


MEMORANDUM

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

DATE: October 7, 2011

TO: Planning Commission

FROM: Kelly Keenan, Planner 
Community Development Department

FILE NO.: USE2011 0023

PROPOSAL: A Conditional Use permit to remove an old antenna farm and install one new telecommunications tower on the Capitol Building roof.

GENERAL INFORMATION

Applicant: Silverbow Construction

Property Owner: State of Alaska, Department of Administration, General Services

Property Address: 120 Fourth Street, Juneau

Legal Description: Juneau Townsite Block 19 Lots 1 - 8

Parcel Code Number: 1-C07-0-A19-001-0

Site Size: 39,140 square feet

Zoning: Mixed Use

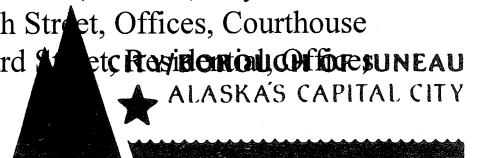
Utilities: CBJ Water and Sewer

Access: Fourth Street

Existing Land Use: Offices

Surrounding Land Use:

North	- D-18; City Park
Northwest	- Mixed Use; Fifth Street, Offices
West	- D-10; Residential
Southwest	- Mixed Use; Main Street, Offices, City Museum
Southeast	- Mixed Use; Fourth Street, Offices, Courthouse
Northeast	- Mixed Use; Seward Street, Residential, Offices



ATTACHMENTS

Attachment A – Vicinity Map
Attachment B – Site Photo
Attachment C – Roof Plan: Demolition
Attachment D – Roof Plan: New Tower

PROJECT DESCRIPTION

The applicant requests a Conditional Use permit to remove an old antenna farm on the Capitol Building roof, consisting of two towers and other accessory equipment, and to install one new 20-foot tall tower. The new tower will support telecommunications associated with Legislative activities.

BACKGROUND

While this project involves the continuation of a use currently in existence at the subject site, neither staff, nor the applicant was able to locate prior permits for the existing towers. Therefore, a Conditional Use permit is required for installation of the new tower per the Table of Permissible Uses, CBJ§49.25.300 18.300.

ANALYSIS

Project Site

The project site is on the roof of the Alaska State Capitol Building, which is bounded by Fourth Street, Fifth Street, Seward Street, and Main Street in Downtown Juneau (see Attachment A). The building is within a Mixed Use zoning district. The Capitol Building is five stories tall, and was constructed in 1931. The building is not located within the Downtown Historic District, but is considered an historic structure and is a focal point of Juneau's Downtown historic fabric. According to plans submitted by the applicant, the proposed installation of the new tower will not alter any architectural elements of the building façade.

The existing antenna farm consists of two towers with guy wires, cables, and other accessory telecommunications equipment. The two towers are currently visible from vantage points throughout Downtown Juneau and the adjacent neighborhoods. The exact height of the existing towers is not known, but they are estimated to be approximately 40 feet tall. The existing towers are supported by guy wires, which add to their impact on the view plane of Downtown. A photo of the existing antenna farm is provided as Attachment B.

Project Design

The applicant's proposal includes demolishing the two existing towers at the site, as well as other accessory antennas, cabling, and conduit equipment. A roof plan, showing equipment to be demolished, is provided as Attachment C. After demolishing the two existing towers, the applicant proposes to install one new tower, in the same location as the existing tower on the southwest end of the roof.

The new tower will consist of galvanized steel members in a lattice work form. The tower will have a three-face, self-supporting design which requires no guy wires. Each face of the new tower will be 12' 7" wide at the base, and 10' 7" wide at the top. The proposed tower will be 20 feet tall initially and possibly extended to 33 feet in the future. The applicant's plans showing the proposed location and elevation of the new tower and associated new cabling are provided as Attachment D.

Traffic

After construction is completed, infrequent maintenance visits will produce negligible increases in traffic in the vicinity of the Capitol Building; probably no more than is currently required. Overall, the proposal is not expected to impact site traffic.

Parking and Circulation

Parking and circulation at the subject site is sufficient to account for the infrequent maintenance visits that may be associated with this project.

Noise

As the subject site is located within an intense urban environment, any low level of noise that might be emitted from electrical equipment associated the new tower is not expected to be noticeable or to adversely impact nearby property.

Public Health or Safety

The proposed 20-foot tall tower is currently under review through the Building permit process (pending the outcome of this Conditional Use permit case) and must meet all applicable building codes. Additionally, staff received no objections to the proposed use from the CBJ Fire, Building, and General Engineering Departments.

