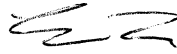


MEMORANDUM

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

DATE: September 6, 2011

TO: Planning Commission

FROM: Eric Feldt, Planner 
Community Development Department

FILE NUMBERS: USE20110022 & CSP20110006

PROPOSAL: A Conditional Use permit and a City consistency review permit to continue the use of an existing 120-foot tall telecommunication tower near the City water tank in West Juneau.

GENERAL INFORMATION

Applicant: Alaska Communication Systems (ACS) Wireless, Inc.

Property Owner: City and Borough of Juneau (CBJ)

Property Address: 3008 Jackson Road, Juneau, AK 99801

Legal Description: Fraction of Lot 1 of US Survey 3853

Parcel Code Number: 3-D05-0-100-002-1

Site Size: Lease Area: 2,500 square feet (Overall area: 7.3 acre site)

Zoning: Rural Reserve (RR)

Utilities: No Sewer, Public Water

Access: Jackson Road

Existing Land Use: CBJ Water Tower; Private Telecommunication Towers

Surrounding Land Use: North - RR; Dan Moller Trail Parking lot; Jackson Rd
South - RR; Vacant State Land; No Road Connection
East - RR; Vacant State Land; No Road Connection
West - D-5; Vacant Private Land;



ATTACHMENTS

Attachment A	Vicinity Map
Attachment B	Project Letter
Attachment C	1990 Permit
Attachment D	1990 Notice of Decision
Attachment E	2011 As-Built Survey

PROJECT DESCRIPTION

The applicant requests a Conditional Use permit to rectify an expired permit that will allow the continued use of an existing 120-foot tall telecommunication tower. This tower is located near the Dan Moller parking lot in West Juneau; see attachment A for location. The project is described in attachment B.

In 1990, the tower was originally approved through a Conditional Use permit (CU-26-90). See attachments C & D. Following the approval of the Conditional Use permit, the applicant had 18 months (1.5 years) to apply for and receive an approved Building permit, and complete substantial construction. According to City records, a Building permit was never filed for this project; thus the Conditional Use permit expired. Evidently, the tower was soon constructed without a Building permit.

The subject memorandum serves a City consistency permit to ensure the project complies with adopted city plans, such as the Comprehensive Plan.

The tower is a typical monopole-design with an antenna at its tip. A small auxiliary electrical building is located adjacent to the tower. These two structures are located within a secured perimeter fence. Figure 1 below shows the two structures.

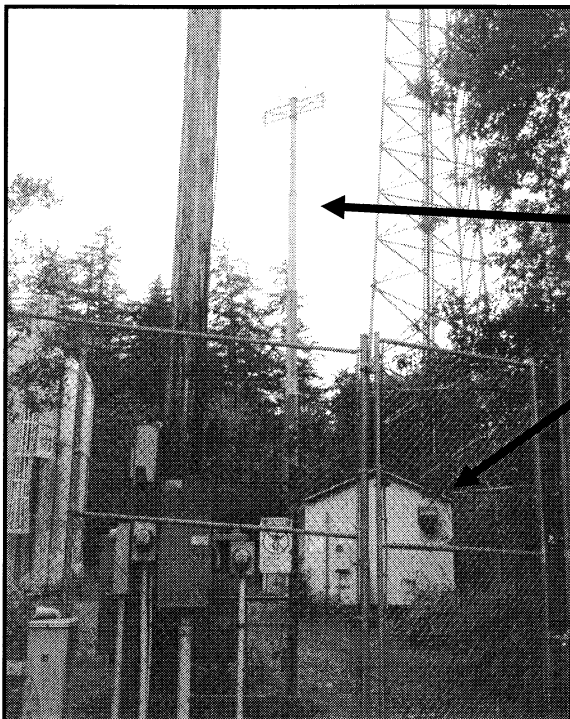


Figure 1

The arrows to the left point to the tower and auxiliary building. Pictures taken by CDD staff on 8/17/11.

BACKGROUND

The 1990 Staff Report and Notice of Decision of the approved telecommunication tower can be found under Attachments B & C. The Notice of Decision contains one permit condition that required the applicant to use dark colors for the antenna structure. Looking at recent pictures of the tower, brown paint appears to have been applied and had later faded. This suggests the whole tower may have been painted during its installation. Very little brown coloration remains and much of the tower's metallic color is now visible. Therefore, staff is recommending a condition of approval from USE-CU90-26 requiring the structure to be a dark color. Since the tower is already in place, staff is recommending a condition requiring the applicant to paint the tower a dark color.

Since 1990, other telecommunication towers and related infrastructure have been constructed near the subject tower and city water tank. This has resulted in the area becoming a popular telecommunication site for the industry. The elevated land and remoteness makes this site ideal for this type of development and for the community.

ANALYSIS

Project Site

The subject property is owned by the City & Borough of Juneau (CBJ) and is located at the end of Jackson Road in West Juneau, nearby the Dan Moller trailhead and parking lot. Tall coniferous trees surround the telecommunication towers and water tank. See vicinity map for an aerial view. Public access on the road is prohibited beyond the parking lot, as secured by a locked gate. From that point, the road leads up a hill to another fence that secures the telecommunication towers and the city water tank.

The Dan Moller parking lot is the only development within close proximity to the site; some single-family dwellings exist along Jackson Road leading up to the parking lot. These structures can be seen in the vicinity map. As the crow flies, the closest dwelling to the telecommunication towers is approximately 450 feet away. These homes are much lower in elevation than the tower site, and have filtered views of the towers. According to staff's record the two houses closest to the tower site, which are both the last houses on Jackson Road, were built after the original approval of the subject tower.

