DATE: December 13, 2012
TO: Planning Commission
FROM: Eric Feldt, Planner II
Community Development Department
FILE NO.: USE2012 0022
PROPOSAL: A Conditional Use permit to allow off-site staging at the Juneau Subport for the new State Library Archive Museum project.

GENERAL INFORMATION
Applicant: PCL Construction Services, Inc
Property Owner: Alaska Mental Health Trust Authority
Property Address: 200 Egan Drive
Legal Description: Lot C1 Juneau Subport
Parcel Code Number: 1-C06-0-K01-003-1
Site Size: 2.8 Acres
Comprehensive Plan Future Land Use Designation: Mixed Use
Zoning: Mixed-Use 2
Utilities: City Water & Sewer
Access: Egan Drive
Existing Land Use: Vacant; Parking Lot
Surrounding Land Use: North - MU-2; KTOO Radio Station; Whittier St
South - Gastineau Channel
East - Subport & US Coast Guard; Egan Drive
West - Gastineau Channel
Planning Commission
File No.: USE2012 0022
December 13, 2012
Page 2 of 9

SLAM STAGING AREA VICINITY

Map created 12/4/2012

Imagery Date: June 2006

-This is not a survey-
Property lines are approximate
ATTACHMENTS

Attachment A Applicant’s Letter
Attachment B Site Plan
Attachment C Supporting Letters

PROJECT DESCRIPTION

The applicant requests a Conditional Use permit to use part of the Juneau Subport as an off-site staging area during the construction of the new State Library Archive Museum (SLAM) project. If approved, temporary offices, storage of connexes, material processing, and miscellaneous equipment storage will be used for construction operations. Material will be unpacked, sorted and prepared for construction at the site and then transported to the State Museum site for final use.

BACKGROUND

The site was historically used as a World War II transfer port and had a storage warehouse. This building was underutilized and demolished in 2008. A few years later, the Planning Commission approved a new office complex at the site but funding has not yet been allocated and construction never began. That permit has now expired and the site remains vacant.

More recently, the site has been used as an informal parking lot to capture overflow parking during large events at the Centennial Hall and Juneau Arts & Culture Center, such as the Public Market. According to staff’s records, use of the site as a parking lot was never formally permitted. Parking continues to be used during an as-needed basis and will discontinue if the subject Conditional Use permit is approved.

ANALYSIS

Project Site
The site is located along Egan Drive adjacent to the US Coast Guard and bordered by the Gastineau Channel to the south (See Vicinity Map). Access is only provided by a driveway that connects to Egan Drive at the intersection of Egan Drive & Whittier Street; access directly onto Egan Drive is not provided. The land is flat and consists of a gravel surface.

To the northeast, across Egan Drive lies hotels, restaurants, community cultural facilities, retail, etc. The nearest residential buildings are located nearby the IGA/Foodland Grocery Store, Juneau Bowling, and atop Telephone Hill; all approximately +800 feet away from the subject site.
Project Design
The applicant plans to use nearly the entire site for the staging of temporary offices and construction materials used during the construction of the SLAM project. The applicant describes the project in Attachment A. The location of the temporary offices, storage connexes, and materials is shown Attachment B. A strip of land along the shoreline will be preserved so the tidelands and vegetation will not be affected. Many office trailers and connexes will be placed along the Egan Drive property lines. This will create an intermittent wall that will help block views of the site.

The applicant states that a non-sight obscuring security fence will be placed along the perimeter of the staging area of the site. Though the applicant did not state the exact type of fence, staff expects this to be a metal, chain link.

New outdoor light poles will be placed throughout the site, and are expected to be of an ordinary design of parking lot light poles found throughout town.

The use of the site is projected to be for four years starting January 2013 and the anticipated hours of operation are: 7:00am – 5:30pm Monday – Friday
9:00am - 5:30pm Saturday.

Traffic
The applicant expects a maximum of 100 workers will use the construction staging site. These workers will park at the existing paved, parking lot next to the US Coast Guard facility, as seen in the vicinity map, and then likely walk to the subject site (across the driveway). Staff discusses parking in more detail under Parking and Circulation.

Assembled and processed material will be transported between the staging site and the State Museum site (destination site) using only highway-legal vehicles, with trailers when needed. Construction will start at the existing dirt-surfaced parking lot next to the museum site during the first phase, and then demolition of the existing museum will be done during a later phase. These two phases result in two different traffic routes. During the first phase, vehicles will turn left on Egan Drive (northbound), right on Glacier Avenue (eastbound), and then another right on Willoughby Avenue (southbound) to reach the site. Phase two provides a shorter route and only involves traveling straight through the Egan Drive/Whittier Street intersection onto Whittier Street.