Towers used for telecommunication purposes can generate electromagnetic radio waves that contain levels of radiation. Radiation emissions from these structures are capped at a maximum level by the Federal Communication Committee (FCC). The Federal Government restricts municipalities from denying these types of structures based on perceived health affects. However, municipalities can require proof of compliance with FCC standards. Therefore, staff recommends a condition of

approval requiring that the applicant submit documentation of compliance with FCC emission standards.

Habitat

The proposed project is not in the vicinity of any sensitive habitat areas.

Property Value or Neighborhood Harmony

While the existing towers on the Capitol building roof are perhaps the most visually prominent roof fixtures in the Downtown area, the use is not out of character in the neighborhood. Different types of antennas, dishes, and other telecommunications equipment exist on roofs throughout Downtown.

As discussed previously, the applicant's proposal includes removing the two existing towers on the Capitol Building Roof, and installing one new tower. While the new tower will have a wider profile than the two existing towers, the freestanding, three-face design will not require any guy wires. Based on these factors, staff assumes that the proposed project will actually serve to reduce the impact that the existing towers have on the Downtown view plane.

As of the date of this memorandum, staff has received no objections to the proposed project from nearby property owners.

In consideration of this analysis, staff believes that the proposed project will not adversely affect property value or neighborhood harmony.

Conformity with Adopted Plans

The subject site is located within Subarea 6 of the 2008 Comprehensive Plan (Comp Plan) and is in an area carrying the "Mixed Use" land use designation.

The Comp Plan provides one "Guideline and Consideration" for Subarea 6 that is particularly germane to the applicant's proposal:

Guideline and Consideration 17. Identify historic and cultural resources within the subarea. Projects that may impact historic resources identified within this subarea are to be reviewed by the Historic Resources Advisory Committee (HRAC) prior to issuance of a permit. Where new historic or cultural resources are discovered or identified, the Juneau-Douglas City Museum should be contacted immediately for documentation and technical assistance toward preservation and/or curating of the resource. The demolition or removal of historic resources should be avoided and should only occur when no other option for its preservation or relocation to a suitable site exists.

In accordance with the above directive, staff solicited comments from HRAC on the proposed project. HRAC did not object to the installation of the new tower, and was glad to learn the project would not involve any alterations to the historic façade of the structure. HRAC also noted their appreciation of the opportunity to comment.

While the Comp Plan does not specifically address telecommunications towers, it does speak to the need for support of State Capital functions as a cornerstone of economic development:

Policy 5.2 It is the policy of the CBJ, through a cooperative effort with the State of Alaska, to plan for and support development of an attractive setting, facilities, and other services to enhance the State Capital and to strive to provide an atmosphere conducive to good leadership in the State, accessible to and supportive of all people of the State of Alaska.

Because the proposed new tower will support telecommunications associated with State functions, staff believes the project serves to implement the above policy. In consideration of this analysis, staff finds that the proposed project is consistent with the 2008 Comprehensive Plan.

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 Mixed Use 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 30, 2011 and October 10, 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. If approved, the proposed tower must comply with all applicable building codes. Additionally, staff received no objection to the proposed use from CBJ Fire, Engineering, and Building Departments. In consideration of this analysis, staff finds that the proposed project will not 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. The proposed project will reduce the amount of equipment that currently exists within the view plane of Downtown area rooftops. In consideration of this analysis, staff finds that the proposed project will not substantially decrease the value of or be out of harmony with 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?

Yes. As discussed previously, the proposed project serves to support State Capital functions, and is therefore in conformity with the 2008 Comprehensive Plan.

