



REGULAR PLANNING COMMISSION AGENDA

September 12, 2023 at 7:00 PM

Assembly Chambers/Zoom Webinar

<https://juneau.zoom.us/j/84057349041> or 1-253-215-8782 Webinar ID: 840 5734 9041

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. ROLL CALL

C. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA

D. APPROVAL OF MINUTES

1. August 8, 2023 Draft Minutes, Regular Planning Commission- **APPROVED**

E. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION

F. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

G. ITEMS FOR CONSIDERATION

H. CONSENT AGENDA

I. UNFINISHED BUSINESS

J. REGULAR AGENDA

2. **USE2023 0011: Bitterman Conditional Use Permit for Commercial Storage and Parking**

The applicant requests a Conditional Use Permit to use a residentially zoned lot for the off-season storage of commercial boats and parking of commercial vans in support of his seasonal tourist business. The applicant proposes the exterior storage of three (3) commercial boats outside this winter until construction of a new single-family/garage structure is completed which will provide 4,080 square feet of interior boat storage and van parking. Six (6) commercial vans are currently parked year-round in a leased building near Auke Bay. Once construction of the new single-family/garage structure is completed, the three (3) commercial boats and up to six commercial vans will be stored/parked inside during the off-season. Employees and customers of the tourist company will not be reporting to the site for commercial purposes.

Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE with conditions the requested Conditional Use Permit. The permit would allow for commercial boat storage and van parking on a residential lot.

Approval is subject to the following conditions:

1. Exterior storage of commercial boats shall be temporary, for a period not to exceed eighteen (18) months from the date of issuance of the Conditional Use Permit.

2. Commercial boats and vans shall be stored / parked inside the new single-family/garage structure.
3. No exterior parking of commercial vans shall be permitted.
4. Parking spaces shall be a minimum of 8.5 feet by 17 feet.
5. One accessible parking space shall be at least 13 feet by 17 feet, including an access aisle area of at least 5 feet by 17 feet. A blue wheel stop and CBJ-approved signage shall be posted for the space prior to commencement of the proposed use.
6. Exterior lighting shall be designed and located to minimize off-site glare.
7. Employees and customers of the tourist company shall not report to the site for commercial purposes.

APPROVED as AMENDED

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

- [3.](#) August 22, 2023 Draft Minutes, Regular Planning Commission- **APPROVED**

Public Comment received between 8/31-9/8

S. ADJOURNMENT

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

DRAFT MINUTES
Agenda
Planning Commission
Regular Meeting
CITY AND BOROUGH OF JUNEAU
Michael LeVine, Chair
August 8, 2023

I. LAND ACKNOWLEDGEMENT – Read by Commissioner 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

Michael LeVine, 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 – Michael LeVine, Chair; Mandy Cole, Vice Chair; Travis Arndt, Clerk; Erik Pedersen, Assistant Clerk; Paul Voelckers; Matthew Bell; Adam Brown; Nina Keller; David Epstein

Commissioners present via video conferencing – None

Commissioners absent: None

Staff present: Jill Maclean, CDD Director; Irene Gallion, Senior Planner; Ilsa Lund, CDD Administrative Assistant; Lily Hagerup, CDD Administrative Assistant; Sherri Layne, Law Assistant Municipal Attorney

Assembly members: ‘Wáahlaal Gíidaak (Barbara) Blake

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

IV. APPROVAL OF MINUTES

A. July 11, 2023, Draft Minutes, Regular Planning Commission

MOTION: *by Mr. Epstein to approve the July 11, 2023, Planning Commission Regular Meeting minutes with changes.*

The motion passed with no objection.

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

VI. **PUBLIC PARTICIPATION ON NON-AGENDA ITEMS** – None

VII. **ITEMS FOR RECONSIDERATION** – None

VIII. **CONSENT AGENDA** – None

IX. **UNFINISHED BUSINESS** – None

X. **REGULAR AGENDA**

VAR2023 0001: Variance to lot coverage limitations to allow an additional 1,440 square foot garage.

Applicant: RESPEC

Location: 3050 Fritz Cove Road

Staff Recommendation

Staff recommends the Planning Commission adopt the Director’s analysis and findings and deny VAR2023 0001.

STAFF PRESENTATION – by Director Maclean

APPLICANT PRESENTATION

Mark Pusich, RESPEC, presented on behalf of the property owner. The variance request is to exceed the ten percent allowable lot coverage area on the existing D1 parcel to build an additional, larger garage to accommodate ADA accessibility issues for the owner’s disabled spouse.

Mrs. Lindegaard, property owner, explained she is a polio survivor, there is currently an ADA garage on the property which helps to make the home accessible. Mr. Lindegaard needs a structure on the property with a lift so he can work on and maintain her accessibility equipment.

QUESTIONS FOR APPLICANT

Mr. Voelckers: There is an existing garage with ADA access doors. Is it not big enough for equipment maintenance? Mr. Pusich: Correct. The current garage is not adequate to maintain the equipment, including the lift, the chair and vehicles.

Ms. Cole: Tell us about the previous requested variance to build a garage which was permitted at 600 sq. ft. but was built to 837 sq. ft. Mrs. Lindegaard: We were not married at the time the garage was built so I do not know why he built it that way.

Mr. LeVine: Why not just knock down other structures on the property to allow the construction of the requested building? Mrs. Lindegaard: That would be very expensive to demolish existing buildings. The

house itself was built smaller than permitted and the land has expanded so she feels this should be allowed.

Mr. Epstein: What is the reason for full restroom accommodations in the building? Mr. Pusich: One purpose for the shower is in case chemicals need to be washed off.

Mr. Arndt: Is there a feature of the lot creating a hardship? Mrs. Lindegaard said she will answer with her husband after public testimony.

PUBLIC COMMENT

Wayne Coogan, Fritz Cove - Spoke in support of the requested permit saying the new garage will be much easier for Mrs. Lindegaard to access than the one currently on the property.

Brandee Gerke, (daughter to Mrs. Lindegaard) – Spoke in support of the requested permit saying it has been incredible to see how Mr. Lindegaard has worked to accommodate her mother’s circumstance.

Dave Hanna – Spoke in support of the requested permit.

COMMISSIONER QUESTIONS –

Mr. Arndt: Is there a feature of the lot creating a hardship that necessitates the garage, combined with the other structures on the lot, to cover more than ten percent of the lot? Mr. Lindegaard: Explained his wife cannot access the existing garage, especially in the winter. The new one will be easier for her. He needs the lift so he can work on the equipment without getting onto the floor, considering his age.

Mr. Voelckers: Can Mr. Pusich elaborate on the 1993 variance? Mr. Pusich: In 1993, a variance was granted to allow more than ten percent lot coverage. Since then, the owner has purchased additional land and consolidated the two into a new lot. Now they are told that the current request is not allowed.

Ms. Cole: What size of garage would be allowed without a variance? Mr. Pusich: Approximately 400 sq. ft.

Mr. Epstein: Do you still own the two antique vehicles cited in the 1993 variance request as the reason for building that garage? Where are they stored? Mr. Lindegaard: He does still own them. They are kept in a boat condo not on their property.

Ms. Keller: What is the existing garage used for? Mr. Lindegaard uses it for working on vehicles and wheelchair equipment. It is too small to accommodate the lift he would like to have.

Mr. Pedersen: Is it correct that handicapped vehicles need extra width for loading and unloading? Mr. Pusich: Yes.

Mr. LeVine: Is it your understanding that the percentage is determined using the total current parcel? Mr. Pusich: Yes. The variance request is for a total of 1.8% in excess of the 10% allowed.

COMMISSIONER QUESTIONS FOR STAFF

Mr. Arndt: This is D1 transitioning to D3 with private septic. The permissible lot coverage in a D3 zone is 35 percent. The transition would require switching to city water/sewer. There is not city sewer there yet. Is it the intention to take sewer out to there? Ms. Maclean said she does not know of current plans to run city sewer out Fritz Cove Road but does not rule it out either.

Mr. Voelckers: Why was the land reset? Ms. Maclean explained when the owners consolidated the two lots, it became a new lot and the old variances no longer applied.

MOTION: *by Mr. Arndt to approve VAR2023 0001 variance to lot coverage limitations to allow an additional 1,440 square foot garage.*

Mr. Arndt spoke against his motion and recommended DENIAL. While he felt for the petitioners, the commissioners' hands are tied. There is not a unique feature of the property creating a hardship. Mr. Voelckers and Mr. Bell spoke against the motion.

Mr. Voelckers spoke for the record to say the commission needs to work to find a process whereby they can find a logical way for people to make stay at home accommodations for situations like this.

Mr. LeVine spoke to say the rules do not allow approval of the garage, but he feels the applicants should be able to build it. There should be a way to amend the rules to allow compassion.

Mr. Brown asked if the thirty-foot shift in elevation could create a hardship. Mr. LeVine explained incline is not a unique feature limiting lot coverage. Unfortunately, expense and individual needs of the property owner are not issues they are permitted to consider. Ms. Maclean added staff considers how the property is used in comparison to other properties in the zone or neighborhood.

Mr. Epstein noted on pages 16 and 17, there are 4 findings. Percentage of lot coverage is not mentioned in the findings and asked how it is relevant. Mr. LeVine explained the variance sought is for lot coverage. The findings are not specific to lot coverage. Rather, they are specific to use.

ROLL CALL VOTE:

YEA: Bell, Pedersen

NO: Arndt, Cole, Epstein, Keller, Brown, Voelckers, LeVine

The motion failed 2-7.

*****AT EASE 8:00 p.m. – 8:13 p.m.*****

Prior to hearing USE2023 0010, Mr. Voelckers declared a conflict and recused himself.

Prior to hearing USE2023 0010, Mr. Arndt declared a potential conflict as the applicant and he have the same attorney. He has no financial interest in the case before the Commission and can be impartial. He was allowed to remain.

Mr. LeVine disclosed the CUP decision from the previous meeting on July 11, 2023, is being appealed and cautioned participants and commissioners not to discuss it or consider it with the item before them now. The CUP was for the dock portion only.

USE2023 0010: A Conditional Use Permit for mixed use development: Up to 50,000 square feet of retail and related uses, underground bus staging and vehicle parking, and a park.
Applicant: Huna Totem Corporation
Location: 0 Egan Drive

Staff Recommendation

Staff recommends the Planning Commission adopt the Director’s analysis and findings and approve Conditional Use Permit 2023 0010.

STAFF PRESENTATION - Director Maclean presented the case and explained that this project was previously proposed under USE 2023 0003. Differences from then to this application include:

- The dock is not included in this application as it was approved and is now under appeal.
- There is no phasing.
- The site will include a cultural and science center.

QUESTIONS FOR STAFF

Mr. LeVine asked if there had been a preapplication conference. Ms. Maclean said there was a preapplication conference held in 2022. She added that a new conference was not required, and it is not uncommon for time to pass between preapplication conference, and an application being submitted.

Ms. Keller asked whether the US Coast Guard (USCG) parking and access concerns had been addressed. Ms. Maclean said there were some expressed concerns, but they have been addressed and cleared.

APPLICANT PRESENTATION – Mr. Parady, Huna Totem Corporation (HTC), Executive VP, stated this application is complete, complies with CBJ 49.15.330, meets elements of the Visitor Industry Task Force (VITF), and has been subject to community engagement. It is privately funded on private land, and it requires no tax abatement or variances.

This project will not increase the number of ships in port. It will move tourists from the downtown area and decrease congestion on South Franklin.

Mickey Richardson, HTC VP of Creative Development, spoke to address PC concerns from the prior meeting. Mr. Richardson presented the informational handouts distributed to commissioners. This development will accommodate the largest cruise ships which carry 4,000+ passengers. The facility will be open year-round to the community. Addressing the housing issue that came up at the last meeting, he stated that adding a living space to this structure is not feasible. Any housing on this location would be a multimillion-dollar property and would not add to needed affordable housing. Additionally, the USCG houses live ammunition on its property which causes a hazard for housing.

QUESTIONS FOR APPLICANT

Ms. Keller asked if the facility would be available only to cruise passengers or if the local public community would also be able to use it. Mr. Richardson explained this will be a year-round facility for the community.

Ms. Cole asked if any other Huna Totem projects support year-round use. Mr. Richardson explained Hoonah, where HTC's Icy Straight Point is located, is a community of 760 people and year-round use would not be as feasible. The facility in Whittier, opening in 2024, is planned to be open year-round. Mr. Parady added that the brewery in Hoonah has been purchased by HTC and it will be open part time year-round.

Mr. Arndt asked if the Science Center will be used for school educational projects and activities during the school year. Mr. Parady confirmed that is the plan.

PUBLIC COMMENT

Dawn Dulebohn – Spoke against the permit. She suggested opening the parking to the community and using a portion of the building as a warming/cooling shelter for locals, tourists, and homeless.

Ms. Cole – Did hearing the applicant say it will be used year-round sway your comments? Ms. Dulebohn said what is originally planned can change over the course of a project and she wanted to remind the applicant that the original project was to be a benefit to the community.

Mr. LeVine – Is there a reason you were not at the last meeting? Ms. Dulebohn answered that she had only heard about it this week.

Susan Bell – Spoke in favor of the permit. She has background in tourism, marketing, and community planning and felt the project is consistent with the long-range waterfront plan and will benefit the visitor experience and provide opportunity for small businesses. Based on the HTC development at Icy Strait Point, she believes this will be a quality project. From a pedestrian and vehicular standpoint, this will enhance public safety.

Kirsa Hughes-Skandijs – (via Zoom) – Spoke to say her absence at the last meeting is because she was not aware of it at the time. She appreciates the focus on indigenous culture and science and is happy to hear they will require year-round business in the space. However, she is leery of expansion of the tourist industry. Overall, she appreciates the idea but has concerns.

Mr. Arndt - Is there anything in particular with this project that you do or do not support? Ms. Hughes-Skandijs answered there is a lot to like in the proposal as presented. She applauds the year-round design.

Mr. Epstein - Please explain your concerns with the traffic. Ms. Hughes-Skandijs answered when she said 'traffic', she meant the increase in pedestrian traffic on the streets.

Carla Casulucan – is a shareholder of HTC. She spoke in support saying Norwegian Cruise Lines made a good move by donating the land back to the Native people. She sees this project as an opportunity for economic empowerment and sustainable development for Juneau residents as well as the indigenous community. She has been following the project since Huna Totem gained ownership of the property in 2022.

Steve Krall, Basin Road resident – Spoke to say there is too much tourism in Juneau already and it has not been properly managed. He believes this will increase traffic in town and he will need to alter his route when driving to and from work. He is pleased the land was returned to the Native community but felt this may have been done to create opposition. He stated he was not at the last meeting because he was not aware of it.

Robert Venables, Juneau resident – (via Zoom) – Spoke in support. He said this may be the only intersection with two turning lanes where tour buses can make a left turn. This is an advantage over the current situation with buses on narrow, single lane roads that hold up traffic waiting for an opportunity to turn. He also said he was not at the last meeting, but he hopes there will be support for this and he supports it.

Kim Metcalfe, 730 Gold Street – Spoke against the permit saying she did not participate at the last meeting as she was not aware of it at the time. She felt there was a lack of public process and noted it was heard in early July, which is a busy time for her family. She is concerned traffic will be impacted. Ms. Metcalfe noted the comments in memos from the USCG, Docks & Harbors, and other CBJ personnel and felt they had not been fully addressed. She has additional concerns that the 5-ship limit will be exceeded.

Ms. Cole - The comments from USCG and CBJ Docks/Harbors appear to have been asked and answered. Do you still have concerns? Ms. Metcalfe said there needs to be a navigability study and they need to address the impacts on fuel in the channel, access to floatplane docks, dock electrification, tidal flushing among other issues.

Kerry Crocker, 925 Calhoun, President of Longshore and Warehouse Union – Spoke in support of the permit saying this project would provide good paying, benefitted union jobs for longshoremen. Moving up to 150,000 passengers to the new subport development and out of the downtown core will do a lot to ease congestion.

Kay McCarthy (via Zoom) – Said she has concerns with the project. She did not participate in previous meetings. She felt there was not sufficient notification and added July is a busy time for Juneau residents. She expressed concerns saying she does not believe everything is going to be as great as is being described. This is going to be a commercial money-making project while it is being promoted as an educational and science project that will build relationships. She is opposed to the project saying there is only one road out of town.

Sierra Gadaire, Douglas resident – Ms. Gadaire said she is at the meeting as a direct result of the KTOO article reflecting the lack of public comment at the July meeting. Overall, she is in support of the subport development as a means of managing tourism in accordance with the VITF. She said with the right approach, this project can be a success.

Johan Dybdahl, Juneau resident (former Planning Commission member) – Spoke in support saying the project meets MU2 zoning and code. It is a private development on private property. He supports Staff findings and analysis, and he believes this will be done in the right way.

Ms. Cole said there is a problem with businesses downtown that are not open year-round, and this is one of the reasons this zoning district was changed to mixed use from waterfront commercial. Calling on his expertise as a former commissioner, she asked Mr. Dybdahl for a suggestion on how he would suggest the PC move forward with this project. Mr. Dybdahl said during his time on the PC and the Assembly they dealt with housing issues. There is no easy answer except more housing.

Mr. LeVine asked Mr. Dybdahl if he can help explain how this proposal satisfies MU2 when the code specifies it is intended to place a greater emphasis on housing. Mr. Dybdahl did not have a solution considering the size and cost of the parcel. He did not think there would be a housing solution on this project.

Richard Farnell, 800 F St – Spoke against the project saying findings for the permit are in error. Specifically, the findings for ‘effect on health, safety and welfare’ and ‘effect on property values.’

Dave Hanna, Back Loop Road – Spoke in support of the project saying Staff did a very thorough job in their analysis and report and he hoped the PC would rule in favor of the project. He said everything HTC has proposed follows code and addresses the ordinances.

Ms. Cole asked if this feels like a waterfront commercial project more than a mixed-use project. Mr. Hanna agreed it did.

Roger Calloway, Auke Lake – Spoke in support of the project saying it will help reduce downtown congestion and bring money to the community.

Dr. Emily Kane – Spoke to say she loves the idea of the project but said she would be concerned if there were to be any health impacts to seniors from the project.

Steven Sahlender, Goldbelt Alaska Group VP – Spoke in support saying this will provide a cultural experience for passengers, will be the only one of its kind in the Southeast, will provide safety to downtown by reducing traffic congestion, and will improve the waterfront community.

Lee Kadinger, COO Southeast Heritage Institute (SHI) – Spoke on behalf of SHI, saying they support the project. Specifically, they support the indigenous knowledge, science, and cultural center proposal. They

are confident the development will benefit visitors and the community. The project will become a community asset and is appropriate for that space.

Ms. Cole asked if SHI is committed to supporting Huna Totem in the year-round operations. She has concerns that they may operate at a deficit for portions of the year. Mr. Kadinger said SHI is already committed to being open year-round even though the winter months are not all profitable. SHI sees it as a commitment to the betterment of the community that provides continuity in employment for the employees. Huna Totem has said they will be open year-round. He said, “believe them”.

Wayne Coogan – Spoke in support saying the proposal is a multiuse project. It is retail, it is educational, it is a transit terminal, it is a park, and a cultural center. This project represents hope to revitalizing and supporting the local economy. With the success of this project, housing will follow.

Tracy LaBarge, West Juneau – Spoke in support saying there has been good thought put into the project and it is something the town needs. She has seen exciting projects come and go and said it is frustrating to see good ideas ‘walk away.’ She felt this will divert traffic. She has been to most of the meetings since 2019 and she disagreed that there was a lack of public notice.

John Blasco, Backloop and Hoonah – Spoke in support of the project and said he disagrees that the hearings related to the Subport development was not well noticed. He added that it is not the fault of HTC that the July 11 meeting fell during a busy time of the summer. If HTC followed all the signage and notification rules, that should not be in question. Referencing the HTC development in Hoonah, he said it provides growth and jobs that would not otherwise exist in that community.

James Simard, 503 5th St – Said the world is in early stages of climate crisis and asked if the engineering of this project had taken into account rising sea levels.

*****AT EASE 10:02 p.m. – 10:13 p.m.*****

ADDITIONAL APPLICANT COMMENTS

Mr. Parady said it is their intention to have locally owned shops. He reiterated housing is not economically viable to this site and requiring housing is not conducive to this project. The carbon footprint of a cruise ship passenger is less than that of an airline passenger.

Mr. Richardson said there has been continuous public outreach since 2019. Mr. Richardson said SHI is in support of the 5-ship limit. HTC owns Alaska Coach Company. They are offering tours that do not include the Mendenhall Glacier but go to Eaglecrest instead to reduce tourism congestion.

QUESTIONS FOR APPLICANT

Mr. Arndt – Will the parking within the structure be open parking or will it be limited to permit parking or customer only parking?

Mr. Parady answered there will be 100 car spaces available in addition to bus spaces in the summer. In the off season, bus spaces will be converted to nearly double the number of car spaces. They plan to include charging stations for electric vehicles and a future downtown circulator bus.

Ms. Cole – Please describe your vision for pedestrians traffic coming from the area.

The parking entrance and pedestrian walk will be at different places ensuring pedestrians will not cross bus traffic. Pedestrians will have the ability to exit directly to the seawalk.

Mr. LeVine – Asked what analysis was done on the possibility for housing in that space, and what factor(s) lead to the determination that it was not a good option, leading HTC to reach the conclusion to go with the cultural/educational center plan when at last meeting there were several options on the table.

Mr. Parady said they did not do a spreadsheet regarding housing. Housing is a discretionary item in MU2 and not a requirement. There is no evidence that this project will contribute to the housing crisis and requiring it is not appropriate.

COMMISSIONER DISCUSSION

Mr. Epstein said he has experience serving as traffic engineer for the State DOT south coast region for twelve years and, looking at the analysis, he feels the concerns regarding traffic impact have been addressed.

Ms. Cole was not convinced that housing doesn't fit in this project and said she is not convinced that housing and security are incompatible in that area. While housing may not be mandatory, she believes the MU2 zone requires new thinking and not the same old thinking that 'it doesn't pencil so we won't do it.' However, she does appreciate the project in the application as presented.

Mr. Arndt paraphrased code saying it was established to accommodate a mix of appropriate commercial and residential uses. The owners of the property feel housing is not appropriate on this parcel. Mr. Bell agreed with Mr. Arndt that housing is an option but not a requirement in MU2 zones.

Ms. Maclean added to Mr. Arndt's comment saying MU2 is *intended* to put an emphasis on housing but does not require it. She cautioned the commissioners that their decisions can set precedent.

Mr. LeVine said in his interpretation of MU2, without clear justification for why housing is not appropriate, it should be required. There is a clear preference for it in the code. If not required, then there needs to be substantiation as to why it was not appropriate.

MOTION: *by Ms. Cole that the Planning Commission adopt the Director's analysis and findings and approve the requested conditional use permit for the development of up to 50,000 square feet of retail and related uses, underground bus staging, vehicle parking, and a park.*

Ms. Cole spoke to her motion saying she had reservations regarding the housing. However, she agrees that housing is not required. Based on land use, she supports the permit.

Mr. Pedersen, Mr. Arndt, Mr. Epstein, Mr. Brown, and Mr. Bell spoke in support of the motion.

Ms. Cole said, for the record, they are relying on the applicant statement that this facility will be open year-round.

Mr. LeVine said he supports the project but believes this does not satisfy the MU2 definition and will have to vote no.

ROLL CALL VOTE:

YEA: Cole, Pedersen, Epstein, Keller, Brown, Bell, Arndt

NO: LeVine

The motion passed 7-1.

XI. OTHER BUSINESS – None

XII. STAFF REPORTS

- Title 49 meeting next week, August 17, 2023.
- Telephone Hill open house was a success with 70+ attending.
- Due to the recent flooding, 8 structures (21 units) have been condemned. In response, they are streamlining the permit process to help people make their property safe.

XIII. COMMITTEE REPORTS

- Arndt - Title 49 meeting next week

XIV. LIAISON REPORTS - None

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

XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS – Mr. LeVine thanked fellow commissioners, staff, and members of the public for their participation and for braving the uncomfortable heat in Assembly Chambers to take part in the process of the meeting.

XVII. EXECUTIVE SESSION – None

XVIII. ADJOURNMENT - 10:51 p.m.

Next Regular Meeting August 22, 2023, 7:00 p.m.

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



Planning Commission

(907) 586-0715

PC_Comments@juneau.org

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

155 S. Seward Street • Juneau, AK 99801

PLANNING COMMISSION

NOTICE OF DECISION

Date: September 13, 2023

File No.: USE2023 0011

Brent Bitterman
20012 Cohen Drive
Juneau, AK 99801

Proposal: Conditional Use Permit for commercial storage and parking in a D1 zoning district.

Property Address: 20012 Cohen Drive

Legal Description: TEE HARBOR ALASKA BL 3 LT 17

Parcel Code No.: 8B3701030010

Hearing Date: September 12, 2023

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated September 6, 2023, and APPROVED the Conditional Use Permit for commercial storage and parking in a D1 zoning district to be conducted as described in the project description and project drawings submitted with the application, and with the following conditions:

1. Exterior storage of commercial boats shall be temporary, for a period not to exceed eighteen (18) months from the date of issuance of the Conditional Use Permit.
2. No exterior storage of commercial vans / boats shall be permitted.
3. Exterior lighting shall be designed and located to minimize off-site glare.
4. Employees and customers of the tourist company shall not report to the site for commercial purposes, other than to transport boats to or from the property.

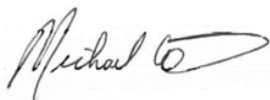
Attachments: September 6, 2023, memorandum from Jennifer Shields, Community Development, to the CBJ Planning Commission regarding USE2022 0011.

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, September 12, 2023.

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



Michael Levine, Chair
Planning Commission

September 22, 2023

Date



Filed With City Clerk

September 22, 2023

Date

cc: Plan Review

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



PLANNING COMMISSION STAFF
 CONDITIONAL USE PERMIT USE2023 0011
 HEARING DATE: SEPTEMBER 12, 2023

Section J, Item 2.

(907) 586-0715

CDD_Admin@juneau.org

www.juneau.org/community-development

155 S. Seward Street • Juneau, AK 99801

DATE: September 6, 2023
TO: Michael LeVine, Chair, Planning Commission
BY: Jennifer Shields, Planner II *Jennifer Shields*
THROUGH: Jill Maclean, Director, AICP

PROPOSAL: Applicant requests a Conditional Use Permit for commercial storage and parking.

STAFF RECOMMENDATION: Approval with conditions

KEY CONSIDERATIONS FOR REVIEW:

- The applicant is constructing a new, two-story single-family dwelling with 4,080 square feet of garage space on the lower level.
- The applicant operates a seasonal tourist company and will use the new garage space for commercial boat storage and van parking during the off-season, approximately five to six months a year.
- The applicant is proposing temporary exterior boat storage until the new structure is built.

GENERAL INFORMATION	
Property Owner	Brent Bitterman
Applicant	Brent Bitterman
Property Address	20012 Cohen Drive
Legal Description	TEE HARBOR ALASKA BL 3 LT 17
Parcel Number	8B3701030010
Zoning	D1 (Single-Family & Duplex Residential)
Land Use Designation	RDR (Rural Dispersed Residential)
Lot Size	67,518 square feet
Water/Sewer	Public water / on-site sewer
Access	Cohen Drive
Existing Land Use	Residential
Associated Applications	N/A

ALTERNATIVE ACTIONS:

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

ASSEMBLY ACTION REQUIRED:

Assembly action is not required for this permit.

