



# REGULAR PLANNING COMMISSION AGENDA

December 10, 2024 at 7:00 PM

Assembly Chambers/Zoom Webinar

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

**A. LAND ACKNOWLEDGEMENT**

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

**B. ROLL CALL**

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

**D. APPROVAL OF MINUTES**

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

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

**G. ITEMS FOR RECONSIDERATION**

**H. CONSENT AGENDA**

**1. USE2024 0018: Conditional Use Permit for a marijuana retail store. - **Approved as Recommended****

**Applicant:** The Mason Jar

**Location:** 5690 Glacier Highway

**DIRECTOR'S REPORT**

The applicant requests approval for a Conditional Use Permit to convert the small retail space of a large commercial building into a Marijuana Retail Store of approximately 493 sq ft. It will be in Unit 19, in the front portion of R&S Rental's storage unit building, which was originally designed and operated as a "Subway" sandwich store in 2009. It is located at 5690 Glacier Hwy which is a General Commercial zone district.

The permit would allow for marijuana sales between the hours of 8:00 am and 11:00 pm and would operate under state and local requirements, respectively.

**STAFF RECOMMENDATION**

Staff recommends the Planning Commission adopt the Director's analysis and findings and approve Conditional Use Permit USE2024 0018.

**2. USE2024 0019: A Conditional Use Permit to construct a 219 square foot accessory apartment in a D1 zoning district. - **Approved as Recommended****

**Applicant:** Galen Lamphere-Englund

**Location:** 20136 Cohen Drive

**DIRECTOR'S REPORT**

The applicant requests a Conditional Use Permit for an existing 219 square foot detached garage to be converted into an accessory apartment. This property is certified nonconforming for lot size and the addition of the accessory apartment will not aggravate the nonconforming situation.

**STAFF RECOMMENDATION**

Staff recommends the Planning Commission adopt the Directors analysis and findings and APPROVE Conditional Use Permit USE2024 0019.

**I. UNFINISHED BUSINESS**

**J. REGULAR AGENDA**

**K. OTHER BUSINESS**

- [3.](#) 2025 Proposed PC Meeting Dates - **Approved**
- 4. Draft Rules of Order for Discussion - **Approved as Amended**

**L. STAFF REPORTS**

**M. COMMITTEE REPORTS**

**N. LIAISON REPORT**

**O. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS**

**P. PLANNING COMMISSION COMMENTS AND QUESTIONS**

**Q. EXECUTIVE SESSION**

**R. SUPPLEMENTAL MATERIALS**

- [5.](#) Additional Materials

**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.gov](mailto:city.clerk@juneau.gov).



PLANNING COMMISSION STAFF  
CONDITIONAL USE PERMIT USE2024 0018  
HEARING DATE: DECEMBER 10, 2024

Section H, Item 1.

(907) 586-0715

CDD\_Admin@juneau.gov

www.juneau.org/community-development

155 Heritage Way • Juneau, AK 99801

**DATE:** November 26, 2024

**TO:** Mandy Cole, Chair, Planning Commission

**BY:** Jay Larson, Planner II

**THROUGH:** Jill Lawhorne, Director, AICP

**PROPOSAL:** The applicant is proposing to open a 463 sq. ft. marijuana retail store at 5690 Glacier Hwy Unit 19.

**STAFF RECOMMENDATION:** Approval with conditions.

**KEY CONSIDERATIONS FOR REVIEW:**

- Marijuana retail store would operate under state security and control regulations.
- State marijuana license has been secured.
- Marijuana retail store is an allowed use in GC zone in conjunction with a Conditional Use Permit

**ALTERNATIVE ACTIONS:**

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

**ASSEMBLY ACTION REQUIRED:**

Assembly action is not required for this permit.

**STANDARD OF REVIEW:**

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
  - 49.15.330
  - 49.25.2.300
  - 49.40
  - 49.65.1200
  - 49.80

GENERAL INFORMATION	
Property Owner	R & S Rentals LLC
Applicant	The Mason Jar
Property Address	5690 Glacier Highway
Legal Description	PINEWOOD PARK 1 BL A LT 1 FR
Parcel Number	5B1201050010
Zoning	General Commercial (GC)
Land Use Designation	Pinewood Park/ULDR
Lot Size	19,833 sq. ft.
Water/Sewer	CBJ/CBJ
Access	Glacier Hwy
Existing Land Use	Commercial
Associated Applications	SGN2024-18/PAC24-29 (Attachment D)

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

## **SITE FEATURES AND ZONING**



<b>SURROUNDING ZONING AND LAND USES</b>	
<b>North (GC)</b>	Gastineau Human Services Corporation
<b>South (I)</b>	Breeze In
<b>East (GC)</b>	Apartments
<b>West (I)</b>	Lemon Creek Business Center

<b>SITE FEATURES</b>	
<b>Anadromous</b>	No
<b>Flood Zone</b>	No
<b>Hazard</b>	Not Mapped
<b>Hillside</b>	No
<b>Wetlands</b>	No
<b>Parking District</b>	No
<b>Historic District</b>	No
<b>Overlay Districts</b>	Mining & Exploration Surface Activities Exclusion District

## **BACKGROUND INFORMATION**

**Project Description** – The applicant would like to convert the former Subway sandwich shop into a marijuana retail store (**Attachment A**).

Hours of operation will be from 8am to 11 pm, seven days a week. The store will be operated by at least one full-time employee. Employees will have marijuana food handling certificates per State requirements. Marijuana handling and disposal will be handled in accordingly. Doors and windows will also be screened according to State statutes.

Security will be performed as follows:

- Commercial grade hardware on doors
- Security cameras
- Alarm system monitored by LJ Alarm Monitoring
- Motion sensors
- Keypad
- Security gate, if approved by property manager

## **Background –**

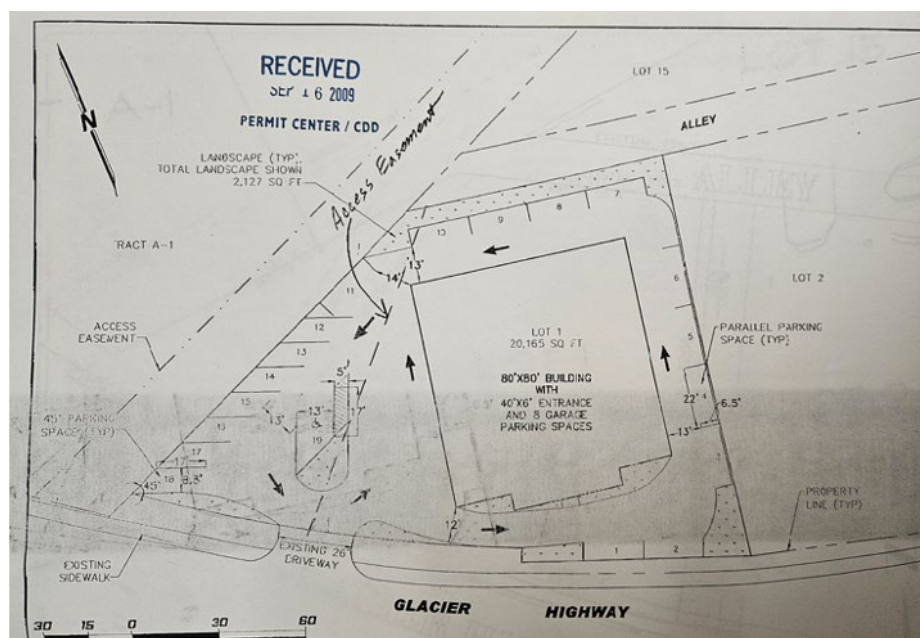
<b>Date</b>	<b>Item</b>	<b>Summary</b>
<b>1993</b>	BLD-0840101	Grading – Approximately 500 cubic yards
<b>2005</b>	BLD2004-01049	New office building
<b>2009</b>	UTL2009-00115	2" commercial water line connection for future commercial bldg.

2009	UTL2009-00116	Commercial sewer connection for future commercial bldg.
2009	BLD2009-00622	New 8-unit apartment bldg. with mixed use commercial storage and restaurant
2010	SGN20100060	Sign Permit for a 12 sq. ft. "Subway" sign attached to exterior wall
2010	BLD20100312	Modification of BLD2009-00622 to include remodel of existing space
2010	UTL20100024	Move fire hydrant 24' to allow for DOT required driveway location
2011	BLD20110298	Change of use to convert unit 16 from storage to retail for gunsmithing
2024	SGN20240018	Sign Permit for The Mason Jar
024	NCC20240029	Nonconforming Certificate Review
2024	PAC20240029	Preapplication Conference for Marijuana Retail Store

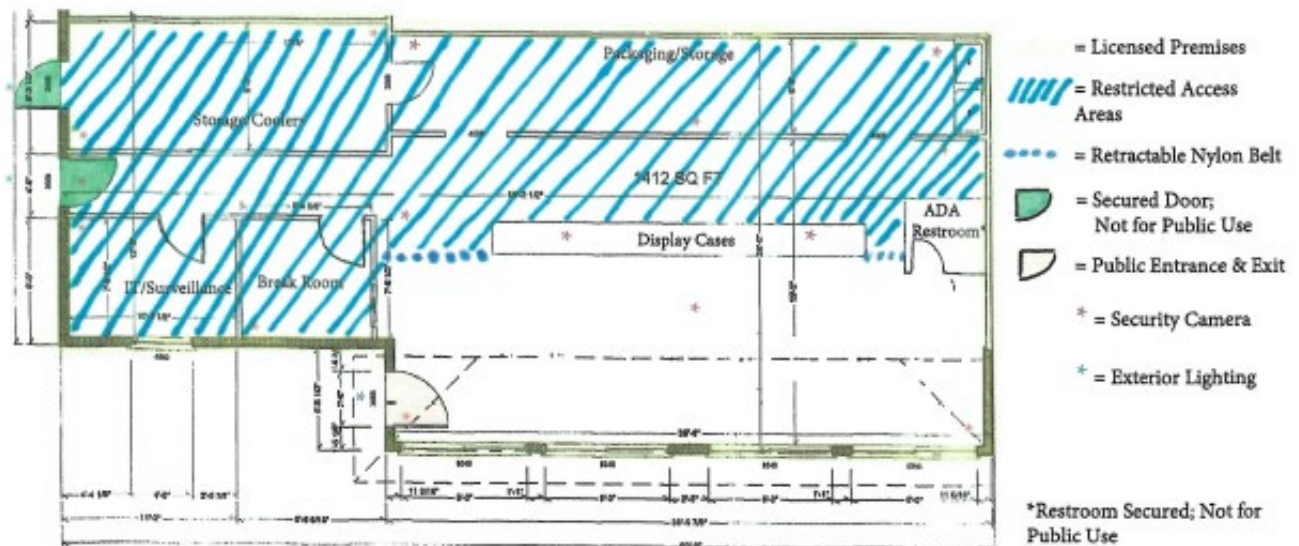
## ZONING REQUIREMENTS

Standard		Requirement	Existing	Code Reference
Lot	Size	2,000 sq. ft.	19,833 sq. ft.	CBJ 49.25.400
	Width	20 ft.	~ 175 ft.	CBJ 49.25.400
Setbacks	Front (South)	10 ft.	12 ft.	CBJ 49.25.400
	Rear (North)	10 ft.	20+ ft.	CBJ 49.25.400
	Side (East)	10 ft.	13 ft.	CBJ 49.25.400
	Side (West)	10 ft.	14 ft.	CBJ 49.25.400
Lot Coverage Maximum		None	<Max allowed	CBJ 49.25.400
Maximum Dwelling Units (/Acre)		Up to 50 per acre	Eight (8)	CBJ 49.25.500
Height	Permissible	55 ft.	Standard Two-story	CBJ 49.25.400
	Accessory	45 ft.	None	CBJ 49.25.400
Vegetative Cover	Permissible	10%	0%	CBJ 49.50.300

## SITE PLANS



Attachment B - Floor Plan  
5690 Glacier Highway



Retail: 463 sq. ft.  
Restricted Access: 949 sq. ft.  
Total: 1,412 sq. ft.

### ANALYSIS

**Project Site** – The ground level includes the retail store space, a laundry facility for the upper-level tenants, storage units, and a mechanical room. The second level provides five, two-bed apartments and three, one-bed apartment.

**Condition:** None.

**Project Design** – The marijuana retail space encompasses 463 sq. ft. of retail space, 949 sq. ft. of controlled access space.

**Condition:** None

**Traffic** – A traffic impact analysis is not required. The retail use would not increase previous use traffic.

**Condition:** None

**Vehicle Parking & Circulation** – Available parking of 18 spaces exceed the minimum requirement of 16.05.

Use	Unit/Total Sq. Ft.	Spaces Required	Total Spaces
Retail Commercial	1/463 sq. ft.	1 per 300 gross sq. ft.	2
Storage Bays	4/800 sq. ft.	1 per 1,000 sq. ft.	.8
1-bedroom apartments	3	1.5 per bedroom	4.5
2-bedroom apartments	5	1.75 per bedroom	8.75
<b>Total Parking Requirement:</b>			<b>16.05</b>

**Condition:** None

**Noise** – Noise is anticipated to be consistent with that expected in General Commercial zoning.

**Condition:** None.

**Lighting** – The exterior will not be modified.

**Condition:** None.

**Vegetative Cover & Landscaping** – This lot does not meet the minimum vegetative coverage of 10%. The non-compliant issue is the responsibility of the property owner, which has been forwarded to Code Enforcement.

**Condition:** None.

**Habitat** - Anadromous streams are not on or within 200 feet of the lot.

**Condition:** None.

**Drainage and Snow Storage** – The exterior will remain unmodified.

**Condition:** None.

**Historic District** – The parcel is not located within the Historic District.

**Condition:** None.

**Hazard Zones** - The parcel is outside moderate or severe avalanche hazard adopted maps.

**Condition:** None.

**Property Value or Neighborhood Harmony** – The use for this property fits the 2013 Comprehensive Plan.

**Condition:** None.

#### **AGENCY REVIEW**

CDD conducted an agency review comment period between November 11, 2024, and December 18, 2024, and received the following responses:

<b>Agency</b>	<b>Summary</b>
CDD Building Division	No issues.
CBJ General Engineering	No issues.
CBJ Fire	No issues.

#### **PUBLIC COMMENTS**

CDD conducted a public comment period between November 11, 2024, and December 18, 2024. Public notice was mailed to property owners within 500 feet of the proposed development (**Attachment B**). A public notice sign was also posted on-site on November 12, 2024, to the scheduled hearing (**Attachment C**). No Public comments were submitted at time of writing this staff report (**Attachment E**).

#### **CONFORMITY WITH ADOPTED PLANS**

The proposed development is in general conformity with the 2013 Comprehensive Plan.

<b>PLAN</b>	<b>Chapter</b>	<b>Page No.</b>	<b>Summary</b>
<b>5</b>	44	Policy 5.1	Diversify economy.
<b>5</b>	64	Policy 5.18	Support entrepreneurship and economic innovation.
<b>5</b>	66	5.20	Look Local First for purchase of goods.
<b>11</b>	185	Policy 10	Promote small-scale retail.

#### **FINDINGS**

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

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

**Analysis:** No further analysis needed.

**Finding: Yes.** The application submitted by the applicant, including the appropriate fees, meets the requirements of CBJ Chapter 49.15.

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

**Analysis:** No further analysis needed.

**Finding: Yes.** The requested permit is appropriate in General Commercial zoning, according to the Table of Permissible Uses. Section 2.300.

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

**Analysis:** This application is for a marijuana retail store.

**Finding: Yes.** The proposed development will comply with Title 49, including marijuana regulations [CBJ 49.65.1200]. The owner of the property must bring the lot into compliance for vegetative cover standards.

**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 the requested marijuana retail store, in a GC zoning district, will materially endanger the public health or safety.

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

**Analysis:** No further analysis needed.

**Finding: No.** There is no evidence to suggest that the requested marijuana retail store, in a GC zoning district, will substantially decrease the value or be out of harmony with the property in the neighboring area.

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

**Analysis:** No further analysis needed.

**Finding: Yes.** The proposed marijuana retail store will be in general conformity with the CBJ 2013 Comprehensive Plan.

**RECOMMENDATION**

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested Conditional Use Permit. The permit would allow the development of a permitted marijuana retail business in the General Commercial zoning district.

**STAFF REPORT ATTACHMENTS**

Item	Description
Attachment A	Application
Attachment B	Abutters Notice
Attachment C	Public Notice Sign
Attachment D	PAC24-29 Final Notes



## DEVELOPMENT PERMIT APPLICATION

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

To be completed by Applicant	<b>PROPERTY LOCATION</b>		
	Physical Address <b>5690 Glacier Highway, Unit 19</b>		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) <b>PINEWOOD PARK 1 BL A LT 1 FR</b>		
	Parcel Number(s) <b>5B1201050010</b>		
	<input type="checkbox"/> This property is located in the downtown historic district <input type="checkbox"/> This property is located in a mapped hazard area, if so, which _____		
	<b>LANDOWNER/ LESSEE</b>		
	Property Owner	Contact Person	
	<b>R&amp;S Rentals</b>	<b>Scott Jenkins</b>	
	Mailing Address	<b>P.O. Box 210194, Auke Bay, AK 99821</b>	Phone Number(s)
	E-mail Address	<b>iglooracing_1@yahoo.com</b>	<b>907-723-8952</b>
<b>LANDOWNER/ LESSEE CONSENT</b>			
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.			
<b>Scott Jenkins</b> Lessee Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee)			
X  Date <b>04/18/24</b> Landowner/Lessee (Signature)			
<b>Rob Warden</b> Lessee Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee)			
X  Date <b>04/18/24</b> Landowner/Lessee (Signature)			
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.			
<b>APPLICANT</b> If same as LANDOWNER, write "SAME"			
Applicant (Printed Name) <b>The Mason Jar, LLC</b>		Contact Person <b>Dennis Lavigne</b>	
Mailing Address	<b>P.O. Box 35264, Juneau, AK 99803</b>	Phone Number(s)	
E-mail Address	<b>denny@akmasonjar.com</b>	<b>907-723-6508</b>	
X		Date of Application <b>4/18/24</b>	
Applicant's Signature			

DEPARTMENT USE ONLY BELOW THIS LINE

### INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Intake Initials <b>JPM</b>
Case Number <b>USE24-18</b>
Date Received <b>8/21/24</b>



## 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

<b>PROJECT SUMMARY</b>	
Application for a <u>1,412 sq. ft.</u> marijuana retail store at 5690 Glacier Highway, Unit 19.	
<b>TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED</b>	
<input type="radio"/> Accessory Apartment – Accessory Apartment Application (AAP) <input checked="" type="radio"/> Use Listed in 49.25.300 – Table of Permissible Uses (USE) Table of Permissible Uses Category: <u>2.300 Marijuana Retail Store</u>	
<b>IS THIS A MODIFICATION or EXTENSION OF AN EXISTING APPROVAL?</b> <input type="radio"/> YES – Case # _____ <input checked="" type="radio"/> NO	
<b>UTILITIES PROPOSED</b>	<b>WATER:</b> <input checked="" type="checkbox"/> Public <input type="checkbox"/> On Site <b>SEWER:</b> <input checked="" type="checkbox"/> Public <input type="checkbox"/> On Site
<b>SITE AND BUILDING SPECIFICS</b>	
Total Area of Lot <u>18,047</u> square feet      Total Area of Existing Structure(s) <u>13,294</u> square feet Total Area of Proposed Structure(s) <u>1,412</u> square feet	
<b>EXTERNAL LIGHTING</b>	
Existing to remain <input type="radio"/> No <input checked="" type="radio"/> Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures Proposed <input checked="" type="radio"/> No <input type="radio"/> Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures	
<b>ALL REQUIRED DOCUMENTS ATTACHED</b>	
<input checked="" type="checkbox"/> <b>Narrative including:</b> <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 checked="" type="checkbox"/> How the proposed use complies with the Comprehensive Plan	
If this is a modification or extension include: <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	
<input checked="" type="checkbox"/> <b>Plans including:</b> <input checked="" type="checkbox"/> Site plan <input checked="" type="checkbox"/> Floor plan(s) <input checked="" type="checkbox"/> Elevation view of existing and proposed buildings <input checked="" 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)	

DEPARTMENT USE ONLY BELOW THIS LINE

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

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

### INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Case Number	Date Received
<u>USE24-18</u>	<u>8-21-24</u>

The Mason Jar, LLC  
P.O. Box 35264  
Juneau, AK 99803

#### Project Narrative

The proposed project is a 1,412 square foot marijuana retail store at 5690 Glacier Highway, Unit 19. The proposed site is in an existing commercial building. Other uses of the proposed premises are as listed in **Attachment A**.

#### *Utilities*

All utilities for the proposed site of the retail store will be city provided.

#### *Hours of Operation*

Proposed hours of operation are 8am to 11pm, seven days a week.

#### *Signage*

Exterior signage will include one sign placed on the street-facing side of the building. It will be illuminated, but not in such a way to negatively impact neighboring businesses or residents. It will not exceed the size limits as required by CBJ.

#### *Employees*

The store will be operated by one to two employees at a time. Employees will have marijuana handling and food worker certifications as required by the State of Alaska.

#### *Waste Disposal*

Our marijuana packaging process creates small amounts of waste in the form of leaf, trim, and stems. Expired marijuana product is also considered waste. All waste will be recorded in a log book and stored in a designated bin in a secure packaging room. Waste will be reported in the marijuana inventory tracking system (METRC) prior to disposal. Processing the waste for disposal involves grinding and mixing the waste with an equal ratio of compostable or non-compostable materials per Alaska Administrative Code: 3 AAC 306.740, and placed in a garbage container for pickup and transport to the CBJ landfill.

#### *Screening Plan*

To be in compliance with AS 17.38.070, which makes it unlawful to display marijuana or marijuana products in a manner that is visible to the general public from a public right-of-way, all doors and windows will be lined with a non-transparent adhesive material to completely obscure the view into the retail store from the outside.

#### *CO2/Smoke Detectors*

The proposed unit for the retail store will have the required CO2 and smoke alarms to be in compliance with local and state regulations.

### *Security*

The unit's security system will include commercial door hardware, surveillance cameras, and an alarm system to be installed by Doak's Lock & Key and monitored by LJ Alarm Monitoring. The alarm system will include motion sensors in the store during non-business hours. There will be alarm sensors on the door and window. A keypad will be installed to activate/deactivate the alarm system. A security gate will be installed in front of the main entrance if allowed by the property manager.

Cameras will be placed at the interior and exterior of the entrance of the retail unit with an unobstructed view of the entrance. Camera placement is specified on **Attachment B**. Cameras will be placed throughout the retail space (in the main retail area and the safe/package room). Cameras will be placed so that there is a clear view of the primary entrance to each area. Cameras will monitor all regular activity with unobstructed views. This will allow for the clear identification of any person and activity in the areas where marijuana is present. Video recording equipment will be housed in a locked area on site. Surveillance cameras will operate 24/7 and have the capability to hold 40 days' worth of footage. The video footage will be archived in a format that does not permit alteration of the recording images. All video surveillance will clearly and accurately display the time and date of recording. It will be surge- and power outage-protected as to not interrupt the recording.

### *CBJ Comprehensive Plan*

The proposed use complies with the CBJ Comprehensive Plan by supporting economic development. This marijuana retail store location will create approximately seven new jobs. Also, by providing an in-demand retail option to the people of Juneau, the business expects to collect a sizeable amount of sales tax for CBJ.

### Plans

- A. Floor Plan of Unit 19 – **Attachment B**  
Elevation View – **Attachment C**  
As-Built – **Attachment D**  
Floor Plan of Building – **Attachment E**
- B. The proposed retail space is located in a commercial area with a parking lot. ADA accessible parking spaces are available.
- C. Traffic to and from the proposed site is via one street (Glacier Highway) with a clear entrance/exit.
- D. No new exterior lighting is proposed.
- E. No new vegetation is proposed.
- F. There are no applicable existing physical features of the site (i.e. drainage, eagle trees, hazard areas, salmon streams, wetlands, etc.).

# The Mason Jar, LLC

## *ATTACHMENT A*

### *OTHER USES ON THE PROPOSED PREMISES*

5690 Glacier Highway, Unit 19, Juneau, AK 99801

#### Ground Level

Laundry facility for upper level tenants

39 storage units

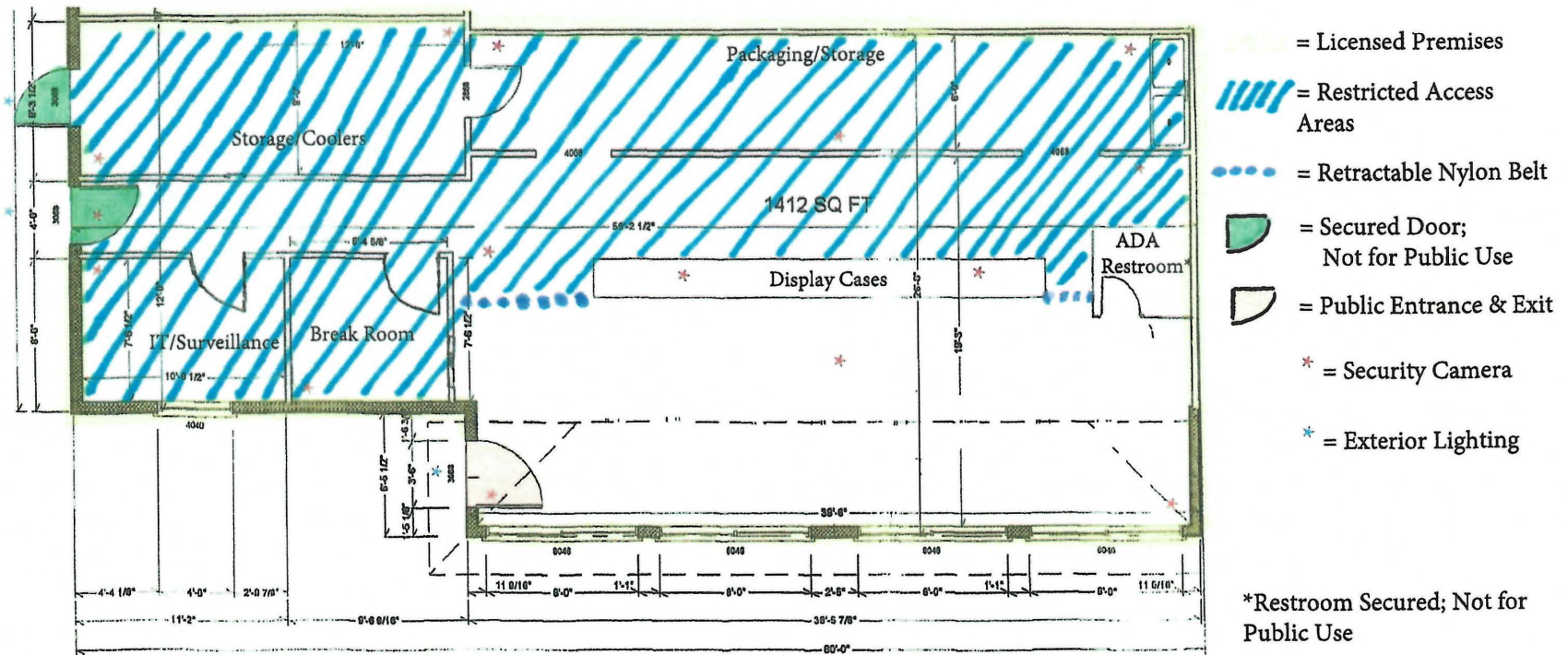
Mechanical room

#### Upper Level

5 two-bedroom apartments

3 one-bedroom apartments

# Attachment B - Floor Plan 5690 Glacier Highway



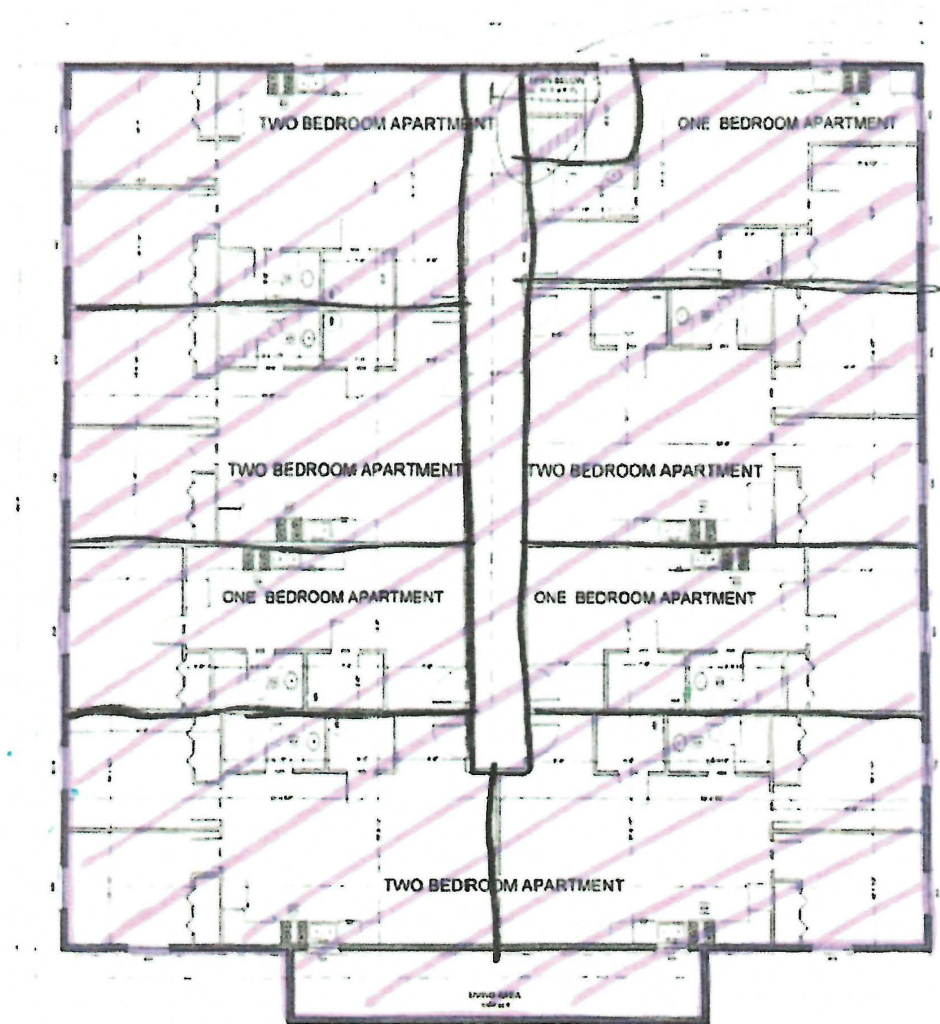
Retail: 463 sq. ft.  
 Restricted Access: 949 sq. ft.  
 Total: 1,412 sq. ft.

Attachment E  
The Mason Jar, LLC

5690 Glacier Highway 2nd Floor




 = Unlicensed Premises

All units on the 2nd floor are residential apartments.



Attachment E  
The Mason Jar, LLC

5690 Glacier Highway 1<sup>ST</sup> Floor

-  = Licensed Premises
-  = Unlicensed Premises
-  = Secured Door;  
Not for Public Use
-  = Public Entrance/Exit

All other units on the 1<sup>st</sup> floor are storage unit rentals, except for the laundry facility and mechanical room as shown.





Attachment C - Elevation View of Existing Buildings



= Proposed Site



= Existing Parking

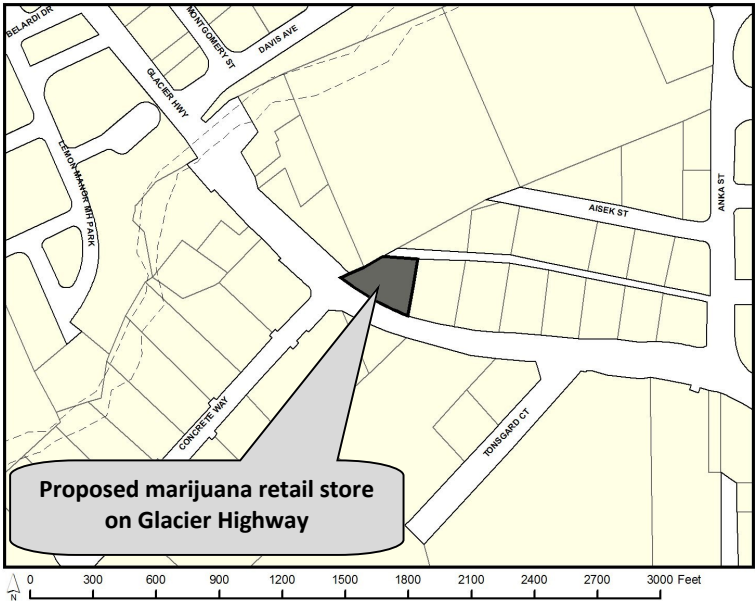


= Existing Traffic Circulation (Glacier Hwy.)

# Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission

*Your Community, Your Voice*



TO

**A Conditional Use Permit** has been submitted for consideration and public hearing by the Planning Commission for a **marijuana retail store** at **5690 Glacier Highway in Unit 19** in a **GC 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 **December 2, 2024** at  
<https://juneau.org/community-development/planning-commission>  
Find hearing results, meeting minutes, and more here, as well.

Now through Nov. 25	Nov. 26 — noon, Dec. 6	HEARING DATE & TIME: 7:00 pm, Dec. 10 2024	Dec. 11
Comments received during this period will be sent to the Planner, <b>Jay Larson</b> to be included as an attachment in the staff report.	Comments received during this period will be sent to Commissioners to read in preparation for the hearing.	This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting <a href="https://juneau.zoom.us/j/86939674618">https://juneau.zoom.us/j/86939674618</a> and use the Webinar ID: 869 3967 4618 OR join by telephone, calling: 1-253-215-8782 and enter the Webinar ID (above).  You may also participate in person in City Hall Assembly Chambers, 155 Heritage Way Juneau, Alaska.	The results of the hearing will be posted online.
<b>FOR DETAILS OR QUESTIONS,</b> Phone: (907)586-0753 ext. 4139 Email: <a href="mailto:pc_comments@juneau.gov">pc_comments@juneau.gov</a> or <a href="mailto:jason.larson@juneau.gov">jason.larson@juneau.gov</a> Mail: Community Development, 155 Heritage Way, Juneau AK 99801			
		Case No.: <b>USE2024 0018</b> Parcel No.: <b>5B1201050010</b> CBJ Parcel Viewer: <a href="http://epv.juneau.org">http://epv.juneau.org</a>	



Attachment C - Public Notice Sign



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

## Mason Jar Marijuana Retail

Case Number: PAC2024 0029  
Applicant: The Mason Jar LLC, Dennis Lavigne  
Property Owner: R & S Rentals  
Property Address: 5690 Glacier Highway  
Parcel Code Number: 5B1201050010  
Site Size: 18,047 square feet  
Zoning: General Commercial  
Existing Land Use: commercial building

Conference Date: May 29, 2024

Report Issued: July 23, 2024

**DISCLAIMER:** Pre-application conferences are conducted for the purpose of providing applicants with a preliminary review of a project and timeline. Pre-application conferences are not based on a complete 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
Dennis Lavigne	Applicant	<a href="mailto:Denny@akmasonjar.com">Denny@akmasonjar.com</a>
Teri Camery	Planning	<a href="mailto:Teri.Camery@juneau.gov">Teri.Camery@juneau.gov</a>
Dave Peterson	Planning	<a href="mailto:David.Peterson@juneau.gov">David.Peterson@juneau.gov</a>
Jay Larson	Planning	<a href="mailto:Jason.larson@juneau.gov">Jason.larson@juneau.gov</a>
Jeff Hedges	Building	<a href="mailto:Jeffrey.Hedges@juneau.gov">Jeffrey.Hedges@juneau.gov</a>

## Conference Summary

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

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

### Project Overview

The applicant proposes a 1,412 sq foot marijuana retail store in the General Commercial zoning district. The proposed site is an existing commercial building. The lot meets all zoning requirements.

The development requires a Conditional Use Permit, per Table of Permissible Uses Category 2.300, Marijuana Retail Store. The Conditional Use Permit application needs to address all requirements, clearly numbered, of the CBJ Land Use Code section 49.65.1200. Specifically, the applicant must address

- 49.65.1205, License Required;
- 49.65.1215 Application for a License;
- 49.65.1245 Marijuana establishment Conditional Use Permits;
- 49.65.1250 Hours of operation – Marijuana Retail Stores;
- 49.65.1255 Documents to be displayed; and
- 49.65.1260 Odor.

In addition, the application needs to address standard Conditional Use Permit requirements including:

- Project Narrative and site plans that address:
  - Project Site and Design
    - As discussed, make sure that the site plan clearly shows the retail area dimensions and storage area dimensions.
  - Traffic
  - Vehicle Parking & Circulation
    - As discussed, make sure that the site plan clearing demonstrates that parking space requirements and aisle width requirements have been met, and make sure that the spaces reserved for the marijuana use and all other uses on the lot are clearly labeled.
  - Noise
  - Lighting
  - Vegetative Cover
  - Snow Storage
  - Public Health, Safety, and Welfare
  - Property Value or Neighborhood Harmony
  - Conformity with Adopted Plans – 2013 Juneau Comprehensive Plan and 2015 Juneau Economic Development Plan.

Conditional Use Permit Process:

- Submit the application and back-up materials (listed on the back of the application).
  - Electronic submissions accepted at [Permits@juneau.gov](mailto:Permits@juneau.gov) . Note that the permit center will call you for payment when the application is processed. Applications are submitted in the order in which they are received, and it may be a few days before you get a call.
- The project will be assigned to a planner. They will review submitted materials, and coordinate where necessary. When the planner assesses the file is complete, they will schedule a hearing before the Planning Commission.
  - A notice will be sent to property owners within 500 feet of the project.

- There will be two newspaper ads for the case.
- The Applicant is required to post a Public Notice sign, which will be provided by CDD. The sign must be posted two weeks before the hearing.
- Staff will prepare a report analyzing the project and make a recommendation to the Commission. The report will be publicly available the week before the hearing.
- At the Planning Commission meeting, the project can be:
  - On the Consent Agenda, where it will be passed without discussion.
  - On the Regular Agenda:
    - The Director will briefly describe the project.
    - The Applicant has 15 minutes to describe the project.
    - The public has the opportunity to comment. There is usually a time limit of two to three minutes.
    - The Applicant has time to respond to issues raised.
    - Public comment is closed and there is no additional opportunity to participate.
- The Planning Commission will either:
  - Approve the project
  - Approve the project with conditions (the most common outcome)
  - Deny the project, OR
  - Continue the project – if more information is required or if the Commission runs out of time.
- The decision can be appealed for 20 days after the Notice of Decision is filed with the City Clerk. If the decision is appealed, the Applicant can continue with their project at their own risk.

Videos of the Planning Commission activities are posted on Assembly's Minutes and Agendas site.

<https://juneau-ak.municodemeetings.com/>

## Planning Division

1. **Zoning** – General Commercial
2. **Table of Permissible Uses** - Category 2.300 Marijuana Retail Store
3. **Setbacks** – 10 feet front, rear, and sides
4. **Height** – 55' maximum permissible uses; 45' maximum accessory uses
5. **Access** – Glacier Highway
6. **Parking & Circulation**– Retail uses require 1 parking space per 300 square feet. Five parking spaces are required, including one accessible space.
7. **Lot Coverage** – There is no maximum lot coverage in the General Commercial zoning district.
8. **Vegetative Coverage** – The vegetative cover requirement for the General Commercial zoning district is 10 percent.
9. **Lighting** – Exterior lighting may not shed light or glare above the roofline of the building or beyond the property line of the site. Industrial and exterior lighting shall not be used in a manner that produces glare on public highways or neighboring property.

All exterior lighting fixtures shall be of a “full cutoff” design.

10. **Noise** – Noise is expected to be typical for the General Commercial Area.
11. **Flood** – The structure is not in a Special Flood Hazard Area.

12. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – The lot is not in a mapped hazard area, and no slopes in excess of 18 percent are being created or cut.
13. **Wetlands** – None present.
14. **Habitat** – Check with the U.S. Fish and Wildlife on the presence of eagle nests in the area. The presence of eagle nests may impact construction scheduling. No anadromous waterbodies are on the subject parcel, or within 50 feet.
15. **Plat or Covenant Restrictions** – None noted.
16. **Traffic** – According to CBJ 49.40.300(a)(2) a traffic impact analysis IS NOT required. The project will generate less than 250 Average Annual Daily Traffic.
17. **Nonconforming situations** – There are no known nonconforming situations.

### Building Division

18. **Building** – For the build out, supply plans for any architectural, structural, mechanical, plumbing, or electrical changes.
19. **Outstanding Permits** – No outstanding permits.

### General Engineering/Public Works

20. **Engineering** – No concerns at this time.
21. **Drainage** – No concerns at this time.
22. **Utilities** – No concerns at this time.

### Fire Marshal

23. **Fire Items/Access** – CCFR did not attend the meeting. Suppression system plans must be submitted with the building permit application. Suppression system design cannot be deferred.

### 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
3. Sign 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.
2. Suppression system plans must be submitted with the building permit application. Suppression system design cannot be deferred.

### Exceptions to Submittal Requirements

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

1. N/A

### Fee Estimates

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

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

1. Conditional Use Permit. Class II use \$500.00
2. Conditional Use Permit Public Notice sign fee \$50; deposit \$100
3. Marijuana License Fee. \$250.00
4. Sign Permits. \$50 for the first two signs, and \$20 for each additional sign.

For informational handouts with submittal requirements for development applications, please visit our website at [www.juneau.org/community-development](http://www.juneau.org/community-development).

### Submit your Completed Application

You may submit your application(s) online via email to [permits@juneau.gov](mailto: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: [www.juneau.org/community-development](http://www.juneau.org/community-development)

### Attachments:

- 49.15.330 Conditional Use Permit
- 49.65.1200 Marijuana
- 49.40 Parking and Loading

**49.15.330 Conditional use permit.**

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

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

(A) Developments in wetlands and intertidal areas.

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

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

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## ***ARTICLE XI. MARIJUANA ESTABLISHMENTS<sup>1</sup>***

### **49.65.1200 Purpose.**

It is the purpose of this article to establish reasonable regulations that allow for the operation of marijuana establishments within the City and Borough in a manner that promotes public health, safety, and general welfare. It is not the intent of this chapter to authorize anything specifically prohibited by state law.

(Serial No. 2015-38(b)(am), § 2(49.65.1100), 5-2-2016, eff. 6-2-2016)

### **49.65.1205 License required.**

- (a) No person may operate a marijuana establishment within the City and Borough without a conditional use permit, a valid license issued by the City and Borough, and a valid license issued by the State of Alaska. The following types of licenses may be issued under this article:
  - (1) Marijuana retail store license;
  - (2) Marijuana cultivation facility license;
  - (3) Marijuana product manufacturing facility license; and
  - (4) Marijuana testing facility license.
- (b) A separate license shall be required for each specific business or business entity or for each specific location identified on the license as the licensed premise.
- (c) Upon denial or revocation of a marijuana establishment license issued by the State of Alaska, any license issued by the City and Borough under this article shall be null and void. If a court of competent jurisdiction determines that the issuance of local licenses violates state or federal law, all licenses issued under this article shall be deemed immediately revoked by operation of law, with no grounds for appeal or redress on behalf of the licensee.

(Serial No. 2015-38(b)(am), § 2(49.65.1105), 5-2-2016, eff. 6-2-2016)

### **49.65.1210 Prohibited acts.**

- (a) It is unlawful for any licensee to engage in business contrary to any term or condition of any City and Borough of Juneau marijuana establishment license or any provision of this article.
- (b) It is unlawful for any person to obtain or attempt to obtain a license by making a false statement in any application for a license, or by any other fraudulent or deceptive means.

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<sup>1</sup>Editor's note(s)—Sec. 2 of Serial No. 2015-38(b)(am), adopted May 2, 2016, enacted provisions to be designated as Art. X, §§ 49.65.1100—49.65.1170. Inasmuch as there already exists an Art. X, §§ 49.65.1100, 49.65.1120, said new provisions have redesignated as Art. XI, §§ 49.65.1200—49.65.1270, per City's instructions. Original section designations have been maintained in the history notes following each section.

- (c) It is unlawful for any person to forge, counterfeit, or fraudulently alter a license issued under this chapter.
- (d) It is unlawful for any person to obstruct, impede or otherwise refuse to allow an administrative inspection authorized under CBJ 49.65.1240.
- (e) It is unlawful for any person licensed or regulated under this article to knowingly or willfully authorize, order, instruct, or permit an employee, agent or person under the licensee's control to act in connection with the licensed activity which violates any provision of this article or any license issued under this article.

(Serial No. 2015-38(b)(am), § 2(49.65.1110), 5-2-2016, eff. 6-2-2016)

#### **49.65.1215 Application for license.**

- (a) An applicant for a marijuana establishment license shall submit an application on a form provided by the director accompanied by the appropriate fee. Applications must include the following documentation:
  - (1) If the applicant is not a natural person, the organizational documents for all entities identified in the application;
  - (2) A copy of the lease or deed for the property upon which the marijuana establishment will be located;
  - (3) A list of all other uses on the property;
  - (4) A statement verifying compliance with any buffer requirements imposed by 3 AAC Chapter 306 of the Alaska Administrative Code;
  - (5) A copy of the Notice of Decision approving the conditional use permit by the City and Borough of Juneau Planning Commission; and
  - (6) Any additional documentation determined by the director to be necessary to make a decision whether to approve or deny the license application, or approve with conditions.

(Serial No. 2015-38(b)(am), § 2(49.65.1110), 5-2-2016, eff. 6-2-2016)

#### **49.65.1220 Term of license; renewal.**

- (a) No license granted or issued under any of the provisions of this title shall be in any manner assignable or transferable.
- (b) Licenses are valid only as long as the applicant holds a current license from the state and is in compliance with the applicable conditional use permit.
- (c) Licenses issued under this chapter are effective from the date of issuance through December 31 of the same year.
- (d) In order to be eligible for renewal, a licensee must submit proof of inspection by the department or the department's designees for compliance with this chapter and any applicable permit. The licensee shall schedule the inspection no later than 60 days prior to the annual expiration of the license.
- (e) Licenses shall automatically renew on January 1, conditional upon the timely remittance of the annual license fee, no outstanding corrective orders or enforcement actions, and proof of inspection. Failure to timely remit proof of inspection or the annual license fee shall result in the license expiring and will require a new license application.

(Serial No. 2015-38(b)(am), § 2(49.65.1115), 5-2-2016, eff. 6-2-2016; Serial No. 2021-04, § 2, 3-1-2021, eff. 3-31-2021)

**49.65.1225 Corrective orders.**

- (a) The director may issue a corrective order whenever a licensee:
- (1) Has violated any provision of this chapter;
  - (2) Has relinquished legal control of the licensed establishment to any other person;
  - (3) Has failed, refused or neglected to comply with any provision of the license issued under this chapter, any conditional use permit issued for the marijuana establishment, or any provision of AS Chapter 17.38 or regulations adopted pursuant to that chapter;
  - (4) Is delinquent in the remittance of any sales tax or penalty or interest on sales tax arising out of the operation of the licensed premises;
  - (5) Has delinquent property taxes or local improvement district assessments or penalty or interest thereon arising out of real or personal property owned in whole or in part by any person named in the application as an applicant or on the permit which is to be continued where such property is used, or is to be used, in whole or in part in the business conducted or to be conducted under the license;
  - (6) Has a delinquent charge or assessment owing the City and Borough by the licensee for a municipal service provided for the benefit of the business conducted under the license or for a service or an activity provided or conducted by the municipality at the request of or arising out of an activity of the business conducted under the license;
  - (7) Is in violation of state or local fire, health, or safety codes; or
  - (8) Any reason identified by state statute or regulation as appropriate grounds to protest a license.
- (b) A corrective order shall be served on the licensee by hand-delivery or certified mail and shall specify:
- (1) The provision of the license, state law, or CBJ Code that has been violated;
  - (2) The corrective action, if any, the licensee may take to prevent suspension or revocation of the license, and the time limit for such corrective action, which shall be no earlier than seven days following date of issuance of the corrective order;
  - (3) Notification of the penalties provided by this title; and
  - (4) That the licensee may request an informal meeting before the director prior to suspension or revocation of the license in order to allow the licensee to contest the grounds for issuance of the corrective order and to provide the licensee the opportunity to provide information to the director relevant to the grounds for the corrective order.
- (c) Based on information timely received from the licensee, or from any other source, the director may amend the terms or conditions of the corrective order, or after consideration of the information provided by the licensee, affirm the corrective order as issued.

(Serial No. 2015-38(b)(am), § 2(49.65.1125), 5-2-2016, eff. 6-2-2016; Serial No. 2021-04, § 3, 3-1-2021, eff. 3-31-2021)

**49.65.1230 License suspension or revocation.**

- (a) Upon the expiration of the time allowed in a corrective order issued in CBJ 49.65.1225, if the licensee has not complied with the corrective order, the marijuana establishment license may be suspended or revoked, as determined by the director. Upon suspension or revocation of any license, the director shall notify the person whose license has been suspended or revoked by certified mail or by hand-delivery. Following such

suspension or revocation and after notification, it is unlawful for the licensee to continue to operate the marijuana establishment.

- (b) In deciding whether a license should be suspended or revoked, and in deciding what conditions to impose in the event of a suspension, if any, the director shall consider:
  - (i) The nature and seriousness of the violation;
  - (ii) Corrective action, if any, taken by the licensee;
  - (iii) Prior violation(s), if any, at the licensed premises by the licensee and the effectiveness of any prior corrective action;
  - (iv) The likelihood of recurrence;
  - (v) All circumstances surrounding the violation;
  - (vi) Whether the violation was willful;
  - (vii) The length of time the license has been held by the licensee;
  - (viii) The number of violations by the licensee within the applicable 12-month period;
  - (ix) Previous sanctions imposed, if any, against the licensee; and
  - (x) Any other factor making the situation with respect to the licensee or the licensed premises unique or the violation of greater concern.
- (c) Any person whose marijuana establishment license has been revoked shall be prohibited from applying for a license under this chapter for a period of one year.

(Serial No. 2015-38(b)(am), § 2(49.65.1130), 5-2-2016, eff. 6-2-2016)

#### **49.65.1235 Appeal.**

The denial, revocation, or suspension of a marijuana establishment license is appealable to the assembly in accordance with CBJ 01.50.

(Serial No. 2015-38(b)(am), § 2(49.65.1135), 5-2-2016, eff. 6-2-2016)

#### **49.65.1240 Inspection of premises.**

- (a) A marijuana establishment or an applicant for a marijuana establishment license under this chapter shall, upon request, make the licensed premises or the proposed licensed premises, including any place for storage, available for inspection by the director for the purpose of ensuring compliance with this chapter and any applicable marijuana establishment license. Inspection shall include access to any marijuana or marijuana product on the premises, equipment used in cultivating, processing, manufacturing, testing or storing marijuana, the inventory tracking system and business records of the licensee or applicant.

(Serial No. 2015-38(b)(am), § 2(49.65.1140), 5-2-2016, eff. 6-2-2016)

#### **49.65.1245 Marijuana establishment conditional use permits.**

- (a) In addition to the permit application and supporting materials required by CBJ 49.15.330(c), an applicant for a conditional use permit for a marijuana establishment must submit the following additional materials:

- (1) A site plan of all buildings on the property where the marijuana use will be located, including, but not limited to: A floor plan showing how the floor space is or will be used to include, but not limited to, restricted access areas and the total floor area of the building(s);
  - (2) A security plan indicating how the applicant will comply with the requirements imposed by state law;
  - (3) A waste disposal plan indicating how the applicant will comply with the requirements imposed by state law;
  - (4) A screening plan illustrating the applicants compliance with AS 17.38.070 making it unlawful to display marijuana or marijuana products in a manner that is visible to the general public from a public right-of-way;
  - (5) If the establishment is to be served by a private septic system, certification from a registered, qualified engineer licensed by the State of Alaska that the system has adequate capacity for the proposed use, or will with improvements;
  - (6) Marijuana cultivation facility license applicants must provide a ventilation and filtration plan describing the systems that will be used to ensure compliance with CBJ 49.65.1260 and whether the applicant intends on using carbon dioxide. The applicant shall specify if carbon dioxide enrichment will be used in cultivation and by what means the carbon dioxide will be produced. Plans should indicate the storage area for fuels used to produce carbon dioxide;
  - (7) Marijuana product manufacturing facility license applicants, marijuana cultivation facility license applicants, and marijuana testing facility license applicants must specify all means to be used for cultivating, growing, extracting, heating, washing or otherwise changing the form of the marijuana plant, along with proposed ventilation and safety measures to be implemented for each process;
  - (8) Marijuana cultivation facility license applicants and marijuana product manufacturing facility license applicants must specify the methods to be used to prevent the growth of harmful mold and compliance with limitations on discharge into the wastewater system; and
  - (9) Any additional documentation determined by the director to be necessary for the commission to make a decision whether to approve or deny the permit, or approve with conditions, to ensure compliance with this chapter or CBJ 49.15.330(f).
- (b) If a licensee desires to modify the licensed premises by changes to equipment, increased use, such as in accordance with an approved state license endorsement, or any approved plan, an amendment to the original application and required fee shall be submitted for review and approval.
  - (c) In addition to any conditions imposed under CBJ 49.15.330(g), the commission may impose any conditions necessary to ensure compliance with this chapter or state law or designed to mitigate impacts of the development on surrounding residences.
  - (d) The commission shall impose as a condition of any permit issued by the commission under this title a requirement that the applicant submit a complete copy of the applicant's approved state license application to the department for review prior to operating. If the director determines there are substantive inconsistencies between the state license application and the conditional use permit application, the commission shall review the development for consistency with this title.
  - (e) Conditional use permits issued to marijuana establishments shall expire 180 days after issuance if (i) the developer takes action consistent with an intent to abandon the conditional use permit or (ii) the developer ceased operating the marijuana establishment and has not substantially restarted operations. Determination of expiration shall be made by the director and supported by written findings. An expiration determination may be reconsidered within 20 days of the date of the determination.