According to the zoning map, the subject site is split into the Rural Reserve (RR) and D-5 districts. ACS's tower is in the RR district. Due to the height of the tower, the permitting process is the same in both districts.

Project Design

The design of ACS's telecommunication tower and electrical building are shown in Figure 1. Between the three existing towers, including ACS's, the subject tower is neither the tallest nor shortest. The tower does not have any lights, and will continue to be non-illuminated. Besides

painting the tower a dark color, ACS is not proposing any changes to the tower, auxiliary building, or the site with this permit at this time.

As stated earlier, the site is secured through a vehicular gate and pedestrian gate. Maintenance of the facility will continue to be infrequent.

Traffic

Passed the last dwelling along Jackson Road traffic volume is very low; even though there are no houses at the end of Jackson Rd, it receives more use than normal due to the Dan Moller parking lot. This trail leads to the Dan Moller cabin, a Tongass National Park cabin, which is a very popular retreat place. Overall, traffic is relatively low, but does experience spikes during weekends, especially during the winter months when the trail is open to snowmobilers.

The maintenance of the telecommunication towers is very infrequent and does not affect Dan Moller trail users.

Parking and Circulation

There is little room to park several vehicles at the site due to the small driveway and steep grade. However, this does not seem to be a problem due to the low parking demand of the telecommunication tower. If additional parking space is needed, there is parking provided down the hill at the Dan Moller parking lot.

Noise

Using cooling fans and other devices to reduce temperatures from telecommunication tower antennae are typical. These devices often produce audible noise levels for short distances. Due to the location of the tower and restricted access, low levels of noise will not be heard from private property owners.

Public Health or Safety

Telecommunication towers are required to meet all applicable zoning and building codes, such as maximum wind and snow loads. Further, antenna array transmit data through electromagnetic frequencies that often produce levels of radiation. These levels are extremely low, but have been a point of contention in the past. The federal government restricts municipalities from denying these projects based on perceived health effects. These radiation levels cannot exceed a certain limit, as established by the Federal Communication Committee (FCC). To ensure the emission levels comply with FCC's levels, staff recommends a condition having the applicant submit proof of compliance.

Habitat

There are no mapped sensitive habitats within the site.

Property Value or Neighborhood Harmony

The subject tower has existed for over 20 years. The two other towers, located adjacent to the subject one, have also existed for many years. The site has become an intense telecommunication site and is

not close to any dwellings. As stated earlier, the nearest residence is located over 400 feet away and is significantly lower in elevation than the subject tower. Views of the towers from the houses are possible but filtered by nearby trees. With staff's recommended condition of having the tower painted a dark color, it will blend easier with adjacent vegetation and be less visible from nearby dwellings.

Because of these facts, the continued use of the tower with the recommended condition will not likely affect the value of the homes or the harmony of the neighborhood.

Conformity with Adopted Plans

The project was reviewed for consistency with the 2008 Comprehensive Plan. This plan designates the site as Urban Low Density Residential (ULDR). This is defined below:

Urban Low Density Residential

These lands are characterized by urban or suburban residential lands with detached single-family units, duplex, cottage or bungalow housing, zero lot-line dwelling units and manufactured homes on permanent foundations at densities of one to six units per acre. Any commercial development should be of a scale consistent with a single-family residential neighborhood.

Though the site does not consist of any residential dwellings or uses, it has become a popular site for telecommunication infrastructure. These towers have been constructed next to a water tank and will not likely affect nearby future development.

The Plan does not speak directly about telecommunication towers or related infrastructure. However, given Juneau's remoteness and the location of the Capitol, it is critical to maintain adequate telecommunication technology and service.

Staff finds the continuation of an existing tower in an area used by other telecommunication carriers an appropriate land use, and is consistent with the Comprehensive Plan.

Towers are identified as a permissible land use in the Rural Reserve zoning district, as noted in the Land Use Code. Those that are over 50 feet in height require an approved Conditional Use permit. In addition to that permit, towers must meet all yard setbacks. The height of towers is not restricted to the building height corresponding with the zoning district. The subject tower is outside of the yard setbacks of the site. It is not near any dwelling or privately-owned commercial buildings, other than adjacent auxiliary sheds. Therefore, it would not endanger nearby buildings in case of collapse.

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:

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 18.300 for the Rural Reserve zoning district.

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

Yes. The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in the September 2, 2011 and 12, 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. With the recommended conditions, as stated earlier, the approval of this Conditional Use permit will not endanger the health or safety of the public.

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

No. As mentioned earlier, approving the Conditional Use permit will allow the tower to exist near other telecommunication towers. The nearest dwelling is approximately 450 feet away. Views of the subject tower from nearby dwellings will be reduced with the recommended conditions. Therefore, allowing the tower to exist in its present location will not negatively affect the harmony or property value of the nearby houses.

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

Yes. Approving this permit would allow the continued use of an existing tower among adjacent towers in an area that is distant from nearby dwellings. With the recommended conditions, the tower would continue to comply with the Land Use Code and be consistent with the Comprehensive Plan.

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

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

Not Applicable. As stated earlier, there are no mapped sensitive environments near the subject tower.

RECOMMENDATION

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use permit, and recommend the Assembly approve the City consistency permit. The permit would allow the continued use of an existing telecommunication tower. The approval is subject to the following conditions:

1. Prior to the renewal or modification of the CBJ lease for the subject tower, the applicant shall submit proof of compliance with the FCC maximum electromagnetic radiation emission level.
2. Prior to the renewal or modification of the CBJ lease for the subject tower, the applicant shall paint the tower a dark color.