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

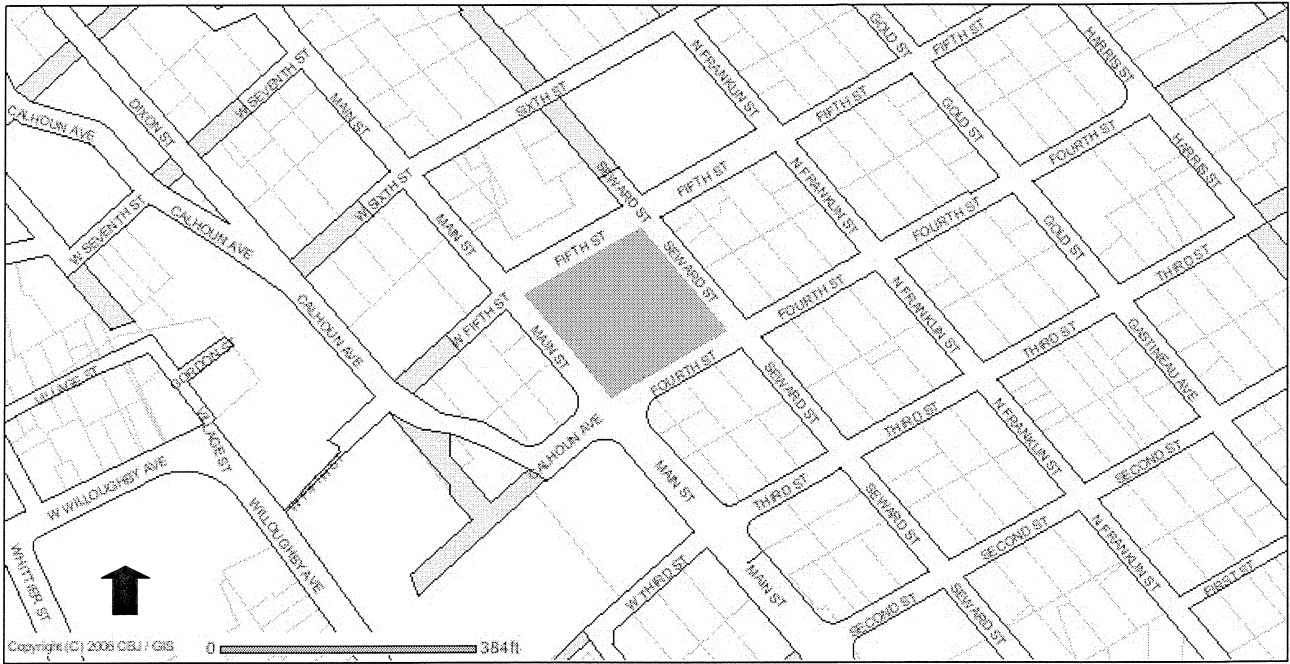
7. *Will the proposed development comply with the Juneau Coastal Management Program?*
Not applicable. Staff finds that no aspect of this proposal is related to provisions of the Juneau Coastal Management Program.

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 removal of the existing antenna farm and installation of a new antenna farm on the Capitol Building roof. Staff recommends the following condition of approval:

1. Prior to issuance of a certificate of occupancy, the applicant must submit to the Community Development Department documentation providing proof of compliance with FCC emission standards.

