



REGULAR PLANNING COMMISSION AGENDA

May 09, 2023 at 7:00 PM

Assembly Chambers/Zoom Webinar

<https://juneau.zoom.us/j/88455226753> or 1-669-444-9171 Webinar ID: 884 5522 6753

A. LAND ACKNOWLEDGEMENT

We would like to acknowledge that the City & Borough of Juneau is on Tlingit land, and wish to honor the indigenous people of this land. For more than ten thousand years, Alaska Native people have been and continue to be integral to the well-being of our community. We are grateful to be in this place, a part of this community, and to honor the culture, traditions, and resilience of the Tlingit people. Gunalchéesh!

B. ROLL CALL

C. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA

D. APPROVAL OF MINUTES

1. April 11, 2023 Draft Minutes, Planning Commission Committee of the Whole- APPROVED

2. April 11, 2023 Draft Minutes, Regular Planning Commission- APPROVED

E. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION

F. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

G. ITEMS FOR CONSIDERATION

H. CONSENT AGENDA

3. **PWP2023 0002:** Parking Waiver for an accessory apartment - APPROVED AS RECOMMENDED

Applicant: Bridget LaPenter

Location: 312 6th Street

DIRECTOR'S REPORT

The applicant requests a Parking Waiver to waive one (1) parking space required for an accessory apartment on a substandard lot in a D18 zoning district.

This application relates to USE2023 0005.

RECOMMENDATION

Staff recommends the Planning Commission adopt Director's analysis and findings and APPROVE the requested Parking Waiver.

4. **USE2023 0005:** Conditional Use Permit for an accessory apartment - APPROVED WITH CONDITION AS RECOMMENDED

Applicant: Bridget LaPenter

Location: 312 6th Street

DIRECTOR'S REPORT

The applicant requests a Conditional Use Permit for an accessory apartment on a substandard lot in a D18 zoning district. The applicant proposes an accessory apartment in the basement of the existing single-family dwelling. The proposal will not expand the footprint or height of the existing structure.

In conjunction with this permit, the applicant has applied for a Parking Waiver to waive the one (1) required parking space for the accessory apartment (PWP2023 0002).

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings, and APPROVE WITH ONE CONDITION the requested Conditional Use Permit.

I. UNFINISHED BUSINESS

J. REGULAR AGENDA

K. OTHER BUSINESS

L. STAFF REPORTS

M. COMMITTEE REPORTS

N. LIAISON REPORT

O. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

P. PLANNING COMMISSION COMMENTS AND QUESTIONS

Q. EXECUTIVE SESSION

R. SUPPLEMENTAL MATERIALS

- 5. Additional Materials Packet

S. ADJOURNMENT

ADA accommodations available upon request: Please contact the Clerk's office 36 hours prior to any meeting so arrangements can be made for closed captioning or sign language interpreter services depending on the meeting format. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: city.clerk@juneau.org.

DRAFT MINUTES

Agenda

Planning Commission

Committee of the Whole Meeting

CITY AND BOROUGH OF JUNEAU

Mandy Cole, Chairwoman

April 11, 2023

I. LAND ACKNOWLEDGEMENT – Read by Commissioner Epstein

We would like to acknowledge that the City and Borough of Juneau is on Tlingit land, and wish to honor the indigenous people of this land. For more than ten thousand years, Alaska Native people have been and continue to be integral to the well-being of our community. We are grateful to be in this place, a part of this community, and to honor the culture, traditions, and resilience of the Tlingit people. Gunalchéesh!

II. ROLL CALL

Mandy Cole, Chairwoman, called the Committee of the Whole Meeting of the City and Borough of Juneau (CBJ) Planning Commission (PC), held in Assembly Chambers of the Municipal Building, virtually via Zoom Webinar, and telephonically, to order at 6:04 p.m.

Commissioners present: Commissioners present in Chambers – Mandy Cole; Michael LeVine; Travis Arndt; Paul Voelckers; Matthew Bell; Adam Brown; Nina Keller; David Epstein

Commissioners present via video conferencing – None

Commissioners absent: Erik Pedersen

Staff present: Scott Ciambor, CDD Planning Manager; Teri Camery, Senior Planner; Minta Montalbo, CDD Administrative Officer; Lily Hagerup, CDD Administrative Assistant; Ilsa Lund, CDD Administrative Assistant; Sherri Layne, Law Assistant Municipal Attorney

Assembly members: ‘Wáahlaal Gíidaak (Barbara) Blake

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

IV. APPROVAL OF MINUTES

A. March 14, 2023 Draft Minutes, Committee of the Whole

MOTION: *by Mr. Arndt to approve the March 14, 2023 Planning Commission Committee of the Whole Meeting minutes.*

V. REGULAR AGENDA

A. AME2021 0008 – An ordinance change to update CBJ 49.15.330(g)(9), Conditional Use Permit; 49.70.210, Hillside Development; and 49.70.300, Landslide and Avalanche Areas, to adopt the 5-28-21 Downtown Juneau Landslide and Avalanche Assessment

STAFF PRESENTATION – By Planning Manager Ciambor

QUESTIONS FOR STAFF

Chair Cole asked Mr. Ciambor to elaborate on the addition of ‘moderate’ to the Ordinance proposal. Mr. Ciambor explained it had been discussed at November meetings and the City Manager recommended it be added for discussion.

Ms. Cole and Mr. Voelckers asked why landslide and avalanche were kept separate and not combined as the PC had requested. Mr. LeVine said that he spoke with Director Maclean about the issue earlier and said that it could be related to insurances.

Ms. Camery explained it is possible in most cases to get insurance in avalanche areas but it is more difficult to insure in landslide areas. The designation of avalanche or landslide zone is what affects insurance and not whether or how the zone is regulated.

Mr. Voelckers said there also appears to be distinction between types of landslides and neither is defined in Title 49 and asked if staff has seen a difference. Ms. Camery said that based on her conversations, insurance agents did not distinguish between types of landslides; and the term mass wasting is a term that is generally used interchangeably with landslide and added the terms have, at times, been used interchangeably. Ms. Camery said that this question is coming up as insurers look more closely at the adopted 1987 maps, because the wording on the maps is confusing and in several maps, landslide and avalanche designations are combined.

Mr. LeVine asked if that means that if new maps were drawn with more precise designations, they would be helpful to property owners for getting insurance. Ms. Camery said that property owners in severe avalanche areas can continue to get insurance, so having landslide and avalanche distinguished in the new maps could benefit some property owners.

COMMISSIONER DISCUSSION – Page by Page review

Page 1

- Mr. Voelckers suggested removing the word “moderate” from Line 18.

Mr. LeVine said it is unclear what risk is denoted by a “moderate” zone. It was unclear whether “moderate” meant a moderate risk of a severe event or a severe risk of a moderate event. Ms. Camery explained the contractor had provided technical memos with explanations of the landslide designations as part of the final report, and this is posted on the website special projects page.

- Mr. Voelckers suggested editing line 19 to read “**be managed per this section to minimize the risk of loss of life or property due to landslides and avalanches.**”
- Mr. Voelckers suggested adding to line 22 “**or by corrections through the process defined in (b)(5)**”
- Mr. Voelckers suggested adding to line 26 “**or by corrections through the process defined in (c)(4)**”

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- Ms. Cole proposed replacing should with shall “Owners and developers ~~should~~ **shall** provide ...” Ms. Keller agreed with Ms. Cole but Mr. Arndt had an objection.
- Mr. Epstein suggested removing “moderate”
- Ms. Cole said they should strike “moderate” throughout. Mr. LeVine said if Staff has a reason to support keeping “moderate” then they should take that into consideration.
- Mr. Voelckers suggested Lines 10-16 is similar and duplicative of section 5 on page 3. He suggested stating it once and add “civil engineer...”. Ms. Cole said they may not be the same. Suggested leaving beginning and end of section 5 and eliminating the middle.
- Ms. Keller asked why Geotechnical Engineer was changed to Civil Engineer on line 24. Mr. Arndt said there is no such thing as a geotechnical engineer license in the state of Alaska.

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- Mr. LeVine said he has issues with the word ‘density’ and said if they are talking about adding units, they should just say that.
- Mr. Voelckers proposed “*Notwithstanding any other provision, no development ~~or any part of a development, which is within a severe landslide area shall, by the addition of bedrooms, conversions of buildings, or otherwise increase the density~~ **increase the housing unit count of the lot or increase the occupancy of the building**; provided, that a single-family dwelling may be constructed on a vacant lot.*”

Mr. Arndt pointed out this would have led to the same argument regarding the Glory Hall issue saying it started with zero housing units so this would have also precluded the development. Mr. LeVine agreed and added the Glory Hall issue was a unique situation.

- Given the limited time left in the meeting, discussion moved to clarifying Landslide/Avalanche. Ms. Cole asked for the will of the group between treating them alike or differentiating them. Mr. Epstein said there is a difference and they should be differentiating them. Mr. Voelckers agreed

and added that remedies and mitigations should be kept as similar as possible while looking at each separately.

VI. **COMMITTEE COMMENTS AND QUESTIONS** - none

VII. **EXECUTIVE SESSION** - None

VIII. **ADJOURNMENT** – 6:59

Respectfully submitted by *Kathleen Jorgensen Business Assists (907)723-6134* 

DRAFT MINUTES

Agenda

Planning Commission

Regular Meeting

CITY AND BOROUGH OF JUNEAU

Michael LeVine, Chairman

April 11, 2023

I. LAND ACKNOWLEDGEMENT – Read by Mr. LeVine

We would like to acknowledge that the City and Borough of Juneau is on Tlingit land, and wish to honor the indigenous people of this land. For more than ten thousand years, Alaska Native people have been and continue to be integral to the well-being of our community. We are grateful to be in this place, a part of this community, and to honor the culture, traditions, and resilience of the Tlingit people. Gunalchéesh!

II. ROLL CALL

Michael LeVine, Chairman, called the Regular Meeting of the City and Borough of Juneau (CBJ) Planning Commission (PC), held in Assembly Chambers of the Municipal Building, virtually via Zoom Webinar, and telephonically, to order at 7:07 p.m.

Commissioners present: Commissioners present in Chambers – Michael LeVine, Chairman; Mandy Cole, Vice Chair; Travis Arndt, Clerk; Paul Voelckers; Matthew Bell; Adam Brown; Nina Keller; David Epstein

Commissioners present via video conferencing – none

Commissioners absent: Erik Pedersen, Deputy Clerk

Staff present: Scott Ciambor, CDD Planning Manager; Teri Camery, Senior Planner; Minta Montalbo; CDD Administrative Officer; Lily Hagerup, CDD Administrative Assistant; Ilsa Lund, CDD Administrative Assistant; Sherri Layne, Law Assistant Municipal Attorney

Assembly members: ‘Wáahlaal Gíidaak (Barbara) Blake

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

IV. APPROVAL OF MINUTES

A. March 14, 2023 Draft Minutes, Regular Planning Commission

MOTION: *by Mr. Arndt to approve the March 14, 2023 Planning Commission Regular Meeting minutes.*

V. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION – by Chair LeVine

VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Shaun Eisele 606 6th St. spoke to express interest in engineering for landslides. He said there are ways to engineer a structure to mitigate risks.

VII. ITEMS FOR RECONSIDERATION - None

VIII. CONSENT AGENDA

FZE2023 0001: A Flood Zone Exception renewal for bathrooms at Statter Harbor
Applicant: City and Borough of Juneau
Location: 11520 Auke Bay Harbor Rd.

Staff Recommendation

Staff recommends that the Planning Commission adopt the Director’s analysis and findings and APPROVE WITH CONDITIONS the requested Flood Zone Exception. The Flood Zone Exception would allow construction of bathrooms at Statter Harbor with the following conditions:

1. Prior to the issuance of a building permit, the applicant shall submit a letter from a licensed professional engineer indicating that the fill will be designed to withstand the 100-year storm force which is described in the City & Borough’s currently adopted Flood Insurance Study.
2. Prior to issuance of a building permit, the applicant shall provide additional backflow prevention within the plumbing disposal system to prevent floodwaters from infiltrating the CBJ wastewater system, to be approved by the CBJ Engineering Department.

MOTION: *by Mr. Voelckers to accept staff’s findings, analysis, and recommendations, and approve FZE2023 0001.*

The motion passed with no objection.

IX. UNFINISHED BUSINESS - None

X. REGULAR AGENDA

USE2023 0002: Conditional Use Permit Application for pet grooming, walking and day care business in a D3 zone.
Applicant: Landon Rector
Location: 4341 Windfall Ave.

****SPECIAL NOTE****

This application was withdrawn by the applicant.

XI. OTHER BUSINESS - None

XII. STAFF REPORTS - None

XIII. COMMITTEE REPORTS

- Title 49 – Mr. Arndt reported they will meet next week Thursday at Noon on Zoom format. Mr. Voelckers asked if meeting in person would be possible. Committee meetings held during the day have to be fully in person or fully zoom because Chambers is the only room available for hybrid options and it is not always available for daytime meetings. For this reason, it was decided that meeting in Zoom format would allow for maximum participation.
- Lands – Ms. Cole reported they met at the beginning of the month and discussed Telephone Hill and the ORV park.

XIV. LIAISON REPORTS

- 'Wáahlaal Gíidaak reported the assembly held a special assembly meeting where they approved the new mill rate of 10.28

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

XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS – Mr. LeVine said the April 25 meeting has been cancelled

Mr. Voelckers said that in November Manager Watt had written a memo and the Assembly Committee of the Whole met and discussed hazardous mapping and the PC has not received the minutes from that. Ms. Camery said the department Special Projects webpage has been updated and the minutes are available there now.

XVII. EXECUTIVE SESSION - None

XVIII. ADJOURNMENT – 7:22 p.m.
 Next meeting May 9 2023 7:00 p.m.

Respectfully submitted by *Kathleen Jorgensen Business Assists (907)723-6134* 



Planning Commission

(907) 586-0715

PC_Comments@juneau.org

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

155 S. Seward Street • Juneau, AK 99801

PLANNING COMMISSION

NOTICE OF DECISION

Date: May 10, 2023

File No.: PWP2023 0002

Jake and Bridget LaPenter
320 W 8th St.
Juneau, AK 99801

Proposal: Parking Waiver to waive one (1) required parking space for an accessory apartment.

Property Address: 312 6th Street

Legal Description: JUNEAU TOWNSITE BL 27 LT 2 FR

Parcel Code No.: 1C040A270020

Hearing Date: May 9, 2023

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated April 24, 2023, and APPROVED the waiver of the requirement for one (1) parking space to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

Attachments: April 24, 2023 memorandum from Jennifer Shields, Planner, Community Development to the CBJ Planning Commission regarding PWP2023 0002.

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

Jake and Bridget LaPenter
 File No: PWP2023 0002
 May 10, 2023
 Page 2 of 2

This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ 01.50.030. Appeals must be filed by 4:30 PM on the day twenty days from the date the decision is filed.

Effective Date: The waiver is effective upon approval by the Planning Commission, May 9, 2023.

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



Michael Levine, Chair
 Planning Commission

May 14, 2023

Date



Filed With City Clerk

5/15/2023

Date

cc: Plan Review

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



DATE: April 24, 2023

TO: Michael LeVine, Chair, Planning Commission

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

THROUGH: Jill Maclean, Director, AICP

PROPOSAL: Parking Waiver to waive one (1) required parking space for an accessory apartment.

STAFF RECOMMENDATION: Approval

KEY CONSIDERATIONS FOR REVIEW:

- The lot is located outside of the Town Center Parking Area (TCPA).
- The lot and structure received a Nonconforming Certification for off-street parking.
- The lot is unable to accommodate on-site parking.
- Public transportation is within a three (3)-minute walking distance.
- The proposal complies with adopted plans, which contain policies promoting in-fill housing development.

GENERAL INFORMATION

Property Owner	Jake and Bridget LaPenter
Applicant	Jake and Bridget LaPenter
Property Address	312 Sixth Street
Legal Description	JUNEAU TOWNSITE BL 27 LT 2 FR
Parcel Number	1C040A270020
Zoning	D18 (Multi-Family)
Land Use Designation	MDR (Medium Density Residential)
Lot Size	1,696 square feet
Water/Sewer	Public water and public sewer
Access	Sixth Street
Existing Land Use	Residential
Associated Applications	USE2023-0005

ALTERNATIVE ACTIONS:

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

ASSEMBLY ACTION REQUIRED:

Assembly action is not required for this permit.

STANDARD OF REVIEW:

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
 - 49.30.270
 - 49.40.210
 - 49.40.220
 - 49.80

The Commission shall hear and decide the case per CBJ 49.40.220(a) PARKING WAIVERS. The required number of parking spaces required by this chapter may be reduced if the requirements of this section are met. The determination of whether the parking requirements of this chapter are satisfied, with or without conditions, and deemed necessary for consistency with this title, must be made by the director in the case of minor development; the commission in the case of major development; and the commission if the application relates to a series of applications for minor developments that, taken together, constitute major development, as determined by the director.

SITE FEATURES AND ZONING



SURROUNDING ZONING AND LAND USES

North (D18)	Residential
South (D18)	Residential
East (D18)	Residential
West (D18)	Residential

SITE FEATURES

Anadromous	No
Flood Zone	No
Hazard	No
Hillside	Yes
Wetlands	No
Parking District	No
Historic District	No
Overlay Districts	Alternative Development Overlay District

BACKGROUND INFORMATION

Project Description – The applicant requests a Parking Waiver to waive one (1) required parking space for an accessory apartment on a substandard lot in a D18 zoning district (Attachment A). This application is associated with Conditional Use Permit application USE2023-0005. The accessory apartment will measure approximately 383 square feet and will be located within the basement of an existing Single-Family Dwelling.

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

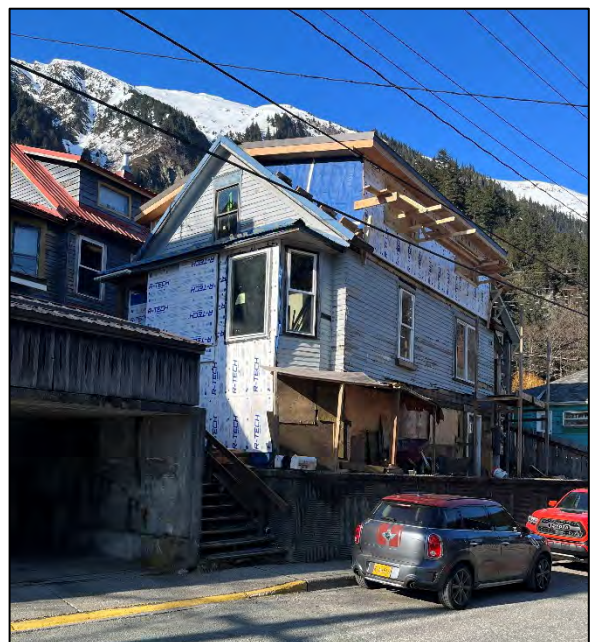
Year	Item	Summary
1894	Plat	Juneau Townsite plat of the original Block 27, Lot 2 (Attachment B).
1912	Assessor Record	Date that the structure was built (Attachment C).
1927	Sanborn Map	Shows the structure existed in its current footprint and location prior to zoning being adopted in Juneau (Attachment D).
1955	Easements	Easements for ingress and egress along both sides of the original Block 27, Lot 2 (Attachment E).
1984	Lot Sketch	Drawing showing the lot in relation to the other fractions of the original Block 27, Lot 2 (Attachment F).
2021	Nonconforming Certificate	NCC21-66 issued for nonconforming lot size and coverage, yard setbacks, and off-street parking (Attachment G).
2022	Building Permit	BLD22-746 for roof repairs and dormer extension for additional living space on the second floor (Attachment H).
2022	Pre-Application Conference	PAC22-60 held to discuss Accessory Apartment Conditional Use Permit and Parking Waiver process with applicants (Attachment A).

SITE PLAN



Project Site – The lot is located in the northern area of the Juneau Townsite historic district and contains a two-story, Single-Family dwelling with a basement built on a steep lot. The structure was built prior to zoning requirements and is Certified Nonconforming for lot size, lot coverage, front yard setback, rear yard setback, side yard setback, and off-street parking requirements (Attachment G). The structure is currently under construction for roof repairs and extending the dormers for additional living space (Attachment H).

Project Design – The proposed efficiency accessory apartment measures approximately 383 square feet and will have one (1) bathroom, a combined kitchen/living/sleeping area, and a mechanical room. The accessory apartment will be located within the unfinished basement of the structure and will not aggravate the existing nonconforming lot and yard setback situations.

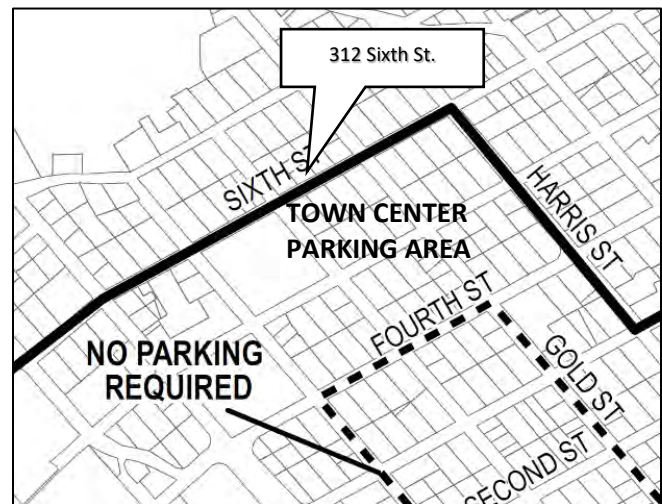


Traffic – According to CBJ 49.40.300(a)(2) a traffic impact analysis is not required; the proposed development is anticipated to generate less than 250 Average Daily Trips (ADTs). Additional traffic generated by the accessory apartment is expected to be minimal, and is not expected to be out of character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

Use	Per Unit	Trips Generated	Total Trips
Single-Family dwelling	1	9.52 per unit	9.52
Accessory Apartment	1	6.65 per unit	6.65
Total ADTs:			16.17

Vehicle Parking & Circulation – Due to the steepness of the lot, a four (4)-foot high retaining wall spans the majority of the lot's frontage. In addition, the structure covers approximately 67% of the lot. Both of these conditions prevent off-street parking from being provided on-site. The existing Single-Family dwelling is Certified Nonconforming for zero (0) off-street parking spaces (Attachment G).

According to CBJ 49.40.210(a), one (1) additional off-street parking space is required for the proposed accessory apartment. If the Parking Waiver is not granted, the accessory apartment cannot be constructed due to the unavailability of on-site parking.



According to CBJ 49.30.400, nonconforming situations may not be aggravated. Issuance of a parking waiver is an acceptable exception process, and, if granted, would not be considered an aggravation to the existing nonconforming parking situation according to CBJ 49.30.270(b).

The lot is located outside of the Town Center Parking Area (TCPA), an area which does not require parking for accessory apartments.

Use	Total Sq. Ft.	Spaces Required	Total Spaces
Accessory apartment	383	1	1
Total Parking Requirement:			1
Off-Street Loading Spaces Required:			0
ADA Accessible Spaces Required:			0

Impacts to Nearby On-street Parking – On-street parking is not allowed within certain segments of Sixth Street, although it is allowed on the side of the street directly in front of the proposed accessory apartment. On April 11, 2023, staff performed a site visit to evaluate on-street parking in the area and found multiple parking spaces available within a one block radius along Sixth Street and Gold Street. Waiving one (1) off-street parking space should not have a significant impact on nearby on-street parking.



Looking east on Sixth Street.



Looking west on Sixth Street.

Non-motorized Transportation – The lot is within a ¼ mile walking distance from downtown. The Sixth Street Right-Of-Way is approximately 30 feet wide, with sidewalks provided on both sides of the street. The downtown area and surrounding neighborhoods are identified as a walkable area with provisions for pedestrians.

Proximity to Transit – The closest bus stop is within 700 feet on Fourth Street, an approximately three (3)-minute walking distance from the property. The 2013 Comprehensive Plan promotes *Transit Oriented Development*, and allows for higher residential densities within a five (5) to ten (10)-minute walking distance to Public Transit Service.

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

Property Value or Neighborhood Harmony – There is no information to suggest that waiving one (1) parking space for the proposed development will negatively affect property value or be out of character with the existing neighborhood.

AGENCY REVIEW

CDD conducted an agency review comment period between March 30, 2023 and April 7, 2023.

Agency	Summary
CBJ General Engineering	No comments submitted.
CBJ Building Department	No comments submitted.
CBJ Fire Department	No comments submitted.

PUBLIC COMMENTS

CDD conducted a public comment period between March 30, 2023 and April 17, 2023. Public notice was mailed to property owners within 500 feet of the proposed development (Attachment I). A public notice sign was also posted on-site two (2) weeks prior to the scheduled hearing (Attachment J). Public comments submitted at the time of writing this staff report can be found in Attachment K and are summarized below.

Name	Summary
Joshua S. Adams	Support: Downtown Juneau needs more housing; off-street parking should not be required in order to protect the environment from car-centric urban planning.

CONFORMITY WITH ADOPTED PLANS

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

PLAN	Chapter	Page No.	Item	Summary
2013 Comprehensive Plan	3	20	Policy 3.2	Promotes compact urban development within the designated urban service area to ensure efficient utilization of land resources and to facilitate cost effective provisions of community services and facilities.
	4	37	Policy 4.2	Facilitates the provision of an adequate supply of various housing types and sizes to accommodate present and future housing needs for all economic groups.
	11	147	Land Use Designation	Complies with the <i>Medium Density Residential – Single Family</i> land use designation; this land use designation allows single-family dwellings with accessory apartments.
2016 Housing Action Plan	2	35	Production Targets	Creates additional housing, which advances the City's goal of increasing housing stock.

FINDINGS

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

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

Analysis: The 2013 Comprehensive Plan and the 2016 Housing Action plan identify the need for compact, in-fill development within the urban service area. The proposal will provide one additional dwelling unit to Juneau's housing market. The Comprehensive Plan promotes *Transit Oriented Development*, and this proposal could encourage the use of public transportation.