STANDARD OF REVIEW:

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

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 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 (D1)	Residential
South (D1)	Residential
East (D1)	Residential
West (D1)	Residential

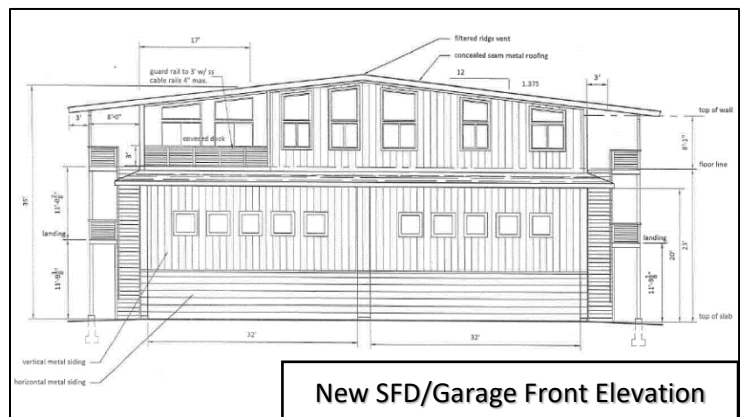
SITE FEATURES

Anadromous	No
Flood Zone	None Mapped
Hazard	None Mapped
Hillside	No
Wetlands	Unknown
Parking District	No
Historic District	No
Overlay Districts	Recreational Vehicle Park Area

BACKGROUND INFORMATION

Project Description – The applicant is proposing to use his residentially zoned lot for the off-season storage of commercial boats and parking of commercial vans in support of his seasonal tourist business.

The applicant proposes the exterior storage of three (3) commercial boats outside this winter until construction of a new single-family/garage structure is completed which will provide 4,080 square feet of interior boat storage and van parking (Attachment A). The boats will be shrink-wrapped in white to match the snow during construction of the new single-family/garage structure.



Six (6) commercial vans are currently parked year-round in a leased building near Auke Bay. Once construction of the new single-family/garage structure is completed, the three (3) commercial boats and up to six commercial vans will be stored/parked inside during the off-season, which is approximately five to six months out of the year. If the owner eventually purchases a fourth boat, some of the vans may need to be parked under or near the existing carport on the lot during the off-season.

Alternatively, the Planning Commission may limit the number of boats and vehicles related to the business.

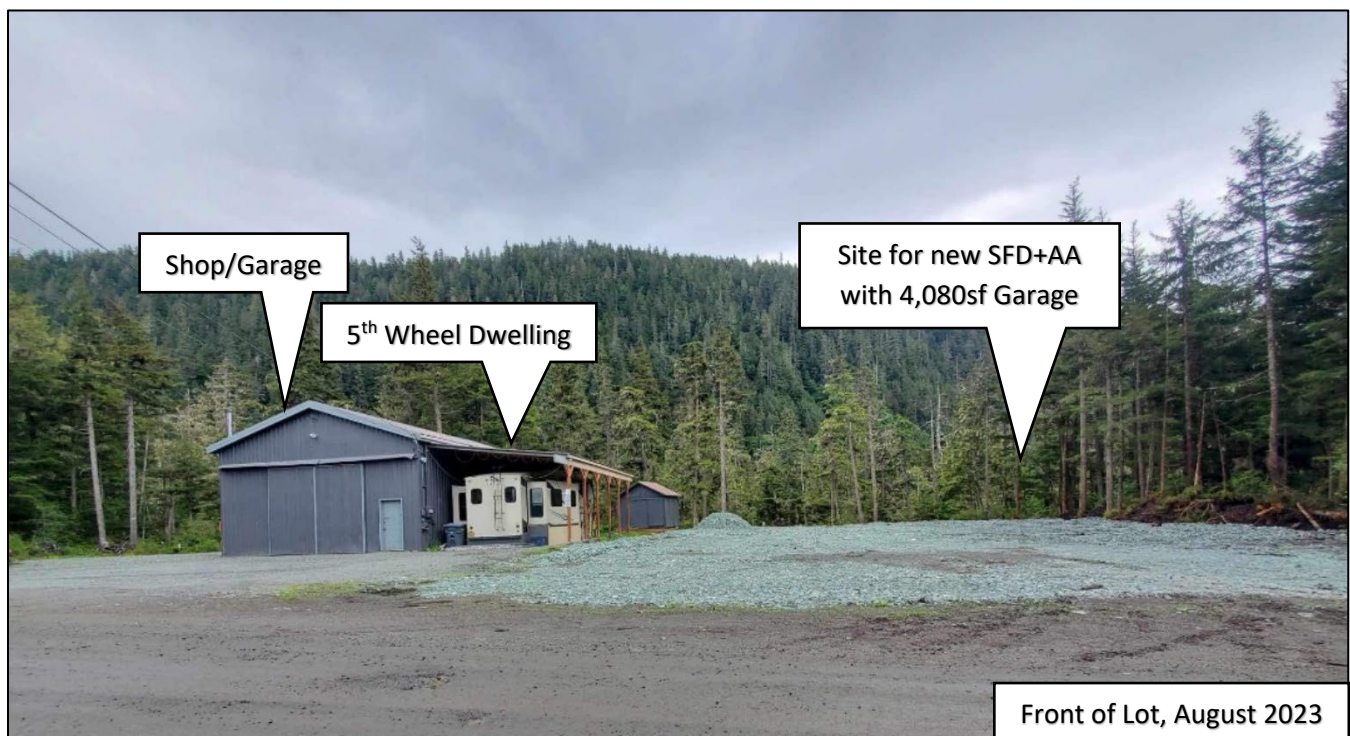
Employees and customers of the tourist company will not be reporting to the site for commercial purposes. The boats will be delivered to the site for off-season storage by a local marine delivery service, and the vans will be driven to the site for off-season storage by the applicant.

Background – Development of the lot began in 1983 with the construction of a 1,200 square foot detached shop/garage (BLD-15820, Attachment C). Use of this structure will continue to be for personal use only.

In 2019, a Conditional Use Permit (USE2019-0002, Attachment D) was approved to allow the applicant to use a 5th wheel trailer as a dwelling unit on the lot. [Note: Under the federal Fair Housing Act (FHA), placing a mobile home on a lot no longer requires a Conditional Use Permit, unless it is a mobile home subdivision or mobile home park development.]

In May 2023, a building permit was issued for the construction of a new single-family dwelling with an accessory apartment and approximately 4,080 square feet of garage space (BLD2023-0119, Attachment G). The building permit was approved, subject to the following conditions:

- The 5th wheel trailer being used as the primary dwelling unit per USE2019-0002 must be removed from the property prior to issuance of a Temporary Certificate of Occupancy (TCO) for the new single-family dwelling, since the lot does not meet the minimum lot size required for two single-family dwelling units.
- The maximum permitted height of the structure is 35 feet per CBJ 49.25.420.
- Per CBJ 49.25.510(k)(2)(E)(b), the accessory apartment may not exceed 1,000 square feet.
- The structure's upper floor plan shows a 401.10 square foot covered deck that has exterior stairway access. In order to not count towards the total square footage of the accessory apartment, this area must be a common space accessible to both dwelling units on the lot.



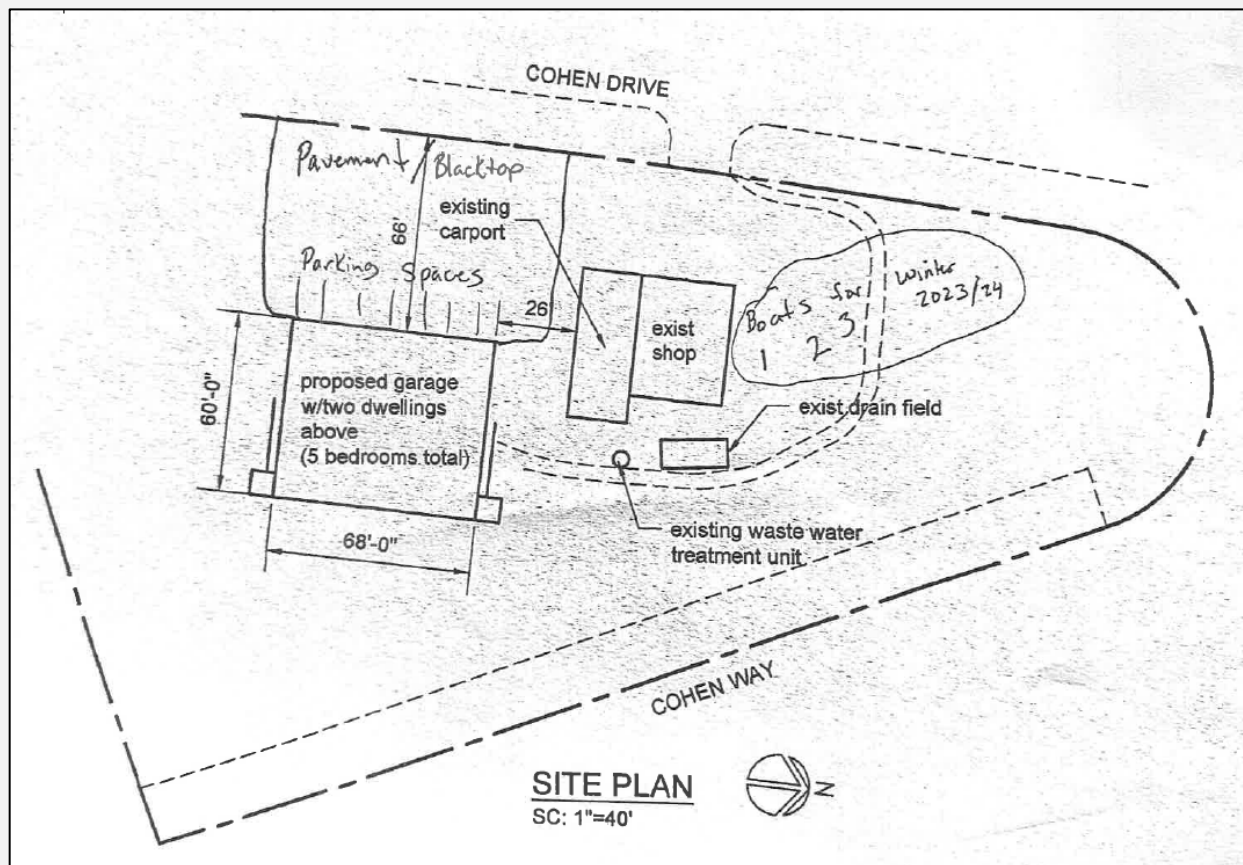
The table below summarizes relevant history for the lot and proposed development.

Year	Item	Summary
1967	Plat	Tee Harbor Plat #499 (Attachment B).
1983	Building Permit	BLD-15820 issued for a detached shop/garage (Attachment C).
2019	Conditional Use Permit	USE2019-0002 approved for a 5 th wheel trailer dwelling unit (Attachment D).
2019	Building Permit	BLD2019-0108 issued for a 5 th wheel trailer dwelling unit (Attachment E).
2023	Building Permit	BLD2023-0054 issued after-the-fact for a carport (Attachment F).
2023	Building Permit	BLD2023-0119 issued for a single-family dwelling with an accessory apartment and 4,080 square foot garage (Attachment G).

ZONING REQUIREMENTS

Standard		Requirement	Existing (Garage/Carport)	Proposed (w/New SFD/AA)	Code Reference
Lot	Size	36,000 square feet	67,518 square feet	No Change	49.25.400
	Width	150 feet	392.57 feet	No Change	49.25.400
	Depth	N/A	266.30 feet	No Change	49.25.400
Minimum Setbacks	Front (Cohen Dr.)	25 feet	~36 feet	No Change	49.25.400
	Street (Cohen Way)	17 feet	~80 feet	~65 feet	49.25.400
	Street (north)	17 feet	~150 feet	No Change	49.25.400
	Side, south	15 feet	~180 feet	~70 feet	49.25.400
Lot Coverage Maximum		10% / 20%	~6%	~9%	49.25.400
Vegetative Cover Minimum		20%	~70%	No Change	49.50.300
Height	Permissible	35 feet	N/A	35 feet	49.25.400
	Accessory	25 feet	19 feet	No Change	49.25.400
Maximum Dwelling Units		1	1 (5 th Wheel)	1	49.25.500
Use		Residential	USE 10.220, Commercial storage in/out		49.25.300

SITE PLAN



ANALYSIS

The applicant is requesting Conditional Use Permit approval for the following land use based upon both exterior (short term) and interior (long term) commercial storage and parking needs:

- CBJ 49.25.300, USE 10.220 – Storage and handling of goods not related to sale or use of those goods on the same lot on which they are stored: General storage inside or outside enclosed structures.

Project Site – The lot was created in 1967 with the Tee Harbor Subdivision (Attachment B), prior to the establishment of zoning in the area. The heavily forested subdivision consists of single-family residential dwellings and short-term rental units. Lots along the western side of Cohen Drive are relatively steep, while lots on the eastern side are relatively flat. The subdivision is connected to public water but not public sewer at this time.

The lot is 67,518 square feet in size, exceeding the required 36,000 square feet minimum lot size for the D1 zoning district by 188%. Access to the lot is via Cohen Drive to the west, a gravel, CBJ-owned and maintained right-of-way up to the end of Beardsley Way. The lot is also bordered by Cohen Way, an undeveloped right-of-way to the east. Due to its location at the widened, angular intersection of Cohen Drive and Cohen Way, the lot exceeds the average lot size in the northern Tee Harbor area.

Project Design – The applicant is proposing to temporarily store three (3) commercial boats outside near the existing shop/garage, in an area partially obscured by vegetation when approaching the site from the north (Attachment A). The boats will be shrink-wrapped in white to help them blend into the snow in the winter.

After construction of the new single-family/garage structure, the applicant is proposing to store the commercial boats and park commercial vans inside the garage. Exterior parking of commercial vans under the existing carport is also proposed as needed (Attachment A).



Existing Site Features

Staff recommends that all commercial boats and vans are stored inside the new single-family/garage structure to mitigate impacts to the neighborhood.

Conditions:

1. **Exterior storage of commercial boats shall be temporary, for a period not to exceed eighteen (18) months from the date of issuance of the Conditional Use Permit.**
2. **Commercial boats and vans shall be stored / parked inside the new single-family/garage structure.**
3. **No exterior parking of commercial vans shall be permitted.**

Traffic – The lot is to be used primarily for residential purposes, with commercial storage and parking as a secondary use during the tourist off-season. Employees and customers of the tourist company will not be reporting to the site for commercial purposes. The boats will be delivered to the site for off-season storage by a local marine delivery service, and the vans will be driven to the site for off-season storage by the applicant.

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). For this application, staff used the Institute of Transportation Engineers' Trip Generation Manual (9th Edition) highest estimated daily trips for warehousing (storage of materials) based upon the total square footage proposed.

Use	Per Unit	Trips Generated	Total Trips
Single-Family Dwelling	1	9.52 per unit	9.52
Accessory Apartment	1	6.65 per unit	6.65
Commercial Storage / Parking (Warehousing/Storage)	4,080 square feet	3.56 per 1,000 square feet	14.52
Total ADT's:			30.69

Condition: None.

Vehicle Parking & Circulation – According to CBJ 49.40.210, seven (7) off-street parking spaces are required based upon a mix of residential and commercial parking requirements, including one ADA accessible space (see table below). Six (6) commercial vans are currently kept year-round in a leased building near Auke Bay. The Site Plan shows seven parking spaces will be located in front of the new single-family/garage structure once construction

is completed. The applicant is proposing to park the commercial vans inside or under the existing carport. An off-street loading space is not required for under 5,000 square feet of gross floor area per CBJ 49.40.210(c)(2).

Use	Spaces Required	Total Spaces
Single-Family Dwelling	2	2
Accessory Apartment	1	1
Commercial Storage/Parking (Warehousing/Storage)	1 per 1,000 square feet (4,080 square feet total)	4
Total Parking Requirement:		7
Off-Street Loading Spaces Required:		0
ADA Accessible Spaces Required:		1

Conditions:

4. **Parking spaces shall be a minimum of 8.5 feet by 17 feet.**
5. **One accessible parking space shall be at least 13 feet by 17 feet, including an access aisle area of at least 5 feet by 17 feet. A blue wheel stop and CBJ-approved signage shall be posted for the space prior to commencement of the proposed use.**

Noise – CBJ 49.15.330(g)(11) governs Conditional Use Permits: “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.” The applicant is proposing both exterior and interior storage and parking of commercial boats and vans. Noise generated by the proposed development will not be out of character with the existing rural residential neighborhood.

Condition: None.

Lighting – The applicant is not proposing any new lighting at this time. Once construction of the single-family/garage structure is completed, residential quality lighting will be provided.

Condition:

6. **Exterior lighting shall be designed and located to minimize off-site glare.**

Vegetative Cover & Landscaping – CBJ 49.50.300 requires a minimum vegetative cover of 20% in the D1 zoning district. This standard is met with approximately 70% vegetative cover.

Condition: None.

Habitat - No anadromous streams are on the property. No natural resources are mapped on the site in the 2013 Comprehensive Plan. The site may contain forested wetlands; however, project development is not expected to impact these wetlands. Management authority of wetlands, and any future addition of fill, lies with the U.S. Army Corps of Engineers (USACE).

Condition: None.

Drainage and Snow Storage – No modifications to existing drainage are proposed at this time. The property has ample space along the perimeter of the developed area for snow storage (Attachment A).

Condition: None.

Hazard Zones – The lot is not within a Special Flood Hazard Area. Using USGS contour data, the slope of the developed area in the center portion of the lot is approximately 4%.

Condition: None.

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

Condition: None.

Property Value or Neighborhood Harmony – In recent years, the lot has been used for exterior commercial storage without a Conditional Use Permit. The applicant has been working with the Community Development Department to bring the property into compliance with Title 49, including with the submission of this application.

The lot is to be used temporarily (not to exceed 18 months or prior to the issuance of a Temporary Certificate of Occupancy of the new single-family/garage structure) for the exterior storage of commercial boats. Once construction of the single-family/garage structure is completed, commercial storage will be entirely inside, and exterior parking of commercial vehicles will be minimal, if permitted by the Commission. Employees and customers of the tourist company will not be visiting the site. With the recommended conditions, staff finds this use will be in harmony with the area and should not decrease property value.

During the preparation of this staff report, staff received three emails in support of the proposed development and one email opposed to the proposed development.

Condition:

7. Employees and customers of the tourist company shall not report to the site for commercial purposes.

AGENCY REVIEW

CDD conducted an agency review comment period between August 8, 2023, and August 18, 2023:

Agency	Summary
Capital City Fire and Rescue	No Comments.
CDD Building Division	No Comments.
General Engineering	No Comments.

PUBLIC COMMENTS

CDD conducted a public comment period between August 10, 2023, and September 8, 2023. Public notice was mailed to property owners within 500 feet of the proposed development (Attachment H). A public notice sign was also posted on-site two weeks prior to the scheduled hearing (Attachment I). Public comments submitted at the time of writing this staff report can be found in Attachment J.

Name	Summary
Julia Frost	Supports approval of the Conditional Use Permit.
Galen Lamphere-Englund	Opposes approval of the Conditional Use Permit.
Gary Miller	Supports approval of the Conditional Use Permit.
Al Tingley	Supports approval of the Conditional Use Permit.

CONFORMITY WITH ADOPTED PLANS

The proposed development is in general conformity with the 2013 Comprehensive Plan and the 2015 Juneau Economic Development Plan.

PLAN	Chapter	Page No.	Item	Summary
2013 Comprehensive Plan	3 – Community Form	20	Policy 3.3	OUTSIDE OF THE URBAN SERVICE AREA, PERMIT APPROPRIATE LOW-INTENSITY, LOW-IMPACT DEVELOPMENT THAT PROVIDES AN OVERALL PUBLIC BENEFIT IN RURAL AREAS, WHILE ASSURING THE PROTECTION OF NATURAL RESOURCES, FISH AND WILDLIFE HABITAT, WATERSHED, SCENIC CORRIDORS, PUBLIC ACCESS TO THE SHORELINE AND INLAND WATER BODIES, AND RECREATIONAL OPPORTUNITIES.
	5 – Economic Development	47	Standard Operating Procedure 5.4 – SOP7	Strengthen Juneau’s role as a regional services hub for such things as fisheries research, medical, retail, tourism, transportation, and education.
	5 – Economic Development	53	Policy 5.6	TO ENCOURAGE TOURISM, CONVENTION AND OTHER VISITOR-RELATED ACTIVITIES THROUGH THE DEVELOPMENT OF APPROPRIATE FACILITIES AND SERVICES, WHILE PROTECTING JUNEAU’S NATURAL, CULTURAL AND ECONOMIC ATTRACTIONS FOR LOCAL RESIDENTS AND VISITORS ALIKE, AND TO PARTICIPATE IN THE ACCOMMODATION OF THE FUTURE GROWTH OF TOURISM IN A MANNER THAT ADDRESSES BOTH COMMUNITY AND INDUSTRY CONCERNS.

PLAN	Chapter	Page No.	Item	Summary
	5 – Economic Development	54	Implementation Action 5.6 – IA6	Encourage local private businesses to meet demand for varied and interesting tourism experiences.
	5 – Economic Development	64	Policy 5.18	TO ENCOURAGE AND SUPPORT ENTREPRENEURSHIP AND INNOVATION IN THE ECONOMY OF JUNEAU AND SOUTHEAST ALASKA.
	6 - Energy	73	Implementing Action 6.10 – IA1	Encourage the installation of energy-efficient heating systems in new construction.
	10 – Land Use	137	Development Guideline 10.9 – DG1	When reviewing permits for visitor destinations and related tourism industry activities, identify and seek to mitigate off-site impacts.
	10 – Land Use	147	Descriptions of Land Use Categories	Rural Dispersed Residential (RDR). These lands are characterized by dispersed, very low-density development not provided with municipal sewer or water. Densities are intended to permit one dwelling unit per acre or larger lot sizes, based on existing platting or the capability of the land to accommodate on-site septic systems and wells. Uses may also include small-scale, visitor-oriented, seasonal recreational facilities.
2015 Economic Development Plan	2	16	Economic Strategy	1. Support, retain, and expand Juneau’s existing ‘economic pillars’ - our traditional, proven mainstay sectors and businesses. This element focuses on the top economic sectors and activities that comprise Juneau’s economy today. These sectors include the existing businesses and industries that provide the bulk of today’s jobs and wages in the community. State and federal government, the visitor industry, commercial fishing and seafood processing, mining, construction, education, and health care are among Juneau’s economic pillars, along with local government and other key support sector service and supply providers.

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

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

Analysis: The application is for exterior and interior commercial boat storage and van parking. The uses are listed at CBJ 49.25.300, USE 10.220 and CBJ 49.25.300, USE 10.300 for the D1 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 conditions, the proposed development will comply with Title 49, including parking, 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. There is no evidence to suggest that with appropriate conditions, the requested commercial boat storage and van parking, in a D1 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. With appropriate conditions, the requested commercial boat storage and van parking, in a D1 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 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 commercial boat storage and van parking, with the recommended conditions, will be in general conformity with the 2013 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 for the following:

- CBJ 49.25.300, USE 10.220 – Storage and handling of goods not related to the sale or use of those goods on the same lot on which they are stored: General storage inside or outside enclosed structures.





Approval is subject to the following conditions:

1. Exterior storage of commercial boats shall be temporary, for a period not to exceed eighteen (18) months from the date of issuance of the Conditional Use Permit.
2. Commercial boats and vans shall be stored / parked inside the new single-family/garage structure.
3. No exterior parking of commercial vans shall be permitted.
4. Parking spaces shall be a minimum of 8.5 feet by 17 feet.
5. One accessible parking space shall be at least 13 feet by 17 feet, including an access aisle area of at least 5 feet by 17 feet. A blue wheel stop and CBJ-approved signage shall be posted for the space prior to commencement of the proposed use.
6. Exterior lighting shall be designed and located to minimize off-site glare.
7. Employees and customers of the tourist company shall not report to the site for commercial purposes.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	1967 Tee Harbor Plat #499
Attachment C	1983 BLD-15820 issued for a detached shop/garage
Attachment D	2019 USE2019-0002 approved for a 5 th wheel trailer dwelling unit
Attachment E	2019 BLD2019-0108 issued for a 5 th wheel trailer dwelling unit
Attachment F	2023 BLD2023-0054 issued after-the-fact for a carport
Attachment G	2023 BLD2023-0119 issued for a single-family dwelling with an accessory apartment and 4,080 square foot garage
Attachment H	Abutters Notice
Attachment I	Public Notice Sign Photo
Attachment J	Public Comments

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 20012 Cohen Dr. Juneau, AK 99801	
Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) Lot 17, Block 3 Tee Harbor	
Parcel Number(s) 8B3701030010	
<input type="checkbox"/> This property is located in the downtown historic district <input checked="" type="checkbox"/> This property is located in a mapped hazard area, if so, which _____	
LANDOWNER/ LESSEE	
Property Owner Brent Bitterman	Contact Person Brent Bitterman
Mailing Address 20012 Cohen Dr. Juneau, AK 99801	Phone Number(s) 480-886-9100
E-mail Address Captainbrent@live.com	
LANDOWNER/ LESSEE CONSENT	
Required for Planning Permits, not needed on Building/ Engineering Permits.	
Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.	
I am (we are) the owner(s)/or lessee(s) of the property subject to this application and I (we) consent as follows:	
A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.	
B. I (we) grant permission for the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.	
Brent Bitterman	Landowner
Landowner/Lessee (Printed Name)	Title (e.g.: Landowner, Lessee)
X 	6/27/2023
Landowner/Lessee (Signature)	Date
	
Landowner/Lessee (Printed Name)	Title (e.g.: Landowner, Lessee)
X 	
Landowner/Lessee (Signature)	Date
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.	
APPLICANT	
If same as LANDOWNER, write "SAME"	
Applicant (Printed Name) Same	Contact Person Brent Bitterman
Mailing Address 20012 Cohen Dr. Juneau, AK 99801	Phone Number(s)
E-mail Address Captainbrent@live.com	
X 	6/27/2023
Applicant's Signature	Date of Application

--DEPARTMENT USE ONLY BELOW THIS LINE.

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

	Intake Initials JLS
Case Number USE23-011	Date Received 8/3/23



ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

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

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

To be completed by Applicant

PROJECT SUMMARY	
Boat Storage at 20012 Cohen Dr. Lot 17, Block 3 Tee Harbor	
TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED	
<input type="checkbox"/> Accessory Apartment – Accessory Apartment Application (AAP) <input checked="" type="checkbox"/> Use Listed in 49.25.300 – Table of Permissible Uses (USE) Table of Permissible Uses Category: <u>USE 10.220 and USE 10.300</u>	
IS THIS A MODIFICATION or EXTENSION OF AN EXISTING APPROVAL? <input type="checkbox"/> YES – Case # _____ <input checked="" type="checkbox"/> NO	
UTILITIES PROPOSED WATER: <input type="checkbox"/> Public <input checked="" type="checkbox"/> On Site SEWER: <input type="checkbox"/> Public <input checked="" type="checkbox"/> On Site	
SITE AND BUILDING SPECIFICS	
Total Area of Lot <u>67,518</u> square feet Total Area of Existing Structure(s) <u>1200</u> square feet Total Area of Proposed Structure(s) <u>4080</u> square feet	
EXTERNAL LIGHTING	
Existing to remain <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures Proposed <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures	
ALL REQUIRED DOCUMENTS ATTACHED	
<input type="checkbox"/> Narrative including: <input checked="" type="checkbox"/> Current use of land or building(s) <input checked="" type="checkbox"/> Description of project, project site, circulation, traffic etc. <input checked="" type="checkbox"/> Proposed use of land or building(s) <input type="checkbox"/> How the proposed use complies with the Comprehensive Plan	
<input type="checkbox"/> Plans including: <input checked="" type="checkbox"/> Site plan <input type="checkbox"/> Floor plan(s) <input checked="" type="checkbox"/> Elevation view of existing and proposed buildings <input type="checkbox"/> Proposed vegetative cover <input checked="" type="checkbox"/> Existing and proposed parking areas and proposed traffic circulation <input checked="" type="checkbox"/> Existing physical features of the site (e.g.: drainage, habitat, and hazard areas)	
<i>If this is a modification or extension include:</i> <input type="checkbox"/> Notice of Decision and case number <input type="checkbox"/> Justification for the modification or extension <input type="checkbox"/> Application submitted at least 30 days before expiration date	

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

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

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Case Number	Date Received
<u>USE23-011</u>	<u>8/3/23</u>

Site Plan Narrative

Brent Bitterman

06/27/23

I am requesting approval of a 2nd conditional use permit in a D1 zoning district on Lot 17, Block 3 Tee Harbor Sub Juneau, Alaska for boat storage. The physical address is 20012 Cohen Dr.