The applicant shall be responsible for obtaining State or City agency approval and obeying all street safety measures for any unexpected street closure, use of any wide-load vehicles, or other activity affecting the management of public roadways. Further, the applicant shall ensure transported material is secure and safe, and any debris falling on the street is cleaned up as soon as possible. Staff recommends this safety measure be a condition of approval.

The applicant shall ensure that the sidewalk along Egan Drive in front of the subject site shall remain passable for all pedestrians, and cleared of any material that may originate from the
construction staging operations. Staff recommends this pedestrian-safety measure as a condition of approval.

**Parking and Circulation**
Staff notes that two parking lots will be affected by the proposed staging operations: 1) A gravel-surfaced, informal parking lot used primarily for overflow parking, and 2) An established, paved parking lot currently used by the public, to accommodate all construction workers.

The unpaved parking lot will be the site for operations and the paved parking lot will be closed to the public starting January 2013 and limited to only construction workers. According to staff’s records, both parking lots are owned by the Alaska Mental Health Trust Authority and are not associated with a single land use or business.

The Land Use Code does not define a parking requirement for temporary construction staging. The staging site is associated with the SLAM project, which has its own parking requirement that has been met.

**Noise**
Staff expects typical construction noise at the site. Noise may likely be heard by people from inside adjacent facilities, such as the US Coast Guard, Prospector Hotel & Restaurant, KTOO Radio Station, and the Juneau Arts & Humanities Council. Outdoor activities held at these facilities may be negatively affected by the construction noise. The temporary offices and connexes may block some noise from reaching adjacent properties.

The following section of the City & Borough of Juneau Penal Code applies to this project:

**CBJ § 42.20.095 Disturbing the Peace:**

*Construction of buildings and projects. It is unlawful to operate any pile driver, power shovel, pneumatic hammer, derrick, power hoist, or similar heavy construction equipment, before 7:00am or after 10:00pm, Monday through Friday, or before 9:00am or after 10:00pm, Saturday and Sunday, unless a permit shall first be obtained from the City and Borough building official. Such permit shall be issued by the building official only upon a determination that such operation during hours not otherwise permitted under this section is necessary and will not result in unreasonable disturbance to surrounding residents.*

The proposed hours and days of operation are listed above and comply with CBJ § 42.20.095 Disturbing the Peace code.

**Public Health or Safety**
As stated earlier, the construction site will be secured with a perimeter fence. Only highway-legal vehicles will be used to transport material between the staging site and museum site. With the recommended conditions affecting street safety, the health and safety of all users of the road and sidewalk will be maintained.
Staff solicited comments from the Juneau Police Department and Capital City Fire and Rescue (CCF/R). The Police Department stated that they have no objection related to the proposal. As of the date of this memorandum, the CCF/R did not submit comments.

Habitat
As shown on the site plan, the vegetation along the shorelines of this property will be preserved. Since this property has been filled for decades, there is no habitat regulated under Title 49 that would be affected by this project.

Property Value or Neighborhood Harmony
As stated earlier, the nearby residences are approximately 800 feet away from the subject site; and therefore, are not anticipated to be affected by this project. Also, the use of heavy machinery and hours of operation are limited in the CBJ Penal Code.

As mentioned earlier, the adjacent property owners are commercial and no-profit businesses and they will experience some increased noise levels. Supporting letters were received from the nearest facilities (Prospector Hotel & McGuire's Restaurant, KTOO Radio, and the JACC).

As stated earlier, new outdoor light poles will be used to illuminate the site. To reduce glare onto adjacent streets and businesses, staff recommends a condition of approval requiring the light fixture heads to be a full cut-off design.

Therefore, with the recommended conditions, approval of the temporary construction staging site will not negatively affect property values or neighborhood harmony.

Conformity with Adopted Plans
Staff reviewed the 2008 Comprehensive Plan for policies that may be germane to the project. This plan is a long-range community document that guides development and conservation through 2020. The following policies are relevant to the project.

**POLICY 3.1.** It is the policy of the CBJ to balance availability of sufficient land within the designated urban service area boundary that is suitably located and provided with the appropriate public services and facilities to meet the community's future growth needs and the protection of natural resources, fish and wildlife habitat and scenic corridors.

**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.

POLICY 5.3. It is the policy of the CBJ to maintain and strengthen downtown Juneau as a safe, dynamic and pleasant center for government and legislative activities, public gatherings, cultural and entertainment events, and residential and commercial activities in a manner that complements its rich historic character and building forms.

