## **MEMORANDUM**

### CITY & BOROUGH OF IUNEAU

155 South Seward Street, Juneau, Alaska 99801

DATE:

June 21, 2012

TO:

**Planning Commission** 

FROM:

Teri Camery, Senior Planner

Community Development Department

FILE NO.:

USE2012 0008

PROPOSAL:

A Conditional Use Permit for a new 69-foot cell phone tower on a steel platform with diesel generator, enclosed within a 27' x 27' compound, located on residential property adjacent

to Glacier Highway

**GENERAL INFORMATION** 

Applicant:

Westower Communications

Property Owner:

Adam Zenger

Property Address:

14080 Glacier Highway

Legal Description:

USS 2389 Lot H FR

Parcel Code Number:

4-B31-0-100-021-1

Site Size:

0.63

Zoning:

D-3

Utilities:

none

Access:

Glacier Highway

Existing Land Use:

wooden monopole

vacant residential lot with previously approved 100-foot

Surrounding Land Use:

North

Rural Reserve; vacant CBJ property

South

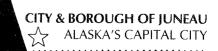
Auke Rec Bypass Road

East

- Glacier Highway; D-3 Residential

West

Rural Reserve; vacant CBJ property



Planning Commission File No.: USE2012 0008

June 21, 2012 Page 2 of 8

### **ATTACHMENTS**

Attachment 1 Vicinity Map

Attachment 2 Development Permit Application
Attachment 3 Conditional Use Application

Attachment 4 Site Plans

Attachment 5 Existing and Proposed Views

Attachment 6 Horan & Company Independent Impact Assessment

Attachment 7 Tower Map

Attachment 8 CBJ Assessors Office comment 6/19/12

Attachment 9 Sheufelt comment letter 6/18/12

### PROJECT DESCRIPTION

The applicant requests a Conditional Use Permit for the development of a 69-foot tall cell phone tower monopole for Verizon Wireless, located on a leased vacant residential lot adjacent to the Auke Rec Bypass Road. The tower will be installed on a 12' x 8' steel platform with a diesel generator within a 27' x 27' chain-link fenced compound. Antennas will be mounted at 66 feet above ground level with an overall height of the towers and antennas at 69 feet above ground level.

The project site has an existing 100-foot wood monopole with equipment enclosure and transmission lines. This development was approved without additional conditions on March 14, 2007 as USE2007-0006. This tower is owned by ACS, and GCI has already co-located with an additional structure on the tower. Space is not available for a third carrier on the tower, and the applicant reports that regardless of space, the existing tower does not meet structural requirements for a third carrier. The new tower will be located approximately 60 feet from the existing tower.

### **ANALYSIS**

### Agency Review Comments -

Staff solicited comments from the Community Development Building Department, CBJ Streets Division, CBJ General Engineering, CBJ Assessor's Office, CBJ Fire Department, CBJ Lands and Resources, CBJ Parks and Recreation, CBJ Public Works, CBJ Police, and the State Department of Environmental Conservation. Staff did not request comments from the Juneau Airport Manager because the site is beyond the boundaries of the Federal Aviation Administration Juneau Airport Contour Map.

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Comments Received:

Greg Browning, Juneau Police Department *No comment from Police*.

Charlie Ford, Building Official, CBJ CDD Building Division The Building Department has no issues with the proposed project.

Ed Foster, CBJ Streets Superintendent Streets and Fleet Maintenance Division has no concerns or comments on this application.

Ron King, Chief Regulatory Surveyor

No concerns with use, complete grading and drainage plan, including access drive, required for building permit approval.

Dave Crabtree, CBJ Public Works Water Utility *The water utility has no concerns with this proposal.* 

Dan Jager, Fire Marshall There do not appear to be any fire dept. issues with this project.

Brent Fischer, Director, CBJ Parks and Recreation *Parks and Recreation has no comments on this project.* 

John Sahnow, Appraiser, CBJ Assessors Office

I have reviewed the Permit Application USE2012 0008 for the proposed tower. Thank you for including the detailed Impact Report by Mr. Horan. I concur with his analysis and conclusion. The Assessor's office has no issues with this proposal.

### Project Site -

The project site is 0.63 acre vacant hillside residential lot with frontage on the Auke Rec Bypass Road. The proposed tower will be located near the southern boundary of the property near the top of a steep driveway, adjacent to cleared building pad for a future home. (Attachment 4, page A-1.) The tower will be located approximately 60 feet from the existing tower, and is outside of the 25-foot front yard setback required in the D-3 residential zoning district. The site has no other structures.

### Project Design -

As noted in the Project Description, the tower with antennas will be 69 feet above ground level. The tower will be installed on a 12' x 8' steel platform with a diesel generator within a 27' x 27' chainlink fenced compound. Diesel generator specifications are included in Attachment 9. Noise will be addressed in the next section.

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### Traffic, Parking and Circulation -

The project site is vacant except for the existing tower and has adequate space for staging of construction materials at the top of the driveway, which is a significant distance from Glacier Highway. No additional impacts to traffic, parking, or circulation are expected.

### Noise -

CBJ Code 49.16.330(g)(11) states under Conditional Use Permit review, "Conditions may be imposed to discourage production of more than 65 dBa at the property line during the day or 55 dBa at night." Furthermore, the CDD Director has determined that if noise from a cell tower generator is louder than 55 dBa at the nearest residential property line, it will need to be reviewed separately as a form of 'Utility' through the Conditional Use permitting process.

To ensure that this standard has been met, staff recommends the following condition:

1) Prior to the issuance of a building permit, the applicant shall submit a noise study to demonstrate that dBa levels will not exceed 65 dBa at the property line during the day or 55 dBa at night. If the noise study indicates that the generator is louder than 55 dBa at the nearest residential property line, the project shall be reviewed as a Utility through the Conditional Use permitting process.

### Public Health or Safety -

All telecommunication towers must be designed to meet specific wind and weight bearing loads, as specified in local building codes. This review will be done during the Building permitting process if this Conditional Use Permit is approved. With compliance to specific building codes, the tower will be properly installed.

Antenna arrays distribute radio waves that contain levels of radio frequency (RF) radiation. Radio Frequency Radiation emissions from these structures cannot exceed certain levels regulated by the Federal Communication Commission (FCC) to ensure compliance with National Environmental Protection Agency (NEPA). According to the 1996 Telecommunications Act, municipalities have zoning authority over towers but may not regulate the location of or deny a personal wireless facility based on environmental effects of radio frequency emissions to the extent that such facilities comply with the FCC regulations of emissions. Though municipalities cannot modify FCC's emission levels they can require proof of compliance. Staff recommends two conditions of approval requiring that the applicant submit a letter from a radio frequency expert indicating compliance with FCC emission levels during pre- and post-construction, as follows:

<sup>1</sup> Section 704 (a)(7)(B)(iv) of the Telecommunications Act of 1996 of the US Federal Communications Commission. For further details of this act click on the following internet link: <a href="http://transition.fcc.gov/telecom.html">http://transition.fcc.gov/telecom.html</a>

Planning Commission File No.: USE2012 0008

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- 1) Prior the issuance of a Building permit, the applicant shall submit a letter to the Community Development Department from a radio frequency expert indicating the structures comply with electromagnetic radio emission levels set by the Federal Communications Commission (FCC).
- 2) Prior to receiving a Certificate of Occupancy, the applicant shall submit a letter to the Community Development Department from a radio frequency expert indicating the structures as constructed and at optimal emission levels comply with electromagnetic radio emission levels set by the Federal Communications Commission (FCC).

### Habitat -

The project does not require fill in wetlands. No evidence indicates that the project will impact sensitive habitat, and no Land Use Code habitat regulations appear to be relevant to the proposed development.

### Property Value or Neighborhood Harmony -

The applicant has provided a report prepared by Horan & Company, LLC Perceived Impact of Installation of 90' Tall Communications Monopole at 14080 Glacier Highway on Neighboring Property Values Based on Interviews with Knowledgeable Market Observers, Juneau, Alaska (Attachment 6). The report states that the tower will be visible from nearby properties and along the highway, but it would be similar to towers found in other residential settings in the Mendenhall Valley and Auke Bay. Horan & Company reviewed data from realtors, brokers, appraisers, and other market professionals and concluded that, "As planned, it would not cause a serious view blight and would not provide noise, smell, or any other tactile interference to make it disharmonious with the neighborhood." The CBJ Assessor's Office reviewed the report and concurred with the analysis and conclusions (Attachment 8).

Staff notes that the Horan & Company report evaluates a 90-foot tower rather than the 69-foot tower proposed, and describes the existing wooden tower on the site as 75 feet when it is actually 100 feet. Putting these numbers together, the report appears to evaluate a greater impact than what is actually proposed, so the report's conclusion regarding minimal impacts from the development are still valid.

The Horan report states that the tower will be painted green or brown to blend in with surroundings, however the applicant has indicated that no color has been proposed. In recent tower reviews the Planning Commission has required either a dark green or brown powder coat for towers and accessory structures to minimize visual impacts. Therefore staff recommends the following condition:

1) Prior to issuance of a Building permit, the applicant shall submit to the Community Development Department's planning staff for approval, dark green or brown powder coat color samples to be used for the tower and all accessory structures.

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Lastly, staff received one public comment in support of the project since it will improve reception in the area. (Attachment 9)

Conformity with Adopted Plans - The 2008 Comprehensive Plan designates the subject neighborhood as Rural Low Density Residential (RLDR), defined as rural residential land at densities of one to three dwelling units per acre, based on existing platting and capability of the land to accommodate on-site septic systems and wells or whether the land is served by municipal water and sewer service. Any commercial development should be of a scale consistent with a low-density residential neighborhood. Telecommunication towers are not listed under this definition or specifically identified in the Plan. However, telecommunication services are vital for Juneau as the Capital City and regional hub for Southeast Alaska.