There is an existing 40' x 30' garage structure. (See attached drawing). We have been working with community development for several months now and we've applied and granted a building permit for a single-family dwelling with an accessory apartment and garage. The building pad has been completed and construction started. We anticipate it will take 12-16 months to complete construction therefor planning on storing our 3 boats outside this winter and then inside the garage after.

Thank you for your consideration,

Brent Bitterman

Edward Quinto

From: Brent Bitterman <brent@alaskaluxurytours.com>
Sent: Wednesday, August 2, 2023 2:36 PM
To: Edward Quinto
Subject: Re: Development and Conditional Use Permit for 20012 Cohen Drive
Attachments: Scan Aug 2, 2023 at 2.18 PM.pdf; CD plans v8-elev 1.pdf; CD plans v8-elev 2.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Edward,

Please see attached:

Floor plan (which the building dept already has)
Revised Site plan with parking spaces
There is no proposed vegetative cover

In regards to how the proposed project use complies with the Comprehensive plan:

Chapter 2 - Sustainability

- Support a stable, diverse, and equitable economy;
- Protect the quality of the air, water, land, and other natural resources;
- Minimize energy usage and the release of greenhouse gases
- Follow principles that encourage the efficient use of, and avoid the waste of, energy, water, raw materials, and resources, with the goal of preventing environmental degradation;
- 5. Meet human needs for productive, comfortable, and safe lives; and

My business, Alaska Luxury Tours is an economic benefit to CBJ.

Private Yachting and Small Cruise Ship Tourism

Private yachting and small cruise ship visitors are another primarily summer market. The economic benefits come in the form of the use of air service, food service and overnight lodging as well as support services throughout town. As a major marine town along the Inside Passage, capital city, retail center and airline connection, these visitors find Juneau to be a coveted port to visit. These visitors' time in the developed areas of Juneau generally ranges from overnight to multi-week stays. These modes of transportation also allow many of their guests to spend time in the community twice, as both a starting and ending location for their itinerary. These guests tend to be higher dollar-spent-per-person-per-day

additions to the economy than day visitors; their longer stays also allow them to attend and participate in community events not typically frequented by cruise passengers, supporting local performing arts and other organizations that do not usually receive financial support from non-residents

All of the SOP's below apply to this proposal as well.

POLICY 5.18. TO ENCOURAGE AND SUPPORT ENTREPRENEURSHIP AND INNOVATION IN THE ECONOMY OF JUNEAU AND SOUTHEAST ALASKA.

Standard Operating Procedures 5.18 - SOP1 Deliver programs designed to teach entrepreneurial skills to Juneau's youth.

5.18 - SOP2 Work with the JEDC, federal and state agencies, and local service industries to support small business startups. 5.18 - SOP3 Establish policies to create a supportive environment for entrepreneurial activity and innovation to flourish.

5.18 - SOP4 Encourage a supportive culture for business risk taking.

5.18 – SOP5 Encourage the Juneau School District and the University of Alaska Southeast to graduate workers prepared for the creative/innovation economy.

5.18 – SOP6 Encourage home-based businesses, especially during the start-up phase.

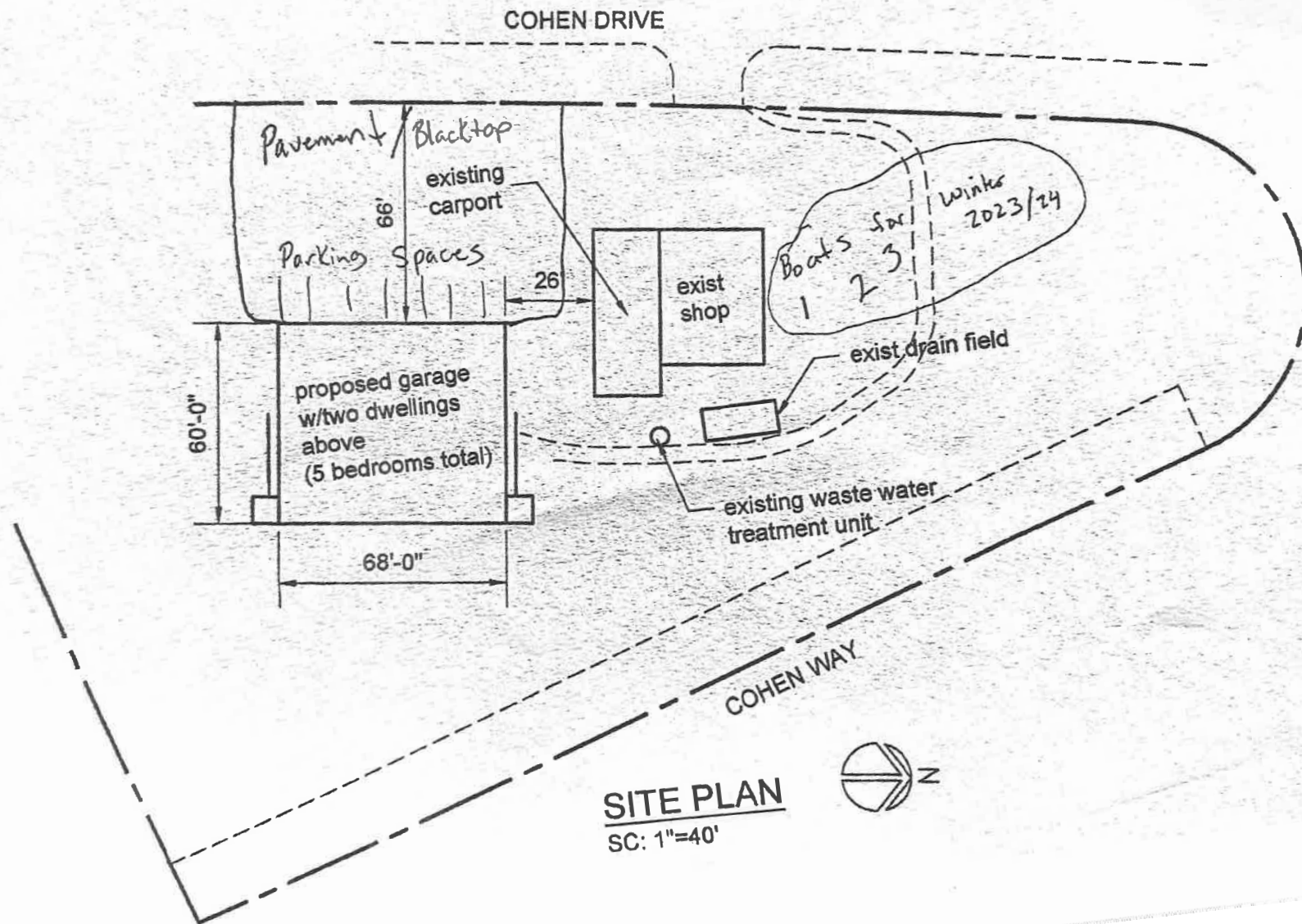
The builder's last project just received a 6 star energy rating and this building was designed with the same specifications to meet or exceed 6 Stars.

POLICY 6.10. TO ENCOURAGE COST EFFECTIVE ENERGY EFFICIENT BUILDING AND REMODELING PRACTICES.
Implementing Actions 6.10 – IA1 Encourage the installation of energy-efficient heating systems in new construction.

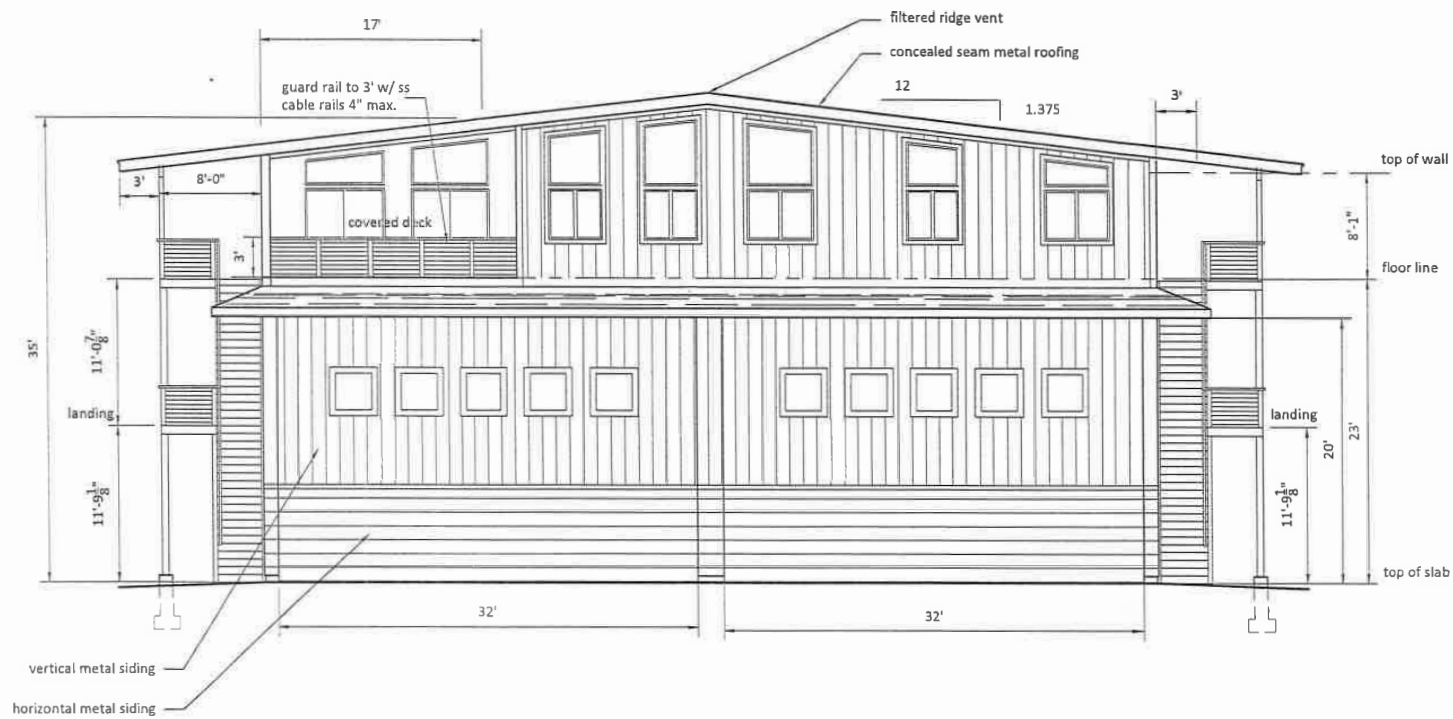
All the best,

Brent Bitterman | President / COO
Alaska Luxury Tours
o. 971.770.2675 | m. 480.886.9100 |
w. www.alaskaluxurytours.com
Luxury is the difference.





Attachment A- Application Packet



FRONT ELEVATION

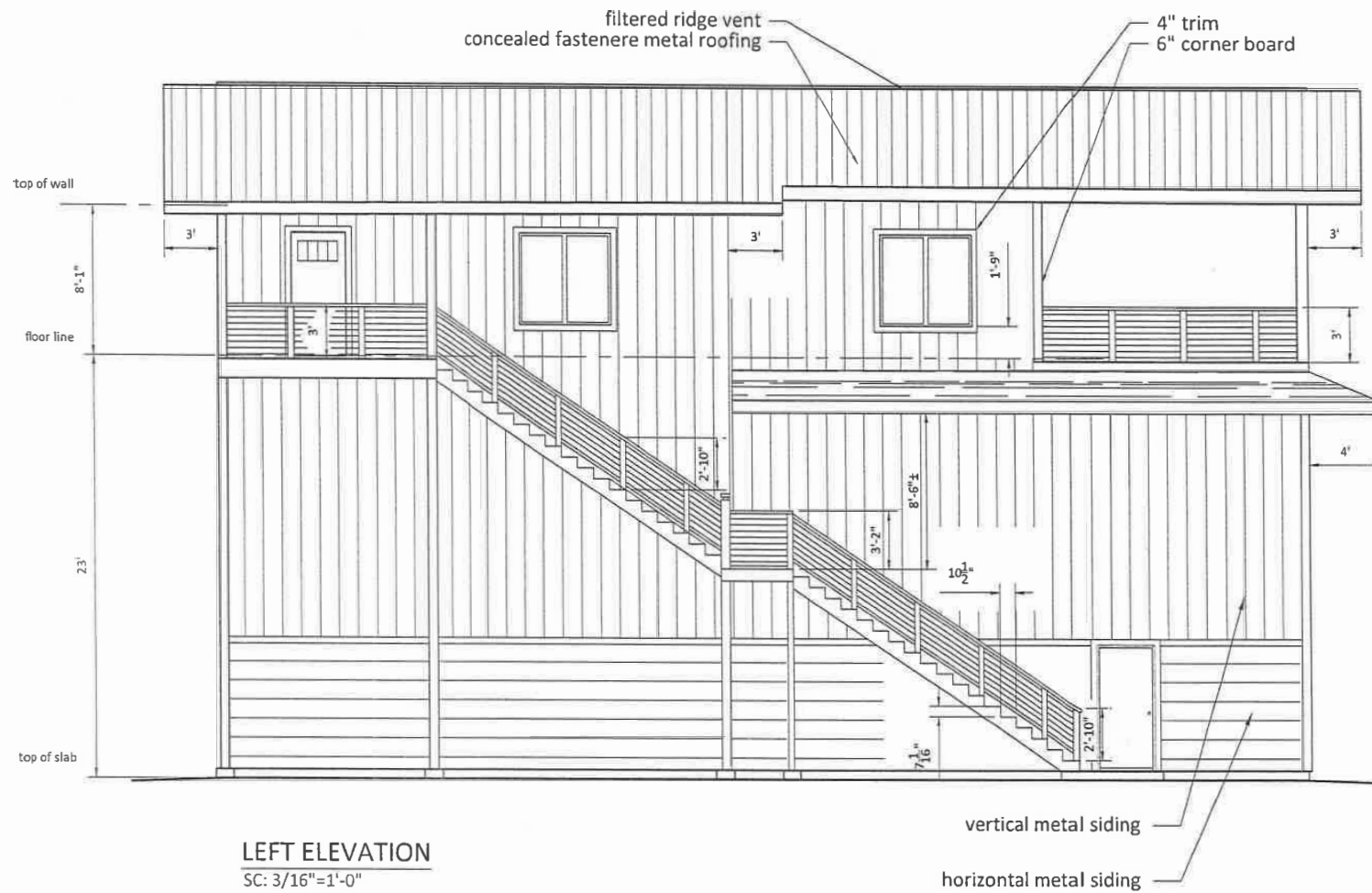
SC: 1/8"=1'-0"

Interline Design
6095 Thana Road, Juneau AK
907-297-4970

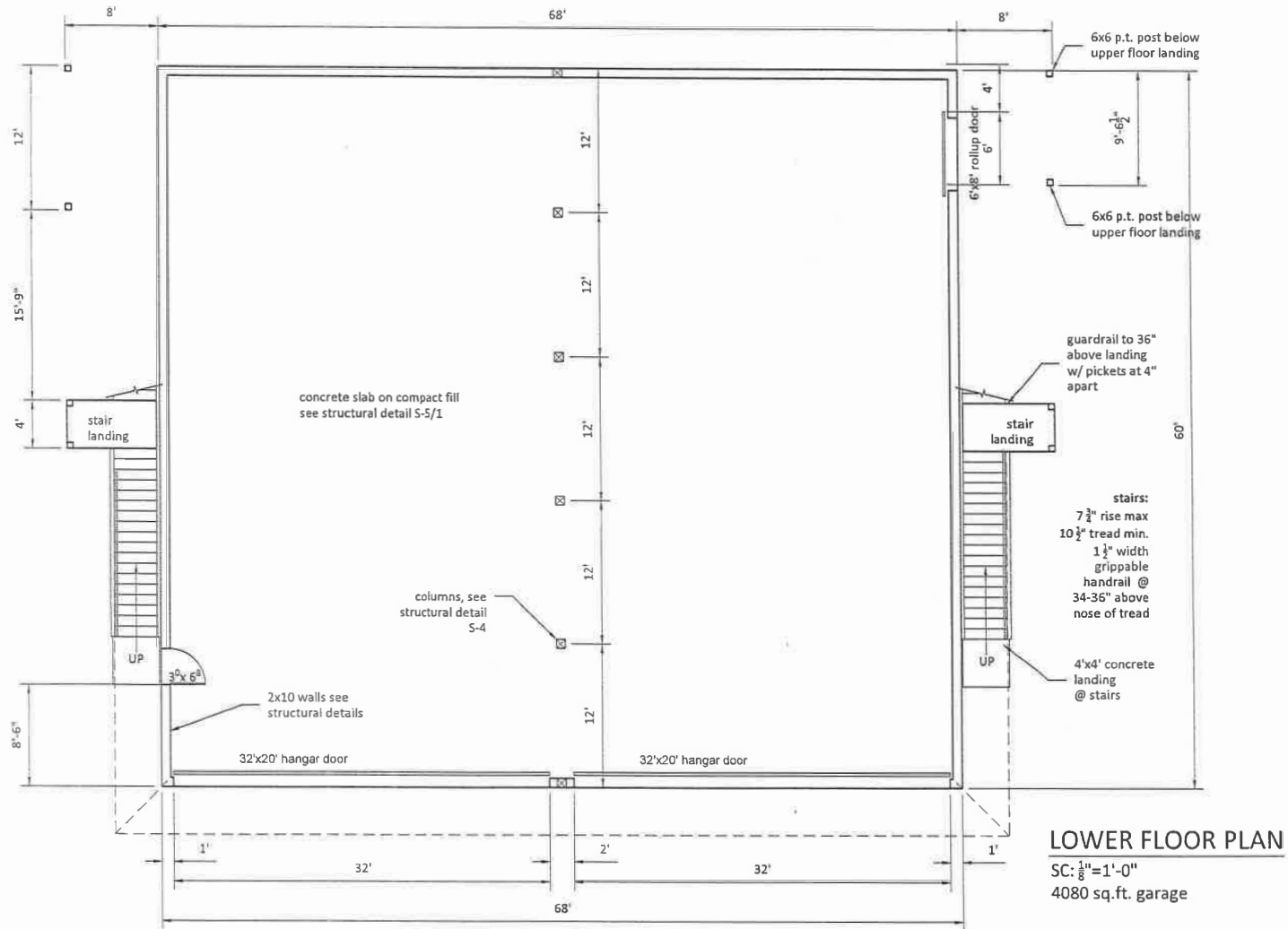
FRONT ELEVATION
proposed new residence for:
Brent Bitterman
Lot 17, Block 3 Tee Harbor Subdiv
Juneau, Alaska

DATE: 1/22/23
DRAWN: R/G
JOB NO: 22-07
SHEET NO:

A-4
5 of 8



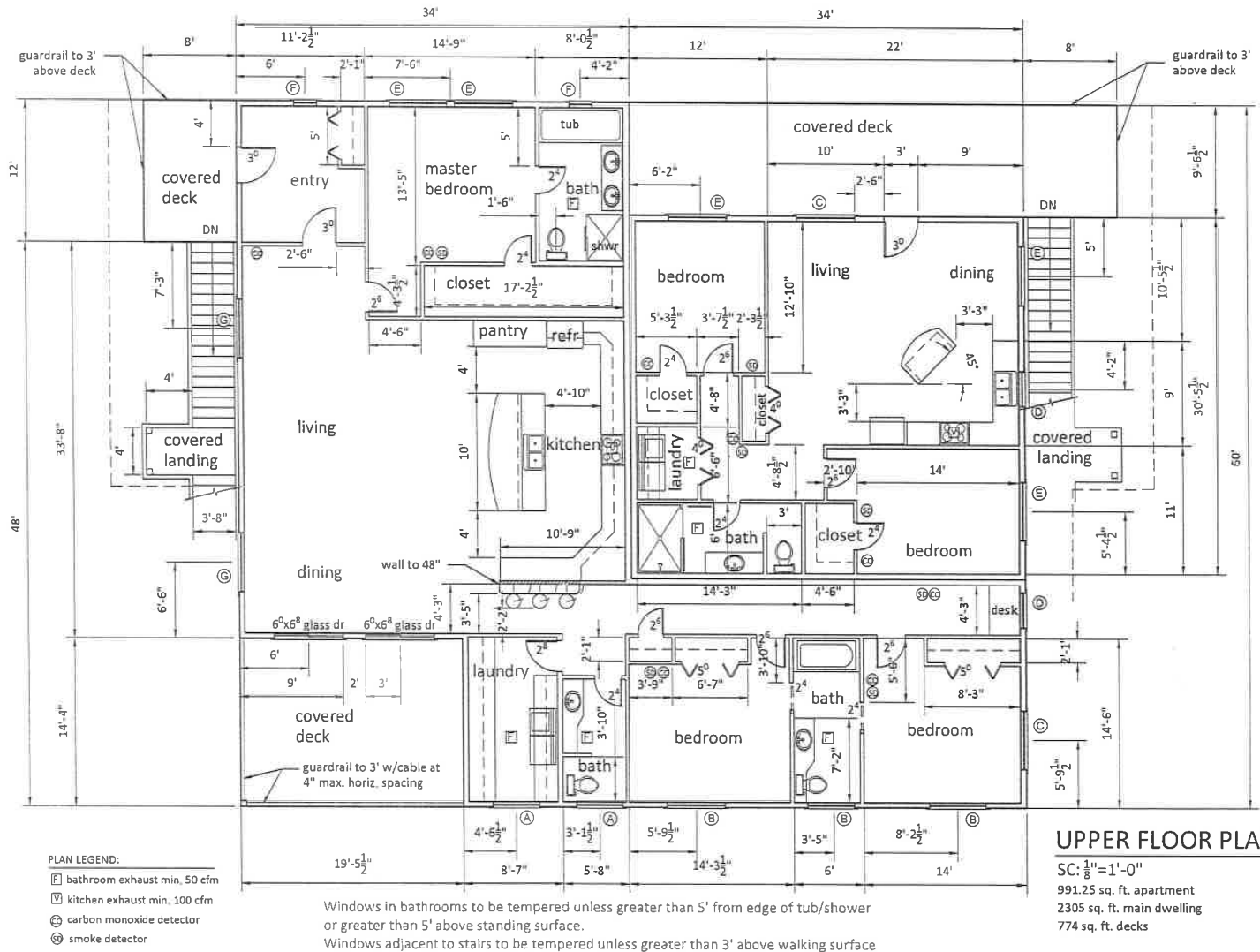
Attachment A- Application Packet



Interline Design
6095 Thana Road, Juneau, AK
907-209-4970

LOWER FLOOR PLAN
proposed new residence for
Brent Bitterman
Lot 17, Block 3 Tee Harbor Subdv
Juneau, Alaska

DATE: 1/11/23
DRAWN: R/G
JOB NO: 22-07
SHEET NO:
A-2
3 of 8



Interline Design

5095 Thana Road, Juneau AK
 907-209-4970

UPPER FLOOR PLAN
 Proposed new residence for
 Brent Bitterman
 Lot 17, Block 3 Tee Harbor Subdv
 Juneau Alaska

DATE: 1/11/23
 DRAWN: P/J
 JOB NO: 22-07
 SHEET NO:
 A-3
 4 of 8



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

Bitterman Commercial Boat Storage

Case Number: PAC2023-0026
Applicant: Brent Bitterman
Property Owner: Brent Bitterman
Property Address: 20012 Cohen Drive
Parcel Code Number: 8B3701030010
Site Size: 67,518 square feet
Zoning: D1 (Single-Family & Duplex Residential)
Existing Land Use: Residential

Conference Date: July 19, 2023

Report Issued: July 25, 2023

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
Brent Bitterman	Applicant	brent@alaskaluxurytours.com
Jennifer Shields	Planning	Jennifer.Shields@juneau.gov
Sydney Hawkins	Permits	Sydney.Hawkins@juneau.gov

Pre-Application Conference Final Report

Conference Summary

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

Background

The property is located within a D1 Single-Family & Duplex Residential zoning district. A 30' x 40' detached accessory structure (shop/garage) was built on the property in 1983 (BLD-15820). Since 2019, the following development activities have occurred:

❖ 5th Wheel Trailer:

A Conditional Use Permit (USE19-02) was approved on March 12, 2019, to allow the use of a 5th wheel trailer as a dwelling unit on the lot, subject to the following conditions:

- The applicant shall receive a Building Permit for the placement of the fifth wheel on the subject parcel.
 - *met – Building Permit BLD19-108*
- The applicant shall receive ADEC approval to construct and operate the required septic system prior to the issuance of a temporary certificate of occupancy and/or a certificate of occupancy from CDD.
 - *met – Plan Tracking No. 28093*
- The applicant shall connect to city water prior to the issuance of a temporary certificate of occupancy and/or a certificate of occupancy by CDD.
 - *met – Utility Permit UTL19-03*
- Note: Under the federal Fair Housing Act (FHA), placing a mobile home on a lot will no longer require a Conditional Use Permit, unless it is a mobile home subdivision or mobile home park development. Title 49 has not yet been updated to reflect the FHA, and in this instance, it trumps the land use code.

❖ Single-Family Dwelling with an Accessory Apartment:

A Building Permit was issued on May 4, 2023, for a new single-family dwelling with an accessory apartment (BLD23-119), subject to the following conditions:

- **The 5th wheel trailer being used as the primary dwelling unit per USE19-02 must be removed from the property prior to issuance of a Temporary Certificate of Occupancy (TCO) for the new single-family dwelling since the lot does not meet the minimum lot size required for two single-family dwelling units.**
- The maximum permitted height of the structure is 35 feet per CBJ 49.25.420.
- Per CBJ 49.25.510(k)(2)(E)(b), the accessory apartment may not exceed 1,000 square feet.
- The structure's upper floor plan shows a 401.10 square foot covered deck that has exterior stairway access. In order to not count towards the total square footage of the accessory apartment, this area must be a common space accessible to both dwelling units on the lot.

❖ Carport:

A carport was built over the 5th wheel trailer without a building permit. An after-the-fact Building Permit for the carport was issued on May 4, 2023 (BLD23-354).

❖ Enforcement Case:

Case ENF20-63 was opened on September 16, 2020, after complaints were received that the property owner was conducting commercial activities on the property for their business Alaska Luxury Tours.

Pre-Application Conference Final Report

Current Request:

The applicant is proposing to use the property for exterior storage of 3 commercial boats and 6 commercial vans, until such time as construction of the new single-family structure, which will include approximately 4,080 square feet of interior garage storage, is completed.

The applicant was advised of the permissibility of potentially related uses listed in CBJ 49.25.300 – Table of Permissible Uses (emphasis added):

USE	Use Description	Permissible in D1?
9.450	<u>BOAT</u> repairs and maintenance	No
10.100	<u>AUTOMOBILE</u> parking <u>GARAGES</u> or <u>PARKING LOTS</u> not related to a principal use on the lot	No
10.210	Storage and handling of <u>GOODS</u> not related to sale or use of those goods on the same lot on which they are stored: All storage <u>WITHIN</u> completely enclosed structures	CUP required
10.220	Storage and handling of <u>GOODS</u> not related to sale or use of those goods on the same lot on which they are stored: General storage <u>INSIDE OR OUTSIDE</u> enclosed structures	CUP required
10.300	Parking of <u>VEHICLES</u> or storage of <u>EQUIPMENT OUTSIDE</u> enclosed structures where they are owned and used by the user of the lot and parking and storage is more than a minor and incidental use of the lot.	CUP required

Planning Division

1. **Zoning** – The property is zoned D1 (Single-Family & Duplex Residential). The lot size is 67,518 square feet, thereby exceeding the minimum lot size requirement of 36,000 square feet for ONE single-family dwelling in the D1 zoning district. However, the lot does not meet the minimum lot size of 72,000 square feet required to have TWO single-family dwellings in the D1 zoning district.

The following standards apply for properties within this zoning district.

2. **Subdivision** – N/A
3. **Setbacks** – Front 25 feet (west), Street Side 17 feet (north), Street Side 17 feet (east), and Side 15 feet (south).
4. **Height** – 35 feet for primary structures and 25 feet for accessory structures.
5. **Access** – Cohen Drive.

