MEMORANDUM

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

DATE:

July 20, 2011

TO:

Planning Commission

FROM:

Laura A. Boyce, Planner

Community Development Department

FILE NO.:

USE20110016

PROPOSAL:

A Conditional Use permit to build a 540 square foot addition to a commercial building (Red Dog Saloon) in a mapped moderate

hazard zone.

GENERAL INFORMATION

Applicant:

Eric Forst

Property Owner:

Alaska Red Dog Saloon LLC

Property Address:

278 South Franklin Street

Legal Description:

Tidelands Addition Block 82 Lot 5 FR

Parcel Code Number:

1-C07-0-K82-004-0

Site Size:

6,159 square feet

Zoning:

Mixed Use

Utilities:

Public Water and Sewer

Access:

South Franklin Street

Existing Land Use:

Red Dog Saloon

Surrounding Land Use:

North

- Mixed Use, South Franklin Street

South

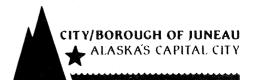
- Mixed Use

East

- Mixed Use, Admiral Way

West

- Mixed Use



Planning Commission File No.: USE20110016 July 20, 2011 Page 2 of 5

PROJECT DESCRIPTION

The applicant requests a Conditional Use permit to build a 540 square foot addition to the existing Red Dog Saloon, located in a mapped moderate hazard zone. A concurrent application for a variance request (VAR2011 00016) to eliminate the vegetative cover requirement is under review.

BACKGROUND

The proposed project is a permitted use in the Mixed Use (MU) zoning district; however, any construction within a mapped hazard zone requires a Conditional Use Permit pursuant to CBJ 49.70.300(a)(3). The Red Dog Saloon/Miner's Square was originally constructed in 1988. An addition was built in 2001 (USE2001-00045). At that time, the applicant hired BRD Consultants, LLC., a civil and geological engineering firm, to provide a study regarding the susceptibility of the building to hazards.

As part of this application, the applicant has requested that the 2001 study be used for the current review as circumstances have not changed since the original study was conducted. In fact, the applicant notes that since 2001, development has occurred directly across South Franklin Street. This new building was constructed with a mass waste protection wall on the rear side, thereby providing additional buffering for hazard events. The proposed addition will also be protected by the existing Red Dog Saloon concrete construction because the addition will front towards Admiral Way, and not South Franklin Street. General Engineering and Community Development staff agreed that the previous 2001 study could be used for this review.

ANALYSIS

Project Site - The project is located at the corner of South Franklin Street and Admiral Way. A portion of the property, the South Franklin Street façade, is located in the Downtown Historic District. The proposed addition, which is outside of the Downtown Historic District, will add 540 square feet to the existing structure, as well as the building footprint. The addition will expand the existing gift shop and bar area of the Red Dog Saloon.

Project Design - The 540 square foot expansion to the gift shop and bar area will be located in the existing "pedestrian plaza" area on the south side of the property, along Admiral Way. The planned addition will be blocked from wasting events by the existing Red Dog Saloon building along South Franklin Street. The existing structure was designed and built with pre-stressed concrete panel construction in order to withstand predicted forces in the mapped hazard zone. The addition will be protected by this portion of the building.

Hazard Zone - The existing Red Dog Saloon, formerly known as the Miner's Square Building, is located in a mapped moderate hazard zone as established in the CBJ Land Use Code. The applicant's consultant, BRD Consultants, indicated in its 2001 report the following:

Planning Commission File No.: USE20110016 July 20, 2011 Page 3 of 5

The Miner's Square Building at 278 South Franklin and its proposed alterations are adequately constructed and situated to resist major landslide damage...debris is likely to deposit or spread out as a shallow, horizontal flow with limited lateral impact to the Miner's Square Building.