Finding: Yes. Granting the requested parking waiver will result in more benefits than detriments to the community as a whole, as identified in the 2013 Comprehensive Plan and the 2016 Housing Action Plan.

2. Is the development located within the Town Center Parking Area or the No Parking Area Required?

Analysis: No further analysis is required.

Finding: No. The subject lot is located outside of the Town Center Parking Area.

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

Analysis: Available on-street parking spaces that meet parking dimensional standards are located within a 500 foot radius from the property. Public transportation is located within a ¼ mile walking distance from the property.

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

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

Analysis: No further analysis needed.

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

RECOMMENDATION

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

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	1894 Juneau Townsite Plat
Attachment C	Assessor's Record
Attachment D	1927 Sanborn Map
Attachment E	1955 Warranty Deed
Attachment F	1984 Drawing of Tracts I, II, and III
Attachment G	2021 Nonconforming Certificate NCC21-66
Attachment H	2022 Building Permit BLD22-746
Attachment I	Abutters Notice
Attachment J	Public Notice Sign Photo
Attachment K	Public Comments



DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications. This form and all documents associated with it are public record once submitted.

To be completed by Applicant	PROPERTY LOCATION		
	Physical Address <u>312 6th Street</u>		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) <u>Juneau Townsite BL 27 LT 2 FR</u>		
	Parcel Number(s) <u>1C040A270020</u>		
	<input type="checkbox"/> This property is located in the downtown historic district <input type="checkbox"/> This property is located in a mapped hazard area, if so, which <u>N/A</u>		
	LANDOWNER/LESSEE		
	Property Owner <u>Bridget LaPenter; Jake LaPenter</u>		Contact Person <u>Bridget LaPenter</u>
	Mailing Address <u>320 W 8th St, Juneau, AK 99801</u>		Phone Number(s) <u>(907) 500-4170 Bridget</u> <u>(907) 500-4148 Jake</u>
	E-mail Address <u>bridget.lapenter@gmail.com ; modernalaskabuilder@gmail.com</u>		
	LANDOWNER/LESSEE CONSENT		
Required for Planning Permits, not needed on Building/ Engineering Permits. Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.			
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 the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.			
<u>Bridget LaPenter</u> <u>Landowner</u> Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee)			
X <u>[Signature]</u> <u>12-25-22</u> Landowner/Lessee (Signature) Date			
<u>Jake LaPenter</u> <u>Landowner</u> Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee)			
X _____ Landowner/Lessee (Signature) Date			
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.			
APPLICANT <small>If same as LANDOWNER, write "SAME"</small>			
Applicant (Printed Name) <u>SAME</u>		Contact Person	
Mailing Address		Phone Number(s)	
E-mail Address			
X <u>[Signature]</u> Applicant's Signature		<u>1-10-23</u> Date of Application	

DEPARTMENT USE ONLY BELOW THIS LINE

Intake Initials

JLS

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Case Number

PWP23-002

Date Received

3-20-23



PARKING WAIVER APPLICATION

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

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

PROJECT SUMMARY Addition of a one bedroom, one bath apartment under 600 sq ft to the basement of an existing house located at 312 6th Street in Downtown, Juneau

TYPE OF PARKING WAIVER REQUESTED (check one)

☐ **MINOR DEVELOPMENT**
Parking Waiver Departmental Review (PWD)

☒ **MAJOR DEVELOPMENT**
Parking Waiver Planning Commission Review (PWP)

DEVELOPMENT FOR WHICH THE PARKING IS REQUIRED (check one)

☐ Existing

☒ Proposed – Related Case Number: PAC2022 0060

NUMBER OF REQUIRED PARKING SPACES PER CBJ 49.40.210(A)

☒ For Residential Uses: 1 spaces

☐ For Non-Residential Uses: _____ spaces

NUMBER OF PARKING SPACES THAT WILL BE PROVIDED

☒ For Residential Uses: 0 spaces

☒ For Non-Residential Uses: 0 spaces

ALL REQUIRED MATERIALS ATTACHED

☒ Complete application per CBJ 49.15 and CBJ 49.40.210(d)(6)

☒ Narrative including:

☒ Why the parking waiver is being requested?

☒ How the requested waiver meets items 1-4 on page 2

DEPARTMENT USE ONLY BELOW THIS LINE

PARKING WAIVER FEES

Residential Spaces	<u>1</u>	Non-Residential Spaces	_____
Residential Fee	\$ <u>320.00</u>	Non-Residential Fee	\$ _____
Total Residential	\$ <u>320.00</u>	Total Non-Residential	\$ _____
Total Fee		\$ <u>320.00</u> * reduced, major dev. CUP =	

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
<u>PWP23-002</u>	<u>3-20-23</u>

Parking Waiver Information

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

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

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

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

Approved parking waivers shall expire upon a change in use.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Parking Waiver Application - Narrative

Address: 312 6th Street, Juneau, AK 99801

Parcel No.: 1C040A270020

Related Case No.: PAC2022 0060

This parking waiver is requested because the house located at 312 6th Street is located above a CBJ retaining wall with no reasonable means of adding a parking space on the property. In addition, the property is located just outside the "Town Center Parking Area" boundary where no parking would be required for an accessory apartment.

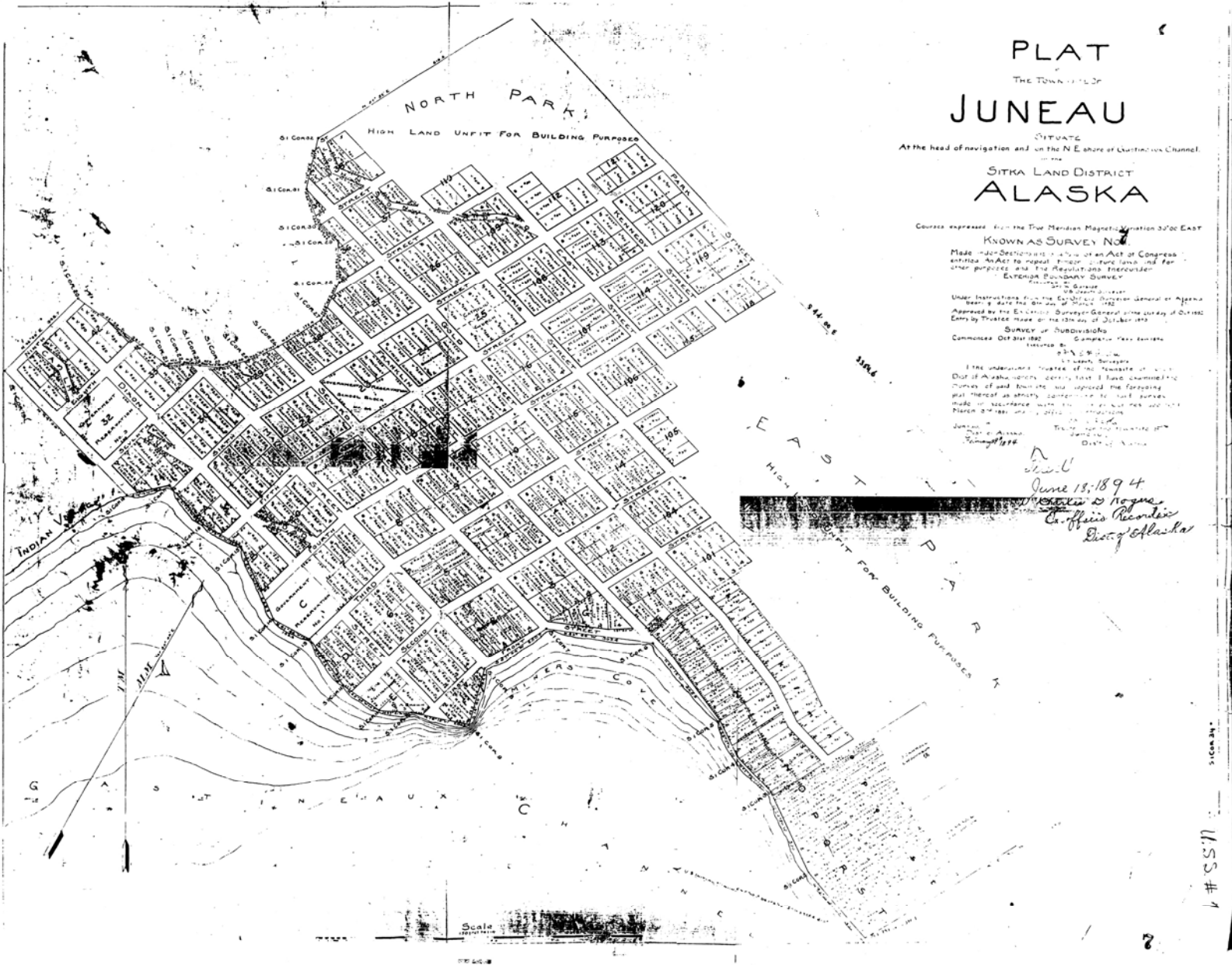
Granting of this waiver would result in more benefits than detriments to the community, as identified by the comprehensive plan, by providing one additional housing unit within proximity to the downtown core.

The development is located outside of the Town Center Parking Area.

Granting the waiver will not result in adverse impacts to property in the neighboring area; and the waiver will not materially endanger public health, safety, or welfare.

Submitted 3/20/23

Juneau Townsite, paper copy of 1894 plat



Attachment B - 1894 Juneau Townsite plat



Assessor's Database

Current Owner

BRIDGET LAPENTER & JAKE LAPENTER
320 W 8TH ST, JUNEAU AK 99801

Parcel #: 1C040A270020 ([Map](#))

Address: 312 SIXTH ST

Prev. Owner: AK REI GROUP LLC

Site Value: \$139500.00

Use Code: Residential

Exempt: No Data

No. of Units: 001

Year Built: 1912

Garage: No

Garage Area: 000000

City Water: Yes

City Sewer: Yes

Exempt Land: 0

Exempt Building: 0

Legal Desc. 1: JUNEAU TOWNSITE
BL 27 LT 2 FR

Legal Desc. 2:

Building PV: \$193300.00

Total PV: \$332800.00

Zoning: -Multi-Family-5,000 sq.ft.
minimum lot size -18 units per acre

Tax Year: 2023

Lot Size: 1696.00

Gross Liv. Area: 001118 sqft

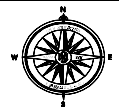
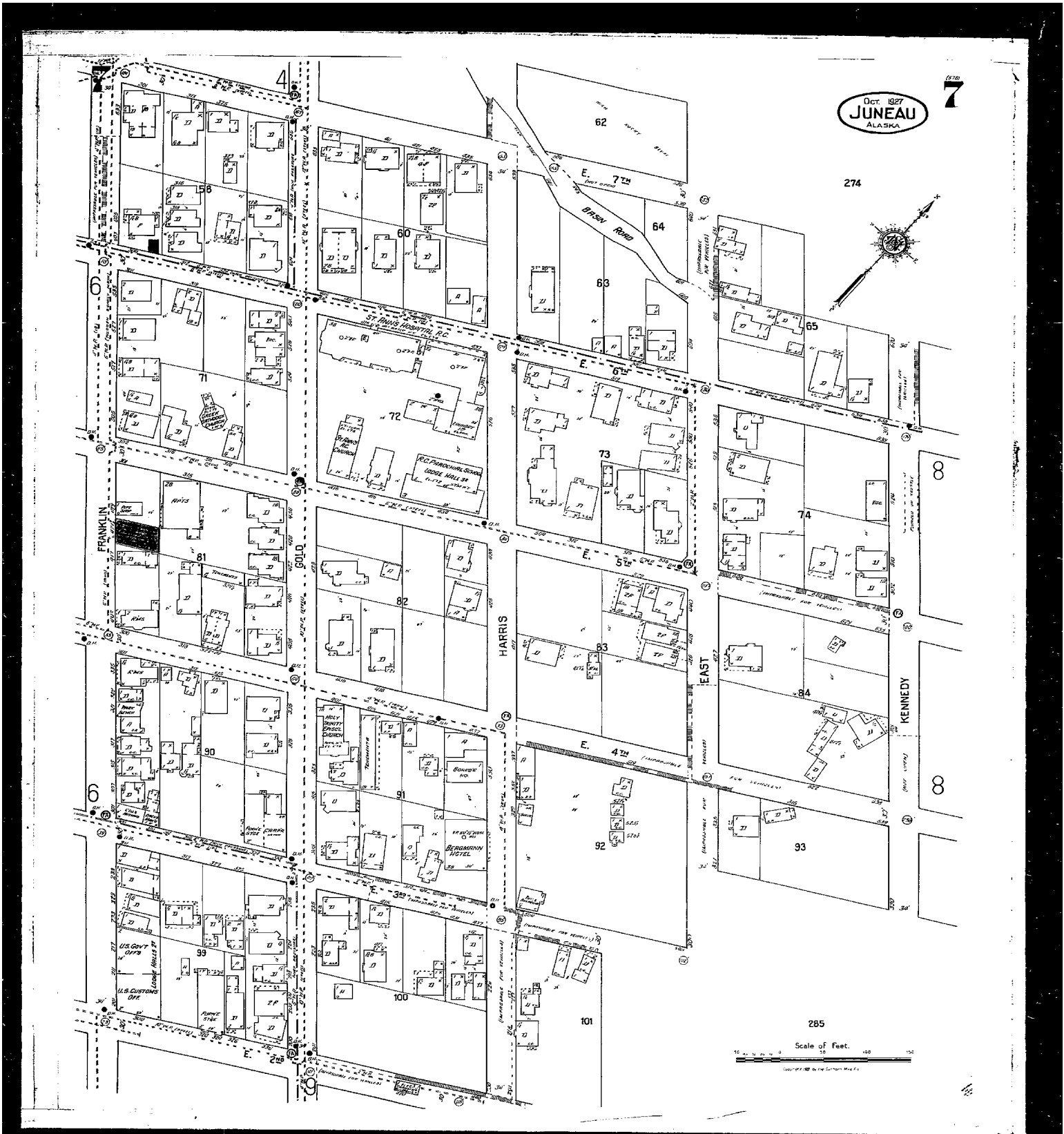
Exempt Total: 0

Last Trans: 20220419

Road/No Road: Roaded

Search the Database

Search the database using the search box below. The field accepts any search parameter (owner’s name, address, parcel number, year built, etc.).



The Sanborn Library, LLC

This Sanborn® Map is a certified copy produced by
The Sanborn Library, LLC. Information on this Sanborn® Map

Copyright © 1927
Year

WARRANTY DEED
(Alaska)

CEDRIC PERRYIN MONTGOMERY DAVIS, a single man of Seattle, Washington and TREVOR PEPYS MONTGOMERY DAVIS and CAROL B. DAVIS, husband and wife, of Juneau, Alaska, hereinafter called grantor(s), in consideration of the sum of TEN (\$10.00) DOLLARS and other valuable considerations to them in hand paid, receipt of which is hereby acknowledged, do, by these presents, grant, bargain, sell and convey to SUE M. KENNEDY, a single woman of Juneau, Alaska, hereinafter called grantee(s), her heirs(successors) and assigns, that certain property which is described as follows:

All of that certain northwesterly fraction of Lot 2, Block 27, City of Juneau, Alaska, according to the official plat of said City on file and of record in the office of the Recorder for the Juneau Recording District, Territory of Alaska, which said fraction is more particularly described as follows, to-wit:

Commencing at the most westerly corner of Lot 2, Block 27, City of Juneau, Alaska, identical to the common corner of Lots 1, 2, 7 and 8 in said block, Corner No. 1; thence S. 41 deg. 17 min. E. 39.28 feet to Corner No. 2, a point on the common boundary between said Lots 1 and 2; thence N. 49 deg. 40 min. E. 48.93 feet to Corner No. 3, a point on the common boundary of Lots 2 and 3 in said block; thence N. 41 deg. 17 min. W. 29.81 feet to corner no. 4, common to the most northerly corner of said Lot 2; thence S. 60 deg. 35 min. W. 50.00 feet to Corner No. 1, the place of beginning; together with a perpetual right of way and easement over and upon all of the land as lies within 4 feet of the southwesterly bounda of said Lot 2, and all of the land that lies within 4 feet of the northeasterly boundary of said Lot 2, which said easements and rights-of-way are for the purpose of ingress and egress to and from the above described fraction of said Lot 2, to and from 6th Street, a public street in said City.

TO HAVE AND TO HOLD the same, together with all tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, unto her, the grantee(s) and to her heirs (successors) and assigns forever;

AND the grantor(s), (and) their heirs (successors), executors and administrators do, by these presents, covenant, grant and agree to and with the grantee(s), her heirs (successors) and assigns that they, the grantor(s) (and) their heirs (successors), executors and administrators, all and singular, the premises hereinabove conveyed, with said tenements, hereditaments and appurtenances, unto the grantee(s) and to her heirs (successors) and assigns, and against each and every person or persons whomsoever lawfully claiming or to claim the same, or any part thereof, shall and will WARRANT AND FOREVER DEFEND.

IN WITNESS WHEREOF, the grantor(s) hereunto set their hand(s) and seal(s) this 28th day of February, 1955.

TREVOR PEPYS MONTGOMERY DAVIS (SEAL)

CAROL B. DAVIS (SEAL)

CEDRIC PERRYIN MONTGOMERY DAVIS (SEAL)

WITNESSES:

L. L. ELWELL

NORMA G. NISSEN

UNITED STATES OF AMERICA)
TERRITORY OF A L A S K A) ss.

THIS CERTIFIES that on this 28th day of February, 1955, before me, the undersigned, a Notary Public in and for the Territory of Alaska, duly commissioned and sworn, personally appeared TREVOR PEPYS MONTGOMERY DAVIS and CAROL B. DAVIS to me known and known to me to be the person(s) described in and who executed the instrument on the reverse side hereof and (individually) acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein mentioned.

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

(NOTARY PUBLIC SEAL)

STATE OF WASHINGTON)
COUNTY OF CLARK) ss.
CITY OF VANCOUVER)

J. STURTEVANT
Notary Public for Alaska. Residing at
Juneau, Alaska. My commission expires
March 10, 1958.

THIS CERTIFIES that on this 24th day of February, 1955, before me, the undersigned, a Notary

Public in and for the State of Washington duly commissioned and sworn, personally appeared CEDRIC PERRYNT MONTGOMERY DAVIS, to me known and known to me to be the person described in and who executed the instrument on the reverse side hereof and acknowledged to me that he executed the same freely and voluntarily for the uses and purposes therein mentioned, and further acknowledged to me that he is a single man.

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

(NOTARY PUBLIC SEAL)

L. L. ELWELL
Notary Public in and for the State of
Washington, County of Clark, residing at
Vancouver, Washington. My commission
expires February 27, 1957.

FILED FOR RECORD at 11:30 o'clock A.M., March 2, 1955. RECORDED IN book 48 of Deeds at pages:
(255-256)

Gordon H. Gray (nr)
United States Commissioner, Ex-Officio,
District Recorder

WARRANTY DEED
(Alaska)

MRS. JULIA A. COSTIGAN, a widow, of Juneau, Alaska, hereinafter called grantor(s), in consideration of the sum of TEN (\$10.00) DOLLARS and other valuable considerations to her in hand paid, receipt of which is hereby acknowledged, does, by these presents, grant, bargain, sell and convey to LYLE JOHNSON and HELEN JOHNSON, husband and wife, as tenants by the entirety, of Juneau, Alaska, hereinafter called grantee(s), their heirs (successors) and assigns, that certain property which is described as follows:

All that certain portion of U. S. Survey No. 1452 situated approximately one-quarter mile Northwest of the corporate limits of the City of Juneau, Alaska, more or less, bordering on Glacier Highway, particularly described as follows, to-wit: Beginning at Corner No. 1, which is identical with Corner No. 4 M.C. of Survey No. 1452; thence North 39.152 feet to Corner No. 2; thence North 45 deg. 14 min. East 69.532 feet to Corner No. 3; thence South 42 deg. 20 min. East 75 feet to Corner No. 4; thence South 45 deg. 14 min. West 102.50 feet to Corner No. 5; thence North 34 deg. 27 min. West 47.92 feet to Corner No. 1, the place of beginning, which is identical with Corner No. 4 M.C. of U. S. Survey No. 1452.

TO HAVE AND TO HOLD the same, together with all tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, unto them, the grantee(s) and to the survivor of them and to the survivor's heirs (successors) and assigns forever;

AND the grantor (and) her heirs, executors and administrators do, by these presents, covenant, grant and agree to and with the grantee(s), their heirs and assigns that she, the grantor, (and) her heirs, executors and administrators, all and singular, the premises hereinabove conveyed, with said tenements, hereditaments and appurtenances, unto the grantee(s) and to the survivor of them and to the survivor's heirs and assigns, and against each and every person or persons whomsoever lawfully claiming or to claim the same, or any part thereof, shall and will WARRANT AND FOREVER DEFEND.

IN WITNESS WHEREOF, the grantor(s) hereunto set her hand(s) and seal(s) this 23rd day of February, 1955.

WITNESSES

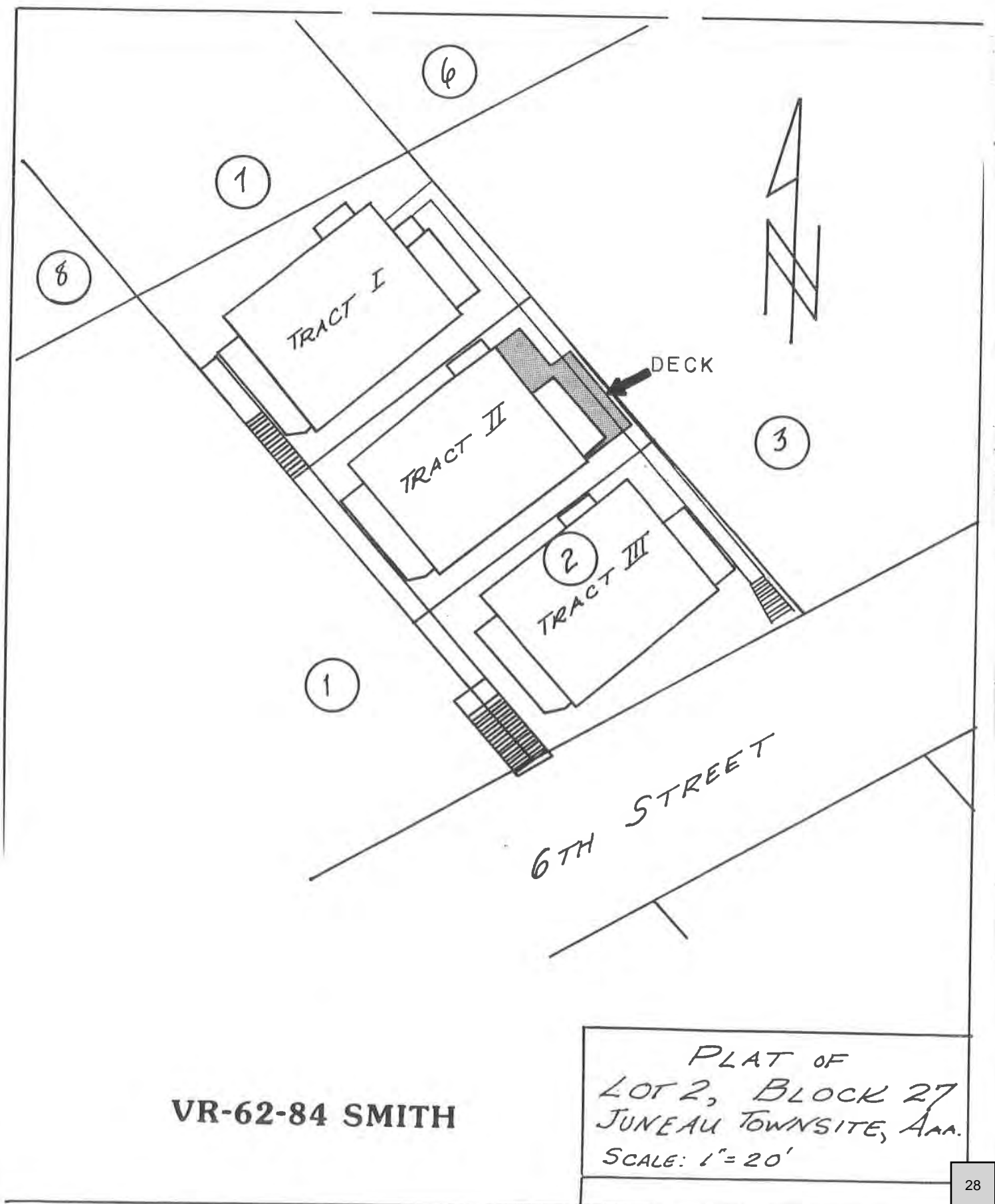
JULIA A. COSTIGAN (SEAL)

MYRTLE HUGHES

CAROL WIEDMAN

UNITED STATES OF AMERICA }
TERRITORY OF ALASKA } ss.

THIS CERTIFIES that on this 23rd day of February, 1955, before me, the undersigned, a Notary Public in and for the Territory of Alaska, duly commissioned and sworn, personally appeared MRS. JULIA A. COSTIGAN to me known and known to me to be the person(s) described in and who executed the instrument on the reverse side hereof and (individually) acknowledged to me that she executed the



Attachment F - 1984 Drawing of Tracts I, II, and III



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

NONCONFORMING CERTIFICATE

Date: September 17, 2021
 File No.: NCC2021 0066

Dain Hungelmann
 8697 Short Way
 Juneau, AK 99801

Proposal: A Nonconforming Situation Review for lot size, lot coverage, setbacks, and parking.