VICINITY MAP



 Subject Property

SITE PHOTO

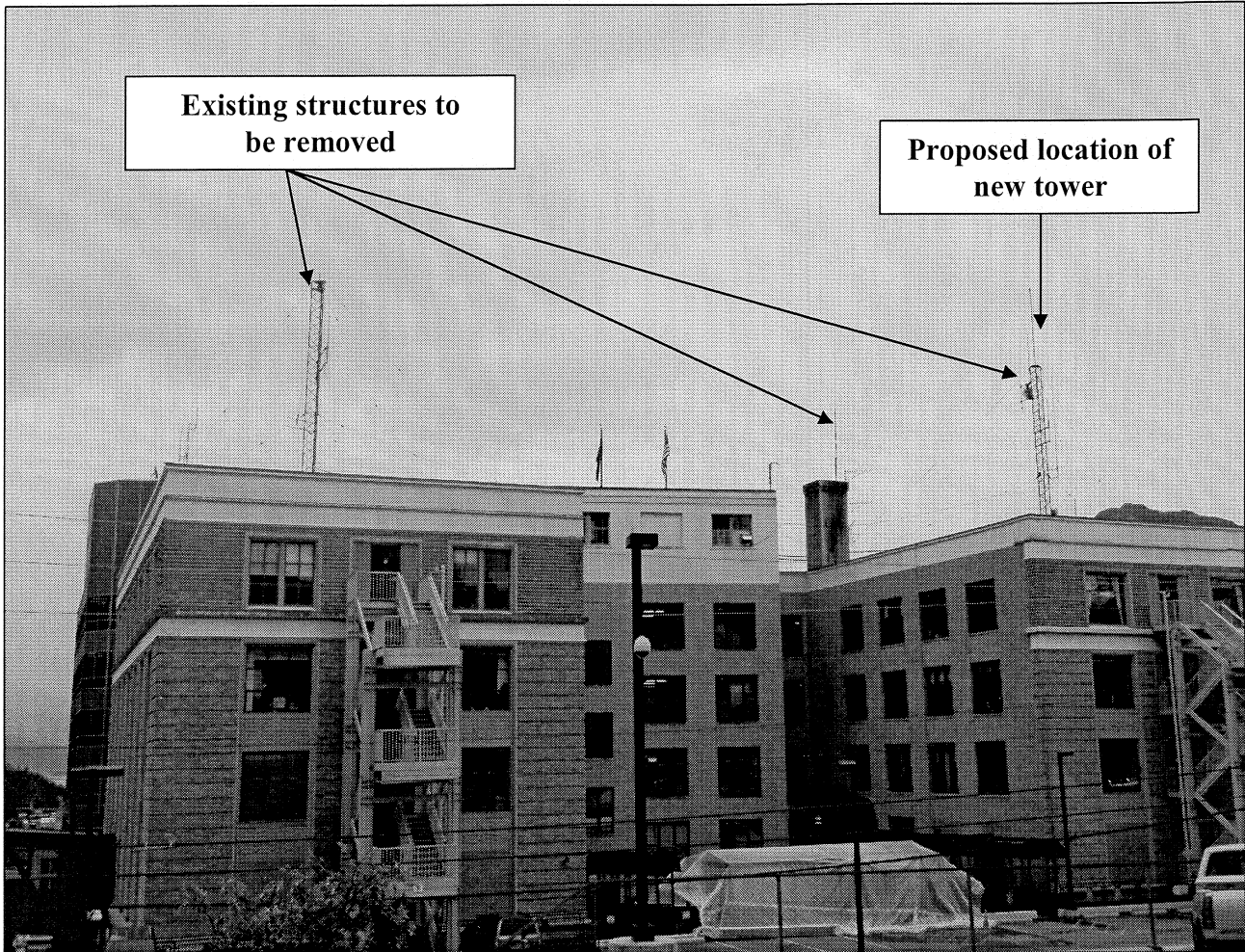


Photo taken from Fifth Street, facing the back side of the Capitol Building

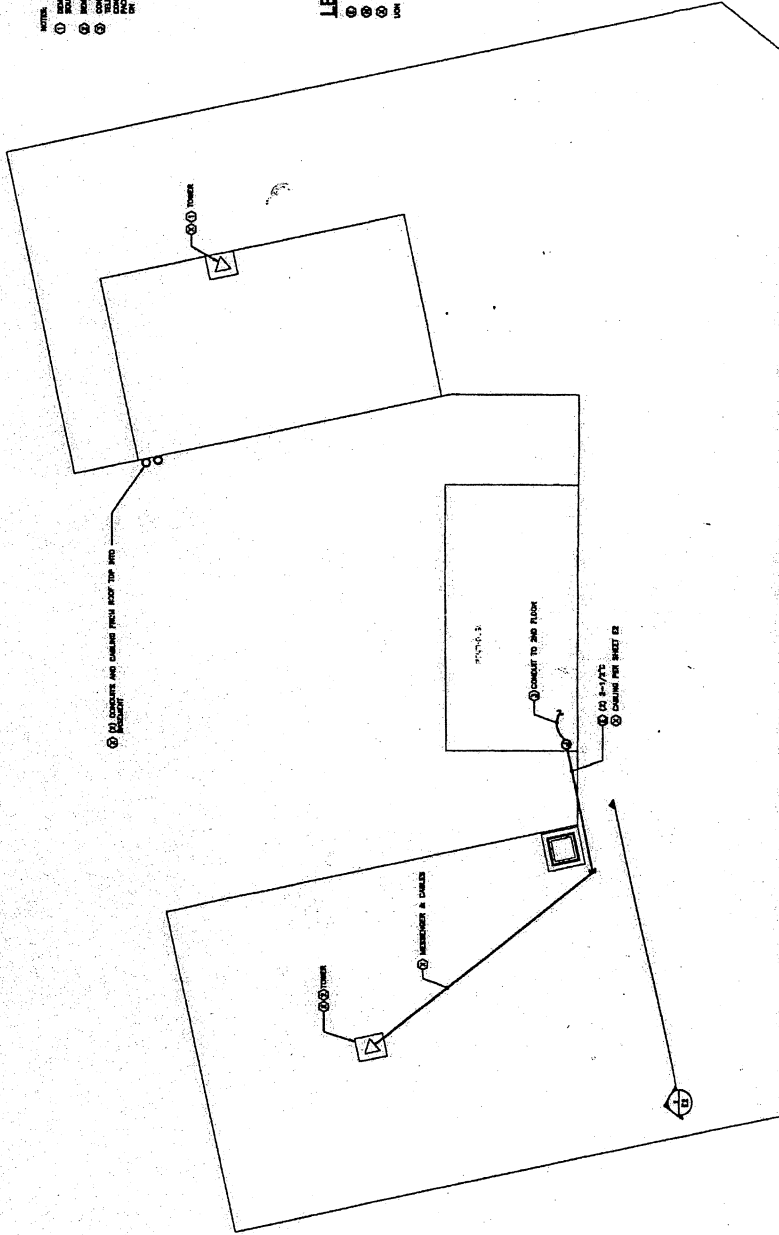
- NOTES:**
- 1. GENERAL NOTES, ALL ATTACHED INSTRUMENTS, AND ALL ASSOCIATED CHANGES TO THE PERMIT APPLICATION ARE TO BE OBSERVED AND COMPLIED WITH.
 - 2. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE.
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RECEIVED
SEP 02 2011
PERMIT CENTER/CDD

