

# REGULAR PLANNING COMMISSION AGENDA

# May 14, 2024 at 7:00 PM

# Assembly Chambers/Zoom Webinar

https://juneau.zoom.us/j/86939674618 or 1-253-215-8782 Webinar ID: 869 3967 4618

## A. LAND ACKNOWLEDGEMENT

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!

## B. <u>ROLL CALL</u>

## C. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA

## D. APPROVAL OF MINUTES

- 1. April 9th, 2024 Draft Minutes Regular Planning Commission
- 2. April 23, 2024 Draft Minutes Special Meeting
- 3. April 23, 2024 Draft Minutes Regular Planning Commission

## E. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION

#### F. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

- G. ITEMS FOR RECONSIDERATION
- H. CONSENT AGENDA
  - 4. PWP2024 0001: Parking Waiver Permit

Applicants: Jessica Barker & Caitlin Stern

Location: 114 Sixth St.

#### **DIRECTOR'S REPORT**

Applicants request a Parking Waiver Permit to waive one (1) required parking space for an accessory apartment on top of an existing garage in a D18 zoning district. The applicants have pledged one parking space within the garage will be designated for the tenant of the accessory apartment.

#### **STAFF RECOMMENDATION**

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE Parking Waiver Permit PWP2024 0001 with conditions.

5. USE2024 0005: Conditional Use Permit for an accessory apartment

Applicant: Jessica Barker & Caitlin Stern

Location: 114 Sixth St.

#### **DIRECTOR'S REPORT**

Applicants request a Conditional Use Permit to construct a 430 square foot accessory apartment on top of an existing garage in a D18 zoning district. The garage is certified nonconforming for a zero (0) ft. front yard setback. CBJ 49.25.430(M) allows for additional stories to be added to certified nonconforming structures.

#### **STAFF RECOMMENDATION**

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE Conditional Use Permit USE2024 0005 with conditions.

6. USE2024 0009: A Conditional Use permit for a temporary asphalt plant at the Juneau International Airport

#### Applicant: SECON

Location: Shell Simmons Drive

#### **DIRECTOR'S REPORT**

The applicant requests a Conditional Use Permit for a temporary asphalt plant at the Juneau International Airport. Temporary asphalt plants have been approved at this location in 2019 and 2020, and the operation has all required permits.

#### **STAFF RECOMMENDATION**

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE Conditional Use Permit USE2024 0009 with conditions.

7. USE2024 0007: Expansion of Community Center from 7,625 to 9,984 square feet. Parking shared with neighboring buildings.

Applicant: MRV Architects

Location: Hospital Drive

#### **DIRECTOR'S REPORT**

The expansion creates a more uniform structure, expanding into gaps to better serve the community use. Structures in the anadromous stream setback will be removed. Parking will need to be compliant before issuance of a building permit.

#### **STAFF RECOMMENDATION**

#### May 14, 2024 Regular Planning Commission

Staff recommends the Planning Commission adopt the Director's analysis and findings and approve Conditional Use Permit USE 2024 0007 with requested conditions.

#### I. UNFINISHED BUSINESS

#### J. REGULAR AGENDA

8. USE2024 0006: Conditional Use Permit for three, 16-unit apartment buildings with a total of 48 singleroom occupancies with private facilities in the D15 zoning district.

Applicant: William Heumann

Locantion: Hillcrest Avenue

#### **DIRECTOR'S REPORT**

The applicant requests a Conditional Use Permit USE2024 0006 for a development creating 48 singleroom occupancies with private facilities in the D-15 zoning district. The units will be allocated to three (3) separate buildings, each two stories in height. SROs with private facilities count as one-half ( $\frac{1}{2}$ ) dwelling unit under CBJ 49.25.510(j)(2).

#### **STAFF RECOMMENDATION**

Staff recommends the Planning Commission adopt the Director's analysis and findings and approve Conditional Use Permit USE2024 0006 with the following conditions:

- 1. Prior to Temporary Certificate of Occupancy, Hooter Lane must be accepted by the CBJ for maintenance.
- 2. Prior to TCO, a new plat of Chilkat Vistas Tract A3 must be recorded.

#### 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
- S. <u>ADJOURNMENT</u>

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.gov.

# **DRAFT MINUTES**

Agenda **Planning Commission**  *Regular Meeting* CITY AND BOROUGH OF JUNEAU *Mandy Cole, Chair* April 9, 2024

# I. <u>LAND ACKNOWLEDGEMENT</u> – 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, Chair, 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 7:00 p.m.

Commissioners present:	Commissioners present in Chambers – Mandy Cole, Chair; Erik Pedersen, Vice Chair; Matthew Bell, Deputy Clerk; Nina Keller; David Epstein, Jessalynn Rintala, Commissioners present via video conferencing – None
Commissioners absent:	Adam Brown; Travis Arndt, Clerk; Lacey Derr
Staff present:	Jill Lawhorne, CDD Director; [via Zoom] Irene Gallion, Senior Planner; Nicolette Chappell, CDD Administrative Coordinator; Lily Hagerup, CDD Administrative Assistant; Attorney III
Assembly members:	Paul Kelly

# III. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA – None

#### IV. APPROVAL OF MINUTES

#### A. March 26, 2024 Draft Minutes, Regular Planning Commission

	PC Regular Meeting	April 9, 2024	Page <b>1</b> of <b>8</b>
--	--------------------	---------------	---------------------------

**MOTION:** by Mr. Epstein to approve the March 26, 2024, Planning Commission Regular Meeting minutes.

The motion passed with no objection.

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

- VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS None
- VII. <u>ITEMS FOR RECONSIDERATION</u> None
- VIII. CONSENT AGENDA

USE2024 0003: Pulled from Consent to Regular Agenda by Commissioner Rintala

IX. UNFINISHED BUSINESS – None

#### X. <u>REGULAR AGENDA</u>

(Moved from Consent Agenda by Ms. Rintala)

USE2024 0003:Conditional Use Permit application request for the expansion of the<br/>existing food court on Franklin StreetApplicant:PND Engineers INC<br/>Franklin StreetLocation:Franklin Street

#### **Staff Recommendation**

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested Conditional Use Permit. The permit would allow the development of pet grooming, walking and dog daycare services in a D3 zone.

The approval is subject to the following conditions:

**Condition #1:** Prior to issuance of Temporary Certificates of Occupancy (TCO) for temporary or permanent structures, Lots 1A, 2A, 7, 8, and 9 must be consolidated.

**Condition #2:** Use of the sound systems, amplifiers, audible signaling, or voice at louder than conversational level shall not be permitted between the hours of 10:00 pm and 8:00 am Monday through Thursday, or 12:00 am and 8:00 am on Friday and Saturday.

**Condition #3:** Prior to issuance of a Temporary Certificate of Occupancy for BLD2024 0073, the applicant will provide the following for outdoor lighting not associated with permitted structures:

PC Regular Meeting April 9, 2024 Page 2 of 8	
--	--

- A site plan showing the location of fixtures.
- Cut sheets for lighting fixtures used.

**Condition #4:** Prior to issuance of a building permit, temporary structures requiring a building permit will provide documentation of shielded lighting that is downward cast and shines light only on the project parcel.

<u>STAFF PRESENTATION</u> – Director Lawhorne presented USE2024 0003 and explained the traffic impact analysis (TIA) was not necessary.

#### **QUESTIONS FOR STAFF**

Ms. Rintala asked whether the Director had authority to waive the TIA. Ms. Lawhorne said she would not normally have the authority to waive the TIA. However, in this circumstance, the department gave the applicant mistaken information and the applicant relied on that information. The department has honored good faith errors in the past and felt they should in this instance as well.

## APPLICANT PRESENTATION

David McCasland said he is available for questions

## **QUESTIONS FOR APPLICANT**

Mr. Epstein asked for clarification that this will be outdoor dining. Mr. McCasland confirmed that is the intention. Mr. Epstein asked what the target customer base would be. Mr. McCasland said locals make up 35% of the sales and in 2020-2021, they were 100%.

Ms. Cole asked where the parking lot will be located. Mr. McCasland said it will be above the retaining wall and will have 20-30 parking spaces.

# PUBLIC COMMENT

Zane Jones – Mr. Jones is the chair of the Historic Resource Advisory Committee (HRAC) and spoke to the letter from the committee. Mr. Jones said the Committee felt the development could be approved as a temporary development with an expiration date (suggested 10 years) at which time it would be used in accordance with the historic district.

Mr. Epstein asked what expectations the HRAC has for the 10-year time period. During the 10-years, what would they like to see done or is the option to do nothing until the 10<sup>th</sup> year and then meet the expectations. Mr. Jones said there are currently no guidelines but they would be willing to work with the owner/developer to keep the historic feel.

Ms. Keller asked what suggestions the HRAC has and how they would work with the owner to find agreement. Mr. Jones said the HRAC does not have a clear recommendation at the moment but would like to work with the applicant on that.

	PC Regular Meeting	April 9, 2024	Page <b>3</b> of <b>8</b>
--	--------------------	---------------	---------------------------

Ms. Cole asked what are the elements of 'harmony of scale' that they are trying to achieve. Mr. Jones said it is normally structured around buildings rather than around open areas. There are not really good guidelines regarding open spaces. He suggested benches and site lighting to give a park-like feel.

Ms. Keller asked if he had design suggestions they should consider. Mr. Jones said the guidelines offer some flexibility with new construction. He suggested keeping with the streetscape.

#### ADDITIONAL APPLICANT COMMENTS

Mr. Jones said the point of the retaining wall is to make the lot flat to help with drainage and make the site ADA accessible. The fence is necessitated due to State of Alaska Alcohol regulations.

#### **COMMISSIONER QUESTIONS**

Ms. Keller asked if there was some room in the plan for type of fence. He affirmed he is flexible as to the type of permanent fence but in the near-term, he will install whatever is fastest and most affordable. Ms. Keller asked if it would be open year-round. He said water is an issue but if he can, he would be open for events so long as it is above freezing.

Ms. Cole asked if they would be coming back for another permit. Mr. Jones said the long-term plan is to add housing when he is able.

Ms. Rintala asked if the lot consolidation and noise regulation conditions are a problem with him. Mr. McCasland said he is comfortable with the conditions and added the retaining wall should help to cut down on the noise.

#### COMMISSIONER DISCUSSION

Ms. Cole expressed concern with approving a CUP that will only apply to some of the existing lots and wondered what happens when the other lots are consolidated. Ms. Layne said the applicant may have to come back to the PC at that time. Ms. Lawhorne did not have any concerns and added if they were to make a major modification, that could come back to the PC. Adding housing or changing the plan to a building or adding a parking garage would all require another permit.

Mr. Pedersen asked Ms. Layne and Ms. Lawhorne for their opinion on the 'appropriateness' of putting an expiration on the permit. Ms. Lawhorne said it is difficult for a business to develop a business plan if they do not know that they will be allowed to function beyond ten years.

Ms. Lawhorne advised the PC that the historic guidelines are *guidelines*. They are not regulations. However, the commission is allowed to encourage the guidelines be followed.

**MOTION:** by Mr. Epstein to accept staff's findings, analysis, and recommendations, and approve USE2024 0003 with the addition of condition #5 "Prior to issuance of a building permit the applicant and HRAC will work together to develop a mutually acceptable development solution that conforms with historic guidelines.

PC Regular Meeting	April 9, 2024	Page <b>4</b> of <b>8</b>

Mr. Epstein spoke to his motion saying he would like to see a condition that obligates the applicant and HRAC to work together.

Mr. Epstein withdrew his motion.

**MOTION:** by Mr. Pedersen to accept staff's findings, analysis, and recommendations, and approve USE2024 0003.

**MOTION TO AMEND:** by Mr. Epstein to add a Condition #5 "Prior to issuance of a building permit the applicant and HRAC will work together to develop a mutually acceptable development solution that conforms with historic district guidelines.

Ms. Cole spoke against the motion saying she is not comfortable mandating them to conform to unclear guidelines. Mr. Pedersen also spoke against the motion saying it is not specific enough. Mr. Bell liked the idea of the amendment but could not support it as proposed. Ms. Rintala thanked the HRAC for their work but said she would not support the motion. Ms. Keller felt it would be hard to condition them to work together.

# **Roll call on amendment**

YES: Epstein NO: Keller, Rintala, Bell, Pedersen, Cole *Motion to amend fails 1-5* 

Mr. Epstein thanked Ms. Lawhorne for being forthright and explaining the department error on the TIA.

The original motion passed on Roll Call with no objection.

USE2024 0008:	Conditional Use Permit application request to renovate ground floor patio and add a second-floor deck to existing commercial building for use by bar
Applicant:	Northwind Architects
Location:	Admiral Way

# **Staff Recommendation**

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested Conditional Use Permit. The permit would allow the development of over 10,000 square feet in a MU zoning district for a bar without drive through service.

The approval is subject to the following conditions:

Condition 1: Prior to Temporary Certificate of Occupancy (TCO), a foundation setback verification form must be completed, and an as-built survey submitted for BLD2024-0098.

Condition 2: If the director, in consultation with the Juneau Police Department, and AKDOT&PF, finds that the project results in the queuing of pedestrians within the public ROW, sidewalk or crosswalk, the Use Permit may be suspended until the applicant addresses the safety concern by re-designing pedestrian circulation on site to eliminate the hazard.

Condition 3: Use of the sound systems, amplifiers, audible signaling, or voice at louder than conversational level shall not be permitted between the hours of: 10:00 pm and 8:00 am Monday through Thursday, or 12:00 am to 8:00 am on Friday and Saturday. [changed in Motion to match additional materials]

10:00 pm on Sunday and 8:00 am on Monday 10:00 pm on Monday and 8:00 am on Tuesday 10:00 pm on Tuesday and 8:00 am on Wednesday 10:00 pm on Wednesday and 8:00 am on Thursday 10:00 pm on Thursday to 8:00 am on Friday Midnight and 8:00 am on Saturday Midnight and 8:00 am on Sunday

Condition 4: Prior to issuance of a building permit, the applicant shall submit a lighting plan illustrating the location and type of exterior lighting proposed for the development for review by Community Development. Exterior lighting shall be designed and located to minimize offsite glare.

Condition 5: The ground floor patio shall be reserved for purposes of storing snow between, but not including, the dates of October 31 to April 1.

# Condition 6: Prior to a temporary certificate of occupancy, provide verification to Community Development Department that the resulting public sidewalk is a minimum of 5 foot in width. [Added by amendment]

STAFF PRESENTATION – By Ms. Lawhorne

#### AT EASE 8:15 p.m. – 8:34 p.m.

<u>APPLICANT PRESENTATION</u> – Shannon Crossley, Northwind Architects, presented on behalf of the applicant. The applicant plans to add an upper deck to an existing outdoor business.

#### **QUESTIONS FOR APPLICANT**

Ms. Keller asked how the sidewalk would be impacted by the new construction. Ms. Crossley said it would go to 4.27 feet and is an easement in keeping with the existing use. Mr. Pedersen said he interprets the 4.27 feet is from the easement and the distance in total is at or exceeds the 5 feet.

Mr. Bell asked if the upper deck would be ADA accessible. Ms. Crossley said it is not required to be ADA but the downstairs is accessible. She reminded the Commissioners that ADA is not building code.

#### **QUESTIONS FOR STAFF**

PC Regular Meeting April 9, 2024 Page 6 of 8	
--	--

Prior to questions, Ms. Lawhorne spoke to the sidewalk question and said many of the sidewalks in the downtown area are narrow and do not meet the 5-foot requirement.

Ms. Keller noted the narrow sidewalk in this corner and asked for clarification of the 5-foot requirement for vendors. Ms. Lawhorne said it would be hard to require the applicant widen sidewalks as sidewalks are under state DOT purview. If the PC wants to require wider sidewalk space, they could require a setback.

Ms. Cole asked what prompted Condition #2. Ms. Lawhorne explained it is a crowded area for pedestrians and vehicle traffic and the department wanted to be able to correct a problem if it crops up. Ms. Keller reiterated her concerns regarding the sidewalk and the ambiguity of whether or not it met the 5-foot requirement. Ms. Lawhorne pointed out the state DOT office did submit comments in the agency review and they did not note any concerns or identify sidewalk width as an issue.

**MOTION:** by Ms. Keller to accept staff's findings, analysis, and recommendations, and approve USE2024 0008 including conditions 1, 2, 4, and 5 and suggesting the use of modified condition #3 as presented in the additional materials.

Mr. Epstein read the recommended Condition #3 into the record.

Condition #3: Use of the sound systems, amplifiers, audible signaling, or voice at louder than conversational level shall not be permitted between the hours of: 10:00 pm on Sunday and 8:00 am on Monday 10:00 pm on Monday and 8:00 am on Tuesday 10:00 pm on Tuesday and 8:00 am on Wednesday 10:00 pm on Wednesday and 8:00 am on Thursday 10:00 pm on Thursday to 8:00 am on Friday Midnight and 8:00 am on Saturday Midnight and 8:00 am on Sunday

**MOTION TO AMEND:** by Mr. Pedersen to add Condition #6 that reads: Prior to a temporary certificate of occupancy, provide verification to Community Development Department that the resulting public sidewalk is a minimum of 5 foot in width.

#### ROLL CALL VOTE ON MOTION TO AMEND

YES: Pedersen, Bell, Epstein, Rintala, Keller NO: Cole *Motion to amend passes 5-1* 

# The amended motion passed on Roll Call with no objection.

#### XI. OTHER BUSINESS – None

XII. <u>STAFF REPORTS</u> – Ms. Lawhorne reminded Commissioners there is a Special Meeting including public testimony on April 23 at 5:30 p.m. followed by a Regular meeting at 7:00

PC Regular Meeting April 9, 2024 Page <b>7</b> of <b>8</b>	gular Meeting April
--	---------------------

p.m. The agenda for the regular meeting is scant and may be a short meeting. The commissioners have the option to continue public testimony after the regular meeting if they so choose.

Staffing update: A new planner has started. There remains to be vacancies in the department.

Title 49 rewrite, Telephone Hill and City offices planning will be heard at an upcoming Assembly COW meeting on April 15. Ms. Layne added the Assembly COW may also include short-term rentals.

Ms. Keller asked when the design review board was sunset and why. Ms. Lawhorne said it was removed before she came to CBJ nine years ago but she will look in to it. Ms. Keller asked what it would take to bring it back. Ms. Cole said it would require an ordinance and referred to Liaison Kelly for details.

# XIII. COMMITTEE REPORTS - None

XIV. <u>LIAISON REPORTS</u> – Assembly member Kelly reported recent Assembly topics have included the sale of two lots in Renninger Subdivision, relocation of the Mill Campground, and the Assembly has recently concluded tours of Floyd Dreyden, Marie Drake and the Burns Building.

Regarding Ms. Keller's question about restarting the design review board, he confirmed it would need a new ordinance.

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

# XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS - None

# XVII. EXECUTIVE SESSION – None

# XVIII. <u>ADJOURNMENT</u>

Having no other business, the meeting adjourned at 9:19 PM. The next Regular meeting will be held Tuesday, April 23, at 7:00 p.m. which will be preceded by a Special meeting at 5:30 p.m.

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

PC	Regular	Meeting
		meeting

# **DRAFT MINUTES**

Agenda **Planning Commission**  *Special Meeting* CITY AND BOROUGH OF JUNEAU *Mandy Cole, Chair* April 23, 2024

# I. <u>LAND ACKNOWLEDGEMENT</u> – Read by Vice Chair Pedersen

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, Chair, 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 5:32 p.m.

Commissioners present:	Commissioners present in Chambers – Mandy Cole, Chair; Erik Pedersen, Vice Chair; Travis Arndt, Clerk; Matthew Bell, Deputy Clerk; Adam Brown; Nina Keller; David Epstein, Jessalynn Rintala, Lacey Derr Commissioners present via video conferencing – None
Commissioners absent:	None
Staff present:	Jill Lawhorne, CDD Director; David Peterson, Planner II; Forrest Courtney, Planner II; Nicolette Chappell, CDD Administrative Coordinator; Lily Hagerup, CDD Administrative Assistant; Sherri Layne, Attorney III; Alix Pierce, Tourism Manager; Scott Ciambor, CDD Planning Manager; Minta Montalbo, Senior Planner; Daniele Gaucher, Administrative Officer.
Accomplymomhore	Daul Kally

#### Assembly members: Paul Kelly

#### III. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA – None

PC Regular Meeting	April 23, 2024	Page <b>1</b> of <b>5</b>

## IV. REGULAR AGENDA

## AME2018 0007: Blueprint Downtown Area Plan

<u>STAFF PRESENTATION</u> – by Planning Manager Ciambor. The packet includes a staff memo with recommendations. Staff answers to commissioner questions can be found on page 471. The plan includes public and agency comments at various places in the packet. Kirby Day and Betsy Brenneman from the Blueprint Steering Committee are in the room to answer questions as well.

Ms. Cole explained the PC role is not to approve or deny the plan. Rather, it is to make a recommendation to the Assembly.

#### **QUESTIONS FOR STAFF**

Ms. Derr asked who would be responsible for making the changes recommended in testimony in the additional materials packet. Mr. Ciambor said staff would make the changes along with any changes from the Assembly.

Prior to public comment, Ms. Cole gave a review of the rules for public testimony.

#### PUBLIC COMMENT

*Duff Mitchell, Pioneer Avenue – Member of JCOS –* Spoke as the manager of Juneau Hydropower. Mr. Mitchell said Juneau has the power capacity for the docks. Juneau Hydropower supports dock electrification and downtown circulator buses. They support the Blueprint Downtown Area Plan.

Ms. Cole asked Mr. Mitchell what he sees as the hold up on moving forward on electrifying the docks. Mr. Mitchell answered the costs have increased significantly over the years and, to his knowledge, the CBJ has not done the necessary environmental permitting yet. The CBJ has recently hired a consultant and going forward, this should make it go more smoothly.

*Betsy Brenneman, Willow Drive* – Ms. Brenneman was a member on the steering committee. She said the plan was intent of the plan was to be action-oriented to nurture the preservation, restoration and revitalization of the downtown area. She thanked Beth McKibben, Nathaniel Dye, and Alix Pierce for their involvement and help to the committee. The Steering Committee supports recommending the assembly adopt it as an ordinance.

Ms. Rintala asked for more information how enforcement was a hindrance. Ms. Brenneman said there were things on the books that did not achieve the desired outcomes. Specifically, there was a tax incentive program to encourage development of apartment dwellings downtown. Ms. Brenneman said that seems to have been ineffective. She suggested there could be value in using 'disincentives' as well.

Page <b>2</b> of <b>5</b>

Ms. Cole was interested in the 'all types of housing' option and asked for more details. Ms. Brenneman said this includes housing for tourism seasonal housing, legislative housing, lowincome housing, and year-round downtown housing. Because there are so many different types of people downtown, multiple types of housing accommodations are needed.

Ms. Cole asked if there is anything in the plan that could have impact on downtown housing. Ms. Brenneman said the tables in the back of the packet provide good guidance.

Mr. Epstein asked if she had compared Juneau to what other cruise ship cities have done and compare that to what we can do here. She said Ms. McKibben had brought information about other tourism towns but not necessarily cruise ship towns.

Mr. Bell asked if they were able to do it today, what would they reprioritize? She said nothing. Housing remains top priority.

Ms. Keller asked her view what could be done regarding housing and short-term housing. Ms. Brenneman said the city has waited long to deal with it and suggested a survey of other communities for their ideas for solutions.

Mr. Arndt referred to her comments about disincentives, saying he prefers carrots to sticks, asked what else they had talked about. She agreed carrots are nicer than sticks but she has not seen effective carrots. The downtown population has changed and there are fewer office workers and businesses in the downtown area than before.

Steve Behnke (via Zoom) – 4545 Thane Road - representing the Board of Renewable Juneau – The board participated in Blueprint downtown and appreciates their environmental stress. However, the plan has a weakness. On pages 57 and 192, the plan speaks to "explore feasibility of providing shore power." We are past the 'explore feasibility' stage. The board recommends adding verbiage to say, "It is the policy of the CBJ that private and public docks that berth cruise ships will provide shore power to cruise ships while they are in port."

#### COMMISSIONER QUESTIONS FOR STAFF

Mr. Arndt asked if it is better for this to be a resolution or an ordinance. Director Lawhorne strongly recommended it be recommended as an ordinance adopting it into the Comprehensive plan.

Mr. Pedersen referenced the 2-year review clause and asked how that would work. Ms. Lawhorne explained the 2-year review is for the department to review and confirm the plan and meshes well and is conforming and there are not any conflicts. Since the department is currently in process rewriting the comp plan as well as blueprint, they are, in effect, doing this now.

Ms. Cole how adopting the Blueprint by ordinance might affect the Title 49 rewrite plan. Ms. Lawhorne said the assembly fully supports the rewrite and there is confidence it will be funded through the budget process. If blueprint is adopted, it would be driving force for next 3 to 5 years.

Ms. Lawhorne agreed with Ms. Brenneman that code enforcement is a challenge. There is one staff member for all code enforcement. Much of it has no fines. If they are unable to bring a person into compliance, the final option is to use the court system.

#### \*\*\*AT EASE 6:24 - 6:32\*\*\*

#### COMMISSIONER DISCUSSION

Ms. Derr has served on the Docks & Harbors board and said CBJ is past the 'feasibility' of dock electrification phase. It is feasible.

Mr. Arndt said the plan should be moved forward but said he is torn between "resolution" and "ordinance". The problem he sees is the weaknesses in spots where the verbiage needs to be updated. Ms. Cole clarified the PC recommendation would be to approve the plan when it is in final version. Ms. Lawhorne said other CBJ departments have been involved and updates have been made. The intent is that it will be up to date by the final draft. Mr. Ciambor added there is a list of updates included in the plan and explained some of them.

Ms. Cole said she supports this moving forward, including the comments. Her main comment is that housing does not seem properly prioritized as the TOP priority. She mentioned a recent case in the downtown MU area that did not include housing. She would like to see a 'different set of rules' to enforce housing. Mr. Arndt asked if she would prefer something in the plan requiring housing be included in all downtown projects. Ms. Cole did not think that but she would be interested in stronger language to encourage housing downtown.

Ms. Rintala pointed out there is no mention of avalanche or landslide areas. Ms. Lawhorne said the PC, the assembly, and the community discussed this topic and the assembly decided to regulate moderate and severe avalanche zones and not landslide zones.

**MOTION:** by Mr. Pedersen that the PC move the draft Blueprint Downtown area plan and recommend to the Assembly its adoption as an addendum to the Comprehensive plan by ordinance.

Mr. Epstein asked why the motion was ordinance rather than resolution. Mr. Pedersen said he relied on staff and public comment recommendations. Ms. Cole agreed saying she feels adoption by ordinance makes the most sense.

**MOTION TO AMEND:** by Ms. Cole to strengthen the preference for housing downtown by adding language to emphasize a stronger focus on housing with stronger preference language for projects involving housing downtown.

Ms. Keller commented short term rentals should be included. Ms. Lawhorne told the PC the CBJ is forming a short-term rental task force with the goal of looking at short-term rentals and how they could be regulated.

PC Regular Meeting	April 23, 2024	Page <b>4</b> of <b>5</b>

Mr. Arndt suggested verbiage, "we would like to see even more emphasis placed on housing and the increasing number of housing units in the downtown core as part of this plan."

Ms. Rintala suggested they make reference to page 159 of the draft plan as that includes specific action items for housing.

Ms. Keller suggested adding the phrase "year-round available housing" to discourage short-term housing. Mr. Arndt said we need all types of housing.

## Motion to amend passed without objection

## Amended motion passed on roll call with no objection

# V. <u>ADJOURNMENT</u>-

Having no other business, the meeting adjourned at 6:59 PM.

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

# **DRAFT MINUTES**

Agenda **Planning Commission**  *Regular Meeting* CITY AND BOROUGH OF JUNEAU *Mandy Cole, Chair* April 23, 2024

# I. LAND ACKNOWLEDGEMENT – Read by Mr. Arndt

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, Chair, 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 7:05 p.m.

Commissioners present:	Commissioners present in Chambers – Mandy Cole, Chair; Erik Pedersen, Vice Chair; Travis Arndt, Clerk; Matthew Bell, Deputy Clerk; Adam Brown; Nina Keller; David Epstein, Jessalynn Rintala, Lacey Derr Commissioners present via video conferencing – None
Commissioners absent:	None
Staff present:	Jill Lawhorne, CDD Director; David Peterson, Planner II; Forrest Courtney, Planner II; Nicolette Chappell, CDD Administrative Coordinator; Lily Hagerup, CDD Administrative Assistant; Sherri Layne, Attorney III; Minta Montalbo, Senior Planner; Daniele Gaucher, Administrative Officer
Assembly members:	Paul Kelly

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

PC Regular Meeting April 25, 2024 Page 1 014	PC Regular Meeting	April 23, 2024	Page <b>1</b> of <b>4</b>
--	--------------------	----------------	---------------------------

# IV. APPROVAL OF MINUTES

A. January 9, 2024 Draft Minutes, Regular Planning Commission

**MOTION:** by Mr. Epstein to approve the January 9, 2024, Planning Commission Regular Meeting minutes.

The motion passed with no objection.

- V. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION by Chair Cole
- VI. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS None
- VII. ITEMS FOR RECONSIDERATION None
- VIII. CONSENT AGENDA None
- IX. UNFINISHED BUSINESS None

#### X. <u>REGULAR AGENDA</u>

SMF2024 0001:	Applicant requests a final plat review for Lot 1, Unit Lot A, of Phase 1; Lot 2, and the first segment of Seymour Way. Unit Lot A is the location
	of a 24-unit multifamily building on approximately 0.23 acres at 7400
	Glacier Highway in a D18 Zone.
Applicant:	Glacier Heights LLC
Location:	7400 Seymour Way

#### **Staff Recommendation**

Staff recommends the Planning Commission adopt the Directors analysis and findings and Approve the Final Plat SMF2024-0001 with Conditions.

STAFF PRESENTATION – by Director Lawhorne

#### **QUESTIONS FOR STAFF**

Mr. Arndt asked whether there were two or three parent lots. Ms. Lawhorne said eventually there will be three parent lots.

April 23, 2024	Page <b>2</b> of <b>4</b>
	April 23, 2024

Ms. Cole referred to the report of met and unmet issues in the table and asked if the conditions are sufficient to cover those. Ms. Lawhorne explained the unmet issues will be reviewed again by staff before the final plat will be recorded.

Mr. Arndt thought the bonding had to be in place before coming before the PC. Ms. Lawhorne said Chilkat Vista was a little different because of the way it was bonded.

<u>APPLICANT PRESENTATION</u> – Garrett Johnson, Glacier Heights LLC was present and available for commissioner questions.

## COMMISSIONER QUESTIONS FOR STAFF

Mr. Arndt asked if the drawings in pages 21-23 constitute the plat. Ms. Lawhorne confirmed that is the case. The plat will be signed and sealed before it is finalized.

Mr. Pedersen asked if the applicant would have to come back before the PC if they wanted to change the phasing. Ms. Lawhorne said if it was a very minor modification, it would not need to. In most cases, however, it would come back to the PC.

**MOTION:** by Mr. Arndt to accept staff's findings, analysis, and recommendations, and approve SMF2024 0001.

# The motion passed with no objection.

## XI. OTHER BUSINESS - None

# XII. <u>STAFF REPORTS</u> - Director Lawhorne reported:

- The Director thanked staff and other CBJ departments for their efforts with Blueprint. Specifically, she mentioned Beth McKibben, Alix Pierce, Scott Ciambor, Minta Montalbo, and Forrest Courtney and the Steering Committee.
- This is Lily Hagerup's last PC meeting.
- Next meeting May 14. There are multiple items scheduled to be on the consent agenda that evening.
- June 11 meeting is cancelled. The department will be implementing their new software that week.
- July 9 meeting may be cancelled.

# XIII. <u>COMMITTEE REPORTS</u>

Mr. Epstein – PWFC – No report

Ms. Cole – Lands – They heard a housing update and Mr. Ciambor shared a link for more information at that meeting. The accessory grants are on hold currently.

#### XIV. <u>LIAISON REPORTS</u> – Assembly Member Kelly reported:

PC Regular Meeting April 23, 2024 Page <b>3</b> of <b>4</b>
---

- There was a COW meeting and they discussed short term rental regulation.
- The Assembly has officially shelved plans to move the homeless campground to 100 Mill Street due to unforeseen expenses and because of upcoming construction to a neighboring lot. Instead, they will introduce an ordinance to allow establishment of a campground by resolution at any time. This will allow the assembly to act quickly.

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

## XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS

Ms. Cole said she and Mr. Pedersen had discussed the making of motions and amendments to change conditions and findings and encouraged members to consider including one change in a motion rather than many changes. Otherwise, an entire motion might be voted down because of a single component. Ms. Layne added that the members could make an amendment to an amendment but should not go further than that before voting. Both encouraged members to plan out and consider motions and amendments ahead of time when possible.

## XVII. EXECUTIVE SESSION - None

XVIII. <u>ADJOURNMENT</u> – 7:36 p.m. Next Regular Meeting May 14, 2024 7:00 p.m.

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



COMMUNITY DEVELOPMENT

DATE: May 6, 2024

TO: Mandy Cole, Chair, Planning Commission

BY: Ilsa Lund, Planner I Alsa Lund

THROUGH: Jill Lawhorne, 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 is unable to accommodate additional on-site parking.
- The applicants will designate one (1) existing on-site parking space for the accessory apartment.
- 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	Caitlin Stern; Jessica Barker	
Applicant	Caitlin Stern; Jessica Barker	
Property Address	114 Sixth Street	
Legal Description	JUNEAU TOWNSITE BL 29 LT 2	
Parcel Number	1C060A290030	
Zoning	D18 (Multi-Family)	
Land Use Designation	Medium Density Residential (MDR)	
Lot Size	5,000 sq. ft.	
Water/Sewer	City & Borough of Juneau	
Access	Sixth Street	
Existing Land Use	Residential	
<b>Associated Applications</b>	USE2024 0005	

(907) 586-0715 CDD\_Admin@juneau.gov www.juneau.org/community-development

155 Heritage Way • Juneau, AK 99801

#### ALTERNATIVE ACTIONS:

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

#### ASSEMBLY ACTION REQUIRED:

Assembly action is not required for this permit.

#### **STANDARD OF REVIEW:**

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

   CBJ 49.40.210(d)(6)
   CBJ 49.80

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

Caitlin Stern & Jessica Barker File No: PWP2024 0001 May 6, 2024 Page 2 of 7

	SURROUNDING ZO	ONING AND LAND USES	
	North (D18)	Residential	
	South (MU)	Residential	
ck 29 Lot 2	East (D18)	Residential	
	West (D10)	Residential	
ALC NOC	100		
	SITE FEATURES		
	Anadromous	No	
	Flood Zone	No	
	Hazard	No	
	Hillside	Yes	
	Wetlands	No	
	Parking District	No	
	Historic District	No	
A A A A A A A A A A A A A A A A A A A	Overlay Districts	Mining & Exploration	
		Surface Activities	
Garage		Exclusion District;	
		Urban/Rural Mining	
		District; Downtown	
		Juneau Alternative	
		Development Overlay	

#### **BACKGROUND INFORMATION**

**Project Description** – The applicant requests a Parking Waiver to waive one (1) required parking space for an accessory apartment in a D18 zoning district (Attachment A). This application is associated with Conditional Use Permit application USE2024-0005. The accessory apartment will measure approximately 430 square feet and will be located on top of the existing garage that has been certified nonconforming for setbacks.

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

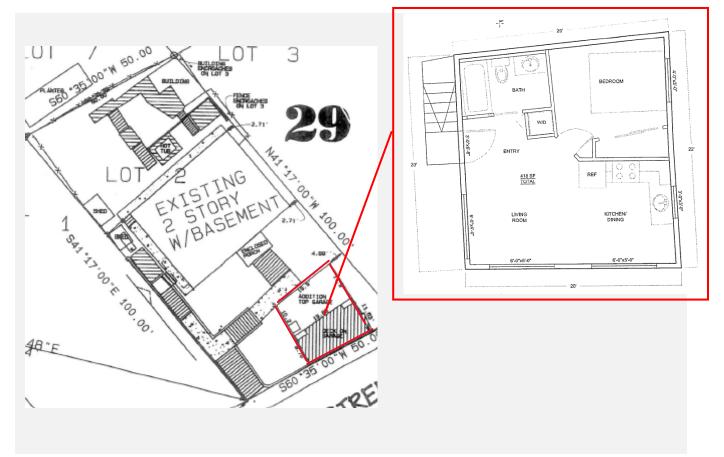
Year	Item	Summary	
1914	Plat	Juneau Townsite plat of the original Block 29, Lot 2 (Attachment B).	
1914	Assessor Record	Date that the structure was built (Attachment C).	
1927	Sanborn Map	Shows the primary dwelling structure existed in its current footprint and location prior to zoning being adopted in Juneau (Attachment D).	
2009	Building Permit	Detached greenhouse over garage (Attachment E).	
2012	As-Built Survey	Shows footprints of existing structures (Attachment F).	
2013	CUP	USE2013 0016 after-the-fact CUP for greenhouse over garage. Establishes that the garage was constructed in the 1950s, prior to zoning (Attachment G).	
2021	NCC	Nonconforming certification (NCC2021 0065) for setbacks (Attachment H).	
2021	Warranty Deed	Transfer of ownership from Putman-Homme to Stern-Baker (Attachment I).	
2023	PAC Report	Preapplication conference report for accessory apartment over garage and parking waiver (Attachment A).	

CURROLINICINIC ZONUNIC AND LAND LICEC

District

Caitlin Stern & Jessica Barker File No: PWP2024 0001 May 6, 2024 Page 3 of 7

#### SITE PLAN



#### **ANALYSIS**

**Project Site** – The lot is located in the northern area of the Juneau Townsite historic district just off of Main Street and contains a two-story, single-family dwelling with a daylight basement built on a steep lot with a slope of approximately 31%. The 2-car garage is directly adjacent to the sidewalk on the southeast corner of the lot. The structures were built prior to zoning requirements and are certified nonconforming for setbacks (Attachment H).

**Project Design** – The proposed one bedroom accessory apartment measures approximately 430 sq. ft. and will have one (1) bathroom, and a combined kitchen/living area. The accessory apartment will be located on top of the existing 2-car garage and will not aggravate the existing nonconforming yard setback situation. The preexisting greenhouse (Attachment E) will be removed and replaced with the accessory apartment.

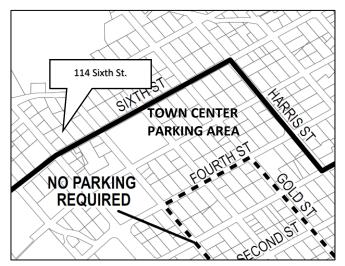
**Vehicle Parking & Circulation** – Due to the steepness of the lot, the lot frontage is composed of the two-car garage, a four (4)-foot high retaining wall, and access stairway. These conditions prevent further off-street parking from being provided on-site. In the submitted project narrative (Attachment A), the applicants explain that one (1) of the parking spaces in the garage is not being used by the homeowners, and the extra parking space will be assigned to the tenant of the accessory apartment.

Condition: One (1) of the two (2) parking spaces in the garage must be designated solely for the occupant of the accessory apartment.

Caitlin Stern & Jessica Barker File No: PWP2024 0001 May 6, 2024 Page 4 of 7

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	430	1	1
Total Parking Requirement: Off-Street Loading Spaces			1
Required: ADA Accessible Spaces Required:			0
· · · · · · · · · · · · · · · · · · ·			0



**Impacts to Nearby On-street Parking** – On-street parking is not allowed within certain segments of Sixth Street, including on the side of the street directly in front of the proposed AUD extending southwest to the intersection of Sixth Street and Main Street. On April 3, 2024, 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 Franklin Street and Seventh Street. Waiving one (1) off-street parking space should not have a significant impact on nearby on-street parking, especially if the tenant of the accessory apartment is designated a space within the on-site garage.

**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

Caitlin Stern & Jessica Barker File No: PWP2024 0001 May 6, 2024 Page 5 of 7

CDD conducted an agency review comment period between April 2, 2024, and April 22, 2024. Agency review comments can be found in Attachment J.

Agency	Summary
CBJ Fire Department	No concerns.
CBJ Building Division	No comment submitted.
CBJ General Engineering	No comment submitted.

#### PUBLIC COMMENTS

CDD conducted a public comment period between April 5, 2024, and April 22, 2024. Public notice was mailed to property owners within 500 feet of the subject parcel (Attachment K). A public notice sign was also posted onsite two weeks prior to the scheduled hearing. No comments were submitted at the time of writing this report.

#### **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.	ltem	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</i> <i>Residential – Single Family</i> land use designation; this land use designation allows single-family dwellings with accessory apartments.

Caitlin Stern & Jessica Barker File No: PWP2024 0001 May 6, 2024 Page 6 of 7

#### **FINDINGS**

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

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

**Analysis:** The 2013 Comprehensive Plan identifies 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.

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

Analysis: No further analysis is required.

Finding: Yes. 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 with appropriate conditions, 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.

The approval is subject to the following conditions:

1. One (1) of the two (2) parking spaces in the garage must be designated solely for the occupant of the accessory apartment.

Caitlin Stern & Jessica Barker File No: PWP2024 0001 May 6, 2024 Page 7 of 7

#### **STAFF REPORT ATTACHMENTS**

Item	Description
Attachment A	Application Packet
Attachment B	1914 Plat
Attachment C	Assessor's Records
Attachment D	1927 Sanborn Map
Attachment E	2009 Building Permit for Greenhouse Over Garage
Attachment F	2012 As-built Survey
Attachment G	Excerpts from USE2013 0016
Attachment H	Excerpts from NCC2021 0065
Attachment I	2021 Warranty Deed
Attachment J	Agency Comments
Attachment K	Abutters Notice and Public Notice Sign Photo



# **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.

Physica	ERTY LOCATION				
Physical Address 114 6th St, Juneau, AK 99801					
Lot 2, Block 29, Juneau Townsite				2	
Parcel					
	1C060A290030				
	his property is located in the downtown historic distri his property is located in a mapped hazard area, if so,				
LAND	LANDOWNER/LESSEE Property Owner Jessica Barker & Caitlin Stern Contact Person Jessica Barker				
Proper					
Mailing	<sup>g Address</sup> 114 6th St, Juneau, AK 99801		Phone Number(s)	7-419-0663	
E-mail A	Address jessiebarker@gmail.com, caitlin.st	ern@amail.com		7-713-7458	
	DWNER/ LESSEE CONSENT	<u> </u>	- 1 <sub>01</sub> - 1		
Require	ed for Planning Permits, not needed on Building/ Engineering Permi				
	nt is required of all landowners/ lessees. If submitted with the appli- e the property location, landowner/ lessee's printed name, signatur			t. Written approval must	
Lam (v	ve are) the owner(s)or lessee(s) of the property subject to this appli	cation and I (we) consent as	follows:		
A. Thi	is application for a land use or activity review for development on m	ny (our) property is made wit	th my complete understa		
B. I (v	ve) grant permission for the City and Borough of Juneau officials/em	ployees to inspect my prope	rty as needed for purpos	ses of this application.	
	Jessica Barker	Landowner			
	Landowner/Lessee (Printed Name)	Title (e.g.: Landowner, Less	ee)		
	f=\$1-		30 Jan 20	24	
×	Landowner/Lessee (Signature)		Date		
	Caitlin Stern	Landowner			
2		Editademilion	•		
	Landowner/Lessee (Printed Name)	Title (e.g.: Landowner, Less	ee}		
		Title (e.g.: Landowner, Less		24	
×	Caitlin Stern	Title (e.g.: Landowner, Less	30 Jan 20	24	
	Cuitlin Stern Landowner/Lessee (Signature)	·	30 Jan 20 Date		
NOTICE	Cutlin Stern Landowner/Lessee (Signature) E: The City and Borough of Juneau staff may need access to the subj tyou in advance, but may need to access the property in your absence	ect property during regular l	30 Jan 20 Date	nake every effort to	
NOTICE contact Commi	Citlin Stem Landowner/Lessee (Signature) E: The City and Borough of Juneau staff may need access to the subj ty you in advance, but may need to access the property in your absence ission may visit the property before a scheduled public hearing date	ect property during regular t and in accordance with the c	30 Jan 20 Date	nake every effort to	
NOTICE contact Commi	Citlin Stem Landowner/Lessee (Signature) E: The City and Borough of Juneau staff may need access to the subj ty you in advance, but may need to access the property in your absence ission may visit the property before a scheduled public hearing date	ect property during regular t and in accordance with the c	30 Jan 20 Date	nake every effort to	
NOTICE contact Commi	Caitlin Stern Landowner/Lessee (Signature) E: The City and Borough of Juneau staff may need access to the subjic iso in advance, but may need to access the property in your absence iso may visit the property before a scheduled public hearing date CANT If same as LANDOWNE nt (Printed Name) SAME	ect property during regular l and in accordance with the c .R, write "SAME"	30 Jan 20 Date	nake every effort to	
NOTICE contact Commi Applicar Mailing	Citlin Stem Landowner/Lessee (Signature) E: The City and Borough of Juneau staff may need access to the subject is you in advance, but may need to access the property in your absence is not advance, but may need to access the property in your absence is son may visit the property before a scheduled public hearing date CANT If same as LANDOWNE ht (Printed Name) SAME Address	ect property during regular l and in accordance with the c .R, write "SAME"	30 Jan 20 Date	nake every effort to	
NOTICE contact Commi APPLII Applicar	Citlin Stem Landowner/Lessee (Signature) E: The City and Borough of Juneau staff may need access to the subject is you in advance, but may need to access the property in your absence is not advance, but may need to access the property in your absence is son may visit the property before a scheduled public hearing date CANT If same as LANDOWNE ht (Printed Name) SAME Address	ect property during regular l and in accordance with the c .R, write "SAME"	30 Jan 20 Date	nake every effort to	
NOTICE contact Commi APPLIN Applicar Mailing	Citlin Stem Landowner/Lessee (Signature) E: The City and Borough of Juneau staff may need access to the subject is you in advance, but may need to access the property in your absence is not advance, but may need to access the property in your absence is son may visit the property before a scheduled public hearing date CANT If same as LANDOWNE ht (Printed Name) SAME Address	ect property during regular l and in accordance with the c .R, write "SAME"	30 Jan 20 Date	nake every effort to	
NOTICE contact Commi Applicar Mailing E-mail A	Citlin Stem Landowner/Lessee (Signature) E: The City and Borough of Juneau staff may need access to the subject is you in advance, but may need to access the property in your absence is not advance, but may need to access the property in your absence is son may visit the property before a scheduled public hearing date CANT If same as LANDOWNE ht (Printed Name) SAME Address	ect property during regular l and in accordance with the c .R, write "SAME"	30 Jan 20 Date	nake every effort to obers of the Planning	
NOTICE contact Commi Applicar Mailing E-mail A	Caitlin Stern Landowner/Lessee (Signature) E: The City and Borough of Juneau staff may need access to the subj isyou in advance, but may need to access the property in your absence ission may visit the property before a scheduled public hearing date CANT If same as LANDOWNE ht (Printed Name) SAME Address iddress Adplicant's Signature	ect property during regular h and in accordance with the c Contact Person	30 Jan 20 Date Dusiness hours. We will n onsent above. Also, men Phone Number(s) Date of Applica	nake every effort to obers of the Planning	
NOTICE contact Commi Applicar Mailing E-mail A	Caitlin Stern Landowner/Lessee (Signature) E: The City and Borough of Juneau staff may need access to the subjic tyou in advance, but may need to access the property in your absence ission may visit the property before a scheduled public hearing date CANT If same as LANDOWNE ht (Printed Name) SAME Address	ect property during regular h and in accordance with the c Contact Person	30 Jan 20 Date Dusiness hours. We will n onsent above. Also, men Phone Number(s) Date of Applica	nake every effort to obers of the Planning	
NOTICE contact Commi Applicar Mailing E-mail A	Caitlin Stern Landowner/Lessee (Signature) E: The City and Borough of Juneau staff may need access to the subj isyou in advance, but may need to access the property in your absence ission may visit the property before a scheduled public hearing date CANT If same as LANDOWNE ht (Printed Name) SAME Address iddress Adplicant's Signature	ect property during regular h and in accordance with the c Contact Person	30 Jan 20 Date Dusiness hours. We will n onsent above. Also, men Phone Number(s) Date of Applica	nake every effort to obers of the Planning	
NOTICE contact Commi Applicar Mailing E-mail A X	Caitlin Stern Landowner/Lessee (Signature) E: The City and Borough of Juneau staff may need access to the subj isyou in advance, but may need to access the property in your absence ission may visit the property before a scheduled public hearing date CANT If same as LANDOWNE ht (Printed Name) SAME Address iddress Adplicant's Signature	ect property during regular h and in accordance with the c Contact Person	30 Jan 20 Date Dusiness hours. We will n onsent above. Also, men Phone Number(s) Date of Applica	nake every effort to obers of the Planning	
NOTICE contact Commi Applicar Mailing E-mail A X	Caitlin Stern Landowner/Lessee (Signature) E: The City and Borough of Juneau staff may need access to the subjicty out advance, but may need to access the property in your absence ission may visit the property before a scheduled public hearing date CANT If same as LANDOWNE not (Printed Name) SAME Address Address Applicant's Signature DEPARTMENT USE ON	ect property during regular h and in accordance with the c Contact Person ILY BELOW THIS LINE	30 Jan 20 Date Dusiness hours. We will n onsent above. Also, men Phone Number(s) Date of Applica	nake every effort to obers of the Planning stion	



# 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					
	Construct 430 sq ft accessory dwelling unit on top of existing garage.					
cant						
	TYPE OF PARKING WAIVER REQUESTED (check one)					
	MINOR DEVELOPMENT MAJOR DEVELOPMENT					
	Parking Waiver Departmental Review (PWD)     OParking Waiver Planning Commission Review (PWP)					
ilqq	DEVELOPMENT FOR WHICH THE PARKING IS REQUIRED (check one)					
⊳ γd	OExisting OProposed – Related Case Number:					
eted	NUMBER OF <u>REQUIRED</u> PARKING SPACES PER CBJ 49.40.210(A)					
be completed by Applicant	For Residential Uses: <u>3</u> spaces For Non-Residential Uses: spaces					
be c	NUMBER OF PARKING SPACES THAT WILL BE PROVIDED					
ĥ	For Residential Uses: 2 spaces For Non-Residential Uses: spaces					
	ALL REQUIRED MATERIALS ATTACHED					
	Complete application per CBJ 49.15 and CBJ 49.40.210(d)(6)					
	✓ Narrative including:					
	✓ Why the parking waiver is being requested?					
	✓ How the requested waiver meets items 1-4 on page 2					
	DEPARTMENT USE ONLY BELOW THIS LINE					
	PARKING WAIVER FEES					
	Residential Spaces Non-Residential Spaces					
	Residential Fee \$ Non-Residential Fee \$					
	Total Residential \$ Total Non-Residential \$					
	Total Fee $$320.00$					

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Case Number	Date Received
PWP24-001	2/13/24

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

#### **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 nonaccessible 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**

#### Allowable/conditional use permit application

The current use of the land/building is a "greenhouse" on top of the existing garage. This was constructed by the previous property owners, and consists of a single room with electric heating plus a deck with wooden siding. The greenhouse is not used by the current property owners due to rot in the floor and a lack of plumbing.

This application is to remove the greenhouse and construct an accessory dwelling unit in the same space, with heating and plumbing. It would be a standalone unit with a kitchen and bathroom, suitable for long-term rental. This proposed use complies with the Comprehensive Plan.

#### Parking waiver application

We request a parking waiver for the 430 sq ft accessory dwelling unit being proposed at 114 6<sup>th</sup> St downtown. The property currently has 2 parking spaces, of which we (the property owners) only use 1. In fact we are currently letting this second space to our neighbors at 128 6<sup>th</sup> St. These tenants also do not use the space to park a vehicle. This means that there is currently an available parking space that we would assign to the ADU. Using this space would result in more benefits and fewer detriments to the community and neighboring area than using up more land to create an extra parking space.

The above paragraph demonstrates how the proposed waiver meets items 1, 3 and 4 of the Parking Waiver Application. Regarding item 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.

Landowners:

Jessica Barker jessiebarker@gmail.com 907-419-0663 Caitlin Stern caitlin.stern@gmail.com 907-713-7458



(907) 586-0715 CDD\_Admin@juneau.gov www.juneau.org/community-development 155 Heritage Way • Juneau, AK 99801

## Stern / Barker Accessory Apartment Conditional Use Permit and Parking Waiver

Case Number:	PAC2023 0052
Applicant:	Kara Sepel
Property Owner:	Caitlin Stern and Jessica Barker
Property Address:	114 Sixth Street
Parcel Code Number:	1C060A290030
Site Size:	4,893 square feet
Zoning:	D18 (Multi-Family Residential)
Existing Land Use:	Residential
Conference Date:	November 29, 2023
Report Issued:	12/12/2023
	conferences are conducted for the purpose of providing applicants with a and timeline. Pre-application conferences are not based on a complete antee 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
Caitlin Stern	Applicant	<u>Caitlin.stern@gmail.com</u>
Jessie Barker	Applicant	jessiebarker@gmail.com
Kara Sepel	Applicant	Karasepel.interiordesign@gmail.com
Jennifer Shields	Planning	Jennifer.Shields@juneau.gov
Charlie Ford	Building	Charlie.Ford@juneau.gov
David Sevdy	Permit Tech	David.Sevdy@juneau.gov

i:\documents\cases\2023\pac\pac23-052 114 sixth st accesory apartment\pac23-52 report draft1.doc

Revised 5/07/2021

#### **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 lot currently contains a single-family dwelling, a detached, 2-story accessory structure in the front (lowerlevel 400 square foot garage and 200 square foot upper-level greenhouse), and a detached accessory structure (sauna) in the rear. The applicant would like to <u>convert and expand</u> the upper-level greenhouse into an approximately 400 square foot accessory apartment, matching the existing size of the lower-level garage.

#### **Planning Division**

- 1. **Zoning** The property is zoned D18 (Multi-Family Residential) and is located within the Alternative Development Overlay District (ADOD). The lot is 5,000 square feet and meets the D18 zoning district minimum lot size requirement of 5,000 square feet.
- 2. Table of Permissible Uses Proposed: USE 1.130, Single-Family Detached with an Accessory Apartment.

Per CBJ 49.25.510(k)(2)(G)(i): "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 Director 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 exceeds the minimum lot size, and the primary use of the lot is a single-family dwelling."

- 3. Subdivision N/A
- 4. Setbacks
  - D18 setbacks: Front 20 feet; Rear 10 feet; Sides 5 feet.
  - ADOD setbacks: All sides, 3 feet.
  - Nonconforming Structures per NCC2021-0065:
    - Zero-foot front yard setback for the garage
    - o 4.69-foot east side yard setback for the garage
    - o 2.71-foot east side yard setback for the dwelling
  - Additional Stories:
    - Per CBJ 49.25.430(4)M: "Additional stories. The Commission, through the Conditional Use Permit process, may allow the addition of a second or third story atop or below an existing enclosed structure which projects into a required yard setback if the structure is either nonconforming or if a variance was previously granted for the structure. The commission may deny such request if it finds that the structure, with the addition, would result in excessive blockage of views, excessive restriction of light and air, or other deleterious impacts."
    - Per USE2013-0016, an after-the-fact Conditional Use Permit was approved for a 200 square foot greenhouse that encroached \*10 feet 3 inches into the 20-foot front yard setback\* (correct measurements) and 3 inches into the 5-foot side yard setback.
    - The proposed accessory structure would be 400 square feet and encroach 20-feet into the 20-foot front yard setback and 3 inches into the 5-foot side yard setback, doubling both the size and setback encroachment of the upper-level.
    - o <u>A new Conditional Use Permit Application is required (see attached code and applications).</u>
- 5. Height Maximum height allowed for an accessory structure in the D18 zoning district is 25 feet.

#### Pre-Application Conference Final Report

- 6. Access Sixth Street.
- Parking & Circulation CBJ 49.40.210 requires two off-street parking spaces for a single-family dwelling unit. Back-out parking may be allowed in residential zoning districts per 49.40.230(b)(7)(A). The existing garage includes two off-street parking spaces.

An accessory apartment would require one additional parking space on the property. Since topography is likely a constraint, per CBJ 49.40.220, <u>a Parking Waiver Application for the addition of an accessory</u> <u>apartment will be required (see attached code and applications).</u>

- 8. Lot Coverage Maximum of 50% allowed. Per NCC2021-0065, existing lot coverage is 37%. The proposed upper-level accessory apartment would not increase lot coverage.
- Vegetative Coverage Minimum of 30% required. Per NCC2021-0065, existing vegetative cover is 32%. The proposed upper-level accessory apartment would not decrease vegetative cover.
- 10. Lighting Exterior lighting shall be designed and located to minimize off-site glare.
- 11. Noise N/A
- 12. Flood N/A
- Hazard/Mass Wasting/Avalanche/Hillside Endorsement A Hillside Endorsement may be required prior to issuance of a Building Permit for the proposed accessory apartment if construction involves excavation of any slope in excess of 18% or the creation of a new slope in excess of 18% for a vertical distance of at least 5 feet.
- 14. Wetlands N/A
- 15. Habitat No anadromous waterbodies are on the subject parcel, or within 50 feet.
- 16. Plat or Covenant Restrictions N/A
- 17. Traffic N/A
- Nonconforming situations A Nonconforming Certificate (NCC2021-0065) for the property was issued on September 3, 2021.

#### **Building Division**

- 19. Building Building staff will comment during the plan review for a building permit.
- Outstanding Permits BLD2009-00103 Construction of a detached green house. Modified 5/29/2012 for structural changes to roof

#### **General Engineering/Public Works**

- 21. Engineering N/A
- 22. Drainage N/A
- Utilities (water, power, sewer, etc.) Additional dwelling units may trigger additional utility assessment or requirement for water meter installation. General Engineering will review during building permit application and review.

#### **Fire Marshal**

24. Fire Items/Access - N/A

#### **Other Applicable Agency Review**

25. N/A

#### Page 3 of 5

#### 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.

#### **Exceptions to Submittal Requirements**

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

1. N/A

#### Fee Estimates

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

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

- 1. 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 <u>permits@juneau.gov</u> 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:

Page 4 of 5

Pre-Application Conference Final Report

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)

,



Attachment B - 1914 Plat



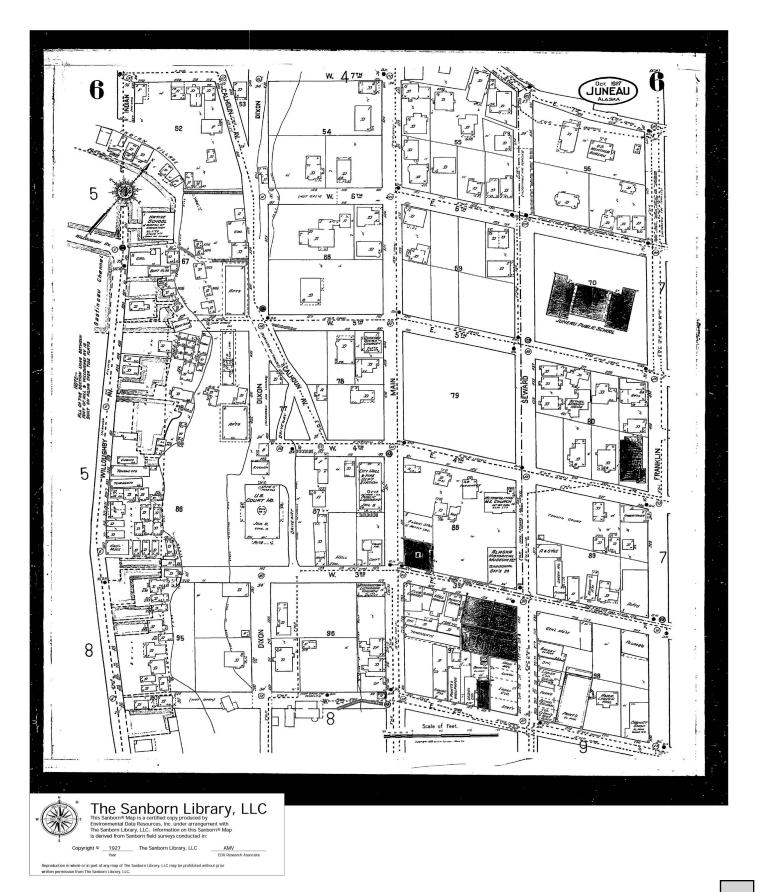
### A e or ata a e

# C rrent Owner

Exempt Land: 0 '	Exempt Building: 0 '	Exempt Total: 0 '	Road/No Road: Roa e
City Water: Ye''	ity Sewer: Ye		
Garage: No	Garage Area: 000000' '	Lot Size: 4893.00' '	Last Trans: 20211015
<b>No. of Units:</b> 001 '	<b>Year Built:</b> 1914		Gross Liv. Area: 001922 qft
		nit per acre '	
		q.ft. minimum lot ize -18	
Use Code: Re i ential '	Exempt: No ata '	Zoning: -M lti-Family-5,000 '	<b>Tax Year:</b> 2024
PUTMAN			
Prev. Owner: VANCE F '	Site Value: \$163500.00 '	Building PV: \$526900.00 '	<b>Total PV:</b> \$690400.00
		TOWNSITE BL 29 LT 2	
Parcel #: 1C060A290030 ( <u>Map</u> ) '	Address: 114 SIXTH ST '	Legal Desc. 1: JUNEAU '	Legal Desc. 2:
114 SIXTH ST, JUNEAU A 99801			
CAITLIN STERN & JESSICA BARKER '			

# Search the ata a e

Search the ata a e ing the earch ox elow. The fiel accept any earch parameter (owner' name, a re , parcel n m ber, year ilt, etc.).



### Attachment D - 1927 Sanborn Map

Permit No.

BLD2009-00103

City & Borough of Juneau

# BUILDING PERMIT

\* NOTE: "Building Pérmit" 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 covenent 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.

	The Online Building Inspect 1 not proceed until the inspector	arranged by telephoni blon Request Form is has approved the varia Call before 7:30 AM	ections ing 586-1703 or by written or faxed notification. at: www.juneau.org/permits/inspect_request.php. fous stages of construction. An approved Final Inspection is required. for same day inspections. Type of Inspection, 4 Date and Time and 5 Contact Name and Phone Number.
	2009-00103	nhouse. Modified	Issued Date : 06/07/2012 Parcel No: 1C060A290030 d 05/29/2012 for structural changes to roof.
Parcel Information : JUNI	EAU TOWNSITE BL 29 I	Т2	
Setbacks; Zon Front: 10:00 Rear: 10:00 Street Side: Comments: Front lot line is inter	Ft. NW Side	1: 5.00 Ft NE 2: 5:00 Ft NW setback reduced to 10	Firm Zone: C 0 ft per CBJ 49.25,430(4)(K), OK
PO BOX (	Y A HOMME		Applicant; FATE PUTMAN PO BOX 020473 JUNEAU AK 99802
Fee Type BLD- Bldg Permit Fee BLD- Res Plan Review BLD- Addi Plan Review Fee	Date         Receipt           03/18/2009         10000           03/18/2009         10000           06/07/2012         00176           Total Fees Paid;	Amount. Paid \$40.92 \$20.46 \$27.00 \$88,38	Valuation for Permit Fee Calculations:         S.F.       Type       Rate       Amount         0.00.       1,238.40         Total Valuation:
plans must be approved by Asbuilt Survey Required Foundation Setback Verif foundation systems occurs	project engineer in writing. Asbuilt Survey Required be lication - Foundation Setbar CBJ approved plans must i	fore final inspectio k Verification (yell be on site and avail	ure must be per approved engineered plans, any changes or modification to
Inspections Required: Call for ins B-Setback Verification B-Rough Electrical	B-Fou	ng any of the work desci indation, Forms and R Iding Final	oribed below. Inspections may be combined. Reinforcing Steel B-Framing E-Grading/Drainage:

JUNEAU PERMIT CENTER - 230 S. Franklin Street - 4th Floor, Marine View Center - Mail: 155 S. Seward Street, Juneau, AK 99801 Phone: 586-0770 - FAX: 586-3365 - Inspection Requests: 586-1703 - Email: permits@ci.juneau.ak.us Web Site: www.juneau.org/permits

# Statt Keview Sheet

Section H, Item 4.

008

			Case No: BLD2009-00103
	SIXTH ST f a detached greenhouse. Mo	dified 05/29/2012 for structural c	Parcel No: 1C060A290030 hanges to roof.
Sprinkler System: FU Alarm System: FU	Existing I Occupan Type A Construction: YES ILL PARTIAL NONE Red	elling Units: <u>0</u> Dwelling Units: <u>1</u> cy Class: <u>U</u> NO quired: YES NO quired: YES NO quired: YES NO y: <u>MES</u> Date: <u>G-5-12</u>	
Valuation for Permit F <u>S.F.</u> <u>Type</u>		Rate <u>Amount</u> 0.00	
	Total Valuation,	<u>1,238.40</u> \$1,238.40	
LAND USE ZONE/UNITS D18/1 WETLAND FLOOD ELEV FIRM ZÔNE FIRM MAP LOT SIZE SETBACKS SETBACKS SETBACKS Front O. 1 ACRES SETBACKS GUNER PARKING ANADROMOUS EAGLES NEST LAND USE PERMITS	ENGINEERING/PUB WORKS Dwelling Units: CITY WATER: Permit #: Use: Assessment: Service Size: Line Size: CITY SEWER: Permit #: Use: Assessment: Fixture Units: WATER CONNECTION PERMITS I hereby acknowledge receipt of a frich meter yoke. X Date	PLAN REVIEW APPROVALS Initials       Fire     Initials       Zoning     557       Joing     557       Mater     Initials       Water     Initials       Sewer     Initials       Mater     Initials       Sewer     Initials       Mater     Initials       Date     Initials	PERMIT ISSUANCE FEES         Grading Plan Review Fee
	SON PERMIT: (Continued on back of st 20 nd a Conditions		Building permit /BDD4
·			<u> </u>
		· · · · · · · · · · · · · · · · · · ·	

41



Application Date: March 18, 2009

### **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 Description:	Construction of a detached gre	enhouse. (	Modified 05/29/2012 for s	structural changes to roof.	
Site Address:	114 SIXTH ST		Check N	lo. of Existing Dwelling Units:	1
Parcel No:	1C060A290030			No. of New Dwelling Units:	C
Legal Description:	JUNEAU TOWNSITE BL 29 LT 2		No	o of Removed Dwelling Units:	
Applicant :	FATE PUTMAN PO BOX 020473 JUNEAU AK. 99802		1		
	JUNEAU AR. 55002;		PH1	586-2761	
Owner:	VANCE F. PUTMAN KIMBERLY A HOMME PO BOX 020473 JUNEAU AK 99802-0473		Contractor:OW	NER/BUILDER	
	Рң: БАХ				
Valuation for Pe	mit Fee Calculations:				
<u>S.F. Түр</u>		<u>Rate</u> 0.00	Amount		
			1,238:40		
	Total Valuation:		\$1,238.40		
Associated Case None.	95:			<u></u>	
Parcel Tags:					

Notes and Conditions:

Framing and anchoring of structure must be per approved engineered plans, any changes or modification to plans must be approved by project engineer in writing.

Asbuilt Survey Required before final inspection approval.

Foundation Setback Verification (yellow form) must be on site when pour inspection or placement of other foundation systems occurs.

#### 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. Séward Street, Juriéau, AK 99801 Phone: 586-0770 -- FAX: 586-3365 -- Inspection Requests: 586-1703 -- Email: permits@cl.jurieau.ak.us Web Page: HTTP://WWW.JUNEAU.ORG/PERMITS



# **Building Permit**

BLD2009-00103 Pro; # .BLD2009-00163

Permit No.

\* NOTE: "Building Permit" is a generic term which includes Building Safely 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 covenent or any zoning or other regulation

If plain review was required, this perinit 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 faxed notification.

The Online Building Inspection Request Form is at www.juneau.org/permits/inspect\_request.php. Work shall not proceed until the inspector has approved the various stages of construction. An approved Final Inspection is required.

Call before 7:30 AM for same day inspections.

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: 114 SIXTH Permit Number: BLD2009- Project Description: (		PUTNAM GREED		6e,			Issued Da Parcel Not. 1C	te: 4/3/2009 060A290030
Parcel Identification:	JUNEAU TOV	NSITE BL 29 L	Τ2				···	
Setbacks: Zone: Front, 10 FL SE Rear, 10 FL NM Comments: Front tot line is interior edge of	}	Side 1: 5 Ft. Side 2: 5 Ft, elback reduced to 10 ft	NW	(4)(K). OK	Firm Zor	ie: C		<u> </u>
Owner: VANCE F PUTMAN Address: City: JUNEAU, AK 998	02			Applicant: F/ Address: City:	ATE PUTMA PO BOX : JUNEAU,			
Fee Type 1 Permit Fee 1 Residential Plan Revie	Date 3/18/2009 3/18/2009 To	Receipt 27331 27331 at Fees Paid:	Amount Paid 40.92 20.46 61.38	Valuation for Po BUILDING	1	culations: UTIL - Greenhous Total Valuation:	· <u> </u>	.238.40 ,238.40
<ul> <li>Project Conditions and Holds:</li> <li>1 Asbuilt Survey Requil</li> <li>2 Foundation Setback foundation systems of</li> <li>3 Framing and anchoring must be approved by</li> </ul>	Verification (ye occurs: ng of structure	llow form) mus must be per a	t be on site				o plans	
Inspections Required: Call for ins 100. Insp Setbacks 140. Insp Residential Fins 800 Insp Residential Fins		105 Found	of the work descr alion Setback fo Rough Electrics	הדוכ	115 In:	bined. sp - Stemwalls/Form/Reba sp - Grading/Drainage	àr.	

JUNEAU PERMIT CENTER - 230 S. Franklin Street - 4th Floor, Marine View Center - Mail: 155 S. Seward Street, Juneau, AK 99801 Phone: 566-0770 - FAX: 586-3365 - Inspection Requests: 586-1703 - Email: permits@ci.juneau.ak.us

Staff Revie		· · · · · · · · · · · · · · · · · · ·		L
Permit Intake Initials;	FIRE ZONE ENC	WAT SEW ARCH STRUC PLUM MECH ELEC ACC	ESS SPECANSP	2/4/0/2000
Project Name: PI	JTNAM GREENHOUSE		Case No: BLD20	3/18/2009
	14 SIXTH ST			
Desc: Construction of			Parcel No: 1C06	0A290030
Residential FCC Code: 438		velling Units: 0		
Type of Construction:		incy Class: U		
Sprinkler Substitute fo	r Type A Construction:> ES</td <td>NO</td> <td>Fees Assessed at Ap</td> <td>plication:</td>	NO	Fees Assessed at Ap	plication:
		equired: YES NO	Fee Type	Amount
Alarm System: F Code Edition:		equired: YES NO	1 Permit Fee 1 Residential Plan Revie	40.92 w 20.46
Code Lonor(: <u></u>		by: <u>735</u> Date: <u>4/3//99</u>	- Total Fe	
Valuation at Applica	tion:	Fees Paid at /	Application:	
<u>S.F.</u> <u>Type</u>	Rate	Amount DatePaid	Receipt Check	Paid
120 UTIL -	Greenhouse 10.32	1.238.40 3/18/2009	27331 28	1 61.38
	Total Valuation:	1 Permit Fee 1,238.40 1 Residential	Plan Review	40.92
*i			Total Fees Paid:	
LAND USE	ENGINEERING/PUB WORKS	PLAN REVIEW APPROVALS	PERMIT ISSUANCE FEE	
ZONE/UNITS D18/1 WETLAND WERLAND	CITY WATER Units:	Initials Date	Grading Plan Review Fee Adjusted Plan Review Fee	
FLOOD ELEV	Case No:	X Zoning E57 3/23/	Fast Track Fee	\$
FIRM ZONE C	Service Size:	X Engineering MRM 3/20/04	Early Start Fee	\$ <u>`</u>
	Fire Line Size: Metered:		Building Permit Fee	\$
LOT SIZE 4,893 SF 0.1 ACRES	Extended Pmt #	Architectural	Water Assessment Fee	\$ <u>.</u>
SETBACKS	CITY SEWER Units:	X Structural <u>Sec</u> 4/3.69	Sewer Inspection Fee	s
<sup>32</sup> Front <u>20 /2</u> Rear 10	Case No:	Plumbing	Grading Permit Fee	\$
Side 5	Bond Case No: Other Case No:	Mechanical	Driveway Permit Fee Bond for	\$
Other 5 PARKING 14	ADEC Sewer No.	Access	Other	s
PARKING		Spcl Insp Form	Total Issuance Fees	\$
EAGLES NEST	WATER CONNECTION PERMITS	APPROVED FOR ISSUANCE	PERMIT ISSUANCE PAY	
LAND USE PERMITS	a inch meter yoke.		Date Receipt Check	Amount
	x	- martin		\$
	Date	Signature		\$
				\$
PARCEL TAGS:				<u>shiri e</u>
	as been identified in the Draft Historic Pres 9.01.102.8.2.	servation Plan of Dec 1997 as a historic reso	urce which may require documenta	tion
CONDITIONS AND HOLDS	ON PERMIT: (Continued on back of sh	eet)		
<u>- As-Build</u>	5 Survey Ve.	sired	•	
- Foundation	Setback Veriffe	atran		
	×			
<u></u>				
······				
	·			
· · · · · · · · · · · · · · · · · · ·				

City & Borough of Juneau

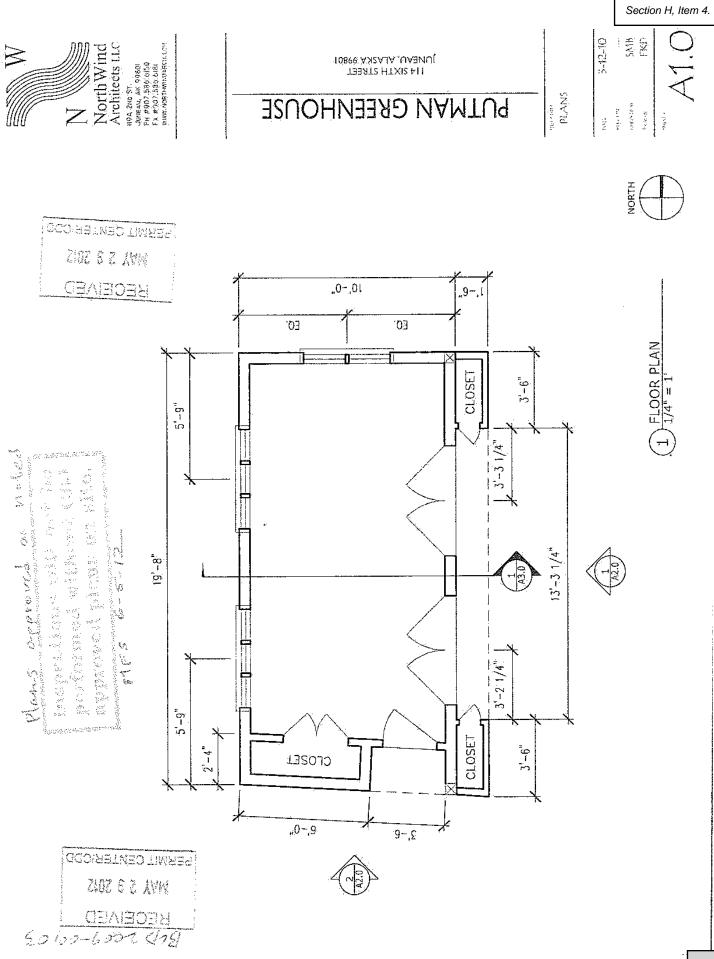
Application Date: March 18, 2009

## **BUILDING PERMIT APPLICATION**

NOTE: THIS IS NOT A BUILDING PERMIT

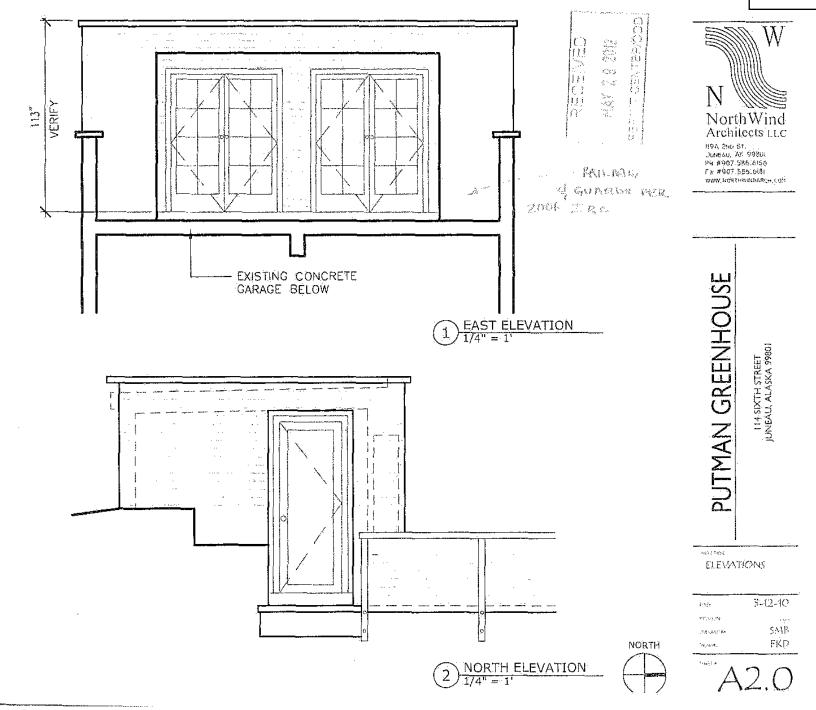
\* NOTE: "Building Permit" is a generic term which includes Building Safety Inspections, Grading Permits, and permits for Electrical, Plumbing and Mechanical work.

Project Name:	PUTNA	M GREE	NHOUSE			Gase No. BLD2009-00103 Project No. 8LD2009-00103
Case Description:	Constru	ction of a g	reenhouse.	<u> </u>		
Site Address:	114 SIXTH	ST			Chec	k No. of Existing Dwelling Units:
Parcel No:	1C060A2	290030				No. of New Dwelling Units: 0
Legal Description:	JUNEAU	TOWNSITE E	L 29 LT 2			
Applicant: Address: City:	FATE PUT PO BOX 2 JUNEAU,				PH1 586-276	1
Owner: Address: City:	VANCE E PU PO BOX ( JUNEAU, PH1 200	)20473 AK 99802			Contractor:	ÓWNER/BUILDER
^						and the second
Valuation for Per	mit Fée Ca	liculations:				• • • • • • • • • • • • • • • • • • •
Description	5	S.F. <u>Tvpé</u>		Amount		
BUILDING PERMIT	1	20 UTIL-	Greenhause	1,238.40		· · · · · ·
1 <u></u>		<u></u>	Total Valuation:	1,238,40		
Permit Fees Paid	at Applica					
Fee Type		Date Paid	Receipt	Check or Credit #	Amount Paid	w.v
1 Permit Fee		3/18/2009	27331	281	40.92	• .
1 Residential Plan	Review	3/18/2009	27331	281 Tolal Fees Paid;	20.46	
Associated Case	s:		····		61.38	
None.						
Parcel Tags: This property (or s	tructure) has b See Title 19:01	een identified in .102.8.2	the Draft Historic P	reservation Plan of Dec	1997 as a historic	resource which may require documentation
Notes and Condit		an a transmission and the second second				
		<u> </u>	- · · · · · · · · · · · · · · · · · · ·		······	an a
						an a
			>			
Applicant's S	Signature	e he		3/18/0 Date	5_	Mi H PU JJ Staff Acceptance
(Owner, Contrac	tor or Autho	amined this app ther specified his	rein or not i Linder	e same to be true and c	orrect. Truither ce f a permit does not	dify that all provisions of laws and ordinances governing this tresume to give authority to violate or cancel the provisions of
UL	INEAU PERM	17 CENTER - 2 hone: 586-0770	- PAX 586-3365 -	t - 4th Floor, Marine View Inspection Requests: 5 HTTP://WWW_JUNEAU	86-1703 - Email:	55 S. Seward Street, Juneau, AK 99801 permits@cl.juneau.ak.us

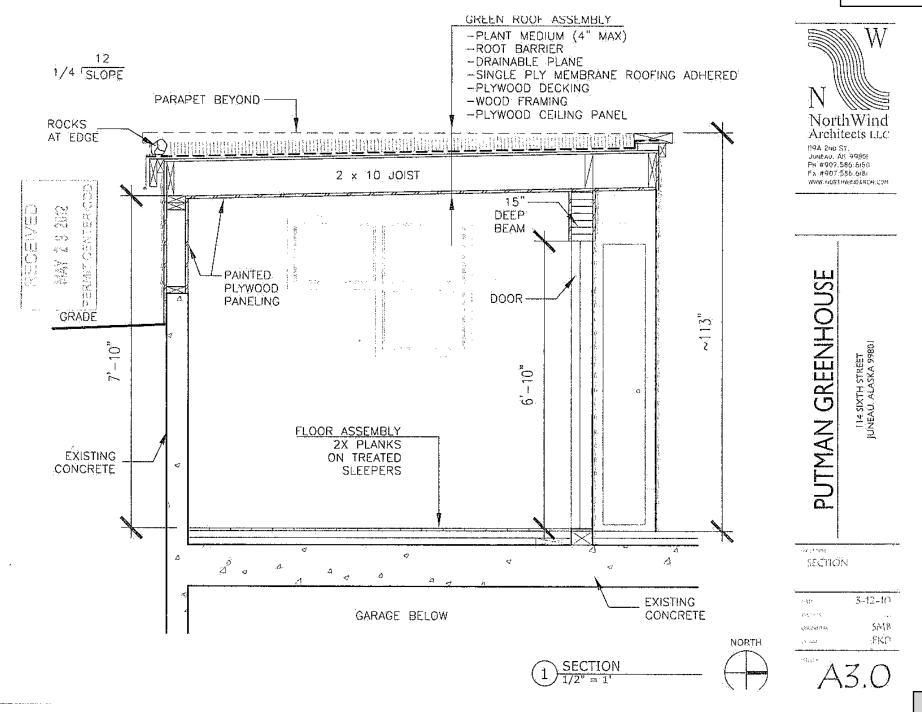


Attachment E - 2009 Building Permit for Greenhouse Over Garage

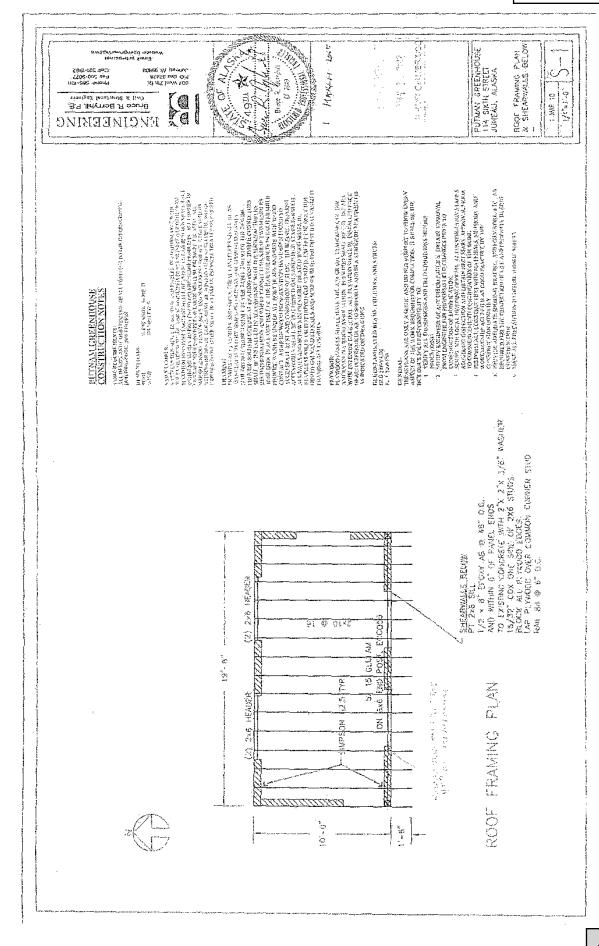
46



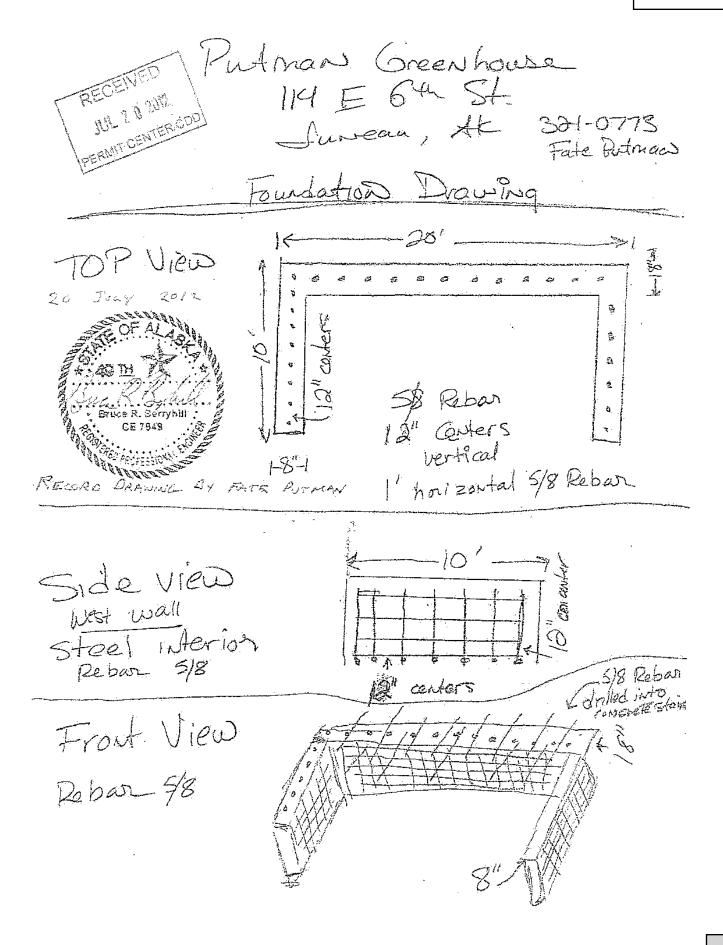
Attachment E - 2009 Building Permit for Greenhouse Over Garage

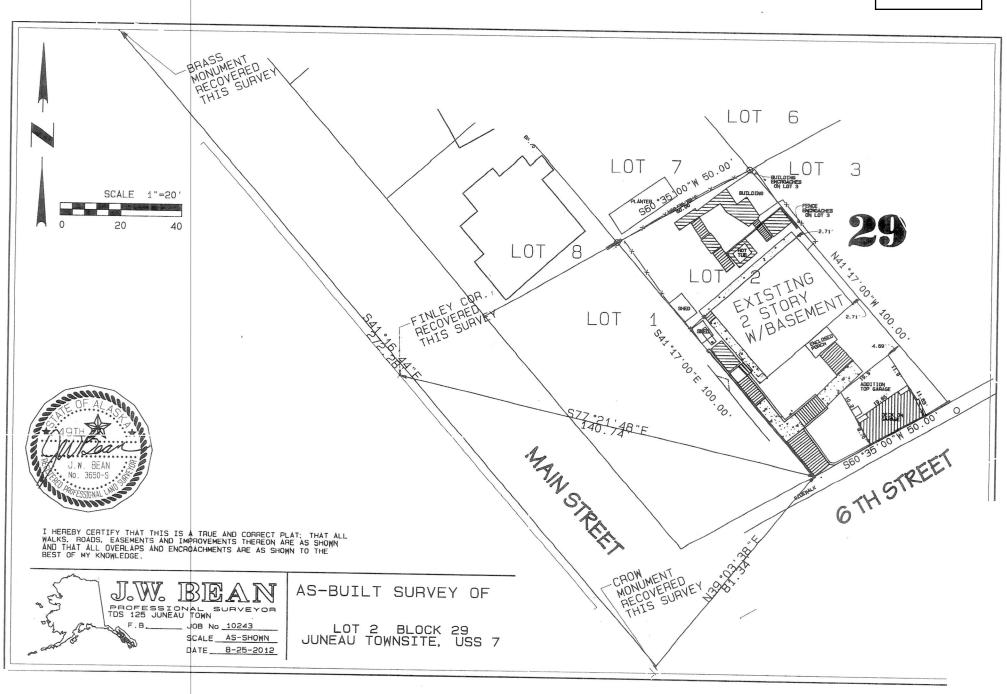


Attachment E - 2009 Building Permit for Greenhouse Over Garage



### Attachment E - 2009 Building Permit for Greenhouse Over Garage





# CITY/BOROUGH OF JUNEAU

#### PLANNING COMMISSION NOTICE OF DECISION Date: October 23, 2013 File No.: USE2013 0016

Vance F Putman PO Box 20473 Juneau, AK 99802

An after-the-fact Conditional Use Permit for a greenhouse constructed over a garage that encroaches 3 inches into the 10-foot front yard setback and 3 inches into the 5-foot side yard setback.

Application For:	An after-the-fact Conditional Use Permit for a greenhouse constructed over a garage that encroaches 3 inches into the 10-foot front yard setback and 3 inches into the 5-foot side yard setback.
Legal Description:	Juneau Townsite Block 29 Lot 2
Property Address:	114 Sixth Street
Parcel Code No .:	1-C06-0-A29-003-0
Hearing Date:	October 22, 2013

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated October 15, 2013 and approved the project to be conducted as described in the project description and project drawings submitted with the application.

Attachments: October 15, 2013 memorandum from Teri Camery, Community Development, to the CBJ Planning Commission regarding USE2013 0016.

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, October 22, 2013

Expiration Date: The permit will expire 18 months after the effective date, or April 22, 2015 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.

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

Vance F Putman File No.: USE2013 0016 October 23, 2013 Page 2 of 2

Project Planner:

Teri Camery, Senior Planner Community Development Department

Michael Satre, Chair Planning Commission

10/25/13 Date Filed With City Clerk

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.

## MEMORANDUM

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

DATE:	October 15, 2013
то:	Planning Commission
FROM:	Teri Camery, Senior Planner Community Development Department
FILE NO.:	USE2013 0016
PROPOSAL:	An after-the-fact Conditional Use Permit for a greenhouse constructed over a garage that encroaches 3 inches into the 10- foot front yard setback and 3 inches into the 5-foot side yard setback.
GENERAL INFORMATION	
Applicant:	Vance F Putman
Property Owner:	Vance F Putman
Property Address:	114 Sixth Street
Legal Description:	Juneau Townsite Block 29 Lot 2
Parcel Code Number:	1-C06-0-A29-003-0
Site Size:	4,893 square feet
Comprehensive Plan Land Use Designation:	Medium Density Residential
Zoning:	D-18
Utilities:	CBJ Water and Sewer
Access:	Sixth Street
Existing Land Use:	single-family dwelling
	CITY/BOROUGH OF JUNEAU

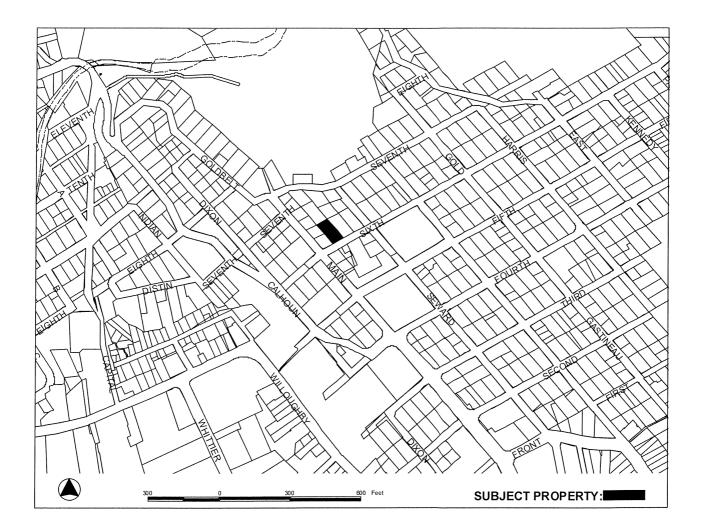
ALASKA'S CAPITAL CITY

Ŕ

Surrounding Land Use:

North	-	D-18 Residential
South	-	Sixth Street; D-18 Residential
East	-	D-18 Residential
West	-	D-18 Residential

### Vicinity Map



Planning Commission File No.: USE2013 0016 October 15, 2013 Page 3 of 6

#### **ATTACHMENTS**

Attachment 1Development Permit ApplicationAttachment 2Conditional Use Permit ApplicationAttachment 3Project NarrativeAttachment 4SurveyAttachment 5Building Permit plansAttachment 6Applicant photosAttachment 7Project elevation

#### **PROJECT DESCRIPTION**

The applicant requests a Conditional Use Permit for after-the-fact construction of a 10' x 20' greenhouse on top of a garage. The greenhouse encroaches three inches into the 10-foot frontyard setback in the southwest corner of the structure, and three inches into the five-foot side-yard setback in the northeast corner of the structure, due the slight angle of the garage. Setback encroachments that occur at the second story elevation or higher are reviewed through the Conditional Use Permit process instead of the Variance process, per CBJ Code 49.25.430(4)(M). The structure does not qualify under code sections that allow encroachments for minor issues both because it is heated and because it is on the second floor.

The greenhouse was constructed on top of a garage that was built in the 1950s at the zero footsetback line. The garage is a legally non-conforming structure. The greenhouse encompasses approximately half the width of the garage, very close to the 10-foot front yard setback line. The three inch encroachment at the opposite corners of the greenhouse was discovered when the asbuilt survey was completed (Attachment 4). In both the southwest and northeast corners of the greenhouse, the structure encroaches three inches over a linear distance of approximately two feet. Due to the angle, the three inch encroachment does not extend the full length of either side of the greenhouse.

#### **BACKGROUND**

The lot has a legally non-conforming lot size and legally non-conforming front and side-yard setbacks. Assessor's Office records indicate that the home was built in 1914. In addition to the Conditional Use Permit, the applicant has also applied for an after-the-fact Variance for construction of a sauna in the northeast corner of the lot. Both encroachments were discovered only after the as-built survey was completed.

Planning Commission File No.: USE2013 0016 October 15, 2013 Page 4 of 6

#### **ANALYSIS**

#### Project Site and Design -

The project is located on D-18 residential lot with a substandard lot size and substandard setbacks. The lot has a 35 degree slope. Building plans for the greenhouse have been included in Attachment 5, while elevations are included in Attachment 7. Photos are included in Attachment 6. The structure has been designed to blend well with both the garage and the single-family home.

#### Public Health or Safety -

No evidence indicates that the proposed development will negatively impact public health or safety.

#### Property Value or Neighborhood Harmony -

Due to the 35 degree slope of the property as well as the very minor three inch encroachment, no evidence indicates that the development will negatively impact views, light and air, property value, or neighborhood harmony.

#### **Conformity with Adopted Plans -**

The project substantially conforms with the 2013 Juneau Comprehensive Plan, specifically Policy 10.3 and 10.4, which state:

**Policy 10.3** [It is the policy of the CBJ] to facilitate residential developments of various types and densities that are appropriately located in relation to site conditions, surrounding land uses, and capacity of public facilities and transportation systems.

**Policy 10.4** [It is the policy of the CBJ] to minimize conflicts between residential areas and nearby recreational, commercial, or industrial uses that would generate adverse impacts to existing residential areas through appropriate land use locational decisions and regulatory measures.

The project conforms with these measures by constructing the greenhouse on top of an existing structure in a way that blends in with other structures on the lot and has minimal visual impact on the neighborhood.

#### FINDINGS

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

1. Whether the application is complete;

Planning Commission File No.: USE2013 0016 October 15, 2013 Page 5 of 6

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

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

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

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

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

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

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

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

**Yes.** The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ §49.25.300, Section 49.25.300.1.110 for the D-18 zoning district.

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

**Yes.** The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in the October 11, 2013 and October 18, 2013 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public Right of Way.

Planning Commission File No.: USE2013 0016 October 15, 2013 Page 6 of 6

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

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

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

**No.** Based on the preceding analysis, no available evidence indicates that the proposed development will substantially decrease the value of or be out of harmony with property in the neighboring area. The setback encroachment is minor and does not block views due to the steep slope in the area.

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

**Yes.** The proposed development complies with the 2013 Juneau Comprehensive Plan, specifically policies 10.3 and 10.4 regarding residential development.

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

7. Will the proposed development comply with the Juneau Coastal Management Program? Not applicable.

#### **RECOMMENDATION**

Staff recommends that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use permit. The permit would allow the development of a greenhouse on top of an existing garage which would encroach three inches into the front and side yard setbacks.

	( Condution DEVELOPMENT PERMI			Section F
Project N			Date Received: 5/2//	2
Project N (City Staff I	lame to Assign Name)		/	
<u>1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997</u>	Project Description As-built survey of <u>3" Encroachment into CB</u> PROPERTY LOCATION	new stru J sidewa	cture Oliscovi IK setback	ered
NO	Street Address 114 E 6th Street	City/Zip	Suneau 991	801
110	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot)	Block 29	Lot 2	
W	Assessor's Parcel Number(s) 1 CO 6 A 2 900 3	300		
8 0 8	LANDOWNER/ LESSEE	Contact Person	: Work Phone:	*
INFORMA	V. Fate Rutman and Kimberly Hon			13
	E-mail Address fateoutman @ gmail.com	C Other Contact F	hone Number(s); $3.4975(m)$	
	LANDOWNER/ LESSEE CONSENT	nits, not needed on Buildin	g/ Engineering Permits""	and a
ANT	I am (we are) the owner(s)or lessee(s) of the property subject to this application and I A. This application for a land use or activity review for development on my (c B. I (we) grant permission for officials and employees of the City and Boroug application	our) property is made with		
LICA	x //fallatmor		4/29/2013	-
<b>a</b> .	X Smlly by formme		4/20/2013	
A A	Landowner/Lessee Signature	ĨĨĊĊġŎĊĿŦĿţĔŎĸĊĸĸġĊĊġŎŗġŎţŎţŎŎŎŎĬŎŎĊŎŔŎŢŎŎŎĬŎ	Date	-
-	NOTICE: The City and Borough of Juneau staff may need access to the subject prop landowner in addition to the formal consent given above. Further, members of the Pi			
L C	hearing date.	-	en die property polore die conceadou	pablic
щ Г	APPLICANT If the same as OWNER, write SAME' and sign an Applicant's Name	Contact Person	Work Phone:	
80	Same Mailing Address	Home Phone:	Fax Number:	
م	E-mail Address Same	Other Contact P	hone Number(s):	
	Jame		211 6	
	X Applicant's Signature	in nigi na dhuan iyo ta gana Pintan na katiga gana an	Date of Application	-
	OFFICE USE ONLY BELOW T	HIS LINE		
	Permit Type Building/Grading Permit	Date Received	Application Number(s)	-
	City/State Project Review and City Land Action			
n	Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)			
A	Mining Case (Small, Large, Rural, Extraction, Exploration)			
s l	Sign Approval (If more than one, fill in all applicable permit #'s)			
Y	Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)		an or i	
ם_ 	Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)	572/13	15e13-016	
۲	Variance Case (De Minimis and all other Variance case types) Wetlands			
	Verlands Permits Zone Change		an a	
A T A	Zone Change Application Other		ىلىلىغىغۇ بىلايىلىزى ئىڭ ئىلىزىنىڭ بىلىنىڭ ئىلىنىڭ بەتتىكىنىڭ بىلىغۇ <del>بىلى بىلىنىڭ بىلىنىڭ بىلىنى</del> بىلىنىڭ بىلى	
S	(Describe) ***Public Notice Sign Form fills	ed out and in the file.		
	Comments:	n+ 1	Permit Intake I	
1	Attachme	11C L		a the state

1000 C

NOTE: DEVELOPMENT PERMIT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION FORMS FOR A PRIME PRIME

ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

Project Number	Project Name (	15 characters)		Case Nun		Date Received
					13-016	512/13
TYPE OF ALLON	ABLE OR COM	NDITIONAL USE P	ERMIT REQUE	STED		÷
	Accessory Apartn	nent*** (AAP)	Driveway in	n Right-of-Wa	y (AD)	N)
	Use Listed in §49. (Table of Permis		•			
Plea	se list the Table o	f Permissible Uses Ca	tegory:			****
***An Accessory Apart	ment Application w	vill also be required.			****	
	ROJECT FOR	WHICH AN ALLOV	VABLE OR COI	VDITIONAL	USE APPRO	OVAL IS
NEEDED. As-V	wilt sur	ver disco	vered 3	<u>3" en</u>	icroach	ment
into CB	5 sidewa	.1K' setka	ck. Gree	nhouse	contra	ucled
	back on	one corr	ier rath	er Hnav	10.	
IS THIS A MODIFI	CATION OF AN	I EXISTING APPRO	OVAL?	NO	YES – Case #	
CURRENT USE O	FLAND OR BU	ILDING(S):	lew struc	the is	a re	creation
<b>A A A A</b>	built or		1950	poure		
garage.	Rec. 1		9' above	'side		9 qiqii b
	TEI AND OR R	UILDING(S):	ecteation	MOOM	and o	lavage.
PROPOSED USE	OF LAND ON D		· · · · · · · · · · · · · · · · · · ·			)
PROPOSED USE (						)
				SEIN/ED.		
UTILITIES PROPO	SED: WA	TER:	On Site	SEWER:	Public	On Site
UTILITIES PROPO SITE AND BUILDIN	SED: WA	<i>TER:</i> Public [	On Site			
UTILITIES PROPO SITE AND BUILDIN Total Area of Lo	SED: WA NG SPECIFICS: ot 5000	TER: Public	On Site Total Area of Existin			On Site
UTILITIES PROPO SITE AND BUILDIN Total Area of Pr Total Area of Pr	SED: WA	<i>TER:</i> Public square feet	On Site Total Area of Existin uare feet			
UTILITIES PROPO SITE AND BUILDIN Total Area of Lo Total Area of P EXTERNAL LIGHT	SED: WA NG SPECIFICS: ot SOCO roposed Structure(s ING: See	TER: Public square feet ) 200 sq	On Site Total Area of Existin uare feet	g Structure(s)		square feet
UTILITIES PROPO SITE AND BUILDIN Total Area of Lo Total Area of P EXTERNAL LIGHT Existing to remain	SED: WA	TER:       Public         square feet	On Site Total Area of Existin uare feet O	g Structure(s) off sheets, and	l location of light	square feet
UTILITIES PROPO SITE AND BUILDIN Total Area of Lo Total Area of P EXTERNAL LIGHT	SED: WA	<i>TER:</i> Public square feet	On Site Total Area of Existin uare feet O ture information, cut	g Structure(s) off sheets, and	l location of light	square feet
UTILITIES PROPO SITE AND BUILDIN Total Area of Lo Total Area of Pr EXTERNAL LIGHT Existing to remain Proposed PROJECT NARRA	SED: WA	<i>TER:</i> Public square feet	On Site Total Area of Existin uare feet Q ture information, cut ture information, cut	g Structure(s) off sheets, and off sheets, and	l location of light	square feet ing fixtures ing fixtures
UTILITIES PROPO SITE AND BUILDIN Total Area of Lo Total Area of Pr EXTERNAL LIGHT Existing to remain Proposed PROJECT NARRAT	SED: WA	TER: Public square feet ) 200 sq 201 sq 20	On Site Total Area of Existin uare feet Q ture information, cut ture information, cut	g Structure(s) off sheets, and off sheets, and ting and propo	I location of light location of light location of light psed parking area roposed traffic c	square feet ing fixtures ing fixtures as (including irculation
UTILITIES PROPO SITE AND BUILDIN Total Area of Lo Total Area of Pr EXTERNAL LIGHT Existing to remain Proposed PROJECT NARRAT Site Plan Floor Plan Floor Plan	SED: WA NG SPECIFICS: ot roposed Structure(s ING: No No No TIVE AND SUBI	TER: Public square feet ) 200 sq a ctlachae Yes – Provide fixt Yes – Provide fixt WITTAL CHECKLIS	On Site Total Area of Existin uare feet Uture information, cut ture information, cut ST: Exis dime	g Structure(s) off sheets, and off sheets, and ting and propo	l location of light l location of light sed parking area roposed traffic c eatures of the s	square feet ing fixtures ing fixtures as (including irculation
UTILITIES PROPO SITE AND BUILDIN Total Area of Pr Total Area of Pr EXTERNAL LIGHT Existing to remain Proposed PROJECT NARRAT Site Plan Floor Plan of Elevation vi Proposed V	SED: WA SED: SED: SED: SED: SED: SED: SED: SED: SED: SED: SED: SED: SED: SED: SED:	TER: Public square feet ) 200 sq a ctlachae Yes – Provide fixt Yes – Provide fixt WITTAL CHECKLIS	On Site Total Area of Existin uare feet uare information, cut ture information, cut ST: Exis dime Exis habi	g Structure(s) off sheets, and off sheets, and ting and propo ensions) and p ting Physical F tat, hazard are	I location of light location of light sed parking area roposed traffic c eatures of the s eas, etc.)	square feet ing fixtures ing fixtures as (including irculation ite (drainage,
UTILITIES PROPO SITE AND BUILDIN Total Area of Dr Total Area of Pr EXTERNAL LIGHT Existing to remain Proposed PROJECT NARRAT Site Plan Floor Plan Floor Plan Proposed V For more information termitting process and	SED: WA SED: SED: SED: SED: SED: SED: SED: SED: SED: SED: SED:	TER: Public square feet	On Site Total Area of Existin uare feet uare information, cut ture information, cut ST: Exis dime Exis habi	g Structure(s) off sheets, and off sheets, and ting and propo ensions) and p ting Physical F	l location of light l location of light sed parking area roposed traffic c eatures of the s	square feet ing fixtures ing fixtures as (including irculation
UTILITIES PROPO SITE AND BUILDIN Total Area of Lo Total Area of Pr EXTERNAL LIGHT Existing to remain Proposed PROJECT NARRAT Site Plan Floor Plan Floor Plan Floor Plan Proposed V For more information	SED: WA SED: SED: SED: SED: SED: SED: SED: SED: SED: SED: SED: SED:	TER: Public square feet ) 200 sq a a flachae Yes – Provide fixt Yes – Provide fixt WITTAL CHECKLIS gs proposed buildings	On Site Total Area of Existin uare feet uare information, cut ture information, cut ST: Exis dime Exis habi	g Structure(s) off sheets, and off sheets, and ting and propo ensions) and p ting Physical F tat, hazard are	I location of light location of light sed parking area roposed traffic c eatures of the s eas, etc.)	square feet ing fixtures ing fixtures as (including irculation ite (drainage,
UTILITIES PROPO SITE AND BUILDIN Total Area of Lo Total Area of Pr EXTERNAL LIGHT Existing to remain Proposed PROJECT NARRAT Site Plan Floor Plan Floor Plan Proposed V For more information remitting process an equired for a completion	SED: WA SED: SED: SED: SED: SED: SED: SED: SED: SED: SED: SED: SED:	TER:       Public         square feet       sq         200       sq      <	On Site Total Area of Existin uare feet uare information, cut ture information, cut ST: Exis dime Exis habi	g Structure(s) off sheets, and off sheets, and ting and propo ensions) and p ting Physical F tat, hazard are	I location of light location of light sed parking area roposed traffic c eatures of the s eas, etc.)	square feet ing fixtures ing fixtures as (including irculation ite (drainage,
UTILITIES PROPO SITE AND BUILDIN Total Area of Dr Total Area of Pr EXTERNAL LIGHT Existing to remain Proposed PROJECT NARRAT Site Plan Floor Plan of Floor Plan of Proposed V For more information remitting process and equired for a compl lease see the reverse	SED: WA	TER: Public square feet ) 200 sq 200 sq 20	On Site Total Area of Existin uare feet Unre information, cut ture information, cut ST: Exis dime Exis habi IONAL USE FEES Fees \$ \$ \$ \$ \$	g Structure(s) off sheets, and off sheets, and ting and propo ensions) and p ting Physical F tat, hazard are	I location of light location of light sed parking area roposed traffic c eatures of the s eas, etc.)	square feet ing fixtures ing fixtures as (including irculation ite (drainage,
UTILITIES PROPO SITE AND BUILDIN Total Area of Pr Total Area of Pr EXTERNAL LIGHT Existing to remain Proposed PROJECT NARRAT Site Plan Floor Plan Floor Plan Proposed V For more information termitting process and equired for a complease see the reverse	SED: WA	TER: Public square feet square feet 200 sq 200 sq	On Site Total Area of Existin uare feet U ture information, cut str: Exis dime Exis habi IONAL USE FEES Fees s_350_00 ss	g Structure(s) off sheets, and off sheets, and ting and propo ensions) and p ting Physical F tat, hazard are	I location of light location of light sed parking area roposed traffic c eatures of the s eas, etc.)	square feet ing fixtures ing fixtures as (including irculation ite (drainage,

### **Conditional Use Permit application – Narrative and Attachments**

#### Putman/Homme 114 E. 6th Street : CU Application Addendum

A 10'X 20' greenhouse structure was built on top of an existing concrete garage. (Bld. Permit # 2009-00103) The preexisting garage was constructed in approximately 1950. The concrete garage was constructed to the edge of the sidewalk on 6<sup>th</sup> Street and has been a grandfathered structure for the past 60 years.

The new greenhouse structure was built on back half of the 20'X20' garage roof. The greenhouse used the same footprint as the garage, which is slightly out of square. A subsequent as-built survey found that one corner of the new structure was not the full 10 feet back from the sidewalk edge. The SW corner of the roof eave encroaches 3 inches into the 10 foot setback. This is an overhanging eave and not part of the interior of the greenhouse building. The remainder of the greenhouse structure is behind the 10 foot setback. However, because of the overhanging eave, the SW corner of the greenhouse is 9'9" from the CBJ sidewalk.

A Conditional Use permit is required for the 3"encroachment into the 10 foot setback requirement. It is my request that this CU permit be granted to permit this encroachment. There is no impact on the public sidewalk below or any utility conflicts.

#### NE Corner of greenhouse

In addition to the overhanging eave, the As-built Survey determined that the Northeast corner of the garage/greenhouse encroaches into setback requirements with the adjoining lot. The NE corner of the garage footprint (circa 1950) extends into the side yard setback approximately 3 inches.

This encroachment occurs on the NE corner of both the garage and greenhouse structures. The remaining portion of the east side of the garage and greenhouse Structure does not protrude into the 5 foot setback. In this 20 foot span only the last five feet of the structures protrude into the setback. That is because the garage is square to the street but not square to the property line thus causing a side yard setback issue.

#### **Property Values and Neighborhood Harmony**

The addition and slight CBJ encroachment will not decrease the value of surrounding properties. The greenhouse was designed by Northwind Architects LLC, to have the same architectural style as the main home and preexisting Garage on the property. This blend of colors and building design allows the Greenhouse to complement the existing buildings and as a result, blends well with the neighborhood. The structure does

### Attachment 3

1

Attachment G - Excerpts from USE2013 0016

not affect any neighbor's light, air or views. (Note that the Lot 3 eastside neighbor has provided an Easement Agreement for the Variance application.)

- **A.** As-Built Survey, Site Plan, Elevation View, 3-page Floor Plan <u>attached</u> Easement Agreement by east neighbor, also for related variance, <u>attached</u>
- **B.** There are No Parking issues with this application.
- C. There are No Traffic issues with this application.
- **D.** There is Lighting on the exterior of the structure. This exterior lighting is recessed up under the eaves so there is no light pollution from the structure.

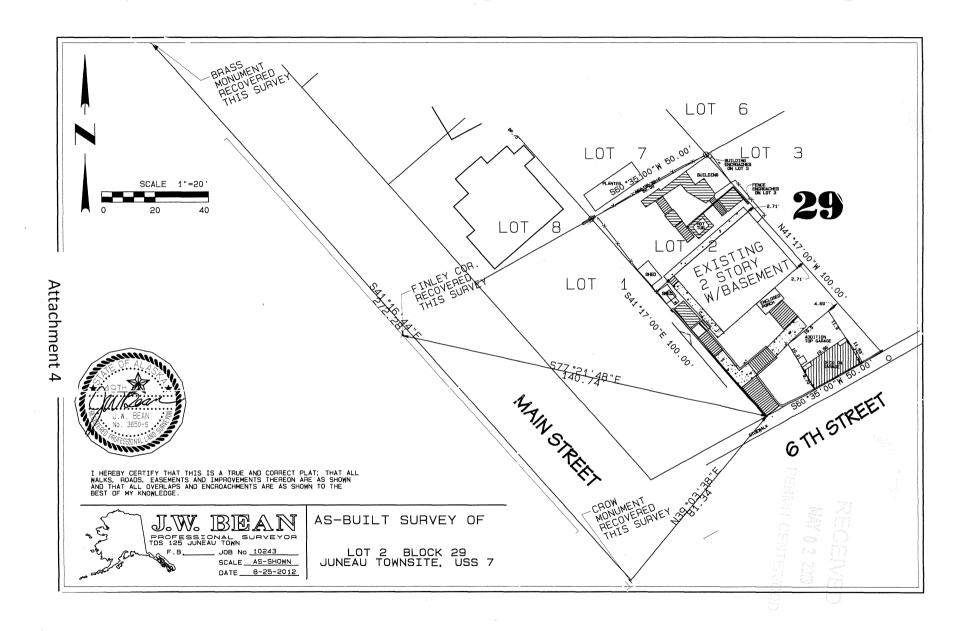
<u>Exterior Lighting</u>: Two exterior lights were incorporated into the greenhouse structure. One light is located on the alcove ceiling above the west facing entrance. This main entrance has a single door recessed into the structure 3 feet. This door setback is to both protect the door and match the garage architecture below. Above this door on the ceiling is an entrance light, placed there to both protect the light and minimize light intrusion outside. This door entry light has achieved those desired results.

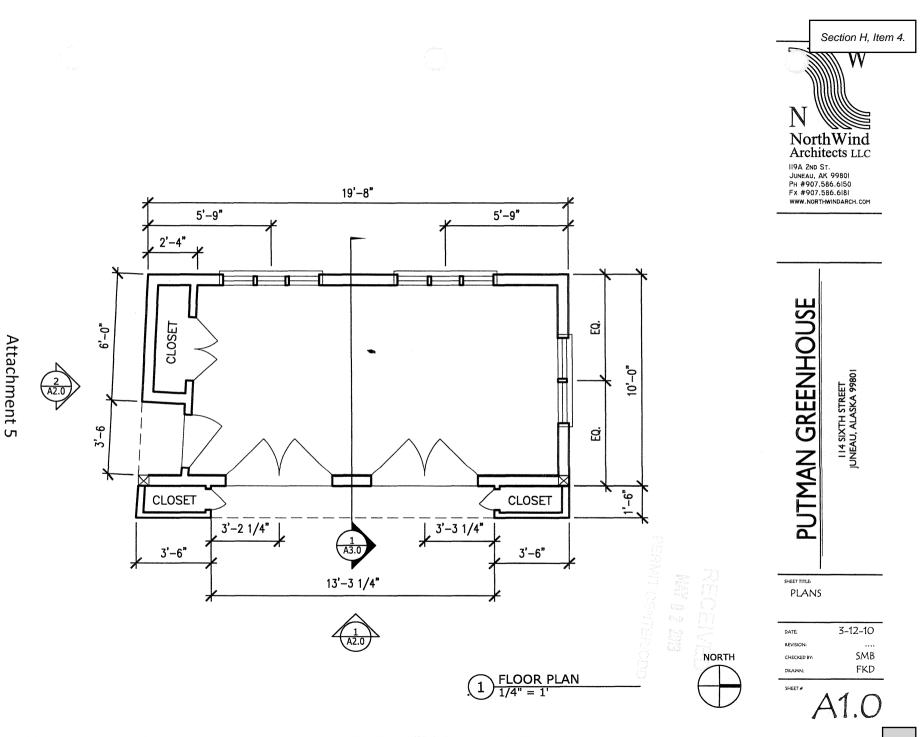
A second exterior light is on the south side of the greenhouse, under the overhanging front eave. This also protects the fixture from the weather and minimizes light intrusion. Light is confined to the front deck of the garage roof and does not shed light on 6<sup>th</sup> Street or the sidewalk below. This exterior light has achieved the desired results of both protection and light shading.

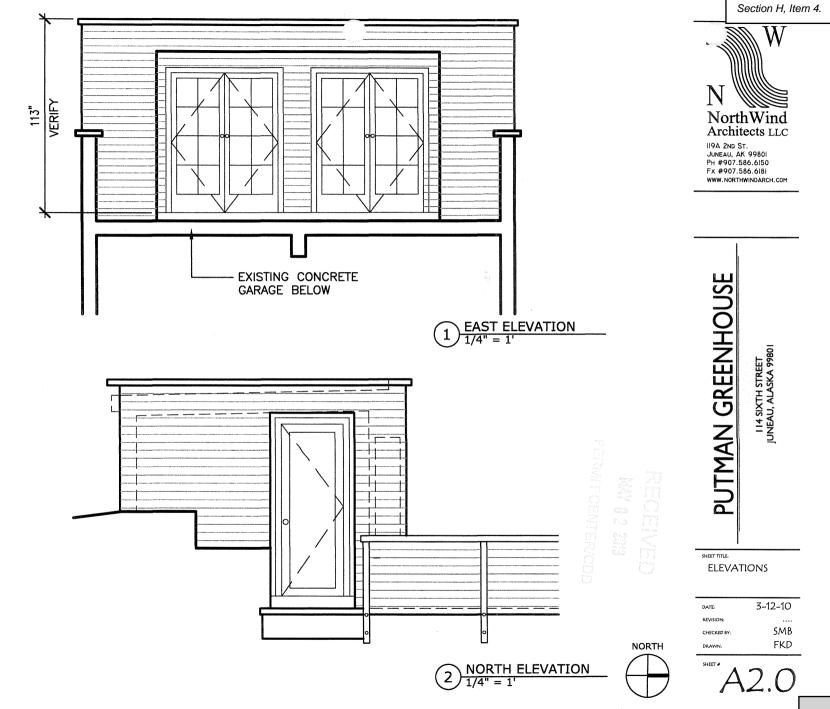
E. Natural vegetation remains between Lot 2 and Lot 3; lilacs, Sitka Rose bushes and Hawthorn trees separate the two. This set of trees and shrubs creates a visual screen between properties and between the greenhouse and the neighbor's home on Lot 3. On the west side of the structure there is large flower garden.
F. The property is a Steep Hillside. That presents some challenges to development of the lot. However, the steep terrain has no impact on the greenhouse structure because it was built atop the existing poured concrete garage, as the foundation.

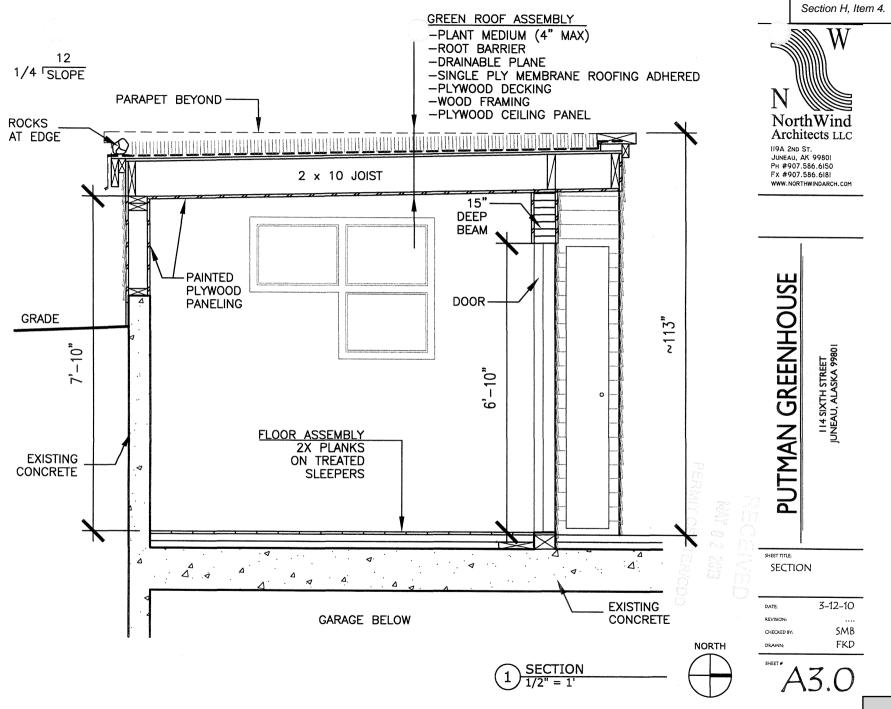
RECEIVED MAY 8 2 283 PERMIT CENTER/CDD

2













Attachment 6





Attachment 6

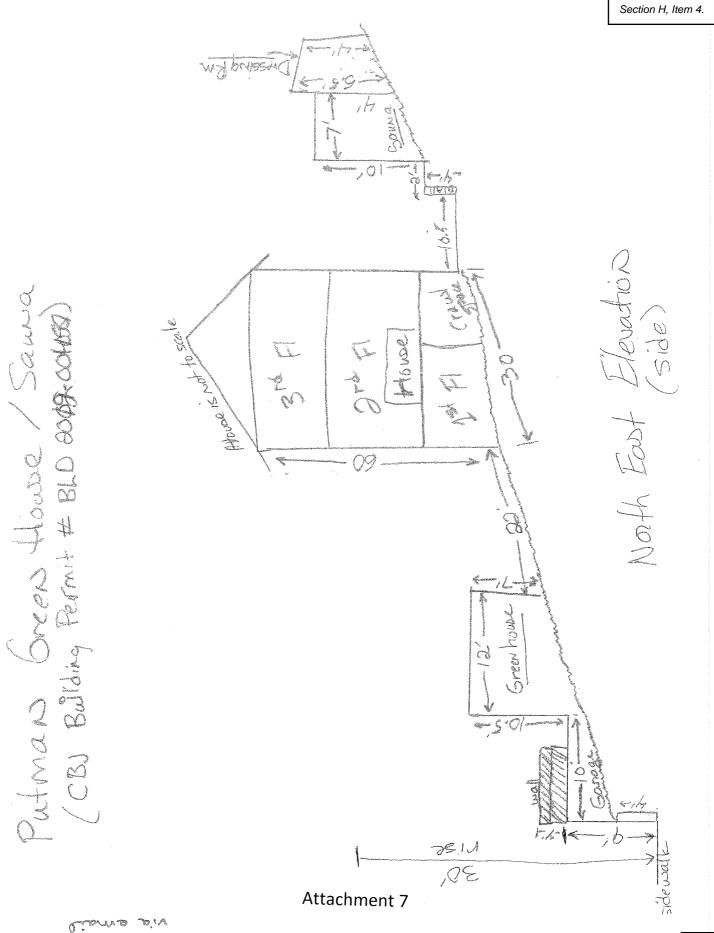


Attachment 6

Section H, Item 4.



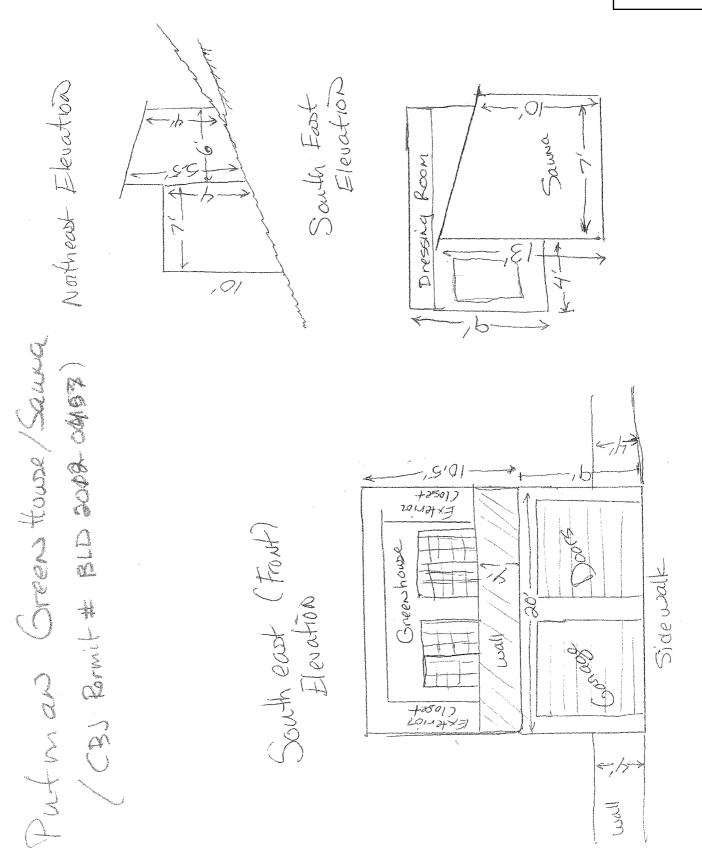
### Attachment 6



21-8-11

ന്തരം Attachment G - Excerpts from USE2013 0016

Section H, Item 4.





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

#### NONCONFORMING CERTIFICATE \*Revised – Noncompliant situation removed

Date: September 3, 2021 File No.: NCC2021 0065

Kimberly Homme & Vance Fate Putman P.O. Box 20473 Juneau, AK 99802

Proposal:

A Nonconforming Situation Review for structures.

Property Address:114 Sixth StreetProperty Legal Description:Juneau Townsite Block 29 Lot 2Property Parcel Code No.:1C060A290030

The Director of Community Development adopted the analysis and findings listed in the attached memorandum dated August 20, 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):
  - Zero foot front yard setback for the garage
  - 4.69 foot east side yard setback for the garage
  - o 2.71 foot east side yard setback for the dwelling

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.

The Director of Community Development adopted the analysis and findings listed in the attached memorandum dated August 20, 2021 and has found the following situations on the lot to be noncompliant to the Title 49 Land Use Code of the City and Borough of Juneau:

#### Noncompliant setbacks:

 Two (2) sheds are noncompliant for west side yard setback requirement. In order to comply with the Land Use Code, the applicant must relocate the sheds to conform to the 3 foot setback in CBJ File No.: NCC2021 0065 September 3, 2021 Page 2 of 2

49.25.430(4)(C)(iii) for unheated structures, or apply for a setback reduction through the Alternative Development Overlay District, or receive an approved Variance to reduce the side yard setback to zero.

 The property owners must bring the setback encroachment into compliance with the Land Use Code.

REVISION: In response to this decision, the property removed the noncompliant sheds. Staff was sent photographs to document the sheds removal. A site visit confirmed the sheds are no longer present on the lot.

#### THE NONCOMPLIANT SITUATION HAS BEEN REMOVED.

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.



COMMUNITY DEVELOPMENT

**DATE:** August 20, 2021

TO: Jill Maclean, Director, AICP

BY: Allison Eddins, Planner II

PROPOSAL: A Nonconforming Situation Review for structures.

#### **KEY CONSIDERATIONS FOR REVIEW:**

- The residential structure was constructed in 1914, and the lot was platted in 1934, prior to the establishment of zoning.
- The garage was constructed in the 1950s, prior to the establishment of zoning.
- A greenhouse constructed on top of the garage received a Conditional Use Permit (USE2013 0016) for front and east side yard setback encroachments.
- The sauna received a Variance (VAR2013 0015) for the rear and east side yard setback encroachments.
- There are two 25 square-foot sheds encroaching into the west side yard setback. These sheds are noncompliant.

GENERAL INFORMATION	
Property Owner	Kimberly Homme and Vance Putman
Applicant	Kimberly Homme
Property Address	114 Sixth Street
Legal Description	Juneau Townsite Block 29 Lot 2
Parcel Number	1C060A290030
Zoning	D18
Lot Size	5,000 square feet
Water/Sewer	СВЈ
Access	Sixth Street
Existing Land Use	Residential
Associated Applications	None

#### DIRECTOR'S REVIEW STAFF REPORT NONCONFORMING CERTIFICATION NCC2021 0065

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

#### **STAFF RECOMMENDATION:**

Staff recommends the following situations receive Nonconforming Certification:

• Nonconforming Structures (49.30.250)

#### 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:

 Two (2) sheds are noncompliant for setbacks.

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

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

Fostering excellence in development for this generation and the next.

Attachment H - Excerpts from NCC2021 0065

August 20, 2021 NCC2021 0065 Page 2 of 7

#### SITE FEATURES AND ZONING



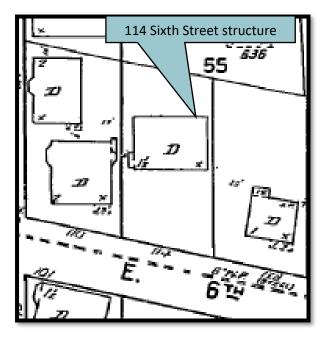
# SURROUNDING ZOVING AND LAND USESNorth (D18)ResidentialSouth (MU)OfficeEast (D18)ResidentialWest (D10)Residential

SITE FEATURES	
Anadromous	None
Flood Zone	Zone X
Hazard	Low Risk Landslide
	Area
Hillside	No
Wetlands	No
<b>Parking District</b>	No
<b>Historic District</b>	No
<b>Overlay Districts</b>	Juneau ADOD

#### **CURRENT ZONING MAP**







August 20, 2021 NCC2021 0065 Page 3 of 7

#### **ZONING HISTORY**

Year	Zoning District	Summary
1914	No Zoning	According to the CBJ Assessor's records, the dwelling was constructed in 1914 and predates zoning.
1934	No Zoning	The lot was platted in 1934 as part of the Juneau Townsite Subdivision (Plat 1934-1).
1956	R2 Residential	Zoning was established in Juneau in 1956. The lot and surrounding area was zoned R2. The minimum front yard setback was 15 feet; the minimum rear yard setback was 10 feet; and the minimum side yard setback was 5 feet. The dwelling became nonconforming for the east side yard setback. The garage became nonconforming for front and east side yard setbacks.
1969	RMM Multi- family	In 1969, the lot and surrounding area was rezoned to RMM. The minimum front yard setback was 15 feet; the minimum rear yard setback was 10 feet; and the minimum side yard setback was 5 feet. The dwelling remained nonconforming for the east side yard setback, and the
1987	D18 Multi-family	<ul> <li>garage remained nonconforming for front and east side yard setbacks.</li> <li>In 1987, the lot and surrounding area was rezoned to D18. The minimum front yard setback became 20 feet; the minimum rear yard setback became 15 feet; and the minimum side yard setback remained at 5 feet.</li> </ul>
		The dwelling remained nonconforming for the east side yard setback, and the garage remained nonconforming for front and east side yard setbacks.

#### **BACKGROUND INFORMATION**

The applicant requests a Nonconforming Certification for front and east side yard setbacks. Assessor's data indicates the dwelling was constructed in 1914. The earliest reference to the dwelling was found on a 1927 tax map. The garage was first referenced in a staff report for USE2013 0016. The 2013 staff report indicates the garage was constructed in the 1950s. Although the garage was not referenced on the 1969 tax maps, the staff report determined the garage to be nonconforming for the front and east side yard setbacks.

A greenhouse was constructed above the garage prior to 2013. The greenhouse received an after-the-fact Conditional Use Permit (USE2013 0016) to allow the second-story front and east side yard setback encroachments. The Conditional Use Permit makes the greenhouse compliant for setbacks.

A sauna was constructed in the rear of the lot prior to 2013. The lot received an after-the-fact variance (VAR 2013-15) to reduce the east side and rear yard setbacks to zero feet for the construction of the sauna. This variance makes the sauna conforming for setbacks.

A 2012 as-built indicates there are two sheds, approximately 25 square feet each, on the lot. The sheds have a zero-foot setback along the west side yard. Although building permits are not required for 25 square-foot sheds without electricity, sheds are not allowed to have a zero-foot setback. CBJ 49.25.430(4)(c)(iii) allows unheated structures to encroach into setbacks as long as the structures maintain a minimum setback of three feet. The sheds are noncompliant, and the property owner must bring the noncompliant structures into compliance with the Land Use Code setback requirements.

August 20, 2021 NCC2021 0065 Page 4 of 7

#### **INFORMATION REVIEWED**

Year	Туре	Summary
1927	Тах Мар	Indicates the residential structure predates zoning.
1934	Plat	Plat 1934-1 to determine when lot was created.
2012	As-built	Used to determine setbacks.
2013	CDD Staff Reports	USE2013 0016 and VAR2013 0015 used to determine greenhouse and sauna conformity.
2013	Aerial Photography	2013 aerial photography used to estimate lot coverage and vegetative cover.
2013	Assessor's Photography	To estimate building height and confirm off-street parking.
2020	Assessor's Records	To verify date of construction.
2021	Site Visit	To verify lot coverage, building heights, vegetative cover and the existence of two noncompliant sheds.

#### 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		D18 Requirement	Existing	Code Reference
Lot	Size	5,000 sq. ft.	5,000 sq. ft.	49.25.400
	Width	50'	50'	49.25.400
	Depth	80'	100'	49.25.400
Setbacks	Front	20'	<b>0' (garage)</b> 0' (greenhouse)	49.25.400
	Rear	10'	50' (residential structure) 0' (sauna)	49.25.400
	East Side	5'	<ul> <li>2.71' (residential structure)</li> <li>4.69' (garage)</li> <li>4.69' (greenhouse)</li> </ul>	49.25.400
	West Side	5' (Reduced to 3' for unheated structures)	0' (Noncompliant sheds)	49.25.400
Lot Coverage		50%	37%	49.25.400
Height	Permissible	35′	<35	49.25.400
	Accessory	25'	~20'	49.25.400
Maximum Dwelling	Units	1	1	49.25.500
Use		Residential	Residential	49.25.300
Vegetative Cover		30%	32%	49.50.300
Parking		2	2	49.40.210(a)

August 20, 2021 NCC2021 0065 Page 5 of 7

**Minimum Lot Requirements** – The table above demonstrates that the lot meets the minimal lot size, lot width, and lot depth requirements for the D18 zoning district.

#### Finding: Staff finds the lot conforming for lot size, lot width, and lot depth.

**Minimum Setback Requirements** – The dwelling and the garage were built prior to the establishment of zoning. The greenhouse received a Conditional Use Permit for the front and east side yard setback encroachments. The sauna received a Variance for the rear and east side yard setback encroachments. The lot contains two sheds that are noncompliant for the west side yard setbacks.

# Finding: Staff finds the dwelling nonconforming for east side yard setbacks, and the garage nonconforming for front and east side yard setbacks.

#### Finding: Staff finds the two sheds noncompliant.

Lot Coverage – Based on 2013 aerial imagery and a 2021 site visit, maximum lot coverage is not exceeded.

#### Finding: Staff finds the lot conforming for lot coverage.

**Structure Height** – Assessor's photos and site visit confirm that the structures do not exceed the maximum height limits.

#### Finding: Staff finds the structures conforming for height.

**Residential Density** – The lot contains a single-family dwelling. The assessor's database indicates one unit.

#### 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** – According to the GIS aerial imagery and a site visit, the minimum vegetative cover requirement is met.

#### Finding: Staff finds the lot conforming for vegetative cover.

**Parking** – CBJ 49.40.210 requires two 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). 2013 Assessor photographs indicate two off-street parking spaces within the garage, which was confirmed with a site visit.

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

#### **NONCOMPLIANT SITUATIONS**

49.30.310(j) **Failure of a situation to qualify for nonconforming certification**. If a situation does no qualify for or is denied nonconforming certification, it is noncompliant and the property is subject to enforcement actions consistent with this title.

#### Attachment H - Excerpts from NCC2021 0065

August 20, 2021 NCC2021 0065 Page 6 of 7

The lot contains two non-electrified sheds approximately 25 square feet each that are noncompliant for setbacks.

Finding: Staff finds the two shed structures noncompliant for setbacks. In order to comply with the Land Use Code, the applicant must relocate the sheds to comply with 3 foot setback requirement for unheated structures in CBJ 49.25.430(4)(C)(iii), apply for a setback reduction through the Alternative Development Overlay District, or receive an approved Variance to reduce the west side yard setback to zero.

#### **ABANDONMENT**

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

(1) The owner indicates in writing that the nonconforming situation is being permanently discontinued;

(2) The nonconforming situation is damaged, destroyed, removed or demolished intentionally by the owner or intentionally by an authorized agent of the owner;

(3) The nonconforming structure is moved;

(4) The owner takes action consistent with an intent to abandon the nonconforming situation;

(5) The structure(s) associated with the nonconforming situation has been vacant for 365 consecutive days;

(6) Except for a structure with a nonconforming residential density, the nonconforming use has ceased and not substantially resumed for 365 consecutive days; or

(7) A structure with a nonconforming residential density has been unoccupied for 1095 consecutive days.

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

#### **FINDINGS**

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

Analysis: The dwelling and garage were constructed prior to the establishment of zoning.

Finding: Yes. The nonconforming situation was allowed when established.

**Analysis:** The sheds along the west side lot line encroach into the west side yard setback requirement for unheated structures. This encroachment was not approved.

#### Finding: Staff finds the sheds noncompliant for setbacks.

August 20, 2021 NCC2021 0065 Page 7 of 7

#### 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 situation on the lot to be NONCONFORMING to the Title 49 Land Use Code:

- Nonconforming structures (49.30.250):
  - $\circ\quad$  Zero foot front yard setback for the garage
  - o 4.69 foot east side yard setback for the garage
  - o 2.71 foot east side yard setback for the dwelling

Staff recommends that the Director adopt the analysis and findings, and find the following situations NONCOMPLIANT to the Title 49 Land Use Code:

- Noncompliant setbacks:
  - Two (2) sheds are noncompliant for the west side yard setback. In order to comply with the Land Use Code, the applicant must relocate the sheds to conform to the 3 foot setback in CBJ 49.25.430(4)(C)(iii) for unheated structures, or apply for a setback reduction through the Alternative Development Overlay District, or receive an approved Variance to reduce the west side yard setback to zero.
  - $\circ~$  The property owners must bring the setback encroachment into compliance with the Land Use Code.

#### **STAFF REPORT ATTACHMENTS**

Item	Description
Attachment A	Application Packet
Attachment B	Information Reviewed

	<b>TPERMIT APPLICATION</b> Application forms must accompany all other
and the second sec	partment land use applications.
PROPERTY LOCATION	state and the second states of
Physical Address	
Legal Description(s) (Subdivision, Survey, Block, Tract, Lot)	
Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) Vuheau Townsite Block 29	Lot 2
Parcel Number(s) 1 - CO6-0 - A 29-003-0	
This property located in the downtown historic district	
This property located in a mapped hazard area, if so, which _	
LANDOWNER/LESSEE	tPerson ( 1 11
Kimberry Homme Varvetate Kutman	Kimber Un Homme
Mailing Address POBOX 20473 JUNEAU AK 99802 E-mail Address KIMberly homme@gmail.com LANDOWNER/LESSEE CONSENT Required for Planning Permits, not r	Phode Number(s) 907321-2933
E-mail Address	
LANDOWNER/LESSEE CONSENT Required for Planning Permits, not r	eeded on Building/ EngineerIng Permits
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) con	ent as follows:
<ul> <li>A. This application for a land use or activity review for development on my (our) property i</li> <li>B. I (we) grant permission for officials and employees of the City and Borough of Juneau to</li> </ul>	s made with my complete understanding and permission. inspect my property as needed for purposes of this application.
x Kamberlustomme	8/9/21
Landowner/Lessee Signature	Date
x tale ton	
Landowner/Lessee Signature	Date
NOTICE: The City and Borough of Juneau staff may need access to the subject property during re the formal consent given above. Further, members of the Planning Commission may visit the pr	gular business hours and will attempt to contact the landowner in addition to operty before the scheduled public hearing date.
APPLICANT	and the second
Applicant Contact	Person
Mailing Address	Phone Number(s)
E-mail Address	
х	
Applicant's Signature	Date of Application

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

Intake Initials
Bno
ON
/ - /

Attachment H - Excerpts from NCC2021 0065

Date\_Received

83

Section H, Item 4.

Attachment A - Application Packet



## **APPLICATION FOR A NONCONFORMING CERTIFICATION REVIEW**

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

COMMUNITY DEVELOPMENT

NOTE: Must be accompanied by	a DEVELOPMENT PERMIT APPLICATION form.
JATION (CHECK ALL THAT MAY APPLY)	

	TYPE OF NONCONFORMING SITUATION (CHECK ALL T USE STRUCTURE DENSITY PARKI	
	Have you submitted a narrative that fully explains the	
		forming situation(s). Be specific, state past and present uses of the
l	building, property, etc.	
		le this material and an as-built or site plan with the application. Illowed when established may include: building or land use photographs.
	Situation Ty	pe of Documentation
	substandard lot	Plat
l	substandard setbacks	as-built
l		CBJ File No, USE 2013 0016 CBJ File No. VAR 2013 0015
		CBT File No. VAR 2013 0015

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

Type of Documentation
CBJ Historic Structures Database

Nonconforming Certificate for setbacks. As-built surveys should show the property in its current condition.

ALL REQUIRED MATERIALS ATTACHED	NONCONFORMING	CERTIFICATION	<b>REVIEW FEES:</b>		
Complete Application (Per CBJ 49.30.310)		Fees w	Check No.	Receipt	Date
✓Narrative	Application Fees	\$ 150-			
As-built survey or similar document	Admin. of Guarantee	\$			
 └ Documentation	Adjustment	5			
	Total Fee	s_150			
Fees					

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

#### **INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

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

Case Number	Date Received
NCC 21-60.	819/21

#### Nonconforming Certification Application Instructions

Nonconforming Situations is outlined in CBJ 49.30.310

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

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

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

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

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

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

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

#### INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

# Narrative for Application for a Nonconforming Certification Review.

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

The property at 114 Sixth Street has been a residential home since 1914. The property doesn't meet current set back + Lot Size requirements for DIS zoneng A Conditional Use Permit was granted by CBJ for the 10' x 20' greenhouse on top of a garage. The property has a non-conforming lot size and non-conforming front and sideyard setback. As a result, a conditional use permit was granted for the Greenhouse after the as-built survey was completed.

Copies of the Notice of Decision / 2013 CBJ Correspondence are attached, of which includes the as-built agreement.

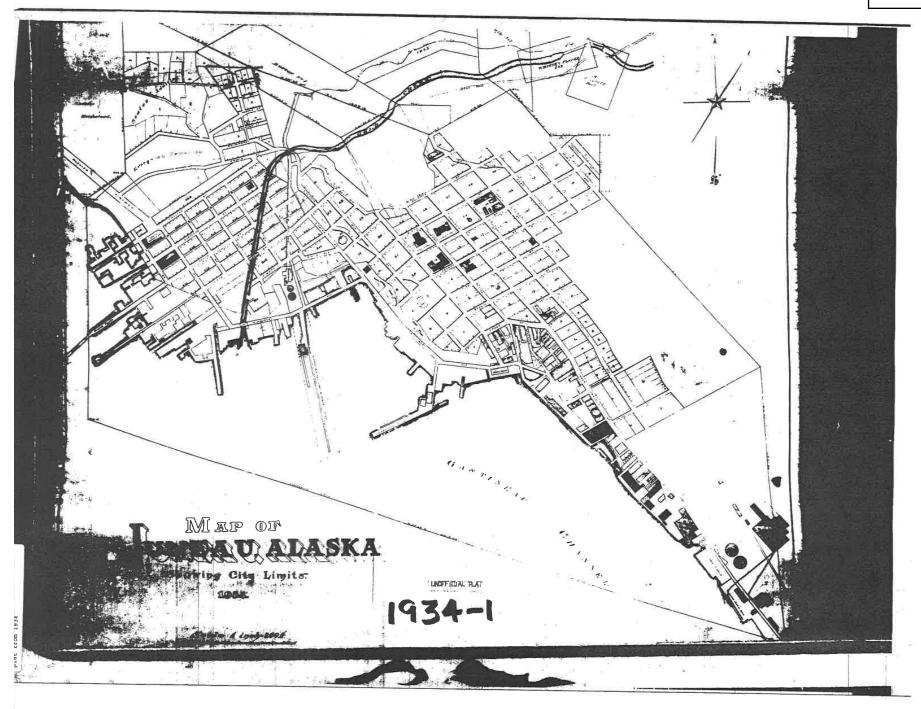
A Variance was granted by CBJ to reduce the 5' side yard set back to zero and the 10' rear yard setback to zero feet for construction of a sauna in the NW corner of the property. An easement agreement exists with the adjacent property owners, Richard and Kathy Ward, and recognizes the 3 inch encroachment and allows use and maintenance of the sauna structure on the property. The encroachment was determined after the as-built survey was completed.

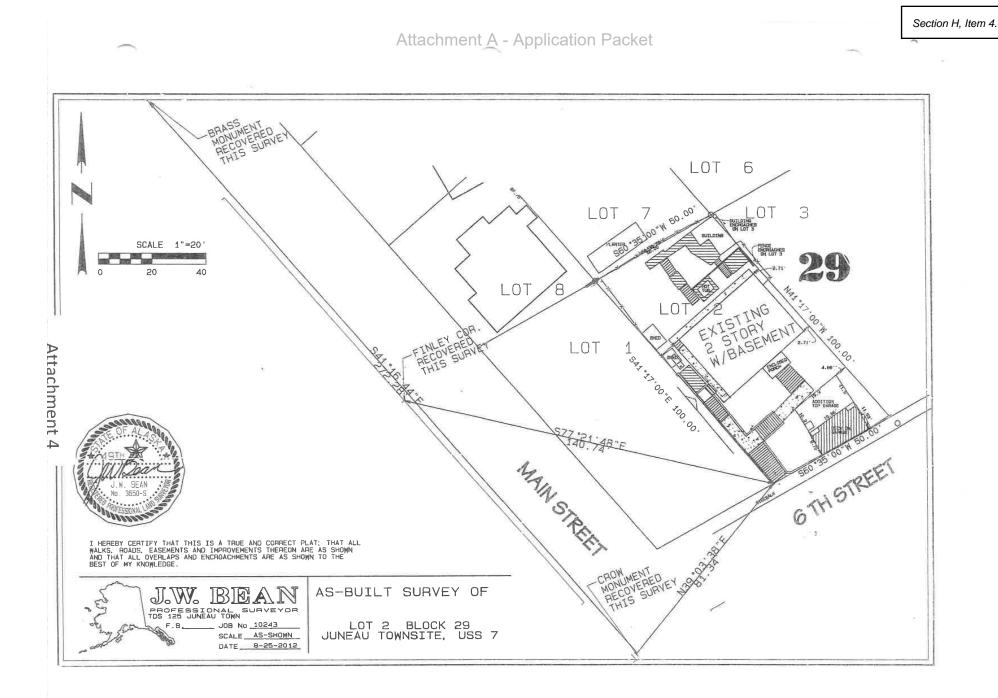
Copies of the Notice of Decision / 2013 CBJ Correspondence are included. The easement agreement is included.

The CBJ Historic Structure Database is also a reference doc provided.

Thank you for your review. Komberligtomme

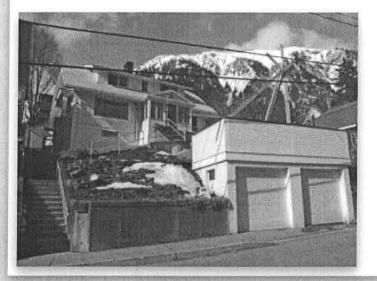
8/9/21





## Willis-Davis House

Location: 114 6th Street AHRS#: JUN-160 CBJ#: B-23 Parcel#: 1C060A290030 Year Built: 1915 Architectural Style: Other/ Juneou Folk Architect/Contractor: Unknown Historic Name: Willis-Davis House Historic Period: Territorial Gov Historic Integrity: preserved Neighborhood: Juneau Townsite Date of Local Designation: Not Designated Date of National Register Designation: Not Regist



## Additional Information

#### **General Description**

The house measures 29? x 36?. It is a one-and-one-half stories, wood frame structure with hip-on-gable roof form featuring large shed dormer. It has a concrete partial basement and is sided with horizontal wood lap siding. Other features include a pedimented enclosed entry porch.

#### **Historical Information**

The house was constructed in 1914 for J.R. Willis, collector of Customs and Vice President of the B.M. Behrends Bank. Wi served on the City Council and was Vice Mayor. From 1920 until 1935, Valorous and Grace Paine owned the house until Ji photographer, Trevor Davis and his wife, Carol Beery Davis bought it. It continues to be the Davis home.

Historic Use residential

#### Source

Juneau Townsite Building Survey, City and Borough of Juneau, Alaska, September 1988



PLANNING COMMISSION NOTICE OF DECISION Date: October 23, 2013 File No.: USE2013 0016

Vance F Putman PO Box 20473 Juneau, AK 99802

An after-the-fact Conditional Use Permit for a greenhouse constructed over a garage that encroaches 3 inches into the 10-foot front yard setback and 3 inches into the 5-foot side yard setback.

Application For:	An after-the-fact Conditional Use Permit for a greenhouse constructed over a garage that encroaches 3 inches into the 10-foot front yard setback and 3 inches into the 5-foot side yard setback.
Legal Description:	Juneau Townsite Block 29 Lot 2
Property Address:	114 Sixth Street
Parcel Code No .:	1-C06-0-A29-003-0

Hearing Date: October 22, 2013

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated October 15, 2013 and approved the project to be conducted as described in the project description and project drawings submitted with the application.

Attachments: October 15, 2013 memorandum from Teri Camery, Community Development, to the CBJ Planning Commission regarding USE2013 0016.

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, October 22, 2013

Expiration Date: The permit will expire 18 months after the effective date, or April 22, 2015 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.

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

Section H, Item 4.

#### **Attachment A - Application Packet**

Vance F Putman File No.: USE2013 0016 October 23, 2013 Page 2 of 2

Project Planner:

100

Teri Camery, Senior Planner Community Development Department

Michael Satre, Chair Planning Commission

Filed With City Clerk

10/25/13 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.

## MEMORANDUM

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

DATE:	October 15, 2013
TO:	Planning Commission
FROM:	Teri Camery, Senior Planner
FILE NO.:	USE2013 0016
PROPOSAL:	An after-the-fact Conditional Use Permit for a greenhouse constructed over a garage that encroaches 3 inches into the 10-foot front yard setback and 3 inches into the 5-foot side yard setback.
GENERAL INFORMATION	
Applicant:	Vance F Putman
Property Owner:	Vance F Putman
Property Address:	114 Sixth Street
Legal Description:	Juneau Townsite Block 29 Lot 2
Parcel Code Number:	1-C06-0-A29-003-0
Site Size:	4,893 square feet
Comprehensive Plan Land Use Designation:	Medium Density Residential
Zoning:	D-18
Utilities:	CBJ Water and Sewer
Access:	Sixth Street
Existing Land Use:	single-family dwelling



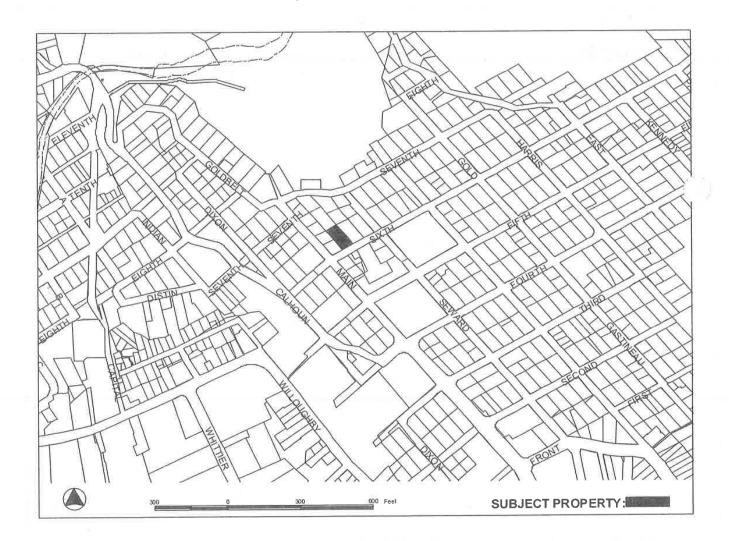
**CITY/BOROUGH OF JUNEAU** 

Surrounding Land Use:

North South East West D-18 Residential Sixth Street; D-18 Residential D-18 Residential D-18 Residential

#### Vicinity Map

4



Planning Commission File No.: USE2013 0016 October 15, 2013 Page 3 of 6

#### **ATTACHMENTS**

Attachment 1 Development Permit Application
Attachment 2 Conditional Use Permit Application
Attachment 3 Project Narrative
Attachment 4 Survey
Attachment 5 Building Permit plans
Attachment 6 Applicant photos
Attachment 7 Project elevation

#### **PROJECT DESCRIPTION**

The applicant requests a Conditional Use Permit for after-the-fact construction of a 10' x 20' greenhouse on top of a garage. The greenhouse encroaches three inches into the 10-foot frontyard setback in the southwest corner of the structure, and three inches into the five-foot side-yard setback in the northeast corner of the structure, due the slight angle of the garage. Setback encroachments that occur at the second story elevation or higher are reviewed through the Conditional Use Permit process instead of the Variance process, per CBJ Code 49.25.430(4)(M). The structure does not qualify under code sections that allow encroachments for minor issues both because it is heated and because it is on the second floor.

The greenhouse was constructed on top of a garage that was built in the 1950s at the zero footsetback line. The garage is a legally non-conforming structure. The greenhouse encompasses approximately half the width of the garage, very close to the 10-foot front yard setback line. The three inch encroachment at the opposite corners of the greenhouse was discovered when the asbuilt survey was completed (Attachment 4). In both the southwest and northeast corners of the greenhouse, the structure encroaches three inches over a linear distance of approximately two feet. Due to the angle, the three inch encroachment does not extend the full length of either side of the greenhouse.

#### **BACKGROUND**

The lot has a legally non-conforming lot size and legally non-conforming front and side-yard setbacks. Assessor's Office records indicate that the home was built in 1914. In addition to the Conditional Use Permit, the applicant has also applied for an after-the-fact Variance for construction of a sauna in the northeast corner of the lot. Both encroachments were discovered only after the as-built survey was completed.

Planning Commission File No.: USE2013 0016 October 15, 2013 Page 4 of 6

#### ANALYSIS

#### Project Site and Design -

The project is located on D-18 residential lot with a substandard lot size and substandard setbacks. The lot has a 35 degree slope. Building plans for the greenhouse have been included in Attachment 5, while elevations are included in Attachment 7. Photos are included in Attachment 6. The structure has been designed to blend well with both the garage and the single-family home.

#### Public Health or Safety -

No evidence indicates that the proposed development will negatively impact public health or safety.

#### Property Value or Neighborhood Harmony -

Due to the 35 degree slope of the property as well as the very minor three inch encroachment, no evidence indicates that the development will negatively impact views, light and air, property value, or neighborhood harmony.

#### **Conformity with Adopted Plans -**

The project substantially conforms with the 2013 Juneau Comprehensive Plan, specifically Policy 10.3 and 10.4, which state:

**Policy 10.3** [It is the policy of the CBJ] to facilitate residential developments of various types and densities that are appropriately located in relation to site conditions, surrounding land uses, and capacity of public facilities and transportation systems.

**Policy 10.4** [It is the policy of the CBJ] to minimize conflicts between residential areas and nearby recreational, commercial, or industrial uses that would generate adverse impacts to existing residential areas through appropriate land use locational decisions and regulatory measures.

The project conforms with these measures by constructing the greenhouse on top of an existing structure in a way that blends in with other structures on the lot and has minimal visual impact on the neighborhood.

#### **FINDINGS**

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

1. Whether the application is complete;

Planning Commission File No.: USE2013 0016 October 15, 2013 Page 5 of 6

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

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

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

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

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

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

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

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

**Yes.** The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ §49.25.300, Section 49.25.300.1.110 for the D-18 zoning district.

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

**Yes.** The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in the October 11, 2013 and October 18, 2013 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public Right of Way.

Planning Commission File No.: USE2013 0016 October 15, 2013 Page 6 of 6

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

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

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

**No.** Based on the preceding analysis, no available evidence indicates that the proposed development will substantially decrease the value of or be out of harmony with property in the neighboring area. The setback encroachment is minor and does not block views due to the steep slope in the area.

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

**Yes.** The proposed development complies with the 2013 Juneau Comprehensive Plan, specifically policies 10.3 and 10.4 regarding residential development.

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

7. Will the proposed development comply with the Juneau Coastal Management Program? Not applicable.

#### RECOMMENDATION

Staff recommends that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use permit. The permit would allow the development of a greenhouse on top of an existing garage which would encroach three inches into the front and side yard setbacks.

						Section H, Item
		Attach	ment A - Appl	ication Packet	t a N	
		DEVELOPN				
Pr	roject Number			IVITI APP	LICATION	
Pr (Ci	roject Name Ily Staff Io Assign Name)		Y and BOROL	JGH of JUNEA	Date Received:	512-113
	Project Des		11			
1		PIS-built	Survey	of new s.	tructure .	DiscovereDI
	PROPERT	CACIDACIAMENT	<u>into</u>	<u>CBJ side</u>	walk set	back
	Street Addr	ind E (	the Classel	City/Zi		Carlos Contractor
Ē	Legal Descr	Iption(s) of Parcel(s) (Subdivision	n, Survey, Block, Tract, Lo	+1	JUNARU	99801
ORMATIO	Assessor's	Parcel Number(s)	10 TOWNER	te Block	29 Lot	2
A C	UANDOWN	ER/DESSEE AN ANAL THAT	<u> 26 A 290</u>	0300		
N H	V. Lo	TO DEMANDIA ON	& Kimberly	Contact	erson: Work F	Phone:
	Mailing Addr	ox 20473	Juneau	Calles Home Pho	one: Eav Mu	21-0773
	E-mail Addre	ateputmen 6	gmail.	OM Other Con	tact Phone Number(s):	
		RILESSEE DONSENT	Children and Children and		163.4975 (	(m)
-	A. Thi B. I/w	he owner(s)or lessee(s) of the prope s application for a land use or activit re) grant permission for officials and pplication.	my subject to this applicatio	n and I (we) concept on fall	louis .	
PPLICANT		e) grant permission for officials and pplication	employees of the City and I	Borough of Juneau to inspe-	ct my property as needed for	ding and permission. purposes of this
19	XLan	downer/Lessee Signature	on		4/29	12012
dd	X	Somlies la Lle	mme		Date	-013
<		downer/Lessee Signature	and S. C. C. S.		Date 29/3	2013
F	landowner in ad	ity and Borough of Juneau staff may dition to the formal consent given at	need access to the subject	property during regular bus	siness hours and will attempt	to contact the
I C	APPLICANT			C statistic leader in	ay visit the property before th	e scheduled public
13	Applicant's Nar	Sama	WER, write SAME' and s	Contact Per	son: Work Pho	
L CK	Mailing Address	Same		Home Phone		
	E-mail Address	same			ct Phone Number(s):	Jer.
	x //	In Vicha	1/			
l	Applic	ant's Signature			4/20120	13
		OFF	ICE USE ONLY BELOV	W THIS LINE	Date of Application	- A Construction of the Co
	Building	/Grading		ente Russivad	Application wi	Walker State of the second
	City/Stat					
S	Induity C	ase In Lieu, Letter of ZC, Use Not List				
PPROVAL	winning C.	ase II, Large, Rural, Extraction, Explo	The second se			
2	(If mo	roval vie than one, fill in all applicable r	the second se			
R I	(Mino	on r. Major PHD St Vacation St No.		-		
4	Mobil	e Home Parks, Accessory Aparto		572/13	14=13-E11	
A	(De M	Case inimis and all other Variance case	the state of the s		-1-12 16	
	Wetlands Perm Zone Char					
AL	Zone Char Applic Other		- 20 -			
is -	(Desci	ibe)	blic Notice Sign Form fi	Ind out and in the file		
) ∦	Comments:					LARO DIMETSIA
			Attachm	ent 1		
TT. DEVE		T APPLICATION FORMS MUST	ACCOMPANY ALL OTH			

NOTE: DEVELOPMENT PERMIT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATIONS I:\FORMS\2010 Abolications Revised November 2009

Section H, Item 4.