Property Address: 312 6th Street
 Property Legal Description: Juneau Townsite Block 27 Lot 2 FR
 Property Parcel Code No.: 1C040A270020

The Director of Community Development adopted the analysis and findings listed in the attached memorandum dated September 17, 2021 and has found the following situations on the lot to be certified nonconforming to the Title 49 Land Use Code of the City and Borough of Juneau:

- Nonconforming Structures (49.30.250):
 - Front yard setback of 7 feet
 - Rear yard setback of 0 feet
 - Side yard setback of 0 feet
 - Lot coverage of 67 percent
- Nonconforming Lots (49.30.260):
 - Lot size of 1,696 square feet
- Nonconforming Parking (49.30.270):
 - Zero (0) off-street parking spaces


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

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

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

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

Project Planner:



Allison Eddins, Planner II
Community Development Department



Jill Maclean, Director, AICP
Community Development Department

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



**DIRECTOR'S REVIEW STAFF REPORT
NONCONFORMING CERTIFICATION
NCC2021 0066**

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

DATE: September 17, 2021

TO: Jill Maclean, Director, AICP

BY: Allison Eddins, Planner II *A. Eddins*

PROPOSAL: A Nonconforming Situation Review for lot size, lot depth, setbacks, lot coverage and parking.

KEY CONSIDERATIONS FOR REVIEW:

- According to the CBJ Assessor's data, the structure was constructed in 1912.
- The lot was platted in 1934 with the Juneau Townsite Plat.
- The lot and the structure were created prior to the establishment of zoning.

STAFF RECOMMENDATION:

Staff recommends the following situations receive

Nonconforming Certification:

- Nonconforming Structures (49.30.250)
- Nonconforming Lots (49.30.260)
- Nonconforming Parking (49.30.270)

ABANDONMENT:

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

NONCOMPLIANCE:

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

- No compliant situations have been found.

GENERAL INFORMATION	
Property Owner	Lillian Parduhn
Applicant	Dain Hungelmann
Property Address	312 6 th Street
Legal Description	Juneau Townsite Block 27 Lot 2 FR
Parcel Number	1C040A270020
Zoning	D18
Lot Size	1,696 square feet
Water/Sewer	City water and sewer
Access	Private staircase
Existing Land Use	Residential
Associated Applications	N/A

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

SITE FEATURES AND ZONING



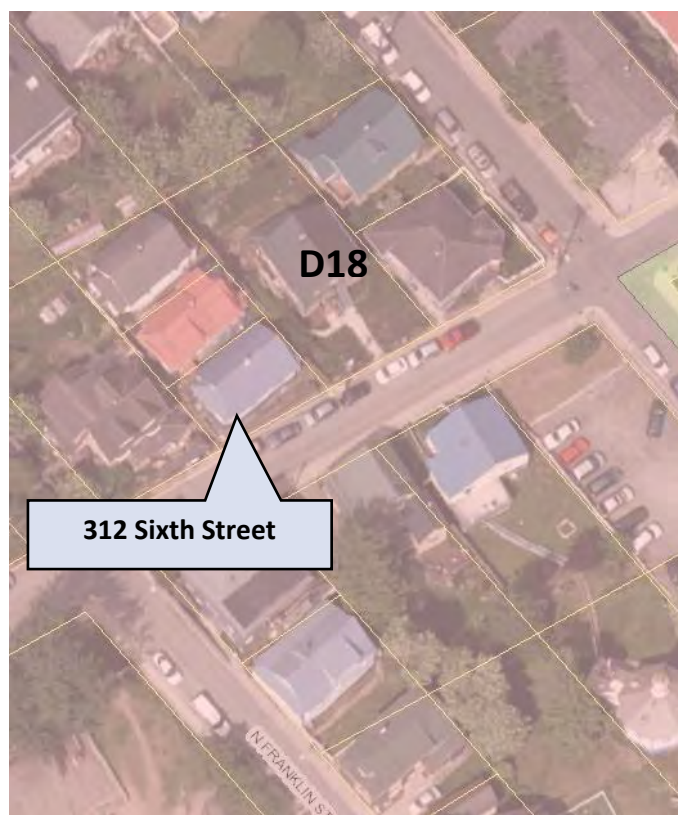
SURROUNDING ZONING AND LAND USES

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

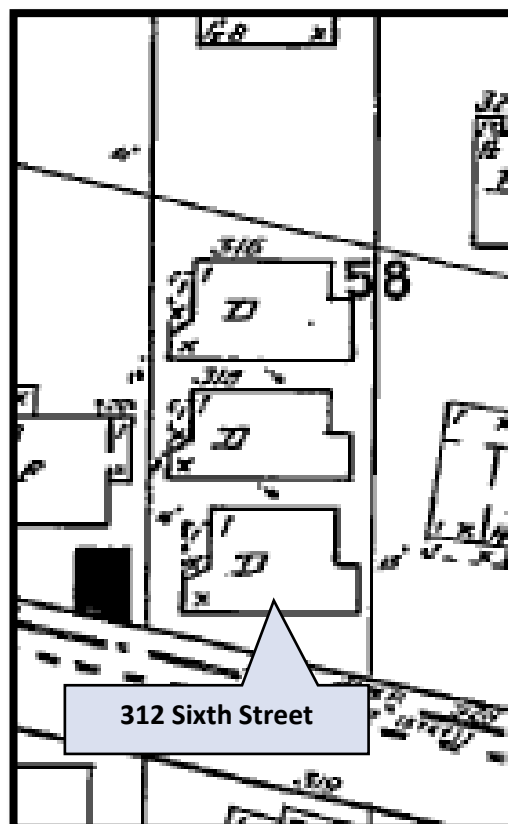
SITE FEATURES

Anadromous	None
Flood Zone	X Area of Minimal Risk
Hazard	None Known
Hillside	Yes
Wetlands	No
Parking District	No
Historic District	No
Overlay Districts	ADOD

CURRENT ZONING MAP



1927 SANBORN MAP



ZONING HISTORY

Year	Zoning District	Summary
1912	No Zoning Established	According to CBJ Assessor data, the structure was constructed in 1912, prior to the establishment of zoning.
1934	No Zoning Established	The lot was platted in 1934 prior to the establishment of zoning.
1956	R2 – Second Residence District	<p>In 1956, the lot and surrounding area was zoned R2. The minimum lot size requirement was 3,600 square feet with a minimum lot width requirement of 40 feet. There was no minimum lot depth requirement. Maximum lot coverage was 60 percent with setback requirement of 15 feet for the front lot line, 10 feet for the rear and 5 feet for side lot lines. One parking space was required.</p> <p>The lot became nonconforming for lot size. The structure became nonconforming for front, rear, and east side yard setbacks. The use became nonconforming for parking.</p>
1969	RMM – Residential Medium Density	<p>In 1969, the lot and surrounding area was rezoned RMM. The minimum lot size was 4,800 square feet with a minimum lot width requirement of 40 feet and minimum lot depth requirement of 90 feet. Maximum lot coverage, minimum setback, and parking requirements remained the same as R2.</p> <p>The rezone to RMM made the lot nonconforming for lot depth. The lot remained nonconforming for lot size. The structure remained nonconforming for front, rear, and east side yard setbacks. The use remained nonconforming for parking.</p>
1987	D18 – Multi-family Residential	<p>In 1987, the lot and surrounding area was rezoned D18. The minimum lot size requirement is 5,000 square feet with a minimum lot width requirement of 50 feet and lot depth requirement of 85 feet. Maximum lot coverage is 50% with setback requirement of 20 feet for the front lot line, 10 feet for the rear lot line, and 5 feet for side lot lines. Two parking spaces are required.</p> <p>The lot became nonconforming for lot coverage. The lot remains nonconforming for lot size. The structure remains nonconforming for front, rear, and east side yard setbacks. The use remains nonconforming for parking.</p>

BACKGROUND INFORMATION

The applicant requests a Nonconforming Situation Review for lot size, lot coverage, setbacks, and parking. The lot was platted in 1934, and the structure was constructed in 1912.

INFORMATION REVIEWED

Year	Type	Summary
1927	Sanborn Map	1927 Sanborn Map shows the structure existed in its current footprint and location prior to zoning being adopted in Juneau.
1934	Plat	Plat 1934-1 of Juneau Townsite shows the current lot size and dimensions pre-date zoning being adopted in Juneau.
2013	Aerial Photography	2013 aerial photography was used to determine vegetative cover, lot coverage and setbacks.
2019	Assessor's Photo	Used to determine approximate building height.
2021	Site Visit	Staff conducted a site visit to confirm vegetative cover, lot coverage, approximate building height, and parking.

ANALYSIS

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

Standard		Requirement	Existing	Code Reference
Lot	Size	5,000 square feet	1,696 square feet	49.25.400
	Width	50'	50'	49.25.400
Setbacks	Front	20'	7'	49.25.400
	Rear	10'	0'	49.25.400
	East Side	5'	0'	49.25.400
	West Side	5'	7'	49.25.400
	Street Side	13'	N/A	49.25.400
Lot Coverage		50%	67%	49.25.400
Height	Permissible	35'	~30'	49.25.400
	Accessory	25'	N/A	49.25.400
Maximum Dwelling Units		1	1	49.25.500
Use		Residential	Residential	49.25.300
Vegetative Cover		30%	37%	49.50.300
Parking		2	0	49.40.210(a)

Minimum Lot Requirements – The table and information above demonstrate that the lot is nonconforming for lot size. The lot was platted in 1934 prior to zoning requirements.

Finding: Staff finds the lot nonconforming for lot size.

Minimum Setback Requirements – The table and information above demonstrate that the structure is nonconforming for front yard, rear yard, and east side yard setbacks. The structure was constructed in 1912 prior to the establishment of zoning.

Finding: Staff finds the structure nonconforming for setbacks. The structure may become conforming for setbacks through the Alternative Development Overlay District permit process (CBJ 49.70.1200).

Lot Coverage – The lot exceeds the maximum allowed lot coverage. The lot and structure pre-date zoning requirements.

Finding: Staff finds the lot nonconforming for lot coverage.

Structure Height – Assessor's photos and a site visit confirmed the structure meets the maximum height requirements for permissible and accessory structures in the D18 zoning district.

Finding: Staff finds the structure conforming for height.

Residential Density – According to Assessor's and CDD records, the lot contains one single-family dwelling.

Finding: Staff finds the lot conforming for residential density.

Use – The use of the lot is residential.

Finding: Staff finds the lot conforming for use.

Vegetative Cover – 2013 aerial photography shows approximately 37% of the lot is maintained with live vegetation. A recent site visit confirmed this.

Finding: Staff finds the lot conforming for vegetative cover.

Parking – CBJ 49.40.210 requires two (2) off-street parking spaces. Back-out parking may be allowed for single-family dwellings in residential zoning districts per 49.40.230(b)(7)(A). The structure is located on a steep lot and is only accessible by a private staircase. There is no off-street parking provided.

Finding: Staff finds the use nonconforming for number of off-street parking spaces. The use may become conforming for parking through the Parking Waiver permitting process [CBJ 49.40.210 (d) (6)].

NONCOMPLIANT SITUATIONS

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

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

ABANDONMENT

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

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

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

Finding: Staff finds none of the above events have taken place and the nonconforming situations are not deemed abandoned.

FINDINGS

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

Analysis: The lot, structure, and residential use were created prior to the establishment of zoning.

Finding: Yes. The nonconforming situations were allowed, or not prohibited by law, when they were established.

2. Has the nonconforming situation been abandoned?

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

Finding: No. The nonconforming situations have not been abandoned.

RECOMMENDATION

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

- Nonconforming Structures (49.30.250):
 - Front yard setback of 7 feet
 - Rear yard setback of 0 feet
 - Side yard setback of 0 feet
 - Lot coverage of 67 percent
- Nonconforming Lots (49.30.260):
 - Lot size of 1,696 square feet
- Nonconforming Parking (49.30.270):
 - Zero (0) off-street parking spaces

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	Information Reviewed



BUILDING PERMIT

Permit No.
BLD20220746

Section H, Item 3.

* NOTE: "Building Permit" is a generic term which includes Building Safety Inspection, Grading Permits, and permits for Electrical, Plumbing and Mechanical work.

Your special attention is called to the following:

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

The granting of this permit does not authorize the violation of any federal, state or local law regulating construction for the violation of the terms of any deed or covenant or any zoning or other regulation.

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

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

Note: City Ordinances REQUIRE a Final Inspection be approved for every Building Permit.

Inspections

Inspections can be arranged by telephoning 586-1703 or by written or by online form or Email.

The Online Building Inspection Request Form is at: www.juneau.org/community-development/cdd-inspection-request.

Work shall not proceed until the inspector has approved the various stages of construction. An approved Final Inspection is required.

All inspections must be requested before noon the business day prior. Same day inspections must be requested by calling 586-0770

Please provide the following information: 1 Permit Number, 2 Address, 3 Type of Inspection, 4 Date and Time and 5 Contact Name and Phone Number.

Job Address: **312 SIXTH ST**

Issued Date : **11/29/2022**

Permit Number: **BLD20220746**

Parcel No: **1C040A270020**

Project Description: Remodel existing basement into additional dwelling unit. Remodel upstairs. Modified on 11/28/22 to remove basement remodel and add dormer extension creating additional living space

Parcel Information : JUNEAU TOWNSITE BL 27 LT 2 FR

Setbacks: Zone: D18:
Front: 20.00 Ft. Side 1: 5.00 Ft.
Rear: 10.00 Ft. Side 2: 5.00 Ft.
Street Side:

Comments: See NCC21-66 for nonconforming setbacks.

Owner :
BRIDGET LAPENTER
JAKE LAPENTER
320 W 8TH ST
JUNEAU AK 99801

Applicant :
MODERN ALASKA BUILDERS LLC
312 SIXTH ST
JUNEAU AK 99801

Fee Type	Date	Receipt	Amount Paid
BLD- Bldg Permit Fee	10/26/2022	66193	\$0.01
BLD- Bldg Permit Fee	11/28/2022	66258	\$1,146.29
BLD- Bldg Permit Fee	11/28/2022	66259	\$32.34
BLD- Res Plan Review	10/26/2022	66193	\$573.15
BLD- Res Plan Review	11/28/2022	66259	\$16.17
Total Fees Paid:			\$1,767.96

Valuation for Permit Fee Calculations:

S.F.	Type	Rate	Amount
0	Residential-Single Family R	116.96	0.00
			165,000.00
Total Valuation:			\$165,000.00

Project Conditions and Holds:

Approved Plans On Site - CBJ approved plans must be on site and available to the inspector. Inspections will not be performed and additional fees may apply if approved plans are not available to the inspectors.

EGRESS WINDOWS - Verify egress windows.

WATER FIXTURE COUNT - Minimum 3/4" Street Service and 3/4" Building Supply and branches for up to 20 fixture units. 3/4"=20wfu, 1/2"=7wfu.

Intersystem Bonding - For building final provide an Intersystem Bonding Termination Device at new and replaced electrical services as required by NEC article 250.94

Locking Caps - Refrigerant circuit access ports located outdoors shall be fitted with locking-type tamper-resistant caps or shall be otherwise secured to prevent unauthorized access.

Shower Anti-scald Valve - Showers and tub-shower combinations shall be provided with a control valve installed at the point of use that conforms to ASSE 1016/ ASME A112.1016/CSAB125.16 or ASME A112.18.1/CSA B125.1.

Smoke and CO Detectors - Smoke and Carbon Monoxide detectors as required by applicable code must be operational prior to temporary occupancy and/ or final inspection approval, whichever is requested first.

JUNEAU PERMIT CENTER - 230 S. Franklin Street - 4th Floor, Marine View Center - Mail: 155 S. Seward Street, Juneau, AK 99801
Phone: 586-0770 - FAX: 586-4529 - Inspection Requests: 586-1703, Inspections@Juneau.org - Questions, Email: permits@juneau.org
Web Site: www.juneau.org/community-development



Application Date: Oct

Section H, Item 3.

BUILDING PERMIT APPLICATION

NOTE: THIS IS NOT A BUILDING PERMIT

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

Case No: **BLD20220746**

Case Description: Remodel existing basement into additional dwelling unit. Remodel upstairs. Modified on 11/28/22 to remove basement remodel and add dormer extension creating additional living space

Site Address: **312 SIXTH ST**Check No. of Existing Dwelling Units: **1**

Parcel No: 1C040A270020

No. of New Dwelling Units: **1**

Legal Description: JUNEAU TOWNSITE BL 27 LT 2 FR

No. of Removed Dwelling Units: **0****Applicant :** MODERN ALASKA BUILDERS LLC
312 SIXTH ST
JUNEAU AK 99801

e-mail: modernalaskabuilders@gmail.com

PRI

907-500-4148

Owner: BRIDGET LAPENTER
JAKE LAPENTER
320 W 8TH ST
JUNEAU AK 99801**Contractor:** MODERN ALASKA BUILDERS LLC
312 SIXTH ST
JUNEAU AK 99801

PH: _____ FAX: _____

Valuation for Permit Fee Calculations:

<u>S.F.</u>	<u>Type</u>	<u>Rate</u>	<u>Amount</u>
0	Residential-Single Family Resi	116.96	0.00
			165,000.00
	Total Valuation:		\$165,000.00

Associated Cases:

None.

Parcel Tags:

12/5/05 KJB. See attached document DEED 20051129.

Notes and Conditions:

Applicant will modify permit or apply for a new permit for basement work to add accessory apartment if approved by Planning Commission

CBJ approved plans must be on site and available to the inspector. Inspections will not be performed and additional fees may apply if approved plans are not available to the inspectors.

Verify egress windows.

Minimum 3/4" Street Service and 3/4" Building Supply and branches for up to 20 fixture units. 3/4"=20wfu, 1/2"=7wfu.

For building final provide an Intersystem Bonding Termination Device at new and replaced electrical services as required by NEC article 250.94

Refrigerant circuit access ports located outdoors shall be fitted with locking-type tamper-resistant caps or shall be otherwise secured to prevent unauthorized access.

Showers and tub-shower combinations shall be provided with a control valve installed at the point of use that conforms to ASSE 1016/ ASME A112.1016/CSAB125.16 or ASME A112.18.1/CSA B125.1.

Smoke and Carbon Monoxide detectors as required by applicable code must be operational prior to temporary occupancy and/ or final inspection approval, whichever is requested first.

Water heaters shall be anchored in an approved manner or strapped within the upper 1/3 and lower 1/3 of its vertical dimensions.

Meter installation must be in accordance with CBJ STD 420 prior to issuance of TCO. Installation must include three 22 gauge multicolored conductors in 1/2" electrical conduit from main entrance of building to within 12" of meter register (not to exceed 100'). Allow an extra 2' of wire for meter connections. Meter must be installed with the following clearances: minimum 18" clearance above meter and minimum 12" clearance each side and below meter. Contact CBJ Utility Business Unit for meter issuance and remote readout installation, 586-0997, a minimum of 48 hours prior to meter issuance or remote readout installation.

Building water supply systems where quick-acting valves are installed shall be provided with water hammer arrester(s) to absorb high pressures resulting from the quick closing of these valves. Water hammer arresters shall be approved mechanical devices that comply with ASSE 1010 or PWI-WH 201 and shall be installed as close as possible to quick-acting valves.

Applicant's Signature

(Owner, Contractor or Authorized Agent)

Date

Staff Acceptance

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

JUNEAU PERMIT CENTER - 230 S. Franklin Street - 4th Floor, Marine View Center - Mail: 155 S. Seward Street, Juneau, AK 99801
Phone: 586-0770 - FAX: 586-3365 - Inspection Requests: 586-1703 - Email: permits@ci.juneau.ak.us
Web Page: [HTTP://WWW.JUNEAU.ORG/PERMITS](http://WWW.JUNEAU.ORG/PERMITS)

11/28/2022

Case No: **BLD20220746**

Site Address: 312 SIXTH ST

Parcel No: 1C040A270020

Desc: Remodel existing basement into additional dwelling unit. Remodel upstairs. Modified on 11/28/22 to remove basement remodel and add dormer extension creating additional living space

Residential REPI New Dwelling Units: 1
 FCC Code: 434 Existing Dwelling Units: 1
 Type of Construction: VP Occupancy Class: 1
 Sprinkler Substitute for Type A Construction: YES NO
 Sprinkler System: FULL PARTIAL NONE Required: YES NO
 Alarm System: FULL PARTIAL NONE Required: YES NO
 Code Edition: 2012 IRC Code Review by: JH Date: 11/28/2022

Valuation for Permit Fee Calculations:

S.F.	Type	Rate	Amount
0	Residential-Single Family Resi	116.96	0.00
			<u>165,000.00</u>
Total Valuation:			<u>\$165,000.00</u>

LAND USE ZONE/UNITS D18 / 1 WETLAND <u>No</u> FLOOD ELEV <u>N/A</u> FIRM ZONE <u>N/A</u> FIRM MAP <u>N/A</u> LOT SIZE <u>1,696 SF</u> <u>0.0 ACRES</u> SETBACKS Front <u>20' 7' nonconform</u> Rear <u>10' 0' nonconform</u> Side(E) <u>5' 0' nonconform</u> Other <u>5'</u> PARKING <u>2 0 nonconform</u> ANADROMOUS <u>No</u> EAGLES NEST <u>?</u> Coverage <u>50% / 50%</u> <u>Permissible/Conditional</u> HEIGHT <u>35' / 25'</u> <u>Permissible/Accessory</u> VEGETATION <u>30%</u> HAZARD <u>No</u>	ENGINEERING/PUB WORKS Dwelling Units: <u>1</u> CITY WATER: <u>1</u> Permit #: <u> </u> Use Assessment: <u> </u> Service Size: <u> </u> Line Size: <u> </u> WATER SEWER: <u> </u> Permit #: <u> </u> Use: <u> </u> Assessment: <u> </u> Fixture Units: <u> </u> LAND USE PERMITS ADR Case #: <u> </u>	PLAN REVIEW APPROVALS <table border="1"> <thead> <tr> <th></th> <th>Initials</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>Fire</td> <td></td> <td></td> </tr> <tr> <td>X Zoning</td> <td>JLS</td> <td>11/29/22</td> </tr> <tr> <td>Engineering</td> <td></td> <td></td> </tr> <tr> <td>Water</td> <td></td> <td></td> </tr> <tr> <td>Sewer</td> <td></td> <td></td> </tr> <tr> <td>Architectural</td> <td>JH</td> <td>11/28/2022</td> </tr> <tr> <td>Structural</td> <td>JH</td> <td>11/28/2022</td> </tr> <tr> <td>Plumbing</td> <td>JH</td> <td>11/28/2022</td> </tr> <tr> <td>Mechanical</td> <td></td> <td></td> </tr> <tr> <td>Electrical</td> <td></td> <td></td> </tr> <tr> <td>Access</td> <td></td> <td></td> </tr> <tr> <td>Spcl Insp Form</td> <td></td> <td></td> </tr> </tbody> </table> <p>APPROVED FOR ISSUANCE <u>Jon Stearns</u> Signature <u>11/29/2022</u> Date</p>		Initials	Date	Fire			X Zoning	JLS	11/29/22	Engineering			Water			Sewer			Architectural	JH	11/28/2022	Structural	JH	11/28/2022	Plumbing	JH	11/28/2022	Mechanical			Electrical			Access			Spcl Insp Form			PERMIT ISSUANCE FEES <table border="1"> <tbody> <tr><td>Grading Plan Review Fee</td><td>\$</td><td></td></tr> <tr><td>Adjusted Plan Review Fee</td><td>\$</td><td></td></tr> <tr><td>Fast Track Fee</td><td>\$</td><td></td></tr> <tr><td>Early Start Fee</td><td>\$</td><td></td></tr> <tr><td>Building Permit Fee</td><td>\$</td><td></td></tr> <tr><td>Water Assessment Fee</td><td>\$</td><td></td></tr> <tr><td>Sewer Assessment Fee</td><td>\$</td><td></td></tr> <tr><td>Sewer Inspection Fee</td><td>\$</td><td></td></tr> <tr><td>Grading Permit Fee</td><td>\$</td><td></td></tr> <tr><td>Driveway Permit Fee</td><td>\$</td><td></td></tr> <tr><td>Bond for</td><td>\$</td><td></td></tr> <tr><td>Other</td><td>\$</td><td></td></tr> <tr><td>Total Issuance Fees</td><td>\$</td><td></td></tr> </tbody> </table> PERMIT ISSUANCE PAYMENTS <table border="1"> <thead> <tr> <th>Date</th> <th>Receipt</th> <th>Check</th> <th>Amount</th> </tr> </thead> <tbody> <tr><td></td><td></td><td></td><td>\$</td></tr> <tr><td></td><td></td><td></td><td>\$</td></tr> <tr><td></td><td></td><td></td><td>\$</td></tr> </tbody> </table>	Grading Plan Review Fee	\$		Adjusted Plan Review Fee	\$		Fast Track Fee	\$		Early Start Fee	\$		Building Permit Fee	\$		Water Assessment Fee	\$		Sewer Assessment Fee	\$		Sewer Inspection Fee	\$		Grading Permit Fee	\$		Driveway Permit Fee	\$		Bond for	\$		Other	\$		Total Issuance Fees	\$		Date	Receipt	Check	Amount				\$				\$				\$
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Parcel Tags:

12/5/05 KJB. See attached document DEED 20051129.

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

- Height: Letter submitted confirming that construction will not change the roof height of the existing structure, and that the maximum roof elevation will remain the same. Note: The maximum height allowed for a structure in the D18 zoning district is 35 feet.
- Setbacks: The following note has been added to the submitted plans: "Newly constructed dormers and any modified roof framing shall not extend in any direction past the existing roof line."
- Accessory Apartment: No approval has been granted to construct or use an accessory apartment on the property. A Pre-Application meeting, Conditional Use Permit approval from the Planning Commission, and a Parking Waiver from the Director will all be required prior to construction or use of an accessory apartment on the property.