On page 64, the Comprehensive Plan states "As Alaska's Capital, it is vital for the CBJ to offer modern transport and communications systems and facilities to Alaskan residents who wish to participate in State legislative affairs."

Telecommunication infrastructure is also a form of a communication utility. As stated in the Comprehensive Plan, "Together with the transportation network and private utility and communication systems, public services and facilities provide the community's "urban glue" and require efficient and timely provision."

With increasing demand for telecommunication technology usage throughout the nation, additional communication coverage will be needed in areas not served or underserved. Most telecommunication services in suburban or rural areas are distributed from towers because there are so few tall structures above the tree line. Taking this fact into consideration for the subject area, one can infer that neighborhoods near the Auke Rec Bypass Road are underserved by wireless telecommunication service by the lack of towers. Existing towers along this road can be seen in Attachment 7, Tower Location Map. Enabling towers to be built throughout the borough in ways that do not disrupt neighborhood harmony, property value, or the public's health or safety meets the intent of the Comprehensive Plan. With the recommended conditions, the proposed tower will meet the intent of the 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.

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

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

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

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

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

**Yes.** 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 D-3 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 June 15, 2012 and June 25, 2012 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 (Glacier Highway).

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

**No.** Based on the preceding staff analysis, no evidence indicates that the proposed development 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?

Planning Commission File No.: USE2012 0008 June 21, 2012

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**No.** Based on the preceding staff analysis with the recommended conditions such as painting the tower, property value and neighborhood harmony will be preserved.

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

**Yes.** Based on staff's review and with the recommended conditions, staff finds that the intent of the 2008 Comprehensive Plan will be met.

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

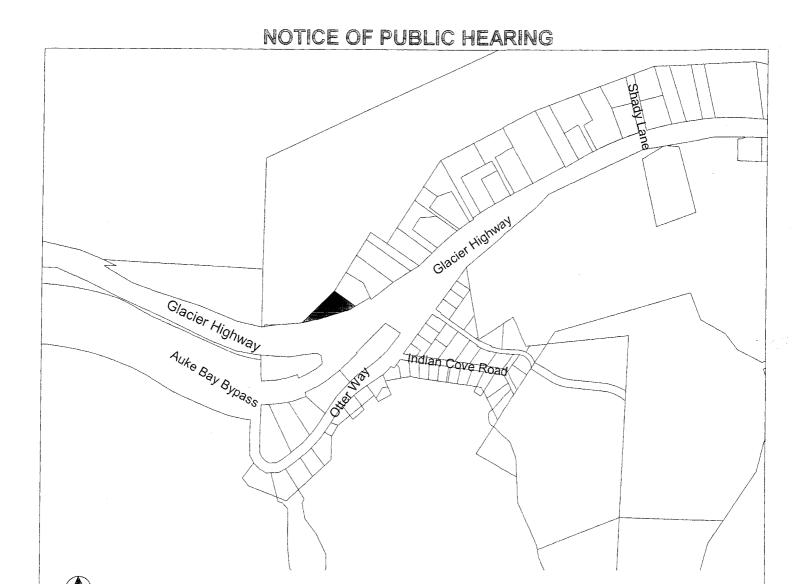
7. Will the proposed development comply with the Juneau Coastal Management Program?

Not applicable. The project does not affect any sensitive habitat and no policies in the Juneau Coastal Management Program apply.

### RECOMMENDATION

Staff recommends 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 new 69-foot cell phone tower on a steel platform with diesel generator, enclosed within a 27' x 27' compound, located on residential property adjacent to Glacier Highway. The approval is subject to the following conditions:

- 1) Prior the issuance of a Building permit, the applicant shall submit a letter to the Community Development Department from a radio frequency expert indicating the structures comply with electromagnetic radio emission levels set by the Federal Communications Commission (FCC).
- 2) Prior to receiving a Certificate of Occupancy, the applicant shall submit a letter to the Community Development Department from a radio frequency expert indicating the structures as constructed and at optimal emission levels comply with electromagnetic radio emission levels set by the Federal Communications Commission (FCC).
- 3) Prior to issuance of a Building permit, the applicant shall submit to the Community Development Department's planning staff for approval, dark green or brown powder coat color samples to be used for the tower and all accessory structures.
- 4) Prior to the issuance of a building permit, the applicant shall submit a noise study to demonstrate that dBa levels will not exceed 65 dBa at the property line during the day or 55 dBa at night. If the noise study indicates that the generator is louder than 55 dBa at the nearest residential property line, the project shall be reviewed as a Utility through the Conditional Use permitting process.



PROPOSAL: A Conditional Use Permit for a new 69-foot cell

phone tower on private property adjacent to Glacier Highway.

FILE NO: USE2012 0008

TO: Adjacent Property Owners

HEARING DATE: June 26, 2012

HEARING TIME: 7:00 PM

PLACE: ASSEMBLY CHAMBERS

Municipal Building 155 South Seward St Juneau, Alaska 99801 **APPLICANT: WESTOWER COMMUNICATIONS** 

Property PCN: 4B3101000211

1200 Feet

Owner(s): Adam and Michelle Zenger

**Size:** 27514 sqft

Zoned: D3

Site Address: 14080 GLACIER HWY

Accessed via: GLACIER HWY

### 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 Teri Camery by phone at (907) 586-0755 or via email at TERI CAMERY@

Planning Commission Agendas, Staff Reports and Meeting Results can be viewed at wy

SUBJECT PROPERTY:

## **DEVELOPMENT PERMIT APPLICATION**

Project Number CITY and BOROUGH of JUNEAU Date Received: 5/24/12					
Project I (City Staff	Name to Assign Name)				
	Project Description This application is for the installation of telecommunications equipment installed on a 66' high monopole within a 27'x27' chain link fenced compound. Antennas with overall height of towers and antenn PROPERTY LOCATION	will be mount	el generator and permitting a ced at 66' AGL		
Z	Street Address 14080 Glacier Highway	City/Zip Juneau, AK 99801			
NFORMATION	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) A Fraction of Lot H, US Survey 2389, State of Alaska	Juneau, AK 99801	ahere ground here		
Z Z	Assessor's Parcel Number(s) 4B3101000211		300 A (Video		
巫	LANDOWNER/LESSEE				
FO	Property Owner's Name Adam Zenger	Contact Person: (907)321-0698	Work Phone: (907)789-8192		
_	Mailing Address PO Box 32055, Juneau, AK 99803	Home Phone: (907)789-3506	Fax Number:		
	E-mail Address adam.zenger@acsalaska.net,	Other Contact Phone Number	r(s):		
	LANDOWNER/ LESSEE CONSENT *****Required for Planning Permits, not	needed on Building/Engineering	g Permits****		
.CT / APPLICANT	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				
OJE	APPLICANT If the same as OWNER, write "SAME" and sign and date a Applicant's Name	at X below Contact Person:	Work Phone:		
7	Westower Communications	Alissa Havnes	907-727-7907		
PR(	Mailing Address 19500 Cipole Road, Tualatin, OR 97062	Home Phone:	Fax Number:		
<b>L.L.</b>	E-mail Address sitedeployment@gmail.com	Other Contact Phone Number Sarah Grant 503-853-106			
***************************************	X Alissa Haynes Operation of the Market Regiment of the Control of		07/2012		
	Applicant's Signature		Application		
	OFFICE USE ONLY BELOW THIS LI	NE			
	Permit Type State Building/Grading	Received App	lication Number(s)		

	W.	Permit Type	***SIGN	Date Received	A	pplication Number(s)	
		Building/Grading					
		Permit					
		City/State Project Review and City Land Action					
,		Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)					
) נ		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)				110000000000000000000000000000000000000	
		Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)		5/29/12	U551	2-0008	
		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.						
	Comm	nents:				Permit Intake Initials	
						戻らば	

## ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

	Project Number	Project Name (15	characters)		Case Number		Date Received 5/29//2			
W	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: 49.25.210 (b, c) and 49.25.300 18.300 (3)									
	***An Accessory Apartment Application will also be required.									
	DESCRIBE THE PROJECT FOR WHICH AN ALLOWABLE OR CONDITIONAL USE APPROVAL IS NEEDED.  This application is for the installation of telecommunications equipment installed on a 12'x8' steel platform with a diesel generator and permitting a 66' high monopole within a 27'x27' chain link fenced									
	compound	ergenerator a	nd permitting a oc	nigh monopol	ie willilli a 2	I XZI Ulla	an ink tenced			
ICANT	IS THIS A MODIFIC	ATION OF AN I	EXISTING APPRO	VAL? ✓	NO YES	6 Case #				
SY THE APPL	CURRENT USE OF LAND OR BUILDING(S): Property is currently used as telecommunications site for a wood monopole and future homesite.									
BE COMPLETED BY THE APPLICANT	PROPOSED USE OF LAND OR BUILDING(S): Proposed use for telecommunications site in the South boundary of the property with 66' high monopole constructed within the 27'x27' area.									
BE (	UTILITIES PROPOSED: WATER: Public On Site SEWER: Public On Site									
TO	SITE AND BUILDING SPECIFICS:  Total Area of Lot 27,514 square feet Total Area of Existing Structure(s) 0 square feet  Total Area of Proposed Structure(s) 729 square feet									
17	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 NARRAT	IVE AND SUBN	MITTAL CHECKLIS	T:						
	✓ Site Plan ✓ Floor Plan of proposed buildings ✓ Elevation view of existing and proposed buildings ✓ Proposed Vegetative Cover ✓ Existing and proposed parking areas (including dimensions) and proposed traffic circulation ✓ Existing and proposed parking areas (including dimensions) and proposed traffic circulation ✓ Existing Physical Features of the site (drainage, habitat, hazard areas, etc.)									
P-9 27(18)-98 (B-9	For more information regarding the permitting process and the submittals required for a complete application, please see the reverse side.  ALLOWABLE/CONDITIONAL USE FEES  Fees Check No. Receipt Date  Application Fees \$									
	If you need any assistance filling out this form, please contact the Permit Center at 586-0770.  Adjustment \$									
Re	NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERN ATTACHMENT 3  Revised December 2009 - I:\FORMS\2010 Applications									

## SHEET INDEX

### PROJECT DIRECTORY

APPLICANT: TENERS WELLES 19800 SE DASTONE WAY 9/5 237 SELEVIE WA 9800B

APPLICANT ACENT,
NUSTONER COMMERCIONS
TORICH BOAD
TORICH SAME URAN
TORICH SAME URAN
THORE (203) 853-1660
FRE (283) 210-1001

ARCHITECT/ELECTRICAL\_ENGINEER:

RDE ASCHRICTS ENDWORSE P.C.
AFED FORTH STRIFT BY, SUFE 2DD
INNINGER, AN 396.5E
CONTACT. ERG CAMP
FORD 1420 STD-885:
FAC (-20) STD-886:
AK 1820588 A-12888

PROJECT MANAGER:
VERZON WIRELESS
19800 SE CASTORIE WAY
M/S DE:
SELENIE, HA BRODE
CONTACT: MODRAEL GALLAGIER

PERMITTING CONSULTANT.
WESTOWER
1950 CIPCLE POWS
TOWARM GE STORE
CONTACT: SHERRI BACEMAN
PHONE: (429) 241-0088

LEASING CONSULTANT.