Attachment A - Application Packet

ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

Project Number	Project Name (1	5 characters)		Case Num		Date Received
TYPE OF ALLOWAB	LE OR CON	DITIONAL USE PL	ERMIT REQUES		11. N.L.F.	
	essory Apartm	(	_	Right-of-Way	(AD)	₩)
Use	Listed in §49.2 ble of Permiss	5.300 (USE)			·	2
	3	Permissible Uses Ca	tegory:			
***An Accessory Apartment	t Application wi	Il also be required.			1 A 4	
NEEDED. NEEDED. AS-bui 1. NO CBT 9.91 bu	JECTFORD 14 SUP SIDDUAL	6	vered 3	su en	croach const	ment
IS THIS A MODIFICAT	TION OF AN	EXISTING APPRO	OVAL?	NO Y	ES – Case #	
CURRENT USE OF LA		LDING(S): <u>N</u> top of	1950 91 above	Poure side	D cong	creation rete
PROPOSED USE OF I	AND OR BU	JILDING(S):	ecreation	MOON	and c	javage.
		the second se				
JTILITIES PROPOSEL		rER: Public	On Site	SEWER:	Public	On Site
JTILITIES PROPOSEL SITE AND BUILDING S Total Area of Lot Total Area of Propose EXTERNAL LIGHTING Existing to remain	SPECIFICS: 5000 sed Structure(s)	square feet	Total Area of Existin	ng Structure(s)	. <u> </u>	square feet
Total Area of Lot Total Area of Propos COTERNAL LIGHTING Existing to remain Proposed	Specifics:           5000           sed Structure(s)           :         3000           Inclusion           No           No	square feet 200_sq affacha Yes - Provide fixt	Total Area of Existir uare feet O ture information, cut	off sheets, and	location of light	square feet
Total Area of Lot Total Area of Propose COTERNAL LIGHTING Existing to remain Proposed COJECT NARRATIVE Site Plan Floor Plan of proposed	SPECIFICS: 5000 sed Structure(s) No No AND SUBI oposed building of existing and p	square feet 200_sq affacha Yes - Provide fixt ITTAL CHECKLI	Total Area of Existin uare feet ure information, cut ture information, cut <b>ST:</b>	off sheets, and off sheets, and off sheets, and sting and propositing and propositions) and propositions and	location of light location of light sed parking are oposed traffic c eatures of the s	square feet ting fixtures ting fixtures vas (including circulation
Total Area of Lot Total Area of Propose COTERNAL LIGHTING Existing to remain Proposed COJECT NARRATIVE Site Plan Floor Plan of pro Elevation view of Proposed Veget or more information re ermitting process and th quired for a complete	SPECIFICS: 5000 sed Structure(s) sed Structure(s) No No AND SUBIN poposed building of existing and p tative Cover garding the e submittals application,	square feet 200_sq a-flacha Yes – Provide fixt ITTAL CHECKLI s	Total Area of Existin uare feet uure information, cut ture information, cut ST: Exis dim Exis hab	off sheets, and off sheets, and off sheets, and sting and propos ensions) and pr	location of light location of light sed parking are oposed traffic c eatures of the s	square feet ting fixtures ting fixtures vas (including circulation
Total Area of Lot Total Area of Lot Total Area of Propose COTERNAL LIGHTING Existing to remain Proposed COJECT NARRATIVE Site Plan Elevation view of Proposed Veget or more information re ermitting process and th	SPECIFICS: 5000 sed Structure(s) sed Structure(s) No No AND SUBIN poposed building of existing and p tative Cover garding the e submittals application,	square feet 200_sq a flacha Yes - Provide fixt Yes - Provide fixt TTTAL CHECKLI	Total Area of Existin uare feet uure information, cut ture information, cut ture information, cut ST: Exis dim Exis hab	off sheets, and off sheets, and off sheets, and ting and propo- ensions) and pr ting Physical F tat, hazard area	location of light location of light sed parking are oposed traffic o eatures of the s as, etc.)	square feet ting fixtures ting fixtures eas (including circulation site (drainage,
Total Area of Lot Total Area of Propose COTERNAL LIGHTING Existing to remain Proposed COJECT NARRATIVE Site Plan Floor Plan of pro Elevation view of Proposed Veget or more information re ermitting process and th quired for a complete	SPECIFICS: 5000 sed Structure(s) Sed Structure(s) No No Sed Structure(s) No Sed Structure(s) No Sed Structure(s) No Sed Structure(s) No Sed Structure(s) No Sed Structure(s) No Sed Structure(s) No Sed Structure(s) Sed Structur	square feet 200 sq a flacha Yes - Provide fixi Yes - Provide fixi ITTAL CHECKLI s roposed buildings ALLOWABLE/CONDIT Application Fees Admin. of Guarantee	Total Area of Existin uare feet uure information, cut ture information, cut ST: Exis dim Exis hab	off sheets, and off sheets, and off sheets, and ting and propo- ensions) and pr ting Physical F tat, hazard area	location of light location of light sed parking are oposed traffic o eatures of the s as, etc.)	square feet ting fixtures ting fixtures eas (including circulation site (drainage,

#### **Conditional Use Permit application – Narrative and Attachments**

#### Putman/Homme 114 E. 6th Street : CU Application Addendum

A 10'X 20' greenhouse structure was built on top of an existing concrete garage. (Bld. Permit # 2009-00103) The preexisting garage was constructed in approximately 1950. The concrete garage was constructed to the edge of the sidewalk on 6<sup>th</sup> Street and has been a grandfathered structure for the past 60 years.

The new greenhouse structure was built on back half of the 20'X20' garage roof. The greenhouse used the same footprint as the garage, which is slightly out of square. A subsequent as-built survey found that one corner of the new structure was not the full 10 feet back from the sidewalk edge. The SW corner of the roof eave encroaches 3 inches into the 10 foot setback. This is an overhanging eave and not part of the interior of the greenhouse building. The remainder of the greenhouse structure is behind the 10 foot setback. However, because of the overhanging eave, the SW corner of the greenhouse is 9'9" from the CBJ sidewalk.

A Conditional Use permit is required for the 3"encroachment into the 10 foot setback requirement. It is my request that this CU permit be granted to permit this encroachment. There is no impact on the public sidewalk below or any utility conflicts.

#### NE Corner of greenhouse

In addition to the overhanging eave, the As-built Survey determined that the Northeast corner of the garage/greenhouse encroaches into setback requirements with the adjoining lot. The NE corner of the garage footprint (circa 1950) extends into the side yard setback approximately 3 inches.

This encroachment occurs on the NE corner of both the garage and greenhouse structures. The remaining portion of the east side of the garage and greenhouse Structure does not protrude into the 5 foot setback. In this 20 foot span only the last five feet of the structures protrude into the setback. That is because the garage is square to the street but not square to the property line thus causing a side yard setback issue.

#### Property Values and Neighborhood Harmony

The addition and slight CBJ encroachment will not decrease the value of surrounding properties. The greenhouse was designed by Northwind Architects LLC, to have the same architectural style as the main home and preexisting Garage on the property. This blend of colors and building design allows the Greenhouse to complement the existing buildings and as a result, blends well with the neighborhood. The structure does

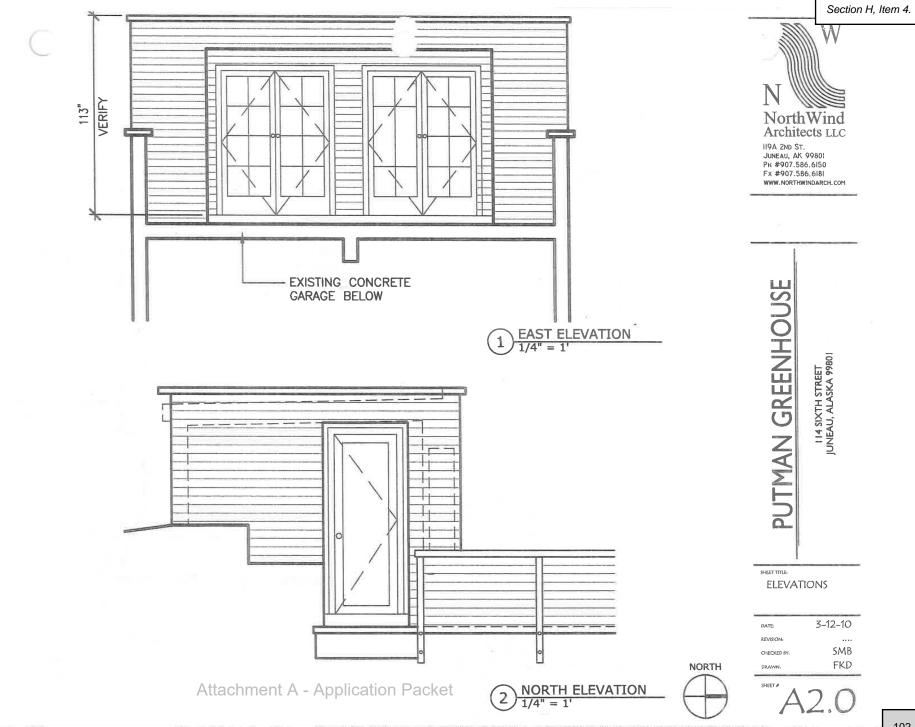
not affect any neighbor's light, air or views. (Note that the Lot 3 eastside neighbor has provided an Easement Agreement for the Variance application.)

- **A.** As-Built Survey, Site Plan, Elevation View, 3-page Floor Plan <u>attached</u> Easement Agreement by east neighbor, also for related variance, <u>attached</u>
- **B.** There are No Parking issues with this application.
- C. There are No Traffic issues with this application.
- **D.** There is Lighting on the exterior of the structure. This exterior lighting is 'recessed up under the eaves so there is no light pollution from the structure.

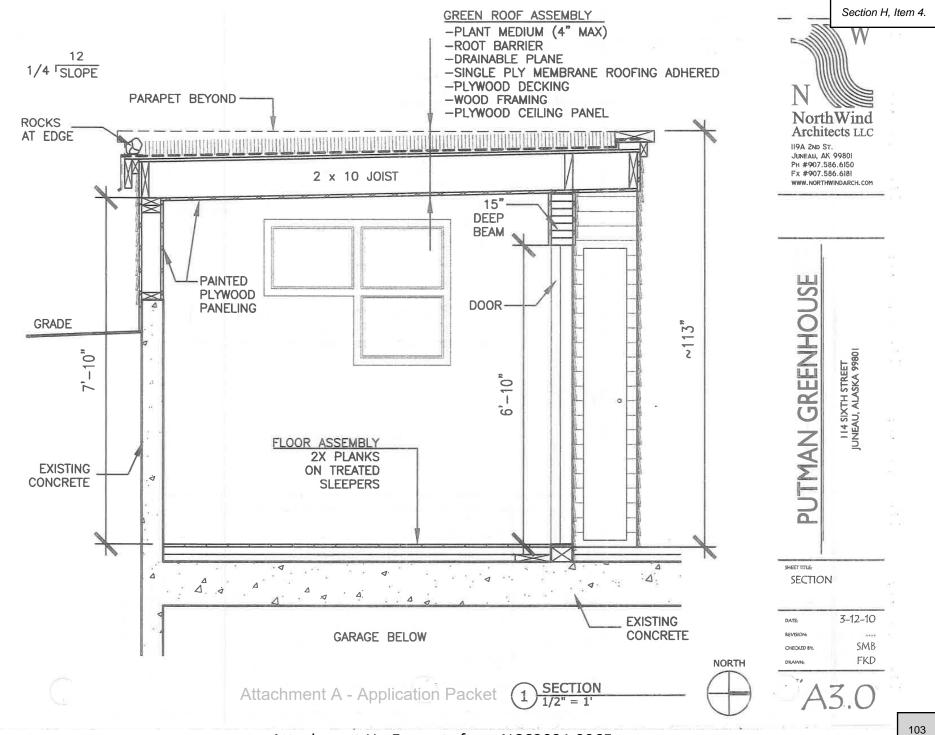
<u>Exterior Lighting</u>: Two exterior lights were incorporated into the greenhouse structure. One light is located on the alcove ceiling above the west facing entrance. This main entrance has a single door recessed into the structure 3 feet. This door setback is to both protect the door and match the garage architecture below. Above this door on the ceiling is an entrance light, placed there to both protect the light and minimize light intrusion outside. This door entry light has achieved those desired results.

A second exterior light is on the south side of the greenhouse, under the overhanging front eave. This also protects the fixture from the weather and minimizes light intrusion. Light is confined to the front deck of the garage roof and does not shed light on 6<sup>th</sup> Street or the sidewalk below. This exterior light has achieved the desired results of both protection and light shading.

E. Natural vegetation remains between Lot 2 and Lot 3; lilacs, Sitka Rose bushes and Hawthorn trees separate the two. This set of trees and shrubs creates a visual screen between properties and between the greenhouse and the neighbor's home on Lot 3. On the west side of the structure there is large flower garden.
F. The property is a Steep Hillside. That presents some challenges to development of the lot. However, the steep terrain has no impact on the greenhouse structure because it was built atop the existing poured concrete garage, as the foundation.



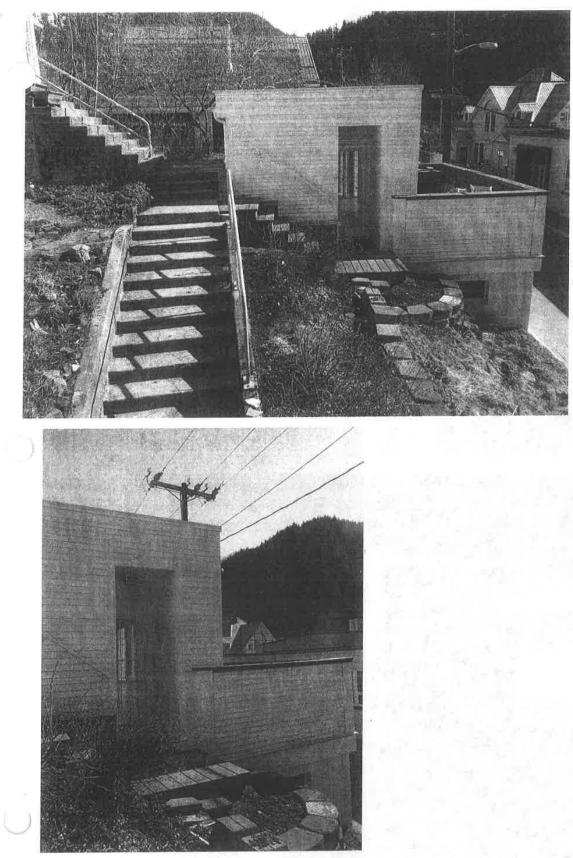
Attachment H - Excerpts from NCC2021 0065



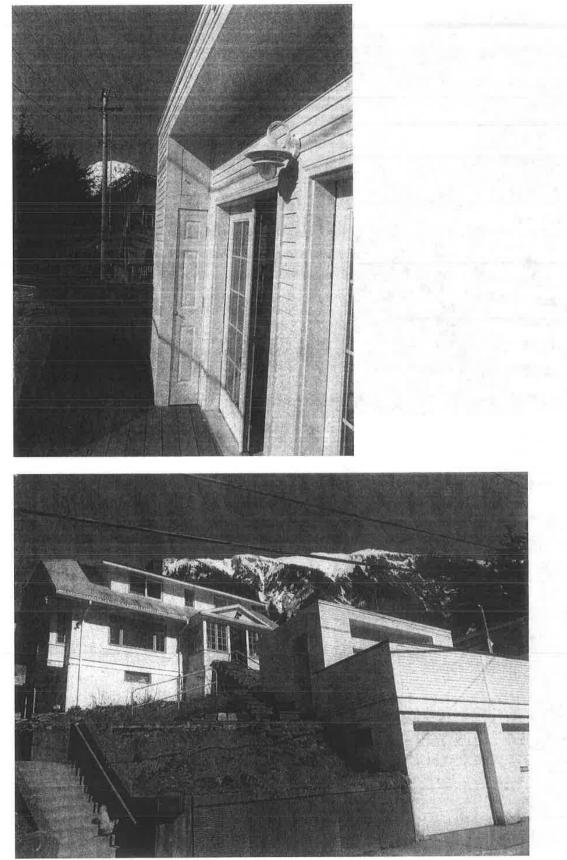
Attachment H - Excerpts from NCC2021 0065

Section H, Item 4.



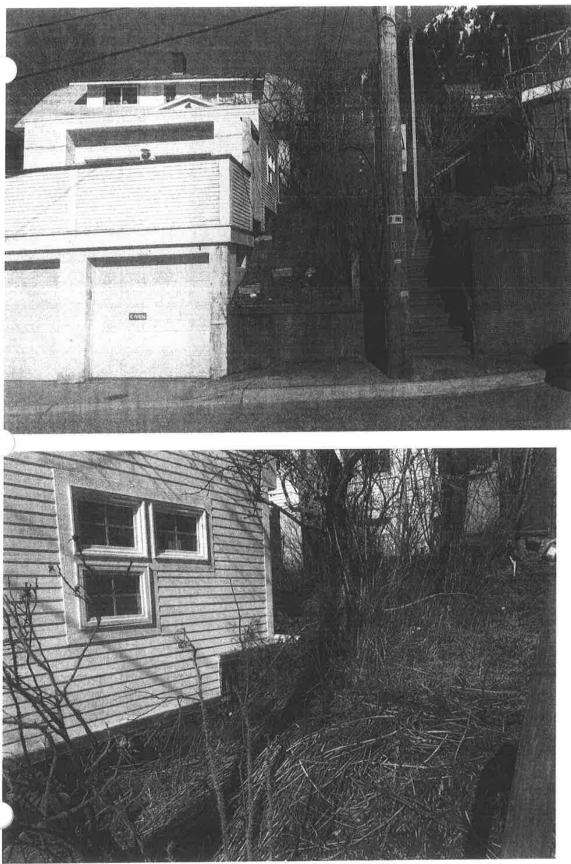


Attachment 6



**Attachment 6** 

Section H, Item 4.



Attachment A - Application Packet

Attachment 6



**Attachment 6** 

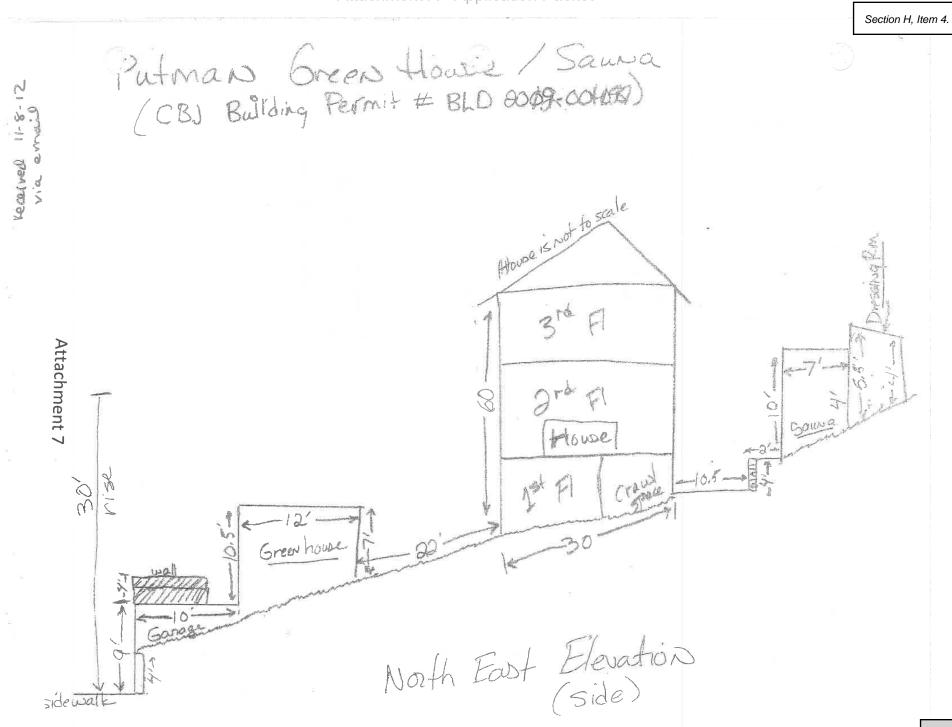
via errall

Section H, Item 4. Putman Greens touse/Sauna (CBJ Brmit # BLD 2008-04153) Northeast Elevation South east (Front) Elevation South East Elevation Greenhouse Б terio Xter Dressing Room 0 N wall 20 Sawna K-4'-END ADD wall Sidewalk

#### Attachment H - Excerpts from NCC2021 0065

108

Attachment A - Application Packet





BOARD OF ADJUSTMENT NOTICE OF DECISION Date: February 6, 2013 File No.: VAR2013 0015

Vance F Putman PO Box 20473 Juneau, AK 99802

Application For:An after-the-fact Variance to reduce the side-yard and rear-yard setbacks<br/>to zero for construction of a sauna.Legal Description:Juneau Townsite Block 29 Lot 2Property Address:114 Sixth Street

Parcel Code No.: 1-C06-0-A29-003-0

Hearing Date: October 22, 2013

The Board of Adjustment, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated October 15, 2013, and approved the Variance to be conducted as described in the project description and project drawings submitted with the application.

Attachment: October 15, 2013 memorandum from Teri Camery, Community Development, to the CBJ Board of Adjustment regarding VAR2013 0015

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

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

Effective Date: The permit is effective upon approval by the Board, October 22, 2013

Expiration Date: The permit will expire 18 months after the effective date, or April 22, 2015 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.

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

Section H, Item 4.

### Attachment A - Application Packet

Vance F Putman File No: VAR2013 0015 October 23, 2013 Page 2 of 2 Project Planner: Teri Camery, Senior Planner Michael Satre, Chair **Planning Commission** Community Development Department Filed With City Clerk Date

cc: Plan Review

5

**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.

# MEMORANDUM

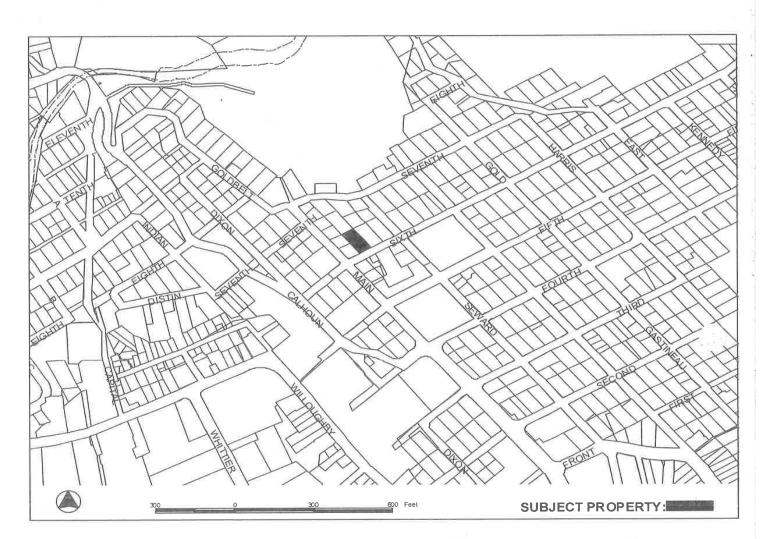
### CITY/BOROUGH OF JUNEAU 155 South Seward Street, Juneau, Alaska 99801

DATE:	October 15, 2013					
TO:	Board of Adjustment					
FROM:	Teri Camery, Senior Planner Community Development Department					
FILE NO.:	VAR2013 0015					
PROPOSAL:	An after-the-fact Variance to reduce the side-yard and rear-yard setbacks to zero for construction of a sauna					
GENERAL INFORMATIC Applicant:	ON Vance F Putman					
Property Owner:	Vance F Putman					
Property Address:	114 Sixth Street					
Legal Description:	Juneau Townsite Block 29 Lot 2					
Parcel Code Number:	1-C06-0-A29-003-0					
Site Size:	4,893 square feet					
Comprehensive Plan Land Use Designation:	Medium Density Residential					
Zoning:	D-18					
Utilities:	CBJ Water and Sewer					
Access:	Sixth Street					
Existing Land Use:	Single-family dwelling					
Surrounding Land Use:	North-D-18 ResidentialSouth-Sixth Street; D-18 ResidentialEast-D-18 ResidentialWest-D-18 Residential					

CITY/BOROUGH OF JUNEAU

Board of Adjustment File No.: VAR2013 0015 October 15, 2013 Page 2 of 7

Vicinity Map



Board of Adjustment File No.: VAR2013 0015 October 15, 2013 Page 3 of 7

### **ATTACHMENTS**

Attachment 1 Development Permit application
Attachment 2 Variance application
Attachment 3 Project Narrative
Attachment 4 Easement Agreement
Attachment 5 Applicant photographs
Attachment 6 Survey
Attachment 7 Additional Building Permit detail and elevations

### **PROJECT DESCRIPTION**

The applicant requests an after-the-fact variance to reduce the five-foot side-yard setback to zero feet, and the 10-foot rear-yard setback to zero-four feet for construction of a sauna in the northwest corner of the lot (see survey, Attachment 6).

Because the sauna is under 120 square feet, the applicant was not required to apply for a building permit when it was first constructed, and therefore did not consider setback requirements. Approximately two years after construction, the applicant added electricity. The addition of electricity triggered the requirement for a building permit. During the building permit review, CDD requested an as-built survey to verify setbacks. The survey indicated that the structure was built to the zero setback line in the side-yard, and extended three inches into the neighboring property, and also encroached to the zero-four foot rear setback line. (The range of the encroachment is due to the angle of the property line.) The structure therefore requires a Variance.

### ANALYSIS

The applicant has provided a detailed project narrative with photographs to explain why the structure was built in the corner of the lot within the setbacks. The lot has a 35 degree slope that shows signs of active erosion. In 2008, the applicant built a buttress to prevent the retaining wall (which was built in the 1950s) from moving downslope. The buttress became the foundation of the sauna. The retaining wall was built next to an old fence, also from the 1950s, which the applicant believed was the property line, and the applicant's intention was to build eight inches from the property line. However both the fence and the original retaining wall are actually located on the adjacent lot. This combination of factors resulted in construction of the building not only at the zero foot setback, but three inches into the neighboring property. The applicant has an easement agreement with the adjacent neighbor which allows use and maintenance of the structure on the property. (Attachment 4)

The applicant discovered the encroachment only after the as-built survey was completed. The applicant states that to remove the structure, he would have to reconstruct the entire buttress foundation as well as the building itself, which could cause further soil erosion. Because of the extreme slope in this neighborhood, the encroachment will not restrict views or light in the area.

Board of Adjustment File No.: VAR2013 0015 October 15, 2013 Page 4 of 7

### Variance Requirements

Under CBJ §49.20.250 where hardship and practical difficulties result from an extraordinary situation or unique physical feature affecting only a specific parcel of property or structures lawfully existing thereon and render it difficult to carry out the provisions of Title 49, the Board of Adjustment may grant a Variance in harmony with the general purpose and intent of Title 49. A Variance may vary any requirement or regulation of Title 49 concerning dimensional and other design standards, but not those concerning the use of land or structures, housing density, lot coverage, or those establishing construction standards. A Variance may be granted after the prescribed hearing and after the Board of Adjustment has determined:

1. That the relaxation applied for or a lesser relaxation specified by the Board of Adjustment would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.

The Variance would allow the owner to retain the already-constructed sauna in the location of the lot that provides a stable foundation on the slope. The Variance is consistent with justice to other property owners, because this neighborhood has many old homes with legally non-conforming structures within setbacks.

### Staff finds that this criterion is met.

# 2. That relief can be granted in such a fashion that the intent of this title will be observed and the public safety and welfare be preserved.

The intent of Title 49 is established in Section 49.05.100 Purpose and Intent. Those sections, which are applicable to the requested variance, are as follows:

- 1) To achieve the goals and objectives and implement the policies of the Juneau Comprehensive Plan and the coastal management program;
- 2) To ensure that future growth and development in the city and borough is in accord with the values of its residents;
- 3) To identify and secure, for present and future residences, the beneficial impacts of growth while minimizing the negative impacts;
- 4) To ensure that future growth is of the appropriate type, design, and location, and is served by a proper range of public services and facilities such as water, sewage, and electrical distribution systems, transportation, schools, parks and other public requirements, and in general to promote public health, safety and general welfare;
- 5) To provide adequate open space for light and air; and
- 6) To recognize the economic value of land and encourage its proper and beneficial use.

Board of Adjustment File No.: VAR2013 0015 October 15, 2013 Page 5 of 7

The proposed Variance meets the intent of Title 49, specifically items 3, 5, and 6, by allowing construction of an accessory structure in the most appropriate location without negatively impacting open space, light, air, or views.

### Staff finds that this criterion is met.

### 3. That the authorization of the Variance will not injure nearby property.

No evidence indicates that authorization of the Variance will injure nearby property. The adjacent property owner has signed an easement allowing the structure to encroach three inches into the adjacent lot, and has also authorized maintenance of the structure. This neighborhood has many non-conforming structures at or near zero setback lines, and because of the steep slope, the encroachment will not affect views.

Staff finds that this criterion is met.

#### 4. That the Variance does not authorize uses not allowed in the district involved.

Personal-use saunas and similar structures are allowed as accessory structures in the D-18 zoning district, therefore the Variance does not authorize uses not allowed in the D-18 district.

Staff finds that this criterion is met.

### 5. That compliance with the existing standards would:

# (A) Unreasonably prevent the owner from using the property for a permissible principal use;

The principal use in the D-18 zoning district is residential development. This use does not specifically include accessory structure such as saunas. Therefore compliance with existing standards would not unreasonably prevent the owner from using the property for a permissible principal use.

#### Staff finds that this sub-criterion is met.

# (B) Unreasonably prevent the owner from using the property in a manner which is consistent as to scale, amenities, appearance or features, with existing development in the neighborhood of the subject property;

Compliance with standards would unreasonably prevent the owner from using the property in a manner consistent with features of existing development in the neighborhood, because this neighborhood has many homes with legally non-conforming structures within setbacks. CBJ Assessor's Office information indicates that the applicant's home was constructed in 1914, which is common for many homes in this area.

Board of Adjustment File No.: VAR2013 0015 October 15, 2013 Page 6 of 7

Staff finds that this sub-criterion is met.

# (C) Be unnecessarily burdensome because unique physical features of the property render compliance with the standards unreasonably expensive;

The subject property and surrounding Sixth Street properties have a slope of 35 degrees, which significantly limits where buildings may be constructed on the property.

### Staff finds that this sub-criterion is met.

or

(D) Because of preexisting nonconforming conditions on the subject parcel the grant of the Variance would not result in a net decrease in overall compliance with the Land Use Code, CBJ Title 49, or the building code, CBJ Title 19, or both.

The subject parcel has a legally non-conforming lot size, legally non-conforming front yard-setbacks for the garage, and a legally non-conforming side-yard setback for the home. A grant of the Variance would therefore not result in a net decrease in overall compliance with the Land Use Code.

Staff finds that this sub-criterion is met.

Because staff finds that sub-criterion 5B, 5C, and 5D have been met, staff finds that this criterion is met.

6. That a grant of the Variance would result in more benefits than detriments to the neighborhood.

A grant of the Variance would allow the sauna to remain where it has been constructed, in the most beneficial location for the property, without causing harm to adjacent residents through restriction of light, air, or views.

This criterion is met.

### **FINDINGS**

### 1. Is the application for the requested Variance complete?

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

Board of Adjustment File No.: VAR2013 0015 October 15, 2013 Page 7 of 7

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

2. Will the proposed development comply with the Juneau Coastal Management Programs?

Not applicable.

3. Does the variance as requested, meet the criteria of Section 49.20.250, Grounds for Variances?

Yes. Staff finds that the Variance meets criteria 1, 2, 3, 4, and 5.

### **RECOMMENDATION**

Based upon the proposed plan (identified in Attachments 1-7) and the findings and conclusions stated above, the Community Development Department Director recommends that the Board of Adjustment approve the request.

		Sectio	on H. Item					
= 6	(Vanance) Attachment A	A - Application Packet						
	DEVELOPMENT PERMIT							
Project	CITY and BOROUGH of .							
City Sta		JUNEAU						
-	Project Description As - built wowen deter	mined savna was	- S. S.					
	built 3" over property line a	ON NW COMEN.	_					
7	PROPERTY LOCATION	City/Zip	A DER					
0	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot)	JUNEAU AK 998	0					
A	Assessor's Parcel Number(s)		_					
B	LANDOWNER/LESSEE							
INFORMATION	Property Owner's Name V Fate Putman and Kimberly Hame Mailing Address	Contact Person: Work Phone: MC F. PUTMAN 321-0773						
-	E-mail Address / 204 73 JUNEAU 9980	2. 321-0773 Fax Number: Other Contact Phone Number(s):						
	LANDOWNER/ LESSEE CONSENT "Required for Planning Permits in	Other Contact Phone Number(s): 463-4975(W) not needed on Building/ Engineering Permits***	1.00					
	I am (we are) the owner(s)or lessee(s) of the property subject to this application and I (we) A. This application for a land use or activity review for development on my (our) or	) consent as follows:						
NU	B. I (we) grant permission for officials and employees of the City and Borough of J application.	Juneau to inspect my property as needed for purposes of this						
B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes application Landowner/Lessee Signature X. Annuber/Lessee Signature A. Annuber/Le								
A THAT								
Ø.,	NOTICE: The City and Borough of Juneau staff may need access to the subject property di	Date during regular business hours and will attempt to contact the						
5	landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.							
OJEC	APPLICANT If the same as OWNER, while SAME' and sign and date Applicant's Name	Contact Person: Work Phone:						
	Mailing Address	Home Phone: Fax Number:						
	E-mail Address	Other Contact Phone Number(s):						
	x 1/h Mana	4/29/2013						
	Applicant's Signature OFFICE USE ONLY BELOW THIS L	Date of Application						
	Permit Type     Building/Grading	te Received Application Number(s)						
	Permit City/State		_					
S	Project Review and City Land Action Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)							
AL	Mining Case (Small, Large, Rural, Extraction, Exploration)							
101	Sign Approval (If more than one, fill in all applicable permit #'s) Subdivision		_					
PR	(Minor, Major, PUD, St. Vacation, St. Name Change) Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)							
AP	Variance Case (De Minimis and all other Variance case types)	12117 VAR 13-015						
LL LL	Vetlands Permits Zone Change							
STA	Application Other (Describe)		1.					
	(Describe) ***Public Notice Sign Form filled out	t and in the file.	-0					
	Attachment 1							

NOTE: DEVELOPMENT PERMIT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATIONS I:\FORMS\2010 Applications
Revised November 2009 4.

Section H, Item 4.

Attachment A - Application Packet

# VARIANCE APPLICATION

Project Number	Project Name (1	5 characters)		Case Numbe	r	Date Received
				Seter 1	3-015	512113
TYPE OF VARIAN	ICE REQUES	TED:				
Variance Standard	to the Sign d	(VSG)		ariance to Dime Standards	nsional	(VDS)
Variance to Setback		(VHB)	Va	ariance to Parki Requirements	ng	(VPK)
Variance to Require		(VSB)				
DESCRIPTION OF	= ACTIVITY H fachel	/HICH REQUIR	ES A VARIAN	CE:		
Previous Variance	e Application	s? Yes	NO	Date of Fili	ng:	
Previous Case Number(						
Nas the Variance Grant	ted? YES	NO NO				
UNIQUE CHARAC	TERISTICS	OF LAND OR B	UILDING(S): .			
)						
JTILITIES AVAILA	BLE: V	VATER: Public	On Site	SEWER	2: Public	On Site
WHY WOULD A V DWNER?	ARIANCE BE	NEEDED FOR	THIS PROPE	RTY REGAR	DLESS OI	THE
VHAT HARDSHIP	WOULD RES	ULT IF THE VA	ARIANCE WER	RE NOT GRA	NTED?	
	attacha	0				
	CALLINE VVE	Ç4				
or more information ermitting process and		VARIANCE FEES	Fees	Check No.	Receipt	Date
equired for a comple ease see the reverse s	ete application,	Application Fees Adjustment	s_ <u>400</u>			
	1	Aujustment				

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

Para 1 of 2

TO: Board of Adjustment

FR: V. Fate Putman & Kimberly Homme, owners

RE: CBJ Variance Request for 114 E. 6<sup>th</sup> Street, JNU

DATE: April 24, 2013

**1.Description of activity that requires a variance:** 

A sauna and dressing room were built on the NE property corner because of the sloping nature of the hillside. No other reasonable means was available to stop soil erosion from occurring from the up-slope side of the property except the use of retaining walls and buttress structures. The sliding hillside from 7<sup>th</sup> Street has been a continual problem since the 1950's when the first fence and retaining walls were built. Without the retaining walls and buttress structures the soil and debris would continue to erode down the hillside.

The buttress structures were built in 2008 to prevent the 1950's retaining wall from moving further downslope during high moisture periods. These buttresses became the foundation of the sauna & dressing room. Because the sauna and dressing room use both the original retaining wall and subsequent buttress structures as a foundation, based on the 1950 fence line, these buildings encroach on the adjacent property. The encroachment is approximately 3 inches into adjacent Lot 3, according to the As-Built Survey, attached.

### 2. Unique characteristics of land or building:

The unique characteristic of this land is the extreme slope, approximately 35 degrees. This steep slope erodes during high moisture events when the soil becomes saturated. Soil erosion normally occurs in the fall or spring, moving soil and debris such as broken glass and rusty metal down the hillside. Underneath and intermixed into the soils on this slope are layers of garbage from decades of this hillside use as a dump.

### 3. Why a variance would be needed, regardless of the owner:

### Attachment 3

Because of confusion in the 1950's about property lines, initial encroachment by Lot 1 to the west may have caused subsequent encroachment when a fence and retaining wall were constructed on Lot 2 which encroached into the adjoining Lot 3 to the east. Because of the unstable hillside and sliding soils the property corner may have moved. This encroachment was only discovered after the as-built survey was completed last year. The adjoining property owner recognizes the encroachment and has submitted an Easement Agreement to permit encroachment of the adjacent property lines, attached.

### 4. What hardship would result if the variance was not granted?

I would have to re-construct the entire buttress foundation, sauna and changing room to conform to the setback at considerable effort and expense. Removal of the buttress foundation would cause further soil erosion and sliding on this extreme slope.

### 5. How proposed project meets Variance Approval Criteria:

- (1) The buttress foundation is an asset constructed to address a critical soil erosion condition. This buttress and sauna structure facilitates my need for property and soil protection, it adds value to the property, and produces no adverse impacts on my neighbors.
- (2) Intent of title will be observed with no issues of safety or public welfare arising, and is open for inspection by CBJ planners.
- (3)The variance will not injure or impact nearby property or owners. Because of the extreme slope, the property to the north (7<sup>th</sup> Street) is well above the roofline of the sauna. There are no visual impacts with other properties, and the eastern property owner has granted an Easement Agreement (attached).
- (4) There are no proposed uses that are not already authorized in the district, with no commercial activities or additions to zoning density.
- (5) Compliance with existing standards:
  - a) Without a variance, the buttress foundation would need to be moved at considerable expense and effort. This removal would allow the slope to slide, as it has in the past.

b) The buttress foundation and sauna were constructed in 2008 to blend in with the cedar fence and the 1914 main house. As such, they complement the main structure and are a basic amenity. Also, neither foundation nor sauna imposes an adverse visual profile in the neighborhood. The structure is surrounded by dense, steep undergrowth.

c) Because of the unique, steep slope and placement of the original 1950 retaining wall and fence, and the subsequent use of that footprint in 2008 for construction, compliance with existing setback standards would be unreasonably expensive.
(Buttress structures are square boxes filled with soil. They are built down- slope from the retaining wall and are pressed up against the wall to prevent movement. The buttress structures are made from both concrete and treated wood and are used to support the leaning retaining walls. These buttress structures are built adjacent to where the 1950 retaining walls are located. Since the retaining walls are located adjacent to the retaining fence walls and in

- d) Because of pre-existing, non-conforming conditions relative to the retaining wall, fence, buttress foundation and sauna, granting these public and adjoining property line variances would not result in a net decrease in overall compliance with the land use code, Title 49, or the building code, Title 19, or both; and,
- (6) Granting these variances will result in no detriments to the neighborhood. In fact, this structure stops continual soil sliding and is a positive asset for all. This structure and foundation will be well-kept and maintained at all times.

the setback.)

Since the sauna and dressing room are already constructed on top of the Buttress Structure, a variance from the setback requirements is needed for these buildings. The adjoining, east property owner has granted an Easement Agreement that permits access to the structures for repair and maintenance, attached.

### EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT is made this 22<sup>nd</sup> day of October 2012, by and between Richard and Kathy Ward, (hereinafter called "Grantors"), and Fate Putman and Kimberly Homme, (hereinafter called "Grantees").

WITNESSETH:

WHEREAS, Grantee desires the use of the property of Grantor for use as an Easement to maintain the Fence and Shed Outbuilding located primarily on Lot 2, Block 29, Juneau Township and extending partially onto the Northwest corner of Lot 3, Block 29, Juneau Township; and,

WHEREAS, in consideration of \$1.00 and valuable consideration, receipt of which is hereby acknowledged, Grantors is willing to enter into an easement agreement for the use of the property subject to the terms and conditions set forth herein.

NOW, THEREFORE, the parties mutually agree as follows:

1. Grantors hereby grants Grantees an easement to use the following described property: A small section of Lot 3, Block 29, Juneau Township, located in the Northwest corner of the property, adjacent to Lot 2, Block 29, Juneau Township to a distance of two (2) to three (3) feet onto Lot 3 from the edge of the fence and structure to allow for maintenance and repair. (See attached property As-built Survey, Appendix A)

2. This Easement Agreement shall automatically cease upon abandonment, herein defined as nonuse for any six (6) consecutive months, and all interests granted herein shall revert to grantor, or its successor, upon such abandonment.

3. The rights granted to and duties assumed by Grantees under this Easement Agreement may not be assigned or delegated by Grantees without the prior written consent of Grantors. Any attempted assignment or delegation by Grantees without the prior written consent of the Grantors shall be void.

4. This Easement Agreement may be amended from time to time, as may be necessary, by mutual consent of both parties; provided, however, that no amendment to the Easement Agreement shall be effective unless in writing and signed by both parties.

5. Both parties agree that time is of the essence and that time specifications contained herein shall be strictly construed.

6. Both parties represent and warrant that they have the authority to execute this Easement Agreement.

7. All notices referred to in the Easement Agreement shall be sent to the respective parties at the address stated below:

Grantors: KDW/RMM

Grantees: KAH

Attachment 4

Attachment H - Excerpts from NCC2021 0065

Richard and Katherine Ward, Grantors 128 Sixth Street, Juneau, AK 99801

Vance Fate Putman and Kimberly Homme, Grantees 114 Sixth Street, Juneau, AK 99801

DATED this 27 day of octorsion , 2012.

GRANTOR:

RICHARD WARD

STATE OF AL ASIZA

) SS.

FIRST JUDICIAL DISTRICT)

This is to certify that on this 22 day of October, 2012, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared <u>Richard Ward</u> to me known or proved upon adequate evidence to be the person who executed the foregoing instrument and acknowledged to me that he signed it voluntarily for the purposes therein stated.

STATE OF ALASKA OFFICIAL SEAL **Tonie Vonda** (SEAL) NOTARY PUBLIC My Commission Expires 09/01/2015

NOTARY PUBLIC in and for ALASKA My Commission Expires: 9-01-20

DATED this Z2 day of October, 2012.

GRANTOR:

ne Ward KATHERINE WARD

STATE OF ALASKA ) FIRST JUDICIAL DISTRICT )

2

This is to certify that on this  $\mathcal{D}$  day of  $\mathcal{O}$ , 2012, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared <u>Katherine Ward</u> to me known or proved upon adequate evidence to be the person who executed the foregoing instrument and acknowledged to me that she signed it voluntarily for the purposes therein stated.

DATED this 25 day of October, 2012. GRANTEE: VANCE FATE PUTMAN

)



STATE OF ALASKA

) ss.

FIRST JUDICIAL DISTRICT)

STATE OF ALASKA

OFFICIAL SEAL

.) Tonie Vonda NOTARY PUBLIC My Commission Expires 09/01/2018

(SEA

This is to certify that on this 25 day of <u>crober</u>, 2012, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared <u>Vance Fate Putman</u>, to me known or proved upon adequate evidence to be the person who executed the foregoing instrument and acknowledged to me that he signed it voluntarily for the purposes therein stated.

NOTARY BUBLIC in and for ALASKA

My Commission Expires: 9-01-2015

NOTARY PUBLIC in and for ALASKA My Commission Expires: 5/21/14

(SEAL)

DATED this \_\_\_\_\_ day of \_\_\_\_\_\_. 2012-

GRANTEE:

3

Section H, Item 4.

° ₹)

Attachment A - Application Packet

day of November, 2012. DATED this /

GRANTEE:

me KIMBERL Y HOND

)

STATE OF ALASKA

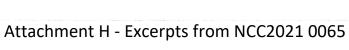
) ss.

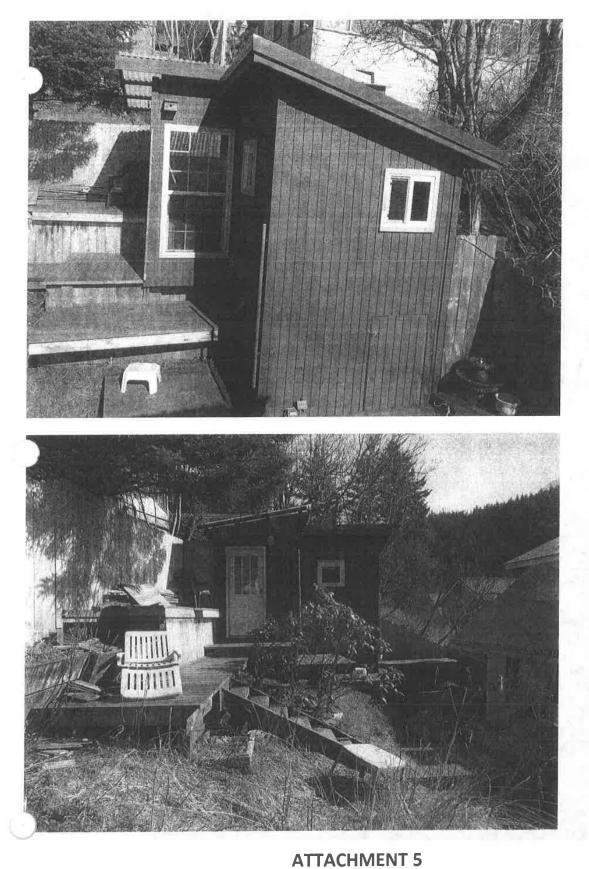
FIRST JUDICIAL DISTRICT)

This is to certify that on this / day of <u>7/Wern(us</u>, 2012, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared <u>Kimberly</u> <u>Homme</u>, to me known or proved upon adequate evidence to be the person who executed the foregoing instrument and acknowledged to me that she signed it voluntarily for the purposes therein stated.

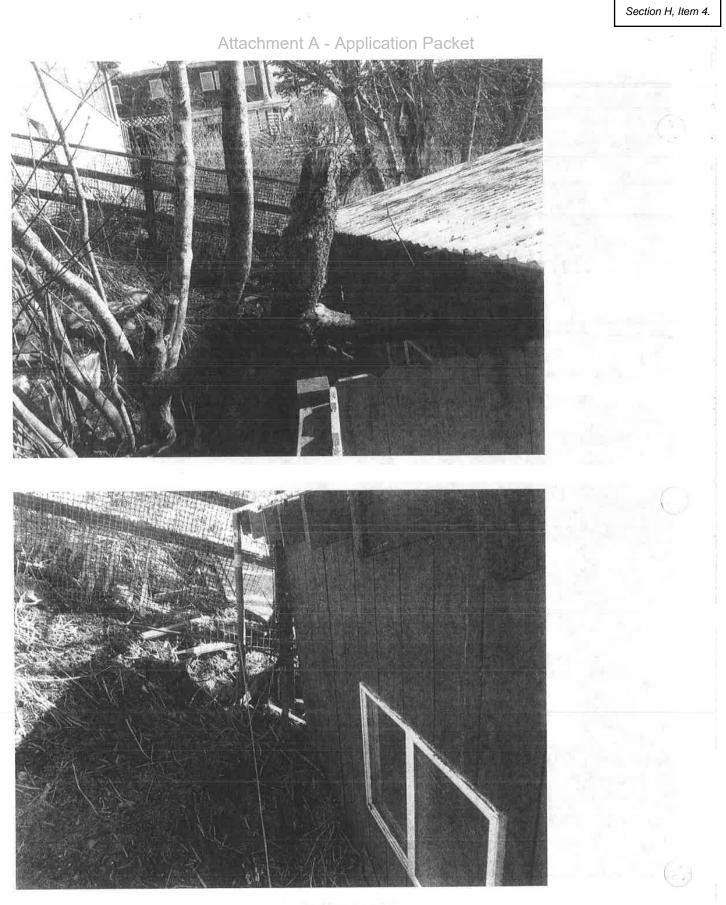
STATE OF ALASKA OFFICIAL SEAL Linda Harris (SEA NOTARY PUBLIC My Commission Expires

NOTARY PUBLIC in and for ALASKA My Commission Expires: 3/9/14/



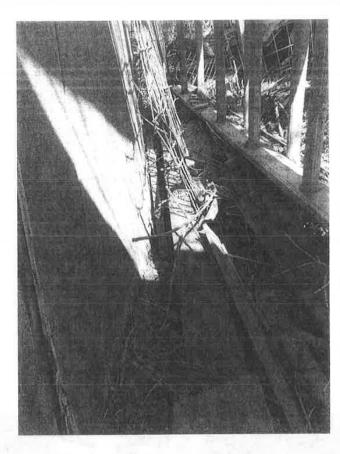


128



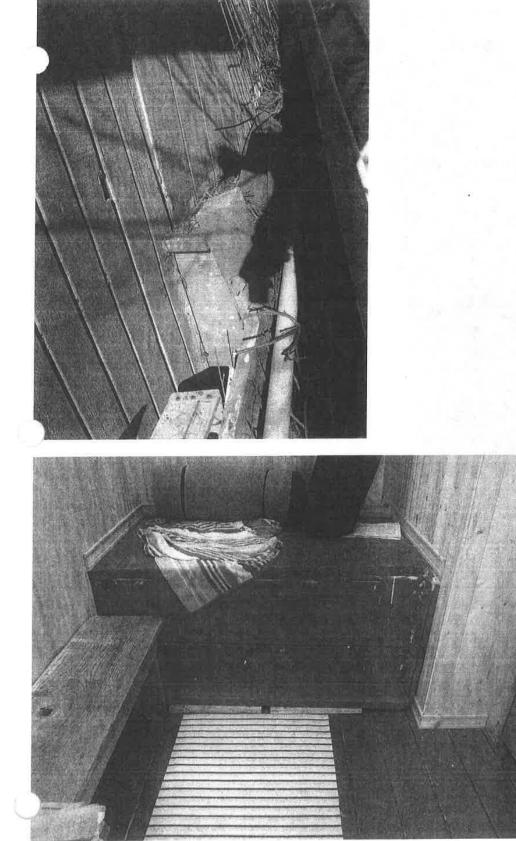


Attachment H - Excerpts from NCC2021 0065

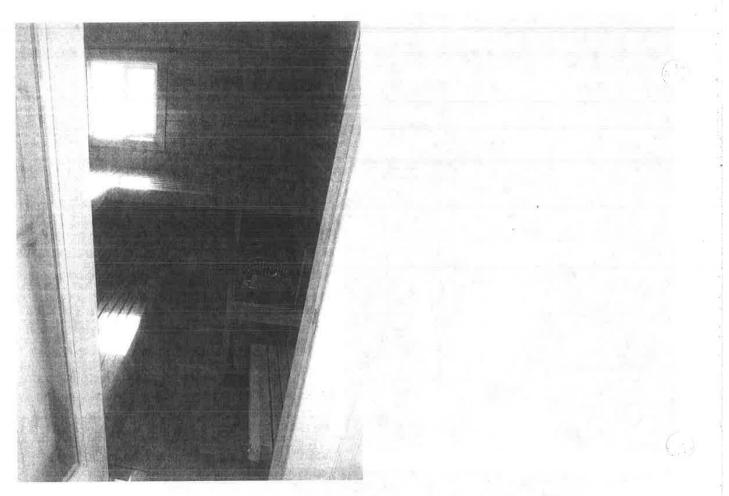


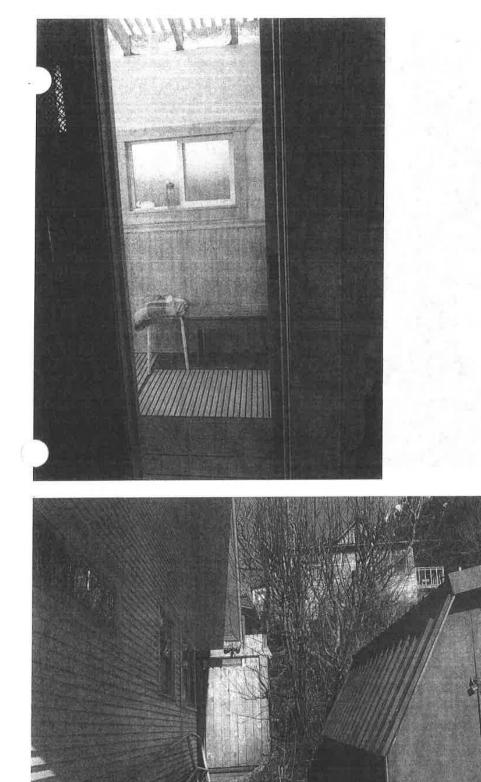
**ATTACHMENT 5** 

Attachment H - Excerpts from NCC2021 0065

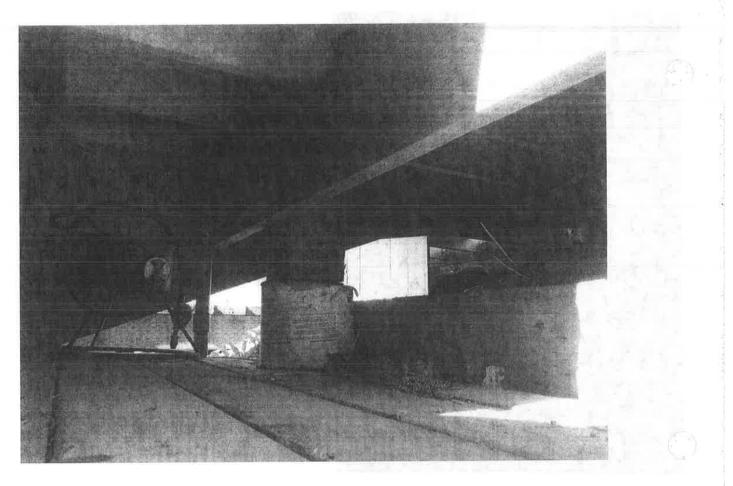


**ATTACHMENT 5** 



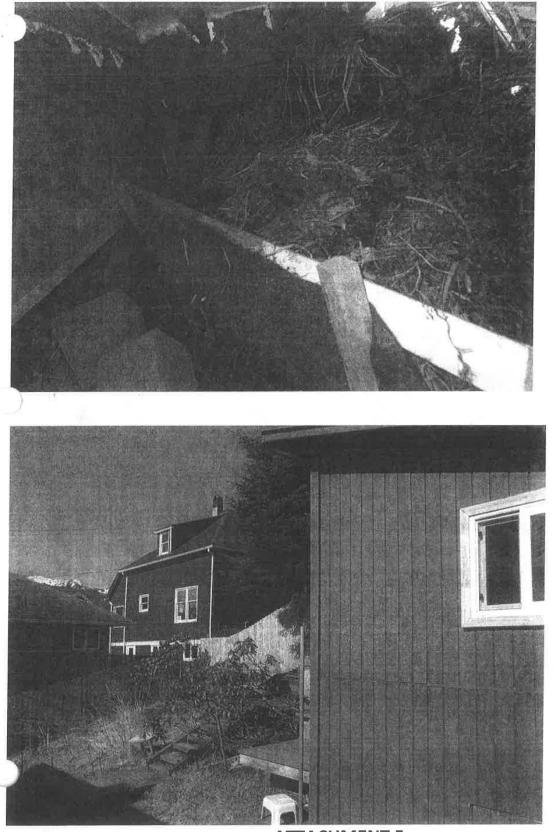


Attachment H - Excerpts from NCC2021 0065



Section H, Item 4.

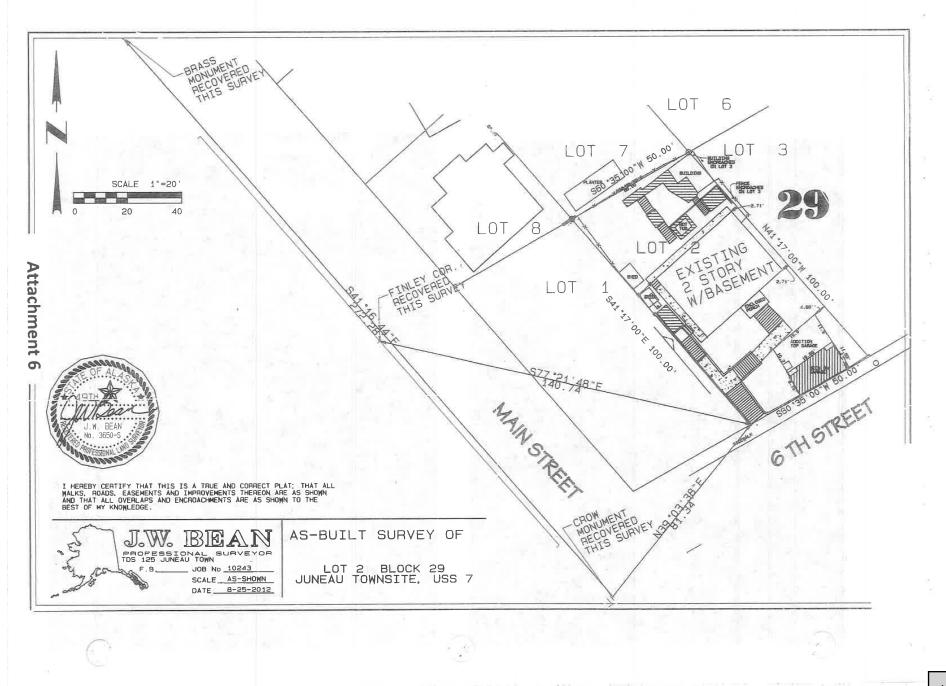
# Attachment A - Application Packet



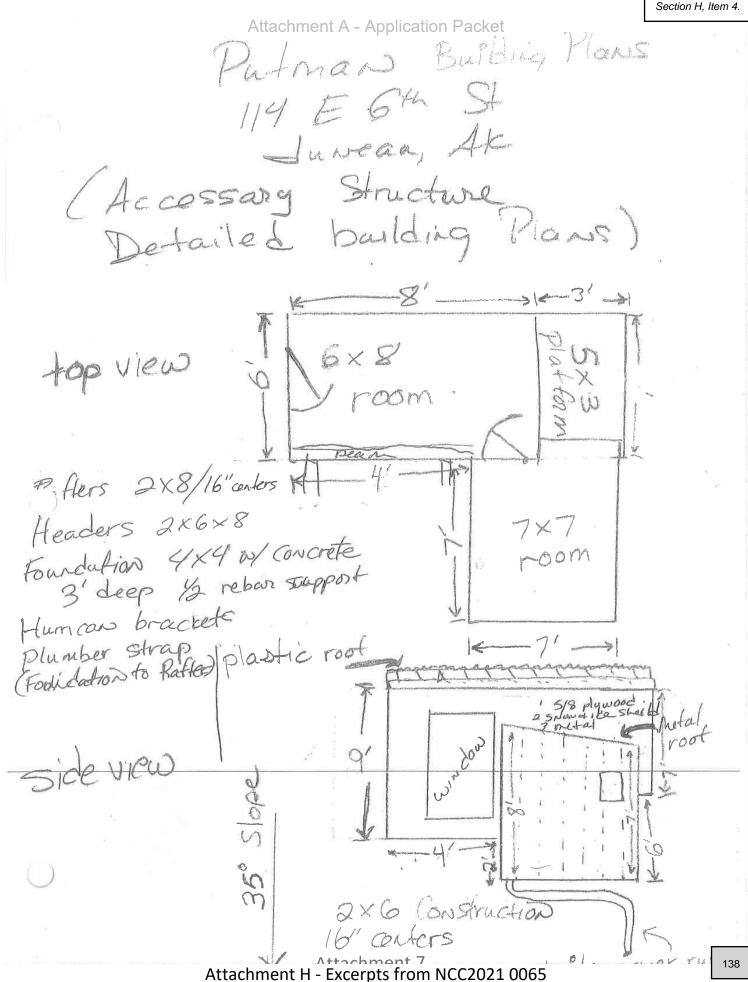
## **ATTACHMENT 5**

Attachment H - Excerpts from NCC2021 0065

Section H, Item 4.



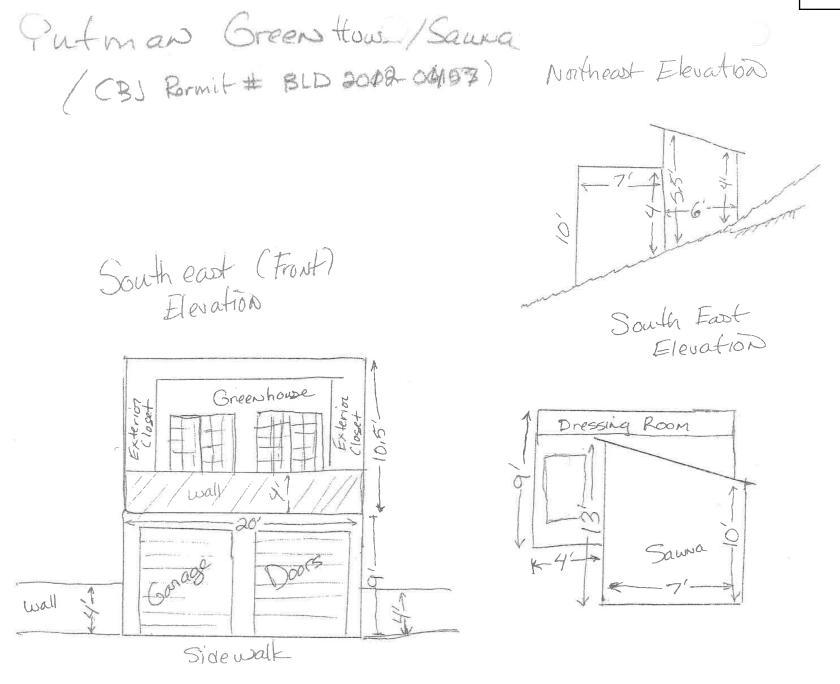
Section H, Item 4.



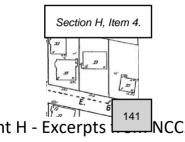
Attachment A - Application Packet Section H, Item 4. Putimans Green House / Sauna (CBJ Building Permit # BLD-2009-004059) via evail Atoune is Not to scale towe 30 Green house North East Elevation. (side) Sidewa

via email

Section H, Item 4.



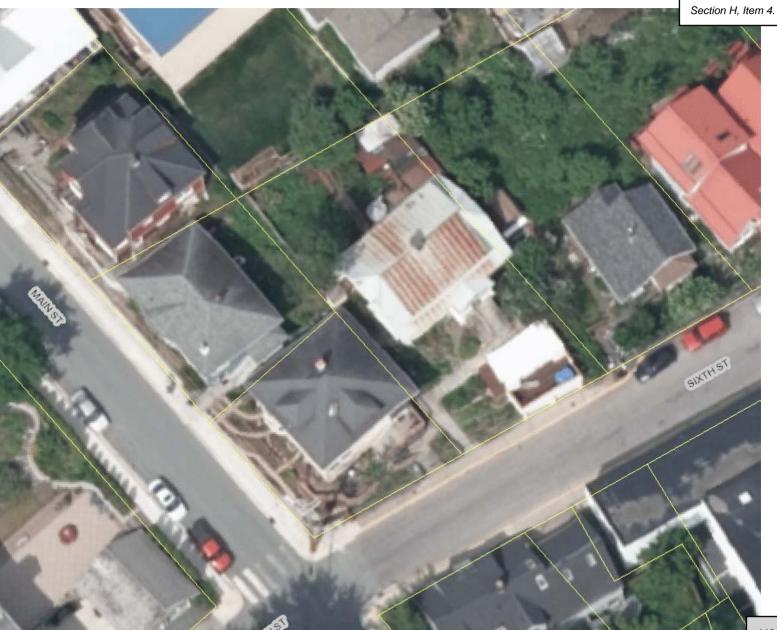
Attachment H - Excerpts from NCC2021 0065

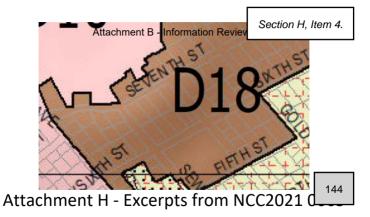


### Attachment B - Information Reviewed



Attachment H - Excerpts from NCC2021 0065







# AFTER RECORDING, RETURN TO:

Caitlin Stern Jessica Barker 114 6th Street Juneau, AK 99801

AETIA 62984

# WARRANTY DEED A.S. 34.15.030

The Grantors, VANCE FATE PUTMAN and KIMBERLY A. HOMME, husband and wife, whose address is PO Box 20473, Juneau, AK 99802, for and in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration in hand paid, the receipt of which is hereby acknowledged, convey and warrant to CAITLIN STERN and JESSICA BARKER, a married couple, as tenants by the entirety with full right of survivorship, Grantees, whose mailing address is 114 6th Street, Juneau, AK 99801, the following-described real estate:

Lot 2, Block 29, Townsite of Juneau, Juneau Recording District, First Judicial District, State of Alaska.

SUBJECT TO reservations, exceptions, easements, covenants, conditions and restrictions of record, if any.

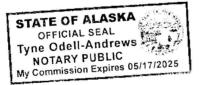
WARRANTY DEED A4350\9594\Warranty Deed Page 1

DATED this day of	Detober, 2021
GRANTORS:	
	VANCE FATE PUTMAN
	Kimberly A. Homme
STATE OF ALASKA	)
FIRST JUDICIAL DISTRICT	) SS.

THIS IS TO CERTIFY that on this <u>I</u> day of <u>OCLOPEN</u>, 2021, before me, the undersigned Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared VANCE FATE PUTMAN and KIMBERLY A. HOMME.

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

Public in and for Alaska 25 Commission Expires: My



WARRANTY DEED A4350\9594\Warranty Deed Page 2



2 of 2 2021-006436-0

# From:Bridget LaPenterTo:Ilsa LundSubject:RE: USE24-05 & PWP24-01 Agency ReviewDate:Monday, April 15, 2024 2:26:53 PMAttachments:image: Ipmg

GE has no issues with the parking waiver. Thanks.

Bridget LaPenter, P.E. | Chief GE EngineerGeneral Engineering Department | City & Borough of Juneau, AKLocation: 230 S. Franklin Street, 4<sup>th</sup> Floor Marine View BuildingOffice: 907.586.0800 ext. 4187Cell: 907.500.4170

From: Ilsa Lund <Ilsa.Lund@juneau.gov> Sent: Tuesday, April 2, 2024 3:06 PM Subject: USE24-05 & PWP24-01 Agency Review

# Hello CBJ Team,

We have received applications from the residents of 114 Sixth St. to build an accessory apartment on top of the existing garage (USE2024 0005), and to waive the minimum required parking for the addition of the accessory dwelling (PWP2024 0001). As part of the review process, we are circulating the application amongst CBJ departments for input that will be provided to the Planning Commission for review.

Attached are the applications. Later this week, you can also find information at the short-term planning web site: <u>https://juneau.org/community-development/short-term-projects</u>

We have the case scheduled for the Planning Commission meeting on May 14th. If you could provide feedback by **April 22, 2024**, that would be very helpful. I've attached an Agency Comment Form for your use.

# Warm regards,

Ilsa Lund | Planner I

<u>Community Development Department</u> | City & Borough of Juneau, AK Location: 230 S. Franklin Street, 3<sup>rd</sup> Floor-Marine View Building Office: 907.586.0753 ext. 4128



Fostering excellence in development for this generation and the next.



(907) 586-0715 CDD\_Admin@juneau.gov www.juneau.org/community-development 155 Heritage Way • Juneau, AK 99801

# **COMMUNITY DEVELOPMENT DEPARTMENT - REQUEST FOR AGENCY COMMENT**

DEPARTMENT: CCFR

STAFF PERSON/TITLE: Theresa Ross, Fire Marshal

DATE: 04/02/2024

APPLICANT: Jessica Barker & Caitlin Stern

**TYPE OF APPLICATION:** Conditional Use (CUP) and Parking Waiver (PWP)

# **PROJECT DESCRIPTION:**

The applicants are requesting a CUP to construct a 430 sq. ft. accessory dwelling unit (ADU) on top of an existing garage. They are also requesting a PWP for the required one (1) parking space for the ADU. They say they already have two (2) off-street parking spaces and only use one (1).

LEGAL DESCRIPTION: JUENAU TOWNSITE BL 29 LT 2

**PARCEL NUMBER(S):** 1C060A290030

PHYSICAL ADDRESS: 114 Sixth St.

SPECIFIC QUESTIONS FROM PLANNER:

None.

# **AGENCY COMMENTS:**

No concerns from the fire department.

# <section-header>



COMMUNITY DEVELOPMENT 155 Heritage Way Juneau, Alaska 99801

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

то

# **Conditional Use Permit & Parking Waiver applications** have been submitted for consideration and public hearing by the Planning Commission for **an Accessory Apartment** at **114 Sixth Street** in a **D18 zone.**

### **PROJECT INFORMATION:** PLANNING COMMISSION DOCUMENTS: Project Information can be found at: Staff Report expected to be posted May 6, 2024 at https://juneau.org/community-development/short-term-projects https://juneau.org/community-development/planning-commission Find hearing results, meeting minutes, and more here, as well. HEARING DATE & TIME: 7:00 pm, May 14, 2024 Now through April 22 April 23 — noon, May 10 May 15 Comments received during This meeting will be held in person and by remote The results of Comments received during the hearing will this period will be sent to this period will be sent to participation. For remote participation: join the Webinar by Commissioners to read in be posted the Planner, Ilsa Lund, to be visiting https://juneau.zoom.us/j/86939674618 and use the online. preparation for the included as an attachment Webinar ID: 869 3967 4618 OR join by telephone, calling: hearing. in the staff report. 1-253-215-8782 and enter the Webinar ID (above). You may also participate in person in City Hall Assembly Chambers, 155 Heritage Way Juneau, Alaska. FOR DETAILS OR QUESTIONS, Phone: (907)586-0753 ext. 4128 Case No.: USE2024 0005 & PWP2024 0001 Email: pc\_comments@juneau.gov or ilsa.lund@juneau.gov Parcel No.: 1C060A290030 Mail: Community Development, 155 Heritage Way, Juneau AK 99801

Printed April 3, 2024

Attachment K - Abutters Notice and Public Notice Sign Photo



Attachment K - Abutters Notice and Public Notice Sign Photo

From:	Jessie Barker
То:	<u>Ilsa Lund</u>
Cc:	Caitlin Stern
Subject:	Re: Your Public Notice Sign Is Ready!
Date:	Friday, April 26, 2024 3:48:51 PM
Attachments:	image, pring

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

Hi Ilsa,

Please see the attached sign.

Best, Jessie

On Wednesday, April 24, 2024, Ilsa Lund <<u>Ilsa.Lund@juneau.gov</u>> wrote:

Good afternoon!

The public notice sign for your cases USE2024 0005 and PWP2024 0001 is in the permit center, ready for pick-up. The Permit Center is on the 4<sup>th</sup> floor of the Marine View Building at 230 S. Franklin St. You already paid the sign fee when you submitted your application, so all you need to do is pick it up and install it. It needs to be posted by **April 29, 20214**. It must be visible from the right-of-way.

Please email a picture of the posted sign. The email will be used to date stamp the posting.

Let me know if you have any questions.

Kind regards,

Ilsa Lund | Planner I

Community Development Department | City & Borough of Juneau, AK

Location: 230 S. Franklin Street, Marine View Building

Contact of visit the Permit Center on the 4<sup>th</sup> floor for an in-person meeting. 907-568-0715

Office: 907.586.0753 ext. 4128



Fostering excellence in development for this generation and the next.



# PLANNING COMMISSION STAF CONDITIONAL USE PERMIT USE2024 0005 HEARING DATE: MAY 14, 2024

(907) 586-0715 CDD\_Admin@juneau.gov www.juneau.org/community-development 155 Heritage Way • Juneau, AK 99801

# COMMUNITY DEVELOPMENT

**DATE:** May 6, 2024

TO: Mandy Cole, Chair, Planning Commission

BY: Ilsa Lund, Planner I Alsa Lund

THROUGH: Jill Lawhorne, Director, AICP

**PROPOSAL:** Applicant requests a Conditional Use Permit to construct a 430 square foot (sq. ft.) accessory dwelling unit on top of an existing garage in a D18 zoning district.

STAFF RECOMMENDATION: Approval with conditions

# **KEY CONSIDERATIONS FOR REVIEW:**

- This ADU will be constructed on top of an existing structure which complies with infill housing development policies in the Comprehensive Plan.
- This property is certified nonconforming for setbacks (NCC2021 0065), and the addition of the ADU will not aggravate the nonconforming situations.
- A Parking Waiver has been requested.

GENERAL INFORMATION		
Property Owner	Caitlin Stern; Jessica Barker	
Applicant	Caitlin Stern; Jessica Barker	
Property Address	114 Sixth Street	
Legal Description	JUNEAU TOWNSITE BL 29 LT 2	
Parcel Number	1C060A290030	
Zoning	D18 (Multi-Family)	
Land Use Designation	Medium Density Residential (MDR)	
Lot Size	5,000 sq. ft.	
Water/Sewer	City & Borough of Juneau	
Access	Sixth Street	
Existing Land Use	Residential	
<b>Associated Applications</b>	PWP2024 0001	

# **ALTERNATIVE ACTIONS:**

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

# ASSEMBLY ACTION REQUIRED:

Assembly action is not required for this permit.

# **STANDARD OF REVIEW:**

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
  - o **49.15.330**
  - 49.25.430(4)(m)
  - o **49.25.510**
  - o **49.80**

Jessica Barker File No: USE2024 0005 May 6, 2024 Page 2 of 8

**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.

# SITE FEATURES AND ZONING



# **BACKGROUND INFORMATION**

**Project Description** – The applicants request a Conditional Use Permit (CUP) to construct a 430 sq. ft. accessory dwelling unit (ADU) on top of an existing garage in a D18 zoning district (Attachment A).

According to CBJ 49.25.510(k)(2)(G)(ii), efficiency or one-bedroom accessory apartments under 600 sq. ft. are allowed in a multi-family zoning district, if the primary use of the lot is a single-family dwelling, with a Conditional Use Permit. In conjunction with this permit, the applicants have also applied for a Parking Waiver to waive one (1) required parking space for the ADU (PWP2024 0001).

F. C. States	
120-00-00-00-00-00-00-00-00-00-00-00-00-0	

SURROUNDING ZONING AND LAND USES		
North (D18)	Residential	
South (MU)	Residential	
East (D18)	Residential	
West (D10)	Residential	

SITE FEATURES				
No				
No				
No				
Yes				
No				
No				
No				
Mining & Exploration				
Surface Activities				
Exclusion District;				
Urban/Rural Mining				
District; Downtown				
Juneau Alternative				
Development Overlay				
District				

Jessica Barker File No: USE2024 0005 May 6, 2024 Page 3 of 8

Year	ltem	Summary
1914	Plat	Juneau Townsite plat of the original Block 29, Lot 2 (Attachment B).
1914	Assessor Record	Date that the structure was built (Attachment C).
1927	Sanborn Map	Shows the primary dwelling structure existed in its current footprint and
		location prior to zoning being adopted in Juneau (Attachment D).
2009	<b>Building Permit</b>	Detached greenhouse over garage (Attachment E).
2012	As-Built Survey	Shows footprints of existing structures (Attachment F).
2013	CUP	USE2013 0016 after-the-fact CUP for greenhouse over garage. Establishes that
		the garage was constructed in the 1950s, prior to zoning (Attachment G).
2021	NCC	Nonconforming certification (NCC2021 0065) for setbacks (Attachment H).
2021	Warranty Deed	Transfer of ownership from Putman-Homme to Stern-Baker (Attachment I).
2023	PAC Report	Preapplication conference report for ADU over garage and parking waiver (Attachment A).

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

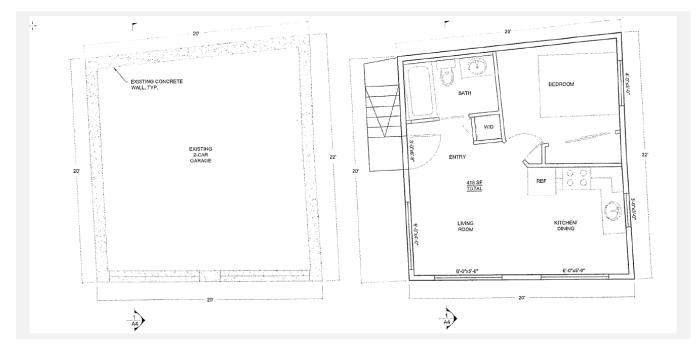
# ZONING REQUIREMENTS

Standard		Requirement	Existing	Code Reference	
Lot Size		5,000 sq. ft.	5,000 sq. ft.	CBJ 49.25.400	
	Width	50 ft.	50 ft.	CBJ 49.25.400	
Setbacks	Front	20 ft.	0 ft*	CBJ 49.25.400	
	Rear	10 ft.	50 ft.	CBJ 49.25.400	
	Side (E)	5 ft.	2.71 ft* house / 4.69	CBJ 49.25.400	
			ft.* garage		
	Side (W)	5 ft. ~9 ft.		CBJ 49.25.400	
Street Side		N/A	N/A	CBJ 49.25.400	
Lot Coverage Maximum		50%	~37%	CBJ 49.25.400	
Vegetative Cover Minimum		30%	~32%	CBJ 49.50.300	
Height	Permissible	35 ft.	2-story with daylight basement	CBJ 49.25.400	
Accessory		25 ft.	2-story	CBJ 49.25.400	
Maximum Dwelling Units (18/Acre)		1	1	CBJ 49.25.500	
Use		Residential	Residential	CBJ 49.50.300	
Parking		2- SFD, 1 ADU	2	CBJ 49.40.210(a)	

\*Certified nonconforming (NCC2021 0065).

Jessica Barker File No: USE2024 0005 May 6, 2024 Page 4 of 8

# **FLOOR PLAN**



# **ANALYSIS**

**Project Site** – The lot is located in the northern area of the Juneau Townsite historic district just off of Main Street and contains a two-story, single-family dwelling with a daylight basement built on a steep lot with a slope of approximately 31%. The 2-car garage is directly adjacent to the sidewalk on the southeast corner of the lot. The structures were built prior to zoning requirements and are certified nonconforming for setbacks (Attachment H).

**Project Design** – The proposed one bedroom accessory apartment measures approximately 430 sq. ft. and will have one (1) bathroom, and a combined kitchen/living area. The ADU will be located on top of the existing 2-car garage and will not aggravate the existing nonconforming yard setback situation. The preexisting greenhouse (Attachment E) will be removed and replaced with the ADU.

**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	9.52
Accessory Apartment	1	6.65	6.65
		Total ADTs:	16.17

Jessica Barker File No: USE2024 0005 May 6, 2024 Page 5 of 8

**Vehicle Parking & Circulation** –According to CBJ 49.40.210(a), one (1) additional off-street parking space is required for the proposed accessory apartment. The applicants have applied for a parking waiver of one (1) off-street parking space (PWP2024-0001). In their application, the applicants explained that they only utilize one (1) of the spaces in the 2-car garage, and the second space would be designated for the occupant of the ADU. 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 PWP2024-0001.

# Condition: Prior to issuance of a building permit, 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 existing footprint of the garage.

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.

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.

Jessica Barker File No: USE2024 0005 May 6, 2024 Page 6 of 8

# **AGENCY REVIEW**

CDD conducted an agency review comment period between April 2, 2024, and April 22, 2024, and received the following responses:

Agency	Summary
Alaska Electric Light and Power	More specific measurements are needed to verify the separation between the finished elevation of the proposed ADU and the adjacent utility conductor.
Building Division	No comment submitted.
General Engineering	No comment submitted.
Capital City Fire and Rescue	No concerns.

Condition: Prior to the issuance of a building permit, finalized plans for the accessory apartment demonstrating compliance with utility setbacks must be submitted to CDD.

# PUBLIC COMMENTS

CDD conducted a public comment period between April 5, 2024, and April 22, 2024. Public notice was mailed to property owners within 500 feet of the proposed development. A public notice sign was also posted on-site two weeks prior to the scheduled hearing. No public comment was submitted at the time of writing this report.

# **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</i> <i>Residential – Single Family</i> land use designation; this land use designation allows single-family dwellings with accessory apartments.

PLAN	Chapter	Page No.	ltem	Summary
2016 Housing Action	2	35	Production	Creates additional housing, which
Plan			Targets	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 on top of an existing, certified nonconforming detached accessory structure. 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.

# 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 the development of an accessory apartment on a certified nonconforming structure in a D18 zoning district.

The approval is subject to the following conditions:

- 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.
- 2. Prior to the issuance of a building permit, finalized plans for the accessory apartment demonstrating compliance with utility setbacks must be submitted to CDD.

ltem	Description
Attachment A	Application Packet
Attachment B	1914 Plat of Juneau Townsite
Attachment C	Assessor's Records
Attachment D	1927 Juneau Sanborn Map
Attachment E	2009 Building Permit for detached greenhouse
Attachment F	2012 As-built Survey
Attachment G	2013 Conditional Use Permit for greenhouse (after-the-fact)
Attachment H	2021 Nonconforming Certification
Attachment I	2021 Warranty Deed- Transfer to current owners
Attachment J	Abutters Notice and Public Notice Sign Photo
Attachment K	Agency Comments

# STAFF REPORT ATTACHMENTS



# **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.

	「空間を目的ないというの	PERTY LOCATION								
	Physic	Physical Address 114 6th St, Juneau, AK 99801								
	Legal	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) Lot 2, Block 29, Juneau Townsite								
	Parce	Parcel Number(s) 1C060A290030								
		This property is located in the downtown historic dist This property is located in a mapped hazard area, if so								
	LAND	DOWNER/LESSEE								
	Prope	<sup>rty Owner</sup> Jessica Barker & Caitlin Stern	Contact Person Jessic	a Barker						
	Mailir	<sup>ng Address</sup> 114 6th St, Juneau, AK 99801		Phone Number(s) 907-419-0663						
	E-mail	Address jessiebarker@gmail.com, caitlin.s	tern@gmail.com	907-713-7458						
	LAND	OWNER/ LESSEE CONSENT								
nt	Conse	red for Planning Permits, not needed on Building/ Engineering Perm ent is required of all landowners/ lessees. If submitted with the app le the property location, landowner/ lessee's printed name, signatu	lication, alternative written ap	proval may be sufficient. Written approval must						
completed by Applicant	A. TI	we are) the owner(s)or lessee(s) of the property subject to this app his application for a land use or activity review for development on (we) grant permission for the City and Borough of Juneau officials/er	my (our) property is made with	my complete understanding and permission.						
		Jessica Barker	Landowner							
dmo		Landowner/Lessee (Printed Name)	Title (e.g.: Landowner, Lesse	e)						
To be c	v	J-\$-		30 Jan 2024						
	X	Landowner/Lessee (Signature)		Date						
		Caitlin Stern	Landowner							
		Landowner/Lessee (Printed Name)	Title (e.g.: Landowner, Lesse	e)						
	x	Caitlin Stern		30 Jan 2024						
		Landowner/Lessee (Signature)		Date						
	conta	CE: The City and Borough of Juneau staff may need access to the sub ct you in advance, but may need to access the property in your absenc nission may visit the property before a scheduled public hearing dat	e and in accordance with the co							
		104417								
	Applica	ant (Printed Name) SAME	Contact Person							
		g Address		Phone Number(s)						
	E-mail	Address								
	x									
		Applicant's Signature		Date of Application						
		DEPARTMENT USE O	NLY BELOW THIS LINE							
				-PC						
NCC	OMPLE	ETE APPLICATIONS WILL NOT BE ACCEPTED	Case Number	Date Received						
or a	ssistan	nce filling out this form, contact the Permit Center at 5	886-0770. USE	24-005 2/13/24						
RMS\PL	ANFORM\	DPA_Final Draft.docx	L	Updated 6/2022– Page 1 o						

JUNLAU	PPLICATION rding the permitting process and the materials
see reverse side for more information regar required for a complete application.	oing the permitting process and the materials
COMMUNITY DEVELOPMENT NOTE: Must be accompanied by a DEVE	ELOPMENT PERMIT APPLICATION form.
PROJECT SUMMARY	
Construct 430 sq ft accessory dwelling unit on top of existing g	garage.
TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED	
Accessory Apartment – Accessory Apartment Application (AAP)	
Vuse Listed in 49.25.300 – Table of Permissible Uses (USE)	Accessory Amortment
Table of Permissible Uses Category: USE 1.130, Single-Family Detached with an	
IS THIS A MODIFICATION OF EXTENSION OF AN EXISTING APPROVAL?	YES – Case # NO
UTILITIES PROPOSED WATER: V Public On Site SEWER	R: V Public On Site
SITE AND BUILDING SPECIFICS	
Total Area of Lot 5000 square feet Total Area of Existing Struct	square feet
Total Area of Proposed Structure(s) 430square feet	
EXTERNAL LIGHTING Existing to remain V No Yes – Provide fixture information, cu	itoff sheets, and location of lighting fixtures
EXTERNAL LIGHTING         Existing to remain       V       No       Yes – Provide fixture information, cu         Proposed       V       No       Yes – Provide fixture information, cu	utoff sheets, and location of lighting fixtures
EXTERNAL LIGHTING Existing to remain V No Yes – Provide fixture information, cu Proposed V No Yes – Provide fixture information, cu ALL REQUIRED DOCUMENTS ATTACHED	utoff sheets, and location of lighting fixtures If this is a modification or extension include
EXTERNAL LIGHTING Existing to remain Proposed ALL REQUIRED DOCUMENTS ATTACHED Narrative including: EXTERNAL LIGHTING No Yes – Provide fixture information, cu Yes – Provide fixture information, cu Yes – Provide fixture information, cu	utoff sheets, and location of lighting fixtures If this is a modification or extension include Notice of Decision and case number
EXTERNAL LIGHTING Existing to remain Proposed ALL REQUIRED DOCUMENTS ATTACHED Narrative including: Current use of land or building(s) Current state of land or building(s)	utoff sheets, and location of lighting fixtures If this is a modification or extension include Notice of Decision and case number Justification for the modification or
EXTERNAL LIGHTING         Existing to remain       Vo         Proposed       No         Yes - Provide fixture information, cu         Proposed       Yes - Provide fixture information, cu         ALL REQUIRED DOCUMENTS ATTACHED         Narrative including:         Current use of land or building(s)         Description of project, project site, circulation, traffic etc.	utoff sheets, and location of lighting fixtures If this is a modification or extension include Notice of Decision and case number Justification for the modification or extension
EXTERNAL LIGHTING         Existing to remain       Vo         Proposed       No         Yes – Provide fixture information, cu         Proposed       Yes – Provide fixture information, cu         ALL REQUIRED DOCUMENTS ATTACHED         Narrative including:         Current use of land or building(s)         Description of project, project site, circulation, traffic etc.         Proposed use of land or building(s)	utoff sheets, and location of lighting fixtures If this is a modification or extension include Notice of Decision and case number Justification for the modification or extension Application submitted at least 30 days
EXTERNAL LIGHTING         Existing to remain       Vis – Provide fixture information, current proposed         Yes – Provide fixture information, 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	utoff sheets, and location of lighting fixtures If this is a modification or extension include Notice of Decision and case number Justification for the modification or extension
EXTERNAL LIGHTING         Existing to remain       Vis - Provide fixture information, curves         Proposed       No       Yes - Provide fixture information, curves         ALL REQUIRED DOCUMENTS ATTACHED       Narrative including:         Current use of land or building(s)       Description of project, project site, circulation, traffic etc.         Proposed use of land or building(s)       How the proposed use complies with the Comprehensive Plan         Plans including:       Image:	utoff sheets, and location of lighting fixtures If this is a modification or extension include Notice of Decision and case number Justification for the modification or extension Application submitted at least 30 days
EXTERNAL LIGHTING         Existing to remain       Vo         Proposed       No         Yes – Provide fixture information, cu         Proposed       Yes – Provide fixture information, cu         ALL REQUIRED DOCUMENTS ATTACHED         Narrative including:         Current use of land or building(s)         Description of project, project site, circulation, traffic etc.         Proposed use of land or building(s)         How the proposed use complies with the Comprehensive Plan         Plans including:         Site plan	utoff sheets, and location of lighting fixtures If this is a modification or extension include Notice of Decision and case number Justification for the modification or extension Application submitted at least 30 days
EXTERNAL LIGHTING         Existing to remain       Vis – Provide fixture information, current proposed         Proposed       No       Yes – Provide fixture information, current use of land or building(s)         Current use of land or building(s)       Description of project, project site, circulation, traffic etc.         Proposed use of land or building(s)         How the proposed use complies with the Comprehensive Plan         Plans including:         Site plan         Floor plan(s)	utoff sheets, and location of lighting fixtures If this is a modification or extension include Notice of Decision and case number Justification for the modification or extension Application submitted at least 30 days
EXTERNAL LIGHTING         Existing to remain       Vis - Provide fixture information, current proposed         Proposed       No         Yes - Provide fixture information, current use of land or building(s)         Description of project, project site, circulation, traffic etc.         Proposed use of land or building(s)         How the proposed use complies with the Comprehensive Plan         Plans including:         Site plan         Floor plan(s)         Elevation view of existing and proposed buildings	utoff sheets, and location of lighting fixtures If this is a modification or extension include Notice of Decision and case number Justification for the modification or extension Application submitted at least 30 days
EXTERNAL LIGHTING         Existing to remain       No       Yes – Provide fixture information, cu         Proposed       No       Yes – Provide fixture information, cu         ALL REQUIRED DOCUMENTS ATTACHED       Narrative including:         Current use of land or building(s)       Description of project, project site, circulation, traffic etc.         Proposed use of land or building(s)       How the proposed use complies with the Comprehensive Plan         Plans including:       Site plan         Floor plan(s)       Elevation view of existing and proposed buildings         Proposed vegetative cover       Proposed buildings	If this is a modification of lighting fixtures If this is a modification or extension include Notice of Decision and case number Justification for the modification or extension Application submitted at least 30 days before expiration date
EXTERNAL LIGHTING         Existing to remain       Vis - Provide fixture information, current proposed         Proposed       No         Yes - Provide fixture information, current use of land or building(s)         Description of project, project site, circulation, traffic etc.         Proposed use of land or building(s)         How the proposed use complies with the Comprehensive Plan         Plans including:         Site plan         Floor plan(s)         Elevation view of existing and proposed buildings	utoff sheets, and location of lighting fixtures If this is a modification or extension include Notice of Decision and case number Justification for the modification or extension Application submitted at least 30 days before expiration date

ALLOWABLE/CONDITIONAL USE FEES									
	Fees	Check No.	Receipt	Date					
Application Fees	\$ 350.00								
Admin. of Guarantee	\$								
Adjustment	\$								
Pub. Not. Sign Fee	<u>, 50.00</u>								
Pub. Not. Sign Deposit	\$100.00								
Total Fee	\$ 500.00								

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

# **INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

Case Number	Date Received
VSE24-005	2/13/24

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

# 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

<u>Pre-Application Conference</u>: A pre-application conference is required prior to submitting an application. There is no fee for a preapplication 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 rightof-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**

E\FORMS\PLANFORM\USE - Allowable-Conditional Use.docx

Revised May 2017 - Page 2 of 2

# Allowable/conditional use permit application

The current use of the land/building is a "greenhouse" on top of the existing garage. This was constructed by the previous property owners, and consists of a single room with electric heating plus a deck with wooden siding. The greenhouse is not used by the current property owners due to rot in the floor and a lack of plumbing.

This application is to remove the greenhouse and construct an accessory dwelling unit in the same space, with heating and plumbing. It would be a standalone unit with a kitchen and bathroom, suitable for long-term rental. This proposed use complies with the Comprehensive Plan.

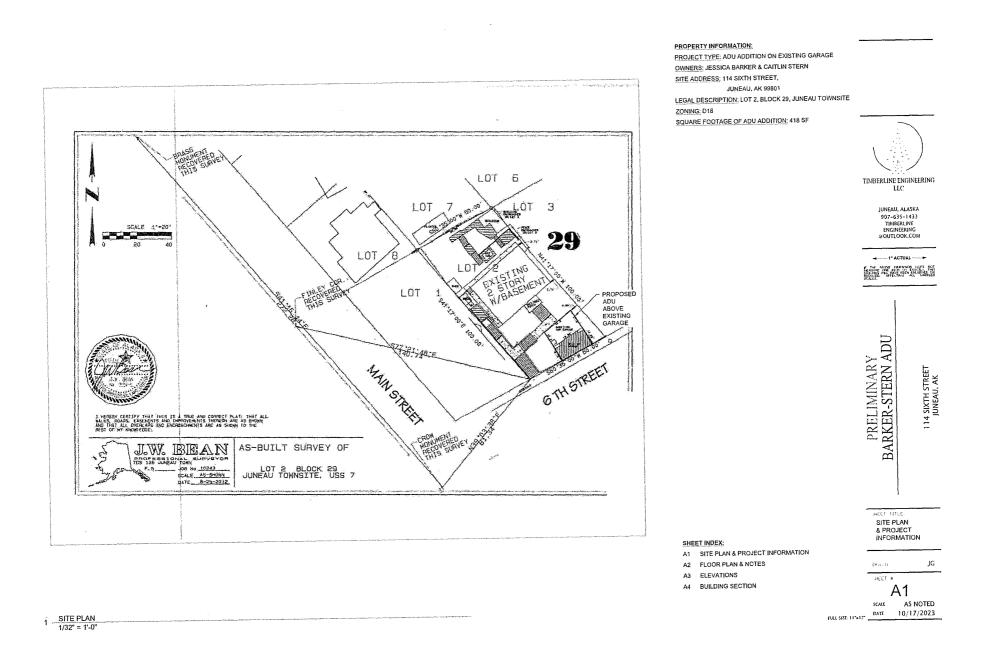
### Parking waiver application

We request a parking waiver for the 430 sq ft accessory dwelling unit being proposed at 114 6<sup>th</sup> St downtown. The property currently has 2 parking spaces, of which we (the property owners) only use 1. In fact we are currently letting this second space to our neighbors at 128 6<sup>th</sup> St. These tenants also do not use the space to park a vehicle. This means that there is currently an available parking space that we would assign to the ADU. Using this space would result in more benefits and fewer detriments to the community and neighboring area than using up more land to create an extra parking space.

The above paragraph demonstrates how the proposed waiver meets items 1, 3 and 4 of the Parking Waiver Application. Regarding item 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.

Landowners:

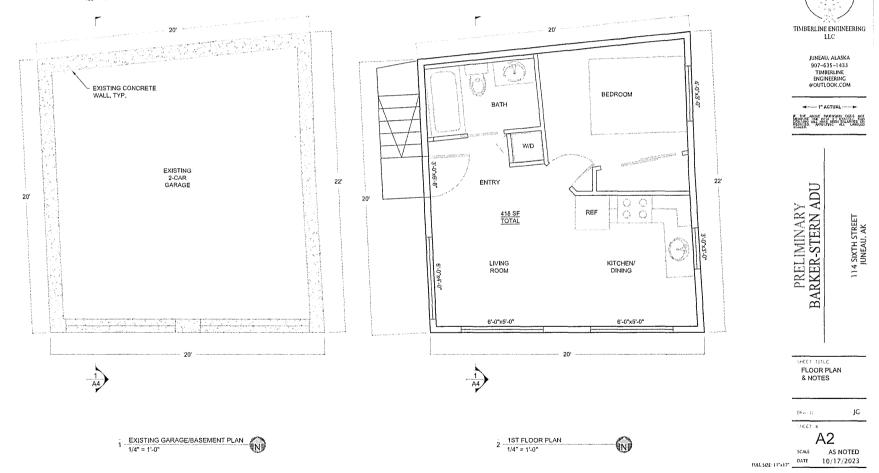
Jessica Barker jessiebarker@gmail.com 907-419-0663 Caitlin Stern caitlin.stern@gmail.com 907-713-7458

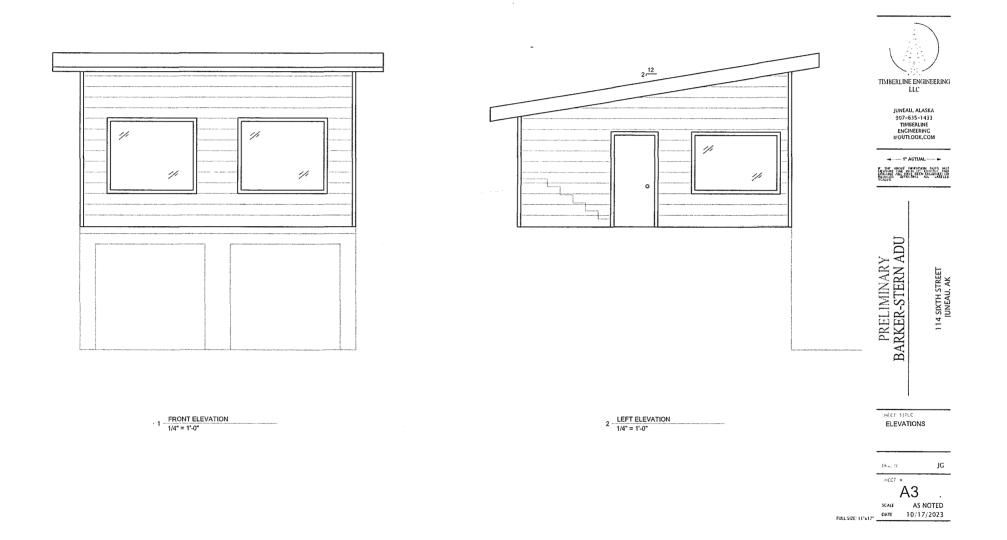


# Attachment A - Application Packet



- CONSTRUCTION NOTES: 1. ALL WORK PERFORMED, AND MATERIALS USED, SHALL COMPLY WITH ALL APPLICABLE LOCAL AND STATE CODES, ORDINANCES AND REGULATIONS, ALL MANUFACTURER'S SPECIFICATIONS, AND ACCEPTED ENGINEERING AND CONSTRUCTION PRACTICES. 2. PROVIDE MAXIMUM 1/2" CLEPTED ENGINEERING AND CONSTRUCTION PRACTICES. 2. PROVIDE MAXIMUM 1/2" CLEPTED ENGINEERING AND CONSTRUCTION PRACTICES. 2. PROVIDE MAXIMUM 1/2" CLEPTED ENGINEERING AND CONSTRUCTION PRACTICES. 2. PROVIDE MAXIMUM 1/2" CLEPTED ENGINEERING AND CONSTRUCTION PRACTICES. 2. PROVIDE MAXIMUM 1/2" CLEPTED ENGINEERING AND CONSTRUCTION PRACTICES. 2. PROVIDE MAXIMUM 1/2" CLEPTED ENGINEERING AND CONSTRUCTION PRACTICES. 2. PROVIDE MAXIMUM 1/2" CLEPTED ENGINEERING AND CONSTRUCTION PRACTICES. 3. PROVIDE MAXIMUM 1/2" CLEPTED ENGINEERING AND CONSTRUCTION PRACTICES. 3. PROVIDE MAXIMUM 1/2" CLEPTED ENGINEERING AND CONSTRUCTION PRACTICES. 4. PROVIDE MAXIMUM 1/2" CLEPTED ENGINEERING AND CONSTRUCTION PRACTICES. 4. PROVIDE MAXIMUM 1/2" CLEPTED ENGINEERING AND CONSTRUCTION PRACTICES. 4. PROVIDE MAXIMUM 1/2" CLEPTED ENGINEERING AND CONSTRUCTION PRACTICES. 4. PROVIDE MAXIMUM 1/2" CLEPTED ENGINEERING AND CONSTRUCTION PRACTICES. 4. PROVIDE MAXIMUM 1/2" CLEPTED ENGINEERING AND CONSTRUCTION PRACTICES. 4. PROVIDE MAXIMUM 1/2" CLEPTED ENGINEERING AND CONSTRUCTION PRACTICES. 4. PROVIDE MAXIMUM 1/2" CLEPTED ENGINEERING AND CONSTRUCTION PRACTICES. 4. PROVIDE MAXIMUM 1/2" CLEPTED ENGINEERING AND CONSTRUCTION PRACTICES. 4. PROVIDE MAXIMUM 1/2" CLEPTED ENGINEERING AND CONSTRUCTION PRACTICES. 4. PROVIDE AN
- 3. ALL ROOF PENETRATIONS SHALL EXTEND ABOVE THE ROOF SURFACE A MINIMUM OF 24" ALC NOOF PENETRATION INFO STRULL CATEND ADD THE ROOF SHAR ADD STATEMENT AND A STRUCT ADD STATEMENT AND A STRUCT ADD STRUC
- 4. ALL EXTERIOR GLAZING SHALL BE 1-INCH THICK CLEAR LOW-E COATED INSULATED. GLASS WITH THERMAL BREAK.
- 5. ROOF AREAS OF ENCLOSED RAFTER SPACES MUST BE VENTILATED. THE MINIMUM REQUIRED AREA OF THE VENTS IS 1150 OF THE AREA TO BE VENTILATED.





114 SIXTH STREET JUNEAU, AK

JG

SCALE AS NOTED

FULL 512E: 11"x17"

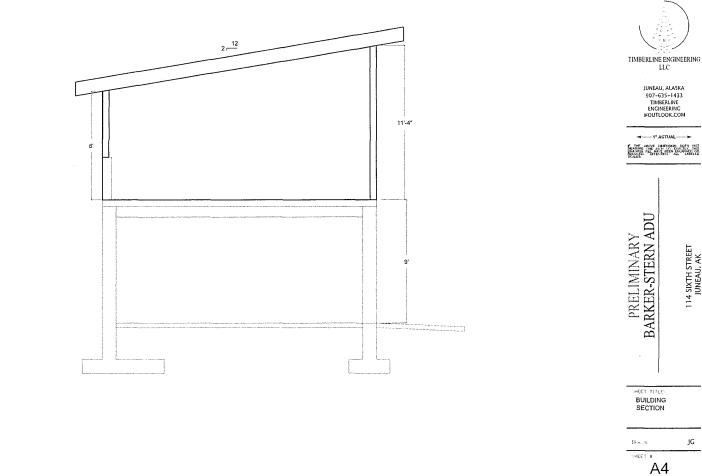
ROOF: METAL ROOFING GRACE ICE & WATER SHIELD 19/32" PLYWOOD OR OSB SHTG.

BCI RAFTERS @ 24" O.C.

GUTTER & DOWNSPOUT HOLD-DOWN BLOCKING FOR EAVE VENTS OR DRILL HOLES BUG-SCREEN AT VENTS

WALLS: 2x6 STUDS @ 16" O.C. 15/32" PLYWOOD OR OSB SHTG.

FLOORS: EXISTING CONCRETE FLOOR DECK



1 BUILDING SECTION 1/4" = 1'-0"



(907) 586-0715 CDD\_Admin@juneau.gov www.juneau.org/community-development 155 Heritage Way • Juneau, AK 99801

# Stern / Barker Accessory Apartment Conditional Use Permit and Parking Waiver

Case Number:	PAC2023 0052
Applicant:	Kara Sepel
Property Owner:	Caitlin Stern and Jessica Barker
Property Address:	114 Sixth Street
Parcel Code Number:	1C060A290030
Site Size:	4,893 square feet
Zoning:	D18 (Multi-Family Residential)
Existing Land Use:	Residential
Conference Date:	November 29, 2023
Report Issued:	12/12/2023
	onferences are conducted for the purpose of providing applicants with a and timeline. Pre-application conferences are not based on a complete antee 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
Caitlin Stern	Applicant	<u>Caitlin.stern@gmail.com</u>
Jessie Barker	Applicant	jessiebarker@gmail.com
Kara Sepel	Applicant	Karasepel.interiordesign@gmail.com
Jennifer Shields	Planning	Jennifer.Shields@juneau.gov
Charlie Ford	Building	Charlie.Ford@juneau.gov
David Sevdy	Permit Tech	David.Sevdy@juneau.gov

i:\documents\cases\2023\pac\pac23-052 114 sixth st accesory apartment\pac23-52 report draft1.doc

Revised 5/07/2021

# **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 lot currently contains a single-family dwelling, a detached, 2-story accessory structure in the front (lowerlevel 400 square foot garage and 200 square foot upper-level greenhouse), and a detached accessory structure (sauna) in the rear. The applicant would like to <u>convert and expand</u> the upper-level greenhouse into an approximately 400 square foot accessory apartment, matching the existing size of the lower-level garage.

# **Planning Division**

- 1. **Zoning** The property is zoned D18 (Multi-Family Residential) and is located within the Alternative Development Overlay District (ADOD). The lot is 5,000 square feet and meets the D18 zoning district minimum lot size requirement of 5,000 square feet.
- 2. Table of Permissible Uses Proposed: USE 1.130, Single-Family Detached with an Accessory Apartment.

Per CBJ 49.25.510(k)(2)(G)(i): "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 Director 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 exceeds the minimum lot size, and the primary use of the lot is a single-family dwelling."

- 3. Subdivision N/A
- 4. Setbacks
  - D18 setbacks: Front 20 feet; Rear 10 feet; Sides 5 feet.
  - ADOD setbacks: All sides, 3 feet.
  - Nonconforming Structures per NCC2021-0065:
    - Zero-foot front yard setback for the garage
    - o 4.69-foot east side yard setback for the garage
    - o 2.71-foot east side yard setback for the dwelling
  - Additional Stories:
    - o Per CBJ 49.25.430(4)M: "Additional stories. The Commission, through the Conditional Use Permit process, may allow the addition of a second or third story atop or below an existing enclosed structure which projects into a required yard setback if the structure is either nonconforming or if a variance was previously granted for the structure. The commission may deny such request if it finds that the structure, with the addition, would result in excessive blockage of views, excessive restriction of light and air, or other deleterious impacts."
    - Per USE2013-0016, an after-the-fact Conditional Use Permit was approved for a 200 square foot greenhouse that encroached \*10 feet 3 inches into the 20-foot front yard setback\* (correct measurements) and 3 inches into the 5-foot side yard setback.
    - The proposed accessory structure would be 400 square feet and encroach 20-feet into the 20-foot front yard setback and 3 inches into the 5-foot side yard setback, doubling both the size and setback encroachment of the upper-level.
    - o <u>A new Conditional Use Permit Application is required (see attached code and applications).</u>
- 5. Height Maximum height allowed for an accessory structure in the D18 zoning district is 25 feet.

### Pre-Application Conference Final Report

- 6. Access Sixth Street.
- Parking & Circulation CBJ 49.40.210 requires two off-street parking spaces for a single-family dwelling unit. Back-out parking may be allowed in residential zoning districts per 49.40.230(b)(7)(A). The existing garage includes two off-street parking spaces.

An accessory apartment would require one additional parking space on the property. Since topography is likely a constraint, per CBJ 49.40.220, <u>a Parking Waiver Application for the addition of an accessory</u> <u>apartment will be required (see attached code and applications).</u>

- 8. Lot Coverage Maximum of 50% allowed. Per NCC2021-0065, existing lot coverage is 37%. The proposed upper-level accessory apartment would not increase lot coverage.
- Vegetative Coverage Minimum of 30% required. Per NCC2021-0065, existing vegetative cover is 32%. The proposed upper-level accessory apartment would not decrease vegetative cover.
- 10. Lighting Exterior lighting shall be designed and located to minimize off-site glare.
- 11. Noise N/A
- 12. Flood N/A
- Hazard/Mass Wasting/Avalanche/Hillside Endorsement A Hillside Endorsement may be required prior to issuance of a Building Permit for the proposed accessory apartment if construction involves excavation of any slope in excess of 18% or the creation of a new slope in excess of 18% for a vertical distance of at least 5 feet.
- 14. Wetlands N/A
- 15. Habitat No anadromous waterbodies are on the subject parcel, or within 50 feet.
- 16. Plat or Covenant Restrictions N/A
- 17. Traffic N/A
- 18. Nonconforming situations A Nonconforming Certificate (NCC2021-0065) for the property was issued on September 3, 2021.

### **Building Division**

- 19. Building Building staff will comment during the plan review for a building permit.
- Outstanding Permits BLD2009-00103 Construction of a detached green house. Modified 5/29/2012 for structural changes to roof

# **General Engineering/Public Works**

- 21. Engineering N/A
- 22. Drainage N/A
- Utilities (water, power, sewer, etc.) Additional dwelling units may trigger additional utility assessment or requirement for water meter installation. General Engineering will review during building permit application and review.

### **Fire Marshal**

24. Fire Items/Access - N/A

### **Other Applicable Agency Review**

25. N/A

### Page 3 of 5

# 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.

# **Exceptions to Submittal Requirements**

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

1. N/A

### Fee Estimates

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

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

- 1. 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 <u>permits@juneau.gov</u> 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

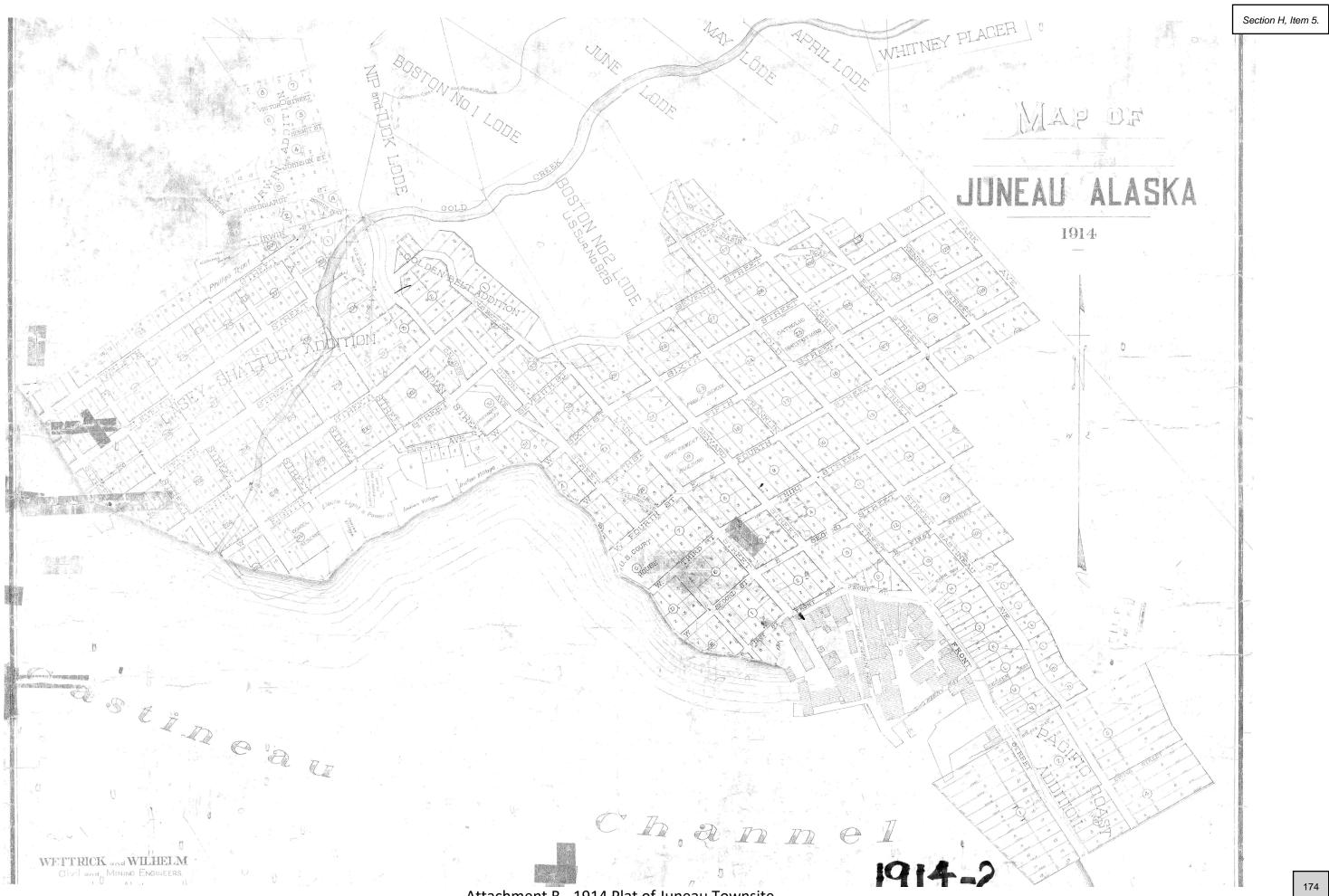
Attachments:

Page 4 of 5

Pre-Application Conference Final Report

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)

,



Attachment B - 1914 Plat of Juneau Townsite



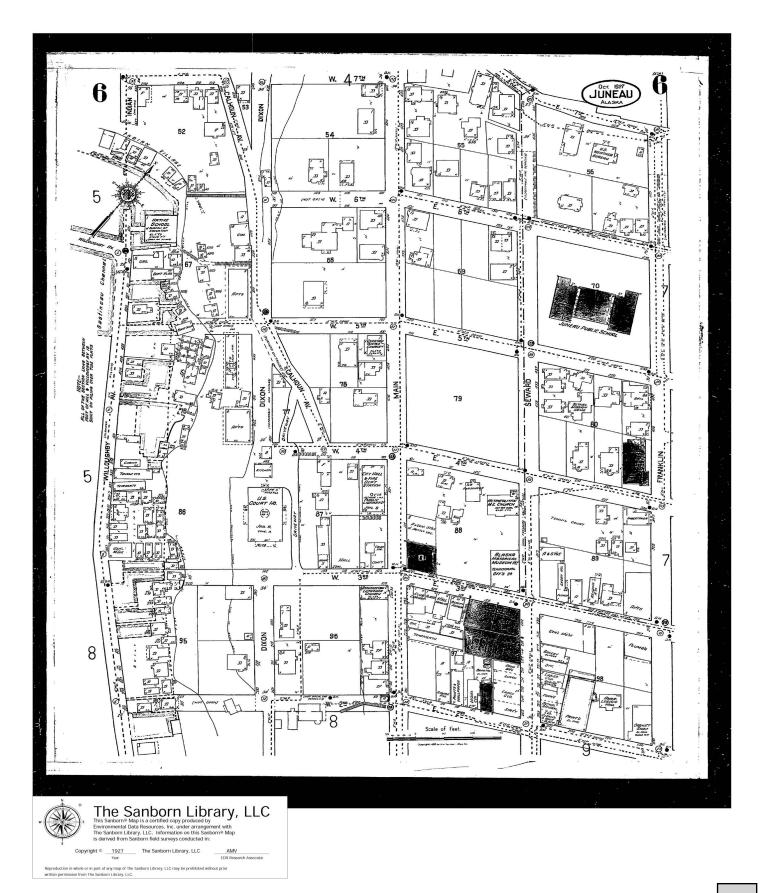
# Assessor's Database

# **Current Owner**

CAITLIN STERN & JESSICA BARKER 114 SIXTH ST, JUNEAU AK 99801			
Parcel #: 1C060A290030 ( <u>Map</u> )	Address: 114 SIXTH ST	<b>Legal Desc. 1:</b> JUNEAU TOWNSITE BL 29 LT 2	Legal Desc. 2:
<b>Prev. Owner:</b> VANCE F PUTMAN	Site Value: \$163500.00	Building PV: \$526900.00	<b>Total PV:</b> \$690400.00
Use Code: Residential	Exempt: No Data	<b>Zoning:</b> -Multi-Family-5,000 sq.ft. minimum lot size -18 units per acre	<b>Tax Year:</b> 2024
<b>No. of Units:</b> 001	Year Built: 1914		Gross Liv. Area: 001922 sqft
Garage: No City Water: Yes	Garage Area: 000000 City Sewer: Yes	Lot Size: 4893.00	Last Trans: 20211015
Exempt Land: 0	Exempt Building: 0	Exempt Total: 0	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.).



Permit No.

BLD2009-00103

City & Borough of Juneau

# BUILDING PERMIT

\* NOTE: "Building Pérmit" is a generic term which includes Building Safety Inspection, Grading Permits, and permits for Electrical, Rtumbing 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 covenent 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.

	The Online I not proceed un	e Building Inspect til the inspector h	irranged by telephon tion Request Form is las approved the var Call before 7:30 AM	s at: www.juneau. fous stages of cor for same day insp	y written or faxed notification. org/permits/inspect_request.pi struction. An approved Final Ins sections. n, 4 Date and Time and 5 Cont	pection is required	umber.
	2009-00103	atached gree	nhouse. Modifie	d 05/29/2012	for structural changes to	Parcel No: 1C	: 06/07/2012 060A290030
Parcel Information : JUN	EAU TOWNS	SITE BL 29 L	Т2				
Setbacks: Zon Front: 10:00 Réar: 40.00 Street Side: Comments: Front lot line is inter	Ft. NW	Side	1: 5.00 Ft. NE 2: 5:00 Ft. NW	0 ft per CBJ 49.25	Firm Zone: C .430(4)(K), OX		
KIMBERL PO BOX	PUTMAN Y A HOMME 020473 AK 99802-0			Applicant :	FATE PUTMÁN PO BOX 020473 JUNEAU AK 99802	fin Saing Sainteine Sainteine	277 2003 - Series - Series 2005 - Series
Fee Type BLD- Bldg Permit Fee BLD- Res Plan Review BLD- Addl Plan Review Fee		10000	Amount. Paid \$40.92 \$20.46 \$27.00 \$88.38		for Permit Fee Calculat Type Total Valuatio	<u>Rate</u> 0.00.	<u>Amount</u> 1,238.40 \$1,238.40
plans must be approved by Asbuilt Survey Required Foundation Setback Veri foundation systems occurs	r project engin - Asbuilt Surve fication - Four - CBJ approve	eer in writing. By Required be Indation Setbac d plans must b	fore final inspection (yelling on site and availate	on approval. low form) must	approved engineered plans be on site when pour inspec pector, inspections will not b	, any changes or mo tion or placement of	odification to
Inspections Required: Call for ins B-Setback Verification B-Rough Electrical	spection before co	B-Four	g any of the work desc indation, Forms and F ting Final		ctions may be combined, B-Framing E-Grading/Draina	ge:	

JUNEAU PERMIT CENTER - 230 S. Franklin Street - 4th Floor, Marine View Center - Mail: 155 S. Seward Street, Juneau, AK 99801 Phone: 586-0770 - FAX: 586-3365 - Inspection Requests: 586-1703 - Email: permits@ci.juneau.ak.us Web Site: www.juneau.org/permits

# Statt Keview Sheet

Permit Intak- Initials:

Section H, Item 5.

008

	···	· · · · · · · · · · · · · · · · · · ·	Case No: BLD20	5/29/2012
,				03-00103
	SIXTH ST La defached greenhouse. Moo	dified 05/29/2012 for structural c		50A290030
Residential FCC Code: 438 Type of Construction: Sprinkler Substitute for Sprinkler System: FU	Singl New Dwe Existing I Occupani Type A Construction: YES LL PARTIAL NONE Red LL PARTIAL NONE Red	Illing Units: 0 Dwelling Units: 1 cy Class: U NO quired: YES NO quired; YES NO		
Valuation for Permit Fo <u>S.F. Type</u>		Rate <u>Amourit</u> 0.00		
	Total Valuation,	<u>1,238.40</u> \$1,238.40		
LAND USE         ZONE/UNITS       D18 / 1         WETLAND	ENGINEERING/PUB WORKS         Dwelling Units:         CITY WATER:         Permit #:         Use:         Assessment:         Service Size:         Line Size:         CITY SEWER:         Permit #:         Use:         Assessment:         Fixture Units:         WATER CONNECTION PERMITS         I hereby acknowledge receipt of         a	\$1,230.40         PLAN REVIEW APPROVALS Initials Date         Fire         Architectural         Water         Sewer         Architectural         Mechanical         Electrical         Access         Spcl Insp Form         APPROVED FOR ISSUANCE         Mate         Jate	PERMIT ISSUANCE FE         Grading Plan Review Fee         Adjusted Plan Review Fee         Fast Track Fee         Building Permit Fee         Water Assessment Fee         Sewer Assessment Fee         Grading Permit Fee         Driveway Permit Fee         Bond for         Other         Total Issuance Fees         PERMIT ISSUANCE PAN         Date	\$       \$       \$       \$       \$       \$       \$       \$       \$       \$       \$       \$       \$       \$
10 14	ON PERMIT: (Continued on back of sh 20 n Jac Con J. From s	0	. 71)	2. 7 (BLDOG
·	·			



Application Date: March 18, 2009

# **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 Description:	Construction of a detached gre	enhouse. N	Modified 05/29/2012 for s	tructural changes to roof.		
Site Address:	114 SIXTH ST	Check No. of Existing Dwelling Units:				
Parcel No:	1C060A290030			No. of New Dwelling Units:	0	
Legal Description:	IUNEAU TOWNSITE BL 29 LT 2		No	of Removed Dwelling Units:		
Applicant :	FATE PUTMAN PO BOX 020473 JUNEAU AK 99802		م ورور اور اور اور اور اور اور اور اور او			
	JUNEAU-AR. 99002;		PH1	586-2761		
Owner:	VANCE F. PUTMAN KIMBERLY A HOMME PO BOX 020473 JUNEAU AK 99802-0473		Contractor:@Wi	NER/BUILDER		
	PH: FAX					
Valuation for Per	mit Fee Calculations:					
<u>S.F. Түр</u>	<u>e</u>	<u>Rate</u> 0.00	Amount			
			1,238:40			
	Total Valuation:		\$1,238.40			
Associated Case None.	es:					
Parcel Tags:	······································					

Notes and Conditions:

Framing and anchoring of structure must be per approved engineered plans, any changes or modification to plans must be approved by project engineer in writing.

Asbuilt Survey Required before final inspection approval.

Foundation Setback Verification (yellow form) must be on site when pour inspection or placement of other foundation systems occurs.

### 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, Juriéeu, AK 99801 Phone: 586-0770 ~ FAX: 588-3365 - Inspection Reguests: 586-1703 ~ Email: permits@cl.jurieau.ak.us Web Page: HTTP://WWW.JUNEAU.ORG/PERMITS



# **Building Permit**

BLD2009-00103 Pro; # .BLD2009-00163

Permit No.

\* NOTE: "Building Permit" is a generic term which includes Building Salely 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 covenent or any zoning or other regulation

If plain review was required, this perinit 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 faxed notification.

The Online Building Inspection Request Form is at www.juneau.org/permits/inspect\_request.php. Work shall not proceed until the inspector has approved the various stages of construction. An approved Final Inspection is required.

Call before 7:30 AM for same day inspections.

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

Job Address: 114 SIXTH Permit Number: BLD2009- Project Description: (	00103	PUTNAM GREEN		ie,			Issued Date: 4 Parcel No: 100604	
Parcel Identification:	JUNEAU TOV	NSITE BL 29 LT	2					
Setbacks: Zone: Front: 10 Fl. SE Rear. 10 Fl. NW Comments: Front tot line is interior edge of	į.	Side 1: 5 Ft Side 2: 5 Ft elback reduced to 10 ft	NW	(4);К). ОК	Firm Z	one: C		
Owner: VANCE F PUTMAN Address: City: JUNEAU, AK 998	02			Applicant: Address City:	FATE PUTM PO BOX JUNEAL			
Fee Type 1 Permit Fee 1 Residential Plan Revie	Date 3/18/2009 3/18/2009 To	Receipt 27331 27331 at Fees Paid:	Amount Paid 40.92 20.46 61.38		Permit Fee Ci G PERMIT	álculations; UTIL ~ Greenhous Total Valuation;	se <u>1.23</u> 1,238	
<ul> <li>Project Conditions and Holds:</li> <li>1 Asbuilt Survey Requil</li> <li>2 Foundation Setback foundation systems of</li> <li>3 Framing and anchoring must be approved by</li> </ul>	Verification (ye occurs: ng of structure	llow form) mus must be per ap	t be on site				to plans	
Inspections Required; Call for ins 100. Insp - Setbacks 140. Insp - Rough Framing 800 Insp - Residential Fins		105 Founda	of the work descr alion Setback fr Rough Electrics	הדע	115	mbined. nsp - Stemwalls/Form/Reb nsp - Grading/Drainage	ər	

JUNEAU PERMIT CENTER - 230 S. Franklin Street - 4th Floor, Marine View Center - Mail: 155 S. Seward Street, Juneau, AK 99801 Phone: 566-0770 - FAX: 586-3365 - Inspection Requests: 586-1703 - Email: permits@ci.juneau.ak.us

Staff Revie			PLUM MECH ELEC ACCESS	······································	L
Permit Intake Initials;	A PIRE ZUNE ENC	WAT SEW ARCH STRUC	PLUM MECH ELEC ACCESS	SPECANSP	3/18/2009
Project Name: PL	JTNAM GREENHOUSE			Case No: BLD20	
	14 SIXTH ST				SOA290030
Desc: Construction c					0A290030
		velling Units:	0	1	
Residential FCC Code: 438		Dwelling Units:			
Type of Construction:			<u></u>		
	r Type A Construction: YES	(NO)		Fees Assessed at Ap	plication:
		equired: YES	NO)	Fee Type	Amount 40.00
Code Edition:			UNO Date: 4/3/69	1 Permit Fee 1 Residential Plan Revie	40.92 w 20.46
· · · · · · · · · · · · · · · · · · ·	s and the second		1	· · · · · · · · · · · · · · · · · · ·	es. 61.38
Valuation at Applica	tion:		Fees Paid at Ap	plication:	
<u>S.F.</u> <u>Type</u>	Rate	Amount	DatePaid	Receipt Check	
120 UTIL -	Greenhouse 10.32	1,238.40	3/18/2009 1 Permit Fee	27331 28	01.00
	Total Valuation:	1,238.40	1 Residential Pla	n Review	40.92 20.46
· · ·				Tolal Fees Paid	
LAND USE	ENGINEERING/PUB WORKS	PLAN REVIEW		PERMIT ISSUANCE FEE	
ZONE/UNITS D18/1 WETLAND WETLAND	CITY WATER Units:	Fire	Initials Date	Grading Plan Review Fee Adjusted Plan Review Fee	
	Case No:	$\frac{X}{X}$ Zoning $X$ Engineering	<u>EEF 3/23.07</u> MRM 3/20/09	Fast Track Fee	\$
FIRM ZONEC	Service Size: Fire Line Size:	Water	MIZM 3/20/09	Early Start Fee Building Permit Fee	S
LOT SIZE 4,893 SF	Metered:	Sewer	- The second sec	Water Assessment Fee	\$
0.1 ACRES	Extended Pmt #	Architectural		Sewer Assessment Fee Sewer Inspection Fee	\$
13 Front <u>20 17</u> Rear 10	Case No:	Plumbing	<u> </u>	Grading Permit Fee	\$
Side 5	Bond Case No: Other Case No:	Mechanical Electrical		Driveway Permit Fee Bond for	\$ S
Other 5 PARKING 14	ADEC Sewer No.	Access		Other	s
ANADROMOUS	WATER CONNECTION PERMITS	Spcl Insp Form		Tolal Issuance Fees	\$
EAGLES NEST	1 hereby acknowledge receipt of	APPROVED F	OR ISSUANCE	Date Receipt Check	
LAND USE PERMITS	a inch meter yoke.		Sal		S
	×	Sin	Jature:		s
	Date		3/05		s -
		/ 0	ląić -		
PARCEL TAGS: This property (or structure) P prior to demolition. See Title 1	nes been identified in the Draft Historic Pres 9.01.102.8.2.	servation Plan of Dec 1	997 as a historic resourc	e which may require documenta	tion
CONDITIONS AND HOLDS	ON PERMIT: (Continued on back of sh	ieet)			
- Foundation	Setback Verific	atram		•'	·
					· · · · · · ·
	· · · · · · · · · · · · · · · · · · ·				······································
······					
					•
					·
• • • • • • • • • • • • • • • • • • • •					· · · · · · · · · · · · · · · · · · ·

181



Application Date: March 18, 2009

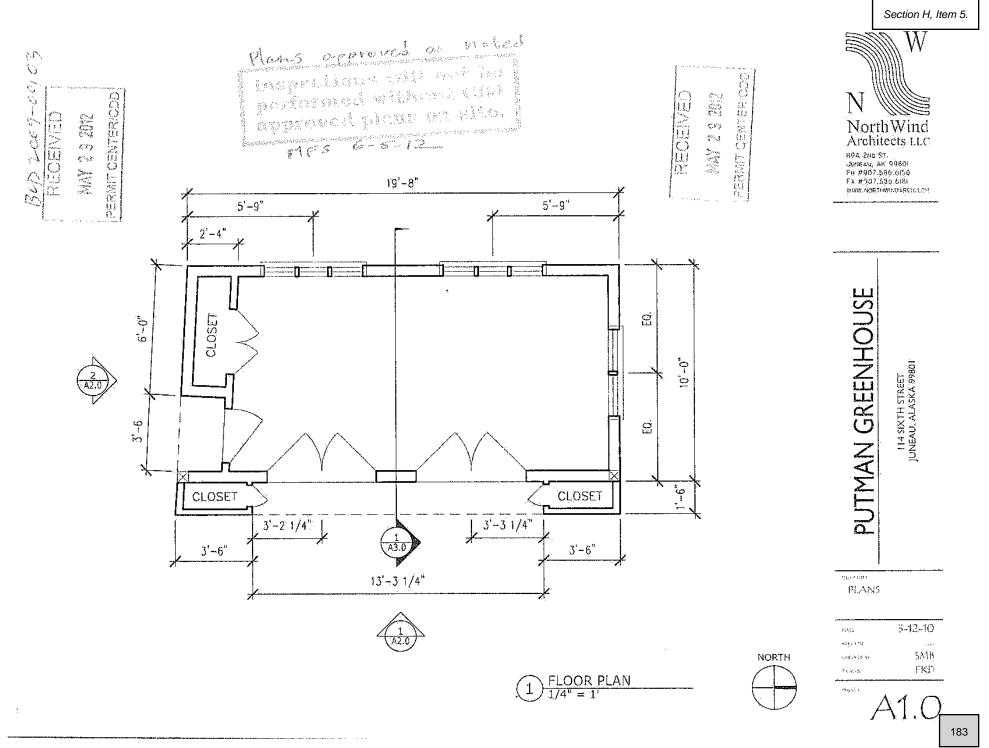
# **BUILDING PERMIT APPLICATION**

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

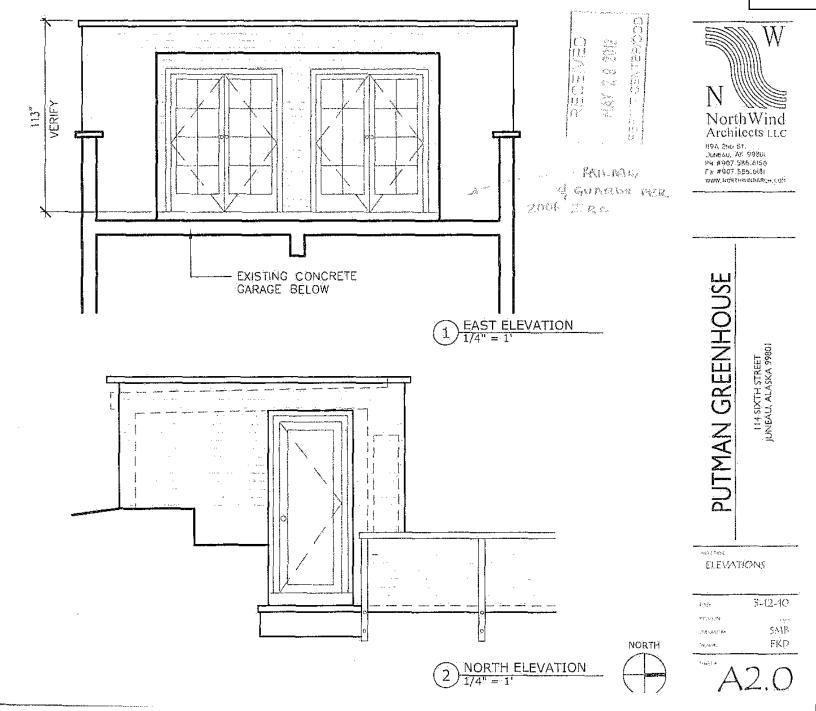
Project Name:	PUTNA	M GREEN	IHOUSE			Gase No: BLD2009-00103 Project No: BLD2009-00103
Case Description:	Construc	ction of a gre	enhouse.	- <u></u>		
Site Address:	114 SIXTH	Sĩ			 Chec	k No. of Existing Dwelling Units: 1
Parcel No:	1C060A2	290030				No. of New Dwelling Units: 0
Legal Description:	JUNEAU	TOWNSITE BL	29 LT 2			
Applicant: Address:	FATE PUT				PH1 586-276	1
City:	PO BOX 2 JUNEAU,	AK 99802			(111,300,270	
Owner: Address: City:	VANCE E PI PO BOX 0 JUNEAU, PH1 200	20473 AK 99802			Contractor:	ÖWNER/BUILDER
Valuation for Per	mit Fée Ca	Iculations:				
Description		<u>F Tvpe</u>		Amount		
BUILDING PERMIT	1	20 UTIL-Gr	eenhouse	1;238.40		
	-1.0.1.17	-	Total Valuation:	1,238,40		
Permit Fees Paid	at Applica	tion: Date		Check or	Amount	and the second secon
<u>Fee Type</u> 1 Permit Fee		Paid 3/18/2009	<u>Receipt</u> 27331	<u>Credit #</u>	Paid .	· · ·
1 Residential Plan	Review	3/18/2009	27331	281 281	40.92 20.46	
				Tolal Fees Paid;	61.38	
Associated Case None.	s:				<u></u>	aan ah
Parcel Tags: This property (or s	itructurë) has b Seë Title 19:01.	een identified in t	ne Draft Historic P	reservation Plan of Dec	1997 as a historic	resource which may require documentation
Notes and Condi	ions:				in da in a strangen an	
		<u></u>	•			
						an a
		2				
		ete-		3/18/1	'T	Wilperse
Applicant's S (Owner, Contrac	signature ctor or Author	rized Agent)		Date		Staff Acceptance
I hereby certify that I have type of work will be come any other federal, state,	ulieu witti wiiet	nei specified aere	in or not lunder	tann that the dranting of	prrect. Truther ce a permit does not	itify that all provisions of laws and ordinances governing this t presume to give authority to violate or cancel the provisions of
JL	INEAU PERMI Ph	T CENTER - 230 ione: 586-0770 -	PAX. 000-3365 -	- 4th Floor, Marine View Inspection Requests: 5 HTTP://WWW_JUNEAU	36-1703 - Email:	55 S. Seward Street, Juneau, AK 99801 permits@ci juneau.ak.us

Attachment E - 2009 Building Permit for detached greenhouse

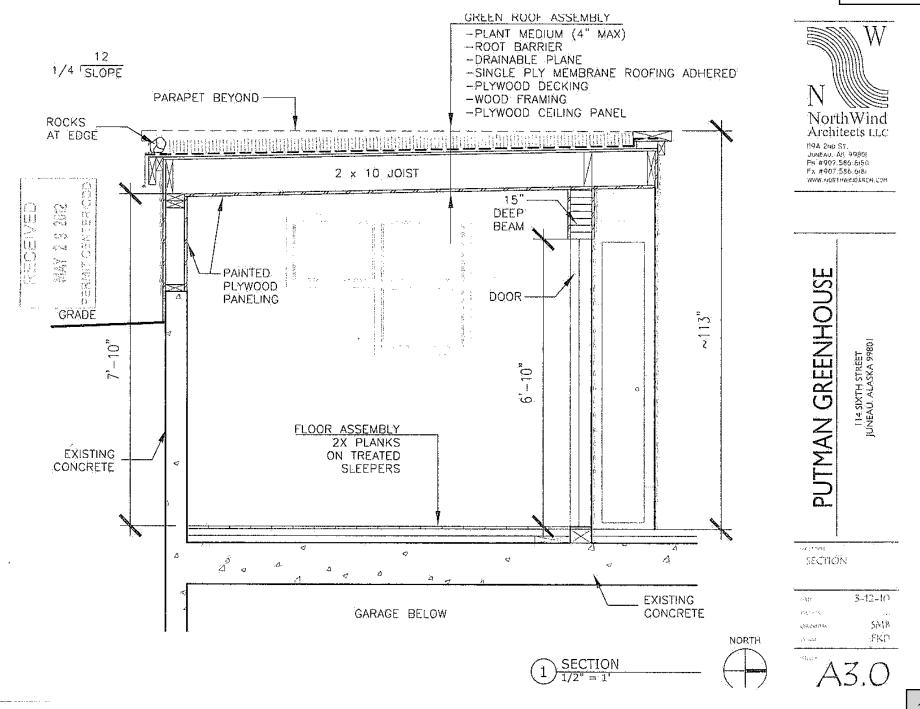


Attachment E - 2009 Building Permit for detached greenhouse

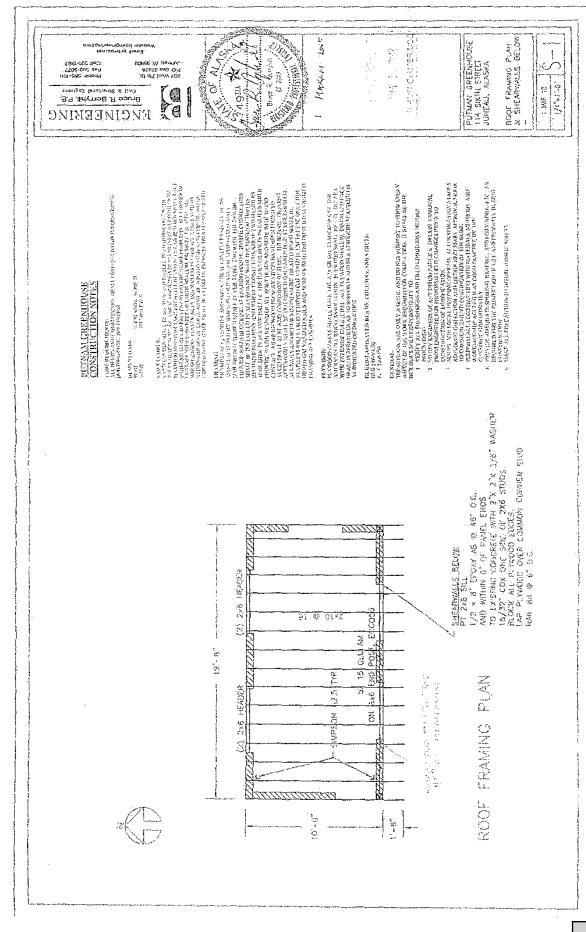
#### Section H, Item 5.



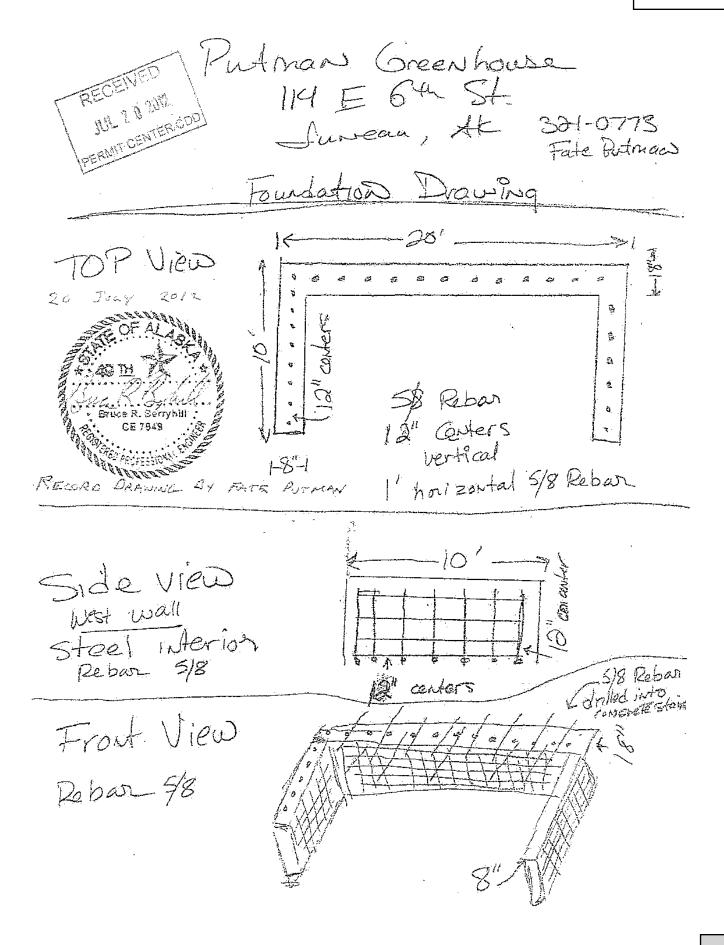
Attachment E - 2009 Building Permit for detached greenhouse

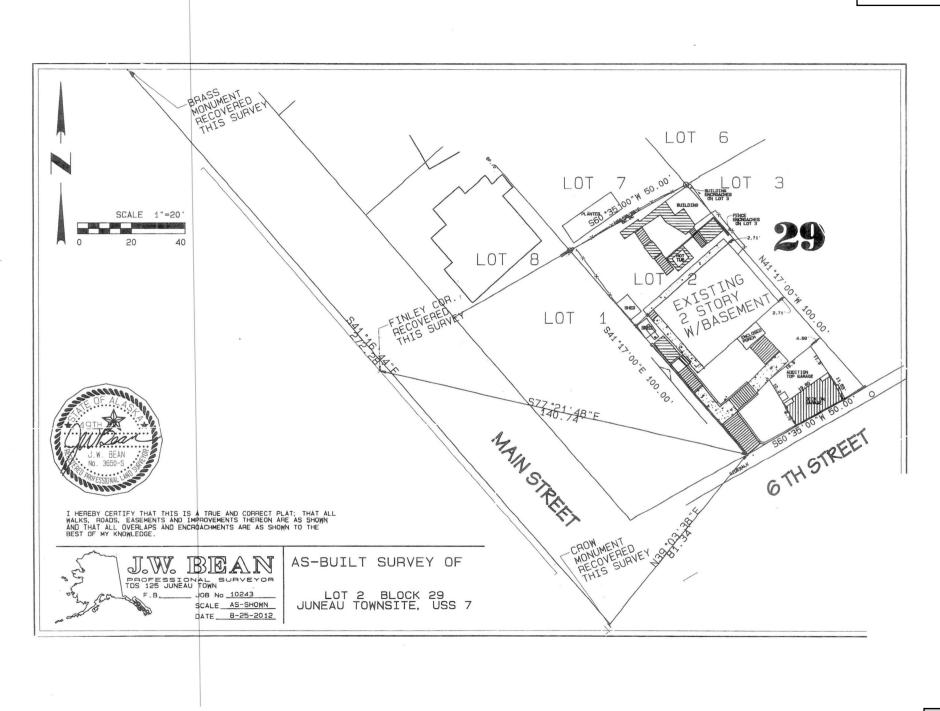


Attachment E - 2009 Building Permit for detached greenhouse



# Attachment E - 2009 Building Permit for detached greenhouse





# CITY/BOROUGH OF JUNEAU

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

# PLANNING COMMISSION NOTICE OF DECISION Date: October 23, 2013 File No.: USE2013 0016

Vance F Putman PO Box 20473 Juneau, AK 99802

An after-the-fact Conditional Use Permit for a greenhouse constructed over a garage that encroaches 3 inches into the 10-foot front yard setback and 3 inches into the 5-foot side yard setback.

Application For:	An after-the-fact Conditional Use Permit for a greenhouse constructed over a garage that encroaches 3 inches into the 10-foot front yard setback and 3 inches into the 5-foot side yard setback.
Legal Description:	Juneau Townsite Block 29 Lot 2
Property Address:	114 Sixth Street
Parcel Code No .:	1-C06-0-A29-003-0
Hearing Date:	October 22, 2013

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated October 15, 2013 and approved the project to be conducted as described in the project description and project drawings submitted with the application.

Attachments: October 15, 2013 memorandum from Teri Camery, Community Development, to the CBJ Planning Commission regarding USE2013 0016.

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, October 22, 2013

Expiration Date: The permit will expire 18 months after the effective date, or April 22, 2015 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.

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

Vance F Putman File No.: USE2013 0016 October 23, 2013 Page 2 of 2

Teri Camery, Senior Planner Community Development Department

Michael Satre, Chair Planning Commission

10/25/13 Date Filed With City Clerk

cc: Plan Review

Project Planner:

**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.

# MEMORANDUM

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

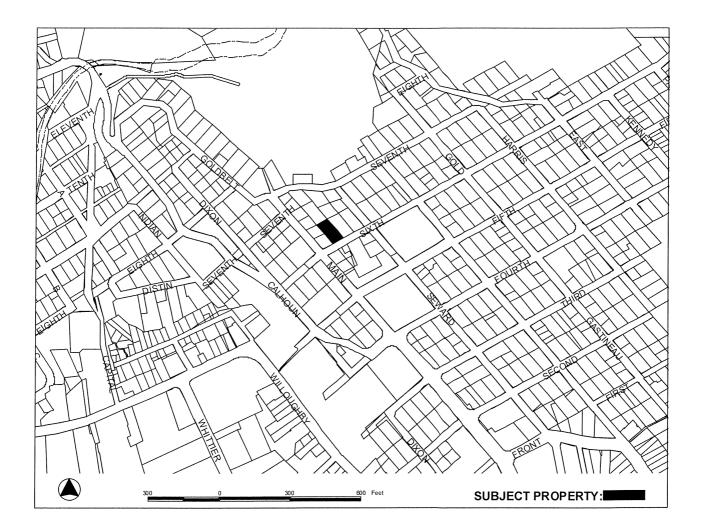
★

DATE:	October 15, 2013
то:	Planning Commission
FROM:	Teri Camery, Senior Planner Community Development Department
FILE NO.:	USE2013 0016
PROPOSAL:	An after-the-fact Conditional Use Permit for a greenhouse constructed over a garage that encroaches 3 inches into the 10- foot front yard setback and 3 inches into the 5-foot side yard setback.
GENERAL INFORMATION	
Applicant:	Vance F Putman
Property Owner:	Vance F Putman
Property Address:	114 Sixth Street
Legal Description:	Juneau Townsite Block 29 Lot 2
Parcel Code Number:	1-C06-0-A29-003-0
Site Size:	4,893 square feet
Comprehensive Plan Land Use Designation:	Medium Density Residential
Zoning:	D-18
Utilities:	CBJ Water and Sewer
Access:	Sixth Street
Existing Land Use:	single-family dwelling
	<b>CITY/BOROUGH OF JUNEAU</b>

Surrounding Land Use:

North	-	D-18 Residential
South	-	Sixth Street; D-18 Residential
East	-	D-18 Residential
West	-	D-18 Residential

# Vicinity Map



Planning Commission File No.: USE2013 0016 October 15, 2013 Page 3 of 6

## **ATTACHMENTS**

Attachment 1Development Permit ApplicationAttachment 2Conditional Use Permit ApplicationAttachment 3Project NarrativeAttachment 4SurveyAttachment 5Building Permit plansAttachment 6Applicant photosAttachment 7Project elevation

# **PROJECT DESCRIPTION**

The applicant requests a Conditional Use Permit for after-the-fact construction of a 10' x 20' greenhouse on top of a garage. The greenhouse encroaches three inches into the 10-foot frontyard setback in the southwest corner of the structure, and three inches into the five-foot side-yard setback in the northeast corner of the structure, due the slight angle of the garage. Setback encroachments that occur at the second story elevation or higher are reviewed through the Conditional Use Permit process instead of the Variance process, per CBJ Code 49.25.430(4)(M). The structure does not qualify under code sections that allow encroachments for minor issues both because it is heated and because it is on the second floor.

The greenhouse was constructed on top of a garage that was built in the 1950s at the zero footsetback line. The garage is a legally non-conforming structure. The greenhouse encompasses approximately half the width of the garage, very close to the 10-foot front yard setback line. The three inch encroachment at the opposite corners of the greenhouse was discovered when the asbuilt survey was completed (Attachment 4). In both the southwest and northeast corners of the greenhouse, the structure encroaches three inches over a linear distance of approximately two feet. Due to the angle, the three inch encroachment does not extend the full length of either side of the greenhouse.

#### **BACKGROUND**

The lot has a legally non-conforming lot size and legally non-conforming front and side-yard setbacks. Assessor's Office records indicate that the home was built in 1914. In addition to the Conditional Use Permit, the applicant has also applied for an after-the-fact Variance for construction of a sauna in the northeast corner of the lot. Both encroachments were discovered only after the as-built survey was completed.

Planning Commission File No.: USE2013 0016 October 15, 2013 Page 4 of 6

# **ANALYSIS**

### Project Site and Design -

The project is located on D-18 residential lot with a substandard lot size and substandard setbacks. The lot has a 35 degree slope. Building plans for the greenhouse have been included in Attachment 5, while elevations are included in Attachment 7. Photos are included in Attachment 6. The structure has been designed to blend well with both the garage and the single-family home.

#### Public Health or Safety -

No evidence indicates that the proposed development will negatively impact public health or safety.

# Property Value or Neighborhood Harmony -

Due to the 35 degree slope of the property as well as the very minor three inch encroachment, no evidence indicates that the development will negatively impact views, light and air, property value, or neighborhood harmony.

#### **Conformity with Adopted Plans -**

The project substantially conforms with the 2013 Juneau Comprehensive Plan, specifically Policy 10.3 and 10.4, which state:

**Policy 10.3** [It is the policy of the CBJ] to facilitate residential developments of various types and densities that are appropriately located in relation to site conditions, surrounding land uses, and capacity of public facilities and transportation systems.

**Policy 10.4** [It is the policy of the CBJ] to minimize conflicts between residential areas and nearby recreational, commercial, or industrial uses that would generate adverse impacts to existing residential areas through appropriate land use locational decisions and regulatory measures.

The project conforms with these measures by constructing the greenhouse on top of an existing structure in a way that blends in with other structures on the lot and has minimal visual impact on the neighborhood.

#### FINDINGS

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

1. Whether the application is complete;

Planning Commission File No.: USE2013 0016 October 15, 2013 Page 5 of 6

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

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

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

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

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

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

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

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

**Yes.** The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ §49.25.300, Section 49.25.300.1.110 for the D-18 zoning district.

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

**Yes.** The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in the October 11, 2013 and October 18, 2013 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public Right of Way.

Planning Commission File No.: USE2013 0016 October 15, 2013 Page 6 of 6

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

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

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

**No.** Based on the preceding analysis, no available evidence indicates that the proposed development will substantially decrease the value of or be out of harmony with property in the neighboring area. The setback encroachment is minor and does not block views due to the steep slope in the area.

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

**Yes.** The proposed development complies with the 2013 Juneau Comprehensive Plan, specifically policies 10.3 and 10.4 regarding residential development.

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

7. Will the proposed development comply with the Juneau Coastal Management Program? Not applicable.

## **RECOMMENDATION**

Staff recommends that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use permit. The permit would allow the development of a greenhouse on top of an existing garage which would encroach three inches into the front and side yard setbacks.