RECEIVED
AUG 18 2011
PERMIT CENTER/CDD

LEGEND

- 1. EXISTING
- 2. NEW
- 3. DEMOLISH
- 4. SEE EXISTING DRAWING



GRAPHIC SCALE
1" = 10'-0"

1. ROOF PLAN - DEMOLITION



HAIGHT & ASSOCIATES
CONSULTING ELECTRICAL ENGINEERS
100 West 10th Avenue, Suite 200
JUNEAU, ALASKA 99801
(907) 457-1100

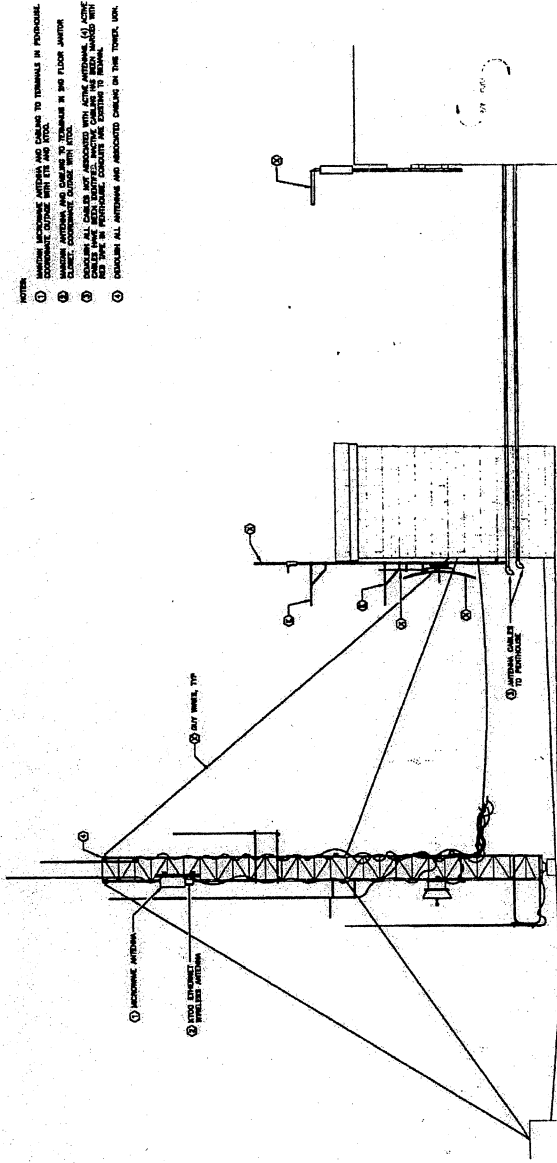
CAPITOL BUILDING
ROOF ANTENNA FARM
JUNEAU, ALASKA

REVISION DESCRIPTION	DATE

SHEET NUMBER
E1
SCALE AS NOTED
DATE: 08/01/11

TSB
152-382

PROJECT: JUNEAU CAPITOL BUILDING ROOF ANTENNA STRUCTURE DEMOLITION




- NOTES:
- 1. REMOVE ANTENNA STRUCTURE AND CABLES TO PERIMETER IN PERIODICAL DEMOLITION PHASES WITH THE MAIN WORK.
 - 2. REMOVE ANTENNA AND CABLES TO PERIMETER IN ONE FLUSH JAWOR.
 - 3. REMOVE ANTENNA AND CABLES TO PERIMETER IN ONE FLUSH JAWOR.
 - 4. REMOVE ANTENNA AND CABLES TO PERIMETER IN ONE FLUSH JAWOR.
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 - 6. REMOVE ANTENNA AND CABLES TO PERIMETER IN ONE FLUSH JAWOR.

