER MERIDIAN
LAT.: 58°32.767'N LONG.: 134°55.268'W
DATE: NOVEMBER 2018

SHEET **5** of **5**

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 to construct a marine float and allow up to 160 visitors per day at Sentinel Island Lighthouse** located at **Sentinel Island** in a **Rural Residential Zone**.

TIMELINE

Staff Report expected to be posted **Monday, May 4, 2020** at <https://beta.juneau.org/assembly/assembly-minutes-and-agendas>
Find hearing results, meeting minutes and more here as well.

Now through April 20

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

April 21 — noon, May 8

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

HEARING DATE & TIME: 7:00 pm, May 12, 2020

Members of the public wishing to call in to testify can dial 907-713-2140 and entering Participant ID number 813893. **The caller should provide their name and state that they are calling in for the Planning Commission meeting.** Public lines will be muted by default but will be unmuted by CBJ staff when it is that individual's turn to testify.

May 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

Case No.: **USE2020 0004**
Parcel No.: **3B4401000150**
CBJ Parcel Viewer: <http://epv.juneau.org>

USE2020-0004

May 12, 2020

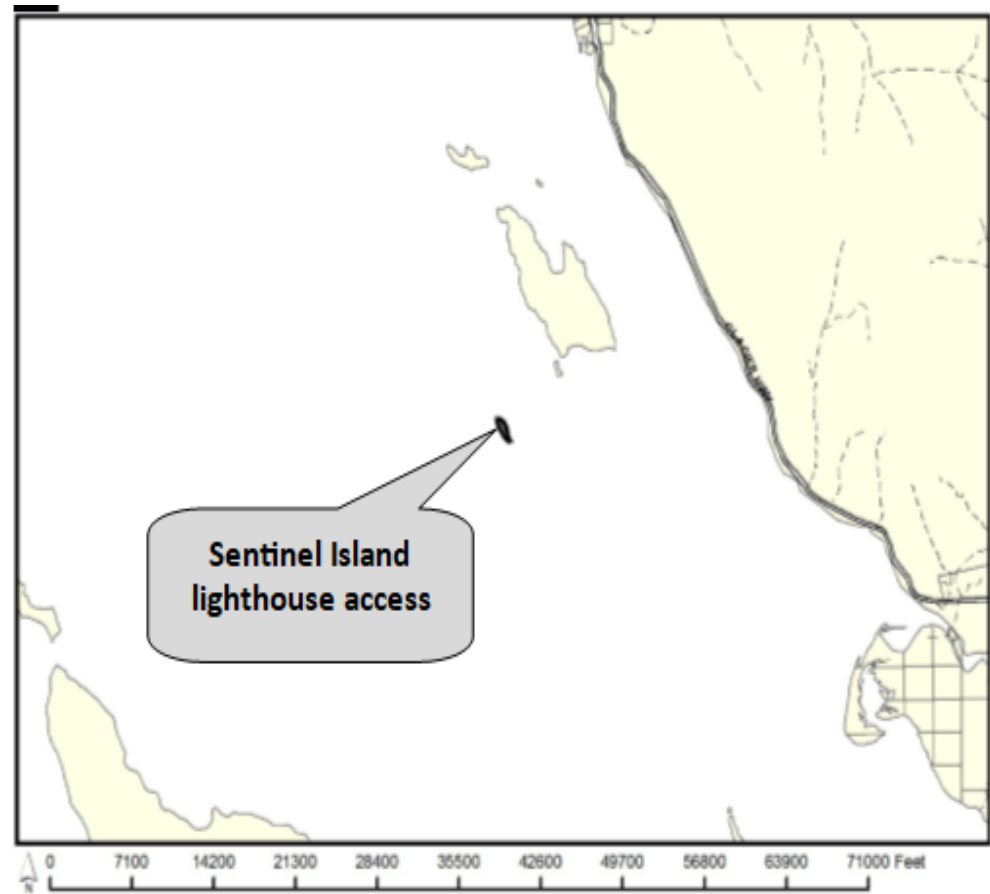
A Conditional Use Permit to construct a marine float and allow up to 160 visitors per day at Sentinel Island Lighthouse

Staff recommends that the Planning Commission adopt the Director's analysis and findings and **APPROVE** the requested Conditional Use Permit without conditions.

Project Description

The applicant requests a Conditional Use Permit to construct a marine float and allow up to 160 visitors per day at Sentinel Island Lighthouse

- Zoned Rural Reserve and
- 2013 Comprehensive Plan Designation is not listed
- Site size 261,360 square feet



Project Description (packet p. 17)

- A request to construct a marine float and allow up to 160 visitors per day
- New access consists of four steel pilings; a steel and wood marine float; aluminum gangway; concrete bulkhead; wooden deck; and stairs connecting to the island
- Requires a State of Alaska tideland lease and Corps Permit
- Corps permit, with consultation from the National Marine Fisheries Service, requires piling construction to be completed in July and August to minimize audial impact to the Benjamin Island Stellar sea lion haul-out.

EXISTING CONDITIONS AND GENERAL SITE PLAN

DATUM:

HTL	= 20.8'
MHW	= 15.4'
MLLW	= 0.0'

APPLICANT: GASTINEAU CHANNEL HISTORICAL SOCIETY
FILE NO.:
WATERWAY: FAVORITE CHANNEL
PROPOSED ACTIVITY: MOORAGE FLOAT
SEC. 25 & 30 T. 38S R. 63E & 64E W COPPER RIVER MERIDIAN
LAT. 58°32.767'N LONG. 134°55.268'W
DATE: NOVEMBER 2018

SHEET 2 of 5

Agency and Public Comments (packet p. 6)

- No agency comments received
- No public comments received to date

Conformity With Adopted Plans (packet p. 18)

2013 Juneau Comprehensive Plan

- o Conforms with general policies regarding sustainable marine commerce
- o No negative impacts to historic resources.

2015 Juneau Economic Development Plan

- o Substantially complies with economic development planning concepts.

Findings (packet p. 20)

1. The application is complete.
2. The use is appropriate according to the Table of Permissible Uses.
3. The development complies with other requirements of this chapter including all public notice requirements.
4. The proposed development will not materially endanger the public health or safety.
5. The development will not substantially decrease the value of or be out of harmony with property in the neighboring area
6. The proposed development is in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans.

Recommendation (packet p 22)

Staff recommends that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use Permit to construct a marine float and allow up to 160 visitors per day at Sentinel Island Lighthouse.



Community Development

City & Borough of Juneau • Community Development
155 S. Seward Street • Juneau, AK 99801
(907) 586-0715 Phone • (907) 586-4529 Fax

PLANNING COMMISSION

NOTICE OF DECISION

Date: May 13, 2020

File No.: USE2020 0004

Gastineau Channel Historical Society
ATTN: Gary Gillette
P.O. Box 21264
Juneau, AK 99802

Proposal: A Conditional Use Permit to construct a marine float and allow up to 160 visitors per day at Sentinel Island Lighthouse

Property Address: N/A

Legal Description: SENTINEL ISLAND

Parcel Code No.: 3B4401000150

Hearing Date: May 12, 2020

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated April 24, 2020 and approved the Conditional Use Permit to be construct a marine float and allow up to 160 visitors per day at Sentinel Island Lighthouse to be conducted as described in the project description and project drawings submitted with the application.

Attachments: April 24, 2020 memorandum from Teri Camery, Community Development, to the CBJ Planning Commission regarding USE2020 0004.

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

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

Gastineau Channel Historical Society

File No.: USE2020 0004

May 13, 2020

Page 2 of 2

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).

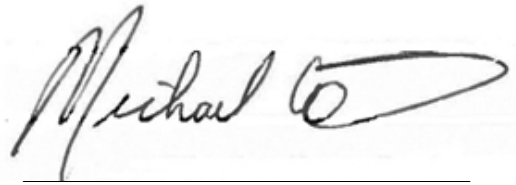
Effective Date: The permit is effective upon approval by the Commission, May 12, 2020.

Expiration Date: The permit will expire 18 months after the effective date, or November 12, 2021 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.

Project Planner:



Teri Camery, Senior Planner
Community Development Department



Michael LeVine, Chair
Planning Commission



Filed With Municipal Clerk

5/14/2020

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.



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

DATE: May 4, 2020

TO: Planning Commission

FROM: Teri Camery, Senior Planner
 Community Development Department

CASE NO.: USE2020 0006

PROPOSAL: A Conditional Use Permit to continue explosives storage in Hidden Valley, upper Lemon Creek, in association with an approved quarry

GENERAL INFORMATION

Applicant: SECON

Property Owner: SECON, Inc.

Property Address: N/A

Legal Description: Hidden Valley Tract A

Parcel Code Number: 3M000LEMCRK2

Site Size: 113.29 acres

**Comprehensive Plan
 Land Use Designation:** Resource Development

Zoning: Rural Reserve

Utilities: On site water

Access: Hidden Valley Haul Road

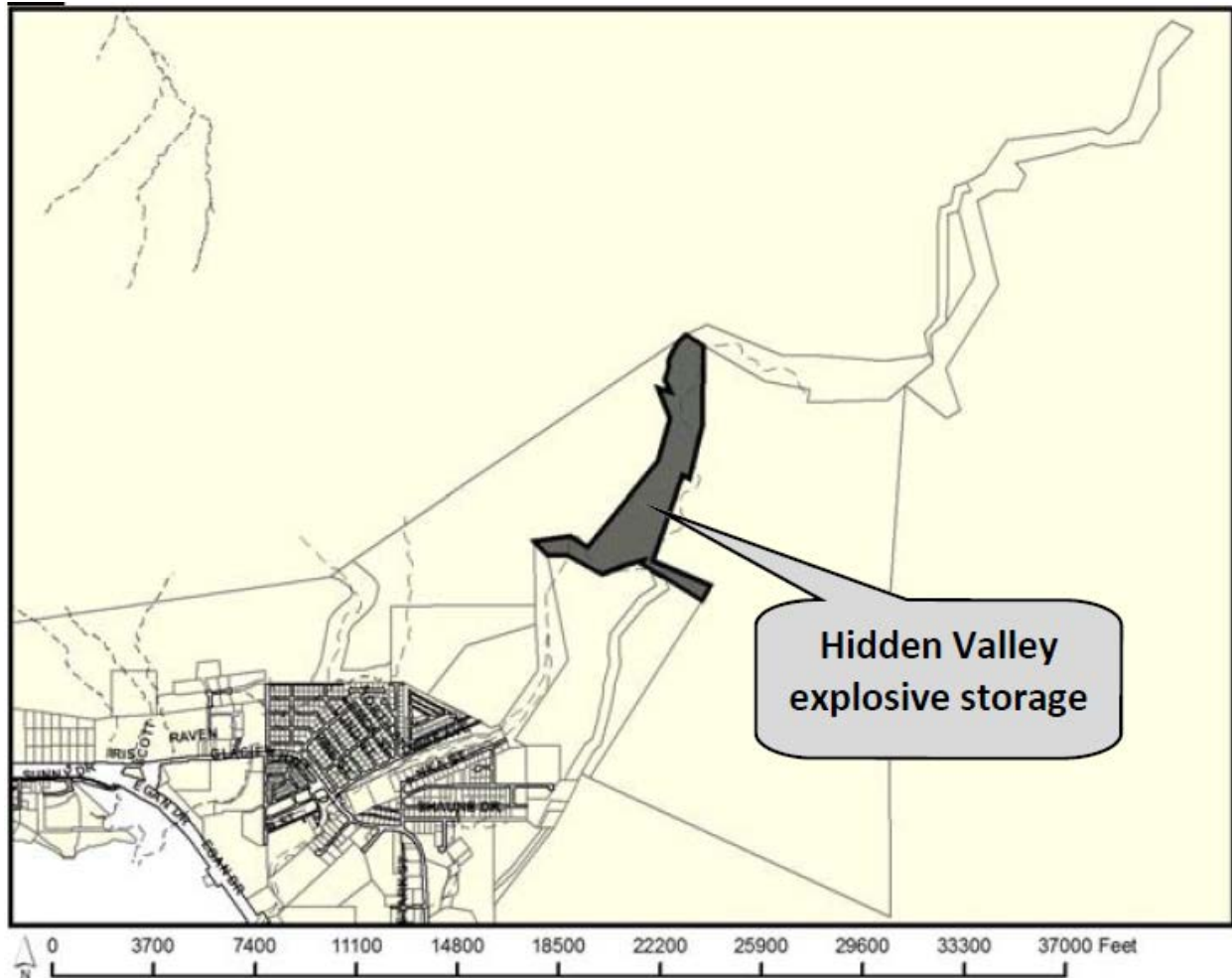
Existing Land Use: Existing quarry

Planning Commission
Case No.: USE 2020 0006
May 4, 2020
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Surrounding Land Use:

- North - RR, Rural Reserve, Undeveloped
- South - RR, Rural Reserve, Undeveloped
- East - RR, Rural Reserve, Lemon Creek Trail
- West - RR, Rural Reserve, Undeveloped

VICINITY MAP



ATTACHMENTS

- Attachment 1 Application, Project Narrative, and site plans
- Attachment 2 Pre-application meeting notes
- Attachment 3 USE2009 0019 Notice of Decision for previous explosive storage approval
- Attachment 4 Flood zone map
- Attachment 5 Federal Bureau of Alcohol, Tobacco, and Firearms, and Explosives comments
- Attachment 6 Juneau Police Department Comments

Planning Commission
Case No.: USE 2020 0006
May 4, 2020
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PROJECT DESCRIPTION AND BACKGROUND

The applicant requests a Conditional Use Permit to continue explosives storage at an existing rock quarry in Hidden Valley, Upper Lemon Creek. The quarry has been operating since the 1980s, and a Conditional Use Permit was recently approved to continue operations for another ten years (USE19-22). The previous Conditional Use Permit that authorized explosives storage, USE2009-00019, expired on July 14, 2019. The USE2009-00019 Notice of Decision has been included in Attachment 3.

The CBJ Land Use Code does not have specific standards of review regarding explosives storage, though explosives storage is specifically listed in the Table of Permissible Uses, Section 4.200. Explosives storage is allowed only the Rural Reserve, Industrial, and Waterfront Industrial zoning districts, with an approved Conditional Use Permit. The focus of the review is on security and public safety.

The previous Conditional Use Permit review and approval, USE2009-0019, included a lengthy analysis of security measures due to a series of break-ins at the lower powder magazine. These issues resulted in consultation with the Federal Bureau of Alcohol, Tobacco, and Firearms, and Explosives (ATF) and the Juneau Police Department (JPD) to identify security solutions. The record indicates that security fences were considered around the perimeter of the explosive storage area but were rejected in favor of security measures directly on the storage containers, as described in Condition three of the final Notice of Decision (Attachment 3), below:

“The applicant shall install approved ATF kingpins, locks and steel hoods on all storage containers/magazines regardless of ownership, mobility status, and the type of container.”

ANALYSIS

Project Site and Design – The site plans in Attachment 1 show the location of the explosives storage. The site is 400 feet from Lemon Creek. All materials are stored outside in secured Conex shipping containers, which are locked according to the Federal Bureau of Alcohol, Tobacco, and Firearms, and Explosives (ATF) standards.

The applicant has explained that all security measures meet or exceed ATF standards. Five gates and a natural rock wall separate the public from the stored explosives. Gate 2 is designed to keep pedestrians out of Hidden Valley, while the other gates keep out vehicular traffic. The containers are secured with ATF-approved locks that were issued after the last Conditional Use Permit was approved, in accordance with the project condition.

ATF requires that explosives must be stored 2275 feet (0.43 miles) from the nearest public access for the large amount of explosives that SECON currently has. SECON’s storage area is more than twice this distance, at 4872 feet or 0.92 miles.

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The project narrative includes ATF regulations for construction of type 2 and type 5 magazines. The narrative also provides additional documentation regarding the gate locations.

Noise – Explosive storage by itself does not create any noise. Noise impacts from using the explosives in blasting activities were addressed in the review and approval of USE2019-0002 for quarry operations, and are not part of the current Conditional Use permit review.

Public Health or Safety – The applicant has stated that there have been no security breaches at the storage location since the issuance of the last Conditional Use Permit ten years ago. CDD staff requested comments from ATF and JPD to independently verify this assertion through a review of criminal records. Staff also requested independent review of security measures.

ATF found no security breaches at the site in the last ten years, and concurred with security measures (Attachment 5). JPD conducted several record searches in the area, using different addresses and names, and did not find any security breaches (Attachment 6).

CDD staff also requested that ATF and JPD review the security design of the development to determine if any additional measures were needed. JPD deferred to ATF in this regard, and ATF has already determined that the design meets their standards.

Staff recommends continuing the conditions from the previous USE permit (USE2009-0019) regarding permit expiration and ATF requirements, as follows:

- 1) The permit shall be effective for ten years.
- 2) The applicant shall maintain approved ATF kingpins, locks and steel hoods on all storage containers/magazines regardless of ownership, mobility status, and the type of container.

The applicant has also confirmed that the explosives area is outside of the mapped flood zone, as shown in Attachment 4.

Habitat – The project site is 400 feet from Lemon Creek and does not affect any sensitive habitat.

Property Value or Neighborhood Harmony – No evidence indicates that the proposed explosive storage would adversely impact property value or neighborhood harmony. This area has an established history of industrial use and is surrounded by vacant rural reserve and industrial properties. No comments were received from the CBJ Assessors Office or from adjacent property owners.

AGENCY AND PUBLIC COMMENTS

The 15-day agency review period, required by CBJ Code for all Conditional Use Permits, was

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conducted from March 13 through March 31, 2020. The CBJ Building Division commented that they have no issues. The Alaska Department of Transportation and Public Facilities stated that they have no objection to the permit. Capital City Fire and Rescue commented during the pre-application meeting and stated they had no issues. Juneau Police Department and Federal Bureau of Alcohol, Tobacco, and Firearms, and Explosives comments have been addressed in previous sections.

No public comments have been received at this writing.

CONFORMITY WITH ADOPTED PLANS

2013 Juneau Comprehensive Plan

The 2013 Juneau Comprehensive Plan designates the subject parcel on Subarea 5, Map H as Resource Development. Resource Development is defined in the plan as:

Lands to be managed primarily to identify and conserve natural resources until specific land uses are identified and developed. The area outside the study area of this Comprehensive Plan is considered to be designated Resource Development. As resources are identified or extracted from these lands, they should be re-designated and re-zoned appropriately.

Hidden Valley is identified as a gravel resource in this subarea. Guidelines and Considerations for this area mention the need to identify sufficient land to accommodate commercial and industrial uses. Guidelines also refer to development of the Lemon Creek Area Plan. Policies of the Lemon Creek Area Plan will be addressed later in this section.

Chapter Five of the Comprehensive Plan discusses industrial development and the need for industrial properties. Policy 5.11 states:

To encourage the location and growth of locally-based basic sector industries that provide year-round, full-time employment and provide tax revenues that support public services.

Policy 5.13 states:

To support the extraction and processing of mineral resources in an environmentally-sound manner, giving property recognition of the unique values of this community.

In addition, Chapter 7 discusses the importance of gravel resources in the community and includes Policy 7.16 which states:

To conserve known gravel resources and to protect them from conflicting land uses.

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The proposed development, explosives storage that supports an approved quarry operation, substantially conforms to these designations and policies.

Lemon Creek Area Plan

The Lemon Creek Area Plan was adopted on January 8, 2018, with Ordinance 2017-0034.

The plan acknowledges the two gravel mining operations in the upper and lower Lemon Creek stream beds in Chapter 6, the Natural Resources and Recreation chapter. However, the plan does not mention the upland quarry subject to this review.

Goal One of this chapter states:

Protect, restore, and maintain the area's natural resources.

The action relevant to the proposed project states:

Implement Stormwater Best Management Practices (BMPs) to reduce pollutants in area streams and wetlands.

Measures to protect water quality and reduce pollutants in Lemon Creek were addressed in the USE19-22 Conditional Use Permit for the quarry operation that is supported by explosives storage. The quarry follows a Stormwater Pollution Prevention Plan which CBJ Engineering has accepted.

Goal Two of Chapter 6 states:

Promote responsible resource extraction.

Actions stemming from this goal include:

- *Ensure that resource extraction addresses neighborhood harmony concerns.*
- *Provide greater scrutiny to ensure compliance of water standards and erosion control.*
- *Enforce conditions to limit negative impacts of activity on the surrounding areas, such as dust control, street sweeping, and cover loads.*
- *Protect resource extraction as a critical industry and educate the public on its benefits to the community, such as lower development costs and flood protection.*

Many of these actions were developed largely in response to gravel extraction in Lower Lemon Creek, which is adjacent to a residential area. The explosives storage subject to this review is surrounded by vacant land. Road impacts from gravel hauling were addressed in the quarry Conditional Use Permit, USE2019-0022.

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Chapter Five, Transportation and Infrastructure, lists as Goal number four:

Reduce the impacts of industrial and commercial uses in the Lemon Creek area.

Relevant actions under this goal include:

- *Reduce impacts of dust by enforcing the application of dust control methods on industrial and commercial lots.*
- *Reduce impacts of dust on surrounding uses, bicyclists, and pedestrians by requiring and enforcing dust control methods on industrial and commercial vehicles.*

The applicant uses water trucks as needed when dust is an issue.

The development substantially complies with the Lemon Creek Area Plan.

2015 Juneau Economic Development Plan

The 2015 Juneau Economic Development Plan is incorporated into the Comprehensive Plan in CBJ Code 49.05.200(b)(1)(N). The proposed development does not specifically address any of the eight economic development initiatives identified in the plan. However, the development indirectly addresses one of the economic development planning concepts and practices listed in Chapter Two, as follows:

Land availability - an adequate supply of appropriately zoned land is available for commerce and industry, as well as residential development. This includes access to the land needed to support commercial, industrial, and other development. This also includes zoning that supports neighborhood-based small business growth that creates jobs and provides services which area residents and the community need. This type of small business development and growth also supports quality of life and walkable mixed-use neighborhoods.

The proposed development supports small business growth and industrial use.

FINDINGS

CBJ 49.15.330 (e)(1), Review of Director's Determinations, states that the Planning Commission shall review the Director's report to consider:

1. Whether the application is complete;
 2. Whether the proposed use is appropriate according to the Table of Permissible Uses;
- and,

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

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

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

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

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

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

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

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

Yes. The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ 49.25.300, Section 4.200 for the Rural Reserve zoning district.

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

Yes. The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in the May 1, 2020 and May 8, 2020 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public Right of Way.

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

No. Based on the preceding analysis, no evidence indicates that the proposed development will materially endanger the public health or safety. The Federal Bureau of Alcohol, Tobacco, and

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Case No.: USE 2020 0006
May 4, 2020
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Firearms, and Explosives and Juneau Police Department approve of security measures at the site, and there have been no security violations since the last Conditional Use Permit was issued.

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

No. Based on the preceding analysis, no evidence indicates that the proposed development will substantially decrease the value of or be out of harmony with 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?

Yes. Based on the preceding analysis, the proposed development generally conforms to adopted plans.

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

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

Not applicable. The development does not impact sensitive habitat.

RECOMMENDATION

Staff recommends that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use permit. The permit would allow explosives storage in Hidden Valley, upper Lemon Creek, subject to the following conditions:

- 1) The permit shall be effective for ten years.
- 2) The applicant shall maintain approved ATF kingpins, locks and steel hoods on all storage containers/magazines regardless of ownership, mobility status, and the type of container.



ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

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

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

To be completed by Applicant

PROJECT SUMMARY

Explosive Storage

TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED

Accessory Apartment – Accessory Apartment Application (AAP)

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

Table of Permissible Uses Category: 4.200 Storage of explosives and ammunition

IS THIS A MODIFICATION or EXTENSION OF AN EXISTING APPROVAL?

YES – Case # _____

☒ NO

UTILITIES PROPOSED

WATER: ☐ Public ☐ On Site

SEWER: ☐ Public ☐ On Site

SITE AND BUILDING SPECIFICS

Total Area of Lot 30,000 square feet Total Area of Existing Structure(s) 0 square feet

Total Area of Proposed Structure(s) 0 square feet

EXTERNAL LIGHTING

Existing to remain
Proposed

☒ No
☒ No

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

ALL REQUIRED DOCUMENTS ATTACHED

☒ Narrative including:

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

If this is a modification or extension include:

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

☒ Plans including:

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

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

ALLOWABLE/CONDITIONAL USE FEES

	Fees	Check No.	Receipt	Date
Application Fees	\$ <u>500</u>			
Admin. of Guarantee	\$ _____			
Adjustment	\$ _____			
Pub. Not. Sign Fee	\$ <u>50</u>			
Pub. Not. Sign Deposit	\$ <u>100</u>			
Total Fee	\$ <u>650</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

USE20-006

Date Received

3/6/20

Allowable/Conditional Use Permit Application Instructions

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

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

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

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

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

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

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

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

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

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

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

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED



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 n/a		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) HIDDEN VALLEY TR A		
	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 SECON Inc	Contact Person Tim Dudley	Phone Number(s) 907-250-9429
	Mailing Address P.O. Box 32159, Juneau, AK		
	E-mail Address TDudley@COLASKA.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		Date 3/6/2020	
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 SECON Inc	Contact Person Noah Molnar	Phone Number(s) 907-780-1238	
Mailing Address P.O. Box 32159, Juneau, AK			
E-mail Address nmolnar@colaska.com			
X Noah Molnar Applicant's Signature		Noah Molnar 2020-03-06 12:56:09:00 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 
Date Received 3/6/20

Case Number USE20-006



Hidden Valley Explosives Storage Site



CBJ Conditional Use Application

February 13, 2020

Noah Molnar

SECON is using the below described area to store explosives.

SECON complies with all Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) regulations for storage of explosives. All security measures meet or exceed ATF standards.

All materials are stored in secured Conex shipping containers. All storage containers are locked according to ATF standards. No permanent structures or utilities exist.

There are four (4) gates and a natural rock wall separating the public from the stored explosives.

SECON has had no security breaches at the storage location since the issuance of the last conditional use permit (10 Years).

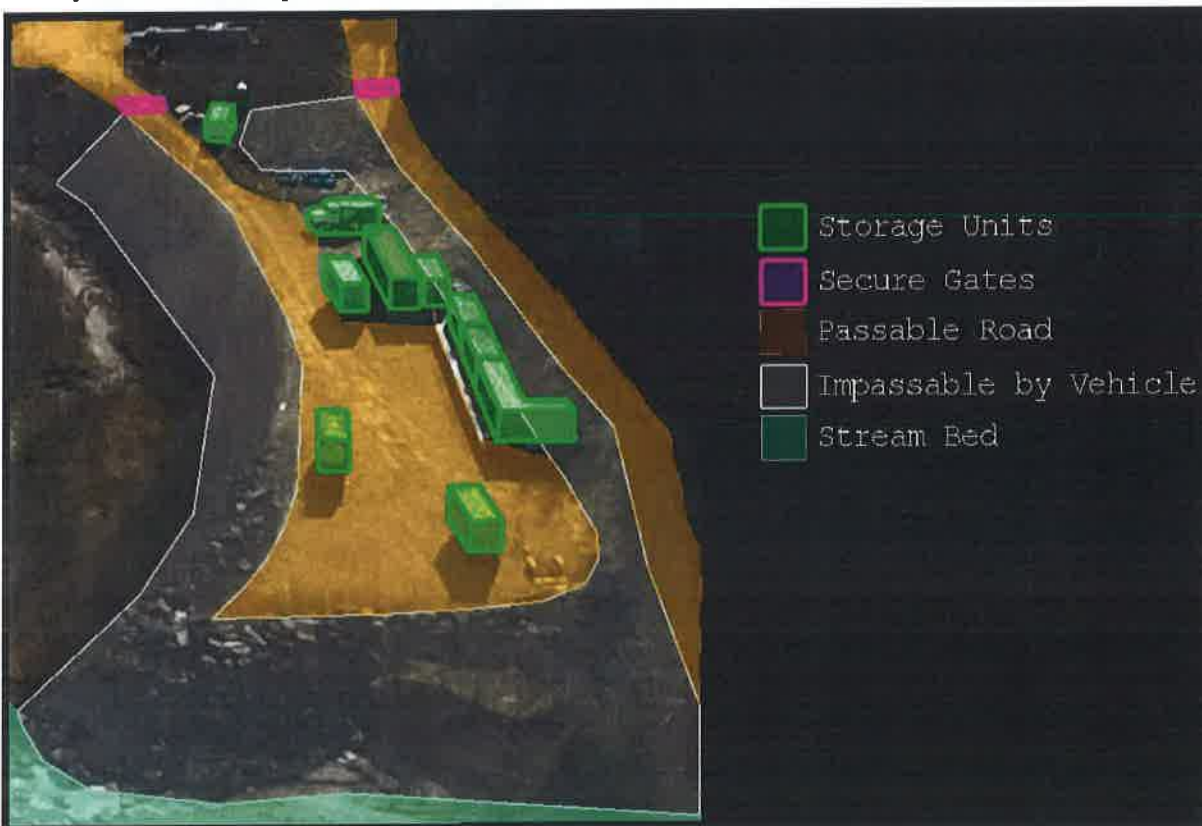
There has been no major changes to SECON's operating procedures since the last permit was issued.

There is no floor plan. No changes or reclamation needs to take place at the storage area. There are no new purposed uses for this area.