	DEVEL		Condu				ON	Section H,
oject Numb						Date Rece		·Z,
oject Name ly Staff to Ass	ign Name)							
Pr.	3" encroact	1	iurvey	of new	u str sidew	110	e discou setback	vered
z Sti	OPERTY LOCATION eet Address JU4 gal Description(s) of Parcel(s)	E (oth	Street	ot	City/Zip	JUNE	nu 99	801
-	sessor's Parcel Number(s)	Juneau 1 CO	TOWNER A 2 90	fe Bl	OCK Z	9 6	.07 2	
5 🕎	NDOWNER/ LESSEE							
-	Perty Owner's Name I · Fate PU+ wo lling Address	in and	Kimberly		Contact Per F. PU Home Phone	tman.	Work Phone: 321-07 Fax Number:	13
E-r	hail Address	Man Q	Juneau gmail.	COM	321- Other Conta	Chicago and a second	$\frac{1}{75}(m)$	
LA.	NDOWNER/ LESSEE CON		***Required for Plan	ning Permits, not	needed on Bui	Iding/ Engineeri	and the second second second second	
a p	n (we are) the owner(s)or lesse A. This application for a la B. I (we) grant permission application	and use or activity rev	view for development	on my (our) prop	erty is made w	ith my complete		
X	Landowner/Lessee Si	lat me	<i>y</i>	netting for the second desired and the second s	and a sub-sub-sub-sub-sub-sub-sub-sub-sub-sub-	H	29/2013	2
x	Landowner/Lessee Si Landowner/Lessee Si	lafor	nme	ngadi se ayan yi aya ayan yan ayan ayan ayan			29/2013	-
۲	TICE: The City and Borough of		ed access to the sub	iect property dur	na regular busi	uate	will attempt to contact t	he
lan	downer in addition to the formal							
hea	ring date.							li II
		If the same as OWN	ER, write "SAME" an	d sign and date i				
	PLICANT plicant's Name	If the same as OWN	ER, write "SAME" an	d sign and date :	Contact Per		Work Phone:	
AP Ap Ma	PLICANT Dilicant's Name Saling Address		ER, write "SAME" an	d sign and date :			Work Phone: Fax Number:	
AP Ap Ma	PLICANT Dicant's Name Selling Address	ame	ER, write "SAME" an	d sign and date i	Contact Per		Fax Number:	
AP Ap Ma	PLICANT Dicant's Name String Address	ame ame ame	ER, write SAME an	d sign and date a	Contact Per	e: ct Phone Numb	Fax Number: er(s): 29/20/3	
AP Ap Ma E-n	PLICANT Dicant's Name Ning Address Sch hail Address Sch Address S	ame ame ame	ER, write SAME an		Contact Pers Home Phone Other Contac	e: ct Phone Numb	Fax Number:	
AP Ap Ma E-n	PLICANT Dicant's Name Ning Address Sch hail Address Sch Address S	ame ame ame	CE USE ONLY BE	ELOW THIS LI	Contact Pers Home Phone Other Contac	e: ct Phone Numb Date of	Fax Number: er(s): 29/20/3	
AP AP Ma E-n X	PLICANT Dicant's Name Ting Address Dail Address Applicant's Signature Permit Type Building/Grading	ame ame ame office	CE USE ONLY BE	ELOW THIS LI	Contact Pers Home Phone Other Contac	e: ct Phone Numb Date of	Fax Number: er(s): 29/2013 Application	
AP Ap Ma E-n X	PLICANT olicant's Name hing Address hail Address Applicant's Signature Permit Type Building/Grading Permit City/State Project Review and	ame ame ame OFFIC	CE USE ONLY BE	ELOW THIS LI	Contact Pers Home Phone Other Contac	e: ct Phone Numb Date of	Fax Number: er(s): 29/2013 Application	
AP AP Ma E-n X	PLICANT olicant's Name hing Address hail Address Applicant's Signature Permit Type Building/Grading Permit City/State Project Review and Inquiry Case (Fee In Lieu, Letter of Mining Case	ame ame ame OFFI City Land Action of ZC, Use Not Liste , Extraction, Explor	CE USE ONLY BE	ELOW THIS LI	Contact Pers Home Phone Other Contac	e: ct Phone Numb Date of	Fax Number: er(s): 29/2013 Application	
AF Ap Ma E-m X	PLICANT Dilicant's Name ling Address Solution Applicant's Signature Permit Type Building/Grading Permit City/State Project Review and Inquiry Case (Fee In Lieu, Letter of Mining Case (Small, Large, Rural Sign Approval (If more than one, fil Subdivision (Minor, Major, PUD, Use Approval (Allowa	ame ame ame of the city Land Action of ZC, Use Not Liste , Extraction, Explor II in all applicable p St. Vacation, St. Na ible, Conditional, Cc	CE USE ONLY BE ed) ation) ermit #'s) ime Change) sttage Housing,	ELOW THIS LI	Contact Pers Home Phone Other Contac	e: ct Phone Numb Date of Ap	Fax Number: er(s): 29/2013 Application	
	PLICANT Dicant's Name Iing Address Solution Applicant's Signature Permit Type Building/Grading Permit City/State Project Review and Inquiry Case (Fee In Lieu, Letter of Mining Case (Fee In Lieu, Letter of Sign Approval (If more than one, fil Subdivision (Minor, Major, PUD,	ame ame ame ame of <i>ZC</i> , Use Not Lister , Extraction, Explor Il in all applicable p St. Vacation, St. Na ible, Conditional, Cr. a, Accessory Apartm	CE USE ONLY BE ed) ation) ermit #'s) ime Change) ottage Housing, nent)	ELOW THIS LI	Contact Pers Home Phone Other Contact VE	e: ct Phone Numb Date of Ap	Fax Number: er(s): <u>24/2012</u> Application	
AF Ap Ma E-tr X	PLICANT Dilicant's Name ling Address Solution Applicant's Signature Permit Type Building/Grading Permit City/State Project Review and Inquiry Case (Fee In Lieu, Letter of Mining Case (Fee In Lieu, Letter of Mining Case (Fee In Lieu, Letter of Mining Case (If more than one, fil Subdivision (Minor, Major, PUD, Use Approval (Allowa Mobile Home Parks Variance Case (De Minimis and all.	ame ame ame ame of <i>ZC</i> , Use Not Lister , Extraction, Explor Il in all applicable p St. Vacation, St. Na ible, Conditional, Cr. a, Accessory Apartm	CE USE ONLY BE ed) ation) ermit #'s) ime Change) ottage Housing, nent)	ELOW THIS LI	Contact Pers Home Phone Other Contact VE	e: ct Phone Numb Date of Ap	Fax Number: er(s): <u>24/2012</u> Application	
AP Ap Ma E-n X	PLICANT Dilicant's Name Dilicant's Name Ding Address Dail Address Applicant's Signature Permit Type Building/Grading Permit City/State Project Review and Inquiry Case (Fee In Lieu, Letter of Mining Case (Fee In Lieu, Letter of Mining Case (Fee In Lieu, Letter of Mining Case (Smail, Large, Rural Sign Approval (If more than one, fil Subdivision (Minor, Major, PUD, Use Approval (If More Parks Variance Case (De Minimis and all of Permits Zone Change	ame ame ame ame ame of <i>Z</i> , Use Not Liste , Extraction, Explor II in all applicable p St. Vacation, St. Na ible, Conditional, Ca , Accessory Apartm other Variance case	CE USE ONLY BE ed) ation) ermit #'s) ime Change) ottage Housing, nent)	ELOW THIS LI 	Contact Pers Home Phone Other Contac NE	e: ct Phone Numb J// Date of Ap	Fax Number: er(s): <u>24/2012</u> Application	

10-1-1-12

NOTE: DEVELOPMENT PERMIT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEL ANTIMALE Revised November 2009

## Section H, Item 5.

ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

Project Number	Project Name (	15 characters)		Case Number	· .	Date Received
				19- 13-1	016	512/13
TYPE OF ALLOV	VABLE OR CON	IDITIONAL USE PERI	WIT REQUEST	ΈD		i i
	Accessory Apartr	nent*** (AAP)	Driveway in R	light-of-Way	(ADW	)
	Use Listed in §49. (Table of Permis					
Plea	ise list the Table o	f Permissible Uses Catego	ory:			
***An Accessory Apar	tment Application v	vill also be required.	1913-1994 (Analogo and Analogo ang		-0-112-4-122-4-1-12-1-1	18 12 12 12 12 12 12 12 12 12 12 12 12 12
DESCRIBE THE P	PROJECT FOR	WHICH AN ALLOWAE	BLE OR COND	DITIONAL USE A	PPRO	IAL IS
As-1	suilt sur	ver discove		" Encroa		
into CB	J sidewa	IK' setback		nouse con	<u>ctro</u>	cled
<u> </u>	back on	one corner	· pathe	Hhan I	<u><u> </u></u>	
IS THIS A MODIFI	CATION OF AN	EXISTING APPROVA	L?	NO YES - Cas	ie #	
CURRENT USE O	F LAND OR BU	ILDING(S): New	u struct	ne is a	Nec	reation
	built or	n top of	1950	poured c	OUSI	A
garage.	Rec. 1	00m 15 9	above	'sidewalk	and	giqu b
PROPOSED USE	OF LAND OR B	UILDING(S): rec	reation	noom and	d da	wage.
			· · · · · · · · · · · · · · · · · · ·	· · · · · · · · · · · · · · · · · · ·	· ····· ··· ··· ··· ··· ··· ··· ··· ··	
-						
annound an annound ann an ann ann ann ann ann ann ann an						
UTILITIES PROPO	SED: WA	TER:	Dn Site	SEWER:	ublic	] On Site
UTILITIES PROPO SITE AND BUILDII			Dn Site	SEWER: P	ublic [	] On Site
	VG SPECIFICS:			SEWER: P	<u>L</u>	
SITE AND BUILDII Total Area of L	VG SPECIFICS:	square feet Total	I Area of Existing S		<u>L</u>	
SITE AND BUILDII Total Area of L Total Area of P	ot <b>SPECIFICS:</b>	square feet Total	I Area of Existing S		<u>L</u>	
SITE AND BUILDII Total Area of L Total Area of P	ot <b>SPECIFICS:</b>	square feet Total	l Area of Existing S feet	Structure(s)		_square feet
SITE AND BUILDI Total Area of L Total Area of P EXTERNAL LIGHT	NG SPECIFICS: ot 5000 roposed Structure(s	square feet Total ) 200 square 2 attached	l Area of Existing S feet information, cutoff	Structure(s)sheets, and location	of lightin	_ square feet
SITE AND BUILDI Total Area of L Total Area of P EXTERNAL LIGHT Existing to remain Proposed PROJECT NARRA	NG SPECIFICS:           ot         5000           iroposed Structure(s           ING:         See           No           No           No	square feet Total <u>200</u> square <b>attacheo</b> Yes - Provide fixture i	l Area of Existing S feet information, cutoff	Structure(s)sheets, and location	of lightin	_ square feet
SITE AND BUILDI Total Area of L Total Area of P EXTERNAL LIGHT Existing to remain Proposed PROJECT NARRA	NG SPECIFICS: ot troposed Structure(s ING: No No No TIVE AND SUBI	square feet Total 200 square 201 square	I Area of Existing S feet information, cutoff information, cutoff	Structure(s) sheets, and location sheets, and location g and proposed park	of lighting of lighting	_ square feet g fixtures g fixtures (including
SITE AND BUILDI Total Area of L Total Area of P EXTERNAL LIGHT Existing to remain Proposed PROJECT NARRA Site Plan Floor Plan	of proposed building	square feet Total ) 200 square 2 attacheo 1 Yes - Provide fixture i WITTAL CHECKLIST:	I Area of Existing S feet information, cutoff information, cutoff Existing dimens	Structure(s) sheets, and location sheets, and location g and proposed park ions) and proposed to	of lighting of lighting ing areas traffic circ	_ square feet g fixtures g fixtures (including ulation
SITE AND BUILDI Total Area of L Total Area of P EXTERNAL LIGHT Existing to remain Proposed PROJECT NARRA Site Plan Floor Plan Floor Plan	AG SPECIFICS: ot	square feet Total ) 200 square 2 attacheo 1 Yes - Provide fixture i WITTAL CHECKLIST:	I Area of Existing S feet information, cutoff information, cutoff Existing dimens	Structure(s) sheets, and location sheets, and location g and proposed park	of lighting of lighting ing areas traffic circ	_ square feet g fixtures g fixtures (including ulation
SITE AND BUILDI Total Area of L Total Area of P EXTERNAL LIGHT Existing to remain Proposed PROJECT NARRA Site Plan Floor Plan Floor Plan	of proposed building	square feet Total 200 square 201 square 202 square 203 square	I Area of Existing S feet information, cutoff information, cutoff Existing dimens Existing habitat,	Structure(s) sheets, and location sheets, and location g and proposed park ions) and proposed park	of lighting of lighting ing areas traffic circ	_ square feet g fixtures g fixtures (including ulation
SITE AND BUILDI Total Area of L Total Area of P EXTERNAL LIGHT Existing to remain Proposed PROJECT NARRA Site Plan Floor Plan Floor Plan Floor Plan Floor Plan Floor Plan Floor Plan Floor Plan Floor Plan	NG SPECIFICS: ot	square feet Total ) 200 square 2 attacheo 1 Yes - Provide fixture i WITTAL CHECKLIST:	I Area of Existing S feet information, cutoff information, cutoff Existing dimens Existing habitat,	Structure(s) sheets, and location sheets, and location g and proposed park ions) and proposed park	of lighting of lighting ing areas traffic circo of the site	_ square feet g fixtures g fixtures (including ulation
SITE AND BUILDI Total Area of L Total Area of P EXTERNAL LIGHT Existing to remain Proposed PROJECT NARRA Site Plan Floor Plan Floor Plan Floor Plan Forposed For more information permitting process an equired for a comp	VG SPECIFICS: ot	square feet Total 200 square 201 square 202 square 203 square	I Area of Existing S feet information, cutoff information, cutoff Existing dimens Existing habitat,	Structure(s) sheets, and location sheets, and location g and proposed park ions) and proposed f g Physical Features o hazard areas, etc.)	of lighting of lighting ing areas traffic circo of the site	_ square feet g fixtures g fixtures (including ulation (drainage,
SITE AND BUILDI Total Area of L Total Area of P EXTERNAL LIGHT Existing to remain Proposed PROJECT NARRA Site Plan Floor Plan Floor Plan	VG SPECIFICS: ot	square feet Total 200 square 201 square 201 square 201 square 202 square 203 square	I Area of Existing S feet information, cutoff information, cutoff Existing dimens Existing habitat,	Structure(s) sheets, and location sheets, and location g and proposed park ions) and proposed f g Physical Features o hazard areas, etc.)	of lighting of lighting ing areas traffic circo of the site	_ square feet g fixtures g fixtures (including ulation (drainage,
SITE AND BUILDI Total Area of L Total Area of P EXTERNAL LIGHT Existing to remain Proposed PROJECT NARRA Site Plan Floor Plan Floor Plan Floor Plan For more information permitting process an required for a comp polease see the reverse	VG SPECIFICS: ot	square feet Total 200 square a Hacheo Yes – Provide fixture i Yes – Provide fixture i ViTTAL CHECKLIST: ALLOWABLE/CONDITIONA Application Fees s_ Admin. of Guarantee s_ Adjustment s_	I Area of Existing S feet information, cutoff information, cutoff Existing dimens Existing habitat, AL USE FEES Fees	Structure(s) sheets, and location sheets, and location g and proposed park ions) and proposed f g Physical Features o hazard areas, etc.)	of lighting of lighting ing areas traffic circo of the site	_ square feet g fixtures g fixtures (including ulation (drainage,
SITE AND BUILDI Total Area of L Total Area of P EXTERNAL LIGHT Existing to remain Proposed PROJECT NARRA Site Plan Floor Plan Floor Plan For more information permitting process an required for a comp please see the reverse f you need any assis	VG SPECIFICS: ot	square feet       Total         200       square         attached       square         Yes - Provide fixture i       Yes - Provide fixture i         Yes - Provide fixture i       Yes - Provide fixture i         Yes - Provide fixture i       Yes - Provide fixture i         Attached       Square         Attached       Square         Admin. of Guarantee       Square         Adjustment       Square         Pub. Not. Sign Fee       Square	I Area of Existing S feet information, cutoff information, cutoff Existing dimens Existing habitat, AL USE FEES Fees 350_00	Structure(s) sheets, and location sheets, and location g and proposed park ions) and proposed f g Physical Features o hazard areas, etc.)	of lighting of lighting ing areas traffic circo of the site	_ square feet g fixtures g fixtures (including ulation (drainage,
SITE AND BUILDI Total Area of L Total Area of P EXTERNAL LIGHT Existing to remain Proposed PROJECT NARRA Site Plan Floor Plan Floor Plan Floor Plan For more information permitting process an required for a comp polease see the reverse	VG SPECIFICS: ot	square feet Total 200 square a Hachee Yes – Provide fixture i Yes – Provide fixture i Yes – Provide fixture i WITTAL CHECKLIST: ALLOWABLE/CONDITIONA Application Fees s_ Admin. of Guarantee s_ Adjustment s_ Pub. Not. Sign Fee s_	I Area of Existing S feet information, cutoff information, cutoff Existing dimens Existing habitat, AL USE FEES Fees 350.00	Structure(s) sheets, and location sheets, and location g and proposed park ions) and proposed f g Physical Features o hazard areas, etc.)	of lighting of lighting ing areas traffic circ of the site	_ square feet g fixtures g fixtures (including ulation (drainage,

Revised December 2009 - I:\FORMS\2010 Applications

Page 1 of 2

# **Conditional Use Permit application – Narrative and Attachments**

# Putman/Homme 114 E. 6th Street : CU Application Addendum

A 10'X 20' greenhouse structure was built on top of an existing concrete garage. (Bld. Permit # 2009-00103) The preexisting garage was constructed in approximately 1950. The concrete garage was constructed to the edge of the sidewalk on 6<sup>th</sup> Street and has been a grandfathered structure for the past 60 years.

The new greenhouse structure was built on back half of the 20'X20' garage roof. The greenhouse used the same footprint as the garage, which is slightly out of square. A subsequent as-built survey found that one corner of the new structure was not the full 10 feet back from the sidewalk edge. The SW corner of the roof eave encroaches 3 inches into the 10 foot setback. This is an overhanging eave and not part of the interior of the greenhouse building. The remainder of the greenhouse structure is behind the 10 foot setback. However, because of the overhanging eave, the SW corner of the greenhouse is 9'9" from the CBJ sidewalk.

A Conditional Use permit is required for the 3"encroachment into the 10 foot setback requirement. It is my request that this CU permit be granted to permit this encroachment. There is no impact on the public sidewalk below or any utility conflicts.

# NE Corner of greenhouse

In addition to the overhanging eave, the As-built Survey determined that the Northeast corner of the garage/greenhouse encroaches into setback requirements with the adjoining lot. The NE corner of the garage footprint (circa 1950) extends into the side yard setback approximately 3 inches.

This encroachment occurs on the NE corner of both the garage and greenhouse structures. The remaining portion of the east side of the garage and greenhouse Structure does not protrude into the 5 foot setback. In this 20 foot span only the last five feet of the structures protrude into the setback. That is because the garage is square to the street but not square to the property line thus causing a side yard setback issue.

# **Property Values and Neighborhood Harmony**

The addition and slight CBJ encroachment will not decrease the value of surrounding properties. The greenhouse was designed by Northwind Architects LLC, to have the same architectural style as the main home and preexisting Garage on the property. This blend of colors and building design allows the Greenhouse to complement the existing buildings and as a result, blends well with the neighborhood. The structure does

# **Attachment 3**

1

MAT U Z ZOD

not affect any neighbor's light, air or views. (Note that the Lot 3 eastside neighbor has provided an Easement Agreement for the Variance application.)

- **A.** As-Built Survey, Site Plan, Elevation View, 3-page Floor Plan <u>attached</u> Easement Agreement by east neighbor, also for related variance, <u>attached</u>
- B. There are No Parking issues with this application.
- C. There are No Traffic issues with this application.
- **D.** There is Lighting on the exterior of the structure. This exterior lighting is recessed up under the eaves so there is no light pollution from the structure.

<u>Exterior Lighting</u>: Two exterior lights were incorporated into the greenhouse structure. One light is located on the alcove ceiling above the west facing entrance. This main entrance has a single door recessed into the structure 3 feet. This door setback is to both protect the door and match the garage architecture below. Above this door on the ceiling is an entrance light, placed there to both protect the light and minimize light intrusion outside. This door entry light has achieved those desired results.

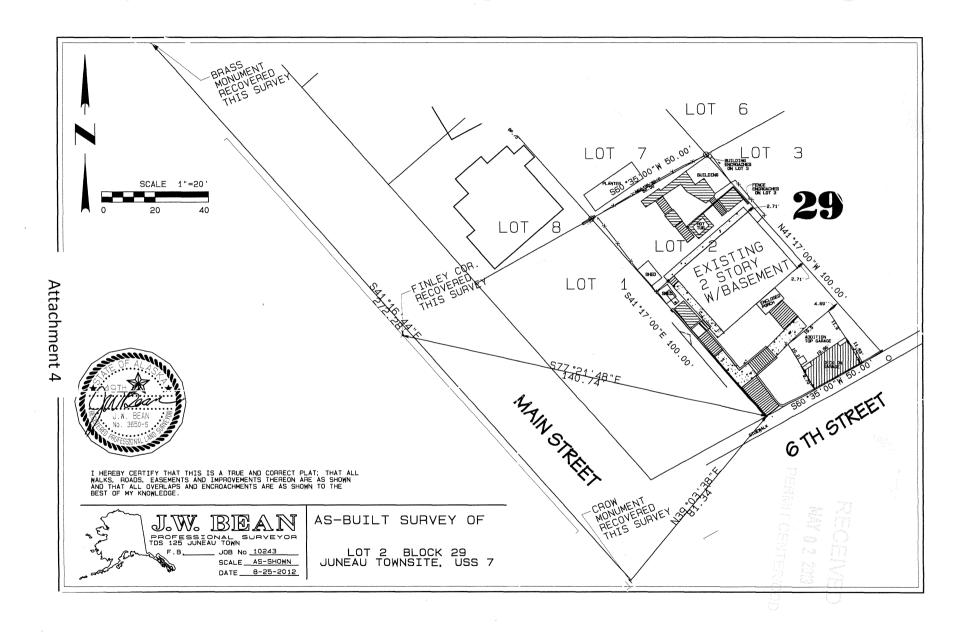
A second exterior light is on the south side of the greenhouse, under the overhanging front eave. This also protects the fixture from the weather and minimizes light intrusion. Light is confined to the front deck of the garage roof and does not shed light on 6<sup>th</sup> Street or the sidewalk below. This exterior light has achieved the desired results of both protection and light shading.

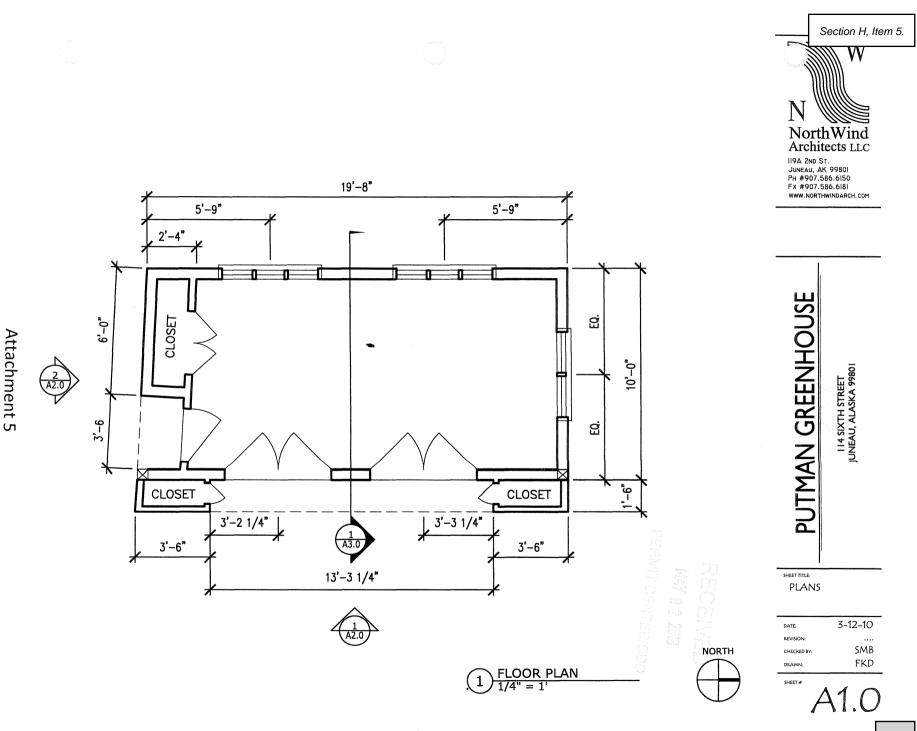
E. Natural vegetation remains between Lot 2 and Lot 3; lilacs, Sitka Rose bushes and Hawthorn trees separate the two. This set of trees and shrubs creates a visual screen between properties and between the greenhouse and the neighbor's home on Lot 3. On the west side of the structure there is large flower garden.
F. The property is a Steep Hillside. That presents some challenges to development of the lot. However, the steep terrain has no impact on the greenhouse structure because it was built atop the existing poured concrete garage, as the foundation.

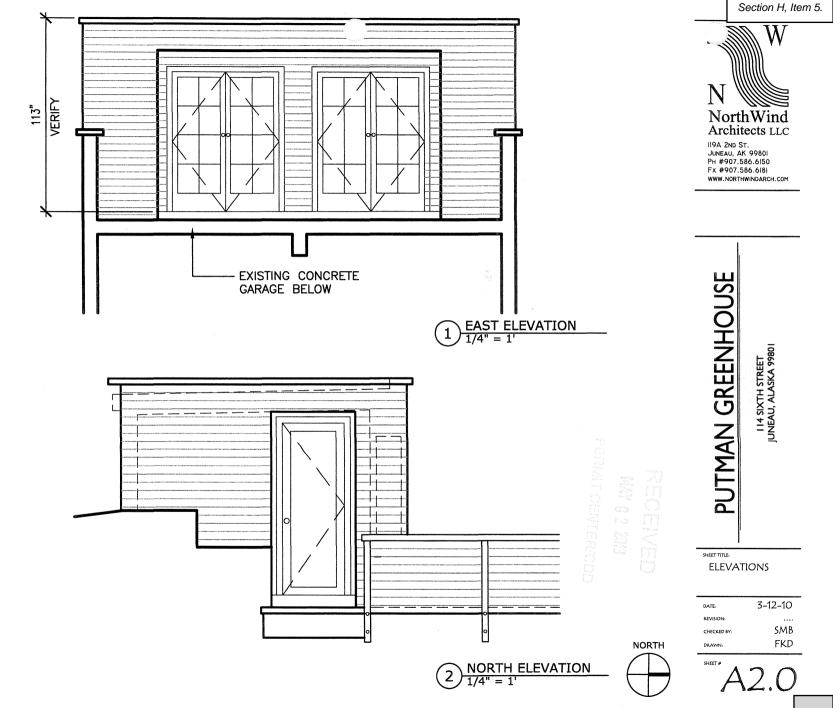
RECEIVED MAY 0 2 2033 "ERMIT CENTER/CDD

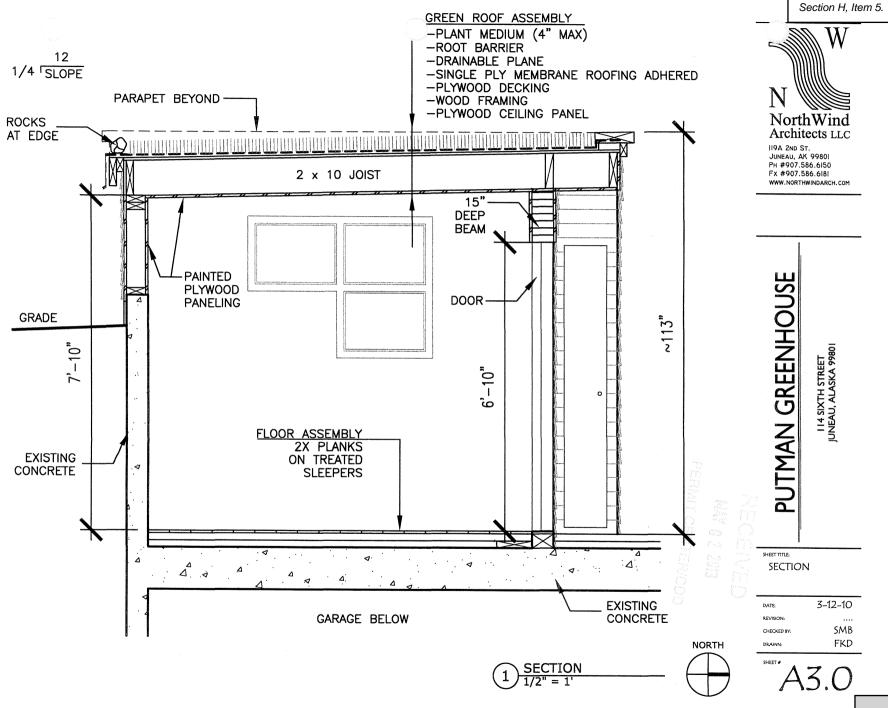
2

Section H, Item 5.









Attachment G - 2013 Conditional Use Permit for greenhouse (after-the-fact)





Attachment 6





Attachment 6

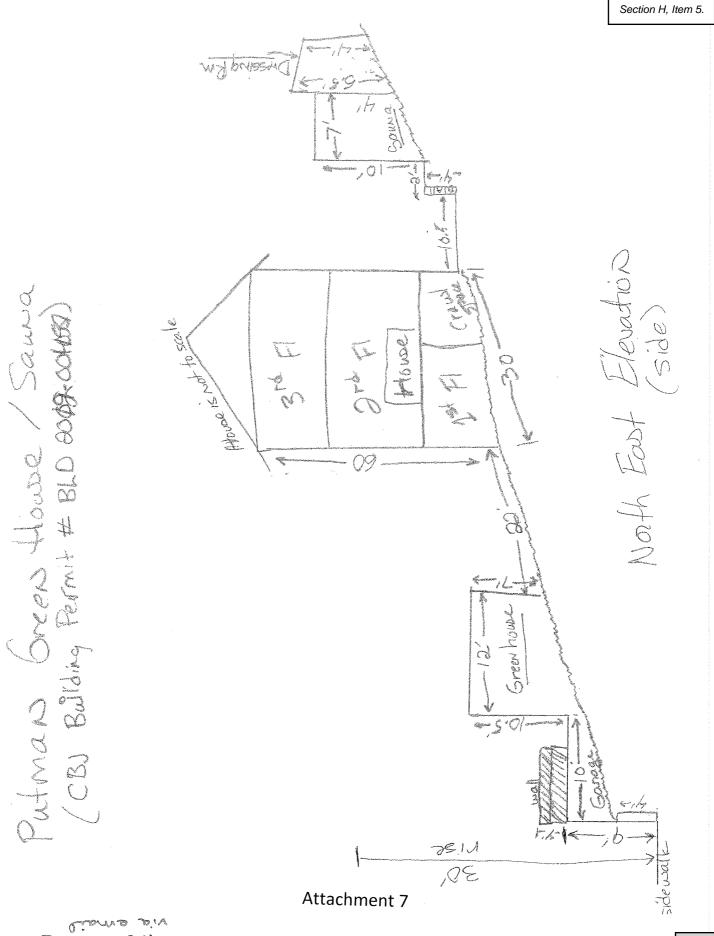


Attachment 6

Section H, Item 5.

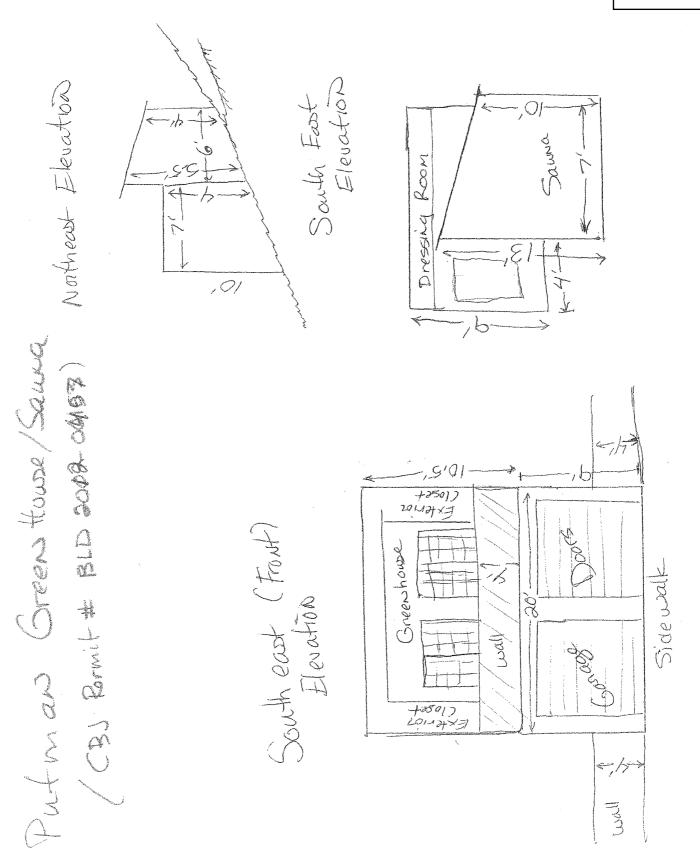


# Attachment 6





Section H, Item 5.





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

# NONCONFORMING CERTIFICATE \*Revised – Noncompliant situation removed

Date: September 3, 2021 File No.: NCC2021 0065

Kimberly Homme & Vance Fate Putman P.O. Box 20473 Juneau, AK 99802

Proposal:

A Nonconforming Situation Review for structures.

Property Address:114 Sixth StreetProperty Legal Description:Juneau Townsite Block 29 Lot 2Property Parcel Code No.:1C060A290030

The Director of Community Development adopted the analysis and findings listed in the attached memorandum dated August 20, 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):
  - Zero foot front yard setback for the garage
  - o 4.69 foot east side yard setback for the garage
  - o 2.71 foot east side yard setback for the dwelling

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.

The Director of Community Development adopted the analysis and findings listed in the attached memorandum dated August 20, 2021 and has found the following situations on the lot to be noncompliant to the Title 49 Land Use Code of the City and Borough of Juneau:

# Noncompliant setbacks:

 Two (2) sheds are noncompliant for west side yard setback requirement. In order to comply with the Land Use Code, the applicant must relocate the sheds to conform to the 3 foot setback in CBJ File No.: NCC2021 0065 September 3, 2021 Page 2 of 2

49.25.430(4)(C)(iii) for unheated structures, or apply for a setback reduction through the Alternative Development Overlay District, or receive an approved Variance to reduce the side yard setback to zero.

• The property owners must bring the setback encroachment into compliance with the Land Use Code.

REVISION: In response to this decision, the property removed the noncompliant sheds. Staff was sent photographs to document the sheds removal. A site visit confirmed the sheds are no longer present on the lot.

# THE NONCOMPLIANT SITUATION HAS BEEN REMOVED.

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.



COMMUNITY DEVELOPMENT

**DATE:** August 20, 2021

TO: Jill Maclean, Director, AICP

BY: Allison Eddins, Planner II

PROPOSAL: A Nonconforming Situation Review for structures.

# **KEY CONSIDERATIONS FOR REVIEW:**

- The residential structure was constructed in 1914, and the lot was platted in 1934, prior to the establishment of zoning.
- The garage was constructed in the 1950s, prior to the establishment of zoning.
- A greenhouse constructed on top of the garage received a Conditional Use Permit (USE2013 0016) for front and east side yard setback encroachments.
- The sauna received a Variance (VAR2013 0015) for the rear and east side yard setback encroachments.
- There are two 25 square-foot sheds encroaching into the west side yard setback. These sheds are noncompliant.

GENERAL INFORMATION				
Property Owner	Kimberly Homme and Vance Putman			
Applicant	Kimberly Homme			
Property Address	114 Sixth Street			
Legal Description	Juneau Townsite Block 29 Lot 2			
Parcel Number	1C060A290030			
Zoning	D18			
Lot Size	5,000 square feet			
Water/Sewer	СВЈ			
Access	Sixth Street			
Existing Land Use	Residential			
<b>Associated Applications</b>	None			

# DIRECTOR'S REVIEW STAFF REPORT NONCONFORMING CERTIFICATION NCC2021 0065

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

# **STAFF RECOMMENDATION:**

Staff recommends the following situations receive Nonconforming Certification:

• Nonconforming Structures (49.30.250)

# 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:

 Two (2) sheds are noncompliant for setbacks.

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

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

August 20, 2021 NCC2021 0065 Page 2 of 7

# SITE FEATURES AND ZONING



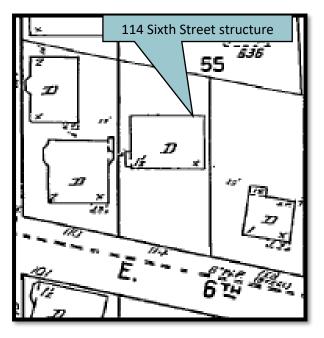
# SURROUNDING ZOVING AND LAND USESNorth (D18)ResidentialSouth (MU)OfficeEast (D18)ResidentialWest (D10)Residential

SITE FEATURES				
Anadromous	None			
Flood Zone	Zone X			
Hazard	Low Risk Landslide			
	Area			
Hillside	No			
Wetlands	No			
<b>Parking District</b>	No			
<b>Historic District</b>	No			
<b>Overlay Districts</b>	Juneau ADOD			

# **CURRENT ZONING MAP**







August 20, 2021 NCC2021 0065 Page 3 of 7

# **ZONING HISTORY**

Year	Zoning District	Summary
1914	No Zoning	According to the CBJ Assessor's records, the dwelling was constructed in 1914 and predates zoning.
1934	No Zoning	The lot was platted in 1934 as part of the Juneau Townsite Subdivision (Plat 1934-1).
1956	R2 Residential	Zoning was established in Juneau in 1956. The lot and surrounding area was zoned R2. The minimum front yard setback was 15 feet; the minimum rear yard setback was 10 feet; and the minimum side yard setback was 5 feet. The dwelling became nonconforming for the east side yard setback. The garage became nonconforming for front and east side yard setbacks.
1969	RMM Multi- family	In 1969, the lot and surrounding area was rezoned to RMM. The minimum front yard setback was 15 feet; the minimum rear yard setback was 10 feet; and the minimum side yard setback was 5 feet. The dwelling remained nonconforming for the east side yard setback, and the garage remained nonconforming for front and east side yard setbacks.
1987	D18 Multi-family	In 1987, the lot and surrounding area was rezoned to D18. The minimum front yard setback became 20 feet; the minimum rear yard setback became 15 feet; and the minimum side yard setback remained at 5 feet. The dwelling remained nonconforming for the east side yard setback, and the garage remained nonconforming for front and east side yard setbacks.

# **BACKGROUND INFORMATION**

The applicant requests a Nonconforming Certification for front and east side yard setbacks. Assessor's data indicates the dwelling was constructed in 1914. The earliest reference to the dwelling was found on a 1927 tax map. The garage was first referenced in a staff report for USE2013 0016. The 2013 staff report indicates the garage was constructed in the 1950s. Although the garage was not referenced on the 1969 tax maps, the staff report determined the garage to be nonconforming for the front and east side yard setbacks.

A greenhouse was constructed above the garage prior to 2013. The greenhouse received an after-the-fact Conditional Use Permit (USE2013 0016) to allow the second-story front and east side yard setback encroachments. The Conditional Use Permit makes the greenhouse compliant for setbacks.

A sauna was constructed in the rear of the lot prior to 2013. The lot received an after-the-fact variance (VAR 2013-15) to reduce the east side and rear yard setbacks to zero feet for the construction of the sauna. This variance makes the sauna conforming for setbacks.

A 2012 as-built indicates there are two sheds, approximately 25 square feet each, on the lot. The sheds have a zero-foot setback along the west side yard. Although building permits are not required for 25 square-foot sheds without electricity, sheds are not allowed to have a zero-foot setback. CBJ 49.25.430(4)(c)(iii) allows unheated structures to encroach into setbacks as long as the structures maintain a minimum setback of three feet. The sheds are noncompliant, and the property owner must bring the noncompliant structures into compliance with the Land Use Code setback requirements.

August 20, 2021 NCC2021 0065 Page 4 of 7

# **INFORMATION REVIEWED**

Year	Туре	Summary
1927	Тах Мар	Indicates the residential structure predates zoning.
1934	Plat	Plat 1934-1 to determine when lot was created.
2012	As-built	Used to determine setbacks.
2013	CDD Staff Reports	USE2013 0016 and VAR2013 0015 used to determine greenhouse and sauna conformity.
2013	Aerial Photography	2013 aerial photography used to estimate lot coverage and vegetative cover.
2013	Assessor's Photography	To estimate building height and confirm off-street parking.
2020	Assessor's Records	To verify date of construction.
2021	Site Visit	To verify lot coverage, building heights, vegetative cover and the existence of two noncompliant sheds.

# **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		D18 Requirement	Existing	Code Reference
Lot	Size	5,000 sq. ft.	5,000 sq. ft.	49.25.400
	Width	50'	50'	49.25.400
	Depth	80'	100'	49.25.400
Setbacks	Front	20'	<b>0' (garage)</b> 0' (greenhouse)	49.25.400
	Rear	10'	50' (residential structure) 0' (sauna)	49.25.400
	East Side	5'	<ul> <li>2.71' (residential structure)</li> <li>4.69' (garage)</li> <li>4.69' (greenhouse)</li> </ul>	49.25.400
	West Side	5' (Reduced to 3' for unheated structures)	0' (Noncompliant sheds)	49.25.400
Lot Coverage		50%	37%	49.25.400
Height	Permissible	35′	<35	49.25.400
-	Accessory	25'	~20'	49.25.400
Maximum Dwelling	g Units	1	1	49.25.500
Use		Residential	Residential	49.25.300
Vegetative Cover		30%	32%	49.50.300
Parking		2	2	49.40.210(a)

August 20, 2021 NCC2021 0065 Page 5 of 7

**Minimum Lot Requirements** – The table above demonstrates that the lot meets the minimal lot size, lot width, and lot depth requirements for the D18 zoning district.

#### Finding: Staff finds the lot conforming for lot size, lot width, and lot depth.

**Minimum Setback Requirements** – The dwelling and the garage were built prior to the establishment of zoning. The greenhouse received a Conditional Use Permit for the front and east side yard setback encroachments. The sauna received a Variance for the rear and east side yard setback encroachments. The lot contains two sheds that are noncompliant for the west side yard setbacks.

# Finding: Staff finds the dwelling nonconforming for east side yard setbacks, and the garage nonconforming for front and east side yard setbacks.

#### Finding: Staff finds the two sheds noncompliant.

Lot Coverage – Based on 2013 aerial imagery and a 2021 site visit, maximum lot coverage is not exceeded.

#### Finding: Staff finds the lot conforming for lot coverage.

**Structure Height** – Assessor's photos and site visit confirm that the structures do not exceed the maximum height limits.

#### Finding: Staff finds the structures conforming for height.

**Residential Density** – The lot contains a single-family dwelling. The assessor's database indicates one unit.

#### 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** – According to the GIS aerial imagery and a site visit, the minimum vegetative cover requirement is met.

#### Finding: Staff finds the lot conforming for vegetative cover.

**Parking** – CBJ 49.40.210 requires two 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). 2013 Assessor photographs indicate two off-street parking spaces within the garage, which was confirmed with a site visit.

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

#### **NONCOMPLIANT SITUATIONS**

49.30.310(j) **Failure of a situation to qualify for nonconforming certification**. If a situation does no qualify for or is denied nonconforming certification, it is noncompliant and the property is subject to enforcement actions consistent with this title.

### Attachment H - 2021 Nonconforming Certification

August 20, 2021 NCC2021 0065 Page 6 of 7

The lot contains two non-electrified sheds approximately 25 square feet each that are noncompliant for setbacks.

Finding: Staff finds the two shed structures noncompliant for setbacks. In order to comply with the Land Use Code, the applicant must relocate the sheds to comply with 3 foot setback requirement for unheated structures in CBJ 49.25.430(4)(C)(iii), apply for a setback reduction through the Alternative Development Overlay District, or receive an approved Variance to reduce the west side yard setback to zero.

#### **ABANDONMENT**

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

(1) The owner indicates in writing that the nonconforming situation is being permanently discontinued;

(2) The nonconforming situation is damaged, destroyed, removed or demolished intentionally by the owner or intentionally by an authorized agent of the owner;

(3) The nonconforming structure is moved;

(4) The owner takes action consistent with an intent to abandon the nonconforming situation;

(5) The structure(s) associated with the nonconforming situation has been vacant for 365 consecutive days;

(6) Except for a structure with a nonconforming residential density, the nonconforming use has ceased and not substantially resumed for 365 consecutive days; or

(7) A structure with a nonconforming residential density has been unoccupied for 1095 consecutive days.

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

#### **FINDINGS**

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

Analysis: The dwelling and garage were constructed prior to the establishment of zoning.

Finding: Yes. The nonconforming situation was allowed when established.

**Analysis:** The sheds along the west side lot line encroach into the west side yard setback requirement for unheated structures. This encroachment was not approved.

#### Finding: Staff finds the sheds noncompliant for setbacks.

August 20, 2021 NCC2021 0065 Page 7 of 7

#### 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 situation on the lot to be NONCONFORMING to the Title 49 Land Use Code:

- Nonconforming structures (49.30.250):
  - o Zero foot front yard setback for the garage
  - o 4.69 foot east side yard setback for the garage
  - o 2.71 foot east side yard setback for the dwelling

Staff recommends that the Director adopt the analysis and findings, and find the following situations NONCOMPLIANT to the Title 49 Land Use Code:

- Noncompliant setbacks:
  - Two (2) sheds are noncompliant for the west side yard setback. In order to comply with the Land Use Code, the applicant must relocate the sheds to conform to the 3 foot setback in CBJ 49.25.430(4)(C)(iii) for unheated structures, or apply for a setback reduction through the Alternative Development Overlay District, or receive an approved Variance to reduce the west side yard setback to zero.
  - $\circ~$  The property owners must bring the setback encroachment into compliance with the Land Use Code.

#### **STAFF REPORT ATTACHMENTS**

Item	Description
Attachment A	Application Packet
Attachment B	Information Reviewed

ALASEA'S CAPITAL CITY NOTE: Dev	elopment Permit Applicat	RMIT APPLICATION
COMMUNITY DEVELOPMENT Communit	y Development Departme	
PROPERTY LOCATION		and dispersion of a straight second
Physical Address 114 Sixth Street		
	DI LOGIL	1
Parcel Number(s)	e. Black 29 Lot	L
1-C06-0-A 29-0	03-0	
This property located in the downtown h		
This property located in a mapped hazard	d area, if so, which	
LANDOWNER/LESSEE		
Property Owner Kimbert U Homme Vareto	te Putman Contact Person	berly Homme
Mailing Address	AV GARD 2	Phone Number(s)
E-mail Address	NE LIDUZ	907321-2933
Kimberlyhomme@gmail.co	om	
	ed for Planning Permits, not needed on Bu	
I am (we are) the owner(s)or lessee(s) of the property subject to the A. This application for a land use or activity review for develo	pment on my (our) property is made with i	my complete understanding and permission.
B. I (we) grant permission for officials and employees of the C	īty and Borough of Juneau to inspect my p	roperty as needed for purposes of this application.
x Kamberly form	2	<u>8/9/21</u>
Landowner/tessee Signature		0/9/21
XLendowner/Lessee Signature		Date
NOTICE: The City and Borough of Juneau staff may need access to t	he cublect property during regular busines	ss hours and will attempt to contact the landowner in addition to
the formal consent given above. Further, members of the Planning	commission may visit the property before	e the scheduled public hearing date.
APPLICANT If the sa	ame as OWNER, write "SAME"	WE NAME OF A CONTRACTOR
Applicant Same	Contact Person	
Mailing Address		Phone Number(s)
E-mail Address		
X		
Applicant's Signature		Date of Application

Intake Initials
Date_Received

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



# **APPLICATION FOR A NONCONFORMING CERTIFICATION REVIEW**

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

COMMUNITY DEVELOPMENT

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

USE STRUCTURE DENSIT	CHECK ALL THAT MAY APPLY) Y PARKING I LOT
	explains the above listed nonconforming situations? YES NO NO
	itted. Include this material and an as-built or site plan with the application. <i>Nation was allowed when established</i> may include: building or land use maps, dated photographs.
Situation	Type of Documentation
substandard lot	Plat
substandard lot substandard setbacks	Plat as-built
	as-built
	as-built
	as-built

1aintained Situation	Type of Documentation
used as single family home since 1914	CBJ Historic Structures Database

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

ALL REQUIRED MATERIALS ATTACHED	NONCONFORMING	CERTIFICATION	<b>REVIEW FEES:</b>		
Complete Application (Per CBJ 49.30.310)		Fees w	Check No.	Receipt	Date
✓Narrative	Application Fees	\$ 150-			
As-built survey or similar document	Admin. of Guarantee	\$			
Documentation	Adjustment	\$ 100000			
	Total Fee	s_150			
<u>/</u> Fees					

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

#### **INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

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

NCC 71-65.	Date Received
------------	---------------

#### Nonconforming Certification Application Instructions

Nonconforming Situations is outlined in CBJ 49.30.310

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

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

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

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

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

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

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

#### **INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

# Narrative for Application for a Nonconforming Certification Review.

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

The property at 114 Sixth Street has been a residential home since 1914. The property doesn't meet current set back + Lot Size requirements for DIS zoneng A Conditional Use Permit was granted by CBJ for the 10' x 20' greenhouse on top of a garage. The property has a non-conforming lot size and non-conforming front and sideyard setback. As a result, a conditional use permit was granted for the Greenhouse after the as-built survey was completed.

Copies of the Notice of Decision / 2013 CBJ Correspondence are attached, of which includes the as-built agreement.

A Variance was granted by CBJ to reduce the 5' side yard set back to zero and the 10' rear yard setback to zero feet for construction of a sauna in the NW corner of the property. An easement agreement exists with the adjacent property owners, Richard and Kathy Ward, and recognizes the 3 inch encroachment and allows use and maintenance of the sauna structure on the property. The encroachment was determined after the as-built survey was completed.

Copies of the Notice of Decision / 2013 CBJ Correspondence are included. The easement agreement is included.

The CBJ Historic Structure Database is also a reference doc provided.

Thank you for your review. Komberligtomme

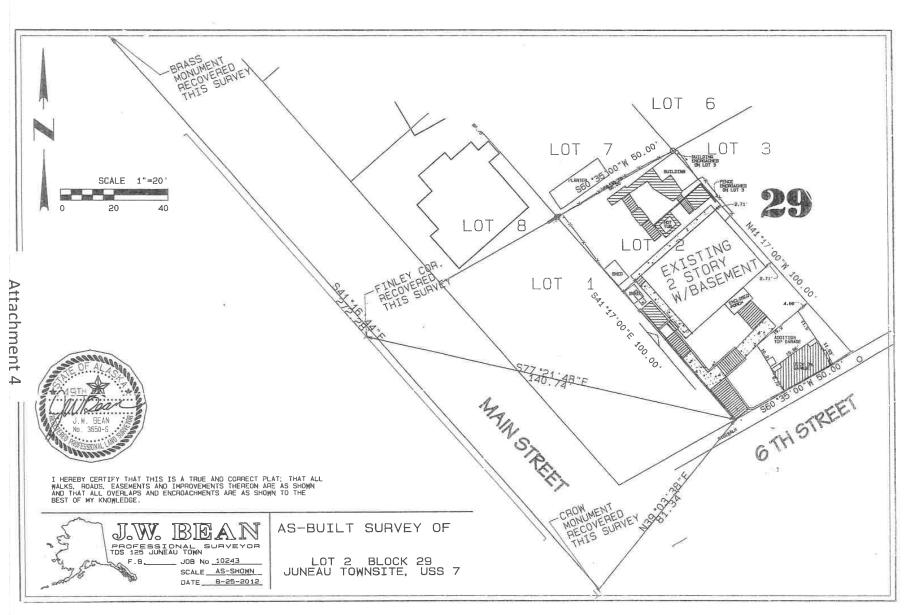
8/9/21

Attachment A - Application Packet

Section H, Item 5.

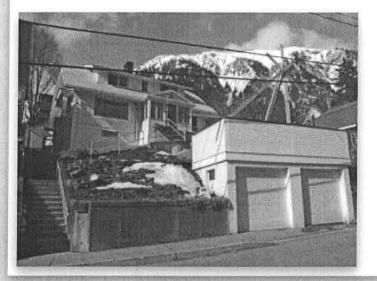






# Willis-Davis House

Location: 114 6th Street AHRS#: JUN-160 CBJ#: B-23 Parcel#: 1C060A290030 Year Built: 1915 Architectural Style: Other/ Juneau Folk Architect/Contractor: Unknown Historic Name: Willis-Davis House Historic Period: Territorial Gov Historic Integrity: preserved Neighborhood: Juneau Townsite Date of Local Designation: Not Designated Date of National Register Designation: Not Regist



# Additional Information

#### **General Description**

The house measures 29? x 36?. It is a one-and-one-half stories, wood frame structure with hip-on-gable roof form featuring large shed dormer. It has a concrete partial basement and is sided with horizontal wood lap siding. Other features include a pedimented enclosed entry porch.

#### **Historical Information**

The house was constructed in 1914 for J.R. Willis, collector of Customs and Vice President of the B.M. Behrends Bank. Wi served on the City Council and was Vice Mayor. From 1920 until 1935, Valorous and Grace Paine owned the house until Ji photographer, Trevor Davis and his wife, Carol Beery Davis bought it. It continues to be the Davis home.

Historic Use residential

#### Source

Juneau Townsite Building Survey, City and Borough of Juneau, Alaska, September 1988



PLANNING COMMISSION NOTICE OF DECISION Date: October 23, 2013 File No.: USE2013 0016

Vance F Putman PO Box 20473 Juneau, AK 99802

Hearing Date:

An after-the-fact Conditional Use Permit for a greenhouse constructed over a garage that encroaches 3 inches into the 10-foot front yard setback and 3 inches into the 5-foot side yard setback.

Application For:	An after-the-fact Conditional Use Permit for a greenhouse constructed over a garage that encroaches 3 inches into the 10-foot front yard setback and 3 inches into the 5-foot side yard setback.
Legal Description:	Juneau Townsite Block 29 Lot 2
Property Address:	114 Sixth Street
Parcel Code No .:	1-C06-0-A29-003-0

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated October 15, 2013 and approved the project to be conducted as described in the project description and project drawings submitted with the application.

October 22, 2013

Attachments: October 15, 2013 memorandum from Teri Camery, Community Development, to the CBJ Planning Commission regarding USE2013 0016.

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, October 22, 2013

Expiration Date: The permit will expire 18 months after the effective date, or April 22, 2015 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.

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

Section H, Item 5.

## Attachment A - Application Packet

Vance F Putman File No.: USE2013 0016 October 23, 2013 Page 2 of 2

Project Planner:

100

Teri Camery, Senior Planner **Community Development Department** 

Michael Satre, Chair **Planning Commission** 

Filed With City Clerk

10/25/13

Date

#### Plan Review cc:

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.

# MEMORANDUM

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

DATE:	October 15, 2013
TO:	Planning Commission
FROM:	Teri Camery, Senior Planner Community Development Department
FILE NO.:	USE2013 0016
PROPOSAL:	An after-the-fact Conditional Use Permit for a greenhouse constructed over a garage that encroaches 3 inches into the 10- foot front yard setback and 3 inches into the 5-foot side yard setback.
<b>GENERAL INFORMATION</b>	
Applicant:	Vance F Putman
Property Owner:	Vance F Putman
Property Address:	114 Sixth Street
Legal Description:	Juneau Townsite Block 29 Lot 2
Parcel Code Number:	1-C06-0-A29-003-0
Site Size:	4,893 square feet
Comprehensive Plan Land Use Designation:	Medium Density Residential
Zoning:	D-18
Utilities:	CBJ Water and Sewer
Access:	Sixth Street
Existing Land Use:	single-family dwelling



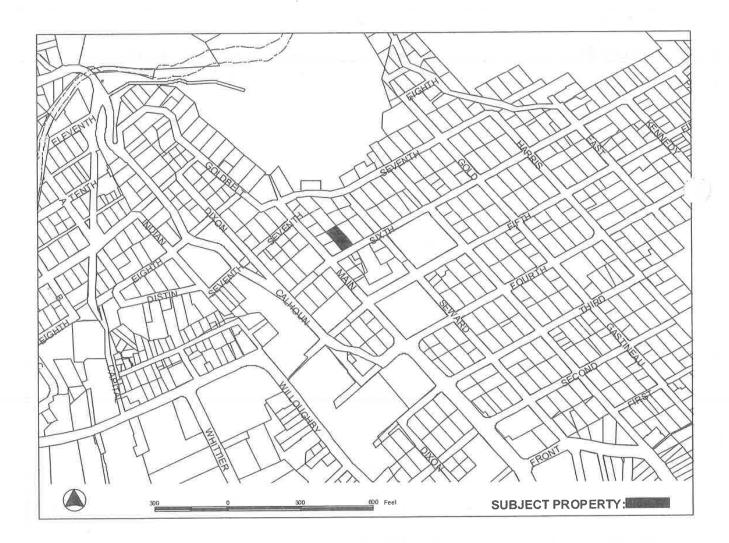
CITY/BOROUGH OF JUNEAU

Surrounding Land Use:

North	
South	
East	
West	

D-18 Residential Sixth Street; D-18 Residential D-18 Residential D-18 Residential

## Vicinity Map



Planning Commission File No.: USE2013 0016 October 15, 2013 Page 3 of 6

#### **ATTACHMENTS**

Attachment 1 Development Permit Application
Attachment 2 Conditional Use Permit Application
Attachment 3 Project Narrative
Attachment 4 Survey
Attachment 5 Building Permit plans
Attachment 6 Applicant photos
Attachment 7 Project elevation

#### **PROJECT DESCRIPTION**

The applicant requests a Conditional Use Permit for after-the-fact construction of a 10' x 20' greenhouse on top of a garage. The greenhouse encroaches three inches into the 10-foot frontyard setback in the southwest corner of the structure, and three inches into the five-foot side-yard setback in the northeast corner of the structure, due the slight angle of the garage. Setback encroachments that occur at the second story elevation or higher are reviewed through the Conditional Use Permit process instead of the Variance process, per CBJ Code 49.25.430(4)(M). The structure does not qualify under code sections that allow encroachments for minor issues both because it is heated and because it is on the second floor.

The greenhouse was constructed on top of a garage that was built in the 1950s at the zero footsetback line. The garage is a legally non-conforming structure. The greenhouse encompasses approximately half the width of the garage, very close to the 10-foot front yard setback line. The three inch encroachment at the opposite corners of the greenhouse was discovered when the asbuilt survey was completed (Attachment 4). In both the southwest and northeast corners of the greenhouse, the structure encroaches three inches over a linear distance of approximately two feet. Due to the angle, the three inch encroachment does not extend the full length of either side of the greenhouse.

#### **BACKGROUND**

The lot has a legally non-conforming lot size and legally non-conforming front and side-yard setbacks. Assessor's Office records indicate that the home was built in 1914. In addition to the Conditional Use Permit, the applicant has also applied for an after-the-fact Variance for construction of a sauna in the northeast corner of the lot. Both encroachments were discovered only after the as-built survey was completed.

Planning Commission File No.: USE2013 0016 October 15, 2013 Page 4 of 6

#### ANALYSIS

#### Project Site and Design -

The project is located on D-18 residential lot with a substandard lot size and substandard setbacks. The lot has a 35 degree slope. Building plans for the greenhouse have been included in Attachment 5, while elevations are included in Attachment 7. Photos are included in Attachment 6. The structure has been designed to blend well with both the garage and the single-family home.

#### Public Health or Safety -

No evidence indicates that the proposed development will negatively impact public health or safety.

#### Property Value or Neighborhood Harmony -

Due to the 35 degree slope of the property as well as the very minor three inch encroachment, no evidence indicates that the development will negatively impact views, light and air, property value, or neighborhood harmony.

#### **Conformity with Adopted Plans -**

The project substantially conforms with the 2013 Juneau Comprehensive Plan, specifically Policy 10.3 and 10.4, which state:

**Policy 10.3** [It is the policy of the CBJ] to facilitate residential developments of various types and densities that are appropriately located in relation to site conditions, surrounding land uses, and capacity of public facilities and transportation systems.

**Policy 10.4** [It is the policy of the CBJ] to minimize conflicts between residential areas and nearby recreational, commercial, or industrial uses that would generate adverse impacts to existing residential areas through appropriate land use locational decisions and regulatory measures.

The project conforms with these measures by constructing the greenhouse on top of an existing structure in a way that blends in with other structures on the lot and has minimal visual impact on the neighborhood.

#### **FINDINGS**

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

1. Whether the application is complete;

Planning Commission File No.: USE2013 0016 October 15, 2013 Page 5 of 6

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

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

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

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

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

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

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

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

**Yes.** The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ §49.25.300, Section 49.25.300.1.110 for the D-18 zoning district.

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

**Yes.** The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in the October 11, 2013 and October 18, 2013 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public Right of Way.

Planning Commission File No.: USE2013 0016 October 15, 2013 Page 6 of 6

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

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

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

**No.** Based on the preceding analysis, no available evidence indicates that the proposed development will substantially decrease the value of or be out of harmony with property in the neighboring area. The setback encroachment is minor and does not block views due to the steep slope in the area.

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

**Yes.** The proposed development complies with the 2013 Juneau Comprehensive Plan, specifically policies 10.3 and 10.4 regarding residential development.

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

7. Will the proposed development comply with the Juneau Coastal Management Program? Not applicable.

#### RECOMMENDATION

Staff recommends that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use permit. The permit would allow the development of a greenhouse on top of an existing garage which would encroach three inches into the front and side yard setbacks.

				Section H, Ite
	Attachment	A - Application		
	DEVEL OPMEN	TDEDANT		
Proje		I PERIVII	APPLICA	TION
Projec	ct Name CITY an	d BOROUGH o	JUNEAU	Received: 5/2-/12
(Cary St	Project Description			
	AS-built Su	rvey of n	ew structu	10 0°
	3" encroachment i	HO CRI	Sidewalk	The discovered
z	PROPERTY LOCATION		SINCHARK	SETAUCE
TIO	ILL E (th	Street	City/Zip JU	0.000
<	Legal Description(s) of Parcel(s) (Subdivision, Survey Assessor's Parcel Number(s)	Block, Tract, Lot)	Block 29	1820 91801
ORM.	1 006	A 2 900 30	DIDLE 29	LOT 6
0	Property Owner's Name	The second second second	NEW YORK AND A DESIGNATION OF	
Ľ	Mailing Address Ritman and K	imberly Hown	Contact Person: E. PUHMAN	Work Phone: 321-0773
Bropper		Uneau 9990	2 Home Phone: 321-0772	2 Fax Number:
	tateputmen (or g	mail.com	Other Contact Phone Nu	mber(s);
	LANDOWNER/LESSBE CONSENT	entired for Pleinning Females	of the state of a state of the	<u>975 (m)</u>
<u>-</u>	A. This application for a lead on the property subje	ct to this application and I (we)	consent as follows:	CONTRACTOR OF A STATE
PLICAN	12 2 1. 11 1	es of the City and Borough of .	luneau to inspect my property a	ate understanding and permission. As needed for purposes of this
2	X Landowner/Lessee Signature		LI LI	129/202
- 1	candownenLessee Signature		Dáta	13-113013
	X Danilio, la Vana	S-1-2	water	
D	XLandowner/Lessee Signature	me	<u> </u>	29/2013
AP	Landowner/Lessee Signature	CESS to the subject property right	Date	29/2013
CT I AP	Landowner/Lessee Signature NOTICE: The City and Borough of Juneau staff may need ac landowner in addition to the formal consent given above. Fur hearing date.	cess to the subject property du ther, members of the Planning	Tring regular business hours an Commission may visit the prop	d will attempt to contact the perty before the scheduled public
JECT / AP	Landowner/Lessee Signature NOTICE: The City and Borough of Juneau staff may need ac landowner in addition to the formal consent given above. Fur hearing date.	Cess to the subject property du ther, members of the Planning Me: SAME: and sign and data	at X Serow	d will attempt to contact the public
UJECT / AP	Landowner/Lessee Signature NOTICE: The City and Borough of Juneau staff may need ac landowner in addition to the formal consent given above. Fur hearing date.		visit the prop	d will attempt to contact the perty before the scheduled public Work Phone:
PRUJECT / AP	Landowner/Lessee Signature NOTICE: The City and Borough of Juneau staff may need ac landowner in addition to the formal consent given above. Fur hearing date. APPLICANT If the same as OWNER, w Applicant's Name Mailing Address Same Same		at X Serow	perty before the scheduled public
PRUJECT / AP	Landowner/Lessee Signature NOTICE: The City and Borough of Juneau staff may need ac landowner in addition to the formal consent given above. Fur hearing date. APPLICANT Applicant's Name		and Deine Contact Person:	Work Phone: Fax Number:
PRUJECT / AP	Landowner/Lessee Signature NOTICE: The City and Borough of Juneau staff may need ac landowner in addition to the formal consent given above. Fur hearing date. APPLICANT If the same as OWWER, w Applicant's Name Mailing Address SAMC E-mail Address		atorbeine Contact Person: Home Phone:	Work Phone: Fax Number:
L L L L L L L AP	Landowner/Lessee Signature NOTICE: The City and Borough of Juneau staff may need ac landowner in addition to the formal consent given above. Fur hearing date. APPLICANT Applicant's Name Mailing Address Same E-mail Address Same X Anniicher's Signature	nie Sawe and side and tak	Contact Person: Home Phone: Other Contact Phone Numb	Work Phone: Fax Number: per(6): 241/2012
L L L L L L L AP	Landowner/Lessee Signature NOTICE: The City and Borough of Juneau staff may need ac landowner in addition to the formal consent given above. Fur hearing date. APPLICANT If the same as OWNER, w Applicant's Name Mailing Address Same E-mail Address Same X Applicant's Signature OFFICE US	nie Sawe and side and tak	Contact Person: Contact Person: Home Phone: Other Contact Phone Numb	Work Phone: Fax Number:
L L L L L L L AP	Landowner/Lessee Signature NOTICE: The City and Borough of Juneau staff may need ac landowner in addition to the formal consent given above. Fur hearing date. APPLICANT If the same as OWNER, w Applicant's Name Mailling Address Same E-mail Address Same X Pseojle Type Building/Grading	No SAME' and and data	Contact Person: Home Phone: Other Contact Phone Numb Date of	Work Phone: Fax Number: Pay Data Application
L L L L L L L AP	Landowner/Lessee Signature NOTICE: The City and Borough of Juneau staff may need ac landowner in addition to the formal consent given above. Fur hearing date. APPLICANT If the same as OWNER, w Applicant's Name Mailing Address Same E-mail Address Same X Applicant's Signature OFFICE US Building/Grading Permit Cit/VState	No SAME' and and data	Contact Person: Home Phone: Other Contact Phone Numb Date of	Work Phone: Fax Number: Pay Job 2 Application
C T AP	Landowner/Lessee Signature NOTICE: The City and Borough of Juneau staff may need ac landowner in addition to the formal consent given above. Fur hearing date. APPLICANT If the same as DWNER, w Applicant's Name Mailing Address Same K Applicant's Signature OFFICE US Permit Type Building/Grading Permit City/State Project Review and City Land Action Inguiry Case	No SAME' and and data	Contact Person: Home Phone: Other Contact Phone Numb Date of	Work Phone: Fax Number: Pay Data Application
C T AP	Landowner/Lessee Signature NOTICE: The City and Borough of Juneau staff may need ac landowner in addition to the formal consent given above. Fur hearing date. APPLICANT If the same as OWNER, w Applicant's Name Mailing Address Same E-mail Address Same X Applicant's Signature OFFICE US Permit City/State Project Review and City Land Action Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed) Mining Case	No SAME' and and data	Contact Person: Home Phone: Other Contact Phone Numb Date of	Work Phone: Fax Number: Pay Data Application
C T AP	Landowner/Lessee Signature NOTICE: The City and Borough of Juneau staff may need ac landowner in addition to the formal consent given above. Fur hearing date. APPLICANT If the same as DWNER, w Applicant's Name Mailing Address Same K Applicant's Signature OFFICE US Permit Type Building/Grading Permit Type City/State Project Review and City Land Action Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed) Mining Case (Small, Large, Rural, Extraction, Exploration) Sigh Approval	E ONLY BELOW THIS LI	Contact Person: Home Phone: Other Contact Phone Numb Date of	Work Phone: Fax Number: Pay Data Application
PROJECT / AP	Landowner/Lessee Signature NOTICE: The City and Borough of Juneau staff may need ac landowner in addition to the formal consent given above. Fur hearing date. APPLICANT If the same as OWNER, w Applicant's Name Mailling Address Same E-mail Address Same E-mail Address Same C Promit Type Building/Grading Permit City/State Project Review and City Land Action Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed) Mining Case (Small, Large, Rural, Extraction, Exploration) Sign Approval (If more than one, fill in all applicable permit #'s Subdivision	E ONLY BELOW THIS LI	Contact Person: Home Phone: Other Contact Phone Numb Date of	Work Phone: Fax Number: Pay Data Application
PROJECT / AP	Landowner/Lessee Signature NOTICE: The City and Borough of Juneau staff may need ac landowner in addition to the formal consent given above. Fur hearing date. APPLICANT If the same as DWNER, w Applicant's Name Mailing Address Same K Applicant's Signature OFFICE US Permit Type Building/Grading Permit Type Building/Grading Permit Type (Fee In Lieu, Letter of ZC, Use Not Listed) Mining Case (Small, Large, Rural, Extraction, Exploration) Sign Approval (If more than one, fill in all applicable permit #'s Subdivision (Minor, Major, PUD, St. Vacation, St. Name Char Use Approval (Allowable Constituent Constituent Constituent Constituent)	E ONLY BELOW THIS LI	Al A Delma Contact Person: Home Phone: Other Contact Phone Numt Date of Rectived	Work Phone:       Fax Number:       Pay/2012       Application
PROJECT / AP	Landowner/Lessee Signature NOTICE: The City and Borough of Juneau staff may need ac landowner in addition to the formal consent given above. Fur hearing date. APPLICANT If the same as OWNER, w Applicant's Name Mailling Address SAMC E-mail Address SAMC  X Applicant's Signature OFFICE US Project Review and City Land Action Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed) Mining Case (Fee In Lieu, Letter of ZC, Use Not Listed) Mining Case (Smail, Large, Rural, Extraction, Exploration) Sign Approval (If more than one, fill in all applicable permit #s Subdivision Use Approval (Allowable, Conditional, Cottage Home Parks, Accessory Apartment) Variance Case	E ONLY BELOW THIS LI	Contact Person: Home Phone: Other Contact Phone Numb Date of	Work Phone: Fax Number: Per(s): Phylodication Diffication
PROJECT / AP	Landowner/Lessee Signature NOTICE: The City and Borough of Juneau staff may need ac landowner in addition to the formal consent given above. Fur hearing date. APPLICANT If the same as OWWER, we Applicant's Name Mailing Address Same E-mail Address Same X Applicant's Signature OFFICE US Permit City/State Project Review and City Land Action Inquiry Case (Fae In Lieu, Letter of ZC, Use Not Listed) Mining Case (Fae In Lieu, Letter of ZC, Use Not Listed) Mining Case (Fae In Lieu, Letter of ZC, Use Not Listed) Mining Case (Fae In Lieu, Letter of ZC, Use Not Listed) Mining Case (If more than one, fill in all applicable permit #'s Subdivision (Minor, Major, PUD, St. Vacation, St. Name Char (Use Approval (Allowable, Conditional, Cottage Ho Mobile Home Parks, Accessory Apartment) Variance Case (De Minimis and all other Variance case types) Wetlands	E ONLY BELOW THIS LI	Contact Person: Contact Person: Home Phone: Other Contact Phone Numt	Work Phone:       Fax Number:       Pay/2012       Application
PROJECT / AP	Landowner/Lessee Signature NOTICE: The City and Borough of Juneau staff may need ac landowner in addition to the formal consent given above. Fur hearing date. APPLICANT If the same as OWNER, w Applicant's Name Mailing Address SAMC E-mail Address SAMC  Cermail Address Coffice us Coffice	E ONLY BELOW THIS LI	Contact Person: Contact Person: Home Phone: Other Contact Phone Numt	Work Phone:       Fax Number:       Pay/2012       Application
PROJECT / AP	Landowner/Lessee Signature NOTICE: The City and Borough of Juneau staff may need ac landowner in addition to the formal consent given above. Fur hearing date. APPLICANT If the same as OWNER, w Applicant's Name Mailing Address Same E-mail Address Same X Applicant's Signature OFFICE US Building/Grading Permit City/State Project Review and City Land Action Inquiry Case (Fae In Lieu, Letter of ZC, Use Not Listed) Mining Case (Fae In Lieu, Letter of ZC, Use Not Listed) Mining Case (Fae In Lieu, Letter of ZC, Use Not Listed) Mining Case (Fae In Lieu, Letter of ZC, Use Not Listed) Mining Case (If more than one, fill in all applicable permit #'s Subdivision (Minor, Major, PUD, St. Vacation, St. Name Char (Use Approval (Allowable, Conditional, Cottage Hu Mobile Home Parks, Accessory Apartment) Variance Case (De Minimis and all other Variance case types) Wetlands Permits Zone Changé Application Other	E ONLY BELOW THIS LI	Contact Person: Contact Person: Home Phone: Other Contact Phone Numt	Work Phone:       Fax Number:       Pay/2012       Application
PROJECT / AP	Landowner/Lessee Signature NOTICE: The City and Borough of Juneau staff may need ac landowner in addition to the formal consent given above. Fur hearing date. APPLICANT If the same as OWNER, w Applicant's Name Mailing Address Same E-mail Address Same E-mail Address Same C  Provid Type Building/Grading Permit City/State Project Review and City Land Action Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed) Mining Case (Small, Large, Rural, Extraction, Exploration) Sign Approval (If more than one, fill in all applicable permit #S Subdivision Use Approval (Allowable, Conditional, Cottage Ho Mobile Home Parks, Accessory Apartment) Variance Case (De Minimis and all other Variance case types) Wetlands Permits Zone Change Application Other (Describe)	E ONLY BELOW THIS LI	Contact Person: Contact Person: Home Phone: Other Contact Phone Numb Date of NE	Work Phone:       Fax Number:       Pay/2012       Application
PROJECT / AP	Landowner/Lessee Signature NOTICE: The City and Borough of Juneau staff may need ac landowner in addition to the formal consent given above. Fur hearing date. APPLICANT If the same as OWNER, w Applicant's Name Mailing Address SAMC E-mail Address SAMC	E ONLY BELOW THIS LI	Contact Person: Contact Person: Home Phone: Other Contact Phone Numb Date of NE	Work Phone:       Fax Number:       Pay/2012       Application

NOTE: DEVELOPMENT PERMIT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATIONS I:\FORMS\2010 Abolications Revised November 2009

Section H, Item 5.

ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

	t Name (15 characters)	Case Number	Date Received
TYPE OF ALLOWABLE O	R CONDITIONAL USE PERMIT F	and the second sec	and the second
		riveway in Right-of-Way	(ADW)
Use Listed	t in §49.25.300 (USE) Permissible Uses)	,,	
	Table of Permissible Uses Category:		
**An Accessory Apartment Appli	ication will also be required.		6
VEEDED. As-built into CBT sid 9.9" back	FOR WHICH AN ALLOWABLE SURVEY discovered bualk setlack. on one corner	) 3" Encro	APPROVAL IS Machment Mchucled
S THIS A MODIFICATION	OF AN EXISTING APPROVAL?	NO YES-C	ase #
CURRENT USE OF LAND	on top of 1	structure is a 950 poured whome subewalk	concrete and gigin b
ROPOSED USE OF LAND	O OR BUILDING(S): <u>Pecren</u>	tion room av	il garage.
TILITIES PROPOSED:	WATER: Public On Site	се <i>ше</i> р. П	
in the second		e SEWER:	Public On Site
ITE AND BUILDING SPEC Total Area of Lot Total Area of Proposed St XTERNAL LIGHTING: Existing to remain	SIFICS: square feet Total Area ructure(s) 200_square feet See a Hacheo	e SEWER:	square feet
ITE AND BUILDING SPEC Total Area of Lot Total Area of Proposed St XTERNAL LIGHTING:	SIFICS: square feet Total Area ructure(s) 200 square feet See a Hacheo No Yes - Provide fixture inform	of Existing Structure(s)	square feet
ITE AND BUILDING SPEC Total Area of Lot <u>500</u> Total Area of Proposed St XTERNAL LIGHTING: Existing to remain Proposed ROJECT NARRATIVE AND Site Plan Eloor Plan of proposed	SIFICS: square feet Total Area ructure(s) 200 square feet See a Hacheo No Yes - Provide fixture inform No Yes - Provide fixture inform D SUBMITTAL CHECKLIST: d buildings ting and proposed buildings	a of Existing Structure(s)	square feet on of lighting fixtures on of lighting fixtures wrking areas (including d traffic circulation s of the site (drainage,
ITE AND BUILDING SPEC Total Area of Lot Total Area of Proposed St CTERNAL LIGHTING: Existing to remain Proposed ROJECT NARRATIVE AND Site Plan Eloor Plan of propose Elevation view of exist	SIFICS: square feet Total Area ructure(s) 200 square feet See attached No Yes – Provide fixture inform No Yes – Provide fixture inform D SUBMITTAL CHECKLIST: d buildings ting and proposed buildings Cover ALLOWABLE/CONDITIONAL USI Fee See attached See atta	a of Existing Structure(s) nation, cutoff sheets, and location nation, cutoff sheets, and location Existing and proposed pa dimensions) and proposed Existing Physical Feature habitat, hazard areas, etc EFEES	square feet on of lighting fixtures on of lighting fixtures wrking areas (including d traffic circulation s of the site (drainage,
ITE AND BUILDING SPEC Total Area of Lot Total Area of Proposed St CTERNAL LIGHTING: Existing to remain Proposed ROJECT NARRATIVE AND Site Plan Floor Plan of propose Efevation view of exist Proposed Vegetative of r more information regarding rmitting process and the sub- quired for a complete appli	Superior       Square feet       Total Area         ructure(s)       200       square feet         See       See       See         No       Yes - Provide fixture inform         No       Yes - Provide fixture inform         No       Yes - Provide fixture inform         D       Superior         See       See         Abuildings       See         Ing and proposed buildings       See         Cover       See         Application Fees       See	a of Existing Structure(s) nation, cutoff sheets, and location nation, cutoff sheets, and location Existing and proposed pa dimensions) and proposed Existing Physical Feature habitat, hazard areas, etc EFEES	square feet on of lighting fixtures on of lighting fixtures wrking areas (including d traffic circulation s of the site (drainage, .)
ITE AND BUILDING SPEC Total Area of Lot Total Area of Proposed St CTERNAL LIGHTING: Existing to remain Proposed ROJECT NARRATIVE AND Site Plan Floor Plan of propose Efevation view of exist Proposed Vegetative of r more information regarding rmitting process and the sub- quired for a complete appli	Stricts:       Square feet       Total Area         ructure(s)       200       square feet         See       Square feet       Square feet         No       Yes - Provide fixture inform         No       Yes - Provide fixture inform         No       Yes - Provide fixture inform         DSUBMITTAL CHECKLIST:         d buildings         ting and proposed buildings         Cover         ALLOWABLE/CONDITIONAL USI         Application Fees         Admin. of Guarantee         Adjustment         Pub. Not. Sign Fee	a of Existing Structure(s) nation, cutoff sheets, and location nation, cutoff sheets, and location Existing and proposed para dimensions) and proposed Existing Physical Feature habitat, hazard areas, etc EFEES ES Check No. Ref 	square feet on of lighting fixtures on of lighting fixtures wrking areas (including d traffic circulation s of the site (drainage, .)

### **Conditional Use Permit application – Narrative and Attachments**

### Putman/Homme 114 E. 6th Street : CU Application Addendum

A 10'X 20' greenhouse structure was built on top of an existing concrete garage. (Bld. Permit # 2009-00103) The preexisting garage was constructed in approximately 1950. The concrete garage was constructed to the edge of the sidewalk on 6<sup>th</sup> Street and has been a grandfathered structure for the past 60 years.

The new greenhouse structure was built on back half of the 20'X20' garage roof. The greenhouse used the same footprint as the garage, which is slightly out of square. A subsequent as-built survey found that one corner of the new structure was not the full 10 feet back from the sidewalk edge. The SW corner of the roof eave encroaches 3 inches into the 10 foot setback. This is an overhanging eave and not part of the interior of the greenhouse building. The remainder of the greenhouse structure is behind the 10 foot setback. However, because of the overhanging eave, the SW corner of the greenhouse is 9'9" from the CBJ sidewalk.

A Conditional Use permit is required for the 3"encroachment into the 10 foot setback requirement. It is my request that this CU permit be granted to permit this encroachment. There is no impact on the public sidewalk below or any utility conflicts.

#### NE Corner of greenhouse

In addition to the overhanging eave, the As-built Survey determined that the Northeast corner of the garage/greenhouse encroaches into setback requirements with the adjoining lot. The NE corner of the garage footprint (circa 1950) extends into the side yard setback approximately 3 inches.

This encroachment occurs on the NE corner of both the garage and greenhouse structures. The remaining portion of the east side of the garage and greenhouse Structure does not protrude into the 5 foot setback. In this 20 foot span only the last five feet of the structures protrude into the setback. That is because the garage is square to the street but not square to the property line thus causing a side yard setback issue.

#### Property Values and Neighborhood Harmony

The addition and slight CBJ encroachment will not decrease the value of surrounding properties. The greenhouse was designed by Northwind Architects LLC, to have the same architectural style as the main home and preexisting Garage on the property. This blend of colors and building design allows the Greenhouse to complement the existing buildings and as a result, blends well with the neighborhood. The structure does

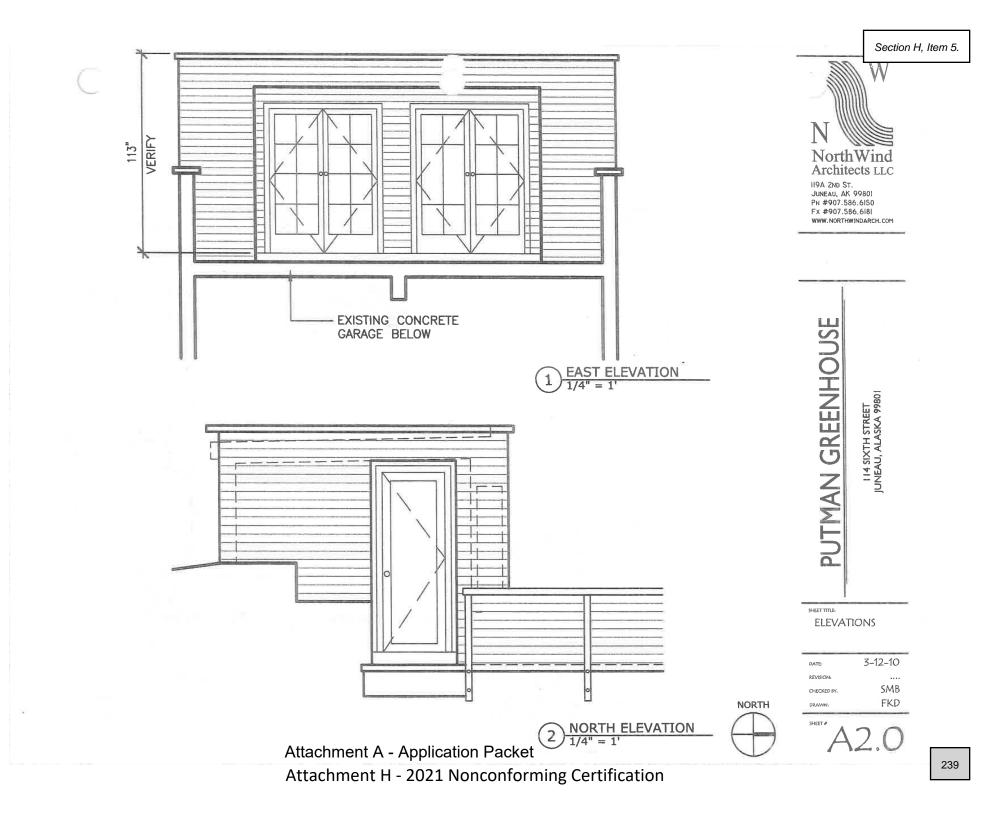
not affect any neighbor's light, air or views. (Note that the Lot 3 eastside neighbor has provided an Easement Agreement for the Variance application.)

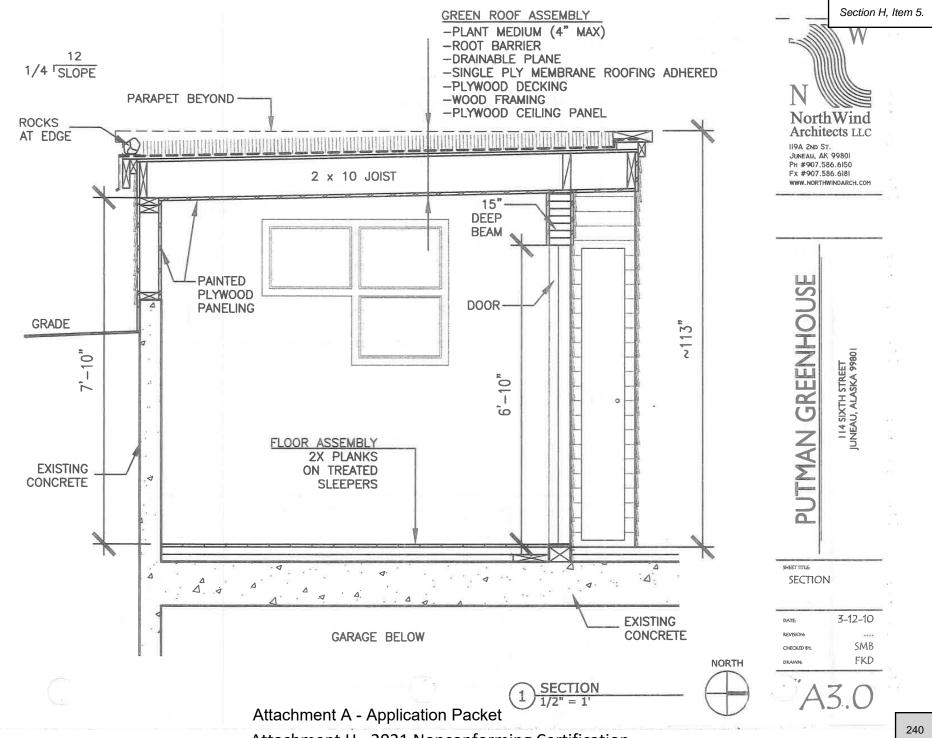
- **A.** As-Built Survey, Site Plan, Elevation View, 3-page Floor Plan <u>attached</u> Easement Agreement by east neighbor, also for related variance, <u>attached</u>
- **B.** There are No Parking issues with this application.
- C. There are No Traffic issues with this application.
- **D.** There is Lighting on the exterior of the structure. This exterior lighting is 'recessed up under the eaves so there is no light pollution from the structure.

<u>Exterior Lighting</u>: Two exterior lights were incorporated into the greenhouse structure. One light is located on the alcove ceiling above the west facing entrance. This main entrance has a single door recessed into the structure 3 feet. This door setback is to both protect the door and match the garage architecture below. Above this door on the ceiling is an entrance light, placed there to both protect the light and minimize light intrusion outside. This door entry light has achieved those desired results.

A second exterior light is on the south side of the greenhouse, under the overhanging front eave. This also protects the fixture from the weather and minimizes light intrusion. Light is confined to the front deck of the garage roof and does not shed light on 6<sup>th</sup> Street or the sidewalk below. This exterior light has achieved the desired results of both protection and light shading.

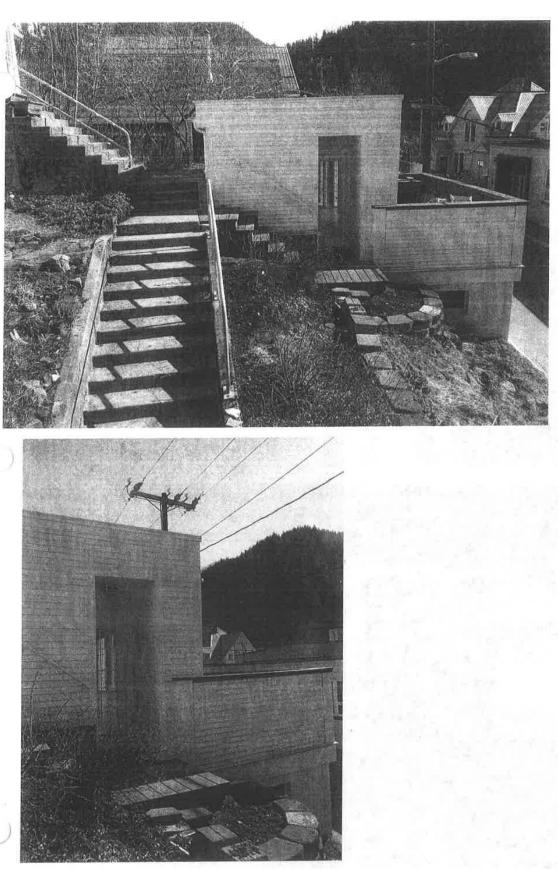
E. Natural vegetation remains between Lot 2 and Lot 3; lilacs, Sitka Rose bushes and Hawthorn trees separate the two. This set of trees and shrubs creates a visual screen between properties and between the greenhouse and the neighbor's home on Lot 3. On the west side of the structure there is large flower garden.
F. The property is a Steep Hillside. That presents some challenges to development of the lot. However, the steep terrain has no impact on the greenhouse structure because it was built atop the existing poured concrete garage, as the foundation.





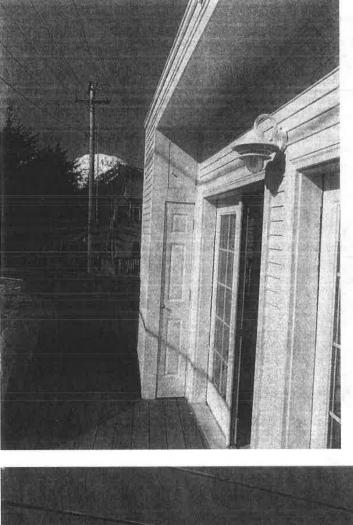
Attachment H - 2021 Nonconforming Certification

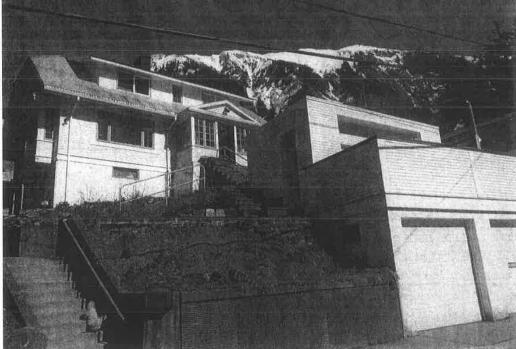
Section H, Item 5.



# Attachment A - Application Packet

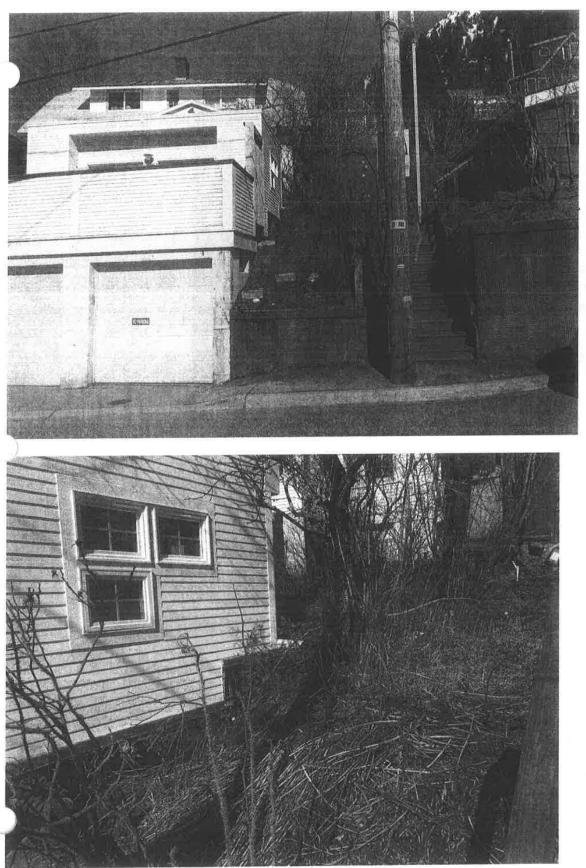
Attachment 6





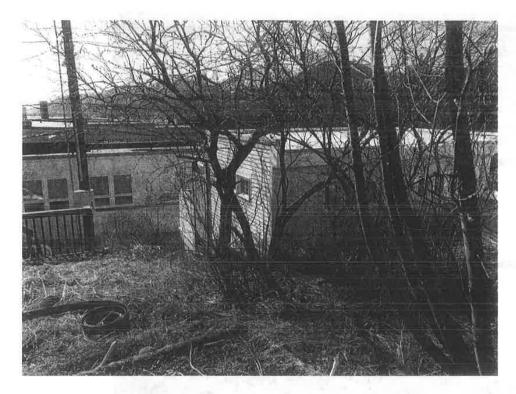
**Attachment 6** 

Section H, Item 5.



# Attachment A - Application Packet

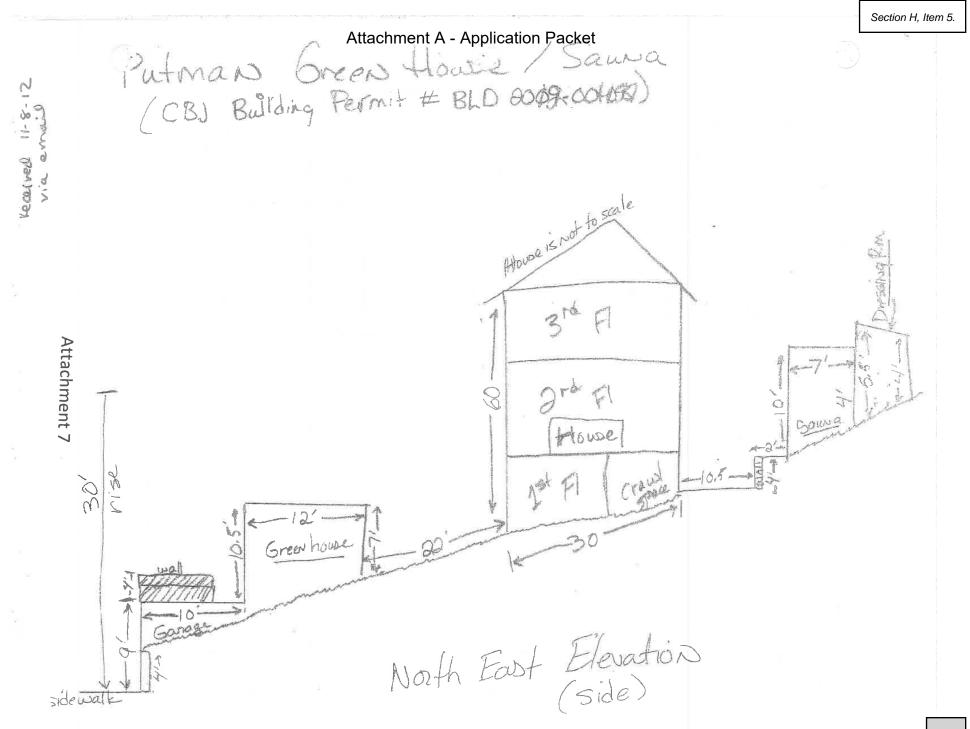
Attachment 6



**Attachment 6** 

Putman Green towne/Sauna Section H, Item 5. (CBJ Brmit # BLD 2009-04153) Northeast Elevation via emili HELE & Y CAR II CU South east (Front) Elevation South East Elevation Greenhouse Б terio Dressing Room 0 N walk 20 Sawna K-4'wall Sidewalk

Attachment H - 2021 Nonconforming Certification



Attachment H - 2021 Nonconforming Certification



BOARD OF ADJUSTMENT NOTICE OF DECISION Date: February 6, 2013 File No.: VAR2013 0015

Vance F Putman PO Box 20473 Juneau, AK 99802

Application For:An after-the-fact Variance to reduce the side-yard and rear-yard setbacks<br/>to zero for construction of a sauna.Legal Description:Juneau Townsite Block 29 Lot 2Property Address:114 Sixth Street

Parcel Code No.: 1-C06-0-A29-003-0

Hearing Date: October 22, 2013

The Board of Adjustment, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated October 15, 2013, and approved the Variance to be conducted as described in the project description and project drawings submitted with the application.

Attachment: October 15, 2013 memorandum from Teri Camery, Community Development, to the CBJ Board of Adjustment regarding VAR2013 0015

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

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

Effective Date: The permit is effective upon approval by the Board, October 22, 2013

Expiration Date: The permit will expire 18 months after the effective date, or April 22, 2015 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.

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

Section H, Item 5.

## Attachment A - Application Packet

Vance F Putman File No: VAR2013 0015 October 23, 2013 Page 2 of 2 Project Planner: Teri Camery, Senior Planner Michael Satre, Chair **Planning Commission** Community Development Department Filed With City Clerk Date

cc: Plan Review

5

**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.

# MEMORANDUM

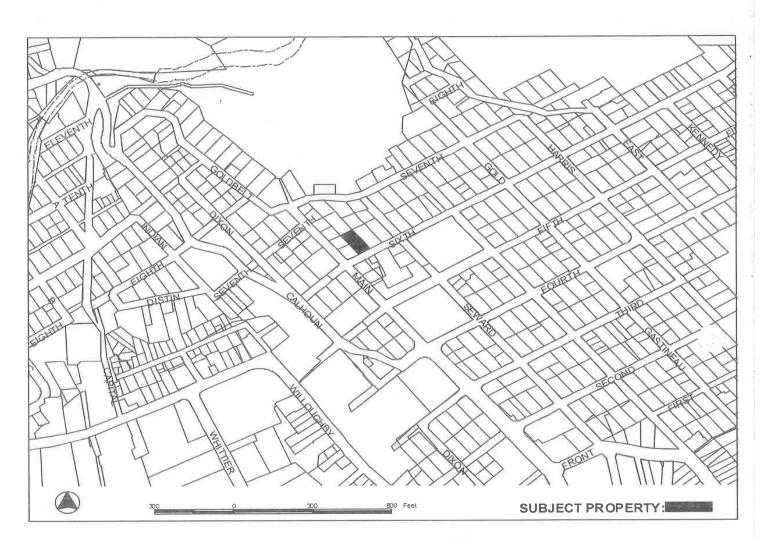
# CITY/BOROUGH OF JUNEAU 155 South Seward Street, Juneau, Alaska 99801

DATE:	October 15, 2013		
TO:	Board of Adjustment		
FROM:	Teri Camery, Senior Planner Community Development Department		
FILE NO.:	VAR2013 0015		
PROPOSAL:	An after-the-fact Variance to reduce the side-yard and rear-yard setbacks to zero for construction of a sauna		
Contraction from the second	NBT .		
GENERAL INFORMATIC Applicant:	Vance F Putman		
Property Owner:	Vance F Putman		
Property Address:	114 Sixth Street		
Legal Description:	Juneau Townsite Block 29 Lot 2		
Parcel Code Number:	1-C06-0-A29-003-0		
Site Size: Comprehensive Plan Land Use Designation:	4,893 square feet		
	Medium Density Residential		
Zoning:	D-18		
Utilities:	CBJ Water and Sewer		
Access:	Sixth Street		
Existing Land Use:	Single-family dwelling		
Surrounding Land Use:	North-D-18 ResidentialSouth-Sixth Street; D-18 ResidentialEast-D-18 ResidentialWest-D-18 Residential		
	A		

CITY/BOROUGH OF JUNEAU

Board of Adjustment File No.: VAR2013 0015 October 15, 2013 Page 2 of 7

Vicinity Map



Board of Adjustment File No.: VAR2013 0015 October 15, 2013 Page 3 of 7

#### **ATTACHMENTS**

Attachment 1 Development Permit application
Attachment 2 Variance application
Attachment 3 Project Narrative
Attachment 4 Easement Agreement
Attachment 5 Applicant photographs
Attachment 6 Survey
Attachment 7 Additional Building Permit detail and elevations

#### **PROJECT DESCRIPTION**

The applicant requests an after-the-fact variance to reduce the five-foot side-yard setback to zero feet, and the 10-foot rear-yard setback to zero-four feet for construction of a sauna in the northwest corner of the lot (see survey, Attachment 6).

Because the sauna is under 120 square feet, the applicant was not required to apply for a building permit when it was first constructed, and therefore did not consider setback requirements. Approximately two years after construction, the applicant added electricity. The addition of electricity triggered the requirement for a building permit. During the building permit review, CDD requested an as-built survey to verify setbacks. The survey indicated that the structure was built to the zero setback line in the side-yard, and extended three inches into the neighboring property, and also encroached to the zero-four foot rear setback line. (The range of the encroachment is due to the angle of the property line.) The structure therefore requires a Variance.

#### ANALYSIS

The applicant has provided a detailed project narrative with photographs to explain why the structure was built in the corner of the lot within the setbacks. The lot has a 35 degree slope that shows signs of active erosion. In 2008, the applicant built a buttress to prevent the retaining wall (which was built in the 1950s) from moving downslope. The buttress became the foundation of the sauna. The retaining wall was built next to an old fence, also from the 1950s, which the applicant believed was the property line, and the applicant's intention was to build eight inches from the property line. However both the fence and the original retaining wall are actually located on the adjacent lot. This combination of factors resulted in construction of the building not only at the zero foot setback, but three inches into the neighboring property. The applicant has an easement agreement with the adjacent neighbor which allows use and maintenance of the structure on the property. (Attachment 4)

The applicant discovered the encroachment only after the as-built survey was completed. The applicant states that to remove the structure, he would have to reconstruct the entire buttress foundation as well as the building itself, which could cause further soil erosion. Because of the extreme slope in this neighborhood, the encroachment will not restrict views or light in the area.

Board of Adjustment File No.: VAR2013 0015 October 15, 2013 Page 4 of 7

#### Variance Requirements

Under CBJ §49.20.250 where hardship and practical difficulties result from an extraordinary situation or unique physical feature affecting only a specific parcel of property or structures lawfully existing thereon and render it difficult to carry out the provisions of Title 49, the Board of Adjustment may grant a Variance in harmony with the general purpose and intent of Title 49. A Variance may vary any requirement or regulation of Title 49 concerning dimensional and other design standards, but not those concerning the use of land or structures, housing density, lot coverage, or those establishing construction standards. A Variance may be granted after the prescribed hearing and after the Board of Adjustment has determined:

1. That the relaxation applied for or a lesser relaxation specified by the Board of Adjustment would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.

The Variance would allow the owner to retain the already-constructed sauna in the location of the lot that provides a stable foundation on the slope. The Variance is consistent with justice to other property owners, because this neighborhood has many old homes with legally non-conforming structures within setbacks.

#### Staff finds that this criterion is met.

# 2. That relief can be granted in such a fashion that the intent of this title will be observed and the public safety and welfare be preserved.

The intent of Title 49 is established in Section 49.05.100 Purpose and Intent. Those sections, which are applicable to the requested variance, are as follows:

- 1) To achieve the goals and objectives and implement the policies of the Juneau Comprehensive Plan and the coastal management program;
- 2) To ensure that future growth and development in the city and borough is in accord with the values of its residents;
- 3) To identify and secure, for present and future residences, the beneficial impacts of growth while minimizing the negative impacts;
- 4) To ensure that future growth is of the appropriate type, design, and location, and is served by a proper range of public services and facilities such as water, sewage, and electrical distribution systems, transportation, schools, parks and other public requirements, and in general to promote public health, safety and general welfare;
- 5) To provide adequate open space for light and air; and
- 6) To recognize the economic value of land and encourage its proper and beneficial use.

Board of Adjustment File No.: VAR2013 0015 October 15, 2013 Page 5 of 7

The proposed Variance meets the intent of Title 49, specifically items 3, 5, and 6, by allowing construction of an accessory structure in the most appropriate location without negatively impacting open space, light, air, or views.

#### Staff finds that this criterion is met.

#### 3. That the authorization of the Variance will not injure nearby property.

No evidence indicates that authorization of the Variance will injure nearby property. The adjacent property owner has signed an easement allowing the structure to encroach three inches into the adjacent lot, and has also authorized maintenance of the structure. This neighborhood has many non-conforming structures at or near zero setback lines, and because of the steep slope, the encroachment will not affect views.

Staff finds that this criterion is met.

#### 4. That the Variance does not authorize uses not allowed in the district involved.

Personal-use saunas and similar structures are allowed as accessory structures in the D-18 zoning district, therefore the Variance does not authorize uses not allowed in the D-18 district.

Staff finds that this criterion is met.

#### 5. That compliance with the existing standards would:

## (A) Unreasonably prevent the owner from using the property for a permissible principal use;

The principal use in the D-18 zoning district is residential development. This use does not specifically include accessory structure such as saunas. Therefore compliance with existing standards would not unreasonably prevent the owner from using the property for a permissible principal use.

#### Staff finds that this sub-criterion is met.

# (B) Unreasonably prevent the owner from using the property in a manner which is consistent as to scale, amenities, appearance or features, with existing development in the neighborhood of the subject property;

Compliance with standards would unreasonably prevent the owner from using the property in a manner consistent with features of existing development in the neighborhood, because this neighborhood has many homes with legally non-conforming structures within setbacks. CBJ Assessor's Office information indicates that the applicant's home was constructed in 1914, which is common for many homes in this area.

Board of Adjustment File No.: VAR2013 0015 October 15, 2013 Page 6 of 7

Staff finds that this sub-criterion is met.

## (C) Be unnecessarily burdensome because unique physical features of the property render compliance with the standards unreasonably expensive;

The subject property and surrounding Sixth Street properties have a slope of 35 degrees, which significantly limits where buildings may be constructed on the property.

### Staff finds that this sub-criterion is met.

or

(D) Because of preexisting nonconforming conditions on the subject parcel the grant of the Variance would not result in a net decrease in overall compliance with the Land Use Code, CBJ Title 49, or the building code, CBJ Title 19, or both.

The subject parcel has a legally non-conforming lot size, legally non-conforming front yard-setbacks for the garage, and a legally non-conforming side-yard setback for the home. A grant of the Variance would therefore not result in a net decrease in overall compliance with the Land Use Code.

Staff finds that this sub-criterion is met.

Because staff finds that sub-criterion 5B, 5C, and 5D have been met, staff finds that this criterion is met.

6. That a grant of the Variance would result in more benefits than detriments to the neighborhood.

A grant of the Variance would allow the sauna to remain where it has been constructed, in the most beneficial location for the property, without causing harm to adjacent residents through restriction of light, air, or views.

This criterion is met.

#### **FINDINGS**

#### 1. Is the application for the requested Variance complete?

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

Board of Adjustment File No.: VAR2013 0015 October 15, 2013 Page 7 of 7

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

2. Will the proposed development comply with the Juneau Coastal Management Programs?

Not applicable.

3. Does the variance as requested, meet the criteria of Section 49.20.250, Grounds for Variances?

Yes. Staff finds that the Variance meets criteria 1, 2, 3, 4, and 5.

#### **RECOMMENDATION**

Based upon the proposed plan (identified in Attachments 1-7) and the findings and conclusions stated above, the Community Development Department Director recommends that the Board of Adjustment approve the request.

(Vanance) Attachment A - Application Packet DEVELOPMENT PERMIT APPLICATION

P roject Number	CITY and BOROUGH of	JUNEAU Date Received: 572/13		
City Staff to Assign Na	ame)			
Project	Description As - built women deter	Country Country		
10.0	H 21 and Dagash lines	mind Sauna was		
	3 over property the	on no orneo.		
Z Street A	Address HALLE CHL CL	City/Zip		
O Legal D	escription(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot)	Juneau AK 99801		
	near Towns, te Block 29 Lot 2			
ASSESS	06A290030			
O Propert	DWNER/LESSEE			
L V	Fate Rutman and Limberly Home	Contact Porson: Work Phone: 321-0773		
E22000	100x 204 72 JUNEW 9910			
E-mail A	tateoutman@gmane.com	Other Contact Phone Number(s):		
The second se	WNER/ LESSEE CONSENT	not needed on Building/ Engineering Permits****		
- I A	are) the owner(s)or lessee(s) of the property subject to this application and I (we) This application for a land use or activity review for development on my (our) p	roperty is made with my complete understanding and permission		
PPLICANT × × –	I (we) grant permission for officials and employees of the City and Borough of application	Juneau to inspect my property as needed for purposes of this		
OX_	1 Mall woman	4/29/2013		
	Landowner/Lessee Signature	Date		
	Landowner/Lessee Sidnature	 Date		
NOTICE:	The City and Borough of Juneau staff may need access to the subject property d			
hearing d	er in addition to the formal consent given above.Further, members of the Plannin	g Commission may visit the property before the scheduled public		
0	Sector and Maximum extension of the sector and the sector of the sector	e at X below		
Applican	it's Name	Contact Person: Work Phone:		
0C Maning A	Address	Home Phone: Fax Number:		
C. E-mail A	ddress Sq Wke	Other Contact Phone Number(s):		
	1 Score	12/22/2007		
X	Applicant's Signature	Date of Application		
	OFFICE USE ONLY BELOW THIS I			
Difference in the second states in the second state		te Received Application Number(s)		
	Building/Grading Permit			
	City/State Project Review and City Land Action			
0	Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)			
<b>A</b>	Mining Case (Small, Large, Rural, Extraction, Exploration)			
A VO	(Small, Large, Rural, Extraction, Exploration) Sign Approval (If more than one, fill in all applicable permit #'s)			
ROV A	(Small, Large, Rural, Extraction, Exploration) Sign Approval (If more than one, fill in all applicable permit #'s) Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)			
PPROVA	(Small, Large, Rural, Extraction, Exploration) Sign Approval (If more than one, fill in all applicable permit #'s) Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change) Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)			
APPROVA	(Small, Large, Rural, Extraction, Exploration) Sign Approval (If more than one, fill in all applicable permit #'s) Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change) Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment) Variance Case (De Minimis and all other Variance case types)	12/17 VAR 13-015		
F APPROVA	(Small, Large, Rural, Extraction, Exploration)         Sign Approval (If more than one, fill in all applicable permit #'s)         Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)         Use Approval (Mobile Home Parks, Accessory Apartment)         Variance Case (De Minimis and all other Variance case types)         Vetlands         Permits	12/17 VAR 13-015		
AFF APPROVA	(Small, Large, Rural, Extraction, Exploration)         Sign Approval         (If more than one, fill in all applicable permit #'s)         Subdivision         (Minor, Major, PUD, St. Vacation, St. Name Change)         Use Approval         (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)         Variance Case         (De Minimis and all other Variance case types)         Vetlands         Permits         Cone Change         Application	12117 VATE 13-015		
AFF APPROVA	(Small, Large, Rural, Extraction, Exploration)         Sign Approval (If more than one, fill in all applicable permit #'s)         Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)         Use Approval (Mobile Home Parks, Accessory Apartment)         Variance Case (De Minimis and all other Variance case types)         Vetlands Permits         Zone Change Application         Other (Describe)			
TAFF APPROVA	(Small, Large, Rural, Extraction, Exploration)         Sign Approval (If more than one, fill in all applicable permit #'s)         Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)         Use Approval (Minor, Major, PUD, St. Vacation, St. Name Change)         Use Approval (Minor, Major, PUD, St. Vacation, St. Name Change)         Variance Case (De Minimis and all other Variance case types)         Verlands Permits         Zone Change Application         Other (Describe)         ***Public Notice Sign Form filled out			

NOTE: DEVELOPMENT PERMIT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATIONS I:\FORMS\2010 Applications
Revised November 2009

Section H, Item 5.

Section H, Item 5.

### Attachment A - Application Packet

### VARIANCE APPLICATION

Project Number	Project Name (15	characters)		Case Numbe	r	Date Received
				6-6-1	3-015_	512113
TYPE OF VARIAN	CE REQUES	TED:				
Variance to Standard		(VSG)		Variance to Dime Standards	nsional	(VDS)
Variance to Setbacks		(VHB)		Variance to Parkin Requirements	ng	(VPK)
Variance to Requiren		(VSB)				
DESCRIPTION OF	ACTIVITY W lached	HICH REQUIRI	ES A VARIA	NCE:		
Previous Variance	Application	s? Tyes	NO	Date of Fili	ng;	
Previous Case Number(					-	
Was the Variance Grante	ed? YES	NO				
UNIQUE CHARAC	TERISTICS C	F LAND OR BU	JILDING(S):			
)	- Jan Jrgelik					
UTILITIES AVAILA	BLE: И	ATER: Public	On Site	SEWER	Public	On Site
WHY WOULD A VA OWNER?	ARIANCE BE	NEEDED FOR	THIS PROP	ERTY REGAR	DLESS OF	THE
WHAT HARDSHIP	WOULD RES	ULT IF THE VA	RIANCE WI	ERE NOT GRA	NTED?	
	attached	2				
for more information permitting process and		VARIANCE FEES	Fees	Check No.	Receipt	Date
equired for a complet lease see the reverse s	te application,	Application Fees	\$ 400			
		Adjustment	\$	2.17		
you need any assista its form, please conta Center at 586-0770.		Total Fee	\$_70C	Mr	<u>C4J 36C</u> 8	5/2/13

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

Para 1 of 2

TO: Board of Adjustment

FR: V. Fate Putman & Kimberly Homme, owners

RE: CBJ Variance Request for 114 E. 6<sup>th</sup> Street, JNU

DATE: April 24, 2013

**1.Description of activity that requires a variance:** 

A sauna and dressing room were built on the NE property corner because of the sloping nature of the hillside. No other reasonable means was available to stop soil erosion from occurring from the up-slope side of the property except the use of retaining walls and buttress structures. The sliding hillside from 7<sup>th</sup> Street has been a continual problem since the 1950's when the first fence and retaining walls were built. Without the retaining walls and buttress structures the soil and debris would continue to erode down the hillside.

The buttress structures were built in 2008 to prevent the 1950's retaining wall from moving further downslope during high moisture periods. These buttresses became the foundation of the sauna & dressing room. Because the sauna and dressing room use both the original retaining wall and subsequent buttress structures as a foundation, based on the 1950 fence line, these buildings encroach on the adjacent property. The encroachment is approximately 3 inches into adjacent Lot 3, according to the As-Built Survey, attached.

### 2. Unique characteristics of land or building:

The unique characteristic of this land is the extreme slope, approximately 35 degrees. This steep slope erodes during high moisture events when the soil becomes saturated. Soil erosion normally occurs in the fall or spring, moving soil and debris such as broken glass and rusty metal down the hillside. Underneath and intermixed into the soils on this slope are layers of garbage from decades of this hillside use as a dump.

### 3. Why a variance would be needed, regardless of the owner:

### Attachment 3

Because of confusion in the 1950's about property lines, initial encroachment by Lot 1 to the west may have caused subsequent encroachment when a fence and retaining wall were constructed on Lot 2 which encroached into the adjoining Lot 3 to the east. Because of the unstable hillside and sliding soils the property corner may have moved. This encroachment was only discovered after the as-built survey was completed last year. The adjoining property owner recognizes the encroachment and has submitted an Easement Agreement to permit encroachment of the adjacent property lines, attached.

### 4. What hardship would result if the variance was not granted?

I would have to re-construct the entire buttress foundation, sauna and changing room to conform to the setback at considerable effort and expense. Removal of the buttress foundation would cause further soil erosion and sliding on this extreme slope.

### 5. How proposed project meets Variance Approval Criteria:

- (1) The buttress foundation is an asset constructed to address a critical soil erosion condition. This buttress and sauna structure facilitates my need for property and soil protection, it adds value to the property, and produces no adverse impacts on my neighbors.
- (2) Intent of title will be observed with no issues of safety or public welfare arising, and is open for inspection by CBJ planners.
- (3)The variance will not injure or impact nearby property or owners. Because of the extreme slope, the property to the north (7<sup>th</sup> Street) is well above the roofline of the sauna. There are no visual impacts with other properties, and the eastern property owner has granted an Easement Agreement (attached).
- (4) There are no proposed uses that are not already authorized in the district, with no commercial activities or additions to zoning density.
- (5) Compliance with existing standards:
  - a) Without a variance, the buttress foundation would need to be moved at considerable expense and effort. This removal would allow the slope to slide, as it has in the past.

b) The buttress foundation and sauna were constructed in 2008 to blend in with the cedar fence and the 1914 main house. As such, they complement the main structure and are a basic amenity. Also, neither foundation nor sauna imposes an adverse visual profile in the neighborhood. The structure is surrounded by dense, steep undergrowth.

c) Because of the unique, steep slope and placement of the original 1950 retaining wall and fence, and the subsequent use of that footprint in 2008 for construction, compliance with existing setback standards would be unreasonably expensive.
(Buttress structures are square boxes filled with soil. They are built down- slope from the retaining wall and are pressed up against the wall to prevent movement. The buttress structures are made from both concrete and treated wood and are used to support the leaning retaining walls. These buttress structures are built adjacent to where the 1950 retaining walls are located. Since the retaining walls are located adjacent to the retaining fence walls and in

- d) Because of pre-existing, non-conforming conditions relative to the retaining wall, fence, buttress foundation and sauna, granting these public and adjoining property line variances would not result in a net decrease in overall compliance with the land use code, Title 49, or the building code, Title 19, or both; and,
- (6) Granting these variances will result in no detriments to the neighborhood. In fact, this structure stops continual soil sliding and is a positive asset for all. This structure and foundation will be well-kept and maintained at all times.

the setback.)

Since the sauna and dressing room are already constructed on top of the Buttress Structure, a variance from the setback requirements is needed for these buildings. The adjoining, east property owner has granted an Easement Agreement that permits access to the structures for repair and maintenance, attached.

### EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT is made this 22<sup>nd</sup> day of October 2012, by and between Richard and Kathy Ward, (hereinafter called "Grantors"), and Fate Putman and Kimberly Homme, (hereinafter called "Grantees").

WITNESSETH:

WHEREAS, Grantee desires the use of the property of Grantor for use as an Easement to maintain the Fence and Shed Outbuilding located primarily on Lot 2, Block 29, Juneau Township and extending partially onto the Northwest corner of Lot 3, Block 29, Juneau Township; and,

WHEREAS, in consideration of \$1.00 and valuable consideration, receipt of which is hereby acknowledged, Grantors is willing to enter into an easement agreement for the use of the property subject to the terms and conditions set forth herein.

NOW, THEREFORE, the parties mutually agree as follows:

1. Grantors hereby grants Grantees an easement to use the following described property: A small section of Lot 3, Block 29, Juneau Township, located in the Northwest corner of the property, adjacent to Lot 2, Block 29, Juneau Township to a distance of two (2) to three (3) feet onto Lot 3 from the edge of the fence and structure to allow for maintenance and repair. (See attached property As-built Survey, Appendix A)

2. This Easement Agreement shall automatically cease upon abandonment, herein defined as nonuse for any six (6) consecutive months, and all interests granted herein shall revert to grantor, or its successor, upon such abandonment.

3. The rights granted to and duties assumed by Grantees under this Easement Agreement may not be assigned or delegated by Grantees without the prior written consent of Grantors. Any attempted assignment or delegation by Grantees without the prior written consent of the Grantors shall be void.

4. This Easement Agreement may be amended from time to time, as may be necessary, by mutual consent of both parties; provided, however, that no amendment to the Easement Agreement shall be effective unless in writing and signed by both parties.

5. Both parties agree that time is of the essence and that time specifications contained herein shall be strictly construed.

6. Both parties represent and warrant that they have the authority to execute this Easement Agreement.

7. All notices referred to in the Easement Agreement shall be sent to the respective parties at the address stated below:

Grantors: KDW/RMM

Grantees: KAH

Attachment 4 Attachment H - 2021 Nonconforming Certification

Richard and Katherine Ward, Grantors 128 Sixth Street, Juneau, AK 99801

Vance Fate Putman and Kimberly Homme, Grantees 114 Sixth Street, Juneau, AK 99801

DATED this 27 day of octorsion , 2012.

GRANTOR:

RICHARD WARD

STATE OF AL ASTA

) SS.

FIRST JUDICIAL DISTRICT)

This is to certify that on this 22 day of October, 2012, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared <u>Richard Ward</u> to me known or proved upon adequate evidence to be the person who executed the foregoing instrument and acknowledged to me that he signed it voluntarily for the purposes therein stated.

STATE OF ALASKA OFFICIAL SEAL **Tonie Vonda** (SEAL) NOTARY PUBLIC My Commission Expires 09/01/2015

NOTARY PUBLIC in and for ALASKA My Commission Expires: 9-01-20

DATED this Z2 day of October, 2012.

GRANTOR:

ne Ward KATHERINE WARD

STATE OF ALASKA ) FIRST JUDICIAL DISTRICT )

2

This is to certify that on this 22 day of <u>certorec</u>, 2012, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared <u>Katherine Ward</u> to me known or proved upon adequate evidence to be the person who executed the foregoing instrument and acknowledged to me that she signed it voluntarily for the purposes therein stated.

DATED this 25 day of October, 2012. GRANTEE: VANCE FATE PUTMAN

)



STATE OF ALASKA

) ss.

FIRST JUDICIAL DISTRICT)

STATE OF ALASKA

OFFICIAL SEAL

**Tonie Vonda** 

NOTARY PUBLIC My Commission Expires 09/01/2016

(SEA

This is to certify that on this 25 day of <u>crober</u>, 2012, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared <u>Vance Fate Putman</u>, to me known or proved upon adequate evidence to be the person who executed the foregoing instrument and acknowledged to me that he signed it voluntarily for the purposes therein stated.

NOTARY BUBLIC in and for ALASKA

My Commission Expires: 9-01-2015

NOTARY PUBLIC in and for ALASKA My Commission Expires: 5 (21/ 14

(SEAL)

**DATED** this day of 2012

GRANTEE:

3

° ₹)

### Attachment A - Application Packet

day of November, 2012. DATED this

GRANTEE:

mo KIMBERL Y HOME

)

) SS.

REPERCE I TROUMAN

STATE OF ALASKA

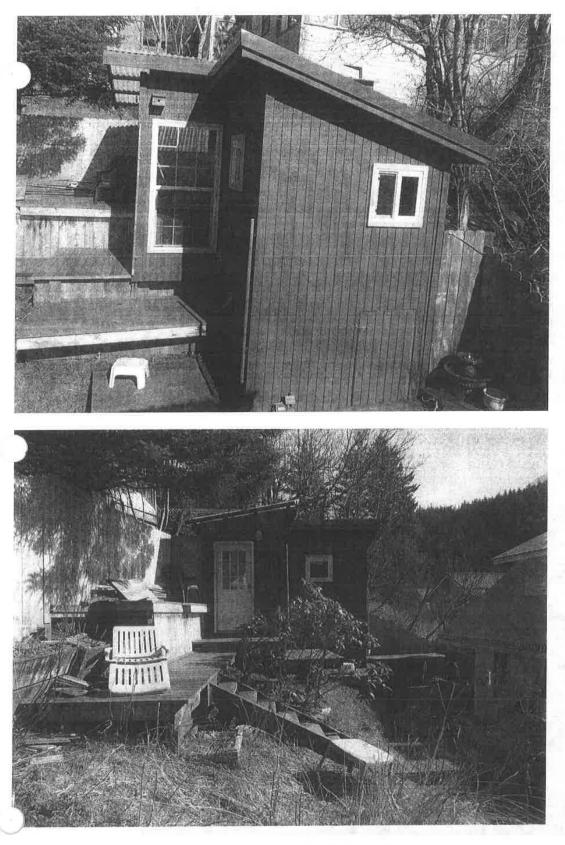
FIRST JUDICIAL DISTRICT)

This is to certify that on this / day of <u>Mountan</u>, 2012, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared <u>Kimberly</u><u>Homme</u>, to me known or proved upon adequate evidence to be the person who executed the foregoing instrument and acknowledged to me that she signed it voluntarily for the purposes therein stated.

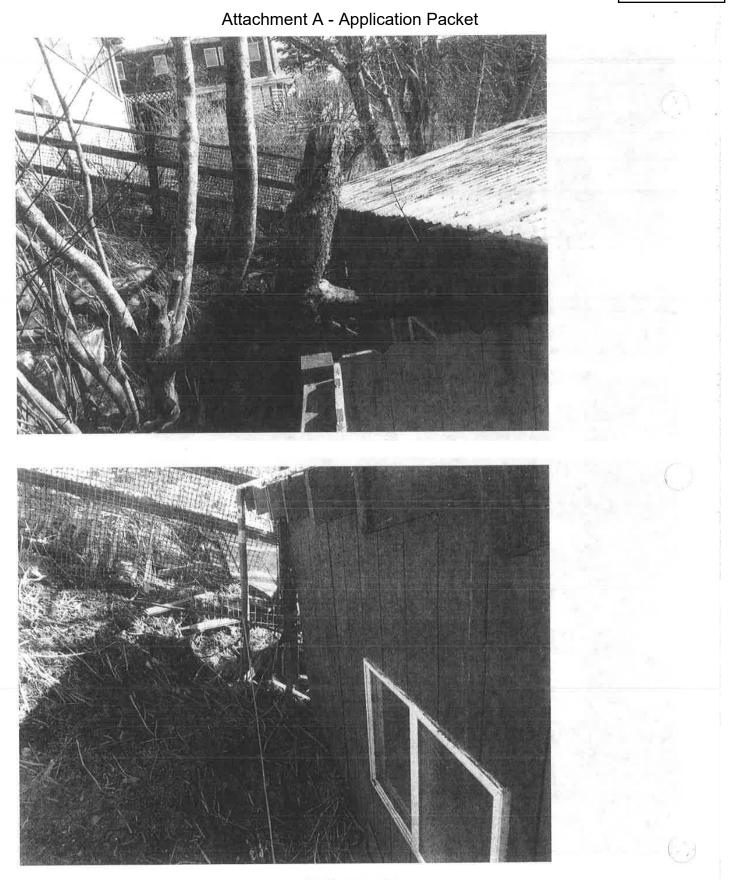
STATE OF ALASKA OFFICIAL SEAL Linda Harris (SEA NOTARY PUBLIC My Commission Expires

NOTARY PUBLIC in and for ALASKA My Commission Expires: 3/9/14/

Section H, Item 5.

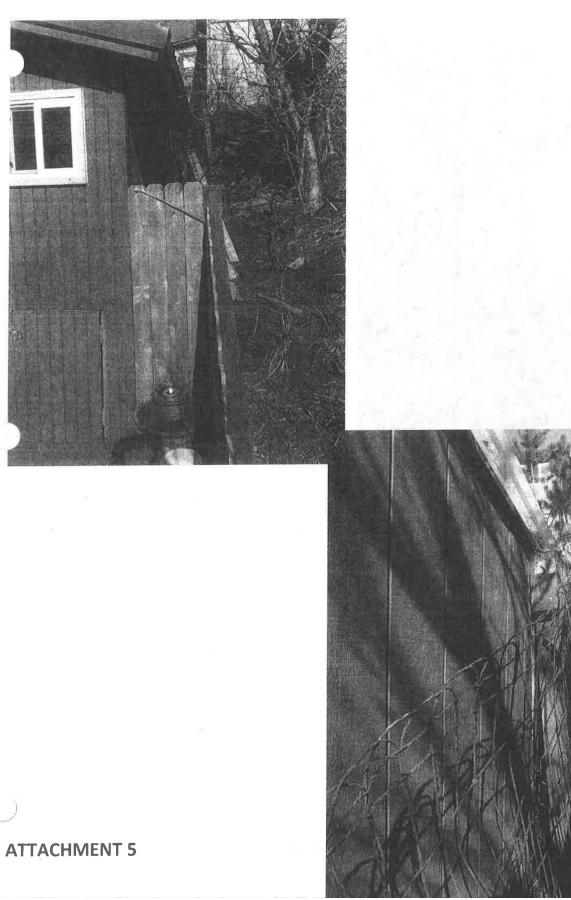


Attachment A - Application Packet

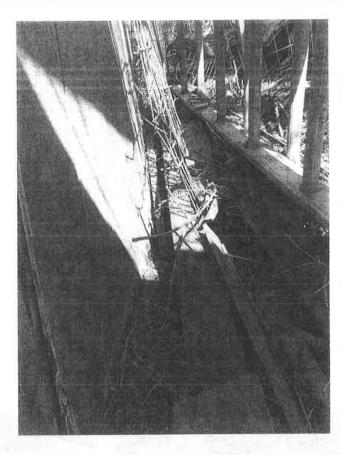


**ATTACHMENT 5** 

Section H, Item 5.

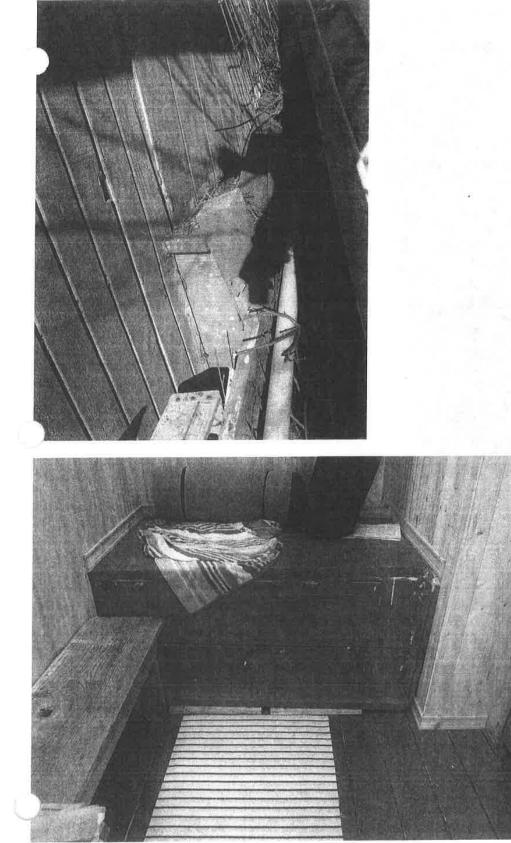


Attachment H - 2021 Nonconforming Certification

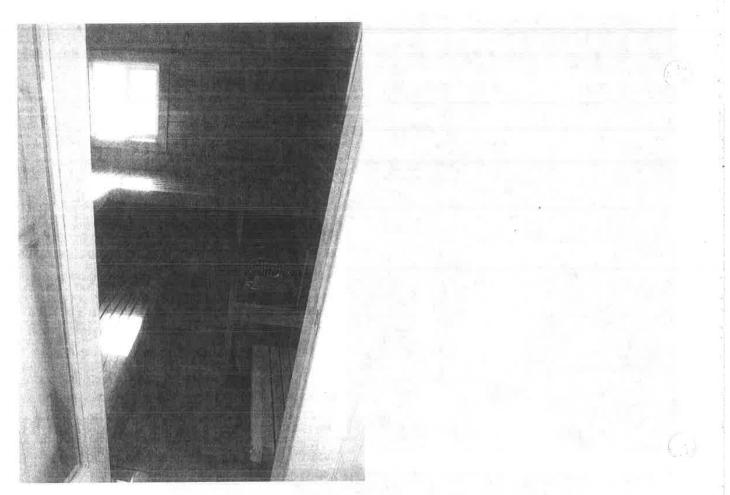


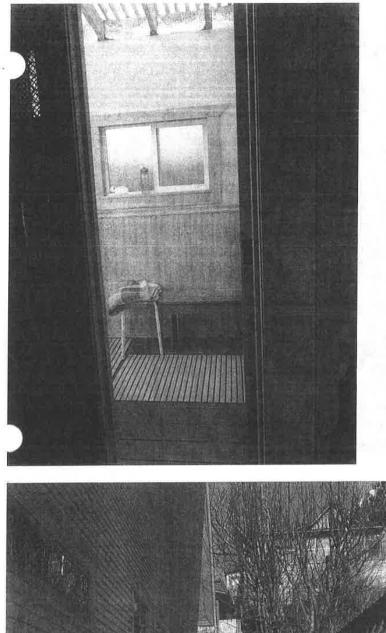
### **ATTACHMENT 5**

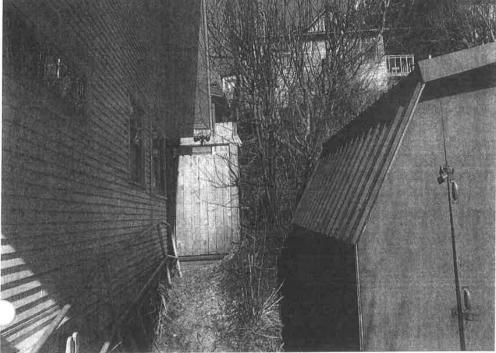
Attachment H - 2021 Nonconforming Certification



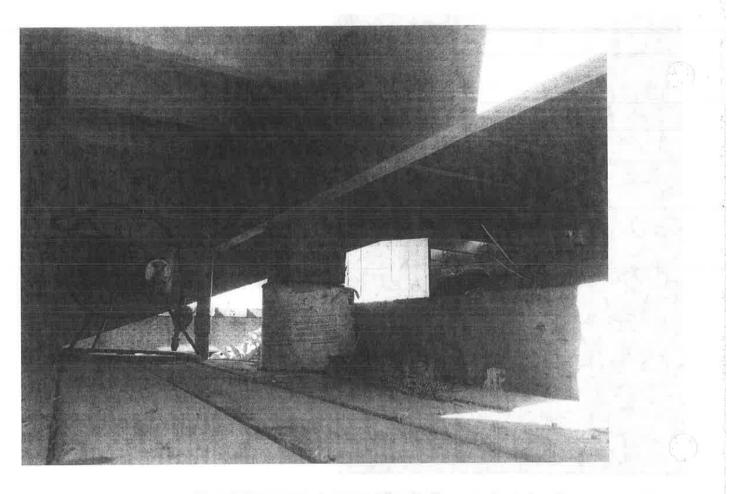
Attachment H - 2021 Nonconforming Certification

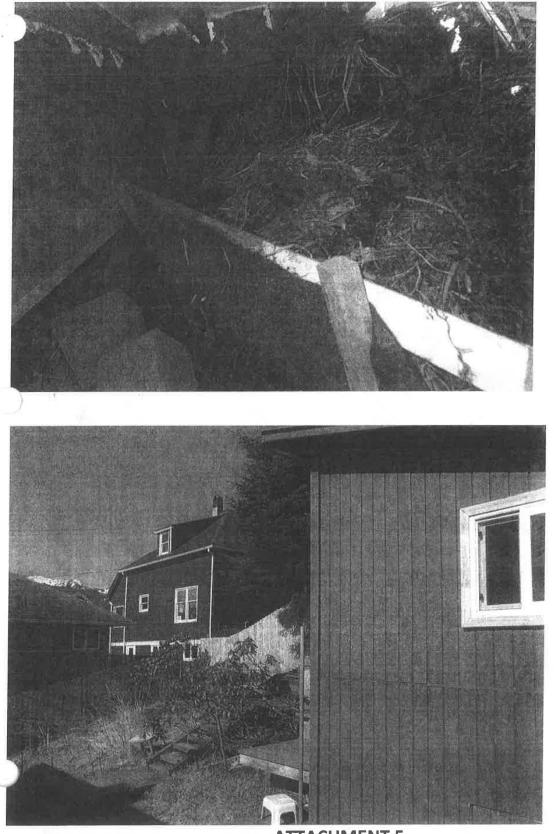






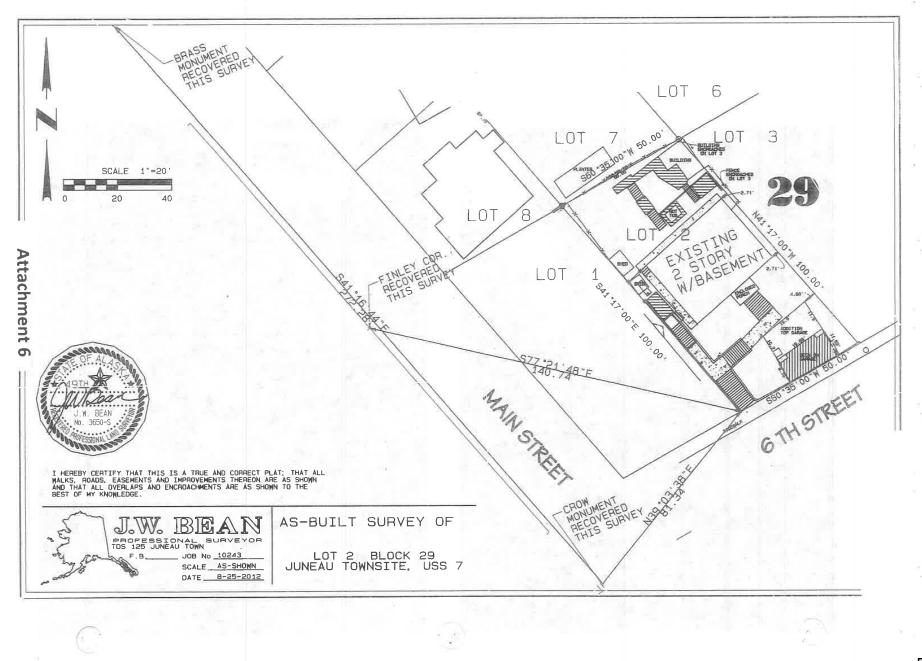
Attachment H - 2021 Nonconforming Certification



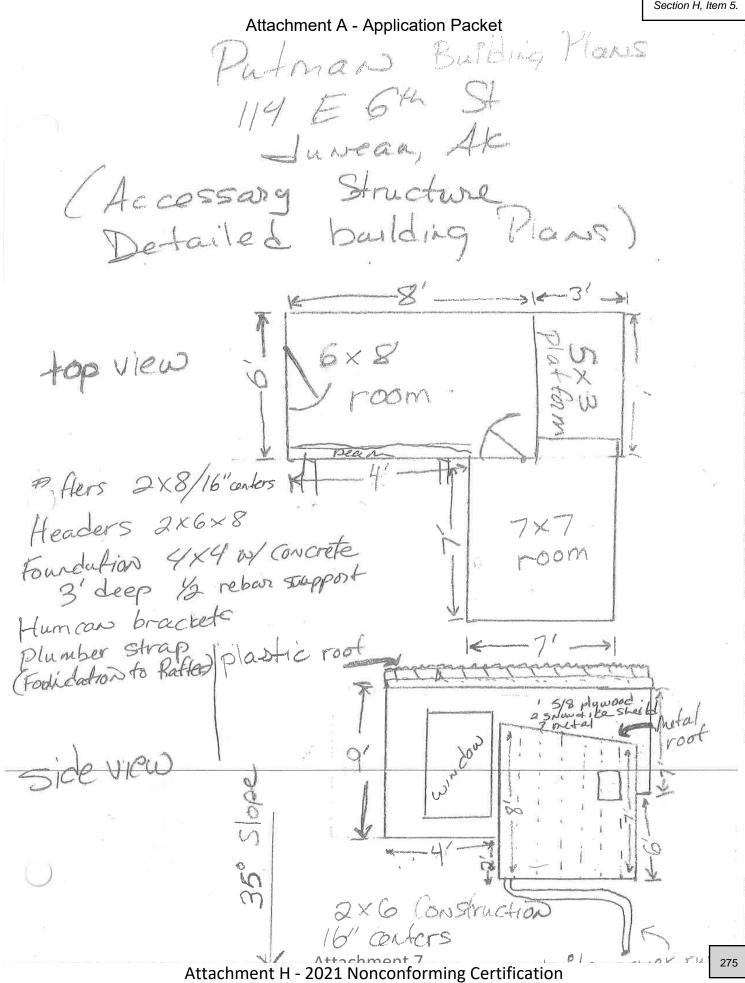


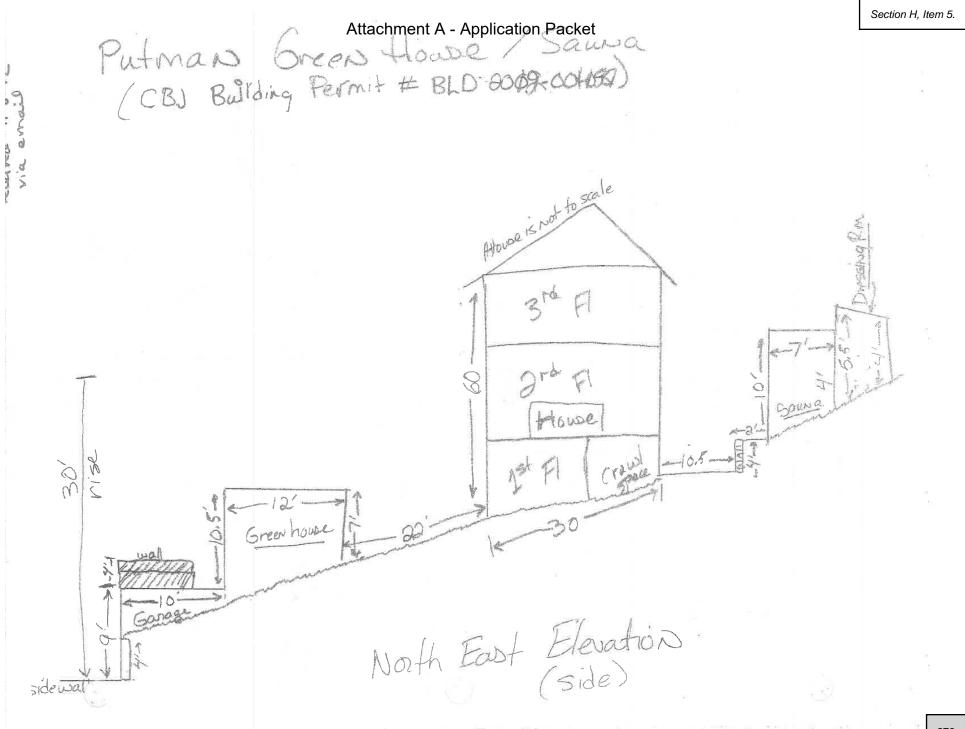
Attachment H - 2021 Nonconforming Certification





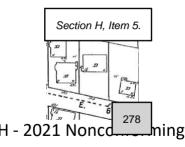
Section H, Item 5.





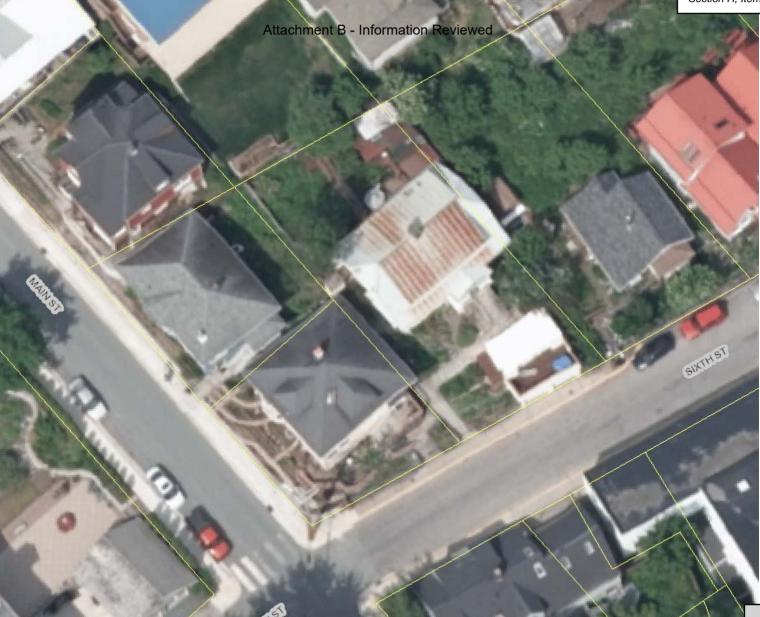
Attachment A - Application Packet Putman Green How / Sauna (CBJ Bormit # BLD 2008-04157) Northeast Elevation Section H, Item 5. 71 Q South east (Front) Elevation South East Elevation Greenhouse Exterior Closet EXTERIO, Dressing Room 00 walk 20' Sauna K-4-(30°08 1 wall Sidewalk

via email

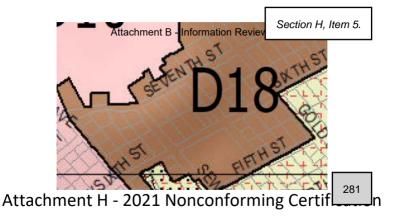




Attachment H - 2021 Nonconforming Certification



Attachment H - 2021 Nonconforming Certification





#### AFTER RECORDING, RETURN TO:

Caitlin Stern Jessica Barker 114 6th Street Juneau, AK 99801

AETIA 62984

#### WARRANTY DEED A.S. 34.15.030

The Grantors, VANCE FATE PUTMAN and KIMBERLY A. HOMME, husband and wife, whose address is PO Box 20473, Juneau, AK 99802, for and in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration in hand paid, the receipt of which is hereby acknowledged, convey and warrant to CAITLIN STERN and JESSICA BARKER, a married couple, as tenants by the entirety with full right of survivorship, Grantees, whose mailing address is 114 6th Street, Juneau, AK 99801, the following-described real estate:

Lot 2, Block 29, Townsite of Juneau, Juneau Recording District, First Judicial District, State of Alaska.

SUBJECT TO reservations, exceptions, easements, covenants, conditions and restrictions of record, if any.

WARRANTY DEED A4350\9594\Warranty Deed Page 1

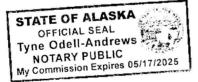
eRecorded Document

DATED this day of	Detaber, 2021
GRANTORS:	
	VANCE FATE PUTMAN
	Kimberly A. Homme
STATE OF ALASKA	)
FIRST JUDICIAL DISTRICT	) ss. )

THIS IS TO CERTIFY that on this <u>I</u> day of <u>OCLOPEN</u>, 2021, before me, the undersigned Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared VANCE FATE PUTMAN and KIMBERLY A. HOMME.

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

Public in and for Alaska Commission Expires: My



WARRANTY DEED A4350\9594\Warranty Deed Page 2



2 of 2 2021-006436-0

eRecorded Document



(907) 586-0715 CDD\_Admin@juneau.gov www.juneau.org/community-development 155 Heritage Way • Juneau, AK 99801

COMMUNITY DEVELOPMENT

#### **COMMUNITY DEVELOPMENT DEPARTMENT - REQUEST FOR AGENCY COMMENT**

DEPARTMENT:	AEL&P T&D
STAFF PERSON/TITLE:	Darrell Wetherall VP OF T&D
DATE:	4/8/2024
APPLICANT:	Jessica Barker & Caitlin Stern
TYPE OF APPLICATION:	Conditional Use (CUP) and Parking Waiver (PWP)

#### **PROJECT DESCRIPTION:**

The applicants are requesting a CUP to construct a 430 sq. ft. accessory dwelling unit (ADU) on top of an existing garage. They are also requesting a PWP for the required one (1) parking space for the ADU. They say they already have two (2) off-street parking spaces and only use one (1).

LEGAL DESCRIPTION:	JUENAU TOWNSITE BL 29 LT 2
PARCEL NUMBER(S):	1C060A290030
PHYSICAL ADDRESS:	114 Sixth St.

SPECIFIC QUESTIONS FROM PLANNER:

None.

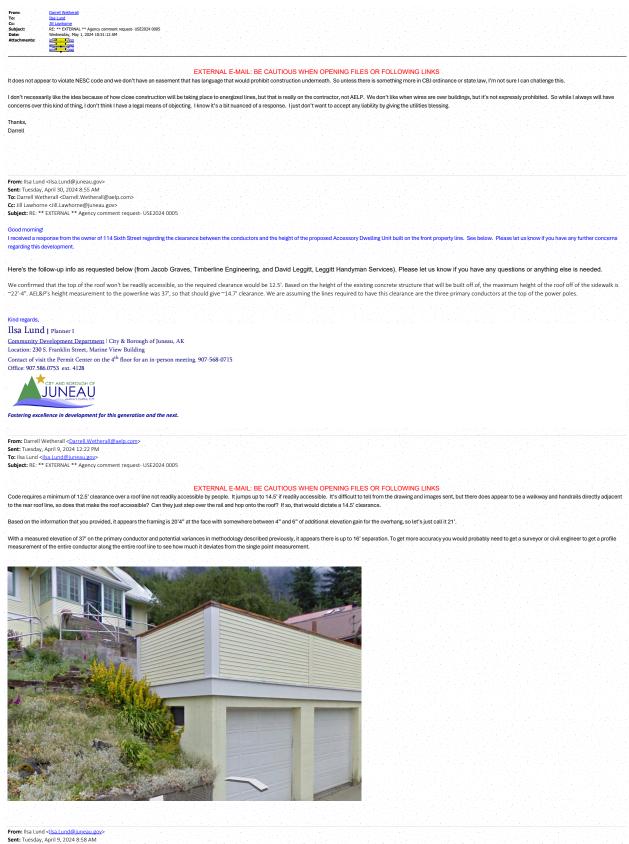
#### AGENCY COMMENTS:

Line crew measured the distance from sidewalk elevation to the phase conductor on the crossarm of the pole at approximately 37'. Note that at any given point along the building the distance could vary slightly due to sag in the conductor, changes in elevation of the sidewalk due to grade or driveway apron, etc. Using the front face of the garage, the conductor is about 1' back from the front face (or overhangs the roof by 12").

An architectural drawing was not provided showing the accessory apartment, how close to the conductor the new roof line would be, etc.

There are several codes or regulations that could come into play here. OSHA requires that contractors maintain a safe work zone and clearance from energized lines. In addition there are minimum NESC clearances that will need to be maintained.

Without additional information, it is not clear whether a setback would allow for safe construction or be required to maintain necessary clearances from the line.



To: Darrell Wetherall <<u>Darrell Wetherall@aelp.com</u>>
Subject: RE: \*\* EXTERNAL \*\* Agency comment request- USE2024 0005

Good morning, Darrell.

of the attachment).

Thank you for your response and the updated contact information. I removed Eric from our agency contact list when the email I sent was returned, and I'll be sure to add Quincy to the list. Attached is the application including architectural plans submitted by the applicant. Apologies for not including this earlier. It tooks like they want a slanted root with the higher part on the street side for an added height of 11'4" for a total of 20'4" (see page 8

Please let me know if you need anything else. Kind regards, IIsa Lund | Planner I

<u>Community Development Department</u> | City & Borough of Juneau, AK Location: 230 S. Franklin Street, 3<sup>rd</sup> Floor-Marine View Building Office: 907.586.0753 ext. 4128



Fostering excellence in development for this generation and the next.

From: Darrell Wetherall <<u>Qarrell Wetherall@aelp.com</u>>
Sent: Knoday, April 8, 2024 3:00 PM
To: Ilsa Lund <<u>lisa Lund@ineeu.go</u>>
Subject: RE: \* EXTERNAL \*\* Agency comment request-USE2024 0005

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

Note that Eric Eriksen is no longer with AEL&P. I took over for Eric when he departed. I have a newer electrical engineer in my department now named Quincy Judson@aelp.com

You can cc: him on future requests like this.

Unfortunately, there just isn't enough information in this request to provide a good answer. Generally speaking we don't like folks building under the lines or too close that makes replacement of poles and wire problematic so we would prefer to see set backs from the lines everywhere. This probably came at a time in Juneau's history where space was tight and things just got really compacted together. I'm guessing there are encroachments into ROW, missing easements, etc. We don't necessarily want to prevent folks from utilizing their property if it can be done in a way to maintain code and allow for maintenance, but you also have to think about worker safety. Ladders, roofing, etc. We've already had two contacts in the last year where structures were allowed to be built too close. The reough to meet code, but too close to allow for worker safety.

Did the provide elevations?

From: Ilsa Lund <<u>Ilsa.Lund@juneau.gov</u>> Sent: Wednesday, April 3, 2024 9:06 AM To: Darrell Wetherail @arrell.Wetherail@aelp.com>; eric.eriksen@aelp.com Subject: \*\* EXTERNAL \*\* Agency comment request- USE2024 0005 Good m The Community Development Department (CDD) has received an application to erect an accessory dwelling unit (ADU) at 114 Sixth St. in the Juneau Townsite. I'm reaching out to AEL&P si nforming certification for zero (0) foot front yard setbacks for their garage, atop which they are wanting to build the ADU. I've included a picture of the existing structure in re fically because the the overhead utility lines. The Director of CDD is wondering if a condition of the app of the structure so as not to int es. I've attached an Agency Comr your use. Please let me know if you have any questions. Otherwise I look forward to receiving your feedba Kind regards Ilsa Lund | Planner I <u>Community Development Department</u> | City & Borough of Juneau, AK Location: 230 S. Franklin Street, 3<sup>rd</sup> Floor-Marine View Building Office: 907.586.0753 ext. 4128 JUNEAU Fostering excellence in de nent for this generation and the next.



(907) 586-0715 CDD\_Admin@juneau.gov www.juneau.org/community-development 155 Heritage Way • Juneau, AK 99801

#### **COMMUNITY DEVELOPMENT DEPARTMENT - REQUEST FOR AGENCY COMMENT**

DEPARTMENT: CCFR

STAFF PERSON/TITLE: Theresa Ross, Fire Marshal

DATE: 04/02/2024

APPLICANT: Jessica Barker & Caitlin Stern

**TYPE OF APPLICATION:** Conditional Use (CUP) and Parking Waiver (PWP)

#### **PROJECT DESCRIPTION:**

The applicants are requesting a CUP to construct a 430 sq. ft. accessory dwelling unit (ADU) on top of an existing garage. They are also requesting a PWP for the required one (1) parking space for the ADU. They say they already have two (2) off-street parking spaces and only use one (1).

LEGAL DESCRIPTION: JUENAU TOWNSITE BL 29 LT 2

**PARCEL NUMBER(S):** 1C060A290030

PHYSICAL ADDRESS: 114 Sixth St.

SPECIFIC QUESTIONS FROM PLANNER:

None.

#### **AGENCY COMMENTS:**

No concerns from the fire department.

### **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 114 Sixth St. 600 900 1200 1500 1800 2100 2400 2700 3000 Fee 300



COMMUNITY DEVELOPMENT 155 Heritage Way Juneau, Alaska 99801

то

### Conditional Use Permit & Parking Waiver applications have been submitted for consideration and public hearing by the Planning Commission for an Accessory Apartment at 114 Sixth Street 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 6, 2024 at https://juneau.org/community-development/planning-commission Find hearing results, meeting minutes, and more here, as well.

Now through April 22	April 23 — noon, May 10	HEARING DA	TE & TIME: 7:00 pm, May 14, 2024	May 15
Comments received during this period will be sent to the Planner, <b>Ilsa Lund</b> , to be included as an attachment in the staff report. FOR DETAILS OR QUESTIONS, Phone: (907)586-0753 ext. 4128		This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting https://juneau.zoom.us/j/86939674618 and use the Webinar ID: 869 3967 4618 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 Heritage Way Juneau, Alaska.		

Email: pc\_comments@juneau.gov or ilsa.lund@juneau.gov Mail: Community Development, 155 Heritage Way, Juneau AK 99801

Parcel No.: 1C060A290030 CBJ Parcel Viewer: http://epv.juneau.org

Printed April 3, 2024

tł



Attachment K - Agency Comments

From:	Jessie Barker
То:	<u>Ilsa Lund</u>
Cc:	Caitlin Stern
Subject:	Re: Your Public Notice Sign Is Ready!
Date:	Friday, April 26, 2024 3:48:51 PM
Attachments:	image pripag

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

Hi Ilsa,

Please see the attached sign.

Best, Jessie

On Wednesday, April 24, 2024, Ilsa Lund <<u>Ilsa.Lund@juneau.gov</u>> wrote:

Good afternoon!

The public notice sign for your cases USE2024 0005 and PWP2024 0001 is in the permit center, ready for pick-up. The Permit Center is on the 4<sup>th</sup> floor of the Marine View Building at 230 S. Franklin St. You already paid the sign fee when you submitted your application, so all you need to do is pick it up and install it. It needs to be posted by **April 29, 20214**. It must be visible from the right-of-way.

Please email a picture of the posted sign. The email will be used to date stamp the posting.

Let me know if you have any questions.

Kind regards,

Ilsa Lund | Planner I

Community Development Department | City & Borough of Juneau, AK

Location: 230 S. Franklin Street, Marine View Building

Contact of visit the Permit Center on the 4<sup>th</sup> floor for an in-person meeting. 907-568-0715

Office: 907.586.0753 ext. 4128

Section H, Item 5.



Fostering excellence in development for this generation and the next.



PLANNING COMMISSION STAFF REPORT CONDITIONAL USE PERMIT USE2024 0009 HEARING DATE: MAY 14, 2024

> (907) 586-0715 CDD\_Admin@juneau.gov www.juneau.org/community-development 155 Heritage Way • Juneau, AK 99801

## ALTERNATIVE ACTIONS:

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

## ASSEMBLY ACTION REQUIRED:

Assembly action is not required for this permit.

## STANDARD OF REVIEW:

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

DATE: April 9, 2024

COMMUNITY DEVELOPMENT

TO: Mandy Cole, Chair, Planning Commission

BY: Teri Camery, Senior Planner, CFM

THROUGH: Jill Lawhorne, Director, AICP

**PROPOSAL:** A Conditional Use permit for a temporary asphalt plant at the Juneau International Airport (JIA)

7\_

STAFF RECOMMENDATION: Approval with conditions

## **KEY CONSIDERATIONS FOR REVIEW:**

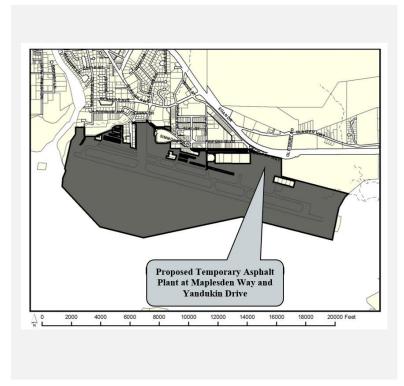
- Temporary asphalt plants have been approved at this location in 2019 and 2020.
- The development has all required permits.
- No public comments have been received and agencies have no concerns.

GENERAL INFORMATION					
Property Owner	City and Borough of Juneau				
Applicant	COLASKA Inc. DBA SECON				
Property Address	1873 Shell Simmons Drive				
Legal Description	Airport TR A & B [Airport terminal and				
	runway land]				
Parcel Number	3B1601000010				
Zoning	Industrial (I)				
Land Use Designation	Institutional and Public Use				
Lot Size	N/A				
Water/Sewer	Public water and sewer				
Access	Maplesden Way				
Existing Land Use	Airport				
Associated Applications	None				

**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.

COLASKA Inc. DBA SECON File No: USE2024 0009 May 3, 2024 Page 2 of 8

#### SITE FEATURES AND ZONING



SURROUNDING ZONING AND LAND USES			
North (I)	airport		
South (I)	airport		
East (I)	airport		
West (I)	airport		
SITE FEATURES			
Anadromous	No		
Flood Zone	No		
Hazard	No		
Hillside	No		
Wetlands	No		
Parking District	No		
<b>Historic District</b>	No		
<b>Overlay Districts</b>	No		

## **BACKGROUND INFORMATION**

**Project Description** – The applicant requests a Conditional Use permit for the development of a temporary asphalt plant at the Juneau International Airport (JIA) to support CBJ Contract No. BE23-243 to rehabilitate the JIA Apron, where aircraft are parked. (Attachment A). The project will start upon CBJ approval with a final completion date of October 28, 2026. This timeline includes seasonal shutdowns from approximately October 31 through April 1 through two winter seasons. The plant will be on site for the duration of the project, or roughly 30 months. The project is broken up into 12 phases of work to allow construction as well as continued seamless operation of airport facilities by all users.

The location meets the Transportation Security Administration (TSA)'s setbacks from the security fence for any structure or vehicle. The development is below the height requirements for any structure near the Federal Aviation Administration (FAA)'s runway control envelope. It is also outside of the FAA/JIA taxiway's control zone. The development has been accepted by the Alaska Department of Environmental Conservation (ADEC) for the current location.

#### Background -

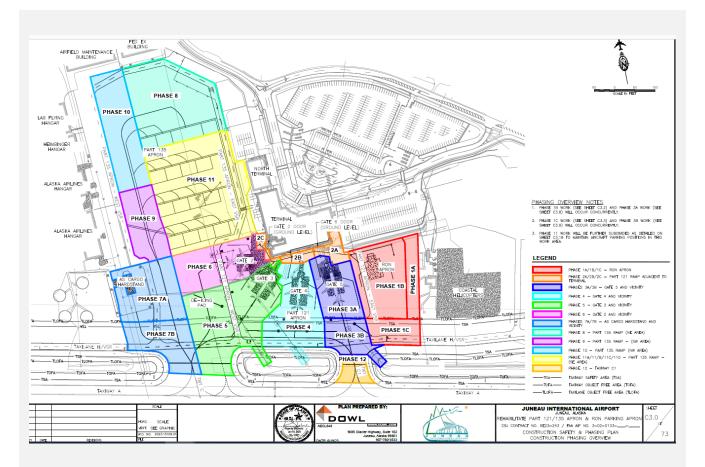
The temporary asphalt plant has been located on the JIA property for previous projects in 2015 by the airport float pond, and in 2018, 2019, and 2020 by Gate P. The 2015 and 2018 asphalt plant operations were permitted in conjunction with other airport construction projects, while the 2019 and 2020 approvals were specific to the temporary asphalt plant. The proposed location for the current development is the same location as the 2019 and 2020 Conditional Use Permit approvals.

Date	Item	Summary
3/13/19	USE20190001	Temporary Asphalt Plant
4/30/20	USE20200005	Temporary Asphalt Plant

## **ZONING REQUIREMENTS**

The development is in the Industrial zoning district on a JIA parcel of 640.55 acres. The development exceeds required Industrial zoning setbacks of 10 feet front, rear, and sides. There is no maximum height in the Industrial zoning district.

## **SITE PLAN**



## ANALYSIS

**Project Site and Design**– The proposed site is located on JIA property near the intersection of Maplesden Way and Yandukin Drive. The site is surrounded by airport infrastructure, and the runway is adjacent to the south side. The facility consists of a daytime generator, nighttime generator, control house, tank containers, feeder bins, drum, baghouse, and storage silo. Aggregate stockpiles will be stored onsite. The layout of the site the phasing of the development are depicted in the application (Attachment A).

The applicant has requested that the permit be granted for 10 years instead of the project completion date of October 28, 2026, to accommodate future JIA paving projects. Previous Conditional Use permits (USE2019 0001 and USE2020-0005) have been limited to the duration of the project. In addition, CBJ 49.80.25, Definitions, defines temporary structure as "a structure established in support of and during the construction of a structure." A 10 year permit for an asphalt plant would not meet the definition of a temporary structure. In addition, the applicant has obtained agency permits for a temporary asphalt plant specific to CBJ Contract No. BE23-243, not a permanent one. To be consistent with past Conditional Use permits and the temporary structure definition, staff recommends that the permit be issued for the duration of the project as described in the application, October 28, 2026.

Condition: The permit shall be valid through October 28, 2026.

**Traffic** – The truck route for the development is entirely within the fenced airport perimeter, with no impacts to Yandukin Drive, Shell Simmons Drive, or Cessna Drive. The location of the asphalt plant on Maplesden Way eliminates previously used truck routes from Concrete Way to Egan Drive. Raw aggregate for making asphalt will come from SECON's Hidden Valley source and from Aggpro on Concrete Way. Trucks leaving Aggpro would take a right turn through the Lemon Creek industrial area to reach Egan drive instead of taking a left turn through the Lemon Creek residential area. The applicant anticipates 50 truckloads of asphalt per day when hauling aggregate.

Per CBJ 49.40.300(a)(2) A development projected to generate fewer than 250 ADT shall not be required to have a traffic impact analysis.

A traffic impact analysis is not necessary.

Condition: None.

**Vehicle Parking & Circulation** – Parking requirements for commercial and industrial developments established in CBJ Code 49.40.210(a) are based on gross floor area, which is not applicable to the proposed development. The Code does not have an established parking requirement for asphalt plants or similar uses that utilize large outdoor plants and outdoor storage areas.

The JIA is a large site and has ample room for parking to accommodate the proposed temporary asphalt plant.

#### Condition: None.

**Noise** – Working hours are Monday through Sunday from 7:00 AM to 7:00 PM. The project also includes mandated nighttime work to maintain commercial flight patterns, according to the project narrative (Attachment A). Nighttime work hours follow contract guidelines and are subject to change. The applicant has applied for a noise permit with CBJ. The main sources of noise will be heavy machinery and vehicle traffic. Noise will be consistent with noise generated by daily airport operations.

According to CBJ 42.20.095(c), the operation of heavy construction equipment is prohibited before 7:00 A.M. or after 10:00 P.M., Monday through Friday, or before 9:00 A.M. or after 10:00 P.M., Saturday and Sunday, unless a

COLASKA Inc. DBA SECON File No: USE2024 0009 May 3, 2024 Page 5 of 8

permit is granted by the City and Borough Building Official. Before starting any work outside of these hours, the applicant is required to receive a permit from the CBJ Building Code Official.