As indicated earlier, the construction staging operation is a temporary project for the permanent construction of the new State Library Archive Museum (SLAM) at the existing State museum site. Redeveloping the existing museum into the SLAM will improve its important role as an educational resource for not only downtown residents and tourists, but also the whole community and the Southeast Alaska region. Further, the SLAM is one of many interwoven resources in the downtown area that serve a foundational element for the State Capital. Staff finds the use of this location as a construction site for the SLAM to be 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 10.400 for the Mixed Use 2 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 December 7, 2012 and December 17, 2012 issues of the Juneau Empire's "Your Municipality" section. Furthermore, a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel and 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_. As stated earlier, only highway-legal vehicles will transport material between the staging site and the museum site. The applicant shall abide by all laws of the roadway while transporting material. Also, the applicant shall clean any spills on the public streets as soon as possible caused by the operation or the transportation of materials.

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

_No_. As mentioned earlier, the nearest private businesses affected by operations on the subject site have submitted letters of support and the closest residence is over approximately 800 feet away.

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

_Yes_. As indicated earlier, the construction staging site will provide the necessary preparations for the State Library Archive Museum (SLAM) project. This new facility will replace the existing museum. The SLAM is an important resource in the downtown area that serves a foundational element for the State Capital as well as to the community and tourists.

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. No policies of the Juneau Coastal Management Program pertain to the proposal.

RECOMMENDATION

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use permit. The permit would allow the development of a four-year long site staging area for the State Library Archive Museum project. The approval is subject to the following conditions:

1. The applicant shall ensure transported material is secure and safe, and any debris falling on the street be cleaned up as soon as possible.
2. The applicant shall be responsible for obtaining permission from State or City agencies during any unexpected street closures due to the staging and transportation operations.
3. The applicant shall ensure that the sidewalk along Egan Drive in front of the subject site shall remain passable for all pedestrians, and cleared of any material that may originate from the construction staging operations.
4. The hours of operation are: 7:00am – 5:30pm Monday – Friday 9:00am – 5:30pm Saturday
5. Outdoor light fixture shall be of a full cut-off design.
ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

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: 10.400

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

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

STATEWIDE LIBRARY ARCHIVES MUSEUM STAGING AREA LOCATED AT LOTS C1 AND C2 RENEW SUPPORT SUBDIVISION.

IS THIS A MODIFICATION OF AN EXISTING APPROVAL? ☐ NO ☐ YES – Case #

CURRENT USE OF LAND OR BUILDING(S): VACANT LOT

PROPOSED USE OF LAND OR BUILDING(S): OFFICE TRAILERS, STORAGE TRAILERS AND CONEXES, NICE LAYDOWN, PARKING. SEE ATTACHED

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

SITE AND BUILDING SPECIFICS:

Total Area of Lot 4 ACRES square feet Total Area of Existing Structure(s) square feet
Total Area of Proposed Structure(s) 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:

☒ 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 Physical Features of the site (drainage, habitat, hazard areas, etc.)

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

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NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

Revised December 2009 - I:
FORMS: 2010 Applications
DEVELOPMENT PERMIT APPLICATION

CITY and BOROUGH of JUNEAU

Project Description:
Temporary construction staging for the new State Library, Archives, Museum project.

Street Address:
200 Egan Drive
City/Zip:
Juneau Alaska

Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot):
Subport Lots C1
Juneau Recording District

Assessor's Parcel Number(s):
1C060K010031

Property Owner's Name:
State of Alaska, DOT/PF
Contact Person:
Kim Mahoney
Work Phone:
907-269-0622

Mailing Address:
2200 East 42nd Avenue Anchorage AK 99508
Home Phone:
Fax Number:

E-mail Address:
Kim.Mahoney@alaska.gov

Other Contact Phone Number(s):
907-242-3102

I am (we are) the owner(s)/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.