NSTRUCTION MANAGER:
FOMER
TO COMME HOAD
ATM, OR \$7052
JOHNSEY 15710

GCTURAL ENGINEER: IOS GRANEERNO, U.C. IOX 2158 WOOD, WA 98030 ACE FRANK DATES: E: (206) 234-2156

TRICAL ENGINEER ARCHITECTS.ENGINERS P.C. 2000H STREET SW., SHIFE 200 8000, WA 98026 ACT - EPIC CAMP

E: (425) 870-8651 (425) 712-0846

FEYOR: RELEARA & ASSOCIATES W 291M ADE MAGE, AK 48517 CT FRED WALATEA (957) 248-1686 1: #Gotkos@asi.com



AK3-AUKE BAY ALT #3 14080 GLACIER HWY **JUNEAU. AK 99801** 

LAT: 58° 22' 44.02"N (NAD 83)-1A LONG: 134° 42' 22.57"W (NAD 83)-1A ELEV: 152.0' AMSL (NAVD-88)-1A

### LEGAL DESCRIPTION

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### PROJECT INFORMATION

ALASKA STATE CODE COMPLIANCE:

BC-2008, INTERNATIONS, BURDING CODE W/ LOCAL AMENDMENTS. NEC-1008, NAHDMAL ELECTRICAL CODE

SEEL NAME: ARS DADRE BAY ALT YS

SITE ADDRESS: TADRO CLACIER HAN JUNEAU, AK. 1980:

LAND OWNER: ADAM JERGER 907-789-350s

JURISDICTION:

CITY AND ROSSESSED DE RENEAU

TAX\_ID\_NG: 483101000214 ZONING:

RESERVANCE/SER-DURLEX DS (1) DS

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### APPROVALS/ISSUE DATES

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SITE PERSPECTIVE



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### SYMBOLS LIST





### CONFIDENTIAL AND PROPRIETARY

PROFESSION POFESSION VICINITY MAP REVISIONS DESCRIPTION 01/12 (SRUHD 409 2012 90% ZD REVEW 2/20 ISSUED 709 2013 ZURSEO

> PROJECT **АКЗ** AUKE BAY ALT#3

PLANS PREPARED FOR

PLANS PREPARED BY

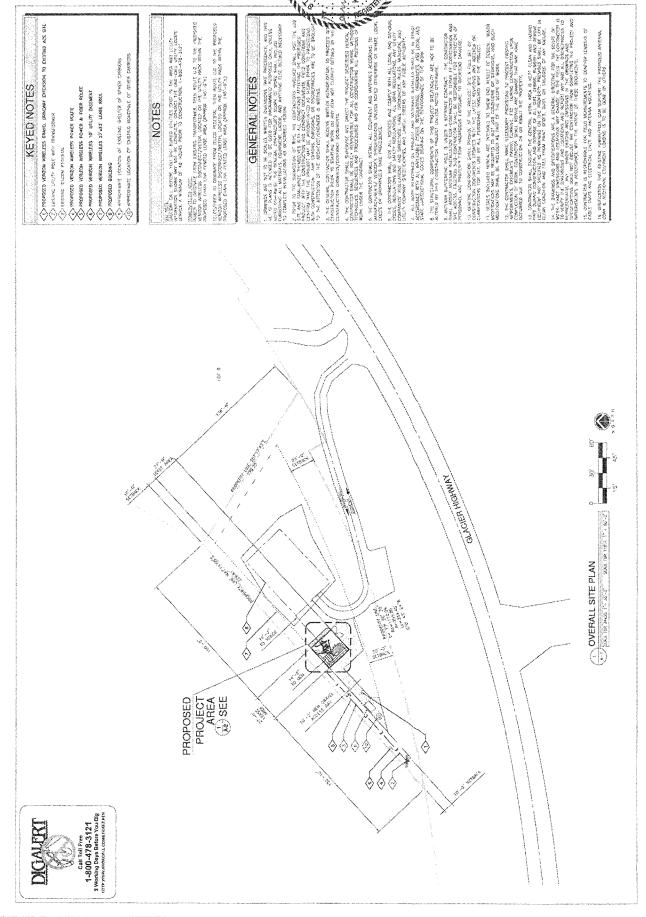
KDC ARCHITECTS ENGINEERS, P.C.

KENNETH D. CAMP

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4080 CLACIER HWY JUNEAU, AK. 99801

A.E.



KDC COUNTY

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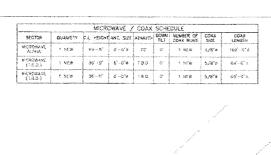
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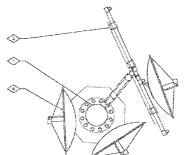
AUKE BAY ALT#3

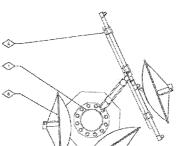
AK3

14080 CLACER HWY JUNEAU, AK. 99801



	ANTENNA / COAX SCHÉDLILE									
SECTOR		TIP HEIGHT	451 542E	AZSMUTH	MECH. ODWNITET	NUWER Ru	OF DOAK	COAX SIZE	COAX LENCTH	TX
ALCELA	2 88.4	69"~0":::	× -3°	700	e,	2 NEW, 1	6 8 U SUNSE	7/8	90'-0°4.	16
903A	8 868	69'-6' 8	8'-0"	160	¢.	7 Me W.	FUTURE	7/8	50"-0" ±	8
CAMEA	3 464	59'~6'%	8"-2"	26.57	9.	2 NEW,	FU 1085	778	90'-0'8	N

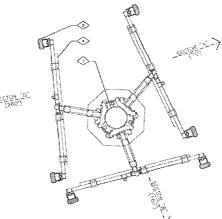




### NEW MW LAYOUT PLAN @ 36' & 65'p.

SENT TOOL MADE SPECIFOR TO SENT TOO SEN







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### KEYED NOTES

- AND ASSESS AND ASSESS AND AND MONDAGES
- NEW VERIZON WIRELESS ANTENNAS (6 TOTAL, 2 PER SECTOR)
- NEW VERIZON WIRELESS ICE BROCE
- NEW VERIZON WHELESS CLIMB RATED T-ARMS
- (5) NEW VERIOR WIRELESS BOWN GENERATOR W/210 GALLON DIESEL FUEL TANK
- (8) NEW VERIZON WIRELESS MICROMAVE ANTENNAS (4 TOTAL)
- SON VERIZON WIRELESS 27-0"X27-0" GRAVEL PAVED LEASE AREA
- <B > NEW VERIZON WIRELESS WETER (BEYOND)
- (2) HEW VERSION WASLESS EMERGENCY DISCONNECT (BEYOND)
- (10) NEW 6'-0' HIGH CHAIN LINK FENCE W/BARRED WIRE ATOP W/ GREEN SCREENING SLATS
- (1) NEW 12'-0' WIDE CHAIN LINK CATE W/ ORGEN SCREENING SLAIS
- NEW VERICON WHILESS GPS ANTENNA MOUNTED AT ICC ORDOCE
- AND NEW VERIZON WRELESS UTLETC H-FROME
- (A) NEW VERZON WIRELESS CON ROUTE
- < > NEW VERIZON WHELESS GRAVEL ACCESS EASTMENT
- (6) NEW VERIZON WHELESS O.H. UTILITY LIGHT (2 TGTAL)
- ♦ NEW VERIZON WIRELESS U.G. POWER & FISER HOUSE (APPROX. 135'-0')
- $\stackrel{\textstyle <}{<}\!8\!>$  New veryon wreless surbody equipment charge on  $8'\!\cdot\!0' \times 12'\!\cdot\!0'$  sizel platform
- (8) NEW VERIZON WITELESS 10' UTILITY EASEMENT
- AD NEW VERIZON WHELESS ECOLOGY BLOCK RETAINING WALL
- ⟨2⟩ 10° SETBACK
- ♦ 25° SETBACK
- (3) FUTURE SECONO CARRIER ANTENNAS
- ADD SORECHING FOR B' THEL ARBURYSTAE LINESCAFING ALONG HORD-HAST EDGES OF LEASE AREA