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1 ELEVATION-SOUTH ROOF ANTENNA STRUCTURE-DEMOLITION

 HAIGHT & ASSOCIATES CONSULTING ELECTRICAL ENGINEERS 200 JANA STREET, JUNEAU, ALASKA 99801 (907) 586-4477	CAPITOL BUILDING ROOF ANTENNA FARM JUNEAU, ALASKA		SHEET NUMBER E2																
	SCALE AS NOTED DATE: SEP. 21, 2010																		
<table border="1"> <thead> <tr> <th>REVISION DESCRIPTION</th> <th>DATE</th> </tr> </thead> <tbody> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </tbody> </table>				REVISION DESCRIPTION	DATE														
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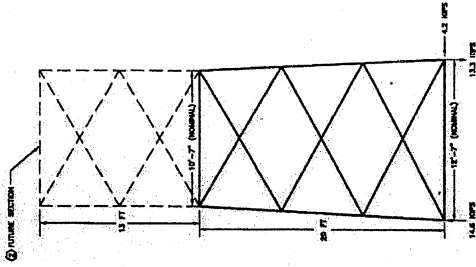
SEP 02 2011

PERMIT CENTER/CDD

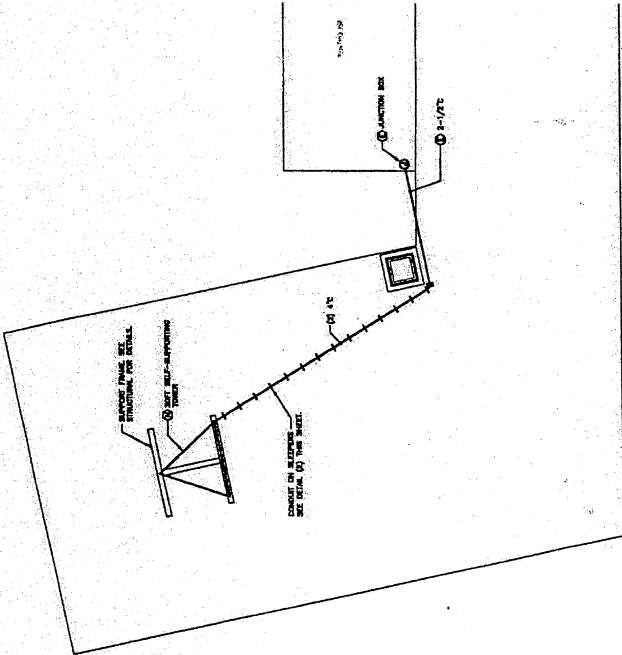
- TOWER DESIGN PARAMETERS**
- 3-WAY SELF-SUPPORTING TOWER.
 - TOWER SHALL BE 30 FT. TALL WITH TYPICAL CORNER TO 100 FT. FOR WINDING.
 - WIND SPEED SHALL BE 110 MPH.
 - WIND SPEED WITH ICE TO 140 MPH BASED ON ICE THICKNESS OF 1/4".
 - NOT EXCEED UNBALANCED STEEL MOMENTS AND DEFLECTIONS.
 - STOP SCALING FOR CORNER.
 - INCLUDE 2 FT. BENT GASKET LUGS WITH 4" DIA. BARS SPACING.
 - WINDING SHALL BE 17.5 FT. TYPICAL BENT GASKET TO SUPPORT EXISTING AND NEW TOWER.
 - SEE STRUCTURAL FOR BENT ATTACHMENT REQUIREMENTS.

NOTES:

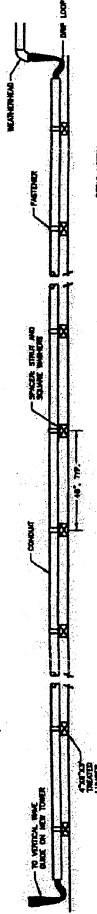
- CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE STRUCTURAL CODES AND SPECIFICATIONS.
- CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE STRUCTURAL CODES AND SPECIFICATIONS.



3 ELEVATION—NEW TOWER



1 ROOF PLAN—NEW TOWER



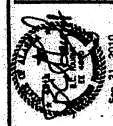
2 DETAIL—CABLE RACEWAY SYSTEM

DETAIL NOTE:

- WINDING SHALL BE 17.5 FT. TYPICAL BENT GASKET TO SUPPORT EXISTING AND NEW TOWER.
- CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE STRUCTURAL CODES AND SPECIFICATIONS.

RECEIVED
AUG 18 2011

PERMIT CENTER/CDD



HAIHT ASSOCIATES
CONSULTING
ELECTRICAL
ENGINEERS
601 Main Street, Juneau, AK 99901
(907) 586-0000

CAPITOL BUILDING
ROOF ANTENNA FARM
JUNEAU, ALASKA

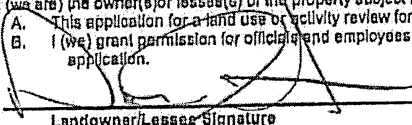
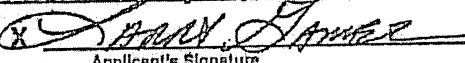
NO.	DESCRIPTION	DATE