Pre-Application Conference Final Report

6. **Parking & Circulation**– Per CBJ 49.40.210, the following minimum number of parking spaces with dimensions of 8.5 feet x 17 feet is required.

Use	Parking Standard	Spaces Required
Single-Family Dwelling	2 spaces	2
Accessory Apartment	1 space	1
Commercial uses involving storage	1 per 1,000 square feet of gross floor area	TBD through CUP process

7. **Lot Coverage** – The maximum lot coverage allowed is 10% for permissible uses or 20% for conditional uses. The lot is 67,518 square feet. Approximate lot coverage is as follows:

Use	Square Footage	% of Lot
Detached shop/garage	1,200	1.78%
Carport over 5 th wheel trailer	800	1.18%
Single-Family with Apt. (foundation)	4,080	6.04%
Total		9.00%

8. **Vegetative Coverage** – Minimum 20% on the lot is required.
9. **Lighting** – N/A
10. **Noise** – Noise generated by the proposed development shall not be out of character with the existing rural residential neighborhood and meet the following:
- CBJ 42.20.095, “*Disturbing the Peace*”, regulates the time, place, and manner of unreasonable noise and is typically enforced by the CBJ Police Department.
 - CBJ 49.15.330(g)(11) governs Conditional Use Permits: “*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.*”
11. **Flood** – N/A
12. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – No mapped hazard areas.
13. **Wetlands** – If wetlands are to be impacted, contact the USACOE Juneau Field Office at (907) 753-2689 for permitting requirements.
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 future development.
15. **Plat or Covenant Restrictions** – N/A
16. **Traffic** – N/A
17. **Nonconforming situations** – N/A

Building Division

18. **Building** – N/A
19. **Outstanding Permits** –
- BLD20230119 – “New single-family dwelling with garage and accessory apartment”
 - BLD20230354 – “After the fact permit for addition of attached carport”

Pre-Application Conference Final Report

General Engineering/Public Works

- 20. Engineering – N/A
- 21. Drainage – N/A
- 22. Utilities – N/A

Fire Marshal

- 23. Fire Items/Access – N/A

Other Applicable Agency Review

- 24. N/A

List of required applications

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

- 1. Development Permit Application
- 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. Development Permit Application – N/A
- 2. Conditional Use Permit Application: ~~\$350~~ \$500
- 3. 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 <https://juneau.org/community-development>.

Pre-Application Conference Final Report

Submit your Completed Application

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

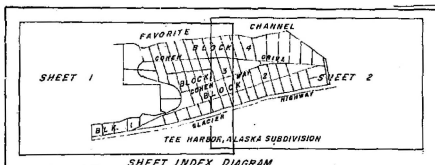
City & Borough of Juneau, Permit Center
230 South Franklin Street
Fourth Floor Marine View Center
Juneau, AK 99801

Phone: (907) 586-0715
Web: <https://juneau.org/community-development>

Attachments

49.15.330 – Conditional Use Permit
49.25.300 – Table of Permissible Uses
Development Permit Application
Conditional Use Permit Application

NOTE: The natural meanders of the line of M.H.W. along Tee Harbor and Favorite Channel form the seaward bounds of the lots adjoining. The approximate line of M.H.W. as shown is for survey computation and data only. All corners as set on the lot lines are witness corners with the true corners being on the extension of the lot lines and the natural meanders.



SUMMARY OF AREAS

Block 1	4.02	Ac.
Block 2	26.91	Ac.
Block 3	16.61	Ac.
Block 4	20.10	Ac.
Tracts A, B, & C	4.21	Ac.
Streets	10.32	Ac.
Total	82.17	Ac.

OWNERSHIP CERTIFICATE - I, the undersigned, hereby certify that I am the Director, Alaska Division of Lands, and that the State of Alaska is the owner of the Toe Harbor, Alaska Subdivision, as shown hereon. I hereby assume this survey and plat for the State of Alaska.

approve this survey and plat for the state of Alaska.
4/25/47 John Blue
 Date Director, Alaska Division of
 Lands
 NOTARY'S ACKNOWLEDGMENT - Subscribed and Sworn to
 Before me this 28th day of April, 1947.

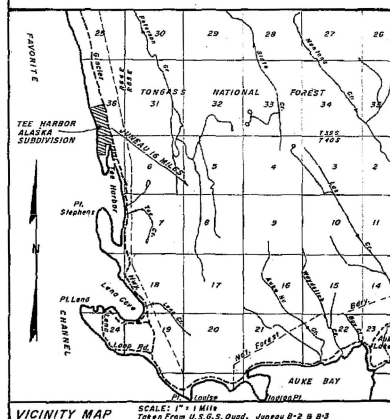
Before me this 28th day of April, 1967,
Betty Madaxley
Notary Public for Alaska,
My Commission Expires December 14, 1971

DEDICATION OF EASEMENTS, PUBLIC UTILITIES, AND ROADWAYS.
I hereby dedicate for public or private use, as noted
all easements, public utility areas, and roadways as
shown and described herein.

SURVEYOR'S CERTIFICATE

I hereby certify that I am registered to practice land surveying in Alaska and that this plat represents a survey made by me or under my direct supervision, and the monuments shown hereon actually exist as located, and that all dimensional and other details are correct to the best of my knowledge.

Robert V. Killewich 261-E February 20, 1967
Registration No. Date

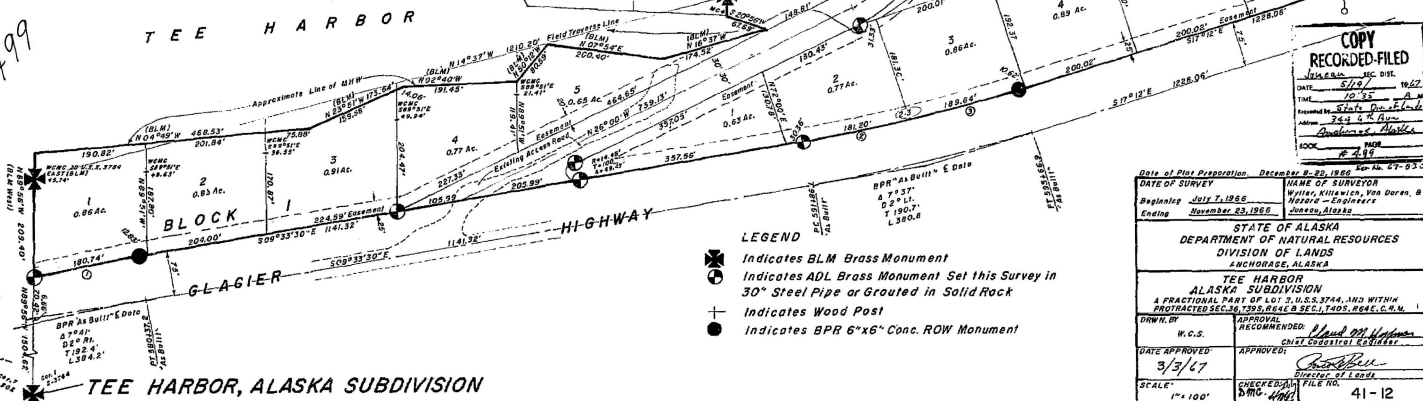


**CERTIFICATION OF APPROVAL
BY THE BOARD**

I hereby certify that the Sub-
division Plat shown hereon has been
and to comply with the subdivision
regulations of the Greater Jumeau
rough, and that said plat has been
approved by the board by plat resolu-
no. 108 dated 10 April 1957,
and that the plat shown hereon
has been approved for recording in the
office of the District Registrar,

10 April 1967
Ray Benschaw
Chairman, Greater Jamaica Borough
Planning Board

JUNEAU
Serial No. 67-830



**COPY
RECORDED-FILED**

Wagon REC. DIST.

DATE *5/19/78* 19*67*

TIME *10:35* A.M.

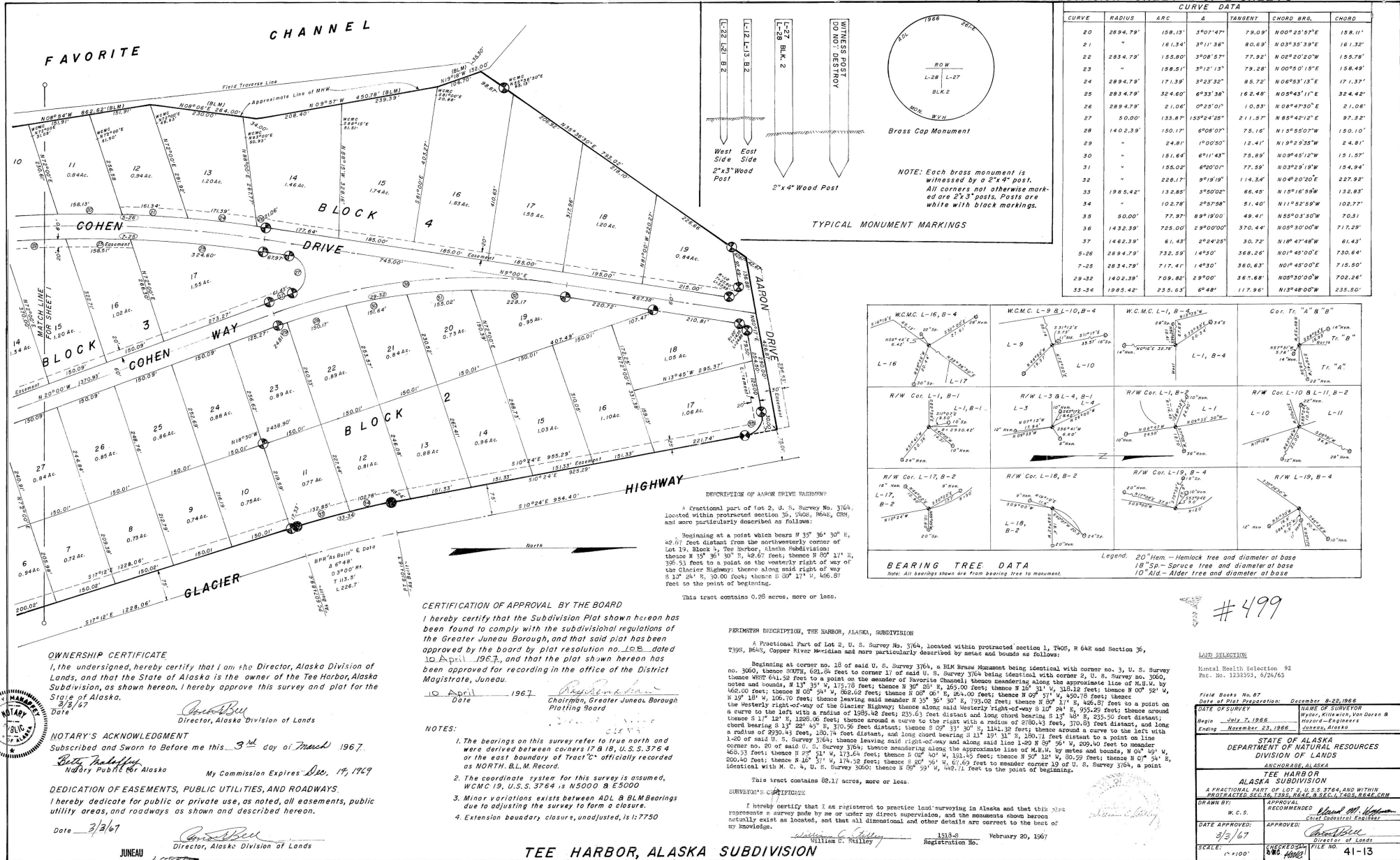
Executed by *State District*

Address *344 G R Ave*
Amherst, Mass

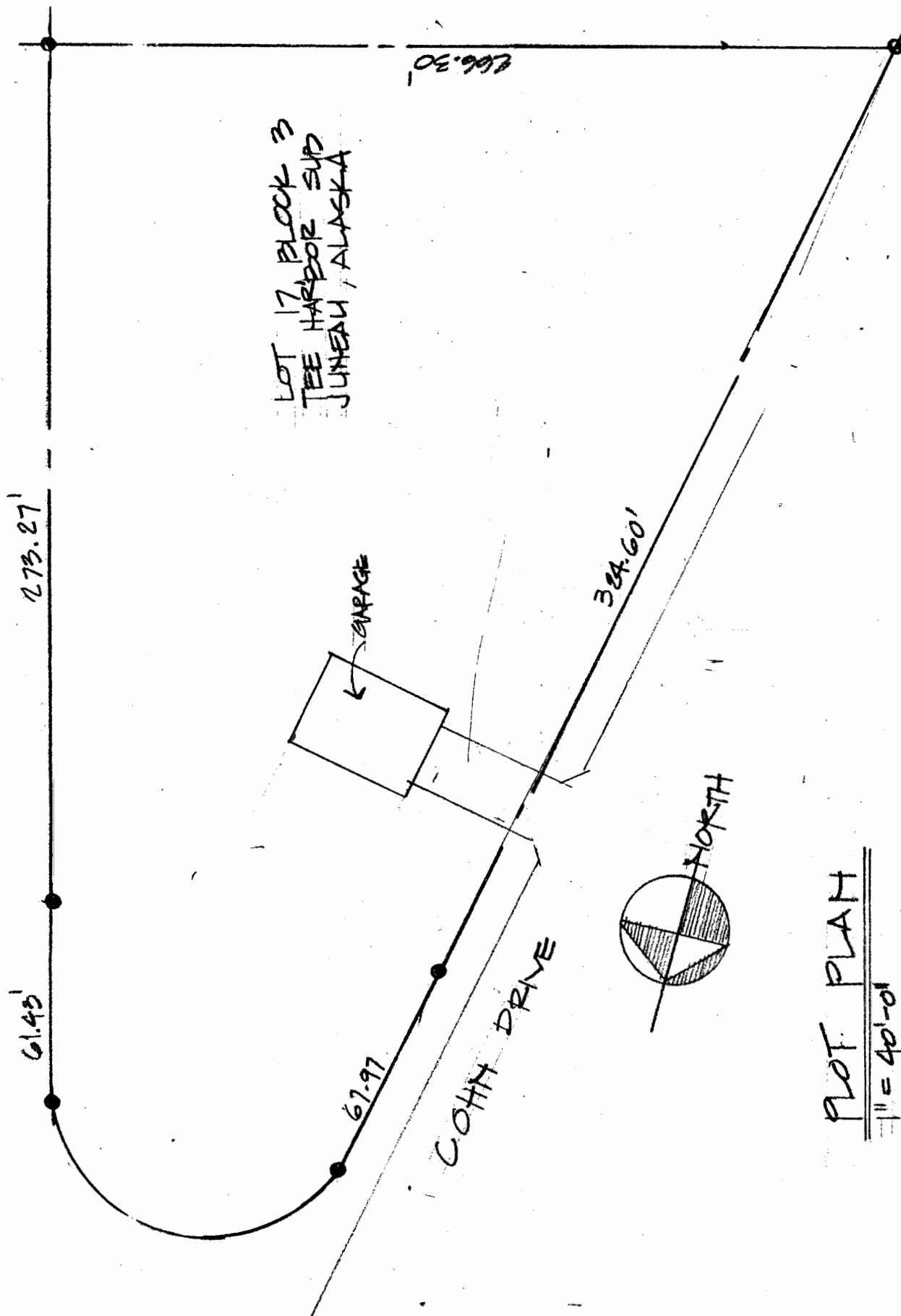
BOOK *2* PAGE *299*

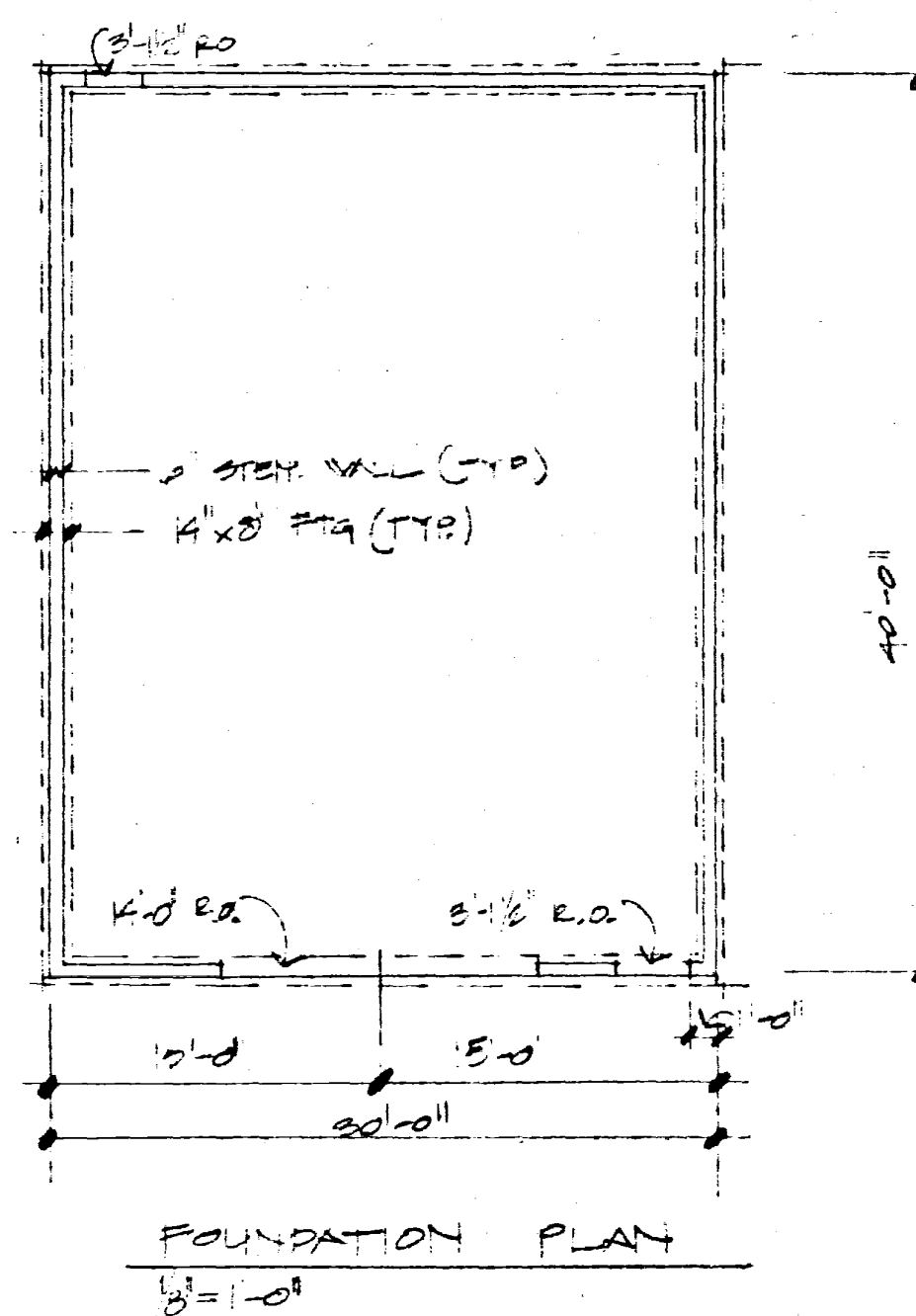
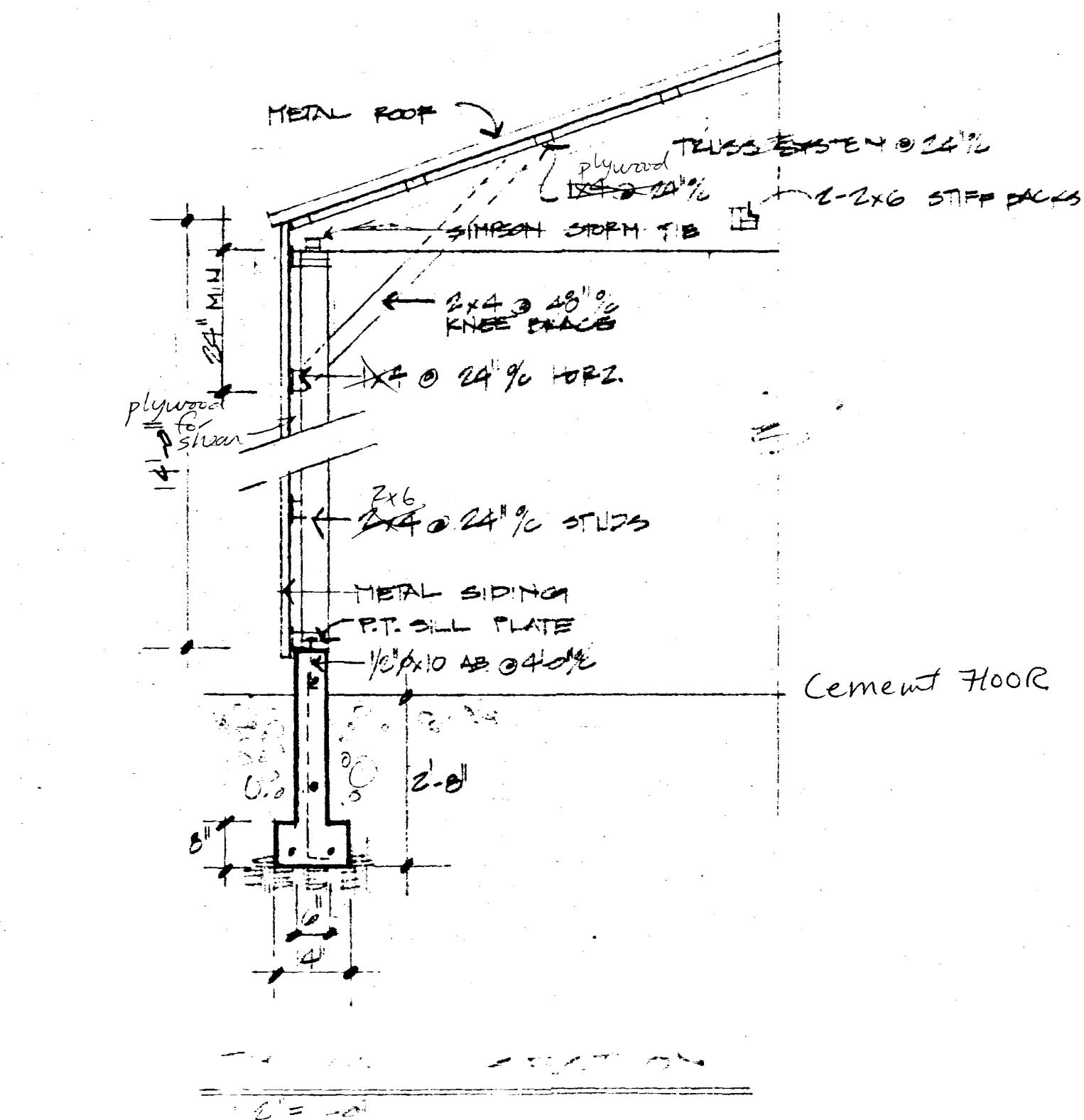
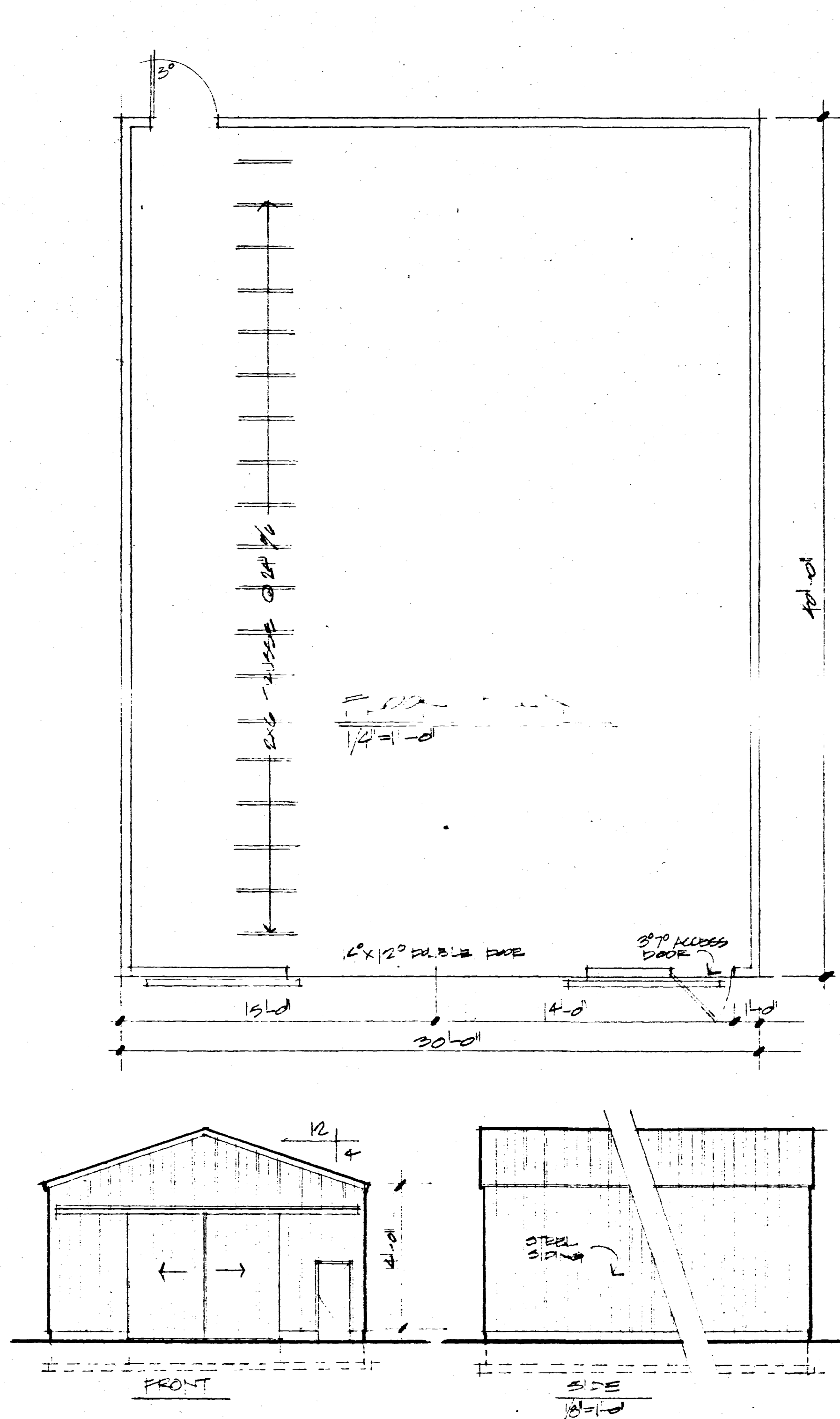
Date of Plot Preparation	December 8, 1986	Map No. 97-53
Date of Survey	1986	Name of Surveyor
Beginning	July 7, 1986	Wittier, Kitchin, Van Doren, & Associates, Inc.
Ending	November 23, 1986	Johnnie, Alaska
<p>STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES DIVISION OF LANDS ANCHORAGE, ALASKA</p> <p>TEE HARBOR ALASKA SUBDIVISION</p> <p>A FRACTIONAL PART OF LOT 1, S.14,S.37&4, AND WITHIN SECTION 36-37-38, T.14N, R.10E, SEC. 1, TADU, H&C, C&M.</p> <p>OWNER, M.C.S. RECOMMENDED <u>David Ott Williams</u> UNIT, CONDITIONAL LESSEE</p> <p>DATE APPROVED <u>3/3/87</u> APPROVED <u>[Signature]</u> DIRECTOR, DIVISION OF LANDS</p> <p>SCALE: 1" = 100' ENCLOSURE FILE NO. 41-12</p>		

TEE HARBOR, ALASKA SUBDIVISION- SHEET 2 OF 2 SHEETS



"See reverse side for special attention"





BLD-0015820

City and Borough of Juneau, Alaska
Department of Public Works - Building Division
100 South Second Street
Juneau, Alaska 99801

FILE NO. 8-2-580-003-017-3764
(Drawn By)

PLANS RECEIVED: _____
PLANS REVIEWED: _____
PLANS REJECTED: _____
☐ APPROVED
☒ APPROVED TO CONSTRUCTION C. Fritz 7-14-83
☐ REVISED AND RESUBMITTED: _____
☐ DISAPPROVED: _____

This is not a building permit and does not show or imply any form of approval or guarantee of adequate safety or construction. This plan shall be used only for the purpose of reference and comparison with the applicable provisions of the City of Juneau, Alaska, and shall not be used for any other purpose. The City and Borough of Juneau, Alaska, does not assume any liability for any damage or loss resulting from the use of this plan. The user of this plan shall be responsible for obtaining all necessary permits and approvals from the City and Borough of Juneau, Alaska, and for complying with all applicable laws and regulations. The user of this plan shall also be responsible for obtaining all necessary permits and approvals from the City and Borough of Juneau, Alaska, and for complying with all applicable laws and regulations. The user of this plan shall also be responsible for obtaining all necessary permits and approvals from the City and Borough of Juneau, Alaska, and for complying with all applicable laws and regulations.