**Condition:** Operations shall be from 7 A.M. to 10 P.M. Monday through Friday, and 9 A.M. to 10 P.M. on Saturday and Sunday, unless a permit has been obtained from the CBJ Building Code Official.

**Lighting** – Lighting may be necessary for nighttime work, and will be provided via portable self-contained light plants. Lighting will not affect Egan Drive traffic or JIA air traffic.

Condition: None.

**Vegetative Cover & Landscaping** – The vegetative cover requirement for the Industrial zoning district is five percent. This requirement has been met.

Condition: None.

**Habitat** – The site is in an established industrial area and does not have any salmon streams, eagle nests, wetlands, or other sensitive habitat near the proposed development. The ADEC Stormwater Pollution Prevention Plan (SWPPP) addresses both stormwater and spill prevention. The SWPPP is available on the ADEC's online webpage.

Condition: None.

**Drainage and Snow Storage** – Drainage has been addressed by the ADEC SWPPP. If any stormwater runoff is present it will be managed with wattles and earthen berms. The development will not be operating during the winter months. Snow storage needs will be addressed by the property owner, JIA.

Condition: None.

Hazard Zones - The lot is not in a mapped hazard zone or mapped flood zone.

Condition: None.

**Public Health, Safety, and Welfare** – The development is in an established industrial area with security fencing and other measures to ensure the public health and safety. All security requirements from JIA and the FAA have been met. The asphalt plant has received an Air Quality Control Permit from ADEC permit number AQ024MG301, which is available on ADEC's online webpage:

http://dec.alaska.gov/Applications/airtoolsweb/AirPermitsApprovalsAndPublicNotices .

There is no evidence that the proposed development will negatively affect public health or safety.

Condition: None.

**Property Value or Neighborhood Harmony** – The development is in an established industrial area. Noise, traffic, and lighting impacts are consistent with the operations of the JIA. Negative impacts to property value or neighborhood harmony are not anticipated.

Condition: None.

COLASKA Inc. DBA SECON File No: USE2024 0009 May 3, 2024 Page 6 of 8

#### AGENCY REVIEW

CDD conducted an agency review comment period between March 7 and March 22, 2024 and received the following responses:

Agency	Summary
Alaska Department of Environmental Conservation	The Alaska Department of Environmental Conservation, Division of Water, Non-Point Source section has no issues with the Conditional Use Permit application for a temporary asphalt plant at the Juneau International Airport in conjunction with airport projects.
Alaska Department of Transportation and Public Facilities	Southcoast Region DOT&PF does not have any objection.
CBJ Capital City Fire and Rescue	No concerns from fire at this time.
Juneau International Airport	Airport is good with this.
CBJ CDD Building Division	Buildings has no issues with this project at this time.

#### **PUBLIC COMMENTS**

CDD conducted a public comment period between April 8 and April 22, 2024. Public notice was mailed to property owners within 500 feet of the proposed development. A public notice sign was also posted on-site two weeks prior to the scheduled hearing. No public comments have been received to date.

### **CONFORMITY WITH ADOPTED PLANS**

The proposed development is in general conformity with the 2013 Juneau Comprehensive Plan.

PLAN	Chapter	Page No.	Item	Summary
2013 Juneau	Five	47	Policy 5.4	Support regional economic development.
Comprehensive Plan	Eight	104	Policy 8.1	Promote and support aviation safety; develop and maintain airport facilities.
	Ten	136	Policy 10.8	Encourage Juneau's position as a regional trade center.
2015 Juneau Economic Development Plan		66	Objective 6	Develop the infrastructure needed to support innovation and entrepreneurship.

#### **FINDINGS**

Conditional Use Permit Criteria -

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

Analysis: No further analysis needed.

Finding: Yes. The application is complete.

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

**Analysis**: The permit is listed at CBJ 49.25.300, Section 4.100, Heavy Manufacturing, for the Industrial zoning district.

Finding: Yes. The proposed development 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. The proposed development, with the recommended condition, will comply with Title 49, including traffic, lighting, vegetative cover, and noise.

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

Analysis: No further analysis needed.

**Finding: No.** The requested Conditional Use Permit in the Industrial zoning district, with the recommended condition, will not materially endanger the public health or safety.

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

Analysis: No further analysis needed.

**Finding:** No. The requested Conditional Use Permit in the Industrial zoning district, with the recommended condition, will not 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: No further analysis needed.

**Finding: Yes.** The proposed development, with the recommended condition, will conform with the 2013 Juneau Comprehensive Plan and the 2015 Juneau Economic Development Plan.

#### RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and **APPROVE** the requested Conditional Use Permit. The permit would allow the development of a temporary asphalt plant in the Industrial zoning district. The approval is subject to the following condition:

COLASKA Inc. DBA SECON File No: USE2024 0009 May 3, 2024 Page 8 of 8

- 1) Operations shall be from 7 A.M. to 10 P.M. Monday through Friday, and 9 A.M. to 10 P.M. on Saturday and Sunday, unless a permit has been obtained from the CBJ Building Code Official.
- 2) The permit is valid through October 28, 2026. An extension may be granted in accordance with CBJ 49.15.230

## **STAFF REPORT ATTACHMENTS**

Item	Description
Attachment A	Application Packet
Attachment B	Abutters Notice and Public Notice Sign Photo
Attachment C	Agency 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.

Gate P on Maplesden Way ~			
Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) Airport	TR A & B [Airport	Term & Runwa	y Land]
Parcel Number(s) 3B160-100-0010	••••••••••••••••••••••••••••••••••••••		
This property is located in the downtown historic di This property is located in a mapped hazard area, if			
LANDOWNER/ LESSEE			
Property Owner Juneau International Airport	Contact Person Patty	Wahto	
Mailing Address 1873 Shell Simmons Drive, Suite 200,	Juneau, AK 99801	Change Mumbordel	7-789-7821
E-mail Address Patty Wahto <patty.wahto@jnuairport.< td=""><td>com&gt;</td><td>-</td><td></td></patty.wahto@jnuairport.<>	com>	-	
LANDOWNER/ LESSEE CONSENT Required for Planning Permits, not needed on Building/ Engineering Per Consent is required of all landowners/ lessees. If submitted with the ap include the property location, landowner/ lessee's printed name, signa I am (we are) the owner(s)or lessee(s) of the property subject to this ap	oplication, alternative written ture, and the applicant's nam	e.	nt. Written approval i
A. This application for a land use or activity review for development of B. I (we) grant permission for the City and Borough of Juneau officials/	n my (our) property is made w	ith my complete underst	anding and permissio ses of this application
Patricia K Wahto Airport N	/anager-JNU Airp	oort	
Landowner/Lessee (Printed Name)	Title (e.g.: Landowner, Les		
Det is in Kul 4		01010001	
* Patricia K Wakto		3/6/2024	
X <u>Paulicia N</u> Watto Landowner/Lessee (Signature)		3/6/2024 Date	
	Title (e.g.: Landowner, Les	Date	
Landowner/Lessee (Signature)	Title (e.g.: Landowner, Les	Date see)	
Landowner/Lessee (Signature) Landowner/Lessee (Printed Name) X	ibject property during regular	Date Date Date business hours. We will n	nake every effort to nbers of the Planning
Landowner/Lessee (Signature)         Landowner/Lessee (Printed Name)         X         Landowner/Lessee (Signature)         NOTICE: The City and Borough of Juneau staff may need access to the su contact you in advance, but may need to access the property in your abser         Commission may visit the property before a scheduled public hearing data         APPLICANT       If came as LANDOW	Ibject property during regular ce and in accordance with the ate. NFR. write "SAMF"	Date Date Date business hours. We will n consent above. Also, men	nake every effort to
Landowner/Lessee (Signature)         Landowner/Lessee (Printed Name)         X         Landowner/Lessee (Signature)         NOTICE: The City and Borough of Juneau staff may need access to the su contact you in advance, but may need to access the property in your abser         Commission may visit the property before a scheduled public hearing da         APPLICANT       If same as LANDOW         Applicant (Printed Name)       Colaska dba Secon	Ibject property during regular ce and in accordance with the ate. NFR. write "SAMF"	Date Date Date business hours. We will n consent above. Also, men	nake every effort to nbers of the Planning
Landowner/Lessee (Signature)         Landowner/Lessee (Printed Name)         X         Landowner/Lessee (Signature)         NOTICE: The City and Borough of Juneau staff may need access to the su contact you in advance, but may need to access the property in your abser Commission may visit the property before a scheduled public hearing da APPLICANT         If same as LANDOW         Applicant (Printed Name)         Colaska dba Secon         Mailing Address         PO Box 32159, Juneau, AK 99803	ibject property during regular ice and in accordance with the ate.	Date See) Date business hours. We will n consent above. Also, men n Hansen Phone Number(s)	make every effort to nbers of the Planning 780-5145
Landowner/Lessee (Signature)         Landowner/Lessee (Printed Name)         X         Landowner/Lessee (Signature)         NOTICE: The City and Borough of Juneau staff may need access to the su contact you in advance, but may need to access the property in your abser         Commission may visit the property before a scheduled public hearing data         APPLICANT       If came as LANDOW	Ibject property during regular ce and in accordance with the ate. NFR. write "SAMF"	Date See) Date business hours. We will n consent above. Also, men n Hansen Phone Number(s)	nbers of the Planning
Landowner/Lessee (Signature)         Landowner/Lessee (Printed Name)         X         Landowner/Lessee (Signature)         NOTICE: The City and Borough of Juneau staff may need access to the su contact you in advance, but may need to access the property in your abser         Commission may visit the property before a scheduled public hearing de         APPLICANT       If same as LANDOW         Applicant (Printed Name)       Colaska dba Secon         Mailing Address       PO Box 32159, Juneau, AK 99803         E-mail Address       mhansen@colaska.com         X       Maunee	ubject property during regular the and in accordance with the ate. <u>NER, write "SAME"</u> Contact Person Mauree	Date See) Date business hours. We will n consent above. Also, men n Hansen Phone Number(s)	nbers of the Planning -780-5145
Landowner/Lessee (Signature)         Landowner/Lessee (Printed Name)         X         Landowner/Lessee (Signature)         NOTICE: The City and Borough of Juneau staff may need access to the su contact you in advance, but may need to access the property in your abser         Commission may visit the property before a scheduled public hearing de         APPLICANT       If same as LANDOW         Applicant (Printed Name)       Colaska dba Secon         Mailing Address       PO Box 32159, Juneau, AK 99803         E-mail Address       mhansen@colaska.com         Mailing Address       Mailing Address	ubject property during regular the and in accordance with the ate. <u>NER, write "SAME"</u> Contact Person Mauree	Date See) Date business hours. We will n consent above. Also, men n Hansen Phone Number(s) 907-	-780-5145
Landowner/Lessee (Signature)         Landowner/Lessee (Printed Name)         X         Landowner/Lessee (Signature)         NOTICE: The City and Borough of Juneau staff may need access to the su contact you in advance, but may need to access the property in your abser         Commission may visit the property before a scheduled public hearing da         APPLICANT       If same as LANDOW         Applicant (Printed Name)       Colaska dba Secon         Mailing Address       PO Box 32159, Juneau, AK 99803         E-mail Address       mhansen@colaska.com         X       Mailling Address         Mailling Address       Mansen@colaska.com         X       Mailling Address         Mailling Address       Mansen         Applicant's Signature       Mailling Address	ubject property during regular the and in accordance with the ate. <u>NER, write "SAME"</u> Contact Person Mauree	Date See) Date business hours. We will n consent above. Also, men n Harisen Phone Number(s) 907- _3-4-21	-780-5145
Landowner/Lessee (Signature)         Landowner/Lessee (Printed Name)         X         Landowner/Lessee (Signature)         NOTICE: The City and Borough of Juneau staff may need access to the su contact you in advance, but may need to access the property in your abser         Commission may visit the property before a scheduled public hearing da         APPLICANT       If same as LANDOW         Applicant (Printed Name)       Colaska dba Secon         Mailing Address       PO Box 32159, Juneau, AK 99803         E-mail Address       mhansen@colaska.com         X       Mailling Address         Mailling Address       Mansen@colaska.com         X       Mailling Address         Mailling Address       Mansen         Applicant's Signature       Mailling Address	ubject property during regular to the ard in accordance with the ate. <u>NER, write "SAME"</u> <u>Contact Person</u> Mauree	Date See) Date business hours. We will n consent above. Also, men n Harisen Phone Number(s) 907- _3-4-21	-780-5145
Landowner/Lessee (Signature)         Landowner/Lessee (Printed Name)         X         Landowner/Lessee (Signature)         NOTICE: The City and Borough of Juneau staff may need access to the su contact you in advance, but may need to access the property in your abser         Commission may visit the property before a scheduled public hearing da         APPLICANT       If same as LANDOW         Applicant (Printed Name)       Colaska dba Secon         Mailing Address       PO Box 32159, Juneau, AK 99803         E-mail Address       mhansen@colaska.com         X       Mailling Address         Mailling Address       Mansen@colaska.com         X       Mailling Address         Mailling Address       Mansen         Applicant's Signature       Mailling Address	ubject property during regular to the ard in accordance with the ate. <u>NER, write "SAME"</u> <u>Contact Person</u> Mauree	Date See) Date business hours. We will n consent above. Also, men n Harisen Phone Number(s) 907- _3-4-21	-780-5145

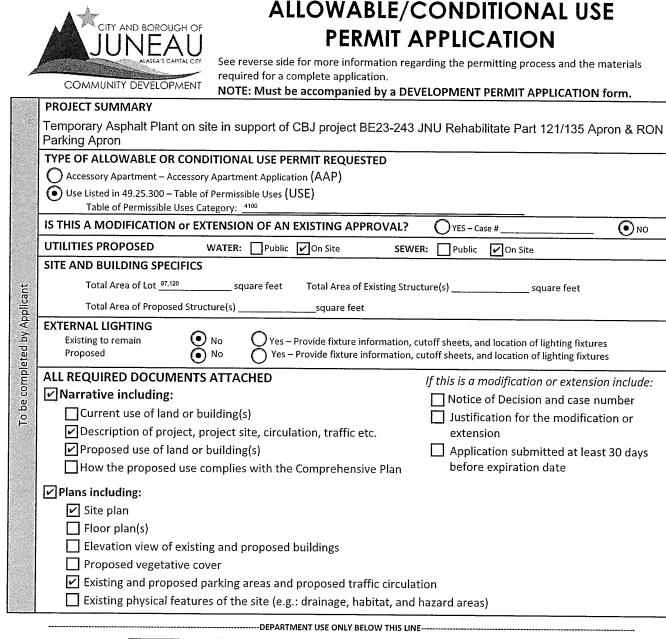
For assistance filling out this form, contact the Permit Center at S86-0770.

Updated 6/2022-Page 1 of 1

SE24.009 3/6

I:\FORMS\PLANFORM\DPA\_Final Draft.docx

\$



ALLOWABLE/CONDITIONAL	USE FEES				
	Fees	Check No.	Receipt	Date	
Application Fees	s <u>1,000.00</u>	-class 1V			
Admin. of Guarantee	\$				
Adjustment	\$				
Pub. Not. Sign Fee	\$50.00				
Pub. Not. Sign Deposit	\$ <u>100.00</u>				
Total Fee	<u>\$1,150.00</u>				
5 1					

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

## **INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

Case Number	Date Received
VSE24-009	3/6/2024

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

#### 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

<u>Pre-Application Conference</u>: A pre-application conference is required prior to submitting an application. There is no fee for a preapplication 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.
- 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 rightof-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**

0

Revised May 2017 - Page 2 of 2

Section H, Item 6.



#### A COLAS COMPANY

P.O. Box 32159 Juneau, Alaska 99803 Phone (907) 780-5145 Fax (907) 780-5896 www.colaska.com

Ms. Teri Camery City and Borough of Juneau 155 S. Seward Street Juneau, Alaska 99801 3/4/2024

## RE: City and Borough of Juneau Conditional Use Permit Application Temporary Location of ASTEC Asphalt Plant For Project BE23-243 JNU Rehabilitate Part 121/135 Apron & RON Parking Apron

To Ms. Camery,

Secon was awarded a project at the Juneau International Airport (JIA), CBJ Contract No. BE23-243, JNU Rehabilitate Part 121/135 Apron & RON Parking Apron in late 2023. The substantial completion date for the project is September 30<sup>st</sup>, 2026. This project has a bid quantity of 23,512 tons of Hot Mix Asphalt for the planned airport improvements.

To facilitate the operations of paving at the airport Secon is requesting a Conditional Use Permit (CUP) for the ASTEC Asphalt Plant at a location by Gate P on Maplesden Way inside the airport fence on JIA property.

The ASTEC Asphalt Plant has been setup on the JIA property for previous projects in 2015 by the float pond and in 2018, 2019, and 2020 by Gate P. The proposed location for the asphalt plant is the same as it occupied during the 2018-2020 approvals and has been approved by the JNU Airport Project Manager The location meets the TSA's set-backs from the security fence for any structure or vehicle. It is below the height requirements for any structure near the FAA's runway control envelope. It is also outside of the FAA/JIA taxiway's control zone. It has been accepted by Alaska Department of Environmental Conservation (DEC) for the current location.

Typical JIA project working hours are Monday through Sunday 7:00 AM to 7:00 PM. The project also includes contract mandated night work to maintain commercial flight patterns. These night work hours will follow contract guidelines and are subject to change. A Noise permit has been applied for with CBJ. The spring startup is anticipated for the first of April. Paving will start sometime towards end of April to first part of May depending upon weather. This project has a final completion date of

Page | 1

Letter 1



October 28th, 2026 with seasonal shutdowns of approximately October 31 in 2024 and 2025. We anticipate having the plant setup on site for the duration of the project or roughly 30 months.

The project is broken up into 12 phases of work to allow construction as well as continued seamless operation of the airport facilities by all users. Secon has proposed a revised 8 phase plan. Final phasing is still under discussion but has no affect on asphalt plant location or duration.

The trucking route for the project is all within the fenced airport perimeter (reference sheet C1.0). No impacts to Yandukin Drive, Shell-Simmons Drive and Cessna Drive. As the contractor haul route starts at Gate P all trucking for the project was planned for access thru Maplesden Way. With the ASTEC Asphalt Plant located at Maplesden Way it would eliminate trucks hauling hot asphalt from Concrete Way to Egan Drive and then turning across in-bound traffic on Egan Drive and reduce the trucking impacts to Maplesden Way itself. Raw aggregates for making asphalt will come from both Hidden Valley and Aggpro via Egan Drive not thru Lemon Creek residential area. An estimated average of 50 loads in a day when hauling aggregate. AML will be delivering tanks of asphalt cement via Egan Drive for the project with an estimated maximum of 12 loads per day.

Light for the asphalt plant may be needed. Lighting will be provided via portable self-contained light plants. The lights will be setup with the intent of not impacting the Egan Highway traffic or JIA air traffic. JIA Project Engineer will determine the location and light direction per FAA requirements if there are concerns from interested parties.

The ASTEC Asphalt Plant is operating under the Project's Construction SWPPP which is currently in the final approval process. The NOI Authorization from DEC can be provided when available.

Based on google earth the nearest stream is about 1.400 feet from the plant on the far side of taxiway F. The nearest wetland is on the other side of TEMSCO at about 900 feet away.

Per the State of Alaska Geoportal for Documented Eagle Nest Sites, there are no active sites within a <sup>1</sup>/<sub>2</sub> mile radius of the proposed asphalt plant location.

Dust control will be with a water truck wetting down the truck routes.

The plant will be located on dredged sands and gravels from the float plane pond. If any stormwater runoff is present it will be managed with wattles and earthen berms.

The ASTEC Asphalt Plant air quality permit AQ0247MG301can be found at DEC's Air Permits Approvals and Public Notices web page:

http://dec.alaska.gov/Applications/Air/airtoolsweb/AirPermitsApprovalsAndPublicNotices						
City and Borough of Juneau Conditional Use Permit Application	Page 2	3/4/2024				
Temporary Location of ASTEC Asphalt Plant						
For Project BE23-243 JNU Rehabilitate Part 121/135 Apron & RON Parking		Colaska Inc, dba Secon				
Apron						
Letter 1						



Permit/Approval Type: Minor General - Asphalt Plant - Title I (MG3) Owner: Colaska Inc, dba Secon Stationary Source: ASTEC Super Six Drum Mix Asphalt Plant

Security is courtesy of JIA in being located inside their fences and on their property.

Attachments comprise original phasing plan, proposed phasing plan, Sheet C1.0 showing trucking routes, ASTEC location, ASTEC setup, 7460 for asphalt plant and crane used to set it up, and pre-application meeting report.

We believe that it would provide a benefit to CBJ if this CUP extended beyond just a single project. We request the permit be for 10 years as is typical for these permits. This process has been undertaken multiple times in the past six years for airport project work and the trend will likely continue. At a minimum, we request the permit expiration be tied to the project completion date even if it changes so permit flexes with project changes.

If any question or clarifications are need please contact me.

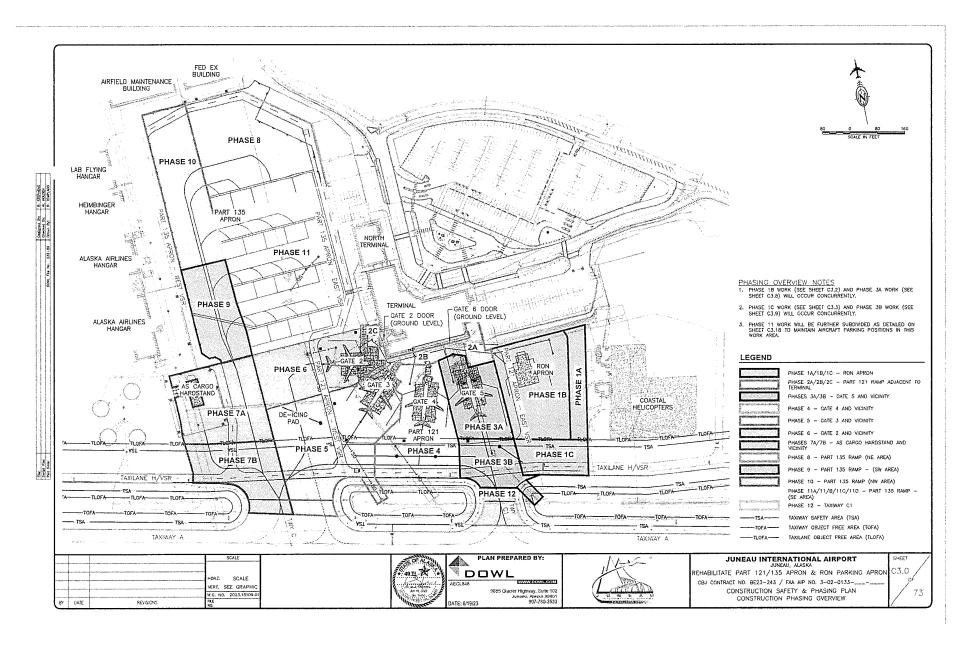
Sincerely, A Lanse Toure

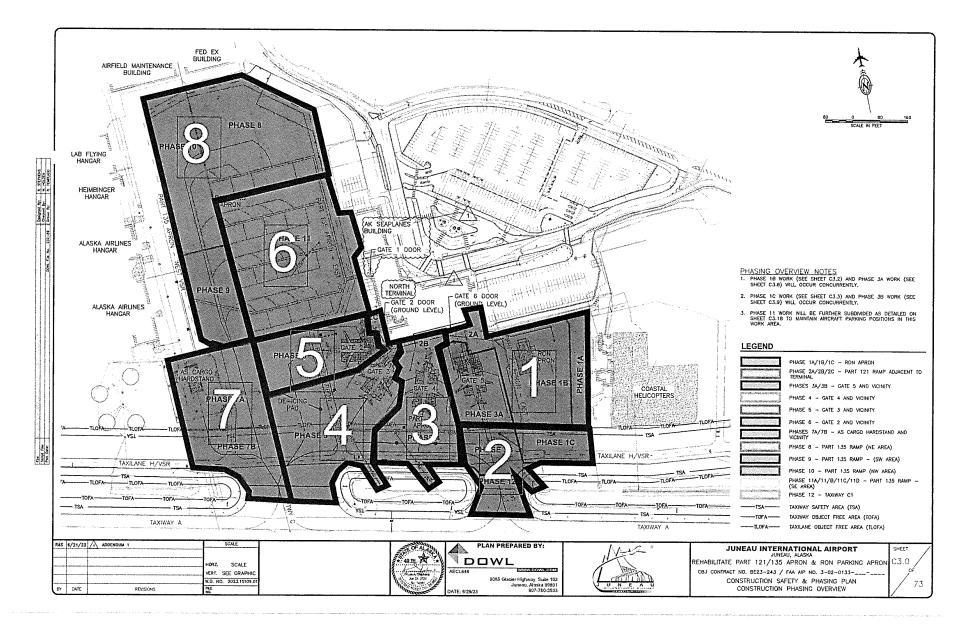
Maureen A. Hansen, P.E Engineering & Environmental Manager

City and Borough of Juneau Conditional Use Permit Application Temporary Location of ASTEC Asphalt Plant For Project BE23-243 JNU Rehabilitate Part 121/135 Apron & RON Parking Apron Letter 1 Page 3

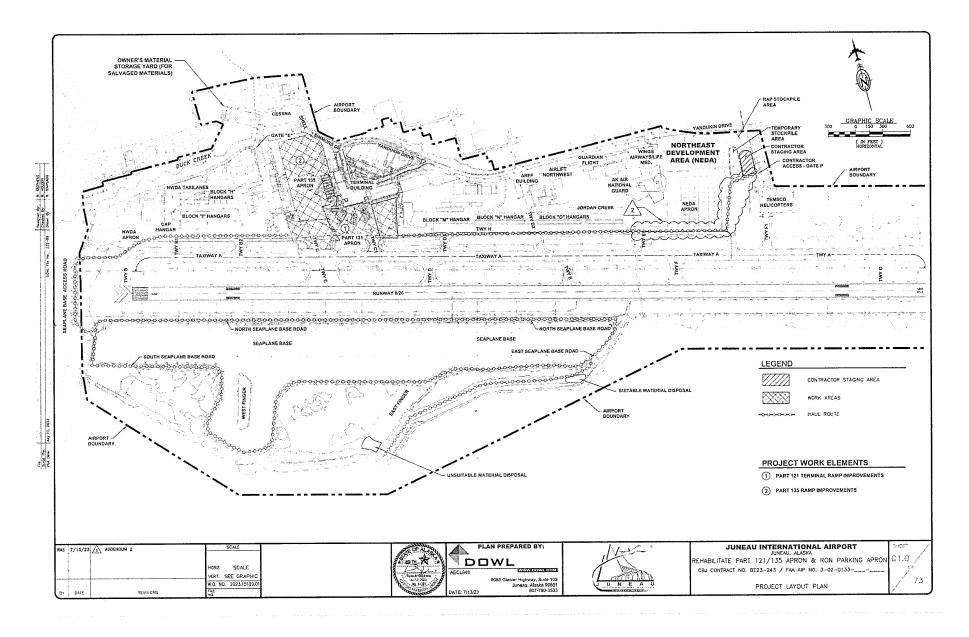
3/4/2024

Colaska Inc, dba Secon

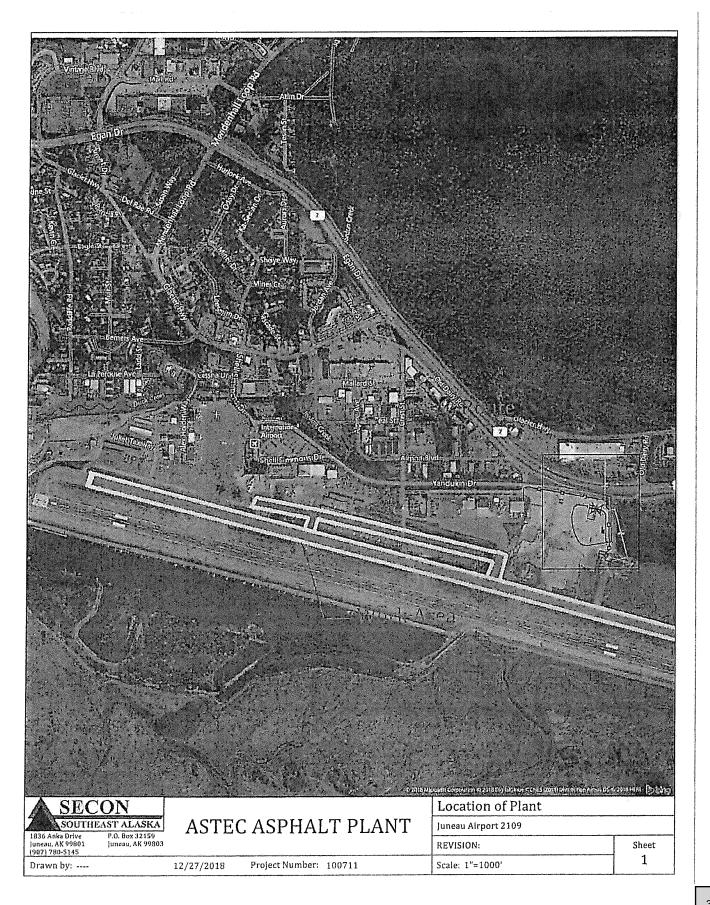




308

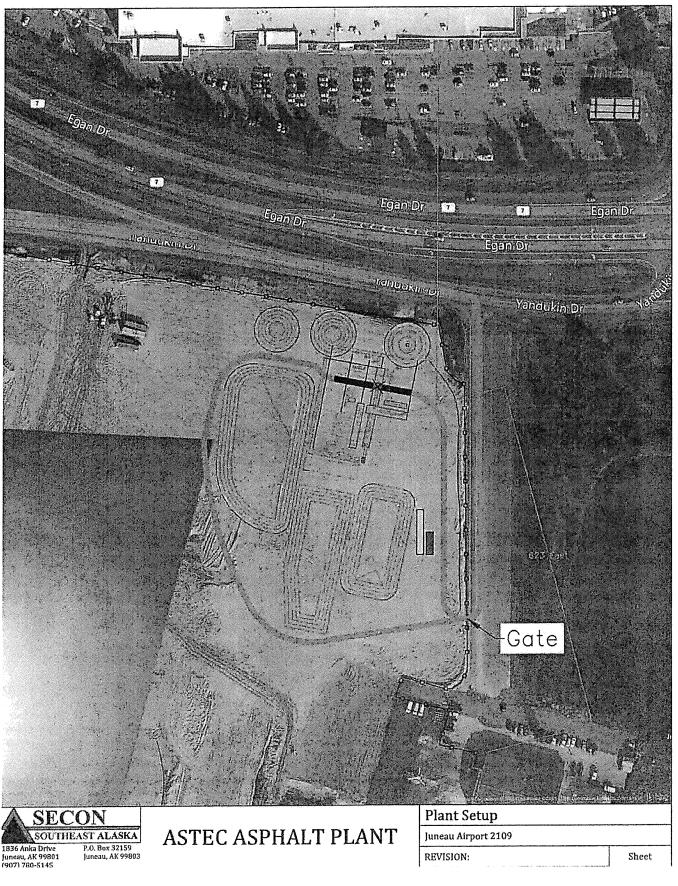


## FIGURE 1 VICINITY MAP

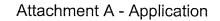


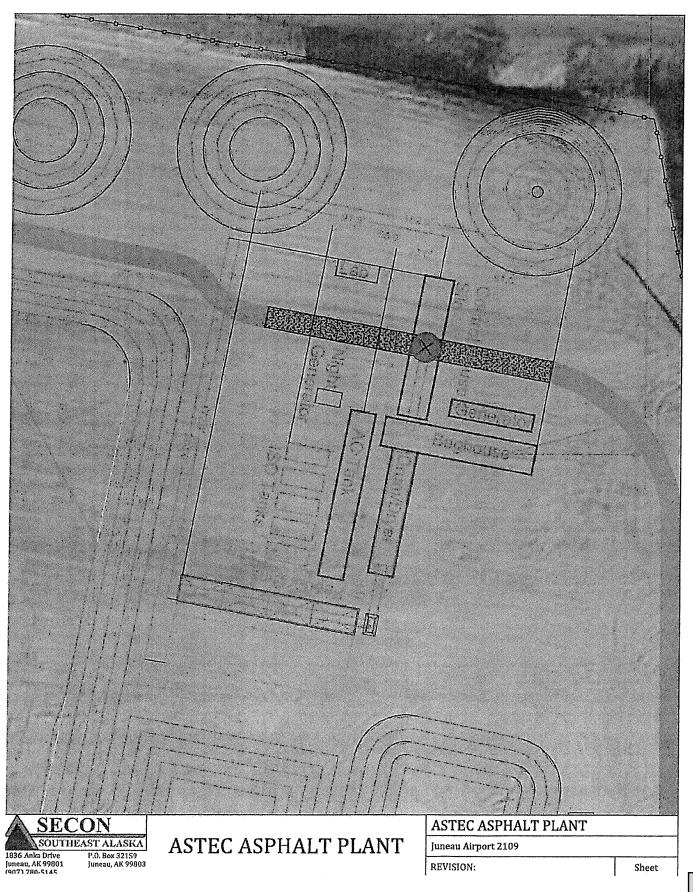
# Attachment A - Application Packet

# Attachment A - Application



Attachment A - Application Packet





Venus Larson AAL-624



**Federal Aviation Administration** 222 West 7th Ave., Box 14 Anchorage, AK 99513-7587

February 09, 2024

TO: Secon Attn: Jared Mackey 1836 Anka Street Juneau, AK 99801 jmackey@colaska.com

### RE: (See attached Table 1 for referenced case(s)) \*\*FINAL DETERMINATION\*\*

Table 1 - Letter Referenced Case(s)

ASN	Prior ASN	Location	Latitude (NAD83)	Longitude (NAD83)	AGL (Feet)	AMSL (Feet)
2024-AAL-27-NRA	2023-AAL-1209-NRA	JUNEAU,AK	58-21-27.90N	134-33-46.58W	80	107
2024-AAL-28-NRA	2023-AAL-1209-NRA	JUNEAU,AK	58-21-27.34N	134-33-41.66W	80	107
2024-AAL-29-NRA	2023-AAL-1209-NRA	JUNEAU,AK	58-21-26.06N	134-33-39.18W	80	106
2024-AAL-30-NRA	2023-AAL-1209-NRA	JUNEAU,AK	58-21-22.90N	134-33-39.40W	80	106
2024-AAL-31-NRA	2023-AAL-1209-NRA	JUNEAU,AK	58-21-23.14N	134-33-46.40W	80	107

Description: This Notice is to be used in conjunction with another project filed under with Aeronautical Study Number 2023-AAL-1209-NRA. An asphalt plant will be set up for the duration of the project in another area of the airport. The plant will be set up in the Northeast Development Area (NEDA) of Juneau International Airport. A site plan from the conformed documents has been included for reference.

We do not object with conditions to the construction described in this proposal provided:

You comply with the requirements set forth in FAA Advisory Circular 150/5370-2, "Operational Safety on Airports During Construction."

- The proposal violates the criteria given in the siting standard, Order 6560.20, for the Runway Visual Range (RVR) equipment serving Ted Stevens Juneau International Airport, Juneau, Alaska (AK). The proposal is expected to generate significant dust or smoke in the vicinity of the RVR Runway 08 Touchdown/Runway 26 Rollout and Ambient Light Sensor facilities. If not possible, the RVR data must be NOTAMed out of service and additional cleaning, calibration, and maintenance may be required. Contact the Operations Control Center (OCC) prior to the start of the project in order to schedule any necessary service outages at 866-4-FAA-OCC.

- Contact Airport Management prior to starting work to coordinate the work schedule, issue NOTAMs and possible impact mitigations.

- A separate notice to the FAA is required for any construction equipment, such as temporary cranes, whose working limits would exceed the height and lateral dimensions of your proposal.

Page 1 of 2

- Please inform the airport owners that as the Airport Layout Plan is updated, please include this new development.

Further, you should contact the Airport Traffic Control Tower (ATCT) Watch Supervisor at (907) 790-8502 prior to the crane(s) being raised for purposes of establishing a procedure to have the crane(s) immediately lowered upon request of the ATCT. When the crane(s) is no longer needed and has been permanently lowered, you should contact the ATCT at the telephone numbers given above and log back into your registered E-file account to provide the Flight Data Center (FDC) with notification that the NOTAM can be cancelled.

This determination does not constitute FAA approval or disapproval of the physical development involved in the proposal. It is a determination with respect to the safe and efficient use of navigable airspace by aircraft and with respect to the safety of persons and property on the ground.

In making this determination, the FAA has considered matters such as the effects the proposal would have on existing or planned traffic patterns of neighboring airports, the effects it would have on the existing airspace structure and projected programs of the FAA, the effects it would have on the safety of persons and property on the ground, and the effects that existing or proposed manmade objects (on file with the FAA), and known natural objects within the affected area would have on the airport proposal.

This determination expires on 10/31/2025 unless:

(a) extended, revised or terminated by the issuing office.

(b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for the completion of construction, or the date the FCC denies the application.

NOTE: Request for extension of the effective period of this determination must be obtained at least 15 days prior to expiration date specified in this letter.

If you have any questions concerning this determination contact Venus Larson (907) 271-3813 venus.larson@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2024-AAL-27-NRA.

Venus Larson Specialist Signature Control No: 610499543-612273809

Page 2 of 2



(907) 586-0715 CDD\_Admin@juneau.gov www.juneau.org/community-development 155 Heritage Way • Juneau, AK 99801

## Airport temporary asphalt batch plant

Case Number:	PAC2024 0005
Applicant:	Colaska Inc. DBA SECON
Property Owner:	City & Borough of Juneau
Property Address:	8907 Yandukin Dr
Parcel Code Number:	3B1601000010
Site Size:	n/a
Zoning:	Industrial
Existing Land Use:	Airport
Conference Date:	January 24, 2024
Report Issued:	February 7, 2024
	ion conferences are conducted for the purpose of providing applicants with a piect and timeline. Pre-application conferences are not based on a complete

preliminary review of a project and timeline. Pre-application conferences are not based on a co 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	
		mhansen@colaska.com	
Maureen Hansen	Applicant		
Teri Camery			
·	Planning	teri.camery@juneau.gov	
Bridget LaPenter	General Engineering	Bridget.LaPenter@juneau.gov	
David Sevdy	Permit technician	David.sevdy@juneau.gov	

i:\documents\cases\2024\pac\pac24-005 airport asphalt batch plant\to admin\pac2024-0005 final.doc

## **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 applicant requests a Conditional Use Permit for the development of a temporary asphalt plant at the Juneau International Airport in the corner along Maplesden Way for paving work on CBJ Contract No. BE23-243. The location is the same as two previous projects: USE2020-0005 for CBJ Contract No. BE19-218; and USE2019-0001 for CBJ Contract No. BE18-213. The applicant intends to start work in May and operate through the construction season. The project could extend through 2025.

The applicant is encouraged to follow the application materials used in previous Conditional Use Permit applications as provided via email, and to specifically address the following issues: light and noise and working hours; months/seasons of operation; a drainage plan and final Stormwater Pollution Prevention Plan in conformance with Alaska Department of Environmental Conservation requirements; lighting; and anticipated daily truck traffic and truck routes.

The applicant should allow for a three month process before obtaining a final decision from the CBJ Planning Commission.

#### **Planning Division**

- 1. Zoning Industrial
- 2. **Table of Permissible Uses -** The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ 49.25.300, Section 4.100, Heavy Manufacturing, for the Industrial zoning district.
- 3. Setbacks Setbacks in the Industrial zoning district are 10 feet in the front, rear, and sides.
- 4. Height There is no maximum height in the Industrial zoning district.
- 5. Access Maplesden Way and Yandukin Drive
- Parking & Circulation Parking and circulation requirements are based on gross floor area per CBJ Code 49.40.210(a), which is not applicable to the proposed development. The code does not have an established parking requirement for asphalt plants or similar uses that utilize large outdoor plants and outdoor storage areas.
- 7. Lot Coverage There is no maximum lot coverage in the Industrial zoning district.
- 8. Vegetative Coverage The vegetative cover requirement in the Industrial Zoning district is five percent, and is not relevant to the proposed temporary asphalt plant.
- 9. Lighting A lighting plan needs to be addressed in the application project narrative. Exterior lighting may not shed light or glare above the roofline of the building or beyond the property line of the site. Industrial and exterior lighting shall not be used in a manner that produces glare on public highways or neighboring property. All exterior lighting fixtures shall be of a "full cutoff" design.
- 10. Noise Daily hours of operation and noise impacts need to be addressed in the application project narrative.
- 11. Flood –

The proposed development is not within a mapped floodplain.

**Pre-Application Conference Final Report** 

#### 12. Hazard/Mass Wasting/Avalanche/Hillside Endorsement -

The proposed development is not within a mapped hazard zone.

- 13. Wetlands There are no wetlands on the project site.
- 14. Habitat Check with the U.S. Fish and Wildlife on the presence of eagle nests in the area. The presence of eagle nests may impact construction scheduling. No anadromous waterbodies are within 50 feet of the development.
- 15. Plat or Covenant Restrictions n/a
- Traffic Traffic routes and daily traffic estimates need to be included in the project narrative in the application.
- 17. Nonconforming situations There are no known nonconforming situations on the property.

#### **Building Division**

- 18. Building The Building Division has no issues.
- 19. Outstanding Permits none.

#### General Engineering/Public Works

20. Engineering - CBJ Engineering has no issues.

#### Fire Marshal

21. Fire Items/Access - The Fire Department has no issues with the proposal.

#### **Other Applicable Agency Review**

22. Alaska Department of Environmental Conservation comments will be required for the permit review, in addition to other standard agency reviews.

#### List of required applications

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

- 1. Development Permit Application
- 2. Conditional Use Permit Application

#### **Additional Submittal Requirements**

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

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

#### **Exceptions to Submittal Requirements**

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

1. n/a

#### **Fee Estimates**

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

Page 3 of 4

#### **Pre-Application Conference Final Report**

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

- 1. Conditional Use Permit Class IV use, \$1,000.00
- 2. Conditional Use Permit Public Notice sign fee \$50; deposit \$100.

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 <u>permits@juneau.gov</u> 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: <u>www.juneau.org/community-development</u>

Attachments:

49.15.330 - Conditional Use Permit





## Department of Environmental Conservation DIVISION OF WATER

Wastewater Discharge Authorization Program

555 Cordova Street Anchorage, Alaska 99501-2617 Main: 907.269,6285 Fax: 907.334.2415 www.dec.alaska.gov/wastewater

March 05, 2024

**Operator Info** 

Secon ATTN: Brian Maller 1836 Anka Street Juneau AK 99801 <u>bmaller@colaska.com</u> Project Info JNU Rehabilitate Part 121/135 Apron & RON Parking Apron 1873 Shell Simmons Drive Juneau, AK 99801 Est. Start – End: 04/01/2024 - 10/28/2026 Est. Area Disturbed: 20.2 acres Latitude, Longitude: 58.359850, -134.58182

General Permit Authorization Number: AKR10H0FR v1.0

This email/letter acknowledges that you have submitted a Notice of Intent (NOI) form to be covered under the APDES General Permit for Stormwater Discharges for Construction General Permit Activity (Construction General Permit) and is assigned the permit authorization number: AKR10H0FR v1.0. Please reference your permit authorization number in all future correspondence. The permittee is authorized to discharge storm water under the terms and conditions of this permit upon the issuance date of this letter and expires January 31, 2026 or as per Permit Part 2.6. Permit documents will be posted to the Alaska DEC EDMS Map Explorer at <a href="https://dec.alaska.gov/Applications/Water/EDMS/nsite">https://dec.alaska.gov/Applications/Water/EDMS/nsite</a>.

According to the NOI information provided (ref: HQ1-XBW4-5FJVQ, recd: 03/05/2024), the location of the SWPPP or the name and telephone number of the contact person for scheduling SWPPP viewing times is as follows:

- SWPPP Location: Project Address
- SWPPP Contact: Jared Mackey, Project Engineer, (406) 529-6331, jmackey@colaska.com, 1836 Anka Street, Juneau, AK 99801

Note, as per Permit Part 2.7 the permittee is required to submit a modification NOI within 30 calendar days if any of the following change: Owner/Operator address and contact information, site information, estimated start or end dates, acres disturbed, or SWPPP location and contact information.

Coverage is not transferable. The permittee must submit a Notice of Termination (NOT) instead of an NOI modification to DEC within 30 calendar days when the operator has changed. A change of operator in this case means when an organization changes control of the project. It does not mean when a corporate officer of the organization changes while the organization continues with the project. The new owner/operator must file a new NOI to obtain coverage under the CGP.

A permittee must submit an NOT within 30 calendar days when final stabilization has been achieved on all portions of the site, in accordance with Permit Part 4.5.2 for which the permittee is responsible, all ground disturbing construction activity or use of support activities has been completed, and all temporary Best Management Practices (BMP's) have been removed; or a new permittee has assumed control over all areas of the site that have not been finally stabilized.

#### AKR10H0FR

As stated above, this letter acknowledges receipt of a Notice of Intent. However, it is not an ADEC determination of the validity of the information you provided. Your eligibility for coverage under the Permit is based on the validity of the certification you provided. Your signature on the Notice of Intent certifies that you have read, understood, and are implementing all of the applicable requirements. An important aspect of this certification requires that you correctly determine whether you are eligible for coverage under this permit.

As you know, the Construction General Permit requires you to have developed and begun implementing a Stormwater Pollution Prevention Plan (SWPPP) and outlines important inspection and record keeping requirements. You must also comply with any additional location-specific requirements applicable to Alaska. A copy of the Construction General Permit must be kept with your SWPPP. An electronic copy of the Permit and additional guidance materials can be viewed and downloaded at <a href="https://dec.alaska.gov/water/wastewater/stormwater/construction">https://dec.alaska.gov/water/wastewater/stormwater/construction</a>.

Prior to discharge, please review your authorization and general permit AKR100000 to ensure that you understand the requirements contained within them. If you have general questions regarding the storm water program or your responsibilities under the Construction General Permit, please call 907-269-6285.

Re: EDMS CGP NOI Submission: HQ1-XBW4-5FJVQ, Received: 3/5/2024 1:29:50 PM



### A COLAS COMPANY

P.O. Box 32159 Juneau, Alaska 99803 Phone (907) 780-5145 Fax (907) 780-5896 www.colaska.com

Ms. Teri Camery City and Borough of Juneau 155 S. Seward Street Juneau, Alaska 99801 3/4/2024

RE: City and Borough of Juneau Conditional Use Permit Application Temporary Location of ASTEC Asphalt Plant For Project BE23-243 JNU Rehabilitate Part 121/135 Apron & RON Parking Apron

To Ms. Camery,

Secon was awarded a project at the Juneau International Airport (JIA), CBJ Contract No. BE23-243, JNU Rehabilitate Part 121/135 Apron & RON Parking Apron in late 2023. The substantial completion date for the project is September 30<sup>st</sup>, 2026. This project has a bid quantity of 23,512 tons of Hot Mix Asphalt for the planned airport improvements.

To facilitate the operations of paving at the airport Secon is requesting a Conditional Use Permit (CUP) for the ASTEC Asphalt Plant at a location by Gate P on Maplesden Way inside the airport fence on JIA property.

The ASTEC Asphalt Plant has been setup on the JIA property for previous projects in 2015 by the float pond and in 2018, 2019, and 2020 by Gate P. The proposed location for the asphalt plant is the same as it occupied during the 2018-2020 approvals and has been approved by the JNU Airport Project Manager The location meets the TSA's set-backs from the security fence for any structure or vehicle. It is below the height requirements for any structure near the FAA's runway control envelope. It is also outside of the FAA/JIA taxiway's control zone. It has been accepted by Alaska Department of Environmental Conservation (DEC) for the current location.

Typical JIA project working hours are Monday through Sunday 7:00 AM to 7:00 PM. The project also includes contract mandated night work to maintain commercial flight patterns. These night work hours will follow contract guidelines and are subject to change. A Noise permit has been applied for with CBJ. The spring startup is anticipated for the first of April. Paving will start sometime towards end of April to first part of May depending upon weather. This project has a final completion date of

Page | 1



October 28th, 2026 with seasonal shutdowns of approximately October 31 in 2024 and 2025. We anticipate having the plant setup on site for the duration of the project or roughly 30 months.

The project is broken up into 12 phases of work to allow construction as well as continued seamless operation of the airport facilities by all users. Secon has proposed a revised 8 phase plan. Final phasing is still under discussion but has no affect on asphalt plant location or duration.

The trucking route for the project is all within the fenced airport perimeter (reference sheet C1.0). No impacts to Yandukin Drive, Shell-Simmons Drive and Cessna Drive. As the contractor haul route starts at Gate P all trucking for the project was planned for access thru Maplesden Way. With the ASTEC Asphalt Plant located at Maplesden Way it would eliminate trucks hauling hot asphalt from Concrete Way to Egan Drive and then turning across in-bound traffic on Egan Drive and reduce the trucking impacts to Maplesden Way itself. Raw aggregates for making asphalt will come from both Hidden Valley and Aggpro via Egan Drive not thru Lemon Creek residential area. An estimated average of 50 loads in a day when hauling aggregate. AML will be delivering tanks of asphalt cement via Egan Drive for the project with an estimated maximum of 12 loads per day.

Light for the asphalt plant may be needed. Lighting will be provided via portable self-contained light plants. The lights will be setup with the intent of not impacting the Egan Highway traffic or JIA air traffic. JIA Project Engineer will determine the location and light direction per FAA requirements if there are concerns from interested parties.

The ASTEC Asphalt Plant is operating under the Project's Construction SWPPP which is currently in the final approval process. The NOI Authorization from DEC can be provided when available.

Based on google earth the nearest stream is about 1.400 feet from the plant on the far side of taxiway F. The nearest wetland is on the other side of TEMSCO at about 900 feet away.

Per the State of Alaska Geoportal for Documented Eagle Nest Sites, there are no active sites within a <sup>1</sup>/<sub>2</sub> mile radius of the proposed asphalt plant location.

Dust control will be with a water truck wetting down the truck routes.

The plant will be located on dredged sands and gravels from the float plane pond. If any stormwater runoff is present it will be managed with wattles and earthen berms.

The ASTEC Asphalt Plant air quality permit AQ0247MG301can be found at DEC's Air Permits Approvals and Public Notices web page:

http://dec.alaska.gov/Applications/Air/airtoolsweb/AirPermitsApprovalsAndPublicNotices				
City and Borough of Juneau Conditional Use Permit Application	Раде   <b>2</b>	3/4/2024		
Temporary Location of ASTEC Asphalt Plant				
For Project BE23-243 JNU Rehabilitate Part 121/135 Apron & RON Parking	Colaska Inc, dba Secon			
Apron				
Letter 1				



Permit/Approval Type: Minor General - Asphalt Plant - Title I (MG3) Owner: Colaska Inc, dba Secon Stationary Source: ASTEC Super Six Drum Mix Asphalt Plant

Security is courtesy of JIA in being located inside their fences and on their property.

Attachments comprise original phasing plan, proposed phasing plan, Sheet C1.0 showing trucking routes, ASTEC location, ASTEC setup, 7460 for asphalt plant and crane used to set it up, and pre-application meeting report.

We believe that it would provide a benefit to CBJ if this CUP extended beyond just a single project. We request the permit be for 10 years as is typical for these permits. This process has been undertaken multiple times in the past six years for airport project work and the trend will likely continue. At a minimum, we request the permit expiration be tied to the project completion date even if it changes so permit flexes with project changes.

If any question or clarifications are need please contact me.

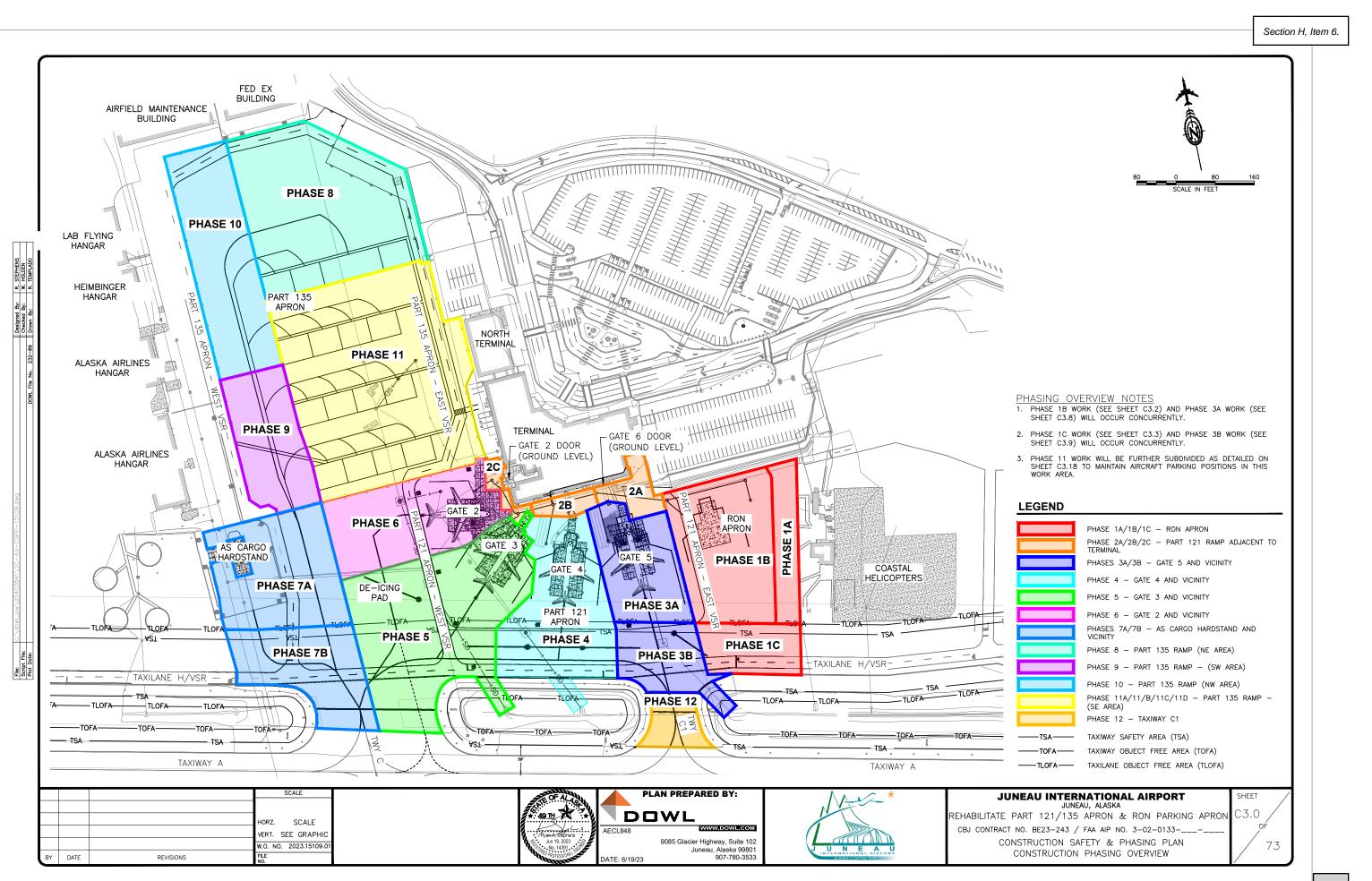
Sincerely, al lanse

Maureen A. Hansen, P.E Engineering & Environmental Manager

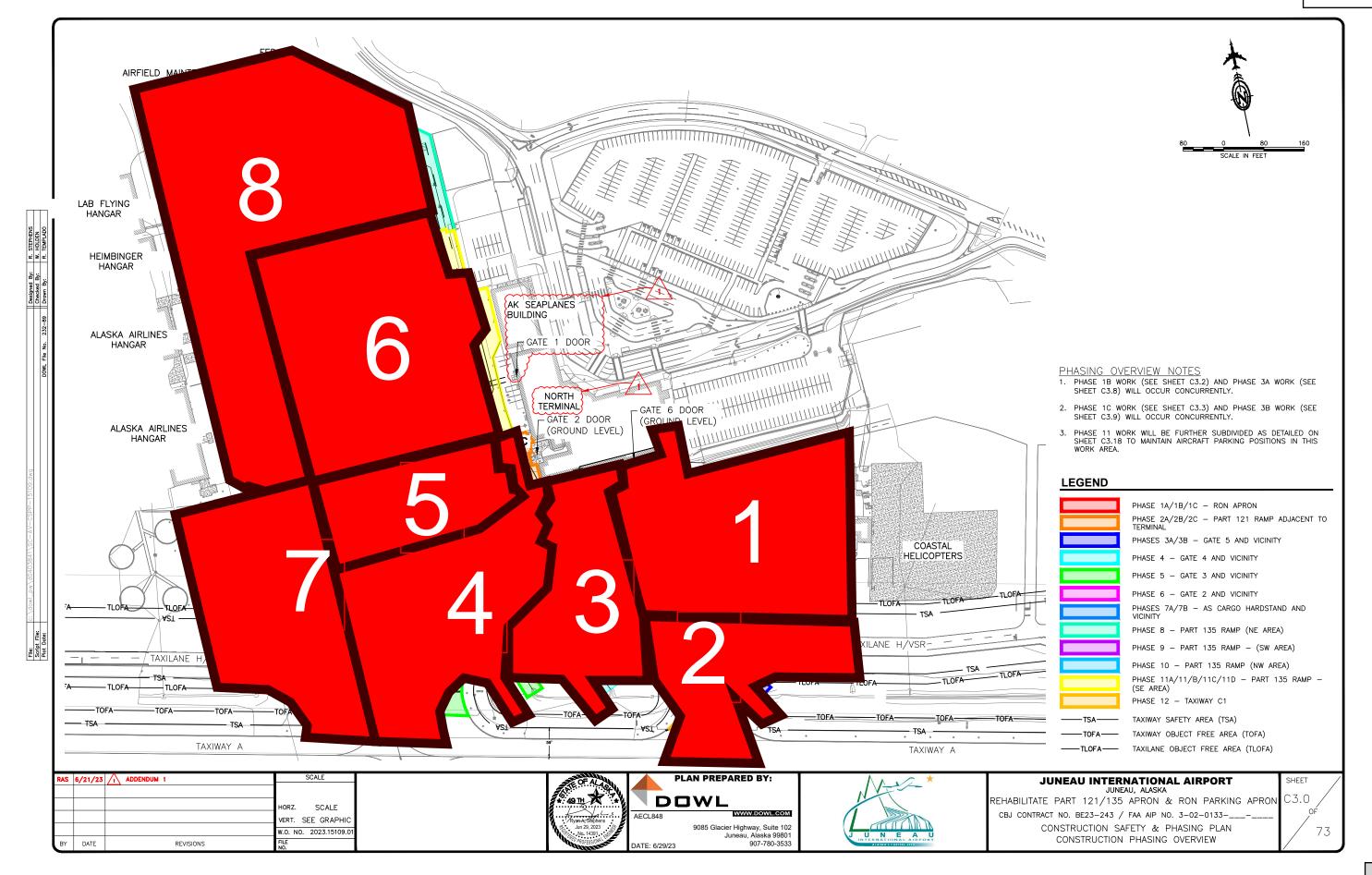
City and Borough of Juneau Conditional Use Permit Application Temporary Location of ASTEC Asphalt Plant For Project BE23-243 JNU Rehabilitate Part 121/135 Apron & RON Parking Apron Letter 1 Page |3

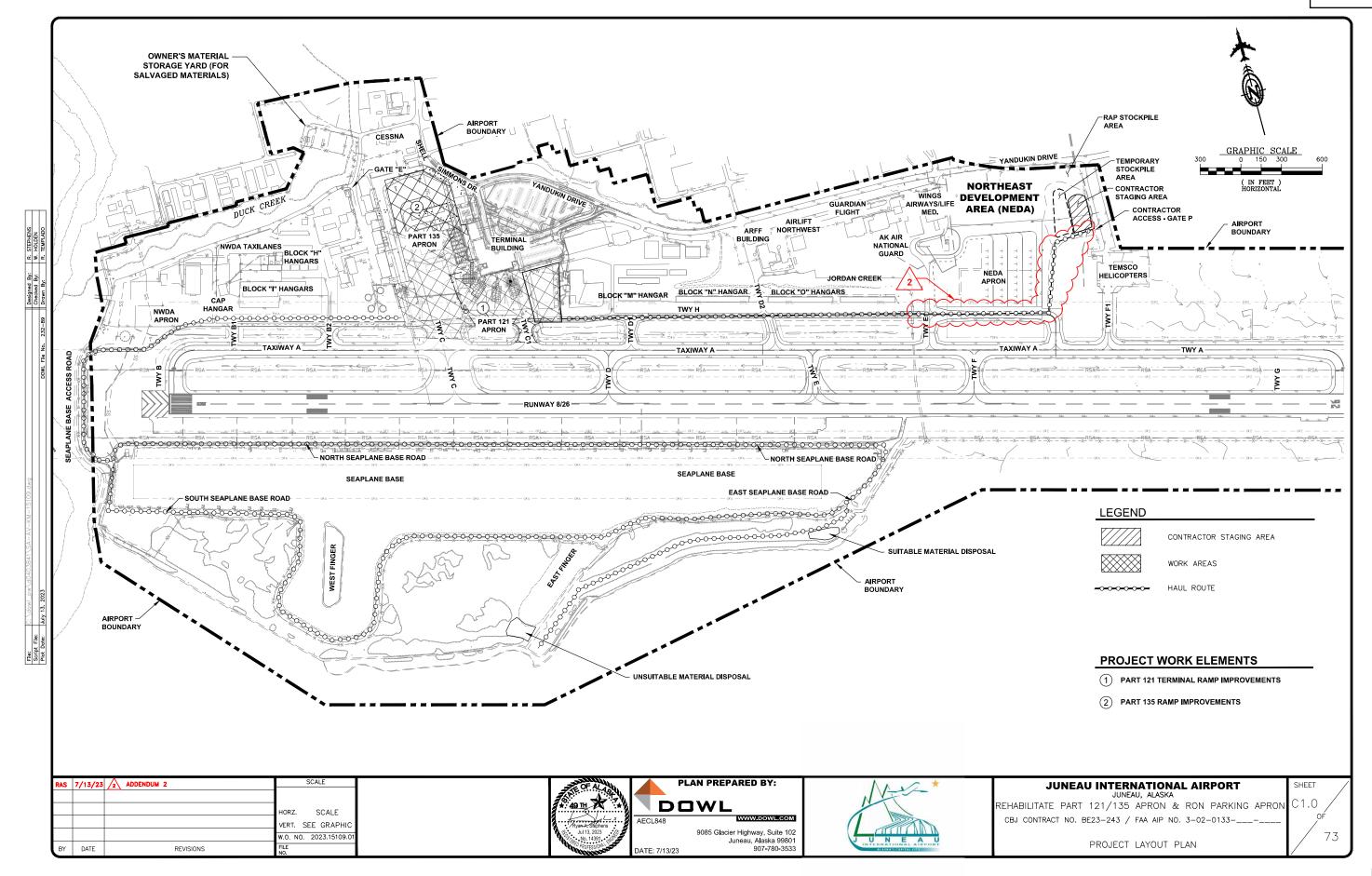
3/4/2024

Colaska Inc, dba Secon



Attachment A - Application Packet



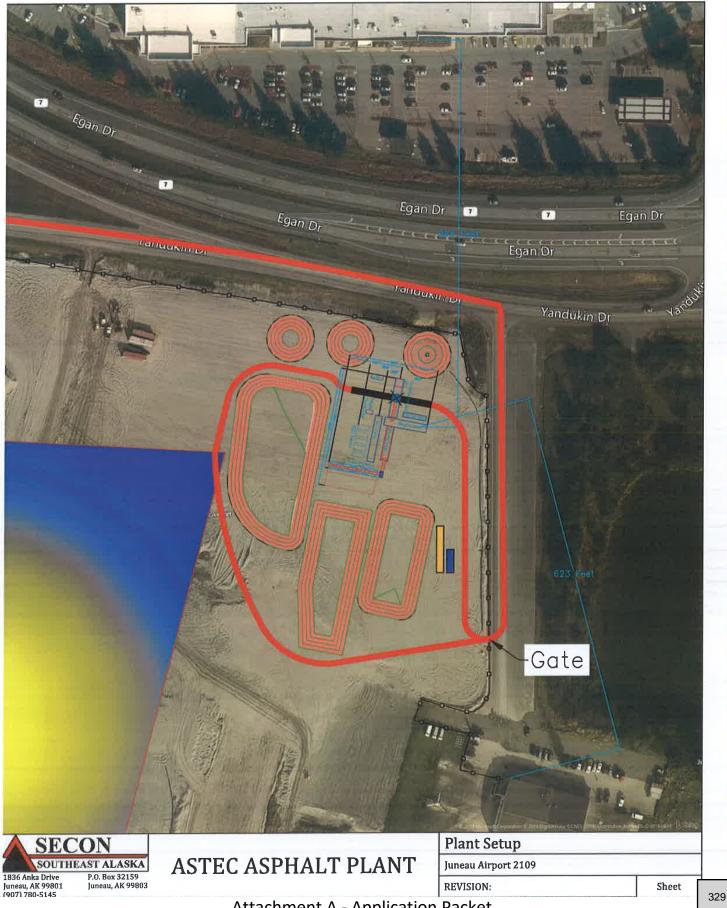


# FIGURE 1 VICINITY MAP



Attachment A - Application Packet

# Attachment A - Application



Attachment A - Application Packet

0 ASTEC ASPHALT PLANT SECON ASTEC ASPHALT PLANT SOUTHEAST ALASKA Juneau Airport 2109 1836 Anka Drive Juneau, AK 99801 (907) 780-5145 P.O. Box 32159 Juneau, AK 99803 **REVISION:** Sheet 330 Attachment A - Application Packet

Attachment A - Application



Venus Lars



**Federal Aviation Administration** 222 West 7th Ave., Box 14 Anchorage, AK 99513-7587

February 09, 2024

TO: Secon Attn: Jared Mackey 1836 Anka Street Juneau, AK 99801 jmackey@colaska.com

# RE: (See attached Table 1 for referenced case(s)) \*\*FINAL DETERMINATION\*\*

Table 1 - Letter Referenced Case(s)

ASN	Prior ASN	Location	Latitude (NAD83)	Longitude (NAD83)	AGL (Feet)	AMSL (Feet)
2024-AAL-27-NRA	2023-AAL-1209-NRA	JUNEAU,AK	58-21-27.90N	134-33-46.58W	80	107
2024-AAL-28-NRA	2023-AAL-1209-NRA	JUNEAU,AK	58-21-27.34N	134-33-41.66W	80	107
2024-AAL-29-NRA	2023-AAL-1209-NRA	JUNEAU,AK	58-21-26.06N	134-33-39.18W	80	106
2024-AAL-30-NRA	2023-AAL-1209-NRA	JUNEAU,AK	58-21-22.90N	134-33-39.40W	80	106
2024-AAL-31-NRA	2023-AAL-1209-NRA	JUNEAU,AK	58-21-23.14N	134-33-46.40W	80	107

Description: This Notice is to be used in conjunction with another project filed under with Aeronautical Study Number 2023-AAL-1209-NRA. An asphalt plant will be set up for the duration of the project in another area of the airport. The plant will be set up in the Northeast Development Area (NEDA) of Juneau International Airport. A site plan from the conformed documents has been included for reference.

We do not object with conditions to the construction described in this proposal provided:

You comply with the requirements set forth in FAA Advisory Circular 150/5370-2, "Operational Safety on Airports During Construction."

- The proposal violates the criteria given in the siting standard, Order 6560.20, for the Runway Visual Range (RVR) equipment serving Ted Stevens Juneau International Airport, Juneau, Alaska (AK). The proposal is expected to generate significant dust or smoke in the vicinity of the RVR Runway 08 Touchdown/Runway 26 Rollout and Ambient Light Sensor facilities. If not possible, the RVR data must be NOTAMed out of service and additional cleaning, calibration, and maintenance may be required. Contact the Operations Control Center (OCC) prior to the start of the project in order to schedule any necessary service outages at 866-4-FAA-OCC.

- Contact Airport Management prior to starting work to coordinate the work schedule, issue NOTAMs and possible impact mitigations.

- A separate notice to the FAA is required for any construction equipment, such as temporary cranes, whose working limits would exceed the height and lateral dimensions of your proposal.

- Please inform the airport owners that as the Airport Layout Plan is updated, please include this new development.

Further, you should contact the Airport Traffic Control Tower (ATCT) Watch Supervisor at (907) 790-8502 prior to the crane(s) being raised for purposes of establishing a procedure to have the crane(s) immediately lowered upon request of the ATCT. When the crane(s) is no longer needed and has been permanently lowered, you should contact the ATCT at the telephone numbers given above and log back into your registered E-file account to provide the Flight Data Center (FDC) with notification that the NOTAM can be cancelled.

This determination does not constitute FAA approval or disapproval of the physical development involved in the proposal. It is a determination with respect to the safe and efficient use of navigable airspace by aircraft and with respect to the safety of persons and property on the ground.

In making this determination, the FAA has considered matters such as the effects the proposal would have on existing or planned traffic patterns of neighboring airports, the effects it would have on the existing airspace structure and projected programs of the FAA, the effects it would have on the safety of persons and property on the ground, and the effects that existing or proposed manmade objects (on file with the FAA), and known natural objects within the affected area would have on the airport proposal.

This determination expires on 10/31/2025 unless:

(a) extended, revised or terminated by the issuing office.

(b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for the completion of construction, or the date the FCC denies the application.

NOTE: Request for extension of the effective period of this determination must be obtained at least 15 days prior to expiration date specified in this letter.

If you have any questions concerning this determination contact Venus Larson (907) 271-3813 venus.larson@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2024-AAL-27-NRA.

Venus Larson Specialist Signature Control No: 610499543-612273809



(907) 586-0715 CDD\_Admin@juneau.gov www.juneau.org/community-development 155 Heritage Way • Juneau, AK 99801

# Airport temporary asphalt batch plant

DISCLAIMER: Pre-application conferences are conducted for the purpose 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.		
Report Issued:	February 7, 2024	
Conference Date:	January 24, 2024	
Existing Land Use:	Airport	
Zoning:	Industrial	
Site Size:	n/a	
Parcel Code Number:	3B1601000010	
Property Address:	8907 Yandukin Dr	
Property Owner:	City & Borough of Juneau	
Applicant:	Colaska Inc. DBA SECON	
Case Number:	PAC2024 0005	

# 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
		mhansen@colaska.com
Maureen Hansen	Applicant	
Teri Camery		
	Planning	teri.camery@juneau.gov
Bridget LaPenter	General Engineering	Bridget.LaPenter@juneau.gov
David Sevdy	Permit technician	David.sevdy@juneau.gov

# **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 applicant requests a Conditional Use Permit for the development of a temporary asphalt plant at the Juneau International Airport in the corner along Maplesden Way for paving work on CBJ Contract No. BE23-243. The location is the same as two previous projects: USE2020-0005 for CBJ Contract No. BE19-218; and USE2019-0001 for CBJ Contract No. BE18-213. The applicant intends to start work in May and operate through the construction season. The project could extend through 2025.

The applicant is encouraged to follow the application materials used in previous Conditional Use Permit applications as provided via email, and to specifically address the following issues: light and noise and working hours; months/seasons of operation; a drainage plan and final Stormwater Pollution Prevention Plan in conformance with Alaska Department of Environmental Conservation requirements; lighting; and anticipated daily truck traffic and truck routes.

The applicant should allow for a three month process before obtaining a final decision from the CBJ Planning Commission.

# **Planning Division**

- 1. Zoning Industrial
- 2. **Table of Permissible Uses** The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ 49.25.300, Section 4.100, Heavy Manufacturing, for the Industrial zoning district.
- 3. Setbacks Setbacks in the Industrial zoning district are 10 feet in the front, rear, and sides.
- 4. Height There is no maximum height in the Industrial zoning district.
- 5. Access Maplesden Way and Yandukin Drive
- Parking & Circulation Parking and circulation requirements are based on gross floor area per CBJ Code 49.40.210(a), which is not applicable to the proposed development. The code does not have an established parking requirement for asphalt plants or similar uses that utilize large outdoor plants and outdoor storage areas.
- 7. Lot Coverage There is no maximum lot coverage in the Industrial zoning district.
- 8. **Vegetative Coverage** The vegetative cover requirement in the Industrial Zoning district is five percent, and is not relevant to the proposed temporary asphalt plant.
- 9. Lighting A lighting plan needs to be addressed in the application project narrative. Exterior lighting may not shed light or glare above the roofline of the building or beyond the property line of the site. Industrial and exterior lighting shall not be used in a manner that produces glare on public highways or neighboring property. All exterior lighting fixtures shall be of a "full cutoff" design.
- 10. **Noise** Daily hours of operation and noise impacts need to be addressed in the application project narrative.
- 11. Flood -

The proposed development is not within a mapped floodplain.

# 12. Hazard/Mass Wasting/Avalanche/Hillside Endorsement -

The proposed development is not within a mapped hazard zone.

- 13. Wetlands There are no wetlands on the project site.
- 14. Habitat Check with the U.S. Fish and Wildlife on the presence of eagle nests in the area. The presence of eagle nests may impact construction scheduling. No anadromous waterbodies are within 50 feet of the development.
- 15. Plat or Covenant Restrictions n/a
- 16. **Traffic** Traffic routes and daily traffic estimates need to be included in the project narrative in the application.
- 17. Nonconforming situations There are no known nonconforming situations on the property.

# **Building Division**

- 18. Building The Building Division has no issues.
- 19. Outstanding Permits none.

# **General Engineering/Public Works**

20. Engineering – CBJ Engineering has no issues.

# **Fire Marshal**

21. Fire Items/Access – The Fire Department has no issues with the proposal.

# **Other Applicable Agency Review**

22. Alaska Department of Environmental Conservation comments will be required for the permit review, in addition to other standard agency reviews.

# List of required applications

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

- 1. Development Permit Application
- 2. Conditional Use Permit Application

# **Additional Submittal Requirements**

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

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

# **Exceptions to Submittal Requirements**

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

1. n/a

# **Fee Estimates**

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

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

- 1. Conditional Use Permit Class IV use, \$1,000.00
- 2. Conditional Use Permit Public Notice sign fee \$50; deposit \$100.

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 <u>permits@juneau.gov</u> OR in person with payment made to:

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

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

Attachments:

49.15.330 - Conditional Use Permit





# Department of Environmental Conservation DIVISION OF WATER

Wastewater Discharge Authorization Program

555 Cordova Street Anchorage, Alaska 99501-2617 Main: 907.269.6285 Fax: 907.334.2415 www.dec.alaska.gov/wastewater

March 05, 2024

**Operator Info** 

Secon ATTN: Brian Maller 1836 Anka Street Juneau AK 99801 bmaller@colaska.com Project Info JNU Rehabilitate Part 121/135 Apron & RON Parking Apron 1873 Shell Simmons Drive Juneau, AK 99801 Est. Start – End: 04/01/2024 - 10/28/2026 Est. Area Disturbed: 20.2 acres Latitude, Longitude: 58.359850, -134.58182

General Permit Authorization Number: AKR10H0FR v1.0

This email/letter acknowledges that you have submitted a Notice of Intent (NOI) form to be covered under the APDES General Permit for Stormwater Discharges for Construction General Permit Activity (Construction General Permit) and is assigned the permit authorization number: AKR10H0FR v1.0. Please reference your permit authorization number in all future correspondence. The permittee is authorized to discharge storm water under the terms and conditions of this permit upon the issuance date of this letter and expires January 31, 2026 or as per Permit Part 2.6. Permit documents will be posted to the Alaska DEC EDMS Map Explorer at <a href="https://dec.alaska.gov/Applications/Water/EDMS/nsite">https://dec.alaska.gov/Applications/Water/EDMS/nsite</a>.

According to the NOI information provided (ref: HQ1-XBW4-5FJVQ, recd: 03/05/2024), the location of the SWPPP or the name and telephone number of the contact person for scheduling SWPPP viewing times is as follows:

- SWPPP Location: Project Address
- SWPPP Contact: Jared Mackey, Project Engineer, (406) 529-6331, jmackey@colaska.com, 1836 Anka Street, Juneau, AK 99801

Note, as per Permit Part 2.7 the permittee is required to submit a modification NOI within 30 calendar days if any of the following change: Owner/Operator address and contact information, site information, estimated start or end dates, acres disturbed, or SWPPP location and contact information.

Coverage is not transferable. The permittee must **submit a Notice of Termination (NOT) instead of an NOI modification to DEC within 30 calendar days when the operator has changed**. A change of operator in this case means when an organization changes control of the project. It does not mean when a corporate officer of the organization changes while the organization continues with the project. The new owner/operator must file a new NOI to obtain coverage under the CGP.

A permittee must **submit an NOT within 30 calendar days when final stabilization has been achieved on all portions of the site**, in accordance with Permit Part 4.5.2 for which the permittee is responsible, all ground disturbing construction activity or use of support activities has been completed, and all temporary Best Management Practices (BMP's) have been removed; or a new permittee has assumed control over all areas of the site that have not been finally stabilized. As stated above, this letter acknowledges receipt of a Notice of Intent. However, it is not an ADEC determination of the validity of the information you provided. Your eligibility for coverage under the Permit is based on the validity of the certification you provided. Your signature on the Notice of Intent certifies that you have read, understood, and are implementing all of the applicable requirements. An important aspect of this certification requires that you correctly determine whether you are eligible for coverage under this permit.

As you know, the Construction General Permit requires you to have developed and begun implementing a Stormwater Pollution Prevention Plan (SWPPP) and outlines important inspection and record keeping requirements. You must also comply with any additional location-specific requirements applicable to Alaska. A copy of the Construction General Permit must be kept with your SWPPP. An electronic copy of the Permit and additional guidance materials can be viewed and downloaded at <a href="https://dec.alaska.gov/water/wastewater/stormwater/construction">https://dec.alaska.gov/water/wastewater/stormwater/construction</a>.

Prior to discharge, please review your authorization and general permit AKR100000 to ensure that you understand the requirements contained within them. If you have general questions regarding the storm water program or your responsibilities under the Construction General Permit, please call 907-269-6285.

Re: EDMS CGP NOI Submission: HQ1-XBW4-5FJVQ, Received: 3/5/2024 1:29:50 PM



# ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

COMMUNITY DEVELOPMENT

PROJECT SUMMARY

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.

	Temporary Asphalt Plant on site in support of CBJ project BE23-243 JNU Rehabilitate Part 121/135 Apron & RON Parking Apron					
TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED         O Accessory Apartment – Accessory Apartment Application (AAP)						
						Use Listed in 49.25.300 – Table of Permissible Uses (USE) Table of Permissible Uses Category: <u>4100</u>
	IS THIS A MODIFICATION OF EXTENSION OF AN EXISTING APPROVAL?					
	UTILITIES PROPOSED     WATER:     Public     On Site     SEWER:     Public     On Site					
	SITE AND BUILDING SPECIFICS					
	Total Area of Lot 87,120 square feet Total Area of Existing Structure(s) square feet					
bille	Total Area of Proposed Structure(s)square feet					
ט טפ נטוווטופופט אן אטאוונמווו	EXTERNAL LIGHTING         Existing to remain         Proposed         No         Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures         Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures					
Inple	ALL REQUIRED DOCUMENTS ATTACHED If this is a modification or extension include:					
со 9	✓ Narrative including: □ Notice of Decision and case number					
	Current use of land or building(s)					
	Description of project, project site, circulation, traffic etc.					
	✓ Proposed use of land or building(s) ✓ Application submitted at least 30 days ✓ How the proposed use complies with the Comprehensive Plan before expiration date					
	Plans including:					
	✓ Site plan ✓ Floor plan(s)					
	Elevation view of existing and proposed buildings					
	Proposed vegetative cover					
	<ul> <li>Existing and proposed parking areas and proposed traffic circulation</li> </ul>					
	Existing physical features of the site (e.g.: drainage, habitat, and hazard areas)					
	DEPARTMENT USE ONLY BELOW THIS LINE					

ALLOWABLE/CONDITION	IAL USE FEES Fees	Check No.	Receipt	Date
Application Fees	\$			
Admin. of Guarantee	\$			
Adjustment	\$			
Pub. Not. Sign Fee	\$			
Pub. Not. Sign Deposit	\$			
Total Fee	\$			

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED	

enter at 586-0770.	

Case Number

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

Date Received

# 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

**<u>Pre-Application Conference</u>**: A pre-application conference is required prior to submitting an application. There is no fee for a preapplication 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.

<u>Application</u>: 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).

<u>Application Review & Hearing Procedure</u>: 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 rightof-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**

340



# A COLAS COMPANY

P.O. Box 32159 Juneau, Alaska 99803 Phone (907) 780-5145 Fax (907) 780-5896 www.colaska.com

Ms. Teri Camery City and Borough of Juneau 155 S. Seward Street Juneau, Alaska 99801 3/4/2024

Section H. Item 6.

RE: City and Borough of Juneau Conditional Use Permit Application Temporary Location of ASTEC Asphalt Plant For Project BE23-243 JNU Rehabilitate Part 121/135 Apron & RON Parking Apron

To Ms. Camery,

Secon was awarded a project at the Juneau International Airport (JIA), CBJ Contract No. BE23-243, JNU Rehabilitate Part 121/135 Apron & RON Parking Apron in late 2023. The substantial completion date for the project is September 30<sup>st</sup>, 2026. This project has a bid quantity of 23,512 tons of Hot Mix Asphalt for the planned airport improvements.

To facilitate the operations of paving at the airport Secon is requesting a Conditional Use Permit (CUP) for the ASTEC Asphalt Plant at a location by Gate P on Maplesden Way inside the airport fence on JIA property.

The ASTEC Asphalt Plant has been setup on the JIA property for previous projects in 2015 by the float pond and in 2018, 2019, and 2020 by Gate P. The proposed location for the asphalt plant is the same as it occupied during the 2018-2020 approvals and has been approved by the JNU Airport Project Manager The location meets the TSA's set-backs from the security fence for any structure or vehicle. It is below the height requirements for any structure near the FAA's runway control envelope. It is also outside of the FAA/JIA taxiway's control zone. It has been accepted by Alaska Department of Environmental Conservation (DEC) for the current location.

Typical JIA project working hours are Monday through Sunday 7:00 AM to 7:00 PM. The project also includes contract mandated night work to maintain commercial flight patterns. These night work hours will follow contract guidelines and are subject to change. A Noise permit has been applied for with CBJ. The spring startup is anticipated for the first of April. Paving will start sometime towards end of April to first part of May depending upon weather. This project has a final completion date of

Page | 1



October 28th, 2026 with seasonal shutdowns of approximately October 31 in 2024 and 2025. We anticipate having the plant setup on site for the duration of the project or roughly 30 months.

The project is broken up into 12 phases of work to allow construction as well as continued seamless operation of the airport facilities by all users. Secon has proposed a revised 8 phase plan. Final phasing is still under discussion but has no affect on asphalt plant location or duration.

The trucking route for the project is all within the fenced airport perimeter (reference sheet C1.0). No impacts to Yandukin Drive, Shell-Simmons Drive and Cessna Drive. As the contractor haul route starts at Gate P all trucking for the project was planned for access thru Maplesden Way. With the ASTEC Asphalt Plant located at Maplesden Way it would eliminate trucks hauling hot asphalt from Concrete Way to Egan Drive and then turning across in-bound traffic on Egan Drive and reduce the trucking impacts to Maplesden Way itself. Raw aggregates for making asphalt will come from both Hidden Valley and Aggpro via Egan Drive not thru Lemon Creek residential area. An estimated average of 50 loads in a day when hauling aggregate. AML will be delivering tanks of asphalt cement via Egan Drive for the project with an estimated maximum of 12 loads per day.

Light for the asphalt plant may be needed. Lighting will be provided via portable self-contained light plants. The lights will be setup with the intent of not impacting the Egan Highway traffic or JIA air traffic. JIA Project Engineer will determine the location and light direction per FAA requirements if there are concerns from interested parties.

The ASTEC Asphalt Plant is operating under the Project's Construction SWPPP which is currently in the final approval process. The NOI Authorization from DEC can be provided when available.

Based on google earth the nearest stream is about 1.400 feet from the plant on the far side of taxiway F. The nearest wetland is on the other side of TEMSCO at about 900 feet away.

Per the State of Alaska Geoportal for Documented Eagle Nest Sites, there are no active sites within a <sup>1</sup>/<sub>2</sub> mile radius of the proposed asphalt plant location.

Dust control will be with a water truck wetting down the truck routes.

The plant will be located on dredged sands and gravels from the float plane pond. If any stormwater runoff is present it will be managed with wattles and earthen berms.

The ASTEC Asphalt Plant air quality permit AQ0247MG301can be found at DEC's Air Permits Approvals and Public Notices web page:

http://dec.alaska.gov/Applications/Air/airtoolswe	eb/AirPermitsAppr	ovalsAndPublicNotices
City and Borough of Juneau Conditional Use Permit Application	Page   <b>2</b>	3/4/2024
Temporary Location of ASTEC Asphalt Plant		
For Project BE23-243 JNU Rehabilitate Part 121/135 Apron & RON Parking		Colaska Inc, dba Secon
Apron		
Letter 1		



Permit/Approval Type: Minor General - Asphalt Plant - Title I (MG3) Owner: Colaska Inc, dba Secon Stationary Source: ASTEC Super Six Drum Mix Asphalt Plant

Security is courtesy of JIA in being located inside their fences and on their property.

Attachments comprise original phasing plan, proposed phasing plan, Sheet C1.0 showing trucking routes, ASTEC location, ASTEC setup, 7460 for asphalt plant and crane used to set it up, and pre-application meeting report.

We believe that it would provide a benefit to CBJ if this CUP extended beyond just a single project. We request the permit be for 10 years as is typical for these permits. This process has been undertaken multiple times in the past six years for airport project work and the trend will likely continue. At a minimum, we request the permit expiration be tied to the project completion date even if it changes so permit flexes with project changes.

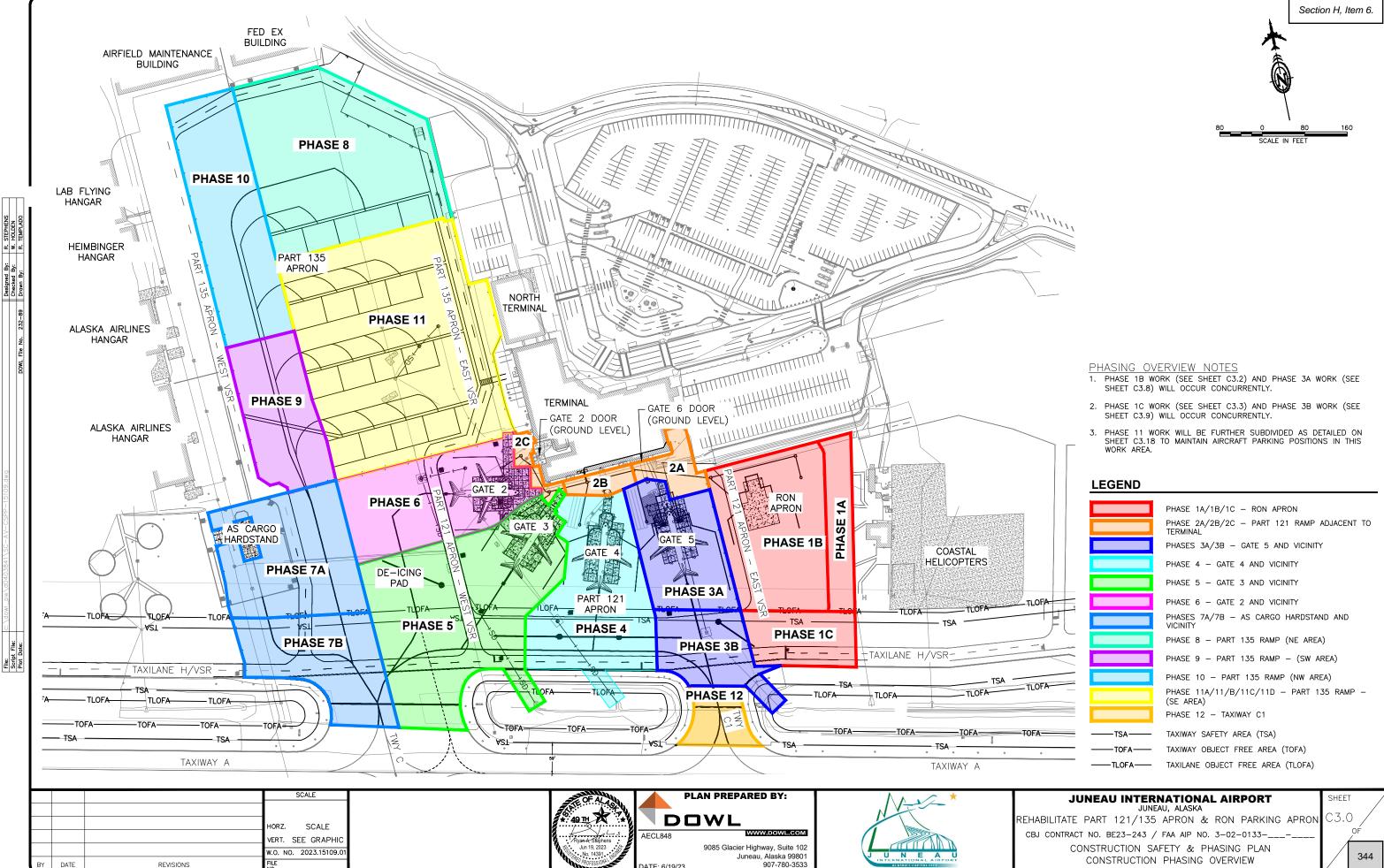
If any question or clarifications are need please contact me.

Sincerely, sure ALanse n

Maureen A. Hansen, P.E Engineering & Environmental Manager

Page |3

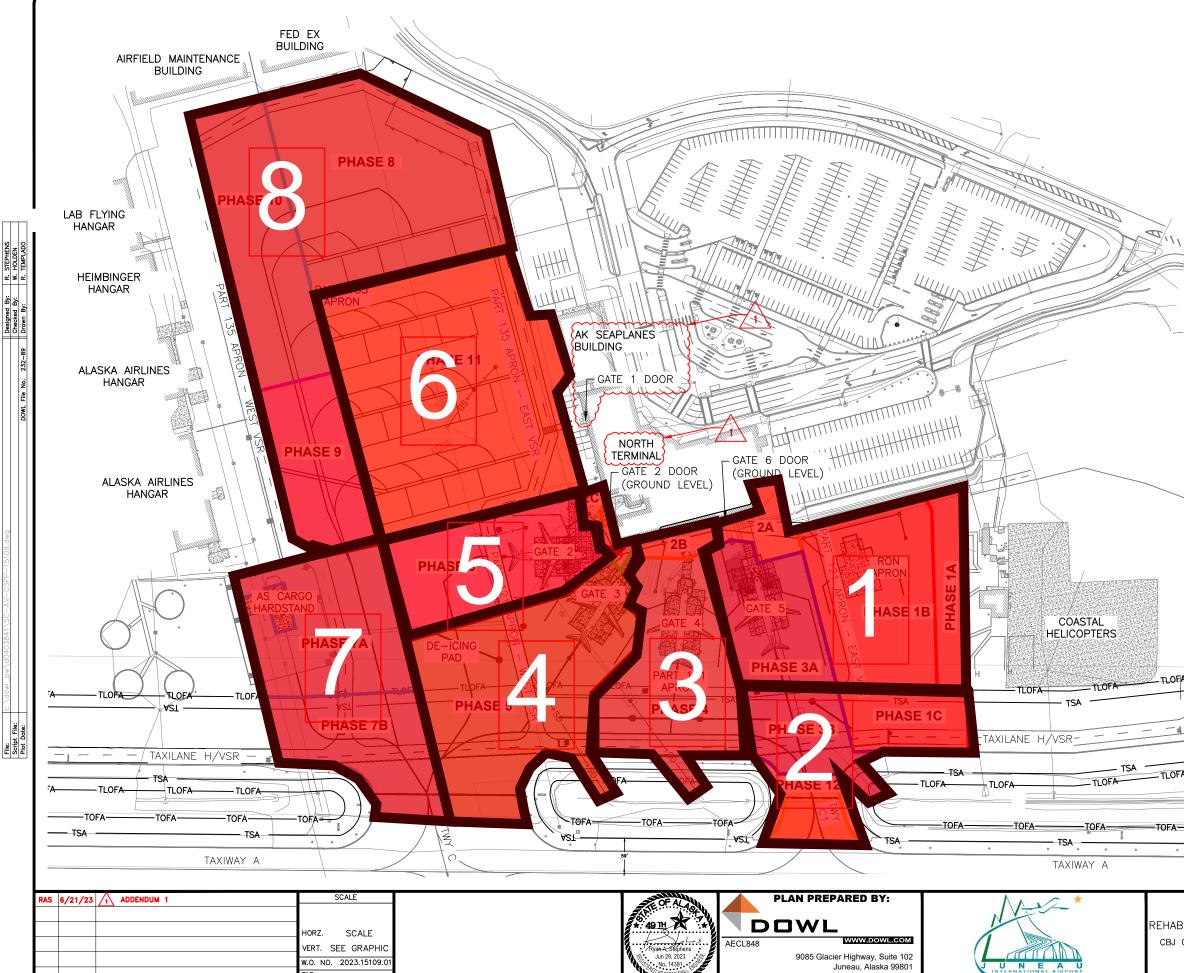
Attachment A - Application Packet



Attachment A - Application Packet

ATE: 6/19/23

JUNEAU, ALASKA	
juneau, alaska HABILITATE PART 121/135 APRON & RON PARKING APRON	C3.0
CBJ CONTRACT NO. BE23-243 / FAA AIP NO. 3-02-0133	0
CONSTRUCTION SAFETY & PHASING PLAN	
CONSTRUCTION PHASING OVERVIEW	



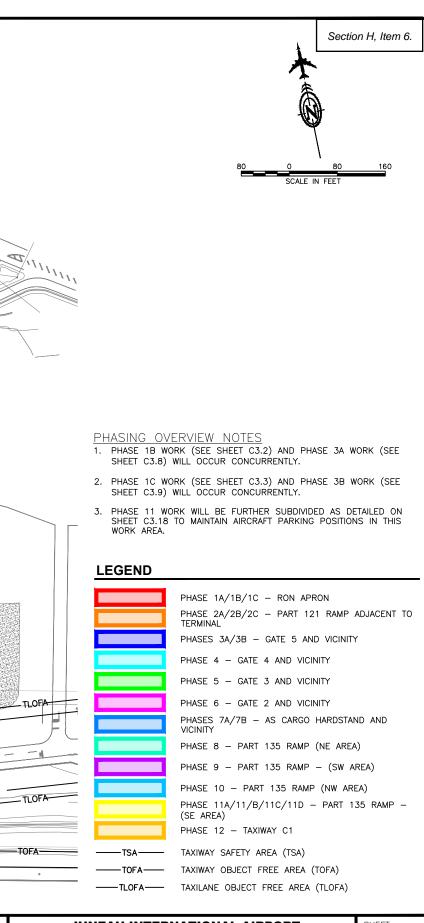
Attachment A - Application Packet

DATE: 6/29/23

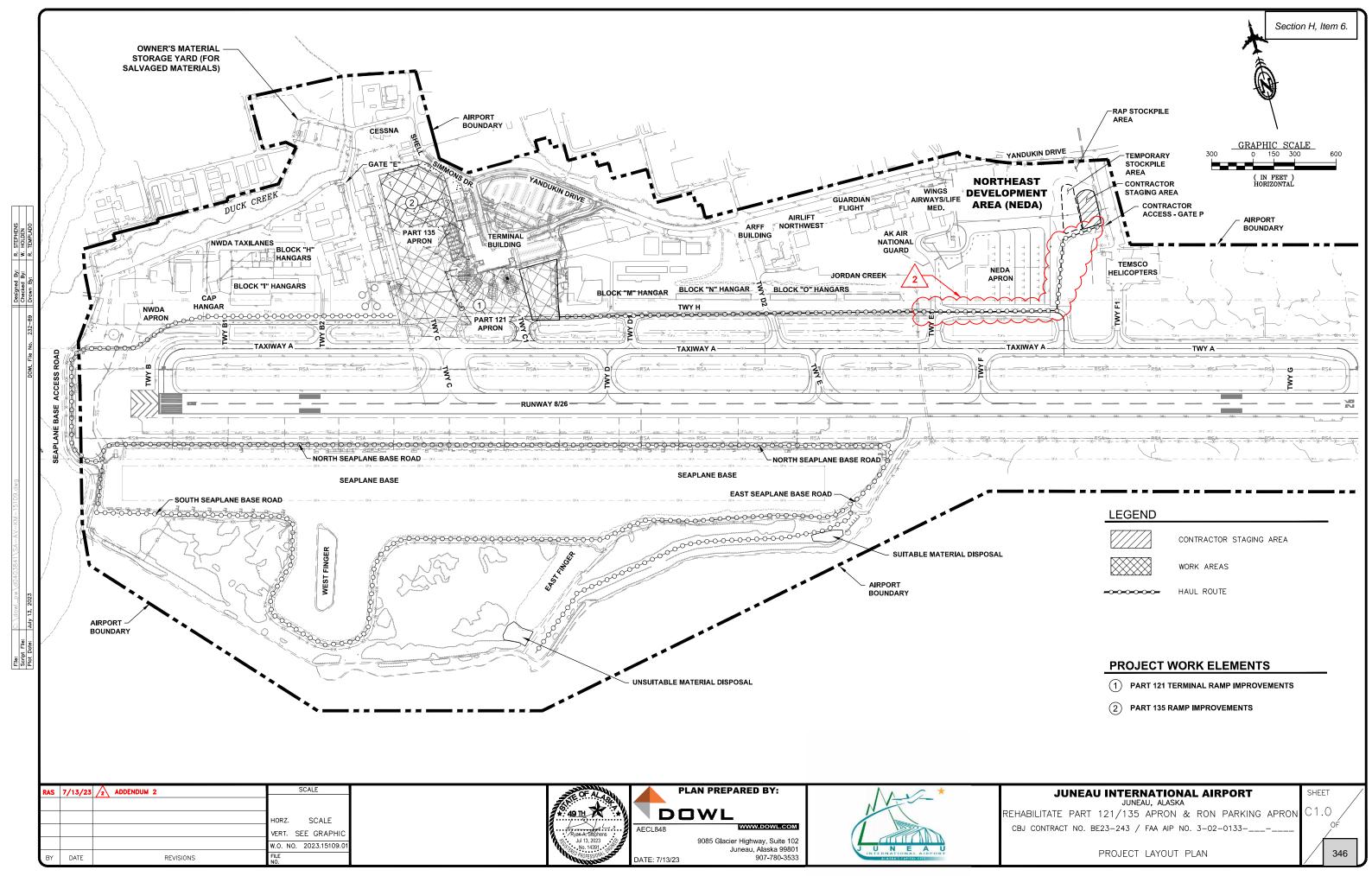
907-780-3533

DATE

REVISIONS



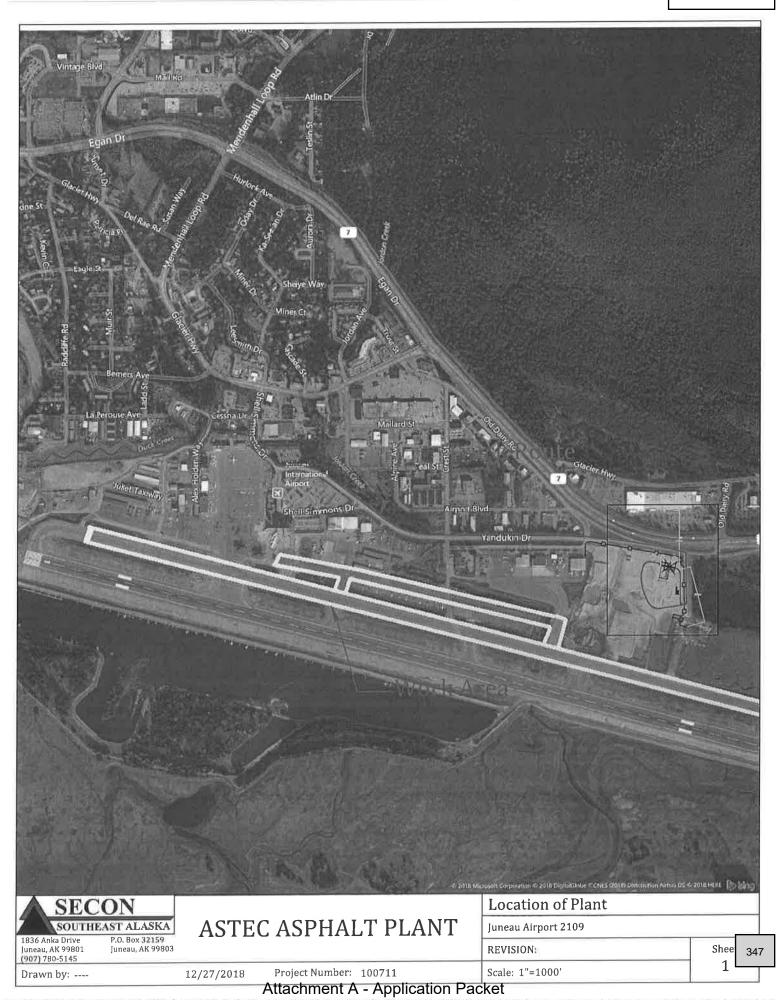
# JUNEAU INTERNATIONAL AIRPORT SHEET JUNEAU, ALASKA C3.0 REHABILITATE PART 121/135 APRON & RON PARKING APRON C3.0 CBJ CONTRACT NO. BE23-243 / FAA AIP NO. 3-02-0133-\_\_\_\_ OF CONSTRUCTION SAFETY & PHASING PLAN 345



Attachment A - Application Packet

# FIGURE 1 VICINITY MAP





# Attachment A - Application Packet Attachment A - Application





1836 Anka Drive Juneau, AK 99801 (907) 780-5145 P.O. Box 32159 Juneau, AK 99803

# ASTEC ASPHALT PLANT

Plant Setup		
Juneau Airport 2109		
REVISION:		

Sheet

# Attachment A - Application Packet Attachment A - Application

Section H, Item 6.



Venus L

Section H. Item 6.



**Federal Aviation Administration** 222 West 7th Ave., Box 14 Anchorage, AK 99513-7587

February 09, 2024

TO: Secon Attn: Jared Mackey 1836 Anka Street Juneau, AK 99801 jmackey@colaska.com

# RE: (See attached Table 1 for referenced case(s)) \*\*FINAL DETERMINATION\*\*

 Table 1 - Letter Referenced Case(s)

ASN	Prior ASN	Location	Latitude (NAD83)	Longitude (NAD83)	AGL (Feet)	AMSL (Feet)
2024-AAL-27-NRA	2023-AAL-1209-NRA	JUNEAU,AK	58-21-27.90N	134-33-46.58W	80	107
2024-AAL-28-NRA	2023-AAL-1209-NRA	JUNEAU,AK	58-21-27.34N	134-33-41.66W	80	107
2024-AAL-29-NRA	2023-AAL-1209-NRA	JUNEAU,AK	58-21-26.06N	134-33-39.18W	80	106
2024-AAL-30-NRA	2023-AAL-1209-NRA	JUNEAU,AK	58-21-22.90N	134-33-39.40W	80	106
2024-AAL-31-NRA	2023-AAL-1209-NRA	JUNEAU,AK	58-21-23.14N	134-33-46.40W	80	107

Description: This Notice is to be used in conjunction with another project filed under with Aeronautical Study Number 2023-AAL-1209-NRA. An asphalt plant will be set up for the duration of the project in another area of the airport. The plant will be set up in the Northeast Development Area (NEDA) of Juneau International Airport. A site plan from the conformed documents has been included for reference.

We do not object with conditions to the construction described in this proposal provided:

You comply with the requirements set forth in FAA Advisory Circular 150/5370-2, "Operational Safety on Airports During Construction."

- The proposal violates the criteria given in the siting standard, Order 6560.20, for the Runway Visual Range (RVR) equipment serving Ted Stevens Juneau International Airport, Juneau, Alaska (AK). The proposal is expected to generate significant dust or smoke in the vicinity of the RVR Runway 08 Touchdown/Runway 26 Rollout and Ambient Light Sensor facilities. If not possible, the RVR data must be NOTAMed out of service and additional cleaning, calibration, and maintenance may be required. Contact the Operations Control Center (OCC) prior to the start of the project in order to schedule any necessary service outages at 866-4-FAA-OCC.

- Contact Airport Management prior to starting work to coordinate the work schedule, issue NOTAMs and possible impact mitigations.

- A separate notice to the FAA is required for any construction equipment, such as temporary cranes, whose working limits would exceed the height and lateral dimensions of your proposal.

- Please inform the airport owners that as the Airport Layout Plan is updated, please include this new development.

Further, you should contact the Airport Traffic Control Tower (ATCT) Watch Supervisor at (907) 790-8502 prior to the crane(s) being raised for purposes of establishing a procedure to have the crane(s) immediately lowered upon request of the ATCT. When the crane(s) is no longer needed and has been permanently lowered, you should contact the ATCT at the telephone numbers given above and log back into your registered E-file account to provide the Flight Data Center (FDC) with notification that the NOTAM can be cancelled.

This determination does not constitute FAA approval or disapproval of the physical development involved in the proposal. It is a determination with respect to the safe and efficient use of navigable airspace by aircraft and with respect to the safety of persons and property on the ground.

In making this determination, the FAA has considered matters such as the effects the proposal would have on existing or planned traffic patterns of neighboring airports, the effects it would have on the existing airspace structure and projected programs of the FAA, the effects it would have on the safety of persons and property on the ground, and the effects that existing or proposed manmade objects (on file with the FAA), and known natural objects within the affected area would have on the airport proposal.

This determination expires on 10/31/2025 unless:

(a) extended, revised or terminated by the issuing office.

(b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for the completion of construction, or the date the FCC denies the application.

NOTE: Request for extension of the effective period of this determination must be obtained at least 15 days prior to expiration date specified in this letter.

If you have any questions concerning this determination contact Venus Larson (907) 271-3813 venus.larson@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2024-AAL-27-NRA.

Venus Larson Specialist Signature Control No: 610499543-612273809



(907) 586-0715 CDD\_Admin@juneau.gov www.juneau.org/community-development 155 Heritage Way • Juneau, AK 99801

# Airport temporary asphalt batch plant

Case Number:	PAC2024 0005	
Applicant:	Colaska Inc. DBA SECON	
Property Owner:	City & Borough of Juneau	
Property Address:	8907 Yandukin Dr	
Parcel Code Number:	3B1601000010	
Site Size:	n/a	
Zoning:	Industrial	
Existing Land Use:	Airport	
Conference Date:	January 24, 2024	
Report Issued:	February 7, 2024	
DISCLAIMER: Pre-application conferences are conducted for the purpose of providing applicants with a preliminary review of a project and timeline. Pre-application conferences are not based on a complete		

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	
		mhansen@colaska.com	
Maureen Hansen	Applicant		
Teri Camery			
	Planning	teri.camery@juneau.gov	
Bridget LaPenter	General Engineering	Bridget.LaPenter@juneau.gov	
David Sevdy	Permit technician	David.sevdy@juneau.gov	

# **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 applicant requests a Conditional Use Permit for the development of a temporary asphalt plant at the Juneau International Airport in the corner along Maplesden Way for paving work on CBJ Contract No. BE23-243. The location is the same as two previous projects: USE2020-0005 for CBJ Contract No. BE19-218; and USE2019-0001 for CBJ Contract No. BE18-213. The applicant intends to start work in May and operate through the construction season. The project could extend through 2025.

The applicant is encouraged to follow the application materials used in previous Conditional Use Permit applications as provided via email, and to specifically address the following issues: light and noise and working hours; months/seasons of operation; a drainage plan and final Stormwater Pollution Prevention Plan in conformance with Alaska Department of Environmental Conservation requirements; lighting; and anticipated daily truck traffic and truck routes.

The applicant should allow for a three month process before obtaining a final decision from the CBJ Planning Commission.

# **Planning Division**

- 1. Zoning Industrial
- 2. **Table of Permissible Uses** The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ 49.25.300, Section 4.100, Heavy Manufacturing, for the Industrial zoning district.
- 3. Setbacks Setbacks in the Industrial zoning district are 10 feet in the front, rear, and sides.
- 4. Height There is no maximum height in the Industrial zoning district.
- 5. Access Maplesden Way and Yandukin Drive
- Parking & Circulation Parking and circulation requirements are based on gross floor area per CBJ Code 49.40.210(a), which is not applicable to the proposed development. The code does not have an established parking requirement for asphalt plants or similar uses that utilize large outdoor plants and outdoor storage areas.
- 7. Lot Coverage There is no maximum lot coverage in the Industrial zoning district.
- 8. Vegetative Coverage The vegetative cover requirement in the Industrial Zoning district is five percent, and is not relevant to the proposed temporary asphalt plant.
- 9. Lighting A lighting plan needs to be addressed in the application project narrative. Exterior lighting may not shed light or glare above the roofline of the building or beyond the property line of the site. Industrial and exterior lighting shall not be used in a manner that produces glare on public highways or neighboring property. All exterior lighting fixtures shall be of a "full cutoff" design.
- 10. **Noise** Daily hours of operation and noise impacts need to be addressed in the application project narrative.
- 11. Flood –

The proposed development is not within a mapped floodplain.

# 12. Hazard/Mass Wasting/Avalanche/Hillside Endorsement -

The proposed development is not within a mapped hazard zone.

- 13. Wetlands There are no wetlands on the project site.
- 14. **Habitat** Check with the U.S. Fish and Wildlife on the presence of eagle nests in the area. The presence of eagle nests may impact construction scheduling. No anadromous waterbodies are within 50 feet of the development.
- 15. Plat or Covenant Restrictions n/a
- 16. **Traffic** Traffic routes and daily traffic estimates need to be included in the project narrative in the application.
- 17. Nonconforming situations There are no known nonconforming situations on the property.

# **Building Division**

- 18. Building The Building Division has no issues.
- 19. Outstanding Permits none.

# **General Engineering/Public Works**

20. Engineering - CBJ Engineering has no issues.

# **Fire Marshal**

21. Fire Items/Access – The Fire Department has no issues with the proposal.

# **Other Applicable Agency Review**

22. Alaska Department of Environmental Conservation comments will be required for the permit review, in addition to other standard agency reviews.

# List of required applications

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

- 1. Development Permit Application
- 2. Conditional Use Permit Application

# **Additional Submittal Requirements**

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

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

# **Exceptions to Submittal Requirements**

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

1. n/a

# **Fee Estimates**

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

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

- 1. Conditional Use Permit Class IV use, \$1,000.00
- 2. Conditional Use Permit Public Notice sign fee \$50; deposit \$100.

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 <u>permits@juneau.gov</u> OR in person with payment made to:

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

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

Attachments:

49.15.330 - Conditional Use Permit





# Department of Environ Section H, Item 6. Conservation DIVISION OF WATER

Wastewater Discharge Authorization Program

555 Cordova Street Anchorage, Alaska 99501-2617 Main: 907.269.6285 Fax: 907.334.2415 www.dec.alaska.gov/wastewater

March 05, 2024

**Operator Info** 

Secon ATTN: Brian Maller 1836 Anka Street Juneau AK 99801 bmaller@colaska.com Project Info JNU Rehabilitate Part 121/135 Apron & RON Parking Apron 1873 Shell Simmons Drive Juneau, AK 99801 Est. Start – End: 04/01/2024 - 10/28/2026 Est. Area Disturbed: 20.2 acres Latitude, Longitude: 58.359850, -134.58182

General Permit Authorization Number: AKR10H0FR v1.0

This email/letter acknowledges that you have submitted a Notice of Intent (NOI) form to be covered under the APDES General Permit for Stormwater Discharges for Construction General Permit Activity (Construction General Permit) and is assigned the permit authorization number: AKR10H0FR v1.0. Please reference your permit authorization number in all future correspondence. The permittee is authorized to discharge storm water under the terms and conditions of this permit upon the issuance date of this letter and expires January 31, 2026 or as per Permit Part 2.6. Permit documents will be posted to the Alaska DEC EDMS Map Explorer at <a href="https://dec.alaska.gov/Applications/Water/EDMS/nsite">https://dec.alaska.gov/Applications/Water/EDMS/nsite</a>.

According to the NOI information provided (ref: HQ1-XBW4-5FJVQ, recd: 03/05/2024), the location of the SWPPP or the name and telephone number of the contact person for scheduling SWPPP viewing times is as follows:

- SWPPP Location: Project Address
- SWPPP Contact: Jared Mackey, Project Engineer, (406) 529-6331, jmackey@colaska.com, 1836 Anka Street, Juneau, AK 99801

Note, as per Permit Part 2.7 the permittee is required to submit a modification NOI within 30 calendar days if any of the following change: Owner/Operator address and contact information, site information, estimated start or end dates, acres disturbed, or SWPPP location and contact information.

Coverage is not transferable. The permittee must **submit a Notice of Termination (NOT) instead of an NOI modification to DEC within 30 calendar days when the operator has changed**. A change of operator in this case means when an organization changes control of the project. It does not mean when a corporate officer of the organization changes while the organization continues with the project. The new owner/operator must file a new NOI to obtain coverage under the CGP.

A permittee must **submit an NOT within 30 calendar days when final stabilization has been achieved on all portions of the site**, in accordance with Permit Part 4.5.2 for which the permittee is responsible, all ground disturbing construction activity or use of support activities has been completed, and all temporary Best Management Practices (BMP's) have been removed; or a new permittee has assumed control over all areas of the site that have not been finally stabilized. As stated above, this letter acknowledges receipt of a Notice of Intent. However, it is not an ADEC determination of the validity of the information you provided. Your eligibility for coverage under the Permit is based on the validity of the certification you provided. Your signature on the Notice of Intent certifies that you have read, understood, and are implementing all of the applicable requirements. An important aspect of this certification requires that you correctly determine whether you are eligible for coverage under this permit.

As you know, the Construction General Permit requires you to have developed and begun implementing a Stormwater Pollution Prevention Plan (SWPPP) and outlines important inspection and record keeping requirements. You must also comply with any additional location-specific requirements applicable to Alaska. A copy of the Construction General Permit must be kept with your SWPPP. An electronic copy of the Permit and additional guidance materials can be viewed and downloaded at https://dec.alaska.gov/water/wastewater/stormwater/construction.

Prior to discharge, please review your authorization and general permit AKR100000 to ensure that you understand the requirements contained within them. If you have general questions regarding the storm water program or your responsibilities under the Construction General Permit, please call 907-269-6285.

Re: EDMS CGP NOI Submission: HQ1-XBW4-5FJVQ, Received: 3/5/2024 1:29:50 PM



# ALLOWABLE/CONDITIONAL Section H, Item 6. PERMIT APPLICATION

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

COMMUNITY DEVELOPMENT

	PROJECT SUMMARY				
	emporary Asphalt Plant on site in support of CBJ project BE23-243 JNU Rehabilitate Part 121/135				
	pron & RON Parking Apron				
	TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED				
	Accessory Apartment – Accessory Apartment Application (AAP)				
	O Use Listed in 49.25.300 – Table of Permissible Uses (USE)				
	Table of Permissible Uses Category: 4100				
	IS THIS A MODIFICATION OF EXTENSION OF AN EXISTING APPROVAL?				
	UTILITIES PROPOSED     WATER:     Public     Image: On Site     SEWER:     Public     Image: On Site				
	SITE AND BUILDING SPECIFICS				
Total Area of Lot 87,120 square feet Total Area of Existing Structure(s) square feet					
To be completed by Applicant	Total Area of Proposed Structure(s)square feet				
Ap	EXTERNAL LIGHTING				
d by	Existing to remain Q No Q Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures				
etec	Proposed O No O Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures				
mpl	ALL REQUIRED DOCUMENTS ATTACHED If this is a modification or extension include:				
e co	✓ Narrative including:				
q o	Current use of land or building(s)				
	Description of project, project site, circulation, traffic etc.				
	✓ Proposed use of land or building(s) ✓ Application submitted at least 30 days				
	How the proposed use complies with the Comprehensive Plan before expiration date				
	✓ Plans including:				
	✓ Site plan				
<ul> <li>Floor plan(s)</li> <li>Elevation view of existing and proposed buildings</li> </ul>					
	Existing and proposed parking areas and proposed traffic circulation				
Existing physical features of the site (e.g.: drainage, habitat, and hazard areas)					
	DEPARTMENT USE ONLY BELOW THIS LINE				

ALLOWABLE/CONDITIONAL USE FEES				
	Fees	Check No.	Receipt	Date
Application Fees	\$			
Admin. of Guarantee	\$			
Adjustment	\$			
Pub. Not. Sign Fee	\$			
Pub. Not. Sign Deposit	\$			
Total Fee	\$			

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED	Case Number	Date Received	
For assistance filling out this form, contact the Permit Center at 586-0770.		358	

# 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.

<u>Pre-Application Conference</u>: A pre-application conference is required prior to submitting an application. There is no fee for a preapplication 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.

**<u>Application</u>**: 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).

<u>Application Review & Hearing Procedure</u>: 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.

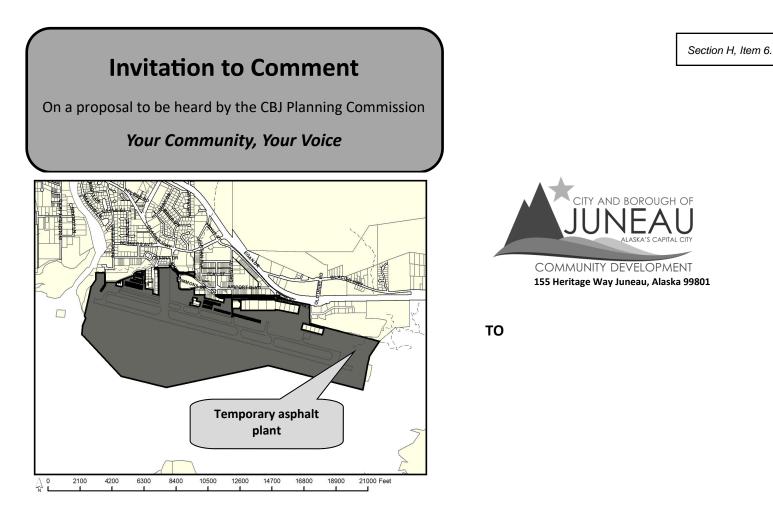
**Hearing:** All Allowable/Conditional Use Permit Applications must be reviewed by the Planning Commission for vote. Once an application has been deemed complete and has been reviewed by all applicable parties the Community Development Department will schedule the requested permit for the next appropriate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



A Conditional Use Permit has been submitted for consideration and public hearing by the Planning Commission for a temporary asphalt plant at the Juneau International Airport, located at 1873 Shell Simmons Drive in an Industrial 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 6, 2024 at https://juneau.org/community-development/planning-commission Find hearing results, meeting minutes, and more here, as well.

Now through April 22	April 23 — noon, May 10	HEARING DATE & TIME: 7:00 pm, May 14, 2024 May 15	
Comments received during this period will be sent to the Planner, <b>Teri Camery</b> to be included as an attachment in the staff report.	Comments received during this period will be sent to Commissioners to read in preparation for the hearing.	This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting https://juneau.zoom.us/j/86939674618 and use the Webinar ID: 869 3967 4618 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	
FOR DETAILS OR QU	ESTIONS,	Chambers, 155 Heritage Way Juneau, Alaska.	
Phone: (907)586-0753 ext Email: pc_comments@jun	. 4129 eau.gov or teri.camery@jur	Case No.: USE2024 0009	

Email: pc\_comments@juneau.gov or teri.camery@juneau.gov Mail: Community Development, 155 Heritage Way, Juneau AK 99801 Case No.: USE2024 0009 Parcel No.: 3B1601000010 CBJ Parcel Viewer: http://epv.juneau.org <sup>360</sup>



From:	<u>Augat, Gretchen M (DEC)</u>
To:	Teri Camery
Subject:	FW: USE2024 0005 Airport temporary asphalt plant COMMENTS REQUESTED
Date:	Monday, March 18, 2024 7:59:43 AM
Attachments:	USE Allowable conditional ose application.pdf
	Application USE202 North Sphalt Plant.pdf
	Construction General Fernie A. Construction Letter AKR10H0FR.pdf
	Development receive application.pdf
	NOD US. 20 US. pdf

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

Good morning.

The Department of Environmental Conservation, Division of Water, Non-Point Source section has no issues with the Conditional Use Permit application for a temporary asphalt plant at the Juneau International Airport in conjunction with airport projects.

Thank you for the review opportunity.

Gretchen Augat, Environmental Specialist 3 Alaska Department of Environmental Conservation Nonpoint Source Water Pollution & Prevention Section <u>https://dec.alaska.gov/water/water-quality/</u>

(907) 465-5023

gretchen.augat@alaska.gov

Mailing address: P.O. Box 111800, Juneau, AK 99811 Physical address: 333 Willoughby Ave 8th Fl Suite 800

From: Teri Camery <Teri.Camery@juneau.gov>

Sent: Thursday, March 7, 2024 9:29 AM

To: Charlie Ford <Charlie.Ford@juneau.gov>; Theresa Ross <Theresa.Ross@juneau.gov>; Kanouse, Kate M (DFG) <kate.kanouse@alaska.gov>; Scott Gray <Scott.Gray@juneau.gov>; Dan Bleidorn
<Dan.Bleidorn@juneau.gov>; Augat, Gretchen M (DEC) <Gretchen.augat@alaska.gov>; Patty Wahto (DOT-sponsored) <patty.wahto@jnuairport.com>; Drown, Arthur EE (DOT)
<arthur.drown@alaska.gov>; Bridget LaPenter <Bridget.LaPenter@juneau.gov>
Cc: Scott Ciambor <Scott.Ciambor@juneau.gov>
Subject: USE2024 0005 Airport temporary asphalt plant COMMENTS REQUESTED

Some people who received this message don't often get email from <u>teri.camery@juneau.gov</u>. <u>Learn why this is</u> <u>important</u>

**CAUTION:** This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

Please review the attached Conditional Use Permit application for a temporary asphalt plant at the Juneau International Airport in conjunction with airport projects. The applicant, SECON, has two previously approved Conditional Use permits for asphalt permits in this location. The Notice of Decision for the last Conditional Use Permit, USE2020-0005, is attached for reference.

**Please provide comments by Friday March 22,** and please let me know if you have questions or need additional information.

Best, Teri Camery

### Teri Camery | Senior Planner, CFM

<u>Community Development Department</u> | City & Borough of Juneau, AK Location: 230 S. Franklin Street, 4<sup>th</sup> Floor Marine View Building Mailing address: 155 Heritage Way Juneau, Alaska 99801 Office: 907.586.0753 extension 4129



From:	Drown, Arthur EE (DOT)
То:	Teri Camery; Charlie Ford; Theresa Ross; Kanouse, Kate M (DFG); Scott Gray; Dan Bleidorn; Augat, Gretchen M
	(DEC); Patty Wahto; Bridget LaPenter
Cc:	Scott Ciambor
Subject:	RE: USE2024 0005 Airport temporary asphalt plant COMMENTS REQUESTED
Date:	Thursday, March 7, 2024 1:00:34 PM

Southcoast Region DOT&PF does not have any objection.

Thank you,

# Arthur Drown

Right of Way Agent Property Management, Right of Way Department of Transportation & Public Facilities Southcoast Region 6860 Glacier Hwy, Juneau, AK 99801 (907)465-4517

From: Teri Camery < Teri.Camery@juneau.gov>

Sent: Thursday, March 7, 2024 9:29 AM

**To:** Charlie Ford <Charlie.Ford@juneau.gov>; Theresa Ross <Theresa.Ross@juneau.gov>; Kanouse, Kate M (DFG) <kate.kanouse@alaska.gov>; Scott Gray <Scott.Gray@juneau.gov>; Dan Bleidorn <Dan.Bleidorn@juneau.gov>; Augat, Gretchen M (DEC) <Gretchen.augat@alaska.gov>; Patty Wahto (DOT-sponsored) <patty.wahto@jnuairport.com>; Drown, Arthur EE (DOT)

<arthur.drown@alaska.gov>; Bridget LaPenter <Bridget.LaPenter@juneau.gov>

Cc: Scott Ciambor <Scott.Ciambor@juneau.gov>

Subject: USE2024 0005 Airport temporary asphalt plant COMMENTS REQUESTED

Some people who received this message don't often get email from <u>teri.camery@juneau.gov</u>. <u>Learn why this is</u> <u>important</u>

**CAUTION:** This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

Please review the attached Conditional Use Permit application for a temporary asphalt plant at the Juneau International Airport in conjunction with airport projects. The applicant, SECON, has two previously approved Conditional Use permits for asphalt permits in this location. The Notice of Decision for the last Conditional Use Permit, USE2020-0005, is attached for reference. **Please provide comments by Friday March 22,** and please let me know if you have questions or need additional information.

Best, Teri Camery

### Teri Camery | Senior Planner, CFM

<u>Community Development Department</u> | City & Borough of Juneau, AK Location: 230 S. Franklin Street, 4<sup>th</sup> Floor Marine View Building Mailing address: 155 Heritage Way Juneau, Alaska 99801 Office: 907.586.0753 extension 4129



Charlie Ford
Teri Camery; Theresa Ross; Kanouse, Kate M (DFG); Scott Gray; Dan Bleidorn; Augat, Gretchen M (DEC); Patty
<u>Wahto; arthur.drown@alaska.gov; Bridget LaPenter</u>
Scott Ciambor
RE: USE2024 0005 Airport temporary asphalt plant COMMENTS REQUESTED
Thursday, March 7, 2024 9:34:22 AM

Hi Teri,

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

From: Teri Camery <Teri.Camery@juneau.gov>
Sent: Thursday, March 7, 2024 9:29 AM
To: Charlie Ford <Charlie.Ford@juneau.gov>; Theresa Ross <Theresa.Ross@juneau.gov>; Kanouse,
Kate M (DFG) <kate.kanouse@alaska.gov>; Scott Gray <Scott.Gray@juneau.gov>; Dan Bleidorn
<Dan.Bleidorn@juneau.gov>; Augat, Gretchen M (DEC) <Gretchen.augat@alaska.gov>; Patty Wahto
<Patty.Wahto@jnuairport.com>; arthur.drown@alaska.gov; Bridget LaPenter
<Bridget.LaPenter@juneau.gov>
Cc: Scott Ciambor <Scott.Ciambor@juneau.gov>
Subject: USE2024 0005 Airport temporary asphalt plant COMMENTS REQUESTED

Hello,

Please review the attached Conditional Use Permit application for a temporary asphalt plant at the Juneau International Airport in conjunction with airport projects. The applicant, SECON, has two previously approved Conditional Use permits for asphalt permits in this location. The Notice of Decision for the last Conditional Use Permit, USE2020-0005, is attached for reference.

**Please provide comments by Friday March 22,** and please let me know if you have questions or need additional information.

Best, Teri Camery

#### Teri Camery | Senior Planner, CFM

<u>Community Development Department</u> | City & Borough of Juneau, AK Location: 230 S. Franklin Street, 4<sup>th</sup> Floor Marine View Building Mailing address: 155 Heritage Way Juneau, Alaska 99801 Office: 907.586.0753 extension 4129

Section H, Item 6.



From:	Theresa Ross
То:	Teri Camery
Subject:	RE: USE2024 0005 Airport temporary asphalt plant COMMENTS REQUESTED
Date:	Thursday, March 7, 2024 10:09:33 AM

No concerns from fire at this time.

From: Teri Camery <Teri.Camery@juneau.gov>
Sent: Thursday, March 7, 2024 9:29 AM
To: Charlie Ford <Charlie.Ford@juneau.gov>; Theresa Ross <Theresa.Ross@juneau.gov>; Kanouse,
Kate M (DFG) <kate.kanouse@alaska.gov>; Scott Gray <Scott.Gray@juneau.gov>; Dan Bleidorn
<Dan.Bleidorn@juneau.gov>; Augat, Gretchen M (DEC) <Gretchen.augat@alaska.gov>; Patty Wahto
<Patty.Wahto@jnuairport.com>; arthur.drown@alaska.gov; Bridget LaPenter
<Bridget.LaPenter@juneau.gov>
Cc: Scott Ciambor <Scott.Ciambor@juneau.gov>
Subject: USE2024 0005 Airport temporary asphalt plant COMMENTS REQUESTED

Hello,

Please review the attached Conditional Use Permit application for a temporary asphalt plant at the Juneau International Airport in conjunction with airport projects. The applicant, SECON, has two previously approved Conditional Use permits for asphalt permits in this location. The Notice of Decision for the last Conditional Use Permit, USE2020-0005, is attached for reference.

**Please provide comments by Friday March 22,** and please let me know if you have questions or need additional information.

Best, Teri Camery

Teri Camery | Senior Planner, CFM

<u>Community Development Department</u> | City & Borough of Juneau, AK Location: 230 S. Franklin Street, 4<sup>th</sup> Floor Marine View Building Mailing address: 155 Heritage Way Juneau, Alaska 99801 Office: 907.586.0753 extension 4129



 From:
 Patty Wahto

 To:
 Teri Camery

 Subject:
 RE: USE2024 0005 Airport temporary asphalt plant COMMENTS REQUESTED

 Date:
 Monday, March 11, 2024 10:59:16 AM

Sorry , Teri. I can't remember (and didn't see) that I answered on this. Airport is good with this. Thank you

Patty Wahto Airport Manager Juneau International Airport Office (907) 789-7821

EMAIL: Patty.Wahto@jnuairport.com



From: Teri Camery <Teri.Camery@juneau.gov> Sent: Thursday, March 7, 2024 9:29 AM

**To:** Charlie Ford <Charlie.Ford@juneau.gov>; Theresa Ross <Theresa.Ross@juneau.gov>; Kanouse, Kate M (DFG) <kate.kanouse@alaska.gov>; Scott Gray <Scott.Gray@juneau.gov>; Dan Bleidorn <Dan.Bleidorn@juneau.gov>; Augat, Gretchen M (DEC) <Gretchen.augat@alaska.gov>; Patty Wahto <Patty.Wahto@jnuairport.com>; arthur.drown@alaska.gov; Bridget LaPenter <Bridget.LaPenter@juneau.gov>

**Cc:** Scott Ciambor <Scott.Ciambor@juneau.gov>

Subject: USE2024 0005 Airport temporary asphalt plant COMMENTS REQUESTED

Hello,

Please review the attached Conditional Use Permit application for a temporary asphalt plant at the Juneau International Airport in conjunction with airport projects. The applicant, SECON, has two previously approved Conditional Use permits for asphalt permits in this location. The Notice of Decision for the last Conditional Use Permit, USE2020-0005, is attached for reference.

**Please provide comments by Friday March 22,** and please let me know if you have questions or need additional information.

Best,

Teri Camery

# Teri Camery | Senior Planner, CFM

<u>Community Development Department</u> | City & Borough of Juneau, AK Location: 230 S. Franklin Street, 4<sup>th</sup> Floor Marine View Building Mailing address: 155 Heritage Way Juneau, Alaska 99801 Office: 907.586.0753 extension 4129





# PLANNING COMMISSION STAF CONDITIONAL USE PERMIT USE2024 0007 HEARING DATE: MAY 14, 2024

(907) 586-0715 CDD\_Admin@juneau.gov www.juneau.org/community-development 155 Heritage Way • Juneau, AK 99801

# COMMUNITY DEVELOPMENT

**DATE:** May 3, 2024

TO: Mandy Cole, Chair, Planning Commission

BY: Irene Gallion, Senior Planner

THROUGH: Jill Lawhorne, Director, AICP

**PROPOSAL:** Expansion of Community Center from 7,625 to 9,984 square feet. Parking shared with neighboring buildings.

**STAFF RECOMMENDATION:** Approval with conditions.

#### **KEY CONSIDERATIONS FOR REVIEW:**

- Existing off-street parking agreement with north neighbor addresses off-street parking requirement for both lots.
- Existing stream setback encroachments will be removed.

<b>GENERAL INFORMATION</b>	GENERAL INFORMATION				
Property Owner	Juneau Tlingit Haida Comm Council				
Applicant	MRV Architects				
Property Address	3235 Hospital Drive				
Legal Description	USS 1075 TLINGIT HAIDA LT 1				
Parcel Number	7B0901040101				
Zoning	General Commercial				
Land Use Designation	Commercial				
Lot Size	46,477 square feet, 1.0670 acres				
Water/Sewer	СВЈ				
Access	Hospital Drive				
Existing Land Use	Community Center				
Associated Applications	BLD2023 0925				

#### ALTERNATIVE ACTIONS:

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

#### ASSEMBLY ACTION REQUIRED:

Assembly action is not required for this permit.

#### **STANDARD OF REVIEW:**

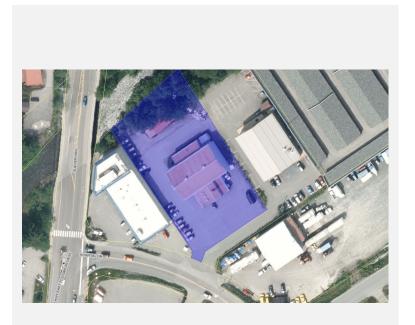
- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
  - o **49.15.330**
  - o 49.25.230(b)
  - o 49.40.210(b)
  - o 49.40.300(a)(2)
  - o **49.80**

**The Commission shall hear and decide the case per 49.15.330(a) Conditional Use Permit.** A conditional use is a use that may or may not be appropriate in a particular zoning district according to the character, intensity, or size of that or surrounding uses. The conditional use permit 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.

uni Montellini

MRV Architects File No: USE2024 0007 May 3, 2024 Page 2 of 10

#### **SITE FEATURES AND ZONING**



SURROUNDING ZONING AND LAND USES			
North (GC)	Training Center		
South (GC)	Hospital Drive		
East (GC)	Redeveloping		
West (GC)	Medical Office		

SITE FEATURES				
Anadromous Salmon Creek				
Flood Zone AE Elevation 23				
Hazard	Not mapped			
Hillside	No			
Wetlands	Yes			
<b>Parking District</b>	No			
<b>Historic District</b>	No			
<b>Overlay Districts</b>	No			

#### **BACKGROUND INFORMATION**

**Project Description** – The Applicant requests expansion of an existing Community Center, Shaan S'ooxs (Attachment A).

**Background** – Nonconforming Certification (NCC2023 0052, **Attachment B**) provides detailed background. To summarize:

- The Cultural Center was built in 1978. Eighty (80) off-street parking spaces were required.
- Under current parking requirements, 61 off-street spaces are required.
- Existing parking agreements meet the requirements of the Applicant.

#### **ZONING REQUIREMENTS**

Items remaining the same are dark grey.

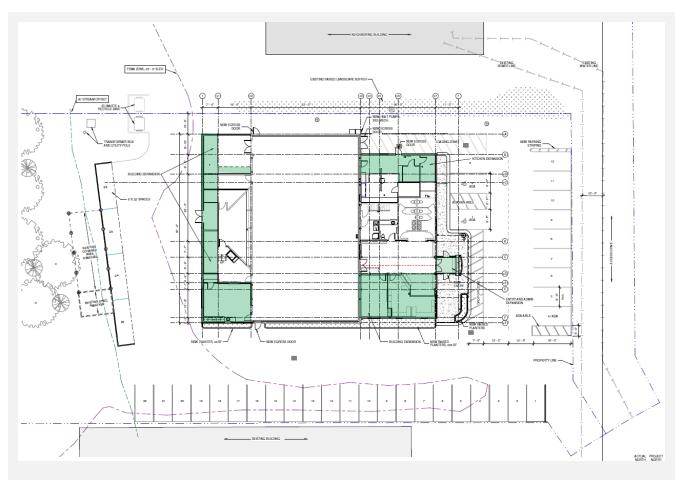
Standard		Requirement	Existing	Proposed	Code Reference
Lot	Size, square feet	2,000	46,477		49.25.400
	Width, feet	20	20.10		49.25.400
Setbacks	Front (south)	10	100+	90+	49.25.400
	Rear (northwest)	10	~130	125	49.25.400
	Side (northeast)	10	10.5	10.5	49.25.400
	Side (southeast)	10	~62	53	49.25.400
	Side (southwest)	10	48.33	48.33	49.25.400

MRV Architects File No: USE2024 0007 May 3, 2024 Page 3 of 10

Standard		Requirement	Existing	Proposed	Code Reference
Lot Covera	ge Maximum	No limit	7,625 sf, 16%	9984 sf, 21%	49.25.400
Vegetative	e Cover Minimum (%: sf)	10%: 4,650	~27%: ~12,700	~26%: ~12,200	49.50.300
Height	Permissible	55	~24	~24	49.25.400
Accessory		45	N/A	N/A	49.25.400
Maximum (50/Acre)	Dwelling Units	53	0	0	49.25.500
Use		Community Center	Community Center	Community Center	49.25.300, ¶ 5.400

Undocumented distances were scaled from the existing plat, or from documents provided by the applicant.

<u>SITE PLAN</u> – Green highlights approximate areas of expansion.



#### **ANALYSIS**

The use is permissible with a conditional use permit under the Table of Permissible Uses, Paragraph 5.400, "Social, fraternal clubs, lodges, union halls, and yacht clubs."

#### Commercial land use (2013 Comprehensive Plan, page 148):

Lands devoted to retail, office, food service or personal service uses, including neighborhood retail and community commercial centers, such as shopping centers and malls, office complexes or other large employment centers. Mixed retail/residential/office uses are allowed and encouraged. Residential and non-residential uses could be combined within a single structure, including off-street parking. Residential densities ranging from 18- to 60-units per acre are appropriate in this area, with even higher densities appropriate in mixed-use or transit-oriented developments. Ground floor retail space facing roads with parking behind the retail and housing above would be an appropriate and efficient use of the land.

#### General Commercial [CBJ 49.25.230(b)]:

The GC, general commercial district, is intended to accommodate most commercial uses. Commercial activities are permitted outright in the zone except for those few uses that are listed as conditional uses to ensure compatibility. Residential development is allowed in mixed- and single-use developments in the general commercial district.

Project Site – A 1991 subdivision created the lot, with 20 feet of frontage (VAR1991-0001) and a shared driveway.

Salmon Creek, an anadromous stream, runs through the west portion of the lot, limiting development. Two structures previously constructed in the "no development" buffer are slated for removal with this project.

#### Condition: None.

**Project Design** – The expansion creates a more uniform structure, expanding into gaps to better serve the community use.

#### Condition: None.

Traffic – A traffic impact analysis is not required [CBJ 49.40.300(a)(2)].

The Institute of Transportation Engineers' Trip Generation Manual (9th Edition) projections for a *Lodge/Fraternal Organization* on a weekday, is based upon the number of employees. This projection represents the highest estimated Average Daily Trips (ADTs) across all categories for this type of use.

Use	Trips Generated	# Employees	Total Trips
Lodge/Fraternal Organization	46.90 per employee	3	140.7
		Total ADT's:	140.7

Condition: None.

MRV Architects File No: USE2024 0007 May 3, 2024 Page 5 of 10

**Vehicle Parking & Circulation – Required** off-street parking is compliant through an agreement with the neighboring property to the north. The proposed dimensions for the loading space must be modified to meet code.

Use	Parking Standard	Spaces Required
<u>USE 5.400</u> : Social, fraternal clubs, lodges, union halls, yacht clubs <u>Parking</u> : Churches, auditoriums, and similar enclosed places of assembly <u>Square Footage</u> : 4,629 square feet – 20% for circulation, unconcentrated use without fixed seating = 3,703 square feet	1 space for each 4 seats	247 seats = 61.75 = <b>61 spaces</b> (rounded down)
<b>Total</b> Per CBJ 49.40.210(b), three (3) accessible parking spaces must be provided as total required off-street parking spaces.	61 (including 3 ADA)	

The Applicant is required to provide 61 off-street parking spaces. 26 spaces are proposed on site.

Because Cultural Center activities predominate after regular business hours, the Applicant entered into parking agreements with neighboring properties with primarily daytime uses. A current shared parking agreement with Generations Southeast to the north provides 38 spaces (**Attachment A**). This would provide a total of 64 spaces for the Applicant's use in the evenings, meeting their off-street parking requirement. The agreement also meets Generations Southeast's off-street parking requirements of 55 spaces.



MRV Architects File No: USE2024 0007 May 3, 2024 Page 6 of 10

Three accessible parking spaces are required, with one providing van accessibility. The proposed site plan includes two van accessible parking spaces near the entry of the structure, and a third ADA space across the drive aisle from the entrance (**Attachment A**, Sheet A151).

The expanded facility is required to have one loading space that is 30 feet by 12 feet, with an unobstructed height of 14.5 feet. The width of the proposed loading space north of the structure is 9 feet 10 inches.

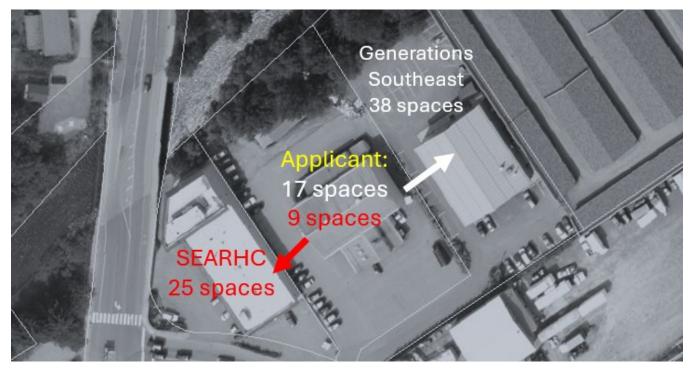
While code compliance is verified during the building permit process, the condition proposed clarifies that the Commission approval of a project does not include reduced dimensions for a loading space.

**Condition:** Prior to issuance of a building permit, the Applicant must provide a loading space on site that meets the requirements of 49.40.225(c), "Dimensional Standards and Signage for required off-street spaces."

The Applicant had past parking agreements with SEARHC to the south. The agreement has expired under a change in ownership.

SEARHC is required to provide 58 off-street parking spaces. SEARHC has 25 spaces on site, leaving a deficit of 33 spaces.

Even if all of the Applicant's spaces were provided to SEARHC, their off-street parking needs would remain unmet. An existing agreement with Generations Southeast that requires 17 of the Applicant's 26 proposed spaces, leaving nine (9) spaces for SEARHC use.



CDD's Code Enforcement sent a letter to SEARHC apprising them of their noncompliant off-street parking condition and of limits to the off-street parking that the Applicant can provide.

**Condition:** Shared parking agreements with 3225 Hospital Drive cannot exceed provision of nine (9) spaces on the Applicant's lot.

MRV Architects File No: USE2024 0007 May 3, 2024 Page 7 of 10

Noise – Noise is anticipated to be in character with the General Commercial district.

#### Condition: None.

**Lighting** - The Applicant has provided cut sheets that show shielded, downward cast exterior lighting. A lighting plan is shown in **Attachment A**, Sheet E111.

#### Condition: None.

**Vegetative Cover & Landscaping** – Vegetative cover for GC zoning is 10 percent. The anadromous stream setback and site improvements will facilitate approximately 8,600 square feet of vegetative cover, or 18 percent.

Current vegetative cover is shown on the site plan (Attachment A, Sheet COO2) at 4,308 square feet, or nine percent.

#### Condition: None.

**Habitat** - The lot abuts Salmon Creek, an anadromous stream. The site plan illustrates development, including off-street parking, is outside of the 50-foot development setback. An existing shelter and smokehouse built in the setback will be removed (**Attachment A, Sheet C002**), improving conformity and compliance.

**Condition:** Prior to issuance of a building permit, the two structures located in the no development buffer must be removed.

**Drainage and Snow Storage** – General Engineering will evaluate the drainage plan submitted with the building permit.

Snow storage will be within the 50 foot "no development" setback from Salmon Creek. This will provide adequate area and soil filtering before draining into Salmon Creek.

Condition: None.

Hazard Zones - The development is outside of mapped hazard areas.

A portion of the paved parking lot is in the Special Flood Hazard Area. A Flood Zone Development Permit has been issued (**Attachment C**).

Condition: None.

**Public Health, Safety, and Welfare** – New mechanical equipment will include conversion from an oil boiler to a new air-source heat pump system, improving air quality and reducing handling of hazardous materials.

Condition: None.

Property Value or Neighborhood Harmony – The project expands an existing harmonious use.

MRV Architects File No: USE2024 0007 May 3, 2024 Page 8 of 10

Parking limitations impact SEARHC's provision of off-street parking. SEARHC recently purchased property at 3241 Hospital Drive which could be used to provide additional off-street parking for the 3225 Hospital Drive facility. See blue highlights in the image below.



Community Center activities tend to operate outside of standard work week hours, providing complimentary use patterns to neighboring facilities.

Condition: None.

#### AGENCY REVIEW

CDD conducted an agency review comment period between April 1, 2024, and April 15, 2024 (Attachment D). No comments were received.

#### **PUBLIC COMMENTS**

CDD conducted a public comment period between April 2, 2024, to April 23, 2024. Public notice was mailed to property owners within 500 feet of the proposed development (**Attachment E**). A public notice sign was also posted on-site two weeks prior to the scheduled hearing (**Attachment F**). No public comments were submitted at the time of writing this staff report.

#### **CONFORMITY WITH ADOPTED PLANS**

The proposed development conforms with the 2013 Comprehensive Plan.

PLAN	Chapter	Page No.	Item	Summary
2013 Comprehensive Plan	11	148	Land Use	Land use C, Commercial

#### **FINDINGS**

#### Conditional Use Permit Criteria -

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

Analysis: No further analysis required.

Finding: Yes, the application is complete.

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

Analysis: No further analysis required.

Finding: Yes, the use is appropriate according to Paragraph 5.400 of the Table of Permissible Uses.

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

Analysis: No further analysis required.

**Finding:** Yes. With the recommended conditions, the proposed development will comply with Title 49, including parking, lighting, vegetative cover, noise, and flood zone development.

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

Analysis: No further analysis needed.

**Finding: No.** With appropriate conditions, the requested cultural center expansion, in a General Commercial zoning district, will not materially endanger the public health or safety.

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

Analysis: No further analysis needed.

**Finding:** No. With appropriate conditions, the requested cultural center expansion, in a General Commercial zoning district, will not substantially decrease the value or be out of harmony with the property in the neighboring area.

# 6. Will the proposed development conform with the Land Use Plan, Thoroughfare Plan, or other officially adopted plans?

Analysis: No further analysis needed.

**Finding: Yes.** The proposed cultural center expansion, with the recommended conditions, will conform with the 2013 Comprehensive Plan.

#### RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested Conditional Use Permit. The permit would allow expansion of a community center from 7,625 to 9,984 square feet. Parking is shared with neighboring buildings.

The approval is subject to the following conditions:

- 1. Prior to issuance of a building permit, the Applicant must provide a loading space on site that meets the requirements of 49.40.225(c), "Dimensional Standards and Signage for required off-street spaces."
- 2. Shared parking agreements with 3225 Hospital Drive cannot exceed provision of nine spaces on the Applicant's lot.
- 3. Prior to issuance of a building permit, the two structures located in the no development buffer must be removed.

#### **STAFF REPORT ATTACHMENTS**

ltem	Description	
Attachment A	Application Materials	
Attachment B	NCC2023 0052	
Attachment C	Flood Zone Development Permit	
Attachment D	Agency review query	
Attachment E	Abutters Notice	
Attachment F	Public Notice Sign	



# (COD CONDITIONAL USE)

# **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.

	PROPERTY LOCATION			
	Physical Address 3235 Hospital Drive Juneau, AK 99801			
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) Lot 1, Tlingit Haida, USS 1075			
	Parcel Number(s) 78090/040101			
	This property is located in the downtown historic district			
	This property is located in a mapped hazard area, if so, which			
	LANDOWNER/LESSEE Property Owner Instance Thingit & Lloido Community Council Contact Person Mr. K			
	Juneau Tingit & Haida Community Council MI. Ke	en Southerland Phone Number(s)		
	Mailing Address 3235 Hospital Drive, Juneau, AK 99801	907-723-5043		
	E-mail Address kennethsoutherland@me.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 a	poproval may be sufficient. Written approval must		
ant	include the property location, landowner/ lessee's printed name, signature, and the application, alternative written a			
fo be completed by Applicant	I am (we are) the owner(s)or lessee(s) of the property subject to this application and I (we) consent a A. This application for a land use or activity review for development on my (our) property is made w			
d by	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.			
plete	Ken Southerland Vice-President			
com	Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee)			
be	IN NOA ( CORPORT	2/14/24		
Ĕ	XLandowner/Lessee (Signature)	Date		
	Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Les	see)		
	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 If same as LANDOWNER, write "SAME"			
	Applicant (Printed Name) MRV Architects Contact Person Paul Voelckers			
	Mailing Address 1420 Glacier Ave, Suite A, Juneau, AK 99801	Phone Number(s) 907-209-1353		
	E-mail Address paul@mrvatchitects.com			
	x Gaul Cod	Feb 14, 2024		
	Applicant's Signature	Date of Application		
	DEPARTMENT USE ONLY BELOW THIS LINE			
		Intake Initials		
		JLS		

#### INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

	JLS
Case Number	Date Received
USEA4-07	2-22-24

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



# 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.

COMMUNITY DEVELOPMENT

PROJECT SUMMARY				
Renovations and expansions to Tlingit & Haida Community Center, Shaan S'oox.				
TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED				
Accessory Apartment – Accessory Apartment Application (AAP)				
Use Listed in 49.25.300 – Table of Permissible Uses (USE)				
Table of Permissible Uses Category: USE 5.400 Social, Fraternal, Clubs				
IS THIS A MODIFICATION OR EXTENSION OF AN EXISTING APPROVAL?				
UTILITIES PROPOSED     WATER:     Public     On Site     SEWER:     Public     On Site				
SITE AND BUILDING SPECIFICS				
Total Area of Lot 46,477 square feet Total Area of Existing Structure(s) square feet				
Total Area of Proposed Structure(s) 9,884square feet				
EXTERNAL LIGHTING				
Existing to remain O No O Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures Proposed O No O Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures				
ALL REQUIRED DOCUMENTS ATTACHED If this is a modification or extension include:				
Notice of Decision and case number				
Current use of land or building(s)				
Description of project, project site, circulation, traffic etc. extension				
Proposed use of land or building(s) Application submitted at least 30 days How the proposed use complies with the Comprehensive Plan before expiration date				
How the proposed use complies with the Comprehensive Plan 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				

ALLOWABLE/CONDITIONAL USE FEES				
	Fees	Check No.	Receipt	Date
Application Fees	<u>, 750'</u> 00	Class.III		
Admin. of Guarantee	s			
Adjustment	s			
Pub. Not. Sign Fee	\$ 50.00			
Pub. Not. Sign Deposit	\$100.00			
Total Fee	\$ 900 00			

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

#### INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Case Number	Date Received
USE 24-07	2-22-24

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



1420 GLACIER AVENUE STE 101, JUNEAU, AK 99801 (907) 586-1371

Project:Shaan S'oox Community House RenovationSubject:Conditional Use Application NarrativeBy:Paul Voelckers AIADate:February 14, 2024, Revised

MRV 2203

The *Shaan S'oox Community Center*, managed by the Tlingit-Haida Community Council, will be renovated and partially expanded. The areas of work include an inviting and expanded entry and office area, support areas along the back side (northwest side) of the building, expanded kitchen areas, and substantial new mechanical upgrades.

**Use Pattern and Function**: Since its construction, the Community Center has functioned as a large meeting space venue, supported by administrative office, restrooms, commercial kitchen, and general storage. The primary building use is Bingo operations, typically scheduled three evenings a week on Friday, Saturday, and Monday nights. Other primary functions include memorials and potlatch functions which average about one event per week. Other typical uses include Saturday art workshops, called "*Auntie's House*" with 12-20 participants. Work-week daytime use is more limited, with few major activities.

After this renovation and upgrade, the main social gathering function will remain unchanged. Structural alterations will be made to improve support spaces, including a new vestibule, lobby, admin office, kitchen, conference room, youth activities room, and storage. The existing mechanical mezzanine will incorporate new mechanical equipment and conversion from an oil boiler to new air-source heat pump system. A new building-wide sprinkler system will be added.

The building will continue to function as an assembly space and social hall. No changes in use or occupancy will occur. 7,625 sq.ft. of the existing building will be retained with limited or modest changes, including the large meeting/event space, associated stage, and adjoining storage. Another 2,259 sq.ft. is significantly affected by new work, either as an addition or major space renovation. The total facility size after renovation is 9,984 sq.ft.

**Required Parking Analysis:** The following parking analysis uses both CBJ parking standards in updated Title 49.40.210, and the most recent 2021 IBC.

- Title 49.40.210 identifies this type of Assembly space as required to provide one stall per 4 occupants (*Churches, auditoriums, and similar enclosed places of assembly*).
- The calculated Assembly occupancy count would be based on 4,629 sq.ft. of primary Assembly space, per MRV drawings.

MRV Architects

Page 1 | 4

- Per IBC 2021, the Assembly occupancy count is calculated per table 1004.5. This table identifies Assembly use for <u>unconcentrated use without fixed seating</u> as one occupant per 15 net sq.ft. (This is in contrast with most uses that are calculated with gross square footage). The rationale is that aisle space for egress needs to be accommodated, and that circulation space is subtracted from the gross space size.
- As an approximation, circulation will require 20% of the gross area. The net Assembly space would then be 80% of 4,629 sq.ft. or 3,703 sq.ft.
- This generates 247 occupants at one occupant per 15 net sq.ft.
- 247 occupants would require **61 parking spaces** (rounded down).
- Note that other adjoining auditorium spaces, including stage and youth activity room, are not calculated as additive to the Assembly occupancies, since their use typically reflects sub-sets of the primary Assembly space use.
- 3 required ADA spaces are shown on the updated Site Plan A151.

**Historical Site Parking and Modifications**: The Community Building was originally constructed in 1977. The as-built site plan provided by the Owner dated 11.21.77 illustrates 80 parking spaces with a gravel-finished parking lot. CDD records also reference this number of 80 parking spaces.

However, by inspection, the project was not constructed with the 80 spaces noted, since that parking plan illustrated parking stalls located tight to the upper stream bank along Salmon Creek. Given the current extent of mature trees, green space, and outside storage structures located northwest (streamside) of the building, it appears that 24 of the indicated 80 spaces were never provided on-site, with actual provision of approximately 56 spaces.

Subsequent site modifications occurred during the mid-1990's. This work provided finished paved parking with striping, and an expanded southeasterly site boundary which was legally platted to establish a 30' access ROW for the adjoining Tlingit/Haida Vocational Training Center. This site revision reduced the on-site parking at Shaan S'oox to 44 spaces, with 44 spaces at the adjoining Vocational Training Center.

**Parking Use Agreements**: Two recent parking agreements are in place between the Juneau Tlingit-Haida Community Council and adjoining facilities. The first is a flex-use agreement with the Vocational Training Center (now named "*Generations Southeast*") to the northeast of *Shaan S'oox*, at 3229 Hospital Drive. That facility includes 44 parking spaces. The flex use agreement provides *Generations Southeast* additional day-time use of open *Shaan S'oox* parking spaces. The agreement, in turn, allows *Shaan S'oox* to use the *Generations Southeast* spaces in the evenings for typical events like bingo which have relatively high parking demands. A signed copy of this agreement between Central Council of Tlingit & Haida Indian Tribes of Alaska and the Community Council is attached.

The other agreement is with the southwest property owner, SEARHC, at 3225 Hospital Drive. That multi-tenant medical service facility leases 26 parking stalls for daytime business use. 22 stalls are located along the southern edge of the *Shaan S'oox* property, immediately fronting the SEARHC building, with four more along the westerly creek side as shown in the updated Site Plan A151. All spaces are fully available in the evening for event parking for the *Shaan S'oox* facility. A signed copy of that agreement is attached.

Page 2 | 4

After the renovation, the improved front entry area of *Shaan S'oox* will provide 12 parking stalls, including two ADA spaces, a convenient new pick-up and drop-off area, and a dedicated loading zone serving the kitchen and assembly space. Two more informal parking spaces are located along the westerly (creek) side, adjoining open covered storage spaces. The total on-site parking totals 38 spaces (including the 26 shared leased spaces).

**CDD Parking Concurrence**: The CDD project review for this renovation project discovered that a 1992 parking agreement negotiated with the CBJ had expired in 2022.

It is recommended that a new project approval include CDD acceptance of the two recent shared parking agreements with SEARHC and Generations Southeast, described above. The total number of shared parking spaces easily meets the required 61 spaces.

To summarize, current renovation plans illustrate 12 primary front parking spaces, and 2 existing on-site spaces on the northwest side, for 14 spaces. This requires that a calculated parking requirement of 61 parking spaces be met by accepting the shared use parking agreements for after-hour use, including 26 spaces leased by SEARHC on the Community Building site, and 44 spaces on the adjoining *Generations Southeast* property, generating a total maximum of 84 spaces.

On-site parking and vehicle handling has been improved and made safer by the renovation, with the provision of more accessible and visible parking spaces, including ADA stalls and passenger drop zone right at the main entry.

The shared use of parking stalls with a day/night diversity of use for both adjoining properties appears to be functioning very well. This type of joint use is expressly supported per CBJ 49.40.200 (5)(A).

**Traffic Impact Analysis**: A traffic impact analysis is not warranted. The primary uses of the building are during evening and weekend hours, with limited traffic conflict with the primary day use of the streets and arterials. No change in size or use pattern is occurring with this renovation.

**Streamside Setback Compliance**: CDD review of the building and site ascertained that sheds have inadvertently been added within the 50' protected stream buffer for Salmon Creek. Per updated Site Plan A151, the shed and covered area are indicated to be removed. All construction within the 50' surveyed buffer will be removed and the area restored to a clean vegetated state before a final certificate of occupancy is granted.

**Vegetative Cover**: Per CBJ 49.50.300, a minimum vegetative cover of 10% is required, or 4,647 sq.ft. The updated Civil site plan illustrates vegetative cover along Salmon Creek of 4,680 sq.ft. Additional vegetative cover is also provided along the southwesterly side of the building, totaling 480 sq.ft. The requirement is met.

Site Information: Supportive materials are attached. Materials include:

- Attachment A: Civil Site plan of site, topo, parking, stream, and easements.
- Attachment B: Architectural package: Updated site plan, plan, elevations, rendering.
- Attachment C: Electrical plan showing exterior building lighting.

## MRV Architects

Page 3 | 4

- Attachment D: SEARHC parking lease agreement.
- Attachment E: Generations Southeast shared use agreement.
- Attachment F: Exterior lighting fixture cut sheets showing cutoff.