- (1) A director's determination of abandonment is rebuttable and may be overcome upon a finding that the information submitted establishes all of the following:
  - (A) The developer has been maintaining the land and structure(s) in accordance with applicable building, fire, and other codes and regulations;
  - (B) The developer has been maintaining or pursuing applicable permits and licenses;
  - (C) The developer has filed applicable taxes and documents; and
  - (D) The developer has been engaged in activities that are consistent with or would affirmatively prove there was no intent to abandon, such as actively and continuously marketing the land, business, or structure for sale or lease.
- (2) The burden of proof for overcoming a presumption of abandonment is on the developer.

(Serial No. 2015-38(b)(am), § 2(49.65.1145), 5-2-2016, eff. 6-2-2016; Serial No. 2022-10, § 2, 2-28-2022, eff. 3-30-2022)

#### **49.65.1250 Hours of operation—Marijuana retail stores.**

Unless otherwise specified by a conditional use permit, licensed premises may not be open between the hours of 1:00 a.m. and 8:00 a.m., Monday through Sunday. No marijuana may be distributed, sold or dispensed at a licensed premises when the licensed premises is required to be closed pursuant to this section.

(Serial No. 2015-38(b)(am), § 2(49.65.1150), 5-2-2016, eff. 6-2-2016)

#### **49.65.1255 Documents to be displayed.**

- (a) A licensee shall prominently display the marijuana establishment license, in the same size and font as the original license issued by the director, in a conspicuous location inside the licensed premises near the main entrance.
- (b) A licensee shall display two separate warning signs as follows:
  - (1) A sign containing the following health warnings:
    - (A) "Marijuana has intoxicating effects and may be habit forming.";
    - (B) "Marijuana can impair concentration, coordination, and judgment. Do not operate a vehicle or machinery under its influence.";
    - (C) "There may be health risks associated with consumption of marijuana.";
    - (D) "For use only by adults twenty-one and older. Keep out of the reach of children."; and
    - (E) "Marijuana should not be used by women who are pregnant or breastfeeding."
  - (2) A sign containing the following warnings:
    - (A) "Consumption of marijuana in public is prohibited by law. AS 17.38.040; CBJ 42.20.230."; and
    - (B) "The transportation or shipment of marijuana and marijuana products outside of the City and Borough of Juneau by U.S. mail, air travel or in the waters of the United States is prohibited by federal law. AS 17.38.010(d)."

- (c) The warning signs required by subsection (b) of this section must be at least 11 inches by 14 inches in size, and the lettering must be at least one-half inch high and in contrasting colors. The warning signs must be displayed in conspicuous locations inside the licensed premises near the main entrance.

(Serial No. 2015-38(b)(am), § 2(49.65.1155), 5-2-2016, eff. 6-2-2016)

#### **49.65.1260 Odor.**

All marijuana establishments shall utilize a ventilation and odor system that prohibits the detection of noxious odors from outside the licensed premises. For purposes of this section, noxious odors are those odors detectable outside of the licensed premises that a reasonable person of ordinary sensibilities would find negatively affects the person's enjoyment of life, health or property.

(Serial No. 2015-38(b)(am), § 2(49.65.1160), 5-2-2016, eff. 6-2-2016)

#### **49.65.1265 Marijuana cultivation in the D-1 zoning district.**

- (a) Marijuana cultivation facilities located in the D-1 zoning district shall be an accessory use. An owner or manager must live on the same lot as the licensed premises.
- (b) In the D-1 zoning district, the minimum setback for marijuana facilities shall be at least 25 feet from the facility to any property line.

(Serial No. 2015-38(b)(am), § 2(49.65.1165), 5-2-2016, eff. 6-2-2016)

#### **49.65.1270 Penalty.**

- (a) A person who violates or causes or permits to be violated a provision of this chapter is guilty of a civil violation. Each and every day during which a violation of this chapter is committed, permitted, or continued shall be treated as a separate offense and subject the offender to separate charges and fines, in accordance with CBJ 03.30.075. Civil fines and penalties for violations of this chapter may be imposed in addition to any other remedies provided by law, including the imposition of corrective orders or license actions authorized by this chapter.
- (b) In addition to any other remedies provided by law, the City and Borough may seek a court order enjoining the continued operation, within the municipality, of any business whose owner or operator fails to comply with correction orders issued under CBJ 49.65.1225, terms of any decision on appeal under CBJ 49.65.1235, or who fails to cease operation following suspension or revocation of a license under CBJ 49.65.1230.

(Serial No. 2015-38(b)(am), § 2(49.65.1170), 5-2-2016, eff. 6-2-2016)

PART II - CODE OF ORDINANCES  
TITLE 49 - LAND USE  
Chapter 49.40 - PARKING AND TRAFFIC  
ARTICLE II. PARKING AND LOADING

## ARTICLE II. PARKING AND LOADING<sup>1</sup>

### 49.40.200 General applicability.

Developers must provide off-street parking spaces for automobiles in accordance with the requirements set forth in this chapter at the time any structure is erected, expanded, or when there is a change in the principal use.

- (a) *Special parking areas.*
  - (1) *Town center parking area.* The town center parking area, as depicted in Ordinance 2022-04(b) is adopted. The town center parking area consists of the lots within the area bound by West Tenth Street, Egan Drive, West Twelfth Street, D Street, West Ninth Street, C Street and its projection, West Eight Street and its projection, the rear lot lines of property between 370 through Distin Avenue, Sixth Street and its projection, Harris Street, projection of Third Street, projection of East Street, projection of Second Street, projection of Harris Street, the rear lot lines of property between 143 and 400 Gastineau Avenue, the rear lot lines of property between 511 and 889 South Franklin Street, and Gastineau Channel.
  - (2) *No parking required area.* The no parking required area, as depicted in Ordinance 2022-04(b) is adopted. The lots within the area bound by Gastineau Avenue, Fourth Street, Seward Street, Gastineau Channel, 490 South Franklin Street, and Layton Way are excluded from the parking requirements of this chapter. No additional parking is required for development in this area.
- (b) *Conforming parking.* The requirements, alternatives and reductions of this chapter can be combined to meet parking requirements of a development.
- (c) *Developer responsibility.* Developer must submit documentation to demonstrate that applicable parking code requirements have been met, in conformance with this chapter.
- (d) *Owner/occupant responsibility.* The provision and maintenance of off-street parking and loading spaces required in this chapter is a continuing obligation and joint responsibility of the owner and occupants.
- (e) *Determination.* The determination of whether the parking requirements of this chapter are satisfied, with or without conditions, and deemed necessary for consistency with this title, must be made by:
  - (1) The director for minor development;
  - (2) The commission for major development; or

<sup>1</sup>Sec. 2 of Serial No. 2022-04(b) , adopted April 25, 2022, repealed and reenacted art. II in its entirety to read as herein set out. Former art. II pertained to the same subject matter, consisted of §§ 49.40.200—49.40.230, and derived from Serial No. 87-49, 1987; Serial No. 89-05, 1989; Serial No. 89-33, 1989; Serial No. 92-11, 1992; Serial No. 97-49, 1997; Serial No. 2006-14(b), adopted May 15, 2006; Serial No. 2006-15, adopted June 5, 2006; Serial No. 2006-33am, adopted October 30, 2006; Serial No. 2007-18, adopted April 23, 2007; Serial No. 2009-22(b), adopted October 12, 2009; Serial No. 2010-22, adopted July 19, 2010 ; Serial No. 2015-07(b)(am), adopted February 13, 2015; Serial No. 2015-32 , adopted August 10, 2015; Serial No. 2016-14 , adopted May 2, 2016; Serial No. 2016-46 , adopted March 6, 2017; Serial No. 2018-31 , adopted June 4, 2018; and Serial No. 2019-37 , adopted March 16, 2020.

- (3) The commission if the development application relates to a series of applications for minor developments that, taken together, constitute major development, as determined by the director.

(f) *Expansion.* In cases of expansion of a structure on or after the effective date of Ordinance 2022-04(b) :

(1) The number of additional off-street parking spaces required must be based on the gross floor area added.

(2) No additional parking spaces are required if the additional spaces would amount to less than ten percent of the total required for the development and amount to two or less spaces.

(3) For phased expansion, the required off-street parking spaces is the amount required for the completed development, as determined by the director.

(g) *Change in use.* In cases of a change in use on or after the effective date of Ordinance 2022-04(b) , the number of spaces required will be based on this chapter.

(h) *Replacement and reconstruction of certain nonconforming structures.* Off-street parking requirements for the replacement and reconstruction of certain nonconforming structures in residential districts must be governed by chapter 49.30.

(i) *Mixed occupancy.* Mixed occupancy is when two or more of the parking uses in section 49.40.210 share the same lot(s). For mixed occupancy, the total requirement for off-street parking facilities is the sum of the requirements for the uses computed separately.

(j) *Uses not specified.* The requirements for off-street parking in section 49.20.320 are based on the requirements for the most comparable use specified, as determined by the director for minor development or by the commission for major development.

(k) *Location.* Off-street parking facilities must be located as provided in this chapter. If a distance is specified, such distance is the walking distance measured from the building being served to the parking provision. Off-street parking facilities for:

(1) Single-family dwellings and duplexes must be on the same lot as the building served;

(2) Multifamily dwellings may not be more than 100 feet distant, unless compliant with section 49.40.215; and

(3) Uses other than those specified above, may be not more than 500 feet distant, unless compliant with section 49.40.215.

(l) *Off-street parking requirements for a lot accessible by air or water only.* Off-street parking requirements do not apply to a lot if it is accessible only by air or water. If the director determines that public access by automobile to the lot later becomes available, the owner of the property must be given notice and within one year must provide the required off-street parking.
- ( Serial No. 2022-04(b) , § 2, 4-25-2022, eff. 5-26-2022)

49.40.210 Number of off-street parking spaces required.

- (a) *General.* The minimum number of off-street parking spaces required must be as set forth in the following table. The number of spaces must be calculated and rounded down to the nearest whole number:

Use	Spaces Required in All Other Areas	Spaces Required in Town Center Parking Area
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Single-family and duplex	2 per each dwelling unit	1 per each dwelling unit
Multifamily units	1 per one bedroom unit	0.4 per one bedroom unit
	1.5 per two-bedroom unit	0.6 per two-bedroom unit
	2.0 per three- or more bedroom unit	0.8 per three- or more bedroom unit
Rooming house, boardinghouse, single-room occupancies with shared facilities, bed and breakfast, halfway house, and group home	1 per 2 bedrooms	1 per 5 bedrooms
Single-room occupancies with private facilities	1 per each single-room occupancy plus 1 additional per each increment of four single-room occupancies with private facilities	1 per 5 single-room occupancies, plus 1 per each increment of ten single-room occupancies with private facilities.
Accessory apartment	1 per each unit	0 per each unit
Motel	1 per each unit in the motel	1 per each 12 units in the motel
Hotel	1 per each four units	1 per each 12 units
Hospital and nursing home	2 per bed OR one per 400 square feet of gross floor area	2 per bed OR one per 400 square feet of gross floor area
Senior housing	0.6 parking spaces per dwelling unit	0.3 spaces per dwelling unit
Assisted living facility	0.4 parking spaces per maximum number of residents	0.4 parking spaces per maximum number of residents
Sobering center	1 parking space per 12 beds	2 parking spaces
Theater	1 for each four seats	1 for each 10 seats
Church, auditorium, and similar enclosed places of assembly	1 for each four seats in the auditorium	1 for each 10 seats in the auditorium
Bowling alley	3 per alley	1.2 per alley
Bank, office, retail commercial, salon and spa	1 per 300 square feet of gross floor area	1 per 750 square feet of gross floor area
Medical or dental clinic	1 per 200 square feet of gross floor area	1 per 400 square feet of gross floor area
Funeral Home	1 per six seats based on maximum seating capacity in main auditorium	1 per 15 seats based on maximum seating capacity in main auditorium
Warehouse, storage, and wholesale businesses	1 per 1,000 square feet of gross floor area	1 per 2,500 square feet of gross floor area
Restaurant and alcoholic beverage dispensary	1 per 200 square feet of gross floor area	1 per 750 square feet of gross floor area
Swimming pool serving general public	1 per four persons based on pool capacity	1 per 10 persons based on pool capacity
Shopping center and mall	1 per 300 square feet of gross leasable floor area	1 per 750 square feet of gross floor area
Convenience store	49.65 Article V	1 per 750 square feet of gross floor area
Watercraft moorage	1 per three moorage stalls	2 per 15 moorage stalls
Manufacturing uses; research, testing and	1 per 1,000 square feet gross floor area except that office space must	1 per 2,500 square feet gross floor area except that office space must provide parking as provided for offices

processing, assembling, industry	provide parking as required for offices	
Library and museum	1 per 600 square feet gross floor area	1 per 1,500 square feet of gross floor area
School, elementary	2 per classroom	2 per classroom
Middle school or junior high	1.5 per classroom	1.5 per classroom
High school	A minimum of 15 spaces per school; where auditorium or general assembly area is available, one per four seats; one additional space per classroom	A minimum of 15 spaces per school; where auditorium or general assembly area is available, one per four seats; one additional space per classroom
College, main campus	1 per 500 square feet of gross floor area of an enclosed area, or, where auditorium or general assembly area is available, one per four seats, whichever is greater	1 per 500 square feet of gross floor area of an enclosed area, or, where auditorium or general assembly area is available, one per four seats, whichever is greater
College, satellite facilities	1 per 300 square feet of gross floor area of an enclosed area, or, where auditorium or general assembly area is available, one per four seats, whichever is greater	1 per 300 square feet of gross floor area of an enclosed area, or, where auditorium or general assembly area is available, one per four seats, whichever is greater
Repair/service station	5 spaces per bay. For facilities with two or more bays, up to 60 percent of the required non-accessible parking spaces may be in a stacked parking configuration.	3 spaces per bay. All but two of the required non-accessible parking spaces may be in a stacked configuration
Post office	1 per 200 square feet gross floor area	1 per 500 square feet of floor area
Childcare Home	49.65 Article X, cannot be varied or FIL	49.65 Article X, cannot be varied or FIL
Childcare Center	49.65 Article X, cannot be varied or FIL	49.65 Article X, cannot be varied or FIL
Indoor sports facilities, gyms	1 per 300 square feet gross floor area	1 per 750 square feet gross floor area
Mobile Food Vendors	No parking requirement	No parking requirement
Open air food service (TPU 8.3)	1 per 400 square feet of gross floor area.	Zero

- (b) *Accessible parking spaces.* Accessible parking spaces must be provided as part of the required off-street parking spaces, according to the following table (Table 49.40.210(b)). Except, Accessible parking spaces are not required for residential uses that require fewer than ten parking spaces and there are no visitor parking spaces.

Table 49.40.210(b)	
Total Parking Spaces in Lot	Required Minimum Number of Accessible Parking Spaces
1 to 25	1
26 to 50	2

51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2 percent of total spaces
1,001 and over	20 plus 1 space for each 100 spaces over 1,100 total spaces in lot

- (c) *Facility loading spaces.* In addition to the required off-street parking requirements, a development must provide loading spaces as set forth in the following table:

Use	Gross Floor Area in Square Feet		Loading Space Required
	All other areas	Town Center Parking District	
Motels and hotels	5,000—29,999	6,000—60,000	1
	30,000—60,000		2
	Each additional 30,000	Each additional 30,000	1
Commercial	5,000—24,999	6,000—50,000	1
	25,000—50,000		2
	Each additional 30,000	Each additional 30,000	1
Industrial, manufacturing, warehousing, storage, and processing	5,000—24,999	6,000—50,000	1
	25,000—50,000		2
	Each additional 30,000	Each additional 30,000	1
Hospital	5,000—40,000	6,000—40,000	1
	Each additional 40,000	Each additional 40,000	1
School	For every two school buses		1
Home for the aged, convalescent home, correctional institution	More than 25 beds		1

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

#### 49.40.215 Parking alternatives.

Parking alternatives are methods of accommodating required parking without building parking on site. A developer may apply for one or more parking alternatives. Parking alternatives may be combined with approved reductions.

- (a) *Joint use.* Joint use occurs when the same off-street parking space is used to meet the parking requirement of different uses at different times. Joint use of off-street parking spaces may be authorized when the developer demonstrates there is no substantial conflict in the principal operating hours of the structures and uses involved and subject to the following requirements:
- (1) Any structure or use sharing the off-street parking facilities of another structure or use must be located within 500 feet of such parking facilities, unless a lesser radius is identified in this chapter. A developer may apply to provide off-street parking in an area greater than 500 feet distant, if approved by the commission.
  - (2) The developer demonstrates with appropriate analysis or data that there is no substantial conflict in the principal operating hours of the structures or users for which joint use of off-street parking facilities is proposed.

The developer must present to the director a written instrument, proposed by the parties concerned, providing for joint use of off-street parking facilities. Upon approval by the director, such instrument must be recorded by the developer and documentation of recording provided to the director.

- (b) *Loading spaces off-site.* The required loading space(s) may be met by an alternative private off-site loading parking space, if the alternate space is determined by the director of adequate capacity and proximity. In no case will the distance exceed standards established in subsection 49.40.200(k).

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

#### **49.40.220 Parking reductions.**

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

- (a) *Parking waivers.* The required number of parking spaces required by this chapter may be reduced if the requirements of this section are met.
- (1) *Standards.* Any waiver granted under this section must be in writing and must include the following required findings and any conditions, such as public amenities, imposed by the director or commission that are consistent with the purpose of this title:
    - (A) The effect of granting a waiver would result in more benefits than detriments to the neighboring area and community as a whole as identified by the comprehensive plan; and
    - (B) The effect of granting a waiver will not materially endanger public health, safety, or welfare.
  - (2) *Relevant information.* The following information may be relevant for the director or commission's review:
    - (A) Analysis or data relevant to the intended use and related parking demands.
    - (B) Provision for alternative transportation.
    - (C) Traffic mitigation measures supported by industry standards.
    - (D) Bicycle and pedestrian amenities.
  - (3) *Applications.* Applications for parking waivers must be on a form specified by the director and must be accompanied by a one-time fee as provided in chapter 49.85.

- (4) *Public notice.* The director must mail notice of any complete parking waiver application to the owners of record of property located within a 250-foot radius of the site seeking the waiver. If the parking waiver application is filed in conjunction with a major development permit, notice of both applications should be made concurrently in accordance with CBJ 49.15.230.
- (5) *Expiration.* An approved parking waiver expires upon a change in use.
- (b) *Town center parking area, fee-in-lieu of off-street parking spaces.* In the town center parking area, a developer may pay a one-time fee in lieu of providing off-street parking spaces to satisfy the minimum parking requirements of this chapter. Fee in lieu can be used in any combination with other parking provisions of this chapter. Any fee in lieu due must be paid in full prior to the issuance of a temporary certificate of occupancy.

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

#### **49.40.225 Dimensions and signage for required off-street parking spaces.**

- (a) *Standard spaces.*
  - (1) Except as provided in this section, each standard parking space must consist of a generally rectangular area at least eight and one-half feet by 17 feet. Lines demarcating parking spaces may be drawn at any angle to curbs or aisles so long as the parking spaces so created contain within them the rectangular area required by this section.
  - (2) Spaces parallel to the curb must be no less than 22 feet by six and one-half feet.
- (b) *Accessible spaces.*
  - (1) Each accessible parking space must consist of a generally rectangular area at least 13 feet by 17 feet, including an access aisle of at least five feet by 17 feet. Two accessible parking spaces may share a common access aisle.
  - (2) One in every eight accessible parking spaces, but not less than one, must be served by an access aisle with a width of at least eight feet and must be designated "van-accessible."
  - (3) Accessible parking spaces must be designated as reserved by a sign showing the symbol of accessibility. "Van-accessible" parking spaces must have an additional sign designating the parking space as "van-accessible" mounted below the symbol of accessibility. A sign must be located so it cannot be obscured by a vehicle parked in the space.
  - (4) Access aisles for accessible parking spaces must be located on the shortest accessible route of travel from parking area to an accessible entrance.
- (c) *Facility loading spaces.*
  - (1) Each off-street loading space must be not less than 30 feet by 12 feet, must have an unobstructed height of 14 feet six inches, and must be permanently available for loading.

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

#### **49.40.230 Parking area and site circulation review procedures.**

- (a) *Purpose.* The purpose of these review procedures is to ensure that proposed parking and related site access areas provide for adequate vehicular and pedestrian access and circulation; that parking spaces are usable, safe, and conveniently arranged; that sufficient consideration has been given to off-street loading and unloading; and that the parking area will be properly drained, lighted, and landscaped.

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(Supp. No. 145)

- (b) *Plan submittal.* Development applications must include plans for parking and loading spaces. Major development applications must include plans prepared by a professional engineer or architect. These plans may be part of a plan submission prepared in conjunction with the required review of another aspect of the proposed development.
- (1) *Contents.* The plans must contain the following information:
- (A) Parking and loading space plans drawn to scale and adequate to show clearly the circulation pattern and parking area function;
  - (B) Existing and proposed parking and loading spaces with dimensions, traffic patterns, access aisles, and curb radii;
  - (C) Improvements including roads, curbs, bumpers and sidewalks indicated with cross sections, designs, details, and dimensions;
  - (D) A parking schedule indicating the number of parking spaces required, the number provided, and how such calculations were determined;
  - (E) Topography showing existing and proposed contour intervals; and
  - (F) Landscaping, lighting and sign details, if not provided in conjunction with the required review of another aspect of the proposed development.
- (2) *Waiver of information.* The director may waive submission of any required exhibits.
- (c) *Review procedure.* Plans must be reviewed and approved according to the procedures of this chapter and chapter 49.15.
- (d) *Public improvements required.* As a condition of plan approval, the department may require a bond approved as to form by the municipal attorney for the purpose of ensuring the installation of off-site public improvements. As a condition of plan approval, the applicant is required to pay the cost of providing reasonable and necessary public improvements located outside the property limits of the development but necessitated by construction or improvements within such development.
- ( Serial No. 2022-04(b) , § 2, 4-25-2022, eff. 5-26-2022)

#### 49.40.235 Parking and circulation standards.

- (a) *Purpose.* Provisions for pedestrian and vehicular traffic movement within and adjacent to the site must address layout of parking areas, off-street loading and unloading needs, and the movement of people, goods, and vehicles from access roads, within the site, and between buildings and vehicles. Parking areas must be landscaped and must feature safely arranged parking spaces.
- (b) *Off-street parking and loading spaces; design standards.*
- (1) *Access.* There must be adequate ingress and egress from parking spaces. The required width of access drives for driveways must be determined as part of plan review depending on use, topography and similar considerations.
  - (2) *Size of aisles.* The width of aisles providing direct access to individual parking stalls must be in accordance with the following table. Other angles may be approved by the director that satisfy the needs of this chapter.

Parking Angle	0°	30°	45°	60°	90°
One-way traffic aisle width	13'	11'	13'	18'	24'

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(Supp. No. 145)

Two-way traffic aisle width	19'	20'	21'	23'	24'
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- (3) *Location in different zones.* No access drive, driveway or other means of ingress or egress may be located in any residential zone if it provides access to uses other than those permitted in such residential zone.
  - (4) *Sidewalks and curbing.* Sidewalks must be provided with a minimum width of four feet of passable area and must be raised six inches or more above the parking area except when crossing streets or driveways. Guardrails and wheel stops permanently anchored to the ground must be provided in appropriate locations. Parked vehicles must not overhang or extend over sidewalk areas, unless an additional sidewalk width of two feet is provided to accommodate such overhang.
  - (5) *Stacked parking.* Stacked parking spaces may only be counted as required parking spaces for single-family residences, duplexes, and as otherwise specified for specific uses. In the case of single-family residences and duplexes with or without accessory uses and child care homes in a residential district, only a single parking space per dwelling unit may be a stacked parking space.
  - (6) *Back-out parking.* Parking space aisles must provide adequate space for turning and maneuvering on-site to prevent back-out parking onto a right-of-way. If the director or the commission, when the commission has authority, determines back-out parking would not unreasonably interfere with the public health and safety of the parking space aisles and adjacent right-of-way traffic, back-out parking is allowed in the following circumstance:
    - (A) In the case of single-family dwellings and duplexes with or without accessory uses located in residential and rural reserve zoning districts;
    - (B) Where the right-of-way is an alley; or
    - (C) In the case of a child care home in a residential district.
  - (c) *Drainage.*
    - (1) Parking areas must be suitably drained.
    - (2) Off-site drainage facilities and structures requiring expansion, modification, or reconstruction in part or in whole as the result of the proposed development must be subject to off-site improvement requirements and standards as established by the city.
  - (d) *Lighting.* Parking areas must be suitably lighted. Lighting fixtures must be "full cutoff" styles that direct light only onto the subject parcel.
  - (e) *Markings and access.* Parking stalls, driveways, aisles and emergency access areas and routes must be clearly marked.
  - (f) *General circulation and parking design.*
    - (1) Parking space allocations must be oriented to specific buildings. Parking areas must be linked by walkways to the buildings they serve.
    - (2) Where pedestrians must cross service roads or access roads to reach parking areas, crosswalks must be clearly designated by pavement markings or signs. Crosswalk surfaces must be raised slightly to designate them to drivers, unless drainage problems would result.
- ( Serial No. 2022-04(b) , § 2, 4-25-2022, eff. 5-26-2022)



PLANNING COMMISSION STAFF  
CONDITIONAL USE PERMIT USE2024 0019  
HEARING DATE: DECEMBER 10TH, 2024

Section H, Item 2.

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155 Heritage Way • Juneau, AK 99801

**DATE:** December 2, 2024

**TO:** Mandy Cole, Chair, Planning Commission

**BY:** Jolene Murphy, Planner I 

**THROUGH:** Jill Lawhorne, Director, AICP

**PROPOSAL:** Applicant requests a Conditional Use Permit to remodel an existing garage into a 219 square foot accessory apartment in a D1 zoning district.

**STAFF RECOMMENDATION:** Approval

**KEY CONSIDERATIONS FOR REVIEW:**

- An existing 219 square foot detached garage will be converted into an accessory apartment.
- This property is certified nonconforming for lot size and the addition of the accessory apartment will not aggravate the nonconforming situations (**Attachment H**).

GENERAL INFORMATION	
Property Owner	Galen Lamphere-Englund; Katherine Thomas-Canfield
Applicant	Galen Lamphere-Englund; Katherine Thomas-Canfield
Property Address	20136 Cohen Drive, Juneau, AK 99801
Legal Description	TEE HARBOR ALASKA BL 2 LT 20
Parcel Number	8B3701020210
Zoning	D1
Land Use Designation	Single Family and Duplex Residential
Lot Size	31,799 square feet
Water/Sewer	Private Water & Sewer
Access	Cohen Drive
Existing Land Use	Residential
Associated Applications	NCC2021-43; PAC24-36

**ALTERNATIVE ACTIONS:**

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

**ASSEMBLY ACTION REQUIRED:**

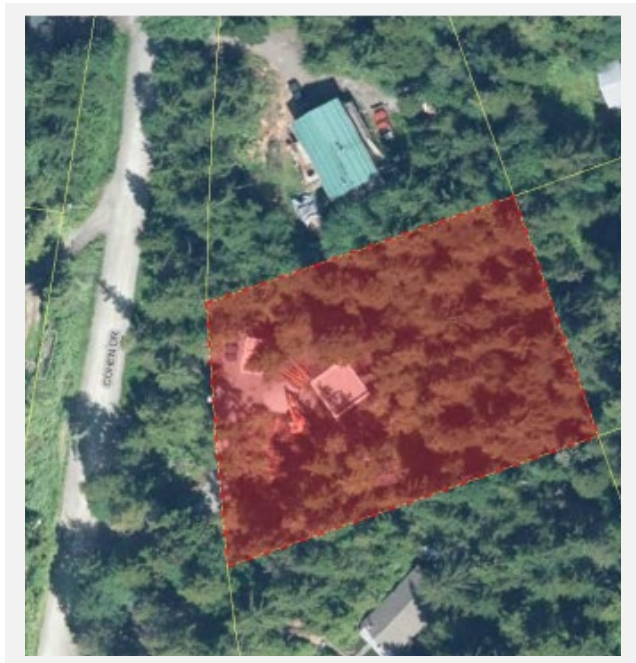
Assembly action is not required for this permit.

**STANDARD OF REVIEW:**

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
  - 49.15.330
  - 49.25.510(k)
  - 49.30.260(a)
  - 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 procedure is intended to afford the commission the flexibility necessary to make determinations appropriate to individual sites. The commission may attach to the permit those conditions listed in subsection (g) of this section as well as any further conditions necessary to mitigate external adverse impacts. If the commission determines that these impacts cannot be satisfactorily overcome, the permit shall be denied.

## SITE FEATURES AND ZONING



### **SURROUNDING ZONING AND LAND USES**

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

### **SITE FEATURES**

<b>Anadromous</b>	Yes
<b>Flood Zone</b>	No
<b>Hazard</b>	No
<b>Hillside</b>	Yes
<b>Wetlands</b>	No
<b>Parking District</b>	No
<b>Historic District</b>	No
<b>Overlay Districts</b>	No

## BACKGROUND INFORMATION

**Project Description** – The applicant requests a Conditional Use Permit to convert an existing detached garage into an accessory apartment on a substandard lot in a D1 zoning district (**Attachment A**). The accessory apartment will maintain the garage’s 219 square foot net floor area and is located on the northwest corner of the lot.

**Lot Size** - The minimum lot size required in the D1 zoning district is 36,000 square feet. The lot is 31,799 square feet. Per CBJ 49.30.260(a), “A property owner of a nonconforming lot has the same development rights as a property owner of a conforming lot, provided the owner first obtains nonconforming certification pursuant to section 49.30.310.” In June 2021, a Nonconforming Certificate was issued certifying the lot size as nonconforming (**Attachment H**).



According to CBJ 49.25.510(k)(2)(E)(ii)(a), the commission may approve efficiency or one-bedroom accessory apartments not exceeding 600 square feet on a substandard lot with a Conditional Use Permit.

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

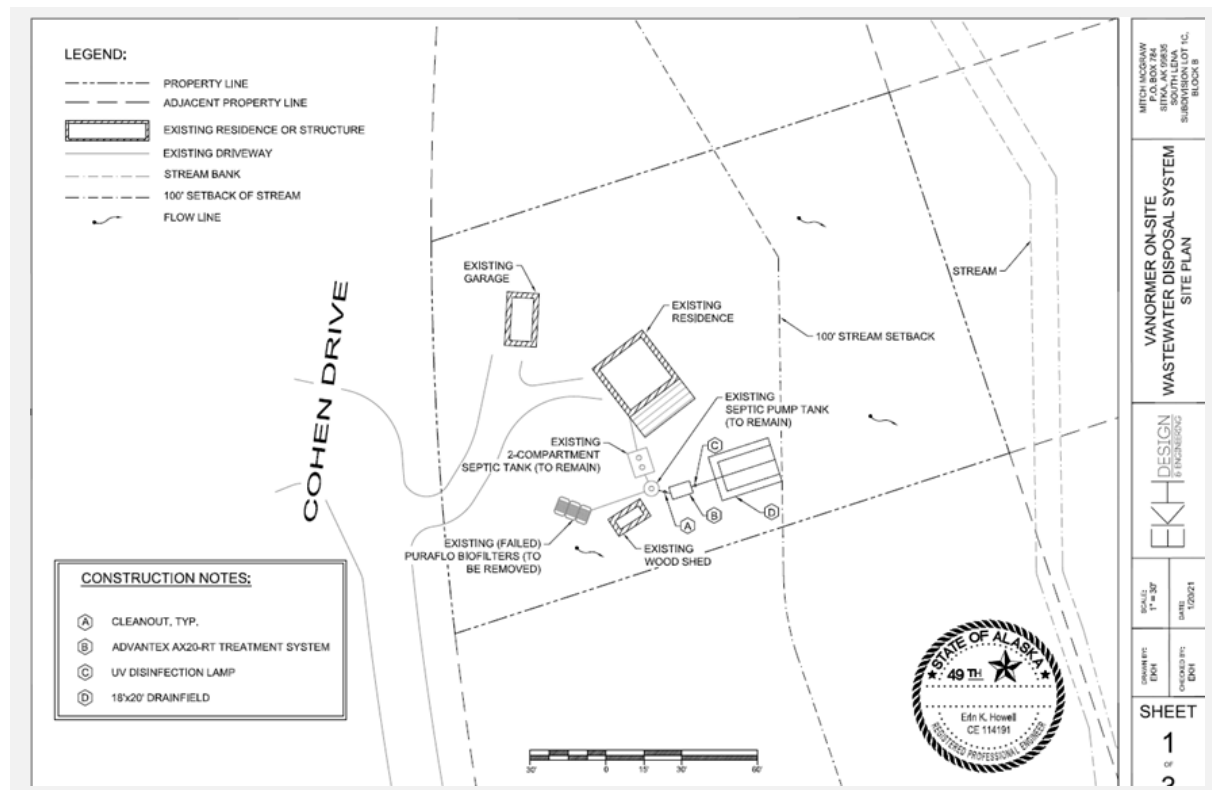
Date	Item	Summary
1967	Plat	Lot size, lot depth, and lot width. State of Alaska Dep of Natural Resources Tee Harbor Subdivision Lot 20, Block 2 ( <b>Attachment D</b> ).
2013	Building Permit	Provides the square footage and setback measurements ( <b>Attachment E</b> ).
2013	Wastewater Site Plan	Setbacks, Vegetative Cover. ADEC File No.:1513.40.109 ( <b>Attachment F</b> ).
2013	Certificate of Occupancy	Date that the 1,138 square foot single-family residence with 112 ft. porch and 250 square foot garage were built ( <b>Attachment G</b> ).
2021	NCC	NCC certification (NCC2021-43) for undersized lot ( <b>Attachment H</b> ).
2023	Assessor Photo	Structure height, visual context ( <b>Attachment I</b> ).
2024	Preapplication	Preapplication conference report for garage to ADU conversion. Includes apartment blueprints ( <b>Attachment J</b> ).
2024	Cohen Drive Blueprints	Blueprints and aerials for garage remodel ( <b>Attachment K</b> )

## **ZONING REQUIREMENTS**

Standard		Requirement	Existing	Code Reference
<b>Lot</b>	Size	36,000 square feet	<b>31,799 square feet*</b>	CBJ 49.25.400
	Width	150 feet	203 feet	CBJ 49.25.400
<b>Setbacks</b>	Front	25 feet	27.62 feet	CBJ 49.25.400
	Rear	25 feet	168 feet	CBJ 49.25.400
	Side	15 feet	100 feet	CBJ 49.25.400
	Side	15 feet	27.77 feet	CBJ 49.25.400
	Street Side	17 feet	27.62 feet	CBJ 49.25.400
<b>Lot Coverage Maximum</b>		20%	13%	CBJ 49.25.400
<b>Vegetative Cover Minimum</b>		20%; 6,360	34%;10,670 square feet	CBJ 49.50.300
<b>Height</b>	Permissible	35 feet	N/A	CBJ 49.25.400
	Accessory	25 feet	15.9 feet	CBJ 49.25.400
<b>Maximum Dwelling Units (18/Acre)</b>		1	1	CBJ 49.25.500
<b>Use</b>		Residential	Residential	CBJ 49.50.300
<b>Parking</b>		3	3	CBJ 49.40.210(a)

\*Certified nonconforming (NCC2021 0043).

## SITE PLAN



## ANALYSIS

**Project Site** - The 31,799 square foot lot is in the Tee Harbor Subdivision and contains a two-story, single-family dwelling completed in 2013 (**Attachment G**). The existing detached garage proposed for conversion is northwest of the existing residence and sits on the northwest corner of the lot (**Attachment E**).

**Project Design** – The proposed 219 square foot accessory apartment and will have one bathroom and a combined kitchen/living area. In addition, the vaulted portion of the existing garage roof will be converted to a storage loft. The existing footprint will be unchanged, and the accessory apartment will not aggravate the existing nonconforming situation (**Attachment J**).

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

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

**Vehicle Parking & Circulation** – According to CBJ 49.40.210(a), one (1) additional off-street parking space is required for the proposed accessory apartment. While the accessory apartment would replace the existing garage parking space, three identified parking spots are included in the preapplication report site plan and aerial imagery (**Attachment A**).

**Condition:** None.

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

**Condition:** None.

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

**Condition:** None.

**Vegetative Cover & Landscaping** – A minimum of 20 percent vegetative coverage is required in the D1 zoning district. 2013 GIS aerial imagery indicates that this requirement is met, and the accessory apartment will not expand the existing building’s footprint.

**Condition:** None.

**Habitat** – Tee Creek (Anadromous Waters Catalog number 111-50-10200) is within 10 feet of the lot line at its closest mapped point (**Attachment F**). The proposed development is approximately 100 feet from the ordinary high-water mark [CBJ 49.70.310(a)(2)].

**Condition:** None.

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

**Condition:** None.

**Hazard Zones** - The lot is not located in a mapped hazard area.

**Condition:** None.

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

**Condition:** None.

**Property Value or Neighborhood Harmony** – There is no evidence to suggest that the proposed development will be out of character with the existing neighborhood, or that it would reduce property values of neighboring properties. The lot is in a D1 single family and duplex zoning district and is surrounded by residential uses. According to the 2013 Comprehensive Plan’s Development Guidelines, new, in-fill development on vacant land within established neighborhoods, should be promoted.

**Condition:** None.

**AGENCY REVIEW**

CDD conducted an agency review comment period between October 14<sup>th</sup>, 2024, and October 28<sup>th</sup>, 2024, and received the following responses. Comments can be found in **Attachment C**.

Agency	Summary
Alaska Department of Environmental Conservation	No response
Alaska Department of Transportation and Public Facilities	No response
CBJ Capital City Fire and Rescue	No concerns from fire
CBJ CDD Building Division	No response

**PUBLIC COMMENTS**

CDD conducted a public comment period between November 4<sup>th</sup> and November 18<sup>th</sup>. Public notice was mailed to property owners within 500 feet of the proposed development. A public notice sign was also posted on-site two weeks prior to the scheduled hearing. Public comments received are listed below.

Name	Summary
Annie Calkins & Dave Hunsaker	Support the approval of additional small apartment
Gary Miller	Neighbor with no objections

**CONFORMITY WITH ADOPTED PLANS**

The proposed development is in general conformity with the 2013 Juneau Comprehensive Plan.

PLAN	Chapter	Page No.	Item	Summary
2013 Comprehensive Plan	3	20	Policy 3.2	Promotes compact urban development within the designated urban service area to ensure efficient utilization of land resources and to facilitate cost effective provisions of community services and facilities.
	4	41	Policy 4.8	Balance the protection and preservation of the character and quality of life of existing

PLAN	Chapter	Page No.	Item	Summary
				neighborhoods while providing opportunities for a mixture of new housing types.
	11	147	Land Use Designation	Complies with the <i>Urban/Low Density Residential (ULDR)</i> designation; this land use designation allows single-family dwelling with accessory apartments.
	2	35	Production Targets	Creates additional housing, which advances the City's goal of increasing housing stock.
2015 Juneau Economic Development Plan	5	43	Juneau Economic Development Initiatives	Promote Housing Affordability and Availability.

## **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 development. The application submittal by the applicant, including the appropriate fees, 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 for the conversion of an existing garage to accessory apartment is permissible under CBJ 49.25.300 Section 1.130.

**Finding: Yes.** The proposed development is appropriate according to the Table of Permissible Uses.

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

**Analysis:** No further analysis needed.

**Finding: Yes.** The proposed development will comply with Title 49 standards for accessory apartments.

#### **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 the requested accessory apartment, 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.** The requested Conditional Use Permit in the D1 Residential District will not substantially 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?**

**Analysis:** No further analysis needed.

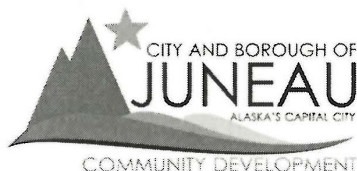
**Finding: Yes.** The proposed development will conform with the 2013 Juneau Comprehensive Plan and the 2015 Juneau Economic Development Plan.

**RECOMMENDATION**

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested Conditional Use Permit. The permit would allow the conversion of the existing 219 square foot garage into an accessory apartment on an undersized lot in a D1 zoning district.

**STAFF REPORT ATTACHMENTS**

Item	Description
Attachment A	Application Packet
Attachment B	Abutters Notice and Public Notice Sign Photo
Attachment C	Agency Comments
Attachment D	1967 Plat
Attachment E	2013 Building Permit
Attachment F	2013 Wastewater Site Plan
Attachment G	2013 Certificate of Occupancy
Attachment H	2021 NCC2021-43
Attachment I	2023 Assessor Photo
Attachment J	2024 Preapplication
Attachment K	2024 Cohen Drive Blueprints



# DEVELOPMENT PERMIT APPLICATION


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

To be completed by Applicant	<b>PROPERTY LOCATION</b>		
	Physical Address <b>20136 Cohen Drive Juneau, AK 99801</b>		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) <b>Tee Harbor Alaska BL 2 Lot 20</b>		
	Parcel Number(s) <b>8B3701020210</b>		
	<input type="checkbox"/> This property is located in the downtown historic district <input type="checkbox"/> This property is located in a mapped hazard area, if so, which _____		
	<b>LANDOWNER/ LESSEE</b>		
	Property Owner <b>Galen Lamphere-Englund, Katherine Thomas-Canfield</b>	Contact Person <b>Galen Lamphere-Englund</b>	
	Mailing Address <b>20136 Cohen Drive Juneau, AK 99801</b>	Phone Number(s) <b>520-223-8024</b>	
	E-mail Address <b>g.englund@pm.me</b>		
	<b>LANDOWNER/ LESSEE CONSENT</b>		
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.			
<b>Galen Lamphere-Englund</b> <b>Landowner</b> Landowner/Lessee (Printed Name)      Title (e.g.: Landowner, Lessee)			
X  <b>07/08/2024</b> Landowner/Lessee (Signature)      Date			
<b>Katherine Thomas-Canfield</b> <b>Landowner</b> Landowner/Lessee (Printed Name)      Title (e.g.: Landowner, Lessee)			
X  <b>07/08/2024</b> 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.			
<b>APPLICANT</b> If same as LANDOWNER, write "SAME"			
Applicant (Printed Name) <b>SAME</b>		Contact Person <b>SAME</b>	
Mailing Address <b>SAME</b>	Phone Number(s) <b>SAME</b>		
E-mail Address <b>SAME</b>			
X  <b>07/08/2024</b> Applicant's Signature      Date of Application			

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

## INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Intake Initials  <b>8/30/24</b>	Case Number <b>USE24-019</b>	Date Received <b>8/30/24</b>
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# ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

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

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

## PROJECT SUMMARY

The Applicant would like remodel an existing garage into an accessory apartment. Because the lot is less than required for the zoning district, the applicant will need a Conditional Use Permit [CBJ 49.25.510(k)(2)(E)]. The existing garage is 11.5 x 19 net floor area. The apartment would be a 219 square foot studio (interior dimensions; exterior=250 sq ft). Loft space would be available for storage.

## TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED

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

Table of Permissible Uses Category: \_\_\_\_\_

## 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 31,799 square feet Total Area of Existing Structure(s) 771 square feet

Total Area of Proposed Structure(s) 219 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)

To be completed by Applicant

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

ALLOWABLE/CONDITIONAL USE FEES		Check No.	Receipt	Date
Application Fees	\$ 350.00			
Admin. of Guarantee	\$ _____			
Adjustment	\$ _____			
Pub. Not. Sign Fee	\$ 50			
Pub. Not. Sign Deposit	\$ 100			
Total Fee	\$ 500.00			

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

## INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Case Number	Date Received
USE 24-019	8/30/24

### **Allowable/Conditional Use Permit Application Instructions**

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

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

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

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

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

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

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

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

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

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

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


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

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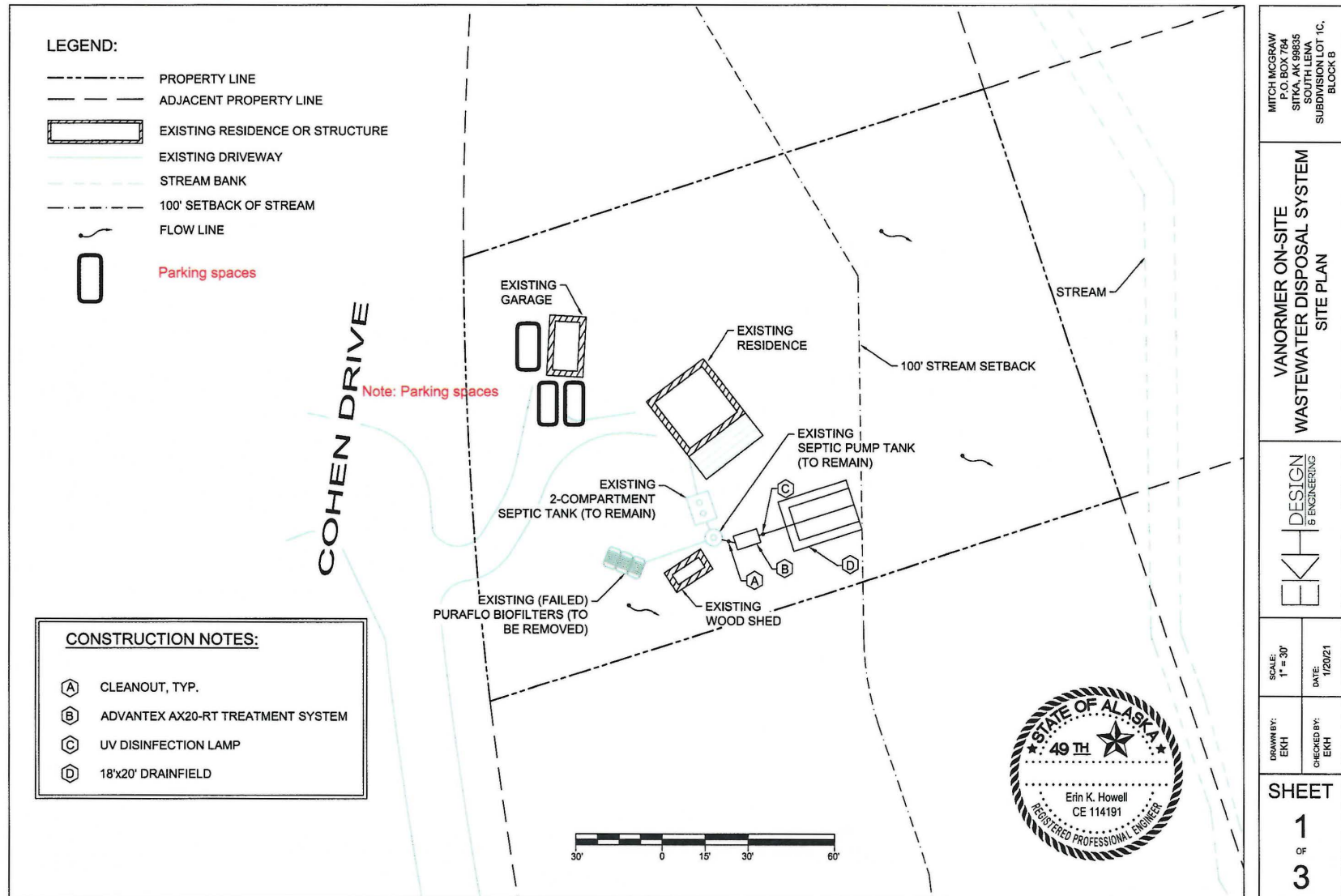
### **INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**



20136 Cohen Drive -- Aerial view of lot, 2013 during construction. Footprint visible.

 Note -- squares indicate parking spaces

Accurate site plan and plot from 2021 of land, submitted for successful permitting of new septic





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

**Case name:** Cohen Accessory Dwelling Unit

Case Number: PAC2024 0036

Applicant: Jake Lapenter

Property Owner: Galen Lamphere-Englund, Katherine Thomas-Canfield

Property Address: 20136 Cohen Drive

Parcel Code Number: 8B3701020210

Site Size: 31,799

Zoning: D1

Existing Land Use: Residential

Conference Date: June 19, 2024

Report Issued: June 26, 2024

**DISCLAIMER:** Pre-application conferences are conducted for the purpose of providing applicants with a preliminary review of a project and timeline. Pre-application conferences are not based on a complete 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
Jake Lapenter	Applicant	<a href="mailto:modernalaskabuilders@gmail.com">modernalaskabuilders@gmail.com</a>
Irene Gallion	Planning	<a href="mailto:irene.gallion@juneau.gov">irene.gallion@juneau.gov</a>
Charlie Ford	Building	<a href="mailto:Charlie.Ford@juneau.gov">Charlie.Ford@juneau.gov</a>
Eric Vogel	General Engineering	<a href="mailto:Eric.Vogel@juneau.gov">Eric.Vogel@juneau.gov</a>
Dave Sevdv	Permits	<a href="mailto:Dave.Sevdv@juneau.gov">Dave.Sevdv@juneau.gov</a>

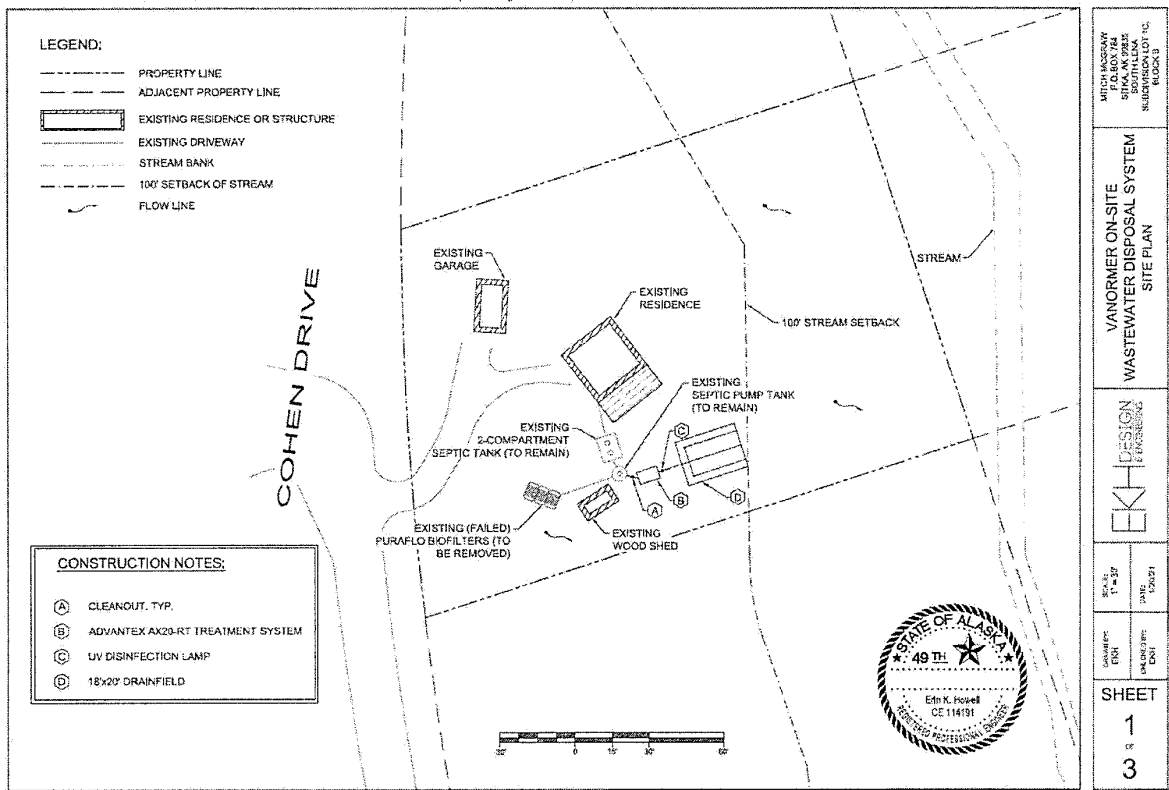
Pre-Application Conference Final Report

Conference Summary

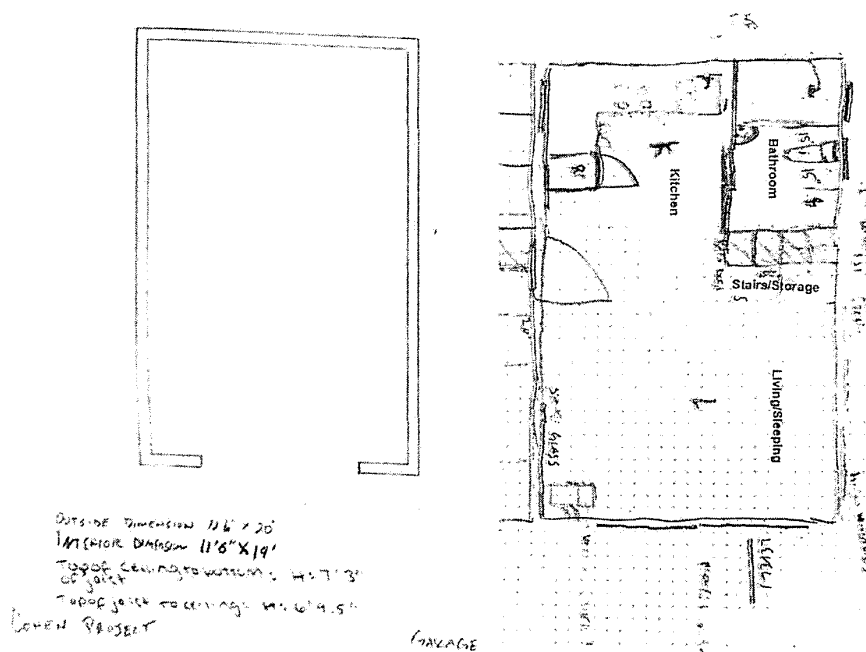
Questions/issues/agreements identified at the conference that weren't identified in the attached reports. The following is a list of issues, comments and proposed actions, and requested technical submittal items that were discussed at the pre-application conference.