In 2001, CBJ's Terry Brenner requested that the above information be quantified. Dr. Swanston, with BRD Consultant's, replied in another report, dated October 7, 2001 (see attachments), that the Miner's Square Building (Red Dog Saloon) is "not in the direct path of a potential debris flow ... any material reaching the Miners Square Building would largely be floodwater and minor sediment with limited lateral impact, probably no greater than 30-40 lbs./sq. ft." Mr. Brenner of the CBJ Engineering Department reviewed the report and concurred with the findings. Additionally, CBJ staff in Community Development, General Engineering, and Emergency Management reviewed the reports again for this proposed addition. Based on the information submitted by the Applicant and the reviews in 2001 as well as the present, it is staff's conclusion that no significant safety issues are related to the proposed addition to the Red Dog Saloon. Staff recommends a condition requiring any future modification of the building along South Franklin Street providing protection from mass wasting events to be constructed to CBJ Engineering requirements to withstand predicted forces.

49.70.900-49.70.1097 COASTAL DEVELOPMENT, HABITAT, AND WETLANDS

JUNEAU COASTAL MANAGEMENT PROGRAM (JCMP)

Not applicable.

FINDINGS

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

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

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

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

Planning Commission File No.: USE20110016 July 20, 2011 Page 4 of 5

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

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

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

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

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

Yes. The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ §49.25.300, Section 49.25.300, Sections 2.120 and 8.100, for the Mixed Use (MU) zoning district. The 540 square foot addition will add space to the existing retail area, which is listed under 2.120 "Miscellaneous Sales and Rental of Goods, Merchandise or Equipment", and to the saloon area, which is under 8.100 "Restaurants, Bars, and Nightclubs". When the proposal is for a building of less than 10,000 square feet, this use is allowed with a building permit. Additionally, this Conditional Use permit is required pursuant of CBJ §49.70.300(a)(3).

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

Yes. The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in the July 15, 2011 and July 25, 2011 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public Right of Way.

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

No. The Applicant has submitted documentation discussed in the preceding analysis indicating that this proposal will not pose any danger to public health or safety from mass wasting events. No other evidence indicates that the proposed project will materially endanger public health or safety.

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

No. As discussed in the staff report above, the proposed project will maintain the value of and be in harmony with property in the neighboring area.

Planning Commission File No.: USE20110016

July 20, 2011 Page 5 of 5

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

Yes. Specifically, the project will comply with the Table of Permissible Uses in the Land Use Code CBJ 49.25.300, Sections 2.120 and 8.100, as well as CBJ 49.70.300(a)(3).

RECOMMENDATION

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use permit. The permit would allow the development of a 540 square foot addition to the Red Dog Saloon in a mapped moderate hazard zone. The approval is subject to the following condition:

1. Any future modification of the building along South Franklin Street providing protection from mass wasting events will be required to be constructed to CBJ Engineering requirements to withstand predicted forces.

NOTICE OF PUBLIC HEARING AMERICAN DR. AMER

USE20110016: A Conditional Use permit to add 540 sq. ft. to an existing building located in a **PROPOSAL:** moderate landslide/avalanche hazard zone

VAR20110016: A Variance Request to reduce the 5% vegetative cover.

FILE NO: USE20110016

TO: Adjacent Property Owners

HEARING DATE: July 26, 2011

HEARING TIME: 7:00 PM

PLACE: ASSEMBLY CHAMBERS

Municipal Building 155 South Seward St Juneau, Alaska 99801 **APPLICANT:** ERIC FORST

Property PCN: 1-C07-0-K82-004-0

Owner(s): ALASKA RED DOG SALOON LLC

Size: 6159 sqft
Zoned: Mixed Use

Site Address: 276 S FRANKLIN ST

Accessed via: S FRANKLIN ST

PROPERTY OWNERS PLEASE NOTE:

You are invited to attend this Public Hearing and present oral testimony. The Planning Commission will also consider written testimony. You are encouraged to submit written material to the Community Development Department no later than 8:30 A.M. on the Wednesday preceding the Public Hearing. Materials received by this deadline are included in the information packet given to the Planning Commission a few days before the Public Hearing. Written material received after the deadline will be provided to the Planning Commission at the Public Hearing.