MRV Architects



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

# Shaan S'oox Community Center Renovation and Expansion

DISCLAIMER: Pre-Application	Conferences are conducted for the purpose of providing applican
Report Issued:	January 8, 2024
Conference Date:	December 20, 2023
Existing Land Use:	Social
Zoning:	GC (General Commercial)
Site Size:	46,477 Square Feet
Parcel Code Number:	7B0901040101
Property Address:	3235 Hospital Drive
Property Owner:	Juneau Tlingit and Haida Community Council
Applicant:	MRV Architects, Paul Voelckers
Case Number:	PAC2023-0058

DISCLAIMER: Pre-Application Conferences are conducted for the purpose 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
Paul Voelckers	Applicant	Paul@mrvarchitects.com
Zane Jones	Applicant	Zane@mrvarchitects.com
Rhonda Butler	Applicant	Jthtribal@juneauthcc.org
Roald Helgesen	Applicant	RHelgesen@tlingitandhaida.gov
Ken Southerland	Applicant	Jthup@juneauthcc.org
Shaleena Delgado	Applicant	SDelgado@tlingitandhaida.gov
Royal Hill	Applicant	RHill@tlingitandhaida.gov
Stephanie Banua	Applicant	Stephanie.Banua@thtbc.com
Jennifer Shields	Planning	Jennifer.Shields@juneau.gov
llsa Lund	Planning	Ilsa.Lund@juneau.gov
Bridget LaPenter	General Engineering	Bridget.LaPenter@juneau.gov
Sydney Hawkins	Permitting	Sydney.Hawkins@juneau.gov

Revised 5/07/2021

i:\documents\cases\2023\pac\pac23-058 t&h community center expansion\pac23-058 final draft.doc

# **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**

In 1978, the Shaan S'oox Community Center, managed by the Juneau Tlingit and Haida Community Council (JTHCC), was constructed on Parcel No. 2 of the Salmon Subdivision. At that time, the most closely associated land use category for the Community Center did not require a Conditional Use Permit (CUP): *Private and semi-public uses, such as: clubs, lodges, convents, social and community buildings.* 80 off-street parking spaces were required at that time, and a Certificate of Occupancy was issued in 1979.

The Community Center will continue to function as a social space, and will be partially renovated and expanded as follows:

- Expansions for a new entry and office area, support areas off the rear of the building, and the kitchen.
- Upgrades to ventilation and exiting in the main gathering hall.
- Incorporation of new mechanical equipment in the mechanical mezzanine.
- Structural alterations to the entrance, lobby, staff, kitchen, and rear storage areas.

Community Center Square Footage		
Existing 7,625 square fe		
Additional	2,259 square feet	
Total Proposed	9,884 square feet	

#### **Planning Division**

- 1. **Zoning** The property is zoned GC (General Commercial). The lot size is 46,477 square feet, exceeding the minimum lot size requirement of 2,000 square feet. The lot width is 20.10 feet (as approved in 1991 with variance VAR1991-0001), exceeding the minimum lot width requirement of 20 feet.
- 2. Table of Permissible Uses Currently, CBJ 49.25.300 lists USE 5.400: Social, fraternal clubs, lodges, union halls, yacht clubs as the most closely associated land use category for the Community Center, with development approval procedures varying, depending on whether the project is a Major or a Minor development.

Per CBJ 49.25.300(c)(3)(D), in a GC zoning district, non-residential buildings totaling 10,000 square feet OR using less than one-half acre of land in total constitute Minor Development. Minor Developments are reviewed at the department level. Major Development means all development activity that is not Minor Development. Major Developments are reviewed by the Planning Commission.

As the site is over one-half acre of land, a <u>Conditional Use Permit is required</u> for expansion of the existing use.

- 3. Density N/A
- 4. Subdivision N/A
- 5. **Setbacks** Front and side yards: 10-foot minimum required for structures. The rear yard includes required anadromous waterbodies setbacks for Salmon Creek, as measured from the Ordinary High-Water Mark (OHWM). These setbacks are listed below under 'Habitat'.

<u>CUP Application</u>: Include setback dimensions for all structures on the Site Plan, including from anadromous waterbodies setbacks. **SHOW THE LOT IN ITS ENTIRETY (ALL LOT LINES).** 

6. **Height** – Maximum allowed of 55-feet for primary structures and 45-feet for accessory structures.

CUP Application: Include elevation drawings, with heights labeled.

- 7. Access Hospital Drive via Glacier Highway.
- 8. Parking & Circulation Existing / Background
  - In 1977, a proposed Site Plan for a Community Center on Parcel No. 2 of the Salmon Subdivision (the lot at that time) showed 80 off-street parking spaces. A letter from the project architect dated February 21, 1978, provides justification for proposing **80 parking spaces**.
  - On September 11, 1978, a building permit (BLD-12057) was issued for the Community Center which stated:
  - *"Parking plan approved based on a seating capacity of 320 spaces. If additional seating capacity is provided, the required additional parking spaces must be provided."* At that time, CBJ 49.25.500(M) for "Churches, auditoriums, and similar enclosed places of assembly" required 1 parking space for each 4 seats in the auditorium. Therefore, **80 parking spaces** were required for the Community Center.
  - In 1979, a Certificate of Occupancy was issued for the Community Center.
  - In 1991, the lot was re-platted with the Tlingit / Haida Subdivision Plat 91-34. As part of the subdivision process, VAR1991-0001 was approved to reduce the minimum required lot width from 30-feet to 20-feet. One condition of approval for the Variance stated:
    - "In connection with the proposed replat, the owner/applicant shall submit a revised parking plan, in accordance with applicable standards, to show not less than **80 parking spaces** for proposed Tract 2A [subject lot]. Parking shall be located on the parcel which said parking is intended to serve, or shall be within allowable distance, and the availability shall be guaranteed with long-term agreement, acceptable to the City and Borough of Juneau Law Department, for a period commensurate with the life of the building, but not less than 30 years."
  - In 1991, a shared Parking Agreement was signed between the CBJ, the JTHCC, and Generations Southeast to the east. This agreement automatically **expired** on July 1, 2021.
  - Currently, JTHCC has two privately arranged parking agreements, with adjacent lots to the east and west, that **have not been approved by the CBJ Law Department** as required by VAR1991-0001. The following table illustrates current parking deficits for the three lots:

Parking Spaces	3225 Hospital Drive	3235 Hospital Drive		3239 Hospital Drive
	SEARHC		Center (JTHCC) ect lot)	Central Council (CC) Generations SE
Current Requirement	58 (per VAR2002-0046: 25 on-site 26 off-site, JTHCC 7 off-site, Birthing Center)	-	30 1991-0001)	55
Existing On-Site	25	_	21 :ing Site Survey)	38
Shared Agreements (not approved by CBJ)	26 — M-F 6am-6pm ( 7 – (off-site, Birth		ALL – JTHCC 6	pm-6am / 6am-6pm CC
Shortage	0	5	9	17

#### Parking & Circulation – Proposed Renovation and Expansion

- CBJ 49.40.210(a) for "Churches, auditoriums, and similar enclosed places of assembly" requires 1 parking space for each 4 seats in the auditorium.
- MRV Architects has provided detailed calculations on determining the number of seats that should be considered in determining parking requirements based upon an unconcentrated use without fixed seating.
- Per CBJ 49.40.210, the following minimum number of parking spaces with dimensions of 8.5 feet x 17 feet is required on the lot. ADA space dimensions of 13 feet x 17 feet, with a 8 feet x 17 feet aisle width, is also required.

Use	Parking Standard	Spaces Required
USE 5.400: Social, fraternal clubs, lodges, union halls, yacht clubs Parking: Churches, auditoriums, and similar enclosed places of assembly Square Footage: 4,629 square feet – 20% for circulation, unconcentrated use without fixed seating = 3,703 square feet	1 space for each 4 seats	247 seats = 61.75 = 61 spaces (rounded down)
<b>Total</b> Per CBJ 49.40.210(b), three (3) accessible parking spaces must be provided as part of the total required off-street parking spaces.		61 (including 3 ADA)

<u>CUP Application</u>: On the Site Plan, number all proposed off-street parking spaces, including accessible spaces, with a minimum of 61 spaces required. Label typical parking space dimensions and all drive aisle widths.

<u>Alternatively</u>, CBJ 49.40.215 Parking Alternatives and CBJ 49.40.220 Parking Reductions list potential options the applicant may want to consider if the required number of off-street parking spaces cannot be met on site.

- 9. Lot Coverage The GC zoning district does not require a maximum lot coverage percentage.
- 10. Vegetative Coverage Per CBJ 49.50.300, minimum vegetative cover of 10% (4,647 square feet) is required for the lot.

<u>CUP Application</u>: Show vegetative cover areas within the lot on the Site Plan.

11. **Lighting** – All lighting should be full cut-off lighting to prevent glare on neighboring properties or the right-of-way. Parking and circulation standards require that parking lots shall be "adequately lit."

<u>CUP Application</u>: Show all existing and proposed outdoor lighting locations on the Site Plan.

- 12. Noise N/A
- 13. Hazard/Mass Wasting/Avalanche/Hillside Endorsement No mapped hazard areas.
- 14. Wetlands If wetlands are to be impacted, contact the U.S. Army Corps of Engineers, Juneau Field Office, at (907) 753-2689 for permitting requirements.

15. **Flood** – Portions of the lot contain both the Salmon Creek Floodway (pink hatched areas on the map to the right) and Special Flood Hazard Area (SFHA) Zone AE (blue shaded areas).

<u>CUP Application</u>: Show all SFHA areas on the Site Plan.

A <u>Floodplain Development Permit</u> will be required prior to the issuance of a Building Permit for any type of development proposed in SFHA areas.

#### 16. Habitat –

- a. Check with U.S. Fish and Wildlife on the presence of eagle nests in the area. The presence of eagle nests may impact construction scheduling.
- b. Salmon Creek is an anadromous waterbody. Per CBJ 49.70.330, there is a 25-foot 'no disturbance' setback

measured from the OHWM, and a 50-foot 'no development' setback measured from the OHWM.

<u>CUP Application</u>: Show the 50-foot anadromous waterbodies setback on the Site Plan, as staked by CBJ staff.

#### 17. Plat or Covenant Restrictions - N/A

18. Easements – The lot includes the following recorded easements:

- 1988 Powerline Easement Book 304, Pages 328-331
- 1988 Rip Rap Easement Book 304, Pages 332-335
- 1991 Common Driveway Easement Book 345, Pages 645-648

CUP Application: Show all easements of record on the Site Plan.

19. Traffic – According to CBJ 49.40.300(2), a Traffic Impact Analysis is not required since the project will generate less than 250 Average Daily Trips. For this application, staff used the Institute of Transportation Engineers' Trip Generation Manual (9th Edition) projections for a Lodge/Fraternal Organization on a weekday, based upon the number of employees. This projection represents the highest estimated Average Daily Trips (ADTs) across all categories for this type of use.

Use	<b>Trips Generated</b>	# Employees	Total Trips
Lodge/Fraternal Organization	46.90 per employee	3	140.7
		Total ADT's:	140.7

#### 20. Nonconforming situations – See nonconforming situation report NCC2023-0052.

#### **Building Division**

- 21. **Building** BLD20230925 is currently under review, pending a Conditional Use Permit for Zoning review.
- 22. Outstanding Permits
  - a. BLD20140420 "Reroof Metal to Metal"
  - b. BLD2004-00889 "Remove dry Chem System and install new UL 300 wet Chem System."
  - c. BLD-0900701 "PAINT; CARPET; LIGHTING; GUTTERS; COUNTER TOPS; CLEAN-UP BOILER"



#### **General Engineering/Public Works**

- 23. Engineering No concerns at this time.
- 24. Drainage No concerns at this time.
- 25. Utilities Proposed waterline increase shall require a utility permit. (proposed upsizing the main to supply sprinklers)

#### **Fire Marshal**

26. Fire Items/Access - N/A

#### **Other Applicable Agency Review**

27. 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 application type listed below
- 2. Conditional Use Permit Application
- 3. Floodplain Development Permit Application
- 4. Parking Waiver Application, if proposed

#### **Additional Submittal Requirements**

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

- 1. A copy of this Pre-Application Conference report.
- 2. Project Narrative
- 3. Site Plan (with details as outlined above)
- 4. Elevation Drawings
- 5. Lighting Plan / Fixtures Data Sheet

#### **Exceptions to Submittal Requirements**

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

1. N/A

#### **Fee Estimates**

The preliminary plan review fees listed below can be found in the CBJ code section 49.85. Based upon the project plan submitted for pre-application review, staff has attempted to provide an accurate estimate for the permits and permit fees which will be triggered by your proposal.

- 1. Development Permit Application N/A
- 2. Conditional Use Permit Application Class III Uses: \$750
- 3. Floodplain Development Permit Application \$100

- 4. Parking Waiver Application, if proposed \$320
- 5. Public Notice Sign: \$150, with \$100 refundable if the sign is returned by the Monday after the Planning Commission meeting.

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

#### **Submit your Completed Application**

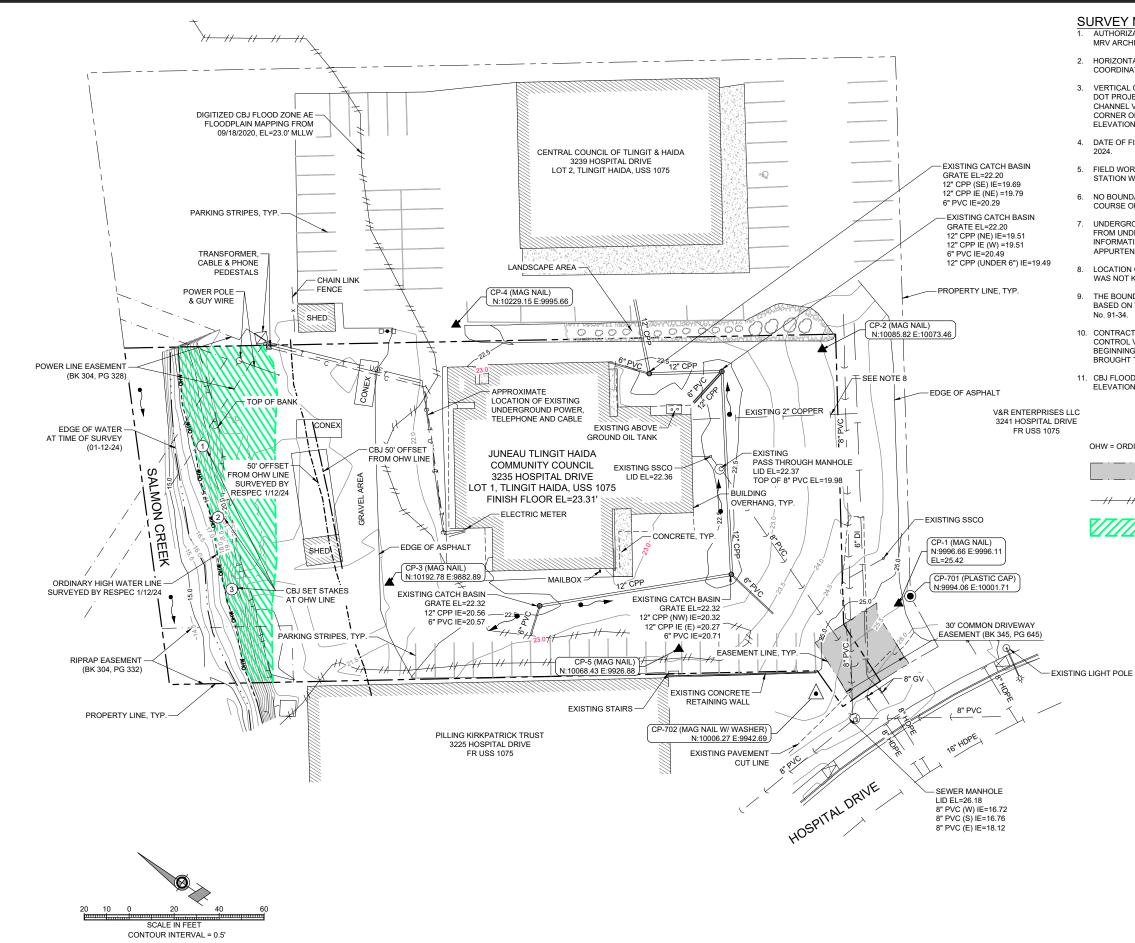
You may submit your application(s) online via email to <u>permits@juneau.gov</u> OR in person with payment made to:

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

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

Attachments:

CBJ 49.15.330 Conditional Use Permits CBJ 49.40.200 Parking and Loading CBJ 49.40.215 Parking Alternatives CBJ 49.40.220 Parking Reductions CBJ 49.70.330 Anadromous Habitat Protections CBJ 49.70.400 Floodplain Development Permit Application Conditional Use Permit Application Floodplain Development Permit Application Parking Waiver Application



Section H, Item 7.

#### SURVEY NOTES:

AUTHORIZATION TO CONDUCT THIS TOPOGRAPHIC SURVEY BY MRV ARCHITECTS ON APRIL 1, 2022 AND JANUARY 12, 2024.

HORIZONTAL FOR THIS SURVEY WERE BASED ON ASSUMED COORDINATES FOR CP-1 WITH N: 9996.66 E: 9996.11 POSITION

VERTICAL CONTROL IS BASED ON A FIRE HYDRANT TBM FROM DOT PROJECT # SFHY00229, GLACIER HIGHWAY / ROSS WAY TO CHANNEL VISTA DRIVE RECONSTRUCTION AT THE SOUTHWEST CORNER OF GLACIER HIGHWAY AND HOSPITAL DRIVE WITH AN ELEVATION OF 28.55 MLLW.

4. DATE OF FIELD SURVEY WAS APRIL 6, 2022 AND JANUARY 12,

FIELD WORK CONDUCTED USING A TRIMBLE S7 ROBOT TOTAL STATION WITH STANDARD LASER RANGING TECHNIQUES.

6. NO BOUNDARY RETRACEMENT WAS PERFORMED IN THE COURSE OF THIS SURVEY.

UNDERGROUND UTILITIES, SHOWN HEREON, ARE DERIVED FROM UNDERGROUND UTILITY FIELD LOCATES, AS-BUILT INFORMATION, AND OBSERVABLE ABOVE GROUND APPURTENANCES

LOCATION OF EXISTING WATER LINE TO COMMUNITY BUILDING WAS NOT KNOWN

THE BOUNDARY OF LOT 1, TLINGIT HAIDA SUBDIVISION IS BASED ON THE RECOVERED MONUMENTS, AS SHOWN ON PLAT

10. CONTRACTOR SHALL PERFORM HORIZONTAL AND VERTICAL CONTROL VERIFICATION OF PROJECT CONTROL PRIOR TO BEGINNING CONSTRUCTION. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ENGINEERS ATTENTION FOR RESOLUTION.

11. CBJ FLOOD ZONE AE FLOODPLAIN MAPPING FROM 09/18/2020, ELEVATION = 23.0'.

OHW = ORDINARY HIGH WATER

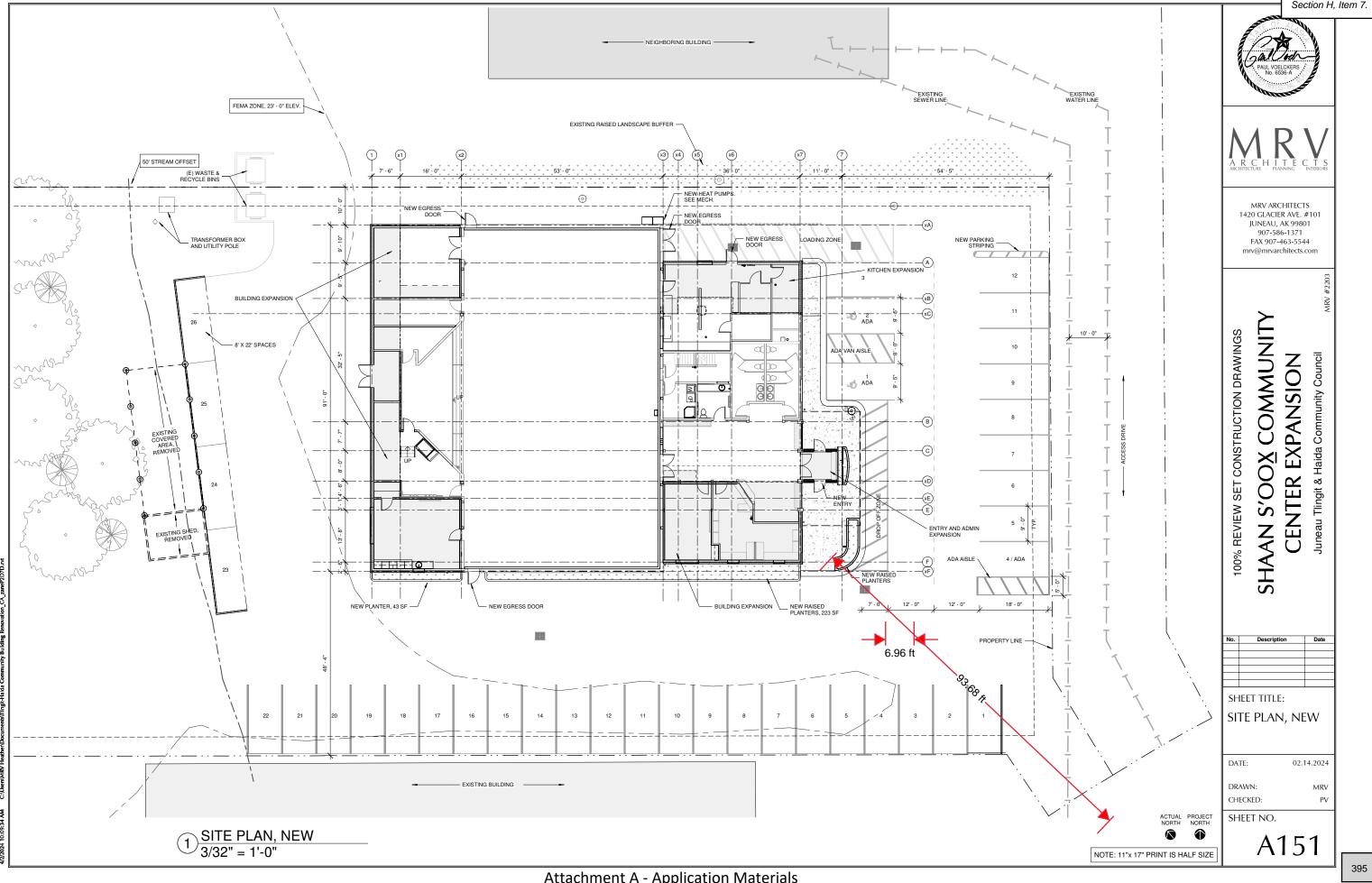
COMMON DRIVEWAY EASEMENT

\_\_\_\_\_ CBJ FLOOD ZONE AE LINE

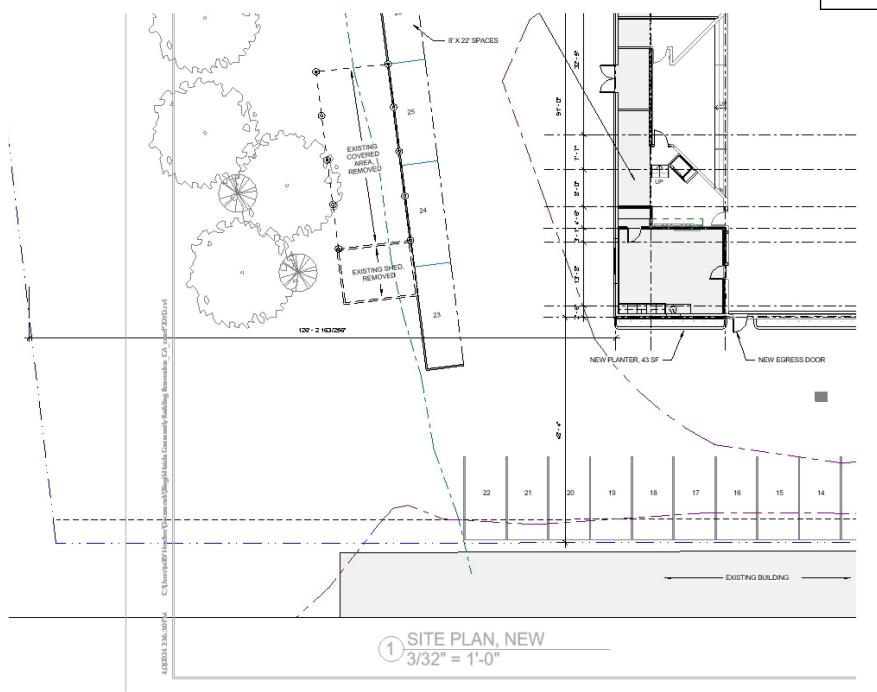
EXISTING VEGETATIVE COVER = 4,308 S.F.

NOTE: 11"x 17" PRINT IS HALF SIZE

`49 ⊞ JOSEPH M. PUSICH 02/06/2024 CE 8152 (Uller Juneau, AK 9109 Mendenhall Mall Rd. Ste. Juneau, AK 99801 1 Phone: 907.780.6060 Fax: 907.586.3771 is pier AECC163270 COMMUNITY Council EXPANSION 100% PERMIT DOCUMENTS Community Haida S'OOX CENTER Juneau Tlingit & SHAAN Description Date SHEET TITLE: EXISTING SITE **SURVEY &** TOPOGRAPHY DATE: 02.06.2024 DRAWN. JMK CHECKED: IMP SHEET NO. C002







# SHAAN S'OOX COMMUNITY CENTER EXPANSION

For The

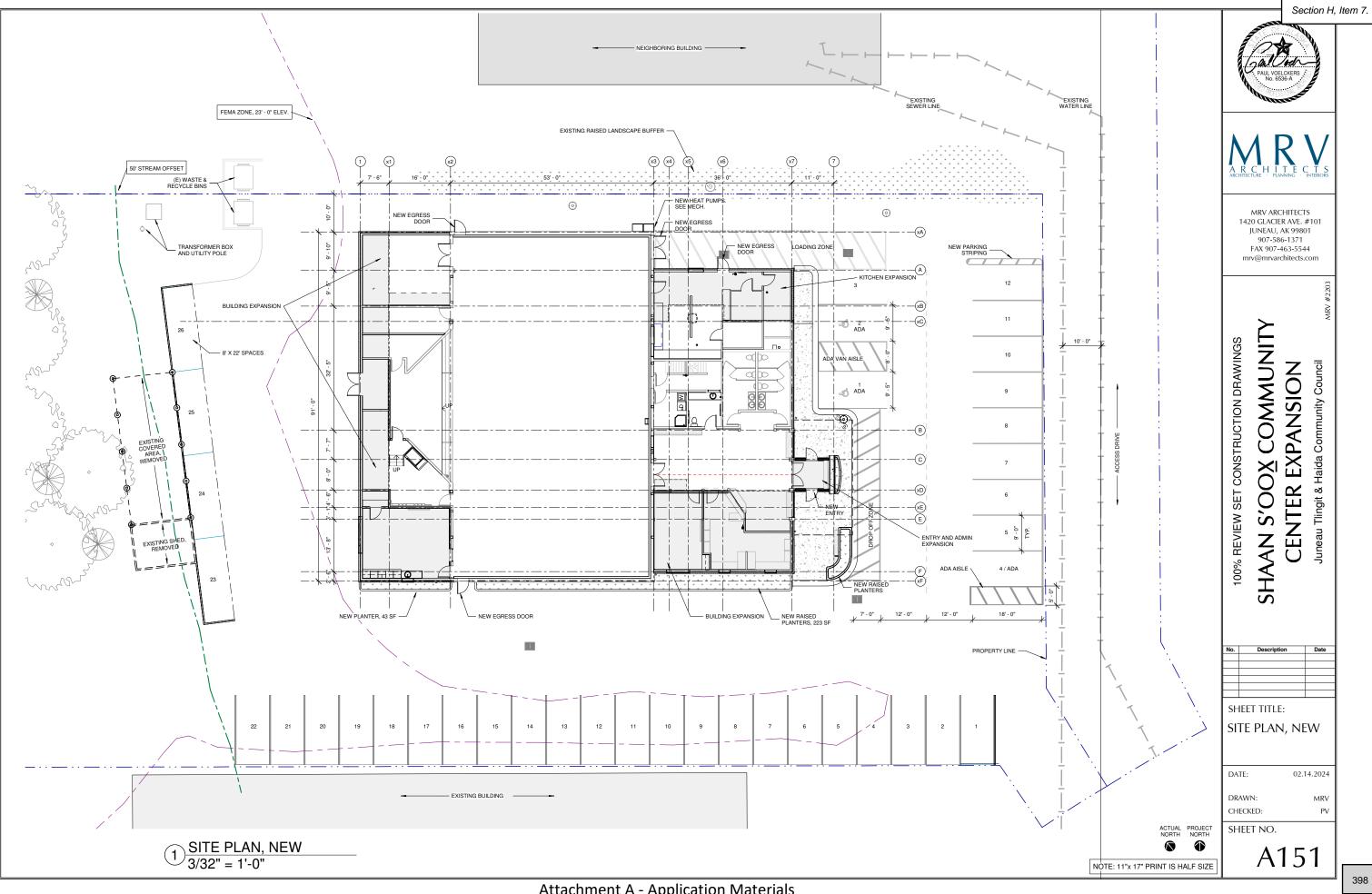
# Juneau Tlingit & Haida Community Council



100% CONSTRUCTION DRAWINGS REVIEW SET 10.18.2023

Section H, Item 7.

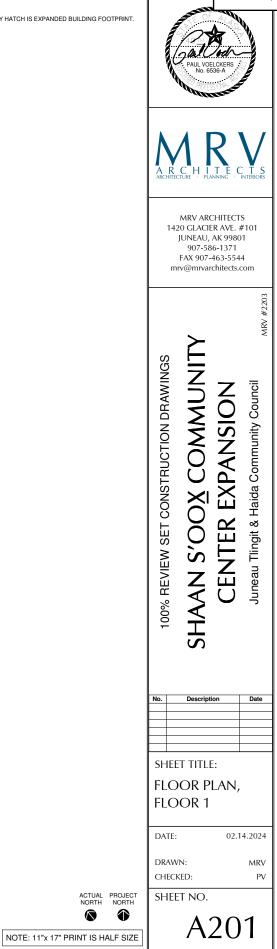


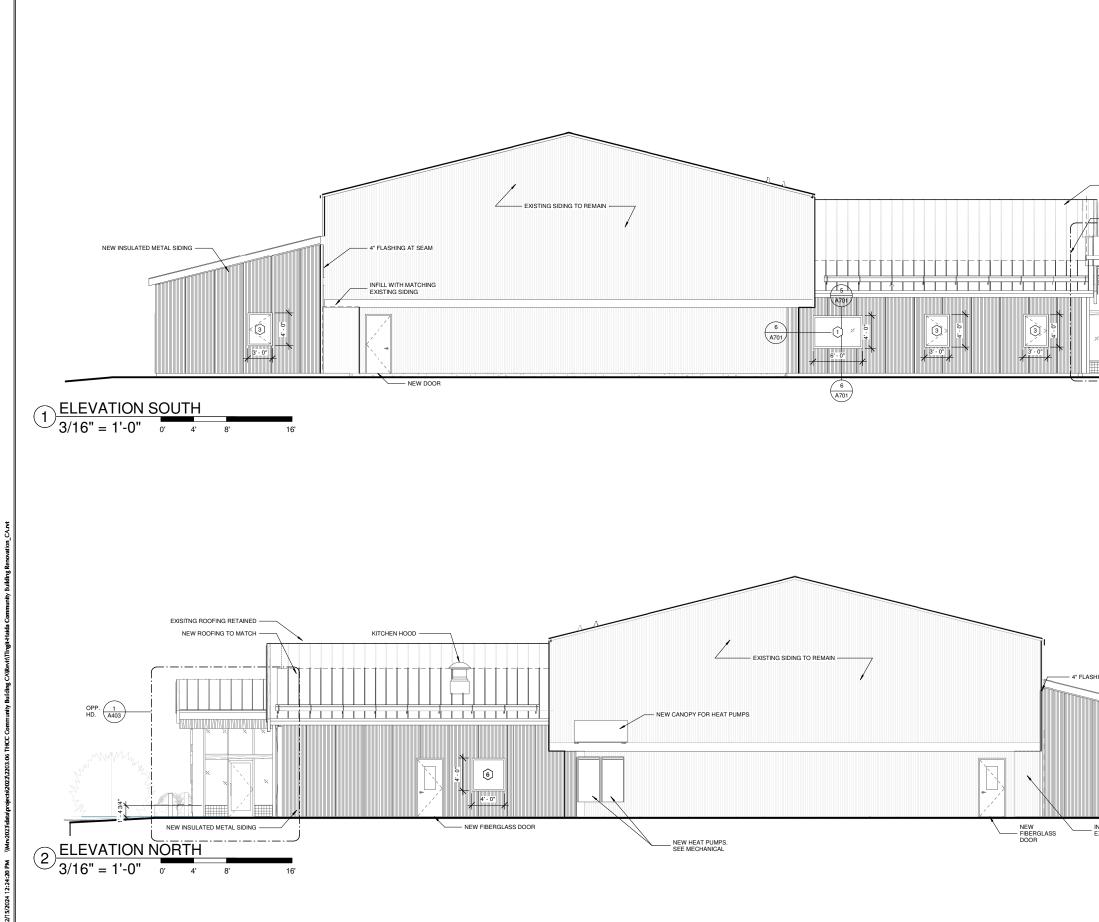


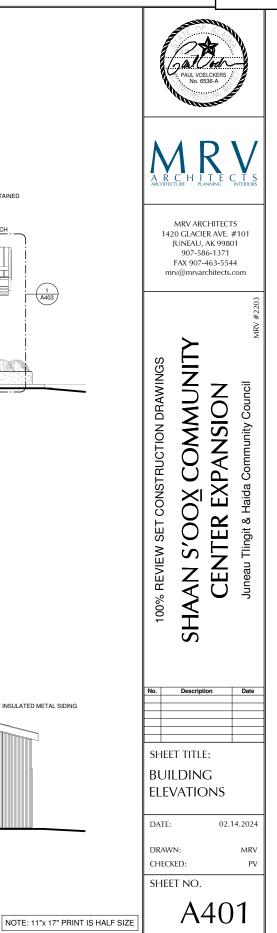
A401 1 (x1) (x2) x3 x4 x5 (x6) (x7) 16' - 0' 53' - 0" 36' - 0 7' - 6' 11'-0 (1) (A203) 2 A204  $\odot$ W3A  $\odot$ NEW HEAT PUMPS. SEE MECHANICAL ----**T** A550 A550 W3A W3A 116 STORAGE 415 SF -(A) WALK IN 121 STORA 142 SF 63 SF 51' - 6 1/2" -xB 153 SF —xC 118 <u>KITCHEN</u> 462 SF **STAGE** 114 <u>SYSTEMS</u> 119 SF odbo ADA LOADING RAISED FRAMING 201 <u>HALLWAY</u> 26 SF 113 GROUNDS MAINT 88 SF 117 <u>HALLWAY</u> 101 SF wзc 106 <u>MEN</u> 147 S D 145 SF M 108 LAUND/JAN 77 SF 77 SF 77 SF 77 SF 1 (A502 Ð 112 <u>STAGE</u> 419 SF A402 2 1 A402 109 MULTI-PURPOSE 0 4629 SF 102 LOBBY 750 SF 1 (A30 ENTRY HO1 VESTIB. 76 SF DROP ZONE STRIPING 111 <u>STORAGE</u> 348 SF (xD -xe -(E) 110 FLEX ROOM 264 SF 104 OFFICES 311 SF A602 0 xF 1 A202 A550 W3A 1 A204 (W3A 2 A301 1 A403 1) FLOOR PLAN, FLOOR 1 1/8" = 1'-0" 0' 4' 8' 16'

#### GENERAL NOTES:

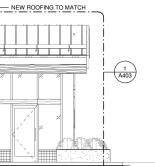
1. AREA SHOWN WITH GREY HATCH IS EXPANDED BUILDING FOOTPRINT.



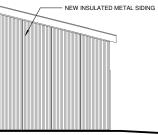




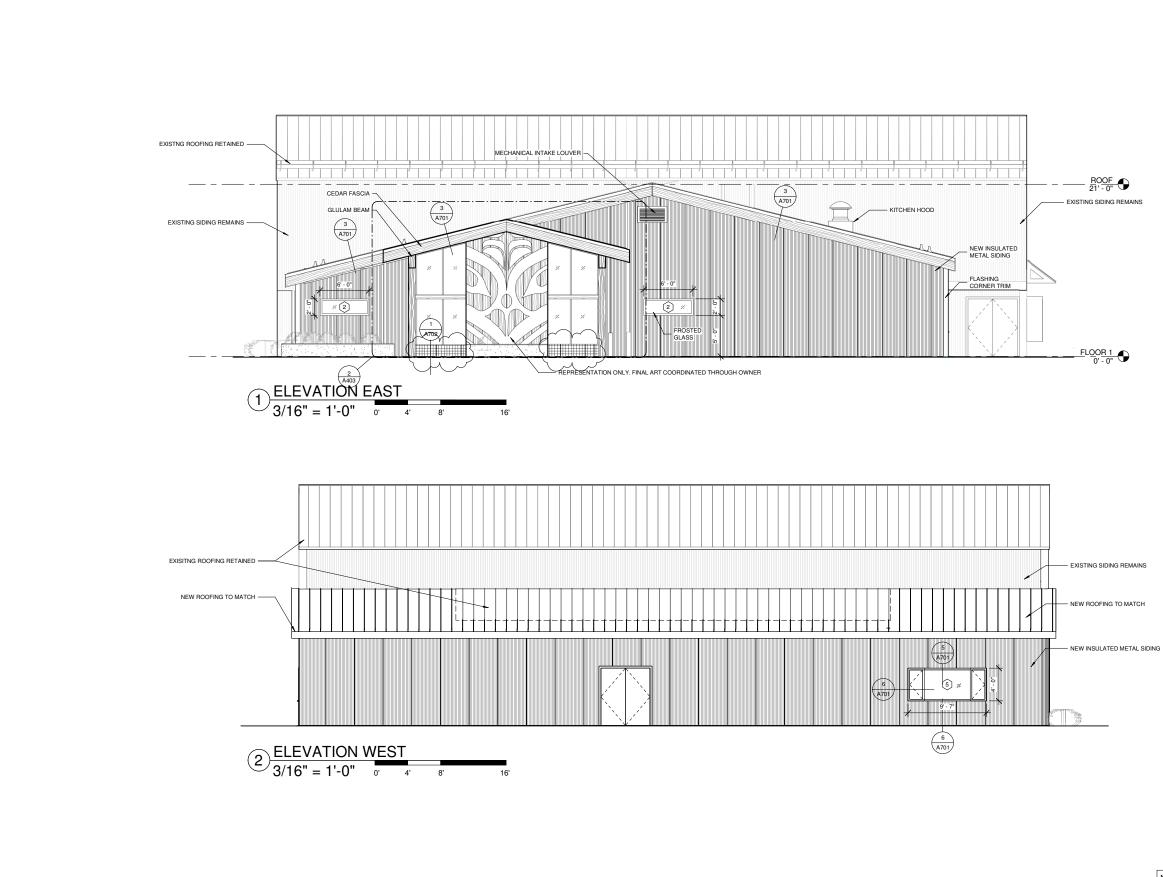


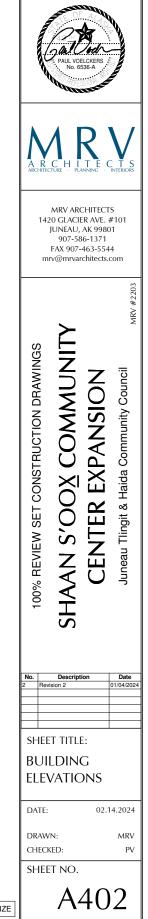




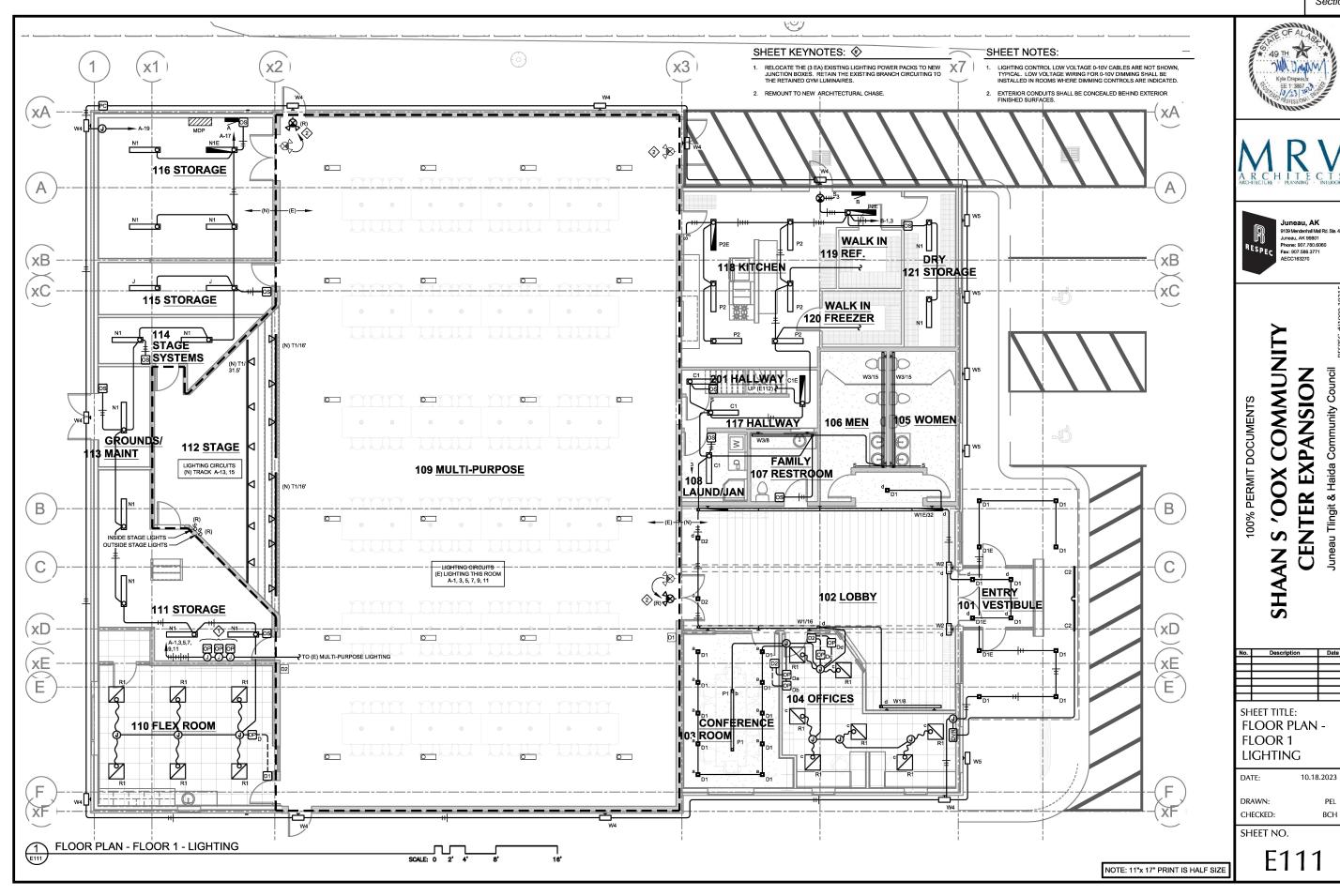


- INFILL WITH MATCHING EXISTING SIDING





NOTE: 11"x 17" PRINT IS HALF SIZE



**Attachment A - Application Materials** 

Juneau Tlingit & Haida Community Council

Date

PEL

BCH

## PARKING LOT LEASE AGREEMENT

THIS PARKING LOT LEASE AGREEMENT (this "Lease") is made as of December \_\_\_\_\_, 2019, by and between the Juneau Tlingit & Haida Community Council, an Alaska nonprofit corporation with an address of 3235 Hospital Drive, Juneau, AK 99801 (the "Landlord"), and Michael Pilling and Kerry Kirkpatrick (collectively, "Tenant") whose address is P.O. Box 020770, Juneau, Alaska 99802.

#### WITNESSETH

WHEREAS, Landlord and Tenant entered into that certain Parking Agreement dated effective as of September 25, 2002 (and collectively with any amendments thereto and restatements thereof, the "Parking Agreement"), granting Lessee the right to occupy and use Landlord's parking spaces (the "Lease Premises" as hereinafter defined); and

WHEREAS, Landlord and Tenant have agreed to extend the Term of the Parking Agreement and otherwise amend and restate the Parking Agreement in its entirety as hereinafter provided.

NOW, THEREFORE, for and in consideration of the mutual terms and conditions expressed herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. <u>Demise of Premises</u>. The Landlord hereby demises and lets to the Tenant, and the Tenant hereby takes and leases from the Landlord, for the term or terms and upon the provisions hereinafter specified, the following described property: 26 parking spaces owned by Landlord and located at 3235 Hospital Drive, Juneau, Alaska, 99801, and as depicted on "Exhibit A" of this Lease, attached hereto and made a part hereof (the "Leased Premises"), together with all easements, rights and appurtances thereunto belonging or pertaining (collectively, the "Land").

2. Term. The Tenant is hereby leasing the Leased Premises for the initial term commencing on December 1, 2019 (the "Effective Date") and terminating on January 1, 2023 (the "Initial Term"). Subject to the following notice requirements, and provided that at the time of such notice the Tenant is not then in Default (as herein defined) under the terms of this Lease, the Tenant is hereby granted the right (a "Renewal Option") to renew the Initial Term of this Lease for one (1) ten (10) year term ("Renewal Term"). The Tenant shall exercise the Renewal Option, if at all, by noticing the Landlord in writing of its intent to renew within sixty (60) days of the expiration of the Initial Term. All of the terms and provisions of this Lease shall apply to the Renewal Term, except that the Tenant shall have no remaining Renewal Options. In the event the Tenant timely exercises its only Renewal Option, the Landlord and the Tenant each agree to execute an amendment to this Lease in a form reasonably acceptable to both Parties reflecting the extension of the term by the Renewal Term. At the termination of the Renewal Term, if any, the Parties may elect to extend this Lease upon such terms and conditions as may be agreed upon in writing and signed by the Parties at the time of any such extension.

3. <u>Rent</u>. During the Initial Term and unless rent is adjusted as hereafter provided, rent shall be due and payable, in advance, on the 1st day of each and every month, beginning December

1, 2019, at the rate of \$1,015.97 per month, plus City and Borough of Juneau sales tax. The Tenant shall make each Rent payment to the Landlord at the Landlord's address set forth above, or at such other place or to such other persons or entities as the Landlord from time to time may designate to the Tenant in writing. Rent may be paid by Tenant in the form of personal check, cashier's check, money order, or cash. If a personal check is returned by Tenant's bank for any reason, a charge of \$20.00 shall be billed to Tenant's account. Tenant agrees that if a rental payment is returned uncollected or unpaid, all future rental payments must be in the form of cashier's check, money order, or cash. Late fees will be assessed until rent payment has been cleared. Payments made by the Tenant shall apply first to the oldest item for which a bill or statement has been presented, or for the earliest month's rent then due. Rent is late beginning on the 5th day of the month. If rent is not received before the 5th day of the current month, a late fee of \$15.00 per day will be charged for each day that the rent is late. All late fees shall be deemed additional rent for the rental month and shall be paid and collected as such. Commencing on January 1, 2021 and through any Renewal Term, Tenant's monthly rent shall increase two percent (2%) annually, plus the concomitant City and Borough of Juneau sales tax.

4. <u>Condition of Premises</u>. Tenant acknowledges that Landlord is not in default under the Parking Agreement and that Landlord has no obligation to improve, or perform any work in, the Premises or make any contribution toward any such work in the Premises, and Tenant accepts the Premises in its "AS-IS"/"WHERE-IS"/"WITH ALL FAULTS" condition as of the Effective Date hereof. Landlord shall not be obligated to make, and Tenant shall not be authorized to make, any improvements to the Premises except as provided in, and in accordance with, the Lease.

5. <u>No Service Provided</u>; <u>Repairs</u>, <u>Maintenance and Alterations</u>. The Parties understand and agree that this Lease is a land lease and that the Landlord shall not be required to furnish any services or facilities or to make any repairs or alterations in or to the Leased Premises. The Tenant hereby assumes the full and sole responsibility for the condition, operation, repair, replacement and maintenance of the Leased Premises. The Tenant shall maintain the Leased Premises in substantially the same condition of repair and appearance existing at the Effective Date, ordinary wear and tear and casualty excepted. The Tenant shall keep the Leased Premises clear of snow and debris, as required. The Tenant shall not make any alterations, additions or improvements to the Leased Premises without the prior written approval of the Landlord.

6. <u>Use</u>. The Tenant's sole use of the Leased Premises shall be for the parking of cars, trucks and vans used by its agents, employees, consultants, affiliates, guests, invitees and third party assignees, sublessors and designees. Tenant shall have exclusive use of the Leased Premises Monday through Friday, from 6:00 am to 6:00 pm. Tenant shall ingress and egress the Leased Premises as also shown on Exhibit A.

7. <u>Annual Appropriation</u>. The payments of Rent hereunder by the Tenant are subject to annual appropriation by the City and Borough of Juneau relative to Bartlett Regional Hospital's leasing of Tenant's building at 3225 Hospital Drive, Juneau, Alaska 99801, and the Lease may be terminated due to lack of such appropriation.

8. <u>Compliance with Laws</u>. Throughout the term of this Lease, the Tenant, at its sole cost and expense, shall comply with any and all laws, regulations and ordinances that are applicable to the Leased Premises or any part thereof. The Tenant shall not be required to correct

any condition of or on the Leased Premises that existed at the Effective Date and at that time represented a violation of, or noncompliance with, any applicable law, regulation or ordinance by the Landlord.

9. <u>Indemnity: Insurance</u>. The Tenant shall indemnify the Landlord (and its officers, directors and employees) against, and save the Landlord (and its officers, directors and employees) harmless from, any and all losses, damages, claims, liabilities, judgments, costs and expenses (including the reasonable cost and expense of defending any claim), arising directly or indirectly during the term of this Lease out of any act, omission or negligence of the Tenant, its agents, employees, consultants, affiliates, guests, invitees and third party assignees, sublessors and designees. During the term of this Lease, Tenant shall maintain a public liability insurance policy or policies in amounts satisfactory to the Landlord, naming Landlord as an additional insured for liability purposes.

10. <u>Duty to Inform</u>. Landlord will respect and inform its agents, employees, consultants, affiliates, guests, invitees of Tenant's exclusive use of the Lease Premises as described herein,

11. <u>Eminent Domain</u>. If, after the execution of this Lease and prior to the effective date of the expiration or termination of this Lease, the whole of the Leased Premises shall be taken under the power of eminent domain, then the term of this Lease shall cease as of the time when the Landlord shall be divested of its title to the Leased Premises, and Rent and other costs and expenses, if any, shall be apportioned and adjusted as of the effective time of such termination. The Tenant shall not be entitled to participate in any condemnation proceeding on its own behalf, nor shall the Tenant participate in any amounts awarded to the Landlord.

12. <u>Default</u>. In the event that the Tenant shall fail to pay Rent or any part thereof when due or shall violate or fail to perform any of the covenants hereof on the part of the Tenant to be performed, in both such circumstances after notice of such failure or violation shall have been given as hereinbelow provided (each such event, a "Default"), the Landlord may elect either:

A. To re-enter the Leased Premises by summary proceedings or otherwise and re-let the Leased Premises to a third party or parties, making diligent efforts therefor, and upon receiving rent therefrom, applying the same first to the payment of Rent and other fees and expenses accruing hereunder, and the balance, if any, to be paid to the Tenant; provided, however, that the Tenant shall remain liable for the equivalent of the amount of all Rent and other payments due, as the case may be, throughout the remaining term of this Lease to the extent such amounts are not mitigated by such third party lessee or lessees; or

B. To terminate this Lease and to resume possession of the Leased Premises wholly discharged from this Lease. The Landlord shall make such election by written notice to the Tenant at any time on or before the doing of any act or the commencement of any proceedings to recover possession of the Leased Premises by reason of the Default then existing and such election shall be final. If the Landlord shall elect to terminate this Lease as set forth in this Section 11(b), then immediately upon such termination, all rights and obligations whatsoever of the Tenant and of its successors and assigns under this Lease, so far as the same may relate to the unexpired portion of the term hereof, shall cease. Within

ten (10) days after receipt by the Tenant of notice of election by the Landlord to terminate this Lease pursuant to this Section 11(b), (i) the Parties shall, by an instrument in writing in form for recording, cancel this Lease and the unexpired portion of the term hereof, and (ii) the Tenant shall surrender and deliver to the Landlord the entire Leased Premises, and upon any default by the Tenant in so doing, the Landlord shall have the right to re-enter the Leased Premises either by summary proceeding or otherwise.

No Default hereunder shall be deemed to have occurred on the part of the Tenant until thirty (30) days after written notice of such Default shall have been received by the Tenant, and the Tenant within such time shall have failed to remedy such Default. If any Default by the Tenant, (with the exception of the payment of Rent), cannot reasonably be cured within such thirty (30) day period, then the Tenant shall have such additional time as may be reasonably necessary to remedy the same.

13. <u>Assignment and Subletting</u>. The Tenant may not assign this Lease or sublet the whole or any part of the Leased Premises at any time to any other party without the written consent of the Landlord, such consent not to be unreasonably withheld.

14. <u>Taxes</u>. The Landlord shall be responsible for all property taxes relative to the Lease Premises, and each party is responsible for its own income or other taxes not specifically addressed herein.

15. <u>Liens</u>. Tenant shall not suffer the creation of any liens upon the Lease Premises or the Land and shall bond or otherwise discharge any claim of lien within seventy-two (72) hours after receiving notice of the claim.

16. <u>Successors and Assigns</u>. Except as otherwise set forth in this Lease, the agreements and conditions in this Lease contained on the part of either Party to be performed and observed shall be binding upon said Party and its successors and assigns, and shall inure to the benefit of the other Party and its successors and assigns.

17. <u>Quiet Enjoyment</u>. Upon the Tenant's payment of the Rents and other required payments herein provided, and upon the Tenant's observance and performance of all the covenants, terms and conditions to be observed and performed pursuant to this Lease, the Tenant shall peaceably and quietly hold and enjoy the Leased Premises for the term hereby demised without hindrance or interruption by the Landlord or any other person or persons lawfully or equitably claiming by, through or under the Landlord, subject, nevertheless, to the terms and conditions of this Lease.

18. Force Majeure. No liability shall result to either Party from such Party's delay in performance or non-performance under this Lease caused by circumstances beyond such Party's control, including but not limited to acts of God, war, terrorism, riot, fire, explosion, accident, flood, sabotage, strike, lockout, injunctions, catastrophic breakage or failure of machinery or apparatus, national defense requirements or compliance with or change in applicable law. The non-performing Party shall be diligent in attempting to remove any such cause and shall promptly notify the other Party of the extent and probable duration of such cause.

19. <u>Notices</u>. All notices sent or required to be sent hereunder shall be sent in writing by registered or certified mail, return receipt requested, postage prepaid, to the addresses set forth in the caption to this Lease above or to either Party at such other address as such Party may designate by notice to the other Party.

20. <u>Waiver</u>; <u>Invalidity of Particular Provision</u>. The failure of a Party to exercise or enforce any of its rights under this Lease shall not be a waiver of those rights and shall not affect any other right of that Party under this Lease. In the event that any provision of this Lease shall be found to be void or unenforceable, such findings shall not be construed to render any other provision of this Lease either void or unenforceable and all other provisions shall remain in full force and effect unless the provisions which are invalid or unenforceable shall substantially affect the rights or obligations granted to or undertaken by either Party.

21. <u>Construction: Section Headings</u>. Each term and each provision of this Lease to be performed by the Tenant shall be construed to be both a covenant and a condition. The paragraph headings throughout this Lease are used for convenience only, and shall not be held to explain, modify, amplify or otherwise aid in the interpretation, construction or meaning of this Lease.

22. <u>No Merger of Title</u>. There shall be no merger of this Lease nor of the leasehold estate created by this Lease with the fee estate in or ownership of any of the Leased Premises by reason of the fact that the same person or entity may acquire, hold or own, directly or indirectly, (a) the leasehold estate created by this Lease or any part thereof or interest therein or any interest of the Tenant in this Lease, and (b) the fee estate or ownership of any of the Leased Premises or any interest in such fee estate or ownership; and no such merger shall occur unless and until all persons or entities having any interest in (i) this Lease as the Tenant or the leasehold estate created by this Lease as the Landlord or the fee estate in or ownership of the Leased Premises or any part thereof sought to be merged shall join in a written instrument effecting such merger and shall duly record the same.

23. <u>Surrender</u>. The Tenant shall (a) on the last day of the term hereof (including the final Renewal Term, if any), (b) upon any earlier termination permitted under this Lease, and (c) upon any permitted entry or re-entry by the Landlord upon the Leased Premises, peaceably leave and surrender the Leased Premises into the possession and use of the Landlord without fraud or delay in good order, condition and repair without violations, reasonable wear and tear and casualty excepted. If the Tenant has made additions, alterations or modifications to the Leased Premises, at the request of the Landlord, the Tenant shall remove such additions, alterations or modifications, at its expense, upon such surrender.

24. <u>Entire Agreement</u>. This Lease contains the entire understanding of the parties and may not be modified except by written instrument signed by both parties.

25. <u>Governing Law</u>. This Lease shall be governed by and construed in accordance with the laws of the State of Alaska.

26. <u>Counterparts</u>. This Lease may be executed in multiple counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

#### [SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the Parties have caused this Lease to be executed as of the day and year first above written.

# LANDLORD:

JUNEAU TLINGIT & HAIDA COMMUNITY COUNCIL an Alaska nonprofit corporation

By: Wellechellechel Name: Kenneth L Southerlad Title: President

## TENANT:

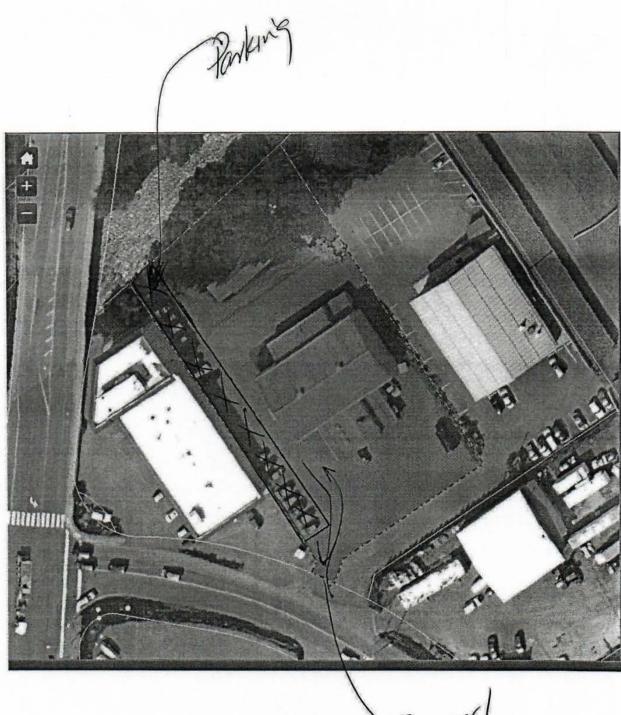
# MICHAEL PILLING AND KERRY KIRKPATRICK

By:\_\_\_\_\_

Name:

D				
By:				
DJ		 	_	_

Name:



Ingress/

**EXHIBIT A** 

IN WITNESS WHEREOF, the Parties have caused this Lease to be executed as of the day and year first above written.

LANDLORD:

JUNEAU TLINGIT & HAIDA COMMUNITY COUNCIL an Alaska nonprofit corporation

By: Wallace Name: Kenneth L Southerland Title: President

TENANT:

By An Willians Roperty Manager 12/4/19 MICHAEL PILLING AND KERRY KIRKPATRICK

By	
Dy.	

Name:\_\_\_\_\_

By:			

Name: 

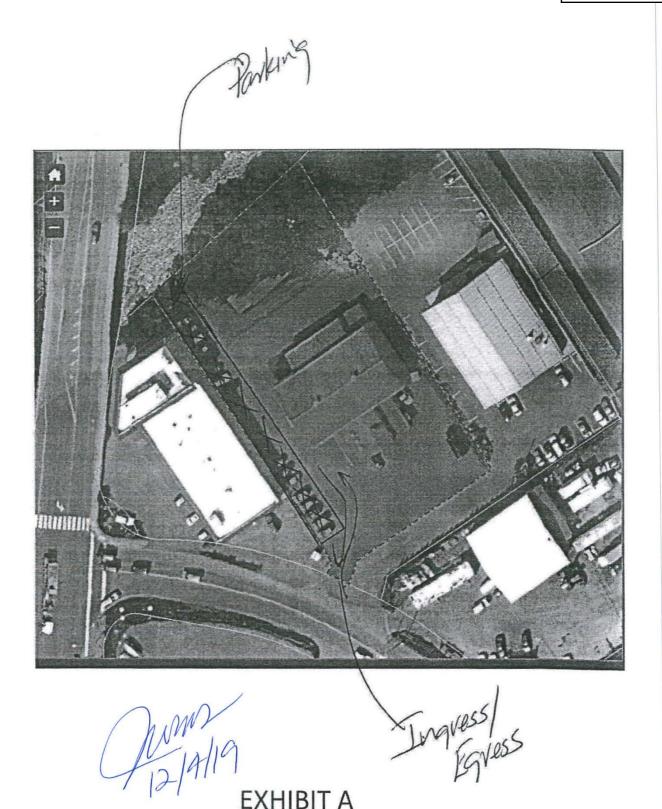


EXHIBIT A

# RECIPROCAL PARKING LOT USE AGREEMENT

The Central Council of Tlingit & Haida Indian Tribes of Alaska ("Tlingit & Haida") AND Juneau Tlingit Haida Community Council ("Community Council") (together "Parties") hereby agree to cooperate in the reciprocal use of their adjoining parking lots as set forth in this Agreement.

## **RECITALS:**

- A. Tlingit & Haida is the Owner of Lot 2, Tlingit Haida Subdivision, USS 1075, City & Borough of Juneau, First Judicial District.
- B. Community Council is the Owner of Lot 1, Tlingit Haida Subdivision, USS 1075, City & Borough of Juneau, First Judicial District.
- C. Tlingit & Haida operates Generations Southeast (Gen SE), located at 3239 Hospital Drive, Juneau Alaska, 99801.
- D. Community Council operates the Community Council Event Hall ("Hall"), located at 3235 Hospital Drive, Juneau, Alaska, 99801.
- E. Both Parties require overflow parking during peak hours for their respective operations and recognize the reciprocal benefit of sharing use of the adjoining parking lots.
- F. The peak hours of operation for the GEN SE and the Hall are non-conflicting.

AS A RESULT OF THE FOREGOING, TLINGIT & HAIDA AND COMMUNITY COUNCIL AGREE AS FOLLOWS;

- I. Each Party hereby provides the other, use of the adjoining parking lot for use by their respective patrons.
- 2. Tlingit & Haida will have primary use of the available overflow parking during the hours of 6:00am 6:00pm, Monday-Friday.
- 3. Community Council will have primary use of the available overflow parking during the hours of 6:00pm 6:00am, Monday- Friday.

1 of 3

- 4. During the weekends, both Parties will have shared access to the available overflow parking, as needed.
- 5. This parking agreement will be in effect for 1 (one) year, through December 20, 2024. This Agreement will automatically renew for an additional year in perpetuity, until the parties, in writing, revise this agreement or the Agreement is terminated pursuant to the provisions of this Agreement. Each Party retains the right to terminate this Agreement by providing a minimum of 30 days written notice to the other Party prior to the annual expiration date.
- 6. The parking lot shall only be used for the purposes of temporary parking and any lawful use incidental to parking and for no other purposes.
- 7. Both Parites agree to indemnify, defend, and hold the other harmless from and against all claims, demands, judgments, damage, personal injury, wrongful death, wage, employment, or worker's compensation claims arising out of, or in connection to the privileges of this Agreement.
- 8. The validity, interpretation, and performance of this Agreement shall be governed by: 1) the law of Tlingit & Haida, including traditional tribal law and tribal common law; 2) in the absence of applicable tribal law, federal law, including federal statutory and common law, and; 3) in the absence of applicable tribal and federal law, the laws of the State of Alaska, provided, however, that references to laws of the State of Alaska shall not be construed as an admission or concession by Tlingit & Haida that the State of Alaska, or any subdivision or agency thereof, has authority to promulgate laws applicable to Tlingit & Haida.
- 9. In the event a dispute over the content, interpretation, or performance of this Agreement shall arise between the Parties, the Parties agree to meet and confer in good faith, in accordance with Southeast Alaska Traditional Values, to attempt to seek an amicable resolution.
- 10. The venue shall be in the State of Alaska, First Judicial District in Juneau, Alaska.
- 11. The Parties shall bear their own attorneys' fees.
- 12. This Agreement contains the entire understanding and agreement of the Parties and supersedes all prior agreements, representations and warranties, whether written or oral.
- 13. The terms, conditions and covenants of this Agreement shall bind and inure to the benefit of the parties and their respective successors and assigns.

2 of 3

- 14. This Agreement may be executed in one or more counterparts, each of which will be deemed an original and all of which together constitute one instrument.
- 15. The Parties are relieved of any liability if they are unable to meet the terms and conditions of this Agreement due to any Act of God, riots, epidemics, strikes, or any act or order which is beyond the control of the party not in compliance. The party out of compliance shall take reasonable steps to effect prompt resumption of its responsibilities under this Agreement.
- 16. Any notice or demand required to be given under this Agreement shall be given by personal delivery or certified mail with Return Receipt Requested, postage prepaid, addressed as follows:

Central Council Tlingit & Haida Indian Tribes of Alaska P.O. Box 25500 Juneau, Alaska 99802 Juneau Tlingit & Haida Community Council 3235 Hospital Dr. Juneau, Alaska 99801

The address to which any notice, demand or other writing shall be given as provided may be changed by written notice given to the other Party.

We hereby agree to the terms and conditions set forth in the agreement.

Central Council of Tlingit & Haida Indian Tribes of Alaska

Poold Helgeson By:

Title: Chief Operating Officer

Date: December 20, 2023

Juneau Tlingit Haida Community Council

By: CF Title: President

12.20.23 Date:

3 of 3

Section H, Item 7.

# D1 gotham 4in Square evo4sq-4-open Total # of pages: 8

Section H, Item 7.



Multiple Layers of Light

Luminaire Type:

Catalog Number:

4"

• 2.5 SDCM; 85 CRI typical, 90+ CRI optional

Available with 10% dimming, 1% dimming, or

Fixtures are wet location, covered ceiling

Batwing distribution with feathered edges

provides even illumination on horizontal and

ENERGY STAR® certified product

Buy American



# **General Illumination Square Downlight**

# Feature Set

OVERVIEW

**COMPLIMENTARY PRODUCTS** 

- Bounding Ray<sup>™</sup> optical design
- Unitized optics mechanically attach the light engine to the lower reflector for complete optical alignment
- 45° cutoff to source and source image
- Fully serviceable and upgradeable lensed LED light engine
- 70% lumen maintenance at 60,000 hours

#### Distribution

medium wide 1.0 S:MH

#### **Superior Perfomance**

Nominal Lumens	250	500	750	1000	1500	2000	2500	3000	3500
Delivered Lumens*	271	573	808	1001	1527	1994	2580	3110	3612
Wattage	3.1	7.2	7.9	8.8	13.7	19.5	25.7	31.2	38.4
Lumens per Watt	87.4	79.6	102.3	113.8	111.5	102.3	100.4	99.7	94.1

•

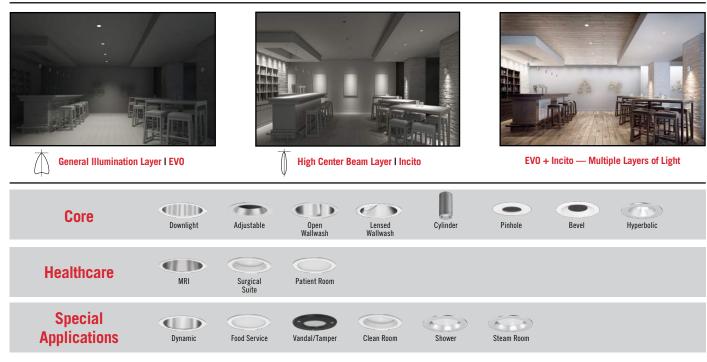
•

•

dim to dark

vertical surfaces

#### **Coordinated Apertures | Multiple Layers of Light**

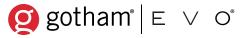


EV04SQ-4-OPEN page 1 of 8

GOTHAM ARCHITECTURAL DOWNLIGHTING | 1400 Lester Road Convers, GA 30012 | P 800-705-SERV (7378) | gothamlighting.com © 2014-2022 Acuity Brands Lighting Inc. All Rights Reserved. Rev. 05/11/22 Specifications subject to change without notice.

Attachment A - Application Materials





**4**"

**General Illumination Square Downlight** 

A+ Capable options indicated by this color background.

Design2Ship Quick Ship Program: Options in green text quali for Design2Ship — 5 business days from order entry to ship. Refe to Design2Ship Brochure for complete program details. Maximur Order Quantity: 100 units; 50 for Chicago Plenum.

Luminaire Type:

Catalog Number:

EXAMPLE: EV04SQ 35/15 AR L

Series	Color Temperature	Nominal Lumen Values			Reflecto	r & Flange Color	Trim	Style	Finish	
	27/ 2700 K 30/ 3000 K 35/ 3500 K 40/ 4000 K 50/ 5000 K	02         250 lumens           05         500 lumens           07         750 lumens           10         1000 lumens           15         1500 lumens	<b>25</b> 250 <b>30</b> 300	0 lumens 0 lumens 0 lumens 0 lumens	AR PR WTR GR WR' BR' WRAMF'	Clear Pewter Wheat Gold White Black White anti-microbial	(blan FL	k) Self-flanged Flangeless	LSS Semi-specular LD Matte-diffuse	
Voltage	Driver <sup>4</sup>									
MVOLT 120 277 347 <sup>2,3</sup>	GZ1         0-10V driver           EZ10         eldoLED 0-1           EZ1         eldoLED 0-1	r dims to 10% r dims to 1% IOV ECOdrive. Linear dimm IOV ECOdrive. Linear dimm IOV SOLOdrive. Logarithmi	ning to 1% mir	n.	EDAB <sup>5</sup> eldoLED SOLOdrive DALI. Logarithmic dimming to <1%.           EDXB <sup>5</sup> eldoLED POWERdrive DMX with RDM (remote device management). Square Law dimming to <1%. Includes termination resistor. Minimum 1000 lumens. Refer to DMXR Manual           ECOS2 <sup>5</sup> Lutron® Hi-Lume® 2-wire forward-phase driver. Minimum dimming level 1%, 120V only. Minimum 1000 lumens.           ECOD <sup>5</sup> Lutron Ecosystem digital Hi-Lume 1% soft-on, fade to black					
Control Interfa	ace		Options							
NLT <sup>6</sup> NLTER <sup>2,6,10</sup> NLTAIR <sup>2,5,12,14</sup> NLTAIRER <sup>2,2,10,13</sup> NLTAIREM <sup>2,2,13</sup>	nLight <sup>®</sup> dimming pac nLight <sup>®</sup> dimming pac circuit nLight <sup>®</sup> AIR enabled nLight <sup>®</sup> AIR enabled nLight <sup>®</sup> AIR Dimming	emergency g Pack Wireless Con- s on emergency circuit	SF           TRW7           TRBL8           EL19           ELSD9           ELRSD9           E10WCP9           E10WCPR9	White pa Black pa Emergene test swite Emergene nostics, in Emergene CA Title 2 Emergene	cy battery pack, 1 ch cy battery pack, 10 ntegral test switcl cy battery pack, 1 remote test switch cy battery pack, 10 0 compliant with cy battery pack, 1	DW, with integral OW, with remote DW, with self-diag- 1 OW, with self-diag-	N80 <sup>11</sup> BGTD 90CRI CP <sup>12</sup> RRL_	277V. High CRI (90+) Chicago Plenum. Spo RELOC®-ready lumi ple and consistent f	ipensation ansfer device. Specify 120V or ecify 120V or 277V with FL option. naire connectors enable a sim- factory installed option across rands. Refer to RRL for complete	

ACCESSORIES — order as separate catalog numbers (shipped separately)

ISD BC 0-10V wallbox dimmer. Refer to ISD-BC.

#### **ORDERING NOTES**

- 1. Not available with finishes.
- 2. Not available with emergency battery pack options.
- 3. Supplied with factory installed step down transformer.
- 4. Refer to TECH-240 for compatible dimmers.
- Not available with nLight® and XPoint options. 5.
- 6. Specify voltage.
- 7. For use with different reflector finish only (i.e. AR, PR, WTR, GR options). Not applicable with WR (white reflector) or FL option.
- 8. For use with different reflector finish only (i.e. AR, PR, WTR, GR options). Not applicable with BR (black reflector)r or FL option.
- 9. 11" of plenum depth or top access required for battery pack maintenance.
- 10. ER for use with generator supply power. Will require an emergency hot feed and normal hot feed.
- 11. Fixture begins at 80% light level. Must be specified with NLT or NLTER. Only available with EZ10 and EZ1 drivers.
- 12. Not available with battery pack, EXA1, or EXAB options.
- 13. Not available DALI or DMX drivers. Not available with CP, or N80 options. Not recommended for metal ceiling installations.
- 14. When combined with the EZ1, EZ10, or EZB option, normal luminaires (non-emergency) can be used as a normal power sensing device for nearby nLight AIR devices and luminaires with EM emergency options.

GOTHAM ARCHITECTURAL DOWNLIGHTING | 1400 Lester Road Conyers, GA 30012 | P 800-705-SERV (7378) | gothamlighting.com © 2014-2022 Acuity Brands Lighting Inc. All Rights Reserved. Rev. 05/11/22 Specifications subject to change without notice.



**Attachment A - Application Materials** 

417



#### **Optical Assembly**

Fully serviceable and upgradeable lensed LED light engine suitable for field maintenance or service from below the ceiling.

Optical design is a Bounding Ray<sup>™</sup> design with 45° cutoff to source and source image. Top-down flash characteristic for superior glare control.

Unitized optics shall have mechanical attachment of the light engine to the lower reflector for complete optical alignment.

#### Electrical

SPECIFICATIONS

The luminaire shall operate from a 50 or 60 Hz ±3 Hz AC line over a voltage ranging from 120 VAC to 277 VAC. The fluctuations of line voltage shall have no visible effect on the luminous output.

۷"

The luminaire shall have a power factor of 90% or greater at all standard operating voltages and full luminaire output.

Sound Rated A+. Driver shall be >80% efficient at full load across all input voltages.

Input wires shall be 18AWG, 300V minimum, solid copper.

#### Controls

Luminaire shall be equipped with interface for nLight wired or wireless network with integral power supply as per specification.

#### Dimming

The luminaire shall be capable of continuous dimming without perceivable stroboscopic flicker as measured by flicker index (ANSI/IES RP-16-10) over a range of 100 - 10%, 100 - 1.0% or 100 - 0.1% of rated lumen output with a smooth shut off function to step to 0%.

eldoLED LED drivers shall conform to IEEE P1789 standards. Alternatively, manufacturers must demonstrate conformance with product literature and testing which demonstrates this performance. Systems that do not meet IEEE P1789 will not be considered.

Driver is inaudible in 24dB environment, and stable when input voltage conditions fluctuate over what is typically experienced in a commercial environment.

#### Construction

Luminaire housing shall be constructed of 16-gauge galvanized steel and have preinstalled telescopic mounting bars with maximum 32" and minimum 15" extension and 4" vertical adjustment.

High-impact polymer trim shall be constructed with a durable, vapor deposition finish.

Patented adjustable aperture allows <sup>1</sup>/4" adjustments in all directions and up to 5° of rotation for post-installation adjustment to ensure trim-to-trim alignment. Injection molded mud ring included with flangeless trims. Ships separately. Installs independently of the mounting frame to reduce cracks in plaster due to vibration.

Luminaires shall be suitable for installation in ceilings up to  $1\frac{1}{2}$ " thick.

Tool-less adjustments shall be possible after installation.

The assembly and manufacturing process for the luminaire shall be designed to assure all internal components are adequately supported to withstand mechanical shock and vibration.

25°C ambient temperature standard (1/2" clearance on all sides from non-combustible materials in non-IC applications, unless marked spacing noted otherwise). For use in insulated ceilings, a 3" clearance on all sides from insulation is required (unless marked spacing noted otherwise).

#### Listings

Fixtures are CSA certified to meet US and Canadian standards: All fixtures manufactured in strict accordance with the appropriate and current requirements of the "Standards for Safety" to UL, wet location covered ceiling. Luminaire configurations are Energy Star certified through testing in EPA-recognized laboratories, with the results reviewed by an independent, accredited certification organization. Visit www.energystar.gov for specific configurations listed.

#### **Photometrics**

LEDs tested to LM-80 standards. Measured by IESNA Standard LM-79-08 in an accredited lab. Lumen output shall not decrease by more than 30% over the minimum operational life of 60,000 hours.

Color appearance from luminaire to luminaire of the same type and in all configurations, shall be consistent both initially and at 6,000 hours and operate within a tolerance of <2.5 MacAdam ellipse as defined by a point at the intersection of the CCT line and the black body locus line in CIE chromaticity space.

#### **Buy American**

This product is assembled in the USA and meets the Buy America(n) government procurement requirements under FAR, DFARS and DOT. Please refer to <a href="https://www.acuitybrands.com/resources/buy-american">https://www.acuitybrands.com/resources/buy-american</a> for additional information.

#### Warranty

5-year limited warranty. This is the only warranty provided and no other statements in this specification sheet create any warranty of any kind. All other express and implied warranties are disclaimed. Complete warranty terms located at: <a href="http://www.acuitybrands.com/support/warranty/terms-and-conditions">www.acuitybrands.com/support/warranty/terms-and-conditions</a>

#### Note:

Actual performance may differ as a result of end user environment and application. All values are design or typical values, measured under laboratory conditions at 25 °C.



Attachment A - Application Materials

**General Illumination Square Downlight** 

Gotham's flangeless option utilizes a micro-thin polymer mud ring that minimizes the amount of drywall compound required to finish the ceiling. The end

The polymer mud ring is installed independent of the of the recessed frame, therefore floating with the ceiling. This innovation minimizes any surface cracks during reflector installation, ceiling movement and any future service to

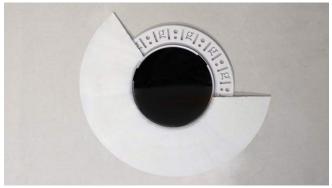
result is a virtually undetectable flangeless downlight installation.

the recessed frame, wiring, electronics, etc.





Partially finished mud ring, showing cross-section detail.



An EVO downlight requires only approximately 3" of plaster to finish.



EVO with flangeless trim

# \*\* Capable Luminaire

This item is an A+ capable luminaire, which has been designed and tested to provide consistent color appearance and out-of-the-box control compatibility with simple commissioning.

4"

Flangeless Installation

- All configurations of this luminaire meet the Acuity Brands' specification for chromatic consistency
- This luminaire is part of an A+ Certified solution for nLight<sup>\*</sup> control networks when ordered with drivers marked by a shaded background<sup>\*</sup> •
- This luminaire is part of an A+ Certified solution for nLight<sup>\*</sup> control networks, providing advanced control functionality at the luminaire level, when selection includes driver and control options marked by a shaded background\*

To learn more about A+, visit <u>www.acuitybrands.com/aplus</u>. \*See ordering tree for details

GOTHAM ARCHITECTURAL DOWNLIGHTING | 1400 Lester Road Conyers, GA 30012 | P 800-705-SERV (7378) | gothamlighting.com © 2014-2022 Acuity Brands Lighting Inc. All Rights Reserved. Rev. 05/11/22 Specifications subject to change without notice.

[ goth

Attachment A - Application Materials



419



4"

**General Illumination Square Downlight** 

EVO - eldoLED Driver Default Dimming Curve										
Nomenclature	Min Dimming	Driver Dim Curve	Control Dim Curve							
EZ10	10%	Linear	Linear/Logarithmic							
EZ1	1%	Linear	Linear/Logarithmic							
EXA1	1%	Linear	Linear/Logarithmic							
EZB	<1%	Logarithmic	Linear							
EDAB	<1%	Logarithmic	Linear							
EXAB	<1%	Logarithmic	Linear							
EDXB	<1%	Square	Linear							

Lu	men Output Multi	iplier			
CRI	CCT	Multplier			
	2700K	0.96			
	3000K	1.00			
80	3500K	1.00			
	4000K	1.01			
	5000K	1.07			
	2700K	0.80			
	3000K	0.83			
90	3500K	0.85			
	4000K	0.87			
	5000K	0.91			

Reflector Finish Multiplier								
<b>Reflector Finish</b>	Multiplier							
LSS - Semi Specular	0.956							
WR - White	0.87							
LD - Matte Diffuse	0.85							
BR - Black	0.73							

	Driver	Control Provided (note: 347V/UVOLT versions provided with 347 option selected)								
Nomenclature	Description	NLT	NLTER	NLTAIR2	NLTAIRER2					
GZ10	0-10V driver dims to 10%	nPP16 D EFP	nPP16 D ER EFP	RPP20 D 24V G2	RPP20 D 24V ER G2					
GZ1	0-10V driver dims to 1%	nPP16 D EFP	nPP16 D ER EFP	RPP20 D 24V G2	RPP20 D 24V ER G2					
EZ10	eldoLED 0-10V ECOdrive	nPS 80 EZ	nPS 80 EZ ER	RPP20 D 24V G2	RPP20 D 24V ER G2					
EZ1	eldoLED 0-10V ECOdrive	nPS 80 EZ	nPS 80 EZ ER	RPP20 D 24V G2	RPP20 D 24V ER G2					
EZB	eldoLED 0-10V SOLOdrive	nPS 80 EZ	nPS 80 EZ ER	RPP20 D 24V G2	RPP20 D 24V ER G2					

#### How to Estimate Delivered Lumens in Emergency Mode

#### Delivered Lumens = 1.25 x P x LPW

 $\mathsf{P}=\mathsf{Output}$  power of emergency driver.  $\mathsf{P}=\mathsf{10W}$  for  $\mathsf{PS1055CP}$ 

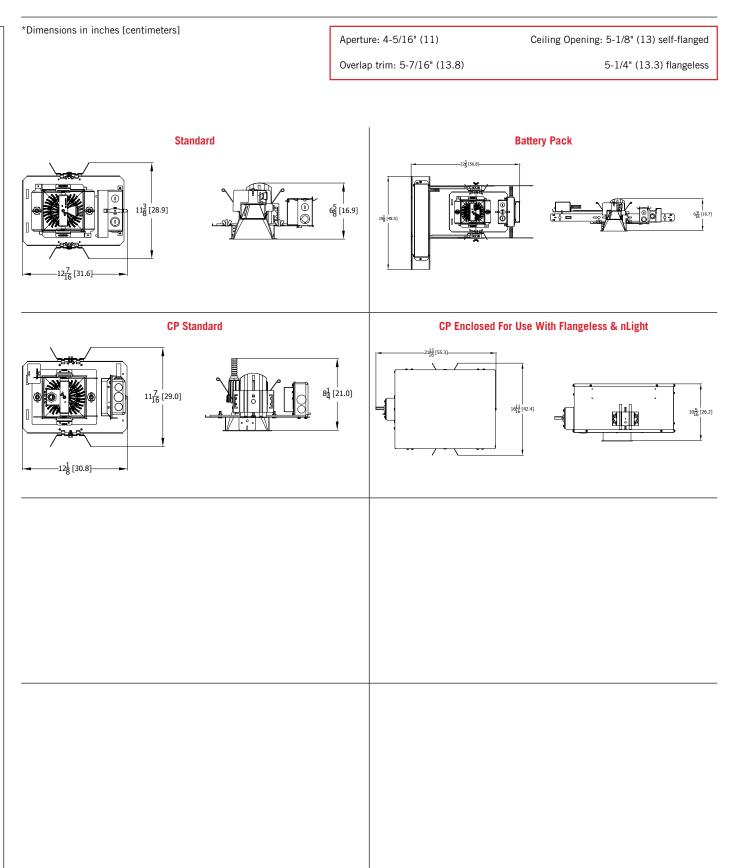
LPW = Lumen per watt rating of the luminaire. This information is available on the ABL luminaire spec sheet.





4"

**General Illumination Square Downlight** 

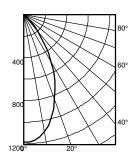






4"

#### EV04SQ 35/10 AR LSS INPUT WATTS: 8.8W, DELIVERED LUMENS: 1002LM, LPW= 113.9LM 0.87 S/MH, TEST NO. LTL27794P85



						pf pc		80%			)% 70%			50%							
	Ave	Lumens	Zone	Lumens	% Lamp	pw			, 10%			, 10%	50%		, 10%						
0	1187		0° - 30°	693.9	69.3	0	119	119	119	116	116	116	111	111	111			50% be	eam -	10% be	am -
5	1172	110	0° - 40°	908.0	90.6	1	111	108	106	109	106	104	105	103	101			45.4	°	76.6	3°
15	991	275	0° - 60°	1001.8	100.0	2	103	99	96	101	98	95	98	95	92		Inital FC				
25	682	310	0° - 90°	1001.9	100.0	3	96	91	87	95	90	86	92	88	85	Mounting					
35	342	214	90° - 180°	0.0	0.0	4	90	84	80	88	83	79	86	82	78	Height		Diameter			
45	102	83	0° - 180°	1001.9	*100.0	5	84	78	74	83	77	73	81	76	73	8.0	39.2	4.6	19.6	8.7	3.9
55	8	11	*	Efficiency		6	79	73	68	78	72	68	76	71	68	10.0	21.1	6.3	10.5	11.9	2.1
65	0	0				7	74	68	64	73	67	63	72	67	63	12.0	13.2	8.0	6.6	15.0	1.3
75	0	0				8	70	64	59	69	63	59	68	63	59	14.0	9.0	9.6	4.5	18.2	0.9
85	0	0				9	66	60	56	65	59	56	64	59	55	16.0	6.5	11.3	3.3	21.3	0.7
90	0					10	62	56	52	62	56	52	61	56	52						

#### EV04SQ 35/15 AR LSS INPUT WATTS: 13.7W, DELIVERED LUMENS: 1527LM, LPW= 111.5LM 0.87 S/MH, TEST NO. LTL27794P89

							pf				209	%										
							рс	8	30%			70%		1	50%							
		Ave	Lumens	Zone	Lumens	% Lamp	pw	50% 3	30% 1	0%	50%3	30% -	10%	50%	80%10	1%						
80°	0	1809		0° - 30°	1057.8	69.3	0	119	119 1	19	116	116	116	111	111 11	11			50% b		10% be	
	5	1787	167	0° - 40°	1384.2	90.6	1	111	108 1	06	109	106	104	105	103 10	)1			45.	4°	76.6	6°
	15	1511	419	0° - 60°	1527.2	100.0	2	103	99	96	101	98	95	98	95 9			Inital FC				
	25	1039	472	0° - 90°	1527.3	100.0	3	96	91	87	95	90	86	92	88 8	5	Mounting	Center				
	35	521	326	90° - 180°	0.0	0.0	4	90	84	80	88	83	79	86	82 7	8	Height	Beam	Diameter		Diameter	
$      X   X  ^{\infty}$	45	156	126	0° - 180°	1527.3	*100.0	5	84	78	74	83	77	73	81	76 7	3	8.0	59.8	4.6	29.9	8.7	6.0
$HTIN \times VI$	55	13	17	*	Efficiency	,	6	79	73	68	78	72	68	76	71 6	8	10.0	32.2	6.3	16.1	11.9	3.2
	65	0	0		-		7	74	68	64	73	67	63	72	67 6	3	12.0	20.0	8.0	10.0	15.0	2.0
	75	0	0				8	70	64	59	69	63	59	68	63 5	9	14.0	13.7	9.6	6.8	18.2	1.4
	85	0	0				9	66	60	56	65	59	56	64	59 5	5	16.0	9.9	11.3	5.0	21.3	1.0
	90	0					10	62	56	52	62	56	52	61	56 5	2						
																-						

EV04SQ 35/30 AR LSS INPUT WATTS: 31.2W, DELIVERED LUMENS: 3110LM, LPW= 99.7LM 0.87 S/MH, TEST NO. LTL27794P101

				pf pc	80%	20% 70%	50%				
	A	ve Lumens	Zone Lumens % Lamp	pw	50% 30% 10%	50% 30% 10%	50% 30% 10%				
80°	0 36	85	0° - 30° 2154.4 69.3	0	119 119 119	116 116 116	111 111 111		50% bea	am - 10	0% beam -
	5 36	39 340	0° - 40° 2819.2 90.6	1	111 108 106	109 106 104	105 103 101		45.4°	,	76.6°
	15 30	77 853	0° - 60° 3110.5 100.0	2	103 99 96	101 98 95	98 95 92	Inital F			
	25 21	17 961	0° - 90° 3110.7 100.0	3	96 91 87	95 90 86	92 88 85	Mounting Center			
	35 10	61 665	90° - 180° 0.0 0.0	4	90 84 80	88 83 79	86 82 78	Height Beam	Diameter	FC Diar	neter FC
	45 31	18 256	0° - 180° 3110.7 *100.0	5	84 78 74	83 77 73	81 76 73	8.0 121.8		60.9 8.	.7 12.2
	55 2	6 35	*Efficiency	6	79 73 68	78 72 68	76 71 68	10.0 65.5		32.8 11	.9 6.6
	65 C	0 0		7	74 68 64	73 67 63	72 67 63	12.0 40.8	8.0	20.4 15	5.0 4.1
	75 C	0 0		8	70 64 59	69 63 59	68 63 59	14.0 27.9	9.6	13.9 18	3.2 2.8
	85 C	0 0		9	66 60 56	65 59 56	64 59 55	16.0 20.2	11.3	10.1 21	.3 2.0
2800	90 0	)		10	62 56 52	62 56 52	61 56 52				

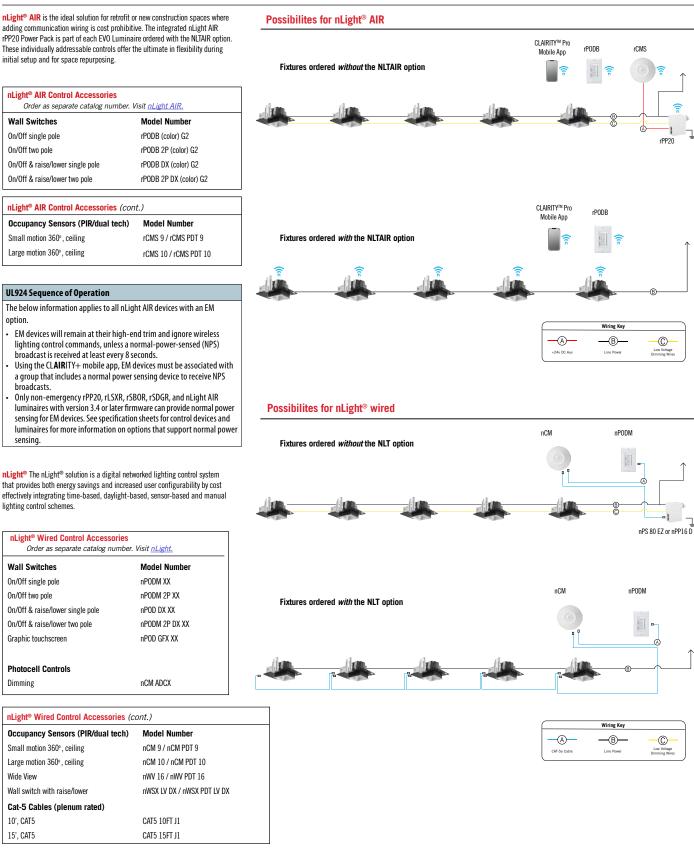


1800



**General Illumination Square Downlight** 

⊿"



NLIGHT

NLIGHT AIR

lighting control schemes.

Order as separate catalog number. Visit <u>nLight.</u>							
Wall Switches	Model Number						
On/Off single pole	nPODM XX						
On/Off two pole	nPODM 2P XX						
On/Off & raise/lower single pole	nPOD DX XX						
On/Off & raise/lower two pole	nPODM 2P DX XX						
Graphic touchscreen	nPOD GFX XX						

## Photocell Controls

nLight <sup>®</sup> Wired Control Accessories (cont.)							
Occupancy Sensors (PIR/dual tech)	Model Number						
Small motion 360°, ceiling	nCM 9 / nCM PDT 9						
Large motion 360°, ceiling	nCM 10 / nCM PDT 10						
Wide View	nWV 16 / nWV PDT 16						
Wall switch with raise/lower	nWSX LV DX / nWSX PDT LV DX						
Cat-5 Cables (plenum rated)							
10', CAT5	CAT5 10FT J1						
15', CAT5	CAT5 15FT J1						

EV04SQ-4-0PEN page 8 of 8

GOTHAM ARCHITECTURAL DOWNLIGHTING | 1400 Lester Road Conyers, GA 30012 | P 800-705-SERV (7378) | gothamlighting.com © 2014-2022 Acuity Brands Lighting Inc. All Rights Reserved. Rev. 05/11/22 Specifications subject to change without notice.

[ goth

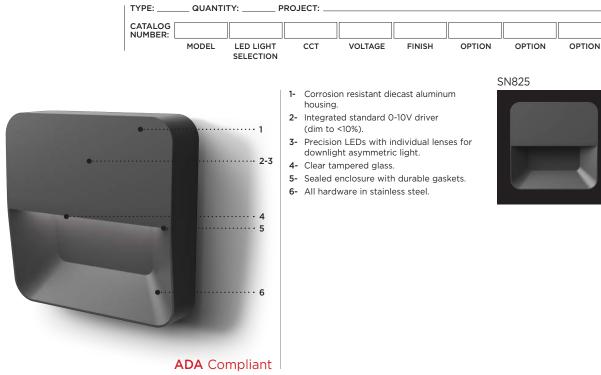
423

**Attachment A - Application Materials** 

Section H, Item 7.

# W5 Luminis Step Light SCENA Total # of pages: 3

# SN825 SERIES SCENA - LED SURFACE MOUNT



#### MATERIALS

LUMINIS

Scena is made of aluminum diecast offering exceptional precision and durability. The main housing is perfectly sealed with durable gaskets. The integrated LED light module and 0-10V driver are protected by a clear tempered glass. With a distinctive look and perceptible quality, Scena is designed for uniform lighting performance.

## ELECTRICAL

- **DRIVER** Standard driver is 0-10V dimming-ready (dims to <10%) with: 120-277 multi-volt compatibility (50-60Hz), operating temperature range of -30°C/-22°F to 60°C/140°F, over current and output short circuit protection.
- LED Offered in 2700K, 3000K, 3500K & 4000K / 80CRI. Optional true amber LED for turtle sensitive areas. Wavelengths: 609nm to 620nm.

#### LIFETIME

60,000hrs  $L_{70}B_{50}$  (based on LM-80 report for lumen maintenance).

#### FINISH

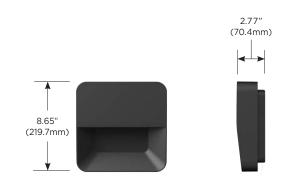
Five-stage preparation process includes preheating of cast aluminum parts for air extraction. Polyester powder coating is applied through an electrostatic process, and oven cured for long term finish.

#### CERTIFICATION

Tested to UL1598 and CSA 22.2 #250. cULus listed wet location. Photometric testing performed by an independent laboratory in accordance with IES LM-79-08 standards at 25°C. Lumen depreciation in accordance with IESNA LM80 standards. Rated IP65.

#### MOUNTING

Maximum weight: 4.6lbs (2.1kg) Scena is designed for ease of access and installation. The mounting plate is designed to fit on a 4" (102mm) octagonal electrical box using 3 1/2" (89mm) C/C mounting holes.





LUMINIS.COM

LUMINIS | Toll free: 866.586.4647 Fax: 514.683.8872 Email: info@luminis.com 260 Labrosse, Pointe-Claire (QC) Canada H9R 5L5

Luminaires may be altered for design improvement without prior notice.

# Attachment A - Application Materials

# SN825 SERIES SCENA - LED

#### LUMINAIRE SELECTION

• MODEL	2 LED LIGHT	SELECTION		<b>3</b> CCT <sup>₽</sup> K LED		5 FINISH
	WHITE LED S SUFFIX	ELECTION INPUT WATTS 12W 19W	DELIVERED LUMENS* 553 817	<ul> <li>□ K27 2700K*</li> <li>□ K30 3000K*</li> <li>□ K35 3500K*</li> <li>□ K40 4000K*</li> </ul>	□ 120V □ 208V □ 240V □ 277V	STANDARD COLORS* WHT Snow white BKT Jet black BZT Bronze MST Matte silver
	*4000K / 80CF		- TURTLE FRIENDLY			GRT       Titanium gray         DGT       Gun metal         CHT       Champagne         SGT       Steel gray         BGT       English cream
□ SN825	SUFFIX	INPUT WATTS	DELIVERED LUMENS*			OPTIONAL COLORS
				*80CRI		*Refer to color chart

#### OPTIONS

#### PHOTOCELL

PH Thermal button photocell mounted on top casted housing (as shown on image). Instant turn-on, standard 5-10 second turn-off time delay.

#### ENVIRONMENT

- □ MG Marine grade paint<sup>1</sup>
- □ NT Natatorium (only available in WHT and BKT)

#### OPTION DETAILS



**TRUE AMBER LED** Optional amber LED for turtle sensitive areas. It protects local habitat and promotes sustainability.



Thermal button photocell mounted on top casted housing. Instant turn-on, standard 5-10 second turn-off time delay.



1.65" (41.9mm)

MOUNTING BOX

□ SWK

#### SWK

Surface wall or ceiling mounting option with 3/4" NPT conduit

Supplied with 5x18AWG/36" lg. wiring (longer wires to be specified).

adaptor. (Conduit and adaptor by others)

Surface wall mounting option for Ø4" weatherproof surface junction box (3/4" conduit trade size) (weatherproof junction box, conduit and adaptor by others) Supplied with 5x18AWG/36" Ig. wiring (longer wires to be specified). The SWK option adds 1.65" to the total depth of the product. (No ADA compliant).

4
Rev.
202

Jan.

# LUMINIS

NOTES

LUMINIS | Toll free: 866.586.4647 Fax: 514.683.8872 Email: info@luminis.com 260 Labrosse, Pointe-Claire (QC) Canada H9R 5L5

Luminaires may be altered for design improvement without prior notice.

# Attachment A - Application Materials

1- Marine grade paint for harsh, coastal environment and exposure to salt water. Additional delay required please contact factory for info.

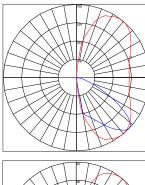
# LUMINIS.COM

- 2

426

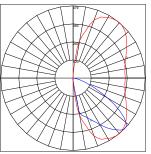
# SN825 SERIES SCENA - LED

#### TYPICAL PHOTOMETRY SUMMARY



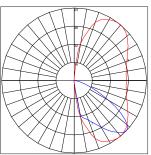
#### SN825-L1L8

Total Lms: 817 Lumens Total Input Watts: 18 W Efficacy: 44.2 Lumens/Watt CCT/CRI: 4000K/80 Max. Candela: 705 @ 52.5°H/45°V BUG: B0-U0-G0'



#### SN825-L1L5

Total Lms: 553 Lumens Total Input Watts: 12.2 W Efficacy: 45.5 Lumens/Watt CCT/CRI: 4000K/80 Max. Candela: 479.4 @ 52.5°H/45°V BUG: B0-U0-G01



#### SN825-L1LK2A Total Lms: 221 Lumens

Total Input Watts: 6.8 W Efficacy: 32.5 Lumens/Watt CCT/CRI: Not applicable Max. Candela: 190.35 @ 52.5°H/45°V BUG: B0-U0-G01

LUMEN CON	/ERSION FAC	TOR (LCF)
ССТ	LCF	CRI
2700K	0.91	80
3000K	0.92	80
3500K	0.96	80
4000K	1.00	80

All Photometry shown use the Standard 80CRI 4000K LEDs.

Please visit our web site www.luminis.com for complete I.E.S. formatted download data



Section H, Item 7.

W4 Lumark Wall Pack Total # of pages: 3

#### Section H, Item 7.

Lumark

#### DESCRIPTION

The patented Lumark Crosstour<sup>™</sup> LED Wall Pack Series of luminaries provides an architectural style with super bright, energy efficient LEDs. The low-profile, rugged die-cast aluminum construction, universal back box, stainless steel hardware along with a sealed and gasketed optical compartment make the Crosstour impervious to contaminants. The Crosstour wall luminaire is ideal for wall/surface, inverted mount for façade/canopy illumination, post/bollard, site lighting, floodlight and low level pathway illumination including stairs. Typical applications include building entrances, multi-use facilities, apartment buildings, institutions, schools, stairways and loading docks test.

#### SPECIFICATION FEATURES

#### Construction

Slim, low-profile LED design with rugged one-piece, die-cast aluminum hinged removable door and back box. Matching housing styles incorporate both a small and medium design. The small housing is available in 12W, 18W and 26W. The medium housing is available in the 38W model. Patented secure lock hinge feature allows for safe and easy tool-less electrical connections with the supplied push-in connectors. Back box includes three half-inch, NPT threaded conduit entry points. The universal back box supports both the small and medium forms and mounts to standard 3-1/2" to 4" round and octagonal, 4" square, single gang and masonry junction boxes. Key hole gasket allows for adaptation to junction box or wall. External fin design extracts heat from the fixture surface. Onepiece silicone gasket seals door and back box. Minimum 5" wide pole for site lighting application. Not recommended for car wash applications.

#### Optical

Silicone sealed optical LED chamber incorporates a custom engineered mirrored anodized reflector providing high-efficiency illumination. Optical assembly includes impact-resistant tempered glass and meets IESNA requirements for full cutoff compliance. Available in seven lumen packages; 5000K, 4000K and 3000K CCT.

#### Electrical

LED driver is mounted to the die-cast housing for optimal heat sinking. LED thermal management system incorporates both conduction and natural convection to transfer heat rapidly away from the LED source. 12W, 18W, 26W and 38W series operate in -40°C to 40°C [-40°F to 104°F]. High ambient 50°C models available. Crosstour luminaires maintain greater than 89% of initial light output after 72,000 hours of operation. Three half-inch NPT threaded conduit entry points allow for thru-branch wiring. Back box is an authorized

Catalog #	Туре
Project	
Comments	Date
Prepared by	

electrical wiring compartment. Integral LED electronic driver is standard 0-10V dimming. 120-277V 50/60Hz or 347V 60Hz models.

#### Finish

Crosstour is protected with a Super durable TGIC carbon bronze or summit white polyester powder coat paint. Super durable TGIC powder coat paint finishes withstand extreme climate conditions while providing optimal color and gloss retention of the installed life. Options to meet Buy American and other domestic preference requirements.

Warranty Five-year warranty.



**XTOR** CROSSTOUR LED

DLC

CERTIFICATION DATA

UL/cUL Wet Location Listed

NOM Compliant Models

TECHNICAL DATA 40°C Maximum Ambient Temperature External Supply Wiring 90°C Minimum

IP66 Ingressed Protection Rated Title 24 Compliant

Effective Projected Area (Sq. Ft.): XTOR1B, XT0R2B, XT0R3B=0.34

DesignLights Consortium® Qualified\*

**ROHS** Compliant

ADA Compliant

EPA

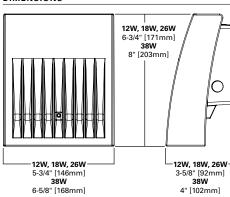
XTOR4B=0.45

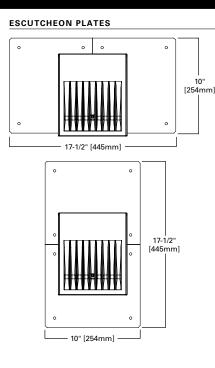
SHIPPING DATA: Approximate Net Weight: 3.7 – 5.25 lbs. [1.7 – 2.4 kgs.]

Dark Sky Approved (Fixed mount, Full cutoff, and 3000K CCT only)

APPLICATIONS: WALL / SURFACE POST / BOLLARD LOW LEVEL FLOODLIGHT INVERTED SITE LIGHTING

#### DIMENSIONS







\*www.designlights.org

TD514013EN December 14, 2021 5:27 PM

# **Attachment A - Application Materials**

# POWER AND LUMENS BY FIXTURE MODEL

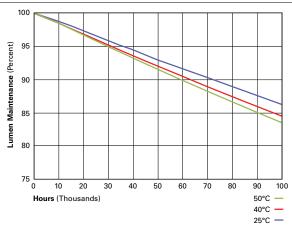
page 2

LED Information	XTOR1B	XTOR1B-W	XTOR1B-Y	XTOR2B	XTOR2B-W	XTOR2B-Y	XTOR3B	XTOR3B-W	XTOR3B-Y	XTOR4B	XTOR4B-W	XTOR4B-Y
Delivered Lumens (Wall Mount)	1,418	1,396	1,327	2,135	2,103	1,997	2,751	2,710	2,575	4,269	4,205	3,995
Delivered Lumens (With Flood Accessory Kit) <sup>1</sup>	1,005	990	940	1,495	1,472	1,399	2,099	2,068	1,965	3,168	3,121	2,965
B.U.G. Rating <sup>2</sup>	B1-U0-G0	B2-U0-G0	B2-U0-G0	B2-U0-G0								
CCT (Kelvin)	5,000	4,000	3,000	5,000	4,000	3,000	5,000	4,000	3,000	5,000	4,000	3,000
CRI (Color Rendering Index)	70	70	70	70	70	70	70	70	70	70	70	70
Power Consumption (Watts)	12W	12W	12W	18W	18W	18W	26W	26W	26W	38W	38W	38W

NOTES: 1 Includes shield and visor. 2 B.U.G. Rating does not apply to floodlighting.

#### LUMEN MAINTENANCE

Ambient Temperature	TM-21 Lumen Maintenance (72,000 Hours)	Theoretical L70 (Hours)
XTOR1B Mode	el .	
25°C	> 90%	255,000
40°C	> 89%	234,000
50°C	> 88%	215,000
XTOR2B Mode	əl	
25°C	> 89%	240,000
40°C	> 88%	212,000
50°C	> 87%	196,000
XTOR3B Mode	el	
25°C	> 89%	240,000
40°C	> 88%	212,000
50°C	> 87%	196,000
XTOR4B Mode	el .	
25°C	> 89%	222,000
40°C	> 87%	198,000
50°C	> 87%	184,000



#### CURRENT DRAW

Voltage	Model Series								
voitage	XTOR1B	XTOR2B	XTOR3B	XTOR4B					
120V	0.103A	0.15A	0.22A	0.34A					
208V	0.060A	0.09A	0.13A	0.17A					
240V	0.053A	0.08A	0.11A	0.17A					
277V	0.048A	0.07A	0.10A	0.15A					
347V	0.039A	0.06A	0.082A	0.12A					



Cooper Lighting Solutions 1121 Highway 74 South Peachtree City, GA 30269 P: 770-486-4800 www.cooperlighting.com

Specifications and dimensions subject to change without notice. page 3

Series <sup>1</sup>	LED Kelvin Color	Housing Color	<b>Options</b> (Add as Suffix)	Accessories (Order Separately) 8
XTOR1B=Small Door, 12W XTOR3B=Small Door, 18W XTOR3B=Small Door, 26W XTOR4B=Medium Door, 38W BAA-XTOR1B=Small Door, 12W, Buy American Act Compliant 7 TAA-XTOR1B=Small Door, 12W Trade Agreements Act Compliant 7 BAA-XTOR2B=Small Door, 18W, Buy American Act Compliant 7 TAA-XTOR2B=Small Door, 18W, Trade Agreements Act Compliant 7 BAA-XTOR2B=Small Door, 18W, Trade Agreements Act Compliant 7 BAA-XTOR3B=Small Door,	[Blank]=Bright White (Standard), 5000K W=Neutral White, 4000K Y=Warm White, 3000K	[Blank]=Carbon Bronze (Standard) WT=Summit White BK=Black BZ=Bronze AP=Grey GM=Graphite Metallic DP=Dark Platinum	PC1=Photocontrol 120V <sup>2</sup> PC2=Photocontrol 208-277V <sup>2.3</sup> 347V=347V <sup>4</sup> HA=50°C High Ambient <sup>4</sup>	WG/XTOR=Wire Guard <sup>5</sup> XTORFLD-KNC=Knuckle Floodlight Kit <sup>6</sup> XTORFLD-KNC=Knuckle Floodlight Kit <sup>6</sup> XTORFLD-KNC-WT=Knuckle Floodlight Kit, Summit White <sup>6</sup> XTORFLD-TRN-WT=Trunnion Floodlight Kit, Summit White <sup>8</sup> EWP/XTOR=Escutcheon Wall Plate, Carbon Bronze EWP/XTOR-WT=Escutcheon Wall Plate, Summit Whi

NOTES:

1. DesignLights Consortium® Qualified and classified for both DLC Standard and DLC Premium, refer to www.designlights.org for details.

Photocontrols are factory installed.
 Order PC2 for 347V models.

26W, Buy American Act Compliant 7 TAA-XTOR3B=Small Door, 26W, Trade Agreements Act Compliant <sup>7</sup> BAA-XTOR4B= Medium Door, 38W, Buy American Act Compliant 7 TAA-XTOR4B = Medium Door, 38W, Trade Agreements Act Compliant 7

Thru-branch wiring not available with HA option or with 347V. XTOR3B not available with HA and 347V or 120V combination.
 Wire guard for wall/surface mount. Not for use with floodlight kit accessory.

Floodlight kit accessory supplied with knuckle (KNC) or trunnion (TRN) base, small and large top visors and small and large impact shields.
 Only product configurations with these designated prefixes are built to be compliant with the Buy American Act of 1933 (BAA) or Trade Agreements Act of 1979 (TAA), respectively. Please refer to

DOMESTIC PREFERENCES website for more information. Components shipped separately may be separately analyzed under domestic preference requirements. 8. Accessories sold separately will be separately analyzed under domestic preference requirements. Consult factory for further information.

#### STOCK ORDERING INFORMATION

Domestic Preferences 1	12W Series	18W Series	26W Series	38W Series
[Blank]=Standard	XTOR1B=12W, 5000K, Carbon Bronze	XTOR2B=18W, 5000K, Carbon Bronze	<b>XTOR3B</b> =26W, 5000K, Carbon Bronze	XTOR4B=38W, 5000K, Carbon Bronze
BAA=Buy American Act	XTOR1B-WT=12W, 5000K, Summit White	XTOR2B-W=18W, 4000K, Car- bon Bronze	XTOR3B-W=26W, 4000K, Carbon Bronze	XTOR4B-W=38W, 4000K, Carbon Bronze
TAA=Trade Agreements Act	XTOR1B-PC1=12W, 5000K, 120V PC, Carbon Bronze	XTOR2B-WT=18W, 5000K, Sum- mit White	XTOR3B-WT=26W, 5000K, Summit White	XTOR4B-WT=38W, 5000K, Summit White
	XTOR1B-W=12W, 4000K, Carbon Bronze	XTOR2B-PC1=18W, 5000K, 120V PC, Carbon Bronze	XTOR3B-PC1=26W, 5000K, 120V PC, Carbon Bronze	XTOR4B-PC1=38W, 5000K, 120V PC, Carbon Bronze
		XTOR2B-W-PC1=18W, 4000K, 120V PC, Car- bon Bronze	XTOR3B-W-PC1=26W, 4000K, 120V PC,Carbon Bronze	XTOR4B-W-PC1=38W, 4000K, 120V PC, Carbon Bronze
		<b>XTOR2B-347V</b> =18W, 5000K, Carbon Bronze, 347V	XTOR3B-347V=26W, 5000K, Carbon Bronze, 347V	XTOR4B-347V=38W, 5000K, Carbon Bronze, 347V
		XTOR2B-WT-PC1=18W, 5000K, 120V PC,Summit White	<b>XTOR3B-PC2</b> =26W, 5000K, 208-277V PC, Carbon Bronze	

NOTES:

1. Only product configurations with these designated prefixes are built to be compliant with the Buy American Act of 1933 (BAA) or Trade Agreements Act of 1979 (TAA), respectively. Please refer to DOMESTIC PREFERENCES website for more information. Components shipped separately may be separately analyzed under domestic preference requirements.



Specifications and dimensions subject to change without notice.

Section H, Item 7.

C2 io-linear-line2 Total # of pages: 5

LED

iO

### DESCRIPTION

The iO LED Line 2.0<sup>™</sup> luminaire from Cooper Lighting Solutions is a low voltage linear accent LED luminaire ideal for illuminating both interior and exterior vertical surfaces. The 5°, 10°, 30°, 60° and 90° (both symmetrical and asymmetrical options available) optical distributions can be utilized for accent or general illumination and are designed for tight beam control and to minimize stray light. Line 2.0<sup>™</sup> is available in nominal 18", 36", 54" and 72" lengths. The variety of mounting options simplify installation and support a broad range of linear lighting applications.

### SPECIFICATION FEATURES

### Construction

Line 2.0 is constructed of anodized extruded aluminum body and die cast end caps for a durable housing with UV stabilized acrylic optics.

### Electrical

4'-0" 14 AWG, 300 volt rated power cords supplied on one end of the fixture. For details on remote driver distance limitations and run length limits - see pg. 3.

**LED Optics** The customized acrylic optics offer very high transmissivity, UV stability and excellent longevity with optical symmetrical distribution options of 5, 10, 30, 60 and 90 degrees. Asymmetrical optic is also available. Please note acrylic optics should not be cleaned with IPA or other harsh chemicals. Acrylic can be safely cleaned with soap and

### **DIMENSIONS INTERIOR / END CAP DETAILS** Symmetric

6

 $\odot$ 

[25.4 mm]

.

- 2.3" -[58.4 mm]

- 1.8" -

[45.7 mm]

- 3.6" -[91.4 mm]

0

2 1"

[53 mm]

water. IES LM79 format files may be downloaded from www.cooperlighting.com. All products have an 80+ CRI. White light variance between LEDs is equal to or better than 3-step MacAdam binning.

### Mounting

Three mounting bracket options include: surface, wall and offset adjustable with lockable aiming. The luminaires can quickly be locked onto the brackets for easy installation. Adjustable mounting allows fixtures to be rotated 45° with lockable aiming (see details on page 3). Remote drivers are supplied with NEMA enclosures for power connection. To ensure proper performance, architectural details should allow for ventilation and air flow around the fixture. Ambient temperature surrounding the fixture shall not exceed 122°F (50°C).



### Finish

Anodized aluminum finish is standard. Custom anodized finishes available upon request.

### Compliance

Outdoor fixtures are UL listed for wet locations. Indoor fixtures are UL listed for damp locations. All fixtures are RoHS compliant, and tested per IESNA LM79. LEDs comply with LM80 standards.

### Environment

Line 2.0<sup>™</sup> is UL rated for wet locations when an OD environment is specified. It is not rated for submersible applications. It should not be mounted in conditions where there is any standing water.

**Warranty** Standard five-year limited warranty.





### **LINE 2.0** LED

**INTERIOR / EXTERIOR** LINEAR ACCENT LUMINAIRE

Symmetric/Asymmetric

IP65 cULus Damp / Wet - 1598 LM79/LM80 Compliant **ROHS Compliant** 

c(VL)us

DIMENSIONS EXTERIOR / END CAP DETAILS Asymmetric Symmetric Asymmetric – 2.98" – (75.2 mm) – 2.98" – (75.2 mm) — 2.3" — [58.4 mm] 0 0 0 0 2.34" 2.61" [66.5 mm 2.88" [73 mm] [59.4 mm] 6 1.8" — [45.7 mm] 2.23" [55.7 mm] - 3.6" - [91.4 mm] 2.23" -[55.7 mm] 0.4" 1.5' [10.2 mm] [39.1 mm] [25.4 mm] . Exterior - Lens Clips 15" O.C. Interior - Lens Clips 30" O.C.

ORDERING INFORMATION

Series	Light Level <sup>1</sup> / Power (nominal for 12" section)	LED CRI & CCT	Optical Distribution	Environment	Driver <sup>2</sup>
<b>0.05</b> = iO Line 2.0	03W = 286 lumens/ft (3.9W/ft) 06W = 478 lumens/ft (6.6W/ft) 09W = 649 umens/ft (9.4W/ft) 12W = 744 lumens/ft (12.1W/ft)	827 = 80 <sup>+</sup> CRI 2700K CCT 830 = 80 <sup>+</sup> CRI, 3000K CCT 835 = 80 <sup>+</sup> CRI, 3500K CCT 840 = 80 <sup>+</sup> CRI, 4000K CCT	5         = 5 degree           10         = 10 degree           30         = 30 degree           60         = 60 degree           90SYM         = 90 degree - Symmetric           90ASYM         = 90 degree - Asymmetric		STD = 96 W, 0-10V (100% - 10% dimming) HCD = 96 W, 0-10V (100% - 0% dimming)
Voltage	Housing Color <sup>3</sup>	Mounting	Driver Location <sup>4</sup>		Actual in./mm) Individual fixture)
<b>UNV</b> = 120V-277V	AN = Standard anodized aluminum	SM = Surface mount WM = Wall mount AM = Adjustable mount	E = End driver location	F_ = specify nominal run length in 18" increments) (e.g. 7F6 Or select individual fixtures:	in feet and inches (only available = 7' 6" run)
				<b>1F6</b> = 18" (17.71"/449.83mm) <b>3F0</b> = 36" (34.71"/881.63mm)	<b>4F6</b> = 54" (51.71"/1313.43mm) <b>6F0</b> = 72" (68.71"/1745.23mm)

See page 5 for Technical Notes.



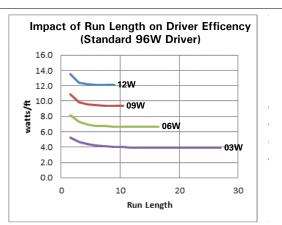
Cooper Lighting Solutions 18001 East Colfax Avenue Aurora, CO 80011 P: 303-393-1522 www.cooperlighting.com

Specifications and dimensions subject to change without notice. See additional information on the following pages.

TD519022EN 04/05/2021 1 of

### LIGHT OUTPUT TABLE

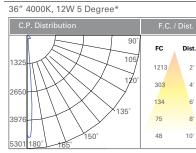
Input, W (Includes driver losses) for max	Delivered Lumens/ft. per Optical Distribution						
run length	ССТ	5°	10°	30°	60°	90 SYM	90 ASYM
	2700	213	222.9	252.5	209.9	259	98
03W = 3.9 W/ft	3000	227.8	238.4	270.1	224.5	276	105
0300 = 3.900/10	3500	236.9	247.9	280.9	233.5	288	109
	4000	241.4	252.7	286.3	238	293	111
	2700	355.8	372.5	421.9	350.8	432	238
06W = 6.6 W/ft	3000	380.6	398.3	451.2	375.2	462	255
0000 = 0.0 00/10	3500	395.8	414.3	469.3	390.2	480	265
	4000	403.4	422.2	478.3	397.7	490	270
	2700	482.9	505.5	572.6	476	586	332
09W = 9.4 W/ft	3000	516.5	540.6	612.4	509.1	627	355
$0900 = 9.4  00/\pi$	3500	537.1	562.2	636.9	529.5	652	369
	4000	547.5	573	649.1	539.7	665	377
	2700	553.4	579.2	656.1	545.5	672	567
12W = 12.1 W/ft	3000	591.9	619.5	701.7	583.4	718	607
1200 = 12.100/10	3500	615.5	644.3	729.8	606.8	747	631
	4000	627.4	656.7	743.8	618.4	762	643



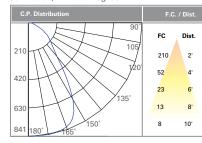
### LIGHT OUTPUT CONVERSION TABLE

ССТ	03W	06W	09W	12W
2700K	0.34	0.57	0.77	0.88
3000K	0.36	0.61	0.82	0.94
3500K	0.38	0.63	0.86	0.98
4000K	0.39	0.64	0.87	1.00

### LIGHT OUTPUT / DISTRIBUTION SYMMETRIC

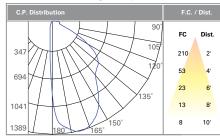


### 36" 4000K, 12W 60 Degree\*

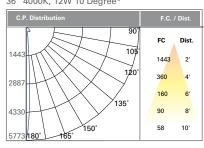


### LIGHT OUTPUT / DISTRIBUTION ASYMMETRIC

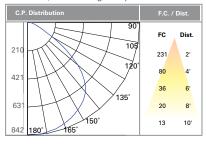


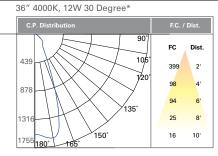


36" 4000K, 12W 10 Degree\*



36" 4000K, 12W 90 Degree Symmetric\*





\*Note: Light output / distributions based on IES file

Cooper Lighting Solutions 18001 East Colfax Avenue Aurora, CO 80011 P: 303-393-1522 www.cooperlighting.com

Specifications and dimensions subject to change without notice. See additional information on the following pages.

# Attachment A - Application Materials

434

### INSTALLATION DETAILS

### Max Run Length

96 W Driver	E = End of Driver Location
line 2.0 - 03W	26' (7.92 m)
line 2.0 - 06W	17' (5.18 m)
line 2.0 - 09W	12' (3.66 m)
line 2.0 - 12W	8' (2.44 m)

NOTE: Line 2.0<sup>™</sup> from iO Lighting is UL listed for wet locations when OD is specified. It is not rated for submersible applications. Line 2.0 should not be mounted in conditions where the fixture could be exposed to standing water.

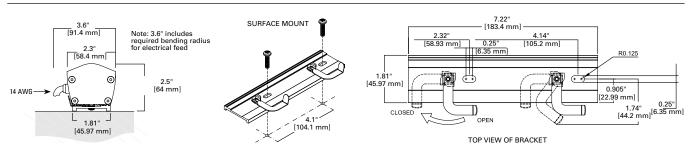
Ambient temperature surrounding the fixture shall not exceed 122° F (50°C)

### DRIVER LOCATION DIAGRAM

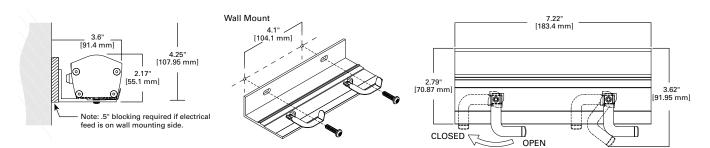


### MOUNTING OPTIONS AND BRACKETS

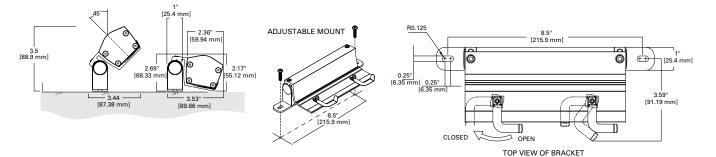
Surface Mount (iO part #: LA.BK.SURFMT)



### Wall Mount (iO part #: LA.BK.WALLMT)



### Field Adjustable Mount with Lockable Aiming (iO part #: LA.BK.ADJMT)





Cooper Lighting Solutions 18001 East Colfax Avenue Aurora, CO 80011 P: 303-393-1522 www.cooperlighting.com

Specifications and dimensions subject to change without notice. See additional information on the following pages.

TD519022EN 04/05/202 3 of \$ 435

# **Attachment A - Application Materials**

### Max Allowable Remote Driver Distance by Wire Diameter

Wire Diameter	Max Allowable Remote Driver Distance
12 AWG	71'-0" (21.6m)
14 AWG	46'-0" (14.0m)
18 AWG	18'-0" (5.5m)



### ELECTRICAL FEED CONFIGURATION



Single Side End Feed Symmetric



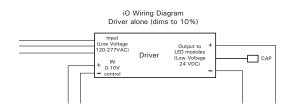
DRIVER DETAILS

Driver Part Number	Description
STD	96W Driver (capable of either Non-Dimming or 0-10V dimming down to 10%) and either NEMA 1 Enclosure (for indoor spec) or NEMA 4 Enclosure (for outdoor spec).
HCD	96W Driver (capable of 0-10V dimming down to 1% with included OTDIM module) and either NEMA 1 Enclosure (for indoor spec) or NEMA 4 Enclosure (for outdoor spec).

### STD DRIVER SPECIFICATIONS

Electrical Specifications				
Input				
Input Voltage (VAC)	120V - 277V (+/-10%)			
Frequency Range (Hz)	50 - 60Hz (+/-10%)			
Input Current (A)	0.91 @ 120V 0.39 @ 277V			
Input Power (W)	111W			
THD	< 20%			
Power Factor	> 0.95			
Inrush Current (Apk)	< 55A			
Line Regulation	< 5%			
Stand-by Power (W)	< 1.5W			
Output				
Output Voltage (VDC)	24V (+/-5%)			
Output Current (A)	0.1 - 4.0A			
Output Ripple (V)	1V			
Efficiency	>85% (Typical)			
Load Regulation	<5%			
Dimming				
Dimming Control	0 - 10V			
Dimming Range	10 - 100%			
Dimming Type	PWM			
Frequency	250Hz			

### STD DRIVER WIRING



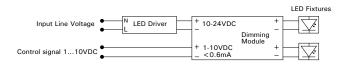
Note: See page 3 for driver run length limits

### HCD DIMMING MODULE SPECIFICATIONS

Key Dimming Features				
Utilizes pulse width modulation (PWM), to control LED performance				
Options available for analo	og or DMX protocols			
Dimming range: 0-100%				
Short circuit, overload and	overheating protection			
Dimming Module Specifications				
Location:	Dry			
Input Voltage:	24v DC			
Max Input Current:	5.3A			
Control Voltage:	0-10v DC			
Frequency:	135 Hz			
AmbientTemp:	-20°C to +50°C			
Weight:	.165 lbs			
Power Consumption: Up to 3W				
Details on NEMA enclosure options available in the iO LED Accessories Spec Sheet section of				

Details on NEMA enclosure options available in the iO LED Accessories Spec Sheet section of the Cooper Lighting Solutions website

### HCD DIMMING MODULE WIRING





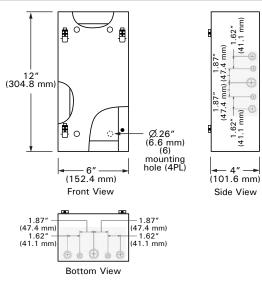
Cooper Lighting Solutions 18001 East Colfax Avenue Aurora, CO 80011 P: 303-393-1522 www.cooperlighting.com

Specifications and dimensions subject to change without notice. See additional information on the following pages. TD519022EN 04/05/2021 4 of 5

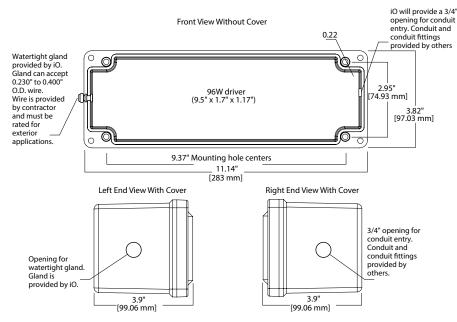
# Attachment A - Application Materials

LINE 2.0 ASYMMETR

NEMA 1 ENCLOSURE DIMENSIONS (for ID specifications)



NEMA 4x ENCLOSURE DIMENSIONS (for OD specifications)



### **TECHNICAL NOTES**

- 1. Light Level provided in delivered lumens based on IES files for 4000K CCT with 30° optical distribution. See table on page 2 for delivered lumen output of all CCTs.
- 2. Drivers will be optimized if run length is specified; Discrete fixtures will include 1 driver per fixture. Contact Customer Service to order fixtures only.
- 3. Contact Cooper Lighting Solutions for custom color availability.
- 4. See Driver Location diagram on page 3.
- Specified run lengths will be optimized with 6 ft. fixtures and completed with shorter fixtures to satisfy the run length without the total actual length (rather than total 5. nominal length) going greater than the specified run length.



Cooper Lighting Solutions 18001 East Colfax Avenue Aurora, C0 80011 P: 303-393-1522 www.cooperlighting.com

Specifications and dimensions subject to change without notice. See additional information on the following pages.

TD519022EN 04/05/2021 5 of

# **Attachment A - Application Materials**

C2 io Driver 96ND-12X6X4 Total # of pages: 4

### www.sylvania.com/OPTOTRONIC

# OPTOTRONIC<sup>®</sup> Power Supply OT96W/24V/UNV/DIM



GENERAL INFORMATION	
Item Number	51520
Туре	Constant Voltage
Output Power	96W (Max.)
Output Voltage	24V DC
Input	Universal (120-277V)

ELECTRICAL SPECIFICATI	ONS
Input	
Input Voltage (VAC)	120V-277V (+/- 10%)
Frequency Range (Hz)	50 – 60 Hz (+/- 10%)
Input Current (A)	0.91 @ 120V 0.39 @ 277V
Input Power (W)	111W
THD	< 20%
Power Factor	> 0.95
Inrush Current (A <sub>pk</sub> )	< 55A
Line Regulation	< 5%
Stand-by Power (W)	< 1.5W
Output	
Output Voltage (VDC)	24V (+/- 5%)
Output Current (A)	0.1 – 4.0A
Output Ripple (V)	1V
Efficiency	>85% (Typical)
Load Regulation	<5%

DIMMING	
Dimming Control	0 – 10V
Dimming Range	10 – 100%
Dimming Type	PWM
Frequency	250Hz
Dimming Input Isolation	2.5KV

E320395

CROHS C WUS

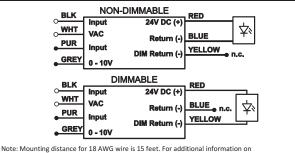
dimmable

# ENVIRONMENTAL SPECIFICATIONS

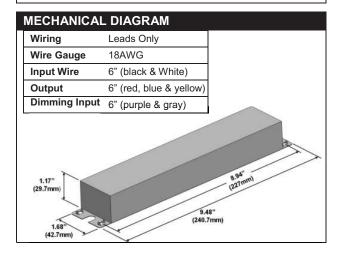
Ambient Operating Temp	-25 to 40 °C
Max. Case Temp. Tc	75°C
Storage Temp.	-25 to 50 °C
Max. Relative Humidity (%)	96% non-condensing
Surge Protection (KV)	ANSI C62.41 Cat A (2.5KV)
Vibration Rating	3G
Overvoltage Protection	Yes
Short Circuit Protection	Yes
Over-temperature Protection	Yes
UL Environmental Rating	Damp
IP Rating	IP64
EMI Compliance	FCC Part 15 Class A

POWER SUPPLY | 96ND-12X6X4

### WIRING DIAGRAM



further distances and EMI compliance reference application note LED126.

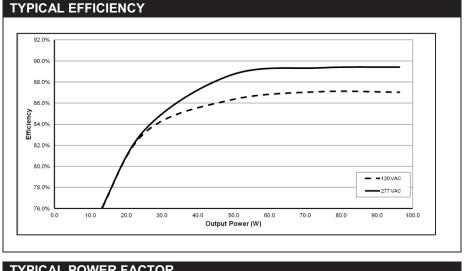




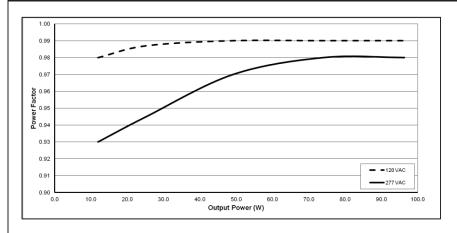
# POWER SUPPLY | 96ND-1

WARRANTY

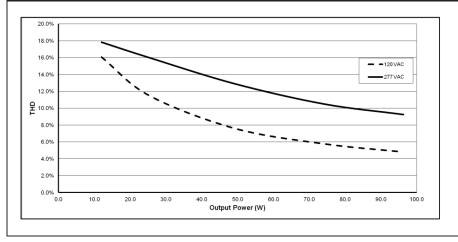
OPTOTRONIC<sup>®</sup> products are



### **TYPICAL POWER FACTOR**



## **TYPICAL THD**



SYLVANIA and SEE THE WORLD IN A NEW LIGHT are registered trademarks of OSRAM SYLVANIA Inc. OSRAM and OPTOTRONIC are registered trademarks of OSRAM AG. Specifications subject to change without notice 1-800-LIGHTBULB (1-800-544-4828)

covered by our LED Module, **OPTOTRONIC** Power Supply or Control Warranty. For additional details, refer to the latest version of the warranty available at www.sylvania.com. **United States OSRAM SYLVANIA 100 Endicott Street** Danvers, MA 01923 Trade Phone: 1-800-255-5042 Fax: 1-800-255-5043 **National Accounts** Phone: 1-800-562-4671 1-800-562-4674 Fax: **OEM/Special Markets** Phone: 1-800-762-7191 Fax: 1-800-762-7192 **Display Optic** Phone: 1-888-677-2627 Fax: 1-800-762-7192 SYLVANIA Lighting Service Phone: 1-800-323-0572 Fax: 1-800-537-0784 Canada **OSRAM SYLVANIA LTD./LTÈE** 2001 Drew Road

Mississauga, ON L5S 1S4 Trade Phone: 1-800-263-2852 Fax: 1-800-667-6772 **OEM/Special Markets** Phone: 1-800-265-2852 Fax: 1-800-667-6772 SYLVANIA Lighting Service Phone: 1-800-663-4268 Fax: 1-866-239-1278

Mexico **OSRAM Mexico** Headquarters

Tultitlan/Edo de Mexico 011-52-55-58-99-18-50

© 2012 OSRAM SYLVANIA Inc. 5/12

# 96W Driver

# POWER SUPPLY | 96ND-12X6X4

Remote Distance		Dian	neter	
7'-0" (2.1m)		w/22 AWG	(.644mm)	
18'-0" <i>(5.5m)</i>		w/18 AWG	(1.02mm)	
46'-0" <i>(14.0m)</i>		w/14 AWG	(1.63mm)	
71'-0" <i>(21.6m)</i>		w/12 AWG	(2.05 mm)	
100W	Max Run L	ength in Series	Max Run Le	ngths in Parallel
line .75 - SO / <b>ledge</b> / <b>luxrail</b>	47′	(14.33m)	87'	(26.52m)
line .75 - HO / <b>ledge</b> / <b>luxrail</b>	12′	(3.66m)	23'	(7.018m)
line .75 - VHO (and color) / ledge	9'	(2.74m)	17'	(5.18m)
line 1.5 - SO	30'	(3.66m)	60'	(18.23m)
line 1.5 - HO	8'	(2.44m)	16'	(4.88m)
line 1.5 - VHO (and color)	6'	(1.82m)	12'	(3.66m)
line 2.0 - SO	26'	(7.92m)	26'	(7.92m)
line 2.0 - HO	17'	(5.18m)	17'	(5.18m)
line 2.0 - VHO	12'	(3.66m)	12'	(3.66m)
line 2.0 - V2HO / <b>B</b> / <b>G</b> / <b>A</b>	8'	(2.44m)	8'	(2.44m)
line 2.0 - <b>R</b>	6'	(1.82m)	6'	(1.82m)

# 12x6x4 Enclosure



\*One driver enclosure can hold one 20W or 100W driver and one dimming module.

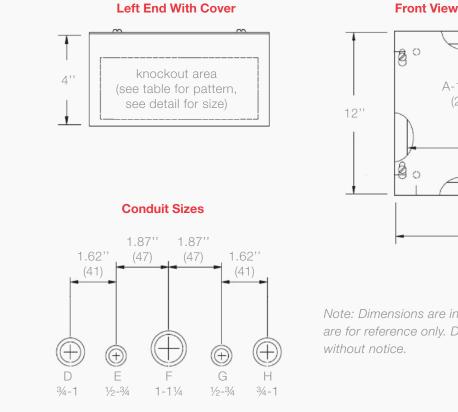
# POWER SUPPLY | 100ND-12X6X4

### **Enclosure Construction**

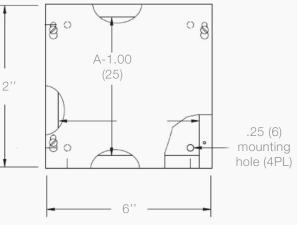
Enclosure and cover are fabricated from code 16 gauge steel. Enclosure body has mounting holes on the back and are available with or without knock outs on the sides, top and bottom ends. Cover is secured to the body with plated hex head combo screws, and has keyhole slots for easy removal without removing screws.

### **Enclosure Industry Standards**

- UL 50 Listed, Type 1
- CSA C22.2 No. 40 certified, Type 1
- Conforms to NEMA standard for Type 1
- IEC 60529, IP30



**Front View Without Cover** 



Note: Dimensions are in inches. Millimeters are for reference only. Data subject to change

c<sup>UD</sup>us



(907) 586-0715 CDD\_Admin@juneau.gov www.juneau.org/community-development 155 Heritage Way • Juneau, AK 99801

### NONCONFORMING CERTIFICATE

Date: January 5, 2024 File No.: NCC2023 0052

MRV Architects 1420 Glacier Ave Unit 101 Juneau, AK 99801 paul@mrvarchitects.com

Proposal:

A Nonconforming Situation Review for structures and parking

Property Address:3235 Hospital DriveProperty Legal Description:USS 1075 TLINGIT HAIDA LT 1Property Parcel Code No.:7B0901040101

The Director of Community Development adopted the analysis and findings listed in the attached memorandum dated January 5, 2024, 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 (CBJ 49.30.250):
  - Anadromous waterbodies setback of 2 feet (picnic shelter)

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.* 

The Director of Community Development adopted the analysis and findings lists in the attached memorandum dated December 1, 2023, and has found the following situations on the lot to be NONCOMPLIANT to the Title 49 Land Use Code of the City and Borough of Juneau:

- Noncompliant Structures (CBJ 49.30.250):
  - Anadromous waterbodies setback of 7 feet (unpermitted smokehouse)
  - The property owner must bring the unpermitted smokehouse into compliance with the Land Use Code.
- Noncompliant Parking (CBJ 49.30.270):
  - o 59 off-street parking spaces
  - The property owner must bring the parking situation into compliance with the Land Use Code.

MRV Architects File No.: NCC2023 0052 January 5, 2024 Page 2 of 2

The Director of Community Development adopted the analysis and findings in the attached memorandum dated December 1, 2023, and has deemed the following situation on the lot to be ABANDONED per CBJ 49.30.220:

Abandoned Parking (CBJ 49.30.270):
 24 off-street parking spaces previously located within anadromous waterbodies setbacks

The abandonment of a nonconforming situation relinquishes all nonconforming rights associated with that situation. The existence of an abandoned nonconforming situation becomes a noncompliant situation and subjects the property to enforcement actions consistent with Title 49. In accordance with CBJ 49.30.225 an abandonment determination may be reconsidered within 20 days of the date of the determination. No appeal of an abandonment determination may be made unless reconsideration is first sought.

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:** 

Jennifer Shields:

Jennifer Shields, Planner II Community Development Department

awhorno

M Lawhorne, 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

(907) 586-0715 CDD\_Admin@juneau.gov www.juneau.org/community-development 155 Heritage Way • Juneau, AK 99801

# COMMUNITY DEVELOPMENT

DATE: January 5, 2024

TO: Jill Lawhorne, AICP | Director

BY: Jennifer Shields, Planner II



**PROPOSAL:** A Nonconforming Situation Review for structures and parking.

# **KEY CONSIDERATIONS FOR REVIEW:**

- In 1978, the Juneau Tlingit & Haida Community Center was constructed.
- In 1991, the lot was re-platted as part of the Tlingit Haida Subdivision and a Variance was approved to reduce the lot width from 30-feet to 20-feet (VAR1991-0001).
- 81 off-street parking spaces are required, and 21 off-street parking spaces exist.
- A picnic shelter is nonconforming for anadromous setbacks.
- An unpermitted smokehouse is noncompliant for anadromous setbacks.

## STAFF RECOMMENDATION:

Staff recommends the following situations receive Nonconforming Certification:

 Nonconforming Structure – Picnic Shelter

## 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.

Abandoned Parking

# NONCOMPLIANCE:

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

- Noncompliant Off-Street Parking Spaces
- Noncompliant Structure Unpermitted Smokehouse

<b>GENERAL INFORMAT</b>	ION
Property Owner	Juneau Tlingit Haida Community Council
Applicant	Paul Voelckers, MRV Architects
Property Address	3235 Hospital Drive
Legal Description	USS 1075 TLINGIT HAIDA LT 1
Parcel Number	7B0901040101
Zoning	GC (General Commercial)
Lot Size	46,477 square feet (1.067 acres)
Water/Sewer	Public water and public sewer
Access	Hospital Drive
Existing Land Use	Social
Associated	BLD2023-0925
Applications	

**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.

Fostering excellence in development for this generation and the next.

Paul Voelckers, MRV Architects File No: NCC2023 0052 January 5, 2024 Page 2 of 11

# **SITE FEATURES AND ZONING**

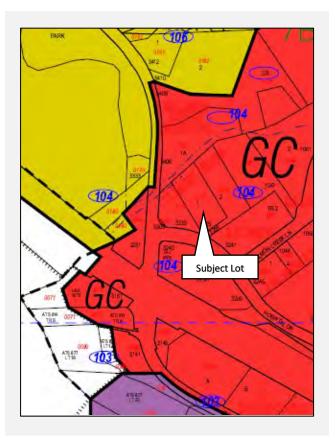


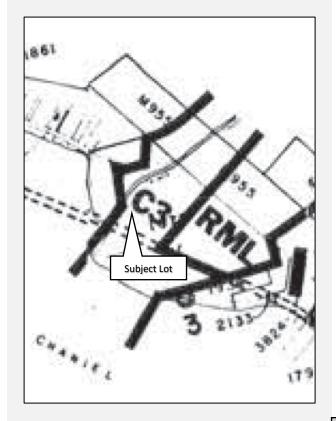
SURROUNDING ZONING AND LAND USES	
North (GC)	Salmon Creek
South (GC)	SEARHC, Medical
East (GC)	Generations Southeast,
	Educational
West (GC)	SEARHC, Medical

SITE FEATURES	
Anadromous	Yes
Flood Zone	Yes, Floodway/Zone AE
Hazard	No
Hillside	No
Wetlands	Yes
Parking District	No
<b>Historic District</b>	No
<b>Overlay Districts</b>	No

**CURRENT ZONING MAP** 

# **ORIGINAL ZONING**





Paul Voelckers, MRV Architects File No: NCC2023 0052 January 5, 2024 Page 3 of 11

# **ZONING HISTORY**

Year	Zoning District	Summary
1915	N/A	In 1915, the surrounding area was part of U.S. Survey 1075, prior to the establishment of zoning (Attachment B).
1969	C3 (General Commercial)	In 1969, the surrounding area was zoned C3. The C3 zoning district required a 2,000 square foot minimum lot size and 20-foot minimum lot width. Required setbacks were 10 feet front, and 0 feet rear /side except 10 feet when adjoining a residential district.
1971 (1978)	C3 (General Commercial)	In 1971, Platting Resolution 262 approved the Salmon Subdivision, dividing U.S. Survey 1075 into three parcels. The Resolution was eventually recorded in 1978 as platting waiver 78-39W (Attachment C). Dimensional requirements for the three parcels were met at the time of establishment.
1977- 1979	C3 (General Commercial)	In 1977, a proposed Site Plan for a Community Center on Parcel No. 2 of the Salmon Subdivision shows 80 parking spaces (Attachment D). A letter from the project architect dated February 21, 1978, provides justification for proposing 80 parking spaces (Attachment E).
		On September 11, 1978, a building permit was issued to construct the Community Center (BLD-12057, Attachment F). At that time, the most closely associated land use category for the Community Center did not require a Conditional Use Permit (CUP): <i>Private and semi-public uses, such as: clubs, lodges, convents, social and community buildings.</i>
		The building permit stated: "Parking plan approved based on a seating capacity of 320 spaces. If additional seating capacity is provided, the required additional parking spaces must be provided." CBJ 49.25.500(M) for "Churches, auditoriums, and similar enclosed places of assembly" required 1 parking space for each 4 seats in the auditorium. 80 parking spaces were required.
		In 1979, a Certificate of Occupancy was issued for the Community Center (Attachment G).
		Dimensional and parking requirements were met at the time of establishment.
1981	C3 (General Commercial)	In 1981, Platting Waiver 81-35W subdivided the portion of the Salmon Subdivision Parcel No. 2 containing the Community Center to create the "Tlingit- Haida" lot (Attachment H).
1985	C3 (General Commercial)	Dimensional requirements were met at the time of establishment. In 1985, a building permit was issued for a picnic shelter to be built in the
		rear of the lot near Salmon Creek (BLD-17401, Attachment I).
1987	GC (General Commercial)	In 1987, the lot and surrounding area was zoned GC. The GC zoning district required a 2,000 square foot minimum lot size, a 20-foot lot

Year	Zoning District	Summary
		width, and a 60-foot lot depth*. Minimum setbacks required were 10 feet on all sides.
		Additionally, CBJ 49.70.310 – Habitat was adopted which enacted anadromous waterbodies setback requirements, as measured from stream banks. Existing site improvements within the 50-foot anadromous waterbodies setback of Salmon Creek included the picnic shelter and 24 off-street parking spaces at the rear of the lot.
		The picnic shelter and 24 off-street parking spaces became nonconforming for anadromous waterbodies setbacks.
1991	GC (General Commercial)	In 1991, the lot was re-subdivided into Lot 1 of the Tlingit / Haida Subdivision, Plat 91-34 (Attachment J). Subdivision approval included a Variance to reduce the lot width from 30-feet to 20-feet (VAR1991-0001, Attachment K). Variance approval was conditioned upon shared driveway access with an adjacent lot (Attachment L) and provision of 80 off-street parking spaces on or near the lot, specifically as follows:
		"In connection with the proposed replat, the owner/applicant shall submit a revised parking plan, in accordance with applicable standards, to show not less than 80 parking spaces for proposed Tract 2A [subject lot]. Parking shall be located on the parcel which said parking is intended to serve, or shall be within allowable distance, and the availability shall be guaranteed with long-term agreement, acceptable to the City and Borough of Juneau Law Department, for a period commensurate with the life of the building, but not less than 30 years."
		Subsequently, a Shared Parking Agreement was signed between the CBJ, the JTHCC, and Generations Southeast to the east. This agreement automatically expired on July 1, 2021 (Attachment M).
		The picnic shelter and 24 off-street parking spaces remained nonconforming for anadromous waterbodies setbacks.
2021	*All zoning districts – lot depth repealed	On August 23, 2021, the CBJ Assembly adopted Ordinance 2021-28, repealing lot depth as a minimum dimensional standard.
2021	*All zoning districts – anadromous waterbodies	On September 13, 2021, the CBJ Assembly adopted Ordinance 2021-13, a revision to the anadromous habitat protections.
2023	GC (General Commercial)	A November 2023 Existing Site Survey identifies a smokehouse located within the 50-foot anadromous waterbodies setback of Salmon Creek (Attachment N). The applicant did not provide documentation demonstrating that the smokehouse was permitted and built prior to the enactment of CBJ 49.70.310 Habitat in 1987.
		The Survey demonstrates that 24 off-street parking spaces are no longer provided within the anadromous waterbodies setbacks.

Year	Zoning District	Summary
		The Survey also demonstrates a total of 21 off-street parking spaces exist on the lot. The applicant did not provide documentation of an additional 59 off-street parking spaces approved by CBJ, either on the lot or nearby, as required by VAR1991-0001.
		The picnic shelter remains nonconforming for anadromous waterbodies setbacks.
		The unpermitted smokehouse is noncompliant for anadromous waterbodies setbacks.
		The 24 off-street parking spaces previously located within the anadromous waterbodies setbacks have been abandoned.
		The use is noncompliant for 59 off-street parking spaces.

## BACKGROUND INFORMATION

In 1915, the surrounding area was part of U.S. Survey 1075 (Attachment B). In 1971, Platting Resolution 262 approved the Salmon Subdivision, dividing U.S. Survey 1075 into three parcels. The Resolution was recorded in 1978 as platting waiver 78-39W (Attachment C).

In 1977, a proposed Site Plan for a Community Center on Parcel No. 2 of the Salmon Subdivision shows 80 offstreet parking spaces (Attachment D). A letter from the project architect dated February 21, 1978, provides justification for proposing 80 spaces (Attachment E).

On September 11, 1978, a building permit was issued to construct the Community Center (BLD-12057, Attachment F). At that time, the most closely associated land use category for the Community Center did not require a Conditional Use Permit (CUP): *Private and semi-public uses, such as: clubs, lodges, convents, social and community buildings*. The building permit stated: "Parking plan approved based on a seating capacity of 320 spaces. If additional seating capacity is provided, the required additional parking spaces must be provided." CBJ 49.25.500(M) for *"Churches, auditoriums, and similar enclosed places of assembly"* required 1 parking space for each 4 seats in the auditorium. The 80 off-street parking spaces were required for the Community Center.

In 1979, a Certificate of Occupancy was issued for the Community Center (Attachment G).

In 1981, Platting Waiver 81-35W subdivided the portion of the Salmon Subdivision Parcel No. 2 containing the Community Center to create the "Tlingit- Haida" lot (Attachment H).

In 1985, a building permit was issued for a picnic shelter to be built in the rear of the property near Salmon Creek (Attachment I). In 1987, CBJ 49.70.310 Habitat was adopted which enacted anadromous waterbodies setback requirements, as measured from stream banks. Existing site improvements within the 50-foot anadromous waterbodies setback of Salmon Creek included the picnic shelter and 24 off-street parking spaces at the rear of the lot.

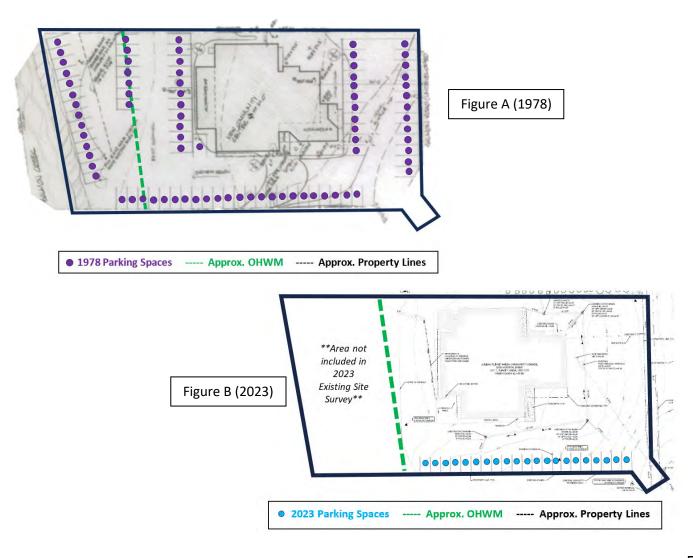
In 1991, the lot was re-platted into Lot 1 of the Tlingit / Haida Subdivision, Plat 91-34 (Attachment J). Subdivision approval included a Variance to reduce the lot width from 30-feet to 20-feet (VAR1991-0001, Attachment K).

Paul Voelckers, MRV Architects File No: NCC2023 0052 January 5, 2024 Page 6 of 11

Variance approval was conditioned upon shared driveway access with an adjacent lot (Attachment L) and provision of 80 parking spaces on or near the lot. Subsequently, a Shared Parking Agreement was signed between the CBJ, the JTHCC, and Generations Southeast to the east. This agreement automatically expired on July 1, 2021 (Attachment M).

A November 2023 Existing Site Survey identifies a smokehouse located within the 50-foot anadromous waterbodies setback of Salmon Creek (Attachment N). The applicant did not provide documentation demonstrating that the smokehouse was permitted and built prior to the enactment of CBJ 49.70.310 Habitat in 1987.

The Survey also demonstrates that 24 off-street parking spaces are no longer provided within the anadromous waterbodies setbacks (Figure A below), and the current provision of 21 off-street parking spaces on the lot (Figure B below). The applicant did not provide documentation of an additional 59 off-street parking spaces approved by CBJ, either on the lot or nearby, as required by VAR1991-0001.



Paul Voelckers, MRV Architects File No: NCC2023 0052 January 5, 2024 Page 7 of 11

# **INFORMATION REVIEWED**

Year	Туре	Summary
1915	Survey	U.S. Survey 1075 showing the area prior to subdivision (Attachment B).
1978	Plat	Salmon Subdivision Plat Waiver 78-39W, via Platting Resolution 262 approved in 1971, creating Tract No. 2 that the Community Center was built on (Attachment C).
1977	Site Plan	Shows proposed parking spaces for a new Community Center (Attachment D).
1978	Letter	Letter from the Community Center architect to CBJ discussing justification for calculating parking requirements (Attachment E).
1978	Building Permit	BLD-12057 issued for construction of a new 8,900 square foot Community Center requiring 80 off-street parking spaces (Attachment F).
1979	Certificate of Occupancy	Issued for the Community Center based upon requirements of BLD-12057 (Attachment G).
1981	Plat	Plat Waiver 81-35W creating the Tlingit-Haida lot (Attachment H).
1985	Building Permit	BLD-17401 issued for a new picnic shelter (Attachment I).
1991	Plat	Tlingit-Haida Plat 91-34 (Attachment J).
1991	Variance	VAR1991-0001 approved to reduce the lot width from 30-feet to 20-feet (Attachment K).
1991	Common Driveway Easement	VAR1991-0001 approval conditioned upon shared driveway access with an adjacent lot (Attachment L).
1991	Parking Agreement	VAR1991-0001 approval conditioned upon provision of 80 parking spaces on or near the lot. Expired on July 1, 2021 (Attachment M).
2013	Aerial Photography	Aerial imagery is used to estimate vegetative cover (Attachment O).
2023	Existing Site Survey	Shows current site conditions including structures and parking (Attachment N).

# **ANALYSIS**

**Zoning District Comparison Table** – The table below lists the required standards for the GC 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	2,000 square feet	46,477 square feet	CBJ 49.25.400
	Width	20 feet (also VAR91-01)	20.10 feet	CBJ 49.25.400
Setbacks	Front	10 feet	49 feet	CBJ 49.25.400
	Rear – Picnic Shelter	50 feet from OHWM	~2 feet within setback	CBJ 49.70.330
	Rear - Smokehouse	50 feet from OHWM	~7 feet within setback	CBJ 49.70.330
	Side (east)	10 feet	10 feet	CBJ 49.25.400
	Side (west)	10 feet	~47 feet	CBJ 49.25.400
Lot Coverage		N/A	N/A	CBJ 49.25.400
Height	Permissible	55 feet	~24 feet	CBJ 49.25.400
	Accessory	45 feet	~10 feet	CBJ 49.25.400
Maximum	n Dwelling Units	N/A	N/A	CBJ 49.25.500
Use		Varies	Social	CBJ 49.25.300
Vegetativ	e Cover	10%	~17%	CBJ 49.50.300
Parking		80 (per VAR91-01)	21 (59 less than required)	CBJ 49.40.210(a)

Paul Voelckers, MRV Architects File No: NCC2023 0052 January 5, 2024 Page 8 of 11

**Minimum Lot Requirements** – The lot meets the minimum lot size and lot width requirements of the GC zoning district.

# Finding: Staff finds the lot conforming for lot size and width.

## Minimum Setback Requirements -

1. Community Center: The Community Center structure was built in 1978 (Attachment F) and meets all setback requirements according to a 2023 Existing Site Survey (Attachment N).

# Finding: Staff finds the Community Center structure conforming for setbacks.

2. Picnic Shelter: The picnic shelter was built in 1985, in the rear of the lot near Salmon Creek (Attachment I). In 1987, CBJ 49.70.310 – Habitat was adopted which enacted anadromous waterbodies setback requirements, as measured from stream banks. In 2021, the CBJ Assembly adopted Ordinance 2021-13 to ensure that anadromous waterbodies setbacks are measured from the Ordinary High-Water Mark (OHWM) rather than stream banks. The picnic shelter is located approximately two-feet within the 50-foot anadromous waterbodies setback of Salmon Creek, per CBJ 49.70.330(a) and a site visit conducted by CBJ staff on December 6, 2023.

# Finding: Staff finds the picnic shelter structure nonconforming for anadromous waterbodies setbacks.

**3. Smokehouse:** A November 2023 Existing Site Survey identified an unpermitted smokehouse in the rear of the property near Salmon Creek (Attachment N). The applicant did not provide documentation demonstrating that the smokehouse was permitted and built prior to the enactment of anadromous waterbodies setback requirements in 1987. The unpermitted smokehouse is located approximately seven-feet within the 50-foot anadromous waterbodies setback of Salmon Creek, per CBJ 49.70.330(a) and a site visit conducted by CBJ staff on December 6, 2023.

# Finding: Staff finds the unpermitted smokehouse structure noncompliant for anadromous waterbodies setbacks.

Lot Coverage – The GC zoning district does not require a maximum lot coverage percentage.

# Finding: N/A

**Structure Height** – A 2023 elevation drawing shows the Community Center structure at approximately 24 feet in height (Attachment N). A 1985 elevation drawing shows the picnic shelter at approximately 10 feet in height (Attachment I). The unpermitted smokehouse structure is approximately 10 feet in height. Maximum height is not exceeded.

# Finding: Staff finds the structures conforming for height.

Residential Density – The lot contains zero (0) residential dwelling units.

# Finding: N/A

**Use** – In 1978, a building permit was issued to construct a Community Center on Parcel No. 2 of the Salmon Subdivision (Attachment F). At that time, the most closely associated land use category for the use did not require

Paul Voelckers, MRV Architects File No: NCC2023 0052 January 5, 2024 Page 9 of 11

a Conditional Use Permit (CUP): Private and semi-public uses, such as: clubs, lodges, convents, social and community buildings.

The current, most closely associated USE category for the Shaan S'oox Community House is USE 5.400: *Social, fraternal clubs, lodges, union halls, yacht clubs*. Major developments for this type of land use require a CUP. As the site is over one-half acre of land (major development), a Conditional Use Permit will be required for expansion of the existing building.

### Finding: Staff finds the use conforming.

**Vegetative Cover** – GIS aerial imagery from 2013 shows that the lot has approximately 17% vegetative cover (Attachment N).

## Finding: Staff finds the lot conforming for vegetative cover.

**Parking** – The 80 off-street parking spaces are required on or near the lot. Currently, the lot has 21 off-street parking spaces, and no CBJ-approved joint use parking agreement(s) in place.

Finding: See the "Noncompliant Situations" and "Abandonment" sections below for further evaluation of this issue.

### NONCOMPLIANT SITUATIONS

**CBJ 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.

Based upon available information, the following situations are deemed noncompliant:

**Smokehouse:** An unpermitted smokehouse structure is located approximately seven (7) feet within the 50-foot anadromous waterbodies setback of Salmon Creek, as measured from the OHWM, per CBJ 49.70.330(a).

Finding: Staff finds the unpermitted smokehouse structure noncompliant for anadromous waterbodies setbacks. The property owner must bring the smokehouse structure into compliance with the Land Use Code.

**Parking:** The 80 off-street parking spaces were required for the Community Center when it received a Certificate of Occupancy in 1979, and again in 1991. A Shared Parking Agreement between the CBJ, the JTHCC, and Generations Southeast to the east automatically expired on July 1, 2021. Currently, the lot provides 59 off-street parking spaces less than required, and no CBJ-approved joint use parking agreement(s) in place.