E3

SCALE AS SHOWN
DATE: SEP. 21, 2010

DEVELOPMENT PERMIT APPLICATION

Project Number # 535	CITY and BOROUGH of JUNEAU	Date Received: 9/2/11
Project Name (City Staff to Assign Name) CAPITOL BUILDING ROOF ANTENNA FARM		

PROJECT / APPLICANT INFORMATION	Project Description REMOVE OLD ANTENNA FARM, INSTALL NEW ANTENNA FARM ON TOP OF CAPITOL BUILDING.		
	PROPERTY LOCATION		
	Street Address STATE CAPITOL, 120 4TH ST.	City/Zip JUNEAU 99801	
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) Juneau Township Block 19 Lots 1-8		
	Assessor's Parcel Number(s) 1C070A190010		
	LANDOWNER/LESSEE		
	Property Owner's Name SOA/LAA	Contact Person: DON JOHNSTON	Work Phone: 465-3708
	Mailing Address LAA RM. 3 STATE CAPITOL, JUNEAU AK.	Home Phone:	Fax Number:
	E-mail Address DON JOHNSTON@LEGIS.STATE.AK.US	Other Contact Phone Number(s):	
	LANDOWNER/LESSEE CONSENT <small>***Required for Planning Permits, not needed on Building/Engineering Permits***</small>		
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. <input checked="" type="checkbox"/>  _____ Date: 9/1/11 Landowner/Lessee Signature <input checked="" type="checkbox"/> _____ Date: _____ 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.			
APPLICANT: <small>(If the same as OWNER, write "SAME" and sign and date) X below</small>			
Applicant's Name SILVER BOW CONSTRUCTION	Contact Person: ARRY GAMER	Work Phone: 780-5223	
Mailing Address 5331 SHAUNE DR.	Home Phone:	Fax Number: 780-5127	
E-mail Address PROJECTS.SBC@ACSALASKA.NET	Other Contact Phone Number(s):		
 _____ Applicant's Signature	Date of Application 8/31/2011		

OFFICE USE ONLY BELOW THIS LINE			
	Permit Type	Date Received	Application Number(s)
<input checked="" type="checkbox"/>	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)		
<input checked="" type="checkbox"/>	Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Perks, Accessory Apartment)	9/2/11	USE011 0023
	Variance Case (Do Minimis and all other Variance case types)		
	Wetlands Permits		
	Zone Change Application		
	Other (Describe)		
<small>***Public Notice Sign Form filled out and in the file.</small>			
Comments:			Permit Intake Initials EF/SE

ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

Project Number	Project Name (15 characters) CAPITOL BUILDING ROOF ANTENNA FARM	Case Number USE20110023	Date Received 9/2/11
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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: 18.300

***An Accessory Apartment Application will also be required.

DESCRIBE THE PROJECT FOR WHICH AN ALLOWABLE OR CONDITIONAL USE APPROVAL IS NEEDED.

REMOVE OLD ANTENNA FARM, INSTALL NEW
ANTENNA FARM ON TOP OF CAPITOL BUILDING.

IS THIS A MODIFICATION OF AN EXISTING APPROVAL?

NO YES - Case # _____

CURRENT USE OF LAND OR BUILDING(S): OFFICERS FOR STATE
OF ALASKA.

PROPOSED USE OF LAND OR BUILDING(S): _____

UTILITIES PROPOSED: WATER: Public On Site SEWER: Public On Site

SITE AND BUILDING SPECIFICS:

Total Area of Lot _____ square feet Total Area of Existing Structure(s) _____ square feet
 Total Area of Proposed Structure(s) 144 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

PROJECT NARRATIVE AND SUBMITTAL CHECKLIST:

- | | |
|--|--|
| <input 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.