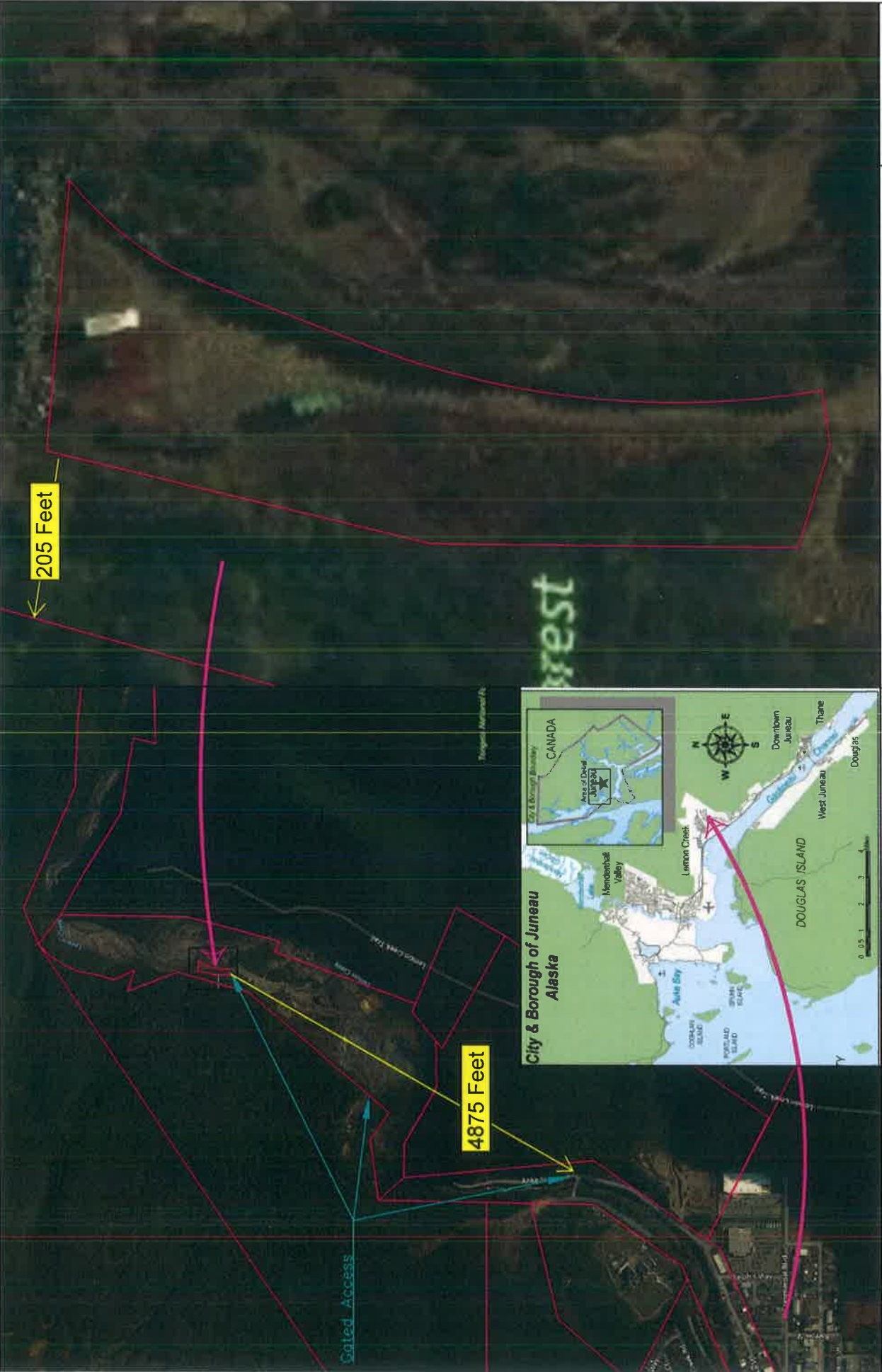
The City and Borough of Juneau has no specific regulations for the storage of explosives.

The magazine is roughly 4875 ft or .92 miles from the road access gate.

The stream that crosses the Hidden Valley area has moved several dozen feet from its location at the time of the last permit due to natural migration. The slope leading to the stream from the storage area has been heavily armored. The explosives storage area is of no threat to the nearby water.



The above aerial site diagram depicts the current status of the storage area and clearly shows that there are no security concerns on site. There is one more gate at the initial and only road access of Hidden Valley that prevents the general public from entering Hidden Valley with a vehicle.



Description Storage Facility		Sheet
Project Number:		1
Date	Drawn By:	

Hidden Valley Magazine

Powder Magazine





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

Hidden Valley Explosives Storage – renewal of USE2009-00015

Case Number: PAC20200011

Applicant: Secon Inc

Property Owner: Secon Inc

Property Address: No Address, Hidden Valley

Parcel Code Number: 3M00LEMCRK2

Site Size: 113.29 Acres

Zoning: RR

Existing Land Use: Gravel Extraction

Conference Date: 2/26/2020

Report Issued: 3/6/2020

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
Mike Short Noah Molnar	Applicant	mshort@colaska.com nmolnar@colaska.com
Tim Felstead	Planning	tim.felstead@juneau.org
Edward Quinto	Permit Specialist	edward.quinto@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.

Proposal: *Applicant wishes to renew existing Conditional use permit. Applicant does not plan to substantively alter the operations or locations reviewed in previous Conditional Use permit.*

Federal Agency Alcohol, Tobacco, Firearms and Explosives (ATF) has jurisdiction over the storage of explosives. Previous Conditional Use permit states that State Dept of Labor inspects the site but it is believed this is a typo and should have referred to ATF. ADOL permit explosive handlers not the storage sites.

KINGPINS referred to in previous use permit are lock that cover a trailer towing pin to prevent unauthorized hitching of trailers.

Planning Division

1. **Zoning** – Zoned Rural reserve. Conditional Use permit required for explosive storage.

2. **Setbacks** – Setbacks are:

Front – 25 feet

Rear – 25 feet

Side – 15 feet

Note 3 of Table of Dimensional Standards does not apply as there are no areas designated for residential development. Site plan appears to show all storage connexes will meet setback requirements.

Distances of storage connexes to property line should be shown.

3. **Height** – Maximum height for building is 45 ft. Accessory buildings are limited to 35 feet
4. **Access** – Access will be via existing access from Anka Street and up private driveways including a portion through an easement on CBJ property. This access is already used for all Hidden Valley activities.
5. **Parking & Circulation**– Plenty of on-site parking is available. In immediate vicinity of storage containers.
6. **Lot Coverage** – Maximum lot coverage is 10% for permissible uses up to 20% for Conditional Uses. The storage connexes will not exceed this limit.
7. **Vegetative Coverage** – No minimum vegetative cover requirement
8. **Lighting** – All lighting of the site should be full cut-off type and not glare onto neighboring property.
9. **Noise** – Only noise is anticipated to be from vehicles accessing site. There are no immediate neighbors to bother.
10. **Flood** – Storage area is not in the flood hazard area. Area has been subject to erosion from Lemon Creek in the past but bank has been armored since last flood event.
11. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – Not applicable.
12. **Wetlands** – Not applicable
13. **Habitat** – Not applicable

14. **Plat or Covenant Restrictions** – Access easements exist to property further up Hidden Valley but properties are now owned by Coalaska (Secon)
15. **Traffic** – No traffic analysis will be required.

Building Division

16. **Building** – No comments
17. **Outstanding Permits** – The following are grading permits associated with USE 20160004 for gravel extraction in the stream bed in Hidden Valley.
 - a. **BLD20180125** – Gravel Extraction of 65,000 cubic yards – Zone 1,2 & 3 only. See USE16-04
 - b. **BLD20170112** – Removal of 49,000 YDS
 - c. **BLD20160326** – Gravel Extraction 20,000 YDS

General Engineering/Public Works

18. **Engineering** – Not applicable
19. **Drainage** – Not applicable
20. **Utilities** – Not applicable

Fire Marshal

21. **Fire Items/Access** – CCFR need to know about its existence and they must follow pretty strict requirements from ATF. CCFR don't have any issues with this as Hidden Valley has been an explosives storage site for several years. Thanks for the opportunity to comment.

Other Applicable Agency Review

22. **DOT&PF / Alcohol Beverage Control Board / Army Corps / DEC (wastewater) / DNR / USF&W / F&G / FAA / Corrections** - Alcohol, Tobacco, Firearms and Explosives (ATF) Agency permitting required for this site.

List of required applications

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

1. Development permit application
2. Conditional Use permit application including site plan, narrative on use.

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. No floor plans required.

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 for Class II development - **\$500**
2. Public Notice sign (to be posted where visible from Anka Street Right of way) \$50 + \$100 deposit returned when sign is returned = **\$150 total.**

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

CITY/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

PLANNING COMMISSION
NOTICE OF DECISION

Date: July 15, 2009

File No.: USE2009-00019

Austin Powder West, LLC
PO Box 8236
Ketchikan, AK 99901

Application For: A Conditional Use permit for the continuation of explosive storage at the upper powder magazine in Hidden Valley.

Legal Description: Hidden Valley Tract A

Parcel Code No.: 3-M00-0-LEM-CRK-2

Hearing Date: July 14, 2009

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum, dated June 2, 2009 and as modified by the attached memorandum dated July 2, 2009, and approved the Conditional Use permit for the continuation of explosive storage at the upper powder magazine in Hidden Valley to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

1. The permit shall be effective for ten years.
2. Within 30-days of the Alaska Department of Labor's annual review, the applicant shall submit to the Community Development Department copies of this information for review to verify that aspects of the proposed operation have not changed.
3. The applicant shall install approved ATF kingpins, locks and steel hoods on all storage containers/magazines regardless of ownership, mobility status, and the type of container.
4. The applicant shall use Best Management Practices to minimize sedimentation into Lemon Creek.
5. **ADVISORY:** The applicant shall comply and operate in accordance with all applicable state and federal laws for the transportation, handling, security and storage of explosive material.

Attachments: June 2, 2009 and July 2, 2009, memorandum from Daniel J. Sexton, Community Development, to the CBJ Planning Commission regarding USE2009-00019.

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

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

Effective Date: The permit is effective upon approval by the Commission, July 14, 2009

Expiration Date: The permit will expire ten-years from the effective date, July 14, 2019

Attachment 3 - USE2009-0019 Notice of Decision for Previous Explosive Storage Approval

Austin Powder West, LLC

File No.: USE2009-00019

July 15, 2009

Page 2 of 2

Project Planner:



Daniel J. Sexton, Planner
Community Development Department



Maria Gladyszewski, Chair
Planning Commission



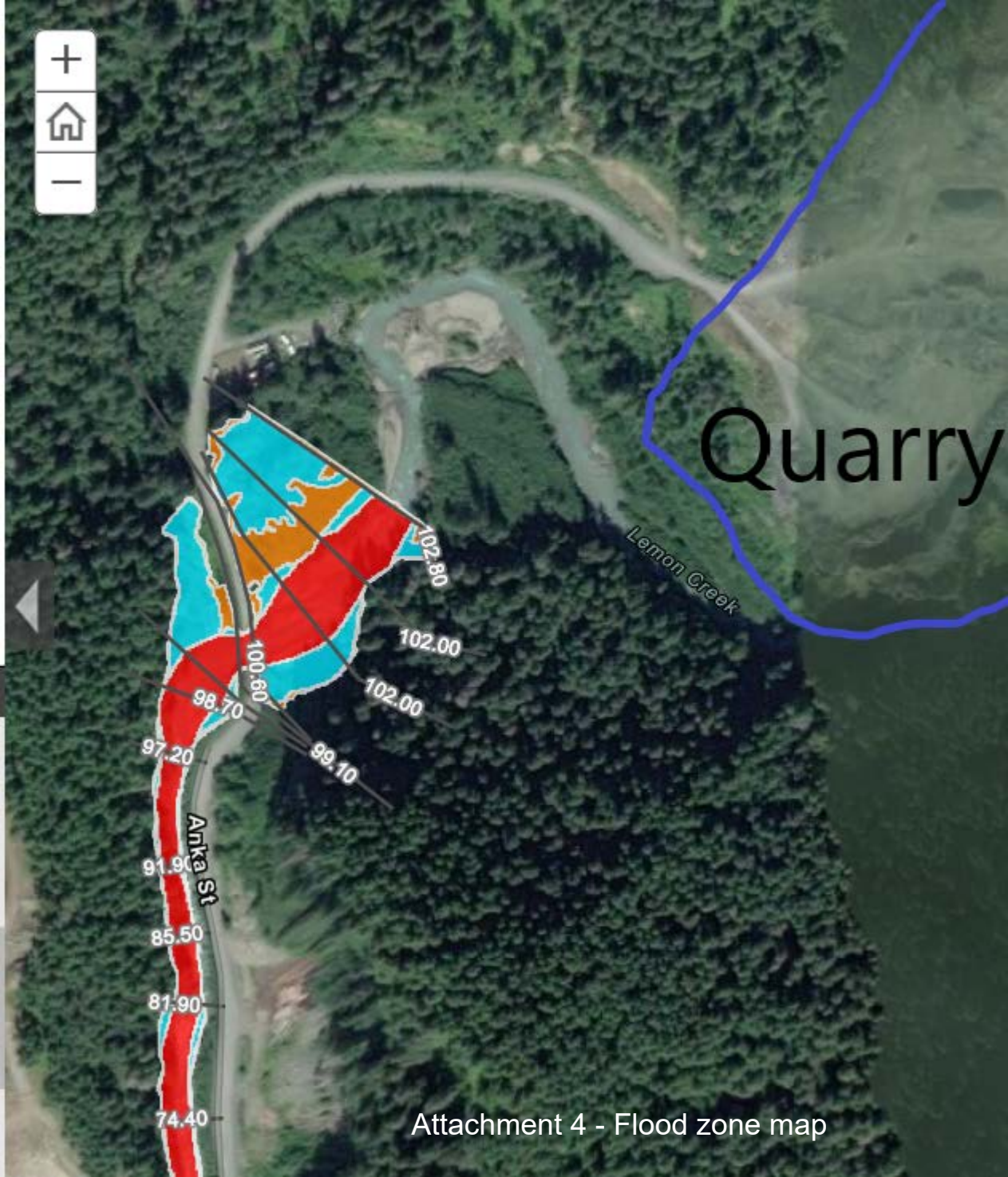
Filed With City Clerk

7/15/09

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.



Attachment 4 - Flood zone map

Attachment 4 - Flood Zone Map



The Explosives Storage Area resides well outside the FEMA mapped flood plain area.

From: [Gleaton, Wilton C.](#)
To: [Teri Camery](#)
Subject: ATF - IOI Chad Gleaton
Date: Wednesday, April 1, 2020 1:29:06 PM
Attachments: [image001.png](#)

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

Terri,

I conducted research on each of the Federal Explosive Licensees/Permittees (FEL/P) provided in the packet.

The only one that had any violations was Miller Construction Co Ltd who reported the theft of explosives. This company no longer has their license. It appears they let it expire in 2018. Danielle Miller was a Responsible Person listed on that license as a PROJECT SUPERINTENDENT. She is now a Responsible Person with GLACIER STATE CONTRACTORS INC (FEL# 9-AK-00397) also in Juneau, AK.

Let me know if you need further clarification. My work cell is 907-223-5496; call anytime.

-Chad

Here are my notes:

COLASKA INC doing business as SECON
 FEL# 9-AK-0046
 PRESIDENT – John Fuglestad
 SECON PROJECT MANAGER(s) – William Chessman; Craig Dudley
 ESTIMATOR – David Heeter
 SECON PROJECT ENGINEER – Brian Maller

Date and Type of Inspection: 2/6/18; SEA Renewal
 UI#: 787050-2018-0164
 Inspection Results: No Violations, No Referrals, and No Further Action
 Cited Violations: None

Date and Type of Inspection: 1/13/15; SEA Renewal
 UI#: 787050-2015-0107
 Inspection Results: No Violations, No Referrals, and No Further Action
 Cited Violations: None

Date and Type of Inspection: 8/10/12; SEA Renewal
 UI#: 787050-2012-0235
 Inspection Results: No Violations, No Referrals, and No Further Action

Cited Violations:	None
Date and Type of Inspection:	6/17/09; SEA Renewal
UI#:	787065-2009-0060
Inspection Results:	No Violations, No Referrals, and No Further Action
Cited Violations:	None
Date and Type of Inspection:	6/15/06; SEA Renewal
UI#:	787065-2006-0099
Inspection Results:	No Violations, No Referrals, and No Further Action
Cited Violations:	None
Date and Type of Inspection:	4/22/03; Application
UI#:	787065-2003-0504
Inspection Results:	Application Approved
Cited Violations:	None

Miller Construction Co LTD

FEL (9-AK-00026)

Expired on 6/1/2018

787065-2003-0519: Application
 787065-2005-0337: SEA Renewal; No Violations, No Referrals, and No Further Action
 787065-2008-0170: Theft of explosives
 Cited: Failure to report the theft of explosives on 12/15/07. A theft of explosive materials was discovered on 12/15/07 and reported to the Juneau Police Department. The theft was not reported to ATF within 24 hours of discovery, as required.
 787065-2009-0054: SEA Renewal; No Violations, No Referrals, and No Further Action
 787050-2012-0063: SEA Renewal; No Violations, No Referrals, and No Further Action
 787050-2015-0064: SEA Renewal
 Cited: Failure to maintain accurate Daily Summary of Magazine Transactions records. Recent ATF inspection found discrepancies in two balance on hand amounts, for explosives products.
 787050-2018-0171: SEA Renewal; No Violations, No Referrals, and No Further Action

Steven Ziegenfuss was associated with Miller Construction and most recently with James and Joann Logan Sidney (9-AK-00333). He was since been deactivated as an employee possessor with the Sidney's. Sidney's application was approved in 2013, with inspections in 2017 and 2019. Both inspections resulted in no violations.

Tony Barajas has worked with a number of FEL/P such as Austin Powder, Alaska Pacific, and Orica. I speak with him frequently on explosive matters. Feel free to reach out to me directly if you have any questions on Mr. Barajas.

Austin Powder West LLC (9-AK-00242 and 00243) located in Wasilla, AK

Austin Powder Company (9-AK-12043 ,001655, 00174) all inactive licenses.

W. Chad Gleaton, Ph.D.
Industry Operations Investigator

222 West 7th Ave.

Suite 547

Anchorage, AK 99513

office: 206-204-9894

fax: 907-271-5704

email: wilton.gleaton@atf.gov



From: [David Campbell](#)
To: [Teri Camery](#)
Subject: RE: JPD review requested for SECON explosives storage Conditional Use Permit renewal
Date: Friday, April 10, 2020 11:00:48 AM

Hi Teri,

It took some time to run the report because it appears as though the location does not have a numbered street address. Our IT staff conducted several different searches and we only discovered two cases. Those cases are as follows:

170927-004 THEFT ANKA – This does not appear to be specifically associated with SECON, but is the theft of personal property from a storage container at the quarry on Anka. The trailer was broken into and two people reported property stolen.

180502-001 THEFT ANKA - A blast water pump valued at \$4,000 was stolen from SECON. SECON did not report it at the time of the theft. The location in the case is just Anka St. It does not specify the quarry or office. A suspect was developed and the case was referred to the DA's office, but prosecution was declined.

Hope this helps,

David

From: Teri Camery
Sent: Friday, April 10, 2020 8:45 AM
To: David Campbell
Subject: RE: JPD review requested for SECON explosives storage Conditional Use Permit renewal

Hi David,

Just checking in with you to see where JPD is at with searching records. We had suggested today as a deadline, but I can adjust that if needed. Erann Kalwara called me last week and was looking into a few more things. Just let me know so I can adjust timelines if needed.

Thanks again for your assistance with this review!
 Teri

Teri Camery | Senior Planner, CFM
[Community Development Department](#) | City & Borough of Juneau, AK
 Location: 230 S. Franklin Street, 4th Floor Marine View Building
 Office: 907.586.0755



From: David Campbell <DSCampbell@juneaupolice.com>
Sent: Wednesday, April 1, 2020 11:17 AM
To: Teri Camery <Teri.Camery@juneau.org>
Subject: RE: JPD review requested for SECON explosives storage Conditional Use Permit renewal

No worries. We're happy to help.

From: Teri Camery
Sent: Wednesday, April 01, 2020 11:16 AM
To: David Campbell
Subject: RE: JPD review requested for SECON explosives storage Conditional Use Permit renewal

Thank you very much for the update, David, and I sure appreciate your time on this.

Teri

Teri Camery | Senior Planner, CFM

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

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

Office: 907.586.0755



From: David Campbell <DSCampbell@juneaupolice.com>
Sent: Wednesday, April 1, 2020 11:15 AM
To: Teri Camery <Teri.Camery@juneau.org>
Cc: Ed Mercer <EDMercer@juneaupolice.com>
Subject: RE: JPD review requested for SECON explosives storage Conditional Use Permit renewal

Teri,

Lieutenant Weske and Sergeant Branson, who are both on the JPD EOD Team, reviewed the security measures provided and said they look good. The ATF contact is Sarah Foreman at Sarah.L.Foreman@usdoj.gov

I'm still waiting on the stats.

David

From: Teri Camery
Sent: Monday, March 30, 2020 11:42 AM
To: David Campbell
Cc: Ed Mercer
Subject: RE: JPD review requested for SECON explosives storage Conditional Use Permit renewal

Thanks for your reply, David. There is no rush, as the project is not yet scheduled for the Planning Commission. Could we aim for Friday April 10? If you need more time than that, that's fine, just let me know. This is a critical part of our review and I know everyone is slammed with covid-related chaos, directly or indirectly. I appreciate your time.

Cheers,
Teri

Teri Camery | Senior Planner, CFM

Community Development Department | City & Borough of Juneau, AK

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

Office: 907.586.0755



From: David Campbell <DESCampbell@juneaupolice.com>
Sent: Monday, March 30, 2020 11:39 AM
To: Teri Camery <Teri.Camery@juneau.org>
Cc: Ed Mercer <EDMercer@juneaupolice.com>
Subject: RE: JPD review requested for SECON explosives storage Conditional Use Permit renewal

Hi Teri,

I've directed Dee O'jard at JPD to check our records for the past 11 years. I've also directed Lieutenant Weske to look into the site security measures and to get a contact number for ATF.

I'm not sure how long it will take to get this information. When do you the information by?

David

From: Teri Camery
Sent: Sunday, March 29, 2020 12:43 PM
To: David Campbell
Cc: Alexandra Pierce
Subject: JPD review requested for SECON explosives storage Conditional Use Permit renewal

Hello Deputy Chief Campbell,

CDD is reviewing an application for explosives storage at the SECON Hidden Valley/Upper Lemon Creek quarry site. Explosives storage was last approved with the USE2009-0019 Conditional Use Permit, valid for 10 years, which expired on July 14, 2019. We are requesting JPD review of the application because the previous Conditional Use Permit review contained an extensive history of security breaches on the site and public access to the explosives. The record indicates that JPD worked with the applicant to develop Condition 3 in the attached Notice of Decision regarding security measures on the storage containers.

With that background, I have two specific questions for you. One, does JPD have any record of security violations on the site in the last eleven years related to explosive storage, since the last Conditional Use permit was approved? Two, are the current security measures on the site adequate, and if not, what would you suggest? On a related note, I see that the Bureau of Alcohol, Tobacco and Firearms provided incident reports to CDD regarding break-ins at the site during the last review. I do not have a contact for this agency and would appreciate you forwarding this information to them, or providing me with contact information so I can do so.

I would appreciate receiving your comments by Monday April 13. If you need additional time or have questions, please contact me at 586-0755 or by email.

Thanks very much for assisting us with our review process.

Teri Camery

Teri Camery | Senior Planner, CFM

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

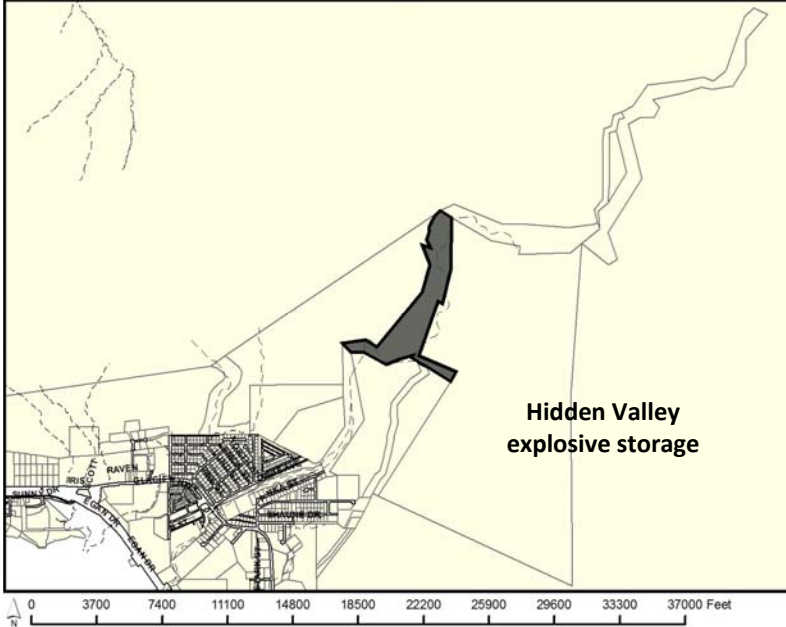
Location: 230 S. Franklin Street, 4th Floor Marine View Building

Office: 907.586.0755



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 **explosive storage** located at **Hidden Valley, Lemon Creek** in a **Rural Residential Zone**.

TIMELINE

Staff Report expected to be posted **Monday, May 4, 2020** at <https://beta.juneau.org/assembly/assembly-minutes-and-agendas>
Find hearing results, meeting minutes and more here as well.

Now through April 20

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

April 21 — noon, May 8

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

HEARING DATE & TIME: 7:00 pm, May 12, 2020

Members of the public wishing to call in to testify can dial 907-713-2140 and entering Participant ID number 813893. **The caller should provide their name and state that they are calling in for the Planning Commission meeting.** Public lines will be muted by default but will be unmuted by CBJ staff when it is that individual's turn to testify.

May 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**

Case No.: USE2020 0006
Parcel No.: 3M000LEMCRK2
CBJ Parcel Viewer: <http://epv.juneau.org>

USE2020-0006

May 12, 2020

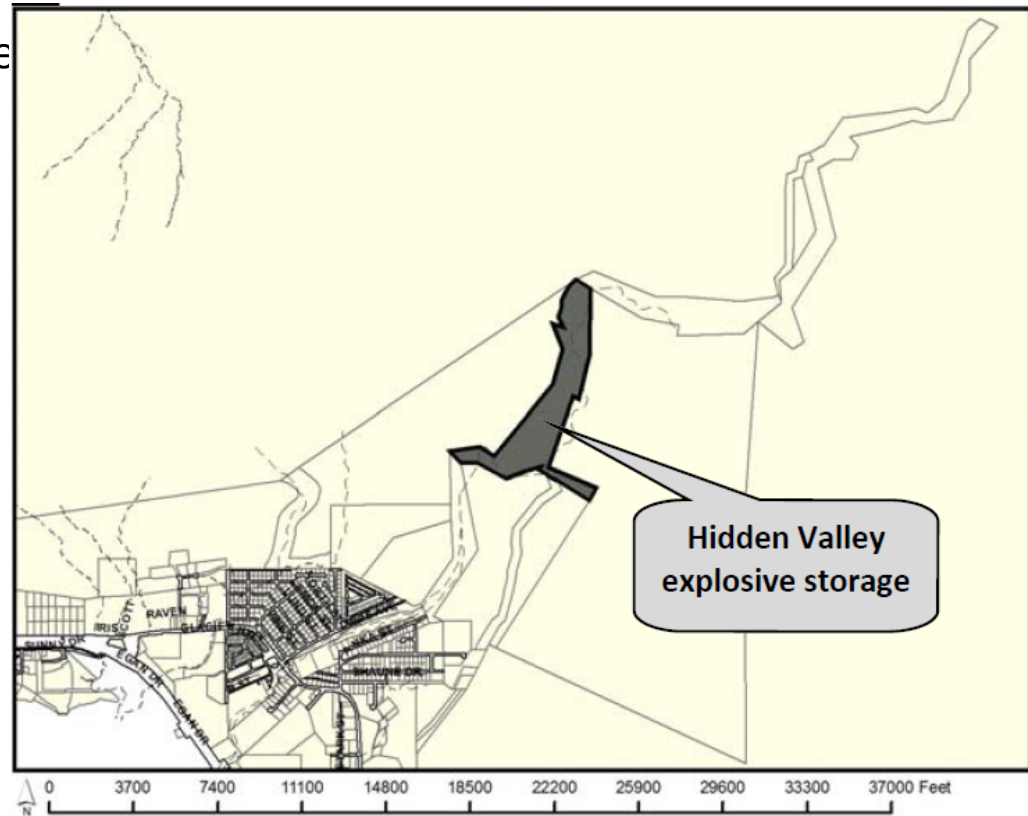
A Conditional Use Permit to continue explosives storage in Hidden Valley, upper Lemon Creek, in association with an approved quarry

Staff recommends that the Planning Commission adopt the Director's analysis and findings and **APPROVE** the requested Conditional Use Permit with conditions.