### Finding: Staff finds the use noncompliant for 59 off-street parking spaces.

Paul Voelckers, MRV Architects File No: NCC2023 0052 January 5, 2024 Page 10 of 11

## **ABANDONMENT**

**CBJ 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.

**Parking:** In 1987, CBJ 49.70.310 Habitat was adopted which enacted anadromous waterbodies setback requirements, as measured from stream banks. Site improvements within the 50-foot anadromous waterbodies setback of Salmon Creek included 24 off-street parking spaces at the rear of the lot.

A November 2023 Existing Site Survey demonstrates the abandonment of 24 nonconforming off-street parking spaces previously located within the anadromous waterbodies setbacks, as confirmed by a site visit conducted by CBJ staff on December 6, 2023.

Finding: 24 off-street parking spaces previously located within anadromous waterbodies setbacks have been abandoned.

### **FINDINGS**

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

Analysis: No further analysis needed.

Finding: Yes. Staff finds the picnic shelter nonconforming for anadromous waterbodies setbacks.

2. Was the smokehouse allowed, or not prohibited by law, when it was established?

Analysis: No further analysis needed.

Finding: No. Staff finds the smokehouse noncompliant. The smokehouse can become conforming with an approved building permit.

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

Analysis: No further analysis needed.

Finding: No. Staff finds the use noncompliant for 59 off-street parking spaces.

4. Have the nonconforming situations been abandoned?

Analysis: No further analysis needed.

Finding: Yes. 24 off-street parking spaces previously located within anadromous waterbodies setbacks have been abandoned.

Attachment B - NCC2023 0052

Paul Voelckers, MRV Architects File No: NCC2023 0052 January 5, 2024 Page 11 of 11

# **RECOMMENDATION**

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

- Nonconforming Structures (CBJ 49.30.250):
  - Anadromous waterbodies setback of 2 feet (picnic shelter)

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

- Noncompliant Structures (CBJ 49.30.250):
  - Anadromous waterbodies setback of 7 feet (unpermitted smokehouse)
- Noncompliant Parking (CBJ 49.30.270):
  - 59 off-street parking spaces

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

- Abandoned Parking (CBJ 49.30.270):
  - 24 off-street parking spaces previously located within anadromous waterbodies setbacks.

# **STAFF REPORT ATTACHMENTS**

Item	Description
Attachment A	Application Packet
Attachment B	1915 U.S. Survey 1075
Attachment C	1978 Salmon Subdivision Plat Waiver 78-39W, via Platting Resolution 262
Attachment D	1977 Proposed Community Center Site Plan
Attachment E	1978 Letter from the Community Center architect to CBJ
Attachment F	1978 BLD-12057 for a Community Center
Attachment G	1979 Certificate of Occupancy for a Community Center
Attachment H	1981 Plat Waiver 81-35W
Attachment I	1985 BLD-17401 for a Picnic Shelter
Attachment J	1991 Tlingit-Haida Plat 91-34
Attachment K	1991 VAR1991-0001 for Lot Width
Attachment L	1991 Common Driveway Easement
Attachment M	1991 Shared Parking Agreement
Attachment N	2023 Existing Site Survey
Attachment O	2013 Aerial Imagery





# **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.

55 1075		
rict	A,	
Contact Person		
	Phone Number(s)	
	14.9	_
nits.	144	
	이 것 수 있는 것 같아요. 그 것 같아요. 그는 것 같아요. 이 것 같아요. 것 같아요. 것 같아요. 전 것 같아요. ? ? ? ? ? ? ? ? ? ? ? ? ? ? ? ? ? ? ?	must
Vention and L(up) or	ancent as fellous:	-
		ion.
a set of the second of the second second		
1 cm	the maintent of manager	the
-and Own	Cr Jin Acsidente Junct	Per
Title (e.g.: Landow	$5 \cdot CR 4/$	00
(all) be	11.110.23	
	Date	
Title (e.g.: Landow	mer, Lessee)	
	Date	
niect property during	e regular business hours. We will make every effort to	
ce and in accordance	한 것 같은 것 같은 것 같은 것 같은 것은 것 같은 것 같은 것 같은	g
and the second se		
contact rerson		
801	Phone Number(s)	
	11-11 2:02	
	11-16-2023	
	Date of Application	
ONLY BELOW THIS L	Date of Application	
ONLY BELOW THIS L	Date of Application	
ONLY BELOW THIS L	Date of Application	/
ONLY BELOW THIS L	Date of Application	1
	Date of Application	1
	Date of Application INE Intake Initials Se Number Date Received	1
	Date of Application INE Intake Initials	1
	co, which	contact Person  Contact Person  Phone Number(s)  Phone Number(s)  Its.  Ication, alternative written approval may be sufficient. Written approval  irre, and the applicant's name.  Ication and I (we) consent as follows:  my (our) property is made with my complete understanding and permisss mployees to inspect my property as needed for purposes of this application  cand counter

Attachment B - NCC2023 0052



# **APPLICATION FOR A NONCONFORMING CERTIFICATION REVIEW**

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

COMMUNITY DEVELOPMENT

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

TYPE OF NONCONFORMING SITUATION (CHECK ALL THAT MAY APPLY) USE X STRUCTURE DENSITY PARKING LOT

Have you submitted a narrative that fully explains the above listed nonconforming situations? YES NO The narrative should explain the nature of the nonconforming situation(s). Be specific, state past and present uses of the building, property, etc.

tuation	Type of Documentation	
tructure may be un	this proto	
stien conidor		
Parking Variane/	precimentes	
appeart to have ex	aved -	
	t the situation was maintained over time may include: business licens	

Manitamed Situation	Type of Documentation
Parking	Site Plan
Structure whi softwark / Stream set	back
	he Community Development Department may not be able to issue a ill surveys should show the property in its current condition.
ALL REQUIRED MATERIALS ATTACHED	NONCONFORMING CERTIFICATION REVIEW FEES: Fees Check No. Receipt Date
Narrative	Application Fees s
As-built survey or similar document	Admin. of Guarantee s Adjustment s
Documentation	

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

### **INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

sociated

Fees

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

Case Number	Date Received	
NCC23-52	11/16/2023	

	- NCC2023 0052
Attachment A	<ul> <li>Application</li> </ul>

### Nonconforming Certification Application Instructions

Nonconforming Situations is outlined in CBJ 49.30.310

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

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

- 1. Forms: Completed application for Nonconforming Certificate and Development Permit Application forms.
- 2. Fees: Fee is \$150. If submitted in conjunction with a development permit, the fee is waived. All fees are subject to change.

3. Project Narrative: A detailed narrative describing the nonconforming situation(s).

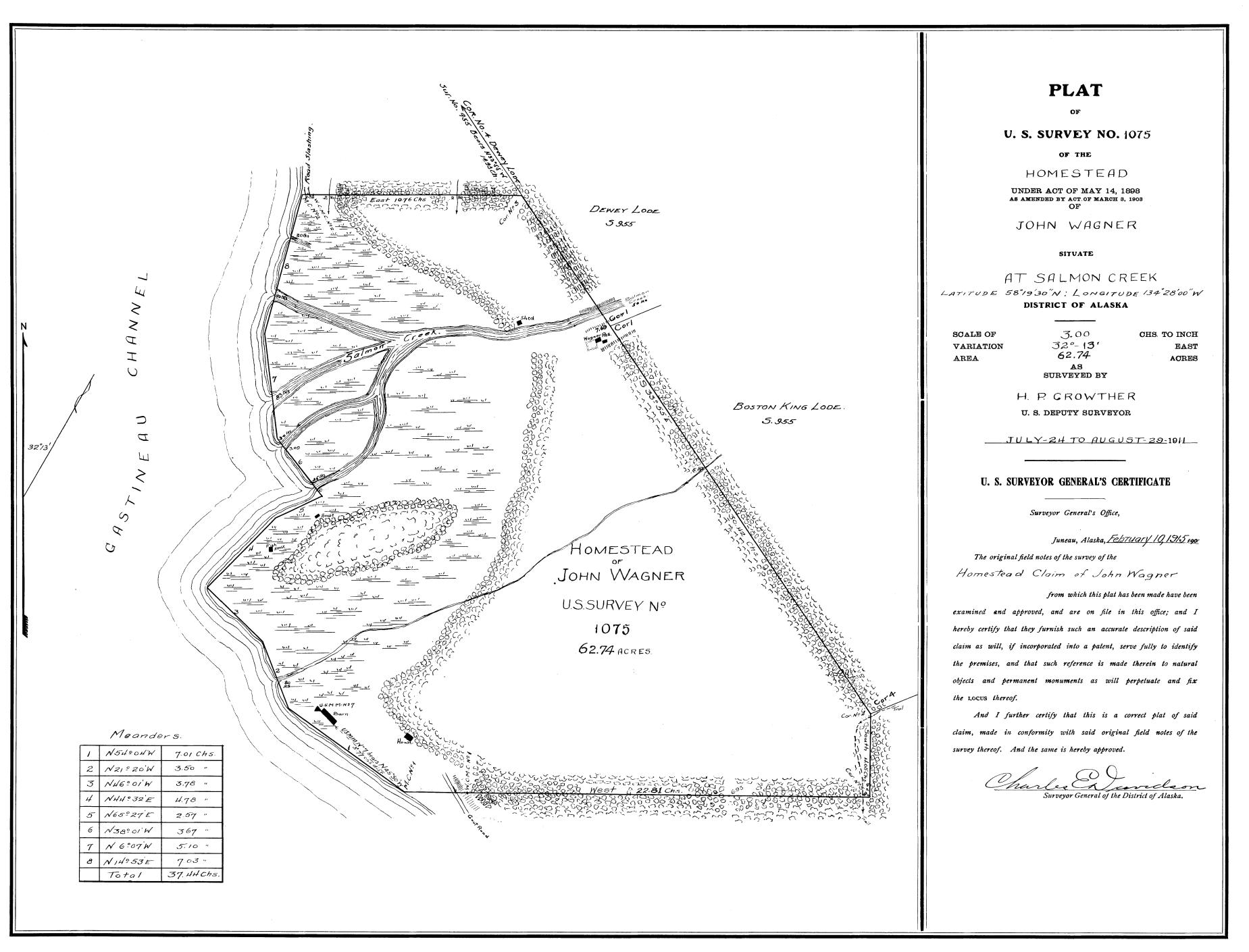
Document Format: All materials submitted as part of an application shall be submitted in either of the following formats:

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

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

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

### **INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**



Attachment B - 1915 USS 1075

Attachment B - NCC2023 0052

- 241

Vol. 425 p496

.

78-39W

# CITY AND BOROUGH OF JUNEAU, ALASKA

### PLATTING RESOLUTION NO. 262

Joseph Henri WHEREAS. (Applicant(s))

has applied to the City and Borough of Juneau Planning Commission in proper form for a waiver of plat and recording requirements of the subdivision of the following described real property:

Portion of U.S.S. 1075 located adjacent to the Hospital property at Salmon Creek

according to the attached plat, sketch or diagram.

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

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

That the said application for a statutory waiver of plat and recording requirements to a proposed conveyance of the above described operty is hereby granted.

Dated November 11, 1971

CITY & BOROUGH OF JUNEAU, ALASKA PLANNING COMMISSION

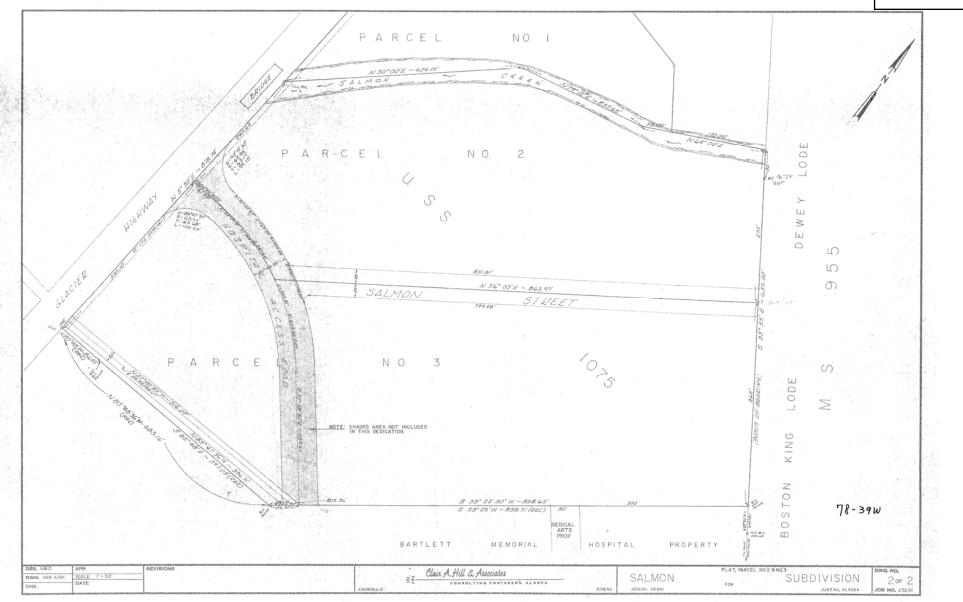
Bv Chairman

Attest:

Attachment C - 1978 Salmon Subdivision Plat Wavier 78-39W, Via Platting Resolution 262

Attachment B - NCC2023 0052

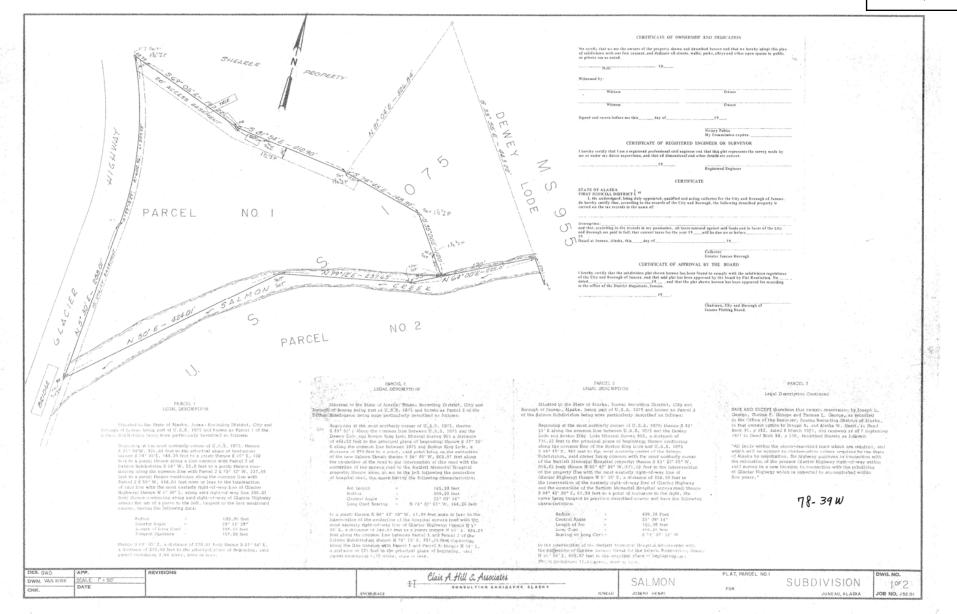




78-39W

Attachment C - 1978 Salmon Subdivision Plat Waiver 78-39W, via Platting Resolution 262 Attachment B - NCC2023 0052

461

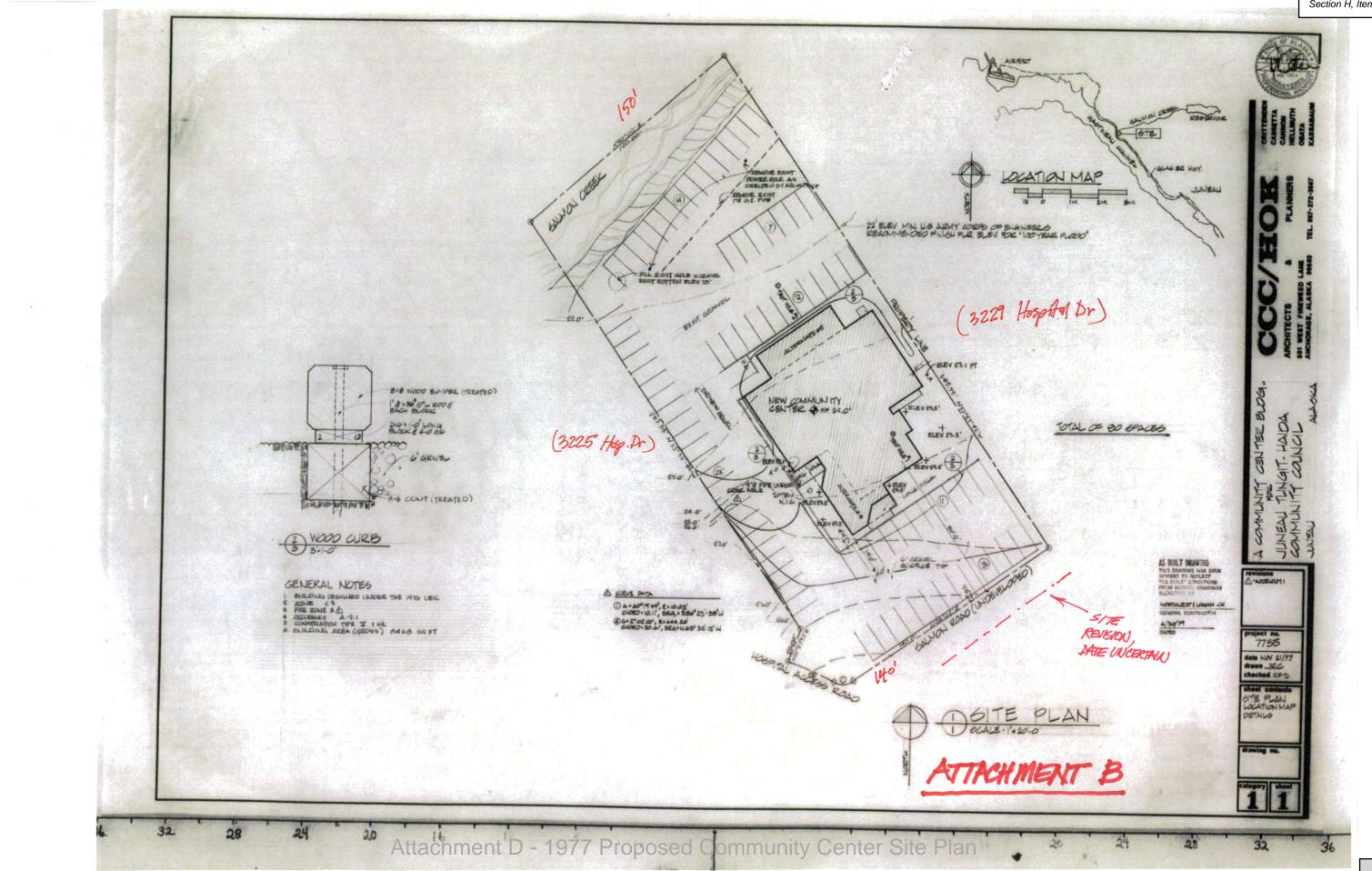


78-39W

Attachment C - 1978 Salmon Subdivision Plat Waiver 78-39W, via Platting Resolution 262

# Attachment B - NCC2023 0052

462



Attachment B - NCC2023 0052

Architects & Planners

Crittenden	Hellmuth
Cassetta	Obata
Cannon	Kassabaum

801 West Fireweed Lane Anchorage, Alaska 99503 Tel: 907 272-3567

February 21, 1978

Mr. Steven Gilbertson City and Borough of Juneau Planning Office 155 South Seward Street Juneau, Alaska 99801

Subject: JUNEAU TLINGIT-HAIDA COMMUNITY CENTER BUILDING 7735-03

Dear Sir:

It has come to my attention that you have some concern regarding the amount of parking being provided at the new Community Center Building for the Juneau Tlingit-Haida Community Council. The parking requirements for the project were based on the Planning and Zoning Code of the City and Borough of Juneau. In making the calculations, we used the following logic:

- 1. The project is most closely related to the category of Churches, Auditoriums and Similar Enclosed Spaces of Assembly which require one space for each four seats.
- 2. Since the space is a multipurpose space, how many seats should be assumed to be in the facility for purposes of parking?
- 3. After discussion with the Owners, it was determined that a full auditorium use of the facility would be rare, perhaps happening once a year or less at Tlingit-Haida Tribal Conventions. At this time, most people would arrive at the facility by bus or taxi since they would not be Juneau residents. We, therefore, assumed that 98 percent of the time the facility would function as a gymnasium for Community Council athletic programs, and for small meetings of the Community Council. Additional uses which might generate more parking requirements would be Tlingit-Haida Potlatches and other social gatherings. We, therefore, determined that for purposes of parking, the maximum demand would be most similar to that of a restaurant or night club requiring one parking space for each 200 square feet of gross floor area per the Planning and Zoning Code.

An Alaska Professional Corporation

Edwin B. Crittenden, Pres. Lucian A. Cassetta, Vice Pres. Daniel B. Gale, Vice Pres. Kenneth D. Cannon, Sec./Treas. San Francisco Office: 915 Front Street, San Francisco, California 94111 Telephone: 415 986-4275

Attachment E - 1978 Letter from the Community Center architect to CBJ

Mr. Steven Gilbertson Page 2 February 21, 1978

- 4. The gross area of the facility is 8,468 square feet, which is 200 square feet per space, gives us a requirement of 43 parking spaces.
- 5. Since the potential does exist for use of the facility in a maximized assembly situation, we maximized the amount of parking on the site to 80 parking spaces or, 37 more than would generally be required.

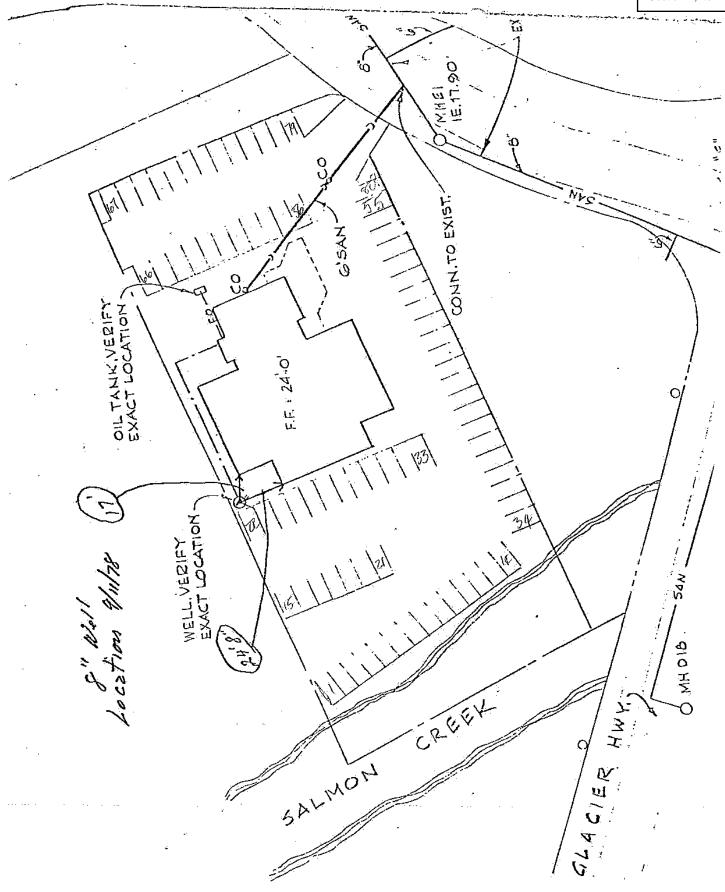
If you have any further questions regarding the parking, do not hesitate to call me so they might be resolved as soon as possible.

Very truly yours,

Stuart F. Smith Project Architect

SFS/duw

cc: Mr. Walter Johns



Attachment E - 1978 Letter from the Community Center architect to CBJ

Attachment B - NCC2023 0052

Section H, Item 7. (Ref Perunny # 17 1-1 PERMIT NO. AND BOROUGH ALASKA PERMIT FOR: BUILDING & GRADING WATER Owner's Name Ilingit Haida Commu nity (o ٢. VALLATION WALTER Adam 6-63 77 Address **Building Officia** AUG 29 .: 4 Uneau , Alas Pers of i ire Zip Code Tvention Pu Struggyreau N. W. Constructors + Contractor's Name Sever LIN 03 3-00-623 Address/Licens Phone 227-25 Water 23 Street Zip Code 99509 Sidewalk Other Charges ..... -1,18 LOCATION OF PROJECT als Total RECEIPT NUMBER Juneau 🕱 Douglas 🗌 Rural 🗍 LOT ... BLOCK DATE PLANS SUBMITTED DATE RECEIVED SUBDIVISION APPROVALS: Date 1025Tract/Lot\_2 U. S. SURVEY. ZONING ADMINISTRATOR Occupancy Group ... 11/75 FIRE MARSHALL Construction Type Forme Building Zone C-3 Fire Zone SANITARIAN 5 Area or Ø PUBLIC WORKS 8241 78 Volume (GUBIC/SQUARE FT.) BUILDING OFFICIAL 78 20pt. 11, RAD GULUR REMARKS: \_X han approved 320 spaces atilu xiching Caperity, arking NO CONNECTION MAY BE MADE TO THE PUBLIC SEWER SYSTEM UNTIL. -28-78 ъ NOTIFIED BY THE PUBLIC WORKS DEPT requirements The Letter 01 my PROTECTIVE INSPECTIONS PUBLIC WORKS -uç .28,1978 Building P Street (new) Plumbing Street Cut Heating 5 Sidewalk Electrical P Sewer Air Conditioning 🗌 Water M. CLASS OF WORK: New Addition 🖂 Repair 🗔 Alteration Residential : 🗆 -New Resident Address Mobile Home : Commercial : 1 mun Tu Build Salma I Industrial : BUILDING TYPE AND USE HEAT PLUMBING BUILT-IN'S Double P Single 📋 Stove.... Space Heater B 1st 2nd D. I. Stove & Oven Other\_\_\_\_ -- # Stories / Floor Furnace # Tubs Basement 📋 Frame P Hot Air Forced. # Toilets Oven Built-In double Concrete Block # Basins Radiant Range Built-In # Kitchen Sinks Log Other\_\_\_\_ Hot Water 1/ Zoned # Shower Stalls C. T. Range # Chimneys FRAME Exhaust Fans # Kind. Hood & Fan # Laundry Trays Walls 2 x 6 16 o.c. FIREPLACES Dishwasher Hot Water Tanks Floor х 0.C. Basement # Gallons Disposal Type Roof 2 x 12 16 o.c. Type 1st Floor Туре DEMOLITION INFORMATION: HOUSING DATA: DATE DEMOLISHED: No. of Living Units No. of Bedrooms THIS DEPARTMENT MUST HAVE AT LEAST 48 HOURS NOTICE PRIOR TO ALL INSPECTIONS. HOWEVER, DURING WINTER, PLUMBING TEST INSPECTIONS SHALL BE BY APPOINTMENT ONLY. FOR CITY SEWER AND/OR WATER SERVICE INSPECTIONS CALL OR NOTIFY CITY AND BOROUGH ENGINEERING OFFICE AT 586-3300, EXT. 30 WITH A MINIMUM OF 24 HOURS NOTICE. Total Number I HEREBY ACKNOWLEDGE THAT I HAVE READ THIS APLICATION AND STATE THE ABOVE IS CORRECT AND AGREE TO COM-PLY WITH ALL APPLICABLE STATE LAWS AND CODES AND ORDINANCES OF THE CITY AND BOROUGH OF JUNEAU. SIGNATURE: IGA (Swner/Applicant) (AFFADAVIT on Reverse side of application to be completed by authorized agent of owner) womenw, 7-75-1-21-11-1 · · · · · · Attachment F - 1978 BLD-12057 for a Community Center

467

# Certificate of Occupancy City & Borough of Inneau, Alaska

This Certificate issued pursuant to the requirements of Section 306 of the Uniform Building Code, as amended, certifying that at the time of issuance this structure was in compliance with the various ordinances of the City 5 Borough of Juneau regulating building construction or use. For the following:

Occupancy Group , A-2	
	1997 - 19
Type Construction Frame	ire Zone <u>3</u> Use Zone <u>SA-7</u>
Qwner of Building Community Council	Address R.R. 3 Box 3056 Juneau, AK 99801
Building Address 3235 Hospital Drive 1	Locality Salmon Creek
Legal Description of Building Lot U.S.S. 1075, TR2	Mali Lent Building Official
File No. 7-1-134-PN2-TR2-1075	Date: February 15, 1979
Post this Certificate and all identifie	ed attachments in a conspicuous place.
	A TANK AND CONTRACTOR

Attachment G - 1979 Certificate of Occupancy for a Community Center

Attachment B - NCC2023 0052

Section H, Item 7.

81-35W

#### CITY AND BOROUGH OF JUNEAU, ALASKA

#### PLATTING RESOLUTION NO. 794

# WHEREAS, Applicant(s)

WESTOURS MOTORCOACHES, INC. has applied to the City and Borough of Juneau Planning Commission in proper form for a waiver of platting requirements of the subdivi-sion of the following described real property:

#### A FRACTION OF U.S. SURVEY 1075

AS SHOWN ON THE ATTACHED SKETCH PLAT

according to the attached plat, sketch or diagram.

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

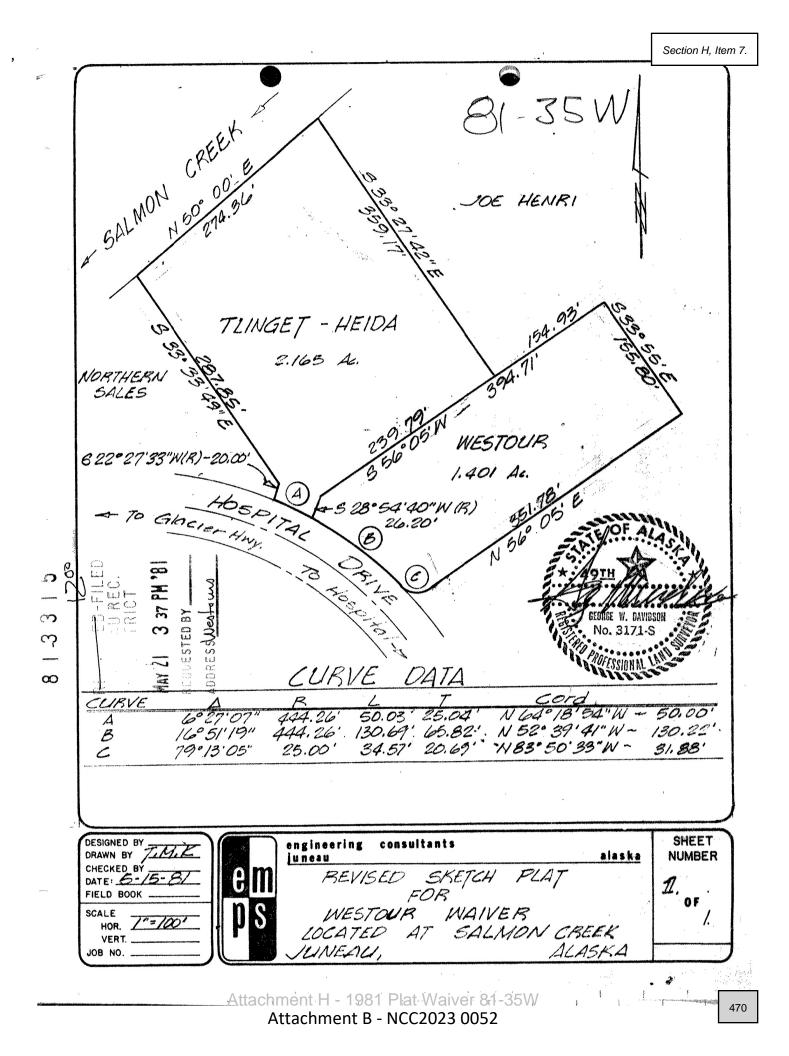
BE IT RESOLVED BY THE CITY AND BOROUGH PLANNING COMMISSION AS THE PLATTING AUTHORITY FOR THE CITY AND BOROUGH OF JUNEAU, ALASKA:

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

Attest	2000	By: Kathle	J.A.
AXK	X Y Jewa	Chairman	
Celerk/	Attachment H - 1	981 Plat Waiver	81-35W

CITY AND BOROUGH OF JUNEAU, ALASKA PLANNING COMMISSION 'E<sub>¢¢¢¢¢333497</sub> 844,54

Attachment B - NCC2023 0052

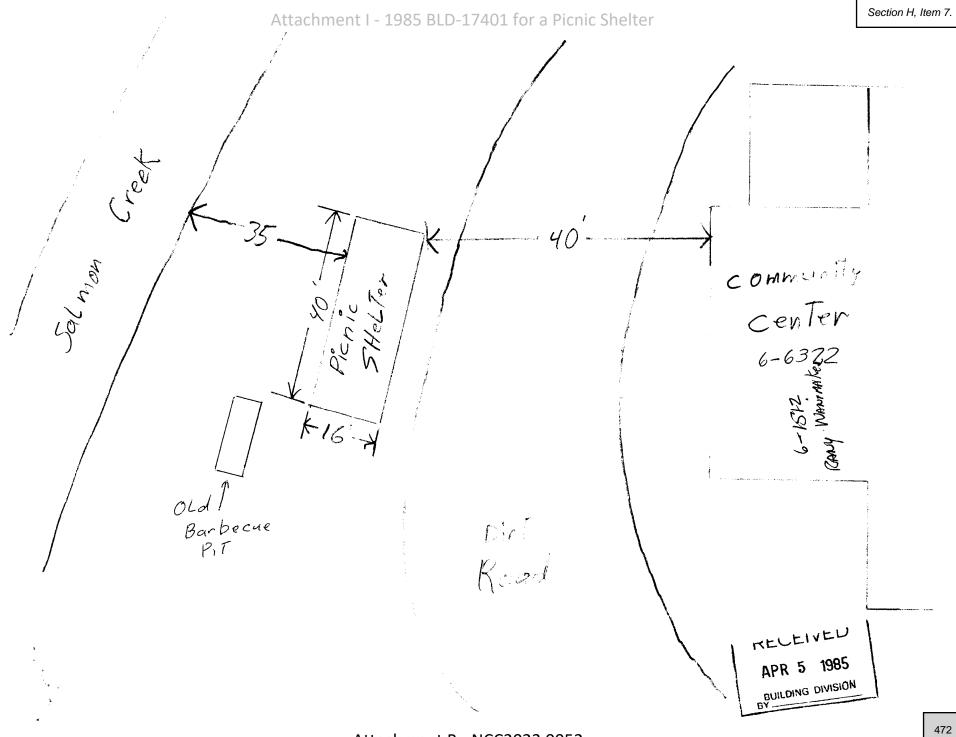


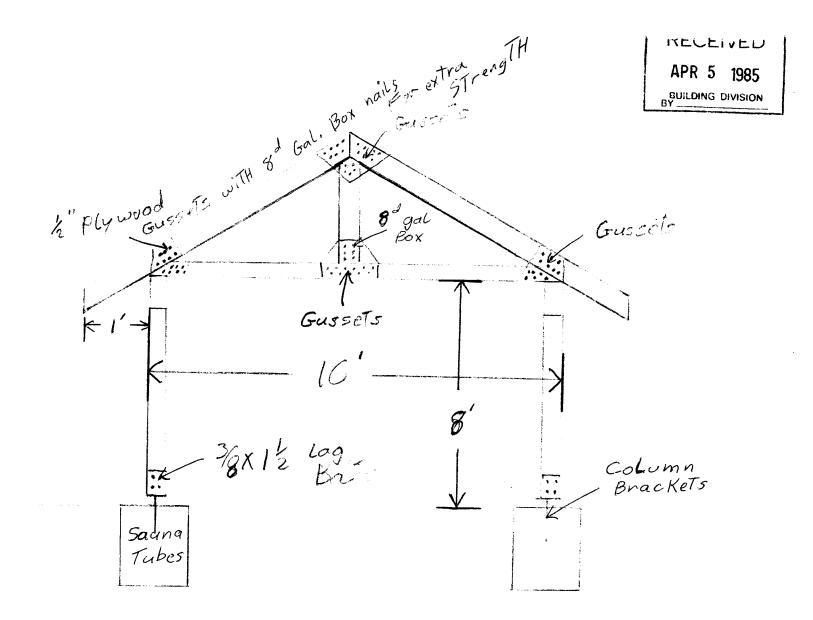
### Attachment I - 1985 BLD-17401 for a Picnic Shelter

												FILL IN THE				٦B	00	10	10	х)	011	DK
PERMIT PROCESS NO.	(	CI	T	Y	a	nd	1 E	30	DR	10	U	GH of	JU	NE	AU, A	LASI			P		int	Å
PERMIT BUILDING		G	ξR/	٩DI	INC	3 🗆			TEF	R 🗆	S	SEWER D	ELI		CALE		TE REÇ	EIVED	<b></b>	•_/_		JOB
Please quote the file n						-	re o	cor					· · · · · ·				In	-100			EH	NO. ADDRESS
FILE NUMBER 7-1-134-PN	2-	T	Ró	2-	jo	75	5/	17	-B	09	}	0-104	_C	10-	D	7	7/5	103	<b>)</b>	C		SS
LEGAL LOT NO.		BI	LOC	ĸ			1	TR B	ACT/	SUBE	DIVIS	AND-QK	FL	TIC	S. SURVEY		TE ISSU	F/	17	-4	5	
JOB ADDRESS		J	4	c	> 3	5,	Þ	)		ら	R	ive						/	<u>, ,</u>	<u> </u>	2	$\square$
OWNER (PLEASE PRINT OR TYPE)	a	l	H	A	ĺ,	, 176	т Ч	MA	AILAI	DDRE	SS				ZIP	CONTAC		NE	HOME	PHONE	377	
CONTRACTOR				4		MAI	ILAC	DDRE	SS		17	R	1.2	Junt	ZIP	PHONE 7 Mi	200	2		SE NO.	14	
ARCHITECT OR ENGINEER			,	-			М	AIL	ADDF	RESS	15	OF I		JME	ZIP	PHONE	159		LICEN	SE NO.		
CLASS OF NEW WORK ADDITION			R	EMC	OVE RATI	ON			MOVE			DEMOLI	TION	NEO	NSI	5ELT	ER					
TYPE OF RESIDENTI BUILDING MOBILE HO			C	OMM	MER			(	OTHE	B /	PI	·c1110			ELT							
IS THE PROPOSED WORK TO BE DO	NEO	IN LA	ND	WHI	сн	HAS	BEE			•												
APPLICANT'S REMARKS/USE OF BUILDING		P	i(A	//	`ر و			58,	5 R	٤٨	1.	ĒŖ		For	9	PU.	ßХ	1è				
REHABILITATION				0.74																·		320
YES (NO)	- <b>-</b>									YE	ES				•				Y	A FLOOI	NO	
THIS PERMIT BECOMES NULL.	ANDV	/OID	IF W	VOR	K OF	CON	VSTE	RUCT		анты		r an intertidal are	ea, a co	orps of en	gineers of o	her permits r	may be	required	d.			
ABARDONEDTONAFERIODO	F 160	DAT	SAI	AN	1 11	NEAL	FIE	RVVC	JHKI	SCO	мме	NCED.										
I HEREBY CERTIFY THAT I HAV OF LAWS AND ORDINANCES G		111111	an	113		LOF	wor		(TEI)	пена	SPEC	IFIED HEREIN (	ORNO	Ι.								
THE GRANTING OF THIS PERM VIOLATION OF THE TERMS OF	IT DO ANY I	DEED	D OF		VEN	IZE T	OR	ANY	ZON	N OF ING C		PROVISIONS OF	FANY F IONS.	EDERAL	., STATE OR L		REGULA	TINGC	ONSTR	UCTION	NORTH	E
SIGNATURE OF OWNER, CO	ОNТ	RAC	сто	)  R,	OR	AUT	тно	ORI	ZED	AG	ENT	Leu	e	Ø		int	ter	1	D		-5-	85
		T 1	]		rinet.	·····			n gelijter Literatur					ang			a an a' fa			19-64. 19-64.	<b>6</b> .000	Ť
NEW CONSTRUCTION			۷		1.00			र्वक व			-	TYPE OF CON				STORIES	Shika	N	0. OF L	IVINGU	NITS	
FINISH CONSTRUCTION						- 5. - 12					دی، جربی ایرانیا	NO. OF SEWE			NO. OF	SEDROPHS	, 153, (h. 1)			-	ODE	
ACTUAL VALUE FOR THE WORK DESCRIBED	5	3	2	2	C	0	7	-	23			OTHER APPR			APROVI	ED -			1997) 1997) 1997)	(104-1) <del>Anis</del> er		DATE
ACTUAL PERMIT FEE	1	1	- C - C	8	Gand						10	ZONING			C	-7		<del>د</del>	JR	• 0 -	4/	7/85
ACTUAL PLAN REVIEW FEE			2			3	0.03	đ	44	ps	3	FIRECHIEF	g la set	e ne er	and the second of	-(* - chu) - (h -	a.g. 1937			s g Verro	1	State of a
TOTAL PERMIT FEES			6	3	5	3		12	土	30	3	PUBLIC WOR	KS	n ngilisi	an a	and the state of the	å Ngr	$\frac{e^2}{2} \frac{g_{1}^2}{g_{1}^2} + \frac{e^2}{g_{2}^2}$		i ya ge	d dent	Nert and States
		-	1	0	in in f	0		₫	f	25	Ł	SANITARIAN	. :								olenda (c.) 	
BUILDING FEES			5	3	5.	3	- 1995 (1997) - 1995 (1997) - 1997 (1997) -	15		20	₿	ELECTRICAL PLUMBING	131 5 7		e franciska pos na strategi na strategi	an <u>an an a</u>				n an an Albanach	at, shii Northe	
SEWER/ACCT.NUMBER	-						-					APPROVAL		<u> </u>					•\\		<u> </u>	
WATER/ACCT. NUMBER								+	+		┿	REMARKS										
WATER/ACCT. NUMBER			-								1			···· ·								
																•						
													·							·····		
UTILITY FEES												OCCUPANCY	1	M	ingen og som			<u>leite</u> Mainte		F. Arry Y F. Arry Y	a di san Gina ang	
Weiter Britten Kontennen auf der Auflichen Kontennen Beiter der Auflichen Können Beiter auf der Auflichen Können Beiter Auflichen Beiter Au	1. and 1.				1997 - 1997 1997 - 1997 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1 1997 - 1997			р <sub>ан</sub> 12			ir ir j	SQ. FT.	6	<i><del>F</del>O</i>	in the second second			inter Angel A		<u>ينې د.</u> ووټود		
PLANS REVIEWED	1	<u> </u>		الينا . ب		0	1		 ·	DATE	 تشر	APPROVED	FORIS	SUANCE	BYDD	<u> </u>		15	0			ATE
BUILDING OFFICIAL REMARKS		18	11	ر	A D/	A		7	.15	- P /		OTING			<i>A</i> 3~	THICK		19	· 8	<u>)</u>		
						<u>a</u>						,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			<b>~</b>		×					
	· · ·														<u> </u>							
	-		7				·	<del>,,</del>	•••••								·					
		• • • • • • • • • • • • • • • • • • •		-										·							· · · · · · · · · · · · · · · · · ·	
This permit must be kept with	the	appr	ove	d pl	ans	. A s	epai	rate	Insp	ectic	on Re	ecord Card will	l be iss	sued wit	h the permi	it. The inspe	ection	Record	l Card	must be	posted	
on the front of the premises. TOTAL PERMIT FEE	ATT8	nge	aii i	nsp	ect	IONS	105			T NO.	,	FILING FEE									RECEIPT	NO.
422			<del>alaş qatı.</del>			19 <u>10 - 1</u> 1				- <u></u>				<u></u>	ما مهر الأربية معادية					<del>ش مرب مرب</del>		
53.5							÷		12			100	->								65	

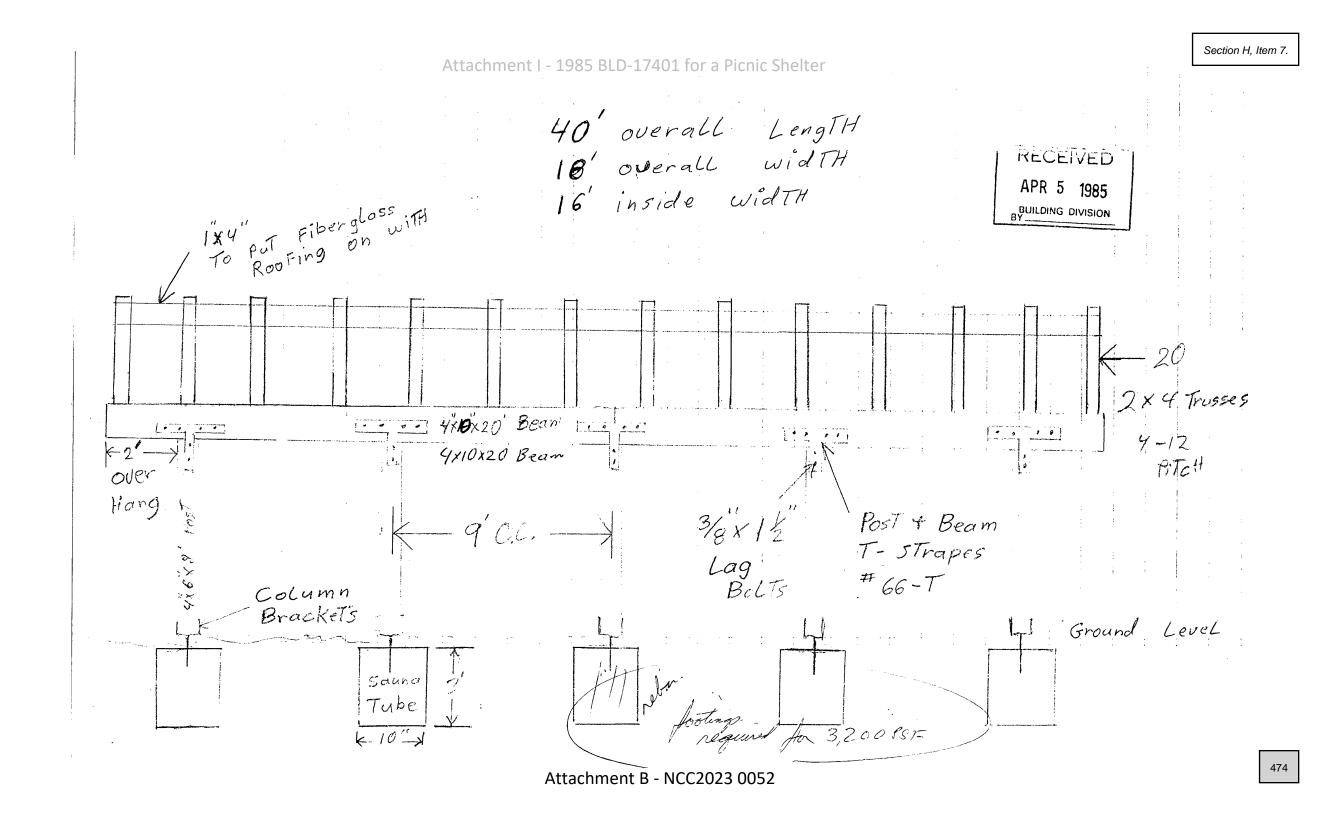
Attachment B - NCC2023 0052

Section H, Item 7.

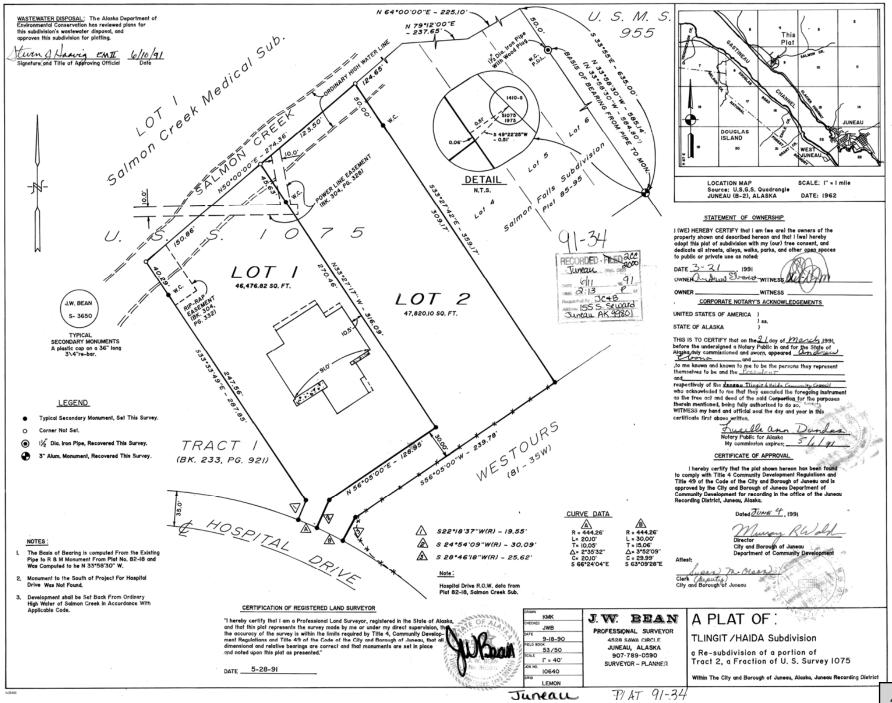


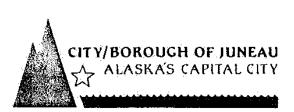


ني بر ي



Attachment J - 1991 Tlingit-Haida Plat 91-34





**PLANNING COMMISSION NOTICE OF DECISION** February 21, 1991

File No. VR-01-91

Tlingit and Haida Community Council 3235 Hospital Drive Juneau, Alaska 99801

Attn: Mr. Andy Ebona

Application for: Zoning Variance

Legal Description: Tract 2, U.S. Survey 1075

Parcel Number: 7-B09-0-104-010-0

Date Submitted: January 24, 1991

Hearing Date: February 12, 1991

The Planning Commission at its February 12, 1991, regular public meeting, approved the requested variance to allow subdivision of the subject property with a lot having less than the minimum width of 30 feet. The approval is subject to the following condition:

Access to the proposed lots shall be by common/shared driveway, identified on the plat. Such common access shall be defined and constructed in compliance with applicable CBJ Engineering standards.

In connection with the proposed replat, the owner/applicant shall submit a revised parking plan, in accordance with applicable standards, to show not less than 80 parking spaces for proposed Tract 2A. Parking shall be located on the parcel which said parking is intended to serve, or shall be within allowable distance, and the availability shall be guaranteed with long-term agreement, acceptable to the City and Borough of Juneau Law Department, for a period commensurate with the life of the building, but not less than 30 years.

Effective Date: March 15, 1991

• 155 South Seward Street, Juneau, Alaska 99801 -

Attachment K - 1991 VAR1991-0001 for Lot Width

Tlingit and Haida Community Council File No. VR-01-91 Page No. 2

Expiration Date:

August 12, 1992, unless a plat is issued in accordance with the plans for which the variance is authorized.

ومرمد ..•

Project Planner:

KN Tom Korosei

Planner I

RECEIVED BY CITY CLERK

cc: Eric Davenport Debra J. Purves Terry Brenner Stephen J. Pearson John W. Bean

• · · · · · · · · · · · ·

Mr. Williams spoke against the motion. The Duck Creek realignment is the only thing that should be considered at this time. Other adjustments to the plan can be considered after further study.

AMENDMENT - by Williams to address the realignment of Duck Creek.

In response to Mr. Lawson, Mr. Bowers stated there is no justification for doing other improvements without approving the Duck Creek relocation.

Mr. Lawson stated the Duck Creek realignment would be linked with the access road and other future sites. The only item left would be the T-hangars on the east side. He spoke in favor of considering all three items together.

Mr. Williams requested withdrawal of his amendment. There was no objection.

MOTION - by Sheinberg to continue this action to a Committee of the Whole meeting.

Roll Call:

Ayes: Sheinberg, Anderson, Bolton, Eaddy, Halterman

Nays: Lawson, Williams, Dybdahl, Kibby

The motion to continue passed, 5-4.

RECESS

#### 9:37 - 9:44 p.m.

VI. BOARD OF ADJUSTMENT

VR-01-91

1. Request for a variance to reduce the required lot frontage on a public road from thirty (30) feet to approximately twenty (20) feet to allow subdivision of a tract of land for commercial development.

Applicant: Tlingit and Haida Community Council

<u>Staff Report</u>: Mr. Korosei reviewed the staff report included in the packet. Staff recommends denial of the

PLANNING AND ZONING COMMISSION - 9-

February 12, 1991

Attachment K - 1991 VAR1991-0001 for Lot Width

requested variance. The applicant's situation fails to meet all the variance approval criteria as set out in CBJ 49.20.250. The specific condition not met is:

"That compliance with the existing standards would unreasonably prevent the owner from using the property for a permissible principal use and would be unnecessarily burdensome because it would impose peculiar and practical difficulties to, or exceptional and undue hardship upon the developer of such property."

In any event, approval of the variance or subdivision must include a requirement that adequate parking be assured, by submittal of a parking plan and/or long-term parking agreement acceptable to the CBJ Law Department guaranteeing the required parking.

In response to Mr. Williams, Mr. Korosei stated the applicant could work with adjoining property owners to acquire the additional ten feet necessary to make this property into two lots and meet the minimum 30-foot width required.

In response to Ms. Anderson, Mr. Korosei stated it is a requirement in a panhandle subdivision to combine access. Mr. Korosei stated in the Subdivision Review Committee, initially the applicant requested dividing the lot with no direct frontage onto a public right-of-way, with access to the back lot by easement. That was rejected in favor of direct access to the back lot by way of a panhandle.

In response to Mr. Williams, Mr. Korosei stated in a panhandle lot it is preferred not to have two driveways. Mr. Korosei stated there is only 50 feet of frontage available in this case and the code requires a minimum of 30 feet frontage on a public right-of-way. Therefore, only one of the lots can meet the standard.

In response to Mr. Dybdahl, Mr. Korosei stated other properties behind these parcels have other access.

Mr. Korosei clarified for Ms. Sheinberg that the panhandle provision requires access for two lots to be combined.

Public Participation:

<u>Steve Pearson</u>, representing Tlingit and Haida Council, stated no easement will actually be conveyed, but it will

PLANNING AND ZONING COMMISSION

Υ.

- 10-

February 12, 1991

Attachment K - 1991 VAR1991-0001 for Lot Width

١.

variance.

In response to Ms. Anderson, Mr. Pearson stated the common driveway will be on the south end of the property. A row of parking would be eliminated, but by angling parking and was reducing the aisle width, there would be no problem and and retaining 80 spaces. 1

be subject to agreement for common use of a single access onto Hospital Drive. Acquiring the ten feet required for an additional driveway does not appear to be a workable alternative, and the applicant desires to proceed with the

#### Commission Action:

In response to Ms. Sheinberg, Mr. Korosei stated a sarged variance is needed because Lot 2A has less than 30 feet of street frontage. 219

MOTION - by Williams to approve VR-01-91.

Mr. Dybdahl stated his desire to abstain from voting due to his membership on the Tlingit and Haida Community Council.

In response to Ms. Sheinberg, Mr. Pearson stated the intent is to use the 30-foot access to Hospital Drive for both lots.

Responding to Ms. Anderson, Mr. Pearson stated there will be a perpetual common driveway easement with nothing in particular to preclude usage of the 20-foot space.

In response to Chairman Halterman, Mr. Korosel stated, in actuality, tract 2A and 2B do not exist in staff's records; only one tract is recorded, which is the combined area identified as 2A and 2B totalling 94,000 square feet.

Mr. Lawson proposed a friendly amendment to the motion that the variance include a common driveway easement making one access between the two tracts.

Mr. Williams stated a variance might be required for a second driveway anyway. Mr. Korosei stated there is a 6-foot separation requirement from the corner line. Chairman Halterman clarified if the subdivision is

PLANNING AND ZONING COMMISSION

- 11-

February 12, 1991

Attachment K - 1991 VAR1991-0001 for Lot Width

approved and there is a proposal to put a driveway in the 20-foot section, the minimum width for driveways would conflict with the separation requirements between driveways coming onto a public right-of-way.

In response to Ms. Sheinberg, Mr. Korosei stated combined access is required under the panhandle provision of the code, if the subdivision is approved as is.

Mr. Williams accepted the friendly amendment. Mr. Lawson restated the friendly amendment, which would establish an easement between the two tracts requiring that there be only one common access point for both lots to the rightof-way.

Roll Call:

Ayes: Lawson, Sheinberg, Williams, Anderson, Bolton, Eaddy, Kibby

Nays: Halterman

Abstained: Dybdahl

The motion passed, 7-1,

#### VII. <u>PLANNING DIRECTOR'S REPORT</u>

الاستنباب الاستان ال

Mr. Ira Winograd presented the Commission with the operating plan for the A-J Kensington mines. Chairman Halterman stated that an electrical analysis showing effects of supply and demand on the community from development of the A-J Mine was to be included in the socioeconomic input assessment. Mr. Walsh had previously concurred that the contract would be amended to reflect that analysis. Chairman Halterman stated his desire to have that analysis completed.

Mr. Winograd stated the Kensington application has been submitted. Applicant briefings are scheduled for February 19 and March 5. It was proposed in a February 8 memo from Gary Gillette to cover the same topics used in the A-J presentations. A Committee of the Whole meeting should be scheduled to discuss the airport master plan and could include a proposal for a heliport to serve the Kensington.

Regarding the airport master plan, Chairman Halterman stated the airport manager should undertake whatever

PLANNING AND ZONING COMMISSION

February 12, 1991

Attachment K - 1991 VAR1991-0001 for Lot Width

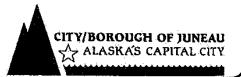
## MEMORANDUM

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

- DATE: February 8, 1991
- TO: Planning Commission
- FROM: Tom Korosei, Planner I Community Development
- SUBJECT: Variance Application
- FILE NO.: VR-01-91

#### GENERAL INFORMATION

Applicant:	Tlingit and Haida Community Council
Property Owner:	Tlingit and Haida Community Council
Requested Action:	Approval of Variance
Purpose:	To reduce the required lot frontage on a public road from thirty (30) feet to approximately twenty (20) feet to allow subdivision of a tract of land for commercial development.
Legal Description:	Fr. U.S.Survey 1075
Parcel Code Number:	7-B09-0-104-010-0
Location:	3235 Hospital Drive
Site Size:	Approx. 94,200 sq. ft.
Access:	Hospital Drive
Existing Land Use:	Community Center
Surrounding Land Use:	Commercial/Office
Zoning Designation:	General Commercial (GC)



Planning Commission VR-01-91 Page 2

#### PROPOSAL

The applicant is requesting a variance to allow subdivision of a tract of land into two approximately equal lots, at least one with less than the required thirty-foot frontage required by CBJ 49.15.460 (Subdivision Design).

#### BACKGROUND

The minimum standard of thirty feet for lot frontage appears intended to facilitate reasonable access to, and spacing between access ways to, adjoining properties. The twenty-foot minimum standard lot width that applies in certain zoning districts, for example, general commercial districts, allows lots to be grouped together for economical development without the necessity of frequent replatting. This minimum width would not be reasonable for development of a single lot.

A letter from the applicant's attorney presents additional discussion on the request, and is attached for reference.

#### ANALYSIS

The property as developed represents a reasonable permissible use. Therefore under applicable criteria a variance is not necessary to allow a reasonable degree of development.

Moreover, if the variance is granted to allow the subdivision, it is unclear that the impact on the developed portion of the property, in terms of providing required parking, will be acceptable.

#### STAFF RECOMMENDATION

Staff recommends denial of the variance application. The applicant's situation fails to meet all of the variance approval criteria as set out in CBJ 49.20.250. A specific condition not met is:

That compliance with the existing standards would unreasonably prevent the owner from using the property for a permissible principal use and would be unnecessarily burdensome because it would impose peculiar and practical difficulties to, or exceptional and undue hardship upon the developer of such property."

Planning Commission VR-01-91 Page 3

In any event, approval of the variance or subdivision must include a requirement that adequate parking be assured, as by submittal of a parking plan and/or long-term parking agreement acceptable to the CBJ Law Department guaranteeing the required parking.

المنبعان

GENERAL PRACTICE

LAW OFFICES OF

STEPHEN J. PEARSON

STEPHEN J. PEARSON

318 FOURTH STREET JUNEAU, ALASKA 99801 TELEPHONE (907) 586-2601

FAX (907) 586-3762

#### January 24, 1991

Planning Commission City and Borough of Juneau 155 S. Seward St. Juneau, Alaska 99801

Re: Variance Request, Tracts 2A/2B, U.S. Survey 1075.

Dear Members of the Planning Commission:

Attached to this letter is an Application for Variance of the requirements of CBJ 49.15.460(5)(A). The application relates to the subdivision of Lot 2, U.S.S. 1075, near the Hospital. The subdivision was approved by the Subdivision Review Committee on October 31, 1990. Because of the Common Driveway requirements of CBJ 49.15.420(h)(1)(C), the width of Lot 2A immediately adjacent to Hospital Drive would be reduced to 20 feet. Lot 2A would be served by the 30-foot common driveway on Lot 2B. Although the 20-foot dimensional width of Lot 2A adjacent to Hospital Drive meets the criteria of Table 49.25.400, CBJ 49.15.460(5)(A) states that all lots have at least thirty feet of frontage on a dedicated right-or-way. Without knowing, the intent of CBJ 49.15.460(5)(A) may be to assure that all lots have at least 30 feet of driveway access, a condition met in this instance through enforcement of the panhandle lot requirements. In any event, however, a variance may be needed from the literal requirements of CBJ 49.15.460(5)(A).

Background information follows.

#### 1. <u>Background</u>.

Central Council of Tlingit and Haida Indian Tribes of Alaska, the purchaser of Tract 2B, U.S.S. 1075, is a federally recognized Tribal governing body for Tlingit and Haida Indians throughout Southeast Alaska. Central Council currently has approximately 15,000 enrolled members.

The Juneau Tlingit & Haida Community Council, current owner of the entirety of Tract 2, is a political subdivision of the Tribe. Both the Tribe on an areawide basis, and the Community Council, on a local basis, conduct programs designed to benefit Alaska Natives within their respective jurisdictions. Central Council has annual conventions, with officers and the Executive Committee elected biannually. Each Community Council has elections of delegates. The delegates attend and vote at the annual conventions of Central Council.

In approximately 1978, the Juneau Community Council secured funding through the EDA to acquire the land and construct a community center. The community center, located within Tract 2A, provides facilities for meetings by various Native and other organizations, recreation, fund

raising by various organizations, and other activities. The community center is heavily used and is a source of some pride on the part of the Native community.

Despite opposition, the City determined that the property as developed was subject to real property taxation. The Community Council is a non-profit governing body for local Indians. It was unable to cover both operating costs of the facility and taxes. Taxes accordingly accrued to approximately \$ 30,000.00.

The facilities were being foreclosed by the City in August, 1990. To preserve use and ownership of the facility by the Native community, Central Council agreed to purchase approximately one acre of the grounds from the Community Council for a potential Day Care/Family Center. Due to timing exigencies, Central Council needed to promptly pay \$ 35,000 to the City to stop the foreclosure action. The Council worked closely with the City Treasury Department in that regard. The timing constraints did not allow all aspects of the transaction to be worked out in advance, such as division of the lots. The current application seeks to accomplish that end.

The actual background of the property is a bit unclear. It appears that Joe Henry in 1978 initially conveyed what is designated as Tract 2A on the enclosed plat to the Community Council. Apparently, at or about the same time Mr. Henry secured some form of approval to detach Tract 2B from the adjacent land, apparently with the intent of conveying that parcel as well. A subsequent deed conveyed both tracts to the Community Council. The City records which I have reviewed seem to suggest that the Tracts were combined, but is a bit hazy in that regard.

On October 23, 1990, Central Council submitted an application for Short Plat Subdivision. Two alterations to the submitted proposed plat were noted:

- 1. The boundary line between Tract 2A and 2B would be moved to the northeast by approximately 6 to 12 inches to allow for at least a 10 foot setback from the property line of the current Community Council facility.
- 2. The area designated as a driveway easement would be replaced by an actual conveyance of title to Central Counsel to provide 30 feet of common driveway access for both lots to Hospital Drive, consistent with CBJ 49.15.420(h)(1)(C).

The Subdivision Review Committee heard the matter on October 31, 1990, and approved the plat with the changes noted.

Although the minor subdivision meets the requirements of CBJ 49.15.420(h) and although the extension of Lot 2A meets the minimum 20 foot lot width standards of Table 49.25.400, the Planning Department indicated that the 30 foot requirements of CBJ 49.15.460(5)(A) also apply.

Without knowing, that provision may be principally directed to assuring that workable access is maintained at all lots. From that standpoint, the policies would be met by the thirty foot common drive requirements of CBJ 49.15.420(h)(1)(C). However, under the circumstances, it may not be necessary to resolve a potential ambiguity in the ordinances. A variance under the circumstances may be appropriate and is requested.

The standards are discussed below.

- 2. Variance Standards.
  - (a) Lesser Relaxation.

Under the circumstances, the proposed lot split and provision for a single 30-foot access would appear to meet the requirements of CBJ 49.15.420(h). The only question is whether the split must also require a second minimum 30-foot road frontage in addition to the 30-foot common driveway requirement mandated by CBJ 49.15.420(h)(1)(C), where both lots otherwise meet all required size, setback and width requirements. The question is an "all or none" issue. The parties currently have 50 feet of road frontage between the two lots. The required drive is 30 feet under CBJ 49.15.420(h)(1)(C). The remaining footage, although consistent with Table 49.15.400, is simply not enough to additionally meet the requirements of CBJ 49.15.460(5)(A).

3

For the foregoing reason, a lesser relaxation would not be available which would give relief.

(b) <u>Consistency with Intent of Title and Public Safety and Welfare.</u>

The requirements of at least 30 feet of road frontage in CBJ 49.15.460(5)(A) appears to express a policy requirement that suitable access be available for all lots. That policy is met by the requirements of CBJ 49.15.420(h)(1)(C), which mandate a 30-foot common driveway. Additionally, however, CBJ 49.15.420(h)(1)(C) expresses an intent that in panhandle situations, the number of accesses onto the public street be limited to a single driveway. The provision reflects obvious concerns for the sheer number of driveway exits onto publicly travelled streets and thus goes beyond the provisions of CBJ 49.15.460(5)(A).

Under the circumstances, the plat as proposed meets the more restrictive requirements of CBJ 49.15.420(h)(1)(C) and assures that the number of accesses onto Hospital Drive will not unduly multiply as a result of the lot split. Fulfillment of that purpose fulfills both the underlying intent of CBJ 49.15.460(5)(A) and the further strictures of CBJ 49.15.460(5)(A). In essence, there would be no detriment to considerations of public safety and welfare by allowing the 20-foot width for Lot 2A on Hospital Drive, since that area as a potential driveway access is superseded in function by the mandatory 30-foot driveway provided pursuant to CBJ 49.15.420(h)(1)(C).

For the foregoing reasons, the apparent intent of both CBJ 49.15.420(h)(1)(C) and CBJ 49.15.460(5)(A) are met through the application of the more restrictive provisions of CBJ 49.15.420(h)(1)(C). The variance would not be inconsistent with considerations of public safety and welfare.

#### (c) Injury to Adjacent Property.

The grant of the variance will have no known adverse impacts to adjacent properties. If the variance were not granted, more of an impact could be felt, since efforts would be needed to purchase an additional 10 foot strip of land from the adjacent property owners.

Attachment K - 1991 VAR1991-0001 for Lot Width

يجبير

4

#### (e) <u>Authorized Uses</u>.

The variance would not authorize a use not allowed in the district involved.

#### (e) <u>Prohibition of Permissible Use; Unnecessarily Burdensome</u>.

As noted in the application, the purchaser desires to utilize the approximate one acre site for a family/day care center. Such a use is consistent with its functions as a governmental body operating for the common good. Such uses are allowable uses in the zoning district and should materially enhance the public good in light of current shortages in day care and related facilities. If the variance were not granted, development (and the purchase) might well be frustrated. Central Council might not be able to negotiate purchase of additional lands from adjacent neighbors.

As noted above, the apparent intent of access mandated by the ordinances have been met by compliance with CBJ 49.15.420(h)(1)(C). A further requirement of an additional 30 feet frontage for Lot 2A under CBJ 49.15.460(5)(A) would appear under the peculiar circumstances of this case to be unwarranted, where access criteria are already being met, and where Lot 2A otherwise meets the dimensional standards of the ordinance.

The only alternative for Central Council would be to attempt to purchase and effect further plat submittals in regard to shifting of boundary lines with neighboring lots. Some potential problems would be faced in connection with such efforts.

First, Central Council might not be successful in securing additional areas, since the acquisitions would need to be consensual. Tract 1, as noted below, already has limited areas for parking, loading and vehicular flows. The owners might be reluctant to sell any portion of their lands not covered by the existing building, particularly in the area involved, since the building's loading dock is at that end.

At this time, Tract 1 has a total lot area of 20,371 square feet. The gross building area is 11,880 square feet. A rough computation indicates that only approximately 8,491 square feet remains for parking, vehicular flows, loading docks and turnarounds. If further land were sold, insufficient space might remain for efficient parking, access, traffic flows, and maneuvering room for semi-trailers. Beyond negotiations which might or might not be successful with the owners of that lot, some additional complications would occur in regard to replatting of yet an additional lot and appurtenant reviews. Some additional bends in lot lines might be required.

Another alternative would be for the City to sell a portion of its adjacent lot on the other side of the current ingress/egress to the property. Such an acquisition would require a further bend in property lines, relocation of a fence, and potential other complexities. Of course, the City might also not desire to sell any of that land.

For the foregoing reasons, it is submitted that the variance requested would be justified under the somewhat peculiar facts and circumstances of this case where the apparent intent of CBJ 49.15.460(5)(A) is being substantially fulfilled through the requirements of CBJ 49.15.420(h)(1)(C) in any event.

### (f) Benefits/Burdens.

The applicant can think of no particular detriments to the neighborhood in the granting of the variance. No additional accesses onto the public ways will be occasioned. Both lots will be in excess of one acre in size. No further panhandling of the lots will be permitted by reason of the express terms of CBJ 49.15.420.

5

The benefits will include more efficient utilization of the lands, and the planned creation of a new facility which will probably be devoted to public needs in the community.

#### (g) Zoning Requirements.

The requested variance would not violate housing density, gross nonresidential floor area, or building or lot coverage standards.

For the foregoing reason, Central Council requests that the variance be reviewed and granted.

Sincerely,

Stephen J. Pearson

cc. Client

CHTY/BOROUCH OF UINEAU	
CITY/BOROUGH OF JUNEAU	
W ADISKAS CALINE CIT	

÷.

#### APPLICATION FOR VARIANCE

File No.: <u>VE 01</u>41 Fee: \$100.00

City and Borough of Juneau Department of Community Development

- List the dimensional standards of the municipal code (CBJ Title 49) from which you seek to secure a variance (setback, height, bulk, etc): CBJ 49.15.460(5)(A): <u>Minimum 30 feet road frontage.</u>
- Describe the activity for which you seek a variance: Ninor subdivision per CBJ 49.15.420(h). Single 30' common driveway access being provided pursuant to CBJ 49.15.420(h) (1)(C).
- 3. Existing zoning: GC General Commercial
- 4. Use of existing building and premises: Lot 2A (not being conveyed to applicant) <u>Community Center/Gymnasium</u>
- 5. Use of proposed building and premises: Lot 2B Probable: Day Care/Family Center
- 6. Dimensions of Property: Lot 2A/Lot 2B Width: 20'/360' Depth: 140'/124' Area (square feet): 44,000+/44,000+
- Existing Utilities: WATER: On Site \_\_\_\_\_ Public x SEWER: On Site \_\_\_\_\_ Public x
   Public water and sewer will be extended to Lot 2B upon development
   Size of Proposed Building: uncertain at this time

	Width:	Depth:	Area (square feet):	<u></u>
9.	Required Setback	<:	Proposed Setba	

э.	Front: 25	Front: No change
`	Side: 10	Side: No change
	Rear: 10'	Rear: <u>No change</u>

- 10. Indicate if there has been any previous variance involving these premises and provide date of filing, character of variance and disposition of the request: None known.

- 13. Indicate what hardship would result if the ordinance requirements were compiled with: See attached letter.

#### 

All applications for a Variance shall be accompanied by a \$100.00 application fee and the following plans and submittals:

- A. City and Borough of Juneau General Application Form for Development Proposals (Form #1026P).
- B. SITE PLAN. One copy of a plan drawn (suitable for reproduction) to scale showing the site location, dimensions, and location of existing and proposed buildings. If the variance sought is for a setback, an AS-BUILT SURVEY shall also be submitted. If the variance sought is for topographical reasons the topography shall be shown on the plan.

Submitted already in connection with 10/23/90 Short Plat application approved 10/31/90 C. A copy of the covenants, easements, and/or deed restrictions affecting the site.

PLEASE NOTE: INCOMPLETE APPLICATIONS WILL NOT BE PLACED ON THE PLANNING COMMISSION AGENDA AND WILL BE RETURNED TO THE APPLICANT FOR COMPLETION.

#### GROUNDS FOR VARIANCE

Evaluate the variance reguest against the following criteria and verify (CBJ 49.20.250):

(1) Whether a lesser relaxation than that applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners;

(2) That relief can be granted in such a fashion that the intent of this title will be observed and the public safety and welfare preserved;

(3) That the authorization of the variance will not injure nearby property;

(4) That the variance does not authorize uses not allowed in the district involved;
 (5) That compliance with the existing standards would unreasonably

(5) That compliance with the existing standards would unreasonably prevent the owner from using the property for a permissible principal use and would be unnecessarily burdensome because it would impose peculiar and practical difficulties to, or exceptional and undue hardship upon the developer of such property;

(6) That a grant of the variance would result in more benefits than detriments to the neighborhood; and

(7) That the variance would not violate housing density, gross nonresidential floor area, or building and lot coverage standards. (Serial No. 87-49 \$ 2 (part), 1987).

#### STAFF RECOMMENDATION

DENIAL

AL The staff finds one or more of the above conditions is not met as applied to the requested variance.

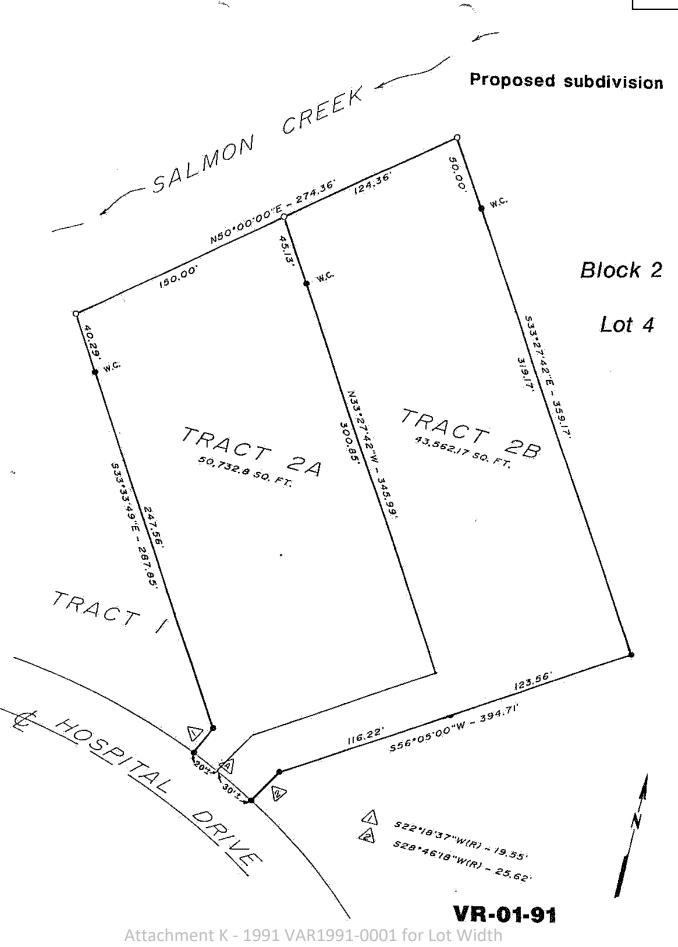
APPROVAL

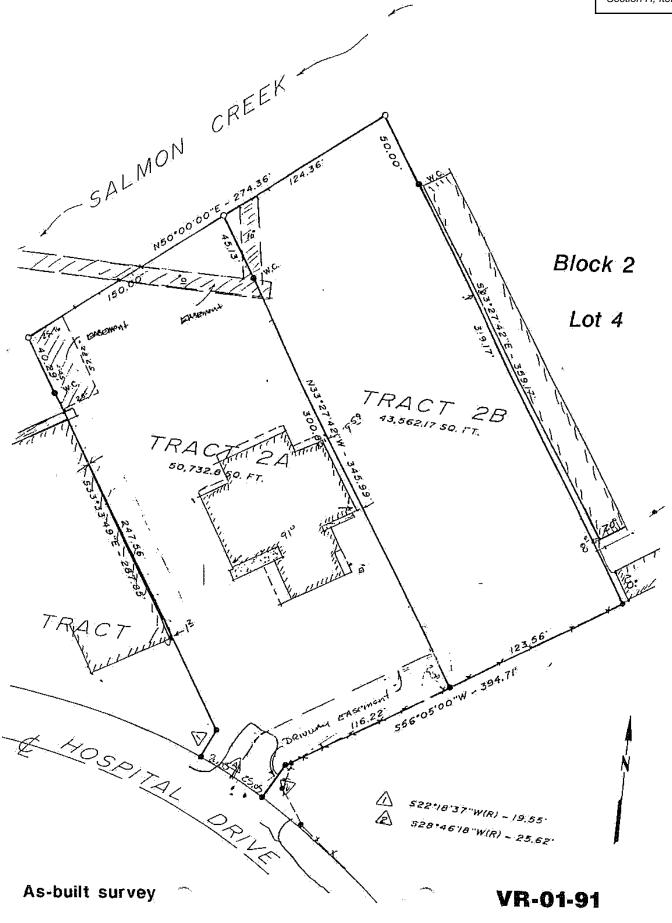
COMMENTS

Date

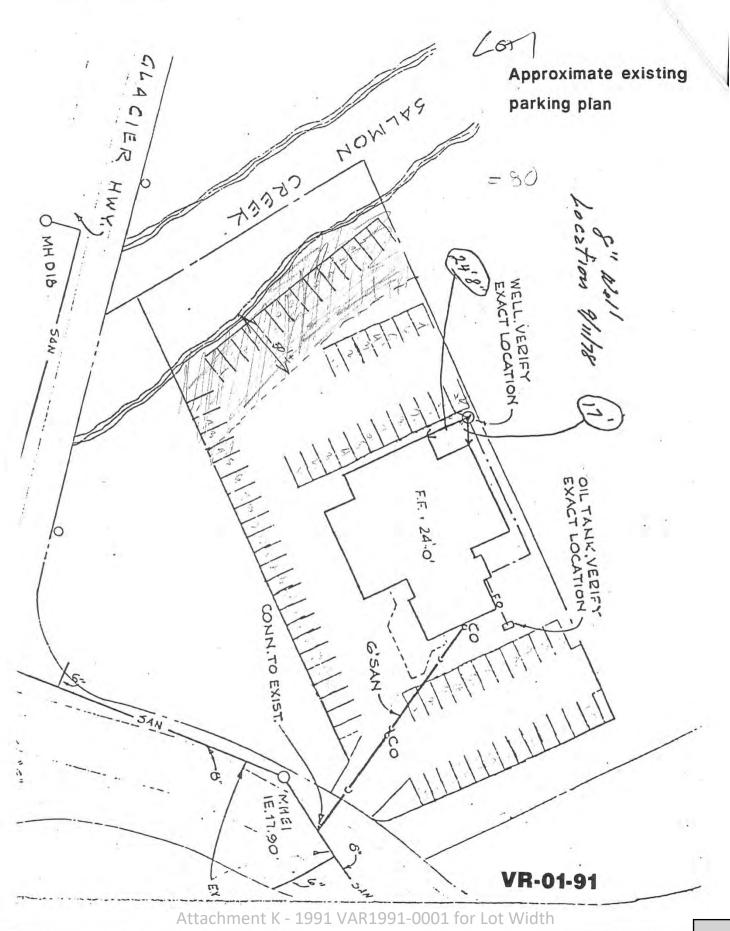
Form #1028P

atùre





Attachment K - 1991 VAR1991-0001 for Lot Width



11		
	BOOK 0345 PAGE 645	
	COMMON DRIVEWAY EASEMENT AND AGREEMENT	
	THIS AGREEMENT made and entered into effective the <u>4</u> day of <u>flux</u> , 1991, by and between CENTRAL COUNCIL, TLINGIT AND HAIDA INDIAN TRIBES OF 1991, by and between CENTRAL COUNCIL, TLINGIT AND HAIDA INDIAN TRIBES OF	
ii.	ALASKA, a tribal governing body recognized by the Opolic foreignater Granton) and JUNEAU	
	W. Willoughby Avenue, Suite 300, Juneau, Alaska 99001 (hereinatic) ordinary and Drive, Juneau, <b>TLINGIT &amp; HAIDA COMMUNITY COUNCIL</b> , whose address is 3225 Hospital Drive, Juneau, Alaska 99801 (hereinafter Grantee),	
	WITNESSETH	
•	1. COMMON DRIVEWAY AGREEMENT.	
3    9	(a) Grantor is the owner of Lot 2, Tlingit/Haida Subdivision, a Re-subdivision of a portion of Tract 2, a Fraction of U.S. Survey 1075, Juneau Recording District, First Judicial	
0	portion of Tract 2, a Fraction of U.S. Survey 1013, Juncal Recover of Lot 1, Tlingit/Haida District, State of Alaska (hereinafter Lot 2). Grantee is the owner of Lot 1, Tlingit/Haida Subdivision, a Re-subdivision of a portion of Tract 2, a Fraction of U.S. Survey 1075, Juneau Recording District, First Judicial District, State of Alaska (hereinafter Lot 1).	Ì
1	a static Agreement Grantor and Grantee enter into a	
2	common driveway agreement for the uses and purposes nerematic specified. The common driveway is more particularly described as follows:	
14 15	A 30 foot wide common driveway centered on the boundary line between Lots 1 and 2, Tlingit/Haida Subdivision, a Re-subdivision of a portion of Tract 2, a Fraction of U.S. Survey 1075, Juneau Recording District, First Judicial District, State of Alaska, commencing Survey 1075, Juneau Recording District, First Judicial District, State of Alaska, commencing Survey 1075, Juneau Recording District, State of 30,00 feet.	g
16	at the Hospital Drive right-of-way, and continuing for a distance of each and	
17	(c) Grantee and Grantor, their successors and assigns are hereby given the non- exclusive right and easement to use the common driveway for the benefit of said Lots 1 and 2;	of
18 19	provided, however, that use of the common driveway shar not esplit into two or more lots. In such Lots 1 and 2 or portions thereof should Lot 1 or Lot 2 ever be split into two or more lots. In such	
20	an event, the affected parties shall meet to determine whether and under whether and under whether subdivided lo use of the common driveway shall be permitted to multiple owners within the further subdivided lo	N.
21	2. USE OF COMMON DRIVEWAY.	
22	(a) The parties, for themselves, their licensees and invitees shall have the right to use the common driveway for purposes of ingress and egress.	
23	(b) The parties shall not park vehicles on or otherwise block the common drivewa	y.
24	in the second seco	1
25	driveway area as may be consistent with its ongoing use as a common the telephone, cable, etc.)	
26 27	below the surface of the driveway, and may undertake such optimized	-
28	COMMON DRIVEWAY AGREEMENT	

. . .

1

Attachment L - 1991 Common Driveway Easement

Section H, Item 7.

	S	Secti
• .		
-	1 BOOK 0345 PAGE 646	
	may be reasonably necessary from time to time for the installation and maintenance of such utilitie (d) Neither party shall use an	
	3 (d) Neither party shall use or permit use of the common driveway in such a manne 4	s.
	4 3. EXPENSED OF any and tear.	T
	3. <u>EXPENSES OF REPAIR, MAINTENANCE, IMPROVEMENT</u> .	
	<ul> <li>(a) Unless the need for repair is occasioned by the negligence or misuse of the common driveway by one of the parties, the parties shall share 50-50 all expenses of ordinary and rocking. Grantor shall have the interview including, without limitation and it is an interview.</li> </ul>	
	7 and rocking Common driveway including with a an expenses of ordinary	
	Dresented to Create in respect increto to Grantee for normal without approval from	
5	8 presented to Grantee shall be paid within thirty (30) days from the date of presentation. Any bills not timely paid shall bear interest at the rate of one per cent (1%) per month, or the maximum legal unpaid contributions.	
10	rate of interest, whichever is lower. Legal proceedings may be commenced for collection of any	
11		
12	I control repair or maintenance	
13		
14	common driveway and for the sharing of expenses incidental thereto. Additionally, Grantor, if Grantor is willing to bear the full costs, shall be permitted to improve and upgrade the common driveway at any time without approval of Grantee.	
15 16	state whitout approval of Grantee.	
17	· BOCCESSORS AND ASSIGNS.	
18	This Agreement shall be binding upon and shall enure to the benefit of the parties hereto, their successors and assigns.	
19	5. INTEGRATION AND MODIFICATION.	
20	This Agroam	
21	prior agreements, representations and warranties, if any, being merged herein and superseded hereby. This Agreement may be modified only in writing executed by both parties hereto.	
22	6. <u>DURATION OF AGREEMENT</u> .	
23	This Agreement is in	
24	This Agreement shall continue until terminated by mutual agreement of the owners of Lots 1 and 2. This Agreement will not be terminated if such termination would result in any violation of the zoning laws of the City and Borough of Juneau.	
25	IN WITNESS WHERE OF the	ł
26	IN WITNESS WHEREOF, the parties hereunder set their hands on the dates mentioned below.	
27 28		
20	COMMON DRIVEWAY AGREEMENT 2	
11		

Attachment L - 1991 Common Driveway Easement

4

L

Section H, Item 7.

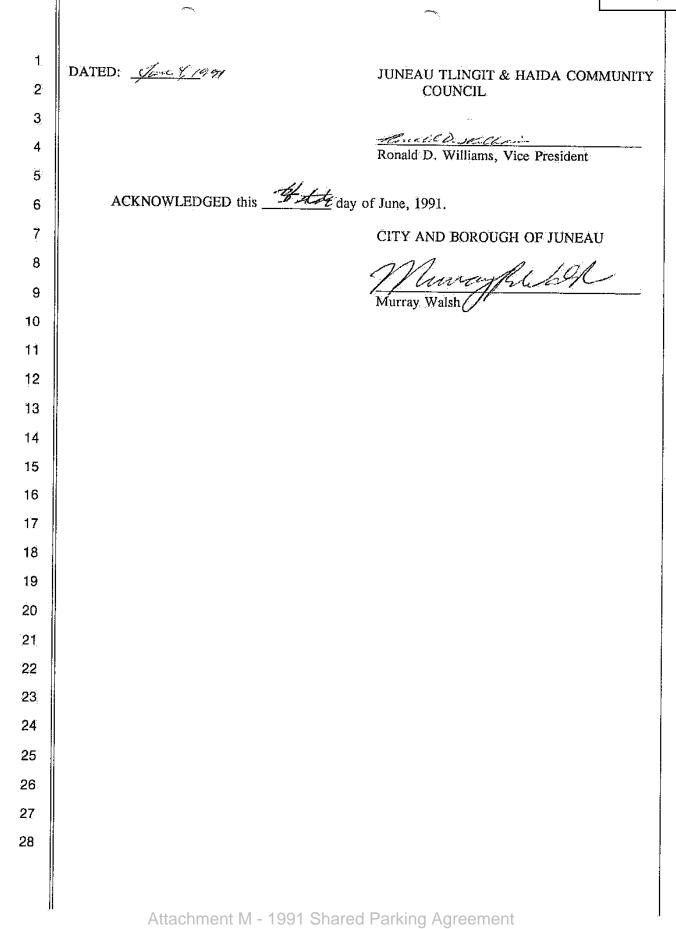
Section H, Item 7. BOOK 0345 PAGE 647 100 4th, 1991 1 DATED: CENTR OUNCIL, TLINGIT AND 2 ANTRIBES OF ALASKA HAID 3 4 , Director of Business Administration 5 6 DATED: Jan 4, 1991 JUNEAU TLINGIT & HAIDA COMMUNITY 7 COUNCIL 8 finald D 9 Ronald D. Williams, Vice President 10 STATE OF ALASKA 11 22 ( FIRST JUDICIAL DISTRICT 12 4th\_ day of THIS IS TO CERTIFY that on this \_, 1991, before 13 me, a notary public in and for Alaska, personally appeared Eric R. Davenport, known to me and known by me to be the Director of Business Administration of Central Council, Tlingit and Haida 14 Indians of Alaska, and he being first duly sworn stated under oath that he had read and knew the contents of the foregoing document, that he signed the same as the free and voluntary act and deed 15 of said entity and was authorized so to do, 16 IN WITNESS WHEREOF, I hereunto set my hand and seal on the day, month and year in 17 this certificate first above mentioned. 18 Notary Public in and for Alaska 19. My Commission Expires: \_\_\_\_\_6-1-\_ 20 STATE OF ALASKA 21 ) \$\$ 22 FIRST JUDICIAL DISTRICT 23 THIS IS TO CERTIFY that on this 4th day of \_\_\_\_\_ \_, 1991, before me, a notary public in and for Alaska, personally appeared Ronald D. Williams, known to me and 24 known by me to be the Vice President of Juneau Tlingit & Haida Community Center, and he being first duly sworn stated under oath that he had read and knew the contents of the foregoing 25 document, that he signed the same as the free and voluntary act and deed of said entity and was 26 authorized so to do. 27 COMMON DRIVEWAY AGREEMENT 3 28 

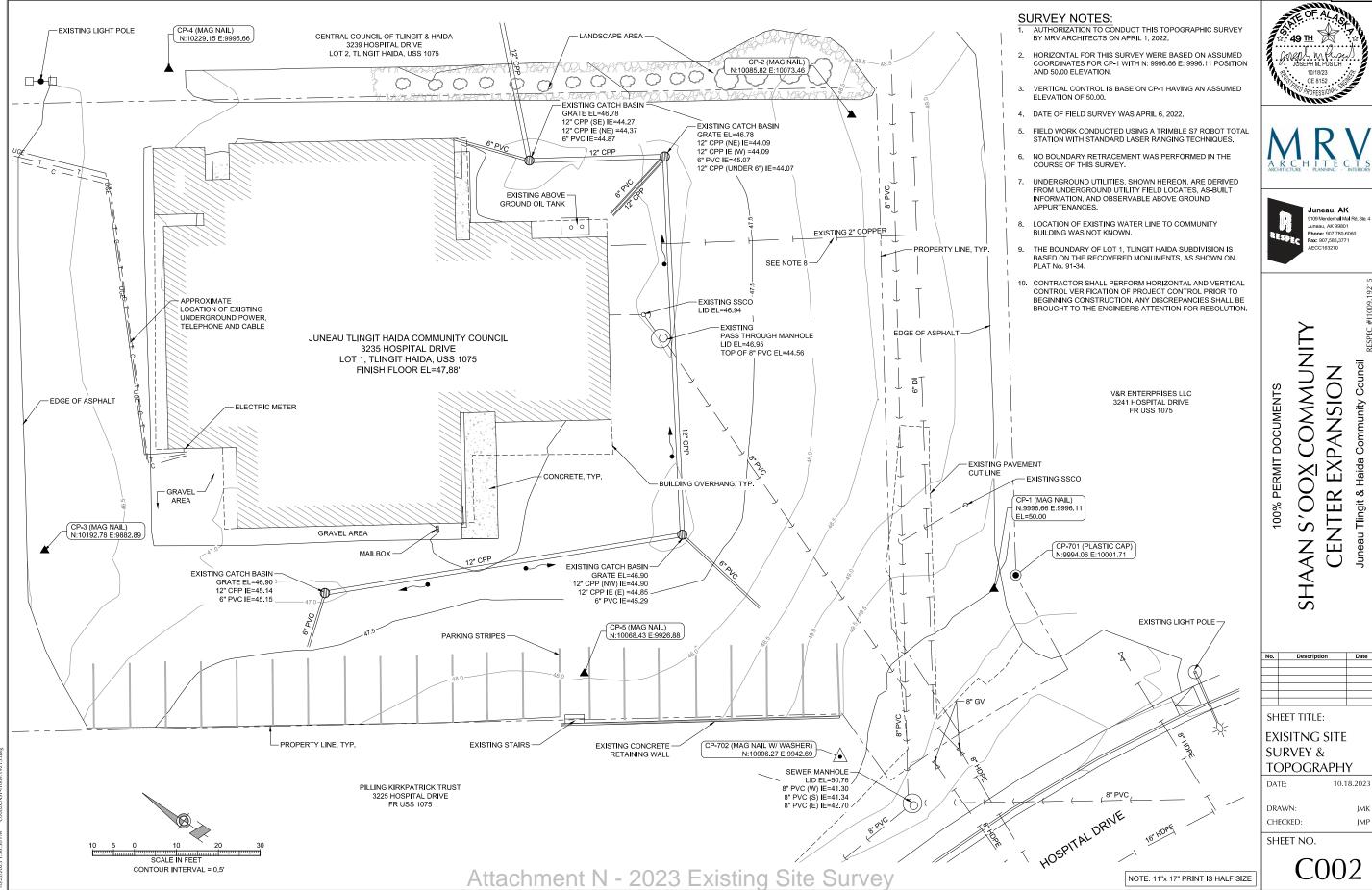
Attachment L - 1991 Common Driveway Easement

Section H, Item 7. BOOK 0345 PAGE 648 1 IN WITNESS WHEREOF, I hereunto set my hand and seal on the day, month and year in this certificate first above mentioned. 2 3 ..... Notary Public in and for Alaska My Commission Expires: 6-1-95 4 Return to 5 Stephen Pearson 6 7 318 At Street Juneau. AK. 99501 24 8 9 10 11 ويعادر والمعارين 12 9 |-3 | 2 9 13 2400 14 RECORDEDITIED 15 JUNEAU REC. DISTRICTCC į 16 JUN 18 10 29 AM '91 17 REQUESTED BY TIA 18 ADURESS 19 20 21 22 23 24 25 26 27 COMMON DRIVEWAY AGREEMENT 4 28 and an a second s

Attachment L - 1991 Common Driveway Easement

		Section H, Item 7.
-1		
1	PARKING AGREEMENT	
2	THIS AGREEMENT made and entered into effective the <u>spin</u> day of $Q_{\mu}$	s.d;
3	1991, by and between CENTRAL COUNCIL, TLINGIT AND HAIDA INDIAN TRIE ALASKA (hereinafter Central Council), a tribal governing body recognized by the United	ES OF
4	Alaska, whose address is 320 W. Willoughby Avenue, Suite 300, Juneau, Alaska 99801, TLINGIT & HAIDA COMMUNITY COUNCIL (hereinafter Community Council), wh	JUNEAU
5	is 3225 Hospital Drive, Juneau, Alaska 99801, and the CITY AND BOROUGH OF JUN	EAU,
6	ALASKA, whose address is 155 S. Seward Street, Juneau, Alaska 99801,	
7	WITNESSETH	
8	1. <u>SHARED PARKING AGREEMENT</u> .	
9	(a) Central Council is the owner of Lot 2, Tlingit/Haida Subdivision, a Re	÷-
10	subdivision of a portion of Tract 2, a Fraction of U.S. Survey 1075, Juneau Recording D First Judicial District, State of Alaska (hereinafter Lot 2). Community Council is the own	istrict,
11	1, Tlingit/Haida Subdivision, a Re-subdivision of a portion of Tract 2, a Fraction of U.S.	Survey
12	1075, Juneau Recording District, First Judicial District, State of Alaska (hereinafter Lot 1	
13	(b) Central Council and Community Council hereby agree to share parkin needed" basis for purposes of use of their respective lots.	g on an "as
14	2. DURATION OF AGREEMENT.	
15	(a) This Agreement shall continue until terminated upon at least 90 days a	-
16	written notice by either Central Council or Community Council subject to prior approval	ov the City
17	and Borough of Juneau. Upon termination, the parties shall be responsible to meet any C Borough of Juneau Code requirements in regard to parking for their respective Lots and u	ses
18	thereof. Provision of such parking shall be the criterion for City and Borough of Juneau a the termination of this Agreement, provided that on July 1, 2021, this Agreement shall ter	approval of
19	automatically.	
20	(b) The party or parties terminating this agreement shall give written notic	e to the
21	City and Borough of Juneau, attention Community Planning, of such termination at the sar such notice is given to the other party. The termination shall not be effective until approv	ed in
22	writing by the City and Borough of Juneau, provided that automatic termination on July 1, shall not require City approval.	, 2021
23		
24	IN WITNESS WHEREOF, the parties hereunder set their hands on the dates ment below.	oned
25	DATED: ///// CENTRAL COUNCIL, TLINGIT AN	NĎ
26	HAIDA NOTAN TRIBES OF ALAS	KA
27		
28	Eric R. Davenport, Director of	
	Business Administration	
11	Attachment M - 1991 Shared Parking Agreement	





Council

munity

Cor

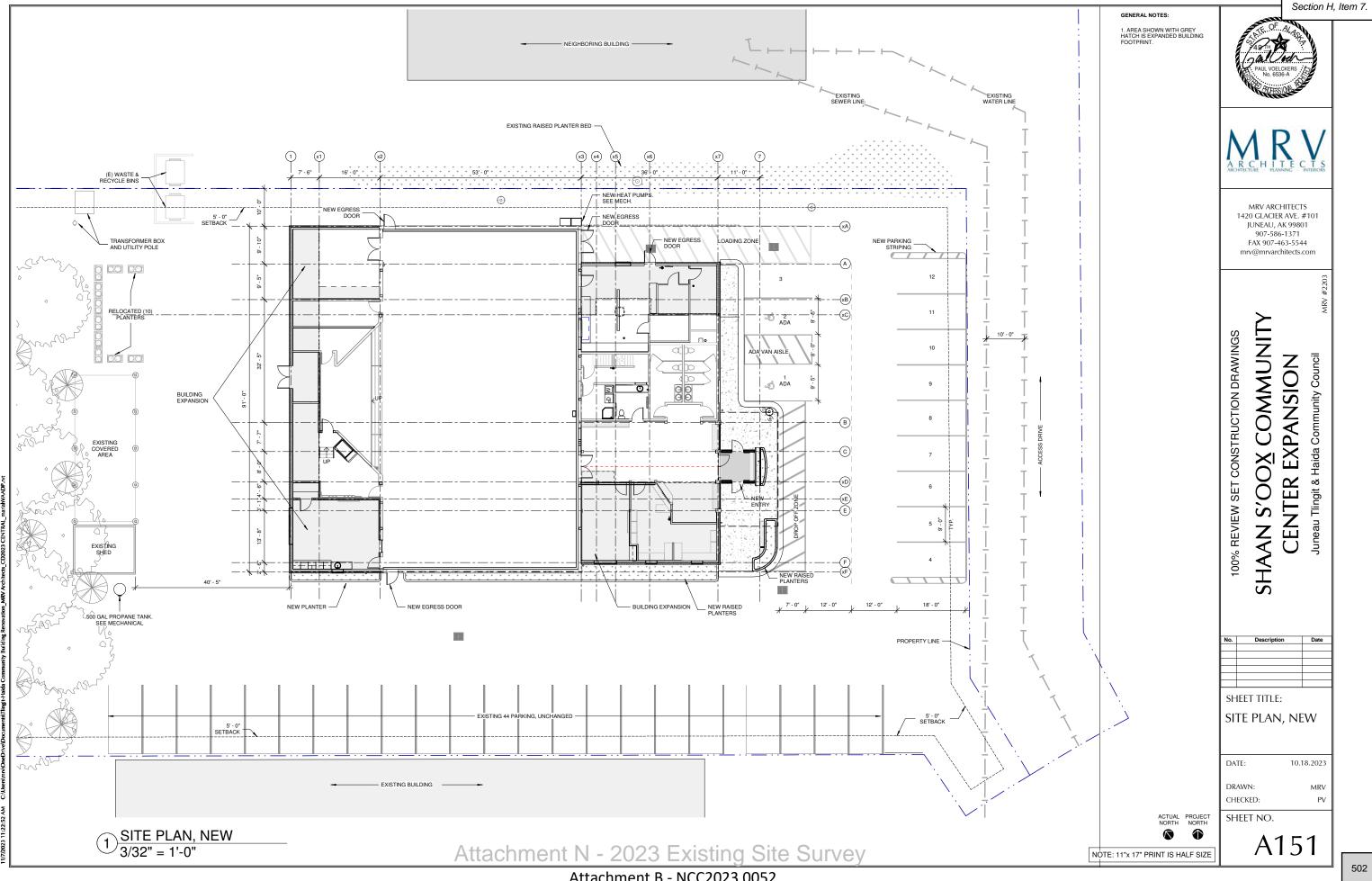
Haida

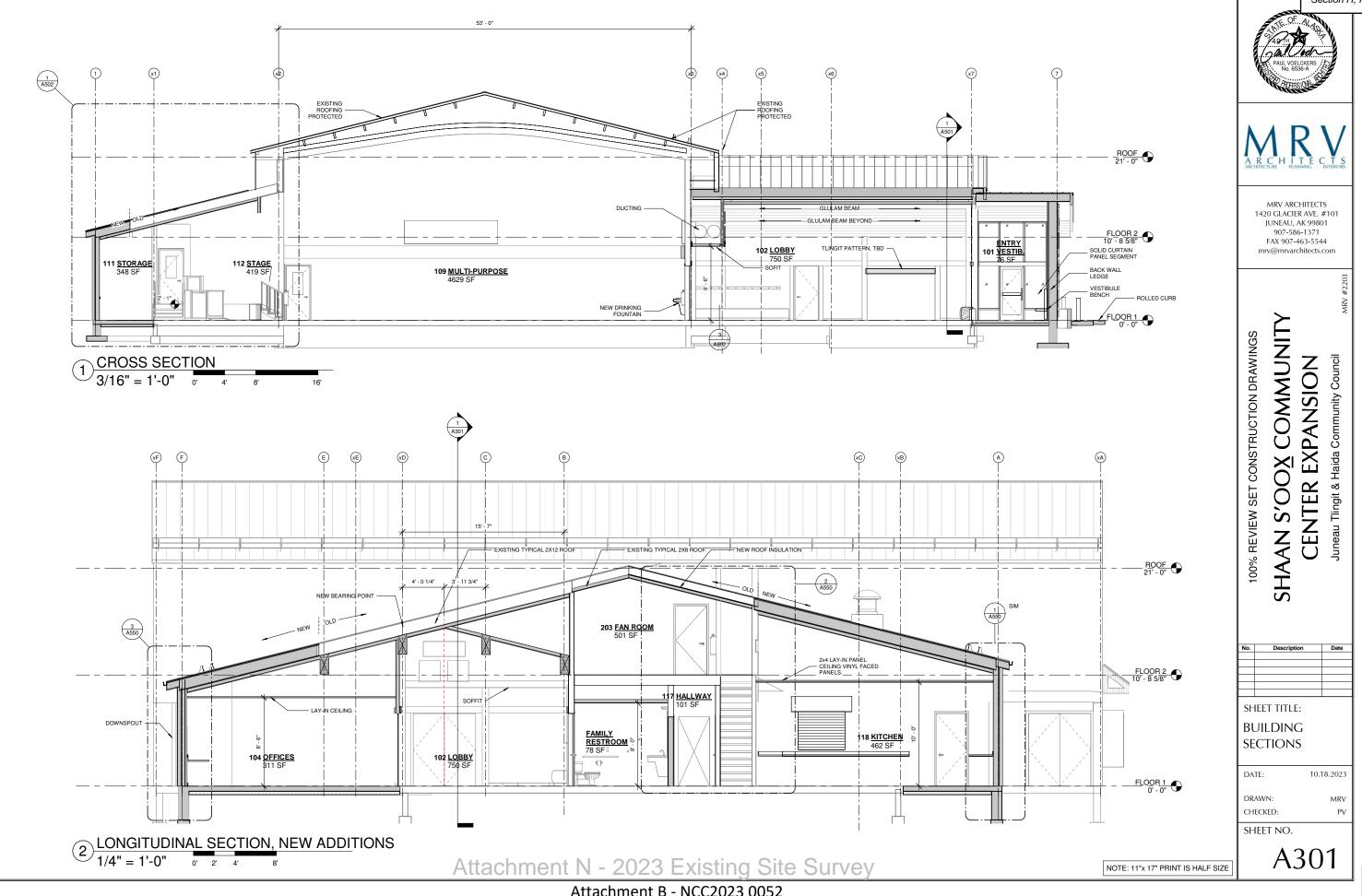
Juneau Tlingit &

Date

JMK

JMP







503



Attachment O - 2013 Aerial Imagery



FLOODPLAIN DEVELOPMENT PERMIT COMMUNITY DEVELOPMENT DEPARTMENT NOTICE OF DECISION

Date: April 10, 2024 File No.: FZD2024 0004

MRV Architects 1420 Glacier Ave Ste. A Juneau AK, 99801 paul@mrvarchitects.com & kennethsoutherland@me.com

Proposal:	A Floodplain Development Permit for the Shaan S'oox Community House Renovation in an AE Special Flood Hazard Area
Property Address:	3235 Hospital Drive
Legal Description:	USS 1075 TLINGIT HAIDA LT 1
Parcel Code No.:	7B0901040101

After reviewing the development plans for a Floodplain Development Permit for the Shaan S'oox Community House Renovation in an AE Special Flood Hazard Area, the Community Development Department has determined that this development meets the requirements of CBJ 49.70.400, Flood Hazard Areas. The development is within an AE Special Flood Hazard Area with a Base Flood Elevation of 23 feet, as shown below:



(907) 586-0715 CDD\_Admin@juneau.gov www.juneau.org/community-development 155 Heritage Way • Juneau, AK 99801 Development plans confirm that the lowest floor of the building will be constructed at 23.31 feet, above the Base Flood Elevation of 23 feet. In addition, the development conforms with the applicable floodplain development standards of CBJ 49.70.400. The development either has or is in the active process of obtaining all required state and federal agency permits.

This letter serves as the CBJ Community Development Department Floodplain Development Permit for your project as described in the project narrative and plans submitted on February 16, 2024 for FZD2024 0004.

This Notice of Decision does not authorize any construction activity. Prior to starting any development project, it is the applicant's responsibility to obtain a building permit for any and all improvements requiring such. The development also requires a Conditional Use Permit, currently under review as USE2024-0007.

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

- Effective Date: This permit is effective as of April 10, 2024.
- Expiration Date: The permit will expire 18 months after the effective date, or October 10, 2025 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.

Thank you for your cooperation with the Floodplain Development Permit process. Please notify the Community Development Department if you have any questions or anticipate any changes to the plans submitted in your application.

**Project Planner:** 

Teri Camery, Senior Planner, CFM Community Development Department

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.



# (FDZ-FLOOD PLAIN)

**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.

Physical Address	the strength of the second
3235 Hospital Drive Juneau, AK 9980	1
Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) Lot 1, Tlingit Haida	USS 1075
Parcel Number(s) 780901040101	
This property is located in the downtown historic district This property is located in a mapped hazard area, if so, which	
	Mr. Ken Southerland
Mailing Address 3235 Hospital Drive, Juneau, AK 99801	Phone Number(s)
E-mail Address kennethsoutherland@me.com	907-723-5043
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 include the property location, landowner/lessee's printed name, signature, and the applica	e written approval may be sufficient. Written approval mu Int's name.
I am (we are) the owner(s)or lessee(s) of the property subject to this application and I (we) on A. This application for a land use or activity review for development on my (our) property is B. I (we) grant permission for the City and Borough of Juneau officials/employees to inspect	s made with my complete understanding and permission
Ken Southerland Vice-Presi	
x Landowner/Lessee (Signature)	Z/14/24 Date
Landowner/Lessee (Printed Name) Title (e.g.: Landov	wner, Lessee)
XLandowner/Lessee (Signature)	Date
	Date
NOTICE: The City and Borough of Juneau staff may need access to the subject property durin contact you in advance, but may need to access the property in your absence and in accordance	ng regular business hours. We will make every effort to e with the consent above. Also, members of the Planning
NOTICE: The City and Borough of Juneau staff may need access to the subject property durin contact you in advance, but may need to access the property in your absence and in accordance Commission may visit the property before a scheduled public hearing date. APPLICANT If same as LANDOWNER, write "SAME"	with the consent above. Also, members of the Planning
NOTICE: The City and Borough of Juneau staff may need access to the subject property durin contact you in advance, but may need to access the property in your absence and in accordance Commission may visit the property before a scheduled public hearing date. APPLICANT If same as LANDOWNER, write "SAME" Applicant (Printed Name) MRV Architects	with the consent above. Also, members of the Planning
NOTICE: The City and Borough of Juneau staff may need access to the subject property durin contact you in advance, but may need to access the property in your absence and in accordance Commission may visit the property before a scheduled public hearing date.         APPLICANT       If same as LANDOWNER, write "SAME"         Applicant (Printed Name)       MRV Architects         Mailing Address       1420 Glacier Ave, Suite A, Juneau, AK 99801	e with the consent above. Also, members of the Planning Paul Voelckers Phone Number(s)
NOTICE: The City and Borough of Juneau staff may need access to the subject property durin contact you in advance, but may need to access the property in your absence and in accordance Commission may visit the property before a scheduled public hearing date.         APPLICANT         Applicant (Printed Name)         MRV Architects       Contact Person F         Mailing Address       1420 Glacier Ave, Suite A, Juneau, AK 99801	e with the consent above. Also, members of the Planning
NOTICE: The City and Borough of Juneau staff may need access to the subject property durin contact you in advance, but may need to access the property in your absence and in accordance Commission may visit the property before a scheduled public hearing date.         APPLICANT         APPLICANT         APPLICANT         MRV Architects         Contact Person F         Mailing Address         1420 Glacier Ave, Suite A, Juneau, AK 99801         E-mail Address         Paul@mfvarchitects.com	Paul Voelckers Phone Number(s) 907-209-1353
NOTICE: The City and Borough of Juneau staff may need access to the subject property durin contact you in advance, but may need to access the property in your absence and in accordance Commission may visit the property before a scheduled public hearing date.         APPLICANT         If same as LANDOWNER, write "SAME"         Applicant (Printed Name)         MRV Architects       Contact Person F         Mailing Address       1420 Glacier Ave, Suite A, Juneau, AK 99801	e with the consent above. Also, members of the Planning Paul Voelckers Phone Number(s)
NOTICE: The City and Borough of Juneau staff may need access to the subject property durin contact you in advance, but may need to access the property in your absence and in accordance Commission may visit the property before a scheduled public hearing date.         APPLICANT       If same as LANDOWNER, write "SAME"         Applicant (Printed Name)       MRV Architects         Mailing Address       1420 Glacier Ave, Suite A, Juneau, AK 99801         E-mail Address       Paul@mfvarchitects.com         X       Applicant's Signature	Paul Voelckers Phone Number(s) 907-209-1353 Feb 14, 2024 Date of Application
NOTICE: The City and Borough of Juneau staff may need access to the subject property durin contact you in advance, but may need to access the property in your absence and in accordance Commission may visit the property before a scheduled public hearing date.         APPLICANT       If same as LANDOWNER, write "SAME"         Applicant (Printed Name)       MRV Architects         Mailing Address       1420 Glacier Ave, Suite A, Juneau, AK 99801         E-mail Address       Paul@mrivarchitects.com         X       X	Paul Voelckers Phone Number(s) 907-209-1353 Feb 14, 2024 Date of Application
NOTICE: The City and Borough of Juneau staff may need access to the subject property durin contact you in advance, but may need to access the property in your absence and in accordance Commission may visit the property before a scheduled public hearing date.         APPLICANT       If same as LANDOWNER, write "SAME"         Applicant (Printed Name)       MRV Architects         Mailing Address       1420 Glacier Ave, Suite A, Juneau, AK 99801         E-mail Address       Paul@mfvarchitects.com         X       Applicant's Signature	Paul Voelckers Phone Number(s) 907-209-1353 Feb 14, 2024 Date of Application

## INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

	VLS
Case Number	Date Received
FZD24-04	2-22-24

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

Attachment A - Application Packet

Attachment C - Flood Zone Development Permit



## FLOODPLAIN DEVELOPMENT PERMIT APPLICATION

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

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

COMMUNITY DEVELOPMENT

#### PROJECT SUMMARY:

National Floodplain Insurance Rate Map Panel #: 02110C1553D

Special Flood Hazard Area: Zone AE

Base Flood Elevation: 23' - 0"

To be completed by Applicant

Elevation of the lowest floor of all structures, measured from MLLW. In V and VE zones, this number is the "lowest horizontal member": 23.31'

#### **REQUIRED INFORMATION (see reverse for details)**

- ☑ Project Narrative describing how 49.70.400(e) is met.
- Anchoring methods, if applicable
- Floodproofing methods and certification, if applicable
- Certification that all other permits for the development have been obtained by any federal or state governmental agency.
- □ No-rise certification, if applicable.
- ☑ Site Plans, engineered drawings, elevation certifications and/or surveys, as applicable.

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

FZD REVIEW FEES	Fees	Check No.	Receipt	Date
Application Fees	\$100.00			
Admin. of Guarantee	\$			
Adjustment	\$			
Total Fee	\$ <u>/00</u> .00			

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Case NumberDate ReceivedFZD24-042-22-24

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

Attachment A - Application Packet



1420 GLACIER AVENUE STE 101, JUNEAU, AK 99801 (907) 586-1371

Project:	Shaan S'oox Community House Renovation	
Subject:	Floodplain Application Narrative	
By:	Paul Voelckers AIA	
Date:	February 8, 2024	MRV 2203

The *Shaan S'oox Community Center*, managed by the Tlingit-Haida Community Council, will be renovated and partially expanded. The areas of work include an inviting and expanded entry and office area, support areas along the back side (northwest side) of the building, expanded kitchen areas, and substantial new mechanical upgrades.

**Floodplain Response**: The existing community building was constructed in 1977, utilizing a concrete foundation and concrete slab on grade, with wood framed bearing walls, sawn framing, composite joists, and glulam structural system.

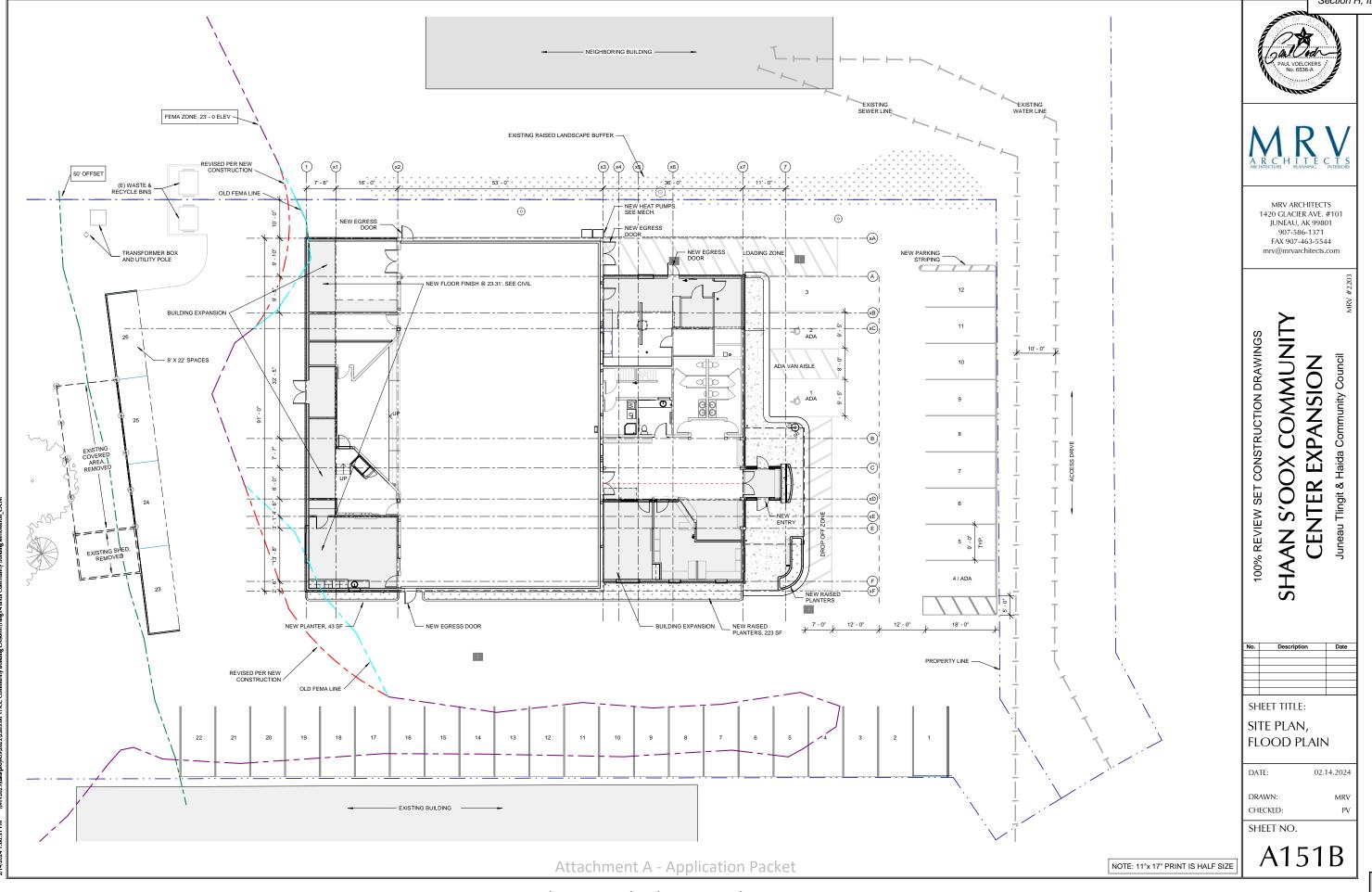
The existing concrete slab floor system is at elevation 23.31', roughly 4" above the FEMA AE Flood Zone of elevation 23'-0" as mapped in Sept 18, 2020. Partial expansions of the building, extending 8' in a northwesterly direction toward Salmon Creek, and new entry vestibule, extending 8' in a southeasterly direction, will both be constructed with continuous concrete buried footings, and structural slabs on grade, matching and tying to the existing concrete foundation system.

The extent of the site is not expanded, and modest renovation expansions work within the existing paved parking areas surrounding the building. No additional flood exposure is created, or existing conditions aggravated.



MRV Architects

Page 1 | 1



Attachment C - Flood Zone Development Permit

## **Irene Gallion**

From:	Irene Gallion
Sent:	Monday, April 1, 2024 9:05 AM
То:	Charlie Ford; Theresa Ross; General Engineering
Cc:	Jeffrey Hedges; Dan Jager; Irene Gallion
Subject:	USE24-07: Expansion of the Tlingit Haida Community Center
Attachments:	APP_USE24-07.pdf; Agency Comments Form.pdf

Hello Team,

Attached is an application to expand the TH Community Center off of Hospital Drive.

If you have any concerns, please let me know by **April 15, 2024**. If you need more time let me know and we will work something out.

There is an Agency Comment Form attached for your convenience.



Thank you!

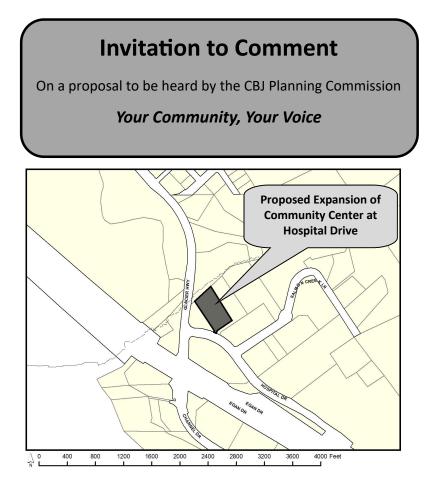
## Irene Gallion | Senior Planner

Community Development Department | City & Borough of Juneau, AK Location: 230 S. Franklin Street | 4<sup>th</sup> Floor Marine View Building Office: 907.586.0753 x4130



Fostering excellence in development for this generation and the next.

How are we doing? Provide feedback here: <u>https://juneau.org/commun.cy</u> <u>development/how-are-we-doing</u>





COMMUNITY DEVELOPMENT 155 Heritage Way Juneau, Alaska 99801

то

A Conditional Use Permit has been submitted for consideration and public hearing by the Planning Commission for Expansion of Community Center, from 7,625 to 9,984 square feet, at 3235 Hospital Drive in a General Commercial zone. Parking will be shared with neighboring buildings.

## **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 6, 2024 at https://juneau.org/community-development/planning-commission Find hearing results, meeting minutes, and more here, as well.

Now through April 22	April 23 — noon, May 10	HEARING DATE & TIME: 7:00 pm, May 14, 2024	May 15
nments received during period will be sent to Planner, <b>Irene Gallion</b> be included as an achment in the staff	Comments received during this period will be sent to Commissioners to read in preparation for the hearing.	This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting https://juneau.zoom.us/j/86939674618 and use the Webinar ID: 869 3967 4618 OR join by telephone, calling: 1-253-215-8782 and enter the Webinar ID (above).	The results of the hearing will be posted online.
ort. OR DETAILS OR QU	ESTIONS,	You may also participate in person in City Hall Assembly Chambers, 155 Heritage Way Juneau, Alaska.	

## FOF

Phone: (907)586-0753 ext. 4130 Email: pc\_comments@juneau.gov or irene.gallion@juneau.gov Mail: Community Development, 155 Heritage Way, Juneau AK 99801

Case No.: USE2024 0007 Parcel No.: 7B0901040101 CBJ Parcel Viewer: http://epv.juneau.org

Com this the I to be attad repo

## **Irene Gallion**

From:	James Malapanis <james.m@carverllc.com></james.m@carverllc.com>	
Sent:	Monday, April 29, 2024 1:08 PM	
То:	Irene Gallion; Zane Jones	
Cc:	Paul Voelckers; Mariah Soriano; Eric Carver	
Subject:	Re: USE24-07: Public Notice Sign	
Attachments:	image000000.jpg	

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

Irene, Please see the public notice sign posted onsite.

Thank you,

James Malapanis; Project Manager

**Carver Construction, LLC** 

P.O. Box 240475 Douglas, AK 99824 C: 907-321-9101 O: 907-364-3215 F: 907-364-3216 Website: <u>https://carverllc.com</u>

Physical Address: 1012 2<sup>nd</sup> Street #1 Douglas, AK 99824

From: Irene Gallion <Irene.Gallion@juneau.gov>
Sent: Monday, April 29, 2024 9:28 AM
To: James Malapanis <james.m@carverllc.com>; Zane Jones <zane@mrvarchitects.com>
Cc: Paul Voelckers <paul@mrvarchitects.com>; Mariah Soriano <mariah@mrvarchitects.com>; Eric Carver
<eric.c@carverllc.com>
Subject: RE: USE24-07: Public Notice Sign

Hi Alls,

Just a reminder that the public notice sign for this project needs to be posted today. Please send me a photo when it has been put up. The e mail with the photo will be used to date stamp the installation.

Thanks!

IMG

From: James Malapanis <james.m@carverllc.com>
Sent: Friday, April 19, 2024 2:21 PM
To: Irene Gallion <Irene.Gallion@juneau.gov>; Zane Jones <zane@mrvarchitects.com>

1

Section H, Item 7.





## PLANNING COMMISSION STAF CONDITIONAL USE PERMIT USE2024 0006 HEARING DATE: APRIL 23, 2024

(907) 586-0715 CDD\_Admin@juneau.gov www.juneau.org/community-development 155 Heritage Way • Juneau, AK 99801

## COMMUNITY DEVELOPMENT

DATE: April 19, 2024TO: Mandy Cole, Chair, Planning Commission

BY: Joseph Meyers, Senior Planner



THROUGH: Jill Lawhorne, Director, AICP

**PROPOSAL:** A proposal for three, 16-unit apartment buildings for a total of 48 single-room occupancies with private facilities in the D15 zoning district.

STAFF RECOMMENDATION: Approval with conditions

## **KEY CONSIDERATIONS FOR REVIEW:**

- Units are less than 400 square feet and meet the criteria for single-room occupancies with private facilities (SROs w/PF)
- SROs with private facilities count as ½ of a dwelling unit
- Hooter Lane must be accepted for maintenance by the CBJ prior to TCO
- Received funding from the Affordable Housing Fund
- Undergoing lot line adjustment to qualify for tax abatement

GENERAL INFORMATION		
Property Owner	William & Michael Heumann	
Applicant	William Heumann	
Property Address	Hillcrest Avenue	
Legal Description	CHILKAT VISTAS TR A3	
Parcel Number	7B1001160014	
Zoning	D15	
Land Use Designation	Medium Density Residential (MDR; Map H)	
Lot Size	100,730 square feet	
Water/Sewer	СВЈ	
Access	СВЈ	
Existing Land Use	Vacant	
<b>Associated Applications</b>	PAC2022 0005; SMF2022 0003	

## ALTERNATIVE ACTIONS:

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

## ASSEMBLY ACTION REQUIRED:

Assembly action is not required for this permit.

## **STANDARD OF REVIEW:**

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
  - o **49.15.330**
  - o 49.25.510(j)(2)
  - o **49.80**

William Heumann File No: USE2024 0006 April 19, 2024 Page 2 of 10

**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 are intended to afford the commission the flexibility necessary to make determinations appropriate to individual sites. The commission may attach to the permit those conditions listed in subsection (g) of this section as well as any further conditions necessary to mitigate external adverse impacts. If the commission determines that these impacts cannot be satisfactorily overcome, the permit shall be denied.

## SITE FEATURES AND ZONING



SURROUNDING ZONING AND LAND USES		
North (ROW) Hooter Lane		
East (single-family)	D15	
South (single-family)	D5	
West (single-family)	D15	

SITE FEATURES		
Anadromous	None	
Flood Zone	Zone X; Panel	
	02110C1551E	
Hazard	No known	
Hillside	Yes	
Wetlands	No known	
Parking District	N/A	
Historic District	N/A	
<b>Overlay Districts</b>	N/A	

### **BACKGROUND INFORMATION**

**Project Description** – The applicant is requesting a Conditional Use Permit to construct three, 16-unit, two-story, apartment buildings containing a total of 48 single-room occupancy units (SROs) with private facilities. SROs with private facilities count as one-half dwelling unit [CBJ 49.25.510(j)(2)]. For comparison, under the existing zoning (D15), up to 35 standard units could be constructed. An SRO with private facilities is defined as a dwelling unit composed of a private bathroom and a combined kitchen, living, and sleeping area, designed for occupancy by a single person. (CBJ 49.80).

Background – The lot was platted in its current form in 2023 through Plat 2023-7, Juneau Recording District.

Item	Summary		
2020 Traffic Impact Analysis	Traffic impact analysis for full buildout of subdivision.		
2022 Drainage Plan	Approved drainage plan from SMF2022 0003 which platted Tract AS		
Plat 2023-7	Lot A3 was created through plat 2023-7 in the Juneau Recording		
	District.		

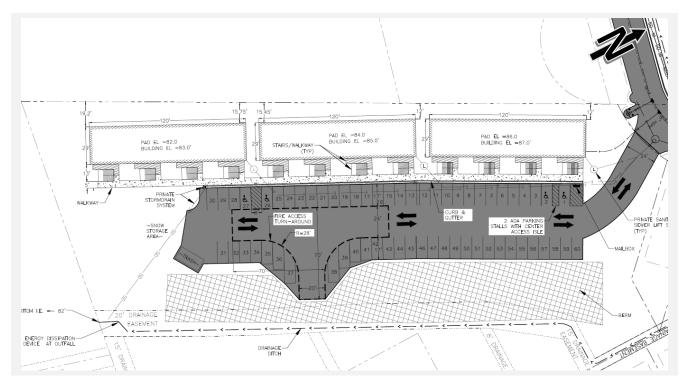
ORD2023-14(b)(V)	Appropriation of funds by the Assembly from the Juneau Affordable
	Housing Fund for Chilkat Vistas apartment complex

## **ZONING REQUIREMENTS**

Standard (D15)		Requirement	Existing	Code Reference		
Lot	Size	5,000 square feet	100,730 square feet	49.25.400		
	Width	50 feet	58 feet	49.25.400		
Setbacks	Front (N)	20 feet	N/A	49.25.400		
	Rear (S)	20 feet*	N/A	49.25.400		
	Side (E)(W)	5 feet	N/A	49.25.400		
		13 feet	N/A	49.25.400		
Lot Coverage Maximum		50%	0%	49.25.400		
Vegetative Cover Minimum		30%	100%	49.50.300		
Height	Permissible	35 feet	N/A	49.25.400		
Accessor		25 feet	N/A	49.25.400		
Maximum Dwelling Uni	Maximum Dwelling Units (15/Acre)		None	49.25.500		
Use		Residential	Vacant	49.25.300		

\*Lot is zoned D15 and borders a D5 zoning district. The greater setback of 20 feet applies on shared property line per CBJ 49.25.400 (Note 3).

## SITE PLAN



ANALYSIS

William Heumann File No: USE2024 0006 April 19, 2024 Page 4 of 10

**Project Site** – The lot was platted in 2023 with the creation of the Chilkat Vistas Phase 2 subdivision through Plat 2023-7. The subdivision and adjacent land uses consist of condominiums, single-family dwellings, and bungalow dwellings. The lot is located between the Lemon Creek and Twin Lakes geographical areas and due north of the Mountainside Estates neighborhood. The lot is 2.31 acres in size with an average slope of approximately 9.5% that descends toward Glacier Highway in the west.

Access to the lot is through Hooter Lane by way of Glacier Highway. Hooter Lane, as of the writing of this report, has not been accepted for maintenance by the City & Borough of Juneau (CBJ). Prior to issuance of a Temporary Certificate of Occupancy (TCO), Hooter Lane must be accepted for maintenance by the CBJ. The subdivision is connected to CBJ public water and sewer.

**Condition:** Prior to Temporary Certificate of Occupancy, Hooter Lane must be accepted by CBJ.

**Project Design** – The applicant is proposing construction of three, two-story, 16-unit apartment buildings containing a total of 48 SROs with private facilities. Each proposed unit is 399 square feet in size. The site is designed to include a two-lane driveway with a hammerhead turnaround for emergency access and 60 parking spaces including four (4) ADA compliant spaces, two (2) of which are van accessible per CBJ 49.40.225(b)(2). Required fire access and signage will be reviewed through the building permit process.

## Condition: None

**Traffic** – The applicant submitted a Traffic Impact Analysis under Phase I (Attachment F). That analysis considered the impact of an eventual 47 single-family structures and 356 multi-family units. The trip generation numbers below were estimated by CDD staff using the ITE Trip Generation Manual, 9<sup>th</sup> Edition for low-rise multi-family buildings on an average weekday. This estimate assumes full occupancy.

Use	Dwelling units	Trips Generated	Total Trips
Multi-family residential	48	6.59	316.32
	316.32		

## **Condition: None**

**Vehicle Parking & Circulation** – SROs with private facilities require one (1) parking space each plus one (1) additional space for every four SROs with private facilities. Three (3) ADA spaces are required, however the submitted site plan shows four (4) dedicated ADA spaces. Two (2) of the dedicated ADA spaces are van accessible.

Use	Unit/Total Sq. Ft.	Spaces Required	Total Spaces			
Multi-family residential	Iulti-family residential48 SRO units60					
	60					
	0					
	3					

## Condition: None

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

## Condition: None

**Lighting** – Per CBJ 49.40.235(d), parking areas must be suitably lit, and lighting fixtures must be "full cutoff" styles that direct light only onto the project site to minimize impacts to adjacent neighbors. Exterior lighting should also be provided along pedestrian pathways and immediately adjacent to the building. Submitted lighting specifications show full-cutoff lighting. Lighting will be reviewed with a building permit application.

**Condition:** Prior to issuance of a building permit, the applicant shall submit a lighting plan illustrating the location and type of exterior lighting proposed for the development. Exterior lighting shall be designed and located to minimize offsite glare. Approval of the plan shall at the discretion of the Community Development Department, according to the requirements at CBJ 49.40.230(d)

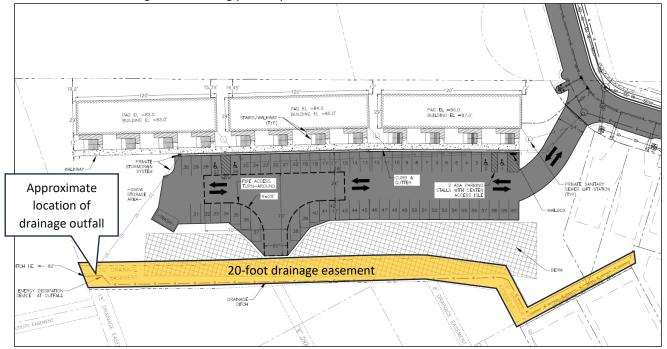
**Vegetative Cover & Landscaping** – Minimum vegetative cover in the D15 zoning district is 30%. The applicants' proposal indicates that the total vegetative cover retained is approximately 62% of the total lot area.

### **Condition: None**

Habitat - No known habitat regulated by Title 49 will be affected by this proposal.

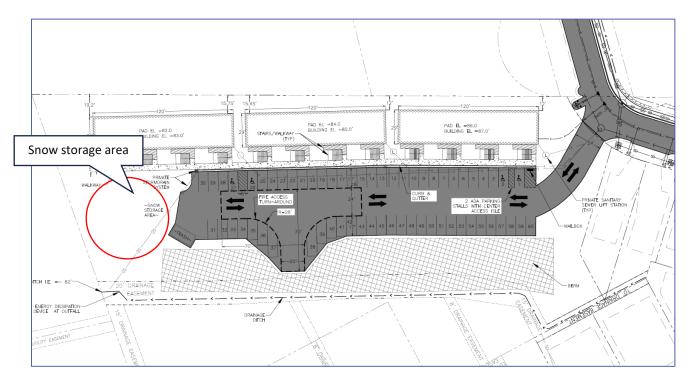
#### Condition: None

**Drainage** – The submitted site plan identifies a 20-foot-wide drainage easement across the eastern edge of Tract A3. This is consistent with the approved drainage plan submitted with SMF2022-0003 (Attachment E). Drainage will be assessed through the building permit process.



William Heumann File No: USE2024 0006 April 19, 2024 Page 6 of 10

**Snow Storage** – The proposed snow storage area is at the southern end of the parking lot (circled in red). Snow storage will be addressed through the building permit.



## **Condition: None**

**Historic District** – The proposed development is not within the Downtown Juneau Historic District.

### **Condition: None**

Hazard Zones - The lot is not within a mapped hazard zone.

### **Condition: None**

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

## **Condition: None**

**Property Value or Neighborhood Harmony** – The proposed use is within the D15 zoning district. Multi-family residential use is consistent with the description of the zoning district. No information has been submitted that suggests the proposed use will negatively affect property values or neighborhood harmony.

The lot for this project is lower in elevation than the residential development to the east and may be obscured by a variable height berm that averages approximately 15 feet in height. The berm is intended to mitigate impacts to the single-family neighborhood immediately east of the proposed development.

William Heumann File No: USE2024 0006 April 19, 2024 Page 7 of 10

Mitigating impacts to existing neighbors could be further addressed through a landscaping plan, which the commission may require under CBJ 49.15.330(g)(18).

## AGENCY REVIEW

CDD conducted an agency review comment period between February 26, 2024, and March 4, 2024, and received the following responses. Full responses are available in Attachment C.

Agency	Summary			
CBJ Assessors Office	No comments as of the writing of this report.			
Capital City Fire Rescue	No issues with the development, signage will be required for the hammerhead turnaround through the building permit.			
CBJ Buildings	No comments as of the writing of this report.			
CBJ General Engineering	Drainage, sewer, water will be addressed through a building permit.			
DOT/PF	The Traffic Impact Analysis conducted for the development of Richland Manor in 2020 included analysis of future development for up to 47 single family homes (detached) and approximately 356 multifamily homes in the vicinity of Hooter Lane and Craig Street. The conclusion of the TIA at that time was that at full build out, no major mitigation past the development of Hooter Lane and some pedestrian facility improvements at Vanderbilt and Glacier Highway would be necessary. Approach Road permit 30955 was issued for the development of Hooter Lane by DOT&PF and the subject TIA was reviewed by the Department at that time with no comment. The TIA and its findings that no additional mitigation to that previously mentioned was accepted by the Department. At this time, no additional analysis is required as the proposed multifamily development is within the original TIA's scope of work.			

## **PUBLIC COMMENTS**

CDD conducted a public comment period between March 12, 2024, and April 19, 2024. Public notice was mailed to property owners within 500 feet of the proposed development. A public notice sign was also posted on-site two weeks prior to the scheduled hearing. Public comments submitted at time of writing this staff report can be found in Attachment D.

No comments were received at the time of writing of this report.

### **CONFORMITY WITH ADOPTED PLANS**

The proposed development is in general conformity with the 2013 Comprehensive Plan, and the 2015 Juneau Economic Development Plan.

Section	J.	Item	8.

PLAN	Chapter	Page No.	ltem	Summary
2013 Comprehensive Plan	11	158	Мар Н	According to the Land Use Maps outlined in the 2013 Juneau Comprehensive Plan, the designation of this lot is MDR (medium density residential). The MDR land use designation is described as follows: These lands are characterized by urban residential lands for multifamily dwelling units at densities ranging from 5 to 20 units per acre. Any commercial development should be of a scale consistent with a residential neighborhood, as regulated in the Table of Permissible Uses (CBJ 49.25.300).
	3	20	3.2	To promote compact urban development within the designated urban service area to ensure efficient utilization of land resources and to facilitate cost effective provision of community services and facilities while balancing protection of natural resources, fish and wildlife habitat and scenic corridors.
	4	36	4.1	To facilitate the provision and maintenance of safe, sanitary and affordable housing for Juneau residents.
	4	37	4.2	To facilitate the provision of an adequate supply of various housing types and sizes to accommodate present and future housing needs for all economic groups.
	10	131	10.3	To facilitate residential developments of various types and densities that are appropriately located in relation to site conditions, surrounding land uses, and capacity of public facilities and transportation systems.
2015 Economic Development Plan	5	94	-	The proposal is consistent with the following initiative from the Juneau Economic Development Plan: Initiative: Promote Housing Affordability and Availability

#### **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 substantially conforms to the requirements of CBJ 49.15.

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

Analysis: The application is for 48 SROs with private facilities. The use is listed at CBJ 49.25.300, Section 1.610.

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 conditions, the proposed development will comply with Title 49, including parking, lighting, vegetative cover, and habitat.

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

Analysis: No further analysis needed.

**Finding: No.** There is no evidence to suggest that with appropriate conditions, the requested single-room occupancy units with private facilities in a D15 zoning district will materially endanger the public health or safety.

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

Analysis: No further analysis needed.

**Finding:** No. There is no evidence to suggest that with appropriate conditions, the requested single-room occupancies with private facilities in a D15 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: No further analysis needed.

**Finding: Yes.** The proposed SROs with private facilities with the recommended conditions, will be in general conformity with the 2013 Comprehensive Plan, the 2015 Economic Development Plan, and the 2016 Housing

William Heumann File No: USE2024 0006 April 19, 2024 Page 10 of 10

Action Plan.

## RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested Conditional Use Permit. The permit would allow the development of three, 16-unit, two-story apartment buildings containing a total of 48 single-room occupancy units with private facilities.

The approval is subject to the following conditions:

- 1. Prior to Temporary Certificate of Occupancy, Hooter Lane must be accepted by the CBJ for maintenance.
- 2. Prior to TCO, a new plat of Chilkat Vistas Tract A3 must be recorded.

## **STAFF REPORT ATTACHMENTS**

ltem	Description			
Attachment A	Application Packet			
Attachment B	Abutters Notice and Public Notice Sign Photo			
Attachment C	Agency Comments			
Attachment D	Public Comments			
Attachment E	Approved drainage plan			
Attachment F	Traffic Impact Analysis			



## **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.

Physical Address							
Hillcrest Avenue							
egal Description(s) (Subdivision, Survey, Block, Tract, Lot) Chilkat Vistas Tract A3							
Devel Number(a)							
7B1001160014							
This property is located in the downtown historic district This property is located in a mapped hazard area, if so, which							
Property Owner William and Michael Heumann Contact Person	Michael Heumann						
Mailing Address P.O. Box 34024 Juneau, Ak. 99803	Phone Number(s) 971-261-8014						
E-mail Address chilkatvistas@gmail.com							
LANDOWNER/ LESSEE CONSENT	1						
Required for Planning Permits, not needed on Building/ Engineering Permits.							
Consent is required of all landowners/ lessees. If submitted with the application, alternative w							
include the property location, landowner/ lessee's printed name, signature, and the applicant	t s name.						
B. I (we) grant permission for the City and Borough of Juneau officials/employees to inspect m William Heumann Landowner/Lessee (Printed Name) Title (e.g.: Landown	2						
xlllll	z-13-24						
Landowner/Lessee (Signature)	Date						
Michael Heumann							
Landowner/Lessee (Printed Name) Title (e.g.: Landown							
1 Cit	2-13-24						
x							
XLandowner/Lessee (Signature)	Date						
Landowner/Lessee (Signature) NOTICE: The City and Borough of Juneau staff may need access to the subject property during contact you in advance, but may need to access the property in your absence and in accordance w Commission may visit the property before a scheduled public hearing date. APPLICANT If same as LANDOWNER write "SAME"							
Landowner/Lessee (Signature) NOTICE: The City and Borough of Juneau staff may need access to the subject property during contact you in advance, but may need to access the property in your absence and in accordance w Commission may visit the property before a scheduled public hearing date.							
Landowner/Lessee (Signature) NOTICE: The City and Borough of Juneau staff may need access to the subject property during contact you in advance, but may need to access the property in your absence and in accordance w Commission may visit the property before a scheduled public hearing date. APPLICANT If same as LANDOWNER write "SAME"							
Landowner/Lessee (Signature)         NOTICE: The City and Borough of Juneau staff may need access to the subject property during contact you in advance, but may need to access the property in your absence and in accordance w Commission may visit the property before a scheduled public hearing date.         APPLICANT         If same as LANDOWNER, write "SAME"         Applicant (Printed Name)         Chilkat Vistas LLC         Mailing Address	vith the consent above. Also, members of the Planning						
Landowner/Lessee (Signature)         NOTICE: The City and Borough of Juneau staff may need access to the subject property during contact you in advance, but may need to access the property in your absence and in accordance w Commission may visit the property before a scheduled public hearing date.         Applicant         If same as LANDOWNER, write "SAME"         Applicant (Printed Name)         Chilkat Vistas LLC         Mailing Address         E-mail Address         Chilkatvistas@gmail.com	vith the consent above. Also, members of the Planning						
Landowner/Lessee (Signature)         NOTICE: The City and Borough of Juneau staff may need access to the subject property during contact you in advance, but may need to access the property in your absence and in accordance w Commission may visit the property before a scheduled public hearing date.         APPLICANT         If same as LANDOWNER, write "SAME"         Applicant (Printed Name)         Chilkat Vistas LLC         Mailing Address	vith the consent above. Also, members of the Planning Phone Number(s)						
Landowner/Lessee (Signature)         NOTICE: The City and Borough of Juneau staff may need access to the subject property during contact you in advance, but may need to access the property in your absence and in accordance w Commission may visit the property before a scheduled public hearing date.         Applicant         If same as LANDOWNER, write "SAME"         Applicant (Printed Name)         Chilkat Vistas LLC         Mailing Address         E-mail Address         Chilkatvistas@gmail.com         X	Phone Number(s)          2/13/24         Date of Application						
Landowner/Lessee (Signature)         NOTICE: The City and Borough of Juneau staff may need access to the subject property during contact you in advance, but may need to access the property in your absence and in accordance we Commission may visit the property before a scheduled public hearing date.         Applicant         If same as LANDOWNER, write "SAME"         Applicant (Printed Name)         Chilkat Vistas LLC         Mailing Address         E-mail Address         Chilkatvistas@gmail.com         X         Applicant's Signature	Phone Number(s)          2/13/24         Date of Application						
Landowner/Lessee (Signature)         NOTICE: The City and Borough of Juneau staff may need access to the subject property during contact you in advance, but may need to access the property in your absence and in accordance we Commission may visit the property before a scheduled public hearing date.         Applicant         If same as LANDOWNER, write "SAME"         Applicant (Printed Name)         Chilkat Vistas LLC         Mailing Address         E-mail Address         Chilkatvistas@gmail.com         X         Applicant's Signature	Phone Number(s)          Phone Number(s)  Date of Application						
Landowner/Lessee (Signature)         NOTICE: The City and Borough of Juneau staff may need access to the subject property during contact you in advance, but may need to access the property in your absence and in accordance we Commission may visit the property before a scheduled public hearing date.         Applicant         If same as LANDOWNER, write "SAME"         Applicant (Printed Name)         Chilkat Vistas LLC         Mailing Address         E-mail Address         Chilkatvistas@gmail.com         X         Applicant's Signature	Phone Number(s)          Phone Number(s)  Date of Application						
Landowner/Lessee (Signature)         NOTICE: The City and Borough of Juneau staff may need access to the subject property during contact you in advance, but may need to access the property in your absence and in accordance w Commission may visit the property before a scheduled public hearing date.         APPLICANT         If same as LANDOWNER, write "SAME"         Applicant (Printed Name)         Chilkat Vistas LLC         Contact Person         Mailing Address         E-mail Address         Chilkat Vistas @gmail.com         X         Applicant's Signature         DEPARTMENT USE ONLY BELOW THIS LIP	Phone Number(s)          Phone Number(s)  Date of Application						

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

I:\FORMS\PLANFORM\DPA\_Final Draft.docx

Updated 6/2022-Page 1 of 1

## 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.

COMMUNITY DEVELOPMENT

CITY AND BOROUGH OF

1.0	PROJECT SUMMARY						
	3 - 16 LINIT APARTMENT BU	ILDINGS					
	TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED						
	O Accessory Apartment – Accessory Apartment Application (AAP)						
	O Use Listed in 49.25.300 – Table of Permissible Uses (USE)						
	Table of Permissible Uses Category:						
	IS THIS A MODIFICATION or EXTENSION OF AN EXISTING APPROVAL?	OYES - Case # ONO					
	UTILITIES PROPOSED WATER: Public On Site SEW	ER: 🔀 Public 🔲 On Site					
	SITE AND BUILDING SPECIFICS	~					
nt	Total Area of Lot 202730 square feet Total Area of Existing Stru	cture(s) Square feet					
plica	Total Area of Proposed Structure(s) 18,726 square feet						
To be completed by Applicant		cutoff sheets, and location of lighting fixtures					
lete		cutoff sheets, and location of lighting fixtures					
duud	ALL REQUIRED DOCUMENTS ATTACHED	If this is a modification or extension include:					
e cc	Narrative including:	Notice of Decision and case number					
Tob	Current use of land or building(s)	Justification for the modification or					
-	Description of project, project site, circulation, traffic etc.	extension					
	Proposed use of land or building(s)	Application submitted at least 30 days					
	How the proposed use complies with the Comprehensive Plan	before expiration date					
	Plans including:	김 그는 아이에서 가장 같은 것이 없었다. 그는					
	1-Site plan						
1	I Floor plan(s)						
	Elevation view of existing and proposed buildings						
1.1	1 Proposed vegetative cover						
	Existing and proposed parking areas and proposed traffic circula	tion					
	Existing physical features of the site (e.g.: drainage, habitat, and	hazard areas)					
	DEPARTMENT USE ONLY BELOW THIS LIN	IE					
	ALLOWABLE/CONDITIONAL USE FEES						

ALLOWABLE/CONDITION	Fees	_ Check No.	Receipt	Date
Application Fees	\$ 1,000000	Class TV		
Admin. of Guarantee	\$			
Adjustment	\$			
Pub. Not. Sign Fee	s_ 50			
Pub. Not. Sign Deposit	\$100			
Total Fee	\$ 1,150			

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

## INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Case Number	Date Received
USE24-D06	2/14/2024

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

Chilkat Vistas Tract A3 Conditional Use Permit Narrative:

2-10-24

Tract A3 in Chilkat Vistas Subdivision is currently used as vacant land. This application is for a project to construct 48 efficiency apartment units. The site gently slopes towards the southwest and the building itself will face west, ensuring ample sunlight and offering picturesque views of the channel, Mendenhall wetlands, and Chilkat mountain range. 61 parking spaces, including 4 ADA, will be provided by a two-lane driveway with a hammerhead turnaround for fire access. A berm will be used to separate the project from the adjacent single-family development. The comprehensive plan designates this as medium density residential with a maximum density of 20 units per acre which our project satisfies. The project's strategic location offers central access to public transportation and is situated in a beautiful and desirable area.

.

Juneau faces a well-documented housing problem characterized by a limited housing supply, restricted housing options, and high-cost burdens, forcing many residents to spend significantly more than 30% of their income for housing (see CBJ Housing Action Plan). This project will have a significant impact on the Juneau housing crisis, and has received \$2.25M in subsidized loans from the Juneau Affordable Housing Fund as it will provide housing for potentially cost burdened residents.

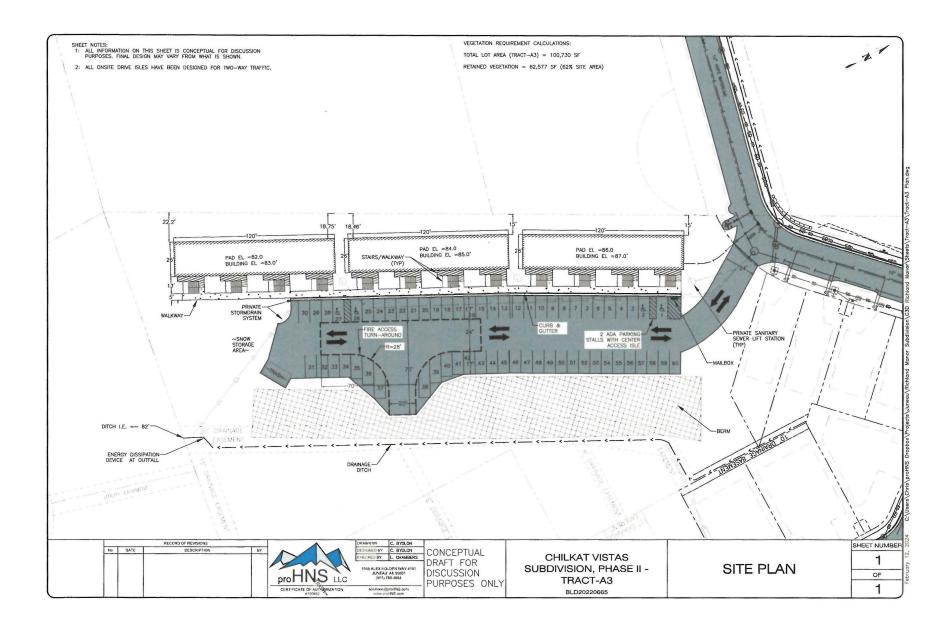
Section J, Item 8.

## FRONT ELEVATION

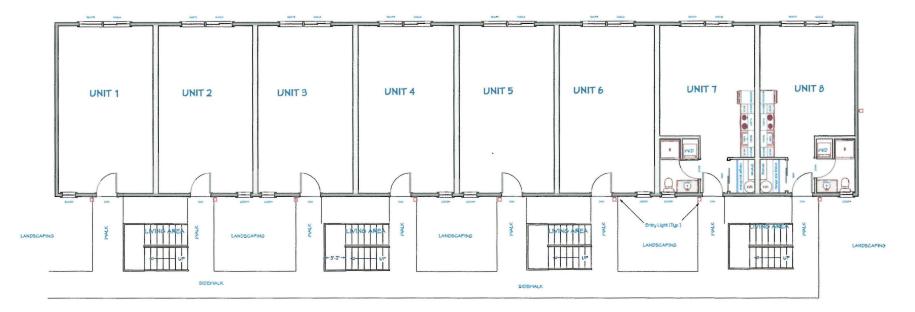


16 UNIT APARTMENT BUILDING

CHILKAT VISTAS LLC



## FIRST FLOOR

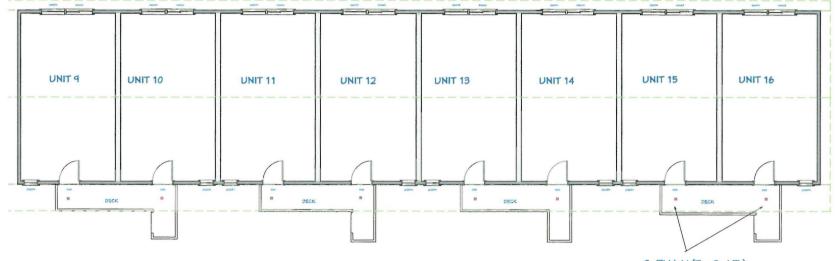


16 UNIT APARTMENT BUILDING

CHILKAT VISTAS LLC

Section J, Item 8.

## SECOND FLOOR



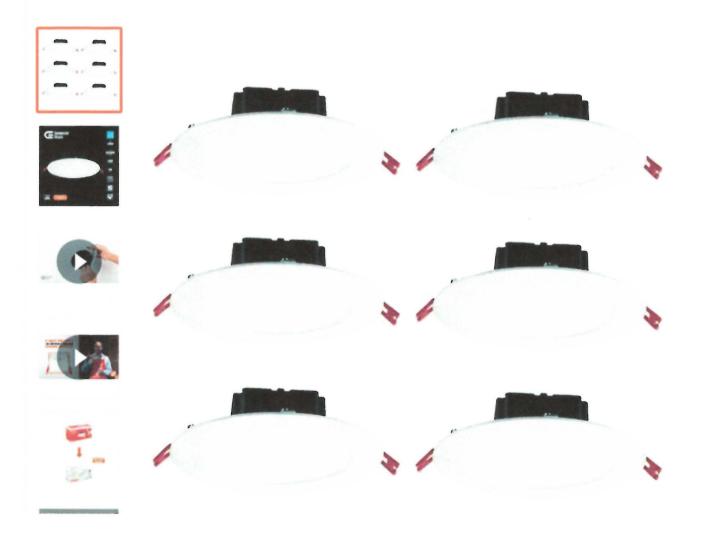
Soffit Light (Typ 2nd Fl.)

16 UNIT APARTMENT BUILDING

CHILKAT VISTAS LLC

## 6 in. White Flush Round Wet Rated LED Integrated Recessed Lighting Kit (6-Pack)

★★★★★ (567) ∨ Questions & Answers (111)







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

## **Raven's Perch Apartments**

Case Number:	PAC2022 0005
Applicant:	William Heumann
Property Owner:	William Heumann
Property Address:	N/A
Parcel Code Number:	TBD
Site Size:	100,730 square feet, 2.31 acres
Zoning:	D15 Multifamily
Existing Land Use:	Vacant
Conference Date:	March 22, 2023
Report Issued:	June 26, 2023
· · · · · · · · · · · · · · · · · · ·	ion conferences are conducted for the purpose of providing applicants with a operation of the purpose of providing applicants with a operation 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
William Huemann	Applicant	WHeumann@msn.com
David Peterson	Planning	David.Peterson@juneau.gov
David Sevdy	Building	David.Sevdy@juneau.gov
Eric Vogel	General Engineering	<u>Eric.Vogel@juneau.gov</u>

i:\documents\cases\2023\pac\pac23-005 raven's perch apartments\pac23-05 6.26.23 final.doc

Revised 5/07/2021

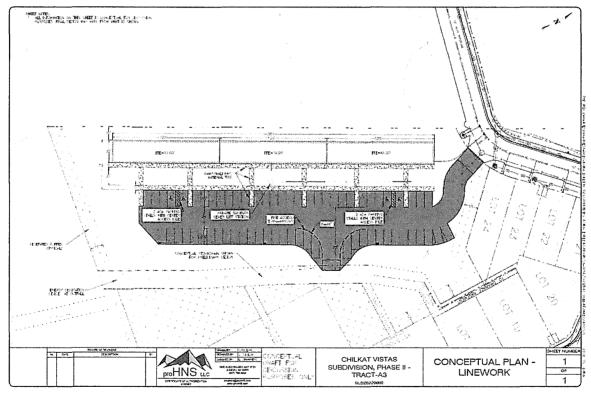
#### **Conference Summary**

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.

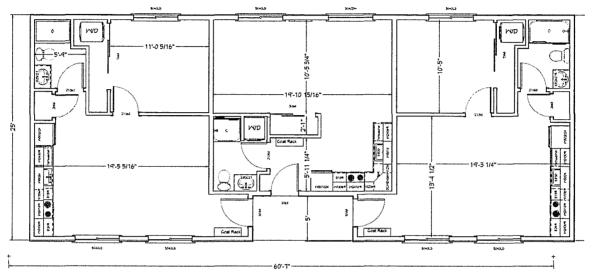
- Consideration for trash removal. Will need to be discussed with Alaska Waste.
- Mail delivery location. Will need to be discussed with USPS. Pamela.J.Nicholson@usps.gov
- Snow storage
- Routing sewer to not be under the driveway.
- Building Height

#### **Project Overview**

This project will include 18 efficiency (<400 ft.) and 24 1-bedroom units. The project will be located on Chilkat Vistas Subdivision Tract A3. Tract A3 is 2.31 Acres and the project will cover 1.13 acres with the rest left as green space. The project includes 65 parking spaces, 4 of which are ADA. The parking plan has provided for a fire-truck turnaround. The project will be surrounded by green space of varying widths. Access will be provided by Hooter Lane. The project is entirely surrounded by D-15, other than its southern border which is D-5 and over 40' from the building and even further from the parking area.



# RAVEN'S PERCH APARTMENTS Typical Floor Plan



Chilkat Vistas Subdivision Phase 2

This project is major development and will require a Conditional Use Permit [CBJ 49.25.300(c)(3)(C)].

#### **Planning Division**

1. Zoning – D15 zone. 15 units per acre. Minimum lot size is 5,000 square feet, 3,000 square feet for a bungalow lot, and 3,500 square feet for a common wall dwelling.

<u>Minimum lot width</u> = 50'. Bungalow Lot Width = 25'. Common Wall Dwelling = 30'. Ref US Survey 4807 Tract A Chilkat Vista, C1 arc that denotes the front of the proposed multifamily housing development is 52.17' in length.

Maximum number of dwelling units allowable on 2.31 acres is (2.31 acres \* 15 allowable units/acre = 34.65 = 35 units).

Per 49.25.510(j)(2) – Each single-room occupancy with private facilities shall count as one-half of a dwelling unit for purposes of calculating density, permitting requirements, and land use permit application fees.

(24 single bedroom units) + (18 efficiency units) = 24+9 = 33 total units.