If you have questions, please contact Laura Boyce by phone at: 907-586-0753 or e-mail laura_boyce@ci.juneau.ak.us

Planning Commission Agendas, Staff Reports and Meeting Results can be viewed at www.juneau.org/plancomm.

SUBJECT PROPERTY

DEVELOPMENT PERMIT APPLICATION

Project	Number	and BOROUGH	of JUNEAU Date Re	ceived: 6/12/11					
Project (City Sta	Mana	04 SALOUN	ADDITION	V V					
	Project Description 540 SQ FOR THE	FT. ADDITION	N TO RETAIL	. & BAR AREA					
NFORMATION	PROPERTY LOCATION Street Address 218 5. FRANKLIK ST Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) FRACTION - LOT S - TIDELANDS ADDITION - SURVEY #3 Assessor's Parcel Number(s)								
INFOR	Property Owner's Name RECC FORM Mailing Address SAME	Contact Person: Home Phone:	Work Phone: 463 9698 Fax Number:						
	E-mail Address eric@ redd		Other Contact Phone Num	5					
ST / APPLICANT	LANDOWNER/ LESSEE CONSENT I am (we are) the owner(s) or lessee(s) of the property subject to fais 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. Lower griant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application. X. Landowner/Lessee Signature X. Landowner/Lessee Signature NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.								
JEC	APPLICANT If the same as O Applicant's Name	date at X below Contact Person:							
RO	Mailing Address		Home Phone:	Fax Number:					
Φ.	E-mail Address		Other Contact Phone Numb	per(s):					
	Applicant's Signature		Date of Application						
		FICE USE ONLY BELOW TH	IS LINE						
ALS	Permit Type Building/Grading Permit City/State Project Review and City Land Action Inquiry Case (Fee In Lieu, Letter of ZC, Use Not L Mining Case (Small, Large, Rural, Extraction, Exp	n isted)	Date Received Ap	oplication Number(s)					
AFF APPROVA	Sign Approval (If more than one, fill in all applicable Subdivision (Minor, Major, PUD, St. Vacation, St. Use Approval (Allowable, Conditional, Mobile Home Parks, Accessory Apa Variance Case (De Minimis and all other Variance c Wetlands Permits Zone Change Application	Name Change) Cottage Housing, (criment)	oliniu USEZ	2011 OOJE					

***Public Notice Sign Form filled out and in the file.

Comments:

Permit Intake Initials

ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

	Project Number	Project Name (15	characters)		Case Numb		Date Received			
	TYPE OF ALLOWA	TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED								
	Accessory Apartment*** (AAP) Driveway in Right-of-Way (ADW)									
	Use Listed in §49.25.300 (USE) (Table of Permissible Uses) Please list the Table of Permissible Uses Category: (MST 47.70,300(a)(3)) ***An Accessory Apartment Application will also be required.									
	DESCRIBE THE PROJECT FOR WHICH AN ALLOWABLE OR CONDITIONAL USE APPROVAL IS NEEDED. DEVELOPMENT IN the South Franklin St HAZARD ZON									
	IS THIS A MODIFICATION OF AN EXISTING APPROVAL? NO YES-Case # CURRENT USE OF LAND OR BUILDING(S): TAJERN & MENTINE									
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LICAN										
APPL										
Ξ.	e apartment									
EU B	PROPOSED USE OF LAND OR BUILDING(S): SAME with No otilities Alteration									
H H	THO OCED GOL OF LAND ON BOILDING(S).									
₹ 2	UTILITIES PROPOSED: WATER: Public On Site SEWER: Public On Site SITE AND BUILDING SPECIFICS: Total Area of Lot 6 158 square feet Total Area of Existing Structure(s) 5130 square feet									
2										
	Total Area of Proposed Structure(s)square feet									
	EXTERNAL LIGHTIN		7 Van Brasida fist							
	Existing to remain Proposed	No [cutoff sheets, and I cutoff sheets, and I	_	-			
	PROJECT NARRATIV	<u> </u>				Seation of right	ang nxtures			
1	☐ Site Plan ☐ Floor Plan of proposed buildings ☐ Elevation view of existing and proposed buildings ☐ Elevation view of existing and proposed buildings ☐ Existing and proposed parking areas (including dimensions) and proposed traffic circulation ☐ Existing Physical Features of the site (drainage,									
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Ì	For more information	rogarding the	ALLOWABLE/CONDITI			Metanlagicania producer a substance and an analysis and analysis and an analys				
l	permitting process and	the submittals	Application Fees	Fees	Check No.	Receipt	Date			
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	Alain Engan mile	ri ina Parmit I								
	this form, please conta Center at 586-0770.	'	Pub. Not. Sign Deposit Total Fee	100° COO	V6559213	1608	1/10-11			