Permit Number (if any) _____
On File _____
Submitted _____
U. S. Survey No. _____



Planning Commission

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

PLANNING COMMISSION NOTICE OF DECISION

Date: March 13, 2019
Case No.: USE2019 0002

Brent Bitterman
PO Box 211022
Auke Bay, AK 99821

Proposal: A Conditional Use Permit to allow use of a 5th wheel trailer as a dwelling
Property Address: 20012 Cohen Drive
Legal Description: Tee Harbor Alaska Block 3, Lot 17
Parcel Code No.: 8B3701030010
Hearing Date: March 12, 2019

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated March 1, 2019, and approved the Conditional Use Permit to allow the use of a fifth wheel trailer as a dwelling, to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

1. The applicant shall receive a building permit for the placement of the fifth wheel on the subject parcel.
2. The applicant shall receive ADEC approval to construct and operate the required septic system prior to the issuance of a temporary certificate of occupancy and/or a certificate of occupancy from CDD.
3. The applicant shall connect to city water prior to the issuance of a temporary certificate of occupancy and/or a certificate of occupancy by CDD.

Brent Bitterman
Case No.: USE2019 0002
March 13, 2019
Page 2 of 2

Attachments: March 1, 2019, memorandum from Laurel Bruggeman, Community Development, to the CBJ Planning Commission regarding USE2019 0002.


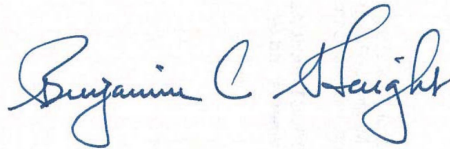
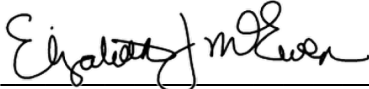
This Notice of Decision does not authorize construction activity. Prior to starting any project, it is the applicant’s responsibility to obtain the required building permits.

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, March 12, 2019.

Expiration Date: The permit will expire 18 months after the effective date, or September 12, 2020, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.

Project Planner:

	
Laurel Bruggeman, Planner Community Development Department	Benjamin Haight, Chair Planning Commission
	3/15/2019
Filed With Municipal Clerk	Date

cc: Plan Review

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



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

DATE: March 1, 2019

TO: Planning Commission

FROM: Laurel Bruggeman, Planner
Community Development Department

CASE NO.: USE2019 0002

PROPOSAL: A Conditional Use Permit to allow use of a fifth wheel trailer as a dwelling

A handwritten signature in black ink, appearing to read 'Laurel Bruggeman', is placed next to the 'FROM:' field.

GENERAL INFORMATION

Applicant: Brent Bitterman

Property Owner: Timothy and Angela Webb

Property Address: 20012 Cohen Drive

Legal Description: Tee Harbor Alaska Block 3, Lot 17

Parcel Code Number: 8B3701030010

Site Size: 67,518 square feet

Comprehensive Plan Future Land Use Designation: Rural Dispersed Residential (RDR)

Zoning: D1

Utilities: Public Water Proposed; Private Sewer Proposed

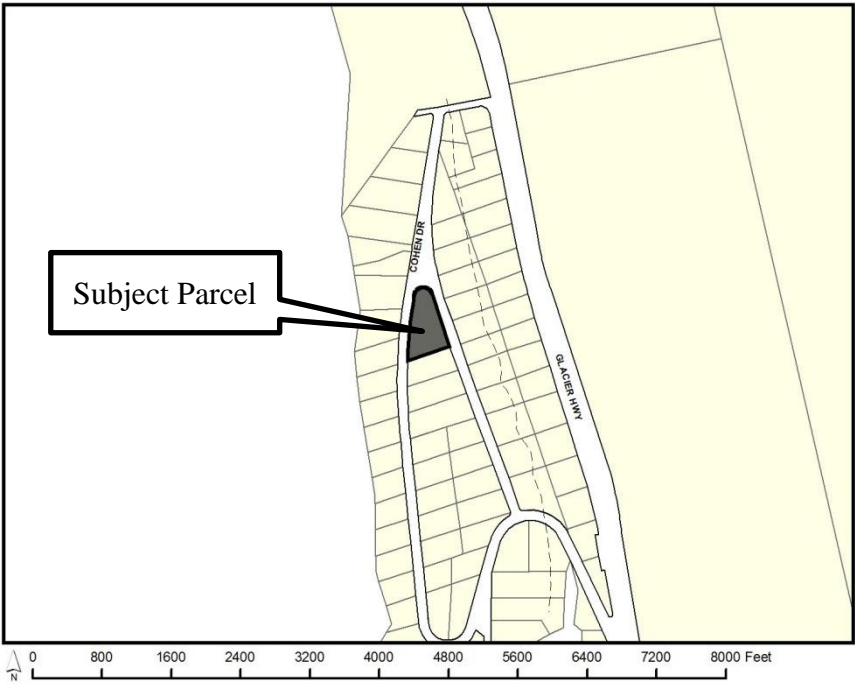
Access: Cohen Drive

Existing Land Use: Garage

Planning Commission
Case No.: USE 2019 0002
March 1, 2019
Page 2 of 7

Surrounding Land Use:	North	- Cohen Way (Undeveloped Right-of-Way)
	South	- D1 Single Family Dwelling
	East	- Cohen Way (Undeveloped Right-of-Way)
	West	- Cohen Drive

VICINITY MAP



ATTACHMENTS

- Attachment A – Application Packet
- Attachment B – Public Comments

PROJECT DESCRIPTION

The applicant requests a Conditional Use Permit for the use of a fifth wheel as a residence on an individual lot in the D1 zoning district. The proposed project would include the placement of a 6.7' x 33' x 12.7' fifth wheel on the parcel and the installation of a proposed on-site waste water disposal system and connection to public water. There are currently no residences on the subject parcel; however, there is a large garage on the parcel that was permitted and built in 1983 (BLD15820).

Planning Commission
Case No.: USE 2019 0002
March 1, 2019
Page 3 of 7

ANALYSIS

Project Site and Design – The subject parcel is 67,518 square feet in size, exceeding the required 36,000 square feet minimum lot size for the D1 zoning district. The subject parcel is bordered by Cohen Drive and Cohen Way (an undeveloped Right-of-Way). The existing garage on the parcel meets the required setbacks for the zoning district: 25' front yard; 25' rear yard; 15' side yard; and 17' street side yard.

The site plan, found in Attachment A, shows that the proposed fifth wheel will be located adjacent to the existing garage. A building permit will be required for the placement of the fifth wheel. The fifth wheel will be required to meet the above listed setbacks for the zoning district once it is placed; this will be reviewed during the building permit process. The site plan, in Attachment A, shows that the fifth wheel will be meeting the required setbacks.

Zoning – The subject parcel is within the D1 zoning district. According to CBJ 49.65.300, USE 1.810, residential mobile homes on individual lots are allowed within the D1 zoning district with the issuance of a Conditional Use Permit from the Planning Commission and a Building Permit issued from the Community Development Department (CDD). A recommended condition of approval is that the applicant receives a Building Permit for the placement of the fifth wheel on the parcel as required by CBJ 49.65.300.

Staff conducted a pre-application conference with the applicant on January 9, 2019, to discuss the proposal. During this meeting, the applicant mentioned some interest in using the parcel for storage of business equipment. **Storage on the subject parcel is not being reviewed under this Conditional Use Permit.** According to the Table of Permissible Uses, Use 10.220, general storage inside or outside enclosed structures is allowed within the D1 zoning district with a Conditional Use Permit. Staff recommends a condition stating that storage inside or outside enclosed structures requires a separate Conditional Use Permit (CBJ 49.25.300, Use 10.220).

CBJ Land Use Code, Title 49.65.300 – Mobile homes on individual lots

Mobile homes may be located on individual lots outside of mobile home parks or mobile home subdivisions only under the following conditions and after issuance of a building permit:

(3) The commission may issue a conditional use permit for a single mobile home used as an ordinary residence on an individual lot in the RR, rural reserve district, and the D1 and D3, residential districts, or used as a caretaker residence in any district.

A fifth wheel trailer meets the Title 49 definition of a Mobile Home:

Mobile home means a detached residential dwelling unit designed for transportation, after fabrication, on streets or highways on its own wheels or on a truck or trailer, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for minor and incidental unpacking and assembly operations, location

Planning Commission
Case No.: USE 2019 0002
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on jacks or other temporary or permanent foundations, connections to utilities, and the like, and includes recreational vehicles used outside of a recreational vehicle park as living quarters, other than as temporary living quarters for recreational, camping, or travel purposes.

Traffic – According to the Institute of Transportation Engineers (ITE) Trip Generation Manual, single family homes generate 9.52 average daily trips. Per CBJ 49.40300(a)(1), a traffic impact analysis is not required for projects that generate less than 500 average daily trips. Traffic generation is not expected to be out of character for the rural residential neighborhood.

Parking and Circulation – A single family home requires 2 off-street parking spaces. The submitted site plan shows that there is adequate space for parking on-site.

Utilities – The subject parcel has public water, but not public sewer. The applicant has proposed to install a septic system and has provided an Alaska Department of Environmental Conservation (ADEC) permit to do so. However, the permit provided was issued in 2013 and has since expired (condition 4 of permit). A recommended condition of approval is that the applicant shall receive ADEC approval for the required septic system and construct the septic system prior to the issuance of a temporary certificate of occupancy and/or a certificate of occupancy from CDD. It is also a recommended condition of approval that the applicant connects to city water prior to the issuance of a temporary certificate of occupancy and/or a certificate of occupancy by CDD.

Noise – Noise generated by the proposed development is not expected to be out of character with the existing rural residential neighborhood.

Public Health or Safety – There is no evidence that the proposal will materially endanger public health or safety.

Habitat – There are no habitat concerns on the subject parcel.

Property Value or Neighborhood Harmony – There is no evidence that the proposal will substantially decrease neighboring property values or neighborhood harmony.

Public Comments & Agency Review –The application materials were sent to Capital City Fire & Rescue; CBJ Engineering & Public Works; the CBJ Building Code Official; and the CBJ Assessor. There were no concerns with the proposal.

At time of writing this staff report, staff received three public comments (two from Mr. G. Miller) regarding this proposal (Attachment B).

Gary Miller 02/12/2019 & 02/15/2019 – Mr. Miller's first email contained general questions regarding the proposal. The second email requests that the Planning Commission consider placing a time limit for how long the trailer can be present on the subject parcel. This email also

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mentions using the lot for storage, which is not being addressed under this Conditional Use Permit.

Kristine Trott 02/17/2019 – Ms. Trott’s email also objects to the placement of the fifth wheel on the lot without a time limit and also objects to equipment storage on the lot. Ms. Trott’s email also mentioned a covenant or restriction in the neighborhood for mobile homes. At this time, staff has not been able to find said restriction or covenants; however, CBJ does not enforce neighborhood covenants.

Conformity with Adopted Plans

2013 Comprehensive Plan - The proposal has been found to be consistent with the following policies from the 2013 Comprehensive Plan:

POLICY 3.3 OUTSIDE OF THE URBAN SERVICE AREA, PERMIT APPROPRIATE LOW-INTENSITY, LOW-IMPACT DEVELOPMENT THAT PROVIDES AN OVERALL PUBLIC BENEFIT IN RURAL AREAS, WHILE ASSURING THE PROTECTION OF NATURAL RESOURCES, FISH AND WILDLIFE HABITAT, WATERSHED, SCENIC CORRIDORS, PUBLIC ACCESS TO THE SHORELINE AND INLAND WATER BODIES, AND RECREATIONAL OPPORTUNITIES.

POLICY 4.1 TO FACILITATE THE PROVISION AND MAINTENANCE OF SAFE, SANITARY AND AFFORDABLE HOUSING FOR ITS RESIDENTS.

POLICY 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.

2016 Housing Action Plan – The Housing Action Plan identifies a need for additional housing within the City & Borough. One of the nine primary solutions recommended by the plan is to *grow the supply and diversity of housing at specific numerical targets through new construction and preservation*. The proposed development is consistent with the plan, and this recommendation as it provides housing through new construction on a lot which currently has no dwelling units.

FINDINGS

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

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

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

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

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

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

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

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

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

Yes. The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ 49.25.300, Section 1.810 for the D1 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 March 1, 2019 and March 11, 2019 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public Right-of-Way.

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

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

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

No. There is no evidence that the development will substantial decrease the value or be out of harmony with neighboring properties.

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

Yes. The proposal is consistent with Title 49 and the CBJ Comprehensive Plan.

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

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

N/A.

RECOMMENDATION

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use Permit. The permit would allow the development of a fifth wheel on an individual lot as an ordinary single family residence.

The approval is subject to the following conditions:

1. The applicant shall receive a building permit for the placement of the fifth wheel on the subject parcel.
2. The applicant shall receive ADEC approval to construct and operate the required septic system prior to the issuance of a temporary certificate of occupancy and/or a certificate of occupancy from CDD.
3. The applicant shall connect to city water prior to the issuance of a temporary certificate of occupancy and/or a certificate of occupancy by CDD.
4. Using the subject parcel for general storage inside or outside of enclosed structures will require a separate Conditional Use Permit issued by the Planning Commission (CBJ 49.25.300, Use 10.220).

DEVELOPMENT PERMIT APPLICATION

Project Number	CITY and BOROUGH of JUNEAU	Date Received: 1/16/19
Project Name (City Staff to Assign Name)		

INFORMATION	Project Description Placement of a 5th Wheel Trailer on Lot 17, Block 3 Tee Harbor		
	PROPERTY LOCATION		
	Street Address	20012 Cohen Drive	City/Zip Juneau Alaska
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) Lot 17 Block 3 Tee Harbor Alaska Subdivision		
	Assessor's Parcel Number(s) 8B3701030010		
	LANDOWNER/ LESSEE		
	Property Owner's Name	Brent Bitterman	Contact Person: Brent Work Phone: 480-8869100
	Mailing Address	P.O. Box 211022	Home Phone: 480-886-9100 Fax Number:
	E-mail Address	brent@alaskaluxurytours.com Other Contact Phone Number(s):	
	PROJECT / APPLICANT	LANDOWNER/ LESSEE CONSENT ****Required for Planning Permits, not needed on Building/ Engineering Permits****	
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.			
X		Brent Bitterman Landowner/Lessee Signature	01/09/19 Date
X		[Signature] Landowner/Lessee Signature	2/13/19 Date
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.			
APPLICANT If the same as OWNER, write "SAME" and sign and date at X below			
Applicant's Name		Same	Contact Person: Work Phone:
Mailing Address			Home Phone: Fax Number:
E-mail Address			Other Contact Phone Number(s):
X		Brent Bitterman Applicant's Signature	01/09/19 Date of Application

STAFF APPROVALS	OFFICE USE ONLY BELOW THIS LINE			
	Permit Type	SIGN	Date Received	Application Number(s)
	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 (Minor, Major, PUD, St. Vacation, St. Name Change)			
	Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)			USE 2019-0002
	Variance Case (De Minimis and all other Variance case types)			
	Wetlands Permits			
	Zone Change Application			
	Other (Describe)			
	***Public Notice Sign Form filled out and in the file.			
	Comments: Application is only for mobile home on residential lot. - Storage referred to in pre-app was not been included - check with applicant.			Permit Intake Initials TOP

NOTE: DEVELOPMENT PERMIT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATIONS
I:\FORMS\2010 Applications

Attachment A - Application Packet

Revised November 2009

Attachment D- 2019 USE2019-0002 approved for a 5th wheel trailer dwelling unit



ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

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

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

To be completed by Applicant

PROJECT SUMMARY

Placement of 5th Wheel trailer on Lot 17, Block 3 Tee Harbor Alaska Subdivision

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: 1-810

IS THIS A MODIFICATION or EXTENSION OF AN EXISTING APPROVAL?

☐ YES – Case # _____

☒ NO

UTILITIES PROPOSED

WATER: ☒ Public ☐ On Site

SEWER: ☐ Public ☒ On Site

SITE AND BUILDING SPECIFICS

Total Area of Lot 67,518 square feet Total Area of Existing Structure(s) 1200 square feet

Total Area of Proposed Structure(s) 221.1 square feet

EXTERNAL LIGHTING

Existing to remain

☐ No

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

Proposed

☒ No

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

ALL REQUIRED DOCUMENTS ATTACHED

☒ Narrative including:

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

If this is a modification or extension include:

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

☒ Plans including:

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

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

ALLOWABLE/CONDITIONAL USE FEES				
	Fees	Check No.	Receipt	Date
Application Fees	\$ <u>350</u>			
Admin. of Guarantee	\$ _____			
Adjustment	\$ _____			
Pub. Not. Sign Fee	\$ <u>50</u>			
Pub. Not. Sign Deposit	\$ <u>100</u>			
Total Fee	\$ <u>500</u>			

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Attachment A - Application Packet

Case Number

USE 19-02

Date Received

1/16/19.

Site Plan Narrative

Brent Bitterman

01/03/19

I am requesting approval of a conditional use permit for the use of a mobile home in a D1 zoning district on Lot 17, Block 3 Tee Harbor Sub Juneau, Alaska. The physical address is 20012 Cohen Dr.

The previous owner has already built the drive way, building pad and 30' x 20' garage structure. I plan on placing the 2016 Sabre Lite 29RE 5th wheel (mobile home) adjacent to the existing structure. I also am working on securing a utility permit for water and already have a permit for septic (see attached).

The required setbacks are shown on the attached site plan as well as planned parking spaces and elevations.

Thank you for your consideration,

Brent Bitterman



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

Conditional Use Permit for a RV on an individual lot as a residence.

Case Number: PAC20190002

Applicant: Brent Bitterman

Property Owner: Timothy Edward Webb

Property Address: 20012 Cohen Dr

Parcel Code Number: 8B3701030010

Site Size: 67,518 Square Feet

Zoning: D1

Existing Land Use:

Conference Date:	1/09/2019
Report Issued:	1/16/2019

List of attendees

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

Name	Title	Email address
Brent Bitterman	Applicant	Brent@alaskaluxurytours.com
Laurel Bruggeman	Planning	Laurel.Bruggeman@juneau.org
John Young	Building	John.Young@juneau.org
Eric Vogel	Eric Vogel	EricVogel@juneau.org
Kyle Paw	Permit tech	Kyle.Paw@juneau.org

Revised 01/29/18

Attachment A - Application Packet

Attachment D- 2019 USE2019-0002 approved for a 5th wheel trailer dwelling unit

Pre-Application Conference Final Report

Conference Summary

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

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

Planning Division:

1. **Zoning** – D1 zoning district. Residential mobile homes on individual lots are allowed in the D1 zoning district with a conditional use permit.

Storage – Some discussion took place regarding using portions of the lot for storage of business related boats and equipment. If the applicant desires to use the lot for storage for their business, a separate conditional use permit will be required. According to The Table of Permissible Uses the following uses require a conditional use permit:

- a. USE 10.210: Storage and handling of goods not related to sale or use of those goods on the same lot on which they are stored – within completely enclosed structures
- b. USE 10.220: Storage and handling of goods not related to sale or use of those goods on the same lot on which they are stored – general storage inside or outside enclosed structures

Future Additional Dwelling Unit: The applicant expressed some desire to build a permanent home on the parcel sometime in the future. The parcel is not large enough for 2 primary dwellings. The applicant should be advised that the mobile home may not be allowed to remain as a residence on the lot if an additional primary dwelling unit is requested. At the time of the building permit request for the single family home, this will be evaluated.

2. **Setbacks** – Front: 25'; Rear: 25'; Side: 15'; Street Side: 17'. The mobile home is required to meet these setbacks.
3. **Height** – 35' permissible uses; 25' accessory uses
4. **Access** – Cohen Drive. The parcel also has frontage on Cohen Way (an undeveloped ROW).
5. **Parking** – 2 spaces required for a single family dwelling. On your site plan, you should demonstrate how this requirement is being met.
6. **Lot Coverage** – 10% for permissible uses; 20% for conditional uses.
7. **Vegetative Coverage** – 20%. On your site plan, you should demonstrate how this requirement is being met.
8. **Flood** – Not within the CBJ Mapped Flood Hazard Area.
9. **Habitat** – (Eagle – remind applicant to check with Feds; Riparian, etc.) – No known at this time.

Building Division:

10. **Building** – Building permit will be required for placement of the RV
11. **Outstanding Permits** -

General Engineering/Public Works:

Pre-Application Conference Final Report

12. **Engineering** – D.E.C approval to construct and Approval to operate letters required before building permit could be finalized.
13. **Drainage** – New site Plan showing drainage and water utility required.
14. **Utilities** – (water, power, sewer, etc.) new site plan required showing location of water utility. D.E.C approval to construct and Approval to operate letters required before building permit could be finalized

Fire Marshal:

15. **Fire Items/Access** – N/a

Other Applicable Agency Review:

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

List of required applications

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

1. Development Permit Application
2. Conditional Use Permit Application
3. Building permit Application
4. Water utility Application.

Additional submittal requirements:

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

1. A copy of this pre-application conference report.
2. Site Plan and Project Narrative

Exceptions to submittal requirements:

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

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. \$350.00 Class I use for Major Development.
2. \$50.00 sign permit fee and \$100.00 refundable deposit

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

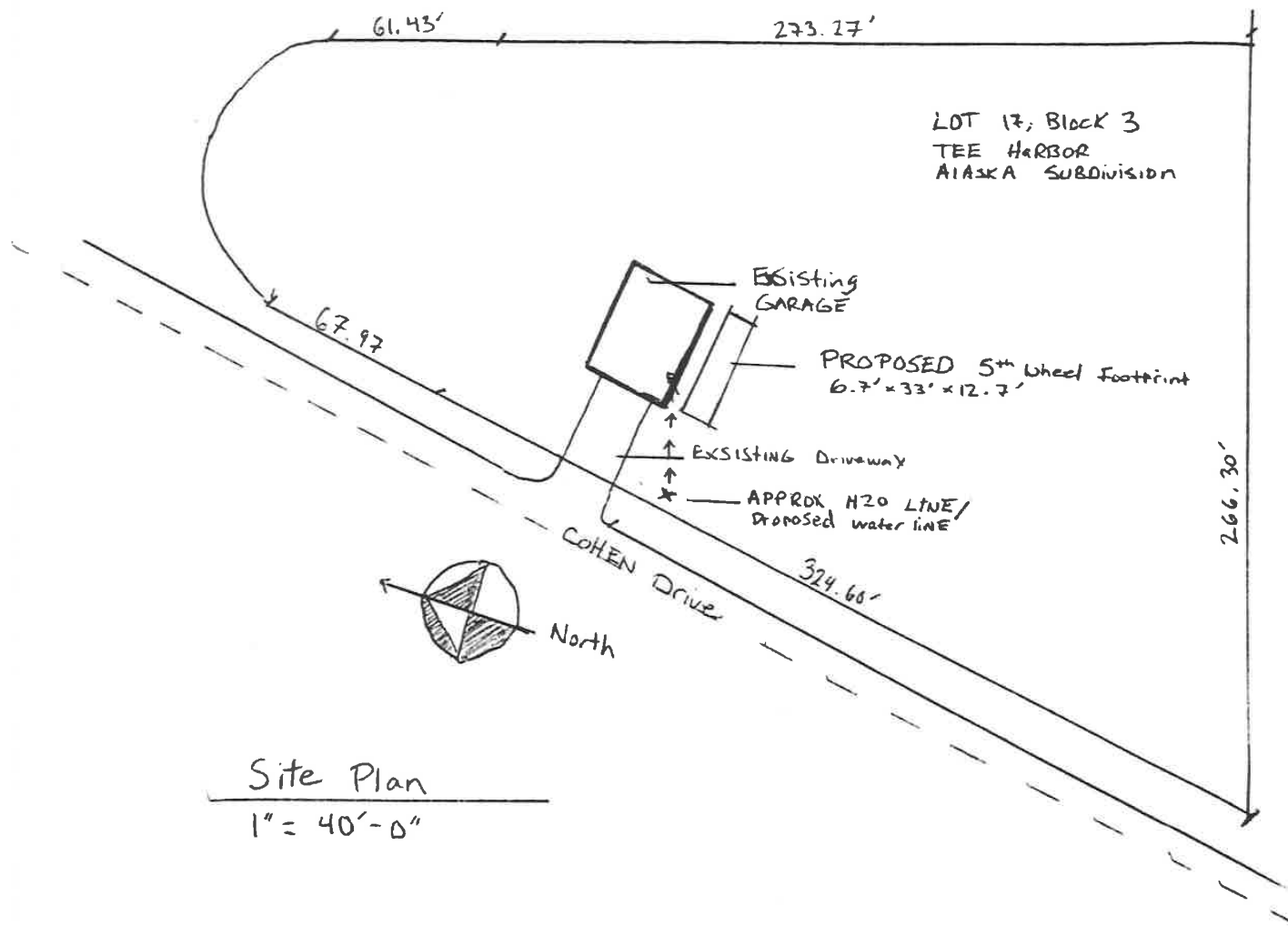
Pre-Application Conference Final Report

Submit your completed application

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

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

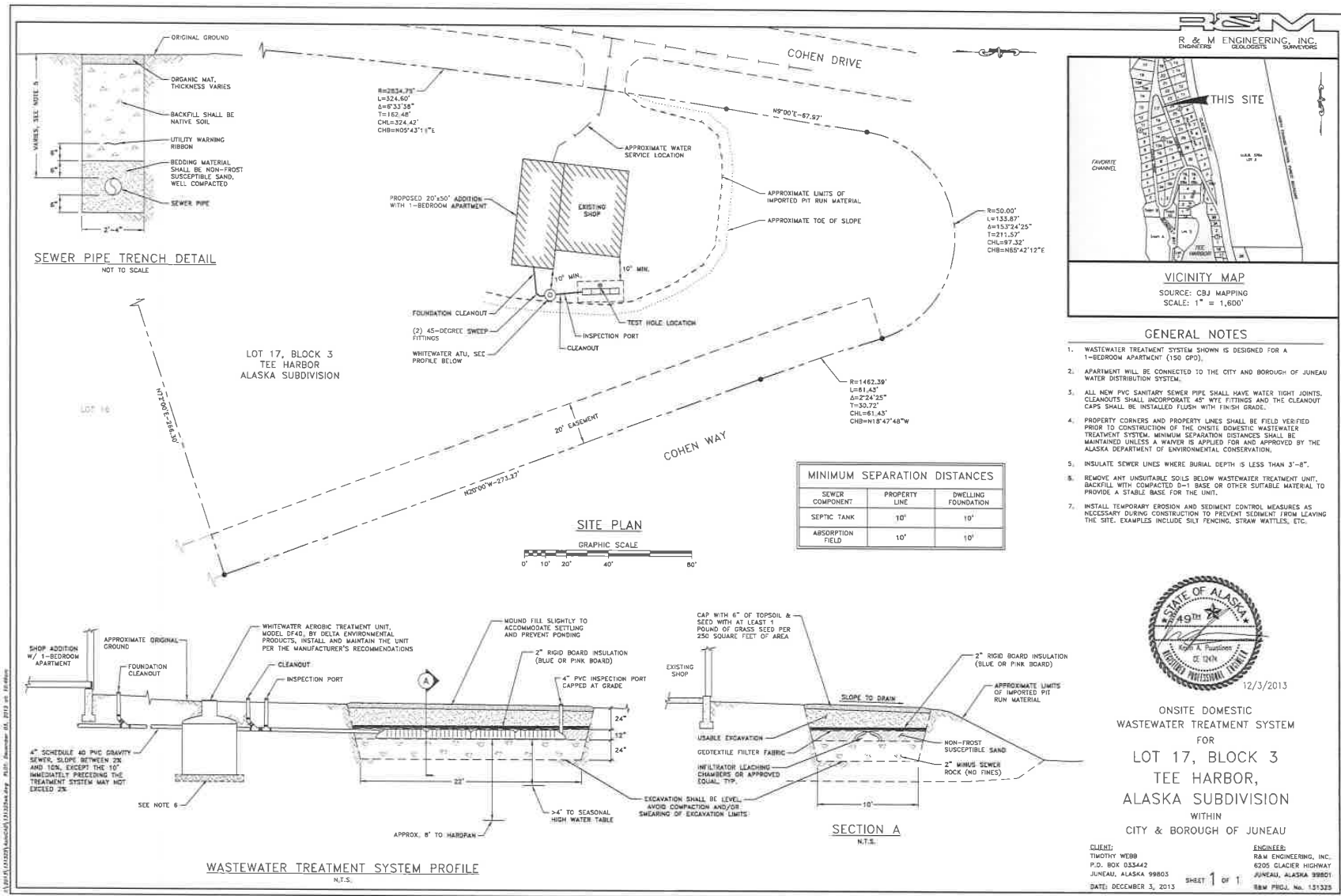
Phone: (907) 586-0715
Fax: (907) 586-4529
Web: www.juneau.org/cdd



Site Plan

1" = 40'-0"

Attachment A - Application Packet



Attachment A - Application Packet

Kyle Paw

From: Edward Quinto
Sent: Thursday, January 10, 2019 8:24 AM
To: Kyle Paw
Subject: FW: Conditional Use Permit Application for 20012 Cohen Drive.
Attachments: Updated Site Plan for 20012 Cohen Drive.pdf; DEVELOPMENTPERMITAPPLICATION Bitterman Jan 2019(edited-airSlate).pdf; ConditionalUse Bitterman Jan 2019(edited-airSlate).pdf; ATC ADEC 9536.PDF; Revised Septic Plan (ADEC 9536).pdf; Site Plan Narrative Cohen Conditional Use App.docx

That was a quick turn around! Would you run this by the planner from the PAC and get it started?