Project Description

The applicant requests a Conditional Use Permit to continue explosives storage in Hidden Valley, upper Lemon Creek, in association with an approved quarry

- Zoned Rural Reserve
- 2013 Comprehensive Plan Designation is Resource Development
- Site size 113.29 acres



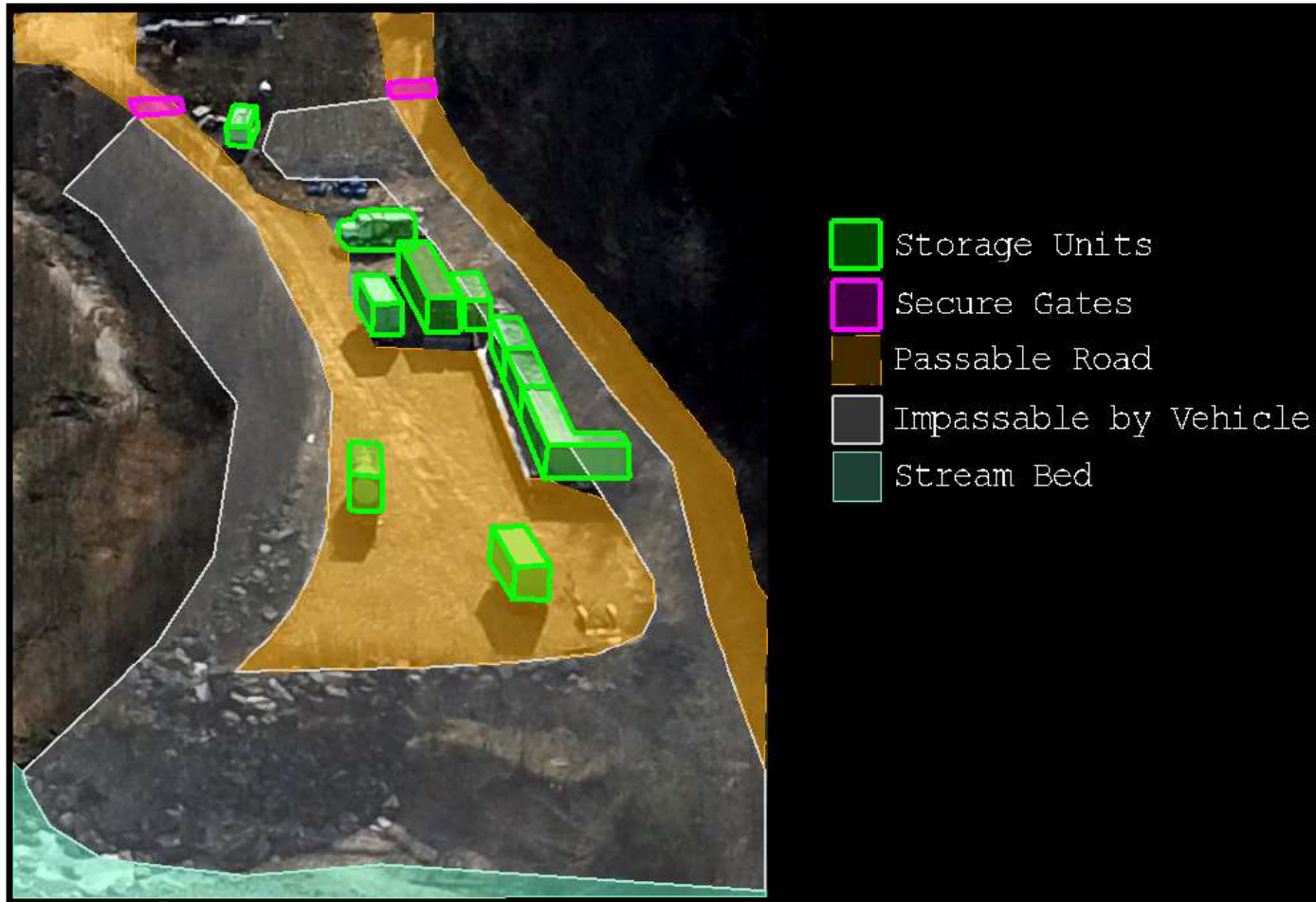
Project Description and Background (packet p .40)

- A request to continue explosives storage at an existing rock quarry in Hidden Valley, Upper Lemon Creek
- Quarry was recently approved for another 10 years (USE2019-0022)
- USE2009-00019 approved explosives storage for 10 years, expired in July 2019
- Previous USE permit identified many security breaches at the explosives site; focus of review is therefore on public safety

Aerial View



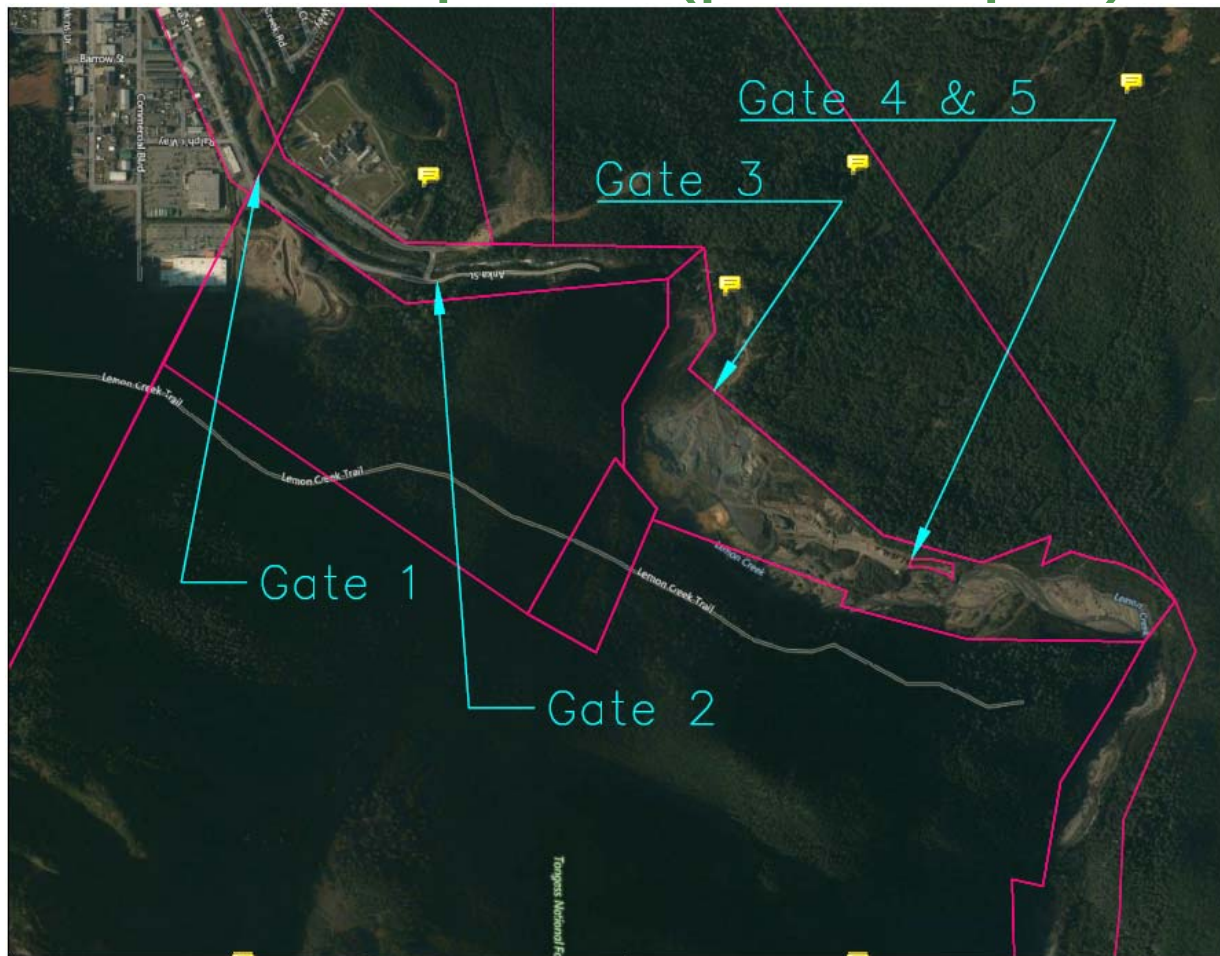
Site Plans (packet p. 51)



Site Plans (packet p. 52)



Site plans (packet p.)



Agency and Public Comments (packet p. 42)

- Agency comments from Juneau Police Department and Federal Bureau of Alcohol, Tobacco and Firearms addressed in body of report.
- No public comments received.

Conformity With Adopted Plans (packet p. 42)

2013 Juneau Comprehensive Plan

- o Conforms with general policies regarding industrial development.

2018 Lemon Creek Area Plan

- o Conforms with policies regarding responsible resource development

2015 Juneau Economic Development Plan

- o Substantially complies with economic development planning concepts.

Findings (packet p. 42-43)

1. The application is complete.
2. The use is appropriate according to the Table of Permissible Uses.
3. The development complies with other requirements of this chapter including all public notice requirements.
4. The proposed development will not materially endanger the public health or safety.
5. The development will not substantially decrease the value of or be out of harmony with property in the neighboring area
6. The proposed development is in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans.

Recommendation (packet p.46)

Staff recommends that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use Permit to allow explosives storage in Hidden Valley, upper Lemon Creek, subject to the following conditions:

- 1) The permit shall be effective for ten years.
- 2) The applicant shall maintain approved ATF kingpins, locks and steel hoods on all storage containers/magazines regardless of ownership, mobility status, and the type of container.



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: May 13, 2020
Case No.: USE2020 0006

SECON
PO Box 32159
Juneau, AK 99801

Proposal: A Conditional Use Permit to continue explosives storage in Hidden Valley, upper Lemon Creek, in association with an approved quarry

Property Address: N/A

Legal Description: Hidden Valley Tract A

Parcel Code No.: 3M000LEMCRK2

Hearing Date: May 12, 2020

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated May 4, 2020 and approved the Conditional Use Permit to continue explosives storage in Hidden Valley, upper Lemon Creek, in association with an approved quarry, to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

1. The permit shall be effective for ten years.
2. The applicant shall maintain approved ATF kingpins, locks and steel hoods on all storage containers/magazines regardless of ownership, mobility status, and the type of container.

Attachments: May 4, 2020 memorandum from Teri Camery, Community Development, to the CBJ Planning Commission regarding USE2020 0006.

SECON

Case No.: USE2020 0006

May 13, 2020

Page 2 of 2

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

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

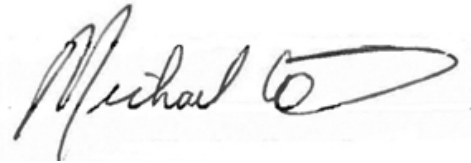
Effective Date: The permit is effective upon approval by the Commission, May 12, 2020

Expiration Date: The permit will expire 18 months after the effective date, or November 12, 2021 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.

Project Planner:



Teri Camery, Senior Planner
Community Development Department



Michael LeVine, Chair
Planning Commission



Filed With Municipal Clerk

5/14/2020

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.



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

DATE: May 4, 2020

TO: Planning Commission

FROM: Laurel Christian, Planner *Laurel Christian*
 Community Development Department

CASE NO.: USE2020 0007

PROPOSAL: Sealaska Heritage Institute arts campus building and plaza

GENERAL INFORMATION

Applicant: MRV Architects

Property Owner: Sealaska Corporation

Property Address: 1 Sealaska Plaza

Legal Description: Tidelands Addition Block 77 Lot 1-7

Parcel Code Number: 1C070K770010

Site Size: 45,732 square feet

**Comprehensive Plan
Land Use Designation:** Traditional Town Center (TTC)

Zoning: Mixed Use (MU)

Utilities: Public Water & Sewer

Access: Main Street and Seward Street

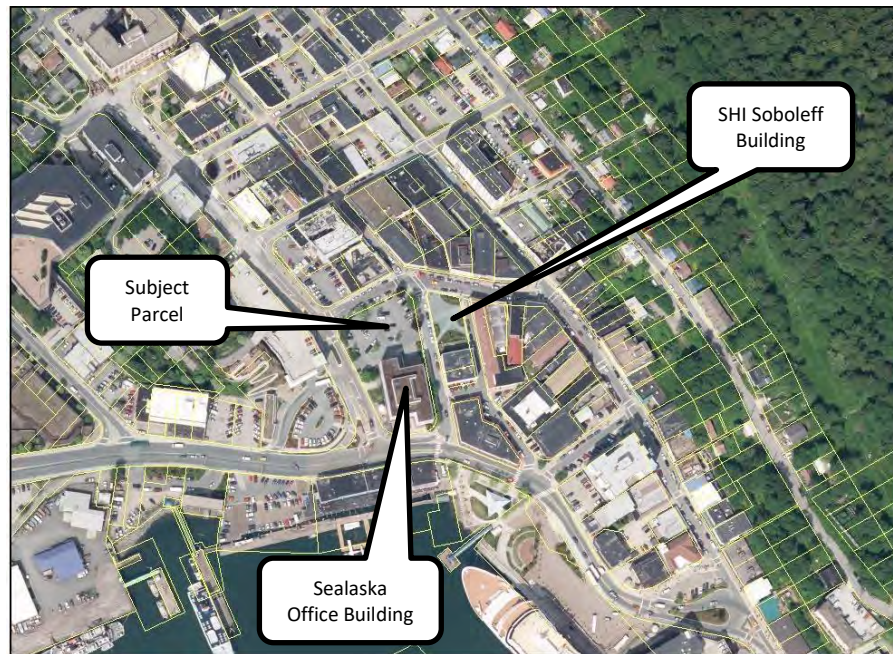
Existing Land Use: Mixed use office/commercial building and parking

Surrounding Land Use:

North	- Mixed use retail/commercial
South	- Mixed use retail/commercial
East	- Mixed use retail/commercial/office
West	- CBJ Downtown Transit Center

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VICINITY MAP



ATTACHMENTS

Attachment A – Application and Project Narrative
Attachment B – Project Drawings
Attachment C – Parking Narrative and Drawings
Attachment D – Maps
Attachment E – Agency Comments

PROJECT DESCRIPTION

The applicant requests a Conditional Use Permit for the development of a mixed-use arts campus and plaza. The project includes the construction of a subsurface parking garage, pedestrian plaza, and a two-story building with a basement for Native Arts instruction (Attachment A).

ANALYSIS

Project Site – The subject site is known as Sealaska Plaza and is comprised of seven (7) small lots according to Plat 340, filed in the Juneau Recording district. According to CBJ records, a lot consolidation has not been completed, and will be required prior to the issuance of a building permit, as buildings cannot cross property lines, even when property is under common ownership. According to the project narrative, the applicants intend to consolidate the existing seven (7) lots into two (2) lots, one lot for the proposed Sealaska Heritage Institute (SHI) arts campus and one lot for the existing Sealaska office building (Attachment A).

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Project Design – In the Mixed Use (MU) zoning district, there are no required yard setbacks; no maximum lot coverage; no minimum vegetative cover requirement; and no maximum building height. Preliminary project drawings can be found in Attachment B. The applicant proposes a two-story building with a basement and subsurface parking structure. Additionally, the applicant proposes to construct a canopy, which extends from the proposed SHI arts campus building to the existing Sealaska office building. The covered canopy is wide enough to accommodate a walking path and small vendor areas for outdoor retail booths. In the applicant's drawings, a large covered pavilion area is shown; however, according to the applicant's narrative, the pavilion may not be constructed at this time due to budget constraints (Attachment A).

Traffic – According to CBJ 49.40.300(a)(2) developments that are projected to generate fewer than 250 Average Daily Trips (ADTs) are not required to submit a traffic impact analysis. Staff estimates the project to generate 64 ADTs. A traffic impact analysis is not required.

Use Category	Total Sq. Ft.	Trips Generated	Total Trips
General Office	560	11.03 per 1000 sq. ft.	6.17
Library	405	56.25 per 1000 sq. ft.	22.78
Manufacturing	3437	3.82 per 1000 sq. ft.	13.12
Specialty Retail	388	44.32 per 1000 sq. ft.	17.19
Storage	1393	3.53 per 1000 sq. ft.	4.92
Total ADTs:			64.18

Access – As discussed above, the applicant plans to consolidate the existing seven (7) lots into two (2) lots, one for the new building and one for the existing Sealaska office building. The existing Sealaska office building has a subsurface parking garage with an entrance on Main Street. The applicant proposes to close this existing entrance and share one entrance with the proposed new subsurface parking garage associated with the proposed SHI building. Drawings found in Attachment C show the location of the existing ramp and the proposed shared driveway and ramp.

According to CBJ Engineering & Public Works Standard Detail 103B Note 1, combined driveways are allowed when approved by the Planning Commission through the Conditional Use Permit Process or major subdivision Process.

According to the CBJ Roadway Classification Maps, Main Street is classified as a minor arterial. Access directly onto arterials is discouraged and, when possible, should be avoided. The shared driveway and garage ramp will limit access directly onto the arterial to one point along Main Street, rather than providing multiple garage ramps (one for each building). If this concept is approved by the Planning Commission, easements must be provided through the subdivision

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process. Staff finds that the proposal is consistent with the 2013 Comprehensive Plan Policy 8.5 Design Guideline 4 and the proposal promotes pedestrian safety by providing fewer curb cuts. Staff recommends approval of providing a shared driveway for both parking garages.

Staff recommends as a condition of approval the removal of the entrance/exit from Main Street to the surface parking lot, as access should be limited onto arterials. Access to the surface parking lot would be limited to Front Street, better protecting pedestrians in the existing crosswalk on Main Street.

Off-street Parking and Circulation – The subject parcel is located in the PD1 and Fee In Lieu (FIL) Parking Districts (Attachment D). The PD1 Parking District allows for a 60% reduction to the parking requirement for off-street parking and loading spaces. The FIL Parking District allows the applicant to pay a fee in lieu of providing parking. At this time, the applicant is not proposing to utilize the FIL program; all required parking will be accommodated on-site. The proposed parking plan and parking narrative can be found in Attachment C.

The existing building was constructed in 1977 and was in the C-2J zoning district, which had no off-street parking requirement. The subject parcel is located in the PD1 Parking District, therefore parking requirements do not apply to the existing building on the site [CBJ 49.40.120(d)(1)].

The surface parking lot on the subject parcel currently provides the parking required for the SHI Soboleff building across the street permitted through USE2013 0012. The SHI Soboleff building requires 32 off-street parking spaces (USE2013 0012) after applying the PD1 reduction. These spaces must remain on-site and available to the SHI Soboleff building. A recommended condition of approval is prior to the issuance of a building permit for the proposed development, a Shared Use Parking Agreement is approved by CDD and recorded to ensure that these parking spaces remain available.

The table below illustrates that three (3) parking spaces are required for the proposed development after the PD1 parking reduction is applied. Per the Table of Minimum Parking standards (CBJ 49.40.210), staff determined that the art instruction areas most closely relate to light or medium manufacturing, rather than a university or college. The same parking classification of manufacturing was used for a similar project, the Juneau Makerspace, permitted in 2018 (USE2018 0019).

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Use Category	Total Sq. Ft.	Parking Requirement	Total Spaces
General Office	560	1 per 300 sq. ft.	1.87
Library	405	1 per 600 sq. ft.	0.68
Manufacturing	3437	1 per 1000 sq. ft.	3.44
Specialty Retail	388	1 per 300 sq. ft.	1.29
Storage	1393	1 per 1000 sq. ft.	1.39
Total Parking Requirement:			8.67
Total Parking Requirement w/PD1 Reduction:			3.47

With the PD1 reduction applied, the proposed development is required to have three (3) parking spaces. As discussed above, the subject parcel provides 32 required parking spaces for the SHI Soboleff building, and no spaces are required for the existing building on the site. The total parking requirement for the development is 35 spaces. Two (2) ADA accessible spaces are required and one (1) space must be ADA van accessible.

A commercial building measuring 5,000 – 24,999 square feet requires one (1) off-street loading space. In the PD1 Parking District, this requirement is reduced by 60% meaning that .40 loading spaces would be required; this is rounded to the nearest whole number, resulting in zero (0) off-street loading spaces required for the proposed building.

Attachment C contains a preliminary parking plan. The applicant depicts forty-one (41) spaces in the new subsurface parking garage and nine (9) spaces in the proposed surface parking lot. Three (3) of these spaces are ADA accessible; no van accessible spaces are shown. A total of fifty (50) parking spaces are proposed; the existing surface parking lot on the subject parcel currently contains 45 parking spaces. Staff recommends as a condition of approval that a revised parking plan showing the required ADA van accessible space be submitted prior to the issuance of a building permit.

On-street Parking – The applicants propose the relocation of three (3) existing on-street parking spaces on Seward Street, and to remove one (1) on-street parking space from Front Street. The removal of the parking space along Front Street provides access to the entrance/exit to the proposed surface parking lot. These changes are shown on the site plan found in Attachment C.

Removal of the one (1) on-street parking space to accommodate the entrance/exit to the proposed surface parking lot has been reviewed by CBJ Engineering and Public Works (E&PW). Staff recommends as a condition of approval that a CBJ Right-of-Way Permit be obtained for any work in the right-of-way prior to commencing work.

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Vegetative Cover and Landscaping – There is no minimum vegetative cover requirement for the MU zoning district. The applicant’s conceptual drawings show landscaping within the plaza.

Drainage and Snow Storage – According to CBJ E&PW, an engineered drainage plan is required prior to the issuance of a building permit or right-of-way permit. This requirement was included in the pre-application conference notes found in Attachment A. Engineered drainage and constructions plans for the proposed raised crosswalk on Seward Street are required (Attachment E). Staff recommends that a snow storage plan be provided for building permit review. This has been added as a recommended condition of approval.

Lighting – A lighting plan has not been submitted. According to 49.40.230(d), parking areas shall be suitably lit and all proposed fixtures shall be full cut-off design. A lighting plan is required with the building permit application for review and approval by CDD; this has been added as a recommended condition of approval.

Non-motorized transportation – The applicant proposes to construct an uncovered pedestrian plaza and surrounded by covered walkways. The proposed building will have canopies on three sides. According to the project site plan, portions of the canopy attached to the eastern and western sides of the proposed buildings will encroach into the public right-of-way. Any canopy encroachments into the public right-of-way will be required to meet the criteria in CBJ 49.15.800; this will be reviewed during building permit review.

The project narrative is silent on provisions for users arriving by bicycle. According to the 2009 Juneau Non-Motorized Transportation Plan, *bike racks should be installed in convenient and visible locations as close to the buildings [sic] front entrance as possible.* Additionally, the plan calls for bike racks to be designed to accommodate a “U-type lock.”

As discussed below, the 2013 Comprehensive Plan and the Nonmotorized Transportation Plan encourage a balanced and multi-modal transportation system. Staff recommends as a condition of approval that the applicant install covered bike racks for at least four (4) bicycles; the racks must meet standards for bicycle racks listed in the 2009 Juneau Non-Motorized Transportation Plan.

Historic District – The subject parcel is not located within the Downtown Historic District Boundaries. Front Street, along the subject parcel’s northern property line, is located within the boundary of the Downtown Historic District (Attachment D).

Noise – The proposed arts instructional building will house workshops for woodworking, metalwork, and fiber/textile work. Some noise is expected to be produced from the wood and metal workshops. Light and medium manufacturing uses are allowed with a Conditional Use Permit in the MU Zoning District according to the CBJ 49.25.300 category 4.050 and 4.070.

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Manufacturing, light, means the processing and/or fabrication of materials or products where no process involved will produce noise, vibration, air pollution, fire hazard or noxious emission that will disturb or endanger neighboring properties.

Manufacturing, medium, means the processing and/or fabrication of materials or products where the process involved will produce noises, vibration, emissions or other impacts that are perceptible to neighboring property owners but are not offensive or obnoxious. These uses do not have a measurable negative effect on other businesses or property values.

While some noise is expected to be generated from these uses, it is not expected to be out of character with the existing neighborhood or cause a negative effect on neighboring properties or businesses.

Public Health or Safety – There is no evidence that the proposed development will negatively impact public health or safety.

Habitat – There are no habitats protected by Title 49 that will be impacted by the proposed development.

Property Value or Neighborhood Harmony – There is no evidence that the proposed development will decrease property values or be out of character with the existing neighborhood.

Agency and Public Comments – Staff held an agency review period between March 26, 2020 and April 10, 2020. CBJ E&PW, Building Division, Assessor's Office, Docks and Harbors, Capital City Fire and Rescue, and the Alaska Department of Transportation and Public Facilities were invited to comment. CBJ E&PW comments are discussed throughout this report and can be found in Attachment E; no other agency comments were received.

At time of writing this staff report, no public comments regarding the proposed development were received.

Conformity with Adopted Plans – The proposed development, with recommended conditions, is in general conformity with the 2004 Long Range Waterfront Plan, the 2009 Juneau Non-motorized Transportation Plan, the 2013 Comprehensive Plan and the 2015 Juneau Economic Development Plan.

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2013 Comprehensive Plan – The subject parcel has a Comprehensive Plan Future Land Use Designation of Traditional Town Center (Attachment D):

These lands are characterized by high density residential and non-residential land uses in downtown areas and around shopping centers, the University, major employment centers and public transit corridors, as well as other areas suitable for a mixture of retail, office, general commercial, and high density residential uses at densities at 18 or more residential units per acre. Residential and non-residential uses could be combined within a single structure, including off-street parking. Ground floor retail space facing roads with parking behind the retail and housing above would be an appropriate and efficient use of the land.

The proposed development is consistent with policies found in Chapter 5 Economic Development, Chapter 15 Cultural Arts and Humanities, and Chapter 16 Cultural and Historic Resources:

POLICY 5.5. TO MAINTAIN AND STRENGTHEN DOWNTOWN JUNEAU AS A SAFE, DYNAMIC AND PLEASANT CENTER FOR GOVERNMENT AND LEGISLATIVE ACTIVITIES, PUBLIC GATHERINGS, CULTURAL AND ENTERTAINMENT EVENTS, AND RESIDENTIAL AND COMMERCIAL ACTIVITIES IN A MANNER THAT COMPLEMENTS ITS RICH HISTORIC CHARACTER AND BUILDING FORMS.

POLICY 5.11. TO ENCOURAGE THE LOCATION AND GROWTH OF LOCALLY-BASED BASIC SECTOR INDUSTRIES THAT PROVIDE YEAR-ROUND, FULL-TIME EMPLOYMENT AND PROVIDE TAX REVENUES THAT SUPPORT PUBLIC SERVICES.

POLICY 15.1. TO SUPPORT THE ARTS AS A VITAL ELEMENT OF COMMUNITY LIFE AND TO RECOGNIZE THE IMPORTANT ROLE THAT THE ARTS PLAY IN THE CULTURAL, SOCIAL, AND ECONOMIC WELLBEING OF THE COMMUNITY. IT IS FURTHER THE POLICY OF THE CBJ TO STRENGTHEN ITS ROLE AS A REGIONAL CULTURAL RESOURCE TO THE COMMUNITIES OF SOUTHEAST ALASKA.

POLICY 16.4. TO PRESERVE AND PROTECT THE UNIQUE CULTURE OF JUNEAU'S NATIVE PEOPLES, INCLUDING BUILDINGS, SITES, ARTIFACTS, TOTEMS, TRADITIONS, LIFESTYLES, LANGUAGES, AND HISTORIES.

Chapter 8 of the Comprehensive Plan Discusses transportation and provides the following policies relating to access and transportation. With recommended conditions, the proposed development is in general conformity with goals and polices related to transportation and access:

POLICY 8.5. TO PROMOTE A BALANCED, WELL-INTEGRATED LOCAL MULTI-MODAL SURFACE TRANSPORTATION SYSTEM THAT PROVIDES SAFE, CONVENIENT AND ENERGY-EFFICIENT ACCESS AND TRANSPORT FOR PEOPLE AND COMMODITIES.

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8.5 - DG4 Minimize access roadways or driveways onto major and minor arterial roadways or highways by requiring shared access points, such as a frontage road, and connections to adjacent subdivisions' roadways that lead to a "downstream" controlled or grade-separated intersection.

POLICY 8.6. TO PROMOTE AND FACILITATE TRANSPORTATION ALTERNATIVES TO PRIVATE VEHICLES AS A MEANS OF REDUCING TRAFFIC CONGESTION, AIR POLLUTION AND THE CONSUMPTION OF FOSSIL FUELS, AND TO PROVIDE SAFE AND HEALTHY MEANS OF TRANSPORTATION TO ALL PEOPLE.

8.6 - DG4 Provide secure, weatherproof bike parking and storage facilities at public buildings and in private developments, particularly developments located along transit corridors.

2004 Long Range Waterfront Plan – The subject parcel is within the study area for the 2004 Long Range Waterfront Plan. One goal in the plan is to *Strengthen tourism product offerings as well as downtown retail, entertainment, residential and service activities*. Expanding performing arts and cultural facilities was also identified as a community priority within the plan.

2009 Juneau Non-motorized Transportation Plan – With the recommended condition to require bicycle racks, the proposed would be in general conformity with the following policies of the Non-motorized Transportation Plan:

POLICY 5 – TRANSPORTATION PLANNING. Integrate motorized and non-motorized transportation planning.

POLICY 10 – BICYCLE RACKS. Provide more bicycle racks.

2015 Juneau Economic Development Plan – The Economic Development Plan identifies the downtown core as an area where development initiatives should be focused; specifically the plan calls for the revitalization of downtown. The proposed development is consistent with the following goals, policies, and objectives identified in the plan:

Goal: Revitalize Downtown, building the link between economic vitality and livable, mixed-use neighborhoods.

Goal: Build on our strengths to expand business opportunities where we have natural/competitive advantages.

Objective 3: Build Juneau's role as a regional arts and culture hub.

Action 3-B: Support Juneau's development and image as a center for Pacific Northwest Tlingit, Haida, and Tsimshian traditions and art. Build on the powerful presence of the new Walter Soboleff Center as a research and cultural center. Support the role played by UAS in growing the capacity of Native Alaskan artists by offering a Northwest Coast Native Arts Minor and

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Occupational Endorsement on the Juneau campus, as well as developing a Tlingit language program.

FINDINGS

CBJ 49.15.330 (e)(1), Review of Director's Determinations, states that the Planning Commission shall review the Director's report to consider:

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

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

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

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

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

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

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

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

Yes. The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ 49.25.300, Sections 2.200, 3.050, 4.070, 5.300, and 10.100 for the Mixed Use zoning district.

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

Yes. The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in the May 1, 2020 and May 10, 2020 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public right-of-way.

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

No. There is no evidence that the proposed development will materially endanger the public health or safety.

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

No. There is no evidence that the proposed development will substantially decrease the value or be out of harmony with 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?

Yes. The proposed development, with recommended conditions, is in general conformity with the 2004 Long Range Waterfront Plan, the 2009 Juneau Non-motorized Transportation Plan, the 2013 Comprehensive Plan, and the 2015 Juneau Economic Development Plan.

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

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

N/A

RECOMMENDATION

It is recommended that 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 a Sealaska Heritage Institute arts campus building and plaza.

The approval is subject to the following conditions:

1. Prior to commencement of work, a CBJ Right-of-Way Permit is required for any work being done in the public right-of-way.
2. Prior to issuance of a building permit, a Shared Use Parking Agreement must be approved by the Community Development Department, and must be recorded with the State

Recorder's Office. The parking agreement must state that it may be nullified only when the Director has approved the nullification of the agreement on an instrument that is recorded with the State Recorder's Office.