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

Rich Conneen Architects LLC

7081 N. Douglas Hwy. Juneau, AK. 99801 907-586-3180

RE:

Conditional Use Permit

Red Dog Saloon shop/bar addition 278 S. Franklin Street

TO:

CBJ Planning Department

Date:

21 June 2011

SCOPE:

The Red Dog Saloon is adding a small 540 s.f. addition to their store and saloon. This development requires them to apply for a conditional Use Permit due to the fact that they fall within the CBJ mapped hazardous waste area. It also requires them to acquire a geotech engineering study to assess their degree of hazard and to mitigate any hazards that the study identifies.

This letter requests that the Red Dog Saloon owner be allowed to re-use a hazard study completed in 2001 for their property, for a previous addition for the following reasons:

- The addition Red Dog Saloon property is in no greater threat than the conditions that existed in 2001, the date of the previous study.
- A new structure has been built directly across from the street from the saloon on the up hill side. The new building was built with a mass waste protection wall to it's rear. Both the new building, and it's protection wall act as structural buffers to any mass waste event and therefore make the Red Dog property "safer" than any condition in 2001.
- The addition faces away from the up hill slide area and is protected by the existing Red Dog Saloon and it's concrete construction.

Dear Staff,

The 2001 Hazard analysis acquired from Doug Swanston of BRD Consultants for the said Red Dog property, concludes that in a mass waste event, this property is in no danger from any debris damage and that only water and silt would be the burden yielded from a slide.

Since this 2001 study, additional structural buffering has occurred in the up hill direction from the property. This fact in consort with the Red Dog Saloons, pre-stressed concrete panel construction make for an absolute safe structure in the mapped hazard zone area.

Additionally, the foot print area of the proposed Red Dog addition is protected from any up hill view and therefore direct danger from a mass waste event.

Having absorbed this data, we are asking that the CBJ wave this owners requirement to acquire a new mass waste and allow them to re use the 2001 study which has already concluded that this sites micro climate is in no danger from any mass waste event.

Please also conclude, as my firm already has, that the same conclusion be reached as in 2001 where no hazard mitigation should be required of the owner, since no great or moderate mass waste hazard currently exists.

Sincerely, Rich Conneen

BRD CONSULTANTS, L.L.C.

Civil & Geological Engineering

P.O. Box 32478 Juneau, Alaska 99803 USA

Phone 907-586-1011 Fax 907-586-1011

October 4, 2001

To: Debra Purvis

City and Borough of Juneau 155 South Seward Street Juneau, Alaska

99801

Subject: Susceptibility of Miners Square Building (278 South Franklin Street) to Landslide Hazard

The Miners Square Building at 278 South Franklin Street and its proposed alterations is adequately constructed and situated to resist major landslide damage. This opinion is based on a general review of: a) the foundation design and planned structural alterations to the building, b) the history of and pattern of landslide activity on the Mount Roberts slope across South Franklin Street from the property, and c) the effectiveness of intervening structures (Gastineau Avenue and South Franklin Street) in limiting the lateral impact of any debris flow that might occur.

A debris flow coming down the Mt. Roberts slope would first strike a nearly horizontal surface, Gastineau Avenue, resulting in rapid deceleration, loss of momentum, and lateral spreading of debris. Any debris not retained on Gastineau Avenue would continue down slope as a cascade of saturated debris at a substantially reduced velocity and flow height where it would strike a second horizontal surface, South Franklin Street. At this point, due to further momentum reduction, any remaining debris is likely to deposit or to spread out as a shallow, horizontal flow with limited lateral impact to the Miners Square Building.