NEW VERITOR WIRELESS FENCE POST MOUNTED TO ECOLOGY BLOCK

Veri of wireless

PLANS PREPARED FOR

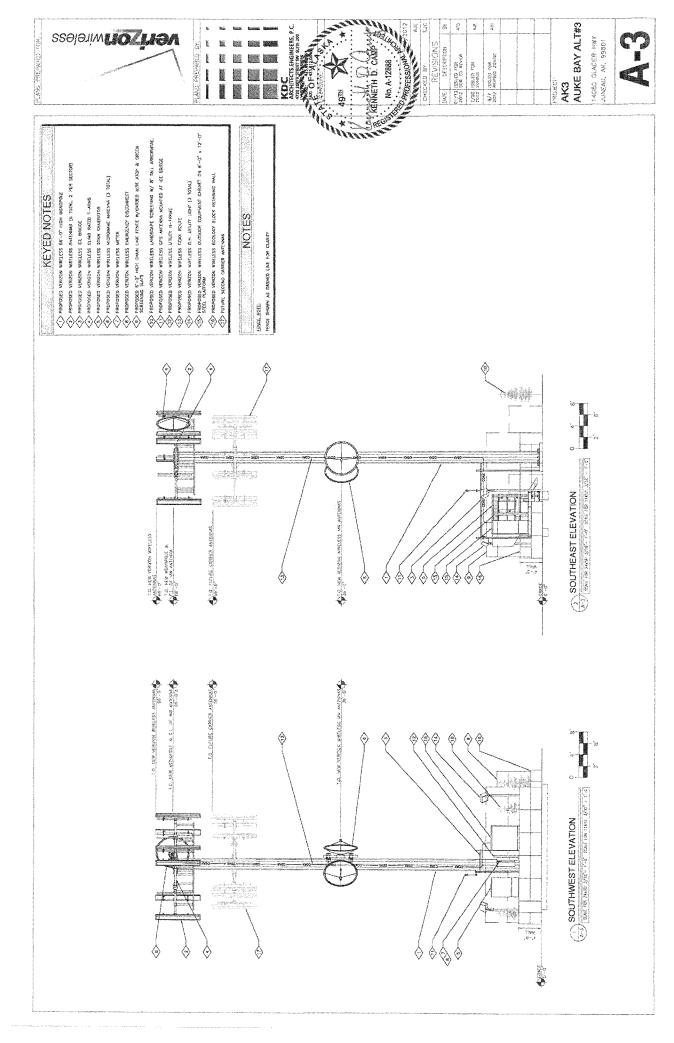
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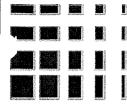
KENNETH D. CAMP

PROFESSION A PROFESSION TO CHECKED BY: REVISIONS DESCRIPTION CTYTZ ESDED FOR 2012 BOX 20 REVEN 2/20 ISSUED FOR 2012 20MM2 5/7 ISSUED FOR 2012 ROMSO XXXXX

> AK3 AUKE BAY ALT#3

14080 GLACIER HWY JUNEAU, AK. 99801



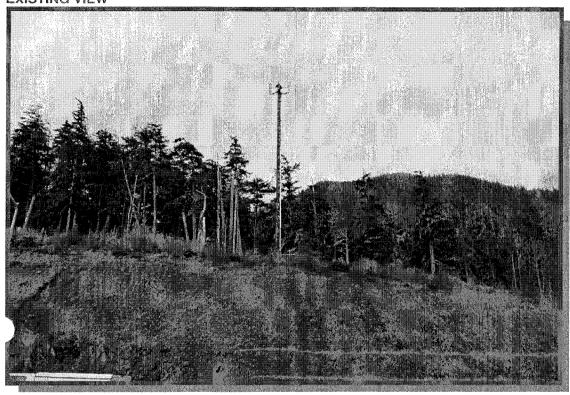


**KDC** ARCHITECTS.ENGINEERS, P.C.

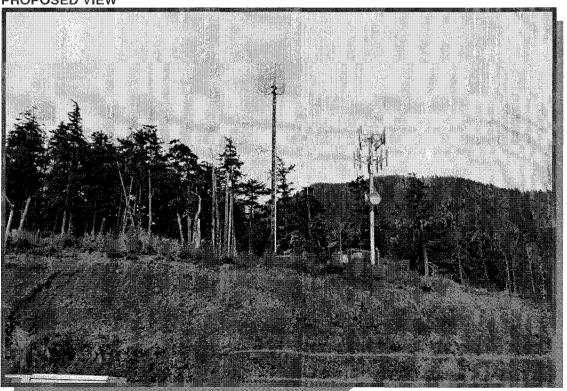
4720 200TH STREET SW SUITE 200 LYNNWOOD, WA 98036 PHONE: 425.670.8651 FAX: 425.712.0846

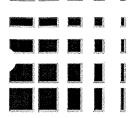


### **EXISTING VIEW**



**PROPOSED VIEW** 



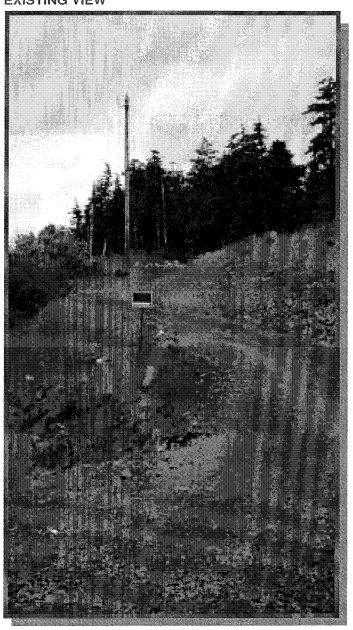


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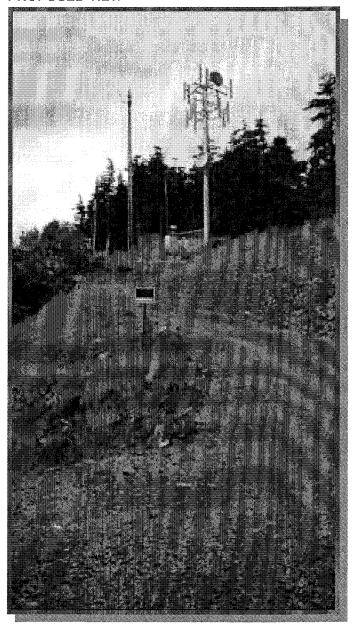
4720 200TH STREET SW SUITE 200 LYNNWOOD, WA 98036 PHONE: 425.670.8651 FAX: 425.712.0846



### **EXISTING VIEW**



### PROPOSED VIEW



### PERCEIVED IMPACT OF INSTALLATION OF 90' TALL COMMUNICATIONS MONOPOLE AT 14080 GLACIER HIGHWAY ON NEIGHBORING PROPERTY VALUES BASED ON INTERVIEWS WITH KNOWLEDGEABLE MARKET OBSERVERS, JUNEAU, ALASKA



View of subject property looking in a westerly direction. Note 021812\_0562 the other proposed 90' metal monopole to the right of the existing 75' wooden pole.

PREPARED FOR: Alissa Haynes, Project Manager

Westower Communications 1301 Huffman Road, Suite 125 Anchorage, Alaska 99515

PREPARED BY: Charles E. Horan, MAI

HORAN & COMPANY, LLC 403 Lincoln Street, Suite 210

Sitka, Alaska 99346

**EFFECTIVE DATE:** February 7, 2012

**REPORT DATE:** February 29, 2012

**OUR FILE:** 12-020B

403 Lincoln Street, Suite 210 Sitka, Alaska 99835 Telephone (907) 747-6666 FAX (907) 747-7417

Email commercial@horanappraisals.com

CHARLES E. HORAN, MAI / WILLIAM G. FERGUSON, TIMOTHY W. RILEY, JOSHUA C. HORAN, JAMES A. CORAK AND JACQUE WALTON

REAL ESTATE APPRAISERS / CONSULTANTS

February 29, 2012

Alissa Haynes, Project Manager Westower Communications 1301 Huffman Road, Suite 125 Anchorage, Alaska 99515

VIA Email: sitedeployment@gmail.com

Ref: Perceived Impact of Installation of 90' Tall Communications Monopole at 14080 Glacier Highway on Neighboring Property Values Based on Interviews with Knowledgeable Market Observers, Juneau, Alaska; Our File no. 12-020B

Dear Ms. Haynes:

Westower Communications is developing communication facilities that includes a 90' monopole at 14080 Glacier Hwy, a hillside residential lot. A conditional use permit is required to be obtained for this development. This facility will be adjacent to an existing 75' wooden pole used by another carrier. One of the requirements of the permit is to determine the impact of wireless telecommunication facilities on surrounding property values. I have completed a study to identify the valuation issues through discussions with planning staff, local knowledgeable people involved in this issue and local real estate appraisers, brokers and other market participants who would enable me to discern the market perception relative to this issue in the Juneau market.

I have viewed the subject site, interviewed the site developers and planner, and reviewed the project plans. The poll will be in an excavated area at the top of a steep driveway adjacent to a cleared building pad for a future home. It is also adjacent to the existing wooden pole. It appears it will have a similar profile as the existing pole - similar in height against the trees on the adjacent forested property. It will be visible from nearby properties and traffic along the highway. The subject is at the west end of a string of subdivided residential lots along the north side of the highway. There are waterfront lots to the south across the highway on Indian Cove and Auke Nu Cove. There are industrial uses in Auke Bay further to the east. The lands to the west and north of the subject are wooded and undeveloped lands owned by the City and Borough of Juneau.

To limit its contrast against the other trees and the neighboring view shed, the pole will be painted green or brown. In my opinion, this would be similar to monopoles found in other residential settings in the Mendenhall Valley or Auke Bay. As planned, it would not cause a serious view blight and would not provide noise, smell, or any other tactile interference to make it disharmonious with the neighborhood. Based on my interviews with four Realtors, seven appraisers, and my own experience in the market place, it does not appear that there would be any substantial or measurable decrease in value of neighborhood property due to the proposed development.

Alissa Haynes February 29, 2012 Page 2

In addition to interviewing knowledgeable market observers, I have collected anecdotal information which substantiates this finding. The only additional research that might be done to further probe the issue would be to identify recent sales in residential areas where there are cell towers and do a one-on-one comparison to see how those sale prices compare to the sale values of other properties with a lesser presence of cell tower influence. In my opinion, it is highly probable that this additional analytical effort would not differ from the conclusions found from interviewing local, knowledgeable market observers.