Eddie Quinto | Permit Specialist
Community Development Department | City & Borough of Juneau, AK
Location: 230 S. Franklin Street, 4th Floor Marine View Building
Office: 907.586.0928

From: Brent Bitterman [<mailto:brent@alaskaluxurytours.com>]
Sent: Wednesday, January 9, 2019 7:52 PM
To: Edward Quinto
Subject: Conditional Use Permit Application for 20012 Cohen Drive.

Good Day Mr. Quinto,

Following todays pre-app meeting, please find all of the attached applications, drawings and existing permits to support my application. Please let me know if you need anything further from me and/or next steps.

All the best,

Brent Bitterman | Chief Operations Officer
Alaska Luxury Tours
o. 971.770.2675 | m. 480.886.9100 |
e. Brent@alaskaluxurytours.com
Luxury is the difference. Take a look at [this](#).





THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of Environmental Conservation

Division of Water
Wastewater Engineering Support and Plan Support
555 Cordova Street
Anchorage, Alaska 99501
Main: (907)-269-7519 Fax: (907) 26-3487

December 6, 2013

RECEIVED

DEC 6 3 2013

R & M ENGINEERING
JUNE 24

Kevin A. Puustinen, P.E.
R&M Engineering, Inc.
6205 Glacier Highway
Juneau, Alaska 99801

Re: Juneau-Tee Harbor Alaska Subdivision, Block 3, Lot 17
Approval to Construct a 150 Gallon per Day Onsite Domestic Wastewater Treatment System
ADEC Plan Tracking Number 9536

Dear Mr. Puustinen,

Information was received by the Department on December 3, 2013. Your proposal includes an onsite domestic wastewater treatment system serving a one bedroom residence and sized for a maximum domestic wastewater generation of 150 gallons per day. The proposed wastewater system includes a DF-40 Whitewater package plant discharging to an onsite soil absorption system. The onsite soil absorption system utilizes infiltrator units for effluent disposal; the infiltrator units are each 48 inches long and 34 inches wide.

The onsite testing provided to the Department identified a GM soil classification and a percolation rate of 14 minutes per inch. The design proposes over 4 feet of vertical clearance to the expected maximum water table elevation and 8 feet of vertical clearance to the impermeable layer. The bed is 10 feet wide by 22 feet long and uses the sidewinder type approach for effluent dispersal to the soil absorption system. It was reported that the lot was filled using pit run gravel to reach finish grade, and the lot appears to be level per the engineer's profiles and details provided in the area of the treatment unit and the soil absorption field.

The Department reviewed the engineering plans and supporting documentation submitted for the proposed onsite domestic wastewater treatment system. The proposed system includes a Whitewater DF-40 package plant, subsurface soil absorption system, and other related wastewater system components. In accordance with 18 AAC 72.235 of the Wastewater Disposal Regulations, Approval to Construct is hereby granted subject to the below conditions. A "Certificate of Construction" for the single bedroom unit's domestic wastewater system is enclosed. Please use the referenced plan number with future correspondence regarding this project.

This approval is contingent upon compliance with the following conditions:

- 1) The engineer must provide a site inspection at the time the treatment and soil absorption system is installed. Be advised that a minimum of 2 feet of cover must be provided over all insulated areas of the drainfield. Similarly, the installation of the Whitewater DF40 unit must also provide for a minimum of 3 feet of cover; however, a minimum of 2 feet of cover is allowed if adequate insulation is provided.
- 2) The absorption field must not be in a traffic area, and vehicle parking is not allowed as compacting soils will reduce or inhibit disposal field performance. (Uniform Plumbing Code, Appendix K 6.0 (I))

Attachment A - Application Packet

- 3) In accordance with the Whitewater DF Design Manual, the selected air compressor shall provide a daily minimum of 2,100 cubic feet per day of aeration capacity for each pound of influent BOD₅. The design engineer shall certify and provide calculations to verify that the selected air compressor has been properly sized. The air compressor is required to be located within 100 feet of the treatment tank in accordance with the Whitewater DF Design Manual. In accordance with the Whitewater DF Design Manual, placing a linear air pump in an additional enclosure requires the written approval of Delta Environmental Products. If a linear air pump is selected and installed inside an additional enclosure, an approval letter from Delta Environmental Products that clearly identifies the proposed enclosure and Delta Environmental Products' approval of this enclosure for use at the project site must be submitted to the Department. The record drawings shall identify the make/model and final location of the air compressor and any appurtenant enclosure. It is recommended that the air compressor be sited in a location that provides a source of warm dry air to enhance system performance.
- 4) If the applicant fails to construct, alter, install, or modify the system within two (2) years after the date that the department issues an approval to construct, the approval is void, and plans must be resubmitted, [along with associated fees], for department review and approval.
- 5) Deviations from approved plans which affect capacity, flow, operation, major design of units, point of discharge, materials of major system components (such as pipe, lagoon liners, etc.), or separation distances, must be approved by DEC in writing prior to their implementation.
- 6) This approval is contingent upon compliance with the conditions of Wastewater Disposal Regulations, 18 AAC 72.235, *Construction Certification*. The noted section of the regulations requires that a "Certification of Construction" be completed and submitted to the Department within ninety (90) days of completion of construction. As-built plans or record drawings should indicate any changes or deviations from the approved plans to facilitate final review. A "Certification of Construction" form is enclosed for your use.
- 7) This approval is contingent upon your receipt of any other state, federal or local authorizations which are required for your project. You are required to obtain all other necessary authorizations before proceeding with your project.
- 8) You are advised that if this development will require placing fill in wetlands or working in a stream, river, or lake, permits from the U.S. Army Corps of Engineers and the Alaska Department of Natural Resource may be required. The previous required Coastal Projects Questionnaire could be helpful to you to identify other permits and approvals that may be required for your project.

This approval does not imply the granting of additional authorizations nor obligate any state, federal or local regulatory body to grant required authorizations.

Any person who disagrees with this decision may request an adjudicatory hearing in accordance with 18 AAC 15.195- 18 AAC 15.340 or an informal review by the Division Director in accordance with 18 AAC 15.185. **Informal review requests** must be delivered to the Division Director, 555 Cordova Street, Anchorage, Alaska 99501, within 15 days of receiving the decision. Guidance information on the informal review process may be found at <http://www.dec.state.ak.us/commish/ReviewGuidance.htm>. **Adjudicatory hearings requests** must be delivered to the Commissioner of the Department of Environmental Conservation, 410 Willoughby Avenue, Suite 303, P.O. Box 111800, Juneau, Alaska 99801, within 30 days of the decision. If a hearing is not requested within 30 days, the right to appeal is waived.

Thank you for responding promptly to the Department's previous request for information. If you have any questions please do not hesitate to contact me at 269-7519.

Respectfully,

A handwritten signature in black ink that reads "William R. Rieth". The signature is written in a cursive style with a large, stylized 'W' and 'R'.

William R. Rieth, P.E.
Environmental Engineer

Enclosure: As stated



STATE OF ALASKA
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
CONSTRUCTION AND OPERATION CERTIFICATE
for

DOMESTIC WASTEWATER DISPOSAL SYSTEMS
JUNEAD TEE HARBOR SUBDIVISION, BLOCK 3, LOT 17
SINGLE BEDROOM - 150 GALLON/DAY ONSITE SOLID ABSORPTION
TREATMENT & DISPOSAL
ADEC PLAN TRACKING NUMBER 9536

A. APPROVAL TO CONSTRUCT

Plans for the construction or modification of WHITEWATER DF40 FOR 150 G.P.D ONLY
AND A 10'X22' BED.

located in JUNEAD, Alaska, submitted in accordance with 18 AAC 72.225,

by R&M ENG. - KEVIN PULSTINEN, P.E. have been reviewed and are

☐ approved.

☒ conditionally approved (see attached conditions).

William R. Beth

BY

ENV. ENG.
TITLE

see attached letter of this
date Dec 6, 2013
DATE

If construction has not started within two years of the approval date, this certificate is void and new plans and specifications must be submitted for review and approval before construction.

3. APPROVED CHANGE ORDERS

Change (contract order no. or descriptive reference)

Approved by

Date

4. APPROVAL TO OPERATE

The "APPROVAL TO OPERATE" section must be completed and signed by the Department before this system is made available for use.

The construction of the _____ domestic wastewater disposal system was completed on _____ (date). The system is hereby granted interim approval to operate for 90 days following the completion date.

BY

TITLE

DATE

As-built plans submitted during the interim approval period, or an inspection by the Department, has confirmed the system was constructed according to the approved plans. The system is hereby granted final approval to operate.

BY

TITLE

Attachment A - Application Packet



State of Alaska
DEPARTMENT OF ENVIRONMENTAL CONSERVATION



Certification of Construction for
Domestic Wastewater Systems

Instructions: Within 90 days after the construction, installation, or modification of a project is completed, the owner, the contractor(s) responsible for constructing the project, and a registered engineer responsible for construction inspection, must complete and sign this form declaring that the project was constructed in accordance with the most recent Department-approved plans, or in accordance with the attached as-built drawings.

If a project is being completed in phased construction, a map shall be attached showing that portion of the project being declared completed on the date stated in Section A - Owners Section. Completion of each phase of a project must be declared as it is completed. Additional Certification of Construction forms are available from any Department of Environmental Conservation office.

Please type or print, except for signatures

SECTION A- Owner's Section

Name and brief description of the project _____

Owner Name _____

Owner Address _____

City State Zip

ADEC Project No. _____ Date Project Completed: _____

I certify that I am the owner of the above-referenced project. I further certify that this project was constructed in accordance with the latest plans submitted to and approved by the Alaska Department of Environmental Conservation (ADEC), or in accordance with the attached as-built drawings. I understand that I may be required to take remedial measures to correct any construction which was completed without prior ADEC approval, which departs from the approved plans, and which is found to be inconsistent with the applicable requirements of ADEC wastewater disposal regulations (18 AAC 72).

Signature of Owner (Please Sign in Ink) Date

SECTION B- Contractor's Section

I certify that I (or an individual under my direct supervision) have conducted an inspection of the project referenced in Section A, or portions of the project which I had the responsibility for constructing, and that to the best of my knowledge and information, the project, or those portions, was or were constructed in accordance with the latest plans submitted to and approved by the Alaska Department of Environmental Conservation, or in accordance with the attached as-built drawings.

Printed Name of Contractor	Signature of Contractor	Date
----------------------------	-------------------------	------

For multiple contractors, if applicable:

Printed Name of Contractor	Signature of Contractor	Date
----------------------------	-------------------------	------

Printed Name of Contractor	Signature of Contractor	Date
----------------------------	-------------------------	------

SECTION C- Engineer's Section

I certify that I (or any individual under my direct supervision) have conducted an inspection of the above referenced project, and that to the best of my knowledge and information, the project was constructed in accordance with: (check one of the following)

☐ the latest plans submitted to and approved by the Alaska Department of Environmental Conservation
or

☐ in accordance with the attached as-built drawings.

I further certify that:

☐ all conditions placed on the construction approval have been met as described briefly below: (if using a cover letter, you may write "see cover letter")

Signature of Professional Engineer Responsible for Construction Inspection (Please Sign in Ink)	State of Alaska Professional Engineer Registration Number	Date
---	---	------

Typed or Printed Name of Professional Engineer

From: Gary Miller <gmiller.juneauak@gmail.com>
Sent: Tuesday, February 12, 2019 3:00 PM
To: PC_Comments
Cc: Kathy Miller
Subject: Case No USE2019 0002

The post card seeking neighborhood input for case number USE20190002 does not state how long Angela and Tim Webb plan to live in the trailer. Many of the people who built on Cohen Drive over the years started out living in trailers, garages and even a float house, while they built their homes. My wife and I lived in our garage for two years while building our home. It freed us up from rent payments.

Over the years, there were problems with people moving junky trailers into our neighborhood, which devalued homes in our area. Our neighborhood association fought against them and was able to get them moved out.

If the trailer is used for a home while Tim and Angela build, I personally don't have a problem. I don't know how my neighbors next to the lot feel but I will copy them with this email.

Thanks.

Gary Miller
20135 Cohen Dr
Juneau, AK 99801-8211
(907) 789-3757

1
Attachment B - Public Comments

From: Gary Miller <gmiller.juneauak@gmail.com>
Sent: Friday, February 15, 2019 9:13 PM
To: PC_Comments
Subject: Case No.: USE20190002

I read the application for the conditional use permit. I have two objections I would like the Planning Committee to consider.

First, there is no time limit for how long the trailer may remain on the lot and used as a residence. I prefer to not have a trailer on the lot across the street from me. Our subdivision has constructed houses and should not allow permanent trailers.

Second, our subdivision is a residential subdivision, not an equipment storage area.

Thank you.

Gary Miller
20135 Cohen Dr
Juneau, AK 99801-8211
(907) 789-3757

From: Kristine Trott <krisstrott@gmail.com>
Sent: Sunday, February 17, 2019 5:12 PM
To: PC_Comments
Subject: Brent Bitterman Application for 5th Wheel Mobilehome Trailer

Dear Planners and Planning Committee;

I have just learned of a proposed mobile home and equipment storage request for a lot on Cohen Drive. This is a Conditional Use Permit but so far I see no conditions on this other than the standard water, sewer, electric and parking, and no time limits for that mobile home.

As I understand it, Cohen Drive neighborhood has a covenant, or some such restriction, on allowing mobile homes in the neighborhood. This is an area of special interest and concern to all the neighbors who currently own property on Cohen and adjacent roads. We had a situation in the past (1980's) of a mobile home that was supposed to be temporary, and as they are wont to do, it depreciated and became a dilapidated, disgusting eyesore. It took a great deal of effort on the part of many neighbors to get this mess cleared out and cleaned up.

I am very much against allowing this lot to become an industrial equipment storage site, as well. It was bad enough when Roger Engen had his backhoes and dump truck parked on the side of Cohen Drive. Now Brent Bitterman wants to store his luxury tour equipment as well as a house trailer there, and live in it as well.

The people who purchase lots and build their dwellings pay a premium to make this place continue to be the lovely place it is. There is no room for trailer homes and equipment storage here. There is room down at South Tee Harbor through Trouble's End for storage. There are plenty of trailer parks that I'm sure would have room in some of them for another house trailer.

Please put a limit on this mobile home of no more than 3 years and PLEASE do not allow the storage of business equipment on this lot.

I appreciate you, in advance for taking the time to listen to and act on these concerns of mine and I know I speak for many other neighbors.

And by the way, I myself, have had to toe the line for issues that neighbors objected to about my activities on my property, so this is not the NIMBY attitude from my own perspective. I value this land greatly.

Sincerely,
 Kristine Trott

¹
 Attachment B - Public Comments



BUILDING PERMIT

Permit No.
BLD20190108

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

Your special attention is called to the following:

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

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

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

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

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

Inspections

Inspections can be arranged by telephoning 586-1703 or by written or faxed notification.

The Online Building Inspection Request Form is at: www.juneau.org/permits/inspect_request.php.

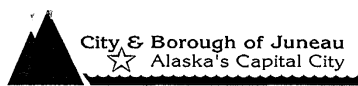
Work shall not proceed until the inspector has approved the various stages of construction. An approved Final Inspection is required.

Call before 7:00 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: 20012 COHEN DR		Issued Date : 04/01/2019																																	
Permit Number: BLD20190108		Parcel No: 8B3701030010																																	
Project Description: Placement of 5th wheel trailer onto lot																																			
Parcel Information : TEE HARBOR ALASKA BL 3 LT 17																																			
Setbacks: Zone: : Front: 25.00 Ft. W Side 1: 15.00 Ft. S Street Side 17.00 Ft. E Rear: 0.00 Side 2: 15.00 Ft. Street Side: 17.00 Ft. N																																			
Comments:																																			
Owner : TIMOTHY EDWARD WEBB ANGELA ANN WEBB PO BOX 33442 JUNEAU AK 99803		Applicant : BRENT BITTERMAN PO BOX 211022 AUKE BAY AK 99821																																	
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Fee Type</th> <th>Date</th> <th>Receipt</th> <th>Amount Paid</th> </tr> </thead> <tbody> <tr> <td>BLD- Bldg Permit Fee</td> <td>03/15/2019</td> <td>56214</td> <td>\$129.24</td> </tr> <tr> <td>BLD- Res Plan Review</td> <td>03/15/2019</td> <td>56214</td> <td>\$64.62</td> </tr> <tr> <td colspan="3" style="text-align: right;">Total Fees Paid:</td> <td>\$193.86</td> </tr> </tbody> </table>		Fee Type	Date	Receipt	Amount Paid	BLD- Bldg Permit Fee	03/15/2019	56214	\$129.24	BLD- Res Plan Review	03/15/2019	56214	\$64.62	Total Fees Paid:			\$193.86	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="4">Valuation for Permit Fee Calculations:</th> </tr> <tr> <th>S.F.</th> <th>Type</th> <th>Rate</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>MH-Single Wide</td> <td>4,100.00</td> <td>4,100.00</td> </tr> <tr> <td colspan="3" style="text-align: right;">Total Valuation:</td> <td>\$4,100.00</td> </tr> </tbody> </table>		Valuation for Permit Fee Calculations:				S.F.	Type	Rate	Amount	1	MH-Single Wide	4,100.00	4,100.00	Total Valuation:			\$4,100.00
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S.F.	Type	Rate	Amount																																
1	MH-Single Wide	4,100.00	4,100.00																																
Total Valuation:			\$4,100.00																																
Project Conditions and Holds: None.																																			
Inspections Required: Call for inspection before covering or concealing any of the work described below. Inspections may be combined. B-Building Final E-Sewer System E-General Engineering Final																																			

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



Application Date: March 15, 2019

BUILDING PERMIT APPLICATION

NOTE: THIS IS NOT A BUILDING PERMIT

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

Case No: **BLD20190108**

Case Description: Placement of 5th wheel trailer onto lot

Site Address: **20012 COHEN DR**

Check No. of Existing Dwelling Units:

Parcel No: 8B3701030010

No. of New Dwelling Units:

Legal Description: TEE HARBOR ALASKA BL 3 LT 17

No. of Removed Dwelling Units:

Applicant : BRENT BITTERMAN
PO BOX 211022
AUKE BAY AK 99821

PH1

480-886-9100

Owner: TIMOTHY EDWARD WEBB
ANGELA ANN WEBB
PO BOX 33442
JUNEAU AK 99803

Contractor: OWNER

PH: _____ FAX: _____

Valuation for Permit Fee Calculations:

S.F.	Type	Rate	Amount
1	MH-Single Wide	4,100.00	4,100.00

Total Valuation: \$4,100.00

Associated Cases:

None.

Parcel Tags:**Notes and Conditions:****Applicant's Signature**

(Owner, Contractor or Authorized Agent)

Date

AS

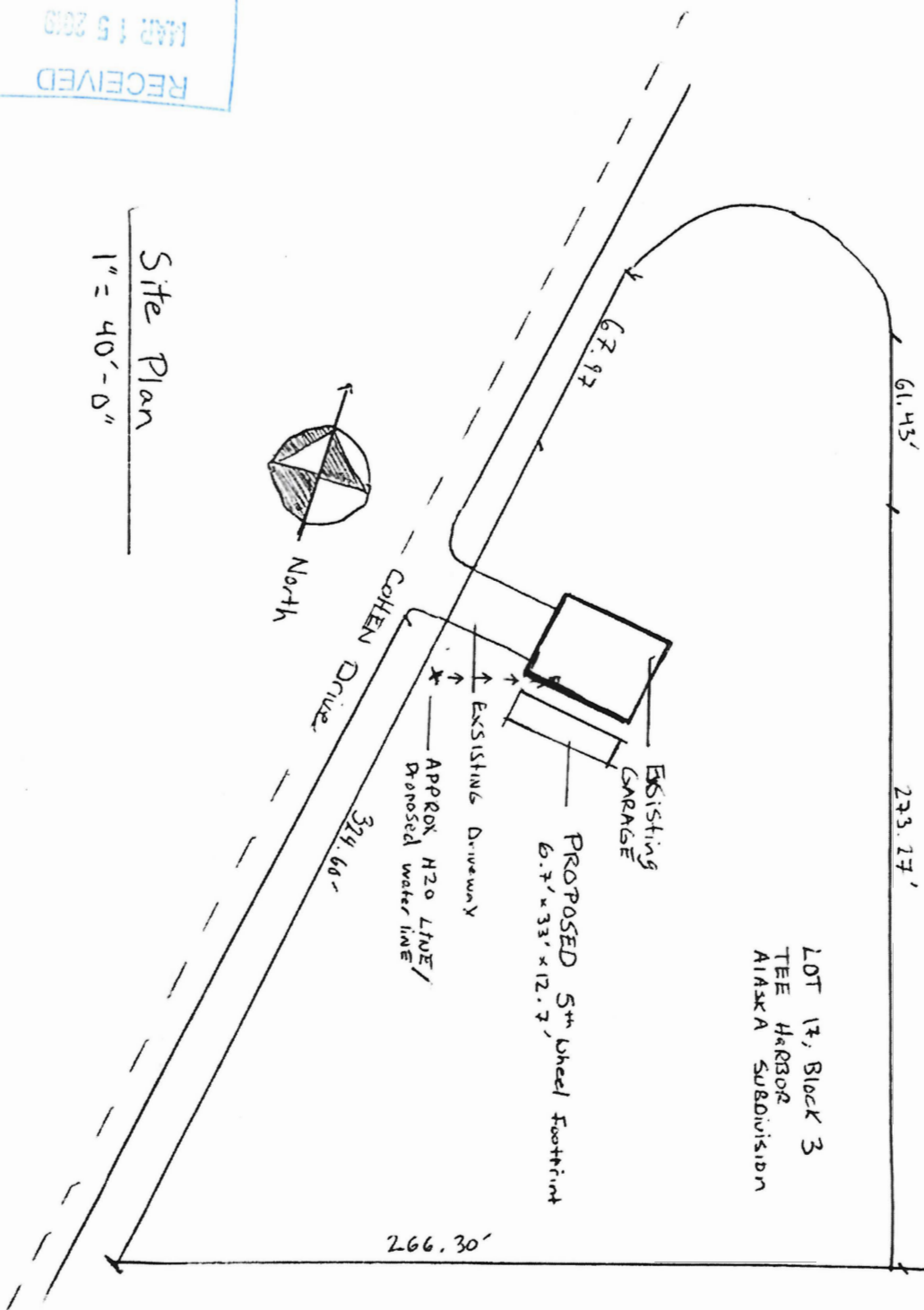
Staff Acceptance

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

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

RECEIVED
MAR 15 2019
PERMIT
BLD20190099

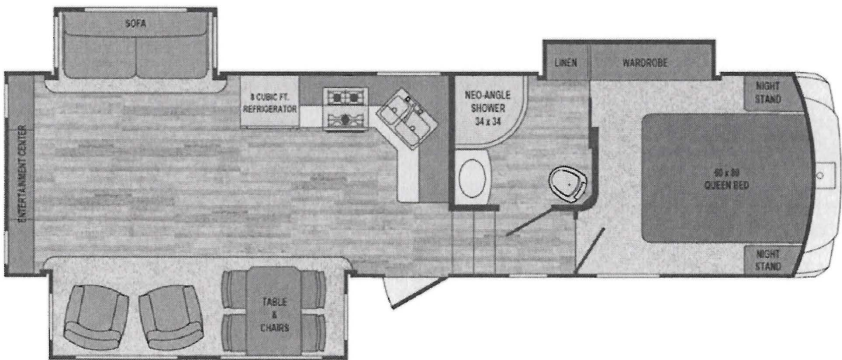
Site Plan
1" = 40'-0"





EDIT
LISTINGS
MYRVUSA

Specs for 2016 Forest River - Sabre
Floorplan: Lite 29RE
(Fifth Wheel)



RECEIVED
MAR 15 2019
PERMIT CENTER/CDD

BLD20190099

2

2016 Forest River Sabre (Fifth Wheel) Units Available

Specifications



BUILDING PERMIT

Permit No.
BLD20230354

Section J, Item 2.

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

Your special attention is called to the following:

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

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

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

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

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

Inspections

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

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

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

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

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

Job Address: **20012 COHEN DR**

Issued Date : **05/04/2023**

Permit Number: **BLD20230354**

Parcel No: **8B3701030010**

Project Description: After the fact permit for addition of attached carport

Parcel Information : TEE HARBOR ALASKA BL 3 LT 17

Setbacks: Zone: D1:
Front: 25.00 Ft. W Side 1: 15.00 Ft. S 17.00 Ft. E
Rear: 25.00 Ft. NA Side 2: 15.00 Ft. NA
Street Side: 17.00 Ft. N

Comments: Lot bordered by ROW on three sides.

Owner :
BRENT BITTERMAN
PO BOX 211022
AUKE BAY AK 99821

Applicant :
BUILDING PROS
PO BOX 32098
JUNEAU AK 99803

Fee Type	Date	Receipt	Amount Paid
BLD- Bldg Permit Fee	04/24/2023	66642	\$418.32
BLD- Res Plan Review	04/24/2023	66642	\$209.16
Total Fees Paid:			\$627.48

Valuation for Permit Fee Calculations:

S.F.	Type	Rate	Amount
703	Utl & Misc-Carport	43.28	30,425.84
Total Valuation:			\$30,425.84

Project Conditions and Holds:

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

Asbuilt Survey May Be Req'd - Asbuilt Survey may be required before final inspection if CBJ inspector is unable to verify setbacks.

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

Inspections Required: Call for inspection before covering or concealing any of the work described below. Inspections may be combined.
B-Foundation, Forms and Reinforcing Steel B-Framing B-Building Final

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

Attachment F- 2023 BLD2023-0054 issued after-the-fact for a carport



Application Date: _____

Section J, Item 2.