Sincerely,

Douglas N. Swanston, PhD, CEG

Vocafus A Swamston

Engineering Geologist

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10/4/2001

MEMORANDUM

CITY & BOROUGH OF JUNEAU

155 South Seward Street, Juneau, Alaska 99801

TO: Greg Chaney, Planner

Community Development Department

FROM: Terry Brenner, P.E.,L.S./

Land Surveyor

FILE: Hazard Zone Review

DATE: November 6, 2001

Red Dog Saloon

RE:

Report Review

USE2001-00045

The subject site is located within the hazard zone in accordance with the adopted hazard zones. BRD Consultant's landslide hazard report indicates "limited lateral impact" to the Miners Square Building due to a "general review" of the foundation, landslide history, intervening structures, and the presence of horizontal surfaces on Gastineau Avenue and S. Franklin Street.

Although I may agree with Mr. Swanston's conclusions based on my observations of the site and the unadopted 1992 "Juneau Area Mass-Wasting & Snow Avalanche Hazard Analysis", the submitted report is incomplete of required technical details. I am not sure how the stability of the existing foundation will protect the occupants of the building. The planned structural alterations may be pertinent, but the critical alterations are not stated in the report. The history and pattern of the landslide activity may be a factor, but there is nothing in the report to show how the history and patterns are mitigating the force of impacts. Intervening structures can be a factor but the only structure directly above the site is a very small and temporary building that may not be much of a deterrent to a large landslide.

I would be looking for a report that estimates the quantity of debris within the upper slide paths, the location of the slide paths, the estimated velocity of the slide, and an estimate of the quantity that would be retained by the horizontal street surfaces.





BRD CONSULTANTS, J.L.C.

Civil & Geological Engineering

P.O. Box 32478 Juneau, Alaska 99803

Phone 907-586-1011 Fax 907-586-1011

November 7, 2001

To:

Greg Chaney, Planner

Community Development Department

From:

Douglas N. Swanston, Ph.D., C.E.G.

Engineering Geologist

RE:

Hazard Zone Review, Red Dog Saloon—Response to Hazard Report Review USE2001-00045

Dear Mr. Chaney,

The following comments are in response to Mr. Brenner's' concerns relative to the Miners Square Building.

The subject site is located within the broadly defined CBJ Mass Wasting Hazard Zone, but lies outside of the immediate impact zone of any known debris flow or landslide path. Specifically, the Miners Square Building lies at the base of the slope and at the western edge of the potential deposition zone of a small debris flow channel terminating at Gastineau Avenue adjacent to the Bulger Way stairs.

The channel above Gastineau Avenue is a steep, shallow, linear depression beginning at a rock cliff approximately 300 feet in elevation and extending to a massive fill of AJ rock and old landslide debris on which Gastineau Avenue is constructed. Only minor amounts of debris are stored in this channel. I estimate the total volume of debris available for any catastrophic event to be less then 10 cubic yards.

The gradient and shape of the channel is similar to other sites along the Mt. Roberts slope, smooth with a gradient of about 34 degrees. The maximum estimated flow height in the channel is about 3 feet. Based on these characteristics, I estimate the probable velocity of any flow event in the channel at about 5 ft/sec. At a velocity of 5 feet per second and a flow height of about 3 feet, I estimate the impact load to any building at 90 degrees to the direct path of a potential debris flow at about 100 lbs./sq. ft. Note that the Miners Square Building is not in the direct path of a potential debris flow.