DEVELOPMENT PERMIT APPLICATION

Project Number	CITY and BOROUGH of JUNEAU	Date Received: <u>8/11/11</u>
Project Name (City Staff to Assign Name)		

PROJECT / APPLICANT INFORMATION	Project Description ACS is submitting for a Conditional Use Permit at the Water-Reservoir Site on Douglas Island for an existing 120 foot galvanized monopole and equipment shelter. Current zoning regulations require a CUP is obtained for tower structures greater than 50 feet in Rural Reserve District.		
	PROPERTY LOCATION		
	Street Address 3008 Jackson	City/Zip Juneau 99801	
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) Lot 1 US Survey 3853		
	Assessor's Parcel Number(s) <u>3-D05-0-100-002-1</u>		
	LANDOWNER/ LESSEE		
	Property Owner's Name City of Juneau	Contact Person: Heather Marlow	Work Phone: 907-586-2787
	Mailing Address 155 S. Seward Street, Juneau, AK 99801	Home Phone:	Fax Number:
	E-mail Address Heather_Marlow@ci.juneau.ak.us	Other Contact Phone Number(s): 907-586-5252	
	LANDOWNER/ LESSEE CONSENT ****Required for Planning Permits, not needed on Building/ Engineering Permits****		
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.			
X <u>Heather Marlow</u> Landowner/Lessee Signature		<u>8/11/11</u> Date	
X _____ 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.			
APPLICANT If the same as OWNER, write "SAME" and sign and date at X below			
Applicant's Name ACS Wireless, Inc.	Contact Person: Alissa Haynes	Work Phone: 907-727-7907	
Mailing Address 600 Telephone Ave MS8 Anchorage, AK 99503	Home Phone:	Fax Number:	
E-mail Address sitedeployment@gmail.com	Other Contact Phone Number(s): 907-564-1064 Gayle Doty		
X <u>[Signature]</u> Applicant's Signature		<u>8/10/2011</u> Date of Application	

-----OFFICE USE ONLY BELOW THIS LINE-----

STAFF APPROVALS	<input checked="" type="checkbox"/>	Permit Type	**SIGN	Date Received	Application Number(s)
		Building/Grading Permit			
		City/State Project Review and City Land Action			
		Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)			
		Mining Case (Small, Large, Rural, Extraction, Exploration)			
		Sign Approval (If more than one, fill in all applicable permit #'s)			
		Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)			
		Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)		<u>8/11/11</u>	<u>Use 2011 CC 22</u>
		Variance Case (De Minimis and all other Variance case types)			
		Wetlands Permits			
	Zone Change Application				
	Other (Describe)				
***Public Notice Sign Form filled out and in the file.					
Comments:				Permit Intake Initials	
				<u>ESF</u>	

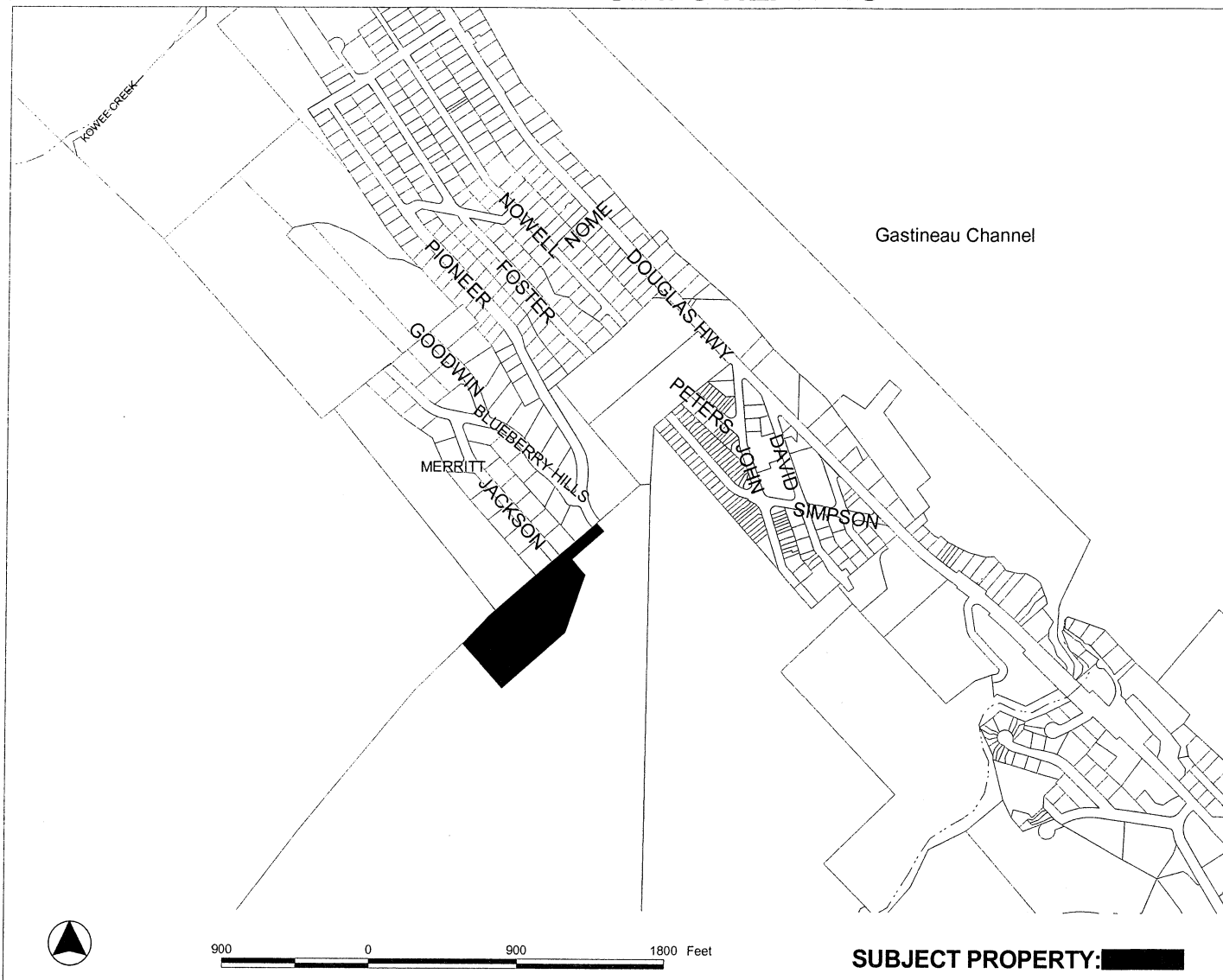
ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