3. Prior to issuance of a building permit, the developer shall submit to the CBJ Engineering Department a detailed drainage plan that includes provisions for managing storm water run-off during construction and details the drainage facilities to be included as part of the development. No building permit shall be issued until such plans are deemed adequate and approved by the CBJ Engineering Department.
4. Prior to the issuance of a building permit, the applicant shall submit a revised site plan showing snow storage location(s).
5. Prior to issuance of a building permit, the applicant shall submit a lighting plan illustrating the location and type of exterior lighting proposed for the development. Exterior lighting shall be designed and located to minimize offsite glare. Approval of the plan shall be at the discretion of the Community Development Department, according to the requirements of CBJ 49.40.230(d).
6. Prior to issuance of a building permit for the proposed structure, the applicant must submit a revised site plan showing all required parking that complies with the requirements of CBJ 49.40.
7. Prior to issuance of a temporary certificate of occupancy, wheel stops or striping shall be placed in the parking lot to define the location of parking spaces.
8. Prior to the issuance of a temporary certificate of occupancy, all pavement markings, including directional arrows, parking space stripes, and other markings shown on the project site plan, shall be applied to the parking and circulation area as shown on the site plan in a medium designed for such purposes.
9. Prior to the issuance of a temporary certificate of occupancy, one or more covered bicycle racks providing spaces for at least four (4) bicycles shall be provided. The rack(s) shall be permanently affixed to the ground, building, or other permanent fixture, and shall be located so that parked bicycles do not encroach into a pedestrian walkway or vehicle area. Covered bicycle racks shall, at a minimum, be designed in accordance with the standards listed in the Juneau Non-Motorized Transportation Plan.
10. Access to the surface parking lot shall be limited to one (1) curb cut located on Front Street.



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 Property bound by Seward Street, Front Street, and Main Street totaling 23,200 sq.ft., used as parking <i>1 Sealaska Plaza</i>		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) New Subdivision underway <i>TIDELANDS ADDITION BL 77 LT 1-7</i>		
	Parcel Number(s) <i>1070K770010</i>		
	☐ This property located in the downtown historic district		
	☐ This property located in a mapped hazard area, if so, which _____		
	LANDOWNER/ LESSEE		
	Property Owner Sealaska Heritage Institute	Contact Person Russell King	Phone Number(s) (907)-586-9108
	Mailing Address 105 S Seward Street, Juneau, AK 99801	E-mail Address russell.king@sealaska.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 <i>[Signature]</i> _____ Date <i>3-20-20</i> Landowner/Lessee Signature			
X _____ Date _____ Landowner/Lessee Signature			
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 MRV Architects	Contact Person Paul Voelckers	Phone Number(s) (907)-209-1353	
Mailing Address 1420 Glacier Avenue	E-mail Address paul@mrvarchitects.com		
X <i>[Signature]</i> _____ Date of Application <i>3-23-20</i> Applicant's Signature			

DEPARTMENT USE ONLY BELOW THIS LINE

RECEIVED

RECEIVED

MAR 23 2020

MAR 24 2020

PERMIT CENTER/CDD

PERMIT CENTER/CDD

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Intake Initials <i>LEC</i>	Date Received <i>3/24/20</i>
Case Number <i>USE20-07.</i>	



ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

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

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

PROJECT SUMMARY

The Project, for Sealaska Heritage Institute, establishes an Arts Plaza and Instructional Arts Facility in the area of current surface parking shared by Sealaska and SHI. This parking will be replaced and expanded with new underground parking, and 9 surface spots.

TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED

- ☐ Accessory Apartment – Accessory Apartment Application (AAP)
☒ Use Listed in 49.25.300 – Table of Permissible Uses (USE)
 Table of Permissible Uses Category: 4.050, Light Manufacturing ("Manufacturing, Processing, Creating.....Goods")

IS THIS A MODIFICATION or EXTENSION OF AN EXISTING APPROVAL?

☐ YES – Case # _____ ☒ NO

UTILITIES PROPOSED

WATER: ☒ Public ☐ On Site

SEWER: ☒ Public ☐ On Site

SITE AND BUILDING SPECIFICS

Total Area of Lot 23,200 square feet Total Area of Existing Structure(s) 0 square feet

Total Area of Proposed Structure(s) 7,568 sf + 16,830 gar. square feet **23,398SF**

EXTERNAL LIGHTING

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

ALL REQUIRED DOCUMENTS ATTACHED

☒ Narrative including:

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

If this is a modification or extension include:

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

☒ Plans including:

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

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

ALLOWABLE/CONDITIONAL USE FEES

	Fees	Check No.	Receipt	Date
Application Fees	\$ 1,000.00			
Admin. of Guarantee	\$ _____			
Adjustment	\$ _____			
Pub. Not. Sign Fee	\$ 50.00			
Pub. Not. Sign Deposit	\$ 100.00			
Total Fee	\$ 1,150.00			

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Case Number

Date Received

LEC
3/24/20

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

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

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

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

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

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

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

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

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

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

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

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

MRV ARCHITECTS

1420 GLACIER AVENUE, JUNEAU, AK 99801 (907) 586-1371

Project: **Sealaska Heritage Institute - Arts Instruction Plaza**
 Re: Project Description, Conditional Use Application
 To: Laurel Christian, CDD Staff Planner
 By: Paul Voelckers
 Date: March 23, 2020

MRV 2003

This memo provides a general project description and background to support the Conditional Use application for the proposed SHI Arts Instruction Plaza.

Project: SHI, in cooperation with Sealaska Corporation, will redevelop the parking surface parking area between the Soboleff Building and the Sealaska Building into an Arts Instruction Plaza, developing a significant pedestrian plaza bounded by Sealaska Building to the south, Main Street to the West, a new Arts Instruction Building to the North along Front Street, and open to the Soboleff Building along Seward Street.

The Arts Instructional Building will be two stories in height, with four primary art workshops, and ancillary support areas. The instructional areas will include a wood carving area and weaving area on the first floor. Both will include operable doors which can be opened to the plaza in good weather. The upper level will include instructional areas for metal arts, and graphic arts. Support spaces will include digital work rooms, and resident artist offices.

Property: The project will be located in the area of the current surface parking lot adjoining the Sealaska Building. The property is currently composed of seven small lots which belong to Sealaska Corporation. Until recently, the property was believed to be a single lot, with the seven smaller lots consolidated many decades ago. That replat was never officially executed, a detail which until recently was unknown to either Sealaska Corporation or to the CBJ.

Sealaska Corporation is in the process of executing a subdivision which will consolidate the seven parcels into two parcels. One of the parcels will match the area intended for the Arts Instruction Plaza, and the other parcel will conform to the site and building currently used by the Sealaska Building.

As part of the replat, the parcel for the Instructional Arts Plaza will be deeded to SHI, totaling approximately 23,200 sq.ft. The Arts Instruction Plaza includes a covered canopy element which will partially overlap the Sealaska Building property, requiring a joint-use agreement between SHI and Sealaska Corporation. Sealaska and SHI understand that a building permit for construction activities cannot be granted until the replat process has been completed.

Current Land Use: The site for the Arts Plaza is the current surface parking for Sealaska Corporation and SHI. The shared parking lot was approved as part of the 2012 permit for the Walter Soboleff Building. It includes 45 parking spaces, drive lanes, and limited landscape buffers.

Project Description: The main project elements include a substantial below-grade parking area which provides new parking to replace 40 of the current above-grade parking lot. This lot will connect with the existing basement parking at the Sealaska Building. A new parking lot access ramp will be provided in a safer location further up Main Street, and the existing garage access ramp in-filled.

Nine spaces for parking above grade will be provided, with van aisle ADA access. That parking will be accessed from Main Street, with an exit onto Front Street. Total parking with the basement and surface parking totals 49, exceeding the new calculated parking requirement. See separate memo from Lee Kadinger, SHI, describing details of the arts instruction that will occur with new facilities. See separate MRV memo providing a detailed parking analysis.

The other major elements include a new pedestrian plaza (above the buried parking) that provides public assembly areas, and a new two-story building along Front Street for a Native Arts instruction totaling 7,568 sq.ft. A large covered pavilion located closer to Sealaska Building is desired, but may not be constructed at this time due to budget constraints. It will provide a 55' x 55' covered space for flexible all-weather event use in the plaza.

Design Features: The buildings will be finished and detailed similar to the Walter Soboleff Building, with yellow cedar as the predominant finish material, with glass areas and copper accents. A glass canopy will be provided along three sides of the Arts building. A glass canopy will also be provided between the Arts building and the Sealaska Building, creating an attractive pedestrian link. The walkway has sufficient width to incorporate artist work and sales spaces along the walkway.

The plaza will be finished with concrete pavers over a structural concrete roof structure. The plaza will have a general gentle slope toward Front Street, with surface run-off captured through the use of trench drains along the interior plaza frontage of the Arts building. That drainage will be consolidated with piped roof drainage, perimeter drainage, and garage drainage to a sump pump basin, which is then pumped to CBJ drainage piping in Front Street.

Site lighting has not yet been designed. Existing sidewalk lighting will be replaced by new fixtures, or met with lighting integrated with new canopy lighting. Lighting will be managed to avoid glare, and spill projecting off-site. Details of lighting will be incorporated with the final permit drawings.

Compliance with Comprehensive Plan: The Instructional Arts Plaza aligns very well with the Comprehensive Plan for downtown, as well as more recent documents such as the Vision component for *Blueprint Downtown*.

Positive aspects include a focus on pedestrian spaces, creation of year-round economic and cultural vitality, and reducing the negative impact caused by significant surface parking lots. The new plaza, with its focus on pedestrian amenities, and use of positive urban planning steps like covered canopies, will help vitalize the downtown cultural center, provide increased economic activity, and emphasize cultural and community values.

MRV ARCHITECTS

1420 GLACIER AVENUE, JUNEAU, AK 99801 (907) 586-1371

Project: **Sealaska Heritage Institute - Arts Instruction Plaza**
 Re: Property Line Replat, SHI and Sealaska Properties
 To: Laurel Christian, CDD Planner; Lee Kadinger, SHI; Murray Walsh, Sealaska
 Cc: Russell King, SHI; Heath Barqer, Sealaska
 By: Paul Voelckers
 Date: April 10, 2020

MRV 2003

This memo identifies resolution of property line boundaries for the Sealaska Heritage Institute (SHI) property, intended to be utilized for the new SHI Arts Instruction Plaza. The property is currently owned by Sealaska Corporation, and generally used for surface parking. Portions will be replatted and ownership transferred to SHI to create a new lot for plaza development.

Thorough this process, the existing Sealaska property was found to consist of seven individual lots which have never been platted into an accepted single parcel. Consolidating the seven lots will also be accomplished as part of the replat necessary to establish the SHI Arts Instruction parcel. The end result will be a new plat with two lots roughly equal in size, owned by SHI and Sealaska.

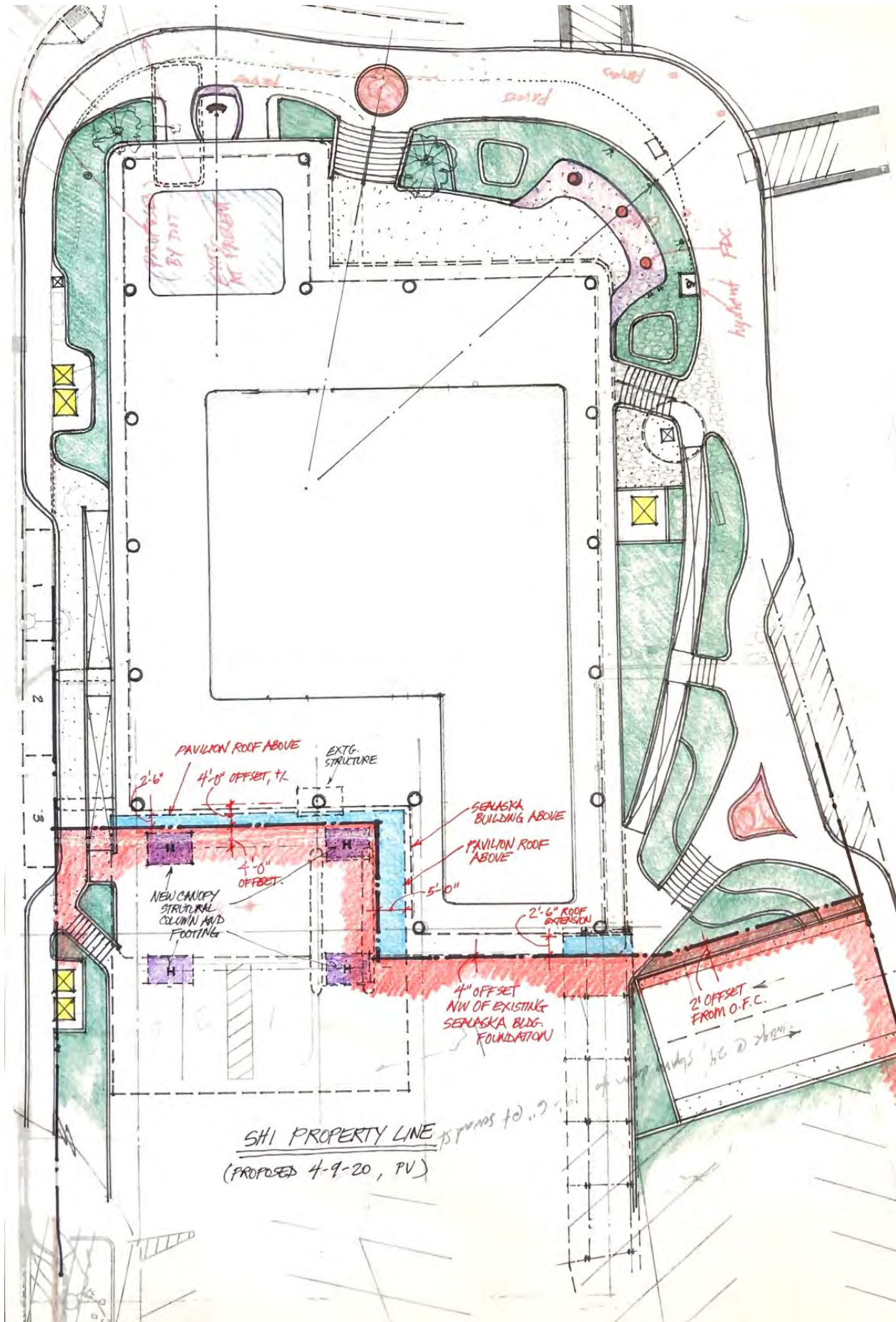
The property line between the new SHI Arts Plaza parcel and the remaining Sealaska parcel has been revised from earlier MRV drawings. A new property line location has been identified per attached drawings, illustrating both the plaza level and garage level. This revised location captures the four major columns supporting the SHI pavilion within SHI property. Previously, two columns had occurred within Sealaska property, creating a non-conforming situation.

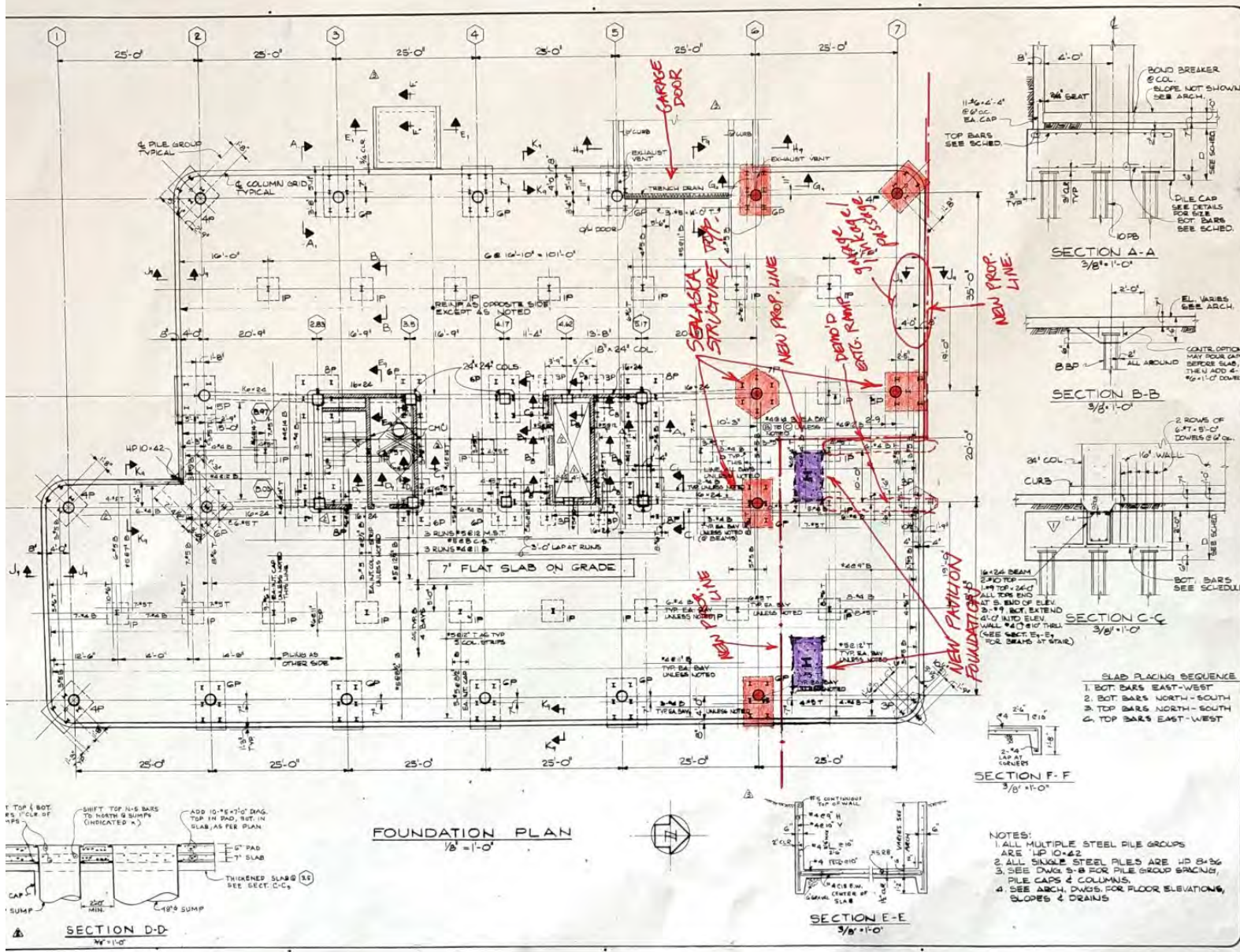
Portions of the existing basement (currently used for storage) will now be transferred to SHI ownership, as shown in the basement property line drawing. Primary structure for both Sealaska and the SHI pavilion are thus entirely separated. Limited demolition will occur for the pavilion construction, including removal of portions of the existing plaza deck, and installation of new foundations and columns in the SHI basement portion. Even though this corner will be owned by SHI, an agreement will be made for Sealaska to continue to use the area for storage.

Two additional conditions exist, with resolution as follows. As shown on the attached plaza plan, some encroachments by roof features associated with the SHI development will extend across the Sealaska property line. These include the end of the pedestrian covered canopy, and portions of the pavilion roof. These limited encroachments, shown in a blue tone, will be permitted through a maintenance easement agreed to by the parties, and included as a plat note.

The other issue concerns access to the below-grade parking structures. A single new entrance ramp is proposed on SHI property, serving both the existing garage portion and the new garage underlying the SHI plaza development. The existing Sealaska ramp will be removed and in-filled, allowing a bus drop-off to be created in that area.

Access to the Sealaska garage portion will require a driveway easement between the two parties. Such agreements have been implemented in other relevant projects within the Borough.





a
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ARCHITECTS
P.O. BOX 310
JUNEAU, ALASKA
99802 (907) 588-1070

TRA
THE RICHARDSON ASSOCIATES
ASSOCIATED ARCHITECTS
215 COLUMBIA
SEATTLE, WASHINGTON
98104 (206) 882-1133

NUMBER _____
DATE JULY 27 1976 _____
DRAWN K. FREEMAN _____
CHECKED B. ST. GERMAN _____
REVISIONS _____

NO.	DATE	DESCRIPTION BY
1	7/27/76	AS NOTED
2	7/27/76	AS NOTED
3	7/27/76	AS NOTED
4	7/27/76	AS NOTED



TITLE _____
SHEET NO. **S-1**
OF 13 IN CATEGORY 7
AS BUILT

MISSIN
53,5



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

SHI Arts Plaza

Case Number: PAC20200013

Applicant: Spencer Stekoll

Property Owner: Sealaska Corporation

Property Address: 1 Sealaska Plaza

Parcel Code Number: 1C070K770010

Site Size: 45,732 Square Feet

Zoning: MU

Existing Land Use: Office Building / Parking

Conference Date:	3/4/2020
Report Issued:	3/13/2020

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
Spencer Stekoll	Applicant	spencer@mrvarchitects.com
Chris Gilberto	Applicant	cgilberto@dawson.com
Kendall Nielsen	Applicant	knielsen@dawson.com
Russell King	Applicant	russell.king@sealaska.com
Paul Voelckers	Applicant	paul@mrvarchitects.com
Laurel Christian	Planning	laurel.christian@juneau.org
John Young	Building	john.young@juneau.org
Autumn Sapp	General Engineering	autumn.sapp@juneau.org
Sven Pearson	Fire	sven.pearson@juneau.org
Kyle Paw	Permit Tech	kyle.paw@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.

Applicant plans to construct a new arts campus and perform a subdivision to separate the new building from the existing Sealaska Plaza building. The Conditional Use Permit and Minor Subdivision application processes were discussed at the pre-app and covered in these pre-app notes.

Planning Division

1. **Zoning** – Mixed Use Zoning District (MU).
2. **Dimensional Standards (for the subdivision)** – Minimum lot size 4,000 square feet; minimum lot width 50'; minimum lot depth 80'.
3. **Setbacks** – 0' setbacks on all sides.
4. **Height** – No maximum building height.
5. **Lot Coverage** – No maximum lot coverage.
6. **Vegetative Coverage** – No vegetative cover required.
7. **Subdivision** – According to plat no. 340 Juneau Recording District, the parcel is actually made up of 7 individual lots. Staff has found no evidence that a lot consolidation was approved by CBJ or filed with the State Records Office. If the applicant can produce information that supports a lot consolidation, staff would review the materials.
 - a. **Buildings cannot cross interior property lines even when the parcels are owned by one person.**
No building permit can be issued until the lots are consolidated.
8. **Access** – Parcel is bordered by 4 ROWs. Vehicular Access is currently provided through Main Street and Seward Street.
 - a. Easements for access should be provided where shared points of access are proposed.
9. **Parking & Circulation** – Parking is calculated based on use. A parking schedule should be included with the application describing how many square feet is dedicated to each use and how many parking spaces are required.
 - a. Parking District 1 (PD1): Parcel is in the PD1 parking district. Parking requirements do not apply to the existing building on the site. Parking for the new building on the site will be reduced by 60%, this includes standard parking spaces and off-street loading spaces.
 - b. Fee in Lieu (FIL) – Parcel is located in the Downtown Fee in Lieu of Parking District. If the applicant cannot meet parking requirements, they can apply for FIL of parking.
 - c. **Because the parcel is in the PD1 and FIL parking districts, the applicant cannot apply for a Parking Waiver.**
 - d. The number of required ADA accessible spaces will be calculated based on the total number of spaces required for the lot.
 - e. The existing parking lot on the site provides parking for the neighboring Sealaska Walter Soboleff Heritage Center. According to USE2013 00012, 32 spaces were required for the Soboleff Center after the PD1 reduction. These parking spaces must remain available to the Soboleff Center.

- i. If these are not available during construction, the applicant should discuss where temporary parking spaces can be provided.
- 10. **On-street Parking Spaces** – The permanent removal of any on-street parking spaces requires a City-State Project (CSP) review by the Planning Commission and Assembly. It should be noted/shown in the application materials how many spaces the request is for.
- 11. **Historic District** – The parcel is not located in the Downtown Historic District, however; Front Street abutting the parcel is within the district.
- 12. **Canopies & Awnings** – See CBJ 49.15.800 for standards.
- 13. **Lighting** – Applicant should submit a lighting plan with the application that demonstrates the type and location of proposed lighting. All lighting shall be “full cut-off design”.
- 14. **Construction Staging Area** – Temporary construction staging areas may require a separate Conditional Use Permit, depending on the zoning district and site size. See TPU USE Category 10.400.
- 15. **Flood** – Not in the flood hazard area.
- 16. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – No known at this time.
- 17. **Wetlands** – No known at this time.
- 18. **Habitat** – (Eagle – remind applicant to check with Feds; Riparian, etc.) – No known at this time.
- 19. **Plat or Covenant Restrictions** – No known at this time.

Building Division

- 20. **Building** – Plans will be reviewed during building permit review.
- 21. **Outstanding Permits**
 - a. BLD20190029 – Interior remodel to add a wall, including electrical
 - b. BLD20180565 – New coffee kiosk
 - c. BLD20180176 – Interior remodel to create employee break room and access corridor
 - d. BLD20160530 – Domestic water pipe replacement, and bathroom remodel on first floor
 - e. BLD20160003 – Direct replacement of generator
 - f. BLD20150513 – Upgrade mechanical, modify HVAC, and miscellaneous electrical

General Engineering/Public Works

- 22. **Engineering** –
 - a. For the conditional use permit application, please submit a compete proposal of modifications to the right-of-way. The plan shall include all true dimensions of the street, sidewalk, curb, gutter, street lighting, on-street parking, and any other improvements within the rights-of-way. Any improvement or parking space within the right-of-way that is proposed to be removed or modified shall be included and identified as such.
 - b. **Easements:** Site plan (plat) shall include all existing (and proposed) easements for drainage, utility lines including plumbing lines, access, snow storage, trash (dumpster) storage, or any other shared use that requires crossing the property line.
 - c. **Agreements:** A maintenance and hold harmless (of CBJ) agreement will need to be drafted, signed, and recorded for all shared infrastructure for the development, e.g. driveway, water, sewer, etc.

- d. **Right-of-way work:** At time of application for site construction, a professional stamped and signed plan shall be submitted for all roadway modifications such as driveways and sidewalks. Once the construction plan is approved, CBJ will create the ROW permit. Inspection fees, refundable bond amount, and conditions will be determined after review of the proposed construction plan.
 - e. **Right-of-way closures:** Traffic control plans shall be developed by a certified traffic control supervisor and submitted to the CBJ Permit Center a minimum of 72 hours prior to any traffic modifications.
23. **Drainage** – With preliminary plat submittal, submit a drainage plan (does not need to have a professional stamp at this point) indicating how drainage from the proposed subdivision will join an established drainage channel or structures. Easements must be provided on the plat for all established drainage ways or any proposed drainage ways that cross any current or future abutting property lines.

At the time of building permit application a full Alaska licensed engineered grading plan shall be submitted and shall include storm drain tie-in locations. The plan shall adhere to CBJ Manual of Stormwater Best Management Practices. In addition to permanent stormwater BMPs a plan for temporary stormwater BMPs shall also be included and shall address the different stages of construction.

24. **Utilities** – (water, power, sewer, etc.)

- a. A minimum of 1" water service and 4" sewer service will need to be installed to the property line of the newly created lot within one-year of recording of the plat. At the time of preliminary plat submittal, please submit a construction plan for the new utilities. The submittals must meet current CBJ Standards and Specifications. The plan needs to include pipe locations, type, sizing, for both water and sewer and grades for sewer to indicate appropriate fall will be achieved. The construction plan can be shown on an existing as-built drawing that also includes existing features such as structures and other existing utilities.

The following permits will need to be obtained to provide utilities to the property line of newly created lot:

- b. **CBJ right-of-way (ROW) permit-** Once the construction plan for the utilities is approved, CBJ will create the ROW permit. The permit will allow the tapping of the water and sewer mains, water and sewer service installation, and road restoration within the right-of-way. Inspection fees, refundable bond amount, and conditions will be determined after review of the proposed construction plan. The extension of the utilities within the property will require further permitting and fee assessments. This process is done separately from the subdivision and typically in conjunction with the building permit application.
- c. At the time of the building permit application submit signed mechanical engineer plans for the following work within the private property:
 - i. **Water Utility permit** – for the water/fire line to be installed to the new structure. The line sizing is determined by the engineer. The meter is required to be installed prior to any branches in the plumbing line. The meter location and sizing shall be shown on the mechanical plans. See the attached CBJ Standard Detail 420, Meter Installation, for meter clearances and conduit installation requirements for the remote read-out (MIU) installation. The meter installation and conduit installation is the responsibility of the applicant. A water assessment will need to be paid and will be determined after sizing of meter and domestic line are identified.
 - ii. **Sewer Utility permit** – for the sewer line to be installed to the new structure. The line sizing is determined by the engineer. The mechanical plans shall include a drainage

fixture unit (DFU) count. A sewer assessment and inspection fees will need to be paid and will be determined after review of the DFU's and the configuration of the underground sewer line.

Fire Marshal

25. **Fire Items/Access** – Will review and comment during plan review process.