- 2. Subdivision Chilkat Vistas Subdivision, Phase II Tract A3.
- 3. Setbacks
  - a. Front = 20 ft. (north, onto Hooter Lane);
  - b. Rear = 25 ft. (south abuts D5 so must use D5 setback);
  - c. Side = 5 ft. (east and west);

**Pre-Application Conference Final Report** 

- d. Street side = 13 ft. (not apparently applicable to this development)
- 4. Height Maximum = 35 ft.; Accessory/Bungalow = 25 ft. (Reference 49.25.420)
- 5. Access Subdivision will have direct and practical access through the frontage on to Hooter Lane.
- 6. Parking & Circulation Per 49.40.210, Multi-family units require 1 parking space per bedroom unit. 24 + 18 = 42 spaces. The proposed parking plan shows 65 parking spaces.
  ADA Parking:
  26-50 spaces = 2 ADA Compliant spaces;
  51-75 spaces = 3 ADA Compliant Spaces
  Prelim plat shows (4) ADA compliant spaces.
- Lot Coverage Lot Coverage means the percentage of horizontal lot area that is occupied by all buildings on the lot, each measured at the outside of those exterior walls of the floor having the greatest horizontal dimensions. Maximum/Permissible/Conditional Lot Coverage = 50%.

Proposed building footprint =  $25' \times 360' = 9,000$  square feet building footprint.

Tract A3 = 2.31 acres x 43,560suare feet/acre = 100,623.6 total square feet.

9,000/100,623.6 = .089 = 8.9% coverage.

- 8. Vegetative Coverage 49.50.300 Percentage of required vegetative coverage is 30% in D15 zoning.
- 9. Lighting Must be in compliance with 04 CBJAC 080.530.
- 10. Noise Community Development has no zoning related code to contest noise. Per 42.20.095(c), It is unlawful to operate any pile driver, power shovel, pneumatic hammer, derrick, power hoist, or similar heavy construction equipment, before 7:00 a.m. or after 10:00 p.m., Monday through Friday, or before 9:00 a.m. or after 10:00 p.m., Saturday and Sunday, unless a permit shall first be obtained from the City and Borough building official. Such a permit shall be issued by the building official only upon a determination that such operation during hours not otherwise permitted under this section is necessary and will not result in unreasonable disturbance to surrounding residents. The building official may revoke any *noise* permit after making written findings that the construction activity has resulted in unreasonable disturbance to surrounding hours not otherwise permitted is not necessary.
- 11. Flood Per CBJ Flood maps, site is not located in a mapped flood zone.
- 12. Hazard/Mass Wasting/Avalanche/Hillside Endorsement
  - a. Hazard/Mas Wasting/Avalanche- No recorded hazards present on the site.
  - b. Hillside Endorsement 49.70.210, Excavation or creation of any slope in excess of 18%, will require a Hillside Endorsement. All hillside endorsement applications shall be reviewed by the planning commission, accept minor development (ref 49.70.210(b)(1-8). Note that the hillside endorsement must be completed before this project goes before the Planning Commission.
- 13. Wetlands No recorded wetlands present in CBJ records. If wetlands are discovered on parts of the proposed development, special regulations may apply.

**NOTE**: SMP2021 0004, Condition 1. Provide a wetlands fill permit from the United States Army Corps of Engineers.

14. Habitat – Check with the U.S. Fish and Wildlife on the presence of eagle nests in the area. The presence of eagle nests may impact construction scheduling. No anadromous waterbodies are on the subject parcel, or within 50 feet.

#### **Pre-Application Conference Final Report**

- 15. Plat or Covenant Restrictions None apply. The Applicant has a Stipulated Settlement Agreement with the Mountainside Estates Neighborhood Association (MENA). Under the agreement, the CBJ's responsibility is limited to access development requirements. While other elements of the agreement are between the Applicant and MENA, a cursory review does not indicate this development would conflict with that agreement. Contact your attorney for confirmation.
- 16. Traffic Applicants have submitted a Traffic Impact Analysis for a build-out of 403 dwelling units. This was reviewed with the major subdivision applications SMP2021 0004 and SMP2019 0004. The analysis included 47 single-family homes and 356 multifamily homes. To date, 27 single-family lots have been platted, with 18 additional proposed under Phase 3. This development would be the first multi-family development.
- 17. Nonconforming situations N/A

#### **Building Division**

- Building Show sound and fire protection on architectural plans. Full submittal requirements will be determined during the permitting process.
- 19. Outstanding Permits N/A

#### **General Engineering/Public Works**

- 20. Engineering -
- 1. Grading: Slopes and retaining structures shall be shown on the Grading Plan. The heights and slope ratios must be quantified.
  - a. Easements: Site plan (plat) shall include all existing (and proposed) easements for drainage, utility lines, plumbing lines, access, snow storage, trash (dumpster) storage, or any other shared use that requires crossing the property line
- Drainage Drainage must be directed to pre-approved drainage ways and cannot be directed at neighbors or otherwise cause a nuisance. Drainage shall be shown in the Grading Plan with arrows. Any drainage structures shall be identified, and sizes called out.
- 21. Utilities (water, power, sewer, etc.) Water service will need to be provided. A CBJ ROW Permit and Utility Permit will be required. The plans shall include a Utility Plan that shows the location of buried sewer and water utilities including valve, unions, cleanouts, and system components. Sizes and materials must be called out. Power by others.
- a. CBJ right-of-way (ROW) permit Once the construction plan for the utilities is approved, CBJ will create the ROW permit. The permit will cover the tapping of the water main and road restoration within the right-of-way (if required). Inspection fees, refundable bond amount, and conditions will be determined after review of the proposed construction plan. The extension of the utilities within the property will require further permitting and fee assessments. This process is done separately from the subdivision and typically in conjunction with the building permit application. Utility as-builts shall be submitted to GE prior to return of Bond and closure of permits.
- b. Water Utility permit for the water/fire line to be installed to the new structure. The line sizing shall be determined by the engineer. The meter is required to be installed prior to any branches in the plumbing line. The meter location and sizing shall be shown on the mechanical plans. The meter installation and conduit installation is the responsibility of the applicant. A water assessment will need to be paid and will be determined after sizing of meter and domestic line are identified.
- c. Sewer Utility permit for the sewer line to be installed to the new structure. The line sizing is determined by the engineer. The mechanical plans shall include a drainage fixture unit (DFU) count. A

#### **Pre-Application Conference Final Report**

sewer assessment and inspection fees will need to be paid and will be determined after review of the DFU's and the configuration of the underground sewer line.

#### **Fire Marshal**

3. Fire Items/Access - No comments at this time.

#### Other Applicable Agency Review

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

#### List of required applications

Based upon the information submitted for pre-application review, the following list of applications must be submitted in order for the project to receive a thorough and speedy review. Materials can be submitted electronically to the Permit Center via email to Permits@juneau.gov.

- 1. Conditional Use permit application (see attached)
- 2. Building permit application (see attached)
- 3. Development Permit application (required with both forms)

#### Additional Submittal Requirements

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

- 1. A copy of this pre-application conference report.
- 2. Site Plan (PDF)
- 3. Architectural Plans (PDF)

#### **Exceptions to Submittal Requirements**

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

1. N/A

#### **Fee Estimates**

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

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

1. The building permit cost will be determined during the submittal process by square footage.

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 <u>permits@juneau.gov</u> OR in person with payment made to:

## Pre-Application Conference Final Report

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

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

Attachments:

49.15.330 - Conditional Use Permit
49.25.300 - Table of permissible uses
49.25.400 - Dimensional Standards
49.25.420 - Measuring building height
49.25.510 - Special Density Consideration
49.35.250 - Access
49.49.200 - Parking
49.40.210b - ADA Parking
Article II - Hillside Development
Article III - Traffic
Chapter 49.85 - Fees
69.10.023 - <u>https://juneau.org/community-development/grants-cbj-tax-abatement-programs</u>
Development Permit Application
Conditional Use Permit Application
Building Permit Application

### 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.
  - 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;

(Supp. No. 149)

Created: 2023-03-21 12:41:13 [EST]

- (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 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:

Created: 2023-03-21 12:41:13 [EST]

Page 2 of 3

- (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 )

(Supp. No. 149)

Created: 2023-03-21 12:41:13 [EST]

#### 49.25.300 Determining uses.

- (a) (1) Listed uses. There is adopted the table of permissible uses, table 49.25.300. The uses permitted in a zoning area shall be determined through the table of permissible uses by locating the intersection of a horizontal, or use axis and a vertical, or zone axis. The conditions and procedures applicable to the use in the zone thus located shall be as indicated thereat by the digits "1," "2," or "3" as more fully set out in this section and by letters of the alphabet as more fully set out by footnotes in the table. The absence of a digit at the intersection of use and zone axes means that the identified use is not permitted in the identified zone.
  - (2) Unlisted uses. The permissibility of a use not listed shall be determined pursuant to section 49.20.320.
  - (3) Uses listed more than once. Where a use might be classified under more than one category, the more specific shall control. If equally specific, the more restrictive shall control.
  - (4) Accessory uses. Uses constituting an incidental or insubstantial part of a permissible use and commonly associated with the permissible use may be allowed as an accessory use.
  - (5) *Nonconforming uses.* Nonconforming uses, including nonconforming residential densities, are subject to chapter 49.30.
- (b) (1) When used in conjunction with a particular use in the table of permissible uses, the number "1" indicates that the use requires department approval pursuant to chapter 49.15, article III, in conjunction with the issuance of a building permit. The use is allowed in the district, but limited conditions may be attached to the approval.
  - (2) The number "2" indicates the use requires an allowable use permit from the planning commission. Such uses are allowed in the district, but specified conditions may be attached to the allowable use permit by the commission. The permit procedure is outlined in chapter 49.15, article I.
  - (3) The number "3" indicates the use requires a conditional use permit from the commission. The use may or may not be allowed at a particular location, depending on a determination of its compatibility with surrounding or proposed land uses. The planning commission may attach any condition to ensure the compatibility of the proposed use. The conditional use permit procedure is outlined in chapter 49.15, article I.
- (c) A combination of digits such as "1, 3" or "2, 3" indicates that the approval procedure for the identified use in the identified zone will vary depending on whether the project is a major or minor development.
  - (1) If the project is a minor development the first number of the combination shall indicate the applicable procedure.
  - (2) If the project is a major development the second number shall indicate the applicable procedure.
  - (3) Minor development means development which is classified by zoning district as follows:
    - (A) Rural reserve district: A residential development containing two or fewer dwelling units, two or fewer bedrooms leased on a daily or weekly basis, or a nonresidential building totaling less than 10,000 square feet or using less than one acre of land in total.
    - (B) Single-family residential districts: A residential development containing two or fewer dwelling units, two or fewer bedrooms leased on a daily or weekly basis, or a nonresidential building totaling less than 5,000 square feet or using less than 10,000 square feet of land in total.
    - (C) Multifamily residential districts: A residential development containing eight or fewer dwelling units, eight or fewer bedrooms leased on a daily or weekly basis, or a nonresidential building totaling less than 5,000 square feet or using less than 10,000 square feet of land in total.

(Supp. No. 145)

Created: 2022-10-12 14:40:39 [EST]

- (D) Commercial and mixed use districts: A residential development containing 12 or fewer dwelling units, 12 or fewer bedrooms leased on a daily or weekly basis, or a nonresidential building totaling less than 10,000 square feet or using less than one-half acre of land in total.
- (E) Industrial districts: Non-residential buildings totaling 15,000 square feet or using less than one acre of land in total.
- (4) Major development means all development activity that is not a minor development.
- (5) Exceptions. Exceptions to the use of minor and major development classifications as a method of determining the applicable approval procedure shall be as noted in the table of permissible uses.

(Serial No. 87-49, § 2, 1987; Serial No. 89-01, § 2, 1989; Serial No. 89-14, § 2, 1989; Serial No. 89-16, § 2, 1989; Serial No. 89-20, § 2, 1989; Serial No. 89-28, § 2, 1989; Serial No. 89-29, § 2, 1989; Serial No. 89-30, § 2, 1989; Serial No. 89-31, § 2, 1989; Serial No. 90-21, § 2, 1990; Serial No. 90-52, § 3, 1990; Serial No. 90-54, §§ 2, 3, 1991; Serial No. 91-01, § 3, 1991; Serial No. 91-36, § 2, 1991; Serial No. 92-09, § 3, 1992; Serial No. 93-05, § 2, 1993; Serial No. 93-46, §§ 2—4(Exh. A) and (Exh. B), 1993; Serial No. 94-07, §§ 2, 3(Exh. A) and (Exh. B), 1994; Serial No. 94-40, § 2(Exh. A), 1994; Serial No. 95-09, §§ 2, 3(Exh. A) and (Exh. B), 1995; Serial No. 97-10, § 2(Exh. A), 1997; Serial No. 97-19, § 2(Exh. A), 1997; Serial No. 97-47, §§ 2, 3(Exh. A), 1997; Serial No. 98-09, § 4(Exh. A), 1998; Serial No. 98-39, §§ 2—4(Exh. A), 1998; Serial No. 98-40, § 2(Exh. A), 1999; Serial No. 98-09, § 4(Exh. A), 1998; Serial No. 98-39, §§ 2—4(Exh. A), 1998; Serial No. 98-40, § 2(Exh. A), 1999; Serial No. 99-22, § 7, 1999; Serial No. 2000-46, § 2(Exh. A), 11-20-2000; Serial No. 2001-12, § 2(Exh. A), 4-02-2001; Serial No. 2010-22, §§ 2, 3(Exh. A), 7-19-2010; Serial No. 2015-07(b)(am), § 2, 2-23-2015, eff. 3-26-2015; Serial No. 2015-03(c)(am), § 18, 8-31-2015; Serial No. 2019-37, § 2, 3-16-2020, eff. 4-16-2020 )

(Supp. No. 145)

Created: 2022-10-12 14:40:39 [EST]

Page 2 of 14

	T		Zone	es															
	Use Des	cription	RR	D-1	D-3	D-5	D- 10 SF	D- 10	D- 15	D- 18	LC	GC	MU	MU2	MU3	NC	wc	WI	1
1.000	Residen	tial																	
	1.100	Single-family dwellings																	
	1.110	Single-family detached, one dwelling per lot	1	1	1	1	1	1	1	1	1	1	1	1			1	1A	1A
	1.120	Single-family detached, two dwellings per lot	1	1	1														
	1.130	Single-family detached, accessory apartment <sup>x</sup>	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3			1, 3		
	1.140	Single-family detached, two dwellings per lot, accessory apartments <sup>x</sup>	1, 3	1, 3	1, 3														
1.200	Duplex		1	1	1	1		1	1	1	1	1	1	1			1		
1.300	Multifan	nily dwellings						1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	3		
1.500	Child an	d Day care homes								1							1		
	1.510	Child; 12 or fewer children under the age of 12	1	1	1	1	1	1	1	1	1	1	1	1	1	1			
	1.520	Reserved								1			1				1	1	
	1.530	Adult; 12 or fewer people, 12 years and older	1	1	1	1	1	1	1	1	1	1	1	1	1	1			
	1.540	Reserved																	
	1.550	Child care residence, 6 to 9 children under 18 years of age		3	3	3	3	3	3	3	3	3	.3	3	3	3			
1.600	Miscella situatior	neous, rooms for rent ns																	
	1.610	Rooming, boarding houses, bed and breakfasts, single room occupancies with shared facilities, transitional housing, and temporary residences.	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	1, 3	1	1	1, 3	1, 3	3N		

#### TABLE OF PERMISSIBLE USES - CBJ 49.25.300

(Supp. No. 145)

Created: 2022-10-12 14:40:39 [EST]

Page 3 of 14

		Owner or manager must live on site.				<u> </u>													
	1.620	Hotels, motels	3								1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	3N	3N	
	1.630	Single room occupancies with private facilities						1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3		
1.700	Home or	ccupations	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
1.800	Mobile h	iomes									1						1		1
	1.810	Residential mobile homes on individual lots <sup>E</sup>	3	3	3														1
	1.815	Caretakers mobile homes on individual lots <sup>E</sup>	3	3	3	3	3	3	3	3	3	3	3	3			3	3	3
	1.820	Mobile home parks <sup>E</sup>					3	3	3	3	3	3							
	1.830	Mobile home subdivision <sup>E</sup>		1	1	3	3	3	3	3	3	3	1						1
	1.840	Recreational vehicle parks <sup>F</sup>	3F	3 <sup>F</sup>	3F	1		1								1		1	1
1.900	Commor	n wall development				1		1							1			1	1
	1.910	Two dwelling units				1	1	1	1	1								i	+
	1.911	Accessory apartments <sup>x</sup>	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3		
	1.920	Three or more dwelling units					1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3			
	1.930	Two dwelling unit structures allowed under special density considerations, subsections 49.25.510(h)			3	3	3	3	3	3	3			3					
2.000	Sales an	d Rental Goods, Merchandise or	Equip	ment <sup>G</sup>															
2.100	less than	s than 5,000 square feet and 20 percent of the gross floor putside merchandising of goods																	
	2.110	Reserved																	
	2.120	Miscellaneous									1	1	1	1	1	1	3N	3 <sup>N</sup>	3
	2.130	Marine merchandise and equipment	3 <sup>T</sup>								1, 3	1, 3	1, 3	1, 3	1	1	1, 3	3N	3
2.200	-	and display of goods with or equal to 5,000 square feet									1, 3	1, 3	1, 3	1, 3			3N	3N	3

Created: 2022-10-12 14:40:39 [EST]

Page 4 of 14

	· · ·	0 percent of the gross floor outside merchandising of goods																	
2.300	Marijuar	na retail store	3								3	3	3	3	3	3	3	3	3
3.000	Professi	onal Office, Clerical, Research, R	eal Est	ate, Ot	ner Off	ice Serv	vices <sup>G</sup>												
3.050	Offices of feet	f not more than 1,000 square		3	3	3	3	3	3	3	1	1	1	1	1	1	1		
3.100		reater than 1,000 but not more 00 square feet						3	3	3	1	1	1	1	1	1	3N		
3.200	Reserved	1		1		1													
3.300	Research	n, laboratory uses	3 <sup>T</sup>							Î	1, 3	1, 3	1, 3	1, 3	1, 3		1 <sup>№</sup> , 3 <sup>№</sup>	1 <sup>№</sup> , 3 <sup>№</sup>	1, 3
3.400	Offices g	reater than 2,500 square feet									1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1 <sup>№</sup> , 3 <sup>№</sup>		35
3.500	Marijuar	na testing facility	3								3	3	3	3	1				3
4.000	Manufa	cturing, Processing, Creating, Rep	pairing	, Renov	ating,	Paintin	g, Clea	ning, A	ssembl	ing of G	Goods <sup>G</sup>								
4.050	Light ma	nufacturing	31						3	3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1 <sup>N</sup> , 3 <sup>N</sup>	1 <sup>№</sup> , 3 <sup>№</sup>	1, 3
4.070	Medium	manufacturing	31									3	3	3			3N	1 <sup>№</sup> , 3 <sup>№</sup>	1, 3
4.100	Heavy m	anufacturing	31	30														3 <sup>N</sup>	3
4.150	Rock cru	sher	31	1 <sup>Q</sup>	1 <sup>Q</sup>													3№	3
4.200	Storage	of explosives and ammunition	3			1		1	1				[					3№	3
4.210	Seafood	processing	31														3	1, 3	1, 3
4.220	Marijuar facility	na product manufacturing	3 <sup>AC</sup>									3	3						3
5.000	Educatio	onal, Cultural, Religious, Philanth	ropic,	Social,	Fratern	nal Use	S												
5.100	Schools				1			1		Τ							Γ		1
	5.110	Elementary and secondary schools including associated grounds and other facilities		3	3	3	3	3	3	3	3	3	3	3	3	3			
	5.120	Trade, vocational schools, commercial schools	31								3	3	3	3	3		3N	3N	3
	5.130	Colleges, universities	31	3	3	3	3	3	3	3	3	3	3	3	3	3	3№	3N	3
5.200	Churche	s, synagogues, temples	31	3	3	3	3	3	3	3	1, 3	1, 3	1,3	1, 3	3	3	1 <sup>N</sup> , 3 <sup>N</sup>	3и	1, 3

Created: 2022-10-12 14:40:39 [EST]

Page 5 of 14

5.300	Libuaria		31	3	3	3	3	3	3	3	1		1 2	1 2	1 2		3№	T	1
5.300	Libraries	, museums, art galleries	3'	3	3	3	5	3	5	3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	3"		
5.400	Social, fr halls, ya	aternal clubs, lodges, union cht clubs	ЗT								1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1 <sup>N</sup> , 3 <sup>N</sup>	3N	1, 3
6.000	Recreati	on, Amusement, Entertainment																	
6.100		ctivity conducted entirely uilding or substantial structure																	
	6.110	Bowling alleys, billiard, pool halls									1, 3	1, 3	1, 3	1, 3	1, 3	1, 3			3
	6.120	Tennis, racquetball, squash courts, skating rinks, exercise facilities, swimming pools, archery ranges				3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3			3
	6.130	Theaters seating for 200 or fewer	31						3	3	1	1	1	1	1, 3	1, 3	Зи		3
	6.135	Theaters seating from 201 to 1,000									3	1	1	1	1, 3	1, 3	3 <sup>N</sup>		3
	6.140	Coliseums, stadiums, and other facilities in the 6.100 classification seating more than 1,000 people										3	3	3			3N		
	6.150	Indoor shooting range	1, 3									3							3
6.200		activity conducted outside I buildings or structures																	
	6.210	Recreational facilities such as golf, country clubs, swimming, tennis courts not constructed pursuant to a permit authorizing the construction of a school	3	3	3	3	3	3	3	3	3	1, 3			1, 3	1, 3	Зи		3
	6.220	Miniature golf courses, skateboard parks, water slides, batting cages	3	3	3	3	3	-3.	3	3	3	1, 3	3	3	1, 3	1, 3	3и		3
	6.240	Automobile, motorcycle racing tracks; off-highway vehicle parks	3									3							3
	6.250	Reserved																	

Created: 2022-10-12 14:40:39 [EST]

Page 6 of 14

6.260	Open space	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
6.262	Parks with improved facilities, not approved in conjunction with a major subdivision						-											
6.264	Capacity for up to 20 people <sup>w</sup>	11	1	1	1	1	1	1	1	1	1	1	1	1	1	1	3N	
6.266	Capacity for more than 20 people <sup>w</sup>	3™	3	3	3	3	3	3	3	3	3	3	3	3	3	3и	3и	
6.270	Aerial conveyances and appurtenant facilities	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3и	3N	3
6.280	Shooting ranges	3																3
Institutio	onal Day or Residential Care, He	alth Ca	ire Facil	lities, C	Correcti	onal Fa	cilities											
Hospital			ľ							3	3	3	3					
treatmen	nt facilities providing out-							3	3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3			
Assisted	living		3	3	-3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	1, 3			
Day care	centers		-				3	3	3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3			
Child car	e centers	3	3	3	3	3	.3	3	3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3			
Correctio	onal facilities	3	3	3	3	3	3	3	3	3	3	3	3					
Sobering	centers									3	3	3	3					
Restaura	ints, Bars, Nightclubs																	
8.050	Small restaurants, less than 1,000 ft <sup>2</sup> without drive through service	3т					3	3	3	1	1	1	1	1	1	1		3
Restaura service	nts, bars without drive through	31								1, 3	1	1, 3	1, 3	1, 3	1, 3	1 <sup>№</sup> , 3 <sup>№</sup>	3∾	3
										1, 3	1		3			1 <sup>№</sup> , 3 <sup>№</sup>	ЗN	3
Seasonal	open air food service without	3								1, 3	1	1, 3	1, 3	1, 3	1, 3	1 <sup>№</sup> , 3 <sup>№</sup>	3№	
	6.262 6.264 6.266 6.270 6.280 Institution Hospital Health cather patient of Assisted Day care Child car Child car Child car Child car Child car Correction Sobering Restaura 8.050 Restaura service Restaura through Seasonal	6.262       Parks with improved facilities, not approved in conjunction with a major subdivision         6.264       Capacity for up to 20 peopleW         6.266       Capacity for more than 20 peopleW         6.270       Aerial conveyances and appurtenant facilities         6.280       Shooting ranges         Institutional Day or Residential Care, Heat Hospital         Health care clinics, other medical treatment facilities providing out- patient care         Assisted living         Day care centers         Child care centers         Correctional facilities         Sobering centers         Restaurants, Bars, Nightclubs         8.050       Small restaurants, less than 1,000 ft <sup>2</sup> without drive through service         Restaurants, bars without drive through	6.262       Parks with improved facilities, not approved in conjunction with a major subdivision         6.264       Capacity for up to 20 people <sup>W</sup> 1 <sup>T</sup> 6.266       Capacity for more than 20 people <sup>W</sup> 3 <sup>T</sup> 6.270       Aerial conveyances and appurtenant facilities       3         6.280       Shooting ranges       3         Institutional Day or Residential Care, Health Care Hospital       Health care clinics, other medical treatment facilities providing out- patient care         Assisted living       Day care centers       3         Correctional facilities       3         Sobering centers       3         Restaurants, Bars, Nightclubs       3 <sup>T</sup> 8.050       Small restaurants, less than 1,000 ft <sup>2</sup> without drive through service       3 <sup>T</sup> Restaurants, coffee stands with drive through service       3 <sup>T</sup>	6.262       Parks with improved facilities, not approved in conjunction with a major subdivision       1         6.264       Capacity for up to 20 people <sup>W</sup> 1 <sup>T</sup> 1         6.266       Capacity for more than 20 people <sup>W</sup> 3 <sup>T</sup> 3         6.270       Aerial conveyances and appurtenant facilities       3       3         6.280       Shooting ranges       3       3         Institutional Day or Residential Care, Health Care Facil Hospital       1         Health care clinics, other medical treatment facilities providing out- patient care       3       3         Assisted living       3       3         Day care centers       3       3         Child care centers       3       3         Sobering centers       3       3         Restaurants, Bars, Nightclubs       3 <sup>T</sup> 3 <sup>T</sup> 8.050       Small restaurants, less than 1,000 ft <sup>2</sup> without drive through service       3 <sup>T</sup> Restaurants, coffee stands with drive through service       3 <sup>T</sup> 3 <sup>T</sup> Restaurants, coffee stands with drive through service       3 <sup>T</sup> 3 <sup>T</sup>	6.262       Parks with improved facilities, not approved in conjunction with a major subdivision       1         6.264       Capacity for up to 20 people <sup>W</sup> 1 <sup>T</sup> 1         6.266       Capacity for more than 20 people <sup>W</sup> 3 <sup>T</sup> 3         6.266       Capacity for more than 20 people <sup>W</sup> 3 <sup>T</sup> 3       3         6.270       Aerial conveyances and appurtenant facilities       3       3       3         6.280       Shooting ranges       3       3       3         6.280       Shooting ranges       3       3       3         Institutional Day or Residential Care, Health Care Facilities, C       Health care clinics, other medical treatment facilities providing out- patient care       3       3       3         Assisted living       3       3       3       3         Day care centers       3       3       3       3         Child care centers       3       3       3       3         Correctional facilities       3       3       3       3         Sobering centers       3       3       3       3         Restaurants, Bars, Nightclubs       3 <sup>T</sup> 1,000 ft <sup>2</sup> without drive through service       3 <sup>T</sup> 2 <sup>T</sup> Restaurants, coffee stands with	6.262       Parks with improved facilities, not approved in conjunction with a major subdivision       1       1       1         6.264       Capacity for up to 20 people <sup>W</sup> 1 <sup>T</sup> 1       1       1         6.266       Capacity for more than 20 people <sup>W</sup> 3 <sup>T</sup> 3       3       3         6.270       Aerial conveyances and appurtenant facilities       3       3       3       3         6.280       Shooting ranges       3       3       3       3       3         6.280       Shooting ranges       3       3       3       3       3         Institutional Day or Residential Care, Health Care Facilities, Correcti Hospital       Image: Correctional facilities providing out- patient care       Image: Correctional facilities       3       3       3         Day care centers       3       3       3       3       3       3         Child care centers       3       3       3       3       3       3       3         Sobering centers       3       3       3       3       3       3       3         Child care centers       3       3       3       3       3       3       3         Restaurants, Bars, Nightclubs       Imal restaurants, less th	6.262Parks with improved facilities, not approved in conjunction with a major subdivision1116.264Capacity for up to 20 peoplew1T11116.266Capacity for more than 20 peoplew3T33336.270Aerial conveyances and appurtenant facilities333336.280Shooting ranges33333Institutional Day or Residential Care, Health Care Facilities, Correctional FaHospitalImage: Conveyance set of the s	6.262       Parks with improved facilities, not approved in conjunction with a major subdivision       1	6.262       Parks with improved facilities, not approved in conjunction with a major subdivision       1	6.262       Parks with improved facilities, not approved in conjunction with a major subdivision       Image: Conjunction with a major subdivision       Image: Conjunction with a major subdivision         6.264       Capacity for up to 20 people <sup>W</sup> 1 <sup>T</sup> 1       1 </td <td>6.262       Parks with improved in conjunction with a major subdivision       Image: Conjunction with a major subdivision       Image: Conjunction with a major subdivision       Image: Conjunction with a major subdivision         6.264       Capacity for up to 20 people<sup>W</sup>       1<sup>T</sup>       1<!--</td--><td>6.262       Parks with improved in conjunction with a major subdivision       Image: Conjunction with a major</td><td>6.262       Parks with improved in conjunction with a major subdivision       1       <t< td=""><td>6.262       Parks with improved in conjunction with a major subdivision       <t< td=""><td>6.262       Parks with improved in conjunction with a major subdivision       1       &lt;</td><td>6.262       Parks with improved in conjunction with a major subdivision       1</td><td>6.262       Parks with improved in conjunction with a major subdivision       Image: Conjunction with a major</td><td>6.262       Parks with improved facilities, not approved in conjunction with a major subdivision       1</td></t<></td></t<></td></td>	6.262       Parks with improved in conjunction with a major subdivision       Image: Conjunction with a major subdivision       Image: Conjunction with a major subdivision       Image: Conjunction with a major subdivision         6.264       Capacity for up to 20 people <sup>W</sup> 1 <sup>T</sup> 1       1 </td <td>6.262       Parks with improved in conjunction with a major subdivision       Image: Conjunction with a major</td> <td>6.262       Parks with improved in conjunction with a major subdivision       1       <t< td=""><td>6.262       Parks with improved in conjunction with a major subdivision       <t< td=""><td>6.262       Parks with improved in conjunction with a major subdivision       1       &lt;</td><td>6.262       Parks with improved in conjunction with a major subdivision       1</td><td>6.262       Parks with improved in conjunction with a major subdivision       Image: Conjunction with a major</td><td>6.262       Parks with improved facilities, not approved in conjunction with a major subdivision       1</td></t<></td></t<></td>	6.262       Parks with improved in conjunction with a major subdivision       Image: Conjunction with a major	6.262       Parks with improved in conjunction with a major subdivision       1 <t< td=""><td>6.262       Parks with improved in conjunction with a major subdivision       <t< td=""><td>6.262       Parks with improved in conjunction with a major subdivision       1       &lt;</td><td>6.262       Parks with improved in conjunction with a major subdivision       1</td><td>6.262       Parks with improved in conjunction with a major subdivision       Image: Conjunction with a major</td><td>6.262       Parks with improved facilities, not approved in conjunction with a major subdivision       1</td></t<></td></t<>	6.262       Parks with improved in conjunction with a major subdivision       n <t< td=""><td>6.262       Parks with improved in conjunction with a major subdivision       1       &lt;</td><td>6.262       Parks with improved in conjunction with a major subdivision       1</td><td>6.262       Parks with improved in conjunction with a major subdivision       Image: Conjunction with a major</td><td>6.262       Parks with improved facilities, not approved in conjunction with a major subdivision       1</td></t<>	6.262       Parks with improved in conjunction with a major subdivision       1       <	6.262       Parks with improved in conjunction with a major subdivision       1	6.262       Parks with improved in conjunction with a major subdivision       Image: Conjunction with a major	6.262       Parks with improved facilities, not approved in conjunction with a major subdivision       1

Created: 2022-10-12 14:40:39 [EST]

Page 7 of 14

552

	-									-	······								
	9.050	Motor vehicle, mobile home sale or rental									1, 3	1, 3	3	3					1, 3
9.100		hicle repair and maintenance, body work										3							1
9.200	Automot	ive fuel station	3 <sup>T</sup>			1					3	1							1
9.300	Car wash		1								3	1							1
9.400	Boat sale	s or rental	31								3	1					1	1	1
9.450	Boat rep	airs and maintenance	31							1		3					1	1	1
9.500	Marine f	uel, water sanitation	31														1, 3	1, 3	1, 3
9.600		ommercial facilities including support, commercial freight, er traffic	3														3	3	
10.000	Storage,	Parking, Moorage																	
10.100	1	ile parking garages or parking elated to a principal use on the									3	1	1, 3	1, 3	1, 3	1, 3			1
10.200	related t	and handling of goods not o sale or use of those goods on e lot on which they are stored																	
	10.210	All storage within completely enclosed structures	1, 3	3							3	1	1 <sup>0</sup> , 3 <sup>0</sup>	1 <sup>0</sup> , 3U			1 <sup>N</sup> , 3 <sup>N</sup>	1N	1
	10.220	General storage inside or outside enclosed structures	1, 3	3								1, 3					1 <sup>№</sup> , 3 <sup>№</sup>	1N	1
	10.230	Snow storage basin																	
	10.232	Neighborhood, less than ½ acre	3	3	3 <sup>z</sup>	1			3 <sup>z</sup>	3 <sup>z</sup>	3 <sup>z</sup>	1	1						
	10.235	Regional, ½ to 1 acre	3	3	3 <sup>z</sup>						3 <sup>z</sup>	3					3 <sup>z</sup>	1	1
	10.237	Area wide, over 1 acre	3	3 <sup>z</sup>	3 <sup>z</sup>	1			1			3 <sup>z</sup>						3	3
10.300	equipme where th user of th	f vehicles or storage of nt outside enclosed structures ey are owned and used by the re lot and parking and storage han a minor and incidental use	1, 3	3								1, 3					1 <sup>N</sup> , 3 <sup>N</sup>	1 <sup>№</sup> , 3 <sup>№</sup>	1

(Supp. No. 145)

Created: 2022-10-12 14:40:39 [EST]

Page 8 of 14

10.400	connecte	ry contractor's storage ed with construction project or a specified period of time	1, 3	3	3	3	3	3	3	3	3	1, 3	3	3	3	3	3	1N	1
10.500	Moorage					1			1										
	10.510	Public, commercial	3	3	3						3	3	3	3	1, 3	1, 3	1, 3	1, 3	1, 3
	10.520	Private	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3
10.600	· ·	structures supporting seasonal, ial recreation	3	3	3										3	3	3	3	
11.000	Material	s Salvage Yards, Waste Manage	ment																
11.100		operations		Γ	T			1	1	T	1				Γ				1
	11.110	Enclosed collection structures <sup>0</sup> of less than 80 square feet total and less than six feet in height	1 <sup>p</sup>	1 <sup>p</sup>	1 <sup>p</sup>	1 <sup>p</sup>	1 <sup>P</sup>	1 <sup>p</sup>	1 <sup>p</sup>	1 <sup>p</sup>	1	1	1 <sup>p</sup>	1 <sup>p</sup>	1 <sup>p</sup>	1 <sup>p</sup>	1	1	1
	11.120	Enclosed structures for recyclable materials collection	1 <sup>p</sup> , 3	1 <sup>p</sup> ,3	1 <sup>p</sup> , 3	1 <sup>p</sup> , 3	1°, 3	1 <sup>p</sup> , 3	1 <sup>p</sup> , 3	1 <sup>p</sup> , 3	1 <sup>p</sup> , 3 <sup>p</sup>	1 <sup>p</sup> , 3 <sup>p</sup>	3	3	3 <sup>p</sup>	3 <sup>p</sup>	1	1	1 <sup>p</sup>
	11.130	Sorting, storage, preparation for shipment occurring outside an enclosed structure																1 <sup>N</sup>	1
11.200	Reclamat a specific	tion landfill not associated with	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3			3N	3 <sup>N</sup>	1, 3
11.300	Sanitary	landfill	3								1			[					3
12.000	Services	and Enterprises Related to Anin	nals																
12.100	Veterina	ry clinic	3	3	3						3	1, 3	3	3	3	3	1 <sup>N</sup> , 3 <sup>N</sup>	1 <sup>№</sup> , 3 <sup>№</sup>	1
12.200	Kennel		3	3							3	3							1, 3
12.250	day care	nal services, grooming, walking,	3	3	3	3	3				3	3	3	3	1, 3	1, 3			1, 3
12.300		uaria, or wild animal ation facilities with a visitor ent	3	3							3	3		3			3N		3
12.310		nal rehabilitation facilities a visitor component	3	3	3	3					3	3					3N		3

Created: 2022-10-12 14:40:39 [EST]

Page 9 of 14

12.400	Horsebao yards	k riding stables, dog team	3	3							3	3							3
13.000	Emergen	cy Services	•											1					
13.100	Fire, poli	ce, ambulance	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3∾	3∾	1, 3
14.000	Aquacult	ure, Agriculture, Silviculture, M	ining,	Quarry	ing Ope	eration	s, Sprin	g Wate	r Bottli	ng									<b>Marin</b>
14.100	Aquacult	ure	3	3	3						3	3	3	3	1, 3	1, 3	1	1	3
14.150	Weirs, ch enhancei	annels, and other fisheries ment	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3			1	1	1
14.200	Commer	cial agricultural operations													1				
	14.210	Excluding farm animals	1, 3	1, 3	3	3	3	3	3	3	3	3			3	3			1, 3
	14.220	Including farm animals <sup>M</sup>	1, 3	3															1, 3
	14.230	Stabling of farm animals <sup>M</sup>	3	3	.3	3					3	3							1, 3
	14.240	Marijuana cultivation (500 square feet or more under cultivation)	3								3	3							3
	14.245	Marijuana cultivation (fewer than 500 square feet under cultivation)	3	3 <sup>AB</sup>							3	3							3
14.250	Personal	use agriculture	1			1	1												
	14.253	Hens, 6 maximum	1	1	1	1	1	1	3	3	1	1	3	3	1	1	1	1	1
14.300	Silvicultu	re and timber harvesting <sup>1</sup>	3	3											1		1		3
14.400	Mining o	perations	2, 3 <sup>K</sup>	3	3												3N	3N	2
14.500	Sand and	gravel operations <sup>1</sup>	3	3	3		1		1		3	3					3N	3∾	3
14.800	Spring w	ater bottling	3	3			3	3	3	3	3	3				3			1, 3
15.000	Miscellar	neous Public and Semipublic Fa	cilities		1					1				1 (1)	Marina da serie de la compañía de la	1		1. 	
15.100	Post offi	ce	3	3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	3N	3N	1, 3
15.200	Airport		3																1, 3

.

Created: 2022-10-12 14:40:39 [EST]

Section J, Item 8.

15.400	Military r centers	eserve, National Guard	3	3	3						3	3					3N	3N	3
15.500	Heliports	, helipads	3						1			3			1	1	3N	3 <sup>N</sup>	3
15.600	Transit fa	cilities														1	1		1
	15.610	Transit center			3	3	3	3	3	3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	3		1, 3
	15.620	Transit station		1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	15.630	Park and ride not associated with transit station	3	3	3	3	3	3	3	3	1	1	3	3		3			1
15.700	Public wo	orks facility	3	3	3	3	1				3	3							1, 3
16.000	Dry Clear	ner, Laundromat	1	_			_1				.I			I	1	1	1	r Maria	1
16.100		and pickup only, no onsite or dry cleaning process								1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1, 3	1 <sup>№</sup> , 3 <sup>№</sup>	1 <sup>№</sup> , 3 <sup>№</sup>	1, 3
16.200	Full servi cleaning	ce onsite laundry and/or dry									3	1, 3	3	3	1, 3	1, 3	3N	1 <sup>№</sup> , 3 <sup>№</sup>	1, 3
17.000	Utility Fa	cilities																	
17.100	Minor		1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
17.150	Intermed	liate	3	3	3	3	3	3	3	3	3	1, 3	3	3	3	3	1, 3	1	1
17.200	Major		3	3	3	3	3	3	3	3	3	3			3	3	3	3	3
17.300	Driveway	s and private roads			1					T							1		
18.000	Towers a	nd Related Structures																	
18.100^*	Towers a	nd antennas 35 feet or less	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
18.200 <sup>AA</sup>	Towers a	nd antennas 35 to 50 feet	1	3	3	3	3	3	3	3	1	1	1	1	3	3	1	1	1
18.300^^	Towers a feet in he	nd antennas more than 50 eight	3	3	3	3	3	3	3	3	3	3	3	3			3	3	1
18.400		(ham) radio towers and more than 35 feet in height <sup>R</sup>	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
18.500	Wireless	Communication Facilities				See	CBJ 49	.65, Wi	reless C	ommu	nicatior	Faciliti	es						
19.000	Open Air	Markets, Nurseries, Greenhou	ses																
19.100	Open air produce)	markets (farm, craft, flea, and	1, 3	1, 3						-	1, 3	1	1, 3	1, 3	1, 3	1, 3	1 <sup>N</sup> , 3 <sup>N</sup>	1 <sup>№</sup> , 3 <sup>№</sup>	1, 3
19.200	Nurseries	, commercial greenhouses								1						1		1	1
	19.210	Retail sales	3	3	3	3	3	3	3	3	1, 3	1	1 <sup>v</sup>	1 <sup>v</sup>	1, 3	1, 3			1

(Supp. No. 145)

Created: 2022-10-12 14:40:39 [EST]

										-1						- <del></del>		r	
	19.220	Nonretail sales	1,	1,	1,	1,	1,	1,	1,	1,	1,	1	1 <sup>v</sup>	1 <sup>v</sup>				l	1
			3	3	3	3	3	3	3	3	3	-	ļ	ļ				ļ	
	19.230	Marijuana cultivation (500 square feet or more under cultivation)	3								3	3							3
	19.240	Marijuana cultivation (fewer than 500 square feet under cultivation)	3	348							3	3							3
20.000	Cemeter	y, Crematorium, Mortuary																	
20.100	Cemeter	ý	1, 3	3	3	3	3	3	3	3	3	3							
20.200	Cremato	prium	3																1, 3
20.300	Funeral h	nome	3	3	3	3	3	3			1, 3	1	3	3	1, 3	1, 3			
21.000	Visitor-O	riented, Recreational Facilities			1										1	1	1 (1997)		
21.100	Resort, la	odge	3	3	T	1	T	1					1						
21.200	Campgro	bunds	1, 3	3															
21.300		ultural facilities related to of the site	3	3							3	3	3	3	3	3	3N		
22.000	Tempora	ry Structures Associated With (	Dnsite	Constru	iction														
22.100		ry structures used in on with construction	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1

Key:

- 1. Department approval requires the department of community development approval only.
- 1, 3. Department approval required if minor development, conditional use permit required if major development.
- 2. Allowable use permit requires planning commission approval.
- 3. Conditional use permit requires planning commission approval.
- 2, 3. Allowable use permit required if minor development, conditional use permit required if major development.

Notes:

- A. A single-family residence is allowed as an owner or caretaker residence that is accessory to an existing permitted use in the industrial zone.
- B. Reserved.

(Supp. No. 145)

Created: 2022-10-12 14:40:39 [EST]

- C. Reserved.
- D. Reserved.
- E. See special use regulations for mobile homes, chapter 49.65, article III.
- F. See special use regulations for recreational vehicles, chapter 49.65, article IV. This use allowed by service area designation not zoning district.
- G. All uses subject to additional performance standards, chapter 49.65, article VIII.
- H. Reserved.
- I. Reserved.
- J. Applies to over 2 acres of harvest area.
- K. See special use regulations, chapter 49.65, article I. Mining operations are a conditional use in the urban mining district and an allowable use in the rural mining district.
- L. See special use regulations, chapter 49.65.200, article II.
- M. Only applicable to the commercial or private stabling of more than three farm animals, or where the running or stabling area is closer than 100 feet to the nearest residence other than the owner for any number of farm animals.
- N. Use must be water-dependent, water-related, or water-oriented.
- O. Standards for collection structures: containers must be well maintained and allow no spillage of contents; a specific person or group must be responsible for maintained of the structure and that person or group shall have a contact telephone number posted on the collection structure; collection structure must be situated so as to not affect traffic or parking; directional signs shall be limited to six square feet and identification signs shall be limited to 24 square feet; such signs will not be included in total sign area allowed for a complex; and the structure shall not exceed a height of six feet. Identification is to be in the following format: greater prominence, the City and Borough recycling logo and the recyclable material identification; lesser prominence, the sponsor name and the contact phone number.
- P. Preexisting allowable or conditional use permit: If recycling activity is determined by the director to be an accessory use to a use previously permitted under either an allowable or a conditional use permit, the activity may be approved by the department. Other conditions may be required before recycling activity is permitted.
- Q. Must be in conjunction with an approved state or municipal public road construction project, and must be discontinued at the completion of the project. Road construction by private parties for subdivision development is excluded except as provided in this title. Rock crushed on-site must be used on-site. Crushing shall be limited to 8:00 a.m.—5:00 p.m. unless the director authorizes otherwise.
- R. Towers shall: be for amateur use only; meet the setback requirements of the zoning district; be unlit except as required by the Federal Aviation Administration. Towers shall be installed in conformance with a valid building permit, application for which shall include a copy of the applicant's amateur station license.
- S. Limited to lots directly fronting on Glacier Highway West of Industrial Boulevard.
- T. Must be associated with a unique site specific feature in order to function. Example: Glacier research station Juneau Icefield location.
- U. No storage permitted on the first floor of a building.
- V. Primarily intended for rooftop locations in urban areas.
- W. The capacity of a park shall be determined by the Director of the Community Development Department or designee in consultation with the Director of the Parks and Recreation Department.
- X. Special requirements apply to accessory apartment applications. See CBJ § 49.25.510(k).

Created: 2022-10-12 14:40:39 [EST]

- Z. Snow storage may be permitted for a maximum of five years. After five years a new application must be filed.
- AA. Does not apply to wireless communication facilities.
- AB. Use is prohibited in the urban service area but allowed outside the urban service area. An owner or manager must live on site.
- AC. Use is prohibited within 1,000 feet of recognized neighborhood association established in accordance with CBJ chapter 11.35.

(Serial No. 2002-14, § 2, 4-1-5-2002; Serial No. 2002-29, § 2, 11-4-2002; Serial No. 2003-27am, § 5, 6-16-2003; Serial No. 2003-41, § 2, 9-22-2003; Serial No. 2003-41, § 2, 9-8-2003; Serial No. 2004-09, § 2, 4-12-2004; Serial No. 2006-07, § 2, 4-3-2006; Serial No. 2007-39, § 8, 6-25-2007; Serial No. 2009-22(b), § 2, 10-12-2009; Serial No. 2010-22, § 3(Exh. A), 7-19-2010; 2014-32(e)am, §§ 6--8, 9-29-2014, eff. 10-29-2014; Serial No. 2015-07(b)(am), §§ 2--4, 2-23-2015, eff. 3-26-2015; Serial No. 2015-34(am), § 2, 7-20-2015, eff. 8-20-2015; Serial No. 2015-03(c)(am), § 19, 8-31-2015; Serial No. 2015-32, §§ 2, 3, 8-10-2015; Serial No. 2015-38(b)(am), § 6, 5-2-2016, eff. 6-2-2016; Serial No. 2015-39(am), §§ 2--7, 11-9-2015; Ord. No. 2018-31, § 2, 6-4-2018, eff. 7-5-2018; Serial No. 2021-35(am), § 3(Exh. A), 2-7-2022, eff. 3-10-2022)

(Supp. No. 145)

Created: 2022-10-12 14:40:39 [EST]

#### 49.25.400 Minimum dimensional standards.

There is adopted the table of minimum dimensional standards, table 49.25.400. Minimum dimensional standards for all zoning districts shall be according to the table of minimum dimensional standards, subject to the limitations of the following sections and as otherwise specifically noted in the special area or use sections, chapters 49.65 and 49.70.

(Serial No. 87-49, § 2, 1987; Serial No. 89-32, § 2, 1989; Serial No. 98-09, § 5(Exh. B), 1998; Serial No. 98-20, § 2(Exh. A), 1998; Serial No. 2004-13, § 2, 9-27-2004; Serial No. 2006-13, § 2, 5-15-2006; Serial No. 2007-13, § 2, 4-2-2007; Serial No. 2012-24, § 3, 5-14-2012, eff. 6-14-2012 ; Serial No. 2021-28 , § 4, 8-23-2021, eff. 9-22-2021)

(Supp. No. 145)

Created: 2022-10-12 14:40:39 [EST]

### TABLE 49.25.400

## TABLE OF DIMENSIONAL STANDARDS

Zon Reg	ing sulations	RR	D-1	D-3	D-5	D-10 SF	D-10	D-15	D-18	MU	MU2	MU3	NC	LC	GC	WC	WI	1
Mi Size	nimum Lot																	
1	Permissible Jses	36,000	36,000	12,000	7,000	3,60010	6,000	5,000	5,000	4,000	4,000	3,000	3,000	2,000	2,000	2,000	2,000	2,000
	Bungalow <sup>9</sup>		18,000	6,000	3,500	2,500	3,000	3,000	2,500									
	Duplex	54,000	54,000	18,000	10,500												~	
	Common Wall Dwelling				7,000	3,600 <sup>10</sup>	5,000	3,500	2,500		2,500							
	Single- family detached, two dwellings per lot	72,000	72,000	24,000														
Mii wid	nimum lot th	150′	150'	100′	70′	40'	50′	50'	50′	50′	50′	40'	40'	20′	20′	20′	20'	20'
	Bungalow <sup>9</sup>		75'	50'	35′	25'	25'	25'	25'									<u> </u>
	Common vall dwelling				60′	40'	40′	30′	20′		20′							
	iximum lot erage																	
1	Permissible ses	10%	10%	35%	50%	50%	50%	50%	50%	None	80%	75%	None	None	None	None	None	None
	Conditional ises	20%	20%	35%	50%	50%	50%	50%	50%	None	80%			None	None	None	None	None

(Supp. No. 145)

Created: 2022-10-12 14:40:39 [EST]

Page 2 of 5

Maximum height permissible	45′	35′	35'	35′	35'	35'	35'	35'	None	45' <sup>4</sup>	35'	35'	45′	55'	35′4	45'4	None
uses											1						
Accessory	45′	25'	25'	25'	25'	25'	25'	25'	None	35'	25'	25'	35'	45′	35′4	45′ <sup>4</sup>	None
Bungalow <sup>9</sup>		25'	25'	25'	25'	25'	25'	25'									1
Minimum front yard setback <sup>3</sup>	25′	25'	25'	20'	20' <sup>10</sup>	20′	20′	20'	0'	5'5,8	0'	0'	25′	10'	10'	10'	10'
Maximum front yard setback											20'	15′					
Minimum street side yard setback	17′	17′	17'	13'	10'	13'	13'	13'	0'	5′	0'	0'	17'	10'	10'	10'	10'
Maximum street side yard setback											15'	10′					
Minimum rear yard setback <sup>3</sup>	25'2	25'	25'	20'	10'	20′	15'	10′	0′	5′	5′	0'11	10'	10'	10'	10'	10'
Minimum side yard setback <sup>3</sup>	15′²	15′	10′	5′	.3'	5′	5′	5′	0′	5'	0'	0'11	10'	10′	10'	10'	0'
Common wall dwelling				10'6	3'	5'7	5′ <sup>7</sup>	5′ <sup>7</sup>		5′ <sup>7</sup>							

#### Notes:

1. Minimum lot size is existing lot or area shown on chart in square feet.

2. Sixty feet between nonresidential and designated or actual residential site; 80 feet between industrial, extractive and other uses.

3. Where one district abuts another the greater of the two setbacks is required for both uses on the common property line.

4. (Height Bonus) Reserved.

(Supp. No. 145)

Created: 2022-10-12 14:40:39 [EST]

Page 3 of 5

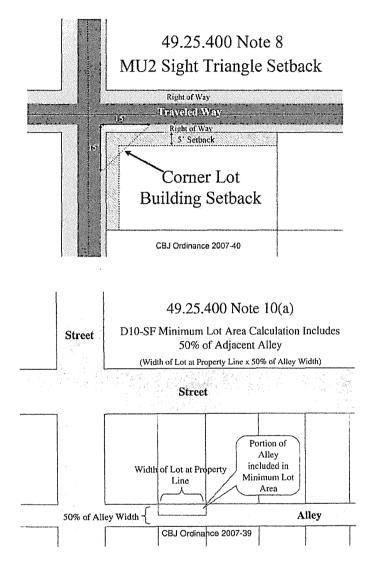
- 5. (Pedestrian Amenities Bonus) Reserved.
- 6. Zero-foot setback for the portion of the dwelling with a common wall, five-foot setback or five-foot wide easement for the portion of the dwelling at the common lot line without a common wall, and ten-foot setback for the remaining side yards of the lot.
- 7. Zero-foot setback for the portion of the dwelling with a common wall, five-foot setback or five-foot wide easement for the portion of the dwelling at the common lot line without a common wall, and five-foot setback for the remaining side yards of the lot.
- 8. On corner lots, buildings shall be set back 15 feet from a street intersection. The area in which buildings shall be prohibited shall be determined by extending the edge of the traveled ways to a point of intersection, then measuring back 15 feet, then connecting the points.
- 9. Special restrictions apply to construction on bungalow lots. See special use provisions 49.65.600.
- 10. For lots adjacent to an alley, the following reductions to the dimensional standards apply:
  - (a) Minimal lot area includes 50% of adjacent alley (see graphic).
  - (b) Reserved.
  - (c) Minimum front yard setback of ten feet.
- 11. Additional setbacks apply when lot abuts a multi-family or single-family residential zoning district.

(Serial No. 2008-04, § 2, 2-25-2008, eff. 3-27-2008; Serial No. 2012-24, § 3, 5-14-2012, eff. 6-14-2012; Serial No. 2021-28, § 4, 8-23-2021, eff. 9-22-2021; Serial No. 2021-35(am), § 4(Exh. B), 2-7-2022, eff. 3-10-2022)

(Supp. No. 145)

Created: 2022-10-12 14:40:39 [EST]

Page 4 of 5



(Serial No. 2007-39, § 9, 6-25-2007; Serial No. 2007-40, § 2, 6-25-2007)

Created: 2022-10-12 14:40:39 [EST]

Page 5 of 5

#### Measuring or Calculating Building Height: CBJ 49.25.420

(a) The height of a building is the vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. Roofs with slopes greater than 75 percent shall be regarded as walls. The height of a stepped or terraced building is the height of the highest segment thereof.

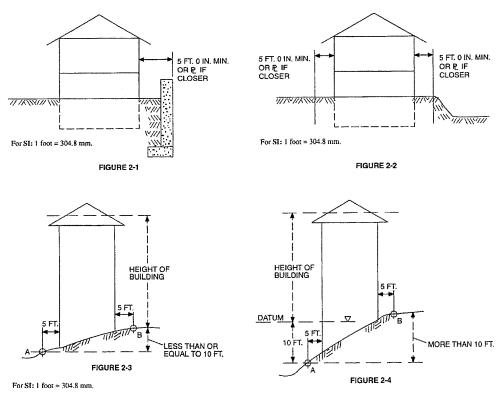
(b) The reference datum shall be whichever of the following yields the greater height of building:

(1) The highest point within a horizontal distance of five feet from the exterior wall of the building, when such point is not more than ten feet above the lowest point within said five-foot radius.

(2) An elevation ten feet higher than the lowest point, when the highest point described in subsection (b)(1) of this section is more than ten feet above the lowest point.

#### Note that the complete text of this section is not reproduced here—as always, refer to the full text of the current edition of the Code!

The graphic below is taken from the 1997 UBC Code Applications Manual. It is not adopted as part of CBJ Code, but it does show graphically what the adopted text says:



DETERMINATION OF BUILDING HEIGHT IN FEET

### 49.25.510 Special density considerations.

- (a) *Fractions of units*. If a density calculation results in fractions of dwelling units allowable, such fractions shall be rounded to the nearest whole number.
- (b) Factors precluding maximum density. The number of units allowed by section 49.25.500 is a maximum, achievement of which may be prevented by other factors, including topography, dimensional standards or dedication requirements.
- (c) *Mobile home subdivisions.* Mobile home subdivisions shall meet the density requirements of the zoning district in which they are located, regardless of the lot size allowed.
- (d) Two-unit dwellings.
  - (1) Duplexes. The minimum lot size for a duplex dwelling shall be at least 150 percent of the square footage required for a single-family dwelling in the same zoning district, except in multi-family, mixeduse, and commercial zoning districts, where duplexes may be constructed on any lot of sufficient size for two dwelling units.
  - (2) Reserved.
- (e) Detached single-family dwellings. Two detached single-family dwellings located on a single lot within the Rural Reserve D1 and D3 zoning districts shall each meet 100 percent of the applicable square-footage requirement.
  - (f) Reserved.
- (g) Duplex and common wall structures. The commission, through the conditional use permit process, may allow duplex and common wall structures on lots of less than the required size if the applicant can demonstrate that the same number of dwelling units already exist on the lot or may lawfully be created on the lot as a result of the nonconforming development provisions of chapter 49.30. Applications of this provision include the following:
  - (1) Common wall subdivision lots of less than the required size may be created if the original parcel contains a common wall structure that was lawfully built and all other common wall structure requirements can be met.
  - (2) A duplex or a two unit common wall structure may be built on a pair of existing lots of record which together are less than the required size for a duplex or a two unit common wall structure, provided each of the lots could have been developed with a single-family dwelling when the lots were created.
- (h) Building a two unit common wall structure. The commission, through the conditional use permit process, may approve the building of a two unit common wall structure on less than the required lot area if the lot was legally platted prior to November 9, 1987; the subdivision or a portion thereof was designed specifically for two unit common wall structures; and 60 percent or more of the lots in the subdivision or of the portion thereof designed specifically for two unit common wall structures have been developed with two unit common wall structures.
- (i) Subdivision rights-of-way. In calculating the number of dwelling units and thereby the number of lots allowed within a proposed single-family subdivision, any proposed rights-of-way shall be included in the total square footage of the parcel. In multifamily subdivisions, rights-of-way shall not be so included.
- (j) Single-room occupancies with private facilities. A permit to construct single-room occupancies may be issued by the Director or the Planning Commission, as specified in the Table of Permissible Uses, CBJ 49.25.300, if all of the requirements of this subsection are met.
  - (1) Single-room occupancies shall be efficiency units not exceeding 400 square feet in net floor area.

(Supp. No. 145)

Created: 2022-10-12 14:40:39 [EST]

- (A) Areas common to more than one dwelling unit, including entry ways, furnace rooms, laundry rooms, common storage areas, and interior stairways, shall not be included in the computation of net floor area.
- (2) Each single-room occupancy with private facilities shall count as one-half of a dwelling unit for purposes of calculating density, permitting requirements, and land use permit application fees.
- (k) Accessory apartments. No person shall construct or maintain an accessory apartment except in accordance with a permit issued under this section.
  - (1) Application. Accessory apartment applications shall be submitted on a form provided by the director and shall include:
    - (A) A completed application form;
    - (B) The application fee required by chapter 49.85;
    - (C) A site plan drawn to scale or dimensioned indicating all required parking, minimum setbacks, and actual lot size; and
    - (D) A floor plan drawn to scale or dimensioned indicating all dwelling units and including each room labeled as to use;
    - (E) A statement that the property is connected to sewer. If the property is not connected to sewer, a statement from the department of environmental conservation confirming that the existing wastewater disposal system is sufficient for the development, including the proposed accessory apartment, and a statement from a qualified inspector that the existing wastewater disposal system is functioning as designed.
  - (2) Approval standards.
    - (A) Unless otherwise provided, the accessory apartment shall be a one-bedroom or efficiency unit not exceeding 600 square feet in net floor area.
    - (B) Areas common to more than one dwelling unit including entry ways, furnace rooms, laundry rooms, and interior stairways - shall not be included in the computation of the net floor area for the accessory apartment.
    - (C) The minimum lot size as used in this section refers to the minimum lot size for permissible uses listed in the table of dimensional standards, CBJ 49.25.200.
    - (D) A permit under this subsection may be issued if the applicant establishes:
      - (i) The development meets all setback requirements;
      - The total building footprint does not exceed the maximum lot coverage allowable under section 49.25.400, the table of dimensional standards, or, in the case of nonconforming structures, the total building footprint does not increase with the proposed accessory apartment;
      - (iii) The development does not violate the vegetative cover requirements imposed by section 49.50.300; or, in the case of nonconforming structures, the proposed accessory apartment does not decrease the existing vegetative cover;
      - (iv) The development meets the parking standards required by chapter 49.40; and
      - (v) The development is connected to public sewer or the existing wastewater disposal system has adequate capacity for the development, including the proposed accessory apartment.
    - (E) Single-family detached accessory apartment approval.

Created: 2022-10-12 14:40:39 [EST]

Page 2 of 4

- (i) The director may approve 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 exceeds the minimum lot size; or
  - (b) The application is for an efficiency, one-bedroom, or two-bedroom unit that has a net floor area equal to or less than 50 percent of the primary dwelling unit's net floor area but not to exceed 1,000 square feet, and is on a lot that exceeds 125 percent of the minimum lot size.
- 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; or
  - (b) The application is for an efficiency, one-bedroom, or two-bedroom unit that has a net floor area equal to or less than 50 percent of the primary dwelling unit's net floor area but not to exceed 1,000 square feet, and is on a lot that exceeds 125 percent of the minimum lot size.
- (iii) An application for an accessory apartment with a net floor area that exceeds 600 square feet shall not be approved on a lot that is less than 125 percent of the minimum lot size.
- (F) Single-family detached, two dwellings per lot, accessory apartment approval.
  - (i) When a lot has two primary dwelling units, each primary dwelling unit may have up to one accessory apartment that is consistent with the requirements of this section. The lot shall not have more than two accessory apartments.
  - (ii) An application for an accessory apartment with a net floor area that exceeds 600 square feet shall not be approved on a lot that is less than 250 percent of the minimum lot size.
  - (iii) The director may approve a 49.25.300.1.140 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, is on a double sized lot (two times the minimum lot size), and the lot does not have another accessory apartment in excess of 600 square feet in net floor area; or
    - (b) The application is for an efficiency, one-bedroom, or two-bedroom unit that has a net floor area equal to or less than 50 percent of the primary dwelling unit's net floor area but not to exceed 1,000 square feet, on a lot that exceeds 250 percent of the minimum lot size, and the lot does not have more than one other accessory apartment in excess of 600 square feet in net floor area.
  - (iv) The commission may approve, with a conditional use permit, a 49.25.300.1.140 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, is on a lot that is less than the minimum lot size, and the lot does not have another accessory apartment in excess of 600 square feet in net floor area;

Created: 2022-10-12 14:40:39 [EST]

Page 3 of 4

- (b) The application is for an efficiency, one-bedroom, or two-bedroom unit that has a net floor area equal to or less than 50 percent of the primary dwelling unit's net floor area but not to exceed 1,000 square feet, is on a lot that exceeds 250 percent of the minimum lot size, and where the lot does not have more than one other accessory apartment in excess of 600 square feet in net floor area.
- (G) Multifamily dwelling and accessory apartment approval. Unless authorized by this section, an accessory apartment is prohibited in multifamily, commercial, and mixed-use zoning districts.
  - (i) The director 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 exceeds the minimum lot size, and the primary use of the lot is a single-family dwelling.
  - (ii) The commission may approve, with a conditional use permit, a 49.25.300.1.300 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, is on a lot that is less than the minimum lot size, and the primary use of the lot is a single-family dwelling.
- (H) Common wall accessory apartment approval.
  - (i) Each common wall dwelling may have up to one accessory apartment that does not exceed 600 square feet in net floor area and that is consistent with the requirements of this section.
  - (ii) The director may approve a 49.25.300.1.911 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 exceeds the minimum lot size.
  - (iii) The commission may approve, with a conditional use permit, a 49.25.300.1.911 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.

(Serial No. 87-49, § 2, 1987; Serial No. 89-33, § 2, 1989; Serial No. 91-01, § 2, 1991; Serial No. 94-07, § 4, 1994; Serial No. 95-33, § 8, 1995; Serial No. 97-49, § 3, 1998; Serial No. 2001-12, § 3, 4-2-2001; Serial No. 2006-15, §§ 5, 6, 6-5-2006; Serial No. 2007-39, § 11, 6-25-2007; Serial No. 2009-22(b), § 3, 10-12-2009; Serial No. 2012-24, § 4, 5-14-2012, eff. 6-14-2012 ; Serial No. 2012-36, § 3, 9-17-2012 ; Serial No. 2015-7(b)(am), § 5, 2-23-2015, eff. 3-26-2015 ; Serial No. 2019-37, § 4, 3-16-2020, eff. 4-16-2020 )

(Supp. No. 145)

Created: 2022-10-12 14:40:39 [EST]

Page 4 of 4

#### 49.35.250 Access.

- (a) Principal access to the subdivision. Except as provided below, the department shall designate one right-ofway as principal access to the entire subdivision. Such access, if not already accepted for public maintenance, shall be improved to the applicable standards for public acceptance and maintenance. It shall be the responsibility of the subdivider to pay the cost of the right-of-way improvements.
  - (1) *Principal access to remote subdivisions.* The department shall designate the principal access to the remote subdivision. Such access may be by right-of-way.
- (b) Publicly maintained access within a subdivision. Unless otherwise provided in this section or in 49.15.420(a)(1), all lots must satisfy the minimum frontage requirement and have direct and practical access to the right-of-way through the frontage. The minimum frontage requirement on a right-of-way is 30 feet or the minimum lot width for the zoning district or use as provided in CBJ 49.25.400. These requirements for frontage and access can be accomplished by:
  - (1) Dedication of a new right-of-way with construction of the street to public standards. This street must connect to an existing publicly maintained street;
  - (2) Use of an existing publicly maintained street;
  - (3) Upgrading the roadway within an existing right-of-way to public street standards. This existing right-ofway must be connected to another publically maintained street; or
  - (4) A combination of the above.
- (c) Privately maintained access within a subdivision. Lots shall front and have direct access to a publically maintained street except as:
  - Privately maintained public access. A subdivision may create new lots served by a privately maintained access within a public right-of-way not maintained by an agency of government as provided by CBJ 49.35, article II, division 3. All lots must have either a minimum of 30 feet of frontage on a right-of-way, or the minimum lot width for the zoning district or use as provided in CBJ 49.25.400.
  - (2) Private shared access. A lot in a subdivision is exempt from having the minimum frontage on a public right-of-way when a shared access is approved pursuant to CBJ 49.35, article II, division 2. All lots served by a shared access shall have a minimum of 30 feet of frontage on the shared access.
- (d) Remote subdivisions accessible by navigable waterbodies. All lots in a remote subdivision solely accessible by navigable waterbodies must have a minimum of 30 feet of frontage on, and direct and practical access to, either the navigable water or a right-of-way. The right-of-way must have direct and practical access to the navigable water.
- (e) Access within remote subdivisions accessible by pioneer paths. All lots must either have direct and practical access with a minimum of 30 feet of frontage on the right-of-way, or the minimum lot width for the zoning district or use as provided in CBJ 49.25.400.

(Serial No. 2016-26(b), § 9, 4-3-2017, eff. 5-3-2017)

(Supp. No. 145)

Created: 2022-10-12 14:40:40 [EST]

#### 49.40.200 General applicability.

Developers must provide off-street parking spaces for automobiles in accordance with the requirements set forth in this chapter at the time any structure is erected, expanded, or when there is a change in the principal use.

- (a) Special parking areas.
  - (1) Town center parking area. The town center parking area, as depicted in Ordinance 2022-04(b) is adopted. The town center parking area consists of the lots within the area-bound by West Tenth Street, Egan Drive, West Twelfth Street, D Street, West Ninth Street, C Street and its projection, West Eight Street and its projection, the rear lot lines of property between 370 through Distin Avenue, Sixth Street and its projection, Harris Street, projection of Third Street, projection of East Street, projection of Second Street, projection of Harris Street, the rear lot lines of property between 511 and 889 South Franklin Street, and Gastineau Channel.
  - (2) No parking required area. The no parking required area, as depicted in Ordinance 2022-04(b) is adopted. The lots within the area bound by Gastineau Avenue, Fourth Street, Seward Street, Gastineau Channel, 490 South Franklin Street, and Layton Way are excluded from the parking requirements of this chapter. No additional parking is required for development in this area.
- (b) Conforming parking. The requirements, alternatives and reductions of this chapter can be combined to meet parking requirements of a development.
- (c) *Developer responsibility.* Developer must submit documentation to demonstrate that applicable parking code requirements have been met, in conformance with this chapter.
- (d) Owner/occupant responsibility. The provision and maintenance of off-street parking and loading spaces required in this chapter is a continuing obligation and joint responsibility of the owner and occupants.
- (e) *Determination*. 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 for minor development;
  - The commission for major development; or
  - (3) The commission if the development application relates to a series of applications for minor developments that, taken together, constitute major development, as determined by the director.
- (f) Expansion. In cases of expansion of a structure on or after the effective date of Ordinance 2022-04(b) :
  - The number of additional off-street parking spaces required must be based on the gross floor area added.
  - (2) No additional parking spaces are required if the additional spaces would amount to less than ten percent of the total required for the development and amount to two or less spaces.
  - (3) For phased expansion, the required off-street parking spaces is the amount required for the completed development, as determined by the director.
- (g) Change in use. In cases of a change in use on or after the effective date of Ordinance 2022-04(b), the number of spaces required will be based on this chapter.
- (h) Replacement and reconstruction of certain nonconforming structures. Off-street parking requirements for the replacement and reconstruction of certain nonconforming structures in residential districts must be governed by chapter 49.30.

(Supp. No. 145)

Created: 2022-10-12 14:40:41 [EST]

- (i) Mixed occupancy. Mixed occupancy is when two or more of the parking uses in section 49.40.210 share the same lot(s). For mixed occupancy, the total requirement for off-street parking facilities is the sum of the requirements for the uses computed separately.
- (j) Uses not specified. The requirements for off-street parking in section 49.20.320 are based on the requirements for the most comparable use specified, as determined by the director for minor development or by the commission for major development.
- (k) Location. Off-street parking facilities must be located as provided in this chapter. If a distance is specified, such distance is the walking distance measured from the building being served to the parking provision. Off-street parking facilities for:
  - (1) Single-family dwellings and duplexes must be on the same lot as the building served;
  - (2) Multifamily dwellings may not be more than 100 feet distant, unless compliant with section 49.40.215; and
  - (3) Uses other than those specified above, may be not more than 500 feet distant, unless compliant with section 49.40.215.
- (I) Off-street parking requirements for a lot accessible by air or water only. Off-street parking requirements do not apply to a lot if it is accessible only by air or water. If the director determines that public access by automobile to the lot later becomes available, the owner of the property must be given notice and within one year must provide the required off-street parking.

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

(Supp. No. 145)

Created: 2022-10-12 14:40:41 [EST]

Page 2 of 2

## 49.40.210 Number of off-street parking spaces required.

(a) *General.* The minimum number of off-street parking spaces required must be as set forth in the following table. The number of spaces must be calculated and rounded down to the nearest whole number:

Use	Spaces Required in All Other Areas	Spaces Required in Town Center Parking Area	
Single-family and duplex	2 per each dwelling unit	1 per each dwelling unit	
Multifamily units	1 per one bedroom unit	0.4 per one bedroom unit	
	1.5 per two-bedroom unit	0.6 per two-bedroom unit	
	2.0 per three- or more bedroom unit	0.8 per three- or more bedroom unit	
Rooming house, boardinghouse, single-room occupancies with shared facilities, bed and breakfast, halfway house, and group home	1 per 2 bedrooms	1 per 5 bedrooms	
Single-room occupancies with private facilities	1 per each single-room occupancy plus 1 additional per each increment of four single-room occupancies with private facilities	1 per 5 single-room occupancies, plus 1 per each increment of ten single-room occupancies with private facilities.	
Accessory apartment	1 per each unit	0 per each unit	
Motel	1 per each unit in the motel	1 per each 12 units in the motel	
Hotel	1 per each four units	1 per each 12 units	
Hospital and nursing home	2 per bed OR one per 400 square feet of gross floor area	2 per bed OR one per 400 square feet of gross floor area	
Senior housing	0.6 parking spaces per dwelling unit	0.3 spaces per dwelling unit	
Assisted living facility	0.4 parking spaces per maximum number of residents	0.4 parking spaces per maximum number of residents	
Sobering center	1 parking space per 12 beds	2 parking spaces	
Theater	1 for each four seats	1 for each 10 seats	
Church, auditorium, and similar enclosed places of assembly	1 for each four seats in the auditorium	1 for each 10 seats in the auditorium	
Bowling alley	3 per alley	1.2 per alley	
Bank, office, retail commercial, salon and spa	1 per 300 square feet of gross floor area	1 per 750 square feet of gross floor area	
Medical or dental clinic	1 per 200 square feet of gross floor area	1 per 400 square feet of gross floor area	
Funeral Home	1 per six seats based on maximum seating capacity in main auditorium	1 per 15 seats based on maximum seating capacity in main auditorium	
Warehouse, storage, and wholesale businesses	1 per 1,000 square feet of gross floor area	1 per 2,500 square feet of gross floor area	
Restaurant and alcoholic beverage dispensary	1 per 200 square feet of gross floor area	1 per 750 square feet of gross floor area	
Swimming pool serving general public	1 per four persons based on pool capacity	1 per 10 persons based on pool capacity	

(Supp. No. 145)

Created: 2022-10-12 14:40:41 [EST]

Shopping center and mall	1 per 300 square feet of gross leasable floor area	1 per 750 square feet of gross floor area	
Convenience store	49.65 Article V	1 per 750 square feet of gross floor area	
Watercraft moorage	1 per three moorage stalls	2 per 15 moorage stalls	
Manufacturing uses; research, testing and processing, assembling, industry	1 per 1,000 square feet gross floor area except that office space must provide parking as required for offices	1 per 2,500 square feet gross floor area except that office space must provide parking as provided for offices	
Library and museum	1 per 600 square feet gross floor area	1 per 1,500 square feet of gross floor area	
School, elementary	2 per classroom	2 per classroom	
Middle school or junior high	1.5 per classroom	1.5 per classroom	
High school	A minimum of 15 spaces per school; where auditorium or general assembly area is available, one per four seats; one additional space per classroom	A minimum of 15 spaces per school; where auditorium or general assembly area is available, one per four seats; one additional space per classroom	
College, main campus	1 per 500 square feet of gross floor area of an enclosed area, or, where auditorium or general assembly area is available, one per four seats, whichever is greater	1 per 500 square feet of gross floor area of an enclosed area, or, where auditorium or general assembly area is available, one per four seats, whichever is greater	
College, satellite facilities	1 per 300 square feet of gross floor area of an enclosed area, or, where auditorium or general assembly area is available, one per four seats, whichever is greater	1 per 300 square feet of gross floor area of an enclosed area, or, where auditorium or general assembly area is available, one per four seats, whichever is greater	
Repair/service station	5 spaces per bay. For facilities with two or more bays, up to 60 percent of the required non-accessible parking spaces may be in a stacked parking configuration.	3 spaces per bay. All but two of the required non-accessible parking spaces may be in a stacked configuration	
Post office	1 per 200 square feet gross floor area	1 per 500 square feet of floor area	
Childcare Home	49.65 Article X, cannot be varied or FIL	49.65 Article X, cannot be varied or FIL	
Childcare Center	49.65 Article X, cannot be varied or FIL	49.65 Article X, cannot be varied or FIL	
Indoor sports facilities, gyms	1 per 300 square feet gross floor area	1 per 750 square feet gross floor area	
Mobile Food Vendors	No parking requirement	No parking requirement	
Open air food service (TPU 8.3)	1 per 400 square feet of gross floor area.	Zero	

<sup>(</sup>b) Accessible parking spaces. Accessible parking spaces must be provided as part of the required off-street parking spaces, according to the following table (Table 49.40.210(b)). Except, Accessible parking spaces are not required for residential uses that require fewer than ten parking spaces and there are no visitor parking spaces.

Created: 2022-10-12 14:40:41 [EST]

Page 2 of 3

Table 49.40.210(b)			
Total Parking Spaces in Lot	Required Minimum Number of Accessible Parking Spaces		
1 to 25	1		
26 to 50	2		
51 to 75	3		
76 to 100	4		
101 to 150	5		
151 to 200	6		
201 to 300	7		
301 to 400	8		
401 to 500	9		
501 to 1,000	2 percent of total spaces		
1,001 and over	20 plus 1 space for each 100 spaces over 1,100 total spaces in lot		

(c) *Facility loading spaces.* In addition to the required off-street parking requirements, a development must provide loading spaces as set forth in the following table:

	Gross Floor Area in Square Feet		
Use	All other areas	Town Center Parking District	Loading Space Required
Motels and hotels	5,000-29,999	6,000—60,000	1
	30,000—60,000		2
	Each additional 30,000	Each additional 30,000	1
Commercial	5,000—24,999	6,00050,000	1
	25,000-50,000		2
	Each additional 30,000	Each additional 30,000	1
Industrial, manufacturing, warehousing, storage, and processing	5,000—24,999	6,00050,000	1
	25,000-50,000		2
	Each additional 30,000	Each additional 30,000	1
Hospital	5,000—40,000	6,000—40,000	1
	Each additional 40,000	Each additional 40,000	1
School	For every two school buses		1
Home for the aged, convalescent home, correctional institution	More than 25 beds		1

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

(Supp. No. 145)

Created: 2022-10-12 14:40:41 [EST]

Page 3 of 3

Section J, Item 8.

about:blank

Table 49.40.210(b)		
Total Parking Spaces in Lot	Required Minimum Number of Accessible Parking Spaces	
1 to 25	1	
26 to 50	2	
51 to 75	3	
76 to 100	4	
101 to 150	5	
151 to 200	6	
201 to 300	7	
301 to 400	8	
401 to 500	9	
501 to 1,000	2 percent of total spaces	
1,001 and over	20 plus 1 space for each 100 spaces over 1,100 total spaces in lot	

### PART II - CODE OF ORDINANCES TITLE 49 - LAND USE Chapter 49.70 - SPECIFIED AREA PROVISIONS ARTICLE II. HILLSIDE DEVELOPMENT

# ARTICLE II. HILLSIDE DEVELOPMENT

### 49.70.200 Purposes.

The purposes of this article are to:

- (1) Ensure that hillside development provides erosion and drainage control to protect adjoining parcels;
- (2) Protect waterways from sedimentation and pollution;
- (3) Minimize injury or damage to people or property from natural or artificial hazards in hillside development; and
- (4) Minimize any adverse aesthetic impact of hillside development.

(Serial No. 87-49, § 2, 1987)

#### 49.70.210 Applicability and scope.

- (a) This article applies to all development on hillsides in the City and Borough that involves the following:
  - (1) Removal of vegetative cover;
  - (2) Excavation of any slope in excess of 18 percent;
  - (3) Creation of a new slope in excess of 18 percent for a vertical distance of at least five feet; or
  - (4) Any hazard area identified on the landslide and avalanche area maps dated September 9, 1987, consisting of sheets 1—8, as the same may be amended from time to time by the assembly by ordinance or any other areas determined to be susceptible to geophysical hazards.
- (b) All hillside development endorsement applications shall be reviewed by the planning commission, except the following may be reviewed by the director:
  - (1) An excavation below finished grade for basements and footings of a building, a retaining wall or other structure authorized by a building permit, provided that this shall not exempt any fill made with the material from such excavation nor any excavation having an unsupported height greater than two feet after the completion of the associated structure.
  - (2) Graves.
  - (3) Mining, quarrying, excavating, processing, or stockpiling of rock, sand, gravel, aggregate or clay provided such operations do not affect the location or peak volume of runoff, the location or amount of standing water, or the lateral support for, the stresses in, or the pressure upon, any adjacent or contiguous property.
  - (4) Exploratory excavations less than 200 square feet in area and under the direction of a civil engineer with knowledge and experience in the application of geology in the design of civil work.
  - (5) An excavation which:
    - (A) Is less than two feet in depth and covers less than 200 square feet; or

Created: 2022-10-12 14:40:45 [EST]

Juneau, Alaska, Code of Ordinances (Supp. No. 145)

- (B) Does not create a cut slope greater than five feet in height or steeper than one and one-half horizontal to one vertical.
- (6) A fill less than one foot in depth and intended to support structures which fill is placed on natural terrain with a slope flatter than five horizontal to one vertical, which does not exceed 20 cubic yards on any one lot and which does not obstruct a drainage course.
- (7) A fill less than three feet in depth and not intended to support structures which fill is placed on natural terrain on a slope flatter than five horizontal to one vertical, which does not exceed 50 cubic yards on any one lot and which does not obstruct a drainage course.
- (8) Minor development.

(Serial No. 87-49, § 2, 1987; Serial No. 2006-15, § 22, 6-5-2006; Serial No. 2015-03(c)(am), § 51, 8-31-2015 )

### 49.70.220 Hillside development endorsement application.

- (a) All development on hillsides shall be pursuant to a hillside development endorsement.
- (b) The developer shall apply for and obtain a hillside development endorsement prior to any site work other than land and engineering surveys and soils exploration.

(Serial No. 87-49, § 2, 1987; Serial No. 2015-03(c)(am), § 52, 8-31-2015 )

#### 49.70.230 Fees.

The City and Borough shall charge the developer the gross hourly rate for professional review of the application and for inspection. The developer shall deposit one percent of the value of the site development, excluding that portion of the site determined by the engineer to be subject to a public transmission facility permit, in a specially designated reserve account, against which the City and Borough may bill its documented time and expenses. The developer shall promptly replenish this amount when requested, and no endorsement may be issued if there is any deficiency in the developer's reserve account. All unexpended funds in the reserve account shall be returned to the developer upon final approval of development or when the engineer is satisfied that the work under the hillside development endorsement has been completed and the requirements of this chapter have been met.

(Serial No. 87-49, § 2, 1987)

#### 49.70.240 Application.

The application shall be accompanied by the following materials, which shall be signed and stamped by a civil engineer, architect, geologist or land surveyor licensed in the State of Alaska:

- A vicinity map, at a clear and legible scale, showing roads, place and street names and natural waterbodies.
- (2) Site maps, showing the present condition of the site at a clear and legible scale compatible with the size of the development and including:
  - (A) Two-foot contours for flat terrain or five-foot contours for steep terrain and extending 50 feet in all directions beyond the development site; 12 percent line, 30 percent line;
  - (B) Water bodies, tidelands and drainage ways from the development site to accepting natural waterbody;

(Supp. No. 145)

Created: 2022-10-12 14:40:45 [EST]

Page 2 of 6

- (C) Lot boundaries and easements for the site and adjacent lots; and
- (D) Existing improvements on the site and adjacent lots, including structures, roads, driveways and utility lines.
- (3) The application shall include a finished proposed site plan at a clear and legible scale that includes the following information:
  - (A) Finished grade at two-foot contours for flat terrain or five-foot contours for steep terrain and extending 50 feet in all directions beyond the development site; 12 percent line, 30 percent line.
  - (B) Water bodies, tidelands and drainage ways, and temporary and permanent drainage systems from the development site to the accepting natural waterbody.
  - (C) Lot boundaries, easements and setback lines.
  - (D) The location of improvements including structures, roads, driveways, utility lines, culverts, walls and cribbing.
  - (E) Clearing limits of existing vegetative cover.
  - (F) A cross section of the development site.
- (4) The application shall include detailed engineering drawings of roads, driveways, parking areas, structural improvements for foundations, off-site stormwater runoff systems; cross sections and road elevations.
- (5) A description of the source and type of any off-site fill, and the site for depositing excess fill.
- (6) A landscaping plan, including all trees to be retained in excavation areas, all plant species and locations; temporary slope protection measures; erosion and siltation control measures; seeding or sodding materials, a planting and maintenance program; and methods of stabilization and protection of bare slopes.
- (7) An engineering geologic report, including a summary of the relevant surface and bedrock geology of the site, a discussion of active geologic processes with conclusions and recommendations regarding the effect of geologic factors on the proposed development; data regarding the nature, distribution and relevant parameters of existing soils, recommendations for grading procedures; design criteria for corrective measures as necessary, and recommendations covering the suitability of the site for the proposed development.
- (8) A work schedule, by phase.
- (9) Such other different or more detailed submissions as may be required.

(Serial No. 87-49, § 2, 1987; Serial No. 2015-03(c)(am), § 54, 8-31-2015 )

### 49.70.250 Standards for approval.

Hillside development shall meet the following minimum standards:

- (1) Roads. The City and Borough road standards shall apply to hillside development, except that:
  - (A) *Modification of standards*. The engineer or planning commission may modify road standards as identified in subsections (1)(B) and (C) of this section, if:
    - The developer's traffic analysis and circulation, land ownership, and development patterns indicate future use of the roadway at less than collector street levels;

(Supp. No. 145)

Created: 2022-10-12 14:40:45 [EST]

Page 3 of 6

- The modification would enable the development to meet, or more closely approximate, the criteria set forth in section 49.70.260; and either
- (iii) The proposed road or access in question would result in a permanent cul-de-sac; or
- (iv) A secondary access to the proposed development exists or will be developed as a part of the project.
- (B) Road width. The width of a section of residential roadway may be narrowed to 20 feet, with a single four-foot pedestrian way and underground storm drain system, if:
  - (i) The section is not more than 200 feet in length, and is separated from other such sections by at least 100 feet of standard roadway;
  - (ii) No entrances, intersections or parking are allowed in the section;
  - (iii) Guard rails, if any, are designed to permit the passage of plowed snow;
  - (iv) There is at least a 200-foot line of sight along the centerline of the section;
  - The section enables the development to meet, or more closely approximate, the criteria set forth in section 49.70.260;
  - (vi) Grouped off-street parking spaces are provided at the entry to the section; and
  - (vii) Adequate provision is made for storage of snow.
- (C) Road grade. The grade of a section of residential roadway may be increased to a maximum of 15 percent if:
  - The section is not more than 200 feet in length and separated from other such sections by at least 100 feet of roadway;
  - (ii) No entrances or intersections are allowed in the section;
  - (iii) Through intersections at the end of the section have approaches at least 50 feet long measured from the edge of the traveled way of the crossroad and are at a grade of eight percent or less; intersections requiring a full stop have approaches no less than 20 feet long at a grade of two percent or less, or no less than 50 feet long at a grade between two and six percent;
  - (iv) Any guard rails are designed to permit the passage of plowed snow;
  - (v) All sight distances conform to standards of the American Association of State Highway and Transportation Officials; and
  - (vi) The section enables the development to meet, or more closely approximate, the criteria set forth in section 49.70.260.
- (2) Weather. The engineer may prohibit a developer from earthmoving during periods of very wet soil conditions, in which case the permit shall be extended by a like period.
- (3) Sediment. The developer shall not allow any increase in sediment to flow off-site during or after construction if such would be likely to cause an adverse impact on a down slope lot or waterbody.
- (4) Peak discharge. The developer shall ensure that during and after construction of major development, the peak discharge of all streams and natural drainage ways at the down slope boundary shall be no greater than that occurring prior to excavation.

(Serial No. 87-49, § 2, 1987)

(Supp. No. 145)

Created: 2022-10-12 14:40:45 [EST]

Page 4 of 6

## 49.70.260 Criteria.

The commission or director shall consider the extent to which the development meets the following criteria:

- (1) Soil erosion. Soil disturbance and soil erosion shall be minimized and the effects thereof mitigated.
- (2) Existing vegetation. Depletion of existing vegetation shall be minimized.
- (3) Contours. The developer shall recontour the finished grade to natural-appearing contours which are at or below 30 percent or the natural angle of repose for the soil type, whichever is lower, and which will hold vegetation.
- (4) Time of exposure and soil retention. The developer shall minimize the period of time that soil is exposed and shall employ mats, silt blocks or other retention features to maximize soil retention.
- (5) *Replanting*. The developer shall mat, where necessary, and plant all exposed soil in grass or other soilretaining vegetation and shall maintain the vegetation for one full growing season after planting.
- (6) Drainage. The developer shall minimize disturbance to the natural course of streams and drainage ways. Where disturbance is unavoidable, the developer shall provide a drainage system or structures which will minimize the possibility of sedimentation and soil erosion on-site and downstream and which will maintain or enhance the general stream characteristics, spawning quality, and other habitat features of the stream and its receiving waters. Where possible, development shall be designed so lot lines follow natural drainage ways.
- (7) Foundations. The developer shall ensure that buildings will be constructed on geologically safe terrain.
- (8) Very steep slopes. The developer shall minimize excavation on slopes over 30 percent.
- (9) Soil retention features. The developer shall minimize the use of constructed retention features. Where used, their visual impact shall be minimized through the use of natural aggregate or wood, variation of facade, replanted terraces, and the like.
- (10) Wet weather periods. The developer shall minimize exposure of soil during the periods of September 1—November 30 and March 1—May 1.

(Serial No. 87-49, § 2, 1987; Serial No. 2015-03(c)(am), § 54, 8-31-2015 )

#### 49.70.270 Conditions on approval.

The commission or director may place conditions upon a hillside development endorsement as necessary or desirable to ensure that the spirit of this chapter will be implemented in the manner indicated in the application. Fulfillment of conditions shall be certified by the engineer. The conditions may consist of one or more of the following:

- (1) Development schedule. The commission or director may place a reasonable time limit on or require phasing of construction activity associated with the development or any portion thereof, in order to minimize construction-related disruption to traffic and neighbors or to ensure that the development is not used or occupied prior to substantial completion of required improvements.
- (2) Dedications. The commission or director may require conveyances of title or other legal or equitable interests to public entities, public utilities, a homeowner's association, or other common entities. The developer may be required to construct any public facilities, such as drainage retention areas, to City and Borough standards prior to dedication.

(Supp. No. 145)

Created: 2022-10-12 14:40:45 [EST]

Page 5 of 6

- (3) Construction guarantees. The commission or director may require the posting of a bond or other surety or collateral providing for whole or partial releases, in order to ensure that all required improvements are constructed as specified in the approved plans.
- (4) Lot size. If justified by site topography, the commission or director may require larger lot areas than prescribed by zoning requirements.

(Serial No. 87-49, § 2, 1987; Serial No. 2015-03(c)(am), § 55, 8-31-2015 )

(Supp. No. 145)

Created: 2022-10-12 14:40:45 [EST]

Page 6 of 6

PART II - CODE OF ORDINANCES TITLE 49 - LAND USE Chapter 49.40 - PARKING AND TRAFFIC ARTICLE III. TRAFFIC

## ARTICLE III. TRAFFIC<sup>1</sup>

## 49.40.300 Applicability.

- (a) A traffic impact analysis (TIA) shall be required as follows:
  - (1) A development projected to generate 500 or more average daily trips (ADT) shall be required to have a traffic impact analysis.
  - (2) A development projected to generate fewer than 250 ADT shall not be required to have a traffic impact analysis.
  - (3) A development projected to generate more than 250 ADT but fewer than 500 ADT shall be required to have a traffic impact analysis if the Community Development Department Director determines that an analysis is necessary based on the type of development, its location, the likelihood of future expansion, and other factors found relevant by the director.
  - (4) The applicant shall provide the traffic projections for the project, and the department will review and approve the final figures.
  - (5) A TIA must be prepared by a licensed engineer, or a transportation planner, with traffic analysis experience, approved by the director.
- (b) The department shall require the applicant to contact the Alaska Department of Transportation and Public Facilities to determine whether a state permit or TIA will be required.

(Serial No. 2008-01, § 2, 1-28-08)

## 49.40.305 Traffic impact analysis (TIA) requirements.

- (a) A TIA prepared under this section must identify and assess the impacts of the proposed development on all affected transportation systems. The TIA shall identify any effective development design or operational measures that would mitigate impacts of a development on transportation systems. The study area for the TIA shall be that area in which it is anticipated that the proposed development will increase ADT by five percent or more.
- (b) A TIA must forecast traffic generated by a development in accordance with the most recent edition of Institute of Traffic Transportation Engineers' Trip Generation Handbook.
- (c) A TIA must address the following items:
  - Intersections and segments of roadways where the ADT on any approach to an intersection is anticipated to increase by five percent or more due to the proposed development;

Cross reference(s)—Traffic, CBJ Code tit. 72.

Juneau, Alaska, Code of Ordinances (Supp. No. 148) Created: 2023-02-09 10:35:32 [EST]

Page 1 of 4

<sup>&</sup>lt;sup>1</sup>Editor's note(s)—Serial No. 2008-01, § 2, adopted January 28, 2008, effective February 28, 2008, repealed former Art. III, §§ 49.40.300, 49.40.310 and enacted provisions designated as a new Art. III to read as herein set out.

- (2) Each driveway or approach road that will allow egress from or ingress to the proposed development;
- (3) Existing and proposed pedestrian and bicycle facilities, if any, within the proposed development, and existing and proposed pedestrian and bicycle facilities to be used for access to the proposed development;
- Projected traffic at the development's anticipated opening date, and at full build out, both with and without the traffic generated by the development;
- (5) Locations where road improvements are necessary to mitigate traffic impacts due to the development at the opening date, or where improvements are necessary to prevent the level of service (LOS) from deteriorating further at the opening date without the development;
- (6) Road improvement alternatives or other measures that will achieve an acceptable LOS or minimize degradation of service below an already unacceptable LOS according to section 49.40.310 Traffic; minimum standards;
- (7) Internal circulation and parking plans; and
- (8) An accident analysis that contains the following elements:
  - (A) An accident diagram showing accidents over the most recent three years of accident data, at all intersections or roadway segments identified as being impacted by the development, using the State of Alaska Department of Transportation's accident database, if available.
  - (B) An analysis of the type of accidents.
  - (C) An analysis of the accidents to determine if any pattern exists, and whether the accident pattern will be impacted by the development.
  - (D) If an accident pattern exists that will be exacerbated by the development, a determination whether there is a cost-effective solution which would mitigate the problem and how it can be implemented.
- (d) Level of service (LOS) and operational analysis for a traffic impact analysis prepared under this section must be performed in accordance with the most recent edition of the Transportation Research Board's publication Special Report 209, Highway Capacity Manual.

(Serial No. 2008-01, § 2, 1-28-08)

#### 49.40.310 Traffic; minimum standards.

- (a) The minimum acceptable LOS for a roadway segment or intersection within the area affected by the development, on the projected opening date of the development, or full build out of the development, is LOS D.
- (b) If an intersection or roadway segment affected by the development has a pattern of accidents resulting in personal injuries, and the development will aggravate this accident pattern, then mitigation shall be required, regardless of the projected LOS.

(Serial No. 2008-01, § 2, 1-28-08)

## 49.40.320 Traffic impact analysis review.

(a) The department will review the traffic impact analysis prepared under this section.

(Supp. No. 148)

Created: 2023-02-09 10:35:32 [EST]

Page 2 of 4

(b) Mitigation measures may be subject to financial guarantee pursuant to Chapter 49.55, if appropriate considering safety and scheduling.

(Serial No. 2008-01, § 2, 1-28-08)

## 49.40.330 Traffic impact mitigation.

- (a) Except as provided in 49.40.340, an applicant shall make improvements to a roadway or intersection to achieve or maintain an acceptable LOS if a roadway or intersection has an:
  - LOS D without traffic generated by the development; and would drop below LOS D with traffic generated by the development at the opening date of the development or full build out;
  - (2) If a roadway has an LOS below D without traffic generated by the development at the opening date of the development; or
  - (3) If the intersection or roadway segment has a pattern of accidents resulting in personal injuries, and the development would aggravate this accident pattern, then mitigation shall be required regardless of the LOS.
- (b) An applicant for a project for which a traffic impact analysis report has been prepared and mitigation required, shall install signs and markings on approaches to roadways within the development that conform to the Manual on Uniform Traffic Control Devices and the Alaska Traffic Manual, 2003, described in 17 AAC 20.950(1), as it may be amended from time to time.
- (c) Internal circulation and parking layout must provide sufficient queuing distance within the development between the roadway and internal restrictions to ensure that no traffic backs up onto a roadway, including bicycle or pedestrian facilities (See Section 49.40.230 Parking and circulation standards).
- (d) If a traffic impact analysis discloses impacts to pedestrian or bicycle traffic, an applicant shall make the necessary improvements to mitigate the impact.

(Serial No. 2008-01, § 2, 1-28-08)

## 49.40.340 Mitigation waiver.

- (a) The planning commission or community development department director may, in their discretion, waive or partially waive the requirements for mitigation under this section if the planning commission finds at a public hearing, or the director finds in writing after reviewing a permit which does not require planning commission approval, that either of the following circumstances is true:
  - (1) (A) Existing roadway facilities are only marginally achieving an LOS D without the traffic generated by the development, and would likely fall below LOS D within five years;
    - (B) Traffic generated by the development would result in an LOS below D without mitigation; and
    - (C) The costs of mitigating the impacts outweighs the benefits; or
  - (2) (A) If the LOS is below D. before the development's opening date;
    - (B) If the operation of the roadway or intersection, within the affected area, would not deteriorate more than five percent in terms of delay time, a minimum LOS, LOS E may be acceptable;
    - (C) Does not result in an LOS below E; and
    - (D) The costs of mitigating the impacts outweighs the benefits.

(Supp. No. 148)

Created: 2023-02-09 10:35:32 [EST]

Page 3 of 4

(Serial No. 2008-01, § 2, 1-28-08)

(Supp. No. 148)

٠

Created: 2023-02-09 10:35:32 [EST]

Page 4 of 4

### PART II - CODE OF ORDINANCES TITLE 49 - LAND USE Chapter 49.85 FEES FOR LAND USE ACTIONS

## Chapter 49.85 FEES FOR LAND USE ACTIONS

#### 49.85.100 Generally.

Processing fees are established for each development, platting and other land use action in accordance with the following schedule:

- (1) Minor development.
  - (A) Reserved;
  - (B) Staff review, no charge if a building permit is required;
  - (C) Sign permit, \$50.00 for the first two signs, and \$20.00 for each additional sign.
- (2) Minor subdivision or consolidation.
  - (A) Subdivision creating additional lots, \$400.00 plus \$25.00 for each resulting lot;
  - (B) Subdivision creating no additional lots, \$110.00 plus \$25.00 for each lot changed.
- (3) Major development, conditional use permits or modifications, allowable use permits, and wetlands permits. The fees for these land use actions are based on classes of uses, and shall be paid upon application for permit issuance or modification as set forth in subsections (3)(A)—(E) of this section. The fee for an extension of a permit shall be \$250.00 for any class of use.
  - (A) Class I uses, \$350.00. Class I uses are:
    - (i) Mobile homes on single lots;
    - (ii) Agricultural uses of under 50,000 square feet;
    - (iii) Residential structures, four or fewer units;
    - (iv) Transient structures, 12 or fewer rooms for rent;
    - (v) Day care and child care homes;
    - (vi) Accessory or incidental recycling activities under section 49.25.300, category 11.120 uses;
  - (B) Class II uses, \$500.00. Class II uses are:
    - Commercial, mixed use or enclosed industrial uses with less than 10,000 square feet of building space and using less than one acre of land;
    - (ii) Agricultural uses of 50,000 or more square feet;
    - (iii) Residential structures, five to ten dwelling units;
    - (iv) Transient structures, 13 to 30 rooms for rent;
    - (v) Day care and child care centers;
    - (vi) Floating residences and floating structures under 2,500 square feet;
    - (vii) Churches, schools, and additions thereto;
  - (C) Class III uses, \$750.00. Class III uses are:

Juneau, Alaska, Code of Ordinances (Supp. No. 145) Created: 2022-10-12 14:40:47 [EST]

Page 1 of 5

- Commercial, mixed use or enclosed industrial uses with 10,000 to 20,000 square feet of building space or using one to three acres of land;
- (ii) Residential structures, 11 to 30 dwelling units;
- (iii) Transient structures, 31 to 90 rooms for rent;
- (iv) Floating structures, 2,500 to 10,000 square feet;
- (D) Class IV uses, \$1,000.00. Class IV uses are:
  - Commercial, mixed use or enclosed industrial uses with 20,001 to 40,000 square feet of building space or using more than three but less than six acres of land;
  - (ii) Residential structures, 31 to 60 dwelling units;
  - (iii) Transient structures, 91 to 180 rooms for rent;
  - Unenclosed industrial uses using less than three acres of land (e.g., batch plants, quarries, sand and gravel operations, junkyards, heliports, and outside storage);
  - (v) Floating structures over 10,000 square feet.
- (E) Class V uses, \$1,600.00. Class V uses are:
  - Commercial, mixed use or enclosed industrial uses with more than 40,000 square feet of building space or using six or more acres of land;
  - (ii) Unenclosed industrial uses using three or more acres of land;
  - (iii) Residential structures, over 60 dwelling units;
  - (iv) Transient structures, over 180 rooms for rent;
  - (v) City and state projects with estimated project cost over \$2,500,000.00.
- (4) Major subdivisions, including mobile home subdivisions.
  - (A) Preliminary plat, \$110.00 per lot;
  - (B) Final plat, \$70.00 per lot;
  - (C) Reserved;
  - (D) Plat amendment, \$110.00 plus \$25.00 per lot.
- (5) Street vacation, \$500.00.
- (6) Administration of developer's subdivision improvement guaranty.
  - (A) Performance bond, \$50.00;
  - (B) Deposit in escrow, \$140.00;
  - (C) Deed of trust, reconveyance, agreement or substitution of trust and reconveyance lots, \$140.00 for first lot, plus \$25.00 for each additional lot.
- (7) Access driveways in rights-of-way, \$400.00.
- (8) Special use or area.
  - (A) Mining.
    - (i) Exploration approval, \$200.00;
    - (ii) Small mine permit and amendment, \$1,200.00;

(Supp. No. 145)

Created: 2022-10-12 14:40:47 [EST]

Page 2 of 5

- Large mine permit and amendment, \$3,600.00, plus any special fee established pursuant to section 49.65.130;
- (iv) Technical revision \$500.00;
- (v) Ownership transfer requests \$500.00;
- (vi) Summary approval. The fees for a summary approval action shall be based on the classes of uses as established in 49.85.100(3).
- (B) Mobile home parks.
  - (i) Preliminary review, \$90.00 per lot or \$250.00, whichever is greater;
  - (ii) Final review, \$60.00 per lot or \$250.00, whichever is greater.
- (C) Recreational vehicle parks, conditional use permit, \$400.00.
- Hillside development endorsement. Gross hourly rate for professional review and inspection, \$60.00.
- (E) Planned Unit Development (PUD) and Cottage Housing.
  - (i) Preliminary plan application approval, \$400.00 plus \$80.00 per residential unit;
  - (ii) Final plan approval, \$300.00 plus \$60.00 per residential unit.
- (F) Development in landslide or avalanche hazard area conditional use, \$400.00.
- (G) Alternative residential subdivisions.
  - (i) Preliminary plan application review, \$400.00 plus \$80.00 per residential unit;
  - (ii) Final plan review, \$300.00 plus \$60.00 per residential unit.
- (H) Floodplain development permit.
  - (i) Minor development, no building permit required, \$45.00.
  - (ii) Major development, building permit required, \$100.00.
  - (iii) Exception, \$400.00.
- (9) Zone changes and comprehensive plan amendments, \$600.00.
- (10) Variances and alternative development permits.
  - (A) Administrative variance, \$120.00;
  - (B) Non-administrative variance, \$400.00.
- (11) Street name change, \$400.00.
- (12) Preparation of deed restrictions, certificates of common ownership, and similar documents, \$100.00.
- (13) Sidewalk obstruction permit under CBJ 62.10.010: \$100.00.
- (14) Certification of zoning compliance letters, \$150.00.
- (15) Appeal of director's decision, refundable if applicant prevails, \$200.00.
- (16) Fee not listed. The processing fee for any development, platting, or other land use action not specifically listed in this section shall be the fee established for the most similar action listed, as determined by the community development director.

(Supp. No. 145)

Created: 2022-10-12 14:40:47 [EST]

Page 3 of 5

- (17) Fee cancellation. The director may authorize the refunding of a portion of the fee paid for a land use action when the permit application is cancelled before completion of the land use review process. The director may estimate the amount of work not completed and set the amount of the refund at that amount, less ten percent of the fee.
- (18) Wireless communication facility application fees.
  - (A) Application fees required by subsection 49.65.940(b): \$350.00.
  - (B) Additional fee required for special use permit applications required by subsection 49.65.970(b)(1): \$500.00.
  - (C) Any actual costs incurred for technical expert review, publication and mailings.
- (19) Marijuana license fee, \$250.00.
- (20) Certification of nonconforming status, \$150.00; fee is waived if applied for in conjunction with a development permit.
- (21) Parking waiver, \$400.00. If the application is filed in conjunction with a major development permit the fee shall be reduced by 20 percent.
- (22) Fee in lieu, \$10,000.00 per off-street parking space required.

(Serial No. 87-49, § 2, 1987; Serial No. 91-02, § 2, 1991; Serial No. 91-42, § 2, 1991; Serial No. 92-42, § 4, 1992; Serial No. 94-24, § 2, 1994; Serial No. 95-33, § 10, 1995; Serial No. 95-40, § 5, 1996; Serial No. 96-30, § 8, 1996; Serial No. 97-04, § 2, 1997; Serial No. 97-12, § 3, 1997; Serial No. 2000-38, § 2, 10-16-2000; Serial No. 2003-07(am), § 7, 5-12-2003; Serial No. 2010-15(c), § 3, 5-19-2010; Serial No. 2014-32(e)am, § 4, 9-29-2014, eff. 10-29-2014; Serial No. 2015-03(c)(am), § 61, 8-31-2015; Serial No. 2015-38(b)(am), § 2 5-2-2016, eff. 6-2-2016; Serial No. 2017-16, § 3, 6-26-2017, eff. 7-27-2017; Serial No. 2018-04(b), § 3, 5-14-2018, eff. 6-14-2018; Serial No. 2018-41(c), § 4, 12-17-2018, eff. 1-17-2019; Serial No. 2019-37, § 8, 3-16-2020, eff. 4-16-2020; Serial No. 2021-06, § 7, 4-26-2021, eff. 5-26-2021; Serial No. 2021-19, § 10, 8-2-2021, eff. 9-1-2021; Serial No. 2022-04(b), § 5, 4-25-2022, eff. 5-26-2022; Serial No. 2021-36, § 4, 9-12-2022, eff. 10-13-2022)

## 49.85.110 Amendment of rates.

The manager may adjust the rates in this chapter from time to time to reflect changes in the cost of providing municipal services generally.

(Serial No. 87-49, § 2, 1987)

#### 49.85.130 Payment of fees.

No application, petition, request or appeal for which a fee is established under this title shall be complete unless accompanied by the required fee and shall be returned unless accompanied by such fee. All fees shall be nonrefundable except, if the appellant prevails in an appeal to the assembly or if the appeal is withdrawn prior to commencement of the hearing, the appeal fee shall be refunded less \$25.00 and hearing officer expenses incurred to withdrawal.

(Serial No. 87-49, § 2, 1987)

(Supp. No. 145)

Created: 2022-10-12 14:40:47 [EST]

Page 4 of 5

## 49.85.140 Development, work, or use commencing before permit application or issuance.

- (a) Any development, work, or use for which a permit is required under this title, but for which no permit is applied for and issued prior to the commencement of the development, work, or use requiring the permit, shall be subject to processing fees in an amount double that specified in section 49.85.100 for the permit.
- (b) The director may waive processing fees in excess of those listed in section 49.85.100 upon a finding that processing the permit application will not require staff time and/or materials in excess of what would have been required to process the permit application if it had been applied for prior to commencing the development, work, or use.

(Serial No. 2009-04, § 2, 6-8-2009)

(Supp. No. 145)

Created: 2022-10-12 14:40:47 [EST]

Page 5 of 5

## 69.10.023 Property tax incentives for economic development property.

- (a) Purpose. This section authorizes property tax exemptions for the following on a property that meets the definition of economic development property in AS 29.45.050(m):
  - (1) Assisted living for senior citizens: At least 15 new residential units on one lot of assisted living for senior citizens. The term residential units includes the assisted living residential units for senior citizens and only those building spaces that are necessary and incidental to the assisted living of senior citizens that qualify for inclusion in the exemption like common space, support space, and shared facilities. A residential unit qualifies for the exemption even if a non-senior citizen resides in the unit with a senior citizen. The property is located entirely within the urban service area as defined by Title 49. An assisted living for senior citizens tax exemption runs with the land for the duration of the exemption so long as all of the tax-exempt residential units remain under a single common ownership. The tax abatement terminates on the following January 1 for any residential unit sold, during the prior year, to an individual owner that terminates the common unit ownership.
  - (2) Downtown multifamily: At least four new residential units on one lot in the Downtown Juneau Residential Tax Abatement Map, dated January 20, 2021. Such units must not be used as short-term rentals during the property tax abatement period. A downtown multifamily tax exemption runs with the land for the duration of the exemption so long as all of the tax-exempt residential units remain under a single common ownership. The tax abatement terminates on the following January 1 for any residential unit sold, during the prior year, to an individual owner that terminates the common unit ownership. No new downtown multifamily tax exemption applications may be accepted or granted after October 1, 2032.
  - (3) High-density residential: At least four new residential units on one lot and the residential development meets or exceeds 75 percent of the maximum density for the lot as allowed by Title 49. Such units must not be used as short-term rentals during the property tax abatement period. The property is located entirely within the urban service area as defined by Title 49. A high-density tax exemption runs with the land for the duration of the exemption so long as all of the tax-exempt residential units remain under a single common ownership. The tax abatement terminates on the following January 1 for any residential unit sold, during the prior year, to an individual owner that terminates the common unit ownership. No new high-density tax exemption applications may be accepted or granted after October 1, 2032.
- (b) Reserved.
- (c) Exclusions. Repair and rehabilitation property as defined in CBJC 69.10.025 for which an exemption application has been filed or granted is not eligible for this housing tax incentive. Submission of an application for exemption pursuant to this section shall automatically terminate any existing CBJC 69.10.025 application or designation for the property.
- (d) Application. An application for an exemption under this section shall be made in writing to the assessor's office prior to issuance of a building permit for the residential units. Applications made after issuance of a building permit for the residential units shall not be accepted, or rejected if accepted. The application shall at a minimum contain the following:
  - (1) Name. The name of the applicant;
  - (2) Address. The legal description and street address of the property for which the application is made;
  - (3) New residential units. Drawings of the residential units that the applicant will construct, including a floor plan that includes approximate square footages;

(Supp. No. 149)

Created: 2023-03-21 12:41:33 [EST]

Page 1 of 3

- (4) Existing structures. Drawings showing the square footage of all existing structures and structures to be constructed on the property;
- (5) Increase in residential units. Plans showing the construction will increase the total number of residential units on the property;
- (6) Acknowledgement of liability. Applicant acknowledges that the residential units will be taxable if and when the residential units are no longer eligible for tax exemption under this section;
- (7) Economic development property justification. A narrative describing how the application qualifies as economic development property consistent with AS 29.45.050(m);
- (8) Other information. Other information as may be required by the assessor; and
- (9) Application requirements specific to the Downtown Juneau Residential Tax Abatement. In an application for CBJC 69.10.023(a)(2), the property owner must agree not to rent any new residential units as short-term rentals while receiving the tax abatement. A property owner who breaches this provision forfeits the remaining property tax abatement and must reimburse the City and Borough of Juneau for the property tax abatement received since first granted plus interest at the legal maximum rate of interest allowed by state law. If the property owner does not reimburse the City and Borough within 30 calendar days of notice being mailed or served, a lien shall be recorded against the property with the new residential units.
- (e) Provisional approval. The assessor shall provisionally approve an application for tax exemption if:
  - (1) The applicant submitted a complete application; and
  - (2) The applicant acknowledges it must:
    - (i) Construct not less than the required residential units in accordance with the plans and drawings submitted with its application; and
    - (ii) Increase the total number of residential units on the property in order to receive final approval under this section.
- (f) Final approval of exemption. The assessor shall finally approve an application for tax exemption if:
  - (1) The applicant has completed construction of residential units in accordance with the plans and drawings submitted with its application and a certificate of occupancy has been issued pursuant to Title 19 for each structure that contains a residential unit described in the application; and
  - (2) The total number of residential units on the property has increased.
- (g) Magnitude of exemption. Consistent with this subsection, the total potential exemption shall not reduce the amount of taxes below the amount levied on other property for the school district's required local contribution under AS 14.17.410(b)(2). The taxes eligible for exemption under this section are those attributable only to the newly constructed residential units exclusive of previously existing residential units (whether remodeled or not), all nonresidential improvements, and land. Except as provided by subsection (m), the magnitude of exemption shall be determined on a spatial basis as follows: the square footage of the newly constructed residential units shall be divided by the square footage of all structures on the property, then multiplied by the assessed value of all improvements on the property and by the mill rate applicable to the property.
- (h) Duration of tax exemption. Tax exemptions approved under this section shall be for a period of 12 consecutive years beginning on January 1 of the first full calendar year after final approval of the application.
- Recording of exemption. The assessor shall memorialize the terms of an exemption granted under this section in a memorandum recorded in the Juneau Recording District and kept on file in the assessor's office.

(Supp. No. 149)

Created: 2023-03-21 12:41:33 [EST]

Page 2 of 3

- (j) Termination of exemption upon reduction in number of residential units. An exemption granted under this section shall terminate immediately if and when the number of residential units on the property is less than the number existing at the time of final approval of the application under this section. An exemption granted under this section does not terminate if the property or residential unit is sold and the new owner continues to comply with this section.
- (k) Appeal. Any decision of the assessor under this section may be appealed to the assembly in accordance with CBJC 01.50.
- (I) Annual compliance and status report. Not later than March 31 of each year, the owner of the property for which an exemption has been granted, shall file with the assessor a report with the following information:
  - (1) Occupancy. A statement of occupancy and vacancy of the residential units for the prior 12 months;
  - (2) Residential units remain as described. A certification that the newly constructed residential units described in the application continue to exist and have not been converted to a nonresidential use;
  - (3) *Further changes*. A description of physical changes or other improvements constructed since the last report or, on first report, since the filing of the application; and
  - (4) Additional information. Any additional information requested by the assessor.
- (m) Late-file penalty. The failure for the owner to file the annual compliance and status report by March 31 shall result in ten percent reduction of the taxes exempted in the prior year.
- (n) *Definitions*. In this section, the following definitions apply:

Assisted living means a facility providing housing and institutional care for people unable to live independently or without assistance. Assisted living includes facilities that provide nursing care services.

*New residential unit* means new construction and a condemned or uninhabitable existing dwelling unit that is renovated to current code for a residential dwelling unit according to CBJC Title 19.

*Previously exempt property* means real or personal property exempt under CBJC Title 69 in the prior calendar year but taxable in the next calendar year.

*Residential unit* means a dwelling unit as defined by CBJC 49.80.120 and is either owner-occupied or only leased for periods of at least one month.

Senior citizen means a person who is:

- Sixty-five years or older; or
- (2) At least 60 years of age and the widow or widower of a senior citizen who qualified for an exemption under AS 29.45.030(e) and CBJC 69.10.020(1)(A)(i) and (ii).

Short-term rental means a dwelling unit that is rented, leased, or otherwise advertised for occupancy for a period of less than 30 days.

Widow or widower means a person whose spouse has died and who has not remarried.

(Serial No. 2019-23, § 3, 7-22-2019, eff. 8-22-2019; Serial No. 2021-01(c)(am), § 2, 3-1-2021, eff. 3-31-2021; Serial No. 2022-42, § 2, 10-24-2022, eff. 11-24-2022)

(Supp. No. 149)

Created: 2023-03-21 12:41:33 [EST]

Page 3 of 3



## Juneau Affordable Housing Fund

up to \$50,000 per unit

The Juneau Affordable Housing Fund was created to promote the creation of affordable housing in the Capital City. This program runs annually in the Fall.

To review the requirements and guidelines and to learn more about the next funding competition round, please visit:

juneau.org/community-development/grants-juneauaffordable-housing-fund

# **Mobile Home Down Payment Assistance**

up to \$10,000

CBJ has partnered with True North Federal Credit Union (TNFCU) to create a program that will provide low interest loans to qualified residents for up to 50% of the down payment. Residents must be able to match the other 50%. Loans will be available at 1% interest. The borrower will have up to five (5) years to pay back the loan.

# juneau.org/community-development/grants-mobile -home-down-payment-assistance

# Accessory Apartment Grant Program

\$6,000

The Accessory Apartment Grant Program is a one time grant to homeowners creating an eligible accessory apartment. This apartment cannot be used as a shortterm rental.

juneau.org/community-development/grants-aapgp

## **Property Tax Abatement Programs**

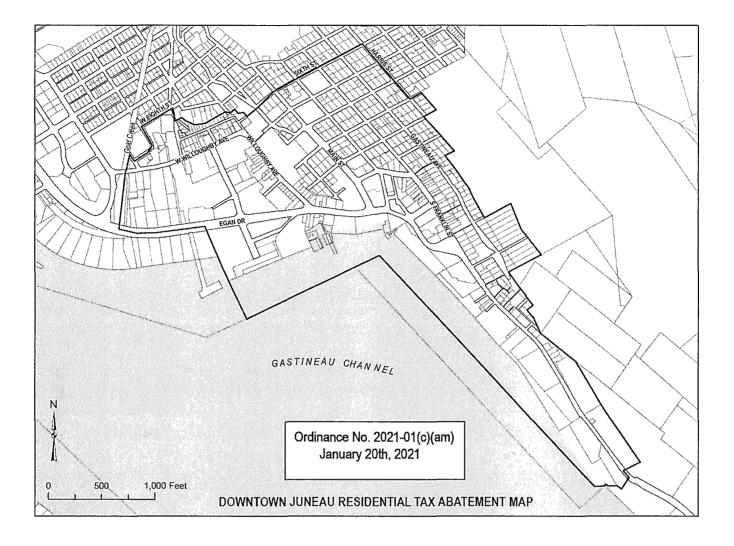
- Downtown Tax Abatement: Provides 12year tax abatement for projects that develop four or more new residential units in the mapped area. See map on reverse.
- Senior Assisted Living Tax Abatement: Provides 12-year tax abatement for projects that provide at least 15 new residential units of assisted living for senior citizens in the urban service area.
- Subdivision Property Tax Abatement: 5-year tax abatement program for improvements related to subdivision of one lot into three or more lots.
- High Density Tax Abatement: 12-year tax abatement for projects that develop at least four new residential units within the Urban Service Area.

For more information on CBJ tax abatement program eligibility criteria and to apply, please visit:

juneau.org/community-development/grants-cbj -tax-abatement-programs

For more information on CBJ Housing Programs, please contact the Community Development Department at: (907) 586-0753 and press "1" to speak to the Planner on Call, or visit: juneau.org/community-development/grants

# Attachment A - Application Packet



For more information on CBJ Housing Programs, please contact the Community Development Department at: (907) 586-0753 and press "1" to speak to the Planner on Call, or visit: juneau.org/community-development/grants

Last update: 2/6/2023



# **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.

Physical Address		
Legal Description(s) (Subdivision, Survey, Block, Tract, Lot)		<u></u>
Parcel Number(s)		
This property is located in the downtown historic dist		
LANDOWNER/ LESSEE		
Property Owner	Contact Person	
Mailing Address	Phone Number(s)	
E-mail Address		
LANDOWNER/ LESSEE CONSENT Required for Planning Permits, not needed on Building/ Engineering Perr Consent is required of all landowners/ lessees. If submitted with the app include the property location, landowner/ lessee's printed name, signate I am (we are) the owner(s)or lessee(s) of the property subject to this app A. This application for a land use or activity review for development on B. I (we) grant permission for the City and Borough of Juneau officials/e	ication, alternative written approval may be sufficient re, and the applicant's name. 	nding and permission.
Landowner/Lessee (Printed Name) XLandowner/Lessee (Signature)	Title (e.g.: Landowner, Lessee) Date	
Landowner/Lessee (Printed Name)	Title (e.g.: Landowner, Lessee)	
x		
	Date Date ect property during regular business hours. We will ma e and in accordance with the consent above. Also, memb	
X       Landowner/Lessee (Signature)         NOTICE: The City and Borough of Juneau staff may need access to the sul contact you in advance, but may need to access the property in your absen. Commission may visit the property before a scheduled public hearing da APPLICANT         If same as LANDOWE	Date Date and in accordance with the consent above. Also, memb 2. ER, write "SAME"	
X	Date Date ect property during regular business hours. We will ma and in accordance with the consent above. Also, memb a.	
X       Landowner/Lessee (Signature)         NOTICE: The City and Borough of Juneau staff may need access to the sul contact you in advance, but may need to access the property in your absen. Commission may visit the property before a scheduled public hearing da APPLICANT         If same as LANDOWE	Date Date and in accordance with the consent above. Also, memb 2. ER, write "SAME"	
X	Date Date and in accordance with the consent above. Also, memb B. ER, write "SAME" Contact Person	
X	Date Date and in accordance with the consent above. Also, memb B. ER, write "SAME" Contact Person	
X	Date Date and in accordance with the consent above. Also, memb B. ER, write "SAME" Contact Person	pers of the Planning
X	Date Date Date Date Date Date Date Date	pers of the Planning
X	Date Date Date Date Date Date Date Date	pers of the Planning
X	Date Date Date Date Date Date Date Date	pers of the Planning

## **INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

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

Case Number Date Received

Updated 6/2022- Page 1 of 1

# Attachment A - Application Packet

# **BUILDING PERMIT APPLICATION**

Page 1 of 2

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

Project No:	Project Name	City Staff to assign na	ime)		Case No:	Date Received:		
CONTRACTOR/OWNER	R-BUILDER	Conta	ct by E-Mail		Contact Person	Phone No.		
Mailing Address			J. F		FAX No.	License Number		
ARCHITECT / ENGINE	R	Contact by E	E-Mail		Contact Person	Phone No.		
Mailing Address					FAX No.	License Number		
PERMIT CLASS				ECHANICAL				
	REPAIR/REMOD			RIVEWAY	BUILDING SAFETY OTHER	۱ <u></u>		
BUILDING TYPE		Residential	Commercial		Other			
	PROPERTY	NEW DWELLING	UNITS THIS PROJECT	тс	1	PERTY		
DESCRIPTION OF WORK:						garage, deck, unfinished		
hereby cortify that I have read and	examined this appli	cation and know the san	a to be true and correct All	provisions of				
					Data:			
	actor of Authorn	teu Agent.						
^								
	Class		,					
FCC Code		I ype of Co	onstruction					
Occupancy				Building Plan Review \$				
					Grading Plan Review	\$		
					Total Review Fee	s <u>\$</u>		
					PLAN REVIEW PAYMENT			
Padroama	tarias	L			Date Receipt No.	ск		
LAND USE.		G/PUBLIC WORKS	PLAN REVIEW APP	ROVALS	PERMIT ISSUANCE FEES			
PARKING	CITY WATER I	Jnits:	Init	ials Date	Adjusted Plan Review Fee	• <u>\$</u>		
FLOOD ELEV.	Case No:		Fire		Fast Track Fee	\$		
	1				Early Start Fee	\$		
FIRM MAP		ze				\$		
		······	1			<u>\$</u> \$		
						\$		
Case Number			Structural		Sewer Inspection Fee	\$		
	- 1				Grading Permit Fee	\$		
Case Number	OTHER Case I	No:	1			\$		
Case Number						. <u>\$</u>		
	No	_ Date		Form				
Case Number								
	NO		APPROVED FOR IS	SUANCE	I	······		
	_		Simplify					
		ter yoke.	Signature					
			Date			*		
	Mailing Address         ARCHITECT / ENGINEE         Mailing Address         PERMIT CLASS         NEW       ADDITION         BUILDING TYPE         EXISTING DWELLING UNITS OF         DESCRIPTION OF WORK:         Description of WORK:         BUILDING TYPE         EXISTING DWELLING UNITS OF         DESCRIPTION OF WORK:         BUILDINGS         Occupancy         FCC Code         Occupancy         FRM ZONE         FIRM ZONE         FIRM MAP         LAND USE PERMITS:         Case Number         Deres Number         Deres Number         Case Number         Case Number	ARCHITECT / ENGINEER         Mailing Address         PERMIT CLASS         NEW       ADDITION         BUILDING TYPE         EXISTING DWELLING UNITS ON PROPERTY         DESCRIPTION OF WORK:         DESCRIPTION OF WORK:         DESCRIPTION OF WORK:         BUILDINGS         Occupancy         Signature of Owner, Contractor or Authoriz         X         BUILDINGS         Occupancy         Signature of Owner, Contractor or Authoriz         X         BUILDINGS         Occupancy         Stories         LAND USE.         PARKING         FIRM ZONE         FIRM ZONE         FIRM XONE         Case Number         ADEC On-site         No         Case Number         ADEC On-site         No         Case Number         ADEC On-site         No         Case Number         ADEC On-site         No	Mailing Address         ARCHITECT / ENGINEER       Contact by E         Mailing Address       Contact by E         PERMIT CLASS       ELECTRICAL         NEW       ADDITION       REPAIR/REMOD       DEMOLITION         BUILDING TYPE       Residential         EXISTING DWELLING UNITS ON PROPERTY       NEW DWELLING         DESCRIPTION OF WORK:       Construction or the performance of construction.         Signature of Owner, Contractor or Authorized Agent:       X         MEDILDINGS       Occupancy Class       T	Mailing Address         ARCHITECT / ENGINEER         Mailing Address         PERMIT CLASS         Image: Contact by E-Mail         Image: Contact by E-Mail         Mailing Address         PERMIT CLASS         Image: Contact by E-Mail         Image: Contract or of Authorized Agent:	Mailing Address         ARCHITECT / ENGINEER         Mailing Address         PERMIT CLASS         INEW       ADDITION         REPLAY       DEMOLITION         BUILDING TYPE       Residential         BUILDING TYPE       Residential         Commercial       DEMOLITION         BUILDING TYPE       Residential         Commercial       DESCRIPTION OF WORK:         DESCRIPTION OF WORK:       NEW DWELLING UNITS THIS PROJECT         TO DESCRIPTION OF WORK:       TO         DESCRIPTION OF WORK:       Contractor or Authorized Agent:         X       (OFFICE USE ONLY BELOW THIS LINE)         BUILDINGS       Occupancy         Cocupancy       Square Feet         Quare Feet       Q Rate         PAIN REVIEW APPROVALS         Initials       Initials         Decompany       Square Feet         Quare Feet       Q Rate         Fire       Zoning         Fire NZONE       Service - Size         Case No:       PLAN REVIEW APPROVALS         Fire Name       Case No:         Gene Number       Case No:         Case No:       Plumbing         Gase Number       ADEC On-site Sweer	Mailing Address       FAX No.         ARCHITECT / ENGINEER       Contact by E-Mail         Mailing Address       FAX No.         PERMIT CLASS       ELECTRICAL       PLUMBING       MechanicaL       WooDDSTOVE       WATER         INSW       ADDITION       REPARTREMOD       DEBCOLITION       GRADING       DREVEWAY       BULDING SAFETY       OTHER         BUILDING TYPE       Residential       Commercial       Other       Other       YALUE:       TYPE (re-house, INSW:         BUILDING WELLING UNITS ON PROPERTY       NEW DWELLING UNITS THIS PROJECT		

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

#### BUILDING PERMIT APPLICATION (Continued)

## **TYPES OF INSPECTIONS**

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

BU (Commercial Buildings) BI (Com. Building Safety Inspection) C100 Setback C110 Excavation/Footing C120 Forms & Rebar C130 Steel/Masonry C130 Steenmasonry C140 Framing C150 Insulation/Drywall C160 Rated Walls & Assemblies C170 Smoke Detect. & Alarm Systems C180 Underground Plumbing C190 Water Piping Test C210 DWV Piping Test C210 DWV Piping Test C220 Plumbing Fixtures Final C250 Cross Connection Control C255 Meter Yoke with Meter C265 Gas Piping C270 Plenums & Ducts C300 Furnace/Stove Clearance C301 Combustion Air C400 Ventilation C410 Fire Dampers/Sprinklers C420 Commercial Hoods C420 Commercial Hoods C430 Temporary Power C440 Service/Panel C450 Conduit & Raceway Systems C460 Bonding/Grounding C470 Grading/Drainage C480 Landscaping/Parking C480 Planning Requirements C500 Roofing C600 Zoning Final C800 Commercial Final DM (Demolition) E100 Sewer Capped E110 Debri Filled E120 Excavation Filled E500 Demolition Final

MS (Install Mobile Home) 1100 Setbacks 1110 Foundation 1120 Electrical Hookup 1130 Plumbing Hookup 1140 Porches & Stairs 1150 Skifting 1500 Mobile Home Final

SF (Single Family - 4 Units) BI (Res. Building Safety Inspection) D100 Setbacks D110 Excavation/Footing D115 Stem Walls/Forms/Rebar D120 Temporary Power D140 Rough Framing D150 Rough Electrical D160 Rough Plumbing D170 Underslab Utilities D180 Vents (Bath, Dryer, etc.) D190 Firewall Separation D210 Yellow Tag Electrical D220 Woodstove/Chimney D230 Waddstoverkinniey D230 Smoke Detection D240 Insulation D250 Cross Connection Control D255 Meter Yoke D257 Oil & Gas Piping/Tanks D260 Grading/Drainage D263 ADEC On-Site Water Final D266 ADEC On-Site Sewer Final D270 Repair/Rehab Exemption D280 Res Zoning Final D800 Residential Final WS (Wood Stove) K100 Approved Model K100 Approved wodel K110 Stove Clearances K120 Stack Clearances K130 Hearth K200 Woodstove Final FS (Fire Sprinkler) FA (Fire Alarm) L100 Pressure Test L110 Underground Flush L120 Proper Bracing L130 Return Bends L140 Head Placement L150 FDC Location L160 Alarm Panel/Transmitter L170 Alarm Zones L180 Battery/Backup 1.190 Phone Connection L190 Phone Connection L200 Reset Procedures L210 System Test L220 Detectors Spare

L500 Fire Final

PB (Plumbing) J100 Underground Plumbing J110 Water Piping J120 WV Piping J130 Hydronic System J140 Water Heater J150 Water Sottener J150 Water Sottener J180 Cross Connection Control J170 Gas Piping J180 Cross Connection Control H100 Punums & Ducts H100 Combustion Air H150 Compressor H150 Compressor H150 Commercial Hcood H500 Mechanical Final

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

 DW (Dr/veway)

 N160
 Location

 N200
 Grade

 N210
 Width

 N330
 Headwalls

 N350
 Culvert

 N400
 Curb Box/Thaw Wire

 N420
 Bond Return Request

 N420
 Dird Return Wire

Page 2 of 2

WC (Water Connection) WE (Water Extended) WI (Water Inspection) FC (Fire Connection) D100 Water Meier Required D105 Water Meier Required D1010 Size of Water Device D120 Depth (Water) Depth D130 Cross Connection Contr. D140 Pressure Test D150 Thaw Waiver D150 Thaw Waiver D150 Thaw Waiver D150 Thaw Waiver D150 Seasonal Water Turn O D510 Seasonal Water Turn O D510 Seasonal Water Turn O D510 Seasonal Water Turn O D500 Turn Water ON D610 Seasonal Water Turn O D600 Turn Water ON D610 Seasonal Water Turn O D600 Water Final SC (Sewer Connection) SI (Sewer Inspection) C120 Material C125 Grade C130 Cleanouts C140 Seaver Connection C150 Seaver Disconnect D70 Billing Authorization - Se C500 Sewer Final GR (Grading) G100 Retaing Walls, etc. G120 Drainage G130 Slopes G140 Compaction G150 Material G200 Grading Final

ADDITIONAL CONDITIONS AND HOLDS (STAFF)



# ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

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

COMMUNITY DEVELOPMENT

PROJECT SUMMARY

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

	TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED													
	Accessory Apartment – Accessory Apartment Application (AAP)													
	Use Listed in 49.25.300 – Table of Permissible Uses (USE) Table of Permissible Uses Category:													
	IS THIS A MODIFICATION OF EXTENSION OF AN EXISTING APPROVAL?													
	UTILITIES PROPOSED WATER: Public On Site SEWER: Public On Site													
	SITE AND BUILDING SPECIFICS													
ant	Total Area of Lot square feet Total Area of Existing Structure(s) square feet													
oplice	Total Area of Proposed Structure(s)square feet													
be completed by Applicant	EXTERNAL LIGHTING         Existing to remain       O No       O Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures         Proposed       No       O Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures													
mple	ALL REQUIRED DOCUMENTS ATTACHED If this is a modification or extension include:													
e CO	Notice of Decision and case number													
Tob	Current use of land or building(s)													
	Description of project, project site, circulation, traffic etc.													
	<ul> <li>Proposed use of land or building(s)</li> <li>How the proposed use complies with the Comprehensive Plan</li> <li>Application submitted at least 30 days</li> <li>before expiration date</li> </ul>													
	Plans including:													
	Site plan													
	Floor plan(s)													
	Elevation view of existing and proposed buildings													
	Proposed vegetative cover													
	Existing and proposed parking areas and proposed traffic circulation Existing physical features of the site (e.g.: drainage, habitat, and hazard areas)													
	DEPARTMENT USE ONLY BELOW THIS LINE													

ALLOWABLE/CONDITIONAL USE FEES												
	Fees	Check No.	Receipt	Date								
Application Fees	\$											
Admin. of Guarantee	\$											
Adjustment	\$											
Pub. Not. Sign Fee	\$											
Pub. Not. Sign Deposit	\$											
Total Fee	\$											

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED	Case Number	Date Received
For assistance filling out this form, contact the Permit Center at 586-0770.		

## 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

<u>Pre-Application Conference</u>: A pre-application conference is required prior to submitting an application. There is no fee for a preapplication 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).

<u>Application Review & Hearing Procedure</u>: 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 rightof-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**

# Invitation to Comment On a proposal to be heard by the CBJ Planning Commission Your Community, Your Voice Proposal for three, 16-unit apartment buildings with a total of 48 single-room occupancies with private facilities at Hillcrest Avenue 500 1000 1500 2000 2500 3000 3500 4000 4500 5000 Feet



COMMUNITY DEVELOPMENT 155 Heritage Way Juneau, Alaska 99801

то

**Conditional Use Permit** has been submitted for consideration and public hearing by the Planning Commission for three, 16-unit apartment buildings with a total of 48 single-room occupancies with private facilities at Hillcrest Avenue in a D15 zoning district.

## **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 6, 2024 at https://juneau.org/community-development/planning-commission Find hearing results, meeting minutes, and more here, as well.

#### April 23 — noon, May 10 HEARING DATE & TIME: 7:00 pm, May 14, 2024 Now through April 22 May 15 Comments received during This meeting will be held in person and by remote The results of Comments received during the hearing will this period will be sent to this period will be sent to the participation. For remote participation: join the Webinar by be posted Commissioners to read in Planner, Joseph Meyers, to visiting https://juneau.zoom.us/j/86939674618 and use the preparation for the online. be included as an attachment Webinar ID: 869 3967 4618 OR join by telephone, calling: hearing. in the staff report. 1-253-215-8782 and enter the Webinar ID (above). You may also participate in person in City Hall Assembly Chambers, 155 Heritage Way Juneau, Alaska.

# FOR DETAILS OR QUESTIONS,

Phone: (907)586-0753 ext. 4209 Email: pc\_comments@juneau.gov or joseph.meyers@juneau.gov Mail: Community Development, 155 Heritage Way, Juneau AK 99801

Case No.: USE2024 0006 Parcel No.: 7B1001160014 CBJ Parcel Viewer: http://epv.juneau.org

Printed April 4, 2024

Attachment B - Abutters Notice and Public Notice Sign Photo



Attachment B - Abutters Notice and Public Notice Sign Photo



(907) 586-0715 CDD\_Admin@juneau.gov www.juneau.org/community-development 155 Heritage Way • Juneau, AK 99801

## COMMUNITY DEVELOPMENT DEPARTMENT - REQUEST FOR AGENCY COMMENT

DEPARTMENT:	CCFR							
STAFF PERSON/TITLE:	T. Ross, Fire Marshal							
DATE:	2/26/2024							
APPLICANT:	Chilkat Vistas, LLC							
TYPE OF APPLICATION:	Conditional Use Permit							
PROJECT DESCRIPTION:								
48-unit multifamily development at Chilkat Vistas								

LEGAL DESCRIPTION: Chilkat Vistas, Tract A3

PARCEL NUMBER(S): 7B1001160014

PHYSICAL ADDRESS: NHN

## SPECIFIC QUESTIONS FROM PLANNER:

Does the proposed site plan including the hammerhead and second access meet the requirements of the fire code?

## AGENCY COMMENTS:

So as long as access has already been addressed and hydrant locations approved under that permit as well the only thing I can think of would be the requirement of signage for the hammerhead, that will be called out when the actual buildings are submitted for review.



(907) 586-0715 CDD Admin@juneau.gov www.juneau.org/community-development 155 Heritage Way • Juneau, AK 99801

COMMUNITY DEVELOPMENT

## **COMMUNITY DEVELOPMENT DEPARTMENT - REQUEST FOR AGENCY COMMENT**

DEPARTMENT:	Alaska DOT
STAFF PERSON/TITLE:	Arthur Drown, ROW Agent
DATE:	
APPLICANT:	Heumann
TYPE OF APPLICATION:	Conditional Use Permit
PROJECT DESCRIPTION:	

**LEGAL DESCRIPTION:** 

7B1001160014 **PARCEL NUMBER(S):** 

**PHYSICAL ADDRESS:** TBD

## SPECIFIC QUESTIONS FROM PLANNER:

Does DOT see any issues with the site plan or the applicable TIA? included analysis of future development for up to 47 single family homes (detached) and approximately 356 multifamily homes in the vicinity of Hooter Lane and Craig Street. The conclusion of the TIA at that time was that at full build out, no major mitigation past the development of Hooter Lane and some pedestrian facility improvements at Vanderbilt and Glacier Highway would be necessary. Approach Road permit 30955 was issued for the development of Hooter Lane by DOT&PF and the subject TIA was reviewed by the Department at that time with no comment. The TIA and its findings that 

## At this time, no

additional analysis is required as the proposed multifamily development is within the original TIA's scope of work.

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

USE2024 0006 7B1001160014

No, No, No! 48 efficiency apartments attached to our quiet Mountainside community!?

Please, consider not allowing this to take place. Our quiet neighborhood has already been impacted by the newest addition and its traffic (vehicle and foot.) The addition of these apartments really scares me. I'm afraid for our security and safety. For instance, traffic has increased and more and more vehicles are not observing the posted speed limits since the connecting of Glacier Hwy to Hillcrest Ave. Foot traffic down Hillcrest has considerably increased.

Please be considerate of the current residents of Mountainside Estates.

Maralee Guiher Crest Ct. Mountainside Estates



August 11, 2022

Michael and William Heumann 6000 Thane Rd Juneau, AK 99801 <u>mpheumann@hotmail.com</u> (971) 261-8014

# RE: Chilkat Vistas Subdivision, Phase II – Drainage Report

To Whom It May Concern,

The following Drainage Plan has been prepared for the Chilkat Vistas Subdivision, Phase II in Juneau, AK, a proposed multi-phase major subdivision on a 30-acre site at the 4500 block of Hillcrest Avenue. This drainage report addresses the second phase of the overall subdivision that will create 13 new single family lots, plus 3 tracts. Phase II of the subdivision will also include extending Hillcrest Avenue and improvement/extension of Hooter Lane, which will result in a looped connection between the two streets. This drainage report is independent of any previous drainage reports as it examines all on-site and upland stormwater that will be directed through the entire project area (phase I and phase II). Phase II of this subdivision will involve rerouting a stormdrain that currently flows across private property so that this stormwater will remain within the Hillcrest Avenue and Hooter Lane by constructing new sidewalk, street, ditches, driveways and utilities along with building pads on the newly subdivided Lots. The 2010 CBJ Manual of Stormwater Best Management Practices was used to evaluate if the proposed and existing drainage features could convey runoff during the 25-year storm event.

Attachments to this report include sheets depicting survey data, proposed ROW improvements, as-built information, calculations and rainfall data used for the drainage analysis.

# **Site Runoff Calculation Method:**

The existing conditions include 2 sub-basins and 2 discharge points, and the developed conditions will include 3 sub-basins and 3 discharge points. Though stormwater will be rerouted through the project area, all discharge points combine in the wetlands on the west side of Glacier Highway, which will preserve historic drainage patterns. It should be noted that the basin for Chilkat Vistas Subdivision phase I was used as the "pre-developed" condition. Since the phase I/pre-developed phase II conditions were analyzed in a previous drainage report, the existing conditions will not be discussed in detail in this report (see the Chilkat Vistas Phase I drainage report in appendix "G" for details on the existing conditions"). The catchment areas we determined using the proposed design model, Lidar data and aerial photos in AutoCAD C3D and were verify by several site visits. A delineation of the catchment areas can be found in Appendix A. Soil conditions were based on information from Shoephorster and Furbush (1974) and the National Engineering Handbook (see appendix E for more information about the on-site soils).

Page 1 | 4



To calculate the site runoff for Drainage Basins A, B, and C we have elected to use the SCS TR-55 method. The SCS TR-55 is most appropriate for evaluating drainage basins of 10 acres to 1,300 acres. Appendix D of the "2010 CBJ Manual of Stormwater Best Management Practices" was utilized as a guide. The calculations and supporting documentation can be found in Appendix B, C & F of this Report.

# Anticipated Site Runoff (Q):

Using the SCS Unit Hydrograph Method, the amount of stormwater runoff during the 25-year storm event per catchment area was determined. The analysis shows that approximately 1.13 cfs of runoff will be removed from the discharge point A due to the proposed development. See Table 1.1 below for results, the calculations can be found in Appendix B.

Catchment Area	Q (cfs)
Drainage Basin A, Discharge Point A	11.58
Drainage Basin B, Discharge Point B	1.03
Drainage Basin C, Discharge Point C	3.24
Table 1.1	

# Conveyance/Discharge Structure Capacities:

The capacity of the existing and proposed drainage systems was calculated to determine if proposed 25-year storm event flows could be conveyed. The entire network was analyzed in AutoCAD SSA, and the most vulnerable drainage structures/conveyance systems to failure along the analyzed flow path were also evaluated using HY-8 software. See Table 1.2 below for results on the most vulnerable drainage element in each basin's conveyance system. The supporting calculations can be found in Appendix C.

Catchment Area	Q (cfs)
Drainage Basin A – (P-1) Proposed 36" CMP Culvert	47.75
Drainage Basin B – (P-EX-1) Existing 18" CPP	8.89
Drainage Basin C – No net increase over existing conditions.	5.58
Table 1.2	

Page 2 | 4



# **Summary:**

Table 1.3 below compares anticipated 25-year runoff in the proposed and existing conveyance systems to their available hydraulic capacity. To simplify and provide a conservative evaluation runoff from the entire drainage basin was used for comparison even though uphill conveyance systems would not need to handle all of the calculated runoff from the lower discharge point.

	Anticipated Runoff	Capacity	Available						
Drainage Basin/Discharge Point	Q (cfs)	Check	Capacity Q (cfs)						
Basin A/P-1	11.58	<	47.75						
Basin B/P-EX-1	1.03	<	8.89						
Basin C/Existing Ditch Near Tract-A3	3.24	<	5.58						
Table 1.3									

Our analysis shows the proposed 36-inch CMP pipe under Glacier Highway will have an excess of capacity to accommodate the stormwater that will result from phase II of the Chilkat Vistas Subdivision, as well as potential future development. It demonstrates that there is excess capacity in the existing 18-inch CPP culvert on the southern side of Hooter Lane. Our analysis also shows that the drainage along the southern portion of Hooter Lane will see a reduction in water from the existing conditions due to a redirection of upland flows into the new 36-inch pipe on the opposite side of the street. Similarly, the existing ditch that leaves the project area at the southern portion of tract-A3 will see a net reduction in water due to the elimination of a stormdrain outfall from Hillcrest Ave in the ditch above Tract-A3.