Project Overview

The Applicant would like remodel an existing garage into an accessory apartment. Because the lot is less than required for the zoning district, the applicant will need a Conditional Use Permit [CBJ 49.25.510(k)(2)(E)].



## Pre-Application Conference Final Report



The existing garage is 11.5 x 19 net floor area. The apartment would be a 219 square foot studio. Loft space would be available for storage.

**Conditional Use Permit Process:**

- Submit the application and back-up materials (listed on ten back of the application).
  - Electronic submissions accepted at [Permits@juneau.gov](mailto:Permits@juneau.gov). Note that the permit center will call you for payment when the application is processed. Applications are submitted in the order in which they are received, and it may be a few days before you get a call.
- The project will be assigned to a planner. They will review submitted materials, and coordinate where necessary. When the planner assesses the file is complete, they will schedule a hearing before the Planning Commission.
  - A notice will be sent to property owners within 500 feet of the project.
  - There will be two newspaper ads for the case.
  - The Applicant is required to post a Public Notice sign, which will be provided by CDD. The sign must be posted two weeks before the hearing.
  - Staff will prepare a report analyzing the project, and make a recommendation to the Commission. The report will be publicly available the week before the hearing.
- At the Planning Commission meeting, the project can be:
  - On the Consent Agenda, where it will be passed without discussion.
  - On the Regular Agenda:
    - The Director will briefly describe the project.
    - The Applicant has 15 minutes to describe the project.
    - The public has the opportunity to comment. There is usually a time limit of two to three minutes.
    - The Applicant has time to respond to issues raised.

## Pre-Application Conference Final Report

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- Public comment is closed and there is no additional opportunity to participate.
- The Planning Commission will:
  - Approve the project
  - Approve the project with conditions (the most common outcome)
  - Deny the project
  - Continue the project – if more information is required or if the Commission runs out of time.
- The decision can be appealed for 20 days after the Notice of Decision is filed with the City Clerk. If the decision is appealed, the Applicant can continue with their project at their own risk.

Videos of the Planning Commission activities are posted on Assembly's Minutes and Agendas site.

<https://juneau-ak.municodemeetings.com/>

### Building permit

The building permit application may be submitted before the Conditional Use Permit is approved, but will not be issued until after approval. Early submittal gives review departments additional time to work with the Applicant on revisions or requirements, as needed.

### Accessory Dwelling Unit (ADU) Grant Program

***IMPORTANT NOTE: To qualify for the grant program, the ADU application needs to be received at the same time as the building permit application.***

CBJ provides a \$13,500 grant incentive for development of an ADU. An information sheet is attached. To summarize:

- The application must be submitted with the Building Permit Application.
- The ADU must receive a Certificate of Occupancy within two years from the date the building permit was issued.
- A deed restriction must be recorded, agreeing not to rent the resulting unit as a short-term rental for five years from the date of issuance of the Certificate of Occupancy.
- The grant is non-transferable to a new property owner.

There is no additional cost for applying for the ADU Grant Program. More information at:

<https://juneau.org/community-development/ADUG>

If you have further questions you can contact Joseph Meyers at (907) 586-0753 x4209

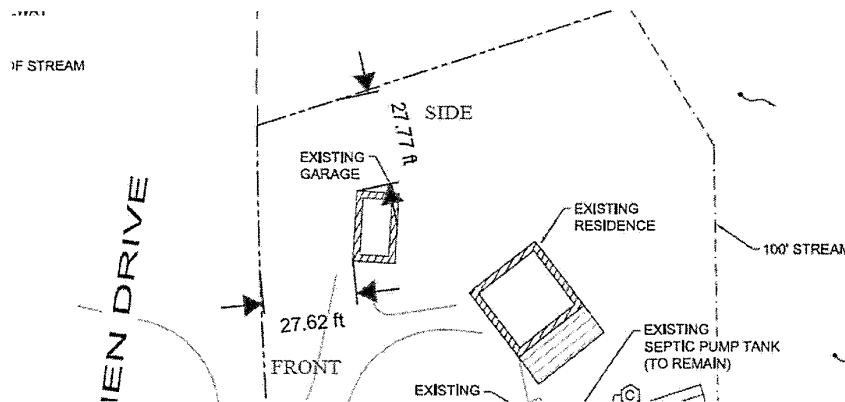
### Planning Division

1. **Zoning – D1**
2. **Table of Permissible Uses** – Allowed under Paragraph 1.110
3. **Lot size requirements** – Minimum lot size in D1 is 36,000 square feet. This lot is 31,799 square feet and has been certified nonconforming.
4. **Setbacks –**
  - a. **Front:** 25 feet
  - b. **Rear:** 25 feet

Pre-Application Conference Final Report

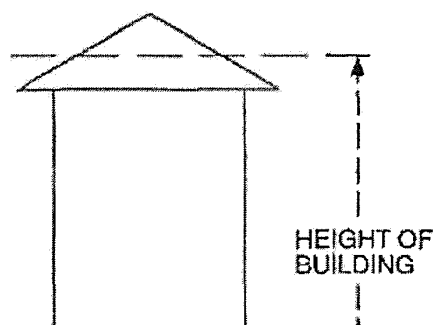
- c. **Side:** 15 feet
- d. **Setback from anadromous stream:**
  - i. 25 foot no disturbance
  - ii. 50 foot no development

Based on a site plan submitted by the applicant, the proposed apartment is on top of an existing garage that meets setbacks.



- 5. **Height** – The height of the garage and apartment is limited to 25 feet. Height will be measured to the average height of the roof.

The proposal converts the existing garage to an ADU. No additional structures and no increase of height is proposed at this time.



- 6. **Access** – Access to the property is via Cohen Drive,
- 7. **Parking & Circulation**– The accessory apartment will require one additional parking space on the property.
- 8. **Lot Coverage** – Maximum lot coverage is 10 percent. Lot coverage is any structure with a roof. The existing garage is approximately 250 square feet, and the single-family structure is 600 square feet, for a

## Pre-Application Conference Final Report

- total of 850 square feet, or three percent lot coverage. The addition of an accessory apartment on top of the existing garage will not increase lot coverage.
9. **Vegetative Coverage** – Minimum vegetative cover is 20 percent, or 6,360. Current development is set back 100 feet from the stream, providing 10,670 square feet of vegetative cover. Additional vegetative cover is provided in the developed area.
  10. **Lighting** – Exterior lighting may not shed light or glare above the roofline of the building or beyond the property line of the site.
  11. **Noise** – An accessory apartment is not anticipated to create noise out of character with the D1 zoning district.
  12. **Flood** – The property is not in a flood zone (FEMA Panel 02110C 1185D).
  13. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – There are no mapped hazards in the area of the lot. Lot slope is approximately five percent. A hillside endorsement is not required.
  14. **Wetlands** – Contact the Army Corps of Engineers if filling wetlands [(907) 753-2689].
  15. **Habitat** – Check with the U.S. Fish and Wildlife on the presence of eagle nests in the area. The presence of eagle nests may impact construction scheduling.  
Tee Creek (Anadromous Waters Catalog number 111-50-10200) is within 10 feet of the lot line at its closest mapped point. Lot development is approximately 100 feet from this point. Future development will need to be a minimum of 50 feet from the stream. The proposed accessory apartment on top of the existing garage does not impact this setback.
  16. **Plat Restrictions** – There are no restrictions documented on Plat #499, Juneau serial number 67-830.
  17. **Traffic** – A traffic impact analysis is not required.
  18. **Nonconforming situations** – The lot size is certified nonconforming. There are no other documented nonconforming or noncomplying conditions (NCC2021 0043).

**Building Division**

19. **Building** –
  - a. Fire and sound separation will be required between the garage and apartment.
  - b. The apartment is required to have outside access. No entrance or exit through the garage is allowed.
  - c. A water meter will be required.
20. **Outstanding Permits** – None.

**General Engineering/Public Works**

21. **Engineering** –
  - a. Please show utilities on the site plan. This can be drawn by hand on the existing as-built.
22. **Drainage** – N/A
23. **Utilities** – (water, power, sewer, etc.)
  - Septic** – ADEC review required. Please provide formal ADEC approval.
  - Water** – A water meter is required.

## Pre-Application Conference Final Report

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### Fire Marshal

24. **Fire Items/Access** – The Fire Marshal did not provide notes for this report.

### Other Applicable Agency Review

25. Alaska Department of Environmental Conservation may be required to evaluate the septic capacity for the extra load.

### 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.

Items 1-3 must be submitted together. Items 4-5 must be submitted together.

1. Development Permit Application
2. Allowable/Conditional Use Permit Application
3. Accessory Apartment Application
4. Building Permit Application
5. Accessory Dwelling Unit Grant Program Application (if desired)

### 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. A site plan (the one you've provided for this conference will do). Please show the parking space for the Accessory Apartment, and utilities to the new ADU.
3. Plans for modification of the garage.

### 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. None.

### Fee Estimates

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

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

1. Conditional Use Permit: \$350
2. Public Notice Sign: \$150: \$100 refundable if the sign is returned by the Monday following the Commission meeting.
3. Building permit fees will depend on the value of the improvements.

For informational handouts with submittal requirements for development applications, please visit our website at [www.juneau.org/community-development](http://www.juneau.org/community-development).

## Pre-Application Conference Final Report

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### Submit your Completed Application

You may submit your application(s) online via email to [permits@juneau.gov](mailto: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

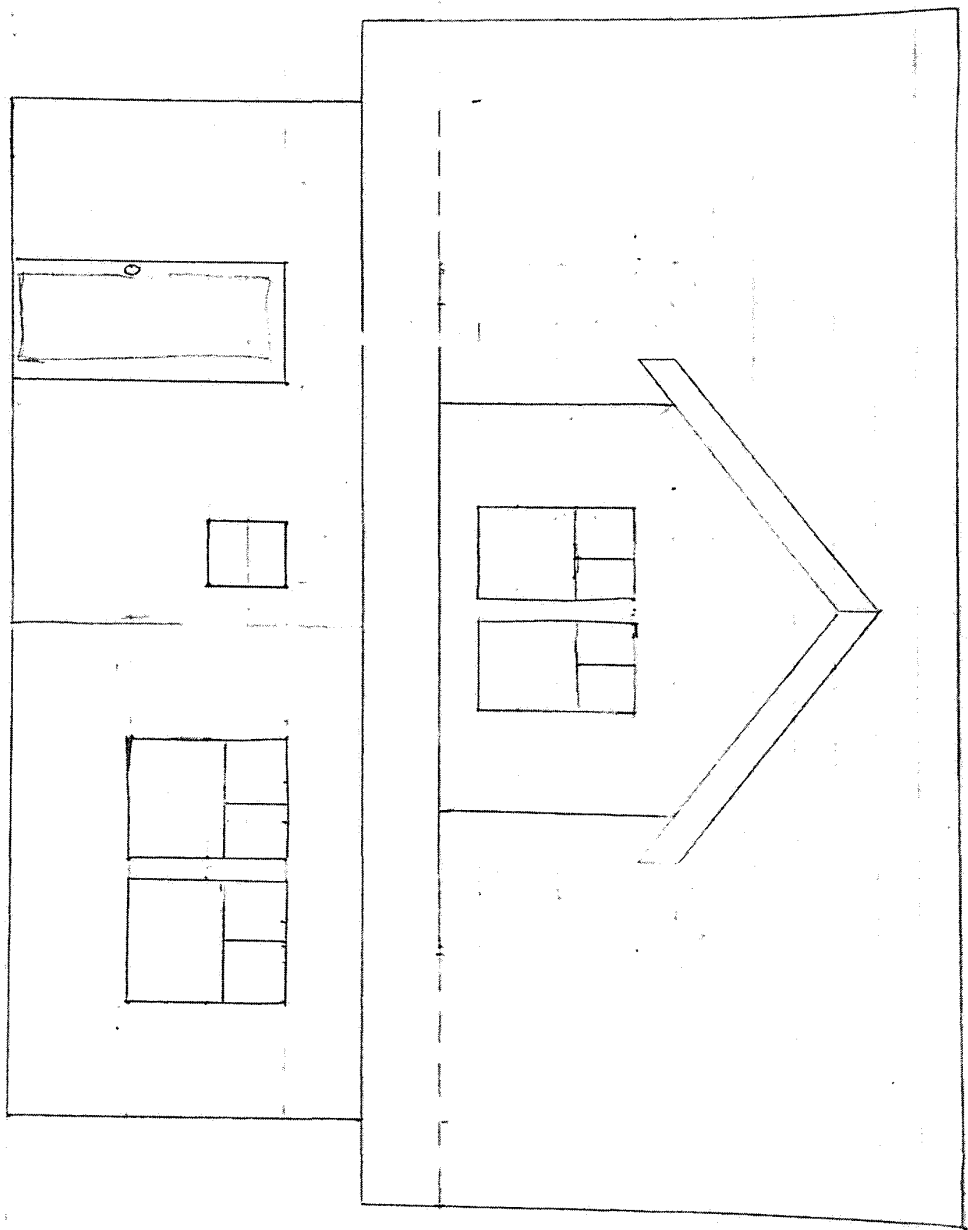
Phone: (907) 586-0715

Web: [www.juneau.org/community-development](http://www.juneau.org/community-development)

### Attachments:

49.15.330 – Conditional Use Permit  
Development Permit Application  
Allowable/Conditional Use Permit Application  
Accessory Apartment Application  
Accessory Dwelling Unit Information and Grant Application

Main house elevation



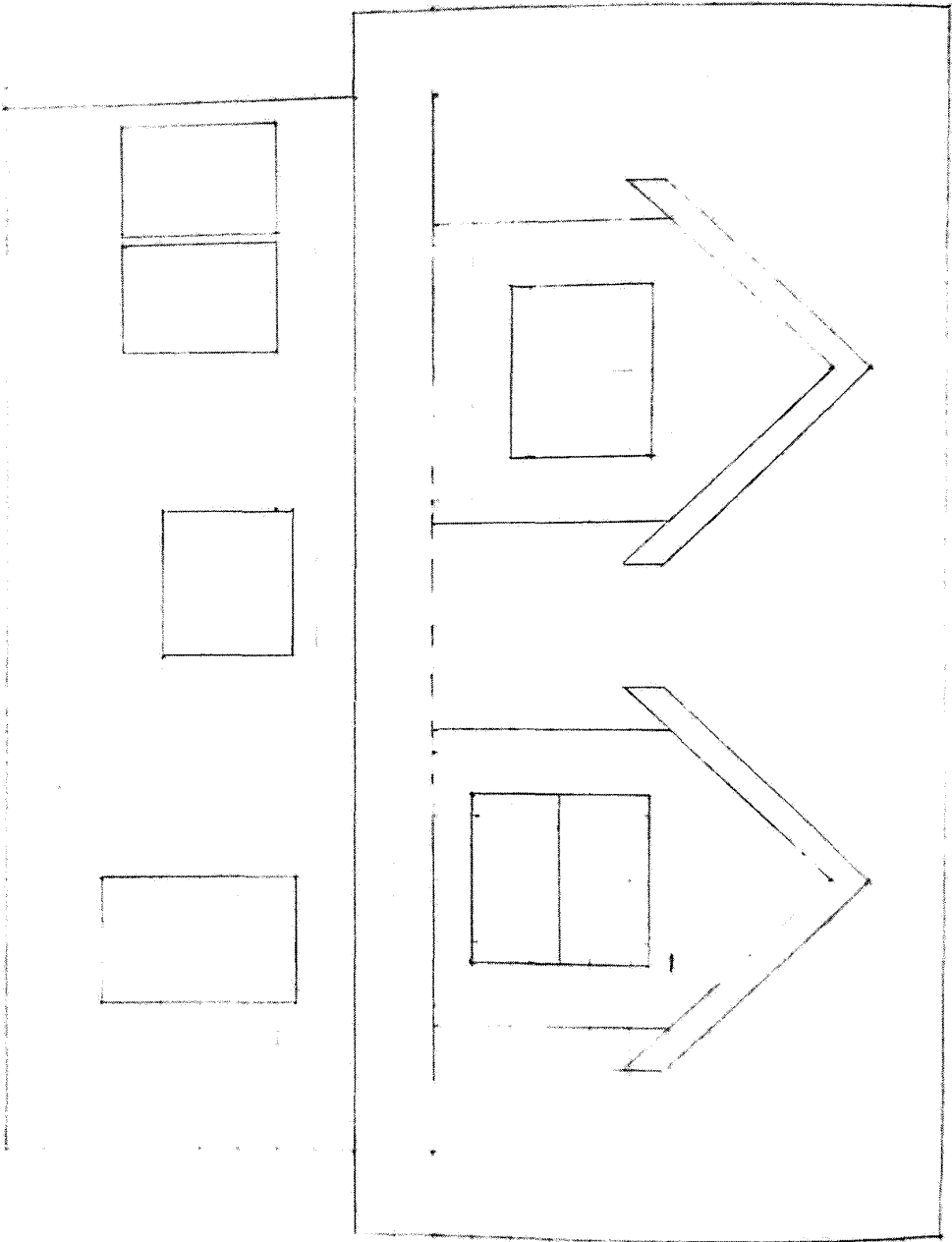
COHEN PROJECT

West Section\*  
1 sq. = 1 ft.<sup>2</sup>

\*not shown w/ covered front porch

BORD-VANDERMEER  
28 Jan 2013

Main house elevation

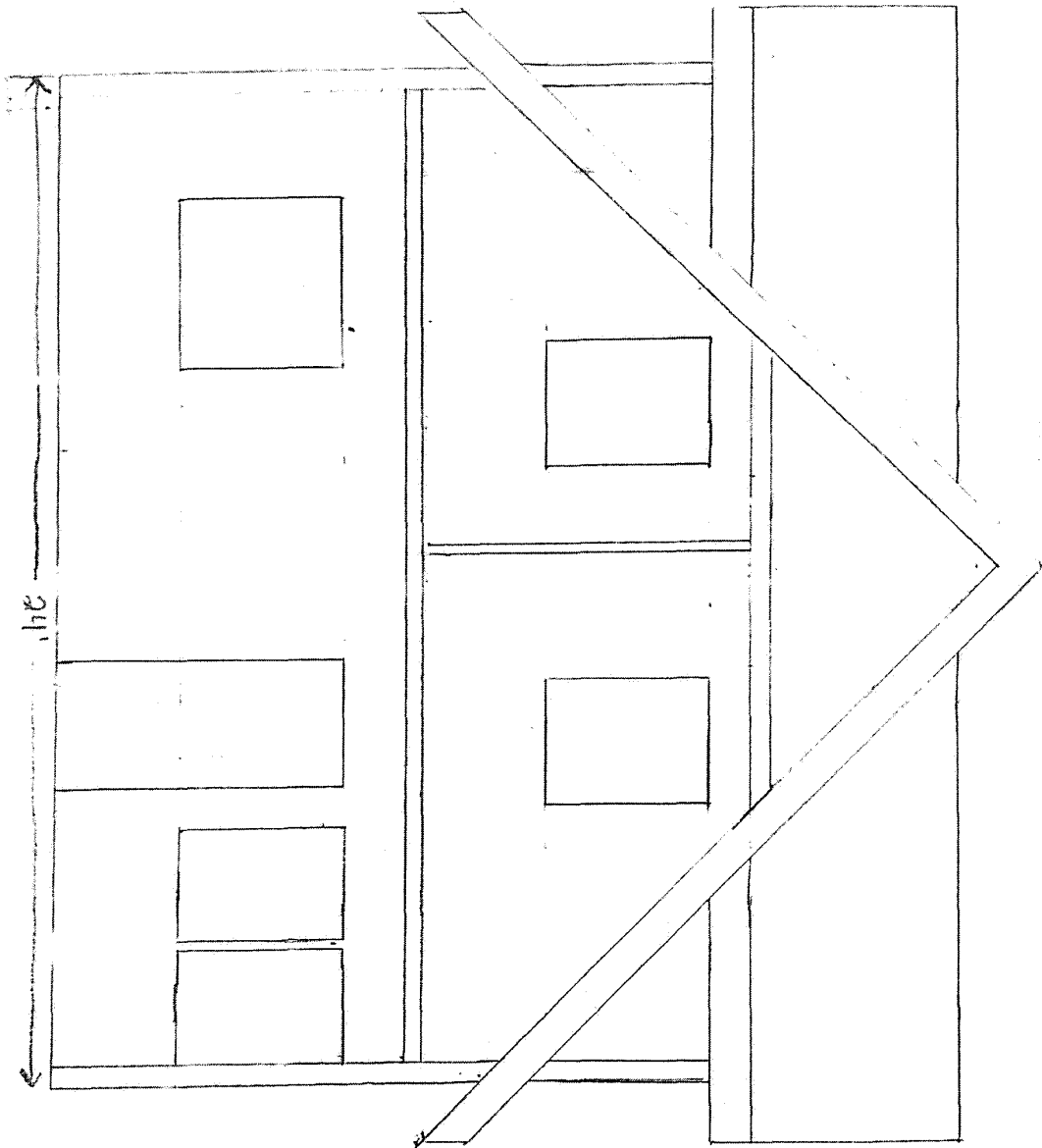


OTHER PROJECT

East Section  
159 - 160

Bond - Vancouver  
28 Jan 2013

Main house elevation

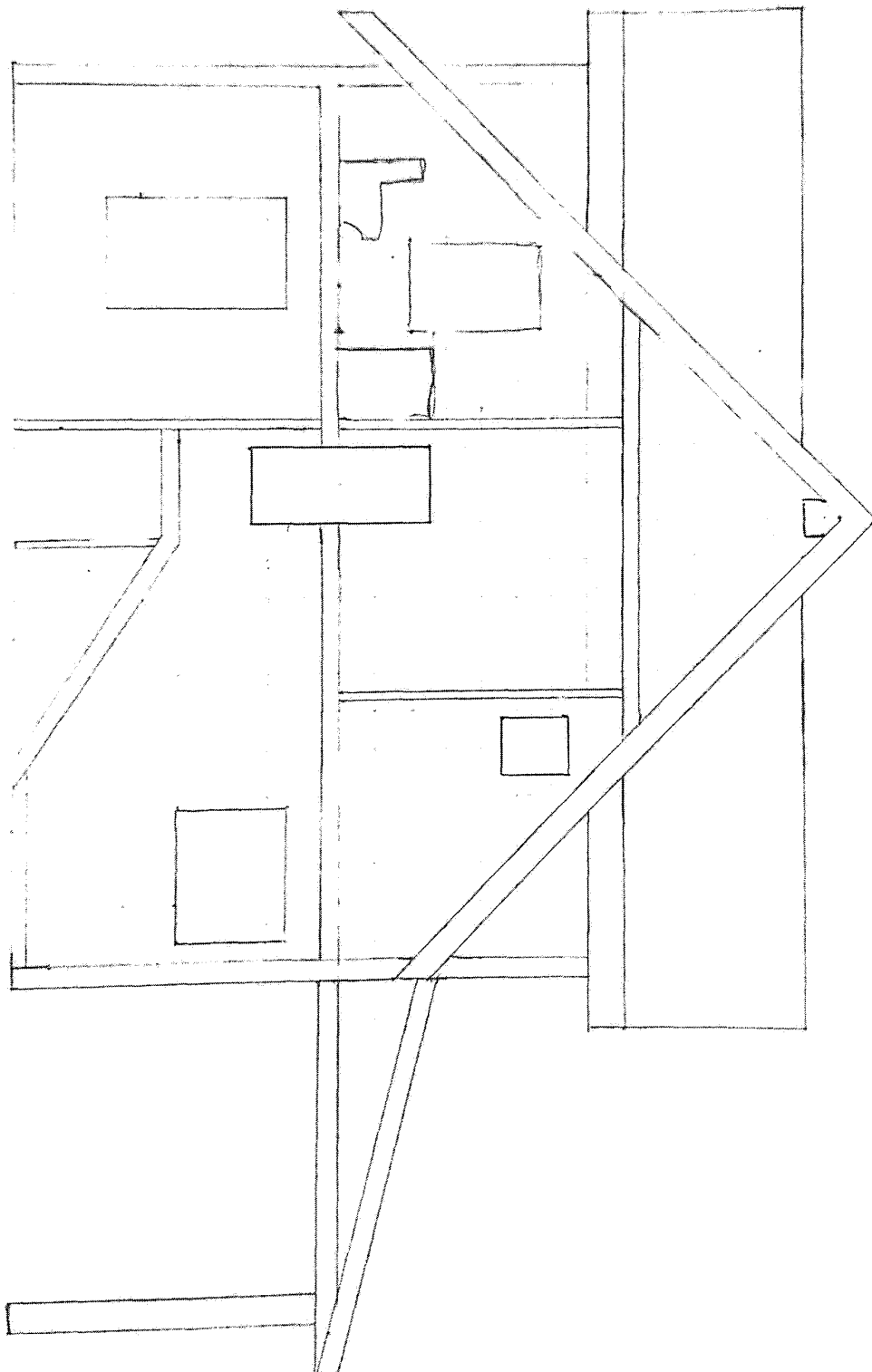


COHEN PROJECT

South Section  
1 sq. = 1 ft.<sup>2</sup>

Boris - Van Dierck  
28 Jan 2013

Main house elevation



Cohen Project

North Profile  
1 sq. = 1 ft.

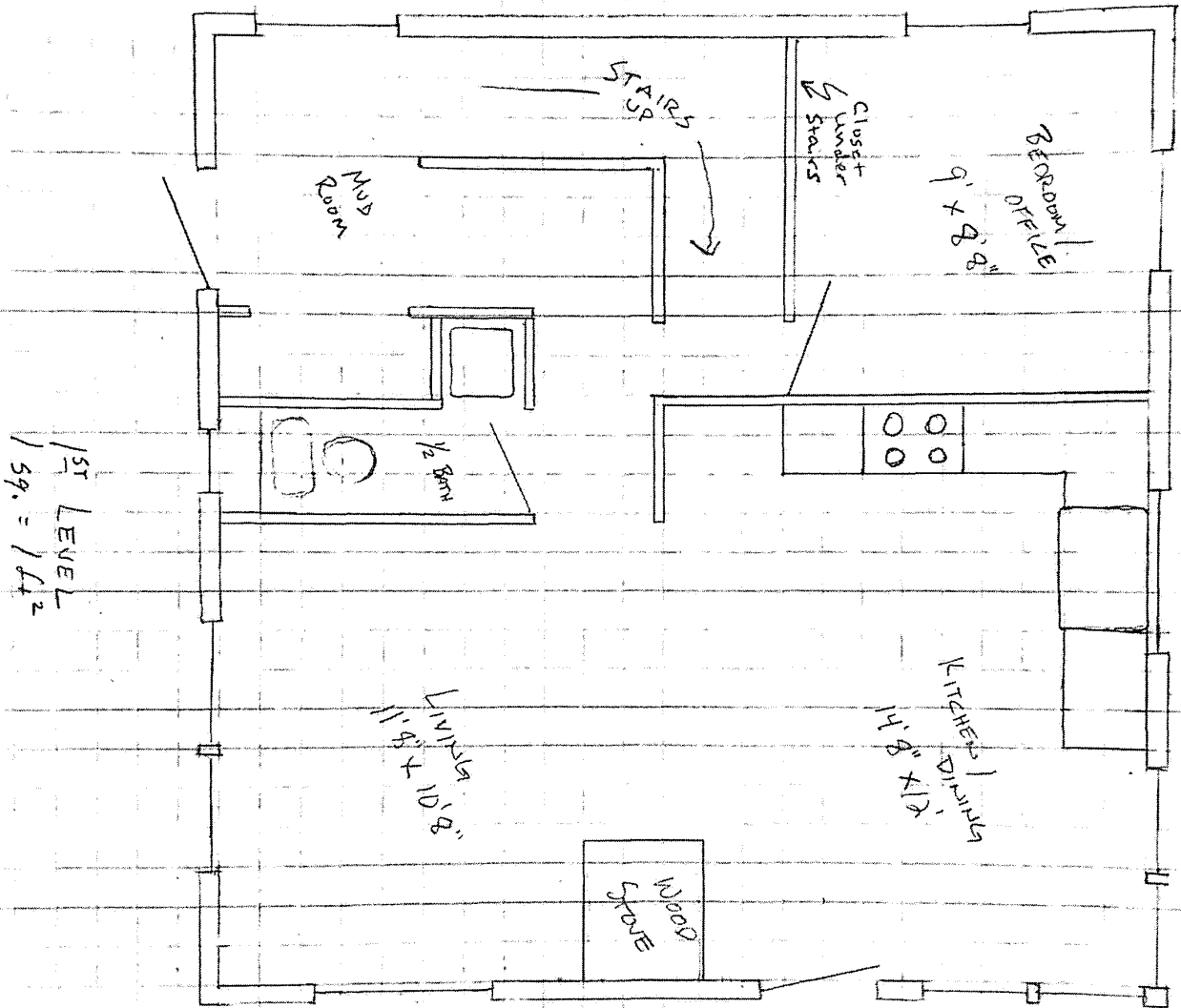
Boyd-Vandewer  
28 Jan 2013

Main house, floorplan, lower level

OUTSIDE DIMENSIONS  
25' x 24'

INSIDE DIMENSIONS  
24' x 23'

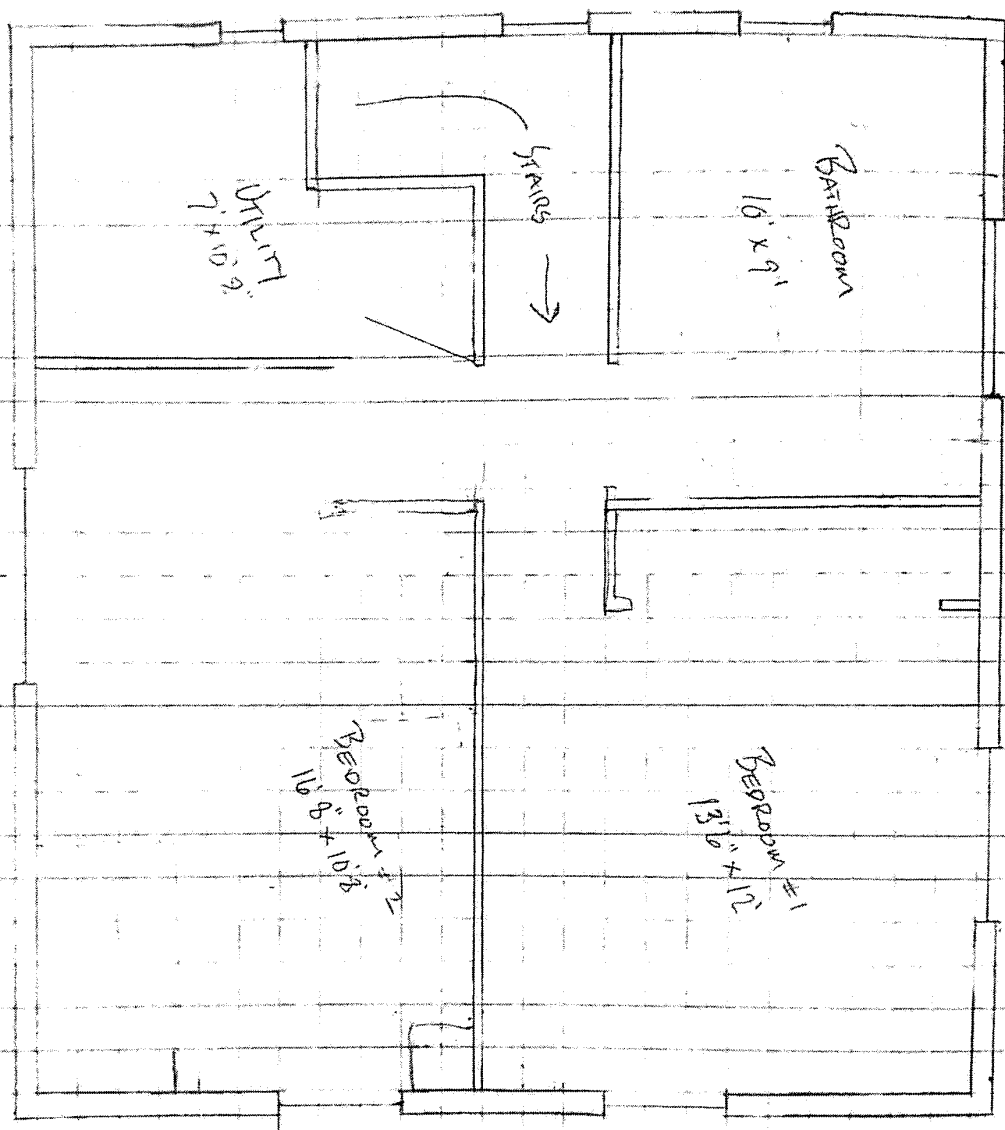
COHEN PROJECT



BOYD-VANDERMEER

Main house floorplan, upper level

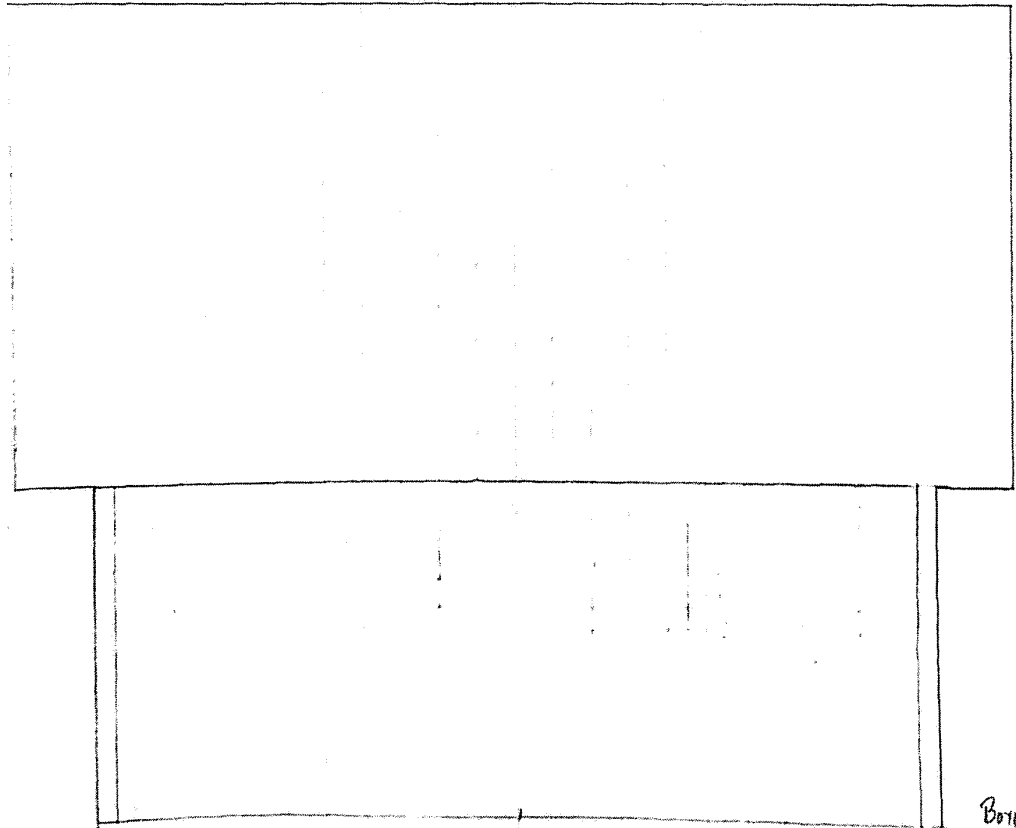
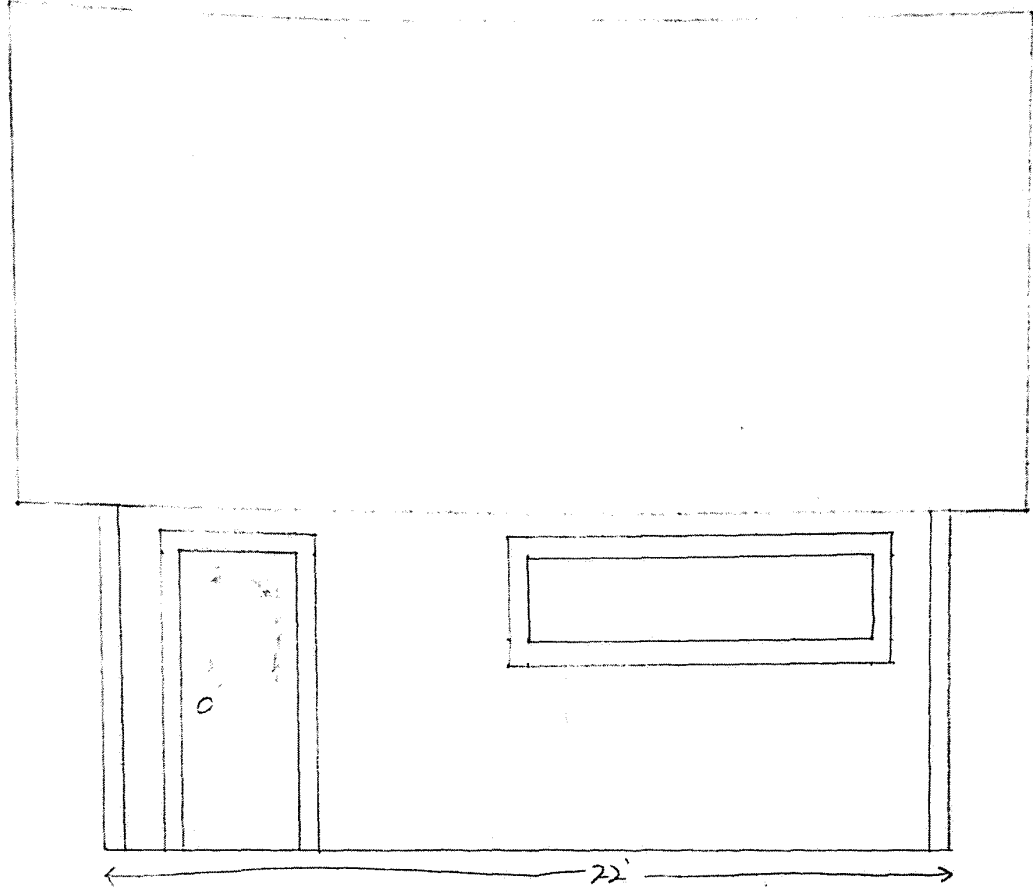
COHEN PROJECT



2<sup>nd</sup> LEVEL  
159. - 151.2

BOTD-VANDERMEER  
28 JAN 2013

Garage elevation

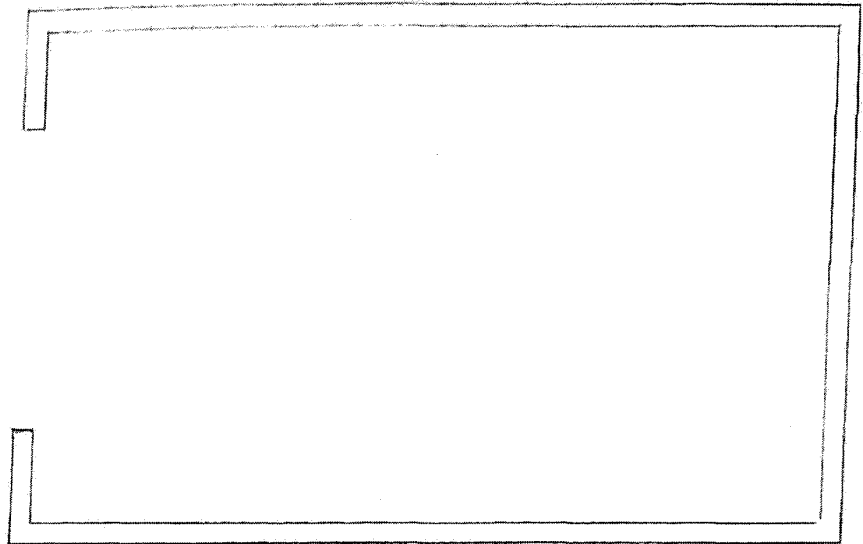


COHEN PROJECT

GARAGE

BOTO-VAN ORMER  
16 NOV 2012

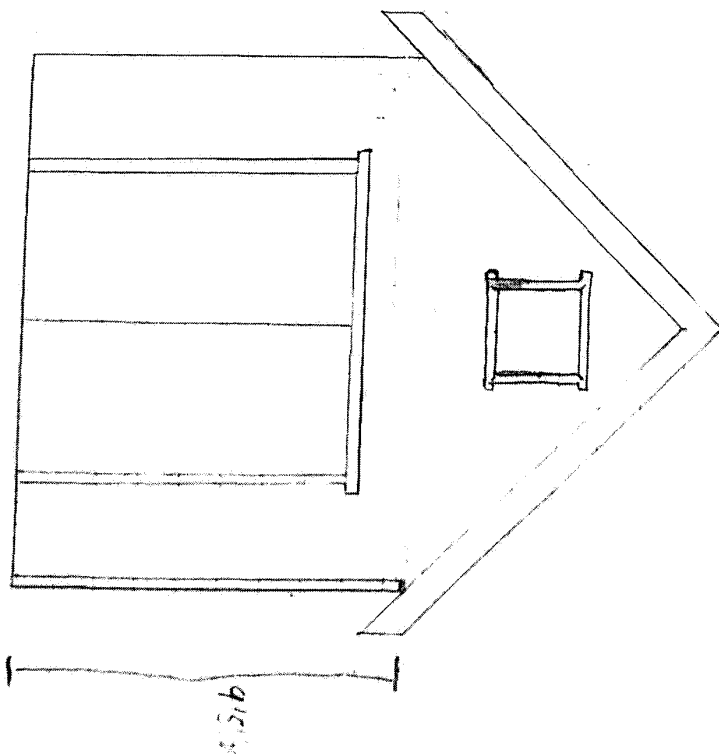
Garage elevation and dimension



OUTSIDE DIMENSION 12'6" x 20'  
INTERIOR DIMENSION 11'6" x 19'  
TOP OF CEILING TO BOTTOM OF JOIST 4'7'3"  
TOP OF JOIST TO CEILING 4'6'9.5"  
LOFT PROJECT

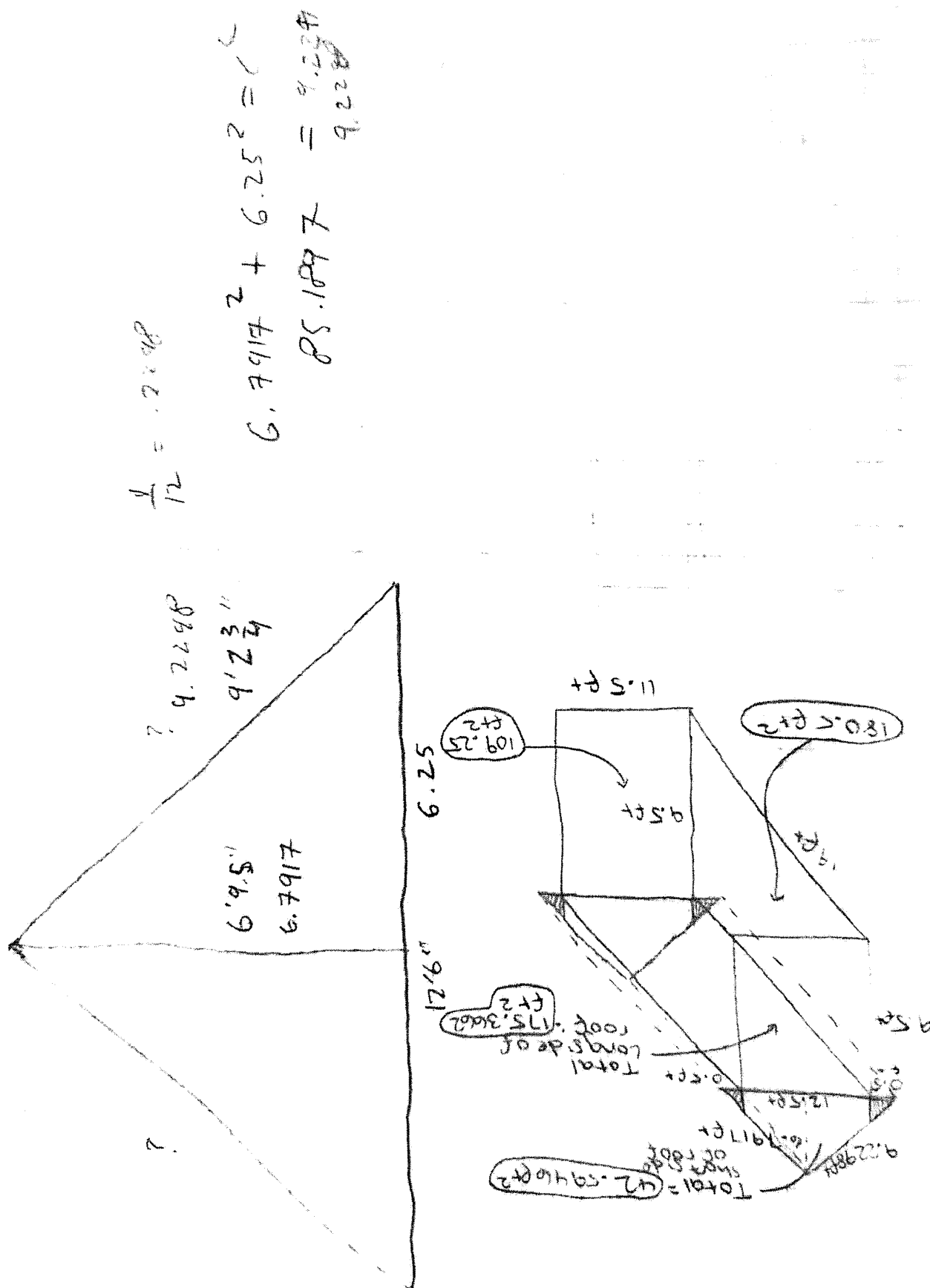
between uprights: 8'5"

GARAGE



INTERIOR HEIGHT TO SOFT 9'5.25"  
TOTAL INTERIOR HEIGHT 16'9"


BIRD-VAN DER  
28 JAN 2013



Garage dimensions

Proposed remodel views

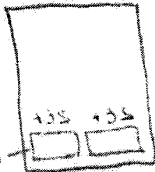
Wall 1 (back overlooking forest)



$= 109.25 \text{ ft}^2 - 24 \text{ ft}^2 = 85.25 \text{ ft}^2$

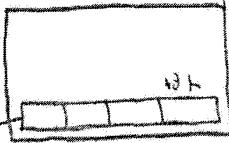
w/o windows

Wall 2 (front overlooking parking)



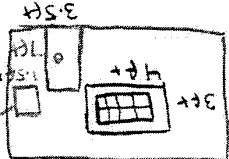
$= 109.25 \text{ ft}^2 - 15 \text{ ft}^2 = 94.25 \text{ ft}^2$

Wall 3 (side overlooking shelter logic)



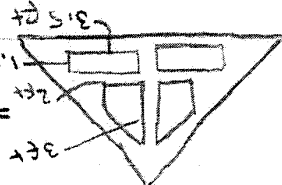
$= 180.5 \text{ ft}^2 - 24 \text{ ft}^2 = 156.5 \text{ ft}^2$

Wall 4 (side overlooking main house)



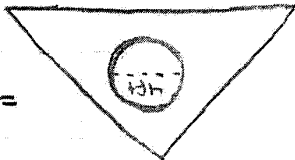
$= 180.5 \text{ ft}^2 - 14.25 \text{ ft}^2 = 141.75 \text{ ft}^2$

Wall 5 (roof section overlooking forest)




$= 42.594 \text{ ft}^2 - 18 \text{ ft}^2 = 24.594 \text{ ft}^2$

Wall 6 (roof section overlooking parking)




$= 42.594 \text{ ft}^2 - 12.56 \text{ ft}^2 = 30.034 \text{ ft}^2$

Wall 7 (roof overlooking shelter logic)



$= 175.3662 \text{ ft}^2 - 0 = 175.3662 \text{ ft}^2$

Wall 8 (roof overlooking main house)



$= 175.3662 \text{ ft}^2 - 0 = 175.3662 \text{ ft}^2$

Total : w/o windows: 1,015.4216  $\text{ft}^2$

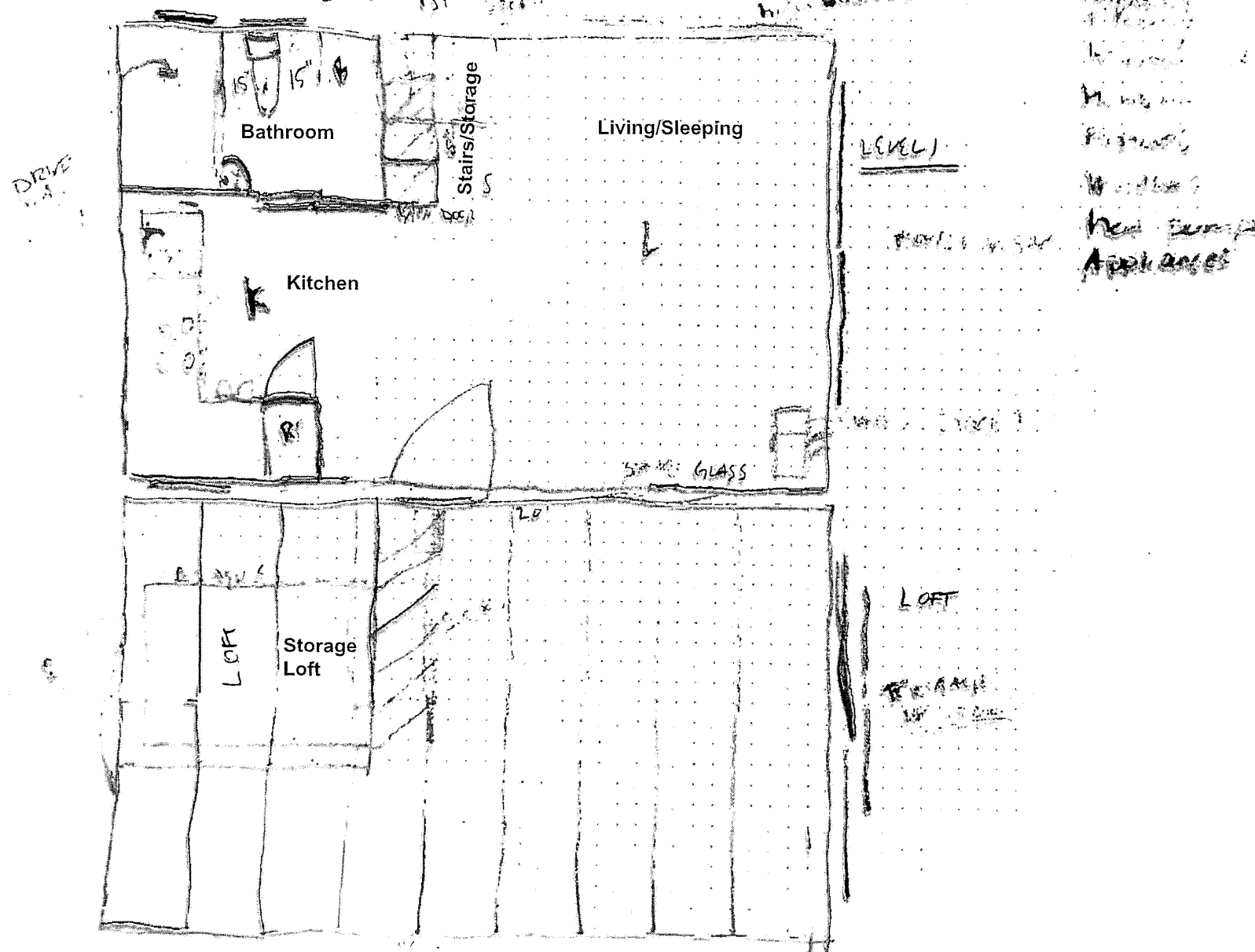
w/ windows 886.1116  $\text{ft}^2$



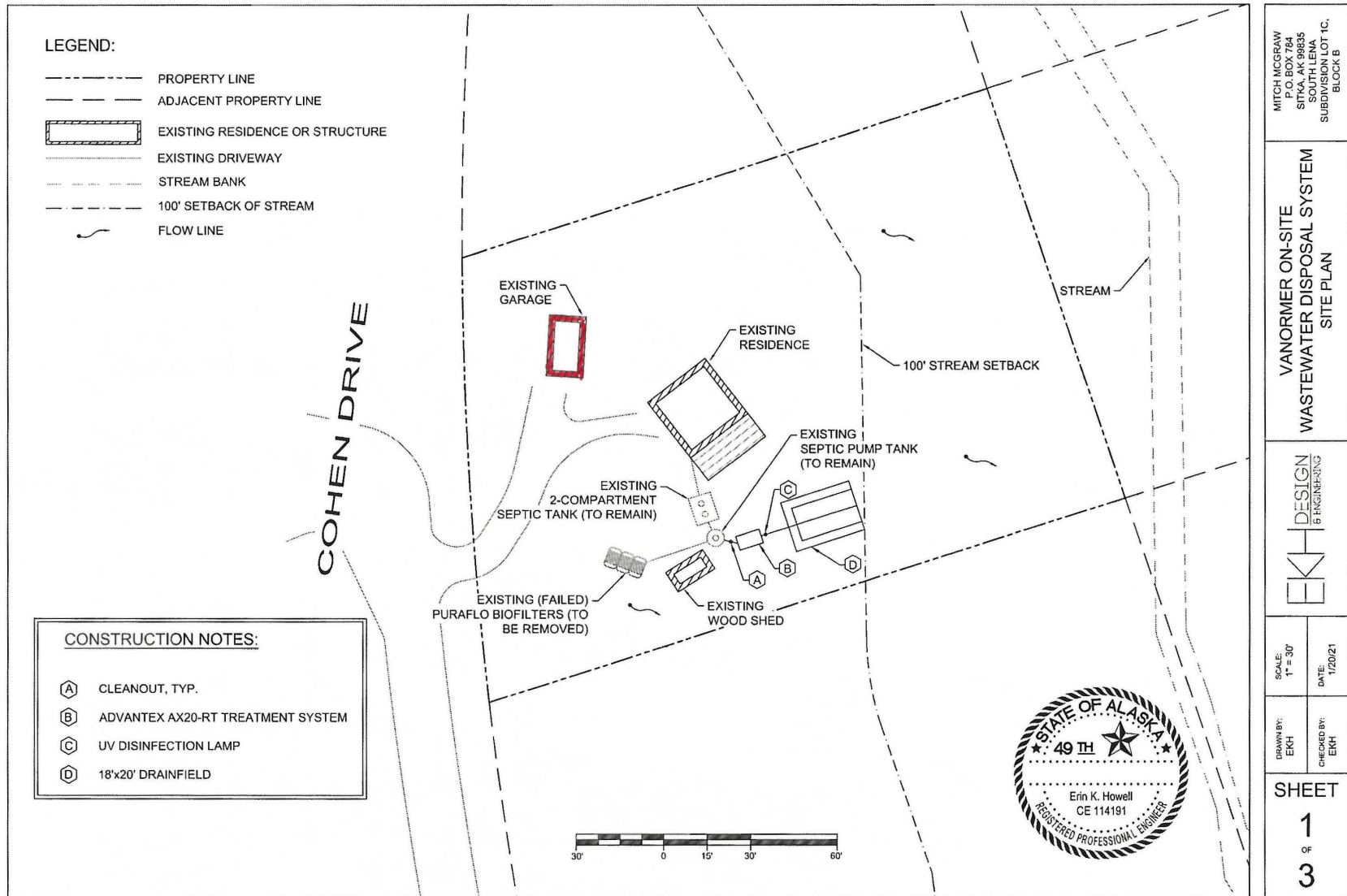
Garage remodel,  
Rough floorplan

B-File

# Garage Remodel



Accurate site plan and plot from 2021 of land, submitted for successful permitting of new septic

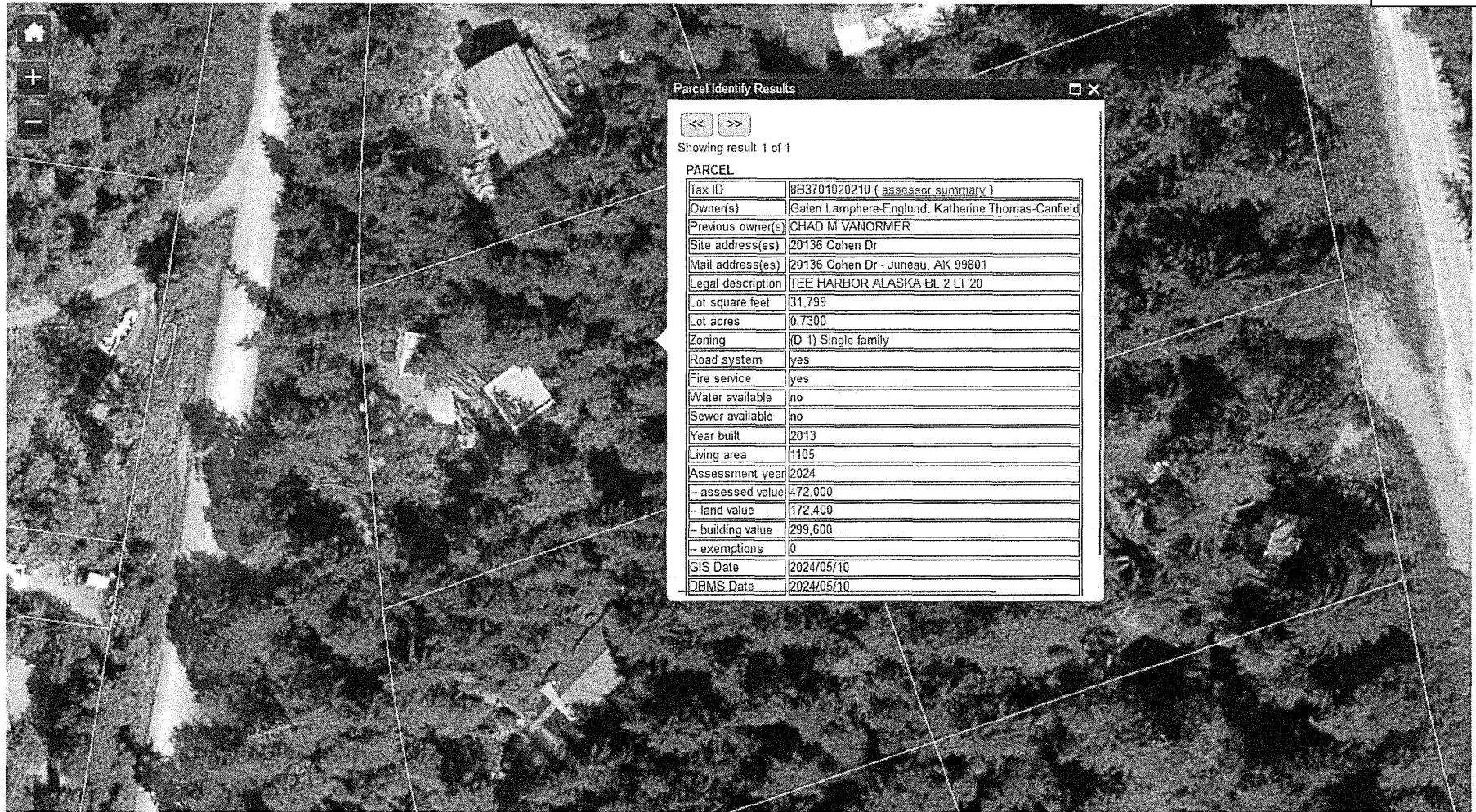




Aerial view, 2020, of current footprint. Garage visible as smaller structure at left.