Project Number	Project Name (15 characters)	Case Number <i>Use 2e110022</i>	Date Received <i>8/11/11</i>																																			
TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED																																						
<input type="checkbox"/> Accessory Apartment*** (AAP) <input type="checkbox"/> Driveway in Right-of-Way (ADW) <input checked="" type="checkbox"/> Use Listed in §49.25.300 (USE) (Table of Permissible Uses)																																						
Please list the Table of Permissible Uses Category: <u>CBJ 49.25.300.18.300 Towers & Antennas more than 50 feet</u>																																						
***An Accessory Apartment Application will also be required.																																						
DESCRIBE THE PROJECT FOR WHICH AN ALLOWABLE OR CONDITIONAL USE APPROVAL IS NEEDED.																																						
ACS received approval for this location for a CUP on July 23, 1990 to construct a 120' galvanized steel pole with antennas and fiberglass equipment shelter for telecommunications. The CUP was not completed. CBJ Zoning District is Rural Reserve for this property. A CUP is required for towers over 50' in height for Rural Reserve Zoning. ACS currently operates a cellular telecommunications facility at this location and request CBJ approval for continued operations.																																						
IS THIS A MODIFICATION OF AN EXISTING APPROVAL? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES - Case # <u>3-D05-0-100-002-1</u>																																						
CURRENT USE OF LAND OR BUILDING(S): The property is currently used as a Municipal Water Supply Storage Facility and a secondary use of telecommunications towers (4).																																						
PROPOSED USE OF LAND OR BUILDING(S): Placement (existing) of a free-standing 120 foot galvanized steel pole with antennas, equipment shelter(s) for telecommunications with backup power supply.																																						
UTILITIES PROPOSED: WATER: <input type="checkbox"/> Public <input type="checkbox"/> On Site SEWER: <input type="checkbox"/> Public <input type="checkbox"/> On Site																																						
SITE AND BUILDING SPECIFICS:																																						
Total Area of Lot <u>319,294</u> square feet		Total Area of Existing Structure(s) <u>44,866</u> square feet																																				
Total Area of Proposed Structure(s) <u>N/A</u> square feet																																						
EXTERNAL LIGHTING:																																						
Existing to remain <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes - Provide fixture information, cutoff sheets, and location of lighting fixtures																																						
Proposed <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes - Provide fixture information, cutoff sheets, and location of lighting fixtures																																						
PROJECT NARRATIVE AND SUBMITTAL CHECKLIST:																																						
<input checked="" type="checkbox"/> Site Plan <input type="checkbox"/> Existing and proposed parking areas (including dimensions) and proposed traffic circulation <input type="checkbox"/> Floor Plan of proposed buildings <input type="checkbox"/> Existing Physical Features of the site (drainage, habitat, hazard areas, etc.) <input type="checkbox"/> Elevation view of existing and proposed buildings <input type="checkbox"/> Proposed Vegetative Cover																																						
For more information regarding the permitting process and the submittals required for a complete application, please see the reverse side. If you need any assistance filling out this form, please contact the Permit Center at 586-0770.	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">ALLOWABLE/CONDITIONAL USE FEES</th> <th style="text-align: center;">Fees</th> <th style="text-align: center;">Check No.</th> <th style="text-align: center;">Receipt</th> <th style="text-align: center;">Date</th> </tr> </thead> <tbody> <tr> <td><i>CL I</i> Application Fees</td> <td style="text-align: right;">\$ <u>500.00</u></td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Admin. of Guarantee</td> <td style="text-align: right;">\$ _____</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Adjustment</td> <td style="text-align: right;">\$ _____</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Pub. Not. Sign Fee</td> <td style="text-align: right;">\$ <u>50.00</u></td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Pub. Not. Sign Deposit</td> <td style="text-align: right;">\$ <u>100.00</u></td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Total Fee</td> <td style="text-align: right;">\$ <u>650.00</u></td> <td>_____</td> <td style="text-align: center;"><u>1565</u></td> <td style="text-align: center;"><u>8/11/11</u></td> </tr> </tbody> </table>			ALLOWABLE/CONDITIONAL USE FEES	Fees	Check No.	Receipt	Date	<i>CL I</i> Application Fees	\$ <u>500.00</u>	_____	_____	_____	Admin. of Guarantee	\$ _____	_____	_____	_____	Adjustment	\$ _____	_____	_____	_____	Pub. Not. Sign Fee	\$ <u>50.00</u>	_____	_____	_____	Pub. Not. Sign Deposit	\$ <u>100.00</u>	_____	_____	_____	Total Fee	\$ <u>650.00</u>	_____	<u>1565</u>	<u>8/11/11</u>
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TO BE COMPLETED BY THE APPLICANT

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

NOTICE OF PUBLIC HEARING



SUBJECT PROPERTY: [Redacted]

PROPOSAL: A conditional use permit for the continued use of a 120 foot tall communications tower and a City consistency project for continuing the use of a telecommunication tower.