From: [Jennifer Shields](#)
To: "Modern Alaska"
Cc: [Nate Watts](#); [Jon Stearns](#); [Permits](#); [Adrienne Scott](#); [Charlie Ford](#); [Scott Ciambor](#); [Jill Maclean](#)
Jill.Maclean@juneau.org
Subject: RE: 312 6th Street - Roof Elevations
Date: Tuesday, November 29, 2022 10:14:00 AM

Hi Bridget,

Building Permit BLD2022-0746 has been MODIFIED to remove any part of the application for an accessory apartment. Please note the following:

- 1) Height: You have submitted a letter confirming that construction will not change the roof height of the existing structure, and that the maximum roof elevation will remain the same. Note: The maximum height allowed for a structure in the D18 zoning district is 35 feet.
- 2) Setbacks: The following note has been added to the submitted plans: "Newly constructed dormers and any modified roof framing shall not extend in any direction past the existing roof line."
- 3) Accessory Apartment: No approval has been granted to construct or use an accessory apartment on the property. As previously noted, a Pre-Application meeting, Conditional Use Permit approval from the Planning Commission, and a Parking Waiver from the Director will all be required prior to construction or use of an accessory apartment on the property.

Based upon the above conditions, I have approved Modified Building Permit BLD2022-0746 for Zoning purposes. Please contact Edward Quinto, Permit Specialist, at (907) 586-0770 or Edward.Quinto@juneau.org to find out the status of your Modified Building Permit application.

Finally, a time is available on 12/21 at 10:30 am to hold a Pre-Application meeting regarding the future accessory apartment. **Please contact Edward Quinto, Permit Specialist, at Edward.Quinto@juneau.org if you would like to schedule a Pre-Application meeting on this date, or when the next available meeting time is after that.**

Take care,

Jennifer L. Shields | Planner II

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

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

Office: 907.586.0753 ext. 4139



320 W 8th Street
Juneau, AK 99801

November 28, 2022

City and Borough of Juneau
Community Development Department
155 S. Seward Street
Juneau, AK 99801

RE: 312 6TH STREET RENOVATION PROJECT, PARCEL NO 1C040A270020

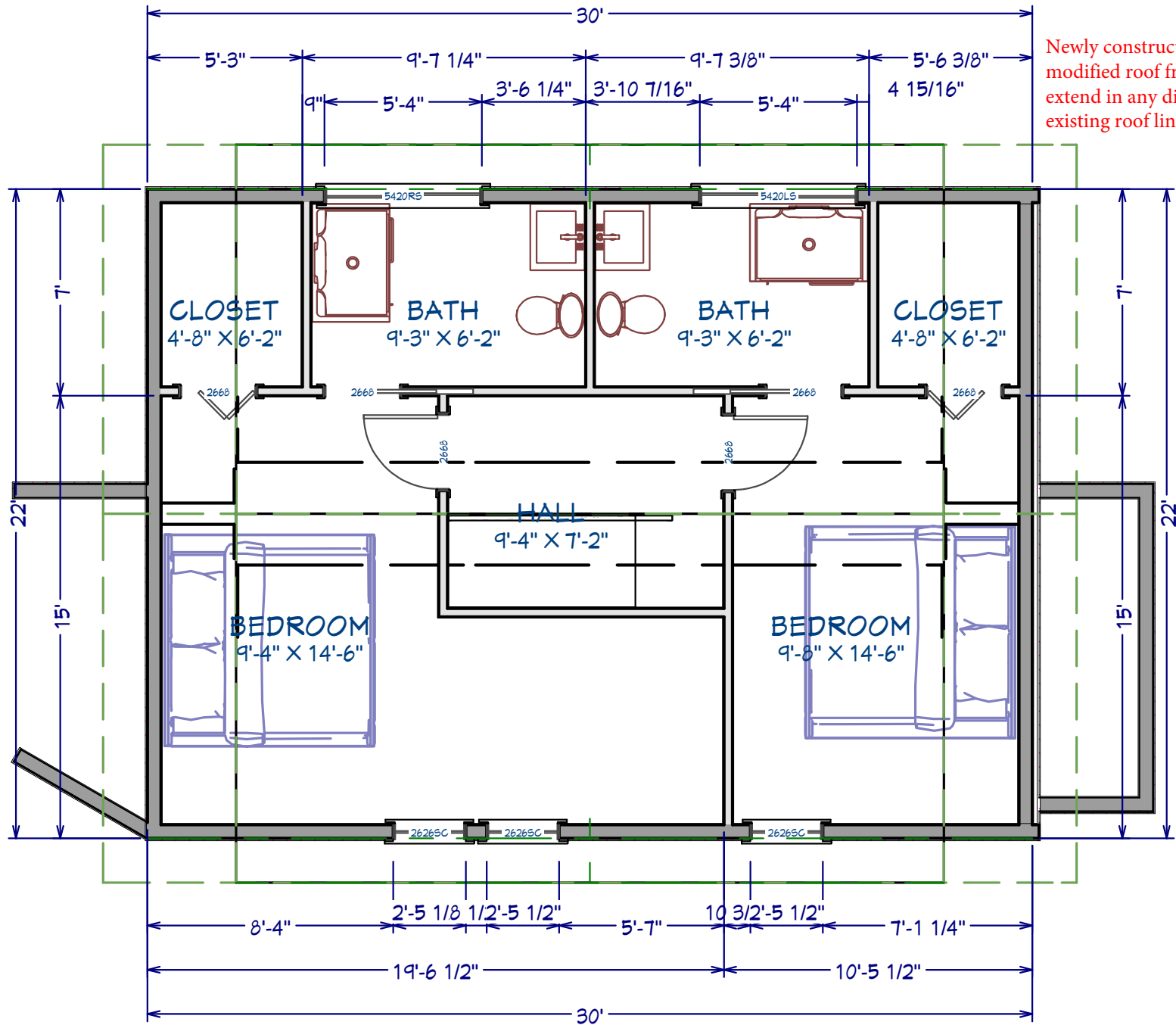
To Whom It May Concern,

The project located at the subject property will not change the roof height of the existing structure. Maximum roof elevation will remain the same. If you have any questions, please contact me.

Thanks,

Bridget LaPenter

A handwritten signature in black ink, appearing to read "B LaPenter", written in a cursive style.



Newly constructed dormers and any modified roof framing shall not extend in any direction past the existing roof line.

SECOND FLOOR
660 SQ FT

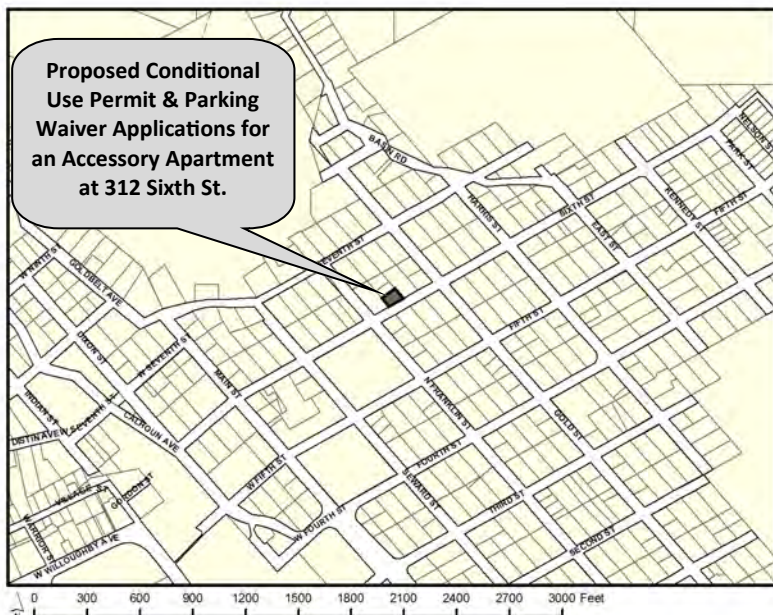
Attachment H - 2022 Building Permit BLD22-746

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission

Your Community, Your Voice

Proposed Conditional Use Permit & Parking Waiver Applications for an Accessory Apartment at 312 Sixth St.



COMMUNITY DEVELOPMENT

155 S. Seward Street Juneau, Alaska 99801

TO:

An application has been submitted for consideration and public hearing by the Planning Commission for **Conditional Use Permit & Parking Waiver Applications for an Accessory Apartment at 312 Sixth St** in a **D18 Zone**.

PROJECT INFORMATION:

Project Information can be found at:

<https://juneau.org/community-development/short-term-projects>

PLANNING COMMISSION DOCUMENTS:

Staff Report expected to be posted **May 1st, 2023** at

<https://juneau.org/community-development/planning-commission>

Find hearing results, meeting minutes, and more here, as well.

Now through April 17

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

April 18 — noon, May 5

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

HEARING DATE & TIME: 7:00 pm, May 9th, 2023

This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting <https://juneau.zoom.us/j/88455226753> and use the Webinar ID: 884 5522 6753 OR join by telephone, calling: 1-253-215-8782 and enter the Webinar ID (above).

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

May 10th

The results of the hearing will be posted online.

FOR DETAILS OR QUESTIONS,

Phone: (907)586-0753 ext. 4139 ♦

Email: pc_comments@juneau.gov

Mail: Community Development, 155 S. Seward Street, Juneau AK 99801

Case No.: USE2023 0005 & PWP2023 0002

Parcel No.: 1C040A270020

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

45



Attachment J - Public Notice Sign Photo

From: Aardvark LLC <architectureoffaith@gmail.com>
Sent: Monday, April 3, 2023 10:25 PM
To: PC_Comments
Subject: Conditional Use Permit and Parking Waiver for accessory Apt. 312 6th St.

Dear CBJ,

I would like to manifest my sympathies for, and approval of all designs for building permit for 312 6th St. in D18 Zone. It is necessary to get as much housing available in downtown Juneau as soon as possible. Whatever helps these people get their project going is good by me as a citizen and neighbor.

As for the parking waiver, I additionally wish to express my discontent with any ordinance that requires off-street parking in new construction of buildings or houses. The idea that we must provide parking for cars in itself creates a precedent for car-dependent living, which is neither necessary nor healthy for the commonwealth or the environment. Any law requiring off-street parking as a precondition of a building permit puts cars over people, which neither serves the community nor the planet. We need to get away from such laws that hearken back to the 20th century car-centric urban planning, where everything had to have a garage and a lawn and a white picket fence.

Cars can park on the street. It is good NOT to have extra parking because it encourages people to use the space that we have more efficiently (by walking). I would rather have park benches and trees, or even outbuildings instead of more dead space for those moveable hunks of metal and grease.

Sincerely,

Joshua S Adams
Aardvark, LLC
architectureoffaith@gmail.com

907-723-5866



Planning Commission

(907) 586-0715

PC_Comments@juneau.org

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

155 S. Seward Street • Juneau, AK 99801

**PLANNING COMMISSION
NOTICE OF DECISION**

Date: May 10, 2023
File No.: USE2023 0005

Jake and Bridget LaPenter
320 W 8th St.
Juneau, AK 99801

Proposal: Conditional Use Permit for an accessory apartment on a substandard lot in a D18 zoning district.

Property Address: 312 6th Street

Legal Description: JUNEAU TOWNSITE BL 27 LT 2 FR

Parcel Code No.: 1C040A270020

Hearing Date: May 9, 2023

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated April 24, 2023, and APPROVED the Conditional Use Permit for an accessory apartment on a substandard lot to be conducted as described in the project description and project drawings submitted with the application (and with the following condition:)

1. Prior to issuance of a building permit for the accessory apartment, the applicants must have a parking waiver approved by the Commission or comply with parking requirements.

Attachments: April 24, 2023, memorandum from Jennifer Shields, Community Development, to the CBJ Planning Commission regarding USE2023 0005.

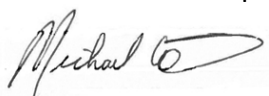
This Notice of Decision does not authorize construction activity. Prior to starting any project, it is the applicant's responsibility to obtain the required building permits.

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 9, 2023.

Expiration Date: The permit will expire 18 months after the effective date, or November 9, 2024, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.



Michael LeVine, Chair
Planning Commission

May 14, 2023

Date



May 15, 2023

Filed With City Clerk

Date

cc: Plan Review

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



PLANNING COMMISSION STAFF
CONDITIONAL USE PERMIT USE2023 0005
HEARING DATE: MAY 9, 2023

Section H, Item 4.

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

DATE: April 24, 2023
TO: Michael LeVine, Chair, Planning Commission
BY: Jennifer Shields, Planner II *Jennifer Shields*
THROUGH: Jill Maclean, Director, AICP

PROPOSAL: Applicant requests a Conditional Use Permit for an accessory apartment on a substandard lot in a D18 zoning district.

STAFF RECOMMENDATION: Approval with conditions

KEY CONSIDERATIONS FOR REVIEW:

- The lot and structure received a Nonconforming Certification for lot size and lot coverage, yard setbacks, and off-street parking.
- The proposed accessory apartment is within the existing structure.
- A Parking Waiver has been requested; the lot is unable to accommodate on-site parking.
- The proposal complies with adopted plans, which contain policies promoting in-fill housing development.

ALTERNATIVE ACTIONS:

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

ASSEMBLY ACTION REQUIRED:

Assembly action is not required for this permit.

STANDARD OF REVIEW:

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
 - 49.15.330
 - 49.25.510(k)
 - 49.70.300
 - 49.80

GENERAL INFORMATION	
Property Owner	Jake and Bridget LaPenter
Applicant	Jake and Bridget LaPenter
Property Address	312 Sixth Street
Legal Description	JUNEAU TOWNSITE BL 27 LT 2 FR
Parcel Number	1C040A270020
Zoning	D18 (Multi-Family)
Land Use Designation	MDR (Medium Density Residential)
Lot Size	1,696 square feet
Water/Sewer	Public water and public sewer
Access	Sixth Street
Existing Land Use	Residential
Associated Applications	PWP2023-0002

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

Fostering excellence in development for this generation and the next.

SITE FEATURES AND ZONING



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

SITE FEATURES	
Anadromous	No
Flood Zone	No
Hazard	No
Hillside	Yes
Wetlands	No
Parking District	No
Historic District	No
Overlay Districts	Alternative Development Overlay District

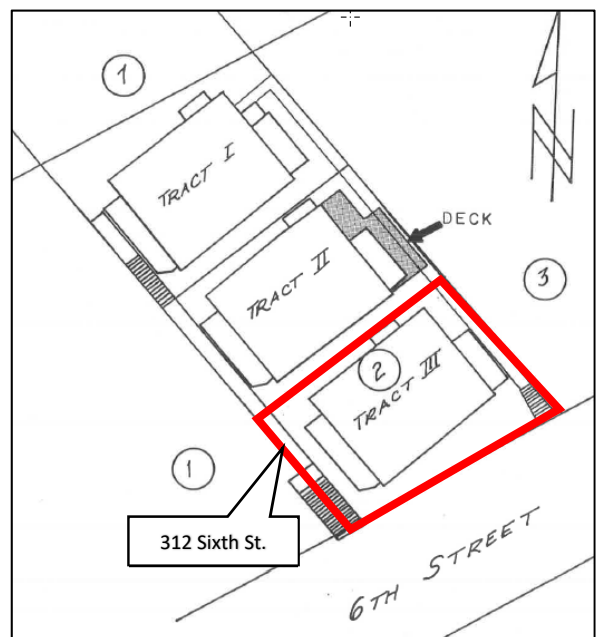
BACKGROUND INFORMATION

Project Description – The applicant requests a Conditional Use Permit to develop an accessory apartment on a substandard lot in a D18 zoning district (Attachment A). In conjunction with this permit, the applicant has also applied for a Parking Waiver to waive one (1) required parking space for the accessory apartment (PWP2023-0002). The accessory apartment will measure approximately 383 square feet and will be located within the basement of an existing single-family dwelling.

Lot Size

The minimum lot size required in the D18 zoning district is 5,000 square feet. The lot is 1,696 square feet and is comprised of Tract III, a fraction of the original Lot 2. Per CBJ 49.30.260(a), *“A property owner of a nonconforming lot has the same development rights as a property owner of a conforming lot, provided the owner first obtains nonconforming certification pursuant to section 49.30.310.”* On September 17, 2021, a Nonconforming Certificate was issued identifying the lot size as nonconforming (NCC2021-0066, Attachment G).

According to CBJ 49.25.510(k)(2)(E)(ii)(a), efficiency or one-bedroom accessory apartments under 600 square feet are allowed on lots that are less than the minimum lot size for the zoning district with an approved Conditional Use Permit.



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Multi-Family Zoning

According to CBJ 49.25.510(k)(2)(G)(ii), efficiency or one-bedroom accessory apartments under 600 square feet are allowed in a multi-family zoning district, if the primary use of the lot is a single-family dwelling, with an approved Conditional Use Permit.

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

Year	Item	Summary
1894	Plat	Juneau Townsite plat of the original Block 27, Lot 2 (Attachment B).
1912	Assessor Record	Date that the structure was built (Attachment C).
1927	Sanborn Map	Shows the structure existed in its current footprint and location prior to zoning being adopted in Juneau (Attachment D).
1955	Easements	Easements for ingress and egress along both sides of the original Block 27, Lot 2 (Attachment E).
1984	Lot Sketch	Drawing showing the lot in relation to the other fractions of the original Block 27, Lot 2 (Attachment F).
2021	Nonconforming Certificate	NCC21-66 issued for nonconforming lot size and coverage, yard setbacks, and off-street parking (Attachment G).
2022	Building Permit	BLD22-746 for roof repairs and dormer extension for additional living space on the second floor (Attachment H).
2022	Pre-Application Conference	PAC22-60 held to discuss Accessory Apartment Conditional Use Permit and Parking Waiver process with applicants (Attachment A).

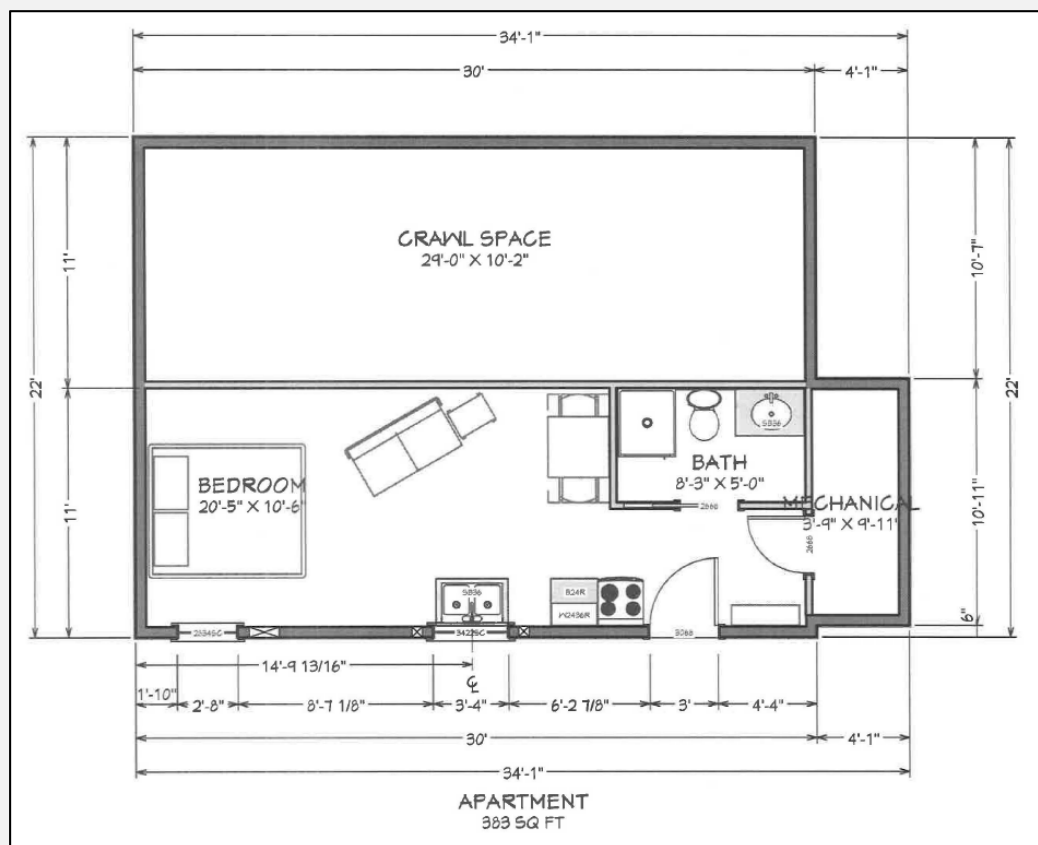
ZONING REQUIREMENTS

Standard		Requirement	Existing*	Code Reference
Lot	Size	5,000 sq. ft.	1,696 square feet	CBJ 49.25.400
	Width	50 feet	50 feet	CBJ 49.25.400
Setbacks	Front (S)	20 feet	7 feet	CBJ 49.25.400
	Rear (N)	10 feet	0 feet	CBJ 49.25.400
	Side (E)	5 feet	0 feet	CBJ 49.25.400
	Side (W)	5 feet	7 feet	CBJ 49.25.400
	Street Side	13 feet	N/A	CBJ 49.25.400
Lot Coverage Maximum		50%	67%	CBJ 49.25.400
Vegetative Cover Minimum		30%	~37%	CBJ 49.50.300
Height	Permissible	35 feet	~30 feet	CBJ 49.25.400
	Accessory	25 feet	N/A	CBJ 49.25.400
Maximum Dwelling Units (18/Acre)		1	1	CBJ 49.25.500
Use		Residential	Residential	CBJ 49.25.300
Parking		2 – SFD, 1 – AA	0	

*Based upon Nonconforming Certificate NCC2021-0066.

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FLOOR PLAN



ANALYSIS

Project Site – The lot is located in the northern area of the Juneau Townsite historic district and contains a two-story, single-family dwelling with a basement built on a steep lot with a slope of approximately 30%. The structure was built prior to zoning requirements and is certified nonconforming for lot size, lot coverage, front yard setback, rear yard setback, side yard setback, and off-street parking requirements (Attachment G). The structure is currently under construction for roof repairs and extending the dormers for additional living space (Attachment H).

Project Design – The proposed efficiency accessory apartment measures approximately 383 square feet and will have one (1) bathroom, a combined kitchen/living/sleeping area, and a mechanical room. The accessory apartment will be located within the unfinished basement of the structure and will not aggravate the existing nonconforming lot and yard setback situations.



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

Use	Per Unit	Trips Generated	Total Trips
Single-family dwelling	1	9.52 per unit	9.52
Accessory Apartment	1	6.65 per unit	6.65
Total ADT's:			16.17

Vehicle Parking & Circulation – Due to the steepness of the lot, a four-foot high retaining wall spans the majority of the lot's frontage. In addition, the structure covers approximately 67% of the lot. Both of these conditions prevent off-street parking from being provided on-site. The existing single-family dwelling is certified nonconforming for zero (0) off-street parking spaces (Attachment G).

According to CBJ 49.40.210(a), one (1) additional off-street parking space is required for the proposed accessory apartment. Per 49.30.270(b), a Parking Waiver may be granted for a nonconforming parking situation, so the applicants have applied for a parking waiver of one (1) off-street parking space (PWP2023-0002). If the Parking Waiver is not granted, the accessory apartment cannot be constructed due to the unavailability of on-site parking. Parking is discussed further in the staff report for PWP2023-0002.

Condition: Prior to issuance of a building permit for the accessory apartment, the applicants must have a parking waiver approved by the Commission or comply with current parking requirements.

Non-motorized Transportation – The lot is within a ¼ mile walking distance from downtown. The Sixth Street right-of-way is approximately 30 feet wide, with sidewalks provided on both sides of the street. The downtown area and surrounding neighborhoods are identified as a walkable area with provisions for pedestrians.

Proximity to Transit – The closest bus stop is within 700 feet on Fourth Street, an approximately three-minute walking distance from the property. The 2013 Comprehensive Plan promotes *Transit Oriented Development*, and allows for higher residential densities within a five to ten minute walking distance to public transit service.

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

Lighting – According to CBJ 49.40.230(d), exterior lighting fixtures shall be “full cutoff” design. If new lighting is proposed, design will be verified during the building permit review process.

Vegetative Cover & Landscaping – A minimum of 30 percent vegetative cover is required in the D18 zoning district. 2013 GIS Aerial Imagery indicate that this requirement is met, and the accessory apartment will not expand the building footprint.

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

Drainage and Snow Storage – Any proposed grading or changes to drainage will be reviewed through the building permit review process.

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Hazard Zones – The lot is not located within a mapped hazard area.

Public Health, Safety, and Welfare – There is no evidence to suggest that the proposed development, with the appropriate conditions, will materially endanger the public health, safety and welfare.

Property Value or Neighborhood Harmony – There is no evidence to suggest that the proposed development will be out of character with the existing neighborhood, or that it would reduce property values of neighboring properties. The lot is in a D18 multi-family zoning district and is surrounded by residential uses. Compact, in-fill development is generally in character with the higher density residential neighborhood and is encouraged in the 2013 Comprehensive Plan.

AGENCY REVIEW

CDD conducted an agency review comment period between March 30, 2023 and April 7, 2023.

Agency	Summary
CBJ General Engineering	No comments submitted.
CBJ Building Department	No comments submitted.
CBJ Fire Department	No comments submitted.

PUBLIC COMMENTS

CDD conducted a public comment period between March 30, 2023 and April 17, 2023. Public notice was mailed to property owners within 500 feet of the proposed development (Attachment I). A public notice sign was also posted on-site two weeks prior to the scheduled hearing (Attachment J). Public comments submitted at the time of writing this staff report can be found in Attachment K and are summarized below.

Name	Summary
Joshua S. Adams	Support: Downtown Juneau needs more housing; off-street parking should not be required in order to protect the environment from car-centric urban planning.

CONFORMITY WITH ADOPTED PLANS

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

PLAN	Chapter	Page No.	Item	Summary
2013 Comprehensive Plan	3	20	Policy 3.2	Promotes compact urban development within the designated urban service area to ensure efficient utilization of land resources and to facilitate cost effective provisions of community services and facilities.

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PLAN	Chapter	Page No.	Item	Summary
	4	37	Policy 4.2	Facilitates the provision of an adequate supply of various housing types and sizes to accommodate present and future housing needs for all economic groups.
	11	147	Land Use Designation	Complies with the <i>Medium Density Residential – Single Family</i> land use designation; this land use designation allows single-family dwellings with accessory apartments.
2016 Housing Action Plan	2	35	Production Targets	Creates additional housing, which advances the City’s goal of increasing housing stock.