Other Applicable Agency Review

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

List of required applications

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

1. Conditional Use Permit Application
2. Development Permit Application
3. Minor Subdivision Application

Additional Submittal Requirements

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

1. A copy of this pre-application conference report.
2. Preliminary Plat Checklist (to accompany the subdivision application)
3. As-built survey showing existing building in relation to proposed property lines (to accompany the subdivision application)

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. NA

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 Fee – \$750.00
2. Public Notice Sign Fee - \$50.00 plus \$100.00 refundable deposit
3. Minor Subdivision Fee – \$110.00 plus \$25.00 for each lot changed
 - a. This fee applies since the existing parcel would go from 7 lots to 2 lots.
4. ROW Permit (work within the ROW and will apply for each submittal of ROW work):
 - a. \$10 permit fee
 - b. Inspection fees - \$60 per inspection trip or hour, will be determined at time of construction plan review

- c. Refundable bond – will be determined at time of construction plan review. Can be paid in the form of cash, check, surety, or conveyance.
 - d. Bond fee – dependent on type of bond payment.
5. Water Utility Permit (work within private property):
- a. Water assessment fee based on the domestic line size and will be determined during plan review. Covers the cost of permit issuance, issuance of meter, and MIU installation.
 - b. \$750.00 -Fire Line. Covers the cost of inspection and testing.
6. Sewer Utility Permit (work within private property):
- a. Based on DFU and will be determined at time of plan review.
 - b. \$60.00 per inspection or trip, will be determined at time of construction 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

SEALASKA HERITAGE ARTS CAMPUS

For
Sealaska Heritage Institute

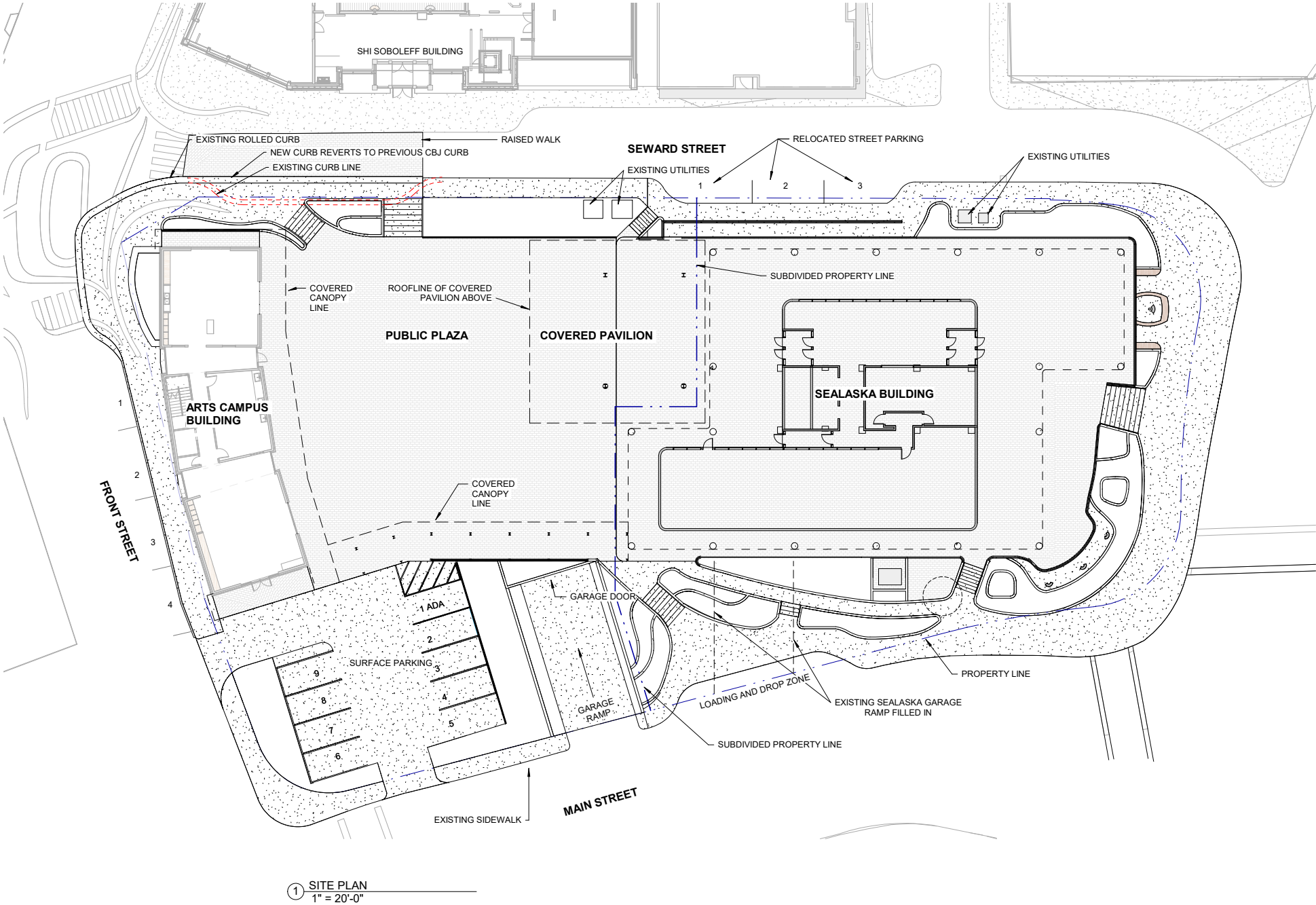


SHEET #	NAME
-	COVER
A1	SITE PLAN
A2	GARAGE PLAN
A3	SITE SECTION
A4	BUILDING PLAN 0
A5	BUILDING PLAN 1
A6	BUILDING PLAN 2
A7	BUILDING SECTIONS
A8	BUILDING SECTION ENLARGEMENT
A9	BUILDING ELEVATIONS
A10	PAVILION SECTION
A11	SITE DRAINAGE PLAN
A12	SEWARD CORNER 3D
A13	SEWARD ST 3D



MRV
ARCHITECTS
ARCHITECTURE PLANNING INTERIORS

CONCEPT DRAWINGS
MARCH 23, 2020



MRV ARCHITECTS
1420 GLACIER AVE. #101
JUNEAU, AK 99801
907-586-1371
FAX 907-463-5544
mrv@mrvarchitects.com

SCHEMATIC DOCUMENTS

SEALASKA HERITAGE ARTS CAMPUS

Sealaska Heritage Institute

No.	Description	Date

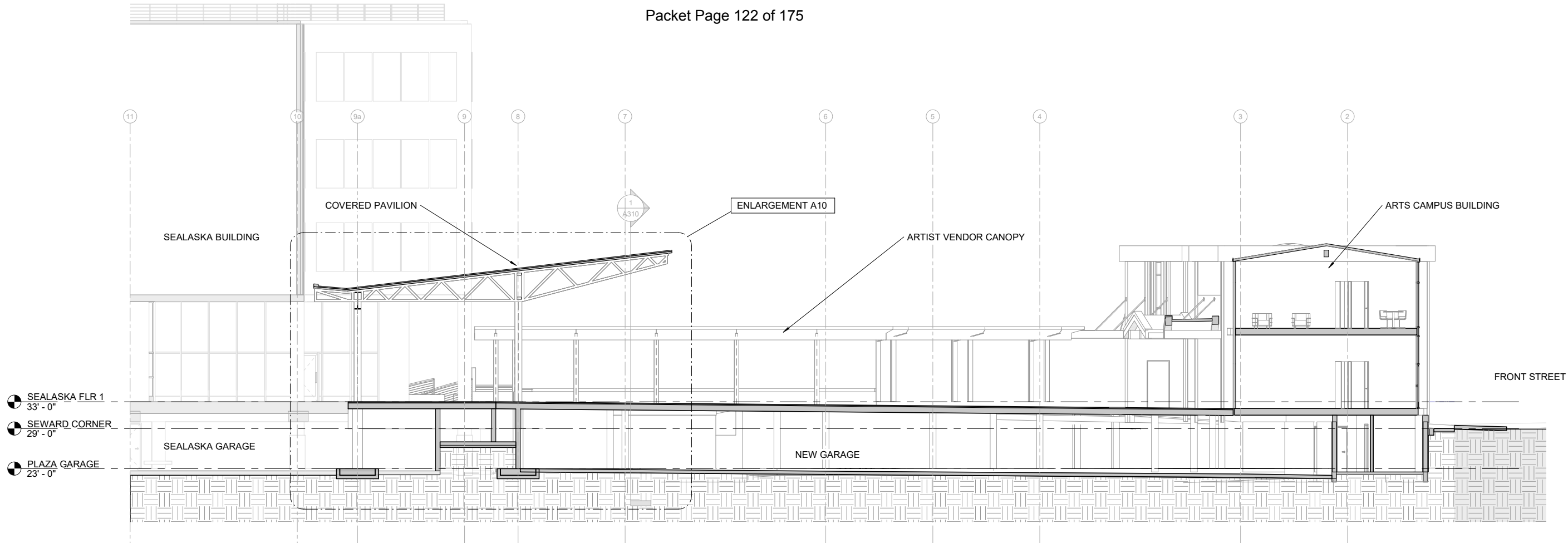
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SITE PLAN,
GENERAL

DATE: 04.14.2020

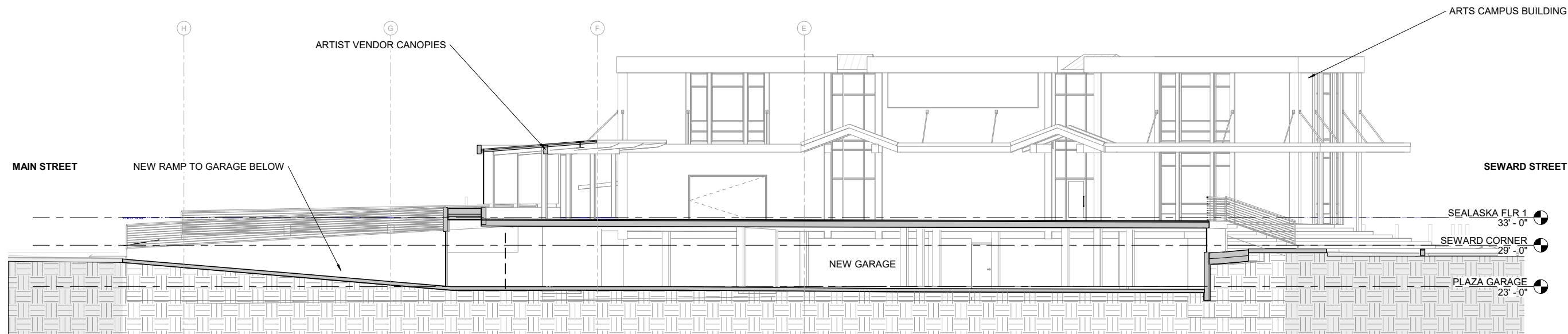
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SHEET NO.
A100

NORTH
NOTE: 11"x 17" PRINT IS HALF SIZE



1 N-S SECTION
1/8" = 1'-0"



2 E-W SECTION AT RAMP
1/8" = 1'-0"

Attachment B - Project Drawings

NOTE: 11"x 17" PRINT IS HALF SIZE



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907-586-1371
FAX 907-463-5544
mrv@mrvarchitects.com

CONCEPT DOCUMENTS

SEALASKA HERITAGE ARTS CAMPUS

Sealaska Heritage Institute

No.	Description	Date

SHEET TITLE:
SITE SECTIONS

DATE: 03.23.2020

DRAWN: MRV

CHECKED: PV

SHEET NO.

A3



MRV ARCHITECTS
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CONCEPT DOCUMENTS

SEALASKA HERITAGE ARTS CAMPUS

SEALASKA HERITAGE INSTITUTE

No.	Description	Date

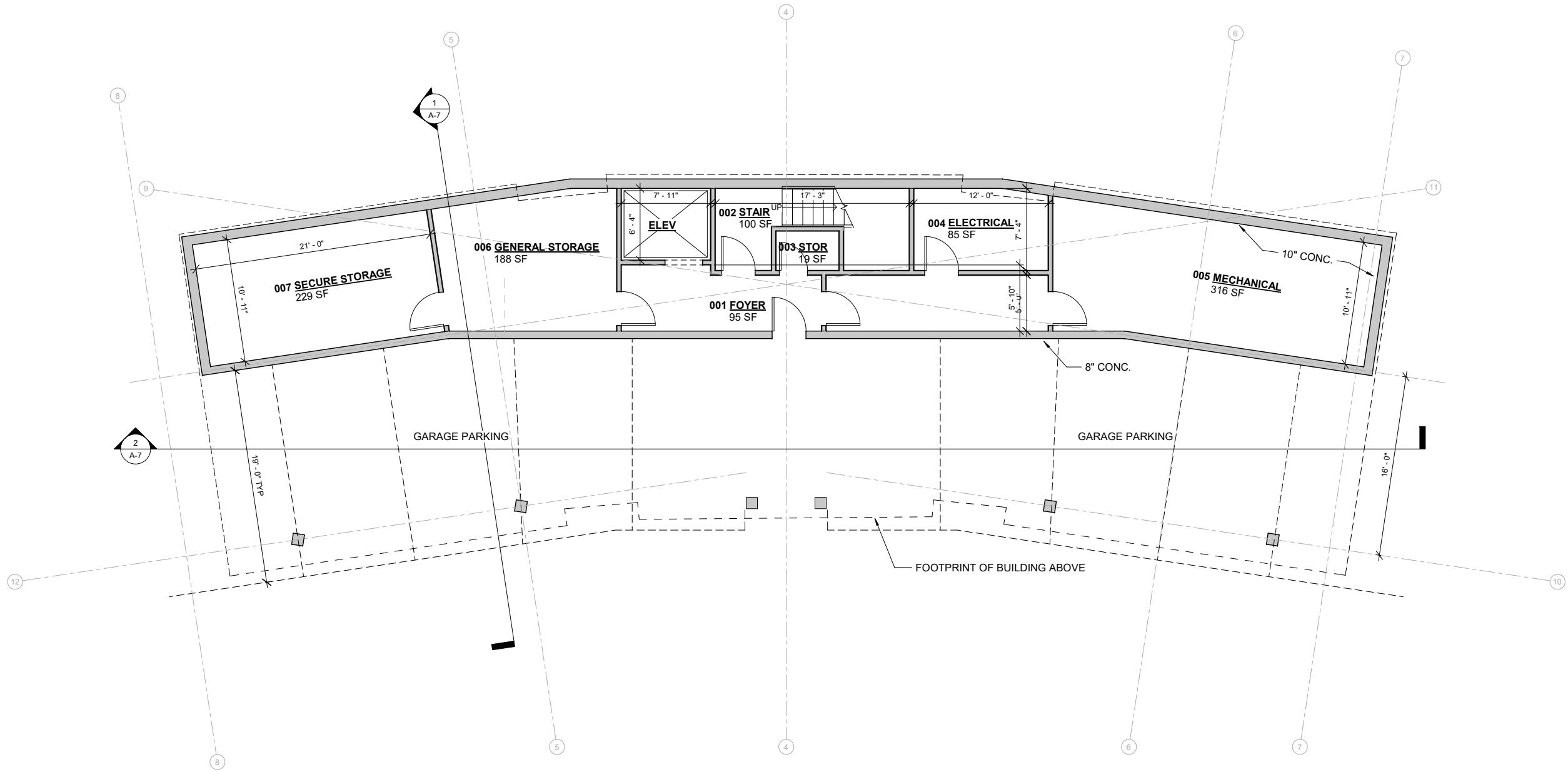
SHEET TITLE:
BASEMENT PLAN

DATE: 03.23.2020

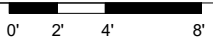
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SHEET NO.

A4



1 BASEMENT
3/16" = 1'-0"



TOTAL SF: 1318



NOTE: 11"x 17" PRINT IS HALF SIZE



MRV ARCHITECTS
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MRV 2003

CONCEPT DOCUMENTS

SEALASKA HERITAGE ARTS CAMPUS

SEALASKA HERITAGE INSTITUTE

No.	Description	Date

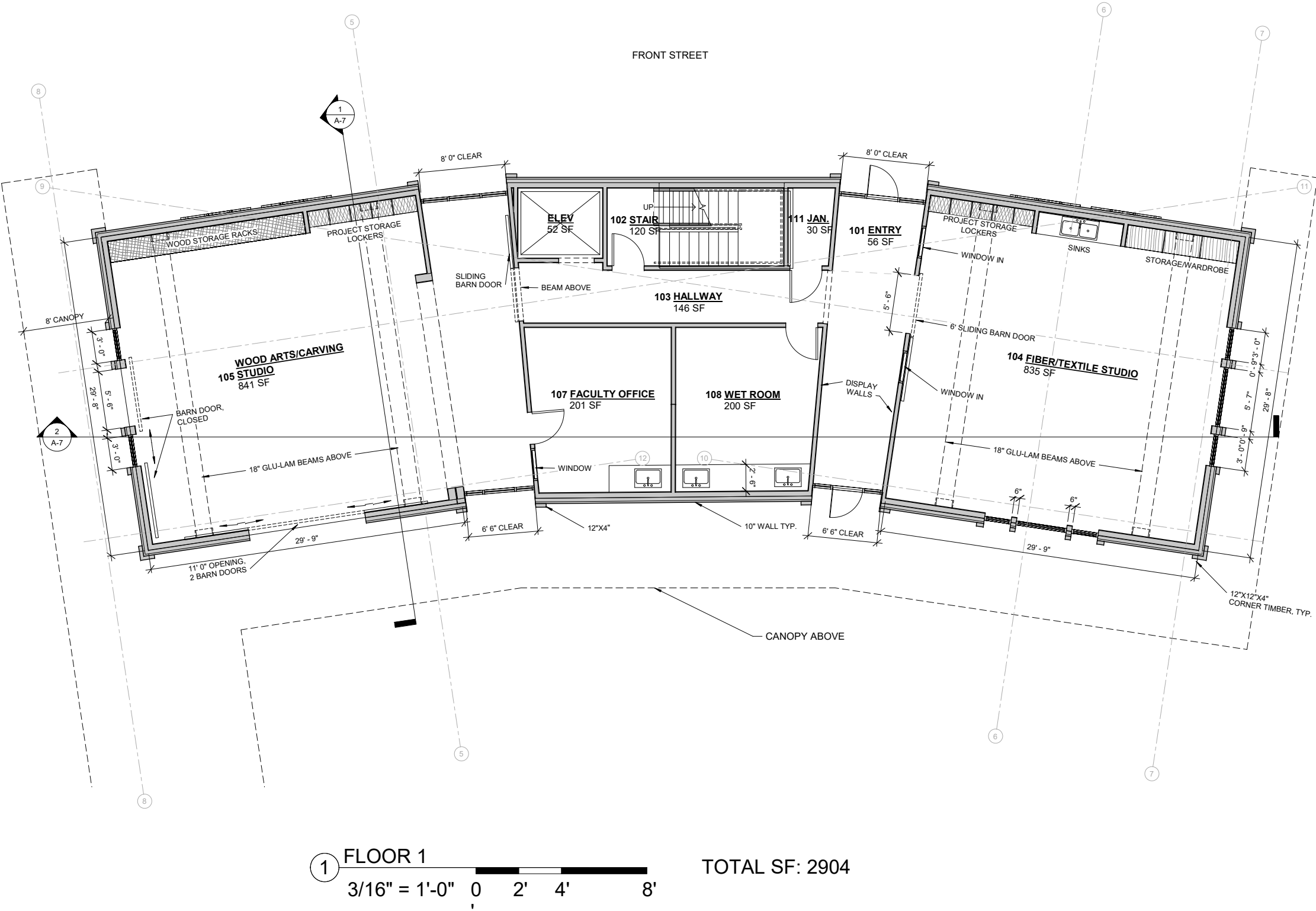
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FLOOR PLAN 1

DATE: 03.23.2020

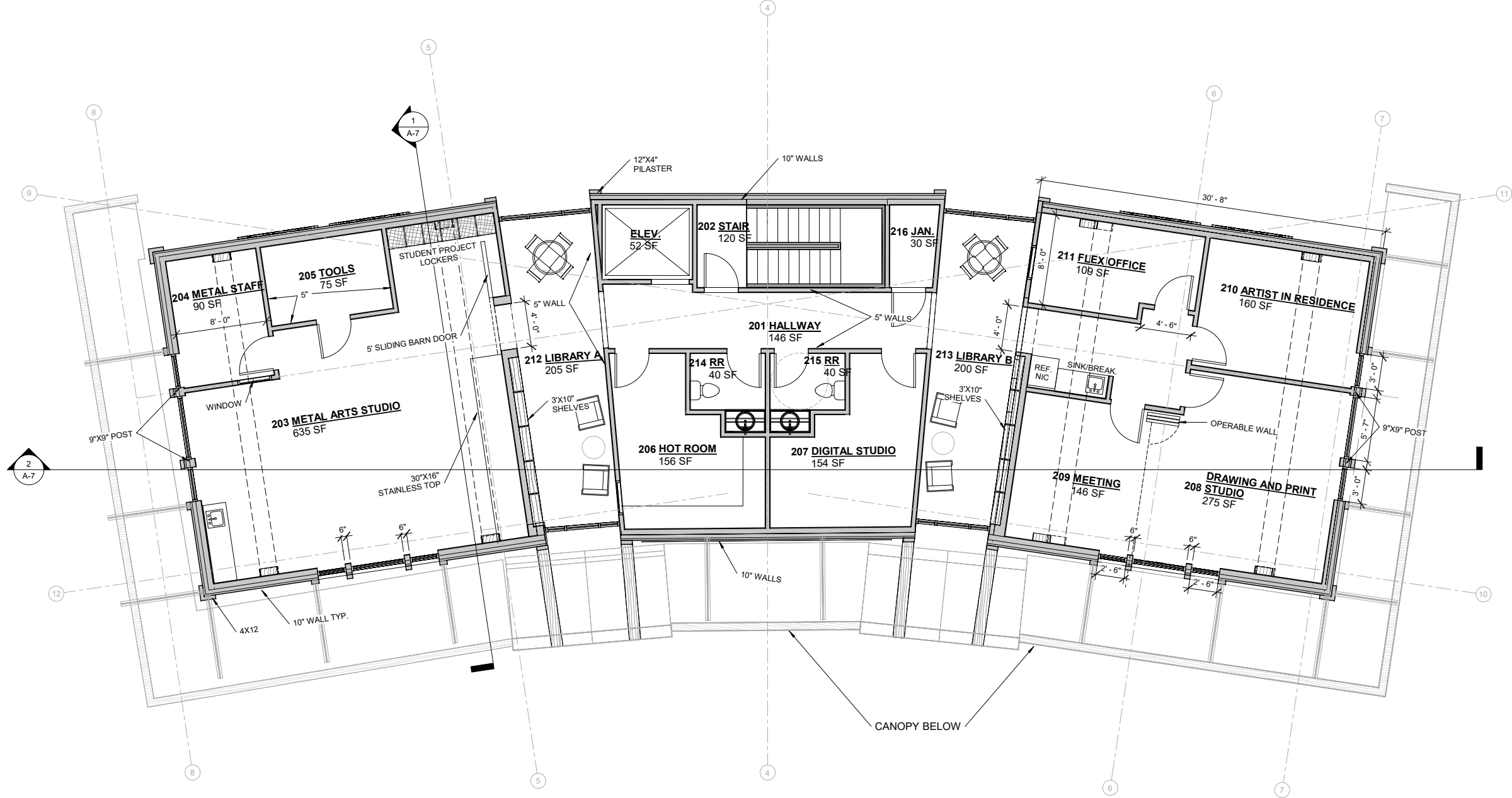
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SHEET NO.

A5



NOTE: 11"x 17" PRINT IS HALF SIZE



1 FLOOR 2
3/16" = 1'-0" 0 2' 4' 8'

TOTAL SF:2903



NOTE: 11"x 17" PRINT IS HALF SIZE



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mrv@mrvarchitects.com

CONCEPT DOCUMENTS
**SEALASKA HERITAGE ARTS
CAMPUS**
SEALASKA HERITAGE INSTITUTE

No.	Description	Date

SHEET TITLE:
FLOOR PLAN 2

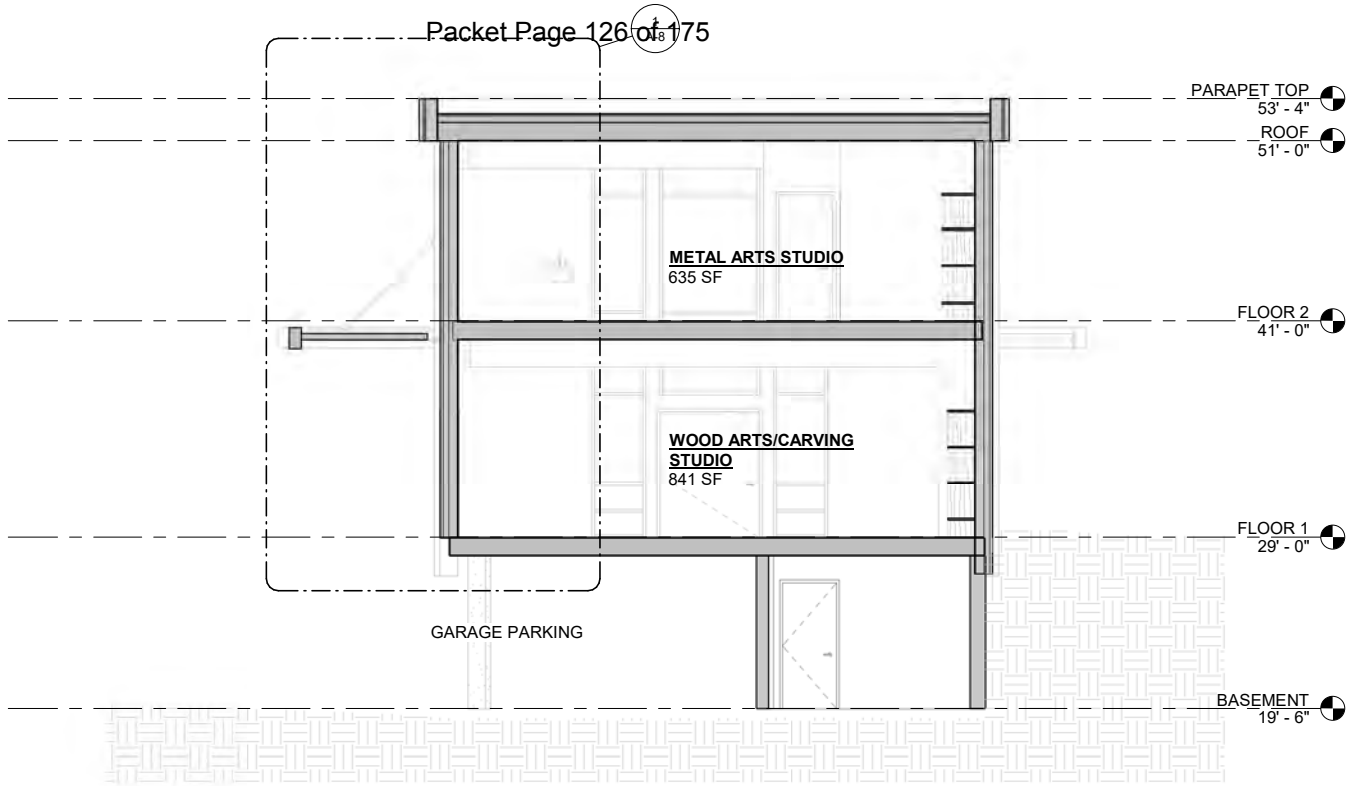
DATE: 03.23.2020

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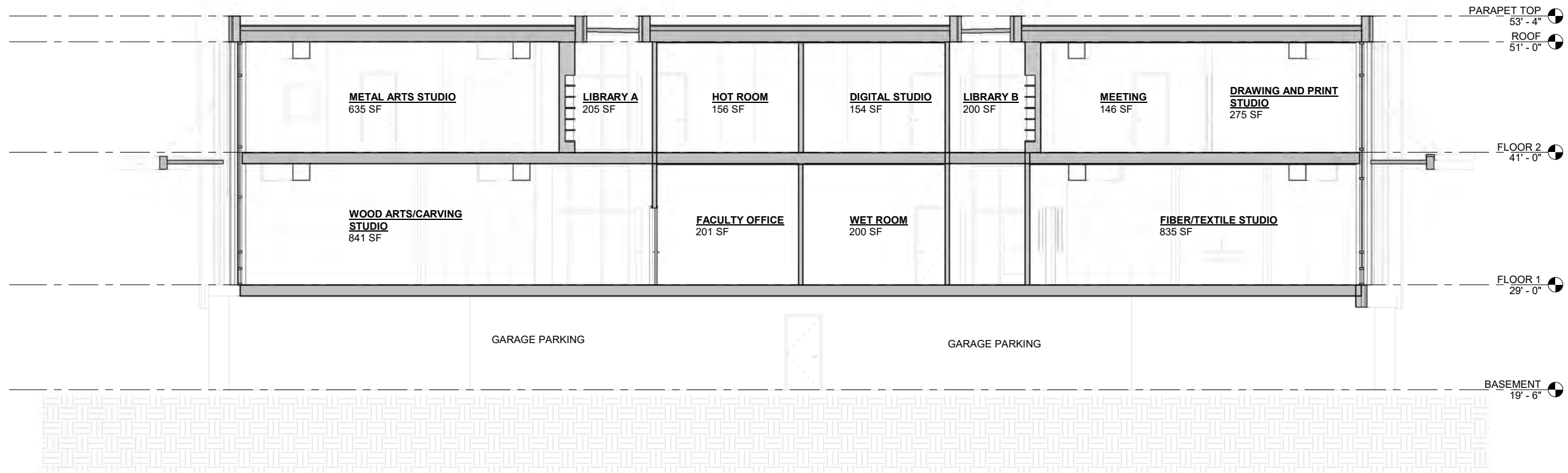
SHEET NO.