Your attention is invited to the attached report which describes the subject property, outlines my methodology, discerns the opinions of knowledgeable market observers and identifies areas of other cell towers in residential settings that might have comparisons to the subject. Also, I have outlined what type of locational impacts may result in substantial decrease in property values. The report contains other background information relative to our conclusions, and summarizes Assumptions and Limiting Conditions, Definitions and Certification of this consultation.

If you have any questions or comments, please do not hesitate to call.

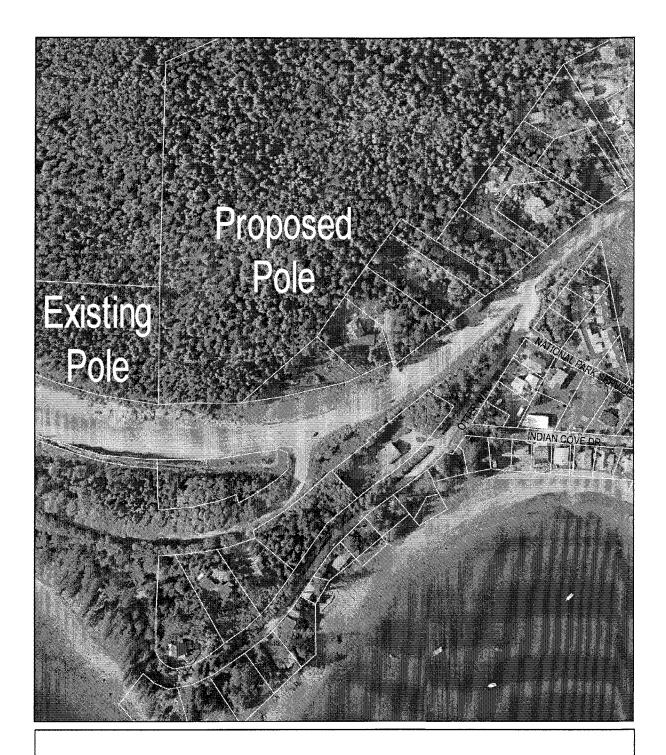
Respectfully Submitted,

HORAN & COMPANY, LLC

Charles E. Horan, MAI

AA41

CEH:jy



### -THIS IS NOT A SURVEY-

Property lines are approximate lmage date: June 2006 0 50 100 200 300 400 Fee





### FIGURE 1 - SUBJECT PROPOSED POLE LOCATION

Source: City and Borough of Juneau Community Development

Pole Location by Horan & Company, LLC

### **Proposed Project**

Westower Communications is negotiating approximately a 40' by 40' lease area from the land owner Adam Zenger at 14080 Glacier Highway, Juneau, Alaska. The site is in the northerly fraction of Lot H, US Survey 2359. It is just over 0.6 acre in size having over 300' of frontage along Glacier Highway. The site rises up to 50' above the existing road grade in its westerly corner were there is an existing 75' tall wooden cell tower pole. The subject proposed 90' monopole will be adjacent to this existing pole on a high point in the corner of the site. The topography then slopes downward where there's a level house pad. These poles will be up against the fringe of trees on CBJ public land behind the subject site.

The subject is zoned D3(T)D5 a medium density residential zone. Residential uses are found across the street south and to the east. The public lands behind the subject are zoned Rural Reserve. More distant east is waterfront industrial area along the protected waters of Auke Bay.

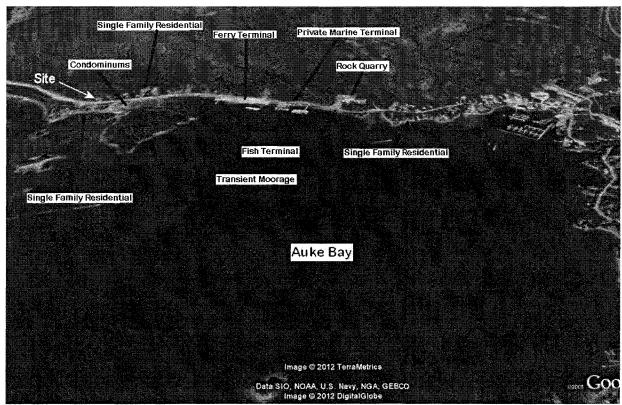


FIGURE 2 - AUKE BAY VICINITY SITE LOCATION

Site noted by Horan & Company, LLC

The project is for a proposed installation of an outdoor equipment cabinet mounted on the steel platform and a diesel generator on a concrete grade beam within the leased area, which will be surrounded by a chain-link fence. There will be six antenna on a climb rated T arm and four microwave antenna mounted on the proposed 90' high steel monopole.

Views of the of the tower will be visible from most distant neighborhood perspectives. The pole will be above the highway and above and behind most of the nearby residential development with views to the east and south. The pole's elevation will be just above the existing wood pole and similar to the height of the trees behind them to the north and west.

It is assumed the structure will meet wind and weight bearing specifications as it goes through the local building code process. The antennas will distribute electromagnetic radio waves that contain

some levels of radiation. These radio frequency levels must be in compliance with FCC emissions. There is a concern on the local level about the health hazards of cell tower emissions. There have been local concerns about these health risks and these risks are also expressed in national and international literature on the issues of cell towers and their possible bio-hazards. are two sides to this debate. While a sincere concern for health risks have been raised at a number of public meetings for conditional use permits in conjunction with tall cellular phone tower development in Juneau, there is extensive public literature that indicates there is no convincing scientific evidence that weak radio frequency signals from

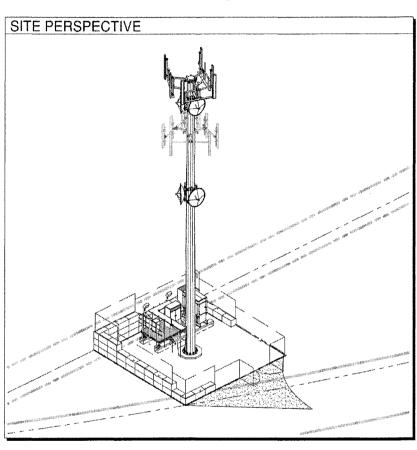


FIGURE 3 - SITE PERSPECTIVE

base stations and wireless networks cause adverse health effects<sup>1</sup>. New research and information may emerge over time and the arguments for and against the health concerns may change in the future. The only purpose of my study is to determine if there is a current negative market response to the presence of cell towers in the type of setting anticipated at the 14080 Glacier Highway, as of February 2012.

<sup>&</sup>lt;sup>1</sup> See American Cancer Society web site under question *Do Cellular Phone Towers Cause Cancer?* http://www.cancer.org/Cancer/CancerCauses/OtherCarcinogens/AtHome/cellular-phone-towers

### Juneau Real Estate Market

A market is a place where buyers and sellers meet to determine a The market in Juneau is relatively well developed with most transactions being handled by Realtors. There is an active Multiple Listing Service (MLS) that gives reasonable exposure for the bulk of the sales. As an indicator of the volume and pricing trends in this market, Figure 4 from the Juneau Economic Development Association shows average selling price of a single-family residence through the first quarter of 2011. The market has remained strong throughout the year.

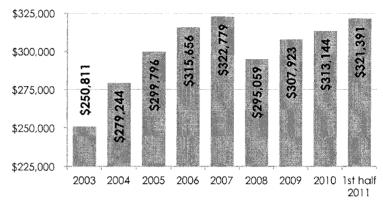
This trend covers a period when housing prices had run up, which generally follows the national trend, peaking in 2007 and then cooling in the following years based on the national recession and the

## Housing

### Juneau Housing Sales and Prices

In the first half of 2011, home prices were up, and the average number of days on the market was down. The average price of a single-family residence was \$321,391—a three percent increase over the first half of 2009 and similar to 2007 (peak) prices. During the same period, the price of single-family homes nationally fell by 7 percent. Nationally homes are at their 2003 prices.

Single-Family Home Prices in Juneau, 2003-2011



Source: Juneau and Southeast Economic Indicators 2011, Juneau Economic Development Council

FIG 4 - JUNEAU HOUSING STUDY

uncertainty in the real estate market. The Juneau market, however, has remained strong over the past three years with a persistent employment and population base. Also, the capital creep ended or slowed significantly in 2009 along with the announcement that the Kensington Mine would come online. Indeed, production began in June 2010. Further, the influence of the state government in Juneau remained positive due to the strength of the treasury as a result of persistent high oil prices. In this environment, demand is good, sales brisk and the market would be characterized as in balance.

At the same time, the demand for cell phone usage has increased significantly. The increased demand has been filled mostly by AT&T and GCI within the Juneau area. They or their contractors have developed cell towers within the community in an attempt to get as complete coverage as possible. The Mendenhall Valley and related residential area has seen a development of several towers and some permitting of towers that have not been built. The subject tower is proposed by a contractor for Verizon, which would introduce a new cell carrier in the Juneau market.

### Value Impact and Harmony of Cell Tower Presence

This study specifically addresses the City and Borough of Juneau Code 49.15.330 (d)(5)(B) f, which require the Planning Director and Commission to answer the question "Will [the proposed development] substantially decrease the value of or be out of harmony with property in the neighborhood area?" The term "substantially decrease the value" would mean there would be a measurable negative influence. In the subject instance, this would come from the visual impact of the tower and the market's perceived health and safety risks that would be substantial enough to be discernable through sales activity reflecting a measurable downward pricing trend discernable in the market. The term "be out of harmony" would be captured in these elements of market diminution due to the negative impact of sight, sound, smell or other perceived health or safety risks that were not present prior to the permitted use.