Debris flows typically begin to deposit their entrained materials below a gradient of approximately 7%. On a nearly horizontal surface, most of the entrained materials will be deposited. A debris flow coming down the Mt. Roberts slope above Gastineau Avenue in this channel would first strike the 40-foot width of Gastineau Avenue slowing down and depositing most of the entrained soil and debris (approximately 75%). Most of the additional soil and debris would cascade down slope below Gastineau Avenue as low-level flows where it would be collected and dispersed along South Franklin Street and into the roundabout. Any material reaching the Miners Square Building would largely be floodwater and minor sediment with limited lateral impact, probably no greater them 30-40 lbs./sq. ft.

rely,

Douglas N. Swanston, Ph.D., C.E.G. *Engineering Geologist*



ZONING REVIEW:

MU ~ MIXED USE 6,158 S.F. 0 VEGETATION= SETBACKS= LOT AREA= PERMITS= ZONING=

MODERATE HAZARD CONDITIONAL USE-5% (307 S.F.)

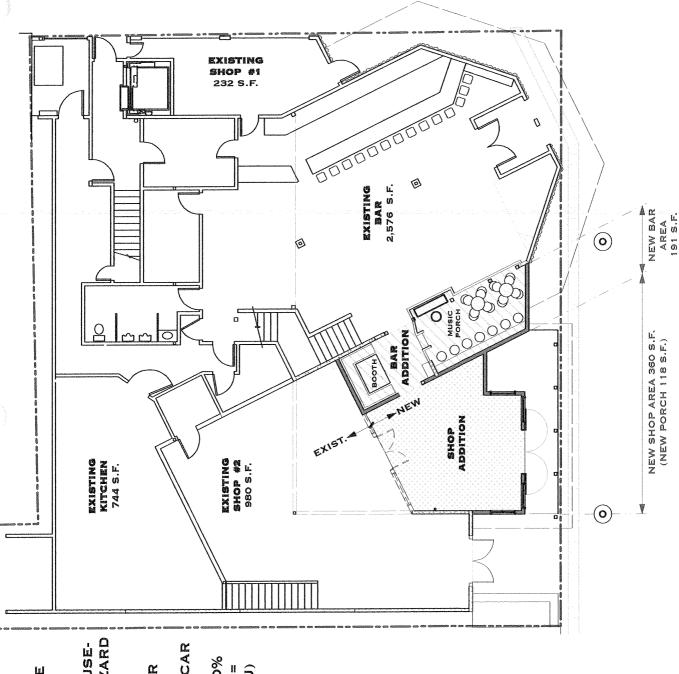
PARKING: 1 CAR REQUIRED

• NEW BAR AREA NEEDS (1) CAR PER 200 S.F. = .95 CARS

NEW STORE AREA NEEDS (1) CAR PER 300 S.F. = 1.2 CARS

2.15 CARS REQUIRED WITH 60% REDUCTION (PD1)= .86 CARS =

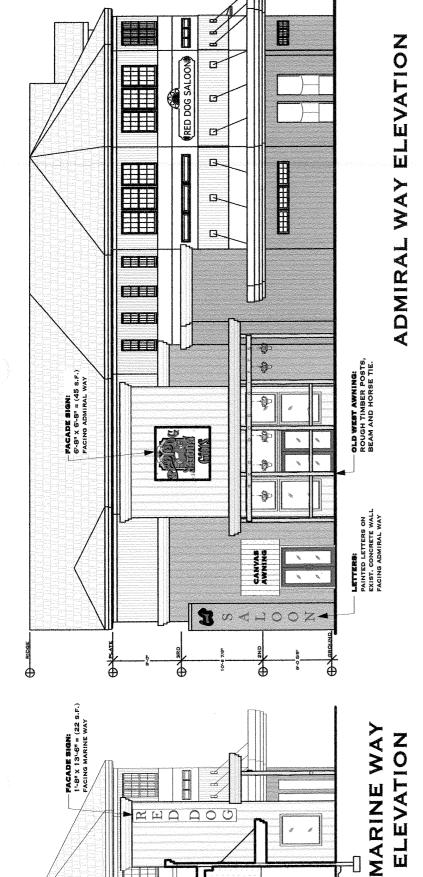
(1) CAR REQUIRED (FEE IN LIEU)





tel (907) 586-3180 fax (907) 586-3182 rich@richconneen.com RICH CONNEEN Architects LLC

Red Dog Saloon Addition - first floor plan



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RICH CONNEEN Architects LLC