FILE NO:	USE2011 0022 CSP2011 0006	APPLICANT:	ACS WIRELESS, INC.
TO:	Adjacent Property Owners	Property PCN:	3-D05-0-100-002-1
HEARING DATE:	Sep 13, 2011	Owner:	CITY AND BOROUGH OF JUNEAU
HEARING TIME:	7:00 PM	Size:	7.33 acres
PLACE:	ASSEMBLY CHAMBERS Municipal Building 155 South Seward St Juneau, Alaska 99801	Zoned:	Rural Reserve
		Site Address:	3000 JACKSON RD
		Accessed via:	JACKSON RD

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

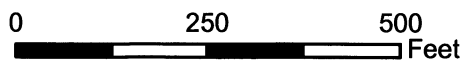
ERIC FELDT 586-0764 eric_feldt@ci.juneau.ak.us

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

VICINITY MAP



Aerial photo taken June 2006



- NOT A SURVEY-
lot lines are approximate



ATTACHMENT A



**LETTER OF APPLICATION TO LEASE
ALASKA COMMUNICATIONS SYSTEMS**

August 10, 2011 (revised from May 11, 2011)

Cythia Johnson
Lands and Resource Office
City and Borough of Juneau
155 South Seward Street
Juneau, AK 99801

Re: ACS Cellsite Property Lease Agreement
West Juneau Reservoir Tower Site

Dear Ms Johnson,

ACS has interest in continuing to provide cellular services in the Juneau Community.

Per your request, ACS is providing formal written request to enter into a long term lease agreement with CBJ for telecommunications facilities at the West Juneau Reservoir Tower Site.

The property where the site is located is currently owned by the City and Borough of Juneau. The existing use of the property is a water reservoir facility and also provides for tower telecommunications facilities for several community interest providers in the Juneau area.

ACS proposes to lease an approximate area of ground space of 16.5'x16.5 for the telecommunications tower pad and ground space of approximately 12x8 for the telecommunications equipment shelter on the northern end of the access road. The requested location is currently occupied by ACS for the said uses under a Use Permit expiring October 4, 2011.

The leased facilities have the following equipment on the premises:
120' galvanized monopole constructed onto a concrete tower pad foundation of approximately 10'x10',
Omni Antennas located at 120' AGL for cellular services,
10x14 fiberglass equipment shelter, sitting on top of concrete tower pad,
Power transformer located on the ground outside of equipment shelter.


It is assumed that there is additional room on the tower to support for additional equipment for radio transmissions. ACS may add additional antennas for customer capacity and increased wireless speeds on a customer need basis. The capacity would be determined by running a structural analysis that is specific to the requested RF (Radio Frequency) equipment.

MEMORANDUM

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

TO: Planning Commission

DATE: August 10, 1990

FROM: 
David Goade, Planner II
Community Development

FILE: CU-26-90

SUBJECT: Installation of commercial cellular phone antenna.

GENERAL INFORMATION

Applicant: Pacific Telecom Cellular of Alaska

Property Owner: State of Alaska (Dept. of Natural Resources)

Requested Action: Conditional use permit application.

Purpose: To allow the installation of an antenna structure for cellular phone communications.

Legal Description: Fraction of Lot 1, U.S. Survey 3853

Parcel Code Number: 3-D05-0-100-002-1

Location: West Juneau Water Reservoir

Site Size: 2,500 Square Feet

Access: Reservoir access road.

Existing Land Use: Municipal water reservoir.

Surrounding Land Use: North - Undeveloped
South - "
East - "
West - "

Zoning Designation: RR, Rural Reserve

Utilities: NA

ATTACHMENT C

PROJECT DESCRIPTION

The applicant is proposing to construct an antenna for cellular phone communications. The location is at the West Juneau Water Reservoir on property owned by the State of Alaska.

The antenna structure consists of a free-standing 120 foot dark grey galvanized steel pole. Near the top a horizontal beam will support two 20 foot dark brown fiberglass vertical antennas 17 feet apart. Overall structure height is approximately 138 feet.

Also included is an 8' x 12' prefabricated building to house cellular communications equipment. Both the antenna structure and equipment building are to be located in the existing reservoir area that is surrounded by a cyclone fence and secured by a locked gate.

BACKGROUND

The applicant is working with the Alaska Department of Natural Resources to get permission to construct the proposed antenna project. Final project approval is pending.

ANALYSIS

The primary anticipated impact from the proposed antenna project is visual. That is, what might the antenna structure look like when viewed from a distance.

The antenna site is in a forested hillside amongst trees perhaps 80 to 90 feet in height. About 48 to 58 feet of the antenna structure may extend above the adjacent trees. This visual impact, however, is mitigated by, 1) the forested hillside which rises steeply behind the antenna site and, 2) the antenna's darkly colored construction materials.

FINDINGS

The Director of Community Development shall make findings on an application for a conditional use permit. The Planning Commission shall review and adopt the findings unless it finds by a preponderance of the evidence that the findings are in error. The director's findings are:

1. Is the requested permit proper according to the Table of Permissible Uses?

Yes. The requested permit is proper according to the Table of Permissible Uses at section 18.300.

2. Is the application complete?

Yes. The applicant submitted sufficient information for staff review and recommendation.