20136 Cohen Drive -- Aerial view of lot, 2013 during construction. Footprint visible.



20136 Cohen Drive -- Aerial view of lot, 2013 during construction. Footprint visible.



Attachment B – Abutters Notice and Public Notice Sign Photo

**From:** [Theresa Ross](#)  
**To:** [Jolene Murphy](#)  
**Subject:** RE: USE24-19 For Agency Review  
**Date:** Thursday, October 17, 2024 7:45:08 AM  
**Attachments:** [image002.png](#)

---

No concerns from fire.

Thank you,

Theresa Ross, Fire Marshal  
Capital City Fire Rescue  
820 Glacier Avenue  
Juneau AK 99801  
907-586-5322 ext. 4323  
<https://www.juneau.org/fire>



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**From:** Jolene Murphy <Jolene.Murphy@juneau.gov>  
**Sent:** Monday, October 14, 2024 3:07 PM  
**To:** Jeffrey Hedges <Jeffrey.Hedges@juneau.gov>; General Engineering <General\_Engineering@juneau.gov>; Theresa Ross <Theresa.Ross@juneau.gov>  
**Cc:** Jolene Murphy <Jolene.Murphy@juneau.gov>  
**Subject:** USE24-19 For Agency Review

Good afternoon,

We recently received an application for an accessory apartment on Cohen Drive. I've attached the application and pre-application report to this email. If you have any questions or concerns, please reach out to me by October 28<sup>th</sup>. Let me know if you need an extension.

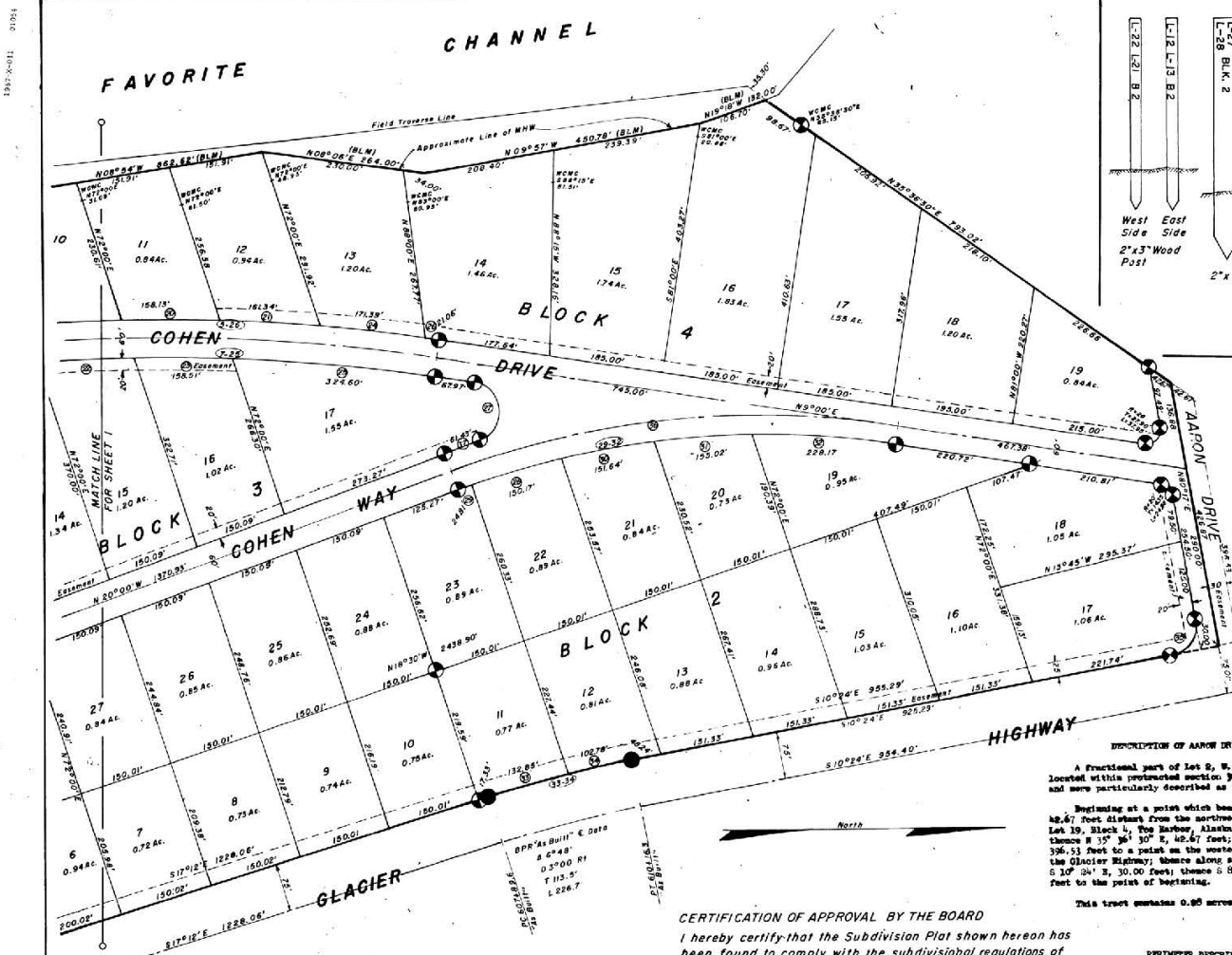
Thank you!

**Jolene Murphy | Planner**

[Community Development Department](#) | City & Borough of Juneau, AK  
Location: 230 S. Franklin Street | 4<sup>th</sup> Floor Marine View Building  
Office: 907.586.0753 x4131



*Fostering excellence in development for this generation and the next.*



TYPICAL MONUMENT MARKINGS

NOTE: Each brass monument is witnessed by a 2"x4" post. All corners not otherwise marked are 2"x3" posts. Posts are white with black markings.

CURVE	RADIUS	ARC	Δ	TANGENT	CHORD BRG.	CHORD
20	2894.79'	158.13'	3°07'47"	79.09'	N00°23'57"E	158.11'
21	"	161.34'	3°11'36"	80.89'	N03°35'39"E	161.32'
22	2834.79'	155.80'	3°08'57"	77.92'	N02°20'20"W	155.78'
23	"	158.51'	3°12'13"	79.26'	N00°20'15"E	158.49'
24	2894.79'	171.39'	3°23'32"	85.72'	N06°53'13"E	171.37'
25	2834.79'	324.60'	6°33'38"	162.48'	N05°43'11"E	324.42'
26	2894.79'	21.08'	0°25'01"	10.53'	N08°47'30"E	21.08'
27	50.00'	133.87'	183°24'25"	211.57'	N85°42'12"E	97.32'
28	1402.39'	130.17'	6°08'07"	78.18'	N15°55'07"W	130.10'
29	"	24.81'	1°00'50"	12.41'	N19°29'35"W	24.81'
30	"	151.64'	6°11'43"	75.89'	N09°45'12"W	151.57'
31	"	155.02'	6°20'01"	77.39'	N03°29'19"W	154.94'
32	"	228.17'	9°19'18"	114.34'	N09°20'20"E	227.92'
33	1985.42'	152.85'	3°50'02"	66.45'	N15°16'59"W	152.83'
34	"	102.78'	2°57'58"	51.40'	N11°52'59"W	102.77'
35	50.00'	77.97'	8°19'00"	49.41'	N55°03'30"W	70.31'
36	1432.39'	725.00'	29°00'00"	370.44'	N05°30'00"W	717.29'
37	1462.39'	81.43'	2°24'25"	50.72'	N18°47'48"W	81.43'
38	2894.79'	732.59'	14°30'	368.26'	N01°45'00"E	730.64'
39	2834.79'	717.41'	14°30'	360.63'	N01°45'00"E	715.50'
40	1402.39'	709.89'	29°00'	367.68'	N05°30'00"W	702.26'
41	1985.42'	255.63'	6°48'	117.96'	N13°48'00"W	235.50'

BEARING TREE DATA

Legend: 20" Hem - Hemlock tree and diameter at base  
18" Sp - Spruce tree and diameter at base  
10" Ald - Alder tree and diameter at base

## 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 Tee Harbor, Alaska Subdivision, as shown hereon. I hereby approve this survey and plat for the State of Alaska.

Date 3/2/67

## NOTARY'S ACKNOWLEDGMENT

Subscribed and Sworn to Before me this 3<sup>rd</sup> day of March 1967.

Notary Public for Alaska

My Commission Expires Dec. 17, 1969

## 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 hereon.

Date 3/2/67

Director, Alaska Division of Lands

## CERTIFICATION OF APPROVAL BY THE BOARD

I hereby certify that the Subdivision Plat shown hereon has been found to comply with the subdivisional regulations of the Greater Juneau Borough, and that said plat has been approved by the board by plat resolution no. 108, dated 10 April 1967, and that the plat shown hereon has been approved for recording in the office of the District Magistrate, Juneau.

10 April 1967

Chairman, Greater Juneau Borough  
Planning Board

## NOTES:

- The bearings on this survey refer to true north and were derived between corners 17 & 18, U.S.S. 3764 or the east boundary of Tract C officially recorded as NORTH, B.L.M. Record.
- The coordinate system for this survey is assumed, WCMC 19, U.S.S. 3764 is N5000 & E5000
- Minor variations exists between ADL & BLM Bearings due to adjusting the survey to form a closure.
- Extension boundary, closure, unadjusted, is 1:7750

## DESCRIPTION OF AARON DRIVE EASEMENT

A Fractional Part of Lot 2, U. S. Survey 3764, located within protracted section 36, T40S, R64E and Section 36, T39S, R64E, Copper River Meridian and more particularly described as follows:

Beginning at a point which bears N 3° 36' 30" E, 42.67 feet distant from the northwesterly corner of Lot 19, Block 1, Tee Harbor, Alaska Subdivision; thence N 1° 36' 10" E, 40.61 feet; thence N 8° 17' E, 396.53 feet to a point on the westerly right of way of the Glacier Highway; thence along said right of way of the Glacier Highway, thence N 3° 17' W, 406.87 feet to the point of beginning.

This tract contains 0.95 acres, more or less.

## PERIMETER DESCRIPTION, TEE HARBOR, ALASKA SUBDIVISION

A Fractional Part of Lot 2, U. S. Survey 3764, located within protracted section 1, T40S, R64E and Section 36, T39S, R64E, Copper River Meridian and more particularly described by metes and bounds as follows:

Beginning at corner no. 18 of said U. S. Survey 3764, a BLM Brass Monument being identical with corner no. 3, U. S. Survey no. 3560, thence S07° 04' 42" E, 621.84 feet to corner 17 of said U. S. Survey 3764 being identical with corner no. 3, U. S. Survey no. 3560, thence S07° 04' 42" E, 621.84 feet to a point on the westerly right of way of the Glacier Highway; thence along said right of way of the Glacier Highway, thence N 1° 36' 10" E, 40.61 feet; thence N 8° 17' E, 396.53 feet to a point on the westerly right of way of the Glacier Highway; thence along said right of way of the Glacier Highway, thence N 3° 17' W, 406.87 feet to the point of beginning.

This tract contains 0.17 acres, more or less.

## SURVEYOR'S CERTIFICATE

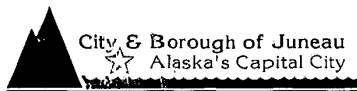
I hereby certify that I am registered to practice land surveying in Alaska and that this plat represents a survey made by me or under direct supervision, and the monuments shown hereon actually exist as located, and that all dimensions and other details are correct to the best of my knowledge.

William B. Kailley

February 20, 1967

Registration No.

## TEE HARBOR, ALASKA SUBDIVISION



# BUILDING PERMIT

Section H, Item 2.

Permit No.  
BLD20130125

\* 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](http://www.juneau.org/permits/inspect_request.php).

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

Call before 7:30 AM for same day inspections.

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

Job Address: **COHEN DR**  
Permit Number: **BLD20130125**  
Project Description: New single family residence

Issued Date : **04/01/2013**  
Parcel No: **8B3701020210**

Parcel Information : TEE HARBOR ALASKA BL 2 LT 20

Setbacks: Zone: D1: Firm Zone: C  
Front: 25.00 Ft. SW Side 1: 15.00 Ft. NW  
Rear: 25.00 Ft. NE Side 2: 15.00 Ft. SE  
Street Side:

Comments:

Owner :  
MIKE PERENSOVICH  
LOIS PERENSOVICH  
332 WACHUSETTS  
SITKA AK 99835

Applicant :  
BUILDING PROS  
9882 LONE WOLF DR  
JUNEAU AK 99801

Fee Type	Date	Receipt	Amount Paid
BLD- Res Plan Review	03/12/2013	03372	\$563.91
BLD- Bldg Permit Fee	04/01/2013	03432	\$1,127.82
Total Fees Paid:			\$1,691.73

## Valuation for Permit Fee Calculations:

S.F.	Type	Rate	Amount
1,138	Residential-Single Family R	116.96	133,100.48
250	Utl & Misc-Private Garage	63.64	15,910.00
112	Utl & Misc-Porch	43.28	4,847.36

Total Valuation: \$153,857.84

## Project Conditions and Holds:

**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.

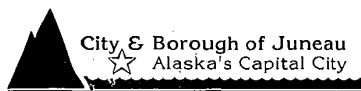
**Approved Fasteners** - Fasteners hangars and brackets used on the exterior of the building and or used with pressure-preservative or fire retardant-treated woods shall be listed and approved products for such use.

**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.

**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.

**Crawl Space Vapor Barrier** - Under floor spaces and crawlspaces shall have a vapor retarder that is a minimum of 6 mil thick (0.15 mm) polyethylene film installed such that all edges are lapped a minimum of 6 inches (152 mm) and sealed with a permanent compatible sealing compound or adhesive. Such vapor retarder shall extend vertically up the foundation wall a minimum of 6 inches (152 mm) and be attached and sealed with a permanent compatible sealing compound or adhesive to the foundation wall. Vapor retarder shall not be attached to wood other than pressure preservative treated wood.

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](mailto:permits@ci.juneau.ak.us)  
Web Site: [www.juneau.org/permits](http://www.juneau.org/permits)



# BUILDING PERMIT\*

Permit No.

BLD20130125

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.

## EGRESS WINDOWS - Verify egress windows.

**Fuel Burning Appliance Instructions** - Listed fuel burning appliances must be installed in accordance with the listed installation and operating instructions provided by the manufacturer. These instructions must be onsite and available to the inspector at time of inspection.

**WATER FIXTURE COUNT** - Minimum 1" Street Service and 1" Building Supply and branches for up to 31 water fixture units.

**Garage Floor Drains** - Garage floor drains must have approved separator device as approved by CBJ Gen Eng department. Maintenance schedule required for these devices prior to TCO or CO.

**Ice Shield Required - Residential** - Ice Shield Underlayment required for residential roofs. Call for inspection of Ice Shield Underlayment installation. Alternately a licensed contractor or owner-builder may provide written confirmation stating Ice Shield Underlayment installation has been installed in accordance with section 905.2.7.1 of the 2006 IRC as modified by CBJ Title 19.

**Chimney Clearance** - Chimney Clearance: If roof sheathing is replaced at a chimney or chimney flashing is detached, call for inspection to verify proper clearance to combustibles before cover. Alternately a licensed contractor or owner-builder may provide written confirmation stating proper clearances are met.

**Shower Anti-scald Valve** - All shower valves and combination tub/shower valves shall provide scald and thermal shock protection by means of an approved valve that conforms to ASSE 1016 or ASME A112.18.1 / CSA B125.1. The maximum water temperature supplied to these fixtures shall be 120 degrees fahrenheit per 2009 UPC section 418.

**Seismic Strap Water Heater - Residential** - Residential water heaters shall be strapped within the upper 1/3 of its vertical dimension per 2009 UPC section 508.2.

**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.

**STAMPED TRUSS DRAWINGS** - Provide stamped truss detail at site.

**UFER Ground** - An approved UFER ground conductor must be installed and inspected per the 2008 National Electrical Code.

**Meter Yoke Installation** - Meter yoke installation must be in accordance with CBJ Standard 420 prior to issuance of TCO.

Inspections Required: Call for inspection before covering or concealing any of the work described below. Inspections may be combined.

B-Setback Verification	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-Appliance/Chimney
B-Insulation/Vapor Barrier	B-Oil & Gas Piping/Tanks	B-Vents (Bath, Dryer, Kitchen, etc.)
B-Smoke /Carbon Monoxide Detectors	B-Cross Connection Control	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: 586-3365 - Inspection Requests: 586-1703 - Email: [permits@ci.juneau.ak.us](mailto:permits@ci.juneau.ak.us)  
 Web Site: [www.juneau.org/permits](http://www.juneau.org/permits)



STATE OF ALASKA  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
**CONSTRUCTION AND OPERATION CERTIFICATE**  
FOR  
**DOMESTIC WASTEWATER DISPOSAL SYSTEMS**



### A. APPROVAL TO CONSTRUCT

Plans for the construction or modification of the **Tee Harbor Subdivision, Block 2, Lot 20** domestic wastewater system, located at **Juneau, Alaska**, submitted in accordance with 18 AAC 72.200 through 18 AAC 72.235 by **Erin Howell, P.E.** have been reviewed and are

☒ **approved as submitted**

☐ **conditionally approved (see attached conditions)**

By: Raymond Zimmer

Engineering Associate I  
(Title)

02/26/2021  
(Date of Approval)

If applicant fails to construct, alter, install, or modify the system within two years of the date of approval to construct, approval is void, and plans must be resubmitted for Department review and approval.

### B. APPROVED CHANGE ORDERS

Change (contract order number or descriptive reference)

(Reviewing Engineer)

(Title)

(Date of Approval)

### C. APPROVAL TO OPERATE

The “**Interim Approval to Operate**” or “**Final Approval to Operate**” section must be completed and signed by the Department to continue to use this system beyond 90 days following the construction completion date.

#### Interim Approval to Operate:

The construction of the above referenced domestic wastewater disposal system was completed on \_\_\_\_\_. The system is hereby granted an extension of the **INTERIM APPROVAL TO OPERATE** until \_\_\_\_\_ date. It is illegal to operate the domestic wastewater disposal system beyond this date without **Final Approval to Operate** from the Department.

(Reviewing Engineer)

(Title)

(Date of Approval)

#### Final Approval to Operate:

Record drawings and other documents submitted to the Department, or an inspection by the Department, has confirmed that the domestic wastewater disposal system was constructed in substantial conformance with the approved plans. The system is hereby granted **FINAL APPROVAL TO OPERATE**.

(Reviewing Engineer)

(Title)

(Date of Approval)



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

Department of Environmental Conservation  
DIVISION OF WATER  
Engineering Support and Plan Review

610 University Avenue  
Fairbanks, Alaska 99709  
Main: 907.451.2177  
Fax: 907.451.2188  
www.dec.alaska.gov

February 26, 2021  
Erin Howell, P.E.

**Plan Tracking No.: 28662**  
**ADEC File No.: 1513.40.109**

**RE: VanOrmer WWTS**  
**Tee Harbor Subdivision, Block 2, Lot 20**  
**Secondary Treatment, Disinfection and Soil Absorption System**  
**Design Flow – 450 gpd**  
**Approval to Construct**

Greetings Ms. Howell,

On February 15, 2021 the Alaska Department of Environmental Conservation (ADEC or Department) received a submittal requesting construction approval for the VanOrmer WWTS located in Juneau, AK. The information was reviewed in accordance with Wastewater Disposal Regulations 18 AAC 72 and **construction approval is granted**. Enclosed is the Construction and Operation Certificate with the Approval to Construct section signed.

#### **Project Description**

The approved project includes installation of a new Advantex AXRT-20 Secondary Treatment Plant capable of treating 600 gpd, with an integrated UV-Disinfection system. Final effluent will terminate into a 360 ft<sup>2</sup> soil absorption system.

#### **Approval to Operate Requirements**

This construction approval includes a 90 day interim approval to operate provided that construction substantially complied with the approved design drawings. In order to receive final operational approval, please submit the following information within 60 days of the completion of this project:

1. Written request for operational approval that includes a statement regarding any changes made during construction
2. Record drawings prepared (signed and dated) by the engineer responsible for observing the construction of this project (The Department prefers drawings that are no larger than 11" x 17".)
3. Certification of Construction form complete with signatures from the Owner, Construction Contractor, and Engineer (A copy of this form may be downloaded and printed from the Department of Environmental Conservation website <http://dec.alaska.gov/water/wwdp/onsite/pdf/construction.pdf> or a copy will be provided upon request.)
4. A signed maintenance contract with a qualified service provider for the WWTS.

If the approval to operate requirements cannot be met within 90 days of construction completion, an extension of the interim approval to operate must be requested at least 30 days in advance.

### Disclaimers and Appeals Process

Approval of submitted plans is not approval of omissions or oversights by this office or noncompliance with any applicable regulation. The Department's construction approval does not guarantee correctness or the functionality of the design, or waive the owner's responsibility for continued compliance with state regulations. Deviations from approved plans which affect capacity, flow, pressure, operation, compliance, or materials of major system components must be approved by this Department prior to their construction or implementation.

**This approval is valid for two years from the date of this letter.** If the applicant fails to construct, alter, install, or modify the system, the approval is void and plans must be resubmitted for department review and approval according to 18 AAC 72.200.

**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. 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 in accordance with 18 AAC 15.185. **Informal review requests** must be delivered to the Division of Water Director, 555 Cordova Street, Anchorage, AK 99501, within 20 days of this decision. **Adjudicatory hearing requests** must be delivered to the Commissioner of the Department of Environmental Conservation, PO Box 111800, Juneau, AK 99811, within 30 days of this decision. If a hearing is not requested within 30 days, the right to appeal is waived. More information on the Department's administrative appeals process can be found at <http://dec.alaska.gov/commish/review-guidance/>.

If you have questions please contact me at 907-456-5167 or by e-mail at [raymond.zimmer@alaska.gov](mailto:raymond.zimmer@alaska.gov)

Sincerely,

Raymond Zimmer  
Eng. Associate

Enclosures: Construction and Operation Certificate

**Introduction:**

The applicant wishes to install a new septic tank and absorption field for an existing 3-bedroom home.

**Applicant/Property Owner Contact Information:**

Chad VanOrmer & Tamar Boyd  
 20136 Cohen Dr.  
 Juneau, AK 99801  
 (907)723-1415  
 cvanormer@gmail.com

**Project Location:**

Tee Harbor Alaska Block 2 Lot 20  
 20136 Cohen Dr.  
 Juneau, AK 99801  
 CBJ Parcel No. 8B3701020210

**Wastewater System Components:**

- Existing 1,000-gallon septic tank (brand unknown)
- Existing pump-out tank (brand of tank + pump unknown)
- Advantex AXRT-20 secondary treatment unit with a treatment capacity of 600 gpd.
- Salcor UV disinfection unit.
- 18'x20' bed-type drain field using ADS ARC 36HC bio-diffusers.

**Existing Site Conditions:**

Site Description: The project site is located roughly 1/3 of the way down Cohen Dr.

Lot size: 31,799 SF

Adjoining Properties: All adjoining lots (excluding the lot directly behind this property) are developed properties with single family residences. All properties in the vicinity are fairly large sized lots ranging between 0.75-1.5 acres. The location of the dispersal bed, septic tank, and Advantex unit will not impact any of the adjoining properties.

Lot Topography: The project site slopes down slowly from northwest to southeast. There is a stream behind the property that is shown to be an anadromous fish stream on the ADFG database. Although the stream is categorized anadromous, the stream runs pretty much dry year-round at this location. The required 100' stream setback limits the area of the property that can be used for the septic system.

Existing/Proposed Utilities: The property is currently served by the CBJ municipal water utility system. There is currently an existing on-site wastewater disposal system on the property consisting of 1,000 gallon 2-compartment plastic septic tank, a pump out tank, and three puraflo bio-diffusers all installed when the home was constructed in 2013. The existing septic tank and

pump-out tank appear to be functioning properly. The puraflo bio-diffusers, however, have failed. There is currently standing water around the bio-diffusers and the ground around them is beginning to turn mucky. It does not appear that the bio-diffusers have malfunctioned, rather that they were installed much too close to the water table and proper drainage is unobtainable.

Existing Soils: The uppermost layer of soil consists of 1-2' of folists and organic soils with peat. The second stratum of soil consists of 1-2' of silty gravel with sand. The third soil stratum (roughly 3-4' below the surface) is made up of glacial till/blue clay.

### **Design Details:**

#### Considerations:

- Existing structure consisting of a 3-bedroom home.
  - Estimated flow: 150 gpd/bd \* 3 bd = 450 gpd

#### Wastewater Treatment Plant and Pump Tank Specifications:

- Existing 1,000-gallon septic tank (can be removed if desired).
- Existing pump-out tank (existing pump can be re-used if needed; if pump is not necessary for new system, the tank and pump can be removed if desired).
- Advantex AXRT-20 secondary treatment unit with integral UV treatment.
- Vcom-AX20A1HTSA Vericomm AX20A1 control panel
- Advantex treatment systems meet required NSF Certification Standard 40 criteria for Class I NSF listing.
- System must be installed following the manufacturer's installation requirements: [NIM-ATX-AXRT-1.pdf \(orenco.com\)](#)
- System must be operated following the manufacturer's operation and maintenance requirements. Refer to the following website for the O&M manual: <https://odl.orenco.com/documents/aim-om-atx-3-prn.pdf>
- Supplemental information for the AXRT units: [AIM-OM-ATX-sup-1.pdf \(orenco.com\)](#)

Wastewater Disposal System Specifications: Due to the high quality of effluent that comes out of the Advantex sytems (BOD of 5 mg/L and TSS of 5 mg/L or less when loaded at the same hydraulic loading rate used during NSF Standard 40 testing, not including the additional UV disinfection that this system will have) the absorption field size has been reduced from the typical system. Typical systems in Juneau have an application rate of 1-1.2 gallons per square foot. Advantex systems can increase the application rate on an absorption field to 6 gal/SF because the effluent is that much cleaner than required (5 mg/L for BOD and TSS, vs. 30 mg/L for each).

- Absorption field size:  $450 \text{ gal} \div 6 \text{ gal/SF} = 75 \text{ SF}$  (minimum)
- Absorption field actual size: 18'x20' = 360'
- Treated wastewater effluent will be disposed of in a bed type absorption field system. Please note that the system must be mounded due to the close proximity to slow-draining soils. The location of the new absorption field is downhill from the existing system and may not need to be pumped; however, if existing soils dictate that the absorption field be higher than the existing pump-out tank, the pump may be re-used for this system. Components to the disposal system include:
  - 360 sf of absorption area. Absorption area dimensions are 18' (width) by 20' (length).
  - Layers (starting from the bottom up) of the absorption system include:

- 2' of clean washed sand from either Aggpro or West Glacier Development
- 1.5' of ¾" washed rock; this layer will contain two sections of ARC 36HC bio-diffusers.
- 2' (min.) of existing site soils or non-frost susceptible pit-run. 1" of high-density foam polystyrene insulation may replace 1' of soil.
- 0.5' of topsoil, seeded.
- 4" PVC monitor tubes will be installed in each corner of the drain field.

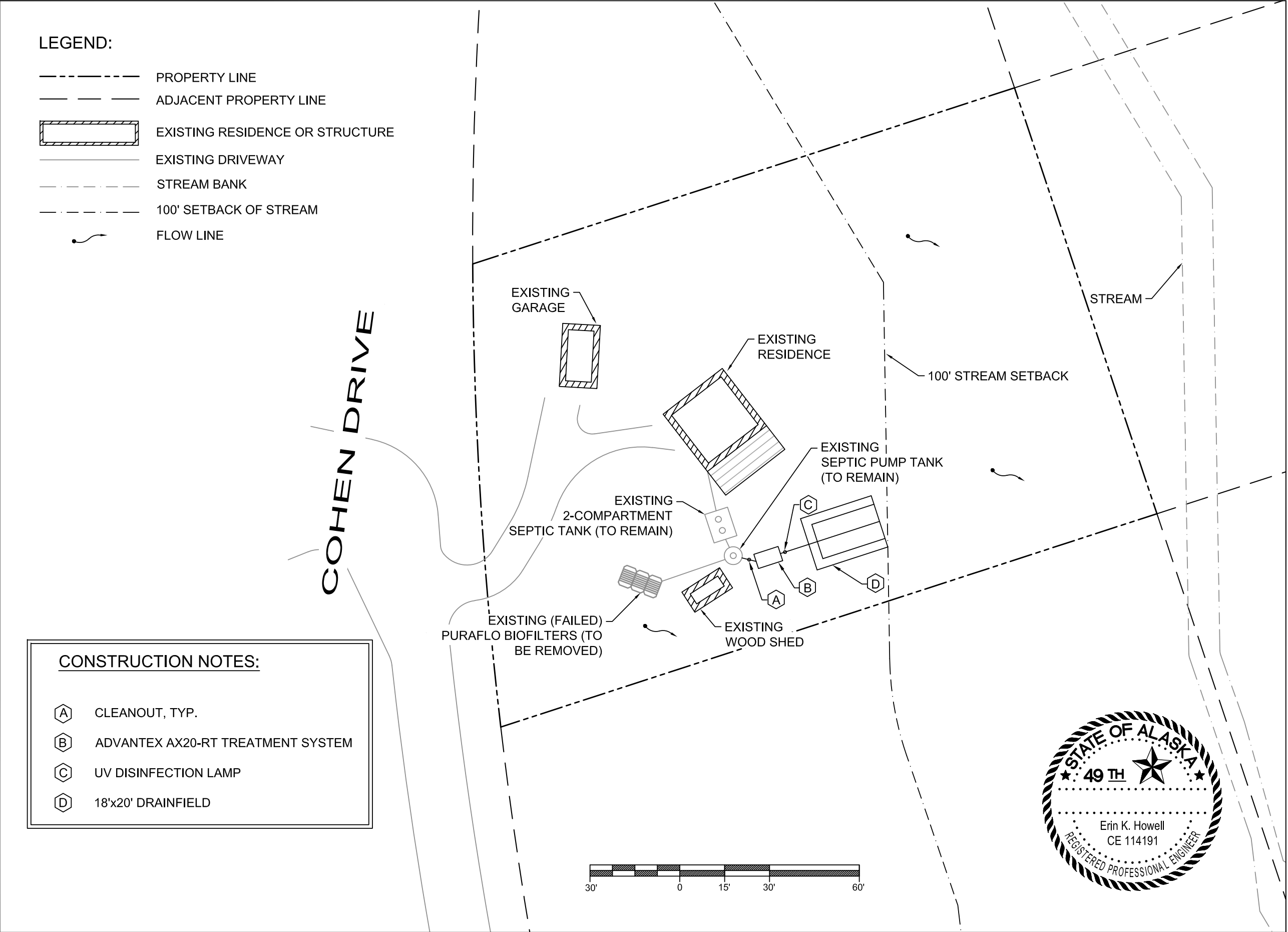
Further Instructions to Gain Approval to Construct from ADEC:

- Report, plans, cover letter, owner's statement, and Engineering Support and Plan Review (ESPR) Intake Form will be submitted by the engineer to State of Alaska Department of Environmental Conservation (ADEC).
- There will be a permit fee for plan review of this project from ADEC. An ADEC plan review invoice will be attached to this invoice for the owner to submit along with payment.
- Please be aware that, along with design and plan review, approval is a two-step process. Steps being, approval to construct and approval to operate.
- Upon successful review of the submittal ESPR, ADEC will issue an Approval to Construct Letter and a Construction and Operation Certificate with the Approval to Construct section signed to the owner.
- Once the system is constructed according to plan, an Interim Approval to Operate will be granted automatically along with the Approval to Construct for 90 days after construction.
- The owner will request Final Approval to Operate once the system is constructed and operational.
- ESPR will issue an Approval to Operate once all documents are received.

ADEC Contact Information:

Raymond Zimmer  
(907)465-5167  
410 Willoughby, Ave.  
Juneau, AK 99801





MITCH MCGRAW P.O. BOX 784 SITKA, AK 99835 SOUTH LENA SUBDIVISION LOT 1C, BLOCK B	
VANORMER ON-SITE WASTEWATER DISPOSAL SYSTEM SITE PLAN	
EKH DESIGN & ENGINEERING	
SCALE: 1" = 30'	DATE: 1/20/21
DRAWN BY: EKH	CHECKED BY: EKH
SHEET 1 OF 3	

2  
OF  
3

MITCH MCGRAW  
P.O. BOX 784  
SITKA, AK 99835  
SOUTH LENA  
SUBDIVISION LOT 1C,  
BLOCK B

VANORMER ON-SITE  
WASTEWATER DISPOSAL SYSTEM  
DETAILS & GENERAL NOTES



SCALE:  
1" = 30'

DATE:  
1/20/21

DRAWN BY:  
EKH

CHECKED BY:  
EKH

SHEET  
3  
OF  
3

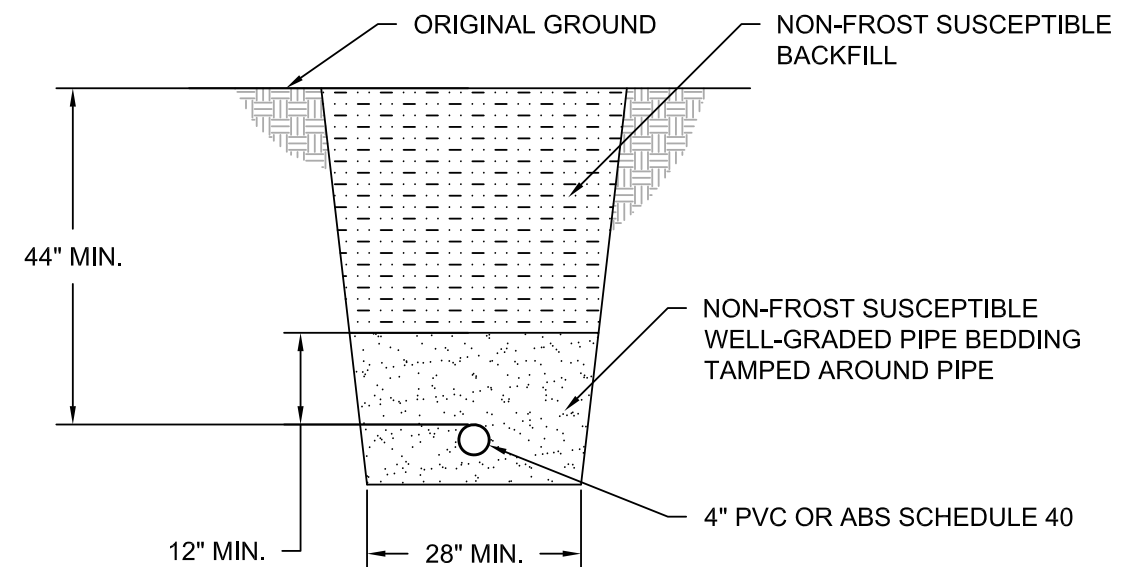
INSULATED LID  
FLUSH WITH GROUND

BED TANK WITH SAND,  
GRAVEL, OR 2" MINUS TAMPED

TANK LEVEL IN ALL  
DIRECTIONS

## SEPTIC TANK BEDDING DETAIL

NTS



## SEPTIC PIPE BEDDING DETAIL

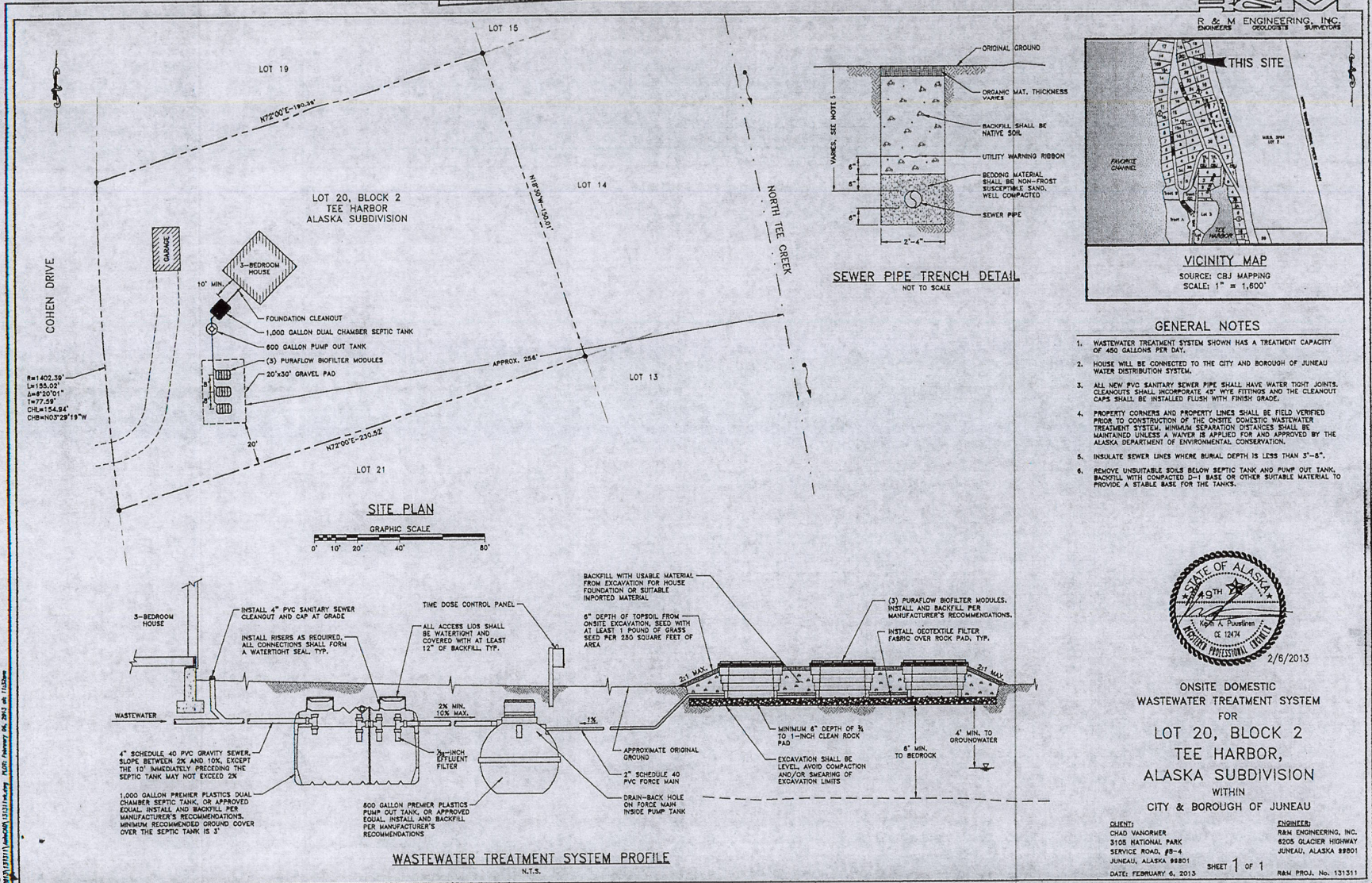
NTS

### GENERAL NOTES:

1. ALL LEACH FIELD PIPING SHALL BE LAID LEVEL AND BEDDED IN ROCK.
2. 2' MINIMUM COVER ABOVE ABSORPTION FIELD TO GROUND SURFACE REQUIRED.
3. 1" OF POLYSTYRENE INSULATION MAY BE SUBSTITUTED PER FOOT OF SOIL COVER UP TO TWO FEET MAXIMUM. MINIMUM SOIL COVER SHALL NOT BE REDUCED LESS THAN TWO FEET.
4. SAND LINER, MEETING THE GRADATION SPECIFICATION IN ARTICLE 3.18.
5. SEPTIC TANK MUST BE INSTALLED IN ACCORDANCE WITH MANUFACTURER RECOMMENDATIONS AND WARRANTY. MAXIMUM BURIAL DEPTH MUST NOT BE EXCEEDED.
6. GRADE OF SEWER LINE BETWEEN THE HOUSE AND SEPTIC TANK MUST BE BETWEEN 2% AND 10%, EXCLUDING THE LAST 10' WHICH MUST BE AT 2% MAX GRADE.



RECEIVED  
MAR 12 2013  
PERMIT CENTER/CDD



# Certificate of Occupancy

## City & Borough of Juneau, Alaska

*This Certificate is issued pursuant to the requirements of CBJ Title 19.01 certifying that at the time of issuance, this structure was in compliance with the various ordinances of the City & Borough of Juneau regulating building construction or use for the following project:*

New single family residence

Building Address: 20136 COHEN DR

Occupancy Group:

Owner of Building: CHAD M VANORMER  
TAMAR M BOYD  
3105 NATIONAL PARK SERVICE RD APT B 4  
JUNEAU AK 99801-8437

Building Permit No. BLD20130125

Construction Type: Type V-B

Code Edition: 2006 IRC

Occupant Load: N/A

Sprinklers: Required No

Provided No

Legal Description of Building Lot:

TEE HARBOR ALASKA BL 2 LT 20

Building Official: Charlie Ford, BO

  
Signature

Parcel No: 8-B37-0-102-021-0

Date of Issuance: November 19, 2013

*Post this Certificate in a conspicuous place for the duration of the stated occupancy.*

CHECKLIST FOR  
☒ CERTIFICATE OF OCCUPANCY  
☐ TEMPORARY CERTIFICATE OF OCCUPANCY  
Circle One: 30 Day TCO    60 Day TCO    Other

Date: 11/18/13      Requested By (Inspector/Staff) MFS  
Building Permit : BLD20130125  
Site Address: 20136 COHEN DR      APN: 8B3701020210  
Owner's Name: CHAD M VANORMER  
Project Description: New single family residence

☒ **Buildings:**      Date: 11/18/13      Initials: MFS      Comments:  
BF approved  
OK for CO

☒ **Engineering:**      Date: 11/19/13      Initials: MFS      Comments:  
☐ AS BUILT APPROVED FOR FORM BY ENGINEERING      Date: \_\_\_\_\_      Initials: \_\_\_\_\_  
OKAY FOR CO

☒ **Zoning:**      Date: 11/18/13      Initials: CM      Comments:  
OK for CO



**DIRECTOR'S REVIEW STAFF REPORT  
NONCONFORMING CERTIFICATION  
NCC2021 0043**

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

**DATE:** June 14, 2021

**TO:** Jill Maclean, Director, AICP

**BY:** Joseph Meyers, Planner

**PROPOSAL:** A Nonconforming Certification Review for lots.

**KEY CONSIDERATIONS FOR REVIEW:**

- Zoning was not established when the lot was platted in 1967
- Lot was conforming under R12 zoning
- Lot became nonconforming for size with the zoning change in 1987
- Other dimensional standards are met

**STAFF RECOMMENDATION:**

**Staff recommends the following situations receive Nonconforming Certification:**

- Nonconforming Lots (49.30.260)

**ABANDONMENT:**

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

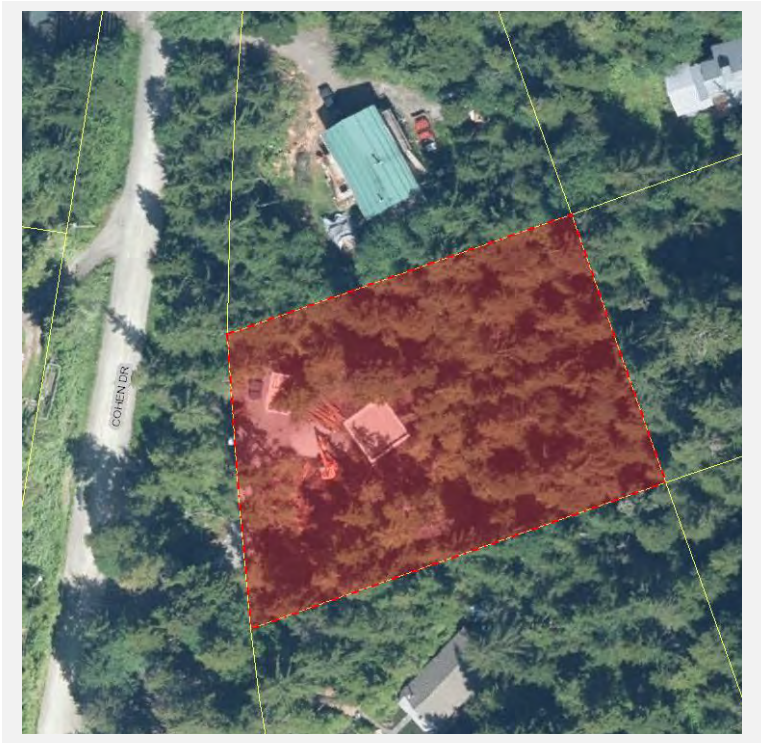
**NONCOMPLIANCE:**

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

GENERAL INFORMATION	
<b>Property Owner</b>	Chad M Vanormer & Tamar M Boyd
<b>Applicant</b>	Katherine Thomas-Canfield & Galen Lamphere-Englund
<b>Property Address</b>	20136 Cohen Drive
<b>Legal Description</b>	Tee Harbor Alaska Block 2 Lot 20
<b>Parcel Number</b>	8B3701020210
<b>Zoning</b>	D1
<b>Lot Size</b>	31,799 square feet
<b>Water/Sewer</b>	Private
<b>Access</b>	Cohen Drive
<b>Existing Land Use</b>	Residential
<b>Associated Applications</b>	N/A

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

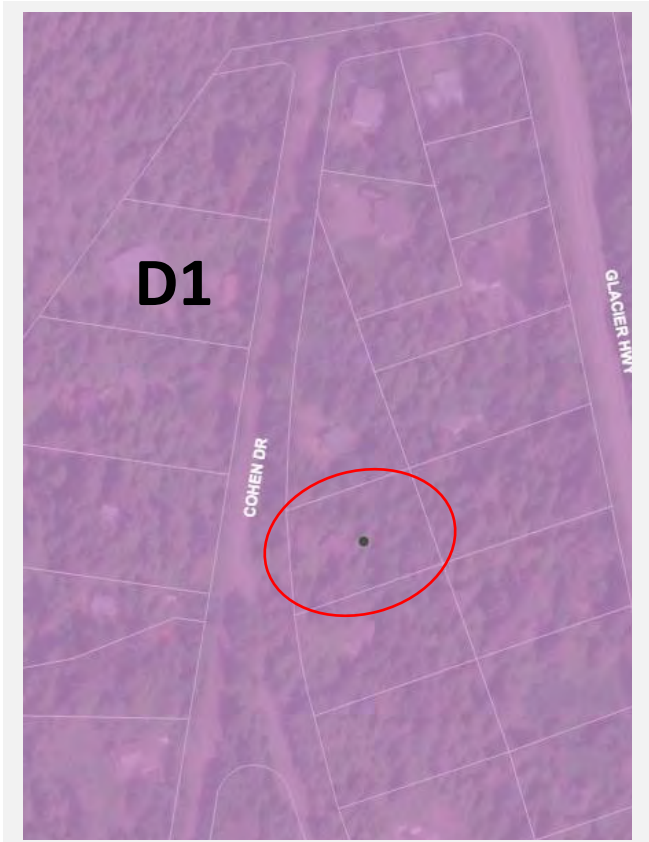
SITE FEATURES AND ZONING



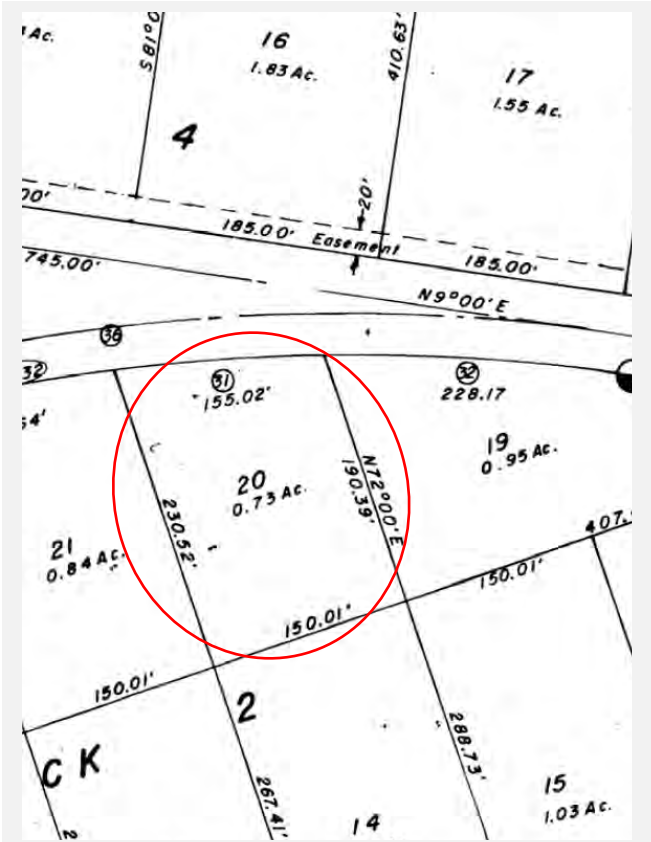
SURROUNDING ZONING AND LAND USES	
North (D1)	Residential
South (D1)	Residential
East (D1)	Vacant
West (ROW)	Cohen Drive

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

CURRENT ZONING MAP



1967 PLAT



### **ZONING HISTORY**

Year	Zoning District	Summary
1967	None	Zoning was not established when the lot was platted in 1967.
1969	R12 Residential	In 1969, the lot and surrounding area was zoned R12. The R12 zoning district required a 12,000 square foot minimum lot size, 110-foot lot width, and 100-foot lot depth. Required setbacks were 25 feet front, 25 feet rear, and 10 feet on each side. One off-street parking space was required per dwelling unit.  Dimensional requirements were met under this zoning.
1987	D1 Residential	In 1987, the lot and surrounding area was rezoned D1. The minimum lot size in the D1 zoning district is 36,000 square feet, 150-foot lot width, and 150-foot lot depth. Minimum yard setbacks are 25 feet front and rear, and 15 feet on the sides. The maximum building height is 35 feet and maximum lot coverage is 10%.  The lot became nonconforming for lot size.