Respectfully,

Ineas Chambers

Lucas Chambers, P.E. Principal Engineer – proHNS LLC Juneau License #CE-106593

Page 3 4

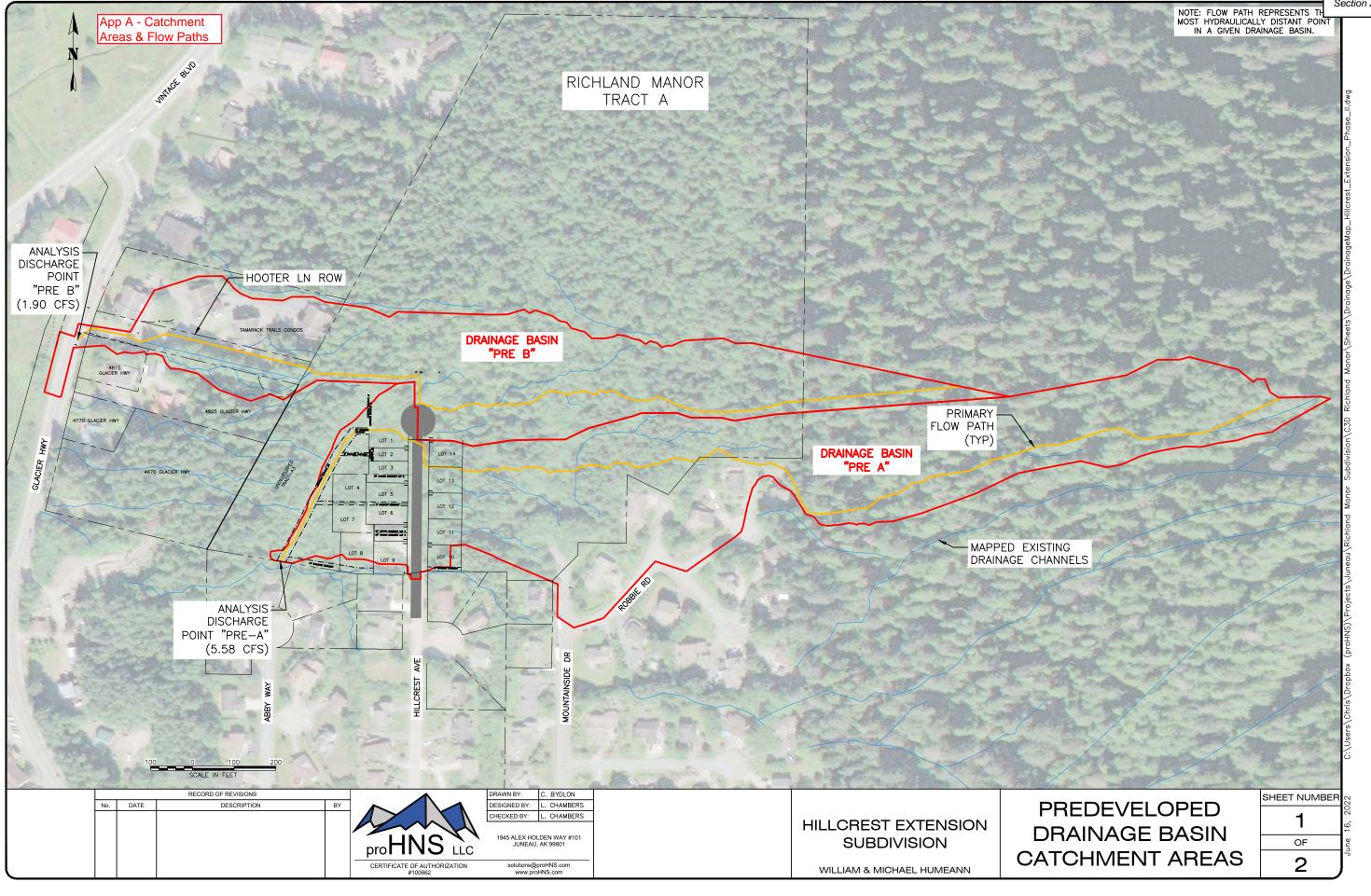


Appendices:

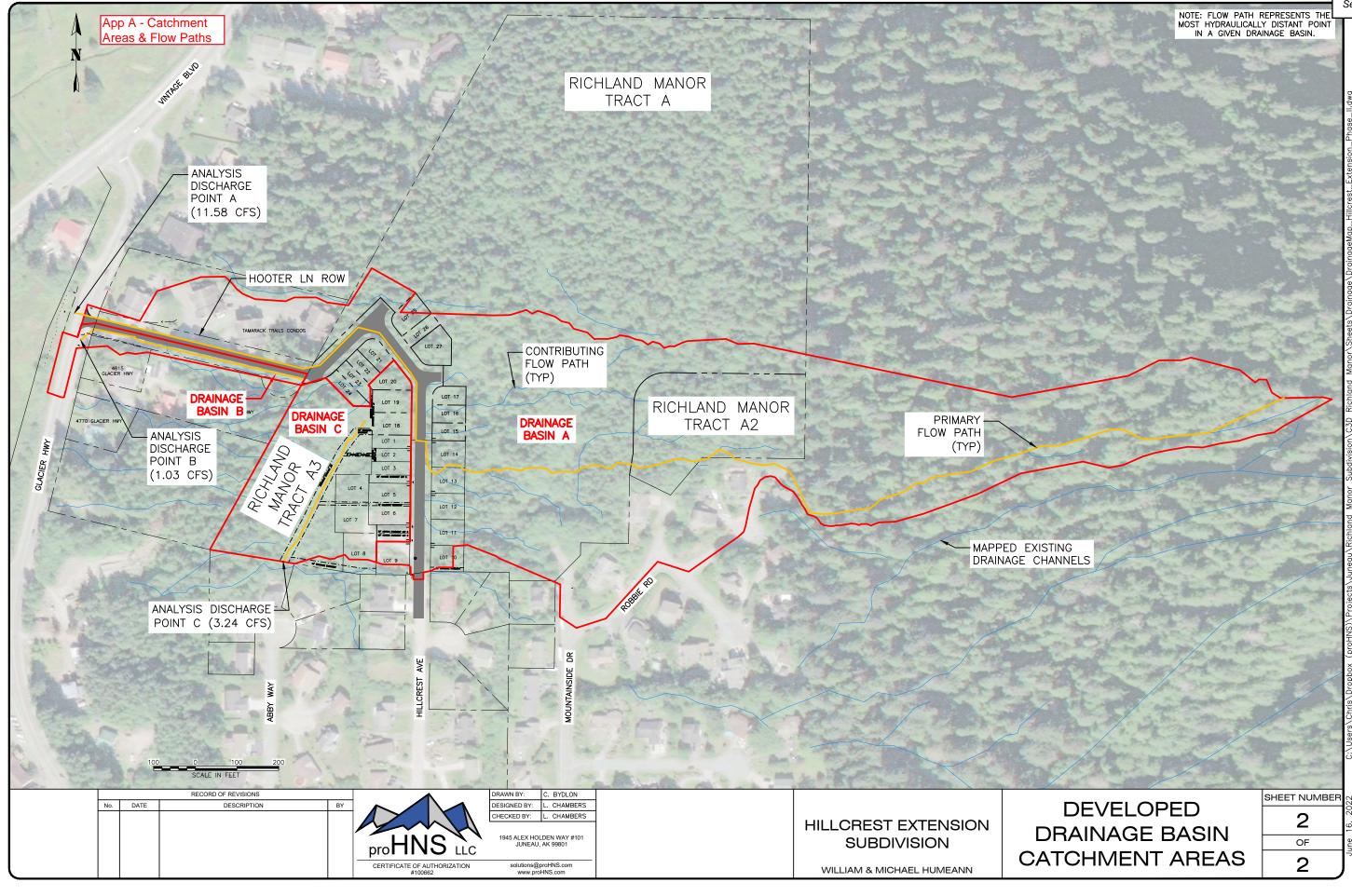
- A Catchment Areas & Flow Paths
- **B** SSA Calculations
- C HY-8 Calculations
- D Rainfall Intensity
- E Soil Data
- F SCS Hydrograph

G – Prior Drainage Reports "Richland Manor Subdivision – Drainage Report dated 10/31/19, Hooter Lane Phase I ROW Improvements – Drainage Report dated 1/23/20

Page 4 | 4



Attachment E - Approved Drainage Plan



Attachment E - Approved Drainage Plan



Element	From (Inlet)	To (Outlet) Length	Inlet	Inlet	Outlet (	Dutlet Total	Average	Pipe	Pipe		Manning's I	Entrance E	xit/Bend	Additional	Initial P	eak	Max 1	Fravel	Design	Max Flow /	Max	Total	Max Reported
ID	Node	Node	Invert			Invert Drop	Slope	Shape	Diameter	Width I	Roughness	Losses	Losses	Losses	Flow F	low	Flow	Time	Flow	Design Flow F	low Depth /	Time	Flow Condition
			Elevation	Offset E	levation	Offset			or Height							١	/elocity	C	apacity	Ratio	Total Depth Sure	harged	Depth
																					Ratio		
		(ft)	(ft)	(ft)	(ft)	(ft) (ft)	(%)		(inches)	• •							(ft/sec)		(cfs)			(min)	(ft)
P-1	S-1	END_OF_P-1 76.08	24.40	0.00	24.02		0.5000 0		36.000	36.00	0.0120	0.5000	0.5000	0.0000	0.00 1			0.22	51.07	0.23	0.32	0.00	0.97 Calculated
P-2	S-2	S-1 50.06	27.80	0.00	24.50	0.10 3.30	6.5900 0		30.000	30.00	0.0120	0.5000	0.5000	0.0000	0.00 1		14.96	0.06	114.09	0.10	0.22	0.00	0.54 Calculated
P-3	S-3	S-2 68.52	36.80	0.00	27.90	0.10 8.90			30.000	30.00	0.0120	0.5000	0.5000	0.0000	0.00 1		19.00		160.14	0.07	0.18	0.00	0.45 Calculated
P-5	S-4	S-3 119.66	49.70		36.90	0.10 12.80			30.000	30.00	0.0120	0.5000	0.5000	0.0000	0.00 1				145.33	0.08	0.19	0.00	0.48 Calculated
P-7	S-5	S-4 165.23	69.70	0.00	49.80	0.10 19.90			30.000	30.00	0.0120	0.5000	0.5000	0.0000	0.00 1		17.67		154.21	0.07	0.17	0.00	0.44 Calculated
P-8	S-6	S-5 136.84	85.80	0.00	69.80	0.10 16.00			30.000	30.00	0.0120	0.5000	0.5000	0.0000	0.00		17.40		151.94	0.07	0.17	0.00	0.43 Calculated
P-9	S-7	S-6 35.09	86.10		85.90	0.10 0.20			18.000	18.00	0.0120	0.5000	0.5000	0.0000	0.00		2.61	0.22	8.59	0.06	0.16	0.00	0.24 Calculated
P-10	S-8	S-7 30.23	87.20	0.00	86.20	0.10 1.00			18.000	18.00	0.0120	0.5000	0.5000	0.0000	0.00		4.69	0.11	20.70	0.02	0.11	0.00	0.16 Calculated
P-11	S-9	S-8 32.20	92.60	0.00	87.30		16.4600 (		18.000	18.00	0.0120	0.5000	0.5000	0.0000	0.00		8.42	0.06	46.17	0.01	0.07	0.00	0.11 Calculated
P-12	S-10	S-9 37.49	96.80		92.70	0.10 4.10			18.000	18.00	0.0120	0.5000	0.5000	0.0000	0.00		7.34	0.09	37.63	0.01	0.08	0.00	0.12 Calculated
P-13	S-11	S-10 22.24	99.50	0.00	96.90		11.6900 0		18.000	18.00	0.0120	0.5000	0.5000	0.0000	0.00		7.50	0.05	38.91	0.01	0.08	0.00	0.12 Calculated
P-14	S-12	S-6 129.11	97.90	0.00	85.90	0.10 12.00			30.000	30.00	0.0120	0.5000	0.5000	0.0000	0.00		16.00	0.13	135.47	0.07	0.18	0.00	0.45 Calculated
P-15 St P-16	ED-TRAP-INLET_1	S-12 100.78	106.40		98.00	0.10 8.40			24.000 24.000	24.00	0.0120	0.5000	0.5000	0.0000	0.00		5.80	0.29	70.76 52.22	0.01	0.05	0.00	0.10 Calculated 0.58 Calculated
	S-13	S-12 66.08	101.00	0.00	98.00		4.5400 0			24.00	0.0120			0.0000	0.00		12.58	0.09		0.18	0.29	0.00	
P-17	S-14 S-15	S-13 32.98 S-14 29.31	104.10 104.40	0.00	103.00 104.20	2.00 1.10 0.10 0.20	0.6800 (		18.000 18.000	18.00 18.00	0.0120 0.0120	0.5000	0.5000	0.0000	0.00 0		5.12 2.93	0.11 0.17	20.78 9.40	0.03	0.11 0.17	0.00 0.00	0.17 Calculated 0.25 Calculated
P-18 P-19	S-15 S-16	S-14 29.31 S-15 33.76	104.40	0.00	104.20		1.1800 (		18.000	18.00	0.0120	0.5000	0.5000	0.0000	0.00 0		2.93	0.17	9.40 12.39	0.06	0.17	0.00	0.22 Calculated
P-19 P-20	S-10 S-17	S-15 53.76 S-16 50.97	104.90	0.00	104.50				18.000	18.00	0.0120	0.5000	0.5000	0.0000	0.00 (		4.09	0.10	12.59	0.03	0.13	0.00	0.20 Calculated
P-20 P-21	S-17 S-18	S-13 143.72	103.90	0.00	103.00	0.10 0.90		CIRCULAR	24.000	24.00	0.0120	0.5000	0.5000	0.0000	0.00		5.80	0.21	18.28	0.04	0.13	0.00	0.99 Calculated
P-21	S-EX-1	S-18 126.08	101.90	0.00	101.10	3.10 1.00			18.000	18.00	0.0120	0.5000	0.5000	0.0000	0.00		5.94	0.35	10.13	0.43	0.55	0.00	0.82 Calculated
P-22 P-23	S-EA-1 S-19	S-18 120.08 S-18 43.47			103.00	0.10 0.50			24.000	24.00	0.0120	0.5000	0.5000	0.0000	0.00		5.61	0.55	26.28	0.58	0.23	0.00	0.82 Calculated
	DIMENT-TRAP 2	S-18 43.47 S-19 31.54		-0.20	102.00		17.4400 (		18.000	18.00	0.0120	0.5000	0.5000	0.0000	0.00		5.31	0.13	38.70	0.12	0.05	0.00	0.07 Calculated
P-24 3L	S-20	S-19 51.54 S-19 40.45	106.00	0.00	102.50		1.2400 (		18.000	18.00	0.0130	0.5000	0.5000	0.0000	0.00		5.88	0.10	12.65	0.00	0.33	0.00	0.50 Calculated
P-26	S-20 S-21	S-20 42.85	106.40	0.00	105.50	0.10 0.30			18.000	18.00	0.0120	0.5000	0.5000	0.0000	0.00		4.79	0.11	9.52	0.24	0.39	0.00	0.58 Calculated
P-27	S-21	S-20 42.85 S-21 38.35	106.90	0.00	106.50		1.0400 0		18.000	18.00	0.0120	0.5000	0.5000	0.0000	0.00		5.54	0.13	11.62	0.32	0.35	0.00	0.52 Calculated
P-EX-1		ND OF P-EX-1 34.92	27.50	0.00	27.10			CIRCULAR	18.000	18.00	0.0120	0.5000	0.5000	0.0000	0.00		4.20	0.12	12.18	0.20	0.20	0.00	0.30 Calculated
1.17-1		10_01_1 EX-1 34.52	27.50	0.00	27.10	0.00 0.40	1.1300 0	LINCOLAN	10.000	10.00	0.0120	0.5000	0.5000	0.0000	0.00		4.20	0.14	12.10	0.08	0.20	0.00	0.50 calculated

SN	Element 2 ID	X Coordinate	Y Coordinate Description	Invert I Elevation	Boundary Type					•	Maximum IGL Elevation Attained
				(ft)			(ft)	(cfs)	(cfs)	(ft)	(ft)
1	END_OF_P-1	2526888.51	2379837.82	24.02	FREE	NO		11.58	0.00	0.97	24.99
2	END_OF_P-EX-1	2526933.45	2379754.07	27.10	FREE	NO		1.03	0.00	0.30	27.40
3 9	SWALE_NEAR_TRACT_A3	2527489.84	2379116.91	0.00	FREE	NO		3.24	3.24	0.00	0.00

Elemen II	t Invert Elevation	Ground/Rim (Max) Elevation	. ,	Initial Water Elevation	Water	Surcharge S Elevation	Surcharge Depth		Minimum Pipe Cover				Freeboard	Total Flooded Volume	Total Time Flooded
		Lievation	onser		Deptil						iiiioii	Attained	, ttuineu	volume	nooucu
	(ft)	(ft)	(ft)	(ft)	(ft)	(ft)	(ft)	(ft²)	(inches)	(cfs)	(cfs)	(ft)	(ft)	(ac-inches)	(minutes)
S-2	L 24.40	29.03	4.63	24.40	0.00	29.03	0.00	0.00	19.59	11.60	0.00	0.00	3.66	0.00	0.00
S-2	2 27.80	32.26	4.46	27.80	0.00	32.26	0.00	0.00	22.28	11.60	0.00	0.00	3.90	0.00	0.00
S-3	36.80	40.47	3.67	36.80	0.00	40.47	0.00	0.00	12.84	11.61	0.00	0.00	3.09	0.00	0.00
S-4	49.70	54.83	5.13	49.70	0.00	54.83	0.00	0.00	30.36	11.60	1.68	0.00	4.60	0.00	0.00
S-5	69.70	74.66	4.96	69.70	0.00	74.66	0.00	0.00	28.31	10.12	0.29	0.00	4.43	0.00	0.00
S-6	5 85.80	90.62	4.82	85.80	0.00	90.62	0.00	0.00	26.63	9.96	0.00	0.00	4.27	0.00	0.00
S-7	86.10	90.61	4.51	86.10	0.00	90.61	0.00	0.00	34.91	0.47	0.00	0.00	4.25	0.00	0.00
S-8	8 87.20	93.06	5.86	87.20	0.00	93.06	0.00	0.00	51.15	0.47	0.00	0.00	5.66	0.00	0.00
S-9	92.60	96.93	4.33	92.60	0.00	96.93	0.00	0.00	32.72	0.47	0.00	0.00	4.11	0.00	0.00
S-10	96.80	101.43	4.63	96.80	0.00	101.43	0.00	0.00	36.32	0.47	0.00	0.00	4.41	0.00	0.00
S-12	L 99.50	103.00	3.50	99.50	0.00	103.00	0.00	0.00	24.00	0.47	0.47	0.00	3.38	0.00	0.00
S-12	97.90	105.21	7.31	97.90	0.00	105.21	0.00	0.00	57.76	9.64	0.00	0.00	6.64	0.00	0.00
S-13	3 101.00	108.20	7.20	101.00	0.00	108.20	0.00	0.00	44.38	9.44	0.00	0.00	5.03	0.00	0.00
S-14	104.10	107.68	3.58	104.10	0.00	107.68	0.00	0.00	23.74	0.57	0.00	0.00	3.23	0.00	0.00
S-15	5 104.40	108.02	3.62	104.40	0.00	108.02	0.00	0.00	24.22	0.57	0.00	0.00	3.30	0.00	0.00
S-16	5 104.90	108.52	3.62	104.90	0.00	108.52	0.00	0.00	24.20	0.57	0.00	0.00	3.32	0.00	0.00
S-17	7 105.90	109.43	3.53	105.90	0.00	109.43	0.00	0.00	24.42	0.57	0.57	0.00	3.34	0.00	0.00
S-18	3 101.90	110.56	8.66	101.90	0.00	110.56	0.00	0.00	48.67	9.03	0.08	0.00	4.74	0.00	0.00
S-19	9 102.50	109.91	7.41	102.50	0.00	109.91	0.00	0.00	34.87	3.12	0.00	0.00	3.91	0.00	0.00
S-20	106.00	109.67	3.67	106.00	0.00	109.67	0.00	0.00	24.80	3.04	0.00	0.00	2.98	0.00	0.00
S-22	L 106.40	110.01	3.61	106.40	0.00	110.01	0.00	0.00	24.13	3.04	0.00	0.00	2.99	0.00	0.00
S-22	106.90	110.47	3.57	106.90	0.00	110.47	0.00	0.00	24.87	3.04	3.04	0.00	3.05	0.00	0.00
S-EX-2	L 106.00	108.47	2.47	106.00	0.00	108.47	0.00	0.00	11.60	5.88	5.88	0.00	1.65	0.00	0.00
P-EX-1_INLE	r 27.50	27.50	0.00	0.00	-27.50	6.00	-21.50	0.00	0.00	1.03	1.03	0.00	1.20	0.00	0.00
SEDIMENT-TRAP_2	2 108.20	108.20	0.00	0.00	-108.20	6.00	-102.20	0.00	0.00	0.16	0.16	0.00	1.43	0.00	0.00
SED-TRAP-INLET_2	L 106.40	106.40	0.00	0.00	-106.40	6.00	-100.40	0.00	0.00	0.36	0.36	0.00	1.90	0.00	0.00

SN	<b>Element Description</b>	Data	Data	Rainfall	Rain	State	County	Return	Rainfall	Rainfall
	ID	Source S	Source	Туре	Units			Period	Depth	Distribution
			ID							
								(years)	(inches)	
1 MOUN	TAINSIDE_RAIN	Time Series	TS-01 Cu	umulative	inches .	Alaska Jun	eau (B)	25	4.82 \$	SCS Type IA 24-hr

SN	Element Description ID	Area	Drainage Node ID	Weighted Curve Number	Rain Gage ID	Peak Rate I Factor	Total Precipitation	Total Runoff I	Peak Runoff	Time of Concentration
		(acres)					(inches)	(inches)	(cfs)	(days hh:mm:ss)
3	GRAVEL A-1	0.07	SED-TRAP-INLET_1	91.00 MOUN	ITAINSIDE RAIN	484	4.82	3.81	0.07	0 00:05:00
4	GRAVEL A-2	0.16		91.00 MOUN	TAINSIDE RAIN	484	4.82	3.81	0.16	0 00:05:00
5	LOTS_10-14	0.65	S-EX-1	92.00 MOUN	TAINSIDE_RAIN	484	4.82	3.91	0.67	0 00:06:55
6	LOTS_15-17	0.27	S-22	92.00 MOUN	ITAINSIDE_RAIN	484	4.82	3.91	0.28	0 00:06:06
8	LOTS_22-25	0.33	S-11	92.00 MOUN	ITAINSIDE_RAIN	484	4.82	3.91	0.34	0 00:11:31
9	Lots_25-27	0.34	S-17	92.00 MOUN	ITAINSIDE_RAIN	484	4.82	3.91	0.35	0 00:05:00
10	ROAD_A-1	0.25	S-5	98.00 MOUN	ITAINSIDE_RAIN	484	4.82	4.58	0.29	0 00:05:00
11	ROAD_A-2	0.10	SED-TRAP-INLET_1	98.00 MOUN	ITAINSIDE_RAIN	484	4.82	4.58	0.12	0 00:05:00
12	ROAD_A-3	0.12	S-11	98.00 MOUN	ITAINSIDE_RAIN	484	4.82	4.58	0.14	0 00:05:00
13	ROAD_A-4	0.07	S-17	98.00 MOUN	ITAINSIDE_RAIN	484	4.82	4.58	0.08	0 00:05:00
14	ROAD_A-5	0.07	S-18	98.00 MOUN	ITAINSIDE_RAIN	484	4.82	4.58	0.08	0 00:05:00
15	ROAD_A-6	0.07	S-22	98.00 MOUN	ITAINSIDE_RAIN	484	4.82	4.58	0.08	0 00:05:00
16	ROAD_A-7	0.21	S-EX-1	98.00 MOUN	ITAINSIDE_RAIN	484	4.82	4.58	0.24	0 00:05:00
17	ROAD_A-8	0.12	S-22	98.00 MOUN	ITAINSIDE_RAIN	484	4.82	4.58	0.14	0 00:05:00
19 T.	AMARACK_TRAIL_APARTMENTS	1.54	S-4	95.00 MOUN	ITAINSIDE_RAIN	484	4.82	4.24	1.68	0 00:09:54
21	UPLANDS_A-1	10.90	S-EX-1	77.00 MOUN	ITAINSIDE_RAIN	484	4.82	2.47	5.36	0 00:32:45
22	UPLANDS_A-2	5.86	S-22	77.00 MOUN	ITAINSIDE_RAIN	484	4.82	2.47	2.79	0 00:36:34
23	UPLANDS_A-3	0.34	S-17	77.00 MOUN	ITAINSIDE_RAIN	484	4.82	2.47	0.17	0 00:27:44
24	UPLANDS_A-4	0.25	SED-TRAP-INLET_1	80.00 MOUN	ITAINSIDE_RAIN	484	4.82	2.74	0.17	0 00:05:00
18	ROAD_B-1	0.34	P-EX-1_INLET	98.00 MOUN	ITAINSIDE_RAIN	484	4.82	4.58	0.39	0 00:05:00
1	ADJACENT_RESIDENTIAL_B-1	0.63	P-EX-1_INLET	92.00 MOUN	ITAINSIDE_RAIN	484	4.82	3.91	0.64	0 00:05:00
20	TRACT_A3	1.18 S\	WALE_NEAR_TRACT_A3	95.00 MOUN	ITAINSIDE_RAIN	484	4.82	4.24	1.29	0 00:07:50
7	LOTS_1-9_18-20	1.35 S\	WALE_NEAR_TRACT_A3	92.00 MOUN	ITAINSIDE_RAIN	484	4.82	3.91	1.38	0 00:06:43
2	GRASS/DRAINGE_EASEMENT	0.86 S\	WALE_NEAR_TRACT_A3	80.00 MOUN	ITAINSIDE_RAIN	484	4.82	2.74	0.57	0 00:08:15

## **HY-8 Analysis Results**

Calculated Flow

## Crossing Summary Table

Culvert Crossing: 36-INCH CMP (PROPOSED)

Headwater Elevation (ft)	Total Discharge (cfs)	P-1 Discharge (cfs)	Roadway Discharge (cfs)	Iterations
24.89	1.06	1.00	0.00	1
25.63	5.90	5.90	0.00	1
26.17	11.58	<mark>11.58</mark>	0.00	1
26.50	15.70	15.70	0.00	1
26.86	20.60	20.60	0.00	1
27.20	25.50	25.50	0.00	1
27.54	30.40	30.40	0.00	1
27.89	35.30	35.30	0.00	1
28.29	40.20	40.20	0.00	1
28.86	45.10	45.10	0.00	1
29.29	50.00	48.73	1.25	8
<mark>29.17</mark>	47.75	47.75	<mark>0.00</mark>	Overtopping

Discharge Needed

## **HY-8 Analysis Results**

Crossing Summary Table

Calculated Flow

Culvert Crossing: P-EX-1

Headwater Elevation	Total Discharge (cfs)	P-EX-1 Discharge	Roadway Discharge	Iterations
(ft)	K	(cfs)	(cfs)	
28.11	<mark>1.03</mark>	1.03	0.00	1
28.67	3.40	3.40	0.00	1
29.12	5.80	5.80	0.00	1
29.72	8.20	8.20	0.00	1
30.07	10.60	9.06	1.51	13
30.12	13.00	9.19	3.78	5
30.17	15.40	9.28	6.06	4
30.21	17.80	9.37	8.39	4
30.24	20.20	9.46	10.67	3
30.28	22.60	9.53	13.01	3
30.31	25.00	9.63	15.37	3
30.00	8.89	8.89	0.00	Overtopping

Discharge Needed

10/17/2019



### Precipitation Frequency Data Server



NOAA Atlas 14, Volume 7, Version 2 Location name: Juneau, Alaska, USA\* Latitude: 58.3454°, Longitude: -134.4896° Elevation: 120.33 ft\* \* source: LSGN \* source: USGS



#### POINT PRECIPITATION FREQUENCY ESTIMATES

Sanja Perica, Douglas Kane, Sarah Dietz, Kazungu Maitaria, Deborah Martin, Sandra Pavlovic, Ishani Roy, Svetlana Stuefer, Arny Tidwell, Cari Trypaluk, Dale Unruh, Michael Yekta, Erica Betts, Geoffrey Bonnin, Sarah Heim, Lillan Hiner, Elizabeth Lilly, Jayashtere Narayanan, Fenglin Yan, Tan Zhao

NOAA, National Weather Service, Silver Spring, Maryland

and University of Alaska Fairbanks, Water and Environmental Research Center

PF\_tabular | PF\_graphical | Maps\_&\_aerials

### PF tabular

				Avora	ao rocurron	ce interval (	(oare)			
Duration	1	2	5	10	25	50	100	200	500	1000
	0.131	0.153	0.187	0.215	0.253	0.282	0.312	0.350	0.400	0.438
5-min				(0.165-0.287)					(0.277-0.590)	
40	0.176	0.206	0.251	0.288	0.339	0.379	0.418	0.470	0.537	0.588
10-min	(0.142-0.223)	(0.164-0.265)	(0.195-0.330)	(0.220-0.385)	(0.253-0.464)	(0.278-0.528)	(0.302-0.592)	(0.333-0.678)	(0.372-0.792)	(0.401-0.88
15-min	0.206	0.241	0.293	0.337	0.397	0.443	0.490	0.549	0.629	0.689
	· · · · · ·		1. /	(0.258-0.450)	,,	<u> </u>			<u> </u>	
30-min	0.273	0.320	0.389	0.447 (0.342-0.597)	0.527	0.588	0.650	0.729 (0.517-1.05)	0.834 (0.578-1.23)	0.914 (0.623-1.37
	0.374	0.438	0.533	0.613	0.722	0.806	0.890	0.999	1.14	1.25
60-min				(0.469-0.819)		(0.592-1.12)	(0.642-1.26)	(0.708-1.44)	(0.792-1.69)	(0.853-1.88
2-hr	0.552	0.647	0.789	0.906	1.07	1.19	1.32	1.48	1.69	1.85
2-111	(0.445-0.700)	(0.515-0.832)	(0.614-1.04)	(0.693-1.21)	(0.798-1.46)	(0.875-1.66)	(0.949-1.86)	(1.05-2.13)	(1.17-2.49)	(1.26-2.77
3-hr	0.729	0.854	1.04	1.20	1.41	1.57	1.73	1.95	2.23	2.44
-	(0.588-0.925)	È	(0.811-1.37)	(0.915-1.60)	(1.05-1.93)	(1.15-2.19)	(1.25-2.46)	(1.38-2.81)	(1.54-3.29)	(1.66-3.66
6-hr	1.17 (0.944-1.48)	1.37 (1.09-1.76)	1.67 (1.30-2.19)	1.92 (1.47-2.56)	2.26 (1.69-3.09)	2.52 (1.85-3.51)	2.78 (2.01-3.94)	3.13 (2.22-4.51)	3.58 (2.48-5.27)	3.92 (2.67-5.88
	1.76	2.06	2.50	2.87	3.38	3.79	4.21	4.73	5.42	5.94
12-hr	(1.42-2.23)	(1.64-2.65)	(1.95-3.29)	(2.19-3.83)	(2.53-4.62)	(2.78-5.27)	(3.04-5.96)	(3.35-6.82)	(3.76-7.99)	(4.05-8.91
24-hr	2.54	2.97	3.59	4.10	4.82	5.41	6.04	6.78	7.76	8.51
24-nr	(2.30-2.84)	(2.65-3.37)	(3.14-4.16)	(3.52-4.83)	(4.05-5.81)	(4.46-6.64)	(4.90-7.54)	(5.41-8.61)	(6.05-10.1)	(6.52-11.2
2-day	3.45	4.01	4.79	5.42	6.29	7.00	7.74	8.59	9.72	10.6
,	(3.12-3.87)	(3.58-4.55)	(4.19-5.55)	(4.65-6.38)	(5.28-7.59)	(5.77-8.59)	(6.28-9.66)	(6.85-10.9)	(7.57-12.6)	(8.10-13.9
3-day	4.10 (3.70-4.58)	4.73 (4.22-5.36)	5.61 (4.90-6.49)	6.30 (5.41-7.42)	7.26 (6.09-8.75)	8.03 (6.62-9.85)	8.82 (7.15-11.0)	9.72 (7.75-12.3)	10.9 (8.51-14.2)	<b>11.8</b> (9.06-15.6
	4.63	5.32	6.28	7.03	(0.09-0.73) 8.07	8.88	9.73	10.7	11.9	12.9
4-day	(4.18-5.18)	(4.75-6.04)	(5.49-7.27)	(6.04-8.28)	(6.77-9.72)	(7.33-10.9)	(7.89-12.1)	(8.51-13.6)	(9.30-15.5)	(9.87-17.0
7-day	5.98	6.84	8.02	8.94	10.2	11.2	12.3	13.4	15.0	16.1
7-uay	(5.40-6.69)	(6.10-7.75)	(7.00-9.28)	(7.68-10.5)	(8.57-12.3)	(9.25-13.8)	(9.93-15.3)	(10.7-17.0)	(11.7-19.4)	(12.4-21.3
10-dav	7.07	8.07	9.44	10.5	12.0	13.1	14.3	15.6	17.4	18.7
,	(6.39-7.92)	(7.20-9.15)	(8.24-10.9)	(9.02-12.4)	(10.0-14.4)	(10.8-16.1)	(11.6-17.8)	(12.5-19.8)	(13.6-22.6)	(14.4-24.7
20-day	10.6 (9.59-11.9)	12.1 (10.8-13.7)	14.1 (12.3-16.3)	15.6 (13.4-18.3)	17.6 (14.8-21.2)	<b>19.2</b> (15.8-23.5)	20.7 (16.8-25.9)	22.4 (17.9-28.5)	24.7 (19.3-32.1)	26.4 (20.2-34.8
	14.0	15.9	18.5	20.4	22.9	24.9	26.8	28.8	31.5	33.5
30-day	(12.6-15.6)	(14.2-18.1)	(16.2-21.4)	(17.5-24.0)	(19.3-27.7)	(20.5-30.5)	(21.7-33.4)	(23.0-36.6)	(24.6-40.9)	(25.7-44.2
45-day	18.5	21.1	24.5	27.0	30.1	32.5	34.8	37.1	40.1	42.4
40-uay	(16.7-20.7)	(18.8-23.9)	(21.4-28.4)	(23.2-31.8)	(25.3-36.3)	(26.8-39.8)	(28.2-43.4)	(29.5-47.1)	(31.3-52.0)	(32.5-55.9
60-dav	22.1	25.4	29.5	32.3	35.9	38.4	40.8	43.0	45.8	48.0
	(19.9-24.7)	(22.6-28.8)	(25.7-34.1)	(27.8-38.1)	(30.1-43.3)	(31.7-47.1)	(33.1-50.9)	(34.2-54.5)	(35.7-59.5)	(36.8-63.4

<sup>1</sup> Precipitation frequency (PF) estimates in this table are based on frequency analysis of partial duration series (PDS).

Numbers in parenthesis are PF estimates at lower and upper bounds of the 90% confidence interval. The probability that precipitation frequency estimates (for a given duration and average recurrence interval) will be greater than the upper bound (or less than the lower bound) is 5%. Estimates at upper bounds are not checked against probable maximum precipitation (PMP) estimates and may be higher than currently valid PMP values. Please refer to NOAA Atlas 14 document for more information.

Back to Top

PF graphical

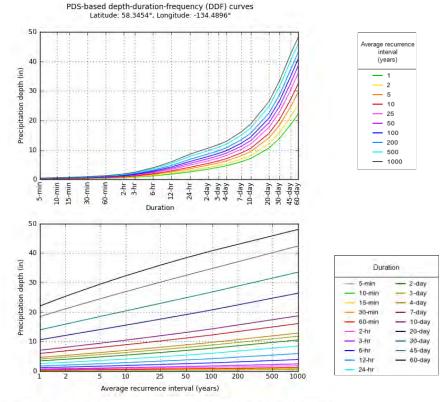
https://hdsc.nws.noaa.gov/hdsc/pfds/pfds\_printpage.html?lat=58.3454&lon=-134.4896&data=depth&units=english&series=pds

619

### 10/17/2019

### Precipitation Frequency Data Server

App D - Rainfall

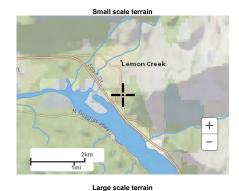


NOAA Atlas 14, Volume 7, Version 2

Created (GMT): Fri Oct 18 00:03:14 2019

Back to Top

Maps & aerials



https://hdsc.nws.noaa.gov/hdsc/pfds/pfds\_printpage.html?lat=58.3454&lon=-134.4896&data=depth&units=english&series=pds

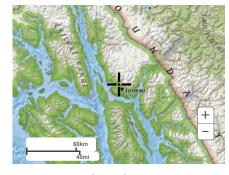
620

Section J, Item 8.

10/17/2019

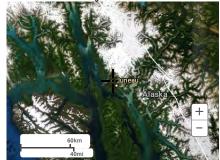
App D - Rainfall
------------------

Precipitation Frequency Data Server





arge scale aerial

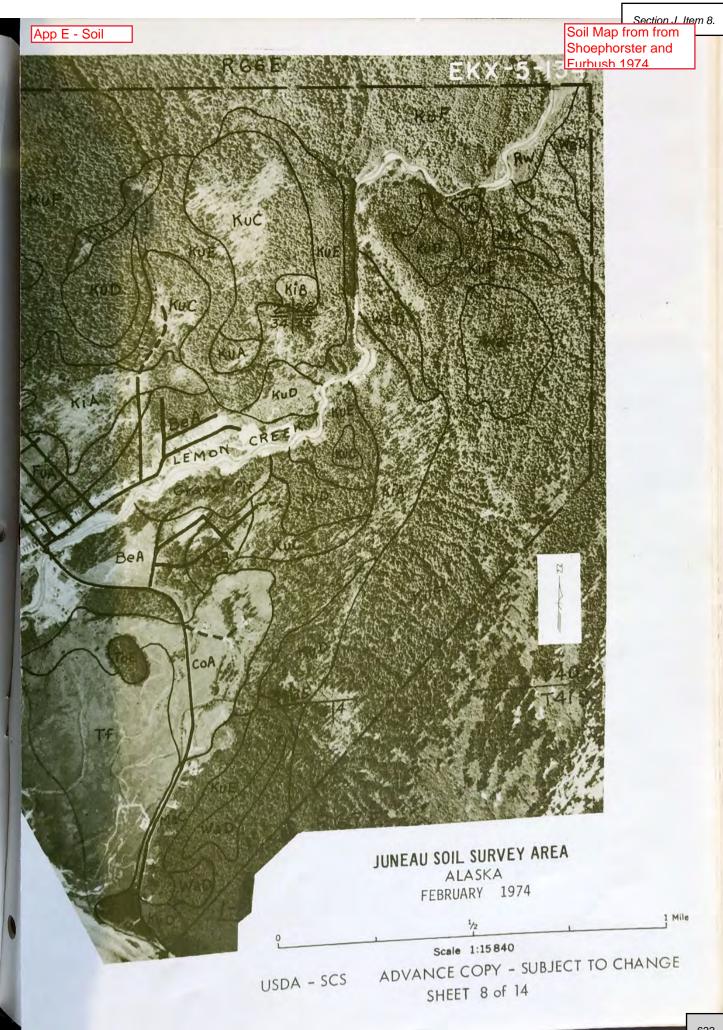


Back to Top



 $https://hdsc.nws.noaa.gov/hdsc/pfds_pfds_printpage.html?lat=58.3454\&lon=-134.4896\&data=depth\&units=english\&series=pds_{10}$ 

621



Attachment E - Approved Drainage Plan

0i2 18-60" Yellowish brown (10YR 5/6) peat, yellow (10YR 7/6) pressed; about 80 percent fiber, 50 percent after rubbing; largely sphagnum moss fibers; extremely acid.

The peat materials are more than 5 feet thick. They may be underlain by till, bedrock, or alluvial sediments. The water table is usually near the surface.

## Mapping Units:

(KoA)	-	Kogish	peat,	to 3 percent	slopes
(KoB)	••••	Kogish	peat,	to 7 percent	slopes
(KoC)	-	Kogish	peat,	to 12 percent	slopes
				2 to 20 percer	

The Kogish soils in these mapping units are similar except for gradient. In places, small ponds and patches of Kina and Fu soils are included in the mapped areas.

## Kupreanof Series

The Kupreanof series consists of well drained soils on moraines. These soils are formed in very gravelly loamy till. Beneath a layer of forest litter, they have a thin light brownish gray layer, fairly thick layers with dark reddish brown to dark grayish brown colors, and an olive gray substratum. They support a forest dominated by Sitka spruce and western hemlock.

Representative profile of Kupreanof gravelly silt loam;  $NW_4^1$ ,  $NW_4^1$ , Sec. 11, T39S, R64E, Copper River Meridian.

- 01 7-2" Black (10YR 2/1) partially decomposed forest litter; many roots; abrupt smooth boundary.
- 02 2-0" Black (5YR 2/1) muck; many roots; extremely acid; abrupt smooth boundary.
- A2 0-1<sup>1</sup>/<sub>2</sub>" Light brownish gray (10YR 6/2) gravelly silt loam; massive; very friable; smeary; many fine roots; extremely acid; abrupt irregular boundary.

- 16 -

- B21 l<sup>1</sup>2-4" Dark reddish brown (5YR 2/2) gravelly silt loam; weak fine granular structure; very friable; smeary; few roots; extremely acid; abrupt wavy boundary.
- B22 4-9" Dark reddish brown (5YR 3/4) gravelly silt loam; weak fine subangular blocky structure; very friable; smeary; extremely acid; gradual boundary.
- B23 9-18" Dark brown (7.5YR 4/4) gravelly silt loam; weak fine subangular blocky structure; very friable; smeary; few roots; very strongly acid; clear wavy boundary.
- B3 18-24" Dark grayish brown (2.5Y 4/2) very gravelly sandy loam; few patches of dark brown (7.5YR 3/3); massive; friable; strongly acid; clear wavy boundary.
- Cl 24-60" Olive gray (5Y 4/2) very gravelly sandy loam; massive; friable; strongly acid.

The texture of the mineral surface layer ranges from gravelly silt loam to very gravelly sandy loam. The substratum ranges in texture from very gravelly loam to very gravelly sandy loam. Coarse fragments make up 40 to 60 percent of its volume. Large stones and boulders are

common.

### Mapping Units:

(KuA) - Kupreanof gravelly silt loam, 0 to 3 percent	nt slopes
(KuB) - Kupreanof gravelly silt loam, 3 to 7 percent	nt slopes
(KuC) - Kupreanof gravelly silt loam, 7 to 12 perce	ent slopes
(KuD) - Kupreanof gravelly silt loam, 12 to 20 per	cent slopes

The Kupreanof soils in each of these mapping units are similar except for gradient. The mapped areas include small spots of Wadleigh, Maybeso, and Karta soils. There are also a few patches of Tolstoi soils. (KuE) - Kupreanof gravelly silt loam, 20 to 35 percent slopes (KuF) - Kupreanof gravelly silt loam, 35 to 75 percent slopes

Mapped, but not consistent with soils encountered

These soils occur on moderately steep and steep uplands. In addition to small spots of Tolstoi and Karta soils, the mapped areas include a few nearly level to moderately sloping Kupreanof soils on narrow benches and rounded ridgetops. Mapped and consistent with soils encountered on-site

- 17 -

In the Tolstoi soils, depth to bedrock ranges from 5 to 20 inches. The texture of the soil materials ranges from stony silt loam to very stony sandy loam.

In the McGilvery soils, the forest litter ranges from 6 to 20 inches in thickness. In places, 1 to 4 inches of loamy material occurs between the litter and the underlying bedrock.

### Mapping Units:

(ToC)	&	(ToD) - Tolstoi-McGilvery complex, 12 to 20 percent slopes
(TOE)	~	Tolstoi-McGilvery complex, 20 to 35 percent slopes
(ToF)	-	Tolstoi-McGilvery complex, 35 to 75 percent slopes

The soils in these mapping units are similar except for gradient. They commonly have very rough irregular slopes. The mapped areas include many sheer rocky cliffs and other rock outcrops, and wet spots with Wadleigh, Maybeso, and Kaikli soils.

## Wadleigh Series

The Wadleigh series consists of somewhat poorly drained soils that occur on lower slopes of hills and mountains. These soils are formed in very gravelly loamy materials underlain by firm glacial till that impedes internal drainage. They have a mat of forest litter, a thin grayish brown layer, and dark reddish brown to dark yellowish brown layers above the firm substratum. The vegetation is a forest of western hemlock and scattered Sitka spruce.

Representative profile of Wadleigh gravelly silt loam;  $NE_{4}^{1}$   $NW_{4}^{1}$ , Sec. 25, T37S, R63E, Copper River Meridian.

- 01 8-3" Dark reddish brown (5YR 2/2) partially decomposed forest litter; many roots; clear smooth boundary.
- 02 3-0" Black (5YR 2/1) finely divided organic matter; many roots; abrupt smooth boundary.

- 24 -

- A2 0-3" Grayish brown (10YR 5/2) gravelly silt loam; few fine prominent (7.5YR 4/4) mottles; very weak medium subangular blocky structure; friable; roots common; abrupt wavy boundary.
- B21 3-5" Dark reddish brown (5YR 2/2) very gravelly silt loam; moderate fine granular structure; very friable; few soft fine concretions; few weakly cemented fragments; smeary when rubbed; roots common; very strongly acid; clear irregular boundary.
- B22 5-10" Dark brown (7.5YR 3/2) very gravelly sandy loam; weak fine subangular blocky structure; friable; slightly smeary; roots common; very strongly acid; clear wavy boundary.
- B23 10-16" Dark yellowish brown (10YR 3/4) very gravelly sandy loam; very weak medium subangular blocky structure; friable; roots common; very strongly acid; clear smooth boundary.
- B3x 16-23" Olive brown (2.5Y 4/4) very gravelly sandy loam; few fine prominent strong brown (7.5YR 5/6) mottles, and many streaks of dark brown (10YR 4/3); weak medium platy structure; weakly cemented; slightly brittle; clear smooth boundary.
- Clx 23-30" Patchy olive gray (5Y 4/2) and dark grayish brown (2.5Y 4/2) very gravelly sandy loam; few medium distinct olive brown (2.5Y 4/4) mottles; very weak medium platy structure; weakly cemented; slightly brittle; clear smooth boundary.
- C2 30-60" Olive gray (5Y 4/2) very gravelly loam; few medium faint dark gray (5Y 4/1) mottles; massive; slightly sticky, slightly plactic; very strongly acid.

The surface texture ranges from silt loam to very gravelly sandy loam. Below 10 inches coarse fragments, including cobblestones, make up 35 to 65 percent of the soil volume. Depth to the firm substratum ranges from 15 to 25 inches. Seepage water from adjacent higher areas is commonly perched above the very slowly permeable compact substratum.

### Mapping Units:

(Wai	A)	&	(WaB) -	Wadleigh	gravelly	silt	loam,	3 to	7 perc	ent sl	Lopes	
(Wa	c)	&	(FoC) -	Wadleigh	gravelly	silt	loam,	7 to	12 per	cent s	slopes	Mapped and
(Wal	D)	-	Wadleig	h gravelly	y silt loa	am, 12	2 to 20	) perc	cent sl	opes	1	consistent with soils
(Wal	E)	&	(WaF) -	Wadleigh	gravelly	silt	loam,	20 to	50 pe	rcent	slopes	encountered on-site
											-	

- 25 -

Estimated pysical property table from Shoephorster and Furbush

Table l.	Estimated	Physical	and	Chemical	Properties	of	the	Soils.	
----------	-----------	----------	-----	----------	------------	----	-----	--------	--

Soil series or land type	Nan	to season- ally high		Depth								
series or	Max	ally		Depth								
series or	Man			£							<b>6</b>	
series or	Man	nign	D	from				_			Corrosivi	-
series or	Man	-	Depth	surface				Permea-			potential	
		water	to	typical		assification	<u>]</u>	bility 2/		Shrink-	Untreated	
land type	Map	table	bedrock	profile	USDA			(inches/	Reaction	swell	steel	Concrete
faura cype	Symbol	(feet)	(feet)	(inches)	Texture 1/	Unified	AASHO	hour)	рН	potential	pipe	pipe
Am	AmA AmB	< 2	> 5	0-60	fsl	SM or ML	A-2 or A-4	0.6 -2.0	5,1-5,5	low	high	moderate
Au	AuA	>5	>5	0-9	vgsl	GM	A-1 or A-2	2.0 .6.0	4.0-5.0	low	moderate	moderate
	AuB	_		9-60	vgs	GP or GW	A-1	>6.0	4.0-5.0	low		
Ве	BeA BeB BeC	4 to 5	>5	<b>0-</b> 60	vgs	GP or GW	A-1	>6.0	5.1-5.5	low	moderate	moderate
	BeD											
Со	CoA	<2	>5	0-60	sil	ML	A-4	0.6 -2.0	5.1-5.5	low	high	moderate
Fu	FuA	<1	>5	0-24	pt	Pt	A-8	-	5.1-5.5	high shrink, low swell	high	high
				24-60	si	ML	A-4	0.6 -2.0	5.5-6.0	low		
Gravelly beach	Gb	0	>5	0-60	vgs or vgsl	GW or GM	A-1	>6.0		low	high	high
Gravel pit	Gp	Vari	able mate	rial								
He	НеА	4 to 5	> 5	0-52	fsl	SM or ML	A-2 or A-4	0.62.0	5.1-5.5	low	high	moderate
				52-60	vgs	GP or GW	A-1	>6.0	5 <b>.1-</b> 5 <b>.</b> 5	low		
Kaikli	KaB KaC	<1	1 to 3	0-19	pt	Pt.	A-8	-	4,5-5,5	high shrink, low swell	high	moderate
	KaD			19-26	vgl	GM	A-1 or A-2	0.2 -0.6	4.5-5.5	low		
	KaE			26+	bedrock	-	-	-	-	-	-	-
Karheen	KhA KhC	<2	>5	0-60	very gravelly muck	GM	A-1	0.6 -2.0	5,1-5,5	low	high	high
Karta	KtC	> 5	>5	0-11	gsil	ML	A-4	0.6 -2.0	4.5-5.0	low	high	moderate
	KtE			11-34	vgsl	GM	A-1	<0.06	4.5-5.0	low		
	KtF			34-60	vgsl	GM	A-1	0.2 -0.6	4.5-5.5	low		
Kina	KiA KiB	<1	>5	0-60	pt	Pt	A-8	-	4.5-5.0	high shrink, low swell	high	high
	KiC KiD											
Kogish	KoA KoB KoC	<1	>5	0-60	pt	Pt	A-8	÷.	<4,5	high shrink, low swell	high	hìgh
	KoC KoD											
Kupreanof	KuA, KuB,	>5	>5	0-18	gsil	ML	A-4	0.6 -2.0	4.5-5.0	low	high	moderate
	KuC,KuD, KuE,KuF	_	-	18-60	vgsl	GM	A-1	0.6 -2.0	5.1-5.5	low	-	

Soil		Depth to season- ally high water	Depth to	Depth from surface typical	Cla	assification	1	Permea- bility <u>2</u> /		Shrink-	Corrosivi <u>potential</u> Untreated	1
series or	Мар	table	bedrock		USDA 1/	~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~		(inches/	Reaction	swell	steel	Concrete
land type	Symbol	(feet)	(feet)	(inches)	Texture $\frac{1}{}$	Unified	AASHO	hour)	рH	potential	pipe	pipe
Le	LeA	<1	> 5	0-60	sil	ML	A-4	0.6 -2.0	5.1-5.5	low	high	moderate
Maybeso	MaA,MaB, MaC,MaD	< 2	>5	0-27	pt	Pt	A- 8		4.5-5.5	high shrink, low swell	high	moderate
	MaE			27-60	val	GM	A-1 or A-2	0.06-0.2	5.1-5.5	low		
McGilvery-i	n complex	-	2-1'2	0-14	pt	Pt	A-8	-	4.5	high shrink,	high	moderate
with Tolst	oi			14+	bedrock	-	-		-	low swell		-
Mh	MhB,MhC, MhD	>5	>5	0-60	gsl	GM	A-1	0.6 -2.0	5.1-5.5	low	high	moderate
Riverwash	Rw	0	>5	0-60	vgs	GP or GW	A-1	>6.0	-	low	high	moderate
Salt Chuck	SaA	4 to 5	>5	0-17	vgsil or vgsl	GM	A-1 or A-2	0.6-2.0	4.5-5.5	low	high	moderate
	SaB SaC			17-60	vgls	GP-GM	A-1	2.0-6.0	4.5-5.5	low	0	
Tidal Flats	Tf	0	> 5	0-60	variable materi	lal		· · · · · · · · · · · · · · · · · · ·	_	-		
Tolstoi	ToC		5 to 2	0-9	vstsil	ML	A-4	0.6 .2.0	4.5-5.0	low		
	ToD			9+	bedrock	-						
	ToE											
	TOF								· ·			
Wadleigh	WaA,WaB	<1 '	> 5°.	0-16	vgsil or vgsl	GM	A-1 or A-2	0.6 -2.0	4.5-5.0	low	high	moderate
	WaC,FoC,			16-30	vgsl	GM or SM	A-1	<0.06	4.5-5.5	low		
	WaD,WaE, WaF			30-60	vgl	GM	A-1 or A-2	0.2 -0.6	4.5-5.5	low		

Table 1. Estimated Physical and Chemical Properties of the Soils. (Continued)

 1/
 Symbols have the following meanings (see glossary):
 fsl - fine sandy loam
 vgs - very gravelly sand

 gsil - gravelly silt loam
 sil - gravelly silt loam
 sil - silt loam

 pt - peat
 vgsl - very gravelly sand
 sil - very gravelly silt loam

 sil - silt
 gsl - gravelly sand
 vgsl - very gravelly silt loam

 vgsl - very gravelly sandy loam
 vstsil - very stony silt loam

2/ Permeability is for soil without comapction; for wet soils, the permeability is that to be expected after removal of free water.

Soil Classification Table from National Engineering Item 8.

Chapter 7

**Hydrologic Soil Groups** 

Part 630 National Engineering Handbook

Table 7–1         Criteria for assignment of	of hydrologic soil group (HSG)
--	--------------------------------

Depth to water impermeable layer <sup>1/</sup>	Depth to high water table <sup>2/</sup>	K <sub>sat</sub> of least transmissive layer in depth range	K <sub>sat</sub> depth range	HSG <u>3</u> /	
<50 cm [<20 in]	—	_	_	D	7
		>40.0 µm/s (>5.67 in/h)	0 to 60 cm [0 to 24 in]	A/D	WaD Soil Type Classification
	<60 cm	>10.0 to ≤40.0 µm/s (>1.42 to ≤5.67 in/h)	0 to 60 cm [0 to 24 in]	B/D	
	[<24 in]	>1.0 to ≤10.0 µm/s (>0.14 to ≤1.42 in/h)	0 to 60 cm [0 to 24 in]	C/D	_
50 to 100 cm		≤1.0 µm/s (≤0.14 in/h)	0 to 60 cm [0 to 24 in]	D	_
[20 to 40 in]		>40.0 µm/s (>5.67 in/h)	0 to 50 cm [0 to 20 in]	А	_
	≥60 cm	>10.0 to ≤40.0 µm/s (>1.42 to ≤5.67 in/h)	0 to 50 cm [0 to 20 in]	В	_
	[≥24 in]	>1.0 to ≤10.0 µm/s (>0.14 to ≤1.42 in/h)	0 to 50 cm [0 to 20 in]	С	_
		≤1.0 µm/s (≤0.14 in/h)	0 to 50 cm [0 to 20 in]	D	_
		>10.0 µm/s (>1.42 in/h)	0 to 100 cm [0 to 40 in]	A/D	_
	<60 cm [<24 in]	>4.0 to ≤10.0 µm/s (>0.57 to ≤1.42 in/h)	0 to 100 cm [0 to 40 in]	B/D	_
		>0.40 to ≤4.0 µm/s (>0.06 to ≤0.57 in/h)	0 to 100 cm [0 to 40 in]	C/D	_
>100 cm		≤0.40 µm/s (≤0.06 in/h)	0 to 100 cm [0 to 40 in]	D	_
[>40 in]		>40.0 µm/s (>5.67 in/h)	0 to 50 cm [0 to 20 in]	А	_
	60 to 100 cm	>10.0 to ≤40.0 µm/s (>1.42 to ≤5.67 in/h)	0 to 50 cm [0 to 20 in]	В	
	[24 to 40 in]	>1.0 to ≤10.0 µm/s (>0.14 to ≤1.42 in/h)	0 to 50 cm [0 to 20 in]	С	_
		≤1.0 µm/s (≤0.14 in/h)	0 to 50 cm [0 to 20 in]	D	_
		>10.0 µm/s (>1.42 in/h)	0 to 100 cm [0 to 40 in]	А	-
	>100 cm	>4.0 to $\leq$ 10.0 µm/s (>0.57 to $\leq$ 1.42 in/h)	0 to 100 cm [0 to 40 in]	В	R
	[>40 in]	>0.40 to ≤4.0 µm/s (>0.06 to ≤0.57 in/h)	0 to 100 cm [0 to 40 in]	С	KuE Soil Type Classification
		≤0.40 µm/s (≤0.06 in/h)	0 to 100 cm [0 to 40 in]	D	

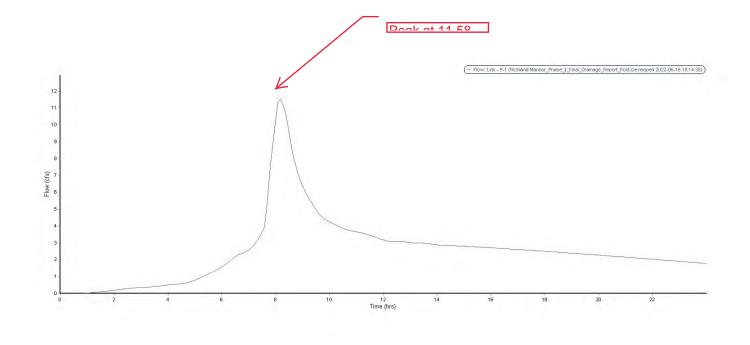
 $1\prime~$  An impermeable layer has a  $K_{sat}$  less than 0.01 µm/s [0.0014 in/h] or a component restriction of fragipan; duripan; petrocalcic; orstein; petrogypsic; cemented horizon; densic material; placic; bedrock, paralithic; bedrock, lithic; bedrock, densic; or permafrost.

 $2\!/$  High water table during any month during the year.

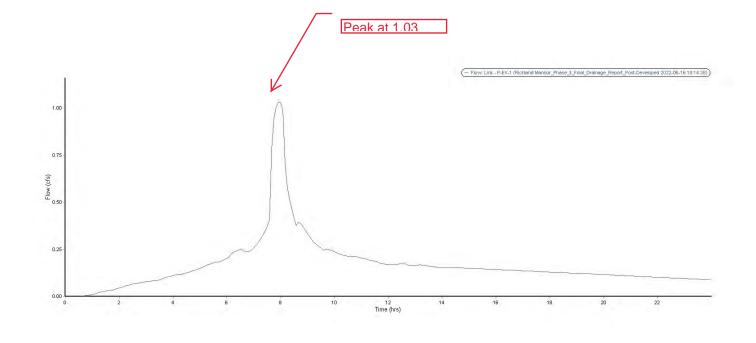
 $3^{\prime}$  Dual HSG classes are applied only for wet soils (water table less than 60 cm [24 in]). If these soils can be drained, a less restrictive HSG can be assigned, depending on the  $K_{\rm sat}$ .

(210-VI-NEH, January 2009)

7-4



Autodesk Storm and Sanitary Analysis



Autodesk Storm and Sanitary Analysis





1945 Alex Holden Way #101 Juneau, AK 99801 907-780-4004 solutions@proHNS.com

219 Main Street #13 Haines, AK 99827 907-419-6070 www.proHNS.com

March 23, 2020

Michael and William Heumann 6000 Thane Rd Juneau, AK 99801 mpheumann@hotmail.com (971) 261-8014

#### RE: Hillcrest Extension Subdivision – Draft Drainage Report

To Whom It May Concern,

The following Drainage Plan has been prepared for the Richland Manor Subdivision in Juneau, AK, a proposed multi-phase major subdivision on a 30-acre site at 4506, 4508, and 4510 Hillcrest Avenue. This drainage report addresses the first phase of the overall subdivision that will create 14 new Lots and extend Hillcrest Avenue. The drainage report supplements the Richland Manor Subdivision – Drainage Report dated 10/31/19 and the Hooter Lane Phase I ROW Improvements – Drainage Report dated 1/23/20, attached in Appendix H, by providing an in-depth analysis of the improvements specific to this phase of the development. Improvements include extending Hillcrest Avenue by constructing new sidewalk, street, ditches, driveways and utilities along with building pads on the newly subdivided Lots. The 2010 CBJ Manual of Stormwater Best Management Practices was used to evaluate if the proposed and existing drainage features could convey runoff during the 25-year storm event.

Attachments to this report include sheets depicting survey data, proposed ROW improvements, as-built information, calculations and rainfall data used for the drainage analysis.

## Site Runoff Calculation Method:

A total of three catchment areas were analyzed representing the existing and proposed drainage conveyance systems relevant to the project. The catchment areas include: the predeveloped subdivision labeled on the drainage map as Drainage Basin A, the post developed subdivision labeled on the drainage map as Drainage Basin C and, the post developed subdivision labeled on the drainage map as Drainage Basin D. The three catchment areas we determined using the proposed design model, Lidar data and aerial photos in AutoCAD C3D and were verify by several site visits. A delineation of the catchment areas can be found in Appendix A.

To calculate the site runoff for Drainage Basin D we have elected to use the Rational Method. The Rational Method is most appropriate for evaluating drainage basins less than 10 acres. Appendix D of the "2010 **CBJ** Manual of

Page 1|3



Stormwater Best Management Practices" was utilized as a guide<sup>1</sup>. The calculations and supporting documentation can be found in Appendix B, C, D & E of this Report.

To calculate the site runoff for Drainage Basin A and C we have elected to use the SCS Unit Hydrograph Method. The SCS Unit Hydrograph Method is most appropriate for evaluating drainage basins of 10 acres to 1,300 acres. Appendix D of the "2010 CBJ Manual of Stormwater Best Management Practices" was utilized as a guide<sup>2</sup>. The calculations and supporting documentation can be found in Appendix B, C, D & F of this Report.

## Anticipated Site Runoff (Q):

Using the Rational Method and SCS Unit Hydrograph Method, the amount of stormwater runoff during the 25-year storm event per catchment area was determined. The analysis shows that approximately 1.13 cfs will be removed from the discharge point due to the proposed development. See Table 1.1 below for results, the calculations can be found in Appendix E &F.

Catchment Area	Q (cfs)			
Drainage Basin A	6.71			
Drainage Basin C	5.58			
Drainage Basin D	1.90			
Table 1.1				

## Conveyance/Discharge Structure Capacities:

The capacity of the existing and proposed drainage systems was calculated using the Manning's Equation to determine if proposed 25-year storm event flows could be conveyed. The most vulnerable drainage structures to failure along the analyzed flow path were evaluated. See Table 1.2 below for results, the calculations can be found in Appendix F.

Catchment Area	Q (cfs)
Existing 18" CPP Culvert (P-7)	7.02
Existing Driveway Ditch Hooter LN	10.58
Table 1.2	

<sup>&</sup>lt;sup>1</sup> There are no current municipal code requirements dictating adherence with the "2010 CBJ Manual of Stormwater Best Management Practices" when preparing a drainage plan that complies with 49.35.510. Regardless, we have elected to utilize portions of this Manual as a guide in the preparation of this Drainage Plan for the proposed development. <sup>2</sup> There are no current municipal code requirements dictating adherence with the "2010 CBJ Manual of Stormwater Best

Management Practices" when preparing a drainage plan that complies with 49.35.510. Regardless, we have elected to utilize portions of this Manual as a guide in the preparation of this Drainage Plan for the proposed development.



## **Summary:**

Table 1.3 below compares anticipated 25-year runoff in the proposed and existing conveyance systems to their available hydraulic capacity. Runoff from the entire drainage basin was used for comparison even though in some cases the conveyance system would not need to handle the entire runoff making the comparison a conservative evaluation.

Drainage Basin	Anticipated Runoff Q (cfs)	Capacity Check	Available Capacity Q (cfs)		
Proposed 18" CPP Culvert (P-7)	5.58	<	7.02		
Existing Driveway Ditch Hooter LN	1.90	<	10.58		
Table 1.3					

Our analysis shows that there is enough capacity in the existing and proposed drainage structures to handle flows from the altered drainage patterns as a result of the proposed Hooter Lane Phase I ROW improvements.

Respectfully,

Ineas Charbes

Lucas Chambers, P.E. Principal Engineer – proHNS LLC Juneau

Appendixes:

- A Catchment Areas
- B Runoff Coefficient
- C Time of Concentration
- D Rainfall Intensity
- E Rational Method
- F SCS Hydrograph
- G- Existing Capacity Calcs

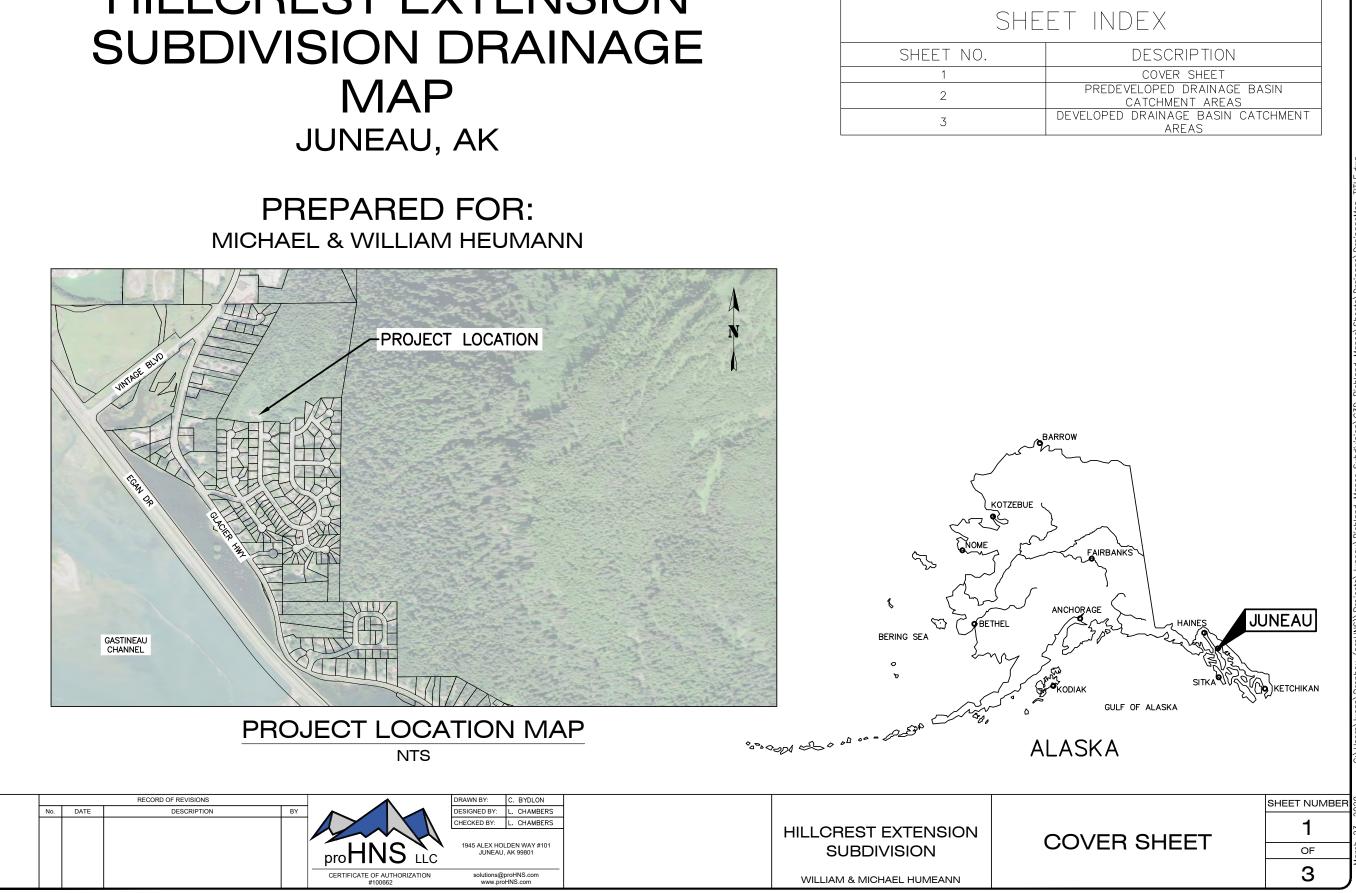
H – Prior Drainage Reports "Richland Manor Subdivision – Drainage Report dated 10/31/19, Hooter Lane Phase I ROW Improvements – Drainage Report dated 1/23/20"

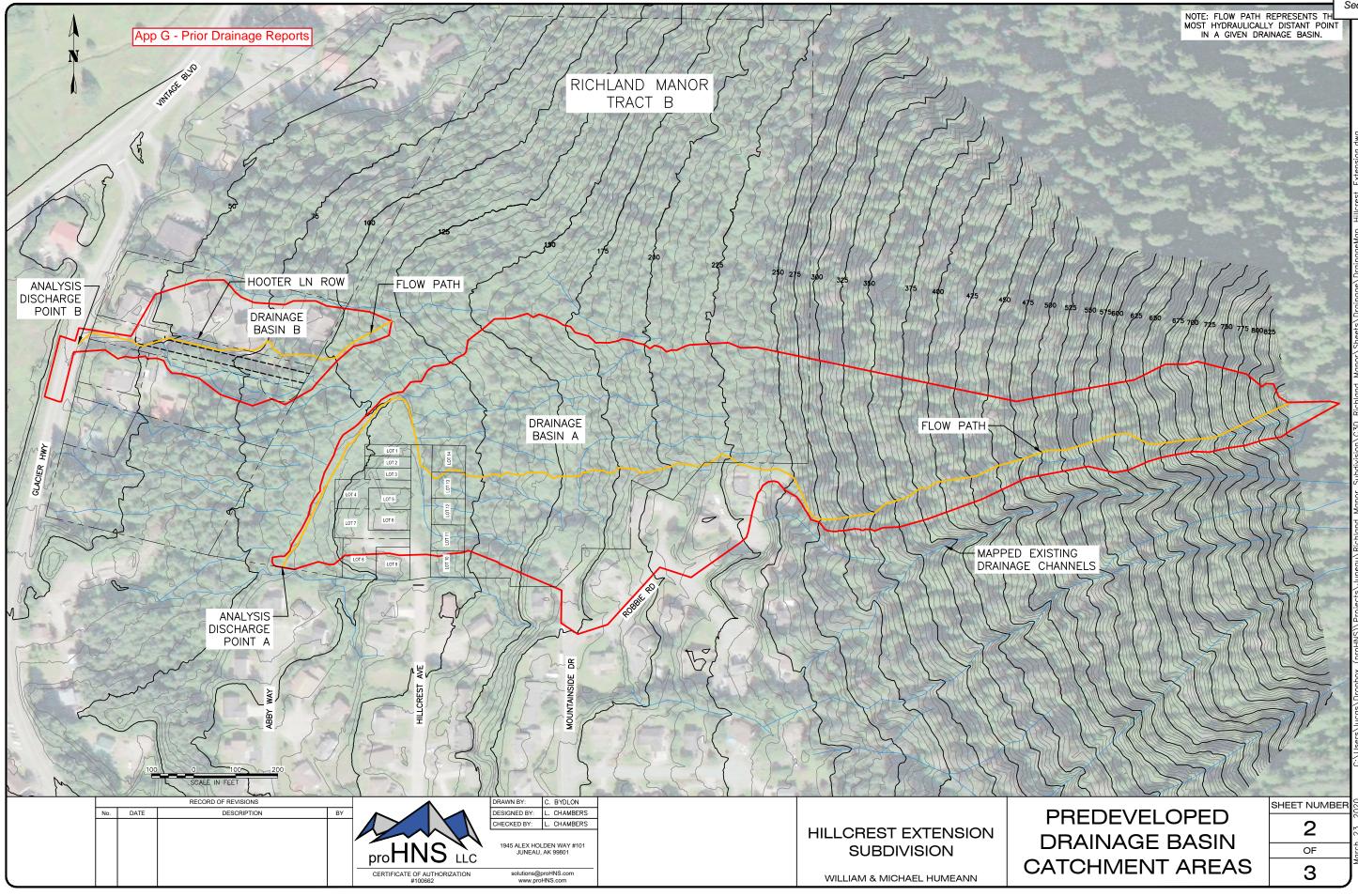
Page 3 | 3

# Appendix A Catchment Areas

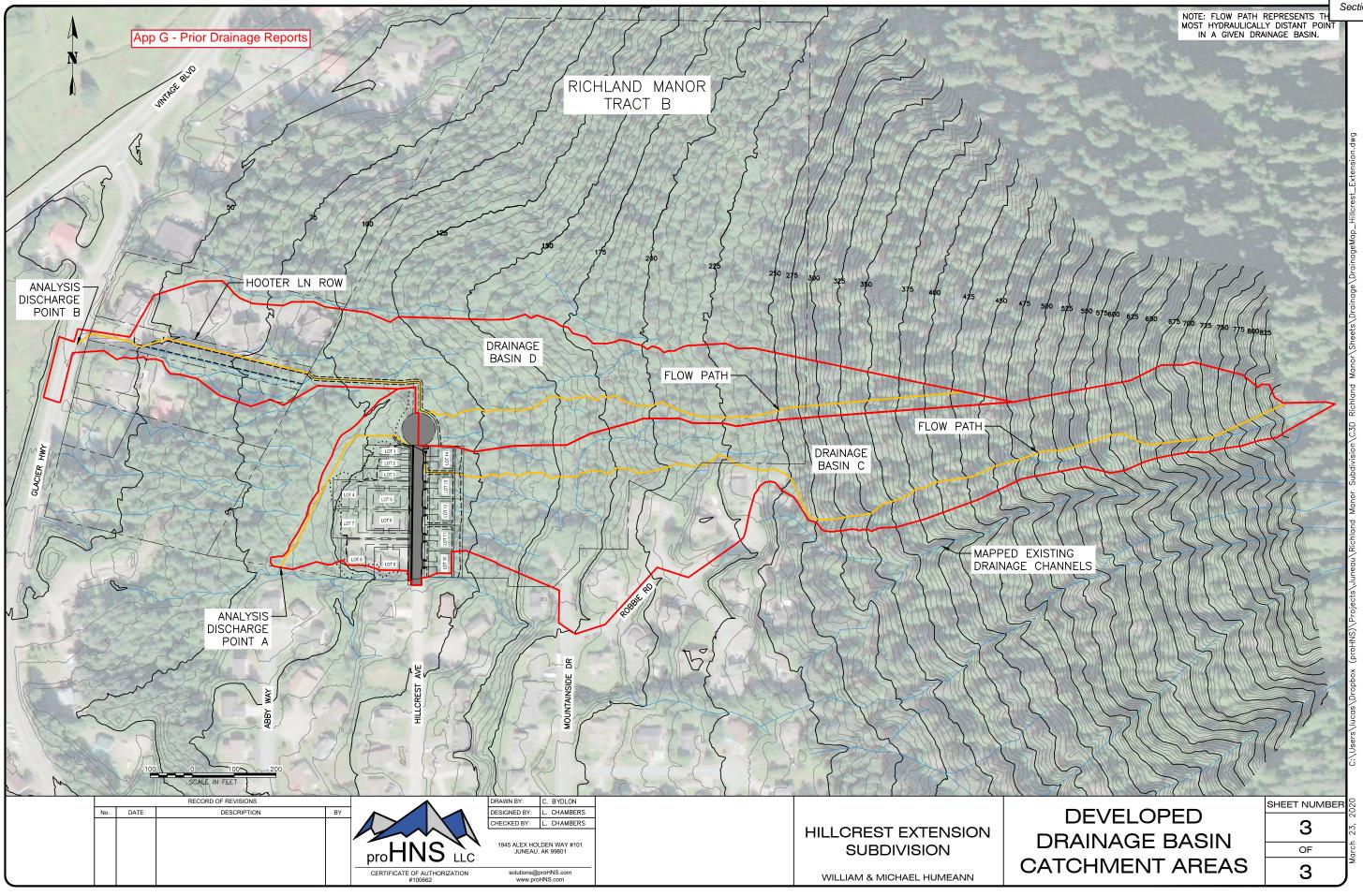
## HILLCREST EXTENSION SUBDIVISION DRAINAGE MAP JUNEAU, AK

		SHE	E
SHEET	NO.		
1			
2			
3			





Attachment E - Approved Drainage Plan



Attachment E - Approved Drainage Plan

# Appendix B Runoff Coefficient

SCS Curve Number Hillcrest Extension Predeveloped					
Project:	Hillcrest Ext Subdivision Drainage Analysis, PAC2018 0054	•			
Owner:	Michael and William Heumann				
Date:	3/21/2020				
Prepared By:	Chris Bydlon	ProHNS INC			
Checked By:	Lucas Chambers	pior in to the			

Total Basin Area(SQFT)=	867827					
Surface Type	Location	Area (SQFT)	Total (SQFT)	Total (Acre)	% Overall Basin	Unit Hydrograph CN*
Pavement	Mountianside/ Robbie Rd	23565				
			23565	0.540977961	2.72%	98
Building Roofs	Robbie Rd Homes	14048				
			14048	0.322497704	1.62%	98
Gravel	Existing Hillcrest Pads	10824				
			10824	0.248484848	1.25%	89
Lawns	Robbie Rd Homes	14230				
			14230	0.326675849	1.64%	74
Woods	Every where else	805160				
			805160	18.48393021	92.78%	70
		Total=	867827	19.92256657	100.00%	71.52

\*Unit Hydrograph curve numbers were developed from Table D-6 & D-7 of the CBJ Manual of Stormwater BMP Manual. NRCS's online GIS database does not have data for the project location. I looked at adjacent areas with similar slopes and ground cover and the hydraulic soil group was C or D. For this analysis I am assuming the project location falls under soil group C.

SCS Curve Number Proposed Hillcrest Ext. Subdivision						
Project:	Hillcrest Ext. Subdivision Drainage Analysis, PAC2018 0054					
Owner:	Michael and William Heumann					
Date:	3/21/2020					
Prepared By:	Chris Bydlon	Pro HNS W				
Checked By:	Lucas Chambers	pior in to the				

Total Basin Area(SQFT)=	64264	9				
Surface Type	Location	Area (SQFT)	Total (SQFT)	Total (Acre)	% Overall Basin	Unit Hydrograph CN*
Pavement	Hillcrest Extension	12788	10101 (0 4. 1)			entriju ograpi en
	Mountianside/ Robbie Rd	23565				
		20000	36353	0.834550046	5.66%	9
Building Roofs	Lot 1 Roof +Deck	988				-
*Areas from Developer	Lot 2 Roof +Deck	988				
	Lot 3 Roof +Deck	988				
	Lot 4 Roof +Deck	1350				
	Lot 5 Roof +Deck	1350				
	Lot 6 Roof +Deck	1350				
	Lot 7 Roof +Deck	1350				
	Lot 8 Roof +Deck	1350				
	Lot 9 Roof +Deck	1350				
	Lot 10 Roof +Deck	1350				
	Lot 11 Roof+Deck	1350				
	Lot 12 Roof+Deck	1350				
	Lot 13 Roof+Deck	1350				
	Lot 14 Roof+Deck	1350				
	Robbie Rd Homes	14048				
			31862	0.731450872	4.96%	9
Gravel	Driveways & Ditches	19536				
	Building Pad Lot 4	690				
	Building Pad Lot 5	1250				
	Building Pad Lot 6	1250				
	Building Pad Lot 7	690				
	Building Pad Lot 8	900				
	Building Pad Lot 9	900				
	Building Pad Lot 10	315				
	Building Pad Lot 11	315				
	Building Pad Lot 12	315				
	Building Pad Lot 13	315				
	Building Pad Lot 14	315				
			26791	0.615036731	4.17%	8
Lawns	Robbie Rd Homes	14230				
	Lot 1-14 Lawns & Fill Slopes	27815				
			42045	0.965220386	6.54%	7
Woods	Every where else	505598				
			505598	11.60693297	78.67%	7
		Total=	642649	14.753191	100.00%	74.0
			0.2045	1	200.0070	

am assuming the project location falls under soil group C.

	Runoff Coefficient Basin B Develope	d
Project:	Hillcrest Extension Drainage Analysis, PAC2018 0054	
Owner:	Michael and William Heumann	
Date:	3/17/2020	
Prepared By:	C. Bydlon	proHNS uc
Checked By:	L. Chambers	pior in to the

Total Basin Area(SQFT)=	400337					
Surface Type	Location	Area (SQFT)	Total (SQFT)	Total (Acre)	% Overall Basin	Runoff Coefficient
Pavement	Tamarack Trails Condos	24950				
			24950	0.572773186	6.23%	0.9
Building Roofs	Tamarack Trail Condos	15130				
			15130	0.347337006	3.78%	0.9
Lawns	Tamarack Trails	6690				
			6690	0.153581267	1.67%	0.25
Shot Rock Base & Ditch	Hooter Lane ROW	21355				
			21355	0.490243343	5.33%	0.8
Woods	Every where else	332212				
			332212	7.626538108	82.98%	0.1
		Total=	400337	9.190472911	100.00%	0.22

# Appendix C Time of Concentration

## App G - Prior Drainage

SCS TR-55 Time of Concentration Computations Report

Sheet Flow Equation

 $Tc = (0.007 * ((n * Lf)^{0.8})) / ((P^{0.5}) * (Sf^{0.4}))$ 

Where:

Tc = Time of Concentration (hrs) n = Manning's Roughness Lf = Flow Length (ft) P = 2 yr, 24 hr Rainfall (inches) Sf = Slope (ft/ft)

Shallow Concentrated Flow Equation

Where:

Channel Flow Equation

Where:

Tc = Time of Concentration (hrs)

Lf = Flow Length (ft) R = Hydraulic Radius (ft) Aq = Flow Area (ft<sup>2</sup>) Wp = Wetted Perimeter (ft) V = Velocity (ft/sec) Sf = Slope (ft/ft) n = Manning's Roughness

### Sheet Flow Computations

-----

-	Subarea A	Subarea B	Subarea C
Manning's Roughness:	.8	0.00	0.00
Flow Length (ft):	188	0.00	0.00
Slope (%):	79.80	0.00	0.00
2 yr, 24 hr Rainfall (in):	2.97	0.00	0.00
Velocity (ft/sec):	0.21	0.00	0.00
Computed Flow Time (minutes):	14.72	0.00	0.00

### Shallow Concentrated Flow Computations

-	Subarea A	Subarea B	Subarea C
Flow Length (ft):	2046	0.00	0.00
Slope (%):	29.86	0.00	0.00
Surface Type:	Forest	Unpaved	Unpaved
Velocity (ft/sec):	1.37	0.00	0.00
Computed Flow Time (minutes):	24.89	0.00	0.00

## Channel Flow Computations

-	Subarea A	Subarea B	Subarea C
Manning's Roughness:	.05	0.00	0.00
Flow Length (ft):	715	0.00	0.00
Channel Slope (%):	3.48	0.00	0.00
Cross Section Area (ft2):	13	0.00	0.00
Wetted Perimeter (ft):	11.4	0.00	0.00
Velocity (ft/sec):	6.07	0.00	0.00
Computed Flow Time (minutes):	1.96	0.00	0.00
Total TOC (minutes):	41.57		

## App G - Prior Drainage

SCS TR-55 Time of Concentration Computations Report

Sheet Flow Equation

 $Tc = (0.007 * ((n * Lf)^{0.8})) / ((P^{0.5}) * (Sf^{0.4}))$ 

Where:

Tc = Time of Concentration (hrs) n = Manning's Roughness Lf = Flow Length (ft) P = 2 yr, 24 hr Rainfall (inches) Sf = Slope (ft/ft)

Shallow Concentrated Flow Equation

Where:

Channel Flow Equation

Where:

Tc = Time of Concentration (hrs)

Lf = Flow Length (ft) R = Hydraulic Radius (ft) Aq = Flow Area (ft<sup>2</sup>) Wp = Wetted Perimeter (ft) V = Velocity (ft/sec) Sf = Slope (ft/ft) n = Manning's Roughness

### Sheet Flow Computations

-----

-	Subarea A	Subarea B	Subarea C
Manning's Roughness:	.8	0.00	0.00
Flow Length (ft):	188	0.00	0.00
Slope (%):	79.8	0.00	0.00
2 yr, 24 hr Rainfall (in):	2.97	0.00	0.00
Velocity (ft/sec):	0.21	0.00	0.00
Computed Ploy Time (minutes):	14.72	0.00	0.00
Computed Flow Time (minutes): Shallow Concentrated Flow Computations	14.72	0.00	0.00

-	Subarea A	Subarea B	Subarea C
Flow Length (ft):	1977	0.00	0.00
Slope (%):	30.65	0.00	0.00
Surface Type:	Forest	Unpaved	Unpaved
Velocity (ft/sec):	1.38	0.00	0.00
Computed Flow Time (minutes):	23.88	0.00	0.00

Channel Flow Computations

-	Subarea A	Subarea B	Subarea C
Manning's Roughness:	.035	.015	.035
Flow Length (ft):	91.6	82	489
Channel Slope (%):	6.10	1.22	5.32
Cross Section Area (ft²):	3.0	1.77	1.74
Wetted Perimeter (ft):	5.47	4.71	4.59
Velocity (ft/sec):	7.04	5.71	5.14
Computed Flow Time (minutes):	0.22	0.24	1.58
			=======
Total TOC (minutes):	40.64		

\_\_\_\_\_

## App G - Prior Drainage

SCS TR-55 Time of Concentration Computations Report

Sheet Flow Equation

 $Tc = (0.007 * ((n * Lf)^{0.8})) / ((P^{0.5}) * (Sf^{0.4}))$ 

Where:

Tc = Time of Concentration (hrs) n = Manning's Roughness Lf = Flow Length (ft) P = 2 yr, 24 hr Rainfall (inches) Sf = Slope (ft/ft)

Shallow Concentrated Flow Equation

Where:

Channel Flow Equation

Where:

Tc = Time of Concentration (hrs)

Lf = Flow Length (ft) R = Hydraulic Radius (ft) Aq = Flow Area (ft<sup>2</sup>) Wp = Wetted Perimeter (ft) V = Velocity (ft/sec) Sf = Slope (ft/ft) n = Manning's Roughness

#### Sheet Flow Computations

-----

-	Subarea A	Subarea B	Subarea C
Manning's Roughness:	.8	0.00	0.00
Flow Length (ft):	234	0.00	0.00
Slope (%):	37.2	0.00	0.00
2 yr, 24 hr Rainfall (in):	2.97	0.00	0.00
Velocity (ft/sec):	0.16	0.00	0.00
Computed Flow Time (minutes):	23.80	0.00	0.00

#### Shallow Concentrated Flow Computations

\_\_\_\_\_

-	Subarea A	Subarea B	Subarea C
Flow Length (ft):	1098	0.00	0.00
Slope (%):	21.54	0.00	0.00
Surface Type:	Forest	Unpaved	Unpaved
Velocity (ft/sec):	1.16	0.00	0.00
Computed Flow Time (minutes):	15.78	0.00	0.00

### Channel Flow Computations

-	Subarea A	Subarea B	Subarea C
Manning's Roughness:	.035	.035	.03
Flow Length (ft):	361	439.5	141
Channel Slope (%):	5.7	11.37	7.8
Cross Section Area (ft <sup>2</sup> ):	6	2	3.42
Wetted Perimeter (ft):	7.71	5.6	6.12
Velocity (ft/sec):	8.60	7.23	9.41
Computed Flow Time (minutes):	0.70	1.01	0.25
Total TOC (minutes)	<mark>41.53</mark>		

#### Autodesk Storm and Sanitary Analysis

# Appendix D Rainfall Intensity

10/17/2019

App G - Prior Drainage

#### Precipitation Frequency Data Server



NOAA Atlas 14, Volume 7, Version 2 Location name: Juneau, Alaska, USA\* Latitude: 58.3454°, Longitude: -134.4896° Elevation: 120.33 ft\*\* \* source: ESRI Maps \*\* source: USGS



#### POINT PRECIPITATION FREQUENCY ESTIMATES

Sanja Perica, Douglas Kane, Sarah Dietz, Kazungu Maitaria, Deborah Martin, Sandra Pavlovic, Ishani Roy, Svetlana Stuefer, Amy Tidwell, Carl Trypaluk, Dale Unruh, Michael Yekta, Erica Betts, Geoffrey Bornin, Sarah Herim, Lilian Hiner, Elizabeth Liliy, Jayashtere Narayanan, Fengin Yan, Tan Zhao

NOAA, National Weather Service, Silver Spring, Maryland University of Alaska Fairbanks, Water and Environmental Research Center

PF\_tabular | PF\_graphical | Maps\_&\_aerials

#### PF tabular

	Average recurrence interval (years)									
Duration	1	2	5	10	25	50	100	200	500	1000
5-min	0.131	0.153	0.187	0.215	0.253	0.282	0.312	0.350	0.400	0.438
	(0.106-0.166)	(0.122-0.197)	(0.146-0.246)	(0.165-0.287)	(0.189-0.346)	(0.207-0.393)	(0.225-0.442)	(0.248-0.505)	(0.277-0.590)	(0.299-0.65
<mark>10-min</mark>	0.176	0.206	0.251	0.288	0.339	0.379	0.418	0.470	0.537	0.588
	(0.142-0.223)	(0.164-0.265)	(0.195-0.330)	(0.220-0.385)	(0.253-0.464)	(0.278-0.528)	(0.302-0.592)	(0.333-0.678)	(0.372-0.792)	(0.401-0.88
15-min	0.206	0.241	0.293	0.337	0.397	0.443	0.490	0.549	0.629	0.689
	(0.166-0.261)	(0.192-0.310)	(0.228-0.385)	(0.258-0.450)	(0.297-0.543)	(0.325-0.617)	(0.353-0.694)	(0.389-0.791)	(0.436-0.927)	(0.470-1.03
30-min	0.273	0.320	0.389	0.447	0.527	0.588	0.650	0.729	0.834	0.914
	(0.220-0.346)	(0.255-0.411)	(0.303-0.511)	(0.342-0.597)	(0.394-0.721)	(0.432-0.819)	(0.469-0.921)	(0.517-1.05)	(0.578-1.23)	(0.623-1.37
60-min	0.374	0.438	0.533	0.613	0.722	0.806	0.890	0.999	1.14	<b>1.25</b>
	(0.302-0.474)	(0.349-0.563)	(0.415-0.700)	(0.469-0.819)	(0.539-0.988)	(0.592-1.12)	(0.642-1.26)	(0.708-1.44)	(0.792-1.69)	(0.853-1.88
2-hr	0.552	0.647	0.789	0.906	1.07	1.19	1.32	1.48	<b>1.69</b>	1.85
	(0.445-0.700)	(0.515-0.832)	(0.614-1.04)	(0.693-1.21)	(0.798-1.46)	(0.875-1.66)	(0.949-1.86)	(1.05-2.13)	(1.17-2.49)	(1.26-2.77
3-hr	0.729	0.854	<b>1.04</b>	1.20	<b>1.41</b>	1.57	<b>1.73</b>	1.95	<b>2.23</b>	2.44
	(0.588-0.925)	(0.680-1.10)	(0.811-1.37)	(0.915-1.60)	(1.05-1.93)	(1.15-2.19)	(1.25-2.46)	(1.38-2.81)	(1.54-3.29)	(1.66-3.66
6-hr	<b>1.17</b>	1.37	1.67	1.92	2.26	2.52	2.78	3.13	3.58	3.92
	(0.944-1.48)	(1.09-1.76)	(1.30-2.19)	(1.47-2.56)	(1.69-3.09)	(1.85-3.51)	(2.01-3.94)	(2.22-4.51)	(2.48-5.27)	(2.67-5.88
12-hr	1.76	2.06	2.50	2.87	3.38	3.79	4.21	4.73	5.42	5.94
	(1.42-2.23)	(1.64-2.65)	(1.95-3.29)	(2.19-3.83)	(2.53-4.62)	(2.78-5.27)	(3.04-5.96)	(3.35-6.82)	(3.76-7.99)	(4.05-8.91
24-hr	2.54	2.97	3.59	4.10	4.82	5.41	6.04	6.78	7.76	8.51
	(2.30-2.84)	(2.65-3.37)	(3.14-4.16)	(3.52-4.83)	(4.05-5.81)	(4.46-6.64)	(4.90-7.54)	(5.41-8.61)	(6.05-10.1)	(6.52-11.2
2-day	3.45	4.01	4.79	5.42	6.29	7.00	7.74	8.59	9.72	<b>10.6</b>
	(3.12-3.87)	(3.58-4.55)	(4.19-5.55)	(4.65-6.38)	(5.28-7.59)	(5.77-8.59)	(6.28-9.66)	(6.85-10.9)	(7.57-12.6)	(8.10-13.9
3-day	4.10	4.73	5.61	6.30	7.26	8.03	8.82	9.72	<b>10.9</b>	<b>11.8</b>
	(3.70-4.58)	(4.22-5.36)	(4.90-6.49)	(5.41-7.42)	(6.09-8.75)	(6.62-9.85)	(7.15-11.0)	(7.75-12.3)	(8.51-14.2)	(9.06-15.6
4-day	4.63	5.32	6.28	7.03	8.07	8.88	9.73	<b>10.7</b>	11.9	<b>12.9</b>
	(4.18-5.18)	(4.75-6.04)	(5.49-7.27)	(6.04-8.28)	(6.77-9.72)	(7.33-10.9)	(7.89-12.1)	(8.51-13.6)	(9.30-15.5)	(9.87-17.0
7-day	5.98	6.84	8.02	8.94	10.2	11.2	<b>12.3</b>	<b>13.4</b>	<b>15.0</b>	<b>16.1</b>
	(5.40-6.69)	(6.10-7.75)	(7.00-9.28)	(7.68-10.5)	(8.57-12.3)	(9.25-13.8)	(9.93-15.3)	(10.7-17.0)	(11.7-19.4)	(12.4-21.3
10-day	7.07 (6.39-7.92)	8.07 (7.20-9.15)	9.44 (8.24-10.9)	<b>10.5</b> (9.02-12.4)	<b>12.0</b> (10.0-14.4)	<b>13.1</b> (10.8-16.1)	<b>14.3</b> (11.6-17.8)	15.6 (12.5-19.8)	<b>17.4</b> (13.6-22.6)	<b>18.7</b> (14.4-24.7
20-day	<b>10.6</b> (9.59-11.9)	<b>12.1</b> (10.8-13.7)	<b>14.1</b> (12.3-16.3)	<b>15.6</b> (13.4-18.3)	17.6 (14.8-21.2)	<b>19.2</b> (15.8-23.5)	20.7 (16.8-25.9)	22.4 (17.9-28.5)	24.7 (19.3-32.1)	26.4 (20.2-34.8
30-day	<b>14.0</b> (12.6-15.6)	<b>15.9</b> (14.2-18.1)	<b>18.5</b> (16.2-21.4)	<b>20.4</b> (17.5-24.0)	<b>22.9</b> (19.3-27.7)	<b>24.9</b> (20.5-30.5)	26.8 (21.7-33.4)	28.8 (23.0-36.6)	<b>31.5</b> (24.6-40.9)	<b>33.5</b> (25.7-44.2
45-day	<b>18.5</b> (16.7-20.7)	<b>21.1</b> (18.8-23.9)	<b>24.5</b> (21.4-28.4)	27.0 (23.2-31.8)	<b>30.1</b> (25.3-36.3)	32.5 (26.8-39.8)	<b>34.8</b> (28.2-43.4)	<b>37.1</b> (29.5-47.1)	<b>40.1</b> (31.3-52.0)	<b>42.4</b> (32.5-55.9
60-day	22.1	25.4	29.5	32.3	35.9	38.4	40.8	43.0	45.8	48.0
	(19.9-24.7)	(22.6-28.8)	(25.7-34.1)	(27.8-38.1)	(30.1-43.3)	(31.7-47.1)	(33.1-50.9)	(34.2-54.5)	(35.7-59.5)	(36.8-63.4

Precipitation frequency (PF) estimates in this table are based on frequency analysis of partial duration series (PDS).

Numbers in partners are PF estimates at lower and upper bounds of the 90% confidence interval. The probability that precipitation frequency estimates (for a given duration and average recurrence interval) will be greater than the upper bound (ress than the lower bound) is 5%. Estimates at upper bounds are not checked against probabile maximum precipitation (PMP) estimates and may be higher than currently valid PMP values. Please refer to NOAA Atlas 14 document for more information.

Back to Top

PF graphical

https://hdsc.nws.noaa.gov/hdsc/pfds/pfds\_printpage.html?lat=58.3454&lon=-134.4896&data=depth&units=english&series=pds

#### Precipitation Frequency Data Server

10/17/2019

App G - Prior Drainage

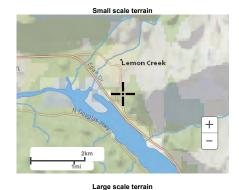
PDS-based depth-duration-frequency (DDF) curves Latitude: 58.3454°, Longitude: -134.4896° 50 Average recurrence interval (years) 40 (in) - 1 depth \_\_\_\_ 2 30 - 5 noi - 25 Precipital 20 - 50 - 100 \_\_\_\_ 200 10 - 500 - 1000 7-day 10-day 20-day 30-day 45-day 60-day 2-hr 3-hr 6-hr 12-hr 2-day 3-day 4-day 24-hr nim-0 60-min iù 30-mi ś Ś Duration 50 40 (in) Duration depth ( 30 - 5-min - 2-day - 10-min - 3-day uo 15-min - 4-day Precipitat — 7-day 20 - 30-min - 60-min - 10-day - 20-day - 2-hr 10 - 3-hr - 30-day \_\_\_\_ 45-day - 6-hr - 12-hr - 60-day - 24-hr 0 10 25 50 100 200 500 1000 5 Average recurrence interval (years)

NOAA Atlas 14, Volume 7, Version 2

Created (GMT): Fri Oct 18 00:03:14 2019

Back to Top

Maps & aerials

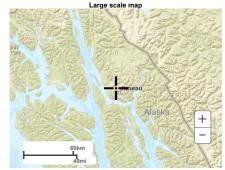


https://hdsc.nws.noaa.gov/hdsc/pfds/pfds\_printpage.html?lat=58.3454&lon=-134.4896&data=depth&units=english&series=pds

## Attachment E - Approved Drainage Plan

10/17/2019 App G - Prior Drainage Precipitation Frequency Data Server





arge scale aerial



Back to Top



 $https://hdsc.nws.noaa.gov/hdsc/pfds_pfds_printpage.html?lat=58.3454\&lon=-134.4896\&data=depth\&units=english\&series=pds_{10}$ 

App G - Prior Drainage

11/1/2019

#### Precipitation Frequency Data Server



NOAA Atlas 14, Volume 7, Version 2 Location name: Juneau, Alaska, USA\* Latitude: 58.346°, Longitude: -134.4904° Elevation: 101.4 ft\* \* source: ISGN \* source: USGS



#### POINT PRECIPITATION FREQUENCY ESTIMATES

Sanja Perica, Douglas Kane, Sarah Dietz, Kazungu Maltaria, Deborah Martin, Sandra Pavlovic, Ishani Roy, Svetlana Stuefer, Arny Tidwell, Carl Trypaluk, Dale Unruh, Michael Yekta, Erica Betts, Geoffrey Bonnin, Srah Heim, Lillan Hiner, Elizabeth Lilly, Jayashtee Narayanan, Fengin Yan, Tan Zhao

NOAA, National Weather Service, Silver Spring, Maryland and University of Alaska Fairbanks, Water and Environmental Research Center

PF tabular | PF graphical | Maps & aerials

#### PF tabular

Duration				Avera	ge recurren	ce interval (	years)			
Duration	1	2	5	10	25	50	100	200	500	1000
5-min	1.58	1.86	2.27	<b>2.62</b>	3.08	3.44	3.80	4.30	<b>4.94</b>	5.42
	(1.27-2.02)	(1.48-2.40)	(1.75-3.00)	(1.99-3.52)	(2.29-4.25)	(2.51-4.82)	(2.72-5.42)	(3.02-6.23)	(3.41-7.33)	(3.67-8.17)
10-min	1.06	<b>1.25</b>	1.52	<b>1.75</b>	2.07	2.31	2.56	2.89	3.32	3.64
	(0.852-1.36)	(0.984-1.61)	(1.18-2.02)	(1.33-2.35)	(1.54-2.85)	(1.69-3.23)	(1.83-3.64)	(2.03-4.18)	(2.29-4.92)	(2.47-5.49)
15-min	0.828	0.972	1.19	<b>1.37</b>	1.62	1.80	2.00	2.25	2.59	2.84
	(0.664-1.06)	(0.768-1.26)	(0.920-1.57)	(1.04-1.84)	(1.20-2.22)	(1.32-2.53)	(1.43-2.84)	(1.59-3.26)	(1.78-3.84)	(1.93-4.29)
30-min	0.550	0.646	0.788	0.908	1.07	1.20	1.32	1.49	1.72	1.89
	(0.440-0.702)	(0.510-0.836)	(0.610-1.04)	(0.690-1.22)	(0.796-1.47)	(0.874-1.68)	(0.950-1.89)	(1.05-2.17)	(1.18-2.54)	(1.28-2.84)
60-min	0.377	0.442	0.540	0.622	0.734	0.820	0.907	1.02	1.18	1.29
	(0.302-0.481)	(0.349-0.571)	(0.418-0.713)	(0.473-0.836)	(0.545-1.01)	(0.598-1.15)	(0.650-1.29)	(0.721-1.48)	(0.810-1.74)	(0.875-1.95)
2-hr	0.278	0.326	0.399	0.460	0.543	0.606	0.670	0.756	0.869	0.954
	(0.223-0.356)	(0.258-0.422)	(0.308-0.527)	(0.350-0.618)	(0.403-0.747)	(0.442-0.850)	(0.480-0.954)	(0.532-1.10)	(0.598-1.29)	(0.646-1.44
3-hr	0.245	0.286	0.351	0.404	0.477	0.533	0.588	0.664	0.763	0.838
	(0.196-0.312)	(0.226-0.370)	(0.271-0.463)	(0.307-0.543)	(0.354-0.657)	(0.389-0.746)	(0.422-0.838)	(0.468-0.962)	(0.525-1.13)	(0.568-1.26
6-hr	0.197	0.231	0.282	0.324	0.383	0.428	0.473	0.534	0.614	0.675
	(0.158-0.251)	(0.182-0.298)	(0.218-0.372)	(0.247-0.436)	(0.284-0.527)	(0.312-0.600)	(0.339-0.675)	(0.376-0.774)	(0.423-0.910)	(0.457-1.02
12-hr	0.147	0.172	0.210	0.241	0.284	0.319	0.356	0.402	0.462	0.508
	(0.118-0.188)	(0.136-0.223)	(0.162-0.277)	(0.183-0.323)	(0.211-0.391)	(0.233-0.447)	(0.255-0.507)	(0.283-0.582)	(0.318-0.686)	(0.344-0.767
24-hr	0.107	0.125	0.151	0.172	0.203	0.229	0.256	0.289	0.332	0.365
	(0.096-0.119)	(0.111-0.142)	(0.132-0.175)	(0.148-0.203)	(0.171-0.245)	(0.189-0.281)	(0.208-0.320)	(0.230-0.367)	(0.259-0.431)	(0.280-0.482
2-day	0.073	0.084	0.101	<b>0.114</b>	0.133	0.148	0.164	0.183	0.209	0.227
	(0.066-0.081)	(0.075-0.096)	(0.088-0.117)	(0.098-0.134)	(0.111-0.160)	(0.122-0.182)	(0.133-0.205)	(0.146-0.233)	(0.162-0.271)	(0.174-0.300
3-day	0.057	0.066	0.079	0.088	0.102	0.113	0.125	0.139	0.156	0.170
	(0.052-0.064)	(0.059-0.075)	(0.069-0.091)	(0.076-0.104)	(0.086-0.123)	(0.094-0.139)	(0.101-0.156)	(0.110-0.176)	(0.122-0.203)	(0.130-0.224
4-day	0.049	0.056	0.066	0.074	0.085	0.094	0.103	0.114	0.128	0.139
	(0.044-0.054)	(0.050-0.063)	(0.058-0.076)	(0.063-0.087)	(0.071-0.103)	(0.078-0.115)	(0.084-0.129)	(0.091-0.145)	(0.100-0.166)	(0.106-0.183
7-day	0.035	0.040	0.047	0.053	0.061	0.067	0.074	0.081	0.091	0.098
	(0.032-0.040)	(0.036-0.046)	(0.041-0.055)	(0.046-0.062)	(0.051-0.073)	(0.055-0.082)	(0.060-0.092)	(0.064-0.103)	(0.071-0.118)	(0.075-0.130
10-day	0.029	0.033	0.039	0.043	0.049	0.054	0.060	0.066	0.073	0.079
	(0.026-0.033)	(0.030-0.038)	(0.034-0.045)	(0.037-0.051)	(0.041-0.060)	(0.045-0.067)	(0.048-0.074)	(0.052-0.083)	(0.057-0.095)	(0.061-0.105
20-day	0.022	0.025	0.029	0.032	0.036	0.040	0.043	0.047	0.052	0.056
	(0.020-0.024)	(0.022-0.028)	(0.025-0.033)	(0.027-0.038)	(0.030-0.044)	(0.033-0.048)	(0.035-0.054)	(0.037-0.059)	(0.040-0.067)	(0.043-0.073
30-day	0.019	0.022	0.025	0.028	0.031	0.034	0.037	0.040	0.044	0.047
	(0.017-0.021)	(0.019-0.025)	(0.022-0.029)	(0.024-0.033)	(0.026-0.038)	(0.028-0.042)	(0.030-0.046)	(0.032-0.051)	(0.034-0.057)	(0.036-0.062
45-day	0.017	0.019	0.022	0.025	0.028	0.030	0.032	0.034	0.037	0.039
	(0.015-0.019)	(0.017-0.022)	(0.019-0.026)	(0.021-0.029)	(0.023-0.033)	(0.025-0.037)	(0.026-0.040)	(0.027-0.043)	(0.029-0.048)	(0.030-0.052
60-day	0.015	0.017	0.020	0.022	0.025 (0.021-0.030)	0.027	0.028	0.030	0.032	0.034

<sup>1</sup> Precipitation frequency (PF) estimates in this table are based on frequency analysis of partial duration series (PDS).

Numbers in partial variables are PF estimates at lower and upper bounds of the 90% confidence interval. The probability that precipitation frequency estimates (for a given duration and average recurrence interval) will be greater than the upper bound (or less than the lower bound) is 5%. Estimates at upper bounds are not checked against probable maximum precipitation (PMP) estimates and may be higher than currently valid PMP values. Please refer to NOAA Atlas 14 document for more information.

Back to Top

PF graphical

https://hdsc.nws.noaa.gov/hdsc/pfds/pfds\_printpage.html?lat=58.3460&lon=-134.4904&data=intensity&units=english&series=pds

# Appendix E Rational Method

#### Rational Method Site Runoff Drainage Basin D

Project:	Hillcrest Extension Drainage Analysis, PAC2018 0054				
Owner:	Michael and William Heumann				
Date:	3/23/2020				
Prepared By:	L. Chambers				
Checked By:	G. Gladsjo				



#### Q = CIA

Q = peak flow in cubic feet per second (cfs)

C = runoff coefficient

I = rainfall intensity (inches per hour)

A = catchment area (acres)

$$C_c = (C_1 A_1 + C_2 A_2) / A_t$$

*C<sub>c</sub>* = composite runoff coefficient

 $C_{1,2}$  = runoff coefficient for each area land cover type

 $A_t = total area (acres)$ 

 $A_{1,2}$  = areas of land cover types (acres)

Cc = 0.22, See Appendix C for calculation

$$T_c = T_1 + T_2 + \dots + T_n$$

T<sub>c</sub> = time of concentration (min)

 $T_{1,2}$  = travel time across separate flow path segments (min)

Tc = 41.51 min., See Appendix D for calculation

#### $T_t = L/60V$

 $T_t$  = travel time (min)

L= the distance of flow across a given segment (feet)

V=k<sub>R</sub>Sqrt(S<sub>0</sub>)=average velocity (feet/sec) across land cover

 $k_R$  = time of concentration velocity factor (CBJ Manual of Storm Water BMP 2010, Table D-5, PG. D-10)  $S_0$  = slope of flow path (feet/feet)

Per CBJ Manual of Storm Water BMP 2010, Table 5-1, page. 5-1, design event frequencies are specified. For driveway culvert, a 25-year storm event is the required design return period. We will base our analysis on a 25-year design return period for all drainage structures and catchment areas. Per CBJ Manual of Storm Water BMP 2010, page. D-9, Basins with a time and concentration 10 minutes or less shall use the 10 minute intensity. Basins with a time of concentration greater than 10 minutes and less than 30 minutes shall interpolate between the 10 and 10 minute values. Rainfall intensity for the site was sourced from the NOAA Atlas 14, Point Precipitation Frequency Estimates, see Appendix E, and is summarized as follows:

	Design Return Period
Tc 41.51(min)	25-year
Interpolated Intensity (in/hr) =	0.94

There is an existing 24" CMP culvert that drains into the existing Glacier Highway ditch system at the location where the new subdivision access will tie into the shoulder of the Highway. The area currently contributing runoff to this culvert was delinated in AutoCAD from aerial photos and 2013 Lidar Data provided by CBJ.

A = 400337 sqft / 43,560 = 9.19 acres

	Cc	1	Α		
Q (cfs)=	0.22	0.94	9.19	=	1.90

# Appendix F SCS Hydrograph

# Hydrograph Report

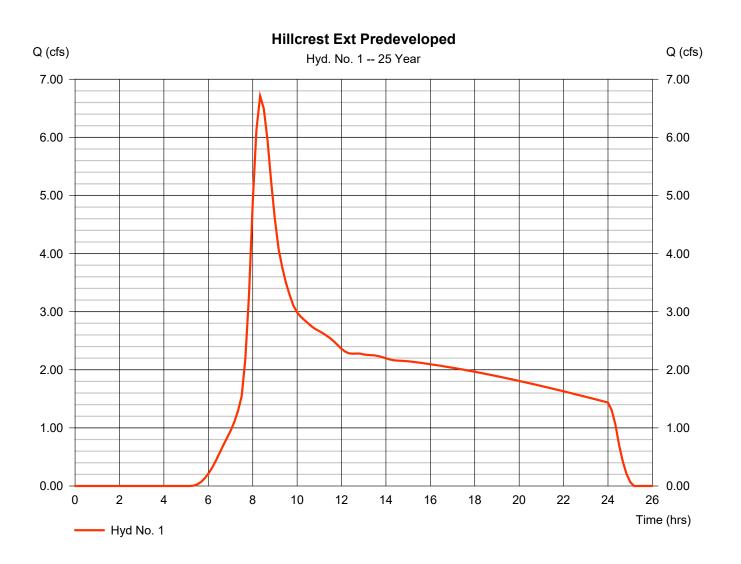
Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2020

#### Hyd. No. 1

Hillcrest Ext Predeveloped Drainage Basin A

Hydrograph type Storm frequency Time interval Drainage area Basin Slope Tc method Total precip. Storm duration	<ul> <li>SCS Runoff</li> <li>25 yrs</li> <li>10 min</li> <li>19.920 ac</li> <li>0.0 %</li> <li>User</li> <li>4.82 in</li> <li>24 hrs</li> </ul>	Peak discharge Time to peak Hyd. volume Curve number Hydraulic length Time of conc. (Tc) Distribution Shape factor	<ul> <li>6.711 cfs</li> <li>8.33 hrs</li> <li>148,969 cuft</li> <li>72*</li> <li>0 ft</li> <li>41.60 min</li> <li>Type IA</li> <li>484</li> </ul>
Storm duration	- 24 1115	Shape lactor	- 404

\* Composite (Area/CN) = [(0.540 x 98) + (0.320 x 98) + (0.250 x 89) + (0.330 x 74) + (18.480 x 70)] / 19.920



Section J, Item 8.

# Hydrograph Report

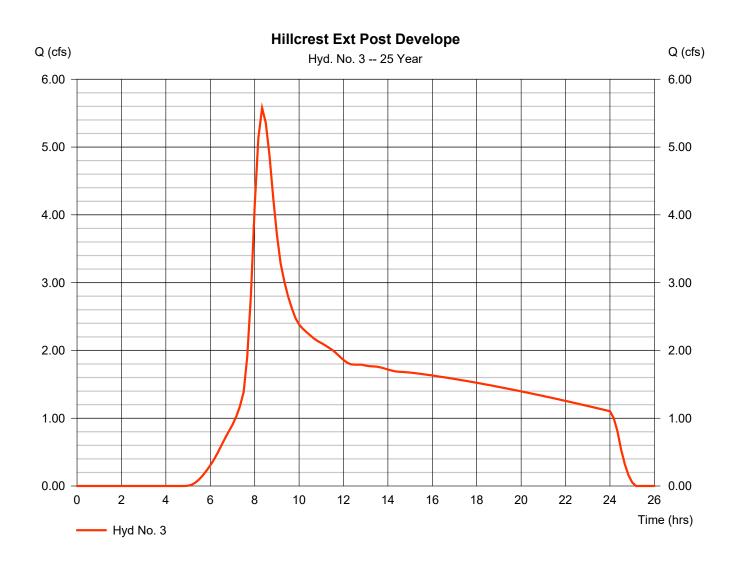
Hydraflow Hydrographs Extension for Autodesk® Civil 3D® by Autodesk, Inc. v2020

### Hyd. No. 3

Hillcrest Ext Post Develope Drainage Basin C

Hydrograph type Storm frequency Time interval Drainage area Basin Slope Tc method Total precip.	<ul> <li>SCS Runoff</li> <li>25 yrs</li> <li>10 min</li> <li>14.750 ac</li> <li>0.0 %</li> <li>User</li> <li>4.82 in</li> <li>24 bro</li> </ul>	Peak discharge Time to peak Hyd. volume Curve number Hydraulic length Time of conc. (Tc) Distribution	<ul> <li>5.576 cfs</li> <li>8.33 hrs</li> <li>118,944 cuft</li> <li>74*</li> <li>0 ft</li> <li>40.60 min</li> <li>Type IA</li> <li>484</li> </ul>
Storm duration	= 24 hrs	Shape factor	= 484

\* Composite (Area/CN) = [(0.835 x 98) + (0.731 x 98) + (0.615 x 89) + (0.965 x 74) + (11.607 x 70)] / 14.750



Saturday, 03 / 21 / 2020

# Appendix G Existing Capacity

Proposed 18" CPP Discharge Capacity						
Project:	Hillcrest Ext. Subdivision Drainage An	alysis, PAC2018 0054				
Owner:	Michael and William Heumann					
Date:	3/23/2020					
Prepared By:	L. Chambers		proHNS LLC			
Checked By:	G. Gladsjo					

The following equations were used to calculate the proposed 18" CPP culvert P-7 acts as the driveway culvert to Lot 14 and is the first pipe in the proposed storm drain system and were obtained from "Urban Drainage Design Manual: Hydraulic Engineering Circular No. 22, Third Edition".

$$Q = (K/n) \times A \times R^{0.67} \times S^{0.5}$$

- $Q = discharge rate in ft^3/sec$
- K = coefficient for English units (1.486)
- n = Manning's coefficient of roughness, obtained from Table 5-3, Page 5-5, of the CBJ Stormwater Manual
- A = cross sectional area in ft<sup>2</sup>
- R = hydraulic radius
- S = slope

Existing 18" Ditch Culvert; Inlet Invert =30.0', Outlet Invert =29.0', Length =40', n = 0.014. The Manning's n value of 0.014 was determined by the pipe type (CPP-smooth interior) Table 5-3.

	К	n	Α	R	S		
Q (cfs)	1.486	0.014	1.77	0.375	0.0052	=	7.022094

Existing Driveway Ditch Discharge Capacity										
Project:	Hillcrest Ext. Subdivision Drainage Analysis, PAC2018 0054									
Owner:	Michael and William Heumann									
Date:	3/23/2020									
Prepared By:	L. Chambers	proHNS uc								
Checked By:	G. Gladsjo									

The following equations were used to calculate the capacity of the driveway ditch leading into the 18" CPP at the bottom of the ditch run and were obtained from "Urban Drainage Design Manual: Hydraulic Engineering Circular No. 22, Third Edition".

$$Q = (K/n) \times A \times R^{0.67} \times S^{0.5}$$

- *Q* = discharge rate in ft<sup>3</sup>/sec
- K = coefficient for English units (1.486)
- n = Manning's coefficient of roughness, obtained from Table D-10, Page D-19, of the CBJ Stormwater Manual
- A = cross sectional area in ft<sup>2</sup>, from survey basemap
- R = hydraulic radius, from survey basemap
- S = slope, from survey basemap

Existing driveway ditch; Top Elev. = 37.0', Bottom Elev. = 30.0', Length = 80', n = 0.03. The Manning's n value of 0.03 comes from Table D-10 (grass, some weeds), elevation and length data are from survey basemap.

	к	n	Α	R	S		
Q (cfs)	1.486	0.03	1.55	0.319588	0.0875	=	10.57569

Transportation Engineering NorthWest

## MEMORANDUM

DATE:	February 28, 2020
TO:	William Heumann, Owner
FROM:	Michael Read, PE, Principal, TENW
SUBJECT:	Richland Manor- Traffic Impact Analysis TENW Project No. 3709

This memorandum summarizes a traffic impact analysis of *Richland Manor*, a proposed residential development in the vicinity of Hooter Lane and Craig Street north of Glacier Highway in Juneau, Alaska. This memo includes a summary of the project, a description of existing transportation conditions within the immediate site vicinity, methodology used to derive the trip generation estimate, traffic operational traffic impact analysis at key study intersections, review of site access, and identification of any transportation mitigation measures.

## **Project Description**

The proposed *Richland Manor r*esidential development would consist of up to 47 single family homes (detached) and approximately 356 multifamily homes in the vicinity of Hooter Lane and Craig Street north of Glacier Highway in Juneau, Alaska. A site vicinity map is provided in **Figure 1**. The proposed development would be constructed in phases, beginning in 2020, with full build-out and occupancy anticipated by 2029.

Primary vehicular access would be provided via construction of a public roadway within the undeveloped right-of-way of Hooter Lane, with secondary vehicular access via Hillcrest Drive and Abey Way via Craig Street. Additional gated access would be provided onto Robbie Road for emergency vehicles only. A conceptual site plan has been developed for the project and is shown in **Figure 2**.

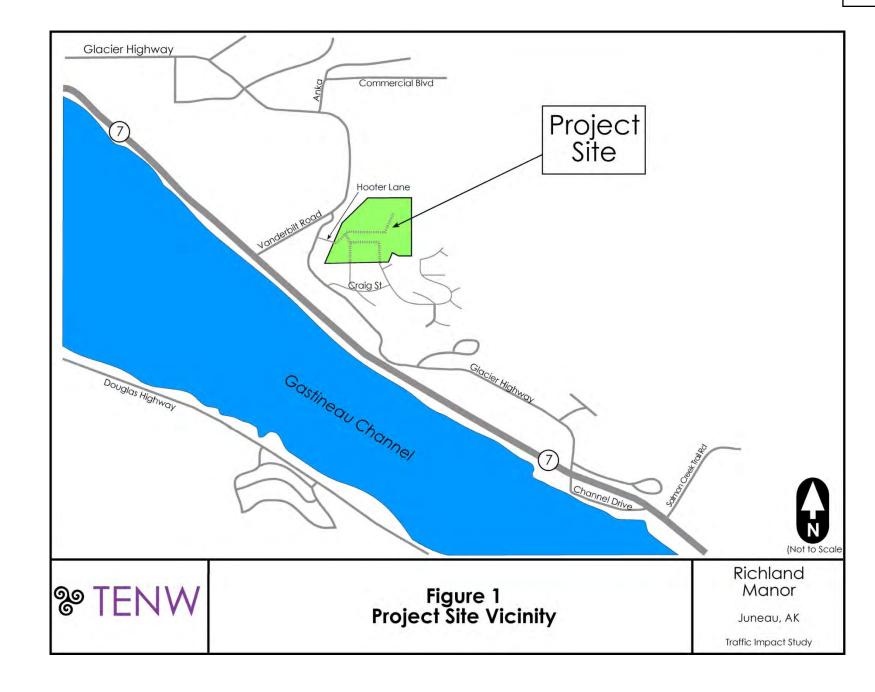
## Existing Transportation Conditions

This section includes an inventory of existing roadway conditions, traffic volumes, levels of service and planned roadway improvements.

## Roadway Conditions

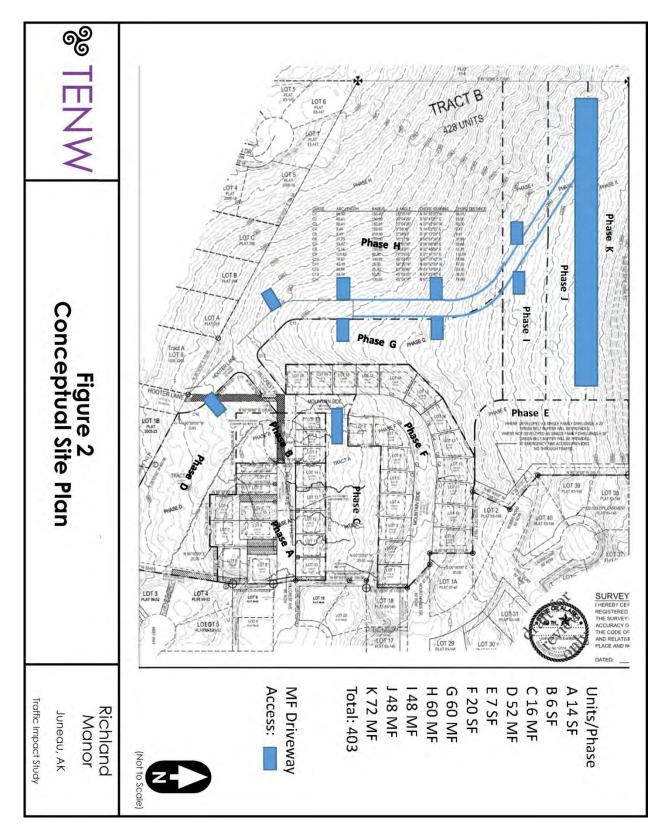
The following paragraphs describe existing arterial roadways that would be used for site access. Roadway characteristics are described in terms of number of lanes, speed limits, shoulder types and widths.

**Glacier Highway** is a three-lane roadway with a center southbound left-turn lane north of Glacier Highway. East of Vanderbilt Road and Glacier Highway, the roadway consists of two lanes with curbs and gutters on both sides of the street, and a sidewalk on the north side of street. Bicycle lanes are provided on both sides of the street. The posted speed limit is 40 mph.



February 28, 2020

Page 3



MNJLS

**Vanderbilt Road** is a three-lane roadway with a center refuge lane, which transitions into a left turn lane at Egan Drive. Bicycle lanes are provided on both sides of the street. The posted speed limit is 45 mph south of Glacier Highway.

Hillcrest Drive is a local street approximately 26 feet in width. The roadway is unchannelized with two travel lanes, curbs, and gutters, but no sidewalks. There is no posted speed.

## Traffic Counts

Peak hour traffic volumes represent the highest hourly volume of vehicles passing through an intersection during a typical 7-9 a.m. and 4-6 p.m. weekday peak period. Peak period turning movement counts at several study intersections during the afternoon p.m. peak period were conducted by PDC Engineers early December 2019 (Attachment 1). Figure 3 overviews channelization/traffic control at study intersections. Figure 4 summarizes the existing p.m. peak period turning movements at study intersections determined in scoping discussions with the Alaska Department of Transportation and Public Facilities (DOT&PF).

#### Intersection Levels of Service

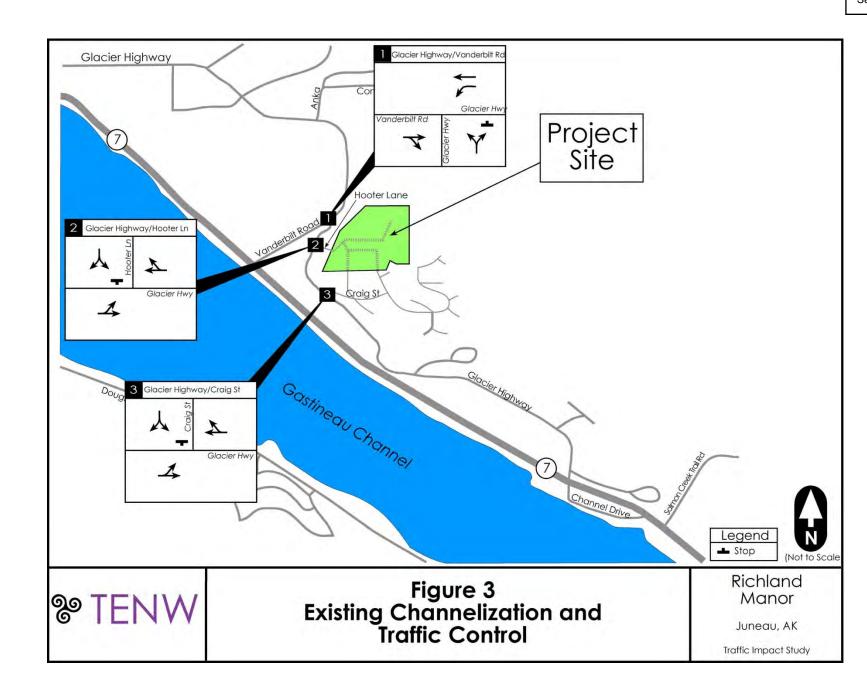
Intersection level of service (LOS) analyses were conducted at the study intersections during the weekday p.m. peak hour of existing conditions and with and without project traffic generated by the proposed development. LOS refers to the degree of congestion on a roadway or intersection. It is a measure of vehicle operating speed, travel time, travel delays, and driving comfort. A letter scale from A to F generally describes LOS. At signalized intersections, LOS A represents free-flow conditions-motorists experience little or no delays, and LOS F represents forced-flow conditions-motorists experience an average delay in excess of 80 seconds per vehicle. The LOS reported for signalized intersections represents the average control delay per vehicle entering the intersection. The LOS reported at stop-controlled intersections is also based on the average control delay (sec/veh) and is reported for each movement. Therefore, the reported LOS at unsignalized intersections does not represent a measure of the overall operations of the intersection.

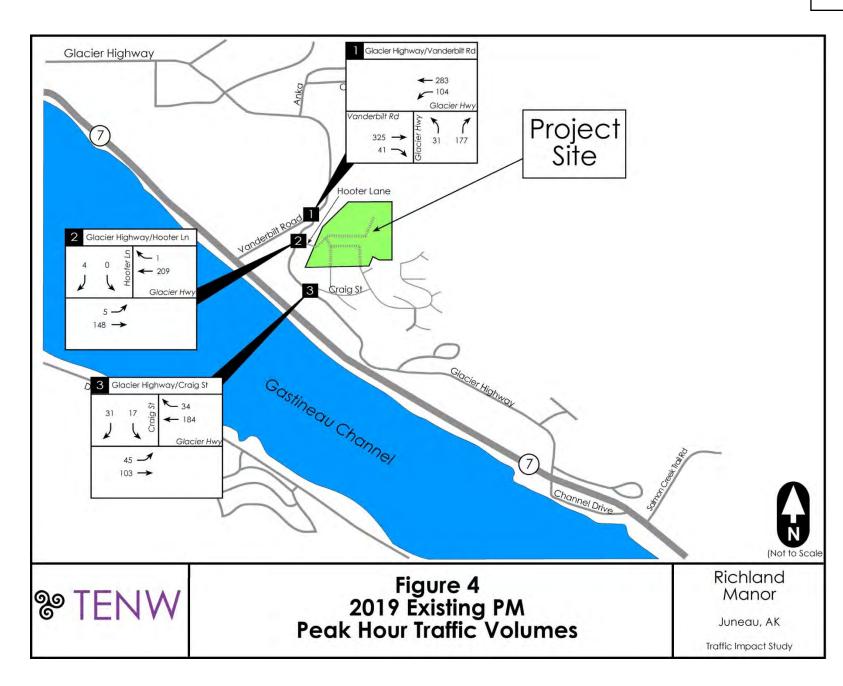
LOS calculations for both signalized and stop-controlled intersections were calculated using the methodologies and procedures outlined in the 2000 and 2010 *Highway Capacity Manual (HCM)*, Special Report 209, Transportation Research Board (TRB), using the <u>Synchro 10</u> software program. **Table 1** outlines the LOS criteria for signalized and unsignalized intersections based on these methodologies. ADOT&PF maintains a level of service standard of LOS D for development review. Existing p.m. peak hour LOS analyses are summarized in **Table 2**. As shown, all intersections or critical movements operate at LOS B or better under existing conditions. Detailed LOS summary worksheets are included in **Attachment 2**.

Table 1: Level of Serv	ice Chiena for signalized and	unsignalized intersections
	Signalized Intersection	Unsignalized Intersection
Level of Service	Average Delay Range (sec)	Delay Range (sec)
А	≤ 10	≤ 10
В	> 10 to ≤ 20	> 10 to ≤ 15
С	> 20 to ≤ 35	> 15 to ≤ 25
D	> 35 to ≤ 55	> 25 to ≤ 35
E	> 55 to ≤ 80	> 35 to ≤ 50
F	> 80	> 50

Source: "Highway Capacity Manual", Special Report 209, Transportation Research Board, 2000.

Table 1. Loval of Convise Criteria for Signalized and Unsignalized Intern





Richland Manor

	cried interse			
		PN	<u>Л Peak Hour</u>	
Study Intersection		LOS	Delay (sec)	V/C Ratio
Stop Controlled Intersections				
#1 - Glacier Highway at Vanderbilt Road	(NB – Stop)	В	14.2	0.37
	(WB – Left)	А	8.4	0.10
#2 – Glacier Highway at Hooter Lane	(SB – Stop)	А	9.6	0.01
#3 - Glacier Highway at Craig Street	(SB – Stop)	В	10.4	0.07

 Table 2: Existing PM Peak Hour Intersection Levels of Service

Source: TENW.

### Planned Transportation Improvements

ADOT&PF has a programmed improvement at the intersection of Glacier Highway and Vanderbilt Road intersection. The improvement is part of a larger regional trail/bicycle plan and would involve installation of a pedestrian/bicycle crossing treatment west side of the intersection to include a median refuge island and pedestrian-activated rectangular rapid flashing beacon (RRFB) system. The currently planned improvement would eliminate the existing median refuge lane for northbound left turning movements from Glacier Highway onto Vanderbilt Road.

## Traffic Impact Analysis

The following section describes projected future baseline traffic growth, new trips generated by the proposed development, distribution and assignment of new project trips, intersection level of service impacts, site access, safety and circulation issues, and identification of transportation mitigation to offset impacts.

## 2029 Baseline Traffic Volumes

To evaluate project traffic impacts at full buildout, traffic counts obtained in 2019 were factored by a 1 percent annual background growth rate to forecast 2029 future baseline traffic volumes.

## Project Trip Generation

Documented trip rate equations compiled by the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 10<sup>th</sup> Edition,* 2017, were used to estimate daily, a.m. peak hour and p.m. peak hour traffic that would be generated by the proposed residential uses within *Richland Manor,* assuming new detached single-family homes (ITE Land Use Code 210) and Low-Rise Multifamily uses (LUC 220).

As shown in **Table 3**, total site trip generation of the project is estimated to generate a approximately 3,050 new weekday daily trips, 199 new a.m. peak hour trips (46 entering and 153 exiting), and 246 new p.m. peak hour trips (155 entering and 91 new exiting).

Table 3: Richlar	nd Manor -	Trip Genera	tion
Time Period	In	Out	Total
Weekday Daily	1,525	1,525	3,050
Weekday AM Peak Hour	46	153	199
Weekday PM Peak Hour	155	91	246
	•		

Source: TENW. See also Attachment 3.

## Trip Distribution and Assignment

To distribute trips onto the vicinity-street and arterial network, trip distribution patterns were determined based on review of existing travel patterns, and the relative distribution of employment and residential density in the vicinity (see also **Attachment 4**). Generally, average distribution and assignment of project trips were assumed as:

- ➢ 45 percent easterly via Glacier Highway; and
- > 55 percent westerly and northwesterly via Glacier Highway and Vanderbilt Road.

Figure 5 shows p.m. peak hour trip distribution, while Figure 6 summarizes p.m. peak hour trip assignment. Figure 7 summarizes p.m. peak hour traffic volume forecasts without and with the proposed *Richland Manor* project for the 2029 horizon year.

## Intersection Level of Service Impacts

Table 4 summarizes level of service impacts in 2029 with and without completion of the proposed project.All study intersections and site access driveways would operate at LOS D or better with and without theproject in the 2029 horizon year. Per the footnote in Table 4, the Alaska DOT&PF's proposal to removethe median refuge lane for vehicular capacity would drop the future level of service with buildout of*Richland Manor* to LOS D by 2029. If the existing intersection capacity is maintained, buildout of *Richland Manor* would operate at LOS C and not require any mitigation. Detailed LOS summary worksheets areincluded in Attachment 1.

		PM	Without Pr	oject	PM With Project			
			Delay	V/C		Delay	V/C	
Study Intersection		LOS	(sec)	Ratio	LOS	(sec)	Ratio	
Stop Controlled Intersections								
#1 - Glacier Highway at Vanderbilt Road	(NB – Stop)	С	18.3	0.48	D*	25.8	0.65	
	(WB – Left)	А	8.6	0.11	А	9.0	0.19	
#2 – Glacier Highway at Hooter Lane	(SB – Stop)	А	9.8	0.01	В	11.9	0.14	
#3 – Glacier Highway at Craig Street	(SB – Stop)	В	10.7	0.09	В	19.3	0.55	

#### Table 4: 2029 PM Intersection Level of Service Impacts

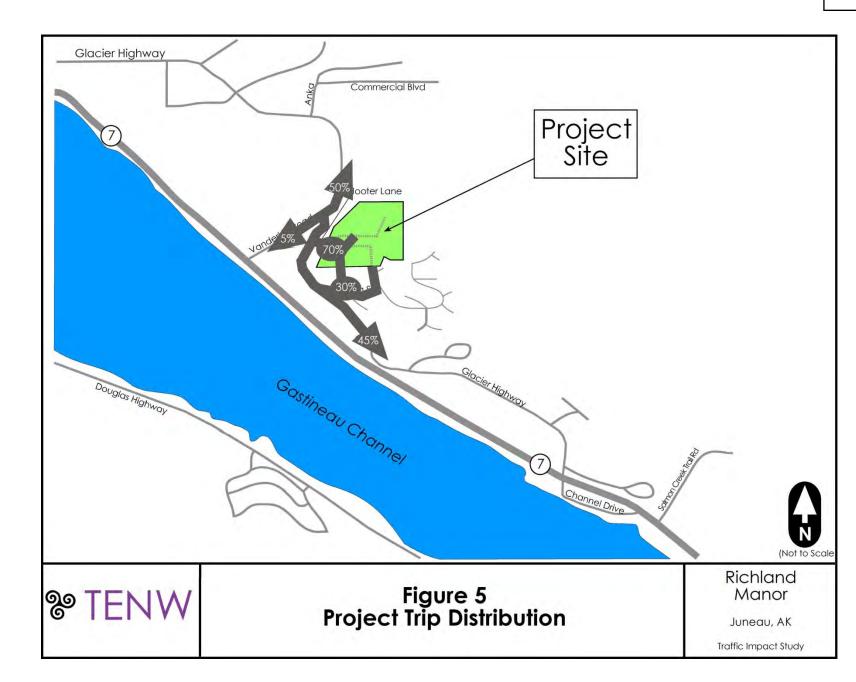
Source: TENW. \* - At the intersection of Glacier Highway and Vanderbilt Road, the DOT&PF project to remove intersection capacity to install the RRFB results in a LOS D condition in at buildout of *Richland Manor* by 2029. If the median refuge lane remains available for left turns, with buildout of the project in 2029 this approach would operate at LOC C with an average delay of 19.3 Seconds per vehicle.

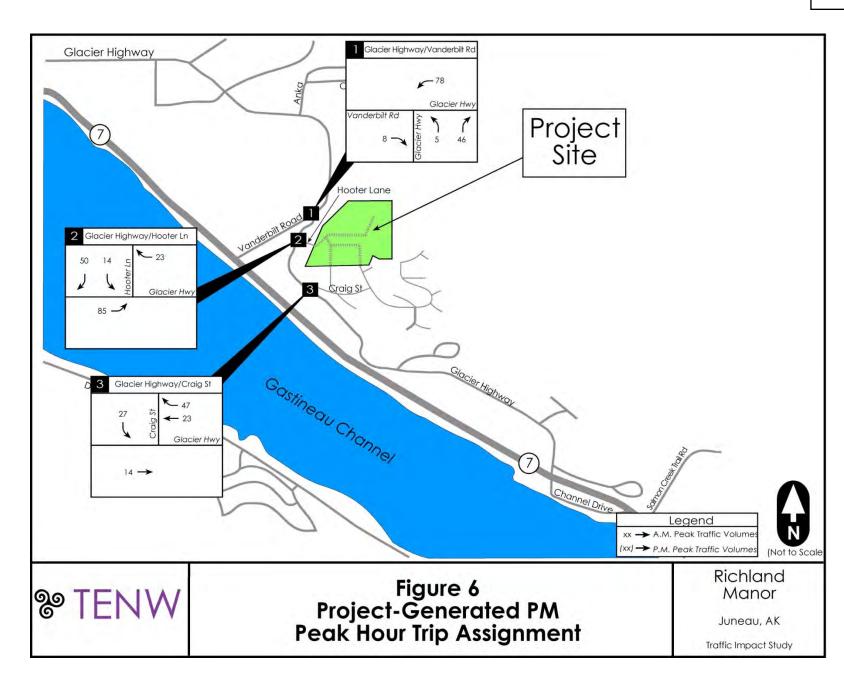
## Site Access and Circulation

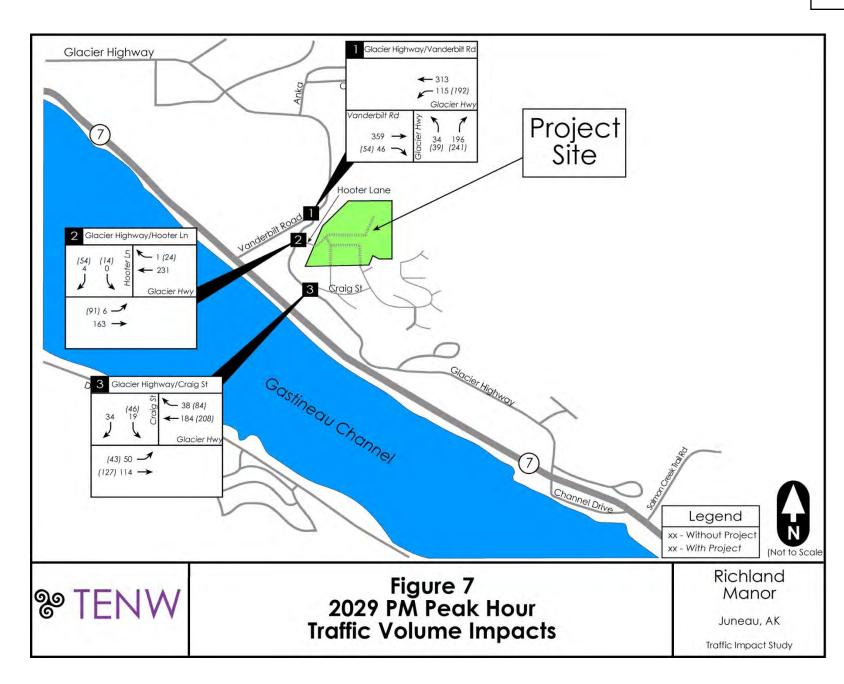
Primary vehicular access would be provided via construction of a public roadway within the undeveloped right-of-way of Hooter Lane, with secondary vehicular access via Hillcrest Drive and Abey Way via Craig Street. Additional gated access would be provided onto Robbie Road for emergency vehicles only to meet the minimum fire accessibility codes (above 200 multifamily housing units) per the International Fire Code to provide for secondary access beyond the Hooter Lane and Abey Way intersection.

The main access points to the site would be located on Glacier Highway at Hooter Lane and Craig Street. As identified previously, all critical stop-controlled movements at these two intersections are anticipated to operate at LOS B or better with the proposed development in 2029, with little or no vehicular queuing.









## Sight Distance

The American Association of State and Highway Transportation Officials (AASHTO) was used to determine entering and stopping sight distance requirements. AASHTO requires 555 feet of entering sight distance and 425 feet of stopping sight distance for a 50 mph design speed (10 mph over posted speed limit of 40 mph) on Glacier Highway. Field-measured sight distances by TENW in 2006 on Glacier Highway east and west of Hooter Lane are estimated to be greater than 700 feet, and are estimated to be greater than 1,000 feet east of and more than 700 feet west of Craig Street. Therefore, entering sight distance at the main site access points onto Glacier Highway at Hooter Lane and Craig Street would exceed AASHTO requirements.

## Left-Turn Lane Warrants

Left-turn movements represent critical turning movements at unsignalized intersections, increasing the potential for intersection delay and safety issues. Therefore, the potential need for a left-turn lane onto Glacier Highway at Hooter Lane was analyzed considering typical evening commute periods.

Based upon procedures and guideline's found in Volume Warrants for Left-Turn Storage Lanes at Unsignalized Intersections (Highway Research Record 211), an eastbound left-turn lane is not warranted based upon approximately 35 percent of eastbound left-turns, a 40 mph posted speed limit, advancing volume of approximately 255 vehicles and an opposing volume of 255 vehicles (Attachment 5).

# **Project Mitigation**

A traffic analysis and review was conducted of vehicular trip generation, intersection impacts, and site access, circulation, and safety issues for the proposed *Richland Manor* residential development in Juneau, AK. No direct mitigation measures were found to be necessary as a result of the proposed project. To meet level of service objectives of DOT&PF, the planned pedestrian/bicycle crossing treatment should be modified to preserve existing intersection capacity at its intersection with Vanderbilt Road or review of traffic operational impacts consider that level of service standards would not trigger any project mitigation if existing intersection capacity was maintained under existing conditions per 17 AAC 10.070.

As part of the development, the development would pay for the improvement and/or construction of all new site public access roadways and access connections including construction of Hooter Lane the extension of Abey Way and Hillcrest Drive, and Robbie Road (to serve as secondary fire/emergency vehicle access). A gated control for fire/emergency vehicles utilizing Opticom pre-emption is recommended for ease of fire/emergency vehicle access via Robbie Road.

If you have any questions regarding the information presented in this memo, please call me at (206) 361-7333 x 101 or mikeread@tenw.com.

Attachments:

- 1. 2019 Traffic Counts
- 2. Level of Service Summary Sheets
- 3. Trip Generation Estimates
- 4. Trip Distribution Observations
- 5. Turn Lane Warrant per HRR 211

Section J, Item 8.

Attachment 1 2019 Traffic Counts

Name:	PDC			Date:	9/25	/2019				City:	Juneau			
					Richland					<u> </u>	Juneau			
Intersection of:	Craig S	street		and	Glacier H	lighway								
Street:	<u>C</u>	raig Stre	<u>eet</u>	<u>c</u>	raig Stree	<u>t</u>	Glac	<mark>ier Hig</mark> h	<u>iway</u>	<u>Glaci</u>	ier Higł	<u>iway</u>	Total All	Hour Total
Time	E	ast Boui	nd	W	est Boun	d	No	orth Bou	Ind	Sou	ith Bou	ınd		
Begins	L	Т	R	L	Т	R	L	Τ	R	L	Т	R		
3:00 PM													0	
3:15 PM													0	
3:30 PM													0	
3:45 PM													0	0
4:00 PM				3		12		39	12	14	17		97	97
4:15 PM				4		10		36	16	8	27		101	198
4:30 PM				3		8		45	10	9	33		108	306
4:45 PM				3		3		35	11	12	24		88	394
5:00 PM				8		13		50	8	12	21		112	409
5:15 PM				3		7		37	5	12	25		89	397
5:30 PM				1		5		24	11	12	19		72	361
5:45 PM				3		7		37	5	12	25		89	362
Peak Hour	0	0	0	18	0	34	0	166	45	41	105	0	[	1506

<b>X</b> I	DD C									<u> </u>	7			
Name:	PDC			Date:		5/2019				City:	Juneau			_
					Richland				_					
Intersection of:	Hooter	Lane		and	Glacier H	lighway	Т		<u> </u>					T
Street:	ц	ooter La	no	ц	ooter Lar		Chy	cier Higl	hway	Cha	ier High		Total	Hour
Street.	110			11					iiway			Iway	All	Total
Time	E	ast Bou	nd	W	est Boun	d	No	orth Bou	und	So	uth Bou	ınd	7 11	
Begins	L	Т	R	L	Т	R	L	T	R	L	Т	R		
3:00 PM													(	)
3:15 PM													(	)
3:30 PM													(	)
3:45 PM													(	) 0
4:00 PM				0		0		52	1	1	30		84	
4:15 PM				0		1		42	1	0	37		81	
4:30 PM				0		0		65		2	45		113	
4:45 PM				0		0		34		1	30		6!	
5:00 PM				0		2 2		62	0	2	34		100	
5:15 PM				0				48		0	39		89	
5:30 PM				1		0		35		1	29		67	
5:45 PM				0		1		33	0	0	27		6	317
Peak Hour	0	0	0	0	0	4	0	209	1	5	148	0		1347
n	eak Hour	Ester	=	367	_ [	0.812								

		TA	BUL	AR SUM	MARY	OF TUP	RNINC	i MO	VEME	NT CC	DUNT	TS			
Name:	PDC			Date:	9/2	6/2019				City:	Juneau				
-				Project:	Richland	Manor					,				
Intersection of:	Glacier	Highwa	y	and	Vanderb										
Street:	Glad	<u>cier Hig</u> l	<u>ıway</u>	Gla	<u>cier High</u>	way	Van	derbilt F	Road	Vand	derbilt F	Road	Π	Total All	Hour Total
Time	E	ast Boui	nd	W	lest Bour	nd	No	orth Bou	ınd	So	uth Bou	nd	П		
Begins	L	Т	R	L	Т	R	L	Т	R	L	Т	R	1		
3:00 PM													1Γ	0	
3:15 PM													1Γ	0	
3:30 PM													1 [	0	
3:45 PM													1 [	0	0
4:00 PM				15		47		97	5	25	56		1Γ	245	245
4:15 PM				11		46		85	10	26	61		1 [	239	484
4:30 PM				8		53		80	8	27	61		] [	237	<b>72</b> 1
4:45 PM				7		36		84	8	20	65		] [	220	<b>94</b> 1
5:00 PM				12		40		74	15	28	89		1	258	954
5:15 PM				4		48		87	11	29	68		] [	247	962
5:30 PM				10		32		45	9	18	55			169	894
5:45 PM				12		16		45	10	18	38		] [	1 <b>39</b>	813
Peak Hour	0	0	0	31	0	177	0	325	42	104	283	0	J	Ε	3578
P Transportation Engine	eak Hou		=	962 4 258	=	0.932									MJR

Section J, Item 8.

# Attachment 2 Intersection LOS Summary Sheets

4

11/14/2019

### Intersection

Int Delay, s/veh

Movement	WBL	WBR	NBT	NBR	SBL	SBT	
Vol, veh/h	31	177	325	42	104	283	
Conflicting Peds, #/hr	0	0	0	0	0	0	
Sign Control	Stop	Stop	Free	Free	Free	Free	
RT Channelized	-	None	-	None	-	None	
Storage Length	0	-	-	-	0	-	
Veh in Median Storage, #	0	-	0	-	-	0	
Grade, %	0	-	0	-	-	0	
Peak Hour Factor	93	93	93	93	93	93	
Heavy Vehicles, %	2	2	2	2	2	2	
Mvmt Flow	33	190	349	45	112	304	

Minor1		Major1		Major2		
900	372	0	0	395	0	
372	-	-	-	-	-	
528	-	-	-	-	-	
6.42	6.22	-	-	4.12	-	
5.42	-	-	-	-	-	
5.42	-	-	-	-	-	
3.518	3.318	-	-	2.218	-	
309	674	-	-	1164	-	
697	-	-	-	-	-	
592	-	-	-	-	-	
		-	-		-	
279	674	-	-	1164	-	
400	-	-	-	-	-	
697	-	-	-	-	-	
535	-	-	-	-	-	
	900 372 528 6.42 5.42 5.42 3.518 309 697 592 279 400 697	900         372           372         -           528         -           6.42         6.22           5.42         -           5.42         -           3.518         3.318           309         674           697         -           279         674           400         -           697         -	900         372         0           372         -         -           528         -         -           6.42         6.22         -           5.42         -         -           5.42         -         -           3.518         3.318         -           309         674         -           592         -         -           279         674         -           400         -         -           697         -         -	$\begin{array}{c ccccccccccccccccccccccccccccccccccc$	$\begin{array}{c ccccccccccccccccccccccccccccccccccc$	$\begin{array}{c ccccccccccccccccccccccccccccccccccc$

Approach	WB	NB	SB	
HCM Control Delay, s	14.2	0	2.3	
HCM LOS	В			

Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT	
Capacity (veh/h)	-	- 612	1164	-	
HCM Lane V/C Ratio	-	- 0.365	0.096	-	
HCM Control Delay (s)	-	- 14.2	8.4	-	
HCM Lane LOS	-	- B	А	-	
HCM 95th %tile Q(veh)	-	- 1.7	0.3	-	

2029 Richmond Manor 5:00 pm 10/9/2019 2019 Existing PM Peak Hour TENW

11/14/2019

#### Intersection

Int Delay, s/veh

Movement	EBL	EBT	WBT	WBR	SBL	SBR	
Vol, veh/h	5	148	209	1	0	4	
Conflicting Peds, #/hr	0	0	0	0	0	0	
Sign Control	Free	Free	Free	Free	Stop	Stop	
RT Channelized	-	None	-	None	-	None	
Storage Length	-	-	-	-	0	-	
Veh in Median Storage, #	-	0	0	-	0	-	
Grade, %	-	0	0	-	0	-	
Peak Hour Factor	81	81	81	81	81	81	
Heavy Vehicles, %	2	2	2	2	2	2	
Mvmt Flow	6	183	258	1	0	5	

Major/Minor	Major1		Major2		Minor2		
Conflicting Flow All	259	0	-	0	454	259	
Stage 1	-	-	-	-	259	-	
Stage 2	-	-	-	-	195	-	
Critical Hdwy	4.12	-	-	-	6.42	6.22	
Critical Hdwy Stg 1	-	-	-	-	5.42	-	
Critical Hdwy Stg 2	-	-	-	-	5.42	-	
Follow-up Hdwy	2.218	-	-	-	3.518	3.318	
Pot Cap-1 Maneuver	1306	-	-	-	564	780	
Stage 1	-	-	-	-	784	-	
Stage 2	-	-	-	-	838	-	
Platoon blocked, %		-	-	-			
Mov Cap-1 Maneuver	1306	-	-	-	561	780	
Mov Cap-2 Maneuver	-	-	-	-	561	-	
Stage 1	-	-	-	-	784	-	
Stage 2	-	-	-	-	834	-	

Approach	EB	WB	SB	
HCM Control Delay, s	0.3	0	9.6	
HCM LOS			А	

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR SBLn1
Capacity (veh/h)	1306	-	-	- 780
HCM Lane V/C Ratio	0.005	-	-	- 0.006
HCM Control Delay (s)	7.8	0	-	- 9.6
HCM Lane LOS	А	А	-	- A
HCM 95th %tile Q(veh)	0	-	-	- 0

#### Section J, Item 8.

11/14/2019

#### Intersection

Int Delay, s/veh

Movement	EBL	EBT	WBT	WBR	SBL	SBR	
Vol, veh/h	45	103	167	34	17	31	
Conflicting Peds, #/hr	0	0	0	0	0	0	
Sign Control	Free	Free	Free	Free	Stop	Stop	
RT Channelized	-	None	-	None	-	None	
Storage Length	-	-	-	-	0	-	
Veh in Median Storage, #	-	0	0	-	0	-	
Grade, %	-	0	0	-	0	-	
Peak Hour Factor	91	91	91	91	91	91	
Heavy Vehicles, %	2	2	2	2	2	2	
Mvmt Flow	49	113	184	37	19	34	

Major/Minor	Major1		Major2		Minor2		
Conflicting Flow All	221	0	-	0	414	202	
Stage 1	-	-	-	-	202	-	
Stage 2	-	-	-	-	212	-	
Critical Hdwy	4.12	-	-	-	6.42	6.22	
Critical Hdwy Stg 1	-	-	-	-	5.42	-	
Critical Hdwy Stg 2	-	-	-	-	5.42	-	
Follow-up Hdwy	2.218	-	-	-	3.518	3.318	
Pot Cap-1 Maneuver	1348	-	-	-	595	839	
Stage 1	-	-	-	-	832	-	
Stage 2	-	-	-	-	823	-	
Platoon blocked, %		-	-	-			
Mov Cap-1 Maneuver	1348	-	-	-	572	839	
Mov Cap-2 Maneuver	-	-	-	-	572	-	
Stage 1	-	-	-	-	832	-	
Stage 2	-	-	-	-	791	-	
Oluge Z					171		

Approach	EB	WB	SB	
HCM Control Delay, s	2.4	0	10.4	
HCM LOS			В	

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR SBLn1
Capacity (veh/h)	1348	-	-	- 720
HCM Lane V/C Ratio	0.037	-	-	- 0.073
HCM Control Delay (s)	7.8	0	-	- 10.4
HCM Lane LOS	А	А	-	- B
HCM 95th %tile Q(veh)	0.1	-	-	- 0.2

1/29/2020

#### Intersection

Int Delay, s/veh

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Vol, veh/h	34	196	359	46	115	313
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	0	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	93	93	93	93	93	93
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	37	211	386	49	124	337

Minor1		Major1		Major2		
995	411	0	0	435	0	
411	-	-	-	-	-	
584	-	-	-	-	-	
6.42	6.22	-	-	4.12	-	
5.42	-	-	-	-	-	
5.42	-	-	-	-	-	
3.518	3.318	-	-	2.218	-	
271	641	-	-	1125	-	
669	-	-	-	-	-	
557	-	-	-	-	-	
		-	-		-	
241	641	-	-	1125	-	
241	-	-	-	-	-	
669	-	-	-	-	-	
496	-	-	-	-	-	
	995 411 584 6.42 5.42 5.42 3.518 271 669 557 241 241 669	995         411           411         -           584         -           6.42         6.22           5.42         -           5.42         -           3.518         3.318           271         641           669         -           241         641           241         -           669         -	$\begin{array}{cccccccccccccccccccccccccccccccccccc$	$\begin{array}{c ccccccccccccccccccccccccccccccccccc$	$\begin{array}{c ccccccccccccccccccccccccccccccccccc$	$\begin{array}{c ccccccccccccccccccccccccccccccccccc$

Approach	WB	NB	SB	
HCM Control Delay, s	18.3	0	2.3	
HCM LOS	С			

Minor Lane/Major Mvmt	NBT	NBRW	/BLn1	SBL	SBT	
Capacity (veh/h)	-	-	515	1125	-	
HCM Lane V/C Ratio	-	-	0.48	0.11	-	
HCM Control Delay (s)	-	-	18.3	8.6	-	
HCM Lane LOS	-	-	С	А	-	
HCM 95th %tile Q(veh)	-	-	2.6	0.4	-	

2029 Richmond Manor 5:00 pm 10/9/2019 2029 Baselilne - PM Peak Hour TENW

#### 1/29/2020

#### Intersection

Int Delay, s/veh

Movement	EBL	EBT	WBT	WBR	SBL	SBR	
Vol, veh/h	6	163	231	1	0	4	
Conflicting Peds, #/hr	0	0	0	0	0	0	
Sign Control	Free	Free	Free	Free	Stop	Stop	
RT Channelized	-	None	-	None	-	None	
Storage Length	-	-	-	-	0	-	
eh in Median Storage, #	-	0	0	-	0	-	
rade, %	-	0	0	-	0	-	
Peak Hour Factor	81	81	81	81	81	81	
Heavy Vehicles, %	2	2	2	2	2	2	
Ivmt Flow	7	201	285	1	0	5	

Major/Minor	Major1		Major2		Minor2		
Conflicting Flow All	286	0	-	0	502	286	
Stage 1	-	-	-	-	286	-	
Stage 2	-	-	-	-	216	-	
Critical Hdwy	4.12	-	-	-	6.42	6.22	
Critical Hdwy Stg 1	-	-	-	-	5.42	-	
Critical Hdwy Stg 2	-	-	-	-	5.42	-	
Follow-up Hdwy	2.218	-	-	-	3.518	3.318	
Pot Cap-1 Maneuver	1276	-	-	-	529	753	
Stage 1	-	-	-	-	763	-	
Stage 2	-	-	-	-	820	-	
Platoon blocked, %		-	-	-			
Mov Cap-1 Maneuver	1276	-	-	-	526	753	
Mov Cap-2 Maneuver	-	-	-	-	526	-	
Stage 1	-	-	-	-	763	-	
Stage 2	-	-	-	-	815	-	
0	-	-	-	-		-	

Approach	EB	WB	SB	
HCM Control Delay, s	0.3	0	9.8	
HCM LOS			А	

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR SBLn1
Capacity (veh/h)	1276	-	-	- 753
HCM Lane V/C Ratio	0.006	-	-	- 0.007
HCM Control Delay (s)	7.8	0	-	- 9.8
HCM Lane LOS	А	А	-	- A
HCM 95th %tile Q(veh)	0	-	-	- 0

# Section J, Item 8.

1/29/2020

### Intersection

Int Delay, s/veh

Movement	EBL	EBT	WBT	WBR	SBL	SBR	
Vol, veh/h	50	114	185	38	19	34	
Conflicting Peds, #/hr	0	0	0	0	0	0	
Sign Control	Free	Free	Free	Free	Stop	Stop	
RT Channelized	-	None	-	None	-	None	
Storage Length	-	-	-	-	0	-	
Veh in Median Storage, #	-	0	0	-	0	-	
Grade, %	-	0	0	-	0	-	
Peak Hour Factor	91	91	91	91	91	91	
Heavy Vehicles, %	2	2	2	2	2	2	
Mvmt Flow	55	125	203	42	21	37	

Major1		Major2		Minor2		
245	0	-	0	459	224	
-	-	-	-	224	-	
-	-	-	-	235	-	
4.12	-	-	-	6.42	6.22	
-	-	-	-	5.42	-	
-	-	-	-	5.42	-	
2.218	-	-	-	3.518	3.318	
1321	-	-	-	560	815	
-	-	-	-	813	-	
-	-	-	-	804	-	
	-	-	-			
1321	-	-	-	535	815	
-	-	-	-	535	-	
-	-	-	-	813	-	
-	-	-	-	768	-	
	245 - 4.12 - 2.218 1321 - -	245 0  4.12 -  2.218 - 1321 -  - 1321 - - - - - - - - - - - - - -	245       0       -         -       -       -         4.12       -       -         -       -       -         2.218       -       -         1321       -       -         -       -       -         1321       -       -         -       -       -         -       -       -         1321       -       -         -       -       -         -       -       -         -       -       -         -       -       -         -       -       -         -       -       -         -       -       -         -       -       -         -       -       -         -       -       -         -       -       -         -       -       -         -       -       -         -       -       -         -       -       -         -       -       -         -       -       -         -       -       - </td <td>245       0       -       0         -       -       -       -         4.12       -       -       -         -       -       -       -         -       -       -       -         2.218       -       -       -         1321       -       -       -         -       -       -       -         1321       -       -       -         -       -       -       -         1321       -       -       -         -       -       -       -         -       -       -       -         -       -       -       -         -       -       -       -         -       -       -       -         -       -       -       -         -       -       -       -         -       -       -       -         -       -       -       -         -       -       -       -         -       -       -       -         -       -       -       -</td> <td><math display="block">\begin{array}{c ccccccccccccccccccccccccccccccccccc</math></td> <td><math display="block">\begin{array}{c ccccccccccccccccccccccccccccccccccc</math></td>	245       0       -       0         -       -       -       -         4.12       -       -       -         -       -       -       -         -       -       -       -         2.218       -       -       -         1321       -       -       -         -       -       -       -         1321       -       -       -         -       -       -       -         1321       -       -       -         -       -       -       -         -       -       -       -         -       -       -       -         -       -       -       -         -       -       -       -         -       -       -       -         -       -       -       -         -       -       -       -         -       -       -       -         -       -       -       -         -       -       -       -         -       -       -       -	$\begin{array}{c ccccccccccccccccccccccccccccccccccc$	$\begin{array}{c ccccccccccccccccccccccccccccccccccc$

Approach	EB	WB	SB	
HCM Control Delay, s	2.4	0	10.7	
HCM LOS			В	

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR SBLn1
Capacity (veh/h)	1321	-	-	- 686
HCM Lane V/C Ratio	0.042	-	-	- 0.085
HCM Control Delay (s)	7.8	0	-	- 10.7
HCM Lane LOS	А	А	-	- B
HCM 95th %tile Q(veh)	0.1	-	-	- 0.3

1/29/2020

#### Intersection

Int Delay, s/veh

Movement	WBL	WBR	NBT	NBR	SBL	SBT	
Vol, veh/h	39	241	359	54	192	313	
Conflicting Peds, #/hr	0	0	0	0	0	0	
Sign Control	Stop	Stop	Free	Free	Free	Free	
RT Channelized	-	None	-	None	-	None	
Storage Length	0	-	-	-	0	-	
Veh in Median Storage, #	0	-	0	-	-	0	
Grade, %	0	-	0	-	-	0	
Peak Hour Factor	93	93	93	93	93	93	
Heavy Vehicles, %	2	2	2	2	2	2	
Mvmt Flow	42	259	386	58	206	337	

Major/Minor	Minor1		Major1		Major2		
Conflicting Flow All	1164	415	0	0	444	0	
Stage 1	415	-	-	-	-	-	
Stage 2	749	-	-	-	-	-	
Critical Hdwy	6.42	6.22	-	-	4.12	-	
Critical Hdwy Stg 1	5.42	-	-	-	-	-	
Critical Hdwy Stg 2	5.42	-	-	-	-	-	
Follow-up Hdwy	3.518	3.318	-	-	2.218	-	
Pot Cap-1 Maneuver	215	637	-	-	1116	-	
Stage 1	666	-	-	-	-	-	
Stage 2	467	-	-	-	-	-	
Platoon blocked, %			-	-		-	
Mov Cap-1 Maneuver	175	637	-	-	1116	-	
Mov Cap-2 Maneuver	175	-	-	-	-	-	
Stage 1	666	-	-	-	-	-	
Stage 2	381	-	-	-	-	-	

Approach	WB	NB	SB
HCM Control Delay, s	25.8	0	3.4
HCM LOS	D		

Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT	
Capacity (veh/h)	-	- 466	1116	-	
HCM Lane V/C Ratio	-	- 0.646	0.185	-	
HCM Control Delay (s)	-	- 25.8	9	-	
HCM Lane LOS	-	- D	А	-	
HCM 95th %tile Q(veh)	-	- 4.5	0.7	-	

2029 Richmond Manor 5:00 pm 10/9/2019 2029 with Buildout - PM Peak Hour TENW

## Section J, Item 8.

1/29/2020

### Intersection

Int Delay, s/veh

Movement	EBL	EBT	WBT	WBR	SBL	SBR	
Vol, veh/h	91	163	231	24	14	54	
Conflicting Peds, #/hr	0	0	0	0	0	0	
Sign Control	Free	Free	Free	Free	Stop	Stop	
RT Channelized	-	None	-	None	-	None	
Storage Length	-	-	-	-	0	-	
/eh in Median Storage, #	-	0	0	-	0	-	
irade, %	-	0	0	-	0	-	
eak Hour Factor	81	81	81	81	81	81	
leavy Vehicles, %	2	2	2	2	2	2	
Ivmt Flow	112	201	285	30	17	67	

Major/Minor	Major1		Major2		Minor2		
Conflicting Flow All	315	0	-	0	726	300	
Stage 1	-	-	-	-	300	-	
Stage 2	-	-	-	-	426	-	
Critical Hdwy	4.12	-	-	-	6.42	6.22	
Critical Hdwy Stg 1	-	-	-	-	5.42	-	
Critical Hdwy Stg 2	-	-	-	-	5.42	-	
Follow-up Hdwy	2.218	-	-	-	3.518	3.318	
Pot Cap-1 Maneuver	1245	-	-	-	391	740	
Stage 1	-	-	-	-	752	-	
Stage 2	-	-	-	-	659	-	
Platoon blocked, %		-	-	-			
Mov Cap-1 Maneuver	1245	-	-	-	352	740	
Mov Cap-2 Maneuver	-	-	-	-	352	-	
Stage 1	-	-	-	-	752	-	
Stage 2	-	-	-	-	592	-	
Follow-up Hdwy Pot Cap-1 Maneuver Stage 1 Stage 2 Platoon blocked, % Mov Cap-1 Maneuver Mov Cap-2 Maneuver Stage 1	1245 - -	- - -	- - - - - - - - -	- - - - - - - - -	391 752 659 352 352 752	740 - - 740 - -	

Approach	EB	WB	SB	
HCM Control Delay, s	2.9	0	11.9	
HCM LOS			В	

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR SBLn1
Capacity (veh/h)	1245	-	-	- 603
HCM Lane V/C Ratio	0.09	-	-	- 0.139
HCM Control Delay (s)	8.2	0	-	- 11.9
HCM Lane LOS	А	А	-	- B
HCM 95th %tile Q(veh)	0.3	-	-	- 0.5

#### Section J, Item 8.

1/29/2020

#### Intersection

Int Delay, s/veh

Movement	EBL	EBT	WBT	WBR	SBL	SBR	
Vol, veh/h	50	127	208	84	46	34	
Conflicting Peds, #/hr	0	0	0	0	0	0	
Sign Control	Free	Free	Free	Free	Stop	Stop	
RT Channelized	-	None	-	None	-	None	
Storage Length	-	-	-	-	0	-	
eh in Median Storage, #	-	0	0	-	0	-	
irade, %	-	0	0	-	0	-	
eak Hour Factor	91	91	91	91	91	91	
leavy Vehicles, %	2	2	2	2	2	2	
Ivmt Flow	55	140	229	92	51	37	

Major1		Major2		Minor2		
321	0	-	0	524	275	
-	-	-	-	275	-	
-	-	-	-	249	-	
4.12	-	-	-	6.42	6.22	
-	-	-	-	5.42	-	
-	-	-	-	5.42	-	
2.218	-	-	-	3.518	3.318	
1239	-	-	-	514	764	
-	-	-	-	771	-	
-	-	-	-	792	-	
	-	-	-			
1239	-	-	-	489	764	
-	-	-	-	489	-	
-	-	-	-	771	-	
-	-	-	-	754	-	
	321 - 4.12 - 2.218 1239 - - 1239 - -	321 0  4.12 -  2.218 - 1239 -  1239 -  1239 -       	321       0       -         -       -       -         4.12       -       -         -       -       -         2.218       -       -         1239       -       -         -       -       -         1239       -       -         -       -       -         -       -       -         -       -       -         -       -       -         -       -       -         -       -       -         -       -       -         -       -       -         -       -       -         -       -       -         -       -       -         -       -       -         -       -       -         -       -       -         -       -       -         -       -       -         -       -       -         -       -       -         -       -       -	321       0       -       0         -       -       -       -         4.12       -       -       -         -       -       -       -         4.12       -       -       -         -       -       -       -         2.218       -       -       -         1239       -       -       -         -       -       -       -         1239       -       -       -         -       -       -       -         -       -       -       -         -       -       -       -         -       -       -       -         -       -       -       -         -       -       -       -         -       -       -       -         -       -       -       -         -       -       -       -         -       -       -       -         -       -       -       -         -       -       -       -         -       -       -       -	$\begin{array}{cccccccccccccccccccccccccccccccccccc$	$\begin{array}{cccccccccccccccccccccccccccccccccccc$

Approach	EB	WB	SB	
HCM Control Delay, s	2.3	0	12.4	
HCM LOS			В	

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR SBLn1
Capacity (veh/h)	1239	-	-	- 577
HCM Lane V/C Ratio	0.044	-	-	- 0.152
HCM Control Delay (s)	8	0	-	- 12.4
HCM Lane LOS	А	А	-	- B
HCM 95th %tile Q(veh)	0.1	-	-	- 0.5

2029 Richmond Manor 5:00 pm 10/9/2019 2029 with Buildout - PM Peak Hour TENW

## HCM 2010 TWSC 1: Vanderbilt Rd & Glacier Highway/Existing Geometry in 2029

#### 1/29/2020

#### Intersection

Int Delay, s/veh

5.9

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Vol, veh/h	39	241	359	54	192	313
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	0	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	93	93	93	93	93	93
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	42	259	386	58	206	337

Approach	WB	NB	SB
HCM Control Delay, s	19.3	0	3.4
HCM LOS	С		

Minor Lane/Major Mvmt	NBT	NBRW	/BLn1	SBL	SBT	
Capacity (veh/h)	-	-	547	1116	-	
HCM Lane V/C Ratio	-	-	0.55	0.185	-	
HCM Control Delay (s)	-	-	19.3	9	-	
HCM Lane LOS	-	-	С	А	-	
HCM 95th %tile Q(veh)	-	-	3.3	0.7	-	

2029 Richmond Manor 5:00 pm 10/9/2019 2029 with Buildout - PM Peak Hour TENW

# Attachment 3 Trip Generation Estimates

#### Richland Manor Trip Generation

Richland Manor Site Plan (47 SF and 356 MF units) Oc	tober 2019	)									
	Land Use				AM Peak			PM Pea	k	Daily	
New	Code	Size	Х	Enter	Exit	Trips	Enter	Exit	Trips	Trips	Method
Single Family Detached Housing	210	47	Units	9	26	35	30	17	47	444	average
Residential Condominiums/Townhouses/Apartments	220	356	Units	38	126	164	125	74	199	2,606	average
Total Trip Generation				46	153	199	155	91	246	3,050	

1/29/2

Attachment 4 Trip Distribution Observations

## Neighborhood Traffic Distribution along Glacier Highway

#### AM Peak 2006

To/From West	69	57%
To/From East	52	43%
	122	

#### PM Peak 2006

To/From West	93	56%
To/From East	72	44%
	165	

## <u>PM Peak 2019</u>

To/From West	94	62%
To/From East	57	38%
	151	

Study Assumptions Were:		Average From Observations Above:
To/From West	55%	58%
To/From East	45%	42%

# Attachment 5 Turn Lane Warrants per HRR 211

## **Volume Warrants for Left-Turn Storage Lanes** At Unsignalized Grade Intersections

M. D. HARMELINK, Project Research Engineer (Traffic), Department of Highways, Ontario

This paper describes the derivation of volume warrants and design charts for left-turn storage lanes at unsignalized grade intersections on four-lane and two-lane highways. The design charts are based on a theoretical analysis and on a series of field studies of traffic behavior at intersections.

The analysis is based on a queuing model in which arrival and service times are assumed to follow a negative exponential distribution. The arrival rates are determined by the volumes of left-turning, through or "advancing," and opposing traffic, and by the time interval required by the left-turning vehicle to clear the advancing lane. The service rates are determined by the volume of opposing traffic, and by the time interval required to make a left-turn maneuver.

Field studies of traffic behavior conducted at seven unsignalized Ontario intersections provided average values of the time interval required by a left-turning vehicle to make a left turn and to clear the advancing lane, the delay experienced by a left-turning vehicle because of opposing traffic, gap acceptance and rejection behavior, and actual arrival rates and headway distributions at various volume levels.

\*THIS study was undertaken because of the lack of consistent volume warrants for leftturn storage lanes at unsignalized intersections. The usual method of analyzing such intersections individually on the basis of past experience, accident records, complaints from the traveling public, and engineering judgment has led to inconsistency from location to location.

It was felt that the volume warrants developed should be consistent in their evaluation of traffic parameters from location to location; they should provide reasonable recommendations for specific intersections; and they should be based on traffic and operational considerations, rather than on a benefit-cost analysis, because of the difficulty of translating the benefits received to a monetary value on a suitable rational basis.

The study contained three phases: a theoretical analysis, a series of field studies of traffic behavior, and analysis of a series of questionnaires completed for specific intersections by Department of Highways regional traffic engineers.

#### THEORETICAL ANALYSIS

Queuing theory may be used to analyze operational flow problems where the state of the system changes from time to time and which have elements that follow this basic behavior: A sequence of units arrives at some facility which services each unit and eventually discharges it [1]. In our problem, a sequence of left-turning vehicles arrives at some intersection that permits each left-turning vehicle to proceed if and when there is a suitable gap in the opposing traffic stream, and then discharges the vehicle from the intersection. Morse (1) explains that instead of trying to predict in detail how the state of the system changes with time, we can calculate the probabilities that the system is in each of the possible states.

Paper sponsored by Committee on Traffic Control Devices.

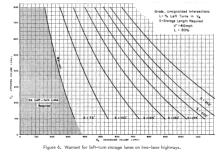
SMP2021 0004 ATTACHMENT D, Page 33

#### Attachment F - Traffic Impact Analysis

#### Contents

VOLUME WARRANTS FOR LEFT-TURN STORAGE LANES AT UNSIGNALIZED GRADE INTERSECTIONS	
M.D. Harmelink	1
A PRACTICAL COMPUTER PROGRAM FOR DESIGNING TRAFFIC-SIGNAL-SYSTEM TIMING PLANS	
Robert L. Bleyl	9
USE OF A COMPUTER AND VEHICLE LOOP DETECTORS TO MEASURE QUEUES AND DELAYS AT SIGNALIZED INTERSECTIONS	
A. Christensen	ŧ.
THE EFFECTS OF STREET GEOMETRICS AND SIGNALIZATION ON TRAVEL TIME AND THEIR RELATIONSHIPS TO TRAFFIC OPERATIONS EVALUATION	
J. F. Torres	9





## Attachment F - Traffic Impact Analysis

#### 696