FINDINGS

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

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

Analysis: No further analysis needed.

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

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

Analysis: The application is for an accessory apartment within an existing single-family dwelling. The use is listed at CBJ 49.25.300, Section 1.130 for the D18 zoning district.

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

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

Analysis: No further analysis needed.

Finding: Yes. With the recommended condition, the proposed development will comply with Title 49, including parking, lighting, and vegetative cover requirements.

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

Analysis: No further analysis needed.

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

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

Analysis: No further analysis is needed.

Finding: No. There is no evidence to suggest that, with the recommended condition, the requested accessory apartment, in a D18 zoning district will substantially decrease the value or be out of harmony with the property in the neighboring area.

6. Will the proposed development be in general conformity with the Land Use Plan, Thoroughfare Plan, or other officially adopted plans?

Analysis: Policies in the Comprehensive Plan and Housing Action Plan call for compact, in-fill development within the Urban Service Boundary. Staff finds the proposed development is in general conformity with the land use designation identified in the Comprehensive Plan.

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

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested Conditional Use Permit. The permit would allow for the development of an accessory apartment on an undersized lot in a D18 zoning district.

The approval is subject to the following condition:

1. Prior to issuance of a building permit for the accessory apartment, the applicants must have a parking waiver approved by the Commission or comply with parking requirements.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	1894 Juneau Townsite Plat
Attachment C	Assessor's Record
Attachment D	1927 Sanborn Map
Attachment E	1955 Warranty Deed
Attachment F	1984 Drawing of Tracts I, II, and III
Attachment G	2021 Nonconforming Certificate NCC21-66
Attachment H	2022 Building Permit BLD22-746
Attachment I	Abutters Notice
Attachment J	Public Notice Sign Photo
Attachment K	Public Comments



DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications. This form and all documents associated with it are public record once submitted.

To be completed by Applicant	PROPERTY LOCATION		
	Physical Address 312 6th Street		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) Juneau Townsite BL 27 LT 2 FR		
	Parcel Number(s) 1C040A270020		
	<input type="checkbox"/> This property is located in the downtown historic district <input type="checkbox"/> This property is located in a mapped hazard area, if so, which N/A		
	LANDOWNER/ LESSEE		
	Property Owner Bridget LaPenter; Jake LaPenter		Contact Person Bridget LaPenter
	Mailing Address 320 W 6th St, Juneau, AK 99801		Phone Number(s) (907) 500-4170 Bridget (907) 500-4148 Jake
	E-mail Address bridget.lapenter@gmail.com ; modernalaskabuilders@gmail.com		
	LANDOWNER/ LESSEE CONSENT		
Required for Planning Permits, not needed on Building/ Engineering Permits.			
Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.			
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 the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.			
Bridget LaPenter Landowner Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee)			
X [Signature] 12-25-22 Landowner/Lessee (Signature) Date			
Jake LaPenter Landowner Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee)			
X [Signature] Landowner/Lessee (Signature) Date			
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.			
APPLICANT			
If same as LANDOWNER, write "SAME"			
Applicant (Printed Name) SAME		Contact Person	
Mailing Address		Phone Number(s)	
E-mail Address			
X [Signature] 1-10-23 Applicant's Signature Date of Application			

DEPARTMENT USE ONLY BELOW THIS LINE

Intake Initials

JLS

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Case Number

USE 23-005

Date Received

3-20-23



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 Addition of a one bedroom, one bath apartment under 600 sq ft to the basement of the house located at 312 6th Street in Downtown Juneau.

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) 1.130 Single-family detached, accessory apartments
Table of Permissible Uses Category: 1.911 Accessory Apartments

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 1,696 square feet Total Area of Existing Structure(s) 1118 square feet

Total Area of Proposed Structure(s) 383 square feet WITHIN EXISTING FOOTPRINT!

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

If this is a modification or extension include:

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

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
Application Fees	\$ <u>350.00</u>			
Admin. of Guarantee	\$ <u>—</u>			
Adjustment	\$ <u>—</u>			
Pub. Not. Sign Fee	\$ <u>50.00</u>			
Pub. Not. Sign Deposit	\$ <u>100.00</u>			
Total Fee	\$ <u>500.00</u>			

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Case Number

USE23-005

Date Received

3-20-23

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

Bridget and Jake LaPenter
312 6th Street, Juneau, AK
Parcel No. 1C040A270020

PROJECT NARRATIVE – ACCESSORY APARTMENT

Overview. The subject property is a 1,118 sq ft, (3) bedroom, (1) full-bath single family home in downtown Juneau, Alaska undergoing renovations to become a (4) bedroom, (3) bath single family home. The landowners are seeking to upgrade the unfinished basement into a (1) bedroom, (1) bath accessory apartment within the footprint of the existing home. Once complete, the basement will offer an additional dwelling unit just under 400 sq ft with (1) bedroom, 3/4-bath and kitchenette.

Current use. The current use of the property is as a single family detached residential dwelling.

Project description. Project is located at 312 6th Street in Downtown Juneau. The property is located above a CBJ-owned retaining wall and is accessed by a private staircase.

Proposed use. The home will remain a single family detached residence with an accessory apartment to be rented for residential use.

Lot Size. The lot size is non-conforming.

Parking. There is no parking on site. Parking is available on 6th Street and surrounding streets on a first come, first served basis. No new parking spaces will be added.

Comprehensive Plan compliance. This project complies with the Comprehensive Plan (Chapter 4 Housing Element) by adding one additional housing unit.

Permit drawing set for 312 6th Street, Juneau, Alaska
Parcel 1C040A270020

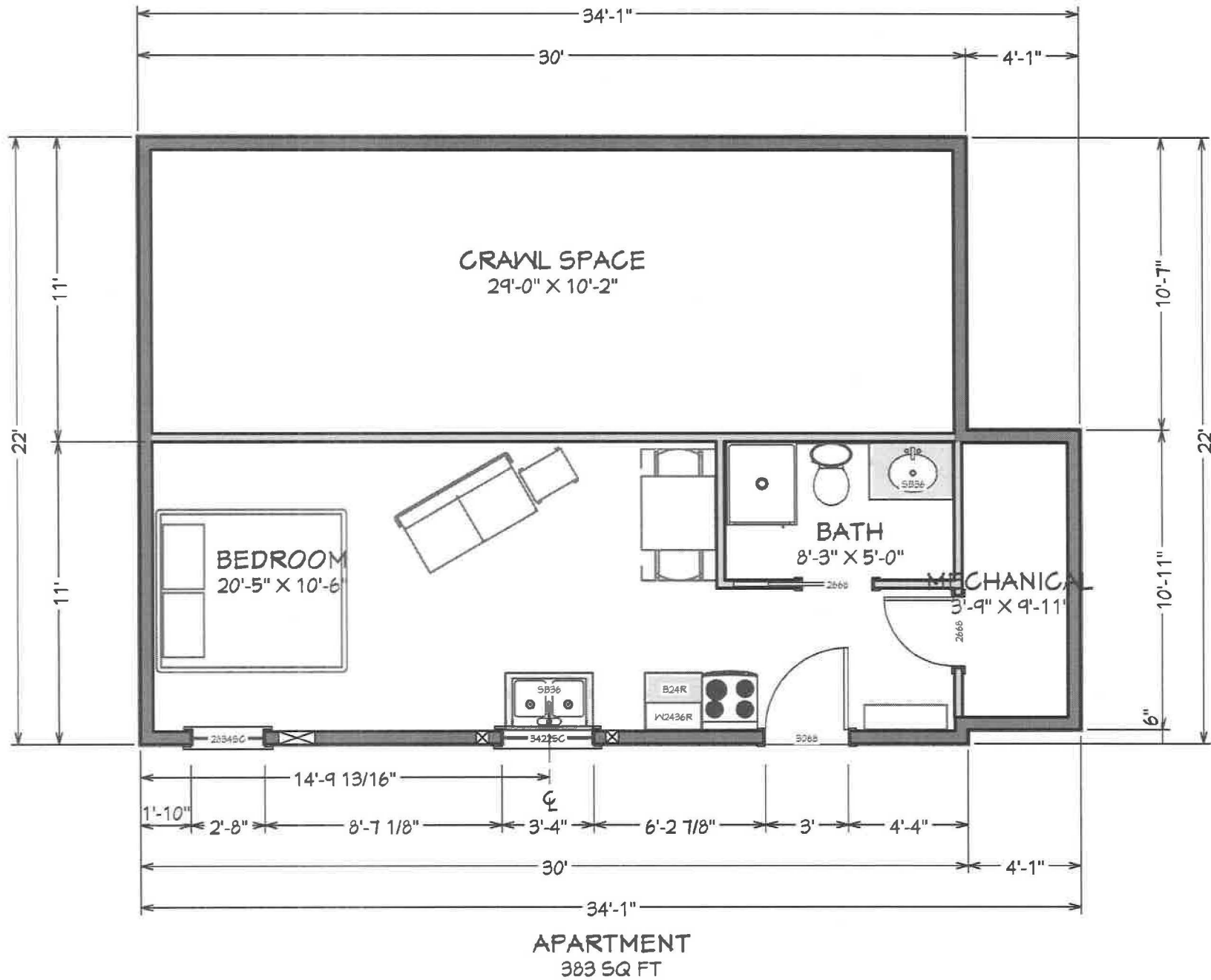
Submitted 10/15/2022

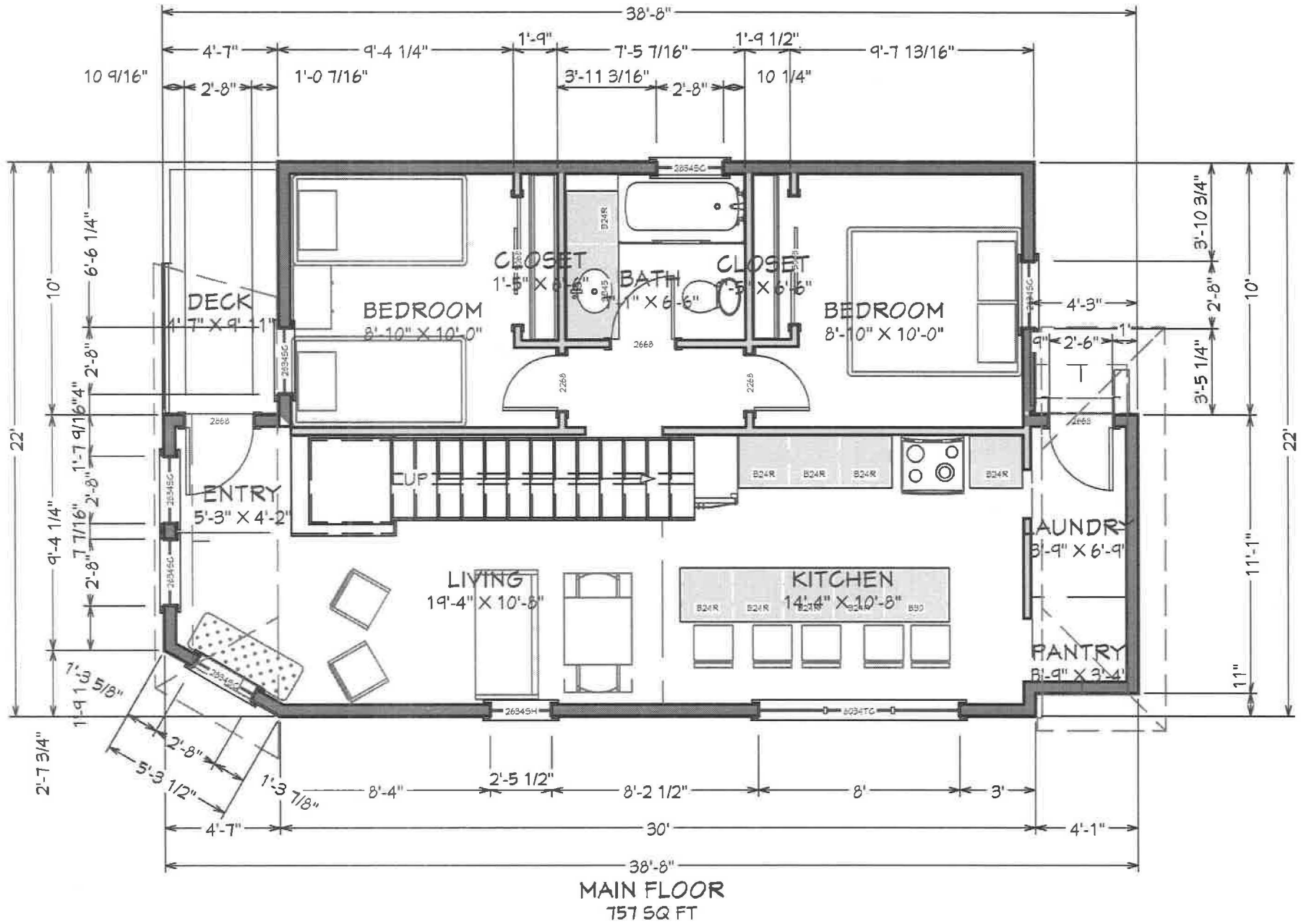
General Notes:

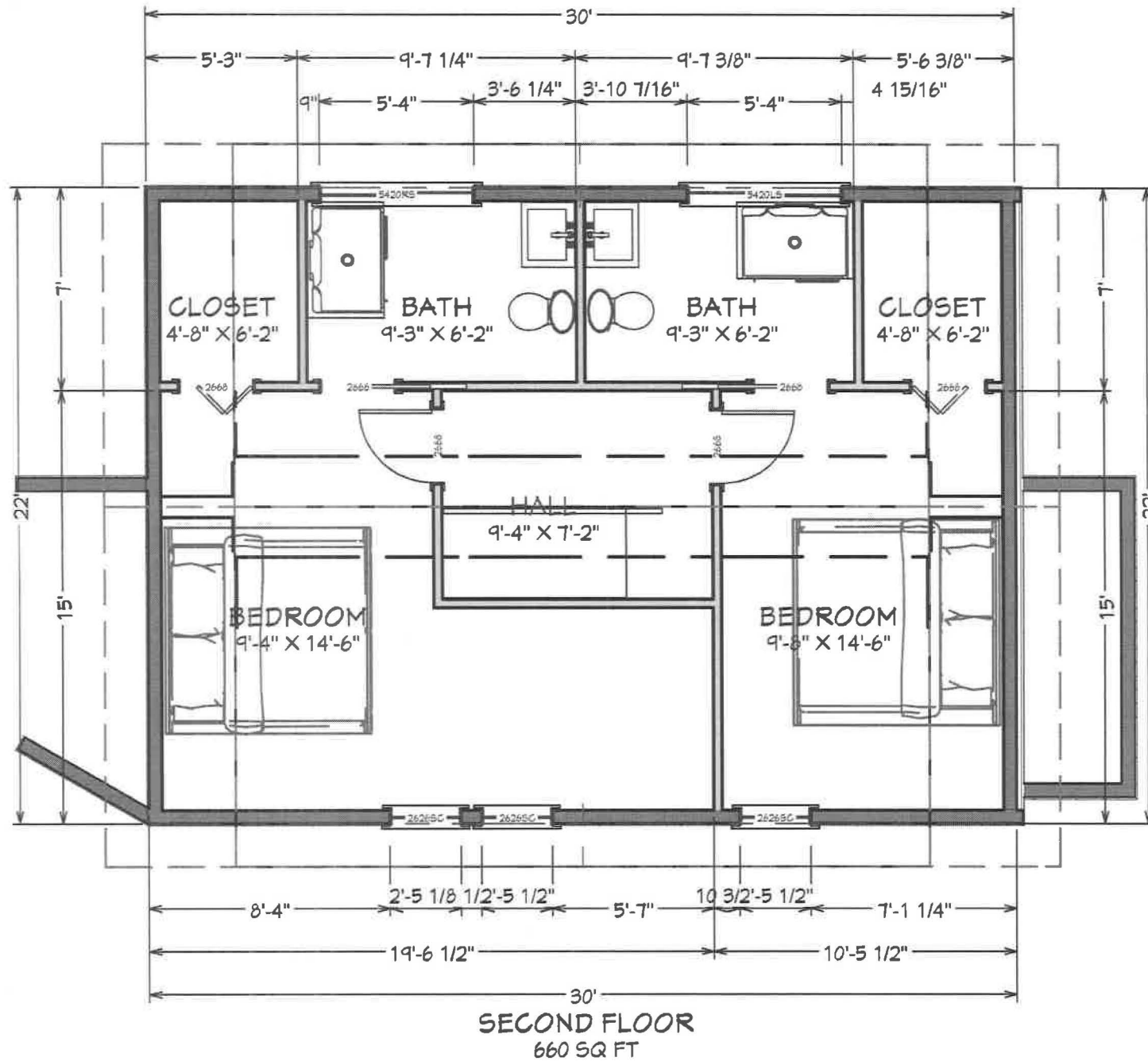
1. Dimensions approximate. Field verify.
2. All bedrooms to have egress windows.
3. Kitchen exhaust fans 100 CFM min in both main house and basement apartment.
4. Bathroom exhaust fans 50 CFM min in both main house and basement apartment.
5. Smoke and CO detectors installed per code.
6. Staircase designed and built to code.

For additional questions, please contact:

Bridget LaPenter, P.E.
320 W 8th Street, Juneau, AK 99801
bridget.lapenter@gmail.com
(907) 500-4170







PITCH SINGLE WALL SCONCE



An architectural profile reminiscent of beautifully classic roof lines delivers significant light output in this modern LED wall sconce suitable for both indoor and outdoor applications. The Pitch Single's die-cast metal body houses powerful LED light sources that create visual appeal as light cascades down along a wall.

High quality LM80-tested LEDs

for consistent long-life performance and color

Outstanding protection against the elements:

- Marine-grade powder coat finishes
- Stainless Steel mounting hardware
- Impact-resistant, UV stabilized frosted acrylic lensing

Can be mounted for up lighting or down lighting

SPECIFICATIONS

DELIVERED LUMENS	823
WATTS	26.1
VOLTAGE	120V, 277V
DIMMING	ELV
LIGHT DISTRIBUTION	Symmetric
MOUNTING OPTIONS	Downlight or Uplight
CCT	2700K, 3000K
CRI	80+
COLOR BINNING	3 Step
BUG RATING	B1-U0-G0
DARK SKY	Compliant (Downlight)
WET LISTED	IP65
GENERAL LISTING	ETL
CALIFORNIA TITLE 24	Can be used to comply with CEC 2016 Title 24 Part 6 for outdoor use. Registration with CEC Appliance Database not required.
START TEMP	-30°C
FIELD SERVICEABLE LED	No
CONSTRUCTION	Aluminum
HARDWARE	Stainless Steel
FINISH	Marine Grade Powder Coat
LED LIFETIME	L70; 70,000 Hours
WARRANTY*	5 Years
WEIGHT	1.2 lbs.

* Visit techlighting.com for specific warranty limitations and details.



PITCH SINGLE
shown in black



PITCH SINGLE
shown in bronze



PITCH SINGLE
shown in charcoal

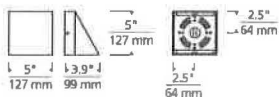


PITCH SINGLE
shown in silver

ORDERING INFORMATION

700WSPIT	SIZE	FINISH	LAMP
	S SINGLE	B BLACK	-LED827 LED 80 CRI, 2700K 120V
		Z BRONZE	-LED82727 LED 80 CRI, 2700K 277V
		H CHARCOAL	-LED830 LED 80 CRI, 3000K 120V
		I SILVER	-LED830277 LED 80 CRI, 3000K 277V

PITCH SINGLE WALL SCONCE



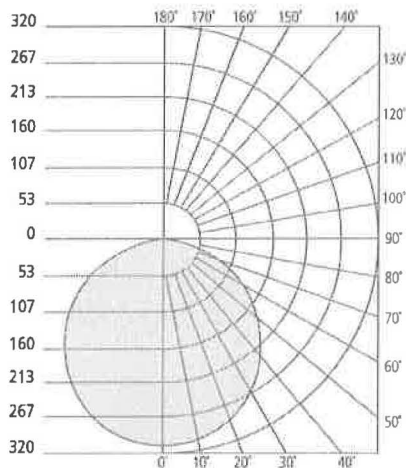
Pitch Single

PHOTOMETRICS*

*For latest photometrics, please visit www.techlighting.com/OUTDOOR

PITCH SINGLE

Total Lumen Output: 823
 Total Power: 26.2
 Luminaire Efficacy: 31.4
 Color Temp: 3000K
 CRI: 80+
 BUG Rating: B1-U0-G0



PROJECT INFO

FIXTURE TYPE & QUANTITY	JOB NAME & INFO	NOTES



GENERATION BRANDS
 7400 Linder Avenue, Skokie, Illinois 60077
 T 847.410.4400 F 847.410.4500



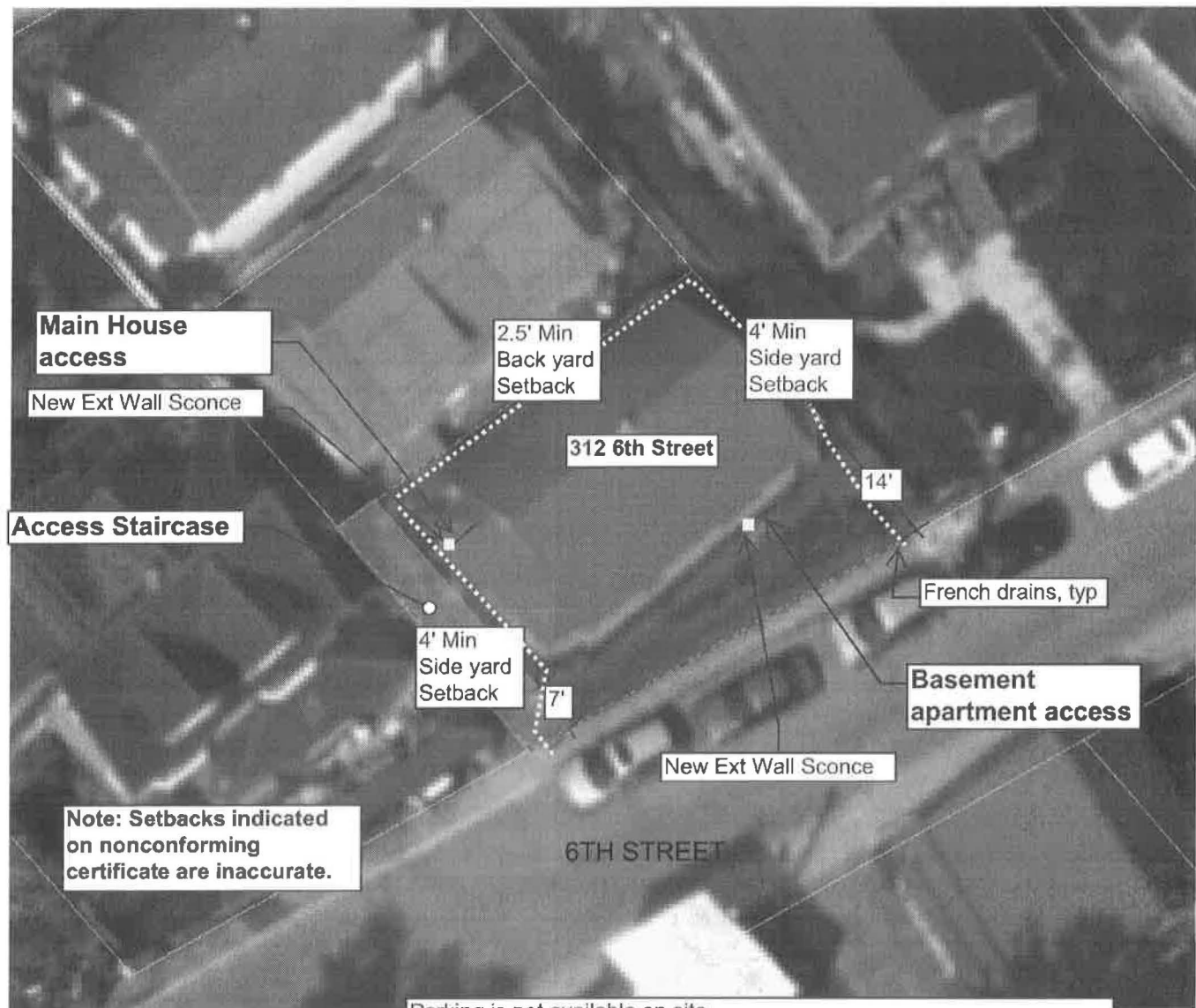
© 2016 Tech Lighting, L.L.C. All rights reserved. The "Tech Lighting" graphic is a registered trademark of Tech Lighting, L.L.C. Tech Lighting reserves the right to change specifications for product improvements without notification.

Site Plan

312 6th Street, Juneau, Alaska

Parcel No. 1C040A270020

On site parking: None.



Parking is not available on site.
No proposed parking.
Vegetative cover limited to potted plants.
French drains have been added around the perimeter of the foundation.
Gutters to tie into French drains.
No known hazard areas.
No known wildlife habitat.