### **BACKGROUND INFORMATION**

The applicant requests a Nonconforming Certification for lot size. The lot was platted in 1967 and the structures on the lot were constructed in 2013.

### **INFORMATION REVIEWED**

Year	Type	Summary
1967	Plat	Lot size, lot depth, and lot width
2013	Certificate of Occupancy	Structure establishment
2013	Wastewater Site Plan	Setbacks, vegetative cover
2013	Aerial Imagery	Vegetative Cover
2021	Applicant dated Photos	Structure height

### **ANALYSIS**

**Zoning District Comparison Table** – The table below lists the required standards for the D1 zoning district compared to the lot. A description of these situations is provided in the following sections. Items bolded do not meet current requirements.

Standard		Requirement	Existing	Code Reference
<b>Lot</b>	Size	36,000 square feet	<b>31,799</b> square feet	49.25.400
	Width	150 feet	154 feet	49.25.400
	Depth	150 feet	213 feet	49.25.400
<b>Setbacks</b>	Front	25 feet	27 feet	49.25.400
	Rear	25 feet	114 feet	49.25.400

June 14, 2021  
NCC2021 0043  
Page 4 of 6

	Side	15 feet	27 feet	49.25.400
	Side	15 feet	71 feet	49.25.400
	Street Side	17 feet	N/A	49.25.400
<b>Lot Coverage</b>		10%	4%	49.25.400
<b>Height</b>	Permissible	35 feet	2-story structure	49.25.400
	Accessory	25 feet	N/A	49.25.400
<b>Maximum Dwelling Units</b>		1	1	49.25.500
<b>Use</b>		Residential	Residential	49.25.300
<b>Vegetative Cover</b>		20%	92%	49.50.300
<b>Parking</b>		2	2	49.40.210(a)

**Minimum Lot Requirements** – The lot does not meet minimum lot size requirements. When the lot was platted in 1967, zoning was not established.

**Finding: Staff finds the lot nonconforming for lot size.**

**Minimum Setback Requirements** – The structure meets required yard setbacks, demonstrated by the site plan and scale measurements.

**Finding: Staff finds the structures conforming for setbacks.**

**Lot Coverage** – Based on the site plan and Assessor’s database information, lot coverage is not exceeded.

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

**Structure Height** – Based on Assessor’s photos, the structure on the lot is two-stories in height and likely does not exceed the maximum height allowed.

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

**Residential Density** – The lot is conforming for density of one dwelling unit per lot.

**Finding: Staff finds the lot conforming for residential density.**

**Use** – Use of the lot is residential.

**Finding: Staff finds the lot conforming for use.**

**Vegetative Cover** – GIS aerial imagery and plat show that minimum vegetative cover requirements are met.

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

**Parking** – CBJ 49.40.210 requires 2 off-street parking spaces. Back-out parking may be allowed for single-family dwellings in residential zoning districts per 49.40.230(b)(7)(A).

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

Modifications to Nonconforming ADA Parking: Accessible spaces are required where parking facilities are altered or added. The term 'alterations' includes resurfacing of vehicular ways (§106.5). Resurfacing or resealing and projects that add new parking spaces constitute alterations (or additions) and must include accessible spaces as required in the scoping table. Normal maintenance, such as pothole repair, surface patching, or repainting in place existing striping for a few spaces, is not considered an alteration except where it affects a facility's usability.

### **NONCOMPLIANT SITUATIONS**

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

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

### **ABANDONMENT**

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

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

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

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

June 14, 2021  
 NCC2021 0043  
 Page 6 of 6

### **FINDINGS**

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

**Analysis:** The nonconforming situation was allowed when it was established.

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

**2. Has the nonconforming situation been abandoned?**

**Analysis:** No additional analysis needed.

**Finding:** No. The nonconforming situation has not been abandoned.

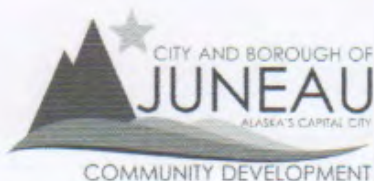
### **RECOMMENDATION**

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

- Nonconforming Lots (49.30.260):
  - Lot size of 31,799 square feet

### **STAFF REPORT ATTACHMENTS**

Item	Description
Attachment A	Application Packet
Attachment B	Information Reviewed



Closing date: June 9, 2021

**DEVELOPMENT PERMIT APPLICATION**

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

To be completed by Applicant	<b>PROPERTY LOCATION</b>		
	Physical Address 20136 Cohen Dr Juneau, AK 99801		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) Tee Harbor Alaska BL 2 LT 20		
	Parcel Number(s) 8B3701020210		
	This property located in the downtown historic district <u>N/A</u>		
	This property located in a mapped hazard area, if so, which <u>N/A</u>		
	<b>LANDOWNER/ LESSEE</b>		
	Property Owner Chad Vanormer and Tamar Boyd	Contact Person Chad Vanormer	
	Mailing Address 20136 Cohen Dr Juneau, AK 99801	Phone Number(s)	
	E-mail Address cvanormer@gmail.com		
<b>LANDOWNER/ LESSEE CONSENT</b> 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		6/4/2021	
	Landowner/Lessee Signature	Date	
X		6/4/2021	
	Landowner/Lessee Signature	Date	
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.			
<b>APPLICANT</b> If the same as OWNER, write "SAME"			
Applicant Katherine Thomas-Canfield and Galen Lamphere-Englund		Contact Person Katherine Thomas-Canfield	
Mailing Address 20147 Cohen Dr Juneau, AK 99801		Phone Number(s)	
E-mail Address kthomascanfield@gmail.com		+1 202 384 3465	
X		6/4/2021	
	Applicant's Signature	Date of Application	

DEPARTMENT USE ONLY BELOW THIS LINE

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

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

I:\FORMS\PLANFORM\DPa.docx

Updated 2017 - Page 1 of 1

Intake Initials  LE
Case Number  NCC21-43
Date Received  6/4/2021



# APPLICATION FOR A NONCONFORMING CERTIFICATION REVIEW

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

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

## TYPE OF NONCONFORMING SITUATION (CHECK ALL THAT MAY APPLY)

☐ USE ☐ STRUCTURE ☐ DENSITY ☐ PARKING ☐ LOT

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

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

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

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

Situation	Type of Documentation

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

Maintained Situation	Type of Documentation

**NOTE:** If an as-built survey is not submitted, the Community Development Department may not be able to issue a Nonconforming Certificate for setbacks. As-built surveys should show the property in its current condition.

## ALL REQUIRED MATERIALS ATTACHED

☐ Complete Application (Per CBJ 49.30.310)

- ☐ Narrative
- ☐ As-built survey or similar document
- ☐ Documentation
- ☐ Fees

## NONCONFORMING CERTIFICATION REVIEW FEES:

	Fees	Check No.	Receipt	Date
Application Fees	\$ \$150			
Admin. of Guarantee	\$			
Adjustment	\$			
Total Fee	\$			

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

## INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Case Number	Date Received
NCC21-43	6/4/2022

**Nonconforming Certification Application Instructions**

Nonconforming Situations is outlined in CBJ 49.30.310

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

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

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

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

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

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

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

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**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

**20136 Cohen Non-Conforming Certification Narrative**

June 4, 2021

Existing Site Conditions:

Site Description: The project site is located roughly 1/3 of the way down Cohen Dr.

Lot size: 31,799 SF

Adjoining Properties: All adjoining lots (excluding the lot directly behind this property) are developed properties with single family residences. All properties in the vicinity are fairly large sized lots ranging between 0.75-1.5 acres. The location of the dispersal bed, septic tank, and Advantex unit will not impact any of the adjoining properties.

Lot Topography: The project site slopes down slowly from northwest to southeast. There is a stream behind the property that is shown to be an anadromous fish stream on the ADFG database. Although the stream is categorized anadromous, the stream runs pretty much dry year-round at this location. The required 100' stream setback is in place.

Use: Single family home used as a primary residence

Non-Conforming Specifications:

The single family house was constructed in 2013 and aligned with the codes and zoning regulations at that time (documentation attached). However, based on subsequent revised zoning laws, the property no longer meets the minimum lot size of 36,000, falling just shy at 31,799 sq ft.



# BUILDING PERMIT

Section H, Item 2.

Permit No.  
BLD20130125

\* 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](http://www.juneau.org/permits/inspect_request.php).

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

Call before 7:30 AM for same day inspections.

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

Job Address: **COHEN DR**  
Permit Number: **BLD20130125**  
Project Description: **New single family residence**

Issued Date : **04/01/2013**  
Parcel No: **8B3701020210**

Parcel Information : **TEE HARBOR ALASKA BL 2 LT 20**

Setbacks: Zone: D1: Firm Zone: C  
Front: 25.00 Ft. SW Side 1: 15.00 Ft. NW  
Rear: 25.00 Ft. NE Side 2: 15.00 Ft. SE  
Street Side:

Comments:

Owner : **MIKE PERENSOVICH**  
**LOIS PERENSOVICH**  
**332 WACHUSETTS**  
**SITKA AK 99835**

Applicant : **BUILDING PROS**  
**9882 LONE WOLF DR**  
**JUNEAU AK 99801**

Fee Type	Date	Receipt	Amount Paid
BLD- Res Plan Review	03/12/2013	03372	\$563.91
BLD- Bldg Permit Fee	04/01/2013	03432	\$1,127.82
Total Fees Paid:			\$1,691.73

## Valuation for Permit Fee Calculations:

S.F.	Type	Rate	Amount
1,138	Residential-Single Family R	116.96	133,100.48
250	Utl & Misc-Private Garage	63.64	15,910.00
112	Utl & Misc-Porch	43.28	4,847.36

Total Valuation: **\$153,857.84**

## Project Conditions and Holds:

**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.

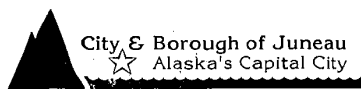
**Approved Fasteners** - Fasteners hangars and brackets used on the exterior of the building and or used with pressure-preservative or fire retardant-treated woods shall be listed and approved products for such use.

**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.

**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.

**Crawl Space Vapor Barrier** - Under floor spaces and crawlspaces shall have a vapor retarder that is a minimum of 6 mil thick (0.15 mm) polyethylene film installed such that all edges are lapped a minimum of 6 inches (152 mm) and sealed with a permanent compatible sealing compound or adhesive. Such vapor retarder shall extend vertically up the foundation wall a minimum of 6 inches (152 mm) and be attached and sealed with a permanent compatible sealing compound or adhesive to the foundation wall. Vapor retarder shall not be attached to wood other than pressure preservative treated wood.

**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](mailto:permits@ci.juneau.ak.us)  
Web Site: [www.juneau.org/permits](http://www.juneau.org/permits)



# BUILDING PERMIT\*

Permit No.

BLD20130125

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.

**EGRESS WINDOWS** - Verify egress windows.

**Fuel Burning Appliance Instructions** - Listed fuel burning appliances must be installed in accordance with the listed installation and operating instructions provided by the manufacturer. These instructions must be onsite and available to the inspector at time of inspection.

**WATER FIXTURE COUNT** - Minimum 1" Street Service and 1" Building Supply and branches for up to 31 water fixture units.

**Garage Floor Drains** - Garage floor drains must have approved separator device as approved by CBJ Gen Eng department. Maintenance schedule required for these devices prior to TCO or CO.

**Ice Shield Required - Residential** - Ice Shield Underlayment required for residential roofs. Call for inspection of Ice Shield Underlayment installation. Alternately a licensed contractor or owner-builder may provide written confirmation stating Ice Shield Underlayment installation has been installed in accordance with section 905.2.7.1 of the 2006 IRC as modified by CBJ Title 19.

**Chimney Clearance** - Chimney Clearance: If roof sheathing is replaced at a chimney or chimney flashing is detached, call for inspection to verify proper clearance to combustibles before cover. Alternately a licensed contractor or owner-builder may provide written confirmation stating proper clearances are met.

**Shower Anti-scald Valve** - All shower valves and combination tub/shower valves shall provide scald and thermal shock protection by means of an approved valve that conforms to ASSE 1016 or ASME A112.18.1 / CSA B125.1. The maximum water temperature supplied to these fixtures shall be 120 degrees fahrenheit per 2009 UPC section 418.

**Seismic Strap Water Heater - Residential** - Residential water heaters shall be strapped within the upper 1/3 of its vertical dimension per 2009 UPC section 508.2.

**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.

**STAMPED TRUSS DRAWINGS** - Provide stamped truss detail at site.

**UFER Ground** - An approved UFER ground conductor must be installed and inspected per the 2008 National Electrical Code.

**Meter Yoke Installation** - Meter yoke installation must be in accordance with CBJ Standard 420 prior to issuance of TCO.

Inspections Required: Call for inspection before covering or concealing any of the work described below. Inspections may be combined.

B-Setback Verification	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-Appliance/Chimney
B-Insulation/Vapor Barrier	B-Oil & Gas Piping/Tanks	B-Vents (Bath, Dryer, Kitchen, etc.)
B-Smoke /Carbon Monoxide Detectors	B-Cross Connection Control	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: 586-3365 - Inspection Requests: 586-1703 - Email: [permits@ci.juneau.ak.us](mailto:permits@ci.juneau.ak.us)  
 Web Site: [www.juneau.org/permits](http://www.juneau.org/permits)

# Certificate of Occupancy

## City & Borough of Juneau, Alaska

*This Certificate is issued pursuant to the requirements of CBJ Title 19.01 certifying that at the time of issuance, this structure was in compliance with the various ordinances of the City & Borough of Juneau regulating building construction or use for the following project:*

New single family residence

Building Address: 20136 COHEN DR

Building Permit No. BLD20130125

Occupancy Group:

Construction Type: Type V-B

Owner of Building: CHAD M VANORMER  
TAMAR M BOYD  
3105 NATIONAL PARK SERVICE RD APT B 4  
JUNEAU AK 99801-8437

Code Edition: 2006 IRC

Occupant Load: N/A


Sprinklers: Required No

Provided No

Legal Description of Building Lot:

Building Official: Charlie Ford, BO

TEE HARBOR ALASKA BL 2 LT 20

  
Signature

Parcel No: 8-B37-0-102-021-0

Date of Issuance: November 19, 2013

*Post this Certificate in a conspicuous place for the duration of the stated occupancy.*

CHECKLIST FOR  
☒ CERTIFICATE OF OCCUPANCY  
☐ TEMPORARY CERTIFICATE OF OCCUPANCY  
Circle One: 30 Day TCO    60 Day TCO    Other

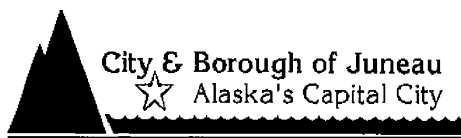
Date: 11/18/13      Requested By (Inspector/Staff) MFS  
Building Permit : BLD20130125  
Site Address: 20136 COHEN DR      APN: 8B3701020210  
Owner's Name: CHAD M VANORMER  
Project Description: New single family residence

☒ **Buildings:**      Date: 11/18/13      Initials: MFS      Comments:  
BF approved  
OK for CO

☒ **Engineering:**      Date: 11/19/13      Initials: AKS      Comments:  
☐ AS BUILT APPROVED FOR FORM BY ENGINEERING      Date: \_\_\_\_\_      Initials: \_\_\_\_\_  
OKAY FOR CO

☒ **Zoning:**      Date: 11/18/13      Initials: CM      Comments:  
OK for CO

BLD 2013 012



City and Borough of Juneau  
Engineering Department  
155 South Seward Street  
Juneau, Alaska 99801  
Telephone: 586-0800 Facsimile: 463-2606

TO: Dan Miller, Building PRO's  
DATE: April 9, 2013

CC: Chris & Sandra Landis, 20134 Cohen Drive

FROM: Rorie Watt, P.E., Director, CBJ Engineering Department *DWR*

RE: Driveway Permit Application for Tee Harbor Alaska Subdivision Lot 20, Block 2

I have reviewed CBJ code and the proposed development of a driveway for the Van Ormer family to access Lot 20, Block 2, Tee Harbor Subdivision. In making this decision, I have carefully reviewed the facts of the situation and the municipal code.

Under **CBJ 62.05**, and **62.36** the Engineer Director is authorized to issue permits for the development of driveways within City rights-of-ways. **49.35.240 (d) Access driveways allowed in rights-of-way** details additional construction standards.

The facts that I have are:

1. Some decades ago, Landis constructed a driveway to access Lots 21 & 22, Block 2.
2. Building Pros applied for a permit to construct an access driveway in the right-of-way to gain access to the adjacent Lot 20.
3. Building Pros has proposed to use a portion of the existing Landis driveway.
4. The Landis driveway is more than 200 feet long and has steep sections. Over the years, Landis has been unable to use the driveway during some snow events, and has parked two cars at the top of the driveway.
5. Landis' objected to the use of the existing driveway by Lot 20 based on their long standing use of the top of the driveway for parking during inclement weather.

#### **Analysis and Rationale:**

Landis' existing driveway is a non-exclusive use of the public right-of-way. Building Pros have applied for an additional non-exclusive use of a section of the same right-of-way. **62.05.040** authorizes the Director of Engineering to place permit conditions as deemed necessary to protect the public interest.

When Landis' paid for and constructed their driveway, they created an additional off street parking space. In the absence of other neighbors, the Landis' were the only users of the parking space. None-the-less, CBJ views the off street space as a public space, to be used by the general public. CBJ does not agree that Landis' have exclusive use of the parking space or of portions of the right-of-way. Landis' additionally have parked a second vehicle in the driveway during poor weather periods. If Building Pros constructs as proposed, Landis' would no longer be able to park the second car at the top of the existing driveway.

If Building Pros constructs the new driveway in a manner that allows continued off street parking of two vehicles, the existing situation will be continued, and the public interest will be protected. CBJ does not object to side agreements between the owners of Lot 20 and Landis' but does not agree that the requirement of a binding agreement over use of public right-of-way is appropriate.

#### **Administrative Decision:**

CBJ grants a permit to construct a driveway as proposed to Lot 20 with the following conditions:

- A. That upon completion that there are a minimum of two off street parking spaces in the right-of-way.
- B. That the owners of Lot 20 comply with the provisions of 49.35.240(d) (3) & (4)
- C. That prior to construction the applicant provides a final plan that meets the standards of the code.

This is an administrative decision of the Engineering Director.

## Juneau Permit Center

## Foundation Setback Verification

Permit Number: .....	BLD20130125
Project Address: .....	COHEN DR
Assessor's Parcel No: .....	8B3701020210
Applicant's Name: .....	BUILDING PROS

## Zoning Setbacks Required for Finished Building:

Front: 25.00 SW	Side1: 15.00 NW
Rear: 25.00 NE	Side2: 15.00 SE
Street Side:	

Planner: JKL

Date: 3/15/2013

Comments:

In accordance with CBJ 19.01.109.6.2.1, building setback lines are to be verified before inspectors can approve forms for concrete pour or placement of other foundation systems. Setbacks are measured from exterior finish materials of closest building component to property line.

**Notice: DO NOT POUR CONCRETE OR  
PLACE OTHER FOUNDATION SYSTEMS**

UNTIL INSPECTOR APPROVES SETBACKS BY ONE OF THE FOLLOWING CHECKED OPTIONS:

- ☒ **A. Surveyor's monument(s)** / string line clearly visible at the site. If the foundation and all other building elements are clearly behind the setback line, the inspector may approve the setbacks outright or at owner/contractor's risk. If there is any question, the inspector may require that no pour or foundation placement be permitted without one of the following methods of verification. (Also see "Note" below.) **OR**
- ☐ **B. Surveyor's Statement of Setback Compliance.** (Surveyor must sign and stamp the bottom portion of this form). No pour or foundation placement is allowed until the statement is received by CBJ, regardless of risk assumed by owner or contractor. Upon receipt of statement, pour or foundation placement may be approved outright or at owner/contractor risk. (See "Note" below.) **OR**
- ☐ **C. Stamped Surveyor's As-built Survey of Adjacent Building or Structure** if setback can be verified measuring from adjacent structure. (See "Note" below. May only be used when structure is parallel with property line.) **OR**
- ☐ **D. Stamped Surveyor's As-built Survey of Foundation or Formwork** indicating setbacks, easements and other relevant information. (See "Note" below.) **OR**
- ☐ **E. Other** \_\_\_\_\_

## INSPECTOR'S APPROVAL &amp; COMMENTS:

*Setbacks for house approved SJS*

Inspector's Initials

Date

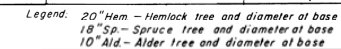
Note: An as-built survey may still be required prior to issuance of a Certificate of Occupancy if setbacks are close enough to the building to make setback verification questionable. Example: Where the structure is less than 3' to the setback line on steep slopes or forested terrain. The purpose of the monuments and string line, surveyor's statement or foundation as-built is to give the inspector the information necessary to allow a pour or placement based on a surveyor's work, as required by CBJ ordinance and not to cause scheduling delays for the contractor. In some situations, a final as-built may be required before frame or final approval where the distance to the setback line of some element of the structure must be more exactly determined. Inspectors may require this additional as-built based on their observations in the field.

## SURVEYOR'S STATEMENT OF SETBACK COMPLIANCE

I hereby certify that I am a surveyor registered to practice in the State of Alaska, and that on \_\_\_\_\_, I personally verified that the forms or foundation systems on site at: \_\_\_\_\_, Permit No: \_\_\_\_\_ are placed so that the finished building, if built to the plans as approved by CBJ, will meet the required setbacks shown above. I have reviewed the plans and zoning requirements as approved by CBJ and have accounted for all exterior finish materials, decks, antilevers and/or other proposed building projections on the approved plans. To the best of my ability, I staked the property so that the contractor can meet all CBJ zoning requirements per CBJ Titles 19 and 49.

I heretofore affix my professional stamp, this date of \_\_\_\_\_.

Surveyor's Signed Seal Required



118



STATE OF ALASKA  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
**CONSTRUCTION AND OPERATION CERTIFICATE**  
FOR  
**DOMESTIC WASTEWATER DISPOSAL SYSTEMS**



### A. APPROVAL TO CONSTRUCT

Plans for the construction or modification of the **Tee Harbor Subdivision, Block 2, Lot 20** domestic wastewater system, located at **Juneau, Alaska**, submitted in accordance with 18 AAC 72.200 through 18 AAC 72.235 by **Erin Howell, P.E.** have been reviewed and are

☒ approved as submitted

☐ conditionally approved (see attached conditions)

By: Raymond Zimmer	Engineering Associate I (Title)	02/26/2021 (Date of Approval)
--------------------	------------------------------------	----------------------------------

If applicant fails to construct, alter, install, or modify the system within two years of the date of approval to construct, approval is void, and plans must be resubmitted for Department review and approval.

### B. APPROVED CHANGE ORDERS

Change (contract order number or descriptive reference)

(Reviewing Engineer)	(Title)	(Date of Approval)
----------------------	---------	--------------------

### C. APPROVAL TO OPERATE

The “**Interim Approval to Operate**” or “**Final Approval to Operate**” section must be completed and signed by the Department to continue to use this system beyond 90 days following the construction completion date.

#### Interim Approval to Operate:

The construction of the above referenced domestic wastewater disposal system was completed on \_\_\_\_\_. The system is hereby granted an extension of the **INTERIM APPROVAL TO OPERATE** until \_\_\_\_\_ date. It is illegal to operate the domestic wastewater disposal system beyond this date without **Final Approval to Operate** from the Department.

(Reviewing Engineer)	(Title)	(Date of Approval)
----------------------	---------	--------------------

#### Final Approval to Operate:

Record drawings and other documents submitted to the Department, or an inspection by the Department, has confirmed that the domestic wastewater disposal system was constructed in substantial conformance with the approved plans. The system is hereby granted **FINAL APPROVAL TO OPERATE**.

(Reviewing Engineer)	(Title)	(Date of Approval)
----------------------	---------	--------------------



THE STATE  
of ALASKA  
GOVERNOR MIKE DUNLEAVY

Department of Environmental Conservation  
DIVISION OF WATER  
Engineering Support and Plan Review

610 University Avenue  
Fairbanks, Alaska 99709  
Main: 907.451.2177  
Fax: 907.451.2188  
www.dec.alaska.gov

February 26, 2021

Erin Howell, P.E.

**Plan Tracking No.: 28662**

**ADEC File No.: 1513.40.109**

**RE: VanOrmer WWTS**  
**Tee Harbor Subdivision, Block 2, Lot 20**  
**Secondary Treatment, Disinfection and Soil Absorption System**  
**Design Flow – 450 gpd**  
**Approval to Construct**

Greetings Ms. Howell,

On February 15, 2021 the Alaska Department of Environmental Conservation (ADEC or Department) received a submittal requesting construction approval for the VanOrmer WWTS located in Juneau, AK. The information was reviewed in accordance with Wastewater Disposal Regulations 18 AAC 72 and **construction approval is granted**. Enclosed is the Construction and Operation Certificate with the Approval to Construct section signed.

#### **Project Description**

The approved project includes installation of a new Advantex AXRT-20 Secondary Treatment Plant capable of treating 600 gpd, with an integrated UV-Disinfection system. Final effluent will terminate into a 360 ft<sup>2</sup> soil absorption system.

#### **Approval to Operate Requirements**

This construction approval includes a 90 day interim approval to operate provided that construction substantially complied with the approved design drawings. In order to receive final operational approval, please submit the following information within 60 days of the completion of this project:

1. Written request for operational approval that includes a statement regarding any changes made during construction
2. Record drawings prepared (signed and dated) by the engineer responsible for observing the construction of this project (The Department prefers drawings that are no larger than 11" x 17").
3. Certification of Construction form complete with signatures from the Owner, Construction Contractor, and Engineer (A copy of this form may be downloaded and printed from the Department of Environmental Conservation website <http://dec.alaska.gov/water/wwdp/onsite/pdf/construction.pdf> or a copy will be provided upon request.)
4. A signed maintenance contract with a qualified service provider for the WWTS.

If the approval to operate requirements cannot be met within 90 days of construction completion, an extension of the interim approval to operate must be requested at least 30 days in advance.

### Disclaimers and Appeals Process

Approval of submitted plans is not approval of omissions or oversights by this office or noncompliance with any applicable regulation. The Department's construction approval does not guarantee correctness or the functionality of the design, or waive the owner's responsibility for continued compliance with state regulations. Deviations from approved plans which affect capacity, flow, pressure, operation, compliance, or materials of major system components must be approved by this Department prior to their construction or implementation.

**This approval is valid for two years from the date of this letter.** If the applicant fails to construct, alter, install, or modify the system, the approval is void and plans must be resubmitted for department review and approval according to 18 AAC 72.200.

**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. 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 in accordance with 18 AAC 15.185. **Informal review requests** must be delivered to the Division of Water Director, 555 Cordova Street, Anchorage, AK 99501, within 20 days of this decision. **Adjudicatory hearing requests** must be delivered to the Commissioner of the Department of Environmental Conservation, PO Box 111800, Juneau, AK 99811, within 30 days of this decision. If a hearing is not requested within 30 days, the right to appeal is waived. More information on the Department's administrative appeals process can be found at <http://dec.alaska.gov/commish/review-guidance/>.

If you have questions please contact me at 907-456-5167 or by e-mail at [raymond.zimmer@alaska.gov](mailto:raymond.zimmer@alaska.gov)

Sincerely,

Raymond Zimmer  
Eng. Associate

Enclosures: Construction and Operation Certificate

**Introduction:**

The applicant wishes to install a new septic tank and absorption field for an existing 3-bedroom home.

**Applicant/Property Owner Contact Information:**

Chad VanOrmer & Tamar Boyd  
20136 Cohen Dr.  
Juneau, AK 99801  
(907)723-1415  
cvanormer@gmail.com

**Project Location:**

Tee Harbor Alaska Block 2 Lot 20  
20136 Cohen Dr.  
Juneau, AK 99801  
CBJ Parcel No. 8B3701020210

**Wastewater System Components:**

- Existing 1,000-gallon septic tank (brand unknown)
- Existing pump-out tank (brand of tank + pump unknown)
- Advantex AXRT-20 secondary treatment unit with a treatment capacity of 600 gpd.
- Salcor UV disinfection unit.
- 18'x20' bed-type drain field using ADS ARC 36HC bio-diffusers.

**Existing Site Conditions:**

Site Description: The project site is located roughly 1/3 of the way down Cohen Dr.

Lot size: 31,799 SF

Adjoining Properties: All adjoining lots (excluding the lot directly behind this property) are developed properties with single family residences. All properties in the vicinity are fairly large sized lots ranging between 0.75-1.5 acres. The location of the dispersal bed, septic tank, and Advantex unit will not impact any of the adjoining properties.

Lot Topography: The project site slopes down slowly from northwest to southeast. There is a stream behind the property that is shown to be an anadromous fish stream on the ADFG database. Although the stream is categorized anadromous, the stream runs pretty much dry year-round at this location. The required 100' stream setback limits the area of the property that can be used for the septic system.

Existing/Proposed Utilities: The property is currently served by the CBJ municipal water utility system. There is currently an existing on-site wastewater disposal system on the property consisting of 1,000 gallon 2-compartment plastic septic tank, a pump out tank, and three puraflo bio-diffusers all installed when the home was constructed in 2013. The existing septic tank and

pump-out tank appear to be functioning properly. The puraflo bio-diffusers, however, have failed. There is currently standing water around the bio-diffusers and the ground around them is beginning to turn mucky. It does not appear that the bio-diffusers have malfunctioned, rather that they were installed much too close to the water table and proper drainage is unobtainable.

Existing Soils: The uppermost layer of soil consists of 1-2' of folists and organic soils with peat. The second stratum of soil consists of 1-2' of silty gravel with sand. The third soil stratum (roughly 3-4' below the surface) is made up of glacial till/blue clay.

### **Design Details:**

#### Considerations:

- Existing structure consisting of a 3-bedroom home.
  - Estimated flow: 150 gpd/bd \* 3 bd = 450 gpd

#### Wastewater Treatment Plant and Pump Tank Specifications:

- Existing 1,000-gallon septic tank (can be removed if desired).
- Existing pump-out tank (existing pump can be re-used if needed; if pump is not necessary for new system, the tank and pump can be removed if desired).
- Advantex AXRT-20 secondary treatment unit with integral UV treatment.
- Vcom-AX20A1HTSA Vericomm AX20A1 control panel
- Advantex treatment systems meet required NSF Certification Standard 40 criteria for Class I NSF listing.
- System must be installed following the manufacturer's installation requirements: [NIM-ATX-AXRT-1.pdf \(orenco.com\)](#)
- System must be operated following the manufacturer's operation and maintenance requirements. Refer to the following website for the O&M manual: <https://odl.orenco.com/documents/aim-om-atx-3-prn.pdf>
- Supplemental information for the AXRT units: [AIM-OM-ATX-sup-1.pdf \(orenco.com\)](#)

Wastewater Disposal System Specifications: Due to the high quality of effluent that comes out of the Advantex systems (BOD of 5 mg/L and TSS of 5 mg/L or less when loaded at the same hydraulic loading rate used during NSF Standard 40 testing, not including the additional UV disinfection that this system will have) the absorption field size has been reduced from the typical system. Typical systems in Juneau have an application rate of 1-1.2 gallons per square foot. Advantex systems can increase the application rate on an absorption field to 6 gal/SF because the effluent is that much cleaner than required (5 mg/L for BOD and TSS, vs. 30 mg/L for each).

- Absorption field size:  $450 \text{ gal} \div 6 \text{ gal/SF} = 75 \text{ SF}$  (minimum)
- Absorption field actual size: 18'x20' = 360'
- Treated wastewater effluent will be disposed of in a bed type absorption field system. Please note that the system must be mounded due to the close proximity to slow-draining soils. The location of the new absorption field is downhill from the existing system and may not need to be pumped; however, if existing soils dictate that the absorption field be higher than the existing pump-out tank, the pump may be re-used for this system. Components to the disposal system include:
  - 360 sf of absorption area. Absorption area dimensions are 18' (width) by 20' (length).
  - Layers (starting from the bottom up) of the absorption system include:

- 2' of clean washed sand from either Aggpro or West Glacier Development
- 1.5' of ¾" washed rock; this layer will contain two sections of ARC 36HC bio-diffusers.
- 2' (min.) of existing site soils or non-frost susceptible pit-run. 1" of high-density foam polystyrene insulation may replace 1' of soil.
- 0.5' of topsoil, seeded.
- 4" PVC monitor tubes will be installed in each corner of the drain field.

Further Instructions to Gain Approval to Construct from ADEC:

- Report, plans, cover letter, owner's statement, and Engineering Support and Plan Review (ESPR) Intake Form will be submitted by the engineer to State of Alaska Department of Environmental Conservation (ADEC).
- There will be a permit fee for plan review of this project from ADEC. An ADEC plan review invoice will be attached to this invoice for the owner to submit along with payment.
- Please be aware that, along with design and plan review, approval is a two-step process. Steps being, approval to construct and approval to operate.
- Upon successful review of the submittal ESPR, ADEC will issue an Approval to Construct Letter and a Construction and Operation Certificate with the Approval to Construct section signed to the owner.
- Once the system is constructed according to plan, an Interim Approval to Operate will be granted automatically along with the Approval to Construct for 90 days after construction.
- The owner will request Final Approval to Operate once the system is constructed and operational.
- ESPR will issue an Approval to Operate once all documents are received.

ADEC Contact Information:

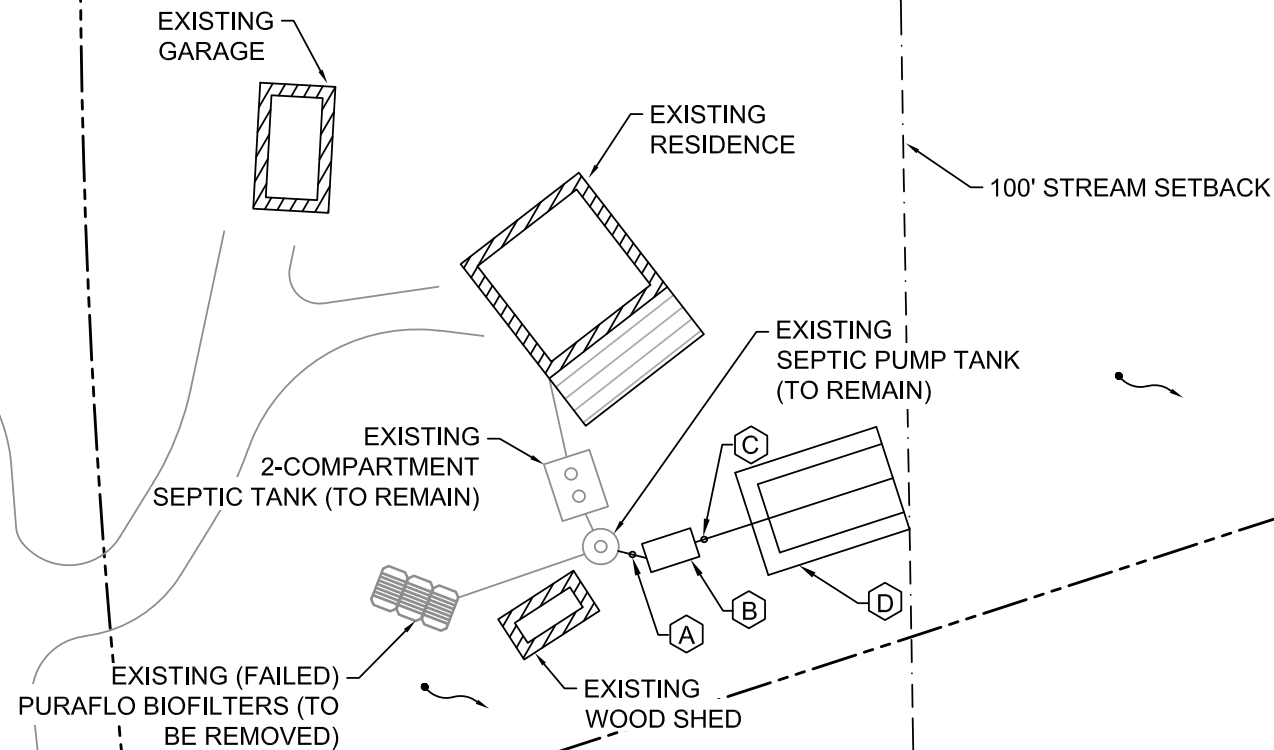
Raymond Zimmer  
(907)465-5167  
410 Willoughby, Ave.  
Juneau, AK 99801



LEGEND:

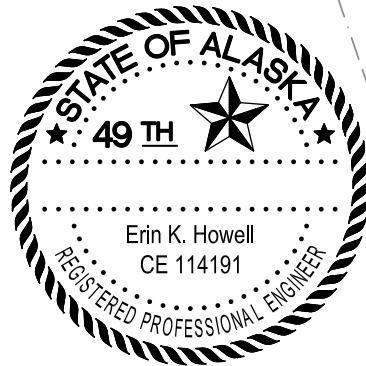
- PROPERTY LINE
- ADJACENT PROPERTY LINE
- [Hatched Box] EXISTING RESIDENCE OR STRUCTURE
- EXISTING DRIVEWAY
- STREAM BANK
- - - 100' SETBACK OF STREAM
- ~ FLOW LINE

COHEN DRIVE



CONSTRUCTION NOTES:

- (A) CLEANOUT, TYP.
- (B) ADVANTEX AX20-RT TREATMENT SYSTEM
- (C) UV DISINFECTION LAMP
- (D) 18'x20' DRAINFIELD



MITCH MCGRAW P.O. BOX 784 SITKA, AK 99835 SOUTH LENA SUBDIVISION LOT 1C, BLOCK B	
VANORMER ON-SITE WASTEWATER DISPOSAL SYSTEM SITE PLAN	
EKH DESIGN & ENGINEERING	
SCALE: 1" = 30'	DATE: 1/20/21
DRAWN BY: EKH	CHECKED BY: EKH
SHEET 1 OF 3	

MITCH MCGRAW  
P.O. BOX 784  
SITKA, AK 99835  
SOUTH LENA  
SUBDIVISION LOT 1C  
BLOCK B

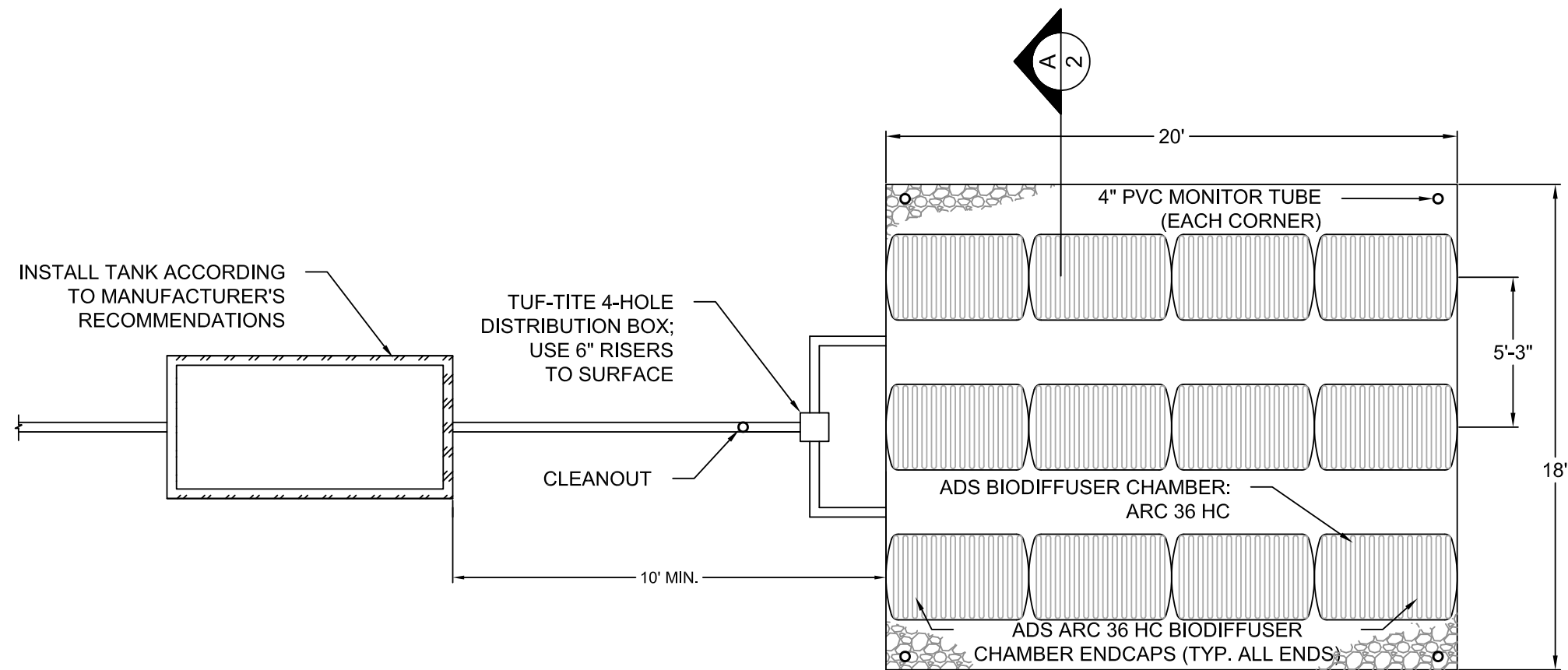
VANORMER ON-SITE  
WASTEWATER DISPOSAL SYSTEM  
ABSORPTION FIELD PLAN &  
CROSS-SECTION

EKH DESIGN  
& ENGINEERING

SCALE:  
1" = 30'  
DATE:  
1/20/21

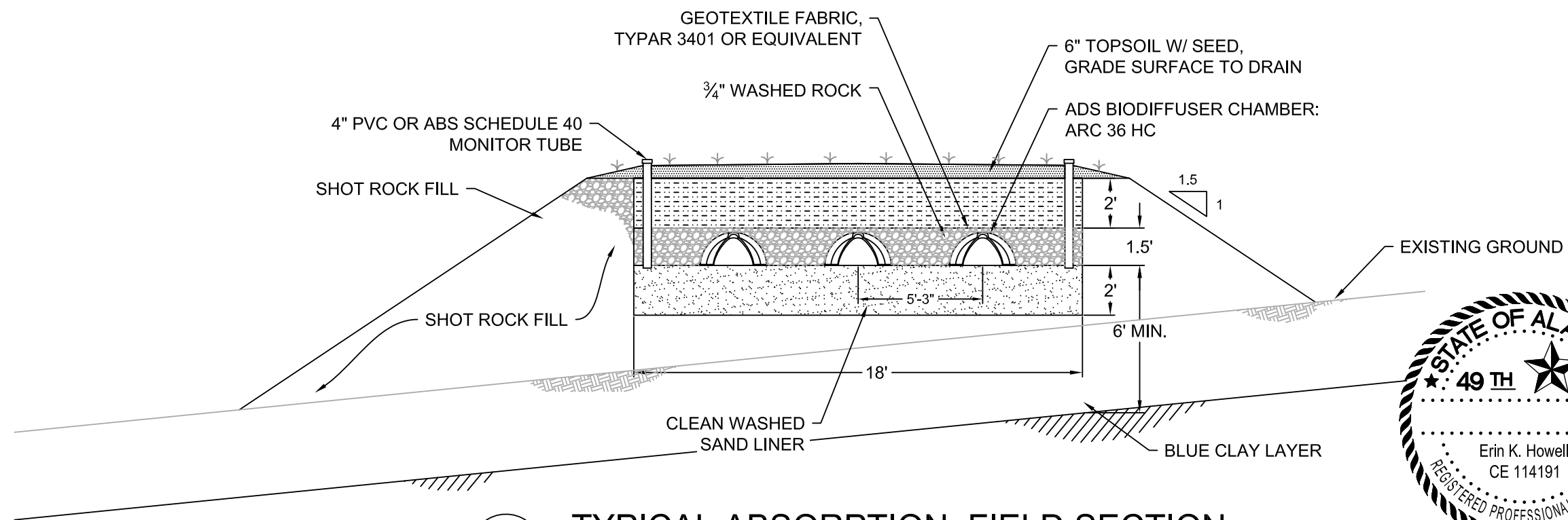
DRAWN BY:  
EKH  
CHECKED BY:  
EKH

SHEET  
2  
OF  
3



ABSORPTION FIELD PLAN VIEW

SCALE: 1" = 5'



A  
2

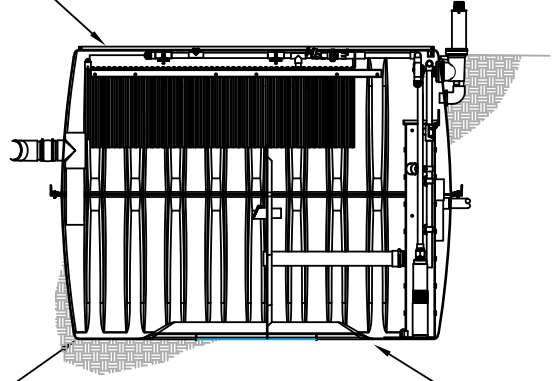
TYPICAL ABSORPTION FIELD SECTION

SCALE: 1" = 5'



MITCH MCGRAW P.O. BOX 784 SITKA, AK 99835 SOUTH LENA SUBDIVISION LOT 1C, BLOCK B	
VANORMER ON-SITE WASTEWATER DISPOSAL SYSTEM DETAILS & GENERAL NOTES	
EKH DESIGN & ENGINEERING	
SCALE: 1" = 30'	DATE: 1/20/21
DRAWN BY: EKH	CHECKED BY: EKH
SHEET 3 OF 3	

INSULATED LID  
FLUSH WITH GROUND

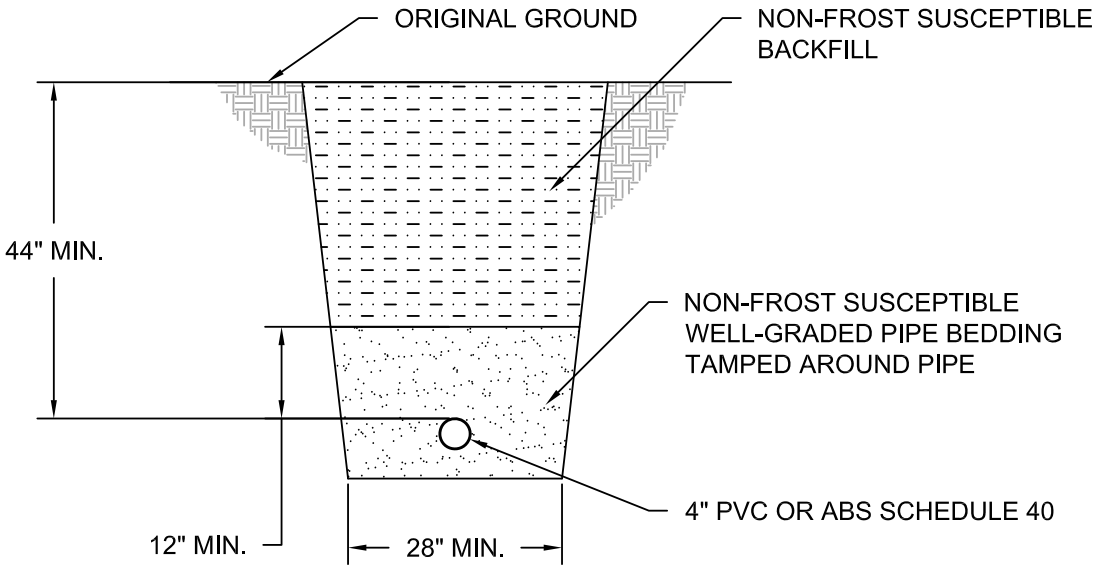


BED TANK WITH SAND,  
GRAVEL, OR 2" MINUS TAMPED

TANK LEVEL IN ALL  
DIRECTIONS

SEPTIC TANK BEDDING DETAIL

NTS

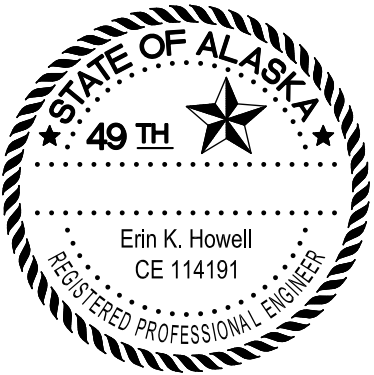


SEPTIC PIPE BEDDING DETAIL

NTS

GENERAL NOTES:

1. ALL LEACH FIELD PIPING SHALL BE LAID LEVEL AND BEDDED IN ROCK.
2. 2' MINIMUM COVER ABOVE ABSORPTION FIELD TO GROUND SURFACE REQUIRED.
3. 1" OF POLYSTYRENE INSULATION MAY BE SUBSTITUTED PER FOOT OF SOIL COVER UP TO TWO FEET MAXIMUM. MINIMUM SOIL COVER SHALL NOT BE REDUCED LESS THAN TWO FEET.
4. SAND LINER, MEETING THE GRADATION SPECIFICATION IN ARTICLE 3.18.
5. SEPTIC TANK MUST BE INSTALLED IN ACCORDANCE WITH MANUFACTURER RECOMMENDATIONS AND WARRANTY. MAXIMUM BURIAL DEPTH MUST NOT BE EXCEEDED.
6. GRADE OF SEWER LINE BETWEEN THE HOUSE AND SEPTIC TANK MUST BE BETWEEN 2% AND 10%, EXCLUDING THE LAST 10' WHICH MUST BE AT 2% MAX GRADE.







# Certificate of Occupancy

## City & Borough of Juneau, Alaska

*This Certificate is issued pursuant to the requirements of CBJ Title 19.01 certifying that at the time of issuance, this structure was in compliance with the various ordinances of the City & Borough of Juneau regulating building construction or use for the following project:*

New single family residence

Building Address: 20136 COHEN DR

Occupancy Group:

Owner of Building: CHAD M VANORMER  
TAMAR M BOYD  
3105 NATIONAL PARK SERVICE RD APT B 4  
JUNEAU AK 99801-8437

Building Permit No. BLD20130125

Construction Type: Type V-B

Code Edition: 2006 IRC

Occupant Load: N/A

Sprinklers: Required No

Provided No

Legal Description of Building Lot:

TEE HARBOR ALASKA BL 2 LT 20

Building Official: Charlie Ford, BO

  
Signature

Parcel No: 8-B37-0-102-021-0

Date of Issuance: November 19, 2013

*Post this Certificate in a conspicuous place for the duration of the stated occupancy.*

CHECKLIST FOR  
☒ CERTIFICATE OF OCCUPANCY  
☐ TEMPORARY CERTIFICATE OF OCCUPANCY  
Circle One: 30 Day TCO    60 Day TCO    Other

Date: 11/18/13      Requested By (Inspector/Staff) MFS  
Building Permit : BLD20130125  
Site Address: 20136 COHEN DR      APN: 8B3701020210  
Owner's Name: CHAD M VANORMER  
Project Description: New single family residence

☒ **Buildings:**      Date: 11/18/13      Initials: MFS      Comments:  
BF approved  
OK for CO

☒ **Engineering:**      Date: 11/19/13      Initials: AKS      Comments:  
☐ AS BUILT APPROVED FOR FORM BY ENGINEERING      Date: \_\_\_\_\_      Initials: \_\_\_\_\_  
OKAY FOR CO

☒ **Zoning:**      Date: 11/18/13      Initials: CM      Comments:  
OK for CO



# BUILDING PERMIT

Section H, Item 2.

Permit No.  
BLD20130125

\* 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](http://www.juneau.org/permits/inspect_request.php).

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

Call before 7:30 AM for same day inspections.

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

Job Address: **COHEN DR**  
Permit Number: **BLD20130125**  
Project Description: **New single family residence**

Issued Date : **04/01/2013**  
Parcel No: **8B3701020210**

Parcel Information : **TEE HARBOR ALASKA BL 2 LT 20**

Setbacks: Zone: D1: Firm Zone: C  
Front: 25.00 Ft. SW Side 1: 15.00 Ft. NW  
Rear: 25.00 Ft. NE Side 2: 15.00 Ft. SE  
Street Side:

Comments:

Owner : **MIKE PERENSOVICH**  
**LOIS PERENSOVICH**  
**332 WACHUSETTS**  
**SITKA AK 99835**

Applicant : **BUILDING PROS**  
**9882 LONE WOLF DR**  
**JUNEAU AK 99801**

Fee Type	Date	Receipt	Amount Paid
BLD- Res Plan Review	03/12/2013	03372	\$563.91
BLD- Bldg Permit Fee	04/01/2013	03432	\$1,127.82
Total Fees Paid:			\$1,691.73

## Valuation for Permit Fee Calculations:

S.F.	Type	Rate	Amount
1,138	Residential-Single Family R	116.96	133,100.48
250	Utl & Misc-Private Garage	63.64	15,910.00
112	Utl & Misc-Porch	43.28	4,847.36

Total Valuation: **\$153,857.84**

## Project Conditions and Holds:

**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.

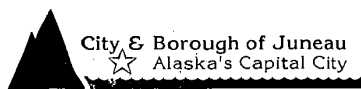
**Approved Fasteners** - Fasteners hangars and brackets used on the exterior of the building and or used with pressure-preservative or fire retardant-treated woods shall be listed and approved products for such use.