In the past, the appraiser has studied the Juneau market including specific sales research and interviews with knowledgeable market observers to discern what types of negative uses or situations may result in an impact on property values. Some of these impacts may be substantial or measurable to pricing in the market. Some impacts are more subtle and not considered to have a measurable impact on property values relative to comparable properties in areas without the particular disharmonious use. Some examples of situations that, in the extreme, may impact property values and on the other hand, if more subtle, probably would not impact property values include the following:

- a home in a slide area
- properties next to high voltage power lines, with view obstruction
- properties with significant view obstructions such as power poles, commercial and industrial or degraded uses within the view shed
- properties next to noxious odors or noises such as sewage treatment plants or airport noise
- properties within avalanche areas
- properties that have had oil spills or other bio-hazardous events that have been mitigated -- cleaned up or managed in place.

In order to determine the impact of these types of negative attributes, we have considered a variety of methods including matched-paired sales studies and interviews with local knowledgeable market observers. The in the subject instance matched-paired sales method would include identifying recent sales of properties near cell towers that are similarly situated to the proposed situation. These sales could then be contrasted with other neighborhood sales or sales as similar as can be found in all regards except for the influence of cell towers due to proximity or visual orientation. This would be a time consuming and costly study. Its ultimate reliability would depend upon the availability of observations or sales that would provide the needed contrast. In situations where cell towers are large, of noticeable contrasting colors, and provide extreme nearby view obstructions in a residential settings, it would be an easier hypothesis to test. In the subject's case, where the cell tower would be viewed from a distance and in a mixed setting where there are already similar cell towers in a fractured landscape, it may be difficult to discern the subtle differences and would require a greater amount of market research with a questionable outcome depending on the quality of available data.

As an alternative, there is a more direct way to address the problem. We developed a second method, interviewing knowledgeable market observers.

Ultimately, real estate is local. Prices paid and the factors influencing those prices are based on local preferences and market knowledge. Trends observed in other areas may not be immediately applicable to the local market. Professionals who have observed their local market, especially Realtors and appraisers who are familiar with hundreds or thousands of transactions in the local market, would be the best to first discern what the expected impact of cellular phone towers would be on price or market value. The definition of market value is:

The most probable price that a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- 1. Buyer and seller are typically motivated;
- 2. Both parties are well informed or well advised, and acting in what they consider their best interests:
- 3. A reasonable time is allowed for exposure in the open market;
- 4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
- 5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

(12 C.F.R. Part 34.42(g); 55 Federal Register 34696, August 24, 1990, as amended at 57 Federal Register 12202, April 9, 1992; 59 Federal Register 29499, June 7, 1994)

The Dictionary of Real Estate Appraisal, 5th Edition, Appraisal Institute, Pages 123

The critical element here is the knowledge of the buyers and sellers. In order to determine the buyer and seller knowledge base, we have interviewed appraisers, Realtors and others who are knowledgeable within the market place, having observed buyer and seller response to prices for various positive and negative aspects of residential real estate transactions in Juneau.

### INTERVIEWS WITH MARKET PARTICIPANTS

### Juneau Residential Real Estate Appraisers' Feedback

We've interviewed a significant number of brokers and residential real estate appraisers who work within the Juneau market and regularly communicate with buyers and sellers. Seven appraisers with over 100 years of experience and over 10,000 residential appraisals were asked if they had ever used a discount or adjustment for a property's locational influence relative to cell towers in the residential settings similar to the subject. The answer was no. Further inquiry was made as to what types of negative neighborhood influences might require consideration of market adjustments. Examples

included proximity to Lemon Creek Correctional Center, the garbage dump, substation noise, avalanche zone or slide areas, residential views over industrial parks or old mobile home parks. It is important to note that many of these negative influences are relative to comparables taken from other areas and are not necessarily negative for comparables from the similarly situated area.

### Juneau Residential Realtors' Feedback

Similar to the question proposed to appraisers, Realtors were interviewed to ascertain if they had detected any influence of cell towers in their experience with buyers and sellers. Four Realtors interviewed represented involvement of approximately 1,400 transactions, with over 30 years experience within the Juneau market. Their responses were generally that there was no significant influence and, oftentimes, if cell towers were disguised, they were overlooked. There was an acknowledgment that if cell towers interfered significantly with the view shed, such as a large, direct, obstruction, which obstructed an otherwise scenic view, it may be an issue. However, there were no specific situations noted in this regard. One realtor commented that if there were a large tower developed immediately adjacent to the property it might have some influence, but it depended on the degree and how well screened the tower would be. In several cases, Realtors commented that they were never discussed or not known to have existed in areas where they were present. In some cases, cell tower installations were confused with electrical installations.

When asked if there were health concerns related to cell towers within the market that impacted value, the answer was no. One comment was that there may have been some health concerns with proximity to electrical substations, and they would expect that concerns of cell towers might be similar, however, there was no known adjustment for price based on these situations.

The Realtors were asked what kind of negative influences in the market they would consider substantial or measurable due to locational elements. Waste water treatment plant, a gas company, down wind from the dump and proximity to the jail and avalanche areas were all mentioned. Properties that had persistent noise or odor, significant view obstruction or known hazards such as avalanche may be considered significant within the market. When queried about less significant negative influences that may not be substantial, the indication was that if the degree of influences were moderate or subtle, they would not be significant market determinants.

### **Anecdotal Data**

The presence of cell towers in many instances are unnoticed. There are comments from Realtors who sold houses adjacent to cell towers that they were not even aware the cell towers were there. One realtor handled two separate transactions within the last few years, literally across the street from the 100' tall cell tower at Valley Boulevard and Mendenhall Loop Road (8503 Valley Boulevard) and indicated the cell tower had no apparent influence on the transaction. A comment was made that the congested intersection and traffic along Mendenhall Loop Road would have more of an impact on price consideration.

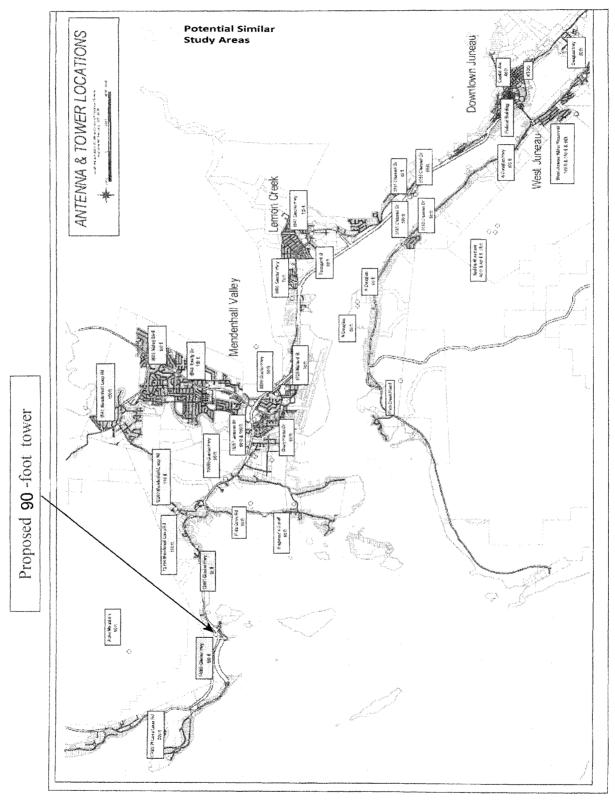


FIGURE 5 - ANTENNA AND TOWER LOCATIONS

12-020b / 14080 Glacier Highway, Juneau

A renter at 12280 Mendenhall Loop Road, Darrell West, indicated the nearby cell tower made no negative difference to him or his roommates. In fact they appreciated that they had very good reception for their 3G Android cell phones.

The former City and Borough of Juneau Assessor related an incident where as Assessor he had made a downward adjustment for a cell tower on North Douglas. Within a year of making a substantial downward adjustment, he reported the property sold for \$200,000 over the adjusted value. There seems to be an acknowledgment in the market that a large tower blocking a scenic view could have an influence on value but this would be a rare case.

There was no anecdotal data related to the Mendenhall Valley or similar residential areas that would indicate well-situated, disguised cell towers would have a negative impact on surrounding property values.

### **Price Comparison**

The scope of this study did not include an analysis of pricing of properties directly in the influence of cell towers that would be comparable to the subject situation. The appraiser has reviewed various cell tower locations in the area as indicated on the adjacent map Figure 5. The most competitive towers would be those located at 12260 and 12364 Mendenhall Loop Road, at the Valley Chapel at 9741 Mendenhall Loop Road, 8503 Valley Boulevard, and 8748 Trinity Drive. The adjacent Figure 5 indicates the potential similar study areas that would likely mimic the impact, if any, in the proposed area.

Further study could be done to suggest a radius of influence for these towers and identify sales, which have occurred since their installation. The compared sales analysis would attempt to identify properties similarly situated of similar characteristics in similar market conditions (time) and determine if there were significant price differences between the sales explainable by the influence of the cell tower. It is not certain how many sales and paired similar properties would fulfill this criteria. Based on the research done so far and the interviews with knowledgeable market observers, it does not appear likely that the most competitive similarly situated cell towers would produce a negative influence on market values discernable by this paired sales technique. However, we stand ready to pursue this type of study if so desired.

### Conclusion

Based on a review of the competing potential similar study areas-neighborhoods, lack of documented discounts or negative market reactions towards the presence of cell towers in these residential settings based on interviews with local knowledgeable market observers, it is my conclusion there would be no substantial decrease of value due to the presence of the proposed cell tower to the surrounding neighboring properties. It is further my opinion that if a more in-depth study was completed through market price comparisons, it is highly probable it would not change this conclusion.

# **ADDENDA**

### **CERTIFICATION OF CONSULTATION**

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, conclusions and recommendations.
- I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute, which include the Uniform Standards of Professional Appraisal Practice.
- The use of this report is subject to the requirements of the Appraisal Institute relating to the review by its duly authorized representatives.
- I have made a personal inspection of the property that is the subject of this report on February 7, 2012.
- No one provided significant real property appraisal or appraisal consulting assistance to the person signing this
  certification.
- As of the date of this report, I, Charles Horan, MAI, have completed the continuing education program of the Appraisal Institute.