Please contact:
Bridget LaPenter (907) 500-4170
or
Jake LaPenter (907) 500-4148

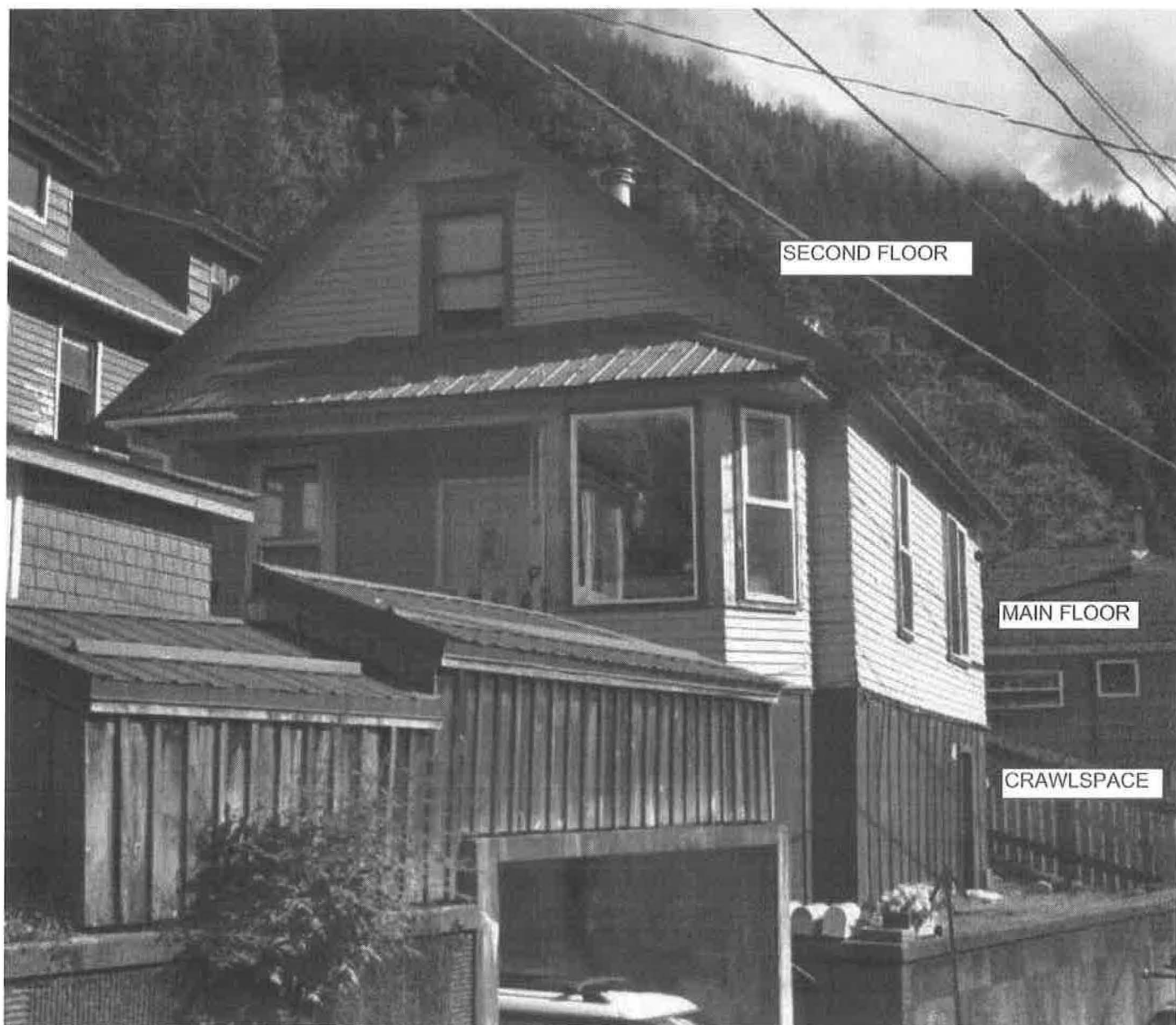
With questions.

Existing Elevation

312 6th Street, Juneau, Alaska

Parcel No. 1C040A270020

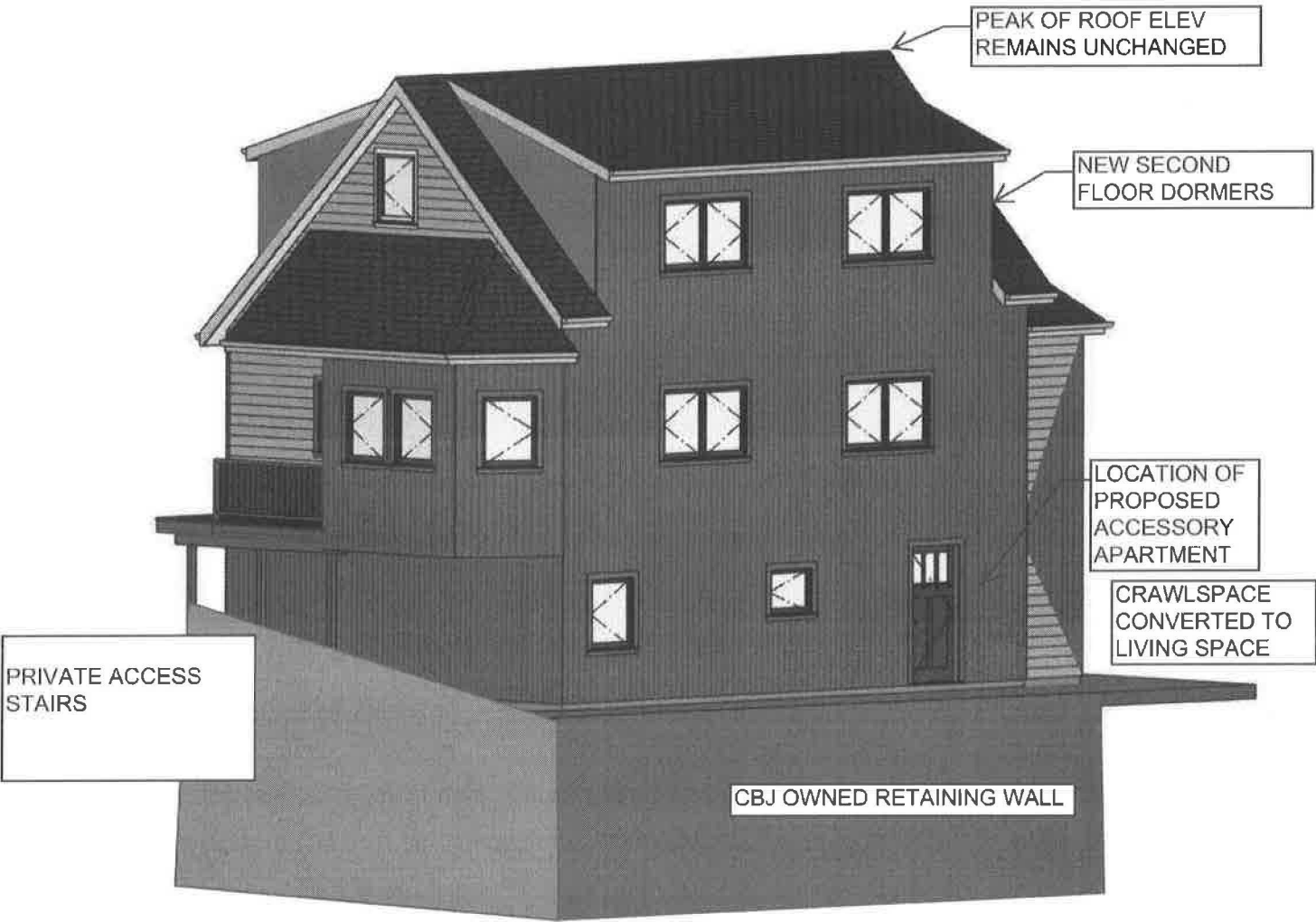
On site parking: None.



EXISTING ELEVATION

Location of new
accessory apartment.

PROPOSED ELEVATION
312 6TH STREET, JUNEAU, ALASKA
PARCEL NO. 1C040A270020



PROPOSED ELEVATION



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

LaPenter Accessory Apartment Conditional Use Permit

Case Number: PAC2022 0060

Applicant: Jake and Bridget LaPenter

Property Owner: Jake and Bridget LaPenter

Property Address: 312 Sixth Street

Parcel Code Number: 1C040A270020

Site Size: 1,696 square feet

Zoning: D18 (Multifamily Residential)

Existing Land Use: Residential

Conference Date: December 21, 2022

Report Issued: December 23, 2022

DISCLAIMER: Pre-application conferences are conducted for purposes of providing applicants with a preliminary review of a project and timeline. Pre-application conferences are not based on a complete application, and are not a guarantee of final project approval.

List of Attendees

Note: Copies of the Pre-Application Conference Report will be emailed, instead of mailed, to participants who have provided their email address below.

Name	Title	Email address
Bridget LaPenter	Applicant	Bridget_LaPenter@gmail.com
Jake LaPenter	Applicant	ModernAlaskaBuilders@gmail.com
Alec Venechuk	General Engineering	Alec.Venechuk@juneau.gov
Jennifer Shields	Planner II	Jennifer.Shields@juneau.gov
Emily Suarez	Planner II	Emily.Suarez@juneau.gov
Sydney Hawkins	Permit Tech II	Sydney.Hawkins@juneau.gov

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.

Project Overview

The property is zoned D18 (multifamily residential) and the applicant would like to construct a 383 square foot accessory apartment in the basement of a single-family dwelling unit.

Use

- Per CBJ 49.25.510(k)(2)(G)(ii): *"Multifamily dwelling and accessory apartment approval. Unless authorized by this section, an accessory apartment is prohibited in multifamily, commercial, and mixed-use zoning districts. The commission may approve a 49.25.300.1.300 accessory apartment application if all the requirements of this section and the following are met: (a) The application is for an efficiency, or one-bedroom unit that does not exceed 600 square feet in net floor area, is on a lot that is less than the minimum lot size, and the primary use of the lot is a single-family dwelling."*
- **Conditional Use Permit Application required.**

Lot Size

- Per CBJ 49.25.400, the minimum lot size required in the D18 Zoning District is 5,000 square feet.
- The lot is 1,696 square feet.
- Per CBJ 49.30.260(a), *"A property owner of a nonconforming lot has the same development rights as a property owner of a conforming lot, provided the owner first obtains nonconforming certification pursuant to section 49.30.310."*
- On September 17, 2021 a Nonconforming Certificate was issued identifying the lot size as nonconforming (see attached).
- Per CBJ 49.25.510(k)(2)(E)(ii), *"The commission may approve, with a conditional use permit, a 49.25.300.1.130 accessory apartment application if all of the requirements of this section and the following are met:(a)The application is for an efficiency or one-bedroom unit that does not exceed 600 square feet in net floor area, and is on a lot that is less than the minimum lot size."*
- **Conditional Use Permit Application required (can be same application as code section listed above).**

Planning Division

1. **Zoning** – The property is zoned D18 (Multifamily Residential).
2. **Subdivision** – N/A
3. **Setbacks** – N/A (nonconforming front, rear, and east side per NCC2021-0066)
4. **Height** – N/A
5. **Access** – N/A
6. **Parking & Circulation** – Per CBJ 49.40.210, the accessory apartment would require one additional parking space on the property. The property currently has zero nonconforming parking spaces per NCC2021-0066. The lot size and topography is a constraint. Per CBJ 49.40.220, a **Parking Waiver Application for the addition of an accessory apartment will be required** (see attached code).
7. **Lot Coverage** – N/A (nonconforming at 67% per NCC2021-0066)
8. **Vegetative Coverage** – N/A

Pre-Application Conference Final Report

9. **Lighting** – N/A
10. **Noise** – N/A
11. **Flood** – N/A
12. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – N/A
13. **Wetlands** – N/A
14. **Habitat** – No anadromous waterbodies are on the subject parcel, or within 50 feet.
15. **Plat or Covenant Restrictions** – N/A
16. **Traffic** – N/A
17. **Nonconforming situations** – A Nonconforming Certificate for the property was issued on September 17, 2021 (NCC2021-0066).

Building Division

18. **Building** – A building permit will be required for the accessory apartment. Submittal requirements will be determined during the permitting process.
19. **Outstanding Permits** –
 - a. **BLD20220746** – “Remodel existing basement into additional dwelling unit. Remodel upstairs. Modified on 11/28/22 to remove basement remodel and add dormer extension creating additional living space”

General Engineering/Public Works

20. **Engineering** – N/A
21. **Drainage** – N/A
22. **Utilities** – No comments at this time.

Fire Marshal

23. **Fire Items/Access** – N/A

Other Applicable Agency Review

24. N/A

List of required applications

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

1. Development Permit Application (one for each of the applications listed below)
2. Conditional Use Permit Application
3. Parking Waiver Application (**submit concurrently with the Conditional Use Permit Application**)

Additional Submittal Requirements

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

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

Pre-Application Conference Final Report

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. Development Permit Application: N/A
2. Conditional Use Permit (USE): \$350
3. Public Notice Sign: \$150 (with \$100 refundable if the sign is returned by the Monday after the Planning Commission meeting).
4. Parking Waiver (PWP): \$320 (reduced due to major development)

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

Submit your Completed Application

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

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

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

Attachments:

CBJ 49.15.330 Conditional Use Permits
CBJ 49.40.220 Parking Waivers
Development Permit Application (DPA)
Conditional Use Permit Application (USE)
Parking Waiver Application (PWP)

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Juneau, AK Code of Ordinances

49.15.330 - Conditional use permit.

- (a) *Purpose.* A conditional use is a use that may or may not be appropriate in a particular zoning district according to the character, intensity, or size of that or surrounding uses. The conditional use permit procedure is intended to afford the commission the flexibility necessary to make determinations appropriate to individual sites. The commission may attach to the permit those conditions listed in subsection (g) of this section as well as any further conditions necessary to mitigate external adverse impacts. If the commission determines that these impacts cannot be satisfactorily overcome, the permit shall be denied.
- (b) *Preapplication conference.* Prior to submission of an application, the developer shall meet with the director for the purpose of discussing the site, the proposed development activity, and the conditional use permit procedure. The director shall discuss with the developer, regulation which may limit the proposed development as well as standards or bonus regulations which may create opportunities for the developer. It is the intent of this section to provide for an exchange of general and preliminary information only and no statement by either the developer or the director shall be regarded as binding or authoritative for purposes of this code. A copy of this subsection shall be provided to the developer at the conference.
- (c) *Submission.* The developer shall submit to the director one copy of the completed permit application together with all supporting materials and the permit fee.
- (d) *Director's review procedure.*
- (1) The director shall endeavor to determine whether the application accurately reflects the developer intentions, shall advise the applicant whether or not the application is acceptable and, if it is not, what corrective action may be taken.
 - (2) After accepting the application, the director shall schedule it for a hearing before the commission and shall give notice to the developer and the public in accordance with [section 49.15.230](#).
 - (3) The director shall forward the application to the planning commission together with a report setting forth the director's recommendation for approval or denial, with or without conditions together with the reasons therefor. The director shall make those determinations specified in subsections (1)(A)–(1)(C) of subsection (e) of this section.
 - (4) Copies of the application or the relevant portions thereof shall be transmitted to interested agencies as specified on a list maintained by the director for that purpose. Referral agencies shall be invited to respond within 15 days unless an extension is requested and granted in writing for good cause by the director.
 - (5) Even if the proposed development complies with all the requirements of this title and all recommended conditions of approval, the director may nonetheless recommend denial of the application if it is found that the development:
 - (A) Will materially endanger the public health or safety;
 - (B) Will substantially decrease the value of or be out of harmony with property in the neighboring area; or
 - (C) Will not be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans.
- (e) *Review of director's determinations.*
- (1) At the hearing on the conditional use permit, the planning commission shall review the director's report to consider:
 - (A) Whether the proposed use is appropriate according to the table of permissible uses;
 - (B) Whether the application is complete; and
 - (C) Whether the development as proposed will comply with the other requirements of this title.
 - (2) The commission shall adopt the director's determination on each item set forth in paragraph (1) of this subsection (e) unless it finds, by a preponderance of the evidence, that the director's determination was in error, and states its reasoning for each finding with particularity.
- (f) *Commission determinations; standards.* Even if the commission adopts the director's determinations pursuant to subsection (e) of this section, it may nonetheless deny or condition the permit if it concludes, based upon its own independent review of the information submitted at the hearing, that the development will more probably than not:
- (1) Materially endanger the public health or safety;
 - (2) Substantially decrease the value of or be out of harmony with property in the neighboring area; or
 - (3) Lack general conformity with the comprehensive plan, thoroughfare plan, or other officially adopted plans.
- (g) *Specific conditions.* The commission may alter the director's proposed permit conditions, impose its own, or both. Conditions may include one or more of the following:
- (1) *Development schedule.* A reasonable time limit may be imposed on construction activity associated with the development, or any portion thereof, to minimize construction-related disruption to traffic and neighborhood, to ensure that development is not used or occupied prior to substantial completion of required public or quasi-public improvements, or to implement other requirements.
 - (2) *Use.* Use of the development may be restricted to that indicated in the application.
 - (3) *Owners' association.* The formation of an association or other agreement among developers, homeowners or merchants, or the creation of a

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Juneau, AK Code of Ordinances

special district may be required for the purpose of holding or maintaining common property.

- (4) *Dedications.* Conveyance of title, easements, licenses, or other property interests to government entities, private or public utilities, owners' associations, or other common entities may be required.
- (5) *Performance bonds.* The commission may require the posting of a bond or other surety or collateral approved as to form by the city attorney to guarantee the satisfactory completion of all improvements required by the commission. The instrument posted may provide for partial releases.
- (6) *Commitment letter.* The commission may require a letter from a public utility or public agency legally committing it to serve the development if such service is required by the commission.
- (7) *Covenants.* The commission may require the execution and recording of covenants, servitudes, or other instruments satisfactory in form to the city attorney as necessary to ensure permit compliance by future owners or occupants.
- (8) *Revocation of permits.* The permit may be automatically revoked upon the occurrence of specified events. In such case, it shall be the sole responsibility of the owner to apply for a new permit. In other cases, any order revoking a permit shall state with particularity the grounds therefor and the requirements for reissuance. Compliance with such requirements shall be the sole criterion for reissuance.
- (9) *Landslide and avalanche areas.* Development in landslide and avalanche areas, designated on the landslide and avalanche area maps dated September 9, 1987, consisting of sheets 1—8, as the same may be amended from time to time by assembly ordinance, shall minimize the risk to life and property.
- (10) *Habitat.* Development in the following areas may be required to minimize environmental impact:
 - (A) Developments in wetlands and intertidal areas.
- (11) *Sound.* Conditions may be imposed to discourage production of more than 65 dBA at the property line during the day or 55 dBA at night.
- (12) *Traffic mitigation.* Conditions may be imposed on development to mitigate existing or potential traffic problems on arterial or collector streets.
- (13) *Water access.* Conditions may be imposed to require dedication of public access easements to streams, lake shores and tidewater.
- (14) *Screening.* The commission may require construction of fencing or plantings to screen the development or portions thereof from public view.
- (15) *Lot size or development size.* Conditions may be imposed to limit lot size, the acreage to be developed or the total size of the development.
- (16) *Drainage.* Conditions may be imposed to improve on and off-site drainage over and above the minimum requirements of this title.
- (17) *Lighting.* Conditions may be imposed to control the type and extent of illumination.
- (18) *Other conditions.* Such other conditions as may be reasonably necessary pursuant to the standards listed in subsection (f) of this section.

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

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Juneau, AK Code of Ordinances

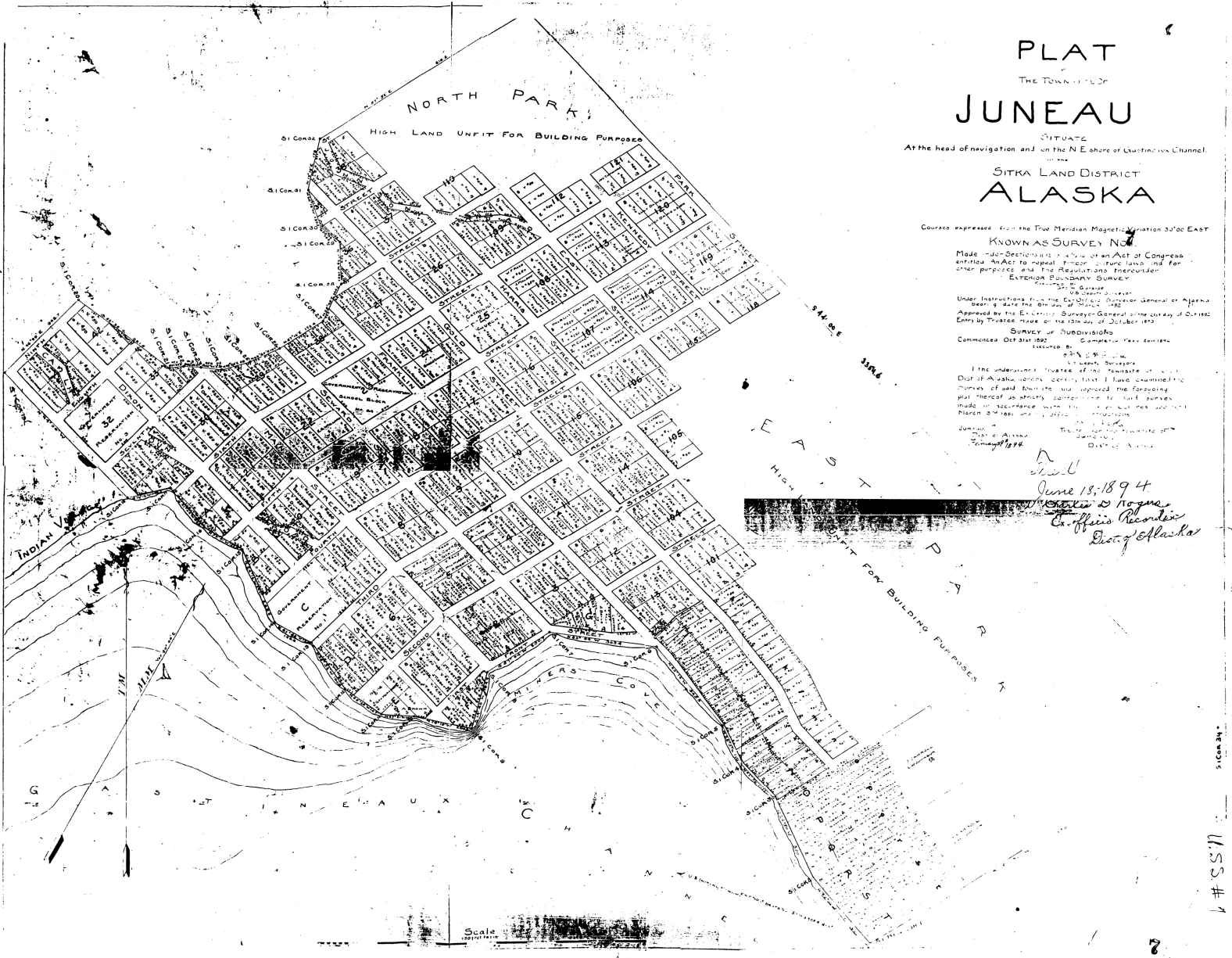
49.40.220 - Parking reductions.

A parking reduction reduces the required off-street parking spaces for a development. A developer may apply for one or more parking reductions. Accessible parking spaces must not be reduced and must be provided in accordance with subsection 49.40.210(b). Loading spaces must not be reduced and must be provided in accordance with subsection 49.40.210(c).

- (a) *Parking waivers.* The required number of parking spaces required by this chapter may be reduced if the requirements of this section are met.
 - (1) *Standards.* Any waiver granted under this section must be in writing and must include the following required findings and any conditions, such as public amenities, imposed by the director or commission that are consistent with the purpose of this title:
 - (A) The effect of granting a waiver would result in more benefits than detriments to the neighboring area and community as a whole as identified by the comprehensive plan; and
 - (B) The effect of granting a waiver will not materially endanger public health, safety, or welfare.
 - (2) *Relevant information.* The following information may be relevant for the director or commission's review:
 - (A) Analysis or data relevant to the intended use and related parking demands.
 - (B) Provision for alternative transportation.
 - (C) Traffic mitigation measures supported by industry standards.
 - (D) Bicycle and pedestrian amenities.
 - (3) *Applications.* Applications for parking waivers must be on a form specified by the director and must be accompanied by a one-time fee as provided in chapter 49.85.
 - (4) *Public notice.* The director must mail notice of any complete parking waiver application to the owners of record of property located within a 250-foot radius of the site seeking the waiver. If the parking waiver application is filed in conjunction with a major development permit, notice of both applications should be made concurrently in accordance with CBJ 49.15.230.
 - (5) *Expiration.* An approved parking waiver expires upon a change in use.
- (b) *Town center parking area, fee-in-lieu of off-street parking spaces.* In the town center parking area, a developer may pay a one-time fee in lieu of providing off-street parking spaces to satisfy the minimum parking requirements of this chapter. Fee in lieu can be used in any combination with other parking provisions of this chapter. Any fee in lieu due must be paid in full prior to the issuance of a temporary certificate of occupancy.