A6

C:\Users\stefol\OneDrive\Dropbox\MRV DATA\2020\2003 SHI Art Plaza\REVIT\RAISED PLAZA VERSION\SHI ARTS CAMPUS BUILDING_RAISED.rvt 3/24/2020 11:39:49 AM



① WEST SECTION
3/16" = 1'-0" 0 2' 4' 8'



② OVERALL SECTION
3/16" = 1'-0"



MRV ARCHITECTS
1420 GLACIER AVE. #101
JUNEAU, AK 99801
907-586-1371
FAX 907-463-5544
mrv@mrvarchitects.com

CONCEPT DOCUMENTS

SEALASKA HERITAGE ARTS
CAMPUS

SEALASKA HERITAGE INSTITUTE

MRV 2003

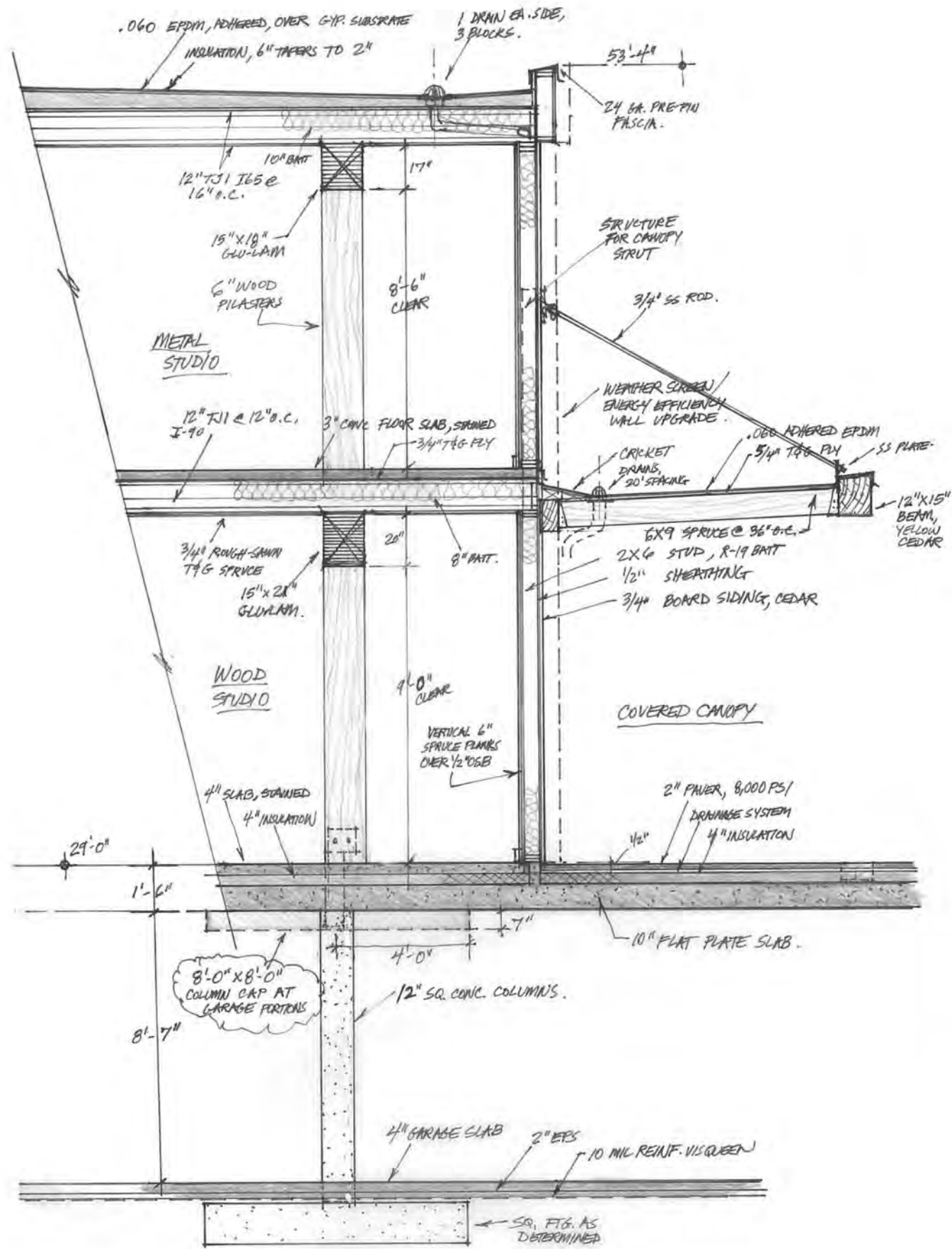
No.	Description	Date

SHEET TITLE:
BUILDING
SECTIONS

DATE: 03.23.2020

DRAWN: MRV
CHECKED: PV

SHEET NO.



ART INSTRUCTION BUILDING SECTION

3/8" = 1'-0" 1-16-2020
Attachment B - Project Drawings



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CONCEPT DOCUMENTS

SEALASKA HERITAGE ARTS CAMPUS

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No.	Description	Date

SHEET TITLE:
SECTION
ENLARGEMENT

DATE: 03.23.2020

DRAWN: MRV
CHECKED: PV

SHEET NO.

A8

NOTE: 11"x 17" PRINT IS HALF SIZE



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MRV 2003

CONCEPT DOCUMENTS

SEALASKA HERITAGE ARTS CAMPUS

SEALASKA HERITAGE INSTITUTE

No.	Description	Date

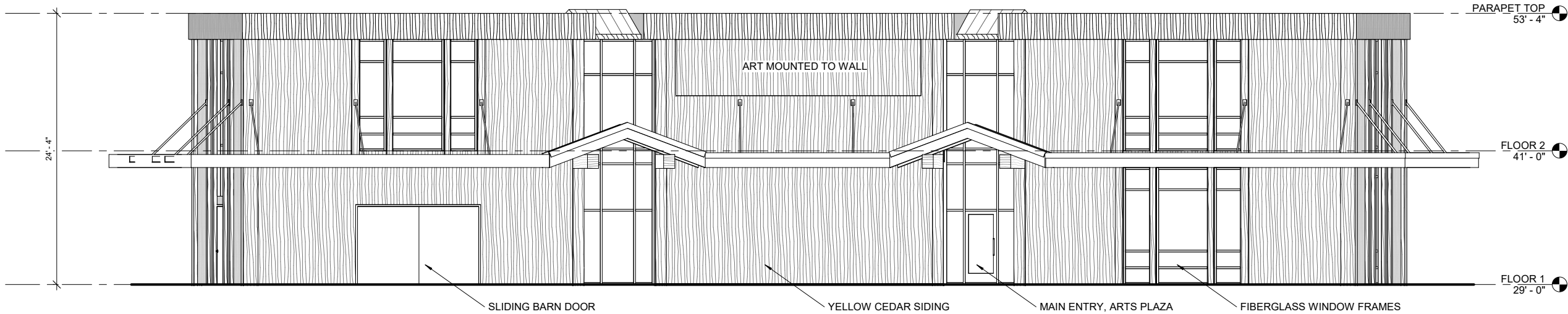
SHEET TITLE:
BUILDING
ELEVATIONS

DATE: 03.23.2020

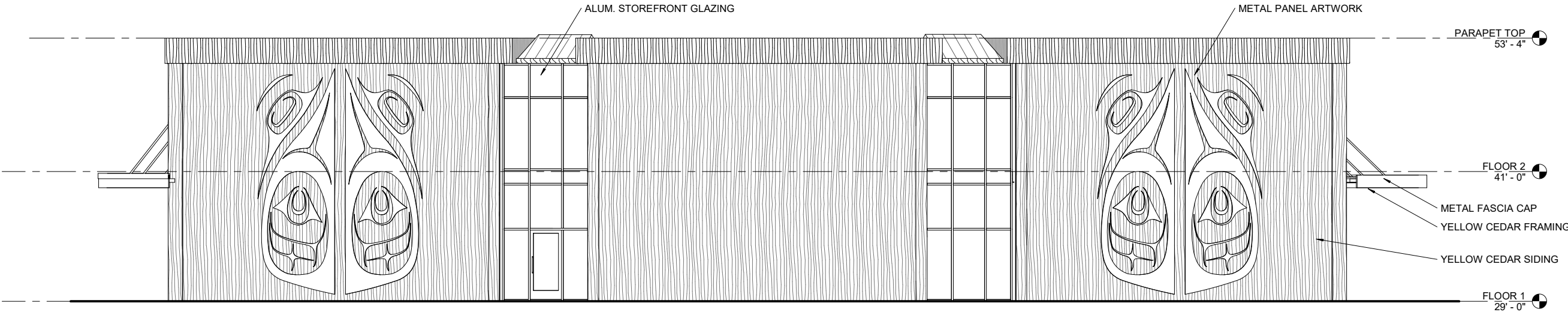
DRAWN: MRV
CHECKED: PV

SHEET NO.

A9



1 SOUTH ELEVATION
3/16" = 1'-0" 0 2' 4' 8'



2 NORTH ELEVATION
3/16" = 1'-0" 0 2' 4' 8'

NOTE: 11"x 17" PRINT IS HALF SIZE

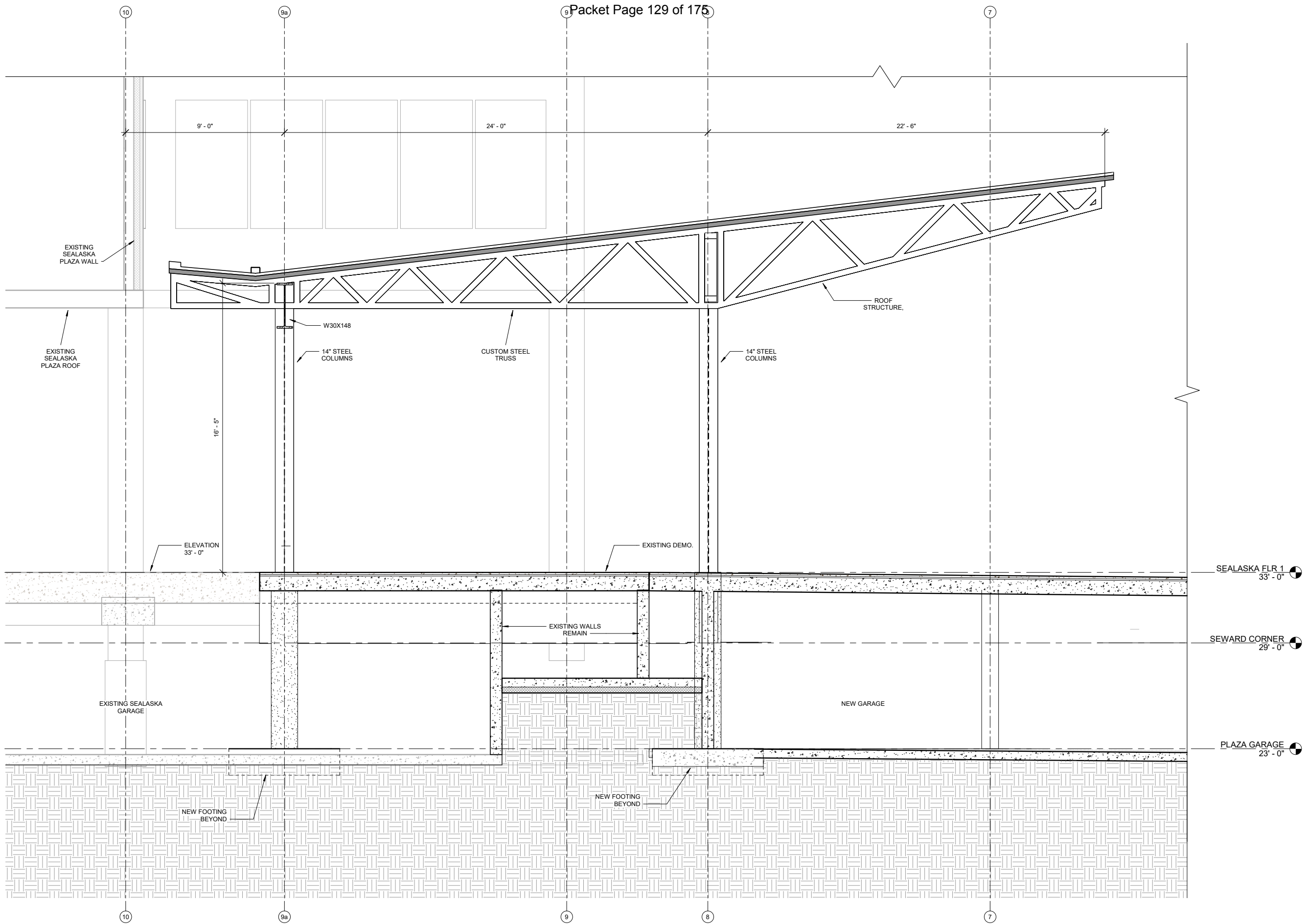
MRV 2003

	Description	Date

SHEET NO.

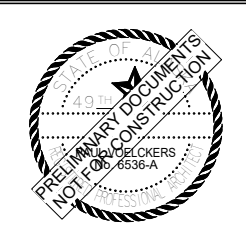
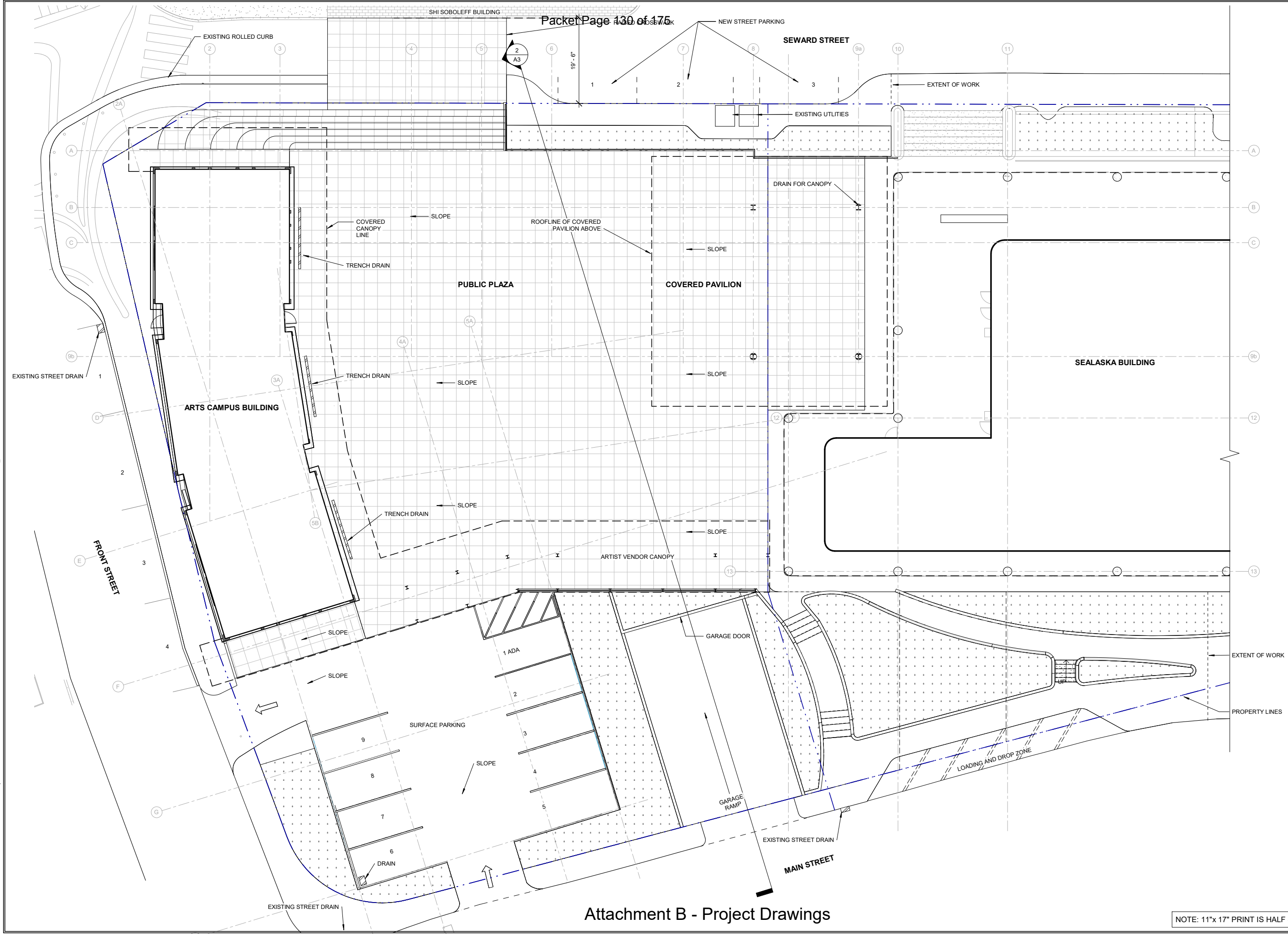
A10

NOTE: 11"x 17" PRINT IS HALF SIZE



① COVERED PAVILLION SECTION
3/8" = 1'-0"

C:\Users\stefol\OneDrive\Dropbox\MRV DATA\2020\2003 SHI Art Plaza\REVIT\RAISED PLAZA VERSION\SHI ARTS CAMPUS ELEVATED GARAGE CENTRAL_detached.rvt 3/24/2020 11:13:33 AM



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CONCEPT DOCUMENTS

SEALASKA HERITAGE ARTS
CAMPUS

Sealaska Heritage Institute

MRV 2003

No.	Description	Date

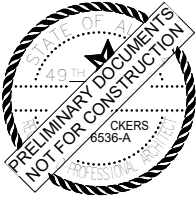
SHEET TITLE:
SITE DRAINAGE
PLAN

DATE: 03.23.2020

DRAWN: MRV
CHECKED: PV

SHEET NO.
A11

NOTE: 11"x 17" PRINT IS HALF SIZE



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mrv@mrvarchitects.com

CONCEPT DOCUMENTS

SEALASKA HERITAGE ARTS CAMPUS

Sealaska Heritage Institute

No.	Description	Date

SHEET TITLE:
RENDERS

DATE: 03.23.2020

DRAWN: MRV
CHECKED: PV

SHEET NO.

A12

NOTE: 11"x 17" PRINT IS HALF SIZE



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mrv@mrvarchitects.com

MRV 2003

CONCEPT DOCUMENTS

SHEET TITLE:
RENDERS

DRAWN:	MRV
CHECKED:	PV

A13

MRV ARCHITECTS

1420 GLACIER AVENUE, JUNEAU, AK 99801 (907) 586-1371

Project: **Sealaska Heritage Institute - Arts Instruction Plaza**
 Re: Parking Analysis
 To: Jill Maclean, Director; CBJ Community Development
 By: Paul Voelckers
 Date: March 16, 2020

MRV 2003

This memo identifies parking changes proposed for the SHI Arts Plaza. As background, the current parking lot includes 45 surface parking spaces, two of which are ADA. The parking spaces are shared between the Sealaska Building and the Walter Soboleff Building, and were approved through the 2012 building permit for the Soboleff Building.

The new Arts Plaza work will reconstruct 40 stalls underground, two of which are ADA. The new plaza surface development provides nine additional surface spaces, one meeting ADA with van aisle clearance. An off-street loading area is provided alongside Main Street in the area of the former garage entrance ramp, which will be in-filled.

The project adds new enclosed space for arts instruction and fabrication. Sealaska Heritage Institute, the project Owner, has provided a letter that identifies uses anticipated in the arts space. In summary, the uses are relatively modest in occupancy and parking impact, with a few apprentices and students working in close collaboration with master artists.

In consultation with CDD staff, the closest relevant use and parking impact per CBJ 49.40.210 for the studio spaces is judged to be “light manufacturing”. This designation has previously been utilized for a “maker space” project in Juneau, seen by CDD to be a close comparable. That use stipulates 1 space per 1,000 sq.ft. of gross area.

CDD staff has prepared a spread sheet which calculates parking loads for each of the individual spaces in the new project, including 388 sq.ft. of exterior covered space which could support vendor sales and work space. The calculated load totals 8.61 spaces, with form attached.

The *Arts Instruction Plaza* is located in the CBJ P-1 parking district, allowing a reduction to 40% of the calculated spaces. $8.61 \times .4 = 3.44$ spaces, which would round down to three spaces needed for the new work.

Parking count summary: Currently, 45 spaces are provided in the surface lot, with 3 street spots along Seward, and 4-5 street spots (actual use is typically four) along Front Street. With construction changes, the new configuration will provide 40 spots in the garage, and 9 on the surface. The new total of 49 spaces, four spots more than current on-site parking, meets the required parking load, with one extra space.

For the street frontages, four spots are retained along Front, with a slight reduction in parking length available, with three spots retained along Seward Street. These spots are relocated south along Seward Street to allow improved pedestrian access to the plaza from the corner of Front Street and Seward Street, as well as allowing improved pedestrian links directly across from the Soboleff Building entrance.

For a total parking area of 49 spaces, 2 need to be accessible. One extra ADA space above the minimum requirements is provided, with two in the garage, and one located in the surface parking area.



March 10, 2020

Jill Maclean
Director
City and Borough of Juneau, Community Development
155 S. Seward St.
Juneau, AK 99801

Re: Clarification of Sealaska Heritage Institute Arts Plaza Usage

Dear Ms. Maclean,

Sealaska Heritage Institute (SHI) is currently in the process of design and permitting for a proposed Arts Campus to be constructed at the site of the current Sealaska Corporation parking lot bounded by Main, Seward, and Front Streets. The project is to consist of an underground parking garage, an open pedestrian area above the garage, and an Arts Instructional Building containing instructional spaces for Native arts, including wood carving, weaving, light metalwork, and drawing/graphic arts. As we move forward, we are working to identify the appropriate use classification for purposes of determining parking requirements and building code compliance.

SHI's proposed primary utilization of the Arts Instructional Building is to conduct classes consisting of a small number of students per class. Given the space limitations of the facility and our extensive consultations with artist/instructors as to what level of attendance is practicable, we expect in-person attendance ranging from 3-4 students to no more than 8-10 students per class at any one time in a master artist/learner format. The project will also include a significant e-learning component enabling SHI to deliver instruction electronically to students at locations remote from the Arts Campus.

As such, the proposed structure most closely resembles the CBJ use classification "College, main campus" but with a considerably smaller number of students than that of a typical college setting. The facility also will not include an enclosed auditorium or general assembly area. In addition to the four teaching spaces, the building will provide faculty office space, a small support library, and storage rooms.

I can be reached by email at lee.kadinger@sealaska.com or by phone at 907-463-4844. Please contact me if you have any questions or require additional detail on our proposed operations in the facility.

Sincerely,

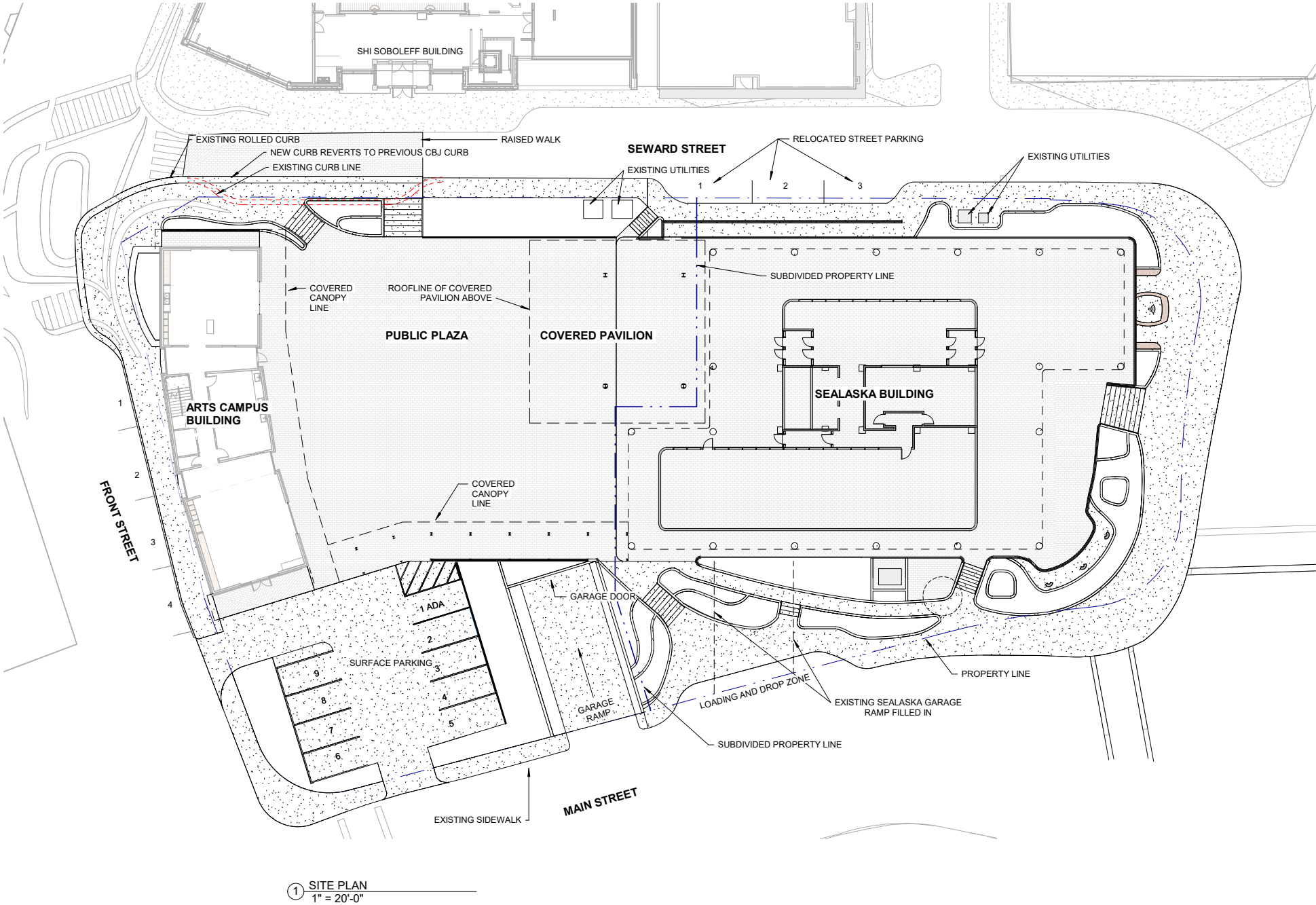
A handwritten signature in black ink, appearing to read 'Lee Kadinger', with a long, sweeping horizontal line extending to the right.

Lee Kadinger
Chief of Operations



SHI - Arts Instruction Plaza Parking Analysis

Level	Room Number	Use	SQ Footage	Parking Requirement	Value	Spaces
0	ALL	Basement Misc. Storage	1318	1 per 1000 sq. ft.	1000	1.32
1	105	Wood Arts/ Carving	1036	1 per 1000 sq. ft.	1000	1.04
1	107	Office	201	1 per 300 sq. ft.	300	0.67
1	108	Wet Room (soaking, rinsing)	200	1 per 1000 sq. ft.	1000	0.20
1	104	Fiber/Weaving	835	1 per 1000 sq. ft.	1000	0.84
2	203	Metal Arts	635	1 per 1000 sq. ft.	1000	0.64
2	204	Office	90	1 per 300 sq. ft.	300	0.30
2	205	Storage	75	1 per 1000 sq. ft.	1000	0.08
2	212	Library	175	1 per 600 sq. ft.	600	0.29
2	206	Hot Room (forging, welding)	156	1 per 1000 sq. ft.	1000	0.16
2	207	Digital Lab	154	1 per 1000 sq. ft.	1000	0.15
2	213	Library	200	1 per 600 sq. ft.	600	0.33
2	211	Office	109	1 per 300 sq. ft.	300	0.36
2	210	Office	160	1 per 300 sq. ft.	300	0.53
2	208/209	Drawing/Prints	420	1 per 1000 sq. ft.	1000	0.42
1	Vendor	Retail Commercial (Exterior)	388	1 per 300 sq. ft.	300	1.29
				Total Parking Calc		8.61



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mrv@mrvarchitects.com

SCHEMATIC DOCUMENTS

SEALASKA HERITAGE ARTS CAMPUS

Sealaska Heritage Institute

No.	Description	Date

SHEET TITLE:
SITE PLAN,
GENERAL

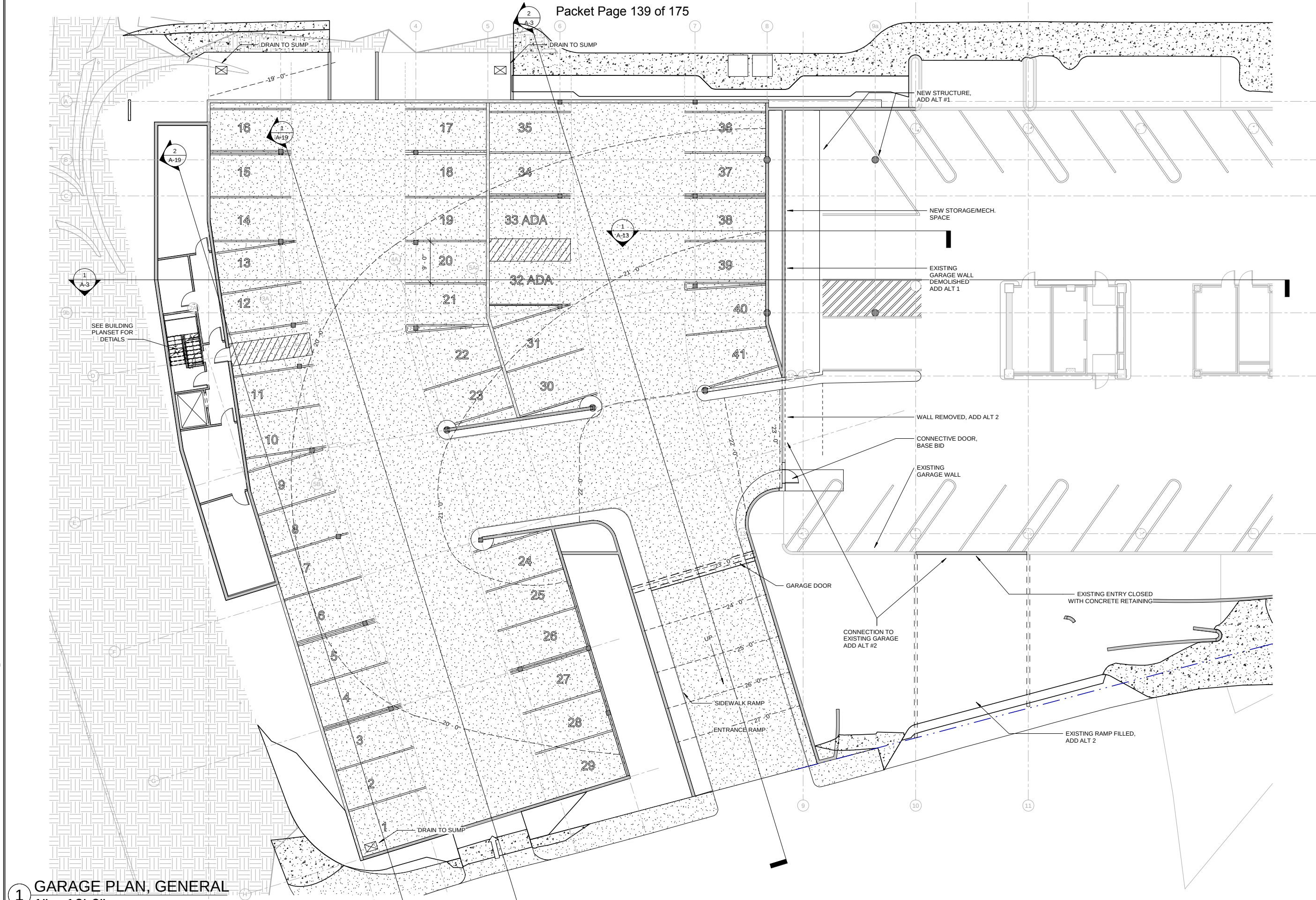
DATE: 04.14.2020

DRAWN: MRV
CHECKED: PV

SHEET NO.
A100

NORTH
NOTE: 11"x 17" PRINT IS HALF SIZE

C:\Users\Caitlin\Documents\SHI ARTS CAMPUS ELEVATED GARAGE CENTRAL_Maddi.rvt 3/17/2020 3:50:28 PM



1 GARAGE PLAN, GENERAL
1" = 10'-0"

NORTH
NOTE: 11"x 17" PRINT IS HALF SIZE



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JUNEAU, AK 99801
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FAX 907-463-5544
mrv@mrvarchitects.com

PROPOSAL DOCUMENTS

SEALASKA HERITAGE ARTS CAMPUS

Sealaska Heritage Institute

No.	Description	Date

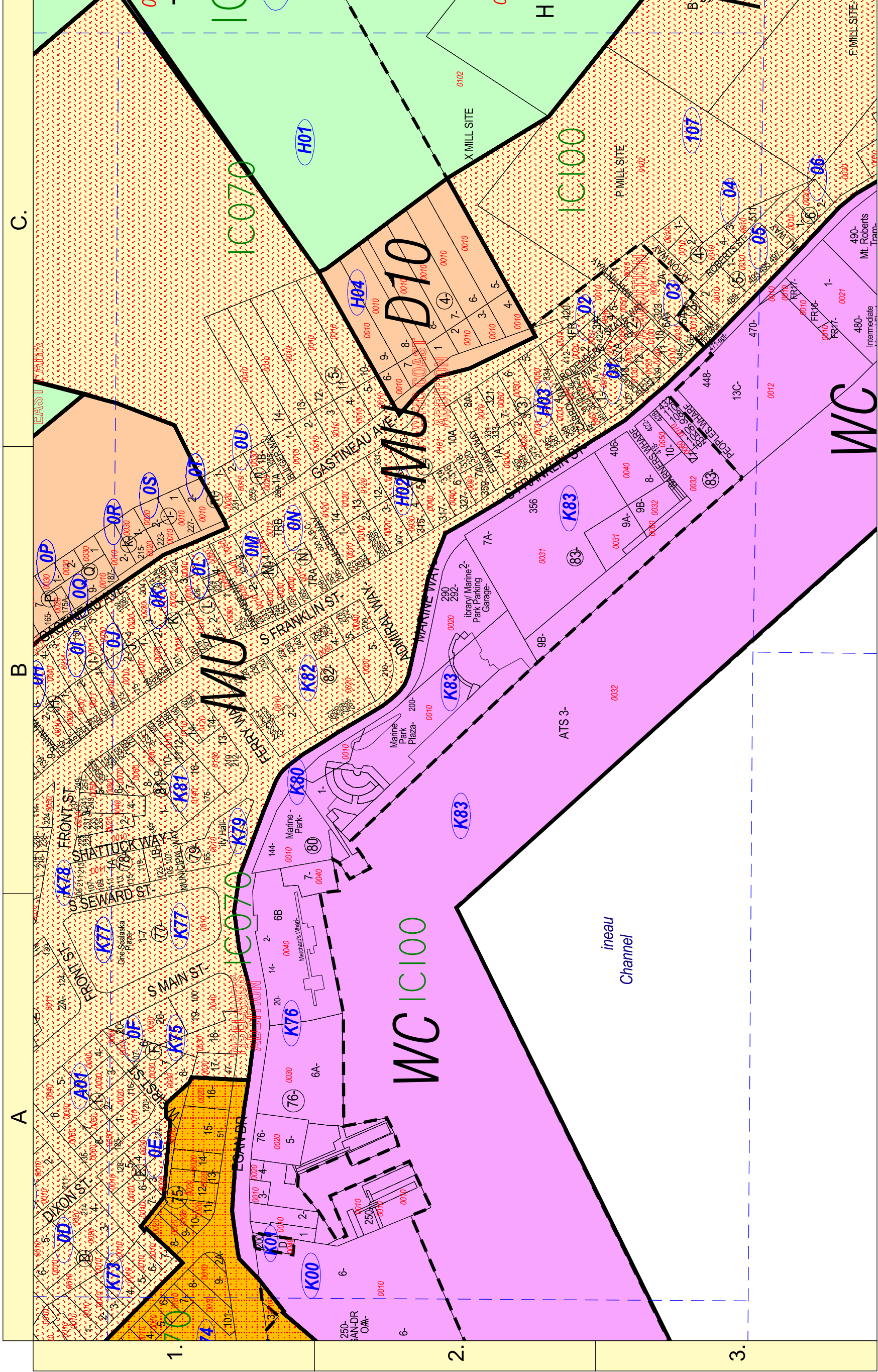
SHEET TITLE:
GARAGE PLAN,
GENERAL

DATE: 03.13.2020

DRAWN: MRV
CHECKED: PV

SHEET NO.