Crarls Hom	February 29, 2012
Charles E. Horan, MAI, AA41	Report Date

### ASSUMPTIONS AND LIMITING CONDITIONS

This appraisal report and valuation contained herein are expressly subject to the following assumptions and/or conditions:

- 1. It is assumed that the data, maps and descriptive data furnished by the client or his representative are accurate and correct. Photos, sketches, maps, and drawings in this appraisal report are for visualizing the property only and are not to be relied upon for any other use. They may not be to scale.
- 2. The valuation is based on information and data from sources believed reliable, correct and accurately reported. No responsibility is assumed for false data provided by others.
- 3. No responsibility is assumed for building permits, zone changes, engineering or any other services or duty connected with legally utilizing the subject property.
- 4. This appraisal was made on the premise that there are no encumbrances prohibiting utilization of the property under the appraiser's estimate of the highest and best use.
- 5. It is assumed that the title to the property is marketable. No investigation to this fact has been made by the appraiser.
- 6. No responsibility is assumed for matters of law or legal interpretation.
- 7. It is assumed that no conditions existed that were undiscoverable through normal diligent investigation which would affect the use and value of the property. No engineering report was made by or provided to the appraiser.
- 8. Unless otherwise stated in this report, the existence of hazardous material, which may or may not be present on the property, was not observed by the appraiser. The appraiser has no knowledge of the existence of such materials on or in the property. The appraiser, however, is not qualified to detect such substances. The presence of substances such as asbestos, ureaformaldehyde foam insulation, or other potentially hazardous materials may affect the value of the property. The value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in this field, if desired.
- 9. The value estimate is made subject to the purpose, date and definition of value.
- 10. The appraisal is to be considered in its entirety, the use of only a portion thereof will render the appraisal invalid.

- 11. Any distribution of the valuation in the report between land, improvements, and personal property applies only under the existing program of utilization. The separate valuations for land, building, and chattel must not be used in conjunction with any other appraisal and is invalid if so used.
- 12. The signatory of this appraisal report is a member of the Appraisal Institute. The bylaws and regulations of the Institute require each member and candidate to control the use and distribution of each appraisal report signed by such member or candidate. Therefore, except as hereinafter provided, the party for whom this appraisal report was prepared may distribute copies of this appraisal report in its entirety to such third parties as selected by the party for whom this appraisal report was prepared; however, selected portions of this appraisal report shall not be given to third parties without the prior written consent of the signatory of this appraisal report. Further, neither all nor any part of this appraisal report shall be disseminated to the general public by the use of advertising media, public relations media, news media, sales media or other media for public communication without the prior written consent of signatory of this appraisal report.
- 13. The appraiser shall not be required to give testimony or appear in court by reason of this appraisal with reference to the property described herein unless prior arrangements have been made.

### QUALIFICATIONS OF CHARLES E. HORAN, MAI

**Professional Designation** MAI, Member Appraisal Institute, No. 6534

State CertificationState of Alaska General Appraiser Certification, No. AA41Bachelor of Science DegreeUniversity of San Francisco, B.S., 1973, Major: Business

Administration

### **Employment History**

August 2004	Owner, HORAN & COMPANY, LLC
03/87-07/04	Partner, HORAN, CORAK AND COMPANY
1980-02/87	Partner, The PD Appraisal Group, managing partner since November 1984
	(formerly POMTIER, DUVERNAY & HORAN)
1976-80	Partner/Appraiser, POMTIER, DUVERNAY & COMPANY, INC., Juneau and Sitka, Alaska
1975-76	Real Estate Appraiser, H. Pomtier & Associates, Ketchikan, AK
1973-75	Jr. Appraiser, Ketchikan Gateway Borough, Ketchikan, AK

### **Lectures and Educational Presentations**

1998, "Easement Valuation Seminar," Alaska Chapter Appraisal Institute, Anchorage, AK

1998, "Easement Valuation Seminar," Seal Trust, Juneau, Alaska

1997, "Sitka Housing Market," Sitka Chamber of Commerce

1997, developed and taught commercial real estate investment seminar for Shee Atika, Inc.

1994, developed and taught seminar "Introduction to Real Estate Appraising," University of Alaska/S.E., Sitka Campus

1985, Speaker at Sitka Chamber of Commerce, "What is an Appraisal? How to Read the Appraisal"

1984, Southeast Alaska Realtor's Mini Convention, Juneau, Alaska

Day 1: Introduction of Appraising, Cost and Market Data Approaches

Day 2: Income Approach, Types of Appraisals, AIREA Accredited Course

1983, "The State of Southeast Alaska's Real Estate Market"

1982, "What is an Appraisal?"

### **Types of Property Appraised**

**Commercial** - Retail shops, enclosed mall, shopping centers, medical buildings, restaurants, service stations, office buildings, auto body shops, schools, remote retail stores, liquor stores, supermarkets, funeral home, mobile home parks, camper courts. Appraised various businesses with real estate for value as a going concern with or without fixtures such as hotels, motels, bowling alleys, marinas, restaurants, lounges.

**Industrial** - Warehouse, mini-warehouse, hangars, docks barge loading facilities, industrial acreage, industrial sites, bulk plant sites, and fish processing facility. Appraised tank farms, bulk terminal sites, and a variety of waterfront port sites.

**Special Land** - Partial Interest and Leasehold Valuation - Remote acreage, tidelands with estimates of annual market rent. Large acreage land exchanges for federal, state, municipal governments and Alaska Native Corporations; retail lot valuations and absorption studies of large subdivisions; gravel and rock royalty value estimates; easements, partial interests, conservation easements; title limitations, permit fee evaluations. Appraised various properties under lease to determine leasehold and leased fee interests. Value easements and complex partial interests.

Special Projects - Special consultation for Federal land exchanges. Developed Land Evaluation Module (LEM) to describe and evaluate 290,000 acres of remote lands. Renovation feasibilities, residential lot absorption studies, commercial and office building absorption studies. Contract review appraiser for private individuals, municipalities and lenders. Restaurant feasibility studies, Housing demand studies and overall market projections. Estimated impact of nuisances on property values. Historic appreciation/market change studies. Historic barren material royalty valuations, subsurface mineral and timber valuation in conjunction with resource experts. Mass appraisal valuations for Municipality of Skagway, City of Craig, Ketchikan Gateway Borough and other Alaska communities. Developed electronic/digial assessment record system for municipalities. Developed extensive state-wide market data record system which identified sales in all geographic areas.

### **Expert Witness Experience and Testimony**

2009 Expert at mediation - Talbot's Inc vs State of Alaska, et al. IKE-07-168CI

2008 Albright vs Albright, IKE-07-265CI, settled

2006 State of Alaska vs Homestead Alaska, et al, 1JU-06-572, settled

2006 State of Alaska vs Heaton, et al, 1JU-06-570CI, settled

2006 State of Alaska vs Jean Gain Estate, 1JU-06-571, settled

2004 Assessment Appeal, Board of Equalization, Franklin Dock vs City and Borough of Juneau

2000 Alaska Pulp Corporation vs National Surety - Deposition

U.S. Senate, Natural Resources Committee

U.S. House of Representatives, Resource Committee

Superior Court, State of Alaska, Trial Court and Bankruptcy Courts

Board of Equalization Hearings testified on behalf of these municipalities: Ketchikan Gateway Borough, City of Skagway, City of Pelican, City and Borough of Haines, Alaska

Witness at binding arbitration hearings, appointed Master for property partitionment by superior state court, selected expert as final appraiser in multi parties suit with settlements of real estate land value issues

### **Partial List of Clients**

Federal Agencies	Lending Institutions
Bureau of Indian Affairs	Alaska Growth Capital
Bureau of Land Mngmnt	Alaska Pacific Bank
Coast Guard	Alaska Ind. Dev. Auth.
Dept. Of Agriculture	ALPS FCU
Dept. Of Interior	First Bank
Dept. Of Transportation	First National Bank AK
Federal Deposit Ins Corp	Key Bank
Federal Highway Admin.	Met Life Capital Corp.
Fish & Wildlife Service	National Bank of AK
Forest Service	Rainier National Bank
General Service Agency	SeaFirst Bank
National Park Service	True North Credit Union
USDA Rural Develop.	Wells Fargo
Veterans Administration	Wells Fargo RETECHS

### Municipalities

Other Organizations City & Borough of Haines Baranof Island Housing City & Borough of Juneau Authority (BIHA) City & Borough of Sitka Central Council for Tlingit City of Akutan & Haida Indian Tribes City of Coffman Cove of Alaska (CCTHITA) City of Craig Diocese of Juneau City of Hoonah Elks Lodge City of Ketchikan Hoonah Indian Assoc. City of Klawock LDS Church City of Pelican Moose Lodge City of Petersburg SE AK Land Trust (SEAL) City of Thorne Bay SE AK Reg Health Consortium (SEARHC) City of Wrangell Ketchikan Gateway Borg. Sitka Tribe of Alaska Municipality of Skagway The Nature Conservancy

**ANCSA Corporations** Cape Fox, Inc. Doyon Corporation **Eyak Corporation** Goldbelt Haida Corporation Huna Totem Kake Tribal Corporation Klawock-Heenya Corp. Klukwan, Inc. Kootznoowoo, Inc. Sealaska Corporation Shaan Seet, Inc. Shee Atika Corporation **TDX** Corporation The Tatitlek Corporation Yak-Tat Kwan

### State of Alaska Agencies Alaska State Building Authority (formerly ASHA) Attorney General Dept. of Fish & Game Dept. of Natural Service. Div. of Lands Dept. of Public Safety Dept. of Transportation & Public Facilities (DOT&PF) Mental Health Land Trust Superior Court