(Serial No. 2022-04(b), § 2, 4-25-2022, eff. 5-26-2022)

Juneau Townsite, paper copy of
1894 plat



Attachment B- 1894 Juneau Townsite Plat



Assessor's Database

Current Owner

BRIDGET LAPENTER & JAKE LAPENTER
320 W 8TH ST, JUNEAU AK 99801

Parcel #: 1C040A270020 ([Map](#))

Address: 312 SIXTH ST

Prev. Owner: AK REI GROUP LLC

Site Value: \$139500.00

Use Code: Residential

Exempt: No Data

No. of Units: 001

Year Built: 1912

Garage: No

Garage Area: 000000

City Water: Yes

City Sewer: Yes

Exempt Land: 0

Exempt Building: 0

Legal Desc. 1: JUNEAU TOWNSITE
BL 27 LT 2 FR

Legal Desc. 2:

Building PV: \$193300.00

Total PV: \$332800.00

Zoning: -Multi-Family-5,000 sq.ft.
minimum lot size -18 units per acre

Tax Year: 2023

Lot Size: 1696.00

Gross Liv. Area: 001118 sqft

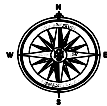
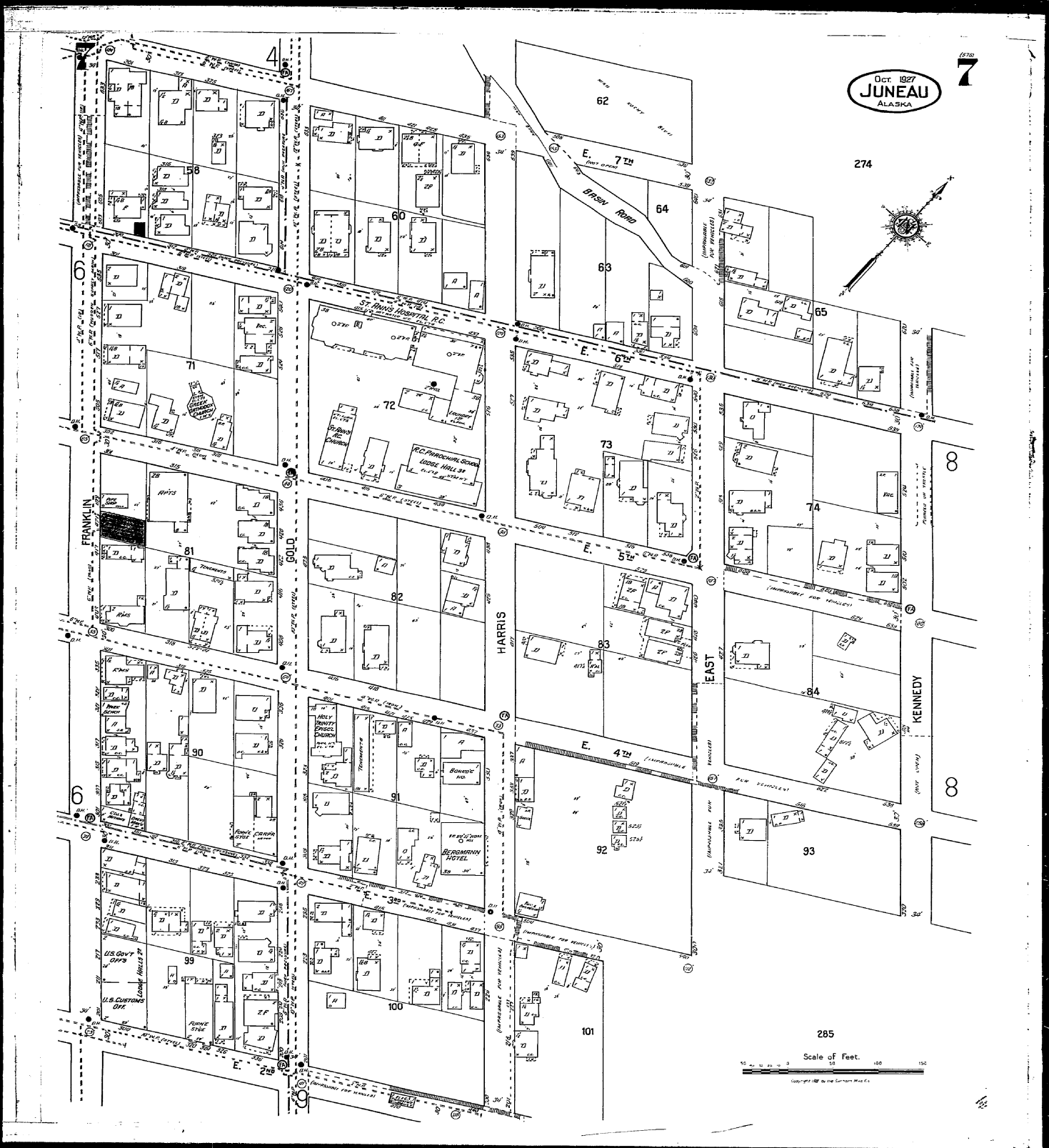
Exempt Total: 0

Last Trans: 20220419

Road/No Road: Roaded

Search the Database

Search the database using the search box below. The field accepts any search parameter (owner’s name, address, parcel number, year built, etc.).



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Year

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WARRANTY DEED
(Alaska)

CEDRIC PERRY MONTGOMERY DAVIS, a single man of Seattle, Washington and TREVOR PEPYS MONTGOMERY DAVIS and CAROL B. DAVIS, husband and wife, of Juneau, Alaska, hereinafter called grantor(s), in consideration of the sum of TEN (\$10.00) DOLLARS and other valuable considerations to them in hand paid, receipt of which is hereby acknowledged, do, by these presents, grant, bargain, sell and convey to SUE M. KENNEDY, a single woman of Juneau, Alaska, hereinafter called grantee(s), her heirs(successors) and assigns, that certain property which is described as follows:

All of that certain northwesterly fraction of Lot 2, Block 27, City of Juneau, Alaska, according to the official plat of said City on file and of record in the office of the Recorder for the Juneau Recording District, Territory of Alaska, which said fraction is more particularly described as follows, to-wit:

Commencing at the most westerly corner of Lot 2, Block 27, City of Juneau, Alaska, identical to the common corner of Lots 1, 2, 7 and 8 in said block, Corner No. 1; thence S. 41 deg. 17 min. E. 39.28 feet to Corner No. 2, a point on the common boundary between said Lots 1 and 2; thence N. 49 deg. 40 min. E. 48.93 feet to Corner No. 3, a point on the common boundary of Lots 2 and 3 in said block; thence N. 41 deg. 17 min. W. 29.81 feet to corner no. 4, common to the most northerly corner of said Lot 2; thence S. 60 deg. 35 min. W. 50.00 feet to Corner No. 1, the place of beginning; together with a perpetual right of way and easement over and upon all of the land as lies within 4 feet of the southwesterly bounda__ of said Lot 2, and all of the land that lies within 4 feet of the northeasterly boundary of said Lot 2, which said easements and rights-of-way are for the purpose of ingress and egress to and from the above described fraction of said Lot 2, to and from 6th Street, a public street in said City.

TO HAVE AND TO HOLD the same, together with all tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, unto her, the grantee(s) and to her heirs (successors) and assigns forever;

AND the grantor(s), (and) their heirs (successors), executors and administrators do, by these presents, covenant, grant and agree to and with the grantee(s), her heirs (successors) and assigns that they, the grantor(s) (and) their heirs (successors), executors and administrators, all and singular, the premises hereinabove conveyed, with said tenements, hereditaments and appurtenances, unto the grantee(s) and to her heirs (successors) and assigns, and against each and every person or persons whomsoever lawfully claiming or to claim the same, or any part thereof, shall and will WARRANT AND FOREVER DEFEND.

IN WITNESS WHEREOF, the grantor(s) hereunto set their hand(s) and seal(s) this 28th day of February, 1955.

TREVOR PEPYS MONTGOMERY DAVIS (SEAL)

CAROL B. DAVIS (SEAL)

CEDRIC PERRY MONTGOMERY DAVIS (SEAL)

WITNESSES:

L. L. ELWELL

NORMA G. NISSEN

UNITED STATES OF AMERICA }
TERRITORY OF A L A S K A } ss.

THIS CERTIFIES that on this 28th day of February, 1955, before me, the undersigned, a Notary Public in and for the Territory of Alaska, duly commissioned and sworn, personally appeared TREVOR PEPYS MONTGOMERY DAVIS and CAROL B. DAVIS to me known and known to me to be the person(s) described in and who executed the instrument on the reverse side hereof and (individually) acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein mentioned.

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

(NOTARY PUBLIC SEAL)

STATE OF WASHINGTON)
COUNTY OF CLARK) ss.
CITY OF VANCOUVER)

THIS CERTIFIES that on this 24th day of February, 1955, before me, the undersigned, a Notary

J. STURTEVANT
Notary Public for Alaska. Residing at
Juneau, Alaska. My commission expires
March 10, 1958.

Public in and for the State of Washington duly commissioned and sworn, personally appeared CEDRIC PERRYNT MONTGOMERY DAVIS, to me known and known to me to be the person described in and who executed the instrument on the reverse side hereof and acknowledged to me that he executed the same freely and voluntarily for the uses and purposes therein mentioned, and further acknowledged to me that he is a single man.

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

(NOTARY PUBLIC SEAL)

L. L. ELWELL
Notary Public in and for the State of
Washington, County of Clark, residing at
Vancouver, Washington. My commission
expires February 27, 1957.

FILED FOR RECORD at 11:30 o'clock A.M., March 2, 1955. RECORDED IN book 48 of Deeds at pages:
(255-256)

Gordon Gray (nr)
United States Commissioner, Ex-Officio,
District Recorder

WARRANTY DEED
(Alaska)

MRS. JULIA A. COSTIGAN, a widow, of Juneau, Alaska, hereinafter called grantor(s), in consideration of the sum of TEN (\$10.00) DOLLARS and other valuable considerations to her in hand paid, receipt of which is hereby acknowledged, does, by these presents, grant, bargain, sell and convey to LYLE JOHNSON and HELEN JOHNSON, husband and wife, as tenants by the entirety, of Juneau, Alaska, hereinafter called grantee(s), their heirs (successors) and assigns, that certain property which is described as follows:

All that certain portion of U. S. Survey No. 1452 situated approximately one-quarter mile Northwest of the corporate limits of the City of Juneau, Alaska, more or less, bordering on Glacier Highway, particularly described as follows, to-wit: Beginning at Corner No. 1, which is identical with Corner No. 4 M.C. of Survey No. 1452; thence North 39.152 feet to Corner No. 2; thence North 45 deg. 14 min. East 69.532 feet to Corner No. 3; thence South 42 deg. 20 min. East 75 feet to Corner No. 4; thence South 45 deg. 14 min. West 102.50 feet to Corner No. 5; thence North 34 deg. 27 min. West 47.92 feet to Corner No. 1, the place of beginning, which is identical with Corner No. 4 M.C. of U. S. Survey No. 1452.

TO HAVE AND TO HOLD the same, together with all tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, unto them, the grantee(s) and to the survivor of them and to the survivor's heirs (successors) and assigns forever;

AND the grantor (and) her heirs, executors and administrators do, by these presents, covenant, grant and agree to and with the grantee(s), their heirs and assigns that she, the grantor, (and) her heirs, executors and administrators, all and singular, the premises hereinabove conveyed, with said tenements, hereditaments and appurtenances, unto the grantee(s) and to the survivor of them and to the survivor's heirs and assigns, and against each and every person or persons whomsoever lawfully claiming or to claim the same, or any part thereof, shall and will WARRANT AND FOREVER DEFEND.

IN WITNESS WHEREOF, the grantor(s) hereunto set her hand(s) and seal(s) this 23rd day of February, 1955.

WITNESSES

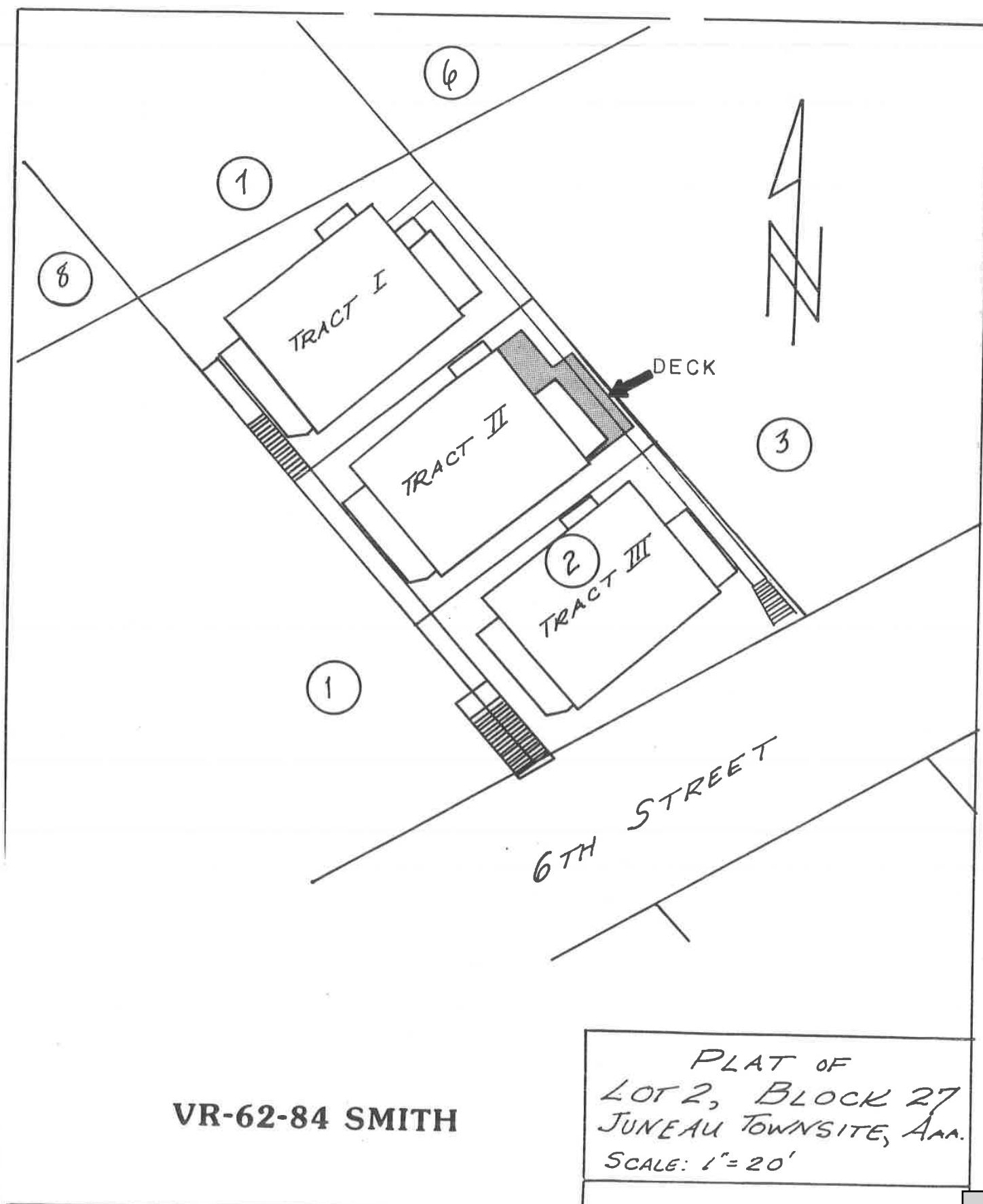
JULIA A. COSTIGAN (SEAL)

MYRTLE HUGHES

CAROL WIEDMAN

UNITED STATES OF AMERICA }
TERRITORY OF ALASKA } ss.

THIS CERTIFIES that on this 23rd day of February, 1955, before me, the undersigned, a Notary Public in and for the Territory of Alaska, duly commissioned and sworn, personally appeared MRS. JULIA A. COSTIGAN to me known and known to me to be the person(s) described in and who executed the instrument on the reverse side hereof and (individually) acknowledged to me that she executed the





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

NONCONFORMING CERTIFICATE

Date: September 17, 2021

File No.: NCC2021 0066

Dain Hungelmann
8697 Short Way
Juneau, AK 99801

Proposal: A Nonconforming Situation Review for lot size, lot coverage, setbacks, and parking.

Property Address: 312 6th Street
Property Legal Description: Juneau Townsite Block 27 Lot 2 FR
Property Parcel Code No.: 1C040A270020

The Director of Community Development adopted the analysis and findings listed in the attached memorandum dated September 17, 2021 and has found the following situations on the lot to be certified nonconforming to the Title 49 Land Use Code of the City and Borough of Juneau:

- Nonconforming Structures (49.30.250):
 - Front yard setback of 7 feet
 - Rear yard setback of 0 feet
 - Side yard setback of 0 feet
 - Lot coverage of 67 percent
- Nonconforming Lots (49.30.260):
 - Lot size of 1,696 square feet
- Nonconforming Parking (49.30.270):
 - Zero (0) off-street parking spaces

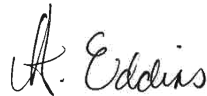
This Nonconforming Certificate applies to the nonconforming situations stated above. The nonconforming rights provided herein may be relinquished under certain circumstances provided under the CBJ Title 49 Land Use Code. It is the responsibility of the owner or agent of the owner to ensure that all development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

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


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

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

Project Planner:



Allison Eddins, Planner II
Community Development Department



Jill Maclean, Director, AICP
Community Development Department

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



DIRECTOR'S REVIEW STAFF REPORT NONCONFORMING CERTIFICATION NCC2021 0066

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

DATE: September 17, 2021

TO: Jill Maclean, Director, AICP

BY: Allison Eddins, Planner II *A. Eddins*

PROPOSAL: A Nonconforming Situation Review for lot size, lot depth, setbacks, lot coverage and parking.

KEY CONSIDERATIONS FOR REVIEW:

- According to the CBJ Assessor's data, the structure was constructed in 1912.
- The lot was platted in 1934 with the Juneau Townsite Plat.
- The lot and the structure were created prior to the establishment of zoning.

STAFF RECOMMENDATION:

Staff recommends the following situations receive

Nonconforming Certification:

- Nonconforming Structures (49.30.250)
- Nonconforming Lots (49.30.260)
- Nonconforming Parking (49.30.270)

ABANDONMENT:

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

NONCOMPLIANCE:

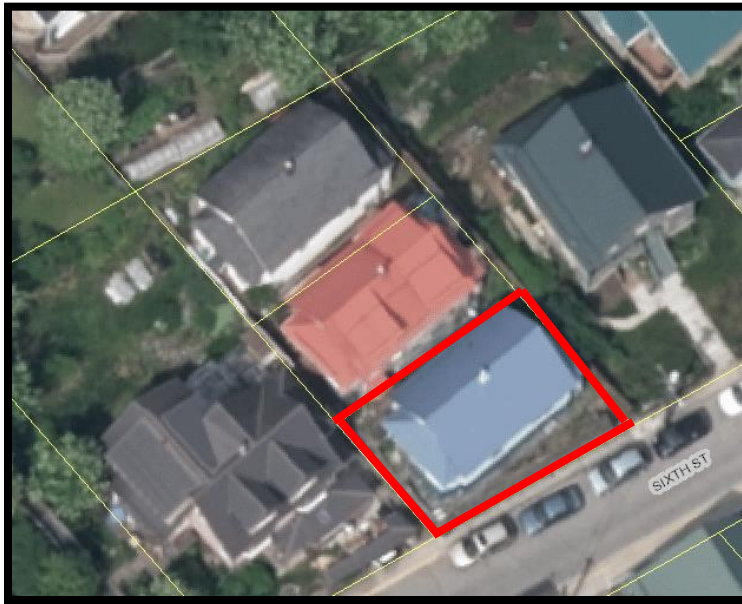
If a situation fails to be certified as nonconforming, an appeal of this decision may be filed in accordance with CBJ 49.20.110.

- No compliant situations have been found.

GENERAL INFORMATION	
Property Owner	Lillian Parduhn
Applicant	Dain Hungelmann
Property Address	312 6 th Street
Legal Description	Juneau Townsite Block 27 Lot 2 FR
Parcel Number	1C040A270020
Zoning	D18
Lot Size	1,696 square feet
Water/Sewer	City water and sewer
Access	Private staircase
Existing Land Use	Residential
Associated Applications	N/A

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

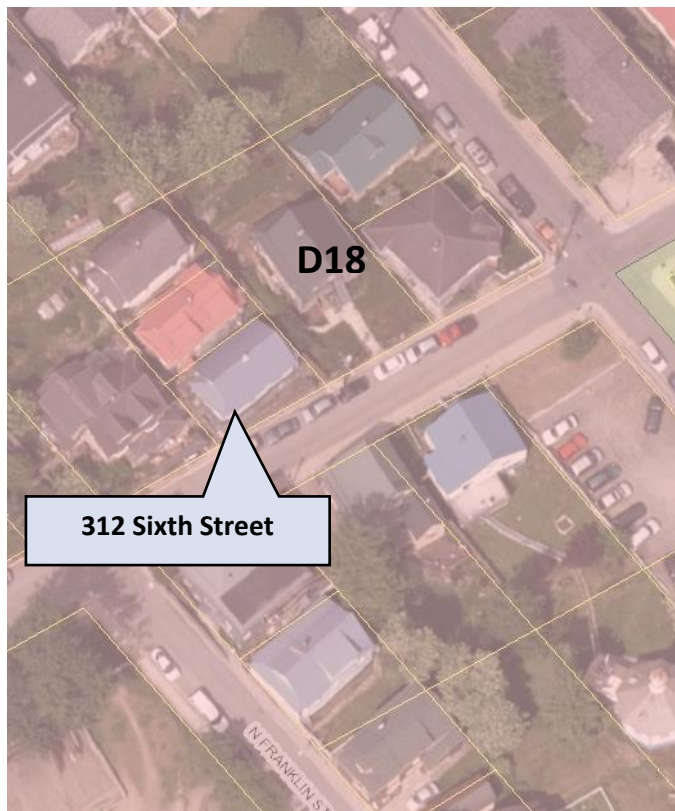
SITE FEATURES AND ZONING



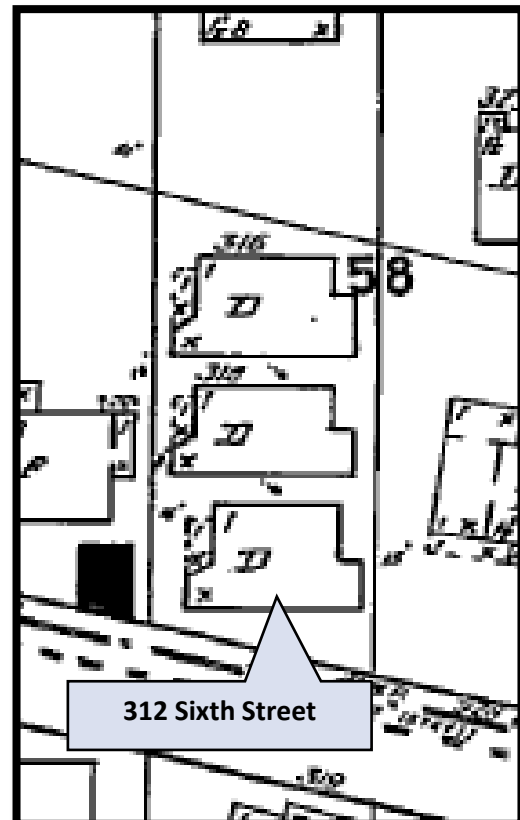
SURROUNDING ZONING AND LAND USES	
North (D18)	Single-family
South (D18)	Single-family
East (D18)	Single-family
West (D18)	Single-family

SITE FEATURES	
Anadromous	None
Flood Zone	X Area of Minimal Risk
Hazard	None Known
Hillside	Yes
Wetlands	No
Parking District	No
Historic District	No
Overlay Districts	ADOD

CURRENT ZONING MAP



1927 SANBORN MAP



ZONING HISTORY

Year	Zoning District	Summary
1912	No Zoning Established	According to CBJ Assessor data, the structure was constructed in 1912, prior to the establishment of zoning.
1934	No Zoning Established	The lot was platted in 1934 prior to the establishment of zoning.
1956	R2 – Second Residence District	<p>In 1956, the lot and surrounding area was zoned R2. The minimum lot size requirement was 3,600 square feet with a minimum lot width requirement of 40 feet. There was no minimum lot depth requirement. Maximum lot coverage was 60 percent with setback requirement of 15 feet for the front lot line, 10 feet for the rear and 5 feet for side lot lines. One parking space was required.</p> <p>The lot became nonconforming for lot size. The structure became nonconforming for front, rear, and east side yard setbacks. The use became nonconforming for parking.</p>
1969	RMM – Residential Medium Density	<p>In 1969, the lot and surrounding area was rezoned RMM. The minimum lot size was 4,800 square feet with a minimum lot width requirement of 40 feet and minimum lot depth requirement of 90 feet. Maximum lot coverage, minimum setback, and parking requirements remained the same as R2.</p> <p>The rezone to RMM made the lot nonconforming for lot depth. The lot remained nonconforming for lot size. The structure remained nonconforming for front, rear, and east side yard setbacks. The use remained nonconforming for parking.</p>
1987	D18 – Multi-family Residential	<p>In 1987, the lot and surrounding area was rezoned D18. The minimum lot size requirement is 5,000 square feet with a minimum lot width requirement of 50 feet and lot depth requirement of 85 feet. Maximum lot coverage is 50% with setback requirement of 20 feet for the front lot line, 10 feet for the rear lot line, and 5 feet for side lot lines. Two parking spaces are required.</p> <p>The lot became nonconforming for lot coverage. The lot remains nonconforming for lot size. The structure remains nonconforming for front, rear, and east side yard setbacks. The use remains nonconforming for parking.</p>

BACKGROUND INFORMATION

The applicant requests a Nonconforming Situation Review for lot size, lot coverage, setbacks, and parking. The lot was platted in 1934, and the structure was constructed in 1912.

INFORMATION REVIEWED

Year	Type	Summary
1927	Sanborn Map	1927 Sanborn Map shows the structure existed in its current footprint and location prior to zoning being adopted in Juneau.
1934	Plat	Plat 1934-1 of Juneau Townsite shows the current lot size and dimensions pre-date zoning being adopted in Juneau.
2013	Aerial Photography	2013 aerial photography was used to determine vegetative cover, lot coverage and setbacks.
2019	Assessor's Photo	Used to determine approximate building height.
2021	Site Visit	Staff conducted a site visit to confirm vegetative cover, lot coverage, approximate building height, and parking.

ANALYSIS

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

Standard		Requirement	Existing	Code Reference
Lot	Size	5,000 square feet	1,696 square feet	49.25.400
	Width	50'	50'	49.25.400
Setbacks	Front	20'	7'	49.25.400
	Rear	10'	0'	49.25.400
	East Side	5'	0'	49.25.400
	West Side	5'	7'	49.25.400
	Street Side	13'	N/A	49.25.400
Lot Coverage		50%	67%	49.25.400
Height	Permissible	35'	~30'	49.25.400
	Accessory	25'	N/A	49.25.400
Maximum Dwelling Units		1	1	49.25.500
Use		Residential	Residential	49.25.300
Vegetative Cover		30%	37%	49.50.300
Parking		2	0	49.40.210(a)

Minimum Lot Requirements – The table and information above demonstrate that the lot is nonconforming for lot size. The lot was platted in 1934 prior to zoning requirements.

Finding: Staff finds the lot nonconforming for lot size.

Minimum Setback Requirements – The table and information above demonstrate that the structure is nonconforming for front yard, rear yard, and east side yard setbacks. The structure was constructed in 1912 prior to the establishment of zoning.