3. Does the proposed development follow the other requirements of the CBJ land use code?

Yes. The proposed development follows the other requirements of the CBJ land use code.

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

No. No evidence found to indicate that the proposed development will materially endanger the public health or safety.

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

No. No evidence found to indicate that the proposed project will substantially decrease the value of or be out of harmony with property in the neighboring area.

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

Yes. The proposed project is in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans.

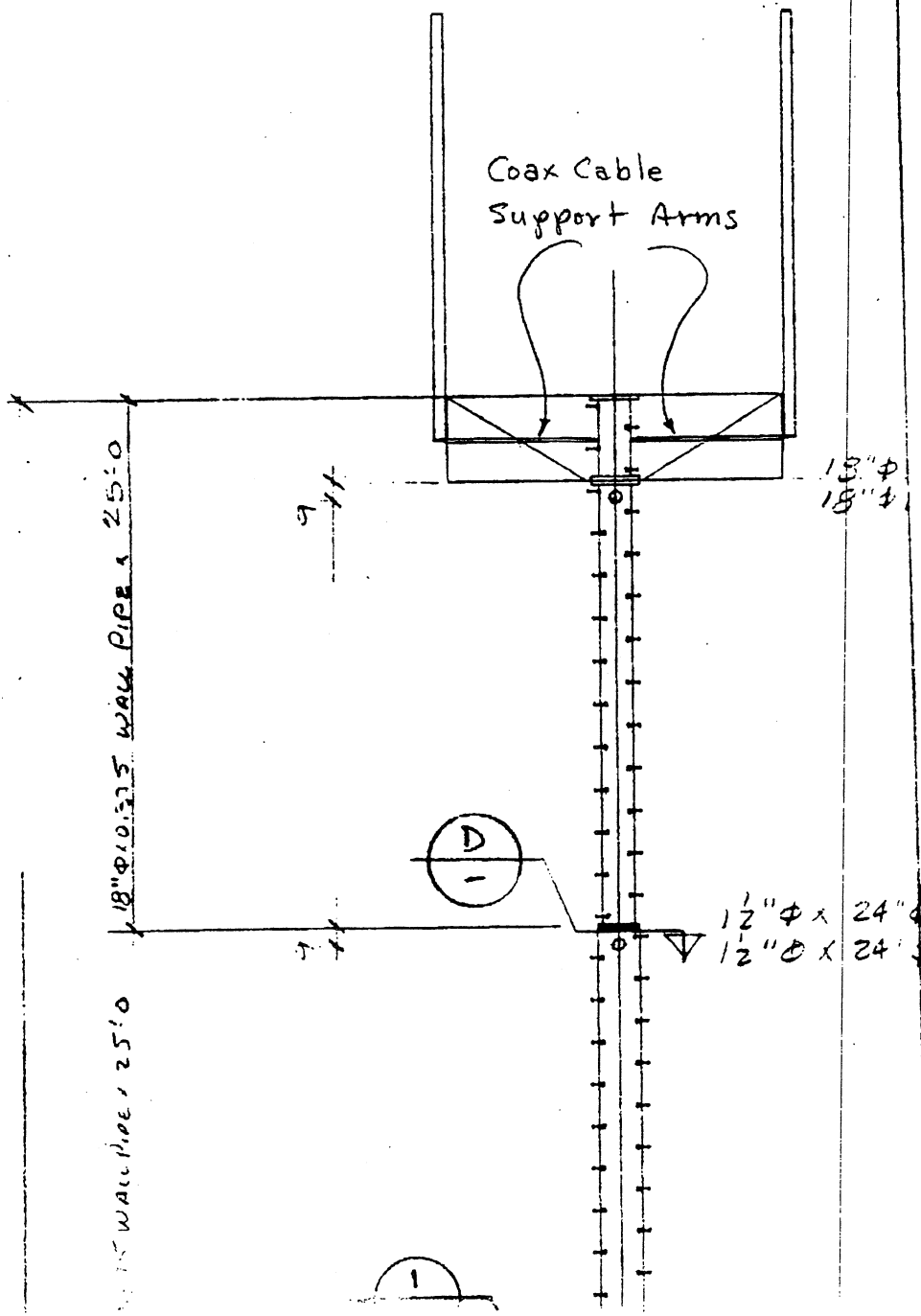
The Planning Commission may, regardless of the above findings, conditionally approve or deny the permit. The commission's own independent review of information submitted at the public hearing provides the basis for the decision. The decision needs supportive findings based on the following factors.