Landowner/Lessee Signature:
X /Grantee
Landowner/Lessee Signature:

Date:
11/29/12

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's Name:
PCL Construction Services, Inc.
Mailing Address:
1400 West Benson Blvd. Suite 510, Anchorage, AK 99503
E-mail Address:
pjepeterson@pcl.com

Contact Person:
Rick Peterson
Work Phone:
907-243-7262
Home Phone:
Fax Number:
907-272-1905

Other Contact Phone Number(s):
907-362-7482

Applicant's Signature:

Date of Application:
11/29/12

OFFICE USE ONLY BELOW THIS LINE

STAFF APPROVALS

Building/Grading
Permit
City/State
Project Review and City Lead 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
(Miner, Major, PUD, St. Vacation, St. Name Change)
Use Approval
(Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)
Variance Case
(De Minimis and all other Variance case types)
Wetlands
Permits
Zone Change
Application
Other
(Describe)

Comments:

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

DEVELOPMENT PERMIT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATIONS

10 Applications
Revised November 2009
November 30, 2012

Lots C1 and C2 Juneau Subport Subdivision Written Plan

During the Preconstruction Phase of the Statewide Library Archive Museum Project it was PCL’s determination that the least disruptive alternative for a location of project office trailers, storage trailers, conexas, miscellaneous staging area, and employee parking would be Lot C1 and Lot C2 of the Juneau Subdivision. These lots are located on the south side of Egan Drive directly south of the Prospector Hotel. Other options were on Foodland property, the CBJ parking area, and onsite staging. Our Construction Team felt that the Foodland property and CBJ parking area would have been extremely disruptive to Foodland and CBJ. The option of onsite staging was impractical due to site logistics and phased construction. PCL’s team felt these options were not practical would have created significant congestion and would also have been extremely disruptive to the entire Willoughby District.

Traffic Plan: The current Manpower Plan indicates that PCL and its Subcontractors will peak at near 100 workers. The traffic flow from the Staging Area and the SLAM Project for the first phase (Phase 2A) primarily will be Egan Drive to Glacier Ave then Willoughby to the project, the secondary route will be to utilize Whittier Ave. During the second phase of construction (Phase 2B and Phase 3) the intent will be to utilize Whittier Ave. as the primary Route during non-peak traffic times. The secondary route will be Egan Drive to Willoughby then to the project. This may only be used during peak traffic times on Whittier Ave as this will be a direct route during the latter phases of construction. It will be communicated to each subcontractor that multiple vehicular trips between the Staging Area and the project shall be minimized to reduce traffic that we would create as well as inefficiencies in production on the project.

Site Lighting: The current Site Lighting Plan includes relocating the existing light fixtures and poles that are currently being used in the gravel parking area that is located between the Foodland property and the existing State Museum. Their new locations are depicted on the attached site plan. These fixtures are classified as shielded as to prevent glare onto roadways and adjacent properties.

Fencing: PCL’s understanding is that the code requirement for the fencing under this permit shall be Sight Obscuring Fencing. PCL would like to propose non-Site Obscuring Chain Link Fence due to a reduction in wind resistance during times of high winds. We feel that the Sight Obscuring option for the fencing could create a maintenance issue during high winds as well as a possible safety issue along the Egan Right of Way. PCL’s intent during the planning stages of the staging area was to put the open storage area as far from the Egan Drive Right of Way as possible not only for a sight issue but also as a security measure. PCL also intends to locate the trailers and conexas along the North, East and West fences of the Staging Area to assist with obscuring sight to the open storage area.
Snow Storage: PCL's intent for snow storage will be minimal due to lack of storage area. The plan that is currently in place is to export snow as required. Please see attached Site Plan for location of temporary snow storage.

SWPPP: The Storm Water Pollution Prevention Plan for this area is included in the Storm Water Pollution Prevention Plan that has been approved for the construction site.

Proposed Vegetative Cover: The current plan is to have the fence located so that no vegetative cover will be inside the Staging Area as to not disturb any of the existing vegetation.

Hours of Operation: PCL's anticipated hours of operation for our staging area are 06:30 – 17:30. Our Construction Team is aware of the noise ordinance for the hours between 22:00 and 06:00 and do not anticipate any issues with it.

Employee Parking: Lot C2 of the Juneau Subport Subdivision has been designated as the area for employee parking. This area will be fenced using chain link fence that will be removed at the end of the project. No other improvements or impacts are planned for this area.
STAGING AREA

TRUCK STAGING AREA
and
TEMPORARY SNOW STORAGE

LIGHT POLES TO BE EQUIPPED WITH SHIELDED LIGHT FIXTURES; TYP. 4 Ea.
**Earth Auger Tie Down**

**Concrete Tie Down**

**Cross Drive Tie Down**

**Concrete Tie Down**

**Concrete Slab Anchors**

**Cross Drive Anchors**

**EARTH AUGERS**

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**CONCRETE SLAB ANCHORS**

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**IMPERIAL STAMPING PRODUCTS**

**DIAGRAM 1234-09**

**ENGRAVER APPROVAL**

**STATE APPROVAL**
11/29/12

City/Borough of Juneau
155 South Seward St.
Juneau, AK. 99801


Please accept this as our support of PCL's effort to utilize property near and/or across from the Prospector Hotel for the SLAM project job trailers and staging. We do not feel our dining customers or hotel guest will be negatively impacted by this use and may even find it interesting to watch this large project come together. It should also keep some of the less desirable uses of the vacant property from occurring which we will actually find beneficial. If any questions, please feel free to contact me.