**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.

**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.

**Crawl Space Vapor Barrier** - Under floor spaces and crawlspaces shall have a vapor retarder that is a minimum of 6 mil thick (0.15 mm) polyethylene film installed such that all edges are lapped a minimum of 6 inches (152 mm) and sealed with a permanent compatible sealing compound or adhesive. Such vapor retarder shall extend vertically up the foundation wall a minimum of 6 inches (152 mm) and be attached and sealed with a permanent compatible sealing compound or adhesive to the foundation wall. Vapor retarder shall not be attached to wood other than pressure preservative treated wood.

**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](mailto:permits@ci.juneau.ak.us)  
Web Site: [www.juneau.org/permits](http://www.juneau.org/permits)



# BUILDING PERMIT\*

Permit No.

BLD20130125

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.

**EGRESS WINDOWS** - Verify egress windows.

**Fuel Burning Appliance Instructions** - Listed fuel burning appliances must be installed in accordance with the listed installation and operating instructions provided by the manufacturer. These instructions must be onsite and available to the inspector at time of inspection.

**WATER FIXTURE COUNT** - Minimum 1" Street Service and 1" Building Supply and branches for up to 31 water fixture units.

**Garage Floor Drains** - Garage floor drains must have approved separator device as approved by CBJ Gen Eng department. Maintenance schedule required for these devices prior to TCO or CO.

**Ice Shield Required - Residential** - Ice Shield Underlayment required for residential roofs. Call for inspection of Ice Shield Underlayment installation. Alternately a licensed contractor or owner-builder may provide written confirmation stating Ice Shield Underlayment installation has been installed in accordance with section 905.2.7.1 of the 2006 IRC as modified by CBJ Title 19.

**Chimney Clearance** - Chimney Clearance: If roof sheathing is replaced at a chimney or chimney flashing is detached, call for inspection to verify proper clearance to combustibles before cover. Alternately a licensed contractor or owner-builder may provide written confirmation stating proper clearances are met.

**Shower Anti-scald Valve** - All shower valves and combination tub/shower valves shall provide scald and thermal shock protection by means of an approved valve that conforms to ASSE 1016 or ASME A112.18.1 / CSA B125.1. The maximum water temperature supplied to these fixtures shall be 120 degrees fahrenheit per 2009 UPC section 418.

**Seismic Strap Water Heater - Residential** - Residential water heaters shall be strapped within the upper 1/3 of its vertical dimension per 2009 UPC section 508.2.

**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.

**STAMPED TRUSS DRAWINGS** - Provide stamped truss detail at site.

**UFER Ground** - An approved UFER ground conductor must be installed and inspected per the 2008 National Electrical Code.

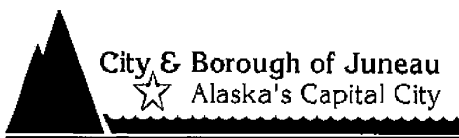
**Meter Yoke Installation** - Meter yoke installation must be in accordance with CBJ Standard 420 prior to issuance of TCO.

Inspections Required: Call for inspection before covering or concealing any of the work described below. Inspections may be combined.

B-Setback Verification	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-Appliance/Chimney
B-Insulation/Vapor Barrier	B-Oil & Gas Piping/Tanks	B-Vents (Bath, Dryer, Kitchen, etc.)
B-Smoke /Carbon Monoxide Detectors	B-Cross Connection Control	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: 586-3365 - Inspection Requests: 586-1703 - Email: [permits@ci.juneau.ak.us](mailto:permits@ci.juneau.ak.us)  
 Web Site: [www.juneau.org/permits](http://www.juneau.org/permits)

BLD 2013 012



City and Borough of Juneau  
Engineering Department  
155 South Seward Street  
Juneau, Alaska 99801  
Telephone: 586-0800 Facsimile: 463-2606

TO: Dan Miller, Building PRO's  
DATE: April 9, 2013  
CC: Chris & Sandra Landis, 20134 Cohen Drive  
FROM: Rorie Watt, P.E., Director, CBJ Engineering Department *DWR*  
RE: Driveway Permit Application for Tee Harbor Alaska Subdivision Lot 20, Block 2

I have reviewed CBJ code and the proposed development of a driveway for the Van Ormer family to access Lot 20, Block 2, Tee Harbor Subdivision. In making this decision, I have carefully reviewed the facts of the situation and the municipal code.

Under **CBJ 62.05**, and **62.36** the Engineer Director is authorized to issue permits for the development of driveways within City rights-of-ways. **49.35.240 (d) Access driveways allowed in rights-of-way** details additional construction standards.

The facts that I have are:

1. Some decades ago, Landis constructed a driveway to access Lots 21 & 22, Block 2.
2. Building Pros applied for a permit to construct an access driveway in the right-of-way to gain access to the adjacent Lot 20.
3. Building Pros has proposed to use a portion of the existing Landis driveway.
4. The Landis driveway is more than 200 feet long and has steep sections. Over the years, Landis has been unable to use the driveway during some snow events, and has parked two cars at the top of the driveway.
5. Landis' objected to the use of the existing driveway by Lot 20 based on their long standing use of the top of the driveway for parking during inclement weather.

#### **Analysis and Rationale:**

Landis' existing driveway is a non-exclusive use of the public right-of-way. Building Pros have applied for an additional non-exclusive use of a section of the same right-of-way. **62.05.040** authorizes the Director of Engineering to place permit conditions as deemed necessary to protect the public interest.

When Landis' paid for and constructed their driveway, they created an additional off street parking space. In the absence of other neighbors, the Landis' were the only users of the parking space. None-the-less, CBJ views the off street space as a public space, to be used by the general public. CBJ does not agree that Landis' have exclusive use of the parking space or of portions of the right-of-way. Landis' additionally have parked a second vehicle in the driveway during poor weather periods. If Building Pros constructs as proposed, Landis' would no longer be able to park the second car at the top of the existing driveway.

If Building Pros constructs the new driveway in a manner that allows continued off street parking of two vehicles, the existing situation will be continued, and the public interest will be protected. CBJ does not object to side agreements between the owners of Lot 20 and Landis' but does not agree that the requirement of a binding agreement over use of public right-of-way is appropriate.

#### **Administrative Decision:**

CBJ grants a permit to construct a driveway as proposed to Lot 20 with the following conditions:

- A. That upon completion that there are a minimum of two off street parking spaces in the right-of-way.
- B. That the owners of Lot 20 comply with the provisions of 49.35.240(d) (3) & (4)
- C. That prior to construction the applicant provides a final plan that meets the standards of the code.

This is an administrative decision of the Engineering Director.

## Juneau Permit Center

## Foundation Setback Verification

Permit Number: .....	BLD20130125
Project Address: .....	COHEN DR
Assessor's Parcel No: .....	8B3701020210
Applicant's Name: .....	BUILDING PROS

## Zoning Setbacks Required for Finished Building:

Front: 25.00 SW	Side1: 15.00 NW
Rear: 25.00 NE	Side2: 15.00 SE
Street Side:	

Planner: JKL

Date: 3/15/2013

Comments:

In accordance with CBJ 19.01.109.6.2.1, building setback lines are to be verified before inspectors can approve forms for concrete pour or placement of other foundation systems. Setbacks are measured from exterior finish materials of closest building component to property line.

### **Notice: DO NOT POUR CONCRETE OR PLACE OTHER FOUNDATION SYSTEMS**

UNTIL INSPECTOR APPROVES SETBACKS BY ONE OF THE FOLLOWING CHECKED OPTIONS:

- ☒ **A. Surveyor's monument(s)** / string line clearly visible at the site. If the foundation and all other building elements are clearly behind the setback line, the inspector may approve the setbacks outright or at owner/contractor's risk. If there is any question, the inspector may require that no pour or foundation placement be permitted without one of the following methods of verification. (Also see "Note" below.) **OR**
- ☐ **B. Surveyor's Statement of Setback Compliance.** (Surveyor must sign and stamp the bottom portion of this form). No pour or foundation placement is allowed until the statement is received by CBJ, regardless of risk assumed by owner or contractor. Upon receipt of statement, pour or foundation placement may be approved outright or at owner/contractor risk. (See "Note" below.) **OR**
- ☐ **C. Stamped Surveyor's As-built Survey of Adjacent Building or Structure** if setback can be verified measuring from adjacent structure. (See "Note" below. May only be used when structure is parallel with property line.) **OR**
- ☐ **D. Stamped Surveyor's As-built Survey of Foundation or Formwork** indicating setbacks, easements and other relevant information. (See "Note" below.) **OR**
- ☐ **E. Other** \_\_\_\_\_

## INSPECTOR'S APPROVAL &amp; COMMENTS:

Setbacks for house approved SJS

Inspector's Initials

Date

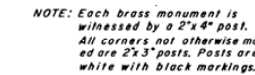
Note: An as-built survey may still be required prior to issuance of a Certificate of Occupancy if setbacks are close enough to the building to make setback verification questionable. Example: Where the structure is less than 3' to the setback line on steep slopes or forested terrain. The purpose of the monuments and string line, surveyor's statement or foundation as-built is to give the inspector the information necessary to allow a pour or placement based on a surveyor's work, as required by CBJ ordinance and not to cause scheduling delays for the contractor. In some situations, a final as-built may be required before frame or final approval where the distance to the setback line of some element of the structure must be more exactly determined. Inspectors may require this additional as-built based on their observations in the field.

### **SURVEYOR'S STATEMENT OF SETBACK COMPLIANCE**

I hereby certify that I am a surveyor registered to practice in the State of Alaska, and that on \_\_\_\_\_, I personally verified that the forms or foundation systems on site at: \_\_\_\_\_, Permit No: \_\_\_\_\_ are placed so that the finished building, if built to the plans as approved by CBJ, will meet the required setbacks shown above. I have reviewed the plans and zoning requirements as approved by CBJ and have accounted for all exterior finish materials, decks, antilevers and/or other proposed building projections on the approved plans. To the best of my ability, I staked the property so that the contractor can meet all CBJ zoning requirements per CBJ Titles 19 and 49.

I heretofore affix my professional stamp, this date of \_\_\_\_\_.

Surveyor's Signed Seal Required



<p>W.C.M.C. L-16, B-4</p> <p>L-16</p> <p>L-17</p>	<p>W.C.M.C. L-9, B-1</p> <p>L-9</p> <p>L-10</p>	<p>W.C.M.C. L-1, B-4</p> <p>L-1</p> <p>L-1, B-4</p>	<p>Cor. Tr. "A" B "B"</p>
<p>R/W Cor. L-1, B-1</p> <p>L-1, B-1</p>	<p>R/W L-3 B-4, L-4</p> <p>L-3</p> <p>L-4</p>	<p>R/W Cor. L-1, B-2</p> <p>L-1</p>	<p>R/W Cor. L-10 B-11, B-2</p> <p>L-10</p> <p>L-11</p>
<p>R/W Cor. L-17, B-2</p> <p>L-17</p> <p>B-2</p>	<p>R/W Cor. L-18, B-2</p> <p>L-18</p> <p>B-2</p>	<p>R/W Cor. L-19, B-4</p> <p>L-19</p>	<p>R/W L-19, B-4</p>

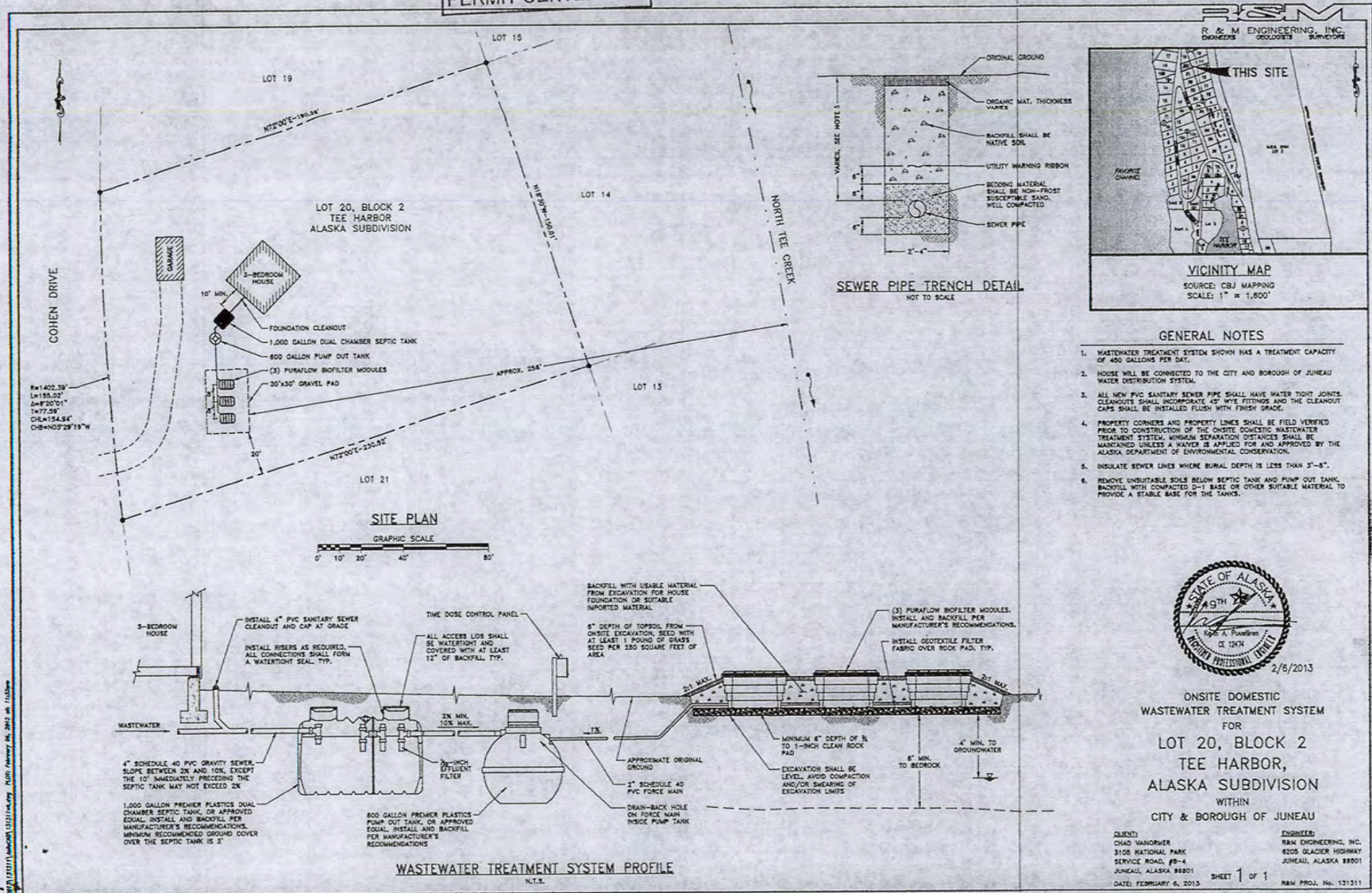
### BEARING TREE DATA

Note: All bearings shown are from bearing tree to monument.

Legend. 20"Hem - Hemlock tree and diameter at base  
 18"Sp - Spruce tree and diameter at base  
 10"Ald - Alder tree and diameter at base

136

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PERMIT CENTER/CDD







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

**Case name: Cohen Accessory Dwelling Unit**

Case Number: PAC2024 0036  
 Applicant: Jake Lapenter  
 Property Owner: Galen Lamphere-Englund, Katherine Thomas-Canfield  
 Property Address: 20136 Cohen Drive  
 Parcel Code Number: 8B3701020210  
 Site Size: 31,799  
 Zoning: D1  
 Existing Land Use: Residential

Conference Date: June 19, 2024

Report Issued: June 26, 2024

***DISCLAIMER: Pre-application conferences are conducted for the purpose of providing applicants with a preliminary review of a project and timeline. Pre-application conferences are not based on a complete 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
Jake Lapenter	Applicant	<a href="mailto:modernalaskabuilders@gmail.com">modernalaskabuilders@gmail.com</a>
Irene Gallion	Planning	<a href="mailto:irene.gallion@juneau.gov">irene.gallion@juneau.gov</a>
Charlie Ford	Building	<a href="mailto:Charlie.Ford@juneau.gov">Charlie.Ford@juneau.gov</a>
Eric Vogel	General Engineering	<a href="mailto:Eric.Vogel@juneau.gov">Eric.Vogel@juneau.gov</a>
Dave Sevdy	Permits	<a href="mailto:Dave.Sevdy@juneau.gov">Dave.Sevdy@juneau.gov</a>

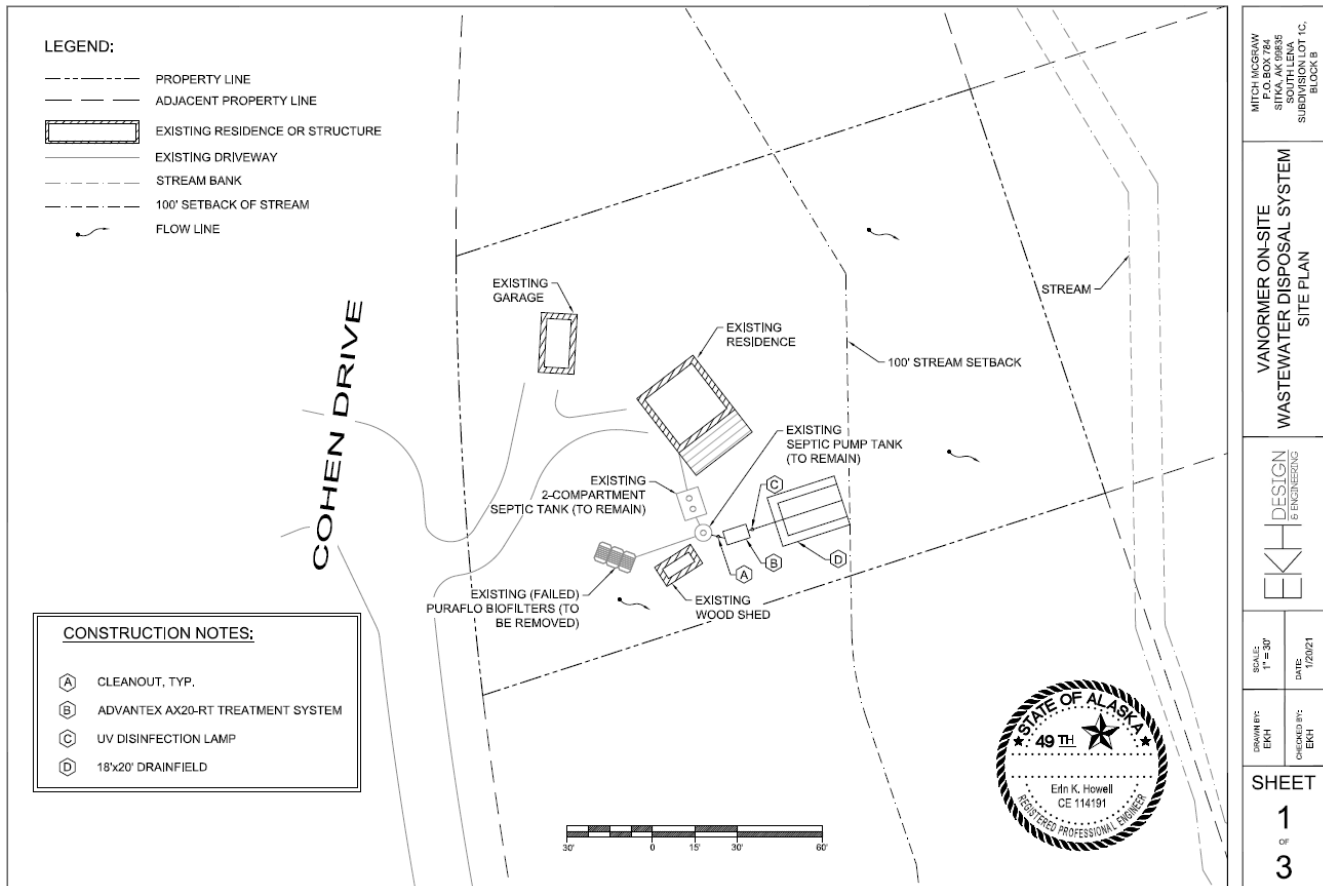
## Conference Summary

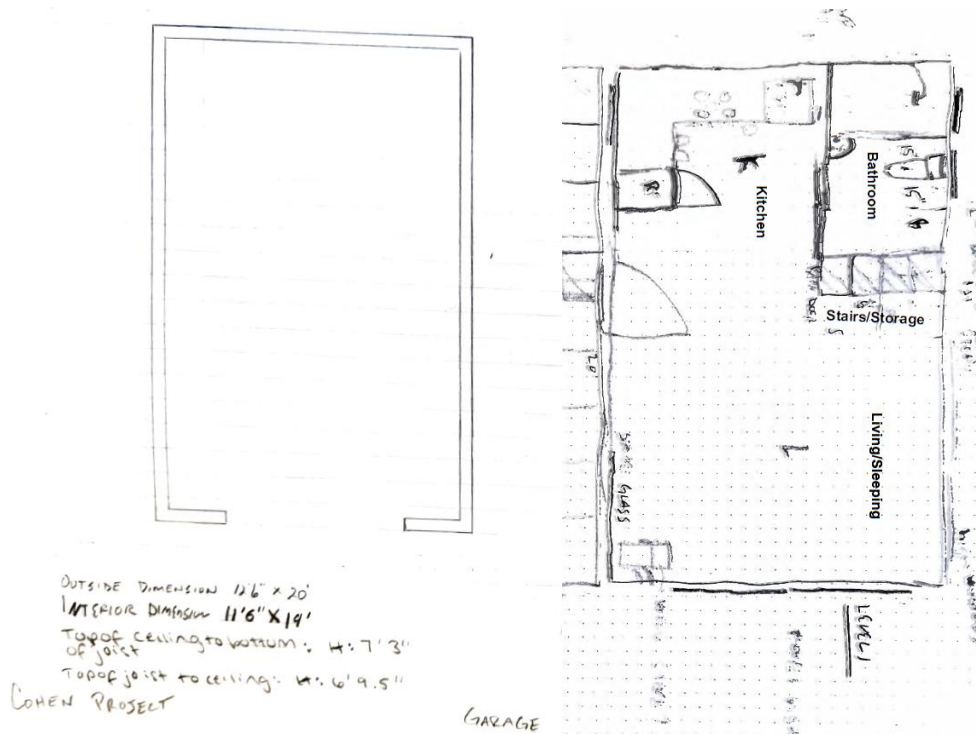
**Questions/issues/agreements identified at the conference that weren't identified in the attached reports.**

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

## Project Overview

The Applicant would like remodel an existing garage into an accessory apartment. Because the lot is less than required for the zoning district, the applicant will need a Conditional Use Permit [CBJ 49.25.510(k)(2)(E)].





The existing garage is 11.5 x 19 net floor area. The apartment would be a 219 square foot studio. Loft space would be available for storage.

#### Conditional Use Permit Process:

- Submit the application and back-up materials (listed on ten back of the application).
  - Electronic submissions accepted at [Permits@juneau.gov](mailto:Permits@juneau.gov). Note that the permit center will call you for payment when the application is processed. Applications are submitted in the order in which they are received, and it may be a few days before you get a call.
- The project will be assigned to a planner. They will review submitted materials, and coordinate where necessary. When the planner assesses the file is complete, they will schedule a hearing before the Planning Commission.
  - A notice will be sent to property owners within 500 feet of the project.
  - There will be two newspaper ads for the case.
  - The Applicant is required to post a Public Notice sign, which will be provided by CDD. The sign must be posted two weeks before the hearing.
  - Staff will prepare a report analyzing the project, and make a recommendation to the Commission. The report will be publicly available the week before the hearing.
- At the Planning Commission meeting, the project can be:
  - On the Consent Agenda, where it will be passed without discussion.
  - On the Regular Agenda:
    - The Director will briefly describe the project.
    - The Applicant has 15 minutes to describe the project.
    - The public has the opportunity to comment. There is usually a time limit of two to three minutes.
    - The Applicant has time to respond to issues raised.

- Public comment is closed and there is no additional opportunity to participate.
- The Planning Commission will:
  - Approve the project
  - Approve the project with conditions (the most common outcome)
  - Deny the project
  - Continue the project – if more information is required or if the Commission runs out of time.
- The decision can be appealed for 20 days after the Notice of Decision is filed with the City Clerk. If the decision is appealed, the Applicant can continue with their project at their own risk.

Videos of the Planning Commission activities are posted on Assembly's Minutes and Agendas site.

<https://juneau-ak.municodemeetings.com/>

## Building permit

The building permit application may be submitted before the Conditional Use Permit is approved, but will not be issued until after approval. Early submittal gives review departments additional time to work with the Applicant on revisions or requirements, as needed.

## Accessory Dwelling Unit (ADU) Grant Program

***IMPORTANT NOTE: To qualify for the grant program, the ADU application needs to be received at the same time as the building permit application.***

CBJ provides a \$13,500 grant incentive for development of an ADU. An information sheet is attached. To summarize:

- The application must be submitted with the Building Permit Application.
- The ADU must receive a Certificate of Occupancy within two years from the date the building permit was issued.
- A deed restriction must be recorded, agreeing not to rent the resulting unit as a short-term rental for five years from the date of issuance of the Certificate of Occupancy.
- The grant is non-transferable to a new property owner.

There is no additional cost for applying for the ADU Grant Program. More information at:

<https://juneau.org/community-development/ADUG>

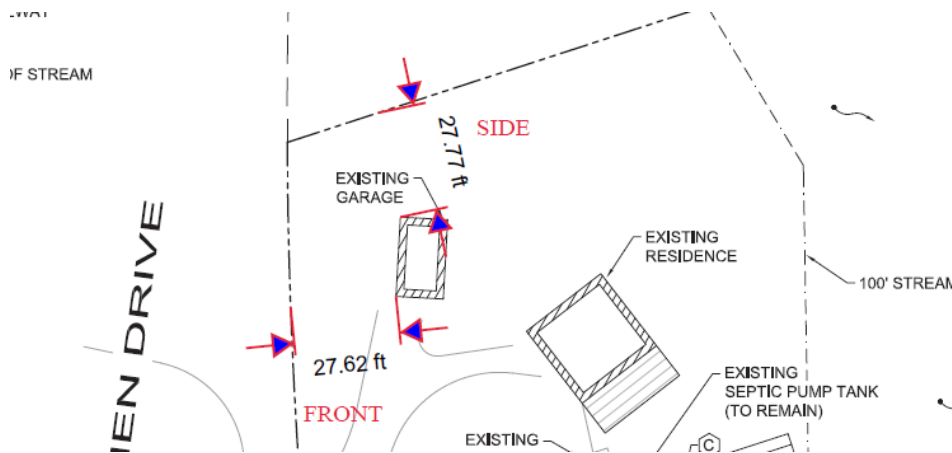
If you have further questions you can contact Joseph Meyers at (907) 586-0753 x4209

## Planning Division

1. **Zoning** – D1
2. **Table of Permissible Uses** – Allowed under Paragraph 1.110
3. **Lot size requirements** – Minimum lot size in D1 is 36,000 square feet. This lot is 31,799 square feet and has been certified nonconforming.
4. **Setbacks** –
  - a. **Front:** 25 feet
  - b. **Rear:** 25 feet

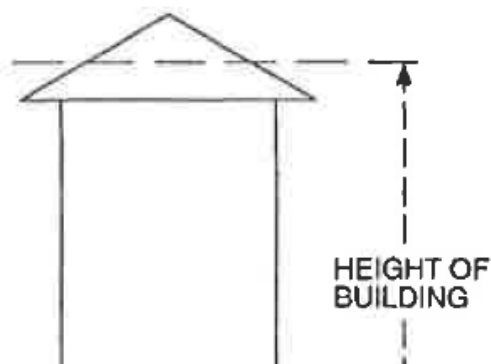
- c. **Side:** 15 feet
- d. **Setback from anadromous stream:**
  - i. 25 foot no disturbance
  - ii. 50 foot no development

Based on a site plan submitted by the applicant, the proposed apartment is on top of an existing garage that meets setbacks.



5. **Height** – The height of the garage and apartment is limited to 25 feet. Height will be measured to the average height of the roof.

The proposal converts the existing garage to an ADU. No additional structures and no increase of height is proposed at this time.



6. **Access** – Access to the property is via Cohen Drive,
7. **Parking & Circulation**– The accessory apartment will require one additional parking space on the property.
8. **Lot Coverage** – Maximum lot coverage is 10 percent. Lot coverage is any structure with a roof. The existing garage is approximately 250 square feet, and the single-family structure is 600 square feet, for a

total of 850 square feet, or three percent lot coverage. The addition of an accessory apartment on top of the existing garage will not increase lot coverage.

9. **Vegetative Coverage** – Minimum vegetative cover is 20 percent, or 6,360. Current development is set back 100 feet from the stream, providing 10,670 square feet of vegetative cover. Additional vegetative cover is provided in the developed area.
10. **Lighting** – Exterior lighting may not shed light or glare above the roofline of the building or beyond the property line of the site.
11. **Noise** – An accessory apartment is not anticipated to create noise out of character with the D1 zoning district.
12. **Flood** – The property is not in a flood zone (FEMA Panel 02110C 1185D).
13. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – There are no mapped hazards in the area of the lot. Lot slope is approximately five percent. A hillside endorsement is not required.
14. **Wetlands** – Contact the Army Corps of Engineers if filling wetlands [(907) 753-2689].
15. **Habitat** – Check with the U.S. Fish and Wildlife on the presence of eagle nests in the area. The presence of eagle nests may impact construction scheduling.  
  
Tee Creek (Anadromous Waters Catalog number 111-50-10200) is within 10 feet of the lot line at its closest mapped point. Lot development is approximately 100 feet from this point. Future development will need to be a minimum of 50 feet from the stream. The proposed accessory apartment on top of the existing garage does not impact this setback.
16. **Plat Restrictions** – There are no restrictions documented on Plat #499, Juneau serial number 67-830.
17. **Traffic** – A traffic impact analysis is not required.
18. **Nonconforming situations** – The lot size is certified nonconforming. There are no other documented nonconforming or noncomplying conditions (NCC2021 0043).

### Building Division

19. **Building** –
  - a. Fire and sound separation will be required between the garage and apartment.
  - b. The apartment is required to have outside access. No entrance or exit through the garage is allowed.
  - c. A water meter will be required.
20. **Outstanding Permits** – None.

### General Engineering/Public Works

21. **Engineering** –
  - a. Please show utilities on the site plan. This can be drawn by hand on the existing as-built.
22. **Drainage** – N/A
23. **Utilities** – (water, power, sewer, etc.)
  - Septic** – ADEC review required. Please provide formal ADEC approval.
  - Water** – A water meter is required.

## Fire Marshal

24. **Fire Items/Access** – The Fire Marshal did not provide notes for this report.

## Other Applicable Agency Review

25. Alaska Department of Environmental Conservation may be required to evaluate the septic capacity for the extra load.

## 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.

Items 1-3 must be submitted together. Items 4-5 must be submitted together.

1. Development Permit Application
2. Allowable/Conditional Use Permit Application
3. Accessory Apartment Application
4. Building Permit Application
5. Accessory Dwelling Unit Grant Program Application (if desired)

## 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. A site plan (the one you've provided for this conference will do). Please show the parking space for the Accessory Apartment, and utilities to the new ADU.
3. Plans for modification of the garage.

## 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. None.

## Fee Estimates

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

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

1. Conditional Use Permit: \$350
2. Public Notice Sign: \$150: \$100 refundable if the sign is returned by the Monday following the Commission meeting.
3. Building permit fees will depend on the value of the improvements.

For informational handouts with submittal requirements for development applications, please visit our website at [www.juneau.org/community-development](http://www.juneau.org/community-development).

### **Submit your Completed Application**

You may submit your application(s) online via email to [permits@juneau.gov](mailto: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: [www.juneau.org/community-development](http://www.juneau.org/community-development)

#### **Attachments:**

49.15.330 – Conditional Use Permit  
Development Permit Application  
Allowable/Conditional Use Permit Application  
Accessory Apartment Application  
Accessory Dwelling Unit Information and Grant Application

**49.15.330 Conditional use permit.**

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

- (B) Whether the application is complete; and
- (C) Whether the development as proposed will comply with the other requirements of this title.
- (2) The commission shall adopt the director's determination on each item set forth in paragraph (1) of this subsection (e) unless it finds, by a preponderance of the evidence, that the director's determination was in error, and states its reasoning for each finding with particularity.
- (f) *Commission determinations; standards.* Even if the commission adopts the director's determinations pursuant to subsection (e) of this section, it may nonetheless deny or condition the permit if it concludes, based upon its own independent review of the information submitted at the hearing, that the development will more probably than not:
  - (1) Materially endanger the public health or safety;
  - (2) Substantially decrease the value of or be out of harmony with property in the neighboring area; or
  - (3) Lack general conformity with the comprehensive plan, thoroughfare plan, or other officially adopted plans.
- (g) *Specific conditions.* The commission may alter the director's proposed permit conditions, impose its own, or both. Conditions may include one or more of the following:
  - (1) *Development schedule.* A reasonable time limit may be imposed on construction activity associated with the development, or any portion thereof, to minimize construction-related disruption to traffic and neighborhood, to ensure that development is not used or occupied prior to substantial completion of required public or quasi-public improvements, or to implement other requirements.
  - (2) *Use.* Use of the development may be restricted to that indicated in the application.
  - (3) *Owners' association.* The formation of an association or other agreement among developers, homeowners or merchants, or the creation of a special district may be required for the purpose of holding or maintaining common property.
  - (4) *Dedications.* Conveyance of title, easements, licenses, or other property interests to government entities, private or public utilities, owners' associations, or other common entities may be required.
  - (5) *Performance bonds.* The commission may require the posting of a bond or other surety or collateral approved as to form by the city attorney to guarantee the satisfactory completion of all improvements required by the commission. The instrument posted may provide for partial releases.
  - (6) *Commitment letter.* The commission may require a letter from a public utility or public agency legally committing it to serve the development if such service is required by the commission.
  - (7) *Covenants.* The commission may require the execution and recording of covenants, servitudes, or other instruments satisfactory in form to the city attorney as necessary to ensure permit compliance by future owners or occupants.
  - (8) *Revocation of permits.* The permit may be automatically revoked upon the occurrence of specified events. In such case, it shall be the sole responsibility of the owner to apply for a new permit. In other cases, any order revoking a permit shall state with particularity the grounds therefor and the requirements for reissuance. Compliance with such requirements shall be the sole criterion for reissuance.
  - (9) *Avalanche areas.* Development in moderate and severe avalanche hazard areas shown on the Avalanche Hazard Designation Mapping, dated April 27, 2022, and attached to Serial No. 2023-18(am) as Appendix A, must minimize the risk to life and property.
  - (10) *Habitat.* Development in the following areas may be required to minimize environmental impact:

(A) Developments in wetlands and intertidal areas.

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

(Serial No. 87-49, § 2, 1987; Serial No. 2006-15, § 2, 6-5-2006; Serial No. 2015-03(c)(am), § 9, 8-31-2015; Serial No. 2017-29, § 3, 1-8-2018, eff. 2-8-2018; Serial No. 2023-18(am), § 3, 12-11-2023, eff. 1-11-2024)



# DEVELOPMENT PERMIT APPLICATION

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

To be completed by Applicant	<b>PROPERTY LOCATION</b>		
	Physical Address		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot)		
	Parcel Number(s)		
	<input type="checkbox"/> This property is located in the downtown historic district <input type="checkbox"/> This property is located in a mapped hazard area, if so, which _____		
	<b>LANDOWNER/ LESSEE</b>		
	Property Owner	Contact Person	
	Mailing Address	Phone Number(s)	
	E-mail Address		
	<b>LANDOWNER/ LESSEE CONSENT</b>		
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.			
_____ <b>Landowner/Lessee (Printed Name)</b> <b>Title (e.g.: Landowner, Lessee)</b>			
X _____ <b>Landowner/Lessee (Signature)</b> <b>Date</b>			
_____ <b>Landowner/Lessee (Printed Name)</b> <b>Title (e.g.: Landowner, Lessee)</b>			
X _____ <b>Landowner/Lessee (Signature)</b> <b>Date</b>			
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.			
<b>APPLICANT</b> <span style="float: right;">If same as LANDOWNER, write "SAME"</span>			
Applicant (Printed Name)		Contact Person	
Mailing Address	Phone Number(s)		
E-mail Address			
X _____ <b>Applicant's Signature</b> <b>Date of Application</b>			

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

Intake Initials

## INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Case Number

Date Received



# ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

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

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

To be completed by Applicant	<b>PROJECT SUMMARY</b>	
	<b>TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED</b>	
	<input type="radio"/> Accessory Apartment – Accessory Apartment Application (AAP) <input type="radio"/> Use Listed in 49.25.300 – Table of Permissible Uses (USE) Table of Permissible Uses Category: _____	
	<b>IS THIS A MODIFICATION or EXTENSION OF AN EXISTING APPROVAL?</b> <input type="radio"/> YES – Case # _____ <input type="radio"/> NO	
	<b>UTILITIES PROPOSED</b> WATER: <input type="checkbox"/> Public <input type="checkbox"/> On Site                 SEWER: <input type="checkbox"/> Public <input type="checkbox"/> On Site	
	<b>SITE AND BUILDING SPECIFICS</b> Total Area of Lot _____ square feet      Total Area of Existing Structure(s) _____ square feet Total Area of Proposed Structure(s) _____ square feet	
<b>EXTERNAL LIGHTING</b> Existing to remain <input type="radio"/> No <input type="radio"/> Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures Proposed <input type="radio"/> No <input type="radio"/> Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures		
<b>ALL REQUIRED DOCUMENTS ATTACHED</b>		
<div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> <input type="checkbox"/> <b>Narrative including:</b>  <input type="checkbox"/> Current use of land or building(s)  <input type="checkbox"/> Description of project, project site, circulation, traffic etc.  <input type="checkbox"/> Proposed use of land or building(s)  <input type="checkbox"/> How the proposed use complies with the Comprehensive Plan                             </div> <div style="width: 35%;"> <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                             </div> </div>		
<input type="checkbox"/> <b>Plans including:</b> <input type="checkbox"/> Site plan <input type="checkbox"/> Floor plan(s) <input type="checkbox"/> Elevation view of existing and proposed buildings <input type="checkbox"/> Proposed vegetative cover <input type="checkbox"/> Existing and proposed parking areas and proposed traffic circulation <input type="checkbox"/> Existing physical features of the site (e.g.: drainage, habitat, and hazard areas)		

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

ALLOWABLE/CONDITIONAL USE FEES				
	Fees	Check No.	Receipt	Date
Application Fees	\$ _____			
Admin. of Guarantee	\$ _____			
Adjustment	\$ _____			
Pub. Not. Sign Fee	\$ _____			
Pub. Not. Sign Deposit	\$ _____			
Total Fee	\$ _____			

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

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

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

Case Number	Date Received
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## **Allowable/Conditional Use Permit Application Instructions**

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

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

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

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

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

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

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

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

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

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

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

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

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

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	<b>PROJECT SUMMARY:</b>
	<b>ACCESSORY APARTMENT DESIGN</b>  <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <input type="radio"/> Attached to or Within a Single-Family Dwelling  <input type="radio"/> Within a Two-Unit Common-Wall Dwelling         </div> <div style="width: 48%;"> <input type="radio"/> Associated With a Detached Garage  <input type="radio"/> Not Affiliated with Another Structure (Stand alone)         </div> </div>
	<div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <b>AREA OF APARTMENT</b> </div> <div style="width: 70%;"> <b>Net Floor Area</b> _____ <b>square feet</b> </div> </div> <p style="font-size: small;">Areas common to more than one dwelling unit including entry ways, furnace rooms, laundry rooms, and interior stairways are not be included in the computation of net floor area.</p>
	<div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <b>PARKING</b> </div> <div style="width: 35%;"> <b>Existing Spaces</b> _____         </div> <div style="width: 35%;"> <b>Total Proposed Spaces</b> _____         </div> </div> <p style="font-size: small;">(Parking dimensions must be a minimum of 8.5' X 17', and each parking space must be drawn to scale on the site plan.)</p>

--DEPARTMENT USE ONLY BELOW THIS LINE

<b>SITE INFORMATION</b>		<b><u>UTILITIES AVAILABLE</u></b>	
ZONING DISTRICT _____		WATER: <input type="checkbox"/> Public	<input type="checkbox"/> On Site
MINIMUM LOT SIZE (49.25.400) _____		SEWER: <input type="checkbox"/> Public	<input type="checkbox"/> On Site
ACTUAL LOT SIZE _____			

Permitting Process:	<input type="checkbox"/> Departmental Review	<input type="checkbox"/> Planning Commission
	<input type="checkbox"/> Pre-Application Conference held	<input type="checkbox"/> Narrative and Pre-App notes attached

<b>Fees</b> (Departmental Approval)	Fees	Check No.	Receipt No.	Date
Application Fees	<u>See Building Permit</u>			
<b>Fees</b> (Conditional Use Permit)				
Application Fee	\$ _____			
Public Notice Sign Fee	\$ _____			
Public Notice Sign Deposit	\$ _____			
<b>Total</b>	\$ _____			

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

Case Number	Date Received
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## **Accessory Apartment Application Information**

Accessory Apartments are outlined in CBJ 49.25.510(k)

**For more information about Accessory Apartments see the Accessory Apartment handout in the Permit Center.**

If the Actual Lot Size is less than the Minimum Lot Size required, the application must be reviewed through the Conditional Use Permitting Process.

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

1. **Forms:** Completed Accessory Apartment Permit Application and Development Permit Application forms.
2. **Fees:** All Accessory Apartment Application's must pay Building permit fees. If it is determined that the apartment needs to be reviewed under the Conditional Use process, additional fees will apply. Any development, work or use done without an issued permit will be subject to double fees.
3. **Project Narrative:** A detailed narrative describing the project.
4. **Plans:** All plans are to be drawn to scale and must clearly show the items listed below:
  - A. Site plan, drawn to scale and dimensioned indicating all required parking, minimum setbacks and entrances for both dwelling units.
  - B. A floor plan drawn to scale and dimensioned indicating both dwelling units including each room labeled as to use.
  - C. Existing physical features of the site (i.e. drainage, eagle trees, hazard areas, salmon streams, wetlands, etc.).

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

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

**Please consult with the Community Development Department to discuss whether additional information may be required for your application. During business hours the "Planner-On-Call" can be reached by contacting the Permit Center at 586-0770 or via e-mail at [permits@juneau.org](mailto:permits@juneau.org).**

**Minimum Lot Size:** If the property meets or exceeds the minimum lot size required in the Table of Dimensional Standards and is served by public sewer, the application will be reviewed by Community Development Department Staff. If the property has an on-site waste disposal system, written verification from the Alaska Department of Environmental Conservation that the disposal system has the capacity to service an additional dwelling unit and inspection are required.

**Conditional Use Process:** An Accessory Apartment Permit will be required to be reviewed through the Conditional Use permitting process if the lot upon which the accessory apartment is proposed is smaller than the Minimum Lot Size for Permissible Uses listed in the Table of Dimensional Standards, CBJ 49.25.400. **If this is the case, a Conditional Use permit review fee will be required in addition to building permit fees.**

**Application Review Procedure:** Once the application is determined to be complete, the Community Development Department will initiate the review of the application. As part of the review process the Community Development Department will evaluate the application for consistency with all applicable City & Borough of Juneau codes and adopted plans. Depending on unique characteristics of the Accessory Apartment Application request, the application may be required to be reviewed by other municipal boards and committees. During this review period, the Community Development Department will coordinate the review of this application by other agencies, as necessary. **Review comments may require the applicant to provide additional information, clarification, or submit modifications/alterations for the proposed project.**

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



# Accessory Dwelling Unit Grant Program

The Accessory Dwelling Unit Grant program is intended to provide encouragement for homeowners to add an accessory apartment to their home. This incentive is a \$13,500 grant per new accessory dwelling unit created. Funding for this program is provided by the Juneau Affordable Housing Fund.

## Preliminary Eligibility to Apply

- **Applicant can only apply for the grant program concurrently with a building permit application**
- One grant per property
- Applicant must be the property owner and at least 18 years of age.
- Applicant must be a Juneau resident whose principal residence is within the borough of Juneau.
- Outstanding Code Enforcement cases must **not** exist on the subject property.
- Only new accessory apartment units are eligible for this incentive program. Building permit must have been issued after the program launch date.
- Building permit and grant application must be compliant with Title 19, Title 49, CBJ Engineering Code, and incentive grant criteria.

## Eligibility for Award

- Pass final inspection within two years of issuance of associated building permit.
- Receive a full Certificate of Occupancy within 2 years from date building permit was **issued**. A Temporary Certificate of Occupancy is insufficient.
- Have no outstanding or active code enforcement cases on subject property.
- Submit exterior and interior photos of new unit
- Property taxes and assessments, including bonds, must be in good standing.
- Record a deed restriction agreeing not to rent the resulting unit as a short-term rental for five (5) years from the date of issuance of the certificate of occupancy; a default would cause the property owner to owe the CBJ the grant award in the amount of \$2,700 for each year remaining of the deed restriction.
- The grant is non-transferable; therefore, if there is a conveyance of property prior to awarding this grant, this application becomes null and void.

## Application and Disbursement Process

Property owners shall complete an Accessory Dwelling Unit Grant application concurrently with a Building Permit application for an Accessory Apartment. Applications are accepted at the Community Development Department Permit Center on the 4th floor of the Marine View Building, located at 230 South Franklin Street. Staff will be available to provide assistance and answer any questions.

Availability of funding currently allows for 16 grant awards per fiscal year. Applications are received on a first come, first served basis. Grant application approval will be determined by the Community Development Department; approval is subject to meeting preliminary eligibility requirements. The first 16 eligible applicants will be awarded after meeting the final eligibility for award requirements. After the first 16 applications have been received, eligible applicants will be placed on a waitlist in the event more funding becomes available, or an applicant on the primary list fails to meet award eligibility requirements.

Grant proceeds will be disbursed after a full Certificate of Occupancy is issued by the CBJ Building Division, within the 2 year timeframe, and all other award eligibility requirements are met. Extension of grant deadlines will not be provided. Temporary Certificates of Occupancy are insufficient to receive an incentive grant award.

The applicant must agree not to rent the apartment as a short-term rental from issuance of the Certificate of Occupancy for five (5) years, and a default would cause the property owner to owe the CBJ the grant award. A short-term rental means a dwelling unit, or portion of a dwelling unit, offered for overnight occupancy in exchange for a fee and that is available for rent for fewer than 30 consecutive days.

## Final Inspections

Applicants are cautioned that the building inspection process often takes more time to complete than one may anticipate. Inspectors may have several inspections pending. Depending on the season, inspectors may be unable to respond rapidly to a request for an inspection. Please allow adequate time after inspections to make necessary corrections. **Final inspections should be scheduled at least 1 month in advance of the 2 year deadline.**

## Income and Taxes

Applicant is solely responsible for any tax implications upon receiving this incentive grant.



## ACCESSORY DWELLING UNIT GRANT (ADUG) PROGRAM APPLICATION

Please complete the top section of this form and the attached W-9 form. Please retain the compliance report for use after the grant is awarded. Incomplete applications will not be accepted.

Owner and property information – required		
Name:		Mailing address:
Email:		Phone:
Property physical address:		Parcel number (PCN):
Unit square footage:	Zoning district:	Lot size:
Permitting information – staff to complete		
ADUG #:	AAP #:	BLD #:
App. expiration date:	BLD issue date:	CO issue date:

**1. Grants:** Applicant can only apply for the grant program concurrently with a building permit application. Grants are limited based on available funding. The CBJ is free to reduce or eliminate the funding for this program. Applicants do not vest any rights in this program.

**2. Certificate of Occupancy:** The CBJ intends to award \$13,500 grants to the first 16 eligible applicants who also receive a *full* Certificate of Occupancy within two (2) years of issuance of associated building permit. A temporary Certificate of Occupancy is insufficient.

**3. Eligible applicant:** Only the property owner may apply as an individual and may not receive more than one grant per property. This award is non-transferable; therefore, if there is a conveyance of property prior to awarding this grant, this application becomes null and void and the applicant will be required to pay back the remaining prorated grant amount at a rate of \$2,700 per year remaining on the deed restriction. The resulting apartment must not be rented as a short-term rental for five (5) years from the receipt of the Certificate of Occupancy.

**4. Taxes and Assessments:** All taxes and assessments, including bonds, due to the CBJ at the time of issuance of a Certificate of Occupancy shall be in good standing prior to the award of this grant.

**5. Compliance:** All development on the subject property shall comply with all applicable laws, including CBJ Title 19, Title 49, and Engineering Code. This application is void if there is an outstanding code enforcement case or if the apartment development creates a code enforcement case before award of the grant.

<b><u>Applicant Signature</u></b>	<b><u>Date</u></b>	<b><u>Staff intake initial and date:</u></b>

This form and all documents associated with it are public record once submitted. For assistance filling out this form, contact the Permit Center at 586-0770.