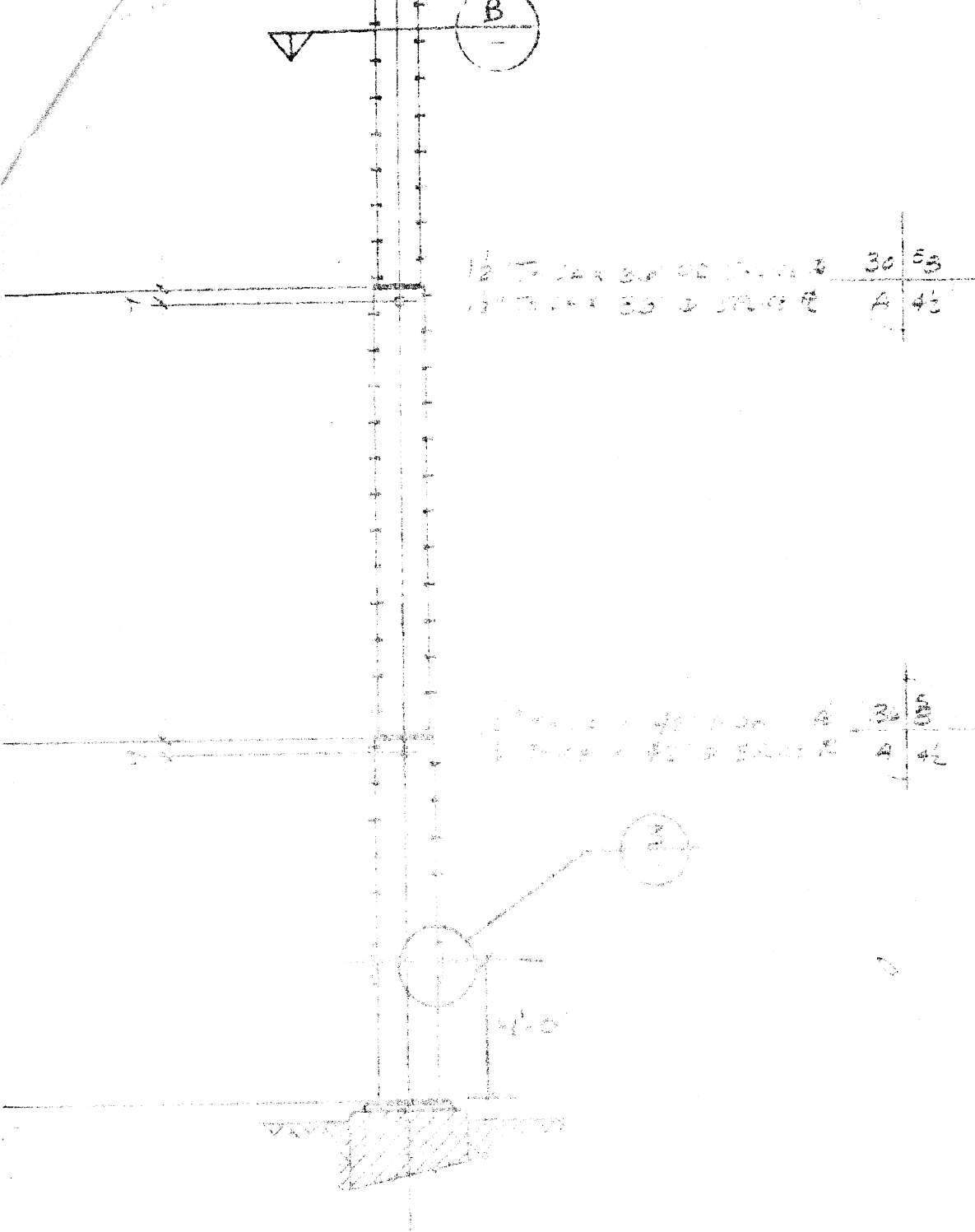
1. Will the proposed project materially endanger the public health or safety?
2. Will the proposed project substantially decrease the value of or be out of harmony with property in the neighboring area?
3. Will the proposed project not be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans?

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt the above findings and grant the requested conditional use permit. The following condition of approval is included:

1. The applicant shall utilize materials of as dark a color as practical for the construction of the antenna structure.





BOLES ON
ST. B.C.

Monopole Elevation

LEGEND OF BOLTED CONNECTIONS

- NUMBER OF BOLTS
- DIAMETER OF BOLTS
- LENGTH OF BOLTS

REVISED

PLANNING COMMISSION
NOTICE OF DECISION

JJP

August 22, 1990

Jan J. Williams
Customer Service Manager
Pacific Telecom Cellular of Alaska
3940 Arctic Boulevard
Anchorage, Alaska 99503

Application For: Conditional Use Permit
Date Submitted: July 23, 1990
Parcel Number: 3-D05-0-100-002-1
Parcel Description: Fraction of Lot 1, U.S. Survey 3853 (West Juneau Water Reservoir Site)

The Planning Commission at their August 14, 1990, regular public meeting approved your conditional use permit application. The permit allows the placement of a free-standing 120 foot dark grey galvanized steel pole with two, 20 foot dark brown fiberglass vertical antennas.

The permit is subject to the following condition:

1. The applicant shall utilize materials of as dark a color as practical for the construction of the antenna structure.

ATTACHMENT D

CU-26-90
Notice of Decision
Page 2

Effective Date: September 4, 1990
Expiration Date: February 14, 1992, if a building permit for
the approved project has not been obtained.

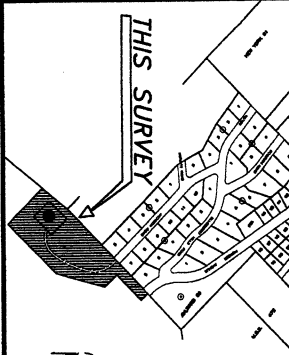
Project Planner: David Goade
David Goade, Planner II

RECEIVED BY CITY CLERK

Patricia P. [Signature]
August 22, 1990

cc: ~~Debra J. [Redacted]~~
Cynthia Johnson, CBJ
Rita Romans, ADNR

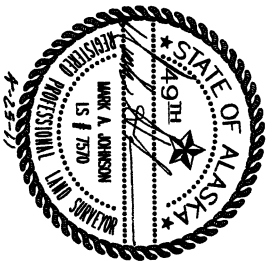
R & M ENGINEERING, INC.