A-2



Assessor Tax Code-

16D0901	102	0030
Parcel Code Prefix	Block number	lot number

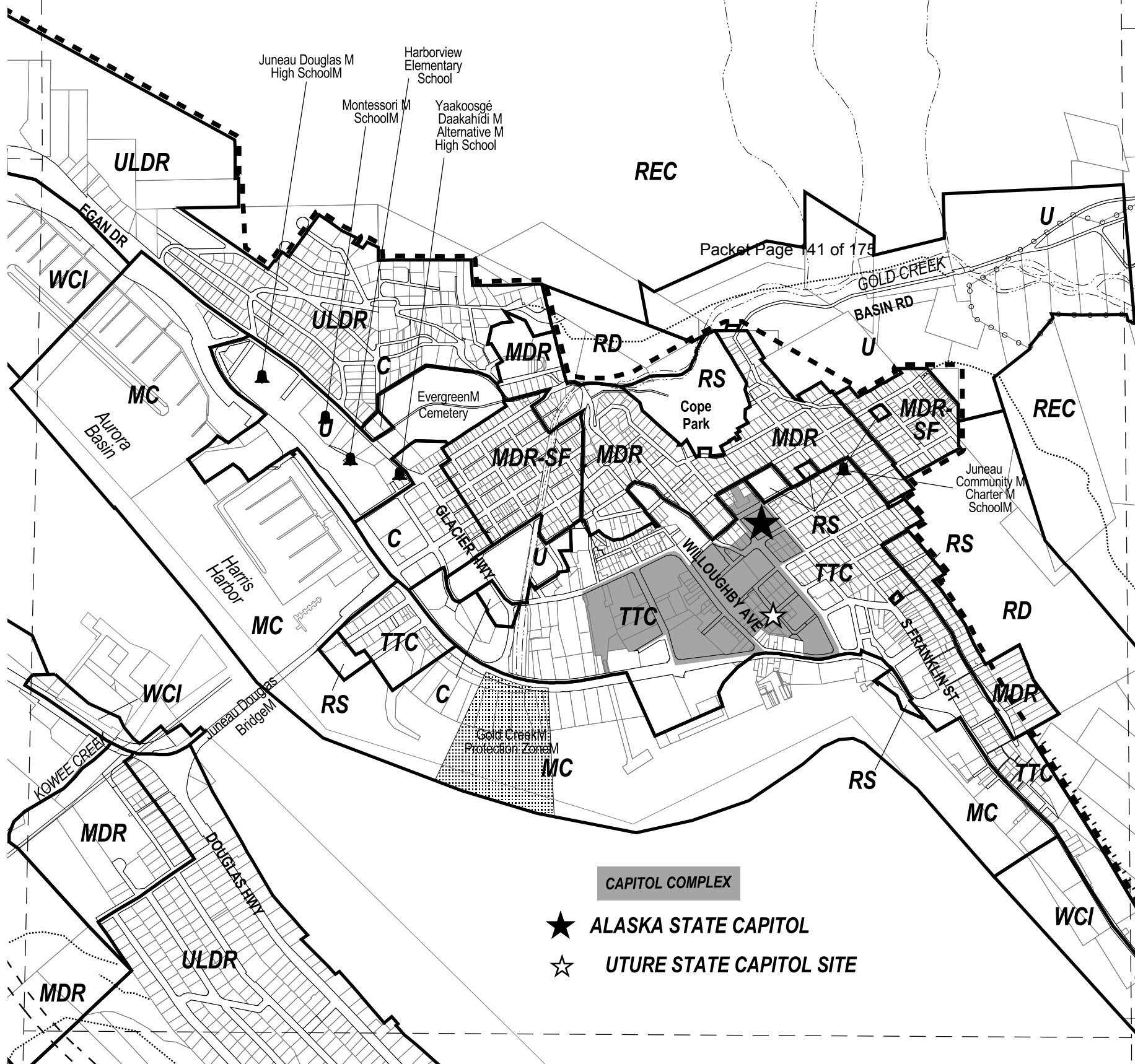
Continued on Page 159

Attachment D - Maps

200. 0. 200. Feet.

Map M

Subarea 6 uneau



Continued on Page 15s

NATURAL RESOURCE	REC	Recreational Resources	RESIDENTIAL	RDR	Rural Dispersed Residentials	OTHER		New Growth Area
	RD	Resource Development		RLDR	Rural Low Density Residentials			Urban Service Area
	SP	State Parks		ULDR	Urban Low Density Residential			Beach Access
	P	CBJ Natural Area Parks		DR/SF	Medium Density Residential- Single Family			Stream
	RS	CBJ Recreational Service Parks		DR	Medium Density Residentials			
COMMERCIAL INDUSTRIAL	CA	CBJ Conservation Areas	HDR	High Density Residential		Subarea Boundaries		
	SC	Stream Protection Corridors	TTC	Traditional Town Centers				
			U	Marine Mixed Uses				
	C	Commercials	IPU	Institutional and Public Uses				
	C	Marine Commercial		Existing Schools				
ROADS TRAILS	WCI	Waterfront Commercial Industrial		Potential School Location		Potential Arterial (alignment not specific)		
	I	Light Industrial				Potential Road (alignment not specific)		
	HI	Heavy Industrials				Trails		

800M 0M 800M Feet

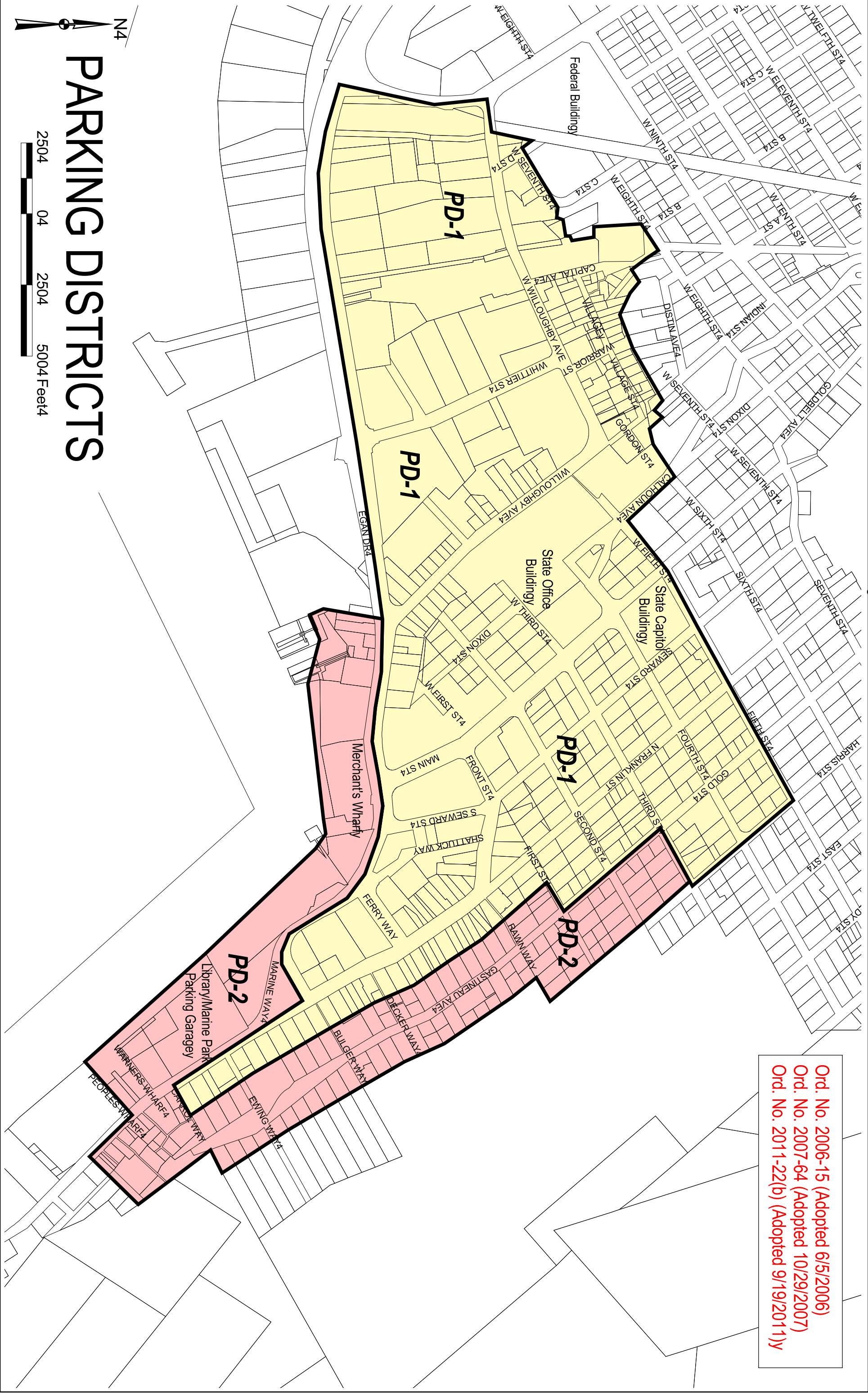
**City & Borough of Juneau
COMPREHENSIVE PLAN**

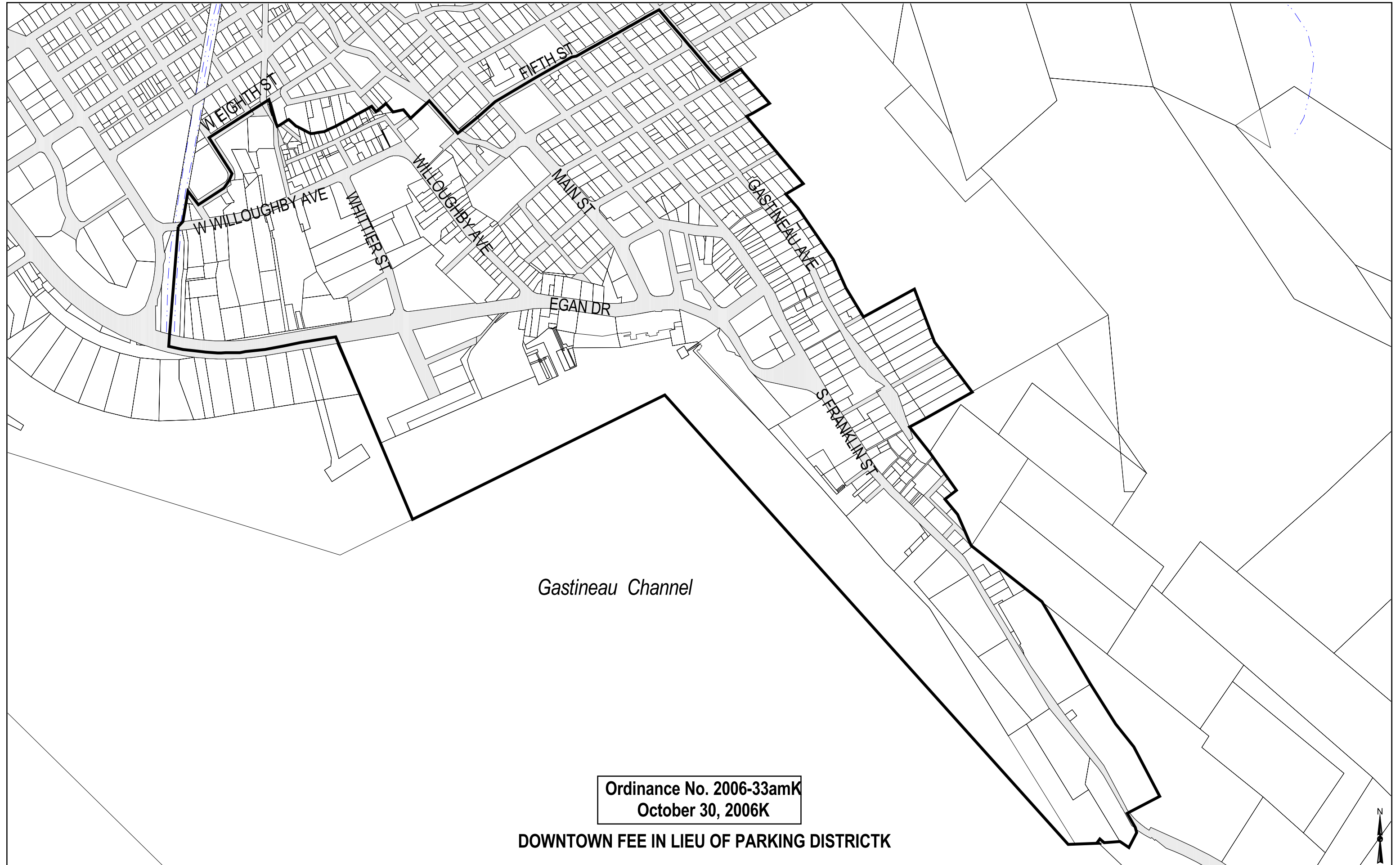
City & Borough of Juneau
Alaska's Capital City

Adopted October 20th, 2008
Ordinance No. 2008-30s

NOTE: Potential geophysical hazards, wetlands, flood zones, natural resource setbacks or other features which can affect properties may be present. CONTACT THE COMMUNITY DEVELOPMENT DEPARTMENT FOR DETAILED INFORMATION.

Ord. No. 2006-15 (Adopted 6/5/2006)
Ord. No. 2007-64 (Adopted 10/29/2007)
Ord. No. 2011-22(b) (Adopted 9/19/2011)





Ordinance No. 2006-33amK
October 30, 2006K

DOWNTOWN FEE IN LIEU OF PARKING DISTRICTK





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

COMMUNITY DEVELOPMENT DEPARTMENT - REQUEST FOR AGENCY COMMENT

DEPARTMENT: Engineering & Public Works
STAFF PERSON/TITLE: Autumn Sapp/ Business Manager
DATE: 4/20/2020
APPLICANT: MRV Architects
TYPE OF APPLICATION: Conditional Use Permit
PROJECT DESCRIPTION:

LEGAL DESCRIPTION: Tidelands Addition Block 77 Lots 1-7
PARCEL NUMBER(S): 1C070K770010
PHYSICAL ADDRESS: 1 Sealaska Plaza
SPECIFIC QUESTIONS FROM PLANNER:

AGENCY COMMENTS:

The use of property does not have any concerns for Engineering & Public Works. However, there are concerns that will need to be addressed during the building and right-of-way permit process when the applicant applies.

Comments from the preapplication conference still stand, but the concerns for work within the right-of-way also include:

- Submit an engineered plan for drainage and the construction of the raised cross walk. The plan should also include dimensions of the width of the Seward Street, the parking space width and length on both Seward and Front Street for the revised parking spaces, and sidewalk widths and grades. The electrical transformers along Seward street will need to be protected as required by AEL&P.

- The plan submitted for the driveway entrances will need dimensions from the traveled way to the edge of the driveway and between driveways.

- On-street Parking:

There will be one or possibly two on-street spaces removed as proposed in the preliminary plan. We have spoken to the City Manger and he does not object to the removal of the on-street spaces.

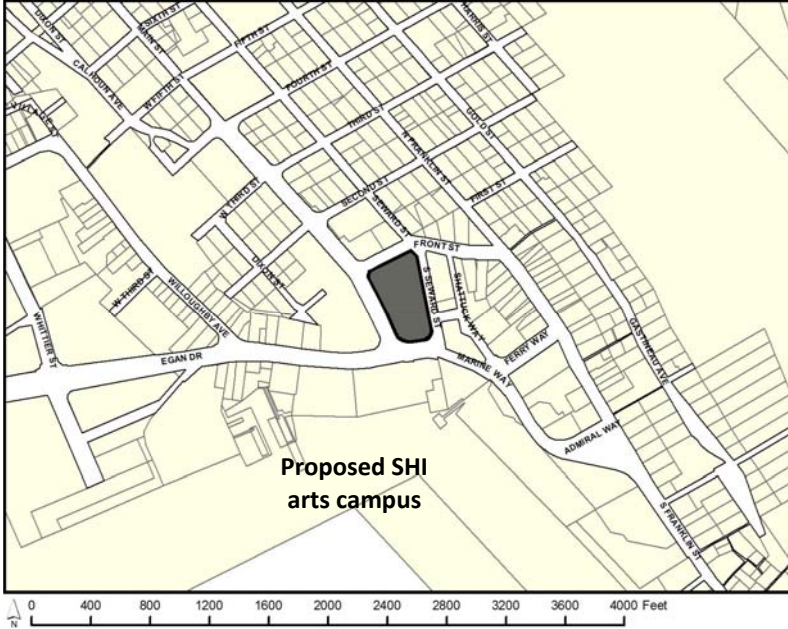
Attachment E - Agency Comments

AGENCY COMMENTS (CONTINUED):

The Manager is hopeful that Sealaska will continue the practice of allowing public use of the on-lot surface spaces to during non-work hours.

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 **Sealaska Heritage Institute arts campus building and plaza** located at **1 Sealaska Plaza** in a **Mixed Use Zone**.

TIMELINE

Staff Report expected to be posted **Monday, May 4, 2020** at <https://beta.juneau.org/assembly/assembly-minutes-and-agendas>
Find hearing results, meeting minutes and more here as well.

Now through April 20

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

April 21 — noon, May 8

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

HEARING DATE & TIME: 7:00 pm, May 12, 2020

Members of the public wishing to call in to testify can dial 907-713-2140 and entering Participant ID number 813893. **The caller should provide their name and state that they are calling in for the Planning Commission meeting.** Public lines will be muted by default but will be unmuted by CBJ staff when it is that individual's turn to testify.

May 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**

Case No.: USE2020 0007
Parcel No.: 1C070K770010
CBJ Parcel Viewer: <http://epv.juneau.org>

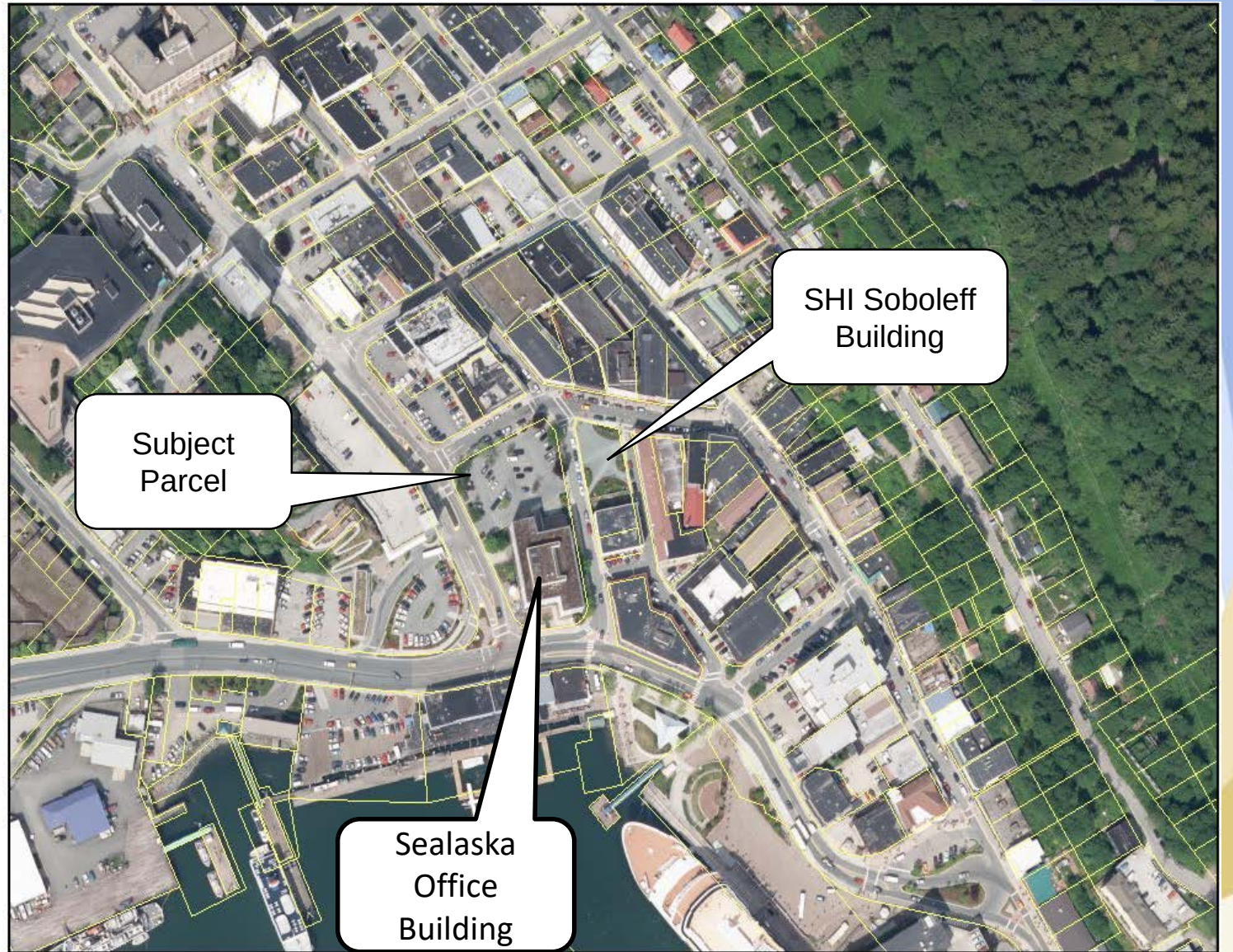
USE2020 0007

A Conditional Use Permit for the Sealaska Heritage
Institute arts campus building and plaza
PC Presentation May 12, 2020

Staff recommends approval with conditions.

Proposal

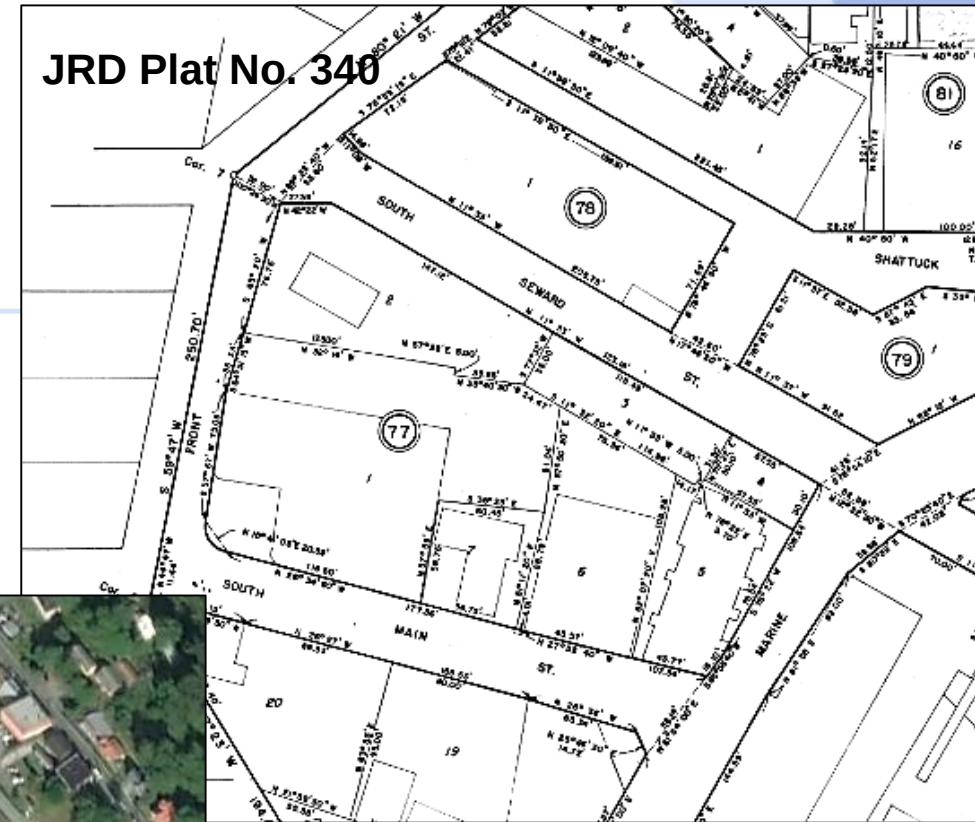
- The applicant requests a Conditional Use Permit for the development of a mixed-use arts campus and plaza.
- The project includes the construction of a subsurface parking garage, pedestrian plaza, and a two-story building with a basement for Native Arts instruction



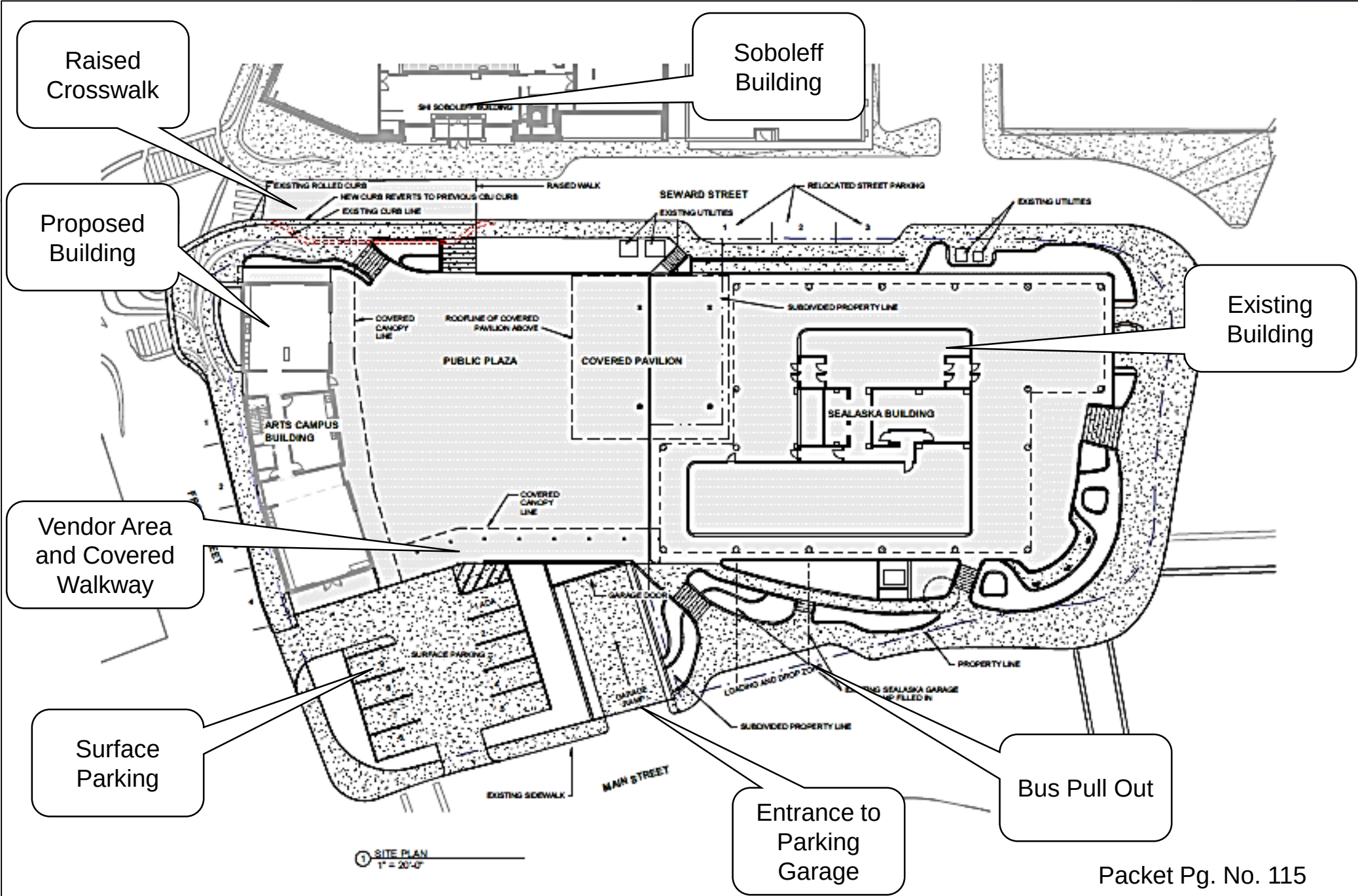
Project Site

- Known as Sealaska Plaza
- Comprised of 7 lots
- Applicant will perform a lot consolidation to create 2 lots
- Currently contains a mixed use/office building and surface parking lot for neighboring SHI Sobleff Building

JRD Plat No. 340



Project Site



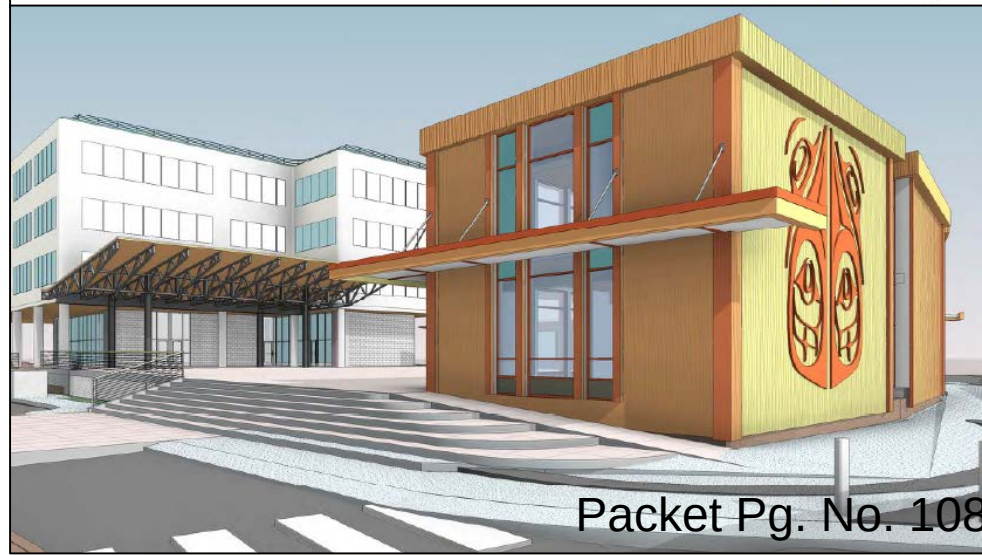
Project Design

- 2 story building with basement
- Subsurface parking garage
- Outdoor canopy area for covered walkway and retail
- In the Mixed Use (MU) zoning district, there are no required yard setbacks; no maximum lot coverage; no minimum vegetative cover requirement; and no maximum building height.