University of Alaska

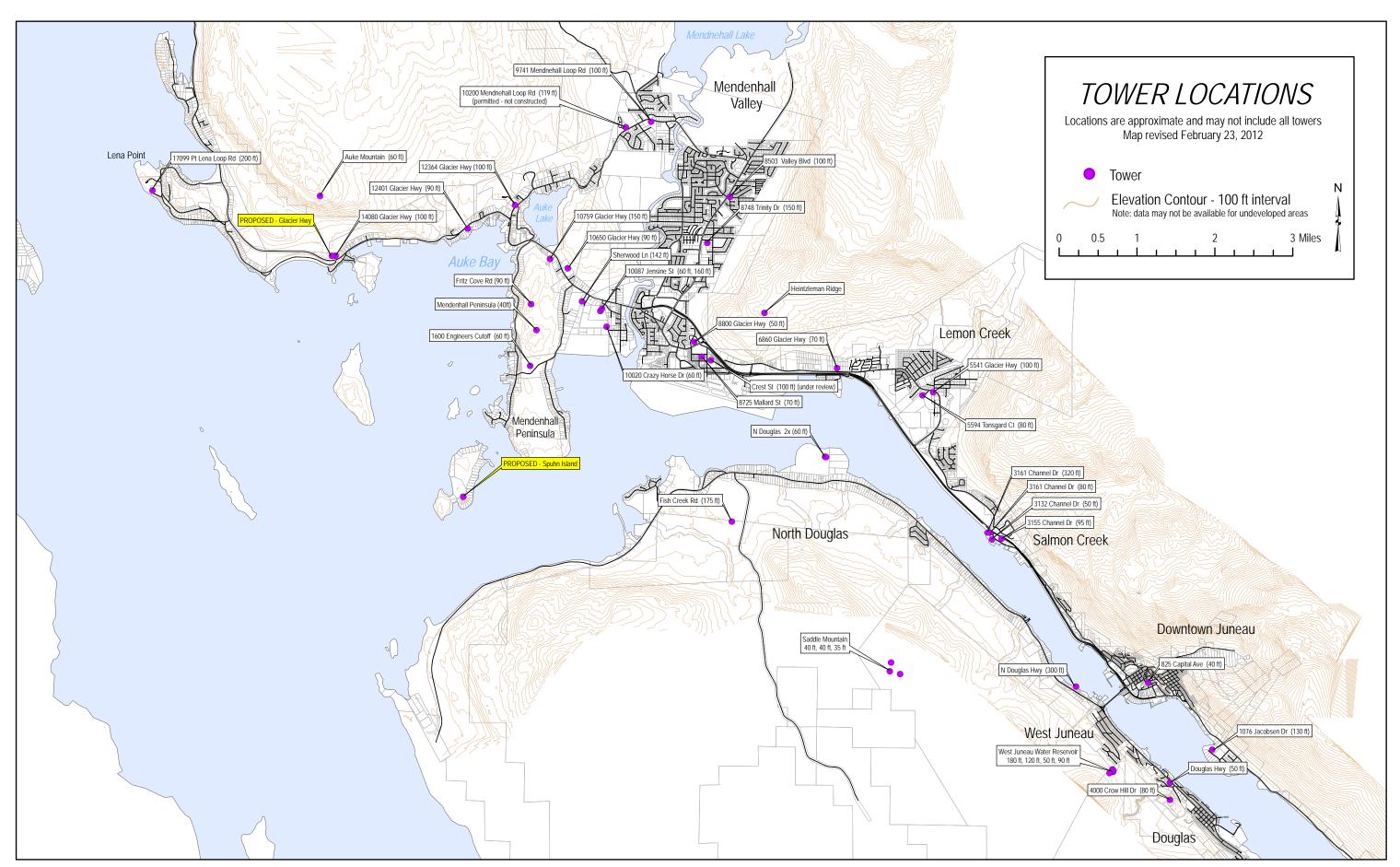
Companies AK Electric Light & Power AK Lumber & Pulp Co. AK Power & Telephone Allen Marine Arrowhead Transfer AT&T Alscom Coeur Alaska Delta Western Gulf Oil of Canada Hames Corporation HDR Alaska, Inc. Holland America Home Depot Kennecott Greens Creek Kennedy & Associates Madsen Construction, Inc. Service Transfer Standard Oil of CA The Conservation Fund Union Oil Ward Cove Packing White Pass & Yukon RR Yutana Barge Lines

### Education

- Uniform Standards of Professional Appraisal Practice 2011 Update, Juneau, AK; June 2011
- Current Issues & Regulatory Updates Affecting Appraisers #10066; William King & Associates, Inc., Juneau, AK; June 2011
- Loss Prevention Program for Real Estate Appraisers; LIA Administrators & Insurance Services; Juneau, AK; June 2011
- Uniform Appraisal Standards for Federal Land Acquisitions (UASFLA), Rockville, MD, Oct 2010
- Business Practices and Ethics, Seattle, WA, Apr 2010 Fall Real Estate Conference, Seattle, WA, Dec 2009
- 7-hour National USPAP Update Course, Seattle, WA, May 2009
- Fall Real Estate Conference, Seattle, WA, Nov 2008 Attacking and Defending an Appraisal in Litigation, Kent, WA, Sep 2008
- Sustainable Mixed-Use N.I.M., Seattle, WA, Feb 2008 Appraising 2-4 Unit Properties, Bellevue, WA, Sep 2007
- Business Practices and Ethics, Seattle, WA, Jun 2007 7-hour National USPAP Update Course, Seattle, WA, Jun 2007
- Residential Market Analysis and Highest and Best Use, Seattle, WA, Apr 2007
- Basic Appraisal Procedures, Seattle, WA, Feb 2007 USPAP Update Course, Anchorage, AK, Feb 2005
- Rates & Ratios: Making Sense of GIMs, OARs, and DCF, Anchorage, AK, Feb 2005
- Best Practices for Residential Appraisal Report Writing, Juneau, AK, Apr 2005
- Scope of Work Expanding Your Range of Services, Anchorage, AKMay 2003
- Litigation Appraising Specialized Topics and Applications, Dublin, CA, Oct 2002
- UASFLA: Practical Applications for Fee Appraisers, Jim Eaton, Washington, D.C., May 2002
- USPAP, Part A, Burr Ridge, IL, Jun 2001
- Partial Interest Valuation Undivided, Anchorage, AK, May 2001
- Partial Interest Valuation Divided, Anchorage, AK, May 2001
- Easement Valuation, San Diego, CA, Dec 1997 USPAP, Seattle, WA, Apr 1997
- The Appraiser as Expert Witness, Anchorage, AK, May 1995

- Appraisal Practices for Litigation, Anchorage, AK, May 1995
- Forestry Appraisal Practices, Atterbury Consultants, Beaverton, OR, Apr 1995
- Advanced Sales Comparison & Cost Approaches, Univ. of Colorado, Boulder, CO, Jun 1993
- Computer Assisted Investment Analysis, University of Maryland, MD, Jul 1991
- USPAP, Anchorage, AK, Apr 1991
- General State Certification Review Seminar, Anchorage, AK, Apr 1991
- State Certification Review Seminar, Dean Potter, Anchorage, AK, Apr 1991
- Highest and Best Use and Market Analysis, Baltimore, MA, Mar 1991
- Financial Institution Reform, Recovery & Enforcement Act of 1989, Doreen Fair Westfall, Appraisal
- Analyst, OTS, Juneau, AK, Jul 1990
- Real Estate Appraisal Reform, Gregory Hoefer, MAI, OTS, Juneau, AK, Jul 1990
- Standards of Professional Practice, Anchorage, AK, Oct 1987
- Federal Home Loan Bank Board Memorandum R41C Seminar, Catherine Gearhearth, MAI, FHLBB
- District Appraiser, Juneau, AK, Mar 1987
- Market Analysis, Boulder, CO, Jun 1986
- Federal Home Loan Bank Board Regulation 41b,
- Instructor Bob Foreman, MAI, Seattle, WA, Sep 1985 Litigation Valuation, Chapel Hill, North CA, Aug 1984
- Standards of Professional Practices, Bloomington, IN,
  Jan 1982
- Course 2B, Valuation Analysis & Report Writing, Stanford, CA, Aug 1980
- Course 6, Introduction to Real Estate Investment Analysis, Aug 1980
- Course 1B, Capitalization Techniques, San Francisco, CA, Aug 1976
- Course 2A, Case Studies in Real Estate Valuation, Aug 1976
- Course 1A, Real Estate Principles and Valuation, San Francisco, CA, Aug 1974

Rev 06/11



### **Teri Camery**

From:

John Sahnow

Sent:

Tuesday, June 19, 2012 10:48 AM

To:

Teri Camery

Cc:

Robin Potter

Subject: RE: USE2012 0008 Glacier Hwy cell tower impact assessment

I have reviewed the Permit Application USE2012 0008 for the proposed tower. Thank you for including the detailed Impact Report by Mr. Horan. I concur with his analysis and conclusion.

The Assessor's office has no issues with this proposal.

John Sahnow

Appraiser III City and Borough of Juneau Finance/Assessors Division Phone: 907-586-0331

From: Teri Camery

Sent: Tuesday, June 19, 2012 10:04 AM

To: John Sahnow

Subject: USE2012 0008 Glacier Hwy cell tower impact assessment

This completes the information for this review. Please let me know if you need anything else for your comments.

Cheers,

Teri

Teri Camery, Senior Planner City and Borough of Juneau Community Development Department 155 S. Seward Juneau, AK 99801 (907) 586-0755 phone; (907) 586-3365 fax



Please consider the environment before printing this email.

### Teri Camery

From: Sent:

Janice Sheufelt [sheufelt@gmail.com]

To:

Monday, June 18, 2012 7:59 PM Teri Camery

Subject:

Cell tower

Hi,

I encourage the planing commission to approve the permit for the cell phone tower at 14080 Glacier Hwy. The cell reception is extremely weak at our home, and I assume that this tower would be very helpful. Thanks, Janice Sheufelt 14321 Glacier Hwy 723-5637

Sent from my iPad