VICINITY MAP
SOURCE: C.B.I. PROPERTY ATLAS
SCALE: 1"=1,000'+/-

SURVEYOR'S CERTIFICATE

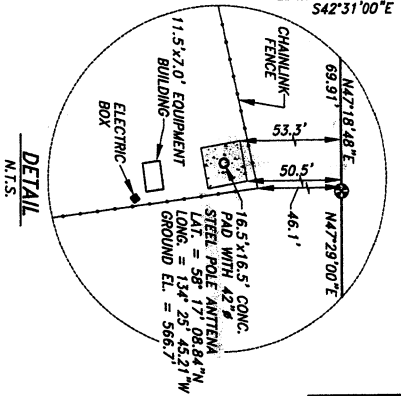
I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF A FRACTION OF LOT 1, USS 3853, AND THAT ALL WALLS, ROADS, EASEMENTS AND IMPROVEMENTS APPEARING ON THE LAND ARE AS SHOWN, AND THERE ARE NO ENCROACHMENTS OR OVERLAYS OF IMPROVEMENTS THEREON.



A LIMITED AS-BUILT SURVEY
PLAT OF A
**FRACTION OF LOT 1,
USS SURVEY 3853,**
CITY & BOROUGH OF JUNEAU, ALASKA

DATE	SCALE	DRAWN BY	CHECKED BY	PROJECT NO.	DRAWING NO.
4/29/2011	1"=100'	CRC	MAU	111707	1

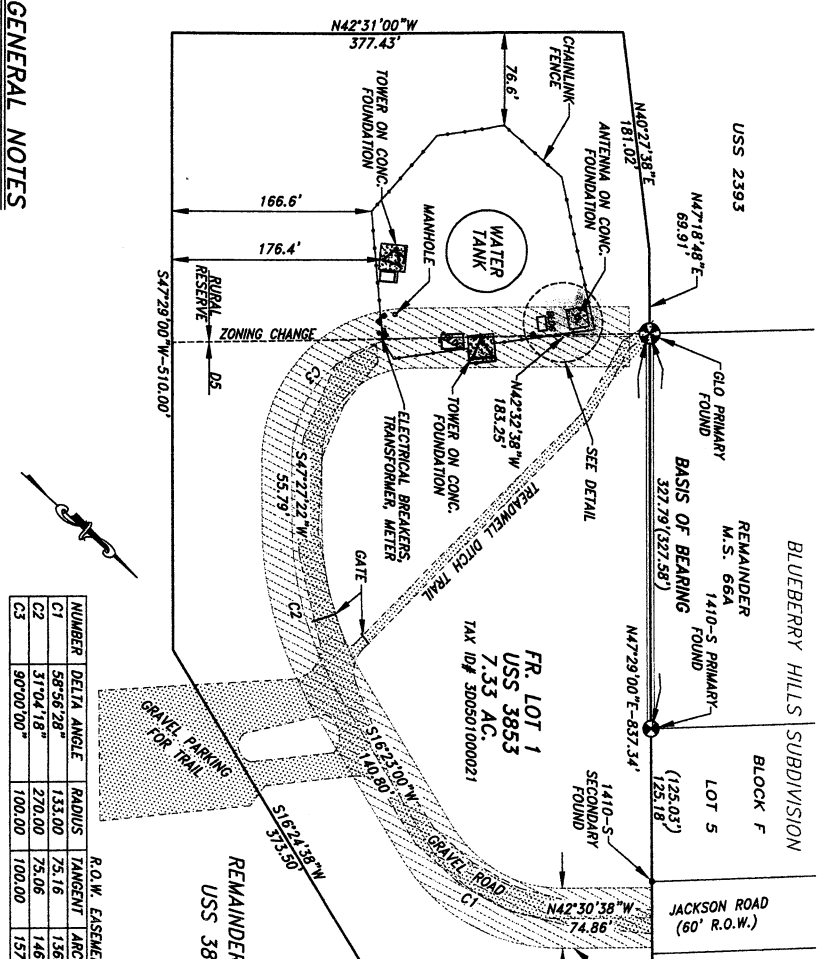
FIELD SURVEYED ON 4/1/2011



DETAIL
N.T.S.

NUMBER	DELTA ANGLE	RADIUS	TANGENT	ARC LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	58°56'28"	133.00	75.16	136.82	N13°03'46"W	130.87
C2	31°04'18"	270.00	75.06	146.42	S31°35'11"W	144.63
C3	90°00'00"	100.00	100.00	157.08	N67°32'38"W	141.42

R.O.W. EASEMENT CENTERLINE CURVE DATA



GENERAL NOTES

- 1.) THE BASIS OF BEARING FOR THIS SURVEY WAS BETWEEN A RECOVERED GLO PRIMARY MONUMENT FOR CORNER 19, USS 3853 AND A 1410-S PRIMARY MONUMENT FOR THE SOUTHWEST CORNER OF LOT 5, BLOCK F, BLUEBERRY HILLS SUBDIVISION HAVING A RECORD BEARING OF N47°29'00"E.
- 2.) THE SOURCE DOCUMENTS UTILIZED TO PRODUCE THIS PLAT IS PLAT 96-31, JUNEAU RECORDING DISTRICT OFFICE AND A METES & BOUNDS DESCRIPTION ADL 104284, DEPARTMENT OF NATURAL RESOURCES.
- 3.) NO DOMESTIC SERVICES ARE PROVIDED BY THE CITY & BOROUGH OF JUNEAU.
- 4.) THIS PROPERTY SUBJECT TO ALL EASEMENTS OF RECORD SHOWN OR NOT ON THIS PLAT.
- 5.) COORDINATES SHOWN ARE ON NAD83 DATUM.
- 6.) BASIS OF VERTICAL CONTROL BASED ON DOT/RF MONUMENT "J-2-1995" WITH A REPORTED ELEVATION OF 211.87'.