Form **W-9**  
(Rev. October 2018)  
Department of the Treasury  
Internal Revenue Service

# Request for Taxpayer Identification Number and Certification

► Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

**Give Form to the requester. Do not send to the IRS.**

Print or type. See Specific Instructions on page 3.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
	2 Business name/disregarded entity name, if different from above	
	3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only <b>one</b> of the following seven boxes.	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):
	<input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► _____ <b>Note:</b> Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is <b>not</b> disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. <input type="checkbox"/> Other (see instructions) ► _____	Exempt payee code (if any) _____  Exemption from FATCA reporting code (if any) _____  <i>(Applies to accounts maintained outside the U.S.)</i>
	5 Address (number, street, and apt. or suite no.) See instructions.	Requester's name and address (optional)
6 City, state, and ZIP code		
7 List account number(s) here (optional)		

## Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

**Note:** If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

<b>Social security number</b>									
				-					
<b>or</b>									
<b>Employer identification number</b>									
					-				

## Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

<b>Sign Here</b>	Signature of U.S. person ►	Date ►

## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

## Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
  - Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
  - Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
  - Form 1099-S (proceeds from real estate transactions)
  - Form 1099-K (merchant card and third party network transactions)
  - Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
  - Form 1099-C (canceled debt)
  - Form 1099-A (acquisition or abandonment of secured property)
- Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

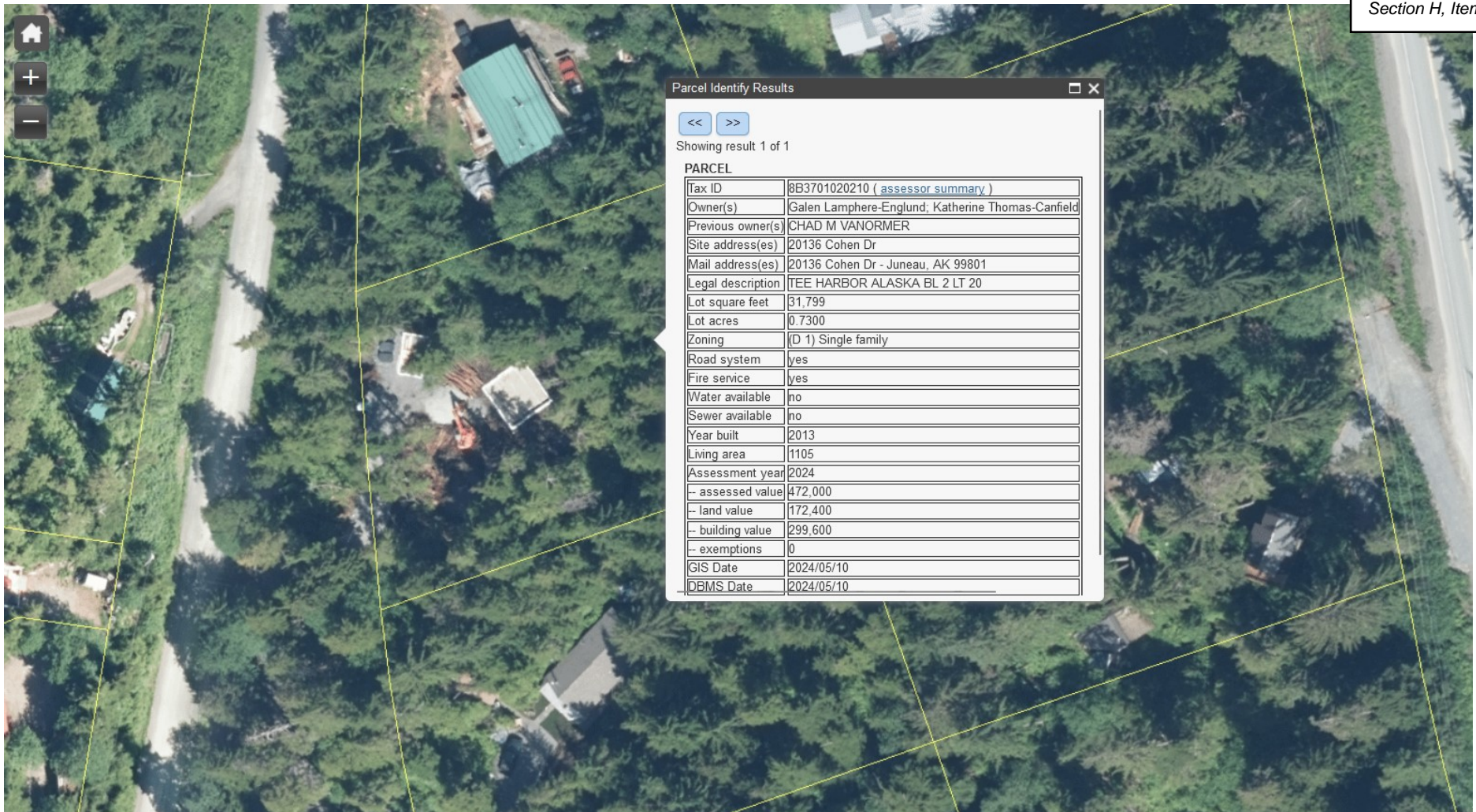
*If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.*

# Accessory Dwelling Unit Grant Compliance Report

**Important: This compliance report must be filed annually on or before March 31 for five years after the unit receives a Certificate of Occupancy (CO). Noncompliance will cause the applicant to owe the CBJ \$2,700 a year for the remaining years of compliance up to \$13,500**

Property owner: _____	<b>For staff use only:</b>  Intake initials: _____  Date: _____
Parcel number: _____	
Property address: _____	
Grant ID: _____	
Date Grant issued: _____	
Today's date: _____	

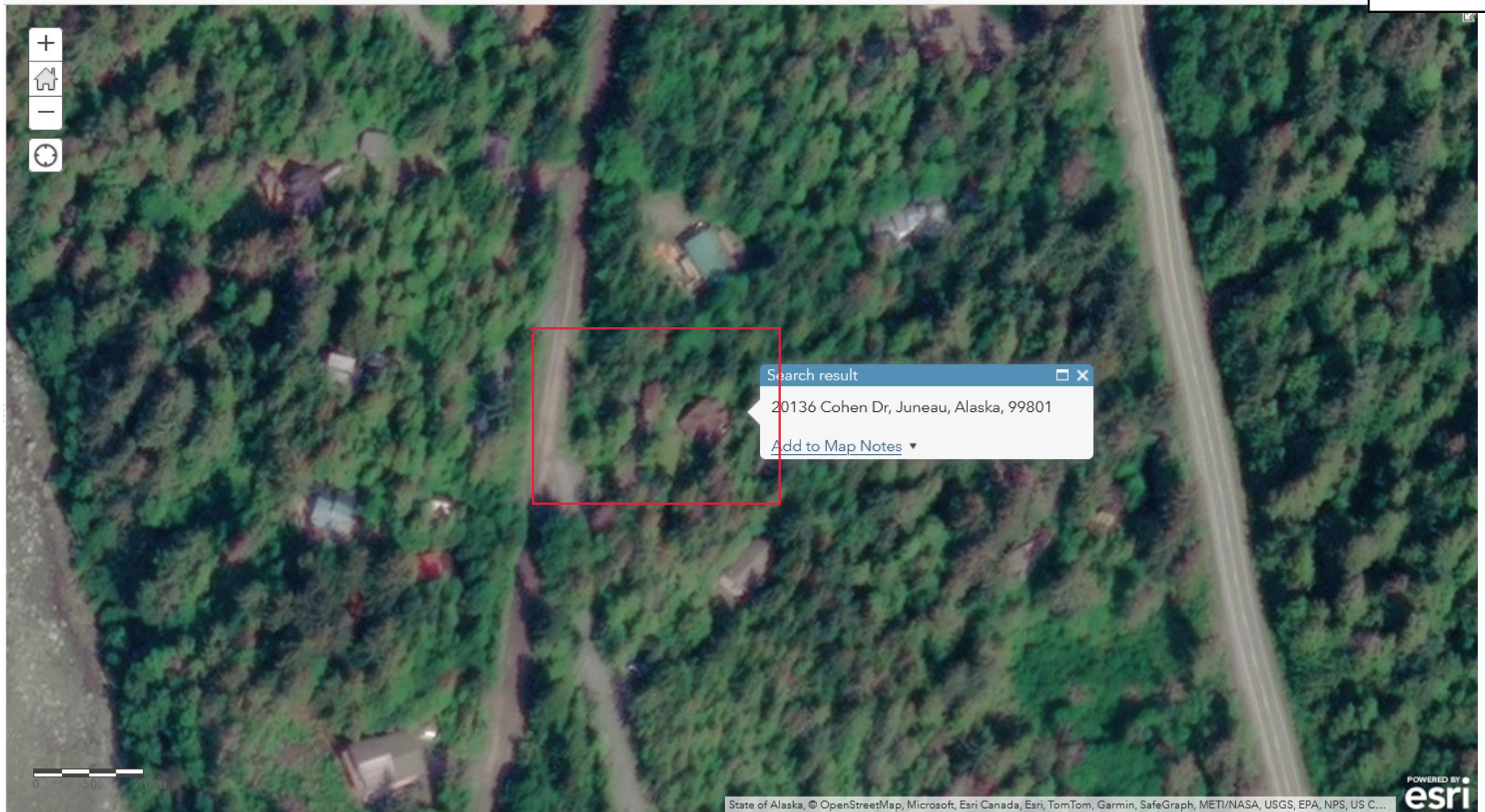
[illegible]



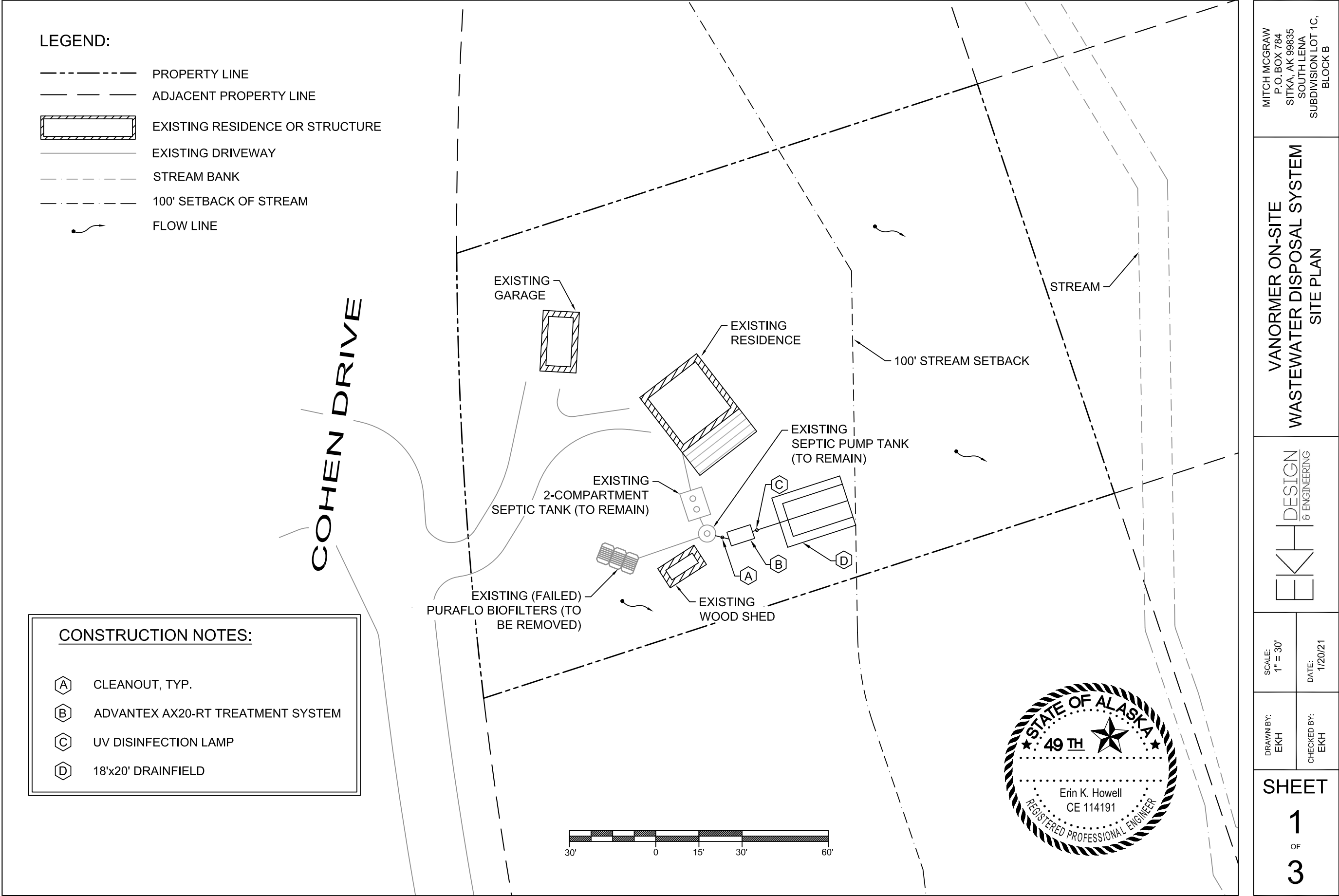
20136 Cohen Drive -- Aerial view of lot, 2013 during construction. Footprint visible.



20136 Cohen Drive -- Aerial view of lot, 2013 during construction. Footprint visible.



Aerial view, 2020, of current footprint. Garage visible as smaller structure at left.



Attachment K – 2024 Cohen Drive Blueprints

Main house elevation



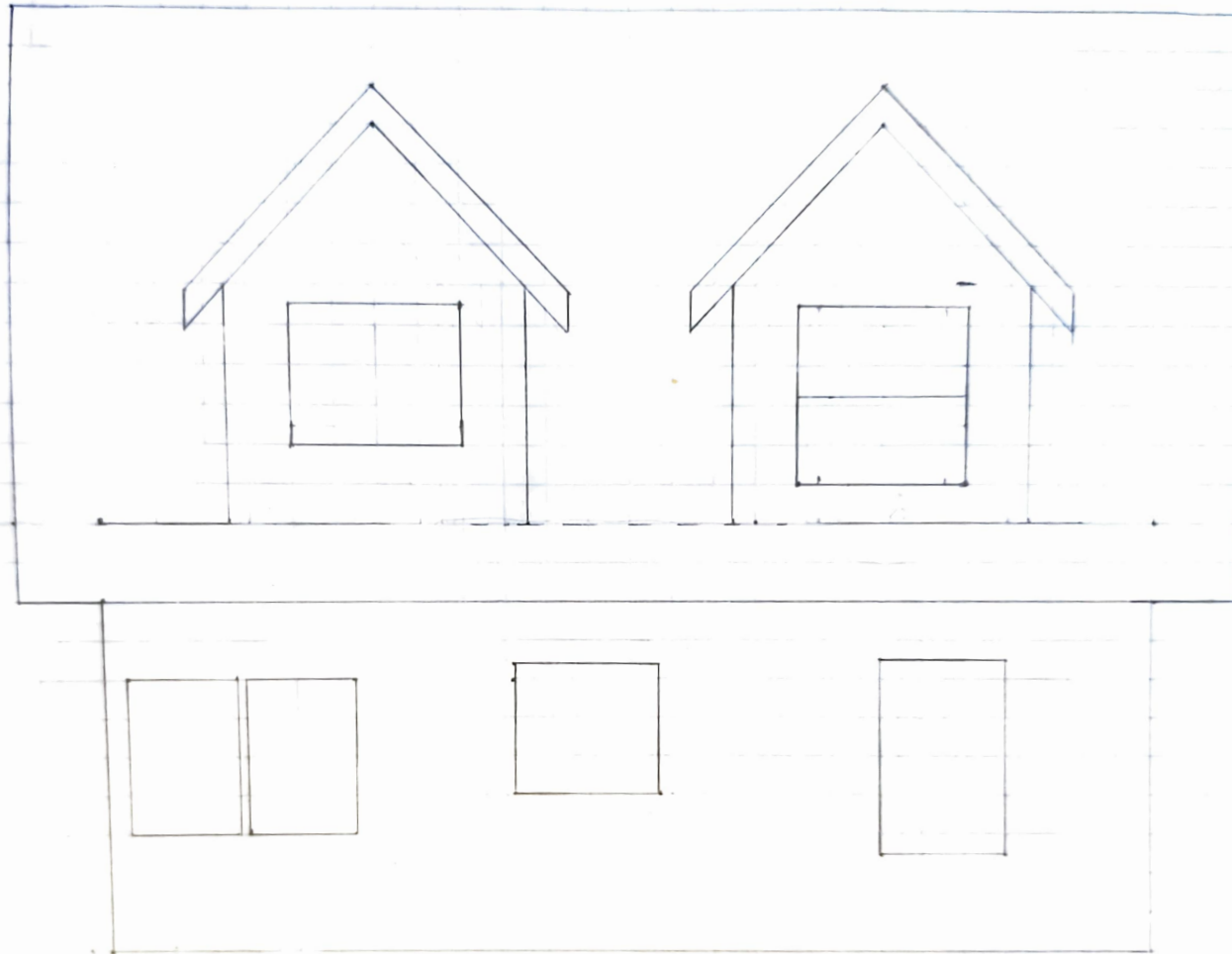
\*not shown w/ covered front porch

COHEN PROJECT

West Section\*  
1 sq. = 1 ft.<sup>2</sup>

BOYD-VANDERMER  
28 Jan 2013

Main house elevation

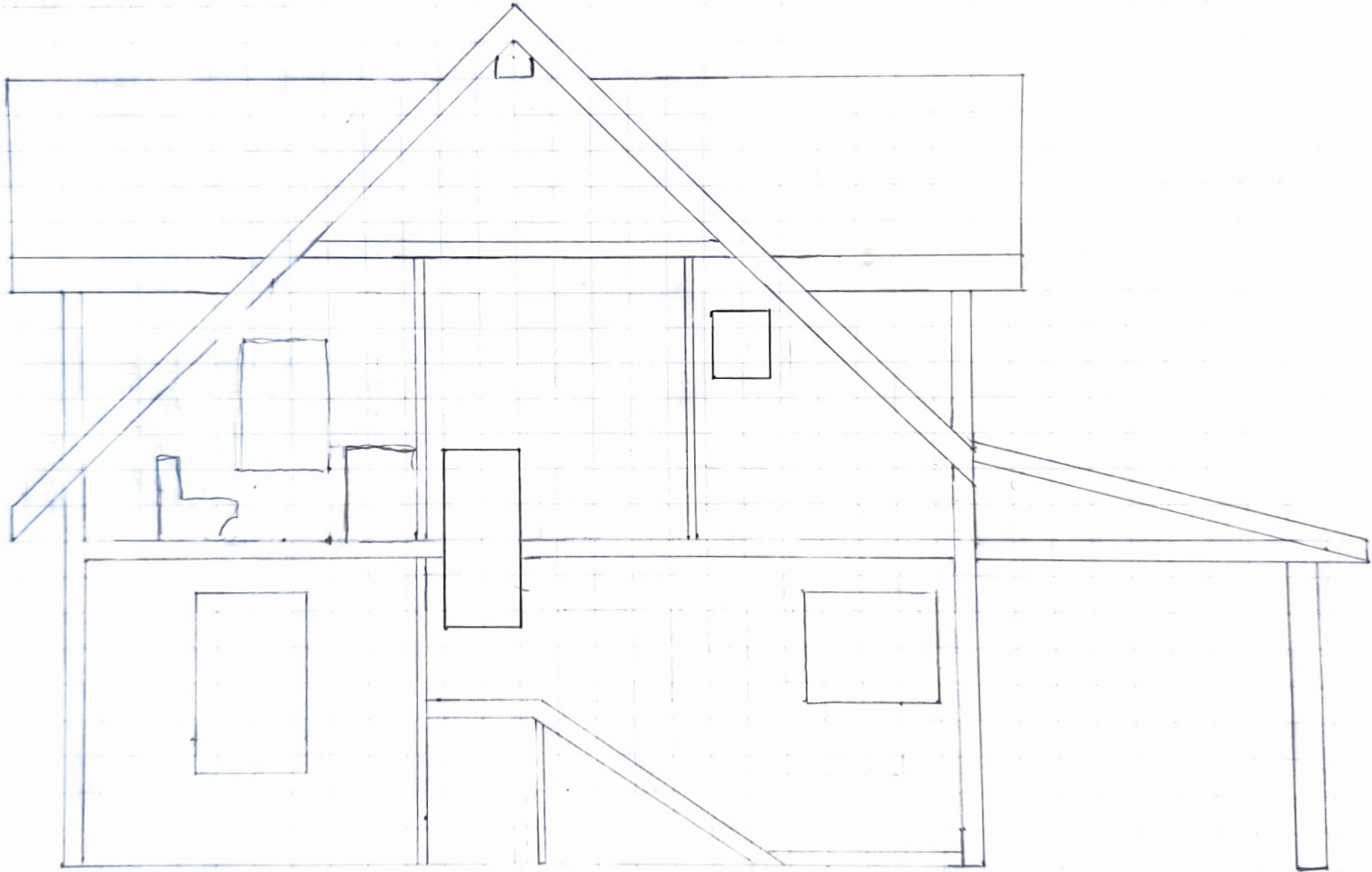


COHEN PROJECT

East Section  
159' x 142'

BOYD - VAN ORMER  
28 Jan 2013

Main house elevation

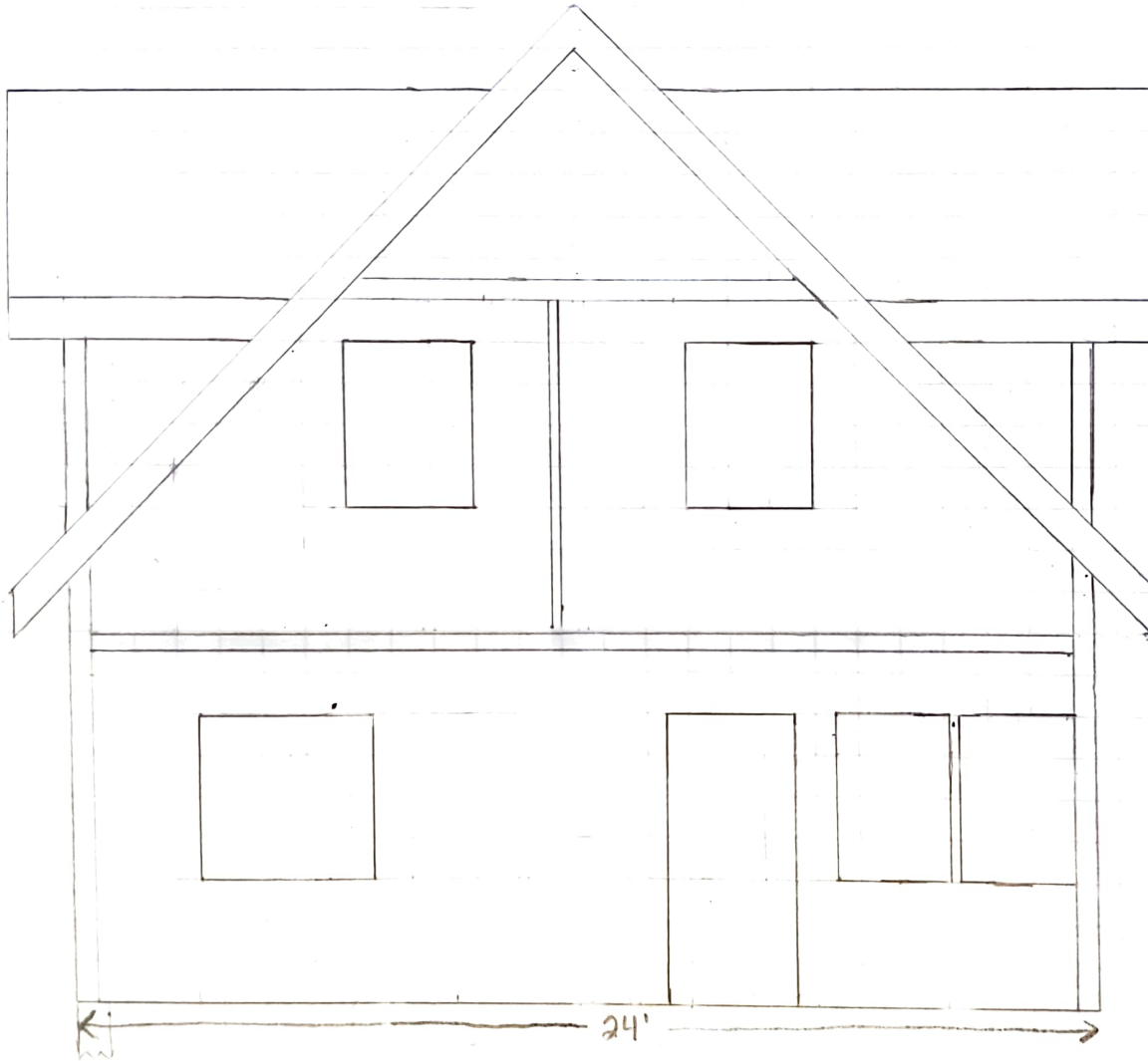


COHEN PROJECT

North Profile  
1 sq. = 1 ft.<sup>2</sup>

BOYD-VANDORMER  
28 Jan 2013

Main house elevation

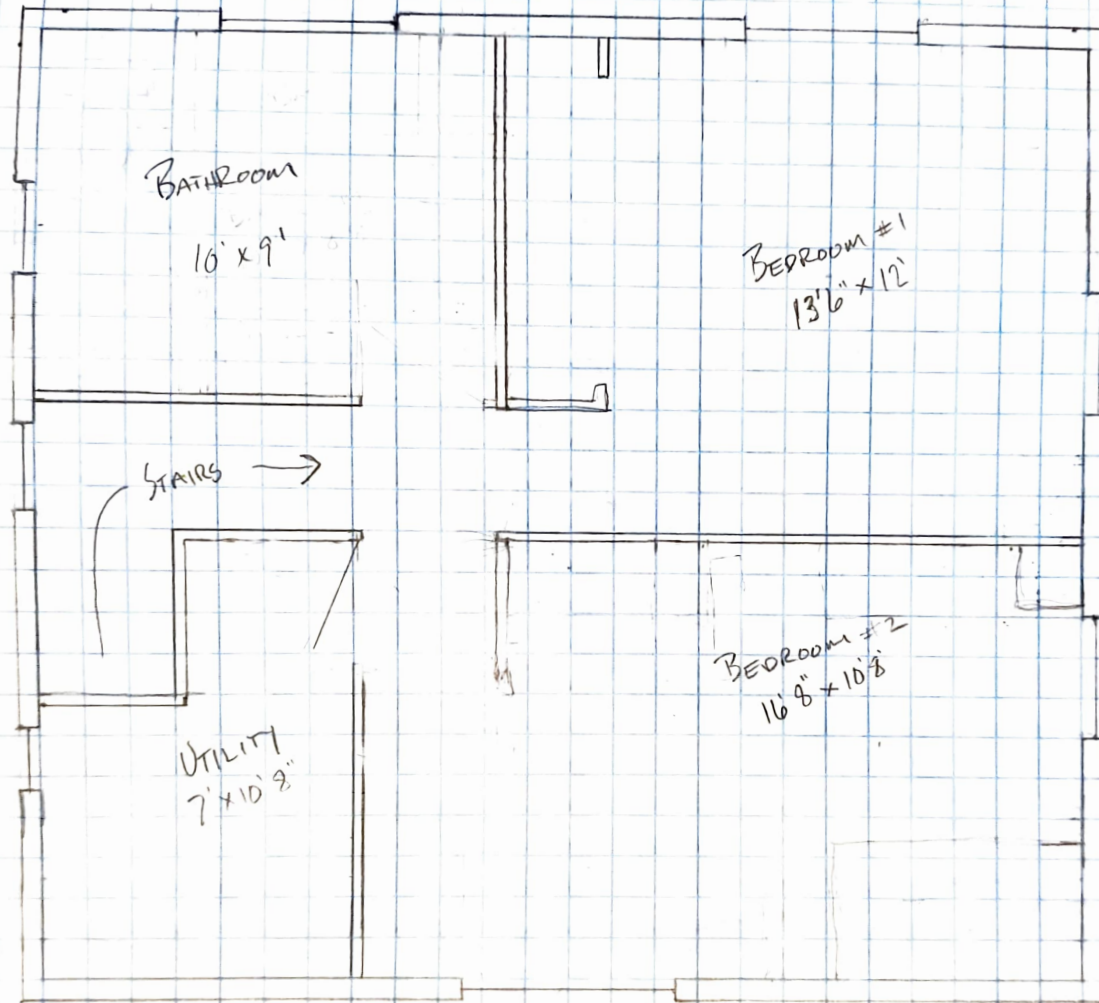


COHEN PROJECT

South Section  
1 sq. = 1 ft.<sup>2</sup>

BOYD - VAN DERMER  
28 Jan 2013

Main house floorplan, upper level



COHEN PROJECT

2<sup>nd</sup> LEVEL  
1 sq. = 1 ft<sup>2</sup>

BOYD-VANDORMER  
28 JAN 2013

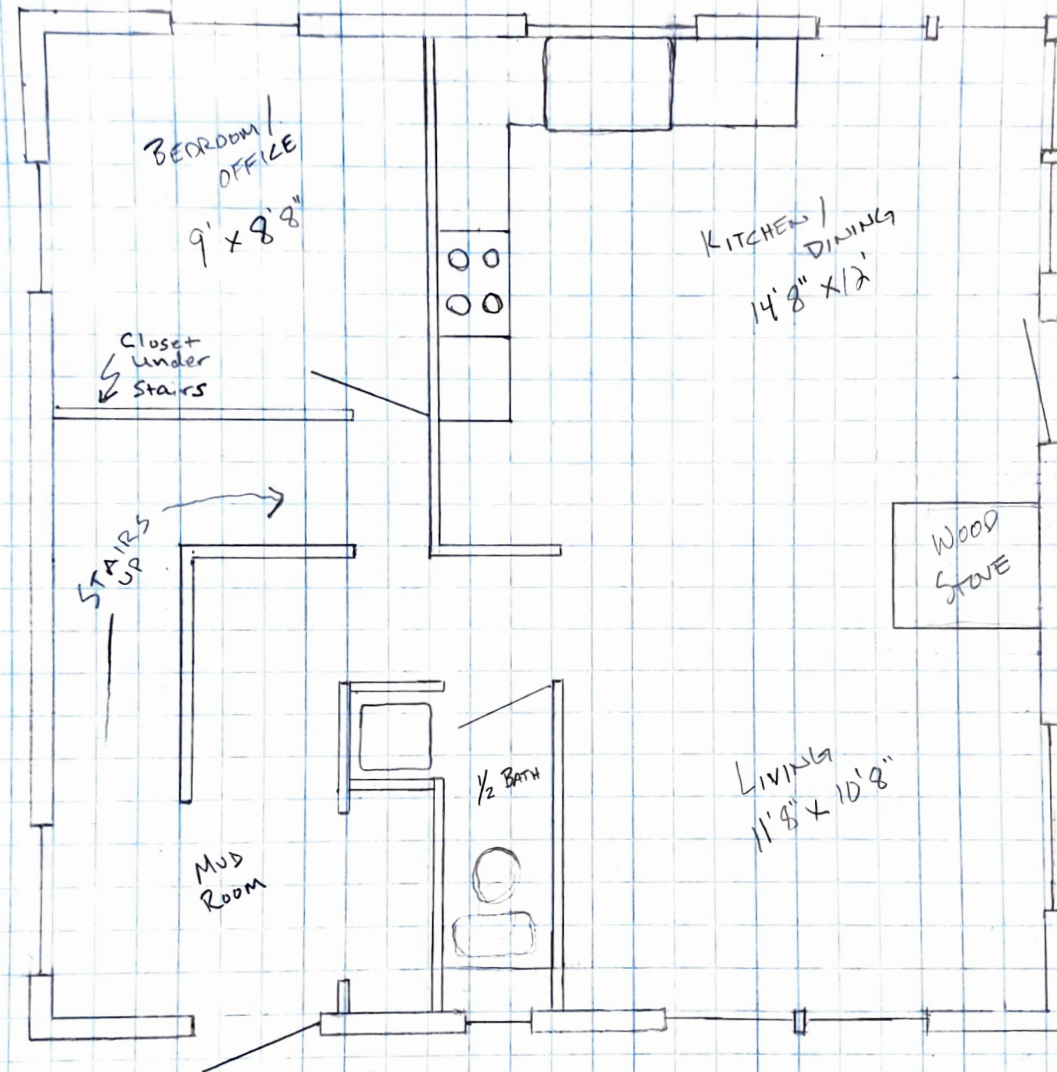
Main house, floorplan, lower level

OUTSIDE DIMENSIONS

25' x 24'

INSIDE DIMENSIONS

24' x 23'

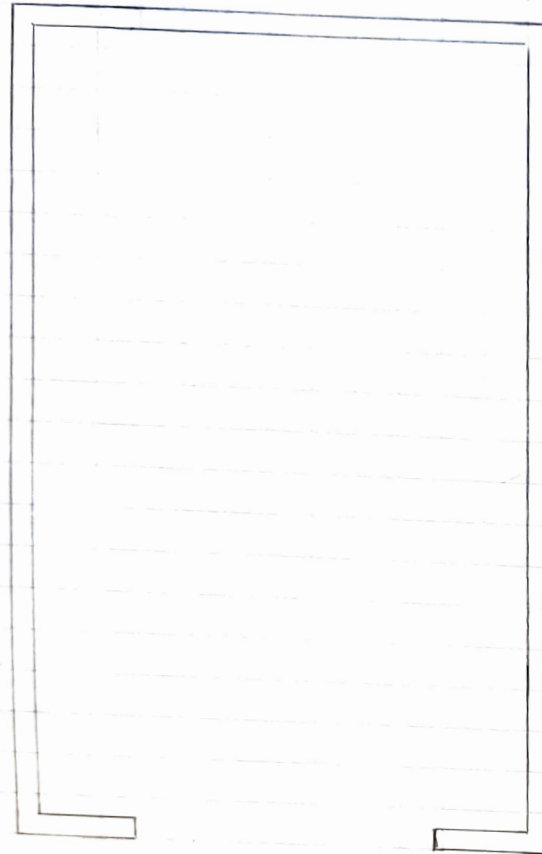


COHEN PROJECT

1<sup>ST</sup> LEVEL  
1 sq. = 1 ft<sup>2</sup>

BOYD-VANORMER

Garage elevation and dimension

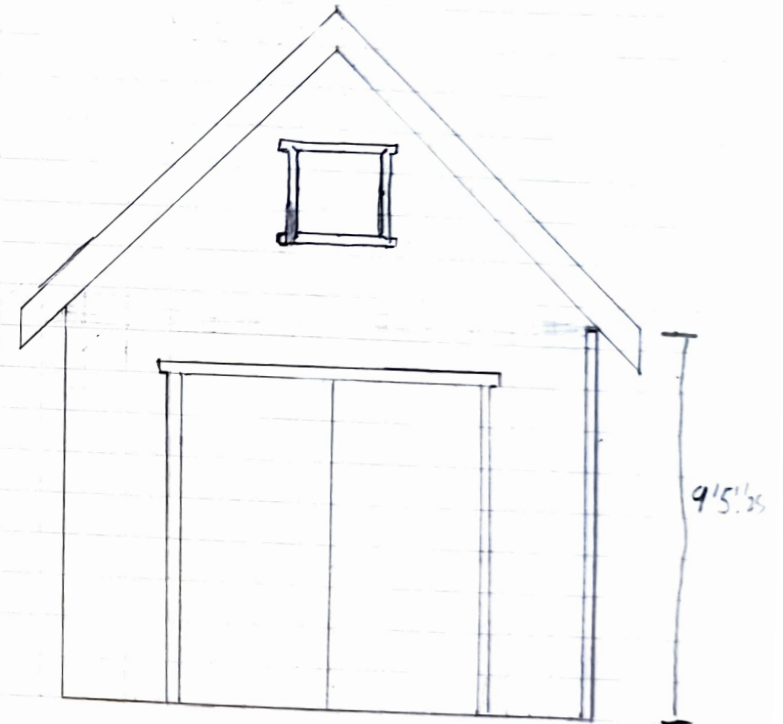


OUTSIDE DIMENSION 12'6" X 20'  
 INTERIOR DIMENSION 11'6" X 14'  
 TOP OF CEILING TO BOTTOM OF JOIST: H: 7'3"  
 TOP OF JOIST TO CEILING: H: 6'9.5"

COHEN PROJECT

BETWEEN UPRIGHTS: 8'5"

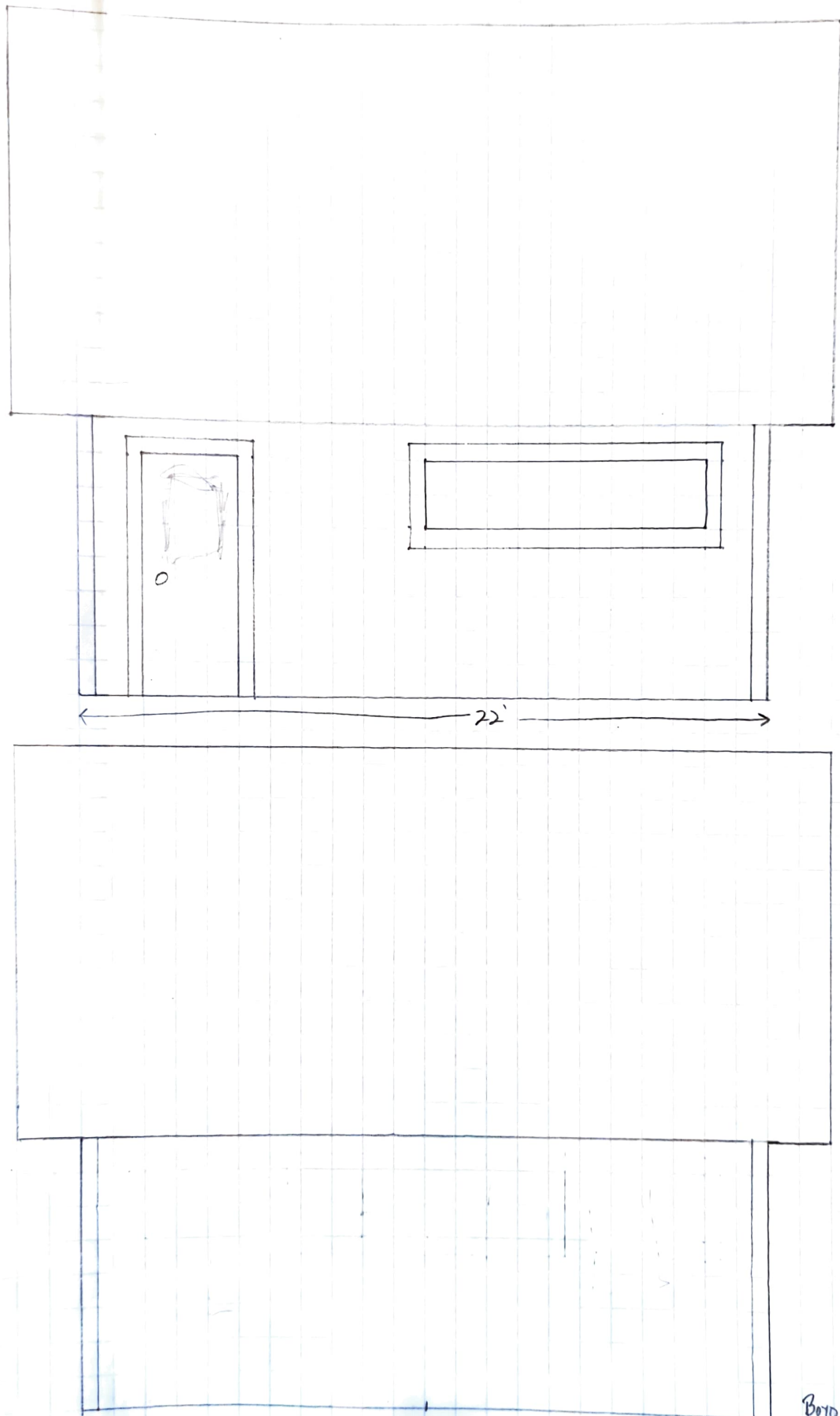
GARAGE



INTERIOR HEIGHT TO JOIST 9'5.25"  
 TOTAL INTERIOR HEIGHT 16'9"

BORD-VANDERMER  
 28 JAN 2013

Garage elevation



COHEN PROJECT

GARAGE

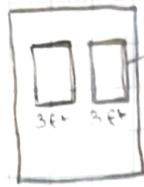
BOYD-VAN ORMER  
16 NOV 2012

Proposed remodel views

w/o windows

w/ windows

Wall 1  
(back overlooking forest)



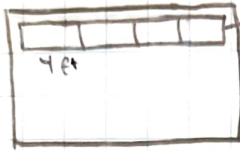
$$= 109.25 \text{ ft}^2 - 24 \text{ ft}^2 = 85.25 \text{ ft}^2$$

Wall 2  
(front overlooking parking)



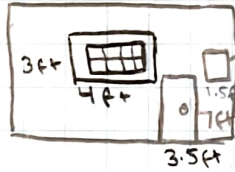
$$= 109.25 \text{ ft}^2 - 15 \text{ ft}^2 = 94.25 \text{ ft}^2$$

Wall 3  
(side overlooking shelter logic)



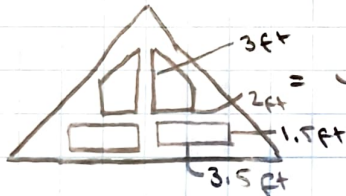
$$= 180.5 \text{ ft}^2 - 24 \text{ ft}^2 = 156.5 \text{ ft}^2$$

Wall 4  
(side overlooking main house)



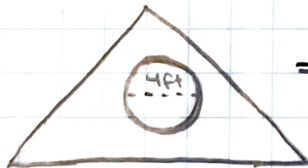
$$= 180.5 \text{ ft}^2 - 14.25 \text{ ft}^2 - 24.5 = 141.75 \text{ ft}^2$$

Wall 5  
(roof section overlooking forest)



$$= 42.5946 \text{ ft}^2 - 18 \text{ ft}^2 = 24.5946 \text{ ft}^2$$

Wall 6  
(roof section overlooking parking)



$$= 42.5946 \text{ ft}^2 - 12.56 \text{ ft}^2 = 30.0346 \text{ ft}^2$$

Wall 7  
(roof overlooking shelter logic)



$$= 175.3662 \text{ ft}^2 - 0 = 175.3662 \text{ ft}^2$$

Wall 8  
(roof overlooking main house)

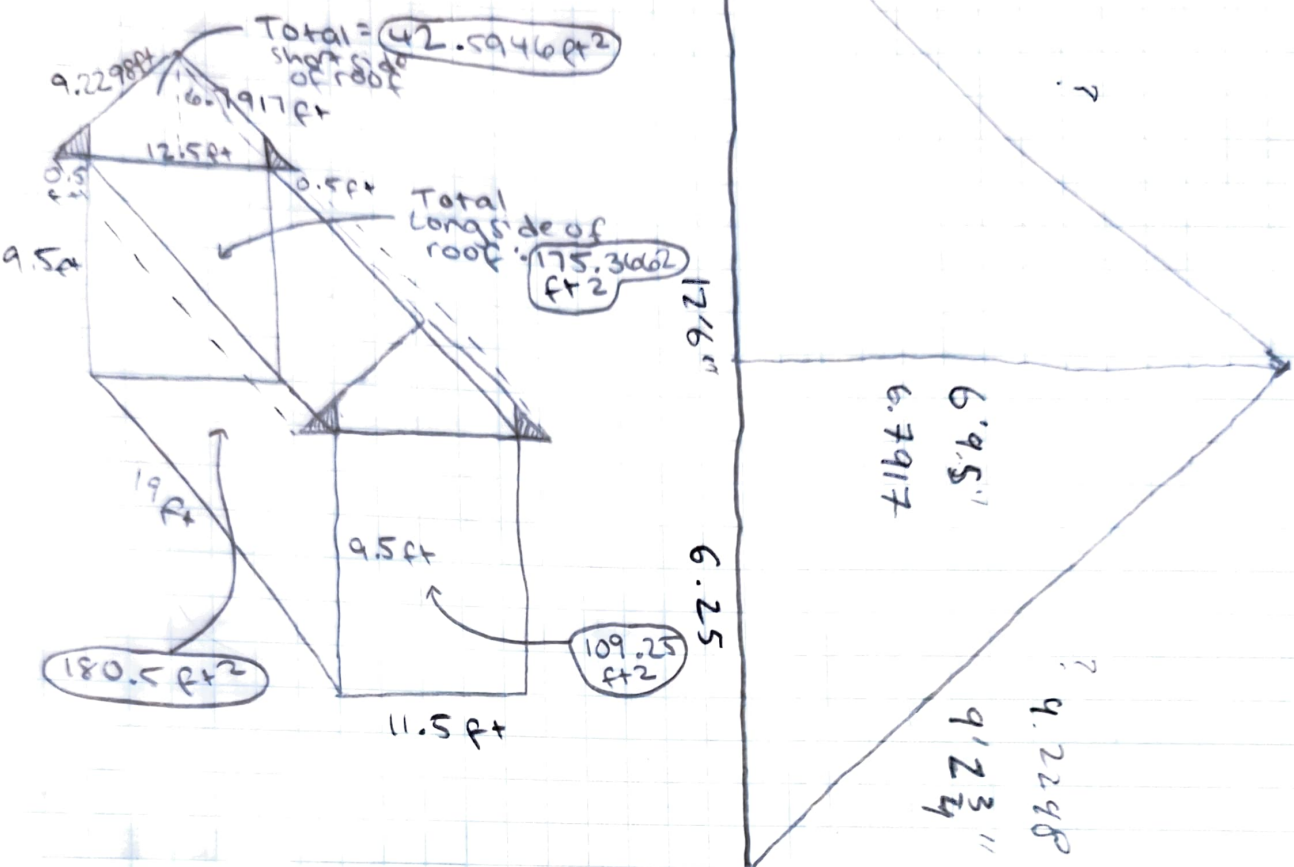


$$= 175.3662 \text{ ft}^2 - 0 = 175.3662 \text{ ft}^2$$

Total : w/o windows: 1,015.4216 ft<sup>2</sup>

w/ windows: 886.1116 ft<sup>2</sup>

Garage dimensions



$$\frac{1}{12} = .0833$$
$$6.7917^2 + 6.25^2 = 9.2298$$
$$85.1897 = 9.2298$$

3- file a/c



**\*Previous Day is a Holiday / \*Holiday\* / Next day Holiday closure\***

Planning Commission Meetings – 2025 2 <sup>nd</sup> & 4 <sup>th</sup> Tuesdays/month 7:00 pm, Assembly Chambers/Zoom Webinar	
January 14	
January 28	
February 11	
February 25	
March 11	
March 25	
April 8	
April 22	
May 13	
*May 27	
June 10	
June 24	
July 8	
July 22	
August 12	
August 26	
September 9	
September 23	
October 14	
October 28	
November 18 – Virtual	
<del>November 25</del>	
December 9	
December 16 - Virtual	

**\*Previous Day is a Holiday / \*Holiday\* / Next day Holiday closure\***

# **Additional Materials**

## **Regular Planning Commission Meeting**

Assembly Chambers  
7:00pm  
Meeting Date: 12/10/2024

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- 1. USE2024 0019:**
  - a. Public comment: Teresa R. Camphere 12/4/24
- 2. Comments on Non-Agenda Items:**
  - a. Public comment: Julius Adolfsson, received 12/2/24
  - b. Public comment: Tonja Moser, received 12/4/24
- 3. Draft Rules of Order for Discussion**
- 4. AME19-15 Downtown Douglas/West Juneau (DD/WJ) Area Plan Steering Committee Appointments**
- 5. 10.22.24 PC Draft Meeting Minutes**

To Jolene Murphy

I support the conditional  
Use permit

for Galen Lamphere  
England + Katie Thomas Canfield

Case # USE20240019

at 20136 Cohen Drive  
for a 219 sf accessory apt. <sup>Jumeau. AK 99801</sup>

As a young married couple  
they will need additional  
space for grandparents  
suite, and visiting friends  
annex. I see no reason to  
prevent this remodel from going  
forward. The drainfield


is more than adequate  
and the structure is the  
same, only use is different.

So please approve  
this use permit

Season's Greetings

Thank you

Teresa T. (Ruby Lamphere)

  
Jumeau. AK 99801

cell 

**From:** Adolfsson, Julius A (DOT) <julius.adolfsson@alaska.gov>  
**Sent:** Monday, December 2, 2024 1:28 PM  
**Subject:** Juneau: Planning and Designing for Pedestrian Safety, 12/17-19

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

Hello,

I'm reaching out to you with a courtesy email about an upcoming and free training in Juneau: [Planning and Designing for Pedestrian Safety](#), Tuesday, December 17, 2024 - Thursday, December 18 from 8:30 AM - 5:00 PM. This 3-day comprehensive course is designed to help state and local officials learn 'HOW TO' address pedestrian safety issues in the development of a pedestrian safety action plan, and specific programs and activities tailored to their community. The Planning and Designing for Pedestrian Safety is a combination of the information from the 2-day "Developing a Pedestrian Safety Action Plan" (NHI-380089) and the 2-day "Designing for Pedestrian Safety" (NHI-380090) course. It is also intended to assist agencies in the further enhancement of their existing pedestrian safety plan, programs, and activities, including involving partners and stakeholders, collecting and analyzing data and information, prioritizing issues and concerns, selecting and implementing an optimal combination of education, enforcement, and engineering strategies.

Feel free to share this training opportunity within your respective networks, there are still 14 spots available.

Best,



**Julius Adolfsson (he/him)**

Active Transportation Planner & Statewide Bike-Ped Coordinator

**Alaska Department of Transportation & Public Facilities**

Office: 907.465.6978 • [julius.adolfsson@alaska.gov](mailto:julius.adolfsson@alaska.gov)

***Keep Alaska Moving through service and infrastructure.***



**From:** [Jill Lawhorne](#)  
**To:** [Tonja Moser](#)  
**Cc:** [Beth Weldon](#); [Irene Gallion](#); [David Peterson](#); [Edward Quinto](#); [Scott Ciambor](#); [PC Comments](#); [Rob Dumouchel](#)  
**Subject:** RE: Title 49 Committee  
**Date:** Wednesday, December 4, 2024 12:38:40 PM

---

Good afternoon Tonja,

As you may be aware the Assembly funded a rewrite of the land use code, and the city manager has hired a special project manager for the task—Rob Dumouchel. I've added Rob to your email as he is the best person to speak to regarding the Title 49 (land use code) rewrite. CDD is no longer conducting revisions to the land use code while the rewrite is underway. Rob has been given the final draft ordinance for Ch. 35 that I drafted. This draft allows the subdivisions on the arterials, along with revisions to private shared access and other content.

I recommend reaching out to Rob and following the Title 49 rewrite process—there will be opportunities for public input, and he can best speak to his schedule.

Thank you,

Jill

---

**From:** Tonja Moser  
**Sent:** Wednesday, December 4, 2024 11:43 AM  
**To:** Jill Lawhorne <[Jill.Maclean@juneau.gov](mailto:Jill.Maclean@juneau.gov)>; Beth Weldon <[Beth.Weldon@juneau.gov](mailto:Beth.Weldon@juneau.gov)>; Irene Gallion <[Irene.Gallion@juneau.gov](mailto:Irene.Gallion@juneau.gov)>; PC\_Comments <[PC\\_Comments@juneau.gov](mailto:PC_Comments@juneau.gov)>; David Peterson <[David.Peterson@juneau.gov](mailto:David.Peterson@juneau.gov)>; Edward Quinto <[edward.quinto@juneau.gov](mailto:edward.quinto@juneau.gov)>; Scott Ciambor <[Scott.Ciambor@juneau.gov](mailto:Scott.Ciambor@juneau.gov)>  
**Subject:** Fwd: Title 49 Committee

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

Hi all

I am reviving this email thread and adding David Peterson and Edward Quinto, as I have been talking with them most recently. We were told to schedule a meeting with Edward Quinto, who added David, thinking they could help us appeal to the commission about the illogical zoning issues. However, their hands are tied, and they are waiting for the planning commission to meet and finalize their code work.

It seems that the people at the city see the inequities and incongruous zoning issues, and agree with our premise that subdividing our lot will not increase traffic on North Douglas Highway, yet can't help us. We are frustrated and need some direction on our next steps.

To recap and reiterate what I have written to the Title 49 Rewrite Project:

1. Classification of North Douglas Highway is incongruous between CBJ and DOT.
2. Lack of consistency and equitable zoning compliance on North Douglas Highway. Our stretch of highway has three zones and multiple variations of lot sizes, many of which are non-conforming.
3. Per CBJ zoning, we are permitted to build a second home on our land and were granted CBJ permits to do so. However, the argument is that CBJ does not condone more traffic entering N Douglas Highway (considered a minor arterial), yet subdividing the lot will not increase any traffic that isn't already going to happen.
4. We have a severe lack of land and a shortage of housing. Allowing homeowners to subdivide within the minimum lot size would create more homes.

Solutions:

1. Allow an easy way for residents to appeal an imperfect zoning situation.
2. Allow all people with zoning issues to apply for a non-conforming permit, similar to the ones given to homeowners with non-conforming lot size or setback issues.
3. Invite affected homeowners to a regularly scheduled Title 49/Planning Commission meeting to hear their case, and don't cancel the meeting.

Thank you for continuing to work with us on this,  
Tonja and Hans

Latitude 58 Real Estate Group  
3000 Vintage Blvd Suite 260  
Juneau, AK 99801  
907-321-3538 (cell)  
907-789-5858 (office)  
[www.homesalesinjuneau.com](http://www.homesalesinjuneau.com)

----- Forwarded message -----

From: **Jill Maclean** <[Jill.Maclean@juneau.gov](mailto:Jill.Maclean@juneau.gov)>

Date: Sun, Nov 5, 2023 at 7:58 AM

Subject: RE: Title 49 Committee

To: Tonja Moser, Beth Weldon <[Beth.Weldon@juneau.gov](mailto:Beth.Weldon@juneau.gov)>, Irene Gallion  
<[Irene.Gallion@juneau.gov](mailto:Irene.Gallion@juneau.gov)>

Tonja,

The next Title 49 Committee meeting is scheduled for November 16 at 12PM Zoom only.  
The agenda item is the ADU ordinance revision.

The Ch. 35 draft language was at the commission and sent to staff for revision. CDD's revision work is complete. The ordinance is being drafted by the Law dept. Once the draft is ready, CDD staff will need to draft an updated report for the commission. At that time, a public hearing will be scheduled. There is not a date to provide you. This is the ordinance process that CBJ follows.

Scott is Scott Ciambor, the Planning Manager at CDD. He did not reply because I did.

Jill

---

**From:** Tonja Moser

**Sent:** Saturday, November 4, 2023 11:43 AM

**To:** Beth Weldon <[Beth.Weldon@juneau.gov](mailto:Beth.Weldon@juneau.gov)>; Irene Gallion <[Irene.Gallion@juneau.gov](mailto:Irene.Gallion@juneau.gov)>;  
Jill Maclean <[Jill.Maclean@juneau.gov](mailto:Jill.Maclean@juneau.gov)>

**Subject:** Re: Title 49 Committee

Hi Beth, Irene, and Jill:

I apologize for not responding sooner. I needed to ensure Hans hadn't heard anything separately in his email, and we were apart last week.

No, we have yet to hear back from the planning commission. I heard from Irene Gallion (who is awesome!) and Jill, but Scott (not sure who that is) needs to reply. I need to determine who is in charge of the meeting and who will decide. It seems like a reasonably simple request, and I think it would be an easy decision, but the T49 committee seems to cancel every meeting, and the Planning Commission hasn't told

us when they will be meeting. When we started the process over a year ago, we were directed to attend the public comment section of the Title 49 Committee meeting and then that would get us on the agenda but then Jill wrote this below email, so maybe we wait for them to do work on the ordinance? My concern is if they do work and decide that we can't subdivide when, as of right now, I believe we can, then I want to push for a decision sooner. It feels like no one is sure, and everyone else is waiting for someone to pick it up, but no one wants to be responsible for the decision.

Thank you so much for reaching out and following up. It helps us not to feel so lost in the bureaucracy.

Tonja and Hans

Good morning Tonja,

I believe you should've received an out of office response from Irene Gallion.

As for the Title 49 Committee, it will not meet until November due to lack of staffing capacity to work on land use code revisions.

If your specific question is in regards to the minimum lot size to subdivide on an arterial road (i.e. Mendenhall Loop Road, N. Douglas Hwy), then that code revision work is at the Planning Commission level, and not the Title 49 Committee. The Commission kept this ordinance at their level and continue to work on it. As of now, there is not a date scheduled for a meeting. The ordinance requires more work.

If you'd like to speak to your concern or ideas, I recommend attending a Commission meeting and speaking on non-agenda items.

Best,

Jill

Latitude 58 Real Estate Group  
3000 Vintage Blvd Suite 260  
Juneau, AK 99801  
907-321-3538 (cell)  
907-789-5858 (office)  
[www.homesalesinjunEAU.com](http://www.homesalesinjunEAU.com)

On Fri, Oct 20, 2023 at 3:08 PM Beth Weldon <[Beth.Weldon@junEAU.gov](mailto:Beth.Weldon@junEAU.gov)> wrote:

Did you ever get contacted on this?

Beth

---

**From:** Tonja Moser

**Sent:** Thursday, March 16, 2023 12:16 PM

**To:** PC\_Comments <[PC\\_Comments@junEAU.gov](mailto:PC_Comments@junEAU.gov)>; Borough Assembly  
<[BoroughAssembly@junEAU.gov](mailto:BoroughAssembly@junEAU.gov)>

**Cc:** Irene Gallion <[Irene.Gallion@junEAU.gov](mailto:Irene.Gallion@junEAU.gov)>; hans moser

**Subject:** Title 49 Committee

Hello

My name is Tonja Moser and my husband, Hans Moser, and I are writing to express our interest in the city overturning the minimum 36,000 square foot lot requirement. We have been tracking the Title 49 Committee scheduled meetings for a number of months and it seems to keep getting postponed. Today's meeting was cancelled and moved to April 20.