Packet Pg. No. 96

CONCEPT DRAWINGS
MARCH 23, 2020



Packet Pg. No. 108

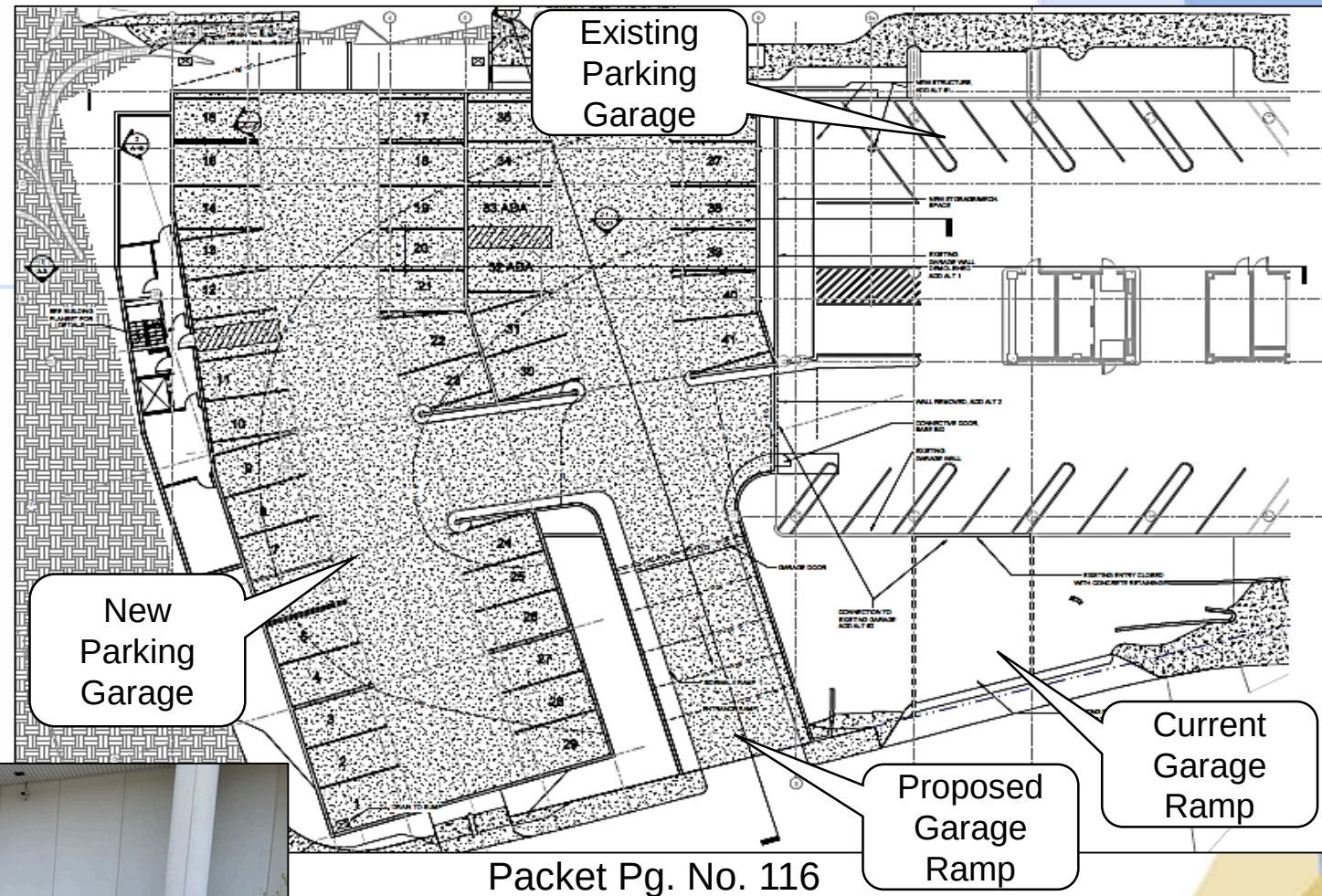
Traffic

Fewer than 250 ADTs are anticipated, so no Traffic Impact Analysis is required.

Use Category	Total Sq. Ft.	Trips Generated	Total Trips
General Office	560	11.03 per 1000 sq. ft.	6.17
Library	405	56.25 per 1000 sq. ft.	22.78
Manufacturing	3437	3.82 per 1000 sq. ft.	13.12
Specialty Retail	388	44.32 per 1000 sq. ft.	17.19
Storage	1393	3.53 per 1000 sq. ft.	4.92
Total ADTs:			64.18

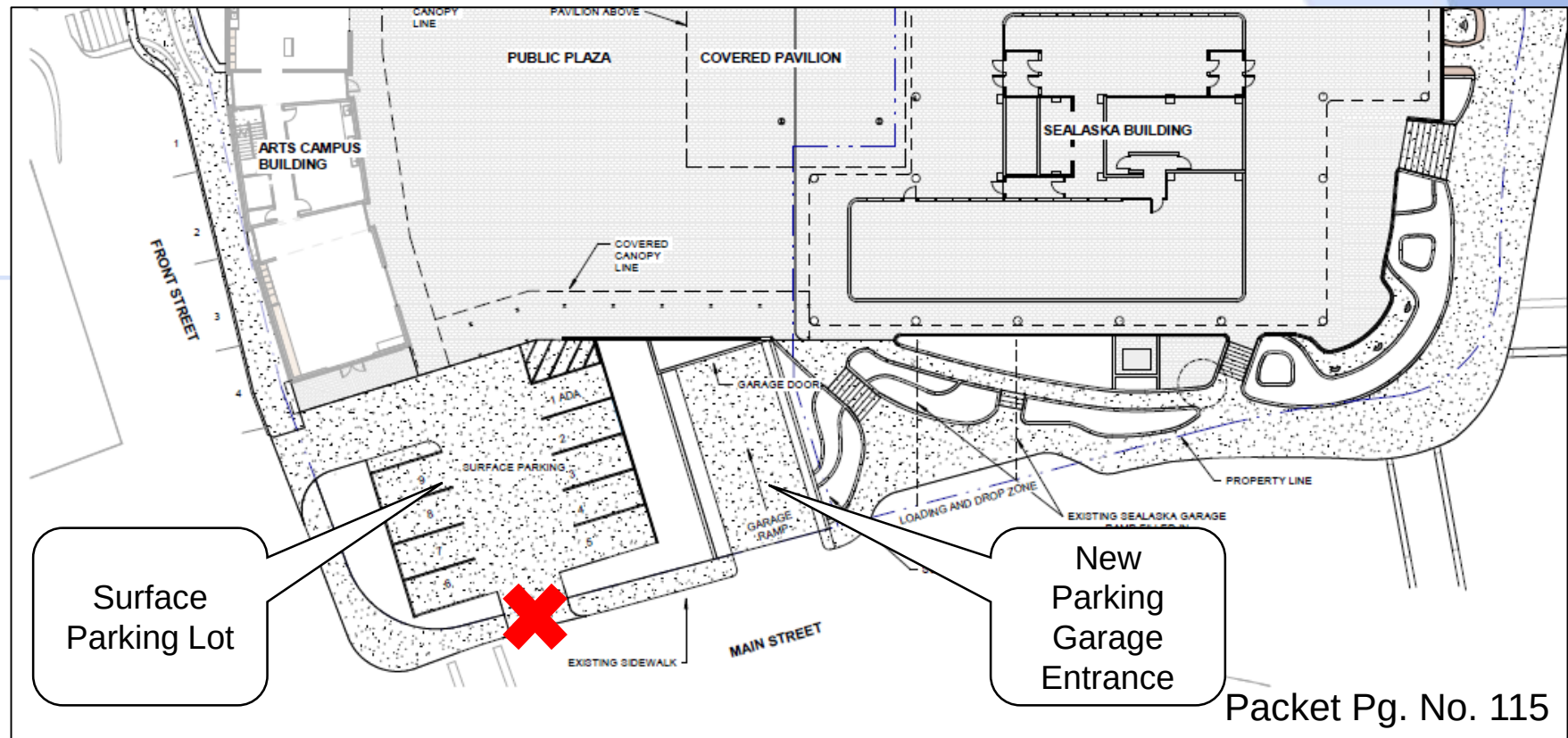
Access

- Applicant proposes a combined driveway to the subsurface parking garages
- Combined driveways can be approved through the Conditional Use Permit Process
- Staff recommends approval of the combined driveway for the parking garages.
- Easements would be provided through the subdivision review



Access

- Main Street is classified as minor arterial.
- Access points should be limited onto arterial streets.
- Staff recommends limiting access to the surface parking lot to Front Street



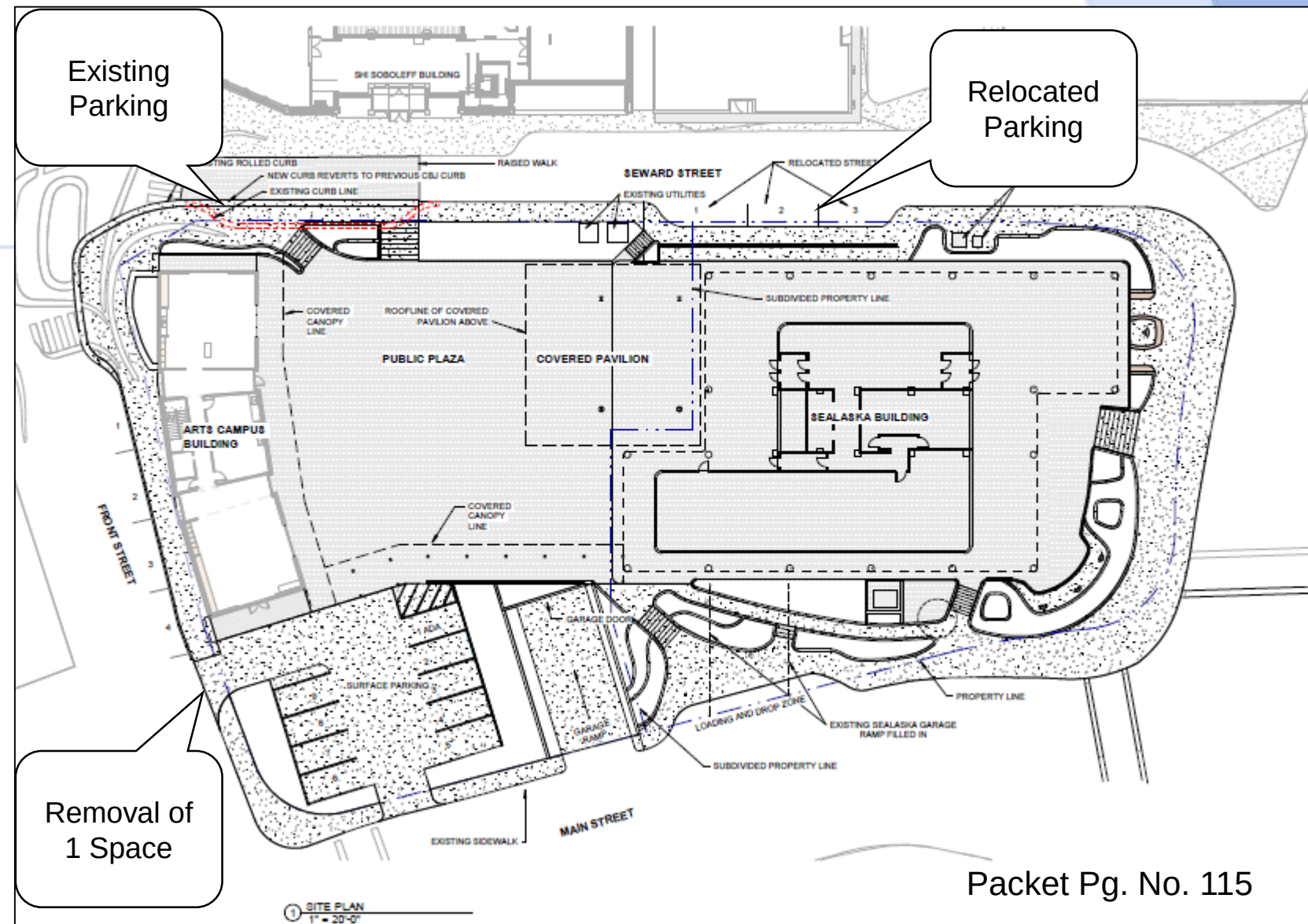
Off-street Parking

- PD1 Parking District
 - Allows for a 60% reduction
- Fee In Lieu of Parking District
 - Not utilized at this time
- Existing parking lot supplies parking for neighboring Soboleff Building
 - 32 Spaces Required per USE2013 0012
- Parking requirement for proposed development is 3 spaces
- **Total parking requirement is 35**
- **Parking plan shows 50 spaces**

Use Category	Total Sq. Ft.	Parking Requirement	Total Spaces
General Office	560	1 per 300 sq. ft.	1.87
Library	405	1 per 600 sq. ft.	0.68
Manufacturing	3437	1 per 1000 sq. ft.	3.44
Specialty Retail	388	1 per 300 sq. ft.	1.29
Storage	1393	1 per 1000 sq. ft.	1.39
Total Parking Requirement:			8.67
Total Parking Requirement w/PD1 Reduction:			3.47

On-street Parking

- One (1) on-street parking space on Front Street will be removed to accommodate the proposed driveway.
- Three (3) spaces will be relocated on Seward Street
- A CBJ Right-of-way permit is required for any work done in the right-of-way.



Packet Pg. No. 115

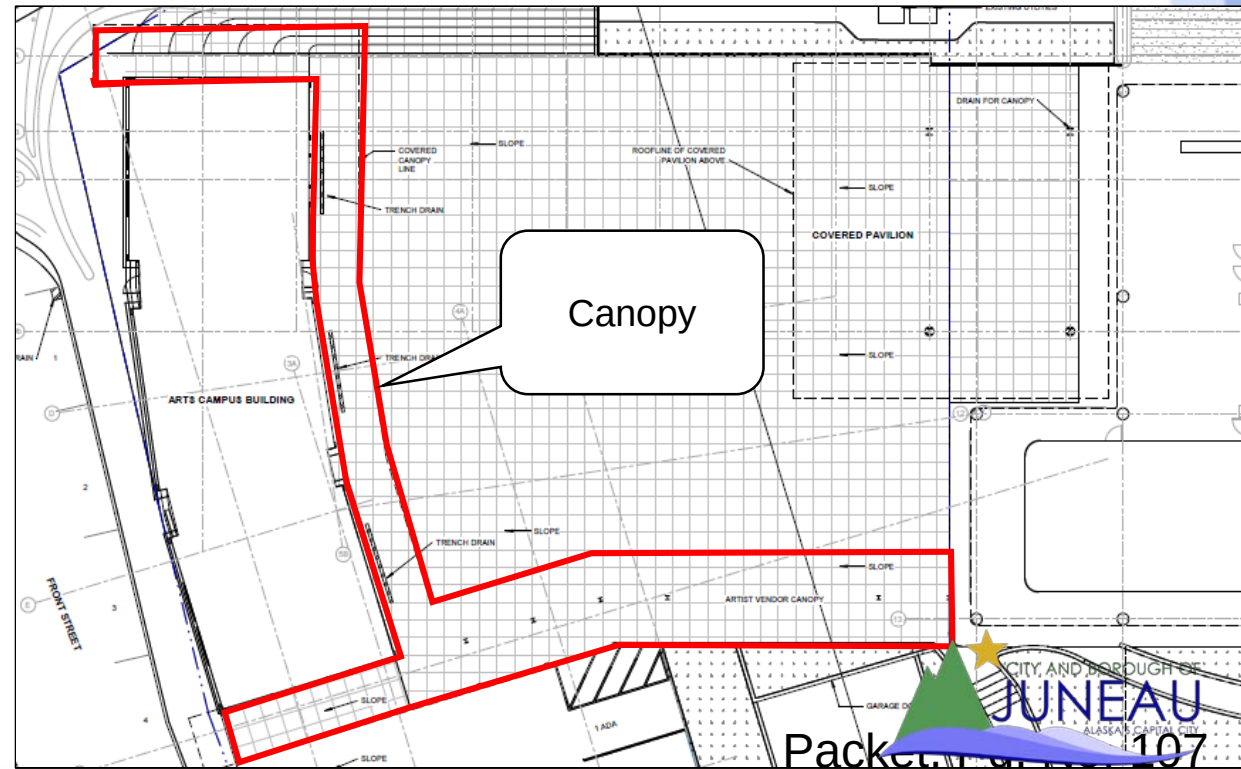
Non-motorized Transportation

- Covered walkways provided on 3 sides of the building.
- Covered walkway connects proposed building with existing Sealaska Office Building
- No discussion of provisions for users arriving by bicycle.
- Staff recommends the applicant install covered bike racks for at least four (4) bicycles; the racks must meet standards for bicycle racks listed in the 2009 Juneau Non-Motorized Transportation Plan.



Packet Pg. No. 96

CONCEPT DRAWINGS
MARCH 23, 2020



Agency & Public Comments

- Staff held an agency review period between March 26, 2020 and April 10, 2020. CBJ E&PW, Building Division, Assessor's Office, Docks and Harbors, Capital City Fire and Rescue, and the Alaska Department of Transportation and Public Facilities were invited to comment.
 - CBJ E&PW – No issues with the propose use of the property. No issues with the removal of on-street parking spaces. An engineered drainage plan is required. Engineered plans required for work done in the right-of-way. CBJ E&PW will review building permits and ROW permits.
- NO public comments have been received regarding the proposed development.

Conformity with Adopted Plans

- The proposed development, with recommended conditions, is in general conformity with the following Plans:
 - 2004 Long Range Waterfront Plan
 - 2009 Juneau Non-motorized Transportation Plan
 - 2013 Comprehensive Plan
 - 2015 Juneau Economic Development Plan.
- This is discussed in detail in the staff report, see packet pages 75-78

Findings (Packet Pg. No. 78-79)

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

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

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

Yes. The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ 49.25.300, Sections 2.200, 3.050, 4.070, 5.300, and 10.100 for the Mixed Use zoning district.

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

Yes. The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in the May 1, 2020 and May 10, 2020 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public right-of-way.

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

No. There is no evidence that the proposed development will materially endanger the public health or safety.

Findings (Packet Pg. No. 78-79)

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

No. There is no evidence that the proposed development will substantially decrease the value or be out of harmony with 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?***

Yes. The proposed development, with recommended conditions, is in general conformity with the 2004 Long Range Waterfront Plan, the 2009 Juneau Non-motorized Transportation Plan, the 2013 Comprehensive Plan, and the 2015 Juneau Economic Development Plan.

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

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

N/A

Recommendation (Packet Pg. No. 79-80)

It is recommended that 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 a Sealaska Heritage Institute arts campus building and plaza.

The approval is subject to the following conditions:

1. Prior to commencement of work, a CBJ Right-of-Way Permit is required for any work being done in the public right-of-way.
2. Prior to issuance of a building permit, a Shared Use Parking Agreement must be approved by the Community Development Department, and must be recorded with the State Recorder's Office. The parking agreement must state that it may be nullified only when the Director has approved the nullification of the agreement on an instrument that is recorded with the State Recorder's Office.
3. Prior to issuance of a building permit, the developer shall submit to the CBJ Engineering Department a detailed drainage plan that includes provisions for managing storm water run-off during construction and details the drainage facilities to be included as part of the development. No building permit shall be issued until such plans are deemed adequate and approved by the CBJ Engineering Department.
4. Prior to the issuance of a building permit, the applicant shall submit a revised site plan showing snow storage location(s).

Recommendation (Packet Pg. No. 79-80)

5. Prior to issuance of a building permit, the applicant shall submit a lighting plan illustrating the location and type of exterior lighting proposed for the development. Exterior lighting shall be designed and located to minimize offsite glare. Approval of the plan shall be at the discretion of the Community Development Department, according to the requirements of CBJ 49.40.230(d).
6. Prior to issuance of a building permit for the proposed structure, the applicant must submit a revised site plan showing all required parking that complies with the requirements of CBJ 49.40.
7. Prior to issuance of a temporary certificate of occupancy, wheel stops or striping shall be placed in the parking lot to define the location of parking spaces.
8. Prior to the issuance of a temporary certificate of occupancy, all pavement markings, including directional arrows, parking space stripes, and other markings shown on the project site plan, shall be applied to the parking and circulation area as shown on the site plan in a medium designed for such purposes.
9. Prior to the issuance of a temporary certificate of occupancy, one or more covered bicycle racks providing spaces for at least four (4) bicycles shall be provided. The rack(s) shall be permanently affixed to the ground, building, or other permanent fixture, and shall be located so that parked bicycles do not encroach into a pedestrian walkway or vehicle area. Covered bicycle racks shall, at a minimum, be designed in accordance with the standards listed in the Juneau Non-Motorized Transportation Plan.
10. Access to the surface parking lot shall be limited to one (1) curb cut located on Front Street.

Questions?



SHI Arts Campus—CBJ Planning Commission

Application for Conditional Use Permit

May 12, 2020

Arts Campus Plan Overview

- Pedestrian plaza with facility for outdoor Arts Market and performance area in majority of above-ground space.
- Facility will expand upon cultural and visitor activities offered by SHI's Walter Soboleff Building, as well as creating an additional public space downtown.
- Current Sealaska surface parking to be replaced by underground covered garage tied to existing underground parking
- Arts Instructional Building on Front St. side of parcel
- Surface parking lot of 9 stalls (including one ADA-compliant) planned for the corner of Main and Front Streets.
- Bus/van cutout on Main St. for loading/unloading

Timeline

- Construction scheduled to begin Summer 2020 with completion expected mid-2021

Traffic Impacts

- Driveway into existing Sealaska parking garage will be eliminated and replaced with new ramp at approximate location of entrance existing surface lot.
- SHI prefers a one-way entrance into proposed small surface lot with exit onto Front St.
- Total number of Sealaska/SHI driveways onto Main St. will remain at two.
- A single entrance/exit on Front St. would require difficult maneuvering by vehicles.

Traffic Impacts (continued)

- A Front St. combined entrance/exit would require all users of the surface lot to access it either via 2nd and Seward Streets or via Shattuck Way or Franklin St. increasing traffic on those streets and interaction with pedestrians.
- Single entrance/exit on Front St. would negatively impact the ability to receive deliveries, including occasional deliveries of large items such as logs for carving.
- Surface lot will be available for use by the general public after business hours.

Thank you

Sealaska Heritage Institute thanks the Planning Commission for its time and consideration of this proposed project.



SEALASKA
HERITAGE

Gunalchéesh
Háw'aa
T'oyaxsn



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: May 13, 2020
Case No.: USE2020 0007

MRV Architects
Attn: Paul Voelckers
1420 Glacier Avenue
Juneau, AK 99801

Proposal: Sealaska Heritage Institute arts campus building and plaza
Property Address: 1 Sealaska Plaza
Legal Description: Tidelands Addition Block 77 Lot 1-7
Parcel Code No.: 1C070K770010
Hearing Date: May 12, 2020

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated May 4, 2020, and APPROVED WITH CONDITIONS the Conditional Use Permit for a Sealaska Heritage Institute arts campus building and plaza, to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

1. Prior to commencement of work, a CBJ Right-of-Way Permit is required for any work being done in the public right-of-way.
2. Prior to issuance of a building permit, a Shared Use Parking Agreement must be approved by the Community Development Department, and must be recorded with the State Recorder's Office. The parking agreement must state that it may be nullified only when the Director has approved the nullification of the agreement on an instrument that is recorded with the State Recorder's Office.

MRV Architects
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Page 2 of 3

3. Prior to issuance of a building permit, the developer shall submit to the CBJ Engineering Department a detailed drainage plan that includes provisions for managing storm water run-off during construction and details the drainage facilities to be included as part of the development. No building permit shall be issued until such plans are deemed adequate and approved by the CBJ Engineering Department.
4. Prior to the issuance of a building permit, the applicant shall submit a revised site plan showing snow storage location(s).
5. Prior to issuance of a building permit, the applicant shall submit a lighting plan illustrating the location and type of exterior lighting proposed for the development. Exterior lighting shall be designed and located to minimize offsite glare. Approval of the plan shall be at the discretion of the Community Development Department, according to the requirements of CBJ 49.40.230(d).
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7. Prior to issuance of a temporary certificate of occupancy, wheel stops or striping shall be placed in the parking lot to define the location of parking spaces.
8. Prior to the issuance of a temporary certificate of occupancy, all pavement markings, including directional arrows, parking space stripes, and other markings shown on the project site plan, shall be applied to the parking and circulation area as shown on the site plan in a medium designed for such purposes.
9. Prior to the issuance of a temporary certificate of occupancy, one or more covered bicycle racks providing spaces for at least four (4) bicycles shall be provided. The rack(s) shall be permanently affixed to the ground, building, or other permanent fixture, and shall be located so that parked bicycles do not encroach into a pedestrian walkway or vehicle area. Covered bicycle racks shall, at a minimum, be designed in accordance with the standards listed in the Juneau Non-Motorized Transportation Plan.
10. Access to the surface parking lot shall be limited to one (1) curb cut located on Front Street.

Attachments: May 4, 2020, memorandum from Laurel Christian, Community Development, to the CBJ Planning Commission regarding USE2020 0007.

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

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

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May 13, 2020
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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).

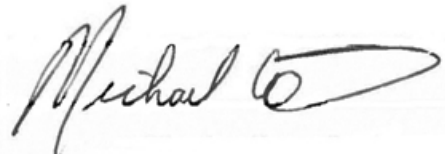
Effective Date: The permit is effective upon approval by the Commission, May 12, 2020.

Expiration Date: The permit will expire 18 months after the effective date, or November 21, 2021, 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.

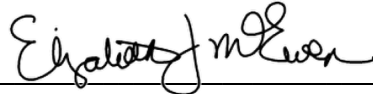
Project Planner:



Laurel Christian, Planner II
Community Development Department



Michael LeVine, Chair
Planning Commission



Filed With Municipal Clerk

5/14/2020

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.