BUILDING PERMIT APPLICATION

NOTE: THIS IS NOT A BUILDING PERMIT

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

Case No: **BLD20230354**

Case Description: After the fact permit for addition of attached carport

Site Address: **20012 COHEN DR**Check No. of Existing Dwelling Units: **1**

Parcel No: 8B3701030010

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

Legal Description: TEE HARBOR ALASKA BL 3 LT 17

No. of Removed Dwelling Units: **0****Applicant :** BUILDING PROS
PO BOX 32098
JUNEAU AK 99803

e-mail: dmiller@gci.net

Phone: 723-2298

PH1 723-2298

Owner: BRENT BITTERMAN
PO BOX 211022
AUKE BAY AK 99821**Contractor:** BUILDING PROS
PO BOX 32098
JUNEAU AK 99803

PH: _____ FAX: _____

Valuation for Permit Fee Calculations:

S.F.	Type	Rate	Amount
703	Utl & Misc-Carport	43.28	30,425.84

Total Valuation: **\$30,425.84****Associated Cases:**

None.

Parcel Tags:**Notes and Conditions:****Applicant's Signature**

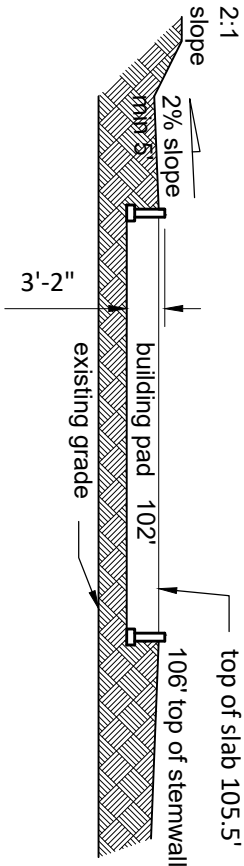
(Owner, Contractor or Authorized Agent)

Date**Staff Acceptance**

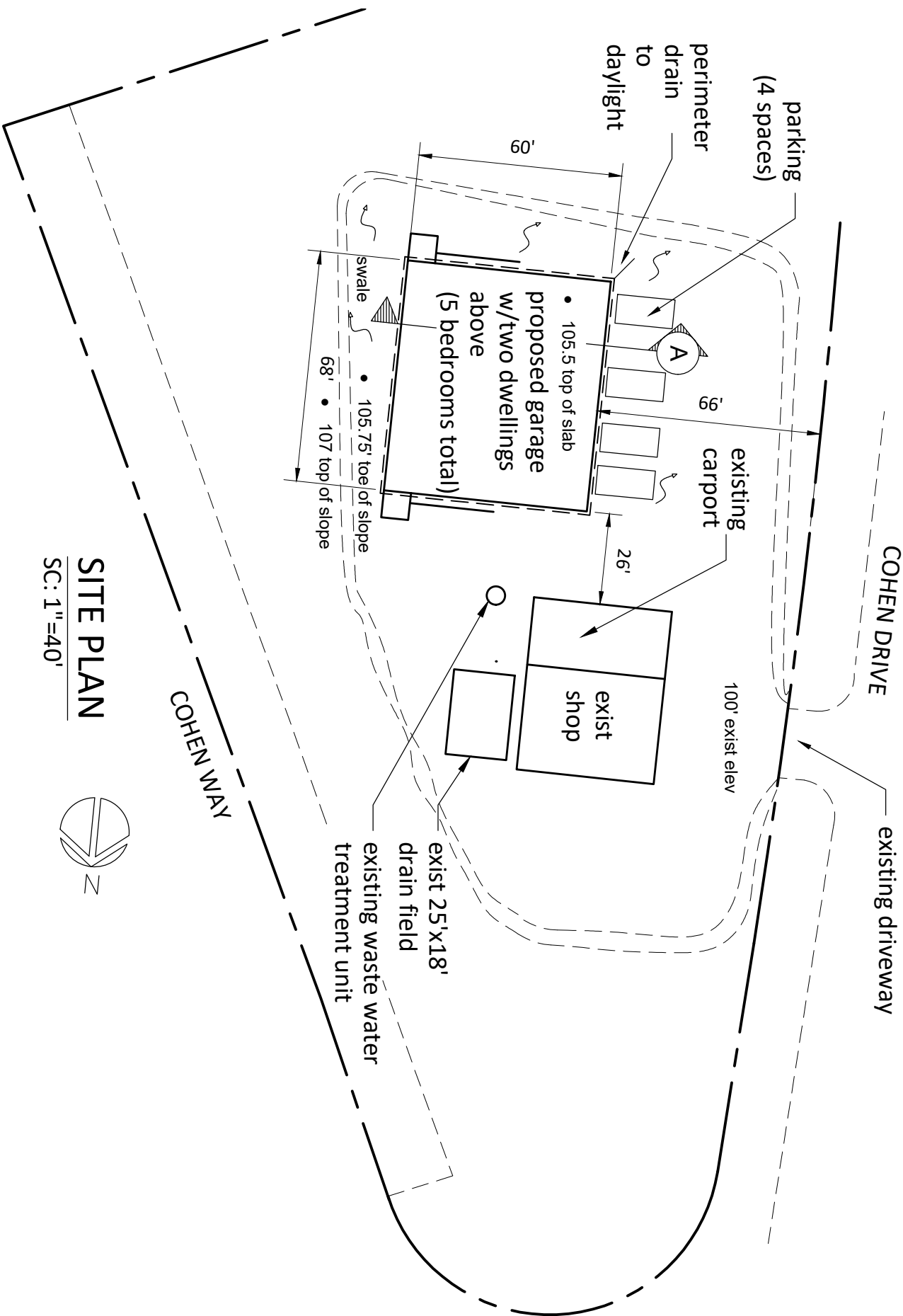
I hereby certify that I have read and examined this application and know the same to be true and correct. I further certify that all provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. I understand that the granting of a permit does not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

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

Attachment F- 2023 BLD2023-0054 issued after-the-fact for a carport



BUILDING PAD SECTION-A
SC: 1/16"=1'-0"





Interline Design

6095 Thane Road, Juneau AK
907-209-4970

SITE PLAN

proposed new residence for:
Brent Bitterman
Lot 17, Block 3 Tee Harbor Subdv
Juneau Alaska

1/30/23
parking
added

DATE: 1/11/23
DRAWN: R/G
JOB NO: 22-07
SHEET NO:

A-1
2 of 8

Reviewed for Code Compliance

Inspections will not be performed without CBJ approved plans on site.

JH

04/25/2023

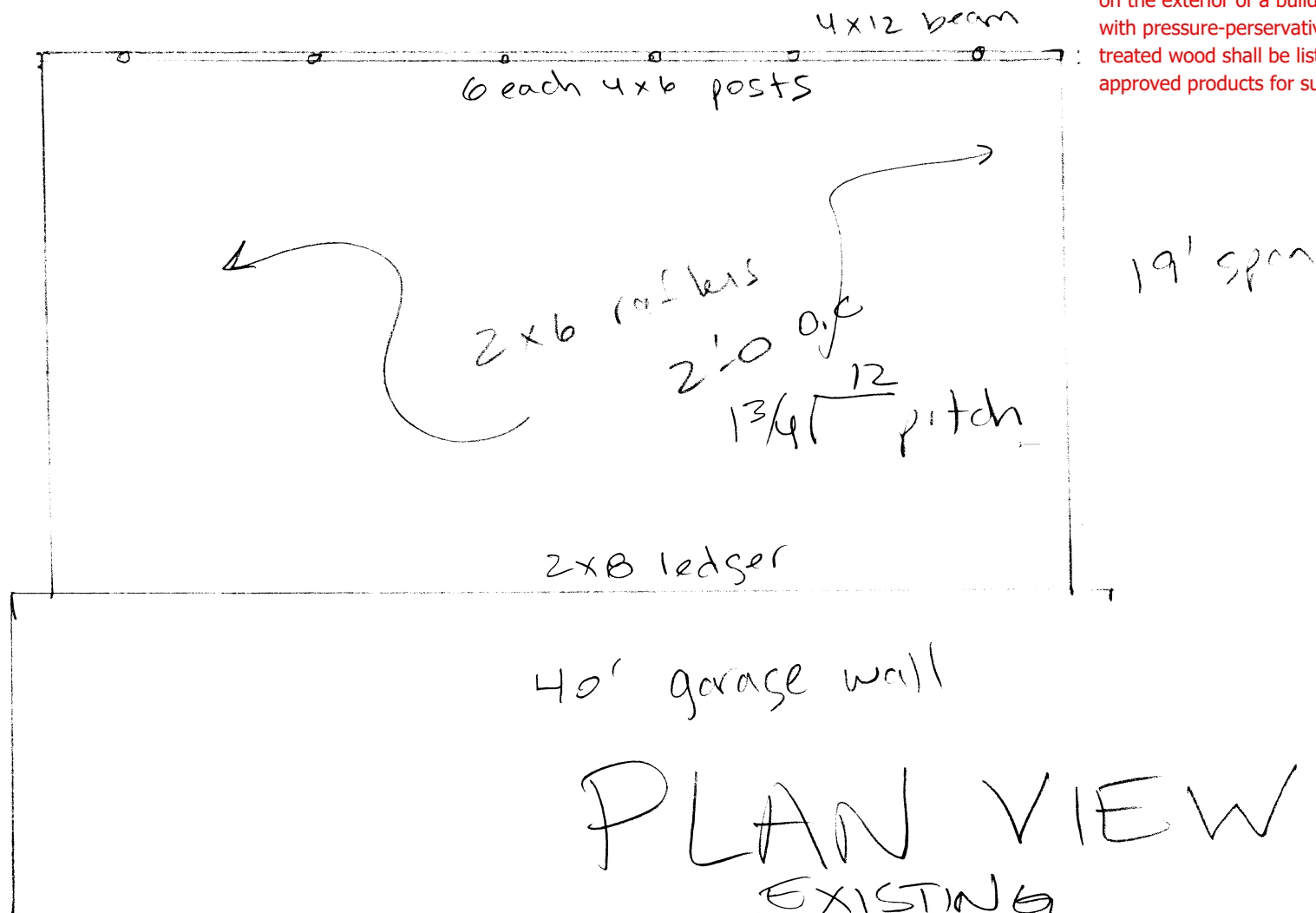
20012 COHEN DR

$\frac{3}{16}" = 1'-0"$

As-built 19x37 carport

37' carport

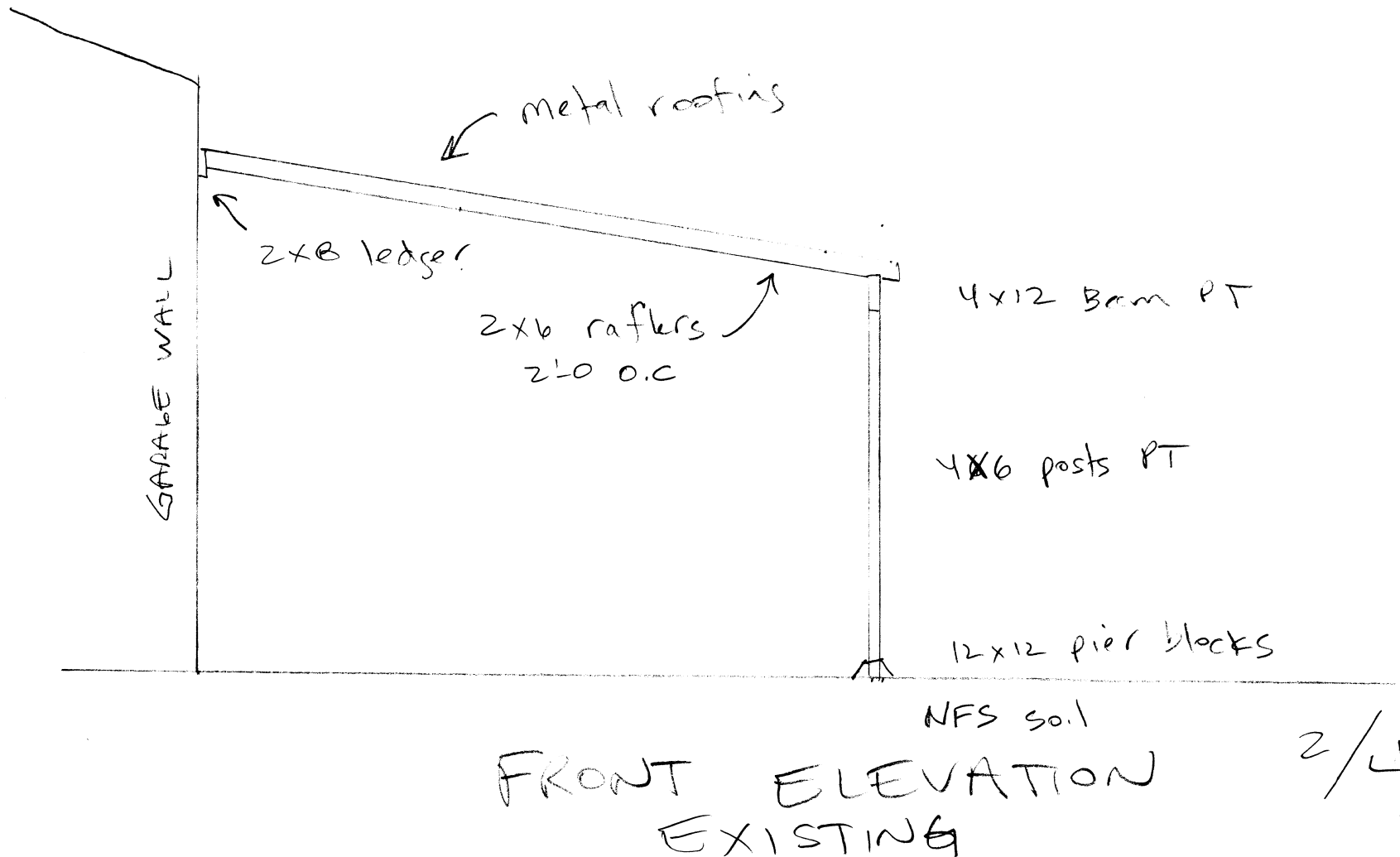
Fasteners, hangers and brackets used on the exterior of a building and/or used with pressure-preserved or fire-retardant treated wood shall be listed and be approved products for such use.



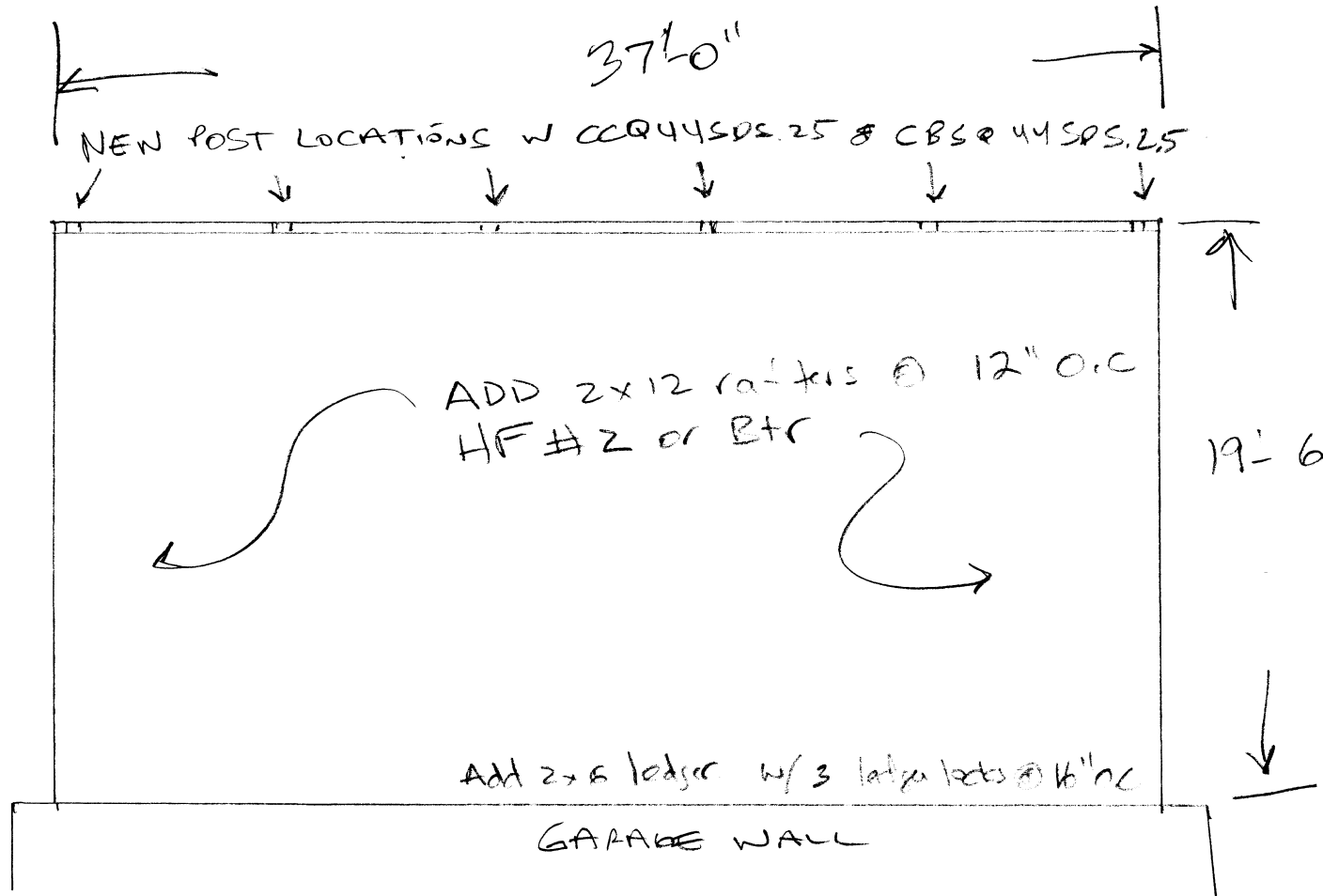
20012 Cohen Dr.

1/4" = 1'-0"

As built carport

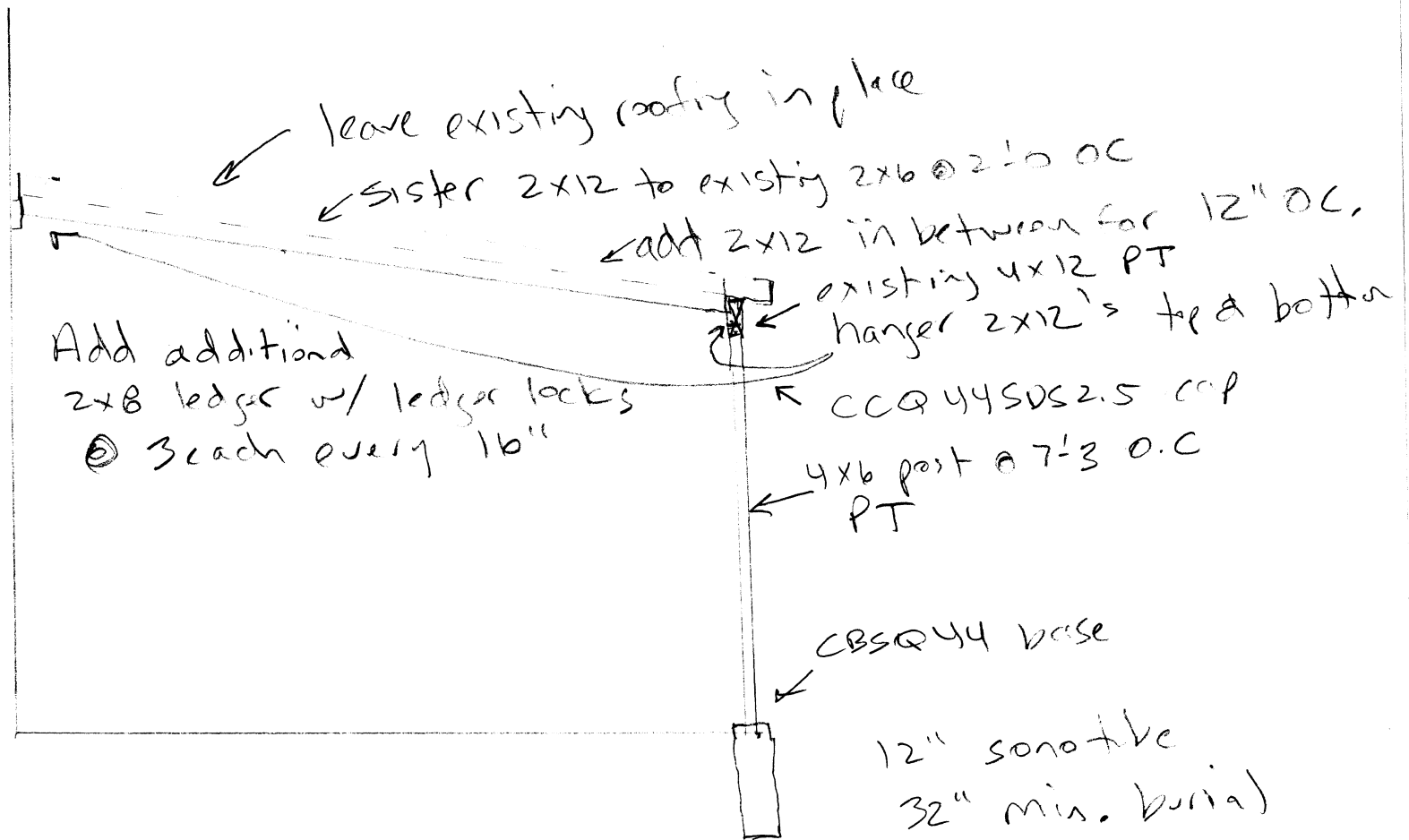


20012 Cohen Dr.
proposed carport modifications



PROPOSED CARPORT MODIFICATIONS
PLAN VIEW 3/10 = 1'-0" 3/4

20012 Cohen Dr.
Proposed carport modifications



PROPOSED CARPORT MODIFICATIONS

FRONT ELEVATION

1/4" = 1'-0"

4/4



BUILDING PERMIT

Permit No.
BLD20230119

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

Your special attention is called to the following:

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

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

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

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

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

Inspections

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

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

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

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

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

Job Address: **20012 COHEN DR**
Permit Number: **BLD20230119**
Project Description: New single family dwelling with garage and accessory apartment

Issued Date : **05/04/2023**
Parcel No: **8B3701030010**

Parcel Information : TEE HARBOR ALASKA BL 3 LT 17

Setbacks: Zone: D1:
Front: 25.00 Ft. W Side 1: 15.00 Ft. S 17.00 Ft. E
Rear: 25.00 Ft. NA Side 2: 15.00 Ft. NA
Street Side: 17.00 Ft. N
Comments: Lot bordered by ROW on three sides.

Owner : BRENT BITTERMAN
PO BOX 211022
AUKE BAY AK 99821

Applicant : INTERLINE DESIGN
6095 THANE RD
JUNEAU AK 99801

Fee Type	Date	Receipt	Amount Paid
BLD- Bldg Permit Fee	05/04/2023	11330	\$3,403.50
BLD- Res Plan Review	02/16/2023	66438	\$1,701.75
Total Fees Paid:			\$5,105.25

Valuation for Permit Fee Calculations:

S.F.	Type	Rate	Amount
3,296	Residential-Single Family R	116.96	385,500.16
3,953	Utl & Misc-Private Garage	63.64	251,568.92
774	Utl & Misc-Porch	43.28	33,498.72
Total Valuation:			\$670,567.75

Project Conditions and Holds:

Approved Fasteners - Fasteners hangars and brackets used on the exterior of the building and or used with pressure-preservative or fire retardant-treated woods shall be listed and approved products for such use.

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

Dwelling Separation - The required fire and sound separation must be approved by the building department and installed per approved design.

EGRESS WINDOWS - Verify egress windows.

WATER FIXTURE COUNT - Minimum 1" service and 1 1/2" building for a max 56wfu. 1 1/2"=56wfu, 1 1/4"=32wfu, 1"=20 wfu, 3/4"=9wfu, 1/2"=2wfu.

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

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

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

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



BUILDING PERMIT*

Permit No.
BLD20230119
Page No. 2

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

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

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

STAMPED TRUSS DRAWINGS - Provide stamped truss details on site at time of framing inspection.

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

Asbuilt Survey May Be Req'd - Asbuilt Survey may be required before final inspection if CBJ inspector is unable to verify setbacks.

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

TCO Condition - Existing fifth wheel trailer being used as the primary dwelling unit per USE19-02 must be removed from the property PRIOR TO TCO.

Inspections Required: Call for inspection before covering or concealing any of the work described below. Inspections may be combined.		
B-Sill Plate	B-Foundation, Forms and Reinforcing Steel	B-Temporary Power
B-Framing	B-Rough Electrical	B-Yellow Tag Electrical
B-Under Slab Utilities	B-Rough Plumbing	B-Specialty Piping
B-Fire Separation/Rated Assemblies	B-Insulation/Vapor Barrier	B-Oil & Gas Piping/Tanks
B-Vents (Bath, Dryer, Kitchen, etc.)	B-Building Final	E-Grading/Drainage
E-General Engineering Final		

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



Application Date: February 7, 2023

BUILDING PERMIT APPLICATION

NOTE: THIS IS NOT A BUILDING PERMIT

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

Case No: **BLD20230119**

Case Description: New single family dwelling with garage and accessory apartment

Site Address: **20012 COHEN DR**Check No. of Existing Dwelling Units: **1**

Parcel No: 8B3701030010

No. of New Dwelling Units: **2**

Legal Description: TEE HARBOR ALASKA BL 3 LT 17

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

Applicant : INTERLINE DESIGN
6095 THANE RD
JUNEAU AK 99801

e-mail: rgilcrist@yahoo.com

Phone: 209-4970

WK 209-4970

Owner: BRENT BITTERMAN
PO BOX 211022
AUKE BAY AK 99821

Contractor: BUILDING PROS
PO BOX 32098
JUNEAU AK 99803

PH: _____ FAX: _____

Valuation for Permit Fee Calculations:

S.F.	Type	Rate	Amount
3,296	Residential-Single Family Resi	116.96	385,500.16
3,953	Utl & Misc-Private Garage	63.64	251,568.92
774	Utl & Misc-Porch	43.28	33,498.72

Total Valuation: **\$670,567.75****Associated Cases:**

None.

Parcel Tags:**Notes and Conditions:**

Applicant's Signature
(Owner, Contractor or Authorized Agent)

Date**Staff Acceptance**

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

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

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

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

To be completed by Applicant

--DEPARTMENT USE ONLY BELOW THIS LINE

SITE INFORMATION

ZONING DISTRICT _____

UTILITIES AVAILABLE

MINIMUM LOT SIZE (49.25.400) _____

WATER: ☐ Public ☐ On Site

ACTUAL LOT SIZE _____

SEWER: ☐ Public ☐ On Site

Permitting Process:

☐ Departmental Review☐ Planning Commission☐ Pre-Application Conference held☐ Narrative and Pre-App notes attached

Fees (Departmental Approval)

Fees

Check No.

Receipt No.