ALLOWABLE/CONDITIONAL USE FEES

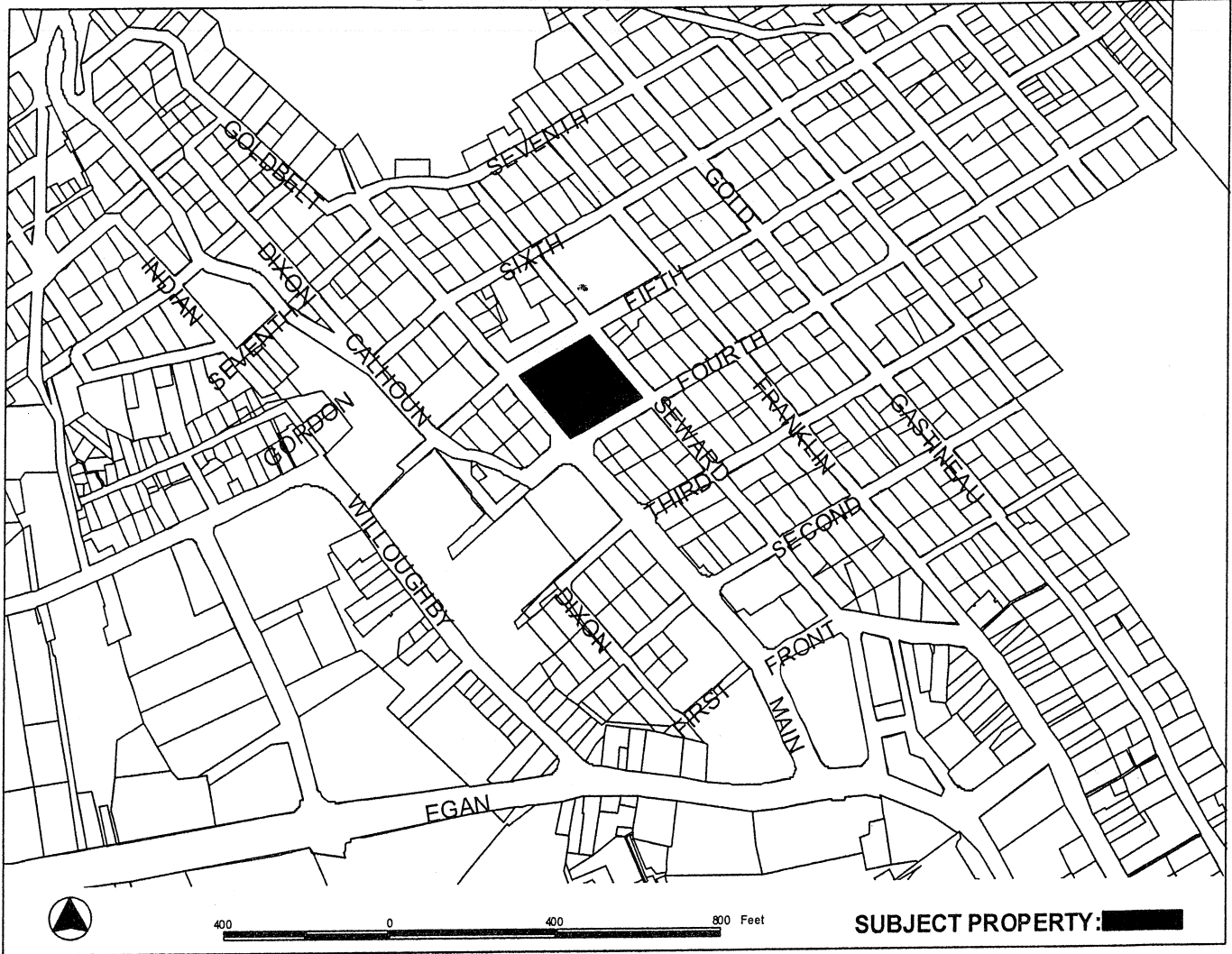
Fees	Check No.	Receipt	Date
Application Fees \$ <u>500.00</u>	_____	_____	_____
Admin. of Guarantee \$ _____	_____	_____	_____
Adjustment \$ _____	_____	_____	_____
Pub. Not. Sign Fee \$ <u>50.00</u>	_____	_____	_____
Pub. Not. Sign Deposit \$ <u>100.00</u>	_____	_____	_____
Total Fee \$ <u>650.00</u>	<u>VCREDIT 015700</u>	<u>1993</u>	<u>9/2/11</u>

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

ESF
9/1/11

TO BE COMPLETED BY THE APPLICANT

NOTICE OF PUBLIC HEARING



PROPOSAL: A Conditional Use permit to remove an old antenna farm and install a new antenna farm on the Capitol Building roof.

<p>FILE NO: USE2011 0023</p> <p>TO: Adjacent Property Owners</p> <p>HEARING DATE: Oct 11, 2011</p> <p>HEARING TIME: 7:00 PM</p> <p>PLACE: ASSEMBLY CHAMBERS Municipal Building 155 South Seward St Juneau, Alaska 99801</p>	<p>APPLICANT: SILVERBOW CONSTRUCTION</p> <p>Property PCN: 1-C07-0-A19-001-0</p> <p>Owner(s): STATE OF ALASKA & DEPT OF ADMIN GEN SERVICES</p> <p>Size: 39140 square feet</p> <p>Zoned: Mixed Use</p> <p>Site Address: 120 FOURTH ST</p> <p>Accessed via: FOURTH ST</p>
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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

KELLY KEENAN 586-0756 KELLY_KEENAN@CI.JUNEAU.AK.US

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