Our situation is that we live on North Douglas (3850) and have a permit to build a second house on our current property and we are in the beginning stages of building; we have put in a second driveway, the lot prep is started, we have water and sewer at the site, and we have forms waiting for the snow to cease. We are hoping that the Title 49 Committee sees the incongruity of allowing us to build but not allowing us to subdivide so that, when we are finished building, we can sell our current home. We have numerous examples of lots on either side of us that were allowed to be subdivided and would be happy to present our case to the committee, if need be.

Thank you for your time,

Tonja and Hans Moser

not allowing us to subdivide so that, when we are finished building, we can sell our current home. We have numerous examples of lots on either side of us that were allowed to be subdivided and would be happy to present our case to the committee, if need be.

Thank you for your time,

Tonja and Hans Moser



## CITY AND BOROUGH OF JUNEAU PLANNING COMMISSION RULES OF ORDER

The following rules and guidelines are hereby adopted by the Planning Commission of the City and Borough of Juneau.

**Purpose.** These Rules of Order are intended to guide meetings and other operations of the City & Borough of Juneau Planning Commission in a manner that ensures consistency, fairness, and an equitable opportunity for Members of the Commission and the public to participate in an open and orderly manner.

### Rule 1. COMMISSION OFFICERS AND ROLES

- A. The officers of the Planning Commission (Commission) shall be Chair, Vice-Chair, Clerk, and Assistant Clerk.
- B. Officers shall be elected by a majority vote of the members of the Commission held annually at the start of the first regular meeting of the year.
- C. Officer Duties:
  - 1. The Chair shall preside over regular Commission meetings, establish committees, and coordinate with the Community Development Department (CDD) Director on issues including meeting agendas.
  - 2. The Vice-Chair shall preside over Committee of the Whole meetings and fulfill the duties of the Chair when the Chair is absent or otherwise unable to fulfill those obligations.
  - 3. If neither the Chair nor Vice-Chair is available, another member of the Commission shall be identified to fulfill the designated duties.

### Rule 2. MEETINGS

- A. Date and Time of Regular Meetings. The regular meetings of the Commission shall be at ~~7:00 P.M.~~ (discuss earlier start time) on the second and fourth Tuesdays of each month.
- B. Commission Attendance. Members of the Commission are expected to attend meetings and arrive on time. If a member of the Commission arrives, or joins remotely, after the Commission has begun proceedings on an item, that member will not be allowed to participate in the hearing on that issue. If a member of the Commission cannot attend a Commission or Committee meeting

or will be late to a meeting, that member is expected to notify the Director and Chair with as much notice as possible. If a member is absent without providing notice, that absence will be considered unexcused. ~~If any member reaches three unexcused absences from regular, special, and committee meetings in one calendar year, the Director will notify the Assembly Human Resources Committee (HRC).~~

- C. Place of Meetings. Commission meetings shall be held in the Assembly Chambers at the Municipal Building at 155 South Seward Street, Juneau, Alaska, unless public notice is provided for a different location. Meetings will also be available by remote platform.
- D. All Meetings Public. All meetings of the Commission and any of its committees shall be open to the public except for executive sessions.
- E. Special Meetings and Committee of the Whole Meetings. Special and Committee of the Whole meetings may be called at any time by the Chair and must be called if requested by at least three members of the Commission.
- F. Time of Adjournment. Meetings will adjourn no later than 11:00 P.M. unless extensions are allowed by a majority of the members of the Commission present who are not recused from hearing the business under consideration at the time. Meetings may be extended past 11:30 P.M. only in accordance with Rule 14 and with consent of the Chair. No new business will be considered after 10:30 P.M. unless agreed to by a majority of the members present who are not recused from hearing the new business.

### Rule 3. PUBLIC NOTICE OF MEETINGS

Notice of all meetings of the Commission and its committees shall be supplied to a newspaper of general circulation and posted on the City and Borough website and on the Municipal Bulletin Board.

### Rule 4. STAFF ATTENDANCE

At least one CDD staff member will attend all meetings of the Commission and its committees.

### Rule 5. ORDER OF BUSINESS

The order of business for Commission meetings shall be:

- I. Land Acknowledgement
- II. Roll Call
- III. Request for Agenda Changes and Approval of Agenda
- IV. Approval of Minutes
- V. Brief Review of the Rules for Public Participation
- VI. Public Participation on Non-Agenda Items
- VII. Items for Reconsideration
- VIII. Consent Agenda
- IX. Unfinished Business
- X. Regular Agenda

- XI. Other Business
- XII. Staff Reports
- XIII. Committee Reports
- XIV. Liaison Reports
- XV. Continuation of Public Participation on Non-Agenda Items
- XVI. Planning Commission Comments and Questions
- XVII. Executive Session
- XVIII. Adjournment

## Rule 6. COMMITTEES

- A. Appointment and Membership. The Chair shall (i) appoint members to the standing committees and appoint the chairs of those committees; and (ii) create committees, as deemed necessary, and appoint members and chairs of those committees. Standing committees shall consist of at least four members of the Commission. The Chair is an ex officio member of all committees; the Chair can debate and vote, but is not required for purposes of establishing the minimum quorum necessary for action. If present, the Chair counts toward establishing a quorum.
- B. Committee Chair. A committee chair or, in their absence, the most senior member of the committee present, shall have full responsibility for conducting the affairs of the committee and reporting the same to the Commission. Committee chairs shall act as spokespersons for their committees at public meetings and hearings. Public testimony shall be allowed at committee meetings only with permission from the chair of that committee.
- C. Standing Committees.
  - 1. Title 49 Committee. The purpose of this committee is to review the land use code and recommend changes to the land use code, as needed, to the Commission.
  - 2. Governance Committee. The purpose of this committee is to review and recommend updates to these rules and procedures as necessary and to consider other action as may be beneficial to facilitate Commission and committee meetings and debate.
  - 3. CIP Committee. The purpose of this committee is to lead Commission participation in development of the annual CBJ CIP project list, including efforts to ensure the projects reflect CBJ planning priorities as enumerated in the Comprehensive Plan, Area Plans, and other plans adopted by the Assembly.

## Rule 7. OTHER BOARDS, COMMISSIONS, AND COMMITTEES

- A. Appointment of Liaisons. Commission liaisons serve as connections to establish and maintain communication between the Commission and other boards, commissions, or committees on issues, projects, and other matters of mutual concern and interest. A liaison is not a member of the other body or counted to determine a quorum, has no voting power on the body, and is encouraged, but not required, to attend all meetings of the body. The Chair shall appoint one liaison to each of the following:

1. Assembly Lands, Housing, and Economic Development Committee.
  2. Assembly Public Works and Facilities Committee.
  3. Juneau Commission on Sustainability.
- B. Appointments to seats on other Boards, Commissions, or Committees. The Chair shall appoint members to serve on other boards, commissions, and committees, in seats designated for the Commission, as ~~follows:~~ necessary.
- ~~1. Wetlands Review Board. Two members of the Commission shall be appointed to serve as full, voting members of the Wetlands Review Board.~~

#### Rule 8. PROTOCOLS FOR COMMISSIONER DEBATE AND DISCUSSIONS

- A. Speaking on the Question. In all questions and comments, members of the Commission shall endeavor to provide the Commission with relevant facts and arguments and shall strive to avoid redundancy. The Chair may disallow non-germane questions and comments. Members of the Commission, the CDD Director, and staff may speak more than once to the same question at the same stage of proceedings. In determining the order of speakers, the Chair shall give priority to members who have not spoken on the question.
- B. Asking Questions. After obtaining recognition from the Chair, a member may ask direct questions of another member of the Commission, City and Borough of Juneau (CBJ) staff, or of a person appearing before the Commission. All questions shall be respectful and may not be argumentative.
- C. Decorum. Members of the Commission shall not question the motives, competency, or integrity of any person except as necessary to decide a matter in which such issues are relevant. The Chair shall admonish any member violating this rule, and may, without a vote, declare a recess not to exceed ten minutes.

#### Rule 9. PROTOCOL FOR MEETINGS

- A. Order and Procedure for Public Hearings on Action Items:
1. The Chair will open the hearing on an individual item for action and read the title of the matter at hand.
  2. CDD staff will present a report and recommendation and will respond to initial Commission questions. Staff is encouraged to limit its presentation to no more than 10 minutes. Members of the Commission are encouraged to hold questions until the completion of the initial presentation.
  3. The applicant or the applicant's representative will have an opportunity to present information regarding the request and respond to initial Commission questions. Applicant must notify the CDD Administrative staff if they wish to participate remotely and must

provide their user name. This presentation is limited to no more than 10 minutes. The limit shall be extended as long as necessary to answer any questions addressed to the speaker by the members of the Commission. If the applicant wishes to use electronic slides (PowerPoint or the equivalent) during a presentation, the applicant must supply an electronic version of those slides to Community Development staff in accordance with Rule 11. This deadline may be altered for meetings held other than at the regular meeting time.

4. Public participation will be opened, and the public will be invited to comment. Public participation shall be carried out in accordance with Rule 10. Members of the Commission may pose questions through the Chair in accordance with Rule 8.
  5. Public participation will be closed.
  6. The applicant or the applicant's representative will have an opportunity to present additional information regarding the request and respond to questions from the Commission. This presentation shall be limited to no more than 5 minutes; this time limit shall be extended as long as necessary to answer any questions addressed to the speaker by members of the Commission.
  7. The Commission will deliberate and make its decision.
- B. The Chair will set forth the item or subject to be discussed and will rule non-germane or inappropriate comments out of order.
  - C. All speakers, members of the public, and members of the Commission will be recognized by the Chair by surname.
  - D. When recognized by the Chair, staff may participate in the same manner as the members of the Commission except that staff cannot vote.
  - E. Once public participation is closed, it cannot be reopened except in accordance with Rule 14.
  - F. ~~Except in accordance with Rule 17, remote participation by an applicant or member of the public is not permitted.~~ A member of the public that wishes to participate at a meeting, but cannot attend the meeting, may submit comments in writing pursuant to these Rules or send a representative to present on his or her behalf. Applicants or members of the public that choose to participate remotely do so at their own risk. If remote connection is lost, the public hearing may continue without the applicant's participation.

#### Rule 10. PUBLIC PARTICIPATION AT MEETINGS (ORAL)

- A. Public Testimony. Public participation in the form of oral testimony during hearings on permit applications, ordinances, resolutions, matters other than appeals, and on non-agenda items, will be conducted according to the following rules:

1. Subject Matter. Members of the public present during a hearing shall be given one opportunity to be heard during the hearing on that item. In addition, there shall be a time during all regular Commission meetings for members of the public to address the Commission concerning any matter relevant to the Commission's jurisdiction and not on the agenda for specific public hearing at that meeting. Questions posed to Commissioners or staff will not be answered directly during the time allotted for public testimony.
  2. Time Limits for Public Testimony. Unless otherwise specified by the Chair, public testimony on agenda items is limited to five minutes per speaker. The five-minute limit shall be extended as long as necessary to answer any questions addressed to the speaker by the Commission or CBJ staff. The Chair may set a different time limit if it appears necessary to gain maximum participation and conserve time and may, for the same reason, disallow questions from the Commission to members of the public. The time limit may also be changed by a majority of the Commission, which the Chair cannot overrule. Except as otherwise provided in these Rules, the time limit for individual speakers shall be uniform for all speakers and shall be strictly enforced. The time limit for public testimony on non-agenda items is limited to three minutes.
  3. Public Representatives. Members of the public shall not have the right to transfer their unused time to another. However, an individual may speak on behalf of a group of other individuals provided that all individuals are present, either in person or remotely, during the meeting. If present in person, all individuals must have signed in on the sign-in sheet provided, and have indicated on the sign-in sheet that the representative individual will present on their behalf. If participating remotely, all individuals must have provided an email to the Director and Chair by 12 P.M. the day of the meeting stating that the representative individual will present on their behalf. Under these circumstances, the time limit for the oral testimony presented by the representative individual shall be extended by one minute for each individual represented up to a maximum of five additional minutes. Individuals that are represented in this manner shall not also have the right to present oral testimony for themselves. The Chair has discretion over the order in which public testimony will be taken from members of public participating in person and members of the public participating remotely.
  4. Identification. Members of the public will precede their remarks by stating their names and, unless otherwise allowed by the Chair, their place of residence. The public will write this information on the sign-in sheet provided.
- B. Decorum. The Chair is responsible for ensuring that members of the public have a reasonable opportunity to address the Commission during public participation periods and for maintaining proper order and decorum throughout each meeting. Audible communication from or in the audience, including communication directed to the Commission, CBJ staff, or applicant during meetings is not allowed. The Chair shall also ensure that during oral testimony, members of the public direct their comments and questions to the Chair and not to the applicant, staff or other members of the public. Questions shall be respectful and may not be argumentative. The Chair

shall admonish any member of the public violating this rule, and may, without a vote, declare a recess not to exceed ten minutes.

#### RULE 11. WRITTEN and/or ILLUSTRATIVE MATERIALS

Members of the public are encouraged to submit written comments, reports, and exhibits. Such material, especially maps, graphics, photographs, and responses to specific code sections, generally aids the Commission in making its decision. However, materials submitted close to the hearing date, especially voluminous written material offered at a public hearing, can result in inequities. The Commission adopts this written and/or illustrative material policy to give staff and the applicant a reasonable opportunity to analyze public comments, to give the public a reasonable opportunity to submit material before and after publication of the staff report, to give the members of the Commission a reasonable opportunity to review the meeting packets, and to give the Commission the ability to balance the relevance and prejudice of any late material. Members of the public should assume that the members of the Commission have read all materials submitted in advance of the hearing.

- A. Publication of Staff Report. The original staff report should be published by close of business ~~eight~~ six business days before the hearing ~~(Monday). If justice so requires, t~~ The Director may extend the publishing deadline to close of business six days before the hearing (Wednesday).
- B. Timely Material for Packet.
  1. Material—including public comments, applicant comments, and supplemental staff reports—submitted to CDD before noon four days before the hearing (Friday at noon) is considered timely submitted and will be included in a packet for that meeting. Material submitted less than four days before a meeting is subject to the late submittal policy below. ~~If justice so requires and The Director in with~~ consultation with the Chair, ~~the Director~~ may extend the timely material deadline to noon the day before the hearing ~~(Monday)~~.
  2. If a member of the public wishes to use electronic slides (PowerPoint or the equivalent) during public testimony, an electronic version of those slides must be provided to the Community Development staff by the same deadline for timely written material.
- C. Late Material. Maps, graphics, photographs, and no more than the equivalent of two single-sided printed pages of written information are allowed to be submitted at the hearing when a person presents. Specifically, if the applicant, staff, or member of the public wishes to submit material after the timely material deadline (Friday 12 P.M.), that person or a representative for that person must attend the meeting and present the material to the Commission during the opportunity for public comment, and (1) provide fifteen copies of the written and/or illustrative material; ~~or (2) and~~ email the material to the ~~Community Development Department Chair~~ no later than 8 A.M. the day of the hearing for distribution to the commission.
- D. Written Comments. Written comments, with the exception of e-mail transmissions, must be signed, and the source of illustrative materials must be identified. E-mail transmissions must show the author's name. Anonymous submissions will not be accepted.

## Rule 12. MOTIONS

- A. Seconds. Seconds to motions are not required.
- B. Priority of Privileged Motions. Privileged motions shall have the following priority:
  1. Fix time to adjourn
  2. Give notice of reconsideration
  3. Adjourn
  4. Recess
  5. Question of privilege of the Commission
  6. Question of personal privilege

## Rule 13. CLERICAL ERRORS

Clerical errors that do not affect the substance of an ordinance or resolution, such as errors in numbering or spelling, may be corrected by the City Attorney without Commission approval upon discovery of the error.

## Rule 14. VOTE REQUIRED

The affirmative vote of five members of the Commission shall be sufficient to take any action except as otherwise provided by Charter or ordinance and except in the following instances, which require the affirmative vote of at least six members:

- A. Limiting, extending, or closing debates.
- B. Suspension of the rules.
- C. Setting of or postponement of special orders.
- D. Objection to consideration of question.
- E. Motion for immediate vote (previous question).
- F. Rescind.
- G. To take up a motion for reconsideration at the meeting at which the action to be reconsidered was taken.
- H. Reopen public participation.
- I. Extend a meeting past 11:30 P.M.

Charter 3.16 (e) allows the prevailing vote to be reduced by one vote for every two members of the Commission who are present, but who do not vote because they have a conflict of interest or have been excused from voting by a vote of all the remaining members of the Commissioners who may vote on the question. However, the prevailing vote may not be reduced to less than one-third of the membership of the Commission. A quorum of the Commission shall consist of a majority of the full membership.

## Rule 15. PUBLIC PARTICIPATION CONFINED TO THAT AGENDA ITEM

No person except a member of the Commission, CDD Director, the City Attorney, the planner assigned

to the agenda item, and other CBJ staff, may participate in Commission proceedings other than through opportunities provided for applicant presentations and public participation. Public participation shall be permitted on a motion to recess into executive session prior to the vote on such a motion. Public participation shall be permitted on all items on the agenda other than items before the Commission for information purposes.

Unless specifically authorized at the meeting by a majority of the Commission or by the Chair, public participation shall not be permitted at the Committee of the Whole meetings, committee meetings, and meetings advertised as work sessions only.

#### Rule 16. RECONSIDERATION

- A. What May Be Reconsidered. Main motions, amendments to main motions, privileged motions involving substantive questions, and appeals are subject to reconsideration. Procedural motions may not be reconsidered.
- B. Who May Reconsider. Any member of the Commission, whether or not that member voted on the prevailing side, may give notice of or move for reconsideration.
- C. Effect of Notice. The effect of giving notice of reconsideration is to suspend all action on the subject of the notice until a motion for reconsideration is made and acted upon or until the time within which the motion for reconsideration may be made and acted upon has expired.
- D. Time in Which Notice Must Be Taken Up. A notice of reconsideration expires unless a motion for reconsideration is made and acted upon prior to adjournment of the next regular meeting succeeding the meeting at which the action to be reconsidered occurred.
- E. Successive Reconsideration. There may be only one reconsideration even if the action of the Commission after reconsideration is opposite from the action of the Commission before reconsideration.
- F. Precedence. A motion for reconsideration has precedence over every main motion and may be taken up at any time during the meeting when there is no other motion on the floor.
- G. Effect. A successful motion for reconsideration completely cancels the previous vote on the question to be reconsidered as though the previous vote had never been taken. The motion for reconsideration is debatable to the same extent as the underlying motion.

#### Rule 17. REMOTE PARTICIPATION AT MEETINGS [Note: Includes In-person and Hybrid (in-person/remote) Meetings]

- A. Members of the public, applicants, CDD staff, and the Commission may participate remotely in regular or special Commission meetings, Committees of the Whole, or committee meetings.
- B. Members of the public participating remotely shall comply with the protocols and requirements of Rule 10 and Rule 11.

- C. Members of the Commission, for in-person or hybrid meetings, ~~shall endeavor to~~ will notify the Director and the presiding officer by 8 A.M. the day of the meeting which the member proposes to attend remotely. Commissioners are encouraged to appear in person to the fullest extent practicable.
- D. A member of the Commission participating remotely shall be counted as present for purposes of quorum, discussion, voting, and attendance.
- E. A member of the Commission participating remotely shall make every effort to participate in the entire meeting. From time to time during the meeting, the presiding officer shall confirm the connection.
- F. The member of the Commission participating remotely may ask to be recognized by the presiding officer to the same extent as any other member.
- G. If the Chair participates remotely at any in-person or hybrid meeting, the Vice-Chair or otherwise identified member of the Commission shall preside.
- H. To the extent reasonably practicable, the Director shall provide meeting materials to the member of the Commission participating remotely.
- I. If the remote connection cannot be made or is made and then lost, the meeting shall commence or continue as scheduled. The Secretary shall attempt to establish or restore the connection. If the member of the Commission participating remotely is necessary to achieve a quorum and the connection is lost, the meeting shall take an at-ease, recess, or adjourn as necessary until the remote connection is established or restored.
- J. Meeting times shall be expressed in Alaska Time regardless of the time at the location of any member of the Commission participating remotely.
- K. Remote communication shall be audible to all members of the Commission, staff, and the public in attendance at the meeting.
- L. Except as provided in Rule 18, remote participation by members of the Commission is prohibited for appeal hearings. In-person attendance is required.
- M. As used in these Rules, "remote" means any system for synchronous two-way voice communication (e.g. telephone) or video conferencing technology. ~~If a member~~ Members of the Commission ~~participates~~ participate remotely, with video and sound technology conferencing is preferred. If a Member of the Commission cannot participate with both video and sound technology, the member may not participate as a voting member.

Rule 18. REMOTE MEETINGS [Note: Does not include Hybrid (in-person/remote) Meetings]

- A. Special considerations, such as health advisories, may require the suspension of in-person Commission meetings. In those situations, alternative protocols for remote meetings will be utilized.
  
- B. For remote meetings:
  - 1. Rules 9(F), 10(A)(3), 10(B)(2)(a), 10(B)(3), and 17(B) will be suspended;
  
  - 2. Any materials that the applicant wishes to use as part of a presentation during the hearing must be submitted electronically to CDD no later than the Thursday before the meeting. If it is not possible to submit materials electronically, the applicant should call CDD to arrange delivery of materials.
  
- C. Additional protocols may be developed by the Chair and CDD Director for review and adoption by the full Commission. Such alternate meeting protocols will follow the general rules and procedures for the Commission as closely as practical, with the broadest public access and participation, consistent with the available system technical capabilities.

Rule 19. ADOPTION OF ROBERT’S RULES OF ORDER

Meetings shall be conducted according to Robert’s Rules of Order, 11th Edition.

REPEAL AND EFFECTIVE DATE

The existing Planning Commission Rules of Order are repealed, and these Rules of Order shall be effective upon filing with the City Clerk.

_____	_____
<u>Mandy Cole</u> , Chair Planning Commission	Date
_____	_____
Filed with the City Clerk	Date



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

**DATE:** December 6, 2024

**TO:** Mandy Cole, Chair, Planning Commission

**BY:** Scott Ciambor, Planning Manager  
Community Development Department

**THROUGH:** Jill Lawhorne, AICP, Director  
Community Development Department

**FILE NO.:** AME19-15 Downtown Douglas/West Juneau (DD/WJ) Area Plan

**PROPOSAL:** Downtown Douglas/ West Juneau Area Plan Steering Committee  
Appointments

The [Downtown Douglas/West Juneau Area Plan Steering Committee](#) continues to work on the long-term vision for the area from Sandy Beach to the Douglas Bridge.

The committee renewed meeting regularly in October 2024 and are currently reviewing a draft plan of the final document. The committee has set a timeline for the winter that includes meetings twice monthly through March to attempt to complete the plan in a timely manner. (See flier)

Two members of the committee have recently withdrawn taking committee membership down to seven members from nine. The committee would like new members to be appointed to assist with completing the plan. Staff solicited applications for these seats; three applications were received and are in your packet.

Staff request that the Planning Commission appoint two members to the steering committee. Please note that of the remaining members of the DD/WJ Steering Committee, none represent the West Juneau area.

The committee has also requested confirmation of a Planning Commission liaison to the DD/WJ committee.

# DOUGLAS/ WEST JUNEAU PUBLIC MEETING

## WHEN

**November 13  
5 – 6:30 pm**

## WHERE

**Sayéik: Gastineau  
School Library**

**1507 3<sup>rd</sup> Street, Juneau**

**Join the Downtown Douglas/West Juneau Steering  
Committee to learn about the DD/WJ Area Plan project  
and how you can get involved.**

**Pizza and Meet & Greet: 5-5:30 pm  
Area Plan Discussion: 5:30-6:30 pm**

## STEERING COMMITTEE MEMBERS WANTED!

**Live or work in  
Douglas or West  
Juneau? Want to  
help plan for the  
future? Scan the QR  
Code to learn more:**



## STEERING COMMITTEE MEETINGS

**November 26  
December 11  
January 8  
January 22  
February 12  
February 26**

**Meetings will be held  
5-6:30 pm at the  
Douglas Public  
Library. The public is  
welcome to attend.**



Published on *City and Borough of Juneau Alaska Meetings* (<https://juneau-ak.municodem meetings.com>)

[Home](#) > [CBJ Board Application](#) > [Webform results](#) > CBJ Board Application

Submission information

Form: [CBJ Board Application](#) [1]  
Submitted by Visitor (not verified)  
Wed, 11/13/2024 - 5:57pm  
166.198.252.37

**First Name**  
Brian

**Last Name**  
Lieb

**Residence Address**  
2698 David Street, Juneau, AK 99801

**Mailing Address**  
PO Box 240165, Douglas, AK 99824

**Primary Phone Number**  
9077231730

**Secondary Phone Number**

**Email**  
[brianlieb@hotmail.com](mailto:brianlieb@hotmail.com)

**Board, Commission, Committee**  
Other Board

**Current of Prior Experience on CBJ Boards/Commissions/Committees**  
None

**Reasons for Applying**  
DDWJSC

I own a house and have lived in West Juneau for 22 years. I have seen it grow and change. I recreate, live, and commute in Douglas and West Juneau. I have a vested interest in the future of West Juneau and Douglas. I also have opinions.

I have an interest in West Juneau

**Qualifications**

I have managed large projects, understand planning processes professionally.

I have lived, commuted, and recreated in Douglas and West Juneau for over 20 years.

**Civic Activities, Memberships or Non-profits Involved With**  
Southeast Alaska Sailing

**Working with a Group**  
I manage a team of 20+ people, from different backgrounds, locations around the country, ethnicities, and genders on large software projects that manage billion dollar fisheries.

My primary approach to managing the team is to have a team charter that includes modes of conduct, decision making processes, and goals.

We also use an agile methodology that focuses on accountability, communication, and equitable treatment of members.

**Meeting Schedule and Attendance**  
Yes

**Date of Birth (Optional)**  
04/19/1973

**Ethnicity (Optional)**  
White

**Gender (Optional)**  
Male

**Acknowledgment/Certification**  
Brian J Lieb

**Resume, Education, etc. (Optional)**

- [Home](#)
- [Logout](#)
- [Dashboard](#)

[Municode - Connecting You and Your Community](#)

**Source URL:**<https://juneau-ak.municodemeetings.com/node/791/submission/110>

**Links**  
[1] <https://juneau-ak.municodemeetings.com/bc/application>



Published on *City and Borough of Juneau Alaska Meetings* (<https://juneau-ak.municodem meetings.com>)

[Home](#) > [CBJ Board Application](#) > [Webform results](#) > CBJ Board Application

Submission information

Form: [CBJ Board Application](#) [1]  
Submitted by Visitor (not verified)  
Wed, 11/13/2024 - 10:46pm  
139.64.185.123

**First Name**  
Darren

**Last Name**  
Snyder

**Residence Address**  
527 5th st, Douglas, AK 99824

**Mailing Address**  
Same

**Primary Phone Number**  
9072098642

**Secondary Phone Number**

**Email**  
darrengsnyder@gmail.com

**Board, Commission, Committee**  
Other Board

**Current of Prior Experience on CBJ Boards/Commissions/Committees**  
None

**Reasons for Applying**  
DD/WJ Area Plan

**Qualifications**  
I am a resident of downtown Douglas since 2010 and very active in community activities and organizations both personally and through my work. I am an original and ongoing board member of the Douglas Community Garden. Through my work as a UAF Extension Faculty/Agent, I have the opportunity to collaborate with and support many residents and entities in Douglas and throughout southeast Alaska.

**Civic Activities, Memberships or Non-profits Involved With**  
Douglas Community Garden board member at large.  
Southeast Master Gardener Association and Juneau Community Garden board advisory board member.

**Working with a Group**

I regularly professionally interact, partner and collaborate with diverse individuals and organizations inc municipalities, businesses and tribes.

Section R, Item 5.

**Meeting Schedule and Attendance**

Yes

**Date of Birth (Optional)**

**Ethnicity (Optional)**

**Gender (Optional)**

**Acknowledgment/Certification**

I do- Darren Snyder

**Resume, Education, etc. (Optional)**

- [Home](#)
- [Logout](#)
- [Dashboard](#)

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**Source URL:**<https://juneau-ak.municodemeetings.com/node/791/submission/111>

**Links**

[1] <https://juneau-ak.municodemeetings.com/bc/application>



Published on *City and Borough of Juneau Alaska Meetings* (<https://juneau-ak.municodem meetings.com>)

[Home](#) > [CBJ Board Application](#) > [Webform results](#) > CBJ Board Application

#### Submission information

Form: [CBJ Board Application](#) [1]  
Submitted by Visitor (not verified)  
Fri, 11/22/2024 - 1:58pm  
65.74.47.238

#### First Name

Monica

#### Last Name

Southworth

#### Residence Address

2116 B Second Street

#### Mailing Address

PO Box 20654 Juneau AK 99802

#### Primary Phone Number

9079579797

#### Secondary Phone Number

#### Email

monicasmouthworth@gmail.com

#### Board, Commission, Committee

Other Board

#### Current of Prior Experience on CBJ Boards/Commissions/Committees

None.

#### Reasons for Applying

I am applying for the Downtown Douglas/Wes Juneau Area plan committee. I was asked to apply for this board. I am filling out the application because I have not volunteered on a board yet and think that this is a good opportunity to provide feedback for my neighborhood and be involved. The impact I would like to have is providing another view and set of eyes on the development of Downtown Douglas Douglas/West Juneau Area plan.

Also, I would like to note that I have reviewed the schedule for the remaining board meetings. I am able to be present for all meetings as long as zoom is an option for attendance. If zoom is not an option for attendance, please disregard this application.

#### Qualifications

I am a resident of Douglas and recreate in the area.

**Civic Activities, Memberships or Non-profits Involved With**

I am involved with other non-profit boards but they are not directly related to the work of this committee

Section R, Item 5.

**Working with a Group**

In my day job, I regularly work with groups that have diverse experiences. Regularly I am in the position of mediating and hearing all sides in order to come to a consensus of some type or acknowledging that there is no consensus or middle ground on an issue. My approach is to listen more than speak, paraphrase what people have said, seek confirmation on understanding, and try and move a group forward. I challenge assumptions, seek information that has been verified/validated, and attempt to find a path forward. However, when it is evident that there are no paths forward, it is important to acknowledge that and either move on or review the issue and try to find an alternative path forward.

**Meeting Schedule and Attendance**

Yes, and my understanding is that zoom is a viable option to participate. If not, please do not consider me.

**Date of Birth (Optional)**

July 1988

**Ethnicity (Optional)**

White

**Gender (Optional)**

Female

**Acknowledgment/Certification**

Monica Southworth

**Resume, Education, etc. (Optional)**

- [Home](#)
- [Logout](#)
- [Dashboard](#)

[Municode - Connecting You and Your Community](#)

**Source URL:**<https://juneau-ak.municodemeetings.com/node/791/submission/112>

**Links**

[1] <https://juneau-ak.municodemeetings.com/bc/application>

# DRAFT MINUTES

Agenda

Planning Commission

Regular Meeting

CITY AND BOROUGH OF JUNEAU

Adam Brown, Acting Chair

October 22, 2024

I. **LAND ACKNOWLEDGEMENT** – Read by Mr. Epstein.

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

II. **ROLL CALL**

Adam Brown, Acting 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 6:03 p.m.

**Commissioners present:** Commissioners present in Chambers – Adam Brown, Acting Chair; Matthew Bell, Assistant Clerk; Nina Keller; David Epstein

Commissioners present via video conferencing – Mandy Cole, Chair; Lacey Derr; Erik Pedersen, Vice Chair

**Commissioners absent:** Travis Arndt, Clerk; Jessalynn Rintala

**Staff present:** Staff present in Chambers- Jill Lawhorne, CDD Director; Sherri Layne, Attorney III; Ilsa Lund, Planner I; Dan Bleidorn, CBJ Lands and Resources Manager  
Staff present via video conferencing- Nicolette Chappell, CDD Administrative Coordinator; Jay Larson, Planner II

**Assembly members:** Christine Woll, Assembly Liaison

- 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 Director Lawhorne
- VI.     PUBLIC PARTICIPATION ON NON-AGENDA ITEMS- None
- VII.    ITEMS FOR RECONSIDERATION- None
- VIII.   CONSENT AGENDA- None
- IX.     UNFINISHED BUSINESS- None
- X.     REGULAR AGENDA

AME2024 0003:     Proposed rezone of 2.3 acres at the end of Davis Avenue from D10 to D15.

Applicant:         Chilkat Vistas LLC

Location:          1925 Davis Avenue

### **Director’s Report**

This rezone request would facilitate the addition of eleven (11) units to this lot. The neighboring Alaska Department of Corrections is concerned that increased density would result in development closer to the common lot line, for which mitigation would be challenging due to terrain. While rezone conditions are limited to health and safety, the development will require a new or updated Conditional Use Permit. The lot had been rezoned D15 but was downzoned due to intersection concerns at Davis Avenue and Glacier Highway. Since then, the intersection has been signalized.

### **Staff Recommendation**

Staff recommends the Planning Commission forward a recommendation of APPROVAL to the Assembly.

Michael Heumann explained this piece of land used to be D15 and was downzoned during the development process of the condominiums due to traffic concerns that have since been approved. He expressed they do not have any firm plans on what will go here, but this piece of property could be upzoned and create possibilities to do some development. He stated that on the edge of downtown Anchorage there is a pre-trial facility, so it is possible to have a correctional facility next to very intensive development. Mr. Heumann voiced they have attempted to speak with neighbors and have had a hard time communicating. He noted we desperately need more housing in this town.

Ms. Cole asked if the property was ever D15 or if it was just approved for zoning to D15.

Director Lawhorne responded she did not believe it ever became D15 in the past.

Ms. Cole asked if the improvements were done.

Director Lawhorne answered that the traffic concerns with the intersection were addressed, and that is step one for rezones. The applicant will still have to apply for a permit, and this would still go to CBJ or DOT for comment and review.

**MOTION:** *by Mr. Epstein to accept staff's findings, analysis, and recommendations for AME2024 0003, and forward a recommendation of approval to the Assembly.*

***The motion passed with no objection.***

**AME2024 0002:       Rezone of 39 acres of CBJ land south of Grant Creek on Douglas from D3 to D18.**

**Applicant:**           City & Borough of Juneau

**Location:**           North Douglas Highway

### **Director's Report**

The applicant requests to rezone 39 acres of CBJ land south of Grant Creek from D3 to D18. A fraction of these 39 acres was subject to a 2022 Property Acquisition and Disposal (PAD2022 0002) that received a recommendation of approval from the Planning Commission and Assembly Lands Housing and Economic Development Committee.

### **Staff Recommendation**

Staff recommends the Planning Commission forward a recommendation of APPROVAL to the Assembly.

Dan Bleidorn, CBJ Lands and Resources Manager, explained that in 2023, the Assembly retreat gave direction to evaluate city property holdings for areas they could upzone to think about future disposal or development. Lands and Resources staff went through the 2016 Land Management Plan and submitted seven applications to CDD in July. CDD staff held public meetings and got great feedback. Mr. Bleidorn noted the final step in the process will be a public hearing at the Assembly level and the Assembly adopting an ordinance.

Mr. Bleidorn discussed the rezone of 39 acres of CBJ land south of Grant Creek on Douglas from D3 to D18 and projections and development for the area. He noted that if a zone change is successful, there are opportunities to look at and evaluate things like access and alignment, traffic impacts, utility expansion, stormwater drainage, wetlands delineation, and continuing to work with applicants and partners.

Mr. Epstein asked if the clearcut area on the upland side as you come off the bridge and go north on North Douglas Highway is included in any of the parcels.

Mr. Bleidorn responded no.

Mr. Pedersen voiced he was unsure how CBJ was going to obtain access to the larger remainder piece. He asked for clarification on that.

Mr. Bleidorn responded that the images included are preliminary with the proposed acquisition and disposal, and part of that will be negotiated. He said they already noted with the applicant that they would want access to the other properties up there and city code also mandates that, so they would potentially get an access point through that and maybe an additional access point.

Ms. Cole asked if the plan is that the upzone would potentially benefit disposing land to Grant Creek Homes to the kind of partnerships that would build access to the road for CBJ.

Mr. Bleidorn answered that both projects would provide potential access to the city property.

Ms. Keller said the 2016 update said a bench road should be developed before any future development on North Douglas due to the traffic, and the comprehensive plan map has a corridor for the bench road. She inquired how the corridor fell into plans for the property.

Mr. Bleidorn confirmed the bench road on Douglas still remains a priority and if any future development plans along these zoning changes, the bench road will still be a part of that.

Ms. Cole asked if the reason they are considering D18 to D3 is because the surrounding areas are D18 already and that there is a lot of unbuildable space.

Mr. Bleidorn said that is basically correct, and added that when first evaluating the properties, they mainly looked at properties adjacent to match zoning, but each property will have slope above 18%, wetlands, and areas along creek sides within setbacks, or other constraints.

Ms. Keller queried why this is a priority right now to rezone before a comprehensive or transportation plan.

Mr. Bleidorn explained he was given directive by the City Manager and Assembly to evaluate city land holdings for upzoning and future disposal to make progress where they can instead of waiting several years for them to be done.

Mr. Epstein inquired who would govern if the rezone is approved, but a developer does not step forward, and the parcel lays fallow, and the comprehensive update comes up with a different zoning classification.

Mr. Bleidorn stated he is not very familiar with the planning process, but feels that if the plan is adopted, the newest zoning would stand.

Director Lawhorne explained the comp plans sets the tone and goals for the community, and through that plan it does not dictate zoning, but creates future land use designations and maps. She expressed that land use designation is not zoning. She expressed they need housing now.

Ms. Keller asked if the comprehensive plan will be figuring out what the community wants and

needs now and if it will also look into where things should be built. She said if they update the plan, they may figure out something is not what they need or where they need it.

Director Lawhorne expressed the last comprehensive plan update was in 2013, but it has been looked at over the years and the Commission has made amendments to it and updated it and its maps. She added a comprehensive plan should be looking out 20 to 30 years. She believed they are still hitting it at a good time for the community and what they are facing today.

The Commission heard public testimony on the item.

Ms. Keller said she was leaning towards voting no, because even though housing is a big need currently, she is afraid to develop in a panic mode without looking at the bigger picture.

Ms. Cole stated they have struggled with rezones over the last four years over the idea of the second crossing and traffic on Douglas. She said they all want and need the second crossing and it is a priority. She voiced they have to take a targeted approach to development projects in Douglas with those who propose smart and targeted projects. She is in support of the rezone.

Mr. Epstein expressed he is inclined to vote in favor and this proposal conforms with the current comprehensive plan and a future plan will take the needs of the community and housing in account. He added there are significant hoops and hurdles to jump over and through.

Ms. Derr asked if a rezone does go through, would any potential development proposed go through the multiple steps and come back before the Planning Commission and hear public comment on it.

Director Lawhorne that is right, except that if it is a director’s approval for a minor proposal. And major proposals will come before the Planning Commission.

Mr. Pedersen will be voting in favor. He commented that development in that area has not been successful in the past and the zoning does not conform with itself and this will bring it into more harmonious zoning.

**MOTION:** *by Ms. Cole to accept staff’s findings, analysis, and recommendations for AME2024 0002, and forward a recommendation of approval to the Assembly.*

**ROLL CALL VOTE:**

**YEA:** Cole, Pedersen, Bell, Brown, Derr, Epstein

**NO:** Keller

***The motion passed 6-1***

**AME2024 0009:**      **Rezone of approximately 87 acres of CBJ-owned land north of Grant Creek.**  
**Applicant:**              City & Borough of Juneau  
**Location:**                North Douglas Highway

**Director’s Report**

The applicant requests to rezone approximately 87 acres of undeveloped land north of Grant Creek from D3 to D15. Rezone is consistent with the adjacent zoning district.

**Staff Recommendation**

Staff recommends the Planning Commission forward a recommendation of APPROVAL to the Assembly.

Mr. Bleidorn discussed the rezone of 87 acres of undeveloped land north of Grant Creek from D3 to D15. He expressed that if the rezone is successful, there could be opportunity to look at alignment and access, traffic impacts, utility expansion, advances to the highway, storm drainage, and delineate wetlands and permit fill. He added this is a large, attractive property has a long highway, water and utilities close by and potential for future development.

Ms. Cole asked if they have any ideas of right of way or frontage to get it to the highway.

Mr. Bleidorn explained there may be an opportunity to get road frontage to this section, but they would have to cross Grant Creek.

The Commission heard public testimony on the item.

Ms. Keller expressed her main concerns are the bench road corridor and that the comprehensive plan goes through the middle of this property. She is worried the development in the bench road corridor could limit future use.

Mr. Pedersen had similar concerns, but believes they can be flushed out in the future. He said they need to preserve the area for the bench road.

Director Lawhorne stated that when the comprehensive plan was developed, it is uncertain how much topography and actual built environment was taken into account, and when they looked at it, they could not accommodate that future road or make access to it. She said they are aware of those corridors, but they are not so finite.

Ms. Keller asked what CBJ would need to make the bench road a plan.

Director Lawhorne guessed time and money or other infrastructure that has taken precedence.

**MOTION:** *by Ms. Cole to accept staff’s findings, analysis, and recommendations for AME2024 0009, and forward a recommendation of approval to the Assembly.*

**ROLL CALL VOTE:**

**YEA:** Cole, Pedersen, Bell, Brown, Epstein, Derr

**NO:** Keller

***The motion passed 6-1.***

**AME2024 0008:**      **Proposed rezone for rezone approximately 77 acres of RR to D3 in the vicinity of Fish Creek on North Douglas Highway.**

**Applicant:**            City & Borough of Juneau

**Location:**            North Douglas Highway

**Director's Report**

This rezone would provide 57 acres with slopes less than 18 percent and no mapped wetlands. Closest sewer is approximately 3,000 feet away. The Alaska Department of Fish and Game has asked that development accommodate Western Toad habitat by providing buffers around seeps and streams.

**Staff Recommendation**

Staff recommends the Planning Commission forward a recommendation of APPROVAL to the Assembly.

Mr. Pedersen asked how common it is for a to have a D3 zone without public sewer available.

Director Lawhorne answered said it was kind of a mix.

Mr. Bleidorn discussed the proposed rezone for 77 acres of RR to D3 in the area of Fish Creek on North Douglas. He added that the proposal to D3 makes the most sense. He stated that if the zone change is successful, the next steps could include an access and alignment study, traffic investigation, utility expansion planning, a storm drainage plan, delineate wetlands and permit fill, and solicit development partnerships. He expressed the goal he is being directed towards is housing and D3 zoning could allow for future potential for that.

Ms. Cole understood why they want to go to D3, but said it is still a buildable spot. She wondered if there is a danger of disposing to the land putting it to D3 and getting development when it could be a more densely built area. She asked if D3 could be something more dense in the future or if it is what they have envisioned for the parcel.

Mr. Bleidorn responded that at this time D3 is the final spot and there is no timeframe for the CBJ to run a sewer line to this area. He noted that Juneau needs all types of housing.

The Commission heard public testimony on the item.

Mr. Bleidorn added that Fish Creek Park is not in this rezone. He said if they were to run sewer to this property, they would have recommended a higher density zoning. He added that D3 only makes sense because there is not sewer.

Ms. Cole asked if the primary reason the 77 acres was identified is because the slopes are less than 18% on most of it.

Mr. Bleidorn answered this property rezone was determined by the property lines. He added that data from 2006 from the buildable land study identified the lack of wetlands and slope being less than 18%.

Ms. Keller commented that it was mentioned that the Bayview neighborhood is bordering Fish Creek Park. She said the map shows the land adjacent to the park as Parks and Rec land.

Ms. Cole expressed she understands that D3 zoning takes into consideration there is no sewer, but there is nothing in the packet about impacts to Fish Creek Park.

Mr. Bleidorn responded that the City has no plan for development at this time. He expressed there is no point to spending time and money to evaluate the property potential if the rezone fails. He added that Fish Creek protection is the highest part of their list and they will work with all agencies as they do with any development of city property.

Mr. Epstein voiced with the earlier rezone proposals that they were setting the table for what might happen in the future, but with this rezone it is a table he does not want to set. He said he does not think this parcel should be developed across the street from a park.

Ms. Keller commented that CBJ is planning on developing some areas or working with the Corps of Engineers. She suggested considering this property as mitigation for any other CBJ project.

Mr. Pedersen stated he did not know if this parcel is appropriate for D3 at this time.

Director Lawhorne recommended the Commission discuss the distinction with this parcel.

Chair Brown commented that a lot of it has to do with on-site sewer treatment, and that changes the game for rezoning no matter the district.

Ms. Derr stated was not comfortable approving on-site sewage right above Fish Creek.

Mr. Pedersen expressed he is not opposed to development of this parcel and it could make a wonderful subdivision here without the smaller sized lots.

Mr. Bell thanked staff for providing in-depth points to evaluate, but he has reservations with this being D3. He noted he would like to see this flushed out more.

**MOTION:** *by Ms. Cole to accept staff's findings, analysis, and recommendations for AME2024 0008, and forward a recommendation of approval to the Assembly.*

**ROLL CALL VOTE:**

**YEA:** Cole, Brown

**NO:** Epstein, Pedersen, Derr, Keller, Bell

***The motion failed 2-5***

**AME2024 0004:**      **Proposed rezone of 66 acres uphill (southwest) of 6101 through 6615 North Douglas Highway from RR to D3.**  
**Applicant:**            City & Borough of Juneau  
**Location:**             North Douglas Highway

**Director’s Report**

This proposed rezone is consistent with development to the west and north. Bonnie Brae and Blacktail Subdivisions to the west are zoned D3. Lots to the north along North Douglas Highway are also zoned D3. Development will be challenging due to mapped wetlands and slopes in excess of 18 percent.

**Staff Recommendation**

Staff recommends the Planning Commission forward a recommendation of APPROVAL to the Assembly.

Mr. Bleidorn discussed the proposed rezone of 66 acres uphill of 6101 through 6615 N Douglas Highway from RR to D3. He stated that if the zone change is successful next steps could include access and alignment study, traffic investigation, utility expansion planning, a storm drainage plan, delineation of wetlands and permit fill, and soliciting development partnerships.

Mr. Pedersen asked the applicant to talk about the access and if Lands & Resources had any general plans for this parcel.

Mr. Bleidorn responded that the two lots along the highway are very steep and one is Parks managed with a drainage through it. He said it could make sense to utilize that to run utilities through or have a secondary emergency access, but there are no finite plans.

Ms. Derr inquired if there are similar asbestos concerns to Bonnie Brae.

Mr. Bleidorn answered that a lot of the asbestos concerns have been secondary or tertiary and the city property was not involved in any asbestos concerns.

The Commission heard public testimony on the item.

Mr. Bleidorn added that when they first evaluated this property and determined that D3 was the appropriate zoning, he struggled for a while with upzoning a property to D3 that has access to city sewer, but in the end they chose D3 because it made sense to be cohesive with the area.

Ms. Cole asked if they include a recommendation and add that it for Assembly to consider a further upzone.

Ms. Layne responded yes, they can add that to the recommendation.

Director Lawhorne explained that when the Commission approved the subdivision of Blacktail above Bonnie Brae, the developer was required to plat a public right of way.

Ms. Keller had the same concerns for this property as the Grant Creek area property.

**MOTION:** *by Ms. Cole to accept staff’s findings, analysis, and recommendations for AME2024 0004, and forward a recommendation of approval to the Assembly.*

**ROLL CALL VOTE:**

**YEA:** Cole, Pedersen, Bell, Epstein, Brown, Derr

**NO:** Keller

***The motion passed 6-1.***

<b>AME2024 0005:</b>	<b>Proposed rezone of 36 acres uphill (north) of 11900 through 12170 Glaciers Highway from D3 to D15.</b>
<b>Applicant:</b>	City & Borough of Juneau
<b>Location:</b>	11860 Glacier Highway

**Director’s Report**

This proposed rezone is uphill from the Auke Bay community core. Staff recommends reducing the applicant’s scope to eliminate incompatible Comprehensive Plan land use designations, resulting in a total of approximately 29.5 acres for rezone. Mapped wetlands cover most of the proposed rezone, which will increase development costs.

**Staff Recommendation**

Staff recommends the Planning Commission reduce the scope of the rezone and forward a recommendation of APPROVAL to the Assembly.

Mr. Bleidorn discussed the proposed rezone of 36 acres uphill of 11900 through 12170 Glacier Highway from D3 to D15. He stated that if a zone change is successful, one of the first things the City will do is evaluate the trailhead access, and then an access and alignment study, make trailhead improvements and design, traffic investigation, utility expansion planning, storm water and drainage plan, delineate wetlands and permit fill, and soliciting development partnership. He added that wetlands need to be mapped more significantly because there are high quality wetlands in here that need to be preserved.

The Commission received written testimony on the item.

Ms. Cole asked if the applicant had any comments on the 30 acre versus the 35 acre concepts.

Mr. Bleidorn explained that decision at the CDD level was based on land use designations in the comp plan, so he does not see any major concerns with that and the primary objective will be to avoid high quality wetlands and develop in areas that are developable at less expense.

**MOTION:** *by Mr. Pedersen to accept staff’s findings, analysis, and recommendations, and approve AME2024 0005.*

***The motion passed with no objection.***

**AME2024 0006:**      **CBJ property Rezone request from RR to D3.**  
**Applicant:**        Dan Bleidorn, City & Borough of Juneau  
**Location:**         15700 Auke Rec Bypass Road

**Director's Report**

The applicant requests a rezone of approximately 33 acres uphill (north) of 15700 Glacier Highway from RR to D3 (in the Auke Bay area).

**Staff Recommendation**

Staff recommends the Planning Commission adopt the Director's analysis and findings and forward a recommendation of APPROVAL to the Assembly.

Mr. Bleidorn discussed the CBJ property rezone request from RR to D3. He said the property was labeled retain/dispose, and the retain portion is the park land on the uphill side of the highway. If the rezone is successful, they will further consider the land disposal and water line easement, investigate traffic, planning of utility expansion, storm drainage plan, delineate wetlands and permit fill, and solicit development partnerships.

The Commission heard public testimony on the item.

Mr. Bleidorn added that drainage will be something considered here when they think about storm water drainage.

Ms. Cole was in support of the rezone because it appears to be consistent with the Land Use Code and a D3 zoning.

Mr. Pedersen was also in support. He has wondered why this property has not been developed before and said it may be appropriate to have a buffer zone to separate the old from the new.

**MOTION:** *by Ms. Keller to accept staff's findings, analysis, and recommendations for AME2024 0006, and forward a recommendation of approval to the Assembly.*

***The motion passed with no objection.***

**AME2024 0007:**      **Rezone request of a portion of Parcel No. 4B2201010102 from D10SF to D10.**  
**Applicant:**        Dan Bleidorn, City & Borough of Juneau  
**Location:**         0 Karl Reishus Boulevard

**Director's Report**

Applicant requests a rezone for approximately six acres at the end of Karl Reishus Boulevard from 10SF to D10.

**Staff Recommendation**

Staff recommends the Planning Commission forward a recommendation of APPROVAL to the Assembly.

Mr. Bleidorn discussed the rezone request of 6 acres at the end of Karl Reishus Blvd from 10SF to D10 and the land management plan. He voiced this has a unique designation of strictly disposed. He stated that if the zone change is successful, they will start the access and alignment study, traffic investigation, utility expansion planning, a storm drainage plan, wetlands delineation and what permitting would need to be done for fill, and solicit development partnerships.

Mr. Pedersen said his understanding is that D10SF allows for smaller lots with lower setback requirements and no multifamily or duplexes. He asked if the proposed use of this property trending toward duplex and multifamily.

Mr. Bleidorn responded there has been no planning on what type of units would go here yet.

The Commission heard public testimony on the item.

Mr. Bleidorn expressed that the number of units that have been permitted under phase one is the maximum amount allowable given the need for a secondary access, so for any development to happen, they will need another access route that goes to another street to connect.

Ms. Cole supported the recommendation because it does not make sense for 6 acres D10 to be special or carved out, but the original dream was a walkable neighborhood, which is still wanted.

Mr. Bell spoke in support of the item.

Ms. Keller added it does not make sense to have a sliver of land as a D10SF on its own.

**MOTION:** *by Ms. Cole to accept staff’s findings, analysis, and recommendations for AME2024 0007, and forward a recommendation of approval to the Assembly.*

***The motion passed with no objection.***

**XI.     OTHER BUSINESS- None**

**XII.    STAFF REPORTS**

Director Lawhorne said the Comp Plan RFP was issued this past Saturday and is out for 20 or 21 days. She said CBJ participated in the federal grant program and they are working closely with Engineering, Public Works, Lands Division, and others. She expressed they will be looking at the three properties they own on Douglas, and access and infrastructure, and how they can work together to develop those properties. She stated that they applied for a pro-housing grant and there is a Title 49 Rewrite Committee Meeting next week. Director Lawhorne expressed the nonconforming situation reviews are spiking again, which makes her think people are trying to sell properties. She discussed job positions that are open. She said it might be of interest of the commissioners to look at the story map that GIS staff put together regarding private and public lands.

**XIII.   COMMITTEE REPORTS**

Ms. Cole stated there is a Title 49 Rewrite Committee Meeting on Monday.

**XIV. LIAISON REPORTS**

Christine Woll stated she is starting her second term on the Assembly. She voiced that yesterday was their reorganization meeting and they welcomed two new Assembly members. She said the main focus of the meetings has been flood related. She noted that the rezone that was sent to them last night did pass.

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

**XVI. PLANNING COMMISSION COMMENTS AND QUESTIONS**

Ms. Keller shared she received a question from Assembly Member Kelly asking about the status of the roundabout and if they have heard any follow-up. She said she did not know the answer.

Director Lawhorne expressed that the Assembly approved the roundabout and the planner for that is out of the office right now, so she is not sure if they heard from DOT or not on that.

Mr. Pedersen thanked Commissioner Brown for chairing the meeting and did a wonderful job.

Ms. Cole agreed with Mr. Pedersen.

Mr. Epstein said he would not be there for the meeting on November 12<sup>th</sup>.

**XVII. EXECUTIVE SESSION - None**

**XVIII. SUPPLEMENTAL MATERIALS**

Additional Materials

**XIX. ADJOURNMENT**

The meeting was adjourned at 9:33 p.m.