Date

Application Fees

See Building Permit

Fees (Conditional Use Permit)

Application Fee

\$

Public Notice Sign Fee

\$

Public Notice Sign Deposit

\$_____

Total

\$_____

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Case Number	Date Received
-------------	---------------

Invitation to Comment

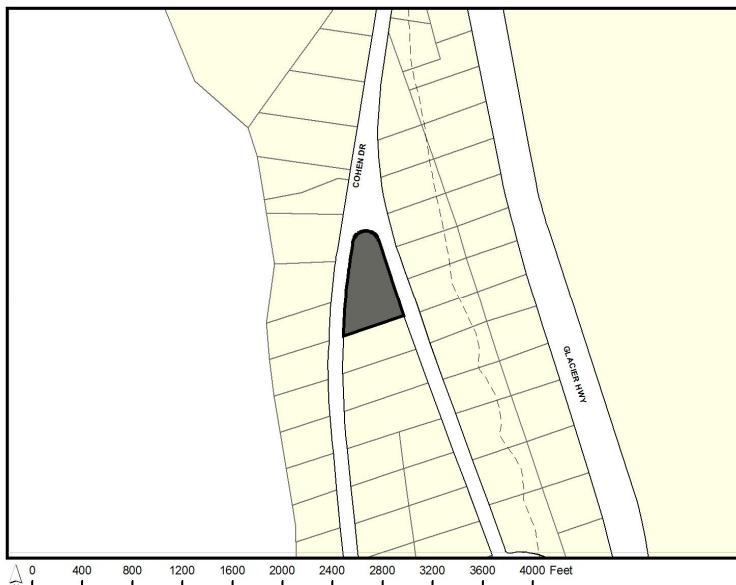
On a proposal to be heard by the CBJ Planning Commission

Your Community, Your Voice



155 S. Seward Street Juneau, Alaska 99801

TO: «Mailing Label»



An application has been submitted for consideration and public hearing by the Planning Commission for a **Conditional Use Permit for commercial boat storage and van parking at 20012 Cohen Drive** in a **D1 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 **September 5, 2023** at

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

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

Now through Aug. 21

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

Aug. 22 — noon, Sept. 8

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

HEARING DATE & TIME: 7:00 pm, Sept. 12, 2023

This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting <https://juneau.zoom.us/j/84057349041> and use the Webinar ID: 840 5734 9041 OR join by telephone, calling: 1-253-215-8782 and enter the Webinar ID (above).

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

Sept. 13

The results of the hearing will be posted online.

FOR DETAILS OR QUESTIONS,

Phone: (907)586-0753 ext. 4139 ♦

Email: pc_comments@juneau.gov

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

Case No.: **USE2023 0011**

Parcel No.: **8B3701030010**

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



Attachment I- Public Notice Sign Photo

Subject: Brent Bitterman's Conditional Use Permit.

From: Gary Miller <[gmiller.juneauak@gmail.com](mailto:gmillier.juneauak@gmail.com)>

Sent: Wednesday, August 9, 2023 8:38 AM

To: PC_Comments <PC_Comments@juneau.gov>

Cc: brent@alaskaluxurytours.com

Subject: Brent Bitterman's Conditional Use Permit.

I understand that my neighbor, Brent Bitterman, has applied for a conditional use permit for his building plans. I fully support his proposal.

Brent has been very considerate about our neighborhood's concerns about the appearance of his property and lot. He has kept it well maintained and I am sure he will continue to do so.

His plan to keep his business's boats out of view by storing them inside is a good plan. In the past, we have had boats stored out in the open on the turnaround and in driveways and no one objected. I keep my skiff in my driveway because there isn't any other place that I can store it. Brent's plan will keep his boats out of sight and keep them in good condition.

Brent's business, Alaska Luxury Tours, employs numerous people. His building plans will help him maintain his very expensive boats. I am asking the Planning Commission to please approve his conditional use permit.

Thank you.

Gary Miller
20135 Cohen Dr
Juneau, AK 99801-8211
(907) 789-3757

From: Galen Lamphere-Englund <g.englund@pm.me>
Sent: Sunday, August 20, 2023 10:29 PM
To: PC_Comments; Jennifer Shields
Subject: Comment on 20012 Cohen Drive Permit

Dear Jennifer Shields and the Planning Commission team,

I am writing to provide comment on the conditional use permit for commercial boat storage and van parking at 20012 Cohen Drive.

Firstly, thank you for soliciting public commentary on the application.

I grew up on Cohen Drive in a cabin that my parents built, which was among the first on the street. We've seen a lot of changes over the years -- electric and city water among them -- along with a tremendous amount of development. What has stayed continuous is a sense of community, of place, and of deep nature.

I returned back to Juneau after 15 years overseas and bought a home from a neighbor down the street from my family's original cabin. I love Cohen Drive, and I love Juneau.

Typically, NIMBY-ism also bothers me.

But in this case, I strongly oppose the commercial use permit. Not only has the owner of 20012 Cohen clear cut the forest of the lot and converted it into a eyesore of a graveled, tasteless parking lot; the conversion of a residential area into a commercial storage facility poses several concerns for me and my neighbors:

1. Increased traffic on one of Juneau's few remaining gravel streets will likely degrade our road quickly and, during the increasingly long dry spells, mean aggregating dust and allergies for residents;
2. Converting residential into commercial zoning -- for a warehouse and parking lot especially -- may have a detrimental effect on our home and others' values;
3. A range of small AirBnBs on Cohen, run part-time and out of spare rooms, will likely be impacted by the presence of a industrial site; and, lastly,
4. Using a neighborhood for commercial parking space seems an immense loss of nature and potential additional community while adding no value in any sense to Cohen community.

I hope you will consider my comments and those from other neighbors, with whom the owner of 20012 has never sought to speak with, in your consideration. It is my strong opinion that this is a misguided application.

Please feel free to reach out if I can provide any additional information.

With kind regards,

Galen

Galen J. Lamphere-Englund
 +1 520.223.8024 (WA/TG/SIG)
 Sent with [ProtonMail](#) Secure Email.

August 24, 2023

Community Development
155 S. Seward St.
Juneau, AK, 99801

Case #: USSE2023 0011
Parcel #: 8B3701030010

Commissioners,

I am surprised this matter is before the Commission. This matter was resolved through this process several years ago.

I reside in the lot adjacent to Brent Bitterman. Since Brent acquired the property, he has cleaned up the lot and has kept it immaculate. He has always discussed his plans for the property with me and others.

His plans for the lot include a boat condo for his vessels. His residence will be on top of the storage space. The structure will provide a secure quality space for his vessels and not distract from the neighborhood. One has only to look at his business to understand the quality of the environment in which he operates. His house will reflect that aesthetic and will actually add to the appearance of the neighborhood.

I have lived on Cohen since 1981. At that time most of the homes were built by the people who lived in them. I mean they actually pounded the nails. Times change. It's a shame that the NEWBIEs have become NIMBYs.

Please allow the Conditional Use Permit for commercial boat storage and van parking at 20012 Cohen Dr. There are B&Bs and rentals on Cohen Dr. and they are as much a business Brent's. Personally, I would like to see the D1 zone changed to a multipurpose zone.

Al Tingley
20008 Cohen Dr.

From: [Julia Frost](#)
To: [PC Comments](#); [Jennifer Shields](#)
Subject: 20012 Cohen Drive Permit
Date: Friday, August 25, 2023 6:37:03 AM

Hello Jennifer and Planning Commission,

This letter is in support of Brent Bitterman's Conditional Use Permit to store Alaska Luxury Tour's yachts at 20012 Cohen Drive.

I have been a resident of Juneau for over 20 years, an employee of ALT for 5 years, and have known Brent for 7 years.

Alaska Luxury Tours is an asset to Juneau, including providing employment, paying sales tax and harbor fees, and buying our supplies local.

Brent's new home will provide the yachts with safe winter storage out of site and will relieve the need of yearly non-environmentally friendly shrink wrap. His new home will also provide a home rental space to Juneau.

Thank you for your consideration to grant Brent the permits to allow safe storage of ALT's assets during winter months when not in use.

julia frost

Additional Materials

Regular Planning Commission Meeting

Assembly Chambers
7:00pm
Meeting Date: 9/12/2023

- 1. August 22, 2023, Draft Minutes, Regular Planning Commission**
- 2. USE2023 0011:**
 1. Public comment: Michelle Warrenchuk, received 8/31/2023.
 2. Public comment: Sarah Bonneson, received 8/31/2023.
 3. Public Comment: Melissa Edwards, received 9/8/2023.

DRAFT MINUTES

Agenda

Planning Commission

Regular Meeting

CITY AND BOROUGH OF JUNEAU

Michael LeVine, Chair

August 22, 2023

I. **LAND ACKNOWLEDGEMENT** – Read by Commissioner Voelckers.

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

II. **ROLL CALL**

Michael LeVine, 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 7:01 p.m.

Commissioners present: Commissioners present in Chambers – Michael LeVine, Chair; Erik Pedersen, Assistant Clerk; Paul Voelckers; Matthew Bell; Adam Brown; David Epstein

Commissioners present via video conferencing – None

Commissioners absent: Travis Arndt, Clerk; Mandy Cole, Vice Chair; Nina Keller

Staff present: Jill Maclean, CDD Director; Irene Gallion, Senior Planner; David Peterson, Planner II; Lily Hagerup, CDD Administrative Assistant; Emily Wright, Law Assistant Attorney III.

Staff present via video conferencing – Ilsa Lund, CDD Administrative Assistant;

Assembly members: ‘Wáahlaal Gíidaak (Barbara) Blake

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

IV. **APPROVAL OF MINUTES** - None

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

VI. **PUBLIC PARTICIPATION ON NON-AGENDA ITEMS** –

Laura Stats – Ms. Stats spoke in support of the appeal from 8/4 to rescind the granting of the CUP for Huna Totem Corporation. It is her opinion there was not broad enough public notice. She felt Parkshore and other downtown residents should have been more informed.

VII. **ITEMS FOR RECONSIDERATION** – None

VIII. **CONSENT AGENDA** – All items moved to Regular Agenda by public member

IX. **UNFINISHED BUSINESS** – None

X. **REGULAR AGENDA**

SMF2023 0003 and **SMF2023 0002** (from Consent Agenda) were presented and considered together.

SMF2023 0003: Shared Access Subdivision: Final approval for shared access subdivision of Tract B into four lots. Access via Wee Burn.
Applicant: Peter Peel
Location: N Douglas Highway

Director's Report

The applicant requests approval of the Final Plat for the Tract A subdivision, one of three shared access subdivisions above Bonnie Brae Subdivision on North Douglas. The Commission approved the preliminary plat under SMP2021 0007 at its meeting on May 10, 2022. Proposed conditions require that Right-of-Way improvements are completed with General Engineering approval, and that homeowners documents explicitly address utilities in the access easement.

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and **APPROVE WITH CONDITIONS** the requested Final Plat. The permit would allow final plat approval for the shared access subdivision of Tract B into four (4) lots.

Approval is subject to the following conditions:

1. Improvements made under the Right-of-Way End of Project Checklist must be approved by General Engineering before the Chair of the Planning Commission signs the Final Plat.
2. ~~Note 9 must be updated to include, "...RECORDED WITH THIS SUBDIVISION," before the Chair of the Planning Commission signs the Final Plat.~~ (this condition met prior to meeting)
3. ~~The agreement required under CBJ 49.35.261(2) must include explicit recognition of and allowances for drainage and utilities before the Chair of the Planning Commission signs the Final Plat.~~

SMF2023 0002: Shared Access Subdivision: Final approval for shared access subdivision of Tract A into four (4) lots. Access via Kristi
Applicant: Peter Peel
Location: N Douglas Highway

Director's Report

The applicant requests approval of the final plat for the Tract B subdivision, one (1) of three (3) shared access subdivisions above Bonnie Brae Estates Subdivision on North Douglas. The Commission approved the preliminary plat under SMP2021 0008 at its meeting on May 10, 2022. Proposed conditions require that Right-of-Way improvements are completed with General Engineering approval, and that homeowners' documents explicitly address utilities in the access easement.

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and **APPROVE WITH CONDITIONS** the requested Final Plat. The permit would allow final plat approval for shared access subdivision of Tract A into four (4) lots.

Approval is subject to the following conditions:

1. Improvements made under the Right-of-Way End of Project Checklist must be approved by General Engineering before the Chair of the Planning Commission signs the Final Plat.
2. ~~The agreement required under CBJ 49.35.261(2) must include explicit recognition of and allowances for drainage and utilities before the Chair of the Planning Commission signs the Final Plat.~~

STAFF PRESENTATION – By Director Maclean

QUESTIONS FOR STAFF

Mr. Pedersen asked if the final plats substantially conform to what was approved in the preliminary plats regarding layout and road design. Ms. Maclean confirmed they do.

Ms. Maclean informed the PC that asbestos has been found on the property. She let them know this is not within PC jurisdiction and cannot be considered.

Mr. Voelckers referenced a citizen comment regarding roads linking phases and asked if the roads would remain after completion of construction. Ms. Maclean explained the temporary road was built only for construction of the subdivision and would be removed at end of the project. Leaving it in place would be against code and would effectively create an illegal subdivision.

APPLICANT PRESENTATION – Peter Peel explained the plats had been revised per staff comments, and the Shared Access agreement had been updated with language that met General Engineering's concerns. The applicant was working with General Engineering to complete punch list items. Addressing the asbestos, Mr. Peel noted it is a common mineral in this area and, unless aerated, it poses no health

risk. Mr. Peel expressed concerns that a report from a private individual might be used to deny the final plat, even though the issue of asbestos was under the Alaska Department of Conservation jurisdiction. An environmental engineer has been hired to investigate and determine whether they will need to take mitigation actions.

QUESTIONS FOR APPLICANT

Mr. Voelckers asked for clarification regarding location and access to a park site. Mr. Peel explained the access would be via tract C and would include a hiking trail and a 20-foot easement to allow Parks and Rec equipment into the park as needed.

PUBLIC COMMENT

Augie Jensen, Bonnie Brae resident– Mr. Jensen had found the samples and hired an environmental engineer to analyze them. The samples were found to contain asbestos. He feels that safety measures need to be in place and implemented before the final plat was approved.

ADDITIONAL APPLICANT COMMENTS

Mr. Peel reiterated the asbestos issue is not under CBJ jurisdiction. Creating a private report is not the way it should work. Mr. Peel notes he will be raising his own family in the neighborhood, and he takes the situation seriously and has hired an independent consultant.

Mr. LeVine asked Mr. Peel if he was obligated to find if there is a regulatable amount of asbestos in the area. If so, would he be obligated to take mitigating action? Mr. Peel said yes to both.

Mr. Epstein asked if the DEC been notified. Mr. Peel explained he had just found out about it yesterday and notified CDD today. He is taking steps to determine the extent, and there are regulatable quantities.

MOTION: *by Mr. Voelckers to accept staff's findings, analysis, and recommendations, and approve with conditions **SMF2023 0003** and **SMF2023 0002** subject to conditions as explained in the additional materials packet.*

The motion passed with no objection.

AME2023 0003:	A text amendment to the Land Use Code amending sections of Chapter 35 Public and Private Improvements including provisions to allow for subdivisions on arterials to meet the underlying zoning district requirements for minimum lot size, and revisions to private shared access.
Applicant:	City & Borough of Juneau
Location:	Borough-Wide

Director's Report

The proposed language would amend sections of Chapter 35 Public and Private Improvements. These revisions include eliminating the requirement that lots located on an arterial must meet the D1 lot size standard (36,000 sq. ft.) regardless of the underlying zoning district to subdivide; provide the governing right-of-way agency the authority to approve additional access, if deemed safe; increase the number of lots that may use Private Shared Access to subdivide from four (4) to 13 lots; and setting a maximum acreage that may use Private Shared Access to subdivide. These revisions facilitate subdivision and support the development of housing in Juneau.

Staff Recommendation

Staff recommends the Planning Commission adopt the Director's analysis and findings and recommend approval of the ordinance to the CBJ Assembly.

STAFF PRESENTATION – By Director Maclean

QUESTIONS FOR STAFF

Mr. Voelckers noted a perception of tension between the Assembly and Title 49 committee decisions and asked Director Maclean for a summary of the tension and the issues of concern. Ms. Maclean explained PC and the Lands Committee are not that far apart. The total acreage of Blacktail Subdivision was a topic of concern. Discussion at Title 49 centered on limiting acreage while increasing allowable number of lots.

Mr. LeVine asked if one of the things being suggested intended to allow the maximum number of lots times the smallest size to preclude creating 13 lots. Ms. Maclean agreed.

Mr. Voelckers noted the recommended lot limit had jumped from 4 to 13 and asked for an explanation of the reasoning behind the three-fold increase. Ms. Maclean explained the 13 was chosen to coincide with minor/major subdivision permitting. There was discussion about the number of property owners sharing a single access. It could be a way to keep housing costs down but owners need to know that they are responsible for maintaining that access. It is not a public road.

Mr. Pedersen asked about CDD's stand regarding the shared access agreements. Ms. Maclean said she is comfortable with them. The agreements are subject to regulation by several CBJ departments.

Mr. LeVine asked how the determination was made that 13 would be the cutoff between minor and major subdivisions. Ms. Maclean did not know as that determination was made prior to her joining CBJ.

****At Ease 7:49 p.m. – 753 p.m.**

PUBLIC COMMENT

Mike Heumann – Spoke in support of allowing shared access and advocated adding D15 and D18 to zoning districts where shared access subdivisions are allowed. He felt this would facilitate development of new housing.

Shawn Kantola – Spoke in support of increasing the number of lots allowed in a private shared access easement. The number of acres or maximum size is tricky because building new city streets is costly and may not be economical in D1 or D3 zoning. Mr. Kantola noted a price of approximately 2,500 per linear foot for roads built to CBJ standards. Costs spread across 15 properties would be less than if spread across five.

Questions for Staff

Mr. Epstein noted in Anchorage they have ‘limited road service areas’ and asked if that would work in Juneau. Ms. Maclean is not familiar with that and not sure if or how it would work in Juneau.

Mr. Voelckers asked whether accessory dwelling units count toward average daily trips (ADT). Ms. Maclean answered accessory units count toward ADT but they do not count toward density.

Mr. LeVine suggested staff ask Law to draft ordinance verbiage regarding the number of lots and maximum acreage.

Mr. LeVine took an informal poll of the PC to gauge what the consensus would be for appropriate number of lots to recommend.

- Mr. Brown suggested 8 and based his opinion on discussions of the Title 49 committee. Mr. Voelckers and Mr. LeVine agreed 8 would be appropriate.
- Mr. Pedersen was supportive of 13 and cited the Blacktail Subdivision as an example of where this would work well. Mr. Epstein was in agreement with Mr. Pedersen but reminded the PC that it is written as “13 or fewer” and the market will bear out the correct amount. Mr. Bell also expressed agreement with 13.

Mr. LeVine instructed Director Maclean to have staff draft ordinance language with 8 and 13 and leave it up to commissioners to decide at a later meeting.

Mr. LeVine said he is reluctant to use simple multiplication of minimum lot size by the number and would rather provide a maximum based on the lot size. Mr. Bell agreed. Mr. Pedersen preferred to leave out the maximum and felt if it was included, it should be at least double the minimum lot size. Mr. Voelckers agreed with Mr. Pedersen. Mr. Brown spoke in support of a maximum.

Ms. Maclean told the commissioners that the Lands committee looks to the PC for guidance and expertise and they have signaled clearly that they want a maximum set.

Mr. LeVine recommended Law draft an ordinance with a maximum lot size double the maximum number of lots by the minimum lot size to bring back before the PC with full attendance.

Mr. Voelckers referred to public testimony and said he felt it worth considering adding D15 and D18 zoning districts as districts where shared access could be used. Mr. LeVine disagreed saying if the D15 or D18 zone cannot be built to D15 or D18, then they should be zoned down to what can be built.

Ms. Maclean said **49.35.240** reads: *Upon preliminary plat approval by the director, the applicant shall construct the shared access pursuant to the corresponding standard in Table **49.35.240** for a roadway with 0-70 average daily trips.* She interprets this to say any private shared access approved under this ordinance, regardless of number of lots or ADT, must be built to the 0-70 standard.

Mr. LeVine asked if that would apply even if they exceeded 211 ADTs with private shared access. Ms. Maclean said her interpretation is that regardless of number of lots, they would build to the 0-70 standard.

Mr. Voelckers agreed this can be interpreted in two ways and suggested Law might be able to provide an interpretation.

AME2023 0004:	A text amendment to the Land Use Code amending sections of Chapter 65 Bungalow Lots and Structures, and Chapter 25 Table of Dimensional Standards for Bungalow Lot setback requirements.
Applicant:	City & Borough of Juneau
Location:	Borough-Wide

Director’s Report

The proposed language would amend sections of Chapter 65 Bungalow Lots and Structures, and Chapter 25 Table of Permissible Uses. These revisions include reductions to yard setbacks. These revisions facilitate subdivision and support the development of housing in Juneau.

Staff Recommendation

Staff recommends the Planning Commission adopt the Director’s analysis and findings and recommend approval of the ordinance to the CBJ Assembly.

STAFF PRESENTATION by Director Maclean

PUBLIC COMMENT

Mike Heumann – Spoke in support and added a request for an increase in allowable size from 1000 to 1200 square feet. Mr. Heumann noted that the 200 square feet was the difference that would allow provision of ADA features.

Regarding setbacks, Mr. Voelckers noted that it seems like people are more sensitive to side setbacks than they are front/back. Mr. Heumann agreed saying people are wary of fire risk.

Shawn Kantola – Spoke in support of setback reductions. Reducing setbacks would increase buildable area by 9 feet of width.

COMMISSIONER DISCUSSION –

Mr. Pedersen asked if the section of code that allows the ability to change the square footage dimensions. Mr. LeVine cited 49.65.610(a)(4) is where the 1000 square feet is listed.

Mr. LeVine asked if there had been discussion at Title 49 regarding leaving minimum setbacks in place. Mr. Brown confirmed that was one of the items brought up in committee.

Mr. LeVine directed PC members to send ideas to Law/Staff/Chair to be discussed again at a later date.

****At Ease 850 p.m. – 9:01 p.m.**

XI. OTHER BUSINESS

PC Rules of Order – Revision

June 15, 2023 Governance Committee Revisions

- Rule 11A – Mr. LeVine noted the deadline for packets will be unchanged.
- Rule 11C – Mr. LeVine suggested a change to allow people attending a meeting and providing public testimony via Zoom to have a representative in the room distribute materials to PC members. Currently, only attendees physically in the room can submit written comments.
- Rule 2A - Changing the start time from 7:00 to 6:00 p.m.
 - Mr. Bell, Mr. Brown, Mr. Voelckers, Mr. LeVine supported leaving the start time at 7:00 p.m.
 - Mr. Epstein and Mr. Pedersen supported a change to 6:00 p.m.
 - Chair LeVine reported he had consulted the absent members. One of them preferred a change to 6:00 p.m. and two had no preference.
- Rule 2F - Changing the end time - Currently, meetings must adjourn by 11:00 p.m. and can only be extended past 11:30 by super majority and vote of the Chair. Mr. LeVine suggested moving the end time back by a half hour. (10:30 and 11:00 p.m.)

Mr. LeVine suggested staff prepare the revisions and bring it before the PC at a later meeting with full attendance.

XII. STAFF REPORTS

- Title 49 discussed allowing ADU in industrial zoning districts. There was interest and concern with safety and industrial uses.
 - Sept and Oct Title 49 meetings are cancelled
- With the flooding emergency, CDD is working with affected residents to help with permitting
- CDD has hired a GIS tech, Sarah. She arrived just in time for the flooding event.

- CDD has hired a Planner II, Forrest Courtney started with CDD recently
Assembly Committee of the Whole meeting this Monday at 6:00 p.m. Topics will include Telephone Hill

Mr. LeVine suggested a Committee of the Whole meeting to discuss the bungalow ordinance.
Ms. Maclean said there may not be staff coverage to accommodate that.
She will miss the next meeting but will be at the 9/26

XIII. COMMITTEE REPORTS - None

XIV. LIAISON REPORTS

The Assembly has accepted the appeal.

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

XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS –Mr. LeVine spoke to the public testimony regarding lack of public notice. He stated he does not doubt that code was followed but he would like to explore other ideas to be sure notice is given.

XVII. EXECUTIVE SESSION – None

XVIII. ADJOURNMENT – 9:24 p.m.

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

From: [Michelle Warrenchuk](#)
To: [PC Comments](#); [Jennifer Shields](#)
Cc: [Gary Miller](#)
Subject: Comment on Permit USE2023 0011
Date: Thursday, August 31, 2023 12:36:19 PM
Attachments: [image.png](#)

Good afternoon,

I would like to provide comments and concerns about the proposed posted permit for Commercial boat storage and van parking at 20012 Cohen Drive.

This property owner, Brent Bitterman, has been operating and storing Alaska Luxury Tours boats, vans, cargo trailers, and vans on the property of 20012 Cohen Drive since 2019 when a permit for temperate RV storage was issued. This was a violation of that temporary RV storage as not only has the RV become a permanent residence since that time, it has promoted commercial use and traffic in our residential neighborhood since 2019.

It is very important for the city to consider the neighborhood and business zonings and to keep that separation between business and residential. Many of our Juneau neighborhoods and roads are not built or maintained or withstand the impacts and traffic that a commercial operation brings to a neighborhood. Nor do many neighbors living in a residentially zoned neighborhood want to have a commercial operation take over the neighborhood which is exactly what Alaska Luxury Tours (A.K.A Brent Bitterman) has been doing for the last 5 years in violation of CBJ residential zoning and codes for D1 residential zoning (Code of Ordinance 1.000, 1.100, 1.110).

We should not encourage violations anymore than we should encourage commercial operations of any kind, be it boat storage, van, storage, business housing/accommodations in our zoned D1 neighborhoods. This is why the Bourgh has commercially zone areas to keep these high impact operations in concentrated areas that can support them and city operations and maintenance can keep up with the needs of those commercial operations and monitor compliance issues.

This commercial boat storage and van parking at 20012 Cohen Drive should NOT be permitted under any circumstance short term or long term. EVER.

Respectfully,
Michelle Warrenchuk
907-723-2095
mdwarrenchuk1@gmail.com

Attached is a photo that I had submitted as a complain and violation of temporary RV storage on February 19, 2020 to Nate Watts, CBJ Code Compliance Officer (at the time), and former CBJ Planner II CDD, Laurel Christian, as proof that commercial operations has been happening since 2019 at 20012 Cohen Drive, when the temporary RV Storage was issued in March 2019.



From: [Sarah Bonneson](#)
To: [Jennifer Shields](#)
Subject: Letter of Support - cohen drive
Date: Thursday, August 31, 2023 7:59:20 PM

Ms. Shields,

I am writing this letter to you in favor of the conditional use permit application for commercial storage on Cohen dr. I am an employee of Alaska Luxury Tours, and this is the best job I have ever had. I have never worked with such a caring group of people who both care for each other and the overall wellbeing of the whale watching community (including the whales themselves.) There has been much hearsay it seems on what the property owner, Brent, on cohen dr is trying to do but in reality, he is just trying to build his forever home. I cant say enough about Mr. Bitterman and the positive impact he has on the Juneau community. He truly cares for his employees and is one of the most generous people I have ever met. Please grant this permit.

Thank you
Sarah Bonneson

From: drmlle@aol.com
Sent: Friday, September 8, 2023 4:53 AM
To: PC_Comments
Subject: Comments on USE2023 0011

Comments on Conditional use permit USE2023 0011

Regarding the application for a conditional use permit to allow commercial boat and vehicle storage on a residential property I would like to express several concerns.

My first concern is for excessive wear and tear on a residential unpaved road with heavier commercial vehicles. This is already a concern just with construction traffic this year in the neighborhood with worsened rutting and potholes. Additional commercial vehicle traffic is likely to accelerate this wear and tear further for an indefinite amount of time. With the addition of the commercial vehicle storage which is expected to be more frequent than the twice yearly movement of the stored commercial boats on this lot.

In addition the traffic with heavier commercial vehicles and deteriorating road surface is highly likely to degrade air quality with increased dust from the heavier vehicles.

Given how long the commercial boats have already been stored contrary to zoning code on this property (at least since 2020) and additional boats being added without having applied for a conditional use permit previously, I am quite concerned about future use in violation of property zoning code as this shows a disregard of local laws and zoning and if the owner has not abided by these regulations previously why would they be expected to abide by any regulations or conditional use if it were granted at this time.

I also have concerns about how many excess parking spaces appear to be planned for this lot as it suggests the property may be used for more commercial or commercial-like activity and potentially higher density housing than intended by D1 zoning. This adds additional concerns regarding the amount of increased traffic on road wear and air quality.

It is not clear how conversion of this residential property promotes entrepreneurship for this growing primarily out of state owned business. In the several years this company has been in business, what efforts have been made to secure a commercial property better suited to their business activity prior to allowing a conditional use within a residential area.

Based on these concerns I would strongly recommend denial of this application and enforcement of current zoning regulations based on the property owners disregard of current zoning codes.

Melissa Edwards