Sincerely,

[Signature]

Joel Sims, Partner
Juneau Hospitality Iic.
Prospector Hotel and TK Maguire's
teamsims@yahoo.com
December 7, 2012

Robert Banghart
Deputy Director - Libraries Archives and Museums
Chief Curator - Alaska State Museums
395 Whittier St.
Juneau, AK 99801

Dear Bob:

I am writing in response to proposed use of the Alaska Mental Health Trust’s "Subport" property as staging area during the construction of SLAM project. This use would have no impact on KTOO, and we support the idea of staging in this location rather than on or near the construction site, which is closer to our building.

We have no concerns about traffic, parking or the visual appearance of the site. The intersection is well controlled, and the public entrances to our building face away from the proposed staging area.

We appreciate the opportunity to comment, and I’d like to thank you for your efforts to keep the neighbors well informed and to mitigate the impact of the construction. We believe that the SLAM project will be of great benefit to the community and the neighborhood, well worth any minor inconveniences caused by construction.

Sincerely,

Bill Legere
President and General Manager
December 4, 12

Robert Banghart  
Deputy Director - Libraries Archives and Museums  
Chief Curator - Alaska State Museums  
395 Whittier St.  
Juneau, AK 99801

Dear Bob,

The Council is excited to see that construction is beginning on the State Libraries, Archives, and Museum building.

While in the short-term the loss of parking in the area due to the use of the subport lots for staging and construction needs will cause some disruption in the neighborhood and perhaps negatively affect our renters, the long-term benefits of this facility far outweigh those temporary concerns. We anticipate that the improvements to the subport lots resulting from its interim use will also benefit the surrounding facilities.

The Council stands ready to help with this exciting development in any way it can. Please extend our thanks to the Alaska Mental Health Trust for providing necessary construction space for this purpose. We fully support that use.

Sincerely,

Nancy DeCherney  
Executive Director

350 Whittier St. Ste 101 • Juneau, AK 99801 • 907 586-2787 • www.jahc.org
December 12, 2012
Planning Commission
City and Borough of Juneau
Assembly Chambers
Municipal Building
155 South Seward Street
Juneau, Alaska 99801

Subject: Letter of Support for PCL Construction Services, Inc. Support Staging Area for the State Libraries, Archives and Museums Project (MHT 9100721)
1-C06-0-K01-003-1

Dear Planning Commission:

This letter is in support of allowing the Alaska Department of Transportation (DOT) to utilize the area known as the Support as the staging area for the State Libraries, Archives, and Museum Project. As you know, the Alaska Mental Health Trust Authority owns the above referenced parcel. Its current status is vacant land. The Trust Land Office (TLO), as manager of the land, has issued a revocable authorization to DOT for use of the site. Over the last two years, several entities have used the Support for either staging purposes or special events under the TLO revocable authorization process. The revocable authorization allows temporary use of the property. It may be revoked by the TLO at any time upon written notice. The authorization issued to the State of Alaska Department of Transportation is no different from previous authorizations, in that it is a temporary right to use the property for the purpose of construction staging.

A conditional use permit for a temporary non-development authorization appears to be unnecessary. Review of Land Use Code Ordinances under Title 49.80.120 - Definitions, "development means any of the following: .(4) Change in use of a lot, including any structure thereon;" seems to refer to a permanent change in use of a lot. This parcel continues to remain vacant except for a temporary period of time. If this temporary authorization requires a conditional use permit, then it would follow that all future temporary authorizations would require a conditional use permit prior to TLO issuing its authorization. That includes any temporary or interim use of the property. We do not believe that is in the best interest of the Trust or the community.

As to the development and/or disposal of the Support, prior plans have not come to fruition. TLO continues to reach out to the community and real estate investors for an acceptable business opportunity that meets the Alaska Mental Health Trust Authority Board of Trustees investment standards. However, to date, there are no development plans to report.

If you have questions over the revocable authorization process, please contact Cindi Bettin, Senior Lands Manager at 907.269.8751. Thank you for the opportunity to comment on the State Library Archive Museum staging area project.

Sincerely,

Gregory L. Jones
Executive Director

Cc: Cindi Bettin, Senior Lands Manager
   Trust Parcel C20499