Finding: Staff finds the structure nonconforming for setbacks. The structure may become conforming for setbacks through the Alternative Development Overlay District permit process (CBJ 49.70.1200).

Lot Coverage – The lot exceeds the maximum allowed lot coverage. The lot and structure pre-date zoning requirements.

Finding: Staff finds the lot nonconforming for lot coverage.

Structure Height – Assessor's photos and a site visit confirmed the structure meets the maximum height requirements for permissible and accessory structures in the D18 zoning district.

Finding: Staff finds the structure conforming for height.

Residential Density – According to Assessor's and CDD records, the lot contains one single-family dwelling.

Finding: Staff finds the lot conforming for residential density.

Use – The use of the lot is residential.

Finding: Staff finds the lot conforming for use.

Vegetative Cover – 2013 aerial photography shows approximately 37% of the lot is maintained with live vegetation. A recent site visit confirmed this.

Finding: Staff finds the lot conforming for vegetative cover.

Parking – CBJ 49.40.210 requires two (2) off-street parking spaces. Back-out parking may be allowed for single-family dwellings in residential zoning districts per 49.40.230(b)(7)(A). The structure is located on a steep lot and is only accessible by a private staircase. There is no off-street parking provided.

Finding: Staff finds the use nonconforming for number of off-street parking spaces. The use may become conforming for parking through the Parking Waiver permitting process [CBJ 49.40.210 (d) (6)].

NONCOMPLIANT SITUATIONS

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

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

ABANDONMENT

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

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

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

Finding: Staff finds none of the above events have taken place and the nonconforming situations are not deemed abandoned.

FINDINGS

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

Analysis: The lot, structure, and residential use were created prior to the establishment of zoning.

Finding: Yes. The nonconforming situations were allowed, or not prohibited by law, when they were established.

2. Has the nonconforming situation been abandoned?

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

Finding: No. The nonconforming situations have not been abandoned.

RECOMMENDATION

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

- Nonconforming Structures (49.30.250):
 - Front yard setback of 7 feet
 - Rear yard setback of 0 feet
 - Side yard setback of 0 feet
 - Lot coverage of 67 percent
- Nonconforming Lots (49.30.260):
 - Lot size of 1,696 square feet
- Nonconforming Parking (49.30.270):
 - Zero (0) off-street parking spaces

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	Information Reviewed



BUILDING PERMIT

Permit No.
BLD20220746

Section H, Item 4.

* NOTE: "Building Permit" is a generic term which includes Building Safety Inspection, Grading Permits, and permits for Electrical, Plumbing and Mechanical work.

Your special attention is called to the following:

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

The granting of this permit does not authorize the violation of any federal, state or local law regulating construction for the violation of the terms of any deed or covenant or any zoning or other regulation.

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

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

Note: City Ordinances REQUIRE a Final Inspection be approved for every Building Permit.

Inspections

Inspections can be arranged by telephoning **586-1703** or by written or by online form or Email.

The Online Building Inspection Request Form is at: www.juneau.org/community-development/cdd-inspection-request.

Work shall not proceed until the inspector has approved the various stages of construction. An approved Final Inspection is required.

All inspections must be requested before noon the business day prior. Same day inspections must be requested by calling 586-0770

Please provide the following information: 1 Permit Number, 2 Address, 3 Type of Inspection, 4 Date and Time and 5 Contact Name and Phone Number.

Job Address: **312 SIXTH ST**

Issued Date : **11/29/2022**

Permit Number: **BLD20220746**

Parcel No: **1C040A270020**

Project Description: Remodel existing basement into additional dwelling unit. Remodel upstairs. Modified on 11/28/22 to remove basement remodel and add dormer extension creating additional living space

Parcel Information : JUNEAU TOWNSITE BL 27 LT 2 FR

Setbacks: Zone: D18:
Front: 20.00 Ft. Side 1: 5.00 Ft.
Rear: 10.00 Ft. Side 2: 5.00 Ft.
Street Side:

Comments: See NCC21-66 for nonconforming setbacks.

Owner :
BRIDGET LAPENTER
JAKE LAPENTER
320 W 8TH ST
JUNEAU AK 99801

Applicant :
MODERN ALASKA BUILDERS LLC
312 SIXTH ST
JUNEAU AK 99801

Fee Type	Date	Receipt	Amount Paid
BLD- Bldg Permit Fee	10/26/2022	66193	\$0.01
BLD- Bldg Permit Fee	11/28/2022	66258	\$1,146.29
BLD- Bldg Permit Fee	11/28/2022	66259	\$32.34
BLD- Res Plan Review	10/26/2022	66193	\$573.15
BLD- Res Plan Review	11/28/2022	66259	\$16.17
Total Fees Paid:			\$1,767.96

Valuation for Permit Fee Calculations:

S.F.	Type	Rate	Amount
0	Residential-Single Family R	116.96	0.00
			165,000.00
Total Valuation:			\$165,000.00

Project Conditions and Holds:

Approved Plans On Site - CBJ approved plans must be on site and available to the inspector. Inspections will not be performed and additional fees may apply if approved plans are not available to the inspectors.

EGRESS WINDOWS - Verify egress windows.

WATER FIXTURE COUNT - Minimum 3/4" Street Service and 3/4" Building Supply and branches for up to 20 fixture units. 3/4"=20wfu, 1/2"=7wfu.

Intersystem Bonding - For building final provide an Intersystem Bonding Termination Device at new and replaced electrical services as required by NEC article 250.94

Locking Caps - Refrigerant circuit access ports located outdoors shall be fitted with locking-type tamper-resistant caps or shall be otherwise secured to prevent unauthorized access.

Shower Anti-scald Valve - Showers and tub-shower combinations shall be provided with a control valve installed at the point of use that conforms to ASSE 1016/ ASME A112.1016/CSAB125.16 or ASME A112.18.1/CSA B125.1.

Smoke and CO Detectors - Smoke and Carbon Monoxide detectors as required by applicable code must be operational prior to temporary occupancy and/ or final inspection approval, whichever is requested first.

JUNEAU PERMIT CENTER - 230 S. Franklin Street - 4th Floor, Marine View Center - Mail: 155 S. Seward Street, Juneau, AK 99801
Phone: 586-0770 - FAX: 586-4529 - Inspection Requests: 586-1703, Inspections@Juneau.org - Questions, Email: permits@juneau.org
Web Site: www.juneau.org/community-development



Application Date: Oct

Section H, Item 4.

BUILDING PERMIT APPLICATION

NOTE: THIS IS NOT A BUILDING PERMIT

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

Case No: **BLD20220746**

Case Description: Remodel existing basement into additional dwelling unit. Remodel upstairs. Modified on 11/28/22 to remove basement remodel and add dormer extension creating additional living space

Site Address: **312 SIXTH ST**Check No. of Existing Dwelling Units: **1**

Parcel No: 1C040A270020

No. of New Dwelling Units: **1**

Legal Description: JUNEAU TOWNSITE BL 27 LT 2 FR

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

Applicant : MODERN ALASKA BUILDERS LLC
312 SIXTH ST
JUNEAU AK 99801

e-mail: modernalaskabuilders@gmail.com

PRI 907-500-4148

Owner: BRIDGET LAPENTER
JAKE LAPENTER
320 W 8TH ST
JUNEAU AK 99801

Contractor: MODERN ALASKA BUILDERS LLC
312 SIXTH ST
JUNEAU AK 99801

PH: _____ FAX: _____

Valuation for Permit Fee Calculations:

<u>S.F.</u>	<u>Type</u>	<u>Rate</u>	<u>Amount</u>
0	Residential-Single Family Resi	116.96	0.00
			165,000.00
	Total Valuation:		\$165,000.00

Associated Cases:

None.

Parcel Tags:

12/5/05 KJB. See attached document DEED 20051129.

Notes and Conditions:

Applicant will modify permit or apply for a new permit for basement work to add accessory apartment if approved by Planning Commission

CBJ approved plans must be on site and available to the inspector. Inspections will not be performed and additional fees may apply if approved plans are not available to the inspectors.

Verify egress windows.

Minimum 3/4" Street Service and 3/4" Building Supply and branches for up to 20 fixture units. 3/4"=20wfu, 1/2"=7wfu.

For building final provide an Intersystem Bonding Termination Device at new and replaced electrical services as required by NEC article 250.94

Refrigerant circuit access ports located outdoors shall be fitted with locking-type tamper-resistant caps or shall be otherwise secured to prevent unauthorized access.

Showers and tub-shower combinations shall be provided with a control valve installed at the point of use that conforms to ASSE 1016/ ASME A112.1016/CSAB125.16 or ASME A112.18.1/CSA B125.1.

Smoke and Carbon Monoxide detectors as required by applicable code must be operational prior to temporary occupancy and/ or final inspection approval, whichever is requested first.

Water heaters shall be anchored in an approved manner or strapped within the upper 1/3 and lower 1/3 of its vertical dimensions.

Meter installation must be in accordance with CBJ STD 420 prior to issuance of TCO. Installation must include three 22 gauge multicolored conductors in 1/2" electrical conduit from main entrance of building to within 12" of meter register (not to exceed 100'). Allow an extra 2' of wire for meter connections. Meter must be installed with the following clearances: minimum 18" clearance above meter and minimum 12" clearance each side and below meter. Contact CBJ Utility Business Unit for meter issuance and remote readout installation, 586-0997, a minimum of 48 hours prior to meter issuance or remote readout installation.

Building water supply systems where quick-acting valves are installed shall be provided with water hammer arrester(s) to absorb high pressures resulting from the quick closing of these valves. Water hammer arresters shall be approved mechanical devices that comply with ASSE 1010 or PWI-WH 201 and shall be installed as close as possible to quick-acting valves.

Applicant's Signature

(Owner, Contractor or Authorized Agent)

Date

Staff Acceptance

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

11/28/2022

Case No: **BLD20220746**

Site Address: 312 SIXTH ST

Parcel No: 1C040A270020

Desc: Remodel existing basement into additional dwelling unit. Remodel upstairs. Modified on 11/28/22 to remove basement remodel and add dormer extension creating additional living space

Residential REPI New Dwelling Units: 1
 FCC Code: 434 Existing Dwelling Units: 1
 Type of Construction: VB Occupancy Class: _____
 Sprinkler Substitute for Type A Construction: YES NO
 Sprinkler System: FULL PARTIAL NONE Required: YES NO
 Alarm System: FULL PARTIAL NONE Required: YES NO
 Code Edition: 2012 IRC Code Review by: JH Date: 11/28/2022

Valuation for Permit Fee Calculations:

S.F.	Type	Rate	Amount
0	Residential-Single Family Resi	116.96	0.00
			165,000.00
Total Valuation:			\$165,000.00

LAND USE ZONE/UNITS <u>D18 / 1</u> WETLAND <u>No</u> FLOOD ELEV <u>N/A</u> FIRM ZONE <u>N/A</u> FIRM MAP <u>N/A</u> LOT SIZE <u>1,696 SF</u> <u>0.0 ACRES</u> SETBACKS Front <u>20' 7' nonconform</u> Rear <u>10' 0' nonconform</u> Side(E) <u>5' 0' nonconform</u> Other <u>5'</u> PARKING <u>2 0 nonconform</u> ANADROMOUS <u>No</u> EAGLES NEST <u>?</u> Coverage <u>50% / 50%</u> <u>Permissible/Conditional</u> HEIGHT <u>35' / 25'</u> <u>Permissible/Accessory</u> VEGETATION <u>30%</u> HAZARD <u>No</u>	ENGINEERING/PUB WORKS Dwelling Units: _____ CITY WATER: Permit #: _____ Use: _____ Assessment: _____ Service Size: _____ Line Size: _____ Meter Size: _____ CITY SEWER: Permit #: _____ Use: _____ Assessment: _____ Fixture Units: _____ LAND USE PERMITS ADR Case #: _____	PLAN REVIEW APPROVALS <table border="1"> <thead> <tr> <th></th> <th>Initials</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td><input checked="" type="checkbox"/> Fire</td> <td></td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/> Zoning</td> <td>JLS</td> <td>11/29/22</td> </tr> <tr> <td><input type="checkbox"/> Engineering</td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Water</td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Sewer</td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Architectural</td> <td>JH</td> <td>11/28/2022</td> </tr> <tr> <td><input type="checkbox"/> Structural</td> <td>JH</td> <td>11/28/2022</td> </tr> <tr> <td><input type="checkbox"/> Plumbing</td> <td>JH</td> <td>11/28/2022</td> </tr> <tr> <td><input type="checkbox"/> Mechanical</td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Electrical</td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Access</td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Spcl Insp Form</td> <td></td> <td></td> </tr> </tbody> </table> <p>APPROVED FOR ISSUANCE <i>Jon Stearns</i> Signature <u>11/29/2022</u> Date</p>		Initials	Date	<input checked="" type="checkbox"/> Fire			<input checked="" type="checkbox"/> Zoning	JLS	11/29/22	<input type="checkbox"/> Engineering			<input type="checkbox"/> Water			<input type="checkbox"/> Sewer			<input type="checkbox"/> Architectural	JH	11/28/2022	<input type="checkbox"/> Structural	JH	11/28/2022	<input type="checkbox"/> Plumbing	JH	11/28/2022	<input type="checkbox"/> Mechanical			<input type="checkbox"/> Electrical			<input type="checkbox"/> Access			<input type="checkbox"/> Spcl Insp Form			PERMIT ISSUANCE FEES Grading Plan Review Fee \$ _____ Adjusted Plan Review Fee \$ _____ Fast Track Fee \$ _____ Early Start Fee \$ _____ Building Permit Fee \$ _____ Water Assessment Fee \$ _____ Sewer Assessment Fee \$ _____ Sewer Inspection Fee \$ _____ Grading Permit Fee \$ _____ Driveway Permit Fee \$ _____ Bond for \$ _____ Other \$ _____ Total Issuance Fees \$ _____ PERMIT ISSUANCE PAYMENTS <table border="1"> <thead> <tr> <th>Date</th> <th>Receipt</th> <th>Check</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>_____</td> <td>_____</td> <td>_____</td> <td>\$ _____</td> </tr> <tr> <td>_____</td> <td>_____</td> <td>_____</td> <td>\$ _____</td> </tr> <tr> <td>_____</td> <td>_____</td> <td>_____</td> <td>\$ _____</td> </tr> </tbody> </table>	Date	Receipt	Check	Amount	_____	_____	_____	\$ _____	_____	_____	_____	\$ _____	_____	_____	_____	\$ _____
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Parcel Tags:

12/5/05 KJB. See attached document DEED 20051129.

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

- Height: Letter submitted confirming that construction will not change the roof height of the existing structure, and that the maximum roof elevation will remain the same. Note: The maximum height allowed for a structure in the D18 zoning district is 35 feet.
- Setbacks: The following note has been added to the submitted plans: "Newly constructed dormers and any modified roof framing shall not extend in any direction past the existing roof line."
- Accessory Apartment: No approval has been granted to construct or use an accessory apartment on the property. A Pre-Application meeting, Conditional Use Permit approval from the Planning Commission, and a Parking Waiver from the Director will all be required prior to construction or use of an accessory apartment on the property.

From: [Jennifer Shields](#)
To: ["Modern Alaska"](#)
Cc: [Nate Watts](#); [Jon Stearns](#); [Permits](#); [Adrienne Scott](#); [Charlie Ford](#); [Scott Ciambor](#); [Jill Maclean](#)
Jill.Maclean@juneau.org
Subject: RE: 312 6th Street - Roof Elevations
Date: Tuesday, November 29, 2022 10:14:00 AM

Hi Bridget,

Building Permit BLD2022-0746 has been MODIFIED to remove any part of the application for an accessory apartment. Please note the following:

- 1) Height: You have submitted a letter confirming that construction will not change the roof height of the existing structure, and that the maximum roof elevation will remain the same. Note: The maximum height allowed for a structure in the D18 zoning district is 35 feet.
- 2) Setbacks: The following note has been added to the submitted plans: "Newly constructed dormers and any modified roof framing shall not extend in any direction past the existing roof line."
- 3) Accessory Apartment: No approval has been granted to construct or use an accessory apartment on the property. As previously noted, a Pre-Application meeting, Conditional Use Permit approval from the Planning Commission, and a Parking Waiver from the Director will all be required prior to construction or use of an accessory apartment on the property.

Based upon the above conditions, I have approved Modified Building Permit BLD2022-0746 for Zoning purposes. Please contact Edward Quinto, Permit Specialist, at (907) 586-0770 or Edward.Quinto@juneau.org to find out the status of your Modified Building Permit application.

Finally, a time is available on 12/21 at 10:30 am to hold a Pre-Application meeting regarding the future accessory apartment. **Please contact Edward Quinto, Permit Specialist, at Edward.Quinto@juneau.org if you would like to schedule a Pre-Application meeting on this date, or when the next available meeting time is after that.**

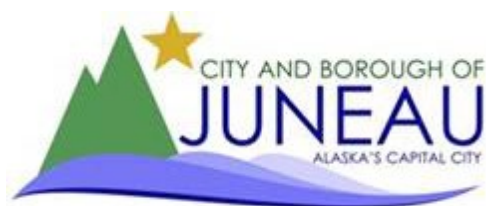
Take care,

Jennifer L. Shields | Planner II

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

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

Office: 907.586.0753 ext. 4139



320 W 8th Street
Juneau, AK 99801

November 28, 2022

City and Borough of Juneau
Community Development Department
155 S. Seward Street
Juneau, AK 99801

RE: 312 6TH STREET RENOVATION PROJECT, PARCEL NO 1C040A270020

To Whom It May Concern,

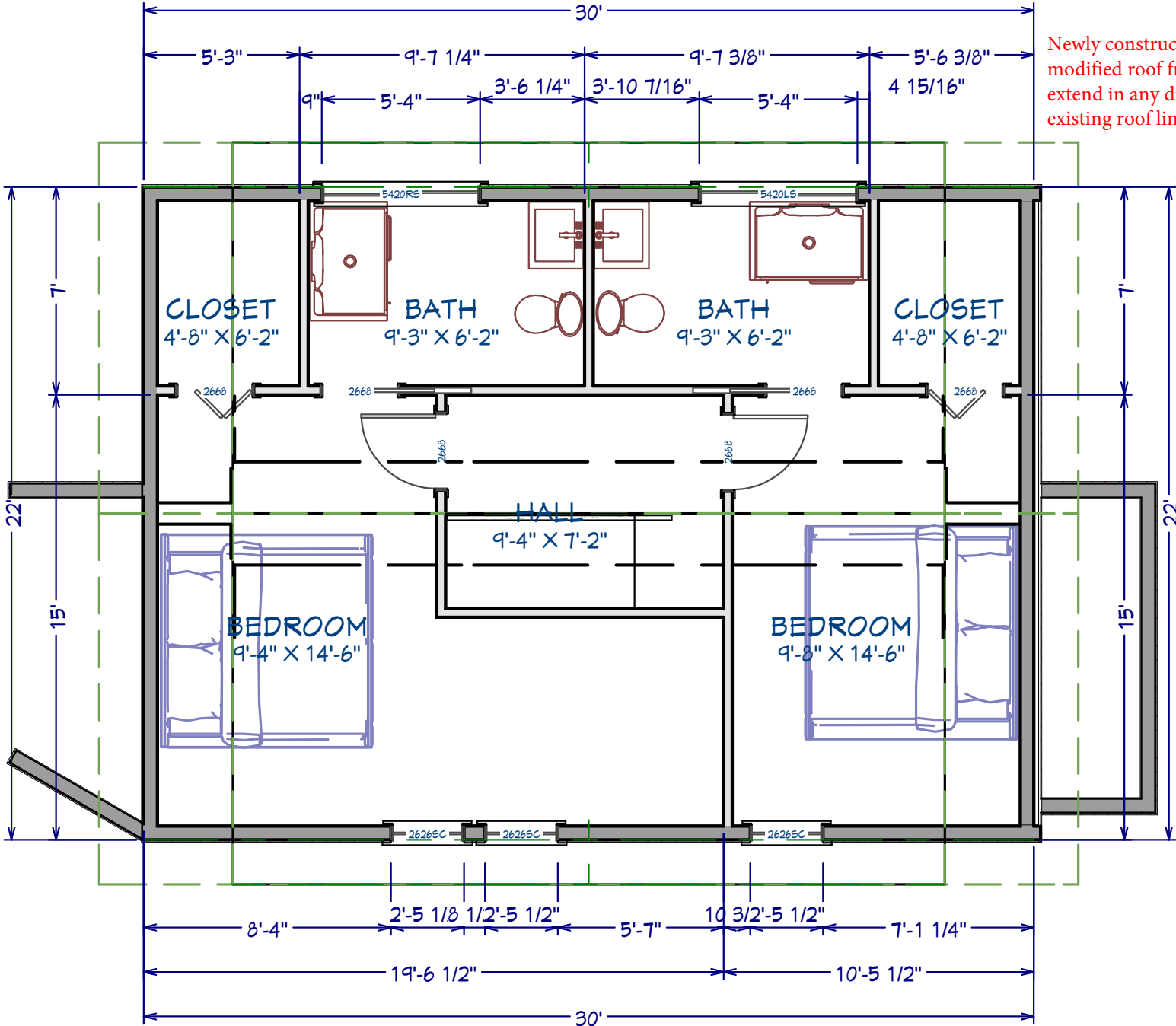
The project located at the subject property will not change the roof height of the existing structure. Maximum roof elevation will remain the same. If you have any questions, please contact me.

Thanks,

Bridget LaPenter

A handwritten signature in black ink, appearing to read 'Bridget LaPenter', written in a cursive style.

Newly constructed dormers and any modified roof framing shall not extend in any direction past the existing roof line.



SECOND FLOOR
660 SQ FT

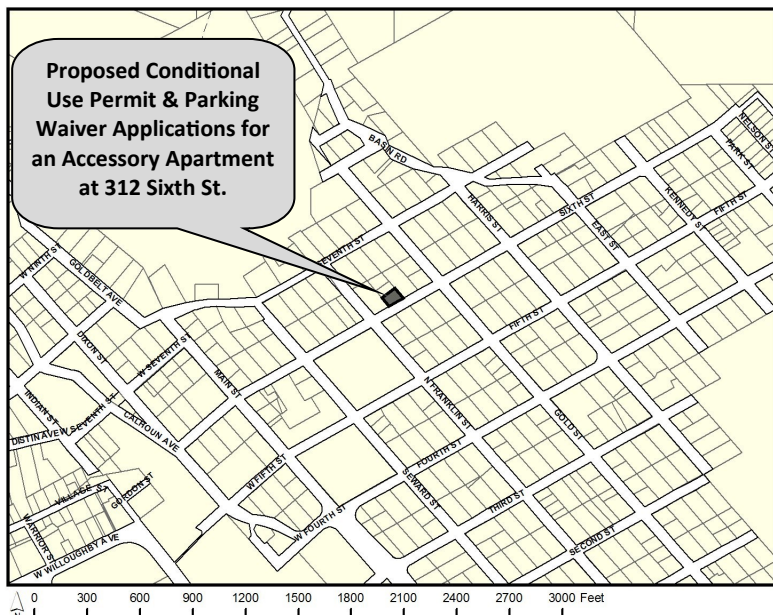
Attachment H- 2022 Building Permit BLD22-746

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission

Your Community, Your Voice

Proposed Conditional Use Permit & Parking Waiver Applications for an Accessory Apartment at 312 Sixth St.



COMMUNITY DEVELOPMENT

155 S. Seward Street Juneau, Alaska 99801

TO:

An application has been submitted for consideration and public hearing by the Planning Commission for **Conditional Use Permit & Parking Waiver Applications for an Accessory Apartment at 312 Sixth St** in a **D18 Zone**.

PROJECT INFORMATION:

Project Information can be found at:

<https://juneau.org/community-development/short-term-projects>

PLANNING COMMISSION DOCUMENTS:

Staff Report expected to be posted **May 1st, 2023** at

<https://juneau.org/community-development/planning-commission>

Find hearing results, meeting minutes, and more here, as well.

Now through April 17

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

April 18 — noon, May 5

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

HEARING DATE & TIME: 7:00 pm, May 9th, 2023

This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting <https://juneau.zoom.us/j/88455226753> and use the Webinar ID: 884 5522 6753 OR join by telephone, calling: 1-253-215-8782 and enter the Webinar ID (above).

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

May 10th

The results of the hearing will be posted online.

FOR DETAILS OR QUESTIONS,

Phone: (907)586-0753 ext. 4139 ♦

Email: pc_comments@juneau.gov

Mail: Community Development, 155 S. Seward Street, Juneau AK 99801

Case No.: USE2023 0005 & PWP2023 0002

Parcel No.: 1C040A270020

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

100



Attachment J- Public Notice Sign Photo

From: Aardvark LLC <architectureoffaith@gmail.com>
Sent: Monday, April 3, 2023 10:25 PM
To: PC_Comments
Subject: Conditional Use Permit and Parking Waiver for accessory Apt. 312 6th St.

Dear CBJ,

I would like to manifest my sympathies for, and approval of all designs for building permit for 312 6th St. in D18 Zone. It is necessary to get as much housing available in downtown Juneau as soon as possible. Whatever helps these people get their project going is good by me as a citizen and neighbor.

As for the parking waiver, I additionally wish to express my discontent with any ordinance that requires off-street parking in new construction of buildings or houses. The idea that we must provide parking for cars in itself creates a precedent for car-dependent living, which is neither necessary nor healthy for the commonwealth or the environment. Any law requiring off-street parking as a precondition of a building permit puts cars over people, which neither serves the community nor the planet. We need to get away from such laws that hearken back to the 20th century car-centric urban planning, where everything had to have a garage and a lawn and a white picket fence.

Cars can park on the street. It is good NOT to have extra parking because it encourages people to use the space that we have more efficiently (by walking). I would rather have park benches and trees, or even outbuildings instead of more dead space for those moveable hunks of metal and grease.

Sincerely,

Joshua S Adams
Aardvark, LLC
architectureoffaith@gmail.com

